

TOWN OF CANMORE
AGENDA
Special Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, May 24, 2022 at 9:00 a.m.

Times are estimates only.

PUBLIC QUESTION PERIOD – Before meeting is called to order

- 9:00 – 9:05 **A. CALL TO ORDER AND APPROVAL OF AGENDA**
 1. Land Acknowledgement
 2. Agenda for the May 24, 2022 Special Meeting of Council
- 9:05 – 12:00 **B. PUBLIC HEARINGS**
 1. **Bylaws 2022-09 and 2022-10 800 3rd Avenue Municipal Development Plan
 and Land Use Bylaw Amendments**
 (1) Introduction
 (2) Brief Summary from Administration to Provide Context
 (3) Public Verbal Submissions
 (4) Public Written Submissions
 (5) Council Questions of the Applicant
 (6) Closing Comments from Administration
 (7) Council Questions of Administration
 (8) Closure of Public Hearing
- 12:00 – 1:30 **Lunch Break**
- C. DELEGATIONS – None**
- D. APPROVAL OF MINUTES – None**
- E. BUSINESS ARISING FROM THE MINUTES – None**
- F. UNFINISHED BUSINESS – None**
- 1:30 – 3:00 **G. BYLAW APPROVAL**
 1. **Bylaws 2022-09 and 2022-10 800 3rd Avenue Municipal Development Plan
 and Land Use Bylaw Amendments**
 Direction to administration to prepare for second reading.
- H. NEW BUSINESS – None**
- I. REPORTS FROM ADMINISTRATION – None**
- J. NOTICES OF MOTION – None**
- K. IN CAMERA – None**
- 3:00 **L. ADJOURNMENT**

BYLAW 2022-09

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND MUNICIPAL DEVELOPMENT PLAN BYLAW 2016-03**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

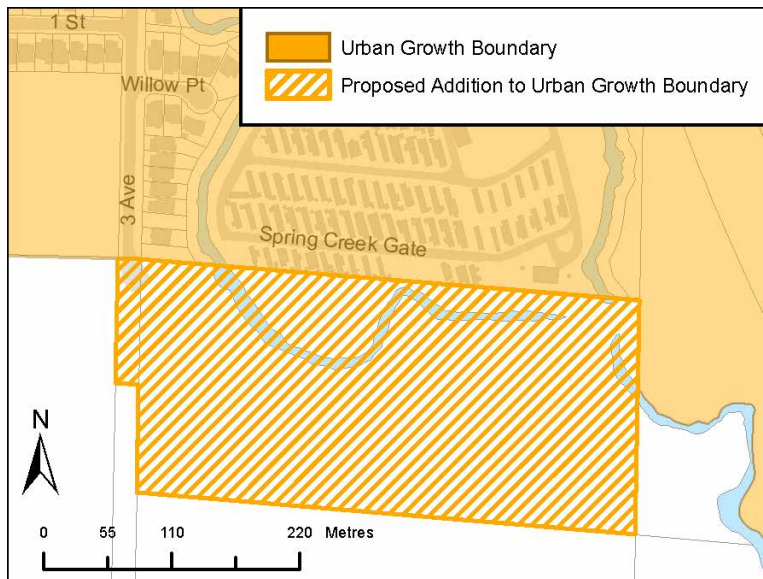
1. This bylaw shall be known as the “Bylaw 2022-09 Municipal Development Plan Amendments 3rd Avenue South.”

