

TOWN OF CANMORE

AGENDA

Subdivision & Development Appeal Board Hearing
Council Chambers at the Civic Centre, 902 – 7 Avenue
Thursday, March 14, 2024 at 2:00 p.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

1. **Board and Administration Introductions**
2. **Approval of the agenda for the March 14, 2024 Subdivision & Development Appeal Board Hearing**

B. APPROVAL OF RECORD OF PROCEEDINGS

1. **Record of Proceedings of the January 19, 2024 Subdivision & Development Appeal Board Business Meeting**

C. APPEAL HEARING

1. **PL20230327**
1004 3rd Avenue
Lot 2 Block 1 Plan 8410098
Construction of a detached dwelling with an accessory dwelling unit
Variance to water body setback and rear yard setback
Appeal against a refusal by the Canmore Development Authority

- (1) Introduction of Applicant
- (2) Development Authority Presentation
- (3) Applicant Presentation
- (4) Public Verbal Submissions
- (5) Public Written Submissions
- (6) Questions for Clarification
- (7) Closing Comments

D. CONCLUSION

**TOWN OF CANMORE
RECORD OF PROCEEDINGS**

Subdivision and Development Appeal Board Business Meeting
Council Chamber at the Canmore Civic Centre, 902 – 7 Avenue
January 19, 2024 at 10:45 a.m.

BOARD MEMBERS PRESENT

Andre Giannandrea	Chair
John McClure	Vice Chair
Christoph Braier	Member
Audrey Rogers	Member
Tanya Foubert	Council Representative
Karen Marra	Council Representative

BOARD MEMBERS ABSENT

Peter Moreland-Giraldeau	Vice-Chair
Larry Bohn	Member
Michelle Cooze	Member

ADMINISTRATION PRESENT

Cheryl Hyde	SDAB Clerk
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A. CALL TO ORDER AND APPROVAL OF AGENDA

1. Call to Order

The Clerk called the January 19, 2024 Subdivision and Development Appeal Board meeting to order at 10:45 a.m.

2. Approval of the Agenda for the January 19, 2024 Subdivision and Development Appeal Board Business Meeting

Moved by Andre Giannandrea that the Subdivision and Development Appeal Board approve the agenda for the January 19, 2024 meeting as presented.

CARRIED UNANIMOUSLY

B. APPROVAL OF RECORD OF PROCEEDINGS

1. Record of Proceedings of the December 14, 2023 Subdivision and Development Appeal Board Hearing

Moved by Karen Marra that the Subdivision and Development Appeal Board approve the record of proceedings of the December 14, 2023 meeting as presented.

CARRIED UNANIMOUSLY

C. NEW BUSINESS

1. Election of Chair and Vice Chairs for the 2024 Term

Moved by Audrey Rogers that the Board appoint Andre Giannandrea as chair of the Subdivision and Development Appeal Board for a term ending on December 31, 2024.

CARRIED UNANIMOUSLY

Moved by Andre Giannandrea that the Board appoint Peter Moreland-Giraldeau and John McClure as vice chairs of the Subdivision and Development Appeal Board for terms ending on December 31, 2024.

D. CONCLUSION

Moved by Andre Giannandrea that the Subdivision and Development Appeal Board conclude the January 19, 2024 meeting at 10:50 a.m.

CARRIED UNANIMOUSLY

Andre Giannandrea
Meeting Chair

Cheryl Hyde
SDAB Clerk



NOTICE OF APPEAL Application Form

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

PROPERTY INFORMATION			
Municipal Address 1004- 3 Avenue		Development Permit/Subdivision Application File Number PL20230327	
APPELLANT INFORMATION			
Name of Appellant Gibson & Jenna Rencz		Agent Name (if applicable) Alasdair Russell	
Mailing Address (for notification purposes) 200-817 main street B# 8716			
City canmore	Province alberta	Postal Code T1W 0B9	
Phone Number (Day) 403 678 3003		Email ar@russellandrussell.ca	
<input checked="" type="checkbox"/> The appellant/agent, gives authorization for electronic communication by the Clerk, using the email provided on this Notice of Appeal			

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

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

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)

We would like to appeal the mandatory refusal of the Development Permit on behalf of the owners Jenna and Gibson Rencz. They would like permission to renovate and add to the existing non-conforming dwelling and to create an attached Accessory Dwelling Unit.

Note; the renovation will REDUCE the current non-conforming building projections and provide and additional housing unit.

The 2 primary variances are to accommodate the existing dwelling foundation.

The existing dwelling was constructed prior to current creek and rear yard setback standards and would require a variance for any major works.

Creek Setback
The proposed renovation will move the existing dwelling 0.61m FURTHER away from the creek and the eaves 0.61m FURTHER from the creek.

Rear Yard Setback
The proposed renovation will REDUCE the building projection into the rear yard setback by 0.61m and REDUCE the eave projection into the rear yard setback by 0.61m.

Proposed Addition
The proposed addition requires a 5m variance to the 20m creek setback which is a standard request for lots created prior to September 1998. The addition is 15m from the creek as per new construction.

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 SDAB Clerk at municipal.clerk@canmore.ca.

Signature of appellant/agent alasdair russell <small>Digitally signed by alasdair russell Date: 2024.01.31 16:06:51-07'00'</small>	Date (MM/DD/YYYY) 2024-01-31
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SUBDIVISION AND DEVELOPMENT APPEAL BOARD

STAFF REPORT



DATE OF HEARING:	MARCH 14, 2024
PROPOSED DEVELOPMENT:	SINGLE DETACHED DWELLING (WITH AN ACCESSORY DWELLING UNIT, ATTACHED)
APPLICATION NUMBER:	PL20230327
LEGAL DESCRIPTION:	LOT 2, BLOCK 1, PLAN 8410098
CIVIC ADDRESS:	1004 3 rd AVENUE
CURRENT USE(S):	DETACHED DWELLING
APPLICANT:	ALASDAIR RUSSELL / RUSSELL AND RUSSELL DESIGN STUDIOS

Executive Summary

The proposed development is for the redevelopment of an existing detached dwelling into a detached dwelling with an attached accessory dwelling unit (ADU). Site considerations include the proximity of the existing dwelling to Spring Creek and the rear property line, and repurposing most of the existing foundation for the new dwelling, including the portions of the foundation which encroach into the rear yard and waterbody setbacks. As a result, the redevelopment proposal includes five (5) separate variance requests, two of which are beyond the Development Officer's authority to approve, as per the LUB (LUB).

The variances beyond the Development Officer's authority to approve relate to: the waterbody setback and the rear yard setback. The variances which are within the Development Officer's authority relate to building beyond the maximum building envelope, the side yard setback, and site coverage.

The existing dwelling is deemed legally non-conforming, as it was approved under a previous LUB, however, is not consistent with the current LUB. Variances proposed to the rear yard, side yard, and water body would bring the property into compliance.

The Planning Department recommends that the Subdivision and Appeal Board approve PL20230327 along with the attached Proposed Conditions of Approval (Attachment 5).

Background

Municipal Government Act (MGA):

With respect to Non-Conforming uses and Non-Conforming Buildings:

643(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except

- (a) to make it a conforming building*
- (b) for routine maintenance of the building, if the development authority considers it necessary, or*
- (c) in accordance with a Land Use Bylaw that provides minor variance powers to the development authority for the purposes of this section.*

Further, the Development Permit application followed the appropriate approval processes and timelines in accordance with sections 683 and 684 of the MGA. The processes and timelines described in sections 683 and 684 were met.

Land Use Bylaw:

With respect to Non-Conforming Buildings and Uses:

1.16.0.1 Except where otherwise specified within this Bylaw, the regulation of non-conforming uses and non-conforming buildings shall be in accordance with the Act.

1.16.0.2 As authorized by the Act, a non-conforming building may continue to be used, and the building may be enlarged, added to, rebuilt or structurally altered, if at the discretion of the Development Authority, the alterations do not substantially increase the extent of non-conformance and are within all other requirements of the Bylaw.

1.16.0.3 A Development Permit shall be required for any such additions or structural alterations.

With respect to the individual variances being requested, section 3.1 provides the development standards for the R1 Land Use District. Other relevant sections include:

1.14 (Variance powers of the Development Authority)

2.4 (Setback Regulations)

2.8 (Building Height and Roof Design)

Municipal Development Plan:

With respect to Existing Development Adjacent to a Waterbody:

4.2.24 Renovation or expansion of existing buildings located on a lot adjacent to a waterbody, or further encroachment into the required waterbody setback, may be allowed provided the development proposal does not negatively impact the waterbody. The submission of an EIS by a qualified professional that provides an evaluation of the impacts of the development proposal and recommends mitigation or enhancements may be required.

With respect to supporting infill and redevelopment within Existing Neighbourhoods:

6.1.9 In order to allow for the natural evolution of neighbourhoods and to meet the goals of this MDP, infill and redevelopment within existing neighbourhoods should be considered in accordance with Section 2. Priority areas for infill and redevelopment within existing neighbourhoods include areas:

- a. with adequate infrastructure and services that can accommodate growth and minimize costs,*
- b. in need of infrastructure upgrades,*
- c. within walking distance to the Town Centre or commercial services,*
- d. with access to existing or planned transit services, and*
- e. with aging housing stock.*

Existing Site

The subject site is within the *R1 – Residential Detached District*. The purpose of the district is:

“to provide for Detached Dwelling units on standard lots with provisions to allow for Accessory Dwelling Units and other compatible residential neighbourhood uses.”

“Detached Dwelling (with an Accessory Dwelling Unit)” is listed as a permitted use within the district.

The existing dwelling was constructed in 1991, in accordance with Building Permit 91-178. The existing building was constructed before the adoption of the current iteration of the LUB, resulting in instances where the existing dwelling is deemed to be legally non-conforming. Specifically, a portion of the north side of the building encroaches into the current side yard setback by 0.07m; the rear of the building encroaches into the rear yard setback by 3.81m; and the rear of the dwelling encroaches into the waterbody setback by 11.04m. See Attachment 3 for a full LUB conformance review.

Included in Attachment 4 is the existing Site Plan, the proposed Plot Plan, and the proposed Plot Plan with the addition to the building footprint highlighted in red.

Adjacent uses include single detached dwellings to the north, south and west. To the east lays Spring Creek. Refer to Attachments 1 and 4 for site photos and the Land Use District Map.

Bylaw Conformance/Variance Discussion

The following variances are outside the Development Authority’s ability to approve:

I. Waterbody Setback

The waterbody setback is proposed at a minimum of 8.96m from the bank of Spring Creek at its closest point. (Refer to Attachment 4 – Submitted Plans.) Section 2.4.8.2 of the LUB requires a minimum 20m setback from all waterbodies, with a maximum 5m variance being within the Development Officer’s authority to approve as per section 1.14.2 of the LUB.

Planning Department Position

The Planning Department supports this variance. Given the proposed redevelopment will be built upon the existing foundation, the extent of non-conformance would not be increased from what is currently found on the site. Further, the extent of the waterbody setback into the subject site offers a significant site constraint, limiting the developable area. The variance provides a reasonable opportunity to redevelop the existing site.

Town Administration did not require an environmental impact statement since reusing the existing foundation would lessen impacts on riparian lands adjacent to Spring Creek by limiting the need for excavation work needed to complete the proposed development. Should this variance be granted, environmental concerns would also be mitigated through the implementation of a construction management plan, which would address possible impacts from construction on the adjacent waterbody. Submission of a construction management plan is included as a standard condition in Attachment 5 – Proposed Conditions of Approval.

2. Rear Yard Setback

The rear yard setback is proposed at 3.69m from the rear property line at its closest point, instead of the minimum 7.5m required.

Planning Department Position

The Planning Department supports this variance. Similar to the waterbody setback, reusing the existing foundation for the new dwelling would not increase the extent of the non-conformance on the site. In addition, the current site faces significant limitations in the developable area when each of the yard setbacks and waterbody setbacks are allocated for. The proposed development provides a reasonable attempt to ensure the intent of the LUB is maintained while providing a reasonable site area to build within. Lastly, the impacts of the proposed development on adjacent property owners are limited by the overall scope of the proposed building envelope, which includes abiding by the maximum building heights of the R1 Land Use District, as well as largely being contained within the building envelope. Also, the 7.5m rear yard setback would be adhered to where the building footprint is proposed to be expanded to the south. Refer to Attachment 4 – Submitted Plans where an additional plot plan with red hatching has been provided, to reflect this expansion of the building footprint.

The following variances were within the Development Officer's ability to approve:

I. Maximum Building Envelope.

Since the proposed building design contains a multiple-pitch roof, the building envelope model has been used to the maximum building envelope within which the proposed development must be contained, as detailed in section 2.8.4 of the LUB. This creates a three-dimensional maximum envelope, which all of the building must be contained within, except for permitted projections.

Massing Envelope Renderings for the proposed development is included in the design package (see Attachment 4 – Submitted Plans). The renderings highlight each portion of each eave that is proposed to project beyond the maximum building envelope. Each of the eaves included in this variance does not project any further into a yard or waterbody setback than what would otherwise be permitted in Table 2-4-1 of the LUB. The greatest length of eave projecting beyond the building envelope is approximately 0.56m; for reference, the maximum eave projection into any yard setback is 0.61m. See below for a brief discussion of the longest length of eave projecting beyond the building envelope.

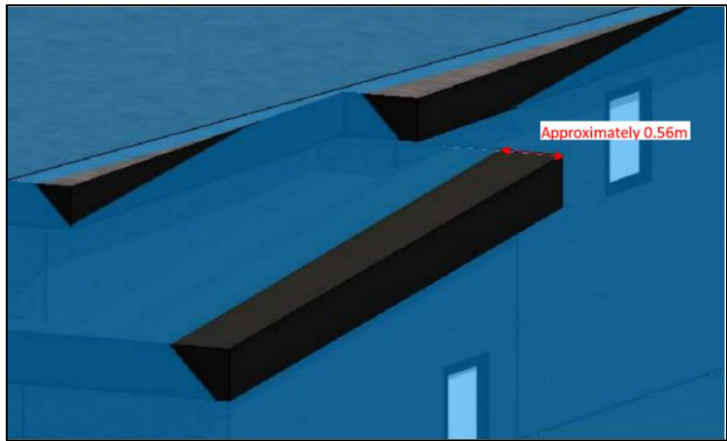


Figure 1: The greatest length of eave projection outside the building envelope can be seen above, with the observed length measured at 0.56m. This is approximately the same distance as the portion of eave seen protruding beyond the eave above, as shown in a portion of the roof plan in Figure 2.

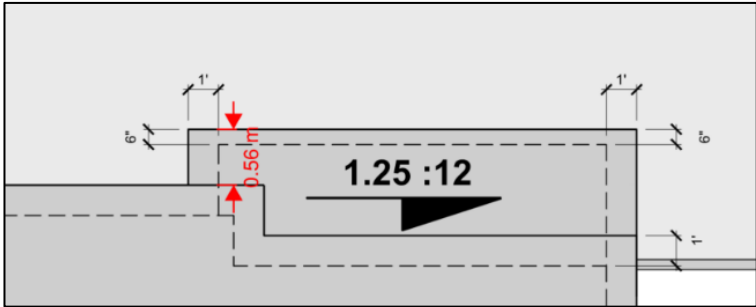


Figure 2: The highlighted eave from Figure 1, as seen from the top-down in the roof plan.

The following pages contain Figures 3 and 4, which provide varying angles of the building envelope, and the subsequent eaves included in this variance request, noted by red arrows.

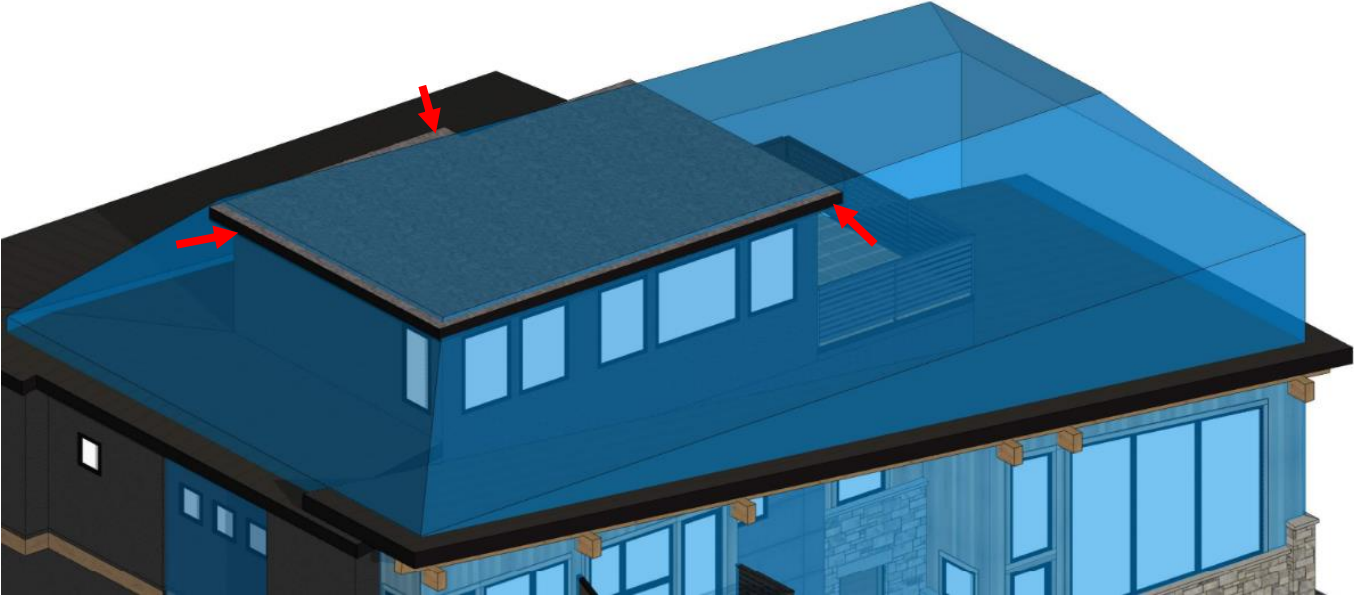


Figure 3: Front angle of the eaves projecting beyond the Building Envelope.

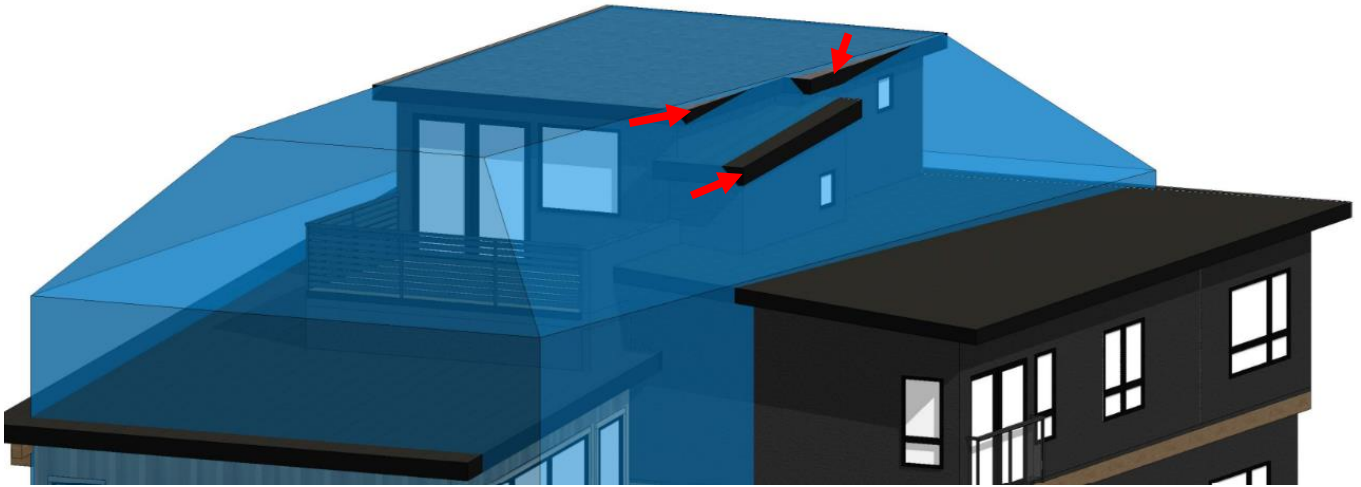


Figure 4: Rear angle of the eaves projecting beyond the Building Envelope.

Planning Department Position

The Planning Department supports this variance. The proposed building is under the maximum allowable height, and there are large portions of the maximum envelope that are not being utilized. In addition, these variances are consistent with the built form and character of the streetscape. The eave example noted above is found in the rear of the property, where the impact on adjacent property owners would be minimized. As a result, the proposed envelope variances are acceptable.

2. Side Yard Setback

The side yard setback of the existing property currently encroaches 0.07m into the 1.5m side yard (North) setback, as set out in section 3.1.3.6 of the LUB. As this portion of the foundation is proposed to be reused, the new dwelling would continue to encroach 0.07m into the side yard setback. The scope of the variance would be limited to 7.02m of the total length of the house along the North side yard, as indicated in Figure 7.

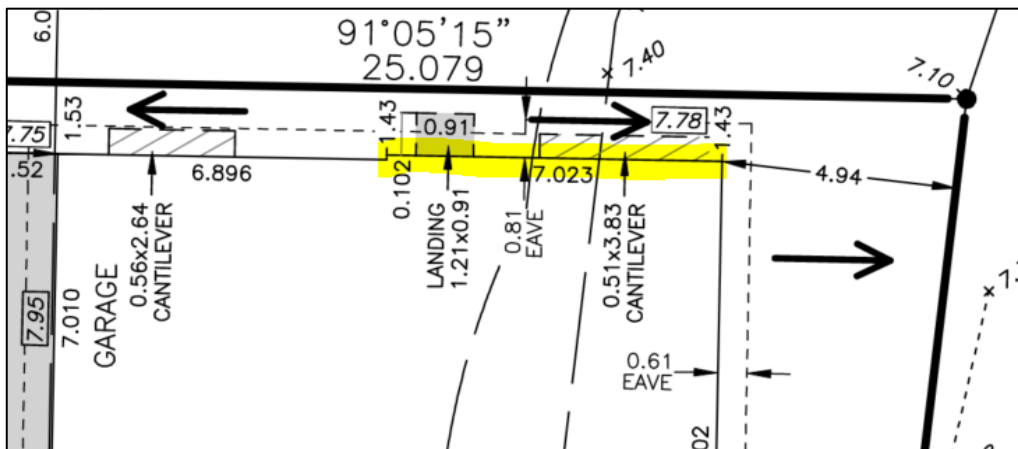


Figure 5: Highlighted portion of the proposed dwelling, relevant to the Side Yard Setback variance request.

