



**MINUTES OF THE MUNICIPAL PLANNING COMMISSION
of the Town of Banff in the Province of Alberta
Thursday, January 12, 2023, at 9:00 a.m.**

COMMISSION MEMBERS PRESENT

Dana Humbert	Public Representative
Stavros Karlos	Public Representative (Chairperson)
Leslie Taylor	Public Representative (Vice Chairperson)
Avery Vanwynsberghe	Public Representative
Bryan Howie	Parks Canada Representative
Hugh Pettigrew	Council Representative
Barbara Pelham	Council Representative

COMMISSION MEMBERS ABSENT

ADMINISTRATION PRESENT

Dave Michaels	Manager, Planning and Development
Emma Sanborn	Development Planner, Planning and Development
Kathleen Gallagher	Development Planner, Planning and Development
Kerry MacInnis	Administrative Assistant, Planning and Development (MPC Recorder)

1.0 CALL TO ORDER

The Chair called the January 12, 2023, Municipal Planning Commission meeting to order at 9:00a.m.

The January 12, 2023, Regular Meeting of the Municipal Planning Commission will be conducted both in-person in the Council Chamber located at Banff Town Hall and virtually using Zoom. The meeting will be live streamed on the internet, and recorded, in accordance with Council Policy C8002-1, Video Recording and Live Streaming of Legislated Meetings. It will be made available on the Town of Banff website.

2.0 APPROVAL OF AGENDA

2.1. Approval of the Municipal Planning Commission agenda for January 12, 2023

Minutes approved by: _____



MPC23-1 Moved by Commissioner Taylor

That the agenda for the January 12, 2023, meeting of the Municipal Planning Commission be approved.

MOTION CARRIED

2.2. Declaration of Conflicts

The Chair asked if any members of the Municipal Planning Commission would be declaring a conflict of interest in hearing today's meeting.

Commissioner Vanwynsberghe stated that she works at a property besides 206 Banff Avenue, the subject property of agenda item 5.1, and declared a conflict in hearing this proposal.

Councillor Pettigrew stated that in the past he has declared a personal conflict of interest with respect to bed and breakfast applications as his spouse owns and operates a bed and breakfast within the town of Banff. The development permit application before the Municipal Planning Commission agenda item 5.2, in Councillor Pettigrew's estimation, his participation would not constitute a personal conflict of interest. Councillor Pettigrew stated he would participate in the debate and discussion of Development Permit application 22DP33.

Commissioner Vanwynsberghe left the meeting at 9:05a.m.

3.0 ADOPTION OF PREVIOUS COMMISSION MINUTES

3.1 Minutes of the November 9, 2022, meeting of the Municipal Planning Commission

MPC23-2 Moved by Commissioner Humbert

That the minutes of the November 9, 2022, meeting of the Municipal Planning Commission be adopted as amended.

MPC Motion 22-50 – typo "matter"
Agenda Item #7.1 – typo "Parks"

MOTION CARRIED

Minutes approved by: _____



4.0 UNFINISHED BUSINESS

There was no unfinished business.

5.0 REPORTS

5.1 22DP29

Proposed New Commercial and Residential Building at 206 Banff Avenue
Including Gross Floor Area Transfer from 216 Banff Avenue

i. Staff Presentation

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

MPC23-3 Moved by Commissioner Karlos that pursuant to Sections 24 (advice from officials) of the Freedom of Information and Protection of Privacy Act and Section 3.2.12 of the Land Use Bylaw, MPC move into a closed meeting at 10:20a.m., in the Council Boardroom, to deliberate and discuss confidential matters with respect to Item 5.1, Proposed New Commercial and Residential Building at 206 Banff Avenue, Including Gross Floor Area Transfer from 216 Banff Avenue.

MOTION CARRIED

Administration in attendance during the closed meeting discussions with respect to Item 5.1, Proposed New Commercial and Residential Building at 206 Banff Avenue, Including Gross Floor Area Transfer from 216 Banff Avenue.

Advice: D. Enns and D. Michaels

MPC reconvened in public meeting at 10:31a.m., with Commissioner Karlos in the chair.

MPC23-4 Moved by Councillor Pettigrew that Commission rise and report.

MOTION CARRIED



ii. Public input

Shawn Birch, Banff Lodging Company, spoke to his written submission regarding the proposed development (this written submission has been added to these meeting minutes).

iii. Applicant input

Chris Sparrow and Susana Lui (applicants, MTA Architecture) were present via zoom to answer questions from the commission.

