



**Agenda**  
**Subdivision & Development Appeal Board Hearing**  
**February 22, 2023, at 2:00 p.m.**  
**Town of Canmore Civic Centre Council Chambers**

1. Call to Order (Chair)
2. Adoption of Agenda
3. Adoption of Minutes  
January 5, 2023, Business Meeting Minutes  
January 5, 2023, Appeal Board Hearing Minutes
4. Appeal Hearing  
PL20220342  
127 Bow Meadows Crescent  
Lot 5, Block 7, Plan 9512298  
Change of use above the main floor: from Contractor Service and Repair to Employee Housing (two units). Appeal against a refusal by the Canmore Development Authority.
5. Other Business  
None.
6. Adjournment

**TOWN OF CANMORE  
MINUTES**

Subdivision and Development Appeal Board  
Business Meeting

Hybrid - Council Chambers at the Canmore Civic Centre & via Zoom  
**January 5, 2023**

**MEMBERS PRESENT**

Public Representatives: Mr. H. Fraser MacIver, Mr. John McClure, Mr. Christoph Braier, Mr. Andre Giannandrea

Councillor Representative: Ms. Karen Marra

Recording Clerk: Ms. Louise Bates

Meeting Administrator: Ms. Jolene Noël

**MEMBERS ABSENT**

Public Representatives: Mr. Peter Moreland-Giraldeau, Ms. Michelle Cooze and Ms. Darlene Jehn

**ADMINISTRATION STAFF PRESENT**

None

**1. CALL TO ORDER**

Clerk Bates called the meeting to order at 1:47 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 two Vice Chairs are to be elected.*

It was moved by Clerk Bates that Mr. Moreland-Giraldeau be nominated as Chairperson for the term. Mr. Moreland-Giraldeau accepted the nomination via email on December 28, 2022.

MOTION CARRIED  
UNANIMOUSLY

**3. VOTE FOR TWO VICE CHAIRPERSONS**

It was moved by Clerk Bates that Mr. Giannandrea be nominated as Vice Chairperson for the term. Mr. Giannandrea accepted the nomination.

MOTION CARRIED  
UNANIMOUSLY

It was moved by Clerk Bates that Mr. McClure be nominated as Vice Chairperson for the term. Mr. McClure accepted the nomination.

MOTION CARRIED  
UNANIMOUSLY

**4. ADJOURNMENT**

The Clerk moved that the meeting be adjourned at 1:49 p.m.

MOTION CARRIED  
UNANIMOUSLY

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Peter Moreland-Giraldeau, Chair

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Jolene Noël, SDAB Clerk

**TOWN OF CANMORE**  
**MINUTES**  
Subdivision and Development  
Appeal Board Hearing  
Hybrid - Council Chambers at the Canmore Civic Centre & via Zoom  
**January 5th, 2023, at 2:00 p.m.**

**1. CALL TO ORDER**

The Chairperson called the meeting to order at 2:09pm

**MEMBERS PRESENT**

Public Representatives: Mr. Peter Moreland-Giraldeau (Chairperson) Mr. Christoph Braier, Mr. John McClure and Mr. H. Fraser MacIver

Recording Clerk: Ms. Louise Bates

Meeting Administrator: Ms. Jolene Noël

**ADMINISTRATION STAFF PRESENT**

Lauren Miller, Marcus Henry, Nathan Grivell and Jerritt Cloney

**2. ADOPTION OF HEARING MEETING AGENDA**

It was moved by the Chairperson that the agenda of January 5, 2023, be adopted as presented.

MOTION CARRIED  
UNANIMOUSLY

**3. ADOPTION OF MINUTES**

It was moved by the Chairperson that the Minutes of the December 5, 2022, Appeal Board Hering be adopted as presented.

MOTION CARRIED  
UNANIMOUSLY

**4. PRELIMINARY HEARING RE PL20220278**

**Preliminary hearing to determine validity of appeal against an approval by the Canmore Development Authority of Development Permit PL20220278.**

**ADMINISTRATION INTRODUCTION**

The File Manager, Mr. Cloney, identified themselves to the Board.

**APPELLANT INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS**

The Appellant, Mr. Clancy, identified themselves to the Board.

The Chairperson asked the Appellant if they had any objections to the Board Members present hearing the appeal. There were no objections.

The Chairperson asked the Appellant if they received a copy of the agenda package that was distributed to the Board and if they have any concerns about any of the information provided. There were no objections.

### **APPLICANT INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS**

The Applicant's Agent, Mr. Bardsley, identified themselves to the Board.

The Chairperson asked the Applicant's Agent if they had any objections to the Board Members present hearing the appeal. There were no objections.

The Chairperson asked the Applicant's Agent if they received a copy of the agenda package that was distributed to the Board and if they have any concerns about any of the information provided. There were no objections.

### **HEARING OUTLINE**

The Chairperson outlined the hearing process for all present.

There were no objections from the Appellant or anyone in the audience.

### **ADMINISTRATION'S PRESENTATION**

Mr. Cloney gave a verbal and visual presentation detailing the decision and appeal timeline. Mr. Cloney responded to questions from the Board.

### **APPELLANTS PRESENTATION**

The Appellant provided a verbal presentation to the Board. The Appellant responded to questions from the Board.

### **APPLICANT'S PRESENTATION**

The Applicant's Agent provided a verbal presentation to the Board. The Applicant's Agent responded to questions from the Board.

### **COMMENTS/CLARIFICATION BY ADMINISTRATION**

Mr. Henry and Mr. Cloney on behalf of Town Administration provided concluding remarks to the Board.

### **COMMENTS/CLARIFICATION BY THE APPELLANT**

The Appellant, Mr. Clancy, provided concluding remarks to the Board.

### **COMMENTS/CLARIFICATION BY THE APPLICANT**

The Applicant's Agent, Mr. Bardsley, provided concluding remarks to the Board.

### **FAIR HEARING**

The Chairperson asked if the Appellant felt that they had received a fair hearing. The Appellant agreed that they had.

The Chairperson asked if the Applicant's Agent felt that they had received a fair hearing. The Applicant's Agent agreed that they had.

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.

### **5. OTHER BUSINESS**

None

## **6. APPEAL HEARING RE PL20220182**

**Appeal against an approval by the Canmore Development Authority of Development Permit PL20220182.**

### **MEMBERS PRESENT**

Public Representatives: Mr. Peter Moreland-Giraldeau (Chairperson) Mr. Christoph Braier, Mr. John McClure and Mr. H. Fraser MacIver

Recording Clerk: Ms. Louise Bates

Meeting Administrator: Ms. Jolene Noël

### **ADMINISTRATION STAFF PRESENT**

Lauren Miller, Nathan Grivell, Brian Kinzie and Claire Ellick

### **ADMINISTRATION INTRODUCTION & PRESENTATION OF THE STATUTORY REQUIREMENTS OF THE APPEAL**

The File Manager, Mr. Grivell, identified themselves to the Board and introduced the appeal. Nathan Grivell presented the application, appeal date timelines and requirements, noting that the statutory requirements of the appeal had been satisfied.

### **APPELLANT INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS**

The Appellant, Ms. Yarmoloy, along with their Agent, Mr. Couch, identified themselves to the Board.

The Chairperson asked the Appellant if they had any objections to the Board Members present hearing the appeal. There were no objections.

The Chairperson asked the Appellant if they received a copy of the agenda package that was distributed to the Board and if they have any concerns about any of the information provided. There were no objections.

### **APPLICANT INTRODUCTION AND OPPORTUNITY FOR ANY OBJECTIONS**

The Applicant, Mr. Kernick, along with their Agent, Ms. Ouellette, identified themselves to the Board.

The Chairperson asked the Applicant if they had any objections to the Board Members present hearing the appeal. There were no objections.

The Chairperson asked the Applicant if they received a copy of the agenda package that was distributed to the Board and if they have any concerns about any of the information provided. There were no objections.

### **HEARING OUTLINE**

The Chairperson outlined the hearing process for all present.

There were no objections from the Appellant or anyone in the audience.

### **ADMINISTRATION'S PRESENTATION OF THE APPLICATION AND DECISION**

Mr. Grivell gave a verbal and visual presentation detailing the application. Mr. Grivell responded to questions from the Board.

### **APPELLANTS PRESENTATION OF THE APPLICATION AND DECISION**

The Appellant provided documents which formed part of the agenda package. The Appellant's Agent provided a verbal presentation to the Board. The Appellant's Agent responded to questions from the Board.

### **LIST OF THOSE SPEAKING IN FAVOUR OF THE APPEAL**

Mr. Shane Yarmoloy

**CORRESPONDENCE RECEIVED IN FAVOUR OF THE APPEAL**

Email correspondence received from Edwin Skochylas. See Agenda package, page 150. Additionally, there was a written submission provided to the Clerk during the SDAB Hearing by Melissa Yarmoloy. The Chairperson moved that this be included as part of the Appeal Package.

MOTION CARRIED  
In Favour: Mr Giraldeau, Mr. Braier and Mr McClure  
Opposed: Mr MacIver

**APPLICANT’S PRESENTATION OF THE APPLICATION AND DECISION**

The Applicant provided documents which formed part of the agenda package, along with a verbal presentation to the Board. The Applicant responded to questions from the Board.

**LIST OF THOSE SPEAKING IN OPPOSITION TO THE APPEAL**

Sabrina Derondeau of Castle Mountain Home Furnishing.

**CORRESPONDENCE RECEIVED IN OPPOSITION TO THE APPEAL**

There was a written submission provided to the Clerk at the start of the SDAB Hearing by Sabrina Derondeau. The Chairperson moved that this be included as part of the Appeal Package.

MOTION CARRIED  
UNANIMOUSLY

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

None.

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

None.

**COMMENTS/CLARIFICATION BY ADMINISTRATION**

The Town Administration provided closing remarks to the Board.

**COMMENTS/CLARIFICATION BY THE APPELLANT**

Appellant’s Agent provided concluding remarks to the Board.

**FAIR HEARING**

The Chairperson asked if the Appellant felt that they had received a fair hearing. The Appellant agreed that they had.

The Chairperson asked if the Applicant felt that they had received a fair hearing. The Applicant agreed that they had.

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.

7. **OTHER BUSINESS**

None

8. **ADJOURNMENT**

The Chairperson moved that the public hearing of January 5, 2023, be adjourned at 6:12 p.m.

MOTION CARRIED  
UNANIMOUSLY

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Peter Moreland-Giraldeau, Chair

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Jolene Noël, SDAB Clerk



**Notice of Appeal**  
**Received January 25, 2023**

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

PROPERTY INFORMATION			
Municipal Address		Development Permit/Subdivision Application File Number	
APPELLANT INFORMATION			
Name of Appellant		Agent Name (If applicable)	
Mailing Address (for notification purposes)			
City	Province	Postal Code	
Phone Number (Day)		Email	
<input type="checkbox"/> The appellant/agent, gives authorization for electronic communication by the Clerk, using the email provided on this Notice of Appeal			

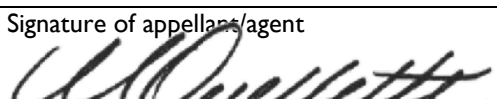
**APPEAL AGAINST** (Check one box only. For multiple appeals you must submit separate Notice of Appeal forms)

Development Permit	Subdivision Application	Stop Order
<input type="checkbox"/> Approval <input 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)

**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](mailto: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)
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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

## INSTRUCTIONS FOR FILING AN APPEAL

### THE NOTICE OF APPEAL FORM MUST:

- Be received by the Subdivision and Development Appeal Board (SDAB) within 21 days of the written decision being made and sent out by the Development Authority or the Subdivision Authority as specified in the Municipal Government Act (MGA);
- Be accompanied by the \$250.00 filing fee, made payable to “Town of Canmore”;
- State specific reasons for the appeal; and
- Be signed by the appellant, or their acting agent.

**Please note:** Appeals must be accompanied by the fee at the time of filing. Contact the Clerk at **403.678.1500** or at [sdab@canmore.ca](mailto:sdab@canmore.ca) to arrange payment if filing by email or fax.

**Filing the Appeal:**      **In-person or mail:**  
Town of Canmore  
Subdivision and Development Appeal Board  
902 7<sup>th</sup> Avenue  
Canmore AB T1W 3K1

**Email:**  
[sdab@canmore.ca](mailto:sdab@canmore.ca)

**Fax:**  
403.678.1534

**Payment:**              Appeal fees may be paid by cheque payable to the Town of Canmore upon submission. Payment can also be made in-person by debit, VISA or MasterCard at the Civic Centre located at: 902 7<sup>th</sup> Avenue, Canmore AB.

Business hours are 8:30 a.m. to 4:30 p.m. Monday to Friday.

**Refund:**                A refund of the appeal fee will only be granted if the appeal is withdrawn prior to the scheduling of the hearing. No refunds can be made once a hearing is held, regardless of the appeal outcome.

For further information regarding appeal deadlines, fee payment options, or the appeal process, please go to our website at [www.canmore.ca/sdab](http://www.canmore.ca/sdab)

### WHAT IS THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)?

The SDAB is a quasi-judicial authority (similar to a judge) that is made of public members who are appointed by Council. The board consists of between five and seven members. Only one member shall be a member of Council.

The SDAB makes decisions on appeals related to Stop Orders and decisions made with respect to development permits and subdivision applications. When considering appeals, the SDAB owes a duty of fairness to participants in the hearing process.

### WHO CAN FILE AN APPEAL?

#### Subdivision appeals:

The applicant (or agent) can file an appeal if their application for subdivision has been:

- Refused;
- Approved with conditions unacceptable to them;  
OR
- If a subdivision authority fails or refuses to make a decision within 60 days of application being deemed complete by the file manager.

The decision of a subdivision authority may be appealed by the applicant (or agent), Town Council, provincial government department or a school board.

#### Development permit appeals:

The applicant (or agent) can file an appeal if their application has been:

- Refused;
- Approved with conditions unacceptable to them;
- Issued a stop order;  
OR
- A party will be affected by a new development or new use of a property;
- If the Development Authority fails or refuses to make a decision within 40 days of the application being deemed complete by the file manager.

### WHAT IS THE TIME LIMIT FOR FILING AN APPEAL?

The MGA sets out timelines within which appeals to the SDAB must be filed. If an appeal is filed outside of the time required by the MGA, the SDAB does not have jurisdiction to hear the appeal.

**Subdivision appeals:** Appeals are allowed within 14 days after receipt of the written decision of the Subdivision Authority (SA).

**Development permit appeals:** MGA s. 686 provides that appeals must be made within 21 days of:

- a) the date of the written decision on the application, or
- b) the date of the deemed refusal.

**Stop order appeals:** Appeals are allowed within 21 days of the date on which the Stop Order was made.

### WHAT IS THE FEE TO FILE AN APPEAL?

The fee to file a Notice of Appeal is \$250 and must be submitted as part of your appeal. Payment can be made by cheque made out to “Town of Canmore”, or can be made in-person by debit, VISA or MasterCard at the Civic Centre located at 902 7<sup>th</sup> Avenue. Business hours are 8:30 a.m. - 4:30 p.m. Monday to Friday.

### HEARING PROCEDURE

Once the Town of Canmore has received the Notice of Appeal and the applicable fees have been processed, a hearing date is set. The SDAB must hold a hearing within 30 calendar days after receipt of a Notice of Appeal.

### TIME OF THE HEARING

The Town of Canmore SDAB holds their hearings on weekdays at 2 p.m. Please inform the Clerk upon submission of your appeal, if this timing will absolutely not work for you, in which case an alternative time may be scheduled.

## BEFORE THE HEARING

The Clerk is required to give at least 5 days' notice in writing of the hearing to:

- the appellant;
- the development authority whose order, decision or development permit is subject to appeal;
- those owners required to be notified under the Land Use Bylaw; and
- any other person that the SDAB considers to be affected by the appeal and should be notified.

Prior to the hearing, the SDAB must make available for public review, all relevant documents and materials with respect to the appeal, including the application for the development permit, the decision and the notice of appeal, or the stop order.

## DURING THE HEARING

At the hearing, the SDAB must hear:

- the appellant or any person acting on behalf of the appellant (agent);
- the Subdivision Authority or the Development Authority (as applicable);
- 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
- any person who claims to be affected by the order, decision or permit and that the SDAB agrees to hear.

The person who files the appeal is expected to give a verbal presentation to the SDAB (a written and/or visual presentation is also permitted). Prior to the hearing, the Clerk will advise of the deadline for any submission to the SDAB.

**All documents submitted and presented become public documents.**

Some suggestions for preparing your presentation for the SDAB:

- Determine the relevant planning issues associated with the appeal;
- prepare a clear, concise and logical written presentation;
- review the contents of the SDAB hearing package provided by the Clerk; and
- avoid the inclusion of non-relevant issues that are outside the Board's jurisdiction and cannot be considered, such as business competition, comments regarding someone's character, financial impact on the applicant, financial status of the applicant, and whether the development is occupied by renters or owners.

**Note that the SDAB is not bound by previous decisions and will not hear arguments about precedent.**

## AFTER THE HEARING

The SDAB must give its decision in writing together with reasons for the decision within 15 days after concluding the hearing. Appeals of the SDAB decision are to the Court of Appeal and are limited to matters of law or jurisdiction.

## POSTPONEMENT OR NOT ATTENDING YOUR HEARING

You may submit a written request to postpone your hearing, including the reasons for the request, either to the Board at the time of the hearing or to the Clerk prior to the hearing. Hearings will only be postponed at the discretion of the Board.

If you are not in attendance when your appeal is called, the SDAB may proceed without you.

## WITHDRAWAL OF YOUR APPEAL

Written withdrawal must be submitted to the Clerk as soon as possible to help the Board and municipality use its resources effectively. Note that a refund of the appeal fee shall only be granted if the appeal is withdrawn prior to the scheduling of the hearing.

Our File: 2531-554-0400

January 17, 2023

Canmore Subdivision & Development Appeal Board  
902 7<sup>th</sup> Avenue  
Canmore AB T1W 3K1  
via email: [sdab@canmore.ca](mailto:sdab@canmore.ca)

Attention: Subdivision & Development Appeal Board Chair and Members

## **SDAB Appeal of Decision – PL20220342**

The below information is provided in support of the appeal to the Development Authority decision to refuse the development permit application on behalf of the applicant Steve Ashton and the owner, Kris Charchun to the Board for consideration. The purpose of this development permit application is to convert 1500 sq ft (139.35 sq m) from Trade Contractor Services to Employee Housing as part of a building renovation and expansion located at 127 Bow Meadows Crescent: Plan 9512298 Block 7, Lot 5. The application would result in two employee housing units for use by employees of the primary business use, and 1500 sq ft of Trade Contractor Services (office space) remaining on the second level of the development. This application was made on December 6, 2022.

### **INTRODUCTION**

The owner of the site is Canmore Glass, a long-standing contractor service in Canmore. The site is located at 127 Bow Meadows Crescent and has a current development permit for Trade Contractor Services to accommodate offices above the commercial glass shop below. This is an addition and renovation project which is increasing the amount of commercial/industrial space in the area. The site is zoned IND2 District which allows for Employee Housing as a discretionary use. This development form provides a unique opportunity for local tradespersons, artisans, and other small businesses to get started and provides the owner or staff a place to reside. There is a well-known issue in Canmore of both available space for business employment and for employee housing. This application aligns very well with addressing these issues and aligns with the applicable Land Use Bylaw District, the applicable Statutory Plan (ASP) and the Municipal Development Plan (MDP).

The application supports the current 2023-2026 Council Strategic Plan by supporting the livability goals set by Town Council. This includes *“The provision of affordable and accessible services is vital to our community. This includes a commitment to a range of underserved housing options...”* and this application supports the Canmore Economic Strategy 2020-2025 by supporting Pillar 3: Retaining and attracting a talented workforce *“by ensuring access for all to housing, and quality amenities and facilities...”*.

