Municipality of Crowsnest Pass

CHINOOK INTERMUNICIPAL
SUBDIVISION & DEVELOPMENT APPEAL BOARD

December 2, 2026

1:00 p.m.

Hearing No. DP2026-125

Appellant: Carolee Pearce

Applicant: Joseph Essenburg

LIST OF EXHIBITS

A. Notice of Hearing and Location Sketch Map

B. List of Persons Notified

C. Notice of Appeal with Reasons

D. Notice of Decision DP2026-125 dated October 15, 2026

E. Development Permit Application DP2026-079

F. Excerpts from Municipality of Crowsnest Pass Land Use Bylaw 1165, 2023

MUNICIPALITY OF CROWSNEST PASS

NOTICE OF CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING
Development Permit No. DP 2026-125

THIS IS TO NOTIFY YOU THAT IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA, 2000, CHAPTER M-26, AS AMENDED, A PANEL OF THE CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD WILL HEAR AN APPEAL OF A DECISION BY THE:

Development Authority of the Municipality of Crowsnest Pass with respect to Development Permit Application DP 2026-125

APPELLANT:	**Carolee Pearce**
APPLICANT:	**Joseph Essenburg**
LEGAL DESCRIPTION: (SUBJECT PROPERTY)	Lots 5-8, Block 16, Plan 2347BS (12145 21 Avenue, Blairmore)
PROPOSAL:	For a "Tourist Home" (discretionary use)
DECISION:	Approved
PLACE OF HEARING:	**Municipality of Crowsnest Pass Administration Office Council Chambers** 8502 19 Avenue, Coleman, Alberta
DATE OF HEARING:	**Wednesday, December 2, 2026**
TIME OF HEARING:	**1:00 P.M.**

PROCEDURES PRIOR TO THE HEARING:

1. **Provide Written Submissions** - The Appeal Board encourages all hearing participants to submit presentations, letters, and comments to the Board prior to the hearing. It is preferred that written material is emailed to the Board Clerk, ideally in a PDF format, in 1 file. Please contact the Clerk with your written submissions, which will be accepted until **noon (12 p.m.) on November 25, 2026**.

   EMAIL: rachel@orrsc.com

   MAIL: **Rachel Schortinghuis, Board Clerk**
   Oldman River Regional Services Commission
   3105 – 16th Avenue N., Lethbridge, Alberta T1H 5E8

   If you are bringing information to the hearing for submission, you are required to supply 12 copies.

2. **Exhibit Viewing** - The initial appeal exhibit package will be posted on the ORRSC website at **www.orrsc.com**.

DATE: November 16, 2026

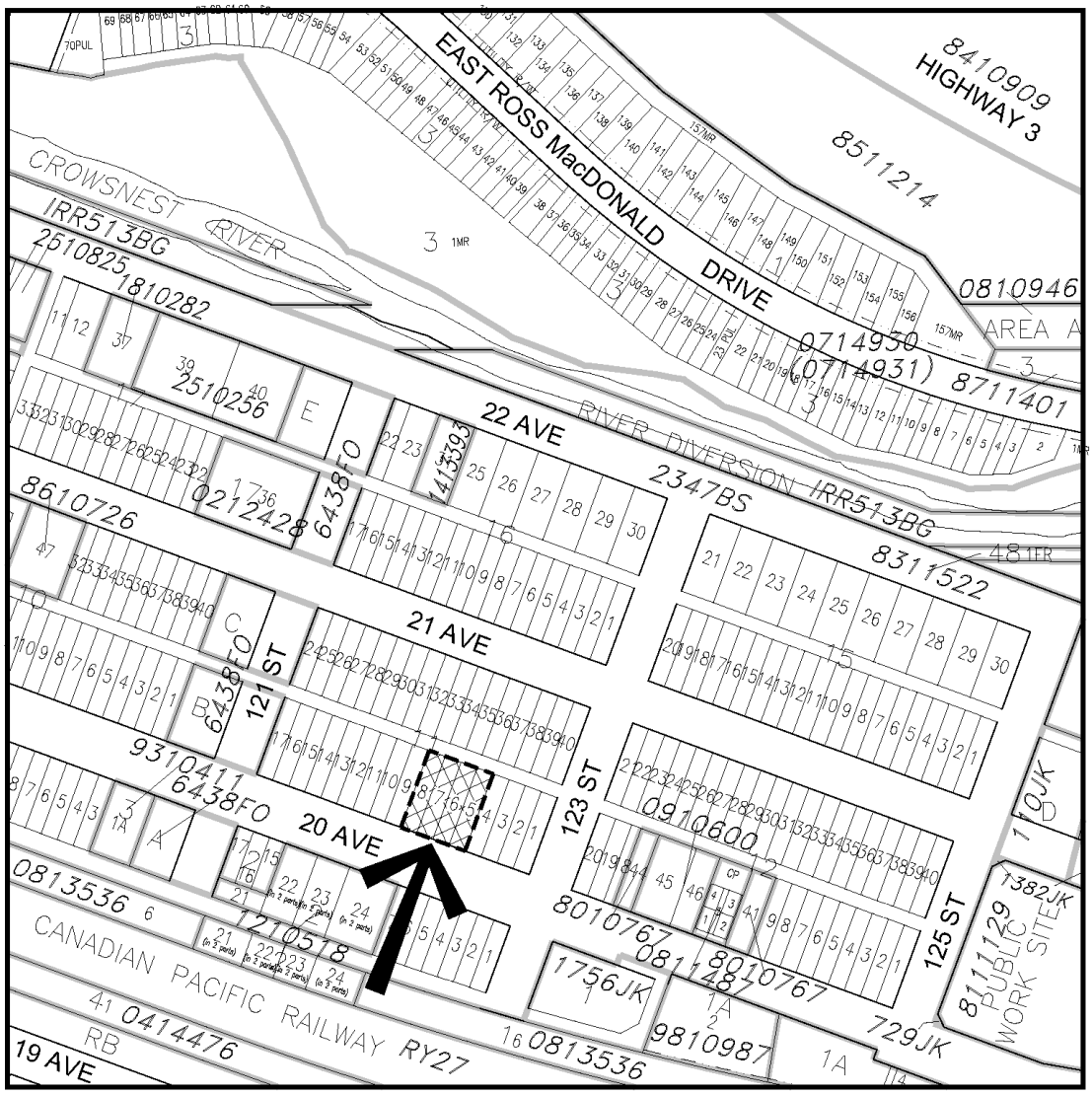
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Rachel Schortinghuis, Clerk
Subdivision & Development Appeal Board

A1

MUNICIPALITY OF CROWSNEST PASS

CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Land Subject of Appeal DP 2026-125
Lots 5-8, Block 16, Plan 2347BS
(12145 21 Avenue, Blairmore, AB)



LOCATION SKETCH
LOTS 5-8, BLOCK 16, PLAN 2347BS WITHIN
NW 1/4 SEC 35, TWP 7, RGE 4, W 5 M
MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS
DATE: NOVEMBER 16, 2026

A2

MUNICIPALITY OF CROWSNEST PASS
CHINOOK INTERMUNICIPAL SUBDIVISION & DEVELOPMENT APPEAL BOARD

Development Application DP 2026-125

APPLICANT: Joseph Essenburg
APPELLANT: Carolee Pearce

CAO Municipality of Crowsnest Pass
Municipality of Crowsnest Pass Development Officer
Ryan Dyck, Planner

Applicant: Joseph Essenburg
Appellant: Carolee Pearce

Agencies Notified:

N/A

Adjacent Landowners Notified:

BAILEY, ANDREW & BRENDA
ANCTIL, GARY
SOURISSEAU, DAVID & BRENDA
PURCHA, WARREN G.
SETLA, JAMES JOSEPH
APPLEBY, JORDYN E.
APPLEBY, ROBERT K.
GRAY, BERYLETTA
BECKER, CHAD
WENDRICH, WOLFGANG
FABRO, WENDY L. & DAVID B.
DALTON, DOUGLAS H. & SANDRA K.
BANK OF MONTREAL
TURNER, RYAN & JENNIFER
ROBINSON, NEAL & PAULA
WHITESIDE, RANDALL
ROBERTSON, SHAWN
LESSMEISTER, LARK & MICHAELLA
ANDERSON, BRANDON & MALAIYA
BURGESS, CLAIRE
PEARCE, CAROLEE ANN
GILBERT, BRENT D.
FROM, JACQUELINE
DORGE, DARREN & LINDA
HUGHES, DAVID & SHERRY
KOVACH, GEORGE P. & CAMILLA A,
SARTORIO, SHEILA
COCHRANE, HOLLY
NEWTON, PAMELA & KEITH
RYPIEN, DARREN B
STAPLES, JAMES
GIRASEK, JESSIE M
BEVEN, LOUISE & ANDREW
JAYAL STORES LTD
ROSNER, ANTON
MILLEY, MARK DARREN
BARRETT, KEVIN L. & CHARLENE A.
MACLENNAN, JEREMY A., PAGE, JESSICA
FOSTER, BERYLETTA J
DUFF, STUART
ROSLER, SHERI

B1

APPEAL REGARDING PROPOSED SHORT-TERM RENTAL/ BED & BREAKFAST, TOURIST HOME DEVELOPMENT

Proposed Short-term Rental/Bed & Breakfast, Tourist Home at 12145 - 21 Avenue, Blairmore, Alberta

To: Development Authority / Subdivision and Development Appeal Board

From: Carolee Pearce – [redacted]

Brent Gilbert – [redacted]

Wolfgang Wendrich- [redacted]

Doug and Sandy Dalton – [redacted]

Andy and Louis Bevan – [redacted]

Jeremy and Jessica MacLennan [redacted]

Warren and Sandy Purcha [redacted]

Robert Appleby [redacted]

Address: See above

Date: October 30, 2026

Re: Appeal and Concerns Regarding Proposed Short-term Rental/ Bed & Breakfast, Tourist Home at 12145 - 21 Avenue, Blairmore, Alberta

I am a property owner residing across the rear alley from the property located at **12145 - 21 Avenue, Blairmore, Alberta**, which is the subject of an application to operate a

C1

Short-term Rental/Bed & Breakfast, Tourist Home. As an initial point of concern, we the appeal submitters would like to know what form of Short-term Rental Development is being approved. There is a big difference between a Bed & Breakfast and Air B&B. Not withstanding the foregoing all of the concerns noted below are relevant to any proposed Short-term Rental Development. I respectfully submit this appeal along with all the above listed individuals and request that the Development Authority carefully consider the following concerns regarding the impact of this proposal on neighbouring residents, public safety, traffic, parking, emergency access, and the residential character of the neighbourhood.

1. Parking and Alley Access and Safety Concerns

The application indicates that six parking spaces will be provided, including two spaces within the garage. However, the rear alley serving this property is narrow, gravel surfaced and functions as an access route for neighbouring properties and municipal services.

I am concerned that accommodating six guest vehicles may create congestion and safety concerns within the alley.

Specific concerns include:

- Guests visiting the Crowsnest Pass area frequently travel with trailers carrying ATVs, snowmobiles, motorcycles, bicycles, and other recreational equipment.
- The application identifies the subject property as the place where such additional trailers will be stored, but the air photo of the subject property does not show near enough space for such trailers to be stored and in particular how to access these parking spaces from this extremely narrow back alley.
- Vehicles with attached trailers may obstruct the alley and reduce safe access for neighbouring residents.
- There is potential for obstruction of emergency vehicles, utility vehicles, waste collection, and municipal snow removal equipment.

- The narrow width of the alley may not accommodate parked vehicles and trailers while maintaining safe access.

2. Traffic Safety and Vehicle Maneuvering

The increase in vehicle traffic associated with a Short-term Rental/Bed & Breakfast, Tourist Home may create additional safety concerns.

These concerns include:

- Guests needing to turn around in the rear alley due to its limited width.
- Vehicles entering neighbouring driveways while attempting to maneuver by the congestion created by the Short-term Rental/Bed & Breakfast, Tourist Home.
- Increased risk of collisions involving vehicles, pedestrians, children, pets, or property.
- Additional dust, noise, and disruption resulting from increased traffic use of a gravel alley.
- Increased wear on the alley infrastructure, which is in already desperate need of improvement.

The existing alley was not designed to accommodate commercial accommodation traffic, and the increased use may adversely affect neighbouring residents.

3. Emergency Vehicle Access and Municipal Services

An important consideration is whether emergency services will be able to maintain safe and unobstructed access at all times.

I request clarification regarding:

- How emergency vehicle access will be maintained if multiple guest vehicles and trailers are parked on or near the property.
- Whether the Fire Department, EMS, and municipal public works staff have reviewed the parking and access arrangements.

- How snow removal operations will be conducted if the alley becomes congested with guest vehicles or trailers.
- What enforcement mechanisms will exist if access routes become obstructed.

4. Density of Use and Monitoring of Guest Limits

The application indicates a maximum occupancy of six guests over the age of two.

I respectfully request clarification regarding:

- The overall scope of the development. Does it include only a B&B or a Tourist Home Rental or Both?
- Does the maximum occupancy of six guests include all and every accommodation facility on the property.
- How the municipality intends to verify compliance with the stated occupancy limit.
- Who will be responsible for monitoring the number of guests staying at the Short-term Rental/Bed & Breakfast, Tourist Home.
- Whether records will be maintained and available for enforcement purposes.
- How neighbouring residents can report suspected violations.
- What penalties or consequences will apply if occupancy limits are exceeded.

Without a clear enforcement mechanism, neighbouring residents have no assurance that the operation will remain within approved limits.

5. Street Parking Concerns

While six parking spaces are proposed on the property, it remains unclear whether guests will also be permitted to park on the street.

This is of particular concern because the primary entrance to the residence is located on the street-facing side of the property.

If guests choose to park on the street rather than using designated parking areas, this could result in:

- Reduced parking availability for neighbouring residents and their visitors.
- Increased traffic congestion along the street.
- Visibility and safety concerns for motorists and pedestrians.
- Increased noise associated with vehicle arrivals and departures.
- Additional difficulties for municipal snow removal operations.
- Parking conflicts during peak tourism periods and community events.

I respectfully request clarification regarding:

- Whether guests will be permitted to park on the street.
- Whether restrictions will apply to guest parking.
- How parking requirements will be monitored and enforced.
- What corrective action will be taken if guest parking becomes a nuisance to neighbouring residents.

6. Impact on Residential Character and Neighbouring Properties

I am concerned that the proposed Short-term Rental/Bed & Breakfast, Tourist Home has the potential to alter the residential character of the neighbourhood through increased traffic, parking demand, noise, and commercial activity. These impacts may affect neighbouring residents' use and enjoyment of their properties and could influence the market attractiveness of nearby homes.

Specific concerns include:

- Increased vehicle traffic associated with guest arrivals and departures.
- Additional parking demand both on the property and potentially on surrounding streets.
- Increased activity in the rear alley, including vehicle maneuvering, loading and unloading of recreational equipment, and possible trailer storage.
- Noise associated with guest arrivals, departures, social gatherings, and recreational activities not limited to, but in particular at night time.

- Reduced privacy due to the continuous turnover of short-term visitors.
- The introduction of a commercial accommodation use into a residential neighbourhood.

I respectfully request clarification regarding:

- Whether any consideration has been given to the impacts commercial accommodation uses may have on neighbouring residential properties.
- Whether any assessment has been undertaken regarding the cumulative impact of Short-term Rental/Bed & Breakfast, Tourist Home operations within residential neighbourhoods.
- What protections will be available to neighbouring property owners if the operation creates ongoing parking, traffic, noise, safety, or nuisance concerns.

