



Agenda
Subdivision & Development Appeal Board
Hearing
July 20, 2022 at 2:00 p.m.
Canmore Civic Centre Council Chambers

1. Call to Order
2. Adoption of Agenda
3. Adoption of Minutes
 - May 5, 2022 SDAB Appeal Hearing
 - May 31, 2022 SDAB Appeal Hearing
4. Appeal Hearing
 - PL20220047**
 - Lot 22, Block 77, Plan 9910432**
 - 628 1st Street**
 - Attached Garage and Storage Addition to an Existing Dwelling**
 - Appeal against a refusal by a Development Officer.**
5. Other Business
 - None
6. Adjournment

UNAPPROVED

**TOWN OF CANMORE
MINUTES**
Subdivision and Development
Appeal Board Hearing
Electronic via Zoom
May 5, 2022, at 2:00 p.m.

MEMBERS PRESENT

Public Representatives: Peter Moreland-Giraldeau, Harry Scott, Jim Bell
Councillor Representative: None
Recording Secretary/Clerk: Katy Bravo Stewart

MEMBERS ABSENT

Public Representatives: Michelle Cooze, Graham Lock, Darlene Jehn
Councillor Representative: Joanna McCallum, Karen Marra

ADMINISTRATION STAFF PRESENT

Lauren Miller, Marcus Henry, Riley Welden, Tracy Woitenko, Brian Kinzie, and Jolene Noël.

1. **CALL TO ORDER**

As per section 24 of the Town of Canmore Bylaw 2019-06 Subdivision and Development Appeal Board, *“In the event of absence or inability of both the chair and vice-Chair to preside at a meeting, the Members present shall elect one of its Members to preside as chair for that meeting.”*

It was moved by J. Bell that P. Moreland-Giraldeau be nominated as Acting Chair for the subject hearing. There were no objections to this nomination.

**MOTION CARRIED
UNANIMOUSLY**

The Acting Chair requested that each member introduce themselves. At that time, Member J. Bell provided an opening statement indicating that he resides fulltime in Stewart Creek Subdivision, which is Phase 3 east of the Gateway Development. On February 6, 2021 he wrote a submission to Town Council in support of Bylaw 2020-19 “TSMV Gateway” on the basis of ease of access to commercial services and reduced automobile use. However, member J. Bell indicated he feels no bias towards the subject appeal and that he is comfortable with proceeding with the subject appeal hearing if there are no objections.

2. **ADOPTION OF HEARING MEETING AGENDA**

It was moved by the Acting Chair that the agenda of May 5, 2022 SDAB Meeting, be adopted as presented.

**MOTION CARRIED
UNANIMOUSLY**

3. **ADOPTION OF MINUTES**

- (1) The Acting Chair inquired if there were any changes, additions, or deletions to the circulated March 3, 2022 SDAB Meeting Minutes. Member J. Bell indicated there was a spelling error in the name of Council Representative, Joanna McCallum. This was noted by the recording secretary.

Minutes approved by: _____

- (2) The Acting Chair inquired if there were any changes, additions, or deletions to the circulated April 25, 2022 SDAB Meeting Minutes. Member J. Bell indicated there was a spelling error in the name of Council Representative, Joanna McCallum, and to correct the signature to “Chair” for G. Lock and not “Vice Chair”. Both changes were noted by the recording secretary.

It was moved by the Acting Chair that both the March 3, 2022 and April 25, 2022 SDAB Meeting minutes be adopted, as amended.

**MOTION CARRIED
UNANIMOUSLY**

4. **APPEAL**

PL20220031

Lot 1, Block 1, Plan 201 0793

**located within the GRD Three Sisters Creek Golf Course and Recreation Area (DC district)
Stockpile Management (Similar Use to Excavation, Stripping and Grading)**

Appeal against an approval by a Development Officer.

APPELLANTS INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS

The Appellant, D. Kitagawa, identified themselves to the Board.

The Acting Chair asked the Appellant if they had any objections to the Board Members present at the hearing. There were no objections to the Board Members present.

APPLICANTS REPRESENTATIVE INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS

The Applicant Representative, G. Stewart-Palmer with Shores Jardine LLP, identified themselves to the Board. The following representatives of Three Sisters Mountain Village Ltd. (the “TSMV”), were also present at the subject appeal hearing:

- Ellie Abootorabi, Quantum Place
- Jessica Karpat, Quantum Place
- Chris Conner, McElhanney

The Acting Chair asked the Applicant Representative if they had any objections to the Board Members present at the hearing. There were no objections to the Board Members present. Applicant Representative, G. Stewart-Palmer, indicated there was an objection to a submission that was received after the Agenda Package deadline, which would be considered as new information before the Board.

PRELIMINARY ISSUES

The Acting Chair indicated that there were two Preliminary Issues to be addressed prior to continuance of the subject appeal hearing. The issues to be addressed are as following:

- (3) Submissions of “New Information” received past the SDAB Agenda Package deadline.
- Matter of SDAB’s jurisdiction on the subject appeal hearing.

NEW INFORMATION SUBMISSIONS

The SDAB Clerk informed the Board that two letters and a correction to the Applicant’s PowerPoint presentation were received past the Agenda Package deadline. Therefore, this New Information is not contained within the Agenda Package. Due to this being New Information, this information must be accepted by the Board for it to be taken into consideration in their decision making.

Minutes approved by: _____

The following New Information was received by the SDAB Clerk:

- (1) Letter of Opposition of the Appeal by Ian O'Donnell representing Bow Valley Builders and Developers Association ("BOWDA").
- (2) New Information from Kathleen Elhatton-Lake with Shores Jardine LLP
 - a. Correction to a photograph contained within the PowerPoint presentation that was included in the Agenda Package which was provided by Shores Jardine LLP on behalf of TSMV.
- (3) Letter of Support by Ken & Christine Hantman.

This information was circulated to the Appellant, Applicant or Administration prior to today's hearing to provide adequate review time.

The SDAB Clerk received objections for the following new information:

- (1) Letter of Opposition of the Appeal by BOWDA – **Objection by the Appellant, D. Kitagawa.**
- (2) Letter of Support by Ken & Christine Hantman – **Objection by the Applicant Representative, G. Stewart-Palmer.**

It was moved by the Acting Chair, that the Letter of Opposition of the subject Appeal by BOWDA, be accepted as "New Information".

MOTION DEFEATED
In Favour: P. Moreland-Giraldeau
Opposed: J. Bell and H. Scott

It was moved by the Acting Chair that the Corrected information from Kathleen Elhatton-Lake with Shores Jardine LLP submission be accepted as "New Information". No vote was necessary as there were no objections.

It was moved by the Acting Chair that the Letter of Support by K. & C. Hantman be rejected as "New Information", as K. Hantman was present at the subject appeal hearing and could verbally speak in-support of the subject appeal.

MOTION CARRIED
UNANIMOUSLY

MATTER OF SDAB'S JURISDICTION ON THE SUBJECT APPEAL HEARING

The Acting Chair referred to Sections 687 and 685 (4) (b) of the Municipal Government Act (the "MGA") regarding the subject appeals and the SDAB jurisdiction for decisions on development within a Direct Control District.

The Acting Chair inquired if the Appellant agreed that Section 685(4) (b) of the MGA is applicable to the subject appeal. The Appellant, D. Kitagawa, stated that their opinion is that this section does apply.

The Acting Chair inquired if the Applicant Representative agreed that Section 685(4) (b) of the MGA is applicable to the subject appeal. The Applicant Representative, G. Stewart-Palmer, stated that their opinion is that this section does apply.

Minutes approved by: _____

The Acting Chair inquired if Administration agreed that Section 685 (4) (b) of the MGA is applicable to the subject appeals. The Development Planner stated that anything within the Direct Control District is a direction from Town of Canmore Council and that the 685 (4) (b) does apply.

It was moved by the Acting Chair that the SDAB Board go **In-Camera at 2:27 p.m.** for a discussion regarding jurisdiction on the subject appeals.

**MOTION CARRIED
UNANIMOUSLY**

It was moved by the Acting Chair that the SDAB Board come **out of camera at 2:35 p.m.**

**MOTION CARRIED
UNANIMOUSLY**

The Acting Chair moved that it is the Board's opinion that Section 685 (4) of the MGA applies to the subject appeal and that the Board's jurisdiction is limited to determining whether the directions of Council were followed by the Development Officer's approval of the subject application.

**MOTION CARRIED
UNANIMOUSLY**

HEARING OUTLINE

The Acting Chair outlined the hearing process for all present. There were no objections from the Appellants/Applicants, or anyone in the audience.

ADMINISTRATION'S PRESENTATION OF THE APPLICATION AND DECISION

The Development Planner, R. Welden, gave a verbal and visual presentation detailing the application. The Development Planner, T. Woitenko, was also present as the approving officer. Both Development Planners and B. Kinzie responded to questions from the Board.

APPELLANTS PRESENTATION OF THE APPLICATION AND DECISION

The Appellant, D. Kitagawa, provided a verbal presentation to the Board referring to their written submission. The Appellant answered questions from the Board.

THOSE SPEAKING IN FAVOUR OF THE APPEAL

The following spoke in support of the subject appeal and provided verbal presentations at the hearing:

- K. Hantman, 310 – 155 Crossbow Place
- D. Van Den Beld, 257 Miskow Close
- L. LeQuelenec, 290 Miskow Close
- J. De Bruyn, 273 Miskow Close
- M. Sapijaszko, 261 Miskow Close
- K. Anderson, 265 Miskow Close

Minutes approved by: _____

CORRESPONDENCE RECEIVED IN FAVOUR OF THE APPEAL

The following persons provided letters of support for the subject appeal:

- B. Toren
- D. Van den Beld, 257 Miskow Close
- J. Croteau & B. McMillan
- J. Bruyn 5. K. & G. Anderson, 265 Miskow Close
- L. LeQuelenec, 290 Miskow Close
- S. Kirschner, 278 Miskow Close
- T. Swailes, 274 Miskow Close

These letters of support were included within the Agenda Package.

APPLICANTS PRESENTATION OF THE APPLICATION AND DECISION

The Applicant Spokespersons, provided a verbal and PowerPoint presentations to the Board referring to their written submission at the hearing:

- G. Palmer-Stewart with Shores Jardine LLP.
- E. Abootorabi with Quantum Place
- Chris Conner with McElhanney Surveyors Ltd.

The Applicant Spokespersons answered questions from the Board.

RECESS

The Acting Chair recommended a 10-minute recess at 4:20pm

MOTION CARRIED
UNANIMOUSLY

The Acting Chair called the meeting back to order at 4:30pm

RECESS

The Acting Chair recommended a 10-minute recess at 6:10pm

MOTION CARRIED
UNANIMOUSLY

The Acting Chair called the meeting back to order at 6:19pm

THOSE SPEAKING IN OPPOSITION TO THE APPEAL

The following persons were registered for the virtual hearing and spoke in Opposition of the subject appeal:

- B. Talbot

CORRESPONDENCE RECEIVED IN OPPOSITION TO THE APPEAL

The following persons provided letters of non-support for the subject appeal:

- B. Talbot, The Devonian Group
- K. Hines, K.W. Hines Contracting Ltd.

Minutes approved by: _____

- N. Tanner, Tanner Properties Ltd.
- S. Ashton, Ashton Construction Services

THOSE SPEAKING NEITHER IN FAVOUR NOR IN OPPOSITION OF THE APPEAL

The following persons were registered for the virtual hearing and spoke in Neutral of the subject appeal:

- A. Calder, Chief Administrative Officer with the Bow Valley Waste Commission

CORRESPONDENCE RECEIVED NEITHER IN FAVOUR NOR IN OPPOSITION REGARDING THE APPEAL

None.

COMMENTS/CLARIFICATION BY THE APPELLANT

The Appellant, D. Kitagawa, provided their closing remarks to the Board.

COMMENTS/CLARIFICATION BY THE APPLICANT SPOKESPERSON

The Applicant Spokesperson, G. Palmer-Stewart, provided their closing remarks to the Board.

COMMENTS/CLARIFICATION BY ADMINISTRATION

The Development Planners, R. Welden & T. Woitenko, and the Project Engineer, B. Kinzie, provided administrations closing remarks to the Board and answered any questions the Board had.

5. OTHER BUSINESS

None.

