#### TOWN OF CANMORE AGENDA

#### Subdivision & Development Appeal Board Hearing Council Chambers at the Civic Centre, 902 – 7 Avenue **Thursday, May 22, 2025 at 9:00 a.m.**

#### 1. APPEAL OF DEVELOPMENT PERMIT PL20250086

12 Blue Grouse Ridge; Lot 35 Plan 9612010 Appeal against an approval of the Development Officer of a Detached Dwelling with Variance to the Gross Floor Area

#### A. CALL TO ORDER AND INTRODUCTIONS

- 1. Call to order
- 2. Approval of the Hearing Agenda
- 3. Introductions

#### **B. PROCEDURAL OR JURISDICTIONAL MATTERS**

#### C. HEARING PROCESS OUTLINE

#### D. DEVELOPMENT AUTHORITY PRESENTATION

- E. APPELLANT PRESENTATION
- F. APPLICANT PRESENTATION

#### G. WRITTEN SUBMISSIONS

#### H. MEETING RECESS

#### I. QUESTIONS OF CLARIFICATION

- 1. From Board Members
- 2. From Persons who have Presented

#### J. CLOSING COMMENTS

- 1. Development Officer
- 2. Applicant
- 3. Appellant

#### K. CONFIRMATION OF FAIR HEARING

#### L. MEETING CONCLUSION



## **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		
APPELLANT IN	IFORMATION			
Name of Appellant		Agent Name (If applicable)		
Mailing Address (for	notification purposes)			
City	Province	Postal Code		
		Email		
The appellant	/agent, gives authorizatio	n 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	Approval	Stop Order
Conditions of Approval	Conditions of Approval	
Refusal	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)

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 <u>municipal.clerk@canmore.ca</u>.



Town of Canmore | 902 - 7th Avenue, Canmore, Alberta, T1W 3K1 P: 403.678.1500 | Fax: 403.678.1534 | www.canmore.ca Last Updated: March 2023



## NOTICE OF APPEAL Application Form

### **INSTRUCTIONS FOR FILING AN APPEAL**

#### THE NOTICE OF APPEAL FORM MUST:

- Be received by the Subdivision and Development Appeal Board (SDAB) within 21 days of the written decision being made and sent out by the Development Authority or the Subdivision Authority as specified in the Municipal Government Act (MGA);
- Be accompanied by the filing fee, made payable to "Town of Canmore";
- State specific reasons for the appeal; and
- Be signed by the appellant, or their acting agent.

**Please note:** Appeals must be accompanied by the fee at the time of filing. Contact the Clerk at **403.678.1550** or at <u>municipal.clerk@canmore.ca</u>, to arrange payment if filing by email or fax.

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For further information regarding appeal deadlines, fee payment options, or the appeal process, please go to our website at <a href="https://www.canmore.ca/your-government/council/boards-and-committees/subdivision-development-appeal-board">https://www.canmore.ca/your-government/council/boards-and-committees/subdivision-development-appeal-board</a>

#### WHAT IS THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)?

The SDAB is a quasi-judicial authority (similar to a judge) that is made of public members who are appointed by Council. The board consists of between five and seven members. Only one member shall be a member of Council.

The SDAB makes decisions on appeals related to Stop Orders and decisions made with respect to development permits and subdivision applications. When considering appeals, the SDAB owes a duty of fairness to participants in the hearing process.

#### WHO CAN FILE AN APPEAL?

#### Subdivision appeals:

The applicant (or agent) can file an appeal if their application for subdivision has been:

- Refused;
- Approved with conditions unacceptable to them; OR
- If a subdivision authority fails or refuses to make a decision within 60 days of application being deemed complete by the file manager.

The decision of a subdivision authority may be appealed by the applicant (or agent), Town Council, provincial government department or a school board.

#### **Development permit appeals:**

The applicant (or agent) can file an appeal if their application has been:

- Refused;
- Approved with conditions unacceptable to them;
- Issued a stop order;
- OR
- A party will be affected by a new development or new use of a property;
- If the Development Authority fails or refuses to make a decision within 40 days of the application being deemed complete by the file manager.

#### WHAT IS THE TIME LIMIT FOR FILING AN APPEAL?

The MGA sets out timelines within which appeals to the SDAB must be filed. If an appeal is filed outside of the time required by the MGA, the SDAB does not have jurisdiction to hear the appeal.

**Subdivision appeals:** Appeals are allowed within 14 days after receipt of the written decision of the Subdivision Authority (SA).

Development permit appeals: MGA s. 686 provides that appeals must be made within 21 days of;

- a) the date of the written decision on the application, or
- b) the date of the deemed refusal.

Stop order appeals: Appeals are allowed within 21 days of the date on which the Stop Order was made.

#### WHAT IS THE FEE TO FILE AN APPEAL?

The fee to file a Notice of Appeal is \$300 for an appeal related to small scale development and \$500 for an appeal related to medium or large scale development and must be submitted as part of your appeal. Payment can be made by cheque made out to "Town of Canmore", or can be made in-person by debit, VISA or MasterCard at the Civic Centre located at 902 7<sup>th</sup> Avenue. Business hours are 8:30 a.m. - 4:30 p.m. Monday to Friday.

#### **HEARING PROCEDURE**

Once the Town of Canmore has received the Notice of Appeal and the applicable fees have been processed, a hearing date is set. The SDAB must hold a hearing within 30 calendar days after receipt of a Notice of Appeal.

#### TIME OF THE HEARING

The Town of Canmore SDAB holds their hearings during business hours on weekdays. Please inform the Clerk upon submission of your appeal if this timing does not work for you, in which case an alternative time may be scheduled.

Town of Canmore | 902 - 7th Avenue, Canmore, Alberta, T1W 3K1 P: 403.678.1500 | Fax: 403.678.1534 | www.canmore.ca Last Updated: March 2023



## **NOTICE OF APPEAL Application Form**

#### **BEFORE THE HEARING**

The Clerk is required to give at least 5 days' notice in writing of the hearing to:

- the appellant;
- the development authority whose order, decision or development permit is subject to appeal;
- those owners required to be notified under the Land Use Bylaw; and
- any other person that the SDAB considers to be affected by the appeal and should be notified.

Prior to the hearing, the SDAB must make available for public review, all relevant documents and materials with respect to the appeal, including the application for the development permit, the decision and the notice of appeal, or the stop order.

#### **DURING THE HEARING**

At the hearing, the SDAB must hear:

- the appellant or any person acting on behalf of the appellant (agent);
- the Subdivision Authority or the Development Authority (as applicable);
- any other person who was given notice of the hearing, and who wishes to be heard, or a person acting on behalf of that person; and
- any person who claims to be affected by the order, decision or permit and that the SDAB agrees to hear.

The person who files the appeal is expected to give a verbal presentation to the SDAB (a written and/or visual presentation is also permitted). Prior to the hearing, the Clerk will advise of the deadline for any submission to the SDAB. **All documents submitted and presented become public documents.** 

Some suggestions for preparing your presentation for the SDAB:

- Determine the relevant planning issues associated with the appeal;
- prepare a clear, concise and logical written presentation;
- review the contents of the SDAB hearing package provided by the Clerk; and
- avoid the inclusion of non-relevant issues that are outside the Boards jurisdiction and cannot be considered, such as business competition, comments regarding someone's character, financial impact on the applicant, financial status of the applicant, and whether the development is occupied by renters or owners.

Note that the SDAB is not bound by previous decisions and will not hear arguments about precedent.

#### AFTER THE HEARING

The SDAB must give its decision in writing together with reasons for the decision within 15 days after concluding the hearing. Appeals of the SDAB decision are to the Court of Appeal and are limited to matters of law or jurisdiction.

#### POSTPONEMENT OR NOT ATTENDING YOUR HEARING

You may submit a written request to postpone your hearing, including the reasons for the request, either to the Board at the time of the hearing or to the Clerk prior to the hearing. Hearings will only be postponed at the discretion of the Board.

If you are not in attendance when your appeal is called, the SDAB may proceed without you.

#### WITHDRAWAL OF YOUR APPEAL

Written withdrawal must be submitted to the Clerk as soon as possible to help the Board and municipality use its resources effectively. Note that a refund of the appeal fee shall only be granted if the appeal is withdrawn prior to the scheduling of the hearing.

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: March 2023



# SUBDIVISION AND DEVELOPMENT APPEAL BOARD STAFF REPORT



DATE OF HEARING:	May 22, 2025
PROPOSED DEVELOPMENT:	Detached Dwelling
APPLICATION NUMBER:	PL20250086
LEGAL DESCRIPTION:	LOT 35, PLAN 9612010
CIVIC ADDRESS:	12 BLUE GROUSE RIDGE, Canmore, AB
CURRENT USE(S):	Vacant lot
APPLICANT:	Allweather Builders Ltd.

#### **EXECUTIVE SUMMARY**

The proposed development involves the construction of a new Detached Dwelling on a vacant 1,485.15 m<sup>2</sup> lot located at 12 Blue Grouse Ridge. This application was approved by the Development Officer on April 8, 2025.

The proposed building covers 25% of the parcel, well below the 40% maximum site coverage allowed. To optimize the use of the site, the applicant is requesting a variance to increase the Total Gross Floor Area (GFA) by 51.6 m<sup>2</sup>, representing a 9% increase over the maximum permitted GFA of 519.8 m<sup>2</sup> (0.35 FAR). The proposed development is in compliance with all other Land Use Bylaw requirements.

The Planning and Development Department recommends approval of the application, subject to the conditions outlined in Schedule A (attachment 5). The requested GFA variance is offset by the reduced site coverage, and not anticipated to negatively impact adjacent properties. The proposed variance is further offset by the applicant's commitment to achieving a 20% Lower-than-Reference House EnerGuide rating, providing a broader community benefit.

#### BACKGROUND

#### Municipal Development Plan

Section 6 - The property is within an established Neighborhood Residential area in which Detached Dwellings are an appropriate use.

Section 4.5.4 Incentives for developments that significantly exceed the minimum green building standards should be provided.

#### Land Use Bylaw 2018-22

Section 3.1 provides the development standards for the RI- Residential Detached Land Use District. Other relevant sections are:

- I.14 Variance Powers of Development Authority
- 2.3 Vehicle Access and Driveways
- 2.4 Setbacks and Building Projections
- 2.8 Building Height and Roof Design
- 10 Green Building Regulations

The Development Permit application requested one (I) variance to the Land Use Bylaw standards - for section 3.1.3.11 regarding the maximum gross floor area of a residential building.

#### Silvertip Area Structure Plan 2001/2007

According to Map 7 of the Area Structure Plan (ASP), the subject site at 12 Blue Grouse Ridge is identified as part of an Established Area. The proposed development is generally consistent with existing development within this area.

#### **EXISTING SITE**

The subject site is within the RIResidential 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 is listed as a discretionary use in this district.

The site is currently vacant and has been vacant for almost 30 years. The lot is situated on the lower Silvertip bench overlooking the valley to the southwest. Within the parcel, there is a 15M non-disturbance area on the west end (rear) of the lot established by a Restrictive Covenant. The vacant lot consists of various trees, some are proposed to be removed, except within the non-disturbance area.

Adjacent uses include a Detached Dwellings to the north, east, south, and across the street to the south-east (see attachment I for site context photos).

#### **BYLAW CONFORMANCE/VARIANCE DISCUSSION**

#### I. Maximum Gross Floor Area

The proposed development includes a Total Gross Floor Area (GFA) of 571.4 square metres, which exceeds the maximum allowable GFA of a residential building by 51.6 square metres, or approximately 9%.

According to Section 3.1.3.11(b) of the Land Use Bylaw, the maximum permitted GFA for residential buildings on lots equal to or greater than 930 square metres is determined using a Floor Area Ratio (FAR) of 0.35. Based on the subject lot size of 1,485.15 square metres, the allowable GFA is calculated at 519.8 square metres.

#### PLANNING DEPARTMENT POSITION

The Planning and Development Department supports the proposed variance to increase the Gross Floor Area (GFA) beyond the maximum allowed by the Land Use Bylaw. Due to the larger than average size of the lot and increased setbacks required by the developer, the resulting site coverage of the proposed development is 25%, significantly below the 40% permitted in the RI District. While the proposal does include increased building mass of 51.6 square meters (approximately the size of a two car garage), the impact of increased massing is offset by the open space which results from reduced site coverage.

In consideration of this variance, the applicant has agreed to a condition of approval requiring the proposed dwelling to achieve a 20% Lower than Reference House Energuide rating, exceeding the minimum 10% Lower than Reference House Energuide rating required by the Land Use Bylaw, and thereby delivering a tangible environmental benefit to the community. The applicant has formally engaged with VerdaTech, an energy management and consulting firm, to support this condition.

The application included a letter of support from Silvertip Design Review Group confirming their approval in relation to the Silvertip architectural controls and development standards, which includes increased setbacks from property lines (see Figure 1). The Town has no part in reviewing or enforcing Silvertip's architectural or development requirements, as they are a private agreement between the lot owner and Silvertip (Stone Creek Resorts).

The proposed development complies with all other Land Use Bylaw requirements including height, projection, and setbacks from property lines (see Figure 2 below, attachment 3 for complete Bylaw Conformance review, and attachment 4 for the Development Permit Application and Supporting information). During the review stage of the application, neighbourhood concerns were raised regarding visual overlook into adjacent properties from the proposed rear deck. The Land Use Bylaw does not contain regulations preventing visual overlook in this case.



Figure 1 – The proposed dwelling is subject to increased developer-imposed setbacks.

Figure 2 - The proposed dwelling complies with the maximum building envelope requirements of 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
  - o the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

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 revised conditions in Schedule A 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 <u>APPROVE</u> PL20250086. Recommended conditions are included in Attachment 5.