7. Property Tax Implications

I also request clarification regarding whether the approval of this Short-term Rental/Bed & Breakfast, Tourist Home will have any effect on surrounding residential property assessments or taxation.

Specifically:

- Will the proposed Short-term Rental/Bed & Breakfast, Tourist Home be assessed or taxed differently due to its commercial accommodation use?
- Could approval of this development result in additional municipal costs associated with enforcement, road maintenance, infrastructure, or municipal services?
- If additional municipal costs are generated, how could those costs affect local taxpayers and neighbouring residents?

As a property owner directly affected by this proposal, I believe these questions should be addressed before any approval is granted.

8. Proximity to Existing Short-term Rental/Bed & Breakfast, Tourist Home Operations

I request that the Development Authority consider the proximity of this proposed Short-term Rental/Bed & Breakfast, Tourist Home to existing accommodation businesses, including Heritage Haven Bed & Breakfast.

I respectfully request clarification regarding:

- Whether there are minimum separation requirements between Bed & Breakfast operations.
- Whether the concentration of short-term accommodation uses in this area has been evaluated.
- Whether cumulative impacts on parking, traffic, and neighbourhood character have been considered.

9. Emergency Contact and Complaint Response

Should this application be approved, I request that the approval include a condition requiring a local emergency contact person who is available 24 hours per day, seven days per week.

I also request that:

- Contact information be provided to adjacent property owners.
- Complaints be responded to within a reasonable period of time.
- A clear process be established for resolving concerns involving noise, parking, occupancy, or safety issues.

- The municipality identify what enforcement measures will be available when the owner or operator cannot be reached.

10. Property Upgrades and Operational Requirements

I request clarification regarding whether the existing residence will require upgrades or improvements to accommodate a Short-term Rental/ Bed & Breakfast, Tourist Home operations.

These considerations may include:

- Fire safety requirements.
- Emergency exits and building code compliance.
- Parking area improvements.
- Snow storage and snow removal plans.
- Waste collection and storage requirements.
- Landscaping, screening, and fencing requirements.
- Measures to reduce impacts on neighbouring properties.

Conclusion

Given the concerns regarding emergency vehicle access, snow removal, alley congestion, trailer parking, street parking, occupancy monitoring, increased traffic, neighbourhood impacts, property values, property taxes, and enforcement of permit conditions, I respectfully request that the Development Authority carefully consider whether this proposal is compatible with the existing residential character and infrastructure limitations of the neighbourhood.

Should approval be granted, I request that strict conditions be imposed regarding:

- Maximum guest occupancy for all and every facility on the subject property, which can be used for accommodation purposes.
- On-site parking requirements.
- Trailer parking restrictions.

- Street parking restrictions for guests.
- Emergency vehicle access requirements.
- A 24-hour emergency contact person.
- Complaint investigation procedures.
- Neighbour notification requirements.
- Meaningful enforcement measures for non-compliance.

These conditions are necessary to protect neighbouring residents and preserve the safety, accessibility, and residential character of the neighbourhood.

Respectfully submitted,

Carolee Pearce on behalf of all concerned residents listed above.

[redacted]

Date: October 30, 2026

Signature: [redacted]_____

Box 600
Crowsnest Pass, Alberta,
T0K 0E0
Phone: 403-562-8833
Fax: 403-563-5474

Notice of Decision

This is not a Development Permit

Application No.	DP2026-125
Roll No.	2086300
Application Complete:	10/13/26
Notice of Decision:	October 15, 2026
Appeal Period Expires:	November 5, 2026

Approving Authority:	Development Officer
Land Use District:	Residential R-1
Civic Address:	12145 21 Avenue, Blairmore
Legal Land Description:	Lot(s) 5-8 Block 16 Plan 2347BS
Proposed Development:	For a "Tourist Home" (discretionary use)

Dear Sir or Madam:

Please be advised that the **Development Permit application DP2026-125 was approved** subject to the following conditions:

1. The Development Permit approved in this Notice of Decision shall not be issued and shall be of no effect, and construction / placement of the development shall not commence, until all "Prior to Issuance Conditions" stated in this Notice of Decision have been met or fulfilled.
2. This Notice of Decision shall remain effective for a period of six (6) months and shall then expire and be deemed null and void unless the applicant or landowner (proponent of the proposed development) to whom the Notice of Decision was issued continues to collaborate with the Development Authority to satisfy or complete the "Prior to Issuance Conditions" and, if required, an extension is approved by the Development Authority.

Prior to Issuance Conditions (these conditions are to be satisfied prior to issuance of a development permit and will only form part of the Notice of Decision and not part of the formal development permit issued however, the development permit shall be of no effect until these conditions have been satisfied)

3. An appeal period of twenty-one (21) days from the date of the Development Authority's Notice of Decision applies, and if any appeals are submitted the development permit shall not be issued until such appeals are dealt with by the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as may be applicable.

Time Specific Conditions After Issuance (deadline for enforcement or for the validity of the development permit)

4. The applicant or landowner shall commence the approved development and carry it out with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit and / or within the specific timelines and by the specific deadlines stated in this development permit, otherwise the permit shall be deemed to be null and void (for this purpose, "commence" may include applying for a building permit under the Safety Codes Act).

5. The landowner or applicant shall confirm permitting requirements for the proposed building / structure with the discipline specific Safety Codes Officer, and shall provide to the Development Officer copies of Safety Codes permit applications (Building, Electrical, Gas, Plumbing, Private Sewage Disposal System) when the same are made or copies of Safety Codes permits issued immediately upon issuance to demonstrate that such applications or permits are consistent with the development permit issued for the proposed development.

6. The landowner shall install and maintain for the lifetime of the Short-Term Rental / Bed & Breakfast, Tourist Home operation one wall sign or freestanding sign between 0.18m^2 (3ft^2) and 0.72m^2 (8ft^2), that shall not extend more than 1.5metres (5ft) above grade and shall be located in the front yard visible to the public. **The sign shall be installed no later than 3-months from the date the development permit is issued.**

Conditions of a Continuing Nature (Permanent Conditions)

7. The applicant or landowner shall ensure that the development complies with and is carried out and completed in its entirety in conformance with the attached approved site plan and the development standards in the Land Use Bylaw 1165, 2023 (except as approved by variance in the table below). Failure to conform to the approved site plan without an approved amendment may result in enforcement measures pursuant to the Municipal Government Act and the Land Use Bylaw:

TOURIST HOME - STANDARDS	**PROPOSED**	**VARIANCE REQUESTED**
Minimum separation distance between Tourist Homes- 200m (R-1 through R-5)	In excess-	(The Development Authority cannot approve a variance)
# of off-street parking stalls (1 stall per 4 guests)	6	N/A
# of Guests Per Bedroom - Maximum two guests per bedroom	2	N/A
Maximum Occupancy - Maximum of 6 guests over the age of two in the **Residential R-1** district.	6	N/A
Maximum Number of Rental Units - Maximum one	1	N/A
Sign **Residential Districts:** one sign is required, between 0.18m² and 0.72m² in sign area, not exceeding 1.5m in height, and located in the front yard	0.6m x 0.3m	N/A

Commercial Districts: To the DO satisfaction.		

8. The Tourist Home shall not advertise for or accommodate more than six guests over the age of two.

9. The Landowner shall not operate more than one Tourist Home rental unit per certificate of title, regardless of the number of approved dwelling units on the parcel (e.g. Secondary Suite, Duplex/Semi-Detached, Multi-unit Residential Building or an Apartment).

10. Any portion of the building that is not rented as part of the approved Tourist Home rental unit (Secondary Suite, Duplex / Semi-Detached Dwelling) shall remain unoccupied during the rental period of the Tourist Home. More than one dwelling unit shall not be occupied unless the development permit for the Tourist Home is surrendered and revoked.