6. ADJOURNMENT

The Acting Chair 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 Acting Chair moved that the public hearing of May 5, 2022, be adjourned at 6:44 p.m.

MOTION CARRIED
UNANIMOUSLY

Peter Moreland-Giraldeau, Acting Chair

Katy Bravo Stewart, SDAB Clerk

Minutes approved by: _____



UNAPPROVED

**TOWN OF CANMORE
MINUTES**

Subdivision and Development
Appeal Board Hearing
Electronic via Zoom
May 31, 2022, at 1:00 p.m.

MEMBERS PRESENT

Public Representatives: Michelle Cooze, Jim Bell, Harry Scott
Councillor Representative: None
Recording Secretary/Clerk: Katy Bravo Stewart

MEMBERS ABSENT

Public Representatives: Graham Lock, Darlene Jehn, Peter Moreland-Giraldeau
Councillor Representative: Karen Marra, Joanna McCallum

ADMINISTRATION STAFF PRESENT

Riley Welden, Lauren Miller, Claire Ellick, and Jolene Noël.

1. CALL TO ORDER

The Vice Chair, M. Cooze, called the meeting to order at 1:01 p.m.

MOTION CARRIED
UNANIMOUSLY

2. ADOPTION OF HEARING MEETING AGENDA

It was moved by the Vice Chair that the agenda of May 31, 2022 SDAB Meeting, be adopted as presented.

MOTION CARRIED
UNANIMOUSLY

3. ADOPTION OF MINUTES

- (1) The Vice Chair inquired if there were any proposed changes or amendments to the April 21, 2022 SDAB Meeting Minutes.

The SDAB Clerk stated that in the minutes from April 21, 2022 under the last discussion item the word “Adjourned” should correctly be “Postponed”.

Member J. Bell stated that on the last page, the signature title should read “Vice Chair”.

The Board accepted the proposed amendments and the Vice Chair moved that the April 21, 2022 SDAB Meeting Minutes be accepted, as amended.

MOTION CARRIED
UNANIMOUSLY

- (2) The Vice Chair inquired if there were any proposed changes or amendments to the May 6, 2022 SDAB Meeting Minutes.

Member J. Bell stated that on the second page, the word “board” should be capitalized.

The Board accepted the amendments and the Vice Chair moved that the May 6, 2022 SDAB Meeting Minutes be accepted, as amended.

Minutes approved by: _____

MOTION CARRIED
UNANIMOUSLY

4. APPEAL

PL20210423

1330, 1338, 1342 1st Avenue Plan 1095f, Block 94

that Portion of Lot 15 which lies to the SE of the NW 25 feet

thereof and all of Lot 16 Plan 1095f, Block 94

Lot 14 and the NW 25 feet throughout of Lot 15

Plan 1095f, Block 94, Lot 13

13 Townhouse Units and 6 Common Amenity Housing Units Development

**Maximum Density, Maximum Eave Line Height, Maximum Canopy Projection in Rear
Yard, and Building Stepback Variance.**

Appeal against an approval by the Canmore Planning Commission

APPELLANTS INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS

The Appellant, S. Hennessey, identified himself to the Board as the representative of the affected persons listed in the Notice of Appeal.

The Vice Chair asked the Appellant if they had any objections to the Board Members present at the hearing. There were no objections to the Board Members present.

APPLICANTS INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS

The Applicant, D. Hildebrand, and Legal Spokesperson, K. Elhatton-Lake, identified themselves to the Board.

The Vice Chair asked the Applicant and Legal Spokesperson if they had any objections to the Board Members present at the hearing. There were no objections to the Board Members present.

ADMINISTRATION INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS

The Planning Staff Administration presented themselves to the Board.

The Vice Chair asked the Administration if they had any objections to the Board Members present at the hearing. There were no objections to the Board Members present.

HEARING OUTLINE

The Vice Chair outlined the hearing process for all present. There were no objections from the Appellants or Applicants, or anyone in the audience.

PRILIMINARY ISSUE

The Development Planner, R. Welden, informed the SDAB Board that the new information that was accepted at the April 21st, 2022 SDAB Meeting consisted of a compromise of the subject development submitted by both the Applicant and the Appellant. It is Administration's view that this proposal would require a new development permit application be submitted.

The Appellant, Applicant, and Applicant's Legal Spokesperson all spoke to the position of Administration and expressed that requiring submission of a new development permit application would not be acceptable.

Minutes approved by: _____

The Vice Chair recommended that the Board go “in-camera” to determine whether to proceed with the appeal with the revised development information or to only consider the original application PL20210423 that was approved by the Canmore Planning Commission.

IN-CAMERA

The Board decided to go in-camera at 1:23pm

MOTION CARRIED
UNANIMOUSLY

OUT-OF-CAMERA

The Board decided to come out-of-camera at 1:29pm

MOTION CARRIED
UNANIMOUSLY

The Vice Chair stated that the Board was prepared to proceed with the subject appeal, based upon the original development permit application PL20210423 which was approved by the Canmore Planning Commission.

ADMINISTRATION’S PRESENTATION OF THE APPLICATION AND DECISION

The Development Planner, R. Welden, gave a verbal and visual presentation detailing the application. The Development Planner responded to questions from the Board.

APPELLANTS PRESENTATION OF THE APPLICATION AND DECISION

The Appellant, S. Hennessey, provided a verbal presentation to the Board. The Appellant answered questions from the Board.

THOSE SPEAKING IN FAVOUR OF THE APPEAL

The following were present for the virtual hearing that spoke in support of the subject appeal:

- J. Young

CORRESPONDENCE RECEIVED IN FAVOUR OF THE APPEAL

The following letters of support were received for the subject appeal and are included within the SDAB Agenda Package:

- R. Khuu, 1239 A 1st Ave.
- T. Van Kessel, 1 – 1401 1st Ave.
- J. Schumacher, 135 – 15th Street

New information submitted after the SDAB Package deadline, accepted as new information at the April 21st SDAB Meeting:

- A. and S. Schantz
- J. Schumacher, 135 – 15th Street provided a revised letter.

Minutes approved by: _____

APPLICANTS PRESENTATION OF THE APPLICATION AND DECISION

The Applicant's Legal Spokesperson, K. Elhatton-Lake with Shores Jardine LLP, provided a verbal presentation to the Board referring to their written submission at the hearing. The Applicant, D. Hildebrand with Arbus Mountain Homes Ltd., and Applicant Representative, K. Faber, provided Verbal and PowerPoint presentations.

RECESS

The Vice Chair recommended a 10-minute recess at 3:32pm

MOTION CARRIED
UNANIMOUSLY

The Vice Chair called the meeting back to order at 3:42pm

The Applicant and Applicant Spokespersons answered questions from the Board.

THOSE SPEAKING IN OPPOSITION TO THE APPEAL

The following were registered for the virtual hearing to speak in opposition of the subject appeal:

- F. Kernick

However, this individual was not present for this SDAB Meeting.

CORRESPONDENCE RECEIVED IN OPPOSITION TO THE APPEAL

The following letters of support were received for the subject appeal and are included within the SDAB Agenda Package:

- A. Bryant, Renu Construction
- G. Turcotte, Stone Creek Resorts
- J. Muir, Clique Hotels & Resorts
- N. Rainey, 1302 1st Ave.
- S. Birch, Banff Caribou Properties
- K. Milliken, adjacent property owner to 1410 Mtn. Ave.

New information submitted after the SDAB Package deadline, accepted as new information at the April 21st SDAB Meeting:

- C. Mullen

THOSE SPEAKING NEITHER IN FAVOUR NOR IN OPPOSITION OF THE APPEAL

None.

CORRESPONDENCE RECEIVED NEITHER IN FAVOUR NOR IN OPPOSITION REGARDING THE APPEAL

New information submitted after the SDAB Package deadline, accepted as new information at the April 21st SDAB Meeting:

- J. and J. Young

Minutes approved by: _____

However, it was expressed by J. Young, who was present during the meeting, that their submission be recorded as “in support” and not “neutral”. The Board acknowledged this change.

COMMENTS/CLARIFICATION BY THE APPELLANT

The Appellant, S. Hennessey, provided their closing remarks to the Board.

COMMENTS/CLARIFICATION BY THE APPLICANT SPOKESPERSON

The Applicant and Applicant’s Legal Spokesperson, D. Hildebrand and K. Elhatton-Lake, provided their closing remarks to the Board.

COMMENTS/CLARIFICATION BY ADMINISTRATION

The Development Planner, R. Welden, provided Administration’s closing remarks to the Board and answered any questions posed by the Board during Administration’s presentation.

5. OTHER BUSINESS

None.

6. ADJOURNMENT

The Vice Chair 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 Vice Chair moved that the public hearing of May 31, 2022, be adjourned at 4:44 p.m.

MOTION CARRIED
UNANIMOUSLY

Michelle Cooze, Vice Chair

Katy Bravo Stewart, SDAB Clerk

Minutes approved by: _____

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

STAFF REPORT



DATE OF HEARING: JULY 20, 2022

PROPOSED DEVELOPMENT: RESIDENTIAL ADDITION (ATTACHED GARAGE AND MUD ROOM)

APPLICATION NUMBER: PL20220047

LEGAL DESCRIPTION: LOT 22, BLOCK 77, PLAN 9910432

CIVIC ADDRESS: 628 1ST STREET

CURRENT USE(S): DETACHED DWELLING

APPLICANT: DAVID BURGHARDT

EXECUTIVE SUMMARY

The submitted development permit is for an Attached Garage and Mud Room Addition to an existing Detached Dwelling. The application includes a proposed variance to the minimum rear yard setback. The application was refused due to the requested variance being larger than the Development Officer's authority to consider under section 1.14.1.1.

BACKGROUND

Land Use Bylaw 2018-22 (LUB)

Detached Dwellings are a Discretionary Use in the R1 – Residential Detached District (section 3.1). An addition to an existing Detached Dwelling does not require a Development Permit unless a variance to the Land Use Bylaw is being proposed (section 1.9.0.1.q).

The applicable development standards for Residential Additions follow the R1 district regulations as found in section 3.1.

Municipal Development Plan (MDP)

Section 6 of the MDP, Neighbourhood Residential Goal #2 is “to allow for the gradual redevelopment and change of established neighbourhoods to provide more housing variety, support the natural evolution of neighbourhoods and enhance the potential of residents to remain in their homes.”

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.

EXISTING SITE

628 1st Street (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.”

Detached Dwellings are listed as a discretionary use in this district.

The current use of the site is a Detached Dwelling.

Adjacent properties contain similar low density residential development and are also located within the R1 District, (see attachments 1 & 2).

BYLAW CONFORMANCE DISCUSSION

A full compliance review of the application as it relates to the LUB can be found in attachment 3.

The application has been deemed to meet the requirements of the LUB, except for the requested variance to the minimum rear yard setback as it relates to the garage addition (3.8m instead of the required 7.5m). This amounts to a 49.3% variance from the LUB R1 district regulations, and is beyond the Development Officer's authority (a maximum of 10% as per section 1.14.1.1). The mud room portion of the addition is compliant with the Land Use Bylaw.

If the proposed garage was not attached to the principal dwelling it could be considered an Accessory Building and would comply with the LUB regulations for area and height, and could be located within 1m of side and rear property lines. According to section 8.1.0.6 of the LUB where an Accessory Building is attached in any manner to a principal building, it shall be deemed to be part of the principal building and subject to all yard setback and site coverage regulations of the district in which it is located.

During the notification stage of the Development Permit application, letters of support were received from residents at 626 1st Street, 630 1st Street, 634 1st Street. This indicates that the proposed development will not adversely impact the neighbourhood.

Due to the proposed scale and size of the development being consistent with that of an Accessory Building, and the neighbourhood support for the project, there is support from the Planning Department for the requested variance.

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** PL20220047. Recommended conditions are included in attachment 6.

