

TOWN OF CANMORE

AGENDA

Regular Meeting of Council

Council Chambers at the Civic Centre, 902 – 7 Avenue

Tuesday, September 5, 2023 at 9:00 a.m.

Times are estimates only.

- 9:00 – 9:05 **A. CALL TO ORDER AND APPROVAL OF AGENDA**
1. **Land Acknowledgement**
 2. **Agenda for the September 5, 2023 Regular Meeting of Council**
- 9:05 – 9:20 **B. PUBLIC HEARINGS**
1. **Silvertip Areas Structure Plan Bylaw Amendment 2023-21 Maps**
 - (1) Call to order
 - (2) Administration Summary
 - (3) Public Verbal Submissions
 - (4) Public Written Submissions
 - (5) Closing Comments from Administration
 - (6) Council Questions of Administration
 - (7) Adjournment of the Public Hearing
 2. **Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals**
 - (1) Call to order
 - (2) Administration Summary
 - (3) Public Verbal Submissions
 - (4) Public Written Submissions
 - (5) Closing Comments from Administration
 - (6) Council Questions of Administration
 - (7) Adjournment of the Public Hearing
- 9:20 – 9:50 **2. Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals**
- (1) Call to order
 - (2) Administration Summary
 - (3) Public Verbal Submissions
 - (4) Public Written Submissions
 - (5) Closing Comments from Administration
 - (6) Council Questions of Administration
 - (7) Adjournment of the Public Hearing
- 9:50 – 10:20 **3. Land Use Bylaw Amendment 2023-24 205 Stewart Creek Rise**
- (1) Call to order
 - (2) Administration Summary
 - (3) Applicant Summary
 - (4) Public Verbal Submissions
 - (5) Public Written Submissions
 - (6) Council Questions of the Applicant
 - (7) Closing Comments from Administration
 - (8) Council Questions of Administration
 - (9) Adjournment of the Public Hearing
- C. DELEGATIONS – None**
- 10:20 **D. APPROVAL OF MINUTES**
1. **Minutes of the August 15, 2023 Regular Meeting of Council**
- E. BUSINESS ARISING FROM THE MINUTES – None**

F. UNFINISHED BUSINESS

10:20 – 11:05

1. Retail Gap Analysis and Light Industrial and Commercial Land Review

Motion 162-2023 postponed at the July 4, 2023 regular council meeting: that Council direct administration to return with recommended amendments to the Land Use Bylaw, the Municipal Development Plan, and any other suggested policy amendments to clear up restrictions and conflicting statements and interpretations to allow the provision of housing in industrial districts, propose criteria under which such housing could be considered, and ensure that any residential units are occupied by employees.

Meeting break 11:05 – 11:20

G. BYLAW APPROVAL

11:20 – 11:35

1. Silvertip Areas Structure Plan Bylaw Amendment 2023-21 Maps

Recommendations:

- (1) That Council give second reading to Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps.
- (2) That Council give third reading to Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps.

11:35 – 11:55

2. Land Use Bylaw Amendment 2023-20 – Canmore Planning Commission Authority and Referrals and Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 – Development Authority and Canmore Planning Commission

Recommendations:

- (1) That Council give second reading to Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals.
- (2) That Council give third reading to Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals.
- (3) That Council give second reading to Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 – Development Authority and Canmore Planning Commission.
- (4) That Council give third reading to Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 Development Authority and Canmore Planning Commission.

11:55 – 12:05

3. Land Use Bylaw Amendment 2023-24 205 Stewart Creek Rise

Recommendations:

- (1) That Council give second reading to Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise.
- (2) That Council give third reading to Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise.

12:05 – 1:05

4. Palliser Area Structure Plan Bylaw 2023-22

Recommendation: That Council give first reading to Palliser Trail Area Structure Plan Bylaw 2023-22 and schedule a public hearing for October 3, 2023.

Meeting break 1:05 – 2:05

2:05 – 2:35

5. Bylaw Enforcement Officer Bylaw

Recommendations:

- (1) That Council give first reading to Bylaw Enforcement Officer Bylaw 2023-29.
- (2) That Council give second reading to Bylaw Enforcement Officer Bylaw 2023-29.
- (3) That Council give leave to go to the third reading of Bylaw Enforcement Officer Bylaw 2023-29.
- (4) That Council give third reading to Bylaw Enforcement Officer Bylaw 2023-29.

2:35 – 3:10

H. NEW BUSINESS

1. Livability Tax Policy Taskforce Terms of Reference

Recommendations:

- (1) That Council approve the Terms of Reference for the Livability Tax Policy Task Force as presented, and
- (2) That Council appoint three members of council to participate in the Livability Tax Policy Task Force.

3:10 – 3:25

2. 2023 Capital Budget Funding Sources Amendment - Cougar Creek Long-Term Mitigation

Recommendations:

- (1) That Council approve a budget funding source amendment for Cougar Creek Long-term Mitigation capital project (CP#1562) in the amount of \$8,300,000 from Future Grant to Reserves drawn as follows:
 - \$5,300,000 – Asset Replacement/Rehabilitation Reserve
 - \$2,000,000 – General Municipal Capital Reserve
 - \$1,000,000 – Flood Mitigation Structure Maintenance Reserve
- (2) That Council direct administration to continue to apply for grant funding, with any approved grants to be utilized to reduce the amount of reserve funding required for this project.

I. REPORTS FROM ADMINISTRATION – None

J. NOTICES OF MOTION – None

K. IN CAMERA – None

3:25

L. ADJOURNMENT



**TOWN OF CANMORE
MINUTES**

Regular Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, August 15, 2023 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

Wade Graham Councillor
Jeff Mah Councillor

ADMINISTRATION PRESENT

Sally Caudill Chief Administrative Officer
Therese Rogers General Manager of Corporate Services
Whitney Smithers General Manager of Municipal Infrastructure
Scott McKay General Manager of Municipal Services
Cheryl Hyde Municipal Clerk
Joshua Cairns Senior Policy Planner
Lauren Miller Manager of Planning and Development
Harry Shnyder Senior Planner
Caitlin Miller Manager of Protective Services
Stephen Hanus Manager of Facilities
Simon Robins Supervisor of Solid Waste Services
Andy Esarte Manager of Engineering
Caroline Hedin Communications Advisor
Adam Robertson Manager of Communications

Mayor Krausert called the August 15, 2023 regular meeting to order at 9:00 a.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

- 1. Land Acknowledgement**
- 2. Agenda for the August 15, 2023 Regular Meeting of Council**

177-2023

Moved by Mayor Krausert that Council approve the agenda for the August 15, 2023 regular meeting as presented.

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS

None

C. DELEGATIONS

None

D. APPROVAL OF MINUTES

1. Minutes of the July 4, 2023 Regular Meeting of Council

178-2023 Moved by Mayor Krausert that Council approve the minutes of the July 4, 2023 regular meeting as presented.

CARRIED UNANIMOUSLY

E. BUSINESS ARISING FROM THE MINUTES

1. Homelessness Society of the Bow Valley (HSBV)

179-2023 Moved by Mayor Krausert that Council direct administration to offer the Scout Hall to the Homelessness Society of the Bow Valley as a potential rental location to be used as an emergency overnight shelter from December 1, 2023 to April 1, 2024, with any rental hours between midnight and 6 a.m. being provided for free.

180-2023 Moved by Councillor Foubert that Council table motion 179-2023 until after item H-1 Facilities Use Decision Framework – Existing Firehall.

DEFEATED

In favour: Foubert

Opposed: Hilstad, Krausert, Marra, McCallum

179-2023 The vote followed on motion 179-2023: that Council direct administration to offer the Scout Hall to the Homelessness Society of the Bow Valley as a potential rental location to be used as an emergency overnight shelter from December 1, 2023 to April 1, 2024, with any rental hours between midnight and 6 a.m. being provided for free.

CARRIED UNANIMOUSLY

F. UNFINISHED BUSINESS

None

G. BYLAW APPROVAL

1. Silvertip Area Structure Plan Amendments – Bylaw 2023-21

181-2023 Moved by Mayor Krausert that Council give first reading to Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps.

CARRIED UNANIMOUSLY

182-2023 Moved by Mayor Krausert that Council schedule a public hearing for Bylaw 2023-21 for September 5, 2023.

CARRIED UNANIMOUSLY

2. Land Use Bylaw Amendment 2023-20 and Amendments to Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 – Development Authority and Canmore Planning Commission

183-2023 Moved by Mayor Krausert that Council give first reading to Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals and schedule a public hearing for September 5, 2023.

CARRIED UNANIMOUSLY

Minutes approved by: _____

184-2023 Moved by Mayor Krausert that Council give first reading to Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 Development Authority and Canmore Planning Commission.
CARRIED UNANIMOUSLY

3. Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise

Michelle Ouellette, Executive Director of Canmore Community Housing, was given leave by the Mayor to answer questions of Council.

185-2023 Moved by Mayor Krausert that Council give first reading to Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise.
CARRIED UNANIMOUSLY

186-2023 Moved by Mayor Krausert that Council schedule a public hearing for Bylaw 2023-24 for September 5, 2023.
CARRIED UNANIMOUSLY

4. Emergency Management Bylaw Amendment – Emergency Advisory Committee Increase Bylaw 2023-27

187-2023 Moved by Mayor Krausert that Council give first reading to Emergency Management Bylaw Amendment 2023-27 – Emergency Advisory Committee Increase.
CARRIED UNANIMOUSLY

188-2023 Moved by Mayor Krausert that Council give second reading to Emergency Management Bylaw Amendment 2023-27– Emergency Advisory Committee Increase.
CARRIED UNANIMOUSLY

189-2023 Moved by Mayor Krausert that Council give leave to go to the third reading of Emergency Management Bylaw Amendment 2023-27– Emergency Advisory Committee Increase.
CARRIED UNANIMOUSLY

190-2023 Moved by Mayor Krausert that Council give third reading to Emergency Management Bylaw Amendment 2023-27– Emergency Advisory Committee Increase.
CARRIED UNANIMOUSLY

Meeting Break 10:00 – 10:15 a.m.

H. NEW BUSINESS

1. Facilities Use Decision Framework – Existing Fire Hall

191-2023 Moved by Mayor Krausert that Council direct administration to

- 1) allocate available space at the Fire Hall located at 1021 Railway Avenue to the Protective Services, Facilities, and Public Works departments;
- 2) amend the 2023 approved capital project Re-purpose of Fire Hall – Design (#7290) to include a construction phase in the scope of work; and

Minutes approved by: _____

- 3) issue a Request for Expressions of Interest for third party interest in the remaining spaces at the Fire Hall and report back to Council for a decision.

CARRIED

In favour: Hilstad, Krausert, Marra, McCallum

Opposed: Foubert

2. 2023 Capital Budget Amendment – Large Item Collection Vehicle

- 192-2023 Moved by Mayor Krausert that Council approve a budget increase to 2023 capital project (#7316) Large Item Collection Vehicle from \$100,000 to \$160,000 to be funded from the Solid Waste Services Reserve.

CARRIED UNANIMOUSLY

- 193-2023 Moved by Councillor Foubert that Council direct administration to return during the 2025 budget process with a review of the large-item pickup service level and provide recommendations on ways to increase potential circular economy opportunities to expand the reuse and sharing economy for residents.

CARRIED UNANIMOUSLY

- 194-2023 Moved by Councillor Krausert that Council table item I1 Palliser Trail Area Structure Plan to follow the lunch break.

CARRIED UNANIMOUSLY

K. IN CAMERA

1. Cougar Creek Construction

- 195-2023 Moved by Mayor Krausert that Council take the meeting in camera at 11:44 a.m. to prevent disclosure of information related to the Town's contractual negotiations in accordance with section 25(1)(c)(iii) and information subject to legal privilege in accordance with section 27(1)(a) of the *Freedom of Information and Protection of Privacy Act*.

CARRIED UNANIMOUSLY

Administration present during the closed session: Sally Caudill, Whitney Smithers, Therese Rogers, Scott McKay, Cheryl Hyde, Andy Esarte, Adam Robertson, and Caroline Hedin.

- 196-2023 Moved by Mayor Krausert that Council return to the public meeting at 11:57 p.m.

CARRIED UNANIMOUSLY

Meeting Break 11:57 a.m. – 1:00 p.m.

I. REPORTS FROM ADMINISTRATION

1. Palliser Trail Area Structure Plan Update

Administration spoke to a written report providing Council with an overview of the draft Palliser Trail Area Structure Plan and a summary of the feedback received through community engagement on the proposed updates.

J. NOTICES OF MOTION

None

Minutes approved by: _____

L. ADJOURNMENT

197-2023

Moved by Mayor Krausert that Council adjourn the August 15, 2023 regular meeting at 2:05 p.m.

CARRIED UNANIMOUSLY

Sean Krausert, Mayor

Cheryl Hyde, Municipal Clerk

Minutes approved by: _____



Request for Decision

DATE OF MEETING: July 4, 2023 **Agenda #** H-1

TO: Council

SUBJECT: Retail Gap Analysis and Light Industrial and Commercial Land Review

SUBMITTED BY: Eleanor Milette, Manager of Economic Development

RECOMMENDATION: That Council direct administration to return with recommended amendments to the Land Use Bylaw and Municipal Development Plan to discourage the provision of employee housing in industrial districts.

EXECUTIVE SUMMARY

As part of the 2021 budget and as a recommendation in the Economic Development Strategy, and the Business Recovery Taskforce, a Retail Gap Analysis and Light Industrial and Commercial Land Review (herein referred to as “the study”) began in February of 2022. Administration is now providing the final report to Council for information.

The study focused in on two elements. The first is the Retail Gap Analysis, which looks to understand our retail profile, consumer demands, gaps, and opportunities. The second was a Commercial and Industrial Land supply-and-demand inventory and analysis, which provides guidance and recommendations on a strategic approach related to industrial and commercial lands.

While housing was not the primary area of focus for the study, the authors did recommend against repurposing light industrial space and land for employee housing. This recommendation, combined with an increasing number of development permit applications related to the provision of employee housing in light industrial districts, and the applicable language in the Land Use Bylaw, has informed administration’s recommended motion.

This item was originally included in the June 6, 2023, Council Meeting agenda package and was subsequently postponed until July 4th, 2023. Since that time, additional information has become available, and administration has updated the report accordingly. Information added since the June 6th report was published is presented in blue text, all other content remains unchanged.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAW

Council Motions:

- 58-2020: Council accepted the Economic Development Strategy as presented for planning purposes.
- 257-2021: Council accepted the Business Recovery Taskforce Report for planning purposes.
- 119-2023: Council approved the Housing Accelerator Fund Action Plan as presented.
- 146-2023: Council postponed the Retail Gap Analysis and Light Industrial and Commercial Land Review to the July 4, 2023 regular meeting.

Alignment with Council's 2023-2026 Strategic Plan:

- Livability – Result 4 - Employment opportunities that provide residents with a dignified and reasonable standard of living are widely available.
- Relationships – Result 2 – Intergovernmental, business, and non-profit relationships result in mutually beneficial outcomes.

DISCUSSION

The study sets out to equip the Town with the tools to sustain and enhance the economic health and diversity of the community. The report will also support various industry segments including developers, real estate agents, building owners, and commercial businesses by providing data to inform business decisions and identify potential diversification opportunities. Attached to this report is the Council Summary. The full report will be posted online on the Town's website at: <https://www.mycanmore.ca/retailgap>

The analysis offers a snapshot of the relative strengths and weaknesses in Canmore's retail offerings, as well as supply and demand overviews for commercial and industrial lands. The study is intended to empower stakeholders with data that can be used to inform decisions for both existing and new business ventures.

Data Gathering and Fact Finding

Based on the data collected, the study:

1. Provides a regional and local context in terms of geographic location, regional access, traffic counts and review of relevant plans and studies,
2. Identifies trends that might impact the business community,
3. Identifies the trade area that accesses Canmore's businesses,
4. Reviews and reports on the 10 non-residential nodes in Canmore and documents market factors such as industry make-up, vacancy etc.,
5. Identifies consumer trends through consumer survey,
6. Outlines a demand and gap analysis of current retail, commercial and industrial business, and
7. Outlines a business targeting action plan.

The study identified a retail trade area population of 34,551 (Figure 4-1 on page 5 of the attached report), and while tourism is a key part of the Town's identity and retail positioning, Canmore residents still account for most of the spending in the trade area.

The town has approximately 2.33 million square feet (sf) or 216,464 square meters (sq m) of total ground floor business space, of which 37% is retail, and 11.6% is industrial floorspace. The remainder of business space is commercial in nature such as office space, warehouse/storage, professional services, banking, restaurants, etc.

The Town has a very low commercial vacancy rate; less than 1% of total inventory, or 2.2% when based upon only retail floor space. Business consultation through this project and the ongoing monitoring of commercial and industrial lease rates by Economic Development confirms that these costs continue to increase with sustained low vacancy rates believed to be a key contributing factor.

Based on the research conducted, the forecasted demand* by 2032 is estimated at:

- Retail: 221,237sf (20,553 sq m) of new gross floor area
- Office: 51,474 sf (4,782 sq m) of new gross office floor area

- Industrial: 98,434 sf (9,144 sq m) of new gross industrial floor area

**Based on the current projected population growth of 2.16% per year.*

Recommended Strategy and Objectives

The recommendations in the report are centered around four core objectives (pages 13-19 of the attached report):

1. Collaborate with the business community on shared priorities (e.g., Enable inclusive growth aligned with Canmore's values, define a shared vision for business within Canmore, and clarify land use plans and policies for businesses)
2. Continue to implement measures to increase livability in the community and address housing challenges (e.g., workforce housing strategy, mixed use commercial development, and integrated transportation plans)
3. Encourage vibrant commercial nodes with a variety of resident-oriented goods and services (e.g., Attract value-oriented merchandisers, store front improvements, and activation of vacant spaces)
4. Retain and encourage efficient use of the industrial lands (e.g., clearly define a vision for industrial in land in Canmore, business incubation, and industrial infill opportunities)

Given that the study provided recommendations related to specific land uses, it is important for Council and the community to have a clear understanding of land use definitions to paint an accurate picture of what implementation of these recommendations could look like. The allowable uses within the different land use districts that were analyzed in the study, are defined uses in Land Use Bylaw 2018-22 as follows:

Commercial generally means the provision of finished goods for sale and/or a personal/professional service e.g., eating and drinking establishments, office, medical clinic, clothing store, grocery store, financial institution, convention centre, personal service businesses etc.

Industrial generally means the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, food, beverages, products, or equipment; the cleaning, servicing, testing, repairing or maintenance of industrial or commercial goods and equipment and the offices or workshops of contractors engaged in either building trades and services, e.g., Laundry Facility, Light Manufacturing, Contractor Service and Repair.

Some of the key recommendations are:

Commercial/Retail:

- Given the current lack of land available within Canmore's development areas, any new standalone commercial developments should have vertical mixed-uses, including residential above commercial to accommodate a range of uses.
- There is an opportunity to increase Canmore's current retail market share, by prioritizing identified gaps in value-oriented convenience and day-to-day goods and service categories. Descriptions and examples of such retailers can be found on pages 15-17 of the attached report.

Light Industrial:

- In some compatible communities, where physical land constraints like we have in Canmore are not an issue, Accessory Dwelling Units (ADUs) in industrial zones present unique opportunities to enable additional housing and maximize available land, while maintaining light industrial as the primary use. In Canmore's case however, ADUs are not appropriate or compatible because of the current limited nature of industrial lands and the resulting potential for conflicts between uses to arise, which could indirectly limit new business opportunities in the community and/or present challenges for residents trying to live in the area.
- Industrial lands should focus on intensification and densifying of under-utilized lands through infill and redevelopment with an eye towards finding synergies between industries and supporting local employment opportunities. The study recommends a focus on encouraging high yield, compact, local, small industrial businesses and creating opportunities for home-based businesses to transition into commercial spaces.
- When considering which types of businesses Canmore should target, consideration should be given to encouraging businesses that align with Canmore's values of sustainability and climate action.

Housing

While not the primary focus of the study, the authors provided some commentary related to housing availability and affordability challenges and associated pressures on commercial and industrial uses. Given the generally lower cost of land zoned for light industrial activities and the high need for employee housing both for businesses and for staff, it is not surprising that administration has received an increasing number of applications to provide second floor employee housing in these areas. Given varying interpretations of language in the Municipal Development Plan (MDP) and the Land Use Bylaw (LUB) regarding Employee Housing in industrial districts, some applications are denied by administration, resulting in confusion and frustration in the development community and appeals to the Subdivision and Development Appeal Board (SDAB).

The authors of the study recommend against allocating any of Canmore's limited supply of light industrial land for residential use. While there may be short-term benefits in terms of easing housing constraints to allow residential use in these areas, administration is concerned with potential unintended consequences on community equity. Primary concerns are around the livability of the spaces and neighbourhoods for residents, the potential for precarious housing circumstances to exist for employees whose shelter is controlled their employer, and the possibility that inequitable neighbourhoods will be created. In addition, the Town has such limited industrial lands that the potential for long term negative consequences for small business owners to open and run businesses here could be significant. This will severely limit the Town's ability to advance economic development growth and diversification.

Additionally, on June 6 Council received a report on the Housing Accelerator Fund (HAF) and all the work the Town is undertaking to advance initiatives that will have a positive and significant impact on housing in Canmore. Given the other housing initiatives underway and because of these long-term consequences, administration recommends that the LUB and MDP be amended to provide greater clarity and clearer language on this matter.

Administration has several specific economic, equity/quality of life, and safety concerns about allowing housing in industrial areas which are summarized below:

Economic:

Following any approval of residential units in light industrial areas intended for employee housing for specific employers, there is no means by which the municipality can mandate or enforce the same by any current or future owner. This means that any residential units permitted in light industrial areas may never actually be home to a local employee. Regardless, even if the occupant is an employee, the changed use will erode the availability and/or usability of Canmore's already limited supply of light industrial land. This industrial land is critical for the ongoing economic health of the community. The potential displacement of light industrial uses and associated skilled employment opportunities contradicts Council's 2023-2026 Strategic Plan goal for Livability. Result/Objective 4 under this goal states, "Employment opportunities that provide residents with a dignified and reasonable standard of living are widely available". Eroding light industrial lands for their intended use could have long term consequences that erode the viability of local businesses to provide jobs that meet Council's desired employment opportunities and promote diversification of the town's economy.

Equity, Quality of Life, and Safety:

Impacts from industrial uses are potentially significant enough to make residential uses inappropriate at best and challenging for those who live there. The negative impacts from industrial uses include noise, odour, chemical uses unfit and unsafe for residential spaces, increased traffic, and the overall safety of all users.

Allowing the proliferation of residential units in light industrial zones also has the potential to create second tier communities. Not only would members of such communities experience the impacts referenced above, but they would also be doing so in a community that does not have amenities that are standard in residential zones like sidewalks and outdoor amenity space. The lack of amenities can lead to a residential area that lacks the qualities of a neighbourhood and community, leading to a lack of socio-economic diversity – an issue that many municipalities are actively taking steps to prevent. Equity, quality of life and safety are further eroded by the fact that the Town's community standards bylaw would not offer the same protection from nuisance (for example, noise, dust, or other environmental factors common to and expected in industrial areas) that residential areas benefit from.

Conclusion:

By discouraging residential use in light industrial zones and instead focusing on the initiatives included in the Housing Action Plan approved by Council on June 6, 2023, the Town of Canmore will take bold steps to address the current housing crisis in a manner that fully considers the long term economic and social health of the community.

ANALYSIS OF ALTERNATIVES

If Council desires for residential units to be approved in industrial districts, Council could direct administration to bring forward LUB and MDP changes that provide greater clarity to clearly allow residential units in industrial areas.

The alternative motion would be: *"That Council direct administration to return with recommended amendments to the Land Use Bylaw and Municipal Development Plan, and any other suggested policy amendments, to clear up restrictions, conflicting statements and interpretations to allow the provision of employee housing in industrial districts; propose criteria under which such housing could be considered; and ensure that any residential units are occupied by employees"*.

FINANCIAL IMPACTS

Adoption of the plan does not have immediate financial impacts. Recommendations will be reviewed as part of normal budget and planning processes. There will be financial impacts if industrial land is used for residential purposes.

STAKEHOLDER ENGAGEMENT

- Retail Gap Analysis and Light Industrial Land Review RFP was developed in partnership with Economic Development, Communications, Planning, and designate members from the Recovery Taskforce.
- Stakeholder Interviews conducted across industry sectors in Food and Beverage manufacturing, industrial, and retail as well as Downtown Canmore BIA.
- The Planning and Development and Economic Development departments participated in internal interviews.
- 249 community survey responses were received.

ATTACHMENTS

Retail Gap Analysis and Light Industrial Land Review Council Summary Report

AUTHORIZATION

Submitted by:	Eleanor Milette Manager of Economic Development	Date: <u>May 16, 2023</u>
Approved by:	Lauren Miller Manager of Planning	Date: <u>May 19, 2023</u>
Approved by:	Palki Biswas Manager of Finance	Date: <u>May 19, 2023</u>
Approved by:	Scott McKay General Manager Municipal Services	Date: <u>June 14, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>June 23, 2023</u>

COUNCIL SUMMARY

Canmore Retail Gap Analysis and Light Industrial & Commercial Land Review



APRIL 2023



in collaboration with

Deloitte.

September 5, 2023 Regular Council Meeting 9 a.m.



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LAND ACKNOWLEDGMENT

The Town of Canmore is located within Treaty 7 region of Southern Alberta, the traditional Treaty 7 territory and oral practices of the Îyârhe Nakoda (Stoney Nakoda) – comprised of the Bearspaw First Nation, Chiniki First Nation, and Goodstoney First Nation – as well as the Tsuut'ina First Nation and the Blackfoot Confederacy comprised of the Siksika, Piikani, and Kainai.

We acknowledge that this territory is home to the Métis Nation of Alberta, Region 3, within the historical Northwest Métis homeland. We acknowledge all Nations who live, work, and play and help us steward this land and honour and celebrate this territory. We commit to working to live in right relations and to advance Truth and Reconciliation.

INTRODUCTION

Scope of Study

The **objective** of this study is to conduct a gap analysis of the light industrial and retail uses in the Town of Canmore with the **goal** of providing the Town with a tool to assist administration in propelling the economic health of the community over the next 10 years. This analysis offers a snapshot of the relative strengths and weaknesses in Canmore's retail and industrial sectors that can be used by entrepreneurs as well as existing and new businesses. The study will also assist the Town's Economic Development Department in retention and attraction initiatives as well as business outreach. The study is intended to play a key role in Canmore's Economic Development Diversification Strategy.

While workforce housing is beyond the scope of this project, effort has been made to highlight this theme throughout the analysis as it is crucial to supporting Canmore's businesses and residents.

Methods

Taking a collaborative approach, we analyzed the business inventory and retail sales patterns by quantifying voids and gaps, and determining sectors exhibiting "leakage" and "surplus". We used the findings of GP Rollo & Associates and Reurbanist's Commercial Needs Assessment from 2014/2015 as baseline data for our process. Furthermore, we used geographic information systems (GIS) and business licensing data courtesy of the Town of Canmore in addition to fieldwork data and interviews to generate a robust and up-to-date database of predominantly ground floor businesses. As part of the research, the Consulting Team held one-on-one meetings in-person and virtually with a cross section of developers, business owners, and real estate professionals for their perspectives on the retail and industrial sectors in Canmore. We also assessed current trends affecting retail and light industrial markets.

The process of inventory tabulation and reconciling takes into account the primary building use as the key metric for determining whether the uses are classified as retail, industrial or office. For example, a building in an industrial or business park that is designed for office uses would be classified as office. Similarly, in a retail environment, there may be some uses that are office centric but overall business classification would be based on the predominant use, which in this case would be retail.

Report Structure

The full report contains the following sections, which are highlighted in this summary:

Section 1 – Introduction: Introduces the study process and structure.

Section 2 - Regional and Local Context: Lays out the important regional and local context of Alberta and Canmore in terms of geographic location, regional access and traffic counts, including relevant plans, studies and initiatives.

Section 3 - Trends and Case Studies: Provides an overview of retail and commercial trends that are shaping consumer, tenant and investor sentiment and actions.

Section 4 - Trade Area: Identifies and defines Canmore's Retail Trade Area and demographics including retail spending patterns for various consumer segments (full time and seasonal residents, and visitors).

Section 5 - Nodal Profiles: Identifies and defines Canmore's ten defined non-residential nodes documenting the critical market figures ranging from inventory, vacancy, employment, business counts and NAICS business classifications, as well as lease rate ranges by non-residential typology.

Section 6 - Resident and Consumer Survey: Introduces and analyzes the results of the resident and non-resident consumer survey.

Section 7 - Demand & Gap Analysis: Based on an extensive assessment of the current "supply" and future demand drivers for retail, office and industrial is estimated over the next 10 years.

Section 8 - Business Targeting & Action Plan: Provides an outline of where forecasted demand could be most compatible and allocated by land use, and in which respective node. Sheds light on gaps and opportunities for the retail and commercial market, and identifies strategic action steps could be undertaken to strengthen existing businesses, while cultivating new businesses and investment activity.

This Council Summary contains the blue Takeaways pages from Sections 2 through 7 of the full report. These pages provide a summary of the core messages in each section as they relate to the Action Plan presented in Section 8 at the end of the Summary.

2.0 REGIONAL AND LOCAL CONTEXT

Canmore faces a complex social, environmental, economic, and political context which necessitates careful and intentional consideration of the location factors from a variety of data sources.

Each **Takeaways** page provides a summary of the core messages in each section. These takeaways are organized under reoccurring themes drawn from the Town of Canmore's plans and policies. By summarizing the data and analysis in each section by Town themes, the origin of the final recommendations presented in Section 8 becomes clear.



Environmental & Social Sustainability

- Protection of the natural environment, climate action, and sustainable design feature prominently in the Town's Strategic Plan and other recent plans.
- Extreme environmental events are becoming more frequent and impact permanent and seasonal residents as well as visitors.
- The Town's land growth potential is geographically limited by the surrounding physical environment; therefore, efficient land use and appropriately-scaled development is crucial.



Local Economy

- The Town has seen strong **commercial** growth over the past decade, while **Industrial** development has been slower.
- Along the Bow Valley Trail, smaller **retail** store sizes and uses geared to visitors are encouraged.
- Historically there has been an under-supply of grocery and specialty foods, pharmacy, alcohol/tobacco, and department-store type merchandise (including apparel and footwear/fashion).
- Economic diversification is envisioned to build resilience, support partnership and investment, and attract workers.
- Limited supply of strategically located and appropriately sized **commercial** and **industrial** lands is a hindrance to investment.



Housing & Workforce

- Having a diverse and attainable housing stock is important for retaining workers.
- Second home ownership is exacerbating an already hot, escalating residential real estate market.
- Workers are needed to support businesses.
- Livability for all residents is one of three elements of Council's Strategic Plan Vision.



Tourism

- Visitors and second home owners are a key factor shaping Canmore's **commercial, industrial** and **residential** offerings.
- The surrounding natural environment and experiential activities are key draws for visitors.
- The cost of providing high quality infrastructure and services is a burden on a small residential tax base.
- Tourism in Canmore presents a number of positives (including jobs and businesses diversity) and challenges (including environmental impacts, human-wildlife interactions, affordability, and competing interests).



Quality of Life

- Active living is an important element of Canmore's identity which is supported by Canmore's free transit program (which saw record high ridership in 2022).
- Connectivity between **residential** and **commercial** destinations is desirable and can support live/work balance.
- Building respectful and authentic relationships is one of three elements of Council's Strategic Plan Vision
- An Economic Development Strategy objective was to create a unifying community vision for Canmore.

Canmore is a desirable place to live and visit, but with success comes challenges for development, housing, and affordability. The community struggles to define a unifying desired future in the face of competing needs and interests.

3.0 TRENDS & CASE STUDIES

This section provides an overview of trends affecting retail and light industrial sectors, including COVID-19 impacts, resort community retail, e-commerce/omni-channel retail, light industrial case studies, sustainability requirements for businesses and residential-industrial precedents.



Environmental & Social Sustainability

- Authentic Indigenous-led tourism is growing in prominence, especially in Western Canada.
- Regenerative Tourism offers a more socially-sustainable approach for communities with high levels of tourist activity.
- Consumers show increasing interest in carbon conscious travel and sustainable products.
- Businesses face mounting pressure from governments, investors, shareholders and the general public for transparency around environmental and social risks. Environmental Sustainability Goals (ESG) reporting and net zero (emissions) plans are becoming increasingly mainstream.



Local Economy

- Sustainable manufacturing, eco-industrial parks and industrial land densification and intensification present opportunities for businesses to apply their sustainability principles and reduce their footprints.
- Canmore has an opportunity to develop an investment attraction program targeting businesses that align with the Town's sustainability principles while providing for meaningful local employment opportunities
- E-commerce and omni-channel **retail** is a growing trend that is expected to continue.
- A trend toward retailers choosing smaller floorspace and more flexible spaces may complement Canmore's limited land supply by more efficiently using space.



Housing & Workforce

- The COVID-19 pandemic contributed to worsening labour shortages in resort communities like Canmore. Businesses struggle to retain and house employees.
- Employer-assisted housing is gaining popularity as a way to address labour shortages, but caution must be taken to protect the autonomy of resident workers.
- In some compatible communities, where land constraints are not a prevailing issue, Accessory Dwelling Units (ADUs) in industrial zones present unique opportunities to enable additional housing and maximize available land, while maintaining light industrial as the primary use. In Canmore's case however, ADUs are not appropriate or compatible because of the current limited nature of industrial lands and the resulting potential for conflicts to arise, which could indirectly limit new business opportunities.



Tourism

- Travelers are increasingly emphasizing responsible travel and prioritizing the wellbeing of the host community, as seen with the rise of Indigenous-led tourism, sustainable tourism, and regenerative tourism. These trends have the potential to improve the impact of visitors on the Canmore community.
- As travel has become more costly, longer trips are becoming more popular than weekend excursions for visitors from away, while day trips to destinations near one's place of residence are also gaining popularity.



Quality of Life

- COVID-19 served as a societal reset, forcing many to re-think lifestyle choices including shopping preferences and where they live.
- The rising cost of living and of goods and services is connected to rising interest rates and inflation, challenging quality of life across Canada but especially in resort communities like Canmore.

Emerging smaller-footprint retail trends and responsible tourism trends have the potential to positively impact Canmore, while rising labour and housing shortages along with increased cost-of-living are likely to continue to challenge the community.

4.0 TRADE AREA

This section profiles Canmore's Trade Area boundaries, resident demographics and spending patterns.



Local Economy

- Canmore's Trade Area population is 34,551, with the majority of customers living in the Bow Valley.
- Trade Area residents tend to be older with a higher average household income compared to the province, yet 19.2% of Canmore households still earn less than \$50,000 a year.
- Total retail spending across all consumer segments is estimated at \$1.17 billion (2022 year-end estimate).
- Top spending categories include Grocery & Specialty Foods (\$167.5 million), Auto/RV/Motorsports Dealerships (\$144 million), Home Improvement & Gardening (\$62 million), Fashion & Accessories (\$45.6 million), and Full Service Restaurants & Pubs (\$44 million).
- Full time residents account for the majority of retail spending when compared to non-permanent resident (i.e. seasonal resident) categories: 12,973 full time resident households account for approximately \$821 million or 71% while an estimated 2,370 seasonal resident households account for approximately \$25 million or 2% (2022 year-end estimate).



Housing & Workforce

- Accommodation and Food Service, Retail Trade, and Health Care and Social Assistance are prominent employment sectors.



Tourism

- Visitors within the Canmore Trade Area account for \$256 million or 22% of total retail spending (2022 year-end estimate).
- Visitor spending is concentrated in leisure, recreation, and entertainment goods/services categories. Spending on auto fuel and specialty retail is also notably high.
- Most visitor volume to Canmore originates from within Alberta, but this does not discount the high value international tourist market that is drawn to the Rocky Mountains.
- Tourism is a well-established part of Canmore's reality that will continue to impact the community.

Quality of Life

- Canmore is expected to grow 2.16% per annum over the next five years, while the Trade Area overall is expected to grow 1.5% per annum over the next five years.
- Walking, cycling and using transit are popular commuting methods for workers in the Trade Area. The majority of commutes are under 15 minutes.

Tourism is a key part of the Town's identity and retail positioning, yet Canmore residents account for the majority of day-to-day spending in the trade area (71%). As the Town continues to grow, residents will continue to be the backbone of the community.

Trade Area Overview

Estimated for the end of year 2022, the full-time resident population of Canmore's Trade Area is 34,551. Using the province as a benchmark, the population in the Trade Areas tends to be younger in the 20-49 years of age cohort. Household income is higher (\$184,694) than the provincial average (\$153,772) though it is on par with the provincial median (\$112,790 Province compared to \$111,551 Trade Area).

Trade Area population growth over the next three years is forecast to be 0.95% per annum, which is slightly lower than the provincial average (1.0%). While this seems low on the surface it is worth observing that this is the Trade Area growth rate which includes Canmore, but is not solely Canmore. In the case specifically of Canmore, 5-year forecasted population growth is estimated to be 2.16% per annum which is very high compared to the provincial (0.98%) and trade area (1.5%) averages. Canmore is the centroid of the Trade Area while areas surrounding like Banff are expected to be much slower. Another factor in Canmore is the non-permanent resident base which is also not factored into traditional census forecasts other than loosely be considered as dwellings "not occupied by the usual residents".

Figure 4-1. Canmore Trade Area

(Source: FBM. Basemap courtesy of Google)



Detailed information on retail spending within the Trade Area was collected from Manifold Data Mining using 2022 year end data. The data was further consolidated into 22 specific spending categories in order to build a spending profile for Canmore's Trade Area, which has been indexed against the Alberta average for the same. Total annual retail spending across all consumer segments is estimated at \$1.17 billion.

Within Canmore's Trade Area, retail spending by **full time residents** (currently estimated at 12,973 households or 34,551 residents) accounts for approximately \$822 million or 71% of total retail spending (2022 year-end estimate). Household spending is highest on grocery and convenience (\$12,915) and Auto/RV/Motorsports dealership (\$11,106) categories.

Seasonal residents, estimated to number 2,370 households or an estimated 6,000 residents and who average approximately 9 weeks per year in Canmore account for approximately \$25 million or 2% of total retail spending (2022 year-end estimate). Seasonal residents refers to second-home owners, profiled earlier in this report.

Visitors within the Canmore Trade Area account for \$256 million or 22% of total retail spending (2022 year-end estimate). Spending is concentrated in leisure, recreation and entertainment goods/services. Spending on auto fuel and specialty retail is also notably high.

Miscellaneous inflow from passing motorists, transient temporary seasonal workers accounts for \$55 million or 5% of total retail spending (2022 year-end estimate).

The top retail spending categories from all Trade Area segments as of year end 2022 include the following:

- Grocery & Specialty Foods - \$168 million
- Auto/RV/Motorsports Dealerships - \$144 million
- Home Improvement & Gardening - \$62 million
- Fashion & Accessories - \$46 million
- Full Service Restaurants & Pubs - \$44 million
- Quick Service Food & Beverage - \$38 million

The overall spending pattern reveals that first and foremost, Canmore is a retail destination that is dominated by its full time residents and secondarily by visitor spending, while the impact of seasonal residents and other miscellaneous inflow are less influential in overall spending. Therefore, **while Canmore may strive to be everything for everyone and the retail inventory responds to the needs of visitors, the local full time residents are the backbone of the community**

5.0 NODAL PROFILE

This section details Canmore's non-residential business inventory by the Town's seven commercial and two light industrial nodes.



Environment & Social Sustainability

- There is limited land available in Canmore for commercial or industrial greenfield development at large scales.
- Retail store size restrictions have allowed a greater number of small businesses into the market, supporting denser, more efficient commercial nodes.
- Redevelopment and infill are beginning to occur in and around established nodes.



Local Economy

- The Town has approximately 2.33 million sq.ft (217,000 sq.m) of total ground floor business floorspace of which 868,583 sq.ft (80,694 sq.m / 37%) is retail floorspace and an additional 270,272 sq.ft (25,109 sq.m / 11.6%) is industrial floorspace.
- The Town has a very low retail vacancy rate at less than 1% of the total inventory or 2.2% when based on retail-only floorspace.
- Retail Trade and Accommodations & Food Services dominate Canmore's business mix (by NAICS code).
- Local businesses represent the greatest share of businesses in Canmore when compared to branded businesses. The **Town Centre** and **Central Commercial** nodes are home to the majority of local businesses.
- The **Town Centre** is the densest commercial node with the highest number of total businesses and smaller average store size, creating high value retail.
- The **Central Commercial** node has a wide merchandise offering with Safeway, Canadian Tire, and Save-On-Foods acting as the primary grocery and general merchandise stores for the trade area.
- **Bow Valley Trail South** is home to a diverse range of retail uses alongside accommodations and light industrial uses. The recent addition of Moose Meadows provides flexible spaces where commercial and industrial uses mix.



Housing & Workforce

- **Spring Creek** is a high value compact neighbourhood commercial node offering live/work units, visitor accommodations, and small-scale, locally-owned retail.
- **Benchlands Trail** is a neighbourhood node providing nearby residents access to goods and services, including food and beverage retail.



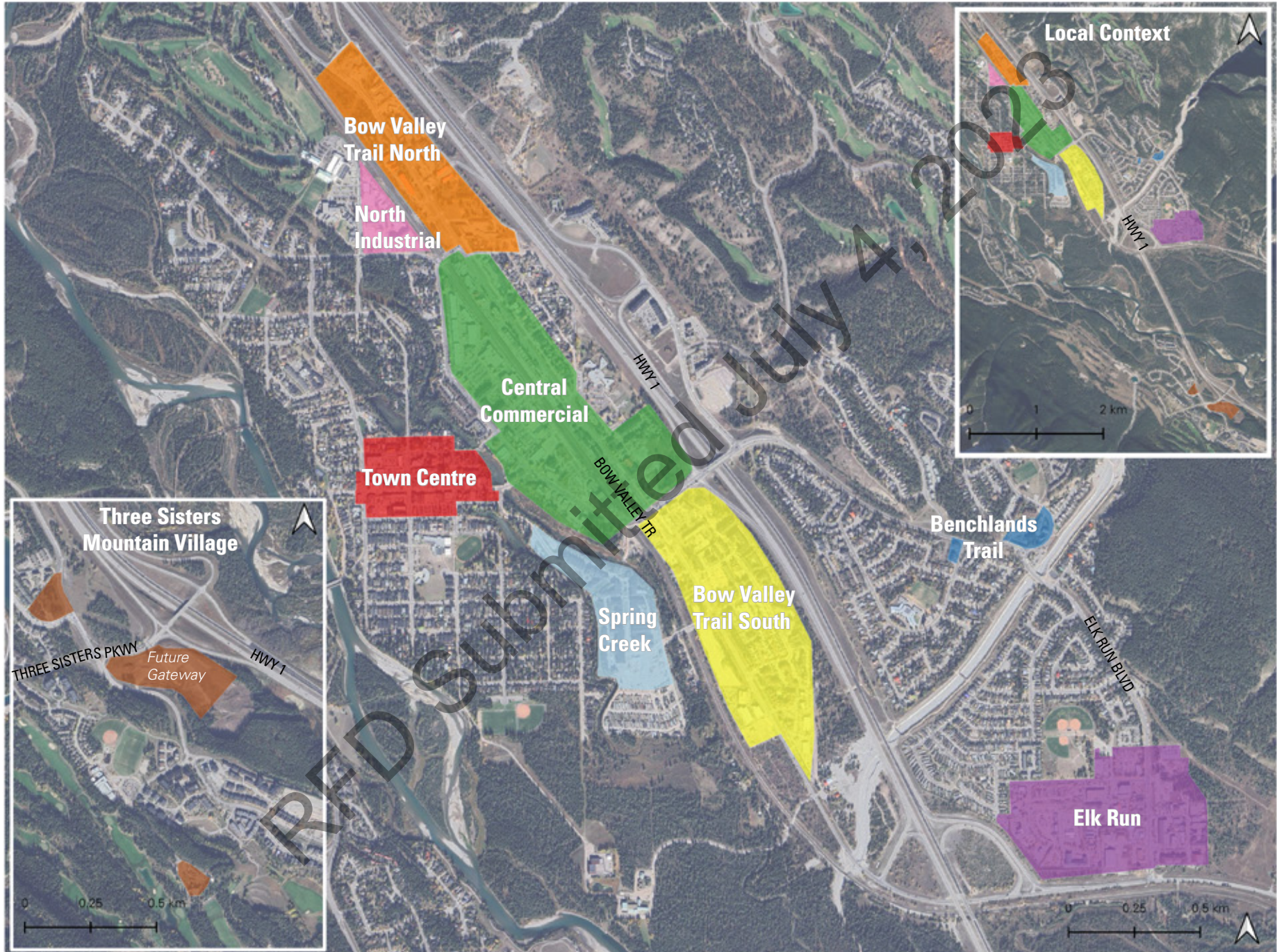
Tourism

- Canmore's retail offering has a propensity to be geared toward visitors and goods tend to be offered at a higher price point.
- **Bow Valley Trail North** is especially geared toward visitors with a strong concentration of accommodations, quick service, and convenience store brands.

As a resort community, Canmore continues to exhibit retail resilience and balance. Existing Land Use Bylaws, combined with limited developable land has created an environment of retail equity allowing for a strong town centre and local business culture. Success and high costs of living have however created a need for more price point balance. TSMV's Gateway is an important future development node for filling category and price point voids, while maintaining an overall balance.

Figure 5-1. Canmore's Commercial and Industrial Nodes

(Source: FBM. Basemap courtesy of Google)



Nodal Profile Overview

The Town has approximately 2.33 million sq.ft (217,221 sq.m) of total ground floor business floorspace of which 868,583 sq.ft (80,694 sq.m / 37%) is retail floorspace and an additional 270,272 sq.ft (25,109 sq.m / 11.6%) is industrial floorspace. Of Canmore's 497 total ground floor businesses, 271 or 54% are retail oriented. Of the retail businesses, 83% are local businesses which accounts for 491,162 sq.ft (45,630 sq.m / 61%) of the total retail floorspace. The majority of these locally owned businesses are located within the Town Centre and Central Commercial nodes, both of which have the highest estimated retail sales and total retail floorspace.

The overall estimated retail sales productivity for Canmore is \$333 psf which is considered very healthy; a figure supported by a low overall vacancy rate at less than 1% of the total inventory or 2.2% when based on retail-only floorspace, and average asking lease rates that can range from \$20 psf to over \$40 psf.

An analysis of NAICS codes clearly illustrate the dominance of Retail Trade and Accommodations & Food Services to Canmore's business mix, followed by Construction services and small scale manufacturing. Among other broad NAICS categories, there is a relative equal distribution among most, with a somewhat prominent number of Real Estate and Rental and Leasing firms, which is indicative of the seasonal resident demand and resulting non-traditional rental accommodations.

The resulting findings reveal that Canmore has a mix of 83% local businesses to 17% branded in terms of the number of stores, and 61% to 39% when applied to the floorspace of the local versus branded mix. The distinction of number of stores to the floorspace is indicative of the fact that most brands that have been or may be interested in Canmore are larger stores. To-date, limitations for land and more importantly store size through existing Bylaws have restricted their ability to enter the market and prevented a shift away from being a successful local business community. **Caution** should be taken when considering lifting store size restrictions as the introduction of larger retailers into established, existing local businesses nodes may have a negative impact. Any larger retailers that specifically address category and price point gaps while still representing compatibility with Canmore's goals and ethos should be considered for TSMV Gateway so long as they meet the Bylaw requirements for maximum floor area.

