

TOWN OF BANFF
ORDER OF BUSINESS
Regular Council Meeting
Town of Banff Council Chambers
Monday, May 25, 2015 at 2:00 p.m.

1.0 CALL TO ORDER

2.0 APPROVAL OF AGENDA

2.1 Regular Meeting Agenda

Recommendation:

That council approve the agenda for the May 25, 2015 regular meeting of council.

2.2 For Information: 2015 Council Workplan

3.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

3.1 Minutes of the May 11, 2015 Regular Meeting of Council

Recommendation:

That council adopt the minutes of the May 11, 2015 regular meeting of council.

4.0 DELEGATIONS

4.1 Sarah McCormack – Banff Public Library

Request:

That council appoint:

- i) Stavros Karlos as the Banff representative to the Marigold Library System; and
- ii) Ben Berci as the alternate Banff representative to the Marigold Library System.

5.0 PUBLIC INPUT ON AGENDA ITEMS

5.1 Caribou Properties - Re: Farmers Market (added May 25, 2015)

6.0 UNFINISHED BUSINESS

7.0 BYLAWS AND STAFF REPORTS

7.1 Request for Decision: 2015 Tax Rate Bylaw 240-12

Recommendation:

That council give three readings to 2015 Tax Rate Bylaw 240-12.

7.2 Request for Decision : Bylaw 348 – Fire Department Bylaw 66-2 Amendment No. 2

Recommendation:

That council give three readings to Bylaw 348 – Fire Department Bylaw 66-2 Amendment No. 2.

7.3 Request for Decision: Proposed Heritage Railway Station Farmers Market

Recommendations:

- i) That Council provide direction on whether a Temporary Development Permit for a Farmers Market at the Banff Heritage Railway Station is consistent with the Temporary Development Permit provisions in the Land Use Bylaw and, if so, what specific terms and conditions should be placed on the permit; and
- ii) That Council provide direction on the methodology with which Business License fees will be assessed under the provisions of the Town of Banff Business License Bylaw 22-9.

8.0 COMMITTEE REPORTS

8.1 For Information: Minutes of the April 8, 2015 meeting of the Municipal Planning Commission

9.0 CORRESPONDENCE

10.0 NEW BUSINESS

11.0 PUBLIC INPUT ON AGENDA ITEMS

12.0 ADJOURNMENT

Agenda prepared by: Tara Johnston-Lee

All recommendations as presented are for discussion purposes only, and should not be considered as the opinion or direction of council.

May 25, 2015

Council's workplan provides the framework to for council actions or decision required to achieve strategic goals and service objectives. Council has also established administrative priorities, action plans and measures and will be addressed and monitored through the annual service review and strategic plan review.

2015-2018 Strategic Plan

This is a four year plan that concentrates on seven themes, with measurable 4th year outcome for each theme, plus annual tactics for each theme that will move our community toward those outcomes. The 2015-2018 Strategic Plan can be found [here](#).

Key Themes

1. **Trails** – includes trails of all kinds, from paved walkways to paths through the forest to sidewalk connections and on-street bike lanes, sharrows or greenways.
Guiding document: [Town of Banff Trails Master Plan](#)
2. **Housing** – includes housing of all types within the Town of Banff.
Guiding document: [Town of Banff Housing Strategy](#)
3. **Social Well-Being** – includes the factors that contribute to a community's well-being, such as access to programs and services, and supports geared towards residents across all ages and stages of life.
Guiding document: [Banff Community Social Assessment January 2014](#)
4. **Recreation** – includes services and facilities that offer all citizens and visitors access to recreation, for leisure and for the promotion of healthy lifestyles.
Guiding documents: [Banff Recreation Grounds Redevelopment Plan](#), [Recreation Programs and Services Master Plan](#), [Recreation Facilities Master Plan](#)
5. **Economic Prosperity** –covers activities in our community that contribute to the economic prosperity of individuals, households, businesses and the community as a whole.
Guiding document: [Town of Banff Economic Prosperity Strategy](#)
6. **Transportation** – covers the factors that affect efficient and effective transportation of people and materials in the town, including traffic management, parking, active transportation modes, public transit and good delivery.
Guiding document: [Town of Banff 2012 Transportation Master Plan Update](#)
7. **Environment** – covers activities that reduce the environment footprint of our community on our air, water, land, flora and fauna.
Guiding document: [The Town's Environmental Stewardship Policy](#)

2015 Service Review

Council's service priorities are incorporated into the annual service review document. The 2015 Service Review can be found [here](#).

Council Workplan

Note:

Blue highlight indicates a 2015-2018 Council Strategic Priority

Green highlight indicates a 2015 Service Review Priority

Purple highlight indicates a council directive to administration.

1st Quarter 2015

		Expected Date	Council Meeting	Finance Meeting	Other	Action/Status/Next Steps
Recreation Grounds Redevelopment Plan ³	Recreation & Leisure	Complete				2015.03.23 Plan Adopted
Recreation Master Plan – Programs & Services ³	Recreation & Leisure	Complete				2015.03.09 Plan Adopted
Trails Master Plan ¹	Recreation & Leisure/Environmental Management	Complete				2015.02.23 Plan Adopted
Cemetery administrative policy/procedure	Grounds/Operations Admin	Complete				New administrative procedures implemented
2014 Social Assessment Progress Report	FCSS	Complete				2015.01.26 Council Updated
Solar Incentive Program	Environmental Management	Complete				2015.02.23 Incentive program approved
Application to waive banner fees application update (COU15-29)	Communications	Complete				Application form updated.

2nd Quarter 2015

		Expected Date	Council Meeting	Finance Meeting	Other	Action/Status/Next Steps
Double peak period frequency on Sulphur Mountain Route ⁶	Engineering	Complete				2015.04.13 Service doubled June 27-Sep 7
VRBO Enforcement Update	Planning	Complete				2015.04.13 Council updated Enforcement ongoing
View Sheds Report (COU15-39)	Planning	Complete				2015.04.13 Council updated No further action
Multi Year Strategic Plan	Legislative Services	Complete				2015.04.27 2015-2018 Strategic Plan adopted

Policy Development Policy & Procedure	Corporate Services	June 9	✓			Consider Adoption
Conduct Tabletop Disaster Exercise	Fire Services	June 17			Tabletop Exercise	Participate as Required
Solar PV Permit Fee Subsidy (COU15-8)	Environmental Management	Complete				2015.04.27 DP & BP Fees Waived
Fruit tree removal incentives (COU14-277)	Environmental Management	June 9	✓			Consider options

3rd Quarter 2015

		Expected Date	Council Meeting	Finance Meeting	Other	Action/Status/Next Steps
Traffic Bylaw Updates – Trail Appropriate Use & Horse Use ¹	Environmental Management/Bylaw Services	Q3	✓			Consider options
Banff Elementary School modernization program/ gym building partnership ⁴	Recreation & Leisure	Q3	✓			Consider options
Parking peak period shortfall annual report ⁶	Engineering	Q3	✓			For information or RFD if greater than 150
Committee Appointment Policy Review	Corporate Services	Q3	✓			Consider Adoption
Bow Valley Rental Rate Review	Corporate Services/HR	Q3	✓			Consider Options
Staff Accommodation Workshop	HR	Q3			Workshop	For Information
External Compensation Review	HR	Q3	✓			Consider Options
Washed aggregate testing	Streets	Q3	✓			Consider Options
Urban Forest Reserve	Grounds/Corporate Services	Q3		✓		Consider Options
Facilities Cost Benchmarking	Facilities/Corporate Services	Q3		✓		Consider Options

N-Viro expansion to Canmore	Resource Recovery	Q3	✓			Council update
Town owned lands cost recovery model	Corporate Services	Q3		✓		Consider options
Renewable Energy Initiative (COU14-394)	Environmental Management	Q3	✓			Consider Options
Taxi Bylaw Amendments – Efficiencies (COU12-275)	Environmental Management/Bylaw Services	Q3	✓			Consider adopting
Laneway infringement report (COU15-13)	Bylaw	Q3	✓			For information
Parkade Clearance Report (COU15-35)	Engineering	Q3	✓			For information
Art Committee Recommendation – Hoarding (COU15-37)	Art Committee	Q3	✓			For information