#### **ATTACHMENTS:**

- I. Site Context
- 2. Zoning Map
- **3.** Bylaw Conformance Review
- 4. Development Permit Application (Plans and Supporting Information)
- 5. Proposed Conditions of Approval (Schedule A)

Maneet Singh Duggal

**Eric Bjorge** Planning & Development Supervisor Maneet Singh Duggal Planning Technician

#### ATTACHMENT I – SITE CONTEXT

Aerial View of the Site



North View from Blue Grouse Ridge



South View from Blue Grouse Ridge



East View from Blue Grouse Ridge



West (Site) View from Blue Grouse Ridge



#### **ATTACHMENT 2 – ZONING MAP**



12 Blue Grouse Ridge highlighted in blue

#### ATTACHMENT 3 - BYLAW CONFORMANCE REVIEW

REQUIREMENT	BYLAW 2018-22	PROPOSED	VARIANCE
Max Floor Area Ratio (FAR)	MAX 0.35 (519.8 SQM)	571.4sqm	Yes by 51.6sqm or 9%
Front Yard Setback	Мах 6 м	Max 10.32 M	Νο
Side Yard Setback (North)	I.5 M	5м	Νο
Side Yard Setback (South)	I.5 M	3 м	Νο
Rear Yard Setback	7.5 м	16.09 м	No
Max Building Height	I 420.68 M	I420.64 м	Νο
Roof design method	BUILDING ENVELOPE METHOD/HMAX METHOD	BUILDING ENVELOPE METHOD	No
Site Coverage	40%	25.9%	Νο
Parking Vehicle Parking	I Units = 2 Vehicle Parking Stalls	I Units = 2 Vehicle Parking Stalls	Νο
Firesmart requirement Non-combustible buffer Material	I.5M Min Class B	I.5 M Class B	No

Driveway			
WIDTH AT PROPERTY LINE	5M	4.20M	No
USABLE LENGTH	6M	10M	
Projection deck eaves	2M 0.61M	WITHIN THE SETBACKS	No



LAND TITLE CERTIFICATE

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LEGAL DESCRIPT	ION					
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BOX 460						
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( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS PAGE 2 # 251 093 035 REGISTRATION NUMBER DATE (D/M/Y) PARTICULARS \_\_\_\_\_ 114 RUNDLE DRIVE CANMORE ALBERTA TOLOMO 941 181 165 11/07/1994 CAVEAT RE : RESTRICTIVE COVENANT , ETC. CAVEATOR - STONE CREEK PROPERTIES INC. 3540 FIRST CANADIAN CENTRE 350-7 AVE SW CALGARY ALBERTA T2P3N9 941 231 648 06/09/1994 RESTRICTIVE COVENANT 951 240 909 23/10/1995 EASEMENT

OVER UNIT 34 ON PLAN 9612010 FOR BENEFIT OF UNITS 1 TO 30 INCLUSIVE ON PLAN 9411407 EASEMENT AMENDED BY JUDGES ORDER

\* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL PLAN SHEET

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 7 DAY OF APRIL, 2025 AT 08:34 A.M.

ORDER NUMBER: 53345867

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).

## ALBERTA GOVERNMENT SERVICES LAND TITLES OFFICE

**IMAGE OF DOCUMENT REGISTERED AS:** 

# 941181163

**ORDER NUMBER: 24674084** 

**ADVISORY** 

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## 941181163 R CAVE - CAVEAT DOC 1 OF 3 D LINC/S: 特徴に同時になりなどの形式 3 DRR#: 275955C ADR/GVELJI 0013874391 0025715732 REGISTERED 1994 07 11 日本には、「ない」の「「ない」」の NOTE RESTRICTIVE COVENANTS AND EASEMENT AGREEMENT Ċ, BETWEEN: • Ľ 時代の時代 STONE CREEK PROPERTIES INC. AND STONE CREEK PROPERTIES INC. and TOWN OF CANMORE and ALBERTA MORTGAGE AND HOUSING CORPORATION 1000000000 ž 48816001 LJB File:

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#### FORM 26

#### LAND TITLES ACT (Section 130)

#### CAVEAT FORBIDDING REGISTRATION

Take notice that TOWN OF CANMORE claims an interest pursuant to an agreement in writing dated 14/3 Jon e. 1994 between the Town of Canmore, Stone Creek Properties Inc. and Alberta Mortgage and Housing Corporation which creates certain restrictive covenants and easements running with the subject lands, a true copy of the said agreement being attached hereto as Schedule "A" to this caveat, in the land described as follows:

#### PLAN 9312238 BLOCK 7 EXCEPTING THEREOUT ALL MINES AND MINERALS

(the Servient Tenement)

- and -

#### PLAN 8610873 BLOCK 1--LOT 7ER (ENVIRONMENTAL RESERVE) EXCEPTING THEREOUT ALL MINES AND MINERALS

(the Dominant Tenement)

standing in the register in the name of STONE CREEK PROPERTIES INC. AND THE TOWN OF CANMORE; and it forbids the registration of any person as transferee or owner of, or of any instrument affecting that estate or interest, unless the certificate of title is expressed to be subject to its claim.

The caveator designates the following address as the place at which notices and proceedings relating hereto may be served:

Town of Canmore Box 460 114 Rundle Drive Canmore, Alberta TOL OMO

IN WITNESS WHEREOF the caveator has caused its corporate seal to be affixed duly attested by the hands of its proper officers duly authorized in that behalf this  $24^{4}$  day of June, 1994.

#### TOWN OF CANMORE

Per: Per:

LIBRA 368603.1

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Resc & Ease

#### FORM 27

#### LAND TITLES ACT (Section 131)

#### AFFIDAVIT IN SUPPORT OF CAVEAT

I, MALTIN DURISH, of the Kernor CANNORS, in the Province of Alberta, make oath and say for solemnly declare) as follows:

1, I am the agent for the caveator,

2. I believe that the caveator has a good and valid claim on the land, and I say that this caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal with it.

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SWORN before me at the <u>locum</u> of <u>Annore</u>, in the Province of Alberta this <u>27</u> day of <u>June</u>, 1994. )

STEVEN C. PARKER Barrister & Solicitor

(Name of Agent) 

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AR 480/81 Form 26; 538/82



SCHEDULE A

#### BETWEEN:

STONE CREEK PROPERTIES INC., a body corporate with offices in the City of Calgary, in the Province of Alberta (hereinafter referred to as the "Grantor")

OF THE FIRST PART

#### - and -

STONE CREEK PROPERTIES INC., a body corporate and THE TOWN OF CANMORE, a municipal corporation and ALBERTA MORTGAGE AND HOUSING CORPORATION, a body corporate (hereinafter referred to as the "Grantees")

#### OF THE SECOND PART

#### RESTRICTIVE COVENANTS AND EASEMENT AGREEMENT

#### RECITALS:

- 1. The Grantor is the owner of Block 2, Block 7 and Block 9.
- 2. The Town is the owner of Lot 7 ER.
- 3. AMHC is the owner of Block 3.
- 4. On November 9, 1993 the Council of the Town approved an application for the creation of a 33 unit single family bareland condominium subdivision on Block 7 (the "BareLand Condo Subdivision").
- 5. Approval of the BareLand Condo Subdivision was given subject to certain conditions including, amongst others, the requirement that the Grantor enter into a number of restrictive covenant and easement agreements all as more particularly detailed in the conditions of approval contained in subdivision approval 04.03(4) as shown in the minutes of the Town Council meeting dated November 7, 1993.

6. In respect to the requirements of the Town Council relating to the matter of restrictive covenant and easement agreements, the parties agree as hereinafter set forth.

Page 2.

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- 7. The Town and Stone Creek acknowledge that a Deferred Servicing Agreement was entered into by the Town and Stone Creek dated January 29, 1993 in respect of, and as a requirement of, the approval of April 16, 1991 by the Town Council of a development permit application for the development of an 18 hole golf course on lands owned by Stone Creek which provides that upon subdivision of Block 7 (amongst other "triggering events" as defined in that Agreement) Stone Creek would be responsible to do certain things including the entering into of a servicing agreement which would require the registration of certain restrictive covenant and easement agreements.
- 8. The Town and Stone Creek acknowledge that a Deferred Servicing Agreement was entered into by the Town and Stone Creek dated October 13, 1993 in respect of, and as a requirement of, the approval of August 24, 1993 by Town Council of a 23 lot subdivision which provided that upon subdivision of Block 7 (amongst other "triggering events" as defined in that Agreement) Stone Creek would be responsible to do certain things including the entering into of a servicing agreement which would require the registration of certain restrictive covenant and easement agreements.
- 9. The Town and Stone Creek have entered into a Subdivision Servicing Agreement for purposes of the subdivision, servicing and development of Block 7, which agreement requires the registration of the certain restrictive covenant and easement agreements.
- 10. Section 71 of the Land Titles Act (Alberta) provides as follows:
  - "71(1) An owner may grant to himself an easement or restrictive covenant for the benefit of land which he owns and against land which he owns and the easement or restrictive covenant may be registered under this Act.
    - (2) When the dominant and servient tenements are registered in the name of the same person, and easement under subsection (1) is not merged by reason of the common ownership."

#### AGREEMENT

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NOW THEREFORE in consideration of the terms, conditions, covenants and undertakings herein provided, the parties agree as follows:

ARTICLE I. - DEFINITIONS

1.1 In this Agreement, including this paragraph, unless the context otherwise requires:

"AMHC" means Alberta Mortgage and Housing Corporation, being a body corporate (a) incorporated pursuant to the Alberta Mortgage and Housing Corporation Act (Alberta). "BareLand Condo Subdivision" means the 33 unit single family bareland condominium (b) subdivision of Block 7 approved by the municipal council of the Town on November 9, 1993 and identified as approval 04.03(4). "Block 2" means the lands owned by the Grantor and legally described as follows: (c) PLAN 9312238 BLOCK 2 EXCEPTING THEREOUT ALL MINES AND MINERALS AREA: 24.1 HECTARES (59.46 ACRES) MORE OR LESS "Block 3" means the lands owned by AMHC and legally described as follows: (d) PLAN 9312238 BLOCK 3 EXCEPTING THEREOUT ALL MINES AND MINERALS AREA: 17.7 HECTARES (43.76 ACRES) MORE OR LESS "Block 7" means the lands owned by the Grantor and legally described as follows: (e) PLAN 9312238 BLOCK 7 EXCEPTING THEREOUT ALL MINES AND MINERALS AREA: 3.75 HECTARES (9.28 ACRES) MORE OR LESS "Block 9" means the lands owned by the Grantor and legally described as follows: (f) PLAN 9312238 BLOCK 9 EXCEPTING THEREOUT ALL MINES AND MINERALS AREA: 9.753 HECTARES (24.1 ACRES) MORE OR LESS "Lot 7 ER" means the lands owned by the Town and legally described as follows: (g) PLAN 8610873 BLOCK 1 LOT 7ER (ENVIRONMENTAL RESERVE) EXCEPTING THEREOUT ALL MINES AND MINERALS AREA: 12.2 HECTARES (30.15 ACRES) MORE OR LESS "Owner", in reference to land, means the person registered under the Land Titles Act (h) (Alberta) as the owner of the fee simple estate in the land. "Stone Creek" means Stone Creek Properties Inc., being a body corporate authorized (i) to carry on business within the Province of Alberta.

Page 3.

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REAL STREAM STATES

"Subdivision Servicing Agreement" means the Agreement dated the <u>rott</u> day of <u>Tunc</u>, A.D. 1994 entered into between the Town and Stone Creek respecting the subdivision, servicing and development of Block 7.

- (k) "Town" means the Town of Canmore.
- "Unit" means any one or more of the units created upon registration of the BareLand Condo Subdivision, and "units" has a corresponding meaning.

#### ARTICLE 2. - RESTRICTING DEVELOPMENT AND USE OF CONDO COMMON PROPERTY

- 2.1 The Grantor being the owner of all of the Units does hereby covenant with the Town and Stone Creek that:
  - (a) no buildings nor permanent structures shall be constructed or placed upon Units 31, 32 and 33 unless and until the BareLand Condo Subdivision is registered at the Land Titles office and Units 31, 32 and 33 have been transferred to the Condominium Association free and clear excepting only easements, utility rights-of-way and restrictive covenants;
  - (b) Units 31, 32 and 33 shall not be transferred nor disposed of in any manner by the Condominium Association without the prior written approval of all owners of Units 1 through 30 inclusive;
- 2.2 The Town and Stone Creek agree that the covenants contained in clause 2.1(a) shall not preclude the Grantor from constructing or installing, pursuant to the Subdivision Servicing Agreement, local improvements (as the same are defined in the Subdivision Servicing Agreement) within Units 31, 32 and 33.
- 2.3 For the purposes of the covenants contained in paragraph 2.1, Units 1 through 30 inclusive are dominant tenements and Units 31, 32 and 33 are servient tenements.
- 2.4 For the purposes of clause 2.1(a), the Grantor agrees that the covenants contained therein are also for the benefit of the Town and that the said covenants shall be enforceable by the Town against the Grantor by way of any proceedings or action deemed appropriate by the Town.

#### ARTICLE 3. - RESTRICTING DEVELOPMENT AND DISTURBANCE OF NATURAL VEGETATION

3.1 The Grantor being the owner of all of the Units does hereby covenant, subject to the provisions of paragraph 3.3, with the Town and Stone Creek that:

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 the Grantor shall not disturb, cause anyone to disturb, nor allow anyone to disturb the natural vegetation within the Non-disturbance Area of Units 1 through 12 inclusive and Unit 32;

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- (b) the Grantor shall not undertake any development, cause anyone to undertake any development, nor allow anyone to undertake any development within the Nondisturbance Area of Units 1 through 12 inclusive and Unit 32;
- (c) the Grantor shall not erect, cause anyone to erect, nor allow anyone to erect any fence within or adjoining the Non-disturbance Area of Units 1 through 12 inclusive and Unit 32.

3.2 For purposes of the covenants contained in paragraph 3.1:

- (a) "Non-disturbance Area" for Units 1 through 12 inclusive and Unit 32 shall mean the area of each of the said Units fifteen (15) metres in perpendicular width measured from the property lines adjoining Block 2.
- (b) "Development" shall have the same meaning as that contained in clause 1(c) of the <u>Planning Act</u> (Alberta) as at the date of the execution of this Agreement.
- 3.3 The Town and Stone Creek agree with the Grantor that the provisions of paragraph 3.1 shall not preclude the Grantor from constructing or installing underground utilities within the Non-Disturbance Area of Unit 32; PROVIDED:
  - that underground utilities shall mean underground waterlines, sanitary sewerlines, storm sewerlines, natural gas lines, electric power lines, telephone lines and similar utility services;
  - (b) that all reasonable precautions are taken to protect the soil stability of the Non-Disturbance Area of Unit 32 and that all construction and installation will be undertaken in a workmanlike manner and in accordance with sound engineering and construction practices;
  - (c) that all areas disturbed in the course of the construction and installation of any underground utilities shall be restored to a state equivalent to that which existing prior to the construction and installation of the underground utilities.
- 3.4 The Grantor agrees with the Town and Stone Creek that the purposes of the covenants contained in paragraph 3.1 are to protect the stability of the Non-disturbance Areas, to preserve the natural state of the Non-disturbance Areas and to allow a corridor for the passage of wildlife, all of which are of benefit to all of the Units as well as adjacent lands.

