

TOWN OF BANFF
ORDER OF BUSINESS
Regular Council Meeting
Town of Banff Council Chambers
Monday, February 13, 2012 at 2:00 p.m.

1.0 CALL TO ORDER

2.0 APPROVAL OF AGENDA

- 2.1 Regular Meeting Agenda
- 2.2 For Information: 2011 Council Priorities and Workplan

3.0 DELEGATIONS

- 3.1 Edward Ross – Request to eliminate non-resident business license fees

4.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

- 4.1 Minutes of the January 23, 2012 Regular Meeting of Council

5.0 UNFINISHED BUSINESS

6.0 COMMITTEE REPORTS

- 6.1 Minutes of the November 16, 2011 Meeting of the Banff Public Library Board and the Library Monthly Statistics
- 6.2 Minutes of the January 25, 2012 Meeting of the Municipal Planning Commission
- 6.3 Minutes of the January 19, 2012 Meeting of the Development Appeal Board

7.0 INQUIRIES

8.0 STAFF REPORTS/BYLAWS

- 8.1 Request for Decision: Revenue Leasing & Licensing Policy

9.0 CORRESPONDENCE

10.0 NEW BUSINESS

11.0 INQUIRIES

12.0 ADJOURNMENT

January 23, 2012

2012 Council Priorities

For details about 2012 Council priorities, visit www.banff.ca/town-hall/banff-town-council/strategic-priorities.htm.

Council Workplan

Note: blue highlight indicates a 2012 Council Priority.

1st Quarter 2012

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Strategy Workshop
Review Enforcement Expectations	Bylaw Services	Jan 31				✓
Draft Street Lighting Policy	Planning	2011	Feb 27	✓		
Reserve Policy – Roadway System	Corporate Services	Feb 27			✓	
Reserve Policy – Buildings	Corporate Services	Mar 26			✓	
Waste Bylaw Amendment	Operations	Q1				
Compensation Review Strategy	Human Resources	Q1				✓
Transition to Regional Transit	Engineering/Corp Services	Q1		✓		
Sundry Waste Pick-up Improvements	Operations	Q1		✓		
Improve Cemetery Administrative Processes	Grounds	Q1		✓		
Commercial Inventory 1 st Draft	Planning	Q1				✓
Alternate Revenue ⁴	Operations	Q1		✓		

2nd Quarter 2012

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Strategy Workshop
Full Scale Disaster Exercise	Fire Services	May 9				✓
Reserve Policy – Machinery and Equipment	Corporate Services	May 28			✓	
1st Quarter Forecast	Corporate Services	May 28			✓	
Performance Measures Review	Corporate Services	June 25			✓	
Reserve Policy – Fleet	Corporate Services	June 25			✓	
Economic Prosperity Planning Process ³	Communications/Planning	2011	Q2	✓		
Draft Land Use Bylaw Phase 2-A ²	Planning	2011	Q2	✓		
Community Standards Bylaw Amendment re: outdoor music	Bylaw Services	Q2		✓		
Outdoor Merchandise Display Policy	Planning	Q2		✓		
Staff Accommodation Survey	Human Resources	Q2		✓		

¹A Sustainable Transportation System

²Effective Land Use to Ensure a Sustainable and Prosperous Banff – Phases 2 & 3

³Toward Economic Prosperity – Supporting the Competitive Initiative

⁴Toward Financial Stability – Seeking Resort Community Status

⁵Urban Forest Management – Renewing Our Most Valuable Resource

2012 Council Priorities & Workplan

Agenda #2.2

2nd Quarter 2012

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Strategy Workshop
Website Overhaul Scoping	Communications	Q2		✓		
Visitor Experience Role Expansion	Communications	Q2		✓		
On-line Payments	Corporate Services /Bylaw Services	Q2		✓		
GIS Public Access Improvements	Corporate Services	Q2		✓		
Taxi Fleet Environmental Efficiency	Bylaw Services	Q2		✓		
Residential Bin Communication Improvements	Operations/ Communications	Q2		✓		
Resource Recovery Yard Sunday Operations	Operations	Q2		✓		
Buffalo Camp Demolition	Operations/Fire	Q2				
Grease Trap Education	Utilities/ Communications	Q2		✓		
Waste Water Treatment Plant Contract	Operations	Q2		✓		
Recreation Master Plan – Community Consultation	Community Services	Q2		✓		

3rd Quarter 2012

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Strategy Workshop
2013 Financial Plan	Corporate Services	June 16			✓	
2 nd Quarter Forecast	Corporate Services	Aug 20			✓	
Reserve Heritage, Art, Staff Housing	Corporate Services	Aug 20			✓	
Draft Land Use Bylaw Phase 2-B ²	Planning	2011	Q3	✓		
Sewer Bylaw	Operations	Q3		✓		
Compensation Review Final Report	Human Resources	Q3		✓		
Out of Town Service Agreements	Corporate Services	Q3		✓		
Bio-solids Final Plan	Operations	Q3		✓		
Social Assessment	Community Services	Q3		✓		
Recreation Master Plan – 1 st Draft	Community Services	Q3		✓		
Urban Forest Update ⁵	Grounds	Q3		✓		
Closing Doors in Winter	Env. Coordinator	Q3		✓		

4th Quarter 2012

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Strategy Workshop
Solid Waste Utility Rates	Corporate Services	Oct. 20			✓	
3 rd Quarter Forecast	Corporate Services	Nov. 13			✓	

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2012 Council Priorities & Workplan

Agenda #2.2

4th Quarter 2012

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Strategy Workshop
Pre-audit Planning	Corporate Services	Nov. 13			✓	
Operating Reserves	Corporate Services	Nov. 13			✓	
LUB Phases 3 & 4 Plan ²	Planning	Q4 and beyond		✓		
Employee Satisfaction Survey	Human Resources	Q4		✓		
Traffic Master Plan 1 st Draft ¹	Engineering	Q4		✓		
Outdoor Music Infrastructure	Planning	Q4 budget		✓		
Downtown Fire Pits	Planning	Q4 budget		✓		
Toboggan Run	Streets	Q4 budget		✓		
Recreation Master Plan – Final Document	Community Services	Q4		✓		
Traffic Master Plan Final ¹	Engineering	Q1 2013		✓		

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This petition has collected
360 signatures
using the online tools at iPetitions.com

Printed on 01-27-2012

Banff Business License Appeal

About the petition

To: Kerry TOWN of BANFF Calgary Wedding Professionals are looking for a resolution. It has come to our attention that Banff is looking to enforce a bylaw that would require Calgary based Photographers and other wedding businesses to have a Banff Business License in order to photograph and provide services in the Banff townsite. This also seems to be targeting the wedding professionals specifically. It has also come to our attention that this was brought about by a very small group of local businesses complaining about "outside" photographers and planners. A member group of 200+ photographers has discussed this and find the practice to have an air of protectionism and discrimination. We also believe that targeting a specific group is unconstitutional and prejudicial. We have discussed that as Banff is a popular wedding destination - that many of us speak highly of and recommend the resorts, hotels and other vendors we work with in Banff. Many of our past clients refer us to people getting married there or we recommend locations in Banff to our current clients to have their weddings. Many of these clients are Calgary and area based clients who have developed a relationship with us and are hiring us based on our business style, practice and individual expertise. To try to protect a group of local vendors from outside competition is in our opinion a very slippery slope when you are in a destination based location. We are also aware of several examples of photographers and videographers from Banff photographing in Calgary, and all over the world without attaining municipal licensing from all of the places they visit and photograph. The Calgary Wedding community is a tight knit group of professionals who represent a significant amount of consumer interests. We have planners, florist, dj's, photographers and decor specialists who may occasionally work in Banff - and often refer business to Banff, as well as spend money personally in Banff and the entire Bow Valley. Most of us pay for a business license in our place of residence and pay taxes, buy park passes and of course spend money while we are on location outside of our jurisdiction. To attempt to enforce a by-law to prevent us from bringing business to your town is short-sighted and is essentially a premium tax on small business. We hope that you reconsider this bylaw, and recognize that the couples and companies bringing their weddings and events to your town bring a tremendous value that far exceeds the business license revenue. We have spoken with several other Banff photographers who have indicated that they were never part of this group of dissenters, and as such have expressed concern that they will be unfairly painted with the same brush as they have great relationships with the Calgary wedding community. We hope that we can work through this and are looking for a simple resolution to this situation - so that we can continue being good neighbors, and work towards increasing tourism and revenue for everyone. After all, we are first and foremost Canadian, and we are all part of the solution. We would welcome the opportunity to address the stakeholders, town council and any other concerns in a meeting. Thank you for your time. Feel free to contact us at: Edward Ross Edward Ross Photography 403-371-9996 www.edwardrossphotography.com info@edwardrossphotography.com

Signatures

1. Name: Anna Wasniewska on Jan 24, 2012
Comments: Thank you! Sharing further.

2. Name: Michael Niemiec on Jan 24, 2012
Comments: Thank you for taking time to review this petition and the concerns that we have as a group.

3. Name: Amira Harris on Jan 24, 2012
Comments:

4. Name: Edward Ross on Jan 24, 2012
Comments:

5. Name: Shawna Coates on Jan 24, 2012
Comments:

6. Name: Joanne Cousins on Jan 24, 2012
Comments:

7. Name: Rafal Wegiel on Jan 24, 2012
Comments:

8. Name: Mark Shierman on Jan 24, 2012
Comments: While I agree that the presence of Calgary Photographers in Banff may have a negative impact on local photographers, this is not something that can be fixed by slapping an egregiously high business registration fee on photographers from Calgary. I am quite sure a local Banff photographer would not think twice about shooting a client in Calgary without the same exorbitant fee. We do not do enough business in Banff to justify the costs of this license, this fee will all but force us to choose other venues when making recommendations.

While Banff is beautiful, there are other options.

9. Name: Carla Shierman on Jan 24, 2012
Comments:

10. Name: Karen Valckx on Jan 24, 2012
Comments: I believe one resolution would also be an all together one time fee per year to pay our Business Government license that would extend to all municipalities - that would include all provinces. Paying fees on a yearly basis to specific areas / municipalities or Province specific would surely become quite costly. My question would be - are the Banff fees that we are required to pay acknowledged and approved by our Canadian Government? Or is this just a set fee by a higher up because he/ or she has taken it upon themselves to administer such an outrageous fee?

