

TOWN OF CANMORE
AGENDA
 Regular Meeting of Council
 Council Chamber at the Civic Centre, 902 – 7 Avenue
Tuesday, January 7, 2025 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 January 7, 2025 Regular Meeting of Council

B. PUBLIC HEARINGS – none

C. DELEGATIONS – none |
| 9:05 – 9:10 | D. APPROVAL OF MINUTES
1. Minutes of the November 19, 2024 Special Meeting of Council

2. Minutes of the December 3, 2024 Regular Meeting of Council

3. Minutes of the December 10, 2024 Special Meeting of Council

E. BUSINESS ARISING FROM THE MINUTES – none

F. UNFINISHED BUSINESS – none

G. BYLAW APPROVAL – none |
| 9:10 – 9:15 | H. NEW BUSINESS
1. Community Events Committee Public Member Appointment
Recommendation: That Council appoint Chris Palivan to the Community Events Committee for a term ending at the 2025 annual organizational meeting of council. |
| 9:15 – 9:30 | 2. Short Term Rental Enforcement Fund Application
Recommendation: That Council approve the submission of an application to the Housing, Infrastructure, and Communities Canada (HICC) Short Term Rental Enforcement Fund (STREF). |
| 9:30 – 10:00 | 3. Off-Site Levy Bylaw Litigation (CAP 7348) – Funding Increase
Recommendation: That Council approve a budget increase for Off-Site Levy Bylaw Litigation (CAP 7384) from \$500,000 to \$600,000, with the \$100,000 increase funded from the General Capital Reserve. |
| 10:00 – 10:15 | Meeting Break |

10:15 – 10:25

4. Destination Stewardship Council (Verbal Report)

Recommendation:

- 1) That Council encourages the efforts to be made by the Town of Banff to create a regional Destination Stewardship Council as described in their unanimously approved motion FIN24-138, specifically:
 - “Creation of a Destination Stewardship Council focused on regional human use management within the Bow Valley (including Terms of Reference, list of potential partners, and budget implications). And further that the Status of this new Council Priority be listed as 2025 Q3.”
- 2) That Council direct Administration to respond collaboratively if and when approached by the Town of Banff to explore the creation of a Destination Stewardship Council with partners within the Bow Valley.

10:25 – 10:45

5. Purpose-Built Rentals Incentive Policy

Recommendation: That Council approve the Purpose-Built Rentals Incentive Policy as presented.

I. REPORTS FROM ADMINISTRATION – none

J. NOTICES OF MOTION – none

K. CLOSED SESSION – none

10:45

L. ADJOURNMENT

**TOWN OF CANMORE
MINUTES**

Special Meeting of Council
Council Chamber at the Civic Centre, 902 – 7 Avenue
Tuesday, November 19, 2024 at 1:00 p.m.

COUNCIL MEMBERS PRESENT

Sean Krausert	Mayor
Karen Marra	Deputy Mayor
Wade Graham	Councillor
Jeff Hilstad	Councillor
Jeff Mah	Councillor (via Zoom)

COUNCIL MEMBERS ABSENT

Tanya Foubert	Councillor
Joanna McCallum	Councillor

ADMINISTRATION PRESENT

Therese Rogers	General Manager of Corporate Services Acting Chief Administrative Officer
Whitney Smithers	General Manager of Municipal Infrastructure
Scott McKay	General Manager of Municipal Services
Ben Stiver	Municipal Clerk (recorder)

Mayor Krausert called the November 19, 2024 regular meeting to order at 1:00 p.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

1. Land Acknowledgement

2. Agenda for the November 19, 2024 Special Meeting of Council

260-2024

Moved by Mayor Krausert that Council approve the agenda for the November 19, 2024 Special Council meeting as presented.

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS – none

C. DELEGATIONS – none

D. APPROVAL OF MINUTES – none

E. BUSINESS ARISING FROM THE MINUTES – none

F. UNFINISHED BUSINESS – none

G. BYLAW APPROVAL

1. Division of Class 1 Property Bylaw Amendment 2024-33 – Primary Subclass Qualification

- 261-2024 Moved by Mayor Krausert that Council give first reading to Division of Class 1 Property Bylaw Amendment 2024-33 – Primary Subclass Qualification.
CARRIED UNANIMOUSLY
- 262-2024 Moved by Mayor Krausert that Council give second reading to Division of Class 1 Property Bylaw Amendment 2024-33 – Primary Subclass Qualification.
CARRIED UNANIMOUSLY
- 263-2024 Moved by Mayor Krausert that Council give leave to go to third reading of Division of Class 1 Property Bylaw Amendment 2024-33 – Primary Subclass Qualification.
CARRIED UNANIMOUSLY
- 264-2024 Moved by Mayor Krausert that Council give third reading to Division of Class 1 Property Bylaw Amendment 2024-33 – Primary Subclass Qualification.
CARRIED UNANIMOUSLY

H. NEW BUSINESS – none

I. REPORTS FROM ADMINISTRATION – none

J. NOTICES OF MOTION – none

K. CLOSED SESSION – none

L. ADJOURNMENT

- 265-2024 Moved by Mayor Krausert that Council adjourn the November 19, 2024 Special Council meeting at 1:07 p.m.
CARRIED UNANIMOUSLY

Sean Krausert
Mayor

Ben Stiver
Municipal Clerk

Minutes approved by: _____

**TOWN OF CANMORE
MINUTES**

Regular Meeting of Council
Council Chamber at the Civic Centre, 902 – 7 Avenue
Tuesday, December 3, 2024 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Sally Caudill	Chief Administrative Officer
Whitney Smithers	General Manager of Municipal Infrastructure
Scott McKay	General Manager of Municipal Services
Cheryl Hyde	Manager of the Municipal Clerk's Office
Ben Stiver	Municipal Clerk (recorder)
Harry Shnider	Manager of Planning and Development
Shannon Woods	Water Resources Engineer
Andreas Comeau	Manager of Public Works
Andy Esarte	Manager of Engineering
Adam Robertson	Manager of Communications

Mayor Krausert called the December 3, 2024 regular meeting to order at 9:00 a.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

- 1. Land Acknowledgement**
- 2. Agenda for the December 3, 2024 Regular Meeting of Council**

266-2024

Moved by Mayor Krausert that Council approve the agenda for December 3, 2024 regular council meeting as presented.

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS

1. Revised Land Use Bylaw Amendment 2024-30 – Tourist Home Conversions

(1) Call to order

Mayor Krausert called the public hearing to order for Revised Land Use Bylaw Amendment 2024-30 – Tourist Home Conversions at 9:02 a.m.

(2) Administration Summary

Administration provided a verbal briefing on the proposed bylaw.

(3) Public Submissions

In favour – none

Neutral or Unstated

Name	Verbal	Written
Auksi, Liz		X
Bast, Monica		X
Neumann, John	X	

Opposed – none

(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.

