

Municipality of Crowsnest Pass

CHINOOK INTERMUNICIPAL SUBDIVISION & DEVELOPMENT APPEAL BOARD

June 9, 2025

2:30 p.m.

Hearing No. DP2025-016

**Appellant: Christopher Davis, Legal Counsel on behalf of 82 Appellants as
listed in appeal submission**

Applicant: Arise Developments Inc.

LIST OF ADDITIONAL EXHIBITS

O. Appellant Submission

- O-1 Appellant Submission
- O-2 G. Gallant – SDAB Intro & Overview
- O-3 K. Snyder – Impact on Market Value
- O-4 V. Harrison – Parking
- O-5 K. Snyder – MPC Inconsistencies
- O-6A R. Tiegen – Submission
- O-6B A. & M. Capron – Letter
- O-6C M. & M. & B. Swann – Letter
- O-7A Excerpts from Municipality of Crowsnest Pass Land Use Bylaw 1165, 2023
- O-7B Excerpts from TAC Geometric Design Guide (BC Supplement) Chapter 1500

P. Development Authority's Position Statement June 4, 2025, with Attachments

Q. Letter from Lindal

R. Letter from L. Ohrn

APPELLANT SUBMISSION

Appeal of Development Permit DP2025-016 (Apartment Residential Building(s))

From the Decision of the Municipal Planning Commission (as Development Authority)

Date of Decision: April 24, 2025

Appeal to: Chinook Intermunicipal Subdivision & Development Appeal Board (ISDAB)

Scheduled Appeal Date: Monday June 9, 2025

APPELLANTS:

Ralph Tiegen, Brian Gallant, Karen Snyder, Vern Harrison (or any one of more of them) and others

SUBMISSION ON BEHALF OF THE APPELLANTS BY: (with Attachments)

Christopher Davis Law / Christopher Davis

Barrister & Solicitor

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BACKGROUND:

1. The Appellants are either owners of property or residents of the Municipality of Crowsnest Pass (MCNP).
2. The Appellants own or reside sufficiently proximate to the site of the approved development permit (the DP) to be “affected parties”.
3. The DP was approved on April 24, 2025 as a “permitted use”, but one where a variance was specifically granted for the required parking component and for an overheight fence. As such, it must be considered as if it were a “discretionary use”.
4. The Parking Space Requirement for the subject development were 1.75 per dwelling unit (2 or more bedrooms) / 1.25 per dwelling unit (no more than 1 bedroom).
5. The development proposes NO single bedroom units, but the following:
 - a. 2 BR – 18 units
 - b. 3 BR – 36 units
 - c. 4 BR – 18 units
 - d. TOTAL UNITS = 72
 - e. Required parking stalls = $72 \times 1.75 = 126$
 - f. Provided stalls = 110 (12.7% variance)
6. Potential visitor parking stall consideration = $72 \times 0.1 = 7.2$ (rounded up to 8.0)¹
7. Potential loss of additional parking stalls for safe interior site pedestrian movement = 4.0 to 8.0 stalls
8. Site plans identify two (2) parking stalls required for snow storage during winter season.

APPEAL MATTERS TO BE PRESENTED BY APPELLANT GROUP: (pursuant to section 686(1) of the MGA)

1. An appeal to the Intermunicipal Subdivision and Development Appeal Board (ISDAB) is “de novo”.²
2. The scope of an appeal hearing is broad and is characterized as “de novo”, which means no deference is owed to the Development Authority in reaching its decision to approve the within development permit. This Board is therefore empowered in this appeal to:
 - in all but exceptional cases, is not required to review the Development Authority’s decision for error and can cure almost all errors of the Development Authority without having to remit the decision;
 - can make whatever decision is appropriate on the merits;
 - can hear evidence and argument that was not before the Development Authority;
 - can take into account circumstances that may have changed since the Development Authority’s decision; and,
 - can confirm decisions of the Development Authority that it agrees are within the range of reasonable options.³

¹ Calgary Land Use Bylaw 1P2007 requires 0.1 visitor parking stalls in most multi-dwelling residential or mix-use residential districts.

² Landry v Rocky View SDAB, 2025 ABCA 34 at para. 18.

³ Landry, at para. 20.

3. This Board is empowered to determine all matters afresh, including matters not raised on appeal.⁴
4. It is the Appellants' position that the approval of the within development permit for "apartment buildings not exceeding 3 storeys or 14.0 m" was not reached, based on the evidence before the MPC (as development authority) "within the range of reasonable options".
5. It is the Appellants' position that the MPC failed to take into account one or more of the following factors pursuant to section 13.2 of the Land Use Bylaw (LUB 1165,2023):
 - i. Access, transportation and servicing requirements;
 - ii. The Subdivision and Development Regulation;
 - iii. Stormwater management and site grading;
 - iv. The land use definitions, the purpose statement of the applicable "High Density Residential – R-3" Land Use District, the development standards of the said district and the applicable Schedules (in particular Schedules 5 & 6) of the LUB.
9. The Appellants further are of the view that the MPC failed to discharge its obligation to determine if the "variance test" pursuant to section 13.4 of the Land Use Bylaw (LUB 1165,2023) was satisfied. It is the Appellants' position that the relaxations / variances allowed for both parking and fence height either unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of their properties.
10. The Appellants believe that the MPC erred in failing to address the matter of public access to the adjacent Municipal Reserve parcel (Lot 15 MR, Block 5, Plan 8311587), despite the approved plans clearly indicating there to be access through the development site, thereby failing to discharge its duties pursuant to section 650(1)(b) of the MGA and section 19.2(d) of the LUB.
11. Additionally, the Appellants believe that the MPC erred In failing to require further mitigation responses for the parking variance, pursuant to section 19.2(c) of the LUB. This includes, but is not limited to:
 - a. Not providing for sufficient vehicular turning areas within the site and as required by Schedule 6 of the LUB;
 - b. Not providing for safe or adequate areas for pedestrian movement within the parking areas and the internal pedestrian walkways located between the six (6) proposed buildings (which, if provided, would further increase the site parking deficiency by between 4 and 8 stalls). The relevant LUB section is section 19.2(d);
 - c. In failing to provide for adequate curbstops for each parking stall;
 - d. The approved site plans suggest that only two (2) parking stalls will be impacted by seasonal snow storage. Based on snow storage algorithms used in British Columbia, the recommended snow storage requirements for this site are readily determined. The suggested site storage capacity appears to be deficient when inserting estimated snow fall and deploying the algorithm;⁵

⁴ Landry, at para. 21, 28, 30 & 31.

⁵ TAC Geometric Design Guide (BC Supplement), Chap. 1500, Section 1520.05; spreadsheet.

- e. In failing to consider or provide for adequate or sufficient visitor parking stalls.
While specific stall requirements are NOT identified in the Land Use Bylaw (the LUB), similar developments in other Alberta communities suggest not less than 0.1 visitor parking stalls per residential unit;
12. The Appellants further contend that the MPC erred in failing to require the preparation of and /or compliance with recommendations in relevant engineering reports or other professional studies (section 19.2(e) LUB).
13. The Appellants argue that the MPC erred in failing to ensure that sufficient communal amenity space (4.6 m² / 50 ft² per unit) was provided pursuant to Schedule 5, section 4.2 of the LUB and in consideration that dwelling units in the project are all 2 or more bedrooms (i.e. the minimum amenity requirement may be insufficient in the circumstances).
14. It was an error, in the Appellants' view, that the MPC may have considered the municipally owned adjacent reserve parcel (Lot 15 MR) to be an "exclusive use" area to the development, and thereby in compliance with Schedule 5, section 4.2 of the LUB. Should it be determined that access to the Lot 15MR is to be provided through the development site, this Board has the authority pursuant to section 650((1)(b) of the MGA to require the Applicant to enter into an agreement or otherwise provide for a public pedestrian access easement providing for access to Lot 15MR.
15. The Appellants are of the view that the decision to relax the maximum fence height from 6 feet to 8 feet was an implicit acknowledgement by the MPC that the proposed apartment building development was not adequately responding to the adjacent existing residential community, as expected by the Municipal Development Plan and by the LUB. The imposition of a "wall-like" condition should not have been the outcome of a development that adequately or suitably was integrated within the community.
16. While the MPC erred in failing to provide reasons for its decision, that error should be cured by the ISDAB's requirement to provide its decision, with reasons, pursuant to section 687(2) of the MGA.
17. The Appellants will respond to any further and other matters or grounds raised at the appeal hearing at the said appeal hearing.

ORDER OF PRESENTATION

1. General Introduction – Chris Davis
2. Application Introduction and Overview - Brian Gallant
3. Impact on "value" (section 687(3)(d) MGA) – Karen Snyder
4. Parking Analysis and Negative Impact – Vern Harrison
5. Review of MDP inconsistencies – Karen Snyder / Chris Davis
6. Other Appellant Speakers
7. Appellant final comments – Brian Gallant
8. Legal Overview – Chris Davis
9. Conclusion and Request to the Board

INTRODUCTION

The affected residents of our community support expansion of the economy, the facilitation of more jobs, and understand the need to increase housing availability. We are pro-family and pro-community; we do not oppose development, and we do not fight change for the sake of fighting change.

The majority of the residents affected by the proposed development attended the public hearing for the rezoning of this property, which was our only chance to speak on the matter, and we voiced numerous, legitimate concerns. To date, these concerns remain largely unresolved or unaddressed.

It is extremely difficult to undo poor planning once a development is complete. We feel that this development was not guided by comprehensive planning; it lacks a solid foundation in supporting key tenets of the Municipal Development Plan, it overlooks or negates important considerations, it has an unfounded financial impact on taxpayers, and it lacks a detailed plan that shows how the project will fit into the future redevelopment of the entire area. This is the first step of a drastic change in our community. The parking variance within the Development Plan is the final issue in a series of planning concerns. The project changes traffic patterns, reduces recreational space, changes the character of our neighbourhood in a detrimental way, and disrespects the history of Indigenous Peoples. It impacts both current and future citizens of Crowsnest Pass.

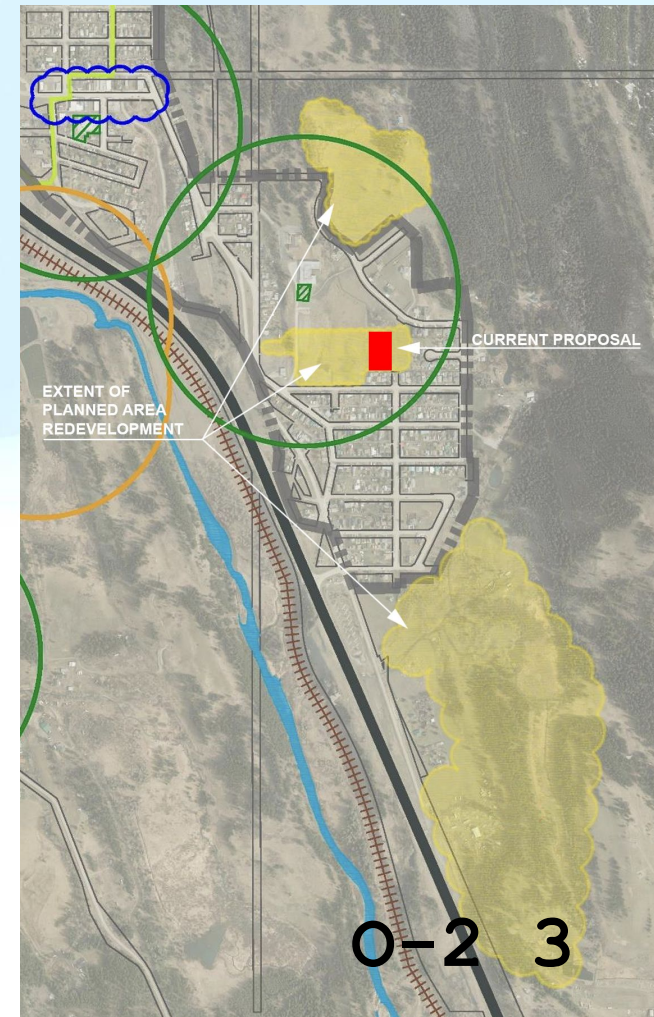


OVERVIEW

There are many concerns with this development, but the main issue is that it is in the wrong place, and proper public input and land use planning would have revealed this.

- Residents support sustainable development – we are invested, we are in this together
- Fair and objective resident concerns dismissed, including:
 - Infrastructure requirements
 - Transportation
 - Water and sewer
 - Underground methane and soil conditions
 - Drainage and water table
 - First Nations
- Inadequate public transparency and involvement
 - Land sale process
 - Ongoing changes to the proposal, including within meetings
 - Infrastructure costs
 - Negation of local impact

- Planning and growth considerations
 - Missed steps and inadequate planning
- Municipal Development Plan does not support this development as proposed
- No Area Structure Plan
- Lack of area services
- Loss of recreational space
- Honouring our heritage and First Nations
- Partly solving one problem but creating more
 - Parking
 - Residential values
 - Infrastructure
 - Loss of access
 - Traffic and parking
- Parking is the final of many issues that need to be addressed with this development
- Given the issues presented, the development should not proceed



Market Value of existing R1 homes in Bellevue due to rezoning

When zoning changes occur, there is always an impact on the market value of existing homes. To argue that there is no impact is simply absurd.

The question is not whether there is an impact, the question is what is the impact.

A Real Estate Agent guiding his/her client knows that R1 neighbourhoods have the highest per square foot value for a comparable build. The identical house, built in the same year, with the same standards and finishing, will have a different value in 2 different locations. This is because the surrounding homes, amenities, transit systems and other soft factors are different.

An extreme example, would be the exact same house, same size lot and same access to services (I think you know the answer which has higher value):

1. on the edge of a highway, a gas station on one side, a dump on the other side vs
2. on a hill overlooking a peaceful lake, trees on both sides.

Specific to the Bellevue property, one cannot claim that increasing density will have no impact. Some of the impact can be positive

- for example, being able to age in your own neighbourhood in seniors housing
- or getting additional amenities if newer buildings include commercial services

But for existing R1 homeowners most impacts from increasing density are negative

- **increased traffic/congestion**
- **loss of green spaces**
- **increased noise**
- **increased pollution**
- **decreased privacy**
- **decreased market value on resale.**

There are numerous studies that show impact on market value, yet none were considered by Council or administration. The Council Meeting Package March 11, 2025 Page 254 states that the Municipal Assessor commented that “it is unlikely that this development will have a negative impact on the property values surrounding it”. Evidence would indicate otherwise.

Christopher Snelgrove is the Property Assessor for Crowsnest Pass and, in subsequent discussions with him, he stated that this comment is a misquote. He clarified to members of the appeal group that he is not trained to predict what property values will do with different developments. His training is following what property values have done.

From the perspective of property tax assessment

- property assessments are based on latest sold prices and adjusted (i.e. market values)
- most recent sold prices can only be observed after a sale
- decreases in sold prices can only be known after the negative impact has occurred

Market Value of existing R1 homes in Bellevue due to rezoning

- it takes time to see this since properties sell slowly
- so, negative impacts on market values and, therefore property assessments, cannot be known until years in the future

R1 neighbourhoods cost more per square foot for a reason. It is known and recognized that rezoning adjacent properties to higher density negatively impacts market values:

- **Up to 20% loss due to market perception** from rezoning (exclusivity, peace, lifestyle)
- **Up to 10% loss in value for properties within 300 feet of multifamily housing** (change of character, tranquility of neighbourhood)
- **Up to 15% loss in value from overburdened infrastructure** (roads, schools, utilities)
- **Up to 10% loss in value from loss of space** (green spaces, privacy)
- **Up to 2% loss in value from a 10% increase in traffic volume** (noise, pollution, longer commute)

Studies with these impacts are available, yet Council was not provided with this information, nor did they consider these impacts in their discussions. Studies that provided the above statistics are:

- [Metro Vancouver Costs of Providing Infrastructure and Services to Different Residential Densities Study](#)
- [\(PDF\) Life Cycle Assessment of Residential Buildings: A Case Study in Canada](#)
- [Microsoft Word - HDD_Existing_Research_10.29.18_ForPDF.docx](#)



CROWSNEST PASS
Naturally Rewarding

Meanwhile ... In Bellevue

By the numbers

Land Use Bylaw = what you should do, A Variance = a (lazy) shortcut

*The Parking Space Requirement for the subject development were:
1.75 per dwelling unit (2 or more bedrooms) / 1.25 per dwelling unit (1 bedroom)
Variance: 1.5 Spaces per Unit (2 or More Bedrooms)*

Spaces Provided per Bedroom

Bedrooms per Unit	Spaces per 2 Bedroom Unit	Spaces per Bedroom
2	1.5	0.75
3	1.5	0.5
4	1.5	0.375

**Is this reasonable? “Units”
We challenge this. It will not
remotely reflect reality!**

Units	Bedrooms	Total Bedrooms	Bylaw @ 1.75 per 2 Bedrooms (Spaces)	Variance @ 1.5 per 2 Bedrooms (Spaces)
18	2	36	31.5	27
36	3	108	94.5	81
18	4	72	63	54
72		216	234	207
Units	Required	Spaces	Parking Shortfall	Parking Shortfall
72	Variance @ 1.5 per	110	124	97
72	1.75	126	108	99
Compared to Bylaw	% Shortfall	12.7%	53.0%	46.9%

Resident Profile / Realistic Parking Requirements

Shift Workers likely Residents, 10 km to Commercial Services

- There are no commercial services of consequence in Bellevue (10km to downtown commercial core)
- No **public transportation exists**, taxi services are minimal/difficult to obtain
- Shift workers are likely to have 1 vehicle each, Contractors likely have trailers
- Families (If any) will likely require at least 2 cars. 1 Parent at work, 1 with kids
- What about visitors and guests? Where will they park?
- No designated walkways in parking lot. No loading spots. Groceries? Furniture?
- Snow removal on site/surrounding streets considerations?
- Access for Emergency Services? (Fire/Ambulance)

Municipal Development Plan Bylaw

“It does not have a significant impact on roadways”

Municipal Development Plan Bylaw No. 1059, 2020

The Bellevue site (two properties) is within an urban growth node identified in the Municipal Development Plan (MDP), it's development would increase residential density towards the required targets in the MDP, it does not have a significant impact on utilities or roadways, and it is in close proximity to community facilities

- Double standards - Charmed Resort is not allowed spillover parking onto Satoris Road, nor are Short Term Rentals - why is Bellevue not considered with this requirement as well? 100 or more vehicle spillover parking in neighbourhood is likely!