4th Quarter 2015

		Expected Date	Council Meeting	Finance Meeting	Other	Action/Status/Next Steps
Evaluate capital budget against Economic Prosperity themes ⁵	Corporate Services	Q4 Budget			Budget	For information
Economic prosperity public advisory group ⁵	Corporate Services	Q4	✓			Set terms of reference
Environmental Master Plan ⁷	Environmental Management	Q4 Budget			Budget Request	Consider options
Compensation Policy Development	HR	Q4	✓			Consider Adoption
Economic Indicators Feedback Update	Communications	Q4	✓			For Information
Bylaw Review Policy/Procedure Development	Corporate Services	Q4	✓			Consider Options

Green Fleet Policy Development	Fleet	Q4	✓			Consider Options
Tunnel Mountain Pageantry Plan	Grounds	Q4	✓			Consider adoption
10 – Year Urban Forest Implementation Plan	Grounds	Q4	✓			For information
2013-2015 Urban Forest Plan	Grounds	Q4	✓			For information
Sewer Bylaw Review	Utilities	Q4	✓			Consider adoption
Waste Bylaw Review	Resource Recovery	Q4	✓			Consider adoption
Commercial Business Recycling Opportunities – Commercial Blue Bins	Resource Recovery	Q4	✓			Consider options
Out of Town Utility Agreements	Corporate Services	Q4	✓			Consider Options
Solar PV Incentive Program Update (COU15-9)	Environmental Management	Q4	✓			Update Consider changes
LUB Amendment – Mobile vending CB district (COU15-13)	Planning	Q4	✓			Consider adoption

Expected date yet to be determined

		Expected Date	Council Meeting	Finance Meeting	Other	Action/Status/Next Steps
Strategy/policy to deal with inappropriate behaviours in parks & public places	Recreation & Leisure	TBD				Consider options
Memorial Benches, Trees & Graves Program	Grounds/Planning	TBD				Consider options
Progress Reports on Master Plans	Legislative Services	TBD			Format to be determined	For review

Quarterly Updates

		Expected Date	Council Meeting	Finance Meeting	Other	Action/Status/Next Steps
Housing Sustainability Priority Updates ²	Housing Sustainability	Quarterly			Various forms (Workshops/updates/council reports)	Ongoing informational updates and requests for decisions as necessary
Transit Performance Metrics	Roam Transit	Quarterly			Update	For Information
Operations New Revenue Updates (COU15-32)	Operations	Q2/Q4	✓			For information

2016

		Expected Date	Council Meeting	Finance Meeting	Other	Action/Status/Next Steps
State of Housing Report ²	Housing Sustainability	2016	✓			For Information
Long Term Transportation Study – Increased Visitor Numbers ⁶	Engineering	2016	✓			For Information
Municipal Benchmarking Initiative Report	Corporate Services	2016	✓			For Review

**MINUTES OF THE REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Monday, May 11, 2015 at 2:00 pm**

COUNCIL MEMBERS PRESENT

Karen Sorensen	Mayor
Stavros Karlos	Councillor
Brian Standish	Councillor
Grant Canning	Councillor
Chip Olver	Councillor and Deputy Mayor
Corrie DiManno	Councillor and Acting Mayor
Ted Christensen	Councillor

COUNCIL MEMBERS ABSENT

ADMINISTRATION PRESENT

Robert Earl	Town Manager
Chris Hughes	Senior Accountant
Kelly Gibson	Manager of Corporate Services
Diana Waltmann	Manager of Communications
Meagan Stewart	BVIP Coordinator
Marc Breau	Streets Supervisor
Tara Johnston-Lee	Municipal Clerk (Recorder)

1.0 CALL TO ORDER

The Mayor called the May 11, 2015 regular meeting of council to order at 2:00 p.m.

2.0 APPROVAL OF AGENDA

2.1 Meeting Agenda

COU15-68 Moved by Councillor Standish that council approve the agenda of the May 11, 2015 regular meeting of council as presented.

2.2 2015 Council Workplan

Received as information.

3.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

3.1 Minutes of the April 27, 2015 Regular Meeting of Council

COU15-69 Moved by Councillor Standish that council approve the minutes of the April 27, 2015 regular meeting of council as presented.

CARRIED

4.0 DELEGATIONS

There were no delegations.

5.0 PUBLIC INPUT ON AGENDA ITEMS

None received.

Minutes approved by: _____

6.0 UNFINISHED BUSINESS

No unfinished business was considered.

7.0 BYLAWS AND STAFF REPORTS

7.1 2015 Tax Rate Bylaw

Administration noted that an error was found in the original report included in the agenda package posted on Banff.ca. The revised report and the presentation slides have been added to the agenda package for this meeting.

COU15-70 Moved by Mayor Sorensen that council direct administration to draft the 2015 tax rate bylaw, for the May 25, 2015 meeting of council, assuming a 3.917:1 commercial to residential mill rate split.

COU15-71 Moved by Councillor Olver that council amend motion COU15-70 by deleting the numbers “3.917:1” and replacing them with the numbers “4:1”.

COU15-72 Moved by Councillor Standish that council amend motion COU15-71 by deleting the numbers “4:1” and replacing them with the numbers “4.093:1”.

DEFEATED
Olver, Standish and Christensen in favour

The vote followed on motion COU15-71: that council amend motion COU15-70 by deleting the numbers “3.917:1” and replacing them with the numbers “4:1”.

CARRIED
Sorensen opposed

The vote followed on motion COU17-70 as amended: that council direct administration to draft the 2015 tax rate bylaw, for the May 25, 2015 meeting of council, assuming a 4:1 commercial to residential mill rate split.

CARRIED

7.2 Summer Traffic and Parking Communications

COU15-73 Moved by Councillor Olver that council approve the expenditure of \$6,900, funded from the budget stabilization reserve, for the production of an informational handout on summer traffic and parking information for the East Gate of Banff National Park.

CARRIED

7.3 Bow Valley Immigration Partnership Settlement

COU15-74 Moved by Mayor Sorensen that council direct BVIP to organize a workshop for council on BVIP’s Settlement Strategy.

CARRIED

COU15-75 Moved by Mayor Sorensen that council appoint Councillor DiManno as a representative to the Bow Valley Immigration Partnership’s Civic & Political Participation working group, ending March 31, 2016.

CARRIED

7.4 Summary of November 27 to December 12, 2014 Snow Removal Efforts
Received as information.

8.0 COMMITTEE REPORTS

8.1. Bow Valley Regional Housing April Bulletin
Received as information.

8.2. Bow Valley Regional Housing May Bulletin
Received as information.

8.3. Minutes of the April 9, 2015 meeting of the Development Appeal Board
Received as information.

9.0 CORRESPONDENCE

None received.

10.0 NEW BUSINESS

No new business was considered.

11.0 PUBLIC INPUT ON AGENDA ITEMS

None received.

12.0 ADJOURNMENT

COU15-76 Moved by Councillor Standish that council adjourn the May 11, 2015 regular meeting of council at 3:04 p.m.

CARRIED

Karen Sorensen
Mayor

Tara Johnston-Lee
Municipal Clerk

Delegation Request Form



P.O. Box 1260, Banff, Alberta T1L 1A1

www.banff.ca

Name of person or group requesting to appear.
Council Meeting Date Requested:

Topic
The topic of discussion is (be specific, provide details, and attach additional information, if required)

Purpose
Purpose of presentation Information only Request action/support Request funds Other _____
Desired resolution

Contact Information	
Contact Person	
Address	
Town	Postal Code
Phone	Cell
Email	

Office Use Only	
Approved Declined Date Scheduled:	Applicant Informed



BANFF CARIBOU PROPERTIES 229 Bear Street, 3rd Floor, Wolf & Bear Mall
Tel (403) 762-2642 Fax (403) 762-4763 Canada & USA 1-800-661-8310
PO Box 1070, Banff, Alberta, Canada T1L 1H8 bestofbanff.com

May 25, 2015

Rene Geber
Banff Farmer's Market
P.O. Box 3174
Banff, AB T1L 1E9

Dear Rene:

Re: Farmers Market - Banff Heritage Train Station

In follow up to our meeting this morning, I am happy to provide you with this letter to support your initiative to operate your Farmers Market at the Banff Heritage Train Station. As discussed, our support goes beyond simply being your Landlord at this location.