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3.5 The Grantor agrees with the Town and Stone Creek that for purposes of the covenants contained in paragraph 3.1;

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- (a) Units I through 12 inclusive and Unit 32 are both dominant and servient tenements inter se;
- (b) Units 1 through 12 inclusive and Unit 32 are servient tenements in respect to the dominant tenements set forth in clause 3.5(c);
- (c) Units 13 through 31 inclusive, Unit 33, Block 2 and Lot 7 ER are all dominant tenements.

#### ARTICLE 4. - RESTRICTING DEVELOPMENT WITHIN TEN METRES FROM THE CREST OF SLOPES

- 4.1 The Grantor being the owner of all of the Units does hereby covenant with the Town and Stone Creek that:
  - no buildings nor permanent structures shall be constructed nor placed upon any portion of any Unit which is within ten (10) metres of the crest of any slope which is twentyfive (25%) percent or greater in decline;
  - (b) no buildings nor permanent structures shall be constructed nor placed upon any portion of any Unit which, after the construction or placement of the building or permanent structure would result in a slope stability factor of less than 1.5 in respect to any slopes located within or adjacent to the particular Unit.
- 4.2 The Grantor agrees with the Town and Stone Creek that for purposes of the covenants contained in paragraph 4.1:
  - (a) "Slope Stability Factor" shall mean the ratio that the sum of the resisting moments on a slope bears to the sum of the overturning moments on a slope;
  - (b) the location of the crest and toe of a slope, and the Slope Stability Factor, shall be determined by a properly certified Geo-technical Engineer and the location of the crest and toe of a slope shall be mapped.
- 4.3 The Grantor agrees with the Town and Stone Creek that the purposes of the covenants contained in paragraph 4.1 is to minimize the possibility of slope failure within or adjacent to any of the Units and that this will be of benefit to all of the Units and to properties adjacent to the Units.
- 4.4 The Grantor agrees with the Town and Stone Creek that for purposes of the covenants contained in paragraph 4.1:

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- (a) Units 1 through 33 inclusive are both dominant and servient tenements inter se;
- (b) Units 1 through 33 inclusive are servient tenements in respect to the dominant tenements set forth in clause 4.4(c);
- (c) Block 2 and Lot 7 ER are all dominant tenements.

#### ARTICLE 5. - RESTRICTING ALTERATION OF SURFACE GRADES

- 5.1 The Grantor being the owner of all of the Units does hereby covenant, subject to the provisions of paragraphs 5.2 and 5.3, with the Town and Stone Creek that:
  - (a) the Grantor shall prepare, to the satisfaction of the Town and subject to the Town's approval, a drainage plan for stormwater management within and adjacent to the BareLand Condo Subdivision, which plan shall indicate the drainage patterns for each of the Units and shall show the grades and elevations at each corner for each of the Units and at the unit perimeter setting out points shown on the plan of survey for the BareLand Condo Subdivision;
  - (b) upon the drainage plan being approved by the Town, the Grantor and the Town shall endorse six (6) copies of the drainage plan and the drainage plan as endorsed shall govern for purposes of determining compliance with the covenants contained in this article;
  - (c) as part of the Grantor's obligations under the Subdivision Servicing Agreement, the Grantor shall, to the satisfaction of the Town do or cause to be done such grading and earth moving work as required to put in place the final grades and elevations and drainage patterns shown on the drainage plan approved by the Town;
  - (d) the Grantor shall not alter, cause to be altered nor allow to be altered within any of the Units the final constructed grades and elevations and drainage patterns which have been put in place in conformity with the drainage plan approved by the Town;
  - (e) the Grantor shall not within nor adjacent to any of the Units:
    - (i) construct nor place any material, thing or structure whatsoever;
    - (ii) cause nor allow anyone to construct or place any material, thing or structure whatsoever;
    - (iii) construct any swales or change any grades or elevations;

which obstruct, change or in any manner interfere with the drainage flows or patterns as shown on the drainage plan approved by the Town.

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- 5.2 The Town agrees with the Grantor and Stone Creek that the covenants contained in clauses 5.1(d) and (e) shall not prevent nor preclude the construction of single family dwellings and structures accessory thereto (hereinafter referred to as "Residential Structures") within Units 1 through 30 inclusive, which shall be allowed provided;
  - (a) The location and the elevations of the Residential Structures at grade for each Unit shall first be approved by the Town in writing, such approval not to be withheld unreasonably, in order to ensure that the location and the elevations of the Residential Structures at grade shall not cause any substantial change to the general drainage patterns as those patterns are provided within the drainage plan approved by the Town;
  - (b) The approval of the Town referred to in clause (a) of this paragraph 5.2 may be obtained by an Owner at any time prior to or concurrently with the issuance of any permit or license required for the construction of the Residential Structures;
  - (c) The construction of the Residential Structures shall not directly nor indirectly cause any alteration as shown on the approved drainage plan to the grades and elevations at each corner of each of the Units and grades and elevations at the unit perimeter setting out points referred to in clause 5.1(a).
  - (d) The construction of the Residential Structures shall comply with all zoning and land use by-laws and legislation in place at the time of the construction of the Residential Structures.
- 5.3 The Grantor agrees with the Town and Stone Creek that the Town may, if considered by the Town to be necessary or appropriate to facilitate the construction of Residential Structures within any of the Units, make minor amendments or changes to the approved drainage plan, it being understood and agreed that the Town shall be the sole judge of what constitutes a minor amendment or change.
- 5.4 The Grantor agrees with the Town and Stone Creek that for purposes of the covenants contained in clauses 5.1(d) and (e):
  - (a) Units 1 through 33 inclusive are both dominant and servient tenements inter se;
  - (b) Units 1 through 33 inclusive are servient tenements in respect to the dominant tenements set forth in clause 5.4(c);
  - (c) Block 2 and Lot 7 ER are all dominant tenements.

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#### ARTICLE 6. - ACCESS PROVISION FOR MASTER TRAIL SYSTEM

- 6.1 The Grantor being the owner of all of the Units does hereby grant to the Grantees, for the benefit of the lands hereinafter described, the right, privilege and easement across Unit 33 and a portion of Unit 32 for the purposes of providing public access between Block 7 and the public trail system contemplated in By-law 30-90 of the Town, as amended (Hyatt Regency Canmore at Banff National Park Master Plan).
- 6.2 The Grantor and the Grantees agree that for purposes of the covenants contained in paragraph 6.1 that the portion of Unit 32 in respect of which the right, privilege and easement is granted is the area identified on the plan of survey filed as instrument <u>941.1406</u> at the Land Tytles Office for the South Alberta Land Registration District.
- 6.3 The right, privilege and easement described in paragraph 6.1 shall be subject to the following conditions:
  - (a) the right, privilege and easement shall include the right of passage across Unit 33 and the specified portion of Unit 32 by the public at large including the use of nonmotorized vehicles such as bicycles and similar conveyances;
  - (b) the right, privilege and easement shall include the rights of ingress, egress and regress across Unit 33 and the specified portion of Unit 32 for the purposes specified herein;
  - (c) the owners of Blocks 3 and 9, but only with the prior written approval of the Town, shall have the right to post and enforce reasonable rules and restrictions on the right of passage to minimize or eliminate nuisances.
- 6.4 The Grantor and the Grantees agree that the covenants and conditions contained in paragraphs 6.1 and 6.3 are to the benefit of both the general public and to certain specific lands adjacent to Unit 32 and Unit 33, and accordingly, the Grantor and the Grantees further agree that for purposes of paragraphs 6.1 and 6.3:
  - (a) Unit 32 and Unit 33 are servient tenements;
  - (b) Units 1 through 31 inclusive, Block 2, Block 3, Block 9 and Lot 7 ER are all dominant tenements.

#### ARTICLE 7. - GENERAL

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7.1 All of the covenants, conditions, restrictions and easements herein placed upon the servient tenements shall be covenants running with the land and shall be binding upon the Grantor and its assigns and successors in title and upon all subsequent owners of the servient tenements and shall enure to the benefit of the owners, from time to time, of the dominant tenements.

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7.2 All of the covenants, conditions, restrictions and easements herein placed upon the servient tenements shall not be extinguished in the event that title to ownership of any of the servient tenements which shall adjoin each other shall be vested in the same person, and if any such extinguishments shall occur and title for such adjoining lands shall thereafter be divested from such common ownership, then and in such event the successors in title to each of the servient tenements shall be and remain bound to and in respect of the covenants, conditions, restrictions and easements herein granted and the owners of the dominant tenements from time to time, shall be entitled to the benefits contained herein.

- 7.3 All of the covenants, conditions, restrictions and easements herein placed upon the servient tenements, except as specifically otherwise herein provided, shall be perpetual in nature and shall not be varied, altered, modified or surrendered without the prior consents in writing of the owners from time to time of the dominant tenements, as well as the prior written consent of the Town.
- 7.4 In the event that any provision contained herein is determined by a Court of competent jurisdiction to be invalid and unenforceable to any extent, or contrary to law, the remainder of the provisions contained herein, including all other covenants, conditions, restrictions and easements, shall not be affected thereby and shall remain valid and enforceable in accordance with their terms to the fullest extent permitted by law.
- 7.5 The owner or owners of each dominant tenement and the Town may, with respect to any breach of the obligations herein imposed, enforce the provisions of this Agreement, and the covenants, conditions, restrictions and easements herein contained, and may, without restricting any other remedies which may be available at law or in equity, apply to a Court of competent jurisdiction restricting such breach by injunction.
- 7.6 This Agreement may be registered at the Land Titles office for the South Alberta Land Registration District against the lands affected by the provisions contained herein.
- 7.7 The Grantor and Grantees agree that no action shall lie against the Grantor for damages, or otherwise, for a breach of the covenants, conditions, restrictions an easements contained in this Agreement, unless the Grantor as owner of a servient tenement is alleged and proven to be in breach of any one or more of the covenants, conditions, restrictions and easements contained herein; AND FURTHER, the provisions of this paragraph shall constitute an absolute defence to any such action and may be pleaded as such.
- 7.8 A waiver by any of the parties hereto of the strict performance by any other party of any covenant or provision of this Agreement shall not of itself constitute a waiver of any subsequent breach of such covenant or provision, or of any other covenant or provision of this Agreement.
- 7.9 The parties hereto shall execute and deliver all further documents and assurances reasonably necessary to give effect to this Agreement and to discharge the respective obligations of the parties.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested to by their duly appointed officers in that behalf as of the day and year above written.

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GRANTOR

STONE CREEK PROPERTIES INC.

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GRANTEE:

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TOWN OF CANMORE

GRANTEE:

STONE CREEK PROPERTIES INC.

GRANTEE: ALBERTA MORTGAGE AND HOUSING



514, 3208-8 Avenue NE Calgary, AB T2A 7V8 403.251.0683 www.EnergyExperts.ca

April 3, 2025

The Town of Canmore 902 7th Avenue Canmore, AB T1W 3K1

To whom it may concern

RE: 12 BLUE GROUSE RIDGE, CANMORE

This letter is to confirm that VerdaTech Energy Management and Consulting Inc has been hired to complete the EnerGuide rating for the above noted project. As per section 10.3.1.2, the enhanced Green Construction Protocols will be met. An EnerGuide Rating better than 20% of a typical new home will be the target that we will be working towards.

We will complete a plan evaluation and on completion of the building we will attend the site to complete the required blower door test and site verification. The official registered label and rating will be provided to the owner thereafter.

I trust that the above is clear and to your satisfaction, but should you require any further information please do not hesitate to me directly.

Regards.

Stephen Farrell, P.L. (Eng), CEM President









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## **Rationale Letter – Family Vacation Home** Request for Variance for additional GFA and no ADU

At 12 Blue Grouse Ridge, SilverTip, Canmore

Tuesday, 25 February 2025

Provided to: Tim and Liz Welsh

Planning and Development Department,

The Welsh's are building a vacation home for their family in the last lot in Blue Grouse Ridge. We're excited to be able to work on this spectacular lot and after almost 30 years complete this wonderful neighbourhood.

The proposed dwelling is on a 1485.15 m<sup>2</sup> lot on the lower Silvertip bench overlooking the valley to the southwest. As is typical with Silvertip lots the setbacks are significantly larger than Town standards and include 3 m and 5 m sideyard setbacks with a 15 m rear setback. With these large setbacks the site coverage is a modest 25%, the allowable site coverage is 40%. These setbacks create a small footprint on a generous lot resulting in a home that does not overshadow any neighbours. In addition, the Welsh's have chosen a 2 storey building to further ensure their home sits well in the mature neighbourhood. The total GFA of the home is 571.4  $m^2$  which is 51.6  $m^2$  or 9% over the maximum GFA of 0.35 or 519.8  $m^2$ .

As this is the last home to be built in Blue Grouse Ridge and due to the generous lot, small footprint, 2 storey home and that no other homes in this district have been restricted in this way we would like to ask for a variance to the maximum GFA.

The proposed dwelling is for family use, and they do not require an ADU. Due to the age of this subdivision and the changes to ADU bylaws there are no homes with ADUs in this district currently.

Yours truly,

alasdair russell B. Des. (hons), M. Des. for russell and russell design studios


Valley Engineering Ltd.

Feb.5, 2025

Allweather Builders PO Box 8253, Canmore, Alberta. T1W-2T9

Attention: T. Weatherhog

## Re: New Residence - 12 Blue Grouse Ridge, Canmore, Alberta

Gentlemen;

This letter will confirm that we have been retained to provide the necessary structural review for the above noted project as follows:

- 1. Review of drawings prepared for you with respect to confirmation of member sizing, point loads and foundations.
- 2. Review of framing shop drawings.
- 3. Final framing review to ensure compliance with shop drawings.

We trust that the above is satisfactory. Should you have any questions, please do not hesitate to contact us.

