

MINUTES OF THE MUNICIPAL PLANNING COMMISSION
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Wednesday, March 13, 2019 at 9:00 a.m.

COMMISSION MEMBERS PRESENT

| | |
|---------------------|--|
| Scott McElhone | Public Representative |
| Brian Smythe | Public Representative (Chairperson) <i>left meeting at 12:35p.m.</i> |
| Adriana Calvo-Matos | Public Representative |
| Amber Wanless | Public Representative (Vice Chairperson) |
| Chip Olver | Council Representative |
| Corrie DiManno | Council Representative |
| Bryan Howie | Parks Canada Representative |

COMMISSION MEMBERS ABSENT

| | |
|----------------|-----------------------|
| Richard Church | Public Representative |
|----------------|-----------------------|

ADMINISTRATION PRESENT

| | |
|-------------------|--|
| Randall McKay | Director, Planning and Development |
| Darren Enns | Manager, Development Services |
| Jennifer Laforest | Planner |
| Kerry MacInnis | Administrative Assistant, Planning and Development (MPC Recorder) |

1.0 CALL TO ORDER

The Chair called the March 13, 2019 Municipal Planning Commission meeting to order at 9:00a.m.

2.0 APPROVAL OF AGENDA

MPC19-15 Moved by Olver to approve the agenda of the March 13, 2019 meeting of the Municipal Planning Commission agenda as amended.

- Move agenda item #5.3 to #5.2.

CARRIED

2.1 The Chair asked if any members of the Municipal Planning Commission would be declaring a conflict of interest in hearing today's meeting.
No conflict was declared.

3.0 ADOPTION OF PREVIOUS COMMISSION MINUTES

MPC19-16 Moved by DiManno to approve the minutes of the February 26, 2019 meeting of the Municipal Planning Commission as amended.

Minutes approved by: _____

MPC19-01 – change the term year from 2018-2019 to 2019-2020.

MPC19-05 – change the word amended to amend.

MPC19-07 – change to the wording to the following: *Moved by Church that Municipal Planning Commission request administration to return to MPC with a briefing on how condition of approval (1) (b) will be addressed.*

CARRIED

4.0 UNFINISHED BUSINESS

There was no unfinished business.

5.0 REPORTS

5.1 Proposed Addition of One Guestroom to Existing Three Bedroom Bed and Breakfast at 328 Lynx Street – 19DP10

i. Staff Presentation

Administration provided a presentation and overview on the proposal as included in the agenda package.

Administration provided the commission members with a copy of Parks Canada comments about the proposed development. These comments were received after the MPC agenda package was published and have been included in the meeting minutes.

ii. Public input

There was no public input.

iii. Applicant input

Rob King, applicant, was in the gallery to answer any questions.

Moved by DiManno that Municipal Planning Commission approve Development Permit application 19DP10 for the addition of one (1) Commercial Accommodation Unit at an existing Bed and Breakfast Home located at 328 Lynx Street subject to the conditions of approval attached as Appendix 'A'.

MPC19-17 Moved by Olver that Municipal Planning Commission amend the conditions of approval for 19DP10 to include 2(b) as follows:

Submit a Statutory Declaration, to the satisfaction of the Development Officer, confirming that:

- i. The Bed and Breakfast Home will be managed and operated exclusively by a live-in owner in accordance with the Land Use Bylaw;

Minutes approved by: _____

- ii. The owner understands that non-compliance with any conditions of the Development Permit will result in revocation of the 'Bed and Breakfast Home' permit;

CARRIED

MPC19-18 Moved by Howie that Municipal Planning Commission amend the conditions of approval for 19DP10 to include 1(c) and 1(d) as follows:

1(c) Provide to the satisfaction of Parks Canada Realty Office, a current title for Block 56, Lot 7, LTO#1988GE;

1(d) Provide to the satisfaction of Parks Canada a detailed project description to determine if an Environmental Impact Analysis (EIA) is required. The EIA determination of impacts must be made prior to issuance of the development permit, and mitigations prescribed.