#### **McElhanney**

203 – 502 Bow Valley Trail, Canmore AB Canada T1W 1N9  
Tel. 403-609-3992 | Tel. 403-678-6363 (surveying) | Fax. 1-855-407-3895 | [www.mcelhanney.com](http://www.mcelhanney.com)

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Holistically “Part 17 of the MGA (sections 616 to 697) contains significant provisions relating to land use planning and the regulation of subdivision and development of land in Alberta. Section 617 of the MGA identifies the overall purpose of Part 17. This provision states:

- **617** *The purpose of [Part 17] and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted to*
    - a. *achieve the orderly, economical and beneficial development and use of land and patterns of human settlement, and*
    - b. *maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,*
- without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.”*

We provide the following planning rationale in support of the addition of two employee housing units at 127 Bow Meadow Crescent as the use conforms to the current Area Structure Plan, the Land Use Bylaw, and the Municipal Development Plan, meets the regulations contained in Section 617 of the MGA.

## Applicable Planning Framework

In considering a discretionary use in the land use bylaw, the planner considers the general purpose of the district along with a site context analysis and in consideration of the land use bylaw and the overarching policies which apply. These applicable policies include the Municipal Development Plan and the Indian Flats Area Structure Plan. An assessment of this analysis is provided. Figure 1 illustrates the Hierarchy of Land Use Plans and Regulation in Alberta.

Further, the MDP policies provide guidance to other Council strategies and policies highlighted above which work together to implement Town Council direction.

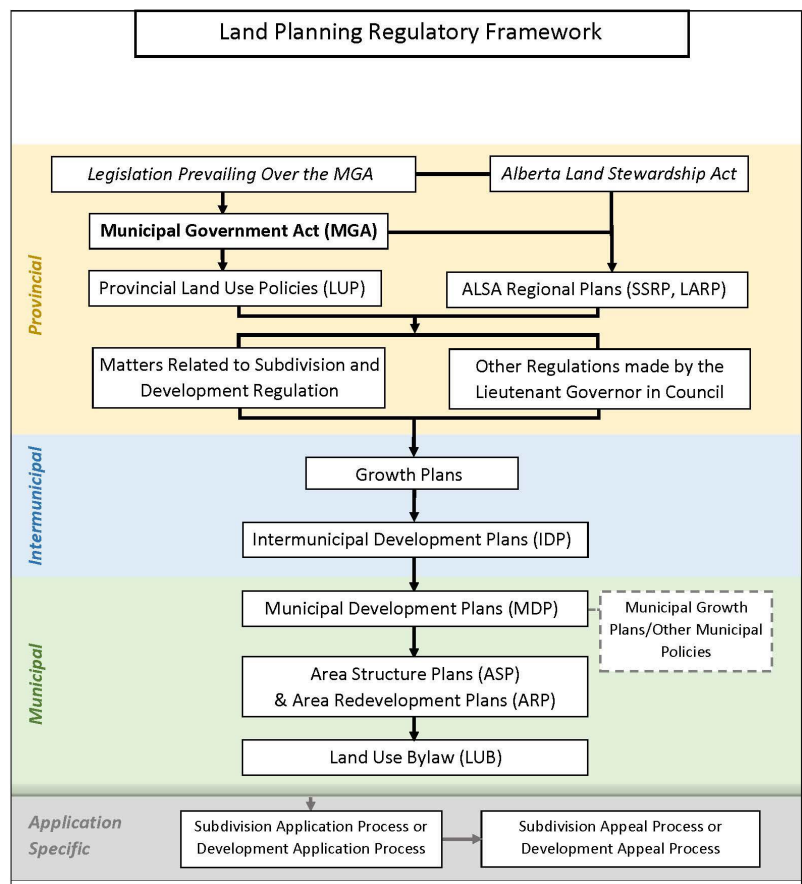


Figure 1: Hierarchy of Land Use Plans in Alberta, LRPT 2023. SDAB Training Guidebook

## MUNICIPAL DEVELOPMENT PLAN

The Canmore Municipal Development Plan provides high-level strategic guidance for growth in the Town. While it is not encouraged to locate residential uses in industrial areas, it is recognized that there are instances where it is appropriate in contexts where industrial character and business employment value is not diminished. The intent of the area as implemented in the Indian Flats ASP and current Land Use District only contemplates clean industrial uses, which do not interfere with employee housing as a use class.

Section 5.3 and Section 12.1 of the Municipal Development Plan includes provisions specific to Market Affordable Housing. Relevant sections regarding Housing for Employees and Perpetually Affordable Housing have been included below.

### **5.3 Market Affordable Housing**

#### **Housing for Employees**

5.3.1 Conversion of spaces in the upper floors of existing buildings in industrial areas which are marginally useful for industrial purposes into housing for employees and live-work spaces may be allowed. The residential conversion should not compromise the primary industrial use of the area.

5.3.2 Development or conversion of upper floors of mixed-use or commercial buildings or main floor spaces that do not function well for commercial frontage into housing for employees and live-work spaces may be allowed. Variances to land use bylaw regulations, such as parking, may be approved to facilitate such development.

5.3.3 A strategy for housing employees should be implemented by the Town in partnership with an affordable housing agent, developers, business owners and economic development partners.

5.3.4 Private initiatives to create additional seasonal and permanent employee housing opportunities should be supported by the Town.

5.3.5 The management and administration of housing for employees shall be the responsibility of the businesses or commercial accommodation developers that are required to building and maintain the housing. Such housing will be required to be operated in such a manner that the Town can monitor and verify that any employee housing obligations are being satisfied.

## 12.1 General Industrial Policies

### Housing for Employees and PAH

12.1.8 Where residential development is proposed in industrial areas, the Town should consider the following issues:

- a. Residential uses are limited to housing for employees,
- b. Impacts from industrial uses are sufficiently small to make residential uses appropriate,
- c. Residential uses will not displace or inhibit the operation of existing or future industrial uses, and
- d. Residential units are subordinate to the industrial uses.”

The policies listed above further support the application to allow for Employee Housing on the site. The use of Employee Housing will provide required living quarters for employees of the development. The housing component being proposed will serve as a subordinate use on the site to the main Contractor Services use and meets all the criteria above. The proposal meets the policies contained in the MDP.

## INDIAN FLATS AREA STRUCTURE PLAN (ASP)

The Indian Flats Area Structure Plan is a statutory document that was passed by Bylaw and is applicable to the site. The Indian Flats Area Structure Plan (ASP) proposes a sequence of development for an area, the future land uses, the density of population, and the general location of transportation and public utilities. is important as the guiding tool where the development planner is required to reference in making a Discretionary Use decision. For reference the Development Concept in the ASP follows as Figure 2.

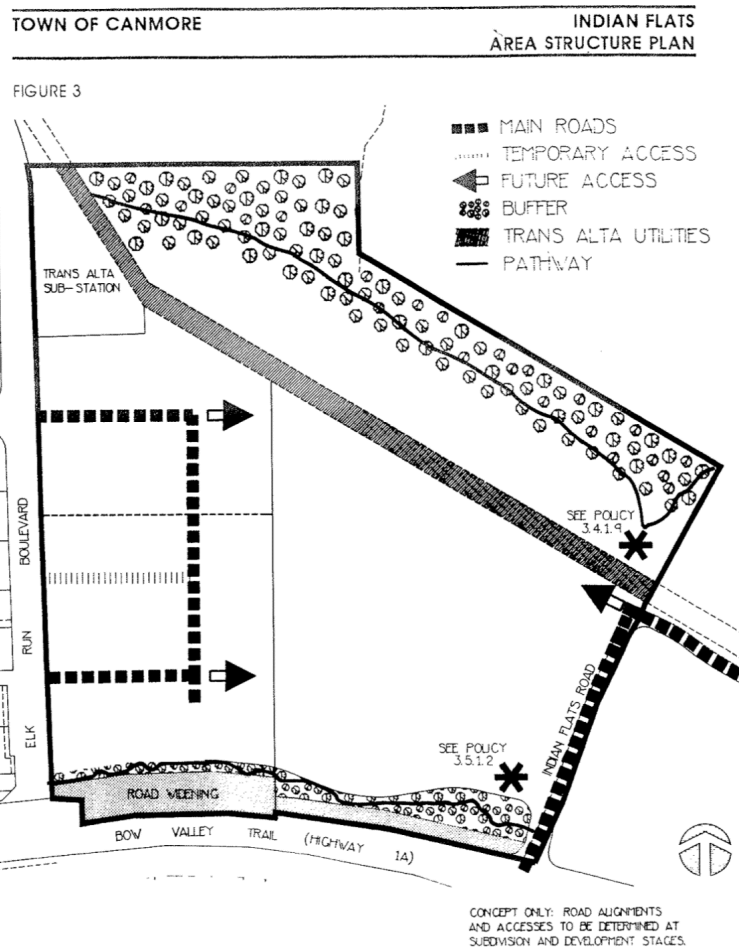


Figure 1. Indian Flats ASP Development Concept



## 1.0 Purpose

The “Indian Flats ASP expands upon direction provided by the Canmore MDP and encourages the broadening of the employment and economic base of the community and promotes the development of clean light industrial uses which are sensitive to the surrounding environment.” Because the Plan envisions clean industrial or “industrial business” uses in the Plan area, it follows that there would be no conflicts with limited employee housing located over the primary contractor services bays on the ground floor.

### 3.1.2 Objectives

3.1.2.1 To provide for a range of lot sizes which will accommodate diversified, clean, light industrial land uses.

### 3.3 Land Use

The ASP recognizes that “The tourist trade also requires access to certain associated industries which support its activities. Development restriction in the surrounding national and provincial parks suggest that Canmore has a future as the primary service centre for the area.” The typical service centre uses which support the tourism industry in the Bow Valley do not include noxious uses which are incompatible. And the use of limited sites in the area for employee housing support the goals and objectives of supporting the tourist trade described in the ASP.

The Indian Flats ASP provides clear direction that the area is to be developed with high quality clean industrial uses, which should not conflict with employee housing. The current development on the site is being expanded and renovated and there will be additional Contractor Services space available thereby increasing the available commercial/industrial land supply. In accordance with both the Land Use Bylaw and intent of the ASP, supported by the MDP, the employee housing use is acceptable.

## LAND USE BYLAW 2018-22

Land Use Bylaw 2018-22 was adopted by Town Council in 2019. The Land Use Bylaw is intended to implement the overarching statutory plans for Canmore. It reflects what Town Council considers appropriate for development in each District. The site is currently zoned General Industrial District (IND 2). The general purpose of the IND 2 District is to provide for a range of industrial uses which allow for intensive and efficient use of Canmore’s industrial land base in accordance with policies in the Municipal Development Plan. Non-industrial uses are appropriate in limited cases where they do not displace current industrial uses.

Employee Housing is currently listed as a Discretionary Use in the IND 2 District. Section 1.10.0.3 of the Land Use Bylaw indicates, when deciding on a Development Permit for a Discretionary Use, the Development Authority shall consider:

- a. Any plans or policies affecting the parcel;
- b. The location of the parcel and the appropriateness of the proposed development;
- c. The merits of the proposed development and its compatibility with the intent of its Land Use District;



- d. The potential impact to development with respect to adjacent parcels;
- e. Servicing and access requirements; and
- f. General planning principles.

In 5.3.6, the Land Use Bylaw provides Employee Housing Provisions which are additional regulations. This states Employee Housing may be considered and approved in this District, only when located above the ground floor of a building and when the following issues can be addressed to the satisfaction of the Development Authority:

- a. Adequate long-term and legally binding provisions are in place to ensure the units remain as bona fide Employee Housing and are demonstrably subordinate in terms of area and intensity to other uses in the building.
- b. The space proposed for Employee Housing would not be reasonably used for commercial or industrial purposes.
- c. The Employee Housing units are appropriate in design for Employee Housing, particularly with respect to the unit size.
- d. Employee Housing units would not constrain any future permitted or discretionary, commercial, or industrial uses from developing on the site or in surrounding areas.
- e. Employee Housing would not unduly interfere with existing and any potential industrial development in the area.
- f. Outdoor Amenity Space such as balconies may be provided as part of the Employee Housing while meeting all the above-described requirements in regard to impacts to or from adjacent industrial uses.

This application meets the list of provisions with one exception where one may argue the proposed office spaces above the main floor shops having not been constructed yet may have included 3,000 sq ft of office space and now the owner is proposing 1,500 sq ft of employee housing and approximately 1,500 sq ft of office space. This is a minor change and meets all the other criteria for Employee Housing development. Without the building addition there would be no (0 sq ft) of additional commercial space. Given the development authority has discretion here to have the issue addressed, this provision is reasonably met. Based on a visual survey in the area, none of the permitted uses or other discretionary uses developed nearby pose any land use conflicts with the employee housing above the main floor. Further, there are no other uses in IND 1 or IND 2 Districts that cause a compatibility issue or nuisance with the employee housing, otherwise it would not be contemplated as a suitable use in this district.



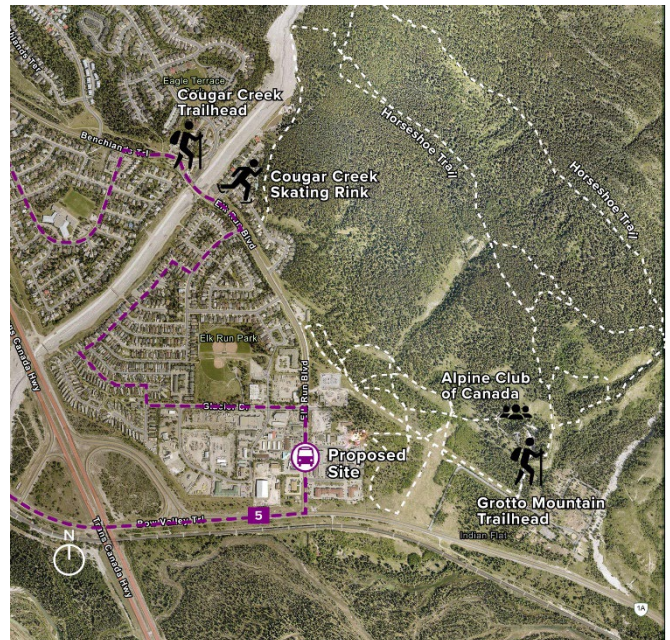
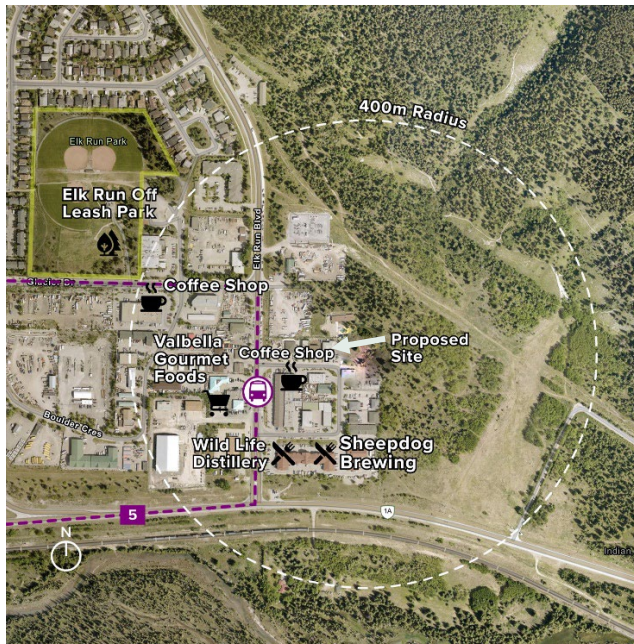
## COMPATIBILITY WITH SURROUNDING LAND USES

The existing land use developed in the area is reflective of the ASP objectives and are high quality clean business industrial uses. Businesses such as the Rocky Mountain Soap Company, Canmore Cave Tours, Fireweed Glass Studio, Sheep Dog Brewing, Carignan Mechanical, the existing CanGlass location, the Dirty Dog Car Wash, Eurokan Auto, Crossway Community Church, Mountain Fire Foods, and CanSign signage shop are all good examples. These uses are developed in single and two storey configurations with commercial offices above main floor retail, commercial, and business industrial bays.

On May 25, 2022, an application for a new building for 121 Bow Meadow Crescent was heard by the Canmore Planning Commission and approved for development. This permit is for a two-story commercial building with 6 commercial bays on the main level and 12 units of employee housing above. Canmore Planning Commission approved this development permit with variances allowed for in the Land Use Bylaw and Development Authority Bylaw. This site is within 40 m of this proposed development.

## LOCAL AMENITIES AND SERVICES TO SUPPORT EMPLOYEE HOUSING

The site has excellent access to both public parks and a variety of multi-use, biking, and hiking trails. These may be accessed by walking 450m to 600m, by free Roam bus, or by the multi-use trail being constructed in Elk Run Boulevard. These local recreation amenities include the Elk Run Off Leash Park. Cougar Creek Skating Rink, Cougar Creek Trail Head, and the Grotto Mountain Trail Head. Nearby mountain biking trails include the Horseshoe, Lebensrun, and G8. Other nearby services include a local grocery, eating and gathering establishments, and the Alpine Club of Canada.



Figures 3 and 4. Location of Community Amenities and Service

## FUTURE COMMERCIAL AND INDUSTRIAL LAND SUPPLY

The Town of Canmore is currently reviewing an application to expand the “Office (above the ground floor)” use in the IND2 District. This is currently only allowed as a discretionary use east of Elk Run Boulevard. By expanding this use the evolution of the IND2 District to a lighter industrial or business employment use designation in the Bylaw will occur over time. This will encourage more redevelopment of the area to multi story buildings with commercial offices and increase light industrial and commercial space through intensification of underutilized sites west of Elk Run Boulevard. Further the Smith Creek ASP which is located across Highway 1 from Dead Man’s Flats will offer a large commercial and light industrial area when approved.

## PROVISION OF PEDESTRIAN OR MULTI USE TRAILS

The Integrated Transportation Plan seeks to implement the broader transportation plan for the Town of Canmore. It is clearly identified that development of a multi-use trail along Elk Run Boulevard is desired by Council. Currently the Elk Run Boulevard cross section is being re-designed to include the provision of a multi-use trail.

Through the approval of 12 employee housing units located at 121 Bow Meadow Crescent, the construction of a multi-use trail connection from east of this site extending west to connect with Elk Run Boulevard is required as approved by the Canmore Planning Commission on May 25, 2022. This facility provides for employees living on site with excellent pedestrian and bicycle connectivity with the broader Town of Canmore multi-use network and local parks, amenities, and services.

## PARKING AND LOADING

The onsite circulation and parking for vehicles and bicycles has been designed to ensure safe, convenient access to and within the site in accordance with Town guidelines.



## CLOSING

A recent article in the RMO on December 22, 2022, highlights again that the living wage in Canmore is the highest in Alberta. What this means is that residents, business owners, employees have much higher living expenses than other communities in Alberta and require more of their wage income to afford basic needs such as housing. The Annual Living Wage Network published the living wage in Canmore to be \$32.75 per hour, while in Calgary it is \$22.40 per hour.

Based on a thorough review of the proposed development, the site context, the applicable statutory plans, current land use district, and the existing development near the site, the proposed development is suitable for the site and contributes to the orderly, economic, and beneficial use of land. The intent of the Area Structure Plan is clearly to provide a high-quality business industrial area, and this combined with the list of Permitted and Discretionary uses in the Land Use Bylaw for the site indicate it is suitable to include employee housing "above the shop." This provides a unique and much needed opportunity for residents to reside, and through their businesses, support the primary industries in Canmore.

Sincerely,  
McElhanney Ltd.



