

#### Agenda Subdivision & Development Appeal Board Hearing May 6, 2022 at 2:00 p.m. Electronic Hearing Via Zoom

- 1. Call to Order
- 2. Adoption of Agenda
- 3. Adoption of Minutes None
- 4. Appeal Hearing PL20210505 Lot 29, Plan 781 00778 302 Larch Place For an Alteration and Addition (with Height Variance) to an Existing Detached Dwelling Appeal against an approval by a Development Officer.
- 5. Other Business None
- 6. Adjournment

#### 4. Appeal Hearing

PL20210505 Lot 29, Plan 781 00778 302 Larch Place For an Alteration and Addition (with Height Variance) to an Existing Detached Dwelling Appeal against an approval by a Development Officer.

Notice of Appeal Submitted by the Appellants Paul and Nola Stoliker. Verbal presentation will be available at the Appeal Hearing.



#### 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	Development Permit/Subdivision Application File Number			
302 Larch Place	PL20210505		PL20210505	
APPELLANT INFORMATION				
Name of Appellant	Agent Name (If applicable)			
Paul & Nola Stoliker				
Mailing Address (for notification purposes)				
FOIP				
City Province	Postal Code			
FOIP	FOIP			
Phone Number (Day)	Email			
FOIP	FOIP			
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
Approval     Conditions of Approval     Refusal	Approval     Conditions of Approval     Refusal	Stop Order

REASONS FOR APPEAL Section 678 and 686 of the Municipal Government Act requires that the written Notice of Appeal must contain specific reasons for the appeal. I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons (attach a separate page if required)

We found out about the application for a variance from a neighbor who saw it in the paper. Presently we are in California and will be away until after the 21 day notice expires. We knew that the renovation would include a raise to the overall height of the house but felt we made it clear that we did not want them to go over the maximum. We are disappointed that we were not approached about the plans and that the process was started and is taking place while they knew we would be away.

The variance to maximum allowable height does not suit the character of surrounding homes. Our own (303 Larch Place) for example has been renovated up to the allowable Hmax without variance and we believe is representative of other homes in the immediate vicinity. The owner is attempting to build a two story home in an area that is intended for bungalows.

The proposed renovation will have a significant negative impact on views and sunlight from our home, which is exacerbated by the additional height variance.

I request that the addition be designed within the constraints set by the Land Use Bylaw to:

- minimize negative impacts to views

- minimize negative impacts of south aspect sunlight

- better suit the character established by surrounding homes which abide to the LUB such as my own

Depending on the timing of the hearing, we respectfully request that it be scheduled in September when Paul returns to the country from his hiking trip.

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

Signature of appel	ant/agent	Date (MM/DD/YYYY)	6
11	04/04/2022		
Vall			
FOR OFFICE USE ONLY			
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Fee Paid □ Yes □ No	Date appeal received	Hearing Date/Time 2 P.M.  Evening
	6	

#### **Katy Bravo-Stewart**

From:	Paul Stoliker <b>FOIP</b>
Sent:	May 2, 2022 8:16 AM
To:	Shared.Planning
Subject:	Verbal submission at SDAB hearing on May 6
Follow Up Flag:	Follow up
Flag Status:	Flagged

Categories: UPCOMING SDAB

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nola and I would like to make a verbal submission at the SDAB hearing for the development permit (height variance) at 302 Larch Place on May 6<sup>th</sup>.

Thank you Paul and Nola Stoliker 303 Larch Place Submission by the Applicants Spokesperson: Raphael Spinner, HSS Design Builders 2nd May 2022



Katy Bravo-Stewart SDAB The Town of Canmore Planning and Development Department Main Floor 902 7th Avenue Canmore, Alberta T1W 3K1

To whom it may concern,

It has come to our attention that there is an appeal for the Development Permit for 302 Larch Place regarding the Hmax variance. In response to the aforementioned appeal we would like to formally discuss our design intent, the benefits of the energy efficiency of our design to the user and the Town itself, by setting a higher energy standard, and our compliance with the Land Use Bylaw and conformity to the existing neighborhood. On behalf of our client, we would like to pursue the approval of the Development Permit for the proposed project as it stands in our latest permit drawing set, proposing a maximum height variance of 4.6%. The development permit notice is misleading as the variance requested is less than 10%. The height we decided upon was due to taking into consideration sunlight and impacts to views for our neighbors.

As stated in the Land Use Bylaw for buildings in the MHR Residential Manufactured Dwelling District, Section 3.15.3.6 states that the maximum building height shall be <u>6.5 m measured from grade</u>.

To submit for a variance we proved that the maximum building height, including eave projections, as shown in the submitted drawings, is 6.91m above grade. However, the maximum height of the conditioned space of our proposed project is **6.80 m** (see attached PDF of elevations). When applying for a variance, we realize it is at the planner's discretion to approve an additional height of up to 10% of the maximum height. The maximum height according to the Canmore Land Use Bylaw Section 3.15.3.6 is **6.5 m** above grade. If the full 10% were granted, the height would be allowed to be 7.15 m above grade. Our maximum building height is only a 4.6% variance, as we wanted to take into consideration the neighboring properties and to have a minimal impact on the sunlight and views available to them. It shall also be noted that the inhabitable living space (the height of the finished ceiling of the upper floor) is 6.46 m high, which is under the 6.5 m height in the Land Use Bylaw and the height of the roof peak where this conditioned living space meets the roof is at 6.80 m above grade. It is just a portion of the roof and the overhang peak of the roof that falls into the variance zone above 6.5 m, as we created a roof slope to allow for sufficient drainage of snow and to allow for natural light into the dwelling that has been blocked by 301 Larch Place.

#### Building Envelope Model Calculation per LUB 2.8.4

If the Building Envelope Model calculation as per article 2.8.4 of the LUB is used instead of the 6.5m above grade, as mentioned above, the variance would be greater. After completing the "HMax" calculations (please see Appendix A) our maximum conditioned building height of 6.8 m on the front of building grade of 6.28 m Hmax would be a 8.2% variance.

Our proposed retrofit development has been designed to meet a higher standard of energy efficiency than a standard renovated home, or even that of a standard new building. The following are reasons for design intent and how this proposal has been designed to the high energy standards of Passive House Design principles:

- The roof was sloped at a 2/12 slope, angling up towards the Southern side of the house. A large part of this crucial Southern exposure has already been shaded and blocked by the tall (surveyed roof peak height of 1318.95 m) two-story house located at 301 Larch Place. With the proposed roof angle, it will allow for more much needed natural light, solar exposure during the winter which will result in lower heating and energy demands, and still maintains existing views that are not already blocked by 301 Larch Place.
- 301 Larch Place has a roof peak of 1318.95m and 303 Larch Place has a roof peak height of 1319.35m. The grade of our proposed project slopes down much lower than the surrounding homes, so the proposed building heights may seem large but the overall height (including roof peak overhang) will be 1313.19m in the front of the house and 1313.25m in the rear.
- In regards to designing our retrofit to conform to the character of existing surrounding homes, as previously noted, 301 Larch Place is already two stories above grade. The written appeal states:

The owner is attempting to build a two story home in an area intended for bungalows.

Three (3) of the properties on the proposed development's cul de sac are taller than our existing proposed home before renovation. To add to this point, the proposed retrofit is to be kept in a rustic mountain style, using local materials with natural colours so that it is cohesive with the surrounding homes. All other homes in this cul de sac are light, earth tone colours, except for 303 Larch place. We wanted this home to blend in with the style of the majority of the homes on the cul de sac.

- Another reason we had applied for the maximum height variance is because 301 Larch Place is blocking much of our solar exposure and natural daylight on the most important southern face of our project. The only way to harness the Southern sunlight in the cold winter months and bring down the building's heating demand is to build higher clerestory windows on the south elevation.
- The upper floor of our proposed projects has also been set back and is not a full upper floor, to be considerate of neighboring property views and daylight and to allow fenestration towards the south. The upper floor including balconies is only approximately 48 square meters, which is less than half of that of the ground floor.
- The primary reasoning for the overall proposed design intent is for Green Building and Passive House Design Principles. To keep this project as energy efficient as possible, there should be little to no windows on the North facades and maximum glazing on the Southern facades. This will allow for maximum optimal solar gain. If the main living areas do not receive the much needed sunlight that the higher roof peak design allows for, this would only provide mediocre living standards, as well as increased heating/cooling demands of the proposed building. Optimal solar exposure is essential for a healthy living space.

- Results of several studies suggest that natural light can significantly improve health outcomes such as depression, agitation, sleep, circadian rest-activity, and seasonal affective disorder.
- With the applied Passive House and Green Building Design principles to our project, including optimal orientation, a more efficient and thicker building envelope than is required by code, overall reduced GHG emissions, and a lower than average carbon footprint, we should be granted the variance and development permit for the minimal extra height of the roof peak. We strongly believe that the mission of building energy efficiently and sustainably is a much higher priority for the Town of Canmore as a whole, than the height of one roof peak, which still will comply with the regulations of the height variance limit in the Land Use Bylaw.
- Since the proposed project is a deep energy retrofit, it will achieve a higher energy standard than the required minimum. By using natural, recyclable materials, there will be minimal waste in comparison to a standard new build. It is important to reuse and repurpose what is already built rather than simply demolishing and building new. The building envelope of the home is also being improved with two layers of wood fiber insulation to help keep down heating and cooling demands as well as to cut down on any sound pollution, which is an added benefit to the neighbors.

Images of existing neighboring properties in the same culdesac (100 Larch Place) that are one story + basement and two stories:



The following is a roof view from Google Earth and it shows the much larger footprint of the neighboring project to our site. A larger building footprint at maximum height, even without a variance, has a large impact on sunlight and views as well:



Below is an image of a conceptual 3D model with our proposed project in the middle. It shows (the red line) that the views for 303 Larch Place are already blocked by 301 Larch Place, regardless of the completion of our proposal.



Kindly review the above response for exemption from appeals regarding the Hmax variance. We hope it satisfies your concerns and the Land Use Bylaw requirements discussed.