Yours truly, Valley Engineering Ltd.

Jamie Fukushima, P.Eng.



PERMIT TO PRACTICE VALLEY ENGINEERING LTD.
Signature Date FEB 0 5 2025
PERMIT NUMBER: P 07783 The Association of Professional Engineers, Geologists and Geophysicists of Alberta



# **CONFIRMATION OF ENGAGEMENT**

- To: Colleen Weatherhog Allweather Builders
- Re: 12 Blue Grouse Ridge Canmore, Alberta

Project Number: Project Type: Report Date: 214-006 Single Family Residential February 6, 2025

As requested, Factor Geotechnical Ltd. (Factor) has been retained to provide engineering services during construction of the proposed residential development at the above-noted address. Factor's scope of work will include:

- Conduct soil bearing inspections as needed, once foundations are excavated to design grade.
- Provide an allowable bearing capacity for the inspected soil.
- · Provide recommendations related to footing dimensions and concrete reinforcing, if necessary
- Design, inspect, and provide certification for any retaining wall systems required on site.
- Inspect the site to ensure compliance with specifications applicable to Factor's scope.
- Provide a Letter of Compliance upon completion of the development.

We trust this document meets the current requirements of the project. Please contact the undersigned with any questions or if you wish to discuss the contents of this letter.

Sincerely,

Richard Nadori, M.Eng., P.Eng. Geotechnical Engineer

## Tim and Elizabeth Welsh

St. Paul MN 55116 USA

Feb 4<sup>th</sup> 2025

Town Of Canmore

902 7<sup>th</sup> Ave

Canmore Alberta

T1W3K1

Dear Sir/Madame,

RE Permit Applications # 12 Blue Grouse Ridge Canmore Ab T1W 1L5

Please accept this letter as authorization for Allweather Builders Ltd. To apply for development and building permits for # 12 Blue Grouse Ridge Canmore AB T1W 1L5

Plan 9612010 Unit 35

TudaWild

Tim Welsh

Elzalet le el

Elizabeth Welsh

DESIGN REVIEW GROUP

# STEP 5. CONCEPT ENDORSEMENT & APPROVAL BLUE GROUSE RIDGE, SILVERTIP

Following the Design Review Group's assessment of the applicant's Step 5 submission, the DRG can provide our concept endorsement and approval for the following lot and applicant. Details of the approved submission are attached.

Concept endorsement details:

SilverTip L	ot/Unit	L0T 12	Municipal Address	<u>12 BLUE</u>	GROUSE RIDGE, CANMORE	
Subdivision	Name	BLUE GROUSE F	RIDGE			
Client/Lot	Owner	TIM & LIZ WELS	iH			
Lot Owner Contact	t Email	timwelshmsp66@gmail.com				
Ар	plicant	Alasdair Russel	- Russell and Russel	l Design S	tudios	
Applicant Contact	t Email	ar@russellandr	ar@russellandrussell.ca			
Step 5 Designs Submitted By	Alasda	air Russell		Date	2025-03-05 & 2025-02-06	
Approved & Endorsed on behalf of DRG By	Kinjal	Ribadia (B&A)		Date	2025-03-06	
Approved on behalf of <b>Stone Creek</b> by	C. Z	wrcatte Alex T	Furcotte	Date	2025-03-10	
BLUE GROUSE RIDGE - DESIGN GUIDELINES						

This Building Plan Approval Application Form must be completed by the Owner and submitted along with all required plans and other documents for Detail Design Final Submission/Review.

Description of Item	Recommended Drawing Scale	# of Copies
Building Plan Approval Application		3
Plot Plan (Survey)	1:200 metric, (1/16"=1'-0")	3
Site Plan	1:100 metric, (1/8″=1'-0")	3
Roof Plan and Floor Plans	1:50 metric, (1/4"=1'-0")	3
Exterior Elevations	1:50 metric, (1/4″=1′-0″)	3
Sections	1:100 metric, (1/8″=1′-0″)	3
Landscape Plan	1:200 metric, (1/16″=1'-0")	3
Drainage/Storm Water Plan	1:200 metric, (1/16″=1′-0″)	3
Construction Limits Plan	1:200 metric, (1/16″=1′-0″)	3
Exterior Lighting and Signage Plan	1:200 metric, (1/16″=1′-0″)	3
Colour Board	no larger than 9″x12″	1
Construction Schedule		3
Notarized copy of special easements		3

With this application, the Owner shall provide details of all relaxations proposed to maintain compliance with these Design Guidelines. This shall include any development variance which has been obtained or will be requested from the Town of Canmore. It is the applicant's responsibility to provide reasons why the relaxation should be approved as well as justification and precedent to support the relaxation.

## **Building Summary**

Description of Item		Size (m)		Size (ft)
Basement (Total Area)		m²		ft²
Ground Floor (Total Area)	312.2	m²	3360	ft²
Second Floor (Total Area)	255.9	m²	2755	ft²
Proposed Building Height	9.26	m	30'-4 1/2"	ft

Does proposed building height meet current Town of Canmore Land Use Bylaw Building Height Requirements (If NO, provide a copy of approved relaxation from Town of Canmore)?

Х Yes

No

12:12, 8:12, 6:12, 4:12 Roof Pitch (ie. 6:12) \_\_\_\_\_ Primary Roof Style \_\_\_\_\_ Gable

Basement Finished Floor Elevation	m	ft
Ground Floor Finished Floor Elevation $1411.53$	m	ft
Second Floor Finished Floor Elevation 1414.67	m	ft

Description of Item	Dista	nce
Front Yard	9.41	m
Left Side Yard	3.17	m
Right Side Yard	3.15	m
Rear Yard	16.09	m

Indicate distance from property line to edge of foundation wall at nearest point

## **Building Materials**

ltem	Material	Colour	Other Specifications
Roof	IKO - Cambridge	asphalt shingles – Du	ual Black
Walls(Lower)	Texel – vertical lapp	oed 8" (7" exposure)Ado	obo - Graphite
Walls (Upper)	Texel – vertical lapp	oed 8" (7" exposure)Ado	obo - Graphite
Walls(Other)	-		
Stonework	Montana moss roc	k Dry packed	
Garage Doors	CHI – Shoreline ac	ccent cedar w/ glass pa	nels
Entrance Doors	Custom - Douglas	Fir Sansin – Clear Co	at
Window Trim	Texel – 6"Adobo	- Graphite	
Soffit	1" x 6" t&g hemloo	ck soffit Sansin – Clea	ar Coat
Fascia	Texel - 8" on 10" (	8" exposure)Adobo - G	raphite
Eavestrough	extruded aluminiur	n black	
Chimney	Montana moss roc	k Dry packed	
Other (List)	Entry and Garage	Roofs - Copper Standin	ig Seam

# Landscaping

Item	Material	Colour	Other Specifications
Walkway(Front)	Brushed Cor	ncrete - black pigment	
Walkway(Other)			
Entrance Walkway			
Rear Patio / Deck	Timber Tech	Weathered Teak	
Driveway	Brushed Con	crete - black pigment	
Retaining Walls			
Screen Walls			
Other(List)			
	MOUNTAIN	I TRANQUILITY LANE DESIGN GUIDELI	NES

## Landscaping (Continued)

Is there plant material available on your building site that is to be removed for construction of the home and that is available for transplanting to other homesites at SilverTip?



Do you require plant material for your homesite that is available for transplanting from other homesites at SilverTip?



What plant material do you have available on your site for other homesites? Please use another sheet of paper if required for listing material available or material requested.

Trees (Description/#)	Shrubs (Description/#)	Turf-Mat (Description/#)
1.	1.	1. 150 m2 of turf-mat
2.	2.	2.
3.	3.	3.
4.	4.	4.

What plant material could you useon your homesite, if available, from other homesites? Please use another sheet of paper if required for listing material available or material requested.

Trees (Description/#)	Shrubs (Description/#)	Turf-Mat (Description/#)
1.	1.	ւ wide range of flora -100mm
2.	2.	2.
3.	3.	3.
4.	4.	4.

## Landscaping (Continued)

A total of 1 tree is require per 37 m<sup>2</sup> of front yard area is required (see Section 6.3). Credit is given for existing trees located within the front yard that are to be retained. The difference shall be installed by the Owner. Note that plant material obtained from other building sites is to be utilized to supplement the plant material required in this section and shall not be counted as part of the required planting. The following table summarizes the requirements of this section:

Total area of front yard \_\_\_\_\_\_ 234 \_\_\_\_\_m<sup>2</sup>

Required Tree Planting	# of Trees
Total trees required in front yard (1 tree per 37m <sup>2</sup> of front yard is required)	7
LESS: Total number of existing trees to be retained in front yard	2
Total number of new trees required to be planted in front yard	5
Proposed Tree Planting	# of Trees

Total number of tree proposed to be planted in front yard	5 - species
Total number of trees proposed to be planted on remainder of property	0

## **Time Limitation of Approval**

Final approval of plans is valid for ninety (90) days. Construction must begin within this period. If not, plans must be resubmitted for review by the DRG.

## Work in Progress

Stone Creek Properties Inc. ("SCPI") and/or its delegates may inspect all work in progress and give notice of non-compliance. Absence of such inspection and notification during the construction period does not constitute either approval or compliance of the work in progress by SCPI and/or its delegates.

## Non-Liability of the Design Review Group, SCPI, SilverTip and/or its Consultants

SCPI, SilverTip and/or their Consultants shall not be liable for damages to anyone submitting plans to them for approval or to any Owner by reason of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval, disapproval or failure to approve any plans or specifications. Every Owner or other person who submits plans to SCPI, SilverTip and/or their Consultants for approval agrees by submittal of such plans and specifications that he/she will not bring action or suit against the SCPI, SilverTip and/or their Consultants to recover damages.

## **Other Conditions**

Approval of plans by SCPI, SilverTip and/or their Consultants shall not be deemed to constitute compliance with the requirements of any local building, zoning, safety, health or fire codes and shall be the responsibility of the Owner or other person submitting plans to assure such compliance. Nor shall approval waive any requirements on the part of the Owner or his/her agent to comply with setbacks, height restrictions, or requirements unless such waiver or variance is specifically requested at the time of submittal and provided that the waiver or variance may properly be granted by the Town of Canmore, SCPI, SilverTip and/or their Consultants. In addition, approval shall not waive the requirements for obtaining permits from the Town of Canmore (or any other governmental agency) nor does obtaining all required permits from the Town of Canmore (or any other governmental agency) waive the need for approval by SCPI, SilverTip and/or their Consultants. SCPI, SilverTip and/or their Consultants will not knowingly approve a project that violates Town of Canmore building or zoning codes or those of any other governmental agency or entity, but takes no responsibility for plan conformance to any criteria other than these Design Guidelines.



#### 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 preformed with materials to match same and shall require fire ratings
- 6 all dimensions are from face of eng. 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 fitments to masonry or concrete walls, floors, slabs or ceiling assemblies
- 9 refer to eng. 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, eng., 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 eng. 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 peal 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 ioints, 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)



# welsh residence 12 blue grouse ridge



proposed conceptual renders

drawing index			PROJECT: 1326	
A0.1	cover sheet	we	welsh	
A1.1	existing site plan	ADDF	ADORESS: 12 blue grouse ridge, canmore, ab	
A1.2	proposed site plan	car		
A1.3	proposed landscape plan	101	35	
A1.4	key plan	BLOC	K:	
A1.5	foundation plan	CUEM liz d	LIENT: liz & tim welsh	
A2.1	lower floor plan			
A2.2	main floor plan	ISSUE	ED:	
A2.3	roof plan	A:	issued for D.P. 2025-02-06.	
A2.4	main floor framing plan	B:	3: issued for framing/ structural review	
A2.5	roof framing plan	C:	2025-02-28 issued for review	
A3.1	east (front) elevation south-east (front) elevation	D:	LT.F notes revisions	
A3.2	south-east (front) elevation north-east (right) elevation	E:	deck drainage revisions 2025-03-20 DP revisions 2025-04-04	
A3.3	north-west (rear) elevation north-west (rear) elevation	F:		
A3.4	west (rear) elevation south (left) elevation			
A5.1	building section A building section B building section C construction data			
A5.2	building section D building section E building section F construction data			

- A5.3 building section G site/ building section H construction data
- A5.4 building section I construction data knee brace details
- A6.1 construction details construction data
- E1.1 lower floor electrical plan
- E1.2 upper floor electrical plan
- cc DESIGNED CHECKED

A0.1







































#### window & exterior door schedule

1/4" = 1'-0"

notes: ALUMINUM CLAD WINDOWS w/ nailing fin, trim by others. all windows to be low E, triple glazed. see elevations for patterns & openings. see manufactures specification for rough-opening sizes.

windows to be Energy Star certified windows of a minimum of "Zone C" requirements (29 W/m2 k2) or of an equivalent Energy Rating (ER) level as determined by the CSA Standard A440.2.





