



# The City of Calgary

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January 21, 2015

Aaron MacKelm  
BROOKWRIGHT DEVELOPMENTS  
6029 6 ST SE  
CALGARY, AB T2H1L8

Dear Sir/Madam:

**RE: Notification of Decision DP2014-3934**  
**Subject: New: Single Detached Dwelling**  
**Project:**  
**Address: 2515 ERLTON ST SW**

This is your notification of the decision by the Development Authority to approve the above noted application on January 16, 2015.

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.

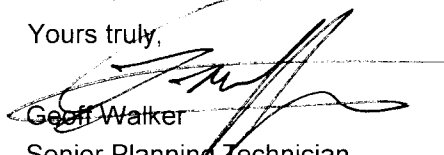
Development approved by this permit must commence by January 16, 2017 or the development permit shall cease to be valid.

The decision will be advertised once in the Calgary Herald on January 22, 2015, 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 \$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](http://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) 268-2195 or by fax at (403) 537-3024 and assist me by quoting the Development Permit number.

Yours truly,



Geoff Walker  
Senior Planning Technician  
Planning Implementation  
Attachment(s)

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



# The City of Calgary

STREAM 3 AND BYLAW REVIEW  
INSPECTIONS AND PERMIT SERVICES

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## Reasons for Approval for DP2014-3934

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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 2515 Erlton St SW in the southwest community of Erlton. The site is an interior laneless parcel surrounded by single detached dwellings to the north, south, and the Elbow River to the West.

#### Circulation and Notice Posting:

The following referees were circulated:

1. Ward Councillor – provided comments

The Councillor comments included:

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

### Comments on Relevant City Planning Policies (Continued)

#### Low Density Residential Housing Guidelines for Established Communities (Infill Guidelines):

##### 4.3.1 Building Setback from Front Property Line

***Guideline: The setbacks of new development should respect the established street pattern.***

*The proposed development has been designed to be respectful of the existing surrounding developments with regards building setbacks.*

##### 4.3.3 Building Setback from Side Property Line (Side Setback)

***For larger parcels (greater than 12.0m in width), side setbacks greater than the bylaw minimum are often more appropriate in order to respect the context of the street.***

*The existing streetscape provides a variety of side setbacks, some less than the minimum bylaw*



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requirements. The lower level of the proposed dwelling does provide greater than the requirements of the land use bylaw. The proposed development does not affect the context of the streetscape in relation to the side setbacks.

### 4.5.1 Placement of Windows/Second Storey Balconies

**Guideline: The Privacy of adjacent residences should be respected**

The proposed development does not adversely affect the adjacent neighbours in relation to the placement of the rear balcony.

### Land Use Bylaw 1P2007

The existing land use for the site is Residential – Contextual One District (R-C2). The R-C2 district is intended to accommodate existing residential development and contextually sensitive redevelopment in the form of Single Dwellings in the Developed Area.

A bylaw check of the proposed development identified a number of discrepancies which is highlighted in the chart below. The 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.

<b>Bylaw Discrepancies (Sept 2, 2014)</b>		
<b>Regulation</b>	<b>Standard</b>	<b>Provided</b>
<b>Building Setback from Front Property Line</b>	<b>Sec 435(1)</b> For a Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached, or Single Detached, the min. building setback is the greater of: (a) the contextual front setback less 1.5 m	Based on the two contextually adjacent dwellings, the minimum required front setback for the subject parcel is 5.4m. Plans indicate the East setback is 5.2m (-0.2m) when measured to the second floor.
<b>Balconies</b>	<b>Sec 340(1)</b> An open balcony must not project more than 1.85 meters from the building façade to which it is attached.	Plans indicate the balcony projects 5.18m (+3.33m) from the West facade.
	<b>Sec 340(2.1)</b> Unless otherwise referenced in this Part, a privacy wall located on a balcony: (a) must not exceed 2.0m in height when	Plans indicate the privacy wall along the South of the proposed balcony is 2.2m (+0.2m) in height.



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	measured from the surface of the balcony.	
60 Flood Fringe	<b>Sec 60(1)</b> All buildings in the flood fringe must be designed in the following manner: (b) the first floor of all buildings must be constructed at or above the designated flood level; and (d) a sewer back up valve must be installed in every building.	The required flood step elevation for the subject parcel is 1049.9. The proposed plans indicate the main floor geodetic is 1049.4 (-0.5).

## Planning Review

During the review, the Development Authority considered the land use bylaw rules and the appropriateness of the proposed development in the context of the neighbourhood.

The proposed front setback is measured to a portion of the second floor (cantilever). The required relaxation is minimal and does not encompass the entire front facade. This portion of the front facade does not negatively affect the massing of the front facade.