MPC23-5 Moved by Commissioner Taylor

That Municipal Planning Commission approve Development Permit application 22DP29 to construct a new building at 206 Banff Avenue, containing Professional, Financial, Health and Office Services, General Retail and Apartment Housing, with variances to the following sections of the Land Use Bylaw:

1. Section 8.16.13 to allow for a minimum of 85% of the required parking to be addressed through existing parking credits and payment in lieu instead of a minimum of 90%; and,
2. Section 8.6.1.a. to allow the eaves to project into the front yard setback.

Subject to the conditions of approval attached as Appendix 'A'.

MPC also approves the transfer of 714.1 m² of existing Commercial Gross Floor Area (22CAT01) from 216 Banff Avenue (Donating Property) to 206 Banff Avenue (Receiving Property) which includes the conditions of approval attached as Appendix 'B'.

MOTION CARRIED

Appendix 'A' Conditions of Approval – Development Permit 22DP29

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

- (a) Submit payment in accordance with the *Land Use Bylaw* and *Bylaw 388-5 Fees and Charges* for the following:
- \$5,051.20 application fee (\$4,600 + \$1.20/m² new gross floor area (376 m² for residential GFA only));
 - \$700 Municipal Planning Commission Surcharge;
 - \$1,500 variance fee (\$750 per variance);
 - \$750 address assignment fee (\$125 per unit);
 - \$2,850 Cash Contribution In-Lieu of Onsite Garbage (\$950/dwelling); and,
 - \$26,560.80 Off-Site Levy (\$24.48/m² of 1,085 m² net new Gross Floor Area);

Minutes approved by: _____



- (b) Submit revised drawings at a metric scale, for review and approval of the Development Officer, that are in conformance with the *Town of Banff Land Use Bylaw* and *Banff Design Guidelines* that include:
- i. Revisions to the rear portion of the roof to ensure a moderate roof pitch and an eave line of 8 m or less;
 - ii. Proposed materials and finishes, including, but not limited to:
 1. Visible portions of the elevator core;
 2. Exterior finished floor surface materials and finishes;
 3. Wood, or wood clad, windows and doors on the main floor;
 - iii. Additional recess/relief on windows;
 - iv. Further consideration of the 'side elevation' with regards to building articulation, distinct base, middle and top, and architectural detail and treatment;
 - v. Details of the canopy/awning that extends over the public sidewalk;
 - vi. Location and details of any exterior utility equipment servicing the site (ie. gas meter, electricity transformer);
 - vii. Confirmation of the proposed dimensions and design of the garbage room;
- (c) The total required parking resulting from this development is 5.6 parking stalls. In accordance with s.8.16.13 of the *Town of Banff Land Use Bylaw* and *Council Policy C017*, the applicant shall either:
- a. Pay cash-in-lieu of the required parking in the amount of \$117,600 (\$21,000.00 per stall); or,
 - b. Enter into a Development Agreement with the Town of Banff to be registered to the Certificate of Title for the property. The terms and wording of the Agreement shall be to the satisfaction of the Development Officer and shall include a schedule of payments for cash-in-lieu of required parking within three (3) years of the date of issuance of the Development Permit with the initial payment due at Development Permit issuance. Pay to the Town of Banff the Legal Agreement Surcharge of \$600.00 as established by *Town of Banff Land Use Bylaw*.
- (d) Provide confirmation, to the satisfaction of the Development Officer, that Development Permit 22CAT01 for the transfer of 714.1 m² of Commercial Gross Floor Area to the site of this application has been issued;
- (e) Enter into Restrictive Covenant(s) and/or Agreements with the Town of Banff to be registered against the Certificate of Title for the property for the purposes of:
- a. Limiting the use of all basement rooms/area for either storage or facilities servicing the development;
 - b. Requiring that any items that do not comply with the Alberta Building Code on the North Elevation with regards to building separation are rectified, to the satisfaction of the Building Inspector, at the time the adjacent site (Lot:4, Block 7, Plan: 6719BC) is developed; and,
 - c. A Development Agreement.
- The terms and wording of the agreement(s) shall be to the satisfaction of the Development Officer. Pay the Town of Banff the Legal Agreement Surcharge of \$600 as established by Town of Banff Development Fee Schedule 'G';
- (f) Submit, for review and approval by the Director of Engineering, stamped civil drawings showing site servicing in compliance with the *Town of Banff Engineering Standards* to the satisfaction of the Director of Engineering including:
- i. connection to existing water service and sanitary sewer;
 - ii. details of pipe material(s) and size(s); and,