Planning Department Position

The Planning Department supports this variance. This variance comes as a result of attempting to reuse the existing foundation, and the Planning Department determined a variance would not increase the extent of non-conformance. The side yard setback could not be adjusted without replacing that portion of the foundation being considered, which would negate some of the benefits outlined above in attempting to accommodate an infill

redevelopment with significant site constraints. This variance would have little impact on adjacent property owners, particularly on the property owner directly adjacent to the north of the requested variance.

3. Rear Yard Eave Projection

The rear yard eave is currently non-conforming with the LUB, as its furthest point, is located 4.42m into the rear yard setback; 0.61m eave projection, plus the rear yard setback encroachment is proposed to encroach 3.81m. Should the variance to the rear yard setback be approved, the rear yard eave would be compliant with section 2.4.1 of the LUB. However, before any variances are approved, the rear yard eave is currently not compliant with the LUB and is therefore included as a variance.

Planning Department Position

As previously noted, the Planning Department supports the rear yard setback variance. Due to the rear yard setback variance request, the rear yard eave is also currently non-compliant with the LUB. Should the rear yard variance request be granted, the rear yard eave would be within the projection tolerances described in Table 2.4-1 of the LUB. As a result, the Planning Department supports the proposed position of the rear yard eave.

The rear yard eave has not been included in the Proposed Schedule A (Attachment 5), due to the inclusion of the rear yard setback variance being recommended for approval.

4. Site Coverage

As part of the proposed development, the Applicant has requested an increase to the approved Site Coverage, to accommodate an ADU, attached.

Planning Department Position

The Planning Department supports this variance. This variance is acceptable due to both the ADU and the building are not proposed to be built to their maximum respective sizes. Further, supporting this variance provides support to the project as a whole, which will add a rental unit and minimize construction waste due to the redevelopment of the existing building.

In the case of all requested variances, no resident feedback was received up to when the Notice of Decision was issued.

Options for Consideration

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

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

Planning proposes that the SDAB consider the following options:

1. Approve the application subject to the conditions in Schedule A.
2. Approve the application subject to the conditions in Schedule A and any conditions.

3. Refuse the application, specifying reason(s) for refusal.
4. Postpone the application, pending submission of any additional details requested by SDAB.

RECOMMENDATION

Planning recommends that the Subdivision & Development Appeal Board **APPROVE** PL20230327. Recommended conditions are included in Attachment 5.

ATTACHMENTS:

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



Riley Welden
Acting Manager of Planning &
Development



Jerritt Cloney
Planning Technician

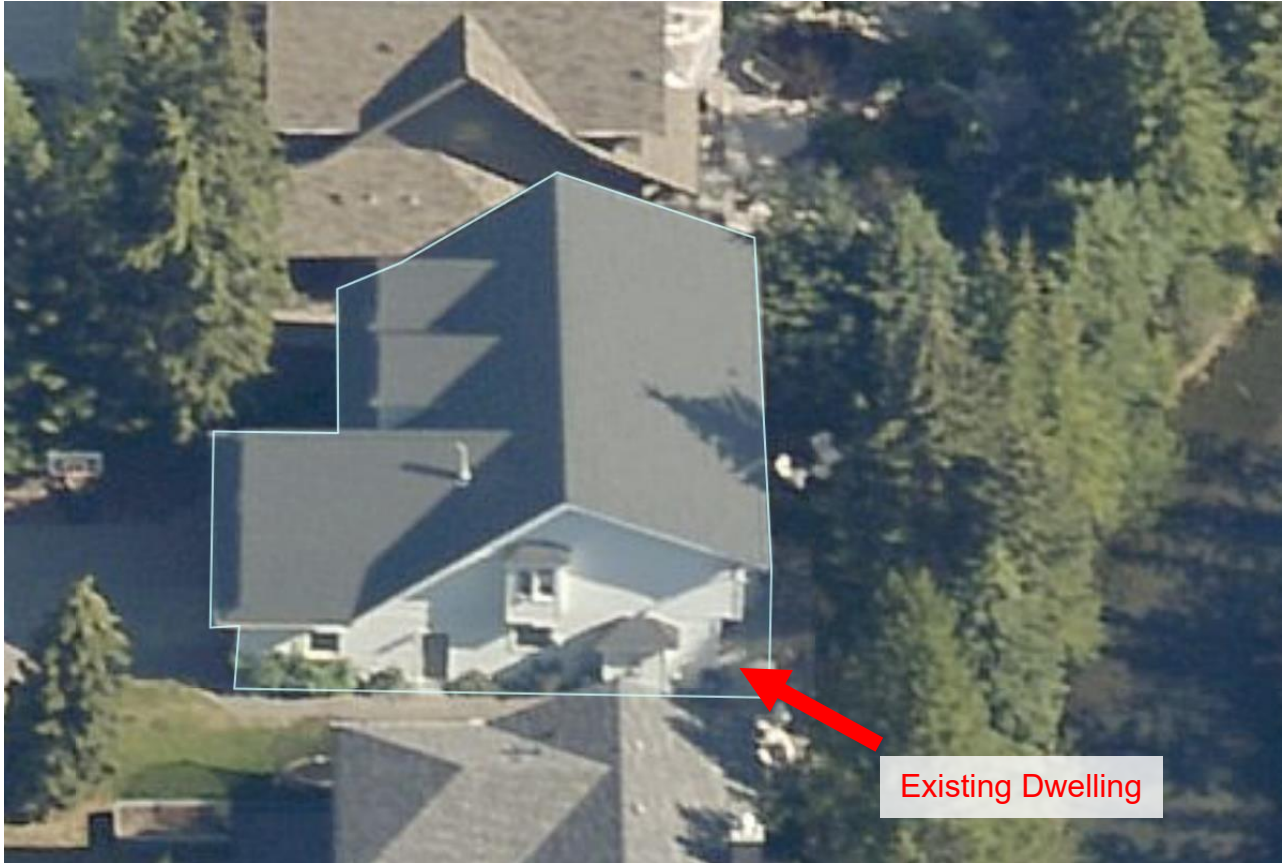
ATTACHMENT I – SITE CONTEXT (use arrows to identify the subject site on each view)



View of Front Yard, facing East.



View of Front Yard, looking East from 3rd Avenue.



View of Side Yard (South), facing North.



View of Side Yard (South), looking East from 3rd Avenue.



View of Side Yard (North), facing South.



View of Side Yard (North), looking East from 3rd Avenue.

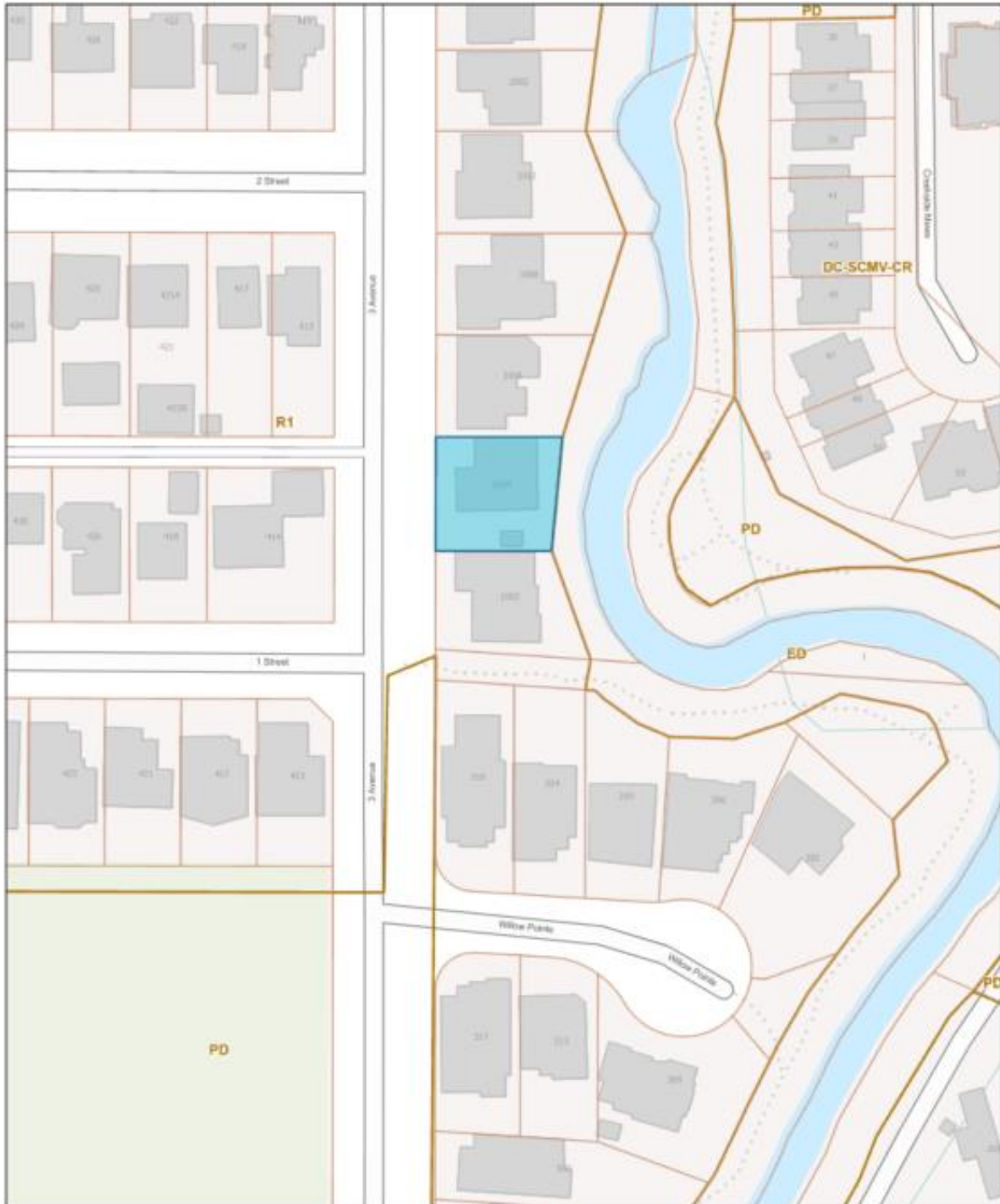


View of Rear Yard, facing West.



View of Rear Yard, looking West from Spring Creek.

ATTACHMENT 2 – ZONING MAP



1004 3rd Ave highlighted in blue, above. The subject site is located in the R1 – Residential Detached District.

ATTACHMENT 3 - BYLAW CONFORMANCE REVIEW

REQUIREMENT	BYLAW 2018-22	PROPOSED	VARIANCE
FRONT YARD SETBACK	6M	6.05M	No
SIDE YARD SETBACK (NORTH)	1.5 M	0.07M	YES 0.07M (4.6%)
SIDE YARD SETBACK (SOUTH)	1.5 M	1.52M	NO
REAR YARD SETBACK	7.5 M	3.69M	YES 3.81 (50.8%)
MAX BUILDING HEIGHT	17.75 M	17.70 M	No
ROOF DESIGN	BUILDING ENVELOPE MODEL	PORTIONS OF THE BUILDING ENVELOPE OUTSIDE THE ENVELOPE	YES UP TO 0.56M
SITE COVERAGE	41.70%	40%	YES 4.25%
ADU GROSS FLOOR AREA	LESSER OF EITHER 80M2 OR 129.24M2	54.4M2	NO
FRONT YARD LANDSCAPING	MINIMUM 40% OF FRONT YARD LANDSCAPED (ADU REQUIREMENT)	77.52M2 57%	NO
NUMBER OF DRIVEWAYS	1	1	NO

MINIMUM USEABLE LENGTH OF DRIVEWAY	6M	6.05M	No
PARKING REQUIREMENTS MOTOR VEHICLES & BICYCLES	MOTOR VEHICLE FOR THE PRINCIPAL DWELLING: 2 MOTOR VEHICLE FOR THE ADU: 1 LONG-TERM BICYCLE PARKING FOR THE PRINCIPAL DWELLING 0 LONG-TERM BICYCLE PARKING FOR THE ADU: 2	MOTOR VEHICLE FOR THE PRINCIPAL DWELLING: 2 MOTOR VEHICLE ADU: 1 LONG-TERM BICYCLE PARKING FOR THE PRINCIPAL DWELLING 0 LONG-TERM BICYCLE PARKING FOR THE ADU: 2	No
BUILDING PROJECTIONS	FRONT (WEST)	PORCH: 1.52M (COMPLIES) EAVE: 0.61M (COMPLIES) PATIO (COMPLIES)	No
	SIDE (NORTH)	NORTH CANTILEVER: 0.56M (COMPLIES) SOUTH CANTILEVER 0.56M (COMPLIES) EAVE OVER SOUTH CANTILEVER: 0.81M (COMPLIES) LANDING: 0.91M (COMPLIES)	No
	SIDE (SOUTH)	EAVE: 0.61M (COMPLIES)	No
	REAR (EAST)	EAVE: 4.42M (0.61+3.81M)	EAVE VARIANCE IS REQUIRED, UNLESS THE REAR YARD SETBACK IS ADJUSTED
WATERBODY SETBACK	20M	8.96M	YES
FIRESMART PERIMETER	1.5M NON-COMBUSTABLE PERIMETER AROUND THE PROPOSED DEVELOPMENT	PROPOSED 1.5M NON-COMBUSTABLE PERIMETER AROUND THE PROPOSED DEVELOPMENT (COMPLIES)	No



DEVELOPMENT PERMIT Application Form

To help expedite processing your application, the submission of this form using the fillable fields is greatly appreciated. The submission of scanned or photographed application forms with handwritten information may slow the processing of your application. **All applications shall be submitted electronically via email to planning@canmore.ca.**

PROPERTY INFORMATION	
Municipal Address	
Legal Address	Existing Use of Land/Building
Lot/Unit: Block: Plan:	

DEVELOPMENT INFORMATION			
Please indicate which checklist you have referenced to form this submission:			
Proposed Development/Use(s)			
Total Proposed Gross Floor Area (m ²)	Number of Residential Units	Number of Commercial Units	Property Size (Hectares). New construction <u>only</u> .
Will the project require a future Subdivision or Condominium Plan to create separate unit titles? YES NO			

PUBLIC TREE DISCLOSURE	
Is there existing Town Trees (Public Tree) within 6m of the construction area, this would include the "Road Right-of-Way" between the private property line and roadway?	YES NO
<p>If yes, a Tree Protection Plan Agreement is required to be submitted as part of this application. For more information on the requirements of submitting your Tree Protection Plan Agreement or obtaining a Tree Assessment for the removal of a Town Tree, please contact the Town of Canmore Parks Department at 403.678.1599 or Parks@canmore.ca.</p> <p>Additional information regarding the Town of Canmore Tree Protection Bylaw can be found on the Town Website.</p>	

APPLICANT INFORMATION	
Name	Phone
E-mail	
Mailing Address	

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

DECLARATION

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

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

Signature of Applicant	Date
Signature of Owner	Date

FOIP Notification: This personal information is being collected under the authority of the Municipal Government Act (MGA) and in the Freedom of Information and Protection of Privacy Act (FOIP) and is managed in accordance with the provisions of FOIP. If you have any questions about the collection of your personal information, contact the Municipal Records Officer at municipal.clerk@canmore.ca. **Please note, the Municipal Clerk's Office should *only* be contacted regarding FOIP inquiries.**

PAYMENT

Until the applicable permit fees have been paid in full to the Town of Canmore, the Town will not commence the review of your application. Town staff will contact you upon receipt of the application to arrange for the applicable fee(s) to be paid.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0012 470 191 8410098;1;2 141 085 966

LEGAL DESCRIPTION
PLAN 8410098
BLOCK 1
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;10;24;33;SW

MUNICIPALITY: TOWN OF CANMORE

REFERENCE NUMBER: 101 315 903

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 085 966	08/04/2014	TRANSFER OF LAND	\$955,000	CASH & MORTGAGE

OWNERS

GIBSON PAUL RENCZ

AND

JENNA LEANNE RENCZ

BOTH OF:

1004 3RD AVENUE

CANMORE

ALBERTA T1W 2J8

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
141 085 967	08/04/2014	MORTGAGE MORTGAGEE - SCOTIA MORTGAGE CORPORATION. C/O THE BANK OF NOVA SCOTIA 200, 5 AVE W

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
141 085 966

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

COCHRANE
ALBERTA T4C1X3
ORIGINAL PRINCIPAL AMOUNT: \$620,750

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 7 DAY OF
SEPTEMBER, 2023 AT 09:02 A.M.

ORDER NUMBER: 48270594

CUSTOMER FILE NUMBER: Jenna Rencz



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



Town of Canmore
902 - 7th Avenue
Canmore, Alberta T1W 3K1
Phone: (403) 678-1500
GST Registration #: R108125444

Received From

RUSSELL AND RUSSELL
200 - 817 MAIN STREET
CANMORE , AB T1W 2B3

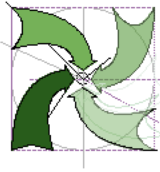
Receipt Number: 20232700
Receipt Date: 2023-11-14
Date Paid: 2023-11-14
Full Amount: 1,075.00

Payment Details:	Payment Method	Amount Tendered	Check Number
	Visa	1,075.00	

Amount Tendered: \$1,075.00
Change / Overage: 0.00

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
DPRes: New Construction: Single Family / Duplex / Manufactured Fee	PL20230327	\$625.00	\$625.00
ENG Project/Small - Layout Plans (Utilities & Surface)	PL20230327	\$450.00	\$450.00



4 Elements

Integrated Design LTD.

4 Elements Integrated Design Ltd.
110 32 Ave NE, Calgary AB T2E 2G4
Ph 403-250-5514

November 27, 2023

Re: Engagement Letter: 1004 3 Avenue, Canmore AB

To Whom It May Concern:

This letter confirms that there exists an Agreement between Kidner Homes and 4 Elements Integrated Design Ltd for energy modeling and testing services at above address in Canmore. This home will be air tightness tested and labelled under the EnerGuide Rating Service for New Homes, as per the requirements of Section 11 of Canmore's Land Use Bylaw.

The builder is targeting a minimum of 10% better than the reference home model per the EnerGuide Rating System.

4 Elements Integrated Design Ltd has been engaged by Kidner to complete final air tightness testing and EnerGuide Rating Service labelling of this project upon completion of construction.

Regards,

Cooper Le, Master Energy Advisor
AT, EA (ERS, MURB, ESNH, NZE), LEED AP (Homes, BD+C), LEED Homes Green Rater, QAS, MCT, ITC Level 1
Thermographer

4 Elements Integrated Design Ltd.
110 32 Ave NE, Calgary AB T2E 2G4
P: (403) 250-5514
www.4elements.eco
@4EGreenhomes

4 Elements Integrated Design Ltd.
110 32ND Ave NE, Calgary, AB, T2E 2G4
www.4elements.eco
Email : info@4elements.eco

SITE PLAN

LEGAL DESCRIPTION ZONE R1

LOT 2, BLOCK 1, PLAN 8410098

MUNICIPAL ADDRESS

1004, 3rd AVENUE, CANMORE

PREPARED FOR


GIBSON AND JENNA RENCZ

LIMITING ELEVATIONS



SCALE = 1:200


- Max. roof elev. = 1316.99 (FRONT)
1317.03 (BACK)
 - Using H_{MAX} formula 9.5m; 6:12 pitch.
 - See sec. 2.8.3 and 2.8.4 of Land-Use Bylaw for alternate pitches, reverse, single, and multi-pitch roofs.
 - HLC 9.8 1:100 Year Groundwater Elev. = 1307.40
 - Provincial flood contour elev. = 1308.22
 - HLC 9.3 minimum slab elev. = 1308.25
- * References sections of the EDCG. Discuss effects on allowable building and roof elevations with the Town of Canmore.

LEGEND:

CONIFEROUS TREE.....
* trees illustrated if on or near town property with trunk diameter >0.05

DATUM: ASCM 293381

GRADES:
Existing  Design 
(add 1300.00 for GEODETIC)

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

LOT AREA 539.6 m²
EXISTING FOOTPRINT 153.8 m², 28.5 %

NOTE: Distances and elevations are in metres.

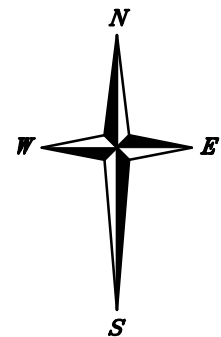
NOTE: Builder to determine frost wall depth.