Thank you,

Raphael Spinner

#### Appendix A: Building Envelope Model Calculation per LUB 2.8.4

Maximum height calculation:

f1 = 12.77 f2 = 12.73 fave = 12.75 b1 = 13.00 b2 = 12.83 bave = 12.91 H = 6.5 mL = 29.5 m

Hf1= 12.75 + 6.5 + 8(12.91-12.75) 29.5 m Hf1 = **1319.29 m** 

Hf2 = Hf1 - 2.5 m = 16.79 m

Hb1 = 12.75 + 6.5 + 12(12.91-12.75) 29.5 m Hb1 = **1319.32 m** 

Hb2 = Hb1 - 2.5 m = 16.82 m

Front elevation point 13.01 from survey Hf1 - 13.01 19.29 - 13.01 = 6.28 m Hmax front + 10% variance = 6.91 m Hmax

Rear elevation point 12.98 from survey Hb1 - 12.98 19.32 - 12.98 = 6.34 m Hmax front + 10% variance = 6.97 m Hmax

Maximum building height above grade on drawings = 6.91 m Maximum conditioned building height on drawings = 6.80 m

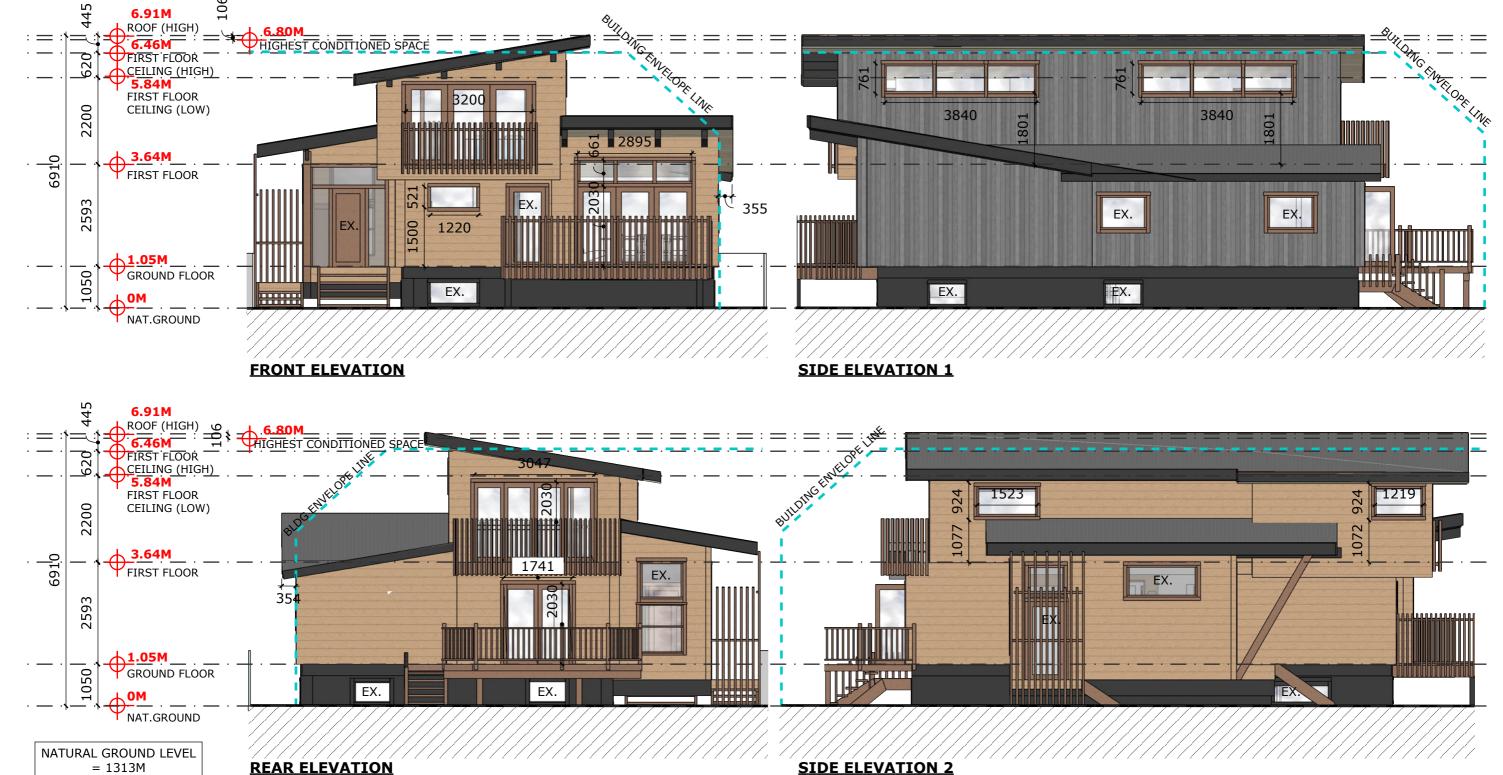
#### Survey heights of surrounding buildings submitted by Alberta Land Surveyor

The elevations are as follows:

301 Larch	Roof Peak Eave Ground	= 1318.95 = 1318.26 = 1312.94
303 Larch	Roof Peak Eave Ground	= 1319.35 = 1317.58 = 1312.97

Regards, Jeremy Zettel ALS B.Sc. Zettel Geomatics Inc. (403) 678-1119





HSS DESIGN BUILD SUSTAINABLE & PASSIVE HOMES

HUNTER RESIDENCE 302 LARCH PLACE, CANMORE, ALBERTA 28/02/2022









## SUBDIVISION AND DEVELOPMENT APPEAL BOARD STAFF REPORT



DATE OF HEARING:	MAY 6, 2022
PROPOSED DEVELOPMENT:	RESIDENTIAL ADDITION AND RENOVATION TO MANUFACTURED DWELLING
APPLICATION NUMBER:	PL20210505
LEGAL DESCRIPTION:	LOT 29, PLAN 781 0778
CIVIC ADDRESS:	302 LARCH PLACE
CURRENT USE(S):	MANUFACTURED DWELLING
APPLICANT:	RAPHAEL SPINNER

#### **EXECUTIVE SUMMARY**

The proposed development is a renovation and addition to an existing Manufactured Dwelling, which includes a second storey addition. An objective of the renovation and addition is to increase the energy efficiency of the home, through passive solar design.

The proposed development includes a variance to maximum building height and was approved by the Development Officer.

#### BACKGROUND

#### Land Use Bylaw 2018-22

Any proposed development which requires a variance to the Land Use Bylaw requires a Development Permit under section 1.8 and 1.9 of the Land Use Bylaw (LUB).

The property is within an MHR – Residential Manufactured Dwelling District. The Development Standards for this district are found in section 3.15, which includes a maximum building height of 6.5m when measured from grade.

Section 2.8 of the LUB provides standards for measuring maximum building height. Given the design proposal and use of a single pitched roof, the height has been reviewed using the building envelope model.

Section 1.14.1 - Discretion of Development Authority, states that the Development Office may grant a variance to building height for up to 10% of the specified land use district height.

Section 10.2.0.2 – Green Building Regulations Applicability, states that renovations, additions, or reconstruction of existing buildings are not required to meet the Green Building Regulations in the LUB.

#### Municipal Development Pan (MDP)

Section 4.5.1 Green Building and Development, Development Techniques, states that development proposals should... c. Incorporate best management practices for water and energy conservation,

Section 6.0 Neighbourhood Residential Goals, 2. To allow for the gradual redevelopment and change of established neighbourhoods to provide more housing variety, support the natural evolution of neighbourhoods and enhance the potential of residents to remain in their homes.

The Town will work to manage the rate of change by ensuring new development in existing neighbourhoods fits with the scale, look and feel of the neighbourhood (from pre-amble to section 6, Neighbourhood Residential).

#### Municipal Government Act (MGA)

While the application relates to the permitted use of a building addition and renovation in the MHR district, Section 642 of the Municipal Government Act describes how the development authority may refuse a permit for a permitted use which does not conform with the Land Use Bylaw. Section 687(3, c and d) state that the Subdivision and Development Appeals board has the right to vary the decision, or substitute their own, and to approve a development permit that doesn't comply with the Land Use Bylaw, provided that conditions described within the sections are met.

#### **EXISTING SITE**

302 Larch Place (the property) is located within an MHR – Residential Manufactured Home District. The purpose of the MHR district is To provide for the development of Manufactured Dwellings and other uses compatible with low-density residential development.

The current use of the site is a Manufactured Dwelling which was constructed in 1979, with adjacent properties having similar manufactured home or detached dwellings on them.

#### BYLAW CONFORMANCE/VARIANCE DISCUSSION

For a full Land Use Bylaw Review, see Attachment 3. Upon completing a full review of the application there was one variance recorded as it relates to maximum building height.

#### I. Maximum Building Height

The proposed development has applied the Building Envelope Model in accordance with section 2.8 of the LUB for determining the maximum building height for this property resulting in a geodetic elevation of 1319.3m for both the front and back of the building (rounded to one decimal place).

The development proposes a front building height of 1319.8, with an eave projection that is excluded from the maximum height calculation in accordance with section 2.8.4 of the LUB. This amounts to a 0.5m variance (7.9%), measured from the existing grade (1313.0m). A section of the lower portion of the roof is also outside of the maximum building envelope on the south side of the dwelling. See the below image and portions of the building noted in red for the areas which project beyond the building envelope.



#### PLANNING DEPARTMENT POSITION

The proposed variance to building height is deemed to provide a community benefit, by encouraging energy efficiency upgrades through passive solar design. Our understanding is that thicker building envelopes are required to achieve the insulation requirements for this type of construction, and in this case the angled pitched roof is required to achieve solar exposure. It's noted that the proposed second storey does not cover the entire building footprint, and that both the maximum building envelope and site coverage have not been fully utilized. From that perspective the proposed development is modest.

Administration considers the existing building to be a site condition which limits the construction of a second storey addition, particularly one that is designed for solar exposure and energy efficiency. The proposed sloped roof is also in keeping with the existing house design aesthetics, compared to a flat roof which would lessen or eliminate the variance requested.

Section 1.14 of the LUB directs the Development Authority to determine whether a proposed height variance would "unduly interfere with the amenities of the area or materially interfere with, or affect the use, enjoyment, safety, aesthetics, or value of neighbouring properties".

Additionally, when considering height variances, the Development Authority may also consider the following:

- a. Access to light for neighbouring properties;
- b. The protection of views from neighbouring properties;
- c. Privacy for neighbouring properties; and
- d. Site constraints.

Based on discussions with the applicant, the Development Officer was under the impression that the development proposal had been shared with adjacent residents with the potential to be most affected by the proposed addition. Additionally, the Planning Department did not receive any feedback from adjacent residents during the 10 day Notice of Application period, which advertised the requested variance.

In administration's opinion the requested variance to maximum building height is minor and would not unduly interfere or materially interfere with the enjoyment of neighbouring property, compared to the maximum height permitted in the MHR district by the Land Use Bylaw.

#### **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 the land use bylaw.

Planning proposes the following options for the SDAB:

- I. Approve the application subject to the conditions in Schedule A.
- 2. Approve the application subject to the conditions in Schedule A and any other conditions that the SDAB deems necessary.
- 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** PL20210505. Recommended conditions are included in Attachment 6.