Michelle Ouellette, MBA, BSc, RPP, MCIP  
Division Manager, Planning  
[mouellette@mcelhanney.com](mailto:mouellette@mcelhanney.com) | 403-621-1446

CC

Steve Ashton, Ashton Construction

Kris Charchun, Can Glass

Attachment(s)

(A) Development Drawings April 12, 2022

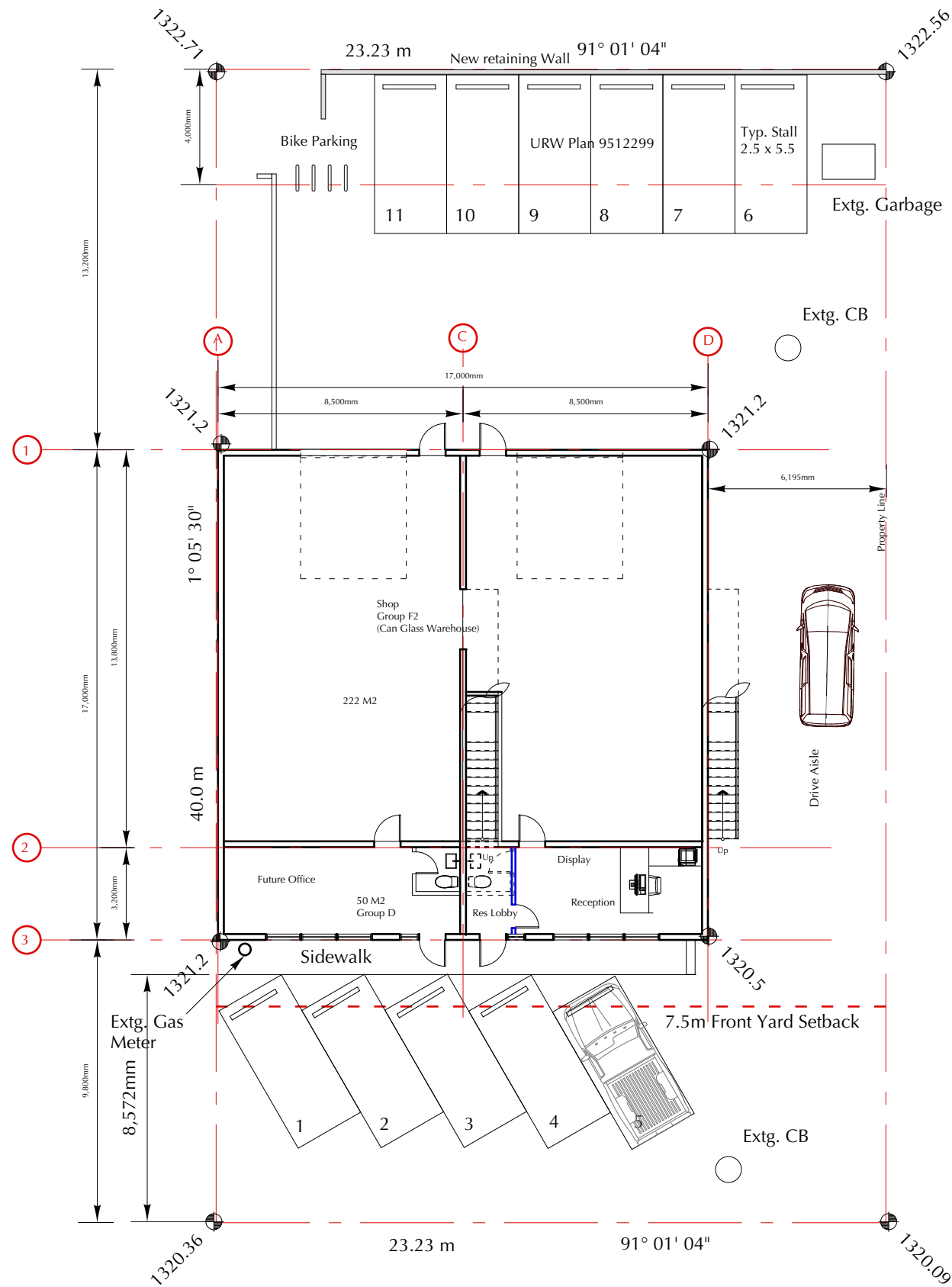
(B) Stakeholder Notice Land Use Bylaw Amendment IND2 District



**Use of this Report.** *This letter was prepared by McElhanney Ltd. ("McElhanney") for the particular site, design objective, development, and purpose (the "Project") described in this report and for the exclusive use of the client identified in this report (the "Client"). The data, interpretations and recommendations pertain to the Project and are not applicable to any other project or site location and this report may not be reproduced, used, or relied upon, in whole or in part, by a party other than the Client, without the prior written consent of McElhanney. The Client may provide copies of this report to its affiliates, contractors, subcontractors, and regulatory authorities for use in relation to and in connection with the Project provided that any reliance, unauthorized use, and/or decisions made based on the information contained within this report are at the sole risk of such parties. McElhanney will not be responsible for the use of this report on projects other than the Project, where this report or the contents hereof have been modified without McElhanney's consent, to the extent that the content is in the nature of an opinion, and if the report is preliminary or draft. This is a technical report and is not a legal representation or interpretation of laws, rules, regulations, or policies of governmental agencies.*



# (Attachment A)



**DEVELOPMENT SUMMARY**

Legal Description - Lot 5 , Blk. 7, Plan 9512298  
 Canmore, AB.  
 Civic Address - 127 Bow Meadows Crescent , Canmore, AB  
 Zoning - IND 2 (General Industrial District)  
 Lot Area - 929.2 m<sup>2</sup> or 10,002 SF  
 Site Cov. - Extg. 31.1% site coverage  
 Landscaping - 40% or 388.0 m<sup>2</sup>  
 Density - 1.10 = 1,067 m<sup>2</sup> - 1.3 with U/G parking  
 Height - 11.0m  
 Parking Required - 1.0 per 2 bedrm. = 2 stalls  
                           2.5 per 100M<sup>2</sup> office (185M<sup>2</sup>) = 3.7 stalls  
                           2.0 per 100M<sup>2</sup> Warehouse (222M<sup>2</sup>) = 4.4 stalls  
 TOTAL Req. = 10 Stalls

Setbacks - side 0.0m / front 7.5m / rear 0.0m

Gross Floor Area - 550 M<sup>2</sup>

New Areas:  
 Residential Units - 2 - Two bedrooms 115 M<sup>2</sup>  
 Warehouse Bay - 222 M<sup>2</sup>  
 Office - 136 M<sup>2</sup>

1 SK1 Site Plan  
 Scale: 1:200

Bow Meadows Crescent

REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022
Apr. 09, 2022

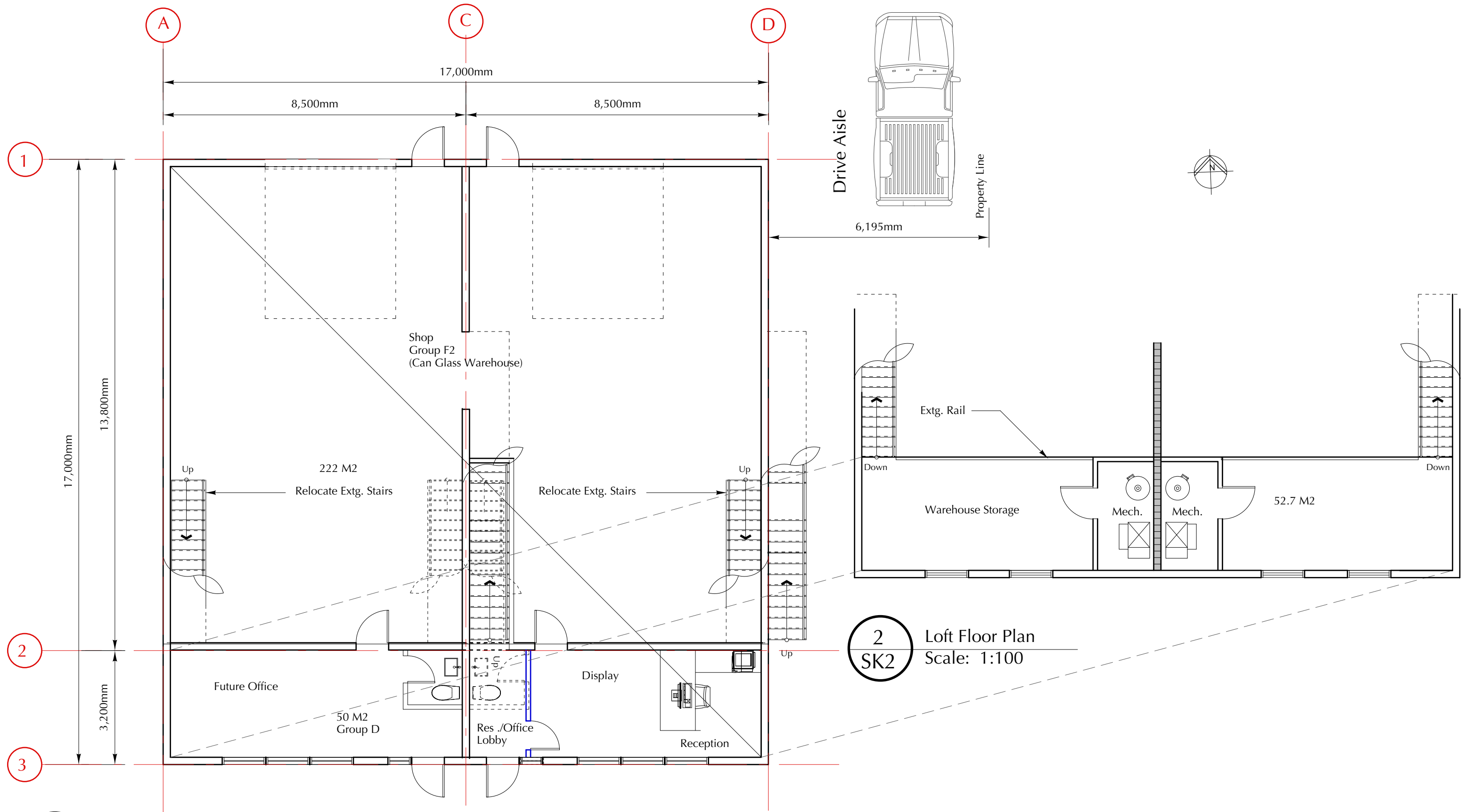
**PROJECT TITLE**  
 Bow Meadows  
 Crescent,  
 Canmore, Alta.  
 Lot 5  
 Block 7  
 Plan 9512298

This drawing is not to be scaled.  
 The contractor shall verify all levels, datums and dimensions prior to commencement of work.  
 All errors and omissions must be reported to the designer.  
 This drawing must not be reproduced without written consent by the designer.

<b>DATE</b> Feb. 01 2022
<b>SCALE</b> AS NOTED
<b>PROJECT NO.</b>
<b>DRAWN</b> RF
<b>CHECK</b> RF

SK1





**1**  
SK2  
Main Floor Plan  
Scale: 1:100

**2**  
SK2  
Loft Floor Plan  
Scale: 1:100

REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022
Apr. 09, 2022

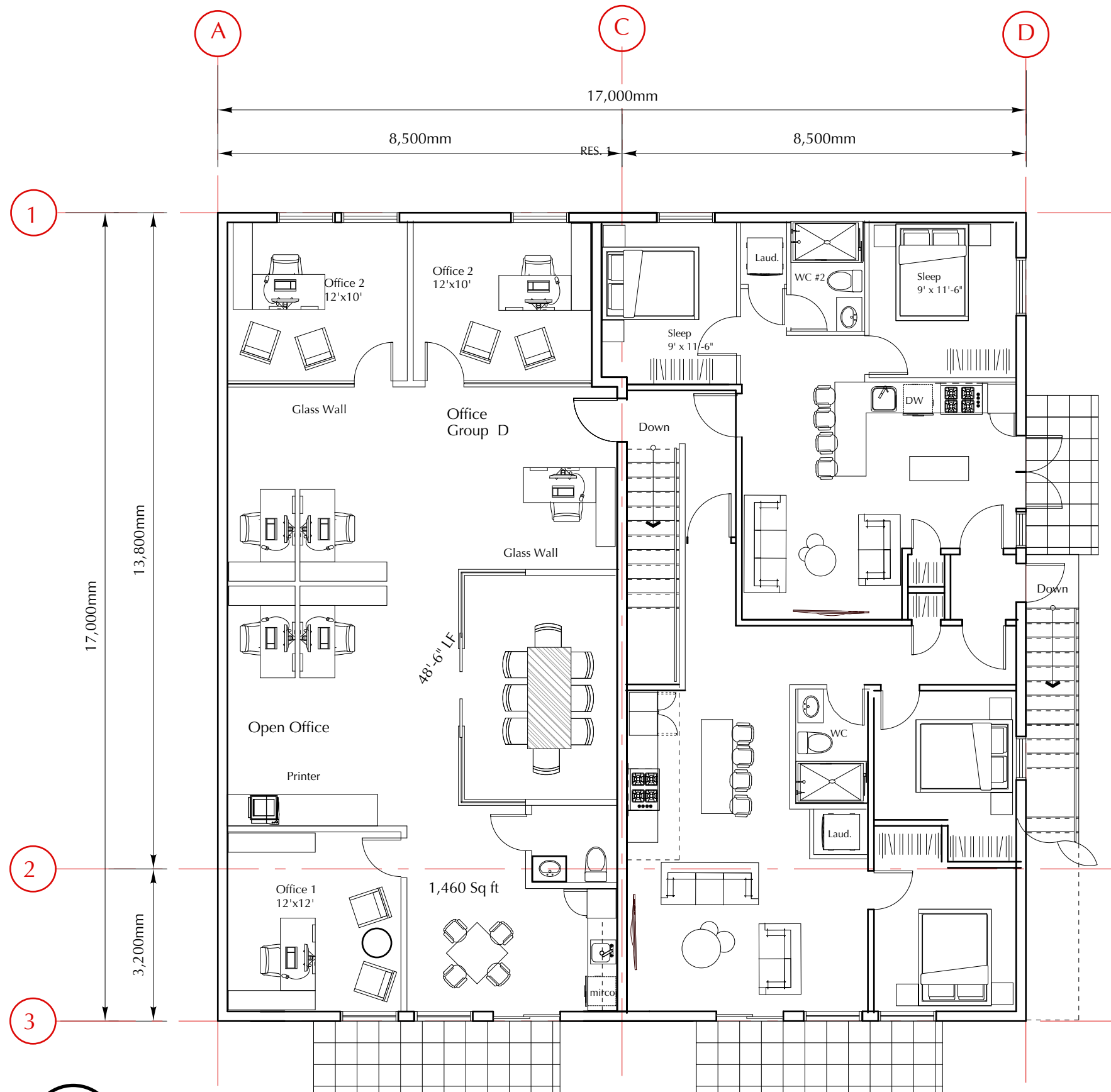
PROJECT TITLE
Bow Meadows Crescent, Canmore, Alta. Lot 5 Block 7 Plan 9512298

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SCALE
AS NOTED
PROJECT NO.
DRAWN
RF
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RF

SK2





1 Second Floor Plan  
 Scale: 1:100

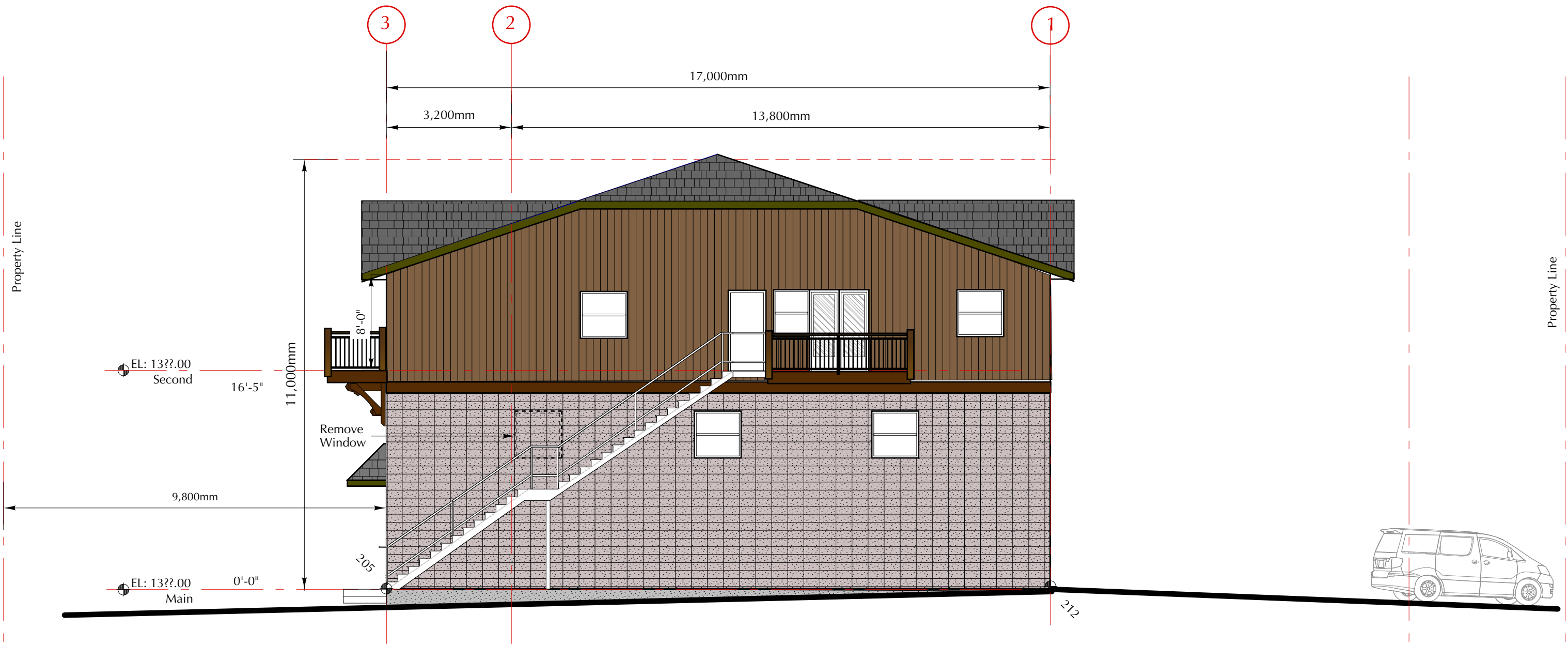
REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022

**PROJECT TITLE**  
 Bow Meadows  
 Crescent,  
 Canmore, Alta.  
 Lot 5  
 Block 7  
 Plan 9512298

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**DATE**  
 Feb. 01 2022  
**SCALE**  
 AS NOTED  
**PROJECT NO.**  
**DRAWN**  
 RF  
**CHECK**  
 RF

SK3



1 East Elevation  
SK4 Scale: 1:100

REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022

PROJECT TITLE
Bow Meadows Crescent, Canmore, Alta.
Lot 5 Block 7 Plan 9512298

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DATE	Feb. 01 2022
SCALE	AS NOTED
PROJECT NO.	
DRAWN	RF
CHECK	RF

SK4



- A Vert Hardie Siding
- B Asphalt Roofing
- C 10" Cedar Belly Band
- D 8" Cedar Fascia
- E Timber Brackets
- F Alum. / Wood railing
- G Existing Broken face CC Block
- H Existing Parging