INTERPRETATION

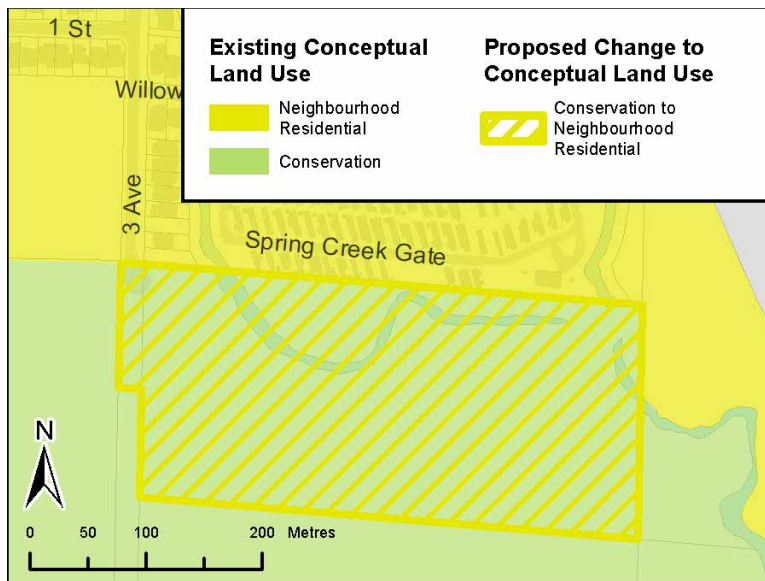
2. Words defined in Municipal Development Plan Bylaw 2016-03 shall have the same meaning when used in this bylaw.

PROVISIONS

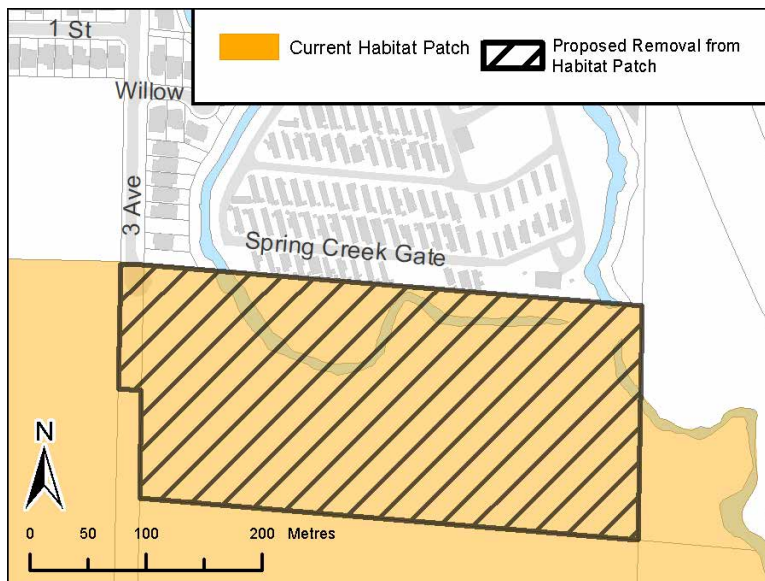
3. Municipal Development Plan Bylaw 2018-16 is amended by this bylaw.
4. Meridian 5 Range 10 Township 24 Section 28, the South Half of Legal Subdivision 13 in the Northwest Quarter, as shown on a Township Plan dated 02 March 1889, with a Municipal Address of 800 3rd Avenue, and as shown on the maps below, is redesignated as follows:
 - a) Map 1. The Growth Boundary is amended to include this site within the Growth Boundary as shown on the map below and in Schedule A.



- b) Map 2. The Conceptual Land Use for this site is changed from “Conservation” to “Neighbourhood Residential” as shown on the map below and in Schedule B.



- c) Map 4. The Wildlife Corridors and Habitat Patches boundary is changed to remove this site from the area designated as Habitat Patch as in Schedule C.



ENACTMENT/TRANSITION

- 5. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 6. Schedules A, B, and C form part of this bylaw.
- 7. This bylaw comes into force on the date it is passed.

FIRST READING: May 3, 2022

PUBLIC HEARING;

SECOND READING:

THIRD READING:

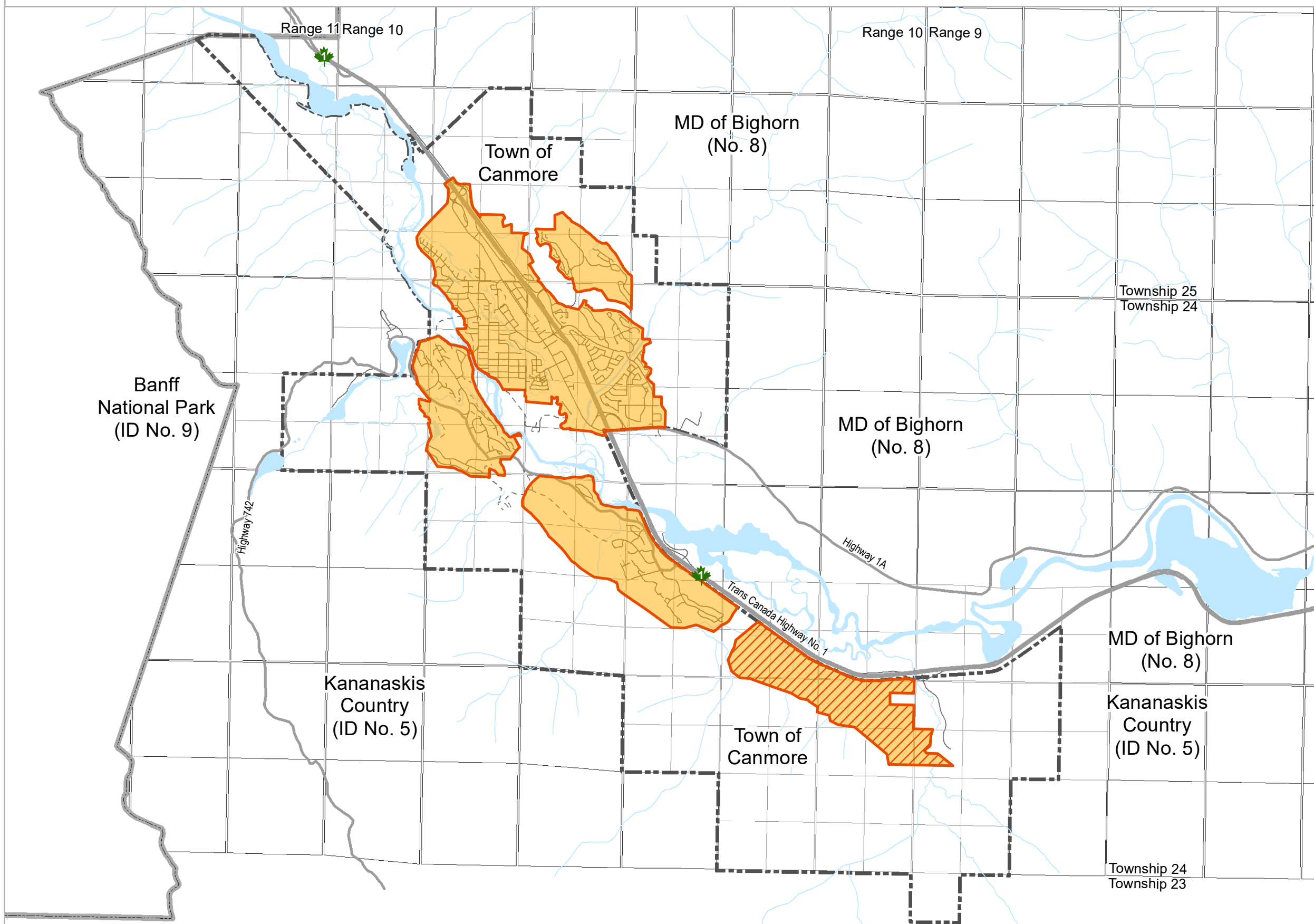
Approved on behalf of the Town of Canmore:

 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date

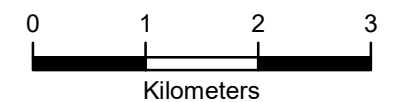


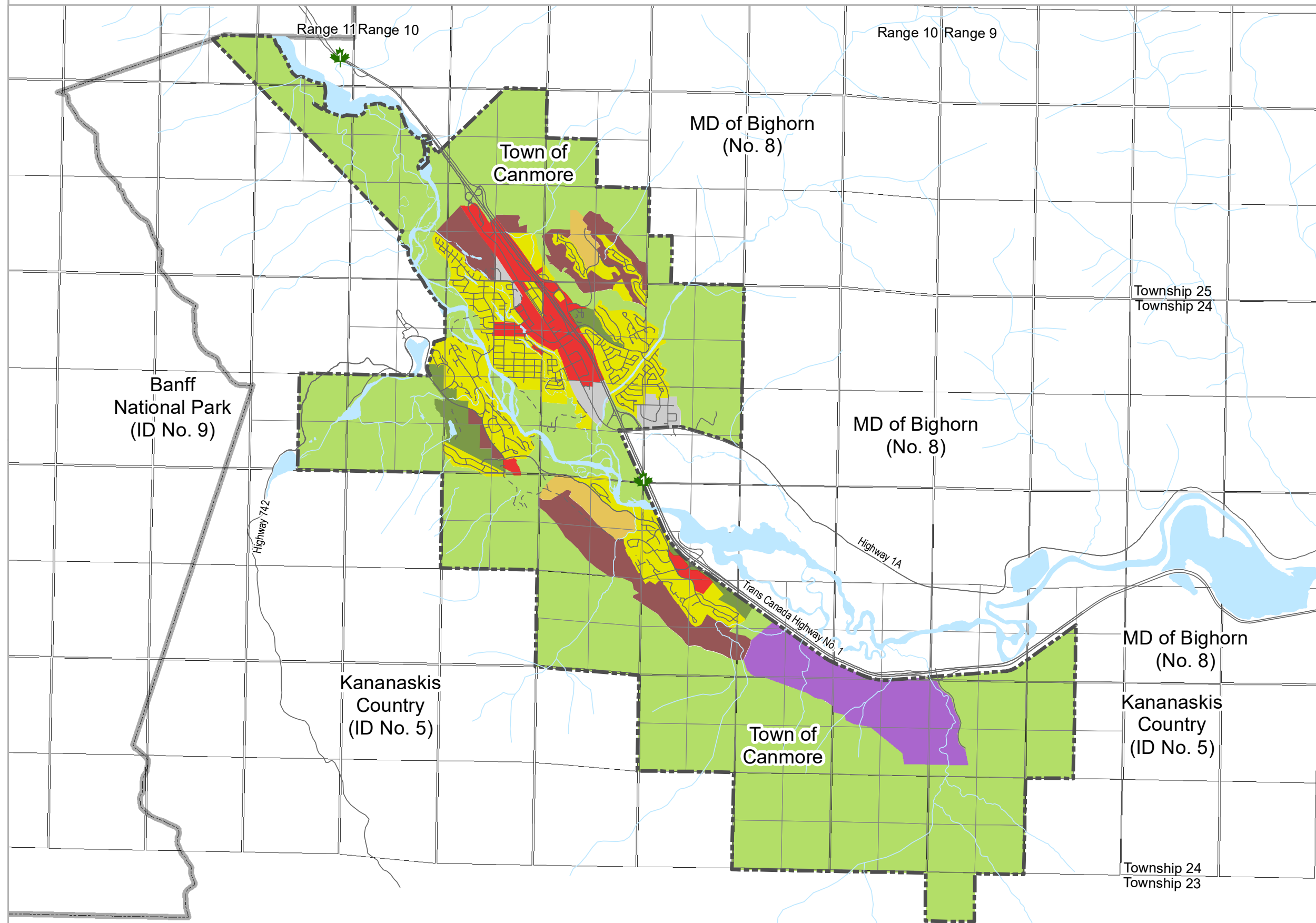
Legend

- Growth Boundary
- Area To Be Determined
- Town Boundary

Disclaimer:

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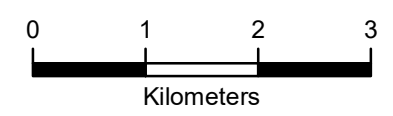


