



NOTICE OF DECISION

THIS IS NOT A DEVELOPMENT PERMIT

DEVELOPMENT PERMIT No.: PL20240082

APPLICANT NAME: SYSTEMIC ARCHITECTURE

MUNICIPAL ADDRESS: 802/806 10TH STEET

LEGAL ADDRESS: LOT 1&2, BLOCK 46, PLAN 1095F

LAND USE DISTRICT: TC DISTRICT

APPROVED USE(S): COMMERCIAL DEVELOPMENT
• RETAIL SALES (3 UNITS)
• VISITOR ACCOMMODATION (13 UNITS)

DATE OF DECISION: PL20240082

APPROVED BY: CANMORE PLANNING COMMISSION

DATE ISSUED:

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

This application was deemed complete on: March 21, 2024.

Signed by:

Whitney Smithers

198E9D7FBCAB494...

Signature

12/12/2024 | 1:55 PM MST

Date

Chair, Canmore Planning Commission

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.



Planning & Development Department

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

SCHEDULE A

CONDITIONS OF APPROVAL

DEVELOPMENT PERMIT No.: PL20240082

LAND USE DISTRICT: TC DISTRICT

APPROVED USE(S): COMMERCIAL DEVELOPMENT

- RETAIL SALES (3 UNITS)
- VISITOR ACCOMMODATION (13 UNITS)

TO:

APPROVED VARIANCE(S):

1. MAXIMUM ROOF AND EAVELINE HEIGHT
2. MINIMUM CREEK SETBACK
3. FRONT YARD BUILT-TO LINE
4. CORNER VISIBILITY TRIANGLE
5. CASH IN LIEU OF PARKING
6. BUILDING PROJECTIONS

MUNICIPAL ADDRESS: 802/806 10TH STEET

LEGAL ADDRESS: LOT 1&2, BLOCK 46, PLAN 1095F

APPROVED VARIANCES

1. To Section 2.4.1.1 of Land Use Bylaw 2018-22, to allow for structures, as shown on the approved plans, within the corner visibility triangle.
2. To Section 2.4.3.8 of Land Use Bylaw 2018-22, to allow for building projections into the front yard setback areas, as generally shown on the approved plans.
3. To Section 2.4.8.2 of Land Use Bylaw 2018-22, to allow for the building and its projections and the waste area to encroach 1.22 m and 4.3 m, respectively, into the minimum 20 m creek setback.
4. To Section 4.1.3.5 of Land Use Bylaw 2018-22, to allow for a front build-to-line of 0.8 m to 1.06 m instead of 1 m, as generally shown on the approved plans.
5. To Section 4.1.3.8 of Land Use Bylaw 2018-22, to allow for the building to have a roof height of up to 11.20 m and portions of the eaveline height up to 11.20 m, as generally shown on the approved plans.



Planning & Development Department

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

6. To Section 4.1.6.1 of Land Use Bylaw 2018-22, to allow for, in exchange for a mural, a reduction to the total amount of parking to be paid in cash-in-lieu, from three (3) vehicle parking stalls to two (2) stalls.

STANDARD CONDITIONS

1. Prior to the release of the Development Permit, the applicant shall enter into a Development Agreement with the Town of Canmore to do the following:
 - a. Construct or pay for the construction of the municipal improvements, infrastructure and services required by the development, which may include but shall not be limited to:
 - Transportation;
 - Water;
 - Sanitary;
 - Storm; and
 - Fire
 - b. Pay the off-site levies imposed by the Off-Site Levy 2020 Bylaw (Bylaw 2020-27), as amended or replaced from time to time; and
 - c. Provide security in accordance with the Engineering Design and Construction Guidelines (EDCG) to ensure the terms of the Development Agreement are carried out.
2. All construction associated with the approval of this Development Permit shall comply with the regulations of the Land Use Bylaw (LUB) 2018-22, unless otherwise stated under the approved variances section of this document.
3. All construction associated with the approval of this Development Permit shall comply with the Town of Canmore Engineering requirements outlined in the Engineering Design and Construction Guidelines (EDCG) in effect at the time of approval.
4. Should the Developer intend or wish, to subdivide the property or building at some point in the future, a water meter and scan pad ('puck') shall be required for each new title created and registered at the land Titles Office, to be installed where the main water service enters the property, in accordance with the Town of Canmore Water Works Bylaw (8-98), as amended from time to time.
5. All construction associated with the approval of this Development Permit shall comply with the Tree Protection Bylaw (Bylaw 2019-10), as amended or replaced from time to time, and ensure all tree protection measures are appropriately put in place prior to development of the site, where determined necessary by the Town of Canmore's Public Works Department.
6. All construction, landscaping and exterior finishing materials are to be as shown on the approved plans and other supporting material submitted with the application.
7. Any trees, shrubs or other plant material installed as part of the landscaping plan which may die or are blown over, shall be replaced on an ongoing basis, prior to receipt by the Developer of a Development Completion Certificate.
8. Any roof top mechanical apparatus, including chimneys and vents, shall be screened to the satisfaction of the Development Authority.
9. Access to the site for emergency vehicles shall be to the satisfaction of the Fire Chief.



Planning & Development Department

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

- 10. All signs shall require a separate development permit.
- 11. **No occupancy** shall be permitted until an Occupancy Certificate has been issued by the Town of Canmore.