Regarding parking, we agree that your outdoor Market will encourage visitors to use the train station parking lot as intercept parking, and thus serve to address downtown parking congestion (and hopefully even increase visitation at the same time). We are happy to allow for 12-hour parking at the station to make this possible (as well as accessible washrooms...).

Regarding a 'level playing field', we confirm that your outdoor Market is subject to Rent and General Occupancy Costs (most notably, Property Taxes), just as is the case for all of our other commercial Tenants. In addition, we have invested over \$4 million in this commercial venue/site to get it to a state where an outdoor Market is even possible.

Regarding concerns of competition to other retailers in the commercial sector, we would have as much to lose as anyone. If anything, we believe that the type of vendor that your Market would attract would often serve as an incubator to the types of concepts that we would like to see established more permanently in other commercial locations, such as downtown Banff.

Regarding animation and vibrancy, we agree that an outdoor market at the station would contribute significantly to achieving this goal. Our feedback from visitors and residents alike is that they strongly endorse this type of attraction/offering. Furthermore, such animation and vibrancy would complement the significant investment that we've made in an effort to revitalize this iconic site.

Perhaps most importantly, **I support you as an individual** who brings both passion and local flavor to your Market concept. I would be disappointed if Council restricted your opportunity for success in your Market expansion in any way.

Yours truly,

Gordon Lozeman
President & CEO



Employee Owned

REQUEST FOR DECISION

Subject: 2015 Tax Rate Bylaw 240-12

Presented to: Council

Date: May 25, 2015

Submitted by: Chris Hughes

Agenda #: 7.1



RECOMMENDATION

That Council give three readings to 2015 Tax Rate Bylaw 240-12.

BACKGROUND

Reason for Report

The tax bylaw establishes the property taxation rates, assessed against property within the Town of Banff, to raise sufficient tax revenue to fund municipal services and to provide for various requisitions for outside organisations.

Summary of Issue

At the May 11, 2015 Council meeting, Council approved the following mill rates based on a 4:1 commercial to residential tax split:

	<u>TAX LEVY</u>	<u>ASSESSMENT</u>	<u>TAX RATE</u>
General Municipal			
Residential	\$4,086,442	\$ 1,289,586,740	3.1688
Non-residential	\$12,022,244	\$ 948,485,530	12.6752
Municipal Housing			
Residential	\$12,509	\$ 1,289,586,740	0.0097
Non-residential	\$36,801	\$ 948,485,530	0.0388
ASFF – Education			
Residential	\$3,127,491	\$ 1,259,460,050	2.4832
Non-residential	\$2,984,694	\$ 948,485,530	3.1468
Bow Valley Regional Housing			
Residential	\$ 75,945	\$ 1,259,460,050	0.0603
Non-residential	\$228,775	\$ 948,485,530	0.2412
Total			
Residential	\$ 7,302,387	\$ 1,289,586,740	5.7220
Non-residential	\$15,272,514	\$ 948,485,530	16.1020

The attached Bylaw 240-12 requires three readings in order to put the approved rates into effect. Once the bylaw is approved, the 2015 tax notices will be mailed out.

Response Options

1. Give three readings to Bylaw 240-12.
2. Do not give three readings to Bylaw 240-12 and give administration direction on changes to the bylaw and the tax notice mailing and due dates.

IMPLICATIONS OF DECISION

Budgeting

By approving the 2015 Tax Rate Bylaw Council approves the amount of taxes to be levied to each property for the year.

Legislation/Policy

Pursuant to Part 10, Division 2 of the Municipal Government Act, council must annually adopt a property tax bylaw.

Attachments:

Appendix A – Bylaw 240-12

Submitted By:

Chris Hughes, Senior Accountant

Reviewed By:

Robert Earl, Town Manager

TOWN OF BANFF

BYLAW 240-12

2015 TAX RATE BYLAW

A Bylaw to Authorize the Tax Rate to be Levied Against Assessable Property Within the Town of Banff for the 2015 Taxation Year

WHEREAS, the estimated municipal operating expenditures and transfers set out in the budget for the Town of Banff for 2015 total \$33,630,373;

AND WHEREAS, the requisitions are:

Alberta School Foundation Fund (ASFF)	
Residential	\$ 3,127,400
Non-residential	\$ 2,978,200
Bow River Lodge	\$ 302,330

AND WHEREAS, the assessed value of all taxable property in the Town of Banff as shown on the assessment roll is:

	<u>Assessment</u>
Residential	\$ 1,289,586,740
Non-residential	\$ 948,485,530
Total	<u>\$ 2,238,072,270</u>

NOW THEREFORE the Council of the Town of Banff, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1.0 CITATION

1.1 This bylaw may be cited as the "2015 Tax Rate Bylaw".

2.0 PROVISIONS

2.1 The Manager of Corporate Services is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Banff:

	<u>TAX LEVY</u>	<u>ASSESSMENT</u>	<u>TAX RATE</u>
General Municipal			
Residential	\$4,086,442	\$ 1,289,586,740	3.1688
Non-residential	\$12,022,244	\$ 948,485,530	12.6752
Municipal Housing			
Residential	\$12,509	\$ 1,289,586,740	0.0097
Non-residential	\$36,801	\$ 948,485,530	0.0388

ASFF – Education			
Residential	\$3,127,491	\$ 1,259,460,050	2.4832
Non-residential	\$2,984,694	\$ 948,485,530	3.1468
Bow Valley Regional Housing			
Residential	\$ 75,945	\$ 1,259,460,050	0.0603
Non-residential	\$228,775	\$ 948,485,530	0.2412
Total			
Residential	\$ 7,302,387	\$ 1,289,586,740	5.7220
Non-residential	\$15,272,514	\$ 948,485,530	16.1020

3.0 SEVERABILITY

- 3.1 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

4.0 REPEAL

- 4.1 Bylaw 240-11, 2014 Tax Rate Bylaw, is repealed.

5.0 ENACTMENT

- 5.1 This bylaw comes into force on the date it is passed.

READ A FIRST TIME this 25th day of May, 2015.

READ A SECOND TIME this 25th day of May, 2015.

READ A THIRD TIME this 25th day of May, 2015.

SIGNED AND PASSED this 25st day of May, 2015.

Karen Sorensen
Mayor

Robert Earl
Town Manager

REQUEST FOR DECISION

Subject: Bylaw 348 – Fire Department Bylaw 66-2 Amendment No.2



Presented to: Council

Date: May 25, 2015

Submitted by: Silvio Adamo, Protective Services Manager / Fire Chief Agenda #: 7.2

RECOMMENDATION

That council give three reading to Bylaw 348 – Fire Department Bylaw 66-2 Amendment No. 2.

BACKGROUND

In 2014, the Province of Alberta adjusted the Fee Schedule for fire departments that respond to highway incidents.

Summary of Issue

In order to recover fees for highway response consistent with provincial standards, the Fee Schedule attached to Bylaw 66-2 has been amended.

Response Options

Council may:

- i) give three readings to Bylaw 348 as presented.
- ii) give three reading to Bylaw 348 with amendments to Schedule B.
- iii) not give three readings to Bylaw 348 and maintain the current fire protection fees.

IMPLICATIONS OF DECISION

Budget

There would be an increase in revenue for highway response of approximately 30% or \$5,000 - \$7,000.

ATTACHMENTS

A – Proposed Bylaw 318

B – Current Bylaw 66-2

Circulation date: _____

Submitted By: _____
Silvio Adamo, Protective Services
Manager/Fire Chief

Reviewed By: _____
Robert Earl, Town Manager

TOWN OF BANFF

BYLAW 348

A Bylaw to Amend Fire Department Bylaw 66-2 with Respect to Rates and Fees

The Council of the Town of Banff, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited as Fire Department Bylaw 66-2 Amendment No. 2.
2. Fire Department Bylaw 66-2, as amended, is further amended, by deleting the existing Schedule “B” – Fire Protection Fees in its entirety and replacing it with Schedule “B” – Fire Protection Fees as attached to and forming part of this bylaw.
3. This bylaw comes into force when it receives third reading and is signed by the Mayor and the Town Manager or designates.
4. The Town Manager is authorized to consolidate Fire Department Bylaw 66-2.

READ A FIRST TIME this ____ day of _____ 2015.