CARRIED

MPC19-19 Moved by DiManno that Municipal Planning Commission approve Development Permit application 19DP10 for the addition of one (1) Commercial Accommodation Unit at an existing Bed and Breakfast Home located at 328 Lynx Street subject to the conditions of approval attached as Appendix 'A' as amended.

CARRIED

Appendix 'A' - Conditions of Approval – 19DP10

(1) Conditions to be met prior to issuance of the Development Permit

- (a) Submit a revised landscaping plan to the satisfaction of the Development Officer that the parking lot design complies with s.8.16.28 of the Land Use Bylaw.
- (b) Provide evidence of Confirmation of Eligible Residency in accordance with the requirements of Parks Canada Realty Services to the satisfaction of the Development Officer;
- (c) Provide to the satisfaction of Parks Canada Realty Office, a current title for Block 56, Lot 7, LTO#1988GE;
- (d) Provide to the satisfaction of Parks Canada a detailed project description to determine if an Environmental Impact Analysis (EIA) is required. The EIA determination of impacts must be made prior to issuance of the development permit, and mitigations prescribed.

(2) Specific Conditions:

- (a) This approval permits one (1) additional commercial accommodation unit at an existing Bed and Breakfast Home. A total of four (4) commercial accommodation units are permitted at this property. Any additional commercial accommodation units require a new development permit;

Minutes approved by: _____

- (b) Submit a Statutory Declaration, to the satisfaction of the Development Officer, confirming that:
 - i. The Bed and Breakfast Home will be managed and operated exclusively by a live-in owner in accordance with the Land Use Bylaw;
 - ii. The owner understands that non-compliance with any conditions of the Development Permit will result in revocation of the 'Bed and Breakfast Home' permit;

(3) General Conditions:

- (a) Obtain a valid Business Licence from the Town of Banff for the operation of a Bed & Breakfast Home. The number of commercial accommodation units shall be restricted to four (4) and the number of pillows to eight (8);
- (b) The Development Permit is valid for a period not to exceed the term of the Business Licence, one (1) year from the date of issuance or until transfer/change in ownership of the subject property, whichever first occurs;
- (c) On-site parking shall conform to the approved site plan. No parking of guest vehicles is permitted on adjacent public roadways;
- (d) All signs require a separate Development Permit in accordance with the Town of Banff Land Use Bylaw;
- (e) The Bed and Breakfast Home shall be operated exclusively by the live-in owner as an accessory use. The Bed and Breakfast Home shall not change the principal residential character, use or external appearance of the dwelling;
- (f) Vehicular traffic generated by the Bed and Breakfast Home shall not be in excess of what which is characteristic of the neighbourhood in which it is located;
- (g) The owner will maintain a daily guest registry which will include rooms occupied and vehicle license plate information. If a complaint is received, the owner, upon request from the Town shall provide the daily guest registry for inspection and shall provide license plate numbers of permanent resident vehicles. The Town may request this at any time between the hours of 8:00 a.m. and 8:00 p.m.;
- (h) The owner shall be responsible for ensuring that each guest is advised that they must park in the areas designated on the application and not on a public roadway;
- (i) The owner shall be responsible for complying with the Alberta Fire Code;
- (j) Contact Alberta Health Services (Banff Health Unit) at 403.762.2990 regarding the *Guidelines for Bed and Breakfast Establishments* and to arrange an inspection of the property prior to operation;
- (k) Contact Alberta Health Services (Banff Health Unit) at 403.762.2990 to obtain a food establishment permit prior to operation;

Minutes approved by: _____

- (l) Non-compliance with any conditions of the Development Permit will result in revocation of the 'Bed and Breakfast Home' permit; and
- (m) Obtain all permits required in accordance with the *Province of Alberta Safety Codes Act Revised Statutes of Alberta, Chapter S-1*. The Act requires that all property owners and contractors working in Alberta obtain permits prior to commencing work on buildings covered by the Alberta Building Code or prior to conducting work governed by the regulations of the *Canadian Electrical Code*, the *Alberta Gas Code* or the *Alberta Plumbing Code*.