#### **ATTACHMENTS:**

- I. Site Context
- 2. Zoning Map
- 3. Bylaw Conformance Review
- 4. Development Permit Application
- 5. Notice of Decision
- 6. Notice of Application
- 7. Schedule A Proposed Conditions of Approval
- 8. Statutory Requirements for Appeal

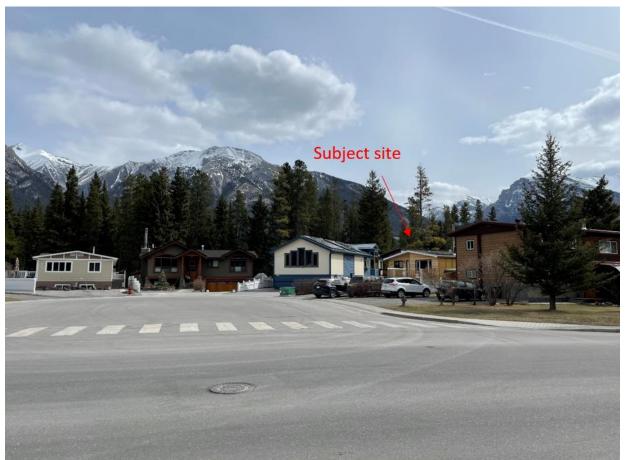
Marcus Henry Acting Manager of Planning & Development

Eric Bjorge Planning Technician

#### ATTACHMENT I – SITE CONTEXT



Aerial Photo – 302 Larch Place outlined in blue



Looking NE from Larch Avenue



Looking SE from 100 Larch Place



Looking East from 100 Larch Place



Close-up view at front of property



Looking northwest from municipal reserve at rear of property

#### ATTACHMENT 2 – ZONING MAP



302 Larch Place outlined in blue

#### ATTACHMENT 3 - BYLAW CONFORMANCE REVIEW

REQUIREMENT	<b>BYLAW</b> 2018-22	PROPOSED	VARIANCE REQUIRED
MAXIMUM BUILDING HEIGHT	6.5m from grade, building envelope model Max height of 1319.3m	I3I9.8M	yes (7.9% or 0.5m)
Front yard setback (proposed front deck)	MINIMUM <b>4.6</b> M	9.0M	Νο
SIDE YARD SETBACK	1.2м	I.22м (south) 3.6м (north)	Νο
Rear yard setback	3.0м	8.79M	Νο
Site coverage	<b>40%</b> maximum	32% (existing)	No

Note: no proposed change to existing building footprint

#### **ATTACHMENT 4 – DEVELOPMENT PERMIT APPLICATION**

13th December 2021



Planning and Development Department Town of Canmore 902 7th Avenue Canmore Alberta T1W 3K1

Dear Gerrit Scheffel, To whom it may concern,

On behalf of the client, we wish to apply for a Development Permit for alterations and additions to the existing primary dwelling at 302 Larch Place, Canmore, T1W 1R7. Please find the following documents attached to this letter:

- Architectural Drawing Set
- Certificate of Title
- Application Form
- Letter of Authorization
- Letter of Engagement Structural Engineer
- Land Surveyor's Property Report

With respect to the addition, we are applying for one variance; building above the maximum height limit, within 10% of the limit outlined in the LUB.

#### **Building Height**

Clause 3.15.3.6 notes the maximum building envelope height at 6.5m, however the proposed building envelope height sits at 7.06 m above the natural ground which implies a 8.6% variance. This height variance only applies to a small portion of the first floor (facing south), where clerestory windows are positioned to maximise solar gain and passive heating throughout the winter months. The existing house is oriented east-west and adjoins a two storey dwelling (on the south side), so it receives no access to solar gain at the moment. The first floor clerestory windows and roof overhang (for shading) combined with the additional exterior wood fiber insulation we're installing, will significantly reduce the annual heating demand for the whole house.

Kindly review the application for approval.

Thank you,

Raphael Spinner

Raphael Spinner



LAND TITLE CERTIFICATE

S					
	SHORT LEG				TITLE NUMBER
0017 548 141	7810778;;	29			151 236 384
LEGAL DESCRIP	TON				
PLAN 7810778	1100				
LOT 29					
EXCEPTING THEF	REOUT ALL MI	NES AND M	INERALS		
ESTATE: FEE SI	IMPLE				
ATS REFERENCE:	: 5;10;25;5;	SW			
MUNICIPALITY:		MODE			
MUNICIPALITI.	IOWN OF CAN	IORE			
REFERENCE NUME	BER: 791 173	485			
	R	EGISTERED	OWNER(S)		
REGISTRATION					CONSIDERATION
151 006 004	14/00/0015		~~		
151 236 384	14/09/2015	TRANSFER	OF LAND	FOIP	CASH & MORTGAGE
OWNERS					
HOPE RENEE HUN	ITER				
FOIP					
FOIP					
AND					
ROBERT HUNTER					
AND					
DARLA HUNTER					
BOTH OF:					
FOIP					
ALL AS JOINT T	LENANTS				

ENCUMBRANCES, LIENS & INTERESTS PAGE 2 REGISTRATION # 151 236 384 NUMBER DATE (D/M/Y) PARTICULARS 791 016 354 01/02/1979 UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF CANMORE. AS TO PORTION OR PLAN: 7811603 151 236 385 14/09/2015 MORTGAGE MORTGAGEE - SCOTIA MORTGAGE CORPORATION. 276 VICTORIA STREET KAMLOOPS BRITISH COLUMBIA V2C2A2 ORIGINAL PRINCIPAL AMOUNT: \$638,745

TOTAL INSTRUMENTS: 002

\_\_\_\_\_

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 20 DAY OF DECEMBER, 2021 AT 04:43 P.M.

ORDER NUMBER: 43344061

CUSTOMER FILE NUMBER:



\*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).



## 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.

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 for	rm this submission:			
Proposed Development/Use(s)				
Proposed Development/Ose(s)				
Total Proposed Gross Floor Area (m <sup>2</sup> )	Number of Residential Units	Number of Commercial Units	Property Size (Hectares). Nev	v construction only
	Number of Residential Onits	Number of Commercial Onits	rioperty size (riectares). Nev	v construction <u>only</u> .
PUBLIC TREE DISCLOSURE				
TOBEIC THEE DISCEOSORE				
Is there existing Town Trees (Public Tree) within	6m of the construction area, thi	is would include the "Road Rig	nt-of-Way" between the	YES NO
private property line and roadway?				
If yes, a Tree Protection Plan Agreement is requir				
Protection Plan Agreement or obtaining a Tree As Parks@canmore.ca.	sessment for the removal of a T	Town Tree, please contact the	Town of Canmore Parks De	partment at 403.678.1599 or
Additional information regarding the Town of Can	more Tree Protection Bylaw ca	an be found on the <u>Town Webs</u>	<u>site.</u>	
APPLICANT INFORMATION			Dhama	
Name			Phone	
E-mail				
Mailing Address				
<b>OWNER INFORMATION</b> (if differen	t than applicant)			
Name			Phone	
			FOIP	
E-mail				
OIP				
Mailing Address				
OIP				

#### 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.

Raphael Spinner	
Signature of Owner	Date
Hope Hunter	

**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 <u>municipal.clerk@canmore.ca</u>. Please note, the Municipal Clerk's Office should <u>only</u> 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.

Town of Canmore | 902 - 7th Avenue, Canmore, Alberta, T1W 3K1 P: 403.678.1500 | Fax: 403.678.1534 | <u>www.canmore.ca</u> Last Updated: April 2021

### **LETTER OF AUTHORIZATION**

Planning & Development Department Town of Canmore 902 7th Ave Canmore, Alberta T1W 3K1

DATE: 2021/12/20

TO WHOM IT MAY CONCERN:

I, Hope Hunter , OF 302 Larch Place Canmore AB

NAME CURRENT ADDRESS

HEREBY GIVE

HSS Design Build, Raphael Spinner APPLICANT

AUTHORIZATION TO ACT ON MY BEHALF ON ALL MATTERS IN RELATION TO THE APPLICATION AND PERMIT FOR THE

PROPOSED

Addition to existing primary dwelling,

WORK TO BE COMPLETED

INCLUDING SIGNING OF ALL DOCUMENTS RELATING TO THESE MATTERS.

Hope Hunter 302 Larch Place T1W 1R7 Canmore AB OWNER INFORMATION INCLUDING COMPLETE MAILING ADDRESS ROLL NO.: LEGAL: MUNICIPALITY: CIVIC ADDRESS:

LOT 29, PLAN 7810778 Canmore AB 302 Larch Place

Hope Hunter

SIGNATURE

# **HUNTER RESIDENCE**

## **ALTERATIONS & ADDITIONS TO PRIMARY DWELLING**

AT

## 302 LARCH PLACE, CANMORE, AB T1W 1R7



#### **EXISTING FRONT FACADE**

#### **GENERAL 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 AUTHROITIES HAVING JURISDICTION DURING 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 WORK.

5. ANY PATCHING, REPAIR, REFINISHING, RECONSTRUCTION & REPAINTING WORK REQUIRED AS A RESULT OF PERFORMANCE OF WORK OF THIS CONTRACT SHALL INCORPORATE AND BE PREFORMED WITH MATERIALS TO MATCH SAME AND SHALL REQUIRE FIRE RATINGS.