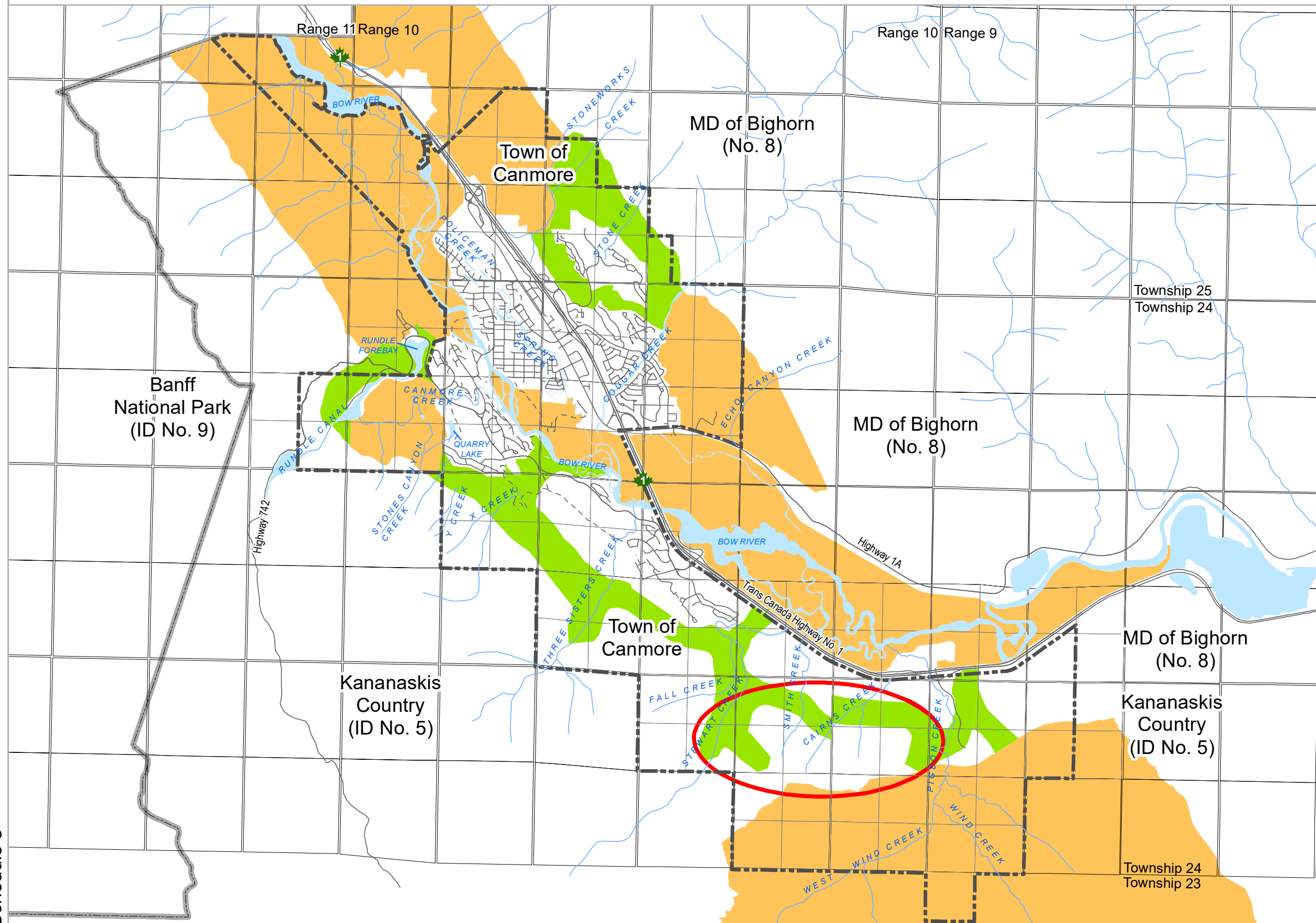


Legend

- Neighbourhood Residential
- Commercial and Mixed Use
- Industrial
- Resort Centre
- Future Planning
(Area To Be Determined)
- Conservation
- Community Open Space
And Recreation
- Private Recreation
- Town Boundary

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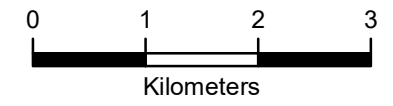


Legend

- Habitat Patch
- Wildlife Corridor
- Town Boundary
- Area Under Review

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BYLAW 2022-10

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND REVISED LAND USE BYLAW 2018-22**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This bylaw shall be known as the “Bylaw 2022-10 800 3rd Avenue Direct Control District.”

INTERPRETATION

2. Words defined in revised Land Use Bylaw 2018-22 shall have the same meaning when used in this bylaw.

PROVISIONS

3. Revised Land Use Bylaw 2018-22 is amended by this bylaw.
4. Section 14 is amended to include section 14.40 as described in Schedule A of this bylaw.
5. Section 15, Map #3 of Bylaw 2018-22 is amended to re-designate the land identified in schedule A of this bylaw from FD Future Development District to 3rd Avenue South Land Direct Control District [2022-10]

ENACTMENT/TRANSITION

6. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
7. Schedule A forms part of this bylaw.
8. This bylaw comes into force on the date it is passed.

