

The City of Calgary

August 25, 2014

APRIL KOJIMA
RICK BALBI ARCHITECT
#106 5917 1A ST SW
CALGARY, AB T2H 0G4

Dear Sir/Madam:

RE: Notification of Decision DP2014-1910
Subject: New: Semi-detached Dwelling, Accessory Residential Building (garage)
Project:
Address: 42 31 AV SW

This is your notification of the decision by the Development Authority to approve the above noted application on August 22, 2014.

Read all of the Permanent Conditions of approval carefully as they 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 August 22, 2016 or the development permit shall cease to be valid.

The decision will be advertised once in the Calgary Herald on August 28, 2014, which is the start of the mandatory 14 day appeal period.

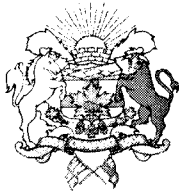
For this type of permit both the applicant and any other parties may appeal this decision. You may appeal any of the noted Permanent Conditions of approval within 14 days of receipt of this letter. An appeal along with reasons must be submitted, together with payment of a \$100.00 fee, to the Subdivision 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 contacted by telephone to pick up your Development Permit. Should you require clarification of the above or further information, please contact me at (403) 268-5946 or by fax at (403) 268-3287 and assist me by quoting the Development Permit number.

Yours truly,

Maurie Loewen
Senior Planning Technician
Planning Implementation
Attachment(s)

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



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STREAM 3 AND BYLAW REVIEW
INSPECTIONS AND PERMIT SERVICES

Reasons for Approval for DP2014-1910

The Reasons for Approval document is intended to provide a short summary of the development permit process; response to concerns raised by neighbours, other affected parties and the Community Association; and rationale for any relaxations of the Land Use Bylaw granted by the Development Authority. Only the approved plans and conditions of approval are the subject of an appeal.

Scope and Process

Development Scope:

The application is for a discretionary Single Detached Dwelling at 42 31 AV SW in the Southwest community of Erlton. The site is surrounded by single detached dwellings to the north, east, south and west. The primary access for adjacent residences along 31 AV via the rear lane. The application indicates that the use of the existing front driveway will be discontinued.

Circulation and Notice Posting:

The following referees were circulated:

1. Enmax – no objection
2. As per Land Use Bylaw requirements, the application was notice posted for a 1 week period. No comments were received.
3. Erlton Community Association – provided comments

The Community Association's concerns included:

- a) Concerns relating to building depth
 - b) Units appear too similar
 - c) Preservation of mature trees
4. Ward Councillor – provided comments
 - d) No relaxations

These comments were addressed by requesting the applicant to submit amended drawings that indicated:

- a) The building depth complies with the policies of the infill housing guidelines; therefore, a shadow study was not requested.
- b) A greater stagger between the units has been provided to ensure each one appears distinct, as well as to provide better continuity in terms of front yard setbacks along the blockface.



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STREAM 3 AND BYLAW REVIEW INSPECTIONS AND PERMIT SERVICES

Comments on Relevant City Planning Policies

- **The Erlton Area Redevelopment Plan states:** Infill development is encouraged; this should be compatible with the scale of surrounding development and local streetscape. Infill development should be sensitive to and complement the natural features associated with the riverbank and escarpment.
The parcel is located on a relatively flat internal parcel which is not located along the riverbank or escarpment.

- **The Low Density Residential Housing Guidelines for Established Communities (Infill Guidelines)**
 - In order to maintain the established street pattern and limit the visual impact of a new house on existing homes, the depth of the front yard of new development should be consistent with that of other buildings on the street.
The westerly unit is generally in line with the house to the west, the easterly unit projects approximately 2 metres beyond the house to the east. Given the varying setbacks along the blockface this is within context for the area.

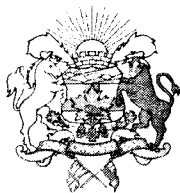
 - Individual unit identify is encouraged to provide both visual interest and counteract the massing of the building. The massing of a semi-detached infill should respond to the existing patten on the street. For example, if the existing homes on the street are on 7.6 metres wide lots, the semi-detached development should be designed to resemble two homes.
Unit distinction is provided by staggering the front setbacks of the two dwellings and providing differing front projections.