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DRAWING NUMBER:

A4.1



not to scale

#### roof systems

- Bedroom One Wing Roof System
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  roof joists or trusses as per eng. spec.
  will R-40 bat insulation
  12" OVID (Initializing the address of the address of
- Living/ Dining/ Kitchen Roof System refer to elevations for roof finish rein 30° wide to a water sheld save protection roofing paper 716° OSB sheahing with -tol-jos 16° TJJ roof trusses as per manufacturer's spen with A40 dosed cell poyverthame spany foam in Z\*X° T4G codar celling or 12° GWB (motisture restant GWB in waterbooms) 's spec.s
- Roof System over Exterior Space
  refer to elevations for roof finish
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  roof plasts as per manufacturer's space, or
  2x'10" roof plasts @ 10" ave
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#### wall systems

- Typical Exterior Wall data Protect consistence for finishes refer to elevations for finishes 187 U.S.B. & Johanshing 256° studs § (16° co (all walls over 12 high to be spaced (8) 12° cit continuous with blocking (8) 48° olc) with R-3d batti musulation 6 mil poly vapour barrier (lapped & taped) 12° CWB (psycal) CWB (n gange) Typical Foundation/ Frost Wall 8° concrete wall - 20 MPA r/w 2-10M cont. 18b w/ dampproofing below grade/ parging above grade min. 4' frost protection w/ 2' rigid insulation
- construction Garage/ House Interior Wall 1/2" GWB 2"x6" stud wall @ 16" olc wl R-24 batt insulation 6 mil poly vapour barrier (lapped & taped) 5/8" type X CD or type C GWB (garage side)
  - Typical Interior Wall
  - 1/2" GWB 2"x4" or 2"x6" stud wall (§ 16" o/c 1/2" GWB (moisture resistant GWB in washrooms)

#### floor systems

- Typical Slab Floor
  Topical Slab Floor
  Topical Slab Floor
  Topical Slab Floor
  Topical Slab Slab
  Topical Slab
  Topica
- F2 Typical Floor System finished flooring 3/4\* ply glued & screwed to floor joists TJI Joista sare per framing plani eng, spec. wl R-30 polyurethane spray foam insulation at jois & accustic batt insulation at all bedrooms and ware 1/2\* GWB (motisture resistant GWB in watchrooms
- Floor System over Garage finished flooring 34'F by glued & screwed be floor joists 14' Tul joists as par eng. spec. w polynorehane spray foam (closed cell) 1/2' GWB, type X GD or type C GWB
- E4 Typical Cantilevered Floor System finished flooring 3/4\* pby glued & screwed to floor joists 14\* TJI joists as per eng. spec. w R-30 closed cell polyurethane spray foam insulation pre-finished metal soffic (non-venting)

#### decks

- D1 Lower Deck over Living Space Luwer Lieks: over Living Space TREX composite dexing PWF Hopd dispers gaads to match TJI's below waterpoord memotiane 3/4" by glued & screws to joists below stoped dex joists as per faming plan w R-80 closed cel polyuerbane spray foam insulation stapping are negariar to frame celling down fat 1/2" GWB (mosture resistant GWB in washrooms) or ZWF T&C cell celling Cellin Celling Celling
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  deck trusses as perfaming plan (top chord adposed
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#### roof systems

 Bedroom One Wing Roof System
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Living/ Dining/ Kitchen Roof System
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 7/16" OSB sheathing with-closs
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#### wall systems

## Typical Exterior Wall data

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construction W2 Typical Foundation/ Frost Wall 8" concrete wall - 20 MPA riv 2-10M cont. 18b w/ dampproofing below grade/ parging above grade min. 4' frost protection w/ 2" rigid insulation

## Garage/ House Interior Wall

1/2" GWB 2"x6" stud wall @ 16" olc wl R-24 batt insulation 6 mil poly vapour barrier (lapped & taped) 5/8" type X CD or type C GWB (garage side)

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

#### floor systems

Typical Stab Floor
 Typical Stab Floor
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 w/ in dab heating system
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 7 K-12 cpay foam insulation
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F4 Typical Cantilevered Floor System finished flooring 3/4\* pby glued & screwed to floor joists 14\* TJI joists as per eng. spec. w R-30 closed cell polyurethane spray foam insulation pre-finished metal soffic (non-venting)

#### decks

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1/4" = 1'-0"



structural review 2025-02-28 C: issued for review

PROJECT

1326

welsh

35

961 2010

D: L.T.F notes revisions 2025-03-19 E: deck drainage

F: DP revisions

2025-04-04



#### roof systems

Bedroom One Wing Roof System
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Roof System over Exterior Space
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 19 aff 4G coder soft for
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W2 Typical Foundation/ Frost Wall 8" concrete wall - 20 MPA r/w 2-10M cont. 18b w/ dampproofing below grade/ parging above grade min. 4' frost protection w/ 2" rigid insulation Garage/ House Interior Wall

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(W1)-

connection 1" = 1'-0"

100000

exterior wall & floor

1/2" GWB 2"x6" stud wall @ 16" olc wl R-24 batt insulation 6 mil poly vapour barrier (lapped & taped) 5/8" type X CD or type C GWB (garage side)

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

#### floor systems

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 jo & accusic bath insulation at all befrooms and wi 1/2\* GWB (moisture resistant GWB in washroom

Floor System over Garage finished flooring 34'F by glued & screwed be floor joists 14' Tul joists as par eng. spec. w polynorehane spray foam (closed cell) 1/2' GWB, type X GD or type C GWB

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<u>Roof Top Deck over Living Space</u>
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 2%F T&GC cadar celling



roof & exterior wall connection 1" = 1'-0"



cantilevered TJI floor

1" = 1'-0"



roof & exterior wall connection 1" = 1'-0"



exterior wall & lower deck connections 1" = 1'-0"



base of bearing wall w/ strip footing 1" = 1'-0"



exterior wall & slab connection 1" = 1'-0"



PROJECT

1326

welsh

ADDRESS: 12 blue grouse ridge, canmore, ab

LOT:

BLOCK:

PLAN:

CLIENT

ISSUED:

liz & tim welsh

A: issued for D.P.

2025-02-06.

B: issued for framing/

C: issued for review

2025-03-07 D: L.T.F notes revisions 2025-03-19

E: deck drainage

F: DP revisions 2025-04-04

revisions 2025-03-20

structural review 2025-02-28

35

961 2010

A6.1







### electrical legend

PROJECT 1326 welsh

> 35 961 2010

CC AR/CC AR

E1.2




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

# SCHEDULE A

CONDITIONS OF APPROVAL

DEVELOPMENT PERMIT No.:PL20250086LAND USE DISTRICT:R1 Residential Detached DistrictAPPROVED USE(S):Detached DwellingAPPROVED VARIANCE(S):Increase in Gross Floor AreaMUNICIPAL ADDRESS:12 Blue Grouse RidgeLEGAL ADDRESS:Lot 35 Block Plan 9612010

#### **APPROVED VARIANCES**

1. To section 3.1.3.11 of the LUB, to allow for an increase in the total gross floor area by 51.6sqm (9% variance).

#### **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:
  - Pay the off-site levies and fees imposed by the Off-Site Levy 2020 Bylaw (Bylaw 2020-27), and Master Fee Schedule as amended or replaced from time to time. In this case \$1821.00 for transportation and fire levies (water, sanitary sewer, and storm sewer having been previously paid at the time of subdivision) and \$880 for a standard cash-in-lieu of waste container fee for new dwelling units; and
  - b. Ensure compliance with the applicant's commitments for Enhanced Green Building requirements outlined in specific condition 1.
- 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).
- 4. 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.



- 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. Access to the site for emergency vehicles shall be to the satisfaction of the Fire Chief.
- 7. **No occupancy** shall be permitted until an Occupancy Certificate has been issued by the Town of Canmore.

#### SPECIFIC CONDITIONS

1. The development shall achieve a 20% Lower than Reference House EnerGuide Rating for this development, following the procedures outlined in section 10 of the Land Use Bylaw for Enhanced Green Building.

#### ADVISORY COMMENTS

- It is the applicant's responsibility to ensure that Building Permit applications and construction are entirely consistent with the approved Development Permit plans. The Town does not review Building Permit applications for consistency with the Development Permit. In the event of any conflict between the Development Permit and the Building Permit approvals, the Development Permit shall take precedence.
- 2. It is the applicant's responsibility to apply for any other applicable licenses and permits, including required building permits.
- 3. The Town of Canmore is the Caveator for registered interest number 941 181 163. The Owner is responsible to follow the provisions of this agreement including but not limited to not disturbing any vegetation or erect any fence within the 15M Non Disturbance area as described in the registered interest.

Signature Subdivision & Development Appeal Board (SDAB)		Date	
IS A NOTICE POSTING REQUIRED:			

## Elaine Myron

Silvertip, Canmore, AB

May 14, 2025

# RE: Appeal of Development Permit Application – 12 Blue Grouse Ridge Canmore PL20250086

To Whom It May Concern,

I am writing to formally appeal the development application for the property located at 12 Blue Grouse Ridge in the Silvertip community. As the owner of the adjacent property at I have serious concerns about the proposal to construct a home exceeding 6,000 square feet in gross floor area (GFA), which is well beyond what is permitted in Silvertip under both the community's architectural guidelines and the Town of Canmore's planning framework.

The proposed home appears to significantly exceed the allowable GFA for the area, which is in place to preserve the natural landscape, character, and harmony of the Silvertip neighbourhood. Approval of such a large structure would not only contradict these guidelines but would also adversely affect neighbouring properties, including mine, by introducing excessive massing, shadowing, reduced privacy, and altered viewscapes.

My concerns are based on the following grounds:

 Non-Compliance with GFA Limits: The Silvertip guidelines and Canmore's Land Use Bylaw place clear limitations on home size to maintain a balance between development and natural mountain aesthetics. This proposed development surpasses these limits and does not align with the established expectations for home size and scale. The silvertip guidelines for Blue Grouse Ridge Clause 4.3 states the building envelope of each lot must be within which all improvements and construction of any kind MUST OCCUR. Clause 4.3 goes on to say that the homes building envelope has been identified for the owners lot based on the natural features of the Lot, its views, and relationship to the adjacent building envelopes, topography, the maximum building sizes are established setbacks, height restrictions and good design and fit for the lot. Clause 4.4 of the Silvertip residential guidelines states that the Construction Limit is the actual building zone. It is the area within which your house must be built. It defines the maximum exterior foundation wall perimeter of your house. Clause 4.10 states that each home should be designed to minimize overview and overshadowing of your neighbors. I have attached the silver tip residential guidelines for the Blue Grouse Ridge area for your further review.

- 2. **Negative Impact on Adjacent Property**: The rationale letter provided by the homeowners of 12 Blue Grouse Ridge to the city of Canmore state that this proposed additional GFA does not overshadow any neighbors , we respectfully disagree . The proposed massing and footprint of the building will significantly diminish the quality of life for nearby homeowners. Specifically, it will obstruct existing views, impact natural light , cause overshadowing and reduce privacy for the bedrooms, bathrooms and patios of my one-story residence next door at 11 Blue Grouse Ridge.
- 3. **Degradation of Community Character**: Approving a structure of this size could set a precedent for other oversized developments, which threatens the cohesive and environmentally sensitive vision of the Silvertip neighbourhood. Such a shift could have long-term implications for property values, environmental sustainability, and community trust in planning processes.

For the reasons outlined above, I respectfully request that the Development Appeal Board **deny the current application** or require the applicant to **revise the plans** to ensure full compliance with applicable GFA limitations and design expectations.

Thank you for your time and consideration.

Sincerely, Elaine Myron

# RESIDENTIAL

# GUIDELINES

Thase I

Blue Grouse Kidge Juniper Ridge Aspen Glen.



SILVERTIP

CANMORE • ALBERTA

ORIGINAL

# Guidelines for Single Family and Duplex Buildings at SilverTip

by Stone Creek Properties Inc. (SCP)

# 1.0 Introduction

SilverTip is a unique residential resort community offering panoramic views with gracious and dramatic housing opportunities on and in a mountain setting. Located in Canmore, SilverTip is on the doorstep of Banff National Park in the Canadian Rocky Mountains. It is easily accessible from Canmore's downtown core and all of the recreational opportunities available to this spectacular area.

This exciting community features an 18 hole golf course, providing both recreation and scenic view opportunities. Plans for hotels, and a series of recreation amenities add to the desirability of this rural mountain living. Future shopping services including specialty shops, boutiques, restaurants and grocery/general stores will form a village atmosphere for residents of SilverTip. Residential clusters are linked by natural and landscaped open spaces with walking and bicycle paths and horse trails.-

Our residential community is located on a treed plateau, with game trails and a meandering country lane giving access to your home. All lots feature large frontages and have scenic mountain views. Privacy and spectacular scenery make SilverTip the finest in residential resort living.



# 2.0 Design Guideline Overview

Design Guidelines are standards which, when followed, contribute to the highest quality of design. The quality of design may be measured by the sense of fit within its site of each residence. If each residence blends into its site, it will create a feeling of good neighbourliness, of comfortableness — as if it has been there a long time.

SilverTip's goal is to create this atmosphere thus protecting the integrity of each resident's investment.

The design of your house and its site should take inspiration from SilverTip's natural setting and respond to it. It should optimize the lot's characteristics, its slope, its tree growth, its views and the sun and wind. It should respect and respond to its neighbours.

The primary objective of these guidelines is to help you design your house in the unique setting of SilverTip. They are a kind of check list of items that need attention to attain the special character that will be the SilverTip community in Canmore.

SilverTip (SCP) will use its best efforts to maintain the standards set out in these Design Guidelines. In working toward this, SilverTip will be available to the Owner/Builder to acquaint him with the expertise and knowledge that has been acquired during the planning and development of the SilverTip community.





Each Owner is responsible for complying with and meeting the spirit and intent of the criteria of the Design Guidelines. These include, in particular, your lot's Building and Construction Envelopes and the Building Design elements. The normal Provincial Building Codes and The Town of Canmore Bylaws and Building Codes set out other conditions requiring your understanding and compliance. These other code compliances are entirely your responsibility.

# 3.0 General Requirements

You, as owner, shall comply with the following series of general requirements in assuring SilverTip of your interest in respecting the community within which you are building. Part of that community is the natural setting and animal life that makes the Canmore region and SilverTip unique and special.

3.1 Construction Commencement is required within Seven Years of lot purchase.

A Security Deposit of \$5,000.00 (Five 3.2 Thousand Dollars) per single family or . duplex building is specified and due at the commencement of the review process. This amount, plus any additional reasonable amounts, may be spent to remedy any noncompliance with these Design Guidelines. An encumbrance will be registered against the title to the property by SilverTip (SCP) to ensure repayment of any additional amounts. Any residual monies will be returned, less an administration fee for purposes of the Design Review process, at the completion of your construction provided you have complied with these Design Guidelines.

**Construction Completion** is required 18 months after commencement. (Completion in these guidelines means the completion of the exterior of the residence, driveway and landscape areas.)

3.3

The \$5,000.00 (Five Thousand Dollars) referred to in Clause 3.2 above may be used to complete any exterior elements in the event that they do not comply with these Design Guidelines. SilverTip (*SCP*) reserves the right to spend more than \$5,000.00 (Five Thousand Dollars) and to file an encumbrance against the title to the property to ensure repayment.

A Design Coordination / review process has been established to enable the Owner/Builder to work with, and understand the intent of the Design Guidelines. This process includes:

- Pre-Design Meeting
- Preliminary Submittal
- Final Submittal

3.4

3.5

• Endorsement/Design Approval

• Final Inspection

Refer to Appendix "B" for a further description.

SilverTip's Construction Management Plan is attached as Appendix "C".

