



## **SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION**

PL20250086 – Detached Dwelling – Variance to Gross Floor Area

12 Blue Grouse Ridge

Lot 35 Plan 9612010

Appeal against an approval by the Development Officer of a detached dwelling with a variance to the gross floor area

Appeal by: Elaine Myron

Appeal against: Town of Canmore Development Authority

Hearing date(s): May 22, 2025

Decision date: May 28, 2025

Board Members: Andre Giannandrea, Chair  
Larry Bohn  
Michelle Cooze  
Tanya Foubert, Councillor

Administration: Cheryl Hyde, Clerk  
Eric Bjorg, Supervisor of Planning and Development  
Maneet Singh Duggal, Development Officer

Appellant: Elaine Myron, not present

Applicant: Alasdair Russell and Troy Weatherhog, agents for the applicant (property owners Timothy and Elizabeth Welsh)

### **DESCRIPTION OF THE APPEAL**

1. The Board heard an appeal from Elaine Myron against an approval by the Development Officer of a detached dwelling with a variance to the gross floor area at 12 Blue Grouse Ridge.

### **DECISION**

2. The appeal is denied and PL20250086 is approved subject to the conditions attached as Schedule A.

## **RELEVANT STATUTORY & PLANNING DOCUMENT PROVISIONS**

3. Bylaw 2019-06, the Town of Canmore Subdivision and Development Appeal Board Bylaw, in general.
4. Municipal Government Act RSA 2000 c. M-26 (MGA) in general.
5. Municipal Development Plan Bylaw 2016-03 (MDP) in general and specifically
  - a. Section 6 – the property is within an established Neighbourhood Residential area in which Detached Dwellings are an appropriate use.
  - b. Section 4.5.4 Incentives for development that significantly exceed the minimum green building standards should be provided.
6. Silvertip Area Structure Plan Bylaw 2001/2007 (ASP) in general and specifically
  - a. According to Map 7 of the 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.
7. Land Use Bylaw 2018-22 (LUB) in general and specifically
  - a. Section 3.1 provides the development standards for the R1 – Residential Detached Land Use District. Other relevant sections are:
    - i. 1.14 Variance Powers of a Development Authority
    - ii. 2.3 Vehicle Access and Driveways
    - iii. 2.4 Setbacks and Building Projections
    - iv. 2.8 Building Height and Roof Design
    - v. 10 Green Building Regulations
  - b. The Development Permit application requested one variance to the Land Use Bylaw standards for section 3.1.3.11 regarding the maximum gross floor area of a residential building.

## **PRELIMINARY MATTERS**

8. No preliminary or jurisdictional matters were brought to the attention of the Board.
9. There were no objections to any Board members present hearing the appeal.
10. There were no objections to the hearing process as described by the Chair.

**SUMMARY OF HEARING**

11. Maneet Singh Duggal, Development Officer, spoke on behalf of the Development Authority to a written report and presented slides at the hearing.
12. Elaine Myron, the appellant, was not present at the hearing but provided a written submission that was included in the hearing agenda package.
13. Alasdair Russell, Russell and Russel Design Studios, agent for the applicant (property owners Timothy and Elizabeth Welsh), spoke to a written submission and presented slides at the hearing. Troy Weatherhog, All Weather Builders, was also present on behalf of the applicant.
14. The following members of the public spoke in a neutral position:
  - a. Mike Agnew, adjacent neighbour
15. No members of the public spoke in support or opposition to the appeal.
16. No written submissions were received other than the submissions from the appellant and the applicant.
17. All persons who made representations today agreed they had a fair hearing.

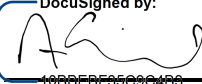
**REASONS FOR DECISION**

18. Land Use Bylaw section 1.14.01 provides that the development authority may grant a variance to the standards and regulations of the Land Use Bylaw where there is deemed to be a public benefit.
19. The Board considers the applicant's commitment to achieving a 20% Lower-than-Reference House EnerGuide rating to be a tangible environmental and public benefit to the community.

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**Date Signed**

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**Andre Giannandrea, Chair**  
**Subdivision & Development Appeal**

In accordance with section 688 of the Municipal Government Act, this decision may be appealed to the Alberta Court of Appeal on a question of law or jurisdiction within 30 days after the issue of the decision.



## Planning & Development Department

Town of Canmore  
902 - 7th Avenue  
Canmore, AB, T1W 3K1  
[www.canmore.ca](http://www.canmore.ca)

# SCHEDULE A

## CONDITIONS OF APPROVAL

**DEVELOPMENT PERMIT No.:** PL20250086

**LAND USE DISTRICT:** R1 Residential Detached District

**APPROVED USE(S):** Detached Dwelling

**APPROVED VARIANCE(S):** Increase in Gross Floor Area

**MUNICIPAL ADDRESS:** 12 Blue Grouse Ridge

**LEGAL ADDRESS:** Lot 35 Block Plan 9612010

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### 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:
  - a. 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.



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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

1. 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.

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Signature

Subdivision & Development Appeal Board (SDAB)

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Date