READ A SECOND TIME this ____ day of _____, 2015.

READ A THIRD TIME this ____ day of _____, 2015.

SIGNED AND PASSED this ____ day of _____, 2015.

Karen Sorensen
Mayor

Robert Earl
Town Manager

SCHEDULE B – Fire Protection Fees (Bylaw 66-2)

Unit Response

Command Vehicle	\$175/hour
Rescue Truck (includes up to five Members)	\$600/hour
Pump Truck (includes up to six Members)	\$750/hour
Aerial Truck (includes up to six Members)	\$750/hour

Manpower

One man hour	\$45/person
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Supplies

Fire Department supplies at current replacement cost of supplies used plus 25%

Inspections

1 st and 2 nd annual fire inspection	No charge
3 rd and subsequent annual fire inspections	\$115/inspection
Occupant Load Certificate	\$40

BYLAW 66-2

A BYLAW OF THE TOWN OF BANFF, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF A FIRE DEPARTMENT

WHEREAS the Municipal Government Act, RSA 2000, Chapter M-26 authorizes a council to pass bylaws for the safety, health and welfare of people and the protection of people and property, and for services provided by or on behalf of the municipality;

AND WHEREAS the Safety Codes Act, RSA 2000, Chapter S-1, authorizes an accredited municipality to pass bylaws respecting fees for services provided pursuant to the Act and for carrying out its powers and duties as an accredited municipality;

NOW THEREFORE the Council of the Town of Banff, in the Province of Alberta, duly assembled, enacts as follows:

CITATION

1. This bylaw may be cited as the “Fire Department Bylaw.”

INTERPRETATION

2. In this bylaw:
 - a) Any reference to a named act is a reference to an Act of the Legislature of Alberta, as amended from time to time;
 - b) Any reference to a Town of Banff staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.
 - c) The definitions in Schedule “A” will apply to the corresponding words if the first letter of that word is capitalized in this bylaw.

AUTHORITY

3. The Town of Banff Fire Department is established.
4. The Fire Chief may appoint additional Members to the Fire Department. These Members shall be supervised by the Fire Chief and the Officers.
5. The Fire Chief may appoint Officers to act as Fire Chief on his behalf.
6. The Fire Chief has complete authority over the Fire Department, subject to the direction of the Town Manager, to whom he or she shall be responsible, and in particular may carry out all Fire Protection activities and such other activities as the Town Manager directs, including but not limited to:
 - a) Rescue
 - b) Medical services
 - c) Pre-fire planning
 - d) Emergency planning
 - e) Preventative patrols
 - f) Disaster Preparedness
 - g) Disaster Services

7. The Fire Chief may establish rules, regulation, procedures and committees necessary for the proper organization and administration of the Fire Department including:
 - a) Use, care and protection of Fire Department property;
 - b) The conduct and discipline of Officers and Members; and
 - c) Efficient operations of the Fire Department.
8. The Fire Chief, or in his or her absence, the Member present who has been designated, shall have control, direction and management of any Fire Department Apparatus, Equipment of manpower assigned to an Incident and, where a Member is in charge, he shall continue to act until relieved by an Officer authorized to do so.
9. The Fire Chief, or the Member in charge, at an Incident is empowered to take all steps he or she deems necessary in order to directly or indirectly combat, control or deal with an Incident, including:
 - a) Entering, passing through or over Property, buildings or Property adjacent or otherwise to an Incident and to cause Members of the Fire Department and the Apparatus and Equipment of the Fire Department to pass through or over the building or Property, and remain in or on the building or Property.
 - b) Causing a building, structure, thing, or any manner of plant life to be pulled down, demolished or otherwise removed.
10. The Fire Chief or Member in charge at an Incident may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
11. The Fire Chief or Member in charge at an Incident may request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section (12).
12. The Fire Chief may obtain assistance from other officials of the Municipality as he deems necessary in order to discharge his duties and responsibilities under this bylaw.
13. The Fire Chief or Member in charge at an Incident may request persons who are not members to assist in extinguishing a fire, removing furniture, goods and merchandise from any building on fire or in danger of being on fire, and in guarding and securing same, and in demolishing a building or structure at or near the Incident.
14. The Fire Chief or Member in charge at an Incident is empowered to commandeer privately owned equipment which he or she considers necessary to deal with an Incident
15. The jurisdiction of the Fire Chief, Officers and Members of the Fire Department will extend to the area within the boundaries of the Municipality and such further areas beyond the boundaries of the Municipality where provided by the express authorization of a written contract or agreement or the approval the Town Manager.

FIRE INSPECTIONS

16. The Fire Chief, Designated Safety Codes Officer or Member may inspect Property to determine whether the Property complies with the Safety Codes Act, including whether the Property constitutes or conditions on the Property constitute a Fire Hazard. The inspections shall be carried out pursuant to the authority in the Municipal Government Act and the Safety Codes Act, and in accordance with the Town's Uniform Quality Management Plan.

17. The Owner of a Property requiring an inspection shall be responsible for payment of inspection fees as set in Schedule “B” of this bylaw.

FIRE PROTECTION SERVICES

18. The Town may:
- a) Enter a written contract or agreement providing for the supply of Fire Protection services outside the municipal boundaries of the townsite, or
 - b) Upon request, supply Fire Protection services outside the municipal boundaries of the townsite.
19. In the event that Fire Protection services are provided outside the municipal boundaries of the townsite, the Town shall be entitled to recover a fee for the services provided:
- a) In accordance with the terms of any contract or agreement between the Town and the party for the Fire Protection services were provided, or
 - b) From the Owner, lessee or occupant of the Property to which the Fire Protection services were provided, in accordance with the fees set out in Schedule “B” of this bylaw.
20. Upon providing Fire Protection on Property within or outside the Municipality’s boundaries, the Municipality may in its sole and absolute discretion charge:
- a) The person causing or contributing to the Fire; or
 - b) The Owner or occupant of the Property;
- a Fire Protection fee, in accordance with Schedule “B” of this bylaw, and all individuals charged are jointly and severally responsible for the Fire Protection fee.
21. The Owner of a parcel of land to whom a Fire Protection fee has been charged in accordance with Section 20 is liable for the fees and the Municipality may add to the tax roll of a parcel of land all unpaid Fire Protection fees related to the extinguishing of fires on the parcel.
22. Collection of unpaid Fire Protection fees charged in accordance with Schedule “B” of this bylaw may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Municipal is entitled to on the Property in respect of which the indebtedness is incurred.

VIOLATIONS AND ENFORCEMENT

23. No person shall:
- a) Impede, obstruct or hinder a Member, or other person assisting or acting under the direction of the Fire Chief of Member in charge at any Incident;
 - b) Damage or destroy Fire Department Apparatus or Equipment;
 - c) At an Incident, drive a vehicle over any Apparatus or Equipment without permission of the Fire Chief of the Member in charge;
 - d) At an Incident, enter the boundaries or limits of an area prescribed in accordance with section (12) unless he or she has been authorized to enter by the Fire Chief or the Member in charge;
 - e) Obstruct a Member from carrying out any function or activity related in any way to Fire Protection;
 - f) Falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia, or other paraphernalia for the purpose of such false representation; or
 - g) Obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern, or body of water designated for fire-fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern, or other

body of water designated for fire-fighting purposes.

- 24. Any Person who contravenes the provisions of this bylaw is guilty of an offence and is liable, upon summary conviction before a court of competent jurisdiction, to a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00) or in the event of non-payment of the fine and costs as set out in Schedule “B” of this bylaw, imprisonment for a period not exceeding ninety (90) days unless such fine is sooner paid.
- 25. The Fire Chief or a Member of the Fire Department charged with the enforcement of this bylaw, acting in good faith for the Municipality and without malice, in the discharge of his duties, shall not hereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or Property as a result of any act required or by reason of any act or omission in the discharge of his duties provided that he acted or omitted to act in good faith and without malice.
- 26. Any action brought against the Fire Chief or a Member of the Fire Department, because of an act or omission performed or not performed by him in good faith and without malice in the enforcement of any provision of this bylaws, shall be defended by the Town of Banff or their insurers until final determination of the proceedings.