FIRST READING: May 3, 2022

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

14.40 3rd AVENUE SOUTH LAND DIRECT CONTROL DISTRICT [2022-10]

14.40.1 Purpose

To provide for a Care Facility and low-density Residential Detached Dwellings on wider lots with provisions to allow for Accessory Dwelling units and other compatible residential neighbourhood uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

The District is allocated into four sub-districts, A through D, with each sub-district having distinct uses and development standards.

14.40.2 Sub-district A Provisions | Care Facility

14.40.3 Purpose

To provide for a care facility and provide for compatible and complementary uses.

14.40.4 Permitted Uses

Care Facility

Accessory Building

14.40.5 Discretionary Uses

Amenity Space

Day Care

Public Building

Public Utility

Parking Area

Sign

Staff Accommodation

14.40.6 Sub-district A Regulations

14.40.6.1 The minimum yard setbacks are:

- a. Front Yard (north): 6.0 m
- b. Rear Yard (south): 1.5 m
- c. Side Yard (east): 1.5 m
- d. Side Yard (west): 1.5 m

14.40.6.2 The minimum lot area shall be 5400 m²

14.40.6.3 The maximum site coverage for all buildings shall be 2,000 m²

14.40.6.4 Maximum Gross Floor Area

- a. Care Facility buildings shall not exceed .35 FAR.

For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13, excepting there is no limit to square meters and height is limited to 2.0 m. where parking is in a basement area.

14.40.6.5 The maximum building height shall be 12 m.

14.40.7 Sub-district B Provisions | Residential

14.40.8 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling units and other compatible residential neighbourhood uses.

14.40.9 Permitted Uses

Accessory Building

Accessory Dwelling Unit, Attached

Accessory Dwelling Unit, Detached

Detached Dwelling

Home Occupation – Class 1

14.40.10 Sub-district B Regulations

14.40.10.1 The maximum number of residential lots shall be 3

14.40.10.2 The maximum number of Accessory Dwelling units on each lot shall be 1.

14.40.10.3 The minimum lot area shall be 1000 m²

14.40.10.4 The minimum yard setbacks are:

- a. Front Yard : 6.0 m
- b. Rear Yard : 7.5 m
- c. Side Yard : 1.5 m
- d. Side Yard: 1.5 m

14.40.10.5 The maximum building height shall be 9.5 m., and there is no maximum number of storeys.

14.40.10.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.

14.40.10.7 The maximum site coverage for all buildings on each lot shall be 372 m².

14.40.10.8 Maximum Gross Floor Area

- a. Residential buildings shall not exceed .35 FAR.

For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.

14.40.10.9 Accessory Buildings

- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
- b. Maximum Height shall be 5 m.

14.40.10.10 Accessory Dwelling Unit, Attached

- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²
- b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.10.11 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. Shall have a maximum total GFA of 110 m²
- c. Shall have a minimum rear yard setback of 1.5 m.
- d. Shall have a minimum side yard setback of 1.0 m.
- e. Shall have a maximum height of 9.5 m.
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 110 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.11 Sub-district C Provisions | Residential

14.40.12 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling units and other compatible residential neighbourhood uses, and development for a shared private road and bridge to the sub-district area.

14.40.13 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Home Occupation – Class 1

14.40.14 Sub-district C Regulations

- 14.40.14.1 The maximum number of residential lots shall be 2.
- 14.40.14.2 The maximum number of Accessory Dwelling units on a lot shall be 1.
- 14.40.14.3 The minimum lot area shall be 1000 m²
- 14.40.14.4 The minimum yard setbacks are:
- a. Front Yard (north): 6.0 m
 - b. Rear Yard (south): 7.5 m
 - c. Side Yard (east): 1.5 m
 - d. Side Yard (west): 1.5 m
- 14.40.14.5 The maximum building height shall be 9.5 m., and there is no maximum number of stories.
- 14.40.14.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.
- 14.40.14.7 The maximum site coverage for all buildings on each lot shall be 372 m².
- 14.40.14.8 Maximum Gross Floor Area
- a. Residential buildings shall not exceed .35 FAR.
- For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.14.9 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 5 m.
- 14.40.14.10 Accessory Dwelling Unit, Attached
- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²

- b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.14.11 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. Shall have a maximum total GFA of 110 m²
- c. Shall have a minimum rear yard setback of 1.5 m.
- d. Shall have a minimum side yard setback of 1.0 m.
- e. Shall have a maximum height of 9.5 m.
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 110 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.14.12 **Shared Bridge**

The bridge will be a clear span design across Spring Creek that will adhere to environmental best management practices to avoid effects on Spring Creek.