1  
SK5

 South Elevation  
 Scale: 1:100

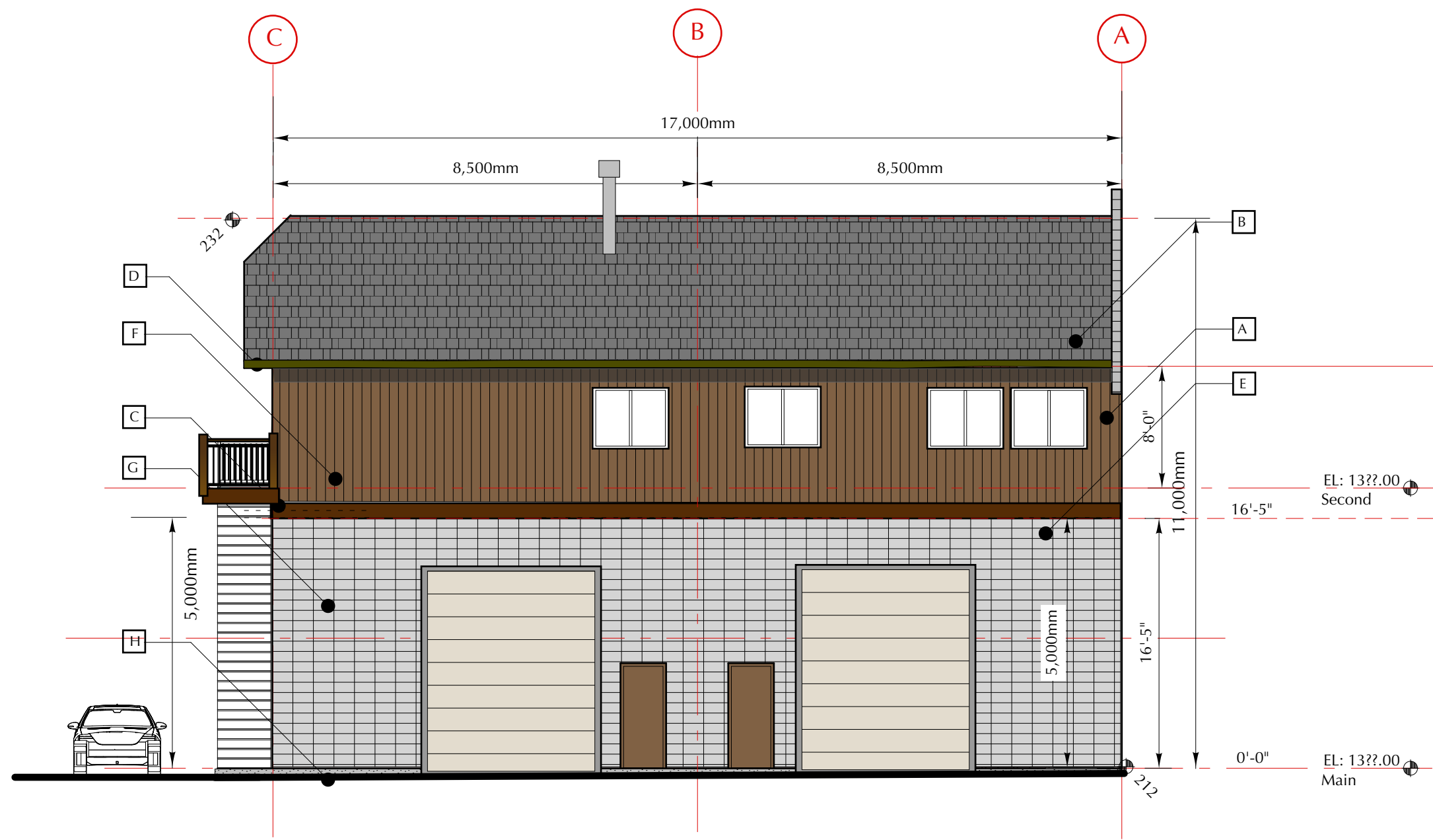
REVISIONS
Mar. 15, 2022 Submit for DP Mar. 24, 2022 Mar. 29, 2022

PROJECT TITLE
Bow Meadows Cresnet, Canmore, Alta. Lot 5 Block 7 Plan 9512298

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DATE
Feb. 01 2022
SCALE
AS NOTED
PROJECT NO.
DRAWN
RF
CHECK
RF

SK5



1 North Elevation  
SK6 Scale: 1:100

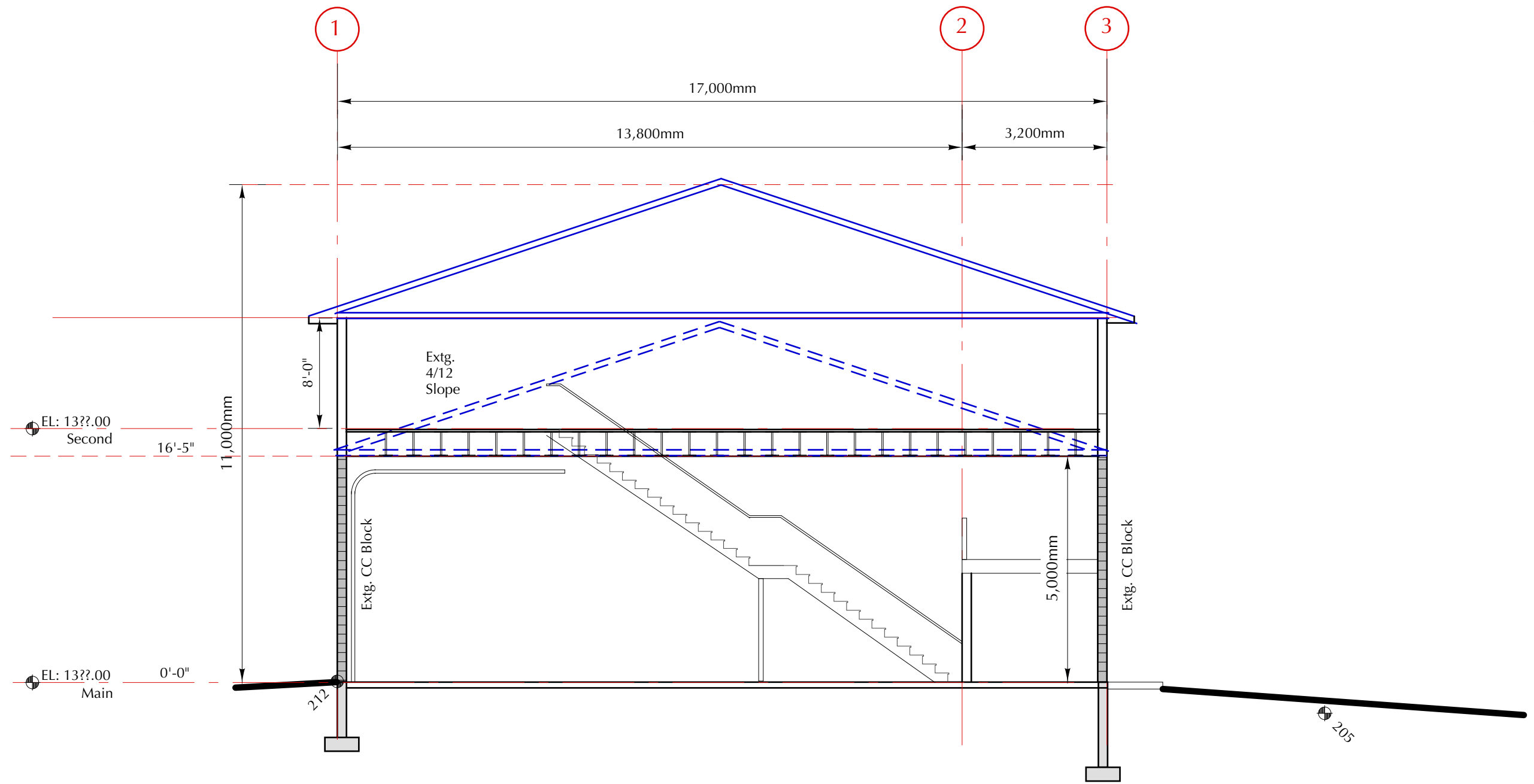
REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022

PROJECT TITLE
Bow Meadows Crescent, Canmore, Alta.
Lot 5 Block 7 Plan 9512298

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DATE
Feb. 01 2022
SCALE
AS NOTED
PROJECT NO.
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DRAWN
RF
CHECK
RF

SK6



1 Section 'B'  
SK8 Scale: 1:100

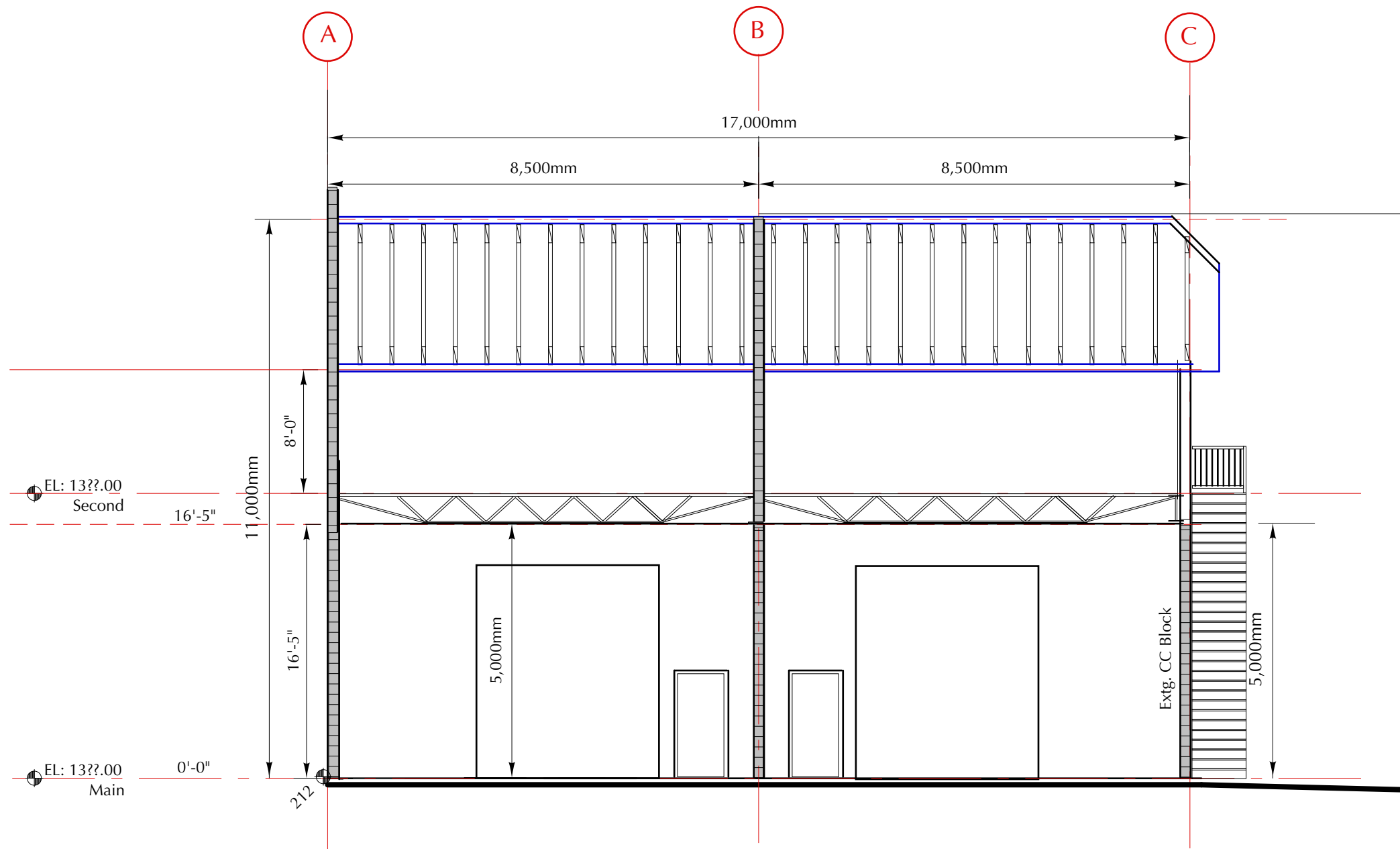
REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022

**PROJECT TITLE**  
Bow Meadows  
Crescent,  
Canmore, Alta.  
Lot 5  
Block 7  
Plan 9512298

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<b>DATE</b> Feb. 01 2022
<b>SCALE</b> AS NOTED
<b>PROJECT NO.</b> RF
<b>DRAWN</b> RF
<b>CHECK</b> RF

SK8



1 Section 'C'  
SK7 Scale: 1:100

REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022

PROJECT TITLE
Bow Meadows Crescent, Canmore, Alta.
Lot 5 Block 7 Plan 9512298

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DATE
Feb. 01 2022
SCALE
AS NOTED
PROJECT NO.
RF
DRAWN
RF
CHECK
RF

SK7

# LAND USE BYLAW AMENDMENT CIRCULATION

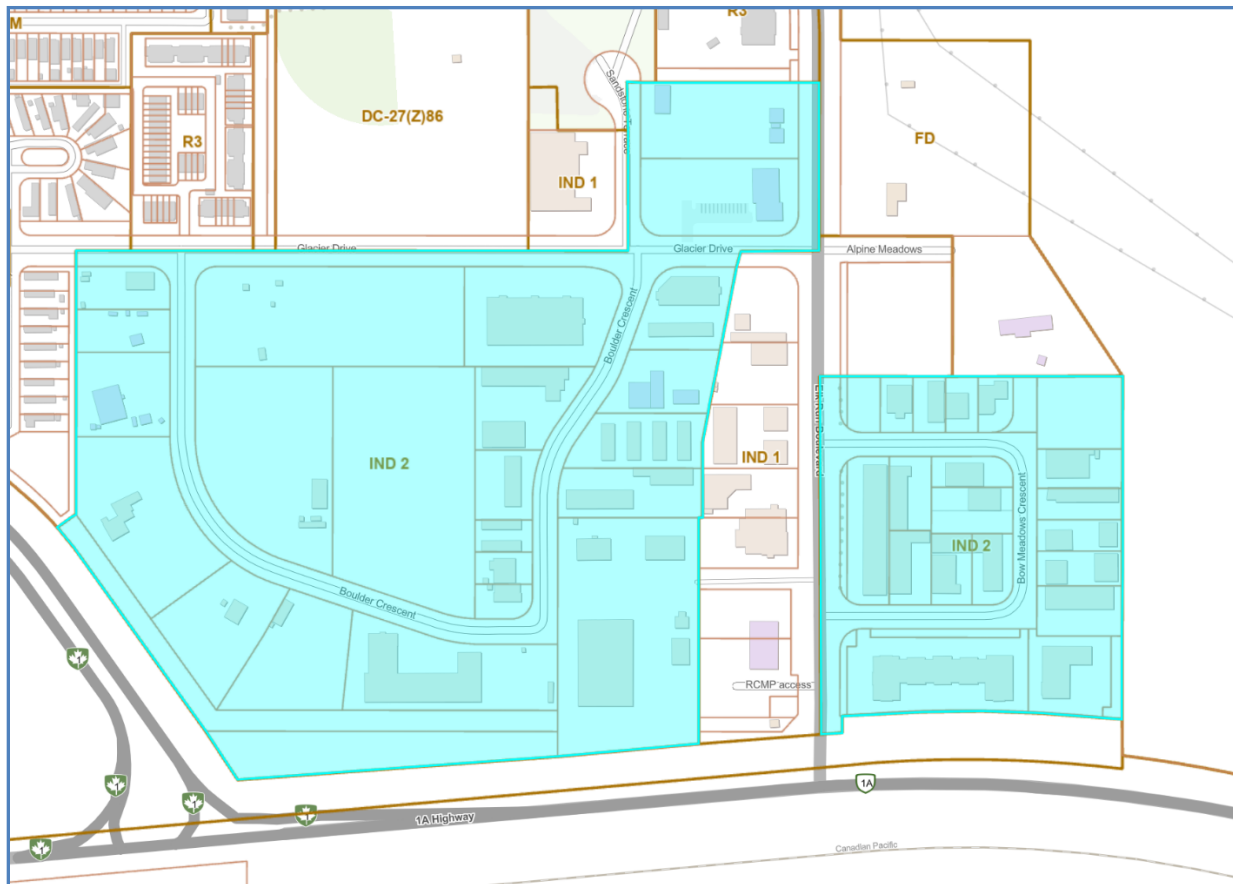
October 31, 2022

Dear Stakeholder,

The Town of Canmore has received an application to amend the Land Use Bylaw (IND-2 General Industrial District).

The applicant proposes:

- *To change the IND-2 General Industrial District to allow 'Office (above the ground floor)' to be considered as a Discretionary Use for all properties within this District, not exclusively those properties located East of Elk Run Boulevard.*



Properties designated (zoned) IND-2 District

The rationale provided for the proposed amendment is that 'Office' is already listed as a Discretionary Use in this district provided it is located above the ground floor on properties east of Elk Run Boulevard. The requested amendment expands 'Office (above the ground floor)' to be considered for all properties in this district, while retaining the discretionary use status.

A copy of the proposed amendment to the land use district is attached for your review and comment. The change is outlined in red strike-through.

You are being notified of this application in order to provide you with the opportunity to give input to Administration and the Applicant, in advance of the proposal being brought to Town Council for decision. The process is as follows:

1. Application received by Administration
2. Subject property owners are notified of the application
3. Feedback from property owners is shared with the Applicant(s)  
*Applicants have the opportunity to revise the application based on comments from neighbours or Town Administration.*
4. The proposed bylaw is presented to Council for consideration of "First Reading"
5. Council can give the bylaw first reading and will subsequently schedule a Public Hearing, which includes notification to impacted property owners  
*A public hearing will not be scheduled if Council chooses not to proceed with giving the bylaw first reading.*
6. Council will hold a Public Hearing, where members of the public have an opportunity to speak to the proposed amendment
7. Council will consider Second and Third Reading of the bylaw
8. If Council approves the bylaw, the new regulations will come into effect. If Council defeats the bylaw at any point in this process, then the existing rules remain in place.

If you have questions or would like to provide feedback on the application, please contact myself at [riley.welden@canmore.ca](mailto:riley.welden@canmore.ca) or 587.315.7576. Comments are being accepted until **November 30, 2022**.

It is anticipated that the Bylaw will be presented to Council for consideration of First Reading *in January 2023*, although this is subject to change based on feedback received. If the Bylaw proceeds, there will be an opportunity to submit formal correspondence as part of the Public Hearing process that would follow First Reading. There will be additional notification of the Public Hearing process in advance through an advertisement in the Rocky Mountain Outlook and another letter sent to stakeholders.

Kind Regards,



Riley Welden  
Development Planner



## 5.3 IND 2 GENERAL INDUSTRIAL DISTRICT

### Purpose

The purpose of this District is to provide for a range of industrial uses which allow for intensive and efficient use of Canmore's industrial land base in accordance with policies in the Municipal Development Plan. Non-industrial uses are appropriate only in the limited circumstances and locations where such uses do not displace current industrial uses or utilize land or buildings with potential for general industrial development.

### 5.3.1 Permitted Uses

Accessory Building  
Arts and Craft Studio [2020-16]  
Brewery/Distillery  
Contractor Service and Repair  
Laboratory  
Laundry Facility, Industrial  
Light Manufacturing  
Lumber Yard  
Public Building  
Warehouse

### 5.3.2 Discretionary Uses

Administrative/Sales Office  
Agriculture, Intensive  
Athletic and Recreational Facility, Indoor  
Automotive and Equipment Repair  
Automotive Sales and Rentals  
Bulk Fuel Station  
Car Wash  
Crematorium  
Eating and Drinking Establishment  
Educational Institution  
Employee Housing  
Industrial Sales and Rentals  
Kennel  
Logging Operation  
Office (above the ground floor, ~~east of Elk Run Boulevard only~~)  
Open Space  
Outdoor Storage  
Pet Care Facility  
Printing Establishment  
Recycling Depot  
Retail Sales  
Storage Facility  
Transportation Terminal  
Trucking Establishment

### **5.3.3 Regulations**

- 5.3.3.1 The minimum lot area shall be 557 m<sup>2</sup>.
- 5.3.3.2 The minimum lot width shall be 15.0 m.
- 5.3.3.3 The minimum front yard setback shall be 15.0 m adjacent to Bow Valley Trail and 7.5 m on all other sites.
- 5.3.3.4 The minimum side yard setback shall be 3.0 m abutting any residential district; 3.0 m on the street side of a corner site; and zero at other locations,
- 5.3.3.5 The minimum rear yard setback shall be zero except where the site abuts a residential district, in which the minimum rear yard setback shall be 6.0 m.
- 5.3.3.6 The maximum building height shall be 11.0 m.