ENACTMENT/TRANSITION

- 27. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 28. Schedules “A” and “B” form part of this bylaw.
- 29. Bylaws 66-1 and 50 are repealed upon this bylaw coming into force.
- 30. This bylaw comes into force when it receives third reading and is signed by the Mayor and the Town Manager or designates.

Read a first time this 23rd day of April, 2007.

Read a second time this 23rd day of April, 2007.

Read a third time this 23rd day of April, 2007.

Approved on behalf of the Town of Banff:

 John Stutz
 Mayor

2007.04.25

 Date

 Robert Earl
 Town Manager

2007.04.30

 Date

SCHEDULE “A” – Definitions

1. The following definitions will apply to the corresponding words if the first letter of that word is capitalized in this bylaw:
 - a) **Apparatus** means any vehicle provided with machinery, devices, Equipment or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.
 - b) **Equipment** means any tools, contrivances, devices or materials used by the Fire Department to combat an Incident or other emergency.
 - c) **Fire Chief** means the Member appointed, by the Town Manager as head of the Fire Department, or, in his or her absence, the person appointed by the Fire Chief to act as Fire Chief.
 - d) **Fire Department** means the Department established by this bylaw and includes any person duly appointed to the Fire Department by the Town Manager or the Fire Chief.
 - e) **Fire Protection** means all aspects of fire safety, including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire inspection, fire investigation, public education and information, training or other staff development, advising, and responding to a request for Fire Protection, including legitimate emergencies and false alarms.
 - f) **Incident** means a fire, a situation where a fire or explosion is imminent, or any other situation presenting a fire or possible danger to life or Property.
 - g) **Member** means any person that has been hired to be a member of the Fire Department, and includes the Fire Chief.
 - h) **Municipality** means the Town of Banff.
 - i) **Officer** means a Member appointed as an Officer by the Fire Chief.
 - j) **Owner** means
 - i) In respect of unpatented land, the Crown,
 - ii) In respect of other land the Person who is registered under the Land Titles Act as the Owner of the fee simple estate in the land,
 - iii) A Person who is the lessee of Crown land and that Person’s successors and assigns, and
 - iv) In respect of any Property other than land, the actual Owner, occupant, operator or Person in lawful possession of the Property.
 - k) **Property** means any real or personal Property which, without limiting the generality of the foregoing, includes land and structures.
 - l) **Town Manager** means a person appointed as Chief Administrative Officer by Banff Town Council.

SCHEDULE B – Fire Protection Fees (Bylaw 66-2)

Amended 2011.01.28 – Bylaw 305

Unit Response

Command Vehicle	\$175/hour
Rescue Truck (includes up to five Members)	\$450/hour
Pump Truck (includes up to six Members)	\$450/hour
Aerial Truck (includes up to six Members)	\$510/hour

Manpower

One man hour	\$37/person
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Supplies

Fire Department supplies at current replacement cost of supplies used plus 25%

Inspections

1 st and 2 nd annual fire inspection	No charge
3 rd and subsequent annual fire inspections	\$115/inspection
Occupant Load Certificate	\$40

REQUEST FOR DECISION

Subject: Proposed Heritage Railway Station Farmers Market



Presented to: Council

Date: May 25, 2015

Submitted by: Darren Enns, Senior Planner

Agenda #: 7.3

RECOMMENDATION

1. That Council provide direction on whether a Temporary Development Permit for a Farmers Market at the Banff Heritage Railway Station is consistent with the Temporary Development Permit provisions in the Land Use Bylaw and, if so, what specific terms and conditions should be placed on the permit; and
2. That Council provide direction on the methodology with which Business License fees will be assessed under the provisions of the Town of Banff Business License Bylaw 22-9.

BACKGROUND

Reason for Report

Planning and Development have been approached by the operator of the Banff Farmers Market with a proposal to establish a second (new) Farmers Market at the Banff Heritage Railway Station throughout the summer of 2015. Town of Banff policy direction regarding this type of activity on private lands lack clarity. As such, administration is presenting this report in order to seek guidance from Council on how to move forward with the application. A copy of the applicant's proposal for *Banff Market Place* and proposed *Market Guidelines* is attached as Appendix A.

Summary of Issue

In 2011, Council approved the establishment of a Farmers Market at Central Park which has subsequently become a yearly event. Vendors at this market have been regulated through a *Special Event Use Agreement* between the market operator and the Town of Banff, with various goals and operating restrictions including what product sales would be permitted in order to minimize impact on existing commercial businesses. Notably, Council Motion COU11-102 required that:

COU11-102 Moved by Councillor Taylor to amend motion COU11-100 by adding: The Use Agreement requirements will include the following:

- 3) That all vendors except for the fruit truck comply with a "bake or grow" requirement,*
- 4) That there be an appropriate mix of food products and arts & crafts, with the emphasis placed on food products*

Business license fees were waived for individual vendors by Council Motion COU11-106, but not for the market manager. In addition, fees were charged for rental of the parking lot in accordance with the *Town of Banff Street and Public Place Bylaw 124*. The administration of the Central Park Farmers Market was through a Special Events Permit, as the event occurred on Town lands consistent with the *Special Events Guidelines*. Events are defined as *Activities/Events occurring in Banff which are open to, or intended to attract, the general public and will take place in/on publicly owned facilities, are classed as "special events" and are subject to the policies and procedures contained in this manual. (Town of Banff Special Events Guidelines – p. 6)*

The 2015 Banff Heritage Railway Station Farmers Market proposal differs from the previous application in that:

1. It does not occur on Town land or publicly owned facilities, but rather on private land within a commercial land use district;
2. It is proposed to run three days per week (Friday, Saturday, Sunday- a total of 68 days between May 29 and October 31) in addition to the one day per week which the current market operates on; and,
3. It will have between 15 – 20 vendors, compared to the 53 vendors at the current market.

Land Use Considerations

The purpose of the CR (Railway Lands) Land Use District is to regulate development consistent with its use for railway services. Administration is of the opinion that the most appropriate regulatory mechanism to address this ancillary type of activity is through the issuance of a Temporary Development Permit:

Temporary Development means a development for which a development permit has been issued which allows the development for a specified limited time. (Land Use Bylaw)

4.12.1 Except in the case where a development permit issued for a use intended to be permanent, a Development Approving Authority may issue a permit to be valid for a specified time period as set out in the permit. (Land Use Bylaw)

Administration is of the understanding that this proposal is intended to be a temporary use for the summer of 2015, and should it prove successful, a Development Permit application for a regular market at this location would be submitted in the winter of 2015. Temporary Development Permits have been issued for commercial activities at this location before including the relocation of the Rocky Mountaineer into exterior tents during station renovations in 2014. As part of a Temporary Development Permit, any number of conditions could be placed on the approval. These could include provisions regarding:

1. Vendor mix, such as at the existing market. Administration would utilize the existing *Special Events Use Agreement* as a template and include similar provisions regarding product sales and “make, bake, or grow”;
2. Days and hours of operation, which might help address the issue of cumulative impact as well as impact on particular peak periods (e.g. long weekends); and
3. Market Signage, which would likely reflect the current signage programme at the existing Farmers Market.

In addition, Administration would consult with Parks Canada in order to assess relevant issues in the areas of Realty Services, Resource Conservation and Public Safety.

Commercial Growth Management Regulations

Commercial growth management regulations apply to all commercial use development in the town within an enclosed building. Planning and Development is of the opinion temporary tent structures and related facilities erected in conjunction with this type of event are specifically exempt from the commercial growth management allocation regulations as vendor tents do not involve an increase in gross floor area within an enclosed building or an increase in floor area ratio. Parking and housing

requirements typically do not apply to temporary special events or seasonal uses such as outdoor eating and drinking areas.

Business Licensing

Town of Banff Business Licence Bylaw #22-9 allows for up to two monthly business licenses for resident and non-resident businesses. The cost for a one-month business license is \$280 (valid for 30 consecutive calendar days). For vendors to participate outside of the two 30-day periods, they would require a full business license. The cost for a full business license varies by category. The market manager has indicated that the current fee structure is cost prohibitive and impractical for small scale market vendors and is requesting a similar administration system as the existing market where individual vendors do not require a license, but the manager would (e.g. a new separate license for a second location).

