

MINUTES OF THE SPECIAL MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Wednesday, January 25, 2017 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

Karen Sorensen	Mayor
Stavros Karlos	Councillor and Deputy Mayor
Chip Olver	Councillor and Acting Mayor
Brian Standish	Councillor
Grant Canning	Councillor
Corrie DiManno	Councillor
Ted Christensen	Councillor

COUNCIL MEMBERS ABSENT

ADMINISTRATION PRESENT

Robert Earl	Town Manager
Randall McKay	Manager of Planning and Development
Adrian Field	Manager of Engineering
Tara Johnston-Lee	Municipal Clerk (Recorder)

1.0 CALL TO ORDER

The Mayor called the January 25, 2017 meeting to order at 9:00 a.m.

2.0 APPROVAL OF AGENDA

2.1 Special Meeting Agenda

COU17-16 Moved by Councillor Christensen that council approve the agenda for the January 25, 2017 special meeting of council.

CARRIED

4.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

4.1 Minutes of the January 23, 2017 Public Hearing of Council

COU17-17 Moved by Councillor Olver that council adopt the minutes of the January 23, 2017 public hearing.

CARRIED

5.0 BYLAWS AND STAFF REPORTS

5.1 Bylaw 380 – Land Use Bylaw Amending Bylaw – Apartment Housing Parking

COU17-18 Moved by Councillor Olver that council give second reading to Bylaw 380 – Land Use Bylaw Amending Bylaw – Apartment Housing Parking.

COU17-19 Moved by Councillor Karlos that council amend motion COU17-18 by adding the following words in underline: that council give second reading to Bylaw 380 – Land Use Bylaw Amending Bylaw – Apartment Housing Parking with the following amendments:

- Section 2.1.2 is deleted in its entirety and replaced with the following:

2.1.2 Inserting the following as a new Section 8.16.1 (c) and renumbering thereafter accordingly:

c. Apartment Housing

- 0.75 parking stalls per bed-sitting-room dwelling; 1.0 parking stall per 1 bedroom dwelling; 1.5 parking stalls per 2 bedroom dwelling; 2.0 parking stalls per 3 or 4 bedroom dwelling; and 0.5 parking stalls for each additional bedroom.
- Cash-in-lieu of residential parking may be accepted in the place of parking required by residential uses in the CD District, at the discretion of the Development Approving Authority.
- A minimum of 15% of the required parking for apartment housing shall be clearly identified as "guest parking".
- A maximum of 20% of the required parking, other than guest parking, may be in tandem.
- Notwithstanding Sections 8.16.1(c)(i), (ii), (iii), and (iv), when an apartment housing development is proposed consisting of six or more dwellings the construction of or payment of cash in lieu of residential parking shall be deferred for a portion of the required number of stalls as follows:
 - For 20% of the required number of parking stalls if the linear distance from the development to core services and employment is less than 800m as shown in Schedule H;
 - For 15% of the required number of parking stalls if the development is on a road containing a public transit route or on a road adjacent to a public transit route as shown in Schedule I;
 - For 15% of the required number of parking stalls if the individual unit gross floor areas is less than 50m²;
 - For 15% of the required number of parking stalls if the unit is provided with at least two (2) secure and indoor bicycle parking places;
 - For 15% reduction in the required number of parking stalls at a rate of 10 units per shared vehicle, if a restrictive covenant is granted in favor of the Town of Banff prohibiting the use of the permanent

car-share program stalls for any other use and caveated to property title.

- vi. The calculation of the number of parking stalls, the construction of or payment in lieu of which is deferred, for each criteria under Section 8.16.1(c)(v) is to be made from the calculation for required parking under Section 8.16.1(c)(i). and are therefore non-compounding in relation to one another.
 - vii. Notwithstanding, Section 8.16.1(c) (v), under no circumstances shall the deferral of construction of or payment of cash in lieu of a portion of required off-street parking for apartment housing result in the un-deferred portion of the required parking stalls be less than 0.6 parking stalls per dwelling unit upon issuance of the development permit.
 - viii. Where the construction or payment of cash in lieu has been deferred for some of the total number of required parking stalls in accordance with Section 8.16.1(c)(v), the deferral shall continue only so long as the title is not subject of a leasehold condominium subdivision. Upon any application for consent, for such a leasehold condominium subdivision, the deferral shall terminate and the applicant and/or lessee shall construct or pay for the construction of off-street parking facilities in accordance with the total required parking for apartment housing determined at the time of original development permit approval.
 - ix. In the event of subdivision by leasehold condominium plan, payment in lieu of parking will also be accepted in the amount of \$75,000 per parking stall. Such payment in lieu amount shall be adjusted upwards on January 1st of each year after 2017 to reflect a two percent annual inflation rate increase.
 - x. Where off-street parking for apartment housing has been reduced in accordance with Section 8.16.1(c)(v), parking shall be provided without cost and free of encumbrance to tenants on a first come first served basis.
- Schedule H is removed and replaced with Schedule H as attached to Appendix “B” of the report.
 - Schedule I is removed and replaced with Schedule I as attached to Appendix “B” of the report.

CARRIED

COU17-20 Moved by Councillor Karlos that council amend motion COU17-18, as amended, by deleting the following words in strikeout and adding following words in underline:

- vii. Notwithstanding, Section 8.16.1(c) (v), under no circumstances shall the deferral of construction of or payment of cash in lieu of a portion of required off-street parking for apartment housing result in the un-deferred portion of the required parking stalls be less than 0.6 parking stalls per ~~dwelling unit~~ bedsitting room, one and two bedroom dwellings; and 0.8 parking stalls per three or four bedroom dwellings upon issuance of the development permit.

