



The City of Calgary

November 15, 2013

Ken Gardener
SHAX DEVELOPMENTS
315 47 AV SW
Calgary, Alberta T2S1C1

Dear Sir/Madam:

RE: Notification of Decision DP2013-2293

Subject: New: Multi-Residential Development, Accessory Residential Building (4 units)

Project:

Address: 54 34 AV SW

This is your notification of the decision by the Development Authority to approve the above noted application on November 15, 2013.

Read all of the Permanent Conditions of approval carefully as they form part of the approval decision. The Prior to Release Requirements must be met to the satisfaction of the Development Authority before your Development Permit will be released to you. The Permanent Conditions form part of the approval decision. Advisory Comments, if applicable, are also attached and are intended to be of assistance in obtaining additional permits and supplementary information for the successful completion of your development.

Development approved by this permit must commence by November 15, 2015 or the development permit shall cease to be valid.

The decision will be advertised once in the Calgary Herald on November 21, 2013, which is the start of the mandatory 14 day appeal period.

For this type of permit both the applicant and any other parties may appeal this decision. You may choose to appeal any of the Prior to Release Requirements and the Permanent Conditions of approval within 14 days of receipt of this letter. An appeal along with reasons must be submitted, together with payment of a \$25.00 fee, to the Subdivision and Development Appeal Board (4th floor, 1212 31 Ave N.E., Calgary T2E 7S8)). An appeal may also be filed online at www.calgary.ca/sdab/onlineappeal. To obtain an appeal form, for information on appeal submission options or the appeal process, please call 268-5312.

Please note that this letter is to advise you of the conditions of approval, the mandatory advertising appeal period and the timeframe in which you may appeal this decision. Once the appeal period has lapsed and no appeal has been filed you will be required to meet the Prior to Release Requirements after which you will be contacted by telephone to pick up your Development Permit. Should you require clarification of the above or further information, please contact me at (403) 268-1225 or by fax at (403) 268-8178 and assist me by quoting the Development Permit number.

Yours truly,

Michele Bussiere
Planner 1
Planning Implementation
Attachment(s)

cc: Erlton Community Association
Bill Fischer
65 31 Ave SW
Calgary Alberta T2S 2Y7



The City of Calgary

DEVELOPMENT & BUILDING APPROVALS
CORPORATE PLANNING APPLICATIONS GROUP (CPAG)

Conditions of Approval – Development Permit

Application Number: DP2013-2293
Application Description: New: Multi-Residential Development, Accessory Residential Building (4 units)
Land Use District: Multi-Residential - Contextual Grade-Oriented
Use Type: Discretionary
Site Address: 54 34 AV SW
Community: ERLTON
Applicant: SHAX DEVELOPMENTS
Date of Decision: November 15, 2013

CPAG Team:

Planning

MICHELE BUSSIÈRE (403) 268-1225 michele.bussiere@calgary.ca

Urban Development

DAN DAVENPORT (403) 268-5083 dan.davenport@calgary.ca

Transportation

AHSAN TARIQ (403) 268-2346 ahsan.tariq@calgary.ca

Parks

SHIMIN WU (403) 268-5813 Shimin.Wu@calgary.ca

Prior to Release Requirements

The following requirements shall be met prior to the release of the permit. All requirements shall be resolved to the satisfaction of the Approving Authority:

Planning:

1. Submit a total of four (4) complete sets of Amended Plans (file folded and collated) to the Planning Generalist that comprehensively address the Prior To Release conditions of all Departments as specified below.

In order to expedite the review of the Amended Plans, please include the following in your submission:

- a. One (1) of the plan set(s) shall highlight all of the amendments.
- b. Two (2) detailed written response(s) to the Conditions of Approval document that provides a point by point explanation as to how each of the Prior to Release conditions were addressed and/or resolved.

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Customer Advisory Services at (403) 268-5311.

- c. In addition to the full sized plans requested above, please submit one (1) 11 x 17 complete set of plans for the purpose of the Development Completion Permit (DCP) process.

Please ensure that all plans affected by the revisions are amended accordingly.

Urban Development:

2. Remit a performance security deposit (certified cheque, bank draft, letter of credit) for the proposed infrastructure listed below within the public right-of-way to address the requirements of the Business Unit. The amount of the deposit is calculated by Roads and is based on 100% of the estimated cost of construction.

The developer is responsible to arrange for the construction of the infrastructure with their own forces and to enter into an Indemnification Agreement with Roads at the time of construction (the security deposit will be used to secure the work).