Should the operation of the Banff Heritage Railway Station Farmers Market be a recurring request, Council may wish to direct administration to bring forward a Business Licence Bylaw Amendment. If appropriate, this could allow for daily and/or seasonal commercial vendor licensing fees related specifically to a farmers market.

Additional Permit Requirements

All food vendors must have approval from an Alberta Health Services Health Inspector prior to starting at the Market.

Parking

A total of 38 privately managed parking stalls will be out of service during the hours of market operation. The Town of Banff will not be responsible for traffic and parking lot vehicle clearance prior to market event days.



In addition, the property leaseholder (Caribou Properties) will be establishing a temporary, formalized parking area in the graveled remainder of the site, including installing curbed stops to define individual stalls. The Banff Heritage Railway Station is also home to both a Parks Canada and Banff Lake Louise Tourism information centre during the summer, so transportation information (e.g. directions; parking) are close at hand.

Response Options

Council may provide direction to Administration on the following issues:

1. With respect to a Temporary Development Permit, is this use application consistent with the Temporary Development Permit provisions in the Land Use Bylaw? If so, should a Temporary Development Permit address:
 - a. Vendor mix and product sales;
 - b. Days and hours of operation;
 - c. Market signage; and/or
 - d. Other items not addressed above.

2. With respect to Business Licensing, will Business License fees be assessed:
 - a. In the same format as the existing Farmers Market (market manager business license only);
 - b. At the existing rates as set out in the Business Licence Bylaw #22-9; or,
 - c. At a pro-rated discount reflecting the length of the market season (e.g. 68 market days / 365 = 19% of annual rate).

IMPLICATIONS OF DECISION

Budget

The applicant would be assessed the Land Use Bylaw fee of \$250.00 for “Special Function Tents”.

Internal Resources

Bylaw Services would be responsible for managing on-street parking implications in the vicinity, which may require additional resources depending on the effects of the market.

Banff Community Plan

Local Economy

- Facilitate and manage special event programming that supports the Banff Vision.

Social

- Educate residents and visitors about Banff’s built and natural heritage.
- Encourage the retention, restoration, rehabilitation and re-use of existing heritage buildings.

ATTACHMENTS

- Proposed Banff Market Place Description
- Proposed Banff Market Place “Market Guidelines”

Circulation date: May 20, 2015

Submitted By: Darren Enns, Senior Planner

Reviewed By: Robert Earl, Town Manager

Banff Market Place

The primary goal of the Banff Market Place is to provide an outlet for 'local made' products.

The Banff Market Place is a community based event, allowing locals from the Bow Valley and region to showcase and sell their goods. The Banff Market Place will also offer an opportunity for community organizations (not for profits, local charities, local fundraising groups) to create awareness and support.

- Markets help maintain important social ties, linking rural and urban populations and even close neighbours in mutually rewarding exchange.
- market traffic generates traffic for nearby businesses
- buying at markets encourages attention to the surrounding area and ongoing activities
- by providing outlets for 'local' products, markets help create distinction and uniqueness, which can increase pride and encourage visitors to return.

The Banff Market Place will run from May 29th to October 31st every Friday Saturday and Sunday of the week in the parking lot of the train station.

Hours will be 11:00am – 5:00pm

There will be about 15-20 vendors.

Motorized food trucks will not be permitted.

Vendors will have to adhere to the rules and guidelines contract. See attached.

Visitors will learn more of the historical value of the Banff Station and its role in creating Banff.

Visitors will be encouraged to park their vehicles at or near the train station grounds while visiting the market then walk or bike into the town core. This can be accomplished with signage etc.

The Market will be run in very much the same way as the Banff Farmers Market. Care and attention will be given to vendor selection ensuring that no vendor attending the Banff Market Place sells in any retail store in Banff. Vendors that Make, Bake or Grow their products will be invited to participate at the BMP.

Farmers' markets have become very popular throughout the eight Canadian regions. The reason that Canadian shoppers frequent markets is due to the fresh in-season products and locally produced products. Shoppers more than ever want to form a connection with the producer. This consumer awareness is ever so important as we are bombarded with poor quality, imported products. I am passionate about this and it is reflective in the way I run the BFM.

The Alberta Farmers Market Association sent an auditor to the last season to assess the market. I am proud to say she reported that 95% of my vendors fall under the Make Bake or Grow category. The Association requires that 80% of vendors be Make, Bake or Grow. I would have 100% MBG if Glen's Fruit truck was not factored in.

I hope the last 4 years of operating the BFM has shown the people of Banff and the Municipality that I am capable of running a well organized popular event. I hope It also shows that I have been diligent in not allowing any market vendor to participate that sells in any retail store in Banff.

This Market will provide perhaps the most Authentic experience a visitor could hope for by connecting visitors with locals and buying authentic local made products.

Authentic Banff Experience at the historically significant Banff train station.

Rene Geber

Market Guidelines

General Information:

The Banff Market Place will be running May 29, 2015 to October 31, 2015 inclusive. The Market will operate at the Banff Train Station, Market hours are 10am-6pm rain or shine. Public Washrooms are available in the Train Station.

The Banff Market Place is providing youwith the right to sell in Banff National Park Town Site under permit. You **do not require a business license** from the Town of Banff. Vendors can obtain a Banff National Park Pass free of charge, please pick up your park pass from the Market Manager on your 1st Market day.

Application and Vendor Selection

Please note that full-time vendors will be given priority in space assignment. The Banff Market Place reserves the right to assign spaces and select vendors that meet the market criteria.

All products for sale **MUST** be pre-approved by the Market Manager. The Market Manager reserves the right to ask for removal of any items that have not been approved. Banff Market managers reserve the right to revoke vendor contracts if Managers deem that products and presentation are not in line with Banff Farmers Market standards.

Payments and Refunds

Payments can be made in the form of e-transfer, cheque or cash to Banff Market Place, Box 3174, Banff, AB, T1L 1L8. A \$50 administration fee will be deducted from all refunds. No refunds will be issued for cancellations received with less than two weeks notice.

Setup and Take Down Information

Each Vendor is guaranteed a 10' x 10' area. Be kind to your neighbours and **stay within your assigned area**. Vendors are responsible for cleaning their stall at the end of the day. The Market provides bins for recyclable/ compostable materials, and vendors are encouraged to dispose of their waste accordingly. A \$20 clean-up fee will be charge by the market manager for any space deemed unacceptable by Town of Banff standards.

Vendors are responsible for their own display materials (chair, tables, awning, garbage receptacles, etc.) Market stalls are required to make a positive contribution to the market environment. **All tents must have appropriate weights or the tent will not be allowed to be erected**- the staking of stall tents is not permitted under any circumstances. A limited number of trailers will be accepted and no motorized vehicles will be allowed on site during market hours. All gray water must to be taken with vendors at the end day.

Vendors are required to arrive by 10 a.m. for 10am start, **ANYONE arriving after 10:30am may not be permitted to participate**. No refund will be issued. Should an emergency arise please phone the Market Manager (403-763- 8772 to notify them of the delay) Attendance **to 5pm is mandatory even if vendors have sold out of all their merchandise**; vendors may not dismantle any visible signage or

vacate the space until 5:00 p.m. All vendors must vacate the parking lot and have parking spaces available for public use by 6:30pm.
Ample parking is available adjacent to the Market venue.

initial

Health & Food Safety

The Banff Market Place adheres to the Alberta Agriculture and Rural Development Guidelines which are as follows:

- To maintain and provide the opportunity for profitable and direct market access of safe and high quality Alberta Agriculture and agri-food products to the consumer
- To provide a framework allowing for direct sales outlet for safe and high quality handcrafted goods and processed foods, produced in accordance with provincial and federal regulations
- To enhance community development and build community rapport for Albertans within Alberta's rural and urban settings
- To provide an opportunity for vendors and managers to acquire the knowledge and develop the skills needed to maximize the potential success of an Approved Farmers Market.

Food Vendors must contact the Public Health Inspector prior to coming to the market to ensure compliance with the Inspector's standards, applicable regulations and safe food practices. Banff Farmers Market does not refund vendor fees if the Health Inspector does not allow you to sell a product. For a copy of Food Vendor guidelines see the Association of AB Farmers Market Website:
<http://www.capitalhealth.ca/nr/rdonlyres/ezgpdqwetz6ti76flmds35hs7dkubzbbbjwojztqv3elbvmkhd64ypqjntavb3hs4hvpvq6r2ofodfgs4y7ue7uwab6b>.

