



NOTICE OF DECISION

THIS IS NOT A DEVELOPMENT PERMIT

DEVELOPMENT PERMIT No.: PL20210301

APPLICANT NAME: SERGE OUIMETTE

MUNICIPAL ADDRESS: 121 BOW MEADOWS CRESCENT

LEGAL ADDRESS: LOT 8, BLOCK 7, PLAN 9512298

LAND USE DISTRICT: IND 2 District

APPROVED USE(S): EMPLOYEE HOUSING (12 UNITS)
WAREHOUSE (6 UNITS)
CONTRACTOR SERVICE AND REPAIR (4 UNITS)
LIGHT MANUFACTURING (2 UNITS)

DATE OF DECISION: MAY 25, 2022

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: September 21, 2021

DocuSigned by:
Jeff Roberts
93CE122BA688408...

Signature

5/30/2022 | 12:49 PM PDT

Date

Jeff Roberts
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.



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SCHEDULE A

CONDITIONS OF APPROVAL

DEVELOPMENT PERMIT No.: PL20210301

LAND USE DISTRICT: IND 2 DISTRICT

APPROVED USE(S): EMPLOYEE HOUSING (12 UNITS)
WAREHOUSE (6 UNITS)
CONTRACTOR SERVICE AND REPAIR (4 UNITS)
LIGHT MANUFACTURING (2 UNITS)

APPROVED VARIANCE(S): RELAXATIONS TO:
EMPLOYEE HOUSING REQUIREMENTS,
ON-SITE AMENITY REQUIREMENTS AND
PEDESTRIAN PATHWAY REQUIREMENTS

LEGAL ADDRESS: LOT 8, BLOCK 7, PLAN 9512298

APPROVED VARIANCES

1. To Section 5.3.6.1b of Land Use Bylaw 2018-22, to allow for Employee Housing in space that could be reasonably used for industrial purposes.
2. To Section 5.3.6.1d of Land Use Bylaw 2018-22, to allow for Employee Housing that may constrain any future permitted or discretionary, industrial uses from developing on the site or on surrounding areas.
3. To Section 5.3.6.1e of Land Use Bylaw 2018-22, to allow for Employee Housing that may unduly interfere with existing and any potential industrial development in the area.
4. To Section 8.7.01 of Land Use Bylaw 2018-22, to allow for the development to not include a Children's playground or other outdoor recreational amenities.

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 Bylaw; and



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- c. provide security in accordance with the Engineering Design and Construction Guidelines (EDCG) to ensure the terms of the Development Agreement are carried out.
2. All construction associated with the approval of this Development Permit shall comply with the regulations of the Land Use Bylaw (LUB) 2018-22, unless otherwise stated under the approved variances section of this document.
3. All construction associated with the approval of this Development Permit shall comply with the Town of Canmore Engineering requirements as outlined in the Engineering Design and Construction Guidelines (EDCG).
4. All construction associated with the approval of this Development Permit shall comply with the Tree Protection Bylaw and ensure all tree protection measure are appropriately put in place prior to the development of the site, where determined necessary by the Town of Canmore Parks Department.
5. All construction, landscaping and exterior finishing materials are to be as shown on the approved plans and other supporting material submitted with the application.
6. Any trees, shrubs or other plant material installed as part of the landscaping plan which may die or are blown over, shall be replaced on an ongoing basis, prior to receipt by the developer of a Development Completion Certificate.
7. Any roof top mechanical apparatus, including chimneys and vents, shall be screened to the satisfaction of the Development Authority.
8. Access to the site for emergency vehicles shall be to the satisfaction of the Manager of Emergency Services.
9. All signs shall require a separate development permit.
10. **No occupancy** shall be permitted until an Occupancy Certificate has been issued by the Town of Canmore.