DESIGN DATE July 31, 2023

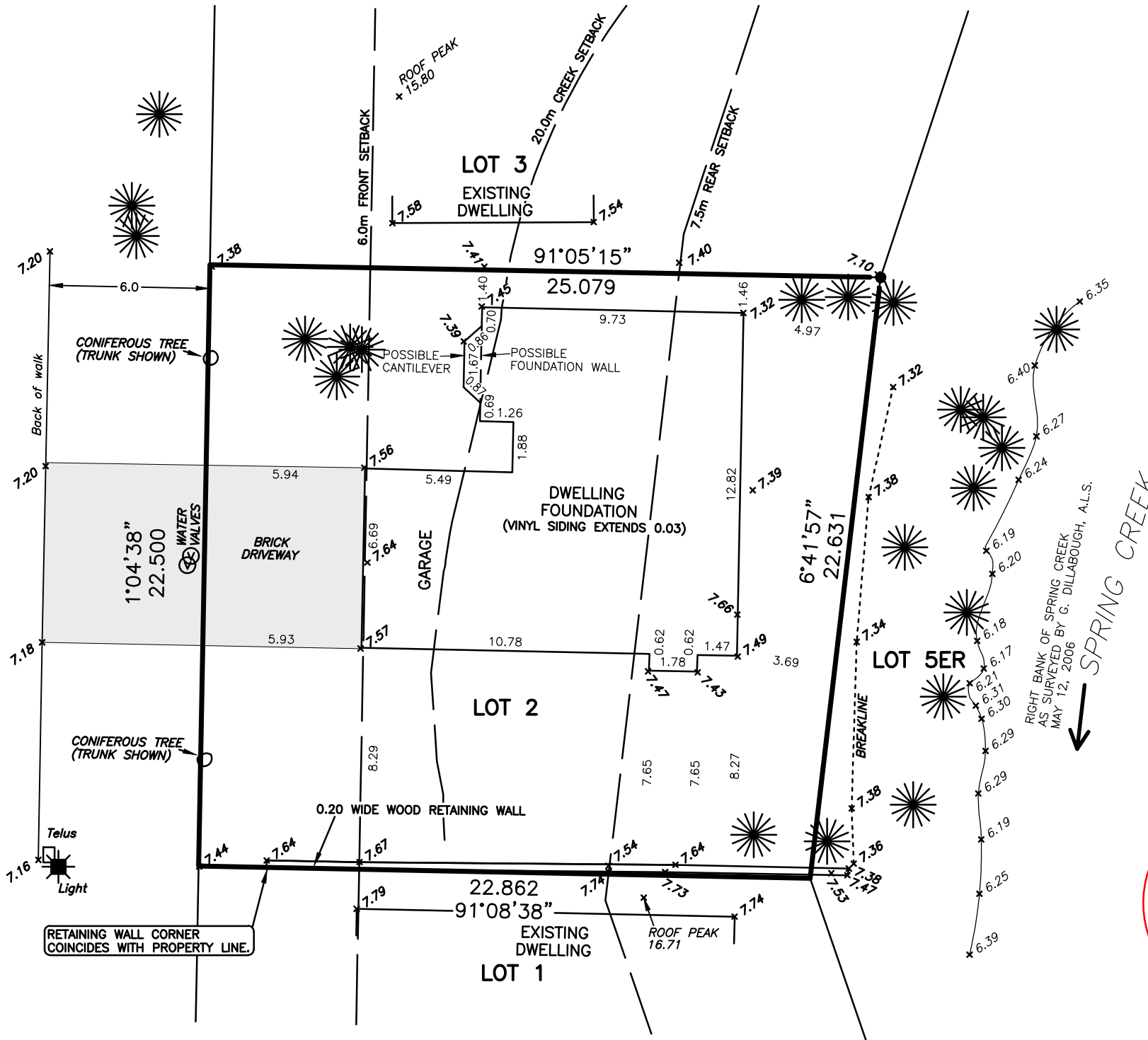

ALBERTA LAND SURVEYOR

NOTE: The builder is responsible to ensure that driveway grades do not exceed 10%, and that they conform to the Town of Canmore Engineering Design Standards.

REGISTERED INTERESTS (EXCLUDING ENCUMBRANCES):
NONE



3rd AVENUE



McElhanney
Land Surveys (Alta.) Ltd.
203 - 502 BOW VALLEY TRAIL, CANMORE AB, T1W 1N9
PH (403) 678-6363; FAX (855) 407-3895
FILE: 00293

PLOT PLAN

LEGAL DESCRIPTION ZONE R1

LOT 2, BLOCK 1, PLAN 8410098

MUNICIPAL ADDRESS

1004 3rd AVENUE, CANMORE

PREPARED FOR

GIBSON AND JENNA RENCZ

LIMITING ELEVATIONS

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1317.03 (BACK)
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- Provincial flood contour elev. = 1308.22
- HLC 9.3 minimum slab elev. = 1308.25

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

PROPOSED DWELLING:
ROOF ELEV. 1317.70
LOWER FLOOR SLAB 1308.25

GARAGE
SLAB 1307.95 (at entrance)

DATUM: ASCM 293381

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

APPROXIMATE DRIVEWAY GRADE:
calculated as a straight line slope along the centerline of the driveway between the garage entrance and the back of walk is shown thus $??\%$ \rightarrow

LOT AREA 539.6 m²
FOOTPRINT 221.6 m², 41.1% (PROPOSED)
CANTILEVER 3.4 m², 0.6% (PROPOSED)

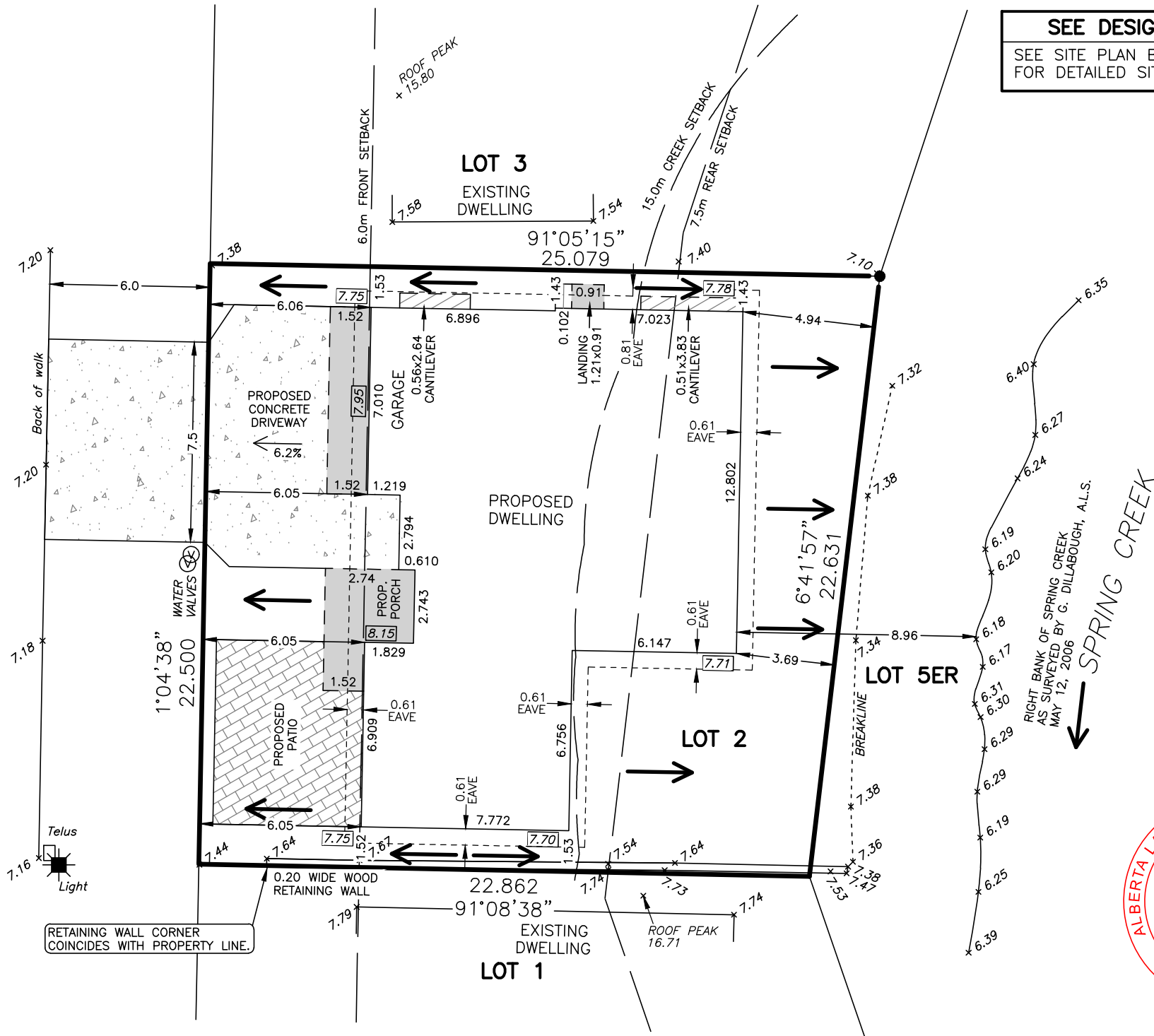
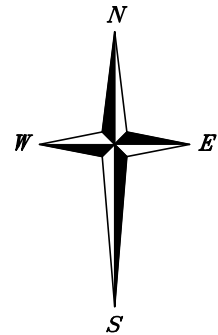
NOTE: Distances and elevations are in metres.

NOTE: Builder to determine frost wall depth.

DESIGN DATE JANUARY 16, 2024

Carl Han

ALBERTA LAND SURVEYOR



REGISTERED INTERESTS (EXCLUDING ENCUMBRANCES):
NONE

SEE DESIGNER'S SITE PLAN

SEE SITE PLAN BY RUSSEL AND RUSSEL FOR DETAILED SITE GRADES.



McElhanney
Land Surveys (Alta.) Ltd.
203 - 502 BOW VALLEY TRAIL, CANMORE AB, T1W 1N9
PH (403) 678-6363; FAX (855) 407-3895
FILE: 00293

NOTE: The builder is responsible to ensure that driveway grades do not exceed 10%, and that they conform to the Town of Canmore Engineering Design Standards.

PLOT PLAN

LEGAL DESCRIPTION ZONE R1

LOT 2, BLOCK 1, PLAN 8410098

MUNICIPAL ADDRESS

1004 3rd AVENUE, CANMORE

PREPARED FOR

GIBSON AND JENNA RENCZ

LIMITING ELEVATIONS

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

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calculated as a straight line slope along the centerline of the driveway between the garage entrance and the back of walk is shown thus $??\%$

LOT AREA 539.6 m²
FOOTPRINT 221.6 m², 41.1% (PROPOSED)
CANTILEVER 3.4 m², 0.6% (PROPOSED)

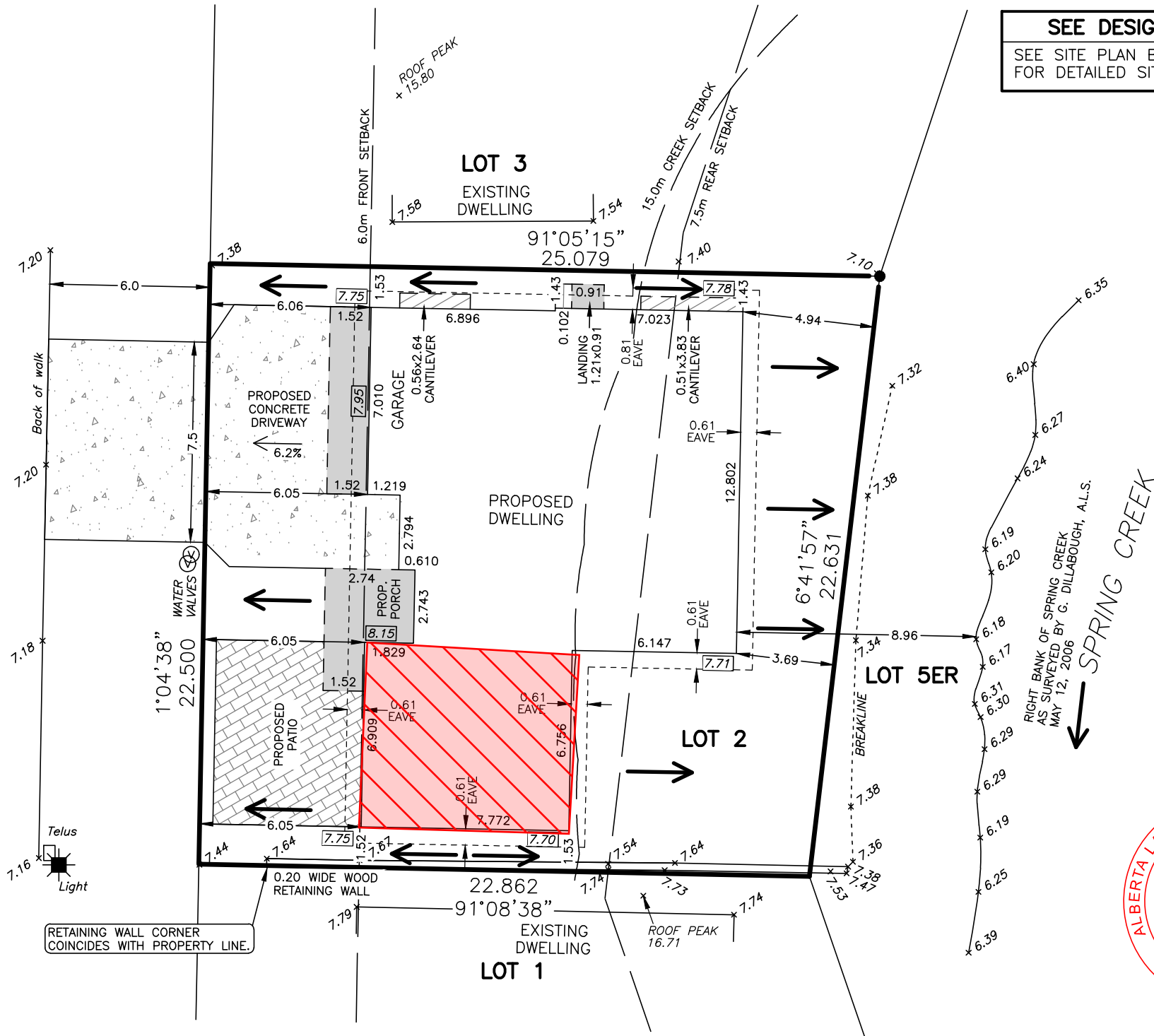
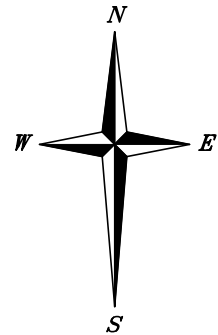
NOTE: Distances and elevations are in metres.

NOTE: Builder to determine frost wall depth.

DESIGN DATE JANUARY 16, 2024

ALBERTA LAND SURVEYOR

Red hatching below indicates increase in total building footprint.



REGISTERED INTERESTS (EXCLUDING ENCUMBRANCES):
NONE

SEE DESIGNER'S SITE PLAN

SEE SITE PLAN BY RUSSEL AND RUSSEL FOR DETAILED SITE GRADES.



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Land Surveys (Alta.) Ltd.
203 - 502 BOW VALLEY TRAIL, CANMORE AB, T1W 1N9
PH (403) 678-6363; FAX (855) 407-3895
FILE: 00293

NOTE: The builder is responsible to ensure that driveway grades do not exceed 10%, and that they conform to the Town of Canmore Engineering Design Standards.

general construction notes

- 1 drawings are not to be scaled
- 2 all dimensions and installations are to be verified on site
- 3 contractor to comply to all current ALBERTA BUILDING CODE rules plus any and all authorities having jurisdiction during all phases of work
- 4 it is the contractors responsibility to bring all omissions, discrepancies, including dimensions, to the attention of the designer prior to the commencing of any work
- 5 any patching, repair, refinishing, reconstruction & repainting work required as a result of performance of work of this contract shall incorporate and be performed with materials to match same and shall require fire ratings
- 6 all dimensions are from face of structural sheathing, face of stud, face of foundation or to grid lines unless noted as being a clear dimension. clear dimensions are from face of finished to face of finished surface
- 7 where "TYPE X" gypsum wall board is noted on drawings, provide fire-rated gypsum wall board with U.L.C. label
- 8 pre-drilled inserts are to be used when attaching or fastening materials or fittings to masonry or concrete walls, floors, slabs or ceiling assemblies
- 9 refer to structural drawings and specifications for reinforcing and core filling of masonry walls at wall openings, corners & terminations unless noted otherwise
- 10 where indicated on electrical drawings, provide 19mm/3/4" plywood backing to sides noted for surface mounting electrical panels. paint prior to installation
- 11 provide solid blocking (2"x6") in stud partitions behind all recessed or flush mounted equipment & accessories at all anchor points
- 12 it is the contractors responsibility to coordinate his own forces & his sub trades to ensure that holes cut for penetrations through the exterior wall systems are not oversized. after installation of any penetrations, the voids between the penetration opening and the penetration materials shall be completely sealed to ensure the integrity of the air/vapour barrier
- 13 where architectural, structural, mechanical or electrical installations penetrate wall and/or floor assemblies seal any such penetrations with fire rated acoustic sealant & maintain required fire rating & acoustic minimums
- 14 these architectural drawings shall be read in conjunction with structural engineer's letter, notes and shop drawings as well as mechanical & electrical drawings & roof truss/ joist supplier/ manufacturer's drawings
- 15 approved primer shall be used on all peel and stick products
- 16 all wood cladding products including siding, knee braces, wall shingles, trim and boards shall be back primed prior to installation
- 17 all through wall flashings shall be complete with a 100mm/4" high back leg. all horizontal laps shall be minimum 150mm/6" minimum & back caulked. a through wall flashing is required at all horizontal expansion joints, building band trims & below gable end louvre vents
- 18 all exterior fasteners shall be hot dipped galvanized
- 19 all side wall vents; furnaces, boilers, driers & bathroom vents shall be back caulked at the vent flanges (top & sides) to a piece of 60 minute flashing paper placed behind the vent. all of the surrounding field paper shall then be placed over the top and side vent flanges. do not place the building paper over the bottom flange. provide a drip cap flashing with end dams over all vents. caulk the sides of the vents to the cladding
- 20 all exterior electrical outlet penetrations through the wall sheathing shall be placed through a small hole in a 300mm x 400mm/12"x16" piece of EPDM roofing so that the EPDM stretches & laps the sides of the box out to the face, this shall be lapped shingle style into the building paper. all surface mounted light pans shall be complete with flashing paper behind the pan prior to it's installation. caulking around where it penetrates the flashing paper, which shall be lapped shingle style into the building paper. provide an appropriate vinyl trim finish kit to all of the penetrations
- 21 all exterior hose bibs are to be placed through a 6mm/1/4" hole in the center of a 300mm x 300mm/12"x12" piece of EPDM roofing. this shall be lapped shingle style into the building paper. provide an approved vinyl trim finish kit to all of the penetrations
- 22 ensure that all pre-finished metal capping to the wood fascias, deck trims and band boards are complete with positive drainage
- 23 any large mechanical grille openings on the elevations shall be prepared & finished in the same manner as the window assemblies
- 24 house to be mechanically ventilated by principle exhaust fan. switch for principle exhaust fan to be identified as ventilation switch
- 25 roof vents to be installed as per all applicable building codes. (unobstructed vent area shall be not less than 1/300 of insulated ceiling area or 1/150 on roof slopes of less than 1 in 6, unless otherwise noted)



rencz residence 1004- 3 avenue, canmore



proposed conceptual renders

drawing index

- A0.1 cover sheet
- A1.1 existing site plan
proposed site, landscaping & tree protection plan
- A1.2 existing foundation plan
- A1.3 proposed foundation plan
- A2.1 main floor plan
- A2.2 upper floor plan
- A2.3 loft floor plan
- A2.4 roof plan
- A3.1 west (front) elevation
south (right) elevation
- A3.2 east (rear) elevation
north (left) elevation
- A5.1 building section A
building section B
construction data
- A5.2 building section C
construction data

PROJECT:

1151 rencz residence

ADDRESS:

1004- 3 avenue, canmore, ab

LOT: 2

BLOCK: 1

PLAN: 8410098

CLIENT:

gibson & jenna rencz

ISSUED:

A: issued for review 2023-07-07

B: issued for D.P. 2023-09-28

C: issued for D.P. 2023-10-24

D: tree protection revisions 2023-11-29

E: tree protection revisions 2023-12-04

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DESIGNED: CC

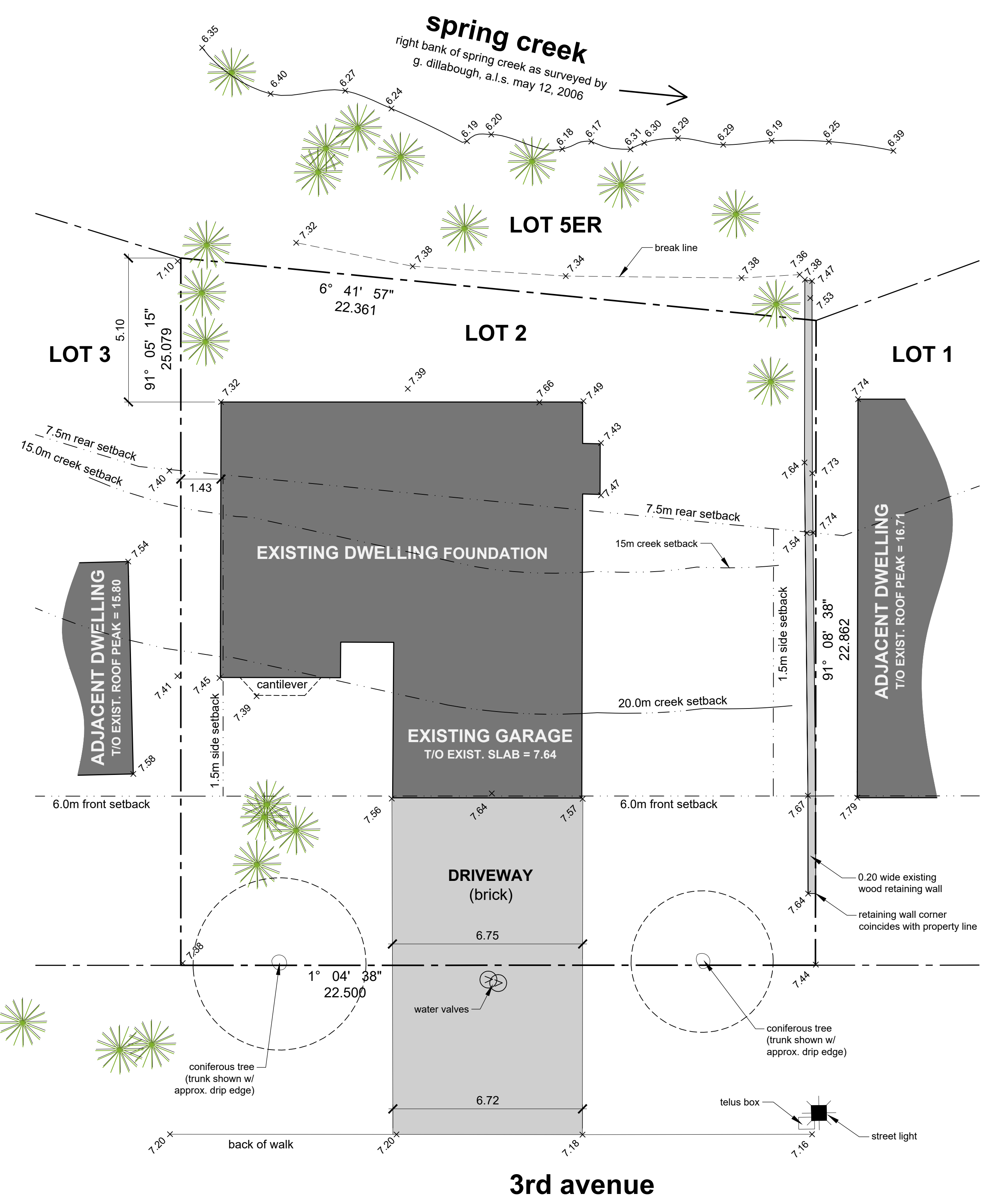
CHECKED: AR

DRAWING NUMBER:

A0.1

russell and russell
design studios

#200 817 main street
canmore alberta t1w 2b3
info@russellandrussell.ca
403 678 3003
www.russellandrussell.ca



SITE PLAN LEGEND:

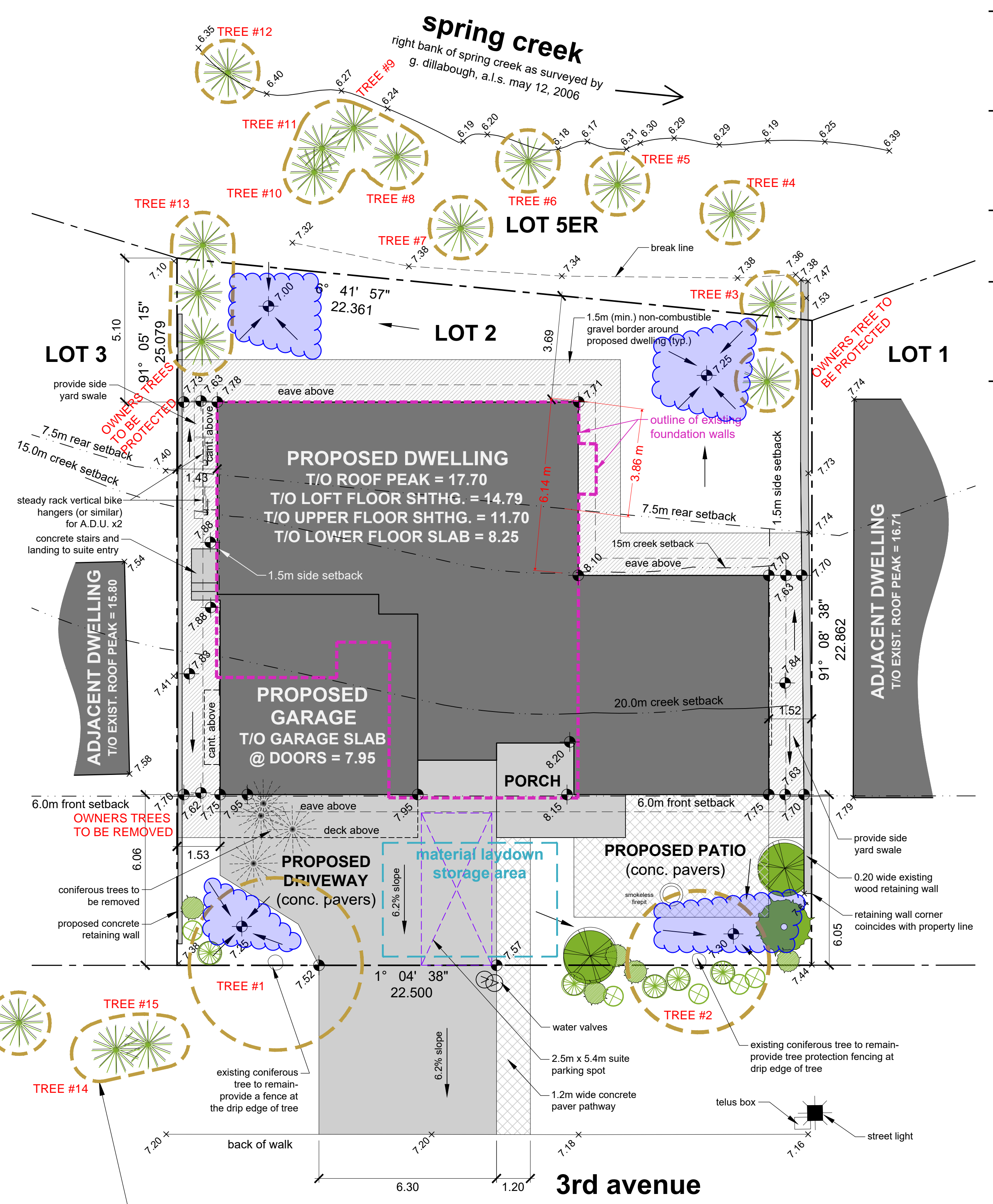
- DISTANCES AND ELEVATIONS ARE IN METRES.
- DATUM: ASCM 293381 (ADD 1400.00M FOR GEODETIC)
- EXISTING SPOT ELEVATIONS (ADD 1300.00 FOR GEODETIC)
- PROPOSED SPOT ELEVATIONS (ADD 1300.00 FOR GEODETIC)
- DRAINAGE ARROW
- TREE PROTECTION FENCING

EXISTING LANDSCAPING LEGEND

- EXISTING CONIFEROUS TREE TO REMAIN
- EXISTING CONIFEROUS TREE TO BE REMOVED

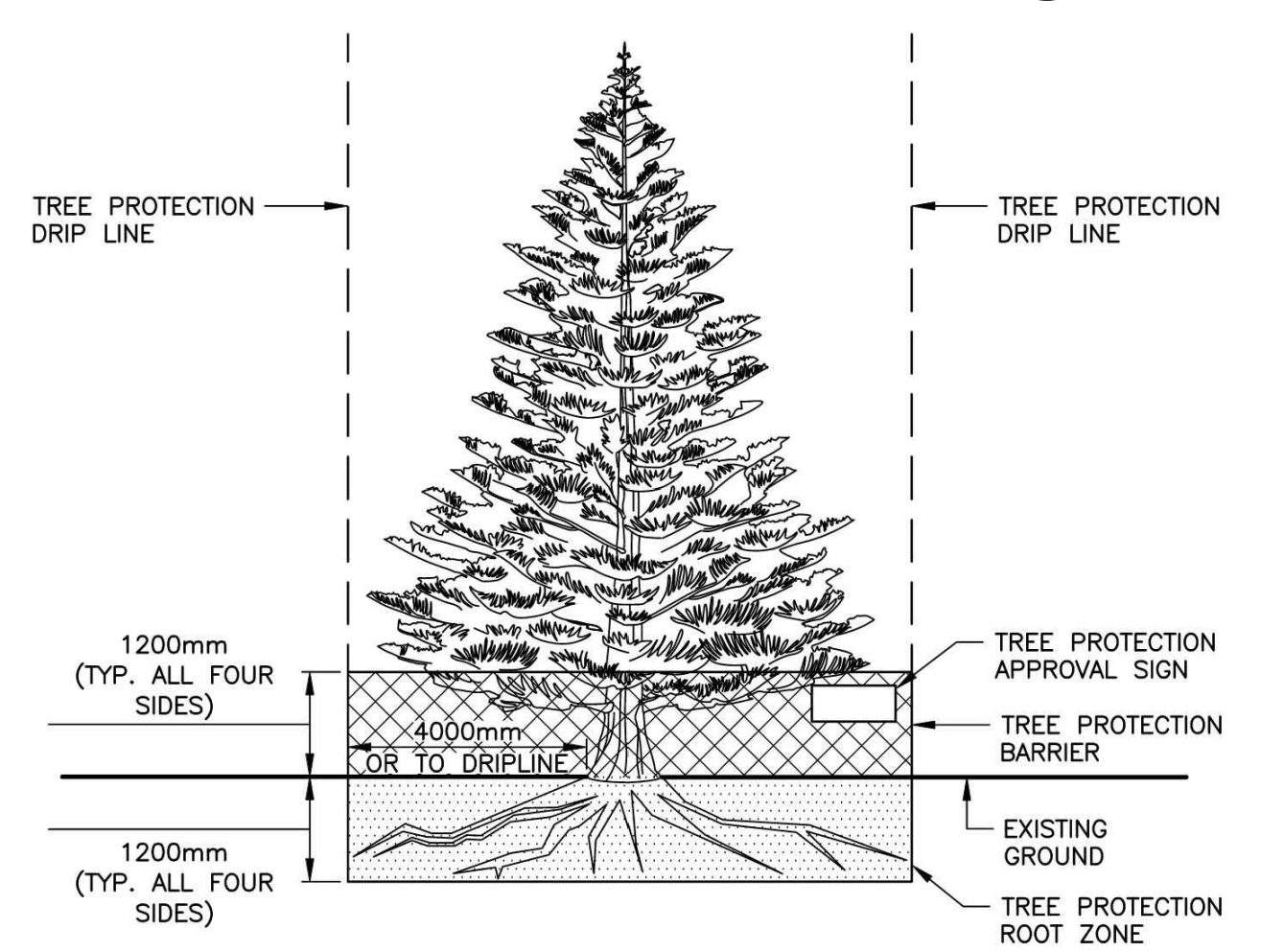
PROPOSED LANDSCAPING LEGEND

SYMBOL	SPECIES	SIZE	QUANTITY
	engelmann spruce <i>picea engelmannii</i> (evergreen tree)	3m height	3
	Siberian larch <i>larix siberica</i> (evergreen tree)	3m height	2
	shrubby cinquefoil <i>potentilla fruticosa</i> (deciduous shrub)		5
	green alder <i>alnus crispa</i> (deciduous shrub)		5
	creeping juniper <i>juniperus horizontalis</i> (evergreen shrub)		5
	concrete pavers		as required
	gravel		as required



existing site plan
1:100

tree protection diagram



construction fencing:
1.2m high, freestanding rigid fence of plastic construction fence securely fastened to steel T-bar or wood posts. provide a 4m clearance from center of trunk or to dripline of tree and do not wrap around or tie fencing to trees. the use of mechanical fasteners (nails, screws etc.) into trees or vegetation is strictly prohibited (typ.) refer to tree protection diagram and notes for additional info

LIMITING ELEVATIONS

- Max. roof elev. = 1316.99 (FRONT)
1317.03 (BACK)
- HLC 9.8 1:100 Year Groundwater Elev. = 1307.40
- Provincial flood contour elev. = 1308.22
- HLC 9.3 minimum slab elev. = 1308.25

Hmax = HLC 9.3 minimum slab elev. (1308.25m) + 9.5m = 1317.75m

proposed site, landscape & tree protection plan
1:100

tree protection measures

- tree protection fencing to be installed as per 'tree protection diagram'.
- prior to commencement of any site activity such as site alteration, demolition or construction, the tree protection measures specified must be installed.
- 'Alberta One Call' must be called before you dig.
- removal of trees to be done outside of nesting season (February through to August), a bird sweep may be required.
- tree protection must remain in place and in good condition throughout site demolition and construction and must not be altered, moved or removed until authorized by the Town of Canmore.
- minimize impact to tree root systems during construction. Any tree root systems impacted during construction activities will need to be addressed through proper pruning techniques. pre-approval required.
- all pruning to be done by certified arborist or approved equivalent on approve of the Town.
- contractor to arrange for watering as needed (minimum of weekly visit) of existing trees during construction period. trees to be watered manually from a water truck.
- contractor to add 100mm of new bark mulch to tree protection zones.

MUNICIPAL ADDRESS

1004- 3rd AVENUE
CANMORE, AB

LEGAL DESCRIPTION

LOT: 2
BLOCK: 1
PLAN: 8410098

LAND USE DESIGNATION

R-1

SITE AREA

539.61 m²

SITE COVERAGE

ALLOWED: 215.84 m²
PROPOSED: 225.00 m²

SITE COVERAGE %

ALLOWED: 40.00 %
PROPOSED: 41.70 %

PRIMARY DWELLING GFA

323.1 m²

A.D.U. GFA

54.4 m²

FRONT YARD AREA

144.6 m²

FRONT YARD LANDSCAPING

88.8 m²

% OF FRONT YARD LANDSCAPING

61.4%

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DESIGNED: CC
CHECKED: AR

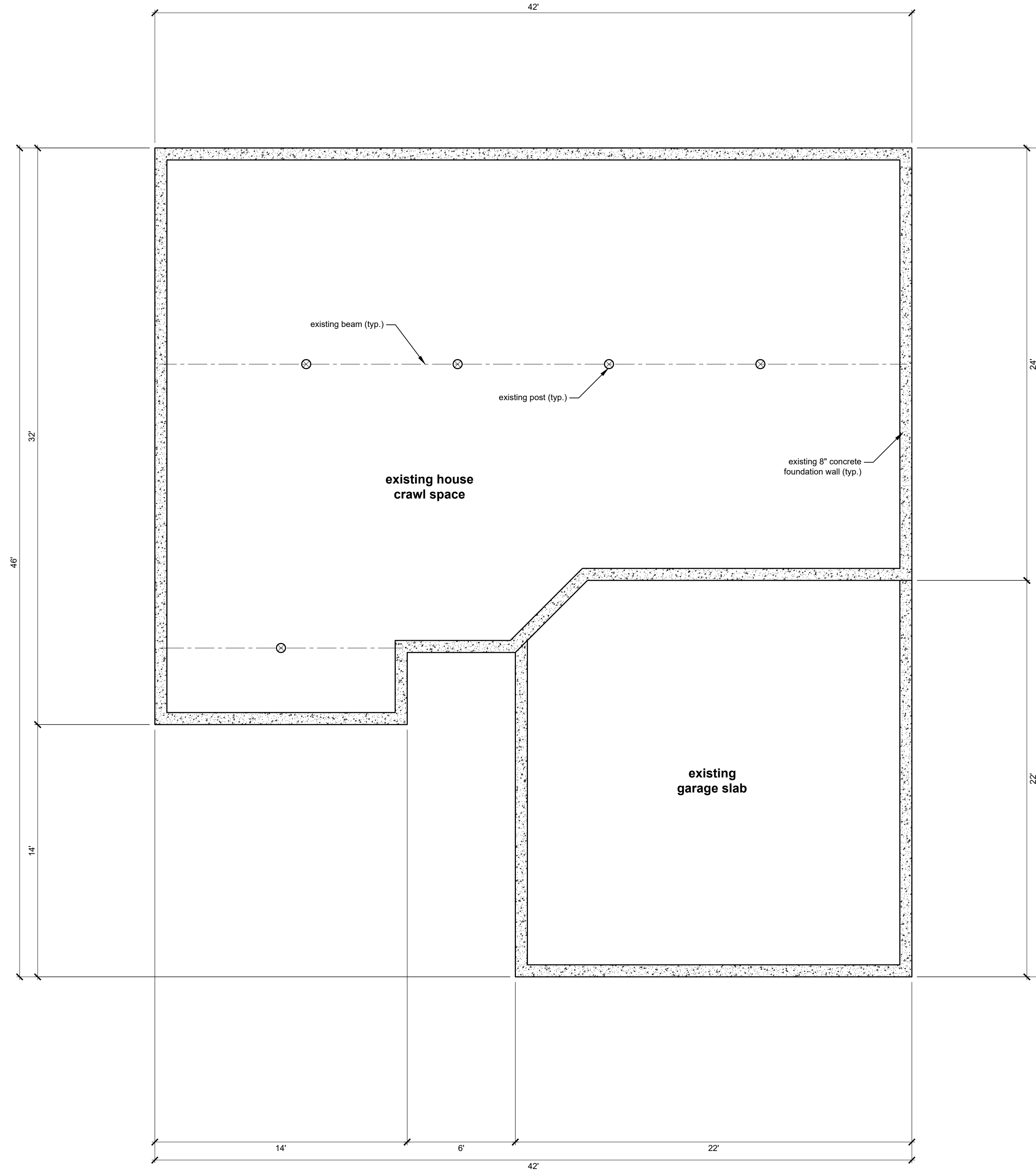
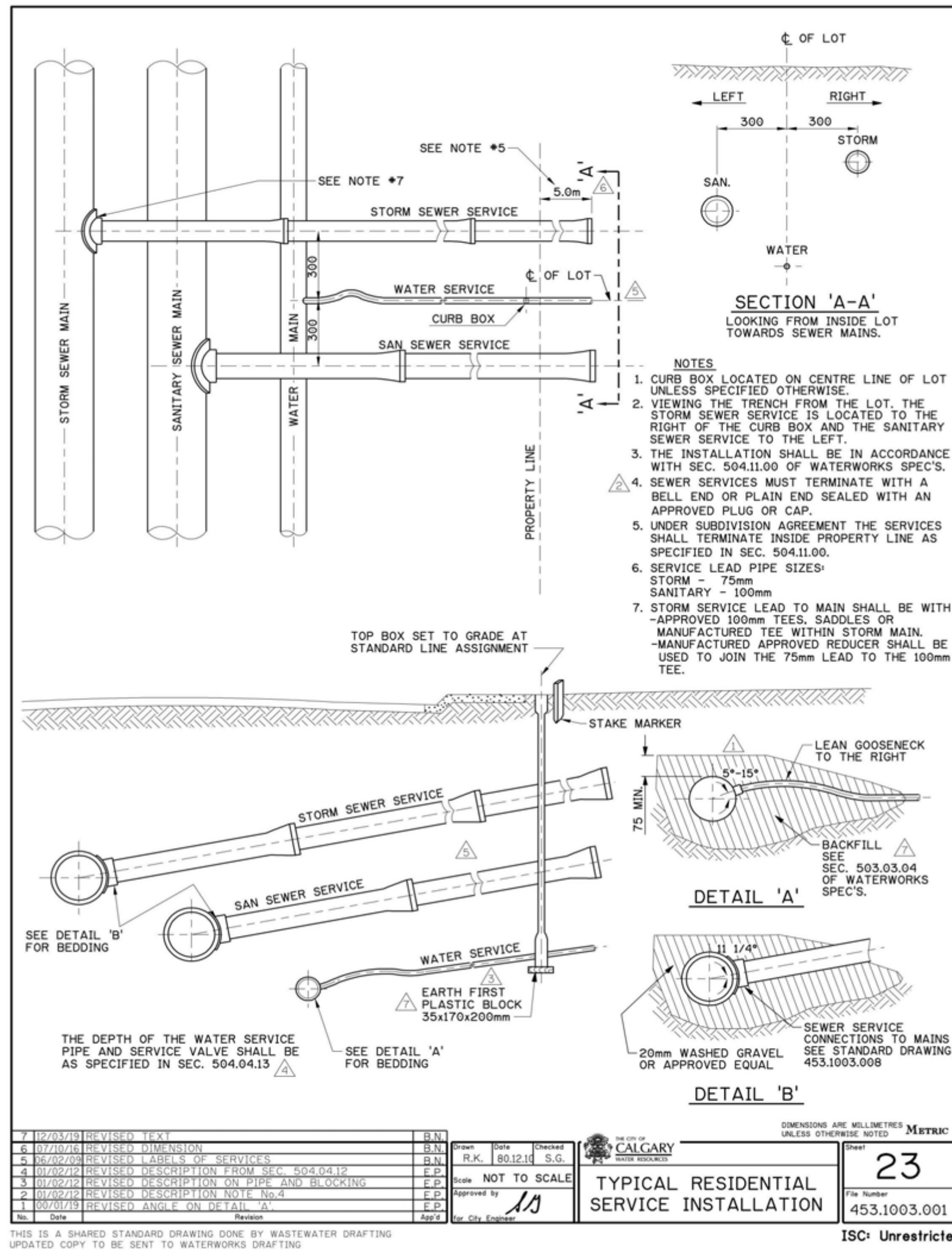
DRAWING NUMBER:

A1.1

russell and russell
design studios
#200 817 main street
canmore alberta t1w 2b3
info@russellandrussell.ca
403 678 3003
www.russellandrussell.ca

typical service installation details

not to scale



existing foundation plan
1/4" = 1'-0"

PROJECT:

1151 rencz
residence

ADDRESS:

1004- 3 avenue,
canmore, ab

LOT: 2
BLOCK: 1
PLAN: 8410098

CLIENT:

gibson & jenna
rencz

ISSUED:

- A:** issued for review
2023-07-07
- B:** issued for D.P.
2023-09-28
- C:** issued for D.P.
2023-10-24
- D:** tree protection
revisions
2023-11-29
- E:** tree protection
revisions
2023-12-04

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A1.2

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russell
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canmore alberta t1w 2b3
info@russellandrussell.ca
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1151 rencz residence

ADDRESS:

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PLAN: 8410098

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gibson & jenna rencz

ISSUED:

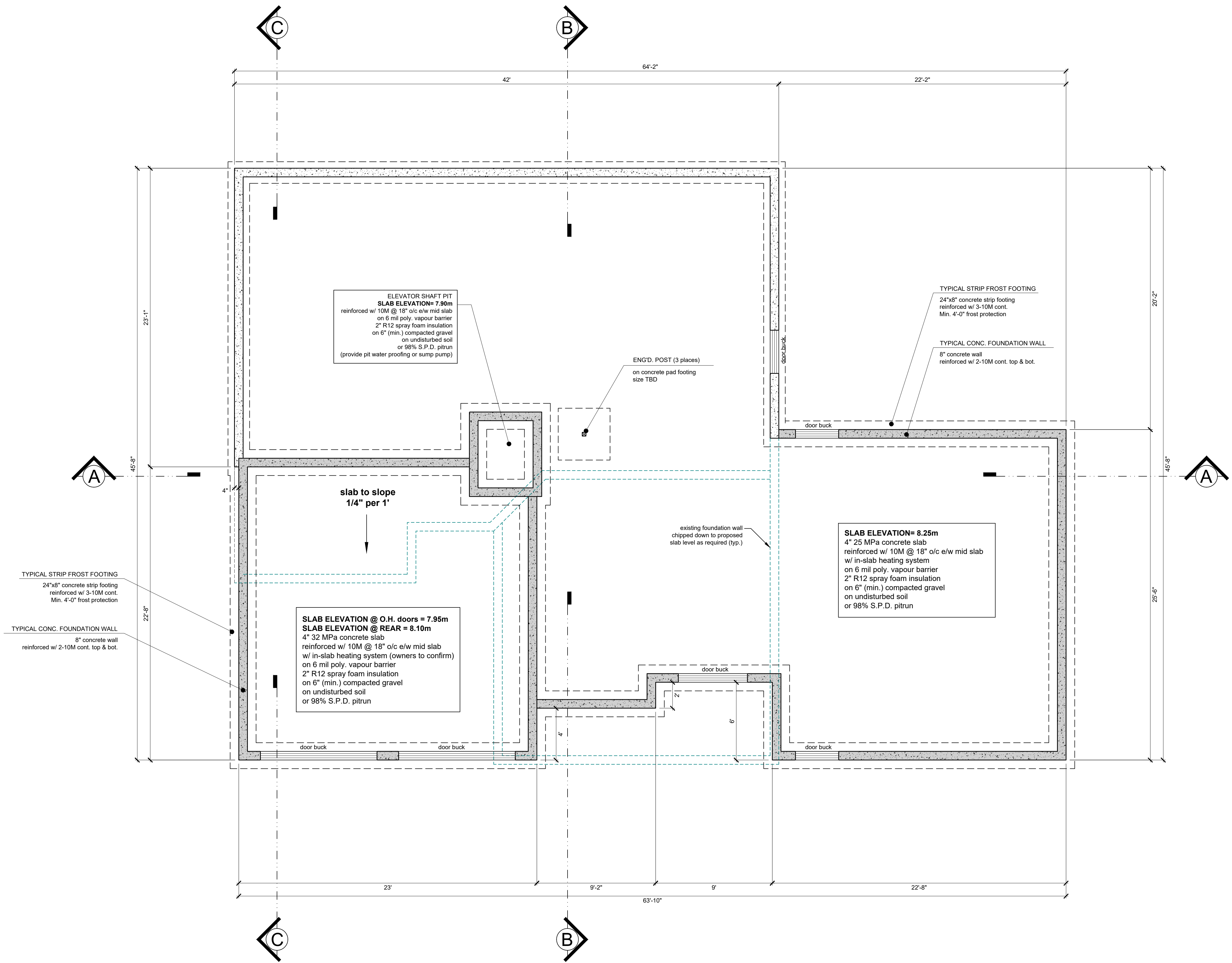
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D: tree protection revisions 2023-11-29

E: tree protection revisions 2023-12-04



proposed foundation plan
 1/4" = 1'-0"

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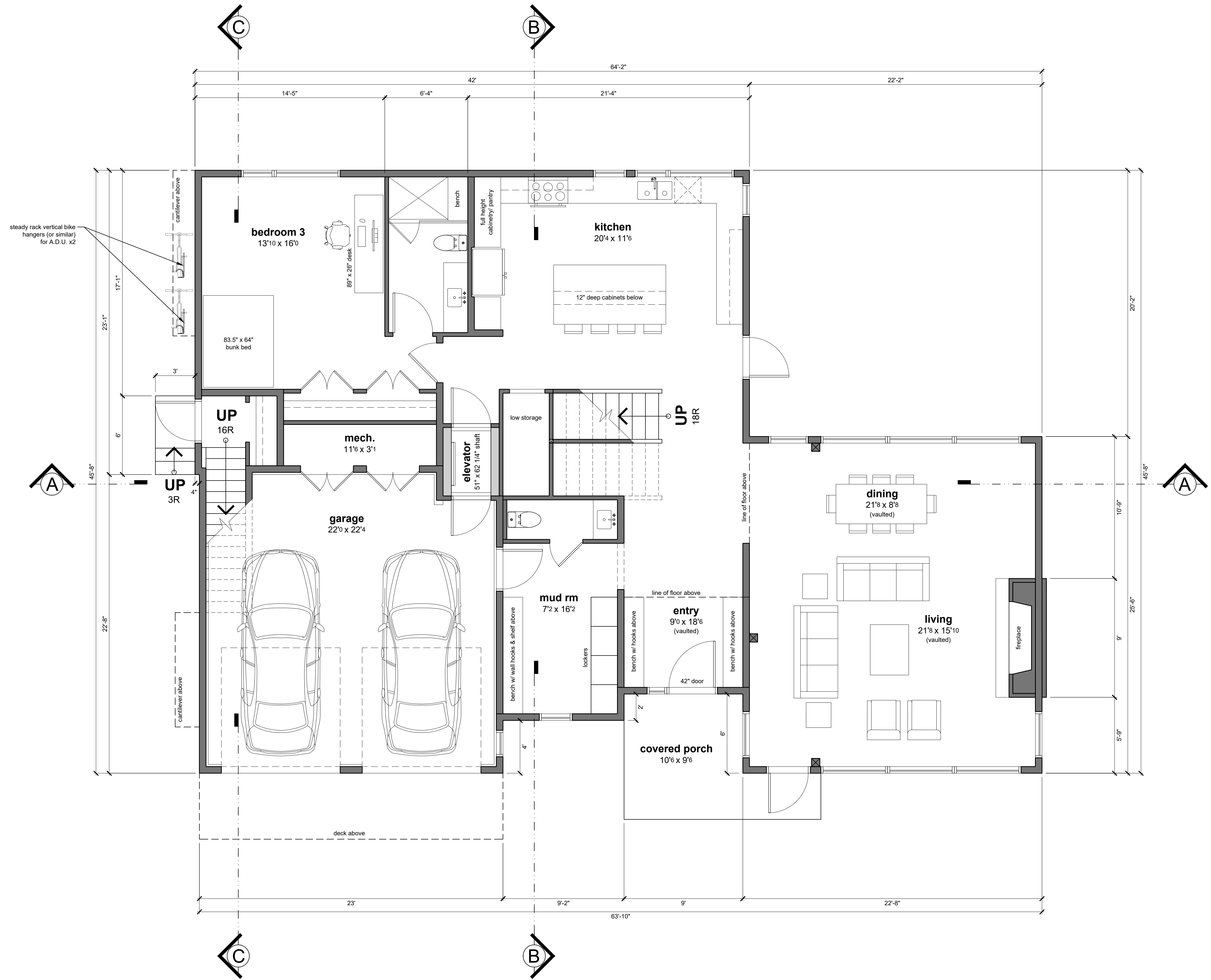
DRAWING NUMBER:

A1.3

russell and russell
 design studios

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 info@russellandrussell.ca
 403 678 3003
 www.russellandrussell.ca

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main floor plan (10' ceiling)
1/4" = 1'-0"

total proposed GFA
3478 ft.² (323.1 m²) primary dwelling GFA
586 ft.² (54.4 m²) A.D.U. GFA

1667 ft.² - does not include exterior walls
506 ft.² garage
36 ft.² mech.

1800 ft.² (167.2 m²) primary dwelling GFA
28 ft.² (2.6 m²) A.D.U. GFA

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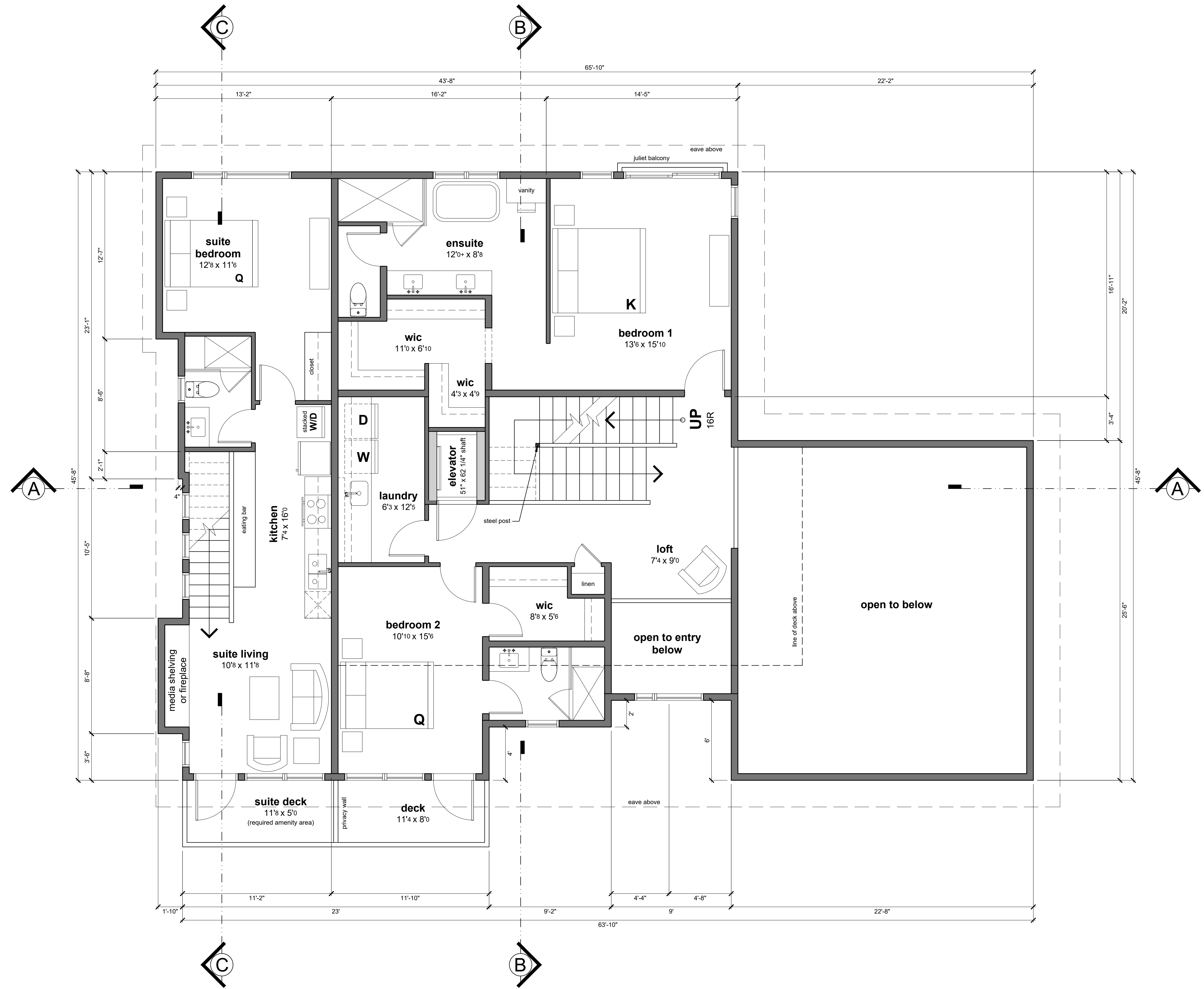
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DESIGNED: CC
CHECKED: AR

DRAWING NUMBER:

A2.1

russell and russell
design studios
#200 817 main street
canmore alberta t1w 2b3
info@russellandrussell.ca
403 678 3003
www.russellandrussell.ca

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upper floor plan (9' ceiling)
 1/4" = 1'-0"

total proposed GFA
 3478 ft.² (323.1 m²) primary dwelling GFA
 586 ft.² (54.4 m²) A.D.U. GFA

1161 ft.² - does not include exterior walls
 520 A.D.U. ft.² - does not include exterior walls
 1230 ft.² (114.3 m²) primary dwelling GFA
 558 ft.² (51.8 m²) A.D.U. GFA

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 DESIGNED: CC
 CHECKED: AR

DRAWING NUMBER:

A2.2

russell and russell
 design studios
 #200 817 main street
 canmore alberta t1w 2b3
 info@russellandrussell.ca
 403 678 3003
 www.russellandrussell.ca

PROJECT:

1151 rencz residence

ADDRESS:

1004- 3 avenue, canmore, ab

LOT: 2
BLOCK: 1
PLAN: 8410098

CLIENT:

gibson & jenna rencz

ISSUED:

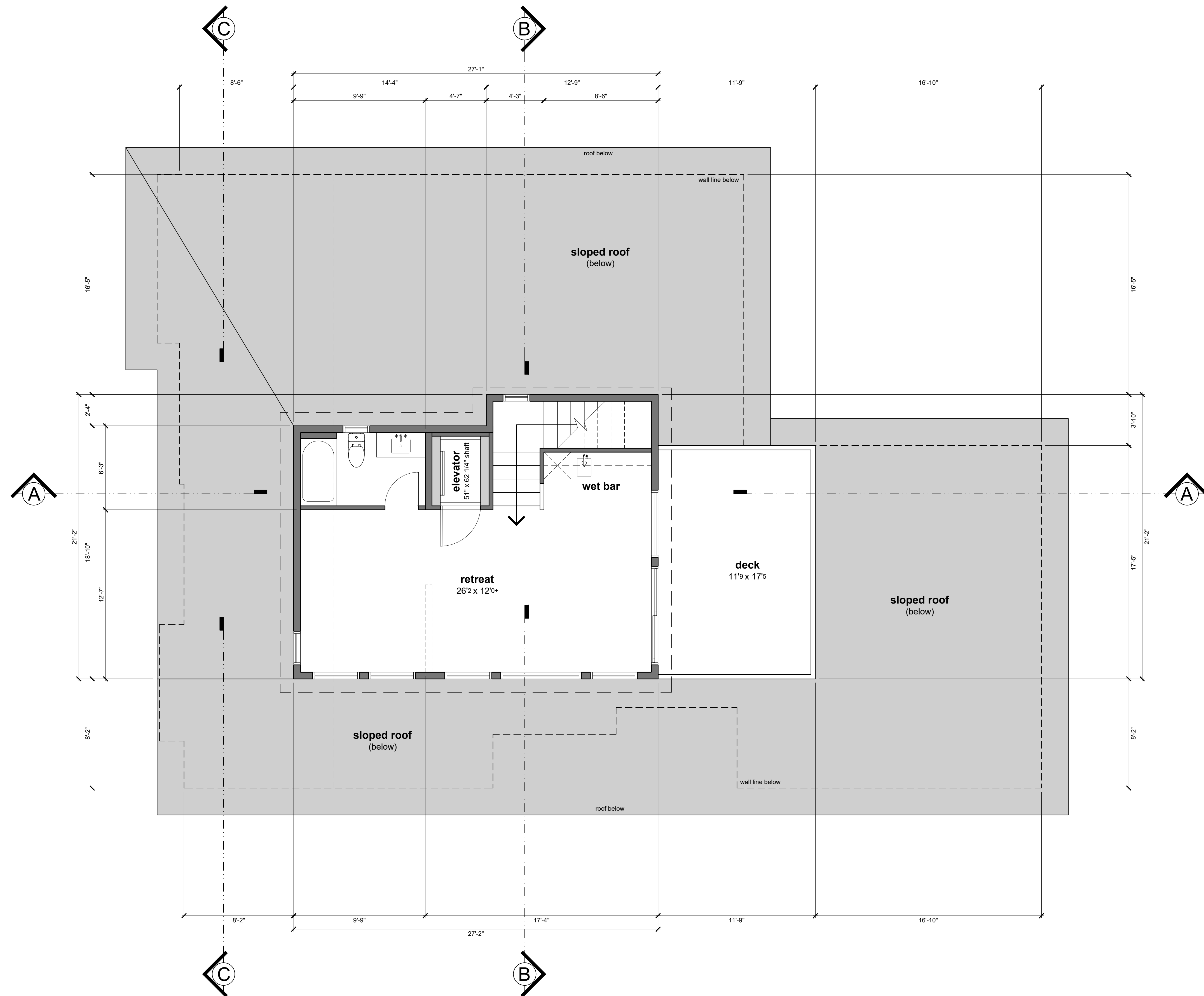
A: issued for review
2023-07-07

B: issued for D.P.
2023-09-28

C: issued for D.P.
2023-10-24

D: tree protection
revisions
2023-11-29

E: tree protection
revisions
2023-12-04



loft floor plan (8'-6" ceiling)
1/4" = 1'-0"

total proposed GFA
3478 ft.² (323.1 m²) primary dwelling GFA
586 ft.² (54.4 m²) A.D.U. GFA

410 ft.² - does not include exterior walls

448 ft.² (41.6 m²) GFA

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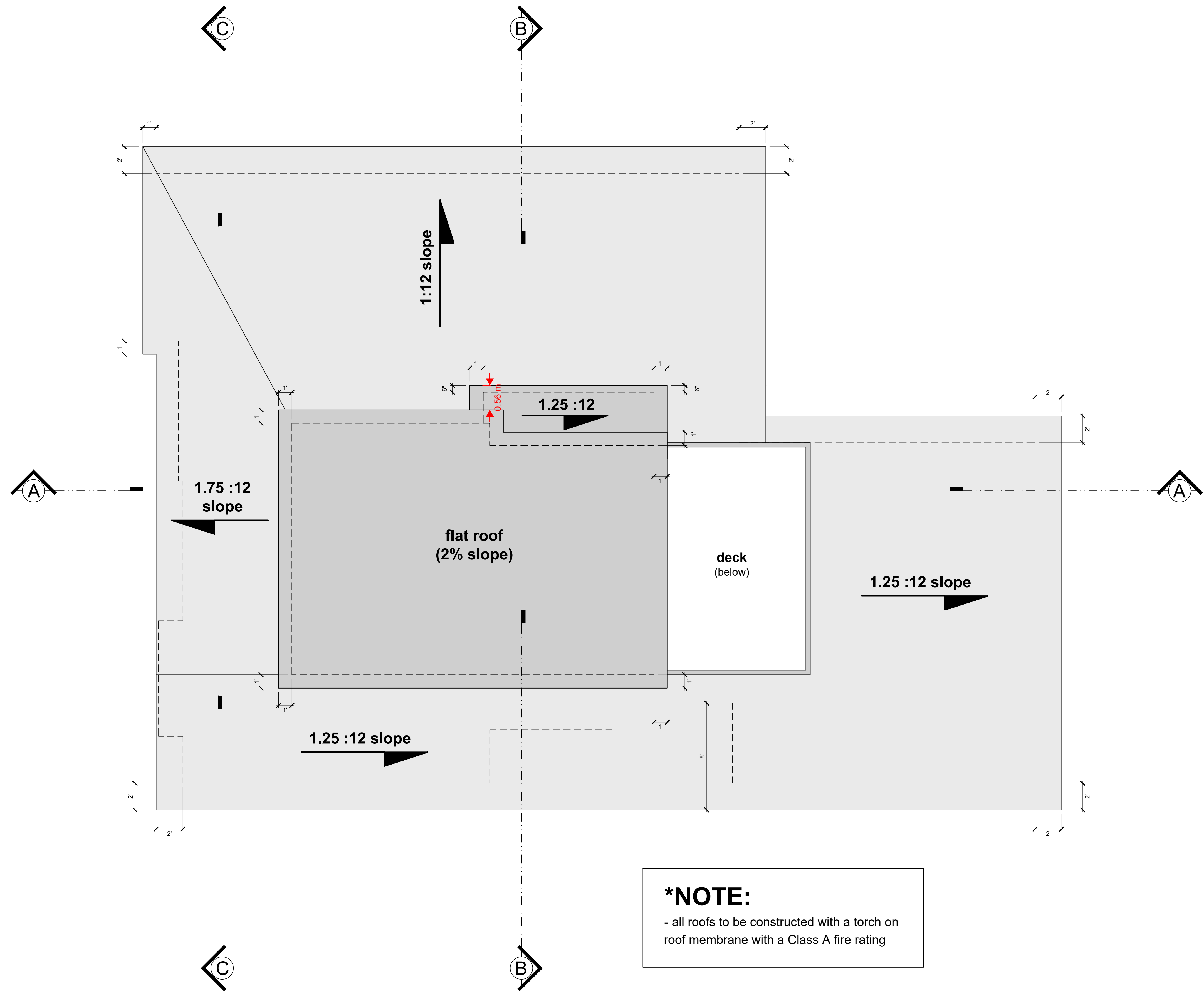
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revisions
2023-11-29

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revisions
2023-12-04



roof plan
1/4" = 1'-0"

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D: tree protection revisions 2023-11-29

E: tree protection revisions 2023-12-04



west (front) elevation

1/4" = 1'-0"



south (right) elevation

1/4" = 1'-0"

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A3.1

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BLOCK: 1
PLAN: 8410098

CLIENT:

gibson & jenna rencz

ISSUED:

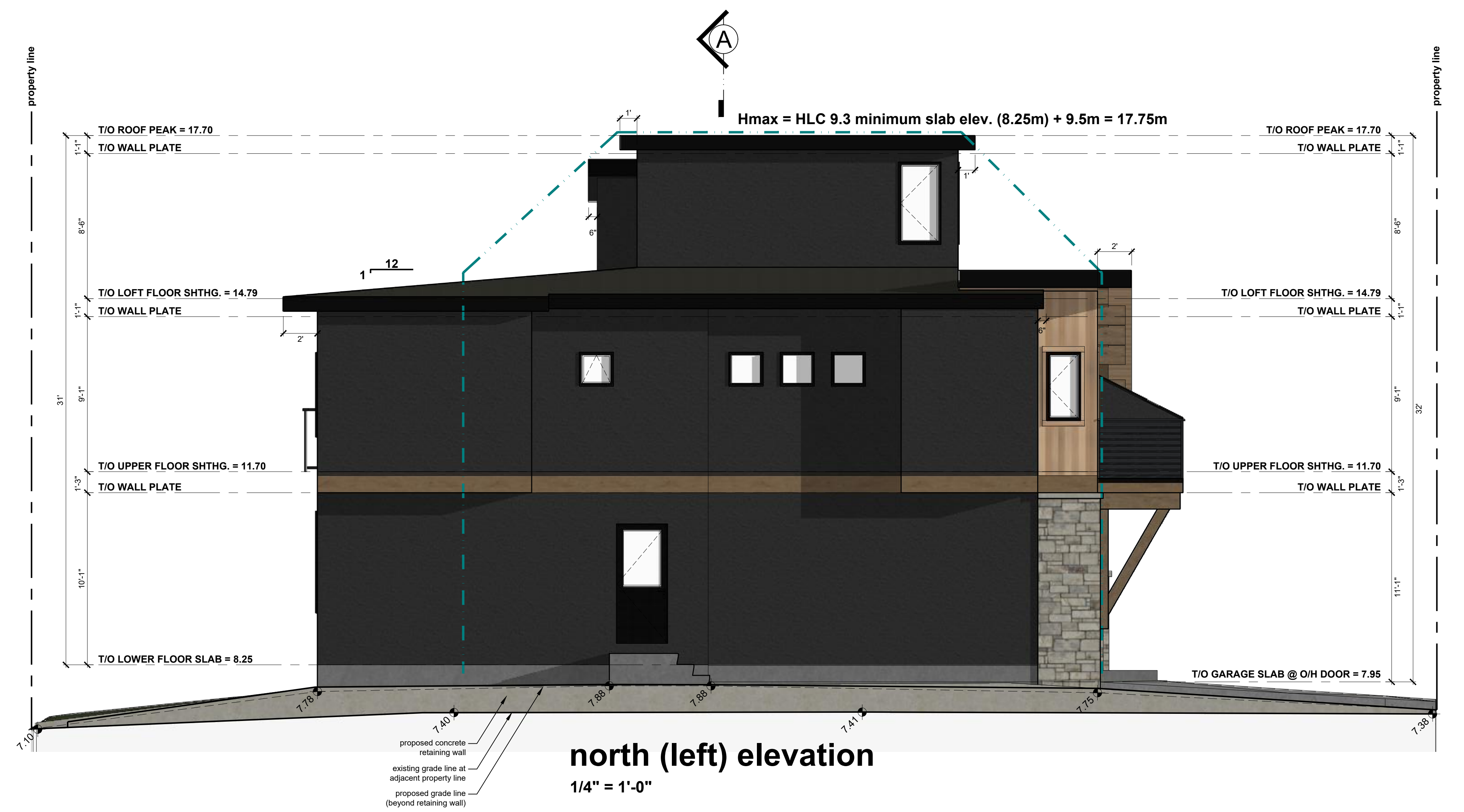
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revisions
2023-11-29