Banff Health Inspector

Kori Woodard, B.Sc, CPHI(C) (403) 762-2990
Kori.Woodard@albertahealthservices.ca

All food vendors are required to take the Basic Food Safety Home Study Course for Farmers' Markets put out by Alberta Health Services. This is a requirement set by Alberta Agriculture for food vendors selling at approved farmers' markets. It is a home study course and can be completed in 3 hours or less.

The course can be found online at:

http://www.calgaryhealthregion.ca/publichealth/envhealth/education/edmonton_courses.htm

A copy of your Alberta Health vendor certification must be posted in plain view. **The certificate needs to be displayed at the market and will be checked by the Market Manager.**

- Vendors of processed food products must supply the Market Manager with a letter of approval and other appropriate necessary paperwork from Alberta Health Authority **PRIOR to the opening market date**.
- Hand washing stations are the vendors responsibility. Hand washing stations will be confirmed each market by the Banff Health Inspector, if the vendor has failed to supply a hand washing station, sampling will be prohibited.
- All Food Vendors should have a thermometer on site

➤ All Food Vendors Must Label their food correctly (monitored by the CFIA- Canadian Food Inspection Agency)

1. A List of Ingredients
2. Producers Contact Info
3. How to store food properly
4. A best Before date

_____ initial

Vendor Code of Conduct

Drop in vendors who are unable to attend The Banff Market Place must notify the Manager at least 72 hours prior to the appropriate date. Vendors who fail to notify the Market Manager two weeks in a row will automatically forfeit their spot and it will be reassigned to a new vendor, without a refund.

Vendors are expected to conduct themselves in a courteous manner at all times. Vendors will not harass, intimidate or be abusive to any other vendors, customers or the market managers. Complaints regarding conduct of vendors must be made in writing to the Market Manager within one week of the occurrence. The Market Manager will review the complaint and appropriate action will be taken. Hawking, accosting and/or badgering members of the public or other vendors will not be tolerated and may result in the immediate termination from the Market with no refunds or fees paid.

Vendors will be responsible for restitution of any damages to the property. All vendors shall receive a copy of The Banff Market Place guidelines and will be required to complete the Banff Market Place Application Form indicating that they have read and understood the Guidelines.

The Market Manager reserves the right to prohibit any person from renting a space at the Market. The Market Manager can ask any vendor to leave the market should that vendor fail or refuse to abide by the guidelines.

I, _____ understand the rules and conditions of
The Banff Market Place

Waiver - I agree to release, save harmless, and indemnify The Banff Market Place, Cariboo Properties and Her Majesty the Queen in the Right of Canada as represented by Parks Canada Agency, and/or its officers and directors, employees, agents, or volunteers from and against all claims, actions, costs and expenses and demands in respect of any action or claim of any nature made by any person.

Signature: _____ Date: _____

Please note that while the market is insured, that insurance covers the market as an event only and does not cover the vendors at all. Vendors are encouraged to secure their own liability insurance.

VENDOR INSURANCE COVERAGE

As vendors are not covered under the market's group policy, it is strongly recommended that vendors carry their own liability insurance. Vendors should call their insurance agents to find out what level of coverage is right for them.

To Obtain vendor Insurance through the Alberta Farmers Market Association, please click on this link for applications: <http://www.albertamarkets.com/Members/Insurance/tabid/61/Default.aspx>

Mailing Address:
Banff Market Place
Box 3174
Banff, Alberta, T1L 1C8

Email: manager@banffmarket.ca
Phone: 403-763-8772

Thank you!
We look forward to seeing you at the Banff Market Place

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Wednesday, April 08, 2015 at 9:00 a.m.**

COMMISSION MEMBERS PRESENT

Raymond Horyn	Public Representative (Chair)
Jay Harris	Public Representative (Vice-Chair)
Patrick Roi	Public Representative
Laurie Harvey	Public Representative
Corrie DiManno	Council Representative
Steve Beaton	Public Representative
David Michaels	Minister of the Environment Representative

COMMISSION MEMBERS ABSENT

Sylvanna Hegmann	Minister of the Environment Representative
Chip Olver	Council Representative
Vacancy	Public Representative
Vacancy	Administration (non-voting)

ADMINISTRATION PRESENT

Randall McKay	Manager of Planning and Development (Secretary)
Darren Enns	Senior Planner (Acting Secretary)
Keith Batstone	Planner
Kerry MacInnis	Administrative Assistant, Planning (Recorder)

1.0 CALL TO ORDER

The Chair to the Municipal Planning Commission called the meeting to order at 9:01a.m.

2.0 APPROVAL OF AGENDA

MPC15-30 Moved by Beaton to approve agenda of the April 8, 2015 meeting of the Municipal Planning Commission agenda as amended.

Add: 7.1 Homestead Inn Proposed Redevelopment 14DP40 - appeal update

CARRIED

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

No conflict of interest was announced.

Minutes approved by: _____

3.0 ADOPTION OF PREVIOUS COMMISSION MINUTES

MPC15-31 Moved by Beaton to approve the minutes of the March 11, 2015 meeting of the Municipal Planning Commission as presented.

CARRIED

4.0 UNFINISHED BUSINESS

There was no unfinished business presented.

5.0 REPORTS

5.1 Proposed Home Occupation Type 2 (Freelance Writing & Media Company) at 214 Muskrat Street (15DP11)
Administration provided a presentation and overview on the proposed development as outlined in this agenda package.

CARRIED

MPC15-32 Moved by Beaton that the Municipal Planning Commission approve Development Permit application 15DP11 for a proposed Home Occupation Type 2 (Freelance Writing & Media Company) subject to the conditions of approval attached as Appendix 'A'.

CARRIED

APPENDIX 'A'

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

(a) Provide payment of the outstanding Development Permit application fee of \$150.00 in accordance with *Town of Banff Development Fee Schedule Bylaw 324*;

(2) General Conditions:

(a) No variation from the residential character and appearance of land or buildings shall be permitted;

(b) No structural change to any building for the purpose of accommodating a Home Occupation shall be permitted;

(c) No offensive noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the Home Occupation;

(d) At all times the privacy and enjoyment of adjacent dwellings shall be preserved and the Home Occupation shall not adversely affect the amenities of the neighbourhood;

(e) Not more than 20% of the gross floor area of the principal building shall be used for a Home Occupation;

(f) The Home Occupation shall not occupy a required parking space;

Minutes approved by: _____

- (g) The Home Occupation shall not generate any pedestrian or vehicular traffic or parking in excess of that which is characteristic of the neighbourhood within which it is located;
- (h) No exterior storage or operation of the Home Occupation shall be permitted;
- (i) No signs advertising Home Occupations are permitted;
- (j) Only one other person other than resident of the principal residence shall be engaged in a Home Occupation Type 2;
- (k) Not more than one commercial vehicle with a gross vehicle weight rating of no more than 3500 kg. used in conjunction with the Home Occupation, shall be parked or maintained on the site of a Home Occupation Type 2;
- (l) A Home Occupation Type 2 shall not involve the sale or display of any goods on the site other than those goods constituting the finished principal product of the Home Occupation;
- (m) A Home Occupation shall not be permitted, if in the opinion of the Municipal Planning Commission, it would be more appropriately located in a commercial district;
- (n) The applicant shall obtain a valid Town of Banff Business Licence. Please contact the Business Licence Clerk at Town Hall or by telephone at 403.762.1215; and
- (o) The Development Permit is valid for a period not to exceed the lesser of the term of the Business Licence or a period of one year from the date of issuance.

5.2 Proposed Residential Renovation and Accessory Dwelling at 126 Muskrat Street (15DP16)
Administration provided a presentation and overview on the proposed development as outlined in this agenda package.

MPC15-33 Moved by Roi that the Municipal Planning Commission to approve Development Permit application 15DP16 for a residential renovation including the construction of an accessory development (detached garage and a one bedroom accessory dwelling) at 126 Muskrat Street. That the development as proposed will be subject to the conditions of approval attached as Appendix 'A' and with a variance to Section 12.14.6(b) to allow maximum permitted site coverage to extend from 35% to 44%.