ATTACHMENTS:

1. Site Context and Property Images
2. Zoning Map
3. Bylaw Conformance Review
4. Development Permit Application
5. Notice of Refusal
6. Schedule A – Proposed Conditions of Approval
7. Statutory Requirements for Appeal



Marcus Henry
Supervisor of Planning & Development



Eric Bjorge
Planning Technician

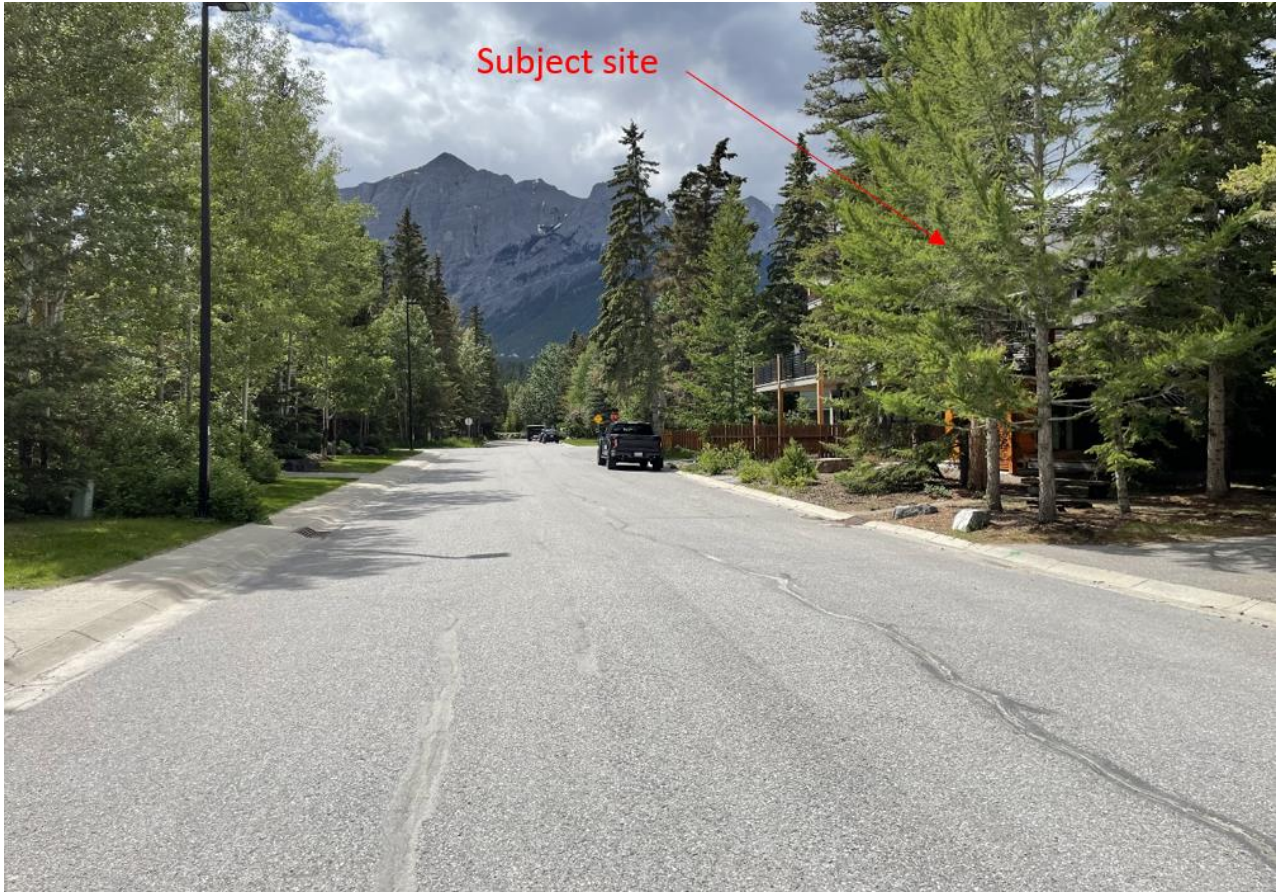
ATTACHMENT I – SITE CONTEXT AND PROPERTY IMAGES



Aerial Photo – 628 1st Street outlined in blue



Looking north from 1st Street



Looking west from 1st Street



Looking east from 1st Street



Looking east from the lane



Looking south from the lane



Looking west from the lane

ATTACHMENT 2 – ZONING MAP



628 1st Street outlined in blue

ATTACHMENT 3 - BYLAW CONFORMANCE REVIEW

REQUIREMENT	BYLAW 2018-22	PROPOSED	VARIANCE REQUIRED
SITE COVERAGE	MAXIMUM 40%	39.8%	No
HEIGHT	9.5M AT 6:12 PITCH	4.7M AT 6:12 PITCH	No
SIDE YARD SETBACK	1.5M MINIMUM	1.5M	No
REAR YARD SETBACK	7.5M MINIMUM	3.8M	YES
PROJECTIONS	LIMITED PROJECTIONS INTO YARD SETBACKS AS PER TABLE 2.4-1	ALL PROJECTIONS COMPLIANT (IE: EAVE OVER HANGS)	No
FLOOD FRINGE REQUIREMENTS	MITIGATIONS FOR ATTACHED GARAGES AS PER ENGINEERING STANDARDS	REQUIRED MITIGATIONS INCLUDED IN THE DESIGN	No
GROSS FLOOR AREA	MAXIMUM 325M2	258.9M2	No

PLOT PLAN

LEGAL DESCRIPTION ZONE R1
 LOT 22, BLOCK 77, PLAN 9910432
 MUNICIPAL ADDRESS
 628 1st STREET, CANMORE
 PREPARED FOR
 DAVID BURGHARDT

DATUM: NRCAN Precise Point Positioning Solution (CVDG28) SCALE = 1:200

LIMITING ELEVATIONS

1. Max. roof elev. = N/A (FRONT)
 N/A (BACK)
2. HLC 9.8 1:100 Year Groundwater Elev. = 1307.9
3. Provincial flood contour elev. = N/A
4. HLC 9.3 minimum slab elev. = 1309.0

* References sections of the EDGC Discuss effects on allowable building and roof elevations with the Town of Canmore.

THERE ARE NO TREES ON OR NEAR TOWN PROPERTY IN THE REAR YARD. TREES WERE NOT MEASURED IN THE FRONT YARD.

GRADES:
 Existing $\times_{99.99}$ Design $\boxed{99.99}$ (add 1300.00 for GEODETIC)

HOUSE:
 MAIN FLOOR 1308.51
 GARAGE SLAB 1308.30 (at entrance)
 MUDROOM 1308.51 (Proposed)

Registered interests (excluding encumbrances):
 NONE

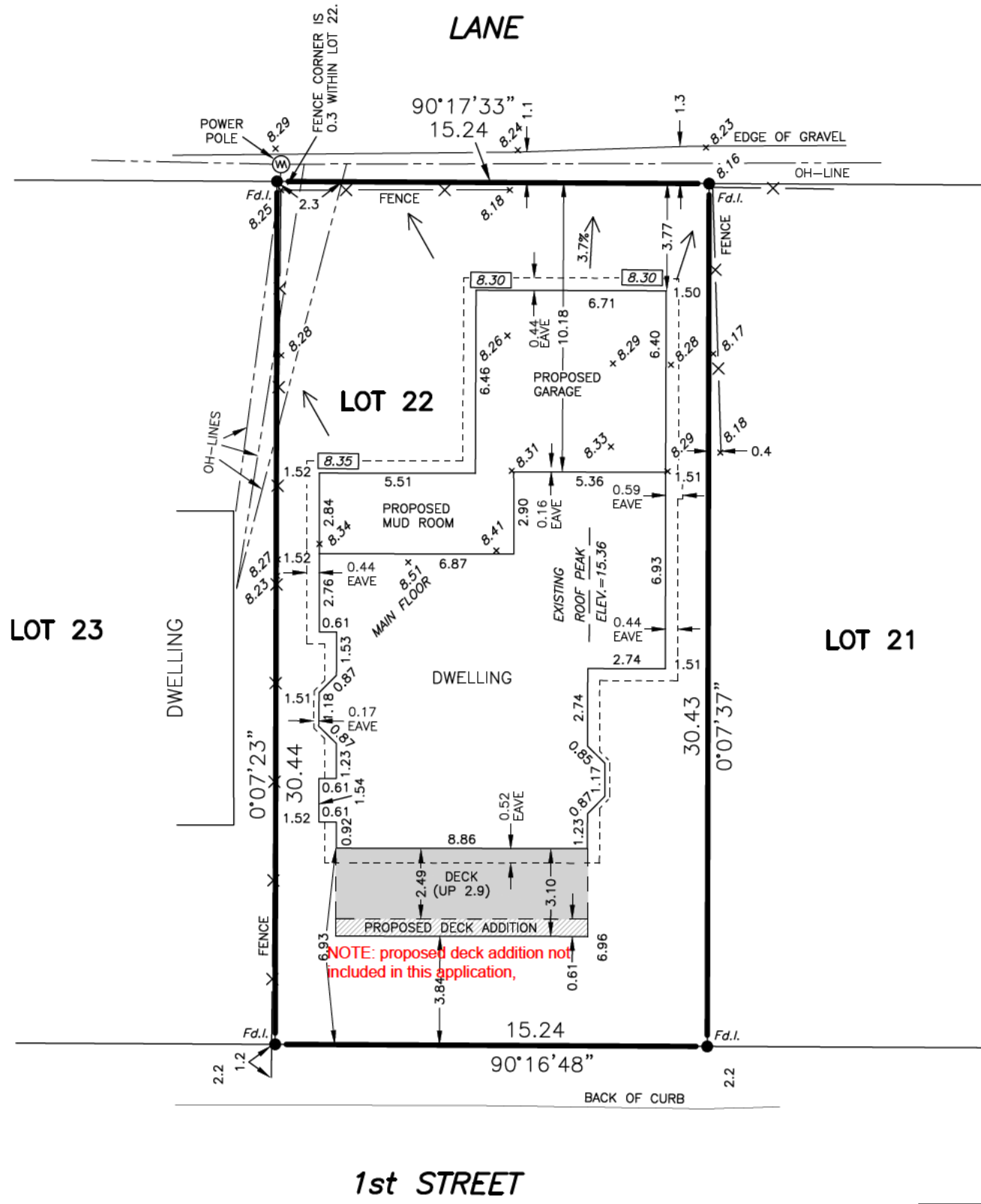
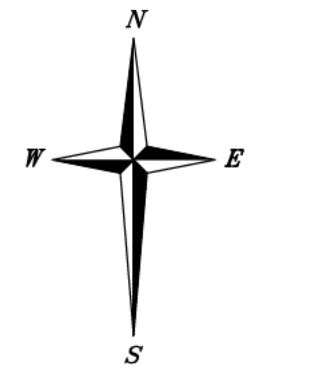
APPROXIMATE DRIVEWAY GRADE:
 calculated as a straight line slope along the centerline of the driveway between the garage entrance and the property line is shown thus.....??%

LOT AREA 464.0 m²
 FOOTPRINT 123.4 m² ,26.6 % (Dwelling)
 62.5 m² ,13.5 % (Proposed addition)

NOTE: Distances and elevations are in metres and dimensioned to foundation.

DESIGN DATE APRIL 28, 2022


 ALBERTA LAND SURVEYOR



McElhanney
 Land Surveys (Alta) Ltd.
 203 – 502 BOW VALLEY TRAIL, CANMORE AB, T1W 1N9
 PH (403) 678-6363; FAX (855) 407-3895
FILE: 22-056

1. THE TERM "CONTRACTOR" SHALL MEAN "GENERAL CONTRACTOR".
2. INTERIOR DIMENSIONS ARE TO FACE OF FINISHED WALL UNLESS NOTED OTHERWISE ON DRAWINGS.
3. CONTRACTOR AND/OR TRADES SHALL GUARANTEE / WARRANTEE ALL WORK FOR MINIMUM PERIOD OF ONE (1) YEAR UNLESS OTHERWISE AGREED TO WITH THE OWNER OR OWNER'S REPRESENTATIVE.
4. THE TERM "PROVIDE" MEANS SUPPLY AND INSTALL UNLESS OTHERWISE STATED
5. ONLY DRAWINGS STAMPED/NOTED "ISSUED FOR CONSTRUCTION" ARE TO BE USED FOR CONSTRUCTION.
6. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE ADEQUATE PROTECTION, AS MAY BE REQUIRED, TO PREVENT DAMAGE TO ANY EXISTING AND/OR NEW MATERIALS OR PREVIOUS CONSTRUCTION. IN THE EVENT ANY DAMAGE MAY OCCUR, THE CONTRACTOR IS RESPONSIBLE TO MAKE GOOD ANY REPAIRS AT NO ADDITIONAL COST.