Table 5-1. Town-wide Ground Floor Commercial and Industrial Inventory Summary
(Source: FBM)

MERCHANDISE CATEGORY	TOTAL FLOORSPACE (sq. ft.)	TOTAL FLOORSPACE (m2)	TOTAL MIX (%)
ACCOMMODATIONS	850,937	79,055	36.4%
MEDICAL & WELLNESS SERVICE	92,452	8,589	4.0%
GROCERY, CONVENIENCE & SPECIALTY FOODS	156,062	14,499	6.7%
FULL SERVICE F&B	122,096	11,343	5.2%
PERSONAL SERVICE	21,320	1,981	0.9%
ALCOHOL & TOBACCO	52,970	4,921	2.3%
HOME FURNISHINGS & DÉCOR	44,587	4,142	1.9%
LIGHT INDUSTRIAL	270,272	25,109	11.6%
PROFESSIONAL & FINANCIAL SERVICE	104,833	9,739	4.5%
LIMITED SERVICE F&B	104,402	9,699	4.5%
SPECIALTY RETAIL	68,303	6,346	2.9%
AUTO/RV/MOTORSPORTS DEALERSHIP	66,456	6,174	2.8%
AUTO SERVICE	56,341	5,234	2.4%
HOME IMPROVEMENT & GARDENING	55,023	5,112	2.4%
SPORTING GOODS & OUTDOOR RECREATION	53,355	4,957	2.3%
FASHION & FOOTWEAR	38,410	3,568	1.6%
FITNESS & LEISURE	20,024	1,860	0.9%
VACANT	19,118	1,776	0.8%
ARTS & ENTERTAINMENT	18,020	1,674	0.8%
TOURISM SERVICE	15,295	1,421	0.7%
AUTO PARTS & ACCESSORIES	14,010	1,302	0.6%
PHARMACY	10,218	949	0.4%
TOYS & HOBBIES	7,045	655	0.3%
JEWELRY	4,930	458	0.2%
BEAUTY & PERSONAL CARE	4,796	446	0.2%
HOME ELECTRONICS & APPLIANCES	3,567	331	0.2%
BOOKS, MEDIA & VIDEO GAMES	2,989	278	0.1%
TOTAL	2,338,145	217,221	100.0%
Retail Floorspace Excluding Non-Retail (Professional/Medical/Tourism/Light Industrial/Auto Service/VACANT)	868,583	80,694	37%
Total Estimated Retail Sales Excluding Non-Retail (Professional/Medical/Tourism/Light Industrial/Auto Service/VACANT)	\$289,307,369		
Estimated Retail Sales Productivity (\$/sf)	\$333		

6.0 CONSUMER SURVEY

This section summarizes key findings from the Retail & Industrial Gap Analysis Community Survey which informed this report.



Environment & Social Sustainability

- The desire for sustainable and appropriate growth was evident in the survey responses. Perspectives were divided on what specifically that looks like in Canmore and where that growth could reasonably occur.
- Few comments were received on **industrial** development, though the desire to have carefully planned and locally owned businesses that do not negatively impact the environment was noted. **Eco-industrial**/sustainable business facilities, research & development, and small warehouse/ distribution facilities were noted as gaps in the current inventory.



Local Economy

- Among residents, Canmore is the preferred place for shopping for day-to-day conveniences (85.0%). For bigger ticket items, Calgary was preferred (57.7%), with shopping in Canmore (18.7%) and Online (18.7%) considered less preferable.
- Railway Avenue (60.6%) and the Town Centre (30.7%) are primary **retail** locations with the majority of respondents using services in Canmore weekly (52.5%) or daily (36.8%). When asked their primary reason for visiting Canmore's shops and services, 59.4% of respondents cited the presence of a specific retailer or businesses as a key draw.



Tourism

- The vast majority (99%) of survey respondents were full time or seasonal residents. The few non-resident/ visitor responses were integrated into the overall results for anonymity and were found to generally align with the majority.
- Canmore's **retail** offering was consistently viewed as visitor/tourism-centric with high-price points for goods and services.



Quality of Life

- Canmorites are very interested and invested in what types of development happen in their community, as evidenced by the 249 survey responses collected.
- The view that Canmore's "**retail** needs to cater to locals" was a consistent theme throughout the survey; however, respondent perspectives were mixed on how Canmore should position itself commercially.
- Among all respondents, the most common reason for not visiting Canmore's shops and services was missing specific merchandise (71.4%) and the cost of goods and services (65.7%).
- When asked which types of goods and services were missing in Canmore, 67.2% of total respondents highlighted the need for affordable clothing & footwear for a range of ages as a major retail gap. House & home decor (35.8%), grocery & specialty foods (31.0%), and arts & entertainment (29.7%) were also commonly cited gaps.
- Respondents stressed the need for resident-oriented **retail** in the form of a discount or dollar stores, a store offering affordable everyday clothing and footwear for a range of ages and abilities, and a discount grocer.
- To accommodate value merchandise in the community, land for larger format **retail** stores in the range of 2,000 sq.m will need to be made available.

The survey made it clear that residents care deeply about how their community's future, though a unifying vision for sustainable development remains undefined. The need for more affordable retail that caters to permanent residents was a unifying theme amongst survey respondents. To provide such value-oriented merchandise the Town must add at least a small number of retail stores ≥2000 sq.m.

7.0 DEMAND FORECAST

The following determined the amount of supportable retail, office and industrial floorspace in Canmore justified by the present Trade Area segments, population growth and employment forecasts.



Environmental & Social Sustainability

- Greenfield development lands are limited to Three Sisters Mountain Village (The Gateway) which is well-positioned to reasonably absorb a large share of Canmore's 10-year **retail** and **office** demand. Smaller lands along the Bow Valley Trail (such as Palliser Lands or Bow Valley Trail South node) may also accommodate new, smaller **retail** developments.
- Continued infill and redevelopment of existing **commercial** and **industrial** lots within established nodes is encouraged.
- Existing **retail** store size limitations in established nodes can continue to reinforce a strong local business presence through smaller formats, while mitigating negative impacts from larger users.



Local Economy

- **Retail demand** is forecast to be 221,237 sq.ft (20,554 sq.m) requiring 10.2 acres over the next 10 years. Merchandise categories of restaurants & pubs, grocery & specialty foods, and arts & entertainment are anticipated to account for the largest share of demand.
- **Office demand** is forecast to be 51,474 sq.ft (4,782 sq.m) requiring 2.4 acres over the next 10 years. This demand will likely be captured spread amongst multiple developments instead of a traditional office-only development or in spaces above commercial or industrial where appropriate and compatible.
- **Industrial demand** is forecast to be 98,434 sq.ft (9,145 sq.m) requiring 5.6 acres over the next 10 years. This demand would be difficult to absorb within Canmore's existing industrial nodes. Therefore, intensifying and densifying existing industrial land with more smaller, high value, compact forms of industrial development would maximize potential of the lands.



Housing & Workforce

- Canmore currently has a workforce crisis whereby many retailers struggle to attract employees able to work AND live in Canmore. Options for affordable housing or employer provided housing are limited, which results in them having to live in Cochrane and commute to Canmore. Moreover, it will be hard to accommodate future demand for retail, office or industrial if employees cannot find the financial balance between housing costs and wages.
- Remote workers are increasingly attracted to Canmore leading to more home-based businesses for the "lifestyle chasers" rather than new organized **commercial** areas. This presents a challenge of Town staff seeking to manage and guide commercial growth.



Tourism

- Canmore currently meets the retail needs of the visitor segment and should transition to meeting more of the **retail** needs of residents.



Quality of Life

- Given the high price point of goods and services, opportunities exist to attract value merchandisers and lower price-point **retail** to better serve Canmore residents and visitors.

Retail and office demand should allow Canmore to grow sustainably by allowing for targeted growth and business attraction within the existing built areas, and creating opportunities for new appropriately sized growth in new areas, most notably at TSMV's Gateway.

Industrial demand, should be predicated on intensification and incubation of local high value industries that can be realistically employable. While live-work industrial is a consideration, this trend tends to only work when there is surplus industrial land, which Canmore does not have. Where there is limited industrial land, conflict can occur that can indirectly limit industrial opportunities.

8.0 BUSINESS TARGETING & ACTION PLAN

Introduction

This section highlights the key findings of the Gap Analysis and Light Industrial & Commercial Land Review deemed noteworthy and relevant to Canmore's locational, demographic and economic contexts.

Recognizing that affordability, sustainability, tourism and economic diversification are top of mind for the Town and its residents, the following action plan prioritizes filling gaps in lower cost goods and services for Canmore residents and visitors, while encouraging efficient use of land and connectivity between residential and commercial and industrial areas.

When considering which types of businesses Canmore should target, consideration should be given to encouraging businesses that align with Canmore's values of sustainability and climate action. In a market where consumers increasingly care about sustainability and are willing to pay more for products with ESG-related claims, businesses are increasing realizing the importance of having publicly available ESG strategies with tangible and meaningful impacts¹. While definitions of sustainability will differ by industry and business, ESG and net-zero action plans can provide valuable insight for the Town into a companies values, climate risks, and action plan for reducing their impacts.

Town Wide Summary

Allocation

Having identified demand forecasts of 221,237 sq.ft (20,554 sq.m) for retail, 51,474 sq.ft (4,782 sq.m) for office and 98,434 sq.ft (9,145 sq.m) for industrial, the following provides some considerations for how the demand could be allocated throughout the community in the various nodes.

Factors contributing to retail, office and industrial demand in Canmore include residential development, market shares, high cost of living, employment, and limited space for commercial and industrial growth. While employee housing is a real and immediate concern for the Town and its residents, this was beyond the scope of the current study and therefore it is discussed at a high level as essential to meeting the demand forecasts and attracting the business thereof.

Retail - 221,237 sq.ft / 20,554 sq.m

TSMV (Gateway) -	154,866 sq.ft / 12,388 sq.m (70%)
South Bow Valley Trail -	22,124 sq.ft / 2,055 sq.m (10%)
Spring Creek -	22,124 sq.ft / 2,055 sq.m (10%)
Palliser Lands -	11,062 sq.ft / 1,028 sq.m (5%)
North Bow Valley Trail -	11,062 sq.ft / 1,028 sq.m (5%)

Light Industrial - 98,434 sq.ft / 9,145 sq.m

Elk Run	88,591 sq.ft / 8,230 sq.m (90%)
North Industrial	9,843 sq.ft / 914 sq.m (10%)

Office - 51,474sq.ft / 4,782 sq.m

TSMV (Gateway) -	23,163 sq.ft / 2,152 sq.m (45%)
Elk Run -	12,869 sq.ft / 1,196 sq.m (25%)
South Bow Valley Trail -	7,721 sq.ft / 717 sq.m (15%)
Spring Creek -	5,147 sq.ft / 478 sq.m (10%)
Palliser Lands -	2,574 sq.ft / 239 sq.m (5%)

See **Figure 8-1** for a Town-wide summary of demand and allocation.

¹ McKinsey & Co., Consumers care about sustainability—and back it up with their wallets, 2023 September 5, 2023 Regular Council Meeting 9 a.m.

Figure 8-1. Canmore Market Demand and Allocation Summary Map

(Source: FBM). Interpretation: Each commercial and industrial node is shown as a dashed shape. The circles represent how much retail (orange), office (green) and industrial (mauve) demand each area is expected to absorb. The sizes of the circles represent the total amount of allocated demand per use and do not represent the scope of any proposed or future development.

Market Demand

Retail

+/- 221,237 sq.ft / 20,554 sq.m

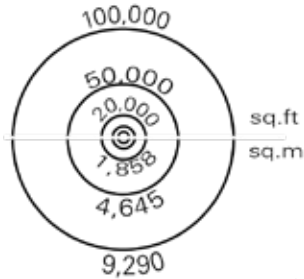
Office

+/- 51,474 sq.ft / 4,782 sq.m

Industrial

+/- 98,434 sq.ft / 9,145 sq.m

Allocation per node



Community Positioning

Currently, Canmore has a strong retail offering with low vacancy rates and a focus on serving visitors. Meanwhile, the Town's industrial lands house a range of industrial and commercial businesses and are facing mounting redevelopment pressure. Both Canmore's commercial and industrial sectors have the potential to grow and evolve over the next 10 years as trends shape the formats and needs for commercial and industrial users.

This action plan represents a transition and shift in economic positioning to support growth aligned with Canmore's values and to address potential land use conflicts. The intent is to attract resident-oriented lower price point goods and services to Canmore's commercial areas, and to encourage smaller footprint and higher value light industrial users in Elk Run. The respective positioning for commercial and industrial lands, including objectives and actions that can be taken by the Town to further these directions is summarized in the following Action Plan. Each

action is supported by data and analysis presented throughout the full report, as noted by the themes icons and supporting sections column. Collaboration and communication amongst actors is crucial to success, and further review by the Town to identify specific actors is encouraged.

Recognizing that the Town plays a central role in bringing together community stakeholders, the first objective (presented below) is to collaborate with Canmore's business community on shared priorities. The actions highlight opportunities for the Town to engage in meaningful dialog with business owners, developers, real estate professionals and others with the intent of building buy-in for Town initiatives, and increasing trust and transparency. These conversations in tandem with broader community engagement can support the Town in defining Canmore's vision for equitable and sustainable economic growth. This work could be undertaken as part of the Town's Economic Development Diversification Strategy which this Gap Analysis informs.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 1: Collaborate with the Business Community on Shared Priorities			
Define Canmore's vision for equitable and sustainable economic growth based on past Town plans, this Gap Analysis and community engagement. Define the role of industrial and commercial development to Canmore's identity and strive for a unifying vision with business and resident buy-in.	    	Economic Development; Planning & Development; Communications & Media Relations; Executive Office	2, 3, 5, 6, 7, 8
Share the key findings of this report with the public and business community including Canmore's existing inventory, where demand is forecasted, and the targeted merchandise categories.		Communications & Media Relations; Economic Development	5, 7, 8
Identify opportunities to clarify land use plans and policies for businesses including road maps for new development, redevelopment and infill in commercial and industrial zones, respectively. Longer term, consolidating and reducing the overall number of commercial land use districts, and centralizing commercial policies within the MDP and LUB should be considered.		Planning & Development; Economic Development; Communications & Media Relations	7
Raise awareness of sustainability opportunities for businesses including the commercial compost program, green building retrofits, and energy and water efficiency programs.	 	Environment & Sustainability; Economic Development; Planning & Development	2
Consider energy reduction incentives for businesses and tie into the Town's climate plans (see FCM Municipal Energy Road map and Factsheets, 2020)	 	Environment & Sustainability; Economic Development; Planning & Development	2

The Role of Housing

Affordable and attainable housing for workers is crucial to supporting Canmore's businesses and residents. While housing is beyond the scope of this Commercial Gap Analysis and Light Industrial Land Review, high level consideration has been given to the impact of integrating residential development into commercial and industrial development.

Locating residential above ground floor commercial units is commonly encouraged in communities where land is at a premium. This type of development has the added benefit of encouraging an active streetfront with shops and services. This mixing of uses is seen prominently in Canmore's Central Commercial node and to varying degrees throughout the other commercial nodes (e.g. Spring Creek). New commercial development throughout Canmore should have mixed-use with residential and/or office above with consideration for height maximums in different zones. This approach can help increase the availability of specific housing types (typically apartment or condo units) however additional approaches are needed across the Town to address housing

affordability and availability for a range of ages, abilities, preferences and family structures.

Industrial live/work units were also considered. As profiled in Section 3, accessory dwelling units above light industrial bays can provide housing for entrepreneurs and small business owners above their work space while maintaining the light industrial use, which serves to maximize the available space and mitigate land use conflicts. However, wide spread integration of **live/work in Canmore's industrial lands is not recommended given the limited amount of land available and potential for residential to restrict and conflict with targeted industrial business.** The goal of industrial is to generate another source of property tax revenue while providing high value employment not premised solely on the commercial sector.

The actions below reflect these preliminary housing and livability directions which should be considered in the new Labour Market Recruitment and Retention Strategy and can inform any future Workforce Housing Strategy.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 2: Continue to implement measures to increase livability in the community and address housing challenges.			
Where compatible with existing uses and built form, mixed-use residential should be considered above new commercial development in the Town	\$ 🏠	Planning & Development	3, 8
As part of future Plan reviews, research live/work trends and consider if there are compatible residential uses which still prioritize light industrial uses	\$ 🏠	Economic Development; Planning & Development	2, 3
Strive to align the local talent pool within the community to fill employment opportunities of potential investors considering operating in Canmore.	\$ 🏠	Economic Development	3, 4, 7, 8
Create an implementable Workforce Housing Strategy as part of, or in conjunction with, an employer-assisted housing strategy. Continue to monitor the impact of maintaining the status quo through Business Registry tracking and other outreach. Explore CMHC and provincial funding opportunities, and consider how the new Labour Market Recruitment and Retention Strategy may support this work.	\$ 🏠	Community Social Development; Economic Development; Environment & Sustainability	2, 3, 8
Ensure frequent and convenient transit and active transportation connectivity of Canmore to TSMV for workers and consumers.	🏔️ \$ 🏠 😊	Planning & Development; Streets & Roads; Recreation Department; Public Works Department; Environment & Sustainability	4, 6
Expand cycling routes to commercial nodes as outlined in the Integrated Transportation Plan (2018) and extending to the Gateway. Support bicycle parking at commercial nodes.	🏔️ \$ 😊	Streets & Roads; Parks; Public Works; Economic Development; Planning & Development	2

Commercial (Retail & Office) Action Plan

Retail Allocation

There is an opportunity to increase Canmore's current retail market share, especially in value-oriented convenience and day-to-day goods and services categories by increasing the current offering.

- Within Canmore, opportunities for greenfield development is largely limited to the **North and South Bow Valley Trail (BVT)** nodes, with a small portion available in the **Central Commercial** Node. As per the BVT Area Redevelopment Plan, the central BVT precinct (within which a portion of the Central Commercial Node falls) and the General BVT precinct (within which the North BVT and a portion of the South BVT fall) restrict retail store sizes to 150 sq.m or up to 300 sq.m in certain situations (See Section 2.2).
- Specific greenfield infill locations include: lands north of Rocky Mountain Ski Lodge (**North BVT**), lands north of Cam Clark Ford Canmore (**South BVT**), lands south of Moose Meadows (**South BVT** - a portion may be attributed to Wolfe Auto), and lands at the end of William Street (**Central Commercial** - near hospital and the Shops of Canmore).
- Adaptive reuse of existing buildings include Wolfe Auto building (**Central Commercial**) and potentially Home Hardware (**Central Commercial**) if it were to consolidate with the **North Industrial** location. These spaces could prioritize targeting a dollar store and/or value-oriented clothing or smaller general merchandiser.
- Infill, intensification and redevelopment of older buildings are the primary opportunities for commercial growth within the **Town Centre, Central Commercial**, and to a lesser extent, **North and South BVT**. Consideration should also be given for sight lines and parking.
- **Spring Creek and Benchlands** as neighbourhood nodes will continue to provide local goods and services. Potential for small growth in personal and medical services, especially family doctors (See Section 6.0).
- The **Palliser** Lands could accommodate a small component of supportive retail shops or personal services to accommodate the on-site segments as well as those up slope at the Silvertip Resort Community.

Given the current land available within Canmore's development areas, any new standalone commercial developments should have vertical mixed-use residential above commercial to accommodate a range of

uses where the building footprints allow (e.g. not above large floorplate retail anchors or junior box retailers). However, additional space is needed to accommodate demand and provide day-to-day services Canmore residents.

The **Gateway at Three Sister's Mountain Village (TSMV)** is uniquely positioned to capture a significant portion of the Towns 10-year commercial demand, particularly in the value merchandise segment for convenience and day-to-day goods and services categories for Town residents and highway travelers. Over time, this node should be the focus for compact retail shops and services with larger store size minimums than currently allotted elsewhere in the community (as currently permitted in the Town's Land Use Bylaw). the **Gateway** will provide much-needed shops and services to maintain the necessary balance for the community over the next 10 years. Doing so would create an environment for a continued balance and mix of local and branded retail businesses.

By increasing the local offering of value oriented merchandise, there would be a reduced need for travel to Cochrane or Calgary for goods and services, which would in turn reduce GHG emissions. However given the distance between the bulk of the Town and the **Gateway**, intentional connectivity supports will be needed to ensure all residents (workers and consumers alike) will be able to access these goods and services. Residential development for employees or other housing either above or immediately adjacent to **Gateway's** commercial offering is critical to creating a walkable and economically supportive environment. Opportunities include extending transit service to the **Gateway** and increasing the frequency throughout the week, and enabling active transportation opportunities between the **Gateway**, TSMV and the Town.

Furthermore, allocation of demand to the TSMV **Gateway** does not document demand for other TSMV lands beyond the 10 year time frame of this study. Any retail development in TSMV outside of The **Gateway**, such as the Resort Core, would be feasible as long as the residential and tourist market continues to provide strong economics and demand principles.

Office Allocation

- Continue to encourage office uses throughout Canmore to compliment to existing retail and light industrial/business uses.
- Continue to support office uses on second level (as per existing Bylaws) to limit the amount of pure office at ground level.

Commercial Positioning & Business Targeting

Targeting of businesses is most applicable to the retail sector, while the nuances of Canmore's retail market must be considered for whom future demand could be deemed compatible, complementary and beneficial for Canmore as a community.

Aim to reinforce the small/local/independent/unique nature of the **Town Centre** as the heart of the community, while also encouraging other independent goods and services throughout Town. If adaptive reuse opportunities arise within the **Central Commercial** or **South BVT** nodes, these spaces should prioritize targeting a dollar store and/or value-driven clothing merchandiser in place of, or in addition to those offered in the **Gateway**.

With most demand being allocated towards the **TSMV** and its **Gateway** development, discussion is required on the potential to both promote and limit the optimal store sizes in the Gateway development. The purpose would be to encourage and give the developer that means for which to attract retailers that the residents seek and which will benefit the TSMV full and part time residents, as well as visitors. Consideration should be given to Land Use Bylaw changes which would allow for:

- Eating and Drinking Establishments (restaurants) to a maximum of 300 sq.m excluding patio space;
- Alcohol & Cannabis to a maximum of 300 sq.m if combined into one continuous retail space or 150 sq.m if individually operated.

The intent is to fill gaps in current offering that serve residents first and foremost, though visitors will also benefit from retail opportunities. It is also desired to align the offerings with Canmore's branding and culture as an active living destination. Consideration should be given to encouraging compatible development which is able to provide the clear value orientation that residents need to offset rising costs.

Independent store types are encouraged as the dominant form in the **Town Centre, Central Commercial, Bow Valley Trail South** and **Spring Creek**. In these areas as well as possible new nodes in **Palliser** should allow for store type concepts like:

- Personal & Medical Services
- Boardgames Café
- Pottery Store
- Axe Throwing
- Community Kitchen
- Bicycle Accessories & Repairs

In nodes like the **Gateway at Three Sisters**, or the **Central Commercial**, as appropriate smaller format "box" retailers could include the following:

Within next 5 years or sooner

- Lower price point grocer – 12,000 to 30,000 sq.ft (1,115 to 2,787 sq.m)
- Dollar store – 8,000 to 15,000 sq.ft (743 to 1,394 sq.m)
- Second hand clothing merchandiser – 25,000 to 35,000 sq.ft (2,323 to 3,252 sq.m)

Within next 5 years or later

- Off-price home decor and apparel retailer – 18,000 to 25,000 sq.ft (1,672 to 2,322 sq.m)
- Lower price point clothing merchandiser – 12,500 to 17,000 sq.ft (1,161 to 1,579 sq.m)
- Low cost fitness provider – 4,000 to 8,000 sq.ft (371 to 743 sq.m)
- Restaurants – <3,000 sq.ft (<279 sq.m)

One of the imperatives for Canmore's future retail success will also lie with attracting retailers that are compatible with the goals of the community towards environmental and social responsibility.

Examples of retailers that might be considered appropriate and much-needed in the community could be the following, each of which has a responsible ethos that would benefit Canmore.

Dollar Tree

As a smaller value-oriented retailer Dollar Tree's 2022 Corporate Sustainability Report recognizes that the majority of their emissions come from their products and that the increased demand for sustainable products presents a climate change risk to their businesses. In addition to energy efficiency initiatives in their stores and distributions centres, Dollar Tree is also committed to having 75% of their supplier spend to be with companies with measurable GHG reduction or renewable energy targets by 2031 (compared to 38% in 2021).





Value Village

As a larger mid-box retailer, Value Village's purpose is to "*serve the environment by inspiring a future where secondhand is second nature*". For almost 70 years, Value Village's business model has focused on positively impacting the environment, communities and local non-profit organizations. They are committed to keeping one-of-a-kind finds out of landfills by operating one of the most robust recycling and upcycling "*circular economy*" programs in the world. Just one thrifted T-shirt can save 700 gallons of water. On average, Value Village diverts 700 million pounds of clothing and textiles from landfills each year¹.

¹ Value Village. The State of Thrift: 2020 Impact Report. 2020

Commercial Objective

Canmore has successfully established itself as a tourism and recreation hub, and it has blurred the lines between goods and services for residents and visitors. Therefore, policies geared toward attracting visitor commercial, particularly in the Bow Valley Trail area (BVT ARP 6.1.3.1 & 6.2.3.1), are no longer necessary and may hinder commercial development geared toward both residents and visitors. Focus on welcoming shops and services for all in upcoming plan revisions including the Bow Valley Trail ARP and future Municipal Development Plan updates. As Canmore's existing nodes continue to evolve, and future nodes like Palliser or TSMV's Gateway enter the market, they will be desirable and well-used by local residents first and foremost, yet visitors will continue to seek these areas out as part of the overall Canmore experience. Canmore's value proposition should be that it is a community for ALL.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 3: Encourage vibrant commercial nodes with a variety of resident-oriented goods and services			
Work collaboratively with businesses and developers to attract value oriented merchandisers and businesses that align with Canmore's values.	 \$	 Economic Development	6, 7, 8
Continue to monitor store size maximums for TSMV Gateway and any future development to ensure a balanced mix of price points and offerings.	\$	 Planning & Development; Economic Development	2, 5, 6, 7
As part of future Plan reviews, consider removing the store size distinction between visitor-oriented and general retail (resident focused), particularly in the BVT ARP (Section 6.1.3.1 Retail Uses).	\$ 	Planning & Development	2, 6
Support storefront improvement, accessibility and patio programs focused on the Town Centre, with the option to expand into other nodes for older or heritage commercial buildings.	\$	Economic Development; Planning & Development	5
Continue to encourage the activation of vacant spaces through events and pop-up retail as supported in the MDP.	\$	Economic Development; Communications & Media Relations	2, 3
Encourage businesses to explore experiential retail programs.	\$	Economic Development; Communications & Media Relations	2, 3

Industrial Action Plan

Canmore's industrial action plan reinforces the intent of the Town's Municipal Development Plan to continue to prioritize industrial uses in Canmore's industrial lands while shifting how the Town positions itself to attract additional business and employment growth.

Allocation

Recognizing that there is presently under-developed and vacant lands within both the Elk Run and North Industrial nodes, there is an opportunity to focus on these areas for future growth and repositioning while maintaining the industrial uses.

- While the **North Industrial** node is largely built out, a few underdeveloped parcels exist which could accommodate a small portion of forecasted industrial demand.
- As Canmore's largest industrial area, **Elk Run** can absorb the majority of industrial demand by intensifying and densifying underutilized lands in the western portion of the node. Infill and redevelopment with an eye toward finding synergies between industries and supporting local employment opportunities will play a key role in this strategy.

The **Elk Run** node has an opportunity to reposition itself as a small business incubator with smaller footprint and higher value light industrial users and other compatible accessory supporting uses.

Positioning

Industrial considerations are intended to illustrate how Canmore can work with its existing industrial landscape to redefine a more environmentally-friendly, economically stable and higher value land use, while preserving existing industrial lands and considering integrating other necessary community components, such as affordable or employee housing. Canmore can become the community of choice for start-ups and as they outgrow their space, they can move to either Dead Man's Flats or beyond; A successful business whose origins are in Canmore will always be from Canmore!

Considerations for targeting industrial businesses include:

- Specifically focus on built form similar to retail size restrictions to encourage higher value, compact, local, and small light industrial businesses. This could include smaller lot compact single user industrial formats or higher quality single user mixed businesses formats.
- An opportunity exists to support home-based businesses to transition to small startup locations within Elk Run. This may involve consolidating/ amalgamating similar uses to share costs (for example: The Co+Kitchen in Moose Meadows which is a 2,500 sq.ft / 250 sq.m shared-use commercial kitchen). This would support entrepreneurs in growing their businesses by providing smaller scale, more affordable spaces and creating employment transition opportunities.
- It is commonplace for communities with limited industrial land supply to actively work to ensure that the industrial lands within the community are optimized, particularly if the lands in question have full municipal servicing. As communities evolve over time, the mix of businesses begin to shift and larger, more intensive uses tend to seek alternative locations. In the case of Canmore, it is possible that some existing businesses may determine that their operations would be better suited outside of municipal boundaries. This is not always the case however, there may be other market forces that are appealing for some existing businesses to relocate to nearby municipal industrial areas.

Broadly speaking there is an opportunity for Canmore to focus its industrial attraction efforts on businesses with sustainability or corporate social responsibility (CSR)/ Environmental Social and Corporate Governance (ESG) policies and practices. This aligns with the Town's goals of fostering a sustainable community and may also align with the ideological approaches of the local workforce. The town could consider a campaign to identify local businesses with sustainability or CSR practices and policies. Testimonials and examples of local businesses focused on sustainability and CSR could be included in investment attraction initiatives (for example, targeting outdoor apparel and gear manufacturing businesses). **Figure 8-2** is an example of how sustainability values can be incorporated into marketing materials. Consideration should be given to the overall positioning of Canmore's industrial vision and each industrial node to accurately reflect their industrial composition.

Industrial Objective

As Canmore's population continues to grow and land becomes increasingly limited, it is crucial that industrial land be used as efficiently as possible. Enabling compatible business uses and encouraging smaller scale businesses can support this objective while maintaining the light industrial as the primary use over the next 10 years. This aligns well with the existing industrial composition of the Elk Run node, and presents an opportunity for Canmore to reposition and re-market itself as a sustainability business incubator.

Bearing in mind that these transitions tend to happen gradually over time, consideration should be given to supporting the current larger users and their potential future growth. It is foreseeable that these larger footprint businesses may desire to relocate to another area dependent on their business needs and operational costs. Partnering with the Municipal District of Bighorn on joint development (in particular in Dead Man's Flats) has the potential to smooth the transition for larger businesses while making space for new users and benefiting the Town.

Foremost, it is critical to protect existing employment lands within the industrial areas so as to grow the economic base of the community and create employment opportunities. In addition, there is a greater likelihood of retaining local businesses and attracting new businesses by retaining industrial lands within the Town.

Figure 8-2. Example Investor Profile with Sustainability Vision

(Source: Town of Ladysmith, BC - Page 4 of 8).

The screenshot displays the 'COWICHAN REGION - LADYSMITH' website. It features four main sections:

- SUSTAINABILITY AND GREEN VISION:** States Ladysmith is a green community, recognized as a leader in sustainability. It lists awards from 2012 to 2015 and lists four goals: 1) improving quality of life, 2) protecting and enhancing the natural environment, 3) strengthening the local economy, and 4) enriching and celebrating the town's uniqueness.
- TOURISM / COMMUNITY EVENTS:** Notes Ladysmith is at the doorstep of some of the best tourism and recreational opportunities on Vancouver Island. It lists annual events like Festival of Lights, Arts on the Avenue, Ladysmith Days, Brits on the Beach, Kid's Pirate Day, and Home, Garden and Business Show.
- GOVERNMENT:** Describes the elected Council and the role of the Mayor and six Councillors. It mentions the 2007 Community Accord with the Stz'uminus First Nation and the 2012 renewal of the Accord.
- STZ'UMINUS FIRST NATION:** Describes the Stz'uminus First Nation as a Coast Salish people with a growing population of 1,300. It mentions the Coast Salish Development Corporation (CSDC) and its mandate to build a \$100 million local economy over the next 20 years.

At the bottom of the screenshot is a photograph of a town street at night with a small '4' in a circle in the corner.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 4: Retain and encourage efficient use of industrial lands			
Connect with economic development stakeholders in the region to facilitate the expansion and attraction of businesses to the industrial areas in tandem with defining Canmore's industrial vision and setting a path for Canmore to position itself as a sustainability business incubator.	▲ \$	Economic Development; Communications & Media Relations	5, 7
Review industrial built form guidelines to consider how small and medium scale light industrial infill can be enabled and encouraged.	\$	Planning & Development; Economic Development	5, 7
Continue building out the current Business Visitation Program with a focus on Elk Run Industrial Park and addressing needs and barriers to business success	\$	Communications & Media Relations; Economic Development	8
Consider joint development partnerships with the MD of Bighorn as one potential approach to revenue sharing of industrial development	\$	Communications & Media Relations; Economic Development	5, 7

DRAFT Submitted July 4, 2023





Request for Decision

DATE OF MEETING: September 5, 2023 **Agenda #:** G-1

TO: Council

SUBJECT: Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps

SUBMITTED BY: Joshua Cairns, Senior Policy Planner

RECOMMENDATION: That Council give second reading to Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps.

That Council give third reading to Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps.

EXECUTIVE SUMMARY

Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps received first reading on August 15, 2023 and is the subject of a public hearing September 5, 2023.

Administration's analysis and position on this matter presented at first reading of this bylaw remains unchanged. Please see Attachment 1 for the Request for Decision and related attachments presented at first reading.

ATTACHMENTS

- 1) RFD and attachments from the August 15, 2023 council meeting.
- 2) Silvertip Area Structure Plan Bylaw Amendment 2023-21 Maps

AUTHORIZATION

Approved by: Sally Caudill
Chief Administrative Officer

Date August 28, 2023



Request for Decision

DATE OF MEETING: August 15, 2023 **Agenda #:** G-1

TO: Council

SUBJECT: Silvertip Area Structure Plan Amendments - Bylaw 2023-21

SUBMITTED BY: Joshua Cairns, Senior Policy Planner

RECOMMENDATION:

- (1) That Council give first reading to Bylaw 2023-21, and
- (2) That Council schedule a public hearing for Bylaw 2023-21 for September 5, 2023.

EXECUTIVE SUMMARY

Bylaw 2023-21 contains minor housekeeping amendments to the Silvertip Area Structure Plan (ASP) that would adjust the plan's boundary to reflect current planning initiatives and ensure consistency in the administration of the plan. Administration supports the amendments as described in this report.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

On October 9, 2007, Council approved the amended Silvertip ASP (Bylaw 38-2007). The Silvertip ASP is the statutory plan that governs the development of the Silvertip area.

DISCUSSION

The Silvertip area comprises a portion of the northwest bench, located east of the Trans-Canada Highway with land that rises steeply from the valley bottom defined by a series of ridges, ravines, and escarpments. The initial vision for how the area could be developed over time was provided in 1990 upon adoption of the Hyatt Regency Canmore Master Plan ("Master Plan"). In 1993, Stone Creek Properties Inc ("SCPI") acquired significant portions of the Silvertip area and, in 1998, initiated a planning process to consider how the area could become a more comprehensively designed resort community. This exploration resulted in the Silvertip ASP, which was adopted by Council in 2001, updated in 2007, and remains the governing statutory area plan for the area today (Figure 1).

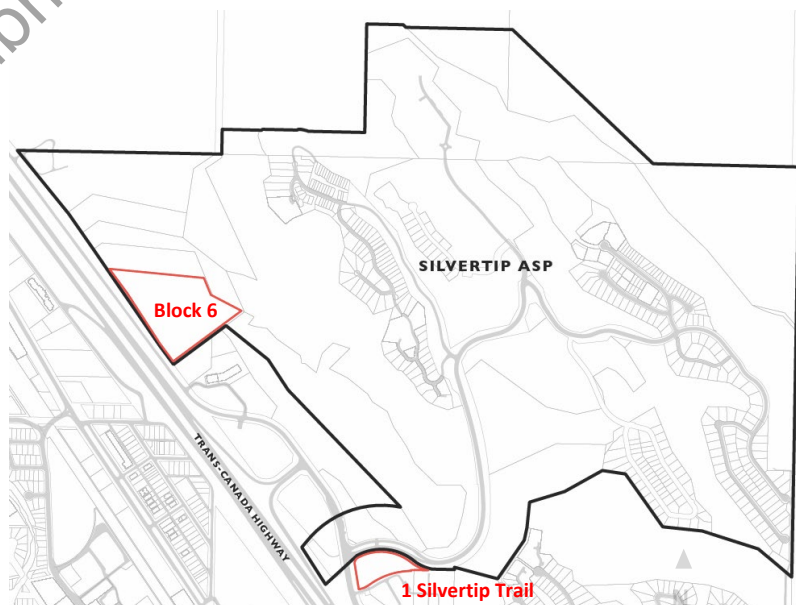


Figure 1: Map showing Silvertip ASP area (black) and subject parcels (red)

Bylaw 2023-21 proposes to revise the Silvertip ASP by adjusting its western and southern extents to:

- add one parcel, Block 17 (1 Silvertip Trail) that was developed in accordance with the Master Plan (see Figure 2)
- remove one undeveloped parcel (Block 6) to reflect its inclusion in the Palliser Trail ASP (see Figure 3)



Figure 2: Block 17



Figure 3: Block 6

The Master Plan identified Block 17 as a suitable location for future highway-oriented commercial development. In 1997, construction began on a new hotel. The hotel would initially become the Four Points Sheraton and is currently addressed as 1 Silvertip Trail.

When the Silvertip ASP replaced the Master Plan a few years later, it introduced a plan boundary that bisected Block 17 (specifically the parcel located at 1 Silvertip Trail) and therefore excluded the east corner. Although the rationale has not been explicitly stated, records suggest the decision to exclude a portion of 1 Silvertip Trail was because the parcel had recently been developed by another entity. This is in contrast to other parcels that had been developed by SCPI, which were included in the new plan’s boundary and designated as “Established Areas” (Figure 4).

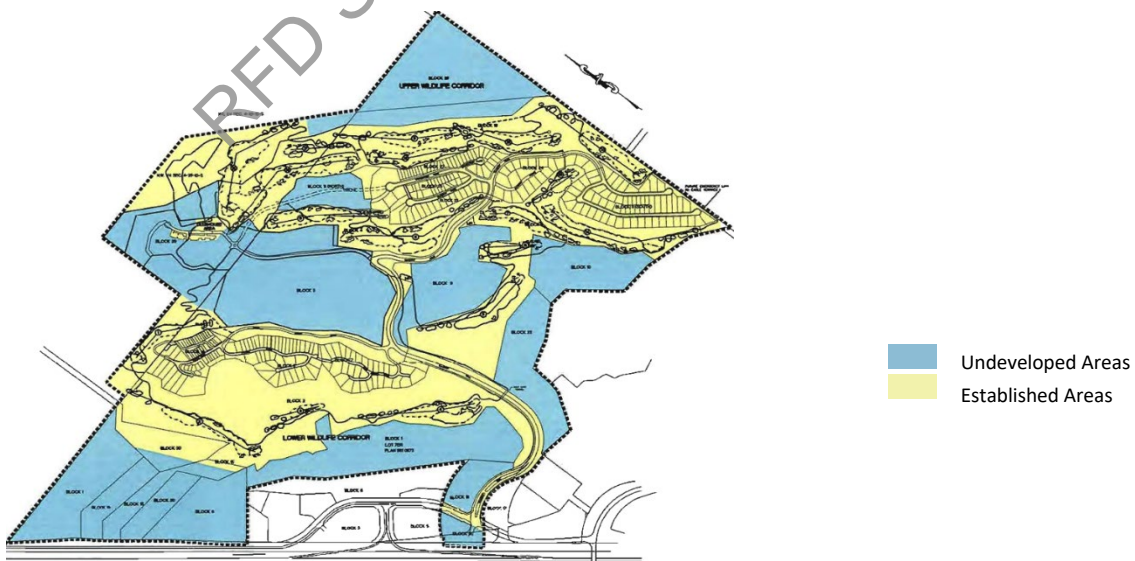


Figure 4: Current Silvertip ASP Map showing Undeveloped and Established Areas

The purpose of this designation was to clearly identify parcels that were no longer subject to the plan's policies, while allowing for their continued inclusion in the plan for long-term record-keeping, transparency, and policy clarity. Examples of Established Areas include the golf course and several residential areas.

Bylaw 2023-21 is a minor housekeeping amendment that would add the remaining portion of Block 17 (1 Silvertip Trail) to the Silvertip ASP as an "Established Area" to offer consistency with how other developed sites have been noted in the plan over time and to support long-term record-keeping, transparency, and policy clarity. As all of Block 17 would be defined as an "Established Area", no policy implications are anticipated for the site. Future change would continue to be informed by the Municipal Development Plan and the Land-Use Bylaw.

Block 6 was also identified by the Master Plan as a suitable location for highway-oriented commercial development. Unlike Block 17, Block 6 remained undeveloped at the time the Silvertip ASP was prepared and was included in the new plan as part of the "Undeveloped Areas". The parcel received new policy direction that encouraged intensification in the form of employee housing or other residential uses. This land is currently owned by Canmore Community Housing with the long-term intention of utilizing the site for residential uses.

In late 2022, administration initiated an expedited review of the adjacent Palliser Trail area, which borders Block 6. An initial assessment determined it would be advantageous to include Block 6 in the Palliser Trail ASP to ensure future development in the Palliser Trail area would be comprehensively planned. Updated policy direction through the Palliser Trail ASP could also help realize the site's opportunity to provide significant non-market housing units. Bylaw 2023-21 would remove Block 6 from the Silvertip ASP to reflect its inclusion in the updated Palliser Trail ASP.

ANALYSIS OF ALTERNATIVES

None.

FINANCIAL IMPACTS

No financial impacts are anticipated.

STAKEHOLDER ENGAGEMENT

Administration engaged SCPI to discuss the proposed amendments to the Silvertip ASP, which included both the addition of the remaining portion of 1 Silvertip Trail within Block 17 and the removal of Block 6 from the ASP's boundaries. SCPI is in support of the proposed amendments. New policy direction for Block 6 will be provided in the updated Palliser Trail ASP. The landowner, Canmore Community Housing, was engaged throughout the planning process.

ATTACHMENTS

- 1) Amending Bylaw 2023-21
- 2) Schedule A – Amended ASP Maps and Text Redline

AUTHORIZATION

Submitted by: Joshua Cairns
Senior Policy Planner Date: July 13, 2023

Approved by: Lauren Miller
Planning & Development Manager Date: July 21, 2023

Approved by: Whitney Smithers
General Manager of Municipal Infrastructure Date: July 24, 2023

Approved by: Scott McKay
Acting Chief Administrative Officer Date: August 9, 2023

RFD Submitted August 15, 2023

BYLAW 2023-21

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND SILVERTIP AREA STRUCTURE PLAN BYLAW 38-2007**

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 Silvertip Area Structure Plan Bylaw Amendment – Maps.

INTERPRETATION

- 2 Words defined in Silvertip Area Structure Plan Bylaw 38-2007 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 Silvertip Area Structure Plan Bylaw 38-2007 is amended by this bylaw.
- 4 Section 1.3 is amended by
 - a) inserting “Block 17 (Silvertip Trail)” after “Block 14 (Aspen Glen)”, and
 - b) striking out “Block 6”.
- 5 Maps 1 – 12 are repealed and Maps 1 -12 in Schedule A of this bylaw are substituted.

