



**MINUTES OF THE MUNICIPAL PLANNING COMMISSION
of the Town of Banff in the Province of Alberta
Wednesday, August 11, 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
Bryan Howie	Parks Canada Representative
Mayor Corrie DiManno	Council Representative

COMMISSION MEMBERS ABSENT

Chip Olver	Council Representative
Jean Macpherson	Public Representative

ADMINISTRATION PRESENT

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

Commissioner Smythe called the August 11, 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 August 11, 2021



MPC21-42 Moved by Commissioner Humbert

That the agenda for the August 11, 2021 meeting of the Municipal Planning Commission be approved as presented.

For: (6): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham, Commissioner Howie and Mayor 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 May 12, 2021 meeting of the Municipal Planning Commission

MPC21-43 Moved by Commissioner McElhone

That the minutes of the May 12, 2021 meeting of the Municipal Planning Commission be adopted as amended.

Agenda item #1.0 – the “Chair” called the meeting to order, not the “Vice Chair”

For: (6): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham, Commissioner Howie and Mayor DiManno

MOTION CARRIED

Minutes approved by: _____



4.0 UNFINISHED BUSINESS

There was no unfinished business.

5.0 REPORTS

5.1 21DP48

Proposed Duplex Housing
4 Kootenay Ridge

- 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
John Dowson, applicant, addressed the commission and answered questions.

MPC21-44 Moved by Mayor DiManno

That Municipal Planning Commission approved Development Permit application 21DP48 to allow for the construction of Duplex Housing at 4 Kootenay Ridge, subject to the conditions of approval attached as Appendix 'A'.

For: (6): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham, Commissioner Howie and Mayor DiManno

APPROVED

Appendix 'A' Amended Conditions of Approval - Application No. 21DP48

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

Minutes approved by: _____



- a) Pay to the Town of Banff off-site levies in the amount of \$10,410.⁴⁸ as established by *Town of Banff Off-Site Levy Bylaw* (\$22.⁸² /m² x 456.2 m² gross floor area);
- b) Pay to the Town of Banff \$1,900.⁰⁰ in-lieu of on-site garbage facilities (\$950.⁰⁰/dwelling rate) as established by *Town of Banff Waste Bylaw*;
- c) Pay to the Town of Banff the Address Assignment fee in the amount of \$250 as established by *Town of Banff Land Use Bylaw* (\$125 /dwelling);
- d) Submit plans showing conformance with the provisions of the *Town of Banff Land Use Bylaw* for the review and approval by the Development Officer, including:
 - i. A Landscaping Plan in conformance with the *Recommended Planting Materials List* of the Banff Design Guidelines and incorporating Firesmart considerations as per the Land Use Bylaw;
 - ii. An Exterior Lighting Plan showing numbers, types, and locations and technical specifications for individual light fixtures in conformance with Section 8.22.0;
 - iii. Elevations detailing proposed building materials and colours;
 - iv. A summary of technical specifications demonstrating how New Housing shall conform with the Environmental Design Standards of Section 8.3.3 – Energy Conservation Techniques, Energy Star-certified Window Glazing, Wall and Roof Insulation R-values, Water Efficient Plumbing Fixtures;
- e) Submit a materials sample board and colour board indicating conformance with the *Banff Design Guidelines* for the final review and approval by the Development Officer;
- f) Submit a detailed Stormwater Management Plan to the satisfaction of the Director of Engineering showing detailed specifications for the device(s) which demonstrate that the system can handle a 1:100 year storm event and can contain a 1:25 year storm event on-site, or comparable standard as approved by the Director of Engineering;
- g) Submit, for review and approval by the Director of Engineering, a detailed Deep Utilities Servicing Plan to the Town of Banff Engineering Standards showing:
 - i. Connection to 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.
- h) Submit, for review and approval by the Director of Engineering, a detailed Shallow Utilities Servicing Plan showing:
 - i. Location(s) of proposed underground lines for gas, power and communications;



- i) Submit a Construction Site Plan that includes receptacles for waste stream separation and provide description of soil and erosion control mitigations that will be used during construction;
 - 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 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;
 - l) Submit a detailed cost estimate, as determined by the contractor, 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,
 - m) Submit a completed *Subcontractor Information Sheet* to Town of Banff Business Licensing, Corporate Services Department providing a list of the sub-contractors to be employed in the construction of the development (see attached).
- (2) General Conditions:
- a) 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;
 - b) It is the responsibility of the project proponent to ensure that all mitigation measures identified in the Parks Canada's *BCS Environmental Screening Determination Using a Class Screening Report* and the guidelines identified in the *Environmental Guidelines for Development Projects in Banff National Park (Directive 17)* are implemented during 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;
 - c) Town of Banff requires all developers to collect all waste, separate into appropriate categories on-site and store appropriately. Trade waste may be disposed at the Bow Valley Waste Management Commission's Class III landfill (Francis Cooke) and garbage to the Waste Transfer Station. Ensure that materials and waste being transported are covered with tarps or equivalent material;