## HSS design build SUSTAINABLE & PASSIVE HOMES

**HUNTER RESIDENCE 302 LARCH PLACE, CANMORE, ALBERTA** 28/02/2022

PROPOSED EDONT EN	

### PROPOSED FRONT FACADE

6. ALL DIMENSIONS ARE FROM FACE OF FINISHED SURFACED TO FACE OF FINISHED SURFACES UNLESS NOTED.

7. REFER TO STRUCTURAL DRAWINGS AND SPECIFICATIONS FOR ALL NEW STRUCTURAL SCOPE OF WORK.

8. IT IS THE CONTRACTORS RESPONSIBILITY TO COORDINATE THEIR OWN FORCES AND SUBTRADES.

DRAWING INDEX			
#	TITLE	SCALE	REV
A00	COVER PAGE	NTS	-
A01	PROPOSED SITE PLAN	1:120	-
A02	BASEMENT FLOOR PLAN	1:64	-
A03	GROUND FLOOR PLAN	1:64	-
A04	FIRST FLOOR PLAN	1:64	-
A05	ROOF PLAN	1:64	-
A06	EXTERIOR ELEVATIONS	1:96	-
A07	SECTION A-A	1:48	-
A08	SECTION B-B	1:48	-
A09	SECTION C-C	1:48	-

## AREA STATEMENT

#### PRIMARY DWELLING

EXISTING BASEMENT FLOOR AREA = 95M2 OR 1025 SQF PROPOSED BASEMENT FLOOR AREA = 95M2 OR 1025 SQF\*

\*NO CHANGE TO FLOOR AREA TOTAL

EXISTING GROUND FLOOR AREA = 117 M2 OR 1260 SQF PROPOSED GROUND FLOOR AREA = 117 M2 OR 1260 SQF\*

\*NO CHANGE TO FLOOR AREA TOTAL

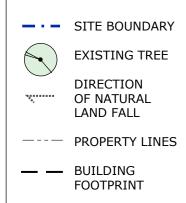
PROPOSED FIRST FLOOR AREA = 48 M2 OR 517 SOF

EXISTING TOTAL GFA = 212 M2 OR 2282 SQF PROPOSED TOTAL GFA = 269 M2 OR 2895 SQF





#### **LEGEND**



#### **SITE INFORMATION**

MUNICIPAL ADDRESS: 302 LARCH PLACE, CANMORE T1W 1R7

**LEGAL DESCRIPTION:** LOT 29, BLOCK 7810778

LAND USE DESIGNATION: MHR

SITE AREA: 518m2

**EXISTING FOOTPRINT AREA:** 165m2 (32% SITE COVERAGE)

**PROPOSED FOOTPRINT AREA:** 165m2 (32% SITE COVERAGE)

\*\*SITE COVERAGE ALLOWED 40% OR 207m2

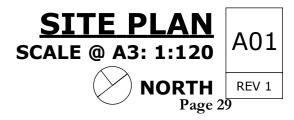
EXISTING FENCES ALONG THE EAST AND WEST TITLE BOUNDARIES TO BE RETAINED

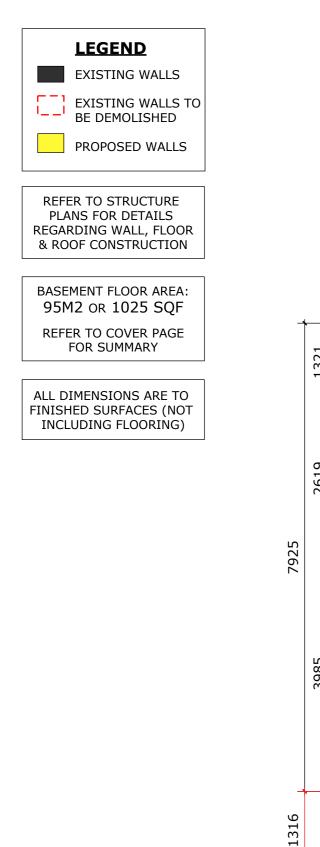


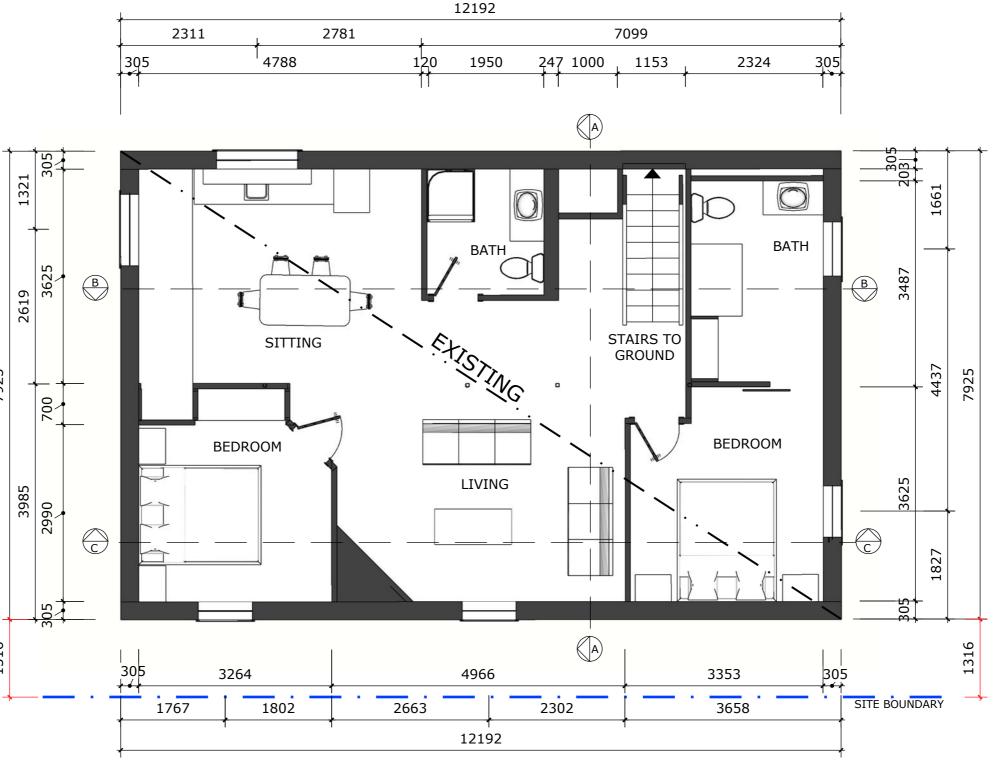
# $\begin{array}{l}HSS \text{ design build}\\ \text{sustainable & passive homes}\end{array}$

