

REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD

DATE: December 9, 2021 ; January 20, 2022	APPEAL NO.: SDAB2021-0083 FILE NO.: DP2021-1828
APPEAL BY: Michelle Cariou	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY where a New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) – setback to side property line was approved at <u>2037 32 Street SW</u> .	LAND USE DESIGNATION: R-CG Discretionary
COMMUNITY OF: Killarney/Glengarry	DATE OF DECISION: October 20, 2021
APPLICANT: Clay Israelson, New Century Design	OWNER: Harijap Singh

The hearing commenced on December 9, 2021, with consideration of procedural and jurisdictional issues. The Board adjourned the hearing to January 20, 2022.

Notes:

- Notice has been given of the hearing pursuant to the *Municipal Government Act* and Land Use Bylaw, including notices to parties who may be affected by the appeal. The final determination of whether a party is an “affected person” will be made by the Board if required.
- This Report is provided as a courtesy only. The Board’s record may include additional materials, including notifications to affected parties and correspondence of a procedural or administrative nature.



NOTICE OF APPEAL

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

CC 821 (R2014-01)

In accordance with Sections 678 and 686 of the Municipal Government Act and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by the legislated fee. For filing instructions and fee payment options, see the reverse side of this form.

ISC: Unrestricted

Online Store Information			
Confirmation Number 10395761	Order Number 36809982	Online Form Processed 2021-11-17 8:34:27 PM	
Site Information			
Municipal Address of Site Under Appeal 2037 32 ST SW		Development Permit/Subdivision Application/File Number DP2021-1828	
Appellant Information			
Name of Appellant MICHELLE CARIOU		Agent Name (if applicable)	
Street Address (for notification purposes) 2035 32 ST SW			
City CALGARY	Province ALBERTA	Postal Code T3E 2R2	Residential Phone # 403 690-3852
Business Phone #	Email Address mcariou@shaw.ca		

APPEAL AGAINST

Development Permit	Subdivision Application	Notice of Order
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Approval	<input type="checkbox"/> Notice of Order
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval	
<input type="checkbox"/> Refusal	<input type="checkbox"/> Refusal	

REASONS FOR APPEAL Sections 678 and 686 of the Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal.

<p>I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons:</p> <p>I appeal the approval of Development Permit File #DP2021-1828 due to its failure to comply with expectations regarding Neighborhood Compatibility (Community Context and Setbacks) and Massing (Privacy and Shading) and its undue negative impact on the adjacent property. Please review information package emailed to info@calgarysdab.ca for details in support of these reasons for appeal.</p>
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In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

Estimated presentation time (minutes/hours) 30 MINUTES	Will you be using an agent/legal counsel? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
If yes, what are the issues?	
Do you anticipate bringing any witnesses/experts to your hearing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	If yes, how many will you be bringing?

This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, Section 33(c) and the Municipal Government Act, Sections 678 and 686. NOTE: THIS INFORMATION WILL FORM PART OF A FILE AVAILABLE TO THE PUBLIC. If you have any questions regarding the collection of this information, contact the City Appeal Boards at 403-268-5312 or PO Box 2100 Stn. "M", #8110, Calgary, AB, T2P 2M5.

FOR OFFICE USE ONLY					
Final Date of Appeal YYYY MM DD 2021 11 18	SDAB Appeal Number SDAB2021-0083	Fee Paid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hearing Date YYYY MM DD 2021 12 09	Date Received November 17, 2021	

SDAB2021-0083

November 18, 2021

Mr. Brendyn Seymour
Planner II, Centre West Area
Community Planning
Planning & Development
The City of Calgary
5th Floor Municipal Building,
800 Macleod Trail SE
P.O. Box 2100 Station M,
Calgary, Alberta T2P 2M5

RE: Appeal of Development Permit for File #DP2021-1828

Please let this letter serve as an appeal against the Development Permit approved for the construction by New Century Design of a Row House Building (1 building), Secondary Suites (1 building, 4 units) and an Accessory Residential Building (garage) located at 2037 32 ST SW.

This Development Permit should not be granted for the following reasons:

1) Neighborhood Compatibility/Street Context

a) Context re: Streetscape

As stated in the Context Guideline of the **Low Density Residential Infill Housing Guidelines for Established Communities** (Section 4.2, page 15) "New development should be designed in a manner which is responsive to the local context... In many areas, a general pattern characterizes the streetscape and the community. Any new development should respect this context. A building which is designed without considering its ability to complement its neighbours and the broader community, may negatively affect the character of an area."

In relation to the above-referenced Infill Guidelines developed by the City of Calgary, the subject proposed row house disrupts the street context of neighboring properties and is incompatible with the surrounding Conservation/Infill development.

The Killarney Glengarry ARP is a statutory document that designates the 2037 32 ST SW location as part of the conservation/Infill section of the community. Within this section of Killarney, the vast contiguous majority of new development is designated R-C1/R-C2 (see Display #1 below). Up to this point, our community's land policy (ARP), endorsed and supported by its residents, has ensured that street context is respected when a new development is proposed. The subject proposed Row House Building fails to align with existing street context and therefore we appeal against its approved Development Permit.

Display #1

Streetscape of east and west orientations of 32nd Street SW at 21st Avenue. Note consistent R-C2 development along designated Conservation/Infill section of neighborhood.



b) Context re: Setbacks

As stated in the Building Setback from Front Property Line (Front Setback) Guideline in the ***Low Density Residential Housing Guidelines for Established Communities*** (Section 4.3.1, page 21) "The setbacks of new development should respect the established street pattern... The Front Yard Setbacks of the New Infill Developments should respect those of other houses on the Street."

Under the recently approved Development Permit for 2037 32 ST SW, the new structure will extend approximately 6 metres beyond the front façade of the neighboring structure located at 2035. This front-forward design not only disrupts existing street context but will eliminate mature vegetation while significantly obstructing sightlines of neighboring homes. (See Display #2 below)

Display #2

At left, current front façade of both 2037 and 2035 32 St SW structures.

At right, the new design for 2037, with front façade extending 6 metres beyond neighboring home.



2) Massing

As stated in the Building Mass Guideline in the ***Low Density Residential Housing Guidelines for Established Communities*** (Section 4.4, page 30), “New development should respect the existing scale and massing of its immediate surroundings”.

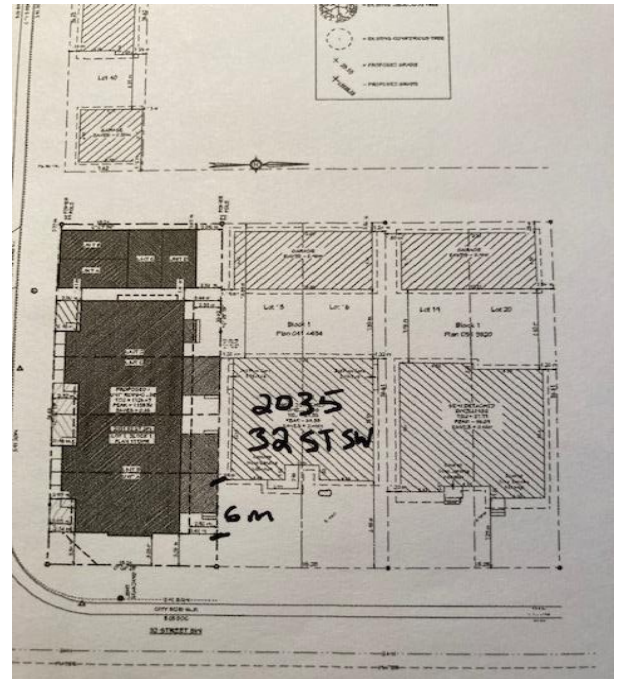
The visual impact of the subject proposed Row House Building, in relation to the adjacent 2035 property, is significant and negative. The building envelope of such development will create substantial loss of privacy and sunlight.

- a) Privacy – the width of the subject proposed Row House Building along 21st Avenue will significantly exceed the typical rear setback of adjacent properties and will create an excessive loss of privacy through overlooking. In fact, Unit D of the proposed new development will stretch across the entire depth of the neighboring outdoor yard space and has a slider window directly facing the 2035 yard space.

Display #3

At left, current view from 2035 32 ST SW back yard space, facing south toward 2037.

At right, the proposed new development, with Unit D extending the depth of the back yard space of 2035.



b) Shadowing


As outlined in the Building Setback from Rear Property Line (Rear Setback) Guideline of the ***Low Density Residential Housing Guidelines for Established Communities*** (Section 4.3.4 page 27), “The enjoyment of the neighbour’s outdoor rear amenity space should not be unduly diminished by new development. Modifications to the length of a building may be required, particularly when new developments are proposed on the north side of an avenue or east side of a street, where significant shadowing can result.”


The subject proposed Row House Building will be located on the north side of 21st Avenue, the orientation from which the most significant shadowing occurs. The table attached in Display #4 (below) was created using Suncalc.org and documents the length of shadow casted by a **9.97 m** high building at annual solstice and equinox dates. The building height of the design plan put forward by New Century Design is 10.31 at its east elevation and 9.63 at its west elevation. We established the building height of 9.97 used for the shadow study by averaging the east and west heights. These shadow measurements predict how the new development will impact neighboring yard amenities at various points throughout the year. The distance from the roof peak of the new development to the northern fence line is 7.86 meters. Therefore, any shadow length longer than 7.86 meters will cast into the adjacent property. Given that the property at 2035 32 ST SW has a width of 7.62 meters, any shadow length of **15.48** (7.86 + 7.62) meters or longer is actually shadowing the **entire** neighboring back yard space. Measurements highlighted in yellow indicate full backyard shadowing; measurements highlighted in peach indicate partial backyard shadowing. The percentage included in each table cell reflects the specific amount of neighboring yard shaded by the new development. As the table below demonstrates, the shadow cast into 2035 32 ST SW as a result of the proposed new development at 2037 will be significant and detrimental to the enjoyment of the outdoor space of the neighboring property.

Display #4

Shadow lengths cast into neighboring property are significant and detrimental to enjoyment of adjacent outdoor space

Season	Northward Shadow Length Cast per Time of Day (in Metres)			
	10am	12pm	2pm	4pm
Spring Equinox (March 21)	25.84 (100%)	14.25 (84%)	12.13 (56%)	15.99 (100%)
Summer Solstice (June 21)	11.85 (52%)	6.60 (0%)	5.28 (0%)	8.0 (2%)
Fall Equinox (Sept 21)	23.50 (100%)	13.74 (77%)	12.33 (59%)	17.13 (100%)
Winter Equinox (Dec 21)	69.10 (100%)	36.72 (100%)	42.28 (100%)	78.58 (100%)

 = Partial shading of neighboring yard

 = Full shading of neighboring yard

(%) = The percentage of neighboring back yard shaded by new development

For the above reasons, the current development permit should be revoked. This Development Permit and the preceding rezoning that was granted in December 2020 have faced significant opposition from neighboring property owners, as attested by the following attached documents:

- Community Opposition Letter to Development Permit
- Letter of Opposition to Rezoning Amendment
- Public Hearing presentations to City Council

The Developer has other options to develop this corner lot that would alleviate concerns from neighboring property owners. Densification could be achieved through R-C2 development while aligning with the local context and streetscape and alleviating massing issues (both privacy and shadowing).

We look forward to collaborating toward a solution that best meets the interests of both individual stakeholders and our community.

Regards,

Michelle Cariou
Property Owner
2035 32 ST SW
Calgary, AB T3E 2R2

Appendix

List of previous submissions regarding File #DP2021-1828

Copy of Community Letter of Opposition to Development Permit Application.....	Page 7
Appellant's Letter of Opposition to Rezoning Amendment.....	Page 10
Copy of Public Hearing Presentation opposing Rezoning, December 14 th , 2020.....	Page 13

April 29, 2021

Mr. Brendyn Seymour
Planner II, Centre West Area
Community Planning
Planning & Development
The City of Calgary
5th Floor Municipal Building,
800 Macleod Trail SE
P.O. Box 2100 Station M,
Calgary, Alberta T2P 2M5



Dear Mr. Seymour,

**Re: DP2021 – 1828 / FILE #LOC2020-0126
Building Permit Application / DEVELOPMENT APPEAL BOARD
Letter of Opposition**

Pursuant to recent correspondence from our various members regarding the above noted matter, please let this letter serve as formal opposition notice from the Killarney Residents' Coalition for the above noted Permit Application.

Rejection of Application:

Numerous opposition letters from individual Killarney residents were submitted to the City of Calgary during the rezoning application which consistently outlined strong opposition to the original rezoning application. Rejection criteria is generally based on the following principles:

Updated zoning requirements for the neighborhood were established in consultation with our community. The re-zoning application did not conform or adhere to the parameters established by both the community and the city. Further, there was no engagement by the developer to stakeholder residents that surround the proposed development. Finally, the development does not comply with several city mandates, including the authorized "Main Streets Initiative".

The permit submission and development design is unresponsive to the local context. It puts forward a development size and scope which is well outside of the ARP and Infill guidelines including but not limited to:

- The elevations for the proposed development are not in keeping with established design criteria.
- Both the style and finishes appear to be of poor quality and not consistent with those currently exhibited in the community.
- The addition of independently accessed suites on such a small parcel of development are not consistent with any other development within the immediate area.
- The massing of a building is a key factor for the successful integration of a new infill development into its setting. The majority of buildings within the City's established communities require a reduced building mass, including height, in order to respect the adjacent homes and streetscape. Homes built to the maximum Bylaw standards can be incompatible and visually disruptive to the street. In this application, height, depth and width

measurements make the project incompatible with its context and will result in a substantial loss of privacy and sunlight to the adjacent property.

- A shadow study for the winter solstice (December 21), the summer solstice (June 21) and the spring equinox (March 21) needs to be provided by the applicant to fully assess the impact the proposed structure will have on the northerly neighbouring property.
- Proposed development will negatively affect the use and enjoyment of the adjacent property to the north, in particular its imposing building bulk, mass, height and the resulting impacts on neighbour's use of their outdoor amenity areas.
- The majority of the vegetation will be destroyed (2 mature spruce tree and one crab apple tree). The root system of the mature birch tree planned to be conserved will be irreversibly damaged during the excavation work with little hope to salvage the tree.

The Director of Development and President for our community failed to represent the interests of the residents during the rezoning application as did the Ward 7 city councillor. In fact, other city counsellors were opposed to the re-zoning application in a ward they didn't even represent given the dereliction of duties from those claiming to represent the community.

While we can empathize with the city's objective of inner-city densification, the redevelopment from a single house to 8 units within a quiet residential side street is not reasonable or acceptable. At this time, there are no developments above 2 units on the entire R2 zoned section of 32nd Street.

Numerous residents in the area recently purchased dwellings based on the R-2 designation which restricts the densification to reasonable, sustainable levels. Unlike the narrative that is propagated by those with special interests, this proposed development not only reduces property values but penalizes those who originally purchased attached houses in this area specifically for limitations on density (and therefore, congestion, crime and other factors).

The City of Calgary has paused and is reviewing the rollout of The Guidebook for Great Communities due to an avalanche of resident opposition to development initiatives exactly like this one we are opposing. In keeping with the City of Calgary's commitment to review the Guidebook, and its impact on communities like Killarney, this Development Plan must be rejected.

Accordingly, we are requesting that the redevelopment permit in its current form be rejected in its entirety without substantial changes that reflect the above noted community concerns.

If this permit reaches the advertising stage without our consultation, we will take the following steps:

- Appeal the permit application; and
- Direct our legal counsel to secure an injunction to prevent further development until the concerns of the residents are appropriately represented and addressed in an independent tribunal.

About the Killarney Resident's Coalition:

We are a non-profit, community-based association that was formed to represent the best interests of residents based in the Calgary community of inner-Killarney. Our goal is to preserve the safety and aesthetics of our environment for our established community members and those who choose Killarney for the quiet, friendly and safe community.

We recognize that you have a challenging task when trying to meet the objectives for growth and densification on this great city. We are not opposed to development when it is achieved through collaboration that is independent of special interests.

We look forward to resolving this issue and collaborating toward a solution that best meets the interests of both individual stakeholders and our community.

Regards,

Michelle Cariou	Grant Kosowan
President	Community Project Volunteer
Killarney Residents' Coalition	Killarney Residents' Coalition

c.c. Darren Lockhart, Manager, Development Approvals
 Jyoti Gondek, Mayoral Candidate / Ward 3
 Jeremy Farkas, Mayoral Candidate / Ward 11
 Nahed Nenshi, City Mayor

Michelle Cariou
 Grant Kosowan
 Joey Stewart
 Monika Galecki
 Paul Galecki
 Lindsey McPherson
 Stuart McPherson
 Sherry Garrido
 Alfredo Garrido
 Joshua Garrido
 Daniel Goulet
 Sue Crawford
 Karin King
 James Gilfillan
 Kirill Bryuzgin
 Ksenia Khatova
 Claire Hearn
 Carla Dexter
 Victoria Rivera
 David Rivera
 Roger Keen
 Susanne Bechtold
 Annalise Hearn

Michelle Cariou
2035 32 ST SW
Calgary, AB
T3E 2R2

December 4, 2020

Office of the City Clerk
The City of Calgary
700 MacLeod Trail SE
PO Box 2100
Postal Station "M"
Calgary AB T2P 2M5

Dear Office of the City Clerk,

I, **Michelle Cariou**, am a resident of the neighborhood of Killarney, and I align with other concerned residents in opposition to the application for a Land Use Re-zoning Amendment at 2037 32 ST SW from R-C2 to R-CG (reference #LOC2020-0126).

Our primary concerns about this rezoning application are as follows:

Opposition #1

No Applicant-Led Engagement with the community was undertaken leading up to Application Submission:

Despite the availability of toolkits and city resources aimed at assisting applicants to better engage with residents during the covid pandemic, there was no effort made by this applicant to engage in community outreach.

This applicant did no more than tick the basic boxes in terms of City-mandated minimum activity requirements for application submission. As residents of Killarney, it is clear to us that community engagement from this applicant has been absent and that they demonstrate no insight into what this community wants – and more importantly - **where we want it**.

Opposition #2

As Killarney residents, we oppose exceptions brought forward to our Area Development Plan (ARP) while it is under review. Until the ARP review process is complete, we consider our ARP to be valid and endorsed by residents through the consultation process.

Killarney has an Area Development Plan (ARP), created in 1986 and vastly amended in 2017. That ARP is a statutory plan, and pursuant to Section 687 of the Municipal Government Act, any decisions regarding rezoning must comply with this statutory plan.

Opposition #3

SDAB2021-0083

As per the goals established during the City Council authorized *Main Streets Initiative*, Application Reference # LOC2020-0126 does not align with our shared vision (between City and residents) of how we intend to increase density, services and opportunity in our community.

The Main Streets Program focuses density intensification in communities like Killarney **AROUND THE CORRIDORS** – the main streets in our neighborhoods. As a direct result of this initiative, rezoning amendments in support of densification were vastly extended and approved by bylaw in 2017 in the concentrated sectors of Killarney off 17th Avenue and 37th Street.

2037 32nd Street SW, in the heart of Conservation/Infill in this community, was retained for R-C2 development. As such, it is not on the table as a location for rezoning consideration. The land targeted by this developer was recently reviewed as part of the Main Streets Initiative and was deemed appropriate for its current R-C2 zoning designation.

Opposition #4

This Section of our Community has already - without exception – consistently redeveloped 32nd Street SW (south of 19th Street) in accordance with existing R-C2 zoning requirements.

***This location at 2037 32 ST SW is completely surrounded by R-C2 development – 2 detached units behind, 2 attached units in front, 2 attached units beside (all falling within R-C2 zoning requirements).**

A zoning exception on this particular land would create a glaring, unnecessary and random fault line in the flow, esthetic and context of the neighborhood.

Opposition #5

One-off, exception-based zoning redesignation approvals create investment uncertainty for existing residents, thus decreasing the appeal of Killarney as a community of choice.

We, **as resident stakeholders**, deserve the ability to count on existing zoning guidelines – ones that we have recently helped to establish – in order to make sound investment decisions for our Killarney properties.

Opposition #6

The continued approval of one-off exception-based zoning requests in mature Calgary neighborhoods – particularly during the Covid-19 Pandemic - erodes community confidence that elected City Officials value the trust relationship that needs to exist between neighborhood and municipal administration.

We have worked hard alongside City Planners to establish updated zoning maps for our community. Despite their existence, the City has facilitated this unnecessary and unwelcome rezoning conversation and imposed it on Killarney residents during our very difficult current covid reality.

This submission states, as highlighted in Opposition #1, that “No Applicant-led engagement has been undertaken and “No City-led engagement was undertaken” as part of this application process leading up to the Planning Commission decision on November 5th, 2020.

This left the onus of information sharing entirely on the shoulders of residents. We were forced to door knock and deliver flyers at a time when circulating in the community is legitimately perceived as showing disregard for the public health restrictions imposed during this Provincial State of Emergency. This rezoning process pushed through during covid, and our resulting need to respond and mobilize as a community, causes us to question the value City officials place on their community partnerships. Vote No to this application to demonstrate that this community relationship matters to you.

We intend to have representation at the Public Hearing Meeting on December 14th to reconfirm these concerns in front of Council. We implore the Council to consider these points brought forward, and to vote against this exception that clearly has no welcome place in our community.

Regards,

Michelle Cariou

Presentation to Council, December 14th 2021 Public Hearing

Opposition to File #LOC2020-0126

Good afternoon your worship and Council members,

My name is Michelle Cariou and I own the lot on the sunny north side adjacent to the one put forward for this rezoning amendment.

Killarney has been home to me for many years. I started renting here in 1995 and then was able to purchase my 32nd street property in 2012. I love Killarney and I am invested in how this community evolves, revitalizes and provides opportunity for all who live here.