11. Name: Wayne Simpson on Jan 24, 2012
Comments: Thank you for seeing our view on this matter and changing the bylaw as to not discriminate photography in Banff.

12. Name: Tedi Lockwood on Jan 24, 2012
Comments: I really hope this gets turned around, as I find it ridiculous.

13. Name: Kendra Keir on Jan 24, 2012
Comments: A fair solution is to hear from people that are opposed to this bylaw. And for those professionals who run a small photography business, extra licensing to exclude competition becomes an added and unnecessary expense or costly, especially when perhaps doing 1- 3 weddings in Banff. It is also true that many couples hire a photographer first and with such bylaws in place may affect the recommendations photographers provide in suggesting venues or ease of acquiring and delivering the type of photos the client requires with ease to the couples. Photographers are influential at the planning stages of wedding planning.

14. Name: Joelene Mills on Jan 24, 2012
Comments:
-
15. Name: Andras Schram on Jan 24, 2012
Comments:
-
16. Name: Tracey Brosh on Jan 24, 2012
Comments:
-
17. Name: Aaron Mccullough on Jan 24, 2012
Comments: The fact we have to do this is shameful.
-
18. Name: Virginia Booth (Hot Shoe Photography) on Jan 24, 2012
Comments:
-
19. Name: Victor Garcia on Jan 24, 2012
Comments:
-
20. Name: Brittany Wentzell Verge on Jan 24, 2012
Comments:
-
21. Name: Anonymous on Jan 24, 2012
Comments:
-
22. Name: Curtis Desiatnyk on Jan 24, 2012
Comments:
-
23. Name: Jay Russell on Jan 24, 2012
Comments:
-
24. Name: Mirza Aldobasic on Jan 24, 2012
Comments:
-
25. Name: Kyla Gibson on Jan 24, 2012
Comments:
-
26. Name: René Michuad on Jan 24, 2012
Comments:
-
27. Name: Paula Bitner on Jan 24, 2012
Comments:
-
28. Name: Ashley King on Jan 24, 2012
Comments:
-
29. Name: Amy Sheane on Jan 24, 2012
Comments:
-
30. Name: Brian Merry on Jan 24, 2012
Comments: As a Banff photographer I welcome other wedding professionals to town who work here up to 3 times a year without a Banff license when they are legally licensed in their usual place of business.
-
31. Name: Amy Sheane on Jan 24, 2012
Comments:
-

32. Name: David Moss on Jan 24, 2012
Comments:
-
33. Name: Trish Boyko on Jan 24, 2012
Comments:
-
34. Name: Natalie Andrusiak on Jan 24, 2012
Comments:
-
35. Name: Lisa McDonald on Jan 24, 2012
Comments:
-
36. Name: Shawna Morrison on Jan 24, 2012
Comments:
-
37. Name: Crystal Sujata on Jan 24, 2012
Comments:
-
38. Name: Diane Scaman on Jan 24, 2012
Comments: Should this bylaw be enforced, I will have to charge several hundred dollars to each client that books in Banff. Clearly, this will make my clients consider a different location, especially when their wedding planner, DJ, etc. will be charging extra too.
- Please at least consider lowering your rate.
- Thank you,
Diane Scaman
www.dianescaman.com
-
39. Name: Svetlana Yanova on Jan 24, 2012
Comments: Very well put and I agree 100%.
-
40. Name: Laszlo Szabo on Jan 24, 2012
Comments:
-
41. Name: Alejandro Peralta on Jan 24, 2012
Comments:
-
42. Name: Shannon Ksenak on Jan 24, 2012
Comments: As a former wedding industry professional and a bride who was married in Banff with a Calgary photographer, I think that this bylaw is a HUGE mistake and that the individuals who initialized this bylaw may not be thinking of the repercussions that it may have on their businesses. I know that when I had selected my photographer and he was unavailable the weekend we intended to get married, that we changed our date. If there would have been a price increase due to us choosing a Banff wedding, we likely would have changed our location too, just to have him photograph our wedding. I think it's particularly unfair to the clients who are selecting professionals based upon the style and art that best represents them, their families...etc. While I understand wanting to promote and support local businesses, I think that there is a fine line being crossed and this bylaw could possibly impact the town of Banff in a negative way and therefore, I choose not to support it. Good luck to all of the businesses impacted. I hope there is some sort of peaceful solution.
-
43. Name: Andy Letch on Jan 24, 2012
Comments:
-
44. Name: Jacquie McFarlane on Jan 24, 2012
Comments: I also am an Alberta based photographer who would like the opportunity to create beautiful wedding images for my clients if asked.
-
45. Name: Kristy Gardner on Jan 24, 2012
Comments:
-
46. Name: Perry Thompson on Jan 24, 2012

Comments:

-
47. Name: Anonymous on Jan 24, 2012
Comments:
-
48. Name: Heather Schellenberg on Jan 24, 2012
Comments:
-
49. Name: Nikki McArthur on Jan 24, 2012
Comments:
-
50. Name: Jeff Wilkins on Jan 24, 2012
Comments: I don't know of any other area in Canada that tries to enforce such a law. I am sure if you do the math there are more people getting married in the parks than there are "local" photographers and planners etc, that can support them. This is truly a money grabbing effort, not a legitimate business concern. Words like Monoply and Protectionism are very fitting. Can you imagine busting in on someones wedding and asking the photographer to "show your papers" talk about rude! Evolve, find new ways to meet your clients and make your business a success don't try to eliminate the competition with ridiculous laws!
-
51. Name: Anonymous on Jan 24, 2012
Comments: I wholeheartedly agree!
-
52. Name: Geoff Ball on Jan 24, 2012
Comments:
-
53. Name: Debi on Jan 24, 2012
Comments:
-
54. Name: Linda Sailer on Jan 24, 2012
Comments: Calgary photographers bring more than just weddings to the beautiful valley. Often we come with families to do family portrait sessions where the family then stays for the day, adding to the overall economy. If you bring this proposed bylaw to fruition, where does one draw the line? Do you then expect the news stations to purchase said license? They likely won't do it, and then there is less media coverage (and free publicity) for the town of Banff. (example- I just watched a special on the news last night about a climber returning to climbing after a serious injury, and his comeback and training are being accomplished in the Banff parkway) Consider all the implications in this seriously misguided bylaw!
-
55. Name: Vala Grenier on Jan 24, 2012
Comments: This also affects the Edmonton wedding photography community. I personally have not worked in Banff. This requirement would cause me to discourage clients from having a wedding in Banff. Jasper should also be paying attention.
-
56. Name: Paul McGrath on Jan 24, 2012
Comments:
-
57. Name: Vanessa Ross on Jan 24, 2012
Comments:
-
58. Name: Anonymous on Jan 24, 2012
Comments:
-
59. Name: Kelly Szott on Jan 24, 2012
Comments:
-
60. Name: Olivia on Jan 24, 2012
Comments:
-
61. Name: Zev Abosh on Jan 24, 2012
Comments:
-

62. Name: Anonymous on Jan 24, 2012
Comments:
-
63. Name: James on Jan 24, 2012
Comments:
-
64. Name: Matthew Bryan on Jan 24, 2012
Comments:
-
65. Name: Fritz Tolentino on Jan 24, 2012
Comments:
-
66. Name: Monique Smith on Jan 24, 2012
Comments:
-
67. Name: Neil Speers on Jan 24, 2012
Comments:
-
68. Name: Duane Clemens on Jan 24, 2012
Comments:
-
69. Name: JENNIFER MASLAK on Jan 24, 2012
Comments: I own a floral shop and just did a wedding in Banff last weekend. MY extra costs spent there on amenities, food and park pass alone came to over \$400!
-
70. Name: Anne Wright on Jan 24, 2012
Comments:
-
71. Name: Kristy Reimer on Jan 24, 2012
Comments:
-
72. Name: Edralyn Chapman on Jan 24, 2012
Comments:
-
73. Name: Erin Henderson on Jan 24, 2012
Comments: That is just ridiculous. I can bring my photographer from Calgary with me to BC, SASK, or even MEXICO without having to jump through hoops to do so. If they don't like the competition, maybe they should work on their business and produce a better product.
-
74. Name: Brad Warren on Jan 24, 2012
Comments:
-
75. Name: Tara Lack on Jan 24, 2012
Comments:
-
76. Name: Anonymous on Jan 24, 2012
Comments:
-
77. Name: Sal on Jan 24, 2012
Comments:
-
78. Name: Amanda McNamara on Jan 24, 2012
Comments:
-
79. Name: Chantal Milaine on Jan 24, 2012
Comments:

-
80. Name: Ray Warga on Jan 24, 2012
Comments:
-
81. Name: Natalia Babanova on Jan 24, 2012
Comments:
-
82. Name: Claudia Tecuceanu on Jan 24, 2012
Comments:
-
83. Name: Julianne Young on Jan 24, 2012
Comments:
-
84. Name: David Patton on Jan 24, 2012
Comments:
-
85. Name: Ashley on Jan 24, 2012
Comments:
-
86. Name: Claire Cocheme on Jan 24, 2012
Comments:
-
87. Name: Bill Marsh on Jan 24, 2012
Comments: As a photographer who holds a Town of Banff Licence, I don't want to work in an environment that is closed off to others, I don't believe in protectionist ways of doing business.
-
88. Name: Fun Factory DJ Service - Richard Jans on Jan 24, 2012
Comments: We are questioned by our clients as to how certain venues and locations are to work with. If you move forward with the bylaw, it would severely impact a client's decision as to where they might host their wedding or event, thus a potential reduction in the number of events being hosted in Banff.
- With hope
Richard Jans
-
89. Name: Ross Farnham on Jan 24, 2012
Comments:
-
90. Name: Tessa Lerbekmo on Jan 24, 2012
Comments: It is a free country, if the photographers or bystanders respect the environment then what's wrong?
-
91. Name: Sonia Ulmer on Jan 24, 2012
Comments:
-
92. Name: Stephanie Sutton on Jan 24, 2012
Comments:
-
93. Name: Sarah Murdoch on Jan 24, 2012
Comments:
-
94. Name: Anonymous on Jan 24, 2012
Comments:
-
95. Name: Christy Swanberg on Jan 24, 2012
Comments:
-
96. Name: Oscar Cesante on Jan 24, 2012