Roads

- a. Closure and removal of existing driveway crossing on ton St SW,
 - b. Construction of new 1.1m monolithic sidewalks adjacent to Erlton St SW,
 - c. Construction of new wheelchair ramp,
 - d. Rehabilitation of existing, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
3. Remit payment (certified cheque, bank draft) for the proposed infrastructure listed below within the public right-of-way to address the requirements of the Business Units. The amount is calculated by the respective Business Unit and is based on 100% of the estimated cost of construction.

The developer is responsible to coordinate the timing of the construction by City forces. The payment is non-refundable.

Roads

- a. Street lighting upgrading adjacent to 34 Av SW and Erlton St SW.
4. Submit three (3) sets of the Development Site Servicing Plan details to the Development Servicing, Urban Development, for review and acceptance from Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw 33M2005*. Contact developmentservicing2@calgary.ca for additional details.

For further information, refer to the following:

Design Guidelines for Development Site Servicing Plans

http://www.calgary.ca/PDA/DBA/Documents/urban_development/publications/DSSSP2012.pdf

Development Site Servicing Plans CARL (requirement list)

<http://www.calgary.ca/PDA/DBA/Documents/carls/DSSP-CARL.pdf>

Transportation:

No Comments

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Customer Advisory Services at (403) 268-5311.

Parks:

5. Indicate on the site plan that an Urban Forestry Technician must be onsite during the construction of the sidewalk to mitigate possible root damage to the adjacent public spruce trees. Please contact Urban Forestry at 311 to make arrangements. Urban Forestry requires two business days notice prior to meeting onsite.

If large structural roots are removed or damaged causing the trees to become unstable, Urban Forestry may require removal using an approved contractor at applicants' expense, plus compensation.

6. Amend the site plan to dimension the clearance (greater than 3m) from the leading edge of the walkway to public spruce tree # 32045779 (Tree G)

Permanent Conditions

The following permanent conditions shall apply:

Planning:

7. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
8. No changes to the approved plans shall take place unless authorized by the Development Authority.
9. A Development Completion Permit shall be issued for the development; **before the use is commenced or the development occupied**. A Development Completion Permit is independent from the requirements of Building Permit occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for the Development Completion Permit.
10. All chimneys and flues shall be enclosed with materials compatible with the exterior finish of the building, as shown on the approved plans.
11. Upon completion of the main floor of each building proof of the geodetic elevation of the constructed main floor must be submitted to and approved by the Development Authority prior to any further construction proceeding. Fax confirmation to 403-268-8178 to the attention of 'Bylaw Checker - Geodetics'.
12. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.

Urban Development:

13. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,
 - a. the person discovering such contamination shall immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment, Alberta Health Services and The City of Calgary (311).

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- b. on City of Calgary lands or utility corridors, The City of Calgary, Environmental and Safety Management division shall be immediately notified (311).
14. The developer shall be responsible for the cost of public work and any damage during construction in City road right-of-ways, as required by the Manager, Urban Development. All work performed on public property shall be done in accordance with City standards.
 15. Indemnification Agreements are required for any work to be undertaken adjacent to or within City rights-of-way areas for the purposes of crane operation, shoring, tie-backs, piles, surface improvements, utility work, etc. All temporary shoring, etc., installed in the City rights-of-way areas must be removed to the satisfaction of the Manager of Urban Development, at the applicant's expense, upon completion of the foundation. Prior to permission to construct, contact the Indemnification Agreement Coordinator, Roads at 403-268-3505.
 16. The developer / project manager, and their site designates, shall ensure a timely and complete implementation, inspection and maintenance of all practices specified in erosion and sediment control report and/or drawing(s) which was submitted to Water Resources for review and acceptance. Any amendments to the ESC documents must be reviewed and approved by Water Resources in advance by contacting the ESC inspector that reviewed the documents or by contacting the Water Resources Erosion Control Coordinator at 403-268-2655.

For other projects where an erosion and sediment control report and/or drawings have not been required at the Prior to Release stage, the developer, or their designates, shall, as a minimum, develop an erosion and sediment control drawing and implement good housekeeping practices to protect onsite and offsite storm drains, and to prevent or mitigate the offsite transport of sediment by the forces of water, wind and construction traffic (mud-tracking) in accordance with the current edition of The City of Calgary Guidelines for Erosion and Sediment Control (www.calgary.ca/waterservices/esc). Some examples of good housekeeping include stabilization of stockpiles, stabilized and designated construction entrances and exits, lot logs and perimeter controls, suitable storm inlet protection and dust control.