I oppose this application for a zoning redesignation and I represent the views of many Killarney residents who have reached out to me to express their concern about and opposition to exception-based rezoning approvals that happen far too often in this neighborhood.

Firstly, I oppose this application because it doesn't meet Main Streets Program goals.

The Main Streets Program generated consultation between community and City that resulted in an agreement. We all agreed that increased densification in Killarney would happen off our main corridors of 17th Avenue and 37th Streets. We significantly amended our zoning maps to designate specific sectors of Killarney where densification should happen.

2017 was a significant year for Killarney at which point very planned and organized updates to zoning bylaws took effect in our neighborhood.

But 2017 was NOT a year when developers were invited to declare open season on random densification throughout Conservation/Infill in this community.

Too often we have developers like the applicant today who justify their project by saying "but Killarney welcomes densification. It's happening everywhere in your community." One comment emailed to me by the applicant was "we know change is hard."

Be it noted that random exception-based rezoning amendments are not what Killarney residents agreed to. We believe in increased density in our community when implemented according to the goals and zoning amendments established through Main Streets and through the thoughtful work that continues to take place as part of the Westbrook Communities Local Area Planning project.

Why would you undermine the strategic work that continues to happen on building out densification plans for inner city communities by approving random exceptions that aren't measured against the development goals we continue to define?

Secondly, I oppose this application due to the complete absence of applicant-led community engagement that took place leading up to application submission. If the applicant had shown any commitment to understanding this community, they would have heard loud and clear, before the Planning Commission meeting on November 5th, that we place high importance on the City's commitment to allow us to protect the inner sector of this community - the Conservation/Infill sector – that retains original aspects of this mature neighborhood. R-C2 zoning is the key to protecting that original community context. This applicant failed to meet

even minimum expectations regarding application led engagement, another reason to reject the application.

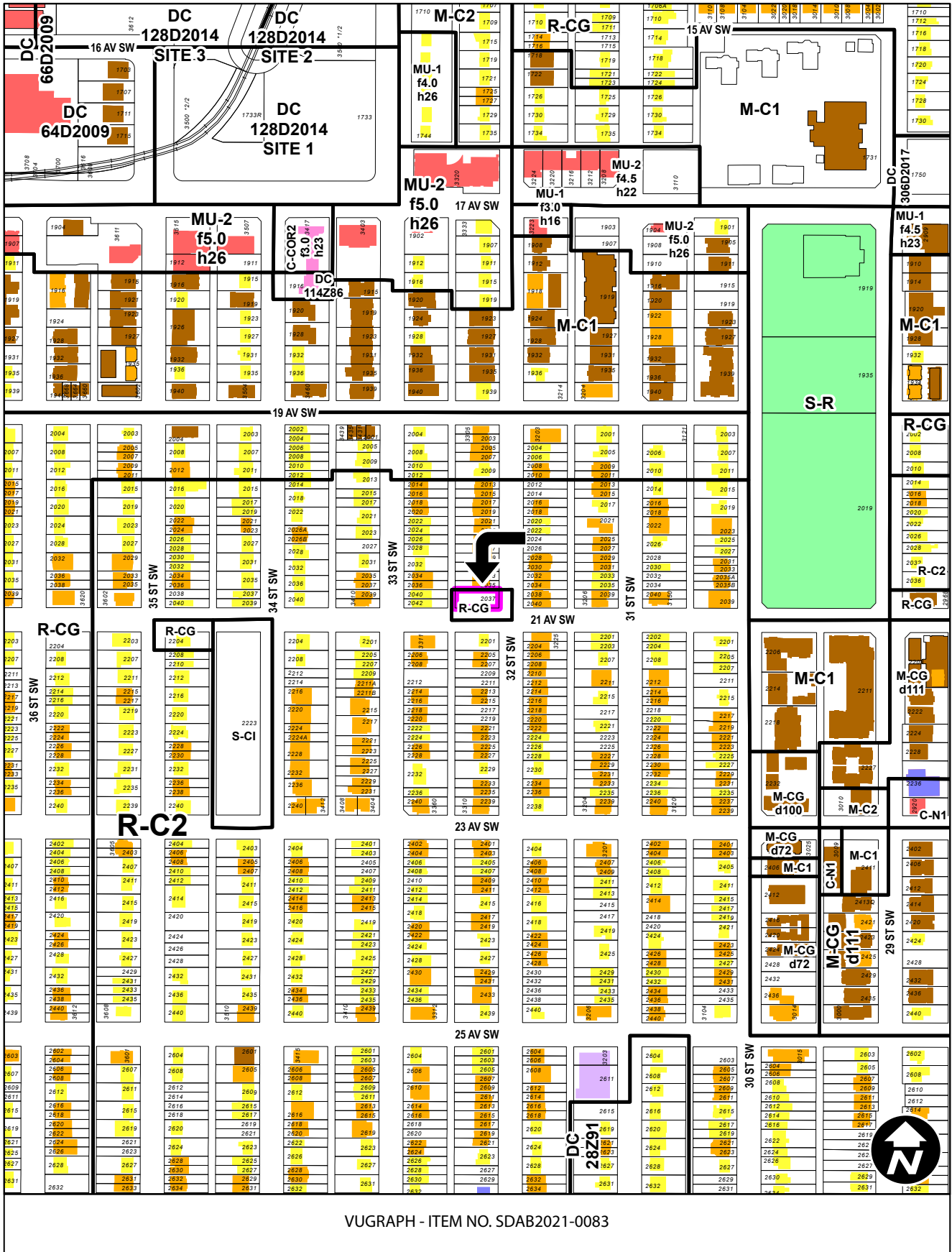
Thirdly I oppose this application due to the fact that in this contiguous section of Conservation/Infill, RC2 zoned land in Killarney, all of the extensive redevelopment that has already taken place has been, without exception, in compliance with existing R-C2 zoning regulations. This particular property, recently purchased by the landowner represented by this applicant, is completely surrounded by R-C2 redeveloped, 2 unit per lot dwellings; an attached RC2 in front, an attached RC2 beside, and 2 detached RC2's across the alley.

Because I haven't provided a photo, let me paint you a picture. When I walk this street from 19th Avenue south to 26th Avenue, there are only 24 original bungalows remaining. Every other lot within those 4 long blocks has R-C2 developed homes already established. We have 140 infills within these 4 blocks of Conservation/Infill and the flow of infill development is only interrupted by the original bungalows that remain.

To approve this exception would create and glaring faultline in the flow, esthetic and context of this sector of Conservation/Infill in Killarney.

In the midst of a pandemic, when we've all been asked to reduce our public footprint, Killarney residents have been forced to circulate in our community to once again build a case for Council as to why zoning agreement matter to us.

Vote No to this application to demonstrate that the resident voice in fact matters to you.



f5:0	1923
h26	1927
1-C1	1931
	1935
	1939





October 21, 2021

NEW CENTURY DESIGN
Clay Israelson



Dear Sir/Madam:

RE: Notification of Decision: DP2021-1828

Subject: New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line

Project: Rowhouse

Address: 2037 32 ST SW

This is your notification of decision by the Development Authority to approve the above noted application on October 20, 2021.

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 October 20, 2023 or the development permit shall cease to be valid.

The decision will be advertised beginning October 28, 2021 at www.calgary.ca/publicnotices, which is the start of the mandatory 21-day appeal period. This appeal period will conclude at midnight November 18, 2021. Release of the permit will occur within 2-4 business days following the conclusion of the appeal period and upon receipt of all Prior to Release requirements.

An appeal along with reasons must be submitted, together with payment of \$200.00 fee, to the Subdivision and Development Appeal Board (4th floor, 1212 31 Avenue N.E., Calgary, AB T2E 7S8) within 21 days of receipt of this letter. An appeal may also be filed online at <http://www.calgarysdab.ca>. To obtain an appeal form, for information on appeal submission options or the appeal process, please call (403) 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. If no appeals have been filed during the appeal period, and the Prior to Release conditions have been met, your Development Permit will be released. Should you require clarification of the above or further information, please contact me at (403) 268-1543 or by email at Brendyn.Seymour@calgary.ca and assist me by quoting the Development Permit number.

Yours truly,

Brendyn Seymour
Planner 2
Planning and Development
Attachment(s)



**DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007**

DP2021-1828

This permit relates to land in the City of Calgary municipally described as:

2037 32 ST SW

Community: **Killarney/Glengarry**

L.U.D.: **R-CG**

and legally described as:

1773FR;1;1

and permits the land to be used for the following development:

New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line

The present owner and any subsequent owner of the above described land must comply with any attached conditions.

The development has been approved subject to any attached conditions and to full compliance with the approved plans bearing the stamp of approval and the above development permit number.

Decision By: **Development Authority**

Date of Decision: **October 20, 2021**

Development Authority **Fazeel Elahi**

File Manager: **Brendyn
Seymour**

Release Date: _____

This permit will not be valid if development has not commenced by: October 20, 2023

This Development Permit was advertised on: **October 28, 2021**

This is NOT a Building Permit

In addition to your Development Permit, a Building Permit may be required, prior to any work commencing. further information, you should contact the City of Calgary, Planning, Development & Assessment - Building Regulations Division.

WARNING

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Applicant: **NEW CENTURY DESIGN**
Address: **SITE 23 BOX 25 RR#1**
City: **DEWINTON, ALBERTA, T0L 0X0**
Phone: **4039693729**

Complete Address and Legal Description listing for Development Permit DP2021-1828

Address Type	Address	Legal Description
Parcel	2037 32 ST SW	1773FR;1;1



**APPLICATION FOR A DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007**

294279359-001
Taken By: SMM

Application Date **Mar 19, 2021**

APPLICATION NO DP2021-1828

I/We hereby make application for a Development Permit under the provisions of the Land Use Bylaw in accordance with these plans and supporting information submitted herewith and which form part of this application.

Total Fees: \$0.00

Cart #:

Applicant: **NEW CENTURY DESIGN**
Address: **SITE 23 BOX 25 RR#1**
City: **DEWINTON, ALBERTA, T0L 0X0**
Phone:

Contact: **Israelson, Clay**
Phone:
Fax:
e-mail:

Parcel Address: **2037 32 ST SW**
Legal: **1773FR;1;1**

Parcel Owner: **HARIJAP SINGH**
2037 32 ST SW
CALGARY AB CANADA T3E 2R2
e-mail: **Not Available**

L.U.D.: **R-CG**

Community: **KILLARNEY/GLENGARRY**
Sec. Number: **7C** Ward: **08**

Description: **New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line**
Rowhouse

Gross Floor Area: 4323 feet - squared
Dwelling Units: 4

Proposed Development is: **Discretionary**

Proposed Use: **Accessory Residential Building**
Rowhouse Building
Secondary Suite

I agree to receive correspondence via electronic message related to this application.

By signing below, I confirm that the contact information provided above is accurate and further, acknowledge the ability of the General Manager - Planning and Development to inactivate and cancel incomplete applications.

Applicant / Agent Signature: _____ Date: _____

The personal information on this form is being collected under the authority of The Municipal Government Act, Section 640, and The City of Calgary Land Use Bylaw 1P2007 (Part 2) and amendments thereto. It will be used for the permit review and inspection processes. It may also be used to conduct ongoing evaluations of services received from Planning, Development & Assessment. The name of the applicant and the nature of the permit will be available to the public. Please send inquiries by mail to the FOIP Program Administrator, Planning, Development & Assessment, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

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or call our Planning Support Centre at (403)268-5311.

SDAB2021-0083



Conditions of Approval – Development Permit

Application Number:	DP2021-1828
Application Description:	New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line
Land Use District:	Residential - Grade-Oriented Infill
Use Type:	Discretionary
Site Address:	2037 32 ST SW
Community:	KILLARNEY/GLENGARRY
Applicant:	NEW CENTURY DESIGN
CPAG Team Planning:	BRENDYN SEYMOUR (403) 268-1543 Brendyn.Seymour@calgary.ca
Development Engineering:	DAVID BERGE (587) 216-7720 David.Berge@calgary.ca
Parks:	KIT MOK (403) 268-2914 kit.mok@calgary.ca
Transportation:	FABIAN SNYDERS (587) 576-4315 Fabian.Snyders@calgary.ca

Prior to Release Requirements

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:

Planning

1. Submit a complete digital set of the amended plans in PDF format and a separate PDF that provides a point-by-point explanation as to how each of the Prior to Release conditions were addressed and/or resolved. The submitted plans must comprehensively address the Prior to Release conditions as specified in this document. Ensure that all plans affected by the revisions are amended accordingly. To arrange the digital submission, please contact your File Manager directly.
2. Some areas of the plan do not show landscaping material, including in the east setback area and between the bins and garage. Amend the plans to indicate the landscaping material proposed in these areas.

Development Engineering

3. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the Utility Site Servicing Bylaw 33M2005. Contact WA-ResourcesDevelopmentApprovals@calgary.ca for additional details.

For further information, refer to the following:

Design Guidelines for Development Site Servicing Plans

https://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP-Design-Guidelines.pdf

Development Site Servicing Plans CARL (requirement list)

<http://www.calgary.ca/PDA/pd/Documents/development/development-site-servicing-plan.pdf>

If the applicant would like to pursue a main extension at their expense, they must enter into an indemnification agreement for work within the City Right-of-way. This must be completed prior to the DSSP application.

4. 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 2021 development approval date and was based on the following:

Phase	Description	Unit(s)
1	2037 32 ST SW	Existing Single: 1/New Grade: 4

Based on the information above, the preliminary estimate is \$10,931.00.

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.

To obtain an off-site levy agreement or for further information, contact the Calgary Approvals Coordination, Infrastructure Strategist (ROB HIRBER at 403-268-5138 or Rob.Hirber@calgary.ca) or offsitelevy@calgary.ca.

Transportation

5. 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).

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Roads

- a. Closure and removal of existing driveway crossings on 21 Avenue S.W., and install a new driveway crossing of reduced width in it's place,
- c. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.

- 6. Remit payment (certified cheque, bank draft) for the proposed infrastructure listed below within the public right-of-way to address the requirements of the Business Units. The amount is calculated by the respective Business Unit and is based on 100% of the estimated cost of construction.

The developer is responsible to coordinate the timing of the construction by City forces. The payment is non-refundable.

Roads

Street lighting upgrading adjacent to site frontages (If required).

Parks

- 7. Amend the Site Plan:
 - a) Indicate a note that 'An Urban Forestry Technician must be on-site during excavation within 5meteres of the existing public birch. This is to mitigate any damage to adjacent public tree. Contact Urban Forestry by phoning 311 at least three (3) business days in advance of excavation.'
 Note: If tree canopy or root system is damaged to the point where the tree becomes unstable, then Urban Forestry will require their removal using an approved indemnified tree contractor at applicant's expense, plus compensation for the removed tree.
 - b) Indicate a note that 'If clearance pruning of public trees is required, Urban Forestry must be notified minimum two business days notice and an indemnified contractor must be used at the applicants expense. Please contact Urban Forestry at 311 for more information.'
 Note: Pruning should be done at the earliest time possible to minimize impacts to the tree during construction.
 - c) Indicate the new proposed retaining wall along the east property line as indicated on Site Grading Plan.

Permanent Conditions

The following permanent conditions shall apply:

Planning

8. The development shall be completed in its entirety, in accordance with the approved plans and conditions. The stamped and signed plans are a legal document.
9. No changes to the approved plans shall take place unless authorized by the Development Authority. If changes to the development occur or are proposed, a new development permit or revised plan application may be required.
10. A development completion permit must be issued for the development before the use is commenced or the development occupied. A development completion permit is independent from the requirements of City of Calgary Building Regulations inspections and permission for occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for a development completion permit.
11. Prior to issuance of a development completion permit, provide copies of the land titles and registered subdivision or bare land condominium plan. These documents must comply with the Land Use Bylaw 1P2007 requirements that prohibit more than one Secondary Suite per parcel or bare land unit containing a Dwelling Unit.
12. When the main floor of each building is constructed, submit the geodetic elevation to Geodetic.Review@Calgary.ca

Development Engineering

13. 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 and Parks, Alberta Health Services and The City of Calgary (311).
 - b. on City of Calgary lands or utility corridors, The City of Calgary, Environmental Risk and Liability group shall be immediately notified (311).
14. The developer / project manager, and their site designates, shall ensure a timely and complete implementation, inspection and maintenance of all practices specified in erosion and sediment control report and/or drawing(s) which comply with Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control. Any amendments to the ESC documents must comply with the requirements outlined in Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control.

For other projects where an erosion and sediment control report and/or drawings have not been required at the Prior to Release stage, the developer, or their designates, shall, as a minimum, develop an erosion and sediment control drawing and implement good housekeeping practices to protect onsite and offsite storm

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drains, and to prevent or mitigate the offsite transport of sediment by the forces of water, wind and construction traffic (mud-tracking) in accordance with the current edition of The City of Calgary Guidelines for Erosion and Sediment Control. Some examples of good housekeeping include stabilization of stockpiles, stabilized and designated construction entrances and exits, lot logs and perimeter controls, suitable storm inlet protection and dust control.

The City of Calgary Guidelines for Erosion and Sediment Control can be accessed at: www.calgary.ca/ud (under publications).

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.

15. Contact the Erosion Control Inspector, Water Resources, with at least two business days notice, to set up a pre-construction meeting prior to commencement of stripping and grading. Locations north of 17 Avenue S should contact 403-268-5271. Sites south of 17 Avenue S should contact 403-268-1847.
16. Stormwater runoff must be contained and managed in accordance with the Stormwater Management & Design Manual all to the satisfaction of the Director of Water Resources.
17. The grades indicated on the approved Development Site Servicing Plan(s) must match the grades on the approved Development Permit 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 and Development Site Servicing Plan.
18. Pursuant to Bylaw 2M2016, off-site levies are applicable.
19. 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 Calgary Approvals Coordination, Infrastructure Strategist (ROB HIRBER at 403-268-5138 or Rob.Hirber@calgary.ca) or 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.

Transportation

20. 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,

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Transportation Planning. All work performed on public property shall be done in accordance with City standards.

21. Indemnification Agreements are required for any work to be undertaken adjacent to or within City rights-of-way, bylawed setbacks and corner cut areas for the purposes of crane operation, shoring, tie-backs, piles, surface improvements, lay-bys, utility work, +15 bridges, culverts, etc. All temporary shoring, etc., installed in the City rights-of-way, bylawed setbacks and corner cut areas must be removed to the satisfaction of the Manager of Transportation Planning, at the applicant's expense, upon completion of the foundation. Prior to permission to construct, contact the Indemnification Agreement Coordinator, Roads at roadsia@calgary.ca

Parks

22. Public trees located on the boulevard adjacent to the development site shall be retained and protected unless otherwise authorized by Urban Forestry. Prior to construction, install a temporary fence around the extent of the branches ("drip line") and ensure no construction materials are stored inside this fence.
23. Tree protection information given as per the approved development permit does not constitute Tree Protection Plan approval. Prior to any construction activities, Tree Protection Plan approval must be obtained separately through Urban Forestry. Visit www.calgary.ca, call 311, or email tree.protection@calgary.ca for more information.
24. In order to ensure the integrity of existing public trees and roots, construction access is only permitted through the rear lane and outside the drip line of public tree.
25. In order to ensure the integrity of existing public tree and roots, no grade changes are permitted in the boulevard within the drip line.
26. Any tree planting in the City boulevard shall be performed and inspected in accordance with Parks Development Guidelines and Standard Specifications - Landscape Construction (current edition). Applicant is to contact the Parks Development Inspector at 403-804-9417 or 311 to arrange an inspection.

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.

Planning

27. 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, please refer to the notification of decision letter for the appropriate appeal body and appeal process.
28. In addition to this development permit, building permits may also be required. Building permit applications may be submitted upon approval of the associated development permit. Contact Building Regulations at 403-268-5311 for further information.
29. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property. Property owners must evaluate whether this development is in compliance with any documents registered on title.

Development Engineering

30. The developer is responsible for ensuring that:
 - a. The environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.
 - b. Appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and Parks and Alberta Health Services.
 - c. The development conforms to any reviewed and accepted remedial action plan/risk management plans.
 - d. All reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.
 - e. The development is in compliance with applicable environmental approvals (e.g. Alberta Environment and Parks Approvals, Registrations, etc.), Alberta Energy Regulator approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

If the potential for methane generation or vapours from natural or contaminated soils and groundwater has been identified on the property, the developer is responsible for ensuring appropriate environmental assessment(s) of the property has been

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undertaken and appropriate measures are in place to protect the building(s) and utilities from the entry of methane or other vapours.

Issuance of this permit does not absolve the developer from complying with and ensuring the property is developed in accordance to applicable environmental legislation.

31. Water connection is available from 21 AV SW (300 CI, 1954) and 32 ST SW (150 CI, 1948).
32. Show details of servicing and metering on Development Site Servicing Plan. Provide adequate water meter locations (100mm or larger, room adjacent to an exterior wall, 50mm or less, label water meter location) where services enter building. If static pressure exceeds 550 kPa install pressure reducing device after meter.
33. Maintain a 3.0m separation between Enmax facilities (power poles, light standards, transformer pads, catch basins, etc.) with the proposed water service.
34. Review with Fire Prevention Bureau at 403-268-5378 for on-site hydrant coverage and Siamese connection location(s). A site servicing (hydrant location plan) stamped by the Fire Prevention Bureau is to be submitted at the Development Site Servicing Plan stage. (Principal entrance(s) are to be labeled on the plan.)
35. Each unit must be individually metered.
36. The applicant must apply for water and sewer connections as per City Standards.
37. Sanitary sewer connection is available from 32 ST SW (200 VCT, 1947).
38. Storm sewer connection is available from 21 AV SW (375 CON, 1959).
39. The applicant is encouraged to explore and adopt stormwater volume control options for this development.
40. Surface ponding (trapped lows) should be designed to contain all the flow generated from the 100-year storm events.
41. Where possible, discharge of roof leaders should be directed onto grassed or pervious areas to help reduce the volume of runoff. Alternatively, the roof leaders may be directed to the on-site storm sewer system.
42. Storm Redevelopment Fees (\$84 / m frontage) will be required at the service connection stage.
43. Controlled stormwater discharge is required for the subject site. The allowable release rate is 50 l/s/ha.
44. All on-site sewers are to be designed to City of Calgary specifications.