CARRIED

APPENDIX 'A'

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

- (a) Pay to the Town of Banff the development permit fee in the amount of \$1106.95. as established by *Town of Banff Development Permit Fee Schedule Bylaw 308* (Residential renovation involving a 74.5m² total increase in Gross Floor Area, \$350 plus \$1.10 per m²- \$81.95, Accessory Dwelling \$550 and MPC Surcharge \$125).

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- (b) Pay to the Town of Banff off-site levies in the amount of \$1,549.60 as established by *Town of Banff Off-Site Levy Bylaw 305* (\$20.80/m² x 74.5m² gross floor area);
- (c) Pay to the Town of Banff the variance fee in the amount of \$275.00 as established by *Town of Banff Development Permit Fee Schedule Bylaw 308* (\$275.00/variance);
- (d) Provide a valid up-to-date Certificate of Title from Alberta Land Titles Office indicating the current ownership of the property for the review of the Development Officer;
- (e) Provide confirmation that the existing water utility service has capacity to supply the accessory dwelling unit
- (f) Submit three (2) copies of plans showing conformance with the provisions of *Town of Banff Land Use Bylaw 31-4* for the review and approval by the Development Officer, including:
 - (i) Detailed drawings indicating the type(s) and dimensions of all exterior building materials including – but not limited to – the following: siding; soffits; fascia; window sills; window and door trim; stairway railings and beams; roof shingles; doors/garage doors; and, hard landscaping materials;
 - (ii) A Landscaping Plan showing the location and design details for downspouts and drainage areas and stormwater rain barrel collection;
- (g) 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;
- (h) Submit a completed Canadian Environmental Assessment Act (CEAA) *Model Class Screening Report (MCSR) Sub-class 1: Buildings* for the review and approval of Parks Canada Environmental Assessment (see attached). Please contact the Environmental Assessment Specialist at 403.762.1416 for more information;
- (i) Submit a detailed Deep Utilities Servicing Plan showing:
 - (iv) connection to existing water service and sanitary sewer
 - (v) details of pipe material(s) and size(s)
 - (vi) location of new water meter(s) and remote reading device(s)
 - (vii) location of existing/redundant services to be abandoned at main line and removed from the public roadway, if applicable;
- (j) Submit a detailed Shallow Utilities Servicing Plan showing:
 - (iv) location of gas, power and communications lines;
- (k) Submit a Construction Site Plan and provide description of soil and erosion control mitigations that will be used during construction;
- (l) Submit a Construction Hoarding Plan 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. Specify solid hoarding (min. 1.8m height) for safety and screening adjacent to Wolf Street and the public lane, with other appropriate fencing on all other property lines. All existing trees/shrubs to be retained shall be protected by fencing set at the outer canopy (drip line) of the tree during demolition, excavation and construction;
- (m) Submit a proposed Truck Route and Traffic Plan for construction vehicles entering and exiting the site. Show

locations of all on-site storage (e.g. material, equipment, etc.) during construction;

- (n) 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;
- (o) 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;
- (p) 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) Obtain a valid Town of Banff Building Permit for the approved development. Contact Town of Banff Planning and Development at (403) 762-1215 for more information;
 - (c) 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 (see attached);
 - (d) Town of Banff requires all developers to collect all waste, separate into appropriate categories on-site and store appropriately. Dispose trade waste at the Bow Valley Waste Management Commission's Class III landfill (Francis Cook) and garbage to the Waste Transfer Station. Ensure that materials and waste being transported are covered with tarps or equivalent material. Please review the *Town of Banff How-to Guide to Construction Waste Management* (see attached);
 - (e) 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;
 - (f) 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 standards of the City of Calgary.
 - (g) 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 standards of the

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City of Calgary.

- (h) 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;
- (i) All site drainage is to be contained on site. No connection of weeping tile to storm sewer is permitted;
- (j) A water meter and remote reading device shall be installed at the dwelling(s) 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;
- (k) Hot tap of new water service is required. Contact the Town of Banff Utilities Department at 403.762.1240 to arrange for an inspection;
- (l) All exposed metal flashing, mechanical equipment and flues shall be coordinated to match the building colour;
- (m) No satellite dishes, antennas or other rooftop communication equipment shall be installed without prior written permission of the Development Officer;
- (n) All rooftop mechanical equipment must be screened from view to the satisfaction of the Development Officer;
- (o) 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;
- (p) 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;
- (q) Install hoarding around the perimeter of the site, in accordance with the approved plans, prior to commencing excavation and construction;
- (r) Provide dust suppression (spraying) of site during demolition activities. The nearest hydrant is located east of the property on the same side of Wolf Street. A hydrant meter can be obtained from the Town of Banff Operations Department by telephone at 403.762.1240;
- (s) 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;
- (t) Confine “noise” activities to hours set out in *Town of Banff Community Standards Bylaw 260*;
- (u) 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;

- (v) 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;
- (w) Minimize the idling of construction vehicle engines at all times in accordance with *Town of Banff Traffic Bylaw 16-7*;
- (x) 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
- (y) Obtain any required Electrical or Plumbing Permits prior to commencement of any on site construction;

5.3 2015 Development Permit Renewals for Home Occupations (Type 1 and Type 2) - Update Administration provided a presentation and overview on Home Occupation renewals as outlined in this agenda package.

MPC15-34 Moved by Dimanno that the Municipal Planning Commission (MPC) renew all Development Permits for Home Occupations (Type 1 and 2) listed in Appendix ‘A’ for a one-year term, subject to the original conditions of approval.

CARRIED

Appendix ‘A’
 Recommended Development Permit Renewals for 2015 Home Occupations (Type 1 and Type 2)

Permit No.	Civic Address	Type of Business
93DP65	433B MUSKRAT STREET	MARKETING CONSULTANT
98DP73	202 GLEN CRESCENT	BOOKEEPING AND ACCOUNTING SERVICE
05DP57	436 MUSKRAT STREET	DESIGN CONSULTANT
06DP10	127A MUSKRAT STREET	PHOTOGRAPHY AND VIDEO PRODUCTION
07DP37	137 PARK AVENUE	PHOTOGRAPHY SERVICE
11DP22	211 SPRING CRESCENT	PHOTOGRAPY SERVICE
11DP24	418 COUGAR STREET	GENERAL CONTRACTOR CONSULTANT (TYPE 2)
12DP34	257 JASPER WAY	INTERIOR DESIGN CONSULTANT
13DP07	339 MUSKRAT STREET	FLY-FISHING GUIDE SERVICE
13DP25	448 MUSKRAT STREET	MOBILE SPRAY TANNING SERVICE
14DP12	444 COUGAR STREET	PHOTOGRAPHER
Total: 11		

Minutes approved by: _____

5.4 2015 Development Permit Renewals for Bed and Breakfast Homes & Inns - Update
Administration provided a presentation and overview on Bed and Breakfast Homes & Inns renewals as outlined in this agenda package.

MPC15-35 Moved by Beaton that the Municipal Planning Commission (MPC) grant Development Permit renewal for all of the Bed and Breakfast Homes and Bed and Breakfast Inns listed in Appendix 'A' for a one-year term, subject to the original conditions of approval.

CARRIED

Appendix 'A'
Recommended Development Permit Renewals for 2015 Bed and Breakfast Homes and Inns

Development Permit No.	Civic #	Street Address	# of Rooms	# of Pillows	Conditions
03D16	138	Otter Street	2	4	No Change

Total: 1

6.0 CORRESPONDENCE

There was no correspondence.

7.0 NEW BUSINESS

7.1 Homestead Inn Proposed Redevelopment 14DP40 - appeal update

Administration provided an update to MPC that two appeals have been received regarding the proposed Homestead Redevelopment. The appeals will be heard on April 9, 2015 however, administration will request a postponement to hear these appeals at a later date (proposed date will be April 23, 2015).

8.0 INQUIRIES

There were no inquiries.

9.0 DATE OF NEXT MEETINGS/ADJOURNMENT

The next regularly scheduled meeting of the Municipal Planning Commission is scheduled for Wednesday, May 13, 2015 at 9:00 a.m.

MPC15-36 Moved by Harris to adjourn the meeting at 9:45 a.m.

CARRIED

Ray Horyn
Chair

Kerry MacInnis
Administrative Assistant, Planning and Development

Minutes approved by: _____