All of the submissions have been recorded as “Neutral or Unstated” as they did not directly address the item and referenced matters irrelevant to the public hearing.

(5) Closing Comments from Administration - none

(6) Council Questions of Administration - none

(7) Adjournment of the Public Hearing

Mayor Krausert adjourned the public hearing at 9:14 a.m.

C. DELEGATIONS – none

D. APPROVAL OF MINUTES

1. Minutes of the October 22, 2024 Annual Organizational Meeting of Council

267-2024

Moved by Mayor Krausert that Council approve the minutes of the October 22, 2024 annual organizational meeting as presented.

CARRIED UNANIMOUSLY

Minutes approved by: _____

- 268-2024 **2. Minutes of the November 5, 2024 Regular Meeting of Council**
Moved by Mayor Krausert that Council approve the minutes of the November 5, 2024 regular meeting as presented.
CARRIED UNANIMOUSLY
- E. BUSINESS ARISING FROM THE MINUTES – none**
- F. UNFINISHED BUSINESS – none**
- G. BYLAW APPROVAL**
- 269-2024 **1. Revised Land Use Bylaw Amendment 2024-30 – Tourist Home Conversions**
Moved by Mayor Krausert that Council give second reading to Revised Land Use Bylaw Amendment 2024-30 – Tourist Home Conversions.
CARRIED UNANIMOUSLY
- 270-2024 Moved by Mayor Krausert that Council give third reading to Revised Land Use Bylaw Amendment 2024-30 – Tourist Home Conversions.
CARRIED UNANIMOUSLY
- 271-2024 **2. Outdated Election Bylaw Repeals**
Moved by Mayor Krausert that Council give first reading to Election Bylaw Repealing Bylaw 2024-32.
- 271A-2024 Moved by Councillor Graham that Council amend motion 271-2024 by adding “amended by striking out Section 3 and by striking out “and Automated Voting System” from the title.”
DEFEATED
In favour: Graham
Opposed: Foubert, Marra, Krausert, Mah, Hilstad, McCallum
- 271-2024 The vote followed on motion 271-2024, that Council give first reading to Election Bylaw Repealing Bylaw 2024-32.
CARRIED UNANIMOUSLY
- 272-2024 Moved by Mayor Krausert that Council give second reading to Election Bylaw Repealing Bylaw 2024-32.
CARRIED UNANIMOUSLY
- 273-2024 Moved by Mayor Krausert that Council give leave to go to third reading of Election Bylaw Repealing Bylaw 2024-32.
CARRIED UNANIMOUSLY
- 274-2024 Moved by Mayor Krausert that Council give third reading to Election Bylaw Repealing Bylaw 2024-32.
CARRIED UNANIMOUSLY

Minutes approved by: _____

3. Road Closure Bylaw 2024-17 – Mountain Avenue

275-2024 Moved by Mayor Krausert that Council give second reading to Road Closure Bylaw 2024-17 – Mountain Avenue.

CARRIED UNANIMOUSLY

276-2024 Moved by Mayor Krausert that Council give third reading to Road Closure Bylaw 2024-17 – Mountain Avenue.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

1. Land Transaction – Teepee Town Right of Way Pilot Project

277-2024 Moved by Mayor Krausert that Council approve the sale of a parcel of land created by Road Closure Bylaw 2024-17 to ReNu Construction Limited, 2361524 Alberta Limited, FGH Capital Investing Limited, Fianna Capital Management Group Limited, and One Four Five Investments Limited for the amount of \$480,000.

CARRIED UNANIMOUSLY

278-2024 Moved by Mayor Krausert that Council direct the proceeds of the sale of a parcel of land created by Road Closure Bylaw 2024-17 to Canmore Community Housing for the purpose of advancing their Palliser lands development portfolio.

CARRIED UNANIMOUSLY

2. 2025 Municipal Election Returning Officer Appointment

279-2024 Moved by Mayor Krausert that Council:

- appoint Cheryl Hyde, Manager, Municipal Clerk’s Office, as the returning officer for the 2025 municipal election;
- appoint Ben Stiver, Municipal Clerk, as the substitute returning officer for the 2025 municipal election; and
- authorize the returning officer to:
 - provide for special ballots, for which application may be made in writing, by telephone, by fax, in person, by e-mail, and by secure website;
 - enter into an agreement with Canadian Rockies Regional Division 12 and Christ the Redeemer Catholic Schools to conduct their election for school board trustees, if required; and
 - designate the location of one or more institutional voting stations in addition to the required voting station.

CARRIED UNANIMOUSLY

Meeting Break 10:00 a.m. – 10:15 a.m.

3. Request for Exemption to Collection of Levies and Fees Policy

280-2024 Moved by Mayor Krausert that Council grant an exemption from Collection of Levies and Fees Policy PD-001 for Canmore Community Housing Corporation to pay off-site levies, related to their Palliser development, on a phased basis, as set out in the administrative report.

CARRIED UNANIMOUSLY

Minutes approved by: _____

4. WWTP Odour Control Construction (CAP #7370) – Scope Change and Funding Increase

281-2024 Moved by Mayor Krausert that Council approve a scope change and a budget increase for WWTP - Odour Control – Construction (CAP #7370) from \$2,000,000 to \$2,600,000, with the \$600,000 increase funded from the Wastewater Utility Reserve.

CARRIED UNANIMOUSLY

5. Local Growth and Sustainability Grant

282-2024 Moved by Mayor Krausert that Council approve an application to the Local Growth and Sustainability Grant Program for 17th Street and Railway Avenue Transportation Improvements.

CARRIED UNANIMOUSLY

283-2024 Moved by Mayor Krausert that Council approve a new capital project for 17th Street and Railway Avenue Transportation Improvements - Design for \$200,000 to be funded from the Asset Replacement/Rehabilitation Reserve.

CARRIED UNANIMOUSLY

6. Rocky Mountain Heritage Foundation Co-ownership Agreement

284-2024 Moved by Mayor Krausert that Council approve the Rocky Mountain Heritage Foundation Co-ownership Agreement as presented.

CARRIED UNANIMOUSLY

7. 2024 Capital Budget Amendment – FireSmart Document Review

285-2024 Moved by Mayor Krausert that Council approve a new 2024 capital project for a FireSmart review of municipal documents funded in full by the Forest Resource Improvement Association of Alberta (FRIAA) grant in the amount of \$33,400.

CARRIED UNANIMOUSLY

Lunch Break 11:25 a.m. – 1:15 p.m.

I. REPORTS FROM ADMINISTRATION – none

J. NOTICES OF MOTION – none

K. CLOSED SESSION

1. Moustache Lands Update

286-2024 Moved by Mayor Krausert that Council close the meeting to the public at 1:20 p.m. to prevent disclosure of advice, proposals, recommendations, analyses, or policy options developed for the Town, in accordance with section 24(1)(a) of the *Freedom of Information and Protection of Privacy Act*.