- iii. Location of new water meters and remote reading devices;
- (g) Submit, for review and approval by the Director of Engineering, a detailed Shallow Utilities Servicing Plan to the *Town of Banff Engineering Standards* showing:
 - i. Location(s) of proposed underground lines for gas, power and communications; and
 - ii. Location(s) of existing services to be removed;
- (h) Submit, for review and approval by the Director of Engineering, stamped civil drawings, a detailed Storm-water Management Plan in compliance with the *Town of Banff Engineering Standards* including drainage details for the property, relating to neighboring properties and public right of ways;
- (i) Provide information regarding how the project incorporates high-quality environmental design (which may include building standards that exceed the minimum construction requirements otherwise applicable) and are complementary to the town's unique location and surrounding context in accordance with section 8.3.0 of the *Town of Banff Land Use Bylaw*, to the satisfaction of the Development Officer;
- (j) Submit a Construction Site Plan and provide description of soil and erosion control mitigations that will be used during construction for review and approval by the Development Officer;
- (k) Submit a Waste Management Plan form for review and approval by the Development Officer, which can be found here - <https://banff.ca/FormCenter/Operations-7/Zero-CRD-Waste-Plan-155>. Be advised that all projects that require a building permit in Banff must adhere to strict zero waste requirements, following deconstruction or green demolition principles. More information about the Zero Waste Requirements can be found here - <https://banff.ca/1173/Zero-Waste-Requirements-for-Building-Per>.
- (l) Submit a Site De-Watering Plan for review and approval of the Director of Engineering and Parks Canada Environmental Assessment Office;
- (m) Submit a Construction Hoarding Plan for the site including proposed height, colour, location of access points and any off-site encroachments associated with the required construction hoarding, in accordance with the *Town of Banff Policy C3000*, for review and approval by the Development Officer. For further information see www.banff.ca/DocumentCenter/View/5911. All existing trees to be retained shall be protected by fencing set at the outer canopy (drip line) of the tree, within the property, during demolition, excavation and construction;
- (n) Submit a proposed Truck Route and Traffic Plan for construction vehicles. Show locations of all on-site storage (e.g. material, equipment, etc.) during construction;
- (o) Submit a detailed cost estimate, as determined by an Architect, Landscape Architect or contractor for all on and off-site landscaping and hardscaping specifying all surface finishes, plant materials, their size, numbers, location and species. Provide an irrevocable letter of credit or security in the amount of 125% of the cost of landscaping to secure completion of this work;



- (p) Submit an Exterior Lighting Plan showing numbers, types, locations and technical specifications for individual light fixtures in conformance with s.8.22.0 of the *Town of Banff Land Use Bylaw* for review and approval by the Development Officer;
- (q) Submit a materials sample board and colour board indicating conformance with the *Banff Design Guidelines* for the review and approval by the Development Officer; and,
- (r) The Proponent must contact the project Anna Brown, Parks Canada Senior Impact Assessment Scientist (403-497-4025 or anna.brown@pc.gc.ca) to ensure all required information for the Impact Assessment determination has been reviewed and/or provided. Provide written confirmation that an Impact Assessment Determination has been issued by Parks Canada.

(2) Specific Conditions:

- (a) Issuance of this Development Permit allows for General Retail (244 m²), Professional, Financial Health and Office Services (360 m²), and Apartment Housing (three dwellings). Any future change of use will require a Development Permit and shall be subject to the provisions of the *Town of Banff Land Use Bylaw*;
- (b) This Development Permit uses 709.2 m² of the 714.1 m² existing Commercial Gross Floor Area transferred to the site by Development Permit 22CAT01. This results in 4.9 m² of unallocated Commercial Gross Floor Area that remains at the site and may be used against future development at the site or transferred in accordance with the Land Use Bylaw. A separate Development Permit is required for the use of this unallocated Commercial Gross Floor Area;
- (c) The total required parking resulting from this development is 5.6 parking stalls. In accordance with s 8.16.13 of the *Town of Banff Land Use Bylaw*, cash-in-lieu of the required parking shall be paid as per the Notice of Decision;
- (d) In accordance with Section 8.19.0 of the *Town of Banff Land Use Bylaw* and *Housing Policy C012*, this development results in a net credit of 7.5 Bedrooms that remain with the site and may be allocated against future developments at the site only. Of the 7.5 credited bedrooms, 7 shall be allocated to a Development Permit within 5 years of the date of issuance of this Development Permit;
- (e) Upon completion of the development, a Real Property Report certified by a Canada Lands Surveyor for Lot 3; Block 7; Plan 6719BC shall be submitted and the property owner shall enter in to an Encroachment Agreement with the Town of Banff, to be registered to the Certificate of Title, to capture any encroachments into the public right-of-way. The terms and wording of the Agreement shall be to the satisfaction of the Development Officer; and,
- (f) A separate Comprehensive Sign Plan Development Permit is required prior to the installation of any Signs.