Comments:

97. Name: Anonymous on Jan 24, 2012
Comments: I recently received a note with regards to this and had the same concerns. I typically shoot for friends when in the mountains and the amount of money that we, the bridal party and the guests spend to be there should be ample. It's truly shortsighted.
-
98. Name: Janneke Smith on Jan 24, 2012
Comments: Couples should be able to choose their own wedding photographer. If not? Avoid Banff as a wedding destination.
-
99. Name: Virginia Quist on Jan 24, 2012
Comments:
-
100. Name: Kate Dyck on Jan 24, 2012
Comments: It's not up to the Banff community who a person wants to hire a service from. If that person resides in Calgary that is the discretion of the client, not the city. No other city charges an absurd TAX in order for a wedding profession to do their job - most likely a lot of the people coming to Banff are not from there either. You can't make people hire the local talent, that is up to the person doing the hiring.
-
101. Name: Ashley Butt on Jan 24, 2012
Comments: Disgraceful. Lets keep Canada the way it is and allow freedom to express our creativity at ALL great locations, and not have to jump through pretentious hoops!!
-
102. Name: Fritz Tolentino on Jan 24, 2012
Comments:
-
103. Name: Cathy MacRae on Jan 24, 2012
Comments:
-
104. Name: Anonymous on Jan 24, 2012
Comments:
-
105. Name: Haley Shandro on Jan 24, 2012
Comments: This is ridiculous. We already pay to enter the national park and pay our business tax, income tax, and business license fees.
-
106. Name: Linda Senychych on Jan 24, 2012
Comments: I often refer Banff as a destination wedding location. I recently turned down a client as of today because of the new fees that Banff is charging.
-
107. Name: Jolyn Saramaga on Jan 24, 2012
Comments:
-
108. Name: Anonymous on Jan 24, 2012
Comments:
-
109. Name: Nicole Ashley on Jan 24, 2012
Comments: It is truly sad that this is even an issue.
-
110. Name: Leslie Van Ham on Jan 24, 2012
Comments:
-
111. Name: Julie Bailey on Jan 24, 2012
Comments:
-
112. Name: Buffy Goodman on Jan 24, 2012
Comments:

-
113. Name: Chris Uglanica on Jan 24, 2012
Comments: While I have not photographed any clients' weddings in Banff, I too have received the email from Kerry at the Town of Banff office.
- I hold and maintain a valid business license for Edmonton. I find it extremely shortsighted on the Town of Banff's part to attempt to enforce this bylaw.
- Should any clients wish to book me to photograph their wedding there, I will now be forced to do one of three things:
1. Pass along the costs of the business license to my clients and explain that due to the fact that I do not shoot regularly in Banff, that I cannot absorb this cost alone.
 2. Attempt to discourage my clients from holding their wedding in the Town of Banff, thereby taking away revenue, tourism and promotion from the townsite.
 3. Photograph a client's wedding without a valid business license, thereby risking a fine and further restrictions by the Town of Banff.
- I can assure you that I will exercise options #1 and #2 should this bylaw be enforced.
- Thank you for your time.
-
114. Name: Rachael MacLeod on Jan 24, 2012
Comments:
-
115. Name: Crystal Adair-Benning on Jan 24, 2012
Comments: Making outside vendors have a seperate licence to work in Banff means fewer destination weddings and a loss to everyones pocketbook.
-
116. Name: Jessi Thomas on Jan 24, 2012
Comments:
-
117. Name: Debbie Wong on Jan 24, 2012
Comments:
-
118. Name: Lisa Redfern on Jan 24, 2012
Comments: A solution might be to offer 'temporary' business licenses. If it were a one or two day license or permit at a time, more photographers would be willing to get one. If, that is, the actual licensing is important, rather than business protectionism and cash grabbing. I can't speak for the intention behind all of this recent furor. I hope you consider changing with all of these signatures.
-
119. Name: Kelsea Fitzpatrick on Jan 24, 2012
Comments: As an upcoming bride, I would probably not get married in Banff if I was not able to use my preferred Calgary photographer and planner. Local Banff businesses, including hotels, would miss out on a great deal of business.
-
120. Name: Shara Cochrane on Jan 24, 2012
Comments:
-
121. Name: Anonymous on Jan 24, 2012
Comments: So-called "outside" businesses bring business traffic to Banff. Please remember this.
-
122. Name: Melissa Holmes on Jan 24, 2012
Comments:
-
123. Name: Alexandra Ritchie on Jan 24, 2012
Comments:
-
124. Name: Anonymous on Jan 24, 2012
Comments:
-
125. Name: Anonymous on Jan 24, 2012

Comments:

-
126. Name: Johanna Silver on Jan 24, 2012
Comments:
-
127. Name: Jarusha Brown on Jan 24, 2012
Comments: This is ridiculous!
-
128. Name: Jackie Ho on Jan 24, 2012
Comments:
-
129. Name: Suzana Silva on Jan 24, 2012
Comments:
-
130. Name: Melissa Minogue on Jan 24, 2012
Comments:
-
131. Name: Rob on Jan 24, 2012
Comments:
-
132. Name: Kevin Stenhouse on Jan 24, 2012
Comments:
-
133. Name: Blake Loates on Jan 24, 2012
Comments:
-
134. Name: Susan Hydzik on Jan 24, 2012
Comments: Bringing weddings into Banff increases business for Banff (hotels, stores, etc.) but creating such an unhappy situation for wedding photographers and planners will only serve to take people away from Banff and have photographers and wedding planners alike stop recommending couples get married there. The fees associated with photographing in Banff are too high to be reasonable, which is why many photographers are not paying them. The amount a photographer makes from one wedding is not enough to charge almost \$400 in fees for them to photograph there.
-
135. Name: Megan Braye Wheeler on Jan 24, 2012
Comments: Banff will lose a lot of business if they enforce this.
-
136. Name: Todd Hemming on Jan 24, 2012
Comments:
-
137. Name: Anonymous on Jan 24, 2012
Comments:
-
138. Name: Tracie DeCecco on Jan 24, 2012
Comments:
-
139. Name: Abigail Taylor on Jan 24, 2012
Comments:
-
140. Name: Mark Ancheta on Jan 24, 2012
Comments: it is unconstitutional, locals should practice fair business practice
-
141. Name: Nicole Voth on Jan 24, 2012
Comments:
-
142. Name: Rick Dang on Jan 24, 2012
Comments:

-
143. Name: Sean Trostem on Jan 24, 2012
Comments:
-
144. Name: Curtis Round on Jan 24, 2012
Comments:
-
145. Name: Anonymous on Jan 24, 2012
Comments:
-
146. Name: Crystal Small on Jan 24, 2012
Comments: We are all Canadian and we already pay to use the park and such, this is a money grab and is ridiculous. You want out of town people to book locations in Banff, like venues and hotels for their guests but you won't allow an outside photographer to photograph the wedding. I find that very hypocritical!!
-
147. Name: Charity Skeith on Jan 24, 2012
Comments:
-
148. Name: Eric Harvey on Jan 24, 2012
Comments: do Banff photographers ever shoot in Canmore or other locations? If so are we right in assuming that they hold business licenses there as well? As AA Albertan I should be free to hire who I want to shoot my wedding. Banff Township business is already raking the majority of the profits from these weddings why try a force the bride and groom to choose from a small pool of professionals. If Banff photog's feel they aren't getting enough of the jobs tell them to get off there duffs and market themselves better. Thank you.
-
149. Name: Dana Heald on Jan 24, 2012
Comments:
-
150. Name: Kelly Bik on Jan 24, 2012
Comments:
-
151. Name: Anonymous on Jan 24, 2012
Comments:
-
152. Name: Sheri Colautti on Jan 24, 2012
Comments: Totally unfair that photographers are being targeted!
-
153. Name: Katharina Franke on Jan 24, 2012
Comments:
-
154. Name: Jenny Foo on Jan 24, 2012
Comments:
-
155. Name: Carly Koop on Jan 24, 2012
Comments:
-
156. Name: Brandie Sunley on Jan 24, 2012
Comments:
-
157. Name: Anonymous on Jan 24, 2012
Comments:
-
158. Name: Mikekehr on Jan 24, 2012
Comments:
-
159. Name: Dennis Bertulfo on Jan 24, 2012

Comments: this is unfair...we just doing business here..we didnt take there client in banff.....share your nice place created by God...just be glad banff get more visitor for tourism.

160. Name: Anonymous on Jan 24, 2012
Comments:

161. Name: Jodi Oosterlee on Jan 24, 2012
Comments:

162. Name: Peter Gold MPA on Jan 24, 2012
Comments: Quite often we are asked by clients to suggest venues for their weddings. If there are added costs to doing business in the National Parks, we could easily recommend other beautiful locations with easier access and lower costs in the Canmore or Calgary areas. Charging photographers and wedding planners a surcharge to work in Banff is quite shortsighted on their part.

Peter Gold

163. Name: Anonymous on Jan 24, 2012
Comments:

164. Name: Anonymous on Jan 24, 2012
Comments: I am NOT signing this petition, however, would like to have my comments heard.

I believe that if anyone is going to work in the Bow Valley they should have a business license to do so. As a local business if I have to purchase a Canmore, Banff and Banff National Park pass why should people coming from Calgary not have to do so as well? This seems like a ridiculous double standard that they are putting forth. The bottom line is that if you would like to do business in an area, you should have a license to do so.

165. Name: Bandi (Andrew) Szakony on Jan 24, 2012
Comments:

166. Name: Brad Allen on Jan 24, 2012
Comments:

167. Name: Michel on Jan 24, 2012
Comments:

168. Name: Lesley Plumley on Jan 24, 2012
Comments: Very well written and very true. Bottom line is the client that is getting married in Banff... they should have a right to hire the vendor of their choice. By putting a loop hole and having this law passed you are limiting your town's potential for revenue. I hope it is reconsidered.

169. Name: Laura Coles on Jan 24, 2012
Comments:

170. Name: Anonymous on Jan 24, 2012
Comments:

171. Name: Erin on Jan 24, 2012
Comments:

172. Name: Erika Jensen on Jan 24, 2012
Comments: I think Banff needs to come up with a reasonable number of weddings one shoots within the town limits, in order to require a business licence.