11. A recreational vehicle shall not be used as accommodation for the landowner / operator, other residents of the property or for the Short-Term Rental / Bed & Breakfast or Tourist Home guests.

12. A minimum of two (2) off-street parking spaces per unit shall be maintained as required in the Land Use Bylaw. Parking of vehicles associated with the business shall be confined to within the subject parcel only. Parking for all recreation vehicles, utility trailers and ATV trailers associated with the use of a Short-Term Rental / Bed & Breakfast or Tourist Home that are disengaged from the towing vehicle shall be accommodated on the subject property and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard.

13. The Short-Term Rental / Bed & Breakfast, Tourist Home development permit owner shall provide to the Development Officer the name and phone number of a local person (an adult) who can respond to any complaints in person within a 30-minute contact time, and who is authorized to act as their representative. The owner of the Tourist Home shall be required as a condition of approval to keep this information up to date throughout the lifetime of the Tourist Home operation.

14. The Short-term Rental / Bed & Breakfast, Tourist Home Landowner shall post their development permit number and business license number and the approved number of rental units and approved maximum occupancy on all of their advertisements of the rental property as a condition of development permit approval. Failure to advertise correctly will result in land use bylaw enforcement, including a Municipal Violation Tag and fine.

15. A Short-Term Rental / Bed & Breakfast, Tourist Home development permit shall only be valid as long as it coincides with an active Business License and a development permit. If the Business License lapses, is transferred to another person, or is revoked for any reason, the development permit will expire, and a new application will be required to reinstate the development permit and subsequently the business license. The development permit shall be temporary and the period for which it shall be valid shall coincide with the period during which the original applicant for the development permit holder continues to be the property owner - for greater clarity, in the event that the property is transferred to a third party the development permit expires, and a new development permit application by the new property owner would be required to continue the operation.

16. It is the responsibility of the Landowner to comply with federal and provincial legislation (e.g. Alberta Health, Safety Codes Act and Fire Code regulations) and other municipal bylaws [e.g. the Community

Standards Bylaw regarding the control of wildlife attractants (e.g. by providing a bear proof garbage receptacle), restrictions on noise, loud music or other disturbances, and the requirement to obtain a business license under the Business License Bylaw].

17. The operator of a Short-Term Rental / Bed & Breakfast or a Tourist Home shall make available to their guests a copy of this schedule of the Land Use Bylaw, the Community Standards Bylaw, the Fire and Rescue Services Bylaw, and shall ensure that guests are aware of and adhere to fire bans in the area – albertafirebans.ca.

18. Contraventions/violations of this or any other municipal bylaw by the operator of a Short-Term Rental / Bed & Breakfast or a Tourist Home or by their guests shall result in the issuing of a Municipal Violation Tag (fine) pursuant to the Fees Rates and Charges Bylaw to the Landowner or guest depending on the infraction.

19. 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.

20. The Land Use Bylaw 1165, 2023, as amended, contains development standards and regulations that apply to this development permit and for which the landowner is responsible to comply with, at no cost to the Municipality of Crowsnest Pass. These regulations address matters relating to many aspects of the approved development or use e.g., access to the property, lines of sight, public safety setbacks, parking requirements, lot grading, maintaining positive drainage towards abutting roads and/or lanes, outdoor storage, etc. It is the Landowner's and/or Applicant's responsibility to ensure that they are fully aware of and comply with all the applicable development standards and regulations in the Land Use Bylaw that may apply to the proposed development or use. Please contact the Municipality's Department of Development, Engineering & Operations for assistance if required.

21. When construction is involved for a development approved under this development permit, the landowner and/or the applicant to whom this development permit was issued and their successors in title, are responsible to, and shall ensure that the location of the building(s) relative to the subject property boundaries (i.e. approved yard setbacks, including variances if any), as approved in the attached site plan, and relative to easements on the subject property, is staked out by either an Alberta Land Surveyor, a professional engineer (see definition), or another certified agent, prior to the pouring of building foundations. At any time during or after construction, the Development Officer may require that the landowner of the subject property provide the stake-out, a survey and/or a survey drawing (or a Real Property Report) of the subject property and/or the building footprint relative to the subject property boundaries and easements, at no cost to the Municipality.

22. This development permit approves only the development contained herein, and a further application is required for any changes or additions.

23. Failure to comply with any one or more of the conditions listed in this development permit either by a specified deadline or at any time throughout the lifetime of the development permit, as may be applicable, or implementation of the development contrary to the approved site plan and/or approved variances, shall result in enforcement through a Stop Order and corresponding fees, rates,

charges, or fines pursuant to the Municipality's Fees, Rates and Charges Bylaw in effect at the time of the non-compliance.

Important Information & Notes:

a) The review or approval of a development permit application does not include matters that are regulated by other authorities, for example but not limited to a building permit (Safety Codes Act, s. 66), community health standards, wildlife species at risk, or approvals required from Alberta Environment and Protected Areas or the federal Department of Fisheries and Oceans. Therefore, the Municipality of Crowsnest Pass and/or its Development Authority do not conduct or require independent environmental checks or other investigations or assessments of private land [for example, but not limited to, matters regarding species at risk, migratory birds, birds of prey, bear dens, or other wildlife, or underground mines, or the presence or absence of any environmental contaminants (except, regarding the latter, requiring an environmental study for a setback distance variance pursuant to the Matters Related to Subdivision and Development Regulation AR 84/2022, and except studies and assessments as may be required pursuant to the Land Use Bylaw, e.g. a slope stability assessment)]. If the landowner, the development permit applicant, or an adjacent landowner or other affected party is concerned about any such matters, they should conduct their own tests and reviews. When issuing a development permit, the Municipality of Crowsnest Pass and/or its Development Authority approve a proposed development only for land use planning purposes, and do not make representations and do not offer warranties as to the suitability or otherwise of the subject property for any purpose.

b) By accepting the development permit issued herein, or issued subsequent to an appeal decision, and by acting to implement the development approved within this development permit, the landowner and applicant indemnifies and holds harmless the Municipality of Crowsnest Pass, its Development Authority, and its employees and agents from any and all claims, demands, actions, and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized in the development permit.

c) It is the responsibility of the landowner, including successors in title, to comply with the conditions imposed on this development permit.

d) The issuance of a Development Permit indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of the Municipality of Crowsnest Pass Land Use Bylaw and does not in any way relieve or excuse the Landowner and/or the Development Permit holder from obtaining any other permit (including authorization to modify a wetland, safety codes permits e.g. building, electrical, gas, plumbing, Historical Resources Act approval, Highways Development and Protection Act, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the Municipality (e.g. a business license), or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. The Landowner and/or the Applicant is responsible to ensure compliance with these matters, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass. The applicable requirements may include the following:

   (i) An application under the Historical Resources Act via the Online Permitting and Clearance (OPaC) process (https://www.alberta.ca/online-permitting-clearance) to the Historic Resources Management Branch of Alberta Arts, Culture, and Status of Women, and compliance with any requirements, terms, and conditions of such clearance.

e) The Applicant/property owner is responsible for the following aspects as may be applicable to this development permit, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass:

   (i) Determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor before foundations are excavated or poured and before construction proceeds above ground level.

   (ii) Ensuring that any structures approved under this Development Permit are constructed such that they are correctly set back from the property boundaries in compliance with the front, rear, and side yard setbacks approved in this Development Permit. The landowner should consult an Alberta Land Surveyor for this purpose.

   (iii) Ensuring that the development and the associated excavation and/or construction activity approved under this Development Permit shall not disturb, affect, or alter conditions of all utilities and appurtenances, drainage rights-of-way, utility rights-of-way, access rights-of-way, and any easements as they may exist, over, under, or through the Lands. The landowner should consult a professional engineer and/or an Alberta Land Surveyor and/or the relevant utility company / utility owner for this purpose.