CARRIED UNANIMOUSLY

Administration present at the closed session: Sally Caudill, Whitney Smithers, Scott McKay, Adam Robertson, and Ben Stiver.

Consultant present at the closed session: Lee Prevost, Ground Cubed Inc.

Minutes approved by: _____

287-2024 Moved by Mayor Krausert that Council return to the public meeting at 1:54 p.m.
CARRIED UNANIMOUSLY

L. ADJOURNMENT

288-2024 Moved by Mayor Krausert that Council adjourn the December 3, 2024 regular council meeting at 1:55 p.m.
CARRIED UNANIMOUSLY

Sean Krausert
Mayor

Ben Stiver
Municipal Clerk

Minutes approved by: _____

**TOWN OF CANMORE
MINUTES**

Special Meeting of Council
Council Chamber at the Civic Centre, 902 – 7 Avenue
Tuesday, December 10, 2024 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Sally Caudill	Chief Administrative Officer
Therese Rogers	General Manager of Corporate Services
Scott McKay	General Manager of Municipal Services
Ben Stiver	Municipal Clerk (recorder)
Andreas Comeau	Manager of Public Works
Chelsey Gibbons	Manager of Finance

Mayor Krausert called the December 10, 2024 special meeting to order at 9:00 a.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

- 1. Land Acknowledgement**
- 2. Agenda for the December 10, 2024 Special Meeting of Council**

289-2024 Moved by Mayor Krausert that Council approve the agenda for the December 10, 2024 special meeting as presented.

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS – none

C. DELEGATIONS – none

D. APPROVAL OF MINUTES – none

E. BUSINESS ARISING FROM THE MINUTES – none

F. UNFINISHED BUSINESS – none

G. BYLAW APPROVAL

1. Utility Rate Bylaw Amendments 2024-34 and 2024-35

- 290-2024 Moved by Mayor Krausert that Council give first reading to Water Bylaw Amendment 2024-34 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 291-2024 Moved by Mayor Krausert that Council give second reading to Water Bylaw Amendment 2024-34 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 292-2024 Moved by Mayor Krausert that Council give leave for third reading of Water Bylaw Amendment 2024-34 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 293-2024 Moved by Mayor Krausert that Council give third reading to Water Bylaw Amendment 2024-34 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 294-2024 Moved by Mayor Krausert that Council give first reading to Sewerage Use Bylaw Amendment 2024-35 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 295-2024 Moved by Mayor Krausert that Council give second reading to Sewerage Use Bylaw Amendment 2024-35 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 296-2024 Moved by Mayor Krausert that Council give leave for third reading to Sewerage Use Bylaw Amendment 2024-35 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 297-2024 Moved by Mayor Krausert that Council give third reading to Sewerage Use Bylaw Amendment 2024-35 – Rate Adjustment. **CARRIED UNANIMOUSLY**

2. Recyclables and Waste Disposal Bylaw Amendment 2024-36 – Rate Adjustment

- 298-2024 Moved by Mayor Krausert that Council give first reading to Recyclables and Waste Disposal Bylaw Amendment 2024-36 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 299-2024 Moved by Mayor Krausert that Council give second reading to Recyclables and Waste Disposal Bylaw Amendment 2024-36 – Rate Adjustment. **CARRIED UNANIMOUSLY**
- 300-2024 Moved by Mayor Krausert that Council give leave for third reading of Recyclables and Waste Disposal Bylaw Amendment 2024-36 – Rate Adjustment. **CARRIED UNANIMOUSLY**

Minutes approved by: _____

301-2024 Moved by Mayor Krausert that Council give third reading to Recyclables and Waste Disposal Bylaw Amendment 2024-36 – Rate Adjustment.
CARRIED UNANIMOUSLY

H. NEW BUSINESS

1. 2025 Interim Budget Approval, 2025 Master Fee Schedule, and Cancellation of Capital Projects

302-2024 Moved by Mayor Krausert that Council approve the previously approved 2025 Operating Plan as the 2025 interim operating budget.
CARRIED UNANIMOUSLY

303-2024 Moved by Mayor Krausert that Council approve the previously approved 2025 Capital Plan as the 2025 interim capital budget.
CARRIED UNANIMOUSLY

304-2024 Moved by Mayor Krausert that Council approve the 2025 and 2026 Master Fee Schedule as presented.
CARRIED UNANIMOUSLY

305-2024 Moved by Mayor Krausert that Council direct administration to cancel capital projects CAP 7183, CAP 7259, CAP 7292, CAP 7293, CAP 7335, and CAP 7372.
CARRIED UNANIMOUSLY

Meeting Break 9:36 a.m. – 9:45 a.m.

2. Livability Tax Program Budget Approval

306-2024 Moved by Mayor Krausert that Council amend the Livability Tax Program Request for Decision in the December 10, 2024 Special Council Meeting agenda package by striking out the “Municipal Levy – Based on 2024 Mill Rates Illustrative Example” on page 66 and substituting the following:

Illustrative Example		Municipal Levy - Based on 2024 Mill Rates					
Examples	Primary Residence	Residential (Non-Primary)				Tourist Home	Non-Residential
		at 0.35%		at 0.4%			
		Potential Incremental Taxes	Potential Total Municipal Levy	Potential Incremental Taxes	Potential Total Municipal Levy		
Residential Condo - Assessed at \$761K	\$1,559	\$2,664	\$4,222	\$3,044	\$4,603	\$4,776	\$4,776
Median Assessed Value - Assessed at \$1.043 million	\$2,136	\$3,651	\$5,787	\$4,172	\$6,308	\$6,545	\$6,545
For Reference		Estimated Incremental Annual Tax Revenue					
% of Assessed Value		Annual Tax Revenue					
0.35%		\$10.5 million					
0.40%		\$12 million					

CARRIED UNANIMOUSLY

307-2024 Moved by Mayor Krausert that Council direct administration to replace the December 10, 2024 Special Council Meeting agenda package on the Town of Canmore website with the updated version as amended by motion 306-2024.
CARRIED UNANIMOUSLY

Minutes approved by: _____

308-2024 Moved by Mayor Krausert that Council approve the Livability Tax Program budget as presented.

308A-2024 Moved by Councillor Foubert that Council amend motion 308-2024 by adding: amend the Livability Tax Program budget to \$9 million from 2025-2028.

DEFEATED

In favour: Foubert

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

308-2024 The vote followed on motion 308-2024: that Council approve the Livability Tax Program budget as presented.

CARRIED UNANIMOUSLY

3. First Response Fire Agreement with the MD of Bighorn

309-2024 Moved by Mayor Krausert that Council authorize the Mayor and CAO to execute the First Response Fire Agreement with the MD of Bighorn as attached for a five-year term beginning January 1, 2025.