For **all soil disturbing projects**, the developer, or their representative, shall designate a person to inspect all erosion and sediment control practices a minimum of every seven (7) days and during, or within 24 hours of, the onset of significant precipitation (> 12 mm of rain in 24 hours, or rain on wet or thawing soils) or snowmelt events. Note that some practices may require daily or more frequent inspection. Erosion and sediment control practices shall be adjusted to meet changing site and winter conditions.

17. Stormwater runoff must be contained and managed in accordance with the "Stormwater Management & Design Manual" all to the satisfaction of the Director of Water Resources.
18. The grades indicated on the approved Development Site Servicing Plan(s) must match the grades on the approved Development Permit plans. Upon a request from the Development Authority, the developer or owner of the titled parcel must confirm under seal from a Consulting Engineer or Alberta Land Surveyor, that the development was constructed in accordance with the grades submitted on the Development Permit and Development Site Servicing Plan.

Transportation:

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Customer Advisory Services at (403) 268-5311.

No Comments

Parks:

19. Public trees located on the boulevard adjacent to the development site shall be retained and protected unless otherwise authorized by Urban Forestry. Prior to construction, install a temporary fence around the extent of the branches ("drip line") and ensure no construction materials are stored inside this fence.
20. In order to ensure the integrity of existing public trees and roots, construction access is only permitted outside the dripline of public tree(s), per the approved Tree Protection Plan.
21. Applicant should indicate on the plans the location of new services in accordance with the Grade Slip or DSSP approved by the City. However, if the servicing trench will be located within the drip line of an existing adjacent public tree, the applicant should contact Urban Forestry through 311 or contact Development Site Servicing directly in attempt to avoid this conflict.
22. The submitted plans indicate that the removal of existing public Green Ash tree #32045776 along property frontage is necessary. As per the City of Calgary Tree Protection By-law, a letter of authorization to remove public trees is required from Parks Urban Forestry. The applicant is to contact Urban Forestry at 311 to make arrangements for the letter and compensation.

Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

Planning:

23. Any of the conditions of the development permit approval may be appealed. If you decide to file an appeal, it must be submitted to the Subdivision and Development Appeal Board (4th Floor, 1212 31 Avenue NE, Calgary, AB T2E 7S8) [DJ3 Building] **within 14 days of receipt of the decision letter**. An appeal along with reasons must be submitted, together with payment of a \$25.00 fee, to the Subdivision and Development Appeal Board. An appeal may also be filed online at www.calgary.ca/sdab/onlineappeal or mailed to Subdivision and Development Appeals Board (#8110), P.O. Box 2100, Station M, Calgary AB T2P 2M5. To obtain an appeal form, for information on appeal submission options or the appeal process, please visit the website or call 403-268-5312.
24. The approval of this Development Permit does not limit in any way the application of the regulations in the Alberta Building Code, nor does it constitute any permit or permission under the Alberta Building Code.

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25. In addition to your Development Permit, you should be aware that Building Permit(s) are required. Once your Development Permit application has been approved, you may apply for Building Permit(s). Please contact Building Regulations at 403-268-5311 for further information.
26. Should the semi-detached garage not be built on the adjacent westerly parcel at #60 34th Avenue SW, no part of the garage on the subject parcel at #54 34th Avenue SW shall project over the established property line as registered on the Certificate of Title.

Urban Development:

27. The developer is responsible for ensuring that:
 - a. The environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.
 - b. Appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and Alberta Health Services.
 - c. The development conforms to any reviewed and accepted remedial action plan/risk management plans.
 - d. All reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.
 - e. The development is in compliance with applicable environmental approvals (e.g. Alberta Environment Approvals, Registrations, etc), Energy Resources Conservation Board approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

If the potential for methane generation or vapours from natural or contaminated soils and groundwater has been identified on the property, the developer is responsible for ensuring appropriate environmental assessment(s) of the property has been undertaken and appropriate measures are in place to protect the building(s) and utilities from the entry of methane or other vapours.

Issuance of this permit does not absolve the developer from complying with and ensuring the property is developed in accordance to applicable environmental legislation.

