



**Agenda**  
**Subdivision & Development Appeal Board**  
**Hearing**  
**March 3, 2022 at 2:00 p.m.**  
**Electronic Hearing Via Zoom**

1. Call to Order
2. Adoption of Agenda
3. Adoption of Minutes  
January 6, 2022 SDAB Appeal Hearing
4. Appeal Hearing  
**PL2021 0394**  
17 MacDonald Place  
Lot 17, Block 5, Plan 4171JK  
Renewal of a Bed and Breakfast  
Appeal against an approval by the Development Officer.
5. Other Business  
None
6. Adjournment

**UNAPPROVED**

**TOWN OF CANMORE  
MINUTES**  
Subdivision and Development  
Appeal Board Hearing  
Electronic via Zoom  
**January 6, 2022, at 2:00 p.m.**

**MEMBERS PRESENT**

Public Representatives: Michelle Cooze (Vice Chair), Jim Bell, Harry Scott, Peter Giraldeau  
Councillor Representative: Karen Marra  
Recording Secretary/Clerk: Katy Bravo Stewart

**MEMBERS ABSENT**

Public Representatives: Graham Lock, Darlene Jehn  
Councillor Representative: Joanne McCallum

**ADMINISTRATION STAFF PRESENT**

Lauren Miller, Marcus Henry, Eric Bjorge, and Jolene Noël.

**1. CALL TO ORDER**

Clerk Bravo Stewart called the meeting to order at 2:00 p.m.

**2. VOTE FOR CHAIRPERSON**

*As per section 22 of the Town of Canmore Bylaw 2019-06 Subdivision and Development Appeal Board, and this being the first meeting of the calendar year, a Chair and Vice Chair are to be elected.*

It was moved by Ms. Cooze that Mr. Lock be nominated as Chairperson for the term. There were no objections to this nomination.

MOTION CARRIED  
UNANIMOUSLY

**VOTE FOR VICE CHAIRPERSON**

It was moved by Ms. Marra that Ms. Cooze be nominated as Vice Chairperson for the term. Ms. Cooze accepted the nomination.

MOTION CARRIED  
UNANIMOUSLY

**3. ADOPTION OF HEARING MEETING AGENDA**

It was moved by the Chairperson that the agenda of January 6, 2022, be adopted as presented.

MOTION CARRIED  
UNANIMOUSLY

**4. ADOPTION OF MINUTES**

a) Member Mr. Bell recommended the following corrections to the draft September 16, 2021 minutes:

- VOTE FOR CHAIRPERSON: Correct wording to read, "...section 22 of the SDAB Bylaw 2019-06", not Section 9.2.
- ADJOURNMENT: The date, "November 19, 2020" must be corrected to read, "September 16, 2021".

Minutes approved by: \_\_\_\_\_

UNAPPROVED

It was moved by the Chairperson that the minutes of September 16, 2021, SDAB Hearing Minutes be adopted as amended.

MOTION CARRIED  
UNANIMOUSLY

- b) It was moved by the Chairperson that the minutes of September 16, 2021, SDAB Business Minutes be adopted as presented

MOTION CARRIED  
UNANIMOUSLY

**5. APPEAL**

**PL20210357**

**Application for a New Detached Dwelling**

**Lot 35, Block 1, Plan 901 1889**

**135 Cougar Point Road**

**The appeal is that a decision has not been made by the Development Authority for Development Permit Application No. PL20210357 within the legislated timeframes outlined in the Municipal Government Act (MGA).**

**APPELLANT INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS**

The Appellant Dale Hildebrand and the landowners, Megan & Tyler Cowan identified themselves to the Board.

The Chairperson asked the Appellant if they had any objections to the Board Members present hearing the appeal.

The Appellant stated they wish to withdraw the subject appeal and verbally provided reasons for the withdrawal.

**REQUEST TO WITHDRAW APPEAL**

The Chairperson stated to the Appellant, that if the Board accepts the withdraw request, this request will be unconditional and unequivocal. The hearing will not proceed and will be adjourned.

The Appellant agreed that they understand the process of a withdraw, and that they still wished to proceed with the withdraw the appeal.

There were no further comments from the Board members.

**THOSE SPEAKING IN FAVOUR OF THE APPEAL**

None.

**CORRESPONDENCE RECEIVED IN FAVOUR OF THE APPEAL**

None.

**THOSE SPEAKING IN OPPOSITION TO THE APPEAL**

None.

Minutes approved by: \_\_\_\_\_

UNAPPROVED

**CORRESPONDENCE RECEIVED IN OPPOSITION TO THE APPEAL**

None.

**THOSE SPEAKING NEITHER IN FAVOUR NOR IN OPPOSITION OF THE APPEAL**

None.

**CORRESPONDENCE RECEIVED NEITHER IN FAVOUR NOR IN OPPOSITION REGARDING THE APPEAL**

None.

**COMMENTS/CLARIFICATION BY ADMINISTRATION**

None.

**COMMENTS/CLARIFICATION BY THE APPELLANT/APPLICANT**

Mr. Schultz provided concluding remarks to the Board.

**ACCEPTANCE OF WITHDRAW REQUEST**

The Chairperson moved that the SDAB Board allow the withdraw of the subject appeal by the Appellant, Dale Hildebrand.

MOTION CARRIED  
UNANIMOUSLY

**6. OTHER BUSINESS**

None.

**7. ADJOURNMENT**

The Chairperson announced this portion of the hearing closed and that, in accordance with the provincial legislation, the Board is required to hand down its decision within 15 days from today's date. No decision is binding until the Board issues a written decision.

The Chairperson moved that the public hearing of January 6, 2022, be adjourned at 2:12 p.m.

MOTION CARRIED  
UNANIMOUSLY

\_\_\_\_\_  
Michelle Cooze, Chair

\_\_\_\_\_  
Katy Bravo Stewart, SDAB Clerk

Minutes approved by: \_\_\_\_\_

# SUBDIVISION AND DEVELOPMENT APPEAL BOARD

## STAFF REPORT



**DATE OF HEARING:** MARCH 3, 2022

**PROPOSED DEVELOPMENT:** BED AND BREAKFAST RENEWAL

**APPLICATION NUMBER:** PL20210394

**LEGAL DESCRIPTION:** LOT 17, BLOCK 5, PLAN 4171JK

**CIVIC ADDRESS:** 17 MACDONALD PLACE

**CURRENT USE(S):** DETACHED DWELLING WITH ACCESSORY BED AND BREAKFAST AND HOME OCCUPATION CLASS I (HOME OFFICE)

**APPLICANT:** DOREEN SAUNDERSON

## **EXECUTIVE SUMMARY**

The proposed development is the renewal of an existing Bed and Breakfast (Two Guest Rooms, Three Bedrooms) as an accessory use to a Detached Dwelling. No variances to the Land Use Bylaw 2018-22 (LUB) are being proposed.

The Bed and Breakfast was previously approved by the Subdivision and Development Appeal Board (SDAB) on October 2, 2020 (File number PL20200192, Appeal 2020-007) for a one-year term which expired on November 30, 2021. The applicant applied for the renewal of the Development Permit on October 14, 2021, which was approved by the Development Officer on January 14, 2022.

The Town received numerous inquiries and concerns from neighbouring properties in response to the renewal application. Upon review of the Bed and Breakfast, it was determined to be operating in compliance with the relevant regulations in the LUB and was approved accordingly.

The Statutory Requirements for the appeal including the Notice of Appeal and Adjacent Neighbour Notifications are attached as Attachment 7.

## **BACKGROUND**

### **Land Use Bylaw 2018-22**

Bed and Breakfasts are a Discretionary Use in the R1 – Residential Detached District, in accordance with the Town of Canmore Land Use Bylaw 2018-22 (LUB). Bed and Breakfasts are defined in section 13 of the LUB as *an ancillary commercial use operated by the permanent resident of the dwelling and providing a maximum accommodation of three guest rooms to a maximum of six persons for periods of 14 days or less.*

Section 8.3 of the Land Use Bylaw contains the specific use regulations for Bed and Breakfasts.

Parking requirements are found in section 2.7, while sections 1.10.0.2 and 1.10.0.3 contain specific evaluation criteria for Discretionary Uses.

### **Municipal Development Plan (MDP)**

Section 6.2.3 of the MDP states that Bed and Breakfast establishments are supported as a means to provide a variety of commercial accommodation types and to promote opportunities for small business operations.

### **Municipal Government Act (MGA)**

Section 642(2) of the Municipal Government Act describes how the development authority may, in its discretion, issue a Development Permit for a discretionary use with or without conditions as provided for in the LUB.

As previously noted, the approval for this development was issued by the SDAB in October of 2020. The current renewal was approved by the Development Officer as it was found to be operating in compliance with original approval granted, with no discernible off-site impacts, and in compliance with the relevant provisions of the LUB.

## **EXISTING SITE**

17 MacDonald Place (the property) is located within an R1 – Residential Detached District. The purpose of the R1 district is *to provide for Detached Dwelling units on standard lots with provisions to allow for Accessory Dwelling Units and other compatible residential neighbourhood uses.* Bed and Breakfasts are listed as a discretionary use in this district.

The current use of the site is a Detached Dwelling (constructed in 2019), with an accessory use of a Bed and Breakfast and Home Occupation Class 1 (Home Office).

Adjacent properties on MacDonald Place consist of residential dwellings within the R1 District, with properties on Three Sisters Drive also consisting of residential dwellings but in the R2 District (see attachment no.2).

## **BYLAW CONFORMANCE/VARIANCE DISCUSSION**

The application has been deemed to meet the criteria established in the LUB, with no variances requested or required. Direct discussion occurred between the Planning Department and several adjacent residents.

The concerns raised by adjacent residents included the following:

1. The appropriateness of the Bed and Breakfast for the location;
2. The owner/operator utilizing third party assistance in the operation of the Bed and Breakfast, referencing the “operator” and “principal resident” wording within the required Statutory Declaration;
3. The route of entry to the guest rooms;
4. The consumption of food within the guest areas;
5. The frequency of the operator’s presence at the property and guests being unsupervised;
6. The guest rooms being self-contained suites rather than being integrated to the principal dwelling;
7. That the purpose and intent of a Bed and Breakfast is not being met in the traditional sense that the residents expected; and
8. Traffic and right to quiet enjoyment.

Upon review, the concerns raised were found to be matters that are either not regulated or specified within the current LUB, or larger policy discussions which are beyond the scope of a single application. For a full compliance review of the application as it relates to the LUB see Attachment No. 3. Some of the key issues raised are discussed in detail below.

### 1. **Owner/Operator and Presence at the Property**

The owner/operator uses third-party support to assist with the business, including cleaning and bookings. The owner may not be present at the property during all guest stays.

### **PLANNING DEPARTMENT POSITION**

In accordance with section 8.3.0.12 of the LUB, the operator of a Bed and Breakfast development shall submit and sign a statutory declaration stating that they are the principal resident of the dwelling (see attachment no. 4). The LUB does not state that an operator cannot obtain the services of a third party to assist in operation of a bed and breakfast. The required level of supervision of Bed and Breakfast guests is also not specified in the LUB. These types of regulations do not exist in the LUB as it is challenging to reasonably monitor and/or enforce any such requirement(s).

### 2. **Integration of the Guest Rooms into the Principal Dwelling**

Complaints allege that the guest suites are accessed through separate entry keypads, that guests are bringing groceries into their suites, and are self-contained units rather than being integrated into the principal dwelling.

### **PLANNING DEPARTMENT POSITION**

The specific use regulations for Bed and Breakfasts found in section 8.3 of the LUB states that a Bed and Breakfast Development

*“shall provide access to guest bedrooms through the principal Dwelling Unit and not solely through a separate private entrance.”*

The approved plans show that the units have access through the principal dwelling, which complies with this regulation. Which access is used and how often, is not specified in the regulations, and beyond the Town’s ability to monitor.

Regarding cooking and food preparation, section 8.3 of the Land Use Bylaw states that a Bed and Breakfast Development shall

*“not contain cooking or food preparation facilities in bedrooms or suites for use by guests.”*

The Town has interpreted this to mean that a wet-bar is permitted (mini-fridge, sink, etc.), but no cooking appliances. Consumption of food within the guest areas is deemed to be permitted. While there may be public expectations that a Bed and Breakfast be fully integrated with the principal dwelling, sharing meals and common areas, etc., there is no requirement in the Land Use Bylaw for a Bed and Breakfast to operate in this manner.

### 3. Appropriateness for the Area and Nuisance

Concerns received by the Town allege that the Bed and Breakfast is not appropriate for the area for the following reasons:

1. The distance from commercial services;
2. Traffic, and
3. That unsupervised guests disturb their enjoyment of the residential area.

### PLANNING DEPARTMENT POSITION

The LUB specifically lists the use of a Bed and Breakfast as a Discretionary use in the R1 District, making it an allowable use for the area and is consistent when considering the location of the approximately 50 other Bed and Breakfast operations currently approved across the Town of Canmore.

The Town has no criteria or requirements in relation to distance from goods and services.

While anecdotal reports have suggested that increased traffic has resulted due the Bed and Breakfast operation, there is no sound evidence that the level of traffic is beyond what would be reasonably expected in a residential area.

With regards to the temporary and transient nature of Bed and Breakfast guests, this is expected with an operation of this nature and unavoidable. As previously stated, the level of guest supervision is not specified in the LUB and is challenging for the Town to monitor. Additionally, Bylaw Services has confirmed there have been no recorded noise complaints or other disturbances associated with this property that may otherwise compromise one's enjoyment of the residential area, referencing section 8.3.0.3 of the LUB.

### OPTIONS FOR CONSIDERATION

Section 687(3)(c) and (d) of the MGA provide that, in making a decision on a development appeal, the board may:

- confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
  - the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
  - the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

Planning proposes the following options for the SDAB:

1. Approve the application subject to the conditions in Schedule A.
2. Approve the application subject to the conditions in Schedule A and any other conditions that the SDAB deems necessary.
3. Refuse the application, specifying reason(s) for refusal.
4. Postpone the application, pending submission of any additional details requested by SDAB.