### **5.3.4 Restrictions on Non-Industrial Uses and Developments**

- 5.3.4.1 In order to ensure that this District meets its purpose as a general industrial area, non-industrial uses will only be approved where such uses do not displace current industrial uses nor utilize land or buildings with potential development for general industrial purposes.

### **5.3.5 Additional Regulations**

- 5.3.5.1 The maximum GFA of an Automotive Sales and Rentals development shall be 4,000 m<sup>2</sup>.
- 5.3.5.2 An Eating and Drinking Establishment may be considered and approved in this District only where the proposed location is not generally suitable for industrial uses.
- 5.3.5.3 The maximum GFA of an Eating and Drinking Establishment shall be 93.0 m<sup>2</sup>.
- 5.3.5.4 An Office development shall only be located above the ground floor of a building and shall be located east of Elk Run Boulevard only.
- 5.3.5.5 Environmental Issues
  - a. At the discretion of the Development Authority, uses which involve the storage of hazardous materials may be considered where the Authority is satisfied contaminants can be safely contained on site.
  - b. Industrial uses which emit airborne pollutants or noxious odours or which have unacceptable fire or explosive risks shall not be allowed within this District.
  - c. An application for approval of a use employing flammable chemical materials must be accompanied by the plan approved by the Provincial Fire Marshall.
  - d. A storage vessel with a volume exceeding 7,570 litres and which contains liquefied petroleum products shall:
    - i. Meet all applicable Federal or Provincial safety standards;
    - ii. Be set back at least 15.0 m from all property lines; and
    - iii. Be at least 121 m from any place used or which may be used for public assembly such as schools, Hospitals, theatres, and residential areas.

#### 5.3.5.6 Landscaping and Screening

- a. Outdoor Storage shall be screened and fenced to the satisfaction of the Development Authority.
- b. A Kennel or Pet Care Facility shall have adequate separation from residential areas and must be designed, constructed and operated in a manner to prevent a nuisance to any residential area in regard to such factors as noise, odours and waste.
- c. The front yard setbacks shall not apply to freestanding or projecting Signs.
- d. All outdoor areas for the purpose of conducting Industrial Operations, storage areas, and waste handling areas shall be screened from view from roadways and park reserves, to the satisfaction of the Development Authority.
- e. Development on all sites adjacent to a residential district shall be screened from the view of the residential district, to the satisfaction of the Development Authority.
- f. All apparatus on the roof shall be screened to the satisfaction of the Development Authority.

### 5.3.6 Employee Housing Provisions

5.3.6.1 Employee Housing may be considered and approved in this District, only when located above the ground floor of a building and when the following issues can be addressed to the satisfaction of the Development Authority:

- a. Adequate long-term and legally-binding provisions are in place to ensure the units remain as bona fide Employee Housing and are demonstrably subordinate in terms of area and intensity to other uses in the building.
- b. The space proposed for Employee Housing would not be reasonably used for commercial or industrial purposes.
- c. The Employee Housing units are appropriate in design for Employee Housing, particularly with respect to the unit size.
- d. Employee Housing units would not constrain any future permitted or discretionary, commercial or industrial uses from developing on the site or on surrounding areas.
- e. Employee Housing would not unduly interfere with existing and any potential industrial development in the area.
- f. Outdoor Amenity Space such as balconies may be provided as part of the Employee Housing while meeting all of the above-described requirements in regard to impacts to or from adjacent industrial uses.

**Notification Letters mailed to Appellant  
and Adjacent Landowners**

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



02-Feb-2023

Our Reference: PL20220342

## **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 – Change of use above the main floor: from Contractor Service and Repair to Employee Housing (two units).**

**Address:** 127 Bow Meadows Crescent  
**Legal Description:** Lot 5, Block 7, Plan 9512298  
**Appeal Matter:** Appeal against a refusal by the Canmore Development Authority.

Please be advised that the Subdivision & Development Appeal Board will hear this an appeal on **January 5, 2023 at 2:00 p.m.** in-person at the Town of Canmore Civic Centre. Hearings can also be 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 make a verbal presentation to the board and/or provide a written submission to the Board.

**In-Person:** **Date:** February 22, 2023  
**Time:** 2:00 p.m.  
**Location:** Council Chambers, Canmore Civic Centre, 902 7<sup>th</sup> Avenue, Canmore

**In-Writing:** **Subject:** SDAB Hearing – PL20220342  
**Deadline:** February 14, 2023 at 12:00 noon  
**Drop Off:** Front Desk, 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 at the hearing. 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.**

The appeal file is available for public inspection at the Canmore Civic Centre between the hours of 8:30am to 4:30pm, Monday to Friday (except statutory holidays). 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 regarding this matter please contact the SDAB Clerk at 403.678.1500 or at sdab@canmore.ca.

Kind regards,

*Louise Bates*

Louise Bates  
Clerk - Subdivision & Development Appeal Board

**CC:** Michelle Ouellette

**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*

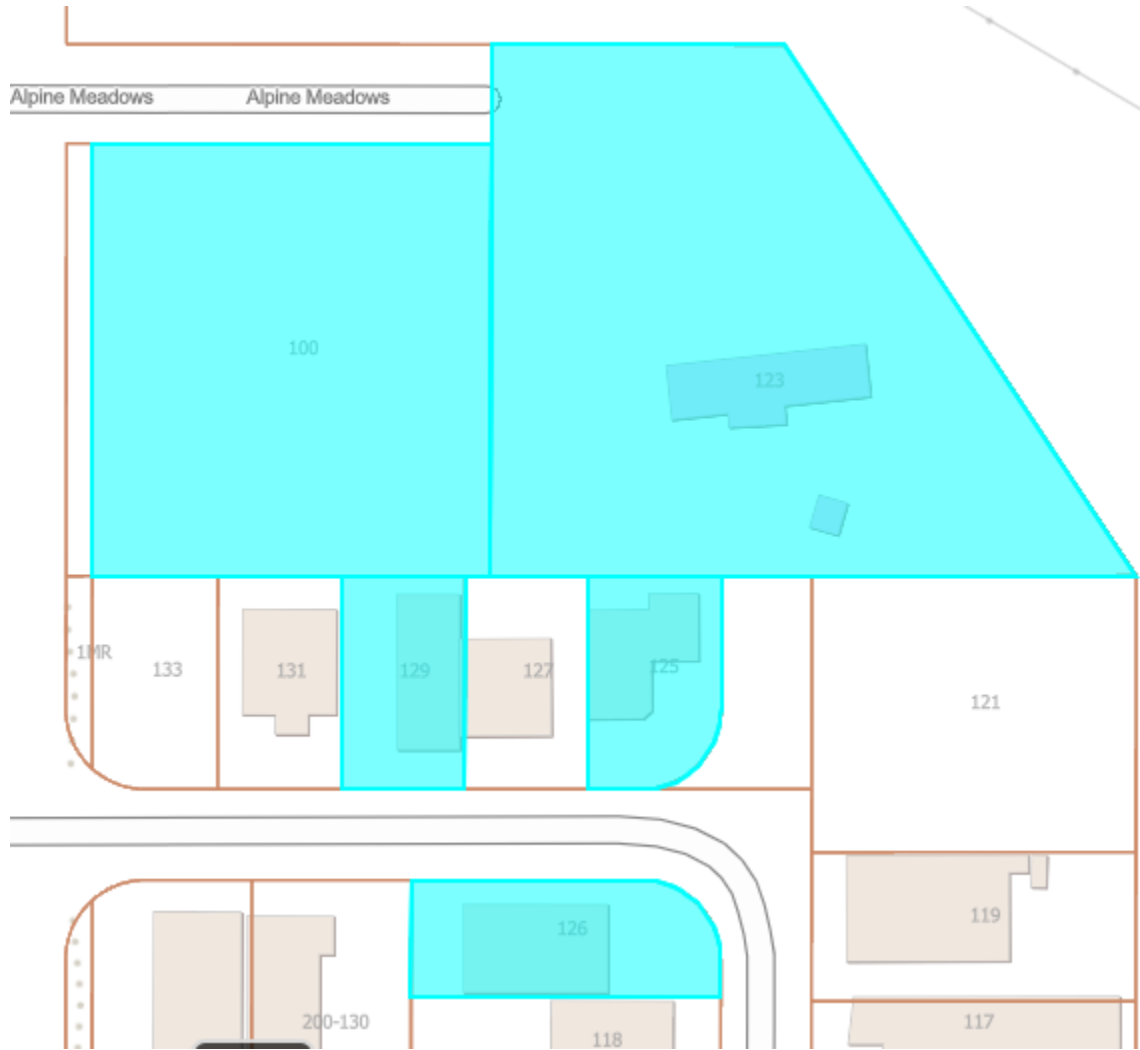
1. Chairperson declares the Subdivision & Development Appeal Board Public Hearing to order
2. Introduction of the Board members and Clerk.
3. Motion to adopt the agenda
4. Introduction of Town Administration.
5. Introduction of appeal by Development Officer.
6. Appellant introduction and opportunity 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

## 127 Bow Meadows Crescent



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

## Notification to Adjacent Neighbours



02-Feb-2023

Our Reference: PL2022342

### **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 – Change of use above the main floor: from Contractor Service and Repair to Employee Housing (two units).**

**Address:** 127 Bow Meadows Crescent  
**Legal Description:** Lot 5, Block 7, Plan 9512298  
**Appeal Matter:** Appeal against a refusal by the Canmore Development Authority.

Please be advised that the Subdivision & Development Appeal Board will hear this an appeal on **January 5, 2023 at 2:00 p.m.** in-person at the Town of Canmore Civic Centre. Hearings can also be Livestreamed at <https://canmore.ca/town-hall/boards-committees/subdivision-development-appeal-board/sdab-agendas-board-orders>

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:** February 22, 2023  
**Time:** 2:00 p.m.  
**Location:** Council Chambers, Canmore Civic Centre, 902 7<sup>th</sup> Avenue, Canmore

**In-Writing:** **Subject:** SDAB Hearing – PL20220342  
**Deadline:** February 14, 2023 at 12:00 noon  
**Drop Off:** Front Desk, 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 at the hearing. 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.**

The appeal file is available for public inspection at the Canmore Civic Centre between the hours of 8:30am to 4:30pm, Monday to Friday (except statutory holidays). 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 regarding this matter please contact the SDAB Clerk at 403.678.1500 or at sdab@canmore.ca.

Kind regards,

*Louise Bates*

Louise Bates  
Clerk - Subdivision & Development Appeal Board

**Attachment 1:** SDAB Hearing procedure.

**Attachment 2:** Context map.

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

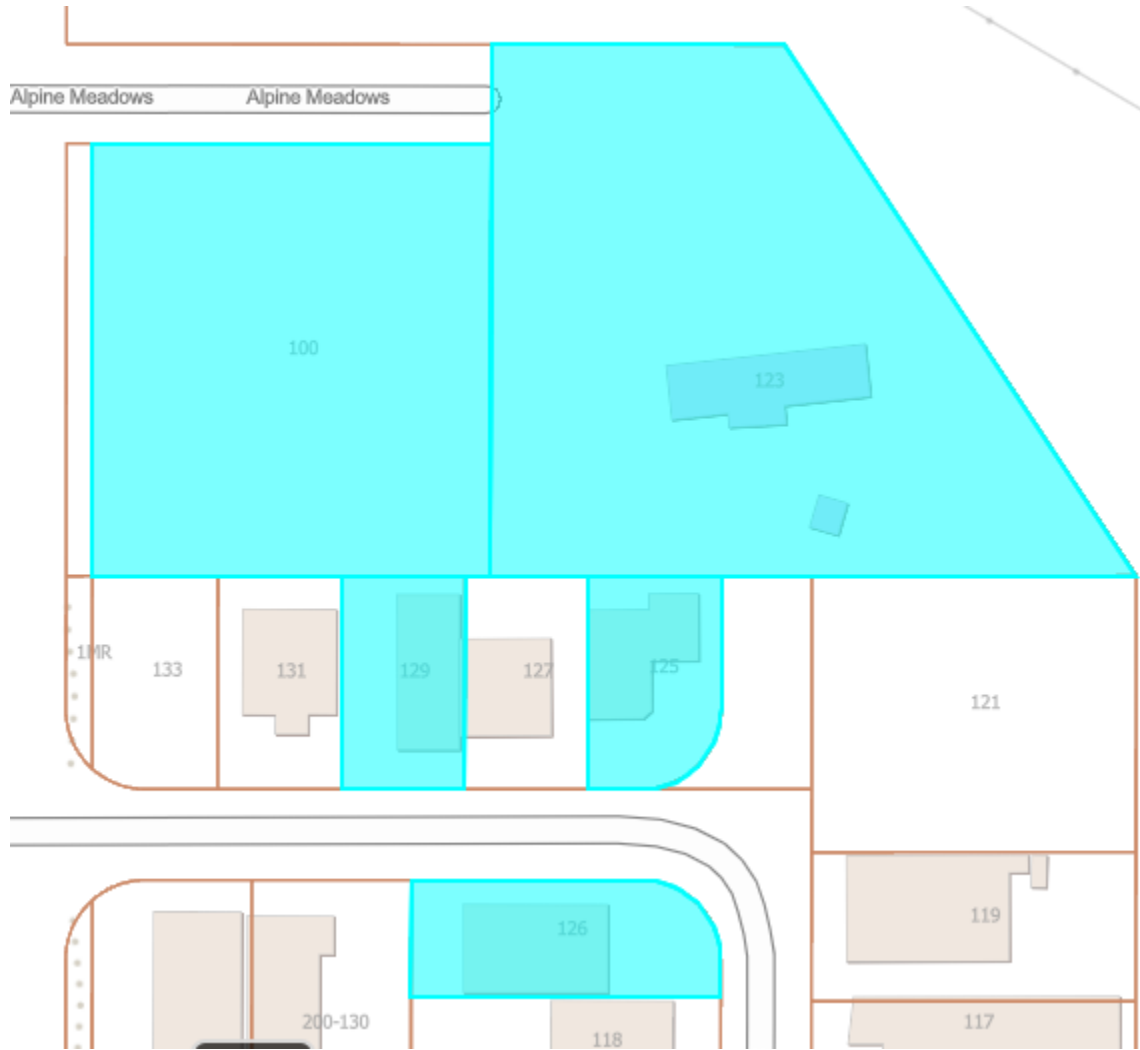
*PLEASE NOTE: ALL DOCUMENTS PRESENTED AT THIS HEARING ARE PUBLIC DOCUMENTS*

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

## 127 Bow Meadows Crescent



# SUBDIVISION AND DEVELOPMENT APPEAL BOARD

## STAFF REPORT

<b>DATE OF HEARING:</b>	FEBRUARY 22, 2023
<b>PROPOSED DEVELOPMENT:</b>	EMPLOYEE HOUSING (CHANGE OF USE TO SECOND FLOOR OF EXISTING BUILDING)
<b>APPLICATION NUMBER:</b>	PL20220342
<b>LEGAL DESCRIPTION:</b>	PLAN 9512298 BLOCK 7 LOT 5
<b>CIVIC ADDRESS:</b>	127 BOW MEADOWS CRESCENT, CANMORE, AB
<b>CURRENT USE(S):</b>	CONTRACTOR SERVICE AND REPAIR
<b>APPLICANT:</b>	ASHTON CONSTRUCTION SERVICES INC.



## EXECUTIVE SUMMARY

This application proposes a change of use at 127 Bow Meadows Crescent to allow for a portion of the second floor to be used for two Employee Housing units. The property is designated General Industrial (IND 2) District and governed by the Indian Flats Area Structure Plan. The proposed use, Employee Housing, is listed as discretionary. The application requires three variances to Land Use Bylaw 2018-22. Administration refused the development permit application by virtue of the unreasonable level of risk it poses to existing and future industrial activity in the area. The application was contrary to the direction provided in the Municipal Development Plan for employee housing in industrial areas.

## AUTHORITY OF THE SDAB

For appeals of development permit applications, **the SDAB must comply with any applicable statutory plans** (MGA s. 687(3)(a.2)). Statutory plans are adopted by municipalities under Part 17, Division 4 of the MGA, and include intermunicipal development plans, municipal development plans, area structure plans and area redevelopment plans.

## BACKGROUND

### Municipal Development Plan (MDP)

The Town's Municipal Development Plan (MDP) directs that industrial land shall be protected for industrial activity and that there is a limited supply of land available for industrial use.

- *Industrial Goal #3 – “To conserve and protect the limited industrial land base and identify opportunities for new industrial lands.”*
- *Policy 12.1.3 - “Industrial lands shall be protected from adjacent uses that could impact the continued operation of industrial uses. This may include strategies such as buffering with open spaces or a gradual transition from industrial to commercial to residential uses”.*

However, the MDP also outlines that housing initiatives for those who work in Canmore should be supported.

- *Affordable Housing Goal #4 - “To cooperate with local businesses and the construction and development industry in finding innovative solutions to provide affordable housing for employees.”*
- *Policy 5.3.4 - “Private initiatives to create additional seasonal and permanent employee housing opportunities should be supported by the Town”.*

Finally, the MDP also provides criteria for when employee housing and perpetual affordable housing (now referred to as Vital Homes) could be considered within industrial areas:

- *Policy 12.1.8 - “Where residential development is proposed in industrial areas, the Town should consider the following issues:*
  - a. Residential uses are limited to housing for employees,*
  - b. Impacts from industrial uses are sufficiently small to make residential uses appropriate,*
  - c. Residential uses will not displace or inhibit the operation of existing or future industrial uses, and*
  - d. Residential units are subordinate to the industrial uses”*

### Indian Flats Area Structure Plan (ASP)

Adopted in 1994, the Indian Flats Area Structure Plan directs that the purpose of the area is:

- *Goal 3.1.1.1 – “To provide for an area which allows a range of industrial activities that will be compatible with adjacent land uses.”*

As the ASP does not contemplate housing in this area, there is no policy direction in the ASP on whether residential housing is permitted and how it should be incorporated.

### Employee Housing Proposals in IND 1 and IND 2 Districts

The Town of Canmore has received several applications proposing housing in its industrial areas. This seems to be a growing trend, as these areas have lower land costs.



## EXISTING SITE

The site fronts onto Bow Meadows Crescent. There is one building on the site, which is currently under construction to add a second-floor addition. Adjacent uses include:

- *Multi-unit industrial development (Alpine Meadows) to the north-west;*
- *SPCA to the north-east;*
- *Automotive repair shop to the east;*
- *Commercial vehicle carwash to the south; and*
- *Tour company to the west*

Please refer to Attachment I for site context images.

## BYLAW CONFORMANCE DISCUSSION

The proposed development includes two Employee Housing units. Administration does not support the proposed use for the following reasons:

### EMPLOYEE HOUSING AS A DISCRETIONARY USE

Administration believes that the proposed discretionary use contravenes Sections 1.10.0.3 a. and b. of the Land Use Bylaw (LUB):

- 1.10.0.3 When making a decision on a Development Permit for a Discretionary Use, the Development Authority shall consider:*
- a. Any plans or policies affecting the parcel;*
  - b. The location of the parcel and the appropriateness of the proposed development;*

With respect to “plans”, Policy 12.1.8 of the MDP (a statutory plan) outlines requirements to be met when employee housing is being considered in an industrial area. The proposed developments alignment with each element of this policy is expanded upon below:

- Policy 12.1.8 - “Where residential development is proposed in industrial areas, the Town should consider the following issues:*
- a. Residential uses are limited to housing for employees,*

This policy statement establishes a clear expectation that for housing to even be contemplated in an industrial area, the development authority must have confidence that it will only serve workers in the Bow Valley, now, and in perpetuity. This is a key off-set to the increased risk of conflict between residential and industrial uses in an industrial area. Administration’s authority lies with regulating the use, and not the user. Further, the Town has no tools or mechanisms to enforce any programs or systems the developer might implement, in perpetuity. Without such tools, the proposed housing could be used to house any individuals, regardless of their employment status. Therefore, with no guarantees as to how the housing would be used in perpetuity, Administration does not support the proposed discretionary use.