CARRIED UNANIMOUSLY

I. REPORTS FROM ADMINISTRATION – none

J. NOTICES OF MOTION – none

K. CLOSED SESSION – none

L. ADJOURNMENT

310-2024 Moved by Mayor Krausert that Council adjourn the December 10, 2024 special meeting at 10:53 a.m.

CARRIED UNANIMOUSLY

Sean Krausert
Mayor

Ben Stiver
Municipal Clerk

Minutes approved by: _____



Request for Decision

DATE OF MEETING: January 7, 2025 **Agenda #:** H 1

TO: Council

SUBJECT: Community Events Committee Public Member Appointment

SUBMITTED BY: Ben Stiver, Municipal Clerk

RECOMMENDATION: That Council appoint Chris Palivan to the Community Events Committee for a term ending at the 2025 annual organizational meeting of council.

EXECUTIVE SUMMARY

At the annual organizational meeting on October 22, 2024, Council appointed members to internal and external advisory boards, committees, commissions, and task forces. Due to an unexpected vacancy in the Community Events Committee, Council is required to appoint a new public member to serve until the 2025 annual organizational meeting of council.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Committee membership criteria is set out in the Community Events Committee Bylaw 2017-33.

DISCUSSION

Current public member appointments for the Community Events Committee are listed below. Lorel Hammerstad informed administration shortly after committee appointments were announced that they were unable to accept the position as they no longer reside in Canmore and, thereby, do not meet the membership criteria.

Community Events Committee	Term Expiry
Davidson, Muriel	2025
Hammerstad, Lorel	2025
Shellian-Frey, Suzan	2025

*Unable to accept position

Administration recommends that Council appoint Chris Palivan, who applied for the committee at the 2024 annual organizational meeting but was not appointed at that time. The term being recommended aligns with the expiry of the other member's terms on the Community Events Committee.

ANALYSIS OF ALTERNATIVES

If Council decides to not appoint Chris Palivan as the new member of the Community Events Committee, administration will launch a new recruitment process as Mr. Palivan is the last remaining unassigned applicant for the committee.

FINANCIAL IMPACTS

None.

INTEREST HOLDER ENGAGEMENT

None.

ATTACHMENTS

- 1) Boards & Committees Application – Chris Palivan
 - To prevent the disclosure of personal information in accordance with section 17(4)(g) of the *Freedom of Information and Protection of Privacy Act*, Attachment 1 is not included in the public agenda package and only provided to Council for their review.
- 2) Community Events Committee Bylaw 2017-33

AUTHORIZATION

Submitted by:	Ben Stiver Municipal Clerk	Date:	<u>December 10, 2024</u>
Approved by:	Cheryl Hyde Manager, Municipal Clerk's Office	Date:	<u>December 10, 2024</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>December 23, 2024</u>



BYLAW 2017-33

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING THE COMMUNITY EVENTS COMMITTEE

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

1: TITLE

1.1. This bylaw shall be known as the Community Events Committee Bylaw.

2: INTERPRETATION

In this bylaw:

2.1. In this bylaw, “Committee” means the Community Event Committee.

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

3: ESTABLISHMENT

3.1. The Community Event Committee is hereby established.

3.2. The purpose of the Committee is to approve community events in accordance with Community Events Policy AE002.

4: AUTHORITY

4.1. The Committee is authorized to:

- a) Review, evaluate, and approve or deny community event applications.
- b) Provide input on policies, procedures, and practices that govern community events and event producers.
- c) Establish working committees as required to implement committee initiatives.

5: MEMBERSHIP AND TERM

5.1. The committee shall be comprised of the following members:

- a) The Supervisor of Arts and Events (voting in the event of a tie)
- b) The Supervisor of Streets and Roads or designate (non-voting)
- c) The Supervisor of Parks or designate (non-voting)
- d) The Facility Booking Coordinator or designate (non-voting)
- e) One member from the Downtown Business Revitalization Zone
- f) Two community event producers who work closely with Arts and Events
- g) Three members of the public at large

5.2. Council shall appoint the three public members at Council’s annual organizational meeting.

5.3. The term of membership for public members shall be one year, beginning on the date following Council’s annual organizational meeting and terminating on the date of annual organizational meeting one year later.

5.4. The number of consecutive terms served by a public member shall not exceed five (5) years.

6: ELIGIBILITY

6.1. To be eligible for public membership on the committee, a person must:

- a) be a Canadian citizen or landed immigrant;
- b) be a resident of or a second homeowner in Canmore; and
- c) be at least eighteen years of age.

6.2. A public member is not eligible for continuing a term on the committee and/or for reapplying for the next subsequent term on that committee if the public member:

- a) fails to attend three consecutive meetings of the committee, unless that absence is caused through illness or is authorized in advance by resolution of the committee; or
- b) ceases to meet the eligibility requirements set out in this bylaw.

7: RESIGNATIONS AND REMOVALS

7.1. Any public member may resign from the committee at any time by sending written notice to the committee chair.

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

8: MEETING SCHEDULE AND PROCEDURES

8.1. Quorum shall be a minimum of five members, including a simple majority of voting members.

8.2. The committee will meet at least three (3) times per year.

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

8.4. The committee will conduct its meetings in public except where authorized by the Municipal Government Act to close a meeting to the public.

8.5. The Supervisor of Arts and Events shall be the chair of the committee. All Town staff shall be non-voting members.

8.6. Matters will be decided by majority vote. A tied vote is defeated.

Bylaw approved by: GA JB

9: MEETING RECORDS

- 9.1. Agendas shall be made available to committee members at least three days prior to a meeting, and made available to the public at least one day prior to a meeting.
- 9.2. Minutes shall be prepared for every committee meeting and contain the following:
 - a) The date, time and location of the meeting;
 - b) The names of all committee members present;
 - c) The name of anyone other than a committee member who participated in the meeting; and
 - d) Any motions made at the meeting, along with the results of the vote on the motion.
- 9.3. Questions and debate shall not be recorded in council committee minutes.
- 9.4. Minutes may, at the discretion of the members, include action items agreed upon by unanimous consent of voting members, including, but not limited to, action items accepted by individual committee members.
- 9.5. Minutes of a meeting shall be adopted by motion at the next meeting convened.
- 9.6. 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.
- 9.7. Approved minutes shall be signed by the chairperson and the recorder who were present at the meeting where the minutes were taken, wherever possible. Where not possible, the minutes shall be signed by the current presiding officer and recording secretary.

10: ENACTMENT/TRANSITION

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

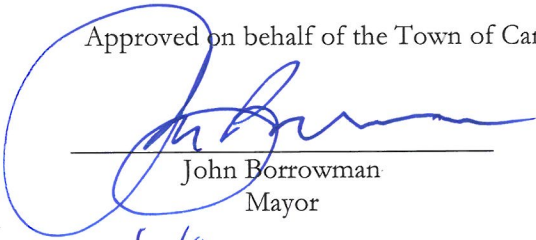
FIRST READING: September 19, 2017

SECOND READING: September 19, 2017

THIRD READING: September 19, 2017

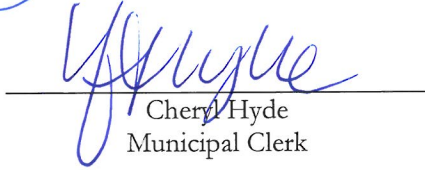
Bylaw approved by: CTT NB
January 7, 2025 Regular Council Meeting 9:00 a.m.