14.40.14.13 **Shared Driveway**

The maximum width of a shared driveway at the property line shall be 5 m, and no maximum length.

14.40.15 Sub-district D Provisions | Residential and Agriculture

14.40.16 Purpose

To provide for one Residential Detached Dwelling unit with provision for one Accessory Dwelling unit and other compatible residential uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

14.40.17 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Agriculture, Extensive
Home Occupation – Class 1
Public Utility

14.40.18 Discretionary Uses

Agricultural, Intensive
Public Building

14.40.19 Sub-district D Regulations

- 14.40.19.1 The minimum lot area shall be 3.9 hectares.
- 14.40.19.2 The minimum site width shall be 91.0 m.
- 14.40.19.3 The minimum setbacks for all yards shall be 15 m.
- 14.40.19.4 The maximum site coverage for all buildings and structures shall be 900 m²
- 14.40.19.5 The maximum building height shall be 12 m., and there is no maximum number of stories.
- 14.40.19.6 The minimum setback for buildings and structures backing onto Spring Creek or Policeman Creek shall be 20 m. from top of bank.
- 14.40.19.7 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 7 m.
- 14.40.19.8 Accessory Dwelling Unit, Attached
- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 140 m²
 - b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.
- 14.40.19.9 Accessory Dwelling Unit, Detached
- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.

- b. Shall have a maximum total GFA of 140 m²
- c. Shall have a minimum rear yard setback of 1.5 m
- d. Shall have a minimum side yard setback of 1.0 m;
- e. Shall have a maximum height of 9.5 m;
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 140 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.19.10 **Special Amenity**

The principal Dwelling unit in Sub-district D is permitted to have two (2) kitchens. A second kitchen is permitted where the occupants of the dwelling unit live as part of the same tenancy and have freedom of access throughout the dwelling unit.

14.40.20 Additional Requirements

14.40.21 General Regulations and Design Standards

All developments shall conform to Section 2, General Regulations and Section 11, Community Architectural and Urban Design Standards unless otherwise stated in this DC District.

14.40.22 Valley Bottom Flood Hazard Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.2 Valley Bottom Flood Hazard Overlay of this bylaw.

14.40.23 High Groundwater Area Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.3 High Groundwater Area Overlay of this bylaw.

14.40.24 Sustainable Screening Report

A Sustainability Screening Report (SSR) is required by the Town as part of the Development Permit application process for developments with a GFA of 500m² or more in accordance with Section 1, Administration, and the Town of Canmore Sustainability Screening Process.

14.40.25 Construction Environmental Management Plan

All construction shall be proceeded by a Construction Environmental Management Plan (CEMP) that is based on information provided in the Environmental Impact Statement (EIS). At a minimum the CEMP shall include the construction management mitigation measures (including an erosion and sediment control plan, spill response plan, and wildlife management plan) as described in the EIS for the site. Specifically, the CEMP should include the recommended mitigation measures presented in the EIS.

14.40.26 Environmental Reserve Easement

An environmental reserve easement will be provided at the time of subdivision and will include the following:

- 6m minimum along the top of bank along the creeks
- Shrubby swamp as identified in the EIS
- 10m minimum buffer along the shrubby swamp edge
- Pockets of land in the north and northeast section of the site

14.40.27 Development Authority

The approving authority shall be designated as the Development Officer for the Municipality.

14.40.28 Schedules

Schedule "A" shows the location of the District.

Schedule A: 3rd Ave South Land Direct Control District

Legal Description: S. ½ of L.S.D. 13, QTR NW, Sec 28, TWP 24, Range 10 Town of Canmore

Municipal Address: 800 3rd Avenue Town of Canmore