HUNTER RESIDENCE 302 LARCH PLACE, CANMORE, ALBERTA 28/02/2022







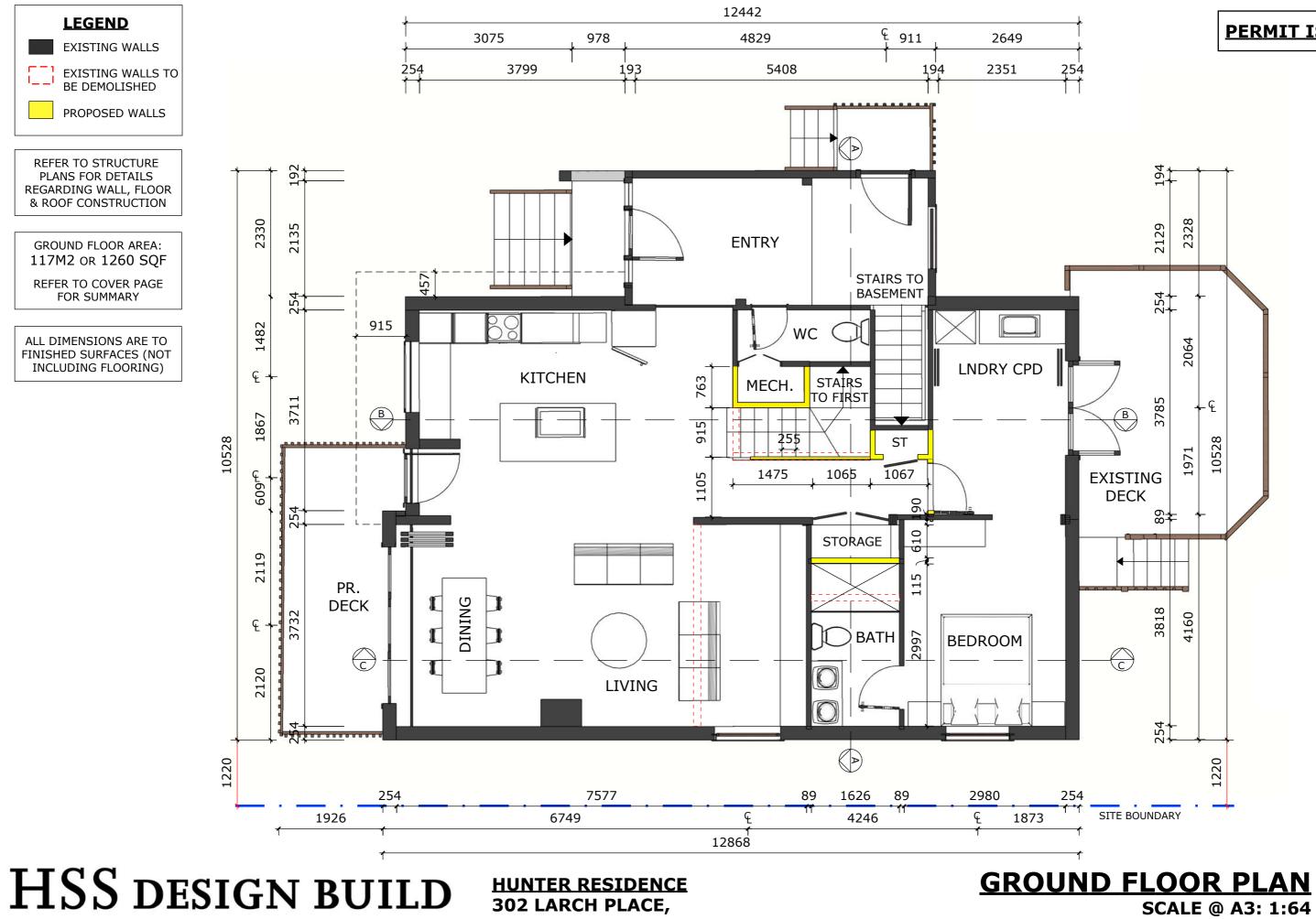


## HSS DESIGN BUILD **SUSTAINABLE & PASSIVE HOMES**

**HUNTER RESIDENCE 302 LARCH PLACE,** CANMORE, ALBERTA 28/02/2022



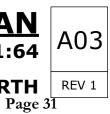




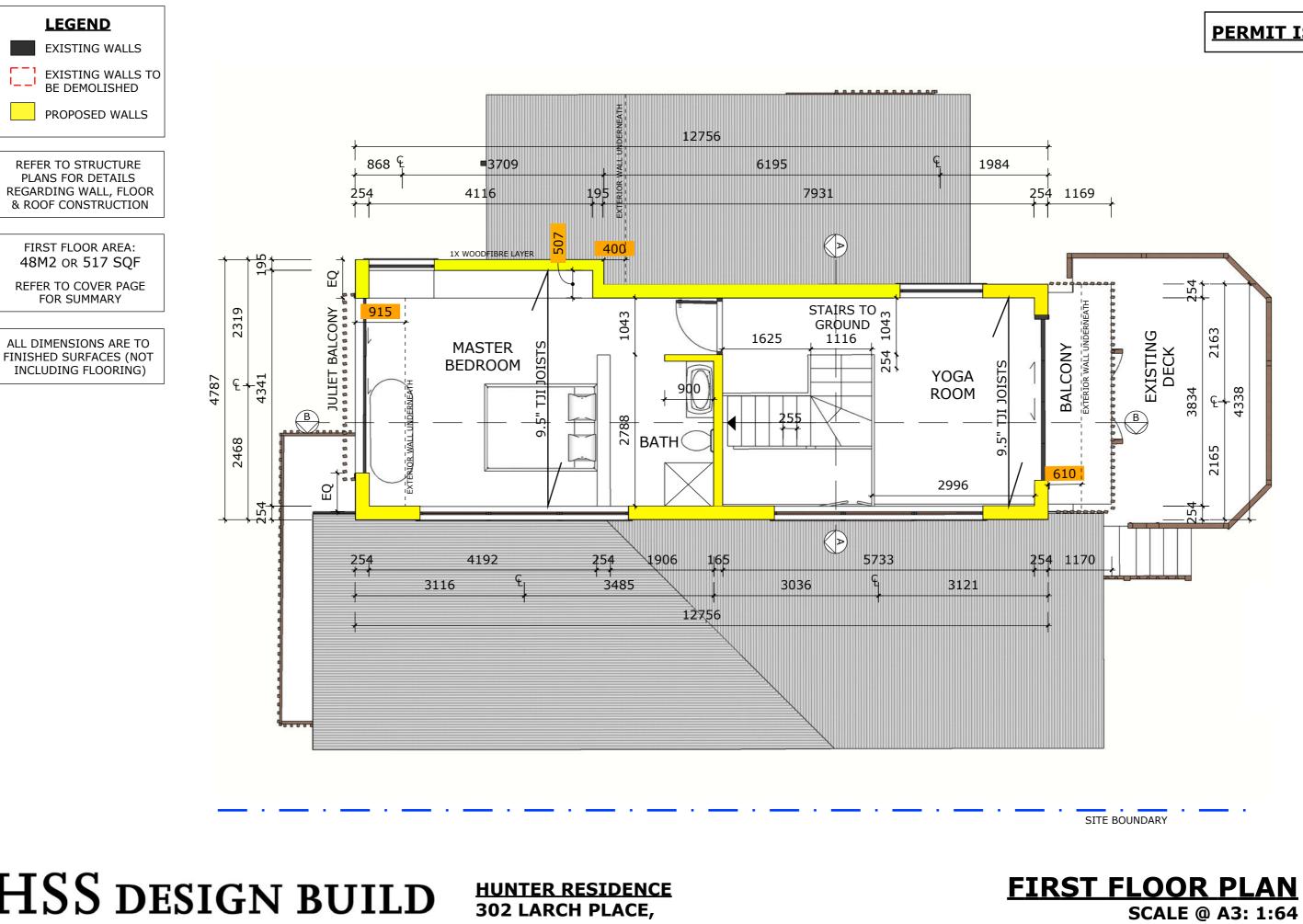
**SUSTAINABLE & PASSIVE HOMES** 

**CANMORE, ALBERTA** 28/02/2022





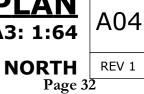
NORTH

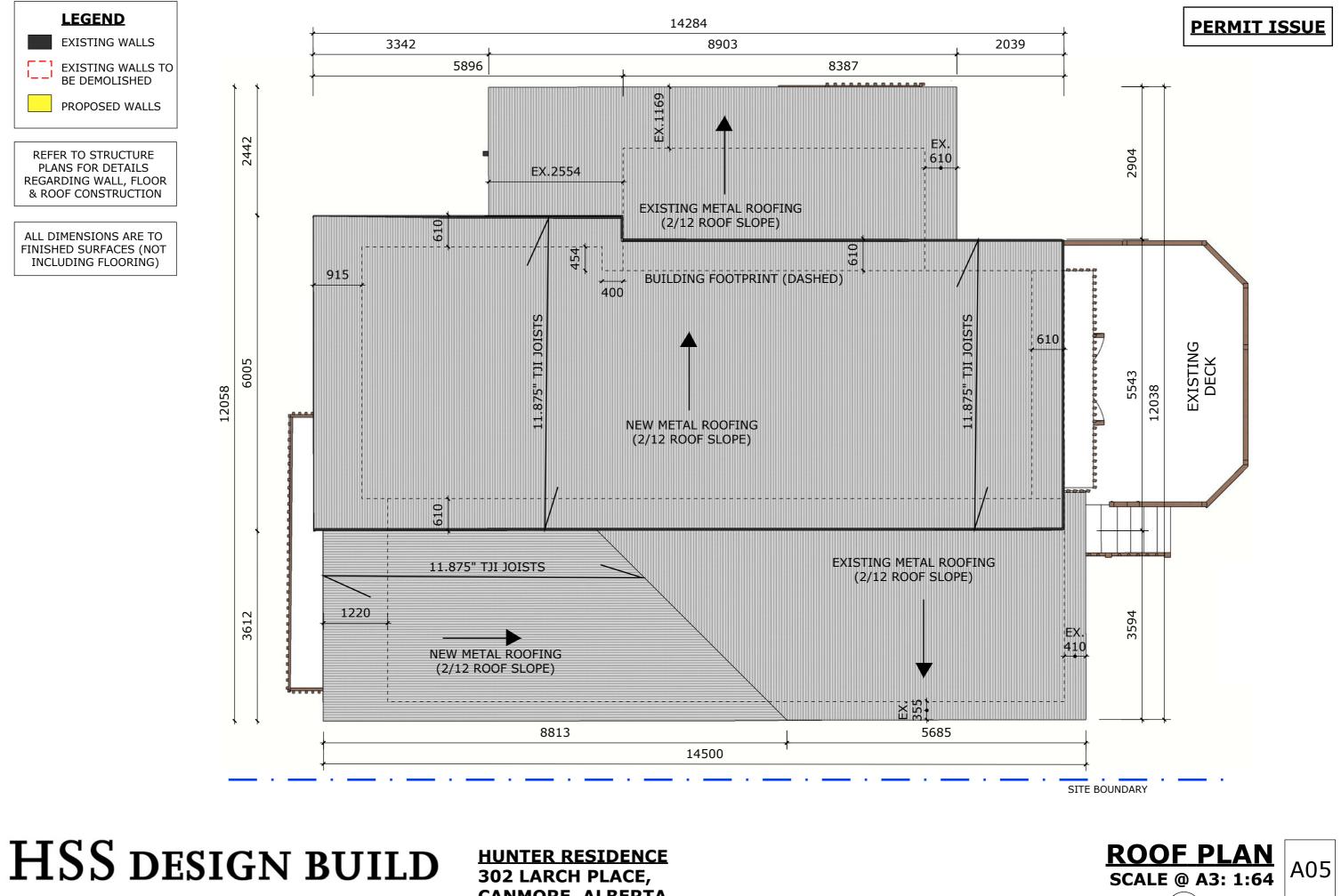


HSS DESIGN BUILD **SUSTAINABLE & PASSIVE HOMES** 

**302 LARCH PLACE,** CANMORE, ALBERTA 28/02/2022







NORTH

Page 33

REV 1

**SUSTAINABLE & PASSIVE HOMES** 

CANMORE, ALBERTA 28/02/2022

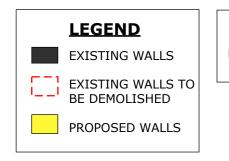


# HSS DESIGN BUILD **SUSTAINABLE & PASSIVE HOMES**

**HUNTER RESIDENCE 302 LARCH PLACE,** CANMORE, ALBERTA 28/02/2022

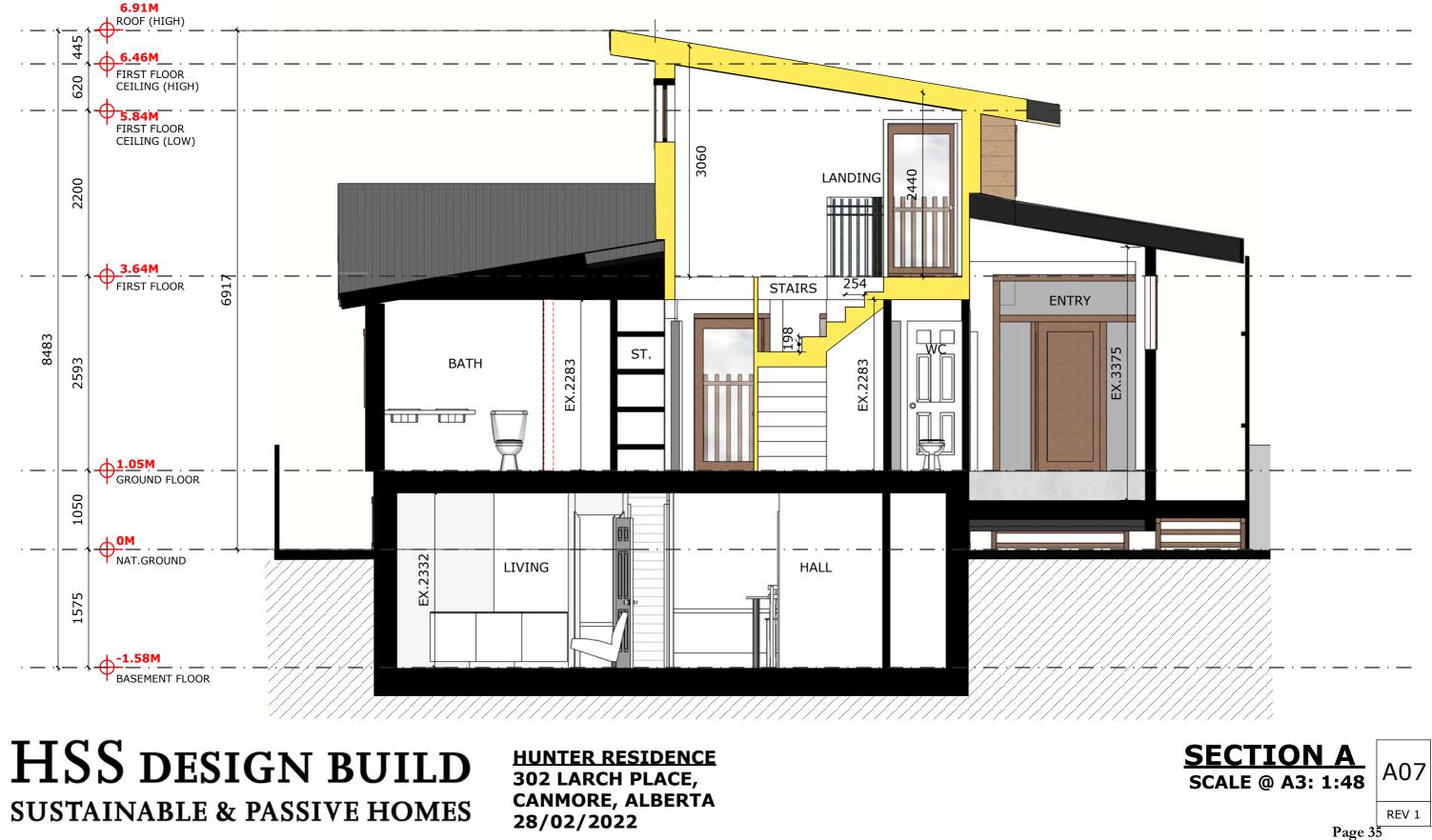




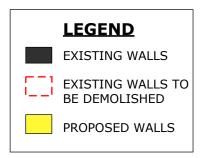


**REFER TO STRUCTURE** PLANS FOR DETAILS REGARDING WALL, FLOOR & ROOF CONSTRUCTION

ALL DIMENSIONS ARE TO FINISHED SURFACES (NOT INCLUDING FLOORING)

