



August 02, 2018  
KIM HESSUNG  
KIM, HEESUNG  
41 27 AVE SW  
CALGARY, AB T2S 2X7

Dear Sir/Madam:

**RE: Notification of Decision DP2018-0156**  
**Subject: New: Duplex Dwelling, Accessory Residential Building (garage)**  
**Project: Duplex**  
**Address: 30 29 AV SW**

This is your notification of the decision by the Development Authority to approve the above noted application on August 2, 2018.

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 August 2, 2020 or the development permit shall cease to be valid.

The decision will be advertised once in the Calgary Herald on August 9, 2018, which is the start of the mandatory 21 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 21 days after the date on which the decision is made. 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.calgarysdab.ca](http://www.calgarysdab.ca). 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) 268-5586 or by fax at (403) 537-3024 and assist me by quoting the Development Permit number.

Yours  
truly,

Jeff Martin  
Senior Planning Technician  
Planning Implementation  
Attachment(s)



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## Reasons for Approval for DP2018-0156

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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 30 29 Ave SW in the community of Erlton. The site is located within the M-CG district and is adjacent to low density dwellings to the north, south, east and west. The parcel is located mid-block and has lane access. Primary vehicular access for adjacent residences as well as the subject parcel is from the rear lane.

#### Circulation and Notice Posting:

The following referees were circulated:

1. Subdivision – Comment received. Off-site levy required.
2. Building Regulations – Comment received. No objection to proposed development.
3. Development Engineering – Comment received. Slope stability report received / reviewed / accepted.
4. Enmax – Comment received. No conflict
5. Erlton Community Association – Comment received. Overall, no objection to development. Comments indicate desire for compliant building height and screening to limit potential for overlooking.
6. Ward Councillor – No Comment received
7. As per Land Use Bylaw requirements, the application was notice posted for a 1 week period. No objections or concerns from area residents.

These comments were addressed in the following manner:

- a) Bylaw Check confirmed the development complies with the maximum building height plane.
- b) Amenity spaces have been equipped with a 2.0m high privacy wall with obscure glass.



## Comments on Relevant City Planning Policies

### Erlton Area Redevelopment Plan:

#### 2.1.2.1 Recommended Policies.

*Reaffirm the policy of conservation for south Erlton. Infill development is encouraged; this should be compatible with the scale of surrounding development and the local streetscape. Infill development should be sensitive to and complement the natural features associated with the riverbank and escarpment.*

The proposed development is in an established neighbourhood boasting a vibrant mix of original dwellings and redeveloped parcels. The character of the local community is one with a primary residential building on the parcel and vehicle access provided from the rear lane. The development matches the existing pattern of development within the established residential neighbourhood.

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

#### Section 4.2 Context.

*New development should be designed in a manner which is responsive to the local context.*

The proposed design is responsive to the context of the local community. The existing streetscape on the block face contains a mix of original and redeveloped properties. The development is responsive to the local context as it proposes to rejuvenate housing stock that matches that low density district.

#### Section 4.3.5, Parcel Coverage

*Parcel coverage for new development should include all proposed and future accessory buildings.*

The development complies with the maximum parcel coverage rule, as described within the Land Use Bylaw.

#### Section 4.4.1 Building Height

*The Land Use Bylaw regulates the height of low density residential development using a contextual building height formula that is based in part on the heights of neighbouring homes.*

The development complies with the maximum building height rule, as described within the Land Use Bylaw.



Section 4.5 Privacy

*The privacy of adjacent residences should be respected.*

The proposed development includes balconies located at the front and rear facades. Both balconies have been designed to include 2.0 privacy walls with obscure glass. The privacy walls will minimize the opportunity for overlooking into adjacent parcels.

**Land Use Bylaw 1P2007**

The existing land use for the site is Multi-Residential – Contextual Grade-Oriented District (M-CG). A parcel designated as M-CG is intended to accommodate Multi-Residential Development in a variety of forms within the Developed Area.