SPECIFIC CONDITIONS

- 12. The Developer shall provide a minimum of 19 parking stalls (3 to be satisfied as cash-in-lieu of parking), 0 loading bay / bus parking stall, 8 long-term bike parking stalls, and 9 short-term bicycle parking stalls, as shown in the approved plans, according to the following:

Method of Calculation

AUTOMOBILE PARKING

Required:

Visitor Accommodation = 1 stall/1 unit * 13 units = 13 stalls

Retail = 1 stall/50 m² * 332.50 m² = 6.65 stalls (rounded down)

Total Required = 19 stalls

Provided:

Surface = 16 Parking Stalls

Cash-in-lieu = Equivalent of 3 Parking Stalls

Total Provided = 19 stalls

BIKE PARKING (LONG TERM)

Retail Sales = 1 stall/100 m² * 332.50 m² = 3.33 stalls (rounded up) = 4

Visitor Accommodation = 0.30 stalls/unit = 3.90 stalls (rounded up) = 4

Total required = 8 stalls

Total provided = 8 stalls

BIKE PARKING (SHORT TERM)

Retail Sales = 1 stall/50 m² * 332.50 m² = 6.65 stalls (rounded up) = 7 Stalls

Visitor Accommodation = 0.15 stalls/unit = 1.95 stalls (rounded up) = 2 Stalls

Total Required = 9 Stalls

Total Provided = 10 Stalls

LOADING BAYS

Total Required = 1 Bay

Total provided on site = 0 Bays

All on-site parking stalls and loading spaces shall be graded and paved to dispose of drainage to the satisfaction of the Development Officer.

- 13. The Developer may use the rear lane, located between 7th Avenue and Fairholme Drive to satisfy loading space requirements for their site. Loading is permitted only between 6:00 PM and 8:00 AM to minimize traffic impacts during regular business hours. This requirement shall remain in effect in perpetuity and may be amended through written permission obtained from the Town of Canmore or through changes to Town Bylaws.



Planning & Development Department

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

14. The applicant shall screen any mechanical equipment or systems (including and related to the elevator) to the sole satisfaction of the Development Officer.
15. The development shall achieve 1-10% better than the National Energy Code of Canada for Buildings (NECB).

Prior to the release of the development permit

16. Prior to the release of the Development Permit, the Developer shall pay the following variance fees:

Six (6) approved variances:

Discretion limited in Land Use Bylaw 3 @ \$390.00 = \$1,170.00

Discretion not limited in Land Use Bylaw 3 @ \$210.00 = \$630.00

TOTAL FEES PAYABLE: \$1,800.00

17. Prior to the release of the Development Permit, or at the discretion of the Development Officer, prior to commencement of construction, the Developer shall provide a pre-construction energy report estimating the energy efficiency of the development using the current NECB.
18. Prior to the release of the Development Permit, the applicant shall provide the Town with a security to ensure the completion of a mural. Should the mural not be constructed, to the sole satisfaction of the Development Officer, the security will be cashed and used as full payment for the reduction to cash in lieu provided in exchange for the mural. This will be outlined in the Development Agreement and the security will be provided at the time of signing the development agreement.
19. Prior to the release of the Development Permit, the Developer shall provide updated lighting fixtures, compliant with the Town's lighting standards, and designs that reflect local historical motifs, to the sole satisfaction of the Development Officer.
20. Prior to the release of the Development Permit, the Developer shall provide an updated Plot Plan confirming all measurements shown on the Site Plan to the sole satisfaction of the Development Officer.
21. Prior to the release of the Development Permit, the Developer shall provide updated plans showing revisions to the design of the waste area. The waste area shall be enclosed and screened to the complete and sole satisfaction of the Development Officer.

Prior to Execution of the Development Agreement

22. Prior to Execution of The Development Agreement, the Developer shall provide security to the Town of Canmore to ensure the completion of the project, in the form of cash or an irrevocable Letter of Credit. The amount should be equal to or no less than:
 - a. 125% of the estimated project costs for the project for on-site and off-site landscaping, and;
 - b. 100% of the estimated project costs for all off-site hard surfacing, paving and site servicing
 - c. 25% of the estimated project costs for all on-site hard surfacing, paving and site servicing, and;
 - d. 100% of any cash-in-lieu of parking reduction for the mural.



Planning & Development Department

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

all to the satisfaction of the Town. The Letter of Credit shall be supplied prior to execution of the Development Agreement.

23. Prior to execution of the Development Agreement, the Developer shall submit and have approved by the Town a Construction Management Plan. The approved Construction Management Plan shall be adhered to throughout all stages of construction. Should any issues arise that result in violations of Town Bylaws, a Stop Work Order may be issued without warning, and all construction activities shall cease until the issues are resolved to the satisfaction of the Town of Canmore.

Prior to Commencement of Construction

24. Prior to commencement of construction, the Developer shall update their Environmental Impact Statement in response to the comments provided by the Town's environmental consultant, to the sole satisfaction of the Development Officer.

Prior to Occupancy or Condominium Endorsement

25. Prior to granting or approving an Occupancy Certificate or a Condominium Endorsement, whichever is requested first, the Developer shall demonstrate that they have an adequate agreement with the neighboring property to address issues such as access, maintenance, and longevity of the proposed mural, to the sole satisfaction of the Development Officer.
26. Prior to occupancy, the Developer shall provide a post-construction report confirming that the building has achieved an energy performance of 1%-10% better than NECB, to the sole satisfaction of the Development Officer.
27. Prior to occupancy, Construction Completion Certificates (CCC) for on-site and off-site sanitary and water systems shall be submitted by the Developer's Consulting Engineer to the Town and accepted by the Municipal Engineer.

ADVISORY COMMENTS

28. None.

Signed by:

Whitney Smithers

198E9D7FBCAB494

Signature

Chair, Canmore Planning Commission

12/12/2024 | 1:57 PM MST

Date

IS A NOTICE POSTING REQUIRED:

YES