28. The locations and design of driveways must be approved by Transportation Planning. New driveways including driveway modifications, removal and rehabilitations of unused driveway crossings or relocations, sidewalks, wheelchair ramps, and lane paving must be constructed to City standards at the developer's expense. Obstructions such as storm catch basins, hydrants, power poles, etc., must be relocated to City standards at developer's expense.
29. Garage aprons at rear must tie to the existing lane grades. Grades are available from the Supervisor, Building Grades at 403-268-5072.
30. In accordance with the *Encroachment Policy* adopted by Council on June 24, 1996, and as amended on February 23, 1998, encroachments of retaining walls, planters, entry features, building projections, etc. are not permitted to extend into the City right-of-way. New encroachments that are a result of this development are to be removed at the

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Customer Advisory Services at (403) 268-5311.

developer's expense. Encroachments are subject to approval by the Encroachment Administrator, Corporate Properties.

31. Water connection is available from 34 Av SW (150mm CI)
32. The existing 15 mm water service is undersized according to National Plumbing Code of Canada 2005. Water Resources recommends upgrading the existing service. For further information contact the Construction Services Estimator, Water Services at 403-268-4561 for an assessment of existing services. The existing services will be reviewed with respect to pipe size, water pressure, material and proximity to adjoining properties.
33. Show details of servicing and metering on Development Site Servicing Plan. Provide adequate water meter locations (100mm or larger, room adjacent to an exterior wall, 50mm or less, label water meter location) where services enter building. If static pressure exceeds 550 kPa install pressure reducing device after meter.
34. Maintain a 3.0m separation between Enmax facilities (power poles, light standards, transformer pads, catch basins, etc.) with the proposed water service.
35. Each unit must be individually metered.
36. Ensure that the water service separation from the foundation wall or piles is:
 - a. 4.0m (100mm service or larger), or
 - b. 3.0m (50mm service or smaller), or
 - c. 2.0m when the foundation wall or piles extends vertically a minimum of 2.0m below the invert of the water pipe.
37. The applicant must apply for water and sewer connections as per City Standards.
38. Sanitary sewer connection is available from 34 Av SW (200mm Conc).
39. Storm sewers are unavailable. Low impact development measures, a temporary drywell/catch basin system or a main extension may be designed for the site at the Development Site Servicing Plan stage.
40. Storm sewers are unavailable. The subject property requires a storm connection (extension) and is within the storm redevelopment area. The applicant has the following options:
 - a. Provide evidence to Water Resources that a temporary low impact development measures, drywell/catch basin system can be installed to handle the flows, ensuring that the site contains all storm run-off on-site and maintaining the allowable runoff coefficient, and
 - b. Submit payment for the storm redevelopment fee (\$84 / m frontage), and
 - c. Provide block profiles of the storm sewer extension with the DSSP submission for approval at Prior to Release stage

OR

If the subject site is large for a temporary drywell/catch basin system or if the applicant prefers to proceed with the storm sewer connection (extension) the following may be followed:

- a. Provide documentation that the storm redevelopment fee (\$84 / m frontage) will be waived, and
- b. Enter into Indemnification Agreement for the storm sewer extension, and
- c. Provide construction drawings (including block profiles) for the storm sewer extension.

For either option the design or build for the storm extension connection is solely at the developer's expense.

41. The allowable stormwater run-off coefficient shall be 69 l/s/ha.
42. Surface ponding (trapped lows) should be designed to contain all the flow generated from the 100 year storm events.
43. Where possible, discharge of roof leaders should be directed onto grassed or pervious areas to help reduce the volume of runoff. Alternatively, the roof leaders may be directed to the on-site storm sewer system.
44. Storm Redevelopment Fees (\$84 / m frontage) will be required at the service connection stage.
45. Controlled stormwater discharge is required for the subject site.
46. All on-site sewers are to be designed to City of Calgary specifications.
47. Ensure elevations of building slab and/or any building openings are 0.3m minimum above trap low spill elevations or the 100 year elevation, whichever is higher.
48. As per The City of Calgary Drainage Bylaw 37M2005, the developer, and those under their control, are responsible for ensuring that a Drainage or Dewatering Permit is obtained from Water Resources prior to discharging impounded runoff (caused by rainfall and/or snowmelt) seepage or groundwater from construction site excavations or other areas to a storm sewer. The developer, and those under their control, is responsible for adhering to all conditions and requirements stipulated in the Drainage or Dewatering Permit at all times. For further information, contact the Water Resources' Erosion Control Coordinator at 403-268-2655, the Corporate Call Centre at 311 or visit www.calgary.ca/waterservices/esc (Drainage and Dewatering Permit applications can be downloaded from this website).
49. Stormwater emergency escape routes must be to a public roadway.
50. Ensure that all associated drainage from rain, irrigation systems and snow is directed away from the collection area.
51. Storage enclosures and collection areas shall be maintained and clear of snow and ice.
52. Waste and recycling collection facilities are to be constructed in accordance with the current "Waste & Recycling Services Requirements: Design Guidelines" <http://www.calgary.ca/UEP/WRS/Pages/Development-permit-review-and-requirements/Development-Permit-Review-and-Requirements.aspx>

Contact Steve Gorda, Waste and Recycling Services Specialist at 403-268-8429 for further site specific details.