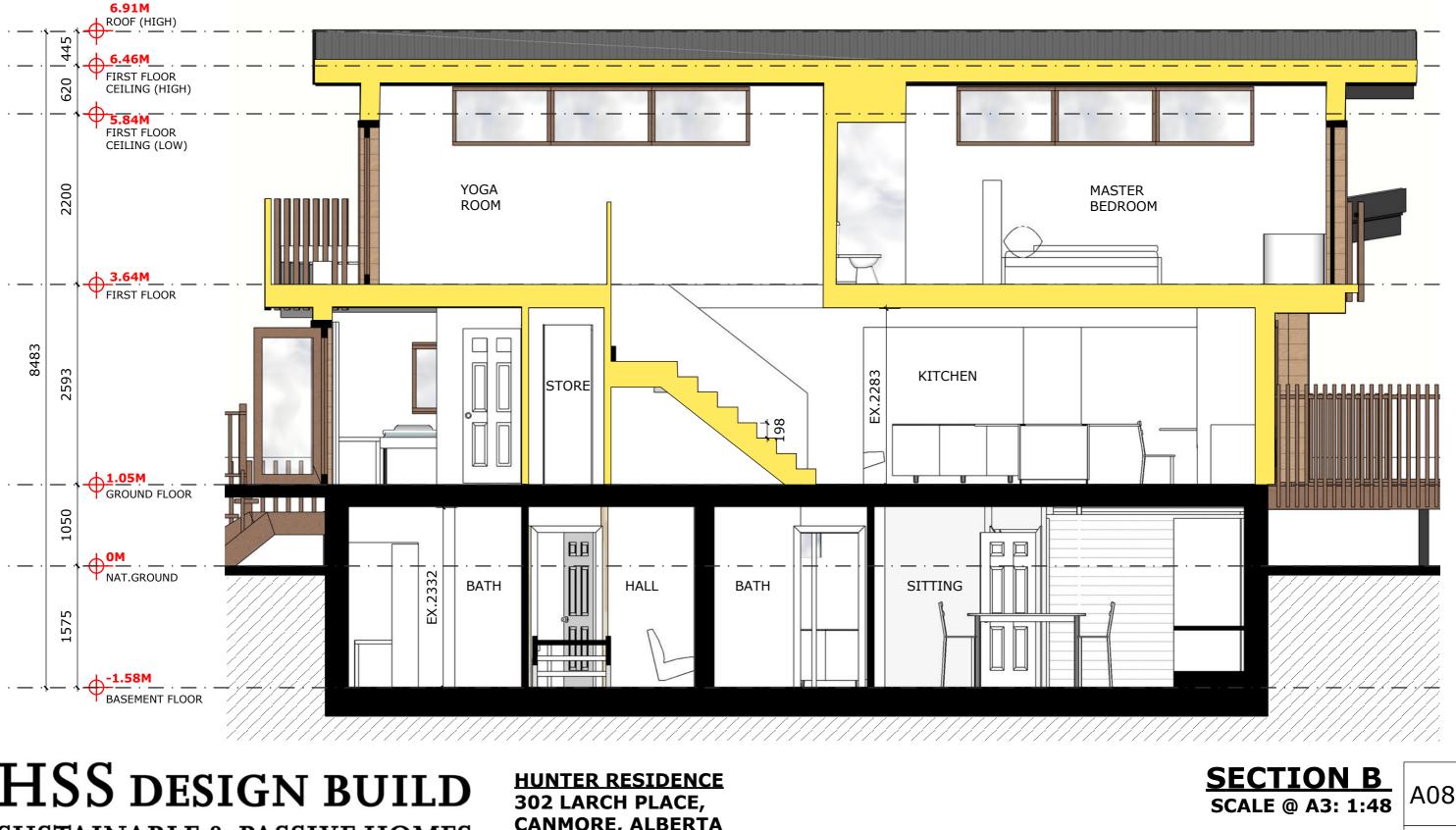






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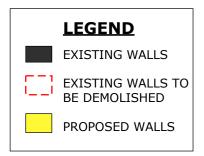


## HSS DESIGN BUILD **SUSTAINABLE & PASSIVE HOMES**

CANMORE, ALBERTA 28/02/2022

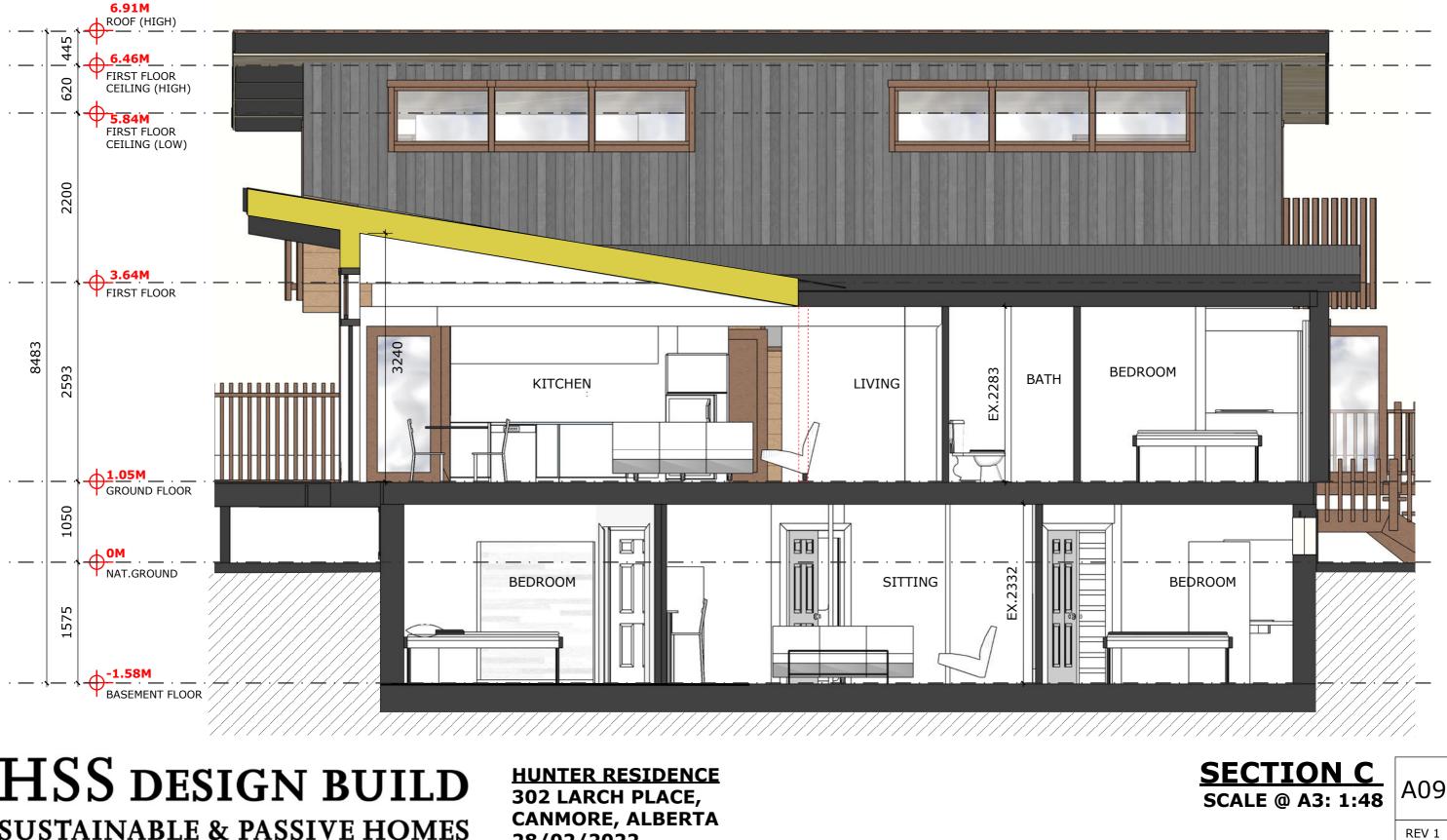


REV 1



**REFER TO STRUCTURE** PLANS FOR DETAILS REGARDING WALL, FLOOR & ROOF CONSTRUCTION

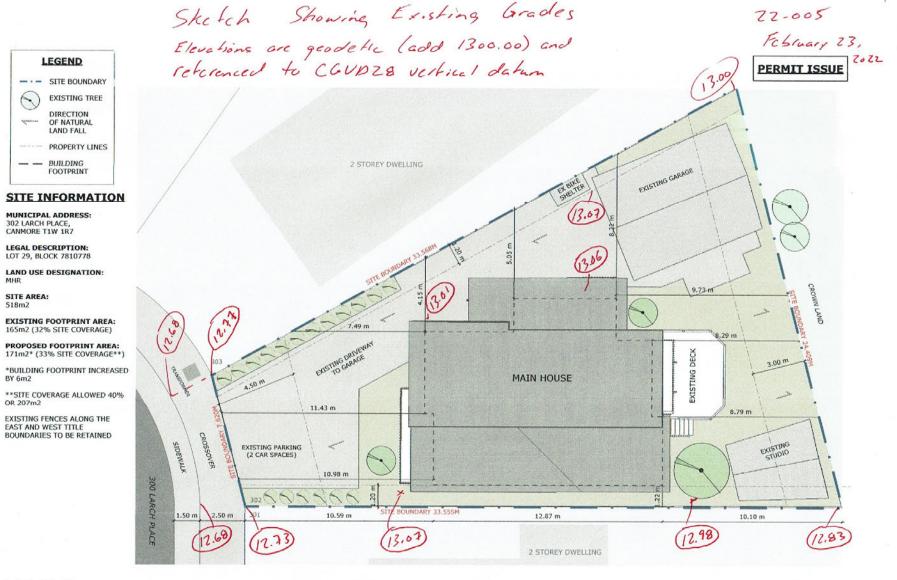
ALL DIMENSIONS ARE TO FINISHED SURFACES (NOT INCLUDING FLOORING)