SITE INSPECTION - DRAWING VERIFICATION:

1. WHERE APPLICABLE, THE CONTRACTOR AND/OR SUBTRADES ARE RESPONSIBLE TO VISIT THE SITE TO BE FAMILIAR WITH THE EXISTING SITE CONDITIONS. CONDITIONS AND/OR CIRCUMSTANCES WHICH DO NOT CONFORM TO THE INTENT SHOWN ON THE DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE DESIGNER.
2. THE CONTRACTOR AND/OR ALL SUBCONTRACTORS SHALL REVIEW AND THOROUGHLY EXAMINE AND BE FAMILIAR WITH ALL COMPONENTS OF THE WORK AS SHOWN ON THE DRAWINGS AND AS LISTED ON THE NOTES/SPECIFICATIONS. THEY ARE RESPONSIBLE TO VERIFY ALL DIMENSIONS ON THE DRAWINGS AND REPORT ANY DISCREPANCIES TO THE DESIGNER, OR ARCHITECT IN WRITING PRIOR TO STARTING ANY WORK.

CONSTRUCTION:

1. CONTRACTOR RESPONSIBLE TO ENSURE ALL REQUIRED BLOCKING, BRACING, FRAMING, HANGERS OR OTHER SUPPORT FOR MATERIALS AND/OR FIXTURES AND EQUIPMENT ARE PROVIDED AS MAY BE REQUIRED WHETHER OR NOT DETAILS HAVE BEEN SHOWN ON THE DRAWINGS.
2. INSTALL AND/OR ERECT PRODUCTS/MATERIALS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS/RECOMMENDATIONS. IMPROPER INSTALLATION OR EXECUTION OF PRODUCTS/MATERIALS DUE TO FAILURE OF COMPLIANCE WITH THESE REQUIREMENTS WILL RESULT IN REMOVAL AND REPLACEMENT OF SUCH ITEMS AT NO ADDITIONAL COST TO THE PROJECT.

CANMORE - BURGHARDT RESIDENCE GARAGE ADDITION ISSUED FOR BUILDING PERMIT

PROJECT INFORMATION

ADDRESS
628 1ST STREET
CANMORE, AB
T2W 2L2

LEGAL DESCRIPTION
LOT 22, BLOCK 77, PLAN 9910432

INTERIOR DESIGN DRAWING LIST

ID00	COVER SHEET	ID06	EXTERIOR ELEVATIONS
ID01	GENERAL NOTES	ID07	ENGINEERED SLAB EDGE DETAIL
ID02	SITE PLAN	ID08	REAL PROPERTY REPORT
ID03	PROPOSED GARAGE & MUDROOM PARTITION PLAN		
ID04	EXTERIOR ELEVATIONS		
ID05	EXTERIOR ELEVATION		

CONSULTANT INFORMATION

INTERIOR DESIGNER
CE DE CE INC

GENERAL CONTRACTOR
TO BE CONFIRMED

712 SALISBURY AVENUE SW
CALGARY, ALBERTA
T2G 4J8
TEL: 403.245.6568



General Notes

This drawing must not be scaled.

Contractor shall verify all levels, datums, and dimensions prior to the commencement of work. All discrepancies must be reported to the Consultants immediately.

This drawing is the exclusive property of the Consultants and may be reproduced only with the permission of the Designer in which case the reproduction must bear the name of the designer.

This drawing must be read in conjunction with all Consultants' drawings, specifications, and schedules.

Issued

No.	Date	Description
1	2020.11.06	ISSUED FOR PERMIT APPLICATION

Project

BURGHARDT RESIDENCE
CANMORE

Project Number

2786

Drawing

COVER PAGE

Drawn by EG	Checked by EG
Scale N/A	ID00 24
Date 2020.11.06	

SITE DATA

ZONING	R1
LOT AREA	464m ² (4,997 ft ²)
EXISTING FOOTPRINT	124m ² (1,335 ft ²)
EXISTING SITE COVERAGE	26.7%
GARAGE COVERAGE (PROPOSED)	13.1%
MAX SITE COVERAGE (PROPOSED)	39.8%
MAX SITE COVERAGE (PERMITTED)	40.0%

PROPOSED DEVELOPMENT - GARAGE ADDITION TO HOUSE (SINGLE DETACHED RESIDENTIAL)

EXISTING SITE COVERAGE	26.7%
EXISTING SITE COVERAGE	258.9m2 (3,271 ft2)
GARAGE ADDITION (PROPOSED)	13.1%
GARAGE ADDITION (PROPOSED)	61.3m2 (660 ft2)
GROSS FLOOR AREA (PROPOSED)	39.8%
GROSS FLOOR AREA (PROPOSED)	258.9m2 (3,271 ft2)
MAX FLOOR AREA (PERMITTED)	40.0%
MAX FLOOR AREA (PERMITTED)	325m2 (3,498 ft2)

MAX HEIGHT (CURRENT) TWO STOREY OR 8.0m (5.6m AT EAVES)
 MAX HEIGHT (PROPOSED) ONE STOREY OR 3.6m (2.5m AT EAVES)

GENERAL NOTES

ALL WORK TO CONFORM TO THE CURRENT EDITION OF THE ALBERTA BUILDING CODE.

ALL SERVICES TO BE INSTALLED TO MEET ALL APPLICABLE CODES AND BYLAWS. ALL CONNECTIONS TO TOWN SERVICES SHALL BE IN ACCORDANCE WITH TOWN REGULATIONS.

THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT CONSTRUCTION. THE DESIGNER SHALL ALSO NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DESIGN AND SPECS OR ADJUSTMENTS REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE BUILDING SITE WHICH IS THE SOLE RESPONSIBILITY OF THE OWNER AND/OR CONTACTOR.

ALL DOOR AND WINDOW SIZES ARE APPROXIMATE ONLY. WINDOW AND DOOR SUPPLIERS SHALL SUPPLY ROUGH STUD OPENINGS PRIOR TO ANY CONSTRUCTION.

ALL DIMENSIONS TO O.S. FACE OF CONCRETE, OR O.S. FACE OF STUDS, OPENINGS DIMENSIONED TO CENTRE OF ROUGH OPENING.

VERIFY ALL DIMENSIONS AND INFORMATION AND REPORT ALL ERRORS OR DISCREPANCIES TO THE DESIGNER.

DO NOT SCALE DRAWINGS.

SITE NOTES

THE BUILDER IS RESPONSIBLE FOR THE PROTECTION OF THOSE TREES AND/OR SHRUBS WHICH ARE TO REMAIN.

THE BUILDER IS RESPONSIBLE FOR SEEING THAT THE SITE IS LEFT CLEAN AND TIDY TO THE SATISFACTION OF THE OWNER AT THE COMPLETION OF WORK.

SCOPE OF ENGINEERING

ROOF TRUSS SUPPLIER TO SUPPLY SHOP DRAWINGS OF ROOF FOR ON SITE CONSTRUCTION.
• ROOF TRUSS DESIGN TO BE CONFIRMED

STRUCTURAL/SOILS ENGINEER TO PROVIDE REINFORCING SPECS FOR CONCRETE FLOOR/WALLS AS PER SOILS REPORT.

STRUCTURAL AND FRAMING CRITERIA

LOADS: ROOF LIVE LD = 41 PSF ROOF DEAD LD = 15 PSF
FLOOR LIVE LD = 40 PSF FLOOR DEAD LD = 12 PSF

CONCRETE FROST WALL FOR GARAGE & MUDROOM FOUNDATION

- 8" 32 MPA CONCRETE WALL
- 2" RIGID INSULATION TO 2'-0" MIN BELOW GRADE
- 24"x8" CONCRETE FOOTING AT 4'-0" MIN BELOW GRADE
- R/W 2-10M (MIN) CONT.

FACE OF EXTERIOR STUD WALLS AND FOUNDATION WALL TO BE FLUSH.

BEAMS, FLOOR JOISTS & PLATES TO E #2 D.FIR (OR BETTER) UNLESS NOTED OTHERWISE.

LOAD BEARING LINTELS SHALL BE 2 - 2X 10" (#2 D.FIR) UNLESS NOTED OTHERWISE.

TYPICAL EXTERIOR WALL

- FRAMING LUMBER TO BE KILN DRIED SPF #2 EQUAL OR BETTER
- SHEATHING TO BE 7/16" O.S.B. ON 2'X6' WOOD STUDS & 24" O.C.
- STUCCO ON WIRE MESH & BUILDING PAPER
- STUCCO & ACCENT WOOD TO MATCH EXISTING HOUSE

GABLE END FRAMING FOR OVERHANGS MUST HAVE AN APPROVED LOOK-OUT SYSTEM (DOPPED GABLES WITH LADDER SYSTEM).

INSULATION AND VENTILATION

RECOMMENDED INSULATION VALUES ARE R-40 IN ROOF OR CEILING AND R-20 IN WALLS. MINIMUM CODE REQUIREMENTS TO BE MAINTAINED AT ALL TIMES.

6 ML. POLY VAPOUR BARRIER SHALL BE INSTALLED ON THE WARM SIDE OF INSULATION. JOINTS TO BE SEALED.

INSTALL INSTALLATION STOPS AT EAVES AS REQUIRED.

HEATING PLUMBING AND ELECTRICAL

INSTALLATION OF THE ELECTRICAL AND ANY HEATING SYSTEMS SHALL CONFORM TO ALL APPLICABLE CODES AND REGULATIONS IN ALL RESPECTS.

HEATED FLOOR SLAB FOR GARAGE & MUDROOM

- 4" 32 MPA CONC. SLAB r/w 6x6 / 10x10 WWM (CONFIRM WITH GEOTECHNICAL ENGINEER)
- 6 ML POLY MOISTURE BARRIER
- MINIMUM 4' COMPACTED GRAVEL
- SUITABLE UNDISTURBED SOIL OR ENGINEERED FILL
- SLOPE SLAB UP FROM O/H DOOR TO BE 4" SO WATER DRAINS OUT OF GARAGE
- SEE VALLEY ENGINEERING FOUNDATION PLAN FOR REINFORCING FOR GARAGE FLOOR

OTHER

EAVE CONSTRUCTION

- FASCIA TO MATCH EXISTING HOUSE
- EAVESTROUGH AND DOWNSPOUTS AS REQUIRED

OVERHANG CONSTRUCTION

- GABLE END FRAMING FOR OVERHANDS MUST HAVE AN APPROVED LOCK-OUT SYSTEM (DROPPED GABLES WITH LADDER SYSTEM)

SOFFITS

- SOFFITS TO BE METAL/VENTING AND MATCH EXISTING HOUSE

ROOF VENTILATION

- 1/300 ROOF AREA - LOCATE VENTS AT RIDGE & SOFFIT AS PER CURRENT BUILDING CODE

ROOFING

- ROOFING TO MATCH EXISTING HOME (MALARKEY LEGACY)
- MIN 36" WIDE ICE & WATER SHIELD EAVE PROTECTION
- 1 LAYER ROOFING PAPER
- 7/16" PLYWOOD SHEATHING WITH H-CLIPS
- R-40 INSULATION
- 6 ML POLY VAPOUR BARRIER
- ½" GWB (HIGH DENSITY)

ATTIC ACCESS

- GLUE RIGID R34 INSULATION TO PANEL AND WEATHERSTRIP OPENING

WINDOWS

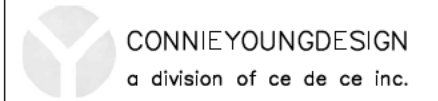
- METAL-CLAD WOOD, DOUBLE GLAZING TO MATCH EXISTING HOUSE

DOORS

- ALL EXTERIOR DOORS WITH WEATHER STRIPPING TO MATCH EXISTING HOUSE
- GARAGE DOOR 16' WIDE x 8' HIGH; ELECTRIC GARAGE DOOR OPENING SYSTEM
- WALLS - PAINTED DRYWALL
- CEILINGS - PAINTED DRYWALL

FINISHING

PROVIDE FLASHING AT ALL HORIZONTAL CHANGES IN EXTERIOR FINISHES AND CAULK AROUND ALL UNFLASHED EXTERIOR OPENINGS.



712 Salisbury Ave SE Calgary, Alberta T2G 4J8
 ph 403,245,6568 fx 403,228,0841

General Notes

This drawing must not be scaled.