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revisions
2023-12-04



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info@russellandrussell.ca
403 678 3003
www.russellandrussell.ca

roof systems

R1 Typical Roof System
 refer to elevations for roof finish
 min. 36" wide ice & water shield eave protection
 roofing paper
 7/16" OSB sheathing w/ H-clips
 roof joists or trusses as per eng. spec.
 w/ R-40 batt insulation
 6 mil poly vapour barrier (lapped & taped)
 1/2" GWB (moisture resistant GWB in washrooms)

R2 Low Slope Roof System
 built-up roof membrane
 min. 36" wide ice & water shield eave protection
 roofing paper
 7/16" OSB sheathing w/ H-clips
 11 7/8" TJI roof trusses as per manufacturer's spec.s
 w/ R-40 closed cell polyurethane spray foam insulation
 2"x6" T&G cedar ceiling or 1/2" GWB
 (moisture resistant GWB in washrooms)

R3 Roof System over Exterior Space
 refer to elevations for roof finish
 min. 36" wide ice & water shield eave protection
 roofing paper
 7/16" OSB sheathing w/ H-clips
 roof joists as per manufacturer's spec.s or
 2"x10" roof joists @ 16" o/c
 1"x6" T&G cedar or
 pre-finished metal soffit (non-venting)

wall systems

W1 Typical Exterior Wall
 refer to elevations for finishes
 TYVEK building wrap (or similar)
 3/8" O.S.B sheathing
 2"x6" studs @ 16" o/c (all walls over 12' high to be spaced
 @ 12" o/c continuous w/ blocking @ 48" o/c)
 w/ R-24 batt insulation
 6 mil poly vapour barrier (lapped & taped)
 1/2" GWB (type X GWB in garage)

W2 Typical Foundation/ Frost Wall
 8" concrete wall - 20 MPa r/w 2-10M cont. t&b w/
 dampproofing below grade/ parging above grade
 min. 4" frost protection w/ 2" rigid insulation

W3 Suite/ Interior 'Party' Wall
 1/2" GWB
 2"x6" stud wall @ 16" o/c
 w/ sound dampening insulation
 1/2" GWB (moisture resistant GWB in washrooms)

W4 Typical Interior Wall
 1/2" GWB
 2"x4" or 2"x6" stud wall @ 16" o/c
 1/2" GWB (moisture resistant GWB in washrooms)

W5 Garage/ House Interior Wall
 1/2" GWB
 2"x6" stud wall @ 16" o/c
 w/ R-24 batt insulation
 6 mil poly vapour barrier (lapped & taped)
 5/8" type X CD or type C GWB (garage side)

floor systems

F1 Typical Slab Floor
 4" concrete slab - 25 MPa r/w 10M @ 18" o/c e/w mid slab
 w/ in-slab heating system
 6 mil poly. vapour barrier
 2" R-12 spray foam insulation
 6" (minimum) compacted gravel
 undisturbed soil or 98% SPD pitrun

F2 Typical Floor System
 finished flooring
 3/4" ply glued & screwed to floor joists
 TJI joists as per framing plan/ eng. spec.
 w/ R-30 polyurethane spray foam insulation at joist ends
 & acoustic batt insulation at all bedrooms and washrooms
 1/2" GWB (moisture resistant GWB in washrooms)

F3 Floor System over Garage
 finished flooring
 3/4" ply glued & screwed to floor joists
 14" TJI joists as per eng. spec.
 w/ polyurethane spray foam (closed cell)
 1/2" GWB, type X CD or type C GWB

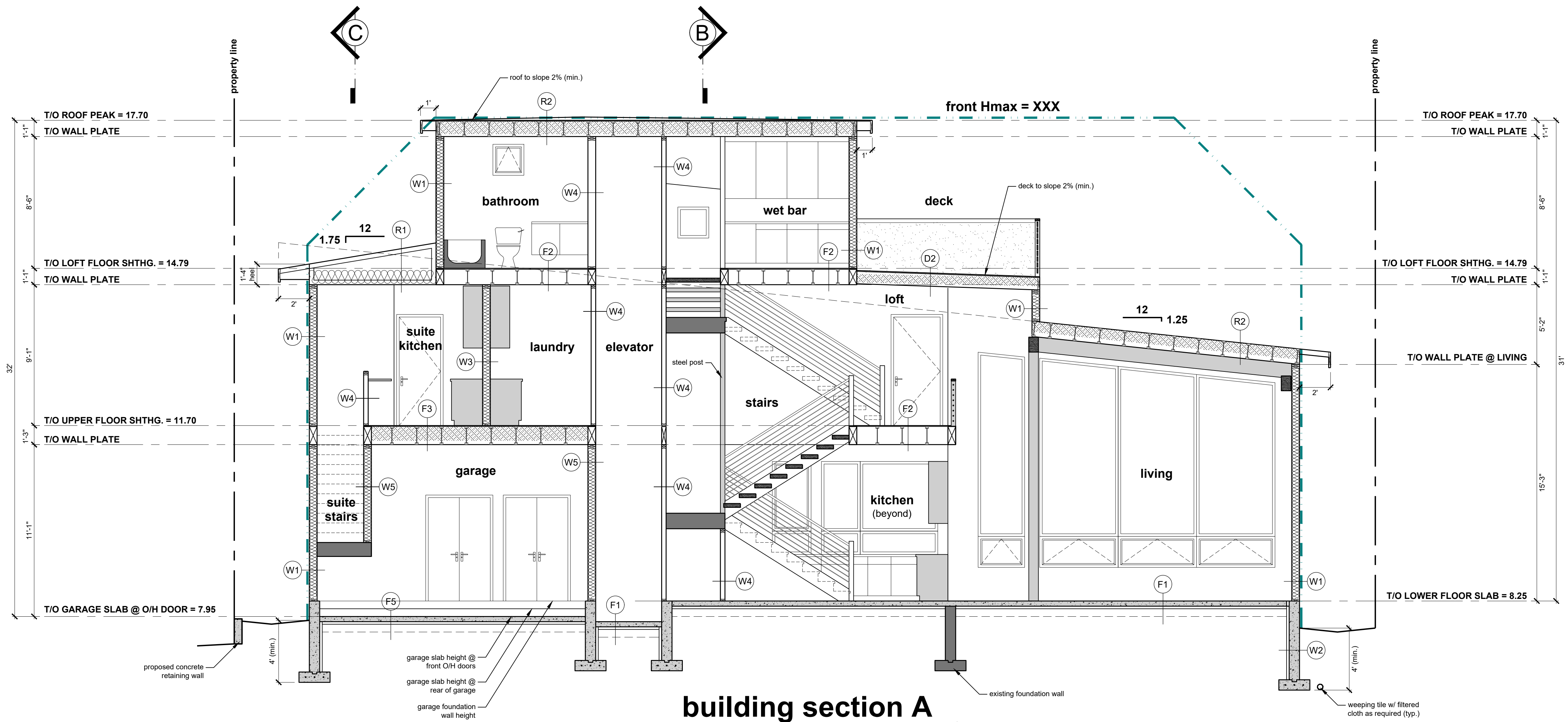
F4 Typical Cantilevered Floor System
 finished flooring
 3/4" ply glued & screwed to floor joists
 14" TJI joists as per eng. spec.
 w/ R-30 closed cell polyurethane spray foam insulation
 pre-finished metal soffit (non-venting)

F5 Typical Garage Slab
 4" concrete slab - 32 MPa r/w 10M @ 18" o/c e/w mid slab
 w/ in-slab heating system (to be confirmed by owner)
 6 mil poly. vapour barrier
 2" R-12 spray foam insulation
 6" (minimum) compacted gravel
 undisturbed soil or 98% SPD pitrun

decks

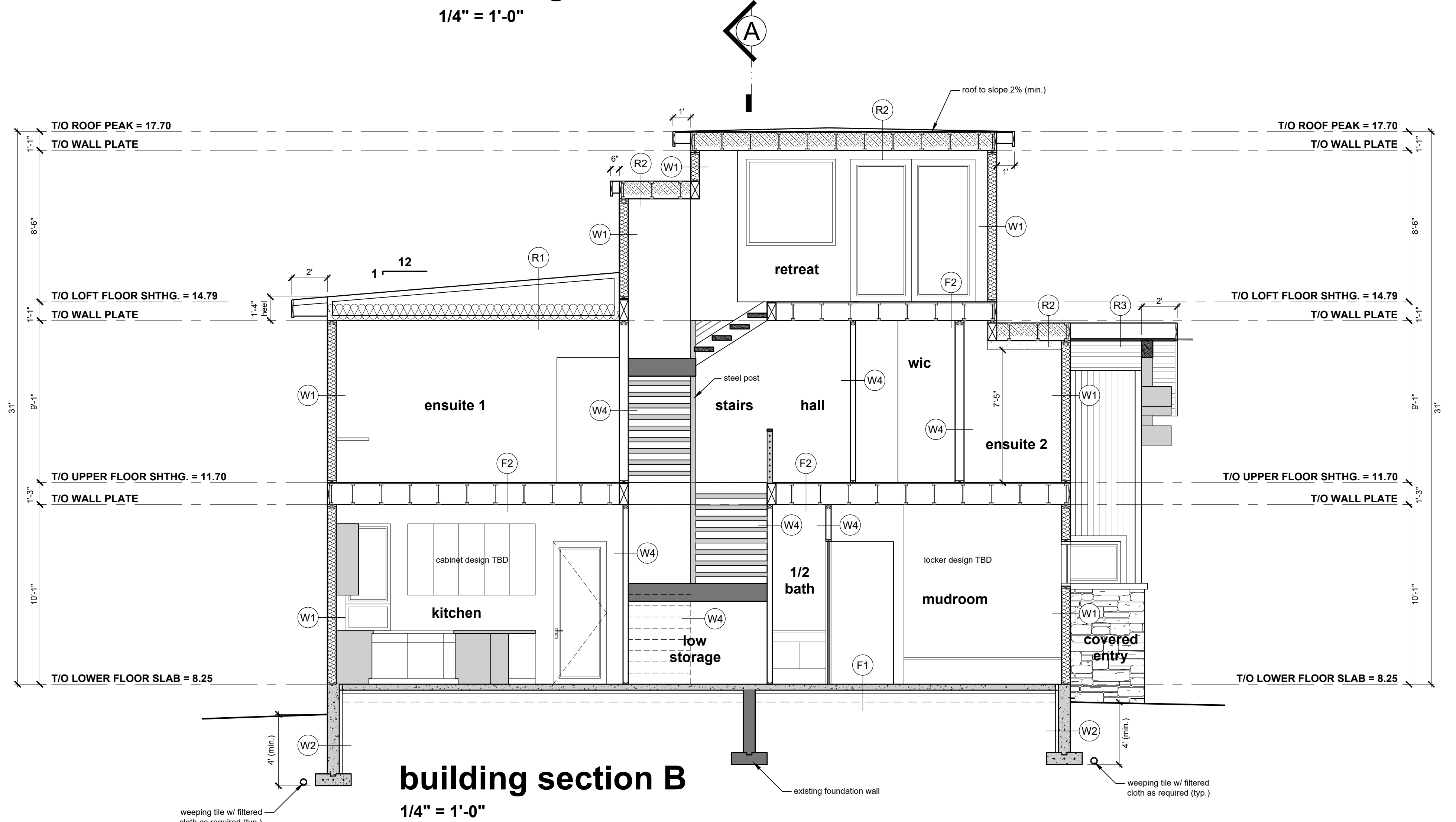
D1 Typical Deck
 Dura-Dek membrane (or similar)
 3/4" ply glued & screwed to deck joists
 sloped deck joists as per framing plan
 1"x6" T&G cedar or pre-finished perforated metal soffit

D2 Typical Deck over living space
 Dura-Dek membrane (or similar)
 3/4" ply glued & screwed to deck joists
 sloped sleepers spaced to match deck joists below
 deck joists as per framing plan
 w/ R-30 closed cell polyurethane spray foam insulation
 1/2" GWB (moisture resistant GWB in washrooms)



building section A

1/4" = 1'-0"



building section B

1/4" = 1'-0"

construction data

PROJECT:

1151 rencz residence

ADDRESS:

1004- 3 avenue, canmore, ab

LOT: 2
 BLOCK: 1
 PLAN: 8410098

CLIENT:

gibson & jenna rencz

ISSUED:

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DRAWING NUMBER:

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 www.russellandrussell.ca

roof systems

- R1** Typical Roof System
 refer to elevations for roof finish
 min. 36" wide ice & water shield eave protection
 roofing paper
 7/16" OSB sheathing w/ H-clips
 roof joists or trusses as per eng. spec.
 w/ R-40 batt insulation
 6 mil poly vapour barrier (lapped & taped)
 1/2" GWB (moisture resistant GWB in washrooms)
- R2** Low Slope Roof System
 built-up roof membrane
 min. 36" wide ice & water shield eave protection
 roofing paper
 7/16" OSB sheathing w/ H-clips
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 w/ R-40 closed cell polyurethane spray foam insulation
 2"x6" T&G cedar ceiling or 1/2" GWB
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 min. 36" wide ice & water shield eave protection
 roofing paper
 7/16" OSB sheathing w/ H-clips
 roof joists as per manufacturer's spec.s or
 2"x10" roof joists @ 16" o/c
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wall systems

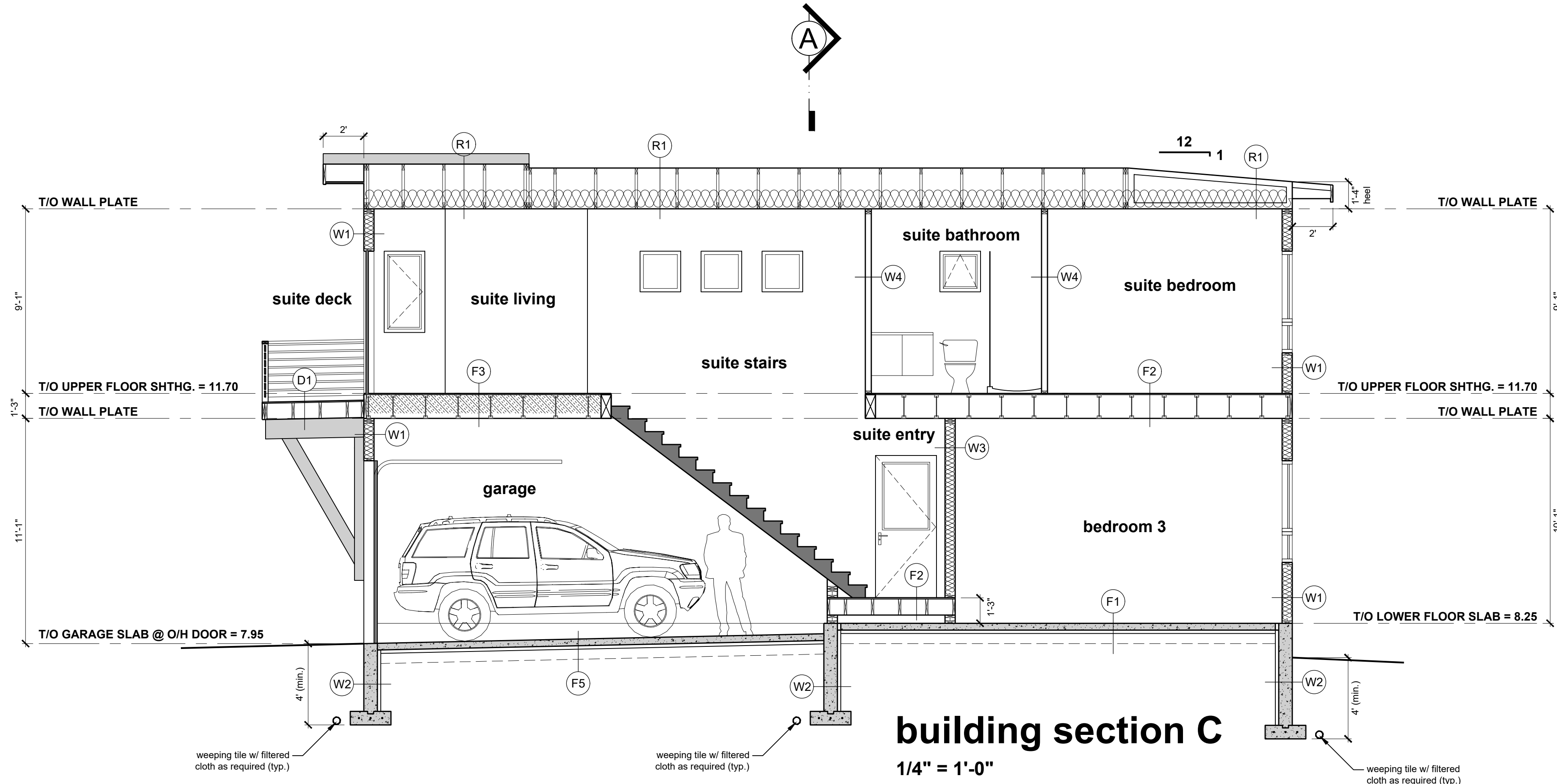
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- W2** Typical Foundation/ Frost Wall
 8" concrete wall - 20 MPA r/w 2-10M cont. t&b w/
 dampproofing below grade/ parging above grade
 min. 4" frost protection w/ 2" rigid insulation
- W3** Suite/ Interior 'Party' Wall
 1/2" GWB
 2"x6" stud wall @ 16" o/c
 w/ sound dampening insulation
 1/2" GWB (moisture resistant GWB in washrooms)
- W4** Typical Interior Wall
 1/2" GWB
 2"x4" or 2"x6" stud wall @ 16" o/c
 1/2" GWB (moisture resistant GWB in washrooms)
- W5** Garage/ House Interior Wall
 1/2" GWB
 2"x6" stud wall @ 16" o/c
 w/ R-24 batt insulation
 6 mil poly vapour barrier (lapped & taped)
 5/8" type X CD or type C GWB (garage side)

floor systems

- F1** Typical Slab Floor
 4" concrete slab - 25 MPa r/w 10M @ 18" o/c e/w mid slab
 w/ in-slab heating system
 6 mil poly. vapour barrier
 2" R-12 spray foam insulation
 6" (minimum) compacted gravel
 undisturbed soil or 98% SPD pitrun
- F2** Typical Floor System
 finished flooring
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 & acoustic batt insulation at all bedrooms and washrooms
 1/2" GWB (moisture resistant GWB in washrooms)
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 finished flooring
 3/4" ply glued & screwed to floor joists
 14" TJI joists as per eng. spec.
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 finished flooring
 3/4" ply glued & screwed to floor joists
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decks

- D1** Typical Deck
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 1/2" GWB (moisture resistant GWB in washrooms)



PROJECT:

1151 rencz
residence

ADDRESS:

1004- 3 avenue,
canmore, ab

LOT: 2
BLOCK: 1
PLAN: 8410098

CLIENT:

gibson & jenna
rencz

ISSUED:

- A:** issued for review
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revisions
2023-11-29
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2023-12-04

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The Building Envelope applied below has not been adjusted for the requested setback variances, but rather reflects the proposed development in relation to the current Building Envelope regulations. (Section 2.8.4 of the Land Use Bylaw).