The rear balconies, although larger than bylaw requirements, are situated in a way that attention would be directed away for the adjacent neighbour. The proposed balcony does contain a partial privacy wall, which provides screening; it does not extent the full depth of the balcony.

Although the lower portion of the dwelling is understood as the main floor of the dwelling, the components of this level are more in line with the basement level. The floor, which includes the mechanical equipment, which is intended to be used as the main floor is well above the required flood levels.

The Development Authority determined that the above noted relaxations added to the appearance of the proposed house and the relaxations required were minor and in keeping with the character of the surrounding area. In addition, the proposed development respects the intent of the Land Use Bylaw and the Infill Housing Guidelines.



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DEVELOPMENT & BUILDING APPROVALS

## Conditions of Approval – Development Permit

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<b>Application Number:</b>	<b>DP2014-3934</b>
<b>Application Description:</b>	New: Single Detached Dwelling
<b>Land Use District:</b>	Residential - Contextual One/Two Dwelling
<b>Use Type:</b>	Discretionary
<b>Site Address:</b>	2515 ERLTON ST SW
<b>Community:</b>	ERLTON
<b>Applicant:</b>	BROOKWRIGHT DEVELOPMENTS
<b>Senior Planning Technician:</b>	GEOFF WALKER - (403) 268-2195 - geoff.walker@calgary.ca

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## Prior to Release Requirements

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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:

1. 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. Construction of new driveway crossings on Erlton St SW.

## Permanent Conditions

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The following permanent conditions shall apply:

2. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
3. No changes to the approved plans shall take place unless authorized by the Development Authority.

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

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,
  - 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).
  - b. on City of Calgary lands or utility corridors, The City of Calgary, Environmental and Safety Management division shall be immediately notified (311).
6. A Development Completion Permit shall be issued for the development; before the use 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.

## Advisory Comments

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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.

7. 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](http://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.
8. 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.
9. 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.
10. Development activities must ensure that suitable erosion and sedimentation controls are being implemented to protect our environment and drainage systems. Construction activities can result in a rapid increase in erosion and sedimentation. Sedimentation of rivers, streams and creeks can destroy fish habitat, and negatively impact water supplies, flood control, navigation, and recreational activities.

Please refer to The City of Calgary's Guidelines for Erosion and Sediment Control:  
[http://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/ESC-guidelines-2011.pdf](http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/ESC-guidelines-2011.pdf)

11. Landscape plans are encouraged to utilize native species commonly found in riparian habitats. Our riparian areas are home to an array of both flora and fauna. The plant-life within Calgary's river valleys play a very important role in maintaining and sustaining a healthy environment, and provide important habitat for wildlife.
12. Warning: This parcel may have been impacted by the 2013 flood event. The City of Calgary recommends that, based on information gathered in the 2013 flood event, and analysis contained in the "Bow and Elbow Hydraulic Model Update" (2012, City of Calgary and Alberta Environment & Water), that in addition to meeting all flood requirements of the Land Use Bylaw 1P2007, any buildings on this parcel be designed and constructed to withstand damage from any future 1-in-100 year flood level, as follows:
  - a. to prevent structural damage by floodwaters;
  - b. to construct the first floor of all buildings at or above 1050.7; and
  - c. to construct all electrical and mechanical equipment within a building at or above 1050.7;
13. The design of the building on the parcel may affect the ability to qualify in the future for Province of Alberta Disaster Recovery Program assistance, therefore it is recommended that the applicant contact the Government of Alberta, Flood Info Line 310-4455, or 1-866-825-4455 toll free, to review any pertinent matters affecting the subject development.
14. Warning: A basement on this parcel has the potential for flooding due to groundwater seepage if the elevation of the foundation is at or below 1048.5

Based on information gathered in the 2013 flood event, and analysis contained in the "Bow and Elbow Hydraulic Model Update" (2012, City of Calgary and Alberta Environment & Water), The City of Calgary recommends:

- a. Construct all electrical and mechanical equipment within a building at or above 1050.7.
- b. Basements should not be utilized for storage or immovable or hazardous materials that are flammable, explosive or toxic.
- c. Footings and foundation walls should be cast-in-place concrete.
- d. A sump pump with battery backup should be provided in the basement.
- e. The outfall pipe should be looped and discharge above the recommended 100 year flood level.
- f. A separate electrical circuit should be provided for the sump pump with the operating switch located above the recommended 100 year flood level.
- g. Basement walls should be made water tight through the use of paints, membranes and mortars to minimize seepage.
- h. Installation of backflow prevention valve(s) on sewer lines or the elimination of gravity flow basement drains.

15. 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.
16. 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.
17. 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.
18. 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](http://www.calgary.ca) and search "protecting trees during construction and development;" alternatively, call 311.
19. 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](http://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'.