

**MINUTES OF THE GOVERNANCE AND FINANCE COMMITTEE**  
**of the Town of Banff in the Province of Alberta**  
**Town Hall Council Chamber**  
**Monday, May 14, 2018 at 10:00 am**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

**ADMINISTRATION PRESENT**

Robert Earl	Town Manager
Amanda Arbuckle	Manager, Recreation
Alison Gerrits	Director, Community Services
Mike Buxton-Carr	RCMP Staff Sargent
Dave Michaels	Development Planner
Darren Enns	Manager, Development Services
Tara Johnston-Lee	Municipal Clerk

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**1.0 CALL TO ORDER**

The Mayor called the May 14, 2018 meeting of the governance and finance committee to order at 9:00 a.m.

**2.0 APPROVAL OF AGENDA**

FIN18-12 Moved by Councillor Standish that the governance and finance committee approve the agenda for the May 14, 2018 meeting as presented.

**CARRIED**

**3.0 ADOPTION OF PREVIOUS GOVERNANCE & FINANCE COMMITTEE MINUTES**

**3.1 Minutes of the April 9, 2018 Meeting of the Governance & Finance Committee**

FIN18-13 Moved by Councillor Poole that the governance and finance committee adopt the minutes of the April 9, 2018 meeting as presented.

**CARRIED**

**4.0 DELEGATIONS**

There were no delegations.

**5.0 PUBLIC INPUT ON AGENDA ITEMS**

**5.1 Jon Whelan, Resident – In Camera Session**

Mr. Whelan spoke to his written submission that has been added to the minutes for this meeting.

Minutes approved by: \_\_\_\_\_

### 5.2 Hugh Pettigrew, Resident – MPC/DAB Remuneration

Mr. Pettigrew spoke in support of MPC/DAB remuneration and would like to see it extended to all committees of council.

### 5.3 Mark Jones, Entrepreneur – Cannabis Retail

Mr. Jones spoke to his concerns that potential cannabis dispensary licensees are facing with regard to required and proposed distances from school and health care facilities and the resulting limited availability of possible retail locations in Banff. He spoke in support of the provincial legislation that has been established to regulate the sale and retail of cannabis but requested that that council consider allowing for cannabis retail inside malls and hotels even if they are within restricted commercial areas.

### 5.4 Spencer Schneider and Kristen Spangenberg – Alberta Health Services – Cannabis Retail

Ms. Spangenberg spoke on behalf of Alberta Health Services in regard to the recommendations included in the agenda package for this meeting. A copy of her speaking notes have been added to the minutes of this meeting.

## 6.0 UNFINISHED BUSINESS

None considered.

## 7.0 REPORTS

### 7.1 Community Services Recreation Polices

The governance and finance committee reviewed and discussed the proposed “*Public Use of Municipal Facilities Policy*” and provided their feedback to administration.

FIN18-14 Moved by Councillor Christensen that the governance and finance committee recommend to council that the authority to “cancel a facility rental in instances of emergency response and/or when deemed in the best interest of residents” reside with council and not administration.

**DEFEATED**  
**Christensen in favour**

FIN18-15 Moved Mayor Sorensen that the governance and finance committee direct administration:

- i. to bring council policies C016, C065, C083, and C085 to a future council meeting for repeal; and
- ii. bring an overarching council policy, “Public Use of Municipal Facilities” forward for further consideration.

**CARRIED**

### 7.2 Changes to Legislation Regarding Cannabis

FIN18-16 Moved by Councillor Canning that the governance and finance committee direct administration to return to council with an amendment to the Streets and Public Places Bylaw that would prohibit the smoking or vaping of cannabis in all public places, thereby limiting use to private residences and properties.

**CARRIED**

FIN18-17 Moved by Councillor Christensen that the Governance and Finance Committee direct administration to draft Land Use Bylaw Amendments that would prohibit Storefront Cannabis Retail in the Town of Banff, at this time, for council's consideration.

**DEFEATED**  
**Christensen and Poole in favour**

Moved by Mayor Sorensen that the governance and finance committee:

- recess the governance and finance committee until after the May 14, 2018 regular meeting of council to further consider agenda item 7.2 and consider agenda item 7.3 MPC/DAB Remuneration; and
- remove In Camera Session – Strategic Planning Session – Transportation from the agenda and direct administration to reschedule the session on Monday, May 28, 2018 at 9:00 a.m.