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Issued

No.	Date	Description
1	2020.11.06	ISSUED FOR PERMIT APPLICATION

Project

BURGHARDT RESIDENCE
CANMORE

Project Number

2786

Drawing

GENERAL NOTES

Drawn by EG	Checked by EG
Scale N/A	ID01 25
Date 2020.11.06	

General Notes

This drawing must not be scaled.

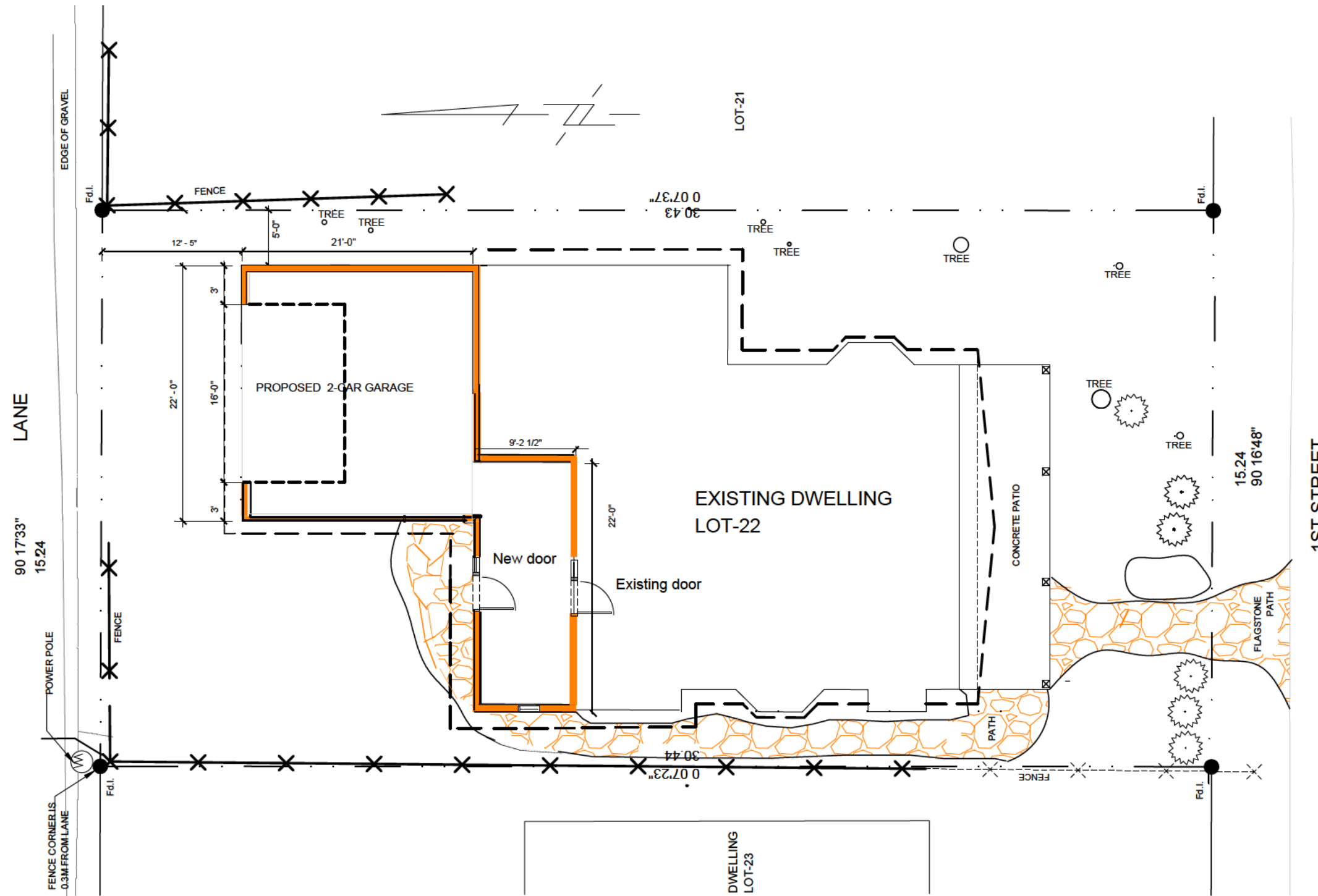
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Issued

No.	Date	Description
1	2020.11.08	ISSUED FOR PERMIT APPLICATION



1 EXISTING SITE PLAN - WITH NEW GARAGE ADDITION
 ID02 SCALE: 3/32" = 1'-0"

Project
 BURGHARDT RESIDENCE
 CANMORE

Project Number
 2786

Drawing
 SITE PLAN

Drawn by EG	Checked by EG
Scale 3/32" = 1'-0"	ID02
Date 2020.11.08	

General Notes

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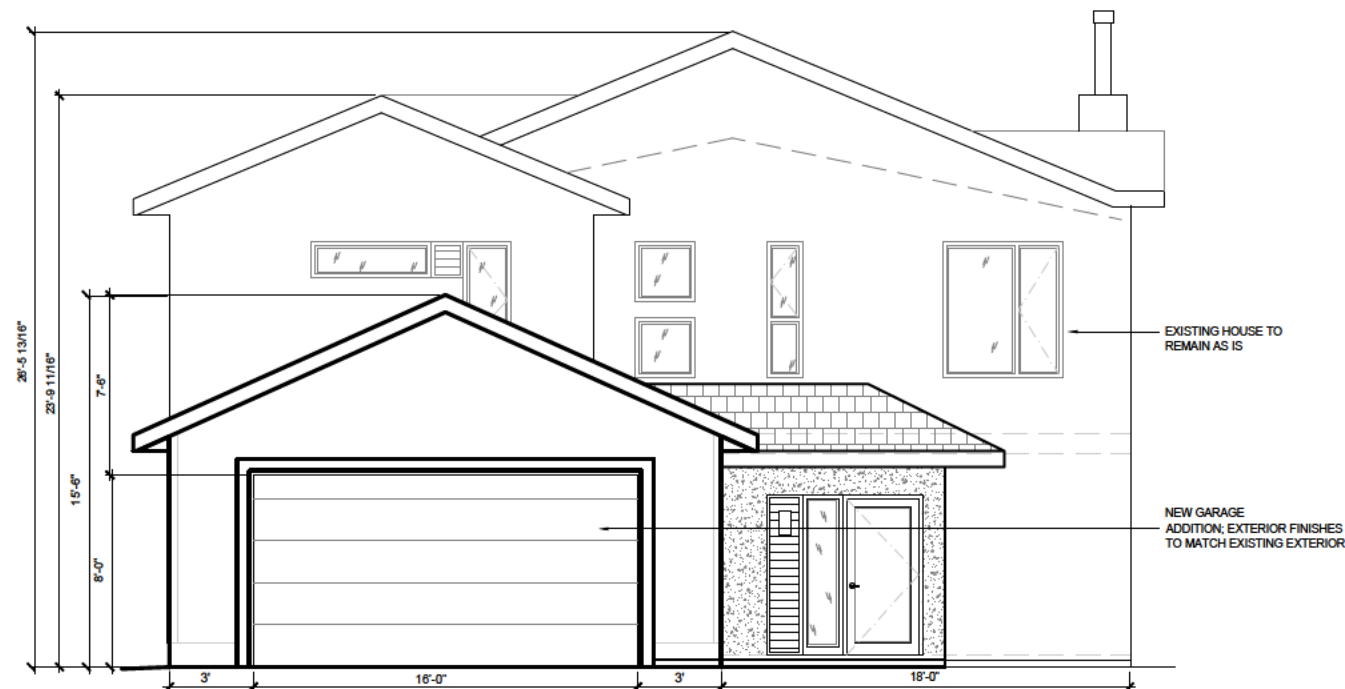
This drawing must be read in conjunction with all Consultants' drawings, specifications, and schedules.

Issued

No.	Date	Description
1	2019.12.06	ISSUED FOR PERMIT APPLICATION



1 EXTERIOR ELEVATION NORTH - EXISTING
 ID04 SCALE: 1/8" = 1'-0"



2 EXTERIOR ELEVATION SOUTH - EXISTING WITH NEW GARAGE ADDITION
 ID04 SCALE: 1/8" = 1'-0"

Project

BURGHARDT RESIDENCE
CANMORE

Project Number

2786

Drawing

EXTERIOR
ELEVATION

Drawn by

EG

Checked by

EG

Scale

1/8" = 1'-0"

Date

2019.10.10

ID04

27

General Notes

This drawing must not be scaled.

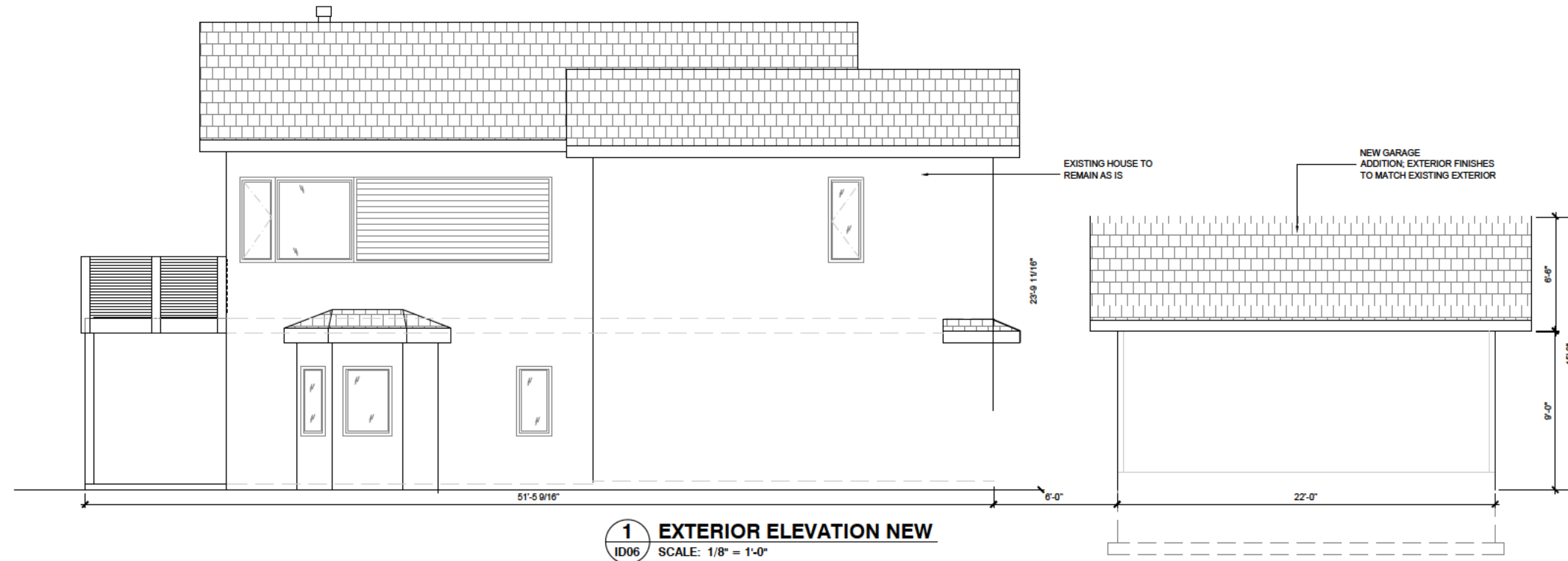
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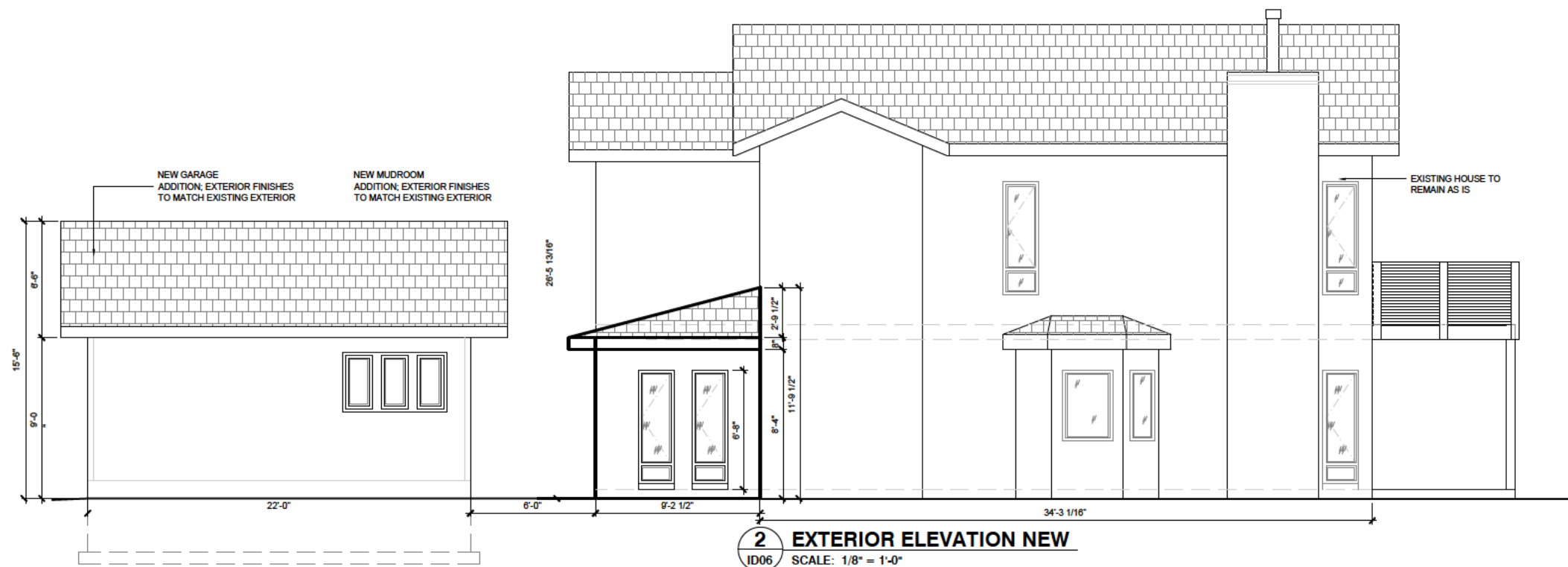
This drawing must be read in conjunction with all Consultants' drawings, specifications, and schedules.

