



MINUTES OF THE GOVERNANCE AND FINANCE COMMITTEE
of the Town of Banff in the Province of Alberta
Virtual Governance and Finance Committee Meeting
Tuesday, 2020 October 13, at 9:00 am

MEMBERS PRESENT

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

MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	(Remote Participation)
Silvio Adamo	Director, Protector Services & Fire Chief	(Remote Participation)
Jason Darrah	Director, Communications & Marketing	(Remote Participation)
Darren Enns	Director, Planning & Development	(Remote Participation)
Adrian Field	Director, Engineering	(Remote Participation)
Chris Hughes	Director, Corporate Services	(Remote Participation)
Alison Gerrits	Director, Community Services	(Remote Participation)
Chris McGregor	Acting Director, Operations	(Remote Participation)
Barbara King	Director, Human Resources	(Remote Participation)
Randall McKay	Manager, Strategic Initiatives & Special Projects)	(Remote Participation)
Amanda Arbuckle	Manager, Recreation Services	(Remote Participation)
Dave Michaels	Manager, Development Services	(Remote Participation)
Renee Lavergne	Information Governance Coordinator	(Remote Participation)
Lisa Lee	Executive Assistant, Mayor's Office	(Remote Participation)
Libbey McDougall	Municipal Clerk	(Remote Participation)



1.0 CALL TO ORDER

To confirm Members of the Governance and Finance Committee, who all participated virtually due to the ongoing COVID Pandemic, as present, the following roll call was conducted:

ROLL CALL:

Present: (6): Mayor Sorenson, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

Mayor Sorenson called the virtual Regular Meeting of the Governance and Finance Committee to order at 9:01 a.m. on Tuesday, 2020 October 13.

2.0 APPROVAL OF AGENDA

2.1 Agenda for the 2020 October 13 Virtual Regular Meeting of the Governance and Finance Committee

FIN20-75 **Moved by** Councillor Standish

That the Agenda for the 2020 October 13 Virtual Regular Meeting of the Governance and Finance Committee be approved.

For: (6): Mayor Sorenson, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

3.0 ADOPTION OF PREVIOUS GOVERNANCE AND FINANCE COMMITTEE MINUTES

3.1. Minutes of the 2020 September 21 Virtual Regular Meeting of the Governance and Finance Committee

FIN20-76 **Moved by** Councillor Standish

That the Minutes of the 2020 September 21 Virtual Regular Meeting of the Governance and Finance Committee be adopted.

For: (6): Mayor Sorenson, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

4.0 DELEGATIONS AND INVITED PRESENTATIONS

There were no Delegations and Invited Presentations scheduled as part of this meeting.

5.0 PUBLIC INPUT ON AGENDA ITEMS

5.1. Written Submissions

- 5.1.1. Cathy Geisler, Executive Director, Wim & Nancy Pauw Foundation: Letter, dated 2020 October 01 (Item 7.2, The Fenlands Lease Vacancy)

Council, by unanimous consent, received Cathy Geisler's Letter, on behalf of the Wim & Nancy Pauw Foundation, dated 2020 October 01, with respect to Item 7.2, The Fenlands Lease Vacancy, for the Corporate Record.

- 5.1.2. Robin Cowan and Mrs. Jackie Cowan, Tan-Y-Bryn B&B Inn: Email Re: Stakeholders Input re B&B Regulations, dated 2020 October 05 (Item 7.3, Bed and Breakfast Regulations)

Council, by unanimous consent, received Robin Cowan and Mrs. Jackie Cowan's Email, on behalf of Tan-Y-Bryn B&B Inn, dated 2020 October 05, with respect to Item 7.3, Bed and Breakfast Regulations, for the Corporate Record.

Minutes approved by: On Original On Original

- 5.1.3. Lee O'Donnell: Letter received 2020 October 08 (Item 7.3, Bed and Breakfast Regulations)

Council, by unanimous consent, received Lee O'Donnell's Letter received 2020 October 08, with respect to Item 7.3, Bed and Breakfast Regulations, for the Corporate Record.

- 5.1.4. The Banff Minor Hockey Association Board Members: Letter Re: Ice Surface Availability at Fenlands Arena, dated 2020 October 10 (Item 7.2, The Fenlands Lease Vacancy)

Council, by unanimous consent, received The Banff Minor Hockey Association Board Members' Letter dated 2020 October 10, with respect to Item 7.2, The Fenlands Lease Vacancy, for the Corporate Record.