   (iv) Ensuring that the development and/or any associated structures and/or the associated excavation and/or construction activity approved under this Development Permit is undertaken in a manner that does not cause or result in a public safety risk or concern, or a nuisance, disturbance, or damage to adjacent properties and/or roads, lanes, or other municipal infrastructure. The landowner should consult a legal professional, a professional engineer and/or an Alberta Land Surveyor for this purpose.

(v) Ensuring that all equipment, waste bins, portable toilets, building materials, and excavation stockpiles associated with construction activity approved under this development permit are placed within the subject property boundaries, and that where such items must encroach onto adjacent private property and/or adjacent boulevards, sidewalks, streets and /or lanes, that the adjacent landowner's consent has been obtained and/or that the Municipality has authorized such encroachment through a hoarding permit under the Traffic Bylaw (please contact the Manager of Transportation or a Community Peace Officer).

(vi) Making suitable arrangements with utility companies for the provision of all services and/or necessary easements for utility rights-of-way.

(vii) Notifying Utility Safety Partners (Alberta 1st Call) at https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/ or 1-800-242-3447 to arrange for field location of buried utilities prior to excavation for the proposed development.

(viii) Ensuring that permanent structures are located outside the 1:100-year flood plain of any water body. The landowner should consult a wetland assessment practitioner and/or an Alberta Land Surveyor for this purpose.

(ix) Ensuring that construction activity approved under this Development Permit does not result in the modification of a wetland without provincial approval. The landowner should consult a wetland assessment practitioner for this purpose.

(x) Ensuring that foundation and drainage systems on a property with an effective grade / slope of greater than 15% are designed in accordance with the recommendations in a slope stability assessment and/or a grading plan / stormwater management plan, as may be applicable, prepared by a professional engineer, and that the same are constructed under the supervision of a professional engineer, to protect the bank from erosion and to ensure slope stability.

(xi) Ensuring that a 2-meter separation is provided between the water table and footings for the buildings. The landowner should consult a professional engineer for this purpose.

(xii) Ensuring that sub-surface conditions are suitable for the proposed construction and, where necessary, that foundations have been designed by a professional engineer.

(xiii) Ensuring that the property is graded in such a manner that positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes is maintained 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. Where an approved grading plan or stormwater management plan exists, the property must be graded (finished grade) in accordance with the grading plan or stormwater management plan. The landowner should consult a professional engineer and an Alberta Land Surveyor for this purpose.

(xiv) Being aware of FireSmart Regulations including the Municipality's FireSmart Bylaw and Safety Codes Permit Bylaw as may be applicable.

(xv) This document does not provide permission to commence a use, start construction or occupy a building (as may be applicable) until all prior to issuance conditions have been satisfied to the Development Authority's satisfaction, and any applicable appeal period has expired. It is the owner's responsibility to ensure that all development permit conditions have been satisfied, and other applicable permits are applied for and issued before commencing a use, start construction, or occupy a building, and that construction is inspected and permits closed, before occupancy. It is the responsibility of the owner or owner's agent to make an application to the Municipality for an Occupancy and Completion Certificate prior to taking occupancy.

f) As part of the development permit review the Development Officer considered the following items checked in the table below, and relevant conditions were imposed on the development permit as deemed applicable:

Right to Appeal

This decision may be appealed within 21 days after the notice of decision. You may file an appeal with the appropriate appeal board below.

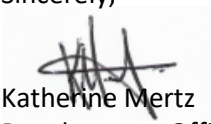
Subdivision and Development Appeal Board:

Submit the online form: https://portal.laserfiche.ca/o8468/forms/Development_Appeal or visit https://www.crowsnestpass.com/planning-development/p-d/subdivision-and-development-appeals to learn more and access the link to appeal. The fee of $400.00 must be paid with the appeal (will be contacted for payment once the form is sent).

Lot (m^2)	1115.29	Provincial Historic Resource Value (Archaeology)	3h, 5a
Abandoned Gas Wells	N/A	Abandoned Coal Mines	N/A
Transportation & Economic Corridor (direct access or structure within 40 m of Hwy 3 / 40)	N/A	Provincial Historic Designation	N/A
Hydrography through parcel	N/A	Historic Commercial Areas Overlay District	N/A
High Pressure Gas Main	N/A	Municipal Historic Resource Designation / MCNP Heritage Inventory	N/A
Contours – Steep Grade	N/A	Historic Resource Designation by Bylaw	N/A
Area Structure Plan	N/A	Coleman National Historic Site	N/A
Cadastral – URW on parcel	N/A	Areas of Potential Environmental Concern Overlay District / Lagoon	N/A
Flood Hazard	N/A	Wetlands	N/A
Forestry Reserve	N/A	Miistakis	N/A

If you have any questions regarding the development permit, please contact the undersigned at development@crowsnestpass.com or make an appointment by calling (403) 562-8833.

Sincerely,



Katherine Mertz
Development Officer

SITE PLAN

MUNICIPAL STREET ADDRESS: 12145 21 Ave COMMUNITY: Blairmore



Parcel Information

Lot Area (m^2)	1130
Lot Width	30 m
Lot Height	39 m

For New Building

Net Floor Area (m^2)	
Gross Floor Area (m^2)	

Sign Information

Area of Sign (m^2)	0.2 sq-m
☑	Shown on site plan

Site Plan Checklist

☐	Adjacent Roadways
☐	Adjacent Lanes
☐	Lot Dimensions
☐	Existing Structures
☐	Proposed Structures (If multiple, identify as "A", "B" etc.
☐	All distances from foundations to front, side and rear property lines
☐	Location of access, driveways and curbs
☐	Location of easements
☐	Location and # of off-street parking
☐	Location of water and wastewater connections
☐	Height (shown on this site plan or separate attachment)
☐	Landscaping (if required)

OFFICE USE:
DP# _____
TAX ROLL# _____

Box 600
Crowsnest Pass, Alberta
T0K 0E0
Phone: 403-562-8833
Fax: 403-563-5474
Email: development@crowsnestpass.com

Office Use Only	
Application No.	DP2026-125
Land Use District	R-1
Roll No.	2086300
Date Received	Sept 22/26

Development Permit Application Form – Commercial/Industrial/Home Occupation

(Commercial/Industrial Buildings, Additions, Accessory Buildings, Commercial/Industrial Change of Use, Tourist Homes, Short-Term Rental/Bed & Breakfast, Home Occupation 2, Home Occupation 1 (Over 1)

PLEASE NOTE: This application is ONLY for a development permit. If a building permit is also required, you must apply for it separately prior to construction. Providing an email means you consent to receiving documents or communications related to this application, including but not limited to development permit decisions, acknowledgments confirming an application is complete, and any notices identifying any outstanding documents and information by email. Please be sure to complete the entire application. Failure to send in a complete application can result in a delay of your permit.