### RECOMMENDATION

Planning recommends that the Subdivision & Development Appeal Board **APPROVE** PL20210394. Recommended conditions are included in Attachment 5.

### ATTACHMENTS:

1. Site Context
2. Zoning Map
3. Bylaw Conformance Review
4. Development Permit Application



5. Schedule A – Proposed Conditions of Approval
6. Original Approval – SDAB Order
7. Statutory Requirements for Appeal



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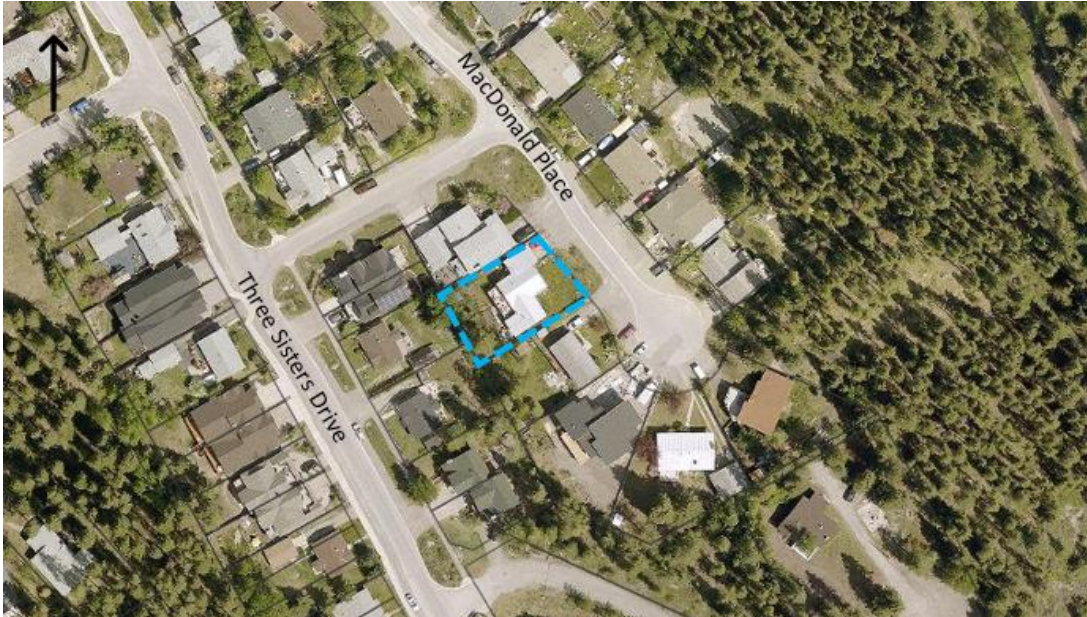
**Marcus Henry**  
Acting Manager of Planning &  
Development



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**Eric Bjorge**  
Planning Technician

**ATTACHMENT I – SITE CONTEXT**



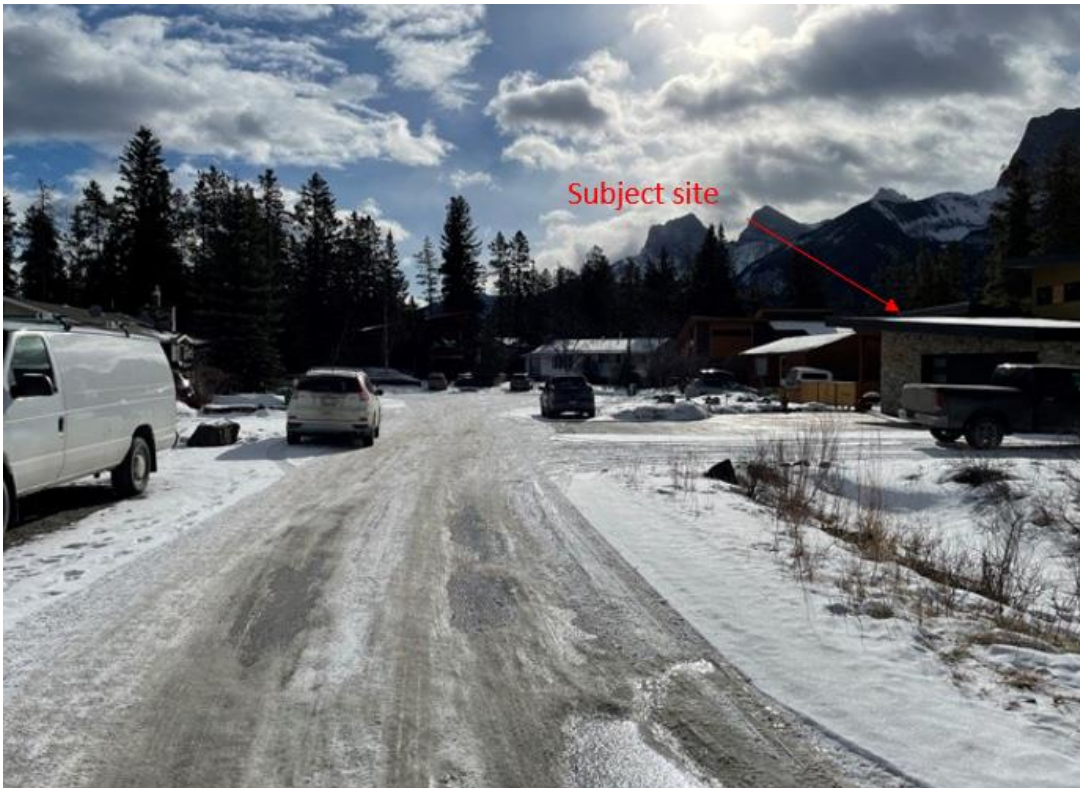
*Aerial Photo - 17 MacDonald Place outlined in blue*



*Looking north from Three Sisters Drive – subject site/building is visible in the background*



Looking South from MacDonald Place

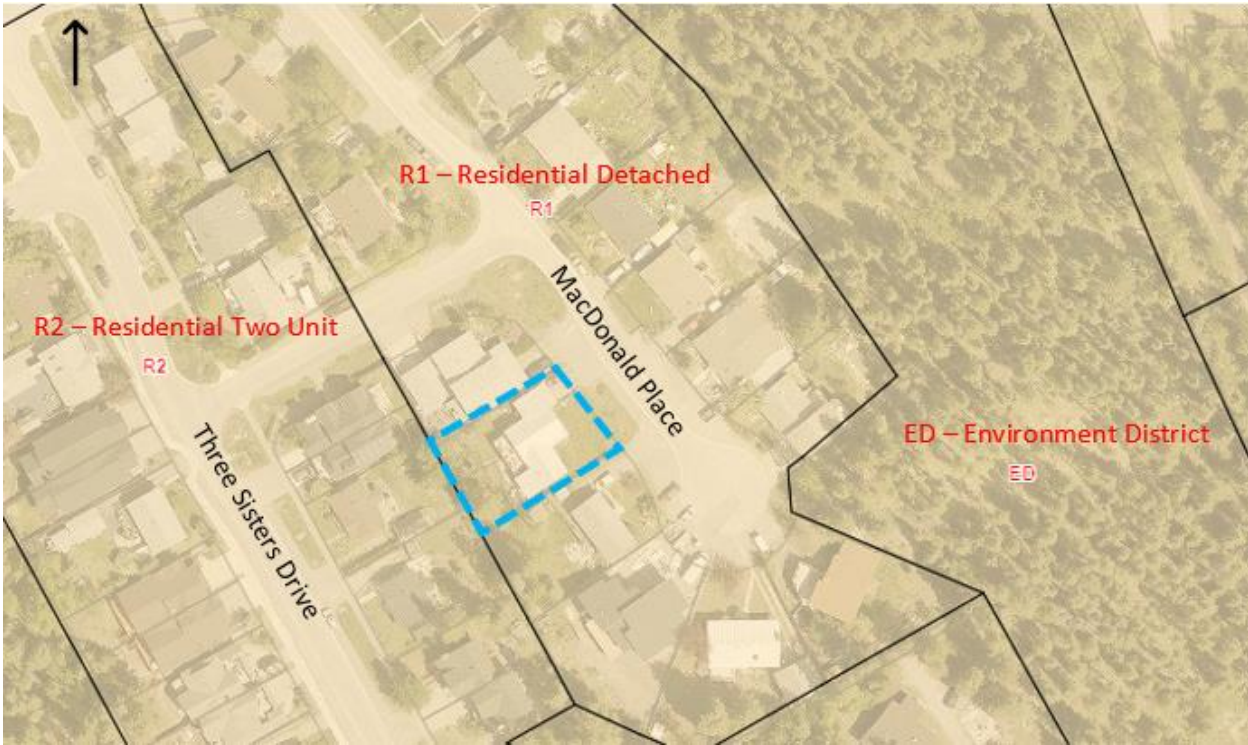


Looking east on MacDonald Place



*Looking west on MacDonald Place*

**ATTACHMENT 2 – ZONING MAP**



17 MacDonald Place outlined in blue

### ATTACHMENT 3 - BYLAW CONFORMANCE REVIEW

**Note:** As this application is a renewal, the majority of regulations below were reviewed and approved as part of the previous application PL202010192, and there is no changes or updated plans for the renewal, with the exception of a new Statutory Declaration.

REQUIREMENT	BYLAW 2018-22	PROPOSED	VARIANCE REQUIRED
INCIDENTAL AND SUBORDINATE TO PRINCIPAL RESIDENTIAL USE AND FULLY CONTAINED WITH THE PRINCIPAL BUILDING	INCIDENTAL AND SUBORDINATE TO PRINCIPAL RESIDENTIAL USE AND FULLY CONTAINED WITH THE PRINCIPAL BUILDING	GUEST ROOMS IN LOWER LEVEL OF PRINCIPAL BUILDING	No
NUMBER OF GUEST ROOMS	MAXIMUM 3 GUEST ROOMS AND 2 GUESTS PER BEDROOM	2 GUEST ROOMS, 3 BEDROOMS, MAXIMUM OF 6 PEOPLE	No
DENSITY AND SEPARATION	MAXIMUM OF 5% OF ALL RESIDENTIAL DWELLINGS WITHIN THE CENSUS AREA, MIN SEPARATION OF 50M FROM NEAREST B&B	UNDER 5% OF DWELLINGS IN THIS CENSUS AREA ARE B&B'S AND A MINIMUM OF 50M SEPARATION FROM NEAREST B&B	No
KITCHEN FACILITIES	NO COOKING OR FOOD PREPARATION FACILITIES IN GUEST ROOMS	WET BAR, WITH MINI-FRIDGE, SINK AND DISHWASHER	No
ACCESS	ACCESS NOT SOLELY THROUGH PRIVATE ENTRANCE	ACCESS PROVIDED THROUGH PRINCIPAL DWELLING AND PRIVATE ENTRANCE	No
OPERATORS DECLARATION	STATUTORY DECLARATION REQUIRED CONFIRMING OPERATOR IS THE PRINCIPAL RESIDENT OF THE DWELLING	FORM DOCUMENT SIGNED AND RECEIVED	No

SIGN	EXTERIOR SIGNAGE REQUIRED	SIGNAGE APPROVED AND IN PLACE	No
LANDSCAPING	MINIMUM 50% OF FRONT YARD	AT LEAST 50% OF FRONT YARD LANDSCAPED	No
PARKING VEHICLE PARKING BICYCLE PARKING	ONE STALL FOR PRINCIPAL RESIDENT, ONE STALL PER ACCOMMODATION UNIT 2 LONG TERM BICYCLE STALLS FOR EACH GUEST ROOM	4 STALLS PROVIDED IN TOTAL 4 LONG TERM BICYCLE STALLS	No No

## ATTACHMENT 4 – DEVELOPMENT PERMIT APPLICATION

Note: includes renewal application documents (application form, updated cover letter and Statutory Declaration), and original plans approved as part of PL20200192



## DEVELOPMENT PERMIT Application Form

PROPERTY INFORMATION	
Municipal Address 17 MacDonald Place, Canmore AB T1W 2N1	
Legal Address Lot/Unit: 17 Block: 5 Plan: 4171JK	Existing Use of Land/Building R1

DEVELOPMENT INFORMATION	
I have formed the submission of this application by using the following checklist: Bed and Breakfast Requirements Checklist	
Proposed Development/Use(s) Bed and Breakfast Renewal	Number of Units Two

APPLICANT INFORMATION	
Name Doreen Saunderson	Phone FOIP
E-mail fourpeaksBB@shaw.ca	
Mailing Address 17 MacDonald Place, Canmore AB T1W 2N1	

OWNER INFORMATION (if different than applicant)	
Name	Phone
E-mail	
Mailing Address	

### DECLARATION

I/We declare that I am/We are the owner of the land described above or authorized to act on behalf of the registered owner(s). I/We have reviewed all of the information supplied to the Town with respect to an application and it is true and accurate to the best of my/our knowledge. I/We understand that the Town of Canmore will rely on this information in its evaluation of the application. Any decision made by the Town of Canmore based on inaccurate information may be cancelled at any time. I/We give authorization for electronic communication, using the email provided on this application form.

By signing below, I/We confirm to have carefully read this declaration and agree to the terms within.

Signature of Applicant 	Date Oct 07, 2021, 09:07 AM MDT
Signature of Owner 	Date Oct 07, 2021, 09:07 AM MDT

FOIP Notification: This personal information is being collected under the authority of the Municipal Government Act (MGA) and in the Freedom of Information and Protection of Privacy Act (FOIP) and is managed in accordance with the provisions of FOIP. If you have any questions about the collection of your personal information, contact the Municipal Records Officer 403.678.1509.





17 MACDONALD PLACE CANMORE AB T1W 2N1

October 12, 2021

Gerrit Scheffel  
Planning Technician  
Planning and Development, Town of Canmore  
Canmore Civic Centre, 902 7th Avenue  
Canmore, Alberta T1W 3K1

Dear Mr. Scheffel,

**RE: 4PEAKS B&B PERMIT RENEWAL**

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Please find attached renewal DP application for our in-home Bed and Breakfast.