- 5.1.5. Richard Norton-Hall: Email Re: Meeting of the Governance and Finance Committee Town of Banff Virtual Meeting Tuesday, 2020 October 13, received 2020 October 11 (Item 7.3, Bed and Breakfast Regulations)

Council, by unanimous consent, received Richard Norton-Hall's Email received 2020 October 11, with respect to Item 7.3, Bed and Breakfast Regulations, for the Corporate Record.

- 5.1.6. Michael Waite and Caroline Allard: Letter Re: Public Input on Agenda Items for the Regular Meeting of the Governance and Finance Committee, Tuesday, October 13, on Item #7.3, received 2020 October 12 (Item 7.3, Bed and Breakfast Regulations)

Council, by unanimous consent, received Michael Waite's and Caroline Allard's Letter received 2020 October 12, with respect to Item 7.3, Bed and Breakfast Regulations, for the Corporate Record.

5.2. Verbal Submissions

- 5.2.1. Lee O'Donnell (Item 7.3, Bed and Breakfast Regulations)

Council, by unanimous consent, received Lee O'Donnell's Verbal Submissions for the Corporate Record.

6.0 UNFINISHED BUSINESS

No Unfinished Business was scheduled as part of this meeting.

7.0 REPORTS

7.1. Briefing: The Fenlands Lease Vacancy Financial Update

FIN20-77 **Moved by** Mayor Sorensen

That with respect to Item 7.1, The Fenlands Lease Vacancy Financial Update, the following be approved:

That the Governance and Finance Committee receive the Fenlands Lease Vacancy Financial Update Briefing for the Corporate Record.

For: (7): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

7.2. Request for Decision: The Fenlands Lease Vacancy

FIN20-78 **Moved by** Mayor Sorensen

That with respect to Item 7.2, The Fenlands Lease Vacancy, the following be approved, **after amendment**:

That the Governance and Finance Committee:

- 1. Develop options for community amenities that could be incorporated into the recently vacated and underutilised areas at The Fenlands, excluding the permanent removal of the second ice surface, seek community input that would include questions on community interest in the addition of a fieldhouse in the community as a stand-alone amenity, or a temporary installation at the Fenlands; and**
- 2. Return to Council with the findings and potential funding opportunities.**

For: (6): Mayor Sorensen, Councillor Canning, Councillor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish

Against: (1): Councillor Christensen

MOTION CARRIED

FIN20-79 **Moved by** Councillor Poole

That with respect to Item 7.2, The Fenlands Lease Vacancy, the following be approved, **after amendment:**

That the Governance and Finance Committee direct Administration to:

- 3. Consult with the Town of Banff Legal Counsel and with Parks Canada concerning regulations regarding the leasing of space in a parkland land use district; and**
- 4. Return to the Governance and Finance Committee FC with legal and regulatory advice no later than 2021 Q1.**

For: (7): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

Committee, by unanimous consent, recessed at 11:03 a.m. on Tuesday, 2020 October 13, to reconvene at 11:15 a.m.

Committee reconvened at 11:18 a.m. on Tuesday, 2020 October 13, with Mayor Sorensen in the chair.

To confirm Members of the Governance and Finance Committee, who all participated remotely due to the ongoing COVID Pandemic, as present, the following roll call was conducted:

ROLL CALL:

Present: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

FIN20-80 **Moved by** Mayor Sorensen

That the Governance and Finance Committee bring forward Item 7.4, Festivals and Special Events Policy C5001, and postpone the Report to the 2020 October 26 Virtual Regular Meeting.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

Minutes approved by: On Original On Original



7.3. Request for Direction: Bed and Breakfast Regulations

Councillor Standish stated that he is a listed owner on title for a property that is currently being operated as a Bed and Breakfast. He is not the owner of the Bed and Breakfast operation, did not apply for the permit, and does not benefit financially from its operation. As such, he declared that he does not have a pecuniary interest and will participate in the discussion, debate, and voting for Item 7.3, Bed and Breakfast Regulations.