- b. Impacts from industrial uses are sufficiently small to make residential uses appropriate &*
- c. Residential uses will not displace or inhibit the operation of existing or future industrial uses, and*

There are limited regulatory tools available to the Town to insulate the housing from the impacts of adjacent industrial uses. The parcel is located mid-block in the IND 2 District. Some of the adjacent uses (tour company) are generally compatible with housing, however, adjacent existing development will change over time to other forms of industrial uses. This fluidity makes it difficult to establish design thresholds to ensure that occupants can enjoy their units. Although the ARP speaks to “clean, light industrial uses” for this area, noise, smoke, and loading that are inherent with most industrial activity is still anticipated, and design cannot fully mitigate these elements enough to eliminate any potential conflict between uses.

Allowing for uninhibited industrial redevelopment is paramount for this area. Industrial lands provide opportunity for industrial uses not permitted in other mixed-use areas such as distilleries, and manufacturing companies that produce higher noise, smell, or work with toxic substances. Canmore has limited areas where these industries could set-up shop or expand into when current facilities no longer meet their growing needs. Permitting housing at this location poses a risk to this objective. Furthermore, should the vision for the type of industrial uses in the area require updating, residential development may present some barriers to adding, for example, new uses to the district, as homeowners would be more concerned about the quiet enjoyment of their property than what’s best for industrial activity.

Given the location of the parcel, that design can only lessen but not fully mitigate impacts from industrial activity on housing, and that there is risk that the housing may interfere with future redevelopment or revisioning of the industrial area, Administration does not support the proposed discretionary use.

*d. Residential units are subordinate to the industrial uses"*

In Administration's opinion, the two units of Employee Housing (approximately 25% of the building's floor area) is not subordinate to the site's industrial uses. The subject site and building are not constrained or unusual in any manner that would preclude the use of the second floor for accessory industrial uses.

With respect to 1.10.0.3b. of the LUB: "The location of the parcel and the appropriateness of the proposed development", many of the above comments discuss the appropriateness of the location relative to its effect on industrial development. However, the appropriateness of housing relative to a basic standard of living and its location should also be evaluated. The site has no adjacent or close sidewalk or pathway connections. The Town of Canmore's Bylaws allows for a greater level of sound decibels, and tolerance for outdoor storage in industrial areas as compared to residential areas. Being located mid-block allows full exposure to noise and industrial materials with minimum recourse for enforcement, calling into question the standard of living offered by the site.

### **REQUIRED VARIANCES**

In Administration's opinion, the application does not comply with the following requirements of 5.3.6.1 of the Land Use Bylaw:

*5.3.6.1 Employee Housing may be considered and approved in this District, only when located above the ground floor of a building and when the following issues can be addressed to the satisfaction of the Development Authority:*

- a. Adequate long-term and legally-binding provisions are in place to ensure the units remain as bona fide Employee Housing and are demonstrably subordinate in terms of area and intensity to other uses in the building.*
- b. The space proposed for Employee Housing would not be reasonably used for commercial or industrial purposes.*
- d. Employee Housing units would not constrain any future permitted or discretionary, commercial or industrial uses from developing on the site or on surrounding areas.*
- e. Employee Housing would not unduly interfere with existing and any potential industrial development in the area.*

These requirements are generally the same as those listed in MDP policy statement 12.1.8. Administration does not support these variances as they contravene policy statement 12.1.8 of the MDP, a statutory plan. It should be noted that Section 5.3.6.1a of the LUB is not considered a variance since, and as discussed earlier in this report, Administration has limited authority to enforce this.

### **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.

Accordingly, the SDAB has the authority to:

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

**ATTACHMENTS:**

1. Site Context
2. Zoning Map
3. Bylaw Conformance Review
4. Submitted Plans
5. Schedule A – Proposed Conditions of Approval



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**Lauren Miller**  
Manager of Planning and Development



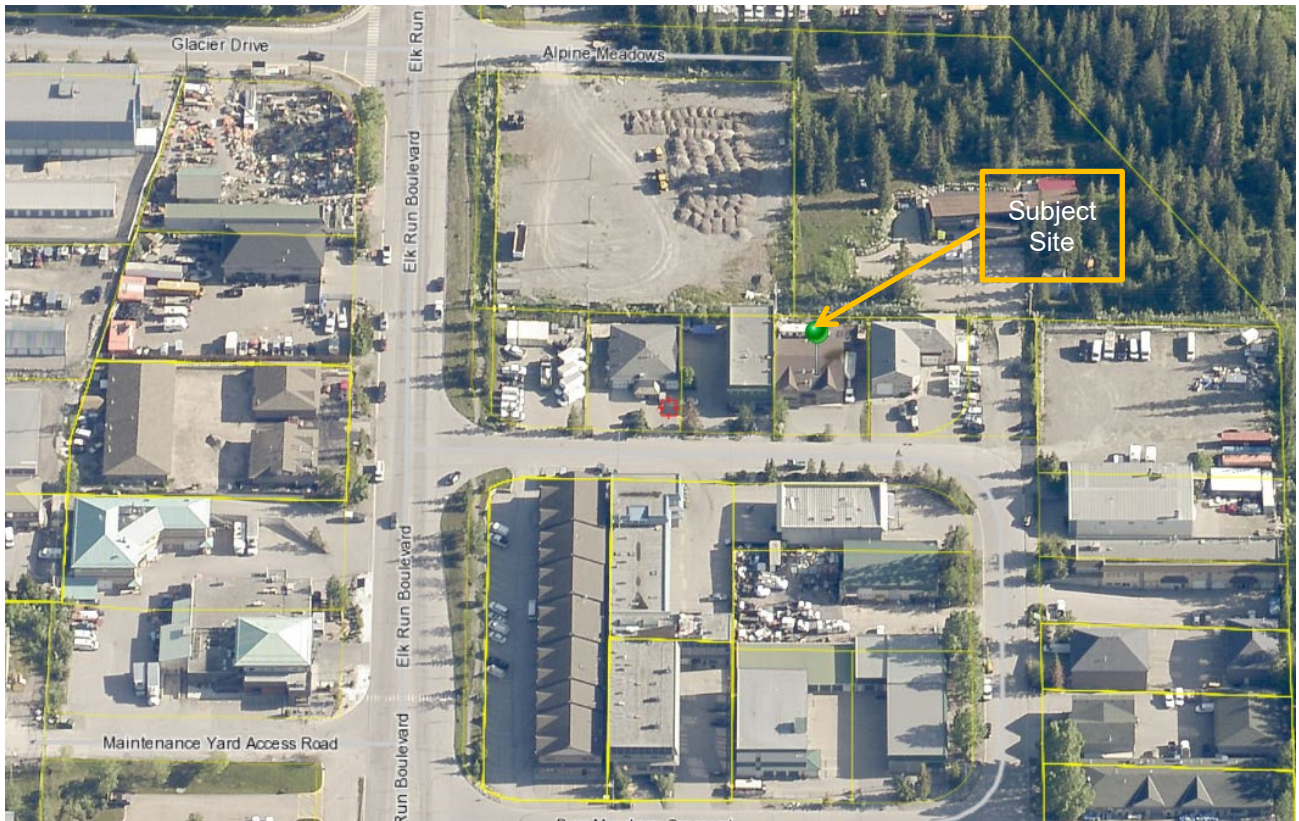
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**Nathan Grivell**  
Development Planner

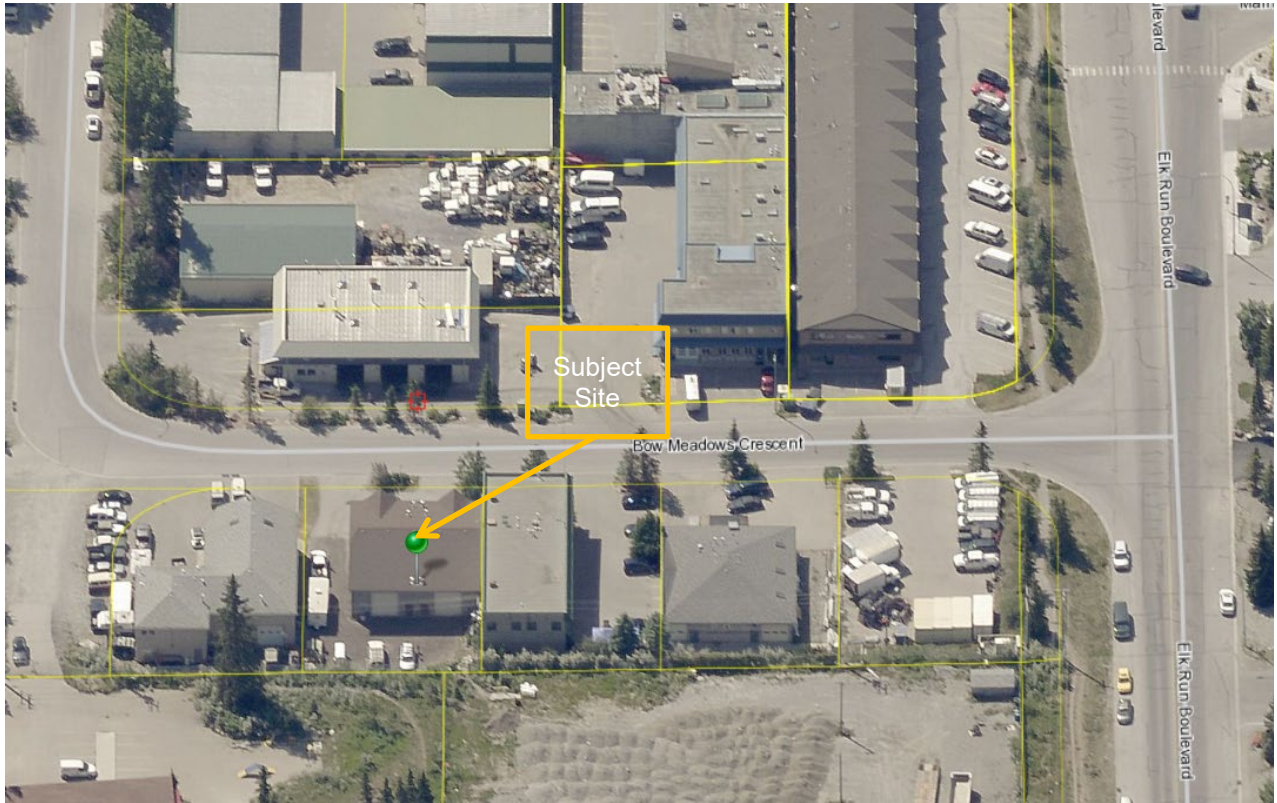
**ATTACHMENT I – SITE CONTEXT**



Aerial Photo of subject site and surrounding area



Aerial Photo of subject site and surrounding area looking north



Aerial Photo of subject site and surrounding area looking south



Aerial Photo of subject site and surrounding area looking east



Aerial Photo of subject site and surrounding area looking west



Street view looking West along Spring Creek Drive



Street view looking East along Spring Creek Drive

## ATTACHMENT 2 – ZONING MAP



- IND 1 Light Industrial District
- IND 2 General Industrial District
- FD Future Development District
- CW Conservation of Wildlands District

**ATTACHMENT 3 - BYLAW CONFORMANCE REVIEW**

REQUIREMENT	BYLAW 2018-22	PROPOSED	VARIANCE
ONLY USE-RELATED REQUIRMENTS (SEE REPORT)	N/A	N/A	N/A
NO CHANGE TO BUILDING OR SITE			





ATTACHMENT 4 - PLANS

LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0026 526 070              9512298;7;5                      951 289 991

LEGAL DESCRIPTION  
PLAN 9512298  
BLOCK 7  
LOT 5  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;10;24;27;NW

MUNICIPALITY: TOWN OF CANMORE

REFERENCE NUMBER: 951 228 672 +21

---

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
951 289 991	19/12/1995	TRANSFER OF LAND	\$77,215	\$77,215

---

OWNERS  
  
KENNETH E. PAULS ENTERPRISES LTD.  
OF C/O BOX 686  
CANMORE  
ALBERTA T0L 0M0

---

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
731 038 028	30/07/1973	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320 - 17 AVENUE S.W. CALGARY ALBERTA T2S2Y1 "N. 30 FT OF E. 370 FT OF BLOCK "A" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001301233) (DATA UPDATED BY: CHANGE OF NAME 051006089)

-----  
 ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
 # 951 289 991

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
951 228 675	06/10/1995	UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF CANMORE. AS TO PORTION OR PLAN:9512299
951 289 992	19/12/1995	MORTGAGE MORTGAGEE - BANK OF MONTREAL. 106, 10601 SOUTHPORT ROAD SW CALGARY ALBERTA T2W3M6 ORIGINAL PRINCIPAL AMOUNT: \$200,000

TOTAL INSTRUMENTS: 003

-----  
 PENDING REGISTRATION QUEUE

DRR NUMBER	RECEIVED DATE (D/M/Y)	CORPORATE LLP TRADENAME	LAND ID
C005C3N	31/08/2021	NERLAND LINDSEY LLP 403-536-1325 CUSTOMER FILE NUMBER: 65-40454/DF	
001		MORTGAGE	9512298;7;5
002		CAVEAT	9512298;7;5
C0057GU	01/09/2021	BLACKETT LAW 403-678-0708 CUSTOMER FILE NUMBER: 1020	
001		DISCHARGE	9512298;7;5

TOTAL PENDING REGISTRATIONS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
 ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
 TITLE REPRESENTED HEREIN THIS 12 DAY OF  
 NOVEMBER, 2021 AT 04:22 P.M.

ORDER NUMBER: 43084223

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

November 4, 2022

Nathan Grivell  
 Town of Canmore, Planning  
 Canmore, AB T1W 1N6

nathan.grivell@canmore.ca

## Development Permit Application – 127 Bow Meadows Cr

The purpose of this development permit application is to convert 1500 sq ft (139.35 sq m) from Trade Contractor Services to Employee Housing. The application would result in two employee housing units for use by employees of the primary business use. The application for change of use is included with this cover letter providing the owner’s rationale for the application.

The site is currently located at 127 Bow Meadows Crescent and has a current development permit for Trade Contractor Services to accommodate offices above the commercial glass shop below. The site is zoned IND2 District which allows for Employee Housing as a discretionary use. This development form provides a unique opportunity for local tradespersons, artisans, and other small businesses to get started and provides the owner or staff a place to reside. There is a well-known issue in Canmore of both available space for business employment space and for employee housing. This application aligns very well with addressing these issues and aligns with the applicable Land Use Bylaw District, the applicable Statutory Plan (ASP) and the Municipal Development Plan (MDP).

### PLANNING FRAMEWORK APPLICABLE TO THIS APPLICATION

In considering a discretionary use in the land use bylaw, the planner considers the general purpose of the district along with a site context analysis and in consideration of the land use bylaw and the overarching policies which apply. These applicable policies include the Municipal Development Plan and the Indian Flats Area Structure Plan. An assessment of this analysis is provided. Figure 1 illustrates the Hierarchy of Land Use Plans and Regulation in Alberta.

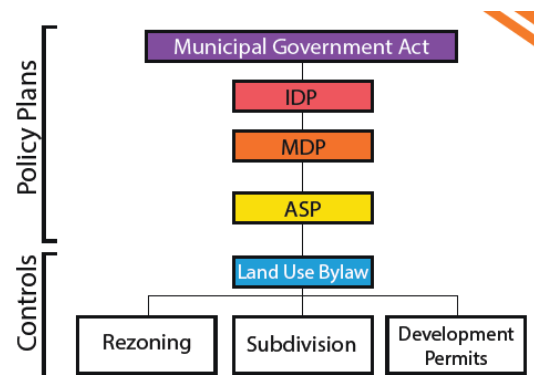


Figure 1: Hierarchy of Land Use Plans in Alberta, Government of Alberta

- **MUNICIPAL DEVELOPMENT PLAN**

The Canmore Municipal Development Plan provides high-level strategic guidance for growth in the Town. While it is not encouraged to locate residential uses in industrial areas, it is recognized that there are instances where it is appropriate in contexts where industrial character and business employment value is not diminished. The intent of the area as implemented in the Indian Flats ASP and current Land Use District only contemplates clean industrial uses, which do not interfere with employee housing as a use class.

Section 5.3 and Section 12.1 of the Municipal Development Plan, includes provisions specific to Market Affordable Housing. Relevant sections regarding Housing for Employees and Perpetually Affordable Housing have been included below.

### **Housing for Employees**

5.3.1 Conversion of spaces in the upper floors of existing buildings in industrial areas which are marginally useful for industrial purposes into housing for employees and live-work spaces may be allowed. The residential conversion should not compromise the primary industrial use of the area.

5.3.2 Development or conversion of upper floors of mixed-use or commercial buildings or main floor spaces that do not function well for commercial frontage into housing for employees and live-work spaces may be allowed. Variances to land use bylaw regulations, such as parking, may be approved to facilitate such development.

5.3.4 Private initiatives to create additional seasonal and permanent employee housing opportunities should be supported by the Town.

### **12.1 General Industrial Policies**

#### **Housing for Employees and PAH**

12.1.8 Where residential development is proposed in industrial areas, the Town should consider the following issues:

- a. Residential uses are limited to housing for employees,
- b. Impacts from industrial uses are sufficiently small to make residential uses appropriate,
- c. Residential uses will not displace or inhibit the operation of existing or future industrial uses, and
- d. Residential units are subordinate to the industrial uses”

The policies listed above further support the application to allow for Employee Housing on the site. The use of Employee Housing will provide required living quarters for employees of the development. The housing component will serve as a subordinate use on the site to the main industrial component.



- **INDIAN FLATS AREA STRUCTURE PLAN (ASP)**

The Indian Flats Area Structure Plan is a statutory document that was passed by Bylaw and is applicable to the site. The Indian Flats Area Structure Plan (ASP) proposes a sequence of development for an area, the future land uses, the density of population, and the general location of transportation and public utilities. It is important as the guiding tool where the development planner is required to reference in making a Discretionary Use decision. For reference the Development Concept in the ASP follows as Figure 2.