SPECIFIC CONDITIONS:

1. The applicant shall provide security to the Town of Canmore to ensure the completion of the project, in the form of cash or an irrevocable Letter of Credit. The amount should be equal to or no less than 1.25 (125%) of the estimated project costs for the project for landscaping and all hard surfacing, paving; and, site servicing; both to the satisfaction of the Town. The Letter of Credit shall be supplied at the time of the signing of the Development Agreement, and shall be in a format acceptable to the Town of Canmore.
2. The Developer shall pay off site levies according to the approved bylaw adopted by Council at the time of the signing of the Development Agreement. The Development Agreement shall specify the manner of the payment of these monies and all other relevant fees and contributions as determined by approved Town of Canmore policy(ies).
3. The Developer shall follow their approved Construction Management Plan. The construction management plan submitted shall be followed through all stages of construction. If any problems arise where the Town Bylaws are being violated, a Stop Work Order will be delivered without warning and all construction shall cease until all problems have been rectified to the satisfaction



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of the Town of Canmore.

4. The Developer is required to provide a minimum of **13** parking stalls, **1** loading bay, **28** long-term bicycle parking stalls, and **13** short-term bicycle parking stalls, generally as shown on the approved plans, according to the following:

Method of Calculation

- Automobile Parking

Warehouse:	Minimum of 0 Stalls
Contractor Service and Repair:	Minimum of 0 Stalls
Light Manufacturing:	Minimum of 0 Stalls

Employee Housing: 1.00 stalls/1 bedroom unit * 12 units = 12 stalls

Visitor Parking Employee Housing: (0.15 stalls/ unit) 12 * 0.15 = 1.80

Total Minimum Parking Stalls Required = 13.80 = 13 stalls

Total Provided Stalls = 22 stalls

- Bike Parking

Short-term = 13 Stalls

Short-term stalls that have been provided for = 14

Long-Term = 28 Stalls

Long-term stalls that have been provided for = 28

- Loading Bays

The Developer shall provide 1 loading bay in the location indicated in the approved plans.

Total Provided Loading Bays = 1

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

5. The Developer shall provide landscaping in accordance with the approved landscaping plan.
6. As per 1.14.1.6 of the Town's Land Use Bylaw, the Developer agrees to comply with the requirements for enhanced green construction.
7. Commitments expressed in the Developer's Sustainability Screening Report become conditions of approval upon the signing of this Schedule A and will be included in the development agreement.
8. No landscaping material that is combustible is permitted between 0.0m and 1.5m from the building.



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9. Unless permission is granted by the Town of Canmore, snow clearing shall be handled on-site. No snow shall be pushed onto public land.
10. The Developer shall screen any mechanical equipment or vents to the satisfaction of the Development Officer.
11. All industrial uses, now and in the future, shall operate in accordance with Section 5.3.5.5 of Land Use Bylaw 2018-22.
12. The metal roof shall be selected with standing seams, intermediate control creases and fabricated of a sufficiently heavy gauge of metal to control deformation.
13. The Developer understands and agrees to, that should the design details for a free-standing sign on the site show non-compliance with the Town's Land Use Bylaw, a freestanding sign on the site may not be permitted or may need to be altered to meet the Town of Canmore's Land Use Bylaw. The Town of Canmore is under no obligation to approve or grant variances to accommodate a free-standing sign on the site. The Developer prefers to defer these details to a later stage of development at their own risk.
14. In order to protect the adjacent Habitat Patch, no exterior lighting is permitted on the rear sides of the building.

Prior to the Release of the Development Permit Conditions

15. The developer shall construct a sidewalk between the site and Elk Run Boulevard to provide connectivity between the site and the surrounding active transportation and transit network.

The developer shall be responsible for all costs associated with engineering design and construction of this connection, and the preparation of a cost estimate, based on a Town-prepared concept plan. The Town shall endeavor to recover partial costs of the sidewalk construction through a Local Improvement process (which could include contributions from the adjacent properties towards a portion of the costs) however there is no assurance that any costs will be recovered through this process. If this process is not successful, the developer shall be responsible for the full cost of design and construction. The Town will lead the Local Improvement process with neighbouring properties to endeavor to cost-share the final construction value.

This process will begin following the completion of detailed design plans and the provision of a cost estimate to the Town by the applicant. Approved engineering drawings (to the satisfaction of the Town) will be a requirement of Development Permit approval. The developer shall be responsible for engaging with adjacent property owners to obtain permission to tie into private driveways along Bow Meadows Crescent, and shall provide written confirmation of this permission to the Town prior to the commencement of any construction work.