FIN20-81 **Moved by** Councillor Olver

That with respect to Recommendation 1 as it pertains to Potential Impacts of Bed and Breakfast Homes on Housing, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that would ensure purpose built accessory structures comply with the requirements for Accessory Dwellings to ensure future use as housing.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-82 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Potential Impacts of Bed and Breakfast Homes on Housing, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that would prohibit Bed and Breakfast Homes that would result in a net loss of existing housing.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



FIN20-83 Moved by Councillor Olver

That with respect to Recommendation 1 as it pertains to Accessory Use, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that:

- a) Include a preamble/purpose statement that provides the intent that Bed and Breakfast Homes are an Accessory Use and the sorts of indicators that would normally mark an Accessory Use; and
- b) Provide more binding and clear language around ensuring Bed and Breakfast Homes are an Accessory Use (such as a maximum percentage of floor area or bedrooms dedicated to the Bed and Breakfast).

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-84 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Accessory Use, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft wording that indicates the proposed amendments outlined in Motion FIN20-83 apply to new Bed and Breakfast applications only and that previously approved applications must comply within a specific timeframe (delayed implementation).

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



FIN20-85 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Ensuring Live-in Owners, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment**:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that provide clarity about what it means to be a live-in owner and for Bed and Breakfast Homes to be operated exclusively by the live-in owner, with the consideration of the underlying principal that Bed and Breakfast Homes are an Accessory Use and shall not be operated by a third party or while the live-in owner is absent **but include provisions that if an emergency situation arises, the Planning Department should be notified.**

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-86 **Moved by** Councillor Olver

That with respect to Recommendation 1 as it pertains to Change of Use Kitchens, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that would allow Bed and Breakfast Homes approved in accessory structures to be used as Accessory Dwellings when not being used as a Bed and Breakfast Home.

For: (5): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, and Councillor Olver
Against: (1): Councillor Standish

MOTION CARRIED



FIN20-87 **Moved by** Councillor Standish

That with respect to Recommendation 1 as it pertains to Change of Use Kitchens, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment**:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that would allow a more restrictive approach to **stoves** within Bed and Breakfast Homes than currently allowed.

For: (5): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor Olver, and Councillor Standish

Against: (1): Councillor DiManno

MOTION CARRIED

FIN20-88 **Moved by** Councillor Standish

That with respect to Recommendation 1 as it pertains to Quota Allocation, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment**:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that would reduce the number of potential Bed and Breakfasts to below 65 based on considerations of the impact on residential housing supply **and sound planning considerations**.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-89 **Moved by** Mayor Sorensen

That the Governance and Finance Committee recess at 1:00 p.m. on Tuesday, 2020 October 13, to reconvene at 9:00 a.m. on Thursday, 2020 October 15

ROLL CALL VOTE:

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

Minutes approved by: On Original On Original

Committee recessed at 1:00 p.m. on Tuesday, 2020 October 13.

Committee reconvened at 9:05 a.m. on Thursday, 2020 October 15, with Mayor Sorensen in the chair.

To confirm Members of the Governance and Finance Committee, who all participated remotely due to the ongoing COVID Pandemic, as present, the following roll call was conducted:

ROLL CALL:

Present: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Poole

FIN20-90 Moved by Councillor Olver

That with respect to Recommendation 1 as it pertains to Quota Allocation, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment:**

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that would transfer **some or all of the** quota spots to full districts, by removing spots from less popular districts based on sound planning considerations;

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Poole

MOTION CARRIED

FIN20-91 Moved by Councillor Olver

That with respect to Recommendation 1 as it pertains to Quota Allocation, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that would reintroduce a physical separation between Bed and Breakfasts in order to maintain neighbourhood character with the understanding that an 'as the crow flies' distance may not be suitable.

For: (6): Mayor Sorensen, Councillor Canning, Councillor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish
Against: (1): Councillor Christensen

MOTION CARRIED

FIN20-92 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Quota Allocation, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft wording that indicates the proposed amendment outline in Motion FIN20-91 apply to new Bed and Breakfast applications only and not previously approved applications on the Land Use Bylaw amendments being enacted (grandfathering of existing).

For: (7): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

Council, by unanimous consent, took no action with respect to “Sitting on” Permits as it pertained to Recommendation 1 contained in Item 7.3, Bed and Breakfast Regulations.