Parking Requirements	Parking for the entire resort [rentable units, the principal building (shop, café, restaurant, spa, pool, wellness facility, office), staff, and guests] shall be accommodated on-site and parking shall not be allowed to spill over onto the Sartoris Road.
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2.5 Parking
(a) The off-street parking standards for a Short-Term Rental / Bed & Breakfast or Tourist Home shall be in accordance with Schedule 6, Section 8 of this Bylaw, and the parking of all vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner).

Charmed Resort - MPC Meeting 23 April 2023

Short Term Rentals Bylaw

Meanwhile in Bellevue: “Up to the developer to manage spillover parking”- MPC, Development Officer

100 Spillover Cars

And likely more!

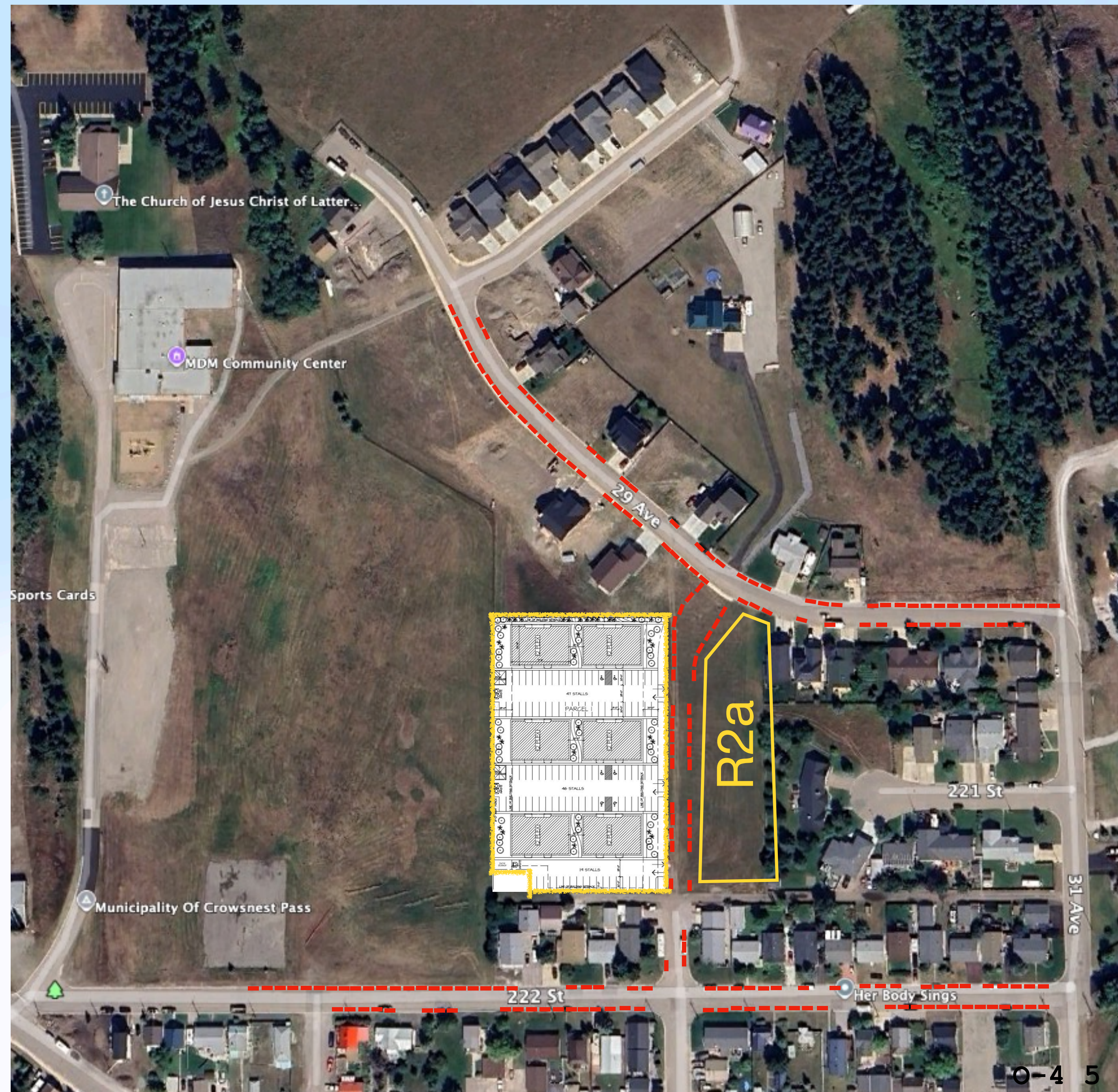
This is what 100 extra cars parking in the Neighbourhood looks like!

No existing resident/visitor vehicles shown !

Residents can forget trying to park on 214 Street and 222 Street

“I can’t see a problem” - MCP

Depending on what is planned for Lot 35 (R2a) it can get worse!



100 Spillover Cars

And likely more!

No existing resident/visitor vehicles shown !

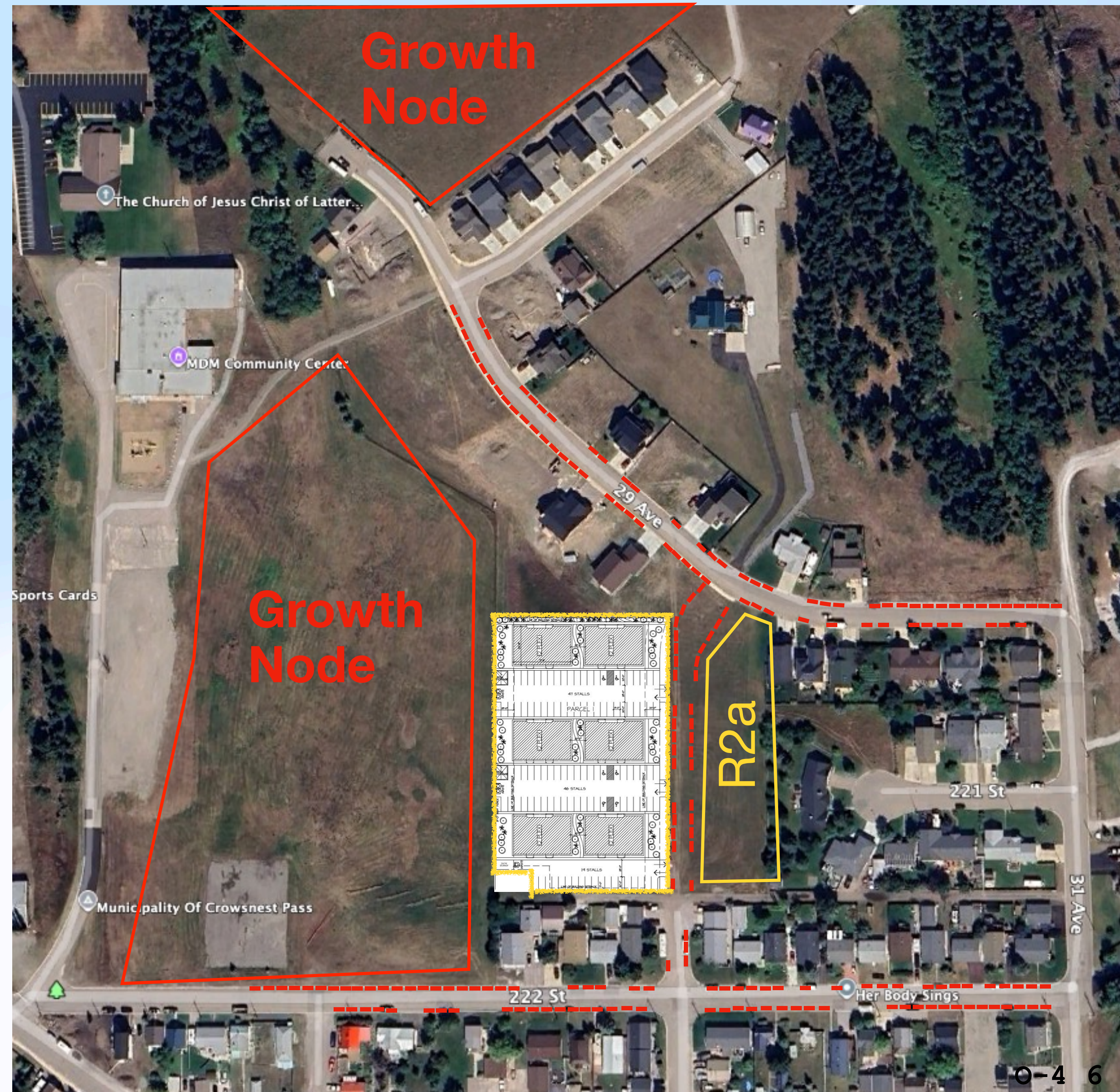
Residents can forget trying to park on 214 Street and 222 Street

“I can’t see a problem” - MCP

Depending on what is planned for Lot 35 (R2a) it can get worse!

275 Units (Minimum) in Future!

825 Bedrooms (Minimum)!
if future structures are similar



Not specifically about Parking - but related!

Try parking in the neighbourhood with the “thoughtful development”

2.1 New Residential Development

- Policy 2.1.4 Infill development - "Residential infill development shall be promoted throughout the community". "Infill development shall be designed to respect mature neighbourhoods by being compatible ... to existing dwellings in the neighbourhood, while bearing in mind modern day housing trends."

2.2 Multi-Unit Residential Design Standards

- Policy 2.2.1 Impact on Adjacent Development - "Multi-unit residential buildings shall be introduced into neighbourhoods thoughtfully and with high quality design to ensure compatibility with existing development. Buildings and sites shall be designed in a manner that ensures adjacent residential development has privacy and access to sunlight, which could include thoughtful window placement, articulation of the facade, and stepping down the height of a building that is adjacent to lower density residential development."

Bellevue is a “Growth Node”

No Area Structure Plan exists ...

2.2.1 Impact on Adjacent Development

Multi-unit residential buildings shall be introduced into neighbourhoods thoughtfully and with high quality design to ensure compatibility with existing development. Buildings and sites shall be designed in a manner that ensures adjacent residential development has privacy and access to sunlight, which could include thoughtful window placement, articulation of the facade and stepping down the height of a building that is adjacent to lower density residential development.

2.2.2 Maintenance of Viewsapes

To limit the impact on adjacent land use and to be compatible with the natural and scenic viewsapes of the surrounding area, buildings shall typically be limited to a height of four (4) habitable stories. Developers that are proposing the development of a building that is more than 4 stories shall demonstrate how their building design creates architectural interest at the pedestrian scale, how they are protecting view corridors, how they are limiting shade onto the street and adjacent properties, and how they are ensuring access for firefighters in emergency situations.

- **Minimum** 240 to 275 Units (825 Bedrooms) added in future
Source: 15 April Council Package

4. GOALS AND POLICIES

DESIGN STANDARDS

Development

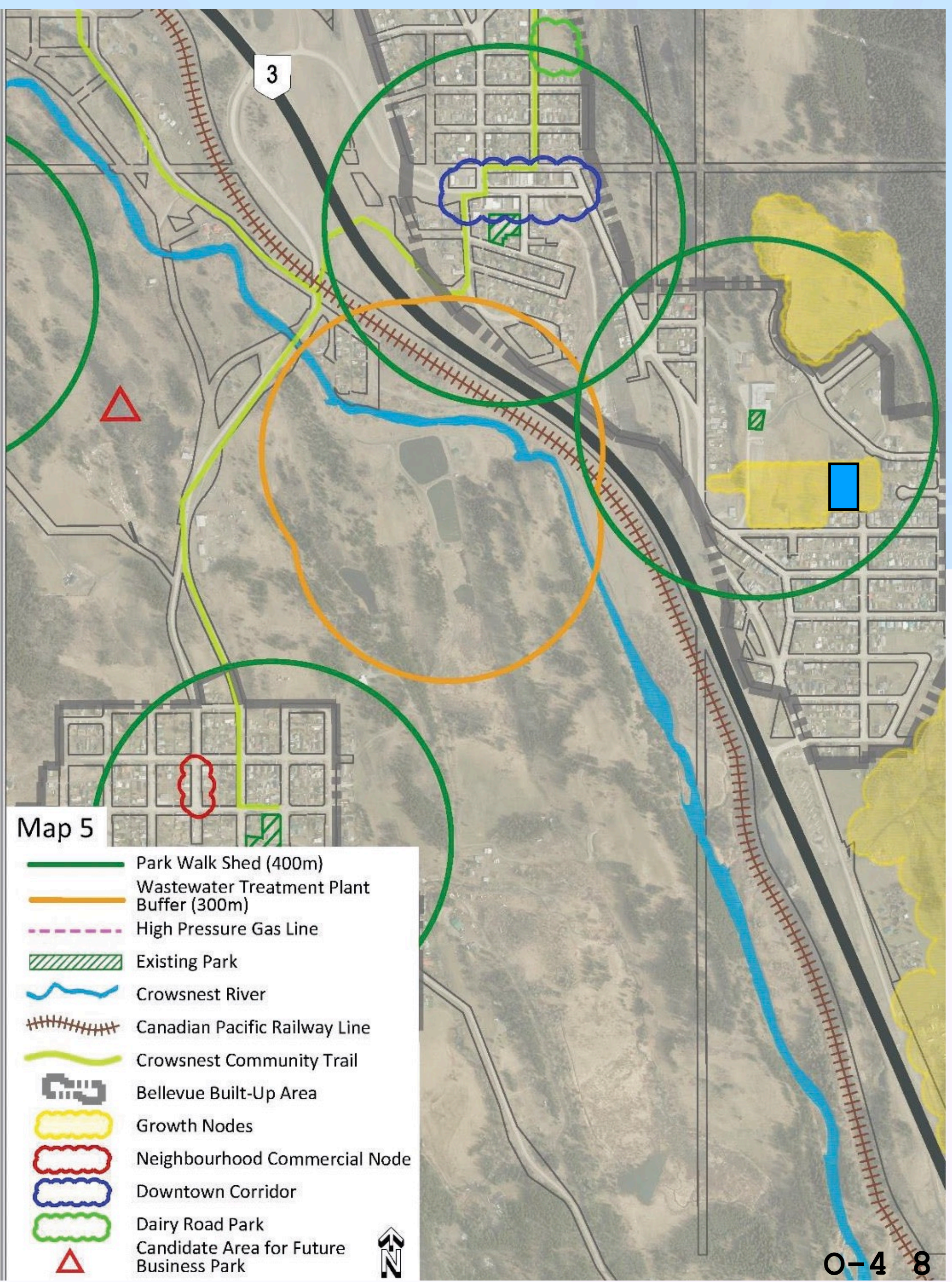
Neighbourhoods shall be designed to be compatible with existing design and shall be designed to ensure compatibility with existing development.

and use

developments shall provide outdoor amenity space for each dwelling unit in the form of a yard, deck or balcony or provide sufficient shared recreation or open space on the site, and where possible be located adjacent to or in close proximity to parks or open space.