Applicant Information		Property Information	
Name	Joseph Essenburg	Municipal Street Address	12145 21 Ave
Phone	[redacted]		
Email	[redacted]	Lot(s)	
Mailing Address/Box#	[redacted]	Block	
City and Postal Code	[redacted]	Plan	2347BS

Land Title Certificate and Registrations (Choose One)

☐ **Current Certificate of Title and Registrations on Title (Within 3 Months - Attached)**
Obtain online from Land Titles (Spin2 website) or a Registries Office

☑ **I am requesting the Municipality to obtain the required certificate of title** and registered documents and apply all costs to the application fee ($25.00)

PLEASE CONFIRM ONE OF THE FOLLOWING:

- ☐ I am the registered owner of the above noted property
- ☑ I have entered into a binding agreement to purchase the above noted property with the registered owner(s) (please attach a copy of the agreement)
- ☐ I have permission of the registered owner(s) of the above noted property to make the attached application for a Development Permit (please complete or attach a separate authorization letter from the owner with their contact information)

Type of Development (Check all that apply)

REQUIRED SUBMISSIONS	Site Plan	Parking Plan (on Site Plan)	Elevation Plans	Floor Plans (Include Basement)	Landscape Plan	Photos (All Sides)
☐ Commercial/Industrial Building and Additions	✓	✓	✓	✓	✓	•
☐ New/Change of Use	•	•	•	•	•	•
☑ Tourist Home	For Sign	✓	•	•	•	Rendition
☐ Short-Term Rental	For Sign	✓	•	✓	•	Rendition
☐ Home Occupation 2	For Sign	•	•	•	•	Rendition
☐ Additional Home Occupation 1	•	•	•	•	•	•
☐ Commercial Signage	✓	•	•	•	•	Rendition
☐ Moved-In Building	✓	✓	✓	✓	✓	✓

Proposed Use / Description of Proposed or Existing Development and Reason for Variance Request (If applicable):	Anticipated Start Date
Tourist Home	Jan 31, 2027

The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing development permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Municipality.

E1

DEVELOPMENT SPECIFICATIONS – COMMERCIAL/INDUSTRIAL BUILDINGS, ADDITIONS, ACCESSORY BUILDINGS *Provide measurements **in metres** below and **show on site plan** (Refer to Page 3 for Site Plan requirements)*			
Total Lot Area (m^2)		Front Yard Setback (m)	Primary Front: Secondary Front:
Building Footprint Area (m^2)	Existing: Proposed:	Rear Yard Setback (m)	
Gross Floor Area (m^2) *(Roofed floor area of all storeys)*		Side Yard Setback (m) *(Indicate N/S/E/W)*	Side 1: Side 2:
Habitable Floor Area (m^2) *(Sum of all above grade storeys – do not include garage or basement)*		Building Height (m) *(Finished Grade to Top of Tallest Peak)*	
WATER AND SEWER SERVICES			
Is your property connected to Municipal Services? ☑ Water ☑ Sanitary **OR** ☐ Requires Connection from Street			
OR ☐ Private (well) water and Private septic system capacity (if applicable): Capacity: _____Number of Bedrooms: ___ If none, please describe and show the location of private services on site plan. (water well & private septic system, including disposal)			
PARKING AND ACCESS *See Land Use Bylaw Schedule 6 – Off-Street Parking and Loading Area Standards.*			
# of parking stalls <u>on</u> property	6	# of driveway accesses / approaches	1
Parking Stall Length (per stall – m^2)	22'	Parking Stall Width (per stall – m^2)	12'

NEW OR CHANGED USE – COMMERCIAL/INDUSTRIAL *(Business License will be required)*			
Name of Business		**Complete Parking and Access Above**	
Existing/Previous Use		New Use	
SHORT-TERM RENTAL/TOURIST HOME *(If Applicable – See Land Use Bylaw Schedule 17 – Standards for Short-Term Rental / Bed & Breakfast and Tourist Home)(Business License will be required)*			
☐ Short-Term Rental/B&B (Within Home Owner's Primary Residence) ☑ Tourist Home (Entire Space Rented)			
# of Bedrooms Available	5	Sign Dimensions (m^2)	0.2 sq-m (1 feet wide x 1 foot tall)
# Bonus Rooms	1	Sign Height (m)	1m up from front porch, 1 foot tall
# Occupancy Requested	12	Local Contact Name	Riley Orr
		Local Contact Phone #	[redacted]
HOME OCCUPATION 2, ADDITIONAL HOME OCCUPATION 1 *(Business License will be required)*			
Name of Business		Number of Employees	Currently Living on Premises _____ Living off Site_____
# of Daily Customers		Any outdoor storage, commercial vehicles, heavy equipment or retails sales?	
MOVED-IN BUILDING *(If Applicable. May require additional authorization from Transportation Department)*			
Year of Building		Date of Expected Move In	

The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing development permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Municipality.

E2

SIGN (*See Land Use Bylaw Schedule 11 – Sign Standards*)				
Type of Sign	No sign, online advertisement only	Sign Dimensions	Width (m)	n/a
			Height (m)	n/a

ADDITIONAL PROPERTY INFORMATION	Yes	No
Any abandoned wells on property: If yes, submission required pursuant to ERCB Directive 079	☐	☑
Any known environmental issues or studies effecting this property: If yes, attach description/reports	☐	☑
Any known historic buildings on the property or adjacent property:	☐	☑
Is the entire parcel of land (not just the development site): The subject of a license, permit, approval or other authorization granted by any of the following: Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, **AND/OR** The subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas? **If you answered "Yes" to any of these, please provide the approval, authorization number and/or license number here:**_____	☐	☑

AUTHORIZATION

- I am aware that this application will be reviewed by the Development Authority and may be delayed or refused if the application and/or information provided is incomplete. I will be notified within 20 days if it is complete or incomplete.
- I understand that additional information may be required after the application has been deemed complete.
- I understand if the subject property is located within an area where development constraints exist, (e.g., non-operating landfill, grade issues etc.) additional information and/or reports may be required.

The information I have provided herein and herewith is true, and to the best of my knowledge, accurate and complete.

Joseph Essenburg [redacted]
Name of Applicant (please print) Signature of Applicant

Amy Essenburg [redacted]
Name of Applicant (please print) Signature of Applicant

_____ _____
Name of Owner (if different than applicant) Signature of Owner

Registered Owner(s) Mailing Address: [redacted]
Registered Owner Email(s) and Phone Number(s): [redacted]

OR ☐ Permission Letter Attached (Use if there is more than one owner, include authorization, signature, and contact information for each owner registered on the land title) **If the applicant or owner is a corporation, please attach a current corporate search**

SITE PLAN MUST INCLUDE:

- ☐ Property Civic Address and North Arrow
- ☐ Adjacent roadway and lanes
- ☐ Lot dimensions and lot area
- ☐ Existing and Proposed structures identifying dimensions, including height, floor area, building footprint, percentage of lot coverage
- ☐ Distances from foundations to front, side and rear property lines (measured perpendicular to the lot line)
- ☐ Location of utilities, access, driveway, sidewalks and curbs and any registered utility right of ways or easements (if known)
- ☐ Location and number of off-street parking spaces

The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing development permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Municipality.

E3

SITE PLAN

MUNICIPAL STREET ADDRESS: 12145 21 Ave COMMUNITY: Blairmore



Parcel Information

Lot Area (m^2)	1130
Lot Width	30 m
Lot Height	39 m

For New Building

Net Floor Area (m^2)	
Gross Floor Area (m^2)	

Sign Information

Area of Sign (m^2)	0.2 sq-m
☑	Shown on site plan

Site Plan Checklist

☐	Adjacent Roadways
☐	Adjacent Lanes
☐	Lot Dimensions
☐	Existing Structures
☐	Proposed Structures (If multiple, identify as "A", "B" etc.
☐	All distances from foundations to front, side and rear property lines
☐	Location of access, driveways and curbs
☐	Location of easements
☐	Location and # of off-street parking
☐	Location of water and wastewater connections
☐	Height (shown on this site plan or separate attachment)
☐	Landscaping (if required)

OFFICE USE:
DP# _____
TAX ROLL# _____

MUNICIPALITY OF CROWSNEST PASS

IN THE PROVINCE OF ALBERTA

CROWSNEST PASS
Naturally Rewarding

LAND USE BYLAW NO. 1165, 2023



December 2023

Consolidated to 1269,2026 June 2026

Prepared by

OLDMAN RIVER REGIONAL SERVICES COMMISSION

RESIDENTIAL – R-1

PURPOSE: *To provide for a residential environment with the development of predominantly Single-Detached Dwellings while providing opportunities for additional land uses.*