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 Schedule A forms part of this bylaw.
- 8 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

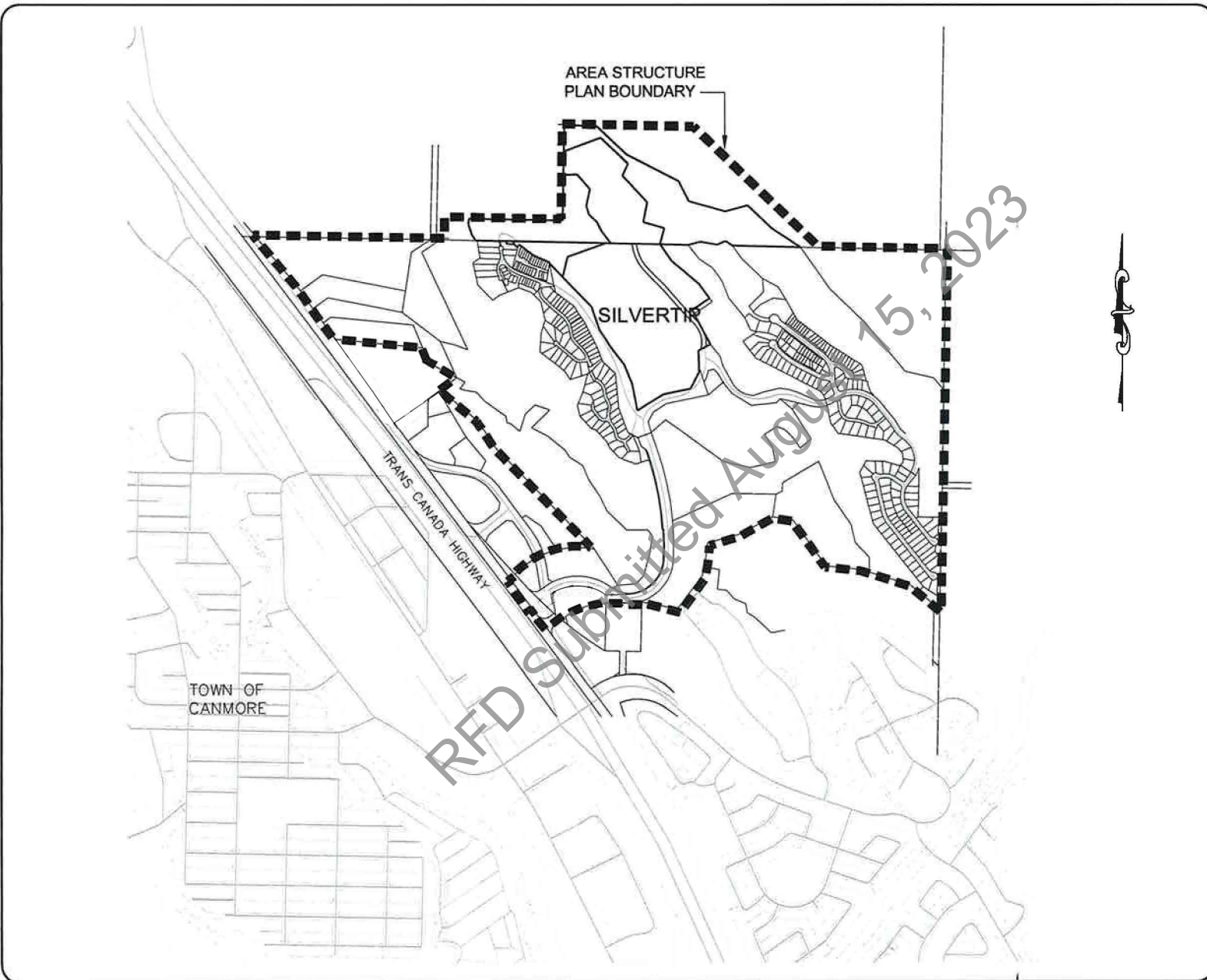
Cheryl Hyde
Municipal Clerk

Date

RFD Submitted August 15, 2023

Bylaw approved by: _____

PART 1: INTRODUCTION
SILVERTIP



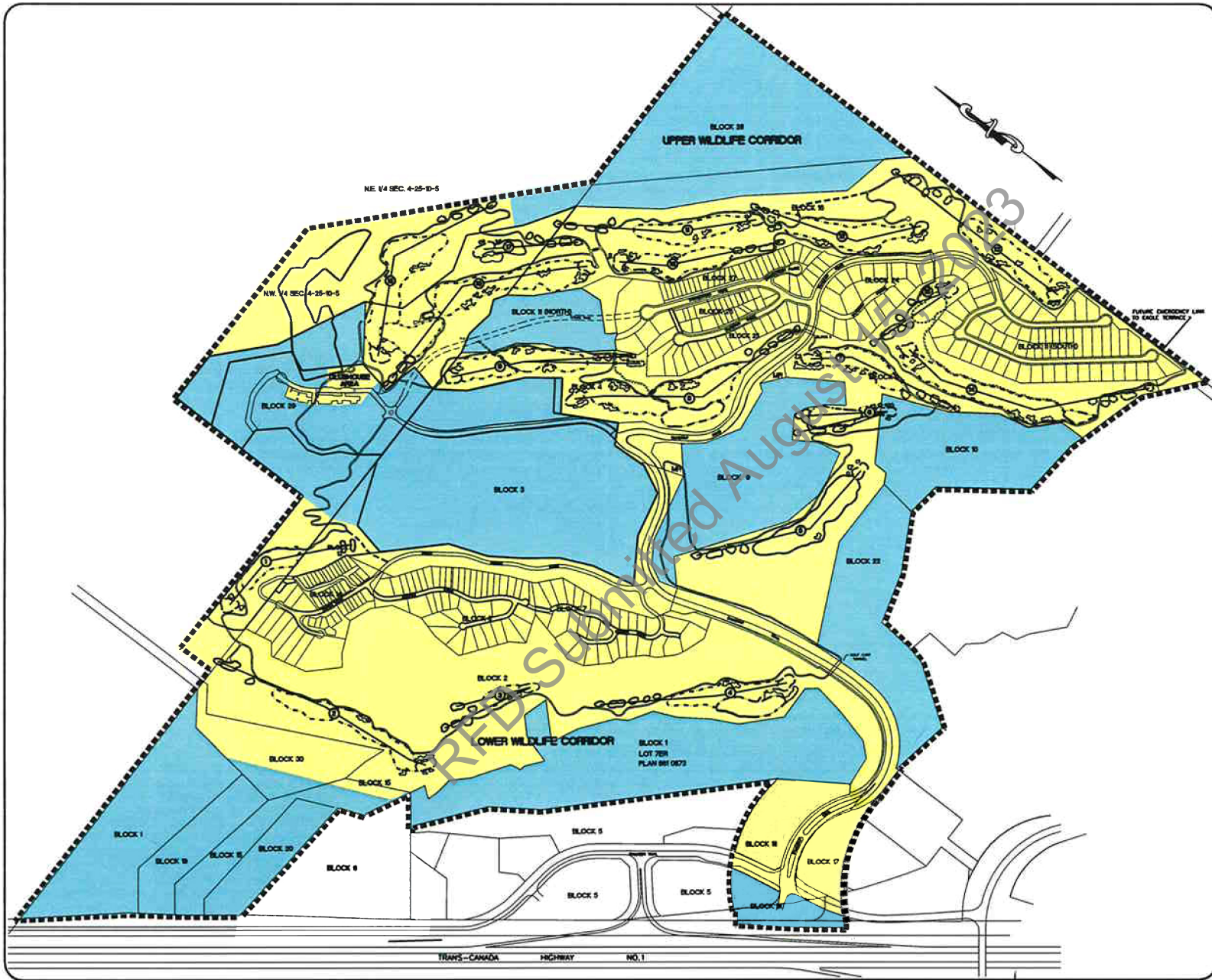
TOWN OF CANMORE

LEGEND

■ ■ ■ ■ ASP BOUNDARY

**SILVERTIP
AREA STRUCTURE
PLAN**

**MAP 1
LOCATION
PLAN**



TOWN OF CANMORE

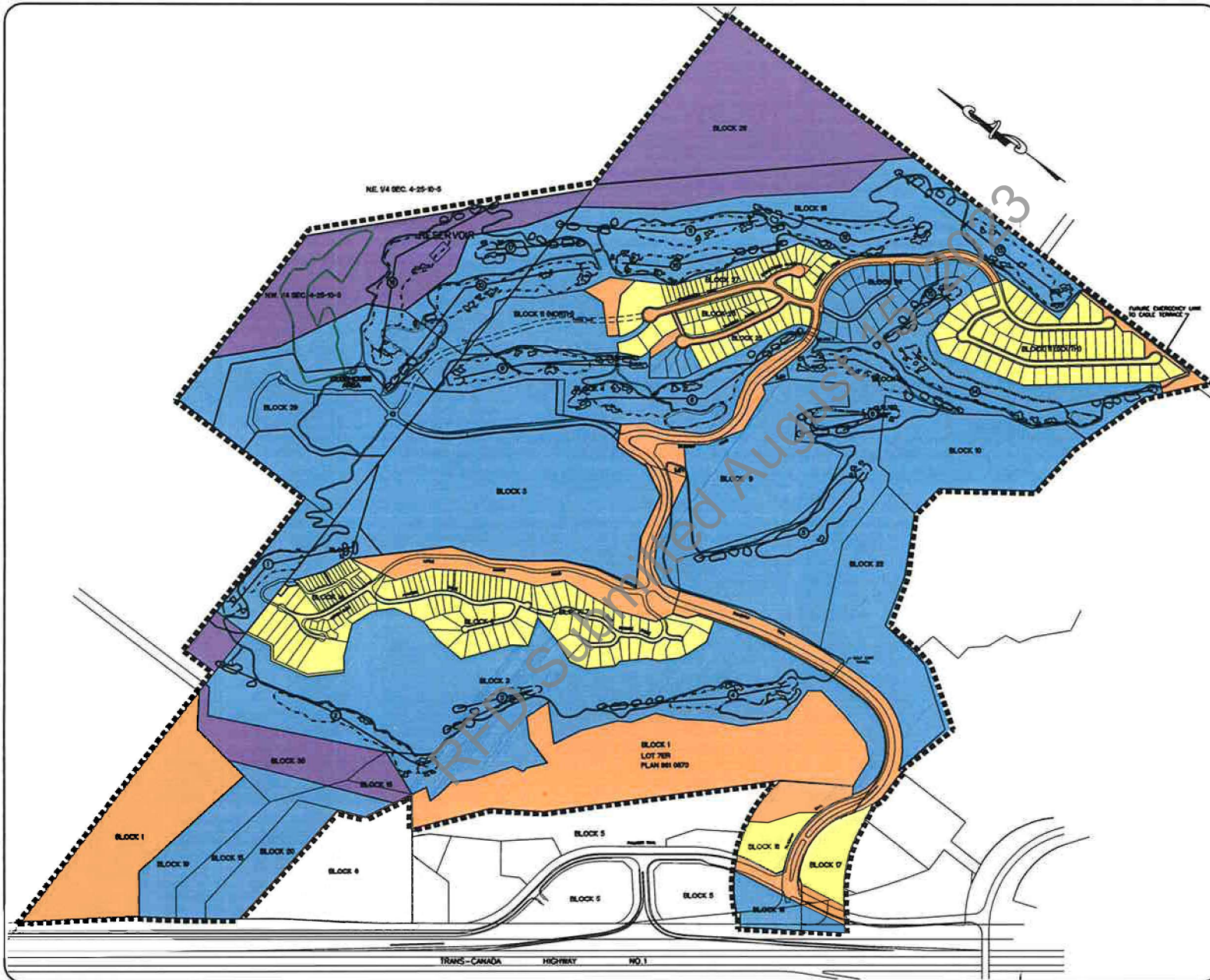
LEGEND

- ASP BOUNDARY
- UNDEVELOPED AREAS
- ESTABLISHED AREAS

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 2
AREA
STRUCTURE
PLAN**

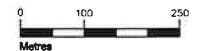


TOWN OF CANMORE

LEGEND

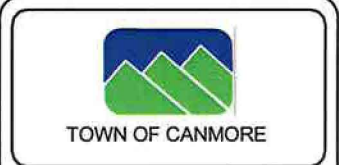
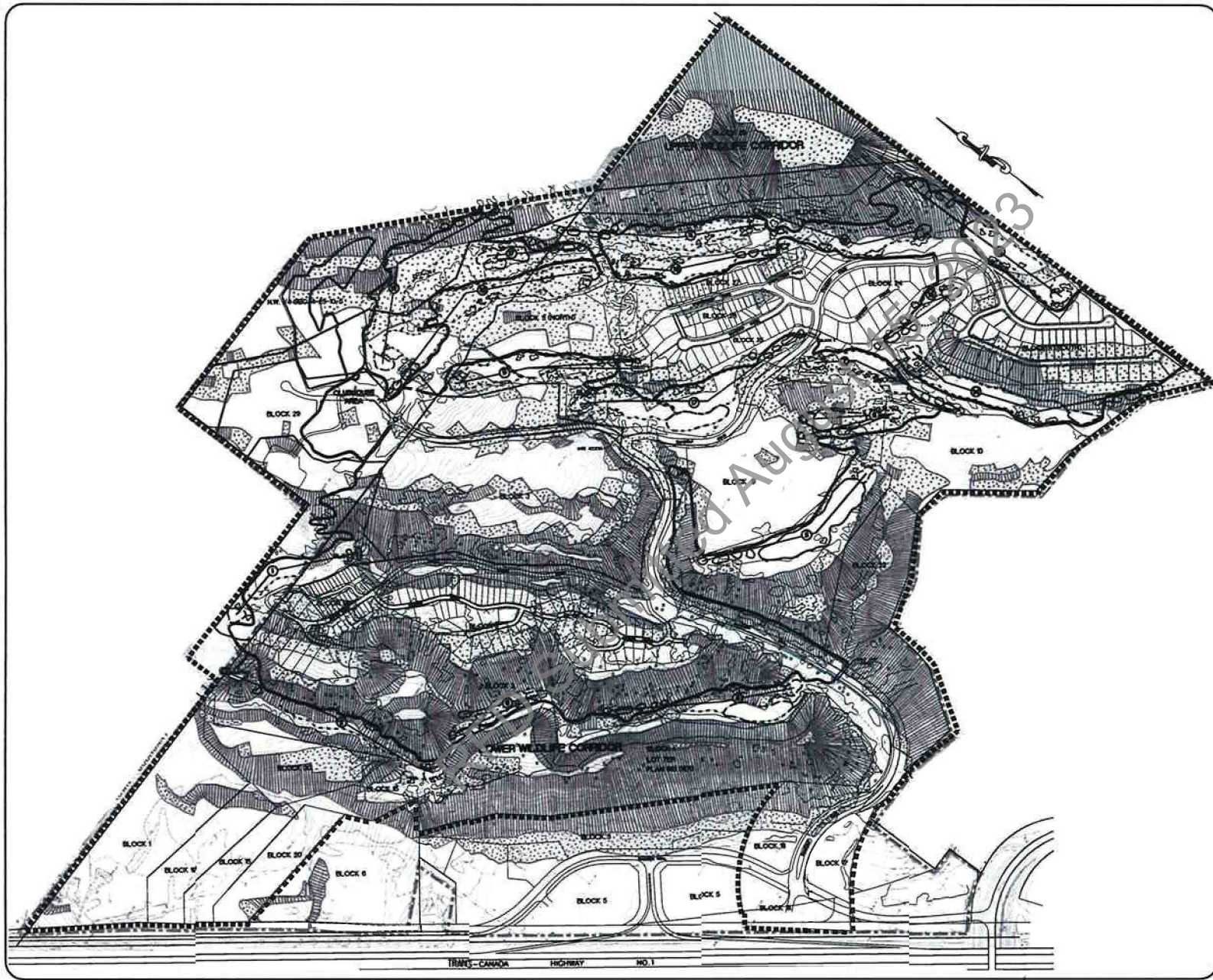
- ASP BOUNDARY
- TOWN OF CANMORE
- STONE CREEK PROPERTIES
- PROVINCE OF ALBERTA
- PRIVATE OWNERS

**SILVERTIP
AREA STRUCTURE
PLAN**



MAP 3

OWNERSHIP



LEGEND

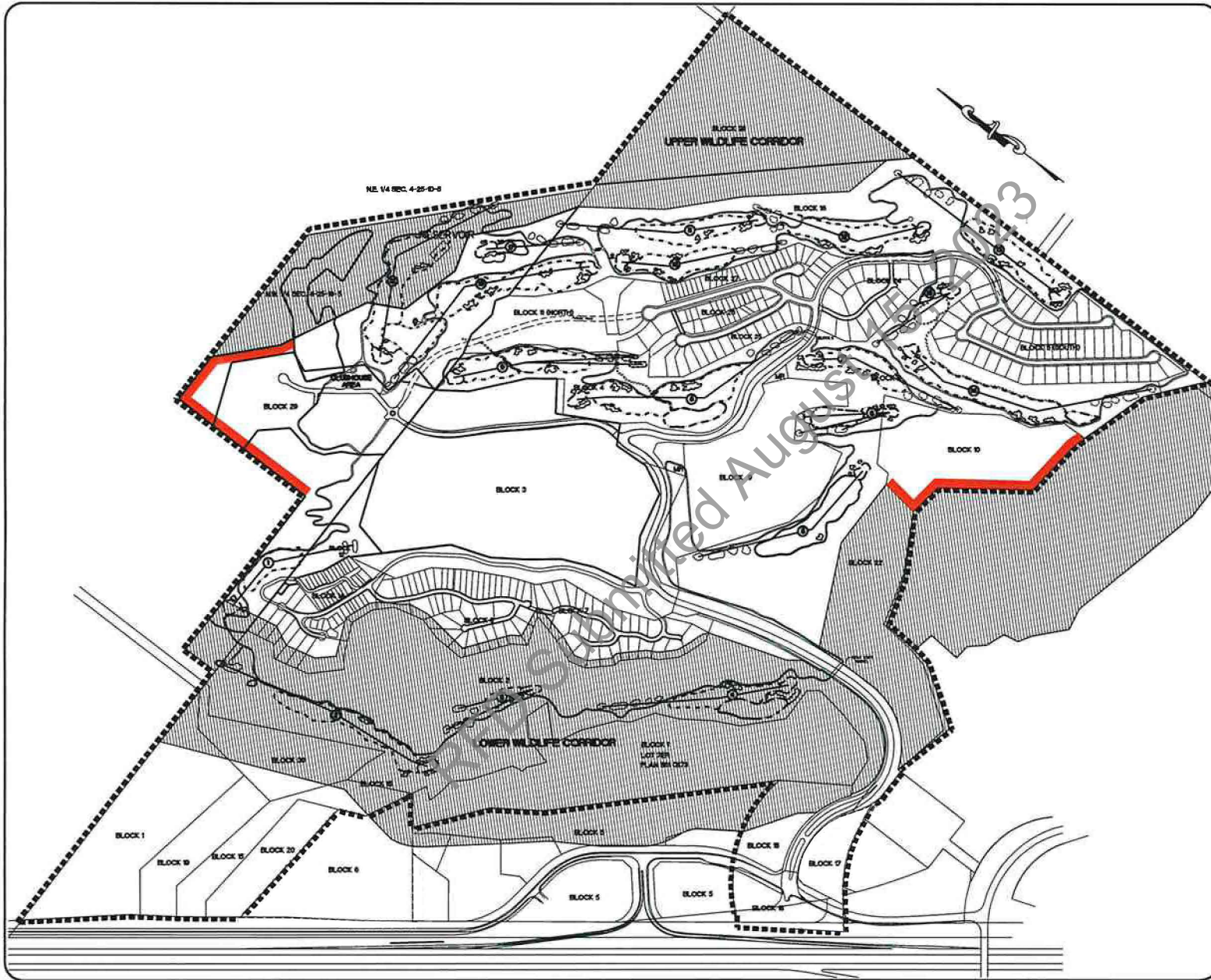
- ASP BOUNDARY
- 0-15%
- ▨ 15-22%
- ▩ >22%

**SILVERTIP
AREA STRUCTURE
PLAN**

0 100 250
Metres

MAP 4

**SLOPE
ANALYSIS**

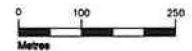


TOWN OF CANMORE

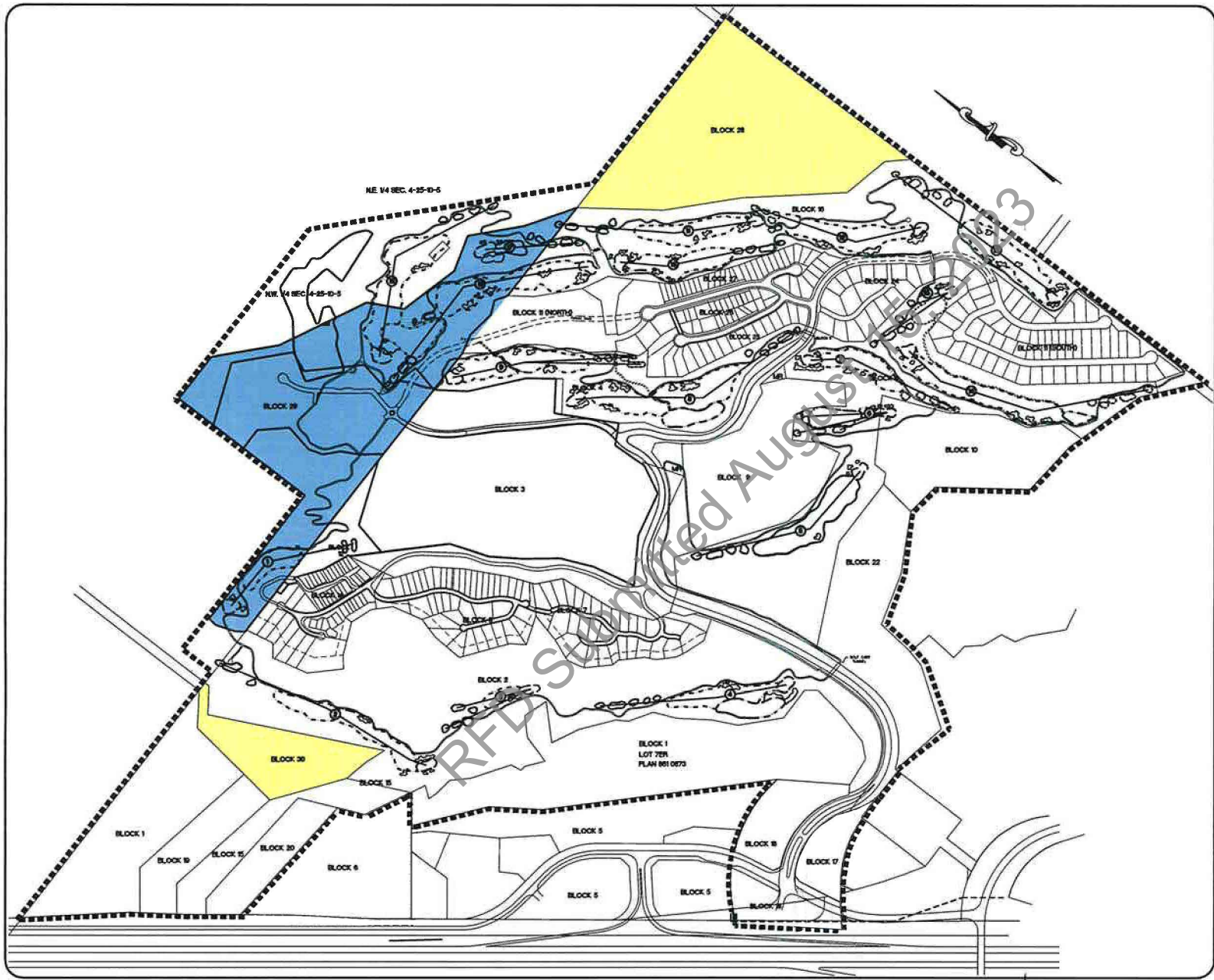
LEGEND

- ASP BOUNDARY
- ▨▨▨▨ WILDLIFE CORRIDORS
- EIS REQUIRED

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 5
WILDLIFE
CORRIDORS**

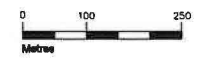


TOWN OF CANMORE

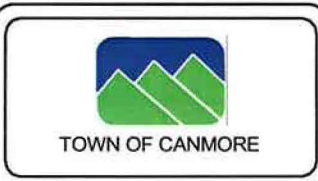
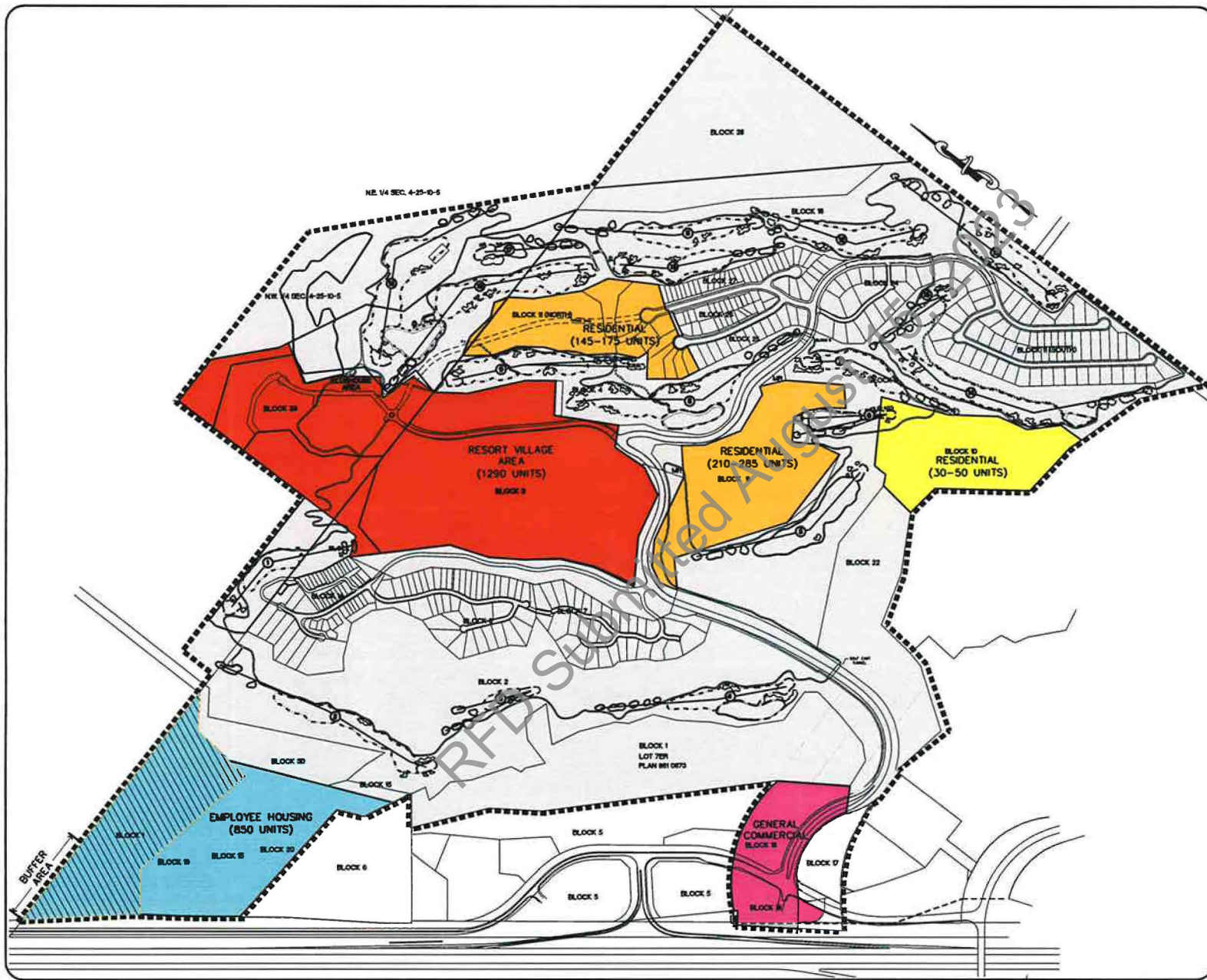
LEGEND

- ASP BOUNDARY
- PROVINCE TO SCPI
- SCPI TO PROVINCE

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 6
LAND EXCHANGE**

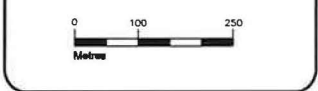


LEGEND

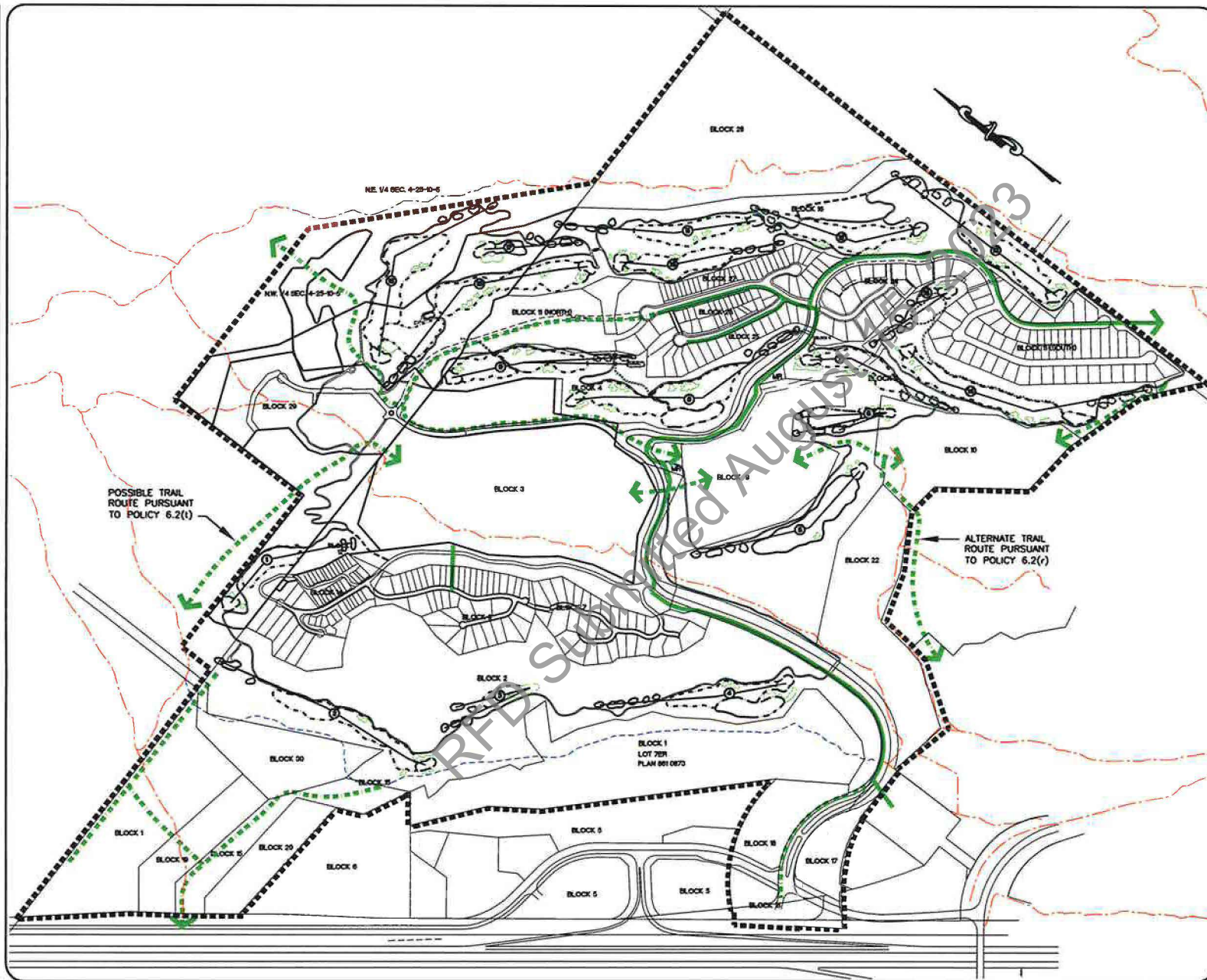
- ASP BOUNDARY
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- EMPLOYEE HOUSING GENERAL RESIDENTIAL
- EMPLOYEE HOUSING FOR THE RESORT VILLAGE
- RESORT COMMERCIAL
- GENERAL COMMERCIAL
- ESTABLISHED AREAS

MAP REFLECTS PROPOSED LAND USE AND UNIT DISTRIBUTION AT TIME OF ASP ADOPTION IN OCTOBER, 2007

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 7
LAND USE
AND
UNIT DISTRIBUTION**

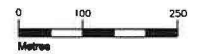


TOWN OF CANMORE

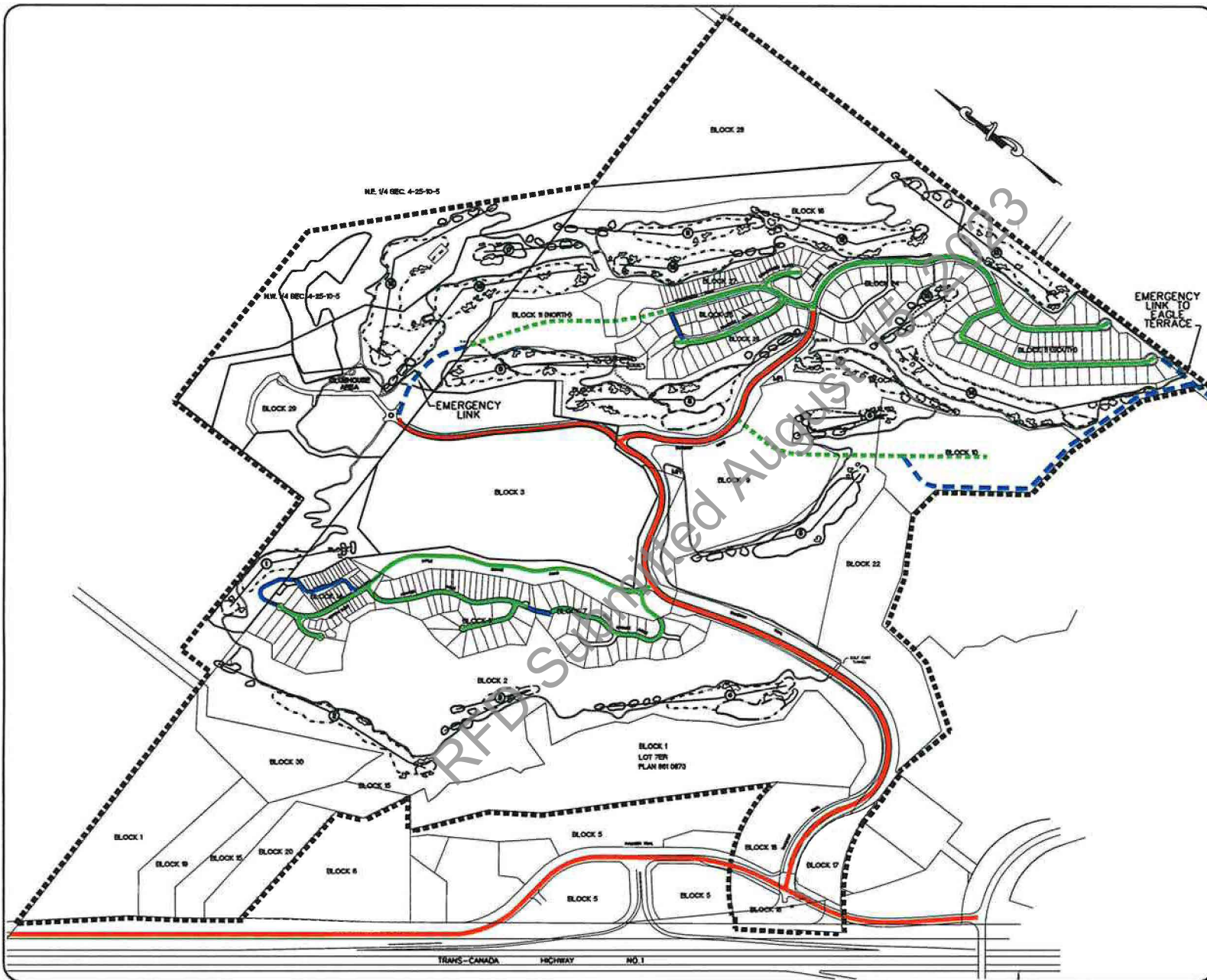
LEGEND

- ASP BOUNDARY
- EXISTING TRAILS
- - - - PROPOSED TRAILS
- - - - EXISTING PROVINCIAL RECOGNIZED TRAILS
- - - - SEASONAL TRAILS

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 8
TRAILS
SYSTEM**



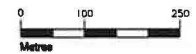
TOWN OF CANMORE

LEGEND

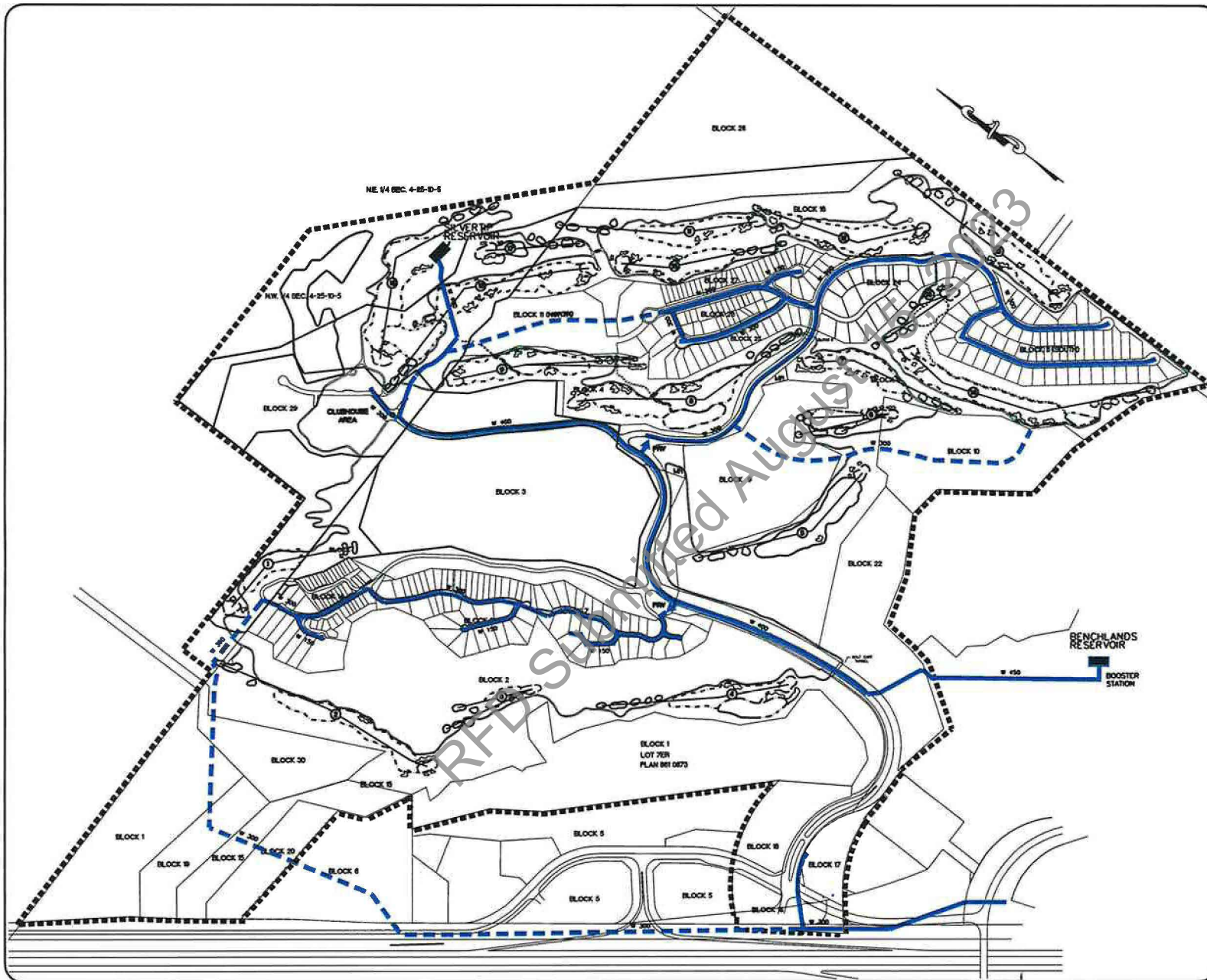
- ASP BOUNDARY
- MAIN ACCESS ROADWAY (EXISTING)
- LOCAL ROADWAY (EXISTING)
- LOCAL ROADWAY (FUTURE)
- EMERGENCY ACCESS ROUTES (EXISTING)
- EMERGENCY ACCESS ROUTES (FUTURE)

NOTE:
ALIGNMENT OF FUTURE
ROADWAYS ARE APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 9
ROADWAY
SYSTEM**



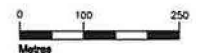
TOWN OF CANMORE

LEGEND

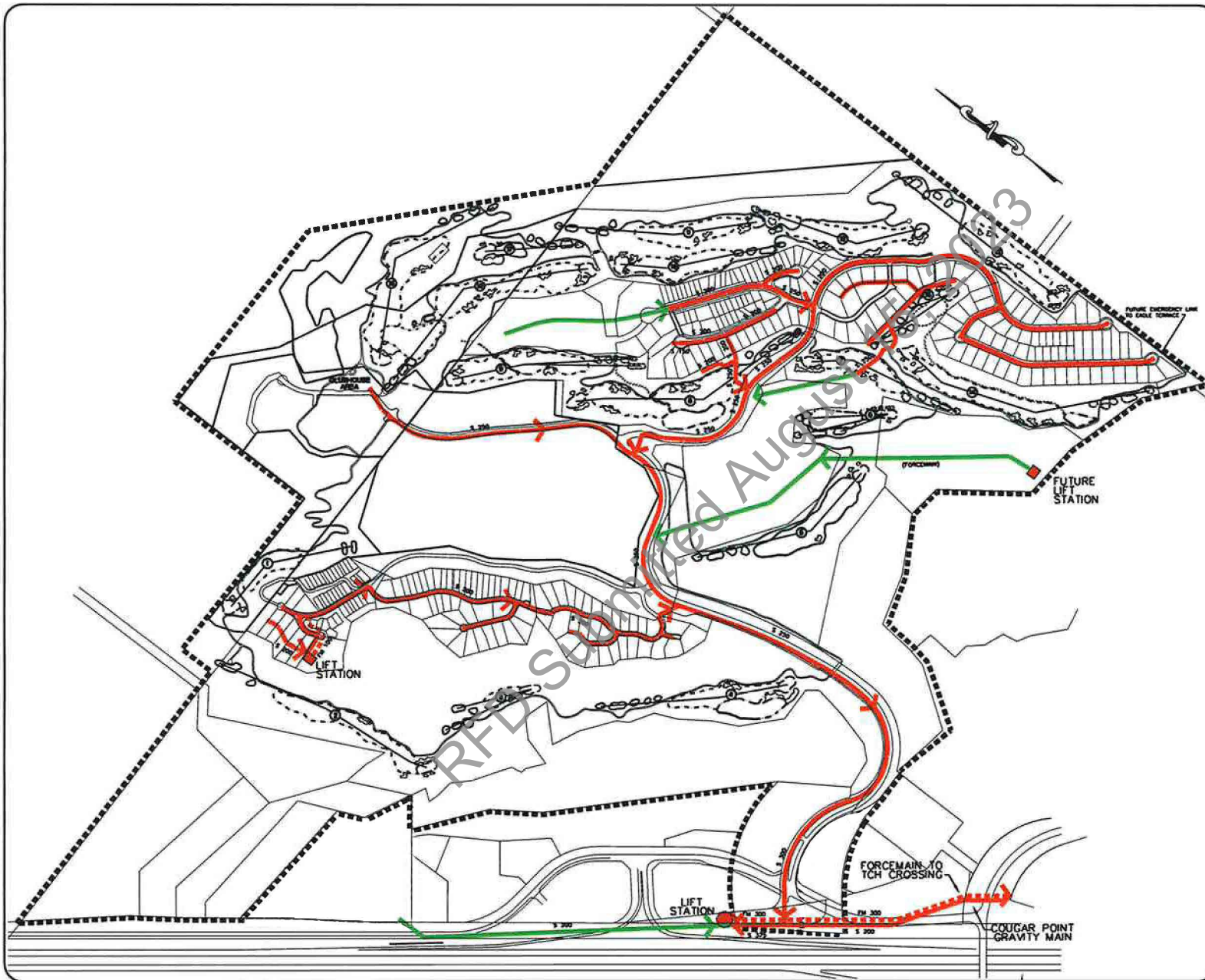
- ASP BOUNDARY
- WATERMANS (EXISTING)
- - - - WATERMANS (FUTURE)

NOTE:
ALIGNMENT OF FUTURE
WATERMAIN IS APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 10
WATER
SERVICES**



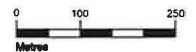
TOWN OF CANMORE

LEGEND

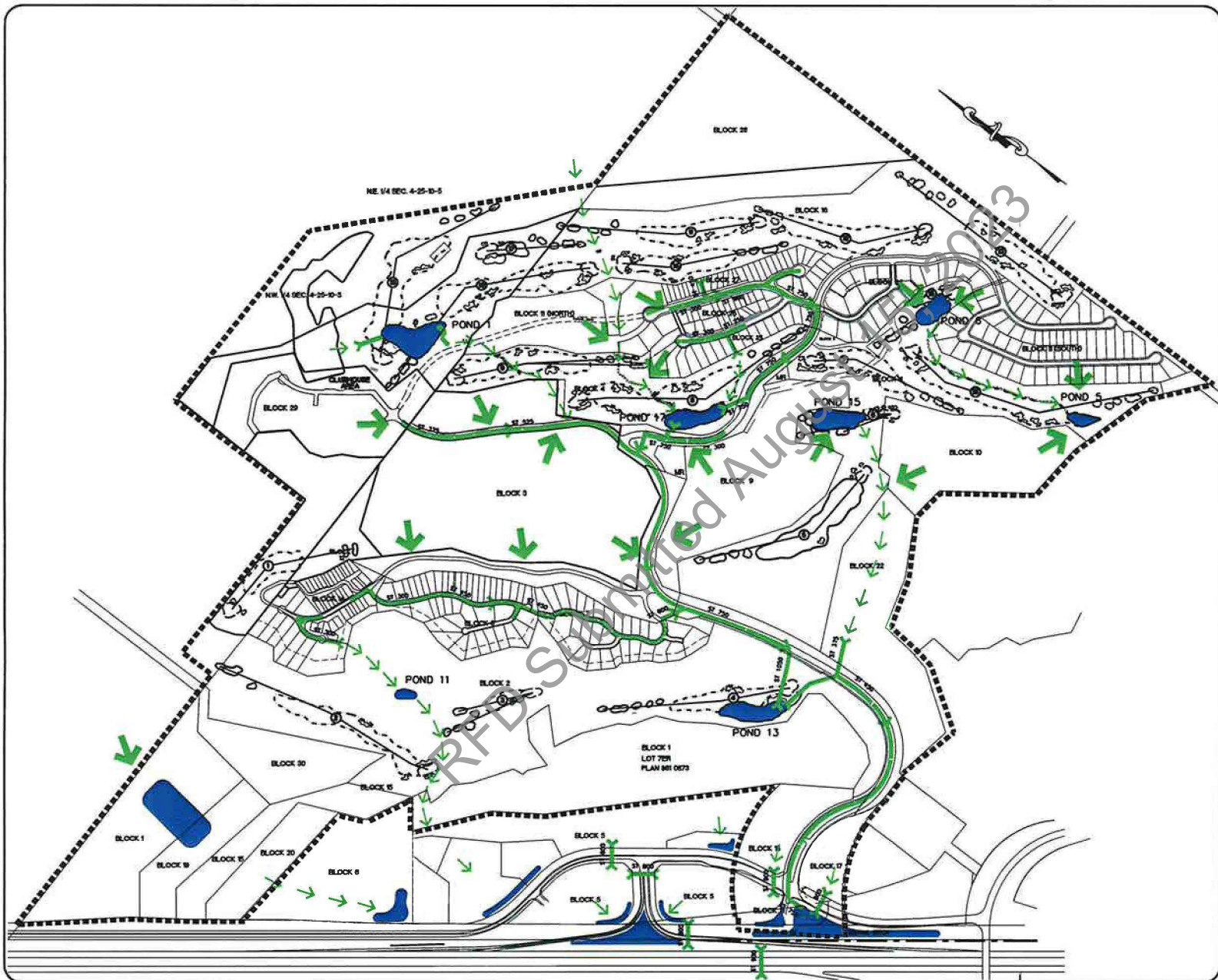
- ASP BOUNDARY
- SANITARY SEWER (EXISTING)
- SANITARY SEWER (FUTURE)
- - - SANITARY FORCEMAIN (EXISTING)

NOTE:
ALIGNMENT OF FUTURE SANITARY SEWER IS APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



MAP 11
SANITARY SERVICES



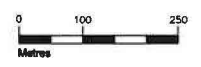
TOWN OF CANMORE

LEGEND

- ASP BOUNDARY
- STORM LINES (EXISTING)
- DRAINAGE CHANNEL (EXISTING)
- ➔ DIRECTION OF RUNOFF

NOTE:
ALIGNMENT OF FUTURE STORM SEWER IS APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 12
STORM SEWER**

Exerpt from Silvertip Area Structure Plan Bylaw 38-2007
Section 1.3

The portions of Silvertip which are identified as Established Areas on Map No. 2 and do not form part of the policy sections of this Plan include:

- Block 7 (Blue Grouse Ridge);
- Block 8 (Juniper Ridge);
- Block 14 (Aspen Glen);
- Block 17 (Silvertip Trail)
- Block 24 (proposed subdivision in progress);
- Block 25 (Silvertip Ridge);
- Block 26 (Stonecreek Road);
- Block 27 (Silvertip Road);
- the golf course, clubhouse and ancillary facilities; and
- the wildlife corridors.

Areas which have yet to be developed and are subject to the policy provisions of this plan are identified as Undeveloped Areas on Map No. 2, and include:

- Block 1;
- Block 3;
- ~~Block 6;~~
- Block 9;
- Block 10;
- Block 11;
- Block 15;
- Block 18;
- Block 19;
- Block 21;
- Block 22; and
- Clubhouse lands (a portion of the N ½ 4-25-10-W5M).

BYLAW 2023-21

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND SILVERTIP AREA STRUCTURE PLAN BYLAW 38-2007**

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 Silvertip Area Structure Plan Bylaw Amendment – Maps.

INTERPRETATION

- 2 Words defined in Silvertip Area Structure Plan Bylaw 38-2007 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 Silvertip Area Structure Plan Bylaw 38-2007 is amended by this bylaw.
- 4 Section 1.3 is amended by
 - a) inserting “Block 17 (Silvertip Trail)” after “Block 14 (Aspen Glen)”, and
 - b) striking out “Block 6”.
- 5 Maps 1 – 12 are repealed and Maps 1 -12 in Schedule A of this bylaw are substituted.

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 Schedule A forms part of this bylaw.
- 8 This bylaw comes into force on the date it is passed.