(3) General Conditions:

- (a) Any changes to the approved plans shall be submitted for review and final approval of the Development Officer prior to implementation on-site;



- (b) Apply for a Street Use Permit from the Director of Engineering at least 48 hours prior to any work on Town streets, lanes or sidewalks. Enter into a Temporary Encroachment Agreement with the Town of Banff for the use of municipal property during construction, if necessary;
- (c) Prior to backfill of new services and the termination of redundant services, please contact the Town of Banff Utilities Department at 403.762.1240 to confirm if an inspection is required. All installations shall conform to the *Town of Banff Engineering Design Standards*;
- (d) All exposed metal flashing, mechanical equipment and flues shall be coordinated to match the building colour;
- (e) No satellite dishes, antennas or other rooftop communication equipment shall be installed without prior written permission of the Development Officer;
- (f) It is the responsibility of the project proponent to ensure that all mitigation measures identified in the Parks Canada's Impact Assessment Determination are implemented before, during and after construction. The project proponent shall ensure that any hazardous materials discovered during excavation are immediately reported to Parks Canada and properly disposed of according to current regulations;
- (g) Protect all existing services, including landscaping, on adjacent roadways and properties during construction. Assume responsibility and repair all damages to any existing services and landscaping on adjacent roadways and properties;
- (h) Provide dust suppression (spraying) of site during demolition activities. A hydrant meter can be obtained from the Town of Banff Operations Department by telephone at 403.762.1240;
- (i) Confine "noise" activities to hours set out in *Town of Banff Community Standards Bylaw 260*;
- (j) The applicant shall arrange to have the landscaping completed by no later than one year from the date of issuance of the Development Permit. If in the event that this work is not completed by this date, the Town shall cash the Letter of Credit and arrange for the completion of this work at the expense of the owner;
- (k) The applicant shall arrange to have all of the driveway and hard surfaced areas completed, including repairs to off-site areas (roadway), by no later than one year from the date of issuance of the Development Permit. If in the event that this work is not completed by this date, the Town shall cash the Letter of Credit and arrange the completion of this work at the expense of the owner;
- (l) Minimize the idling of construction vehicle engines at all times in accordance with *Town of Banff Traffic Bylaw 16-7*;
- (m) Ensure that all garbage and food waste is stored in bear-proof bins as per *Town of Banff Waste Bylaw*. Construction sites must undergo thorough clean-up, including removal of general litter at project completion; and,



- (n) Obtain all permits required in accordance with the Province of Alberta Safety Codes Act Revised Statutes of Alberta, Chapter S-1. The Act requires that all property owners and contractors working in Alberta obtain permits prior to commencing work on buildings covered by the Alberta Building Code or prior to conducting work governed by the regulations of the Canadian Electrical Code, the Alberta Gas Code or the Alberta Plumbing Code.

Appendix 'B' Conditions of Approval for Existing Commercial Floor Area Transfer (22CAT01)

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

- (a) Pay to the Town of Banff the outstanding Commercial Existing Gross Floor Area Transfer fee in the amount of \$3,500 as established in the *Town of Banff Land Use Bylaw*.

2. Specific Conditions

- (a) Subject to approval of Development Permit Application 22DP29, this approval permits the transfer of 714.1 m² of Existing Commercial Gross Floor Area from 216 Banff Avenue (Lot 8; Block 7; Plan 6719BC) to 206 Banff Avenue (Lot 3; Block 7; Plan 6719BC) only; and,
- (b) No commercial use of 216 Banff Avenue (Lot 8; Block 7; Plan 6719BC) shall occur at the same time as commercial use at 206 Banff Avenue (Lot 3; Block 7; Plan 6719BC).