A copy of the Application for House Plan Approval is attached as Appendix "D".

Building Size. SilverTip has no minimums on the size of your residence. Maximums are established by required setbacks, height restrictions and good design and fit within your lot.

Good design within your Building Envelope will ensure a high quality environment.

# 4.0 Site Planning Guidelines

In general, site planning of your lot will be largely influenced by a major focus on the preservation of the natural area and large tree growth. It is important to remember that the alpine landscape is fragile and it will take years to naturally mitigate any impacts to site and vegetation.

Your lot will have a defined Natural Area and Building Envelope. There will also be reference to a Transitional (landscaped) Area and a Construction Limit shown on the lot plan provided by SilverTip (SCP).

4.1 Survey Lot Plan. SilverTip (SCP) will provide a Surveyed Lot Plan at 1:200 metric illustrating the lot property lines, legal corner notes, adjacent lots, existing corner grades, road rights-of-way, carriageway locations and grades as well as generally locating existing specimen trees and groupings. Your site design will note driveway location, 'servicing tee connections, power boxes and street light standards.

> Although this Lot Plan is based upon an onsite survey, it is not warranted as to its absolute accuracy. It is your responsibility to ensure that your plan fits amongst existing major specimen trees and significant native vegetation features.

4.2 The Natural Area, as noted on each Lot Plan, includes the wildlife corridor setback of 15 metres (50 feet) or more and is that portion of the Lot which is not part of the developable area of the Lot. It is a no access, protection area that will retain existing vegetation. This *Natural area* is set aside to maintain the *mature alpine* character of SilverTip.



٠.

Natural Areas are tree protection areas defined from your property line by a distance of a minimum of typically 3.0 metres (10 feet). You may carefully relocate some existing vegetation into these areas for visual and climatic buffers.

During construction the entire Natural Area, especially along the wildlife corridor setback areas, must be temporarily fenced to prevent any vehicles from entering and to protect soil and debris from rolling downhill into these areas.

The Building Envelope is that portion of each Lot within which all improvements and construction activities of any kind must occur. (The Construction Limit is the critical building zone within the overall building envelope.) Your Building Envelope has been identified for your Lot based on the natural features of the Lot, its views, and relationship to adjacent building envelopes, and topography. AL ACCESS WITHIN AL ACCESS WITHIN BILLOWS ENVELOPE BILLOWS ENVELOPE BILLOWS ENVELOPE BILLOWS ENVELOPE BILLOWS ENVELOPE



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Construction Limit is the actual building zone. It is the area within which your house must be built. It defines the maximum exterior foundation wall perimeter of your house.

SilverTip Guidelines

4.3

4.4

The Construction Buffer is the area between the Construction Limit and the Building Envelope. It is designed to accommodate excavations for footings and the construction process. Cantilevers of small areas of main floor space (maximum 0.6 metres/2 feet), roof projections, and bay windows may occur into this area as long as the construction process does not alter or impact on the Natural Area, that area outside the Building Envelope.

4.6 The Transitional Area is created by the actual development of your house. It is the disturbed area inside the Building Envelope due to the construction activity. It is typically visible from adjacent properties, streets, or public spaces and must be replanted to complement the adjacent Natural Area.





4.7 Wildlife Easements / Setbacks are required to maintain the integrity of wildlife movement corridors through the SilverTip residential areas. If your site is affected by a wildlife corridor it will be shown on your Lot Plan. Generally this setback will be 15 metres (50 feet) measured from the top of the ridge as determined in the overall subdivision survey, to the Building Envelope.

4.5

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Driveways, may be considered individually or in common with a suitable adjacent lot and owner. The orientation of the doors of the garage and of the driveway is important to the quality of the mountain street character of SilverTip. Driveway entrances to the street should be a maximum of 3.0 metres (10 feet) wide at the carriageway edge and 5.0 metres (16.4 feet) at the property line. Up to a 60 degree minimum angle of intersection to the carriageway is possible. Particular care must also be given to the design and orientation of the garage itself. It is preferred that garage doors are angled to the street.

4.8

4.9

The driveway surface is not to interfere with the water supply to trees (boxing them is inadequate).

Winter salting of driveways or pathways is not permitted in order to protect trees and vegetation.



Entrance Walkways are to be incorporated within the driveway. Appropriate walkways, preferably of stone, are allowed from the driveway to the front door. No additional walkway areas will be permitted in keeping with the overall intent of the preservation of the natural character of SilverTip.



SilverTip Guidelines

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- 4.10 The Siting of your home should take maximum advantage of the natural and man made characteristics of each lot. Examples are the street grading, sun angles, views, and your neighbours. Each home should be designed to minimize overview and overshadowing of your neighbours.
- 4.11 Lot Grading and Drainage are responsibilities of the Owner/Builder. Grading must be restricted to the areas within the Building Envelope so as to not impact the Natural Area preservation zone of your lot. Drainage swales and retaining walls, if required, must be carefully designed to conform to the overall site grading and drainage plan and to enhance the site's natural feeling.

Lot Grading is to generally follow the natural slope of the land. Slope adaptive housing design is a part of quality design. Grades over 4:1 are not permitted.

Natural Drainage should not be obstructed. Your residence and other improvements should be sited to avoid these drainage courses. If there is no realistic alternative, natural appearing swales are permitted.

Surface runoff control during, or as a result of construction, will require special precautions for flow and erosion control such as straw bales and filter cloth curtains. These must be removed as construction is completed and landscape development occurs.



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In general these building design suggestions are intended to assist you in realizing a design that begins to create an architecture that belongs in SilverTip. The intent is to achieve a sensitive integration of building masses into the landscape, merging with and becoming a part of it. This may be accomplished through the use of appropriate materials, colours, forms, and planning. Good design is also being a good neighbour in the planning and architecture of your residence.

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Forms and masses are to conform to the existing slopes and site conditions. Roofs are to be used to aesthetically minimize the building bulk, e.g. including second floor spaces within a roof volume.

5.1 Building Wall Articulation will provide proportionate variations in the plan and elevation of your residence.

> Front and Rear elevations exceeding 6.0 metres (20 feet) in vertical height and side yard elevations of heights of 7.0 metres (22.9.feet) will require a setback of 1.8 metres (6 feet) in addition to the original Construction Limit setback of 12 metres (40 feet). (Heights are measured in accordance with the Town of Canmore Bylaw.)

You are encouraged to set your house back from the front slope with a single storey in front of two storeys.

**Building walls in plan exceeding 6.0 metres** (20 feet) in length must have an offset of 1.2 metres (4 feet) prior to continuing.





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Roof Shapes / Character, are to be a minimum pitch of 6/12. The use of dormers of all sizes contributes to residential texture and an apparent reduction of the built mass and are encouraged.

Building Heights should take advantage of 5.3 the view opportunities, while at the same time be sensitive to adjacent neighbours, the land slope, adjacent tree growth, and be in accordance with the Town of Canmore Bylaw.

5.4 Garages and Garage Doors are a visually dominant form in many newer home designs and subdivisions. Sensitive design will incorporate the following requirements, (note: double car garages are a minimum for each R-1 or R-2 Residence):

> Garages should not dominate the street face of the residence, they should be angled away from the street view, or if this is not practical single garage doors are required. Triple car garages facing directly on the street are not permitted.

5.5 Finishing for the various building faces, walls and roofs must adhere to the following notes:

> .1 non reflective materials are to be used. including non-reflective glazing,

5.2





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- .2 colour selection is intended to enable the SilverTip community, when viewed from the valley, to merge within its natural setting. In order to achieve this objective, colours are to be in earth related tones, ranging from weathered driftwood (a very light grey) through to mocha brown, (a rich earthy brown). The use of blue may be allowed in certain shades. Forest green and related tones are important as well.
- .3 materials for roofs may be unfinished cedar shakes or shingles, metal with non-reflective flat finish, asphalt shingles, flat concrete tile, slate or other cut stone. If cedar shakes or shingles are chosen, it may be desirable to install a sprinkler system for additional fire protection.
- .4 materials for walls may be stained wood or wood left to weather naturally, stone, cultured stone, coloured stucco in small areas such as dormers (may be used in soft greys, or greens and browns in the range suggested).
- .5 materials for garage doors are preferred in wood but may be metal or other man-made material (plastic) with moulding and panel detail, painted or stained to complement or match the house siding.
- 5.6 Building Accessories are those various attributes of residential living that are part of the homelike atmosphere of each residence. The following elements are often used on residences and the following suggestions are directed at how they may be used in SilverTip.

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.1 Antennae may only be "whip" type if exterior mounted on the residence, any other types are restricted to interior attic applications.

- .2 Satellite dishes may be used of a mesh type in dark green or brown colours and screened by plantings from adjacent street, neighbouring property and walkway views. The satellite dishes must be located within the Building Envelope.
- .3 Solar applications are encouraged when integrated into the surface in which they are mounted. "Add-on" type applications are discouraged.
- .4 Screen walls enclosing or screening patios and courtyards must be within the Construction Limit and be constructed of the same materials with complimentary or the same finishes as the house itself. They must also be discontinuous in appearance, not over 4.0 metres (13 feet) in a single line or panel and 1.5 metres (5 feet) maximum in height.
- .5 Address identification must be provided at the road/driveway intersection in accordance with the Town of Canmore Bylaw and SilverTip guidelines.
- .6 Exterior lighting must be designed to enhance the rural mountain atmosphere that is SilverTip. It should not interfere with others enjoyment of the night time panorama of the sky and the valley below. Lighting on individual lots must be limited to a small area within the Building Envelope, of low intensity nonglare. Uncovered light fixtures or nonfocused non-downward lighting fixtures are not permitted.





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SilverTip Guidelines

.7 Garbage must be managed to prevent access from wildlife as is required by the Town of Canmore Bylaw, i.e. no garbage is to be put outside of buildings until four hours before pickup.

> Compost bins/boxes are permitted however they must be covered to deter birds and bears.

.8 Recreational facilities such as tennis courts and swimming pools will be considered if the site conditions allow the amenity to be constructed within the defined Construction Limit.

# 6:0 Landscape Design Guidelines

A significant part of the character that is SilverTip is its natural setting — mountains and natural vegetation. This flora which at a quick glance may seem limited, is actually vast. It is also fragile, given the extremes of our long winter and short summer growth conditions. It is also an important ingredient in the setting, the context for your residence. It is critical that the minimum possible disturbance occurs to the natural tree and other plant growth on your lot during the design and the construction of your home.

The goal of SilverTip is to maintain the existing natural environment to the fullest extent possible while creating a unique and special residential resort community.

These guidelines have previously referred to Building Envelopes and Construction Techniques and allowances that are necessary to protect and enhance the landscape. The following notes in further detail are for your guidance:

6.1 The Tree Protection Zone occurs when a group of trees or a specimen tree is within your Building Envelope or at its edge. These trees are to be flagged and physical barriers, i.e. boards constructed as high as possible to protect them. Minor cosmetic pruning is possible but generally these trees are to be left natural.

No stockpiling of any materials and no irrigation systems are permitted in these areas.

Raking of leaf litter is not permitted in the Natural Area to ensure that nutrients are returned to the soil. The removal of dead trees is not permitted as these are important bird nesting sites. Fallen trees are also important for birds and small mammals. There should be no removal of any vegetation from the natural areas.

No weed spraying is permitted in the natural areas.

6.2 Tree planting is encouraged as a part of your lot and house design process. They should be planted in loose groupings and be of the indigenous plant material as noted in Appendix "A". Non-native ornamental trees are not permitted. Avoid formalized lines or patterns of trees and hedges.

6.3 Lawn Areas of typical suburban variety are not encouraged and, if created, should not dominate the site. Enhancement of the native ground covers would be preferred.

> Retaining Walls are to be constructed so as to take on the appearance of the house detailing or be built of a complimentary material. All such walls must be constructed completely within the Construction Limit and meet the following requirements:

.1 The exposed height of wall shall be a maximum of 1.0 metre (3.28 feet). If more retaining height is required then a stepped construction is necessary together with plantings to minimize the visual impact.

(RA) N. N. D.



SilverTip Guidelines

6.4

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6.5

6.6

Culvert Ends at driveway entry areas where drainage swales are provided, will be developed by the Owner/Builder to meet SilverTip engineering drainage and the Town of Canmore maintenance requirements and to compliment the carriageway motif. An appropriate decorative finish of stone or timber is suitable. The culvert treatment should be used to create a sense of entry, (a gateway) complimenting the house character and consistent with the SilverTip image.





Fencing is not encouraged but is permitted only along the front or side yard areas [to a maximum height of 1.0 meter (3.28 feet)] in a non-continuous fashion of natural rail design. No solid or chain link fences are permitted.