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Customer Advisory Services at (403) 268-5311.

Transportation:

No Comments

Parks:

53. The Streets Bylaw (20M88) and the Tree Protection Bylaw (23M2002) contain clauses intended to protect trees growing on Public Land. No person shall remove, move, cut, or prune a Public Tree or cause a Public Tree to be removed, moved, cut or pruned without prior written authorization from the General Manager, Parks. A copy of the bylaw can be found at www.calgary.ca
54. As part of the Tree Protection Bylaw, a Tree Protection Plan will be required when a development, construction activity, or a disturbance occurring on the City Boulevard is within 6 metres of a boulevard tree. For more information about submitting your tree protection plan visit www.calgary.ca and search "protecting trees during construction and development;" alternatively, call 311.
55. The applicant will be required to provide compensation to the City of Calgary for any Public Trees that are removed or damaged. The Public Tree(s) adjacent to this development is/are valued at \$14,193.17. Applicants that are unfamiliar with tree protection or tree appraisal are advised to consult an arborist. Arborists are found in the telephone directory under "Tree Service".
56. If clearance pruning of public trees is required, Urban Forestry must be notified (minimum 2 business days notice) and an indemnified contractor be used. Please contact Urban Forestry at 311 for more information.
57. An Urban Forestry Technician must be onsite during the construction of the sidewalk on Elton Street SW to mitigate possible root damage to adjacent public trees. Prior to construction, contact Urban Forestry at 311 and ask to speak to an Urban Forestry Technician. Urban Forestry requires two business days notice prior to meeting onsite.

Erlton Community Association

Planning and Development Committee

65 – 31 Avenue SW

Calgary, Alberta

T2S 2Y7

To: Michele Bussiere (403-268-1225) (michelle.bussiere@calgary.ca)
File Manager
City of Calgary

From: Bill Fischer (403-266-2842) (erlton@shaw.ca)
Chairman, Planning and Development Committee
Erlton Community Association

Date: August 6th, 2013

DP2013-2292
54 – 34th Avenue SW
Multi-Residential (4 units)

Our community has reviewed this discretionary development and is unable to support it.

Both the Municipal Development Plan and the Erlton ARP provide guidance with respect to scale and development pattern. This over-massed proposal fails to meet any of those objectives. It is too much building on too little land, with one result being a deficiency in both garage depth and landscaping. We also believe that the 3m setback on Erlton Street should not be relaxed.

Furthermore, the orientation of the units doesn't respect the established streetscape. This proposal orients the units east/west, conflicting with the existing development pattern, and clearly out of context with all surrounding development. We believe that this is like the reverse corner lot subdivision, commonly approved in the past, and now considered bad planning.

The building projection along the depth of the lot, along with its multiple third-story balconies, infringes on the privacy of the neighbour across Erlton Street. This violates LUB Sections 35(d) and 36(a). Mr. Peter Davies has submitted his comment directly to you.

A slightly lower density could result in a more compatible built form.

Please provide us with a copy of any final approved plans, along with a complete list of relaxations and the justification for them. We need this in order to discuss and determine their impact on the neighbouring homes and our community.

Finally, please do not hesitate to call or email should you have any concerns or require further information.

Response to Erlton Community Associations Comments and Concerns (DP2013-2293)