FIRST READING: August 15, 2023

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

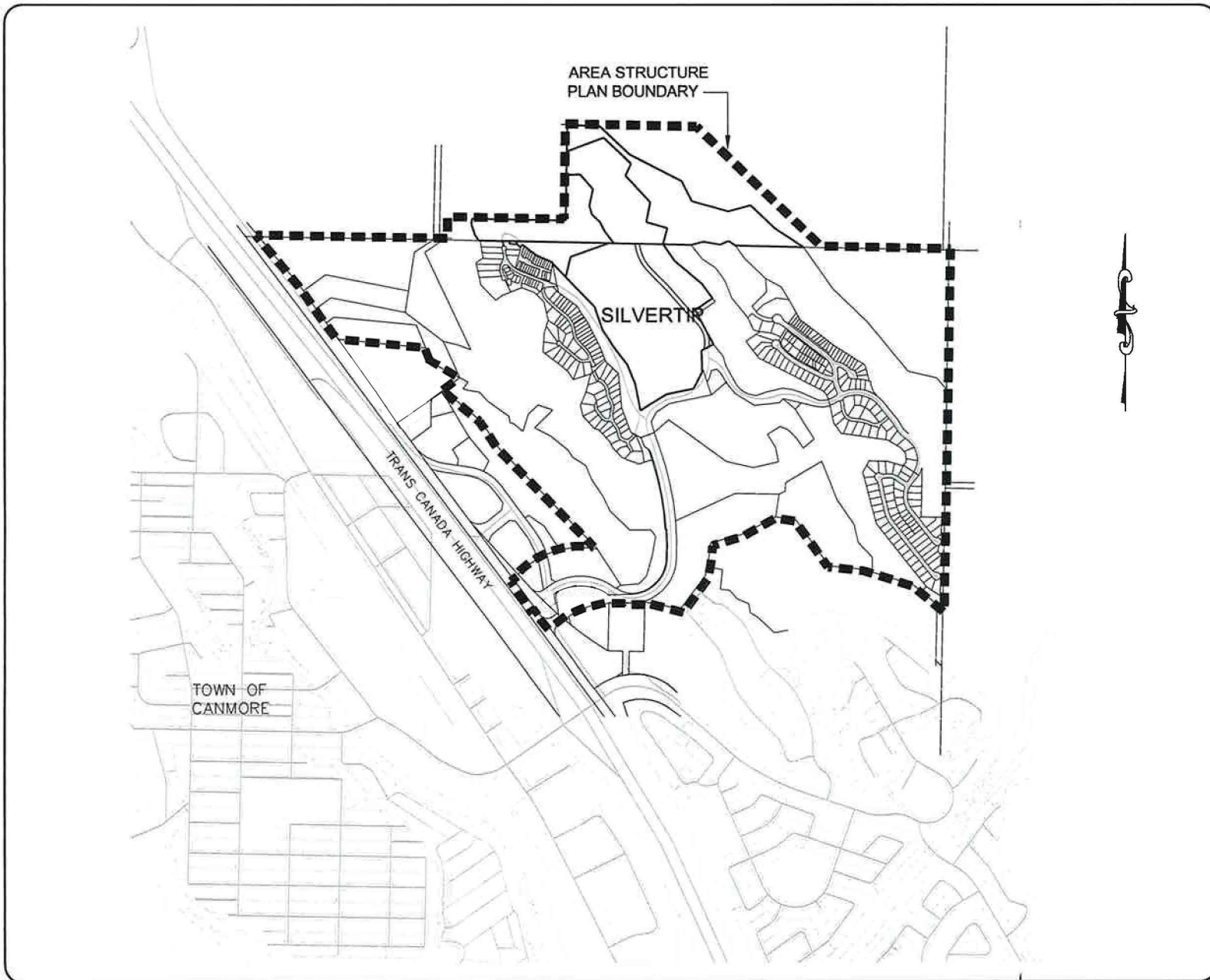
Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

PART 1: INTRODUCTION
SILVERTIP

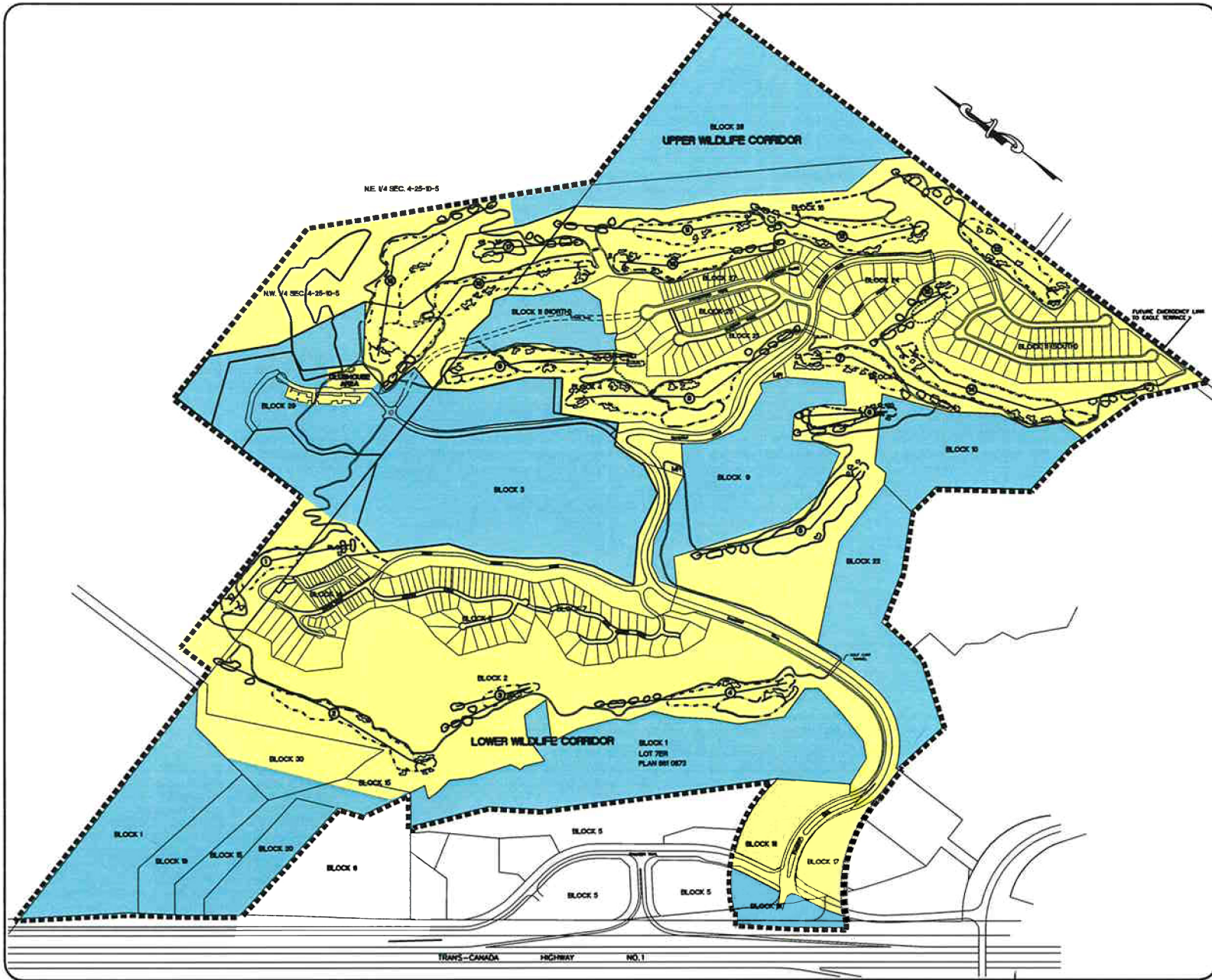


LEGEND

■ ■ ■ ■ ASP BOUNDARY

**SILVERTIP
AREA STRUCTURE
PLAN**

**MAP 1
LOCATION
PLAN**



TOWN OF CANMORE

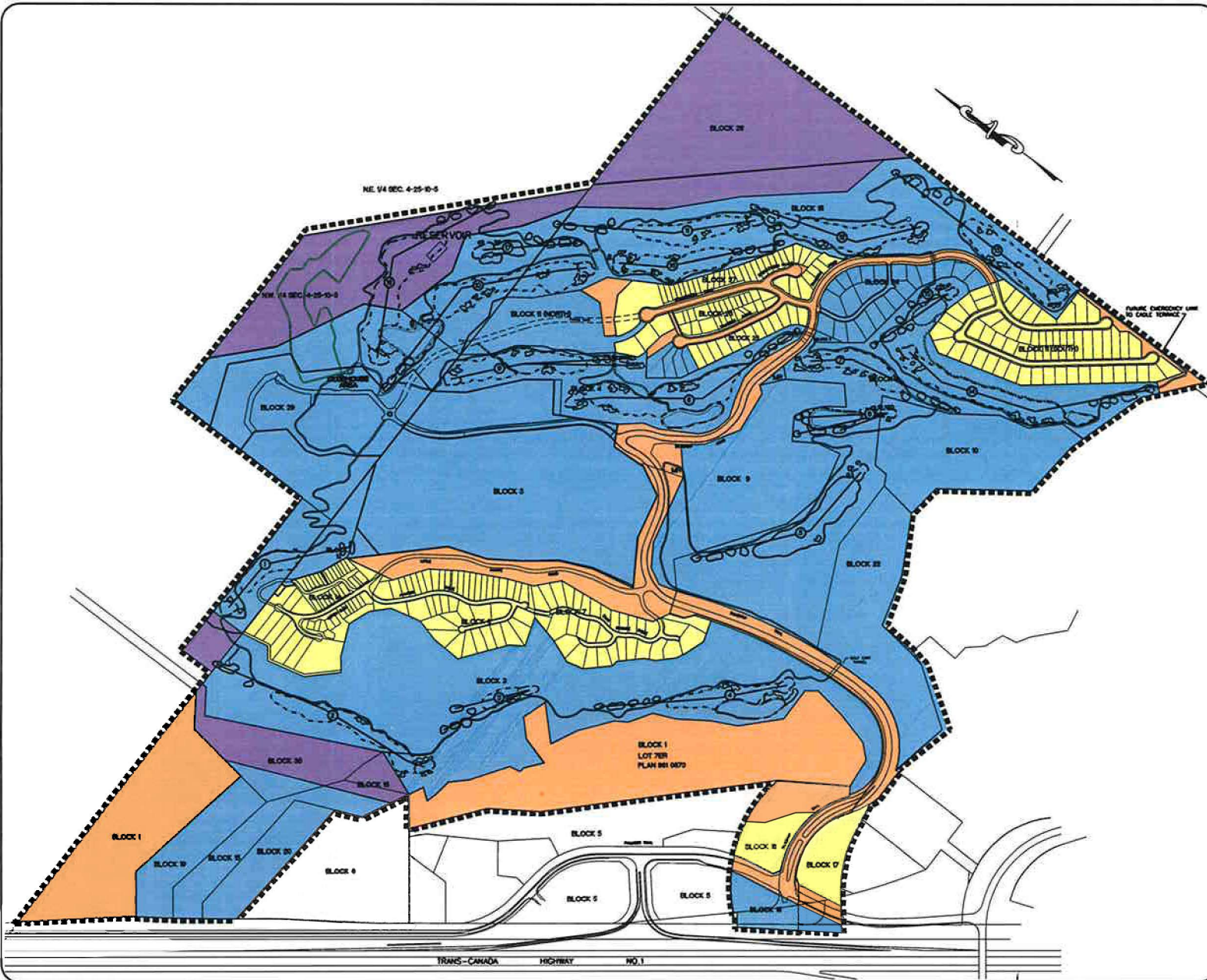
LEGEND

- ASP BOUNDARY
- UNDEVELOPED AREAS
- ESTABLISHED AREAS

SILVERTIP
AREA STRUCTURE
PLAN



MAP 2
AREA
STRUCTURE
PLAN

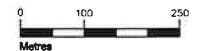


TOWN OF CANMORE

LEGEND

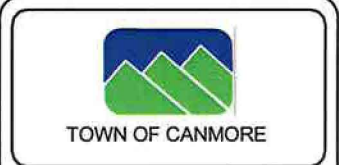
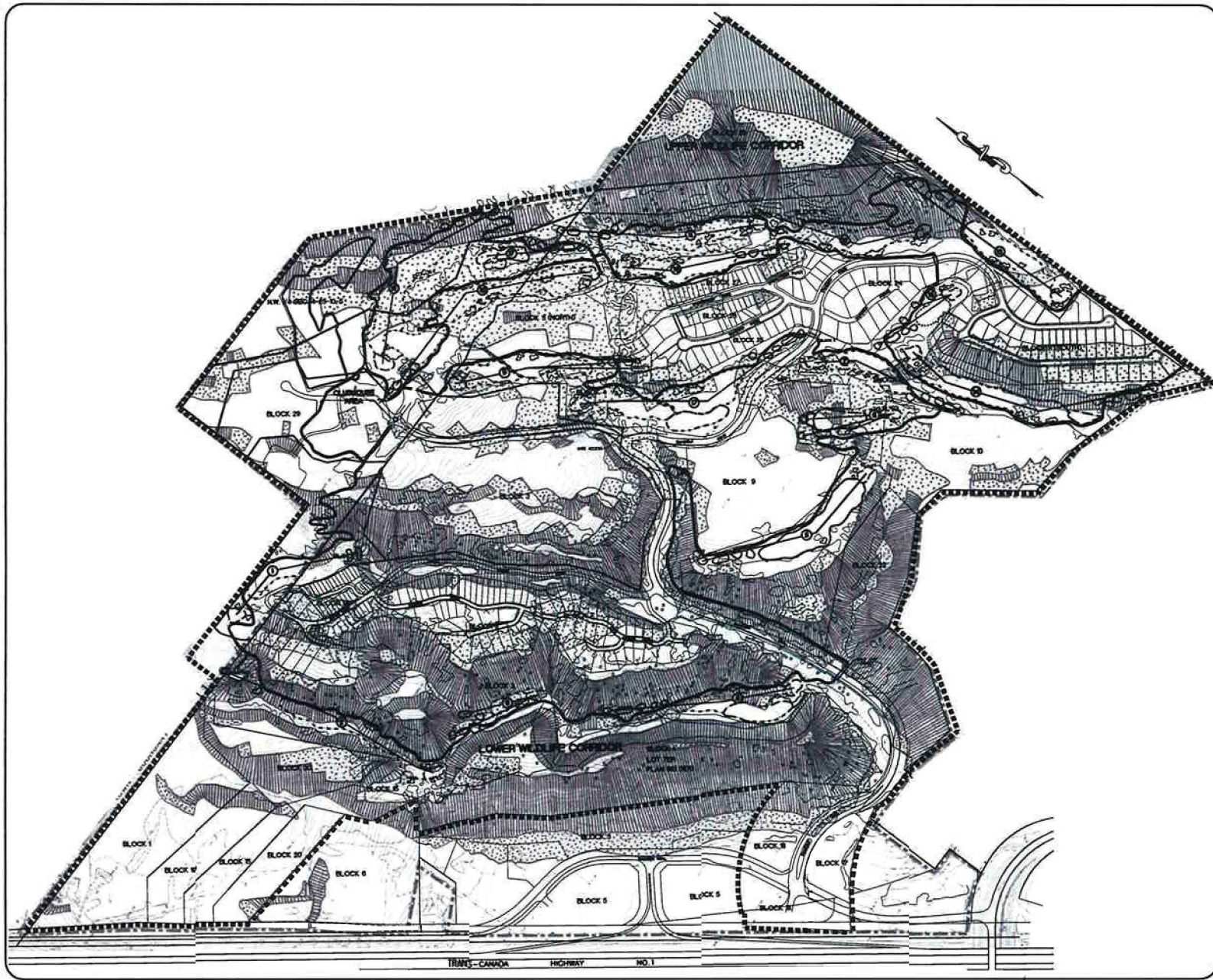
- ASP BOUNDARY
- Orange square: TOWN OF CANMORE
- Blue square: STONE CREEK PROPERTIES
- Purple square: PROVINCE OF ALBERTA
- Yellow square: PRIVATE OWNERS

**SILVERTIP
AREA STRUCTURE
PLAN**



MAP 3

OWNERSHIP



LEGEND

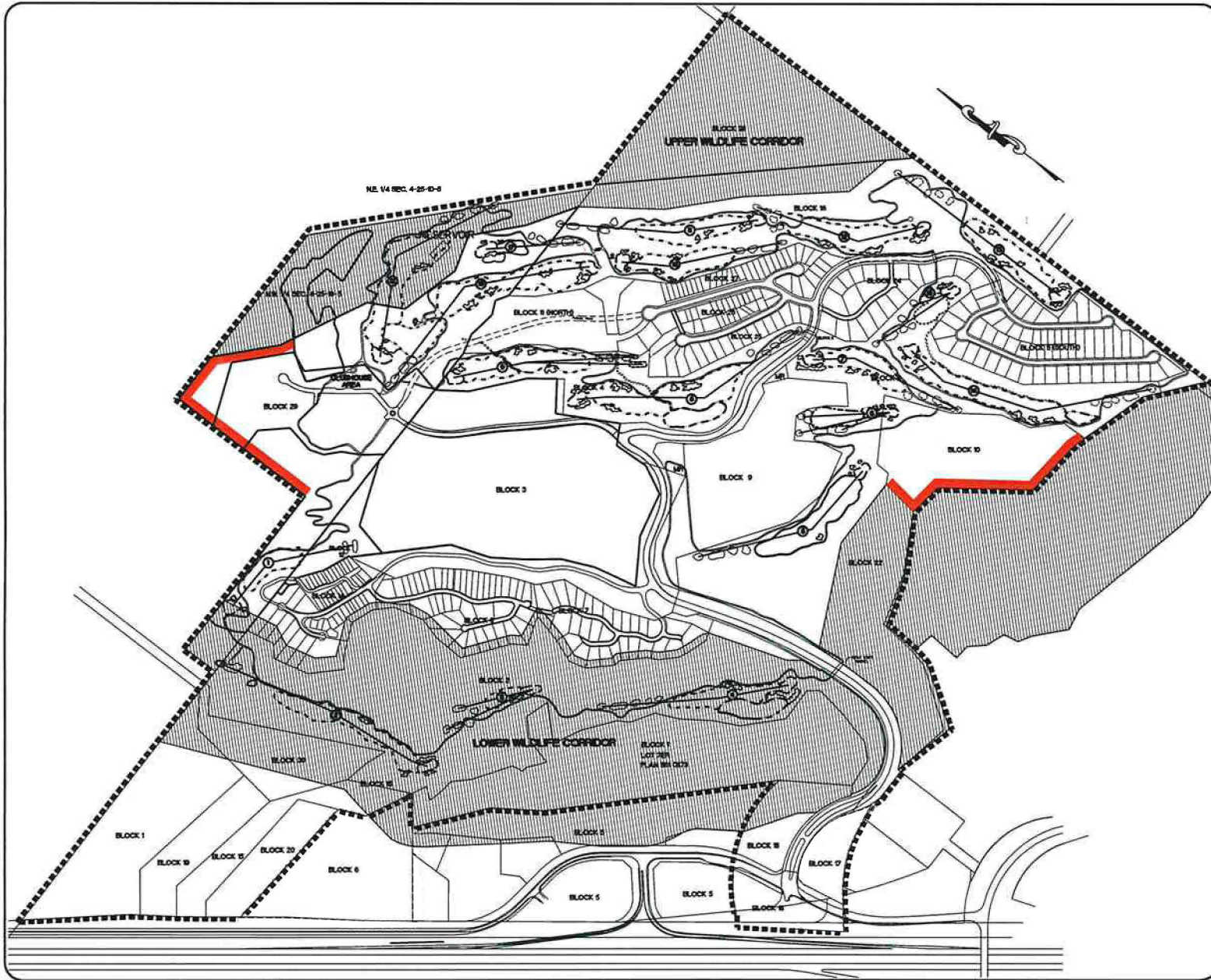
- ASP BOUNDARY
- 0-15%
- ▨ 15-22%
- ▩ >22%

**SILVERTIP
AREA STRUCTURE
PLAN**

0 100 250
Metres

MAP 4

**SLOPE
ANALYSIS**

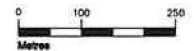


TOWN OF CANMORE

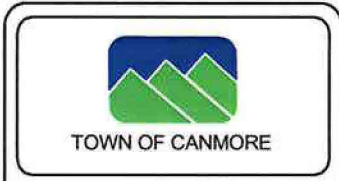
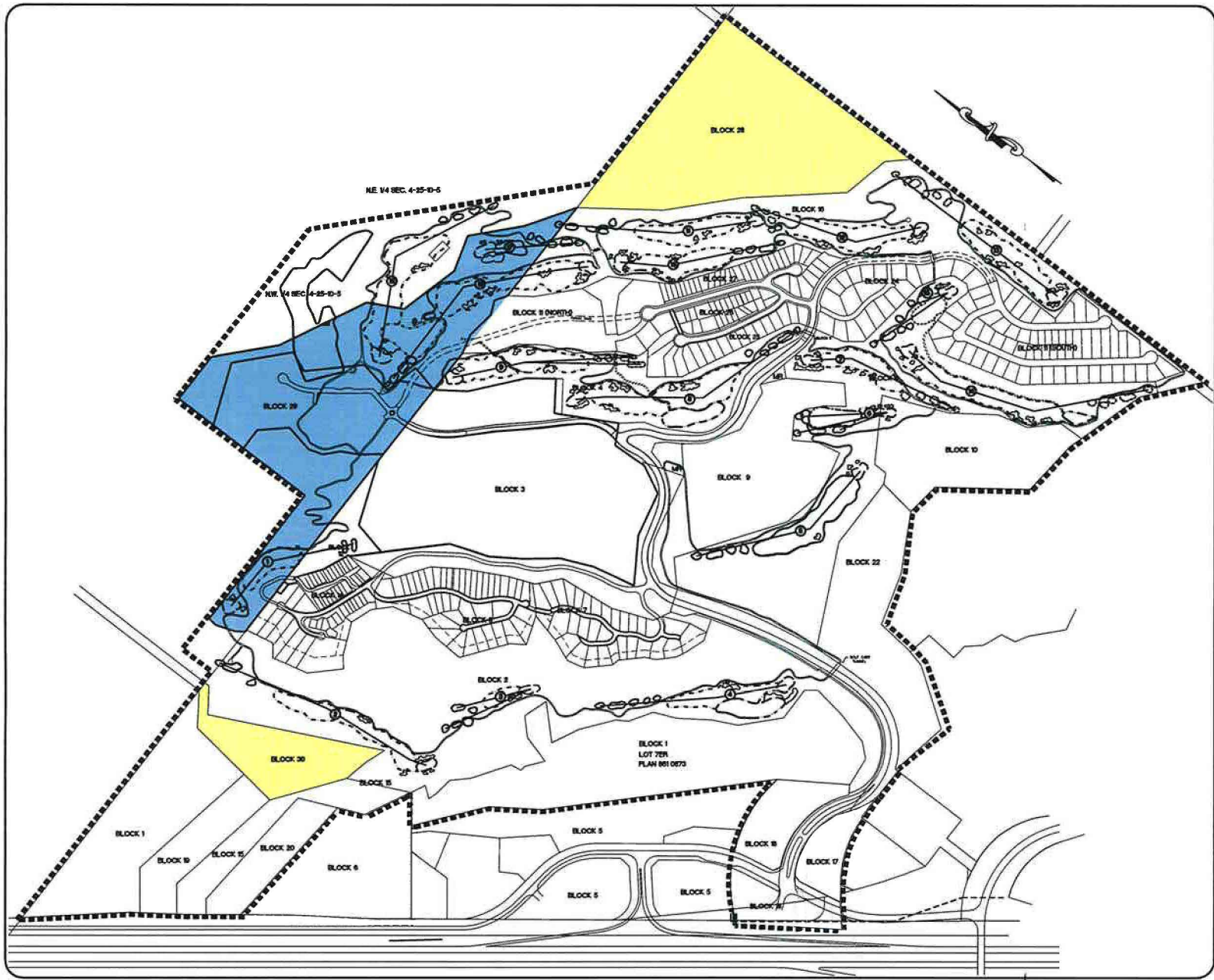
LEGEND

- ASP BOUNDARY
- ▨ WILDLIFE CORRIDORS
- EIS REQUIRED

SILVERTIP
AREA STRUCTURE
PLAN



MAP 5
WILDLIFE
CORRIDORS

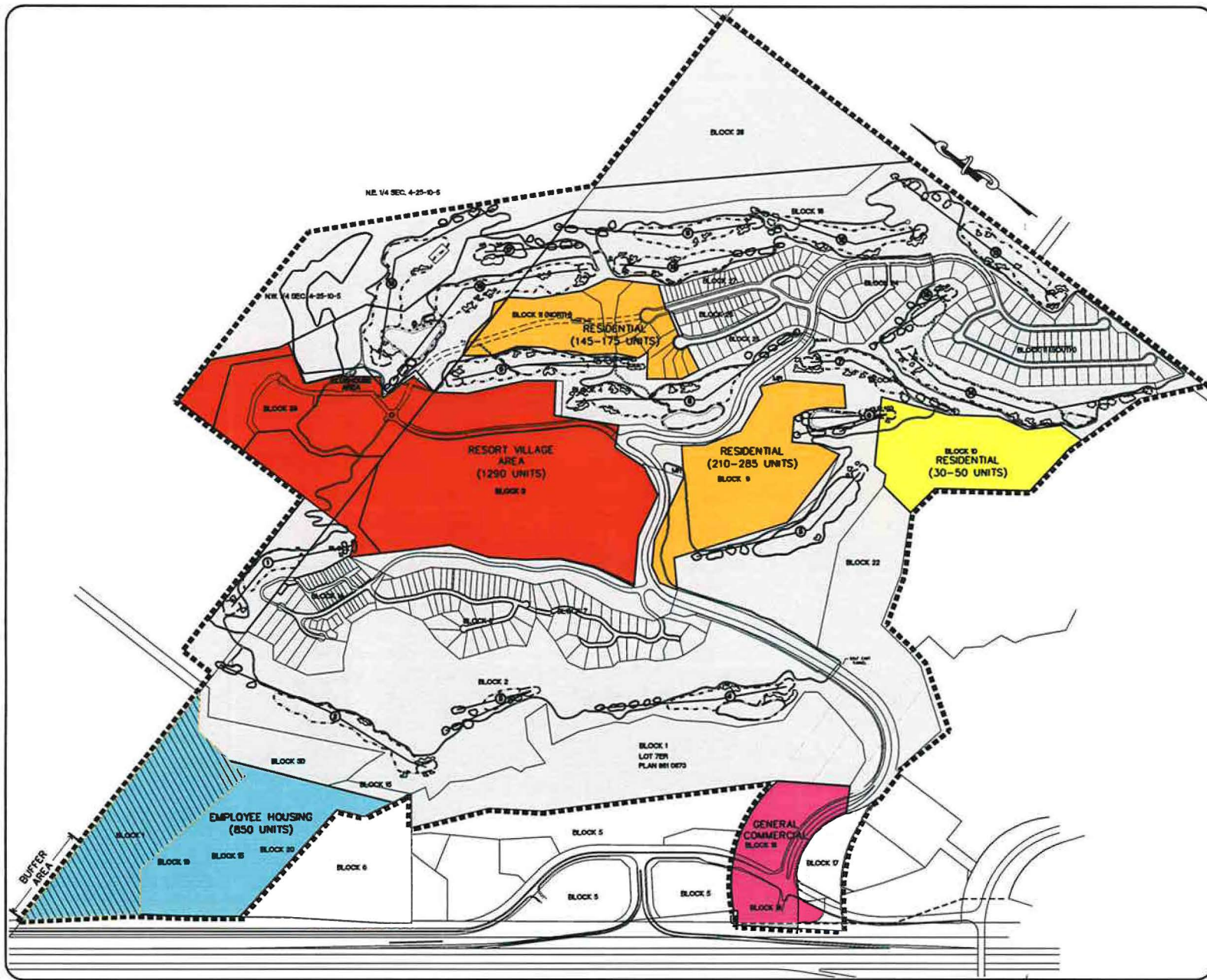


LEGEND

- ASP BOUNDARY
- PROVINCE TO SCPI
- SCPI TO PROVINCE

**SILVERTIP
AREA STRUCTURE
PLAN**

**MAP 6
LAND EXCHANGE**



TOWN OF CANMORE

LEGEND

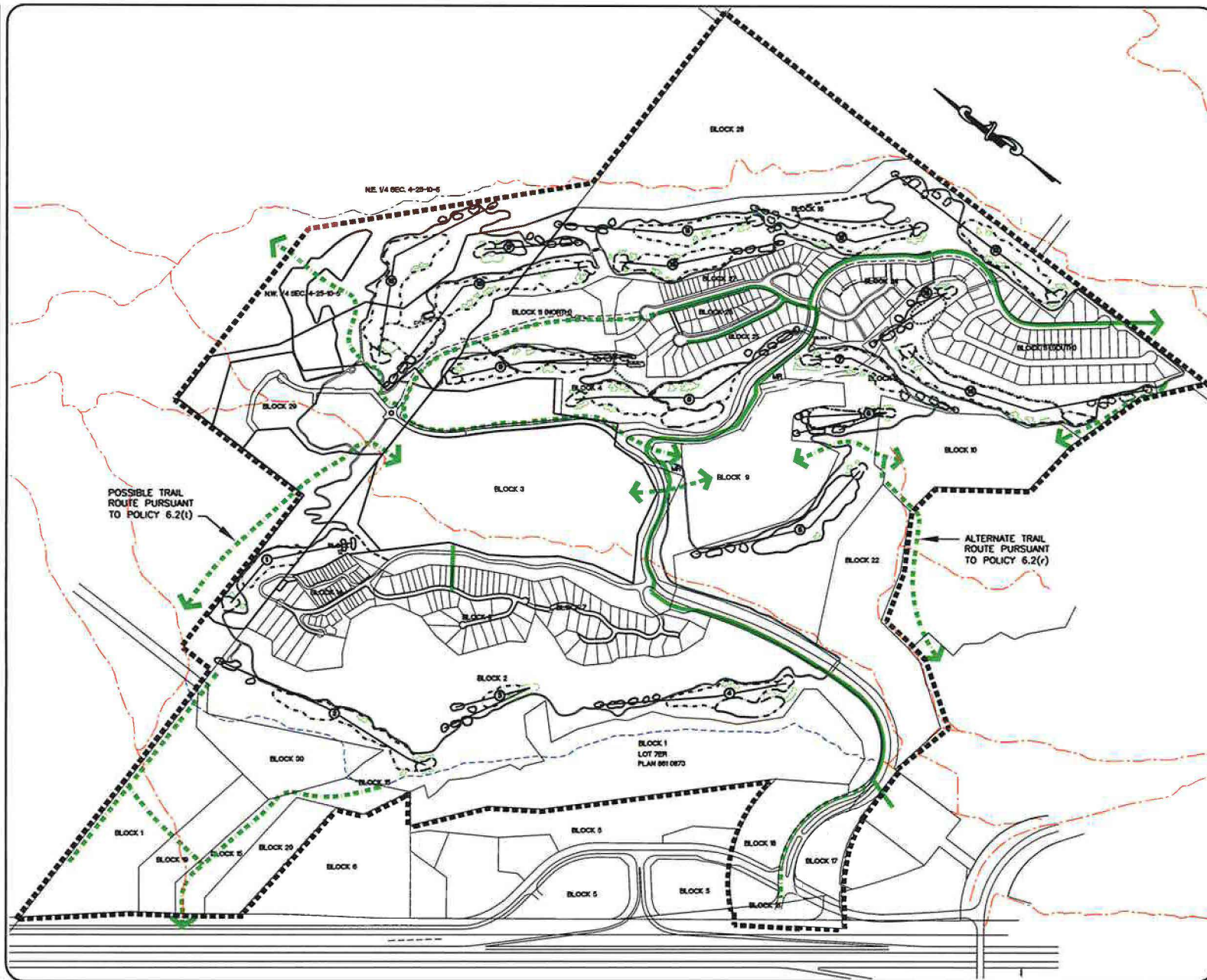
- ASP BOUNDARY
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- EMPLOYEE HOUSING GENERAL RESIDENTIAL
- EMPLOYEE HOUSING FOR THE RESORT VILLAGE
- RESORT COMMERCIAL
- GENERAL COMMERCIAL
- ESTABLISHED AREAS

MAP REFLECTS PROPOSED LAND USE AND UNIT DISTRIBUTION AT TIME OF ASP ADOPTION IN OCTOBER, 2007

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 7
LAND USE
AND
UNIT DISTRIBUTION**

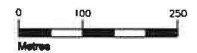


TOWN OF CANMORE

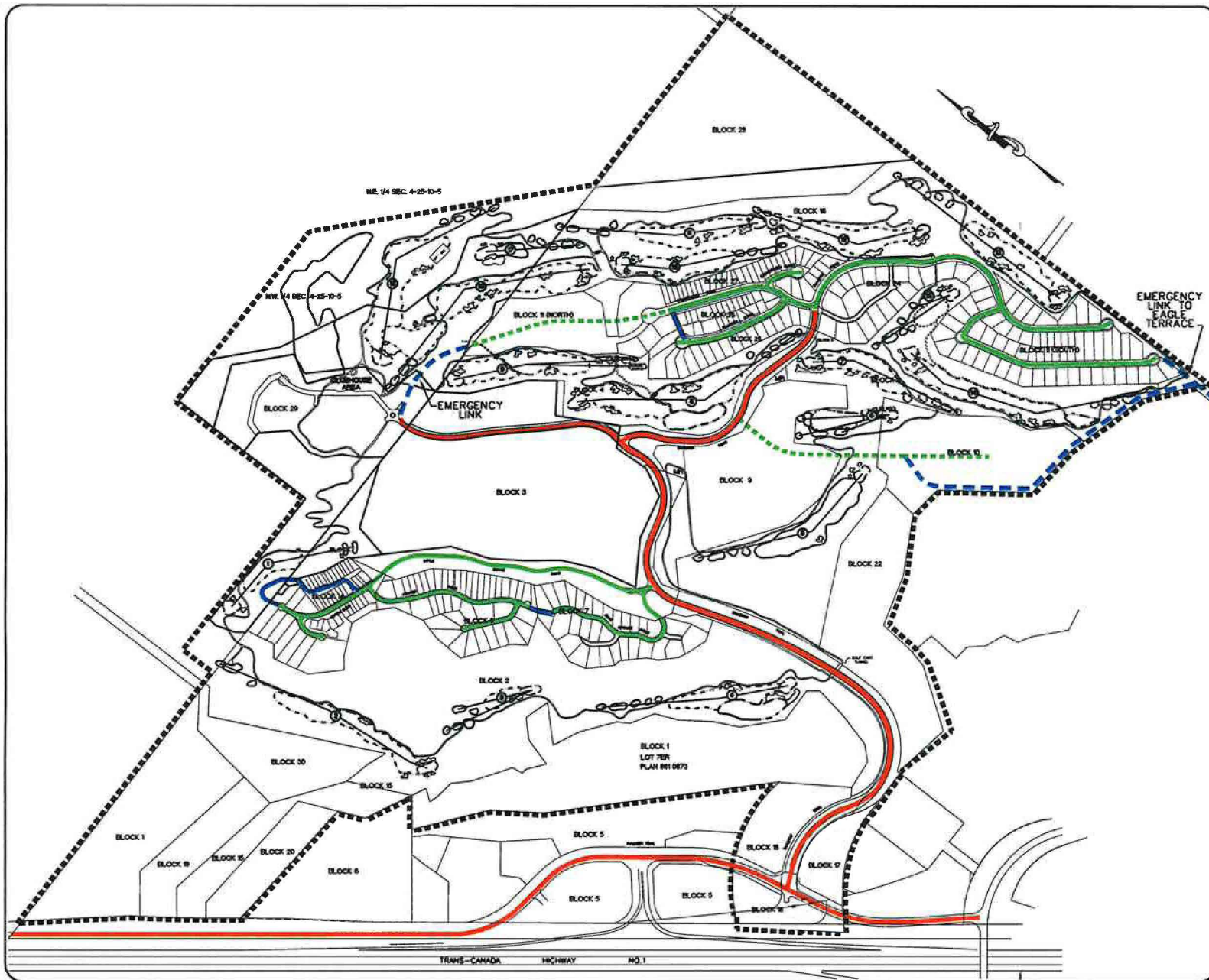
LEGEND

- ASP BOUNDARY
- EXISTING TRAILS
- - - - PROPOSED TRAILS
- - - - EXISTING PROVINCIAL RECOGNIZED TRAILS
- - - - SEASONAL TRAILS

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 8
TRAILS
SYSTEM**



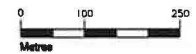
TOWN OF CANMORE

LEGEND

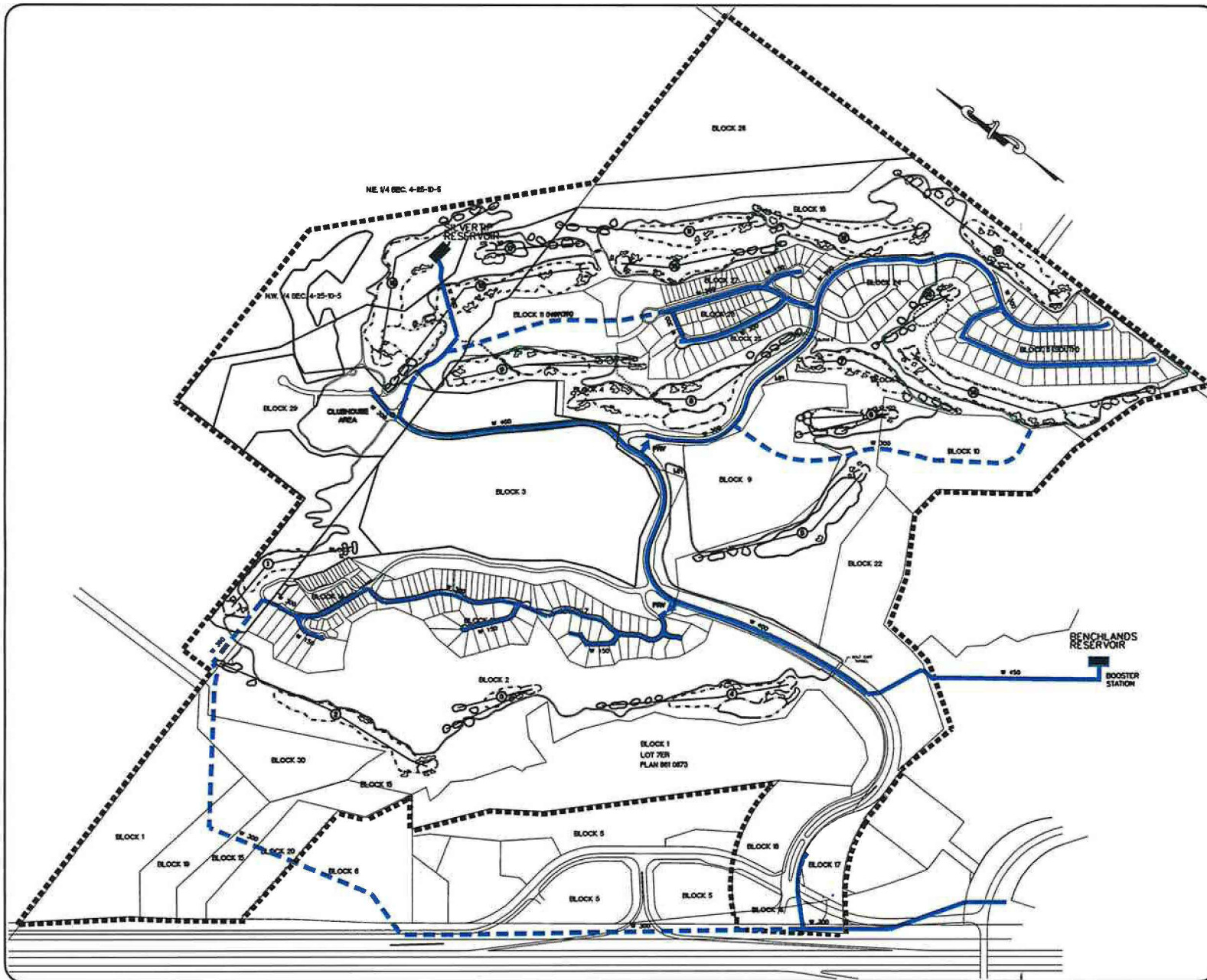
- ASP BOUNDARY
- MAIN ACCESS ROADWAY (EXISTING)
- LOCAL ROADWAY (EXISTING)
- - - LOCAL ROADWAY (FUTURE)
- EMERGENCY ACCESS ROUTES (EXISTING)
- - - EMERGENCY ACCESS ROUTES (FUTURE)

NOTE:
ALIGNMENT OF FUTURE
ROADWAYS ARE APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 9
ROADWAY
SYSTEM**



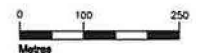
TOWN OF CANMORE

LEGEND

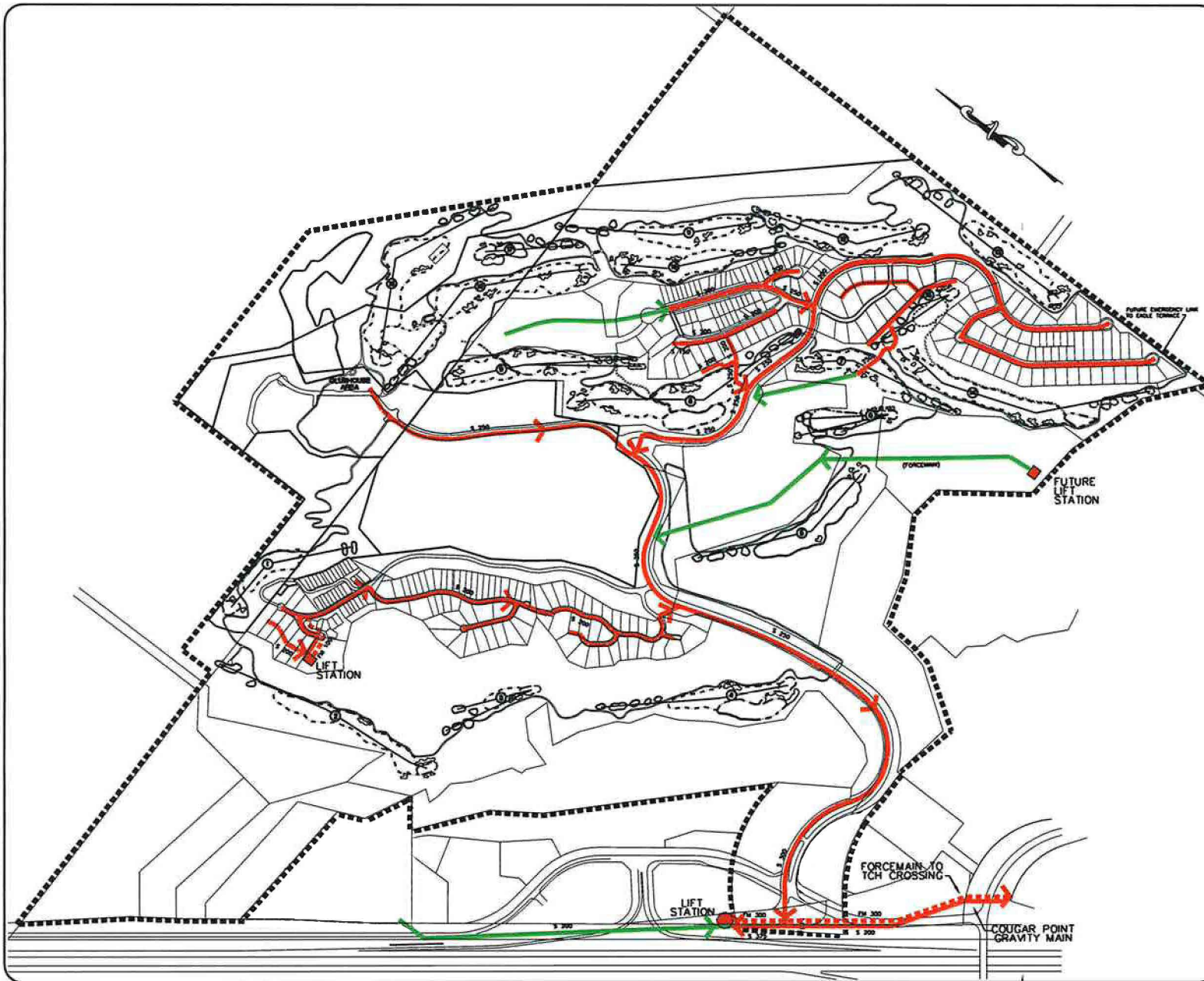
- ASP BOUNDARY
- WATERMAINS (EXISTING)
- - - - WATERMAINS (FUTURE)

NOTE:
ALIGNMENT OF FUTURE
WATERMAIN IS APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 10
WATER
SERVICES**



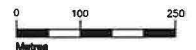
TOWN OF CANMORE

LEGEND

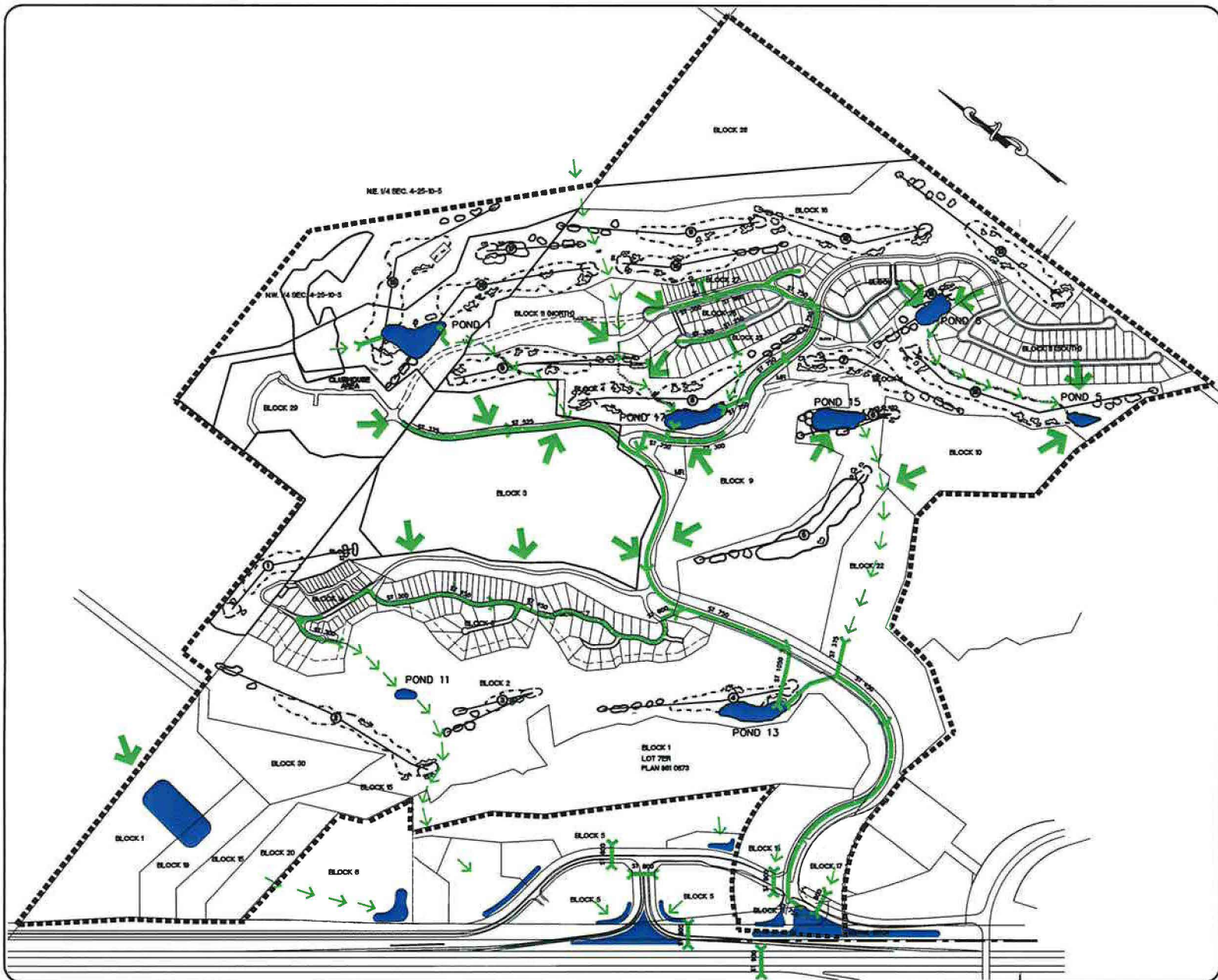
- ASP BOUNDARY
- SANITARY SEWER (EXISTING)
- SANITARY SEWER (FUTURE)
- - - - SANITARY FORCEMAIN (EXISTING)

NOTE:
ALIGNMENT OF FUTURE SANITARY SEWER IS APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



MAP 11
SANITARY SERVICES



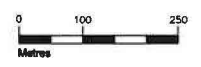
TOWN OF CANMORE

LEGEND

- ASP BOUNDARY
- STORM LINES (EXISTING)
- DRAINAGE CHANNEL (EXISTING)
- ➔ DIRECTION OF RUNOFF

NOTE:
ALIGNMENT OF FUTURE STORM SEWER IS APPROXIMATE ONLY

**SILVERTIP
AREA STRUCTURE
PLAN**



**MAP 12
STORM SEWER**



Request for Decision

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

TO: Council

SUBJECT: Land Use Bylaw Amendment 2023-20 – Canmore Planning Commission Authority and Referrals and Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 – Development Authority and Canmore Planning Commission

SUBMITTED BY: Eric Bjorge, Planning Technician

RECOMMENDATION: That Council give second reading to Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals.