The Town's letter of September 29, 2021, states that concerns have been brought your attention, without advising us of the source or particulars of those concerns. In response to your concerns, and in particular to the following quote:

... the Town is aware that the Bed & Breakfast is being operated by a professional management company for both bookings and cleaning and that your presence at the property is very limited, which contradicts the intent and definition of what a Bed and Breakfast is and how it should be operated. Section 13 of the Land Use Bylaw defines the use of a Bed and Breakfast as follows:

Bed and Breakfast means an ancillary commercial use operated by the permanent resident of the dwelling and providing a maximum accommodation of three guest rooms to a maximum of six persons for periods of 14 days or less.

we offer the following additional information to support our application.

4Peaks B&B is owned and operated by me and I am the owner and full-time permanent resident of the home. The assertion "that your presence at the property is very limited" is certainly not based on communication with us and is not correct. I operate this home-based business. I am engaged in and manage operations on a daily basis. Contrary to your assertion, I am typically present at the home throughout the day and night.

Together with my husband and co-owner of the home, Dale Hildebrand, who assists me, we are operators of this business. The Bed & Breakfast is not being operated by a professional management company. In order to provide services to our clients there are several processes involved:

1. Client bookings
  - a. We created, own and manage a web site promoting our business [www.4peaksbb.com](http://www.4peaksbb.com)
  - b. We advertise and promote our business to drive clients to our web site and/or the AirBnB listings.
  - c. We joined the Canmore B&B Association shortly after our permit was issued and we began operations and are listed on their website to generate bookings <https://www.bbcanmore.com/listal.asp>

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(403) 862-5961 • [fourpeaksBB@shaw.ca](mailto:fourpeaksBB@shaw.ca)

- d. Clients book through AirBnB. S&T Property Management markets the suites via AirBnB and advises us promptly of all bookings and cancellations they receive. S&T has experience with AirBnB and 7x24 staff that respond to AirBnB requests. Many clients expect fast responses and providing 7x24 service leads to higher occupancy rates.
  - e. Once clients are booked, we prepare for their arrival.
2. Breakfasts
- a. Every client receives an electronic survey from us asking for their breakfast preferences.
  - b. Due to Alberta Health requirements, we offer all clients a continental breakfast, with their choice of hot and cold cereals, bread option, milk option, fruit option, yogurt, juice and snacks, none of which require any cooking facilities.
  - c. We purchase the breakfast items for our guests based on their requests, typically within hours of their arrival.
  - d. Before each cleaning, we remove unused food items from the prior guests and inspect the B&B rooms.
  - e. Before each arrival we stock the rooms with the requested continental breakfast food.
3. Hosting
- a. We endeavour to meet our guests, although, they can access the B&B units directly if we are not home. We make efforts to interact with our guests to provide them with a positive experience.
  - b. We offer guests bike parking and sports equipment storage in our shed.
  - c. Guests can contact us with any special requests, or they can reach us though S&T if we are not home.
  - d. Our website provides guests with information about activities and facilities that they can access and may enjoy in Canmore and the Bow Valley.
  - e. We provide guests with business cards welcoming them and directing them to our website for this information. Guests reach out to us seeking advice on activities available in the Bow Valley.
4. Cleaning
- a. After each guest stay our B&B rooms are professionally cleaned. All laundry is sent to an off-site facility to be professionally cleaned.
  - b. We utilize a number of different cleaning companies due to the requirements to have the cleaning done within a short time. S&T coordinates the cleaners to align with guest timing requests made through AirBnB.
  - c. After the B&B rooms are cleaned, we inspect them and place the requested breakfast foods in each suite, making sure the rooms are ready for our guests.
5. Maintenance
- a. We provide both operating and capital funds and perform maintenance.
  - b. We address guest needs and questions on site as they arise. Maintenance issues can also be reported to S&T 24/7 and they help coordinate repairs sometimes.

- c. We maintain the property, including landscaping in the summer and snow removal in the winter.

When we have taken vacations, others (not S&T) temporarily provided the services we usually perform to our guests on our behalf and under our direction.

S&T Properties does not run our B&B business. Our contract with them specifies the services they provide, which are limited to marketing and handling AirBnB bookings and coordinating cleaning services.

2021 has been a very difficult year for many local businesses and we have kept our business operating through the pandemic by complying with all health orders. Most guests do not want to enter other parts of our home, and for many months in 2021, they were not allowed to enter due to Alberta Health orders. The provision of separate, exterior entrances is a common feature of BnBs and has allowed our business to continue to operate and provide a safe option for people to visit Canmore. This feature has provided a degree of comfort and security to our guests, who felt safe having private space in our home and the ability to physically distance.

We are troubled by the reference to a violation of the Land Use Bylaw (LUB) in Town's letter of September 29, 2021:

The residents/operators are expected to be present on the property for the duration of the guest booking(s). The guests are to have access to common areas in the home and are not to be provided facilities for cooking and food preparation in a private suite. A response to this violation of the LUB will also be required.

We understand our space and operations to be entirely compliant with the LUB and the terms of our permit. We reside at and are generally present on the property; the B&B bedrooms have access to common areas and the B&B suites do not have cooking facilities.

Our space was designed for a B&B operation based on communication with Town planning staff and it was inspected and approved by Town planning staff. The layout was reviewed by Town planners and the Subdivision & Development Appeal Board when a neighbour appealed our permit in December 2020. The Town and the Board determined that our facilities and operations are consistent with the LUB and entirely compliant with the requirements of our permit. Nothing has changed since the Board reviewed and approved our permit.

Our operations were explained to neighbours and Town planning staff when the same neighbour made a complaint after we began operations in January 2021. After investigation, the Town advised us that it was satisfied that we are compliant, and that the Town had no issues with our operations, including that guests sometimes let themselves into the suites through private entrances and that we engage contractors to assist us with some aspects of our operations, including while we were on vacation.

The above descriptions make it clear that we are the active and sole resident owner/operators of our home-based business. As with most businesses, we hire others to provide us with goods and services to support the safe, effective operation of our business and provide the best possible guest experience and highest quality operation. We submit that there is no requirement under our permit or the LUB that we personally perform all associated work ourselves. Such a requirement would not be reasonable or in the best interests of the Town. Our manner of operating the B&B provides much needed employment in Canmore for others.

We also submit that there is no requirement that we need to be present at our home at all times to operate an in-home B&B. We do not see this requirement in the permit or the LUB or in any information or documents that the Town provided to us before or during our operation. We do not understand this to be an expectation or a practise of other in-home B&Bs or home-based businesses in Canmore. It is not a reasonable requirement. Again, the assertion that our

presence at the property is very limited is not correct, and is likely based on false accusations from one neighbour who has been opposed to our B&B operation from our initial application.

We are a member of the Canmore Bow Valley Bed and Breakfast Association. Before joining the association, our premises and operation was inspected and reviewed by the association to ensure we meet their expectations and guidelines, which are based on the LUB. They were satisfied that we are good faith resident owner/operators present in the home and operating in a reasonable manner consistent with industry practises. We were advised that use of contractors for services and that having others cover operations during owners' vacations is common for B&Bs in Canmore.

In past discussions with the Town regarding our B&B operations there has been no suggestion that use of contracted services to assist in our operations was not permitted. We are surprised by the assertion now that somehow our B&B is not consistent with the intent of the LUB or that we are in violation.

Despite one neighbour's opposition, we have not been advised of any substantial interference with the quiet enjoyment of our neighbours' properties as a result of our B&B operation, the primary consideration under the LUB. Other than when we had our driveway paved this summer, to satisfy other neighbour's concerns, our guests have always parked on our premises in the designated spaces provided for that purpose.

We have invited discussion from neighbours and have not been advised of any specific concerns or interference. No one has complained that our B&B "interferes with the rights of other residents to quiet enjoyment of a residential neighbourhood." The multiple complaints from one neighbour have been limited to how we operate our business, which we submit is fully compliant with the LUB, our permit and written guidelines Town planning staff have provided to us. Our manner of operation has not been demonstrated to create any unusual impact on neighbours.

Please feel free to contact me at 403-862-5961 or [fourpeaksBB@shaw.ca](mailto:fourpeaksBB@shaw.ca). We look forward to receiving our permit renewal.

Sincerely,



Doreen Saunderson, L.L.B  
Owner

**STATUTORY DECLARATION**

RE: 4Peaks Rocky Mountain B&B  
(Name of Bed and Breakfast)

CANADA )  
PROVINCE OF ALBERTA ) IN THE MATTER OF 4Peaks Rocky Mountain B&B  
TO WIT: (Bed and Breakfast)

I/We, Doreen Saunderson, of the Town of Canmore, in the Province of Alberta, Canada:

DO SOLEMNLY DECLARE THAT:

- I/We, Doreen Saunderson, operate a Bed and Breakfast Business known as 4Peaks Rocky Mountain B&B at the premises municipally described as 17 MacDonald Place, Canmore AB T1W 2N1 and legally described as Plan 4171JK Block 5 Lot 17 (the "Principal Dwelling").
- We are the primary residents of the Principal Dwelling.

AND I MAKE THIS DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the Town of Canmore, in the Province of Alberta, this 7 day of October, 2021.



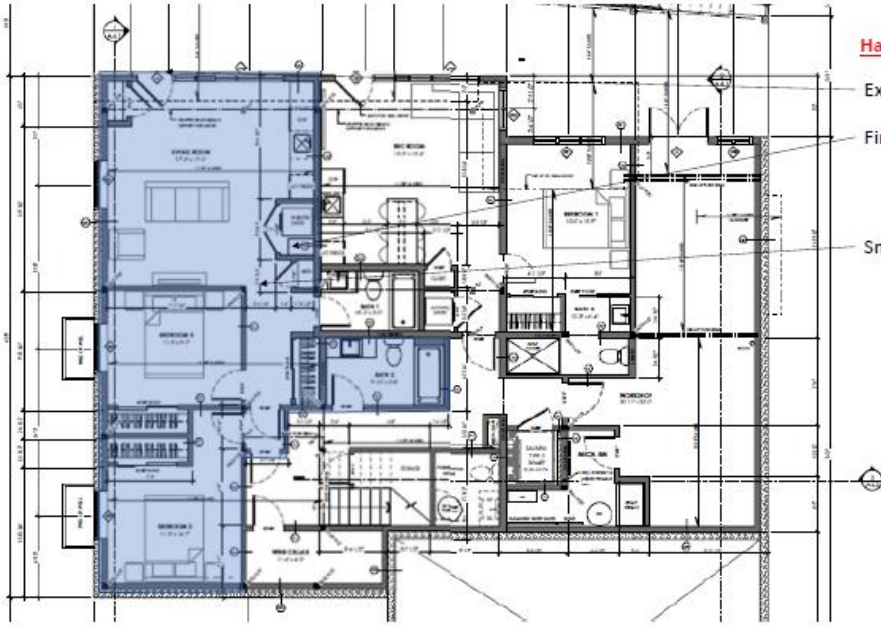
A Commissioner for Oaths in and for the Province of Alberta  
**Donald Blackett**  
**Barrister & Solicitor**  
**Notary Public**  
**Commissioner for Oaths**  
**Province of Alberta**



Signature of Declarant

October 2020



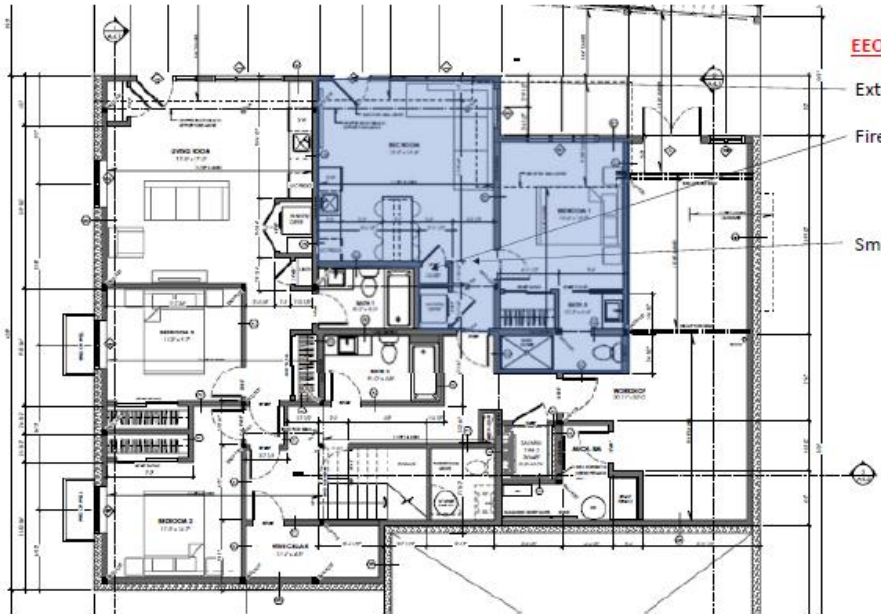


**Ha Ling Suite**

Exterior Entrance

Fire extinguisher location

Smoke detector location



**EEOR Suite**

Exterior Entrance

Fire extinguisher location

Smoke detector location

**ATTACHMENT 5 – SCHEDULE A – CONDITIONS OF APPROVAL**

**SCHEDULE A**  
CONDITIONS OF APPROVAL

**DEVELOPMENT PERMIT No.:** PL20210394

**LAND USE DISTRICT:** R1 – Residential

**APPROVED USE(S):** Renewal: Bed and Breakfast (2 Accommodation Units)

**APPROVED VARIANCE(S):** None

**MUNICIPAL ADDRESS:** 17 MacDonald Place

**LEGAL ADDRESS:** Lot 17 Block 5 Plan 4171JK

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**APPROVED VARIANCES**

1. None

**STANDARD CONDITIONS**

1. The operation and approval of this Bed and Breakfast Development Permit shall comply with the regulations of the Land Use Bylaw (LUB) 2018-22, unless otherwise stated under the approved variances section of this document.
2. A business registry license must be obtained to operate a Bed and Breakfast in accordance with the Canmore Business Registry Bylaw.
3. Development Permit is valid to **November 30, 2024.**
4. The Bed and Breakfast shall not contain cooking or food preparation facilities in bedrooms or attached common areas for use by guests.
5. Access to guest bedrooms must be provided through the principal Dwelling Unit and not solely through a separate private entrance;
6. All construction, landscaping and exterior finishing materials are to be as shown on the approved plans and other supporting material submitted with the application.