Commissioner Vanwynsberghe returned to the meeting at 11:15a.m.

5.2 22DP33
Proposed Bed and Breakfast Home: Three (3) Guestrooms
115 Mountain Avenue

- i. Staff Presentation
Administration provided a presentation and overview of the proposal as included in the agenda package.
- ii. Public input
There was no public input.



- iii. Applicant input
Ken Waterhouse and Alison Milroy (applicants) were present to answer questions from the commission.

MPC23-6 Moved by Councillor Pelham

That Municipal Planning Commission approve Development Permit application 22DP33 for an Accessory Development containing three (3) Commercial Accommodation Units at 115 Mountain Avenue, subject to the conditions of approval attached as Appendix 'A'.

MOTION CARRIED

Appendix 'A' Amended Conditions of Approval - Application No. 22DP33

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

- (a) Submit payment in accordance with the *Land Use Bylaw* and *Bylaw 388-5 Fees and Charges* for the following:
 - \$200 (two additional guest rooms proposed at \$100/guest room)
 - \$500 accessory building application
 - \$600 legal agreement surcharge
 - \$2,626.70 Off-Site Levy (\$24.48/m² of 107.3m² net new Gross Floor Area);
- (b) Submit a Statutory Declaration, to the satisfaction of the Development Officer, confirming that:
 - i. The owners reside at 115 Mountain Avenue as their primary residence;
 - ii. The Bed and Breakfast Home will be managed and operated exclusively by the Live-in Owners;
 - iii. The Live-in Owners will not operate any of the Commercial Accommodation Units while not in residence at the property; and,
 - iv. The Live-in Owners are aware that any non-conformance with the conditions of approval or non-compliance with the Land Use Bylaw will result in the revocation of the Development Permit;
- (c) Enter into a Restrictive Covenant with the Town of Banff to be registered against the Certificate of Title for the property for the purposes of prohibiting the operation more than three (3) Commercial Accommodation Units and prohibiting the use of any Commercial Accommodation Units while the owner is not residing at the property. In the case the Bed and Breakfast Home license is no longer active, bedroom three on the ground level of the accessory building shall not be used in association with the second storey development. The terms and wording of the Agreement shall be to the satisfaction of the Development Officer. Pay the Town of Banff the Legal Agreement Surcharge of \$600 as established by Town of Banff Development Fee Schedule 'G';
- (d) Submit a detailed cost estimate, as determined by the Landscape Architect, for all on and off-site landscaping and hardscaping specifying all surface finishes, plant materials, their size, numbers, location and species. Provide an irrevocable letter of credit in the amount of 125% of the cost of landscaping to secure completion of this work;

Minutes approved by: _____



- (e) Submit a proposed Construction Waste Management Plan that includes details of Construction Waste Storage Containers and stream separation in accordance with the Non-Residential/Residential Waste Bylaw, to the satisfaction of the Development Officer. Be advised that all projects that require a building permit in Banff must adhere to strict zero waste requirements, following deconstruction or green demolition principles. Complete the Zero Construction, Renovation, and Demolition Waste Plan form here: <https://banff.ca/FormCenter/Operations-7/Zero-CRD-Waste-Plan-155>.
- (f) Submit, for review and approval by the Director of Engineering, stamped civil drawings showing site servicing in compliance with the *Town of Banff Engineering Standards* to the satisfaction of the Director of Engineering including:
 - iv. connection to existing water service and sanitary sewer;
 - v. details of pipe material(s) and size(s);
 - vi. confirmation from an engineer that site utilities are of an adequate size and condition for the additional development, and,
 - vii. storm water management plan;
- (g) Submit an Exterior Lighting Plan showing numbers, types, locations and technical specifications for individual light fixtures in conformance with s.8.22.0 of the *Land Use Bylaw* for review and approval by the Development Officer;
- (h) Submit a materials sample board and colour board indicating conformance with the *Banff Design Guidelines* for the review and approval by the Development Officer;
- (i) Submit a Construction Site Plan and provide description of soil and erosion control erosion control mitigations compliant with the *Town of Banff Engineering Standards* that will be used during construction for review and approval by the Development Officer;
- (j) Submit a Site De-Watering Plan for review and approval of the Director of Engineering and Parks Canada Environmental Assessment Office;
- (k) Submit a Construction Hoarding Plan, for review and approval by the Development Officer, for the perimeter of the site including proposed height, colour, location of access points and any off-site encroachments associated with the required construction hoarding. All existing trees to be retained shall be protected by fencing set at the outer canopy (drip line) of the tree during demolition, excavation and construction;
- (l) Submit a proposed Truck Route and Traffic Plan for construction vehicles. Show locations of all on-site storage (e.g. material, equipment, etc.) during construction;
- (m) Submit a detailed cost estimate, as determined by the Landscape Architect, for all on and off-site landscaping specifying all plant materials, their size, numbers, location and species. Provide an irrevocable letter of credit in the amount of 125% of the cost of landscaping to secure completion of this work;