5.3 Bed and Breakfast Renewals for 2019

i. Staff Presentation

Administration provided a presentation and overview on the 2019 Bed and Breakfast Renewals as included in the agenda package.

ii. Public input

There was no public input.

MPC19-20 Moved by DiManno that Municipal Planning Commission approve the renewal of the Development Permits for the Bed and Breakfast Homes & Bed and Breakfast Inns listed in Appendix 'A' for a 1-year term through 2019, subject to the conditions of approval attached as Appendix 'B'.

CARRIED

MPC19-21 Moved by Olver that Municipal Planning Commission approve the renewal of the Development Permits for the Bed and Breakfast Homes listed in Appendix 'C' for a 1-year term through 2019, subject to the conditions of approval attached as Appendix 'B' with the following amendment:

Prior to the issuance of the Development Permit 96DP100, the applicant shall provide confirmation, to the satisfaction of the Development Officer, that the proposed commercial accommodation unit (guestroom) was constructed in accordance with the Alberta Building Code.

CARRIED

MPC19-22 Moved by Olver that the Municipal Planning Commission approve the renewal of the Development Permits for the Bed and Breakfast Homes listed in Appendix 'C' for a 1-year term through 2019, subject to the conditions of approval attached as Appendix 'B' with the following amendment to development permit 15DP17:

Condition 1(b) is replaced with: The total number of commercial accommodation units (guestrooms) is amended by reducing to one (1). The number of guestrooms is restricted to one (1) and any additional guestrooms shall require a new approved Development Permit prior to operation.

CARRIED

Appendix 'A' Recommended Development Permit Renewals for Bed and Breakfast Homes and Inns in 2019

| B&B Type | Development Permit # | Street Address | # of Approved Rooms |
|---------------------|-----------------------------|---------------------------|----------------------------|
| HOME | 00DP74 | 213 GLEN CRESCENT | 1 |
| HOME | 03DP22 | 347 GRIZZLY STREET | 2 |
| HOME | 03DP72 | 417 MARTEN ST | 4 |
| HOME | 05DP29 | 437 MARTEN STREET | 3 |
| HOME | 11DP01 | 430 BANFF AVENUE | 3 |
| HOME | 11DP32 | 222 GLEN CRESCENT | 1 |
| HOME | 11DP57 | 116 MOUNTAIN AVENUE | 3 |
| HOME | 14DP51 | 108 OTTER STREET | 2 |
| HOME | 15DP29 | 443 COUGAR STREET | 2 |
| HOME | 15DP35 | 136 BOW AVENUE | 4 |
| HOME | 15DP38 | 343 MUSKRAT STREET | 1 |
| HOME | 15DP51 | 119 MOUNTAIN AVENUE | 2 |
| HOME | 15DP59 | 332 SQUIRREL STREET | 4 |
| HOME | 15DP78 | 445 COUGAR STREET | 2 |
| HOME | 16DP05 | 137 RAINBOW AVENUE | 2 |
| HOME | 16DP75 | 115 SPRAY AVENUE | 4 |
| HOME | 17DP22 | 141 KOOTENAY AVE | 2 |
| HOME | 17DP39 | 222 BEAVER STREET T1L 1A9 | 1 |
| HOME | 17DP60 | 408 MUSKRAT ST T1L1C8 | 1 |
| HOME | 17DP76 | 129 MUSKRAT STREET | 4 |
| HOME | 17DP80 | 328 LYNX STREET | 3 |
| HOME | 17DP93 | 609 CARIBOU ST T1L1A4 | 1 |
| HOME | 17DP96 | 118 BEAVER STREET T1L1C1 | 2 |