**CARRIED**

**There was a recess from 1:00 p.m. until 3:55 p.m.**

FIN18-18 Moved by Mayor Sorensen that the governance and finance committee direct administration to draft Land Use Bylaw Amendments to allow Storefront Cannabis Retail with the direction that:

- a) Storefront Cannabis Retail is treated the same as General Retail Stores by allowing stores in the CD: Downtown Land Use District as a discretionary use, and allowing them as an Accessory Use (discretionary) within hotels in the CA: Commercial Accommodation, CB: Banff Springs or CT: Tunnel Mountain districts,
- b) In addition to the provincial separation of 100m of a cannabis retail store to a property containing a school or health care facility, that a 100m separation from a daycare or child play area is an additional requirement;
- c) A 75m separation distance between Storefront Cannabis Retail operators is included;
- d) In addition to the AGLC location specific requirements, that Storefront Cannabis Retail is prohibited within a location where street facing windows front onto a pedestrian sidewalk or public right-of-way;
- e) No limit to the total number of Storefront Cannabis Retailers is implemented; and that
- f) The governance and finance committee direct administration to return to council with options for business licensing.

- FIN18-19 Moved by Councillor Poole that the governance and finance committee amend motion FIN18-18 by amending bullet (a) by removing the following words in ~~strikeout~~:
- Storefront Cannabis Retail is treated the same as General Retail Stores by allowing stores in the CD: Downtown Land Use District as a discretionary use, ~~and allowing them as an Accessory Use (discretionary) within hotels in the CA: Commercial Accommodation, CB: Banff Springs or CT: Tunnel Mountain districts,~~
- CARRIED**  
**Sorensen, Canning and DiManno opposed**
- FIN18-20 Moved by Councillor Olver that the governance and finance committee amend motion FIN18-18, as amended, by amending bullet (c) by deleting the words in ~~strikeout~~ and adding the following words in underline:
- A ~~75m~~ 100m separation distance between Storefront Cannabis Retail operators is included;
- CARRIED**
- FIN18-21 Moved by Councillor Olver that the governance and finance committee amend motion FIN18-18, as amended, by amending bullet (e) to read:
- A maximum number of Storefront Cannabis Retailers limit of three (3) be implemented;
- DEFEATED**  
**Olver and Poole in favour**
- FIN18-22 Moved by Councillor Olver that the governance and finance committee amend motion FIN18-18, as amended, by adding the following as bullet (g):
- The hours of operation of operation for Store Front Cannabis Retail be limited to 10 a.m. to midnight.
- DEFEATED**  
**Canning, Olver and Poole in favour**

The vote followed on motion FIN18-18 as amended: that the governance and finance committee direct administration to draft Land Use Bylaw Amendments to allow Storefront Cannabis Retail with the direction that:

- a) Storefront Cannabis Retail is treated the same as General Retail Stores by allowing stores in the CD: Downtown Land Use District as a discretionary use,
- b) In addition to the provincial separation of 100m of a cannabis retail store to a property containing a school or health care facility, that a 100m separation from a daycare or child play area is an additional requirement;
- c) A 100m separation distance between Storefront Cannabis Retail operators is included;
- d) In addition to the AGLC location specific requirements, that Storefront Cannabis Retail is prohibited within a location where street facing windows front onto a pedestrian sidewalk or public right-of-way;
- e) No limit to the total number of Storefront Cannabis Retailers is implemented; and that

- f) The governance and finance committee direct administration to return to council with options for business licensing.

**CARRIED**

- FIN18-23 Moved by Councillor Olver that the governance and finance committee direct administration to explore options for requiring Storefront Cannabis Retailers to have some responsibility for community stewardship.

**CARRIED**

- FIN18-24 Moved by Councillor Olver that the governance and finance committee direct administration to explore options for revisions for the Community Standards Bylaw for multifamily dwellings to deal with the infiltration of second hand cannabis smoke to other dwellings.

**CARRIED**

**7.3 MPC/DAB Remuneration**

- FIN18-25 Moved by Councillor Olver that the governance and finance committee direct administration to draft amendments to the appropriate council bylaws, policies, and budget in order to establish remuneration for public members of the Municipal Planning Commission (MPC) and the Development Appeal Board (DAB) for council's consideration.

**CARRIED**  
**Poole opposed**

**8.0 CORRESPONDENCE**

None received.

**9.0 PUBLIC INPUT ON AGENDA ITEMS**

None received.

**10.0 IN CAMERA SESSION**

Removed from the agenda. Not considered.

**11.0 ADJOURNMENT**

- FIN18-26 Moved by Councillor DiManno to adjourn the meeting of the May 14, 2018 governance and finance committee at 5:01 p.m.

**CARRIED**

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Karen Sorensen  
Mayor

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Tara Johnston-Lee  
Municipal Clerk