That Council give third reading to Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals.

That Council give second reading to Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 – Development Authority and Canmore Planning Commission.

That Council give third reading to Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 Development Authority and Canmore Planning Commission.

EXECUTIVE SUMMARY

Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals received first reading on August 15, 2023 and is the subject of a public hearing September 5, 2023.

Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 – Development Authority and Canmore Planning Commission also received first reading on August 15, 2023. This bylaw is subject to the passing of 2023-20 but does not require a public hearing.

Administration’s analysis and position on this matter presented at first reading of these bylaws remains unchanged. Please see Attachment 1 for the Request for Decision and related attachments presented at first reading.

ATTACHMENTS

- 1) RFD and attachments from the August 15, 2023 council meeting.

- 2) Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals
- 3) Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 Development Authority and Canmore Planning Commission

AUTHORIZATION

Approved by: Sally Caudill
Chief Administrative Officer Date August 28, 2023



Request for Decision

DATE OF MEETING: August 15, 2023 **Agenda #:** G-2

TO: Council

SUBJECT: Land Use Bylaw Amendment 2023-20 and Amendments to Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment 2023-28 – Development Authority and Canmore Planning Commission

SUBMITTED BY: Eric Bjorge, Planning Technician

RECOMMENDATION:

- (1) That Council give first reading to Bylaw 2023-20 Land Use Bylaw Amendment – Canmore Planning Commission Authority and Referrals and schedule a public hearing for September 5, 2023, and
- (2) That Council give first reading to Bylaw 2023-28 Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment – Development Authority and Canmore Planning Commission.

EXECUTIVE SUMMARY

The purpose of the proposed Land Use Bylaw (LUB) amendments is to provide clarity on what type of development permit applications are referred to Canmore Planning Commission (CPC) for decision. In addition, housekeeping amendments have been proposed which relate to the establishment of the various development authorities, to eliminate overlap with the Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw 2019-07 (Development Authority Bylaw). Specifically, the proposed amendments address the following:

- Applications which include a variance between 11% and 20% to certain LUB standards will be referred to CPC for decision;
- Applications which include a variance to the Town’s Community Architectural and Urban Design Standards will be referred to CPC for decision;
- Specified criteria for case-by-case referral to CPC by the development officer in situations where there is a lack of clear policy direction or present questions of interpretation of an approved statutory plan or regulation contained within the LUB;
- Amendments to previous decisions of the CPC must be referred back to CPC for review and decision; and
- Removal of references to the development officer or Canmore Planning Commission being established as development authorities through the LUB, as this is more appropriately addressed in the Development Authority Bylaw.

The proposed amendments to the Development Authority Bylaw 2019-07 harmonize the bylaw with the proposed LUB amendments, and correct existing areas of overlap and inconsistency with the LUB. The amendments draw a clearer distinction between the Development Authority Bylaw's purpose in establishing the various development authorities, and the LUB establishing the duties and functions of the development authorities.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The Town of Canmore Strategic Plan 2023-2026 includes goals around Relationships and Community Engagement.

The Municipal Development Plan (2016-03) provides high-level guidance regarding the role of committees in Town decision-making processes.

The Land Use Bylaw (2018-22) outlines the duties and responsibilities of the two primary development authorities for development permits within the Town of Canmore, the development officer and the Canmore Planning Commission.

The Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw (2017-07) establishes the Canmore Planning Commission, its membership, structure, and procedure.

The Town's Public Participation Policy provides policy direction regarding opportunities for public participation, including in-person and written participation in public meetings such as Canmore Planning Commission meetings.

DISCUSSION

The framework for decision making regarding the use and development of land and buildings in Alberta is established under section 623 of the Municipal Government Act, which states that *a council must, by bylaw, provide for ... a development authority to exercise development powers on behalf of the municipality*. The Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw (2017-07) establishes the three development authorities in Canmore:

1. The chief administrative officer;
2. The Canmore Planning Commission; and
3. Council.

Section 5 of the same bylaw states the *“chief administrative officer shall, in writing, delegate the powers and duties of the development authority to any employee or employees of the municipality considered qualified, with those employee(s) to be known as the development officers.”*

Section 1.13 of the Land Use Bylaw (LUB) further identifies which development permit applications are decided on by each of the three development authorities. The development officer has the authority to decide on most development permit applications. Apart from administrative staff, most of the Planning and Development staff act in the capacity of development officer in their day-to-day work. The development officer also has the discretion to refer any application, as well as any planning or development matter for review, support, advice, or decision to CPC.

The CPC has the authority to consider more substantial variances to certain regulations within the LUB (e.g., minimum building setbacks, maximum building height, maximum site coverage). Decision making authority

within direct control districts rests with either the CPC or Council, depending on the specific direct control district. The breakdown of the development authorities in the 39 direct control districts is provided in Table 1 below. Where there is more than one development authority listed in a district, typically Council or CPC is the authority for larger developments, with the development officer being the authority for smaller developments.

Table 1: Development Authority with Direct Control Districts	
Development Authority	Number of Direct Control Districts
Development Officer	9
Canmore Planning Commission	7
Council	2
Council and Development Officer	15
Canmore Planning Commission and Development Officer	3
Council, Canmore Planning Commission, and Development Officer	3

Current Approach

Historically, development permit applications which were deemed to have a larger than average public impact have been referred to the CPC for decision on a case-by-case basis. This typically involved all medium to large scale commercial proposals, all industrial or institutional uses, and development proposals located within the Town Centre. This approach was taken because the CPC process provides an opportunity for public involvement in a way development officer decisions do not. The level of public participation in development officer decisions ranges from no notification (for permitted uses with no variances), to notices of application and decision posted on-site with an opportunity for questions and feedback. The broad community membership of CPC inserts a broader representation of perspectives directly into the decision-making process. However, the discretionary case-by case aspect of CPC referrals presents uncertainty for developers, Town staff, the public, and the CPC itself, as to which applications CPC can be expected to decide on.

Determining the appropriate development authority for different types of development permit applications requires a balance between public participation and efficiency in processing times. The Canmore Planning Commission provides a valuable decision-making process that allows for input and participation within a public forum. However, such a process does extend decision times, and thereby affects project scheduling for applicants. The proposed changes support a broader Town effort to provide clarity and predictability for applicants and for the public regarding what development matters they can directly participate in and how and when they can provide meaningful feedback during the development application process.

A clarified role for CPC supports the Municipal Development Plans policies of using committees as sources of information and recommendations for the Town’s land use planning and decision-making process (policy 17.1.5). The changes would also support Council’s strategic goal around Relationships by clarifying opportunities for meaningful, two-way public engagement.

Proposed Changes

In an effort to provide clarity of expectations and approval process for all parties involved, administration has undertaken a review of section 1.13 “Development Authority – Duties and Responsibilities” in the LUB and identified some key changes and clarifications.

- 1. Retain the authority for a Development Officer to refer an application to CPC, but clarifying the specific circumstances when this would occur.**

Proposed LUB Amendment:

1.13.1.2 *The Development Officer may:*

- a. Refer to the Canmore Planning Commission for its consideration and decision, any Development Permit applications which, in the opinion of the Development Officer involves:*
 - i. a lack of policy direction from approved statutory plans, or*
 - ii. questions of interpretation of an approved statutory plan or this Bylaw;*

While these proposed amendments generally attempt to provide certainty and clarity regarding which development applications will be decided by CPC, there is still a need for some level of discretion to refer applications to CPC where there is a policy question or issue of interpretation, or a general need for an increased level of public input.

For example, if there is a question regarding a specific development proposal’s alignment with an approved Area Redevelopment Plan (ARP), Area Structure Plan (ASP), the Municipal Development Plan or Land Use Bylaw, insufficient existing policy direction, the development officer could choose to refer that application to CPC for consideration.

- 2. Add new criteria that any proposed variance to the Town’s Community Architectural and Urban Design Standards will be referred to CPC for decision, unless otherwise specified in district specific regulations.**

Proposed LUB Amendment:

1.13.2.1: *The Canmore Planning Commission shall act as the Development Authority and decide the following Development Permit applications:*

...

b. Applications which include a proposed variance to the Community Architectural and Urban Design Standards found in section 11 of this Bylaw, unless otherwise stated in specific Land Use District regulations.

Currently, variances to Architectural and Urban Design Standards are within a development officer’s authority. This can include, for example, landscaping, building materials, building orientation, and the location of parking areas. Variance requests, in general, are time-consuming to process and can be controversial. Shifting authority for these types of variances will aid in reinforcing compliance with the Land Use Bylaw as applicants may choose to avoid the lengthier CPC approval process and instead submit a compliant application for development officer approval. Requiring applicants to justify their variance request in the public setting of a CPC meeting also provides more transparency and a greater opportunity for public input.

3. Clarify that any proposed variances between 11% and 20% of the LUB standards listed in section 1.14.1.1 will be referred to CPC for decision, unless otherwise specified in district specific regulations.

Proposed LUB Amendment:

1.13.2.1 The Canmore Planning Commission shall act as the Development Authority and decide the following Development Permit applications:

...

c. Applications which propose a variance between 11% and 20% to the items listed in section 1.14.1.1., unless otherwise stated in specific Land Use District regulations.

This is not a change from the current procedure but clarifies the roles of development authorities for variance requests. Development standards such as maximum building height and required setbacks from property lines are limited to a maximum 10% variance under a development officer’s authority, while other variances have unlimited discretion. The Canmore Planning Commission has the authority to consider variances of up to 20%, with unlimited discretion on other variances. This approach helps to encourage Land Use Bylaw compliance in development permit applications and requires applicants requesting larger variances to justify their request through the public forum of a CPC meeting.

Direct control districts provide unique development standards for the given site and often include expanded variance authority in order to achieve the goals for the prescribed area, which overrides the variance powers within the general regulations section of the LUB.

4. Clarifying the development officer’s lack of authority to approve amendments to applications approved at CPC.

Proposed LUB Amendment:

1.13.2.1 The Canmore Planning Commission shall decide upon the following Development Permit applications:

...

e. Applications which amend any aspect of a decision previously made by the Canmore Planning Commission.

A development officer can consider a minor amendment to a development permit after approval if it is generally consistent with the approval and if the original decision was made by a development officer. A major amendment requires a new application. With decisions of the CPC, administration is unable to approve any amendment to an approved development permit, regardless of scale or impact. A development officer cannot presume to know what the Canmore Planning Commission would consider to be minor or what elements were key in their decision making. Determining criteria for what constitutes a “minor amendment” is extremely difficult and inherently requires discretion. For that reason, administration is recommending that any proposed amendment to approved plans or conditions of approval for an application which has been approved by CPC, must be brought forward for consideration by CPC.

The remaining amendments are of a housekeeping nature and include:

- a. A correction of the relevant purpose of the LUB to “provide for the functions and duties of persons or offices established as a municipal Development Authority, including the Development Officer, and the Canmore Planning Commission” (section 1.2.0.2.c). This section currently states a purpose of establishing the offices of the development authority, which is incorrect as this occurs through the Development Authority Bylaw.
- b. Clarifying wording in section 1.13.1.1 of the LUB regarding the appointment of development officers to align with the Development Authority Bylaw.
- c. Adjustments of LUB wording for clarity and consistency with the Development Authority Bylaw.
- d. Adjustments to the Development Authority Bylaw to include a development officer within the definition of development authority, remove duplicate provisions found in the LUB, and cross reference to the LUB regarding the duties of the CPC.

ANALYSIS OF ALTERNATIVES

1. Status Quo

This option is not recommended due to the current lack of clarity and discretionary nature of deciding which applications fall under CPC authority for decision. This creates uncertainty on the part of the public and development industry regarding the approval process for different development types, creating potential delays in project commencement and frustration by members of the public who have a desire for greater participation in the process.

2. All Discretionary Uses go to CPC

In some municipalities, discretionary uses are referred to planning commissions for decision. For example, in Banff all discretionary uses are referred to their planning commission. This is not recommended due to the large increase in applications which would go to CPC for decision as a result, including many routine applications like Detached Dwellings and Home Occupations. In Cochrane, each Land Use District specifies which discretionary uses are to be decided by the CPC. This approach would require further detailed review and is not recommended at this time.

3. Disband Canmore Planning Commission as a Development Authority

Not every Alberta municipality has a Planning Commission (see Table 2).

Municipality	Has a Planning Commission
Calgary	Yes
Cochrane	Yes
Banff	Yes
Red Deer	Yes
Airdrie	Yes
Brooks	Yes
Sylvan Lake	Yes
Chestermere	Yes
Okotoks	Yes
Drumheller	Yes
Cold Lake	Yes
Lacombe	Yes
Edmonton	No
Lethbridge	No
Camrose	No
Beaumont	No
Spruce Grove	No
Wetaskiwin	No
St. Albert	No
Lloydminster	No
Grande Prairie	No
Fort Saskatchewan	No
Stony Plain	No
Strathmore	No

The City of Calgary, Town of Cochrane and Town of Banff do. However, the City of Edmonton, Town of Strathmore, and City of Fort Saskatchewan for example, do not have a planning commission as a development authority. Instead, the development officer decides on all development permit applications. Administration acknowledges that the Canmore Planning Commission adds value to the decision-making process by allowing for additional professional and public perspectives to influence decision making and provides a public forum for such decisions to take place within.

Disbanding the Canmore Planning Commission is an option Council could consider. The Town does have qualified professional staff who are already reviewing the proposals being considered by the CPC and providing a recommendation. Standard practices regarding public notification of an application, opportunities for feedback and notice of decisions would still be carried out. There would be some efficiencies gained by disbanding CPC, in that staff would not have to prepare reports for CPC's consideration nor coordinate the meetings and agenda packages for meetings. This would result in decisions being rendered sooner. There would also be some cost savings by not having to remunerate CPC members for their time in attending

meetings. There would be no additional risks posed to the Town if administration rendered decisions instead of the Canmore Planning Commission.

FINANCIAL IMPACTS

There are no additional costs to implement the proposed amendments. By clearly stating what applications go to CPC, applicant’s can make more informed decisions regarding their proposals. Since time is often a key factor in development and construction, the proposed approach is intended to encourage greater compliance at the outset, and therefore potentially reduce the need for applications to go to CPC at all. There will always be applications that have unique elements that require a broader consideration, so while the proposed amendments may decrease the number of meetings, it is not anticipated that they will significantly increase the number of CPC meetings each year, and therefore will not increase staff or other resource requirements.

STAKEHOLDER ENGAGEMENT

The proposed changes were initially circulated to BOWDA for feedback. Their response letter is included in Attachment 2. Administration’s response to the letter is in Attachment 3. Their feedback has been incorporated where possible and practical.

ATTACHMENTS

- 1) Excerpt from Revised Land Use Bylaw 2018-22 REDLINE
- 2) Land Use Bylaw Amendment 2023-20 Canmore Planning Commission Authority and Referrals
- 3) Development Authority Bylaw 2019-07 REDLINE
- 4) Development Authority Amendment 2023-28
- 5) BOWDA Response to Request for Feedback
- 6) Administration’s Response to BOWDA

AUTHORIZATION

Submitted by: Eric Bjorge Planning Technician	Date: <u>June 30, 2023</u>
Approved by: Lauren Miller Manager of Planning and Development	Date: <u>July 11, 2023</u>
Approved by: Whitney Smithers General Manager of Municipal Infrastructure	Date: <u>July 24, 2023</u>
Approved by: Scott McKay Acting Chief Administrative Officer	Date: <u>August 9, 2023</u>

Excerpt from Revised Land Use Bylaw 2018-22 - REDLINE

1.2 PURPOSE

- 1.2.0.2 Specifically, this Bylaw, in accordance with provisions of the Municipal Government Act (“the Act”), amongst other things:
- a. Divides the Town of Canmore into districts;
 - b. Prescribes and regulates for each district the purpose for which land or buildings may be used and the design of sites and buildings;
 - ~~c. Establishes the office of the~~ Provides for the functions and duties of persons or offices established as a municipal Development Authority, including the Development Officer, and the Canmore Planning Commission;
 - d. Establishes a method of making decisions on applications for Development Permits including the issuing of Development Permits; and
 - e. Prescribes notification procedures.

1.13 DEVELOPMENT AUTHORITY - DUTIES AND RESPONSIBILITIES

1.13.1 Development Officer

- 1.13.1.1 ~~A Development Officer is hereby established and one or more employees of the Town of Canmore shall be appointed as Development Officer. The Development Officer shall:~~ Town of Canmore employees to whom the chief administrative officer has delegated the powers and duties of the Development Officer shall:
- a. Advise, assist, and provide recommendations to the Canmore Planning Commission and Council, where applicable, in regard to the planning of orderly and economical development;
 - b. Receive and process all applications for Development Permits and subdivision applications;
 - c. Consider and decide upon Development Permit applications, unless ~~the application is referred to~~ the Canmore Planning Commission or Council ~~is the Development Authority for the application as provided by in accordance with~~ this Bylaw;
 - d. Sign and issue all Development Permits;
 - e. Refer for comment, applications for Development Permit or subdivision applications to those authorities and agencies prescribed within the Subdivision and Development Regulations;
 - f. Perform such duties as established by Council to enforce this Bylaw in conformance with the Act;
 - g. Keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at a cost established by Resolution of Council;
 - h. Make available for inspection by the public during office hours a register of all applications for Development Permits and the decisions made thereon; and
 - i. Collect fees according to a schedule established by Resolution of Council.

- 1.13.1.2 The Development Officer may:

- a. Refer to the Canmore Planning Commission for its consideration and decision, ~~any~~

Development Permit applications ~~for Discretionary Uses or any other development applications~~; which, in the opinion of the Development Officer involves:

- i. a lack of policy direction from approved statutory plans, or
- ii. questions of interpretation of an approved statutory plan or this bylaw;

b. Refer any other planning or development matter to the Canmore Planning Commission for its review, support, or advice; and

c. Complete an office consolidation of this Bylaw and any amendments thereto.

1.13.1.3 The Development Officer is a Designated Officer in accordance with the Act for the purposes of this Bylaw.

1.13.2 Canmore Planning Commission

1.13.2.1 The Canmore Planning Commission ~~is hereby authorized to decide upon all Development Permit applications referred to it by a Development Officer including Development Permit applications for lands designated Direct Control District where such district(s) identify the Canmore Planning Commission as the Development Authority shall act as the Development Authority and decide the following Development Permit applications:~~

- a. Applications which include a proposed variance to the Community Architectural and Urban Design Standards found in section 11 of this bylaw, unless otherwise stated in specific Land Use District regulations;
- b. Applications which propose a variance between 11% and 20% to the regulations listed in section 1.14.1.1., unless otherwise stated in specific Land Use District regulations;
- c. Applications referred to it by the Development Officer pursuant to section 1.13.1.2.a; and
- d. Applications which amend any aspect of a decision previously made by the Canmore Planning Commission.

RFD Submitted August 15, 2023

BYLAW 2023-20

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

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

TITLE

- 1 This bylaw shall be known as the Land Use Bylaw Amendment – Canmore Planning Commission Authority and Referrals.

INTERPRETATION

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

PROVISIONS

- 3 Revised Land Use Bylaw 2018-22 is amended by this bylaw.
- 4 Section 1.2.0.2 c. is amended by striking out “Establishes the office” and substituting “Provides for the functions and duties of persons or offices established as a municipal”.
- 5 Section 1.13.1.1 is amended by striking out “A Development Officer is hereby established and one or more employees of the Town of Canmore shall be appointed as Development Officer. The Development Officer shall:” and substituting “Town of Canmore employees to whom the chief administrative officer has delegated the powers and duties of the Development Officer shall:”
- 6 Section 1.13.1.1 c. is amended by striking out “the application is referred to”, adding “is the Development Authority for the application as provided by” after “Council”, and striking out “in accordance with”.
- 7 Section 1.13.1.2 a. is amended
 - a) by striking out “for Discretionary Uses or any other development applications;” and substituting “which, in the opinion of the Development Officer involves:” and
 - b) by adding the following subsections:
 - i. a lack of policy direction from approved statutory plans, or
 - ii. questions of interpretation of an approved statutory plan or this bylaw;
- 8 Section 1.13.2.1 is amended
 - a) by striking out “is hereby authorized to decide upon all Development Permit applications referred to it by a Development Officer including Development Permit applications for lands

designated Direct Control District where such district(s) identify the Canmore Planning Commission as the Development Authority” and substituting “shall act as the Development Authority and decide the following Development Permit applications:” and

- b) by adding the following subsections:
 - a. Applications which include a proposed variance to the Community Architectural and Urban Design Standards found in section 11 of this bylaw, unless otherwise stated in specific Land Use District regulations;
 - b. Applications which propose a variance between 11% and 20% to the regulations listed in section 1.14.1.1., unless otherwise stated in specific Land Use District regulations;
 - c. Applications referred to it by the Development Officer for the reasons stated in section 1.13.1.2.a.; and
 - d. Applications which amend any aspect of a decision previously made by the Canmore Planning Commission.

ENACTMENT/TRANSITION

9 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.

10 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

Bylaw approved by: _____

BYLAW 2019-07 REDLINE

Office Consolidation Current as of September 7, 2022

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, FOR
THE PURPOSE OF ESTABLISHING A SUBDIVISION AUTHORITY, A
DEVELOPMENT AUTHORITY, AND A MUNICIPAL PLANNING COMMISSION**

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 "Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw."

2021-25

INTERPRETATION

- 2 In this bylaw:
 - a) "Act" means the Municipal Government Act, RSA 2000, Chapter M-26, as amended;
 - b) "Commission" means the Canmore Planning Commission of the Town as established by this bylaw (also referred to as a Municipal Planning Commission in the Act);
 - c) "Development Authority" means the Town of Canmore Development Authority as established by this bylaw, and includes the chief administrative officer, a Development Officer, the Canmore Planning Commission, and Council;
 - d) "Member" means a member of the Canmore Planning Commission appointed pursuant to this bylaw;
 - e) "Pecuniary Interest" means pecuniary interest as defined by section 170(1) of the Act;
 - f) "Secretary" means an employee of the Town assigned by the Manager of Planning and Development to act as the Commission Secretary;
 - g) "Town" means the Town of Canmore.
- 3 Where a bylaw references a Town staff position, department or Commission, the reference is deemed to be to the current name that the staff position, department or Commission is known by.

ESTABLISHMENT OF A SUBDIVISION AUTHORITY

- 3.1 A subdivision authority is hereby established to exercise subdivision power and duties on behalf of the Town.

2021-25

- 3.2 The subdivision authority is comprised of the chief administrative officer. 2021-25
- 3.3 The chief administrative officer shall, in writing, delegate the powers and duties of the subdivision authority to any employee or employees of the municipality considered qualified. 2021-25
- 3.4 The authority to grant extensions to the periods of time referred to in Section 657(1) and 657(5) of the Act of as provided by Section 657(6) of the Act is delegated to the subdivision authority. 2022-22

ESTABLISHMENT OF A DEVELOPMENT AUTHORITY

- 4 A development authority is hereby established to exercise development powers and perform duties on behalf of the Town, subject to section 641 of the Act. 2021-25
- 4.1 Pursuant to this bylaw, the powers and duties of the development authority may be carried out by:
- a) ~~a Development Officer as delegated by~~ the chief administrative officer,
 - b) the Canmore Planning Commission, or
 - c) Council. 2021-25
- 5 The chief administrative officer shall, in writing, delegate the powers and duties of the development authority to any employee or employees of the municipality considered qualified, with those employee(s) to be known as the Development Officers. 2021-25
- 6 Repealed 2021-25.
- 7 Repealed 2021-25.
- 8 ~~The Development Officer may refer any development permit application to the Canmore Planning Commission for consideration and decision.~~ 2021-25

ESTABLISHMENT OF A MUNICIPAL PLANNING COMMISSION

- 8.1 A municipal planning commission known as the Canmore Planning Commission is hereby established.
- 8.1.1 The Canmore Planning Commission shall decide the development permit applications and review other matters referred to the Canmore Planning Commission under the Land Use Bylaw. 2021-25
- 8.2 In addition to the powers and duties authorized by this bylaw, the Commission may provide advice to Council on any planning matter. 2021-25

COMMISSION MEMBERSHIP AND TERM

- 9 The Commission shall be comprised of a minimum of five and a maximum of seven voting Members:
- a) a minimum of two and a maximum of four Members shall be public members appointed to the Commission by resolution of Council;
 - b) two members of Council shall be appointed by resolution of Council; and
 - c) the general manager of municipal infrastructure, or their designate, who only shall vote only in the event of a tie.

2022-22

10 Council shall appoint Members at Council's annual organizational meeting.

11 Members shall be appointed for either:

- a) one-year terms that commence on January 1 and end on December 31; or
- b) two-year terms that commence on January 1 and end on December 31 of the following year.

12 The number of consecutive years served by a public Member shall not exceed six.

13 Despite section 12, if a public Member reaches the maximum number of years of service, they may conclude the current term for which they have been appointed.

COMMISSION ELIGIBILITY

14 To be eligible for public membership on the Commission, a person must:

- a) Repealed 2021-19
- b) be a resident of Canmore; and
- c) be at least eighteen years of age.

14.1 At least two public Members must

- a) demonstrate a strong working knowledge of Alberta planning legislation, or
- b) have experience in one or more of the following: planning, planning law, engineering, construction, architecture, landscape architecture or urban design.

2022-22

15 A public Member is not eligible for continuing a term on the Commission and/or for reapplying for the next subsequent term on that Commission if the public Member:

- a) fails to attend three consecutive meetings of the Commission, unless that absence is caused by illness or is authorized in advance by the chair with notice of and reasons for the Member's absence (the sufficiency of such reasons to be determined by the Chair in their sole discretion); or

2021-25

- a) ceases to meet the eligibility requirements set out in this bylaw.

16 Members of the Subdivision and Development Appeal Board are ineligible to be Members.

2022-22

COMMISSION REMUNERATION

17 Public Members are eligible to claim per diems for attending meetings of the Commission.

2022-22

18 Public Members shall be compensated per diem rates at the rate set out for councillors in the Council Remuneration Policy adopted by resolution of Council.

2022-22

COMMISSION RESIGNATIONS AND REMOVALS

19 Any public Member may resign from the Commission at any time by sending written notice to the Secretary who shall inform Council and the Commission chair.

20 If a vacancy occurs before Council's annual organizational meeting, Council may appoint a replacement for the remainder of the term.

21 Council may remove a Member at any time.

COMMISSION QUORUM AND APPOINTMENT OF CHAIR AND VICE-CHAIR

22 Three voting Members shall constitute a quorum.

22.1 The chair of the Commission shall be the general manager of municipal infrastructure or their designate.

2022-22

23 A vice-chair shall be selected each calendar year by a majority vote of Members at the first meeting in the new year.

2022-22

24 In the event of absence or inability of the chair to preside at a meeting, the vice-chair shall preside.

25 In the event of absence or inability of both the chair and vice-chair to preside at a meeting, the Members present shall elect one of its Members to preside as chair for that meeting.

COMMISSION MEETING PROCEDURES

26 Public notice of a meeting will be provided on the Town's website at least 24 hours prior to the meeting.

- 27 Repealed 2021-25.
- 28 The chair 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.
- 29 Members shall not communicate individually on matters relating to an application before the Commission with any persons prior to the meeting.
- 30 The Commission, at its sole discretion, is not required to hear any representations from the public with respect to any matter over which it makes a decision or recommendation.
- 31 Where the Commission or the manager of planning and development deems it desirable, they may request any person or persons to attend meetings in an advisory capacity.
- 32 When a Member has a Pecuniary Interest with respect to an application under consideration, the Member must disclose the nature of the Pecuniary Interest prior to any discussion on the matter, abstain from voting on the matter, and leave the room in which the meeting is being held until discussion and voting on the matter are concluded.
- 33 A Member who, for any reason, is unable to attend the whole of the meeting or meetings where an application is being considered, shall not participate in the Commission's deliberations or decision on that application.
- 34 When a Member does not vote on a matter pursuant to section 32 and 33, the abstention and reasons therefore shall be recorded in the minutes.
- 35 After hearing all submissions, the Commission may deliberate and reach its decisions in a meeting closed to the public.
- 36 Where the Commission closes all or part of a meeting to the public, the Commission may allow one or more other persons to attend, as it considers appropriate, and the minutes of the meeting shall record the names of those persons and the reasons for allowing them to attend.
- 37 A decision of the majority vote of Members present shall be deemed to be a decision of the whole Commission.

- 38 Repealed 2022-22
- 39 A Member shall not make any public statements (including verbally, in writing or via electronic media), on matters relating to an application before the Commission, either before or after a meeting, except those statements authorized by the Commission through the chair.
- 40 The Manager of Planning and Development shall act as the liaison to the Commission, and Town staff will provide technical advice to the Commission.
- 41 The Secretary shall:
- a) notify all Members of meeting arrangements,
 - b) carry out the administrative duties of preparing agendas, notifications, record retention and other duties assigned as required, and
 - c) prepare and maintain a file of written minutes of the business transacted at all meetings of the Commission.

COMMISSION MOTIONS

- 41.1 All Members speaking to a motion must comply with meeting procedures as stated in this bylaw. 2021-25
- 41.2 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. 2021-25
- 41.3 A friendly amendment, defined as a proposed change in wording that enhances and strengthens the original motion, may be proposed adopted if the mover of the motion approves. Only the motion as amended by the friendly amendment shall appear in the minutes. 2021-25
- 41.4 After a motion has been made, no other motion may be made except for:
- a) A motion to table the motion until a time later in the meeting; or
 - b) A motion to postpone the main motion to a definite time at a future meeting. 2021-25
- 41.5 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. 2021-25
- 41.6 A motion to postpone must include the reason for postponement and a specific time when the matter shall be considered. A motion to postpone is debatable and is decided by a majority vote of the Commission.

2021-25

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

- a) is not debatable; and
- b) cannot be reconsidered.

2021-25

41.8 A motion to adjourn:

- a) is not debatable; and
- b) cannot be reconsidered.

2021-25

41.9 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.

2021-25

41.10 Once the chair 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.

2021-25

41.11 Unless otherwise provided for in this bylaw, motions will be decided by majority vote of the Commission.

2021-25

41.12 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.

2021-25

COMMISSION MEETING RECORDS

42 Agendas shall be made available to Commission Members at least three days prior to a meeting and made available to the public at least one day prior to a meeting.

43 Minutes shall be prepared for every Commission meeting and contain the following:

- a) the date, time and location of the meeting;
- b) the names of all Commission Members present;
- c) the name of anyone other than a Commission Member who participated in the meeting;
- d) a summary of the evidence presented at the meeting; and
- e) any motions made at the meeting, along with the results of the vote on the motion.

43.1 Questions and debate shall not be recorded in the minutes.

- 43.2 Minutes of the meeting shall be adopted by motion at the next meeting convened. 2021-25
- 44 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. 2021-25
- 45 Approved minutes shall be signed by the chair and the Secretary who were present at the meeting where the minutes were taken, wherever possible. Where not possible, the minutes shall be signed by the current chair and Secretary.
- 46 The chief administrative officer is authorized to provide for streaming video and video recording of any meeting.
- 47 The video recording provided by the chief administrative officer may be used to determine the accuracy of a portion of the minutes.

ENACTMENT/TRANSITION

- 48 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.
- 49 Bylaws 17-2011 and 2017-32 are repealed.
- 50 This bylaw comes into force on the date it is passed.

FIRST READING: January 8, 2019

SECOND READING: January 8, 2019

THIRD READING: January 8, 2019

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:

- 2019-07 Development Authority
- 2021-19 Committee Omnibus Amendment 2021-19 Citizenship Requirement
- 2021-25 Amendment – Meeting Procedures and Inclusion of Subdivision Authority
- 2022-22 Amendment – Membership and Eligibility

BYLAW 2023-28

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND SUBDIVISION AUTHORITY, A DEVELOPMENT AUTHORITY, AND
MUNICIPAL PLANNING COMMISSION ESTABLISHMENT BYLAW 2019-07**

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 “Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment – Development Authority and Canmore Planning Commission.”

INTERPRETATION

- 2 Words defined in Bylaw 2019-07 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 Bylaw 2019-07 is amended by this bylaw.
- 4 Section 2c) is amended by adding “a Development Officer” after “chief administrative officer”.
- 5 Section 4a) is amended by adding “a Development Officer as delegated by” before “ the chief administrative officer”.
- 6 Section 8 is repealed.
- 7 The following is added after section 8.1:
 - 8.1.1 The Canmore Planning Commission shall decide the development permit applications and review other matters referred to the Canmore Planning Commission under the Land Use Bylaw.

ENACTMENT/TRANSITION

- 8 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.
- 9 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

RFD Submitted August 15, 2023

Bylaw approved by: _____



June 2, 2022

Whitney Smithers
 Town of Canmore
 General Manager, Municipal Infrastructure
 902 7 Avenue
 Canmore, Alberta
 T1W 3K1

RE: Proposed Changes to Land Use Bylaw - Applications to CPC

As requested, we have reviewed criteria for what municipal applications should go to the Canmore Planning Commission (CPC). Building off our collective need for clarity, certainty, transparency and efficiency, we offer the following for consideration:

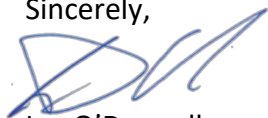
- In the spirit of reducing approval times and finding process efficiencies, we support administration being able to make informed decisions if the application is for a permitted use and avoid the time-consuming process of heading to CPC.
- If the application is consistent with recent approvals done in proximity of the proposed application, administration should have the ability to work directly with the applicant instead of involving CPC and should **not** require a CPC path.
- If a comprehensive and contemporary ASP or ARP provides clear direction, it would seem redundant for an application to move forward to CPC as Council has already provided direction that should be followed. CPC is not required in this case.
- If there is a matter of disagreement on policy interpretation between administration and the applicant, heading to CPC may be appropriate. Significant deviation from the ASP/ARP, CPC may also be appropriate.
- Older areas of Canmore; neighbourhoods that do not have an ASP or ARP in place should have CPC involved to ensure the direction of the MDP can be applied.
- If it is a distinct/unique use with limited comparisons or involving a use class that may have significant negative externalities such as effluent, nuisance, noise, outdoor storage or activities outside of 'normal' business hours, CPC may be appropriate. If these are not part of the application, CPC should not be required.

- Disregarding the above, there is some desire to better understand administration's perspective if the applicant actually desires to go to CPC for various reasons. Additional clarity on this would be helpful for our members and applicants in general.
- There is less concern regarding 'key location or high visibility site' requirements to go to CPC; these can be addressed through pre-consultation meetings. Visual impacts are generally addressed in more recent ASP/ARPs and would generally apply to older areas of Canmore.
- Developments that exceed maximum height requirements outlined in the LUB by more than 10% may be required to go to CPC. Variances of less than 10% should be dealt with by the DO, where able under the MGA/LUB and should not require CPC.
- Should a DP have a minor change request of the original DP that was approved by CPC, the DO should have authority to amend/approve. If this request is excessive (ie >10%), it may require going back to CPC.
- While we understand that the current LUB outlines that all relaxations that exceed 10% trigger a development application to go to CPC, we would suggest that it is the more critical elements of FAR and density that should trigger a review by CPC.
- It would be helpful, proactive and help drive process efficiency if a development liaison position could be created to work with applicants to help navigate various issues without displacing other resources within the department.
- Overall, applicants desire greater consistency and predictability as to whether or not CPC would be involved; we ask that more definitive language is used.

As previously discussed, we still believe there is a need outside of this letter/discussion to have a more wholesome conversation around the composition, requirements and experience of CPC members; we see this as a parallel conversation at your convenience.

Thank you for reaching out to us and permitting us time to consider changes for what is directed to CPC.

Sincerely,



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

cc. BOWDA Board of Directors
Lauren Miller, Town of Canmore, Manager of Planning and Development



Planning & Development Department

Town of Canmore
902 - 7th Avenue
Canmore, AB, T1W 3K1
www.canmore.ca

July 14, 2023

Ian O'Donnell
Executive Director
Bow Valley Builders and Developers Association
DELIVERED VIA E-MAIL

Re: Proposed Changes to the Land Use Bylaw – CPC Applications

We sincerely appreciate the feedback provided in your letter dated June 2, 2022 regarding which Development Permit applications are referred to the Canmore Planning Commission for decision. It was utilized to inform and improve proposed amendments to the Land Use Bylaw. The proposed amendments are intended to further our shared goals of increasing transparency, and efficiency within the development review process and providing clear opportunities for public feedback.

Please find below the Town's responses in blue to the feedback provide by BOWDA in the italicized text.

1. *In the spirit of reducing approval times and finding process efficiencies, we support administration being able to make informed decisions if the application is for a permitted use and avoid the time-consuming process of heading to CPC.*

We agree, and remain committed to finding efficiencies within our processes in an effort to support a smooth and transparent application review experience.

2. *If the application is consistent with recent approvals done in proximity of the proposed application, administration should have the ability to work directly with the applicant instead of involving CPC and should **not** require a CPC path.*

Each development application is unique and is considered on its own merit, relative to the policy and regulations set by Council at time. Since CPC does not set policy or regulation, it would be inappropriate to use previous CPC decisions to determine whether a different application should be decided by CPC or not.

3. *If a comprehensive and contemporary ASP or ARP provides clear direction, it would seem redundant for an application to move forward to CPC as Council has already provided direction that should be followed. CPC is not required in this case.*

ARP's and especially ASP's are not intended to provide the detailed level of direction necessary to review a development application for a given site. These documents are often written in a way that leaves room for interpretation by subsequent planning documents. Simply having an ASP or ARP in place would not sufficiently address the potential impacts of a development on the surrounding area. As well, the proposed approach would potentially result in an increase in applications going to CPC, as the majority of Council adopted ASPs and ARPs in place are close to

20 years older (if not older) and are arguably not providing “contemporary” direction that addresses the current needs and concerns of the community.

4. *If there is a matter of disagreement on policy interpretation between administration and the applicant, heading to CPC may be appropriate. Significant deviation from the ASP/ARP, CPC may also be appropriate.*

We are pleased that you agree with this proposed direction. While we will include language that speaks to a lack of higher-level policy and differences in interpretation, significant deviations from ASP’s or ARP’s will simply be refused. In such cases, the Subdivision Development and Appeal Board can adjudicate such questions of interpretation.

5. *Older areas of Canmore; neighbourhoods that do not have an ASP or ARP in place should have CPC involved to ensure the direction of the MDP can be applied.*

As noted above, we have included a nuanced version of this suggestion in that where there is a lack of sufficient policy direction to inform questions of interpretation that this could be a circumstance where referral to CPC would be appropriate. The suggestion as proposed would result in most development applications in South Canmore having to be referred to CPC for decision. We don’t see there being significant value add to the process in taking that approach. The proposed approach would also result in longer decision times and pose greater delays for development.

6. *If it is a distinct/unique use with limited comparisons or involving a use class that may have significant negative externalities such as effluent, nuisance, noise, outdoor storage or activities outside of ‘normal’ business hours, CPC may be appropriate. If these are not part of the application, CPC should not be required.*

An application with significant negative externalities or nuisances that cannot be mitigated would likely be denied rather than referred to CPC. We agree that in the absence of such impacts and where compliance is otherwise being achieved referral to CPC would be unnecessary.

7. *Disregarding the above, there is some desire to better understand administration’s perspective if the applicant actually desires to go to CPC for various reasons. Additional clarity on this would be helpful for our members and applicants in general.*

In acting in its role of Development Authority, it is the Town’s responsibility to establish and identify the appropriate decision-making body for specific development applications. It would not be transparent, consistent or predictable to have such decisions affected by applicant preference.

8. *There is less concern regarding 'key location or high visibility site' requirements to go to CPC; these can be addressed through pre-consultation meetings. Visual impacts are generally addressed in more recent ASP/ARPs and would generally apply to older areas of Canmore.*

We generally agree that a proposal that aligns with the Community Architectural and Urban Design Standards in the Land Use Bylaw is appropriate to be reviewed and decided upon by Administration. However, we have included a criterion that any proposed variance to the CAUD standards will be referred to CPC for decision, unless otherwise stated in a Direct Control District's regulations. The intent is to encourage compliance with those standards and reduce the amount of time-consuming variance requests that create delays in the decision-making process.

9. *Developments that exceed maximum height requirements outlined in the LUB by more than 10% may be required to go to CPC. Variances of less than 10% should be dealt with by the DO, where able under the MGA/LUB and should not require CPC.*

Variances of less than 10% for standards like building height, building setbacks, and others listed in section 1.14.1.1 the Land Use Bylaw, can currently be decided upon by the Development Officer. The proposed amendment will clarify that for the standards listed in section 1.14.1.1, requests for variances beyond 10% will be referred to CPC for decision.

10. *Should a DP have a minor change request of the original DP that was approved by CPC, the DO should have authority to amend/approve. If this request is excessive (ie >10%), it may require going back to CPC.*

The MGA does not outline a process for amendments to approved Development Permits. We acknowledge that other municipalities have established a process for making such changes and will explore establishing a similar process at a future date. Considering that there have been few instances when such a situation has arisen, we will continue to review such requests as new applications in the interim.

11. *While we understand that the current LUB outlines that all relaxations that exceed 10% trigger a development application to go to CPC, we would suggest that it is the more critical elements of FAR and density that should trigger a review by CPC.*

It is important to encourage compliance with the Land Use Bylaw by keeping the development officer's variance authority to 10% for the standards listed in section 1.14.1.1. Increasing this discretion would only increase the frequency of variance requests and their magnitude, which increases permit processing times and risk of appeals. Further, the 10% variance rule is applied consistently, lending predictability to the application process.

12. *It would be helpful, proactive and help drive process efficiency if a development liaison position could be created to work with applicants to help navigate various issues without displacing other resources within the department.*

It is unclear what this opinion is based on. Town staff are always available to answer technical questions and navigate issues as needed, but cannot assume the role of designer or project manager on behalf of applicants. We encourage applicants to obtain the assistance of professional Planning consultants or other development related professionals in navigating the development review process, and to consult with their file manager when encountering issues.

13. *Overall, applicants desire greater consistency and predictability as to whether or not CPC would be involved; we ask that more definitive language is used.*

The intent of the proposed amendments is to achieve this desire. We are confident that they will provide the desired clarity and predictability, while also giving the needed flexibility to deal with new and unexpected development opportunities.

The proposed Land Use Bylaw amendments will be brought forward for Council's consideration on **August 15, 2023**. They have been amended based on feedback and research and will be presented as follows:

1.13.1.2 The Development Officer may:

a. Refer to the Canmore Planning Commission for its consideration and decision, any Development Permit applications which, in the opinion of the Development Officer:

- i. Involve a lack of policy direction from approved statutory plans, or*
- ii. questions of interpretation of an approved statutory plan or this Bylaw*

1.13.2.1 The Canmore Planning Commission shall act as the Development Authority and decide on the following Development Permit applications:

a. Applications for lands designated Direct Control District where such district(s) identify the Canmore Planning Commission as the Development Authority for that application type.

b. Applications which include a proposed variance to the Community Architectural and Urban Design Standards found in section 11 of this Bylaw, unless otherwise stated in specific Land Use District regulations.

c. Applications which propose a variance between 11% and 20% to the items listed in section 1.14.1.1., unless otherwise stated in specific Land Use District regulations.

d. Applications referred to it by the Development Officer for the reasons stated in section 1.13.1.2.a.

e. Applications which amend any aspect of a decision previously made by the Canmore Planning Commission.



Planning & Development Department

Town of Canmore
902 - 7th Avenue
Canmore, AB, T1W 3K1
www.canmore.ca

BOWDA, will have an opportunity to further express any feedback on this bylaw during the public hearing portion of the process.

We thank you for your continued feedback and collaboration to improve the development review processes within the Town.

Kind regards,

Lauren Miller, RPP, MCIP, AICP
Manager of Planning and Development

RFD Submitted August 15, 2023

BYLAW 2023-20

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

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

TITLE

- 1 This bylaw shall be known as the Land Use Bylaw Amendment – Canmore Planning Commission Authority and Referrals.

INTERPRETATION

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

PROVISIONS

- 3 Revised Land Use Bylaw 2018-22 is amended by this bylaw.
- 4 Section 1.2.0.2 c. is amended by striking out “Establishes the office” and substituting “Provides for the functions and duties of persons or offices established as a municipal”.
- 5 Section 1.13.1.1 is amended by striking out “A Development Officer is hereby established and one or more employees of the Town of Canmore shall be appointed as Development Officer. The Development Officer shall:” and substituting “Town of Canmore employees to whom the chief administrative officer has delegated the powers and duties of the Development Officer shall:”
- 6 Section 1.13.1.1 c. is amended by striking out “the application is referred to”, adding “is the Development Authority for the application as provided by” after “Council”, and striking out “in accordance with”.
- 7 Section 1.13.1.2 a. is amended
 - a) by striking out “for Discretionary Uses or any other development applications;” and substituting “which, in the opinion of the Development Officer involves:” and
 - b) by adding the following subsections:
 - i. a lack of policy direction from approved statutory plans, or
 - ii. questions of interpretation of an approved statutory plan or this bylaw;
- 8 Section 1.13.2.1 is amended
 - a) by striking out “is hereby authorized to decide upon all Development Permit applications referred to it by a Development Officer including Development Permit applications for lands

designated Direct Control District where such district(s) identify the Canmore Planning Commission as the Development Authority” and substituting “shall act as the Development Authority and decide the following Development Permit applications:” and

- b) by adding the following subsections:
 - a. Applications which include a proposed variance to the Community Architectural and Urban Design Standards found in section 11 of this bylaw, unless otherwise stated in specific Land Use District regulations;
 - b. Applications which propose a variance between 11% and 20% to the regulations listed in section 1.14.1.1., unless otherwise stated in specific Land Use District regulations;
 - c. Applications referred to it by the Development Officer for the reasons stated in section 1.13.1.2.a.; and
 - d. Applications which amend any aspect of a decision previously made by the Canmore Planning Commission.

