

**MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Monday, January 14, 2019 at 2:00 pm**

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

ADMINISTRATION PRESENT

Robert Earl	Town Manager
Darren Enns	Manager, Development Services
David Michaels	Development Planner
Carla Bitz	Environmental Coordinator, Resource Recovery
Jon Ball	GIS Coordinator
Adrian Field	Director, Engineering
Stephen Allan	Engineering Coordinator
Jason Darrah	Director, Communications
Tara Johnston-Lee	Municipal Clerk

1.0 CALL TO ORDER

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

2.0 PUBLIC HEARING

2.1 Public Hearing Process

Received as information.

2.2 Bylaw 409 – Land Use Bylaw Amending Bylaw – Development Fees

2.2.1 Call to Order

The Mayor called the public hearing for Bylaw 409 to order at 2:03 p.m.

2.2.2 Presentation from Administration and Questions of Clarification

Received as information.

2.2.3 Public Oral Submissions

None received.

2.2.4 Public Written Submissions

None received.

- 2.2.5 Closing Comments from Administration
There were no closing comments.
- 2.2.6 Council Question Period
Administration answered questions of clarification from council.
- 2.2.7 Adjournment or Close of the Public Hearing
The public hearing for Bylaw 409 was closed at 2:18 p.m.

3.0 APPROVAL OF AGENDA

3.1 Regular Meeting Agenda

COU19-1 Moved by Councillor Canning that council approve the agenda for the January 14, 2019 regular meeting of council as presented.

CARRIED

3.2 2019 Council Workplan

Received as information.

4.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

4.1 Minutes of the December 17, 2018 Regular Meeting of Council

COU19-2 Moved by Councillor Canning that council adopt the minutes of the December 17, 2018 regular meeting of council as presented.

CARRIED

5.0 INVITED PRESENTATIONS

5.1 Banff & Lake Louise Tourism- Leslie Bruce – President and CEO

Received as information.

6.0 DELEGATIONS

6.1 Steven Ross Smith – Poet Laureate Community Committee

Received as information. A copy of Mr. Ross Smith's speaking notes have been added to the agenda package for this meeting.

7.0 PUBLIC INPUT ON AGENDA ITEMS

7.1 Written Submissions

7.1.1 Albert Moser – Agenda Item 9.1

Received as information.

7.1.2 Edwina Handley Mountain View B&B – Agenda Item 9.1

Received as information and added to the agenda package for this meeting.

7.1.3 Brett Oland – Peter and Catherine Whyte Foundation – Agenda Item 9.1

Received as information and added to the agenda package for this meeting.

7.1.4 Theresa Gawron and James Bannon – Buffalo Berry B&B - Agenda Item 9.1
Received as information and added to the agenda package for this meeting.

7.1.5 Adam White – Banff Mountain Home B&B – Agenda Item 9.1
Received as information and added to the agenda package for this meeting.

7.1.6 Richard Norton Hall – Agenda Item 9.1
Received as information and added to the agenda package for this meeting.

7.2 Oral Submissions

7.2.1 Ross Glenfield

Mr. Glenfield requested that council consider removing the limits to variances for Bed & Breakfast homes to allow for greater latitude in decision making. Mr. Glenfield's speaking notes have been added to the agenda package for this meeting.

7.2.2 April Wood

Ms. Wood provided her opinion on the options provided in the report for Bed & Breakfast homes. She requested that, should council determine further action and public engagement and input is required, that council consider a working group format comparable to the one assembled for the Banff community housing strategy in 2010. Ms. Wood's speaking notes have been added to the agenda package for this meeting.

7.2.3 Rod Green, Peter and Catherine Whyte Foundation

Mr. Green spoke to Brett Oland's written submission in support for the proposed framework option 5 contained in the report.

7.2.4 Lee O'Donnell

Mr. O'Donnell provided his opinion on the visitor desire for a B&B experiences in Banff. He requested that council consider not taking any further action on B&B regulations at this time and review the regulations in conjunction with a comprehensive Land Use Bylaw review.

8.0 UNFINISHED BUSINESS

None considered.

9.0 BYLAWS AND STAFF REPORTS

9.1 Bed and Breakfast Homes & Bed and Breakfast Inns Regulatory Framework

COU19-3 Moved by Mayor Sorensen that council receive this report as information and take no further action regarding the existing Land Use Bylaw requirements for Bed and Breakfasts Homes and Inns at this time.