173. Name: Shelley Weber on Jan 24, 2012
Comments: I feel it's unfair to ask a small business owner to have a business license for the two to three times a year I may shoot in Banff. I am not advertising as a Banff photographer it just so happens some of my clients choose to have their wedding out there.

174. Name: Ron Fredrick on Jan 24, 2012
Comments:
-
175. Name: Kevan Wilkie on Jan 25, 2012
Comments: I believe that it is in the best interests of the town of Banff in the long-run to allow a competitive and open market in the Banff wedding industry. Brides who are able to work with their preferred vendors re more likely to speak highly of their experience in the town, than those that have to pay a higher fee to work with the vendors of their choosing, because this unfair tax will ultimately be passed on to the consumer. I believe that brides who have to pay a higher arbitrary fee to have the wedding of their dreams will look at nearby destination locations with a more open and competitive business environment.
-
176. Name: Jennifer Bergman on Jan 25, 2012
Comments:
-
177. Name: Karla Reid on Jan 25, 2012
Comments:
-
178. Name: Nathan Elson on Jan 25, 2012
Comments:
-
179. Name: Rhiannon on Jan 25, 2012
Comments:
-
180. Name: Tanya Greene on Jan 25, 2012
Comments:
-
181. Name: Ambre Haller on Jan 25, 2012
Comments: I am opposed to this bylaw. You should be able to hire anyone to shoot your wedding.
-
182. Name: Anonymous on Jan 25, 2012
Comments:
-
183. Name: Joe Desjardins on Jan 25, 2012
Comments:
-
184. Name: Anonymous on Jan 25, 2012
Comments:
-
185. Name: Eduard Rotiloiu on Jan 25, 2012
Comments:
-
186. Name: Kaitee Schuller on Jan 25, 2012
Comments:
-
187. Name: Heather Morel on Jan 25, 2012
Comments:
-
188. Name: Shelley Vandervelde on Jan 25, 2012
Comments: I believe a National Park should have more access to ALL Canadians.
-
189. Name: Donna Bell on Jan 25, 2012
Comments:
-
190. Name: Nicole Harper on Jan 25, 2012
Comments:
-
191. Name: Johnny Tran on Jan 25, 2012

Comments: I have brought A LOT of business to Banff. But I will have to stop if it costs ME money. Please give us another solution to this.

192. Name: Jerry Lam on Jan 25, 2012
Comments:

193. Name: Monica Cyrenne on Jan 25, 2012
Comments:

194. Name: Mark Laurie on Jan 25, 2012
Comments:

195. Name: Adam Clark on Jan 25, 2012
Comments:

196. Name: Patrick Alan Bick on Jan 25, 2012
Comments: This whole thing smells like a cash grab. Perhaps Banff should be more mindful of the direct and indirect referrals it receives from these professionals....

197. Name: Lacy Jae on Jan 25, 2012
Comments: As a consumer, I find this idea ridiculous, and such a bylaw will influence any future wedding plans I make, as well as what I spend in Banff while I am there for weddings, and NOT in Banff's favour.

198. Name: Anonymous on Jan 25, 2012
Comments:

199. Name: Piotr Filipek on Jan 25, 2012
Comments:

200. Name: Kim Tran on Jan 25, 2012
Comments:

201. Name: Anonymous on Jan 25, 2012
Comments:

202. Name: Anonymous on Jan 25, 2012
Comments:

203. Name: Kelsey Floyd on Jan 25, 2012
Comments:

204. Name: Sheryl McDougall on Jan 25, 2012
Comments:

205. Name: Lauren Garcia on Jan 25, 2012
Comments:

206. Name: Sarah Allen on Jan 25, 2012
Comments:

207. Name: Sarah Allen on Jan 25, 2012
Comments:

208. Name: Tristan Taylor on Jan 25, 2012
Comments: I find this discriminatory, and harmful to my potential income.

209. Name: Greg Gerla on Jan 25, 2012
Comments:
-
210. Name: Sabrina May on Jan 25, 2012
Comments: I strongly support local businesses, but If the Banff locals are frustrated with outside Banff photographers and event planners stealing their business then they need to rethink and create better marketing plans for themselves or better portfolios for themselves for customers to choose them over anyone outside of Banff. I don't believe it is fair to penalize those who make a strong enough effort to get the business.
-
211. Name: Mallory Lutz on Jan 25, 2012
Comments:
-
212. Name: Jenny Hansen on Jan 25, 2012
Comments:
-
213. Name: Allison on Jan 25, 2012
Comments:
-
214. Name: Melanie Massinon on Jan 25, 2012
Comments:
-
215. Name: Jennifer Kapala on Jan 25, 2012
Comments:
-
216. Name: Lacey Waldron on Jan 25, 2012
Comments: This is ridiculous. Wedding photographers are paid by the wedding party, who paid for their location.
-
217. Name: Joyce Tai on Jan 25, 2012
Comments:
-
218. Name: Anonymous on Jan 25, 2012
Comments:
-
219. Name: Lori Turner Perry on Jan 25, 2012
Comments:
-
220. Name: Shannon Hilton on Jan 25, 2012
Comments:
-
221. Name: Elizabeth Van Der Bij on Jan 25, 2012
Comments:
-
222. Name: Anonymous on Jan 25, 2012
Comments:
-
223. Name: Nancy Hana on Jan 25, 2012
Comments:
-
224. Name: Jennifer Dore on Jan 25, 2012
Comments:
-
225. Name: Patricia Bennett on Jan 25, 2012
Comments: Signed
-
226. Name: Suzan McEvoy on Jan 25, 2012
Comments:

-
227. Name: Leslie Ian Ramos on Jan 25, 2012
Comments:
-
228. Name: Chiqui Babe Ramos on Jan 25, 2012
Comments:
-
229. Name: Anonymous on Jan 25, 2012
Comments:
-
230. Name: Anna Michalska on Jan 25, 2012
Comments: Yuppppp!
-
231. Name: Brittany on Jan 25, 2012
Comments:
-
232. Name: Maros Hana on Jan 25, 2012
Comments:
-
233. Name: Amy Pratt on Jan 25, 2012
Comments: If I can't bring my photographer with me, I will be choosing another destination for my wedding.
-
234. Name: Gwen Mooney on Jan 25, 2012
Comments: banff is a national park...not a place for \$\$\$ gouching from people who want to go there for any reason...especially having pictures taken. they aren't taking anything away from the park...just enjoying the beauty and promoting the area.
-
235. Name: Lincoln Lehmann on Jan 25, 2012
Comments: I disagree with this fee!
-
236. Name: Anonymous on Jan 25, 2012
Comments:
-
237. Name: Tanya Duval on Jan 25, 2012
Comments:
-
238. Name: Rancel Mancilla on Jan 25, 2012
Comments:
-
239. Name: Leela Jacobs on Jan 25, 2012
Comments:
-
240. Name: Erika Evans on Jan 25, 2012
Comments:
-
241. Name: Sean McDowell on Jan 25, 2012
Comments: We are planning our annual Mortgage Brokers conference for Banff in September. This would include 400 mortgage brokers, lenders, and various other industry members. I'm currently on the fence because of the costs involved. Decisions like this would push me to suggest another site.
-
242. Name: Jenni Nguyen on Jan 25, 2012
Comments:
-
243. Name: Kyxz Balite on Jan 25, 2012
Comments:
-

244. Name: Anonymous on Jan 25, 2012
Comments:
-
245. Name: Lindsay Harder on Jan 25, 2012
Comments:
-
246. Name: Fayyaz Khimani on Jan 25, 2012
Comments: A Rising Ship Raises all tides. It's a win win situation when there is fair commerce and a competitive marketplace as well as doing what we all shout be doing...putting the client first.
-
247. Name: Gilles Thibault on Jan 25, 2012
Comments:
-
248. Name: Anonymous on Jan 25, 2012
Comments:
-
249. Name: Anonymous on Jan 25, 2012
Comments:
-
250. Name: Paula on Jan 25, 2012
Comments:
-
251. Name: Tracey Glynn on Jan 25, 2012
Comments:
-
252. Name: Anonymous on Jan 25, 2012
Comments:
-
253. Name: Larissa Storvik on Jan 25, 2012
Comments:
-
254. Name: Craig Slaney on Jan 25, 2012
Comments:
-
255. Name: Chelsie Niemans on Jan 25, 2012
Comments:
-
256. Name: Darryl Delamont; Yellow Couch Photography on Jan 25, 2012
Comments:
-
257. Name: Jeff Cruz on Jan 25, 2012
Comments: I think purchasing a park pass should be enough to warrant performing photographic duties inside the parks even if it is of a commercial nature. Everyone benefits from increased exposure.
-
258. Name: Jenn Baumbick on Jan 25, 2012
Comments:
-
259. Name: Daiana Sioui on Jan 25, 2012
Comments:
-
260. Name: Tracey Glynn on Jan 25, 2012
Comments:
-
261. Name: Mallory McGowan on Jan 25, 2012
Comments: Signed!!
-

262. Name: Laurel Anne Holmes on Jan 25, 2012
Comments:
-
263. Name: Joel Yana on Jan 25, 2012
Comments:
-
264. Name: Jason Bain on Jan 25, 2012
Comments: Wedding Dj
-
265. Name: Leanne Pacheco on Jan 25, 2012
Comments:
-
266. Name: Brandon Bailey on Jan 25, 2012
Comments:
-
267. Name: Jesse M. Kushneryk on Jan 25, 2012
Comments: This a slap in the face to wedding professionals and the clients they serve in the lovely mountain town.
-
268. Name: Samantha on Jan 25, 2012
Comments:
-
269. Name: Dayna Smith on Jan 25, 2012
Comments:
-
270. Name: Heather Grout on Jan 25, 2012
Comments: For Each Other!
-
271. Name: Kayla on Jan 26, 2012
Comments:
-
272. Name: Kara Chahley on Jan 26, 2012
Comments:
-
273. Name: Kelly Rector Photography on Jan 26, 2012
Comments:
-
274. Name: Shiela Paulson on Jan 26, 2012
Comments:
-
275. Name: Kristy-Anne Swart on Jan 26, 2012
Comments:
-
276. Name: Eric Epie on Jan 26, 2012
Comments: I support this petition and do promote Banff and all Alberta tourist destinations regardless of purpose be it for wedding, engagement, family or just plain nature photography.
-
277. Name: Darryl Swart on Jan 26, 2012
Comments:
-
278. Name: Chris.szadziuk on Jan 26, 2012
Comments:
-
279. Name: Shelly Jaques on Jan 26, 2012
Comments:
-