ENACTMENT/TRANSITION

9 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.

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

FIRST READING: August 15, 2023

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

BYLAW 2023-28

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND SUBDIVISION AUTHORITY, A DEVELOPMENT AUTHORITY, AND
MUNICIPAL PLANNING COMMISSION ESTABLISHMENT BYLAW 2019-07**

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 “Subdivision Authority, Development Authority, and Municipal Planning Commission Establishment Bylaw Amendment – Development Authority and Canmore Planning Commission.”

INTERPRETATION

- 2 Words defined in Bylaw 2019-07 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 Bylaw 2019-07 is amended by this bylaw.
- 4 Section 2c) is amended by adding “a Development Officer,” after “chief administrative officer.”
- 5 Section 4a) is amended by adding “a Development Officer as delegated by” before “the chief administrative officer”.
- 6 Section 8 is repealed.
- 7 The following is added after section 8.1:
 - 8.1.1 The Canmore Planning Commission shall decide the development permit applications and review other matters referred to the Canmore Planning Commission under the Land Use Bylaw.

ENACTMENT/TRANSITION

- 8 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.
- 9 This bylaw comes into force on the date it is passed.

FIRST READING: August 15, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Request for Decision

DATE OF MEETING: September 5, 2023 **Agenda #:** G-3

TO: Council

SUBJECT: Land Use Bylaw Amendment 2023-24 - 205 Stewart Creek Rise

SUBMITTED BY: Nathan Grivell, Development Planner

RECOMMENDATION: That Council give second reading to Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise.

That Council give third reading to Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise.

EXECUTIVE SUMMARY

Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise received first reading on August 15, 2023 and is the subject of a public hearing September 5, 2023.

Administration’s analysis and position on this matter presented at first reading of this bylaw remains unchanged. Please see Attachment 1 for the Request for Decision and related attachments presented at first reading.

ATTACHMENTS

- 1) RFD and attachments from the August 15, 2023 council meeting.
- 2) Land Use Bylaw Amendment 2023-24 – 205 Stewart Creek Rise

AUTHORIZATION

Approved by: Sally Caudill
Chief Administrative Officer

Date August 28, 2023



Request for Decision

DATE OF MEETING: August 15, 2023 **Agenda #:** G-3

TO: Council

SUBJECT: Land Use Bylaw Amendment 2023-24 - 205 Stewart Creek Rise

SUBMITTED BY: Nathan Grivell, Development Planner

RECOMMENDATION:

- (1) That Council give first reading to Bylaw 2023-24, and
- (2) That Council schedule a public hearing for September 5, 2023

EXECUTIVE SUMMARY

Canmore Community Housing (CCH) has applied to redesignate 205 Stewart Creek Rise from PD Public Use District and the R3-SC Residential Comprehensive Multiple-Unit Stewart Creek District, to R2A-SC Residential Family Low Density District – Stewart Creek District. The redesignation allows CCH to achieve its development goals for the provision of Vital Home units at the subject site.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

- The Stewart Creek Area Structure Plan applies to the subject site and surrounding area.
- Council resolution 2016-167 directed administration to pursue selling a portion of MR dedication in Stewart Creek Phase 3. The proceeds of this were to go to the cash in lieu municipal reserve account to offset the acquisition of 990 Wilson Way for public use.
- Lot 28MR, which previously formed part of the subject site (as indicated by the separate PD zoning), was selected for disposition. On August 22, 2017, a public hearing was held on this matter and on September 19, 2017, Council (resolution 255-2017) approved the disposal of Lot 28MR (which legally became Lot 28).
- CCH acquires Lot 28 from the Town of Canmore in 2019.
- CCH consolidated Lot 28 with adjacent Lot 27 in 2023.

DISCUSSION

The property at 205 Stewart Creek Rise currently has two land use districts that apply to the site: PD Public Use District and the R3-SC Residential Comprehensive Multiple-Unit Stewart Creek District (refer to Figure 1). The applicant is proposing to redesignate the entire site to R2A-SC Residential Family Low Density District – Stewart Creek District to accommodate future housing development.

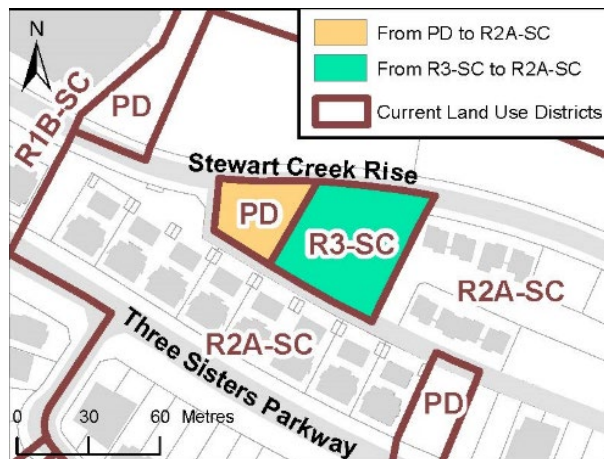


Figure 1: Current Zoning on Subject Site

PD District

The redesignation of the PD District is a residual step from the council resolution to dispose of Lot 28MR. Given the decision was that the parcel would not serve as public open space, the PD zoning is unsuitable. Furthermore, the land has been sold to CCH and they have consolidated it with their adjacent lot. As the subject site is one parcel, in administration's opinion, CCH's proposal to have one land use district govern the entire site is appropriate.

R3-SC District

The motivation for the redesignation of the R3-SC District to the R2A-SC District is the result of the differing yard setback requirements. The subject site is awkwardly shaped. As its front and rear property lines come together moving westward, the development potential of the site greatly reduces. The R2A-SC District contains reduced yard setback requirements, which offers greater development opportunities by means of a larger development footprint.

The proposed rezoning aligns with the Land Use Concept in the Stewart Creek Area Structure Plan (ASP), which identifies residential as the appropriate use of this area. Furthermore, it aligns with Section 4.2 of the ASP that directs this area as:

"a low density residential area in the central portion of the Plan Area will provide the majority of residential development within a range of residential housing types from estate lots to duplex and townhouse dwellings."

The proposed land use district is the same district that governs the adjacent parcels (see Figure 1). As a result, administration supports the proposed rezoning.

ANALYSIS OF ALTERNATIVES

Town Council could defeat Bylaw 2023-24; however, this is not recommended as the application aligns with the Stewart Creek ASP and is consistent with the existing land use for the area.

FINANCIAL IMPACTS

N/A

STAKEHOLDER ENGAGEMENT

The applicant has not completed any public engagement.

Administration completed a circulation to landowners within 60m of the site and allowed a month for comment. Six letters were received, and these were reviewed and provided to the applicant for their consideration for making changes. No changes were made by the applicant because of this feedback.

A summary of the feedback includes:

- The lot needs to be preserved as open space
 - As noted above, in 2017, Town Council made the decision to change the purpose of this lot and dispose of the MR. The rezoning of the PD District is considered an outstanding step in concluding that decision.

- This will increase traffic and cause access problems along Stewart Creek Rise
 - This parcel is located in a comprehensively designed subdivision, which was supported by a Traffic Impact Assessment to ensure the road network provides an acceptable level of service. The slight increase in residential units afforded by the proposed land use change will have a negligible impact on overall traffic volumes and would not result in a change to the outcomes of the Traffic Impact Assessment. Site specific issues such as sight lines and driveway locations will be reviewed at the Development Permit stage to ensure that the development proceeds in a manner which optimizes public safety.

ATTACHMENTS

1) Bylaw 2023-24

AUTHORIZATION

Submitted by:	Nathan Grivell Development Planner	Date: <u>July 17, 2023</u>
Approved by:	Lauren Miller Manager of Planning and Development	Date: <u>July 20, 2023</u>
Approved by:	Whitney Smithers General Manager of Municipal Infrastructure	Date: <u>July 24, 2023</u>
Approved by:	Scott McKay Acting Chief Administrative Officer	Date: <u>August 9, 2023</u>

RFD Submitted August 15, 2023

BYLAW 2023-24

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

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

TITLE

- 1 This bylaw shall be known as the “Land Use Bylaw Amendment – 205 Stewart Creek Rise”.

INTERPRETATION

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

PROVISIONS

- 3 That Section 15 of Land Use Bylaw 2018-22 be amended to re-designate Lot 29, Block 21, Plan 231 0690 from PD Public Use District and R3-SC Residential Comprehensive Multiple-Unit Stewart Creek District to R2A-SC Residential Family Low Density District – Stewart Creek District, as shown in Schedule A of this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING:

PUBLIC HEARING:

SECOND READING:

THIRD READING:

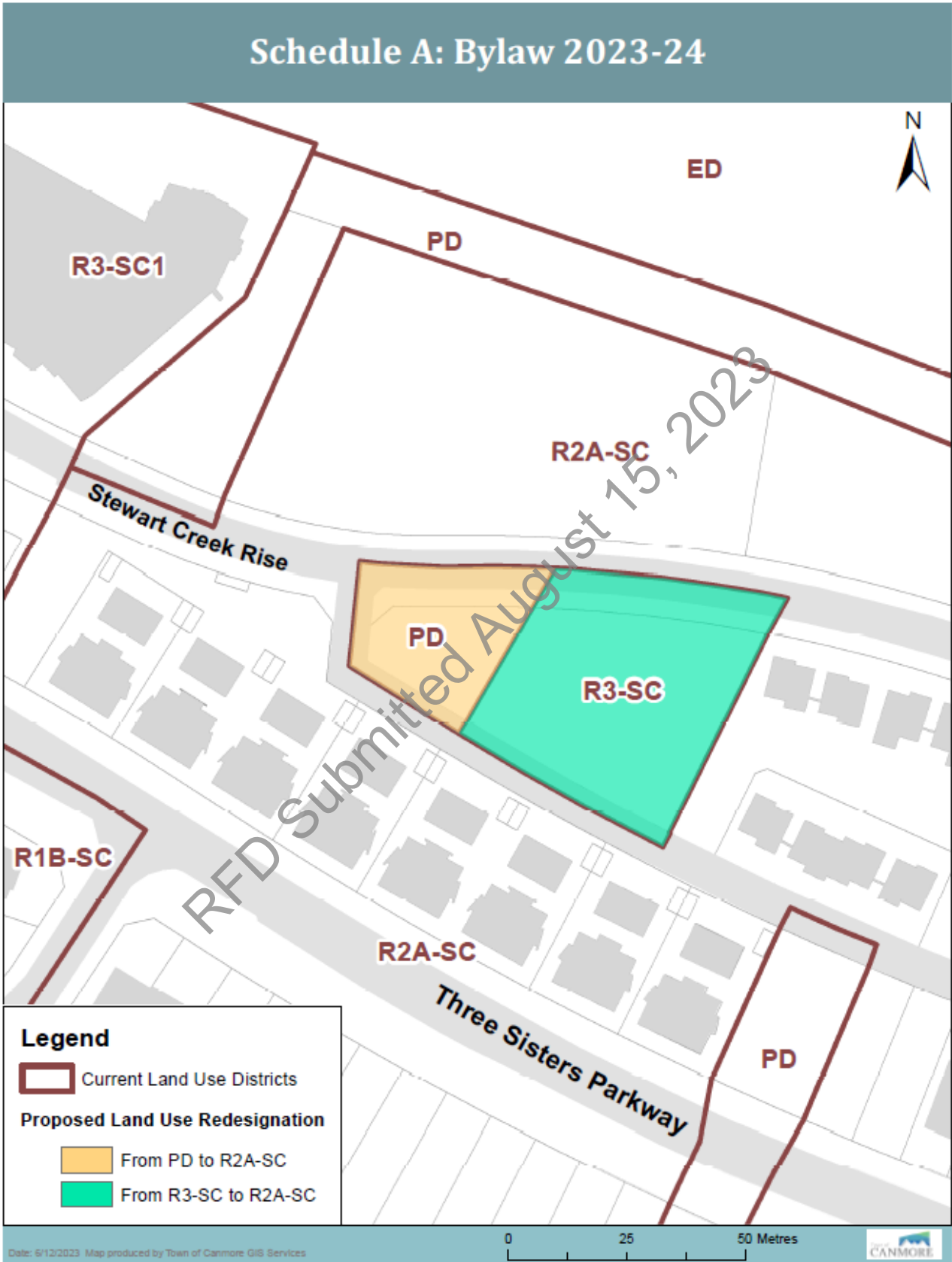
Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Bylaw approved by: _____

BYLAW 2023-24

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

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

TITLE

- 1 This bylaw shall be known as the “Land Use Bylaw Amendment – 205 Stewart Creek Rise”.

INTERPRETATION

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

PROVISIONS

- 3 That Section 15 of Land Use Bylaw 2018-22 be amended to re-designate Lot 29, Block 21, Plan 231 0690 from PD Public Use District and R3-SC Residential Comprehensive Multiple-Unit Stewart Creek District to R2A-SC Residential Family Low Density District – Stewart Creek District, as shown in Schedule A of this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING: August 15, 2023

PUBLIC HEARING:

SECOND READING:

THIRD READING:

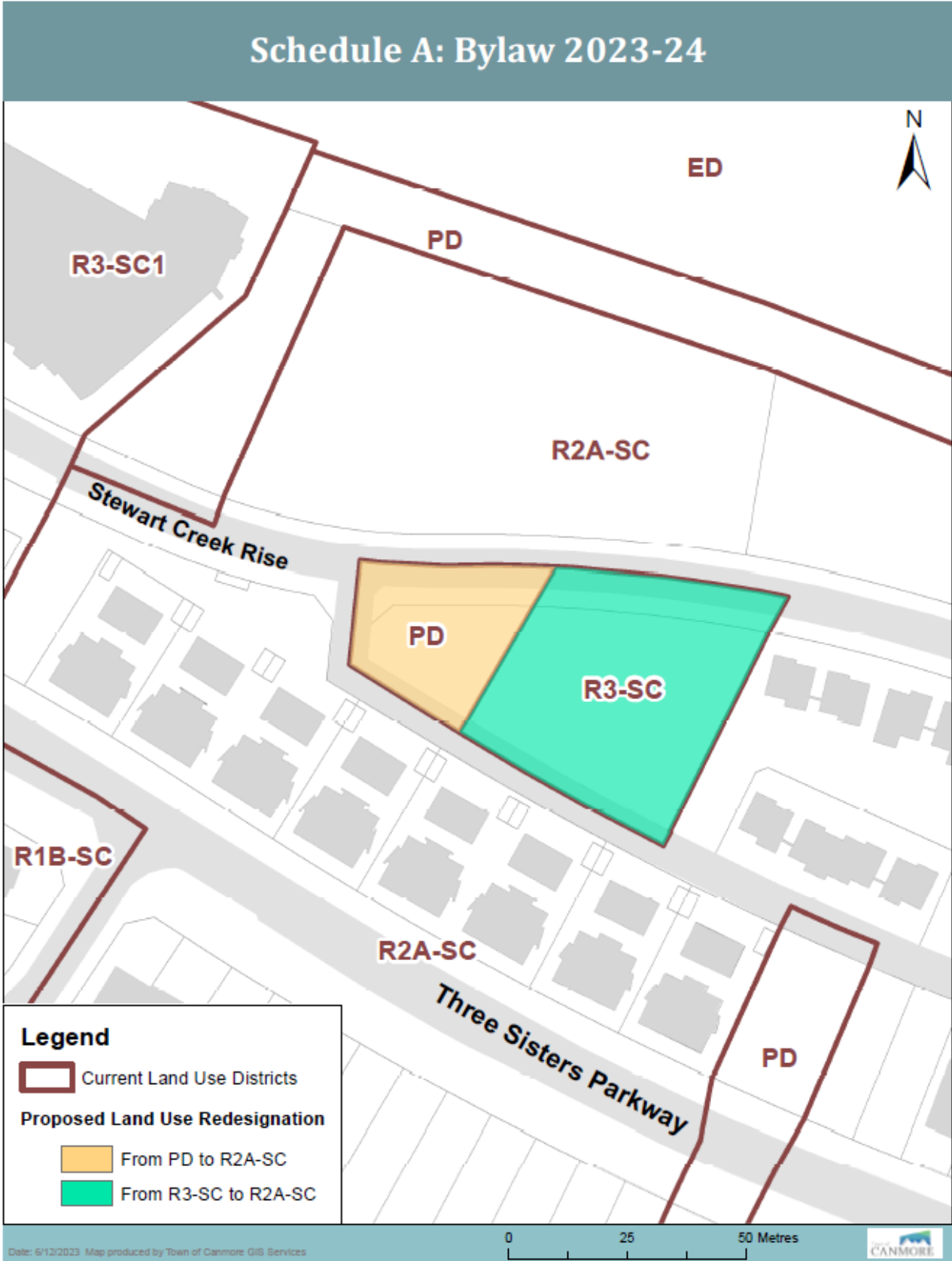
Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Bylaw approved by: _____



Request for Decision

DATE OF MEETING: September 5, 2023 **Agenda #:** G-4

TO: Council

SUBJECT: Palliser Trail Area Structure Plan Bylaw 2023-22

SUBMITTED BY: Joshua Cairns, Senior Policy Planner

RECOMMENDATION: That Council give first reading to Palliser Trail Area Structure Plan Bylaw 2023-22 and schedule a public hearing for October 3, 2023.

EXECUTIVE SUMMARY

An expedited review of the Palliser Trail Area Structure Plan (ASP) was launched in late 2022 for the purpose of updating the plan to ensure it addresses current and emerging community needs. The expedited review resulted in an updated Palliser Trail ASP (Attachment 1), which includes a new land use concept, public realm and transportation network, and supporting policy relating to urban design, housing, green development, environment, ecology, open spaces, and recreation. The updated Palliser Trail ASP is in stronger alignment with the Town's various plans, strategies, Council Strategic Plan, and Municipal Development Plan (MDP). Administration is recommending that Council give first reading to Bylaw 2023-22 and set a public hearing date for October 3, 2023.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

In the year 2000, Council adopted the Palliser Trail ASP (Bylaw 34-99). The Palliser Trail ASP is the statutory plan that provides a high-level framework to guide growth and change in the Palliser Trail area.

The expedited review and update of the ASP was informed by Council-adopted strategies and bylaws, including the MDP, Integrated Transportation Plan (ITP), Integrated Parking Management Plan (IPMP), Climate Action Plan, Comprehensive Housing Action Plan, Open Space and Trails Plan, Recreation Master Plan, and Council Strategic Plan (2023-2026).

DISCUSSION

In the year 2000, Council adopted the Palliser Trail ASP (Bylaw 34-99) – a high-level framework to guide growth and change in the Palliser Trail area. The ASP covers an area situated between the Lower Silvertip Wildlife Corridor and the Trans-Canada Highway, consisting of a collection of parcels owned by the Province of Alberta, Canmore Community Housing (CCH), and the Town of Canmore (Figure 1). The ASP was prepared by Southwell Trapp & Associates on behalf of the Alberta Social Housing Corporation and envisioned a mix of highway-oriented tourism and commercial uses with consideration for other uses such as employee housing.

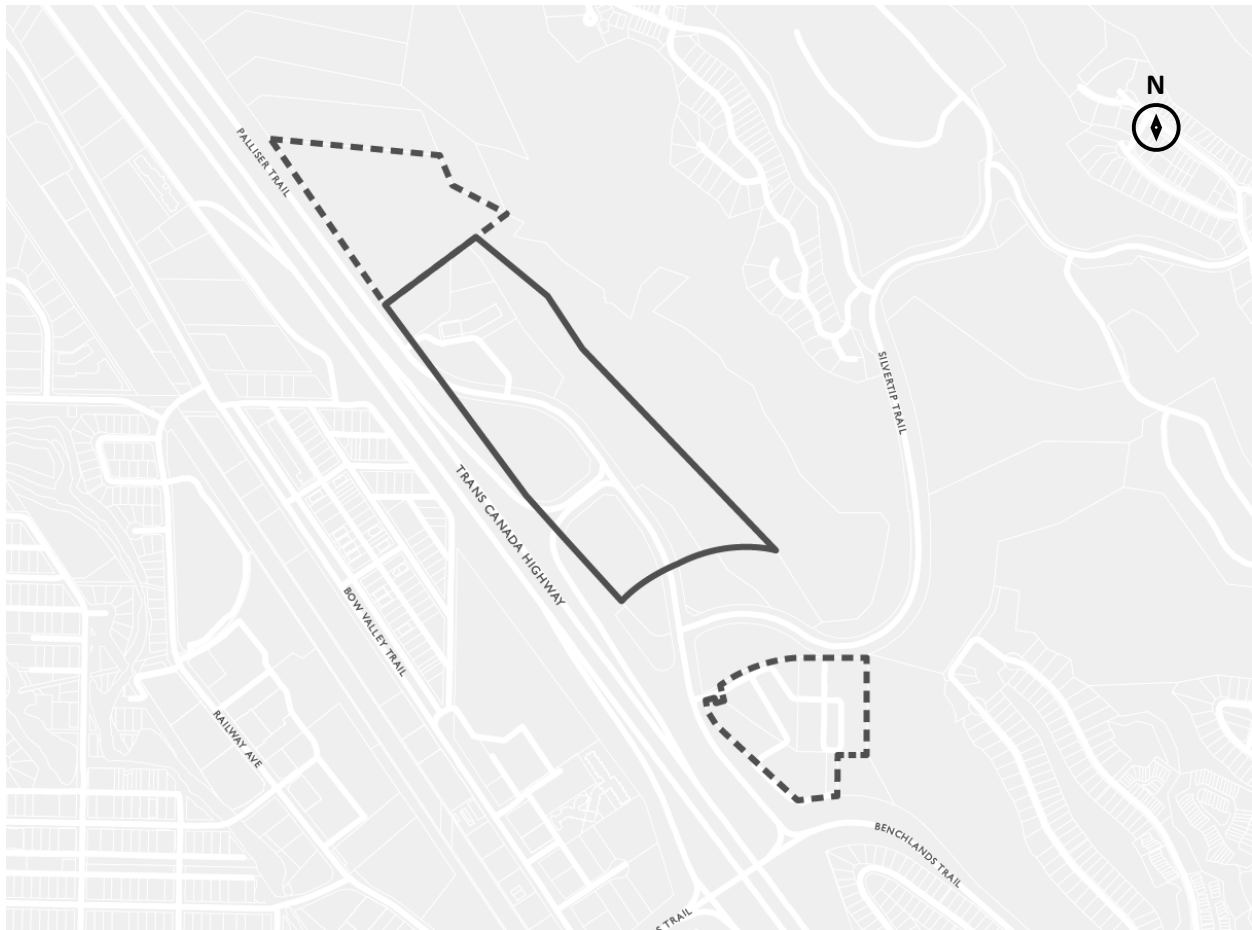


Figure 1: Map showing the original Palliser Trail ASP (2000) boundary (solid line) and the additions as part of the update (dashed line).

In late 2022 in response to the worsening housing crisis, administration began an expedited review of the Palliser Trail ASP to ensure the plan remains relevant in today's context and that future development on remaining undeveloped land will align with Council priorities and objectives. Stakeholder engagement, research, and analysis – including a review of the original ASP, the MDP, current Town strategies, and the Council Strategic Plan – identified four key goals that would inform potential updates to the plan:

1. Prioritizing diverse, affordable, and attainable housing;
2. Encouraging a complete, mixed-use, and walkable neighborhood;
3. Creating new opportunities on Town of Canmore and CCH lands; and
4. Aligning the plan with current community priorities.

Several key policy updates, including new concepts for land use, transportation, and the public realm, were prepared to address gaps in the original ASP and to align the plan with the four goals. In March 2023, administration undertook a three-week community engagement period to seek input and feedback on the key updates being considered. The feedback was analyzed and grouped into corresponding themes, which were used to inform the drafting of the updated plan. At the August 15, 2023 regular council meeting, administration provided a briefing on the draft plan including its alignment with the four key goals and a detailed summary of what we heard through engagement.

The updated Palliser Trail ASP (attachment 1, if approved) replaces the previous ASP adopted by Council in the year 2000 with a revised vision, objectives, and collection of policies that closely align with the Town's current goals and strategies and present an opportunity to meaningfully respond to the worsening housing crisis.

The key components of the updated plan are summarized below.

Land Use Concept

This plan introduces a land use concept that will support the creation of a compact and complete community, offering residents access to their daily needs within short walking distance. The character of the area will be defined by its variety of building types, housing options, land uses, and open spaces – each helping foster a diverse, inclusive, and more equitable community.

The proposed Mixed-Use Areas will serve as the heart of the neighbourhood, providing significant opportunity for local-serving commercial and job space in mixed-use buildings with affordable and attainable housing options located on the upper floors.

The adjacent Residential Areas will provide a mix of housing options, ranging from ground-oriented forms such as townhouses to low- and mid-rise apartment buildings. Building forms will be distributed throughout the plan's sub-areas to avoid the concentration of any single housing option and to provide visual intrigue and a sense of openness for visitors and residents. Building heights will peak at 6 storeys near the centre of the plan's area – ensuring more residents are able to walk to and easily access the shops and services of the Mixed-Use Areas. Away from the centre in the Residential Areas, building heights will be limited to 3 to 5 storeys with localized variations in support of urban design objectives, including sunlight exposure and the creation and preservation of views.

Housing

The MDP targets 20% of new housing to be “residential growth as non-market affordable housing” and encouraged in “a wide range of affordable housing types, tenures and densities” [and] “integrated and distributed throughout Canmore's neighbourhoods” (sections 5.1 and 5.2).

The updated Palliser Trail ASP will enable the creation of up to 1,300 units provided across the housing spectrum with an emphasis on affordable rental and affordable ownership opportunities in townhouse and low- and mid-rise building forms.

A new housing target will ensure at least 75% of all units will be affordable, non-market housing where purchase or rental prices are secured long-term at below-market values. This target reflects the most ambitious housing policy the Town has developed to date and significantly exceeds the MDP's target of 20%. Further, the 75% target reflects a minimum and may be exceeded. The affordable, non-market units will be distributed throughout the plan area and be designed to an architectural and material standard indistinguishable from market units in effort to support diversity, equity, and inclusion in this part of Canmore.

The significant additions the Palliser Trail ASP will make to Canmore's housing stock were informed by and align with the targets identified in the Bow Valley Region Housing Needs Assessment (2019).

Parks and Open Space

An important component of the updated plan is the addition of a public realm network that articulates a clear, coherent vision for a collection of parks and open spaces distributed throughout the Palliser Trail area. New opportunities for playgrounds, plazas, and the creation of a centrally located off-leash dog park have been identified and embedded in policy. These new open spaces will be connected and accessed through a network of trails, pathways, and roadways designed to reflect the unique character and sense of place that will come to define the area.

Further additions to the open space network will be made through Municipal Reserve dedicated at the time of subdivision. In addition to public spaces, the plan supports the provision of privately owned open spaces, acknowledging the important role that privately maintained spaces accessible to the public (e.g., plazas or pedestrian connections between new developments) can play in supporting a vibrant public realm.

The public realm network and supporting policies were prepared to align with the MDP and Open Space and Trails Plan. Implementation will be further informed by these strategies to ensure an effective contribution to the Town's goals for these types of spaces.

Transportation and Mobility

In alignment with the ITP, a multi-modal transportation and mobility network will provide linkages between future development areas and the rest of Canmore while providing more affordable options for residents to travel. New roadways will be provided with walking and cycling facilities (depending on the street classification), while pathways will offer desirable pedestrian routes that connect with the broader trail system. A new grade-separated crossing of the Trans-Canada Highway will provide residents with an efficient and safe way to access destinations west of Palliser Trail. These additions to the transportation and mobility network will be complemented by the expansion of transit service to the Palliser Trail area – providing an affordable option for travel within Canmore, while reducing congestion on roadways for those that need or choose to use a vehicle.

To help mitigate future challenges with congestion and vehicle use, a Transportation Impact Assessment and Parking Opportunities Assessment was completed to test the functionality of the improvements and ensure alignment with the intended modal split targets outlined within the ITP. These assessments validated the proposed network as well as the need for innovative parking policies to meet demand and Town objectives around affordability, livability, and climate action. As a result, the updated plan introduces a modernized approach to parking management that will require a district-scale approach to planning the supply of parking stalls, the sharing of stalls between multiple land uses or buildings, unbundling the purchase or rental of stalls from residential units, and the removal of mandated parking minimums. These parking policies align with the IPMP and will support the efficient supply and distribution of parking, as well as deeper levels of affordability for residents and additional open space for the public realm.

All improvements to the transportation and mobility network will be constructed to the standards outlined in the Engineering Design and Construction Guidelines (EDCG).

Environment, Ecology, and Green Development

The updated Palliser Trail ASP introduces new development policy to support environmentally sensitive development that reduces impacts on natural resources, minimizes ecological impacts, and supports the goals of the Environmental Sustainability Action Plan and Climate Action Plan.

New municipal and non-market affordable housing will be designed to achieve standards that significantly exceed those mandated by the Province, including a near net-zero emissions or similar standard incorporating combined heat and power or district energy systems, as well as solar- and EV-ready infrastructure – thereby implementing the recommendations of the Climate Action Plan.

Given the area's adjacency to the Lower Silvertip Wildlife Corridor, the updated plan incorporates new wildlife protections that implement the recommendations of the Bow Corridor Ecosystem Advisory Group and the draft Long-term Management Plan for the Lower Silvertip Wildlife Corridor. Notable changes from the original Palliser Trail ASP includes an increased building setback of 20 m to the wildlife corridor and an expansion of the area that is protected from future development (to be achieved through future subdivision).

Utilities & Servicing

All development will need to comply with such Town documents as the Land Use Bylaw (LUB), the EDCG, and any applicable provincial policy. New policies encourage best practices that exceed status quo, including the use of Low Impact Development strategies and the application of an Integrated Water Management Approach to site design. These strategies will support the sustainable management of water resources and seek to integrate green infrastructure in the public realm to manage stormwater runoff.

There are no concerns with the ability to achieve efficient delivery of water and utilities, or the ability to effectively move stormwater and wastewater to treatment systems for development in the plan area.

Implementation

The ASP introduces an implementation framework that includes the anticipated phasing of development. Full build out of the area is anticipated to occur within the next 10 to 20 years through phased development and the provision of infrastructure and services. All development will be required to comply with the provisions of other Town documents, including the LUB and EDCG. Risks associated with steep creeks and wildfires will be mitigated to a risk level that is acceptable for development and in accordance with Town policy and guidelines.

Amendments to bylaws, including the LUB, will be required to support future developments and will occur in a subsequent process following adoption of this ASP.

FINANCIAL IMPACTS

Although there are no immediate financial implications for the Town of Canmore to approve this ASP, implementation will include costs associated with infrastructure development, transportation improvements, public realm enhancements, and affordable housing initiatives. The incremental costs associated with these items will be recovered, in part, through off-site levies and sales. Additional funding opportunities, such as grants and contributions from senior levels of government, will be sought as necessary.

STAKEHOLDER ENGAGEMENT

Public engagement served as a critical input that helped shape the updated plan. Broad public engagement was conducted from March 13 - 31, 2023, with a mix of online and in-person opportunities to support accessibility and participation. The purpose of the engagement was to understand community perspectives on proposed key updates to the ASP so that the updated plan would better reflect community priorities and visions for the foreseeable future.

Online Component:

- 1,122 participants were “aware” (visited at least one page) of the project.
- 514 participants were “informed” (interacted with the project site).
- 199 submissions to the online survey were received.

In-person Opportunities:

- Two pop-up events and one open house were held, with approximately 90 people attending in total.

The public engagement period was in addition to engagement with key stakeholders that occurred throughout the planning process. Several collaborative meetings were held with CCH during the exploration, development, and refinement of policy to garner support and ensure the vision and directions of the ASP are aligned and achievable. Further engagement and communication will occur as appropriate during the implementation phase to ensure successful plan execution.

ATTACHMENTS

- 1) Palliser Trail Area Structure Plan Bylaw 2023-22

Authorization

Submitted by:	Joshua Cairns Senior Policy Planner	Date: <u>August 1, 2023</u>
Approved by:	Lauren Miller Manager of Planning and Development	Date: <u>August 15, 2023</u>
Approved by:	Whitney Smithers General Manager of Infrastructure	Date: <u>August 18, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>August 28, 2023</u>

BYLAW 2023-22

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
ADOPT THE PALLISER TRAIL AREA STRUCTURE PLAN**

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 Palliser Trail Area Structure Plan Bylaw.

PROVISIONS

- 2 The Palliser Trail Area Structure Plan as set out in Schedule A is hereby adopted.

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 Bylaw 34-99 is repealed.
- 6 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

Bylaw approved by: _____

Page 1 of 1



PALLISER TRAIL

AREA STRUCTURE PLAN

September 2023

Publishing information

Title

Palliser Trail Area Structure Plan
Bylaw 2023-22

Author

Town of Canmore

Note

The original Palliser Trail Area Structure Plan was prepared by Southwell Trapp and Associates on behalf of the Alberta Social Housing Corporation and was adopted by Council in the year 2000. The Town of Canmore initiated a review and update of the plan in 2022. This document supersedes the original plan.

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01

ADMINISTRATION

This section provides an overview of administrative components of the plan, including its purpose, authority, timeframe, interpretation, procedures for amendment, and public participation.

1.1 Purpose

The purpose of the Palliser Trail Area Structure Plan (ASP) is to provide a framework to guide subdivision and development in the Palliser Trail area that results in a vibrant, complete neighbourhood with a mix of land uses, housing choices, and connected public spaces.

To accomplish this purpose, the plan establishes a future vision supported by an overall land use concept, policies, and implementation plan.

The Palliser Trail ASP was adopted by the Town of Canmore in the year 2000 and subsequently replaced in 2023 to provide an updated land use concept and policies that align with current community priorities.

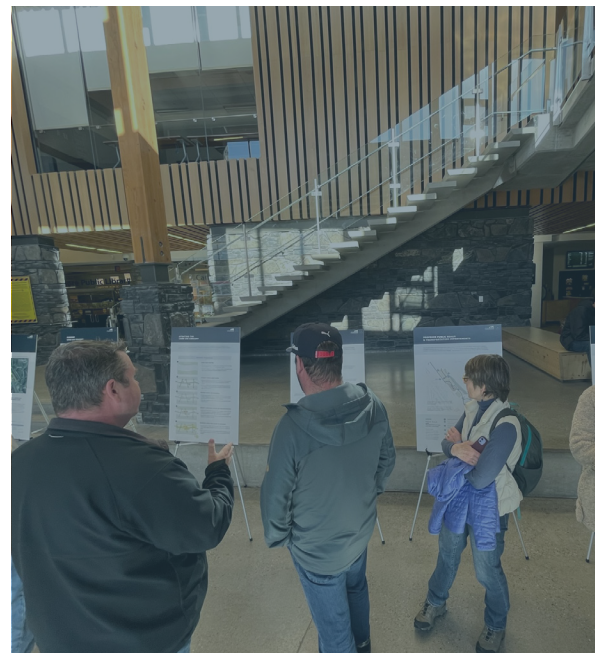
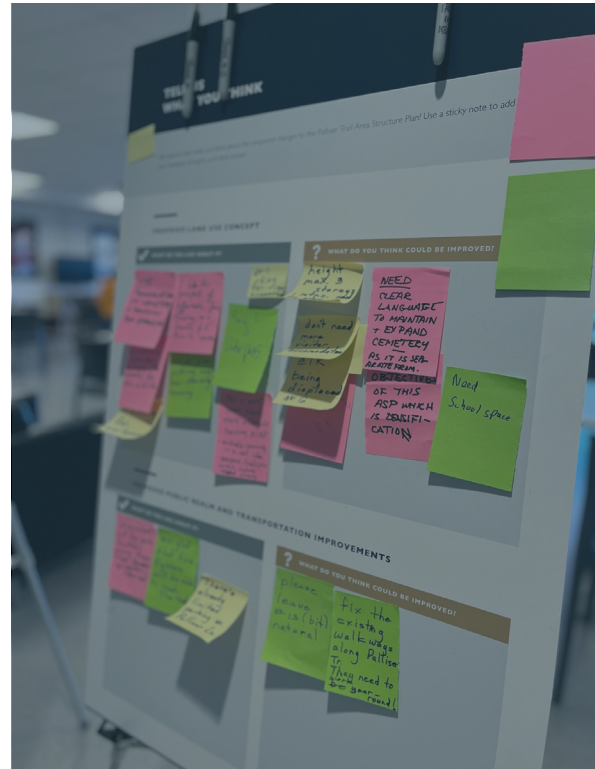
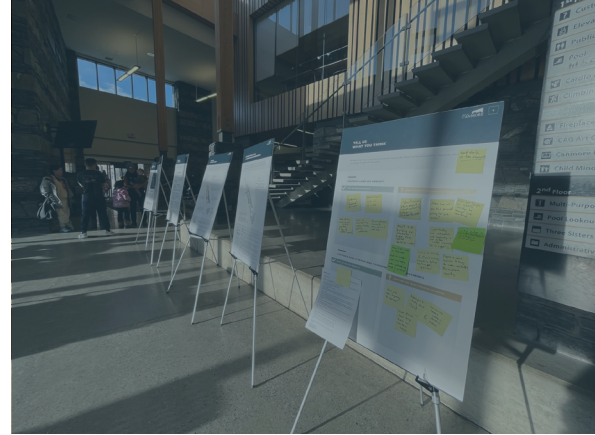
1.2 Authority

The plan is prepared in accordance with the provisions of the Municipal Government Act (MGA) and policy requirements established in the Town of Canmore's Municipal Development Plan (MDP) Bylaw 2016-03. The MDP indicates that prior to any land use redesignation an ASP shall be approved by Council.

1.3 Public Participation

The updated Palliser Trail ASP (2023) was prepared with input from Council, administration, stakeholders, and the community.

In March 2023, administration engaged the community through two pop-up engagement sessions, an open house event, an online survey, and an online interactive question tool. Nearly 300 members of the community participated in these engagement efforts and took the time to share their thoughts on the proposed updates that were being considered in the updated ASP. Feedback was reviewed in April 2023 and was used to inform the final drafting of the updated plan.



1.4 Timeframe

The developable parcels identified in this plan are anticipated to be constructed over the next 10 to 20 years. Anticipated phasing of development is provided in Section 6.2.

1.5 Limitations

ASP's are long-term plans that provide a high-level vision and supporting policies for a particular area. The policies within this plan should not be interpreted as an explicit approval for a use on a specific site. Detailed site conditions will be assessed on a case-by-case basis as part of subdivision, land use redesignation, or Development Permit.

1.6 Amendments

As full build out of the area is anticipated to take up to 20 years, it is acknowledged that amendments to the ASP may be required to respond to changing conditions, circumstances, and priorities.

Amendments that fundamentally alter the purpose and intent of the ASP must be approved by bylaw in accordance with the MGA.

Depending on the nature of the amendment, supporting information considered necessary by the Approving Authority to evaluate the amendment may be required.

1.7 Interpretation

All maps and graphics are for supplemental information. Locations of boundaries, symbols, or other identifying markers should be considered approximate unless explicitly stated otherwise.

Policy has been articulated to an extent deemed suitable for an ASP and in relation to the Palliser Trail area. Where necessary, a reasonable interpretation of policy should be made with consideration for the plan's vision, goals, policies, Town bylaws and strategies. For convenience, terms that are defined in the glossary

(Appendix A.1) are underlined the first time they appear on a page in body text.

Policy is considered mandatory. Where words such as "should", "may", or "encourage" are used, the policy must still be considered mandatory except in circumstances where the Approving Authority deems such a requirement is unreasonable, irrelevant, or where alternatives may be deemed as satisfactory.

Requirements may be deferred to a future stage in the approvals process if deemed appropriate by the Approving Authority.

The Approving Authority shall have discretion over the application or interpretation of policy within this plan.

1.8 Supporting Documents

The updates to this plan were informed by the Town's MDP, policies, strategies, and bylaws in place at the time of drafting this document, as well as the following studies and reports:

- **Transportation Impact Assessment Update (2023)**
WSP Canada Inc.
- **Parking Assessment (2023)**
Victoria Transport Policy Institute
- **Stormwater Feasibility Review (2023)**
WSP Canada Inc.
- **Utility Assessment for Palliser Trail (2023)**
CIMA+
- **Canmore Retail Gap Analysis and Light Industrial & Commercial Land Review (2023)**
Deloitte LLP, Fowler Bauild & Mitchell Ltd.
- **Long-term Management Plan for the Lower Silvertip Wildlife Corridor (2023)**
Stormy Lake Consulting
- **Lower Silvertip Wildlife Corridor Study (2020)**
Management and Solutions in Environmental Science
- **Wildlife Corridor and Habitat Patch Guidelines (2012)**
Bow Corridor Ecosystem Advisory Group (BCEAG)

02

CONTEXT

This section provides relevant context and background information to create an improved understanding of the Palliser Trail area and the plan's vision for how it will evolve over time.

2.1 Location

The Palliser Trail area is located in the northern portion of Canmore, bordered by Silvertip Resort and the Lower Silvertip Wildlife Corridor to the east and the Trans Canada Highway (Highway 1) to the west. It is uniquely situated on the doorstep to Banff National Park and the UNESCO Rocky Mountain World Heritage Site.

The overall ASP area is comprised of approximately 23 hectares (57 acres) of land owned by Canmore Community Housing, the Town of Canmore, and the Province of Alberta.

Map 1 provides an overview of the general Palliser Trail ASP area. Adjacent policy areas are provided in Map 2.

Maps on the following pages are for illustrative purposes only. Boundaries are approximate.





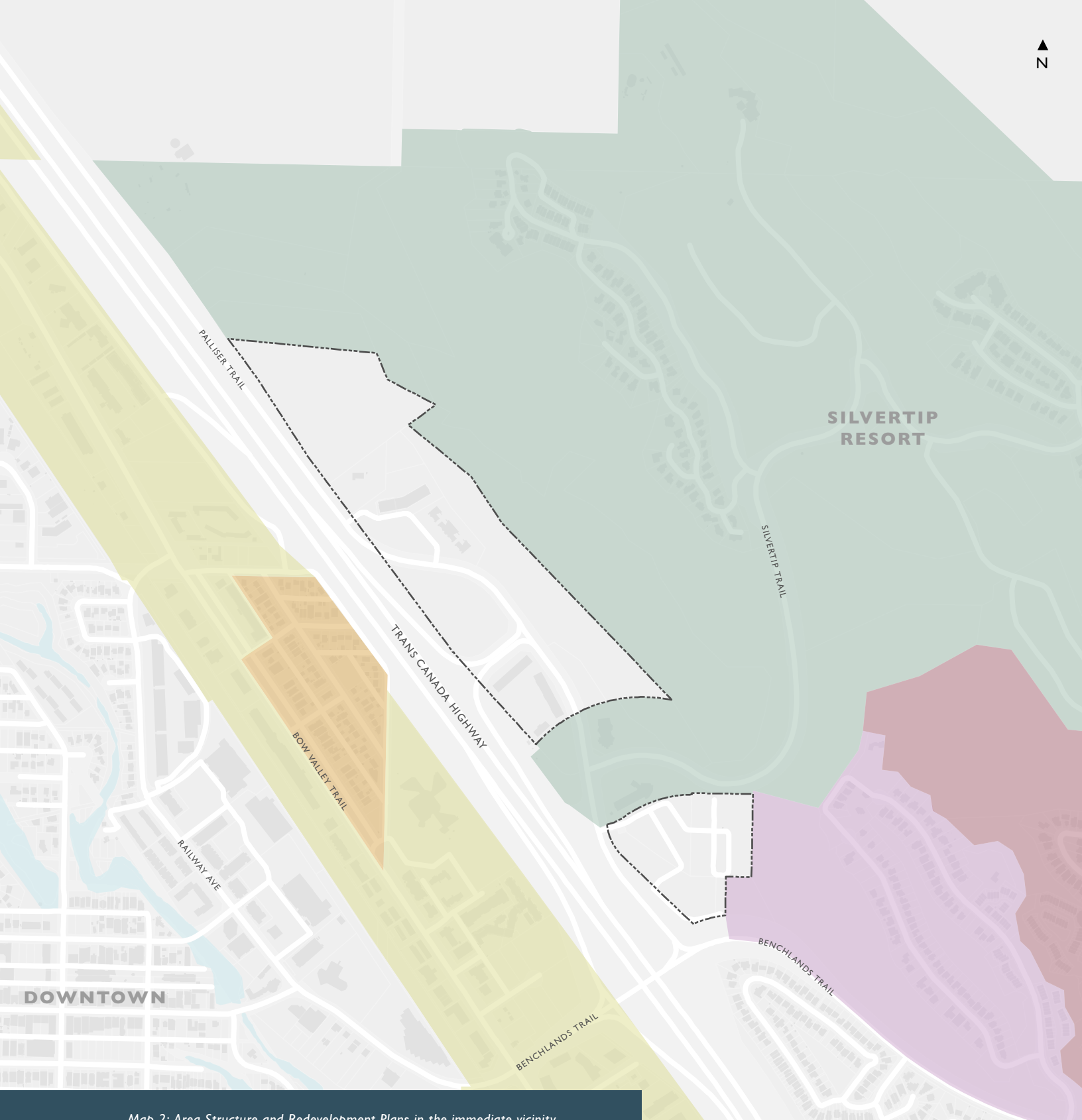
Map 1: Location of the Palliser Trail ASP area and notable features or destinations

LEGEND

- Wildlife Corridor¹
- Bow Valley Provincial Park boundary
- Palliser Trail ASP boundary

— Elevation contours (5 m)
 September 5, 2023 Regular Council Meeting 9 a.m.

¹ This plan defines the extent of the Lower Silvertip Wildlife Corridor in accordance with the boundaries approved in the Silvertip Area Structure Plan (2007).



Map 2: Area Structure and Redevelopment Plans in the immediate vicinity

LEGEND

- Silvertip ASP
 - Eagle Terrace ASP
 - Upper Benchlands ASP
 - Teepee Town ARP
- Bow Valley Trail ARP
 - Palliser Trail ASP

2.2 Background

In the year 2000, Council adopted an ASP for the Palliser Trail area that was prepared by Southwell Trapp & Associates on behalf of the Alberta Social Housing Corporation. The ASP provided a high-level vision for the area and envisioned a mix of highway-oriented commercial and tourism uses.

Over the following two decades, three parcels were developed with residential buildings and a new firehall was constructed in the area.

In 2022, the Town initiated a review of the ASP to ensure future development on remaining parcels would align with current community priorities. The

plan area was expanded to incorporate adjacent Town of Canmore and Canmore Community Housing parcels, and new policy direction was informed by four key goals (Figure 1). A summary of key policy changes is provided in Appendix A.1.

