

**TOWN OF CANMORE
MINUTES**

Regular Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, October 3, 2023 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Sally Caudill	Chief Administrative Officer
Therese Rogers	General Manager of Corporate Services
Whitney Smithers	General Manager of Municipal Infrastructure
Scott McKay	General Manager of Municipal Services
Cheryl Hyde	Manager of the Municipal Clerk's Office (recorder)
Josh Cairns	Senior Policy Planner
Adam Driedzic	Town Solicitor
Eleanor Miclette	Manager of Economic Development
Caitlin Miller	Manager of Protective Services
Anika Drost	Development Planner
Andreas Comeau	Manager of Public Works
Andy Esarte	Manager of Engineering

Mayor Krausert called the October 3, 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 October 3, 2023 Regular Meeting of Council

228-2023

Moved by Mayor Krausert that Council approve the agenda for the October 3, 2023 regular meeting with one addition under In Camera:

- K-1 Court of Appeal Decision for Three Sisters Mountain Village Properties Limited Litigation

CARRIED UNANIMOUSLY

Minutes approved by: AK JK

B. PUBLIC HEARINGS

1. Palliser Trail Area Structure Plan Bylaw 2023-22

(1) Call to order

Mayor Krausert called the public hearing to order for Bylaw 2023-22 at 9:04 a.m.

(2) Administration Summary

Administration provided a verbal summary of Palliser Trail Area Structure Plan Bylaw 2023-22, a proposal submitted by Town administration to provide 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 in the Palliser Trail area.

(3) Public Submissions

In favour

Name	Verbal	Written
Archer, Judy	X	
Bow Valley Builders and Developments (Ian O'Donnell, Executive Director and Jessica Karpat, Housing Action Committee Chair)	X	X
Bow Valley Climate Action (Edmund Ong and Rick Daniel, BVCA Board Members)	X	X
Bow Valley Engage (Karsten Heuer, President)		X
Canmore Community Housing (Michelle Ouellette, Executive Director)	X	X
Hill, Lawrence	X	X
Jungen, Florian		X
Tourism Canmore Kananaskis (Rachel Ludwig, Chief Executive Officer)		X
YWCA Banff (Ebony Rempel, Chief Executive Officer) for written, and Michelle Rhode, Director of Community Engagement, and Steve Crotty, Special Projects Officer as speakers	X	X

Opposed

Name	Verbal	Written
Laidlaw, Jeff		X

At 9:53 a.m. Mayor Krausert called for a break in the public hearing for Council to consider an emergent item.

Minutes approved by: CTT JK

K. IN CAMERA

1. Court of Appeal Decision for Three Sisters Mountain Village Properties Limited Litigation

229-2023

Moved by Mayor Krausert that Council take the meeting in camera at 9:53 a.m. to prevent disclosure of information subject to legal privilege in accordance with section 27(1)(a) of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

Administration present in the closed session: Sally Caudill, Whitney Smithers, Therese Rogers, Scott McKay, Cheryl Hyde, Adam Driedzic, Lauren Miller, Adam Robertson, and Josh Cairns.

230-2023

Moved by Mayor Krausert that Council return to the public meeting at 10:06 a.m.

CARRIED UNANIMOUSLY

Meeting break 10:06 – 10:30 a.m.

Mayor Krausert announced the following:

The Court of Appeal decision dismissed the appeal (of both Land and Property Rights Tribunal decisions). Based on the LPRT decisions, the Court of Appeal decision, and agreement to adjourn the separate mandamus application, the Town of Canmore will not be seeking leave to appeal from the Supreme Court of Canada and will be adopting the Area Structure Plans as originally presented to Council.

The public hearing recommenced at 10:35 a.m.

B. PUBLIC HEARINGS continued

1. Palliser Trail Area Structure Plan Bylaw 2023-22 continued

(4) Public Written Submissions

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

(5) Closing Comments from Administration

Administration provided final closing comments based on the verbal and written submissions.

(6) Council Questions of Administration

Administration addressed question of clarification from Council.

(7) Adjournment

Mayor Krausert adjourned the public hearing at 11:07 a.m.

C. DELEGATIONS – none

Minutes approved by:

D. APPROVAL OF MINUTES

1. Minutes of the September 5, 2023 Regular Meeting of Council

231-2023 Moved by Mayor Krausert that Council approve the minutes of the September 5, 2023 regular meeting as presented.

CARRIED UNANIMOUSLY

E. BUSINESS ARISING FROM THE MINUTES – none

F. UNFINISHED BUSINESS – none

G. BYLAW APPROVAL

1. Palliser Trail Area Structure Plan Bylaw 2023-22

232-2023 Moved by Mayor Krausert that Council postpone second and third reading of Palliser Area Structure Plan Bylaw 2023-22 to the November 7, 2023 regular meeting and direct administration to bring a report responding to feedback from the public, especially from BOWDA and Canmore Community Housing.