- d) Apply for a Street Use Permit from the Manager 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;
- e) Disturbance of public roadways and installation of utility trenches shall be inspected and approved in writing by the Manager of Engineering prior to backfill. Please contact Town of Banff Engineering at 403.762.1210 to arrange for an inspection. All installations shall conform to the Town of Banff Engineering Design Standards;
- f) Installation of new services and the termination of redundant services shall be inspected and approved in writing by the Town of Banff Utilities Department prior to backfill. Please contact the Town of Banff Utilities Department at 403.762.1240 to arrange for an inspection. All installations shall conform to the Town of Banff Engineering Design Standards;
- g) Management of all uncontaminated (clean) soil excavated from the site shall be arranged through Parks Canada. Contractors must obtain a *Restricted Activity Permit* in order to dispose of clean fill. Further direction and information about permit approval may be obtained by contacting Banff National Park Dispatch at 403.762.1470;
- h) All site drainage is to be contained on site. No connection of weeping tile to storm sewer is permitted;
- i) A water meter and remote reading device shall be installed at each dwelling prior to issuance of an Occupancy Permit. Property owners shall provide free and convenient access to the premises and building at all reasonable times for the purpose of reading meters. The installation of the water meter shall be inspected by the Town of Banff Utilities Department, please call 403.762.1240 to arrange for an inspection;
- j) All exposed metal flashing, mechanical equipment and flues shall be coordinated to match the building colour;
- k) No satellite dishes, antennas or other rooftop communication equipment shall be installed without prior written permission of the Development Officer;
- l) All rooftop mechanical equipment must be screened from view to the satisfaction of the Development Officer;
- m) 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;



- n) 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;
- o) Install hoarding around the perimeter of the site, in accordance with the approved plans, prior to commencing excavation and construction;
- p) Protect undisturbed land by only stockpiling materials on heavy canvas or polypropylene tarpaulins to protect native vegetation. All materials will be stored within the confines of the work site. All fuels, oils, lubricants, and other petrochemical products will not be stored within 100m of any waterbody;
- q) Confine “noise” activities to hours set out in *Town of Banff Community Standards Bylaw 260*;
- r) 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;
- s) 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;
- t) Minimize the idling of construction vehicle engines at all times in accordance with *Town of Banff Traffic Bylaw 16-7*;
- u) 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
- v) 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*;
- w) Pay the cost of the following, as may be required, in accordance with municipal standards and to the satisfaction of the Development Officer:



- (i) Construction of new sanitary sewer, storm sewer and water connections, which shall include the cutting off of any redundant connection(s)
- (ii) Construction of new driveway crossing, concrete sidewalk, curb and gutter, including repair/replacement of all adjacent surfaces;
- (iii) Rehabilitation and closing of existing and redundant driveway crossing, concrete sidewalk, curb and gutter, including repair/replacement of all adjacent surfaces;
- (iv) Construction, repair and rehabilitation of street surfacing;

5.2 21DP37

Proposed Bed and Breakfast Home and Change of Use to Single Detached Housing
338 Squirrel Street

- 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
There was no applicant input for this proposed development.

MPC21-45 Moved by Commissioner Howie

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 moved into closed meeting at 9:45a.m., to deliberate and discuss confidential matters with respect to Item 5.2, Proposed Bed and Breakfast Home and Change of Use to Single Detached Housing, 338 Squirrel Street.

For: (6): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham, Commissioner Howie and Mayor DiManno

MOTION CARRIED

Administration in attendance during the closed meeting discussions with respect to Item 5.2, Proposed Bed and Breakfast Home and Change of Use to Single Detached Housing, 338 Squirrel Street.

Minutes approved by: _____



Advice: D. Michaels, E. Sanborn

Mayor DiManno left the meeting at 10:36a.m.

MPC reconvened in public meeting at 10:50a.m., with Commissioner Smythe in the chair.

MPC21-46 Moved by Commissioner Smythe that Commission rise and report.

For: (5): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham and Commissioner Howie

MOTION CARRIED

MPC21-47 Moved by Commissioner Pelham

That Municipal Planning Commission postpone making a decision on Development Permit application 21DP37 for a change of use to Single Detached Housing, and a Bed and Breakfast Home containing two (2) Commercial Accommodation Units, located at 338 Squirrel Street pending receipt of legal advice.

For: (5): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham and Commissioner Howie

APPROVED



- 5.3 Proposed Bylaw 460 - Request for Decision
Land Use Bylaw Amending Bylaw – A Bylaw to Eliminate Postcard Notification Requirements
- 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
There was no applicant for this proposal.

MPC21-47 **Moved by** Commissioner Howie

That Municipal Planning Commission recommend that Council proceed with further readings of proposed Bylaw 460.

For: (5): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham and Commissioner Howie

APPROVED

6.0 CORRESPONDENCE

There was no correspondence for this meeting.

7.0 NEW BUSINESS

There was no new business.

8.0 INQUIRIES

There were no inquiries for this meeting.

Minutes approved by: _____



9.0 DATE OF NEXT MEETING and ADJOURNMENT

The next scheduled meeting of the Municipal Planning Commission is scheduled for **Wednesday, September 08, 2021 at 9:00 a.m.**

MPC21-48 **Moved by** Commissioner Smythe that this Municipal Planning Commission adjourn at 10:58a.m.

For: (5): Commissioner Smythe, Commissioner McElhone, Commissioner Humbert, Commissioner Pelham and Commissioner Howie

MOTION CARRIED

Brian Smythe
Chairperson

Kerry MacInnis
Planning and Development

Minutes approved by: _____