Approved on behalf of the Town of Canmore:



John Borrowman
Mayor

Sept. 27, 2017
Date



Cheryl Hyde
Municipal Clerk

September 20, 2017
Date

Bylaw approved by: CTT JS



Request for Decision

DATE OF MEETING: January 7, 2025 **Agenda #:** H 2

TO: Council

SUBJECT: Short Term Rental Enforcement Fund Application

SUBMITTED BY: Caitlin Miller, Manager of Protective Services

RECOMMENDATION: That Council approve the submission of an application to the Housing, Infrastructure, and Communities Canada (HICC) Short Term Rental Enforcement Fund (STREF).

EXECUTIVE SUMMARY

Housing, Infrastructure, and Communities Canada (HICC) announced a call for proposals for the Short-Term Rental Enforcement Fund (STREF). The purpose of the STREF is to limit short-term rentals that take away units from the long-term rental market across the country. This aligns with the Town of Canmore's Livability Task Force recommendations which seek to encourage long-term occupancy of existing housing stock and encouraging an increase in rental supply. Administration is preparing an application to the STREF to support the enforcement of illegal tourist homes (short-term/vacation rentals) in Canmore in support of ensuring the successful implementation of the approved Livability Task Force recommendations.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Motion 16-2024 That Council accept the Livability Task Force's recommendations for information as presented and direct administration to develop an implementation plan.

Motion 308-2024 That Council approve the Livability Tax Program budget as presented.

Land Use Bylaw 2018-22

Business Registry Bylaw 2024-27

DISCUSSION

To support the implementation of the Livability Task Force recommendations, enforcement of illegal tourist homes is required. Since 2020, this enforcement has been driven by complaints from community members as there have been no dedicated staff members to illegal tourist home enforcement. With the approval of the Livability Tax Program operating budget, enforcement for both illegal tourist homes and false primary residence declarations will be done by a dedicated resource. The Livability Tax Program operating budget also included the use of compliance software to aide in the proactive enforcement of illegal tourist homes. As this is a new program and innovation in this area is ongoing, it is still to be determined what tools or processes will be most efficient in helping enforce illegal tourist homes or false primary residence declarations. The announcement of the STREF comes at an opportune time and could be used to help support new and innovative ways to enforce the implementation of the Livability Task Force's recommendations.

The purpose of the STREF is to limit short-term rentals that take away units from the long-term rental market across the country. The Government of Canada is providing \$45.9 million over three years, starting in 2024-2025, to support the enforcement of restrictions on short-term rentals. The STREF will provide funding to successful applicants that have existing strict regulatory regimes to support the local enforcement of short-term rental restrictions and includes supporting the planning, implementation, enhancement, and review of short-term rental compliance measures as well as increasing short-term rental enforcement and compliance capacity. The Town of Canmore's strict regulation of tourist homes only being allowed in tourist home zones and not in most residential districts along with the recent requirement for each tourist home unit to be licensed and have it displayed in the property make the municipality eligible for this program. The deadline to apply is January 24, 2025.

The application that will be submitted will include the following activities:

- Support for the planning, implementation, improvement, and review of short-term rental enforcement and compliance measures
- Increasing short-term rental enforcement and compliance capacity

These activities will be accomplished through the following:

- Awareness and education campaign
- Procurement of additional software tools to assist with identification, monitoring, and compliance processes, including integration with current systems used within the organization
- An additional compliance officer for a two-year term period
- Additional legal fees, including processing and serving documents internationally
- The creation and implementation of an evaluation framework
- The creation and implementation of a monitoring and performance measurement framework to measure performance of the initiatives
- Additional research and analysis on short-term rental enforcement trends and best practices
- Building and disseminating knowledge on short-term rental enforcement through staff training and development of resources

ANALYSIS OF ALTERNATIVES

None.

FINANCIAL IMPACTS

If successful, the resources provided through the STREF could off-set some of the expenses outlined in the Livability Tax Program operating budget, leaving more funds available in the Livability Reserve.

INTEREST HOLDER ENGAGEMENT

Provincial approval may be required under the *Provincial Priorities Act, 2024* before entering into, amending, extending, or renewing an agreement with the federal government. Approval is not required to submit an application.

ATTACHMENTS

None.

AUTHORIZATION

Submitted by:	Caitlin Miller Manager of Protective Services	Date:	<u>December 13, 2024</u>
Approved by:	Chelsey Gibbons Manager of Financial Services	Date:	<u>December 18, 2024</u>
Approved by:	Scott McKay General Manager of Municipal Services	Date:	<u>December 18, 2024</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>December 23, 2024</u>



Request for Decision

DATE OF MEETING: January 7, 2025 **Agenda #:** H 3

TO: Council

SUBJECT: Off-Site Levy Bylaw Litigation (CAP 7384) – Funding Increase

SUBMITTED BY: Adam Driedzic, Town Solicitor

RECOMMENDATION: That Council approve a budget increase for Off-Site Levy Bylaw Litigation (CAP 7384) from \$500,000 to \$600,000, with the \$100,000 increase funded from the General Capital Reserve.

EXECUTIVE SUMMARY

Additional funds for Capital Project 7384 (Off-Site Levy Bylaw Litigation) are necessary to pay for services that are required in relation to the appeal of the 2024 Off-Site Levy Bylaw amendments to the Land and Property Rights Tribunal (LPRT).

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Council approved Capital Project 7384 for the Off-Site Levy Bylaw Litigation on June 4, 2024.

DISCUSSION

The capital project identified the LPRT appeal, a judicial review and any related legal actions concerning the 2024 amendments to the Off-Site Levy Bylaw. As described in the original request for decision, the initial approved amount of \$500,000 was based solely on an estimate for the LPRT, as the outcome of the LPRT would determine what other legal actions proceed. This costing only for the LPRT applies to the current request for increased funding as well.

The cost of legal actions is difficult to predict with accuracy at the outset. Several factors contributed to the increased costs of responding to the LPRT appeal. The Town ran a rigorous procurement process for external legal counsel. With Town approval, the law firm used for the LPRT assigned multiple lawyers to the appeal and the Town made use of a second firm with expertise in offsite levies. Preparing for the LPRT after being served with the notice of appeal took multiple months in 2024.