CARRIED

Christensen opposed

The vote followed on motion COU17-18 as amended: that council give second reading to Bylaw 380 – Land Use Bylaw Amending Bylaw – Apartment Housing Parking with the following amendments:

- Section 2.1.2 is deleted in its entirety and replaced with the following:
 - 2.1.2 Inserting the following as a new Section 8.16.1 (c) and renumbering thereafter accordingly:
 - c. Apartment Housing
 - i. 0.75 parking stalls per bed-sitting-room dwelling; 1.0 parking stall per 1 bedroom dwelling; 1.5 parking stalls per 2 bedroom dwelling; 2.0 parking stalls per 3 or 4 bedroom dwelling; and 0.5 parking stalls for each additional bedroom.
 - ii. Cash-in-lieu of residential parking may be accepted in the place of parking required by residential uses in the CD District, at the discretion of the Development Approving Authority.
 - iii. A minimum of 15% of the required parking for apartment housing shall be clearly identified as "guest parking".
 - iv. A maximum of 20% of the required parking, other than guest parking, may be in tandem.
 - v. Notwithstanding Sections 8.16.1(c)(i), (ii), (iii), and (iv), when an apartment housing development is proposed consisting of six or more dwellings the construction of or payment of cash in lieu of residential parking shall be deferred for a portion of the required number of stalls as follows:
 - a. For 20% of the required number of parking stalls if the linear distance from the development to core services and employment is less than 800m as shown in Schedule H;
 - b. For 15% of the required number of parking stalls if the development is on a road containing a public transit route or on a road adjacent to a public transit route as shown in Schedule I;
 - c. For 15% of the required number of parking stalls if the individual unit gross floor areas is less than 50m²;
 - d. For 15% of the required number of parking stalls if the unit is provided with at least two (2) secure and indoor bicycle parking places;
 - e. For 15% reduction in the required number of parking stalls at a rate of 10 units per shared vehicle, if a restrictive covenant is granted in

favor of the Town of Banff prohibiting the use of the permanent car-share program stalls for any other use and caveated to property title.

- vi. The calculation of the number of parking stalls, the construction of or payment in lieu of which is deferred, for each criteria under Section 8.16.1(c)(v) is to be made from the calculation for required parking under Section 8.16.1(c)(i). and are therefore non-compounding in relation to one another.
 - vii. Notwithstanding, Section 8.16.1(c) (v), under no circumstances shall the deferral of construction of or payment of cash in lieu of a portion of required off-street parking for apartment housing result in the un-deferred portion of the required parking stalls be less than 0.6 parking stalls per bedsitting room, one and two bedroom dwellings; and 0.8 parking stalls per three or four bedroom dwellings upon issuance of the development permit.
 - viii. Where the construction or payment of cash in lieu has been deferred for some of the total number of required parking stalls in accordance with Section 8.16.1(c)(v), the deferral shall continue only so long as the title is not subject of a leasehold condominium subdivision. Upon any application for consent, for such a leasehold condominium subdivision, the deferral shall terminate and the applicant and/or lessee shall construct or pay for the construction of off-street parking facilities in accordance with the total required parking for apartment housing determined at the time of original development permit approval.
 - ix. In the event of subdivision by leasehold condominium plan, payment in lieu of parking will also be accepted in the amount of \$75,000 per parking stall. Such payment in lieu amount shall be adjusted upwards on January 1st of each year after 2017 to reflect a two percent annual inflation rate increase.
 - x. Where off-street parking for apartment housing has been reduced in accordance with Section 8.16.1(c)(v), parking shall be provided without cost and free of encumbrance to tenants on a first come first served basis.
- Schedule H is removed and replaced with Schedule H as attached to Appendix “B” of the report.
 - Schedule I is removed and replaced with Schedule I as attached to Appendix “B” of the report.

CARRIED
Christensen opposed

COU17-21 Moved by Councillor DiManno that council give third reading to Bylaw 380 –Land Use Bylaw Amending Bylaw – Apartment Housing Parking as amended.

CARRIED
Christensen opposed

COU17-22 Moved by Councillor Olver that council direct administration to return with a report outlining the details of the 2017 parking study and cost implications for increased evening data collection.

CARRIED

COU17-23 Moved by Councillor Olver that council direct administration to return with an informational report on the potential of a car share program in Banff.

CARRIED

COU17-24 Moved by Mayor Sorensen that council direct administration to return with a report in one year's time with regard to the provisions in the Land Use Bylaw amended by Bylaw 380 outlining:

- projects to-date where bylaw provisions have been applied;
- updated relevant federal and municipal census data;
- relevant parking information collected; and
- any other relevant information.

COU17-25 Moved by Councillor Christensen that council amend motion COU17-24 by changing the words "one year's time" to "August 2017".

DEFEATED
Christensen in favour

The vote followed on motion COU17-24: that council direct administration to return with a report in one year's time with regard to the provisions in the Land Use Bylaw amended by Bylaw 380 outlining:

- projects to-date where bylaw provisions have been applied;
- updated relevant federal and municipal census data;
- relevant parking information collected; and
- any other relevant information.

CARRIED

6.0 ADJOURNMENT

COU17-26 Moved by Councillor Standish that council adjourn the January 25, 2017 special meeting of council at 10:50 a.m.

CARRIED

Karen Sorensen
Mayor

Tara Johnston-Lee
Municipal Clerk