



# NOTICE OF DECISION

**\*THIS IS NOT A DEVELOPMENT PERMIT\***

**DEVELOPMENT PERMIT No.:** PL20210423

**APPLICANT NAME:** Arbus Mountain Homes Inc.

**MUNICIPAL ADDRESS:** 1330, 1338, 1342 1<sup>ST</sup> Avenue

**LEGAL ADDRESS:**

1. THAT PORTION OF LOT 15 WHICH LIES TO THE SOUTHEAST OF THE NORTH WEST 25 FEET THEREOF AND ALL OF LOT 16; BLOCK 94; PLAN 1095F
2. LOT 14 AND THE NORTH WESTERLY 25 FEET THROUGHOUT OF LOT 15; BLOCK 94; PLAN 1095F
3. LOT 13; BLOCK 94; PLAN 1095F

**LAND USE DISTRICT:** Teepee Town Comprehensive Area Redevelopment District

**APPROVED USE(S):** 13 Townhouse Units and 6 Common Amenity Housing Units

**DATE OF DECISION:** February 23, 2022

**APPROVED BY:** Canmore Planning Commission

**DATE ISSUED:** February 25, 2022

It has been decided that the application be **APPROVED** subject to the conditions noted in the attached **Schedule A – Conditions Of Approval**.

**This application was deemed complete on:** December 17, 2021

DocuSigned by:  
*Jeff Roberts*  
93CE122BA688408  
\_\_\_\_\_  
Signature

3/1/2022 | 10:47 AM PST  
\_\_\_\_\_  
Date

Chair,  
Canmore Planning Commission

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

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



# **SCHEDULE A**

## **CONDITIONS OF APPROVAL**

**DEVELOPMENT PERMIT No.:** PL20210423

**LAND USE DISTRICT:** TPT-CR District

**APPROVED USE(S):** 13 TOWNHOUSE UNITS  
6 COMMON AMENITY HOUSING UNITS

**APPROVED VARIANCE(S):** 1. MAXIMUM DENSITY,  
2. MAXIMUM EAVELINE HEIGHT,  
3. MINIMUM BUILDING STEP BACK  
4. MAXIMUM CANOPY PROJECTION

**LEGAL ADDRESS:** PLAN 1095F  
BLOCK 94  
THAT PORTION OF LOT 15 WHICH LIES TO THE  
SOUTH EAST OF THE NORTH WEST 25 FEET  
THEREOF AND ALL OF LOT 16

PLAN 1095F  
BLOCK 94  
LOT 14 AND THE NORTH WESTERLY 25 FEET  
THROUGHOUT OF LOT 15

PLAN 1095F  
BLOCK 94  
LOT 13

### **APPROVED VARIANCES TO LAND USE BYLAW 2018-22**

1. Section 3.18.2.12 - Maximum Density: Increase maximum density from 66 units per hectare to 77.8 units per hectare.
2. Section 3.18.2.11 - Maximum Eaveline Height: Increase maximum eaveline height from 7.5 m to 8.14 m.
3. Section 3.18.2.9 - Required Building Step Back Above Eaveline: Allow no minimum step back above the eaveline for the front and rear facades of all buildings from the required minimum 1.0 m.
4. Section 2.4.3 - Maximum Permitted Canopy Projection into the Rear Yard: Allow the canopy to project to the rear property line from the 0.6 m maximum permitted projection.

### **STANDARD CONDITIONS:**

1. Prior to the release of the Development Permit, the applicant shall enter into a Development Agreement with the Town of Canmore to do the following:
  - a. construct or pay for the construction of the municipal improvements, infrastructure



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and services required by the development, which may include but shall not be limited to:

- Transportation;
  - Water;
  - Sanitary;
  - Storm; and
  - Fire
- b. pay the off-site levies imposed by the Off-Site Levy Bylaw; and
  - c. provide security in accordance with the Engineering Design and Construction Guidelines (EDCG) to ensure the terms of the Development Agreement are carried out.
2. 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.
  3. All construction associated with the approval of this Development Permit shall comply with the Town of Canmore Engineering requirements as outlined in the Engineering Design and Construction Guidelines (EDCG).
  4. All construction associated with the approval of this Development Permit shall comply with the Tree Protection Bylaw and ensure all tree protection measure are appropriately put in place prior to the development of the site, where determined necessary by the Town of Canmore Parks Department.
  5. All construction, landscaping and exterior finishing materials are to be as shown on the approved plans and other supporting material submitted with the application.
  6. Any trees, shrubs or other plant material installed as part of the landscaping plan which may die or are blown over, shall be replaced on an ongoing basis, prior to receipt by the developer of a Development Completion Certificate.
  7. Any roof top mechanical apparatus, including chimneys and vents, shall be screened to the satisfaction of the Development Authority.
  8. Access to the site for emergency vehicles shall be to the satisfaction of the Manager of Emergency Services.
  9. All signs shall require a separate development permit.
  10. **No occupancy** shall be permitted until an Occupancy Certificate has been issued by the Town of Canmore.

### **SPECIFIC CONDITIONS:**

1. The applicant shall provide security to the Town of Canmore to ensure the completion of the project, in the form of cash or an irrevocable Letter of Credit. The amount should be equal to or no less than 1.25 (125%) of the estimated project costs for the project for landscaping and all hard surfacing, paving; and, site servicing; both to the satisfaction of the Town. The Letter of Credit shall be supplied at the time of the signing of the Development Agreement, and shall be in a format acceptable to the Town of Canmore.



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2. The Developer shall pay off site levies according to the approved bylaw adopted by Council at the time of the signing of the Development Agreement. The Development Agreement shall specify the manner of the payment of these monies and all other relevant fees and contributions as determined by approved Town of Canmore policy(ies).
3. The Developer shall submit and follow their approved Construction Management Plan. The construction management plan submitted shall be followed through all stages of construction. If any problems arise where the Town Bylaws are being violated, a Stop Work Order will be delivered without warning and all construction shall cease until all problems have been rectified to the satisfaction of the Town of Canmore.
4. The Developer is required to provide a minimum of **25** vehicle parking stalls (plus **1** visitor/loading stall), **20** long term bicycle stalls and **48** short term bicycle stalls as shown more or less in the approved plans to the satisfaction of the Development Officer. The Developer shall provide **1** visitor/loading stall in the location indicated in the approved plans. All on-site parking stalls, and loading spaces shall be graded and paved to dispose of drainage to the satisfaction of the Development Officer.
5. The Developer shall provide landscaping generally in accordance with the approved landscaping plan.
6. The Developer agrees to comply with the requirements for enhanced green construction, and that the development will be 1-10% better than the current NECB in place at the time of development as outlined in Section 11 Green Building Regulations of the Land Use Bylaw.
7. Commitments expressed in the Developer's Sustainability Screening Report become conditions of approval upon the signing of this Schedule A and will be included in the development agreement.
8. No plant material is permitted between 0.0m and 1.5m from the building.
9. Unless permission is granted by the Town of Canmore, snow clearing shall be handled on-site. No snow shall be pushed onto publicland.
10. The Developer shall screen any mechanical equipment or vents to the satisfaction of the Development Officer.
11. The Developer has requested the use of the Town of Canmore's solid waste services for this development. The Developer acknowledges and agrees to pay a levy and then a monthly fee, as established by and to satisfaction of the Town of Canmore, for use of this service.

### **Prior to the Release of the Development Permit Conditions**

12. **Prior to the release of the Development Permit**, the Developer shall submit updated plans showing the relocation of street light within 1<sup>st</sup> Avenue and the power poles and associated pole anchors in the rear lane, as shown below, to a location that ensures the infrastructure does not conflict with minimum vehicle parking stall/driveway offsets and dimensions in accordance with the Town of Canmore Engineering Design and Community Guidelines and other applicable utility provider offsets.