45. Ensure elevations of building slab and/or any building openings are 0.3m minimum above trap low spill elevations or the 100-year elevation, whichever is higher. The minimum grade within the lot adjacent to the trap low must be 0.3m higher than the 1:100-year elevation in the trap low or spill elevation, whichever is higher. This minimum grade must be achieved within a 6.0m distance from the common property line of the lot and the road right-of-way.
46. Weeping tile is required to tie to the storm sewer unless a qualified soils consultant has determined otherwise. The consultant shall use the criteria set out in Section 3.3.6.8 of the Stormwater Management & Design Manual. A letter with the appropriate elevations (in metric geodetic) and information will be required by Water Resources.
47. As per The City of Calgary Drainage Bylaw 37M2005, the developer, and those under their control, are responsible for ensuring that a Drainage Permit is obtained from Water Resources prior to discharging impounded runoff (caused by rainfall and/or snowmelt) seepage or groundwater from construction site excavations or other areas to a storm sewer. The developer, and those under their control, is responsible for adhering to all conditions and requirements stipulated in the Drainage Permit at all times. For further information, contact the Corporate Call Centre at 311 or visit <http://www.calgary.ca/UEP/Water/Pages/Watersheds-and-rivers/Erosion-and-sediment-control/Report-and-Drawings-Templates-and-Guides.aspx> (Drainage Permit applications can be downloaded from this website).
48. Stormwater emergency escape routes must be to a public roadway.
49. For questions and concerns regarding waste storage facilities, refer to the Development Reviews: Design Standards for the Storage and Collection of Waste Found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>.

Transportation

50. Garage aprons at rear must tie to the existing lane grades. Lane grades will be provided on the grade slip issued by Development Servicing. It is the responsibility of developer, contractor, or homeowner to set the elevations of the garage slab based on the lot grading and to ensure that garage is operationally accessible and that it ties to established land grades. Lane grades are not to be altered without the approval of Roads.

Parks

51. The Streets Bylaw (20M88) and the Tree Protection Bylaw (23M2002) contain clauses intended to protect trees growing on Public Land. No person shall remove, move, cut, or prune a Public Tree or cause a Public Tree to be removed, moved, cut or pruned without prior written authorization from the Director, Parks. A copy of the bylaw can be found at www.calgary.ca. Parks does not permit the removal of public trees to facilitate development unless all options to retain and protect are exhausted.

52. If clearance pruning of public trees is required, Urban Forestry must be notified minimum two business days notice and an indemnified contractor must be used at

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the applicants expense. Please contact Urban Forestry at 311 for more information.

53. An Urban Forestry Technician must be on-site to mitigate possible root damage to adjacent public trees during excavation closer than 5m of the existing public birch tree. Prior to construction, contact Urban Forestry at 311 and ask to speak to an Urban Forestry Technician. Urban Forestry requires minimum two business days notice prior to meeting onsite.
54. 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 and search protecting trees during construction and development; alternatively, call 311 or email tree.protection@calgary.ca. Applicant is to apply for tree protection plan prior to demolition
55. The applicant will be required to provide compensation to the City of Calgary for any Public Trees that are removed or damaged. The Public Tree(s) adjacent to this development is/are valued at \$6,102.51. Applicants that are unfamiliar with tree protection or tree appraisal are advised to consult an arborist.
56. Tree plantings within City of Calgary boulevards and/or right of ways are subject to approval from Utility Line Assignment and Parks.
57. No stockpiling or dumping of construction materials is permitted on the adjacent boulevard.



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL TITLE NUMBER
 0020 072 138 1773FR;1;1 081 142 809

LEGAL DESCRIPTION
 PLAN 1773FR
 BLOCK 1
 LOT 1
 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
 ATS REFERENCE: 5;1;24;7;NW

MUNICIPALITY: CITY OF CALGARY

REFERENCE NUMBER: 051 095 249

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
081 142 809	18/04/2008	AFFIDAVIT OF SURVIVING JOINT TENANT		

OWNERS

JOHN M F BETTENCOURT
 OF 5950 SIGNAL RIDGE HEIGHTS SW
 CALGARY
 ALBERTA T3H 2K1

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
101 160 690	01/06/2010	MORTGAGE MORTGAGEE - BANK OF MONTREAL. 865 HARRINGTON COURT BURLINGTON ONTARIO L7N3P3 ORIGINAL PRINCIPAL AMOUNT: \$139,379
101 160 691	01/06/2010	CAVEAT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

081 142 809

REGISTRATION

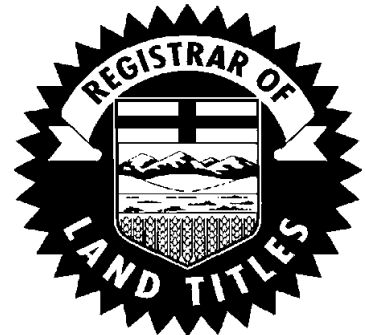
NUMBER	DATE (D/M/Y)	PARTICULARS
<p>RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - BANK OF MONTREAL. 865 HARRINGTON COURT BURLINGTON ONTARIO L7N3P3 AGENT - JONATHAN CHEUNG</p>		

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 13 DAY OF AUGUST,
2020 AT 09:16 A.M.

ORDER NUMBER: 39906609

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

PROSPERITAS VENTURES LTD

owner(s)

Kam Dhaliwal

contact name

901-209 E 7 AVE VANCOUVER BC V5T 0H3

contact phone

contact email

City of Calgary
 Planning & Development
 P.O. Box 2100, Stn. M, # 8108
 Calgary, AB, Canada T2P 2M5

To Whom It May Concern,

With regards to 2037 32 St SW
 property address

Please be advised that I, Harijap Singh am:
 full name

(select one)



the owner of the above mentioned property, and that I authorize



an officer or director of the owner(s) of the above mentioned property,
 and that I am authorized by that owner to authorize

New Century Design

agent or company name

and/or its Clay Israelson

applicant, consultant, contractor (if applicable)

to apply for any and all Development Permit
 permit type

for the above mentioned property.

I further agree to immediately notify The City of Calgary, in writing, of any changes regarding the
 above information.

March 19 2021

date signed

signature of owner

Harijap Singh

name of owner (printed)

FOIP DISCLAIMER: The personal information on this form is being collected under the authority of The Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c). It will be used to provide operating programs, account services and to process payments received for said services. It may also be used to conduct ongoing evaluations of services received from Planning & Development. Please send inquiries by mail to the FOIP Program Administrator, Planning & Development, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

2037 32 ST SW

Site Photos

LOC Application



2037 (subject lot)

2033

2029



2037 (subject lot)

2037 32 ST SW

Site Photos

LOC Application



2042 33 St SW



2042 33 St SW(Front)



2042 33 St SW (Rear)



Public Tree Disclosure Statement

The City of Calgary Street Bylaw (20M88) and the Tree Protection Bylaw (23M2002) protect trees growing on City (public) land. An approved Tree Protection Plan is required when construction activities occur within 6m of a public tree. More information regarding protecting trees during construction and development is found here. Public trees are required to be shown on plans submitted for this application.

1. Are there public trees on the City lands within six meters of and/or overhanging the development site? ☒ Yes ☐ No

If you answered yes, ensure all trees identified are shown on the submitted plans.

Note: if you are not sure how to determine which trees are yours and which are public, you can:

- Use the [City's tree map](#) (may not be up to date for your property)
- Contact 3-1-1 to put in a "development tree inquiry" to get confirmation from an Urban Forester
- Send inquiries to tree.protection@calgary.ca

2. Who will be submitting the Tree Protection Plan for this development?

☒ Applicant ☐ Owner ☐ Builder ☐ Other:

If Other: Name: CLAY ISRAELSON Phone: [REDACTED]
Email: [REDACTED]

The Tree Protection Plan must be submitted directly to Urban Forestry at tree.protection@Calgary.ca following the [Tree Protection Plan Guidelines](#).

FOIP DISCLAIMER: The personal information on this form is being collected under the authority of The Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c). It will be used to provide operating programs, account services and to process payments received for said services. It may also be used to conduct ongoing evaluations of services received from Planning, Development & Assessment. Please send inquiries by mail to the FOIP Program Administrator, Planning, Development & Assessment, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.



Abandoned Well Declaration

Application # _____
for office use only

Site Address: 2037 32 ST SW

Legal Description: LOT 1, BLOCK 1, PLAN 1773FR

The *Municipal Government Act's Subdivision and Development Regulations (Alberta Regulation 160/2012)* requires developers to identify abandoned oil and gas wells and, where present, to comply with setback requirements as identified in the Energy Resources Conservation Board (ERCB) [Directive 079: Surface Development in Proximity to Abandoned Wells](#).

You are responsible for the accuracy of the information provided in this statement. The questions must be answered to the best of your knowledge based upon diligent inquiries and a thorough inspection and review.

1. Provide a map of the subject parcel showing the presence or absence of abandoned wells.

- [User Guide to Finding Abandoned Wells on GeoDiscover Alberta's Map Viewer](#)
- [Abandoned Well Locations on GeoDiscover Alberta's Map Viewer](#)

NOTE: The map must show the actual well location, as identified in the field, including the surface coordinates (available on the Abandoned Well Map Viewer or by contacting the ERCB Customer Contact Centre at 1-855-297-8311) and the 5 metre setback established in [ERCB Directive 079](#) in relation to existing or proposed building sites.

2. Are there abandoned Oil/Gas wells located within 5 m of the site? ☐ Yes ☒ No
If you answered 'yes', please answer question 3 and include the well location(s) on the site plan.

3. Have you contacted the licensee of the well(s) to confirm the exact location? ☐ Yes ☒ No
If you answered 'yes', you must have written confirmation included with your application.

Licensee Company Name _____ Licensee Contact _____

NOTE: Where a well is identified, the Development Authority must refer a copy of the application to the Licensee(s) of Record. The referral will include the applicant's contact information.

4. Who is submitting the Abandoned Well Declaration for this development?

☒ Applicant ☐ Owner ☐ Builder ☐ Other _____

Company Name NEW CENTURY DESIGN Contact Person CLAY ISRAELSON

Address SUITE 15, 1420 9 AVE SE

Phone Phone Email

5. Will the development result in construction activity within the setback area?

☐ Yes ☒ No

If you answered 'yes':

- Provide a statement confirming that the abandoned wells will be temporarily marked with on-site identification to prevent contact during construction; and
- Describe what measures will be taken to prevent contact during construction.

NOTE: This form is to be signed by the titled owner(s) of the property or their authorized agents or consultants.

I, the ☐ owner, ☒ authorized agent, ☐ authorized consultant, state that, to the best of my knowledge, the information provided in this statement is accurate, complete and is based on diligent inquiry and thorough inspection and review of all the documents and other information reasonably available pertaining to the subject property.

03.18.21

Date



Applicant Signature

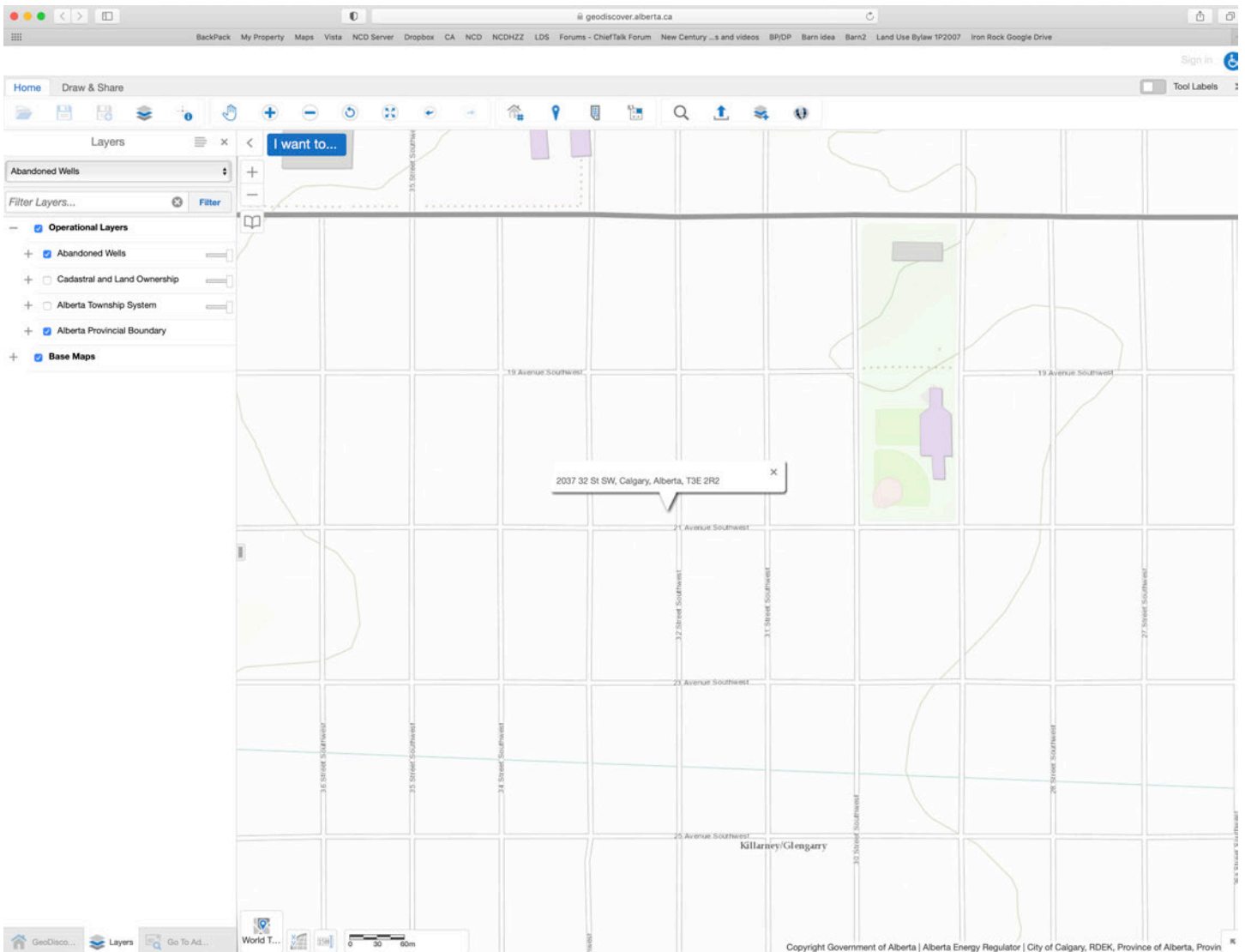
CLAY ISRAELSON

Applicant Name (Please Print)

NEW CENTURY DESIGN

Company Name (Please Print)

FOIP DISCLAIMER: The personal information on this form is being collected under the authority of The Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c). It will be used to provide operating programs, account services and to process payments received for said services. It may also be used to conduct ongoing evaluations of services received from Planning & Development. Please send inquiries by mail to the FOIP Program Administrator, Planning & Development, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.



District Title: Residential - Grade-Oriented Infill (R-CG)

The information contained herein is intended for information purposes only. Please refer to the Calgary Land Use Bylaw 1P2007 for a complete list of rules and regulations. This form has no legal status and cannot be used as an official interpretation of the Land Use Bylaw 1P2007.

Date: April 9, 2021

Date Received: March 19, 2021

F/M: Brendyn Seymour

BLC BY: Alex Trinh

Review Required:

COMPLETE

Markups Completed Electronically:

No - Refer to Hardcopy Plans

D.P. #

2021-1828

For Internal Distribution Only

Modifier(s):	F.A.R		Height		Density		ALL MODIFIER(S) ARE COMPULSORY (Cannot be relaxed)
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Project Description(s):	Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line
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Floodway/Floodfringe/Overland Flow

DOES NOT APPLY

If applicable Complete Flood Sheet

Airport Vicinity Protection Area (AVPA)

DOES NOT APPLY

Right-of-Way Setback(S)							
Rd / St / Av	N/A				Required		Provided
Rd / St / Av					Required		Provided
Rd / St / Av					Required		Provided

Main Floor Elevation(S):			Roof Peak Elevation(s):		
Unit 1			Unit 1		
Unit 2			Unit 2		

LDR: For Additions or alterations to existing See Section 358 For Dwellings Deemed Conforming

Notes:

Rounding per Section 14(1) has been applied to the 1 and 2 unit worksheets.

Page 2										Residential - Grade-Oriented Infill (R-CG) District										D.P. #		2021-1828	
Rule	Requirements												Evaluation										
									Notes				Provided/Variance										
Secondary Suites	If applicable please refer to Secondary Suites Form												See Attached		N/A		N/I						
347.3 Permitted Use Rowhouse Building	(Front A 125.07 + Front B 125.74) / 2 = Front Average Building Reference Point								125.41														
	(Rear A 125.71 + Rear B 126.49) / 2 = Rear Average Building Reference Point								126.1														
	(1)(g) Must not be located on a parcel where the difference between the average building reference points is greater than 2.4 metres;																						
	Difference between Front & Rear Average Building Reference Points =								0.69		C		N/C		N/A		N/I						
39 Contextual Front Setback	A) Contextual Front Setback for 2 Contextual Adjacent Buildings																						
	(Adj. Building 1		8.04		+		Adj. Building 2		7.20)/2 = A		8										
	or B) Contextual Front setback for 1 Contextual Adjacent Building																						
	Adjacent Building = B												0.00										
	or C) Contextual Front Setback with no Contextual Adjacent Buildings																						
= C														3									
537 Building Setback from Front Property Line	(1) Unless otherwise referenced in subsections (2) or (3), the min building setback from a front property line is the greater of:		(a) the contextual front setback less 1.5m to a max of 4.5m; or								N/A												
			7.62		4.50																		
			Contextual Front Setback		less 1.5m		Required Front Setback																
			(b) 3.0m																				
	(2) On a corner parcel, the min building setback from a front property line may be reduced to:		(a) the contextual front setback at the side property line shared with another parcel to a max of 6.0m; and				Portion of Second Floor				C		N/C		N/A		N/I						
(b) decreases in equal proportion with the increase in the distance from the shared side property line, to a min of 3.0m.																							
7.62																							
347.3 Permitted Use Rowhouse Building	(1) To be a permitted use in the R-CG District a Rowhouse Building:		(a) must have façade articulation for each Dwelling Unit, by including:		(i) a portion of a street facing façade forward from the remainder of the street facing façade of that unit, with the projecting or recessed portion having a minimum dimension of:		(A) 2.0m in width;						C		N/C		N/A		N/I				
							(B) 0.3m in depth; and																
					(ii) a porch that projects from a street facing façade a minimum dimension of:		(C) 2.4m in height; or						C		N/C		N/A		N/I				
							(A) 2.0m in width; and																
							(B) 1.2m in depth;																
	(b) must have the main floor located above grade adjacent to the building to a maximum of 1.20m above grade for street facing facades;										Complies												
334 Projections into Setback Areas	(3) Portions of a building below the surface of the ground may extend without any limits into a setback area, with the exception of the required front setback area.												C		N/C		N/A		N/I				
336 Projections Into Front Setback Area	(1) Unless otherwise referenced in subsection (6), bay windows and eaves may project a max. of 0.6 m into the front setback area.								East - Eaves				0.55		-0.05								
	(2) Landings, ramps other than wheelchair ramps and stairs may project into a front setback area provided:		(a) they provide access to the main floor or lower level of the building; and										C		N/C		N/A		N/I				
			(b) the area of a landing does not exceed 2.5m²																				
			(a) it forms an entry to the main floor of a Dwelling Unit of a main residential building;										C		N/C		N/A		N/I				
			(b) the setback of the porch from the front property line is not less than the minimum setback in the district;																				
(5) In a Developed Area, a porch may project a maximum of 1.8m		(c) the maximum height of the porch platform is																					

	may project a maximum of 1.0m into a front setback area where:				1.2m measured from grade, excluding stairs and a landing area not exceeding 2.5m²; and			C	N/C	N/A	N/I	
					(d) the portion of the porch that projects into a front setback area is unenclosed, other than by a railing, balustrade or privacy walls located on porches between attached units.			C	N/C	N/A	N/I	
	(6) Eaves may project an additional 0.6m from a porch into the front setback area, as described in subsection (5).							N/A				
335 Length of Portions of a Building in Setback Areas (Front)	(1) On each storey, the total combined length of all projections into any setback area must not exceed 40% of the length of the facade (Does not apply to eaves, ramps and stairs)					PROVIDE LENGTH AND % VALUES	%	Length	%	Length		
	1st st			X 40% =			N/A					
	2nd st			X 40% =								
	(2) The max. length of an individual projection into any setback area is 3.1 m.											
538 Block Face Requirements	(1) A minimum building setback of 1.2m is required from a side property line at least every 60.0m along the entire length of a block face.						N/A					
	(2) Where subsection (1) applies, the side setback area must be clear of all air conditioning units, window wells and portions of a building measured from grade to a height of 2.4 metres.											
539 Building Setback from Side Property Line	(1) Subject to subsection (3) through (11), the minimum building setback from any side property line is 1.2m					North	2.51		1.31			
	(2) Subject to subsections (3) through (9), for a laneless parcel, the minimum building setback from any side property line is:	(a) 1.2 metres; or						N/A				
		(b) 3.0m on one side of the parcel where no provision is made for a private garage on the front or side of a building.										
	(3) For a Backyard Suite, Contextual Semi-detached Dwelling, Rowhouse Building or Semi-detached Dwelling, there is no requirement for a building setback from a property line upon which a party wall is located.											
	(4) The minimum building setback from a side property line may be reduced to zero metres where:	(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a 1.2m private maintenance easement;										
		(b) the building setback is not greater than 0.1m from the side property line for any portion of a building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 1.2 metres from the side property line;										
		(c) the wall at the shared side property line is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; and										
	(d) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.											
	(5) For a Rowhouse Building, Contextual Semi-detached Dwelling, Semi-detached Dwelling or Single Detached Dwelling the minimum building setback from a side property line may be reduced to zero metres where:	(a) the main residential building on the adjacent parcel has a setback of 0.1m or less at the shared side property line for any portion of the building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 1.2m from the side property line.										
		(b) the building setback is not greater than 0.1m from the side property line for any portion of a building that is recessed 0.6m or greater from the front façade or the rear façade of the building and is setback less than 1.2m from the side property line;										
		(c) the wall at the shared side property line is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; and										
		(d) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.										
	(7) For a corner parcel, the minimum building setback from a side property line shared with a street is 0.6m.					South	0.93		0.33			
(9) The building setback from a side property line is 3.0 metres required in subsection 2(h) may be reduced to zero				(a) where the width if the easement, in combination with the reduced building								