**SPECIFIC CONDITIONS**

1. The number of accommodation units approved for this Bed and Breakfast development is two (2), with a total of three (3) bedrooms, and a maximum of two (2) guests per bedroom for a maximum of six (6) guests.
2. Parking shall be provided in the following manner. A minimum of one (1) stall for the principal resident, and one (1) stall per accommodation unit, for a total of three (3) parking stalls, in the areas shown on the site plan submitted with the application. Parking for the guestrooms may not be in tandem.
3. Approval of this development permit acknowledges the receipt of a signed Statutory Declaration confirming that the applicant is the operator of the Bed and Breakfast and the primary resident of the principal dwelling.

**ADVISORY COMMENTS**

1. At the discretion of the Development authority, Bed and Breakfast developments may be permitted on the same site as a Home occupation where an applicant has adequately demonstrated that such an approval would result in negligible increase in noise, traffic or parking on the property or in the neighborhood.
2. As part of the Alberta Building Code (ABC) the following will be required:
  - i. One ABC Fire Extinguisher with a minimum UL or ULC rating of 2A to be mounted on each level being used for the Bed & Breakfast establishment.
  - ii. Smoke alarms are to be installed between each sleeping area and the remainder of the dwelling.
  - iii. One 5 LB (2-A-10-BC) portable fire extinguisher to be located on each level occupied by the B & B guests.

\_\_\_\_\_  
Signature  
Development Authority

\_\_\_\_\_  
Date

**IS A NOTICE POSTING REQUIRED:**       **YES**       **NO**

**ATTACHMENT 6 – ORIGINAL APPROVAL – SDAB ORDER**



**Decision  
Subdivision and Development Appeal Board**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD ORDER**

**APPEAL NO. 2020-007  
PL20200192**

Order of the Subdivision & Development Appeal Board of the Town of Canmore, in the province of Alberta, dated November 27, 2020.

Board Members Hearing the Appeal: Mr. Sean Krausert, Mr. Greg Birch, Mr. Harry Scott, Ms. Jill Jamieson and Ms. Rochelle Harding.

And in the matter of the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26, as amended;

And in the matter of an appeal by Carmen Colborne and Greg Kletke against a Development Permit - Bed & Breakfast - New - Rental of Two Guest Rooms - No Variances. Appeal against approval by Development Officer

This appeal hearing having been duly opened before the Subdivision & Development Appeal Board on November 19, 2020.

And upon hearing oral and visual submissions from the Appellant, Applicant and Development Officer.

And upon having regard to the Town of Canmore Land Use Bylaw No. 2018-22 (Bylaw), the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended and other relevant planning documents;

**APPEAL INFORMATION:**

**PL20200192**

**Development Permit - Bed & Breakfast - New - Rental of Two Guest Rooms - No Variances**

**Lot 17 Block 5 Plan4171JK**

**17 MacDonald Place**

**Appeal against approval by Development Officer**

**RELEVANT STATUTORY & PLANNING DOCUMENT PROVISIONS:**

1. Land Use Bylaw 2018-22 ("LUB") in general, and specifically:
  - a) Section 1.10.2.1 Notice of Application.
  - b) Section 1.10.4.5 Notice of Decision.
  - c) Section 2.7 Parking and Loading Requirements.
  - d) Section 8.3 Special Regulations for Bed & Breakfast Developments.
  - e) Section 13 Definitions.
2. Municipal Government Act ("MGA") in general, and specifically Section 687.



**Decision  
Subdivision and Development Appeal Board**

**SUMMARY OF EVIDENCE PRESENTED:**

1. Written report provided by Development Authority, Razeena Badiudeen.
2. Verbal & Visual presentation by the Development Authority, Razeena Badiudeen and Marcus Henry.
3. Verbal & Visual presentation by the Appellant, Carmen Colborne and Greg Kletke.
4. Written submission by the Applicant, Dale Hildebrand.
5. Verbal & Visual presentation by the Applicant, Dale Hildebrand and Doreen Sanderson.
6. One (1) verbal presentation in support of the appeal.
7. One (1) written submission in support of the appeal received past deadline.

**FINDINGS OF FACT:**

1. The subject property is in the R1 District of the LUB.
2. The application is for a Bed & Breakfast which is a discretionary use in the R1 District, and no variances were requested.

**THE BOARD THEREFORE ORDERS THAT:**

The appeal be DENIED, and PL20200192 be APPROVED with the original approved Conditions except for replacement of Condition 5 of Schedule A as follows:

5. *The number of accommodation rooms approved for this Bed and Breakfast development is two (2), with a total of three (3) bedrooms, and a maximum of two (2) guests per bedroom for a maximum of six (6) guests.*

**REASONS:**

1. The Land Use Bylaw's parking requirement for Bed & Breakfast was satisfied.
2. The Land Use Bylaw allows for a Class 1 Home Occupation and a Bed & Breakfast Development Permit for the same dwelling, and the SDAB is satisfied that the approval would result in a negligible increase in noise, traffic or parking on the property or in the neighbourhood.
3. Initial Development permits for Bed and Breakfast developments are valid for a maximum of one (1) year. A subsequent Development Permit renewal may be valid for a maximum of 3 years.

11/27/2020

Date Signed

DocuSigned by:  
Sean Kraussert

Chairperson Sean Kraussert  
Subdivision & Development Appeal

*A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon or questions of jurisdiction or law pursuant Section 588 (1) & (2) of the Municipal Government Act Statutes of Alberta, 2000, Chapter M-26, as amended.*

*An application for leave to appeal to the Court of Queen's Bench shall be made:*

- a) to a judge of the Appellate Division, and;
- b) within 30 days after the issue of the order, decision, permit or approval sought to be appeal.

## **ATTACHMENT 7 – STATUTORY REQUIREMENTS FOR APPEAL**

- The application for a Development Permit for a renewal of a Bed and Breakfast was approved on January 14, 2022.
- Administration received an appeal from adjacent owners on February 4, 2022 which is within the 21-day appeal period.
- The appeal hearing was scheduled for March 3, 2022, within the 30-day time period as required by the Municipal Government Act (MGA).
- The appellant was informed of the hearing date via e-mail on February 9, 2022.
- Letters of notification to affected landowners were mailed on February 16, 2022.
- An advertisement was published in the February 24 edition of the Rocky Mountain Outlook.
- The Appeal Hearing was posted on the Town website on February 14, 2022 .
- Notifications can be assumed to have been received more than the required five days prior to the hearing. As such, the statutory requirements of the appeal have been satisfied.

**Notice of Appeal and  
background information from  
Appellant**



Notice of Appeal  
Subdivision and Development Appeal Board

Property Information			
Municipal Address <b>17 MACDONALD PLACE</b>		Development Permit/Subdivision Application File Number <b>PL 202100394</b>	
Appellant Information			
Name of Appellant <b>GREG KLETTE + CARMEN COLBORNE, on behalf of Neighbours Objecting,</b>		Agent Name (If applicable)	
Mailing Address (for notification purposes) <b>10 MACDONALD PLACE</b>		<i>- see attached - signature pages at end</i>	
City <b>CANMORE</b>	Province <b>ALBERTA</b>	Postal Code <b>T1W 2N1</b>	
Phone Number (Day) <b>FOIP</b>		Email <b>FOIP</b>	
<input checked="" type="checkbox"/> The appellant/agent, gives authorization for electronic communication by the Clerk, using the email provided on this Notice of Appeal			

**APPEAL AGAINST** (Check one box only. For multiple appeals you must submit separate Notice of Appeal forms)

Development Permit	Subdivision Application	Stop Order
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<input type="checkbox"/> Stop Order

**Reasons for appeal** Section 678 and 686 of the *Municipal Government Act* requires that the written Notice of Appeal must contain specific reasons for the appeal.

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons (attach a separate page if required)

**SEE ATTACHED.**

**FOIP Notification:** This personal information is being collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP) and is managed in accordance with the provisions of FOIP. If you have any questions about the collection of your personal information, contact the Municipal Records Officer 403.678.1509. 902 7<sup>th</sup> Avenue, Canmore AB T1W 3K1.

Signature of appellant/agent 	Date(MM/DD/YYYY) <b>FEB 3, 2022</b>
----------------------------------	--

FOR OFFICE USE ONLY			
Fee Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	Date appeal received	Final date of appeal	Hearing Date/Time <input type="checkbox"/> 2 P.M. <input type="checkbox"/> Evening

**Proximate Neighbours  
Objecting to the Approval at #17 Macdonald Place**

5 Macdonald Place, Shirley G. Brooks

6 Macdonald Place, Donna Larsen

7 Macdonald Place, no opinion

8 Macdonald Place, Glen Crawford

9 Macdonald Place, Mary Lynne McCutcheon

10 Macdonald Place, Greg Kletke & Carmen Colborne

11 Macdonald Place, Gordon Marsh

12 Macdonald Place, submitted independent objections

13 Macdonald Place, Brian Cooke

14 Macdonald Place, no opinion

15 Macdonald Place, assume supportive (solicitors for applicant)

16 Macdonald Place, Glen & Louise Crawford

18 Macdonald Place, no opinion

19 Macdonald Place, Pat & Cathy Sullivan

20 Macdonald Place, Judy Archer

292 B Three Sisters Drive, Jerry & Diane Auld

292 A Three Sisters Drive, Anne-Marie Fafard

Re: Approval of Renewal, Development Permit (Bed & Breakfast) PL 202100394  
Address: 17 Macdonald Place, Canmore

## **GROUNDS FOR APPEAL**

### General Facts:

1. Notice of an Application for Development Permit (DP) for a two-suite Bed and Breakfast (BnB) was posted on the front yard of 17 Macdonald Place (the “home”) on 16 November 2021 (posting date).

2. An Objection to the Application, signed by multiple nearby homeowners (Neighbour Objection), was delivered as required within the 10 day period between the posting date and the date for processing of DPs under s.1.10 Town of Canmore (TOC) Revised Land Use Bylaw 2018-22 (Bylaws).

3. The requested DP was for renewal of the initial one-year permit previously obtained for a two-suite Bed and Breakfast as a Discretionary Use in the home. The home is located within, and fronts onto an R-1 Residential Detached District (Macdonald Place). It has a rear yard which overlooks an R-2 Residential Two-Unit District (Three Sisters Dr). Signatories on the Neighbour Objection plus one independent submission were made by 12 of the 17 potentially affected homeowners. Included within the 17 is a home owned by the senior partner of the applicant’s local law firm. Two owners expressed no opinion, and one was not bothered by the operation as their disability keeps them isolated in a part of their home that is unaffected. Nevertheless, over 70% of the nearby homeowners expressed their desire that TOC planning discretion be applied to deny the renewal.

4. During the initial permit year the nature of the actual accommodation operation was observed on a daily basis, leading neighbours to conclude the business was acting in violation of a legitimate BnB operation as described under Bylaws s.8.3. Residents made a number of submissions, including visual evidence in support of their concerns, to the TOC. When asked whether the operation should more rightfully be considered and regulated as a short term or vacation rental, TOC planners responded with their opinion that the operation could not be considered as such under the current Bylaws. Neighbours disagreed with the technical interpretations used by TOC to allow the business to continue and advised TOC planners of their viewpoint. Multiple question and answer email exchanges between the community (via the author) and TOC regarding technical elements of Bylaw s.8.3 were exchanged over the initial permit year.

5. Neighbours were advised by email on January 14, 2022, and by posting on the property the following day, that TOC had exercised its discretion to approve the request for renewal. To summarize the reasons given for approving the DP, their email stated:

- there was not sufficient evidence that the Bed and Breakfast was not compliant with the Bylaws, nor
- that the Bed and Breakfast differs from what was originally approved by the SDAB in November, 2020

### General Facts cont’d, Observations of the Operation:

6. The owners of the home have little, if anything, to do with the visitor accommodation business operating at the location.

a. This year while the owners took numerous multi-day trips away from the home (including at least one 30-day trip), the full-occupancy nightly rental operation continued without interruption - guests arrived, guests departed, cleaning staff arrived, cleaning staff departed. No one entered the home. Whether the homeowners were in residence or not was completely immaterial to the observed operation.



b. The nightly rental business is managed by a Calgary company specializing in short-term, vacation rentals. The homeowners indicate in correspondence that the Calgary firm “only assists with the website”, however this is clearly not the case. The Calgary firm “employs” a “virtual host”, known as “Tina”. Guest comments on the AirBnB site compliment how responsive Tina is, how accommodating Tina is to guest needs, how easy it is to work with Tina, etc. Tina is not the homeowner. Tina, if that’s her actual name, never appears on-site at the home. No one on our street has ever observed a host, whether its the homeowners or some other, greet a guest on arrival or walk them out after a stay. In fact, the homeowners appear to have no involvement in day to day running of the rental business at all.

The lack of involvement brings into question whether this operation can even meet the definition of a Bed and Breakfast under s.11 of the Bylaws: “...an ancillary commercial use *operated by* the permanent resident of the dwelling” [emphasis added]. Also, whether the statutory declaration required by “the operator” under Bylaw s.8.3.0.12 can be accepted by TOC without requiring evidence they actually operate the business. There is no definition of “operation”, or “operator” in the Canmore Bylaws, therefore common sense understanding of simple language should apply. A comprehensive review of BnB inns and homes was recently completed in Banff [Report to Mayor, Town of Banff, p.5; meetings 2019-2020]. The committee report included a unanimous conclusion that the following activities are the daily duties of a resident BnB operator:

- cleaning of the property
- laundry
- managing website/online service
- communicating online or by phone with potential guests for booking enquiries
- cooking/preparing breakfast
- arranging for someone to stay onsite when the owner is not at the property for any period of time
- meeting/checking in guests
- building/property maintenance
- marketing, web and otherwise
- accounting

TOC has discretion to adopt a reasonable plain-language interpretation of the term “operator” to distinguish the actual operation observed at 17 Macdonald Place from the intentions expressed in s. 11 and s. 8.3.0.12 of the Bylaws. We see no indication in the approval decision that TOC made any attempt to define an operator or an operation for the purposes of reviewing the application for compliance with the existing Bylaw. We did however see that the owners recently added a notation to their website declaring one of them to be the owner/operator.

c. The design of the basement guest suites was approved by TOC planning at the time the new home was constructed, notwithstanding the fact that the configuration is incompatible with the requirements of a “shared experience” BnB. The design of the suites looks much more like what you would expect in an illegal vacation rental operation. We suggest that Canmore’s Bylaw s.8 still presumes there will be a shared experience, and discretion residing in TOC allows a planner to reject an application once the actual operation is observed, even where the physical layout has been accepted.