2.2.4 Multi-modal Circulation

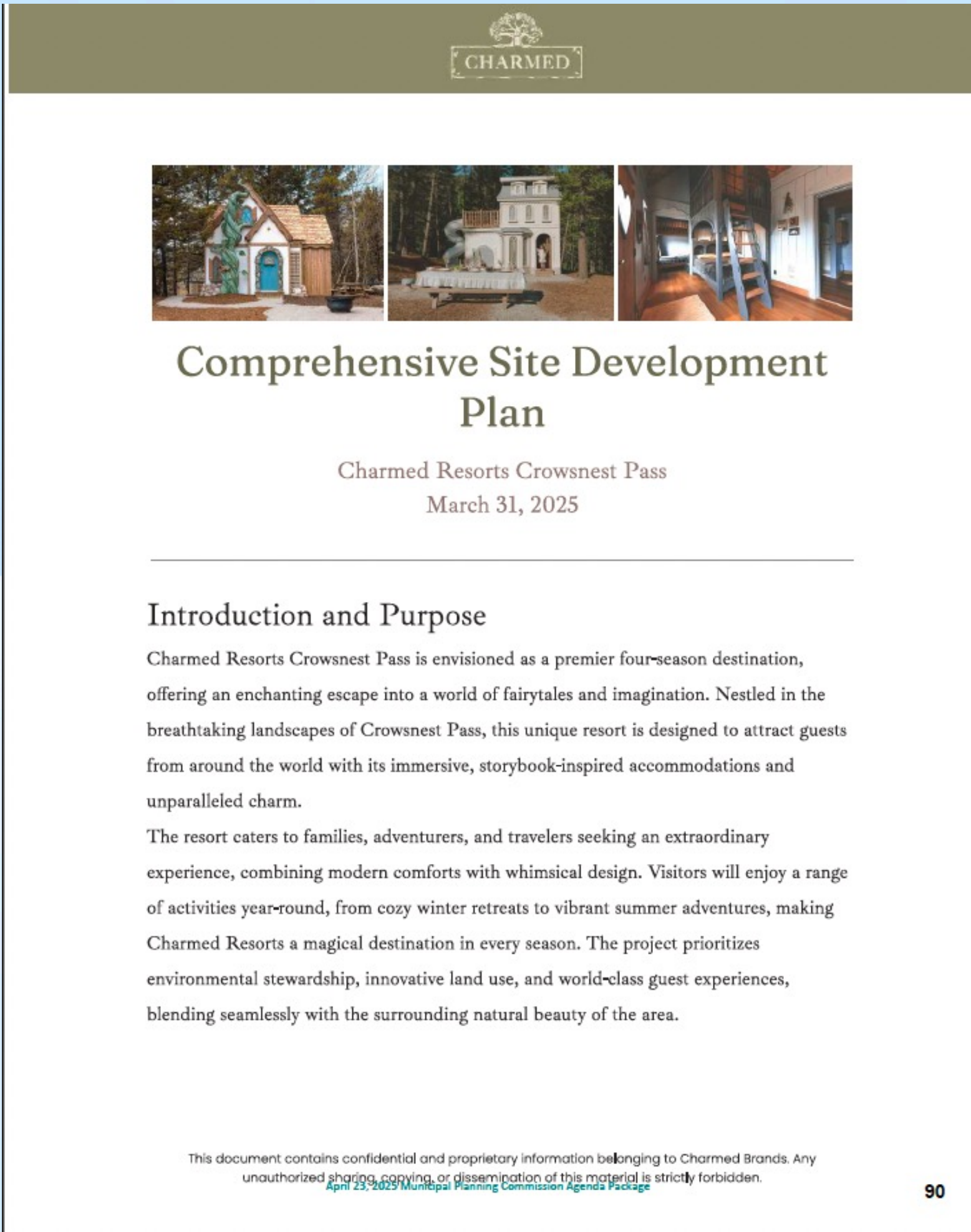
Multi-unit residential buildings shall be developed with adequate parking spaces and safe access management. To recognize the special recreation opportunities in Crowsnest Pass and encourage active transportation options, multi-unit residential buildings should provide bike racks and connections to existing and planned trails.



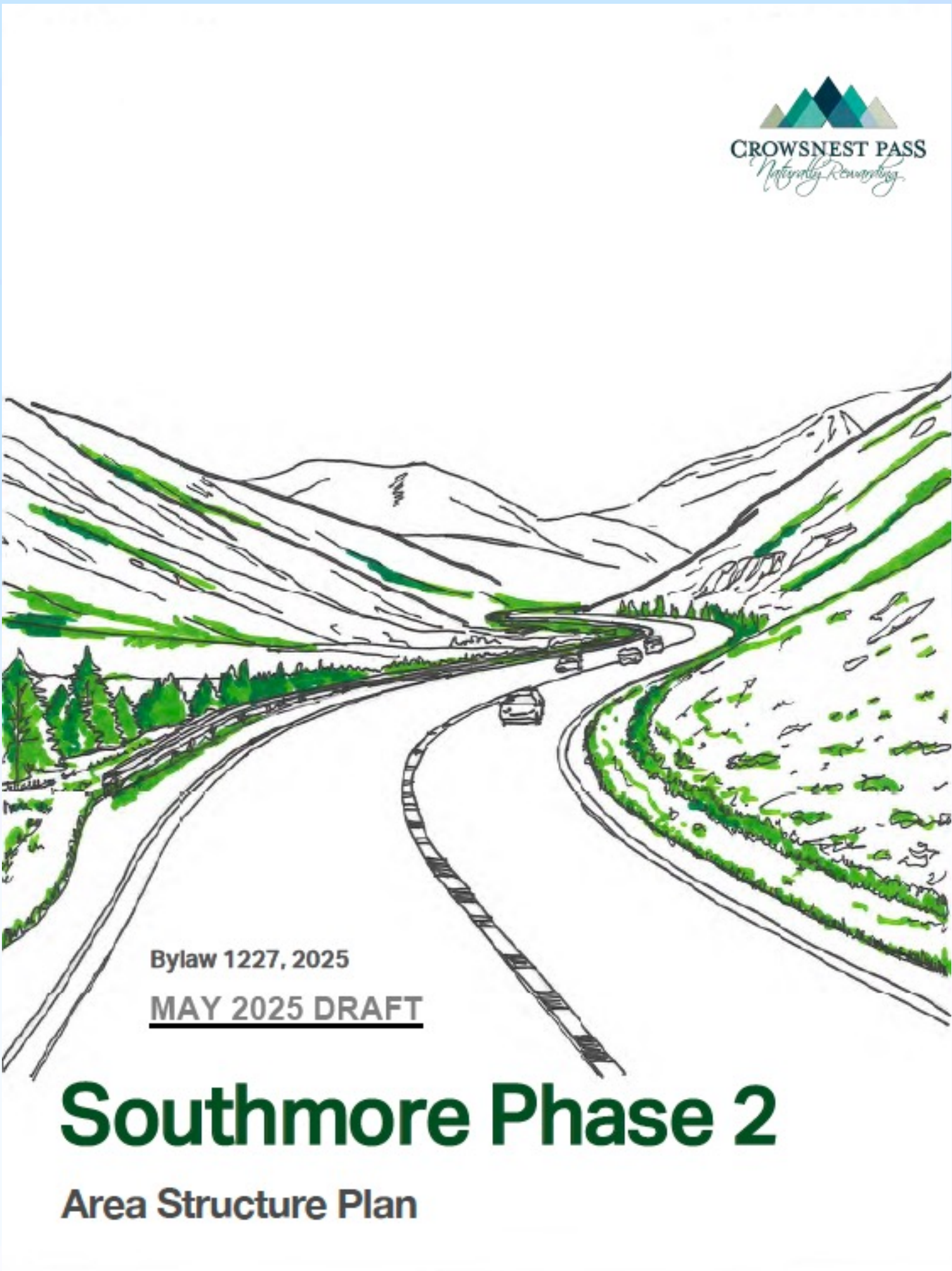
Seems it is just a reckless “Piecemeal” approach

Areas Structure Plans

Yet more Double Standards



MPC Agenda Package 04/23-2025



Municipal Website



Bellevue MDM Area

Municipal Development Plan not complied with

The Municipal Development Plan is the governing document for development and planning in the Pass. The MDP was created with community consultation and input.

Council and administration have stated that the decision to rezone and the decision to approve the DP (with parking allowance) follow the guidance of this plan. Yet that is not the case.

Concerns noted:

1. **Area Structure Plan**. This rezoning and DP are related to a large amount of land within Bellevue. It significantly changes the entire R1/R2 neighbourhood, yet no Area Structure Plan has been commissioned. For new neighbourhoods, the Pass requires an Area Structure Plan. Per the MDP, page 61:

“2.1.3 New Residential Neighbourhood

Design Standards Neighbourhood designs, identified through an area structure plan, area redevelopment plan, or concept plan should include the following:

1. traffic calming measures and proper street and lot layout to minimize through traffic and speeding
2. retention and integration of natural, cultural and historically important features”

2. **Vehicle flow and parking is not consistent with the neighbourhood**. The MDP states that when infilling in an existing neighbourhood, access to homes and space for parking should be consistent with what already exists. This DP proposes a surface parking area, and will force large numbers of excess vehicles to park on the road. This is not consistent with the directly adjacent R1 neighbourhood. This current street have front driveways with attached garages and, to the south and east, homes have alley access to garages and parking pads. Page 62:

2.1.4 Infill Development

Residential infill development shall be promoted throughout the community. Infill development shall be designed to provide continuity with the streetscape and respect mature neighbourhoods by being compatible in height, scale, mass and design to existing dwellings in the neighbourhood, while bearing in mind modern day housing trends. Vehicle access shall be provided consistent with the pattern in the neighbourhood, by rear lane or front attached garage depending on the context.

3. **For Accessory dwellings the MDP requires parking and compatibility**. The guidance provided requires “adequate parking”. For an apartment building intended to provide shared spaces for multiple workers, adequate parking should be above the DP minimum, not below it.

2.1.5 Detached Accessory Dwellings

To support gentle increases in density, take advantage of existing infrastructure, and provide affordable housing options, secondary suites and accessory dwelling units shall be encouraged throughout Crowsnest Pass communities. To facilitate the development of accessory dwelling units, the MCNP shall amend the land use bylaw to add regulations to guide this type of development.

Municipal Development Plan not complied with

Amendments shall be developed with the intent of ensuring compatibility with existing residential development and at a minimum should address parking requirements, relationship to the principal building and adjacent development (site coverage, setbacks, height) and maintaining adequate amenity and landscaping areas on a lot.

4. **Compatibility with existing homes.** Inserting 3 story buildings in the middle of R1 cannot be argued to be compatible without a transition zone. Page 62:

2.2.1 Impact on Adjacent Development

Multi-unit residential buildings shall be introduced into neighbourhoods thoughtfully and with high quality design to ensure compatibility with existing development. Buildings and sites shall be designed in a manner that ensures adjacent residential development has privacy and access to sunlight, which could include thoughtful window placement, articulation of the facade and stepping down the height of a building that is adjacent to lower density residential development.

5. **Inadequate parking for number and type of units.** Council has opening and proudly stated that the intent of this development is to provide housing to potential and existing employees of nearby coal mines. A four-unit apartment (with 4 bedrooms all approximately the same size, no primary bedroom) will likely have 4 adults. Meaning 4 vehicles, likely trucks and SUVs. Page 62:

2.2.4 Multi-modal Circulation

Multi-unit residential buildings shall be developed with adequate parking spaces and safe access management. To recognize the special recreation opportunities in Crowsnest Pass and encourage active transportation options, multi-unit residential buildings should provide bike racks and connections to existing and planned trails.

6. **Infrastructure Planning and Funding.** As a knee jerk response to a citizen question during the bylaw reading, Council delayed decisions on the rezoning to have a quick estimate completed on requirements to infrastructure from inserting multi-family housing in Bellevue. The estimated impact of this housing is believed to be \$4million, some of which was planned for 2031, but not at this volume. This resulted in a decision by council to now borrow funds. The MDP itself states that the municipality should think ahead. On page 81:

5.1.1 General Infrastructure Planning

The MCNP shall comprehensively manage the delivery of servicing and infrastructure to maintain existing development and accommodate growth in a cost-effective manner. An infrastructure management plan shall be developed that outlines the priorities and improvements needed to MCNP's servicing and utility infrastructure. By determining where capital investments to infrastructure are needed most, the MCNP will be prepared to allocate tax revenues in the most efficient way possible.

Ralph Tiegen submission for Appeal of Development Permit DP2025-016 (Apartment Residential Building(s))

I believe the process of getting the subject property from RO-1 Recreation Open Spaces to R-3 High Density to an approved Development with parking variances is flawed. See my March 23rd. 2025 open letter to the mayor and council.

- This area of Bellevue is noted as a "Growth Node" in the Municipal Development Plan yet no planning has been undertaken. The Blairmore Growth Node is undergoing extensive planning considerations c/w an open house for the public.
- No one knew this project was in the works until the rezoning bylaw passed first reading.
- The public did not get rezoning material until the day before the public hearing.
- Getting the material the day before the public hearing, we had very little time to prepare.
- At the public hearing, we only had 5 minutes to speak and there was no further input from the public. See my written submission to Bylaw 1221 (rezoning public hearing)
- The council did not address many of the items raised in the public hearing. Eg. The Request for Decision stated the assessor suggested the apartment development would likely increase the property values of the neighborhood. I called the municipal assessor Christopher Snelgrove and he acknowledged he was not trained in projecting what impact a proposed development like this will have on neighboring properties. He said his training is in following the market.

Since the Crowsnest Pass has not had a larger High Density development since 1979 no one has been thinking about the Land Use Bylaw (LUB) parking requirements. I believe the LUB R-3 parking requirements are not adequate for our community. See my letter to Johan van de Bank requesting R-3 parking be reevaluated.

From: ralph.tiegen@shaw.ca
Sent: Sunday, March 23, 2025 8:55 PM
To: 'Blair.Painter@crowsnestpass.com'; 'Dave.Filipuzzi@crowsnestpass.com';
'Glen.Girhiny@crowsnestpass.com'; 'Doreen.Glavin@crowsnestpass.com';
'Vicki.Kubik@crowsnestpass.com'; 'Lisa.Sygutek@crowsnestpass.com';
'Dean.Ward@crowsnestpass.com'
Cc: 'passherald@shaw.ca'
Subject: Open letter to the mayor and councillors of the Crowsnest Pass

Does the MGA need Improvement for Public Input?

When debate is limited, there are winners and there are losers. The Alberta Municipal Government Act appears to restrict debate.

Our Public Hearings allows a person five minutes to speak to council with no chance to speak again in response to anything. After First Reading, the councilors and mayor are not supposed to talk to the citizens about the bylaw. I am sure the MGA had its reasons for this, but the net result is that evolving information cannot get to the council. One side of an issue will be benefited by restricting further input but the other side of an issue wanting to respond to new information loses by being muted.

Does the MGA give us the ability to improve the public consultation processes? For instance, extend public hearing times, allow for follow-up responses, or use digital platforms to gather broader community input.

Council has to make a major decision on the new apartments that will impact Bellevue for generations to come. Many things have come to light that council should consider before they make that decision.

Does anyone see the injustice of the existing process?

Could the Crowsnest debate and improve this process and if needed, offer Alberta Municipal Affairs suggestions to improve the MGA?

Respectfully,

Ralph Tiegen

TO: Mayor & Council of Crowsnest Pass

FROM: Ralph Tiegen representing Mohawk Meadows Phase II Development

Re: Bylaw 1221 Rezoning to R-3 March 11, 2025 Public Hearing

I want to start by saying I am thrilled there is a developer willing to invest in this community by building 216 much needed apartment rental units. I am not in the camp of residences that do not want to see growth and am happy to see the community has reversed a 25 year decline in population. I believe most people think we are at the start of long-term growth. Having said that, I want to explain why the proposed site in Bellevue is a wrong location for high density rental apartments and I believe I can suggest/offer better sites. As the elected representatives of our community, you have the difficult job of discerning between another "not in my back yard" protest, from this presentation claiming harm to Mohawk Meadows and the long term negative impact on our community.

I am requesting the Bellevue rezoning be declined or tabled to give me a chance to have a consultant that deals exclusively with land use issues in Alberta make a presentation to council supporting my claims of damage to Mohawk Meadows. Also he can point out other growth mountain communities, mistakes they made and corrections.

I was disappointed to find out I am not able to talk to the mayor and councils or take them through our development and show the style and quality of our two recently completed show homes. It would have been nice if you could have walked the development with me to see my vision for the remaining vacant lots in Mohawk Meadows. I believe I can attract buyers looking at other mountain communities such as Canmore and Fernie to this development. If this rental apartment development goes in, my vision to build high end single family homes is dead. The market I am seeking is not interested in investing in a development that is not properly planned by being next to a high density rental development. I have attached pictures of our new show homes. Also, here is a link to a home I built three years ago that went on the market last week. Click the following link to view the Property 2933 214th St.:

<https://matrix.pillarnine.com/DE.asp?p=DE-247444232-74&k=4651201XCDG8&eml=cmFscGgudGllZ2VuQHNoYXcuY2E=>

We have invested a lot of extra money to make this a premium development. Our development agreement with the town did not require us to build sidewalks as Phase one did not have any. We designed and constructed a walking path from 214th St to the MDM facility. This walking path is paved and has decorative lighting. These sidewalks and walking path are a benefit and used extensively by the residents at this end of Bellevue. We upgraded the street lighting from standard residential lights to the decorative lighting used in downtown Blairmore and Bellevue. This additional money spent will be lost if we are forced to market the remaining vacant lots for economy homes. I believe the municipality loses as well because there are no other newer R-1 developments in Blairmore, Bellevue or Hillcrest to build this type of home.