A bylaw check of the proposed development identified discrepancies which are highlighted in the chart below. These discrepancies do not unduly interfere with the amenities of the neighbourhood nor do they 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 – Amended drawings received May 31, 2018**

Regulation	Standard	Provided
535 Building Depth	(1) Unless otherwise referenced in subsection (2) the maximum building depth is 65.0 per cent of the parcel depth for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling and a Single Detached Dwelling.	Plans indicate the building depth is 31.83m (+7.63m).  <b>Relaxation supportable.</b>
542 Outdoor Private Amenity Space	For a Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling and a Single Detached Dwelling, each unit must have direct access to private amenity space that: (c) may be divided over a maximum of two amenity spaces where: (i) one	Plans indicate the upper unit does not provide a private amenity space with dimensions greater than 3.0m.  <b>Relaxation supportable.</b>



	amenity space has no dimension less than 3.0 metres;	
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### Planning Review

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

The proposed development requires a relaxation for the *Building Depth*, rule. The relaxation is justified as the building depth measures from the front façade of the dwelling to the rear façade of the garage. The garage is attached to the dwelling via the basement which partially visible above the grade line. Despite the connection tunnel, the rear garage is intended to appear as a detached structure. The primary rear façade of the Duplex Dwelling reasonably aligns with the adjacent dwelling to the east. Development Authority determined that the above noted relaxation was acceptable and would not impose a negative impact on the surrounding community.

The proposed development requires a relaxation for the *Balcony Dimension*, rule. The relaxation is justified as the development offers multiple locations for amenity within the proposed design. Each unit has been afforded adequate amenity spaces which are directly accessible to the dwelling space. Development Authority determined that the above noted relaxation was acceptable and would not impose a negative impact on the surrounding community.

The development is sensitive to the local context through building design, building placement and finish material. The design elements noted above respect the intentions of the Land Use Bylaw, Infill Housing Guidelines and the community Area Redevelopment Plan while providing the rationale for approval.



## Conditions of Approval – Development Permit

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**Application Number:** DP2018-0156  
**Application Description:** New: Duplex Dwelling, Accessory Residential Building (garage)  
**Land Use District:** Multi-Residential - Contextual Grade-Oriented  
**Use Type:** Discretionary  
**Site Address:** 30 29 AV SW  
**Community:** ERLTON  
**Applicant:** KIM, HEESUNG  
**Senior Planning Technician:** JEFF MARTIN - (403) 268-5586 - jeff.martin@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:

### Public Infrastructure:

1. **After the Development Permit is approved but prior to its release**, the landowner shall execute an Off-Site Levy Agreement for the payment of off-site levies pursuant to Bylaw 2M2016. The off-site levy is based on a 2018 development approval date and was based on the following:

Development Type	New	Existing
Single Detached Dwelling	_____ unit(s)	1 _____ unit(s)
Semi-Detached/Duplex Dwelling	2 _____ unit(s)	_____ unit(s)

Based on the information above, the **preliminary estimate** is \$5,304.00.

**Should payment be made prior to release of the development permit, an Off-Site Levy Agreement will not be required.**

- Include the completed Payment Submission Form, which was emailed to the applicant.
- Only certified cheques or bank drafts made payable to the City of Calgary are acceptable.

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 Planning Services Counter at (403) 268-5311.

To obtain an off-site levy agreement or for further information, contact the Public Infrastructure Coordinator, Calgary Approvals Coordination at 403-268-6739 or email [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).

## Permanent Conditions

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The following permanent conditions shall apply:

### Planning

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 is required prior to the development being occupied.
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. Email confirmation to [geodetic.review@calgary.ca](mailto:geodetic.review@calgary.ca).

### Development Engineering

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).

### Public Infrastructure:

6. Pursuant to Bylaw 2M2016, off-site levies are applicable.
7. **After approval of the Development Permit but prior to issuance of a Development Completion Permit or any occupancy of the building**, payment shall be made for off-site levies pursuant to Bylaw 2M2016. To obtain a final estimate, contact the Public Infrastructure Coordinator, Calgary Approvals Coordination at 403-268-6739 or email [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca)
  - Include the completed Payment Submission Form, which was emailed to the applicant.
  - Only certified cheques or bank drafts made payable to the City of Calgary are acceptable.

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## 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.

### Planning

- 8 The Applicant may appeal the decision of the Development Authority, including any of the conditions of the development permit. If you decide to file an appeal, it must be submitted to the Subdivision and Development Appeal Board (4<sup>th</sup> Floor, 1212 31 Avenue NE, Calgary, AB T2E 7S8) [DJ3 Building] **within 21 days after the date on which the decision is made**. 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 <http://www.calgarysdab.ca> 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.
- 9 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.
- 10 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.

### Development Engineering:

- 11 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.
- 12 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.
- 13 The dampproofing and/or waterproofing requirements for the underground structures should be assessed and recommendations should be provided accordingly and appropriately.

