



**April 24<sup>th</sup>, 2014**

TO: Erlton Community Association

Subject: Approval of **DP2013-2892**– New: Multi-Residential Development (69 31 AV SW)

To whom it may concern:

First of all I would like to take this opportunity to introduce myself as the new file manager for this DP. While this DP was approved by the previous planner Kelly Schmalz, I have been re-assigned this file from this point onwards. Based on your comments on this DP, the following is to advise you that the Development Authority has **approved** this development permit. Unfortunately I was not handed over an extra full sized set of the approved plans. However I am in the process of trying to obtain one from the applicant to mail out to you. In the meantime, I am more than happy to have the approved set (the only one I have) available for your viewing at City Hall's Property Research Centre. Attached, are the Conditions of Approval and the Approval letter, for your reference.

After receiving your email, the CPAG team worked with the applicant to attempt to deal with the issues which were identified by SDAB in the previous DP application for this parcel, the Community Association, and the Development Authority. I will go through some of the points raised in your letter to Kelly, dated August 20<sup>th</sup> 2013.

The Development Authority shared similar concerns regarding the relationship of the proposed development with the East neighbour, especially to ensure that they retained their continued right to the enjoyment of their property. The application we have approved creates a courtyard area abutting the rear yard of the adjacent east neighbour. This courtyard will now allow the large existing tree on the subject parcel to remain. This mature tree will assist in mitigating the massing of the new development from its easterly neighbour, while continuing to provide the existing shade condition it has previously provided to their rear yard. Access to sunlight was further addressed by creating a corridor separating the two buildings. This will allow light to pass through to the easterly neighbours' rear yard. As for privacy concerns, the large tree along with the obscuring of certain windows on the East elevation work hand in hand to protect the east neighbour.

As for the 2-car single storey garages located to the east of the proposed buildings, their location mitigates between the three floor levels of the proposed buildings to the west of the parcel, and the two floor levels of the easterly neighbouring building. This mitigation in massing is evident in the 31<sup>st</sup> Avenue streetscape provided by the applicant.

In addition, as noted by the applicant through discussions with Enmax, the existing hydro pole and guy wire located along the lane of the proposed development mark the end of that line, and thus could only be relocated a distance large enough to allow for a 2-car garage off the lane. A 4 -car garage was not possible, resulting in the alternative to have a second 2-car garage located off 31<sup>st</sup> Avenue SW. Again, by referring to the 31<sup>st</sup> Avenue streetscape provided, it is evident that the adjacent East neighbour forms one of a few precedents on the street with front drive garages off 31<sup>st</sup> Avenue SW.



The relaxations granted as part of this approval, are all provided below with their rationale for your reference. Please note that the advertising period for this application will begin **April 24<sup>th</sup> 2014** and complete on **May 8<sup>th</sup> 2014**. If you have any questions, please contact me to discuss.

Sincerely,

**SARA KASSA**

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<b>Bylaw Discrepancies</b>		
<b>Regulation</b>	<b>Standard</b>	<b>Provided</b>
583 Building Setbacks (min.)	(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 that the setback from the West property line to both building 1 and building 2 is 1.22m (-1.78m)  <i>Relaxed. The authority encouraged the applicant to move the building closer to Erlton Street SW to allow for greater separation from the Easterly neighbour; further facilitating the creation of the Courtyard as a buffer.</i>
549 Projections Into Setback Areas (max.) (Applies to all Setbacks)	(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 that both buildings are located in a setback area.  <i>Relaxed, as a result of relaxing Sec. (583).</i>
	(5) Eaves and window wells may project a max. of 0.6 m into any setback area.	Plans indicate that the West eaves of both buildings project 2.24m (1.64m). Plans indicate that 4 window wells project into the West setback area 2.39m (1.79m) and two window wells project into the West setback area 2.09m (1.49m).  <i>Relaxed, as a result of relaxing Sec. (583).</i>

<p>585,13 Building Height and Cross Section (max.) Refer to Diagrams in Bylaw for Clarification</p>	<p>(4) The max. area of a horizontal cross section through a building at 10.5 m above average grade must not be greater than 40.0 % of the max. area of a horizontal cross section through the building between average grade and 9.0 m.</p>	<p>Plans indicate that the area of the horizontal cross section through building 1 at 9.0m above average grade is 121.76m<sup>2</sup> and that the area through a horizontal cross section at 10.5m is 57.35m<sup>2</sup> (8.65m<sup>2</sup>) or 47.10% (7.10%).</p> <p><i>Relaxed.</i></p>
<p>558 Motor Vehicle Parking Stall Requirements</p>	<p>(2) Where a <u>building</u> contains three or more <u>units</u> with no shared entrance facilities in a <u>Multi-Residential Development</u> and <u>Multi-Residential Development – Minor</u>, the minimum <u>motor vehicle parking stall</u> requirement: (c) in Area 3 of the "Parking Areas Map", as illustrated on Map 7: (ii) for each <u>Dwelling Unit</u> is 0.15 <u>visitor parking stalls</u> per <u>unit</u>;</p>	<p>Plans indicate that the number of visitor parking stalls provided is 0 (-1).</p> <p><i>Relaxed because there is ample street parking resulting from the adjacent park/ cemetery by the proposed development.</i></p>