This decision is very impactful to me, the people who bought into my vision for Mohawk Meadows by purchasing homes, the surrounding neighborhood and the precedent it will establish for future development. I am asking this bylaw rezoning the Bellevue property to R-3 be declined or tabled for further input, debate and consultation . Also, it would give me a chance to meet the developer and suggest/offer other properties that would be a better fit.

Respectfully Submitted

Ralph Tiegen







O-6A 6

June 4th, 2024

Johan van der Bank
Manager Development & Trades
Municipality of Crowsnest Pass

RE: Request to increase R-3 Parking requirements in the Land Use Bylaw

I believe the existing parking requirements of 1.25 spaces for 1 bedroom and 1.75 for 2 or more bedrooms is not adequate for this community. The Crowsnest Pass does not have public transportation and has the unique characteristic of having several communities along a 20km travel corridor

As the owner/manager of Monte Vista Manufactured Home Community in Hillcrest, I have extensive experience with parking issues with this 80 unit community, over several decades. We designed this project with 2 parking spaces per home and 12 visitor parking spaces. Because everyone has to drive to work or for services, each resident has a minimum of 2 vehicles. After 10 to 15 years of retirement it is common to see this reduced to 1 vehicle. On average, most families have 1-2 children. When the children become of driving age they usually have another vehicle within a year or two. This will be the situation until they leave home. We did not plan for these additional vehicles. Additionally, we did not plan for the additional company vehicles. As the BC coal mines are the major employer in this community, many workers bring a company pickup home. As we do not have parking in Monte Vista, these extra vehicles are parked on 232st and 230st.

The other thing we underestimated is the amount of area needed for snow storage. Being in the mountains there is considerably more snow than the prairies.

The last large R-3 high density project built in this community was in 1979 which was a 1 and 2 bedroom apartment building in Coleman. Parking for large high density apartments is not something we have had to deal with. With the proposed Bellevue high density project, it has made the neighbourhood think about what parking will look like with this number of bedrooms. Three and four bedroom apartments being built to help the housing shortage for the BC mine shift workers needs additional consideration for parking. Miners renting rooms in this development will generally be living outside the community and stay in this community for their set of shifts. This will require one parking space per rented bedroom.

The additional mountain snowfall this area gets needs to be planned for.

Can you advise me how I can formalize a request to have the R-3 parking requirements reviewed in the LUB?

Regards,
Ralph Tiegen

6/2/2025

Allison & Mark Capron
3001 – 221 Street, Bellevue
Bellevue, AB
T0K 0C0

Bonnie Brunner, bonniebrunner@orrsc.com
Board Clerk, Subdivision & Development Appeal Board
Re: Development Permit Application DP2025-016, Hearing date June 9, 2025

We are writing letter this formally express our opposition to the development of the 6 apartment buildings on the lands located immediately behind our residence in Bellevue.

We, along with a significant number of other nearby residents, expressed our opposition to the zoning of NW1/4 21-007-03 W5M to high-density. Why would council, elected to represent us vote against our wishes? Why would council vote to allow a variance for adequate parking? Where are the apartment residents who are not allotted a space going to park? Where will their guests park? Why would Council not consider the other dozen other factors brought up in our appeal before voting to rezone?

This type of high-density housing is not the vision I had for my community. I foresee these rental apartments eventually becoming rundown rentals, run by a landlord that has no stake in our community. What will happen to the value of my adjacent property?

We are not opposed to R1 development in this area, but we are opposed to the space being designated R3 High Density Residential with insufficient parking.

Allison & Mark Capron
Adjacent landowners to the development
3001 – 221 Street, Bellevue

Michael Swann, Marie Swann and Billy Swann

2938 223 St Bellevue AB

We are writing this note in opposition of the proposed Apartment Complex Development.

The mere size of the project alone is enough to discourage any small town resident from wanting this in their neighbourhood. Not only will it ruin our beautiful view, which is a big factor in our quality of life, it is not feasible to have so many people with so little parking.

We are an outdoor family with a special needs son, whom is sensitive to sound and I'm not sure I will ever be comfortable with him being outdoors alone now with hundreds of new neighbours living so closely. He's 21.

I also find the disrespect to our First Nations neighbours to be so rude. We don't even drive on that land but they can disturb it for an apartment building? Doesn't sit right with this family.

And its hard not to be outraged that council expects the community to foot the bill for water/sewer upgrades. This cost should be on the Builder!!! Sick of big Developers coming in and using out of town labour and contractors where the quality seems low and little accountability.

Greed sucks 😞 and I am hopeful our concerns have more weight than a Builder from out-of-town. Thanks for listening.

Schedule 2

LAND USE DISTRICT REGULATIONS

O-7A 1



HIGH DENSITY RESIDENTIAL – R-3

PURPOSE: To provide for high density residential environments by accommodating the development of predominantly Apartments and Multi-Unit Residential Buildings integrated into either existing or proposed residential neighbourhoods in accordance with Schedule 5.

1. PERMITTED USES

Accessory Building or Use up to 72.8 m² (784 ft²),
not in the front yard of the principal building
and/or not prior to the establishment of the
principal building or use
Apartment Building not exceeding 3 storeys or
14.0m (45.9ft)
Boarding House
Exploratory Excavation / Grade Alteration /
Stockpiling
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector
and freestanding Small Wind Energy
Conversion System
Sign – Types:
Home Occupation
Subdivision Entrance
Subdivision or Development Marketing

DISCRETIONARY USES

Accessory Building or Use up to 72.8 m² (784 ft²) in the
front yard of the principal building and/or prior to the
establishment of the principal building or use
Accessory Building or Use over 72.8 m² (784 ft²)
Apartment Building exceeding 3 storeys or 14.0m
(45.9ft)
Canvas Covered Structure
Day Care Facility
Day Home
Extended Care Facility
Home Occupation – Class 2
Multi-Unit Residential Building
Private Utility – freestanding Solar Collector and
freestanding Small Wind Energy Conversion System
Seniors Supportive Housing Facility
Short-Term Rental / Bed & Breakfast
Tourist Home

2. MINIMUM LOT SIZE – see Schedule 4 section 16

Use	Width		Length		Area	
	m	ft	m	ft	m ²	ft ²
Apartments – per building	24.4	80	30.5	100	743.2	8,000
Multi-Unit Residential Building – per unit						
– interior unit	6.1	20	30.5	100	185.8	2,000
– end unit	9.1	30	30.5	100	278.7	3,000
All other uses	As approved by the Subdivision Authority					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Apartment	6.1	20	As approved by the Development Authority		7.6	25
Multi-Unit Residential Building						
– interior unit	6.1	20	—	—	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
All other uses	As approved by the Development Authority					

O-7A 2



Corner lots

See Schedule 4

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard	–	the actual front yard setback of the principal building
Side Yard	–	0.6 m (2 ft)
Rear Yard	–	0.6 m (2 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building	–	50%
Accessory buildings	–	15%

6. MAXIMUM BUILDING HEIGHT

Principal building, excluding Apartment Building and Multi-Unit Residential Building, up to two-storey, no walkout basement	–	10.0 m (32.8 ft)
Principal building, excluding Apartment Building and Multi-Unit Residential Building, up to 2-storey walk-out basement	–	13.0 m (42.7 ft)
Apartment Building not exceeding 3 storeys	–	3 storeys or 14.0 m (45.9 ft)
Apartment Building exceeding 3 storeys	–	as approved by the Development Authority
Multi-Unit Residential Building	–	3 storeys or 12.0 m (40.0 ft)
Accessory buildings	–	5.0 m (16.4 ft)

7. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

This district does not prescribe a minimum habitable floor area for principal buildings.

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS – See Schedule 5.

10. OFF-STREET PARKING AND LOADING – See Schedule 6.

11. RELOCATION OF BUILDINGS – See Schedule 7.

12. HOME OCCUPATIONS – See Schedule 8.

13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17.

14. DEFINITIONS – See Schedule 18.

Schedule 5

**STANDARDS FOR APARTMENT, MULTI-UNIT
RESIDENTIAL AND MIXED-USE BUILDINGS**

O-7A 4

Schedule 5

STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS

1. APPLICATION

- 1.1 This Schedule applies to all Apartment, Multi-Unit Residential and Mixed-Use Buildings containing three (3) or more dwelling units.

2. BUILDING HEIGHT

- 2.1 Where a proposed Apartment Building or Mixed-Use Building is proposed to exceed 3 storeys, or 4 storeys in the CM-1 land use district, the development permit application shall, to the satisfaction of the Development Authority, address the criteria in Administrative Section 13, adequacy of firefighting resources, as well as demonstrate thoughtful siting, massing and landscaping that mitigate the impact on neighbouring properties with respect to privacy and access to sunlight as per the policies in Section 2.2 of the Municipal Development Plan.

3. MAXIMUM DENSITY

- 3.1 The maximum density for Apartments, Multi-Unit Residential and Mixed-Use Buildings contemplated in this Schedule shall be determined by the Development Authority on a case by case basis with regard for the criteria in Administrative Section 13, the slope-adaptive building and site design considerations in Schedule 4, and the impact on adjacent development, parking requirements, the provision of outdoor amenity space, architectural interest at the pedestrian scale and access to existing and planned trails as per the policies in Section 2.2 of the Municipal Development Plan.

4. SEPARATION SPACE AND AMENITY AREAS

- 4.1 As a condition of approval, the Development Authority shall establish the minimum distance separating the development from adjacent buildings.
- 4.2 Wherever 20 or more dwelling units are proposed for a single lot or in a single condominium-style development, one or more communal amenity space(s) shall be provided in addition to the private amenity space, at a rate of 4.6 m² (50 ft²) per unit.
- 4.3 Amenity space as specified above:
- (a) may be located indoors, outdoors or both;
 - (b) shall not be located within a minimum front yard setback; and
 - (c) may be subject to screening, landscaping, fencing or other reasonable conditions as approved by the Development Authority having regard to compatibility of the proposed development with the surrounding area.

5. PARKING, DRAINAGE AND LANDSCAPING

- 5.1 An Apartment Building, a Multi-Unit Residential Building or a Mixed-Use Building shall comply with the following standards as conditions of approval:
- (a) all off-street parking shall be hard-surfaced, and surface drainage provided to the satisfaction of the Development Authority;



- (b) a comprehensive landscaping plan shall be provided; and
- (c) the site plan shall identify on-site areas dedicated to snow storage.

6. ADDITIONAL REQUIREMENTS FOR BUILDINGS IN THE HISTORIC COMMERCIAL AREAS OVERLAY DISTRICT AND CM-1 DISTRICT

- 6.1 In addition to the considerations listed in this Schedule, an Apartment Building, a Multi-Unit Residential Building or a Mixed-Use Building located, as the case may be, in the Historic Commercial Areas Overlay District or the CM-1 district should be designed with regard for the following *“Downtown Design Requirements”* as per Policy 1.3.5 of the Municipal Development Plan:
- (a) provide a continuous street wall with activated spaces and transparency at the ground floor level (avoiding blank walls) that improves safety and surveillance while attracting interest;
 - (b) encourage a theme articulated by a comprehensive design approach that is historic or a theme complementary to existing buildings in the downtown area;
 - (c) promote active pedestrian activities such as sidewalk and street patios, and canopies;
 - (d) locate automobile-oriented elements such as parking lots, driveways, and garages away from the pedestrian realm and to the rear of building;
 - (e) promote development with minimal to zero setbacks;
 - (f) explore streetscaping opportunities to create a visually pleasing, pedestrian oriented experience with permanent street furniture;
 - (g) promote barrier free design (universal accessibility);
 - (h) support a mix of uses including residential developments above the street level; and
 - (i) require a high degree of focus on architectural design of building façade and front setback areas.
- 6.2 A Mixed-Use Building located in the Historic Commercial Areas Overlay District or the CM-1 district shall consist predominantly of commercial and/or office uses on the ground floor.
- 6.3 A proposal for an Apartment Building, a Multi-Unit Residential Building or a Mixed-Use Building located in the Historic Commercial Areas Overlay district and the CM-1 district shall be evaluated more rigorously by the Development Authority with respect to the architectural quality of building facades and the extent to which the proposals complement both the existing buildings in the area as well as the pedestrian realm.

Schedule 6

**OFF-STREET PARKING AND
LOADING AREA STANDARDS**

O-7A 7

OFF-STREET PARKING AND LOADING AREA STANDARDS

1. REQUIREMENTS FOR PARKING AND LOADING AREAS

- 1.1 Off-street parking and loading facilities shall be accessible and shall be:
- (a) designed to eliminate tandem parking (which is the stacking of vehicles in parking spaces without providing a driving aisle to enter or exit the parking spaces).
 - (b) constructed so as to facilitate drainage, snow removal and maintenance;
 - (c) provided with a hard-surfaced, all-weather finish layer;
 - (d) designed so as to not interfere with either parking or traffic and pedestrian safety.
- 1.2 All developments except “Single-Detached Dwelling” and “Duplex / Semi-Detached Dwelling” shall be designed so that parking movements necessary to access and exit a driveway, a parking stall, a parking lot, a loading bay, or a drive-through establishment, from and onto a public street (except a lane), can safely be carried out wholly on the subject parcel of land.
- 1.3 Access from a public road or lane into and internal to each parking area and each loading area shall meet the applicable turning radius guidelines in “*Design Vehicle Dimensions for Use in Geometric Design*” (Transportation Association of Canada, 1997, as amended) or in “*Chapter D – At-grade Intersections – Highway Geometric Design Guide*” (Alberta Infrastructure, August 1999, as amended).

Shared Parking Facilities

- 1.4 A required parking or loading facility shall be located on the same lot as the development for which it is required unless, in the opinion of the Development Authority, it is impractical to provide all of the required facilities on the same lot. In such a situation the Development Authority may:
- (a) allow all or some of the required parking spaces on an alternate lot located within 50 metres (164 ft) of the development, provided a parking agreement or other suitable instrument registrable onto a certificate of title, to which the Municipality is a Third-Party, is registered against the alternate lot concerned; or
 - (b) allow limited sharing of parking spaces between two uses where the *normal* hours of operation will not conflict, e.g. a church and a commercial use.

Special Parking and Loading Provisions - Historic Commercial Areas Overlay District (HCA-OD)

- 1.5 The HCA-OD establishes special parking and loading area provisions and exemptions for the change of use or occupancy of an existing commercial property.

2. REQUIREMENTS SPECIFIC TO PARKING AREAS

- 2.1 Parking spaces shall be designed to comply with the layout alternatives shown in the diagrams provided in this Schedule, and the following dimensions:
- (a) 2.7 metres (9 ft) width;
 - (b) 6.1 metres (20 ft) length.
- 2.2 As a condition of development approval, the Development Authority **may** require that:
- (a) all or part of a specified parking area be hard-surfaced;

- (b) a certain number of parking spaces for the handicapped be provided pursuant to provisions in this Schedule;
 - (c) a proposed parking area with over four parking spaces be set back at least 2.4 metres (8 ft) from a street, lane or property line adjacent to a residential land use district, or be screened to the Development Officer's satisfaction;
 - (d) parking facilities for any use, other than a residential building with less than three dwelling units, be **laid out and clearly marked** in a manner which provides for safe and orderly parking;
 - (e) the dimensions and layout of parking spaces and access lanes be comparable to one of the alternatives shown on the diagrams in this Schedule.
- 2.3 In the case of multiple uses on a site, parking spaces equivalent to the total of the spaces required for each individual use shall be provided.
- 2.4 The minimum number of off-street parking spaces required for specific uses in **Table 1** shall be provided for these uses and shall be applicable in every land use district, except as provided for parking exemptions in the Historic Commercial Areas Overlay District, or unless otherwise specified in this Bylaw, and except as may be varied by a variance approved by the Development Authority.
- 2.5 The calculation of parking space requirements that results in a fractional number shall be rounded to the next highest number.

3. REQUIREMENTS SPECIFIC TO LOADING AREAS

- 3.1 The provision of off-street loading areas shall be as follows:
- (a) A minimum of one off-street loading area per building or one loading area for each loading door, whichever is greater, shall be provided in the C-1 and C-2 land use districts.
 - (b) A minimum of two off-street loading areas per building or one loading area for each loading door, whichever is greater, shall be provided in the I-1 and SIP-1 land use districts.
 - (c) The Development Authority may require the provision of off-street loading areas in other land use districts.
 - (d) The Development Authority may require additional loading areas or doors be provided for a specific development.
- 3.2 The Development Authority may allow a joint loading area for two adjacent developments where this would facilitate more orderly or economical development.
- 3.3 Loading areas shall be designed to comply with the following dimensions:
- (a) 3.0 metres (10 ft) width;
 - (b) 9.1 metres (30 ft) length;
 - (c) 27.9 m² (300 ft²) area;
 - (d) 4.3 m (14 ft) overhead clearance.
- 3.4 Each loading area shall be designed so that vehicles using it will not interfere with safe and convenient pedestrian movement, traffic flow or parking.