DEFEATED

COU19-4 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input regarding the maximum number of Bed and Breakfasts allowed through Schedule 'D' of the Land Use Bylaw.

CARRIED
Standish opposed

COU19-5 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input regarding modified enforcement options within the Land Use Bylaw for commercial accommodation in residential properties.

CARRIED

COU19-6 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input on additional regulations in an effort to strengthen the intent that Bed and Breakfast Homes remain an accessory use and do not negatively impact housing.

CARRIED

COU19-7 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input on amendments to the current regulations regarding new Bed and Breakfast Home applications for heritage properties.

CARRIED

COU19-8 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input on amendments to the regulations regarding Bed and Breakfast Inns.

CARRIED

COU19-9 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input on amendments to the relevant bylaws with regards to property tax and/or fees relating to Bed and Breakfast to explore a differential tax rate associated with Bed and Breakfasts.

COU19-10 Moved by Mayor Sorensen that council amend motion COU19-9 as follows:

- add the words “and renewals” after the word “fees”.

COU19-11 Moved by Councillor DiManno that council amend motion COU19-10 by adding the following bullet to the motion:

- remove the words “property tax and/or” from the motion.

DEFEATED

Standish and DiManno in favour

The vote followed on motion COU19-10: that council amend motion COU19-09 as follows:

- add the words “and renewals” after the word “fees”.

CARRIED

Standish opposed

The vote followed on motion COU19-09 as amended: that council direct administration to seek stakeholder and community input on amendments to the relevant bylaws with regards to property tax and/or fees and renewals relating to Bed and Breakfast to explore a differential tax rate associated with Bed and Breakfasts.

CARRIED

Standish opposed

COU19-12 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input regarding impacts to changes on existing Bed and Breakfasts.

CARRIED

COU19-13 Moved by Mayor Sorensen that council direct administration to seek stakeholder and community input regarding other amendments to the Land Use Bylaw related to Bed and Breakfasts.

CARRIED

9.2 Extended Producer Responsibility

COU19-14 Moved by Councillor Olver that council accept this report for information and;

- a. participate in initiatives that advocate for a provincial EPR program, including:
 - i. the Alberta Urban Municipalities Association's letter writing campaign, which calls for provincial action to update Alberta's recycling regulatory framework and;
- b. collaborate with other municipalities in Alberta to actively engage with the provincial government in EPR program design.

CARRIED

9.3 Records Retention Bylaw 251-2 and Information Governance and Records Management Policy C8001

COU19-15 Moved by Mayor Sorensen that council give first reading to Records Retention Bylaw 251-2 as presented.

CARRIED

COU19-16 Moved by Councillor Olver that council give second reading to Records Retention Bylaw 251-2 as presented.

CARRIED

COU19-17 Moved by Councillor Christensen that council go to third reading of Records Retention Bylaw 251-2.

CARRIED

COU19-18 Moved by Councillor DiManno that council give third reading to Records Retention Bylaw 251-2 as presented.

CARRIED

COU19-19 Moved by Mayor Sorensen that council approve Information Governance and Records Management Policy C8001 as presented.

CARRIED

9.4 GIS Support of Trails Maps and Apps

The report was received as information.

10.0 COMMITTEE REPORTS

10.1 Minutes of the October 10, 2018 Meeting of the Bow Valley Regional Transit Services Commission

Received as information.

11.0 CORRESPONDENCE

None received.

12.0 NEW/URGENT BUSINESS

None considered.

13.0 CONFIDENTIAL ITEMS

13.1 Mass Transportation

COU19-20 Moved by Mayor Sorensen that council move into a closed meeting to prevent the disclosure of advice from officials, developed for the Town, pursuant to the Municipal Government Act section 197 and the Freedom of Information and Protection of Privacy Act section 24 at 5:42 p.m.

CARRIED

Attending all or part of the closed session with council:

Name		Reason
Robert Earl	Town Manager	Strategic Leader of the Organization
Stephen Allan	Environmental Coordinator	To present and answer questions
Adrian Field	Director, Engineering	Strategic Leader and to answer questions
Jason Darrah	Director, Communications	Strategic Leader and to answer questions

COU19-21 Moved by Councillor Standish that council return to the public meeting at 6:02 p.m.

CARRIED

14.0 ADJOURNMENT

COU19-22 Moved by Councillor Standish that council adjourn the January 14, 2019 regular meeting of council at 6:02 p.m.

CARRIED

Karen Sorensen
Mayor

Tara Johnston-Lee
Municipal Clerk

Minutes approved by: _____