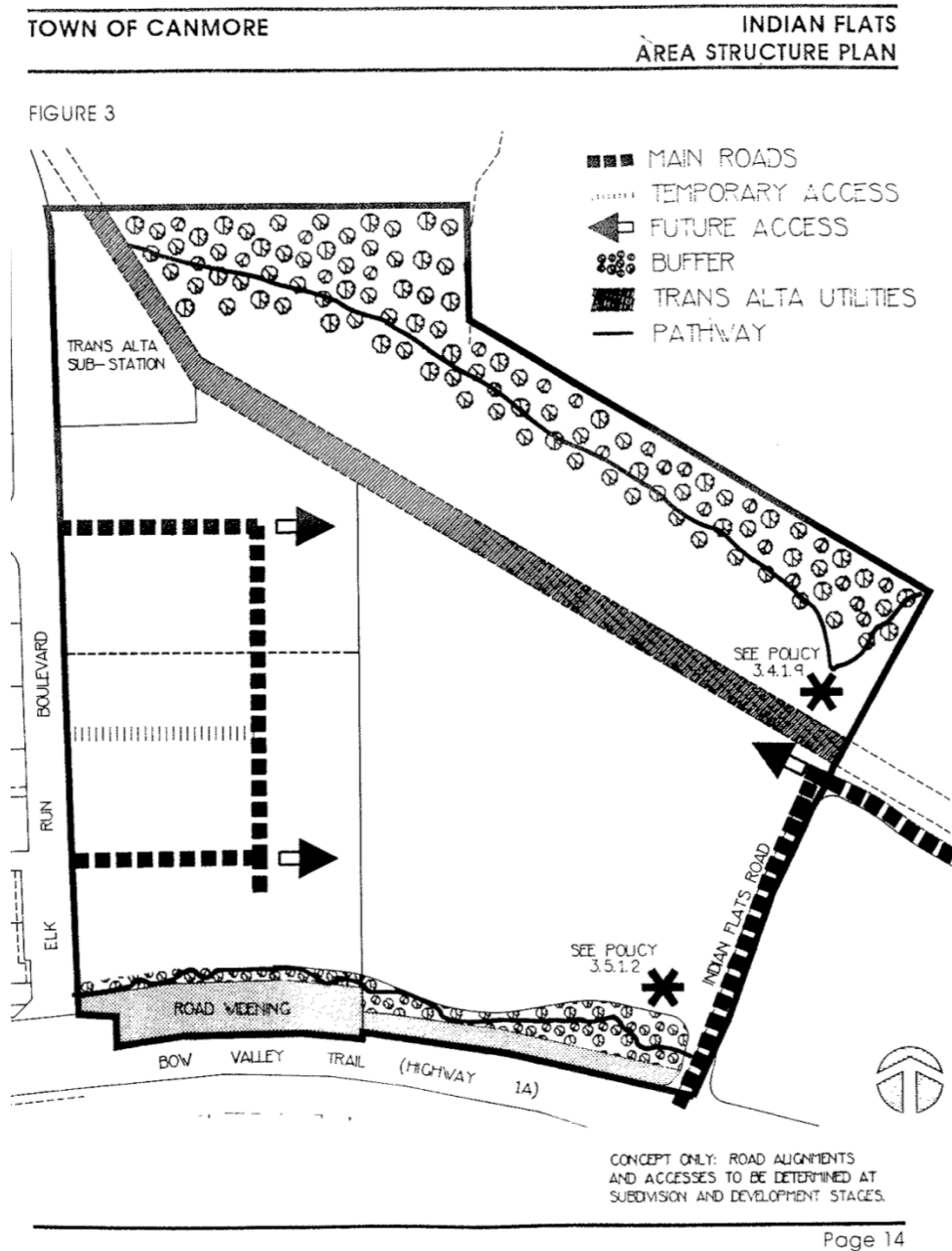


Figure 1. Indian Flats ASP Development Concept



## 1.0 Purpose

The “Indian Flats ASP expands upon direction provided by the Canmore MDP and encourages the broadening of the employment and economic base of the community and promotes the development of clean light industrial uses which are sensitive to the surrounding environment.” Because the Plan envisions clean industrial or “industrial business” uses in the Plan area, it follows that there would be no conflicts with limited employee housing located over the primary contractor services bays on the ground floor.

### 3.1.2 Objectives

3.1.2.1 To provide for a range of lot sizes which will accommodate diversified, clean, light industrial land uses.

## 3.3 Land Use

“The tourist trade also requires access to certain associated industries which support its activities. Development restriction in the surrounding national and provincial parks suggest that Canmore has a future as the primary service centre for the area.” The typical service centre uses which support the tourism industry in the Bow Valley don’t include noxious uses which are incompatible. And the use of limited sites in the area for employee housing support the goals and objectives of supporting the tourist trade described in the ASP.

The Indian Flats ASP provides clear direction that the area is to be developed with high quality clean industrial uses, which should not be in conflict with employee housing. Because this is a vacant site, it is currently underutilized and in accordance with both the Land Use Bylaw and intent of the ASP, supported by the MDP, the employee housing use is acceptable.

The existing land use developed in the area is reflective of the ASP objectives and are high quality clean business industrial uses. Businesses such as the Rocky Mountain Soap Company, Canmore Cave Tours, Fireweed Glass Studio, Sheep Dog Brewing, Carignan Mechanical, Can Glass, and CanSign signage shop are all good examples. These uses are developed in single and two storey configurations with commercial offices above main floor retail, commercial, and business industrial bays. It is important to note for this application that there are residential units in the second storey of 105 Bow Meadows Crescent, under the same Land Use District as this subject site at 127 Bow Meadows Crescent. The Town should have these records of development permit on file.

- [LAND USE BYLAW 2018-22](#)

Land Use Bylaw 2018-22 was adopted by Town Council in 2019. The Land Use Bylaw is intended to implement the overarching statutory plans for Canmore. It reflects what Town Council considers appropriate for development in each District. The site is currently zoned General Industrial District (IND 2). The general purpose of the IND 2 District is to provide for a range of industrial uses which allow for intensive and efficient use of Canmore’s industrial land base in accordance with policies in the Municipal Development Plan. Non-industrial uses are appropriated in limited cases where they do not displace current industrial uses.



Employee Housing is currently listed as a Discretionary Use in the IND 2 District. Section 1.10.0.3 of the Land Use Bylaw indicates, when deciding on a Development Permit for a Discretionary Use, the Development Authority shall consider:

- a. Any plans or policies affecting the parcel;
- b. The location of the parcel and the appropriateness of the proposed development;
- c. The merits of the proposed development and its compatibility with the intent of its Land Use District;
- d. The potential impact to development with respect to adjacent parcels;
- e. Servicing and access requirements; and
- f. General planning principles.

In 5.3.6, the Land Use Bylaw provides Employee Housing Provisions which are additional regulations. This states Employee Housing may be considered and approved in this District, only when located above the ground floor of a building and when the following issues can be addressed to the satisfaction of the Development Authority:

- a. Adequate long-term and legally binding provisions are in place to ensure the units remain as bona fide Employee Housing and are demonstrably subordinate in terms of area and intensity to other uses in the building.
- b. The space proposed for Employee Housing would not be reasonably used for commercial or industrial purposes.
- c. The Employee Housing units are appropriate in design for Employee Housing, particularly with respect to the unit size.
- d. Employee Housing units would not constrain any future permitted or discretionary, commercial or industrial uses from developing on the site or on surrounding areas.
- e. Employee Housing would not unduly interfere with existing and any potential industrial development in the area.
- f. Outdoor Amenity Space such as balconies may be provided as part of the Employee Housing while meeting all the above-described requirements in regard to impacts to or from adjacent industrial uses.

This application meets the list of provisions with one exception where one may argue the proposed office spaces above the main floor shops having not been constructed yet may have included 3,000 sq ft of office space and now the owner is proposing 1,500 sq ft of employee housing and apx 1,500 sq ft of office space. This is a minor change and meets all the other criteria for Employee Housing development. Without the building addition there would be no (0 sq ft) of additional commercial space. Given the development authority has discretion here to have the issue addressed, this provision is reasonably met. Based on a visual survey in the area, none of the permitted uses or other discretionary uses developed nearby pose any land use conflicts with the employee housing above the main floor. Further, there are no other uses in IND 1 or IND 2 Districts that cause a compatibility issue or nuisance with the employee housing, otherwise it would not be contemplated as a suitable potential use in this district.

The site has excellent access to both public parks and a variety of multi use, biking and hiking trails. These may be accessed by walking 450m, by free Roam bus, or by the multi-use trail being constructed in Elk Run Boulevard. These local recreation amenities include the Elk Run Off Leash Park. Cougar Creek Skating Rink, Cougar Creek Trail Head and the Grotto Mountain Trail Head. Nearby mountain biking trails include



the Horseshoe, Lebensrun, and G8. Other nearby services include a local grocery, eating and gathering establishments, and the Alpine Club of Canada. Additional amenity spaces on site will be provided in accordance with the Bylaw such as balconies.

Any interaction or concern with the operations of the SPCA located north of the site may be mitigated through building design or enforcement of the Canmore Noise Control Bylaw.

## PROVISION OF PEDESTRIAN OR MULTI USE TRAILS

The Area Structure Plan is clear that pathways in the area are located northeast of the site in the natural area in Phase II and to the south of the area along Highway 1A.

The Integrated Transportation Plan seeks to implement the broader transportation plan for the Town of Canmore. It is clearly identified that development of a multi-use trail along Elk Run Boulevard is desired by Council. The ITP also contains policies which direct that Elk Run Boulevard is a truck route and recognizes that movement of goods and other industrial traffic is important to the economic health of Canmore. “Commercial vehicles need to be accommodated on streets in industrial areas, on those that lead to and from industrial areas, and on collector and local roads for access to commercial and residential areas.” By following the Area Structure Plan direction to locate multi use trails away from the local roadway aligns with the ITP policies.

A similar development permit which included 12 employee housing units located at 121 Bow Meadow Crescent was approved by the Canmore Planning Commission on May 25, 2022. This permit approval requires the construction of a multi use trail connection from east of this site connected to Elk Run Boulevard. This provides for employees living on site with excellent pedestrian and bicycle connectivity with the broader Town of Canmore multi-use network.

## PROVISION OF NATURAL AREAS AND PROTECTION OF WILDLIFE

The Area Structure Plan does not show specific areas where conservation is required other than the buffer areas and pathways shown in the Land Use concept. Further as the ASP shows both Phase I and Phase II, it acknowledges future industrial development beyond Phase I. Because this site is located within the original Phase I for development, any environmental recommendations for Phase I were contained in the McCallum Paquet environmental overview. When development for Phase II is contemplated, an EIS (Environmental Impact Statement) will be provided with that subdivision and development proposal(s) in the future. The habitat patches and wildlife corridors which are illustrated in the MDP provide high level guidance for the Town overall. Individual ASP policies supersedes this direction at an area specific level. Council has already approved development for this Phase of the Indian Flats ASP. The renovation of the existing building to add the second-floor addition will not interfere with wildlife as the site is not directly located adjacent to any habitat patches or wildlife corridors.

## PARKING AND LOADING

The onsite circulation and parking for vehicles and bicycles will be designed to ensure safe, convenient access to and within the site in accordance with Town guidelines.





## CLOSING

Based on a thorough review of the proposed development, the site context, the applicable statutory plans, current land use district, and the existing development near the site, the proposed development is suitable for the site. The intent of the Area Structure Plan is clearly to provide a high-quality business industrial area, and this combined with the list of Permitted and Discretionary uses in the Land Use Bylaw for the site indicate it is suitable to include employee housing “above the shop”. This provides a unique and much needed opportunity for residents to reside, and through their businesses, support the primary industries in Canmore.

Sincerely,  
McElhanney Ltd.



Michelle Ouellette, MBA, BSc, RPP, MCIP  
Division Manager, Planning  
[mouellette@mcelhanney.com](mailto:mouellette@mcelhanney.com) | 403-621-1446

**Use of this Report.** This letter was prepared by McElhanney Ltd. ("**McElhanney**") for the particular site, design objective, development and purpose (the "**Project**") described in this report and for the exclusive use of the client identified in this report (the "**Client**"). The data, interpretations and recommendations pertain to the Project and are not applicable to any other project or site location and this report may not be reproduced, used or relied upon, in whole or in part, by a party other than the Client, without the prior written consent of McElhanney. The Client may provide copies of this report to its affiliates, contractors, subcontractors, and regulatory authorities for use in relation to and in connection with the Project provided that any reliance, unauthorized use, and/or decisions made based on the information contained within this report are at the sole risk of such parties. McElhanney will not be responsible for the use of this report on projects other than the Project, where this report or the contents hereof have been modified without McElhanney's consent, to the extent that the content is in the nature of an opinion, and if the report is preliminary or draft. This is a technical report and is not a legal representation or interpretation of laws, rules, regulations, or policies of governmental agencies.

**Attachment(s)**

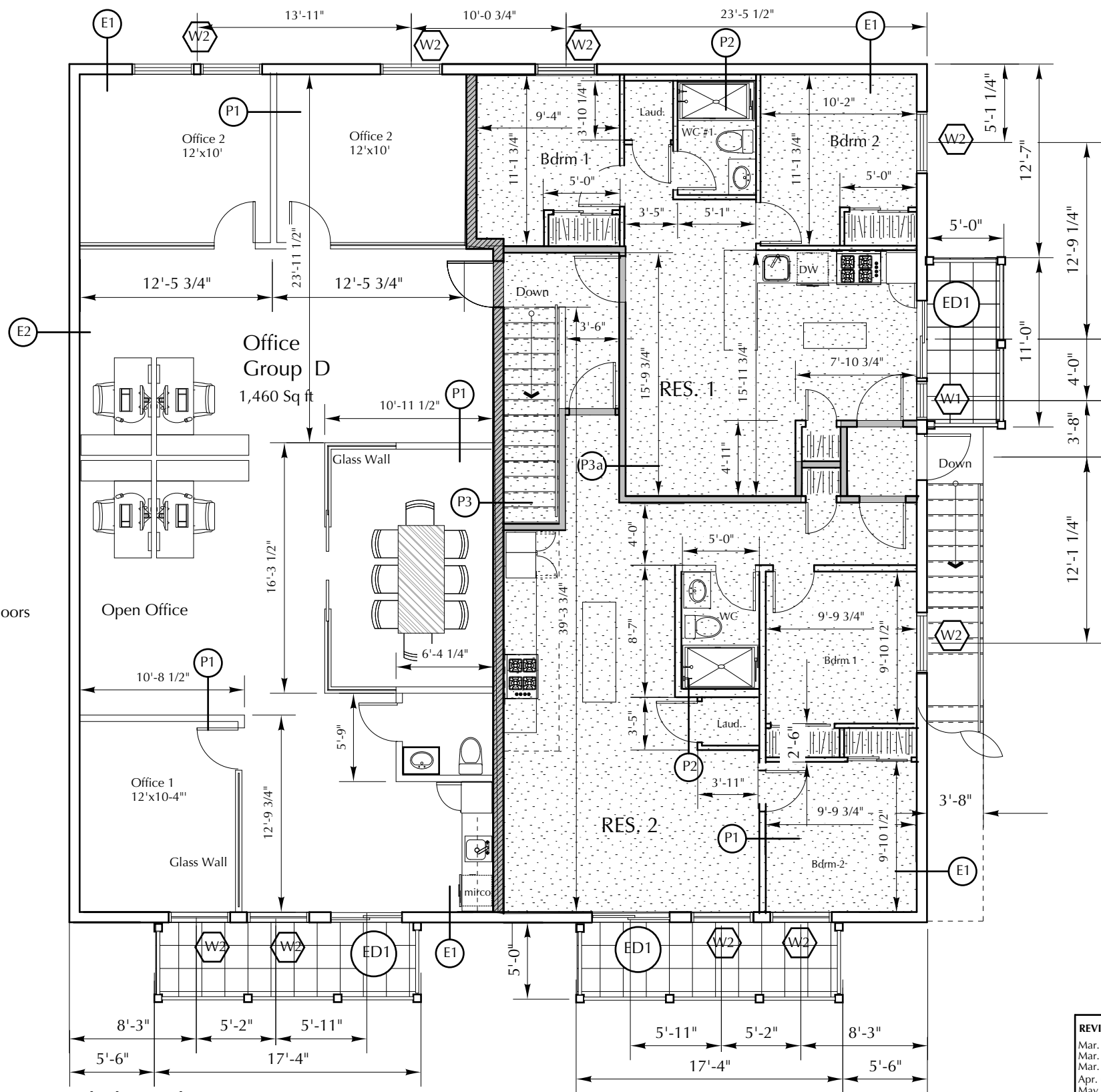
Development Permit Application 127 Bow Meadow Crescent

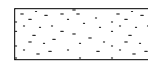
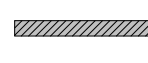

CC

Steve Ashton, Ashton Construction

Kris Charchun, Can Glass





-  (C1) 1 Hr. Rated
-  (P3) 1 Hr. Rated to Deck
-  (P3a) 1 Hr. Rated to Ceiling

137.6 M2 New Res  
134.8 M2 New Office

**NOTE:**  
Glass wall system & doors for office supplied & installed by owner.

**1** New Second Floor Plan - Dimensions  
A3 Scale: 1:100

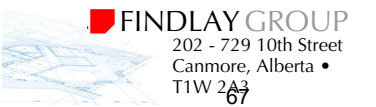
REVISIONS
Mar. 15, 2022 Submit for DP
Mar. 24, 2022
Mar. 29, 2022
Apr. 09, 2022
May 15, 2022 Iss. for Pricing
May 30, 2022 Relssued for S
Aug. 02, 2022 Relssued 4 DP
Aug. 07, 2022 Relssued Use
Aug. 15, 2022 Issued BP
Aug. 24, 2022 Windows

**PROJECT TITLE**  
Bow Meadows  
Crescent,  
Canmore, Alta.  
Lot 5  
Block 7  
Plan 9512298

This drawing is not to be scaled.  
The contractor shall verify all levels, datums and dimensions prior to commencement of work.  
All errors and omissions must be reported to the designer.  
This drawing must not be reproduced without written consent by the designer.

<b>DATE</b> Feb. 01 2022
<b>SCALE</b> AS NOTED
<b>PROJECT NO.</b>
<b>DRAWN</b> RF
<b>CHECK</b> RF

A3



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

**DEVELOPMENT PERMIT No.:** PL20220342

**LAND USE DISTRICT:** IND 2

**APPROVED USE(S):** CHANGE OF USE:  
TWO UNITS OF EMPLOYEE HOUSING (PORTION OF  
the 2nd FLOOR)

**APPROVED VARIANCE(S):** THREE VARIANCES TO REQUIREMENTS FOR  
EMPLOYEE HOUSING

**MUNICIPAL ADDRESS:** 127 BOW MEADOWS CRESCENT, CANMORE, AB

**LEGAL ADDRESS:** PLAN 9512298 BLOCK 7 LOT 5

---

**APPROVED VARIANCES**

1. To Section 5.3.6.1b of Land Use Bylaw 2018-22, to allow for Employee Housing when the space could reasonably be used for industrial purposes.
2. To Section 5.3.6.1d of Land Use Bylaw 2018-22, to allow for Employee Housing which may constrain any future permitted or discretionary, commercial or industrial uses from developing on the site or on surrounding areas.
3. To Section 5.3.6.1e of Land Use Bylaw 2018-22, to allow for Employee Housing which could unduly interfere with existing and any potential industrial development in the area.

**STANDARD CONDITIONS**

4. 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.
5. All construction associated with the approval of this Development Permit shall comply with the Town of Canmore Engineering requirements outlined in the Engineering Design and Construction Guidelines (EDCG).
6. All construction associated with the approval of this Development Permit shall comply with the Tree Protection Bylaw and ensure all tree protection measures are appropriately put in place prior to development of the site, where determined necessary by the Town of Canmore Parks Department.
7. All construction, landscaping and exterior finishing materials are to be as shown on the approved plans and other supporting material submitted with the application.
8. Access to the site for emergency vehicles shall be to the satisfaction of the Manager of Emergency Services.

**SPECIFIC CONDITIONS**

9. The developer shall ensure the approved Employee Housing units comply with the definition for Employee Housing in Land Use Bylaw 2018-22:

“Employee Housing means one or more Dwelling Units used exclusively for the residence of employees and members of their family.”

“Employee means a person who is primarily employed by an employer within the municipal boundaries of the Town of Canmore. For the purpose of this definition, a person is primarily employed if that person is performing, or is reasonably expected to perform, the services of an employee for an employer, for a minimum of an average of twenty (20) hours per week. The employee shall not be the same person as the employer. This provision may be varied at the discretion of the Development Authority where a proposed development meets the purpose of the applicable land use district and/or meets the intent of the Town’s employee housing policies (e.g. in a building designed for a Live/Work Studio where a person is self-employed and living adjacent to their place of employment). In addition to the above, those individuals who can provide written proof (through such means as lease or rental agreements) of continuous residency within the Town of Canmore for a minimum of twenty-four (24) continuous months and who are primarily employed by an employer within the boundaries of the M.D. of Bighorn west of and including the hamlet of Seebe, or within the Town of Banff or Banff National Park, shall be considered an “employee” for the purposes of this Bylaw and shall be eligible to occupy a unit in an approved employee housing project.”