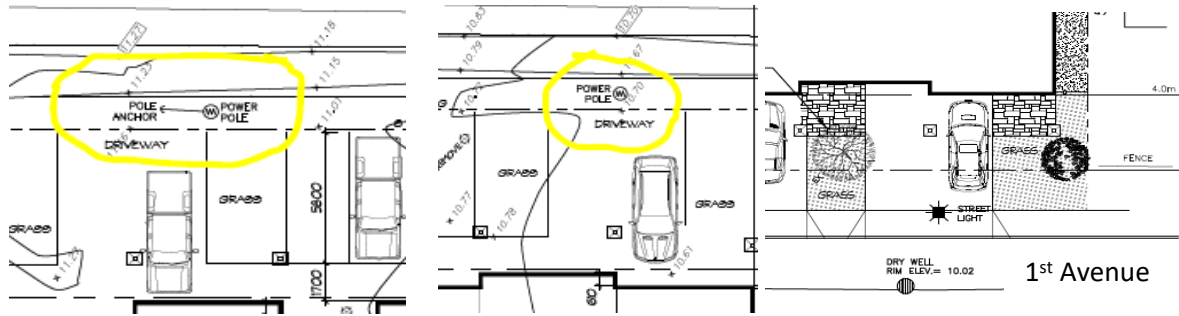
Rear Lane

Rear Lane



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13. **Prior to the release of the Development Permit**, the Developer shall submit updated drawings showing the location and dimensions of the required 48 exterior, sheltered and lit bicycle parking stalls and the 20 required bike lockers, in accordance with the Town of Canmore Engineering Design and Construction Guidelines and to the satisfaction of the Engineering Department.
14. **Prior to the release of the Development Permit**, the Developer shall pay the following variance fees:
  - Four (4) approved variances:
  - Discretion limited in Land Use Bylaw 1@ \$370.00 = \$370.00
  - Discretion not limited in Land Use Bylaw 3@ \$200.00 = \$600.00
  - TOTAL FEES PAYABLE: \$970.00
15. **Prior to the release of the Development Permit** the Developer shall pay \$835 per unit, collected through the Development Agreement, as a levy for use of the Town of Canmore's solid waste services.
16. **Prior to the release of the Development Permit** the Developer shall submit revised drawings showing additional architectural elements to frame the townhouse entrances/doorways. The architectural elements will be to the satisfaction of the Development Officer.

### **Prior to the Release of the Building Permit and Commencement of Construction Conditions**

17. **Prior to the release of the building permit**, the Developer shall consolidate Lot 13, Block 94, Plan 1095F; and Lot 14 and the north westerly 25 feet throughout of Lot 15, Block 94, Plan 1095F; and that portion of Lot 15 which lies to the south east of the north west 25 feet thereof and all of Lot 16, Block 94, Plan 1095F to the satisfaction of the Development Officer.
18. Future changes are being planned for the roadway network in Teepee Town, consistent with the Town's Integrated Transportation Plan. Features of the new design will include traffic calming and improved conditions for walking and cycling. This work will involve reconstruction of the road right-of-way and changes to elevations on 1<sup>st</sup> Avenue and the lanes surrounding the site, which will inform grading on the site and tie-ins to private property. **Prior to the release of the building permit**, the Developer shall:
  - a. Ensure the site frontage is tied back to the existing cross-section at either end of the frontage to function in the interim until the remainder of the roadway is built to the new standard; and
  - b. Undertake detailed design and construction of a 1.8m sidewalk, curb and gutter, boulevard, and streetlighting to fit in with the future streetscape and tie this development into the neighbourhood along the 1<sup>st</sup> Avenue frontage of the site.