- 1a) In response to the Community Associations concerns regarding the scale of the development:
 - i) The M-CGd72 district calls for a higher density of development than R-C1/C2. The proposed density meets the number of allowable units (4). The entire block face is designated M-CGd72 and similar developments have been approved at either end of 34th Avenue SW. Because the district is multi-residential each parcel should be developed to its maximum density. Allowing for underdevelopment does not meet the purpose statement for the district.
 - b) With regards to the garage stall depth and landscaping:
 - i) The garage depth and % of landscaping have been addressed. There are no longer relaxations with regards to the depth of the stalls or the % of landscaping.
 - c) With regards to the relaxation for the east building setback:
 - i) A built form developed closer to a street helps to mitigate vehicular speed and creates more of a street oriented design. This rationale is supported by the alderman.
- 2) With regards to the unit entrance orientation:
 - i) Unit orientation in relation to the streetscape is viewed differently for a multi-residential development than a single detached development. Even a contextual semi-detached development located on a corner parcel, according to bylaw 1P2007 347.1(1)(d), requests that the entrance to the unit on the corner be oriented such that the entrance is visible from the street side of the corner parcel. As there are multiple entrances proposed it would not be feasible to have all access off of 34th Avenue SW. The proposed design allows for more variation of form through the use of 4 separate entrances as opposed to a more block like form that may develop through one shared entrance with the access off of 34th Avenue. The 3 accesses off of Erlton increase the pedestrian activity along Erlton helping to create more of a sense of community than would one shared access off of 34th Avenue.
- 3) With regards to the question of privacy in association with the proposed balconies on the east facade of the proposed development and #50 34th Avenue SW:
 - i) 1P2007(13)(5) defines adjacent as contiguous or contiguous if not for a street, lane, river or stream. Those homes across Erlton and 34th Avenue are not considered adjacent parcels when reviewing the application. Notwithstanding, the proposed trees and existing trees to remain will help screen the parcel, #50 34th Avenue, across Erlton Street SW from the proposed balconies as will the existing vegetation on that parcel, #50 34th Avenue SW, immediately across Erlton.

The adjacent parcel to the west @ #60 34th Avenue SW currently has an active Development Permit for a proposed new multi-residential development, development permit # 2013-4201. As a result, the proposed multi-residential development at #54 34th Avenue SW will not have a negative impact on that parcel.

FILE: DP 2013-2293

Amended: November 06 2013

DATE : November 08 2013

REQUESTED BY : Michele Bussiere

BYLAW CHECK BY :

LAND USE : M-CGd72

ADDRESS : 54 34 Av SW

PROJECT DESCRIPTION: New: Multi-Residential Development, Accessory Residential Building (4 units)

Bylaw Discrepancies

Regulation	Standard	Provided
583 Building Setbacks	(3) Where the contextual multi-residential building setback is 0.0 m, the min. building setback from a property line shared with a street is 3.0 m.	Plans indicate the East building setback from Erlton St SW to be 1.30m (-1.70m) Relax – Built form set closer to the street helps to reduce vehicular speed. Supported by alderman.
	(4) The min. building setback from a property line shared with a lane is 1.2 m.	Plans indicate accessory residential building as being 0.60m (-0.60m) Relax – Locating the accessory residential building (garage) closer to the lane allows for increased landscaping on the parcel and reduces the concrete apron depth.
549 Projections Into Setback Areas	(1) Unless otherwise referenced in subsections (2), (3), (4), (5), (6), and (7), a building or air conditioning units must not be located in any setback area.	Plans indicate the main residential building to be in the East setback. Relax – See above.
549 Projections Into Setback Areas	(5) Eaves and window wells may project a max. of 0.6 m into any setback area.	Plans indicate the East eaves to project 2.10m (+1.50m) into the East setback. Relax – See above.
550 General Landscaped Area Rules	(6) Unless otherwise referenced in subsections (7) and (8), all areas of a parcel, except for those portions specifically required for motor vehicle access, motor vehicle parking stalls, loading stalls, garbage facilities, or any purpose allowed by the Development Authority, must be a landscaped area.	Due to the main residential building being in the East setback, these rules are non compliant. Relax – Landscaping is provided of the parcel; however, due to the relaxation of the setback, the entire required setback area is not landscaped.
	(7) All setback areas adjacent to a street or another parcel, except for those portions specifically required for motor vehicle access, must be a landscaped area.	
556 Garbage	(2) A garbage container enclosure:	Plans indicate the garbage bins to be between

	(a) must not be located between a building and a public street	<p>the exterior wall of the Accessory Residential Building and Erlton St.</p> <p>Relax – The proposed garbage/recycling bins are screened by the existing hedge/shrubs.</p>
558(2)(c)(ii)	0.15 visitor parking stalls per unit.	<p>Plans indicate 0 (-1) visitor parking stalls.</p> <p>Relax – 0.15 visitor parking stall is required per unit or 0.6 (1) stall. The proposed development is located on a corner parcel. Relaxing the 1 visitor parking stall will allow for increased landscaping on the parcel.</p>