- (n) Submit a detailed cost estimate, as determined by the contractor or Landscape Architect, for all on-site hard-surfaced areas (driveway, parking area, walkways, patios) and repair of off-site surfaces (roadway, sidewalk, curb/gutter, driveway crossing) specifying type of materials and finishes. Provide an irrevocable letter of credit in the amount of 125% of the cost of finishing and repairing all hard surfaced areas to secure completion of this work; and,
- (o) The Proponent must contact the project Impact Assessment Officer Bhupesh Khadka at bhupesh.khadka@pc.gc.ca to ensure all required information for the Impact Assessment determination has been reviewed and/or provided.

(2) Bed and Breakfast Conditions:

- (a) This approval permits an accessory development containing three (3) commercial accommodation units;
- (b) A Business License from the Town of Banff is required for the operation of a Bed & Breakfast Home;
- (c) Submit confirmation from the Fire Safety Codes Officer that the property complies with the Alberta Fire Code, including bedroom egress, smoke alarms and placement of fire extinguishers;
- (d) Contact Alberta Health Services (Banff Health Unit) at 403.762.2990 regarding the Guidelines for Bed and Breakfast Establishments and to arrange an inspection of the property prior to operation;
- (e) The Development Permit is valid for a period not to exceed the term of the Business License, one (1) year from the date of issuance or until transfer/change in ownership of the subject property, whichever first occurs;
- (f) On-site parking shall conform to the approved site plan. No parking of guest vehicles is permitted on adjacent public roadways. The owner shall be responsible for ensuring that each guest is advised that they must park in the areas designated on the application and not on a public roadway;
- (g) A copy of the Development Permit shall be posted in a prominent and visible place in the home and in each approved guest bedroom at all times;
- (h) The Bed and Breakfast Home shall be operated exclusively by the live-in owner as an accessory use. The Bed and Breakfast Home shall not change the principal residential character, use or external appearance of the dwelling;
- (i) Vehicular traffic generated by the Bed and Breakfast Home shall not be in excess of what which is characteristic of the neighbourhood in which it is located;
- (j) The owner will maintain a daily guest registry which will include rooms occupied and vehicle license plate information. If a complaint is received, the owner, upon request from the Town shall provide the daily guest registry for inspection and shall provide license plate numbers of permanent resident vehicles. The Town may request this at any time between the hours of 8:00 a.m. and 8:00 p.m.;
- (k) The owner shall be responsible for complying with the Alberta Fire Code; and,



- (l) Non-compliance with any conditions of the Development Permit will result in revocation of the 'Bed and Breakfast Home' permit.

(3) Specific Conditions:

- (a) Upon change of ownership of the property or expiration, revocation, or cancellation of this Development Permit, the second storey of the accessory building shall convert to a two-bedroom Accessory Dwelling.

(4) General Conditions:

- (a) Application of mitigations from a Pre-Approved Impact Assessment (PRIA) (Town of Banff Model Class Screening Report Sub Class 1 Building) and any additional prescribed mitigations will be required;
- (b) Apply for a Street Use Permit from the Director of Engineering at least 48 hours prior to any work on Town streets, lanes or sidewalks. Enter into a Temporary Encroachment Agreement with the Town of Banff for the use of municipal property during construction, if necessary;
- (c) All signs require a separate Development Permit in accordance with the Town of Banff Land Use Bylaw;
- (d) Prior to backfill of new services and the termination of redundant services, please contact the Town of Banff Utilities Department at 403.762.1240 to confirm if an inspection is required. All installations shall conform to the *Town of Banff Engineering Guidelines*;
- a) All exposed metal flashing, mechanical equipment and flues shall be coordinated to match the building colour;
- b) No satellite dishes, antennas or other rooftop communication equipment shall be installed without prior written permission of the Development Officer;
- c) Protect all existing services, including landscaping, on adjacent roadways and properties during construction. Assume responsibility and repair all damages to any existing services and landscaping on adjacent roadways and properties;
- d) All existing trees to be retained shall be protected by fencing set at the outer canopy (drip line) of the trees during demolition, excavation and construction;
- e) Provide dust suppression (spraying) of site during demolition activities. A hydrant meter can be obtained from the Town of Banff Operations Department by telephone at 403.762.1240;
- f) Confine "noise" activities to hours set out in *Town of Banff Community Standards Bylaw 260*;
- g) The applicant shall arrange to have the landscaping completed by no later than one year from the date of issuance of the Development Permit. If in the event that this work is not completed by this date, the Town shall cash the Letter of Credit and arrange for the completion of this work at the expense of the owner;