1. PERMITTED USES

Accessory Building or Use up to 72.8 m^2 (784 ft^2), not in the front yard of the principal building and/or not prior to the establishment of the principal building or use
Day Home
Exploratory Excavation / Grade Alteration / Stockpiling
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached (in a Single-Detached Dwelling)
Sign – Types:
- Home Occupation
- Subdivision Entrance
- Subdivision or Development Marketing

Single-Detached Dwelling

DISCRETIONARY USES

Accessory Building or Use up to 72.8 m^2 (784 ft^2) 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 m^2 (784 ft^2)
Canvas Covered Structure
Day Care Facility
Duplex / Semi-Detached Dwelling
Home Occupation – Class 2
Manufactured Home
Moved-In Building
Moved-In Dwelling
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Detached (on the lot of a Single-Detached Dwelling)
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
Single-Detached Dwelling	13.7	45	30.5	100	418.1	4,500
Duplex / Semi-Detached Dwelling (per building – i.e. for two units)	15.3	50	30.5	100	465.0	5,000
All other uses	As approved by the Subdivision Authority					
Corner lots	See Schedule 4					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
All principal uses	6.1 to property line or 6.5 to back of existing or future public walkway or 7.5 to back of public curb	20 to property line or 21.33 to back of existing or future public walkway or 25 to back of public curb	1.5	5	7.6	25

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard	–	the actual front yard setback of the principal building
Side Yard, where building does not contain a Secondary Suite	–	0.6 m (2 ft)
Side Yard, where building contains a Secondary Suite	–	1.5 m (5 ft)
Rear Yard, where building does not contain a Secondary Suite,		
• laned or laneless	–	0.6 m (2 ft)
Rear Yard, where building contains a Secondary Suite,		
• laned	–	0.6 m (2 ft)
• laneless	–	1.5 m (5 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building, except Duplex / Semi-Detached Dwelling	–	35%
Duplex / Semi-Detached Dwelling (on one certificate of title)	–	45%
Accessory buildings, except on a Duplex / Semi-Detached Dwelling lot	–	15%
Accessory building on a Duplex / Semi-Detached Dwelling lot	–	5%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	–	10.0 m (32.8 ft)
Principal building, two-storey walk-out basement	–	13.0 m (42.7 ft)
Secondary Suite, Detached (above garage)	–	7.5 m (24.6 ft)
Secondary Suite, Detached (stand-alone structure)	–	5.0 m (16.4 ft)
Other accessory buildings	–	5.0 m (16.4 ft)

7. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

Single-Detached Dwelling	–	102 m^2 (1,100 ft^2) habitable floor area

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

10. RELOCATION OF BUILDINGS – See Schedule 7.

11. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

12. MANUFACTURED HOME DEVELOPMENT STANDARDS – See Schedule 9.

13. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

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

15. DEFINITIONS – See Schedule 18.

Schedule 17

STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME

Schedule 17

STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME

1. DEFINITIONS

1.1 **Short-Term Rental / Bed & Breakfast** means the operation of short-term commercial accommodation within a dwelling unit, including a Secondary Suite or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner of the property is required to occupy the dwelling unit as their primary residence and be present on the premises during the operation of the Short-Term Rental / Bed & Breakfast. Refer to the definition of Primary Residence. Short-Term Rental / Bed & Breakfast does not include a boarding house, hotel, hostel, motel, or Tourist Home.

1.2 **Tourist Home** means the operation of short-term commercial accommodation within a dwelling unit where the entire property is rented to only one reservation at a time for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence. Refer to the definition of Primary Residence. Tourist Home does not include a boarding house, hotel, hostel, motel, or Short-Term Rental / Bed & Breakfast.

1.3 **Tourist Home Rental Unit** means the building or portion thereof and the entire premises contained in a certificate of title that are rented as a single reservation to a party who occupies either the entire building or a portion thereof and the entire premises for the rental period.

1.4 **Primary Residence** means the residence where a person normally resides and has control and management of the property by a form of ownership.

2. STANDARDS

2.1 General Standards

(a) A Short-Term Rental / Bed & Breakfast and a Tourist Home may be allowed only in a land use district where Short-Term Rental / Bed & Breakfast and/or Tourist Home are specifically listed as uses – no other uses in any district shall be interpreted to be “similar uses”.

(b) The Development Officer shall maintain an inventory by civic address and/or map of all Short-Term Rental / Bed & Breakfast and Tourist Home operations that have been issued a development permit and a business license. This inventory shall inform the Development Authority’s decision in the case of discretionary use applications.

(c) The Development Officer shall notify the owners of all adjacent properties, and, only in the R1 to R-5 land use districts, also those properties within 100 metres (328 ft) of the subject property, on both sides of the street in which the subject property is located of the Development Authority’s decision to approve a discretionary use Short-Term Rental / Bed & Breakfast or Tourist Home.

(d) The operator of a Short-Term Rental or Tourist Home shall be made aware through the issuance of a development permit of their responsibility to comply with federal and provincial legislation (e.g. Alberta Health, the Safety Codes Act, and Fire Code regulations) and other municipal bylaws [e.g. the Community Standards Bylaw regarding the control of wildlife attractants (e.g. by providing a bear proof garbage receptacle), restrictions on noise, loud music or other disturbances, fire bans, and the requirement to obtain a business license under the Business License Bylaw).

2.2 Separation Distance

(a) There shall be a minimum separation distance of 200 m between Tourist Homes in the Residential R-1 to R-5 land use districts.

(b) The 200 m separation distance shall be measured from points located on the property lines in closest proximity to each other between two Tourist Homes.

(c) The Development Authority shall not approve a variance to the 200 m separation distance.

2.3 Maximum Occupancy and Number of Rental Units shall be determined as follows:

(a) for a Short-Term Rental / Bed & Breakfast:

(i) The Developmental Authority shall not approve a development permit for both a Short-Term Rental / Bed & Breakfast and a Tourist Home on the same property.

(ii) During all times that a Short-Term Rental / Bed & Breakfast is rented to guests, the landowner shall occupy either the principal dwelling unit or a portion thereof or a Secondary Suite or one of the Duplex / Semi-Detached Dwelling units on the property from where a Short-Term Rental / Bed & Breakfast is operated.

(iii) A Short-Term Rental / Bed & Breakfast operation may offer for rent more than one rental unit in the operation in accordance with the definition established in this Schedule, subject to complying with the parking requirements and restricting occupancy to two guests per bedroom including one bonus room (e.g., the living room with pull-out couch). The Development Authority shall not approve any variance to the maximum occupancy standard or the off-street parking standard for a Short-Term Rental / Bed & Breakfast.

(b) for a Tourist Home:

(i) The Developmental Authority shall not approve a development permit for both a Tourist Home and a Short-Term Rental / Bed & Breakfast on the same property.

(ii) In the R-1 to R-5, CSV, CRV, GCR-1 and NUA-1 land use districts, the Development Authority shall not issue a development permit for more than one Tourist Home rental unit as defined in this Bylaw per certificate of title, regardless of the number of approved dwelling units on the parcel (e.g. a Single-Detached Dwelling, a Secondary Suite, a Duplex / Semi-Detached Dwelling, a Multi-unit Residential Building or an Apartment Building).

(iii) On a parcel in any land use district except the C-1 and C-2 districts where a development permit for a Secondary Suite had previously been issued, the Development Authority shall, as conditions of approval:

(A) require that those portions of the building and premises that are not rented as part of the approved Tourist Home rental unit (e.g. either the Single-detached Dwelling or the Secondary Suite), shall remain unoccupied during the rental period of the Tourist Home; and/or

(B) require that the building or portion of the building that is designed as a Secondary Suite shall not be operated as a Secondary Suite unless the development permit for a Tourist Home is surrendered and revoked; and/or;

(C) require that the entire property / building is rented as one Tourist Home rental unit for a single reservation.