 - Where a development protrudes into the rear setback area beyond the adjacent structure, privacy, overshadowing and access to sunlight are important design considerations. The building depth of a new development should respect the building depth of existing adjacent developments.
The dwelling is generally in line with the dwelling to the west, and approximately 2 metres beyond the dwelling to the east. The proposed setback meets the building depth expressed in the guidelines and therefore a shadow study is not warranted.

 - Parcel coverage calculations for new development should include all proposed and future accessory buildings. Two on-site spaces should be provided for each new dwelling unit.
Two on-site parking stalls are provided per unit. A building coverage relaxation is required for the detached garage; however, once subdivided the garage will comply.

Land Use Bylaw 1P2007

The existing land use for the site is Multi-Residential – Contextual Grade-Oriented (M-CG) District. The



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STREAM 3 AND BYLAW REVIEW INSPECTIONS AND PERMIT SERVICES

M-CG district is intended to accommodate existing residential development and contextually sensitive redevelopment. The rules of the Residential – Contextual One/Two Dwelling (R-C2) District apply to new Semi-detached development.

A bylaw check of the proposed development identified a number of discrepancies which are highlighted in the chart below. Individually and combined, these discrepancies do not unduly interfere with the amenities of the neighbourhood or interfere with or affect the use, enjoyment or value of neighbouring parcels of land. The proposed development meets the intent of the land use district.

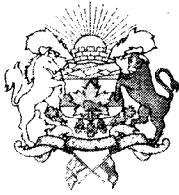
Bylaw Discrepancies (August 15, 2014)

Regulation	Standard	Provided
435 Building Setback from Front Property Line	(1) For a Semi-detached Dwelling the minimum building setback is the contextual front setback less 1.5 metres.	Plans indicate the front setback is 5.50 metres (-0.60 metres).
336 Projections into Front Setback Areas	(1) Eaves may project a maximum of 0.6 metres into the front setback area.	Plans indicate the front eave projects 1.21 metres (0.61 metres) into the front setback area.
346 Restrictions on Use of Accessory Building	(4) The area of a parcel covered by all Accessory Residential buildings located on a parcel must not exceed 75 m ² .	Plans indicate the accessory building is 76.6 m ² (+1.60 m ²).

Planning Review

This Semi-detached Dwelling complies with the Area Redevelopment Plan and the Infill Housing Guidelines. A relaxation of the front setback was granted in order to keep the building closer to the street, thus reducing the building depth. The impact of this relaxation is offset by the staggering of the units which results in a more gentle transition between setbacks along the blockface.

The main floor of the building is generally in line with the adjacent homes, and the eave line of the front porches align with the roofs of the adjacent bungalows. The facade is finished with two types of high quality materials, providing a simple clean look that is consistent with existing homes. Large front windows and forward facing doors lend to the blockface and compliment other developments in the area. The rear yard is open and in line with the other yards along the blockface. The garages are larger than the bylaw minimum and allow ample room for parking two vehicles of varying sizes.



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DEVELOPMENT & BUILDING APPROVALS

Conditions of Approval – Development Permit

Application Number:	DP2014-1910
Application Description:	New: Semi-detached Dwelling, Accessory Residential Building (garage)
Land Use District:	Multi-Residential - Contextual Grade-Oriented
Use Type:	Discretionary
Site Address:	42 31 AV SW
Community:	ERLTON
Applicant:	RICK BALBI ARCHITECT
Senior Planning Technician:	MAURIE LOEWEN - (403) 268-5946 - Maurie.Loewen@calgary.ca

Permanent Conditions

The following permanent conditions shall apply:

1. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
2. No changes to the approved plans shall take place unless authorized by the Development Authority.
3. A Development Completion Permit shall be issued for the development; **before development is 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.
4. Upon completion of the main floor, 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'.
5. 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, 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).

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.

If **prior to or during construction** of the development, the developer, the owner of the titled parcel, or any of their agents become aware of contamination on City of Calgary lands or utility corridors, the City's Environmental Assessment & Liabilities division shall be immediately notified (311).

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.

6. 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 \$100.00 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. The grades must match the grades indicated on the Development Permit approved 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.
12. 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

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protection plan visit www.calgary.ca and search “protecting trees during construction and development;” alternatively, call 311.

13. The applicant will be required to provide compensation to the City of Calgary for any Public Trees that are removed or damaged. Individual Public Trees can have values ranging in the thousands of dollars depending on size and species. For example, a 50-cm diameter American Elm can have a value of \$8300.00. For further information on tree value and compensation please call 311 or visit www.calgary.ca/parks. 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’.