CARRIED UNANIMOUSLY

Meeting Break 11:14 – 11:20 a.m.

2. Road Closure 12 Street and 3rd Avenue Railway Court Revising Bylaw 2023-31

233-2023 Moved by Mayor Krausert that Council give first reading to Road Closure 12 Street and 3rd Avenue Railway Court Revising Bylaw 2023-31.

CARRIED UNANIMOUSLY

234-2023 Moved by Mayor Krausert that Council give second reading to Road Closure 12 Street and 3rd Avenue Railway Court Revising Bylaw 2023-31.

CARRIED UNANIMOUSLY

235-2023 Moved by Mayor Krausert that Council give leave to go to third reading of Road Closure 12 Street and 3rd Avenue Railway Court Revising Bylaw 2023-31.

CARRIED UNANIMOUSLY

236-2023 Moved by Mayor Krausert that Council give third reading to Road Closure 12 Street and 3rd Avenue Railway Court Revising Bylaw 2023-31.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

1. Update to the Public Art Policy by adding Micro Grants

237-2023 Moved by Mayor Krausert that Council approve the updated Public Art and Micro Grant Policy as amended.

CARRIED UNANIMOUSLY

2. Enforcement Revenue from Commercial Food Waste Diversion

238-2023 Moved by Mayor Krausert that Council repeal motion 69-2023.

CARRIED UNANIMOUSLY

Minutes approved by:



239-2023 Moved by Councillor Graham that Council direct administration to report on fine revenue at budget time with total fines collected and fine details, including number of fines in each category and a percentage of the total each category represents at which time council can assign funds at its discretion.

DEFEATED

In favour: Graham

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

3. Municipal Election Signage Options

240-2023 Moved by Mayor Krausert that Council direct administration to prepare:
(1) an Election Sign Bylaw that restricts municipal election signage to private property; and
(2) an amendment to the Town's Land Use Bylaw to remove the political campaign signs section.

240A-2021 Moved by Councillor Foubert that Council amend motion 240-2023 by deleting section (1) and replacing it with: "an Election Sign Bylaw that limits election signage on public property to arterial roadways and major intersections, sets spacing and setback requirements, and prohibits signs in front of municipal facilities."

DEFEATED

In favour: Foubert, Marra

Opposed: Graham, Hilstad, Krausert, Mah, McCallum

240B-2021 Moved by Councillor Graham that Council amend motion 240-2023 by adding the following to the end of section (1): "except for four public property locations recommended by administration where a candidate may place one sign."

CARRIED

In favour: Foubert, Graham, Mah, Marra

Opposed: Hilstad, Krausert, McCallum

240-2023 The vote followed on motion 240-2023 as amended: that Council direct administration to prepare:
(1) an Election Sign Bylaw that restricts municipal election signage to private property except for four public property locations recommended by administration where a candidate may place one sign, and
(2) an amendment to the Town's Land Use Bylaw to remove the political campaign signs section.

CARRIED

In favour: Graham, Hilstad, Krausert, Mah, Marra

Opposed: Foubert, McCallum

Meeting Break 12:50 – 1:55 p.m.

Minutes approved by: CT JK

- 241-2023 **4. Appointment of Code of Conduct Investigator**
Moved by Mayor Krausert that Council:
- (1) appoint Sage Analytics to perform the duties of Investigator as set out in the Code of Conduct for Elected Officials Bylaw 2018-02, and
 - (2) direct administration to negotiate a non-exclusive service agreement with Sage Analytics that allows for the continued use of the Investigator appointed by resolution 148-2018.
- CARRIED UNANIMOUSLY**

- 242-2023 **5. 2022 Utility Master Plan**
Moved by Mayor Krausert that Council accept the 2022 Utility Master Plan for planning purposes.
- CARRIED UNANIMOUSLY**

I. REPORTS FROM ADMINISTRATION

1. Integrated Parking Management Plan Update

Administration spoke to a written briefing providing Council with a comprehensive review of the first year of the paid parking program in the Town Centre and providing clarity on how program changes will be considered and made.

H. NEW BUSINESS continued

- 243-2023 **6. Paid Parking Revenue Allocation Model (PPRAM) Proposal**
Moved by Councillor Foubert that Council refer the proposed Paid Parking Revenue Allocation Model to the Finance Committee 2023 meetings for the 2024 budget.
- CARRIED UNANIMOUSLY**

J. NOTICES OF MOTION – none


K. IN CAMERA

1. Court of Appeal Decision for Three Sisters Mountain Village Properties Limited Litigation

Considered earlier in the meeting during a break in item B1.

L. ADJOURNMENT

- 244-2023 Moved by Mayor Krausert that Council adjourn the October 3, 2023 regular meeting at 4:04 p.m.
- CARRIED UNANIMOUSLY**



Sean Krausert, Mayor



Cheryl Hyde
Manager, Municipal Clerk's Office

Minutes approved by: 