Minutes approved by: _____

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|------|---------|-----------------------|----|
| HOME | 18DP07 | 316 LYNX STREET | 4 |
| HOME | 18DP17 | 220 BOW AVE | 4 |
| HOME | 18DP55 | 138 OTTER STREET | 4 |
| HOME | 90DP108 | 2 CASCADE COURT | 2 |
| HOME | 91DP87 | 117 SPRAY AVENUE | 2 |
| HOME | 95DP08 | 209 OTTER STREET | 1 |
| HOME | 95DP27 | 510 BUFFALO STREET | 2 |
| HOME | 96DP03 | 214 OTTER STREET | 1 |
| HOME | 98DP17 | 104 MOUNTAIN LANE | 1 |
| HOME | 98DP42 | 530 CARIBOU STREET | 1 |
| INN | 06DP15 | 121 CAVE AVENUE | 10 |
| INN | 16DP58 | 218-220 BEAVER STREET | 6 |
| INN | 17DP27 | 137 MUSKRAT STREET | 10 |
| INN | 17DP95 | 223 OTTER STREET | 10 |
| INN | 93DP17 | 118 OTTER STREET | 8 |
| INN | 93DP34 | 124 SPRAY AVENUE | 9 |
| INN | 95DP22 | 452 MUSKRAT STREET | 2 |
| INN | 99DP88 | 311 MARTEN STREET | 7 |

Appendix ‘B’ Conditions of Approval

(1) **Specific Renewal Conditions:**

- a) The applicant(s) shall abide by the regulations pertaining to the operation of Bed & Breakfast Homes/Inns as outlined in the *Town of Banff Land Use Bylaw* and any additional conditions specified in the original Development Permit and subsequent renewals;
- b) The total number of commercial accommodation units (guestrooms) is restricted to the number of rooms and number of pillows as specified in the original Development Permit;
- c) The Development Permit is valid for a period not to exceed the lesser of the term of the business license, a period of one year from the date of issuance or until transfer/change in ownership of the subject property;
- d) The applicant(s) shall obtain a valid *Town of Banff Business License*;

Minutes approved by: _____

- e) All parking associated with the operation shall be as per the approved plans. No parking associated with the operation is permitted on public roadways;
- f) The applicant(s) shall comply with *Alberta Health Bed and Breakfast Health Standards and Guidelines*. If food is served, a health inspection is required every year by Alberta Health Services (403.762.2990);
- g) The applicant(s) shall comply with the *Alberta Fire Code*. You may be contacted by the Town of Banff Fire Department to arrange an inspection; and
- h) The applicant(s) shall pay to the Town of Banff the Bed & Breakfast Development Permit Renewal fee.

Appendix ‘C’ Bed and Breakfast Homes Amendments

| B&B Type | Development Permit # | Street Address | Amendments |
|---------------------|-----------------------------|-----------------------|---|
| HOME | 96DP100 | 133 KOOTENAY AVENUE | Change location of 1 of the 2 previously approved guest rooms |
| HOME | 15DP17 | 128 KOOTENAY AVENUE | Reduce number of approved rooms from 2 to 1. |

5.2 Determination of Use: Bed and Breakfast Inn Redevelopment – 18DP74

- i. Staff Presentation
Administration provided a presentation and overview on the proposal as included in the agenda package.
- ii. Public input
Lee O’Donnell, 123 Cave Avenue, Banff Boutique Inn, addressed the commission.
- iii. Applicant input
JP Middleton, applicant, addressed the commission about the proposed redevelopment.

Alisdair Russell, Russell + Russell Design for the applicant, addressed the commission about this proposal and provided a summary of the issues.

Minutes approved by: _____

MPC19-23 Moved by Wanless that MPC move in camera at 12:00p.m to deliberate and reach its decision in accordance with section 197(2.1) of the Municipal Government Act and section 3.2.12 of the Town of Banff Land Use Bylaw.

MPC asked that Enns, McKay and Laforest attend the in camera meeting.

CARRIED

MPC19-24 Moved by DiManno that MPC return to the public meeting at 12:35p.m.