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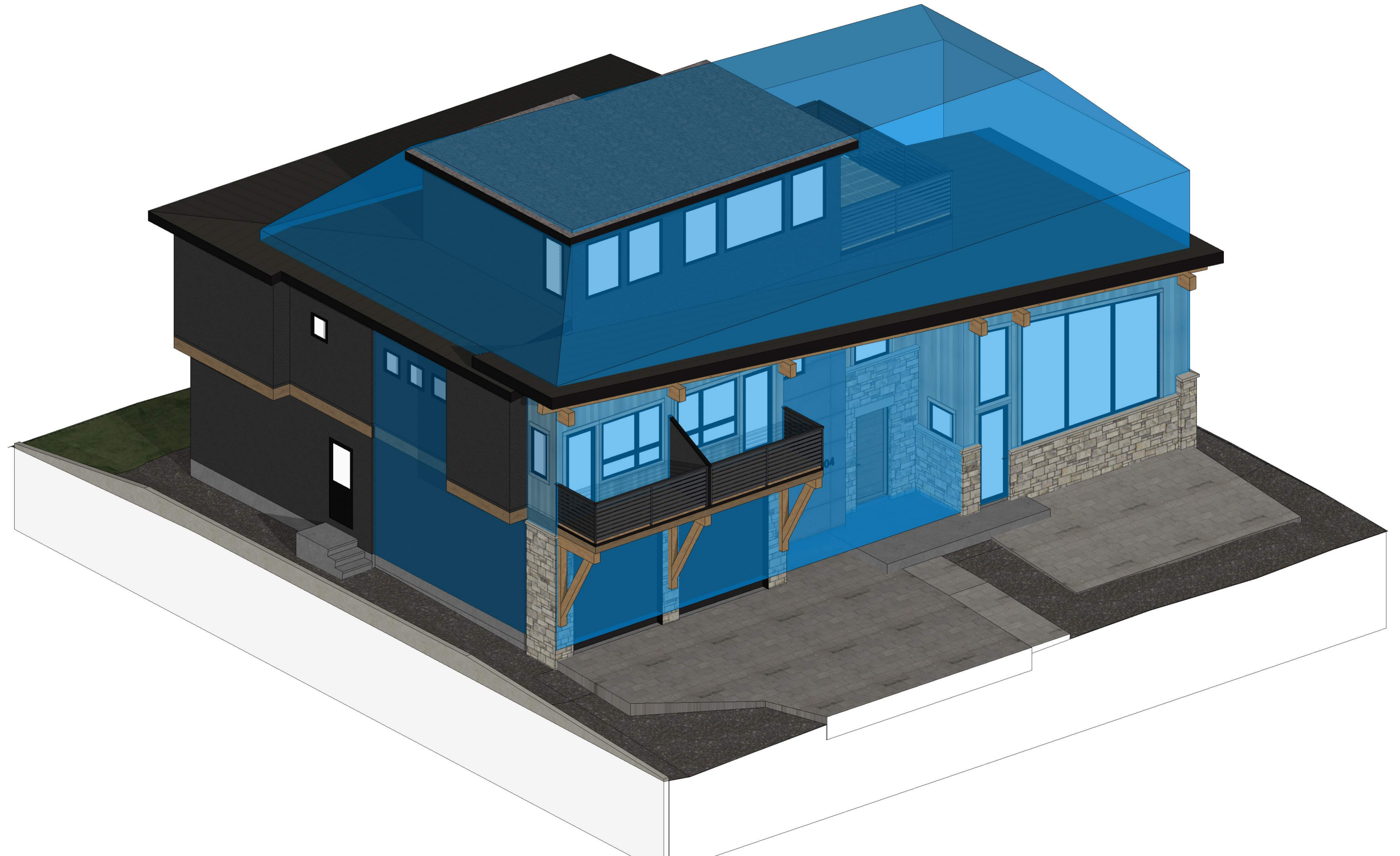
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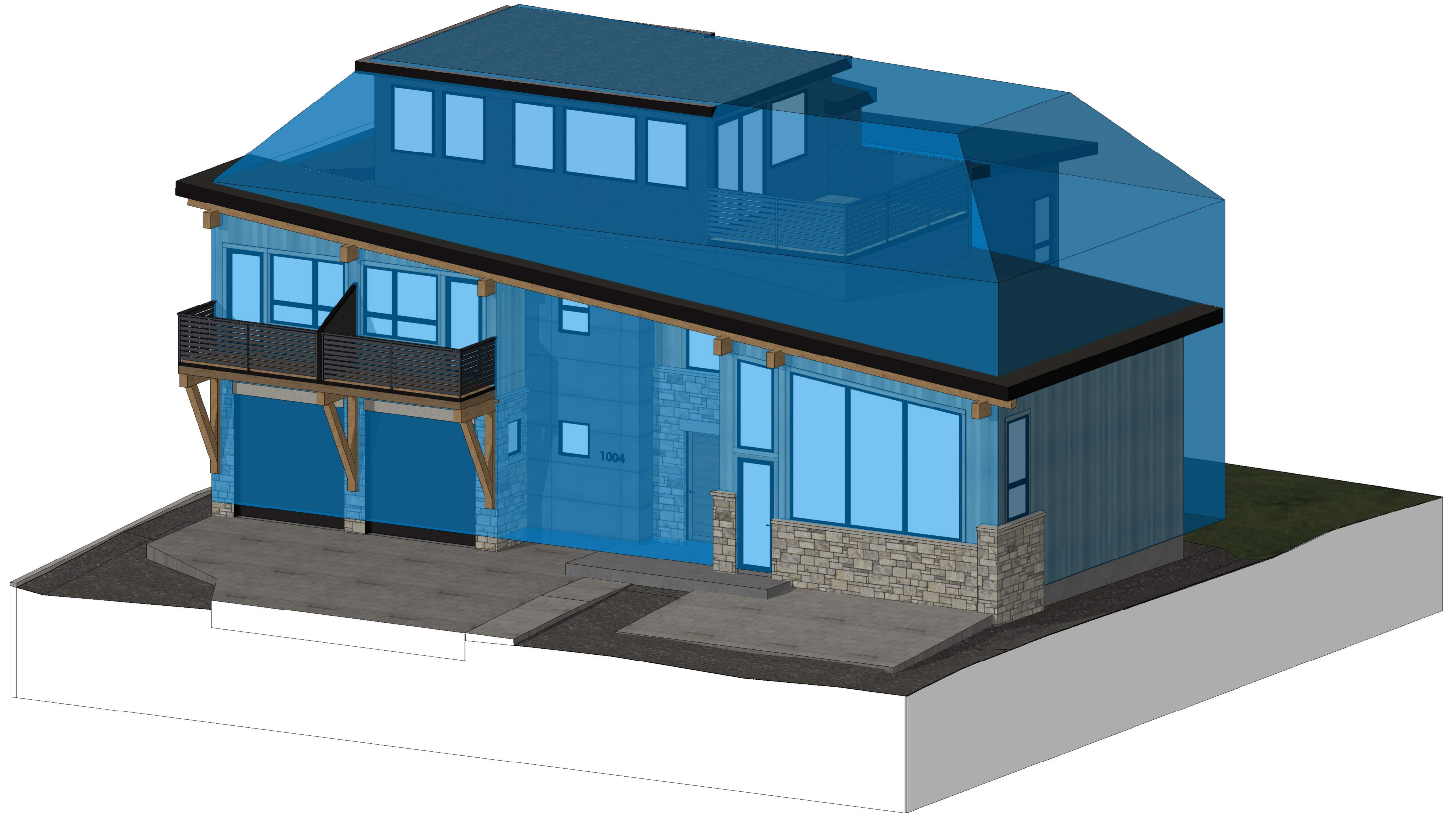
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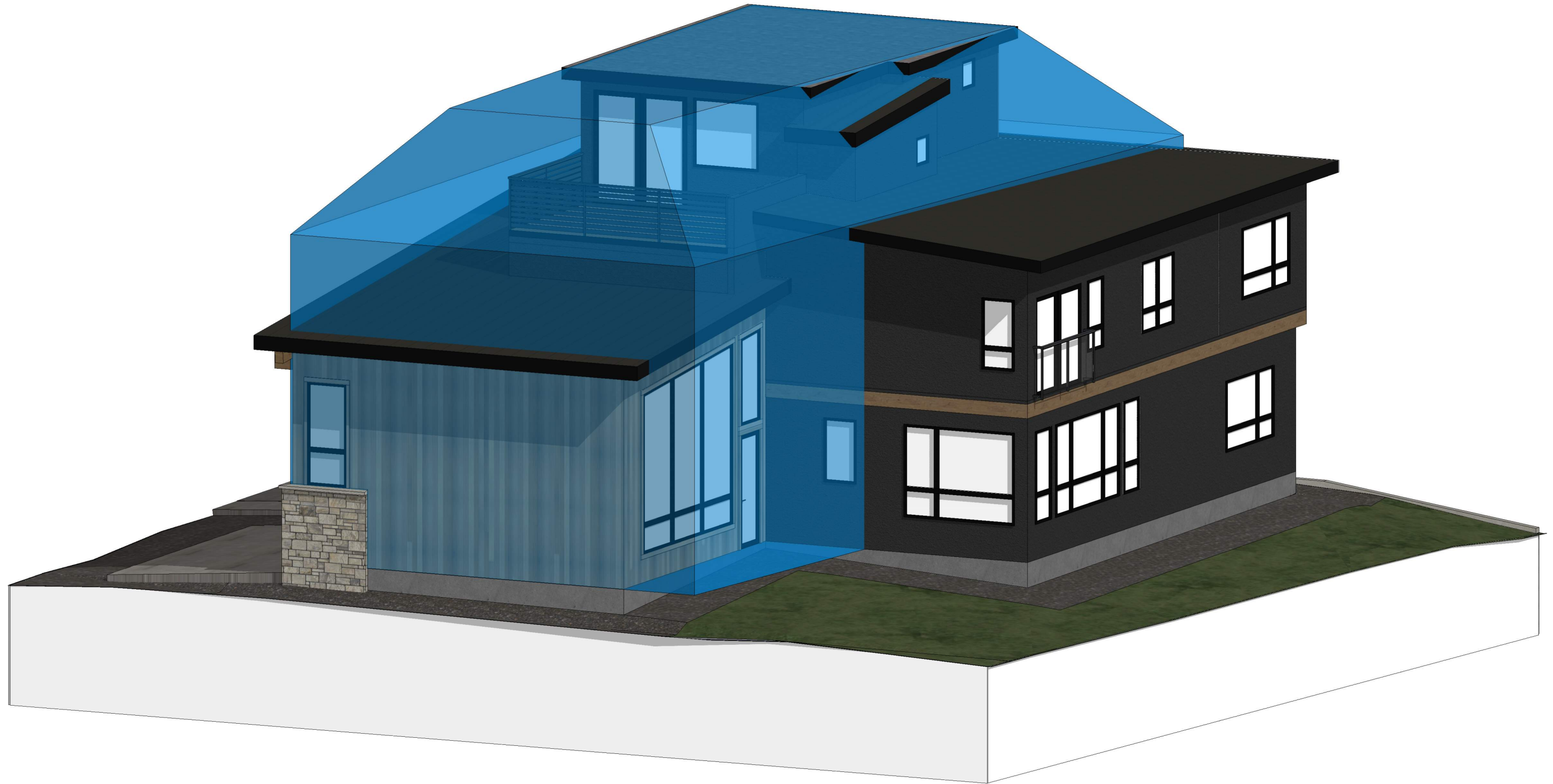
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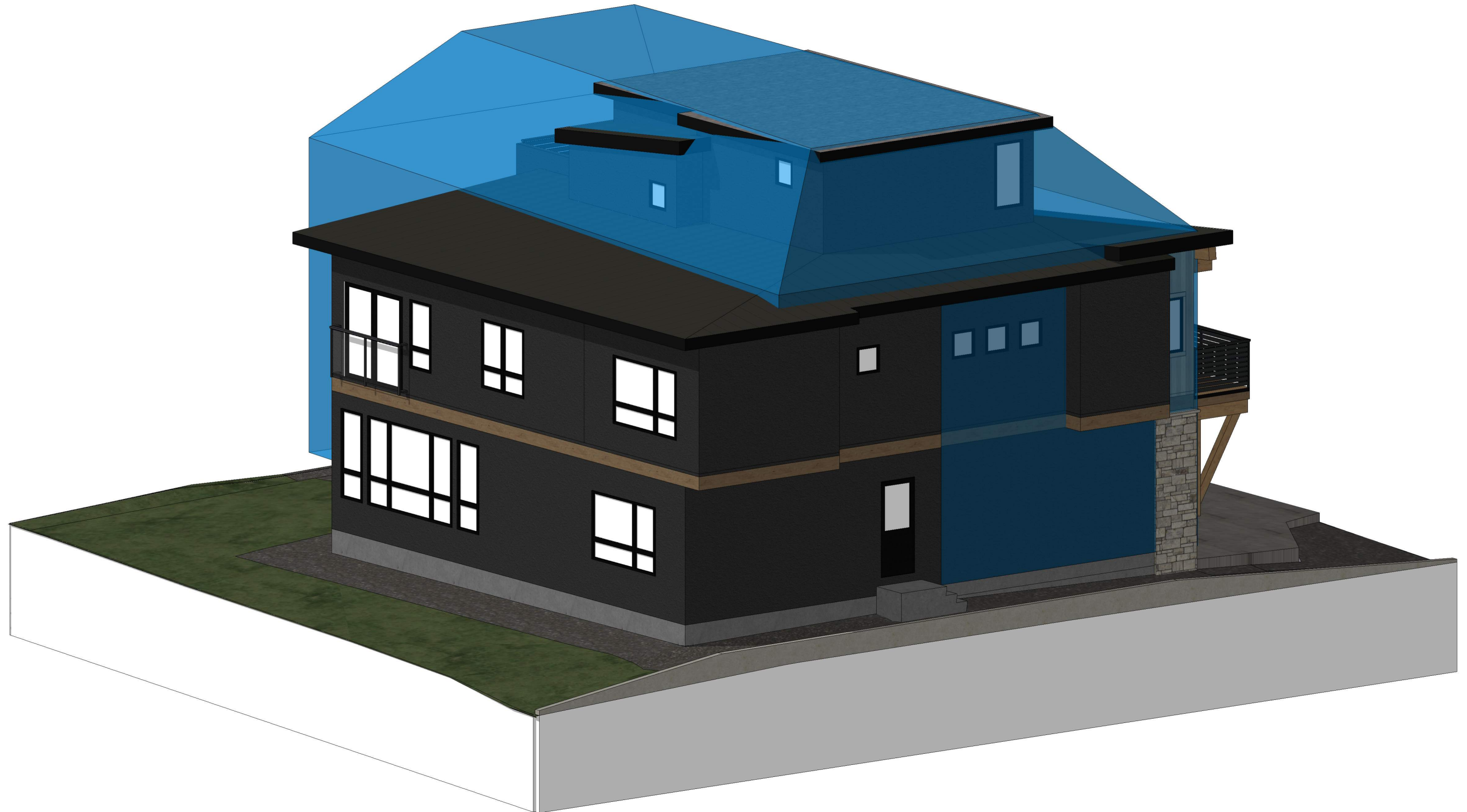
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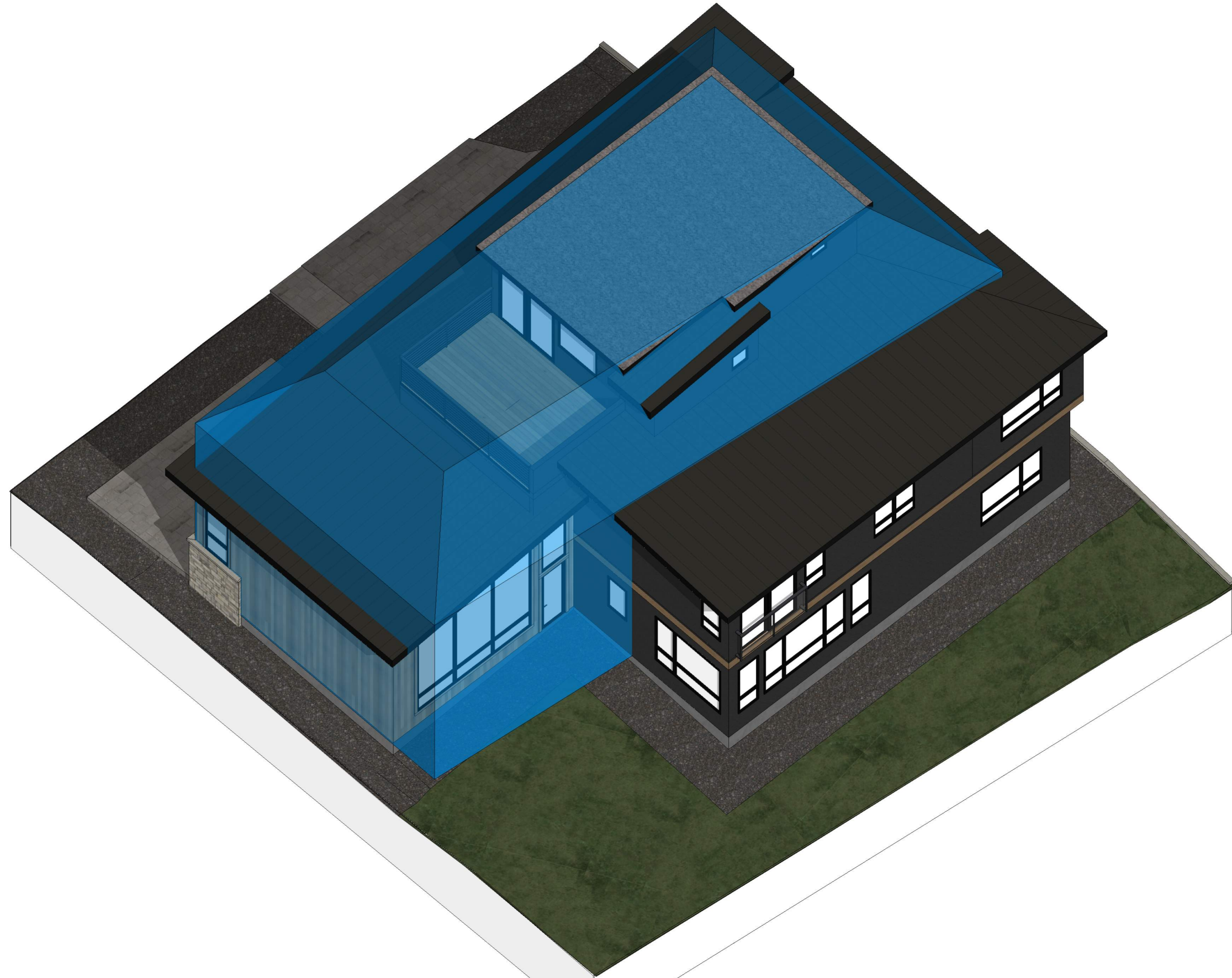
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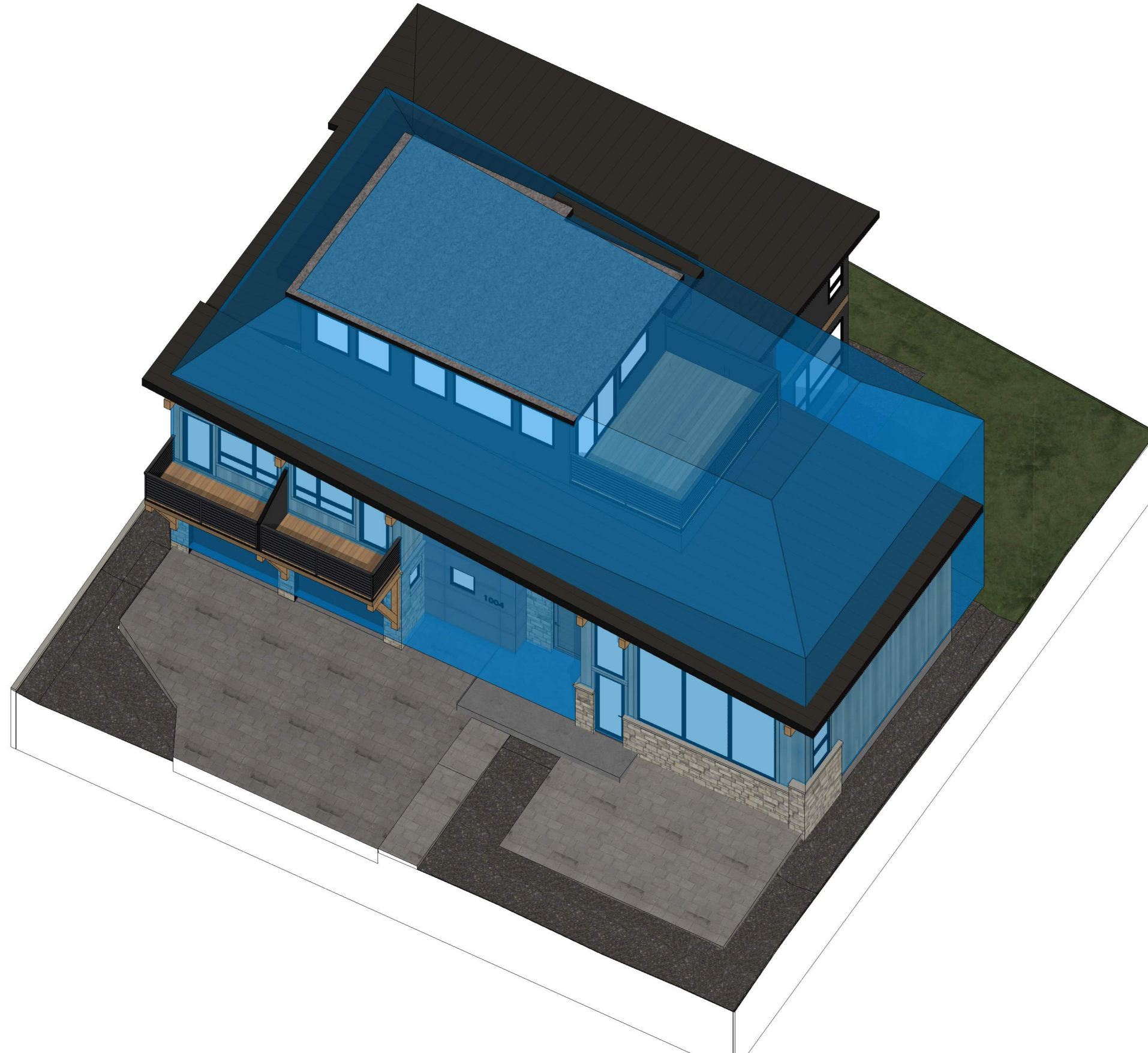
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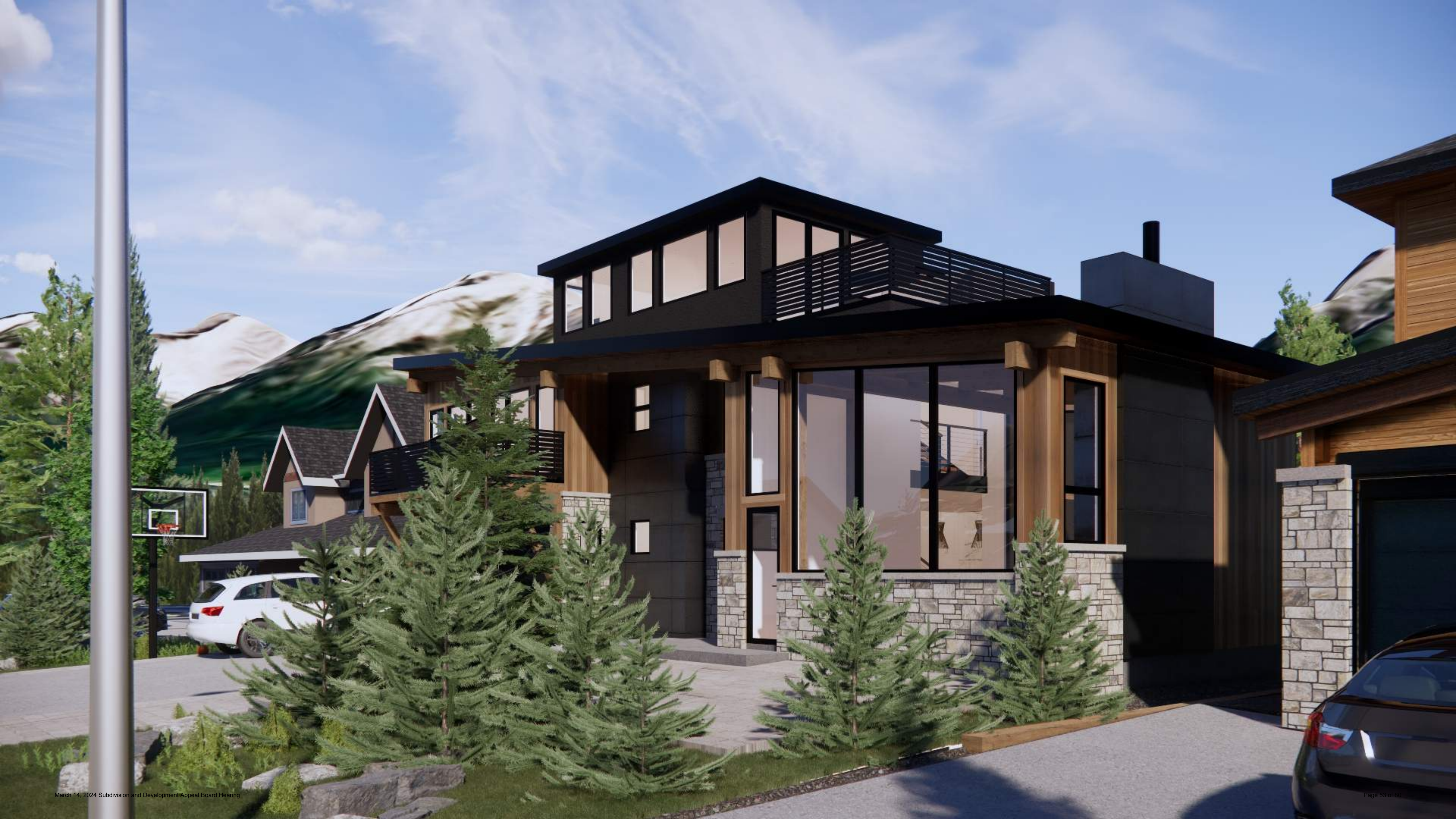
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re

Variance Rational Letter - Relaxation of 20m Creek Setback to 15m, additional 1.7% Site Coverage and Variances to Reuse Existing Foundation.