280. Name: Shelly Jaques on Jan 26, 2012
Comments:
-
281. Name: Lori Maloney on Jan 26, 2012
Comments:
-
282. Name: Becky Veasey on Jan 26, 2012
Comments:
-
283. Name: Brent Davidson on Jan 26, 2012
Comments: This concerns us all and I hope that we all can work it out!
-
284. Name: Michelle Hansen on Jan 26, 2012
Comments: I have never shot a wedding in or around the Banff area but I think that this idea is going to end up costing the town in the long run!
-
285. Name: Heather Hribar on Jan 26, 2012
Comments:
-
286. Name: Darren Roberts on Jan 26, 2012
Comments:
-
287. Name: Jody Ann Crane on Jan 26, 2012
Comments: Please approve the petition!
-
288. Name: Anonymous on Jan 26, 2012
Comments:
-
289. Name: Erin Nayeri on Jan 26, 2012
Comments:
-
290. Name: Justine Milton on Jan 26, 2012
Comments: I am an Edmonton based wedding professional, I frequently have requests for Banff weddings, and I strongly agree with this petition
-
291. Name: Terence Law on Jan 26, 2012
Comments:
-
292. Name: Matan Korin on Jan 26, 2012
Comments:
-
293. Name: Anonymous on Jan 26, 2012
Comments:
-
294. Name: Janine Pelletier on Jan 26, 2012
Comments:
-
295. Name: Ross Moir on Jan 26, 2012
Comments:
-
296. Name: Patrick Kornak on Jan 26, 2012
Comments:
-
297. Name: Danielle Bossert on Jan 26, 2012
Comments:
-

298. Name: Ljubica Todorovic on Jan 26, 2012
Comments: Enough with the cash grab!
-
299. Name: Tanya Duval on Jan 26, 2012
Comments:
-
300. Name: Sonia Meikle on Jan 26, 2012
Comments:
-
301. Name: Nancy Rattray on Jan 26, 2012
Comments:
-
302. Name: Brad Meikle on Jan 26, 2012
Comments:
-
303. Name: Anonymous on Jan 26, 2012
Comments:
-
304. Name: Rick Hand on Jan 26, 2012
Comments:
-
305. Name: Keith Wagner on Jan 26, 2012
Comments:
-
306. Name: Bonnie Rink on Jan 26, 2012
Comments:
-
307. Name: Tanya Plonka on Jan 26, 2012
Comments:
-
308. Name: Andrea Blahut on Jan 26, 2012
Comments:
-
309. Name: Amanda Casagrande on Jan 26, 2012
Comments:
-
310. Name: Ania on Jan 26, 2012
Comments:
-
311. Name: Josy Fierro-Roxas on Jan 26, 2012
Comments:
-
312. Name: Gina Yesnik on Jan 26, 2012
Comments:
-
313. Name: Deborah Pellettieri on Jan 26, 2012
Comments: I myself as a photographer am planning my own wedding in Banff & will be lodging 40-50 people that otherwise would not be there and will all be spending a week there. I agree that a by-law preventing us from bringing business to Banff is very short sighted and hope this by-law is reconsider!
-
314. Name: Grant Oakes on Jan 26, 2012
Comments: First, I want it to be known that I'm in America, not Canada, second, I'm in FAVOR of photographers having a requirement to be licensed and insured. If they have that in place they shouldn't be required to get a separate license to perform services in another territory or city.
-
315. Name: Luba on Jan 26, 2012

Comments: What the difference if regular tourist takes a pictures? Pretty soon all visitors will need a lisenca too?

316. Name: Mathieu Young on Jan 26, 2012
Comments:

317. Name: Zoar Shteinbach on Jan 26, 2012
Comments:

318. Name: Ashley Hill on Jan 26, 2012
Comments:

319. Name: Amber Chinery on Jan 26, 2012
Comments:

320. Name: Jacqueline Morrison on Jan 26, 2012
Comments: Thank you!

321. Name: Trista Beamish on Jan 26, 2012
Comments: People should have the option to hire whatever photographer impresses them the most!! Photographers work hard to hone their craft and everyone of them should have the chance to EARN the clients they get, not force people to hire from a certain group only.

322. Name: Shannon on Jan 26, 2012
Comments:

323. Name: Tanecia Cromwell on Jan 26, 2012
Comments:

324. Name: Nadezhda Podgainyy on Jan 26, 2012
Comments:

325. Name: Christine Thornton on Jan 26, 2012
Comments:

326. Name: Amber Grmek on Jan 26, 2012
Comments:

327. Name: Anonymous on Jan 26, 2012
Comments:

328. Name: Lindsay Hood on Jan 26, 2012
Comments:

329. Name: Tara-Lee Goerlitz on Jan 26, 2012
Comments:

330. Name: Sharon Barwick on Jan 26, 2012
Comments:

331. Name: Anonymous on Jan 26, 2012
Comments:

332. Name: Rigel Pineda on Jan 26, 2012
Comments: www.reminessencephotography.ca

333. Name: Sam Livermore on Jan 26, 2012
Comments: Not very practical and well thought out issue... That would be similar to saying you are not allowed to bring your own candy into Banff unless you bought it at the store on mainstreet... If you in Banff are looking at getting more business... then get more business...!
-
334. Name: Melanie Noble on Jan 26, 2012
Comments:
-
335. Name: Chris Meston on Jan 26, 2012
Comments:
-
336. Name: Nash Photography on Jan 26, 2012
Comments: I think charging Photographers a license fee is absolutely ridiculous, as it is we have to pay a park fee, we live in Alberta and are proud of it, it is going to get to a point where people will have their pictures taken elsewhere. This is a shame.
-
337. Name: Amy Van Engelen on Jan 26, 2012
Comments: I completely agree and hope you will reconsider your position. Any photographer coming to banff is already contributing to local business as do the wedding couples that wish to get married there. From their hotel rooms to the banquets to the many meals they will enjoy there. Please do not do this...it is short sighted no progressive.
Thank you
-
338. Name: Chris Lindsey on Jan 26, 2012
Comments:
-
339. Name: Anonymous on Jan 26, 2012
Comments: This is a shameful tax grab
-
340. Name: Kateri Cowley on Jan 26, 2012
Comments:
-
341. Name: David on Jan 26, 2012
Comments:
-
342. Name: Shandie Poitras on Jan 26, 2012
Comments:
-
343. Name: Erica Andrew on Jan 26, 2012
Comments:
-
344. Name: Kristy Jewel Degethoff on Jan 27, 2012
Comments:
-
345. Name: Nenita Lindsey on Jan 27, 2012
Comments:
-
346. Name: Lisa Harrigan on Jan 27, 2012
Comments: I strongly support this petition and it's statements. If the city of Banff wants to make money from Calgary residents wishing to getting married in their city then they should allow outside vendors/photographers the ability to work in Banff, free of charge. Otherwise you will damage your destination wedding industry. As a bride myself I am frustrated with the constant rules that are put against me. I want the freedom of choice, free of extra surcharges!
It would be nice if a photography license could be issued provincially, not for each city. Or maybe even a Parks Canada photography license could be issued. Remember ultimately the fees you charge are past onto the consumer and why would you want to turn people away from your city? Additionally as a resident of this country I should be allowed to take photos anywhere in Canada without being charged a fee for enjoying my own countries beauty.
-
347. Name: Anonymous on Jan 27, 2012
Comments:
-

348. Name: Elizabeth Marck on Jan 27, 2012
Comments:

349. Name: Jennifer Ammirati on Jan 27, 2012
Comments: This is ridiculous!

350. Name: Matteo Ammirati on Jan 27, 2012
Comments:

351. Name: Kinga Mroz-Dyrda on Jan 27, 2012
Comments:

352. Name: Ramsey Kunkel on Jan 27, 2012
Comments:

353. Name: Coadi Byrne on Jan 27, 2012
Comments:

354. Name: Alex Iron on Jan 27, 2012
Comments: I cannot believe in this.

355. Name: Aldona Miasik on Jan 27, 2012
Comments:

356. Name: Jenna Zanella on Jan 27, 2012
Comments:

357. Name: Georgina Metzler on Jan 27, 2012
Comments:

358. Name: Anonymous on Jan 27, 2012
Comments:

359. Name: Christina Frizzell on Jan 27, 2012
Comments: Being in the wedding industry, we bring added business into your town and help local business (such as florists, bakers, photographers, etc) thrive. While I do not oppose having a business license for the town of Banff, the price is outrageous! As a business not located in Banff, but who brings business to the town, this huge cost in addition to my municipal license is a serious deterrent from my continuing to bring business into Banff. I would have to take a large hit to my business for this, and it does not make business sense.

360. Name: Barb Briggs on Jan 27, 2012
Comments:

**MINUTES OF THE REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Monday, January 23, 2012 at 2:00 pm**

COUNCIL MEMBERS PRESENT

Karen Sorensen	Mayor
Leslie Taylor	Councillor
Stavros Karlos	Councillor
Chip Olver	Councillor and Deputy Mayor
Paul Baxter	Councillor and Acting Mayor
Brian Standish	Councillor
Grant Canning	Councillor

COUNCIL MEMBERS ABSENT

ADMINISTRATION PRESENT

Robert Earl	Town Manager
Adrian Field	Manager of Engineering
Kelly Gibson	Manager of Corporate Services
Randall McKay	Manager of Planning and Development
Cheryl Hyde	Municipal Clerk (Recording Secretary)

1.0 CALL TO ORDER

The Mayor called the regular meeting of council to order at 2:00 p.m.

2.0 APPROVAL OF AGENDA

2.1. Meeting Agenda

COU12-17 Moved by Mayor Sorensen to approve the agenda of the regular meeting of council with the following additions:

- Move item 8.1 to 8.3
- Move item 5.1 to precede the delegation.

CARRIED

2.2. 2012 Council Priorities and Workplan

Accepted as information.

5.0 UNFINISHED BUSINESS

5.1. Bow River Pedestrian Bridge and Utility Crossing

Administration spoke to a written report summarizing the options considered for replacing the sanitary pipes crossing the Bow River and the solution that's being recommended – building a pedestrian bridge that will carry the pipes across the river.