Page 4	subsections (2), may be reduced to zero metres where the owner of the parcel proposed for development and the owner of the adjacent parcel registers, against both titles, an exclusive private access easement:			setback, must be at least 3.0m; and		N/A					
				(b) that provides unrestricted vehicle access to the rear of the parcel.							
	(10) Unless otherwise referenced in subsection (11), on a laned parcel the min building setback from a side property line for a private garage attached to a main residential building is 0.6m.					N/A					
(11) On a laned parcel, the min building setback for a private garage attached to a main residential building that does not share a side or rear property line with a street may be reduced to zero metres where the wall of the portion of the building that contains the private garage is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel.											
337 Projections Into Side Setback Area	(1.1) Portions of a building greater than or equal to 2.4m above grade may project a max of 0.6m into any side setback area.					N/A					
	(1.2) Portions of a building less than 2.4m above grade may project a maximum of 0.6m,					N/A					
	(1.2) (b) for all other uses:	(i) when located on a corner parcel;					N/A				
		(ii) where at least one side setback area is clear of all portions of the building measured from grade to a height of 2.4m; or									
		(iii) where the side setback area contains a private maintenance easement required by this Bylaw and no portion of the building projects into the required private maintenance easement.									
	(1.3) Window wells may project a maximum of 0.8m into any side setback area.					N/A					
	(2) Window wells and portions of a building, other than eaves, must not project into a 3.0m setback required on a laneless parcel.					N/A					
	(3) Eaves may project a max. of 0.6m into any side setback area.					South		0.22	-0.38		
						North		-0.85	-1.45		
(5) Landings, ramps other than wheelchair ramps and stairs may project in a side setback area provided:	(a) they provide access to the main floor or lower level of the building;					N/A					
	(b) the area of a landing does not exceed 2.5m ²										
	(c) the area of any portion of a landing that projects into the side setback area does not exceed 1.8m ²										
	(d) they are not located in a 3.0m side setback area required on a laneless parcel; and										
	(e) they are not located in a side setback area required to be clear of projections, unless pedestrian access from the front to the rear										
(10) Central air conditioning equipment may project a maximum of 1.0m into a side setback area:					N/A						
(8) Any portion of a building that projects into a side setback area, other than eaves, landings, window wells, ramps and stairs, must not be located closer than 0.9 m from the nearest front façade.					N/A						
(9) Balconies and decks must not project into any side setback area;					N/A						
335 Length of Portions of a Building in Setback Areas (Side)	(1) On each storey, the total combined length of all projections into any setback area must not exceed 40% of the length of the facade (Does not apply to decks, eaves, ramps and stairs)					PROVIDE LENGTH AND % VALUES		%	Length	%	Length
	1st st			X 40% =		N/A					
	2nd st			X 40% =							
	__st			X 40% =							
	__st			X 40% =							
	(2) The max. length of an individual projection into any setback area is 3.1m (Includes Window Wells)										
540 Building	(1) Unless otherwise referenced in subsections (2) or (3) the minimum building setback from a rear property line is 7.5m					West		7.97		0.47	
	(2) For a Rowhouse Building on a corner parcel, the min building setback from a rear property line is 1.5m where the building setback from the side property line shared with another parcel is a min of 3.0m for any portion of the Rowhouse Building located between the rear property line and 50.0% parcel depth or the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.					See 540(1)		C	N/C	N/A	N/I

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Page 6	1.2m of a party wall must have a solid privacy wall that:		(b) is a max. of 3.0m in height; and								
			(c) extends the full depth of the deck.								
340 Balconies	(1) Unless otherwise referenced in this Part, an open balcony must not project more than 1.85 metres from the building façade to which it is attached.			N/A							
	(2) Unless otherwise referenced in this Part, the floor area of a recessed balcony must not exceed 10.0m²										
	(2.1) Unless otherwise referenced in this Part, a privacy wall located on a balcony:	(a) must not exceed 3.0m in height when measured from the surface of the balcony; and									
		(b) must not be located between the foremost front façade of the main residential building and front property line.									
	(3) A balcony attached to a Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse Building or Townhouse within 1.2m of a party wall must have a privacy wall that:		(a) is a min. of 2.0m in height;								
			(b) is a max. of 3.0m in height; and								
			(c) extends the full depth of the balcony.								
544 Balconies	(1) Where a balcony is located on the roof of the first or second storey of a Contextual Single Detached Dwelling, Contextual Semi-detached, Rowhouse Building, Single Detached Dwelling or Semi-detached Dwelling and does not overhang any façade of the storey below, the balcony may have a maximum floor area that equals 30.0% of the horizontal cross section of the storey below.			Horizontal Cross Section of Floor Below							
				30% of Area (Max)							
	(2) A balcony attached to a Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, or Rowhouse Building that is a permitted use:	(a) may be located on a side façade of a building:	(i) where it forms part of the front façade and is not recessed back more than 4.5m from the front façade; or								
			(ii) where it is on the street side of a corner parcel;								
		(b) may be located on a rear façade of a building where:	(i) it does not form part of the side façade unless the side façade is on the street side of a corner parcel;								
			(ii) a privacy wall is provided where the balcony is facing a side property line shared with a contextually adjacent building; and								
			(iii) the privacy wall is a minimum of 2.0m in height and a maximum of 3.0m in height; and		Minimum						
					Maximum						
		(c) must not have a balcony on the rear façade with a height greater than 6.0m, when measured vertically at any point from grade to the platform of the balcony.									
	541 Building Height	(1) Unless otherwise referenced in subsections (2) and (3), for a Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling, the max building height is 11.0m measured from grade.			C	N/C	N/A	N/I			
(2) Where a building setback is required from a property line shared with another parcel designated with a low density residential district or the M-CG District, the max building height:		(a) is the greater of the highest geodetic elevation of a main residential building on the adjoining parcel or 7.0m, measured from grade, at the shared property line; and		C	N/C	N/A	N/I				
		(b) increases at a 45 degree angle to a max of 11.0m measured from grade.									
(3) The max area of a horizontal cross section through a building at 9.5m above average grade must not be greater than 75.0% of the max area of a horizontal cross section through the building between average grade and 8.6m.											
24.89		25.83		35.15		<div></div>					
Prim Bldg Crnr 1		Prim Bldg Crnr 2		Geo 9.5m Abve Avrge Grade							
25.60		26.27		34.25							
Prim Bldg Crnr 3		Prim Bldg Crnr 4		Geo 8.6m Abve Avrge Grade							
		X 75% =				COMPLIES Only a small portion of roof exceeds 9.5m above average grade					
Max. Area		Max. Area allowed at 9.5m									
(4) For all other uses, the maximum building height is 10.0m.				C	N/C	N/A	N/I				
349 Roof Equipment	(2) Mechanical equipment may project a maximum of 0.3m from the surface of a roof on a building			N/A							

Project Page 7	Unit Building							
532 Façade Width	The minimum width of a street facing façade of a unit is 4.2m				6.15	1.95		
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. 65% x 36.63 Parcel Depth = 23.80 Max Bldg Depth			Percentage (%)				
				Building Depth (m)				
				N/A				
	(2) For a Rowhouse Building located on a corner parcel there is no max building depth where the building setback from the side property line shared with another parcel is a min of 3.0m for any portion of the Rowhouse Building located between the rear property line and 50.0% parcel depth or the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.			C	N/C	N/A	N/I	
	(3) Where two or more main residential buildings are located on a corner parcel, there is no max building depth for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling where:	(a) one main residential building is wholly located between the front property line and 60.0% parcel depth; and		C	N/C	N/A	N/I	
		(b) the building setback is a min of 3.0m from the side property line shared with another parcel for any portion of a main residential building located between the rear property line and 50.0% parcel depth or the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.		C	N/C	N/A	N/I	
37 Contextual Building Depth Average	A) Contextual Building Depth Average for 2 Contextual Adjacent Buildings							
	(Adj. building 1	21.76	+ Adj. building 2	21.26) / 2 + 4.6 = A		26.11	
	OR B) Contextual Building Depth Average for 1 Contextual Adjacent Building							
	Adjacent Building				+ 4.6 = B		4.60	
347.3 Permitted Use Rowhouse Building	OR C) Contextual Building Depth Average with no Contextual Adjacent Buildings							
	60% X				= C		0	
347.3 Permitted Use Rowhouse Building	(3) Unless otherwise referenced in subsection (4) the maximum building depth of a Rowhouse Building that is a permitted use in the R-CG District is the greater of:		(a) 60.0% of the parcel depth;		N/A			
			60% x 36.63 Parcel Depth = 21.98 Max. Bldg Depth					
			(b) the contextual building depth average.					
			Contextual Building Depth Avg.=	26.11				
529 Density	The maximum density for parcels designated R-CG District is 75 units per hectare.			Units	4.00	0.00		
	75	558.17 (m²)	4.00					
339.1 Porches (must meet all requirements to be exempt)	In a Developed Area, a porch is exempt from parcel coverage where:	(a) the porch is located between the façade of the main residential building and:	(i) the front property line; or		C	N/C	N/A	N/I
			(ii) the side property line on the street side of a corner parcel;		C	N/C	N/A	N/I
		(b) the porch is unenclosed on a minimum of two sides, other than by a railing, balustrade, or privacy walls located on porches between attached units when the porch is at or exceeds the contextual front setback; and			C	N/C	N/A	N/I
339.1 Porches (must meet all requirements to be exempt)		(c) there is no enclosed floor area or balcony located directly above the roof of the porch.		C	N/C	N/A	N/I	
		(a) 45.0% of the area of the parcels subject to the single development permit for a development with a density of less than 40 units per hectare.		Applies		Does Not Apply		
	(2) Unless otherwise referenced in subsection (3), the maximum cumulative building coverage over all the parcels subject to a	(b) 50.0% of the area of the parcels subject to the single development permit for a development with a density of 40 units per hectare or greater and less than 50 units per hectare.		Applies		Does Not Apply		

534 Parcel Coverage	single development permit containing a Contextual Semi-Detached Dwelling, Cottage Housing Cluster, Rowhouse Building, Semi-Detached Dwelling or Single Detached Dwelling is:		(c) 55.0% of the area of the parcels subject to the single development permit for a development with a density of 50 units per hectare or greater and less than 60 units per hectare; or				Applies		Does Not Apply									
											(d) 60.0% of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater.							
			(3) The maximum parcel coverage referenced in subsections (1) and (2), must be reduced by:		(a) 21.0m² where one motor vehicle parking stall is required on a parcel that is not located in a private garage; and				Applies		Does Not Apply							
													(b) 19.0m² for each required motor vehicle parking stall that is not located in a private garage where more than on motor vehicle parking stall is required on a parcel.					
	(4) For all other uses, the maximum parcel coverage is 45.0%							Applies		Does Not Apply								
	Determine correct percentage of parcel coverage and input values below								%		%							
	60.00%		558.17		minus		4		19.00		=		258.90		59.93%		13.55%	
			Parcel Area				Required Stalls						Max. Coverage					
	Parcel Coverage Totals														m²		m²	
	House		Proj. > 1.0m		Garage(s)		Other		Total									
	251.24				83.26				334.50		334.50		75.60					

Accessory Building	If applicable please refer to Accessory Residential Building Form						See Attached		N/A		N/I	

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:		(a) is provided outdoors;				C		N/C		N/A		N/I	
			(b) has a minimum total area of 20.0m²; and		Unit A		18.92		-1.08					
					Unit B		18.95		-1.05					
					Unit C		18.48		-1.52					
					Unit D		17.79		-2.21					
			(c) may be divided over a maximum of two amenity spaces where:		(i) one amenity space has no dimension less than 3.0m; and		Amenity Space 1		Area (m²)		N/A			
									Dimension (m)		N/A			
									Area (m²)		N/A			
	(ii) the second amenity space has a minimum contiguous area of 7.5m² with no dimensions less than 1.5m				Amenity Space 2		Area (m²)		N/A					
							Dimension (m)		N/A					
							Total Amenity Area (m²):		#VALUE!		#VALUE!			

341 Driveways	(1) A driveway must not have direct access to a major street unless:		(a) there is no practical alternative method of vehicular access to the parcel; and				C		N/C		N/A		N/I	
			(b) a turning space is provided on the parcel to allow all vehicles exiting to face the major street.				C		N/C		N/A		N/I	
	(2) A driveway connecting a street to a private garage must:		(a) be a min of 6.0m in length along the intended direction of travel for vehicles measured from:		(i) the back of the public sidewalk to the door of the private garage; or		South		3.91		-2.09			
					(ii) a curb where there is no public sidewalk to the door of a private garage, and									
					(b) contain a rectangular area measuring 6.0m in length and 3.0m in width.				C		N/C		N/A	
	(3) A driveway connecting a lane to a private garage must be a min of 0.60m in length along the intended direction of travel for vehicles, measured from the property line shared with the lane to the door of a private garage.				West		0.70		0.10					
	(4) Parking Surface located in the actual front setback must be surfaced.						C		N/C		N/A		N/I	
	(5) That portion of a driveway including a motor vehicle parking stall within 6.0m of a public sidewalk, or a curb on a street where there is no public sidewalk, must not exceed a width of:		(a) 6.0m where the parcel width is 9.0m or less; or				N/A Parcel width > 15.0m							
			(b) 7.0m for parcel width > than 9.0m and < than 15.0m											
	(6) In the developed area a driveway accessing a street must not be constructed,		(a) located on a laneless parcel; (b) located on a laned parcel and 50 % or more parcels on same block face have an existing driveway accessing a				C		N/C		N/A		N/I	

Page 9	altered or replaced except where:		street; or (c) legally existing driveway not being relocated or widened.		Existing Driveway No Changes			
342 Retaining Walls	(1) A retaining wall must be less than 1.2m in height when measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the retaining wall.				C	N/C	N/A	N/I
	(2) A min horizontal separation of 1.0m must be maintained between retaining walls on the same parcel.				C	N/C	N/A	N/I
338.1 Patios	(1) Unless otherwise referenced in subsections (2) and (3), a privacy wall may be located on a patio, provided it does not exceed a height of 2.0m from the surface of the patio.				C	N/C	N/A	N/I
	(2) A privacy wall located on a patio must not exceed 2.0m in height, when measured from grade and when the privacy wall is located within: (a) a side setback area; or (b) 6.0m of a rear property line.				C	N/C	N/A	N/I
	(3) A privacy wall located on a patio must not exceed 1.2m in height when measured from grade when the privacy wall is located between the foremost front façade of the main residential building and the front property line.				C	N/C	N/A	N/I
540.1 Fences	The height of a fence above grade at any point along a fence line must not exceed 1.2m for any portion of a fence extending between the foremost front façade of the immediately adjacent main residential building and the front property line.				C	N/C	N/A	N/I
343 Fences	The height of a fence above grade at any point along a fence line must not exceed:	(b) 2.0m in all other cases, and			C	N/C	N/A	N/I
		(c) 2.5m at the highest point of a gate that is not more than 2.5m in length.			C	N/C	N/A	N/I
348 Visibility Setback	Within a corner visibility triangle, buildings, fences, finished grade of a parcel and vegetation must not exceed the lowest elevation of the street by more than 0.75m above lowest elevation of the street.				C	N/C	N/A	N/I
287 Rowhouse	(c) requires a minimum of 1.0 motor vehicle parking stalls per Dwelling Unit; and				4		0	
	# of Dwelling Units: 4							
122 Standards for Motor Vehicle Parking Stalls	(3) The minimum depth of a motor vehicle parking stall is 5.9m where it is required for:				C	N/C	N/A	N/I
	(a) a Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling or Single Detached Dwelling							
	(b) a Dwelling Unit where the stall is provided in a private garage intended to be used for the occupants of only one Dwelling Unit.							
	(4) The minimum width of a motor vehicle parking stall required for a Dwelling Unit is:				C	N/C	N/A	N/I
	(a) 3.0m where both sides of a stall abut a physical barrier;							
	(b) 2.85m where one side of a stall abuts a physical barrier; and							
	(c) 2.5m in all other							
	(7) The minimum width of a motor vehicle parking stall for Multi-Residential Development, Multi-Residential Development - Minor, a Townhouse or a Rowhouse Building provided for the exclusive use of a Dwelling Unit is reduced to 2.60m where:				C	N/C	N/A	N/I
	(a) the stall is one of two or more motor vehicle parking stalls that are provided in a private garage;							
	(b) the motor vehicle parking stalls in the private garage are for the sole use of the occupants of the Dwelling Unit; and							
	(c) the motor vehicle parking stalls are not counted towards fulfilling the minimum motor vehicle parking stall requirements for that Dwelling Unit.							
	(15) Motor vehicle parking stalls for a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling and Single Detached Dwelling must be:				C	N/C	N/A	N/I
	(a) hard surfaced; and							
	(b) located wholly on the subject parcel.							

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Accessory Residential Building										D.P. #		2021-1828								
Rule	Requirements							Evaluation												
						Notes		Provided/Variance												
345 Accessory Residential Building	(1) The min. building setback for an Accessory Residential Building is::	(a) 1.2m from a side or rear property line shared with a street; or			South		0.00		-1.20											
		(b) 0.6m from a side or rear property line in all other cases.			West		0.67		0.07											
					North		2.38		1.78											
	(2) The min. building setback for an Accessory Residential Building that does not share a side or rear property line with a street may be reduced to zero m when:					C		N/C		N/A		N/I								
	(b) the wall of the Accessory Residential Building is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; or					C		N/C		N/A		N/I								
	(c) the owner of the adjacent parcel grants a 1.5m private maintenance easement that must:			(i) be registered against the title of the parcel proposed for development and the title of the adjacent parcel; and				C		N/C		N/A		N/I						
				(ii) include a 0.60m eave and footing encroachment easement.					C		N/C		N/A		N/I					
	(3) An Accessory Residential Building must not be located in the actual front setback area.							C		N/C		N/A		N/I						
	(4) A private garage on laneless parcel may be located in required 3.0m side setback, except along street side of a corner parcel.							C		N/C		N/A		N/I						
	(5) The min. distance between any façade of an Accessory Residential Building 10.0m ² or more and a main residential building or a building containing a Secondary Suite is 1.0m					0.80m		C		N/C		N/A		N/I						
	(6) The height of an Accessory Residential Building must not exceed:					(a) 4.6m, measured from the finished floor of the building;				4.41		-0.19								
						(b) 3.0m at any eaveline, when measured from the finished floor of the building; and				3.16		0.16								
						(c) one storey,					C		N/C		N/A		N/I			
						(c) one storey, which may include an attic space that:			(i) is accessed by a removable ladder;				C		N/C		N/A		N/I	
									(ii) does not have windows;				C		N/C		N/A		N/I	
									(iv) has a max. height of 1.5m from the attic floor to the underside of any rafter.						N/A					
	346 Restrictions on Use of Accessory Residential Building					(1) The finished floor of an Accessory Residential Building, other than a private garage, must not exceed 0.6m above grade.						C		N/C		N/A		N/I		
						(2) An Accessory Residential Building must not be used as a Dwelling Unit, unless a Backyard Suite has been approved.						C		N/C		N/A		N/I		
						(3) An Accessory Residential Building must not have a balcony or rooftop deck.						C		N/C		N/A		N/I		
(4) The area of a parcel covered by all Accessory Residential Buildings located on a parcel:						(a) must not exceed the less of:		(i) the building coverage of the main residential buildings; or				C		N/C		N/A		N/I		
								(ii) 75.0m ² for each Dwelling Unit located on the parcel; and		Unit 1		Complies								
										Unit 2										
						Unit 3														
						Unit 4														

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Secondary Suite						D.P. #		2021-1828				
Rule	Requirements					Evaluation						
				Notes		Provided/Variance						
<u>Note: Remember to check any applicable district rules</u>												
351 Secondary Suite	(1) For a Secondary Suite the minimum building setback from a property line, must be equal to or greater than the minimum building setback from a property line for the main residential building.					C	N/C	N/A	N/I			
	(2) Except as otherwise stated in subsection (2.1) and (3), the maximum floor area of a Secondary Suite, excluding any area covered by stairways and landings, is 100.0m²:		(a) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-1, R-1s and R-1N District; or		N/A							
			(b) when located on a parcel with a parcel width less than 13.0m.									
			(2.1) There is no maximum floor area for a Secondary Suite wholly located in a basement. Internal landings and stairways providing access to the basement may be located above grade.				Applies		N/A	N/I		
	(4) A Secondary Suite must have a private amenity space that:		(a) is located outdoors; and		C	N/C	N/A	N/I				
			(b) has a minimum area of 7.5m² with no dimension less than 1.5m.		Dimension (m)							
					1.50		0.00					
					Area (m²)							
					Unit A		6.12		-1.38			
					Unit B		6.05		-1.45			
Unit C					6.05		-1.45					
Unit D					5.49		-2.01					
354 Accessory Suite - Density	(1) Unless otherwise referenced in subsection (4), there must not be more than one Backyard Suite located on a parcel.					C	N/C	N/A	N/I			
	(1.1) There must not be more than one Secondary Suite contained within a Dwelling Unit.					C	N/C	N/A	N/I			
	(2) Unless otherwise referenced in subsection (4), a Secondary Suite and a Backyard Suite must not be located on the same parcel.					C	N/C	N/A	N/I			
	(3) A Secondary Suite or Backyard Suite must not be separated from the main residential use on a parcel by the registration of a condominium or subdivision plan.					C	N/C	N/A	N/I			
	(4) In the R-CG District, one Backyard Suite or one Secondary Suite may be located on a bare land unit containing a Dwelling Unit.					C	N/C	N/A	N/I			
546 Motor Vehicle Parking Stalls Applies to R-CG Only	(2) The minimum number of motor vehicle parking stalls for a Secondary Suite is reduced to 0.0 where:		(a) the floor area of a Secondary Suite is 45.0m² or less.				C	N/C	N/A	N/I		
			(b) the parcel is located within 600.0m of an existing or approved capital funded LRT platform or within 150.0m of frequent bus service; and		Westbrook LRT		C	N/C	N/A	N/I		
	All Rules are COMPULSORY		(c) space is provided in a building for the occupant of the Secondary Suite for storage of mobility alternatives such as bicycles or strollers that:		(i) is accessed directly from the exterior; and		C	N/C	N/A	N/I		
			(ii) has an area of 2.5m² or more for every Secondary Suite that is not provided with a motor vehicle parking stall.		C		N/C		N/A		N/I	
			NOTE: Parcel coverage excludes the building coverage area of the mobility alternative storage space.									
153.1 Backyard Suite	(c) requires a minimum of 1.0 motor vehicle parking stall.					N/A						
295 Secondary Suite	(c) requires a minimum of 1.0 motor vehicle parking stall.					0		-4				
122 Standards for Motor Vehicle Parking Stalls	(3) The minimum depth of a motor vehicle parking stall is 5.9m where it is required for:					C	N/C	N/A	N/I			
	(a) a Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling or Single Detached Dwelling					C	N/C	N/A	N/I			
	(4) The minimum width of a motor vehicle parking stall required for a Dwelling Unit is:											
	(a) 3.0m where both sides of a stall abut a physical barrier;											
	(b) 2.85m where one side of a stall abuts a physical barrier; and					C	N/C	N/A	N/I			
	(c) 2.5m in all other cases.											
(15) Motor vehicle parking stalls for a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling and Single Detached Dwelling must be:					C	N/C	N/A	N/I				
(a) hard surfaced; and												
(b) located wholly on the subject parcel.												