CARRIED

MPC19-25 Moved by DiManno that MPC postpone making a decision on 18DP74 and reconvene at a later date to consider the determination of use.

CARRIED

Smythe left the meeting at 12:35p.m.

5.4 Proposed Change of Use – Office to Residential at 149 Eagle Crescent – 19DP09

i. Staff Presentation

Administration provided a presentation and overview on the proposal as included in the agenda package.

Administration provided the commission members with a copy of Parks Canada comments about the proposed development. These comments were received after the MPC agenda package was published and have been included in the meeting minutes.

ii. Public input

Fabio Wagner, Board Member of the Banff Trade Condominium Corporation at 149 Eagle Crescent, spoke to the written correspondence submitted in the agenda package.

Austin Angelozzi, current tenant at 149 Eagle Crescent, addressed the commission as to his living experience at 149 Eagle Crescent.

iii. Applicant input

Chris Beecroft, applicant, addressed the commission.

Minutes approved by: _____

MPC19-26 Moved by DiManno that MPC move in camera at 1:45p.m to deliberate and reach its decision in accordance with section 197(2.1) of the Municipal Government Act and section 3.2.12 of the Town of Banff Land Use Bylaw.

MPC asked that Enns attend the in camera deliberation.

CARRIED

MPC19-27 Moved by DiManno that MPC return to the public meeting at 2:25p.m.

CARRIED

MPC19-28 Moved by DiManno that the Municipal Planning Commission approve development permit application 19DP09 for a proposed Change of Use of an existing commercial 'Contractor Services' floor area to residential 'Apartment Housing' (bed-sitting room) at 149 Eagle Crescent, Unit 11 with variances to:

- s.8.16.1 to reduce the number of required parking stalls to 0; and,
- s.8.20.1 (a) and (b) to allow for the amenity area associated with this development to be available to all property owners and not screened from a public roadway.

and subject to the conditions attached as Appendix 'A'.

CARRIED

Opposed: Howie, Olver

Appendix 'A' - Conditions of Approval – 19DP09

(1) Conditions to be met prior to the issuance of the Development Permit:

- (a) Pay to the Town of Banff the variance fee in the amount of \$750.00 as established by *Town of Banff Development Permit Fee Schedule Bylaw 308* (\$750.00/variance);
- (b) Pay to the Town of Banff \$700.00 in-lieu of on-site garbage facilities (\$700.00/dwelling rate) as established by *Town of Banff Waste Bylaw 18-4*;
- (c) Submit a revised landscaping plan showing the incorporation of new soft landscaping in the general vicinity of the amenity area (minimum 1 new tree) to the satisfaction of the Development Officer;
- (d) Submit an Indoor Environment Assessment (Air Quality) conducted by a qualified professional and implement any recommendations for modifications to the building to the satisfaction of the Development Officer, as required per Section 12.5.8(l) of the *Town of Banff Land Use Bylaw* which indicates that "*All development permit applications for 'apartment housing' shall be accompanied by a 'Phase II Environmental Site Assessment' based on CSA Standard Z769 or other standard approved by the Town of Banff*";