The hearing process was lengthy and complex compared to many tribunal appeals. There were two preliminary applications heard by the LPRT in advance of the main hearings. The main hearings took place over two weeks and involved long days and after-hours work. There were no prospects of settlement during the appeal, which differed from the experience of other municipalities in previous OSL appeals to the LPRT. It was necessary to go through the full hearings. Little was agreeable between parties and there were multiple requests for direction from the LPRT on questions of evidence and procedure. All these things take billable legal time.

The substantive issues for the LPRT to decide involved large amounts of technical evidence that was contested between the parties. The allocation of project costs for the offsite levy bylaw were developed for the Town by the engineering firm of CIMA+. The model used by the Town to calculate offsite levies was developed by the financial consulting firm of Corvus Business Advisors who provide the same product to many municipalities. These professional service firms needed to prepare for and attend several days of hearings as report authors, expert witnesses and observers. Overall, this appeal required a significant amount of professional and legal services.

A decision from the LPRT is pending as of the date that this report was filed, but further legal and consulting services will be required to implement an LPRT decision. The Town acknowledged that some further changes to the Off-Site Levy Bylaw should be made as documented in its final written request for direction from the LPRT.

ANALYSIS OF ALTERNATIVES

Some of the cost overrun on the capital project could be re-allocated to the legal operations budget on the basis that it relates to bylaw-making and has value beyond the appeal. This includes the costs of legal opinions obtained in advance of the anticipated appeal and services relevant to future bylaw amendments. This is not recommended as it does not capture the full costs of preparing and responding to an LPRT appeal, and it would still leave need for some additional funding for the capital project.

Funds could be re-allocated from other capital projects administered by the Legal Department that have either not started yet or that have funds remaining. This is not recommended for the same reasons behind this request for additional funds, namely that the exact costs of legal matters are difficult to predict at the outset and the funds in these other capital projects may be required for their intended purpose.

FINANCIAL IMPACTS

The \$100,000 in additional funding is proposed to come from the General Capital Reserve. Any unspent amount will be returned to the reserve.

Canmore is growing. Growth requires the construction of public infrastructure. The development community contributes to these infrastructure costs through the payment of off-site levies. The Town often needs to pay for growth-related infrastructure projects earlier than development occurs and recovers the costs through levies when permits are issued for the new developments. Costs that are not recovered through off site levies will fall on utility ratepayers for the new utility projects and on the taxpayers more generally.

The difference in the costs of public infrastructure attributable to new development in Canmore as between the 2020 Off Site Levy Bylaw and the 2024 amendments as documented in the staff report for those amendments is approximately \$69,700,000. The 2024 updates also reduce the percentage of the total costs attributable to development that have already been collected by the Town through off site levies. The majority of new project costs added through the 2024 amendments are necessary to support growth and are at stake in the appeal. Reports that the bylaw included \$30M in unnecessary projects are incorrect.

When the Town was served with the legal actions, it became necessary to incur costs of responding or lose the entire value of the 2024 amendments. The changes to the bylaw that the Town acknowledged should be made during the LPRT hearings did not remove the need to respond to the appeal or value of doing so. One proposed addition to the Wastewater Treatment Plant (WWTP) known as a Primary Clarifier, costed at

\$10,200, was found by engineering work to be unnecessary after the date of the 2024 amendments so should be removed in any event. The Town also proposed removing 4 projects in the Three Sisters area for the construction of a new Smith Creek Reservoir and an upgrade to the existing Lift Station 11 that totalled approximately \$16,262,000. These projects are triggered by new growth in Canmore and can be levied for. Removing these projects responds to an issue with the mapping of offsite levy zones in the bylaw when compared to areas serviced by these projects from an engineering perspective. The development of areas to be serviced by these projects is not imminent, and the projects can be returned to the bylaw through a future update once the zoning issue is resolved. The Town also acknowledged that the percentage of flows into the WWTP attributable to Dead Mans Flats should be increased. This will reduce the amount of WWTP costs assigned to off site levies in Canmore and should be accounted for by updating service agreements between the Town and the MD Bighorn.

The pending LPRT decision will create need to issue refunds on levies that were collected. The amount is unknown in advance of an LPRT decision, but the impact on all parties should be mitigated by the fact that levies are often payable in installments. The total collected from developers named as appellants between the date of the 2024 amendments and the end of the LPRT hearings was approximately \$892,376 through payments ranging from \$40,351 to \$384,485. The collected installments will be for all amounts payable under Off Site Levy Bylaw 2020-27, so refunds resulting from the contested 2024 amendments will be a subset of those amounts.

ATTACHMENTS

- 1) Capital Project Sheet – Off-Site Levy Bylaw Litigation (7384)
- 2) Capital Project Sheet – Off-Site Levy Bylaw Litigation (7384) Revised

AUTHORIZATION

Submitted by:	Adam Driedzic Town Solicitor	Date: <u>December 9, 2024</u>
Approved by:	Chelsey Gibbons Manager of Finance	Date <u>December 5, 2024</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>December 23, 2024</u>



Off-Site Levy Bylaw Litigation

H3 Attachment 1

Project Summary

Project Number

7384

Budget Year:	2024
Department:	Chief Administrative Officer
Questica Reference:	ADM-24-11

Budget:	\$500,000
Project Type:	Legal/Regulatory
Priority:	A

Project Description:

The Bow Valley Builders and Developers Association (BOWDA) and Three Sisters Mountain Village (TSMVPL) have commenced legal actions against 2024 amendments to the 2020 Offsite Levy Bylaw.

Project funds will be used to respond to a judicial review of the bylaw decision, an appeal to the Land and Property Rights Tribunal (LPRT) and any related legal actions. Approximate use of funds will be for outsourced legal counsel (\$300,000), experts on retainer (\$150,000) and contingencies (\$50,000).

END

Budget Funding:

	2024	2025	2026	2027	2028	2029	Total
General Capital Reserve	\$500,000	0	0	0	0	0	\$500,000
Total	\$500,000	0	0	0	0	0	\$500,000

Operating Budget Impact:

\$30,000-60,000 a year for 2024-2024 in increased outsourcing for operational legal work resulting from Town Solicitor supporting the litigation. This will be covered by the current approved operating budget.

END

Project Rationale:

Without updating the 2020 Offsite Levy Bylaw, the Town has a shortfall on the collection of levies needed to account for the cost of public infrastructure attributable to new growth. This shortfall will fall on the municipal utility ratepayers, taxpayers, or otherwise on the public purse. The revenue impact of the 2024 amendments to the Off-Site Levy Bylaw is measurable in millions of dollars a year over the 25-year timespan provided by the amendments. This positive financial impact on the municipality exceeds the estimated \$500,000 cost of responding to the litigation.

Responding to the litigation is an extraordinary, emergent expense that was not planned at the time of the original 2024 capital budget approval and is disproportionate to the legal operations budget. New funds for outsourced legal counsel and experts are required for a legal matter of this nature

END

Options Considered:

Not responding to the litigation and appeals is unviable as this could result in default judgements against the Town and/or inability to settle the litigation.