10

# SilverTip

# Preferred Plant Material List for Residential Lots

#### (a) Coniferous (Evergreen) Trees

Abies lasiocarpa Pinus contorta latifolia Pinus flexilis Picea engelmannii Picea glauca Picea mariana Pseudotsuga Menziesii var Glauca

#### (b) <u>Coniferous (Evergreen) Shrubs</u> Juniperus communis Juniperus horizontalis -various cultivars

Juniperous scopulorum Arctostaphylos uva-ursi

#### (c) Deciduous Trees

Acer glabrum Betula occidentalis Larix sibirica Populus balsamifera – male only Populus tremuloides Prunus pensylvanica Prunus virginiana melanocarpa Salix discolor

## (d) Deciduous Shrubs

Ainus crispa Amelanchier ainifolia Arctostaphylos rubra Cornus stolonifera Elaeagnus commutata Lonicera dioica Lonicera involucrata Potentilia fruticosa -various cultivars

Prunus virginiana Ribes alpinum Ribes aureum Ribes glandulosum Ribes lacustre Ribes triste Rosa acicularis Rosa woodsii Alpine Fir Lodgepole Pine Limber Pine Engleman Spruce White Spruce Black Spruce Douglas Fir

Common Juniper Creeping Juniper

Rocky Mountain Juniper Kinnickinnick

Rocky Mountain Maple River Birch Siberian Larch Balsam Poplar Trembling Aspen Pincherry Western Chokecherry Pussy Willow

Green Alder Saskatoon Alpine Bearberry Red osier Dogwood Wolf Willow Twinning Honeysuckle Bracted Honeysuckle Shrubby Cinquefoil

Choke Cherry Alpine Current Golden Flowering Current Skunk Current Bristly Black Current Wild Red Current Prickly Rose Common Wild Rose

1

Residential Plant List April 2000



# SilverTip

Rubus idaeus Rubus pubescens Salix glauca Sambucus racemosa Sheperdia argentea Sheperdia canadensis Spiraea betulifoia Symphoricarpos albus Symphoricarpos occidentalis

(e) <u>Alpine Wildflowers</u> (as available) Oenothera Caespitosa Aster Laevis Aster lindleyanus Gailardia aristata Liastris punctata Rattieida conspicous Pentstemon albidus Pentstemon fruticosa Monarda fistiosa Castillejia miuata Aquilegia flavescews Aquilegia brevistyla Oenothera biennis Wild Red Raspberry Dewberry Smooth Willow Red Elderberry Silver Buffaloberry Russet Buffaloberry White Meadowsweet Snowberry Buckbrush

Rock RoseSmooth Blue Aster\*Showy Aster\*Blanket Flower\*Dotted Blazing Star\*Prairie Cone Flower\*White Beard Tongue\*Large Purple Beard tongue\*Wild Bergamot\*Red Paintbrush\*Wild Columbine\*Blue Columbine\*Yellow Evening Primrose

\* somewhat Deer Proof

## SilverTip Natural Area Seed Mix "B" (as available):

17.6%	Alpine Bluegrass
9.7%	Aurora Hard Fescue
21.1%	Sodar Streambank Wheatgrass
9.0%	Boreal Creeping Red Fescue
26.4%	Tufted Hairgrass 'Nutracoat'
16.2%	Nakiska Sheeps Fescue

## **Restricted and Noxious Weeds in Alberta:**

- (1) **Restricted Weeds:** Must be eradicated. They possess highly competitive characteristics for rapid spread and may pose difficulties for control.
  - . Diffuse knapweed
  - . Spotted knapweed
  - . Nodding thistle
  - . Eurasian water milfoil
  - , Red bartsia
  - . Dodder
  - . Yellow star-thistle

Residential Plant List April 2000

2

# SilverTip

(2) Noxious Weeds: Must be controlled to prevent their spread. They are plants which have potential for rapid spreading and major crop losses.

3

- Russian knapweed
- . Stork's bill
- . Toadflax
- . Scentless chamomile
- . White cockle
- , Cleavers
- . Knawel
- . Cypress spurge
- Stork's bill
- , Toadflax
- . Scentless chamomile
- , Blueweed
- . Field scabious
- , Tall buttercup

- Leafy spurge
- . Canada thistle . Persian darnel
- . Field bindweed
- . ladder campion
- . Hoary cress . Perennial sow thistle
- Leafy spurge
- . Canada thistle
- . Persian darnel
- . Common tansy
- . Spreading dogbane
- . Hound's tongue
- . Purple loosestrife

Locate & Eradicate Restricted & Noxious Weeds: Call the Canmore Weed Hot Line @ (403) 678-1599

> **Residential Plant List** April 2000

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# 1.0 DESIGN COORDINATION/REVIEW PROCESS

#### PRE-DESIGN MEETING

- Introduction:
  - SilverTip (Review Committee) & the Owner/Design Team
- Review Lot Survey Key Site Factors:
  - grade/drainage patterns
  - existing vegetation (tree, shrub & ground cover)
  - aspect/orientation wind exposure
  - viewing opportunities
  - unique features opportunities or constraints

#### PRELIMINARY SUBMISSION

- Site Plan (min. 1:100 metric)(1/8")
- Plot Plan (Survey) (1:200 metric)(1/16")
- Roof Plan and Floor Plans
- Exterior Elevations, relative to site section
- Security Deposit
- Lot Posting of proposed Site Plan advising of Intent
- Review Meeting (optional):
  - Site review of proposed house location, stockpile areas, existing/proposed landscape
  - discussion of issues/concerns;
- Preliminary endorsement from Stone Creek Properties Inc.

#### FINAL SUBMISSION

- Construction documents (complete package)
- Construction schedule: excavation, utility hook-up
- Drainage plan
- Landscaping plan
- Materials handling plan (access; stockpile areas; enclosures)
- Exterior lighting plan and lighting fixture schedule
- Notarized copy of Natural Area Easement including legal description of natural area and/or common driveway
- Site review of house location, stockpile areas, existing and proposed landscape;
  discussion of issues/concerns
- Final endorsement by SilverTip; issue grade slip

.2 A Pre-Design Meeting is required to initiate the review and approval process, prior to preparing drawings for the proposed improvement. The Owner and/or his Architect should meet with SilverTip to discuss the existing site conditions, the building requirements and ensure a clear understanding of the Design Guidelines. This informal review is to offer guidance prior to the initiation of preliminary design. An appointment for the Pre-Design Meeting should allow at least one week's notice.

In preparation, based on the Lot Survey provided by SilverTip, the Owner and/or his Architect shall prepare and confirm an accurately detailed inventory of the existing site conditions, including grade, property lines, existing vegetation (including the type, size and condition of trees, shrubs and ground cover), access opportunity, visual characteristics and views, buffer requirements and unique features. This information shall be illustrated at reasonable scales and be available at the pre-design meeting.

.3 A **Preliminary Submittal** of Conceptual drawings, including all of the exhibits outlined below, will be submitted to SilverTip after the Pre-Design Meeting.

A SITE PLAN showing the proposed location and areas of the Building Envelope; the Residence; and all other structures; driveway; parking areas; patios; pools; walls; proposed utility service facilities and routes; site grading including existing and proposed contours and topographic features (drainage, rock outcroppings); highlighting existing trees and major shrubs to be retained and/or relocated; elevations of all building floors, patios, and terraces, shown in relation to the site survey information provided by SilverTip.

ROOF PLAN and FLOOR PLANS should show areas of flat and sloped roofs with all roof mounted equipment such as air conditioning, solar collectors or antenna. Floor plans should clearly define the foundation location; any bay or projections; wall sections; split levels or second storey configurations; fireplace chimney; exterior door and window sizes.

**EXTERIOR ELEVATIONS** of all sides of the Residence, drawn in conjunction with the entire lot; front to back or side to side. These shall be at the same scale as the floor plans, with both existing and proposed grade lines shown and all exterior materials and general colours indicated.

A SECURITY DEPOSIT as specified by SilverTip,

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STAKING of the proposed building footprint and driveway by the Owner/Architect will assist SilverTip and the Owner in understanding the building and site design intent.

**POSTING OF SITE PLAN** to ensure adjacent resident's are aware of the Owner's intent; the proposed building and improvements, illustrated on the lot plan with a brief description, will be posted for two weeks.

All accessory improvements contemplated on the Lot should be shown on the Preliminary Submittal, including any other drawings, materials and samples felt necessary or as requested by SilverTip.

A Preliminary Review of the Preliminary Submittal will be undertaken after the posting, comment period and any staking of the Lot. The SilverTip review committee will then review the submittal for conformance to these Design Guidelines and make its written response to the Owner.

Final Submittal, after preliminary approval is obtained, will include the following documents to be submitted to SilverTip for final review:

CONSTRUCTION DOCUMENTS for the Residence including all items noted for the Preliminary Review; building sections as required to illustrate the building; utility locations; any adjustment to locations and/or areas of the Building Envelope or the Residence; and locations and manufacturer's catalog cuts of all exterior lighting fixtures;

SAMPLES identified with manufacturer's name, colour, and/or number of all exterior materials; colours; window and glass specifications; clearly marked with the Owner's name, filing date, and Lot number;

LANDSCAPE PLAN at the same scale as the site plan, showing: a list, locations and sizes of all existing and proposed tree, shrub and ground cover; any decorative features such as pools or imported rocks; areas to be irrigated (if any); and the exterior lighting plan.

**DRAINAGE PLAN** illustrated as part of/or to compliment the landscape plan; showing the necessary action to maintain the natural drainage pattern.

EASEMENTS, duly executed in relation to, for example: a Common Driveway access, shall include a legal description of the area and be provided to the Town of Canmore by . the Owner for recording upon final approval.

SCHEDULE indicating approximate dates for starting and completion of construction, utility hook-up, completion of landscaping work, and anticipated occupancy date;

PLEASE NOTE: All plants proposed for transplanting shall be tagged by the Owner, before excavation.

## .6 Final Endorsement

Upon receipt of the complete Final Submittal, SilverTip will review the package for conformance to these Design Guidelines and to any preliminary review stipulations. SilverTip will formulate a written recommendation and provide the Owner with an endorsement and grade slip.

# 2.0 CONSTRUCTION COORDINATION and PROCEDURES

#### **BUILDING PERMIT**

- Submit reviewed construction documents to the Town of Canmore for a Building Permit.
- Provide to SilverTip for their records a set of construction documents approved by the Town of Canmore.
- Ensure the Towns requirements for inspections are adhered to, including obtaining all Final Acceptance Certificates (FAC)

#### **CONSTRUCTION PERIOD**

- The Owner/Builder must meet on site with the designated representatives of SilverTip at construction start-up, prior to commencing any site disturbance or construction activity, including site trailer, field office or equipment
- \* Specific site conditions as they exist prior to commencement, should be noted and a detailed photo record made and filed for FAC
- The Builder must post a Builder's Performance Bond and provide proof of the appropriate insurance

Ongoing and Final Inspections are to be pre-scheduled

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#### FINAL ACCEPTANCE CERTIFICATE (FAC)

- The Town of Canmore will provide final inspections and approval in accordance with the Building Permit
- ♦ A final inspection by SilverTip will coincide with the final inspection by the Town; a Final Acceptance Certificate will be issued by SilverTip when the construction complies with the endorsed building and landscape plans

# **3.0 GENERAL INFORMATION/PRACTICES**

- .1 Securing of a Development Permit (if necessary) and a Building Permit is the responsibility of the Owner and/or Builder. Upon receipt of the SilverTip endorsement and grade slip, the Owner/Builder can then make submission to the Town of Canmore for the Building Permit.
- .2 A Security Deposit will be paid to SilverTip, prior to grade slip release and construction. The deposit will be held by SilverTip until such time as a final inspection of the houseand landscape has been completed and adherence to the design guidelines and construction procedures has been met. Upon Final Acceptance (FAC) the Security Deposit (plus interest) will be returned to the Owner/Builder, less any inspection fees or remedial charges.
- .3 Commencement of Construction: Upon receipt of a Building Permit from the Town of Canmore, the Owner shall commence the construction pursuant to the proposed drawings within one year. If the Owner is unable to meet his start-up schedule, it may be necessary to re-submit to SilverTip for another review. Upon finding by SilverTip that there has been no change in circumstances, the time for such commencement will be extended in writing by SilverTip. The Owner shall, in any event, complete the construction of the residence within one (1) year and the landscaping within one and one-half (1½) years after commencing construction; thereof except when, and for so long as, such completion is rendered impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, or natural calamities other than lack of funds by the Owner/builder.

**CONSTRUCTION COMMENCEMENT** is to be in accordance with Clause 3.1 of the Guidelines.

CONSTRUCTION COMPLETION of the building is to be in accordance with Clause 3.3 of the Guidelines.

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- .4 **Re-Submittal of Drawings** will be required in the event of a major disagreement by SilverTip of either a Preliminary or a Final Submittal. Any resubmission of drawings must follow the same procedure as the original submittal.
- .5 Additional Construction and/or Exterior Changes will require approval by SilverTip. Construction shall be in accordance with the Final Submittal approved by SilverTip and the issued Town of Canmore Building Permit. Any subsequent changes before, during or after the construction by the Owner/Builder, from these plans and permit, must be submitted to SilverTip and endorsed in writing.
- .6 Start Up and Work in Progress Inspection: SilverTip will be present on site, prior to excavation to examine the layout and to ensure the building envelope, access, stockpile areas and non-access natural areas are clearly defined. The Owner /Builder will identify the pertinent construction procedures, including sanitary facilities, as outlined.

SilverTip will carry out periodic (pre-scheduled) on-site inspections during construction to ensure compliance with the endorsed plans. Modifications may be requested in writing to accommodate changes. SilverTip will give notice of non-compliance if found. Absence of such inspection and notification during the construction period does not constitute either acceptance by SilverTip of work in progress or of compliance with these Design Guidelines and the following construction procedures:

**Debris and Trash Removal** will be undertaken by the Owner/Builder who shall clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from each construction site frequently and not be permitted to accumulate. Light weight material, packaging, and other items shall be covered or weighted down to prevent their being blown off the construction site. Builders are prohibited from dumping, burying, or burning trash anywhere within SilverTip except as expressly permitted by SilverTip. During the construction period, each construction site shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore or affecting other lots or any open space. Unsightly dirt, mud, or debris resulting from activity on each construction site shall be promptly removed and the site cleaned up.

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- .8 Sanitary Facilities shall be the responsibility of the Owner/builder; to provide adequate sanitary facilities for construction workers. Portable toilets or similar temporary toilet facilities shall be located only within the Building Envelope or in an area approved by SilverTip.
- .9 Construction/Delivery Vehicles and Worker Parking Areas shall be clearly identified by the Owner/Builder. Construction vehicles are not to park on or otherwise use, other lots or open space. Private and construction vehicles and machinery shall be parked only within the Building Envelope or in areas designated by SilverTip. All vehicles shall be parked on one side of the roadway only, so as not to restrict traffic flow; this will be regularly enforced by SilverTip.
- .10 Conservation of Landscape Materials is a primary concern and Builders are advised that the Lots and open spaces of SilverTip contain delicate native plants, trees and other natural features such as topsoil, rock outcroppings and boulders that should always be absolutely protected.
- .11 Excavation Materials are to be removed and hauled to designated sites within the development, as directed and confirmed on site by SilverTip. Dumping or stockpiling on non-designated or non-approved location is strictly forbidden.
- .12 **Blasting**, if necessary, will require the approval of SilverTip. Notice should be provided far enough in advance to allow SilverTip to make such investigation as it deems necessary to confirm that all appropriate protective measures have been take prior to blasting. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of SilverTip. Applicable government regulations and approvals concerning blasting must be observed.
- .13 Restoration or Repair of Property Damages as a result of construction operations will be mandatory. Typically, damage or scarring to natural areas and other property, including but not limited to general open space, other lots, roads, driveways, and/or other improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored, promptly at the expense of the Owner/Builder.