Issued

No.	Date	Description
1	2019.12.06	ISSUED FOR PERMIT APPLICATION



1 EXTERIOR ELEVATION NEW
 ID06 SCALE: 1/8" = 1'-0"



2 EXTERIOR ELEVATION NEW
 ID06 SCALE: 1/8" = 1'-0"

Project
 BURGHARDT RESIDENCE
 CANMORE

Project Number
 2786

Drawing
 EXTERIOR
 ELEVATION

Drawn by EG	Checked by EG
-----------------------	-------------------------

Scale
 3/16" = 1'-0"

Date
 2019.10.10

ID06

28

General Notes

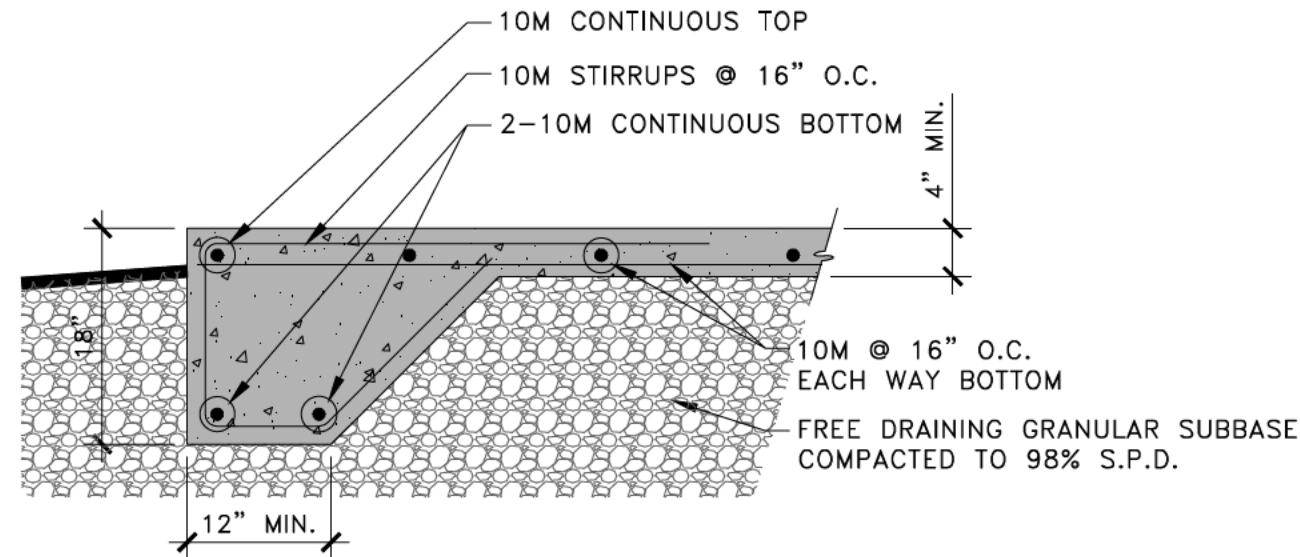
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Issued		
No.	Date	Description
1	2019.12.06	ISSUED FOR PERMIT APPLICATION



Typical Slab Edge Thickening

CONCRETE:	32 MPA
SUBBASE:	COMPACTED GRANULAR MATERIAL (98% S.P.D.)

Valley Engineering

P.O. Box 8621
 Canmore, AB
 T1W 2V3
 (403)678-7339
 jamie.fukushima@valleyeng.com

1 ENGINEERED GARAGE SLAB EDGE DETAIL
 ID07 SCALE: 3/4" = 1'-0"

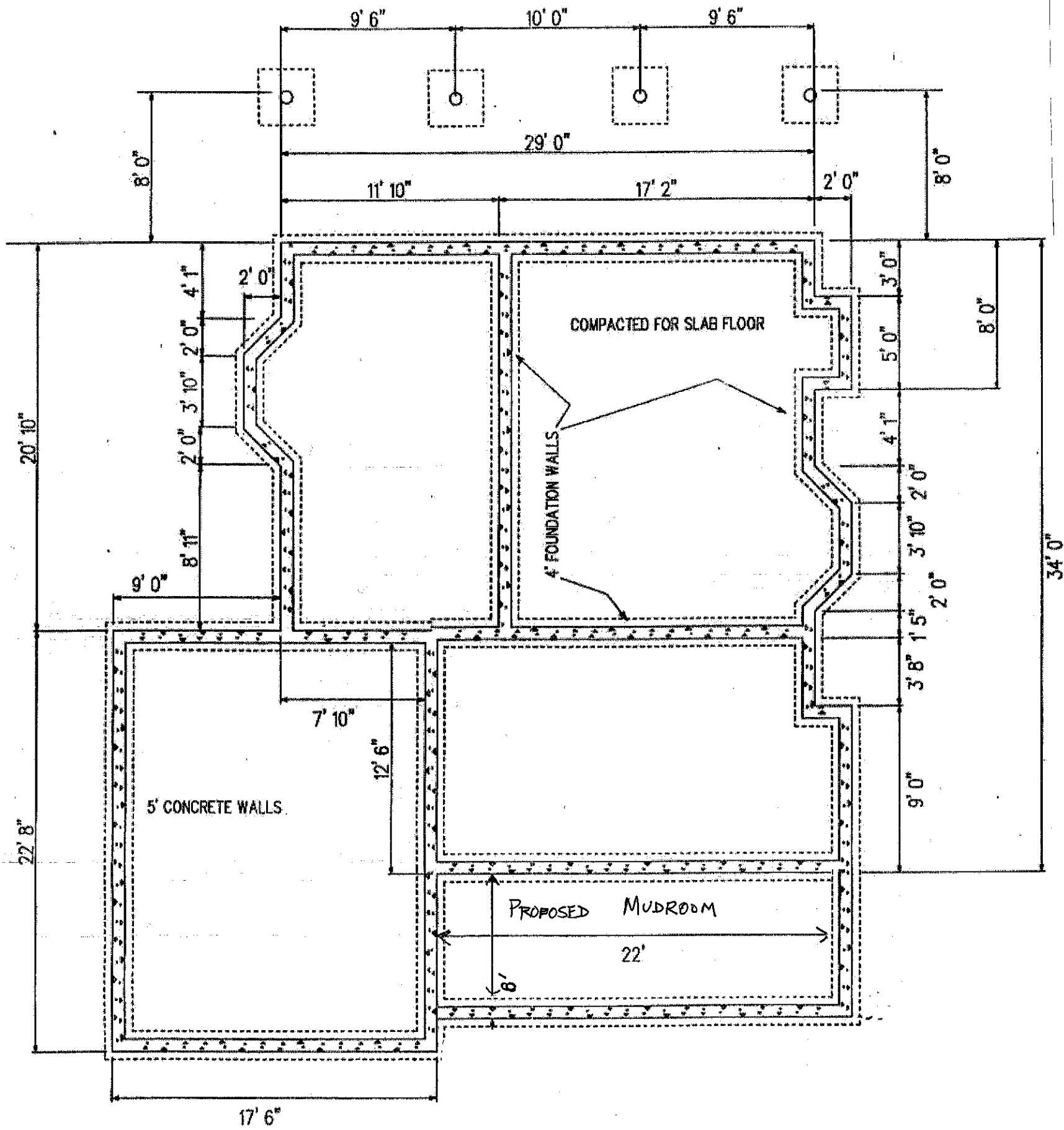
Project
 BURGHARDT RESIDENCE
 CANMORE

Project Number
 2786

Drawing
 SLAB EDGE
 DETAIL

Drawn by	Checked by
EG	EG

Scale 3/4" = 1'-0"	ID07 29
Date 2019.10.10	



DECK PADS
36" SQUARE
8" THICK

ANCHORS NAILS IN
CONCRETE LADDER

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Issued No.	Date	Description
1	2019.12.06	ISSUED FOR PERMIT APPLICATION

Project
BURGHARDT RESIDENCE
CANMORE

Project Number
2786

Drawing

Drawn by EG	Checked by EG
-----------------------	-------------------------

Scale
3/4" = 1'-0"

Date
2019.10.10

ID08

SITE DATA

SITE DATA

ZONING	R1
LOT AREA	464m ² (4,994 ft ²)
EXISTING FOOTPRINT	124m ² (1,335 ft ²)
EXISTING SITE COVERAGE	26.7%

GARAGE ADDITION (PROPOSED)	13.1%
MAX SITE COVERAGE (PROPOSED)	39.8%
MAX SITE COVERAGE (PERMITTED)	40.0%

PROPOSED DEVELOPMENT

CONSTRUCTION OF A NEW 2-CAR GARAGE ADDITION TO HOUSE

PROPOSED GARAGE ADDITION TO HOUSE (SINGLE DETACHED RESIDENTIAL)

EXISTING SITE COVERAGE	26.7%
GARAGE ADDITION (PROPOSED)	13.1%
MAX HOUSE COVERAGE (PROPOSED)	39.8%
GARAGE ADDITION (PROPOSED)	3.9%
GARAGE COVERAGE (PROPOSED)	61.3m ² (660 ft ²)
MAX FLOOR AREA (PERMITTED)	325m ² (3,498 ft ²)
GROSS FLOOR AREA (EXISTING)	242.6m ² (2,611 ft ²)
GROSS FLOOR AREA (PROPOSED)	303.9m ² (3,271 ft ²)

MAX HEIGHT (CURRENT)	TWO STOREY OR 8.0m (5.6m AT EAVES)
MAX HEIGHT (PROPOSED)	ONE STOREY OR 3.6m (2.5m AT EAVES)

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Issued

No.	Date	Description
1.	2014.07.09	ISSUED FOR BUILDING PERMIT
2.	2014.07.16	UPDATED SET FOR CONSTRUCTION
3.	2014.07.28	UPDATED SET FOR CONSTRUCTION
4.	2014.07.31	UPDATED SET FOR CONSTRUCTION