The Mayor invited comments from the gallery.

Mr. Dick Smith spoke on behalf of the residents living at the corner of Muskrat Street and Buffalo Street. Mr. Smith acknowledged that the sanitary sewer pipe needs a repair. He also agreed a pedestrian bridge is necessary, and supports building one at Central Park. He is opposed to a pedestrian bridge being built in the proposed location because:

- There is extra cost involved in building a bridge to carry the sanitary sewer pipes.
- The traffic on the bridge may impact the wildlife that frequent the area.
- Area residents are concerned people using the bridge may cause an increase in noise and vandalism.
- The effort to involve the community in this decision has been inadequate.
- There are unanswered questions with respect to pedestrian movement, lighting, parking, possible expropriation of homes, protection from increased risk of crime, and the need for installation of public washrooms.

Mr. Smith requested that council delay their decision regarding construction of a pedestrian bridge.

Dr. Duane Lipinski spoke on behalf of the Buffalo Street Manor condominium association. He spoke to a written submission that has been added to the agenda package for this meeting. Mr. Lipinski is opposed to the construction of the proposed pedestrian bridge because:

- Area residents have not had time to respond this proposal.
- Alternatives and socio-economic impacts have not been adequately explored and debated.

Dr. Lipinski requested that council delay their decision regarding construction of a pedestrian bridge.

Council accepted a written submission from Buffalo Street residents Van and Iris Christou. Mr. and Mrs. Christou are opposed to the construction of a pedestrian bridge in their neighbourhood. The letter has been added to the agenda package for this meeting.

Administration provided the following information in response to questions from council:

- Pipe jacking, or installation of a smaller pipe inside the existing pipe, was investigated and is not an option for this location.
- The proposed bridge would be integrated with the existing pedestrian trails on both sides of the river, and on the south side there would be a connection to Spray Avenue.
- The number of pedestrians and cyclists using the bridge – 1600 pedestrians and 100 cyclists per hour – represents the busiest time of year on the existing bridge. It's estimated that 76% of this traffic would be diverted to a pedestrian bridge.
- The Town sent individually addressed notifications to adjacent owners and sent a general letter to a broader circle of area residents. Administration is also aware of a third letter being circulated by a party other than the Town. A meeting last week held between administration and area residents was instigated by the residents.
- The environmental assessment of the potential impact of increased pedestrian traffic will be further investigated once there is an approved design. Initial feedback shows the proposed bridge will bring a net environmental benefit to the community.

Administration will undertake the following process if council approves today's recommendation:

- Write a fixed price contract

- Hold a public open house within the next two weeks to get input on the design, particularly on the river banks.
- Initiate the permitting process, including the Canadian Environmental Assessment Agency (CEAA) application. The permitting process is expected to take approximately six months and includes a two-week period when the public can forward concerns.

Administration stated that, if the decision to go ahead with a design-build contract is postponed, the project has a good chance of being delayed to 2013. There is a chance the existing pipe may fail if the project is delayed.

Any unanticipated cost increases would require council approval.

- COU12-18 Moved by Councillor Taylor to direct administration to pursue the replacement of the sanitary pipes crossing the Bow River with the construction of a new pedestrian bridge and utility crossing in accordance with the design-build proposal supplied by StructureCraft Builders Inc.

CARRIED

3.0 DELEGATIONS

3.1. John Bowden, Banff Lake Louise Winter Marketing Committee – Improving Après-Ski Experience

John Bowden and Stuart Hart spoke on behalf of the Banff Lake Louise Winter Marketing Committee. The committee has come up with three initiatives to encourage winter visitation, and presented one today – the après ski experience.

Mr. Bowden, Program Director for Banff Heritage Tourism, spoke to a written request submitted by the committee. The committee requested that council approve and support the following initiatives related to improving the après-ski experience for Banff visitors: temporary ski racks on downtown sidewalks, outdoor music in the downtown core, and outdoor food and beverage sampling.

- COU12-19 Moved by Mayor Sorensen to permit a maximum of six temporary ski racks on downtown sidewalks during the winter season and to direct administration to work with the Winter Marketing Committee on a design that would include a mechanism to lock skis to the rack.

CARRIED
Karlos opposed

- COU12-20 Moved by Mayor Sorensen to approve Town operations time to provide installation service for fitting ski racks to existing Town infrastructure/bicycle racks.

CARRIED
Karlos opposed

- COU12-21 Moved by Mayor Sorensen to permit small, tasteful, and templated signage on each ski rack that recognizes the supporting business/rental store.

CARRIED
Karlos opposed

COU12-22 Moved by Councillor Olver to allow installation of ski racks on downtown sidewalks as a pilot program for the winter of 2012 only.

COU12-23 Moved by Councillor Taylor to amend motion COU12-22 as follows: to allow installation of ski racks on downtown sidewalks as a pilot program for the winters of ~~2012 only~~ 2011/2012 and 2012/2013.

CARRIED

Olver and Karlos opposed

The vote followed on motion COU12-22, now amended: to allow installation of ski racks on downtown sidewalks as a pilot program for the winters of 2011/2012 and 2012/2013.

CARRIED

Karlos opposed

Stuart Back, Banff Lake Louise Tourism, was present in the gallery and was invited by the Mayor to speak. Mr. Back said that he will ensure that the opportunity to apply for installation of a ski rack is open to everyone.

COU12-24 Moved by Councillor Karlos to direct administration to add “outdoor music infrastructure and installation” to capital budget requests for 2013 as a cost-sharing opportunity with other contributor and/or organizations. This would allow for the purchase and installation of speakers and wiring on street lights and other necessary infrastructure required to play centrally controlled music on Banff Avenue and Bear Street during the next winter season.

CARRIED

COU12-25 Moved by Councillor Olver to:

1. As a proposed après-ski special event, permit outdoor music during a daily three hour (4 p.m. to 7 p.m.) timeframe. This daily event would occur during winter months (November 1 to April 30).
2. Permit an après-ski special event as a pilot program that would allow any business, whether or not the business holds a sidewalk seating permit, to play the same music from the same source outdoors during the 4 p.m. to 7 p.m. pilot period from February 1 to April 30, 2012.
3. To direct administration to select a single source, such as a satellite radio station, for any interested businesses to use for outdoor music during the 4 p.m. to 7 p.m. pilot period from February 1 to April 30, 2012.
4. To direct administration to work with the Winter Marketing Committee to collect data from visitors, residents and businesses to measure support for outdoor music.

DEFEATED

Olver and Sorensen in favour

The next item up for council consideration was outdoor food and beverage sampling. Both Councillor Karlos and Councillor Canning declared a pecuniary interest as they each own a food and beverage business which may be effected by this decision. They left the meeting at 4:09 p.m. and returned at 4:15 p.m.

COU12-26 Moved by Mayor Sorensen to allow for heaters to facilitate outdoor sidewalk seating during the winter (November 1 to April 30).

DEFEATED

Sorensen and Karlos in favour

COU12-27 Moved by Councillor Karlos to direct administration to research the possibility of allowing outdoor fire pits in the downtown core.

CARRIED
Olver opposed

COU12-28 Moved by Councillor Karlos to direct administration to investigate the feasibility and location of a toboggan run for the winter of 2013.

CARRIED

4.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

4.1. Minutes of the January 9, 2012 Regular Meeting of Council

COU12-29 Moved by Councillor Baxter to approve the minutes of the January 9, 2012 regular meeting of council as presented.

CARRIED

6.0 COMMITTEE REPORTS

6.1. Community Art Committee Appointment

COU12-30 Moved by Councillor Taylor to appoint Sonja Purcell to the Community Art Committee for a term ending at the 2014 annual organizational meeting.

CARRIED

6.2. Minutes of the December 9, 2011 Regular Meeting of the Banff Housing Corporation
Accepted as information.

7.0 INQUIRIES

There were no inquiries.

8.0 STAFF REPORTS/BYLAWS

8.2. Briefing: Closing Doors in Winter

COU12-31 Moved by Councillor Taylor to direct administration to propose an amendment to the Community Standards Bylaw, prior to September 2012, that would require business doors not to be left or propped open in the winter when outside temperatures fall below certain levels.

CARRIED
Karlos opposed

8.3. Request for Decision: 2012 Finance Committee Schedule

COU12-32 Moved by Councillor Karlos to adopt the 2012 Finance Committee schedule as presented.

CARRIED

8.1. Request for Decision: 2011 Bow Valley Regional Transit Services Commission Requisition

COU12-33 Moved by Councillor Taylor to approve the payment of two requisitions from the Bow Valley Regional Transit Services Commission: \$38,000 in operating funding and \$45,000 in capital funding, with the amounts to be paid from the 2011 budget.

CARRIED
Baxter opposed

9.0 CORRESPONDENCE

No correspondence was received.

10.0 NEW BUSINESS

No new business was discussed.

11.0 INQUIRIES

There were no inquiries.

12.0 ADJOURNMENT

COU12-34 Moved by Councillor Karlos to adjourn at 4:49 p.m.

CARRIED

Karen Sorensen
Mayor

Cheryl Hyde
Municipal Clerk

**2011 – 11
BANFF PUBLIC LIBRARY
REGULAR BOARD MINUTES
Minutes of November 16, 2011
5:30 PM**

PRESENT Ben Berci (Acting Chair), Don Waters, Crista Berger, Reg Bunyan, Ross Glenfield, Barb Williams, Allan Buckingham, Grant Canning, Denise Drury (Secretary).

REGRETS Jess Harding

1. **CALL TO ORDER – B. BERCI** called the meeting to order at 5:32 PM

2. ADDITIONS TO AND APPROVAL OF THE AGENDA.

2011/11/16/01 C. BERGER moved approval of the agenda. **CARRIED**

3. **APPROVAL OF THE MINUTES of October 19, 2011.**

2011/11/16/02 B. WILLIAMS moved approval of the minutes. **CARRIED**

4. **BUSINESS ARISING FROM MINUTES**

4.1 **New Library Board members** Allan Buckingham, Reg Bunyan and Ross Glenfield were welcomed.

5. **NEW BUSINESS**

5.1 **Appointment of Board Officers and Committees** – There was discussion regarding the problems with appointing Board Officers at the same time as welcoming new Board members each year.