4. BARRIER-FREE PARKING SPACES

- 4.1 Barrier-free parking spaces shall be designed in accordance with best practices.
- 4.2 The number of designated barrier-free parking spaces shall be in accordance with **Table 2**.

Table 1
MINIMUM OFF-STREET PARKING SPACES

PROPOSED USE	PARKING SPACES REQUIRED *
Residential, except in the CM-1 District	
Apartment and Multi-Unit Residential Building	1.75 per dwelling unit containing 2 or more bedrooms 1.25 per dwelling unit containing no more than 1 bedroom
Seniors Supportive Housing Facility	0.5 per accommodation unit
Secondary Suite	1.0 per secondary suite
All Other Residential Uses	2 per dwelling unit
Commercial, except in the CM-1, UTAR, and NUTAR Districts	
Retail – Store, Small	1 per 45.1 m ² (485 ft ²) net floor area (NFA) **
Retail – Store, Large	To be determined by the recommendations of a traffic engineering review
Service Station and Automobile or Equipment Repair	1 per 45.1 m ² (485 ft ²) NFA; minimum 6 spaces per development
Office and Personal Service	1 per 60.0 m ² (645 ft ²) NFA
Food and/or Beverage Service	1 per 5 seats or 1 per 12.0 m ² (130 ft ²) NFA, whichever is greater, plus 1 space per 2 employees
Motel	1 per guest room
Hotel	1 per guest room
Drive-in Food Service	As for Food and/or beverage service , but with a minimum of 10 spaces per development
Auto Sales and Service	1 per 49.7 m ² (535 ft ²) of site area
Short-Term Rental / Bed & Breakfast	1 per 4 guests in addition to parking required for the principal use. Parking for all principal use and guest vehicles, including recreation vehicles, utility trailers and ATV trailers shall be accommodated on the subject property, and the parking of all principal use and guest vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner). The Development Authority shall not approve a variance to the off-street parking standard for a Short- Term Rental / Bed & Breakfast in any District that is not within the Historic Commercial Areas Overlay District.
Tourist Home	1 per 4 guests. Parking for all vehicles, including recreation vehicles, utility trailers and ATV trailers shall be accommodated on the subject property, and the parking of all vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner). The Development Authority shall not approve a variance to the off-street parking

	standard for a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District.
All Other Commercial Uses	As approved by the Development Authority
Industrial and Storage	
Manufacturing or processing	1 per 65.0 m ² (700 ft ²)NFA; minimum of 5 spaces
Light Manufacturing, Warehousing and Storage Facility	1 per 65.0 m ² (700 ft ²)NFA; minimum of 5 spaces
Public Assembly, except in the CM-1 District	
Place of Worship	1 per 5 fixed seats
Community Facility (except school)	1 per 6 fixed seats OR 1 per 5.0 m ² (54 ft ²) NFA, whichever is greater
School, elementary and junior	2 per classroom
School, high and college	1 per 4 students
All other uses and all uses in the CM-1, UTAR, and NUTAR Districts	<ul style="list-style-type: none"> As approved by the Development Authority and/or specified in an approved Comprehensive Site Development Plan. In the UTAR and NUTAR districts parking shall include additional guest parking, and parking shall not be allowed on public streets.

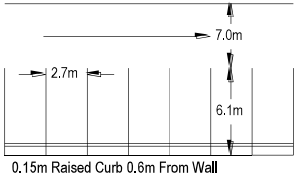
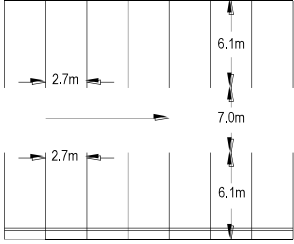
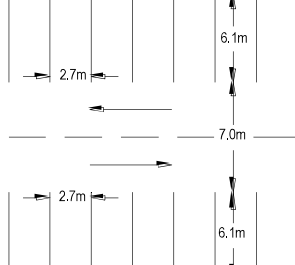
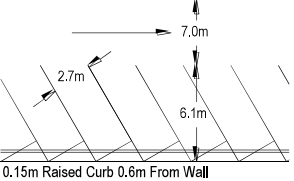
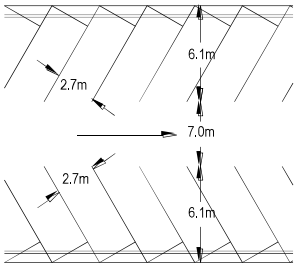
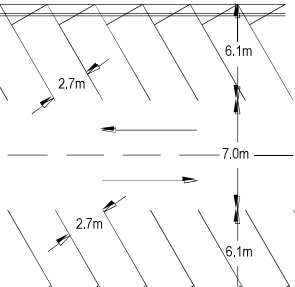
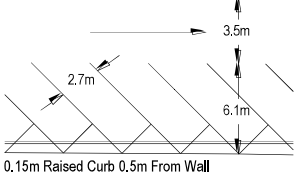
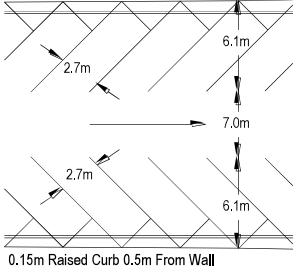
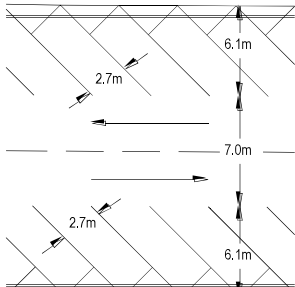
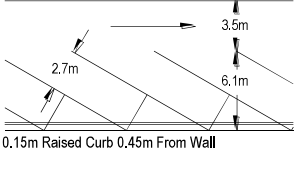
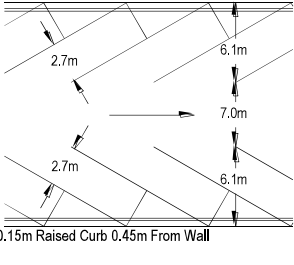
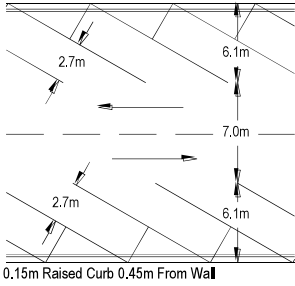
NOTES:

- * The calculation of parking space requirements that results in a fractional number shall be rounded to the next highest number
- ** NFA refers to net floor area

Table 2
DESIGNATED BARRIER-FREE PARKING SPACES

Total Number of Parking Spaces from Table 2	Designated Barrier-Free Parking Spaces Required as Part of and included with Total Parking Spaces
2–10	1
11–25	2
26–50	3
51–100	4
for each additional increment of 100 or part thereof	one additional space

PARKING LAYOUT ALTERNATIVES-METRES

<p>90° one way-single aisle</p>  <p>0.15m Raised Curb 0.6m From Wall</p>	<p>90° one way-two aisle</p>  <p>0.15m Raised Curb 0.6m From Wall</p>	<p>90° two way-two aisle</p>  <p>0.15m Raised Curb 0.6m From Wall</p>
<p>60° one way-single aisle</p>  <p>0.15m Raised Curb 0.6m From Wall</p>	<p>60° one way-two aisle</p>  <p>0.15m Raised Curb 0.6m From Wall</p>	<p>60° two way-two aisle</p>  <p>0.15m Raised Curb 0.6m From Wall</p>
<p>45° one way-single aisle</p>  <p>0.15m Raised Curb 0.5m From Wall</p>	<p>45° one way-two aisle</p>  <p>0.15m Raised Curb 0.5m From Wall</p>	<p>45° two way-two aisle</p>  <p>0.15m Raised Curb 0.5m From Wall</p>
<p>30° one way-one aisle</p>  <p>0.15m Raised Curb 0.45m From Wall</p> <p>acadfile\blocks\parkingm</p>	<p>30° one way-two aisle</p>  <p>0.15m Raised Curb 0.45m From Wall</p>	<p>30° two way-two aisle</p>  <p>0.15m Raised Curb 0.45m From Wall</p>

MoTI Section	1500		TAC Section	Not Applicable
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1500 ALPINE SKI VILLAGE ROADS CHAPTER

1510 ALPINE SKI VILLAGE ROAD CONSTRUCTION SPECIFICATIONS

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1520

ALPINE SKI VILLAGE ROAD DESIGN PARAMETERS

1520.01 CONSIDERATIONS

A Road Network Plan is based on a hierarchy of streets that is related to the amount and type of traffic served. It takes into account such factors as public transit, shopping and community facilities, and other land uses. The changing nature of the area over time is also a major factor. The future requirements for the entire road network are considered when an alpine ski village application is evaluated.

- Proposed Road Network plans must be laid out in such a manner as to not compromise the mobility function of the major roads. These plans should be reviewed and accepted by the Ministry. Once a Master Plan has been accepted by the Ministry, a review is not required unless major changes have occurred to the Plan.
- Where possible, new developments should have at least two accesses, one to act as the main resort access and an additional access (which may be gated), to be used in case of emergency.
- Pedestrian and cyclist volumes should be considered. Walkways and cycling lanes should be provided where considered necessary and as shown in the development plan. Walkways and cycling lanes can be either along the road or separated within a trail network.

1520.02 ROAD CLASSIFICATION

1520.02.01 Arterial

Ski resort access roads shall be considered as arterial roads and will not be discussed in these guidelines. Refer to [Technical Circular T-01/98](#) "Guidelines for the Determination of the Geometric Design Criteria for Access Roads to Ski Resorts" for geometric design criteria for ski resort access roads.

1520.02.02 Collector

A road that provides for traffic movement between arterials and local streets with some direct access to adjacent property.

1520.02.03 Local

A road primarily for access to residences, businesses, or other abutting property.

NOTE: Local streets intended for commercial or industrial development are considered as collector roads.

1520.02.04 Cul-de-sac

A road termination providing a U-turn around area of constant radius.

1520.02.05 Hammerhead

An arrangement to allow a vehicle to turn around at the end of a dead end road. It is shaped like a "T" intersection and allows the vehicle to turn 90 degrees in one direction, back up and then turn 90 degrees to return in the opposite direction from original travel.

1520.03 DRAWINGS

The developer shall submit metric road design drawings to the Ministry which include, but are not limited to, the following:

1. **Location Plan:** Scale 1:500 or 1:1000 showing horizontal alignment, lot lines, legal description of lots, proposed alpine ski village, extents of cut and fill, proposed rights-of-way (dedicated and statutory), signing, existing and proposed culvert locations, existing water courses and proposed drainage pattern.

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2. **Profile:** Scale 1:1000 horizontal and 1:100 vertical, showing the existing ground line and proposed finished road grade.
3. **Laning Drawings:** Same scale as plan drawings, road markings, location and type of warning, regulatory, directional, and if necessary, special signs to be installed.
4. **Cross Sections:** when required by the Ministry Representatives.
5. **Typical Cross Sections:** as required

The developer will commence road construction only after the Ministry Representative has accepted the road design in writing, unless under subdivision process requiring Preliminary Layout Approval (PLA). In this circumstance, Ministry approval to commence road construction is not required.

1520.04 ACCOMMODATING PEDESTRIANS AND CYCLISTS

It is recognized by the nature of alpine ski village roads, that cyclists and pedestrians will use these roads for travel within the village.

On local roads, consideration should be given to include an additional 1.8 m of roadway width in order to accommodate pedestrians. No special accommodations are required for cyclists.

On collector roads, consideration should be given to include an additional 3.6 m of roadway width, in order to provide pedestrians with 1.8 m walking spaces on each side of the roadway. In developing 4-season resorts, consideration should be given to provide 4.3 m wide shared travel lanes in order to accommodate cyclists. Where forecasted cycling volumes are not high, or at winter only locations, no special accommodations are required for cyclists.

If a trail network is provided independent of the road network, and services an area, it may be considered in substitution to a sidewalk adjacent to the road, provided that it has been agreed to by the Project Team.

NOTE: If a sidewalk is desired by the Developer, this should be discussed with the Project team. If the Project team decides that it is acceptable for a sidewalk to be constructed, maintenance and replacement of the sidewalk shall be solely the responsibility of the Developer and/or ski hill operator.

Pedestrian or cyclist height fencing should be considered where appropriate.

1520.05 SNOW STORAGE

Snow clearing storage shall be addressed and accommodated on a site specific basis based on snow course data and/or snowfall data, and knowledge of snowfall history for the area.

Snow clearing storage area, typically provided by ditches, will be designed to provide storage for snow compacted to a density of 500 kilograms per cubic metre (50% water equivalent). Accumulated volumes of snow are to be determined using a maximum storage height of 2.0 metres, with a maximum slope angle of 1:1 on the road/shoulder edge.

Accommodation for snow storage must also be provided in consideration of the number of parking spaces and/or access to parking spaces provided for the development(s).

Where alternate snow storage area is provided (non adjacent to the road storage), sites will be considered for approval in consideration of operational plowing capabilities.

Steps **I**, **II**, and **III**, shown below, outline the process for calculating snow storage requirements. A "Snow Storage Calculation" spreadsheet is available to do these calculations from the ministry's [Geometric Design Guidelines](#) web page under the Useful Tools section.

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Step I

Snow accumulations for volume of snow storage requirements will be determined using either Method A or B. Wherever possible, calculations should be completed using Method A (based on snow course information).

NOTE: The Canadian convention for new snowfall density is 100 kilograms per cubic metre.

Method (A)

- Data provided from snow course readings from an on site location, or nearby, comparable data collection site, from readings taken on or near March 1st
- Average normal snow water equivalents will be used to calculate snow storage requirements
- Apply a 1:10 conversion rate for precipitation (Meteorological Standard), i.e. 1 mm water = 1 cm snowfall
- Convert to compacted snow volume @ a density of 500 kilograms per cubic metre. As the Canadian convention for new snowfall is 100 kilograms per cubic metre, the conversion ratio will be 5:1.

Sample Calculation

- Snow course @ March 1st identifies 600 mm average normal snow water equivalent
- Converted to snowfall amounts at 1:10 ratio, 600 mm of water = 600 cm of snow
- Converted to snowfall depth, $600 \text{ cm snow} * (100 \text{ kg/m}^3 / 500 \text{ kg/m}^3) = 1.2 \text{ metres of snow depth}$

OR

Method (B)

- An average annual accumulated daily snowfall to March 1st
- Convert to volume @ a density of 500 kilograms per cubic metre

Sample Calculation

- Average annual accumulated snowfall to March 1st identified as 750 cm
- Converted to snowfall depth, $750 \text{ cm snow} * (100 \text{ kg/m}^3 / 500 \text{ kg/m}^3) = 1.5 \text{ metres of snow depth}$

Step II

Once the equivalent depth of snow is calculated from Methods A or B outlined above, the volume requirement for snow storage per lineal metre of road can be calculated.

Sample Calculation

- 1.2 metres of snow depth (calculated as per Method A above)
- Lane width to clear = 3.0 metres
- Volume of snow per lineal metre, $1.2 \text{ m} * 3.0 \text{ m} = 3.6 \text{ m}^3/\text{m}$

Based on this calculated volume of snow per lineal metre, the developer must then provide the Ministry with a roadway cross section, which can accommodate this volume of snow. Cross sections may include ditches, dedicated snow storage aisles or other concepts, but must comply with the maximum storage height of 2.0 metres and maximum slope angle of 1:1.

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Step III

Additional snow storage accommodation must be made for parking accesses by adding capacity to the above calculations.

Sample Calculation**Given:**

- 1 access point of 2.4 metres width, plus an adjacent 3.0 metre lane width to clear
- 1.2 metre of snow depth (calculated as per Method A above)

Calculations:

- Volume of Snow Area = 2.4 m access width * 3.0 m lane * 1.2 m of snow depth = 8.64 m³ of additional snow to accommodate

- This additional snow can be distributed in two ways:
 - a) Along the road/shoulder at a minimum road length along the shoulder edge of 3.0 m
 - b) Other option proposed by the developer; ditches, etc.
- It is recognized that accumulated, plowed snow compacts to a higher density than 500 kilograms per cubic metre, but individual average maximum snowfall events must be accommodated in the defined storage area, and are not considered in these calculations.
- The defined density requirement provides flexibility to manage most individual snowfall events. Road shoulders will provide additional capacity to accommodate some snow during the larger snowfall events.
- The maximum snowfall events will not be accommodated in these calculations. During these maximum snowfall events, the availability of road surface will be compromised, but they are expected to be infrequent and for relatively short periods of time.

Other options for snow storage calculations can be conducted, and will be considered based on individual submissions from the developer(s) (e.g. an analysis of average and maximum individual snowfall events, their frequency and interval, plus a calculation for settlement, compaction, etc.)

Alternate snow storage options will also be considered, in consideration of operational capabilities, parking designation, alternate snow storage locations, and operational considerations provided by the developer and/or the community or owners associations.

1520.06 ON-STREET PARKING

As the requirement for on-street parking has a significant effect on the finished top width and Right-of-Way required for roadways, the provisions for on-street parking facilities shall be discretionary, and should be determined within the relative context of the various land uses within the various ski resorts. Where on-street parking is to be included in the design, 2.4 metres shall be added to the street width.