END



Off-Site Levy Bylaw Litigation

H3 Attachment 2

Project Summary

Project Number

7384

Budget Year:	2024
Department:	Chief Administrative Officer
Questica Reference:	ADM-24-11

Budget:	\$600,000
Project Type:	Legal/Regulatory
Priority:	A

Project Description:

The Bow Valley Builders and Developers Association (BOWDA) and Three Sisters Mountain Village (TSMVPL) have commenced legal actions against 2024 amendments to the 2020 Offsite Levy Bylaw.

Project funds will be used to respond to a judicial review of the bylaw decision, an appeal to the Land and Property Rights Tribunal (LPRT) and any related legal actions. Approximate use of funds will be for outsourced legal counsel (\$300,000), experts on retainer (\$150,000) and contingencies (\$50,000).

END

Budget Funding:

	2024	2025	2026	2027	2028	2029	Total
General Capital Reserve	\$500,000	\$100,000	0	0	0	0	\$600,000
Total	\$500,000	\$100,000	0	0	0	0	\$600,000

Operating Budget Impact:

\$30,000-60,000 a year for 2024-2024 in increased outsourcing for operational legal work resulting from Town Solicitor supporting the litigation. This will be covered by the current approved operating budget.

END

Project Rationale:

Without updating the 2020 Offsite Levy Bylaw, the Town has a shortfall on the collection of levies needed to account for the cost of public infrastructure attributable to new growth. This shortfall will fall on the municipal utility ratepayers, taxpayers, or otherwise on the public purse. The revenue impact of the 2024 amendments to the Off-Site Levy Bylaw is measurable in millions of dollars a year over the 25-year timespan provided by the amendments. This positive financial impact on the municipality exceeds the estimated \$500,000 cost of responding to the litigation.

Responding to the litigation is an extraordinary, emergent expense that was not planned at the time of the original 2024 capital budget approval and is disproportionate to the legal operations budget. New funds for outsourced legal counsel and experts are required for a legal matter of this nature

END

Options Considered:

Not responding to the litigation and appeals is unviable as this could result in default judgements against the Town and/or inability to settle the litigation.

END



Request for Decision

DATE OF MEETING: January 7, 2025 **Agenda #:** H 5

TO: Council

SUBJECT: Purpose-Built Rentals Incentive Policy

SUBMITTED BY: Therese Rogers, General Manager of Corporate Services

RECOMMENDATION: That Council approve the Purpose-Built Rentals Incentive Policy as presented.

EXECUTIVE SUMMARY

One of the Livability Tax Force's recommendations was to incentivize purpose-built rentals. The proposed Purpose-Built Rentals Incentive Policy (the Policy) creates an incentivization grant program. It provides Council direction to administration to enter into agreements with owners developing these types of properties that include the parameters around and eligibility criteria for an annual grant equivalent to 75% of the municipal portion of annual property taxes for a period of up to 10 years.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

At its June 6, 2023 meeting, Council passed resolution #121-23:

Moved by Mayor Krausert that Council direct administration to 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.

At its November 7, 2023 meeting, Council passed resolution #287-2023:

Moved by Mayor Krausert that Council direct administration to exempt 900 Railway Avenue from 75% of the municipal portion of residential property taxes for 10 years provided 900 Railway Avenue remains a long-term residential rental property with a minimum 12-month lease and at least 95% of the units rented to residents of Canmore; and in support of this exemption, administration is directed to enter into an agreement with 900 Railway Avenue principals, including terms that (i) Council will be provided an annual report on residency of tenants, and (ii) if the property is ever converted from a long-term residential rental property then the exempted taxes will become immediately due.

At its January 9, 2024 meeting, Council passed resolution #16-24:

Moved by Mayor Krausert that Council accept the Livability Task Force's recommendations for information as presented and direct administration to develop an implementation plan.

DISCUSSION

In November 2023 Council approved a tax exemption for 900 Railway Avenue in support of a purpose-built rental housing development of 75% of annual municipal property taxes for 10 years. Subsequently, the Livability Task Force recommended that Council implement a program to incentivize purpose-built rentals.

The attached draft Policy is the mechanism by which this program would be put in place by specifying the eligibility requirements and mechanics of the program.

There are two program delivery options: a tax rebate, like with 900 Railway Avenue, or a grant. If the tax rebate option were chosen, annually Council would need to pass a motion to rebate a specific amount of taxes for each property, after the annual tax rates are set. If the grant option were chosen, the grant would be paid as provided for under the Policy without further Council direction; annual resolutions are unnecessary. For this reason, administration is proposing a grant program, and the proposed Policy is written this way. If Council agrees with this approach, the agreement with 900 Railway Avenue would be updated to be consistent with the Policy.

The key provisions of the draft Policy are:

Provision	Explanation	Alternative(s)
Grant.	Administratively easier and ensures funds are paid once annual eligibility is confirmed.	n/a
Equivalent to 75% of municipal taxes.	Same percentage provided to 900 Railway Ave.	Some other amount including a sliding scale based on the number of units, value of the project, or some other yardstick.
For a period of up to 10 years.	Same term provided to 900 Railway Ave.	Some other length of time including a sliding scale. This amount could be adjusted each term of Council when the policy is reviewed and in conjunction with a review of rental vacancy rates to determine if any update is required.
Annual report is required within 30 days after the calendar year end, including supporting documents, confirming 95% provided long-term rental accommodation.	Ensures timely reporting of compliance with the agreement and the percentage is the same as provided to 900 Railway Ave.	n/a – administration recommends consistent criteria for all program participants.
Grant eligibility starts upon issuance of Occupancy Certificate and signing of the agreement, with proof that 95% provided long-term rental accommodation are rented to primary residents of Canmore.	Starting the grant eligibility at occupancy encourages prompt completion of the projects and ensures that units are rented to residents.	Starting the grant upon issuance of the Development Permit, but this would not encourage prompt completion. 900 Railway Ave is not receiving their incentive until occupancy. Applying the grant at the DP stage also does not allow for validation that units are used as long-term rental accommodation, as defined in the policy.

<p>Project must result in added floor space to an existing building, a new building, or renovation of existing floor space to provide purpose-built rental housing of 3 or more units.</p>	<p>The choice of 3 units is consistent with the definition of apartment buildings in the LUB, the most common purpose-built rental form. Renovations to existing floor space has been included as it is possible that existing large units could be split into more units, thus still increasing housing units.</p>	<p>Other results could be considered including requiring more or less units or excluding renovations that don't result in more floor space.</p>
<p>The value of the construction must be \$300,000 or more.</p>	<p>To ensure qualifying projects are significant. If Council wanted to incentivize secondary suites or additional dwelling units, this would be done under a separate program/initiative.</p>	<p>A different amount could be chosen.</p>
<p>Annual reporting about the number of agreements including value and number of units added, total value of grants provided, and the number of purpose-built rental developments not accessing the program.</p>	<p>These KPI will provide Council with information needed to provide oversight and with which to gauge the effectiveness and uptake of the program.</p>	<p>Other KPIs could be added, depending on the information Council wants to have.</p>

Administration is seeking Council approval for this policy, after which administration would be authorized to enter into agreements under the program without further Council approval.