Minutes approved by: _____

- (e) Submit a completed *Subcontractor Information Sheet* to Town of Banff Business Licensing, Corporate Services Department providing a list of the sub-contractors to be employed in the construction of the development (see attached).
- (2) Specific Conditions:**
- (a) Issuance of this Development Permit allows for the conversion of 61.8m² to ‘Apartment Housing’. The conversion of the subject floor area to other uses shall require that a Development Permit be obtained.
- (3) General Conditions:**
- (a) Any further changes to the approved plans or building shall be submitted for review and approval of the Development Officer prior to implementation on-site;
- (b) Obtain a valid Town of Banff Building Permit for any interior renovations and leasehold improvements. Contact Town of Banff Planning and Development at (403) 762-1215 for more information;
- (c) Town of Banff requires all developers to collect all waste, separate into appropriate categories on-site and store appropriately. Dispose trade waste at the Bow Valley Waste Management Commission’s Class III landfill (Francis Cook) and garbage to the Waste Transfer Station. Ensure that materials and waste being transported are covered with tarps or equivalent material. Please review the *Town of Banff How-to Guide to Construction Waste Management* (see attached);
- (d) Apply for a Street Use Permit from the Manager of Engineering at least 48 hours prior to any work on Town streets, lanes or sidewalks. Enter into a Temporary Encroachment Agreement with the Town of Banff for the use of municipal property during construction, if necessary;
- (e) Management of all uncontaminated (clean) soil excavated from the site shall be arranged through Parks Canada. Contractors must obtain a *Restricted Activity Permit* in order to dispose of clean fill at the Cascade Pit. Further direction and information about permit approval may be obtained by contacting Banff National Park Dispatch at 403.762.1470;
- (f) All site drainage is to be contained on site. No connection of weeping tile to storm sewer is permitted;
- (g) A water meter and remote reading device shall be installed at the dwelling(s) prior to issuance of an Occupancy Permit. Property owners shall provide free and convenient access to the premises and building at all reasonable times for the purpose of reading meters. The installation of the water meter shall be inspected by the Town of Banff Utilities Department, please call 403.762.1240 to arrange for an inspection;
- (h) All exposed metal flashing, mechanical equipment and flues shall be coordinated to match the building colour;
- (i) No satellite dishes, antennas or other rooftop communication equipment shall be installed without prior written permission of the Development Officer;

- (j) All rooftop mechanical equipment must be screened from view to the satisfaction of the Development Officer;
- (k) Protect all existing services, including landscaping, on adjacent roadways and properties during construction. Assume responsibility and repair all damages to any existing services and landscaping on adjacent roadways and properties;
- (l) All existing trees to be retained shall be protected by fencing set at the outer canopy (drip line) of the trees during demolition, excavation and construction;
- (m) Protect undisturbed land by only stockpiling materials on heavy canvas or polypropylene tarpaulins to protect native vegetation. All materials will be stored within the confines of the work site. All fuels, oils, lubricants, and other petrochemical products will not be stored within 100m of any waterbody;
- (n) Confine “noise” activities to hours set out in *Town of Banff Community Standards Bylaw 260*;
- (o) The applicant shall arrange to have the landscaping completed by no later than one year from the date of issuance of the Development Permit. If in the event that this work is not completed by this date, the Town shall cash the Letter of Credit and arrange for the completion of this work at the expense of the owner;
- (p) Minimize the idling of construction vehicle engines at all times in accordance with *Town of Banff Traffic Bylaw 16-7*;
- (q) Ensure that all garbage and food waste is stored in bear-proof bins as per *Town of Banff Waste Bylaw 18-4*. Construction sites must undergo thorough clean-up, including removal of general litter at project completion
- (r) In accordance with the wildfire protection guidelines, it is recommended that all existing coniferous trees within 3.0m of the home should be relocated or removed from the site. Mature coniferous trees within 10.0m of the home should have all branches within 3.0m of the ground removed;
- (s) Obtain all permits required in accordance with the *Province of Alberta Safety Codes Act Revised Statutes of Alberta, Chapter S-1*. The Act requires that all property owners and contractors working in Alberta obtain permits prior to commencing work on buildings covered by the Alberta Building Code or prior to conducting work governed by the regulations of the *Canadian Electrical Code*, the *Alberta Gas Code* or the *Alberta Plumbing Code*.

MPC19-29 Moved by Howie that Municipal Planning Commission recommend Council give consideration to an Area Redevelopment Plan in the CS District to address the potential conflict of industrial uses and increased residential uses in this district.

CARRIED

Minutes approved by: _____

5.5 Development Permit Application Notification

i. Staff Presentation

Administration provided a verbal update on the development permit application notification procedures.

6.0 REPORTS

There were no reports.

6.0 CORRESPONDENCE

There was no correspondence.

7.0 NEW BUSINESS

There was no new business.