Figure 1520.A depicts the practice for including on-street parking facilities in the roadway design.

NOTE: Elevated parking aisles and add-on parking nodes are not considered to be acceptable provisions for ski resort areas as these types of parking facilities cause a major hindrance on winter maintenance activities.

- On-street parking shall only be considered after full and complete consultation by the Project team outlined in **1510.00** of this Guideline. Areas where parking is to be permitted should be carefully considered so as not to affect the safety of all other road users.
- It is the Ministry's preference to have no on-street parking as it significantly impairs snow removal operations, especially in these high alpine resort areas.
- Regardless as to whether on-street parking is allowed or not, consideration should be given

MoTI Section	1520	TAC Section	Not Applicable
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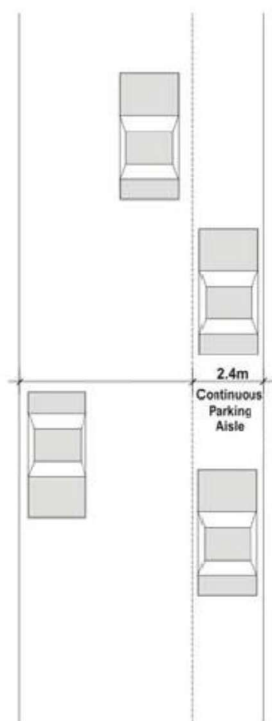
to establishing a protocol at the local level regarding:

- Notification and/or ticketing and/or towing of illegally parked vehicles
- The administration of this activity
- Location of a suitable on hill vehicle impound (if available)
- See below for some methods to accommodate on-street parking. Other methods may exist and be better suited for the resort in question.

Proposed Methods for Accommodating On-Street Parking:

- Developers and/or ski hill operators wishing to have on-street parking may want to consider strata type development options.
- Consider only allowing on-street parking on one side of the roadway, preferably on the up slope side.
- Use parking control signs to limit parking. Discussions should include maintenance contractors when determining when to restrict parking.

Figure 1520.A On-Street Parking



1520.07 ALIGNMENT

The developer shall complete all road designs within the design speed range of 30 km/h to 80 km/h, as determined by the road classification, or as requested by the Ministry Representative.

Vertical curves shall be standard parabolic curves.

For roads with design speeds of 70 km/h or more, the length of vertical curve (in metres) should not be less than the design speed (in km/h).

The developer shall demonstrate that every reasonable effort has been made to minimize the road grades. Short pitches* of steeper grades (10% for collector roads and 12% for local roads) may be acceptable on tangent sections provided the overall grade is less than 8% for collector roads and 10% for local roads. Steeper grades are not acceptable on curved sections of roadway.

Minimum parameters for various design speeds shall be as shown in **Table 1520.B**.

** Actual length of short pitches shall be at the discretion of the Project team.*

1520.07.01 Arterials

Refer to **1520.02.01**.

MEMORANDUM



To: Subdivision and Development Appeal Board (SDAB)

From: Katherine Mertz, Development Officer and
Johan van der Bank, Manager of Development & Trades
Municipality of Crowsnest Pass (MCNP)

Date: June 04, 2025

Re: SDAB File: DP2025-016 – hearing scheduled for June 9, 2025
Municipal File: DP2025-016
Roll File: 3059002

1.0 Location (see Map and photos attached):

- 1.1 Highway 3 bisects the Crowsnest Pass with the proposed Bellevue development approximately 0.6km north of the highway. There is a quaint downtown Main Street approximately 1km northwest of the subject lands.

The proposed development is east of and adjacent to the MDM Community Center. The undeveloped portion of the MDM site is identified as an urban growth node with opportunity for residential development in the Municipal Development Plan Bylaw No. 1059, 2020. The subject parcel is part of this growth node.

The lands are surrounded by residential development, the most recent expansion being the Mohawk Meadows Subdivision (~2011 to present day) located on the adjacent lands to the north.

2.0 Land Sale:

- 2.1 On December 17, 2024, council approved the conditional sale of a portion of the NW21-7-3-W5M. (subject lands).

3.0 Redesignation of the Land Use District:

- 3.1 On April 15th, 2025 council adopted Bylaw 1221, 2025 to redesignate the subject property from “Recreation & Open Space” to “High -Density Residential – R-3”.

4.0 Proposed Development:

- 4.1 For six “Apartment Buildings not exceeding 3 storeys (permitted use) with a 13% variance to the parking requirements, and a 33% variance to the fence height (the Development Authority refused the fence variance).
- 4.2 The development proposes a total of 72 rental units in 6 individual, 3-storey apartments. Except for the parking standard, for which a 13% variance was approved, the proposed development meets all the minimum standards in the R-3 district – yard setbacks, maximum lot coverage, and height (the proposed height is 40ft which is less than the standard 46ft), as well as relevant standards in Schedule 5 of the land use bylaw (hard-surfaced on-site parking, snow storage, landscaping, amenity space).
- 4.3 Fencing and landscaping will provide screening between the proposed development and the adjacent land uses. Although an 8ft fence was part of the application, the Municipal Planning Commission denied the variance and approved a 6ft fence which is the maximum standard.
- 4.4 The parking standard for an apartment is 1.75 stalls per unit. The proposed 72 unit development requires 126 parking stalls. The site plan identifies 112 stalls reduced to 110 stalls in the winter months for snow storage. This works out to 1.5 stalls per unit which requires a 13 % variance. The property is under one title and with the apartments proposed as rental units. The Development Authority supported the variance request. The operators of the apartments will be responsible for managing the parking.

5.0 Background:

- 5.1 A Historic Resources Approval application has been submitted with a response that follow up testing is required and is the responsibility of the applicant.
- 5.2 In consultation with the ministry of Arts, Culture and Status of Women, an archaeologist hired by the developer received the appropriate permits and has complete the initial investigations. The developer is currently awaiting Historic Resource Approvals.
- 5.3 A closed road parcel runs parallel to the subject property which is to be re-registered as a public road. The dedicated road will provide access and municipal water and wastewater infrastructure to the proposed development and the surrounding neighbourhood. The Municipality is undertaking the construction of the roadway and respective infrastructure to improve the levels of service to the surrounding neighbourhood. The proportional share of the cost of these improvements will be put onto the subject lot by a local improvement levy bylaw.

- 5.4 The developer is in discussions with the Municipality to enhance the existing, undeveloped MR parcel to the north of the subject parcel to the benefit of the future occupants of the proposed development and the existing neighbourhood.

6.0 Notice of Decision:

- 6.1 The development permit application was made on February 7, 2025. The application was deemed incomplete within the 20-days requirement on February 25, 2025. The application was paid and outstanding information provided on April 17, 2025 deeming the application complete. The notice of decision was issued on April 24, 2025, with a 21-day appeal period.
- 6.2 The proposed use of “Apartment Buildings not exceeding 3 storeys” is a permitted use. The Administration section 10.2 of the Land Use Bylaw stipulates that a development permit for a permitted use **shall** be approved with or without conditions and variances requested **may** be approved or refused. The Development Authority approved the permitted use of the appartement building and approved the 13% variance (126 stalls to 110 stalls) for the parking requirement, but refused the 33% variance (1.8m to 2.4m) for the fence height.

7.0 Response to Reasons for Appeal:

7.1 Grounds for Appeal

- The appellant claims that the permitted use status of “Apartment Building” in the High Density Residential R-3 District was forfeited when the Development Authority approved the development permit with a variance to the parking standards.

Development Authority Response: Apartment Building is a permitted use in the R-3 land use district. This means that the appellant’s appeal stands only to the parking variance that the Development Authority approved. It also implies that, while the SDAB must consider the 13% parking variance, the SDAB must uphold the approval of the development permit by the Development Authority, if deemed necessary, by requiring a revised site plan that complies with the minimum parking standard.

- The appellant refers in paragraphs j and k of the reasons for appeal to “subject parcel(s)” and “both subject parcels” (plural).

Development Authority Response: The Development Authority seeks clarification in this matter, because the development permit application involved only one parcel.

8.0 Response to Appeal:

The appellant claims that the approval of the development permit by the Development Authority was in error “for one or more of the following matters”:

a. **The MPC failed to take into account one or more of the following factors pursuant to section 13.2 of the Land Use Bylaw**

i. **Access, Transportation and Servicing:**

Development Authority Response: The access to the subject property is acceptable in that the municipality is currently in the process of registering a road plan on Block OT, Plan 8311587. This parcel of land was created under road closure under Bylaw 324, 1994. The Municipality will construct the road, and the developer will pay a pro-rated portion of the cost.

Water and wastewater servicing is addressed in condition number 8 of the Notice of Decision, *“Prior to start of construction the applicant / developer shall provide municipal water and wastewater services to the proposed development pursuant to s. 21 of the Land Use Bylaw, and, where public infrastructure needs to be extended to achieve this, and the MNCP requires a development agreement from the applicant / landowner, the applicant / landowners shall enter into and comply with the terms and conditions of a development agreement to the Municipality’s satisfaction, pursuant to s. 650 of the Municipal Government Act.”*

This condition was imposed on the development permit as a backstop only, because the Municipality has to construct the water and wastewater infrastructure through the road plan mentioned above to improve the overall level of service in this area of Bellevue. The Municipality will construct the water and wastewater services, and the developer will pay a pro-rated portion of the cost. A development agreement with the developer will likely not be required.

ii. **The Subdivision and Development Regulation.**

Development Authority Response: It is unclear what the appellant’s position on this matter is.

iii. **Stormwater management and site grading:**

Development Authority Response: Storm water management and site grading are addressed in condition number 14 of the Notice of Decision, *“The Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding)*

adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality.”

iv. **The land use definitions, purpose statement of the High Density Residential – R-3 District and the development standards of the district and the applicable Schedules (Schedules 5 & 6) of the land use bylaw:**

Development Authority Response: The Development Authority considered the purpose statement of the R-3 land use district; land use definition of the proposed use, and the applicable standards for Apartment Building and parking requirement in Schedules 5 & 6 of the Land Use Bylaw. The recommendation and decision to approve the application was based on these standards.

Apartment Building is a permitted use in the R-3 district and means “a residential building, which contains three or more attached dwelling units and where access to each unit is provided through a shared entryway. This use does not include Multi-Unit Residential Building, Mixed-Use Building, boarding house, Hotel, Motel or Hostel.”

Purpose Statement of the High Density Residential R-3 Land Use District: “To provide for high density residential environments by accommodating the development of predominantly Apartments and Multi-Unit Residential Buildings integrated into either existing or proposed residential neighbourhoods in accordance with Schedule 5.”

Schedule 5 section 3.1; “The maximum density for Apartments, Multi-Unit Residential and Mixed-Use Buildings contemplated in this Schedule shall be determined by the Development Authority on a case by case basis with regard for the criteria in Administrative Section 13, the slope-adaptive building and site design considerations in Schedule 4, and the impact on adjacent development, parking requirements, the provision of outdoor amenity space, architectural interest at the pedestrian scale and access to existing and planned trails as per the policies in Section 2.2 of the Municipal Development Plan.”

Schedule 5 section 4.2; “Wherever 20 or more dwelling units are proposed for a single lot or in a single condominium style development, one or more communal amenity space(s) shall be provided in addition to the private amenity space, at a rate of 4.6 m² (50 ft²) per unit.” This is not a minimum or a maximum standard – it is a flat-rate

standard for all Apartment Buildings that exceed 20 dwelling units, regardless of the number of units over 20.

Schedule 5 section 5.1; “ (a) all off-street parking shall be hard-surfaced, and surface drainage provided to the satisfaction of the Development Authority; (b) a comprehensive landscaping plan shall be provided; and (c) the site plan shall identify on-site areas dedicated to snow storage.”

These matters are addressed in the approved site plan and conditions number 6 and 7 of the Notice of Decision.

Schedule 6 section 1.1; “Off-street parking and loading facilities shall be accessible and shall be: (a) designed to eliminate tandem parking (which is the stacking of vehicles in parking spaces without providing a driving aisle to enter or exit the parking spaces). (b) constructed so as to facilitate drainage, snow removal and maintenance; (c) provided with a hard-surfaced, all-weather finish layer; (d) designed so as to not interfere with either parking or traffic and pedestrian safety.”

Schedule 6 section 2.4; “The minimum number of off-street parking spaces required for specific uses in Table 1 shall be provided for these uses and shall be applicable in every land use district, except as provided for parking exemptions in the Historic Commercial Areas Overlay District, or unless otherwise specified in this Bylaw, and except as may be varied by a variance approved by the Development Authority.”

Using on the calculations in Table 1, the proposed development requires 126 Parking Stalls. Pursuant to section 14.1(ii), the Development Officer may approve a variance not exceeding 20 percent of any measurable standard established in the Bylaw for a permitted use; and subject to section 14.3(iii), The Municipal Planning Commission may approve a variance that exceeds 20 percent of any other measurable standard established in the Bylaw.

The parking variance that was approved is an 13% relaxation of the minimum standard, therefore the Development Officer could have approved the variance. Pursuant to Administration section 4(e) in the land use bylaw, the Development Officer referred the decision on this development permit to the Municipal Planning Commission, mainly because of the public attention that it has drawn during the rezoning process.

- b. **The MPC failed to discharge its obligation to determine if the “variance test” pursuant to section 13.4 of the Land Use Bylaw was satisfied in the case of the relaxation of parking standards**

Development Authority Response: This claim by the appellant is incorrect. The Development Authority’s approval of the development permit constitutes its determination that, “in its opinion”, the variance 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. There is not a legislated requirement or some other obligation that the Development Authority must somehow “prove” that the variance passes the “variance test” – it is solely a matter of opinion, and approving the variance satisfies the provision in the Municipal Government Act section 640(6) and Administration section 13.4 of the Land Use Bylaw.

- c. **The MPC failed to discharge its obligation to determine if the “variance test” pursuant to section 13.4 of the Land Use Bylaw was satisfied in the case of the relaxation of the fence height standard**

Development Authority Response: This claim by the appellant appears out of order and irrelevant, because the Notice of Decision does not include a variance for the fence height.

- d. **The MPC erred in failing to address the matter of public access to the adjacent Municipal Reserve parcel, despite the approved plans clearly indicating there to be access through the development site, thereby failing to discharge its duties pursuant to section 650(1)(b) of the MGA and section 19.2(d) of the LUB**

Development Authority Response: Section 650(1)(b) of the MGA states that the applicant may be required to enter into an agreement with the municipality to construct or pay for the construction of pedestrian walkways systems to serve the development or connection to an adjacent development.

Administration section 19.2(d) *“to require that the landowner or applicant enters into an agreement with the municipality in accordance with the provisions of the Act regarding the construction, upgrading and connection to roads, walkways, public utilities, off-street parking and loading facilities, off-site levies and redevelopment levies, agreement securities and oversized improvements;”*

The access to the subject lot is acceptable in that the municipality is currently in the process of registering a road plan on Block OT, Plan 8311587. This parcel of land was created under road closure under Bylaw 324, 1994. The Municipality will construct the road, and the developer will pay a pro-rated portion of the cost.

Water and wastewater servicing is addressed in condition number 8 of the Notice of Decision, *“Prior to start of construction the applicant / developer shall provide municipal water and wastewater services to the proposed development pursuant to s. 21 of the Land Use Bylaw, and, where public infrastructure needs to be extended to achieve this, and the MNCP requires a development agreement from the applicant / landowner, the applicant / landowners shall enter into and comply with the terms and conditions of a development agreement to the Municipality’s satisfaction, pursuant to s. 650 of the Municipal Government Act.”*

This condition was imposed on the development permit as a backstop only, because the Municipality has to construct the water and wastewater infrastructure through the road plan mentioned above to improve the overall level of service in this area of Bellevue. The Municipality will construct the water and wastewater services, and the developer will pay a pro-rated portion of the cost. A development agreement with the developer will likely not be required.

- e. **The MPC erred in failing to require further mitigation responses for the parking variance, pursuant to section 19.2(c) of the Land Use Bylaw:**

Development Authority Response: In the case of a permitted use for which the parking standard is being relaxed, the Development Authority may impose enforceable and reasonable conditions to ensure that “appropriate mitigating measures are established such that the proposed development would not affect public safety, result in environmental contamination, create a nuisance or increase traffic volumes, and is compatible with and 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.”