Figure 1: Four key goals that informed policy changes as part of the Palliser Trail ASP update



Prioritize the development of diverse, affordable, and attainable housing



Create new opportunities on Town of Canmore and Canmore Community Housing (CCH) lands



Encourage the creation of a complete, mixed-use, and walkable neighbourhood



Align the Area Structure Plan with current Town, Council, and community priorities

2.3 Vision

“*The Palliser Trail area will become a vibrant mixed-use neighbourhood with a diverse population, accessible housing opportunities, and spaces for local business. It will be defined by its network of attractive public spaces and will demonstrate a commitment to walkability, environmentally sensitive design, and fostering a sense of connection to the surrounding natural environment.*”

2.4 Goals

The primary goal of the Palliser Trail ASP is to create a complete, compact and sustainable neighbourhood that provides places for people to live across the housing spectrum.

Mixed-use areas will form the heart of the neighbourhood and provide opportunities for social interaction. Cafes, restaurants, markets, offices, and other commercial uses will provide residents with walking access to their daily needs and foster a sense of place.

Adjacent residential areas will be defined by their inclusivity and provide homes for residents at varying income levels, backgrounds, and needs. Non-market units will be indistinguishable from market units, and will be integrated throughout the Palliser Trail area—whether in townhouses, low-rise apartment buildings, or other building forms. These areas will be highly livable, utilizing various strategies to reduce the visual and noise impacts of the Trans-Canada Highway.

People will be able to move easily within the neighbourhood—whether along sanctioned trails, illuminated pathways, or complete streets—and enjoy a network of attractive open spaces that offer views of the mountains and the rest of Canmore.

2.5 Objectives

- 1 Create a framework for the orderly planning, subdivision, and development of the area.
- 2 Clearly identify developable and non-developable lands and minimize the environmental impact of any future development.
- 3 Create an attractive residential and commercial development area that implements the goals and objectives of the MDP and provides attainable homes for residents.
- 4 Provide clear policy direction while allowing flexibility for uses and forms of development that can respond to changing market conditions and community needs.
- 5 Ensure development and utility servicing is planned and constructed in a logical phased sequence.
- 6 Preserve the integrity of adjacent land uses and wildlife corridors.
- 7 Incorporate visual components—including views, architecture, and landscaping—into the overall planning and development of the area.

03

LAND USE CONCEPT

The land use concept provides the overall neighbourhood structure for future change in the area, identifying the desired mix of uses, maximum building heights, and supporting infrastructure and public realm improvements.

3.1 Overview

The land use concept supports the vision, goals, and objectives of the plan. It envisions a centrally located mixed-use area that will form the heart of the neighbourhood, complemented by residential areas that provide a range of housing options capable of supporting a diverse community.

The distribution of land uses and density was informed by several guiding principles (illustrated in Figure 2) that seek to ensure that future development supports a healthy environment, the protection of wildlife, and the well-being of its residents:

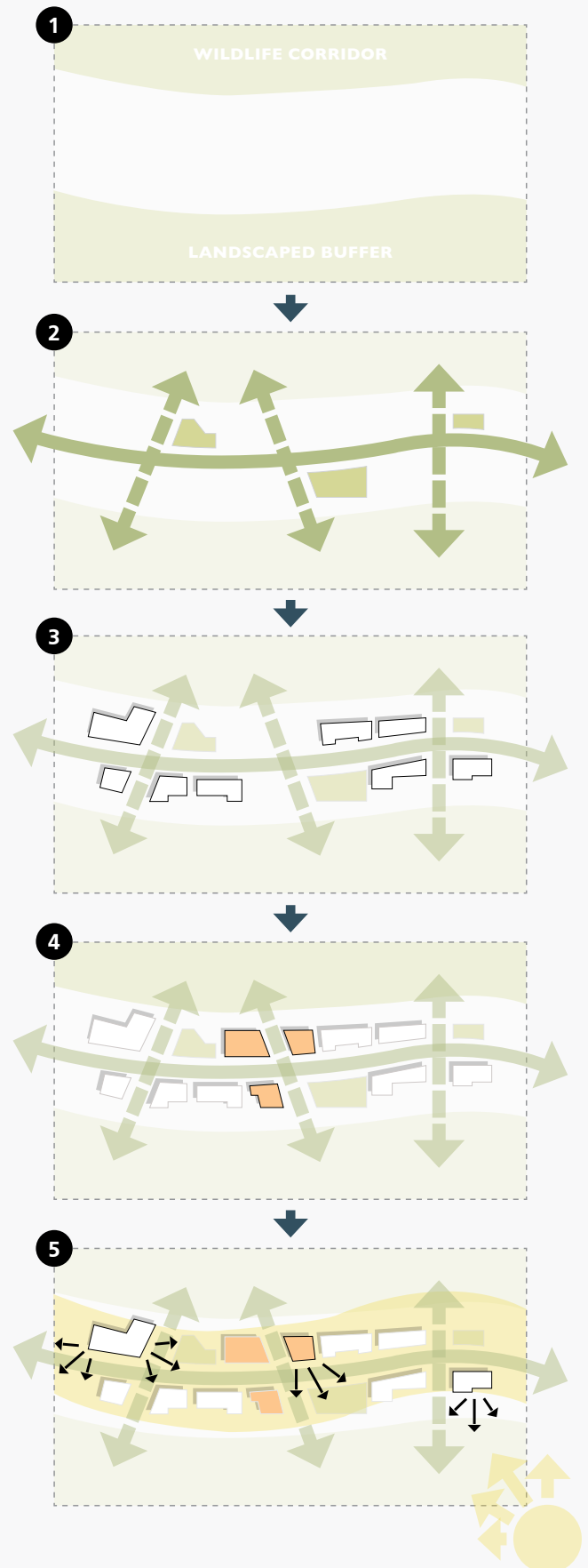
1. *Work with and respect nature*
2. *Connect people and places*
3. *Provide homes for residents*
4. *Create a walkable, mixed-use neighbourhood*
5. *Maximize views and access to sunlight*

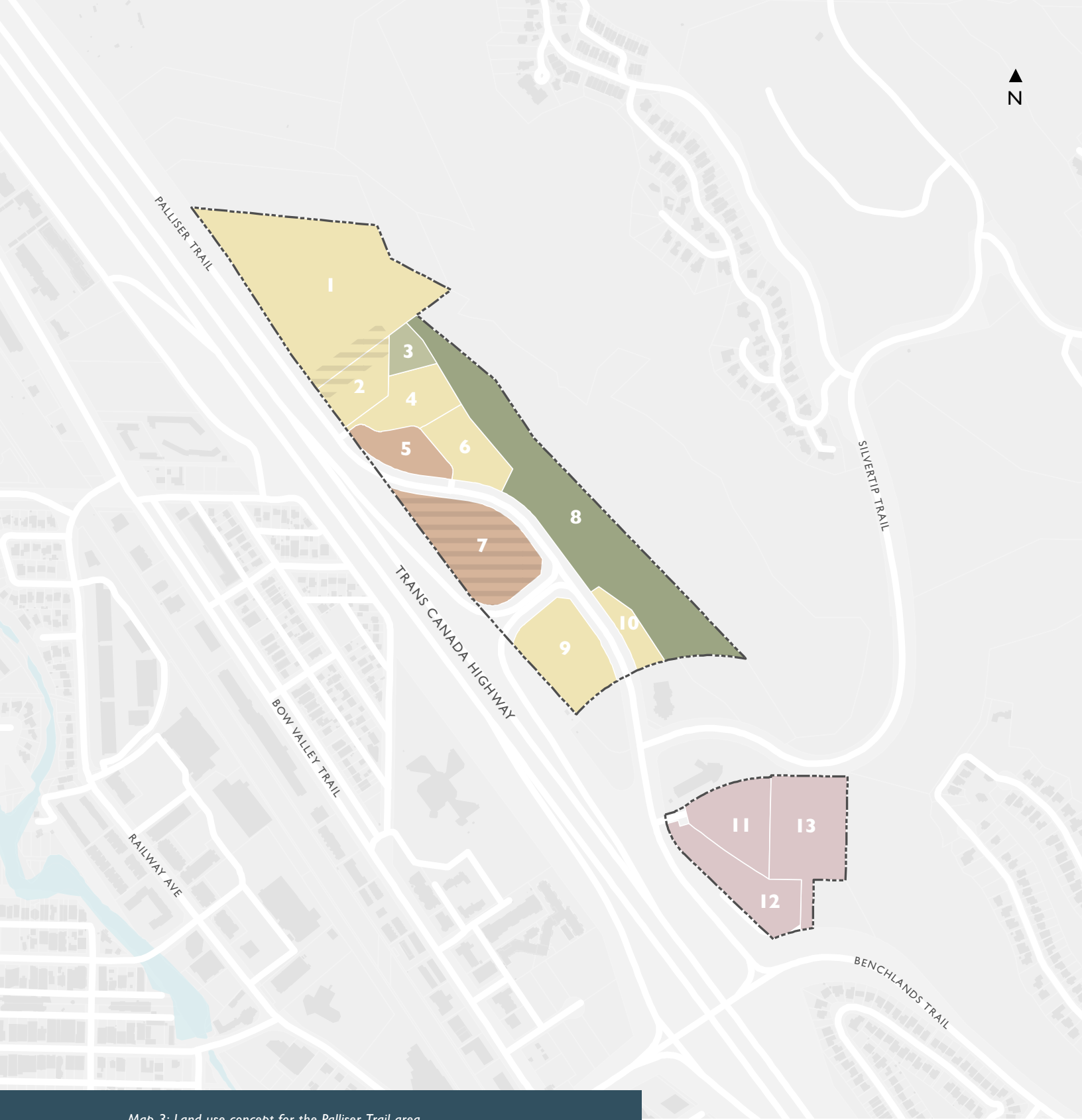
The land use concept categorizes parcels into different land use areas (Map 3), supported by several key transportation and public realm improvements (Map 4). Descriptions of each area and relevant land use policy are provided in Sections 3.2 to 3.4. Additional development policy is in Chapter 4.

The land use concept was designed to provide clear direction regarding anticipated land uses and building heights while also allowing for flexibility to respond to changing market conditions, provide public benefits, and achieve an enhanced urban design and public realm.

Locations shown on the following maps are approximate and may be refined through further planning, design, and future development.

Figure 2: Five guiding principles that, layered upon one another, informed the land use concept.











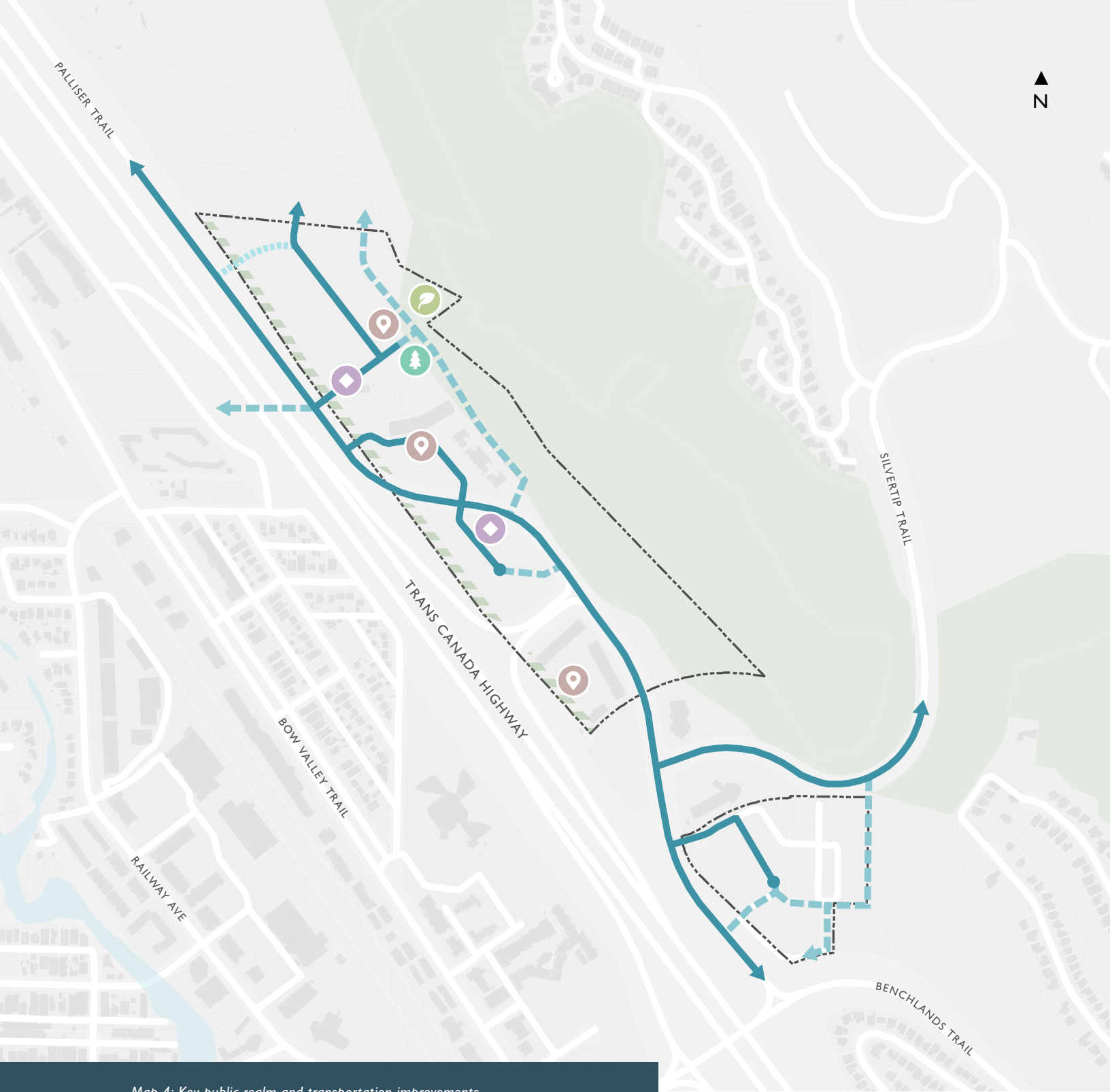


Map 3: Land use concept for the Palliser Trail area

Numbers identify sub-areas referenced in this plan.

LEGEND

- | | |
|---|---|
|  Residential (3 to 5 storeys) |  Civic uses (up to 6 storeys) |
|  Residential (up to 6 storeys) |  Conservation of Wildlands (Wildlife Corridor) |
|  Mixed-use (3 to 5 storeys) |  Park |
|  Mixed use (up to 6 storeys) |  Palliser Trail ASP boundary |



Map 4: Key public realm and transportation improvements

LEGEND

- Roadway with walking, cycling, and transit facilities (based on street classification)
- Pathway (walking and cycling connection)
- Secondary access for emergency/transit (pending timing of adjacent development)
- Lower Silvertip Wildlife Corridor
- Palliser Trail ASP boundary

- Plaza
- Open space opportunity
- Park space
- Expansion of protected wildlife corridor area
- Landscaped buffer

3.2 Residential Areas

The residential areas will provide high-quality, safe, and accessible housing options that offer a variety of housing types, sizes, and tenures to meet the needs of individuals and families across a range of incomes. The goal is to create a diverse and inclusive neighbourhood that fosters a sense of community and promotes the health and well-being of its residents.

Applicable sub-areas:



Policy

1. Residential areas will generally be accommodated as shown on Map 3.
2. Maximum building heights will be within the height ranges specified on Map 3.
3. All developments should generally align with the projections described in Section 3.5.
4. Residential will be the predominant use throughout the residential areas.
5. Commercial uses will be supported throughout the residential areas to provide flexibility, respond to community needs, and changing market conditions.
6. Low-impact civic uses that will not negatively impact the public realm or wildlife corridor may be considered in sub-area 10.
7. Other uses may be considered by the Approving Authority in limited locations so long as:
 - a) the minimum projections for residential units specified in Section 3.5 can be achieved; and,
 - b) the proposed uses are compatible with residential development and would not significantly compromise the livability of residential units.
8. A range of dwelling types must be provided throughout the residential areas to provide a balance between lower and higher density forms, such as townhomes and apartments.
9. The placement of lower and higher density forms within each sub-area must be informed by topography, solar access, views, proximity to transit, potential adjacency impacts, and the policies in Section 4.1.
10. A Conceptual Scheme will be required for sub-area 1:
 - a) prior to land use designation or subdivision; and,
 - b) will be prepared in accordance with the MDP and will include anticipated building envelopes, building orientation, use of existing treed areas within proposed parcels, view potential of future developments, parking, and landscaping design.

3.3 Mixed-Use Areas

The mixed-use areas will become an important gathering point for local residents, supporting the creation of a complete neighbourhood that provides access to significant commercial space, a mix of market and non-market affordable housing, a vibrant public realm, and public amenities—all within short walking distance.

Applicable sub-areas:



Policy

1. Mixed-use areas will generally be accommodated as shown on Map 3.
2. Maximum building heights will be within the height ranges specified on Map 3.
3. All developments should generally align with the projections described in Section 3.5.
4. A mix of commercial uses must be provided on a majority of the lower levels of mixed-use buildings with residential or other compatible uses located above.
5. A variety of commercial uses are desired. This could include retail, grocery, food and beverage, personal service, arts and entertainment, office, not-for-profit space, and/or institutional uses.
6. Where appropriate, commercial uses are encouraged on the second floor to further activate the public realm and provide additional opportunities for patio space and outdoor seating.
7. The use of patios, outdoor seating areas, and plazas are encouraged and should be designed for year-round use.
8. Developments exposed to the Trans-Canada Highway shall implement measures to ensure the livability of residential units, including strategic unit orientation and the use of higher-rated STC windows and construction on exterior walls facing the highway.
9. Along the southwestern portion of sub-area 7 where the parcel fronts the Trans-Canada Highway:
 - a) a continuous streetwall design will be provided to screen public areas from the highway; and,
 - b) a maximum of 4-5 storeys should be provided to help maximize views and solar exposure for public spaces and residential units.
10. Live/work studios are encouraged within mixed-use buildings.
11. Further subdivision will be considered by the Approving Authority. However, further subdivision will require more detailed concept planning with particular attention to building envelopes, building orientation, use of existing treed areas within development parcels, view potential, parking, and landscape design.

3.4 Civic Areas

The civic areas will help support the Town's operations both within and beyond the Palliser Trail area. A range of uses will be supported to ensure there is adequate space and facilities to meet the evolving needs of the community over the long-term.

Applicable sub-areas:



Policy

1. Civic use areas will generally be accommodated in the locations shown on Map 3.
2. Building heights are generally anticipated to be within the height ranges specified on Map 3 but may vary to accommodate specific uses or facilities.
3. A broad range of public and community-oriented uses are supported. This includes recreation facilities, office space, policing or fire facilities, or other uses necessary to support the provision of public services.
4. Using a portion of the existing Municipal Reserve (MR) parcel to the east should be considered to facilitate future development of civic uses.
5. The co-location of multiple uses, facilities, and amenities is strongly encouraged, including the provision of commercial uses on lower levels to activate Benchlands Trail and/or Palliser Trail.
6. Future development shall provide pedestrian access from Benchlands Trail and/or Palliser Trail.
7. The cemetery use will be retained in sub-area 13 and its expansion may be accommodated in sub-area 11.

3.5 Projections by Sub-area

The following table provides an overview of the projected intensification of each sub-area as identified in the land use concept (Map 3) and with consideration for the policies provided in this plan.

Sub-area	Residential Units		Non-market Affordable Housing Units (minimum percent of residential units)	Other Uses ^c	
	(minimum)	(maximum)		(minimum)	(maximum)
1	400	600	50%	250 sq. m	1,500 sq. m
2	50	150	100%	0 sq. m	500 sq. m
3 ^a	n/a	n/a	n/a	n/a	n/a
5	50	150	100%	n/a	n/a
7	250	350	100%	2,000 sq. m	4,000 sq. m
8 ^a	n/a	n/a	n/a	n/a	n/a
10	0	50	100%	0 sq. m	2,000 sq. m
11 ^a	n/a	n/a	n/a	n/a	n/a
12 ^a	n/a	n/a	n/a	n/a	n/a
13	0	0	n/a	5,000 sq. m	12,500 sq. m
Total	750	1,300	75% ^d	7,250 sq. m	20,500 sq. m
Developed sub-areas^b					
4	97	97	0%	0 sq. m	0 sq. m
6	60	60	100%	0 sq. m	0 sq. m
9	148	148	27%	0 sq. m	0 sq. m
Total	305	305	32%	0 sq. m	0 sq. m

^a Site not identified for future development.

^b Sub-areas developed in accordance with the original Palliser Trail ASP (2000). Numbers reflect the constructed total and are included for reference.

^c Numbers in this column reflect gross floor area and are estimates only (informed by a Retail Gap Analysis, industry targets for supportable retail and office floor area per capita, and building massing explorations). Future development will be assessed for consistency with policies within the plan and may provide more or less floor area for other uses than the anticipated range.

^d Percent of residential units anticipated to be provided as non-market affordable housing. Percentage calculated assuming each sub-area provides median number of units between minimum and maximum values.

04

DEVELOPMENT POLICY

This section provides guiding policy in several topic areas to ensure future development supports the vision, goals, and objectives of the plan and aligns with the Town's strategies and bylaws.

4.1 Urban Design

Intent

To promote the creation of a functional, attractive, and livable built environment that supports public life and complements the unique location and mountain setting of the Palliser Trail area. These policies are supplemental to Section 11: Community Architectural & Urban Design Standards of the Land Use Bylaw.

Policy

Public Realm

1. The identified public realm opportunities will be implemented as generally shown on Map 4.
2. The open space network will be expanded throughout the plan area consistent with the policies provided in Section 4.6.
3. A vibrant public realm will be created that reflects the unique character of each sub-area:
 - a) Mixed-use and civic areas will incorporate hardscaping, public art elements, plazas, and material choices that support higher levels of activity in the mixed-use areas.
 - b) Residential areas will emphasize softscaping elements, pathways, open spaces, and naturalized landscaping that foster a sense of respite and connection to nature.
4. Public spaces should incorporate weather protection elements and be designed to support year-round use.
5. Privately owned open spaces that allow for public use, such as plazas, expanded streetscapes, green spaces, and pedestrian connections will be supported.
6. Plazas should be at least 300 sq. m and designed with visual and physical openness and active edges (e.g., patios, retail entrances).
7. Furnishings, such as tables and seating, shall be provided at appropriate locations throughout the area.
8. Exterior lighting must be kept to a pedestrian scale, downward focused, and orientated away from the Lower Silvertip Wildlife Corridor.
9. Signage directly orientated to or legible from the Trans-Canada Highway will not be allowed.

Building Siting & Design

10. Building form and architectural detailing will reflect a mountain aesthetic that incorporates earthy tones, natural materials and textures, and sloping rooflines.
11. High-quality architectural design and materials must be used for all development in response to the area's prominent location and visibility from the Trans-Canada Highway.
12. Existing topography and natural features must inform site planning to support the creation of intriguing view corridors from public spaces.
13. Buildings on sloped sites shall use slope adaptive techniques to limit terrain modification, reduce visual impact, and create more effective access points.
14. A varied streetscape will be created and achieved through assorted building forms, heights, terracing, orientation, density, and architectural detailing (Figure 3).

15. Building siting, orientation, and design must:
 - a) optimize sunlight exposure and the creation of views from both the private and public realm;
 - b) reduce privacy impacts on existing buildings and maximize privacy for new units; and,
 - c) mitigate noise pollution from the Trans-Canada Highway through various strategies (e.g., additional sound proofing, strategic building orientation, or the use of single-loaded corridors).
16. Where new buildings are proposed adjacent to existing residential buildings at the time of ASP adoption, design measures must be used that reduce impacts on privacy, views, and solar exposure.
17. To ensure safety guidelines for development adjacent to the overhead power lines are met, no portion of a building will be permitted within 5.2 metres of the existing powerline right of way unless a reduced setback is deemed appropriate through consultation with AltaLink.
18. Buildings shall incorporate universal design principles to ensure they are accessible and inclusive for people of diverse abilities and needs.
19. At-grade residential units must create active edges with the street through the use of patios, windows, entrances, and landscaping.
20. Market and non-market housing must be indistinguishable and distributed in a manner that ensures equitable access to amenities, views, sunlight, quietness, and open spaces.
21. Commercial unit frontages should:
 - a) be human-scaled and not exceed 15 metres in width;
 - b) provide space for patios and outdoor merchandising;
 - c) wrap building frontages on street corners; and,
 - d) provide continuous weather protection.
22. A mix of public benefits, including daycare facilities, will be provided throughout the plan area proportionate to the scale and impact of proposed development. Incentives or relaxations will be considered to facilitate the provision of public benefits.
23. A landscaped buffer must be provided within designated parcels as generally shown on Map 4 and must:
 - a) use native species suitable for year-round visual screening and noise buffering; and,
 - b) be a minimum of 12 metres in depth in residential areas and 8 metres in depth in mixed-use areas. The depth of the buffer may be reduced at the discretion of the Approving Authority if it unnecessarily constrains a development and when alternative screening measures are utilized.

Figure 3: Conceptual illustration showing a desired variation in building forms and heights, with interspersed open spaces that receive sunlight.



Residential Areas

The following images demonstrate what the different land use areas could look like in the future and are for illustrative purposes only.



Mixed-Use Areas



Civic Areas



4.2 Housing

Intent

To create a more diverse and equitable neighbourhood with a range of housing types, tenures, and forms dispersed throughout the plan area.

Policy

1. New residential development shall provide options across the housing spectrum that target a range of individuals and income levels. This includes a mix of rental and ownership housing, and a diverse selection of unit types and sizes.
2. Short-term rentals shall be prohibited throughout the plan area to ensure new housing units are created for residents.
3. At least 75% of all residential units within the Palliser Trail area will be secured as non-market affordable housing. Targets for each sub-area are provided in Section 3.5.
4. In accordance with the *Municipal Development Plan*, the purchase price or rental rates of non-market affordable housing units will be at below-market values and secured for the life of the building through a legal mechanism to the satisfaction of the Town.
5. Accessory Dwelling Units are encouraged within lower-density building forms, such as townhomes.
6. Live/work studios are encouraged throughout the plan area in support of the *Cultural Master Plan*.



4.3 Green Development

Intent

To promote environmentally sustainable design within the Palliser Trail area that reduces impacts on natural resources and creates a more resilient neighbourhood that supports the goals of the Climate Action Plan and MDP.

Policy

1. In alignment with the recommendations of the *Climate Action Plan*, municipal and non-market affordable housing buildings shall:
 - a) achieve near net zero emissions or a similar high green building standard, which should include combined heat and power or district energy systems;
 - b) be constructed to be solar ready with building and roof orientations suitable for rooftop and siding solar options; and,
 - c) provide the infrastructure necessary to support the transition to widespread electric vehicle adoption.
2. Incentives or relaxations for other forms of development will be considered to achieve the design standards specified in Policy 4.3.1.
3. Strategies should be used to manage water on-site where appropriate and when building and plumbing codes permit. This includes green roofs, purple pipe rainwater reuse systems, and Low Impact Development (LID) treatments.
4. New development shall incorporate design strategies that reduce energy consumption and support the affordability of residential units by reducing ongoing maintenance or operating costs. This should include strategic tree retention or landscaping, building or unit orientation, and seasonal solar exposure.

Additional policy is provided in Section 4.4 (Environment & Ecology).

4.4 Environment & Ecology

Intent

To support environmentally sensitive development within the plan area that minimizes ecological impact and supports the goals of the Environmental Sustainability Action Plan and the recommendations of the Long-term Management Plan for the Lower Silvertip Wildlife Corridor.

Policy

1. New development is prohibited within the boundaries of the Lower Silvertip Wildlife Corridor, as generally shown on Map I.
2. The Lower Silvertip Wildlife Corridor will be expanded and protected by requiring any portion of land that falls within its boundaries, as shown on Map I, to be dedicated as Conservation Reserve, Environmental Reserve, or protected through a Conservation Easement at time of subdivision.
3. Developments immediately adjacent to the Lower Silvertip Wildlife Corridor shall:
 - a) set back building envelopes a minimum of 20 metres from the boundary of the wildlife corridor, as shown on Map I;
 - b) leave the set back in a naturalized state as appropriate, with the exception of vegetation management as required to reduce fire risk;
 - c) use informal, naturalistic planting;
 - d) be designed to protect, wherever possible, existing vegetation along the wildlife corridor boundary; and,
 - e) demonstrate alignment with the recommendations of the *Long-term Management Plan for the Lower Silvertip Wildlife Corridor*.
4. The long-term use of existing trails through this area will be informed by the *Open Space and Trails Plan* and the *Long-term Management Plan for the Lower Silvertip Wildlife Corridor*.
5. Landowners will be required to provide wildlife fencing in a manner consistent with the recommendations of the *Long-term Management Plan for the Lower Silvertip Wildlife Corridor*.
6. Site planning shall incorporate the recommendations from BCEAG's Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley and the *Long-term Management Plan for the Lower Silvertip Wildlife Corridor* that are applicable to development. In cases where the recommendations may conflict with policy within this plan, the policies of this plan apply.
7. Exact boundary locations for future Environmental Reserve or Conservation Reserve will be established at the time of subdivision and land use redesignation.
8. The environmental effects of development must be minimized and mitigation actions, such as controls for erosion and contaminated discharge, should be implemented to reduce impacts during construction.

-
9. All new planting must use native, non-fruit bearing plant species with low water use requirements. Monocultures will be avoided.
 10. As Douglas Fir are native to the Palliser Trail area and offer fire resistant characteristics, all developments shall:
 - a) preserve and incorporate existing mature Douglas Fir tree stands into site design; and,
 - b) use Douglas Fir as one of the tree species in new plantings.
 11. Landscape plans must incorporate FireSmart planting principles and utilize plant species recommended by WildSmart.
 12. Developments shall be required to adhere to the applicable policies provided in the MDP regarding wildfire risk.



4.5 Open Spaces & Recreation

Intent

To expand and improve access to the open space network within the Palliser Trail area in alignment with the *Open Spaces and Trails Plan*, *Recreation Master Plan*, and *MDP*.

Policy

1. New open space areas will be created throughout the Palliser Trail area on private and public lands. These areas shall include, but are not limited to, the opportunities identified on Map 4.
2. The location, size, type, and configuration of open space areas will be informed by the *Open Spaces and Trails Plan* and the *Recreation Master Plan*.
3. Open space areas will be connected by pathways, trails, and roadways as appropriate. New pathways and trails should consider the conceptual alignments provided in the *Long-term Management Plan for the Lower Silvertip Wildlife Corridor*.
4. Playground facilities, designed in collaboration with the Town of Canmore, will be required in sub-areas 1, 5, and 9.
5. MR location and distribution will be established at time of Conceptual Scheme preparation in consultation with the Town of Canmore and considering, but not bound by, the public realm opportunities identified on Map 4.
6. Sub-area 1 shall provide a 10% allocation toward MR. Preferential locations may include adjacent to sub-area 3 to facilitate the co-location of a small neighbourhood park or recreation uses.
7. The Town will provide an off-leash dog park in the existing MR parcel as identified in sub-area 3 (Map 3), and will explore opportunities to integrate a neighbourhood park within this MR parcel or on lands dedicated from sub-areas 1 or 2.

05

TRANSPORTATION & SERVICING

This section provides policies to ensure the creation of a more equitable and resilient multi-modal community that prioritizes sustainable choices and the efficient provision of critical infrastructure.

5.1 Transportation & Mobility

Intent

To provide for a safe, convenient, and sustainable transportation network that supports the goals and mode share targets of the Town's Integrated Transportation Plan (ITP), aligns with the results of the Transportation Impact Assessment, and contributes to the overall affordability of living in the Palliser Trail area.

Policy

1. An integrated, multi-modal transportation network will be provided as generally shown on Map 4.
2. The design and layout of roadways and pathways must be consistent with the *Engineering Design and Construction Guidelines (EDCG)* and *ITP*, and be a primary consideration in the design of future subdivisions.
3. Pedestrian connectivity will be improved throughout the neighbourhood with linkages to key destinations, open spaces, and authorized trails as identified in the *Long-term Management Plan for the Lower Silvertip Wildlife Corridor*.
4. Pedestrian, cycling, and transit facilities will be developed along Palliser Trail in accordance with the *EDCG*.
5. A connection for walking and cycling will be provided across the Trans-Canada Highway to improve safety, achieve mode-share targets, and support commercial development in the Palliser Trail area.
6. The transportation network will be designed to meet accessibility guidelines for all ages and abilities. For locations where this is not possible, alternative connections shall be provided.
7. Curvilinear streets and sidewalks should be used to minimize grades and improve walkability.
8. An Activity Street will be provided in sub-area 7 that supports walkability, safety, and the provision of significant public space.
9. Additions to the transportation network will be designed to efficiently integrate with the broader network outside the Palliser Trail ASP area.
10. Quality transit service will be provided at the outset of new development and in support of parking and transportation policy.
11. The Town will develop and implement effective transportation and parking strategies that align with the *Integrated Parking Management Plan*, the recommendations of the *Parking Opportunities Assessment* and *Transportation Impact Assessment*, and the Town's affordability and climate action goals, including the:
 - a) removal of minimum parking requirements to prevent the oversupply of parking;
 - b) regulation of on-street parking supply, including timing, usage, and pricing controls that reduce subsidies and optimize the supply of parking;
 - c) provision of user information tools that support the utilization of parking spaces; and,
 - d) improvement and expansion of active transportation infrastructure.
12. All new development shall prepare and implement an integrated parking management strategy that:
 - a) unbundles the supply and cost of parking from residential units;
 - b) provides shared parking facilities between uses (e.g., residential and commercial) or multiple buildings;
 - c) supports the provision of carshare services by dedicated parking spaces for this use;
 - d) addresses potential overflow or spillover parking problems, including demand during peak periods and enforcement of unauthorized parking on private property; and,

- e) utilizes other tools, as appropriate, to support affordability, climate action, and the goals of the *ITP* and *Integrated Parking Management Plan (IPMP)*.
13. A district-scale approach to parking management will inform the Conceptual Scheme or Subdivision phase of planning.
 14. Residential parking must be located underground or within building envelopes and accessed from the lane to support an enhanced public realm.
 15. Surface parking will be permitted for lower-density buildings, such as townhouses, where residential parking spaces can be accommodated within driveways or a limited number of surface parking stalls.
 16. Surface parking, or a combination of underground and surface parking, may be considered for higher-density development at the discretion of the Town if:
 - a) unforeseen circumstances or geophysical constraints necessitate surface parking; or,
 - b) the extent of land required for surface parking is deemed to be minimal and will not adversely impact the public realm.
 17. Where surface parking is provided, the parking area must:
 - a) be located at the rear or side of buildings and screened from the street or public spaces with landscaping; and,
 - b) incorporate LID treatments such as bioswales and permeable pavement to reduce peak flows and improve water quality.
 18. Traffic-calmed street designs will be implemented in a manner consistent with the *EDCG* to reduce traffic speeds and enhance pedestrian safety.
 19. The Town will request improvements to the Trans-Canada Highway that improve safety, livability, noise, and wildlife protection in the Palliser Trail area through measures such as reduced maximum speed limits, noise barriers, landscaping, or wildlife fencing.
 20. Transportation planning and design will be in a manner consistent with the *ITP*, *EDCG*, and *IPMP* unless otherwise approved or specified by the Town.



5.2 Servicing

Intent

To support an integrated water management approach for the Palliser Trail area and the efficient provision of water and sanitary services.

Policy

1. Subdivisions shall apply an integrated water management approach to overall site design that supports the sustainable management of water resources and the integration of green infrastructure in the public realm.
2. Stormwater runoff must be managed through infiltration. Each development parcel shall host facilities to fully manage runoff on-site up to the 1:100 year event.
3. Naturalized methods, such as natural wetlands and bioswales, should be used to mitigate effects of stormwater runoff and contribute to the overall design of the public realm.
4. Utility rights-of-way, easements and public utility lots should be provided to accommodate municipal utilities where appropriate.
5. All development within the Palliser Trail area will be serviced with municipal water and sanitary sewer.
6. The location, size and general standards of these services will be in conformity with the *EDCG* unless otherwise approved by the Engineering Department.
7. Stormwater management plans will be required for each parcel at the Development Permit stage, including geotechnical studies to assess infiltration capacity and groundwater levels.
8. Provision must be made through the Palliser Trail area for the extension of utility services to service areas to the west.
9. Shallow utilities will be accommodated in a municipal road right of way or within a shallow utility right of way on private property.

06

IMPLEMENTATION

The vision, goals, and objectives of the Palliser Trail Area Structure Plan will be implemented and realized over a period of 10 to 20 years.

This section provides information on the anticipated phasing of development and next steps for Town Administration.

6.1 Plan Implementation

Intent

To provide a general framework for implementation of the plan.

Policy

1. Amendment(s) to the *Land Use Bylaw* and/or the *MDP* may be required to facilitate the forms of development identified in this plan.
2. Standard Town procedures for subdivision and permits in accordance with the *MGA* will apply.
3. Subject to the provisions of the *MGA*, all new developments may be required to:
 - (a) dedicate and construct new public rights-of-way, incorporating the appropriate treatments and design standard;
 - (b) reconstruct public rights-of-way adjacent to the development, incorporating appropriate treatments and design standard; and/or,
 - (c) provide land for public open spaces in accordance with this plan and other Town plans and bylaws.
4. Portions of land are within the Stoneworks Creek Hazard Zone (Map 5). A planned mitigation project is intended to address moderate and localized high/extreme hazard zones within the developable lands to protect existing and accommodate future development. Future development will require consideration of residual hazards and risks, as outlined in the *Land Use Bylaw* and *EDCG*.

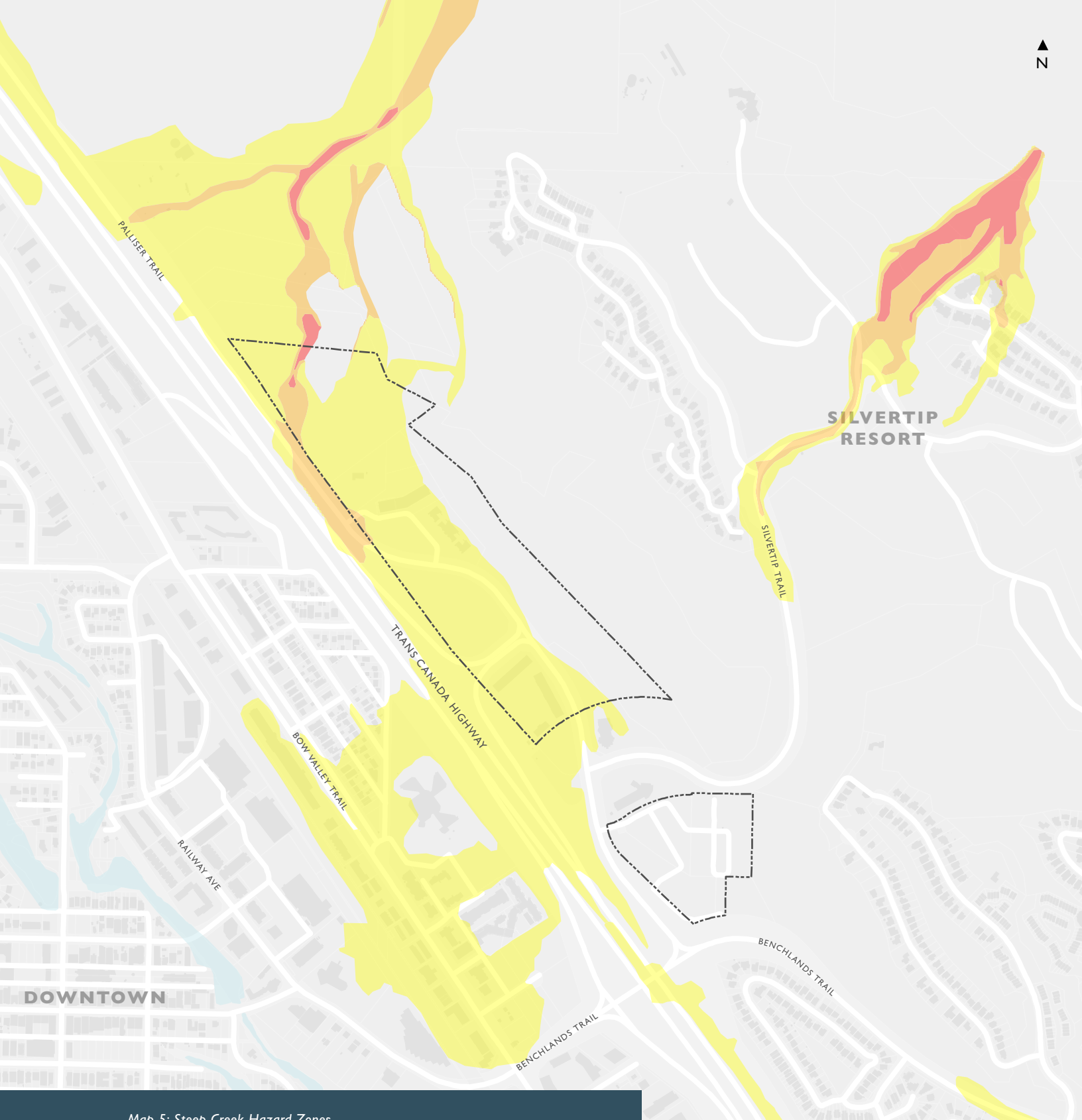
6.2 Development Phasing

Intent

To provide greater certainty regarding the anticipated phasing of development in the Palliser Trail area with respect to the efficient provision of municipal infrastructure, public services, and amenities.

Policy

1. The conceptual phasing plan for Palliser Trail is provided on Map 6.
2. Development in the Palliser Trail area should generally occur in a logical sequence that reflects the availability and extension of the required infrastructure.
3. The phasing of development may vary from the conceptual phasing plan so long as the proposed development is otherwise in alignment with policy.

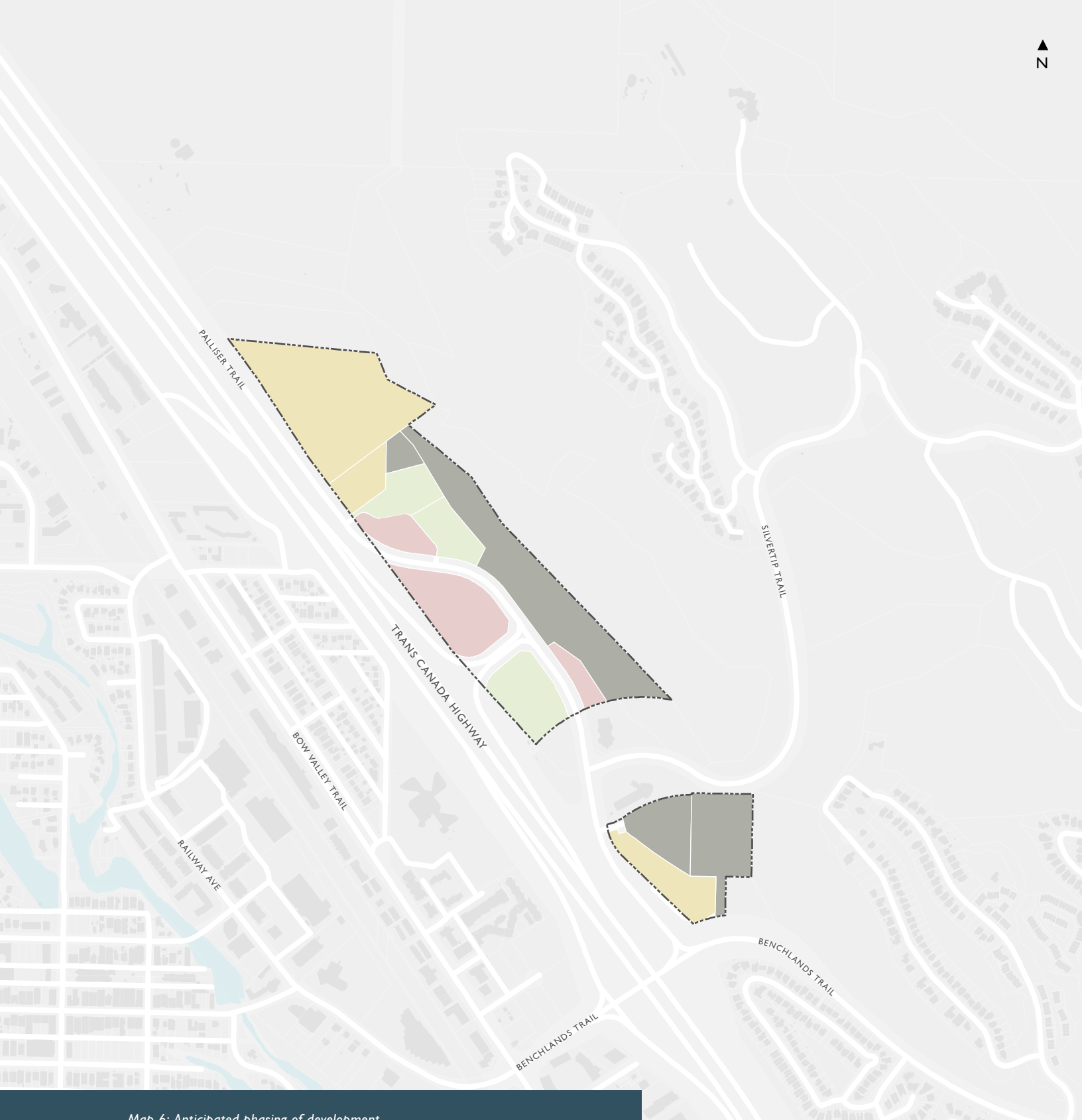


Map 5: Steep Creek Hazard Zones

LEGEND

- Extreme/High
- Medium
- Low

Palliser Trail ASP boundary

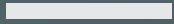


Map 6: Anticipated phasing of development

LEGEND

- | | |
|---|---|
|  Phase 1 |  No Development Anticipated |
|  Phase 2 |  Palliser Trail ASP boundary |
|  Completed | |

A



APPENDIX

This section provides supplementary materials relevant to the plan.

A.1 Glossary of Terms

The definitions below are provided for terms referenced within this plan that may not be defined in the Municipal Development Plan, Land Use Bylaw, or other statutory document, or in cases where the interpretation of the term in this plan warrants further explanation. For convenience, terms defined in the glossary are underlined the first time they appear within body text on a page.

Approving Authority

The designated body or individual responsible for granting approvals, subdivisions, or permissions related to land use, development, or construction projects as the context implies.

Area Structure Plan (ASP)

A statutory, high-level land use plan as defined in the MGA that provides an area specific framework for future subdivision and development. It identifies a conceptual layout for general land uses, utility infrastructure, roads, public spaces and recreation.

Low Impact Development (LID) tools

A set of design and management practices that aim to minimize the environmental impact of land development and improve the overall sustainability of the built environment. LID tools are designed to mimic the natural hydrologic functions of the site and promote the use of green infrastructure to manage stormwater runoff.

Municipal Development Plan (MDP)

A comprehensive strategic document that outlines the long-term vision, goals, and policies for guiding the physical, social, and economic development of a municipality or local government jurisdiction. For the purposes of this plan, it refers to the Town of Canmore's Municipal Development Plan.

Municipal Government Act (MGA)

A legislative framework that governs the establishment, organization, powers, and duties of municipalities in the province, providing guidelines for local governance and decision-making.

Mixed-use

While the MDP provides a definition for mixed-use, for the purposes of this plan it refers to development where two or more uses are provided within the same building, where at least one of those uses is residential.