8.0 INQUIRIES

There were no inquiries.

9.0 DATE OF NEXT MEETINGS/ADJOURNMENT

The next scheduled meeting of the Municipal Planning Commission is scheduled for Wednesday, April 10, 2019 at 9:00 a.m.

MPC19-30 Moved by Olver to adjourn the meeting at 2:45p.m.

CARRIED

Brian Smythe
Chair

Kerry MacInnis
Planning and Development

Minutes approved by: _____

19DP09 – PCA Review, 2019-03-11

A. Parks Canada has reviewed the information provided in circular 19DP09 in the context of the following documents:

- *Canada National Parks Act*
- *Town of Banff Incorporation Agreement*
- *Banff National Park Management Plan*
- *National Parks of Canada Lease and Licence of Occupation Regulations*
- Lease for the property

B. Accordingly we note:

- The property is held under a Condominium Head Lease dated July 30, 1981. The bylaws of the corporation have not been reviewed to determine what, if any, approvals are required for a Change of Use development application. Parks Canada recommends that documentation be provided to the Town of Banff on the acceptability of the proposal to the Condominium Board.
- There was no current Title for the property provided in the circulation package
- The Phase 2 ESA that should have accompanied the development permit application as per Banff Land Use Bylaw 12.5.8(L), was not included with the circular and therefore not reviewed by Parks Canada.
- The Acoustical Report that should have accompanied the development permit application as per the Banff Land use Bylaw 12.5.8(N), was not included with the circular.
- Upon initial review, Parks Canada has determined that the proposed project is unlikely to result in adverse environmental effects that require mitigation. In accordance with applicable environmental legislation and related policy, no Environmental Impact Analysis is required.

C. Parks Canada Requirements

Prior to the issuance of any Development Permit, the following is required:

- A current Title for Block 59, Lot 11, Unit 11, LTO#8110697.
- Completed Phase 2 ESA submitted to the Parks Canada Realty Office.

Additional Parks Canada Requirements:

- Upon occupancy of the dwelling, an updated Statutory Declaration listing each occupant of Block 59 Lot 11, LTO# 8110697 is required to confirm that they are 'eligible residents' as defined under the National Park Lease and Licence of Occupation Regulations.

Please Note: Should more details become available about the project, or should the details of the project change as it proceeds through the development process, the review results above may change.

Thank you.

19DP10 – PCA Review, 2019-03-07

A. Parks Canada has reviewed the information provided in circular 19DP10 in the context of the following documents:

- *Canada National Parks Act*
- *Town of Banff Incorporation Agreement*
- *Banff National Park Management Plan*
- *National Parks of Canada Lease and Licence of Occupation Regulations*
- Lease for the property

B. Accordingly we note:

- There was no current Title for the property provided in the circulation package.
- Reference to 'Schedule D' of the Land Use Bylaw in the circulation package should read: 'Bed and Breakfast Home and Bed and Breakfast Inn Allocation Table'.
- The application did not include Park's Canada's confirmation of eligible residency as required for bed and breakfast home applications, however Parks Canada has documentation on file that confirms eligible residency of the applicant so no further action is required.

C. Parks Canada Requirements

Prior to the issuance of any Development Permit, the following is required:

- A current Title for Block 56, Lot 7, LTO# 1988 GE
- Parks Canada must also receive a detailed Project Description to determine if an Environmental Impact Analysis (EIA) for the 19DP10 development proposal is required. The EIA determination of impacts must be made prior to the issuance of the development permit, and mitigations prescribed.

The proponent is responsible for drafting the project description and providing any other required information to Parks Canada. Note that this project description need only consider the addition of a 6th parking space to the lot.

A guidance document for what to include in the Project Description is attached. For further information on environmental issues or submittals, the proponent can contact Anna Brown in the Banff Environmental Assessment Office at Anna.Brown@canada.ca or 403.762.1416.

Please Note: Should more details become available about the project, or should the details of the project change as it proceeds through the development process, the review results above may change.

Thank you.