

# REQUEST FOR DECISION

Subject: Terms of Reference

Proposed Railway Lands Area Redevelopment Plan



Presented to: Council

Date: 11 February, 2019

Submitted by: Randall McKay, Director  
Planning and Development  
Darren Enns, Manager, Development Services

Agenda #: 8.4

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## RECOMMENDATION

That council endorse the proposed Railway Lands Area Redevelopment Plan Terms of Reference attached as Appendix A.

## BACKGROUND

### Reason for Report

Liricon Capital Ltd. would like to proceed with preparing a comprehensive plan for the future redevelopment of the railway lands. The majority of the study area is located within the CR (Railway Lands) Land Use District and includes the Canadian Pacific Railway right-of-way, the train station and a lands immediately adjacent to the south of the CR District. Administration is requesting that council endorse a proposed Terms of Reference that will form the basis of the Area Redevelopment Plan (ARP) prior to work commencing on the document.



Proposed Area Redevelopment Plan Study Area

### Summary of Issue

Sections 634 of Province of Alberta Municipal Government Act allows for a municipality to formalize land use policy for an area within its jurisdiction through the adoption of an ARP as a municipal bylaw. The ARP is intended to provide a land use planning framework to guide future redevelopment by:

- describing the objectives of the plan and how they are to be achieved;
- establishing land uses and development standards for the redevelopment area;
- preserving or improving land and buildings in the area;
- rehabilitating buildings in the area;
- removing buildings from the area;
- constructing or replacing buildings in the area;
- establishing, improving or relocating roads, public utilities or other services in the area;
- facilitating any other development in the area; and
- any other proposals that council considers necessary.

The plan may also include a redevelopment levy and any proposals for the acquisition of land for any municipal use, school facilities, parks and recreation facilities or any other purposes as deemed necessary by council. The area redevelopment plan must also be consistent with the Banff Community Plan and Banff National Park of Canada Management Plan. All land within the boundary of the area redevelopment plan is subject to the regulations of the Land Use Bylaw.

Administration is of the opinion that the preparation of an area redevelopment plan for the lands in question is the most prudent approach to allow for public consultation and input into the overall vision, objectives and principles of the plan, the arrangement and type of land uses within the station-area; connectivity and integration with the surrounding neighbourhood, mobility and parking, policies and guidelines for managing heritage resources and features, urban design infrastructure and environment.

Municipal Planning Commission previously approved a Development Permit on March 14<sup>th</sup>, 2018 for the construction of a non-accessory parking lot including 496 passenger vehicle stalls, 24 bus parking stalls, and 20 RV stalls. The primary parking lot area is contained within a series of parcels located east of the CPR station whereas the RV stalls are contained within a distinct footprint adjacent to Railway Avenue. These lands would also be incorporated into the ARP planning area.

On March 24<sup>th</sup>, 2003, the council of the day unanimously approved the preparation of an Area Redevelopment Plan for the Canadian Pacific Railway lands south of the railway. A completed draft plan (referred to as Banff Station Place) was subsequently prepared in 2004 however it was never adopted by council given the proposed redevelopment of the site was put on hold indefinitely by Canadian Pacific Railway.

### Response Options

Council may consider any of the following response options:

1. Endorse the Terms of Reference as presented;
2. Amend or defer endorsement of the Terms of Reference until additional information is received; or
3. Not endorse the Terms of Reference as presented and take no further action at this time.

## IMPLICATIONS OF DECISION

### Budget

There are no direct budgetary implications with the applicant proceeding to draft the area redevelopment plan other than the cost of staff time as needed to assist in reviewing the document in advance of presenting to council for adoption. The cost of submitting an application for an area redevelopment plan under the current fee schedule is \$5,500 + all advertising costs.

### Internal Resources

Planning and Development staff would work with the applicant throughout process of drafting the plan. The plan would also be forwarded to both the Banff Heritage Corporation and Municipal Planning Commission for review and comment.

### Communication

The applicant will be responsible for leading public engagement and consultation during the preparation of the plan. Once a draft of the proposed amending bylaw and related area redevelopment plan is prepared, it will be posted on [banff.ca](http://banff.ca) along with an appropriate feedback mechanism in conjunction with the public hearing process.

### Banff Community Plan

#### Local Economy

- *Establish commercial land use policies and development regulations to ensure Banff will continue to prosper.*
- *Banff will remain competitive with other worldwide visitor destinations.*
- *Provide an appropriate mix of commercial services that meet the long-term needs of visitors and residents.*
- *Ensure commercial development reflects and respects the Town's role as a visitor centre as well as the values of the national park.*
- *Commercial development will occur within the legislated commercial growth cap.*
- *Encourage capital reinvestment in existing commercial space*

#### Social

- *Ensure all new development and redevelopment incorporates the highest quality architecture, landscape architecture, environmental and urban design that is complimentary to its location and surrounding context.*
- *Educate residents and visitors about Banff's built and natural heritage.*
- *Encourage the retention, restoration, rehabilitation and re-use of existing heritage buildings Introduce regulations that minimize visual impact on scenic views and light trespass caused by overhead cables, decorative or excessive exterior lighting without compromising safety and aesthetics/ visitor appeal.*

#### Environmental

- *Provide a transportation system that encourages and complements pedestrian movement and cycling.*
- *Provide a transportation system that enhances the resident and visitor experience.*
- *Increase opportunities for residents and visitors to use non-vehicular modes of transportation.*

### Town of Banff Incorporation Agreement

The Town of Banff Incorporation Agreement sets out the purposes and objectives for the Town of Banff, and both delegates and limits the authority of the Town with respect to land use planning functions.

The five purposes of the Town of Banff contained within the Incorporation Agreement are:

- To maintain the townsite as part of a World Heritage Site;
- To serve, as its primary function, as a centre for visitors to the Park and to provide such visitors with accommodation and other goods and services;
- To provide the widest possible range of interpretive and orientation services to Park visitors;
- To maintain a community character which is consistent with and reflects the surrounding environment; and
- To provide a comfortable living community for those persons who need to reside in the townsite in order to achieve its primary function.

### **Council Strategic Priorities**

#### **A Prosperous Banff**

This includes encouraging local business and investment, increasing public and private reinvestment in infrastructure, strengthening partnerships and increasing the economic value derived from tourism.

### **Legislation/Policy**

An ARP is a statutory planning document, adopted by bylaw and by council in accordance with Section 634 of the Municipal Government Act. The ARP establishes long-term planning policies and objectives to guide redevelopment within a defined area and requires three readings of council. Council is also required to hold a public hearing before second reading of the bylaw during a regular or special meeting of council. Pursuant to the Incorporation Agreement, the minister responsible for Parks Canada or their designate must give final approval to an amending bylaw prior to coming into effect. It is anticipated that a series of Land Use Bylaw amendments will emanate from the ARP process.

### **Other**

The area redevelopment plan is intended to be read in conjunction with the Land Use Bylaw, Banff Community Plan, Banff National Park of Canada Management Plan and National Parks Act all of which provide town wide policy direction.

Policies and guidelines in the area redevelopment plan are not to be interpreted as an approval for a use on a specific site. Detailed site conditions or limitations, including environmental constraints, are all assessed on a case-by-case basis as part of applications for development permits and/or subdivision.

### **ATTACHMENTS**

Appendix A: Terms of Reference: Banff Railway Lands Area Redevelopment Plan

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Reviewed By: On original  
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