FIN20-93 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Notification of Available Allocation, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that when a single allocation or multiple allocations become available, the existence of this/these available allocation(s) should be advertised through normal channels for two weeks, with a reasonable deadline set for applications. If more applications than allocation are received, a lottery should be triggered and that only complete applications are included in the lottery.

For: (7): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

Councillor Standish restated that he is a listed owner on title of a property that is currently being operated as a Bed and Breakfast. He is not the owner of the Bed and Breakfast operation, did not apply for the permit, and does not benefit financially from its operation. As such, he declared that he does not have a pecuniary interest and will participate in the discussion, debate, and voting for Item 7.3, Bed and Breakfast Regulations.

FIN20-94 **Moved by** Councillor Olver

That with respect to Recommendation 1 as it pertains to Application Process, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that Limit Bed and Breakfast Home applications to existing property owners only, and does not allow applications by a potential purchaser during the sale process.

For: (5): Mayor Sorensen, Councillor Canning, Councillor DiManno, Councillor Olver, and Councillor Standish

Against: (2): Councillor Christensen and Councillor Poole

MOTION CARRIED

FIN20-95 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Application Process, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that require a statutory declaration confirming the following, prior to the issuance of the development permit of renewal:

- The property is the live-in owners primary residence and the Bed and Breakfast Home will be operated only as an Accessory Use;
- The live-in owner will be in residence while any Commercial Accommodation is in operation;
- The number and location of bedrooms (and maximum pillows) as per the approved development permit plans; and
- The live-in owner is aware that non-compliance with the Development Permit may result in revocation of the Development Permit or other enforcement.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



FIN20-96 Moved by Councillor Olver

That with respect to Recommendation 1 as it pertains to Application Process, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to provide additional information relating to the application process and the use of Statutory Declarations and Restrictive Covenants including advice from legal counsel and return to the Governance and Finance Committee for further discussion.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

Committee, by unanimous consent, recessed at 10:08 a.m. on Thursday, 2020 October 15, to reconvene at 10:24 a.m.

Committee reconvened at 10:24 a.m. on Thursday, 2020 October 15, with Mayor Sorensen in the chair.

To confirm Members of the Governance and Finance Committee, who all participated remotely due to the ongoing COVID Pandemic, as present, the following roll call was conducted:

ROLL CALL:

Present: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

FIN20-97 Moved by Councillor Olver

That with respect to Recommendation 1 as it pertains to Renewal Process, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration draft Land Use Bylaw amendments that would allow the maximum time period for a Bed and Breakfast Development Permit to be three years.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



FIN20-98 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Renewal Process, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration draft Land Use Bylaw amendments that would require a physical inspection of every Bed and Breakfast at least once every five years (although this requirement is operational in nature, there is precedent in the Land Use Bylaw as inspection is currently required prior to and application being considered for approval).

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-99 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Maximum Occupancy, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration draft Land Use Bylaw amendments that would require:

- Bed and Breakfast applications to disclose the number of pillows (people) being applied for at the development permit application stage; and
- Bed and Breakfast applications to disclose the number of pillows (people) being applied for per room for each bedroom covered by the application.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



FIN20-100 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Maximum Occupancy, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration draft Land Use Bylaw amendments that limit the maximum number of pillows (people) overall for any bed and breakfast application to two times the number of bedrooms being applied for plus two additional "flex" pillows.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-101 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Maximum Occupancy, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft wording that indicates the proposed amendments outlined in Motions FIN20-99 and FIN20-100 apply to all Bed and Breakfasts, new and existing, on the Land Use Bylaw amendments being enacted (immediate implementation).

For: (5): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, and Councillor Standish

Against: (1): Councillor Olver

MOTION CARRIED

FIN20-102 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Heritage and Variances, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that specifically state that the requirements for a Live-in Owner and the allocation by district shall not be varied.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



FIN20-103 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Heritage and Variances, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that provide more permissive opportunities for Bed and Breakfast Homes in designated heritage resources.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-104 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Heritage and Variances, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that include consideration for more permissive opportunities for Bed and Breakfast Homes in designated heritage resources in a future Heritage Master Plan.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-105 Moved by Councillor Olver

That with respect to Recommendation 1 as it pertains to Heritage and Variances, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft wording that indicates the proposed amendments outlined in Motions FIN20-102, FIN20-103, and FIN20-104 apply to new Bed and Breakfast applications only and not previously approved applications on the Land Use Bylaw amendments being enacted (grandfathering of existing).