# HSS design build **SUSTAINABLE & PASSIVE HOMES**

28/02/2022





HSS DESIGN BUILD SUSTAINABLE & PASSIVE HOMES

HUNTER RESIDENCE 302 LARCH PLACE, CANMORE, ALBERTA 13/10/2021

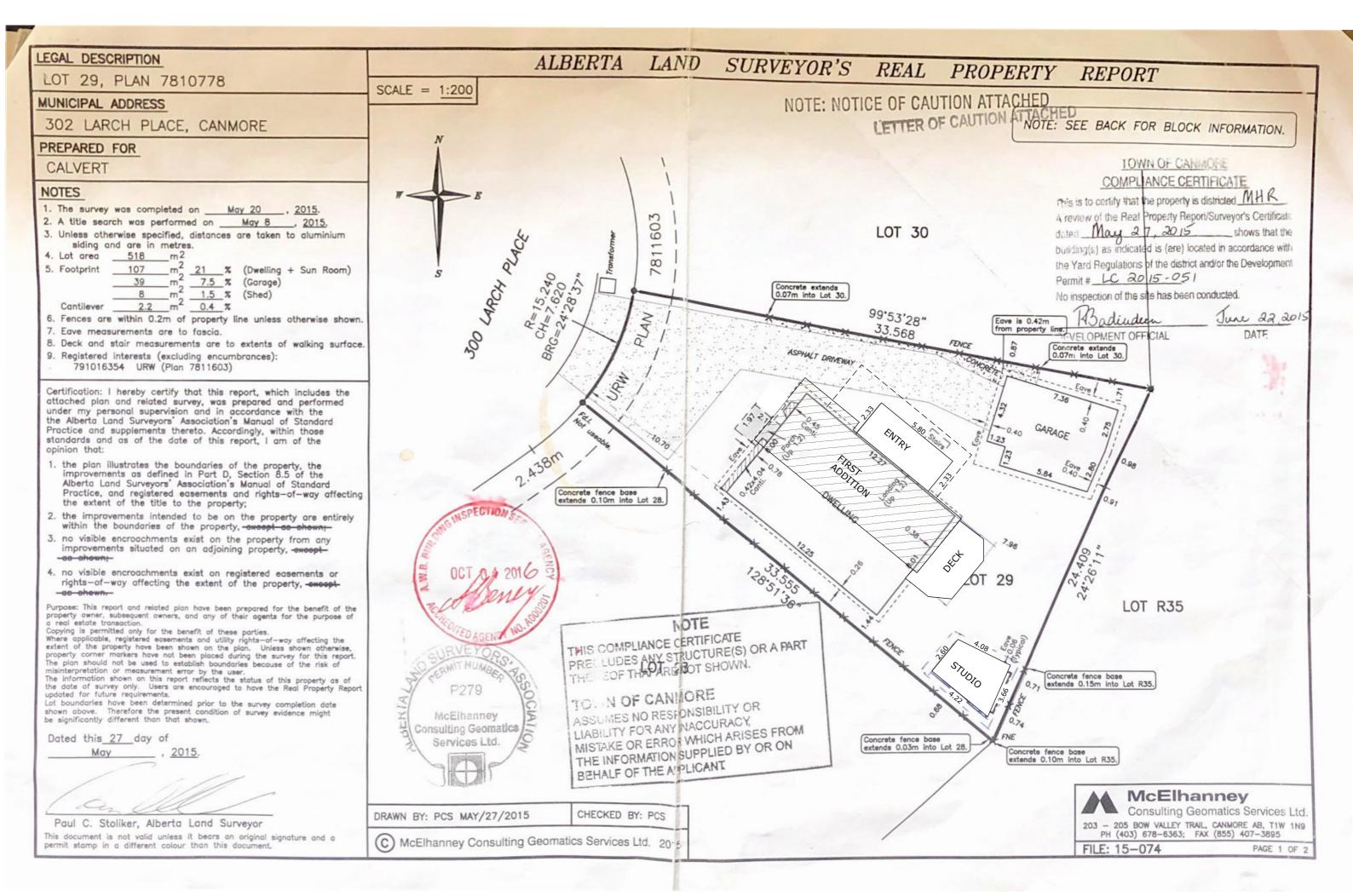
NORTH REV-Page 38

A01

SCALE @ A3: 1:120

f1 = 12.77 f2 = 12.73 fave = 12.75 b1 = 13.00 b2 = 12.83 bave = 12.91 H = 6.5 m L = 29.5 m Hf1= 12.75 + 6.5 + 8(12.91-12.75) 29.5 m Hf1 = 19.29 m Hf2 = Hf1 - 2.5 m = 16.79 m Hb1 = 12.75 + 6.5 + <u>12(12.91-12.75)</u> 29.5 m Hb1 = 19.32 Hb2 = Hb1 - 2.5 m = 16.82 m Front elevation point 13.01 from survey Hf1 - 13.01 19.29 - 13.01 = 6.28 m Hmax front + 10% variance = 6.91 m Hmax Rear elevation point 12.98 from survey Hb1 - 12.98 19.32 - 12.98 = 6.34 m Hmax front + 10% variance = 6.97 m Hmax

Maximum building height on drawings = 6.91 m





# **NOTICE OF DECISION**

\*THIS IS NOT A DEVELOPMENT PERMIT\*

DEVELOPMENT PERMIT No.:	PL20210505	
APPLICANT NAME:	Raphael Spinner	
MUNICIPAL ADDRESS:	302 Larch Place	
LEGAL ADDRESS:	Lot 29 Block - Plan 7810778	
LAND USE DISTRICT:	MHR – Residential	
APPROVED USE(S):	Residential Addition	
DATE OF DECISION:	March 17, 2022	
APPROVED BY:	Development Officer	
DATE ISSUED:	March 17, 2022	

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

This application was deemed complete on: February 28, 2022

Signature

March 17, 2022 Date

Eric Bjorge 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 twentyone (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.

### **ATTACHMENT 6 – NOTICE OF APPLICATION**

 $\overset{\text{Town of}}{\mathsf{CAN}}$ 

# RE **REMIT APPLICATION**



# Development has been proposed for this site.

A Residential Addition and Renovation is being proposed. This is a permitted use in this district (MHR – Residential Manufactured Dwelling District). The proposed development includes the following variance to the 2018-22 Land Use Bylaw:

 Building Height exceeding the required maximum by 0.65m (10%).

Project Address: 302 Larch PlaceFile Reference:PL20210505Date of Posting:\_\_\_\_\_\_

Send questions or concerns with this proposed development to: Eric Bjorge at: 403.678.0753 or eric.bjorge@canmore.ca

# **INSTRUCTIONS TO APPLICANT**

Please ensure to complete the following:

- I. Post this notice at the subject property immediately up on receipt.
- 2. Post this notice in an obvious and visible location within 1m of the front property line of the subject property.
- 3. Send a picture of the posted notice to eric.bjorge@canmore.ca once it has been posted.

**IMPORTANT:** This notice <u>must</u> remain on site for at least 10 days prior to a decision being made regarding this application.





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



DEVELOPMENT PERMIT No.:	PL20210505		
LAND USE DISTRICT:	MHR – Residential		
APPROVED USE(S):	Residential Addition		
APPROVED VARIANCE(S):	Maximum Building Height		
MUNICIPAL ADDRESS:	302 Larch Place		
LEGAL ADDRESS:	Lot 29 Block - Plan 7810778		

### **APPROVED VARIANCES**

1. 7.9% variance to maximum building height to accommodate passive house addition (maximum building height of 6.8m instead of the required 6.3m using the building envelope model.

### **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 as 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 measure are appropriately put in place prior to the 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. 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.
- 6. Access to the site for emergency vehicles shall be to the satisfaction of the Manager of Emergency Services.
- 7. **No occupancy** shall be permitted until an Occupancy Certificate has been issued by the Town of Canmore.



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

### **SPECIFIC CONDITIONS:**

1. None

Signature Development Authority	—	March 17, 2022 Date
IS A NOTICE POSTING REQUIRED:	X YES	

### ATTACHMENT 8 – STATUTORY REQUIREMENTS FOR APPEAL

- The application for a Development Permit was issued on March 17, 2022.
- Administration received an appeal from the applicant on April 7, 2022 which is within the 21-day appeal period.
- The appeal hearing was scheduled for May 6, within the 30-day time period as required by the Municipal Government Act (MGA).
- The appellant was informed of the hearing date via e-mail on April 19, 2022.
- Letters of notification to affected landowners were mailed on April 21, 2022
- An advertisement was published in the April 28, 2022 edition of the Rocky Mountain Outlook.
- The Appeal Hearing was posted on the Town website on April 13, 2022.
- Notifications can be assumed to have been received more than the required five days prior to the hearing. As such, the statutory requirements of the appeal have been satisfied.

# Notifications by the SDAB Clerk to the following:

- Appellants
- Applicants and Applicants Spokesperson
- Adjacent Landowners

Town of Canmore 902 7th Avenue Canmore, Alberta T1W 3K1 Phone: 403.678.1500 | Fax: 403.678.1534 WWW.Canmore.Ca



April 19, 2022

Our Reference: PL20210505

### **Subdivision and Development Appeal Board Hearing**

Dear Sir/Madam

This letter serves as notification that the following property is subject to an appeal to be heard by the Subdivision and Development Appeal Board (SDAB). The details are as follows:

<b>Development Permit:</b>	For an Alteration and Addition (with Height Variance) to an Existing Detached	
	Dwelling	
Address:	302 Larch Place	
Legal Description:	Lot 29, Plan 781 00778	
Appeal Matter:	Against the approval by the Development Officer.	

As an adjacent property owner, or as a potentially affected person, you have the opportunity to present in-person and/or provide a written submission to the Board.