- 14. All Owners will be responsible for the conduct and behaviour of their agents, representatives, builders, contractors and subcontractors while on the premises of SilverTip. Furthermore, the following practices are prohibited.
- 15. Changing oil on any vehicle or equipment on the site or at any other location within SilverTip other than at a location designated for that purpose by SilverTip.
- 16. Allowing concrete suppliers, plasterers, painters, or any other subcontractors to clean their equipment other than at locations specifically designated for that purpose by SilverTip.
- 17. Removing any rocks, plant material, topsoil, or similar items from any property of others within SilverTip, including other construction sites.
- 18. Carrying any type of firearms within SilverTip.
- 19. Using deposal methods or units other than those approved by SilverTip.
- 20. Careless disposition of cigarettes and other flammable material. At least one ten pound ABC rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.
- 21. Careless treatment or removal of any plant material not previously approved for removal by SilverTip.
- 22. Use of, or transit over, any golf course lands.
- 23. Pets, particularly dogs, are discouraged; if brought into SilverTip by construction personnel, they shall be bound by leash at all times. In the event of any violation hereof, SilverTip shall have the right to contact Town authorities to impound the pets, to refuse to permit the builder or subcontractor involved to continue to work on the project, or to take such action as may be permitted by law.
- 24. Construction Access during the time a residence or other improvement is under construction will be over an approved driveway for the lot unless SilverTip approves an alternative access point. In no event shall more than one construction access be permitted onto any Lot. Utility installation shall be coordinated with lot access construction.
- 25. Dust and Noise control shall be the Builder's responsibility, including overpowering music from the construction site.

- 26. Construction Signage (temporary) shall be limited to one sign of approximately six square feet of surface area. Signs shall be located within the Building Envelope.
- 27. Daily Operation or working hours for each construction site shall be in accordance with the current Town of Canmore By-laws; suggested from 30 minutes after sunrise to sunset unless other hours are designated in writing by SilverTip.
- 28. Final Inspection will be upon completion of any Residence or other Improvement for which SilverTip has endorsed. The Owner/Builder shall give written notice of completion to SilverTip.

Within such reasonable time as SilverTip may determine, but not to exceed five (5) days from receipt of such written notice of completion, a final inspection will be carried out by SilverTip, which will confirm conformance to the Guidelines and the endorsement previously granted. Upon receipt of the final inspection form, a list of deficiencies will be issued which the Builder must complete prior to release of the Security Deposit. The Builder will immediately rectify all deficiencies and request a second site inspection by SilverTip. Should additional inspections be required after the second visit, a fee per inspection shall be deducted from the Security Deposit. When all deficiencies are complete, SilverTip will issue the Final Acceptance Certificate (FAC) and return the Security Deposit, less inspection fees or any other deficiency charges.

## 29. PERFORMANCE RECOGNITION

SilverTip has been planned with care towards maintaining the natural integrity of the delicate alpine ecosystem. Performance recognition for exceptional sensitivity towards the preservation and protection of the natural site characteristics, will be undertaken by SilverTip. This applies more specifically towards the builders; their relative trades; and the delivery and handling of materials by the suppliers. It will become a signature of a careful, concerned and quality business when you are recognized with a performance recognition from SilverTip.



## SILVERTIP CONSTRUCTION MANAGEMENT PLAN

This Construction Management Plan has been developed for all of the phases of SilverTip development in Canmore in accordance with the Town of Canmore General Municipal Plan policies. These guidelines will apply to major construction. Major construction is defined as the initial clearing, road construction, utility installation, slash chipping or burning and constructing of buildings three storeys or higher for either residential or commercial purposes. This Construction Management Plan does not preclude the design guidelines for SilverTip. Specific Construction Management Plans, based on the general contents of this plan, may be required by the Town of Canmore in conjunction with the development permit process on specific sites.

#### Wildlife

- 1. Major construction within wildlife corridors will respect the stressful winter/spring periods of the year for wildlife. Environmental conditions will be monitored by the Developer's Consultant on a weekly basis when construction is underway during November-December and April-June, and construction is to be halted within a one week notice as referred to on Page 41 of the McCallum Paquet Associates report. The wildlife corridors are defined and mapped in the McCallum Paquet Associates December 1993 Wildlife Management Plan as prepared for Stone Creek Properties Inc.
- 2. During critical wildlife periods, construction will be concentrated to limited portions of the property at any one time, i.e., develop blocks sequentially, not concurrently, in order to provide wildlife with the option to relocate to undisturbed areas.
- 3. During critical wildlife periods and when construction activity is occurring on the site, there will be bi-monthly briefings with all on-site supervising staff, to insure cooperation, and to insure that staff have all the updated information regarding wildlife.
- 4. No harassment or attraction of wildlife will be tolerated.
- 5. Sighting of any bears or other large carnivores should be immediately reported by the foreman to an Alberta Environmental Protection Fish and Wildlife Officer, (Mr. D. Mann at 678-2373), as well as the Town of Canmore Planning Department at 678-5333.
## APPENDIX "C"

### Trees/Vegetation/Natural Areas

- 1. Tree cutting will minimize any impact beyond the construction site perimeter. Wherever possible, trees are to be felled into the construction site, rather than outwards.
- 2. Soil moving and recovery will be sensitive to the existing vegetation and will be undertaken in a manner to not severely damage shrubs and trees.
- 3. Where required, the Contractor will protect downslope vegetation from damage during construction, in a manner satisfactory to the Town of Canmore.

### **Construction Practices**

- 1. Excessive noise will be minimized, such as eliminating unnecessary idling of heavy equipment and loud playing of music.
- 2. Pets are discouraged on the construction site. If pets are brought on-site during construction, they are to be leashed and controlled at all times.
- 3. During dry periods, dust will be controlled by means of water truck, not chemicals.
- 4. Access for construction and heavy equipment shall be from the Harvie Heights exit ramp along the service road. Staff shall be advised of the designated vehicle parking areas. Construction vehicles can only park overnight at designated parking areas.
- 5. On-site sanitary facilities will be provided by portable toilets or similar temporary toilet facilities.
- 6. On-site water will be supplied by truck until the municipal services are constructed and connected.
- 7. On-site garbage containers will be provided and staff will be directed to utilize them. These containers will be animal proof. During the construction period, each construction site shall be kept neat and clean and shall be properly policed to prevent it from becoming a public eyesore or affecting other lots or any open space.
- 8. Construction materials will be stored in designated areas on site.

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### APPENDIX "C"

## Construction Practices (cont'd)

9. Any spills of corrosive or toxic materials will be reported immediately to Alberta Environmental Protection Pollution Control Division (during working hours at 297-8271, after hours at 1-800-222-6514). The spill will be assessed by a Pollution Control investigation, and cleaned up at the full cost of the Contractor.

10. Refuelling of vehicles, oil changes and maintenance of construction equipment will be done in a controlled manner to avoid spills and all materials disposed of off site.

- 11. It is the intent of the overall project development criteria to minimize site grading and the disturbance of vegetation. Where surface disturbance occurs, this disturbance is to be minimized along a clearly defined perimeter of the construction site. The construction site is defined as an internal development parcel within the overall SilverTip Master Plan area.
- 12. Construction will minimize the introduction of weeds or other plant parts contained in imported topsoil. Imported topsoil is to be tested for weed seed content to confirm its compatibility for use on the site.
- 13. Excess concrete and other clean construction waste will be disposed of off of the site in approved and designated trade waste areas. The cost of disposal of these wastes is the responsibility of the Contractor.

14. Clean fill and stockpiles of topsoil will be stored at designated on-site locations which are to be approved by the Town of Canmore. The sites are to be selected to minimize erosion and blowing dust.

- 15. During construction, great care will be taken to ensure that grading does not result in significant wind and water erosion.
- 16. Should blasting be required, using a number of smaller blasts is preferable to a few large blasts and a blasting mat shall be used for large blasts. Applicable Town and Provincial government regulations and approvals concerning blasts must be observed.

17. Areas of the construction site that are damaged as a result of the construction activities will be rehabilitated and will be replanted with native species wherever possible.

- 18. Contractors will be advised that special natural features such as topsoil, rock outcroppings, boulders and delicate native plants and trees must always be protected.
- 19. Daily construction operation shall be in accordance with the current Town of Canmore bylaw, suggested from thirty (30) minutes after sunrise to sunset.

## APPENDIX "C"

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## Construction Practices (cont'd)

20. Staff refusing to follow these guidelines and the direction of the foreman or construction supervisor, will be asked to leave the site and replacement staff will be requested. Contractors will be held responsible for their staff/workers.

## Responsibilities

- 1. It is the responsibility of the Developer, Stone Creek Properties Inc., to advise contractors, other builders, consultants and prospective buyers of the contents of this Construction Management Plan.
- 2. It is the responsibility of the Property Owner to monitor construction activities for major construction, and to provide daily monitoring during periods of construction. The Property Owner must inform the Town of Canmore of the contact person who will be responsible for the monitoring.

# Appeal Hearing for PL20250086 Proposed Detached Dwelling at 12 Blue Grouse Ridge

Appeal of 9% Variance to GFA

NEW Maximum GFA = 0.35 FAR or  $519.8m^2$ Additional GFA Requested = 9% or  $51.6m^2$ 

# Context

This appeal is required because the maximum GFA has "recently" been restricted across town. IN BLUE GROUSE RIDGE ONLY TWO OR THREE UNDEVELOPED LOTS HAVE BEEN SUBJECT TO THIS RESTRICTION.

The appellant purchased and agreed to the SilverTip Resort guidelines and Town bylaws with no restrictions to maximum GFA.

Any appeal based on increased GFA cannot be made under the premise that it is not the intent of the developer or that the appellant was unaware of the potential size of adjacent homes.

## 1) Not Sensitive to neighbours, land slope & tree growth

**Neighbours** - The proposed Detached Dwelling is two storeys with a traditional gable roof positioned with the low eaveline adjacent to neighbours. The roof adjacent to the appellant is 0.833m below the maximum roof height.

Only 1 neighbour, the appellant, shares a 3m side yard setback, the two other adjoining properties have 7.5m (rear) setbacks from the property line.

No other neighbours have filed objections.

**Land Slope** - The lot and construction envelope are flat.

**Tree Growth** - SilverTip Resort Guidelines for trees when the subdivision was created in 1997 are no longer considered adequate. The homeowners have consulted the Town "FireSmart" advisor and have been told to remove as many trees as possible and prepare to evacuate, not save, the home.

0.833m below maximum roof height

> appellants home closest point front 6m, rear 12.6m

# 13 BGR closest point 21.3m

E E

# 14 BGR closest point 17.5m

## 2) Too large for lot size

Lot Size - The proposed Detached Dwelling is on a 1485.15m<sup>2</sup> lot, over twice as large (242%) as a typical Canmore lot (612m<sup>2</sup>).

**Site Coverage** – The proposed Detached Dwelling has 25.93% site coverage; the maximum site coverage is 40%.



## **Allowable Site Coverage**

## 3) SilverTip Guidelines, Setbacks, Height and Good Design

**Guidelines** - The proposed Detached Dwelling complies with all SilverTip Resort Guidelines and bylaws; the variance and appeal is to the Town. NOTE; this is a new Town limitation on maximum size of properties in this subdivision

**Setbacks** – The proposed Detached Dwelling is within all SilverTip Resort and municipal setbacks.

**Height** – The proposed Detached Dwelling is between 0.04m and 0.833m ( $1 \frac{1}{2}$ " – 2'-8  $\frac{3}{4}$ ") below the maximum roof heights.

**Good Design** – The proposed Detached Dwelling has been approved by the SilverTip Resort and the Town.



## 4) Building Envelope, Much Larger than Other Homes

**Building Envelope** – As previously mentioned the proposed Detached Dwelling is within all SilverTip Resort and municipal setbacks, the variance is requesting additional space within all other restrictions. This variance is requesting additional space within the allowed building envelope not space outside or in addition to the envelope.

**Much Larger Than Other Homes** – The proposed Detached Dwelling is on one of the largest lots in the subdivision (3<sup>rd</sup>) and was designed to hold a larger home. It is not the largest home in Blue Grouse Ridge. There are no restrictions in home sizes based on neighbouring properties. Tim and Liz Welsh are not required to build a smaller home on their larger lot, and neighbours are not required to build larger homes on their smaller lots. The proposed Detached Dwelling is similar in size to many homes in Blue Grouse Ridge not to mention the adjacent subdivisions of Aspen Glen and Juniper Ridge. The home is designed to respectfully address the neighbouring properties with lower eavelines, reduced mass and a lower roof height than required next to the closest neighbour. It was the intent of the developer to create different sized lots for different sized homes.

Juniper Ridge



13 Blue Grouse 1940 m<sub>2</sub>

subject property 12 Blue Grouse 1495 m<sub>2</sub>



Blue Grouse Ridge



State State

# **Adjacent Lot Size**



## 5) Spirit and Intent

**Spirit and Intent** – The proposed Detached Dwelling meets all of the developer guidelines and restrictions, it meets the spirit and intent of their bylaws, no SilverTip Resort variances are required. SilverTip Resort approval has been granted.

Town Maximum GFA bylaws were recently changed to include all R1 lots including the two or three remaining undeveloped lots in Blue Grouse Ridge. It is not the spirit or intent of the Town to restrict only two lots in a neighbourhood to the benefit of the majority who have not had this restriction. The proposed variance is 9%, within the Towns variance powers and not excessive.

Tim and Liz Welsh have proposed a Detached Dwelling that meets all of the SilverTip Resort guidelines and restrictions, it meets the spirit and intent of their bylaws, no variances are required. SilverTip Resort approval has been granted.

The Home was designed to minimize impact on neighbouring properties while maximizing the views. During the posting period we were made aware that the adjacent neighbour was concerned about the rear deck overlooking one of their bedroom windows. While there are no restrictions on decks or requirement to provide screening Tim and Liz Welsh have offered to provide a 6' screen on the side of the deck adjacent to the appellant. This offer has been rejected.

As with all Canmore homes views are critical, for this reason, even in the event of a refusal of the variance there will be no changes to the location and size of the deck or the home adjacent to the neighbouring property.

We would like to respectfully request that the Board denies the appeal and grant Tim and Liz Welsh the 9% variance to the GFA.

## Summary