

MINUTES OF THE MUNICIPAL PLANNING COMMISSION
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Wednesday, January 25, 2012 at 9:00 a.m.

COMMISSION MEMBERS PRESENT

David Bayne	Public Representative – Chair
Steve Beaton	Public Representative
Ted Christensen	Public Representative
Pat Roi	Public Representative
Ann-Marie Puccini	Minister of the Environment Representative
Brian Standish	Council Representative
Grant Canning	Council Representative

COMMISSION MEMBERS ABSENT

Yannis Karlos	Public Representative
Vacancy	Administration (non-voting)

ADMINISTRATION PRESENT

Randall McKay	Manager of Planning and Development
Darren Enns	Senior Planner
Keith Batstone	Planner/Development Officer
Cheryl Hyde	Municipal Clerk (Recorder)

1.0 CALL TO ORDER

The Chair called the regular meeting of the 2012 Municipal Planning Commission to order at 9:00 a.m.

2.0 APPROVAL OF AGENDA

MPC12-1 Moved by Canning to approve the January 25, 2012 Municipal Planning Commission agenda with the following additions:

- 5.7 Development Appeal Board Hearing – Change of Use Application for 221 Beaver Street

CARRIED

3.0 ADOPTION OF PREVIOUS COMMISSION MINUTES

3.1. October 11, 2011 Meeting Minutes

MPC12-2 Moved by Standish to approve the minutes of the October 11, 2011 meeting of the Municipal Planning Commission as presented.

CARRIED

4.0 UNFINISHED BUSINESS

No unfinished business was considered.

5.0 REPORTS

**5.1. Request for Decision: Preliminary Determination of Use (11DP66)
Duplex Housing and Accessory Dwelling, 444 Muskrat Street**

Administration spoke to a written report distributed in the agenda package for this meeting. The owner of the building at 444 Muskrat Street was present to answer questions from the commission.

MPC12-3 Moved by Canning to approve a Preliminary Determination of Use for the proposed demolition of a portion of existing Duplex Housing at 444 Muskrat Street and the reconstruction of the subject dwelling and a new Accessory Dwelling with a variance to the maximum allowable gross floor area of an Accessory Dwelling from 65m² to 130m².

(1) Specific Conditions:

- (a) Issuance of this Development Permit shall allow for an Accessory Dwelling with 130m² of gross floor area associated with Duplex Housing with a variance to Section 8.10.2 of the Land Use Bylaw which requires that Accessory Dwellings shall not contain more than 65m² of gross floor area. Payment of the Variance Fee shall be provided upon application for a Development Permit for residential development in accordance with *Town of Banff Development Permit Fee Schedule Bylaw 308*;
- (b) Obtain a valid Town of Banff Development Permit for the consideration of the Development Approving Authority to allow for the residential redevelopment of the property.

(2) General Conditions:

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.

CARRIED

5.2. Request for Decision: Development Permit Renewals for 2012 Home Occupations (Type 1 and Type 2)

Administration spoke to a written report distributed in the agenda package for this meeting. In addition, administration provided a verbal summary of minor amendments approved by the Development Officer for development permit 05DP58 for a home occupation type 1 at 536 Deer Street. The commission received the written and verbal report as information.

MPC12-4 Moved by Canning to go in camera at 9:25 a.m.

CARRIED

MPC12-5 Moved by Canning to return to the public meeting at 9:47 a.m.

CARRIED

MPC12-6 Moved by Standish to renew the following Development Permits for Home Occupations (Type 1 and 2) for a one-year term, subject to the original conditions of approval.

Permit No.	Civic Address	Type Of Business	Permit Type
90DP75	120 Grizzly Street	Management Consultant	1
91DP107	201 Jasper Way	Contract Writing Service	1
93DP01	156 Marmot Crescent	Desktop Publishing Service	1
93DP65	433B Muskrat Street	Marketing Consultant	1
94DP15	131A Park Avenue	Music Entertainment Service	1
94DP98	119 Otter Street	Wholesale Jewellery Sales	1
95DP55	128 Grizzly Street	Vacuum Sales Representative	1
97DP83	201 Porcupine Place	Psychological Counselling Service	1

