

## **SPECIAL PROVISIONS IN BANFF NATIONAL PARK:**

The Town of Banff is within Banff National Park, Canada's first National Park. The land within Town of Banff is leasehold, and administered by the Parks Canada Agency, the federal agency responsible for National Parks. The typical term of residential leases is 42 years. Residential leases are usually renewed at the end of their term. The annual residential lease fees payable to Parks Canada are incorporated into the municipal taxes.

Anyone may purchase a residential property in Banff, but Parks Canada has regulated who may occupy the residence. This is commonly known as the "**ELIGIBLE RESIDENT**" requirements.

A 'eligible resident' is:

- one whose primary employment is in the National Park
- one who operates a business in the National Park and whose presence at the place of business is necessary for the day-to-day operation of the business
- a retired individual who resides in the National Park and who, for 5 consecutive years immediately prior to retirement, was employed primarily in the National Park or operated a business in the National Park and whose presence at the place of business was necessary for the day-to-day operation of the business
- a retired individual who resided in the National Park at the time of the individual's retirement and who resided in the National Park on July 30, 1981
- an individual who is a student in full time attendance at an educational institution that is located within the National Park and registered under the Income Tax Act or applicable provincial legislation relating to education
- an individual who is a lessee of public lands in the National Park and who was the lessee of those public lands prior to May 19, 1911, or is a descendant, by blood or adoption, of an individual who was the lessee of those public lands prior to May 19, 1911
- the spouse or a dependant of an individual referred to in any of the above

For the purposes of the definition "eligible resident", "business" means a business that is licensed under the National Parks Business Regulations or under a by-law passed by the Corporation of the Town of Banff.

You may buy property in the National Park, even if I do not meet the "eligible resident" requirement. The property must then be occupied by a renter, who meets the "eligible resident" requirements. The restrictions apply not to the ownership of property in the National Park, but the occupancy of it. Purchasers of a property in Banff are required to complete an affidavit or solemn declaration, that each occupant of the leased public lands is an eligible resident before transfer of lease is approved by Parks Canada.

These restrictions do not apply to properties in Canmore, Harvie Heights or Exshaw and Lac Des Arc. However, in Canmore, certain resident requirements have been placed in the zoning in selected areas that you need to work in the area in order to live in these units.

For further details and questions, please contact us by Email, phone or fax.