539 Building Setback from Side Property Line Applies to R-CG Only	(6) For a Backyard Suite the minimum building setback from a side property line may be reduced to zero metres where:	(a) the accessory residential building or Backyard Suite on the adjacent parcel has a setback of 0.1 metres or less at the shared side property line for any portion of the building that is recessed 0.6 metres or greater from the front façade or the rear facade of the building and is setback less than 0.6 metres from the side property line;			C	N/C	N/A	N/I		
				(b) the building setback is not greater than 0.1 metres from the side property line for any portion of a building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 1.2 metres from the side property line;			C	N/C	N/A	N/I
				(c) the wall at the shared side property line is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; and			C	N/C	N/A	N/I
				(d) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.			C	N/C	N/A	N/I

547.13 Building Height Applies to R-G Only	(2) The maximum height of a Backyard Suite on a laned parcel is 10.0 metres.		C	N/C	N/A	N/I

Additional Notes	

FILE: DP 2021-1828

DATE RECEIVED: March 19, 2021

Bylaw Discrepancies		
Regulation	Standard	Provided
537 Building Setback from Front Property Line	(2) On a corner parcel, the min building setback from a front property line may be reduced to: (a) the contextual front setback at the side property line shared with another parcel to a max of 6.0m; and (b) decreases in equal proportion with the increase in the distance from the shared side property line, to a min of 3.0m.	Plans indicate a portion of the second floor is located in the corner building setback chamfer from the front property line. Relaxation supported.
535 Building Depth	(2) For a Rowhouse Building located on a corner parcel there is no max building depth where the building setback from the side property line shared with another parcel is a min of 3.0m for any portion of the Rowhouse Building located between the rear property line and 50.0% parcel depth or the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.	Plans indicate a portion of the second floor is located in the 3.0m stepback from the North property line. Relaxation supported.
534 Parcel Coverage	(2) Unless otherwise referenced in subsection (3), the maximum cumulative building coverage over all the parcels subject to a single development permit containing a Contextual Semi-Detached Dwelling, Cottage Housing Cluster, Rowhouse Building, Semi-Detached Dwelling or Single Detached Dwelling is: (d) 60.0% of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater. (3) The maximum parcel coverage referenced in subsections (1) and (2), must be reduced by:	Plans indicate a parcel coverage of 59.93% (+13.55%) or 334.50m ² (+75.60m ²). <i>It should be noted that the maximum parcel coverage was reduced by 76.0m² (4 Secondary Suite stalls x 19.0m²).</i> Resolved.

	(b) 19.0m ² for each required motor vehicle parking stall that is not located in a private garage where more than on motor vehicle parking stall is required on a parcel.	
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: (b) has a minimum total area of 20.0m ² ; and (d) 60.0% of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater.	Plans indicate the following amenity areas: Unit A – 18.92m ² (-1.08m ²); Unit B – 18.95m ² (-1.05m ²); Unit C – 18.48m ² (-1.52m ²); and Unit D – 17.79m ² (-2.21m ²). Relaxation supported.
341 Driveways	(2) A driveway connecting a street to a private garage must: (a) be a min of 6.0m in length along the intended direction of travel for vehicles measured from: (i) the back of the public sidewalk to the door of the private garage; or	Plans indicate a driveway length of 3.91m (-2.09m) from the back of the public sidewalk. Relaxation supported.
	(2) A driveway connecting a street to a private garage must: (b) contain a rectangular area measuring 6.0m in length and 3.0m in width.	Plans do not indicate a driveway that contains a rectangular measuring 6.0m in length and 3.0m in width. Relaxation supported.
	(6) In the developed area a driveway accessing a street must not be constructed, altered or replaced except where: (a) located on a laneless parcel; (b) located on a laned parcel and 50 % or more parcels on same block face have an existing driveway accessing a street; or (c) legally existing driveway not being relocated or widened.	Plans indicate a new driveway accessing the street where the parcel is laned and less than 50% of the blockface have an existing driveway accessing a street. Relaxation supported.
345 Accessory Residential Building	(1) The min. building setback for an Accessory Residential Building is:: (a) 1.2m from a side or rear property line shared with a street; OR	Plans indicate an Accessory Residential Building setback of 0.0m (-1.2m) from the South side property line shared with the street. Relaxation supported.

	(5) The min. distance between any façade of an Accessory Residential Building 10.0m ² or more and a main residential building or a building containing a Secondary Suite is 1.0m	Plans indicate a separation distance of 0.80m (-0.20m) between the Accessory Residential Building and the second floor of Unit D. Relaxation supported.
	(6) The height of an Accessory Residential Building must not exceed: (b) 3.0m at any eaveline, when measured from the finished floor of the building; and	Plans indicate an Accessory Residential Building indoor wall height of 3.16m (+0.16m). <i>It should be noted that the indoor wall height was measured to the top of fascia as a building section was not provided.</i> Relaxation supported.
351 Secondary Suite	(4) A Secondary Suite must have a private amenity space that: (b) has a minimum area of 7.5m ² with no dimension less than 1.5m.	Plans indicate the following Secondary Suite amenity areas: Unit A – 6.12m ² (-1.38m ²); Unit B – 6.05m ² (-1.45m ²); Unit C – 6.05m ² (-1.45m ²); and Unit D – 5.49m ² (-2.01m ²). Resolved.
295 Secondary Suite	(c) requires a minimum of 1.0 motor vehicle parking stall.	Plans indicate 0 (-4) Secondary Suite parking stalls. <i>It should be noted that Secondary Suite stall reductions were not applied as the floor area of the proposed Secondary Suites are greater than 45.0m².</i> Resolved.

Permitted Contextual Use Rules

Regulation	Standard	Provided
347.3 Permitted Use Rowhouse Building	(1) To be a permitted use a Rowhouse Building: (f) must not have windows on an exposed side façade of a unit that are located beyond the rear façade of a contextually adjacent building on an adjoining parcel unless: (ii) the glass in the window is entirely obscured; (iii) there is a minimum distance of 1.5m between the finished floor and the bottom of the window sill; or (iv) the façade that contains the window is setback a minimum of	Plans indicate an unobscured second storey window located beyond the rear façade of the main residential building of the adjoining North parcel.

	4.2m from the side property line; and	
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July 07, 2021

Clay Israelson
NEW CENTURY DESIGN
SITE 23 BOX 25 RR#1
DEWINTON, ALBERTA T0L 0X0

Dear Sir/Madam:

Application Description:

Address: 2037 32 ST SW

Development Permit Number: DP2021-1828

A complete written submission in response to the Detailed Team Review (DTR) Form was not received by the Response Due Date of the DTR, June 27, 2021.

By way of this letter, Administration grants an extension to the Response Due Date of the DTR to allow for a complete submission by August 10, 2021. The complete submission must address all requirements identified in the DTR. The application may be inactivated and cancelled administratively if not received by the extended due date.

Should you require clarification of the above or further information, please contact the undersigned at (403) 268-2388 or by email at Mel.Bishoff@calgary.ca. Please quote the Development Permit number for reference.

Sincerely,

Mel Bishoff
Cord Community Planning West A

cc: HARIJAP SINGH
2037 32 ST SW
CALGARY AB
CANADA T3E 2R2



April 28, 2021

NEW CENTURY DESIGN
shawn@newcenturydesign.ca
(403) 969-3729

Dear Sir/Madam:

RE: Detailed Team Review (DTR)

Development Permit Number: DP2021-1828

Based on the plans received, the Corporate Planning Applications Group (CPAG) has completed a detailed review of your application in order to determine compliance with the Land Use Bylaw and applicable City policies. Any variance from the Land Use Bylaw or City policies may require further discussion or revision prior to a decision being rendered.

Applicants are requested to contact the respective team members to resolve outstanding issues. Amended plans should not be submitted to the Planner until we are able to provide comments from all circulation referees.

CPAG endeavours to render decisions on applications within specific service standards. Please assist us in meeting these targets by ensuring your resubmission is made in a timely manner. Should you have any questions or concerns (403) 268-1543 or by email at Brendyn.Seymour@calgary.ca.

Sincerely,

BRENDYN SEYMOUR
Planner 2



Detailed Review 1 – Development Permit

Application Number:	DP2021-1828
Application Description:	New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line
Land Use District:	Residential - Grade-Oriented Infill
Use Type:	Permitted
Site Address:	2037 32 ST SW
Community:	KILLARNEY/GLENGARRY
Applicant:	NEW CENTURY DESIGN
Date DTR Sent:	April 28, 2021
Response Due Date:	June 27, 2021
CPAG Team	
Planning:	BRENDYN SEYMOUR (403) 268-1543 Brendyn.Seymour@calgary.ca
Development Engineering:	DAVID BERGE (587) 216-7720 mailto:David.Berge@calgary.ca
Parks:	KIT MOK (403) 268-2914 kit.mok@calgary.ca
Transportation:	FABIAN SNYDERS (403) 268-5094 Fabian.Snyders@calgary.ca

General Comments

The development permit proposes a four unit rowhouse with four secondary suites. Administration has not received any comments from the Killarney-Glengarry Community Association or surrounding neighbours at this time.

There are a few key items that CPAG would like to bring to the attention of the applicant. First, all garages need to face the lane and the existing driveway and curb cut be removed/rehabilitated. Second, the proposed parcel coverage is exceeding the maximum allowed coverage and as a result, this is impacting the minimum secondary suite amenity space requirements and also is causing the individual secondary suite floor areas (51 m²) to exceed the maximum allowable size (45 m²). This means that four additional parking stalls for the secondary suites are required and CPAG will not relax this. The applicant is advised to reduce the building footprint, reduce the secondary suite floor areas and increase the secondary suite amenity spaces. This will eliminate the requirement for the four additional parking stalls.

Comments on Relevant City Policies

The proposed development complies with the applicable policies of the Municipal Development Plan and Killarney-Glengarry Area Redevelopment Plan.

Bylaw Discrepancies		
Regulation	Standard	Provided
537 Building Setback from Front Property Line	(2) On a corner parcel, the min building setback from a front property line may be reduced to: (a) the contextual front setback at the side property line shared with another parcel to a max of 6.0m; and (b) decreases in equal proportion with the increase in the distance from the shared side property line, to a min of 3.0m.	Plans indicate a portion of the second floor is located in the corner building setback chamfer from the front property line. Amend plans to comply
535 Building Depth	(2) For a Rowhouse Building located on a corner parcel there is no max building depth where the building setback from the side property line shared with another parcel is a min of 3.0m for any portion of the Rowhouse Building located between the rear property line and 50.0% parcel depth or the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.	Plans indicate a portion of the second floor is located in the 3.0m stepback from the North property line. Relaxation supported
534 Parcel Coverage	(2) Unless otherwise referenced in subsection (3), the maximum cumulative building coverage over all the parcels subject to a single development permit containing a Contextual Semi-Detached Dwelling, Cottage Housing Cluster, Rowhouse Building, Semi-Detached Dwelling or Single Detached Dwelling is: (d) 60.0% of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater.	Plans indicate a parcel coverage of 59.93% (+13.55%) or 334.50m ² (+75.60m ²). <i>It should be noted that the maximum parcel coverage was reduced by 76.0m² (4 Secondary Suite stalls x 19.0m²).</i> Amend plans to comply

	(3) The maximum parcel coverage referenced in subsections (1) and (2), must be reduced by: (b) 19.0m ² for each required motor vehicle parking stall that is not located in a private garage where more than on motor vehicle parking stall is required on a parcel.	
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: (b) has a minimum total area of 20.0m ² ; and (d) 60.0% of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater.	Plans indicate the following amenity areas: Unit A – 18.92m ² (-1.08m ²); Unit B – 18.95m ² (-1.05m ²); Unit C – 18.48m ² (-1.52m ²); and Unit D – 17.79m ² (-2.21m ²). Amend plans to comply
341 Driveways	(2) A driveway connecting a street to a private garage must: (a) be a min of 6.0m in length along the intended direction of travel for vehicles measured from: (i) the back of the public sidewalk to the door of the private garage; or	Plans indicate a driveway length of 3.91m (-2.09m) from the back of the public sidewalk. Amend plans to comply
	(2) A driveway connecting a street to a private garage must: (b) contain a rectangular area measuring 6.0m in length and 3.0m in width.	Plans do not indicate a driveway that contains a rectangular measuring 6.0m in length and 3.0m in width. Amend plans to comply
	(6) In the developed area a driveway accessing a street must not be constructed, altered or replaced except where: (a) located on a laneless parcel; (b) located on a laned parcel and 50 % or more parcels on same block face have an existing driveway accessing a street; or (c) legally existing driveway not being relocated or widened.	Plans indicate a new driveway accessing the street where the parcel is laned and less than 50% of the blockface have an existing driveway accessing a street. Amend plans to comply
345 Accessory Residential Building	(1) The min. building setback for an Accessory Residential Building is:: (a) 1.2m from a side or rear property line shared with a street; OR	Plans indicate an Accessory Residential Building setback of 0.0m (-1.2m) from the South side property line shared with the street.

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 Planning Services Counter at (403) 268-5311.

		Amend plans to comply
	(5) The min. distance between any façade of an Accessory Residential Building 10.0m ² or more and a main residential building or a building containing a Secondary Suite is 1.0m	Plans indicate a separation distance of 0.80m (-0.20m) between the Accessory Residential Building and the second floor of Unit D. Amend plans to comply
	(6) The height of an Accessory Residential Building must not exceed: (b) 3.0m at any eaveline, when measured from the finished floor of the building; and	Plans indicate an Accessory Residential Building indoor wall height of 3.16m (+0.16m). <i>It should be noted that the indoor wall height was measured to the top of fascia as a building section was not provided.</i> Amend plans to comply
351 Secondary Suite	(4) A Secondary Suite must have a private amenity space that: (b) has a minimum area of 7.5m ² with no dimension less than 1.5m.	Plans indicate the following Secondary Suite amenity areas: Unit A – 6.12m ² (-1.38m ²); Unit B – 6.05m ² (-1.45m ²); Unit C – 6.05m ² (-1.45m ²); and Unit D – 5.49m ² (-2.01m ²). Amend plans to comply
295 Secondary Suite	(c) requires a minimum of 1.0 motor vehicle parking stall.	Plans indicate 0 (-4) Secondary Suite parking stalls. <i>It should be noted that Secondary Suite stall reductions were not applied as the floor area of the proposed Secondary Suites are greater than 45.0m².</i> Amend plans to comply

Prior to Decision Requirements

The following issues must be addressed by the Applicant through a written submission and amended plans prior to a decision by the Approving Authority. Applicants are encouraged to contact the respective team members directly to discuss outstanding issues or alternatively request a meeting with the CPAG Team.

Planning

1. Submit a complete digital set of the amended plans in PDF format and a separate PDF response letter that provides a point-by-point explanation as to how each of the Prior to Decision conditions were addressed and/or resolved. If Prior to Release conditions have been addressed in the amended plans, include a point-by-point explanation for these items as well.

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 Planning Services Counter at (403) 268-5311.

The submitted plans must comprehensively address the Prior to Decision conditions as specified in the DTR document. Ensure that all plans affected by the revisions are amended accordingly. To arrange the digital submission, please contact the File Manager directly.

This information must be received, in its entirety, no later than 60 days from the date this DTR form was sent to the applicant and owner. If a complete submission is not received within the 60 day time frame, the development permit may be inactivated. Upon inactivation, the applicant and owner will receive written notice of the inactivation and of a further 30 day time frame within which the application may be reactivated subject to a reactivation fee. If the development permit application is not reactivated as per the written notification, it may be cancelled by Administration as per Land Use Bylaw 1P2007, Section 41.1.

In the event that the application needs to be recirculated, a recirculation fee may be applied.

2. Amend plans to address the bylaw discrepancies noted on pages 3 to 5 of this document. Alternatively, provide planning rationale in a written submission supporting any proposed relaxations to address the bylaw discrepancies noted on pages 3 to 5 of this document.
3. Submit a letter from Building Regulations indicating that the following conflict has been resolved:

Building Regulations has reviewed the proposed development and alterations are required to bring the proposed development into compliance with the National Building Code – 2019 Alberta Edition which may result in a new or revised Development Permit if items are not addressed at this time.

1. Division B, 9.10.14. Spatial Separation Between Buildings / 9.10.15. Spatial Separation between Houses

Provide spatial separation for detached garages under Division B, 9.10.14. or using the standing posted variance (SPV-003) on Calgary.ca, and spatial separation for the house where facing the detached garage.

a) The use of SPV 003 variance requires the construction details to follow exactly, including the prohibited location of cantilevers on the west façade of the house where facing the garage, and reference to the SPV-003 shall be included on the building permit application drawings, or

b) Prescriptive compliance with 9.10.14. and 9.10.15. shall be noted on the drawings including location of required fire-resistance ratings of assemblies, non-combustible cladding, and prohibited location of eaves. Include the location of an imaginary line of limiting distance used to determine required ratings, cladding, location of eaves and maximum permitted glazed openings.

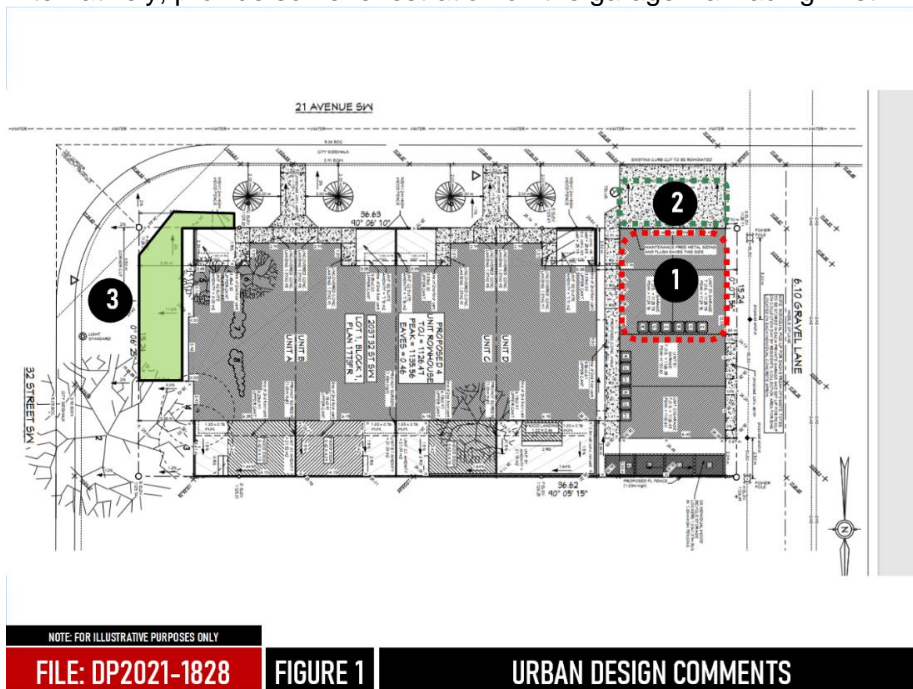
4. Some areas of the site plan do not show the landscaping material (amenity area). Amend the plans to indicate the type of landscaping materials. Note: the amenity spaces for the suites should be a hard surface material and not grass. The applicant is encouraged to use a permeable material.