2011/11/16/03 A. BUCKINGHAM moved that the Board hold an annual organizational meeting in the spring of each year at which time Board Officers would be elected. **CARRIED**

It was then agreed that the librarian would contact J. Harding and ask if he would continue as Chair until the organizational meeting. B. Williams agreed to act as Chair during J. Harding's absence.

The Board then decided on the composition of Committees:

Building: J.Harding, R.Glenfield, R.Bunyan, D.Drury

Personnel/By-Law/Policy: J.Harding, D.Waters, R.Bunyan, D.Drury

Finance: J.Harding, B.Berci, B.Williams, C.Berger, D.Drury

Promotion: J.Harding, A.Buckingham, C.Scott (community member), D.Drury

Advocacy: J.Harding, B.Williams, R.Glenfield, D.Drury

Technology: J.Harding, D.Waters, A.Buckingham, R.Bunyan(?), D.Drury

5.2 **Board Calendar** – The Board calendar was briefly reviewed.

6. STANDING COMMITTEE REPORTS

- 6.1** Building Committee: No report.
- 6.2** Personnel and Bylaw Committee: No report.
- 6.3** Finance Committee: **B. WILLIAMS** and **B.BERCI** did a run through of the presentation they would make to Town Council when requesting 2012 funding for the library the following week. The presentation and the library's financial situation were discussed in some detail.
The October financial statements were reviewed.
- 6.4** **Promotions Committee:** The arrangements for the First Annual Library Gala (Nov. 18) were reviewed.
- 6.5** Advocacy Committee: Advocacy issues were covered during the funding discussion.
- 6.6** Technology Committee: **D.DRURY** provided a brief update on progress with Lynx Computer Services.

7. OTHER REPORTS

- 7.1** **Town Council Report – G. CANNING** provided an update on Council matters.
- 7.2** **Librarian's Report and Monthly Statistics** - The librarian's report and monthly statistics were presented.

8. CORRESPONDENCE

- 8.1** Copy of a letter that Margaret Moser sent to the Mayor and Council regarding library funding.
- 8.2** **Copy of a letter that Shelley Mardiros** sent to the Mayor and Council regarding library funding.

9. NEXT MEETING – Wednesday, December 14 at 5:30 p.m. (This meeting was later cancelled.)

10. ADJOURNMENT – 7:33 p.m.

Chair

Secretary

Banff Public Library Monthly Statistics 2011

		July	August	September	October	November	December	Year to Date
CIRCULATION								
	2011	8,231	8,548	7,620	7,955	8,332	7,843	99,703
	2010	8,745	8,242	8,383	8,193	9,264	7,976	101,947
MEMBERSHIPS								
New	2011	188	138	161	204	204	124	1,887
	2010	126	119	172	178	204	146	1,817
Renew	2011	110	105	141	141	131	106	1,408
	2010	95	110	171	123	141	115	1,438
Total Active	2011	4,374	4,350	4,340	4,453	4,476	4,462	
	2010	3,886	3,826	3,814	3,840	4,034	4,168	
ID#(Total)		307	306	329	332	309	323	
ACAM (Total)		89	90	91	98	89	91	
VOLUNTEER HOURS								
	2011	18	16	27	94	90	20	588
	2010	76	26	28	143	17	15	774
NUMBER OF PEOPLE Who came to the Library								
	2011	13,654	13,639	11,442	10,335	10,674	8,529	130,067
	2010	11,922	11,869	10,183	9,483	9,463	7,586	118,705
SERVICES								
Total Reference Questions	2011	3413	3328	2724	2797	2702	1933	32,639
	2010	3294	3183	2769	2420	2265	1735	29,803
PROGRAMS								
Children's Programme Attendance	2011	425	457	617	1,069	812	652	8,348
	2010	459	352	554	685	658	308	6,474
Adult's Programme Attendance	2011	91	33	103	94	431	110	1,759
	2010	86	48	31	192	298	46	2,320

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

Bear 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: _____

MINUTES OF THE DEVELOPMENT APPEAL BOARD
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Thursday, January 19, 2012 at 10:00 am

BOARD MEMBERS PRESENT

Philip Carmody	Public Representative (Chair)
Dak Kerr	Public Representatives
Barbara McNeil	Public Representative (Vice-Chair)
Mark Merchant	Minister of the Environment Representative
Lara Seward-Guenette	Minister of the Environment Representative
Stavros Karlos	Council Representative
Leslie Taylor	Council Representative

BOARD MEMBERS ABSENT

ADMINISTRATION PRESENT

Randall McKay	Secretary to the Development Board
Keith Batstone	Planner
Kerry MacInnis	Administrative Assistant (Recording Secretary)

1.0 CALL TO ORDER

The Chair to the Development Board called the regular meeting of the 2012 Development Appeal Board to order at 10:00 a.m.

2.0 APPROVAL OF AGENDA

DAB12-1 Moved by Councillor Taylor to approve the January 19, 2012 Development Appeal Board agenda with no additions.

CARRIED

3.0 ADOPTION OF PREVIOUS MEETING MINUTES

DAB12-2 Moved by Councillor Taylor to approve the minutes of the November 10, 2011 meeting of the Development Appeal Board as presented.

CARRIED

4.0 APPEALS

4.1. Appeal #02-11

Appeal of the decision of the Municipal Planning Commission to approve a Development Permit application (11DP19) for a proposed Change of Use from a "Community Recreation Service" to "Professional, Health and Office Service" at 221 Beaver Street (Lot 20, Block 7, Plan 6719BC)

Randall McKay, Secretary of the Development Appeal Board on behalf of Town of Banff

Administration asked that two preliminary matters be dealt with by the Board prior to hearing the appeal;

- Request for adjournment
- Potential conflict of interest and apprehension of particular board members based on bias.

Minutes approved by: _____

Mr. McKay along with Sheila McNaughton of Reynolds, Mirth, Richards & Farmer representing the Town of Banff, would like to get these issues sorted out today at this meeting before proceeding any further in the matter of the appeal #02-11.

The DAB Chair asked the DAB Members if they objected to Mr. McKay's request and all were in favor of hearing Administration's two preliminary matters.

Sheila McNaughton, representing the Town of Banff, Angela Fritze, Department of Justice Canada, Prairie Region, representing the Appellant, Her Majesty the Queen in the Right of Canada as represented by the Minister of Environment "The Minister" and Michael D. Aasen, Bryan & Company, representing the applicant, Bow Valley Credit Union all agreed to the request for an adjournment of appeal #02-11.

The Chair confirmed that all sides agree to the request for an adjournment.

The Secretary suggested the date of March 8, 2012 to adjourn the DAB Meeting until.

DAB12-3

The Chair made the motion to adjourn the DAB hearing of the appeal #02-11: Appeal of the decision of the Municipal Planning Commission to approve a Development Permit application (11DP19) for a proposed Change of Use from a "Community Recreation Service" to "Professional, Health and Office Service" at 221 Beaver Street (Lot 20, Block 7, Plan 6719BC) until March 8, 2012.

Moved Kerr by to adjourn the DAB hearing of the appeal #02-11 until Thursday, March 8, 2012

CARRIED

Ms. McNaughton stated that the Town of Banff does have objection to the participation of particular members of the board to hear this appeal and proposed that the Board hear from Mr. Aasen, Ms. Fritz and herself with respect to this objection.

The Chair and the Board agreed to hear the arguments from McNaughton, Aasen and Fritz.

Mr. Aasen requested that the three Parks Canada employees who sit on the Board recuse themselves from hearing the appeal #02-11 on March 8, 2012 due to a conflict of interest as they represent Parks Canada and that a reasonable person would view their participation as having a bias. As such, we request that Carmody, Seward-Guenette, Merchant recuse themselves. We request that members who are employed by Parks Canada do not hear this appeal as there is a reasonable apprehension of bias.

Councillor Taylor asked "what is quorum for DAB". The Chair responded "3". If this request was granted, the DAB Members hearing the appeal #02-11 would be 3.

Ms. McNaughton suggested that Ms. Fritze and Mr. Aasen present their arguments to the Board and then the Board would have their opportunity to ask questions. Ms. McNaughton stated that the Town does have an interest in this process.

The Chair agreed to Ms. McNaughton's suggestion.

Mr. Aasen stated that the basis of his request is of fundamental principles of administrative law; procedural fairness and natural justice. It is important that there is the perception by the parties involved and by the public at large that the hearing would be fair. Because of the employment of three of the Board members by Parks Canada is the same as the appellant, Parks Canada, in this case there would be the appearance of bias. This duplicity; Parks Canada being the appellant as well as having three Parks Canada employees making the decision on the appeal and this creates a reasonable apprehension of bias in a right-minded individual.

Ms. Angela Fritze provided the Board with a copy of the Town of Banff Land Use Bylaw as well as a copy of the Town of Banff incorporation agreement. Ms. Fritze stated that these documents speak to the fact that “to remove Parks employees from the DAB Board would create an imbalance”. The Town of Banff Land Use Bylaw clearly states that 20% of the DAB Board must be comprised of Parks Canada representatives.

Ms. McNaughton stated that the issue is not the bias of any particular board member. The issue is the perception of bias by particular board members. Is there a reasonable apprehension of bias? The Incorporation agreement: “that employment by the owner of the land doesn’t automatically disqualify but it has to be considered”. However, there is something more; Parks Canada is something more than the land owner in this case, they are a party in this dispute, they are appealing the issue. The very party of the appeal have representatives on the board, that is the issue.

Mr. Aasen’s rebuttal: the minister’s perspective comes from the appellant in this case. Why should the Minister’s perspective be discussed by the Board? If this is the case, the applicant perspective should also be discussed by the Board. There is apprehension that there will be bias and we believe our application should be granted.

Ms. Fritze’s rebuttal: it is very convenient for my friend to read into things that just aren’t there and my friend is reading into something that is not written? It is legislated that Parks be represented by 20% on the board; asking them to remove themselves leaves an imbalance.

Ms. McNaughton stated that in view of Town of Banff; when the members of the board hear an appeal, they are to hear a case that is put forward and to make a determination of that case based on the information provided to them. I really don’t see Board members bringing a particular opinion with them to this case. Our issue is the appearance of the participation by Parks Canada employees on the Board to hear a case where the appellant is Parks Canada. We need a fair process based on an objective standard and this doesn’t allow Parks Canada employees to hear a case where the appellant is Parks Canada.