At the subject home, guests arrive, park in assigned spots, unload their gear, and head directly to the exterior rear basement entrances. Once there, they have code-lock entry to their private multi-room suite. This routine is repeated for every guests’ entry and exit, and all cleaning and linens staff who arrive and depart in preparation for the next arrivals.

We asked TOC how this entry arrangement could be consistent with the clear wording of s.8.3.0.11(c) that says a BnB development “shall provide access to guest bedrooms...not solely through a separate private entrance”. TOC planners advised that, in their interpretation, simply having the *potential* to share entry through the home is sufficient to meet the requirements of s.8.3.0.11(c). TOC opined that since this home has interior basement access through doors into a stairway area of the main home it technically qualifies as having *potential* access. We argue that when *no access through the home ever actually occurs*, it means the mandate under 8.3.0.11(c) is not reasonably met. TOC planners however declined to use their discretion and deny the application on this basis.

d. During the initial year “cooking and food preparation facilities were located in bedrooms or suites for use by guests”, contrary to Bylaw s.8.3.0.11(b). Most guests were observed arriving with grocery bags, coolers, and other indicia of planning for food preparation. Since there is no facility for *shared* food preparation in the home you must conclude that food preparation was carried out *within* each suite and/or on each private patio. The AirBnB listing states the suites are set up for food preparation. This is contrary to the clear language of the Bylaw.

TOC indicated in correspondence that without upper kitchen cabinets and 220-volt wiring, TOC would assume there *could be* no cooking and food preparation as prohibited by the Bylaw. The neighbours continue to dispute that this interpretation of the language was intended by the drafters of s.8.3.0.11.

Perhaps such a limited definition of food preparation facilities is appropriate for the determination of an illegal suite but nothing says this definition should be applicable to BnBs. Further, where there is uncertainty in interpretation of statutory language, it is an unchallenged rule that the benefit of interpretation must go to the affected party (the neighbours objecting), not the party seeking accommodation or approval (the applicant). When a detailed definition is not included in the statute, citizens should be entitled to rely on the simple, clear words that are written. If the prohibition on cooking was meant to apply only to prohibit a full kitchen, the Bylaw could have simply said “no kitchen facilities” shall be located in the suite. It does not restrict only full kitchens, it restricts any food preparation facilities including the mini kitchenettes found in these suites.

During the correspondence with TOC last year on whether this property should be considered as operating within s.8 and s. 11, the planners made reference to the food preparation facility being “within the oversight of the BnB operator”. Does this mean that a full kitchen is permitted if it’s “within the oversight of the BnB operator”? Regardless of whether or not the design of the home allows oversight of food preparation facilities as a normal part of the operation (which it does not), our actual observations of guest engagement and the information on the AirBnB site leads to the conclusion there is no oversight of the food preparation facilities in each suite.

General Facts, cont'd, Guidelines for Application of Discretion:

8. Approving an application for development permit for a Bed and Breakfast is a discretionary decision. Pursuant to Bylaw s.1.10.03, when considering a DP for a Discretionary Use there is a list of matters that must be considered. Included in the list are:

- (i.) the location of the parcel and the appropriateness of the proposed development, and
- (ii.) the merits of the proposed development and its compatibility with the intent of the Land Use District.

a. This visitor accommodation business is located in a small R1 cul-de-sac, alongside mainly traditional bungalow homes. There are no sidewalks. Access to the cul-de-sac is a one-way, narrow lane off of R2-zoned Three Sisters Dr. Both are dead-end streets populated with resident families (many of whom now have young children).

b. The rental operation at the home is not located within easy walking distance to the amenities visitors use when vacationing in Canmore, especially in the winter. This fact necessitates multiple daily trips (day or night) by each guest in and out along the narrow streets of the neighbourhood for their recreation, shopping and entertainment needs. Vehicle trips are supposed to be discouraged where possible in Canmore however there is no public transit nearby for these tourists to use.

c. On the question of the compatibility of having a tourist accommodation business in this otherwise isolated neighbourhood, the neighbours have indicated their concerns:

Use of off-site management means little to no oversight of the strangers who arrive and depart at all hours, sometimes multiple times each day and night. There is no one greeting these people and helping them integrate into the small neighbourhood.

Macdonald Place is a small intimate cul de sac. The addition of up to 4 or 5 new vehicles coming and going day and night is very disruptive. Doors slamming and headlights shining into bedrooms has changed the very nature of this once peaceful neighborhood.

Traditional homeowners and their guests understand the nature of these access streets (narrow passage width, children at play without sidewalks, snow piles during winter), and they understand the need for extra-vigilance while driving in and out. Tourist visitors do not share the same understanding and without an engaged resident host, they cannot be expected to know the area's safety issues.

The result over the past year has been a greatly diminished sense of safe streets and a safe, knowable neighbourhood within this community. As evidenced by the many signatories to the Objection, this unsupervised visitor accommodation operation has proven to be incompatible with the existing neighbourhood's right to quiet enjoyment of their residential community. This is contrary to Bylaw s.8.3.0.3 for Bed and Breakfast operations, and more generally s.1.10.0.3 (d) and (f).

We do not know how else to convey the negative impact experienced by homeowners from the accommodation operation, except to share our overwhelming response with TOC. We obviously failed to express to TOC planners that our objection to the business goes far deeper than declaring it is a noise or nuisance issue. There has seldom been a loud disruption, just the endless incremental noise of additional strangers on the suite patios and car lights late at night. What we tried to express to the TOC planners is

that this operation has altered the fundamental sense of community among the residents in our neighborhood.

Request for Reversal:

The signatories to the Neighbourhood Objection join together in asking the Subdivision and Appeal Board to find that the TOC planners failed to properly exercise their discretion under Bylaw s.1.10.0.2 (c) to refuse the application for the Discretionary Use, for the following reasons:

1. The discretionary use applied for under the DP is a form of guest accommodation not currently contemplated by or authorized under the TOC Bylaws. For numerous reasons stated above this operation does not meet the definition under s. 11, nor does it comply with essential elements under s. 8.3.0.11 (b) and (c).
2. While the *physical layout* of the individual suites remains the same as when they were in front of the SDAB last year (in 2020), the Bed and Breakfast operation as it was actually observed in the initial permit year was not reviewed by the SDAB in its decision. There was no information regarding the actual operation before the SDAB, as of course it had not yet been in operation. Further, the prior SDAB was not asked to address any of the other discretionary decisions made by TOC planners finding this operation was in compliance with s.8 of the Bylaws. Therefore we ask this SDAB to find that the prior decision of the SDAB on an initial permit issued prior to any actual operation should not have been used as a primary reason for approval of the renewal application.
3. The location of the home is incompatible with the existing neighbourhood for operation of the type of rental business approved by TOC in this application. A conforming Bed and Breakfast would be difficult to justify in this location (without walkability or public transit options), let alone a BnB operating without onsite hosting. Based on neighborhood impact, any distinction between this operation and prohibited short-term vacation rentals is a distinction without any tangible difference. Discretion could have been applied by TOC under s.1.10.0.3 to deny the approval on this basis. We ask the SDAB to make this finding and overturn the approval.
4. The Applicant does **not have a right** to operate an accommodation business in a residential neighbourhood; it's just a discretionary privilege. On the other hand, an existing community **does** have a right to quiet enjoyment of their residential homes (8.3.0.3; 1.10.0.3). When a large majority of proximal homeowners publicly declare their right to quiet enjoyment has been negatively affected by a business operation during the initial permitted year, it is no longer a question of discretion. The language is black and white; the evidence as expressed to TOC by the current residential homeowners is overwhelming. We ask the SDAB to find the submissions by the majority of the neighbourhood on this point are sufficient to overturn the approval and deny the application.

Thank you for consideration of our position.

Petition Re: 17 Macdonald Place, Canmore

\_\_\_\_\_  
1 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
2 Macdonald Place  
Sign above; Print names here

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(Date)

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3 Macdonald Place  
Sign above; Print names here

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(Date)

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4 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
5 Macdonald Place  
Sign above; Print names here

*Shirley G. Brookes*  
**SHIRLEY G BROOKES**

\_\_\_\_\_  
(Date)

*Nov. 14/19 21*

\_\_\_\_\_  
6 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
7 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

Petition Re: 17 Macdonald Place, Canmore

\_\_\_\_\_  
1 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

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2 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

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3 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

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4 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
5 Macdonald Place  
Sign above; Print names here

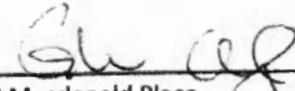
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(Date)

*Donna Larsen*  
\_\_\_\_\_  
6 Macdonald Place  
Sign above; Print names here  
*Donna Larsen*

*Nov. 11, 2021*  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
7 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

  
8 Macdonald Place  
Sign above; Print names here **GLEN CRAWFORD**

Nov. 12/21  
(Date)

9 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

10 Macdonald Place  
Sign above; Print names here


\_\_\_\_\_  
(Date)

11 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

12 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

  
13 Macdonald Place **Greg Kletke**  
Sign above; Print names here

Nov. 24, 2021  
(Date)

Brian Cooke, owner of 13 Macdonald Place, authorized Greg Kletke to sign on his behalf in a text dated Nov. 24, 2021. Mr. Cooke is currently travelling outside of the country and is without access to a printer. If required, Mr. Cooke will follow up with a formal authorization upon his return.

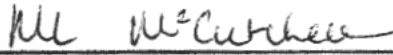
14 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

Petition Re: 17 Macdonald Place, Canmore

8 Macdonald Place  
Sign above; Print names here

(Date)

  
9 Macdonald Place  
Sign above; Print names here MARY LYNNE M'CLUTCHEON

NOV 13/2021  
(Date)

  
10 Macdonald Place  
Sign above; Print names here Greg Kletke

  
Carmen Colborne

NOV. 20/2021  
(Date)

11 Macdonald Place  
Sign above; Print names here

(Date)

12 Macdonald Place  
Sign above; Print names here

(Date)

13 Macdonald Place  
Sign above; Print names here

(Date)

14 Macdonald Place  
Sign above; Print names here

(Date)



\_\_\_\_\_

288 Three Sisters Dr.

\_\_\_\_\_ (Date)

Sign above; Print names here

Sign:  \_\_\_\_\_

15 Nov 21

Print Address here: \_\_\_\_\_

11 Macdonald PL

(Date)

Print names below

Gooden MARCH

Sign: \_\_\_\_\_

Print Address here: \_\_\_\_\_

(Date)

Print names below

Petition Re: 17 Macdonald Place, Canmore

Glen Crawford  
16 Macdonald Place  
Sign above; Print names here **GLEN CRAWFORD**

Nov 12/21  
(Date)

\_\_\_\_\_  
18 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
19 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
20 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
292A Three Sisters Dr.  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
292B Three Sisters Dr.  
Sign above; Print names here

\_\_\_\_\_  
(Date)

Petition Re: 17 Macdonald Place, Canmore

\_\_\_\_\_  
16 Macdonald Place  
Sign above; Print names here


\_\_\_\_\_  
(Date)

\_\_\_\_\_  
18 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

  
\_\_\_\_\_  
19 Macdonald Place  
Sign above; Print names here

  
\_\_\_\_\_  
Catherine Sullivan

  
\_\_\_\_\_  
(Date)

PATRICK SULLIVAN

\_\_\_\_\_  
20 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
292A Three Sisters Dr.  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
292B Three Sisters Dr.  
Sign above; Print names here

\_\_\_\_\_  
(Date)

Petition Re: 17 Macdonald Place, Canmore

\_\_\_\_\_  
16 Macdonald Place  
Sign above; Print names here


\_\_\_\_\_  
(Date)

\_\_\_\_\_  
18 Macdonald Place  
Sign above; Print names here


\_\_\_\_\_  
(Date)

\_\_\_\_\_  
19 Macdonald Place  
Sign above; Print names here

\_\_\_\_\_  
(Date)

  
\_\_\_\_\_  
20 Macdonald Place  
Sign above; Print names here

Judy Archer

  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
292A Three Sisters Dr.  
Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
292B Three Sisters Dr.  
Sign above; Print names here

\_\_\_\_\_  
(Date)

Petition Re: 17 Macdonald Place, Canmore

\_\_\_\_\_  
16 Macdonald Place

Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
18 Macdonald Place

Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
19 Macdonald Place

Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
20 Macdonald Place

Sign above; Print names here

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
292A Three Sisters Dr.

Sign above; Print names here

  
JERRY AULD for DIANE AULD

\_\_\_\_\_  
2021-11-11

(Date)

\_\_\_\_\_  
292B Three Sisters Dr.

Sign above; Print names here

  
Anne-Marie Fafard

\_\_\_\_\_  
NOV 11, 21

(Date)

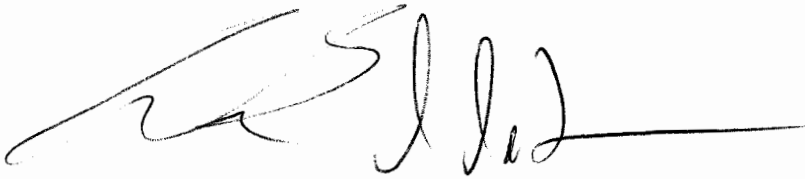
RE: Appeal of Approval of Development Permit (Bed & Breakfast) PL 20310394  
Address: 17 Macdonald Place, Canmore  
Appeal Filed: February 22, 2022

**AMENDMENT**

The Appellants have been informed that existing wording in the Appeal document should be deleted and replaced, as follows:

15 Macdonald Pl. – independent letter submitted

Submitted (by email) this 18<sup>th</sup> day of February, 2022.