Revisions

No.	Date	Description
-	-	-

Project

BURGHARDT RESIDENCE

Project Number

2574

Drawing

MAIN FLOOR PARTITION PLAN

Drawn by

EG

Checked by

CY & AD

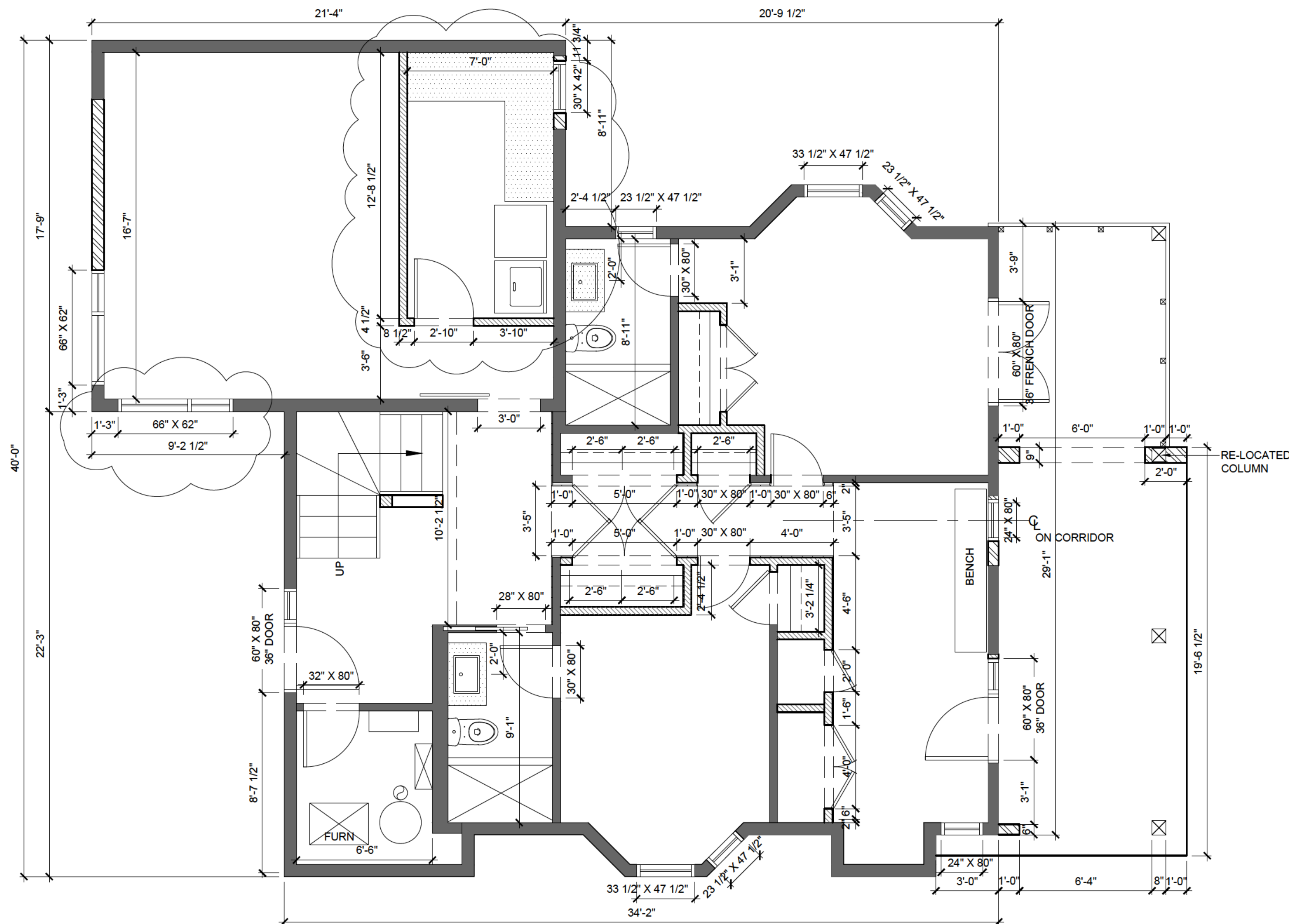
Scale

1/2" = 1'-0"

Date

2014.07.09

ID04



1 MAIN FLOOR PARTITION
 ID04 SCALE: 1/2" = 1'-0"

Existing Main Floor Layout

PARTITION PLAN LEGEND	
SYMBOL	DESCRIPTION
	NEW FULL HEIGHT PARTITION 2X4 WOOD STUDS @ 16" O.C. 1/2" GYPSUM WALLBOARD ON BOTH SIDES
	EXISTING INTERIOR PARTITION TO REMAIN; NEW 1/2" GYPSUM WALLBOARD ON BOTH SIDES
	NEW MILLWORK
	NEW EXTERIOR WALLS; BUILD TO MATCH EXISTING.

GENERAL NOTES

ALL WORK TO CONFORM TO THE CURRENT EDITION OF THE ALBERTA BUILDING CODE.

ALL SERVICES TO BE INSTALLED TO MEET ALL APPLICABLE CODES AND BYLAWS. ALL CONNECTIONS TO TOWN SERVICES SHALL BE IN ACCORDANCE WITH TOWN REGULATIONS.

THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT CONSTRUCTION. THE DESIGNER SHALL ALSO NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DESIGN AND SPECS OR ADJUSTMENTS REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE BUILDING SITE WHICH IS THE SOLE RESPONSIBILITY OF THE OWNER AND/OR CONTACTOR.

ALL DOOR AND WINDOW SIZES ARE APPROXIMATE ONLY. WINDOW AND DOOR SUPPLIERS SHALL SUPPLY ROUGH STUD OPENINGS PRIOR TO ANY CONSTRUCTION.

ALL DIMENSIONS TO O.S. FACE OF CONCRETE, OR O.S. FACE OF STUDS, OPENINGS DIMENSIONED TO CENTRE OF ROUGH OPENING.

VERIFY ALL DIMENSIONS AND INFORMATION AND REPORT ALL ERRORS OR DISCREPANCIES TO THE DESIGNER.

SITE NOTES

THE BUILDER IS RESPONSIBLE FOR THE PROTECTION OF THOSE TREES AND/OR SHRUBS WHICH ARE TO REMAIN.

THE BUILDER IS RESPONSIBLE FOR SEEING THAT THE SITE IS LEFT CLEAN AND TIDY TO THE SATISFACTION OF THE OWNER AT THE COMPLETION OF WORK.

SCOPE OF ENGINEERING

ROOF TRUSS SUPPLIER TO SUPPLY SHOP DRAWINGS OF ROOF FOR ON SITE CONSTRUCTION.

- ROOF TRUSS DESIGN TO BE CONFIRMED WITH SHEATHING TO BE 3/8" O.S.B. ON 24" O.C.

STRUCTURAL/SOILS ENGINEER TO PROVIDE REINFORCING SPECS FOR CONCRETE FLOOR/WALLS AS PER SOILS REPORT.

STRUCTURAL AND FRAMING CRITERIA

LOADS: ROOF LIVE LD = 41 PSF ROOF DEAD LD = 15 PSF
FLOOR LIVE LD = 40 PSF FLOOR DEAD LD = 12 PSF

CONCRETE FROST WALL

- 8" 32 MPA CONCRETE WALL
- 2" RIGID INSULATION TO 2'-0" MIN BELOW GRADE
- 24"x8" CONCRETE FOOTING AT 4'-0" MIN BELOW GRADE
- R/W 2-10M (MIN) CONT.
- SEE FOUNDATION PLAN FOR REINFORCING

FACE OF EXTERIOR STUD WALLS AND FOUNDATION WALL TO BE FLUSH.

BEAMS, FLOOR JOISTS & PLATES TO BE #2 D.FIR (OR BETTER) UNLESS NOTED OTHERWISE.

LOAD BEARING LINTELS SHALL BE 2 – 2X10 (#2 D.FIR) UNLESS NOTED OTHERWISE.

TYPICAL EXTERIOR WALL

- FRAMING LUMBER TO BE KILN DRIED SPF #2 EQUAL OR BETTER
- SHEATHING TO BE 3/8" O.S.B. ON 2'X6' WOOD STUDS & 24" O.C.
- STUCCO ON WIRE MESH & BUILDING PAPER
- STUCCO & ACCENT WOOD TO MATCH EXISTING HOUSE

GABLE END FRAMING FOR OVERHANGS MUST HAVE AN APPROVED LOOK-OUT SYSTEM (DOPPED GABLES WITH LADDER SYSTEM).

INSULATION AND VENTILATION

RECOMMENDED INSULATION VALUES ARE R-40 IN ROOF OR CEILING AND R-20 IN WALLS. MINIMUM CODE REQUIREMENTS TO BE MAINTAINED AT ALL TIMES.

6 ML. POLY VAPOUR BARRIER SHALL BE INSTALLED ON THE WARM SIDE OF INSULATION. JOINTS TO BE SEALED. INSTALL INSTALLATION STOPS AT EAVES AS REQUIRED.

HEATING, PLUMBING AND ELECTRICAL

INSTALLATION OF THE ELECTRICAL AND ANY HEATING SYSTEMS SHALL CONFORM TO ALL APPLICABLE CODES AND REGULATIONS IN ALL RESPECTS.

HEATED FLOOR SLAB

- 6" 32 MPA CONC. SLAB r/w 6x6 / 10x10 WWM (CONFIRM WITH GEOTECHNICAL ENGINEER)
- 6 ML POLY MOISTURE BARRIER
- MINIMUM 4' COMPACTED GRAVEL
- SUITABLE UNDISTURBED SOIL OR ENGINEERED FILL
- SLOPE SLAB UP FROM O/H DOORS 4" SO WATER DRAINS OUT OF GARAGE
- SEE VALLEY ENGINEERING FOUNDATION PLAN FOR REINFORCING

OTHER

EAVE CONSTRUCTION

- FASCIA TO MATCH EXISTING HOUSE
- EAVESTROUGH AND DOWNSPOUTS AS REQUIRED

OVERHANG CONSTRUCTION

- GABLE END FRAMING FOR OVERHANDS MUST HAVE AN APPROVED LOCK-OUT SYSTEM (DROPPED GABLES WITH LADDER SYSTEM)

SOFFITS

- SOFFITS TO BE METAL/VENTING AND MATCH EXISTING HOUSE

ROOF VENTILATION

- 1/300 ROOF AREA – LOCATE VENTS AT RIDGE & SOFFIT AS PER CURRENT BUILDING CODE

ROOFING

- ROOFING TO MATCH EXISTING HOME (MALARKEY LEGACY)
- MIN 36" WIDE ICE & WATER SHIELD EAVE PROTECTION
- 1 LAYER ROOFING PAPER
- 7/16" PLYWOOD SHEATHING WITH H-CLIPS
- R-40 INSULATION
- 6 ML POLY VAPOUR BARRIER
- ½" GWB (HIGH DENSITY)

ATTIC ACCESS

- GLUE RIGID R34 INSULATION TO PANEL AND WEATHERSTRIP OPENING

WINDOWS

- METAL-CLAD WOOD, DOUBLE GLAZING TO MATCH EXISTING HOUSE

DOORS

- ALL EXTERIOR DOORS WITH WEATHER STRIPPING TO MATCH EXISTING HOUSE
- GARAGE DOOR 16' WIDE x 8' HIGH; ELECTRIC GARAGE DOOR OPENING SYSTEM
- WALL & CEILING FINISH
- WALLS – PAINTED DRYWALL
- CEILINGS – PAINTED DRYWALL

FINISHING

PROVIDE FLASHING AT ALL HORIZONTAL CHANGES IN EXTERIOR FINISHES AND CAULK AROUND ALL UNFLASHED EXTERIOR OPENINGS.



NOTICE OF DECISION

THIS IS NOT A DEVELOPMENT PERMIT

DEVELOPMENT PERMIT No.: PL20220047

APPLICANT NAME: David Burghardt

MUNICIPAL ADDRESS: 628 1st Street

LEGAL ADDRESS: Lot 22 Block 77 Plan 9910432

LAND USE DISTRICT: R1 – Detached Residential

USE(S): Residential Addition

DATE OF DECISION: June 15, 2022

REFUSED BY: Development Officer

DATE ISSUED: June 15, 2022

It has been decided that the application be **REFUSED** for the reasons noted in the attached Schedule A.

This application was deemed complete on: May 26, 2022

Signature

June 15, 2022

Date

Eric Borge
Development Officer

A decision of the Development Authority on a development permit application may be appealed by serving a written Notice of Appeal to the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days of the date that the applicant is notified of the decision in writing.

Should you have any questions or require information regarding any of the above please contact the Development Officer as noted in this document.