(iv) On a parcel in any land use district except the C-1 and C-2 districts where the principal building is a Duplex / Semi-Detached Dwelling owned under a single certificate of title, the Development Authority shall, as a condition of approval, require that both units in the Duplex / Semi-Detached Dwelling are rented as one Tourist Home rental unit for a single reservation pursuant to the Tourist Home maximum occupancy standards established in this Bylaw for the applicable land use district, and that the separate rental of one or both Duplex / Semi-Detached Dwelling units under the *Residential Tenancies Act* shall require that the development permit for a Tourist Home is surrendered and revoked.

(v) A Tourist Home in any land use district where it is listed as a use shall comply with the maximum occupancy standards stated in the **table below**, in addition to the applicable parking standards. The maximum occupancy shown in the table below is the maximum number of guests over the age of two that may be advertised for rental accommodation, subject to the ability to accommodate the off-street parking requirement as stated in Schedule 6 and a maximum of 2 guests per bedroom including one bonus room (e.g., the living room with pull-out couch). The Development Authority shall not approve any variance to the maximum occupancy standard or the off-street parking standard for a Tourist Home.

Land Use District	Maximum Occupancy
Residential R-1 to R-5	6
CSV and CRV	8
Grouped Country Residential – GCR-1 Non-Urban Area – NUA-1 Retail Commercial – C-1 Drive-In Commercial – C-2	Based on the number bedrooms and the site conditions to comply with the off-street parking requirements

(c) **for Short-Term Rental / Bed & Breakfasts and Tourist Homes**

(i) The number of rental unit(s) and bedrooms in and the maximum occupancy of the Short-Term Rental / Bed & Breakfast or the Tourist Home, as provided for in this Schedule, shall be stated on the application form and included as a condition of approval in the development permit. The Development Authority may limit the number of rental units and/or reduce the maximum occupancy of a Short-Term Rental / Bed & Breakfast or a Tourist Home established in the above standards on a case-by-case basis, based on considerations stated in this Schedule.

2.4 **Recreational Vehicles**: A recreational vehicle shall not be used as accommodation for the landowner / operator, other residents of the property or for the guests in a Short-Term Rental / Bed & Breakfast or a Tourist Home.

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).

(b) The Development Authority shall not approve a variance to the off-street parking standard for a Short-Term Rental / Bed & Breakfast or a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District.

(c) In the R-1 to R-5, CSV and CRV land use districts, the vehicles of guests visiting the renting guests of a Short-Term Rental / Bed & Breakfast or a Tourist Home may be parked on the street for the duration of the visit, subject to other provisions in this Schedule.

2.6 Guests Visiting Renters

(a) In the R-1 to R-5, CSV and CRV land use districts, guests visiting the renting guests of a Short-Term Rental / Bed & Breakfast or a Tourist Home shall not exceed the number of people that can be reasonably accommodated in two passenger vehicles including a mini-van, and such visitors shall not become *de facto* renters or occupants of the Short-Term Rental / Bed & Breakfast or the Tourist Home, i.e. the guests shall not be allowed to stay overnight in the rental unit.

2.7 Work Crews and Home Occupation – Class 2

(a) In the R-1 to R-5, CSV, CRV, GCR-1, and NUA-1 land use districts, a Short-Term Rental / Bed & Breakfast or a Tourist Home shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:

(i) requires bringing a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or

(ii) requires using the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the landowner who has complied with the provisions of this Bylaw regarding Home Occupations).

2.8 Advertising and Apprising Renters and Guests of the Applicable Rules

(a) The Short-Term Rental / Bed & Breakfast development permit owner shall provide their personal contact information to the Development Officer. The Tourist Home development permit owner shall provide to the Development Officer the name and phone number of a local person (an adult) who can respond to any complaints in person within a 30-minute contact time), and who is authorized to act as their representative. The owner of the Short-Term Rental / Bed & Breakfast operation or the Tourist Home shall be required as a condition of approval to keep this information up to date throughout the lifetime of the Short-Term Rental / Bed & Breakfast or Tourist Home operation.

(b) The Short-Term Rental / Bed & Breakfast or Tourist Homeowner shall post their development permit number and business license number and the approved number of rental units and the maximum occupancy on all of their advertisements of the rental property as a condition of development permit approval.

(c) The operator of a Short-Term Rental / Bed & Breakfast or a Tourist Home shall make available to their guests a copy of this Schedule, the Community Standards Bylaw, the Fire and Rescue Services Bylaw, and shall ensure that guests are aware of and adhere to the rules established in those bylaws and posted fire bans in the area – albertafirebans.ca.

2.9 **Signage**

(a) The landowner of the property on which a development permit for a Short-Term Rental / Bed & Breakfast or Tourist Home is applied for shall be required as part of submitting a complete development permit application and as a condition of the development permit to provide and maintain:

(i) In a residential district, one Home Occupation, Tourist Home and Short-Term Rental / B&B Sign between 0.18 m^2 (3 ft^2) and 0.72 m^2 (8 ft^2), that shall not extend more than 1.5 metres (5ft) above grade and shall be located in the front yard visible to the public; and

(ii) in a commercial district, a sign to the Development Officer's satisfaction.

2.10 **Compatibility with Neighbouring Parcels of Land**

(a) The operation of a dwelling unit in a residential land use district as a Short-Term Rental / Bed & Breakfast or Tourist Home shall not alter or detract from the appearance or use of the subject property as a residential property, or from the general character of the immediate residential neighbourhood, and shall not unduly interfere with the amenities of the residential neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

(b) In the R-1 to R-5, CSV, CRV, GCR-1 and NUA-1 land use districts, the Development Authority may deny a discretionary use development permit application for a Short-Term Rental / Bed & Breakfast or a Tourist Home, including for, but not limited to, the reason that other Short-Term Rentals / Bed & Breakfasts, Tourist Homes or Home Occupations – Class 2 had previously been approved in the immediate neighbourhood and that the addition of another in the same area will, in the sole discretion of the Development Authority, unduly interfere with the amenities of the neighbourhood or will materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land – for example, as a result of concerns related to expected additional traffic volume, parking of vehicles, late night noise, etc.

3. TEMPORARY NATURE AND EXPIRY OF A SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME DEVELOPMENT PERMIT

3.1 The development permit for a Short-Term Rental / Bed & Breakfast or Tourist Home shall be temporary, and the period for which it shall be valid and during which the use may be operated shall coincide with the period during which:

(a) the original applicant for and holder of the development permit continues to be the landowner; and

(b) the landowner holds an active Business License; and

(c) the development permit complies with the standards established in this Schedule, as these standards may be amended from time to time.

3.2 For greater clarity:

(a) In the event that the property is transferred to a third party the development permit shall expire, and a new development permit application by the new landowner shall be required to continue the use; and

(b) if the Business License lapses, is transferred to another person, or is revoked for any reason, the development permit shall expire, and a new application shall be required to reinstate the development permit and subsequently the business license; and

(c) at the annual renewal of the business license, if this Bylaw has been amended regarding the standards for Short-Term Rentals / Bed & Breakfast or Tourist Home since the initial issuance of the development permit or since the previous business license was issued, the initial development permit shall expire and the applicant for the business license is required to obtain a new or revised development permit in compliance with the revised standards – i.e. a "non-conforming" Short-Term Rental / Bed & Breakfast or Tourist Home shall not be operated without renewing the development permit to comply with amended standards and conditions.

4. CONTRAVENTIONS, FINES AND PENALTIES

4.1 Contraventions/violations of this or any other municipal bylaw by the operator of a Short-Term Rental / Bed & Breakfast or a Tourist Home or by their guests shall result in the issuing of fines and penalties to the perpetrator (i.e. either the landowner or the guests as may be applicable), pursuant to the Fees Rates and Charges Bylaw. Refer to the Administration part of this Bylaw.