

- f) an individual who is a lessee of those public lands in the park and who (i) was the lessee of those public lands prior to May 19, 1911, or (ii) is a descendant, by blood or adoption, of an individual who was the lessee of those public lands prior to May 19, 1911;
- g) the spouse or a dependant of any individual referred to in paragraphs (a) to (f).

These guidelines are from the *National Parks Lease and Licence of Occupation Regulations* SOR/92-25

### How Will Residency Requirements be Enforced?

- a) A local public information program designed to ensure that the public is well aware of the eligible resident requirements will be initiated;
- b) A random audit of 5% of all residential leases will be conducted annually;
- c) All applications for mortgages, assignments, etc., must show compliance with "eligible resident" requirements;
- d) Legal action may follow.

### What about Non-Resident Ownership?

The "eligible resident" requirement only relates to people *living* in leasehold properties and does not limit the right of non-residents to own investment leasehold property in the parks.

***This brochure is intended to be an introduction to the concept of the "eligible resident". It is neither an authoritative nor complete statement of the law.***

**Tenure of all lands in national parks is governed by the National Parks Lease and Licence of Occupation Regulations SOR/92-25 (1991) or as amended from time to time.**

**For more information about The Parks Canada "Eligible Resident" requirements please contact:**

- **Your local Parks Canada Realty Department (in Banff 403-762-1564)**
- **The Banff National Park Homepage [www.worldweb.com/ParksCanada-Banff/](http://www.worldweb.com/ParksCanada-Banff/)**

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# The Concept of the Eligible Resident in Canada's National Park Communities



## Special Places, Special Requirements



Canadian Heritage  
Parks Canada

Patrimoine canadien  
Parcs Canada

**Canada**

## Why an "Eligible Resident"?

Our National Park community — Banff — and our visitor service centres — Lake Louise, Field and Jasper — are embraced by the world for their stunning scenery, recreational opportunities and their fascinating history and culture. Indeed, many Canadians would love to live in one of these communities, and every year, many look into the possibility of doing so.

With limited community land for growth, the wish to live in these communities naturally increases the cost of housing and decreases its availability. A difficult predicament remains: if there were no restrictions on who could live in the parks, eventually only few people would be able to afford to do so, and those who actually work in the parks, serving the needs of visitors, might be unable to find accommodation.

Current Parks Canada regulations require that those choosing to live in any of these centres be able to satisfy the "eligible resident" requirement in the community.

Parks Canada and the Town of Banff are committed to the principle of the "eligible resident".

## Why Communities in the Parks?

The primary purpose of the park townsites is to provide a comfortable living community for those persons who need to reside in the townsite, serving as a centre for visitors to the park and providing visitors with accommodation and other essential goods and services.

## Background

The concept of an "eligible resident" was introduced during the 1960s. Over the next three decades, the "eligible resident" concept evolved, yet by 1994, an audit indicated that 5-10% of the residents in the town of Banff might not meet the requirements.

In the face of increasing pressures of space and cost, park residents have consistently expressed a desire to see the "eligible resident" requirements enforced.

## What has Changed Recently?

In response to national and community pressure, Parks Canada has resolved to increase the resources to enforce compliance with the "eligible resident" requirement and better serve the needs of park residents.

## Who is an Eligible Resident?

An "Eligible Resident" is

- a) an individual whose primary employment is in the park;
- b) an individual who operates a business in the park, and whose presence at the place of business is necessary for the day-to-day operation of the business;
- c) a retired individual who resides in the park and who, (i) for five consecutive years immediately prior to retirement: was employed primarily in the park, or (ii) operated a business in the park and whose presence at the place of business is necessary for the day-to-day operation of the business;
- d) a retired individual who resided in the park at the time of the individual's retirement and who resided in the park on July 30, 1981;
- e) an individual who is a student in full-time attendance at an educational institution that is located within that park and registered under the Income Tax Act or applicable provincial legislation relating to education;

*continued on the other side*