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

Minutes approved by: On Original On Original



FIN20-106 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Bed and Breakfast Inns, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that limit Bed and Breakfast Inn redevelopment to the floor area of the existing Bed and Breakfast Inn which does not include the residential floor area.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-107 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Bed and Breakfast Inns, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that clarify that floor area associated with a Bed and Breakfast Inn may not be transferred to other parcels.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-108 Moved by Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Bed and Breakfast Inns, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that allow a Bed and Breakfast Inn to develop using the regulations of the district where it is located, rather than the most restrictive district.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



FIN20-109 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Bed and Breakfast Inns, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that allow residential development, including Accessory Dwellings, on the same site as Bed and Breakfast Inns as long as all Land Use Bylaw requirements are met.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-110 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Bed and Breakfast Inns, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment**:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that when Bed and Breakfast Inns redevelop they should meet the same off-street parking requirements as Bed and Breakfast Homes of one parking stall per guest bedroom **and provide clarity as to what constitutes redevelopment.**

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-111 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Bed and Breakfast Inns, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that add Bed and Breakfast Inns as a Discretionary Use to the RSA: Spray Avenue District in order for Elk Horn Lodge (124 Spray Avenue) to have the same redevelopment opportunities as other Bed and Breakfast Inns.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

Minutes approved by: On Original On Original



FIN20-112 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Enforcement, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that include expanded enforcement options for the operation of unapproved commercial accommodation, with consideration for penalties that would act as a deterrent, on advice from legal counsel.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-113 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Enforcement, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that use clear and specific language to aid in enforcement of the Land Use Bylaw.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-114 **Moved by** Councillor Olver

That with respect to Recommendation 1 as it pertains to Fees, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment**:

That the Governance and Finance Committee direct Administration to draft Land Use Bylaw amendments that **review** renewal fees based on an extended time frame of an associated Development Permit to be paid at time of processing;

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

Minutes approved by: On Original On Original

Council, by unanimous consent, took no action with respect to Administrative Amendments as it pertained to Recommendation 1 contained in Item 7.3, Bed and Breakfast Regulations.

FIN20-115 **Moved by** Mayor Sorensen

That with respect to Recommendation 1 as it pertains to Taxes, as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment**:

That the Governance and Finance Committee direct Administration to **Return to Council as part of the 2021 Service Review with:**

- Options to set a differential tax rate for Bed and Breakfast Homes; **and**
- The option to assess and tax Bed and Breakfast Homes in the same manner as Bed and Breakfast Inns.

For: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

FIN20-116 **Moved by** Mayor Sorensen

That with respect to Recommendations 2 and 3 as contained in Item 7.3, Bed and Breakfast Regulations, the following be approved, **after amendment**:

That the Governance and Finance Committee direct Administration to:

2. Seek comments from legal counsel and Parks Canada on the proposed amendments to the Land Use Bylaw with respect to Bed and Breakfast Homes and Bed and Breakfast Inns; and
3. Return to a future Meeting of the Governance and Finance Committee with the proposed amending Bylaw for further discussion.

For: (5): Mayor Sorensen, Councillor Canning, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED



7.4. Request for Direction: Festivals and Special Events Policy C5001

Postponed to the 2020 October 26 Virtual Regular Meeting of the Governance and Finance Committee.

8.0 CORRESPONDENCE

No Correspondence was received for this meeting.

9.0 NEW/URGENT BUSINESS

No New/ Urgent Business was added to this meeting.

10.0 CONFIDENTIAL ITEMS

No Confidential Items were scheduled as part of this meeting.

11.0 ADJOURNMENT

FIN20-117 **Moved by** Councillor Standish

That this meeting adjourn at 12:06 p.m. on Thursday, 2020 October 15

ROLL CALL VOTE:

For: (5): Mayor Sorensen, Councillor Canning, Councillor DiManno, Councillor Olver, and Councillor Standish

MOTION CARRIED

On Original
Karen Sorensen
Mayor

On Original
Libbey McDougall
Municipal Clerk

Minutes approved by: On Original On Original