



**MINUTES OF THE MUNICIPAL PLANNING COMMISSION
of the Town of Banff in the Province of Alberta
Wednesday, March 10, 2021 at 9:00 a.m.**

COMMISSION MEMBERS PRESENT

Brian Smythe	Public Representative (Chairperson)
Barbara Pelham	Public Representative (Vice Chairperson)
Scott McElhone	Public Representative
Dana Humbert	Public Representative
Corrie DiManno	Council Representative
Chip Olver	Council Representative
Bryan Howie	Parks Canada Representative

COMMISSION MEMBERS ABSENT

Jean Macpherson	Public Representative
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ADMINISTRATION PRESENT

Darren Enns	Director, Planning and Development
Dave Michaels	Manager, Planning and Development
Emma Sanborn	Development Planner
Eric Bjorge	Development & Heritage Planner
Kerry MacInnis	Administrative Assistant, Planning and Development (MPC Recorder)

PLEASE NOTE: Due to the extraordinary circumstances and measures being taken to slow the spread of COVID-19, this meeting will be held **electronically** and will be **live streamed** on www.banff.ca/live
All Members of MPC will be participating remotely.

1.0 CALL TO ORDER

The Chair called the March 10, 2021 Municipal Planning Commission meeting to order at 9:00a.m.

2.0 APPROVAL OF AGENDA

2.1. Approval of the Municipal Planning Commission agenda for March 10, 2021

MPC21-1 **Moved by** Councillor Olver

That the agenda for the March 10, 2021 meeting of the Municipal Planning Commission be approved.

Minutes approved by: _____



For: (7): Commissioner Smythe, Commissioner McElhone, Commissioner Pelham, Commissioner Humbert, Commissioner Howie, Councillor Olver and Councillor DiManno

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.

No conflicts were declared.

3.0 ADOPTION OF PREVIOUS COMMISSION MINUTES

3.1 Minutes of the January 14, 2021 meeting of the Municipal Planning Commission

MPC21-2 **Moved by** Commissioner Pelham

That the minutes of the January 14, 2021 meeting of the Municipal Planning Commission be adopted.

For: (7): Commissioner Smythe, Commissioner McElhone, Commissioner Pelham, Commissioner Humbert, Commissioner Howie, Councillor Olver and Councillor DiManno

MOTION CARRIED

4.0 UNFINISHED BUSINESS

There was no unfinished business.

5.0 REPORTS

5.1 21DP03

Proposed Bed and Breakfast Home: One Commercial Accommodation Unit
219 Spring Crescent

i. Staff Presentation

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



- ii. Public input
There was no public input.
- iii. Applicant input
Bonnie Lothrop, applicant, addressed the commission and answered questions.

MPC21-3 Moved by Councillor Olver

That Municipal Planning Commission approve Development Permit application 21DP03 for a:
Bed and Breakfast Home containing one (1) Commercial Accommodation Unit, located at 219 Spring
Crescent subject to the conditions of approval in appendix 'A'.

For: (7): Commissioner Smythe, Commissioner McElhone, Commissioner Pelham, Commissioner
Humbert, Commissioner Howie, Councillor Olver and Councillor DiManno

MOTION CARRIED

Appendix 'A' Amended Conditions of Approval - Application No. 21DP03

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

- (a) Submit a Statutory Declaration, to the satisfaction of the Development Officer, confirming that:
 - i. The owner resides at 219 Spring Crescent as their primary residence;
 - ii. The Bed and Breakfast Home will be managed and operated exclusively by the Live-in Owner;
 - iii. The Live-in Owner will not operate the Commercial Accommodation Unit while not in residence at the property;
 - iv. The Live-in Owner is 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. and,
 - v. The live-in owner shall notify the Town of Banff of any changes to the title or ownership of 219 Spring Crescent and are aware that changes may affect the validity of the bed and breakfast development permit.
- (b) 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 one (1) Commercial Accommodation Unit and prohibiting the use of any Commercial Accommodation Unit while the owner is not residing at the property. 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';
- (c) Submit a detailed Hard Surfacing 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;

- (d) Provide either an Irrevocable Letter of Credit or Cash Equivalent in the amount of 125% of the value of the cost estimate for hardsurfacing to secure completion of work;
- (e) 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.

(2) Specific Conditions:

- (a) This approval permits one (1) Commercial Accommodation Unit in association with a Bed & Breakfast Home in accordance with the approved plans which is valid for a period not to exceed the lesser of the term of the business license, a period of one year from the date of issuance of this permit or until transfer/change in ownership of the subject property, after which time a new Development Permit is required to continue the operation of the Bed and Breakfast Home; and,
- (b) On-site parking shall conform to the approved site plan. Hardscaping work shall be completed within 1 year of the date of issuance of this Development Permit. No parking of guest vehicles is permitted on adjacent public roadways.

(3) General Conditions:

- (a) Obtain a valid Business Licence from the Town of Banff for the operation of a Bed & Breakfast Home. The number of commercial accommodation units shall be restricted to one (1);
- (b) 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;
- (c) All signs require a separate Development Permit in accordance with the Town of Banff Land Use Bylaw;
- (d) 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;
- (e) Vehicular traffic generated by the Bed and Breakfast Home shall not be in excess of that which is characteristic of the neighbourhood in which it is located;



- (f) 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.;
- (g) 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;
- (h) The owner shall be responsible for complying with the Alberta Fire Code;
- (i) Contact Alberta Health Services (Banff Health Unit) at 403.762.2990 to obtain a food establishment permit prior to operation if required;
- (j) Non-compliance with any conditions of the Development Permit will result in revocation of the 'Bed and Breakfast Home' permit; 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*.

5.2 Draft Proposed Bylaw 455 – Land Use Bylaw Amending Bylaw – A Bylaw to Encourage Housing Development

- i. Administration provided a presentation and overview on the proposal as included in the agenda package.

MPC21-4 **Moved by** Commissioner Howie

That Municipal Planning Commission defer providing recommendations to Council regarding proposed Bylaw 455, Land Use Bylaw Amending Bylaw – A Bylaw to Encourage Housing Development until the next meeting of MPC on Wednesday, March 24, 2021 at 9:00 a.m.

For: (7): Commissioner Smythe, Commissioner McElhone, Commissioner Pelham, Commissioner Humbert, Commissioner Howie, Councillor Olver and Councillor DiManno

MOTION CARRIED

Minutes approved by: _____



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.

8.0 INQUIRIES

There were no inquiries for this meeting.

9.0 DATE OF NEXT MEETING and ADJOURNMENT

The next scheduled meeting of the Municipal Planning Commission is scheduled for **Wednesday, March 24, 2021 at 9:00 a.m.**

MPC21-5 **Moved by** Commissioner Pelham

That this Municipal Planning Commission adjourn at 12:00 p.m.

For: (7): Commissioner Smythe, Commissioner McElhone, Commissioner Pelham, Commissioner Humbert, Commissioner Howie, Councillor Olver and Councillor DiManno

MOTION CARRIED

Brian Smythe
Chairperson

Kerry MacInnis
Planning and Development

Minutes approved by: _____