A handwritten signature in black ink, appearing to be 'Carmen Colborne & Greg Kletke', written over a horizontal line.

Carmen Colborne & Greg Kletke  
For the Appellants

**Written Submission from the  
Applicant/Landowner of the  
subject property**



17 MacDonald Place Canmore AB T1W 2N1

February 23, 2022

**RE: WRITTEN SUBMISSIONS TO THE CANMORE SUBDIVISION AND  
DEVELOPMENT APPEAL BOARD (SDAB)  
APPEAL OF B&B PERMIT FOR 17 MACDONALD PLACE  
PL 202100394**

---

Our neighbours Carmen Colborne and Greg Kletke have submitted an appeal to the renewal of our B&B permit with the indicated support of some other owners of homes within blocks of our home. This is their second appeal; the first was dismissed by the SDAB on Nov. 27, 2020 (PL 20200192).

These materials are provided in response to the current appeal. In addition, I will make oral submissions to the SDAB at the hearing on March 3, 2022.

I understand that our neighbour Sandy Last (15 Macdonald Place) and Jackie Lefavre, Vice President of the Canmore Bow Valley Bed and Breakfast Association, have made a written submissions in relation to the appeal. I have not seen any other submissions at the time of submitting this letter.

I understand that the Town of Canmore report or submissions to the SDAB in support of the Permit granted will include our full renewal application package including:

- Letter of October 12, 2021
- Statutory Declaration
- DP Application Form
- Bed and Breakfast Requirements checklist

Please find attached the following additional materials:

- A. Photographs of our home and B&B signage also evidencing the posting of the Notice of Decision on our property
- B. Email to neighbours March 7, 2021
- C. Email to neighbours January 16, 2022
- D. Form of Communication to guests to confirm booking (EEOR example)
- E. Relevant provisions in the Town of Canmore Land Use By-law (LUB) relating to B&Bs
- F. Sections 685 to 687 of the Municipal Government Act relating to development appeals

I will speak to these documents and the issues raised in the appeal at the SDAB hearing. In brief written reply to the current appeal I have the following comments:

1. Although the appeal filed refers to independent objections submitted by the owners of 12 Macdonald Place, I have not been advised of any such objections by those owners or by the Town of Canmore and I have not been provided with a copy.
2. The Appellants have been opposed to our B&B since they first learned of our initial application in October 2020. Despite invitations to do so, they have not engaged in any direct discussion or communication with us. They have never communicated any specific concern or interference with their property to us directly or through our contracted services provider. In addition, no other



neighbour has ever expressed any concerns to us or replied to our e-mails to them (Attachments B & C).

3. The Grounds for Appeal contain statements, assumptions and inferences that are inaccurate.
4. Our B&B was designed and constructed and has operated in full compliance with the LUB in all respects. The Town has inspected our B&B facilities as has the Canmore Bed and Breakfast Association to confirm this.
5. I am an owner and full-time resident at 17 Macdonald Place and am actively engaged on a daily basis in the operation of the B&B as described in our cover letter of October 12, 2021. That letter speaks to many of the Appellants' Grounds for Appeal. I will not repeat that information here.
6. The appellant has misquoted or mischaracterized the Banff RECOMMENDATIONS ON BED & BREAKFAST REGULATIONS AND POLICY report recommendations. That report does not conclude or state that the listed activities are mandatory daily duties to be performed personally by a resident Bed and Breakfast operator (page 5). In any event, we are personally carrying out and involved in most the identified aspects of service. The recommendations made have not been adopted by Banff Town Council or incorporated into the relevant Banff land use by-laws or adopted or approved by the Town of Canmore.
7. Our B&B facilities are consistent with many if not most of the approximately 25 B&Bs operating today in Canmore. Our operation is entirely consistent not only with the requirements of the LUB but also with the additional requirements and restrictions considered by the Town as indicated in the checklist attached to our renewal application.
8. The Appellants inappropriately seek to change Town planning policy established by Council in the LUB or to have it disrespected and ignored by inviting first Town of Canmore planning staff and now the SDAB to read-in requirements and restrictions that are not included in or consistent with the LUB.
9. The statement by the Appellant that cooking and food preparation facilities were located in bedrooms or suites for use by guests is entirely false. We do not advertise that the suites are set up for cooking and they are not, and never have been. As recently re-confirmed by the Town, the units each contain only a kettle, coffee maker, toaster and small bar fridge.
10. We dispute and will speak to the Appellants' suggestion that there are so many new vehicles coming and going to our B&B as to be disruptive. We have received no complaints of disruption from any neighbour. There is no reasonable basis to suggest or conclude that there is a basis for a diminished sense of safe streets in our neighbourhood or any other negative impact on individual owners or the on the sense of community.
11. While our neighbours have the right to peaceful enjoyment of their property, which we submit has not been impacted, we have the right to operate our home-based business in compliance with the LUB, which we submit we have done and will continue to do.

We look forward to the opportunity to make additional oral submissions to and answer any questions the SDAB has about our B&B.

Sincerely,



Doreen Sanderson  
Owner/Operator of 4Peaks Rocky Mountain B&B



**fourpeaksBB@shaw.ca**

---

**From:** fourpeaksBB@shaw.ca  
**Sent:** March 7, 2021 3:30 PM  
**To:** 'Sandy Last'; [REDACTED]; [REDACTED]; 'Glen Crawford';  
 [REDACTED]; [REDACTED]  
**Cc:** 'Razeena Badiudeen'; marcus.henry@canmore.ca; 'Tina'; 'Svet Pargov'  
**Subject:** 4Peaks B&B  
**Flag Status:** Flagged

Hello,

We are Doreen and Dale your neighbours at #17. We are excited to have built and moved into our new home on MacDonald Place. This is our full time, permanent, retirement home.

Most of you will know that we have obtained a license from the Town and are running an in-home B & B in our lower level since mid-January, operating as 4Peaks Rocky Mountain B & B. There are 3 bedrooms in 2 suites with maximum occupancy for B & B operations of 6 people. Our suites and the way that we are operating them are entirely compliant with all Town of Canmore and Alberta Health bylaws, rules and requirements. This is our retirement business. We have established our own website at [www.4Peaksbb.com](http://www.4Peaksbb.com). If you have family visiting who need a place to stay in Canmore and contact us directly we might be able to offer them some discount or rebate as a neighborly gesture within reason and with adequate notice.

The suites are accessible through our house, but also have entrances at the back of the house, as is common with many of the other 48 B & Bs in Canmore and often preferred by guests. Our suites have a small fridge and dishwasher, but no in-suite cooking facilities. We provide guests with all they need to make and enjoy their own private continental breakfast on their own schedule. This is also a common practice in modern B & Bs based on our research and discussions with the Canmore B & B Association <https://www.bbcanmore.com>. Due to Alberta Health kitchen safety requirements, not all B & Bs offer hot breakfasts anymore. At this particular time it is also the safest way to operate for all during COVID-19.

We trust our B & B operation has not negatively affected your enjoyment of this great neighbourhood and we are committed to operating in a manner that it will not. Our guests are being directed to park on our property in parking spots designated for them and they have consistently done so since operations began. It is our intention to provide our guests first class accommodation and service. We have and continue to expect to attract mature and responsible guests. So far that has been our experience, with no issues that have affected our enjoyment of our home. We assume therefore that there have not been any meaningful effects on your life on MacDonald Place.

To assist us in the operation of the B & B we have engaged the services of S & T Properties. <https://www.stproperties.org>. This is a professional organization with years of experience assisting owners with operating these types of businesses. They offer expertise and a team to assist with booking (via Airbnb), cleaning and maintaining the units at the highest standards. They will also assist with addressing any issues that might arise for our guests, for us or for our neighbours. We want to take this opportunity to introduce you to the principals of the company, Svet and Tina, copied

on this message. We and either of them would be pleased to answer questions that you have at any time. Also, phone inquiries can be made to:

- S & T's 24 hour operations can be reached at 403-668-9366
- Doreen at FOIP [REDACTED]
- Dale at FOIP [REDACTED]

We can be reached at the email address below. We are sending this to all of the neighbors on MacDonald Place for whom we have email addresses. Please share it with any other neighbours and invite them to contact us to introduce themselves and pose any questions they have or to provide their email addresses or phone numbers to us.

We hope that if you have any questions or encounter any issues you will contact us directly to discuss and resolve them as neighbours. Finally, if we can ever be of assistance to you as neighbors, we hope that you will not hesitate to ask.

Thanks,

### **4Peaks Rocky Mountain B&B**

**Doreen M Sauderson**

17 MacDonald Place  
Canmore Alberta T1W 2N1

**403-862-5961**

[www.4peaksbb.com](http://www.4peaksbb.com)

[fourpeaksBB@shaw.ca](mailto:fourpeaksBB@shaw.ca)

**fourpeaksBB@shaw.ca**

---

**From:** fourpeaksBB@shaw.ca  
**Sent:** January 16, 2022 11:00 AM  
**To:** 'Sandy Last'; FOIP; FOIP; 'Glen Crawford';  
 FOIP; FOIP; FOIP; FOIP  
**Cc:** 'Doreen Saunderson'  
**Subject:** RE: 4Peaks B&B Permit renewal

**Flag Status:** Flagged

Hello,

We are your neighbours at #17. Most of you know that we obtained a permit from the Town and have been operating an in-home Bed & Breakfast in our lower level since early January 2021. As per the sign on the front of our house, we are operating as 4Peaks Rocky Mountain B & B. There are 3 bedrooms in 2 units with maximum occupancy for B & B operations of 6 people at any time. Our suites and the way that we are operating them are compliant with all Town of Canmore Land Use By-Law and Alberta public health rules and requirements.

We designed and built the space having regard to the terms of the Land-Use By-Law and the Towns' related policies, requirements and restrictions as disclosed to us by the Town. Those have not changed. After our permit was granted October 1, 2020 there was an appeal of the permit to the Subdivision Appeal Board where the permit was confirmed. Subsequently there was one complaint to the Town in January 2021 regarding the way that we operate 4Peaks. We responded to the Town and the complaint was dismissed. It was again confirmed by the Town that we are compliant in all respects.

At around the time of the municipal election in October 2021, there were communications to and meetings with a Town Counsellor about our B & B without notice to us that led to communication to Town planning staff and eventually questions to us. We answered all inquiries from Town planning staff that arose out of those discussions and communicated with the Mayor and the Counsellor. At around the same time we applied for renewal of our permit. We have now received that renewal permit and are posting the required notice on our property. The appeal period is 3 weeks.

We hope that this year if any of our neighbors intend to appeal our permit, they will advise us directly of their intentions and be open to discussion about their concerns regarding our B & B. We have not been contacted or advised directly of any ways that our operation negatively affects our neighbors. We are not aware of any negative impacts. It is our understanding and expectation that any appeal of our permit will be assessed again from the perspective of whether our B & B is compliant with the Land Use By-Law, which it is, and that in the absence of any material interference with the neighbors' property, our permit will be maintained, as it was after the appeal last year. We expect to have the support of the Canmore B&B Association. <https://www.bbcanmore.com/>

You can see information about our B & B on Instagram and at our website at [www.4Peaksbb.com](http://www.4Peaksbb.com). As full-time residents of Macdonald Place ourselves, we remain committed to operating in a manner that will not interfere with your enjoyment of your property. Our guests are directed to park on our property in parking spots designated for them and have consistently done so, except during the period of time that we poured a concrete driveway in the summer to address one of our neighbors' stated concerns. It is our intention to provide our guests first class accommodation and service to attract quality guests who are not disruptive and that has consistently been our experience so far.

In addition to us being present most of the time to assist our guests personally we have and continue to engage a service provider to assist us. If you are affected by our B & B or our guests at any time you can contact us directly or our service provider for prompt attention to your concerns. We can be contacted as follows:

- Doreen can be reached at FOIP [REDACTED]
- Dale can be reached at FOIP [REDACTED]
- S & T's 24 hour operations phone number is: FOIP [REDACTED]

As well, we can be reached at [fourpeaksBB@shaw.ca](mailto:fourpeaksBB@shaw.ca) or at my personal email address in the cc. to this email.

We are sending this to all of the neighbors on Macdonald Place for whom we have email addresses. Please share it with any other neighbours and invite them to contact us to discuss any concerns, introduce themselves or provide their email addresses or phone numbers to us for future communication.

We hope that if you have any questions or encounter any issues you will contact us directly to discuss and resolve them as neighbours.

Doreen and Dale

## Check In Instructions - EEOR (4 Peaks)

Hey [Guest name]

The resident owners/operators of this unit provide continental breakfast food for you to enjoy during your stay. Please fill out this form at your earliest convenience. This will help Doreen and Dale ensure that your preferred breakfast items are available for you:

<https://www.surveymonkey.com/r/xxxxx>

\*\*\*Please complete this as soon as you can or by noon of [date].\*\*\*

Here are the check-in instructions for your stay in Canmore! :)

The address is at 17 MacDonald Place Canmore Alberta T1W 2N1. The suite is at the back of the house.

Here is the exact location on Google

Maps: <https://goo.gl/maps/ZndXUu9WXdKTBeNB9>

Check-In Instructions Video: <https://youtu.be/xxxx>

NOTE: Please do NOT follow the parking instructions in this video and only follow the parking instructions below with the photo.

I have informed my cleaner that the number of guests is 2 people and she will be leaving towels and food for 2 people!

CONDO RULE: The unit only accommodates 2 guests as indicated in the listing. More than 2 guests is NOT allowed.

Violation of this rule results to a fine of \$500CAD by the city of Canmore which will be charged to the guest.

Check-in is on [day and date] from 4:00 PM.

Check out is on [day and date] by 11:00 AM.