Board Questions:

Councillor Karlos had no questions.

Councillor Taylor stated that she had already declared a conflict at the November 10, 2011 meeting. She asked the Board if she would be allowed to be part of the discussion as to who on the Board can hear the March 8th appeal.

Councillor Karlos stated that Councillor Taylor's "conflict" was not reflected in the November 10th meeting minutes. Thus, he believes that until a conflict has been brought forth, all members should sit on the discussions as it is a new hearing.

Chair Carmody suggested that the Board go into camera.

Ms. McNaughton suggested that the Board opened this discussion already and the best approach would be for Councillor Taylor to declare a conflict prior to the discussion starting.

Councillor Taylor declared a conflict of interest based on the fact that her husband is a lawyer and this appeal is about a law office. Councillor Taylor declared a conflict at 11:05a.m and left the room.

The Chair asked if there were further questions.

McNeil had no questions.

Kerr stated that he was a little unclear as to the procedure. Are we dealing with the question does anyone on the board have a conflict?

Ms. MacNaughton stated that the objection that has been raised is that the three Parks Canada employees are Board members and as such, they have a conflict. Each Board member has to decide for themselves if they are, in fact, in conflict or not. The Board and its members must decide if they will participate in this appeal. Each member must decide as an individual, the Board can't vote on if they think a member should sit down or not.

Seward-Guenette had no questions.

Merchant had no questions.

Councillor Karlos asked Ms. Fritze "you stated that certain people should be at the table and some shouldn't be". Can you clarify this?

Ms. Fritze stated that the composition of the DAB has already been set: fair representation of 20% Parks Canada. The composition should remain the same even if one member needs to recuse themselves.

Chair Carmody asked Mr. Aasen if there is any difference that he is employed by Parks Canada.

Mr. Aasen stated that it doesn't matter how a Board member was appointed to the Board and it is the fact that Chair Carmody is a Parks Canada employee.

Ms. Fritze stated that their argument is that a Board members' employment alone shouldn't be the reason why a member steps down.

Chair Carmody asked if any members of the public had questions?

No members of the public asked questions.

Motion to Continue Discussion In-Camera

DAB12-4 Moved by Chair Carmody to go in camera at 11:15a.m.

CARRIED

Motion to Leave In-Camera Discussion

DAB12-5 Moved by Councillor Karlos to return to the public meeting at 12:03p.m.

CARRIED

Declaration of Conflict of Interest by Board Members

Merchant recognizes recuse himself from hearing the appeal #02-11.

Seward-Guenette recuse herself from hearing the appeal #02-11.

Chair Carmody recognize an apprehension and recused himself from hearing the appeal #02-11.

Those members who declared a conflict left the meeting at 12:05p.m.

Ms. Fritze requested that she would like a moment to step out of the meeting to reconvene given the conflict of decision Ms. Fritze left the meeting at 12:05p.m

McNeil as Vice-Chair will now chair the meeting.

Meeting was resumed at 12:19p.m.

Ms. Fritze stated as a result of the DAB decision the Minister of the Environment does submit that the resulting composition of the DAB Board contravenes both the Incorporation agreement and the Town of Banff Bylaw and we will submit two new members to sit on the Board to hear appeal #02-11.

Chair McNeil asked if there were any further comments?

No further comments from Administration.

Councillor Karlos had no further developments or submissions.

Mr. Aasen stated that there were no decisions made by this Board today and that the composition of the Board should remain the same, with three members hearing this appeal. In his opinion, there is no need to add two new members.

Ms. MacNaughton had no further comments.

McKay requested that the Minister of the Environment to submit their request to Council for the addition of two members to DAB.

Chair McNeil: Date(s) to hear appeal #02-11 were proposed: March 8th was deemed as not an acceptable date due to scheduling conflicts. March 7th or March 22nd were suggested.

Chair McNeil: Date decided on was March 7, 2012.

Minutes approved by: _____

Ms. Fritze stated that any written submission will be provided to the Board by March 1, 2012.

Ms. Fritze, Mr. Aasen and Ms. MacNaughton left the meeting at 12:25p.m.

Appeal #02-11 will be heard by the DAB Board at a meeting to take place on Wednesday, March 7, 2012 at 9:00a.m. Council Chambers, Town Hall.

5.0 CORRESPONDENCE

5.1. No further correspondence from Administration at this time.

6.0 NEW BUSINESS

6.1. No further business to present at this time.

7.0 INQUIRIES

There were no inquiries.

8.0 ADJOURNMENT

DAB12-6 Moved by Councillor Karlos to adjourn the meeting at 12:34p.m.

CARRIED

Philip Carmody
Chair

Kerry MacInnis
Recording Secretary

REQUEST FOR DECISION

Subject: Revenue Licensing & Leasing Policy C117



Presented to: Council

Date: February 13, 2012

Submitted by: Kelly Gibson

Agenda #: 8.1

RECOMMENDATION

It's recommended that council adopt Revenue Licensing and Leasing Policy C117 as presented.

BACKGROUND

Reason for Report

The Town leases or licenses various Town-owned properties to outside parties. Administration requests that Council approve guidelines for employees to follow when managing these leases and licenses.

Summary of Issue

Policy C117 was reviewed and approved by the Finance Committee on June 13, 2011. The following amendments have been made to the policy in accordance with direction from the Finance Committee:

- 1) Definitions were added for:
 - a) Encroachments on Municipal Right-of-Way
 - b) Acquisition Leases
- 2) A section was added stating the method the Town will use to determine the market value of a property.
- 3) Under 3.0 2. "Rentals as identified in the Town's Fees and Charges Bylaw" was replaced with "Rentals that have Council approved rates"
- 4) Under item 6.1 the following was added: "The advertisement will include the proposed term and whether or not an extension option is included, subject to negotiation."
- 5) Item 6.2 was amended as follows: "If the Town and/or a tenant/licensee ~~who~~ wishes to extend the agreement past the expiration date of the existing agreement, the interested party must request, in writing, approval of Council.

Response Options

Council may adopt the policy as presented, or make further amendments prior to adoption.

ATTACHMENTS

Proposed Revenue Licensing and Leasing Policy C117

Circulation date: _____

Submitted By: _____
Kelly Gibson, Manager of Corporate Services

Reviewed By: _____
Robert Earl, Town Manager

POLICY REVENUE LICENSING AND LEASING



Policy C117

1.0 POLICY

The Town of Banff will allow outside parties to license or lease Town-owned property.

2.0 PURPOSE

This policy provides consistent and transparent guidelines to be followed by employees when leasing or licensing Town-owned property.

3.0 SCOPE

This policy applies to all new lease or licensing agreements and to existing agreements upon renewal. This policy does not apply to the following:

1. Encroachments on Municipal Right-of way
2. Rentals that have Council approved rates
3. Acquisition Leases

4.0 RESPONSIBILITIES

- 4.1 Department Managers are responsible for initiating and negotiating leases or licences within the scope of their department.
- 4.2 Manager of Corporate Services or designate is responsible for enforcing the policy.

5.0 AUTHORIZATION

- 5.1 Leases and Licenses must be authorized by the initiating manager and the Manager of Corporate Services.
- 5.2 Leases initiated by the Manager of Corporate Services require the signature of the Town Manager as a second signature.

6.0 NOTICE OF LEASE/LICENSE

- 6.1 For a new or expiring lease/license, unless there is a clause for an extension, the lease/license must be offered out through a public process and advertised for a minimum of two consecutive weeks in a local newspaper. The advertisement will include the proposed term and whether or not an extension option is included, subject to negotiation.
- 6.2 If the Town and/or a tenant/licensee wish to extend the agreement past the expiration date of the existing agreement the interested party must request, in writing, approval of Council.

7.0 VALUE OF THE LEASE/LICENCE

- 7.1 Leases/licences will be at market value determined by setting a minimum price with a comparison of comparable leases/licenses within the Town of Banff or an open public tender process.
- 7.2 Leases/licenses below market value must be approved by Council.

8.0 ALLOCATION OF COSTS

- 8.1 The tenant shall be responsible for all operating costs including but not limited to taxes, utilities, maintenance, insurance and other related costs. If a gross lease format is required, it will include an allocation for these costs.
- 8.2 All capital improvements to the leased/license property will be the responsibility of the tenant/licensee either as an upfront capital contribution or recovered through rents.
- 8.3 Exceptions to 7.1 and 7.2 must be approved by the Town Manager.

9.0 PROPERTY TAXES

- 9.1 All leased/licensed property will be subject to property taxes if it is occupied by a tenant/licensee that would otherwise be taxable if the tenant owned the land or owned the land conditional on the specific business terms of the license agreement.

10.0 RENT INCREASES

- 10.1 Leases/licenses will be negotiated with appropriate terms that will allow the Town to increase rents/fees annually.
- 10.2 As a minimum standard rent/fees will be increased annually at an amount equal to Alberta CPI.

11.0 INSURANCE

- 11.1 The Town will require all tenants/licenses to carry their own insurance as determined by the Manager of Corporate Services including but not limited to property and liability coverage in amounts deemed appropriate for the business of the tenant/licensee.
- 11.2 All tenants/licenses will be required to name the Town as an additional insured.

12.0 ATTACHMENTS

- 12.1 Appendix 1: Definitions

This policy shall be in effect on the date it is approved by resolution of Council.

Karen Sorensen
Mayor

Robert Earl
Town Manager

APPROVAL HISTORY

Approved:	Year.month.day	COUx-xxx
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APPENDIX 1: DEFINITIONS

Acquisition Lease: A lease where there is the option for the leasing party to purchase the subject of the lease from the lessor.

Encroachments on Municipal Right-of-Way: the temporary occupation of any portion of the Street or other Public Place and includes the airspace over such Street and any area beneath the surface of the Street.

Lease: An agreement between a landlord and a tenant for exclusive occupation including grant of rights for a specific period of time.

License: An agreement between a landlord and a licensee for non-exclusive occupation including grant of rights for a specified period of time for a specified fee.

Gross Lease/License: An agreement in which the tenant/lease pays a fixed rate of rent/fee and the landlord pays all maintenance, utilities, taxes, and capital costs without further adjustment from the tenant/licensee.

Property: Land, buildings, structures, or any portions thereof plus any rights associated with the ownership of the property.