1004 3rd Ave, Canmore

Monday, 22 January 2024

Provided to: Jenna and Gibson Rencz

Planning and Development Department

Jenna and Gibson Rencz, (the Renczs) would like to renovate and build an addition to their existing home on 3rd Ave adjacent to Spring Creek. During this renovation the Renczs would like to provide an Accessory Dwelling Unit however due to significant site constraints it is not possible to build a detached ADU. For this reason, an attached ADU is proposed on this restricted site.

Description

The lot sits between 3rd Ave and the Spring Creek in South Canmore. Due to this wonderful creek-side location it is important for the Renczs to maintain living space on the first level next to the creek and the residential street to encourage community connections. First level living is also part of their ageing in place plan with a master bedroom and living spaces all easily accessible on the entry level.

Variances Required

- 1) We would like to request 1.7% additional site coverage to allow an attached ADU on this restricted site (bylaw 1.14.1.e).
- 2) We would like to request the standard 5m variance to the 20m creek setback, (bylaw 1.14.2.b) for lots registered before 1998, to allow an addition to the south of the existing dwelling.
- 3) Due to the location of the existing home, we would like to request a 3.81m variance in the rearyard setback and a 6.04m variance to the 15m creek setback for the existing foundation. Given the location of the property it would not be possible to rebuild the house without using this existing foundation.

Variance Rational Letter Cont.

Solutions

Site Coverage

Due to the lack of both a rear lane and any useable rearyard space a detached ADU is not possible therefore an attached ADU approach is required. Due to the fantastic creekside location lower level living spaces are a must therefore an attached ADU must be located above the first level. Due to the restricted site the size of the ADU is only 54.4 m², significantly below the maximum size of 80 m². Cantilevers have been added to the ADU to create a more useable space which has increased the site coverage to 41.70%. This variance is below the 10% threshold allowed in the bylaw.

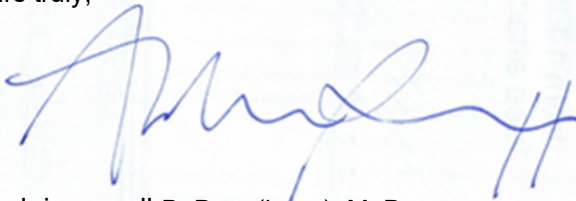
Rearyard and Creek Setbacks

As is typical of houses built on lots registered before 22 September 1998 and as is also typical of existing homes in the area, the Renczs required the standard 5m variance to the 20m creek setback to allow construction of an addition to a house below 325 m².

In addition, due to the extent of the proposed project a variance is required to reuse the existing concrete foundation which is 3.81m into the 7.5m rearyard setback and 6.04m into the 15m creek setback. It is not possible to build a house without utilising the existing foundation. If the existing walls above the foundation were reused there are numerous cantilevers including a full-length cantilever on the second floor that would require additional variances. In order to minimise variances, the proposed revised first and second floors will eliminate these additional cantilevers.

We feel that the proposed variances should be granted because of the community benefit; it provides an additional housing unit on a restricted site by reusing an existing foundation without interfering with the neighbours' views, sunlight or privacy.

Yours truly,



Alasdair Russell B. Des. (hons), M. Des.
for **russell and russell design studios**



Town of Canmore Tree Protection Plan Agreement

Town of Canmore
Parks Department
100 Glacier Drive
Canmore, AB T1W 1K8

Date of Application:	Agreement # (office use only):	Approval Date:
Address of Permitted Work:		

Permit Type	Permit #	Town of Canmore Contact for Permit

Applicant Name:	Company Name(if applicable):
-----------------	-------------------------------

Mailing Address:

Applicant Phone:	Applicant Email:	Relationship to Legal Land Owner:
------------------	------------------	--

	Self
--	------

If you are not the Legal Land Owner:	Authorized Representative
---	---------------------------

Legal Land Owner Name:	
------------------------	--

Legal Land Owner Phone #:	
---------------------------	--

Legal Land Owner Email:	
-------------------------	--

This application is being made to request the following(check all that apply):

Tree Protection Plan for Identified Town Tree(s)	Request Permission to Remove Town Tree(s)	Request Permission to Prune or Relocate Town Tree(s)
---	--	---

	Tree Species / Type	Height Evergreen or DBH - Deciduous	Action Requested	Appraised Value \$	<u>Office Use Only</u> Recommendation details Approved or Denied
Tree #1					
Tree #2					
Tree #3					
Tree #4					
Tree #5					
Tree #6					
Tree #7					
Tree #8					
Tree #9					
Tree #10					

For Office Use Only	Name of Inspector	Site Visits #	Date	# of Trees	Comments



Town of Canmore Tree Protection Plan Agreement

Town of Canmore
Parks Department
100 Glacier Drive
Canmore, AB T1W 1K8

Date of Application:	Agreement # (office use only):	Approval Date:
Address of Permitted Work:		

Permit Type	Permit #	Town of Canmore Contact for Permit

Applicant Name:	Company Name(if applicable):
-----------------	-------------------------------

Mailing Address:

Applicant Phone:	Applicant Email:	Relationship to Legal Land Owner:
------------------	------------------	--

	Self
--	------

If you are not the Legal Land Owner:	Authorized Representative
---	---------------------------

	Contractor
--	------------

Legal Land Owner Name:	
------------------------	--

Legal Land Owner Phone #:	
---------------------------	--

Legal Land Owner Email:	
-------------------------	--

This application is being made to request the following(check all that apply):

Tree Protection Plan for Identified
Town Tree(s)

Request Permission to Remove
Town Tree(s)

Request Permission to Prune or Relocate
Town Tree(s)

	Tree Species / Type	Height Evergreen or DBH - Deciduous	Action Requested	Appraised Value \$	<u>Office Use Only</u> Recommendation details Approved or Denied
Tree # 11					
Tree # 12					
Tree # 13					
Tree # 14					
Tree # 15					
Tree # 6					
Tree # 7					
Tree # 8					
Tree # 9					
Tree # 10					

For Office Use Only	Name of Inspector	Site Visits #	Date	# of Trees	Comments

Reason for Tree Removal, Relocation, Or Pruning:

Alternatives or modifications considered prior to applying for tree removal, pruning or relocate:

Please confirm the following has been done prior to submitting your agreement application:

- A copy of the Legal Land Survey inclusive of all items requiring identification as set out in the Tree Protection Plan Guide
- Property lines identified in the Legal Land Survey are identified have been staked on the property in preparation of site visits
- Attach the proposed Tree Protection Plan identifying all required Tree Protection Zones and required Tree Protection Barriers as required by the Tree Protection Plan Guide
- Trunk Formula Technique (10th Edition, 2nd Revision) Valuation for each identified tree
- Agree to allow the Town to attach Tree Protection Signage to every Tree Protection Barrier for the duration of permit
- This completed and signed Tree Protection Plan Application

By signing this agreement as the applicant, I, _____, acknowledge and understand that I will adhere to the Tree Protection Plan set out in this agreement, the agreement cannot be modified without prior approval, and I will operate in accordance to the Town of Canmore Tree Protection Bylaw 2019-10.

Applicant Name:	Applicant Signature:	Date Signed:
Land Owner Name:	Land Owner Signature:	Date Signed:

For Office Use Only		
Permit Approved	Permit Denied	Permit Modified <small>(attach required documents/emails)</small>
Town of Canmore Application Decision Justification:		
Name & Position	Signature: <i>Bree Campbell</i>	Date Signed:

Please email inquires and completed Tree Protection Plan Agreement & corresponding documents to parks@canmore.ca



Arborist Report

P.O Box 8118
Canmore, AB
T1W 2T8

Date: Jan 7, 2024

Nature of Report: Alpine Precision was asked to perform an appraisal on 15 trees on Town of Canmore Property prior to development of the property.

Location: 1004 3 Ave, Canmore, AB

Species and tree details: White Spruce and Colorado Spruce

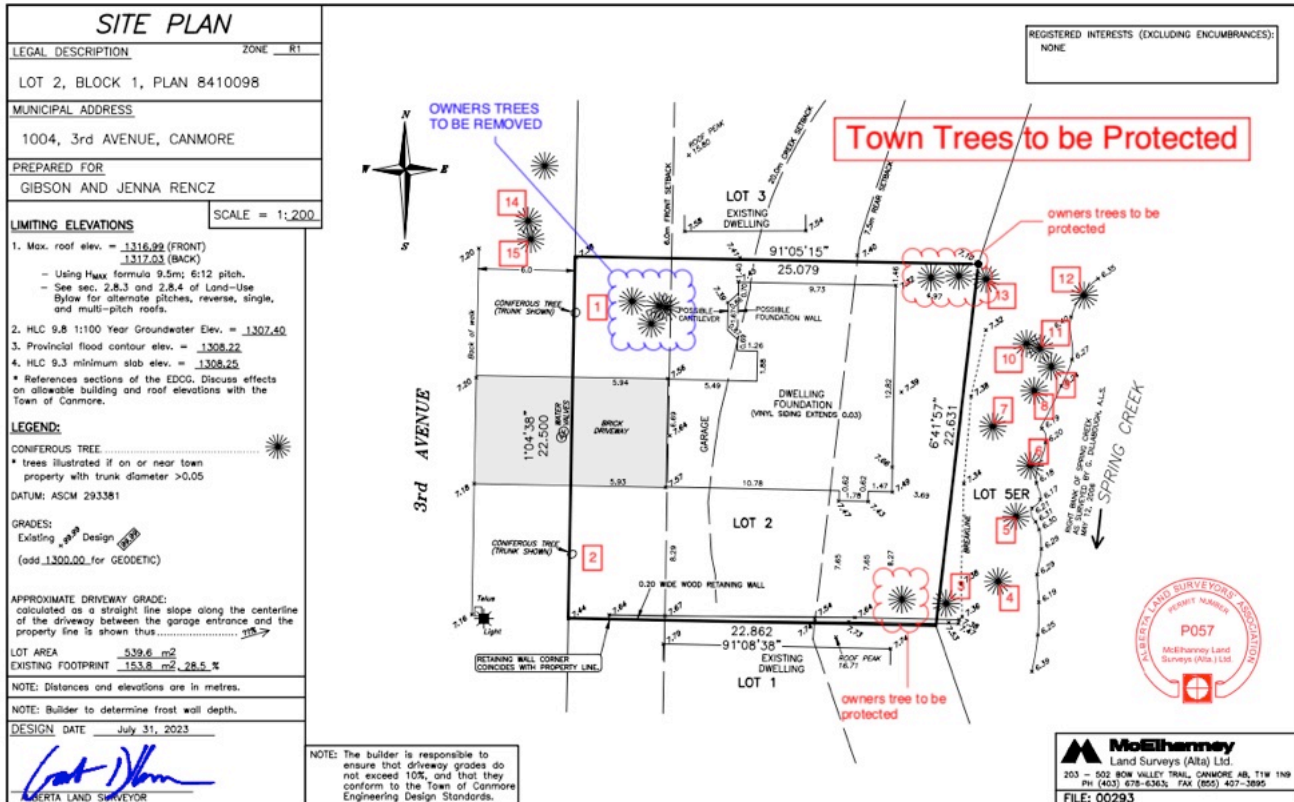
Condition: Please see condition rating in the appraisal chart.

Site Conditions: Most of the site is an established, maintained landscape. Some of the trees are growing very close to a creek bank, limiting root growth.

Observations and recommendations: Please see separate table for appraisal chart. Appraisal values were prepared using trunk value method. The total appraised value for each tree is the “replacement value”.

John Newsome- Certified Arborist
PR- 4727A
Alpine Precision Tree Services Ltd.

1



**John Newsome- Certified Arborist
PR- 4727A
Alpine Precision Tree Services Ltd.**





**John Newsome- Certified Arborist
PR- 4727A
Alpine Precision Tree Services Ltd.**

3



**John Newsome- Certified Arborist
PR- 4727A
Alpine Precision Tree Services Ltd.**

4



Tree 7



Tree 9 Tree 8







**John Newsome- Certified Arborist
PR- 4727A
Alpine Precision Tree Services Ltd.**

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Arborist Report

P.O Box 8118

Canmore, AB

T1W 2T8

ASSUMPTIONS AND LIMITING CONDITIONS

#1-Any legal description provided to the consultant is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

#2-It is assumed that any property is not in violation of any applicable codes, ordinances, caveats, statues or other governmental regulations.

#3-This assessment is based on the information known to the consultant at this time. If more information is disclosed the consultant may have further opinions.

#4-Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided by others.

#5-The consultant shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services to the satisfaction of the consultant.

#6-loss or alteration of any part of this report invalidates the entire report.

#7-This report and any values expressed herein represent the opinion of the consultant, and the consultants fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

John Newsome- Certified Arborist
PR- 4727A
Alpine Precision Tree Services Ltd.

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Arborist Report

P.O Box 8118

Canmore, AB

T1W 2T8

#8-Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of the inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

#9-Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

#10-In this report, where a number is used to refer to a tree, this number means the number assigned to the tree on the day of the site visit.

#11-This evaluation cannot take into account strong or extreme weather events.

#12- This evaluation is only valid on day.

John Newsome- Certified Arborist
PR- 4727A
Alpine Precision Tree Services Ltd.
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Tree number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Species	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce	Spruce
Trunk diameter	35	32	10	13	22	29	40	15	17	18	12	12	25	9	8
Cross sectional area sq cm	962.115	804.2496	78.54	132.7326	380.1336	660.5214	1256.64	176.715	226.9806	254.4696	113.0976	113.0976	490.875	63.6174	50.2656
Condition rating	95%	90.0%	90.0%	85%	85%	85%	80.0%	70.0%	70.0%	80.0%	60.0%	60.0%	95%	70.0%	80.0%
Functional limitations	90.0%	85%	90.0%	90.0%	90.0%	90.0%	65%	50.0%	50.0%	65%	65%	80.0%	90.0%	65%	90.0%
External limitations	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	90.0%	80.0%	80.0%
Replacement tree diameter	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Replacement tree size sq cm	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635	19.635
Replacement tree cost	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00	\$345.00
Unit tree cost	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57	\$17.57
Basic reproduction cost	\$16905.00	\$14131.20	\$1380.00	\$2332.20	\$8679.20	\$11605.80	\$22080.00	\$3105.00	\$3988.20	\$4471.20	\$1987.20	\$1987.20	\$8625.00	\$1117.80	\$883.20
Depreciated reproduction cost	\$13008.40	\$9729.33	\$1006.02	\$1605.72	\$4598.63	\$7990.59	\$10333.44	\$978.08	\$1256.28	\$2092.52	\$697.51	\$858.47	\$6636.94	\$406.88	\$508.72
Cleanup	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Replacement installation costs	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$0.00	\$0.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00
Aftercare	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$0.00	\$0.00	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00
Total additional costs	\$750.00	\$750.00	\$750.00	\$750.00	\$750.00	\$750.00	\$750.00	\$0.00	\$0.00	\$750.00	\$750.00	\$750.00	\$750.00	\$750.00	\$750.00
Total reproduction	\$13758.40	\$10479.33	\$1756.02	\$2355.72	\$5348.63	\$8740.59	\$11083.44	\$978.08	\$1256.28	\$2842.52	\$1447.51	\$1608.47	\$7386.94	\$1156.88	\$1258.72



SCHEDULE A

CONDITIONS OF APPROVAL

DEVELOPMENT PERMIT No.: PL20230327

LAND USE DISTRICT: R1 – Residential Detached District

APPROVED USE(S): Detached Dwelling (with an Accessory Dwelling Unit)

APPROVED VARIANCE(S): Waterbody setback, rear yard setback, maximum building envelope, side yard setback, eave projection, site coverage.

MUNICIPAL ADDRESS: 1004 3rd Avenue

LEGAL ADDRESS: Lot: 2 Block: 1 Plan: 8410098

APPROVED VARIANCES

1. To section 2.4.8.2 of the Land Use Bylaw, to allow a waterbody setback of up to 8.96m instead of the required 20m.
2. To section 3.1.3.7 of the Land Use Bylaw, to allow for a rear yard setback of 3.69m instead of the required 7.5m.
3. To section 2.8.4.1 of the Land Use Bylaw, to allow portions of the building to extend up to 0.56m beyond the maximum building envelope.
4. To section 3.1.3.6 of the Land Use Bylaw, to allow a side yard setback of 1.43m instead of the required 1.5m.
5. To section 3.1.3.10 of the Land Use Bylaw, to allow for a maximum site coverage of 41.7% instead of the required 40%.

STANDARD CONDITIONS

1. All construction associated with the approval of this Development Permit shall comply with the regulations of the Land Use Bylaw (LUB) 2018-22, unless otherwise stated under the approved variances section of this document.
2. All construction associated with the approval of this Development Permit shall comply with the Town of Canmore Engineering requirements outlined in the Engineering Design and Construction Guidelines (EDCG).
3. All construction associated with the approval of this Development Permit shall comply with the Tree Protection Bylaw and ensure all tree protection measures are appropriately put in place prior



Planning & Development Department

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

to development of the site, where determined necessary by the Town of Canmore Parks Department.

4. All construction, landscaping and exterior finishing materials are to be as shown on the approved plans and other supporting material submitted with the application.
5. Access to the site for emergency vehicles shall be to the satisfaction of the Manager of Emergency Services.
6. **No occupancy** shall be permitted until an Occupancy Certificate has been issued by the Town of Canmore.

SPECIFIC CONDITIONS

1. Prior to the release of the Development Permit, the applicant shall pay for all outstanding variance fees, totalling \$1180.00.

ADVISORY COMMENTS

1. A Building Permit is required to be obtained prior to commencing construction.
2. A Demolition Permit is required to be obtained prior to removing portions of the existing structure.

Signature

Date



NOTICE OF DECISION

THIS IS NOT A DEVELOPMENT PERMIT

DEVELOPMENT PERMIT No.: PL20230327

APPLICANT NAME: Alasdair Russell

MUNICIPAL ADDRESS: 1004 3rd Ave

LEGAL ADDRESS: Lot: 2 Block: 1 Plan: 8410098

LAND USE DISTRICT: R1 – Residential Detached District

USE(S): Construction of a Detached Dwelling (with an Accessory Dwelling Unit)

DATE OF DECISION: January 30, 2024

REFUSED BY: Development Officer

DATE ISSUED: January 30, 2024

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

This application was deemed complete on: Nov 30, 2023

Signature 

Date _____

Jerritt Cloney
Development Officer

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

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

SCHEDULE A

REASONS FOR REFUSAL

DEVELOPMENT PERMIT No.: PL20230327

LAND USE DISTRICT: R1 – Residential Detached District

MUNICIPAL ADDRESS: 1004 3rd Ave

LEGAL ADDRESS: Lot: 2 Block: 1 Plan: 8410098

The following requested variances to the Land Use Bylaw are not within the Development Officer's authority:

1. Waterbody setback
 - The proposed water body setback from Spring Creek (8.96m instead of the required 20m) does not meet the requirements of section 2.4.8.2 of the Land Use Bylaw and is beyond the Development Officer's variance authority to consider, according to section 1.14.2.b of the Land Use Bylaw.
2. Rear yard setback
 - The proposed rear yard setback from the property line (3.69m instead of the required 7.5m) does not meet the requirements of section 3.1.3.7 of the Land Use Bylaw and is beyond the Development Officer's variance authority to consider, according to section 1.14.1.1 of the Land Use Bylaw.

The additional requested variances as part of the application (listed below) are within the Development Officer's authority:

1. Portions of the building extending beyond the maximum building envelope (variance to section 2.8.4.1).
2. The side yard setback being located 1.43m from the side property line, instead of the required 1.5m (variance to section 3.1.3.6).
3. An additional 0.61m eave projection is proposed from the current foundation into the rear yard, which would be in excess of the maximum projection of 0.61m for an eave into the rear yard setback (variance to section 2.4.3.1).
4. The site coverage for the site being 41.7% instead of the required 40% (variance to section 3.1.3.10).