HOW TO FIND YOUR UNIT- Suite: "EEOR"

When you arrive to the property you can park on the driveway, then you should walk around the left side of the property and head down to the backyard area, you will see the steps and a ramp. You will find two suites in the backyard area, your suite name is "EEOR", it is the second suite on the right. Once you are at the front door just enter the code in the keypad so you can access to the unit. The resident owners and operators Doreen

Saunderson and Dale Hildebrand who live upstairs will be happy to greet and assist you and any answer questions during your stay if they are home and available. However, it is not necessary for you to contact them and you may enter and exit the suite through your private entrance in the back any time during your stay. .

Keypad Code: [xxxx]

#### WIFI INFORMATION

Network: 4PeaksWiFi\_Guest

Password: [xxxx]

#### BIKES AND SKIS

Doreen and Dale provide access to a garden shed for guests to store bikes and skis (Bikes and Skis are not allowed inside the suites). Code to open the shed: xxxx

#### PARKING

Parking is one vehicle in spot 1 (see photo below). Please do not block the overhead garage doors in spots 2 and 3 to allow Doreen and Dale to come and go as needed and do not use spot 4.

#### LAUNDRY

If you need to do laundry, there is an in-suite laundry inside the closet right next to the kitchen.

#### DELIVERY

If you get food delivered, make sure to tell the drivers to deliver them to the doors around the back and provide them with the name of the suite that you area in.

#### NO PETS POLICY

Please note that pets are not allowed inside the unit.

#### NO SMOKING POLICY

Please note that smoking is not allowed inside the unit.

#### GARBAGE

Garbage should be bagged and dropped at the bear-proof container across from #1 MacDonald Drive



## CHECK OUT

When you check out, please lock the door behind you. Please DO NOT put the towels and linens in the washer as we take them somewhere else to be washed. Thank you for treating the condo with as much respect as you would your own home :)

\*If there is something that you can't figure out, please feel free to message me anytime even after midnight and I'll respond as soon as I can.

Have a safe trip from [place of guest residence]!



### 8.3 BED AND BREAKFAST DEVELOPMENTS

- 8.3.0.1 a business license must be obtained for all Bed and Breakfast developments in accordance with the canmore Business Registry Bylaw.
- 8.3.0.2 Bed and Breakfast developments require a Development permit.
- 8.3.0.3 Bed and Breakfast developments shall not interfere with the rights of other residents to quiet enjoyment of a residential neighborhood.
- 8.3.0.4 Bed and Breakfast developments shall be an incidental and subordinate use to the principal residential use and shall be contained within the principal building.
- 8.3.0.5 initial Development permits for Bed and Breakfast developments are valid for a maximum of one (1) year. subsequent Development permits may be valid for a maximum of 3 years.
- 8.3.0.6 Bed and Breakfast developments that have an approved Development permit and are existing on the date of approval of this bylaw shall be deemed to be a Discretionary Use within that district and further Development permits may be issued on a continuing basis with the same conditions as those attached to the previous permit. if that use is discontinued for a period of six (6) consecutive months or more, or the permit has been revoked, any future Bed and Breakfast development shall conform to this Bylaw.
- 8.3.0.7 the maximum number of accommodation rooms within a Bed and Breakfast development shall be three (3), with a maximum of two (2) guests per bedroom.
- 8.3.0.8 Bed and Breakfast developments shall be limited to a maximum of 5% of the total number of occupied detached residences within the applicable town of canmore census district as identified in the most recent municipal census.
- 8.3.0.9 new Bed and Breakfast developments shall be separated from existing Bed and Breakfast developments by a minimum of 50 m when measured from any point along the front property line.
- 8.3.0.10 the Development officer may inspect a Bed and Breakfast development to ensure compliance with this Bylaw and the Development permit.
- 8.3.0.11 a Bed and Breakfast development shall:
- a. not be advertised unless a Development permit is in effect at the time the advertisement is placed;
  - b. not contain cooking or food preparation facilities in bedrooms or suites for use by guests;
  - c. provide access to guest bedrooms through the principal Dwelling Unit and not solely through a separate private entrance;
  - d. provide natural landscaping over a minimum of 50% of the front yard area; and
  - e. **[Repealed by 2020-16]**
- 8.3.0.12 as part of an application for a Development permit, the operator of a Bed and Breakfast development shall submit and sign a statutory declaration stating that they are the principal resident of the dwelling.
- 8.3.0.13 Bed and Breakfast developments shall install a sign which conforms to the signage guidelines as outlined in section 9: signage, for the purpose of providing identification for guests.

[2020-16]

8.3.0.14 at the discretion of the Development authority, Bed and Breakfast developments may be permitted on the same site as a Home occupation where an applicant has adequately demonstrated that such an approval would result in negligible increase in noise, traffic or parking on the property or in the neighbourhood.

13 Definitions

**accommodation unit** means a room or suite of rooms operated as a temporary place to stay, with or without compensation, and does not include a Dwelling Unit. it usually contains sleeping and sanitary facilities and may contain cooking and eating facilities. this includes all Visitor Accommodation units and any shared ownership Accommodation units.

**Bed and Breakfast** means an ancillary commercial use operated by the permanent resident of the dwelling and providing a maximum accommodation of three guest rooms to a maximum of six persons for periods of 14 days or less.

Bed and Breakfast	one (1) stall for the principal resident. one (1) stall per accommodation unit.	1.5 stalls per accommodation unit	n/a	one (1) stall per accommodation unit
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Province of Alberta

## **MUNICIPAL GOVERNMENT ACT**

Revised Statutes of Alberta 2000  
Chapter M-26

Current as of December 8, 2021

### Office Consolidation

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(11) Repealed 2020 c39 s10(49).

2016 c24 s125;2020 c39 s10(49)

### Development Appeals

#### Permit deemed refused

**684(1)** The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(b).

(2) A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.

(3) If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.

(4) Section 640(5) does not apply in the case of an application that was deemed to be refused under section 683.1(8).

RSA 2000 cM-26 s684;2016 c24 s126;2018 c11 s13

#### Grounds for appeal

**685(1)** If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal the decision in accordance with subsection (2.1).

(1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal the decision in accordance with subsection (2.1).

(2.1) An appeal referred to in subsection (1) or (2) may be made

- (a) to the Land and Property Rights Tribunal

- (i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application
  - (A) is within the Green Area as classified by the Minister responsible for the *Public Lands Act*,
  - (B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,
  - (C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or
  - (D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Parks,

or

- (ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii),

or

- (b) in all other cases, to the subdivision and development appeal board.

**(3)** Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

**(4)** Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

- (a) is made by a council, there is no appeal to the subdivision and development appeal board, or
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow

the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

RSA 2000 cM-26 s685;2015 c8 s73;2016 c24 s127;  
2020 cL-2.3 s24(41);2020 c39 s10(50)

### Appeals

**686(1)** A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,
    - (A) within 21 days after the date on which the written decision is given under section 642, or
    - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
  - or
  - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made,
  - or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

**(1.1)** Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

- (a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or
- (b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

- (a) to the appellant,
- (b) to the development authority whose order, decision or development permit is the subject of the appeal, and
- (c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

- (a) the application for the development permit, the decision and the notice of appeal, or
- (b) the order under section 645.

(4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

(5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.

RSA 2000 cM-26 s686;2016 c24 s128;2017 c13 s1(65);  
2018 c11 s13;2020 c39 s10(51)

#### Hearing and decision

**687(1)** At a hearing under section 686, the board hearing the appeal must hear

- (a) the appellant or any person acting on behalf of the appellant,
- (b) the development authority from whose order, decision or development permit the appeal is made, or a person acting on behalf of the development authority,
- (c) any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person, and



(d) any other person who claims to be affected by the order, decision or permit and that the subdivision and development appeal board agrees to hear, or a person acting on behalf of that person.

(2) The board hearing the appeal referred to in subsection (1) must give its decision in writing together with reasons for the decision within 15 days after concluding the hearing.

(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

(a) repealed 2020 c39 s10(52);

(a.1) must comply with any applicable land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

(b) must have regard to but is not bound by the subdivision and development regulations;

(c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

(i) the proposed development would not

(A) unduly interfere with the amenities of the neighbourhood, or

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

**(4)** In the case of an appeal of the deemed refusal of an application under section 683.1(8), the board must determine whether the documents and information that the applicant provided met the requirements of section 683.1(2).

RSA 2000 cM-26 s687;2009 cA-26.8 s83;2015 c8 s74;  
2017 c21 s28;2018 c11 s13;2020 c39 s10(52)

### **Court of Appeal**

#### **Law, jurisdiction appeals**

**688(1)** An appeal lies to the Court of Appeal on a question of law or jurisdiction with respect to

- (a) a decision of the subdivision and development appeal board, and
- (b) a decision made by the Land and Property Rights Tribunal
  - (i) under section 619 respecting whether a proposed statutory plan or land use bylaw amendment is consistent with a licence, permit, approval or other authorization granted under that section,
  - (ii) under section 648.1 respecting the imposition of an off-site levy or the amount of the levy,
  - (iii) under section 678(2)(a) respecting a decision of a subdivision authority,
  - (iii.1) under section 685(2.1)(a) respecting a decision of a development authority, or
  - (iv) under section 690 respecting an intermunicipal dispute.

**(2)** An application for permission to appeal must be filed and served within 30 days after the issue of the decision sought to be appealed, and notice of the application for permission to appeal must be given to

- (a) the Land and Property Rights Tribunal or the subdivision and development appeal board, as the case may be, and
- (b) any other persons that the judge directs.

**(2.1)** If an applicant makes a written request for materials to the Land and Property Rights Tribunal or the subdivision and

**From:** FOIP  
**To:** [Katy Bravo-Stewart](#)  
**Cc:** [Jolene Noel](#); [Eric Bjorge](#)  
**Subject:** RE: Appeal received PL20210394  
**Date:** February 23, 2022 8:46:35 AM  
**Attachments:** [image001.png](#)  
[PL 202100394 Written submissions to the Canmore SDAB 4Peak B&B Feb 23 2022.pdf](#)  
**Importance:** High

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Hello Katy,

I write to you now as the Clerk of the SDAB. Attached please find a bookmarked pdf document containing our written submissions and related documents referred to therein that I wish the Board to review prior to the SDAB appeal hearing in relation to our permit for an in-home B&B at 17 Macdonald Place being PL20210394 as follows:

- Written submissions
- Photograph of our home and B&B signage also evidencing the posting of the Notice of Decision on our property
- Email to neighbours March 2021
- Email to neighbours January 2022
- Form of Communication to guests to confirm booking
- Relevant provisions in the Town of Canmore Land Use By-law (LUB) relating to B&Bs
- Sections 685 to 687 of the Municipal Government Act relating to development appeals

I understand that the Town report or submissions to the SDAB in support of the Permit granted will include our full renewal application package including the following, so have not included them here but I do believe that they should be provided to the Board and I intend to refer to them in my comments at the hearing:

- Cover letter of October 12, 2021
- Statutory Declaration
- DP Application Form
- Bed and Breakfast Requirements checklist

Please confirm receipt and advise if you require anything more in order for these materials to be properly submitted to the Board.

I also understand that you have received written submissions from Jackie Lefavre and Sandy Last. Please confirm. Please also advise if I will be provided with any other written submissions you receive before the appeal hearing. For example, the Appeal refers to independent submissions submitted by #12 Macdonald place that I have not seen.

Regards,



Doreen

---

**From:** Katy Bravo-Stewart <[katy.bravostewart@canmore.ca](mailto:katy.bravostewart@canmore.ca)>



Town of Canmore  
902 7th Avenue  
Canmore, Alberta T1W 3K1  
Phone: 403.678.1500 | Fax: 403.678.1534  
www.canmore.ca



February 9, 2022

Dear Sir/Madam

**RE: Subdivision & Development Appeal Board Hearing  
PL2021 0394  
17 MacDonald Place  
Lot 17, Block 5, Plan 4171JK  
Renewal of a Bed and Breakfast  
Appeal against an approval by the Planning Department.**

Please be advised that the Subdivision & Development Appeal Board will hear this an appeal on **March 3rd at 2:00 p.m.** During the COVID-19 pandemic, SDAB hearings are being held electronically and are still livestreamed at <https://canmore.ca/town-hall/boards-committees/subdivision-development-appeal-board/sdab-agendas-board-orders>

As the applicant/appellant, you have the opportunity to present at the virtual hearing and/or provide a written submission to the Board.

**Virtually:**      **Date:**      March 3<sup>rd</sup>, 2022  
                         **Time:**      2 p.m.

**In-Writing:**      **Subject:**      SDAB Hearing – PL2021 0394  
                         **Deadline:**      February 23, 2022 by noon.  
                         **Drop Off:**      Reception, Civic Centre, 902 7<sup>th</sup> Avenue, Canmore  
                         **Email:**      [sdab@canmore.ca](mailto:sdab@canmore.ca)

Written and verbal submissions will be accepted. Anyone wishing to make a verbal submission at the hearing **must** contact the SDAB clerk at [sdab@canmore.ca](mailto:sdab@canmore.ca) *before* the hearing is called to order to register and receive log-in information.

Anyone wishing to file a written submission may send it by email to [sdab@canmore.ca](mailto:sdab@canmore.ca). Drop off or mail to the Civic Centre, 902 7 Avenue Canmore AB T1W 3K1 Attention: SDAB Clerk. Please note that staff is limited at the Civic Center, it is encouraged to drop off or email rather than mail. **The deadline for written submission is Wednesday, February 23, 2022 @ 12:00 PM**

**Any correspondence/comments provided will be part of the public record and may be released to the general public.** The appeal file is available for public inspection via email request to [sdab@canmore.ca](mailto:sdab@canmore.ca).

Should you have any questions or require further information, please contact the SDAB Clerk at [sdab@canmore.ca](mailto:sdab@canmore.ca).