Schedule 6 section 1.4(a) provides a mitigative measure that could have been used in the case of a parking variance being requested. *“allow all or some of the required parking spaces on an alternate lot located within 50 metres (164 ft) of the development, provided a parking agreement or other suitable instrument registrable onto a certificate of title, to which the Municipality is a Third-Party, is registered against the alternate lot concerned;”*

The Development Authority did not deem such a mitigative measure necessary or prudent, considering that it is a relatively small variance (13% or 16 parking stalls). The Development Authority also considered that:

- The parking standards in Schedule 6 Table 1 includes visitor parking. Upon completion of the road construction the subject property will have approximately

80m length of road frontage, which can accommodate 13 on-street parking stalls. There will also be another approximately 112m length of road on the east side of the new road, that can accommodate an additional 18 parking spaces. Throughout the community including in single-family residential neighbourhoods many residents do not use their garages or driveways for parking, and on-street parking is a common practice, including for visitors, that is allowed for a period of 72 hours under the Traffic Bylaw and the Community Standards Bylaw; and

- Other communities in Alberta use a parking standard of 1.5 spaces or less per dwelling unit in an apartment building. For example, the Town of Nanton requires 1.5 Parking Stalls per apartment unit and the Town of Claresholm delegates the minimum standard to the Development Authority. The Town of Banff has recently removed the minimum parking requirements as an effort to increase housing density. The number of on-site parking spaces that will be provided in the proposed development (110) equates to an actual parking ratio of 1.5 stalls per dwelling unit (72 dwelling units).

f. The MPC erred in failing to require the preparation of and / or compliance with recommendations in relevant engineering reports or other professional studies

Development Authority Response: Administration section 19.2 and Schedule 4 section 15.4 state that a grading / drainage plan may be required. Engineering reports were not required as part of the development permit application, because the application was deemed complete without such reports and studies. Typically, a drainage plan or grading plan would be required where steeper slopes occur or where, due to apparent drainage patterns, and an actual or potential deviation or variation in the finished grade elevation between the subject parcel and adjacent property or road, there appears the possibility that moving stormwater toward the adjacent street could be challenging. In this case the subject parcel is flat with a minor slope towards the southeast corner of the property adjacent to the (future) street.

Engineering reports for water and wastewater or for road construction were not required, because the Municipality has to construct the water and wastewater infrastructure and the road to improve the overall level of service in this area of Bellevue. The Municipality will construct the water and wastewater services and the road, and the developer will pay a pro-rated portion of the cost.

g. The MPC erred in failing to require there to be an adequate on-site pedestrian access plan for the subject development pursuant to section 19.2(d) of the LUB

Development Authority Response: On-site pedestrian plans were not required as part of the development permit application. Section 19.2 states that these items may be required

as applicable. The site plan does actually show on-site pathways for residents to move between buildings and parking areas, and a pathway to access the adjacent Municipal Reserve parcel. The parking areas include sidewalks where pedestrians can move from their parked vehicle to the buildings.

- h. **The MPC erred in failing to ensure that sufficient communal amenity space was provided pursuant to Schedule 5 section 4.2 of the Land Use Bylaw and in consideration that dwelling units in the project are all 2 or more bedrooms (i.e. the minimum amenity requirement may be insufficient):**

Development Authority Response: The proposed development provides 362m² of Amenity Areas in the front yard, the backyard, and between buildings. The flat-rate standard of 4.6m² equates to 331.2m². for the proposed 72 dwelling units. Note that this standard in Schedule 5 is not a minimum or maximum standard – instead, it is a “flat-rate standard” for all apartment buildings of 20 or more dwelling units – the standard does not increase as the number of dwelling units increases.

- i. **The MPC erred to the extent it may have considered the municipality owned adjacent reserve parcel to be an “exclusive use” area to the development, and thereby in compliance with Schedule 5, section 4.2 of the LUB**

Development Authority Response: The Development Authority did not consider the adjacent Municipal-owned reserve parcel to the north (Lot15MR) as part of the required amenity area under Schedule 5 of the Land Use Bylaw, or to be an “exclusive use” area for the proposed development. Lot 15MR is presently in an undeveloped condition, and in consultation with the municipality, the developer offered to enhance the MR parcel with landscaping, a pathway and seating and garbage receptacles. This offer was made in addition to the required amenity area as an improvement to the local neighbourhood that would provide a connected trail to the MDM community centre. The Municipality did not formally accept the offer because further discussions may be required. If the Municipality accepted the offer, the park enhancement will be handled as a separate matter between the developer and the Municipality. The improvement of the MR with park amenities is not part of the development permit (if it was, a development agreement would have been imposed as a condition of the approval). The Development Authority would not be involved with the park improvement, because a development permit would not be required for the work (Schedule 3 in the Land Use Bylaw).

- j. **The MPC erred in failing to consider the impact of the restrictive covenant registered on title under the Historic Resources Act on the subject parcel**

Development Authority Response: The Restrictive Covenant (registration number 991039966) has the municipality as the Grantee and Grantor. Part (a) of the Covenant Under s. 25 of the Historical Resources Act requires that the Grantor will not:

“Undertake or permit any development on the said land without first causing to carry out mitigative testing and excavation in accordance with Schedule ‘B’ attached hereto and thereafter not to carry out or cause to be carried out any development with without the express written consent of the Grantee, which consent may be subject to conditions, including conditions originating from the Department of Cultural Facilities and Historical Resources Division of the Alberta Government ...”

The applicant has made an OPaC (Online Permitting and Clearance) application related to the Restrictive Covenant and Historic Resource Value. The HRV 4a identifies that the area contains an archaeological historic resource that may require avoidance or assessment. In 1980 and 1999, adjacent lands that are in the same HRV category received clearance and were developed (e.g. the subdivision on the 221st Street cul-de-sac that is adjacent to the subject lands, as well as the Mohawk subdivision along 214th Street and 29th Avenue). It could be reasonably expected that the subject lands can receive development clearance, provided that the required investigations are completed and approved by the provincial agencies. The applicant has obtained an archaeologist that is taking steps as outlined in Schedule B of the Restrictive Covenant and the OPaC permit.

It is important that the SDAB understands that the consideration of the development permit application is not subject to the Historical Resources Act, and a decision on the development permit cannot be deferred or made conditional upon compliance with the Historical Resources Act based on the unknown outcome of the process required under the provincial legislation – if the Development Authority were to do that, it would have amounted to the sub-delegation of authority to the provincial government Department of Arts, Culture and the Status of Women.

- k. **The MPC erred in approving the Development Permit without conditioning that valid and sufficient legal access and utility servicing easements be provided for the subject parcel by either:**
- (i) **Requiring that the municipal parcel that was formerly 30 Avenue be dedicated as a road pursuant to section 16.1 of the MGA; or**
 - (ii) **Requiring that sufficient and necessary access easements and / or general utility right of way easements be provided in favour of the subject parcels**

Development Authority Response: The access to the subject property is acceptable in that the municipality is currently in the process of registering a road plan on Block OT, Plan 8311587. This parcel of land was created under road closure under Bylaw 324, 1994. The Municipality will construct the road, and the developer will pay a pro-rated portion of the cost.

Water and wastewater servicing is addressed in condition number 8 of the Notice of Decision, *“Prior to start of construction the applicant / developer shall provide municipal water and wastewater services to the proposed development pursuant to s. 21 of the Land Use Bylaw, and, where public infrastructure needs to be extended to achieve this, and the MNCP requires a development agreement from the applicant / landowner, the applicant / landowners shall enter into and comply with the terms and conditions of a development agreement to the Municipality’s satisfaction, pursuant to s. 650 of the Municipal Government Act.”*

This condition was imposed on the development permit as a backstop only, because the Municipality has to construct the water and wastewater infrastructure through the road plan mentioned above to improve the overall level of service in this area of Bellevue. The Municipality will construct the water and wastewater services, and the developer will pay a pro-rated portion of the cost. A development agreement with the developer will likely not be required.

Traffic Volume

Traffic volumes will increase on 222nd Street and 27th Avenue, as this will be the most direct route in and out. Volumes along the east end of 214th Street, east end of 222nd Street and 31st Avenue will likely decrease, as residents in Mohawk Meadows will likely choose to use the new 30th Avenue connection. With saying that, the volume of traffic being proposed will not be beyond what the road network will be able to handle. The one area of concern that was recently brought up was the MDM entrance. Currently the MDM entrance is controlled by a yield sign. While no accidents have been reported at this location, it will be monitored and can be upgraded to a stop sign if required. Additionally, the MDM entrance road will be reviewed in the future when the MDM lands are being considered for development.

Utilities

The Municipality undertook to investigate the infrastructure in the neighbourhood in order to update the Infrastructure Master Plan by including the infrastructure required for the proposed development along with including / updating the infrastructure projects completed last year. The information then allows modelling to be done to show how the

system would perform. From the investigation, it was determined that the majority of South Bellevue water and sewer was upgraded in the 2010's, except for 222nd Street, 224th Street and 30th Avenue.

With the recent infrastructure upgrades, and the addition of infrastructure required to service the proposed development, the model shows that for existing conditions, sufficient water service pressure would be supplied under peak hour demand flow conditions, and there would be minimal to no pressure reduction as a result of including the proposed development. The recent upgrades significantly improved the fire flows throughout Bellevue, however there remains some areas with below ideal fire flows, which will not be increased until some additional watermain looping to the north is completed. The addition of the proposed development would slightly decrease the fire flows, however the section of watermain that would be added to service the proposed development would help improve the fire flows once the watermain looping is completed. The fire flow levels are adequate for normal residential development, however it may be substandard for some types of apartment facilities and this will be determined during design of what is needed for fire flows in the area. As the developer proceeds into design stage, their engineer will need to determine the exact fire flow requirements to be able to determine what, if any, upgrades are needed specific to this development. Given the existing substandard fire flows in the area, the looping project to the north is strongly being considered at this time.

The model also shows that there are two sections of the sewer system that are over capacity currently during wet weather flow conditions. These are a portion of 224th street between 29th and 30th Avenue; and the downstream portion of the collection system beyond 27th Avenue and 226th Street. Given the amount over capacity, it is likely that the subdivisions over the past years should have been required to address the substandard pipes. With the addition of the proposed development, there would be sufficient capacity in all other pipes beyond the ones that already have capacity issues. A preliminary analysis was also done for the future growth lands, and most pipes should have sufficient capacity other than potentially a section of 214th Street. Given the existing capacity issues and risk of surcharging in wet weather conditions, these project are strongly being considered at this time.

I. The MPC erred in failing to provide reasons for its decision

Development Authority Response: Pursuant to Section 20.4(e) of the Administration section of the Land Use Bylaw, states that; “A notice of decision on a development permit application shall include: ... (e) if applicable, the reasons for **refusing** an application.”

Section 642(4) of the Municipal Government Act states that: *“If a development authority **refuses** an application for a development permit, the development authority must issue to the applicant a notice, in the form and manner provided for in the land use bylaw, that the application has been refused **and provide the reasons for the refusal**”.*

The proposed application was approved, and therefore it was not required that reasons were provided.

9.0 Summary:

9.1 Growth Node

In 2020 significant public consultation was undertaken in the preparation of the MDP . Without available options to expand into the natural areas that surround the community, the MDP identifies specific growth nodes for infill development, sets a target housing density, and requires a mix of housing types for new residential development. These growth nodes within and adjacent to existing urban areas are intended for a range of housing forms, including smaller houses, duplexes, multi-unit residential buildings (row houses and town houses), and apartments, that can accommodate the growing population in the needed market segment of rental units and unique housing forms. Section 2 of the MDP speaks to expanding the housing options through encouraging a range of diverse and attainable, quality housing options, including multi-unit buildings that require less maintenance than single family homes. **The subject parcel is identified in the 2021 Municipal Development Plan (MDP) Bylaw 1059, 2020 as a future growth node (page 53 - 55, par. 1.7.3 and the associated Map 5).**

9.2 Density

As part of the 1983 subdivisions of the lands to the east and west of the subject parcel, there was a large multi-family lot identified to the north that encompassed approximately 3.2 acres. This lot was not developed as part of the original subdivision plan and was later subdivided in a different configuration as part of a 2007 subdivision, however this shows the intent that a higher density development within the area was conceptualized as far back as 1980. With looking at the immediate area surrounding the subject parcel, there is approximately 30.7 acres with 8.9 acres utilized for roadways and 1.4 acres for green space. This results in a net developable area of 20.4 acres. There is currently 76 housing units developed and 26 lots available for additional single-family homes. This results in an existing density of approximately 5.0 units per acre. Adding the proposed 72 apartment units in the proposed development on the subject parcel, the density of the area would increase to 8.5 units per acre, which is still below the target density of 12.0 units per acre as established in the MDP. As part of the proposed growth nodes, the MDM lands and the

Ewashen lands could have an additional 20 acres of developable lands. These lands would have the potential for an additional 240 to 275 units in the area.

9.3 Proximity to Community Facilities

The subject parcel is located near the MDM community center, which has numerous programs along with the French immersion school. There is also a playground located at the MDM, that the Municipality is upgrading in 2025. Just to the east is the Bellevue Fire Hall, resulting in very quick engine response times. These proximity considerations were part of the reasons why this area was identified as a growth node in the 2021 MDP.

9.4 Existing Housing Types in the Community

Within the 2019 CARES report, it identified that there are limited housing options for employees and residents. As of 2023, the Municipality has 4011 dwellings. According to the 2021 Census, 84% of homes within the community are single family homes. According to the 2024 GOA Apartment Vacancy and Rental Cost Survey, the Municipality has 61 rental units within the community. At the time of the survey, there were 3 vacant units; 1 walk-up and 2 commercial store-top. The vacancy rates have decreased between 2023 to 2024 from 6.4% to 4.9%.

9.5 Addressing Affordable Housing

An article by PACD Homes from June 24, 2024 speaks to how multi-plex buildings have a role in addressing affordable housing in Canada. This article is attached for information.

9.6 Property Assessment

While the Municipal assessor cannot foresee future property values, it is unlikely that the proposed development will have a negative impact on the property values surrounding it. Generally speaking, more people within the community will stimulate more economy, which will drive the market up further. Additionally, view is not something that is directly factored into assessment, especially in our community, as we have scenic views in all directions. Some may be from windows, some from yards, some from roads, however generally, purchasers are awe struck by the views, and do not directly know what views may have existed previously, therefore it does not usually affect sale prices.

9.7 MDP Policies Relevant to Housing (Chapter 4 Goals and Policies, Section 2 *Expanding Our Housing Options*)

"The Municipality of Crowsnest Pass is home to a diverse population and with economic changes on the horizon the municipality is poised to attract new residents. Historically,

housing within Crowsnest Pass was made up of modest, smaller homes accommodating mining families. Today the majority of housing in the municipality is still single detached dwellings. To support existing residents and a growing population, the future of housing in the Municipality will include a range of affordable, innovative residential choices".

"The unique geography and dramatic topography of Crowsnest Pass offers tourism opportunities and lifestyle advantages to residents of the Municipality, but these factors also limit the available locations for future residential development. To protect wildland areas, and take advantage of natural connections to infrastructure, residential growth shall be directed to key nodes adjacent to existing urban sites. To accommodate increases in population without expanding into natural areas, the Municipality has set a target housing density and requires a mix of housing types for new residential development".

"The approach to housing in the Municipality is closely aligned with the emphasis provided in the South Saskatchewan Regional Plan on making efficient use of existing infrastructure and providing a range of innovative housing designs and densities within communities. Focused, more intensive residential development in Crowsnest Pass provides choice to residents and supports increased population to bolster local economic growth and support a vibrant social life".

2.1 New Residential Development

Policy 2.1.4 Infill development - "Residential infill development shall be promoted throughout the community". "Infill development shall be designed to respect mature neighbourhoods by being compatible ... to existing dwellings in the neighbourhood, while bearing in mind modern day housing trends."

2.2 Multi-Unit Residential Design Standards

Policy 2.2.1 Impact on Adjacent Development - "Multi-unit residential buildings shall be introduced into neighbourhoods thoughtfully and with high quality design to ensure compatibility with existing development. Buildings and sites shall be designed in a manner that ensures adjacent residential development has privacy and access to sunlight, which could include thoughtful window placement, articulation of the facade, and stepping down the height of a building that is adjacent to lower density residential development."

Policy 2.2.3 Access to Outdoor Amenity Space - "... multi-unit residential developments shall ... where possible be located adjacent to or in close proximity to parks or open space."

Policy 2.2.5 Seniors Housing - "The Municipality recognizes the need for housing options that accommodate seniors, ... including multi-unit buildings that require less maintenance than single family homes ...".

2.3 Considerations for Residential Development

Policy 2.3.1 Inclusionary Housing - "Findings from the Crowsnest Pass Health Data and Summary (2017) revealed a need to develop housing strategies geared toward low-income families the

Municipality should seek to support inclusionary housing by requiring that developers of new housing development provide a certain percentage of units as affordable housing ...".

Policy 2.3.3 Innovative Housing - "The Municipality recognizes that housing trends are continually shifting and that to provide an affordable range of housing options, innovative housing ideas should be considered and implemented where possible. Alternative housing forms should be incorporated into communities where appropriate, such as cluster housing, tiny homes, and mixed-use buildings".

9.8 Land Use Bylaw No. 1165, 2023 Land Use District High Density Residential R-3 Maximum Height Standards:

An Apartment Building not exceeding 3 storeys is a permitted use with a maximum height of 14.0m (45.9ft).

Land Use Bylaw Standards

By adopting a Land Use Bylaw with standards specifically applicable to multi-unit residential buildings, apartment buildings, and as infill development in mature neighbourhoods, Council delegated to the Development Authority to mandate to review and either refuse or approve with conditions, these types of developments.