SCHEDULE A

CONDITIONS OF APPROVAL

DEVELOPMENT PERMIT No.: PL20220047

LAND USE DISTRICT: R1 – Residential Detached

APPROVED USE(S): Residential Addition (Attached Garage and Mud Room)

APPROVED VARIANCE(S): Rear yard setback

MUNICIPAL ADDRESS: 628 1st Street

LEGAL ADDRESS: Lot 22 Block 77 Plan 9910432

APPROVED VARIANCES

1. Rear yard setback of 3.8m instead of the required 7.5m.

STANDARD CONDITIONS:

1. All construction associated with the approval of this 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. All construction associated with the approval of this Development Permit shall comply with the Town of Canmore Engineering requirements as outlined in the Engineering Design and Construction Guidelines (EDCG).
3. All construction associated with the approval of this Development Permit shall comply with the Tree Protection Bylaw and ensure all tree protection measure are appropriately put in place prior to the development of the site, where determined necessary by the Town of Canmore Parks Department.
4. All construction, landscaping and exterior finishing materials are to be as shown on the approved plans and other supporting material submitted with the application.
5. Any trees, shrubs or other plant material installed as part of the landscaping plan which may die or are blown over, shall be replaced on an ongoing basis, prior to receipt by the developer of a Development Completion Certificate.
6. Access to the site for emergency vehicles shall be to the satisfaction of the Manager of Emergency Services.
7. **No occupancy** shall be permitted until an Occupancy Certificate has been issued by the Town of Canmore.

SPECIFIC CONDITIONS:



Planning & Development Department

Town of Canmore
902 - 7th Avenue
Canmore, AB, T1W 3K1
www.canmore.ca

1. The "deck addition" shown on the Plot Plan is not considered or approved as part of this permit.

Signature
Subdivision and Development Appeals Board

Date

IS A NOTICE POSTING REQUIRED: YES NO

ATTACHMENT 7 – STATUTORY REQUIREMENTS FOR APPEAL

- The application for Development Permit was refused on June 15, 2022
- Administration received an appeal from the property owners on June 22, 2022 which is within the 21-day appeal period.
- The appeal hearing was scheduled for July 20, 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 June 28, 2022.
- Letters of notification to affected landowners were mailed on June 30, 2022.
- An advertisement was published in the July 14, 2022 edition of the Rocky Mountain Outlook.
- The Appeal Hearing was posted on the Town website on July 6, 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.

To help expedite processing your application, the submission of this form using the fillable fields is greatly appreciated.

PROPERTY INFORMATION			
Municipal Address 628 1st Street		Development Permit/Subdivision Application File Number PL20220047	
APPELLANT INFORMATION			
Name of Appellant David Burghardt & Andrea Jung		Agent Name (If applicable)	
Mailing Address (for notification purposes) FOIP			
City FOIP	Province	Postal Code	
FOIP		FOIP	
FOIP		Email FOIP	
<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 type="checkbox"/> Approval <input checked="" type="checkbox"/> Conditions of Approval <input checked="" 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)

This application is requesting approval of a variance to the rear yard setback of 3.8m instead of the required 7.5m. Approval of this variance will allow us to build an attached garage rather than a detached garage.

The current land use bylaws allow for the building of a detached garage with a depth of 6.4 meters to be constructed 1.5 meters from the back alley property line thereby leaving a strip of land 2.3 meters deep x 6.7 meters long between the house and the garage. (NOTE - the distance from the house to the property line is 10.2 meters so 10.2-6.4-1.5=2.3 depth of strip of land). The detached garage, when viewed from the alley, essentially looks as if it is attached to the back of the house so there is no aesthetic advantage to detaching the garage. In addition, this configuration sets the mass of the garage as close as possible to the alley and creates an unusable orphan strip of land between the house and the garage that will sit in the shadows and offer very little, if no, utility. If the garage is attached to the house, the mass of the garage is moved against the house and the unusable strip of land now adds to the public space in the alley by expanding alley sightlines and allowing more sunlight in the alley to enhance vegetation growth and the user experience. We believe this is consistent with the Town of Canmore's initiative to beautify and encourage residential development in alley ways to the standard of street scape.

The comparison below summarizes why attaching the garage is the optimal solution for the community, the neighbors and the property.

Attaching garage to house <ul style="list-style-type: none"> • Minimizes waste of valuable land • Moves building mass 2.3m closer to house • Adds 15.4m² of backyard green spacing to adjacent alley • Enhances emergency service access in alley • Improves alley sightlines, allows more sunlight and enhances vegetation growth • Enhances back alley aesthetics and the back alley walking and driving experience 	Detaching garage from house <ul style="list-style-type: none"> • Creates unusable 2.3m x 6.7m strip of land in our backyard • Moves building mass 2.3m closer to alley • Less value and utility for the community, neighbors, homeowner
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In closing, it is our view that approving the variance and allowing construction of an attached garage will improve public spaces and minimize waste of personal spaces which is a benefit to the community, our neighbors and us. It will minimize the building mass on offsetting neighbors and improve the visual and aesthetic impact for neighbors or pedestrians walking in the alley and allow us to maximize utility of the garage and our home.

David Burghardt & Andrea Jung

****IF POSSIBLE, COULD YOU PLEASE KINDLY SET THE APPEAL DATE FOR A FRIDAY LATE IN THE AFTERNOON THANK YOU**

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 at municipal.clerk@canmore.ca. Please note, the Municipal Clerk's Office should **only** be contacted regarding FOIP inquires.

Signature of appellant/agent	Date (MM/DD/YYYY) June 21, 2022
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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

June 28, 2022

Dear Sir/Madam

**RE: Subdivision & Development Appeal Board Hearing
PL20220047
Lot 22, Block 77, Plan 9910432
628 1st Street
Addition of a Mudroom & Garage to Existing Dwelling
Appeal against a refusal by a Development Officer.**

Please be advised that the Subdivision & Development Appeal Board will hear this an appeal on **July 20, 2019 at 2:00 p.m. in the Council Chambers of the Civic Centre, 902 7th Avenue, Canmore.**

As the applicant/appellant, you have the opportunity to present in-person and/or provide a written submission to the Board.

In-Person: **Date:** July 20, 2022
 Time: 2:00 PM
 Location: Council Chambers, Civic Centre, 902 7th Avenue, Canmore

In-Writing: **Subject:** SDAB Hearing – PL20220047
 Deadline: Thursday, July 14, 2022
 Drop Off: Reception, Civic Centre, 902 7th Avenue, Canmore
 Email: sdab@canmore.ca

Please note: Any submissions received after the deadline will not be presented to the Board for review until at the hearing. Should you provide a written submission after the deadline, 8 copies will be required to be distributed to the Board, the Clerk, and the file manager (Administration). 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 public.**

Should you have any questions or require further information regarding this matter please contact the SDAB Clerk at 403-678-1500. Under the *Municipal Government Act - Section 686 (4)*, interested parties may view the appeal file at the Town office during regular office hours. Further information regarding the appeal will only be provided upon request.

Kind regards,



Katy Bravo Stewart
Clerk
Subdivision & Development Appeal Board

Attachment 1: SDAB Hearing procedure

Attachment 2: Circulation map

June 30, 2022

Our Reference: PL20220047

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 – Addition of a Mudroom & Garage to Existing Dwelling

Address: 628 1st Street
Legal Description: Lot 22, Block 77, Plan 9910432
Appeal Matter: Appeal against a refusal by a 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.

In-Person: **Date:** July 20, 2022
Time: 2:00pm
Location: Council Chambers, Canmore Civic Centre, 902 7th Avenue, Canmore

In-Writing: **Subject:** SDAB Hearing – PL20220047
Deadline: Thursday, July 14, 2022
Drop Off: Reception, Canmore Civic Centre, 902 7th Avenue, Canmore
Email: sdab@canmore.ca

Please note: Should you provide a written submission after the deadline, 10 copies will be required to be distributed to the Board and the appellant. Should a written submission include complex and/or extensive information, the Board may postpone the hearing to fully consider the submission. If you have a PowerPoint presentation, please bring on a thumb drive or provide a copy to the SDAB clerk before the hearing.

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 between the hours of 8:30am to 4:30pm, Monday to Friday (except statutory holidays). Please contact the SDAB Clerk for more information. 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 Secretary – Katy Bravo Stewart at 403.678.1500 or sdab@canmore.ca.

Kind regards,



Katy Bravo Stewart
Clerk - Subdivision & Development Appeal Board

Attachment 1: SDAB Hearing procedure.

Attachment 2: Circulation map.

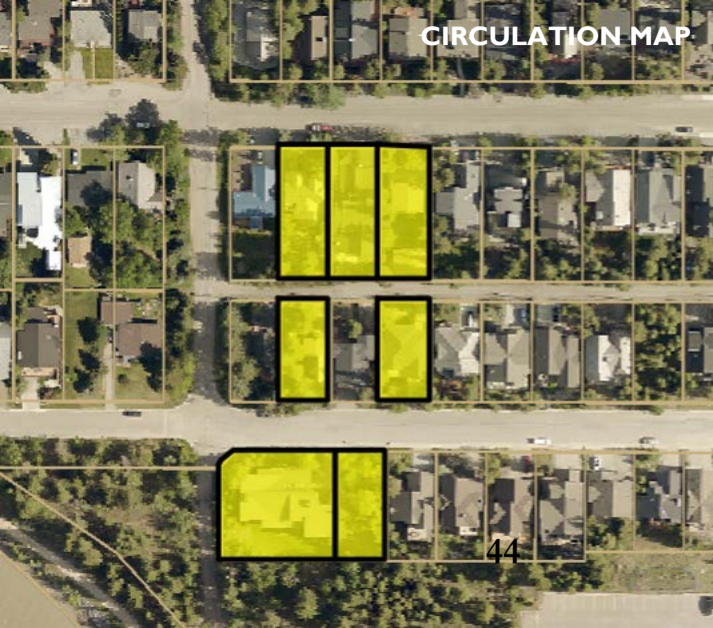
PROCEDURE FOR SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING

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

1. Chairperson declares the Subdivision & Development Appeal Board Public Hearing to order
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.

CIRCULATION MAP



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Katy Bravo-Stewart

From: randall sargent **FOIP**
Sent: July 9, 2022 10:30 AM
To: Shared.Planning
Subject: SDAB Hearing - PL20220047

Categories: UPCOMING SDAB

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

SDAB Hearing -PL20220047

Date: July 20, 2022 @ 2:00 PM

LEGAL DESCRIPTION: Lot22, Block 77, PLAN9910432

Garage and mudroom addition

These issues are key for me as a resident neighbouring the site of proposed construction:

1. Footprint on Lot 22 - I oppose setting a precedent that allows easement of footprint restrictions. My reason is the area is experiencing a profusion of buildings out of proportion to the majority of buildings currently characterizing South Canmore. A precedent easing the footprint is an invitation for more oversized building application requests.
2. Tree removal - we are experiencing the cutting of numerous mature trees in South Canmore, witness new constructions adjacent to Lot 22. Until Town Council recognizes the need to protect more trees we need to forbid proposals of appeal that include more tree cutting; this is the only control over tree cutting available. At this time tree cutting is harming nested birds and detracting from the natural character of South Canmore.
3. Justification of appeal - we have an explosion of building in South Canmore; unfortunately most are large and seldom occupied. An appeal with intent of adding to already large buildings for rare use would be best managed within existing size restrictions.

Perhaps it is time to adopt New Brunswick's property tax toll on non-resident ownership.

We have new neighbours building nearby and we don't even meet them. This applicant is social and a good neighbour, if the appeal is successful the outcome will be accepted to maintain good relations. The key points regard the impact on our environment.

Thank you,
Randall Sargent

Sent from my iPhone

Katy Bravo-Stewart

From: Gaye Harden [FOIP]
Sent: July 11, 2022 2:11 PM
To: Shared.Planning
Subject: SDAB Hearing - PL20220047

Categories: UPCOMING SDAB

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: SDAB

I live next door to 628 1st St. I have seen the plans for the garage which my neighbours wish to build. I agree with the garage being build as planned, that is, attached to the house. If this plan contradicts any building or development regulations of the Town of Canmore, kindly permit an exception and allow the garage to be attached to the house.

If the garage is build according to development guidelines, it will block a lot of light into my yard. With 3 and 4 story houses going up on the street, there is enough light blocked from them.

Kindly permit plans for garage development at 628 1st St, Canmore to proceed.

Sincerely,

Gaye Harden

[FOIP]
[FOIP]
[FOIP]

End of SDAB Package
July 20, 2022