Amend the plans to also increase the area of the Suite A2 amenity space southward.

5. Enhance landscaping at the corner of 21st Av. and 32 St SW with mid-height landscaping materials like shrubs and ornamental prairie grasses. (Figure 1-#3)



6. With the garage doors rotated to face the gravel lane, on 21st Av. interface, please amend the plans to provide a layered landscaping along garage (combination of columnar trees and tall prairie ornamental grasses) to mitigate excessive amount of blank wall on the private property. Alternatively, provide some fenestration on the garage wall facing 21st Av. (Figure 1-#2)



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 Planning Services Counter at (403) 268-5311.

- ## Transportation

-

- ## Development Engineering

- For further information, refer to the following:

<http://www.calgary.ca/PDA/pd/Documents/development/west-memorial-sanitary-servicing-study-guidelines.pdf>

Page 8

Parks

13. Amend the plans to indicate the location of proposed storm water catchment tanks or/and proposed storm line. If tanks are required, they should be installed as close to the south property line and as far away from the public birch tree as possible.

Prior to Release Requirements

If this Development Permit is approved, 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:

Planning

14. The Prior to Release conditions will be finalized at the time of Development Authority decision.

Transportation

15. Amend plans to note that the existing driveway crossing on 21 Avenue S.W. is to be "closed and rehabilitated at the Developers expense" (See image below).



16. Remit payment (certified cheque, bank draft) for the proposed infrastructure listed below within the public right-of-way to address the requirements of the Business Units. The amount is calculated by the respective Business Unit and is based on 100% of the estimated cost of construction.

The developer is responsible to coordinate the timing of the construction by City forces. The payment is non-refundable.

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 Planning Services Counter at (403) 268-5311.

Roads

Street lighting upgrading adjacent to site frontages (If required).

17. 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. Closure and removal of existing driveway crossings on 21 Avenue S.W.,
- c. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.

Development Engineering

18. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the Utility Site Servicing Bylaw 33M2005. Contact WA-ResourcesDevelopmentApprovals@calgary.ca for additional details.

For further information, refer to the following:

Design Guidelines for Development Site Servicing Plans

https://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP-Design-Guidelines.pdf

Development Site Servicing Plans CARL (requirement list)

<http://www.calgary.ca/PDA/pd/Documents/development/development-site-servicing-plan.pdf>

If the applicant would like to pursue a main extension at their expense, they must enter into an indemnification agreement for work within the City Right-of-way. This must be completed prior to the DSSP application.

19. 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 2021 development approval date and was based on the following:

Phase Description Unit(s)

1 2037 32 ST SW Existing Single: 1/New Grade: 4

Based on the information above, the preliminary estimate is \$10,931.00.

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

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 Planning Services Counter at (403) 268-5311.

applicant.

- Only certified cheques or bank drafts made payable to the City of Calgary are acceptable.

To obtain an off-site levy agreement or for further information, contact the Calgary Approvals Coordination, Infrastructure Strategist (ROB HIRBER at 403-268-5138 or Rob.Hirber@calgary.ca) or offsitelevy@calgary.ca.

Parks

20. Amend the Site Plan:
 - a) Public tree T2 tree species is Birch
 - b) Indicate the setbacks between the existing and proposed boulevard trees and the existing or proposed utilities/servicing connections.

Provide the minimum setback requirements as required in Section 4.1.2 and Section 4.1.3 of Parks' Development Guidelines and Standard Specifications: Landscape Construction (current edition):

<https://www.calgary.ca/csps/parks/construction/park-development-guidelines.html>

This is to ensure no conflicts exist between the boulevard trees and utilities/servicing connections.

21. Amend the Site Plan to include a note stating:
 - a) 'An Urban Forestry Technician must be on-site during excavation within 5 meters of the existing public birch. This is to mitigate any damage to adjacent public tree. Contact Urban Forestry by phoning 311 at least three (3) business days in advance of excavation.'
 - Note: If tree canopy or root system is damaged to the point where the tree becomes unstable, then Urban Forestry will require their removal using an approved indemnified tree contractor at applicant's expense, plus compensation for the removed tree.
 - b) 'If clearance pruning of public trees is required, Urban Forestry must be notified minimum two business days notice and an indemnified contractor must be used at the applicants expense. Please contact Urban Forestry at 311 for more information.'
 - Note: Pruning should be done at the earliest time possible to minimize impacts to the tree during construction.

Permanent Conditions

If this Development Permit is approved, the following permanent conditions shall apply:

Planning

22. The permanent conditions will be finalized at the time of Development Authority decision.

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 Planning Services Counter at (403) 268-5311.

23. The development shall be completed in its entirety, in accordance with the approved plans and conditions. The stamped and signed plans are a legal document.
24. No changes to the approved plans shall take place unless authorized by the Development Authority. If changes to the development occur or are proposed, a new development permit or revised plan application may be required.
25. A development completion permit must be issued for the development before the use is commenced or the development occupied. A development completion permit is independent from the requirements of City of Calgary Building Regulations inspections and permission for occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for a development completion permit.
26. Prior to issuance of a development completion permit, provide copies of the land titles and registered subdivision or bare land condominium plan. These documents must comply with the Land Use Bylaw 1P2007 requirements that prohibit more than one Secondary Suite per parcel or bare land unit containing a Dwelling Unit.
27. When the main floor of each building is constructed, submit the geodetic elevation to Geodetic.Review@Calgary.ca
28. Private outdoor amenity space must be provided on the parcel for the exclusive use of the Secondary Suite. The amenity space must be a minimum of 7.5 square metres, with no dimension less than 1.5 metres. Direct access from the Secondary Suite to the private outdoor amenity area is required.

Transportation

29. 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, Transportation Planning. All work performed on public property shall be done in accordance with City standards.
30. Indemnification Agreements are required for any work to be undertaken adjacent to or within City rights-of-way, bylawed setbacks and corner cut areas for the purposes of crane operation, shoring, tie-backs, piles, surface improvements, lay-bys, utility work, +15 bridges, culverts, etc. All temporary shoring, etc., installed in the City rights-of-way, bylawed setbacks and corner cut areas must be removed to the satisfaction of the Manager of Transportation Planning, at the applicant's expense, upon completion of the foundation. Prior to permission to construct, contact the Indemnification Agreement Coordinator, Roads at roadsia@calgary.ca

Development Engineering

31. 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 and Parks, 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 Planning Services Counter at (403) 268-5311.

b. on City of Calgary lands or utility corridors, The City of Calgary, Environmental Risk and Liability group shall be immediately notified (311).

32. The developer / project manager, and their site designates, shall ensure a timely and complete implementation, inspection and maintenance of all practices specified in erosion and sediment control report and/or drawing(s) which comply with Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control. Any amendments to the ESC documents must comply with the requirements outlined in Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control.

For other projects where an erosion and sediment control report and/or drawings have not been required at the Prior to Release stage, the developer, or their designates, shall, as a minimum, develop an erosion and sediment control drawing and implement good housekeeping practices to protect onsite and offsite storm drains, and to prevent or mitigate the offsite transport of sediment by the forces of water, wind and construction traffic (mud-tracking) in accordance with the current edition of The City of Calgary Guidelines for Erosion and Sediment Control. Some examples of good housekeeping include stabilization of stockpiles, stabilized and designated construction entrances and exits, lot logs and perimeter controls, suitable storm inlet protection and dust control.

The City of Calgary Guidelines for Erosion and Sediment Control can be accessed at: www.calgary.ca/ud (under publications).

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.

33. Contact the Erosion Control Inspector, Water Resources, with at least two business days notice, to set up a pre-construction meeting prior to commencement of stripping and grading. Locations north of 17 Avenue S should contact 403-268-5271. Sites south of 17 Avenue S should contact 403-268-1847.
34. Stormwater runoff must be contained and managed in accordance with the Stormwater Management & Design Manual all to the satisfaction of the Director of Water Resources.
35. The grades indicated on the approved Development Site Servicing Plan(s) must match the grades on the approved Development Permit 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 and Development Site Servicing Plan.
36. Pursuant to Bylaw 2M2016, off-site levies are applicable.

37. 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 Calgary Approvals Coordination, Infrastructure Strategist (ROB HIRBER at 403-268-5138 or Rob.Hirber@calgary.ca) or 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.

Parks

38. Public trees located on the boulevard adjacent to the development site shall be retained and protected unless otherwise authorized by Urban Forestry. Prior to construction, install a temporary fence around the extent of the branches ("drip line") and ensure no construction materials are stored inside this fence.
39. Tree protection information given as per the approved development permit does not constitute Tree Protection Plan approval. Prior to any construction activities, Tree Protection Plan approval must be obtained separately through Urban Forestry. Visit www.calgary.ca, call 311, or email tree.protection@calgary.ca for more information.
40. In order to ensure the integrity of existing public trees and roots, construction access is only permitted through the rear lane and outside the drip line of public tree.
41. In order to ensure the integrity of existing public tree and roots, no grade changes are permitted in the boulevard within the drip line.
42. Any tree planting in the City boulevard shall be performed and inspected in accordance with Parks Development Guidelines and Standard Specifications - Landscape Construction (current edition). Applicant is to contact the Parks Development Inspector at 403-804-9417 or 311 to arrange an inspection.

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.

Planning

43. The advisory comments will be finalized at the time of Development Authority decision.
44. 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, please refer to the notification of decision letter for the appropriate appeal body and appeal process.

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45. In addition to this development permit, building permits may also be required. Building permit applications may be submitted upon approval of the associated development permit. Contact Building Regulations at 403-268-5311 for further information.
46. [POLICY NAME, include hyperlink] is being prepared for an area that contains the site of this application. The study area includes the communities of [INSERT COMMUNITY NAMES].
47. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property. Property owners must evaluate whether this development is in compliance with any documents registered on title.

Transportation

48. Applicant will have to work with Enmax to remove/ relocate the poles and anchors in the lane to facilitate garage access.
49. Garage aprons at rear must tie to the existing lane grades. Lane grades will be provided on the grade slip issued by Development Servicing. It is the responsibility of developer, contractor, or homeowner to set the elevations of the garage slab based on the lot grading and to ensure that garage is operationally accessible and that it ties to established land grades. Lane grades are not to be altered without the approval of Roads.

Development Engineering

50. The developer is responsible for ensuring that:
 - a. The environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.
 - b. Appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and Parks and Alberta Health Services.
 - c. The development conforms to any reviewed and accepted remedial action plan/risk management plans.
 - d. All reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.
 - e. The development is in compliance with applicable environmental approvals (e.g. Alberta Environment and Parks Approvals, Registrations, etc.), Alberta Energy Regulator approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

If the potential for methane generation or vapours from natural or contaminated soils

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and groundwater has been identified on the property, the developer is responsible for ensuring appropriate environmental assessment(s) of the property has been undertaken and appropriate measures are in place to protect the building(s) and utilities from the entry of methane or other vapours.

Issuance of this permit does not absolve the developer from complying with and ensuring the property is developed in accordance to applicable environmental legislation.

51. As per The City of Calgary Drainage Bylaw 37M2005, the developer, and those under their control, are responsible for ensuring that a Drainage Permit is obtained from Water Resources prior to discharging impounded runoff (caused by rainfall and/or snowmelt) seepage or groundwater from construction site excavations or other areas to a storm sewer. The developer, and those under their control, is responsible for adhering to all conditions and requirements stipulated in the Drainage Permit at all times. For further information, contact the Corporate Call Centre at 311 or visit <http://www.calgary.ca/UEP/Water/Pages/Watersheds-and-rivers/Erosion-and-sediment-control/Report-and-Drawings-Templates-and-Guides.aspx> (Drainage Permit applications can be downloaded from this website).
52. Weeping tile is required to tie to the storm sewer unless a qualified soils consultant has determined otherwise. The consultant shall use the criteria set out in Section 3.3.6.8 of the Stormwater Management & Design Manual. A letter with the appropriate elevations (in metric geodetic) and information will be required by Water Resources.
53. Ensure elevations of building slab and/or any building openings are 0.3m minimum above trap low spill elevations or the 100-year elevation, whichever is higher. The minimum grade within the lot adjacent to the trap low must be 0.3m higher than the 1:100-year elevation in the trap low or spill elevation, whichever is higher. This minimum grade must be achieved within a 6.0m distance from the common property line of the lot and the road right-of-way.
54. All on-site sewers are to be designed to City of Calgary specifications.
55. Controlled stormwater discharge is required for the subject site. The allowable release rate is 50 l/s/ha.
56. Storm Redevelopment Fees (\$84 / m frontage) will be required at the service connection stage.
57. Where possible, discharge of roof leaders should be directed onto grassed or pervious areas to help reduce the volume of runoff. Alternatively, the roof leaders may be directed to the on-site storm sewer system.
58. Surface ponding (trapped lows) should be designed to contain all the flow generated from the 100-year storm events.
59. Stormwater emergency escape routes must be to a public roadway.

60. The applicant is encouraged to explore and adopt stormwater volume control options for this development.
61. Storm sewer connection is available from 21 AV SW (375 CON, 1959).
62. Sanitary sewer connection is available from 32 ST SW (200 VCT, 1947).
63. The applicant must apply for water and sewer connections as per City Standards.
64. Each unit must be individually metered.
65. Review with Fire Prevention Bureau at 403-268-5378 for on-site hydrant coverage and Siamese connection location(s). A site servicing (hydrant location plan) stamped by the Fire Prevention Bureau is to be submitted at the Development Site Servicing Plan stage. (Principal entrance(s) are to be labeled on the plan.)
66. Maintain a 3.0m separation between Enmax facilities (power poles, light standards, transformer pads, catch basins, etc.) with the proposed water service.
67. Show details of servicing and metering on Development Site Servicing Plan. Provide adequate water meter locations (100mm or larger, room adjacent to an exterior wall, 50mm or less, label water meter location) where services enter building. If static pressure exceeds 550 kPa install pressure reducing device after meter.
68. Water connection is available from 21 AV SW (300 CI, 1954) and 32 ST SW (150 CI, 1948).
69. A wastewater monitoring access point is required to service the proposed industrial, commercial or institutional developments as per Part VIII of the Wastewater Bylaw 14M2012. Such an access point allows for the observation, sampling and flow measurement of wastewater entering the wastewater system, and includes a test manhole. Monitoring access points should be, wherever possible, located outside the property line on public property. If the access point cannot be located on public property, an access easement is required. The access easement is to be a minimum 5m x 5m surrounding the wastewater monitoring access point and shall include an access easement from the site entry point to the manhole to allow for vehicle access. The easements must be registered on title prior to DSSP approval. Contact the Land Titles Officer, Corporate Properties at 403-268-5863 for an access easement. All monitoring access points must provide unrestricted access to City staff for inspection purposes.
70. For questions and concerns regarding waste storage facilities, refer to the Development Reviews: Design Standards for the Storage and Collection of Waste Found at: <http://www.calgary.ca/UEP/WRP/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>.

Parks

71. The Streets Bylaw (20M88) and the Tree Protection Bylaw (23M2002) contain clauses intended to protect trees growing on Public Land. No person shall remove, move, cut, or prune a Public Tree or cause a Public Tree to be removed, moved, cut or pruned without prior written authorization from the Director, Parks. A copy of the 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 Planning Services Counter at (403) 268-5311.

bylaw can be found at www.calgary.ca. Parks does not permit the removal of public trees to facilitate development unless all options to retain and protect are exhausted.

72. If clearance pruning of public trees is required, Urban Forestry must be notified minimum two business days notice and an indemnified contractor must be used at the applicants expense. Please contact Urban Forestry at 311 for more information.
73. An Urban Forestry Technician must be on-site to mitigate possible root damage to adjacent public trees during excavation closer than 5m of the existing public birch tree. Prior to construction, contact Urban Forestry at 311 and ask to speak to an Urban Forestry Technician. Urban Forestry requires minimum two business days notice prior to meeting onsite.
74. 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 and search protecting trees during construction and development; alternatively, call 311 or email tree.protection@calgary.ca. Applicant is to apply for tree protection plan prior to demolition
75. The applicant will be required to provide compensation to the City of Calgary for any Public Trees that are removed or damaged. The Public Tree(s) adjacent to this development is/are valued at \$6,102.51. Applicants that are unfamiliar with tree protection or tree appraisal are advised to consult an arborist.
76. Tree plantings within City of Calgary boulevards and/or right of ways are subject to approval from Utility Line Assignment and Parks.
77. No stockpiling or dumping of construction materials is permitted on the adjacent boulevard.



ENMAX Power Corporation
141 – 50 Avenue SE
Calgary, AB T2G 4S7
Tel (403) 514-3000
enmax.com

April 16, 2021

File No: DP2021-1828
Location: 2037 32 ST SW

ENMAX Power Corporation (EPC) has reviewed the above permit application dated 3/30/2021 and based on the information provided and as of the above noted date the proposed development does not conflict with ENMAX facilities in respect of the requirements set forth in 10-002 Overhead System (Table 7) and 12-002 Underground Systems of the Alberta Electrical Utility Code (AEUC) under the *Safety Codes Act* (Alberta). This non-conflict letter does not reduce or limit responsibility to comply with all laws and regulations regarding utility facilities and all requirements under the *Occupational Health & Safety Act* (Alberta) (OHS) and the applicant shall observe all such laws and regulations when commencing any work related to the permit application. If a situation arises where there is a discrepancy between ENMAX required setbacks and the AEUC or the OHS, the stricter set of requirements shall govern.

Pursuant to Section 225(1) of Part 17 of the *Occupational Health and Safety Code* (Alberta) (Code) anyone working near overhead powerlines must maintain safe limits of approach as provided for in Schedule 4, Table 1 of the Code or Table 1 in the AEUC and anyone excavating must contact Alberta One-Call prior to performance of such excavation. As a condition of this no-conflict letter, and despite any existence of a permit, the applicant must contact EPC (Powerline Inspections (403) 514-3117) prior to the commencement of any construction where any workers or equipment will be within 7.0m of existing overhead EPC facilities. If EPC is contacted in accordance with the above, no construction work shall be commenced thereafter unless and until EPC determines the minimum safe limit of approach distance in relation to the overhead facilities present at the project site.

****NOTE:** This letter provided by ENMAX Power Corporation is intended for information purposes only and is not in any manner intended to nor shall be construed to derogate from applicant's obligations to follow any applicable law. The provision of this no-conflict letter is not a representation that work will meet any legislative or regulatory obligations. This no-conflict letter is provided as of the date first noted above – the applicant is still required to perform their own due diligence prior to any development activities and resolve any conflicts (new or existing) at the Developer's sole expense. ENMAX expressly disclaims any liability related to applicant's responsibility to comply with such laws and regulations and ENMAX's required setbacks.

If you require any additional information regarding this Development Permit, please contact the Project Administrator at EPC_Permits@enmax.com.

Sincerely,

Younglae Kim, P.Eng
Permits and Circulations

SDAB2021-0083

From: [Weedon, Carla R.](#)
To: ["clay@newcenturydesign.ca"](mailto:clay@newcenturydesign.ca)
Cc: [Seymour, Brendyn](#)
Subject: DP2021-1828 | New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line
Date: Tuesday, April 20, 2021 3:34:00 PM
Attachments: [DP2021-1828 - Rowhouse - Secondary Suite Review.pdf](#)
[image.png](#)

Good Afternoon,

Your application has been reviewed for compliance with the National Building Code – 2019 Alberta Edition and preliminary comments are attached. These comments are an overview of the Building Code items that are required to be addressed prior to your Building Permit application. The comments provided are advisory in nature and do not act as an approval of your development permit. Please note that a full plans review has not been completed and further issues may arise upon full building permit application review.

For any questions concerning your development permit status, please contact your development permit file manager.

Thank you,
Carla

Carla Weedon

Safety Codes Officer | Building
Calgary Building Services
Planning & Development
The City of Calgary | Mail Code: 8114
Floor 4, Municipal Building - 800 Macleod Tr. S.E.
P.O. Box 2100, Station M, Calgary, AB T2P 2M5

COCLogo_610





DEVELOPMENT PERMIT APPLICATION CIRCULATION REPORT

Name: NEW CENTURY DESIGN
 Building Address: 2037 32 ST SW
 Development Permit Number: DP2021-1828
 Development Description: New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line

IMPORTANT NOTICE

A preliminary review for compliance with the National Building Code – 2019 Alberta Edition 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

Building Regulations has reviewed the proposed development and alterations are required to bring the proposed development into compliance with the National Building Code – 2019 Alberta Edition which may result in a new or revised Development Permit if items are not addressed at this time.

1. Division B, 9.10.14. Spatial Separation Between Buildings / 9.10.15. Spatial Separation between Houses

Provide spatial separation for detached garages under Division B, 9.10.14. or using the standing posted variance (SPV-003) on Calgary.ca, and spatial separation for the house where facing the detached garage.

a) The use of SPV 003 variance requires the construction details to follow exactly, including the prohibited location of cantilevers on the west façade of the house where facing the garage, and reference to the SPV-003 shall be included on the building permit application drawings, or

b) Prescriptive compliance with 9.10.14. and 9.10.15. shall be noted on the drawings including location of required fire-resistance ratings of assemblies, non-combustible cladding, and prohibited location of eaves. Include the location of an imaginary line of limiting distance used to determine required ratings, cladding, location of eaves and maximum permitted glazed openings.

Advisory Comments:

1. Division B, 9.10.11.2. Firewalls Not Required

2) Where a *building of residential occupancy* contains more than 2 houses, a *party wall* that separates any 2 adjacent houses with a *secondary suite* from the rest of the *building* shall be constructed as a *firewall* to create separate *buildings* each containing no more than 2 adjacent houses with a *secondary suite*.

Division B, 9.10.11.3. Construction of Firewalls

1) Where *firewalls* are used, the requirements in Part 3 shall apply.