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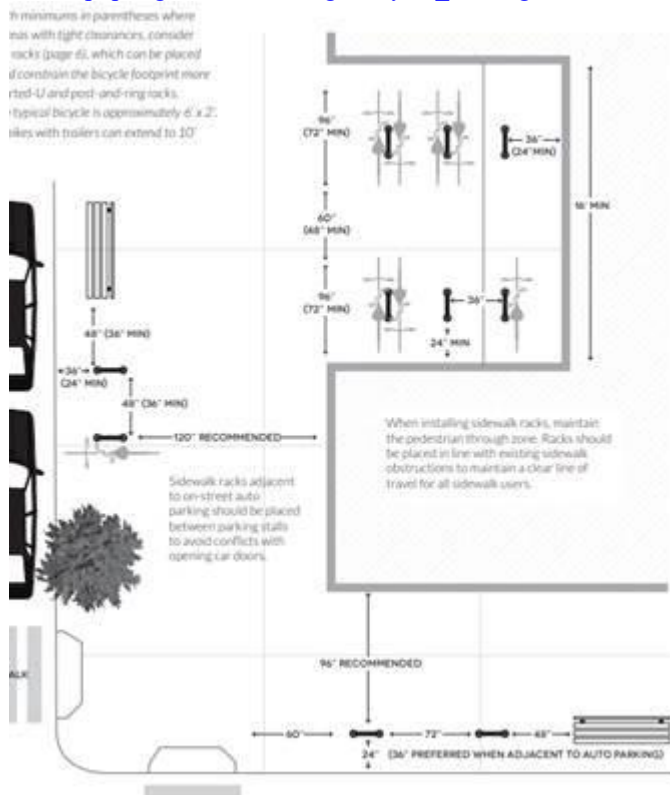
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Driveway interface with the roadway must be a rolled curb.  
Detailed design including ground floor elevation shall be to the Satisfaction of the Town of Canmore Engineering Department.

19. **Prior to the release of the building permit**, the Developer shall submit a revised site plan showing the location/designated areas for snow storage onsite to the satisfaction of the Development Officer and Town of Canmore Engineering Department.
20. **Prior to the release of the building permit**, the Developer shall submit revised drawings showing all private utilities and/or infrastructure is located within the site and not the road right-of-way and is a minimum 0.5m away from any sidewalk or driveway. These drawings shall be to the satisfaction of the Town of Canmore Engineering Department.
21. The applicant must provide a detail for interior and exterior bicycle parking stalls, indicating dimensions and spacing, prior to the release of a Building Permit and subject to approval by the Engineering Department.

All bicycle parking facilities shall be installed in accordance with the “recommended” (not minimum) dimensions presented in the Association of Pedestrian and Bicycle Professionals Essentials of Bike Parking guidelines. Inverted U racks are recommended, ‘rim bender’ style bicycle racks are not permitted.

[www.apbp.org/resource/resmgr/Bicycle\\_Parking/EssentialsofBikeParking\\_FINA.pdf](http://www.apbp.org/resource/resmgr/Bicycle_Parking/EssentialsofBikeParking_FINA.pdf)



22. **Prior to the release of the building permit**, the Developer shall submit detailed drywell design drawings to the satisfaction of Town of Canmore Engineering Department.
23. **Prior to the release of the building permit**, the Developer shall submit detailed grading and



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servicing drawings to the satisfaction of Town of Canmore Engineering Department.

- 24. **Prior to the release of the Building Permit**, an updated servicing design narrative will be provided showing the calculated design flows for both water and sanitary sewer. The design narrative to state that designs are to be in accordance with the Town of Canmore, Engineering Design and Construction Guidelines to the satisfaction of the Town of Canmore Engineering Department.
- 25. **Prior to the release of the Building Permit**, the Developer shall submit a Stormwater Management Design narrative. The design narrative to state that designs are to be in accordance with the Town of Canmore, Engineering Design and Construction Guidelines to the satisfaction of the Town of Canmore Engineering Department.
- 26. **Prior to the release of the Building Permit**, the Developer shall submit addressing in accordance with the Town's Civic Addressing Protocol.
- 27. **Prior to the release of the Building Permit**, the Developer shall provide lighting details as required by, and in conformance with Land Use Bylaw 2018-22 and to the satisfaction of the Development Officer.
- 28. **Prior to the release of the Building Permit**, the Developer shall provide a pre-construction energy report estimating the energy efficiency of the development using the current NECB.

### Prior to Occupancy and Operation Conditions

- 29. Prior to occupancy, the Developer shall provide evidence that the building achieved between 1-10% better than the current NECB in place at the time of development as outlined in Section 11 Green Building Regulations of the Land Use Bylaw.

DocuSigned by:

*Jeff Roberts*

93CE122BA688408

Signature

CHAIR, CANMORE PLANNING COMMISSION

3/1/2022 | 10:47 AM PST

Date

IS A NOTICE POSTING REQUIRED:  YES