<u>Virtually:</u>	Date: Time:	May 6 <sup>th</sup> , 2022 2:00pm
	Location: Registration:	Zoom Meeting livestreamed via <u>canmore.ca/webcast</u> sdab@canmore.ca
In-Writing:	Subject:	SDAB Hearing – PL20210505
	Deadline:	May 2 <sup>nd</sup> , 2022 @ 12:00pm
	Drop Off:	Reception, Canmore Civic Centre, 902 7th Avenue, Canmore
	Email:	sdab@canmore.ca

<u>Please note:</u> Any submissions received after the deadline will not be presented to the Board for review until the hearing. Should you provide a written submission after the deadline, digital copies will be distributed to each SDAB member before the hearing commences. Should a written submission include complex and/or extensive information, the Board may postpone the hearing to fully consider the submission. Any correspondence/comments provided will be part of the public record and may be released to the general public.

The appeal file is available for public inspection upon request to <u>sdab@canmore.ca</u>. The SDAB hearing procedure and circulation map is attached for your reference. Additional information is available upon written request. Should you have any questions or require further information, please contact the Board Clerk – Katy Bravo Stewart, at 403.678.1500 or <u>sdab@canmore.ca</u>.

Kind regards, Katy Bravo Stewart Clerk - Subdivision & Development Appeal Board Attachment 1: SDAB Hearing procedure.

Attachment 2: Circulation map.



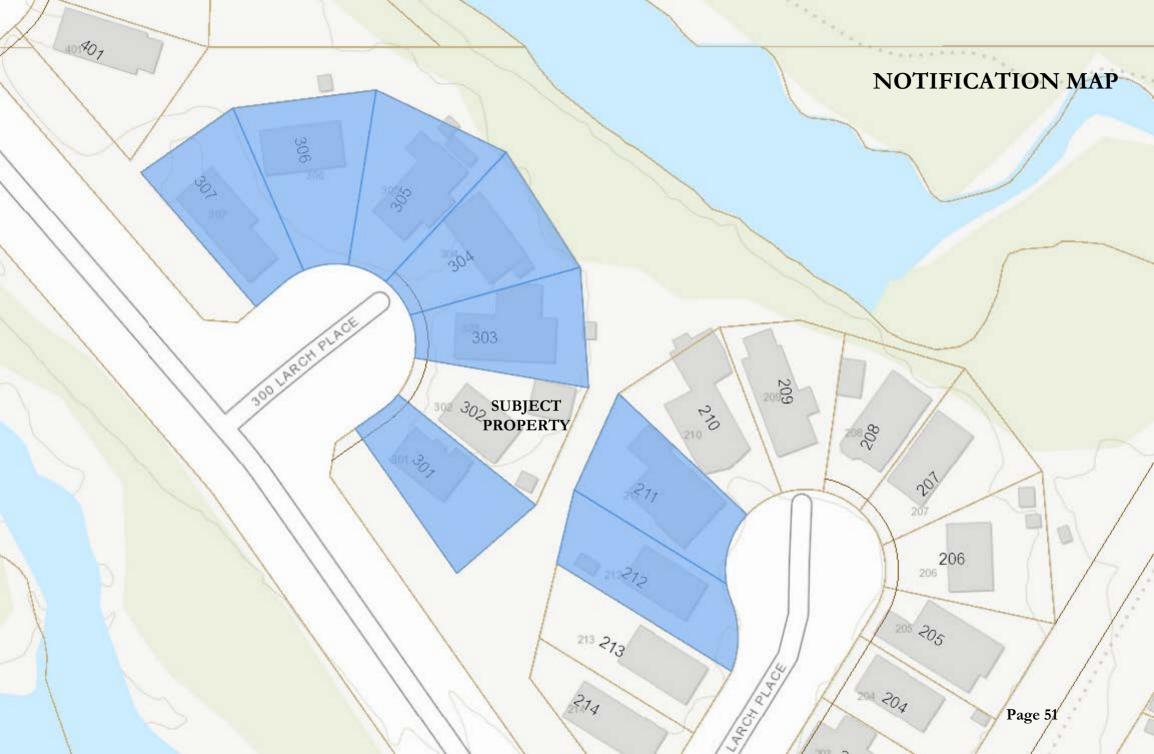
# PROCEDURE FOR SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING

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

- 1. Chairperson declares the Subdivision & Development Appeal Board Public Hearing to order
- 2. Introduction of the Board members and Clerk.
- 3. Motion to adopt the agenda
- 4. Introduction of Town Administration.
- 5. Introduction of appeal by Development Officer.
- 6. Appellant introduction and opportunity for any objections to the Board members.
- 7. Administration will make a presentation.
- 8. Then the Appellant or their agent will speak in favour of the appeal.
- 9. Followed by others speaking in favour of the appeal, and any correspondence in favour of the appeal.
- 10. Then those speaking in opposition to the appeal, and any correspondence in opposition to the appeal.
- 11. Lastly, those speaking neither in favour nor in opposition to the appeal, and any related correspondence.
- 12. At any time, the Board may ask for clarification by any of the persons speaking to the appeal.
- 13. The Board may then ask for a short recess if necessary.



- 14. To close, Administration will be asked if they wish to provide any clarification or closing remarks.
- 15. Followed by any clarification or closing remarks from the Appellant.
- 16. The Appellant will be asked if they feel they have had a fair hearing.
- 17. The board would then close the public portion of the hearing (meeting is adjourned), go in camera (private), and review all the information provided. The Board will then provide a written decision within 15 days following this hearing.
- 18. The purpose of the hearing is for the Appellant and affected parties to provide the Board with information to the appeal. The Board must base its decision on planning merits. Affected persons will be given an opportunity to speak.
- 19. Please ensure that all comments are directed to the Board. In addition, all comments be of proper decorum and be succinct; if another person has already made a point, simply state that you agree with the point and continue.
- 20. If any person presenting is referring to a written document, including a map, photographs or a report, a copy of those documents must be left with the Clerk.



Town of Canmore 902 7th Avenue Canmore, Alberta T1W 3K1 Phone: 403.678.1500 | Fax: 403.678.1534 WWW.Canmore.Ca



April 19, 2022

Dear Sir/Madam

RE:

PL20210505 Lot 29, Plan 781 00778 302 Larch Place for an Alteration and Addition (with Height Variance) to an Existing Detached Dwelling Appeal against an approval by a Development Officer.

Please be advised that the Subdivision & Development Appeal Board will hear this an appeal on **May 6th (Friday) at 2:00 p.m.** Currently, all SDAB hearings are being held electronically and are still livestreamed at <u>https://canmore.ca/town-hall/boards-committees/subdivision-development-appeal-board/sdab-agendas-board-orders</u>

As the adjacent property owner, or as an affected landowner, you have the opportunity to present at the virtual hearing and/or provide a written submission to the Board. The deadline for written submission is Monday, May 2nd, 2022, by noon (12:00 p.m.).

Written and verbal submissions will be accepted by the public. Anyone wishing to make a verbal submission at the hearing must contact the SDAB clerk at <a href="mailto:sdab@canmore.ca">sdab@canmore.ca</a> before the hearing is called to order to register and receive login information. Anyone wishing to file a written submission may send it by email to <a href="mailto:sdab@canmore.ca">sdab@canmore.ca</a> before the hearing is called to order to register and receive login information. Anyone wishing to file a written submission may send it by email to <a href="mailto:sdab@canmore.ca">sdab@canmore.ca</a>. Drop off or mail to the Civic Centre, 902 7 Avenue Canmore AB T1W 3K1 "Attention: SDAB Clerk". Please note that staff is limited at the Civic Center, it is encouraged to drop off or email rather than mail. The deadline for written submission is Monday, May 2nd, 2022, by noon (12:00p.m.).

Any correspondence/comments provided will be part of the public record and may be released to the general public. The appeal file is available for public inspection via email request to <u>sdab@canmore.ca</u>. Should you have any questions or require further information, please contact the SDAB Clerk at <u>sdab@canmore.ca</u> or 403.678.1500 (email preferred at this time).

Kind regards,

Holy B. Shunt

Katy Bravo Stewart Clerk Subdivision & Development Appeal Board

Attachment 1: SDAB Hearing procedure



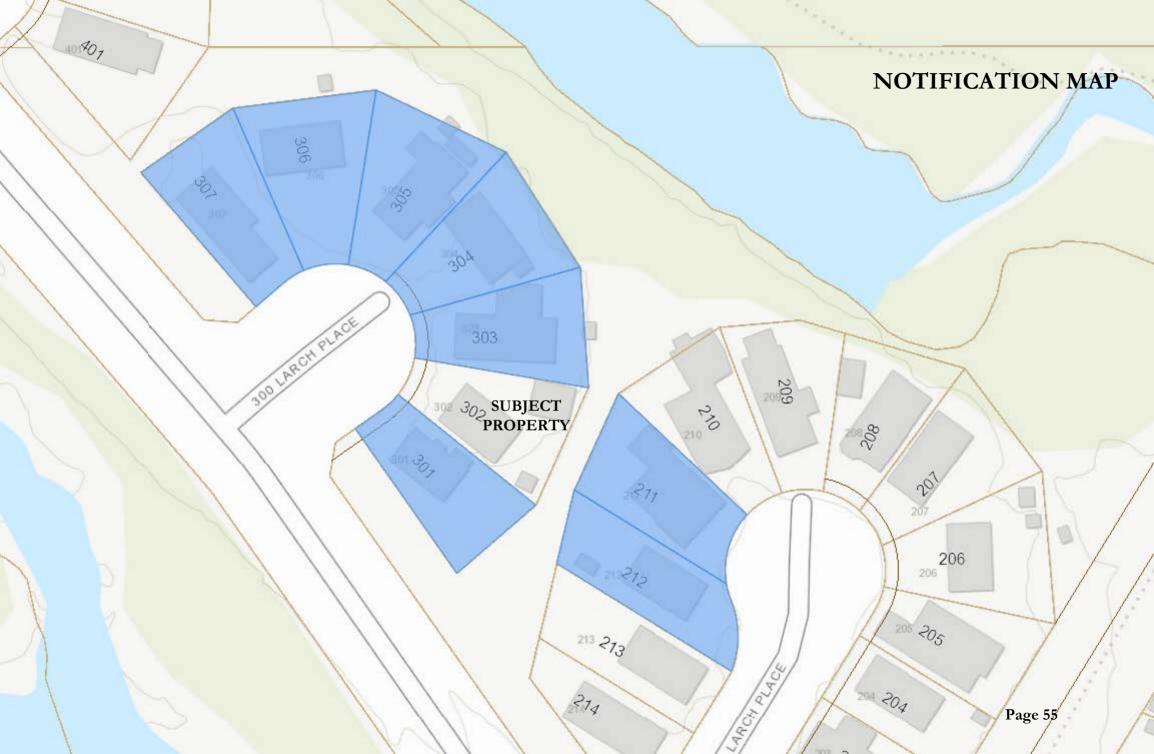
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End of SDAB Agenda Package May 6, 2022