Near net zero

A building with low energy usage such that it approaches the annual energy consumption of Net Zero Energy buildings, and, with additional measures, could produce nearly as much renewable energy as it uses on an annual basis. A near net zero building should meet or exceed Tier 4 (60% reduction in energy consumption) of the National Energy Code of Canada for Buildings (2020) and be designed to be solar-ready.

Non-market affordable housing

As defined in the *Municipal Development Plan* and updated from time to time.

Open space

A publicly accessible area designed or preserved for recreational, environmental, or aesthetic purposes. These spaces can include parks, plazas, or other undeveloped or landscaped areas that contribute to the overall livability and quality of the urban environment and public realm.

Plaza

A pedestrian-oriented open space designed for public interaction, social gatherings, recreation, and community events, often featuring elements such as seating, landscaping, public art, and amenities to enhance the public realm and overall urban experience.

Privately owned open spaces

Land or areas, such as plazas and pedestrian connections, that are owned and maintained by individuals, organizations, or entities in a non-public capacity but are accessible to the public for recreational, aesthetic, or leisure purposes.

Public benefit

A facility, service, or feature that is provided and accessible to the general public, enhancing quality of life and contributing to the well-being of the community.

Public realm

The space around, between and within buildings that are publicly accessible, including streets, plazas, parks and open spaces.

Tenure

The legal or contractual rights and arrangements that determine the occupancy status of a building, such as ownership, co-operative, leasehold, or rental agreements.



Planning & Development Department
902 7th Avenue, Canmore, AB



Request for Decision

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

TO: Council

SUBJECT: Bylaw Enforcement Officer Bylaw

SUBMITTED BY: Caitlin Miller, Manager of Protective Services

RECOMMENDATION: That Council give first reading to Bylaw Enforcement Officer Bylaw 2023-29.

That Council give second reading to Bylaw Enforcement Officer Bylaw 2023-29.

That Council give leave to go to the third reading of Bylaw Enforcement Officer Bylaw 2023-29.

That Council give third reading to Bylaw Enforcement Officer Bylaw 2023-29.

EXECUTIVE SUMMARY

Bylaw Enforcement Officer Bylaw 22-2006 was originally passed in 2006 and is due for review. If approved, Bylaw 2023-29 will replace the 2006 version, which will be repealed. The changes are generally administrative in nature and will not change the appointments or powers for those conducting bylaw enforcement with the Town of Canmore. The changes will modernize the bylaw and make it consistent with more recent bylaws. The draft bylaw does add the ability for the chief administrative officer to appoint inspectors for the *Weed Control Act* and the *Agricultural Pests Act* to be in alignment with these provincial enactments, closing a gap in the current bylaw.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Municipal Government Act Section 542 – the powers and duties of a designated officer to conduct inspections, remedies or enforcement required.

Municipal Government Act Section 545 and 546 – the powers and duties of a designated officer to issue written orders for unsightly or dangerous properties.

Municipal Government Act Section 549 – the powers to remedy a contravention or prevent a recurrence of a contravention of the *Municipal Government Act*, an enactment that the municipality is authorized to enforce, or a municipal bylaw.

Municipal Government Act Section 550 – power to take whatever actions or measures necessary to eliminate a danger to public safety caused by a structure, excavation, or hole or to deal with the unsightly condition of a property.

Municipal Government Act Section 551 – power to take whatever actions or measures necessary to eliminate an emergency.

Municipal Government Act Section 645 – power to issue written orders regarding a development, land use or use of building is not in accordance with the *Municipal Government Act*, the municipality’s land use bylaw, or the development permit or subdivision approval.

Municipal Government Act Section 645 and 687(3)(d) – power to take actions or measures to carry out a written order.

Provincial Offences Procedure Act – power to grant written authorization to issue violation tickets.

Agricultural Pests Act – the local authority must appoint inspectors to properly enforce this act.

Weed Control Act – the local authority must appoint inspectors to properly enforce this act.

Trespass to Premises Act – the power to issue notices not to trespass.

Bylaw Enforcement Officer Bylaw 22-2006 – The municipal bylaw being repealed and replaced by this proposed bylaw.

DISCUSSION

Bylaw Enforcement Officer Bylaw 22-2006 was originally passed in 2006 and is due for review. The changes are generally administrative in nature and will not change the appointments or powers for those conducting bylaw enforcement with the Town of Canmore. Instead, the changes will modernize the bylaw and make it consistent with new templates, definitions, and processes that are used in more recent bylaws. While the overall look of the bylaw has changed significantly, the content updates are generally immaterial, and the draft bylaw continues to provide the chief administrative officer with the same powers as the current bylaw when it comes to appointing bylaw enforcement officers for the Town of Canmore while also giving them the ability to appoint inspectors to enforce the *Weed Control Act* and the *Agricultural Pests Act*.

Who enforces bylaws within the Town of Canmore?

While several different staff have been appointed to enforce specific bylaws, staff in the Municipal Enforcement Department are often the first that come to mind when people think about bylaw enforcement. There are two types of officers in this department: community peace officers and municipal enforcement officers.

Community peace officers are appointed by the chief administrative officer, or designate, to enforce the bylaws enacted within the municipality and are also authorized to act as peace officers employed by the Town of Canmore. The peace officer program is a provincial program governed by the *Peace Officer Act* and accompanying regulations. Community peace officers employed by the Town of Canmore can enforce not

only municipal bylaws that are on their appointment, but also provincial statutes or enactments that are on their appointments. Provincial statutes and enactments include, but are not limited to, the *Traffic Safety Act*, the *Animal Protection Act* and the *Gaming, Liquor, and Cannabis Act*. Community peace officers are bound not only by the code of conduct and policies established by a municipality, but also by the parameters of the Alberta peace officer program. To become a community peace officer, employees must attend the Community Peace Officer Induction Program, a six (6) to eleven (11) week training program where they learn the skills needed to perform their duties safely and appropriately. The length of the program is dependent on which agency is offering the training and there are usually only 2-3 courses offered per year.

Municipal enforcement officers (commonly known as Parking Ambassadors) are designated bylaw enforcement officers who have appointments specific to the Town of Canmore's Traffic and Road Use Bylaw. These employees are mainly responsible for enforcing the bylaw related to the paid parking program but can also address other contraventions of the Traffic and Road Use Bylaw. These employees are trained in-house and must follow Town of Canmore policies and procedures.

In addition to these officers, there are other members of administration who are appointed as bylaw enforcement officers for specific bylaws. Examples include members of the Planning & Development Department who are appointed to enforce the Land Use Bylaw, or the utility coordinator who is appointed to enforce the Water Bylaw. They often work in conjunction with the Municipal Enforcement Department to ensure consistency of approach and to have additional support should enforcement action be taken.

What has been removed?

One notable change is the removal of the bylaw enforcement officer code of conduct and that related complaints be directed to the manager of human resources. Instead, simpler wording is included to require all bylaw enforcement officers to follow Town of Canmore policies and procedures and the chief administrative officer or designate has the power and duty to monitor and investigate complaints of misuse of power by bylaw enforcement officers. The provincial Peace Officer Program Manual has specific procedures that are outlined in the *Peace Officer Act* that must be followed should there be a complaint filed against a peace officer by either an employer or a member of the public. The Town of Canmore has a responsibility to follow those procedures should any concerns be raised. In addition, the Town of Canmore has performance management and disciplinary tools and guidelines that are used across the organization. Outlining a complaints and disciplinary measure policy within the bylaw is extraneous and contradictory of provincial acts and current human resources practices. Additionally, the specifics regarding uniforms have been removed as the uniforms of the community peace officers are dictated by the province and not all bylaw enforcement officers wear uniforms (for example: Planning & Development enforcement or Water Bylaw enforcement officers). These changes allow for the Town of Canmore to adhere to provincial policies and programs without being in contravention of its own bylaw.

What has been added?

The Town of Canmore, as a local authority, has the duty to appoint weed and agricultural pests inspectors. Currently, we do not have a bylaw that governs the appointment of weed and agricultural pests inspectors, the proposed bylaw addresses this gap. Not all bylaw enforcement officers will become weed and agricultural pests inspectors and these inspectors will be appointed on an as needed basis.

The powers and duties of bylaw enforcement officers have been revised to be clearer and include specific functions that are outlined under the *Municipal Government Act*.

While the complaint and disciplinary measures were removed from the bylaw, specifics around the review of a bylaw enforcement officer appointment and how an officer may appeal a decision have been added. The bylaw focuses on the appointment itself and, unlike the previous bylaw, does not dictate the performance management process when a complaint is lodged against a bylaw enforcement officer. This change separates performance management from the bylaw enforcement officer appointment, providing a cleaner bylaw that will not require updates as internal or provincial complaint processes evolve.

ANALYSIS OF ALTERNATIVES

Administration considered whether the current bylaw should be simply revised instead of repealed. Due to the significant number of changes required to modernize the bylaw, the removal of the human resources procedures, the addition of the appointment of weed and agricultural pest inspectors, and the use of a current template, administration is recommending that Council repeal *Bylaw Enforcement Officer Bylaw 22-2006* and approve a new bylaw.

FINANCIAL IMPACTS

None

STAKEHOLDER ENGAGEMENT

Internal stakeholders were consulted during the creation of this bylaw. The need to remove performance management from the Bylaw Enforcement Officer Bylaw was identified by the Manager of Human Resources. The gap regarding the appointment of weed and agricultural pest inspectors was identified by the Supervisor of Parks. The Managers of Public Works and Planning and Development were informed of the proposed bylaw update. The Municipal Clerks Office was consulted during the development of the bylaw.

ATTACHMENTS

- 1) Bylaw Enforcement Officer Bylaw 2023-29
- 2) Bylaw Enforcement Officer Bylaw 22-2006

AUTHORIZATION

Submitted by:	Caitlin Miller Manager of Protective Services	Date: <u>August 15, 2023</u>
Approved by:	Scott McKay General Manager Municipal Services	Date: <u>August 15, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>August 28, 2023</u>

BYLAW 2023-29

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,
RESPECTING THE APPOINTMENT OF BYLAW ENFORCEMENT OFFICERS AND
SETTING OUT THE POWERS AND DUTIES OF BYLAW ENFORCEMENT
OFFICERS**

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 “Bylaw Enforcement Officer Bylaw.”

INTERPRETATION

- 2 In this bylaw:
 - a) “Violation Tag” means a municipal tag or similar document issued by a peace officer in relation to an offence under this bylaw;
 - b) “Violation Ticket” means a ticket issued pursuant to the *Provincial Offences Procedures Act*, as amended, and the regulations thereunder;
- 3 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.

ROLE OF THE CHIEF ADMINISTRATIVE OFFICER

- 4 The chief administrative officer is authorized to
 - a) appoint individuals as bylaw enforcement officers,
 - b) revoke, suspend, or modify the appointments of bylaw enforcement officers,
 - c) monitor and investigate complaints of misuse of power by bylaw enforcement officers,
 - d) add any amounts owing to the Municipality to a tax roll in accordance with sections 553(1)(c) and 553(1)(g.1) of the *Municipal Government Act* as amended,
 - e) grant written authorization to issue Violation Tickets under the *Provincial Offences Procedure Act* as amended, and
 - f) authorize or require bylaw enforcement officers to carry out any powers, duties, or functions necessary to fulfill their responsibility for the preservation and maintenance of public peace.

Bylaw approved by: _____

Page 1 of 4

POWERS AND DUTIES OF BYLAW ENFORCEMENT OFFICERS

- 5 Subject to the limitations of their appointment by the chief administrative officer, bylaw enforcement officers are authorized to
- a) issue Violation Tags and/or Violation Tickets for offences under bylaws,
 - b) carry out any inspections to determine compliance with any bylaw or enactment,
 - c) exercise all the powers, duties, and functions of a designated officer to conduct any inspections, remedies, or enforcement authorized or required by a bylaw or enactment in accordance with section 542 of the *Municipal Government Act* as amended,
 - d) exercise all the powers, duties, and functions of a designated officer to issue written orders pursuant to section 545 and 546 of the *Municipal Government Act* as amended,
 - e) take whatever actions or measures are necessary to remedy a contravention or prevent a re-occurrence of a contravention of the *Municipal Government Act* as amended, an enactment that the municipality is authorized to enforce, or a bylaw in accordance with section 549 of the *Municipal Government Act* as amended,
 - f) take whatever actions or measures are necessary to eliminate a danger to public safety caused by a structure, excavation, or hole or to deal with the unsightly condition of a property in accordance with section 550 of the *Municipal Government Act* as amended,
 - g) exercise all the powers, duties, and functions of a development authority to issue written notice pursuant to section 645 of the *Municipal Government Act* as amended,
 - h) take whatever actions or measures are necessary to carry out an order issued pursuant to section 645 or 687(3)(d) of the *Municipal Government Act* as amended,
 - i) issue notices not to trespass under the *Trespass to Premises Act* as amended,
 - j) exercise all the powers, duties, and functions of an inspector under the *Weed Control Act* as amended,
 - k) exercise all the powers, duties, and functions of an inspector under the *Agricultural Pests Act* as amended,
 - l) prepare and lay a statement of an alleged offence,
 - m) exercise the powers, duties, and functions of a designated officer to certify copies of bylaws, resolutions, or records of the municipality.

- 6 The appointment of an individual as a bylaw enforcement officer in accordance with the bylaw is deemed to be
- a) written authorization to issue Violation Tickets for offences under bylaws specified in the appointment, and
 - b) an appointment of the individual as an inspector under the *Weed Control Act* or *Agricultural Pests Act* as amended,
- as the case may require.

CONDUCT

- 7 Bylaw enforcement officers are subject to the supervision of and accountable to the chief administrative officer and must comply with their appointment and all municipal policies, directives, and procedures.

OATH OF OFFICE

- 8 Prior to commencing their duties, all bylaw enforcement officers must take an official oath in accordance with the *Oaths of Office Act* as amended,

APPOINTMENT REQUIREMENTS

- 9 To be eligible for appointment as a bylaw enforcement officer, individuals must provide to the chief administrative officer
- a) a recent criminal records check acceptable to the chief administrative officer,
 - b) demonstrated commitment to good character, and
 - c) any other requirements specified by the chief administrative officer.

APPOINTMENT CONDITIONS

- 10 The chief administrative officer may impose terms and conditions on a bylaw enforcement officer appointment.

REVIEW OF APPOINTMENT

- 11 If, in the opinion of the chief administrative officer based on reasonable grounds, a bylaw enforcement officer has misused a power, contravened their appointment or this bylaw, including any terms of conditions, or acted contrary to public interest, the chief administrative officer may suspend, revoke, or modify the bylaw enforcement officer's appointment.
- 12 If an individual appointed as a bylaw enforcement officer is no longer employed or retained by the municipality, or if the individual's role is modified such that the individual no longer requires appointment as a bylaw enforcement officer or requires a modified appointment, the chief administrative officer may modify or revoke the bylaw enforcement officer's appointment.

APPEAL

- 13 Prior to suspending, revoking, or modifying a bylaw enforcement officer appointment pursuant to section 11, the chief administrative officer must provide the affected bylaw enforcement officer with written notice of the proposed suspension, revocation, or modification, including reasons and any supporting documentation.
- 14 The affected bylaw enforcement officer may make written representations to the chief administrative officer respecting the proposed suspension, revocation, or modification within 14 days after the date on which the written notice under section 13 is received by the affected bylaw enforcement officer.
- 15 The chief administrative officer will provide the bylaw enforcement officer with a written decision, including reasons, on the proposal to suspend, revoke, or modify the bylaw enforcement officer’s appointment within 14 days after the date on which the written representations under section 14 are received by the chief administrative officer.

ENACTMENT/TRANSITION

- 16 The appointment of a bylaw enforcement officer pursuant to Bylaw 22-2006 continues under the terms of this bylaw until the appointment is modified, revoked, or replaced.
- 17 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.
- 18 Bylaw 22-2006 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 approved by: _____

TOWN OF CANMORE**BYLAW 22 - 2006****PROVINCE OF ALBERTA**

A bylaw of the Town of Canmore in the Province of Alberta respecting the appointment of Bylaw Enforcement Officers and setting out the powers and duties of Bylaw Enforcement Officers and establishing disciplinary procedures for Bylaw Enforcement Officers.

WHEREAS

Section 556 of the Municipal Government Act requires that a municipality adopt a bylaw specifying the powers and duties of bylaw enforcement officers and dealing with the discipline of bylaw enforcement officers in their employment; and

WHEREAS

Provisions of Section 556 of the Municipal Government Act, Chapter M.26.1 SA 2000, and amendments thereto, the Municipal Council of the Town of Canmore, in the Province of Alberta, duly assembled hereby enacts as follows:

DEFINITIONS

1. Definitions:
 - (a) "Bylaw" means a law or rule governing the internal affairs of the Municipality;
 - (b) "Bylaw Enforcement Officer" means a person appointed as such by the Chief Administrative Officer;
 - (c) "Council" means Council of the Municipality;
 - (d) "Municipality" means the Town of Canmore;
 - (e) "Chief Administrative Officer" means the Chief Administrator of the Municipality as appointed by the Council.

ROLES, RESPONSIBILITIES AND AUTHORIZATIONS

2. The Municipal Office of Bylaw Enforcement Officer is hereby created.
3. The Chief Administrative Officer may appoint one or more Bylaw Enforcement Officers.
4. The appointment of a Bylaw Enforcement Officer shall be in writing and shall state the territorial jurisdiction, and may state the authority of the Chief Administrative Officer delegated to the Bylaw Enforcement Officer.
5. The powers and duties of a Bylaw Enforcement Officer shall be limited to those areas of jurisdiction provided for by the authorization given by the Chief Administrative Officer, and are further as follows:
 - (a) To enforce the Bylaws which the Chief Administrative Officer has authorized the Bylaw Enforcement Officer to enforce;
 - (b) To follow the directions of the Chief Administrative Officer and to report to the Chief Administrative Officer as required by him;
 - (c) To respond to and investigate public complaints;
 - (d) To conduct routine patrols;
 - (e) To issue notices, tickets or tags;
 - (f) To assist in the prosecution of bylaw and statutory offenses including appearances in Court to provide evidence and service of subpoenas on potential witnesses;
 - (g) To follow the inspection and enforcement procedures set out in Section 542, 544 and 545 of the Municipal Government Act as delegated to them through the Chief Administrative Officer;
 - (h) To perform all other duties as delegated by the Chief Administrative Officer from time to time as assigned;

- (i) To take the official oath prescribed by the Oaths of Office Act upon being appointed as a Bylaw Enforcement Officer and to carry upon his or her person at all such times as he or she is acting as a Bylaw Enforcement Officer evidence in writing of this appointment as a Bylaw Enforcement Officer of the Municipality;
 - (j) To preserve and maintain the public peace.
6. Uniforms worn by a Bylaw Enforcement Officer while on duty, shall be in accordance with the municipal policy established by Council.

CODE OF CONDUCT FOR BYLAW ENFORCEMENT OFFICERS

7. A Bylaw Enforcement Officer shall not violate:
- (a) an Act of the Parliament of Canada;
 - (b) an Act of the Legislature of Alberta;
 - (c) any Regulation made under an Act of either the Parliament of Canada or the Legislature of Alberta;
8. A Bylaw Enforcement Officer shall not:
- (a) act in a disorderly or inappropriate manner;
 - (b) act in a manner that would be harmful to the organizational discipline or is likely to discredit the reputation of law enforcement;
 - (c) use profane, abusive or insulting language to any member of a police force, special constable, Bylaw Enforcement Officer or any member of the public;
 - (d) abet or knowingly become an accessory to a default described in this Bylaw;
 - (e) act in a manner that is not fit nor proper.
9. A Bylaw Enforcement Officer shall not apply the law differently or exercise authority on the basis of race, color, religion, sex, physical disability, marital status, age, ancestry or place of origin, or in any manner that would contravene the Alberta Human Rights Act.
10. A Bylaw Enforcement Officer shall not commit insubordination, where the Bylaw Enforcement Officer by word or action, and without lawful excuse, disobeys, omits or neglects to carry out any lawful order.
11. A Bylaw Enforcement Officer shall not withhold or suppress a complaint against, or a report made about, a Bylaw Enforcement Officer.
12. A Bylaw Enforcement Officer shall not neglect, without a lawful excuse, to promptly or diligently perform their duties.
13. A Bylaw Enforcement Officer shall not willfully or negligently make or sign a false, misleading or inaccurate statement in any official document or record.
14. A Bylaw Enforcement Officer shall not without lawful excuse:
- a) destroy, mutilate or conceal an official document or record;
 - b) alter or erase an entry in an official document or record.
15. A Bylaw Enforcement Officer shall not make known any matter that is a person's duty to keep in confidence, or communicate to the news media or to any unauthorized person any law enforcement matter which could be injurious to any person or ongoing investigation.
16. A Bylaw Enforcement Officer shall not fail to account for or to make a prompt and true return of money or property that the Bylaw Enforcement Officer receives in their official capacity.

17. A Bylaw Enforcement Officer shall not directly or indirectly ask for, or receive, a payment, gift, subscription, testimonial or favour without the consent of the Municipality.
18. A Bylaw Enforcement Officer shall not become involved in a financial, contractual or other obligation with a person whom the Bylaw Enforcement Officer could reasonably expect to report or give evidence about.
19. A Bylaw Enforcement Officer shall not without lawful excuse, use their official position for personal advantage or another person's personal advantage.
20. A Bylaw Enforcement Officer shall not exercise authority when it is unlawful or unnecessary to do so.
21. A Bylaw Enforcement Officer shall not consume alcohol while on duty, or consume or otherwise use or possess drugs that are prohibited by law, or report for duty, be on duty or be on stand-by for duty while unfit to do so by the use of alcohol or a drug (includes prescription medication).
22. A Bylaw Enforcement Officer shall not demand, persuade or attempt to persuade another person to give, purchase or obtain liquor for a Bylaw Enforcement Officer who is on duty.
23. A Bylaw Enforcement Officer shall not apply excessive or otherwise inappropriate force in circumstances where force is used.

COMPLAINTS AND DISCIPLINARY MEASURES

24. For purposes of the Bylaw, any violation of sections 7 to 23 inclusive shall constitute disciplinary defaults by a Bylaw Enforcement Officer.
25. Any person may make a complaint in writing regarding a Bylaw Enforcement Officer to the Manager of Human Resources or the most senior administrator responsible directly for human resources affairs for the Municipality.
26. Where a complaint is made under Section 25, the direct supervisor of the Bylaw Enforcement Officer against which a complaint has been made, must investigate and dispose of the complaint in accordance with the procedures set out in this Bylaw.
27. Where the Municipality becomes aware, other than through a complaint under Section 25, that a Bylaw Enforcement Officer has failed to comply with the terms of their appointment, the direct supervisor of the Bylaw Enforcement Officer investigating the complaint must investigate and dispose of the matter in accordance with the procedures set out in this Bylaw
28. This Bylaw hereby establishes the direct supervisor of the Bylaw Enforcement Officer against which a complaint has been made, as the authority to carry out the disciplinary duties and responsibilities as follows:
 - (a) To conduct hearings regarding the disciplining of Bylaw Enforcement Officers pursuant to the Bylaw;
 - (b) To carry out such investigation of the enforcement of Bylaws of the Municipality and provincial statutes as the Chief Administrative Officer may from time to time determine.
29. The direct supervisor of the Bylaw Enforcement Officer against which a complaint has been made may refuse to investigate or may discontinue the investigation of a complaint if, in the direct supervisor's opinion,
 - (a) the complaint is frivolous, vexatious or made in bad faith, or

- (b) having regard to all of the circumstances, no investigation is necessary.
30. Where it is alleged that a Bylaw Enforcement Officer, in carrying out his or her duties has committed a disciplinary default as defined by this Bylaw, the Municipality may suspend the Bylaw Enforcement Officer, with or without pay, pending a hearing which shall be held to determine if the Bylaw Enforcement Officer has committed a disciplinary default in carrying out his or her duties.
31. Where the direct supervisor of the Bylaw Enforcement Officer against which a complaint has been made intends to carry out a hearing to determine whether a Bylaw Enforcement Officer has committed a disciplinary default, the following procedure shall be followed:
- (a) Ten (10) days notice in writing shall be given to the Bylaw Enforcement Officer who is alleged to have committed a disciplinary default and to the complainant and such other parties that the direct supervisor considers to be affected by the alleged disciplinary default;
 - (b) Any disciplinary hearing held by the direct supervisor shall be a private hearing, and the direct supervisor shall have ultimate discretion as to who may (or may not) attend a part or whole of the hearing;
 - (c) The direct supervisor shall hear the explanation of the Bylaw Enforcement Officer and hear any other information from any other person that the direct supervisor determines is relevant to establish the facts.
 - (d) The direct supervisor shall inform the Bylaw Enforcement Officer of the facts in its possession or the allegations made against him or her in sufficient detail to:
 - (i) permit him or her to understand the facts or allegations; and
 - (ii) afford him or her an opportunity to furnish relevant evidence to contradict or explain the facts or allegations;
 - (e) The direct supervisor shall allow the Bylaw Enforcement Officer to have legal counsel attend or represent a Bylaw Enforcement Officer at a disciplinary hearing.
 - (f) The direct supervisor shall give the Bylaw Enforcement Officer or his representative an opportunity of making representations by way of written and oral argument.
 - (g) The direct supervisor has ultimate discretion to adjourn a disciplinary hearing at any time if he or she believes that additional information is required to make a determination on a matter before him or her.
 - (h) The direct supervisor may adjourn and restart or continue a disciplinary hearing as he or she deems appropriate.
 - (i) Should a disciplinary hearing be adjourned by the direct supervisor, he or she shall provide no less than five (5) days notice to the parties he or she deems affected, prior to restarting or continuing the hearing.
32. Upon hearing the explanation of the Bylaw Enforcement Officer and any other information that is relevant to determine the facts, the direct supervisor shall determine if the complaint is:
- (a) Unfounded (the complaint has no merit or basis upon which a reasonable belief that an action did occur); or
 - (b) Unsubstantiated (there is insufficient evidence to determine facts of the complaint and that it may or may not have occurred); or
 - (c) Founded (the complaint has merit and investigation can reasonably conclude that the Bylaw Enforcement Officer has committed misconduct).

- 33. Upon the conclusion of a disciplinary hearing, the direct supervisor may, by a decision in writing with reasons, do the following:
 - (a) Dismiss the complaint against the Bylaw Enforcement Officer if the complaint is deemed to be Unfounded;
 - OR in the case where misconduct is deemed to be Unsubstantiated:
 - (b) Designate a particular training requirement for the Bylaw Enforcement Officer;
 - OR in the case where misconduct is deemed to be Founded:
 - (c) Verbally warn the Bylaw Enforcement Officer, with a written note placed in the individuals personnel file that the verbal warning was provided;
 - (d) Designate a particular training requirement for the Bylaw Enforcement Officer;
 - (e) Reprimand in writing the Bylaw Enforcement Officer;
 - (f) Suspend the Bylaw Enforcement Officer from active duty, with or without pay, but such period of suspension shall not exceed six (6) months;
 - (g) Terminate or recommend to the appropriate manager of the Municipality the termination of the employment, of the Bylaw Enforcement Officer.

34. The written decision of the direct supervisor resulting from a disciplinary hearing of a Bylaw Enforcement Officer may be appealed in writing to the Chief Administrative Officer by the Bylaw Enforcement Officer or the complainant who filed the complaint under Section 25.

35. Any appeal to the Chief Administrative Officer submitted under section 34 must be received by the Chief Administrative Officer within fourteen (14) days from the date of the appellant receiving notice of the decision that they seek to appeal.

36. The Chief Administrative Officer in reviewing the appeal of the decision of the direct supervisor of the Bylaw Enforcement Officer against which a complaint has been made, shall follow the disciplinary process outlined in sections 31 to 33 inclusive.

37. The written decision of the Chief Administrative Officer resulting from the review of a disciplinary hearing of a Bylaw Enforcement Officer is final and cannot be appealed to any other position within the Municipality.

38. The Chief Administrative Officer or direct supervisor of a Bylaw Enforcement Officer against which a complaint is made, must, during the disciplinary hearing process, notify the complainant and the Bylaw Enforcement Officer who is the subject of the complaint in writing at least once every 45 days as to the status of the complaint until a decision is made regarding the complaint

NOW THEREFORE

39. This bylaw shall come into force and take effect upon the date of third reading thereof.

40. Bylaw No. 01-97 of the Town of Canmore is hereby repealed upon this Bylaw coming into force.

FIRST READING:

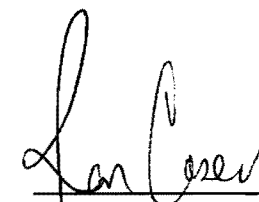
September 19, 2006


SECOND READING:

September 19, 2006

THIRD READING:

September 19, 2006



MAYOR


DESIGNATED OFFICER



Request for Decision

DATE OF MEETING: September 5, 2023 **Agenda #:** H-1

TO: Council

SUBJECT: Livability Tax Policy Taskforce Terms of Reference

SUBMITTED BY: Therese Rogers, GM, Corporate Services

RECOMMENDATION: That Council:

1. Approve the Terms of Reference for the Livability Tax Policy Task Force as presented, and
2. Appoint three members of council to participate in the Livability Tax Policy Task Force.

EXECUTIVE SUMMARY

Administration is working to advance Council's priorities as directed in the Housing Action Plan. We have submitted the Town's Housing Accelerator Fund (HAF) application and begun working with a consultant to advance Council's tax policy direction. Administration is seeking direction from Council to approve the Terms of Reference for a taskforce to engage on this work.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

On June 6, 2023, Council approved the Town's Housing Accelerator Fund Action Plan (motion 119-2023) and a capital project for consulting and legal fees to support bylaw and policy initiatives designed to positively impact housing affordability (motion 123-2023).

Council also directed administration to:

explore proposed amendments to the Land Use Bylaw and policy amendments that phase out "Tourist Home" as a use and report back to Council with findings and options (motion 120-2023), and

return to Council with a report on property tax policy options to incentivize purpose-built rentals and full-time/long-term occupancy of residential units (motion 120-2023).

Direction was also given to explore land use changes to facilitate the provision of additional housing supply and to report back on options and funding for adding a comprehensive planning process to establish parameters and consider infill or missing middle housing opportunities in established neighbourhoods and explore options for eliminating single detached dwellings. Updates to Council on these items will occur in the future.

DISCUSSION

Housing Accelerator Fund Application

The Town’s HAF application has been submitted and we are now waiting for the fund administrator, Canada Mortgage and Housing Corporation (CMHC), to review applications. Administration has participated in several workshops and question and answer sessions with CMHC. Interest in this grant program is high from municipalities across the country so it is difficult predict what funding the Town will receive.

New Initiatives - update

Council directed administration to advance four new initiatives aimed at addressing the housing crisis in Canmore. Administration has been working with a consultant to advance the Tourist Home designation and tax policy options. A “Livability Tax Policy Task Force” has been recommended to engage stakeholders and advance this work. Council is being asked to approve the Terms of Reference for this Livability Tax Policy Task Force (see attachment 1). This recommended structure engages stakeholders in advancing Council’s new initiatives from the Housing Action Plan.

The task force will have three primary objectives and will complete their input in three phases:

- Phase 1: Develop a Plan to Phase Out the Tourist Home Designation
- Phase 2: Investigate tax options to incentivize long-term occupancy of residential units, and
- Phase 3: Investigate tax options to incentivize purpose-built rental accommodation.

As identified in the attached Draft Terms of Reference, the structure of the task force is recommended to include:

- 3 members of Council
- 1 representative from Tourism Canmore Kananaskis (TCK) or the TCK Board
- 1 representative from a local developer of tourist/visitor properties
- 1 representative from the Canmore real estate industry with experience selling tourist homes and visitor accommodation properties and access to timely and relevant market statistics
- 1 representative from a Canmore rental/property management company managing both short term and long term rentals
- 1 representative from Canmore Community Housing

Administrative support for the task force shall be provided by the chief administrative officer, the general manager of corporate services, the general manager of municipal infrastructure and other staff as needed.

ANALYSIS OF ALTERNATIVES

Council could direct administration to create a process for applications for each of the representative positions and bring recommendations back to Council for taskforce appointments. This approach is not recommended if Council wants to be able to have taskforce recommendations impact 2024 property taxes.

FINANCIAL IMPACTS

On June 6, 2023, Council approved a new capital project (motion 123-2023) for \$200,000 for consulting and legal fees to support bylaw and policy initiatives to positively impact housing affordability and supply, to be funded \$50,000 from the General Capital Reserve and \$150,000 from the Development Application Reserve. Costs associated with the task force will be covered by this approved budget.

STAKEHOLDER ENGAGEMENT

A robust communications and public participation plan has been developed for the implementation of the Housing Accelerator Fund Action Plan. Engagement planning for the “new” actions in the plan aligns with the Public Participation Policy and involves a mix of information sharing and the opportunity for members of the task force to help shape the initiatives.

ATTACHMENTS

- 1. Terms of Reference for the Livability Tax Policy Task Force

AUTHORIZATION

Submitted by: Therese Rogers
 General Manager of Corporate Services Date: August 17, 2023

Approved by: Sally Caudill
 Chief Administrative Officer Date: August 28, 2023

**Town of Canmore Livability Tax Policy Task Force
Terms of Reference**

PURPOSE

To engage stakeholders in advancing the following objectives of the Housing Action Plan, as approved by Council, in three phases:

- Develop a plan to phase out the Tourist Home Designation
- Investigate tax options to incentivize full-time/long-term occupancy of residential units
- Investigate a tax options to incentivize purpose-built rental accommodation

OBJECTIVES

Phase 1: Develop a Plan to Phase Out the Tourist Home Designation

1. Review the definition of a tourist home, the impetus for its creation, its evolution over time and its differentiation from visitor accommodation.
2. Confirm the rationale for phasing out tourist homes, potentially including:
 - Displacement of full-time residents/renters
 - Decreasing the availability and affordability of housing
 - Fairness to visitor accommodation providers who pay commercial tax rate
 - Nuisance concerns from adjacent neighbours
3. Consider the market for tourist homes (supply and demand), explore trends over time relative to the hotel, visitor accommodation and residential subsectors.
4. Review experiences and approaches to tourist homes and visitor accommodation in other Canadian jurisdictions.
5. Prepare policy options, recommendations and implications of phasing out tourist homes, with consideration for:
 - Council and administration direction, previous research and recommendations
 - Impacts on housing availability, visitor accommodation market, tax base, planned development, demand for/ turnover in tourism home ownership, legal implications, administrative/ enforcement burden, equity/fairness.

Phase 2: Investigate tax options to incentivize long-term occupancy of residential units

1. Investigate options that would create a surcharge for vacant or underoccupied properties.
 - Summarize legislative authorities under the Municipal Government Act (MGA)
 - Review policy options and experiences applied in comparable Canadian jurisdictions.
2. Prepare policy options, recommendations and implications, including:
 - Tax rate, definition of vacant/ under-occupied property, tax base/ exemptions, tax equity/ fairness, potential revenue, impact on rental market (and housing market more generally), administrative burden, enforcement, phase-in.

Phase 3: Investigate tax options to incentivize purpose-built rental accommodation

1. Summarize MGA authorities available to the Town of Canmore to incentivize purpose built rental accommodation.
2. Explore the use of these and comparable authorities in Canadian jurisdictions and how they can be applied in Canmore.

- Research other municipalities and developers/ builders with experience building the desired product to understand best practices.
3. Assess land supply/inventory of potential areas for the application of these tools, and necessary land use changes to enable their use.
 4. Prepare policy options, recommendations and implications for use of these tools.

DELIVERABLES

1. Exploration of policy options and considerations to advance the Task Force objectives.
2. Preparation of a final report, with recommendations and implications for Council prior to the end of 2023.

TIMELINE

1. Task Force formation to occur at the Regular Council Meeting on September 5, 2023
2. Initial Task Force meeting – September/October 2023
3. Meetings as required September – December 2023
4. Preparation of report and recommendations to Council by the end of 2023.

STRUCTURE

1. The Task Force will be made up of the following members, with committee composition to be approved September 5, 2023 Regular Meeting of Council:
 - 3 members of Council
 - 1 representative from Tourism Canmore Kananaskis (TCK) or the TCK Board.
 - 1 representative from a local developer of tourist/visitor properties.
 - 1 representative from the Canmore real estate industry with experience selling tourist homes and visitor accommodation properties, and access to timely and relevant market statistics.
 - 1 representative from a Canmore rental/property management company managing both short and long term rentals
 - 1 representative from Canmore Community Housing
2. Administrative support for the Task Force shall be provided from the Chief Administrative Officer, the General Manager of Corporate Services, the General Manager of Infrastructure, and other staff as needed. Ben Brunnen at Verum Consulting has been contracted to conduct the necessary research and analysis and develop policy options for Task Force consideration.
3. The Task Force shall have the ability to hear from experts in related fields as needed.
4. The Task Force shall appoint a Chairperson at their first meeting.
5. The Task Force will seek to make its decisions by consensus. Where consensus is not attainable, decisions will be made by simple majority, with dissenting positions noted.
6. The chairperson will engage the Task Force members at their initial meeting to determine and refine its governance model in relation to its decision-making process, appropriate meeting structure and other Task Force details.



Request for Decision

DATE OF MEETING: September 5, 2023 **Agenda #:** H-2

TO: Council

SUBJECT: 2023 Capital Budget Funding Sources Amendment - Cougar Creek Long-Term Mitigation

SUBMITTED BY: Andy Esarte, Manager of Engineering

RECOMMENDATION: That Council approve a budget funding source amendment for Cougar Creek Long-term Mitigation capital project (CP#1562) in the amount of \$8,300,000 from Future Grant to Reserves drawn as follows:

- \$5,300,000 – Asset Replacement/Rehabilitation Reserve
- \$2,000,000 – General Municipal Capital Reserve
- \$1,000,000 – Flood Mitigation Structure Maintenance Reserve

That Council direct administration to continue to apply for grant funding, with any approved grants to be utilized to reduce the amount of reserve funding required for this project.

EXECUTIVE SUMMARY

At the July 4, 2023, Council meeting, a budget increase of \$29.1 million was approved for the Cougar Creek Long-Term Mitigation capital project. The funding included \$25 million to be obtained through future grants, for which \$16.7 million (two-thirds) has now been approved. This is the maximum grant amount currently available. Administration recommends funding the remaining one-third through reserves, to allow for efficient and timely completion of the project. Administration will continue to pursue other grant funding for the remaining \$8.3 million to minimize reserve expenditures. In-line with previous direction from Council on a different matter, administration will be accounting for this unanticipated expense by delaying or cancelling projects as part of the 2024 capital budget amendment process, which will go to Finance Committee and Council for approval later this year.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

On January 20, 2015, Council approved a capital project to construct long-term mitigation on Cougar Creek. The scope of work included channel improvements, and a debris flood retention structure, as well as project management. Based on preliminary cost estimates prepared as part of the option analysis work, a total budget of \$37,150,000 was approved with an initial authorization of \$3,000,000 to undertake design and Environmental Impact Assessment. The remainder of work was authorized to proceed upon confirmation of funding sources which were secured shortly after.

On April 18, 2017, Council approved an amendment to the total budget for the Cougar Creek Long-term Mitigation Project from \$37,150,000 to \$49,072,620 (comprised of capital projects #1445 and #1562 combined) broken out as follows:

- Capital project (#1445) totalling \$9,250,000 for Design, Permitting and Culvert Improvements funded as follows:
 - \$7,880,000 funded from the Flood Recovery and Erosion Control Grant (FREC), and
 - the remaining balance of \$1,370,000 funded from Alberta Transportation.
- Capital project (#1562) totalling \$39,822,620 funded as follows:
 - \$4,000,000 from Town of Canmore (\$500,000 from General Capital Reserve and \$3,500,000 Debt)
 - \$11,120,000 Flood Recovery and Erosion Control Grant (FREC)
 - \$14,447,565 Government of Canada, New Building Canada Fund
 - \$10,255,055 Alberta Community Resiliency Program Grant (ACRP)

From November 15, 2021, through February 28, 2023, administration provided updates to Council on delays in the project and a related dispute with the original contractor. On February 28, 2023, Council directed termination of the contract:

42-2023 that Council direct administration to negotiate and execute a without-cause termination, settlement and release agreement respecting the contract with Flatiron Constructors Canada Ltd. dated June 23, 2020, for the construction of the Cougar Creek Debris Flood Retention Structure (#1562) and report back to Council with a plan for project completion.

On May 16, 2023, Council approved adjustments to unrelated capital project budgets and staging and directed administration to return with an updated capital plan:

105-2023 that Council direct administration to update the 2024-2028 capital plan to account for future project budget and staging approvals as part of the 2024 budget amendment process.

On July 4, 2023, Council approved a budget increase for CAP1445/1562 from \$49,072,620 to \$78,172,620 for project completion with the increase of \$29,100,000 funded with:

- Future grant \$25,000,000
- Provincial Flood Recovery Erosion Control (FREC) and Alberta Community Resilience Program (ACRP) grants interest accrual \$4,100,000.

DISCUSSION

From the time of Council's direction to pursue the without-cause termination, settlement and release agreement with Flatiron, administration has continued to work towards timely and efficient completion of the project. Upon execution of the termination agreements, and completion of demobilization by Flatiron, a new contractor was mobilized to site to complete work deemed critical to addressing project site risks, and to advance the project, ahead of freshet. Work included the embankment foundation up to original creek-bed elevation.

The contract for this work was awarded to Ironclad in the amount of \$5,294,520, with an additional \$2,000,000 earmarked for variable contract items and contingency. The scope was successfully completed in July 2023 with a final contract value of \$6,520,756. Variable items like drilling and grouting, as well as dewatering costs represented the majority of spend above base contract values. Completion of the technically complex and challenging embankment foundation eliminated much of the remaining project risk and enabled continuation of the work towards full project completion. To procure services for completion of the

remaining project scope, a public Request for Proposals (RFP) was issued in April and closed in May. Two submissions were received and evaluated, with Ironclad selected as the top ranked proponent. The July Council approval allowed for a partial award to allow critical path work to continue through July and August.

On August 18, 2023, the Town was notified by the Province of approval of a grant in the amount of \$16.7 million representing two-thirds of the requested grant funding. As outlined at the time of Council's July 4 budget amendment approval, administration committed that full contract award to Ironclad was contingent on sufficient funding approvals being in place, and that funding sources other than the requested \$25.0 million in new provincial grants would be brought back to Council for approval.

Based on confirmation of \$16.7 million provincial grant, the project team has continued critical-path work through September under the partial award towards construction completion. Significant progress has been made through early September including:

- Decommissioning of the upstream diversion.
- Rock bolting and scaling of the abutments and spillway.
- Drilling and blasting of the spillway and key trenches.
- Sheetpile installation and associated concrete work.
- Material processing.
- Embankment backfill.

By progressing these critical path elements, the project is in a position to be completed in 2024 – a full year in advance of prior schedules - with the following milestones:

- Completion of lift #5 prior to winter shutdown (December 2023).
- Resume work after winter shutdown (March 2024).
- Complete embankment structure, low level outlet and spillway (May 2024).
- Full project completion including landscaping, testing, and commissioning (October 2024).

Construction is continuing through a partial contract award, with completion of lift #1 of the main embankment structure completed as of August 28 and lift #2 of the main embankment structure planned for completion on September 11. In total, there are nine (9) lifts planned. Progressing beyond embankment fill lift #2 requires approval of municipal funding as outlined in the recommendation to allow full completion of the main structure elements ahead of spring freshet in 2024. A partially completed structure at the time of spring runoff creates a risk of water flowing over the embankment structure and causing damage to the structure and downstream flooding. There are several important benefits of continuing the work:

- Earliest possible completion of the primary flood-mitigation elements.
- Lowest project cost.
- Maintain the significant momentum, team and expertise that has developed through the spring and summer.
- Compliance with grant funding terms and permitting requirements.

The project team is undertaking activities to further reduce project costs. These efforts may include deleting project elements that are not essential to the core function of the debris-flood retention structure, value engineering of core elements, risk management activities to minimize contingency usage, and minimization of

project overhead costs. The quality and timely completion of the project structure will remain a priority and all regulatory requirements will be met.

ANALYSIS OF ALTERNATIVES

Delay completion of this project until additional grant funding is obtained.

Ironclad has provided a second schedule that accommodates a 9-months delay in funding approvals, which results in a 2025 project completion and increased costs. The schedule was provided with a construction cost impact estimated at \$3,750,000, and Town overhead costs of a later completion are estimated at \$750,000 for a total increase to the estimate of \$4,500,000. There are financial and safety risks associated with each additional freshet in which the structure is incomplete. Those costs are estimated to be an annualized \$2,000,000 per year (Cougar Creek Risk Assessment, 2014, factored for inflation).

Even though this delay could provide time to obtain additional grant funding, this option is NOT recommended as it will lead to higher project costs and a minimum one-year delay in completion of flood mitigation. Failure to secure additional grants would leave the Town in a position of needing to fund a higher project cost. The project team cannot progress work beyond lift #2 without securing sufficient funding for completion of the embankment structure and spillway. Funding approvals for full project completion are therefore required to mitigate the risks of partial completion.

FINANCIAL IMPACTS

Administration is recommending funding up to \$8.3 million in project costs from reserves. The funding source could be identified as debenture; however, the MGA requires a ministerial approval to allow for debenture for a project that is already underway. This is time consuming along with an almost two-month borrowing bylaw approval process. The team will endeavor to reduce project costs to minimize impacts on reserves, and will solicit additional grant funding, with the aim of reducing the ultimate impact on reserves.

As per the Town's Reserves Policy, capital reserves mean 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/rehabilitate major capital infrastructure assets as required, and as identified in the Town of Canmore Strategic, Capital and Long-Term Financial Strategy Plans. Reserve funds will be drawn down only under circumstances specific to the individual reserve fund. For example, the *Asset Replacement/Rehabilitation Reserve* is to fund asset rehabilitation and replacement capital projects. The *General Municipal Capital Reserve* is to fund new capital projects or for capital expenditures necessary in cases of emergency. The *Flood Mitigation Structure Maintenance Reserve* is to fund the work required to maintain flood mitigation structures, particularly after an event. The \$8.3 million draw from reserves is based on the projected 2023 balances in these three reserves as shown below:

- Asset Replacement/Rehabilitation Reserve - \$13.5 million
- General Municipal Capital Reserve - \$6.5 million
- Flood Mitigation Structure Maintenance - \$1.3 million

The draw of \$8.3 million represents approximately 35% of the total internally unrestricted projected capital reserves balance.

There are multiple pressures on Town equity and finances as not enough funds have been saved to address current and long-term asset rehabilitation and replacement needs. Impacts on reserves are being considered as part of the budget process and will require future capital projects to be delayed/deferred to replenish reserves

utilized for the Cougar Creek project. Those impacts will be outlined as part of the upcoming Fall 2024 Budget Amendment process which will come to Finance Committee/Council for approval.

STAKEHOLDER ENGAGEMENT

The project team continues to keep provincial and federal stakeholders informed of the project progress.

After the Council decision, the community will be provided with project updates. If the recommendations of this report are approved, an updated project timeline will be shared with the public, outlining a 2024 project completion.

ATTACHMENTS

None.

AUTHORIZATION

Submitted by:	Andy Esarte Manager of Engineering	Date:	<u>August 21, 2023</u>
Approved by:	Palki Biswas Manager of Finance	Date:	<u>August 29, 2023</u>
Approved by:	Andy Esarte Per: Whitney Smithers, General Manager of Municipal Infrastructure	Date:	<u>August 29 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>August 29, 2023</u>