1. Welcome, introductions, agenda review

2. Reminder: committee purpose, intended outcome and ground rules

3. Accessory use:
Start with brief description by Dave Michaels of the present approach. Then explore this question:

- Should we recommend additional regulations to strengthen the intent that B&Bs remain accessory?

Options for discussion include:

i. Prohibit Bed and Breakfasts within any Accessory Structure. This would ensure that Bed and Breakfasts would be contained within the same structure as the principal dwelling on site and would remove the option of back yard cabin style accommodation or stand-alone guest units at residential properties in Banff. This would reduce the development options for accessory structures which could lead to repurposing of some existing structures to dwellings however may mean that other accessory structures become unused and sit vacant;

ii. Prohibit the conversion of existing Accessory Dwellings or Duplex’s into Bed and Breakfast Homes. This would ensure that no separate dwellings that have previously been approved would be lost to Bed and Breakfasts; and/or,

iii. Allow greater flexibility for an Accessory Structure to be used as both an Accessory Dwelling and a Bed and Breakfast with, or without, a limit the number of days/seasons the structure can be used as a Bed and Breakfast. This would allow more flexibility for operators to adapt to seasonal changes.

iv. Reduce the maximum number of guest bedrooms permitted at a Bed and Breakfast Home to three;

v. Introduce a bedroom quota that limits the total number of guest bedrooms associated with Bed and Breakfasts in Banff;

vi. Restricting the maximum number of bedrooms to 50% (or less) of the total number of bedrooms at the property;

vii. Restricting the maximum floor area of a property associated with a Bed and Breakfast (bedrooms, dedicated amenity areas etc.) to 40% (or less) of the total Gross Floor Area
of the property;

vii. Requiring that one of the owners bedrooms is the largest bedroom at the property;

and/or,

viii. Requiring that at least one of the owners bedrooms is above grade.

ix. Requiring that Bed and Breakfast operators provide breakfast to guests.

x. Requiring that a Bed and Breakfast is operated for a minimum number of nights per year.

xi. Removing corporate ownership for Bed and Breakfast Homes; and/or,

xii. Restricting the number of owners (joint tenants or tenants in common) and requiring that all owners reside at the property as their primary residence.

xiii. Requiring that a Bed and Breakfast shall not be operated when the Live-in Owner is absent for more than a certain number of consecutive nights (eg. five consecutive nights). This would allow greater clarity for operators;

xiv. Requiring that Live-in Owners keep a log of who is in residence at the property when guests are present. This could allow for greater compliance monitoring; and/or,

xv. Add additional clarity regarding the exclusive management and operation of Bed and Breakfasts.

4. Enforcement options

Start with brief description by Dave Michaels of the present approach to enforcement. Then explore this question:

• What additional enforcement options should be included?

Options for discussion include:

i. Higher penalties specific to unauthorized Commercial Accommodation. Penalties in excess of the rental rate for unapproved accommodation may offer a higher disincentive to offer unapproved commercial accommodation as well as offset some of the costs associated with continued enforcement. Currently Canmore issue fines of $2,500 for the first offence and $5,000 for subsequent offences;

ii. Other penalties on advice from legal counsel;

iii. Prohibiting application for a Bed and Breakfast for an extended period (eg. two years) after either a Bed and Breakfast Permit has been revoked for non-compliance or successful enforcement action has been undertaken against a property for unauthorized commercial accommodation;

iv. Change the notification required for the Town to inspect an approved Bed and Breakfast. Currently a minimum of 24 hours notice must be provided in writing. Notification via email, or telephone and/or a shorter notice period would allow easier inspection of existing Bed and Breakfasts to ensure compliance; and/or,

v. Requiring approved accommodation to include their Development Permit number/business license Number in any/all advertising to ease in enforcement investigation.

vi. Other?

vii. Status quo?
5. Taxes

Examine this question:

- Is the current tax rate for residential properties containing B&B’s consistent with the commercial aspect of B&B’s?

Options for discussion include:

i. Set a differential tax rate. This would apply a tax rate higher than the current residential tax rate on these properties. With a differential rate, the rate would be applied to the full assessed value of the property. This option is the easiest to administer however it does not reflect the percentage of the property that is related to the operation of the Bed and Breakfast or home occupation. An example of this would be a large newer home that had one bedroom used as a guest room could pay more in tax than a similar older Bed and Breakfast home that was licensed to operate 4 guest rooms; or,

ii. Proportionately assess the property as non-residential. This would look at taxing the portion of use related to non-residential activity and tax that use at the non-residential tax rate. This would be difficult to administer and validate for home occupations. Bed and Breakfasts would be easier although some operators that operate seasonally may question the fairness of the taxation.

6. Summarize, confirm date for next meeting, and adjourn