ANALYSIS OF ALTERNATIVES

See chart above for alternatives. The policy as developed and presented aligns with the recommendations of the Livability Task Force and the research completed by the consultant Ben Brunnen.

FINANCIAL IMPACTS

Financial impacts would depend on the agreements entered, which are unknown at this time. The impact of the current agreement with 900 Railway Avenue is estimated to be at approximately \$23,000 per year. This represents the municipal portion of taxes only and would be impacted by the property's assessed value.

INTEREST HOLDER ENGAGEMENT

The Livability Task Force was engaged and recommended the program.

ATTACHMENTS

- 1) Purpose Built Rentals Incentive Policy – FIN-010 Draft

AUTHORIZATION

Approved by:	Ric Irwin Senior Finance Officer	Date: <u>December 20, 2024</u>
Approved by:	Therese Rogers GM of Corporate Services	Date: <u>December 20, 2024</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>December 23, 2024</u>



Council Policy

Policy Title: Purpose-Built Rentals Incentive Policy

Policy Number: FIN-010

Date in Effect:

Current as of:

POLICY STATEMENT

- 1 The Town of Canmore has identified housing affordability and accessibility as a priority. There is a lack of new market-based Purpose-Built Rental Housing properties being developed in the community, and council is seeking to incent their development.

PURPOSE

- 2 To provide new Purpose-Built Rental Housing properties with financial relief for an amount equivalent to 75% of the municipal portion of residential property taxes for up to 10 years.

DEFINITIONS

- 3 In this policy:
 - a) “Agent” means a person or company authorized to act on behalf of a Purpose-Built Rental Housing Project owner in the Town of Canmore;
 - b) “Agreement” means an agreement between the owner of a Project and the Town of Canmore to provide the Incentive Amount;
 - c) “Annual Report” means a report, in a format prescribed by the chief administrative officer or their delegate, including supporting documentation confirming that the Property has a valid Occupancy Certificate and was used during the Current Taxation Year as a Purpose-Built Rental Housing Property in which at least 95% of the Dwelling Units provided Long-Term Rental Accommodation during that period.
 - d) “Current Taxation Year” means the calendar year in which the current annual taxes are assessed against a property;
 - e) “Development Officer” means an official of the Town charged with the responsibility of processing and reviewing Development Permits, in addition to issuing Occupancy Certificates as it relates to the Development Permit process;

Policy approved by: _____

- f) “Development Permit” means a document issued by the development authority pursuant to the Land Use Bylaw, which authorizes a development and includes the plans and conditions of approval;
- g) “Dwelling Unit” means Dwelling Unit as defined under the Division of Class 1 Property Bylaw;
- h) “Incentive Amount” means 75% of the value of the annual municipal portion of property taxes owing on the Purpose-Built Rental Housing Project property for the Current Taxation Year;
- i) “Long-Term Rental Accommodation” means a Dwelling Unit used as a Primary Residence under a minimum 12-month lease;
- j) “Occupancy Certificate” means a certificate issued by the Development Officer which authorizes the applicant to occupy a building;
- k) “Primary Residence” means Primary Residence as defined under the Division of Class 1 Property Bylaw;
- l) “Primary Residential” means the Primary Residential subclass of class 1 property as defined in the Division of Class 1 Property Bylaw;
- m) “Project” means a Purpose-Built Rental Housing Project involving the construction of a new improvement or alteration of an existing improvement, to which an Agreement applies;
- n) “Property” means the legally described land and improvements to which an Agreement applies;
- o) “Purpose-Built Rental Housing” means three or more Dwelling Units under one legal parcel and tax roll that is intended to be used for Long-Term Rental Accommodation.

ELIGIBILITY

- 4 A Purpose-Built Rental Housing Project owner may enter into an Agreement to receive the Incentive Amount.
- 5 The eligibility to receive an Incentive Amount will commence once both an Occupancy Certificate has been issued by the Town of Canmore for the Project and an Agreement has been signed.
- 6 For a Project to be eligible to receive the Incentive Amount, the Project must involve the construction of new Purpose-Built Rental Housing that results in
 - i) floor space being added to an existing building,
 - ii) a new building, or
 - iii) a renovation of existing floor space.

Policy approved by: _____

- 7 The construction value of the Project, as determined based on the building permit(s) issued, must be \$300,000 or greater.
- 8 For greater certainty, the land use for the Project must be one of the uses permitted in the applicable zone as set out in the Land Use Bylaw.
- 9 The owner of the Project must enter into an Agreement with the Town of Canmore, whereby
 - a) the Property remains a Purpose-Built Rental Housing Property in which 95% or more of the Dwelling Units provide Long-Term Accommodation throughout the term of the Agreement;
 - b) the contract duration will not exceed 10 years; and
 - c) the Project owner or their Agent submits an Annual Report to the Town of Canmore no more than 30 calendar days after the end of the Current Taxation Year.
- 10 If during the term of the Agreement the Project is in breach of the Agreement, all Incentive Amounts received pursuant to the Agreement must be repaid and due immediately to the Town upon the owner being notified of the breach in writing and such not being rectified within 30 days of said notice.

PAYMENT OF INCENTIVE AMOUNT

- 11 The Incentive Amount will be paid to the owner of the Property within 45 calendar days of receipt of the complete Annual Report.
- 12 For taxation years where the Property was only eligible for the Incentive Amount for a portion of the year, the Incentive Amount will be prorated on a monthly basis for the number of full months it was eligible.

RESPONSIBILITIES

- 13 Administration is responsible for
 - a) entering into Agreements,
 - b) issuing Incentive Amount payments,
 - c) annually reporting to Council:
 - i) the aggregate number of Agreements still in effect at yearend,
 - ii) the number of new Agreements, their aggregate permit value, and the number of Dwelling Units they added,
 - iii) the number of new purpose-built rental properties not accessing the incentive program, and

Policy approved by: _____

iv) the aggregate value of Incentive Amounts paid.

14 Council is responsible for:

- a) approving the Purpose-Built Rentals Incentive Policy and any amendments as required, and
- b) approving the annual budget needed to pay the Incentive Amounts, including the source of funds.

POLICY REVIEW

15 This policy will be reviewed by Council on or before December 31, 2028.

RELATED DOCUMENTS

- Municipal Government Act
- Division of Class 1 Property Bylaw
- Land Use Bylaw

AUTHORIZATION

Sean Krausert Mayor	Cheryl Hyde Manager, Municipal Clerk’s Office
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REVISION HISTORY

Action	Date	Council Motion	Notes
Approved	Yyyy.mm.dd		New policy.

Policy approved by: _____