**ADVISORY COMMENTS**

1. None.

\_\_\_\_\_  
Signature  
Subdivision and Development Appeal Board, Chair

\_\_\_\_\_  
Date

**Written Submissions Received from  
Adjacent Land/Business Owners**

**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: Letters of Support for Canglass - Employee Housing development permit application  
**Date:** Tuesday, February 14, 2023 6:21:17 AM  
**Attachments:** [image001.png](#)

---

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To whom it may concern, this letter of support has been forwarded on behalf of the party below in regards to the SDAB Appeal Hearing - PL20220342 - 127 Bow Meadows Crescent.

Sincerely,

Ashton Construction Services Inc.

Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



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---

**From:** Belinda Topping <[reception@carignanmechanical.ca](mailto:reception@carignanmechanical.ca)>  
**Sent:** Monday, February 13, 2023 4:21 PM  
**To:** Steve Ashton <[steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)>  
**Subject:** RE: Letters of Support for Canglass - Employee Housing development permit application

**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 whom it may concern,

Carignan Mechanical Ltd is a plumbing and mechanical contracting company who has been in business in the Bow Valley for over 25 years.

As a longtime employer in Canmore we know that the largest impediment to hiring quality and long term employees is the lack of available and affordable housing.

Please accept this letter of support for discretionary use with regards to employee housing as proposed at 127 Bow Meadows Crescent for the following reasons;

- Employee housing above 2<sup>nd</sup> floor is a discretionary use in this land use district. The project complies with all requirements to meet the bylaw for employee housing and there is ample parking onsite.
- All industries in Canmore need to attract employees to survive. Our employees are having a hard time finding places to live that are affordable if they can find them at all. Employers need to find these solutions which they are willing to do.
- **Kris bought this building with its discretionary use and is now being told he is not allowed to use it for that. How is that fair to everyone in this neighborhood who owns real estate and is not able to use it the way its intended. Did the town follow the democratic process and allow the neighbours to voice their concern if they had any?**
- Why is employee housing being allowed in Moose Meadows or at 121 Bow Meadows? Why are these developments and these property owners allowed to house their staff and not Canglass?
- Council has stated and declared a housing crisis. There is a comprehensive housing needs study that the Town of Canmore carried out that indicates the shortfall of housing in Canmore, especially employee housing.

Please do not hesitate to contact me if you require any further information.

Sincerely,  
Belinda-Jayne Topping

Belinda-Jayne Topping  
Office Manager  
**Carignan Mechanical Ltd.**  
Bay 2, 102 Bow Meadows Cres  
Canmore, AB, T1W 2W9  
Ph: 403 678 3416

---

**From:** Charles Carignan <[charles@carignanmechanical.ca](mailto:charles@carignanmechanical.ca)>  
**Sent:** February 13, 2023 8:20 AM  
**To:** Belinda Topping <[reception@carignanmechanical.ca](mailto:reception@carignanmechanical.ca)>  
**Subject:** FW: Letters of Support for Canglass - Employee Housing development permit application

Hi Bel,  
Can I have you email them back with our support for more staff housing.  
Thanks,



**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: CanGlass  
**Date:** Tuesday, February 14, 2023 6:22:37 AM  
**Attachments:** [image001.png](#)

---

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Sincerely,

Ashton Construction Services Inc.

Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



[www.ashtonconstruction.ca](http://www.ashtonconstruction.ca)

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---

**From:** Dirty Dog Car Wash <[dirtydogcanmore@gmail.com](mailto:dirtydogcanmore@gmail.com)>  
**Sent:** Sunday, February 12, 2023 9:39 PM  
**To:** Steve Ashton <[steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)>  
**Subject:** CanGlass

**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 Whom it May Concern,

I am writing this letter in support of Canglass and their application for adding staff housing on the 2nd

floor of their building. As a business neighbour on Bow Meadows Crescent, I have reviewed the details of this potential development and I am completely in favour of it. Providing staff accommodation has become non-negotiable for many businesses in this town. In my estimation, increasing availability of affordable housing is a top priority to keep our community functioning well.

--

Regards, Corey Belireau Dirty Dog Car & Truck Wash 126 Bow Meadows Crescent Canmore , AB T1W 2W9

**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: Letters of Support for Canglass - Employee Housing development permit application  
**Date:** Tuesday, February 14, 2023 9:09:07 AM  
**Attachments:** [image001.png](#)

---

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Sincerely,

Ashton Construction Services Inc.

Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



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---

**From:** Jason Hoerle <jason@exshawgateway.ca>  
**Sent:** Tuesday, February 14, 2023 9:06 AM  
**To:** Steve Ashton <steve@ashtonconstruction.ca>  
**Subject:** Letters of Support for Canglass - Employee Housing development permit application

**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.

Hello

I am a business and property owner on Bow Meadows Crescent.

I would support this employee housing development. It offers rental supply for employee housing and the opportunity to strengthen a local business.

Thanks,  
Jason Hoerle  
McKnight Custodial Cleaning  
Unit 16 – 109 Bow Meadows Crescent



February 13th, 2023

To Whom it may concern:

Wild Life Distillery supports the development of employee housing in the elk run industrial area.

As employers we are facing massive worker shortage issues and we believe the housing shortage and cost of living to be two major contributors to this issue. The proposed bylaws 2022-24 for the consideration of allowing offices in the second or third floor units within the IND 2 district is a step in the right direction as most second or third floors units are unsuitable for industrial use.

We believe staff housing should be added to this bylaw and allowed in the district to ensure our businesses have confidence in being able to operate with a sustainable and financially profitable environment. Continued economic growth of a municipality is dependent on its citizens and businesses. Please consider this letter in your decision regarding staff housing in IND 2 District.

Sincerely,

Keith Robinson

Distiller & Co-Founder  
Wild Life Distillery Inc.  
Keith @wildlifedistillery.ca

**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: DP  
**Date:** Tuesday, February 14, 2023 6:21:55 AM  
**Attachments:** [Screen Shot 2017-05-03 at 10.54.38 AM.png](#)  
[image001.png](#)

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To whom it may concern, this letter of support has been forwarded on behalf of the party below in regards to the SDAB Appeal Hearing - PL20220342 - 127 Bow Meadows Crescent.

Sincerely,

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Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



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---

**From:** Sky McLean <[skymitchell@gmail.com](mailto:skymitchell@gmail.com)>  
**Sent:** Sunday, February 12, 2023 1:12 PM  
**To:** Steve Ashton <[steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)>  
**Subject:** DP

**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.

Hi Steve,

I am in full support of your application for Employee Housing.  
Thanks,

Sky McLean  
Big Moose Realty, Basecamp Resorts  
403.390.8183





February 14, 2023

SDAB Clerk  
Canmore Civic Centre  
902 7 Avenue  
Canmore, Alberta  
T1W 3K1

RE: SDAB – PL20220342 – 127 Bow Meadows Crescent

---

We were recently made aware of an appeal that stemmed from a refusal by the Town's Development Authority regarding permitting a use (Employee Housing or EH) that is a discretionary use on the East side of Elk Run Boulevard. While we generally do not comment on individual applications, we have recently had multiple members contact us with concern that this will have potential economic impacts to not only this site, but future applications of a similar nature elsewhere in town where Employee Housing is a discretionary use. We would like to offer the following:

- BOWDA has been listening to the community and its 243 member businesses regarding concerns on living wage and housing affordability. BOWDA members are very concerned about the affordability of living in Canmore and how it will affect their business viability in the long-term. Market based solutions to community affordability and livability should be encouraged. Extra process and approval hoops to jump through discourages community-based solutions from being proposed.
- For market based- solutions to the housing crisis to be put forward more frequently, the development industry in the Bow Valley needs certainty from the planning and development process which includes a steam lined application process to avoid unnecessary delays, like development appeals.
- The Town of Canmore has recently embarked on a \$100,000.00 Labour Market Recruitment and Retention study to address critical shortages in key segments, including commercial/industrial uses that would be supported by this EH application.
- Section 617 of the MGA speaks to the need for 'orderly, economical and beneficial development, use of land and patterns of human settlement'.
- The Canmore MDP and the IND2 district support EH within Industrial areas and that the discussion on this application should be based on the most up to date Council approved policy and direction.



- This housing would be beneficial to the long-term viability of the industrial use it is accessory to and supports Council direction to expand capacity for non-market housing in Canmore; especially through mixed-use developments.
- The Town's concerns that EH would erode the limited industrial supply can be addressed via other solutions i.e the landowner can acknowledge that the standards of an Industrial District will be applied by the Town with regards to noise, odor and other nuisance complaints that may occur from people living within an Industrial area. Further, the EH use is complimenting not replacing industrial uses.
- Section 2.2 of the ASP states to 'ensure that businesses are not lost to the community'. By allowing this development to move forward, you are allowing further industrial expansion while allowing the market to address demand for housing.

Practical planning, economic and social realities are at play with this application and need a more wholistic review process. On behalf of our over 243 member businesses, we would like to thank you for your consideration.

Sincerely,



Ian O'Donnell  
Executive Director  
Bow Valley Builders and Developers Association

cc. Mr. Steve Ashton, Ashton Construction  
BOWDA Board of Directors

**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: Letters of Support for Canglass - Employee Housing development permit application  
**Date:** Wednesday, February 15, 2023 8:50:48 AM  
**Attachments:** [image002.png](#)

---

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Sincerely,

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Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



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---

**From:** Cam Baty <[cam@rockymountainsoap.com](mailto:cam@rockymountainsoap.com)>  
**Sent:** Wednesday, February 15, 2023 8:48 AM  
**To:** Steve Ashton <[steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)>  
**Subject:** Re: Letters of Support for Canglass - Employee Housing development permit application

**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.

This email is to show my support for Canglass to receive approval for staff housing for the upper floor of their building on Bow Meadows Crescent. Housing for teams are critical to the

success of local businesses and the town should support businesses desire to build staff housing in my opinion.

Sincerely,

Cam Baty

Co-Owner  
Rocky Mountain Soap Company

C 403.609.9743  
[cam@rockymountainsoap.com](mailto:cam@rockymountainsoap.com)

**Rocky Mountain Soap Co.** | [rockymountainsoap.com](http://rockymountainsoap.com)  
SIMPLE, NATURAL INGREDIENTS.

NOTE: I batch process my emails weekly so it may take several days to get back to you. If it's urgent, please call my cell or put URGENT in the subject header. Thank you for your patience.

**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: Fwd:  
**Date:** Wednesday, February 15, 2023 6:41:27 AM  
**Attachments:** [image001.png](#)

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President & CEO  
Office: 403-688-3500  
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Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

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---

**From:** Kris Charchun <kris@canmoreglass.com>  
**Sent:** Tuesday, February 14, 2023 12:10 PM  
**To:** Steve Ashton <steve@ashtonconstruction.ca>  
**Subject:** Fwd:

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----- Forwarded message -----

From: Eurokan <[eurokan@shaw.ca](mailto:eurokan@shaw.ca)>

Date: Tue, Feb 14, 2023 at 11:30 AM

Subject:

To: Kris <[kris@canmoreglass.com](mailto:kris@canmoreglass.com)>

To Whom It May Concern:

We fully support and endorse Canglass (Kris Charcun) application to add an extra level on the building at 127 Bow Meadows Crescent in order to provide staff accommodation.

Lack of staff housing has reached a crisis point in Canmore and if small businesses are to thrive and support the community, this initiative, in our opinion should be welcomed with open arms.

Regards,

Karen and Tony Dix, Eurokan Auto, 125 Bow meadows Crescent, Canmore T1W 2W8

--

*Regards,*

***KRIS CHARCHUN***

|\_\_\_\_\_|

132 -105 Bow Meadows Crescent

Canmore Alberta T1W 2W8

p. 403 678 4588

f. 403 678 5531

w. [www.canglass.com](http://www.canglass.com)

**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: Letters of Support for Canglass - Employee Housing development permit application  
**Date:** Wednesday, February 15, 2023 6:41:08 AM  
**Attachments:** [image001.png](#)

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To whom it may concern, this letter of support has been forwarded on behalf of the party below in regards to the SDAB Appeal Hearing - PL20220342 - 127 Bow Meadows Crescent.

Sincerely,

Ashton Construction Services Inc.

Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



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[www.ashtonconstruction.ca](http://www.ashtonconstruction.ca)

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**From:** Travis Tipler <[travis@cansign.com](mailto:travis@cansign.com)>  
**Sent:** Tuesday, February 14, 2023 12:56 PM  
**To:** Steve Ashton <[steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)>  
**Cc:** Kris Charchun <[kris@canmoreglass.com](mailto:kris@canmoreglass.com)>; Donovan Kingsburgh <[donovan@ashtonconstruction.ca](mailto:donovan@ashtonconstruction.ca)>; RJ Bender <[rj@ashtonconstruction.ca](mailto:rj@ashtonconstruction.ca)>; Michelle Ouellette <[mouellette@mcelhanney.com](mailto:mouellette@mcelhanney.com)>  
**Subject:** RE: Letters of Support for Canglass - Employee Housing development permit application

**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 Whom It May Concern:

We are located across the street from the new CanGlass building and are writing this email in support of the CanGlass application for staff housing.

Affordable housing and staff housing are major concerns for the Town of Canmore as well as its business owners/operators, schools, hospitals, etc.

While continued solutions for this problem are investigated, if there is a business owner who is working to help alleviate some of their own staffing hurdles, it can't be seen as anything but positive.

Regards,

Travis and Lonnie Tipler  
CanSign Inc.  
102 Bow meadows Crescent, Canmore T1W 2W9

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**From:** Steve Ashton <[steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)>

**Sent:** February 10, 2023 5:44 PM

**Cc:** Kris Charchun <[kris@canmoreglass.com](mailto:kris@canmoreglass.com)>; Donovan Kingsburgh <[donovan@ashtonconstruction.ca](mailto:donovan@ashtonconstruction.ca)>; RJ Bender <[rj@ashtonconstruction.ca](mailto:rj@ashtonconstruction.ca)>; Michelle Ouellette <[mouellette@mcelhanney.com](mailto:mouellette@mcelhanney.com)>

**Subject:** Letters of Support for Canglass - Employee Housing development permit application

Dear neighbours, business owners and property owners of Bow Meadows Crescent,

As you may or may not be aware, the owner of Canglass, Kris Charchun, who is long time well respected business owner in Canmore, has purchased the building and property located at 127 Bow Meadows Cres. in Canmore. We have helped him to build a 3000ft<sup>2</sup>, 2<sup>nd</sup> floor addition on this property which is intended to be used as 1500ft<sup>2</sup> of office to compliment his glass shop below and 1500ft<sup>2</sup> of employee housing consisting of 2 small, 2 bedroom units. This will be for his staff to use and will be dedicated to his business. He needs this staff accommodation to attract and retain staff as there is an affordability and housing crisis currently ongoing in Canmore.

Ashton Construction and Kris have applied for the development permit for this discretionary use with regards to the employee housing and have been denied a development permit from the Town of Canmore even though this is a discretionary use. The Town has stated that they would like to ensure all space in this district is dedicated to industrial use even though we all know that 2<sup>nd</sup> floor is really only suitable for office, gyms, employee housing and storage, etc. Main floor is the useful industrial space and most of the time the 2<sup>nd</sup> floor space goes unused.

Please keep in mind Kris is not changing any of the existing main floor industrial space, he is only adding 2<sup>nd</sup> floor office and employee housing.

I am writing this email to ask for a email letter of support as we have appealed this refusal by the town of canmore and it will be heard at an SDAB hearing on February 22, 2023. We are looking for your letters of support by not later than 11:00am, February 14<sup>th</sup>, 2023.

Here are some points that you might find helpful for your letter of support;

- Employee housing above 2<sup>nd</sup> floor is a discretionary use in this land use district. The project complies with all requirements to meet the bylaw for employee housing and there is ample parking onsite.
- All industries in Canmore need to attract employees to survive. Our employees are having a hard time finding places to live that are affordable if they can find them at all. Employers need to find these solutions which they are willing to do.
- Living wage in Canmore was previously \$37/hr and is now \$32 which must be incorrect as how does it go down (but that is maybe a separate issue.....) I think we can both attest that it is much closer to \$37/hr for good quality workers. We either have to pay our employees wages that we cannot charge to stay competitive or potentially subsidize housing for our employees.
- **Kris bought this building with its discretionary use and is now being told he is not allowed to use it for that. How is that fair to everyone in this neighborhood who owns real estate and is not able to use it the way its intended. Did the town follow the democratic process and allow the neighbours to voice their concern if they had any?**
- Why is employee housing being allowed in Moose Meadows or at 121 Bow Meadows? Why are these developments and these property owners allowed to house their staff and not Canglass?
- We have letters of support from the mayor for this issue and he is questioning admin on this issue.
- Council has stated and declared a housing crisis. I have first hand experience on this challenge as I was the chairman of the board for Canmore Community Housing for 5 years. There is a comprehensive housing needs study that the Town of Canmore carried out that indicates the shortfall of housing in Canmore, especially employee housing.

Thank you for your time and please do not hesitate to contact me should you need any clarification or want to discuss further. Thank you in advance,

Sincerely,

Ashton Construction Services Inc.

Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)



\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



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**From:** [Steve Ashton](#)  
**To:** [Shared.Planning](#)  
**Subject:** FW: Letters of Support for Canglass - Employee Housing development permit application  
**Date:** Thursday, February 16, 2023 6:41:06 AM  
**Attachments:** [image003.png](#)  
[image004.png](#)

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To whom it may concern, this letter of support has been forwarded on behalf of the party below in regards to the SDAB Appeal Hearing - PL20220342 - 127 Bow Meadows Crescent.

Sincerely,

Ashton Construction Services Inc.

Steve Ashton, C.E.T., LEED AP, N.C.S.O.  
President & CEO  
Office: 403-688-3500  
Direct: 403-812-0844  
Email: [steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)

\*\*I check email twice daily at 9 a.m. and 4 p.m. MST. If your matter is urgent, please call or text me.



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**From:** Dustin Taylor <[Dustintaylor@hotmail.com](mailto:Dustintaylor@hotmail.com)>  
**Sent:** Wednesday, February 15, 2023 1:49 PM  
**To:** Steve Ashton <[steve@ashtonconstruction.ca](mailto:steve@ashtonconstruction.ca)>  
**Cc:** Kris Charchun <[kris@canmoreglass.com](mailto:kris@canmoreglass.com)>; Donovan Kingsburgh <[donovan@ashtonconstruction.ca](mailto:donovan@ashtonconstruction.ca)>; RJ Bender <[rj@ashtonconstruction.ca](mailto:rj@ashtonconstruction.ca)>; Michelle Ouellette <[mouellette@mcelhanney.com](mailto:mouellette@mcelhanney.com)>  
**Subject:** RE: Letters of Support for Canglass - Employee Housing development permit application

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Hello Steven,

Cascade Mechanical is in full support of Can Glass building permits. In this current housing market and lack of available rentals this is a necessary path to create more available and affordable staff housing. Let me know if we can do anything further to support Chris in this matter.

Thank You



[www.cascademechanical.ca](http://www.cascademechanical.ca)

**Dustin Taylor**

Cascade Mechanical Ltd

Email: [dustintaylor@cascademechanical.ca](mailto:dustintaylor@cascademechanical.ca)

Phone: 403-679-1983

Direct 403-812-0882

cell 403-688-1115

104-105 Bow Meadows Crescent  
Canmore, AB, T1W 2W8

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