16. **Prior to the issuance of a Development Permit**, the developer shall provide to the Town plans showing an accessible on-site sidewalk to connect between Bow Meadows Crescent and the building entrances. **This shall be to the satisfaction of the Engineering Department.**



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17. **Prior to the release of the Development Permit**, the Developer shall provide an updated Plot Plan showing the revised deck for Unit 7, geodetic elevation of the roof, and any other discrepancies contained in the approved plans for the development, **to the satisfaction of the Development Officer.**
18. **Prior to the release of the Development Permit**, the Developer shall pay the following variance fees:
- Four (4) approved variances:
 Discretion limited in Land Use Bylaw 0 @ \$370.00 = \$0
 Discretion not limited in Land Use Bylaw 4 @ \$200.00 = \$800.00
TOTAL FEES PAYABLE: \$800.00

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

19. Access to the development site must be designed to meet the requirements of the EDCG and incorporate a 2.5m concrete sidewalk, to the satisfaction of the Engineering Department. The proposed access point must tie in with the access (across a PUL) for the neighboring property at 123 Bow Meadows Crescent. Engineering drawings, to be prepared by the applicant, will need to reflect how accesses for the two sites will tie into Bow Meadows Crescent (including a swept path analysis for both accesses) subject to review and approval by the Town. **A shared access agreement will be required for any portion of driveway that serves both sites, prior to the issuance of a building permit.** The Town of Canmore is the owner of the PUL across which 123 Bow Meadows Crescent is accessed. An access easement for 123 Bow Meadows Crescent is registered on title. The applicant shall be responsible for engagement with the owners of 123 Bow Meadows Crescent and obtaining written confirmation of their permission to proceed with construction, prior to the issuance of a building permit.
20. **Prior to the issuance of a Building Permit**, the developer shall provide to the Town plans showing indoor or fully secured (enclosed) bicycle parking for bicycle parking stalls associated with the employee housing. **This shall be to the satisfaction of the Engineering Department.**
21. **Prior to the issuance of a Building Permit**, the developer shall provide to the Town plans showing bicycle parking areas that shall include stall dimensions and rack information, labelled in metric units, and as per the requirements of the Town's EDCG. **This shall be to the satisfaction of the Engineering Department.**
22. **Prior to the issuance of a Building Permit**, the developer shall provide details of the bicycle shelter to the Town that meet the requirements of the Town's EDCG. **This shall be to the satisfaction of the Engineering Department.**
23. **Prior to the issuance of a Building Permit**, the developer shall provide to the Town plans showing details for the rolled curb separation for bicycle parking areas. **This shall be to the satisfaction of the Engineering Department.**



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- 24. **Prior to the issuance of a Building Permit**, the developer shall provide to the Town plans showing curb ramps between barrier free parking stalls, and transitions to the nearest sidewalk connection points. **This shall be to the satisfaction of the Engineering Department.**
- 25. **Prior to the release of the Building Permit**, the Developer shall provide a pre-construction energy report estimating the energy efficiency of the development using the current NECB and in alignment with Condition of approval #6.
- 26. **Prior to the release of the Building Permit**, the Developer shall submit addressing in accordance with the Town’s Civic Addressing Protocol.

Prior to Occupancy and Operation Conditions

- 27. **Prior to occupancy**, signage shall be installed for the loading zone **to the satisfaction of the Development Officer.**
- 28. **Prior to occupancy**, the Developer shall provide evidence that enhanced green construction has been achieved **to the satisfaction of the Development Officer.**

Advisory Conditions

- 29. Approval from the Development Authority does not supersede or void any encumbrances registered on the title of the property. The applicant is solely responsible for the review and discharge of or update to any encumbrances registered on the title of the property (such as that by FORTIS) that affects the approved development.

DocuSigned by:

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 Signature
 CHAIR, CANMORE PLANNING COMMISSION

5/30/2022 | 12:49 PM PDT

 Date

IS A NOTICE POSTING REQUIRED: **YES**