Minutes approved by: _____

Permit No.	Civic Address	Type Of Business	Permit Type
98DP73	202 Glen Crescent	Bookkeeping & Accounting Services	1
98DP77	138 Kootenay Avenue	Video Production Service	1
98DP95	110 Muskrat Street	Ski Area Consultant	1
98DP97	222 B Bow Avenue	Photography Service	1
99DP51	106 Nahanni Drive	Travel Consultancy	1
00DP17	27 Fairholme Place	Interior Design Consultant	1
00DP58	5 Cascade Court	Interior Design Consultant	1
01DP02	117 Glacier Drive	Leadership Consulting	1
01DP08	126 Park Avenue	Wholesale Sales and Distribution Service	1
03DP36	94 Fox Street	Management Consultant	1
03DP39	345 Muskrat Street	Appraisal Service	1
04DP02	129 B Cave Avenue	Management Consultant	1
		Environmental Surveillance Consultant/Marriage	
04DP19	223 Kluane Drive	Commissioner	1
04DP39	113 A Otter Street	Fly-Fishing Guiding Service	1
04DP49	513 A Deer Street	Photography Service	1
04DP68	201 Springs Crescent	Leadership Development Consultant	2
05DP06	348 Squirrel Street	Computer Network Consultant	1
05DP14	206 Muskrat Street	Web Designer	1
05DP50	207 Jasper Way	Bookkeeping Business	1
05DP57	436 Muskrat Street	Design Company	1
05DP58	536 Deer Street	Publishing Company	1
06DP02	529 Deer Street	Bookkeeping and Accounting Business	1
06DP05	327 Marten Street	Golf Reservations Service	1
06DP10	127 A Muskrat Street	Photographic Business	1
06DP37	267 Jasper Way	Television & Film Production Service	1
06DP62	118 Spray Avenue	Mountain Guiding Service	1
06DP63	35 Whiskey Jack Cres	Hockey Tours Operation	1
06DP71	514 Buffalo Street	Violin Workshop	2
07DP02	12 Fairholme Place	Project Management Service	1
07DP04	216 St Julien Road	Photography Mentoring Service	1
07DP23	24 Sulphur Court	Bookkeeping Service	1
07DP37	137 Park Avenue	Photography Business	1
07DP50	#203-404 Wolf Street	Nordic Ski School Instruction	1
07DP53	329 Middle Springs Dr	Interpretive Guiding/Hiking Service	1
08DP13	201 - 136 Beaver St	Spa-Wellness Treatment & Consultation Service	1
08DP33	101 Middle Springs Dr	Restaurant, Wine & Culture Consulting	1
08DP40	437A Muskrat Street	Safety Training Service	1
09DP05	133 Muskrat Street	Yoga Instruction and Guide Service	1
09DP16	110 Beaver Street	Outdoor Equipment Sewing Service	2
09DP38	319 Middle Springs Dr	In House Chef Service	1
09DP61	127B Park Ave	Security Services	1
10DP07	414B Otter Street	Freelance Journalist	1
10DP18	337 Otter Street	General Contractor Consultant	2
10DP23	223 Muskrat Street	General Contractor Consultant	2
10DP29	331 Marten Street	Graphic Design Service	1
10DP49	414 Squirrel Street	Architectural Design Service	1

Permit No.	Civic Address	Type Of Business	Permit Type
10DP52	94 Fox Street	Real Estate Consultant	1
11DP03	201 Kluane Drive	Safety Consultant	1
11DP04	410 Squirrel Street	Destination Management Service	1
11DP08	124 Beaver Street	Photography Business	1
11DP09	124 Beaver Street	Freelance Writer	1
11DP13	305 Middle Springs Dr	Window Cleaning Business	1
11DP20	228 Kluane Drive	Dog Wash/Walking Service	1
11DP22	211 Springs Crescent	Photography Business	1
11DP24	418 Cougar Street	General Contractor Consultant	2
11DP25	100 Birch Drive	Photography Business	1
11DP28	504 Banff Avenue	Personal Trainer	1
11DP39	121 Nahanni Drive	Management Consultant	1
11DP41	412 Squirrel Street	General Contractor Consultant	2
11DP50	8 Otter Lane	Cleaning Service	1
11DP59	317 Banff Avenue	Internet Technology Services Consultant	1
11DP61	525 Deer Street	Web Design Service	1

CARRIED

5.3. Phase II Land Use Bylaw Review

5.4. Land Use Bylaw Working Group Final Report

The commission unanimously agreed to combine items 5.3 and 5.4.

Administration provided the commission with a verbal update on the progress of the Land Use Bylaw phase II review:

In August 2011 administration provided the results of eighteen months of public consultation to council regarding the phase II review of the Land Use Bylaw. Council then struck a working group to consider specific issues. The working group's final report was presented to council on November 28, 2011, at which time council directed administration to return with regulatory proposals. Administration will submit proposed framework for phase II revisions to the Land Use Bylaw to council in the first quarter of 2012.

5.5. Bow River Pedestrian Bridge and Utility Crossing

Administration provided the commission with verbal update about a decision by council on January 23 to approve a design-build contract for a pedestrian bridge and utility pipe replacement across the Bow River at Muskrat Street. There will be an open house held at the beginning of February to hear input from residents about bridge design and integration into the effected neighbourhoods.

5.6. The Commissioner (Summer 2011) and The Planning Commissioners Journal (Fall 2011)

Received as information.

5.7. Development Appeal Board Hearing – Change of Use Application for 221 Beaver Street

Administration provided a verbal update regarding the outcome of the Development Appeal Board hearing held on January 19, 2012 to hear an appeal of the approval of a change of use application for 221

Beaver Street. The hearing was held to determine apprehension of bias for individuals sitting on the appeal board. Four members declared a conflict, leaving three members who will hear the appeal. Council will be asked by the Minister of the Environment to appoint two alternate members who would represent the Minister for this hearing.

6.0 CORRESPONDENCE

6.1. No correspondence was received.

7.0 NEW BUSINESS

7.1. No new business was considered.

8.0 INQUIRIES

There were no inquiries.

9.0 DATE OF NEXT MEETING/ADJOURNMENT

The next regular meeting of the Municipal Planning Commission is scheduled for Wednesday, February 15, 2012 at 9:00 a.m.

MPC12-7 Moved by Canning to adjourn the meeting at 10:27 a.m.

CARRIED

David Bayne
Chair

Cheryl Hyde
Recording Secretary

Minutes approved by: _____