Schedule 4 – Standards of Development

12. INFILL DEVELOPMENT IN MATURE NEIGHBOURHOODS

12.1 "..... An application for redevelopment or infill in a mature neighbourhood shall be consistent with the Municipal Development Plan policies."

12.2 "The Development Authority shall require that a development permit application for infill development in a mature neighbourhood or area of historic significance is compatible with existing mature development, with regard to building height, mass and style, yard setbacks , roof slopes, slope-adaptive building and site design considerations,

density, and other standards as may be deemed applicable. The Development Authority may impose development permit conditions to ensure that an infill development complies with this standard."

13. LANDSCAPING AND SCREENING

13.1 "The Development Authority shall impose development permit conditions for commercial, industrial, "Tourism Accommodation", multi-unit residential and apartment development, and bareland condominium development for a permitted or discretionary use relative to improving the aesthetic appearance of a development, including by the requirement of landscaping (with a requirement to use xeriscaping and/or recommended drought-tolerant vegetation and/or drip-irrigation), screening and/or buffering, when such requirements could serve to improve the quality and/or compatibility of the proposed development, reduce water consumption for yard care, and/or to bring the development into compliance with the standards set out in this Bylaw."

22. QUALITY AND DESIGN OF DEVELOPMENT

22.1 "In addition to the standards established in this Bylaw , the Development Authority may require additional standards as a condition of a development permit, in order to improve the quality of any proposed development such as, but not limited to, hard-surfaced parking areas, exterior finishes to buildings, landscaping, yard setbacks, slope-adaptive building and site design considerations, and the impact on existing development in mature neighbourhoods or areas of historic significance."

22.2 "Development shall comply with the following standards:

(b) The Development Authority may regulate the exterior finish of buildings or signs to improve the quality of any proposed development within any land use district."

Schedule 5 - STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS

3. MAXIMUM DENSITY

3.1 "The maximum density for Apartments, Multi-Unit Residential and Mixed-Use Buildings contemplated in this Schedule shall be determined by the Development Authority on a case by case basis with regard for the criteria in Administrative Section 13 , the slope-adaptive building and site design considerations in Schedule 4, and the impact on adjacent development , parking requirements, the provision of outdoor amenity space, architectural interest at the pedestrian scale and access to existing and planned

trails as per the policies in Section 2.2 of the Municipal Development Plan (i.e. Multi-unit Residential Design Standards on page 62 in the MDP)."

10.0 Conclusion:

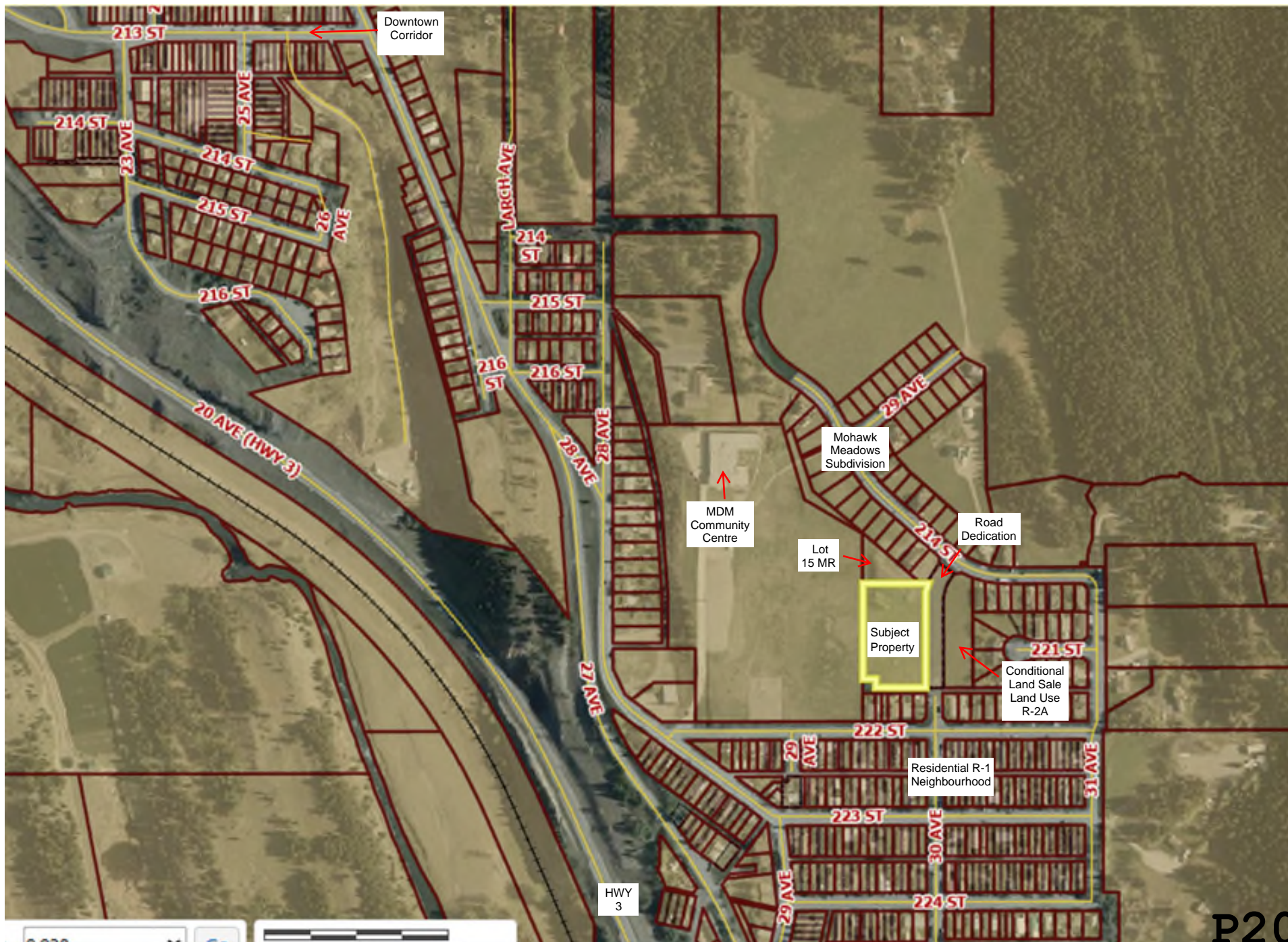
Based on the arguments set forth above, the Development Authority respectfully requests that the Subdivision and Development Appeal Board dismiss the appeal and uphold the decision by the Development Authority.



Katherine Mertz B.SC
Development Officer



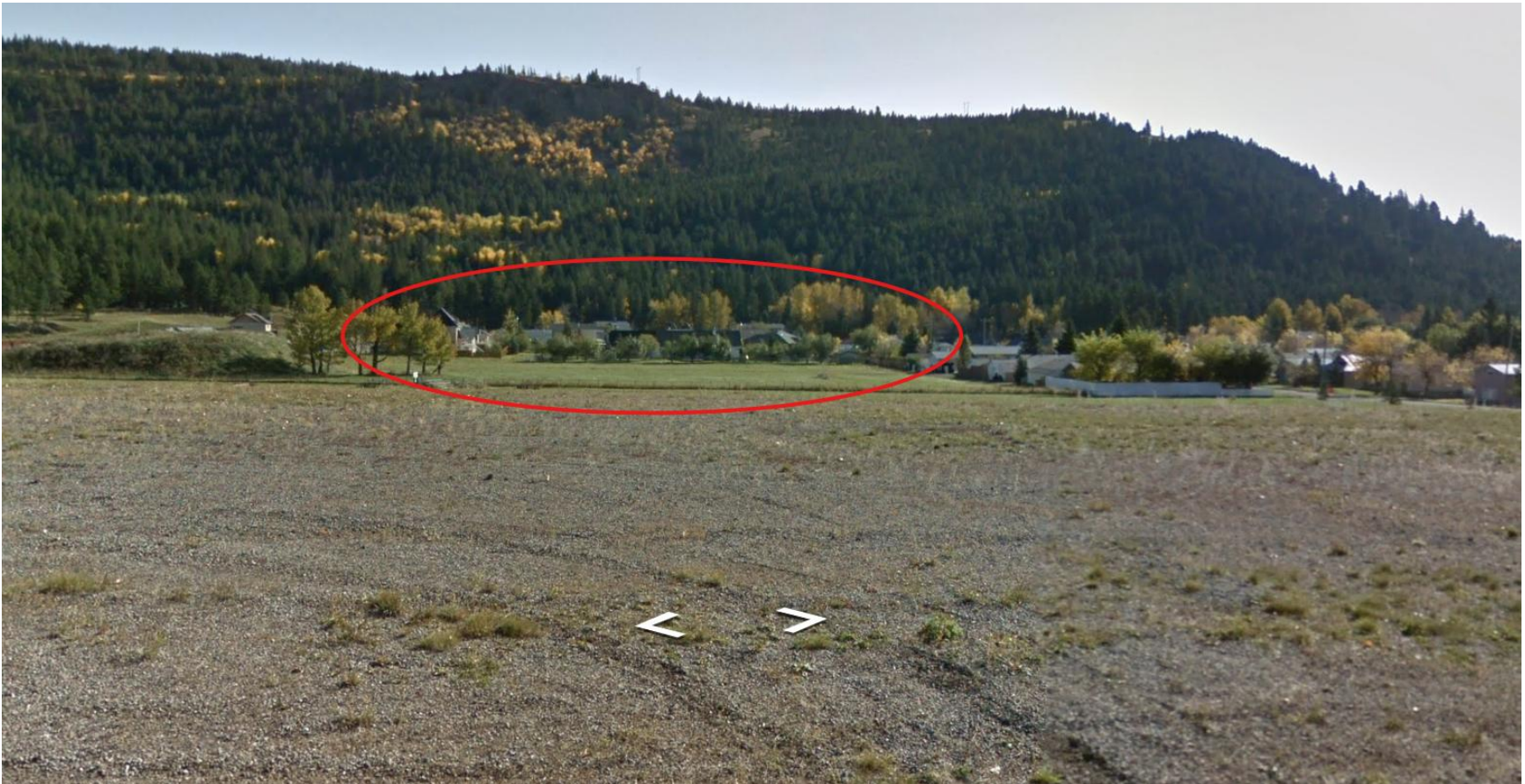
Johan van der Bank M.TRP, RPP
Manager Development & Trades



View of subject property from the Southwest



Subject Property : View from the West



Subject Property: View from the South



Subject Property: View from the Northeast



Re: Chinook intermunicipal subdivision and development appeal board hearing

Hi, we are Douglas and Teresa Lindal, and we live at 2930 – 222 street, directly next to the high density development proposal. As we have an incredible view of the mountains behind us, we feel that the development will hinder our ability to enjoy the picturesque views, lower crime rate, low traffic and the peace and quiet that we moved here for. The proposed development of 3 story buildings will give us **NO PRIVACY** on our land, our deck, in our house (as we do have windows facing the proposed development), or in my garage. Will they erect a 30 foot fence to ensure our privacy?

Having 6, 3 story towers with 72 units and 216 bedrooms on Archaeological Protected land 50 feet or less from my property is **not appealing to us, and an injustice in providing inadequate time to respond to the projected project (counsel rezoned archaeological protected land to r3 and sold the land below value, before informing any resident of Bellevue).**

What will the high density development be used for?

Air bnb?

Housing for grassy mountain mines?

Low income housing?

Rental housing?

Or is it for individual ownership

The subdivision proposal of 6, 3 story towers with 72 units and 216 bedrooms suggests its occupants will have at least 72 cars (**one** per unit) with not enough parking (the municipality amended the bylaws to reduce the parking requirements) in the purposed plan.

In Bellevue, there is

**NO: -Busses available, Doctors, Pharmacies, English schools, Grocery stores, Gas stations.
One taxi service for all of crowsnest pass**

It would be more prudent to locate the High density housing in Blairemore where Schools, Shopping, and Activities are readily available, within walking distance, without the need for bussing?

The proposal also says it only has one entry / exit on 30 avenue, that will definitely increase traffic on 222 street, which is where we live.

Already stated in the note from council, (there is not enough parking for the new housing), how will this be addressed? Will they be allowed to park on adjacent streets/alleyways?

There is only going to be one entry / exit on 30 ave to the property, this will affect all locals, and we would like to know how council will address the new amount of traffic?

Will there be a constant police presence to look after the illegal parking, speeding? Will there be an oncall towing service to remove illegally parked vehicles?

Increasing the population of Bellevue will increase the fire risk; will there be a constant crew of fire personnel at the old fire station in Bellevue?

With increased high density population, comes increased crime, vandalism. What is the plan to keep the residents safe, when the population of Bellevue increases?

Is there an LOC (line of credit) submitted by the developer to prevent unfinished development, unnecessary extras and what is the time frame for development?

Does the contractor have WCB clearance?

Will the contractor be responsible for upgrading the water, sewer, power, gas, and internet? Or will these costs be added to the resident's taxes?

Will the required materials be supplied from other cities, leaving local businesses without benefit of sales?

Will the required labour forces be hired from local residents?

Was there a proposal sent out to multiple contractors or just one?

Why was there no consultation with people prior to any drawings, drilling tests, discussions on land value of proposed project and the properties directly affected by the proposed project? If this proposal was developed some time ago, why was the note from counsel, (with no date), sent to the public giving short notice to respond to the proposal? The project was approved before notifying anyone in Bellevue or the Crowsnest pass, I feel this is a lack of respect to all residents of Crowsnest pass, as this council will make uninformed decisions without any consultation that will affect the whole community.

As the occupants of the land surrounding the proposed development that will be affected by lower property values because of the proximity to High density housing, will the owners of the properties next to the proposed development be compensated for the **decrease in the property value**? Will property taxes increase to help build the High density housing and installing needed water, sewer, power, internet requirements, or decrease because of the lower land value?

Utility Services (Power, Sewer, Water, Gas)

What is the Electric grid capacity requirement for the new housing, and will there have to be more power lines installed to accommodate them?

Is there sufficient Gas for new property? Are the old gas lines sufficient to supply the new housing?

How will the new units be incorporated into the existing 50+ year old sewer system?

The water system in Bellevue was updated last year, was this because of the new project? Although they upgraded part of the water system, some of the 50+ year pipes are still supplying some of the houses in Bellevue, will these withstand the increase in pressure required to facilitate new housing?

As Bellevue is built over an existing mine, will the weight of a new housing development impact the stability of the ground?

Where are the air vents from the mine, as they still exhaust methane intermittently?

Community Services

There is a post office, coffee shop, Legion, and a veterinarian shop in Bellevue.

Anyone who lives here will have to use vehicles to get to grocery stores, pharmacies, work, hardware, or mechanical shops causing an increase in traffic.

There are no schools in Bellevue, except for the French immersion at MDM, meaning that any school aged children will have to be bussed to Blairemore, Coleman, or Lumbreck for schooling, causing more traffic, and burdening an overwhelmed school board, have the school boards been consulted over the increase in students?

We elected these counselors to represent us and they do not even inform us of major changes to our community.

The council has a history of approving developments without any security (LOC, secure deposits) for the completion of the development leaving the community to absorb the added costs for the failed developments.

It is amazing how this counsel can do the following without notifying first nation or residents:

- Archeologically protected land changed to R1(recreational land), then R3 (high density residential)
- Sell the land to a developer at an undervalued price
- Approve high density development and the developer.
- Changed the bylaw to allow the developer to have less parking for said development

The counsel approvals were done in 2024, information we received was in 2025 and was not dated, leaving us less than 2 weeks before a council meeting was scheduled to address residential concerns.

dlindal0629@gmail.com or

telindal@telus.net

Submitted June 5, 2025



Laine Ohrn

403-331-9593 mannee3029@gmail.com 3029 214 St, Bellevue, Alberta T0K 0C0

June 3, 2025

Bonnie Brunner
Board Clerk
Old man River Regional Services Commission
3105-16 Avenue N., Lethbridge, Alberta T1H 5E8

Dear Bonnie;

Re:Development Authority of the Municipality of Crowsnest Pass with respect to
Development Permit Application DP2025-016

The purpose of this letter is to address the above mentioned Development. Specifically the waiver of minimum parking requirements. It is my understanding that the minimum requirement for a two bedroom dwelling is 1.75 spaces. This in and of itself is confusing how does one park 3/4 of a vehicle? Apparently a total of 72 units with two, three and four bedrooms are proposed. Under minimum guidelines this translates to 126 parking stalls. Currently 110 have been approved. This is not acceptable nor is it practical. We are a rural community with no public transportation and whose amenities such as shopping, fuel etc are a minimum of 10 km away.

Common sense would dictate an absolute minimum of 2 parking stalls per unit. The reality is that this figure is not adequate either. A home with two working persons will have a minimum of two vehicles, this does not allow for company vehicles, and additional drivers. I also see no allowance for "visitor" or overflow parking. This community is already saturated with vehicles. There is very little if any open street parking available. Where then do they go?

This high density development is not suitable for the chosen location on so many levels. I strongly urge the commission to reconsider their current decision.

Sincerely yours,

Laine Ohrn