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**Building Regulations:**IMPORTANT NOTICE

A preliminary review for compliance with the Alberta Building Code has been completed based on the Development Permit Application Drawings.

The following comments may affect the design concept of the building and shall be addressed prior to the application for a Building Permit.

A Building Permit shall be obtained from the Building Regulations Division before construction.

**The proposed development has code compliance issues that may affect this Development Permit due to alterations required to bring the proposed development into compliance with the 2014 Alberta Building Code. This may result in a new or revised development permit being required if not addressed at this time.**

The following items in bold, but not limited to, are required to be addressed:

Alberta Building Code 2014 Comments (advisory).

As designed this building is 5-6 storeys which would make it a PART 3 building. The building as shown does not meet the requirements of localized depressions as set by the Building Regulation RB14-003 or Standata 06-BCI-013. The following are the requirements for a Part 3 Building.

14. Division B, 3.2.2. Provide a complete Building code review at time of Building Permit application. The **building classification** shall be included as required by 3.2.2. The fire separations and fire resistance ratings shall be clearly identified on the drawings. (Floor loading, fire resistance ratings, spatial separations, construction of exposing building face, occupant loads, exiting, etc)
15. Division C, 2.4. Please note full professional involvement will be required for the design and building permit submittal for this project. Please ensure Architectural, Structural, Mechanical, Electrical, and Geotechnical professionals are retained, and provide drawings from each discipline.
16. Division B, 3.4. This building does not contain exits that are designed to meet code. Two exits must be provided from every suite.

Division B, 3.3.4.2. Dwelling unit floors will be required to be constructed as a fire separation, this fire separation will need to be constructed as a continuous barrier as required by Division B, 3.1.8.1. which will mean the stairs will need to be enclosed in a fire separation.

17. Division B, Part 8 Please note shoring and/or underpinning may be required based on site conditions, depth of excavation, and distance to property line, refer to ABC requirements.
18. Please note proof of Alberta New Home Warranty will need to be provided at time of Building Permit application refer to <http://homewarranty.alberta.ca/>
19. Be aware, Starting December 1, 2017 the Province of Alberta will require all residential 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 Planning Services Counter at (403) 268-5311.

builders to have a builder license to construct residential projects including multi-residential. Accordingly, the City of Calgary is required to check for evidence of the builder license for any building permits that will be issued on or after December 1, 2017 and that include residential dwelling units in the scope of work. The Province of Alberta is issuing provisional licenses to builders between now and May 1, 2018. Any questions related to builder licensing can be directed to [builderlicensing@gov.ab.ca](mailto:builderlicensing@gov.ab.ca).

### National Energy Code of Canada for Building 2011 (advisory)

20. The National Energy Code for Buildings 2011 will apply to this proposal at time of building permit submission. Please refer to [www.Calgary.ca/energycodes](http://www.Calgary.ca/energycodes) for further information on submission requirements.
21. NECB Division B, 3.2.2.1. The National Energy Code for Buildings 2011 prescriptive and trade off paths require vestibules on certain exterior access doors. Please ensure this is addressed prior to the application of Building Permit.
22. NECB Division B, 4.1.1.2(1) & 4.2.3. Please note that any exterior and accent lighting fed from the building supply is required to meet the National Energy Code for Buildings 2011. Please ensure that where applicable these are included within your chosen compliance path.
23. NECB Division B, 7.2.1.1.(2) National Energy Code for Buildings 2011 requires that in buildings containing dwellings the electrical energy consumption be capable of being monitored for each individual unit.
24. NECB Division B, 8.1.1.2. Please be aware that in a performance path submission II drawings submitted will require to be fully coordinated with the model.

### **Site Servicing:**

25. All plumbing services including sanitary, storm and water shall be verified onsite by the Owner/Builder to ensure the size and location is compliant with the National Plumbing Code of Canada for the number of fixtures being installed.
26. The waterline must be of the size that is indicated on the grade slip, but in no case smaller than 1" in size.
27. When a Secondary Suite or Laneway Houses is added to an existing property, a service demand calculation is to be completed by the applicant.
28. When the calculated demand determines that an increase of the service is required from a 60 amp, 100 amp or 200 amp service you must contact Enmax at [electricalservice@enmax.com](mailto:electricalservice@enmax.com) to check if the increased service size is available.

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