

Erlton Community Association  
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January 12, 2019

To: Subdivision and Development Appeal Board [info@calgarysdab.ca](mailto:info@calgarysdab.ca)  
cc: Dean Campbell [deancamp@hotmail.com](mailto:deancamp@hotmail.com) sent via email

Re: SDAB File: 2018-0170  
D.P. NUMBER: DP2018-0089  
Address: 2519 Erlton St SW

The Erlton Community Association's position on the above noted appeal was considered at our general meeting on January 8, 2019 and a motion to support Mr. Campbell's appeal, as follows, was passed by the members with none opposed.

The ECA notes that the approval in DP2018-0089 includes a relaxation of Bylaw 1P2007 with respect to the height of the rear deck. The *Municipal Government Act, RSA 2000* states:

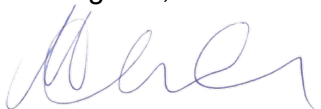
- 640(6) A land use bylaw may authorize a development authority to decide on an application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority,
- (a) the proposed development would not
    - (i) unduly interfere with the amenities of the neighbourhood, or
    - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, ...

The provisions of the *Act* are incorporated in 1P2007:

- 36 (1) The Development Authority may approve a development permit application for a discretionary use where the proposed development does not comply with all of the applicable requirements and rules of this Bylaw if in the opinion of the Development Authority:
- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties;

The proposal projects significantly beyond Mr. Campbell's residence, and the over height deck exacerbates this impact. To the extent that it does not comply with the bylaw rule for the maximum height above grade for a deck, the issue of compatible setbacks should be considered. As designed, the proposal materially interferes with the use, enjoyment and value of Mr. Campbell's property. This could be mitigated by moving the proposed building approximately 3m closer to Erlton St. This would site it in a more compatible fashion with the streetscape and adjacent residences. Therefore, the ECA supports the appeal and requests modification to the street setback of the proposed residence.

Regards,



Heesung Kim,  
Chair, Erlton Community Association Planning Committee