2. Division B, 9.10.12.3. Exterior Walls Meeting at an Angle

1) Except as provided in Article 9.9.4.5., where exterior walls of a *building* meet at an external angle of 135° or less, the horizontal distance from an *unprotected opening* in one exterior wall to an *unprotected opening* in the other exterior wall shall be not less than 1.2 m, where these openings are

a) in different *fire compartments*, or

b) in different *dwelling units*, ancillary spaces or common spaces in a house with a *secondary suite*.

SDAB2021-0083

2) Except as provided in Sentence (3), the exterior wall of each *fire compartment* referred to in Sentence (1) within the 1.2 m distance shall have a *fire-resistance rating* not less than that required for the interior vertical *fire separation* between the compartment and the remainder of the *building*.

3. Division B, Part 9.10.2.1 Occupancy Classification

Provide a complete building code review at time of Building Permit application. The **building classification** shall be provided and required fire separations and fire resistance ratings shall be clearly identified on the drawings.

4. Division B, 9.10.15. Spatial Separation Between Houses

Provide glazed opening calculations and exposed building face construction assessment for all exposing building faces of the new building(s) at time of building permit application. In the event there is no established property line to calculate limiting distance, indicated the location an imaginary located between the two buildings used to calculate glazed openings for both buildings.

5. Division C, 2.2.10.1. General (New Home Warranty)

Provide proof of New Home Warranty for building permit submission as required under New Home Buyer Protection Act. Refer

6. Division C, 2.2.10.1. General (Builder License)

The Province of Alberta requires all residential 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 include residential dwelling units in the scope of work. Provide proof of builder's licence as required under New Home Buyer Protection Act; General Contractor licence (up to 4 dwelling units) or Developer licence (5 or more dwelling units). Any questions related to builder licensing can be directed to builderlicensing@gov.ab.ca.

7. Division C, 2.2.10.1. General (Partial Permit)

Please note that a partial permit application may be made at the time of your building permit application or anytime thereafter (in consultation with your building permit file manager SCO). The scope of a partial permit may vary and specification of the proposed scope of the partial permit is required at the time of the application. Please refer to the following document for information necessary when applying for a partial permit on this project. <http://www.calgary.ca/PDA/pd/Documents/building/commercial-partial-permit.pdf>

Carla Weedon

Safety Codes Officer | Building
Calgary Building Services | Planning & Development
E: carla.weedon@calgary.ca | P: 403.807.5129

Please note that a full plans review has not been completed and further issues may arise upon full building permit application review.

From: [CAWard8 - Zev Klymochko](#)
To: [DP Circ](#)
Cc: [Seymour, Brendyn](#)
Subject: RE: Electronic Circulation of DP2021-1828 @ 2037 32 ST SW
Date: Tuesday, May 4, 2021 10:58:08 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

Hi Brendyn,
 My apologies for the delay. Councillor Woolley has no objection to this DP.

Zev Klymochko

Communications & Development Advisor

Ward 8 Councillor Evan Woolley | The City of Calgary

T 403-268-2504 | www.calgary.ca/ward8

C 403-807-3805

Administration Building - 4th Floor, 313 – 7th Avenue SE

P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

Want to keep informed? Join the Ward 8 mailing list.

From: Halliburn, Pamela E. <Pamela.Halliburn@calgary.ca> **On Behalf Of** DP Circ

Sent: Tuesday, March 30, 2021 2:18 PM

Cc: DP Circ <DP.Circ@calgary.ca>; Seymour, Brendyn <Brendyn.Seymour@calgary.ca>

Subject: Electronic Circulation of DP2021-1828 @ 2037 32 ST SW



**For more
information**
[CALGARY.CA/PD](#)
[DISPATCH](#)
[NEWSLETTER](#)



Good day,
 Please find attached the circulation package for the above noted Development Permit application.

Included are the following documents:

1. Circulation Package
 - Guidelines for Electronic Circulation
 - Request for Comment Sheet
 - Complete Set of Plans
2. Community Association Feedback Form
Please note, you can also [submit feedback online](#).

Please respond electronically to DP.Circ@calgary.ca.

Thank you.

Pamela Halliburn

Applications Processing Representative
Calgary Building Services
Development, Applications and Licensing Services
The City of Calgary | Mail code: #8201
(403) 268-5744 DP.Circ@calgary.ca
Floor 3, Municipal Building - 800 Macleod Trail S.E.
P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5



ISC: Unrestricted

From: [MICHELLE CARIOU](#)
To: [Seymour, Brendyn](#); [Jyoti.Gondek@Calgary.ca](#); [Farkas, Jeromy A.](#); [Nahed.Nenshi@calgary.ca](#); [Lockhart, Darren R.](#)
Cc: [susanneb@telusplanet.net](#); [karin.king@gmail.com](#); [cdrw@telus.net](#); [britannicus40](#); [sherrymcneill@hotmail.com](#); [joeycalgary@aol.com](#); [sue.gcraw@gmail.com](#); [hussein.kanji@rbc.com](#); [k.bryuzgin@gmail.com](#); [holesinmyzapatos@gmail.com](#); [rogerkon2@gmail.com](#); [lindsaykremers@hotmail.com](#)
Subject: [EXT] Letter of Opposition to DP2021-1828/File #LOC2020-0126
Date: Friday, April 30, 2021 2:52:18 PM
Attachments: [Killarney Residents' Coalition.pdf](#)

Dear Mr Seymour,

We request that the attached Letter of Opposition be included in the Development Planning review process for DP2021-1828/File #LOC2020-0126.

Regards,
Michelle Cariou
Killarney Residents' Coalition

April 29, 2021

Mr. Brendyn Seymour
Planner II, Centre West Area
Community Planning
Planning & Development
The City of Calgary
5th Floor Municipal Building,
800 Macleod Trail SE
P.O. Box 2100 Station M,
Calgary, Alberta T2P 2M5



Dear Mr. Seymour,

**Re: DP2021 – 1828 / FILE #LOC2020-0126
Building Permit Application / DEVELOPMENT APPEAL BOARD
Letter of Opposition**

Pursuant to recent correspondence from our various members regarding the above noted matter, please let this letter serve as formal opposition notice from the Killarney Residents' Coalition for the above noted Permit Application.

Rejection of Application:

Numerous opposition letters from individual Killarney residents were submitted to the City of Calgary during the rezoning application which consistently outlined strong opposition to the original rezoning application. Rejection criteria is generally based on the following principles:

Updated zoning requirements for the neighborhood were established in consultation with our community. The re-zoning application did not conform or adhere to the parameters established by both the community and the city. Further, there was no engagement by the developer to stakeholder residents that surround the proposed development. Finally, the development does not comply with several city mandates, including the authorized "Main Streets Initiative".

The permit submission and development design is unresponsive to the local context. It puts forward a development size and scope which is well outside of the ARP and Infill guidelines including but not limited to:

- The elevations for the proposed development are not in keeping with established design criteria.
- Both the style and finishes appear to be of poor quality and not consistent with those currently exhibited in the community.
- The addition of independently accessed suites on such a small parcel of development are not consistent with any other development within the immediate area.
- The massing of a building is a key factor for the successful integration of a new infill development into its setting. The majority of buildings within the City's established communities require a reduced building mass, including height, in order to respect the adjacent homes and streetscape. Homes built to the maximum Bylaw standards can be incompatible and visually disruptive to the street. In this application, height, depth and width

measurements make the project incompatible with its context and will result in a substantial loss of privacy and sunlight to the adjacent property.

- A shadow study for the winter solstice (December 21), the summer solstice (June 21) and the spring equinox (March 21) needs to be provided by the applicant to fully assess the impact the proposed structure will have on the northerly neighbouring property.
- Proposed development will negatively affect the use and enjoyment of the adjacent property to the north, in particular its imposing building bulk, mass, height and the resulting impacts on neighbour's use of their outdoor amenity areas.
- The majority of the vegetation will be destroyed (2 mature spruce tree and one crab apple tree). The root system of the mature birch tree planned to be conserved will be irreversibly damaged during the excavation work with little hope to salvage the tree.

The Director of Development and President for our community failed to represent the interests of the residents during the rezoning application as did the Ward 7 city councillor. In fact, other city councillors were opposed to the re-zoning application in a ward they didn't even represent given the dereliction of duties from those claiming to represent the community.

While we can empathize with the city's objective of inner-city densification, the redevelopment from a single house to 8 units within a quiet residential side street is not reasonable or acceptable. At this time, there are no developments above 2 units on the entire R2 zoned section of 32nd Street.

Numerous residents in the area recently purchased dwellings based on the R-2 designation which restricts the densification to reasonable, sustainable levels. Unlike the narrative that is propagated by those with special interests, this proposed development not only reduces property values but penalizes those who originally purchased attached houses in this area specifically for limitations on density (and therefore, congestion, crime and other factors).

The City of Calgary has paused and is reviewing the rollout of The Guidebook for Great Communities due to an avalanche of resident opposition to development initiatives exactly like this one we are opposing. In keeping with the City of Calgary's commitment to review the Guidebook, and its impact on communities like Killarney, this Development Plan must be rejected.

Accordingly, we are requesting that the redevelopment permit in its current form be rejected in its entirety without substantial changes that reflect the above noted community concerns.

If this permit reaches the advertising stage without our consultation, we will take the following steps:

- Appeal the permit application; and
- Direct our legal counsel to secure an injunction to prevent further development until the concerns of the residents are appropriately represented and addressed in an independent tribunal.


About the Killarney Resident's Coalition:

We are a non-profit, community-based association that was formed to represent the best interests of residents based in the Calgary community of inner-Killarney. Our goal is to preserve the safety and aesthetics of our environment for our established community members and those who choose Killarney for the quiet, friendly and safe community.

We recognize that you have a challenging task when trying to meet the objectives for growth and densification on this great city. We are not opposed to development when it is achieved through collaboration that is independent of special interests.

We look forward to resolving this issue and collaborating toward a solution that best meets the interests of both individual stakeholders and our community.

Regards,

<i>Michelle Cariou</i>	
Michelle Cariou	Grant Kosowan
President	Community Project Volunteer
Killarney Residents' Coalition	Killarney Residents' Coalition

c.c. Darren Lockhart, Manager, Development Approvals
 Jyoti Gondek, Mayoral Candidate / Ward 3
 Jeremy Farkas, Mayoral Candidate / Ward 11
 Nahed Nenshi, City Mayor

Michelle Cariou
 Grant Kosowan
 Joey Stewart
 Monika Galecki
 Paul Galecki
 Lindsey McPherson
 Stuart McPherson
 Sherry Garrido
 Alfredo Garrido
 Joshua Garrido
 Daniel Goulet
 Sue Crawford
 Karin King
 James Gilfillan
 Kirill Bryuzgin
 Ksenia Khatova
 Claire Hearn
 Carla Dexter
 Victoria Rivera
 David Rivera
 Roger Keen
 Susanne Bechtold
 Annalise Hearn

From: [Seymour, Brendyn](#)
To: [Planning Advisory & Coordination](#)
Cc: [Wishlow, Kristen D.](#); [Ganczar, Lindsey](#)
Subject: FW: Letter of Opposition to DP2021-1828/File #LOC2020-0126
Date: Thursday, November 25, 2021 10:28:58 AM

FYI. This was the only communication I received from Michelle up until the approval advertising period.

BRENDYN SEYMOUR MAUD, RPP, MCIP

Planner II, Centre West Area

Community Planning

Planning & Development

The City of Calgary | Mail code: #8075

T 587.576.4310 | F 403.268.2941 | calgary.ca

5th Floor, Municipal Building, 800 Macleod Tr. S.E.

P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

Please note my new phone number

ISC: Protected

From: Seymour, Brendyn

Sent: Monday, May 3, 2021 4:57 PM

To: 'MICHELLE CARIOU' [REDACTED]

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]; CAWard8 - Zev Klymochko

<caward8@calgary.ca>; Lockhart, Darren R. <Darren.Lockhart@calgary.ca>; Jyoti.Gondek@Calgry.ca

Subject: RE: Letter of Opposition to DP2021-1828/File #LOC2020-0126

Hi Michelle,

Thank you for your email and letter. We will take your comments into consideration as part of our review of DP2021-1828 (4-unit rowhouse with 4 secondary suites). As for LOC2020-0126, this redesignation to R-CG was approved by Council on December 14, 2020.

If you have any questions or would like to discuss this application, please do not hesitate to contact me.

Sincerely,

BRENDYN SEYMOUR MAUD, RPP, MCIP

Planner II, Centre West Area

Community Planning

Planning & Development

The City of Calgary | Mail code: #8075

T 587.576.4310 | F 403.268.2941 | calgary.ca

5th Floor, Municipal Building, 800 Macleod Tr. S.E.

P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

Please note my new phone number

SDAB2021-0083

ISC: Protected

From: MICHELLE CARIOU [REDACTED] >

Sent: Friday, April 30, 2021 2:49 PM

To: Seymour, Brendyn <Brendyn.Seymour@calgary.ca>; Jyoti.Gondek@Calgry.ca; Farkas, Jeromy A. <Jeromy.Farkas@calgary.ca>; Nahed.Nenshi@calgary.ca; Lockhart, Darren R. <Darren.Lockhart@calgary.ca>

Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: [EXT] Letter of Opposition to DP2021-1828/File #LOC2020-0126

Dear Mr Seymour,

We request that the attached Letter of Opposition be included in the Development Planning review process for DP2021-1828/File #LOC2020-0126.

Regards,

Michelle Cariou

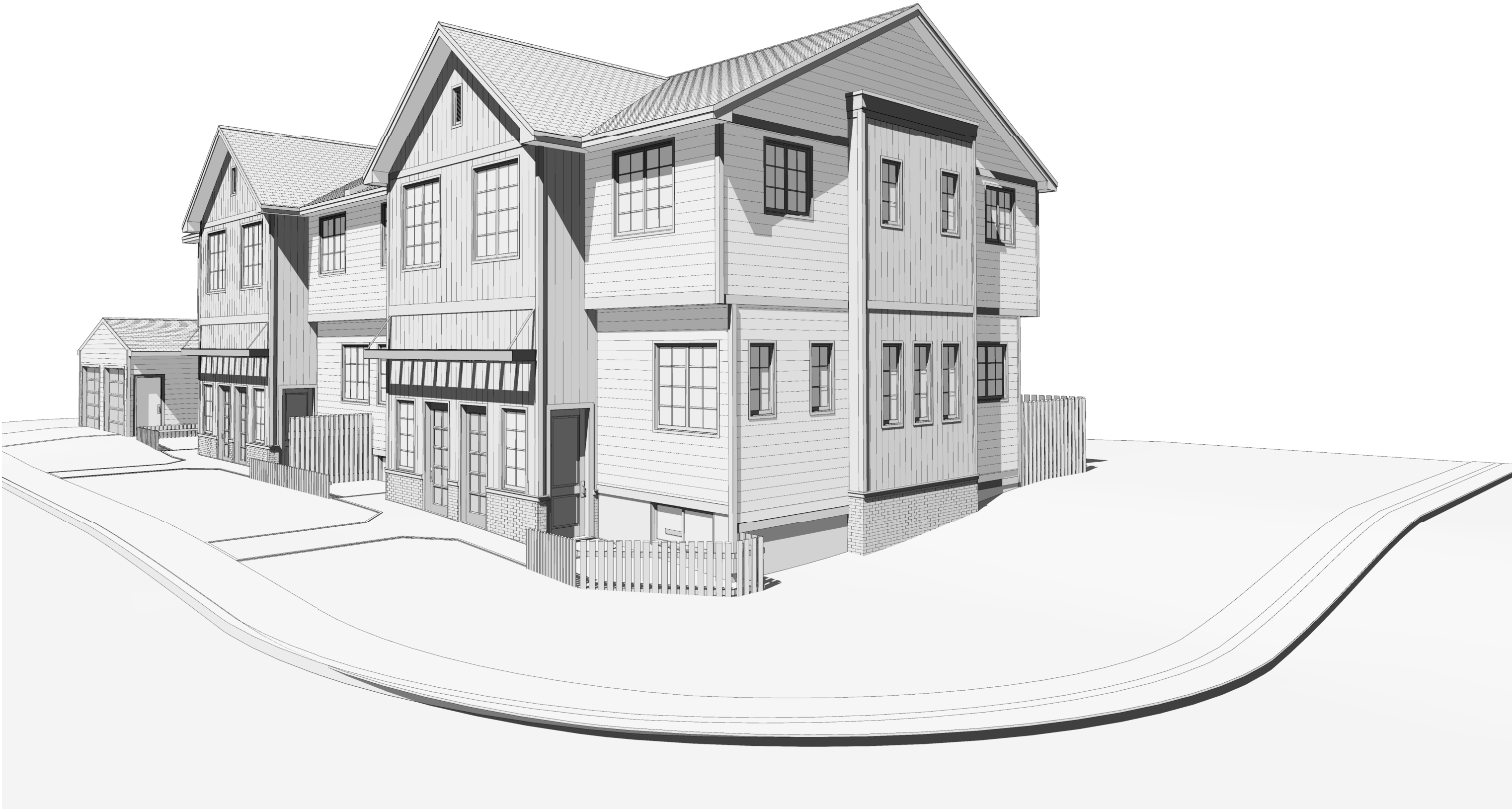
Killarney Residents' Coalition

2037 32 ST SW
4 UNIT ROWHOUSE W/ SUITES

INFILL

LOT 1, BLOCK 1, PLAN 1773 FR

KILLARNEY



STATISTICS AND CALCULATIONS

BUILDING HEIGHT	
Highest grade at building = 1126.27 Proposed Peak geodetic = 1135.56 Lowest grade at building = 1124.89 Building Height = 10.67m	
RESIDENTIAL DENSITY	
71.66 units/ha	
Lot area = 0.0055818 ha Lot area = 558.18 m2 Units = 4 Allowed lot coverage = 60.00%	

PARCEL COVERAGE	
59.89 %	
Lot area = 558.18 m2 Building footprint = 251.06 m2 Covered landings = 0 m2 Garage = 83.24 m2 Total coverage area = 334.30 m2	

AREA OF AMENITY SPACE	
PRIVATE OUTDOOR (UNITS)	
84.59 m2	
UNIT A = 21.32 m2 UNIT B = 21.03 m2 UNIT C = 21.09 m2 UNIT D = 21.15 m2	
PRIVATE OUTDOOR (SUITES)	
31.33 m2	
UNIT A = 8.08 m2 UNIT B = 7.78 m2 UNIT C = 7.76m2 UNIT D = 7.71 m2	

TOTAL GROSS FLOOR AREA	
493.32 m2	
UNIT A - TOTAL = 1365 sf (126.81 m2) Main = 695 sf Upper = 670 sf Suite = 457	
UNIT B - TOTAL = 1315 sf (122.16 m2) Main = 670 sf Upper = 645 sf Suite = 445	
UNIT C - TOTAL = 1315 sf (122.16 m2) Main = 670sf Upper = 645 sf Suite = 445	
UNIT D - TOTAL = 1315 sf (122.16 m2) Main = 670 sf Upper = 645 sf Suite = 435	
Total developed GFA = 5310 sf (493.323 m2)	

NATIONAL BUILDING CODES – 2019 ALBERTA EDITION

9.9.1.3. Occupant Load
(2) The occupant load for the dwelling units shall be based on 2 persons per bedroom or sleeping area.

Occupant load for each Unit is 8.

9.10.2.1. BUILDING CLASSIFICATION: GROUP C - RESIDENTIAL OCCUPANCIES

9.10.9.11. Separation of Residential Occupancies
(1) Except as provided in Sentence (2), residential occupancies shall be separated from all other major occupancies by a fire separation having a fire-resistance rating of not less than 1 h.

9.10.9.14. Separation of Residential Suites
(1) Except as provided in Sentences (2), (3) and (4) and Part 10, suites in residential occupancies shall be separated from adjacent rooms and suites by a fire separation having a fire-resistance rating of not less than 45 min.
(3) Except as provided in Sentence (4), dwelling units that contain 2 or more storeys including basements shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 1 h.

9.10.11.2. Firewalls not Required
(1) Except as stated in Sentence (2), a party wall on a property line of a building of residential occupancy need not be constructed as a firewall, provided it is constructed as a fire separation having not less than a 1 h fire-resistance rating, where the party wall separates:
(a) two dwelling units where there is no dwelling unit above another dwelling unit
(2) Where a building of residential occupancy contains more than 2 houses, a party wall that separated any 2 adjacent houses with a secondary suite from the rest of the building shall be constructed as a firewall to create separate buildings each containing no more than 2 adjacent houses with a secondary suite.
(3) The wall described in sentence (1) shall provide continuous protection from the top of the footings to the underside of the roof deck.

9.10.11.3. Construction of Firewalls
(1) Where firewalls are used, the requirements in Part 3 shall apply.

3.1.10.2. Rating of Firewalls
(2) A firewall that separates a building or buildings with floor areas containing major occupancies other than Group E of Group F, Division 1 or 2 shall be constructed as a fire separation of noncombustible construction having a fire-resistance rating of not less than 2 h.
(3) Except as permitted by Sentence (4), the required fire-resistance rating of a firewall, except for closures, shall be provided by masonry or concrete.

3.1.10.3. Continuity of Firewalls
(1) A firewall shall extend from the ground continuously through, or adjacent to, all storeys of a building or buildings so separated, except that a firewall located above a basement storage garage conforming to Article 3.2.1.2. is permitted to commence at the floor assembly immediately above the storage garage.

3.1.10.4. Parapets
(1) Except as permitted by Sentences (2) and 3.1.10.3.(2), a firewall shall extend above the roof surface to form a parapet not less than
a) 150mm high for a firewall required to have a fire-resistance rating of not less than 2h

3.1.10.7. Combustible Projections
(2) If buildings are separated by a firewall, combustible projections on the exterior of one building, including balconies, platforms, canopies, eave projections and stairs, that extend outward beyond the end of the firewall, shall not be permitted within 2.4m of combustible projections and window or door openings of the adjacent building. (See also Article 3.2.3.6.)