- h) The applicant shall arrange to have all of the driveway and hard surfaced areas completed, including repairs to off-site areas (roadway), by no later than one year from the date of issuance of the Development Permit. The business license will not be released until the hardsurfacing to accommodate parking in association with the commercial accommodation units is complete. If in the event that this work is not completed by this date, the Town shall cash the Letter of Credit and arrange the completion of this work at the expense of the owner;
- i) Minimize the idling of construction vehicle engines at all times in accordance with *Town of Banff Traffic Bylaw 16-7*;
- j) Ensure that all garbage and food waste is stored in bear-proof bins as per *Town of Banff Waste Bylaw 18-4*. Construction sites must undergo thorough clean-up, including removal of general litter at project completion; and,
- k) Obtain all permits required in accordance with the *Province of Alberta Safety Codes Act Revised Statutes of Alberta, Chapter S-1*. The Act requires that all property owners and contractors working in Alberta obtain permits prior to commencing work on buildings covered by the Alberta Building Code or prior to conducting work governed by the regulations of the *Canadian Electrical Code*, the *Alberta Gas Code* or the *Alberta Plumbing Code*.

6.0 CORRESPONDENCE

There was no correspondence for this meeting.

7.0 NEW BUSINESS

7.1 Development Updates

Administration provided a verbal update on current developments in the Town of Banff; 413 Beaver Street Caribou Properties residential development, Recreation Grounds Pavilion development, 525 Buffalo Street addition, IGA internal renovation with minor exterior renovation and 321 Squirrel Street Development Appeal Board decision to uphold the Stop Order. The bed and breakfast amendments information session will be held on January 17, 2023, 11-1:00pm.

8.0 INQUIRIES

There were no inquiries for this meeting.



9.0 DATE OF NEXT MEETING

The next scheduled meeting of the Municipal Planning Commission is scheduled for **Wednesday, February 15, 2023, at 9:00 a.m.**

10.0 ADJOURNMENT

MPC23-7 **Moved by** Commissioner Howie

That this Municipal Planning Commission adjourn at 11:50a.m.

MOTION CARRIED

Stavros Karlos
Chairperson

Kerry MacInnis
Planning and Development

5.1 – PUBLIC INPUT

22DP29

Proposed New Commercial and Residential Building at 206 Banff Avenue
Including Gross Floor Area Transfer from 216 Banff Avenue

From: Shawn Birch <sbirch@bestofbanff.com>
Sent: Wednesday, January 11, 2023 1:34 PM
To: Michaels, Dave <Dave.Michaels@banff.ca>
Subject: RE: Development at 206 Banff Avenue

Dave,

Appreciate the heads up.

I will attend, but would also like to submit the following questions in writing regarding the development:

1. Is there an drawing for the South facing elevation? I would like to understand the relationship between the Rose & Crown rooftop patio and the proposed building better. I can appreciate page DP1.02 with the sight line study, but it's difficult to interpret how this looks without the south facing elevation drawing.
2. Is there anything in the bylaw that deals with storm water and snow from adjacent roofs? The adjoining property line is largely flat roof, but there are a couple small sloped roof sections that slope toward us. How does stormwater and shedding snow stay on the proposed building impact us?
3. How do Caribou Corner windows which face the proposed building get dealt with? Who is responsible for closing these in and modifying our building?

Shawn Birch
President & CEO | Employee Owner
403-760-7579
BanffLodgingCo.com

Banff Lodging Co. | **A division of Banff Caribou Properties Ltd.**
An employee-owned company