Kind regards,

Katy Bravo Stewart  
Clerk  
Subdivision & Development Appeal Board

**Attachment 1:** SDAB Hearing procedure

## **PROCEDURE FOR SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING**

*PLEASE NOTE: ALL DOCUMENTS PRESENTED AT THIS HEARING ARE PUBLIC DOCUMENTS*

1. Chairperson declares the Subdivision & Development Appeal Board Public Hearing to order
2. Introduction of the Board members and Clerk.
3. Motion to adopt the agenda
4. Introduction of Town Administration.
5. Introduction of appeal by Development Officer.
6. Appellant introduction and opportunity for any objections to the Board members.
7. Administration will make a presentation.
8. Then the Appellant or their agent will speak in favour of the appeal.
9. Followed by others speaking in favour of the appeal, and any correspondence in favour of the appeal.
10. Then those speaking in opposition to the appeal, and any correspondence in opposition to the appeal.
11. Lastly, those speaking neither in favour nor in opposition to the appeal, and any related correspondence.
12. At any time, the Board may ask for clarification by any of the persons speaking to the appeal.
13. The Board may then ask for a short recess if necessary.

14. To close, Administration will be asked if they wish to provide any clarification or closing remarks.
15. Followed by any clarification or closing remarks from the Appellant.
16. The Appellant will be asked if they feel they have had a fair hearing.
17. The board would then close the public portion of the hearing (meeting is adjourned), go in camera (private), and review all the information provided. **The Board will then provide a written decision within 15 days following this hearing.**
18. The purpose of the hearing is for the Appellant and affected parties to provide the Board with information to the appeal. **The Board must base its decision on planning merits.** Affected persons will be given an opportunity to speak.
19. Please ensure that all comments are directed to the Board. In addition, all comments be of proper decorum and be succinct; if another person has already made a point, simply state that you agree with the point and continue.
20. If any person presenting is referring to a written document, including a map, photographs or a report, a copy of those documents must be left with the Clerk.

Town of Canmore  
902 7th Avenue  
Canmore, Alberta T1W 3K1  
Phone: 403.678.1500 | Fax: 403.678.1534  
www.canmore.ca



February 16, 2022

Our Reference: PL20210394

## **Subdivision and Development Appeal Board Hearing**

Dear Sir/Madam

This letter serves as notification that the following property is subject to an appeal to be heard by the Subdivision and Development Appeal Board (SDAB). The details are as follows:

### **Development Permit – Renewal of a Bed and Breakfast**

**Address:** 17 MacDonald Place  
**Legal Description:** Lot 17, Block 5, Plan 4171JK  
**Appeal Matter:** Appeal against an Approval by the Development Officer.

As an adjacent property owner, or as a potentially affected person, you have the opportunity to present in-person and/or provide a written submission to the Board.

**Virtually:**      **Date:** March 3rd, 2022  
                         **Time:** 2:00pm  
                         **Location:** Zoom Meeting livestreamed via [canmore.ca/webcast](http://canmore.ca/webcast)  
                         **Registration:** [sdab@canmore.ca](mailto:sdab@canmore.ca)

**In-Writing:**    **Subject:** SDAB Hearing – PL20210394  
                         **Deadline:** February 23, 2022 @ 12:00pm  
                         **Drop Off:** Reception, Canmore Civic Centre, 902 7th Avenue, Canmore  
                         **Email:** [sdab@canmore.ca](mailto:sdab@canmore.ca)

**Please note:** Any submissions received after the deadline will not be presented to the Board for review until the hearing. Should you provide a written submission after the deadline, digital copies will be distributed to each SDAB member before the hearing commences. Should a written submission include complex and/or extensive information, the Board may postpone the hearing to fully consider the submission. **Any correspondence/comments provided will be part of the public record and may be released to the general public.**

The appeal file is available for public inspection upon request to [sdab@canmore.ca](mailto:sdab@canmore.ca). The SDAB hearing procedure and circulation map is attached for your reference. Additional information is available upon written request. Should you have any questions or require further information, please contact the Board Clerk – Katy Bravo Stewart, at 403.678.1500 or [sdab@canmore.ca](mailto:sdab@canmore.ca).

Kind regards,

**Katy Bravo Stewart**  
Clerk - Subdivision & Development Appeal Board

**Attachment 1:** SDAB Hearing procedure.

**Attachment 2:** Circulation map.



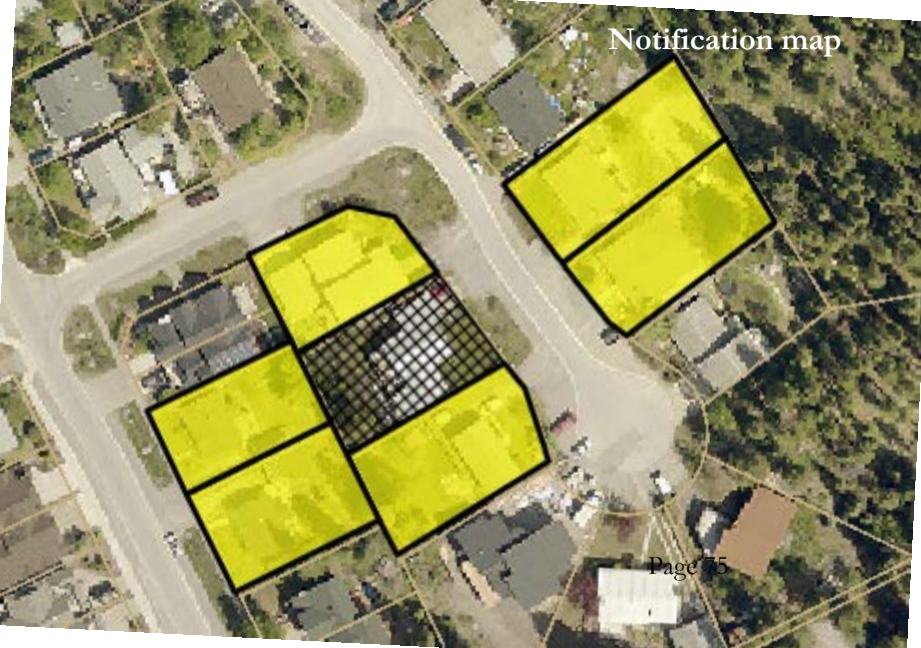
## **PROCEDURE FOR SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING**

*PLEASE NOTE: ALL DOCUMENTS PRESENTED AT THIS HEARING ARE PUBLIC DOCUMENTS*

1. Chairperson declares the Subdivision & Development Appeal Board Public Hearing to order
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19. Please ensure that all comments are directed to the Board. In addition, all comments be of proper decorum and be succinct; if another person has already made a point, simply state that you agree with the point and continue.
20. If any person presenting is referring to a written document, including a map, photographs or a report, a copy of those documents must be left with the Clerk.

Notification map



**Public Submissions**  
(Four submission in total)

February 19, 2022

Re: Canmore Subdivision & Development Appeal PL20210394 (17 Macdonald Place)

Members of Subdivision & Development Appeal Board:

I am writing to you on behalf of myself, Sandy Last, and my husband, Don Blackett, who are owners of 15 Macdonald Place. We reside two homes down from the residence in this appeal. We have been residents at our property throughout the construction of the home and B & B business at 17 Macdonald Place that is in dispute.

I would like to address some of the content of the Notice of Appeal in order to correct misinformation that it contains. I would also like to provide comment on our experience as neighbors with the owners of 17 Macdonald Place.

First, it is very important to me and my husband, Don Blackett, to correct misinformation that is present in the Appeal document. It was submitted originally as "15 Macdonald Place – assume supportive (solicitors for applicant)". We have never stated our position to the Appellant on this matter and Don Blackett is not the solicitor for the applicant. When confronted with this misrepresentation the Appellant submitted a revision to the Appeal. In its original form, this is a blatant and disrespectful misrepresentation of us used in order to serve the purposes of the Appeal. As this document is a public record, it has misrepresented both me and Don Blackett to our neighbors. This kind of divisive behaviour on our street is unacceptable to us.

In addition, in the Grounds for Appeal, General Facts it is stated (paragraph 3) "Objections plus one independent submission were made by 12 of the potentially affected homeowners, included within the 17 is a home owned by the senior partner of the applicant's local law firm." The employment status of Don Blackett is not relevant in the Appeal and we are not clear about the purpose of inclusion of this sentence. We also note that the Appeal document contains only 7 signatures of objectors. The actual number of people objecting seems to also be misrepresented in the written Appeal.

It is our understanding that the 4 Peaks Bed & Breakfast has and continues to meet all of the criteria in order to be permitted as a Bed & Breakfast in Canmore. The owners reside full time at the property and to our knowledge have committed to all of the protocols required in order to operate their business there. Their operational details, including their use of a third party to assist with booking and communications, is acceptable to us.

This visitor accommodation has had no adverse impact on our use of our street during the two years of operation. There is off street parking available and it is used by their guests. We have observed no disrespectful driving in our cul-de-sac. I walk down this street, past the B&B in all seasons, both personally and with my three grandchildren, and have never had any problem related to the B&B. Several additional drivers is not disruptive to me, I have never heard door

slamming or been disturbed by vehicle lights. I feel our street is as safe as it could possibly be and as it has been since we moved into our home 5 years ago.

Operation of this B&B has not fundamentally altered our sense of community at Macdonald Place. I would argue that cooperation, positive relationships and acts of kindness toward one another is what creates a healthy community and this Appeal and dispute is undermining this, not the operation of the B&B.

Finally, our right to quiet enjoyment of our property and our neighborhood has not been violated at all by the operation of 4 Peaks B&B. We live two doors away and we have not had a single instance of personal disturbance in two years and there has been absolutely no effect on our enjoyment of our lives on Macdonald Place.

We leave it to the members of the Canmore Subdivision & Development Appeal Board to thoughtfully consider our submission in relation to this Appeal.

Sincerely,  
Sandy Last and Don Blackett  
15 Macdonald Place

**From:** FOIP  
**To:** [Shared.Planning](#)  
**Cc:** FOIP  
**Subject:** SDAB Hearing - PL2021 0394  
**Date:** February 18, 2022 9:01:29 AM

---

Dear Sir/Madam;

Please accept this email in support of 4Peaks Rocky Mountain Bed and Breakfast located at 17 Macdonald Place, Canmore Alberta.

I am the Vice President of the Canmore Bow Valley Bed and Breakfast Association and had the pleasure last year of inspecting 4Peaks Rocky Mountain Bed and Breakfast, along with another member of our Association, to ensure they met the high standards of our Association as well as all the requirements of the Town of Canmore. 4Peaks Rocky Mountain Bed and Breakfast fulfilled ALL requirements and was welcomed into the Canmore Bow Valley Bed and Breakfast Association. This lovely Bed and Breakfast is an owner occupied bed and breakfast with two guest suites done to a very high standard. The guest entrances are at the rear of the house and there is sufficient parking at the front of the house. There is a private outdoor seating area in the back yard for the guests to use which should impact no one. I would like to state once again....this is an OWNER OCCUPIED bed and breakfast, not an empty house like many Air B&B's.

I completely support Doreen Saunderson and ask that you assist her with approval of her bed and breakfast.

Respectfully yours,

Jackie Lefaiivre

Off Our Rockies Bed and Breakfast

Sent from [Mail](#) for Windows

**From:** [Ambleside Lodge](#)  
**To:** [Katy Bravo-Stewart](#)  
**Subject:** Four peaks B&B  
**Date:** February 23, 2022 3:17:31 PM

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[You don't often get email from [hello@amblesidelodge.com](mailto:hello@amblesidelodge.com). Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Hello Katy

I wrote a letter last week but I am in a remote area of Mexico and while I thought it was sent , I didn't realize the signal had gotten interrupted and it sat in my outbox! So for the late submission and I hope you are able to record my letter of support...as follows:

As the current president of the Canmore Bow Valley Bed & Breakfast Association I am writing in full support of the bed and breakfast

licence for 17 MacDonald Place.

I had the pleasure of inspecting the premises last year to make sure everything was in compliance with the associations requirements. Doreen and Dale have a lovely home and have spared no expense in creating an exceptional bed and breakfast. A great deal of thought has gone into the planning and situating the entrances of the bed and breakfast so as not to impact any of the surrounding neighbours. There is ample parking on their property for guests as well. I was very impressed with the amenities they offered their guests , such as bike and or ski storage. I think any guest would give rave reviews for their stay at Four Peaks Bed and Breakfast.... and ultimately our goal is for guests to enjoy Canmore.

Doreen and Dale have done everything required as far as I can see. This is their home, an owner occupied B&B and a lovely addition to the community.

Anne Wood

President, CBVBBA

Sent from my iPhone



**From:** [fourpeaksbb@shaw.ca](mailto:fourpeaksbb@shaw.ca)  
**To:** [Katy Bravo-Stewart](#)  
**Cc:** "[Ambleside Lodge](#)"  
**Subject:** FW: Application at 17 MacDonald Place, PL20210916  
**Date:** February 23, 2022 1:09:21 PM  
**Importance:** High

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[You don't often get email from [fourpeaksbb@shaw.ca](mailto:fourpeaksbb@shaw.ca). Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Hello Katy, I see that I received this today relating to our appeal. Anne is in Mexico and having internet issues. She has asked if she should send it to the Town or I can submit it for her. Are you able to accept this now in relation to the appeal of our permit. I have copied Anne so that she can confirm her desire that the SDAB receive this.

-----Original Message-----

From: Ambleside Lodge <[hello@amblesidelodge.com](mailto:hello@amblesidelodge.com)>  
Sent: February 23, 2022 8:21 AM  
To: [fourpeaksBB@shaw.ca](mailto:fourpeaksBB@shaw.ca)  
Subject: Application at 17 MacDonald Place, PL20210916

As the current president of the Canmore Bow Valley Bed & Breakfast Association I am writing in full support of the bed and breakfast licence for 17 MacDonald Place.

I had the pleasure of inspecting the premises last year to make sure everything was in compliance with the associations requirements. Doreen and Dale have a lovely home and have spared no expense in creating an exceptional bed and breakfast. A great deal of thought has gone into the planning and situating the entrances of the bed and breakfast so as not to impact any of the surrounding neighbours. There is ample parking on their property for guests as well. I was very impressed with the amenities they offered their guests, such as bike and or ski storage. I think any guest would give rave reviews for their stay at Four Peaks Bed and Breakfast.... and ultimately our goal is for guests to enjoy Canmore.

Doreen and Dale have done everything required as far as I can see. This is their home, an owner occupied B&B and a lovely addition to the community.

Anne Wood  
President, CBVBBA

Sent from my iPhone

**End of SDAB Package**