3.2.3.6. Combustible Projections
(1) Except for a building containing one or 2 dwelling units only, combustible projections on the exterior of a wall that could expose an adjacent building to fire spread and are more than 1m above ground level, including balconies, platforms, canopies and stairs, shall not be permitted within
a) 1.2m of a property line or the centre line of a public way, or
b) 2.4m of a combustible projection on another building on the same property.

LAND-USE BYLAW INFORMATION

534 - PARCEL COVERAGE
(2) Unless otherwise referenced in subsection (3), the maximum cumulative building coverage over all the parcels subject to a single development permit for a Rowhouse Building is:
(b) 55.0 per cent of the area of the parcels subject to a single development permit for a development with a density of 50 units per hectare or greater and less than 60 units per hectare;

535 - BUILDING DEPTH
(2) For a Rowhouse Building located on a corner parcel there is no maximum building depth where the building setback from the side property line shared with another parcel is a minimum of 3.0m for any portion of the Rowhouse Building located between the rear property line and:
(a) 50.0 per cent parcel depth;

537 - BUILDING SETBACK FROM FRONT PROPERTY LINE
(1) Unless otherwise references in subsections (2) or (3), the minimum building setback from a front property line is the greater of:
(a) contextual front setback less 1.5 metres to a maximum of 4.5 metres; or
(b) 3.0 metres.
(2) On a corner parcel, the minimum building setback from a front property line may be reduced to:
(a) the contextual front setback at the side property line shared with another parcel to a maximum of 6.0 metres; and
(b) decreased in equal proportion with the increase in the distance from the shared side property line, to a minimum of 3.0 metres.

538 - BLOCK FACE REQUIREMENTS
(1) A minimum building setback of 1.2 metres is required from a side property line at least every 60.0 metres along the entire length of a block face.
(2) Where subsection (1) applies, the side setback area must be clear of all air conditioning units, window wells, and portions of a building measured from grade to a height of 2.4 metres.

539 - BUILDING SETBACK FROM A SIDE PROPERTY LINE
(1) Subject to subsections (3) through (11), the minimum building setback from any side property line is 1.2 metres.
(7) For a corner parcel, the minimum building setback from a side property line shared with a street is 0.6 metres
(10) Unless otherwise referenced in subsection (11), on a laned parcel, the minimum building setback from a side property line for a private garage attached to a main residential building is 0.6 metres.

540 - BUILDING SETBACK FROM A REAR PROPERTY LINE
(2) For a Rowhouse Building on a corner parcel, the minimum building setback from a rear property line is 1.5 metres.

541 - BUILDING HEIGHT
(1) Unless otherwise referenced in subsections (2) and (3), for a [...] Rowhouse Building, [...], the maximum building height is 11.0 metres measured from grade.
(2) Where a building setback is required from a propoerty line shared iwth another parcel designated with a low density residential district or the M-CG district, the maximum building height:
(a) is the greater of:
(i) the highest geodetic elevation of a main residential building on the adjoining parcel; or
(ii) 7.0 metres from grade;
measured at the shared property line; and
(b) increases at a 45 degree angle to a maximum of 11.0 metres measured from grade.

542 - OUTDOOR PRIVATE AMENITY SPACE
For a [...] Rowhouse building [...], each unit must have direct access to private amenity space that:
(a) is provided outdoors;
(b) has a minimum total area of 20.0 square metres; and
(c) may be divided over a maximum of two amenity spaces where:
(i) one amenity space has no dimension less than 3.0 metres; and
(ii) the second amenity space has a maximum contiguous area of 7.5 square metres with no dimension less than 1.5 metres.

546 - MOTOR VEHICLE PARKING STALLS
(2) The minimum number of motor vehicle parking stalls for a Secondary Suite is reduced to 0.0 where:
(a) the floor area of a Secondary Suite is 45.0 square metres or less;
(b) the parcel is located within 600.0 metres of an existing or approved capital funded LRT platform or within 150.0 metres of frequent bus service; and
(c) space is provided in a building for the occupant of the Secondary Suite for storage of mobility alternatives such as bicycles or strollers that:
(i) is accessed directly from the exterior; and
(ii) has an area of 2.5 square metres or more for every Secondary Suite that is not provided with a motor vehicle parking stall.
(3) Parcel coverage excludes the building coverage area required by subsection (2)(c).

RESPONSIBILITIES

NEW CENTURY DESIGN

It is NCD's responsibility to ensure these drawings meet or exceed the current Provincial Building Code and Land Use Bylaws. NCD will make all revisions, additions, or corrections required due to stated code or bylaws. Changes etc, due to discretionary interpretations by Approving Authorities having jurisdiction will be at the expense of the Homeowner or General Contractor.

ALL TRADES AND SUPPLIERS

These drawings form only PART of the construction documents. A Specification should be provided by the General Contractor (see below). Specific brands, models and trade names where used in these drawings are subject to availability and change orders, and should be confirmed in ALL cases.

THE SPECIFICATION OVERRIDES THESE DRAWINGS. NCD is not responsible for errors, omissions, or replacement of any materials or supplies when no specification has been provided.

HOMEOWNER AND GENERAL CONTRACTOR

It is the responsibility of the Homeowner and General Contractor to review these drawings PRIOR TO START OF CONSTRUCTION. Any discrepancies between these drawings and the Specifications are to be provided in writing to New Century Design. Any errors or omissions due to items not specified by the above parties are not the responsibility of NCD.

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NEW CENTURY DESIGN

403-244-9744 info@newcenturydesign.ca

ISSUED

DRAFT DESIGN	01.08.21
DRAFT DESIGN 2	02.01.21
DP DRAFT	03.05.21
DP DRAFT 2	03.16.21
DP SET	03.18.21
DTR1 Resubmission	06.30.21
DTR1 - Rev 1 - Added Catchment Tank	08.10.21
DTR1 - REV 2 - Revised Amenity Material	09.16.21

DRAFT

AREAS		S.F.
TOTAL GROSS FLOOR AREA		4323
UNIT A1	TOTAL	1365
	MAIN	695
	UPPER	670
	SUITE - A2	457
UNIT B1	TOTAL	1315
	MAIN	670
	UPPER	645
	SUITE - B2	445
UNIT C1	TOTAL	1315
	MAIN	670
	UPPER	645
	SUITE - C2	445
UNIT D1	TOTAL	1315
	MAIN	670
	UPPER	645
	SUITE - D2	435

STREET ADDRESS
2037 32 ST SW

LEGAL ADDRESS
LOT 1, BLOCK 1, PLAN 1773FR

PROJECT
KILLARNEY ROW HOUSE
DEVELOPMENT

DRAWN:	CI	CHECKED:	CI
PROJECT #	20-03-SS-SP-031		
SCALE	N/A		

TITLE
COVER PAGE & 3D

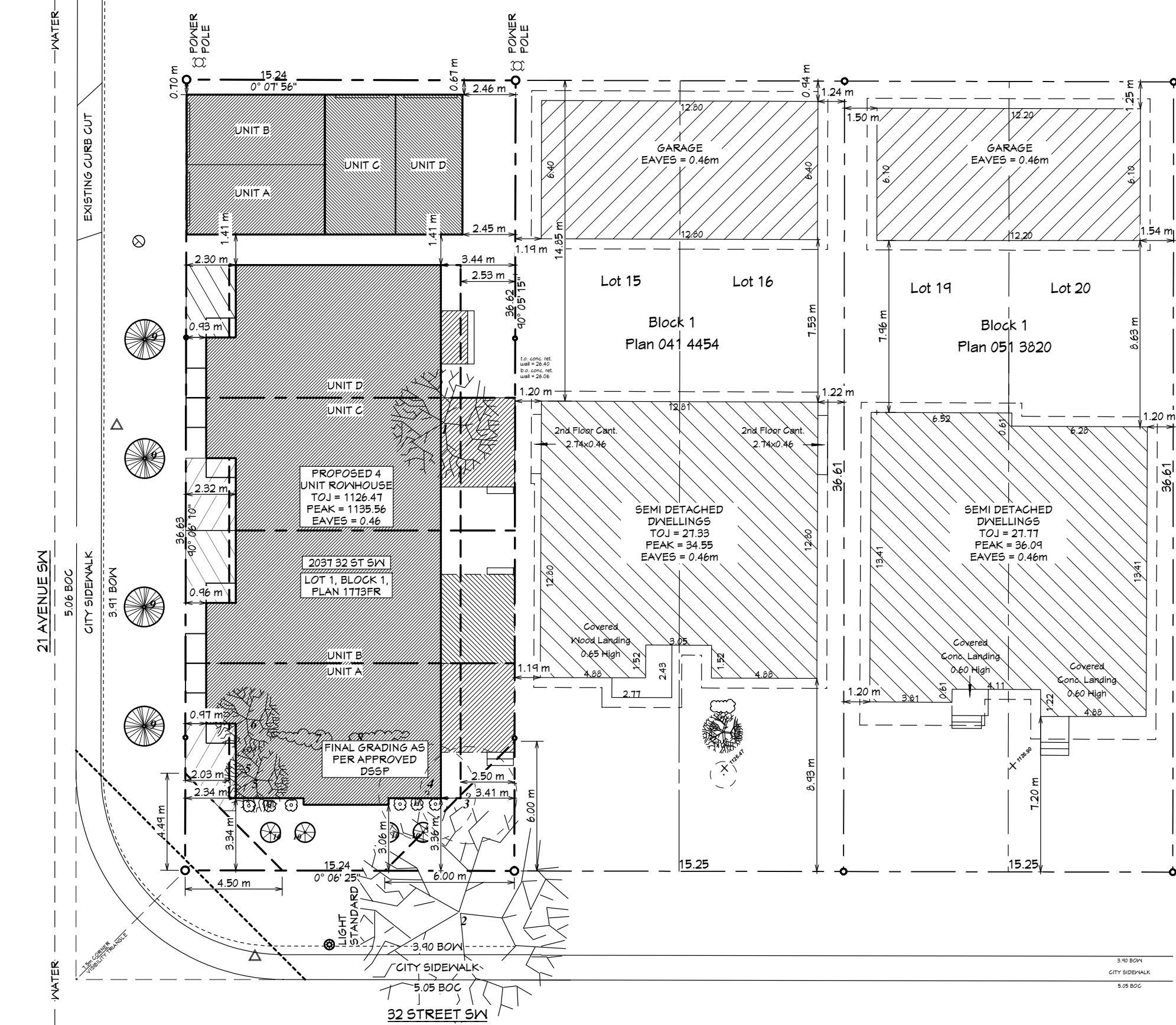
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33 Street S.W.

#2042

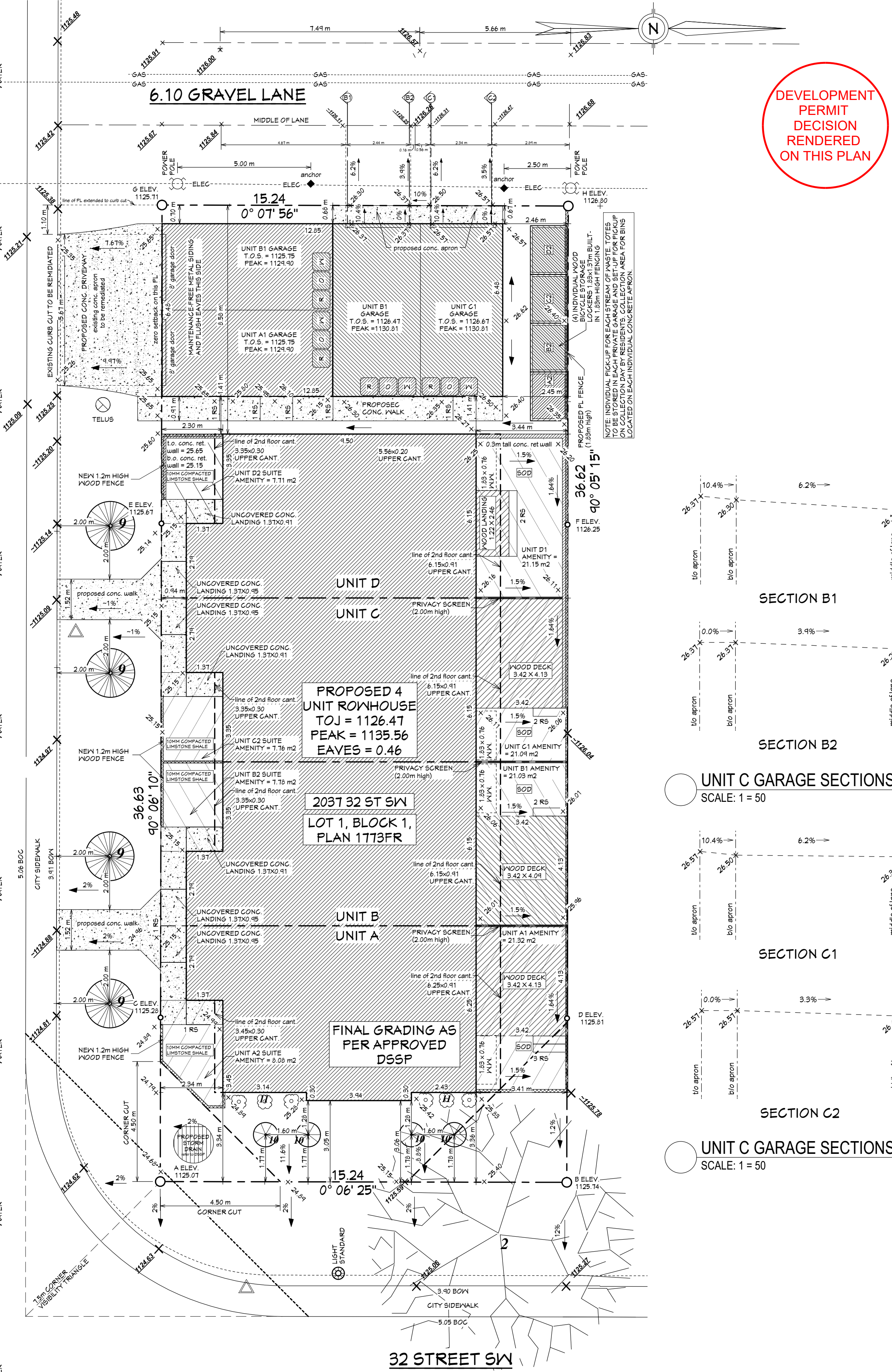
TREE LEGEND					
#	DIA	SPRD	HGT	TYPE	STATUS
T1	0.40	5.00	4.00	DECIDUOUS	TO BE REMOVED
T2	0.50	10.00	11.00	BIRCH (BETULA PENDULA)	TO REMAIN (T-32041324)
T3	0.40	4.50	12.00	CONIFEROUS	TO BE REMOVED
T4	0.60	4.50	12.00	CONIFEROUS	TO BE REMOVED
T5	0.15	3.00	2.50	DECIDUOUS	TO BE REMOVED
T6	0.15	3.00	2.50	DECIDUOUS	TO BE REMOVED
T7	---	2.00	1.50	BUSH	TO BE REMOVED
T8	---	2.00	1.00	BUSH	TO BE REMOVED
T9	0.06	---	---	PRAIRIE GREEN ASH	TO BE PLANTED X4
T10	0.06	---	---	COLUMNAR ASPEN	TO BE PLANTED X4
T11	---	0.60	0.60	HAWTHORN BUSH	TO BE PLANTED X6

SITE/BLOCK PLAN LEGEND	
	= PROPOSED COLUMNAR ASPEN
	= PROPOSED HAWTHORN SHRUB
	= PROPOSED GREEN ASH
	= EXISTING SHRUB
	= EXISTING DECIDUOUS TREE
	= EXISTING CONIFEROUS TREE
	= PROPOSED GRADE
	= PROPOSED GRADE



BLOCK PLAN
SCALE: 1 = 200

21 AVENUE SW



SITE PLAN
SCALE: 1 = 100

DEVELOPMENT
PERMIT
DECISION
RENDERED
ON THIS PLAN

RESPONSIBILITIES

NEW CENTURY DESIGN

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info@newcenturydesign.ca

ISSUED

	m/d/y
DRAFT DESIGN	01.08.21
DRAFT DESIGN 2	02.01.21
DP DRAFT	03.05.21
DP DRAFT 2	03.16.21
DP SET	03.18.21
DTR1 Resubmission	06.30.21
DTR1 - Rev 1 - Added Catchment Tank	08.10.21
DTR1 - REV 2 - Revised Amenity Material	09.16.21

AREAS

	S.F.
TOTAL GROSS FLOOR AREA	4323
UNIT A1	TOTAL 1365
	MAIN 695
	UPPER 670
UNIT B1	TOTAL 1315
	MAIN 670
	UPPER 645
	SUITE - B2 445
UNIT C1	TOTAL 1315
	MAIN 670
	UPPER 645
	SUITE - C2 445
UNIT D1	TOTAL 1315
	MAIN 670
	UPPER 645
	SUITE - D2 435

STREET ADDRESS

2037 32 ST SW

LEGAL ADDRESS

LOT 1, BLOCK 1, PLAN 1773FR

PROJECT

KILLARNEY ROW HOUSE
DEVELOPMENT

DRAWN: CI CHECKED: CI

PROJECT # 20-03-SS-SP-031

SCALE

1:100

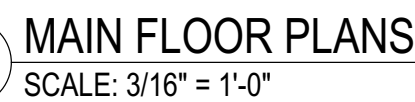
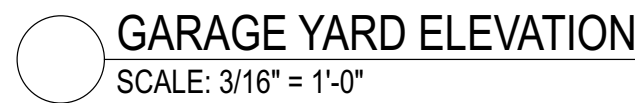
TITLE

SITE PLAN

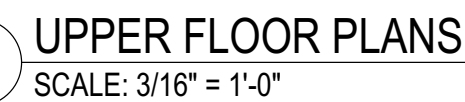
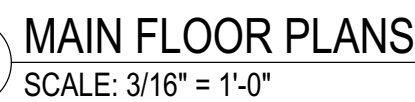
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DEVELOPMENT
PERMIT
DECISION
RENDERED
ON THIS PLAN



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DRAFT

AREAS		S.F.
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UNIT A1	TOTAL	1365
	MAIN	695
	UPPER	670
	SUITE - A2	457
UNIT B1	TOTAL	1315
	MAIN	670
	UPPER	645
UNIT C1	SUITE - B2	445
	TOTAL	1315
	MAIN	670
UNIT D1	UPPER	645
	SUITE - C2	445
	TOTAL	1315
UNIT D2	MAIN	670
	UPPER	645
	SUITE - D2	435

2037 32 ST SW

LOT 1, BLOCK 1, PLAN 1773FR

KILLARNEY ROW HOUSE
DEVELOPMENT

DRAWN:	CI	CHECKED:	C
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PROJECT #	20-03-SS-SP-03
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SCALE

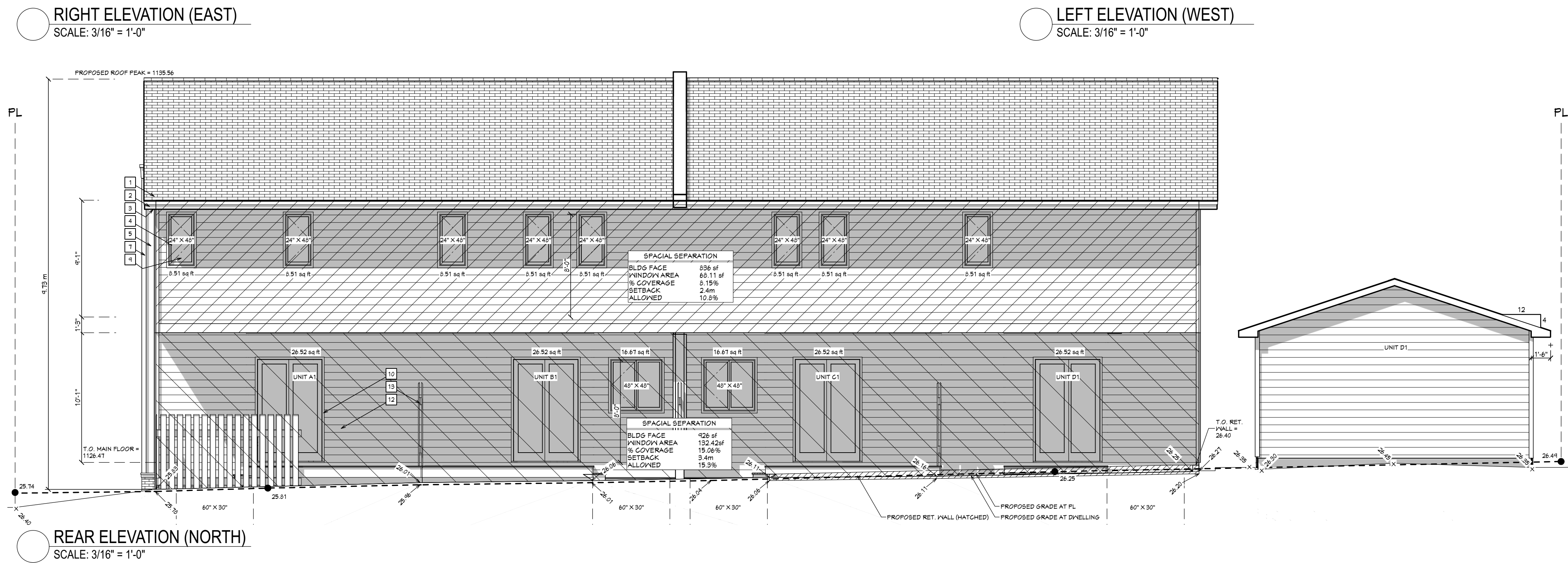
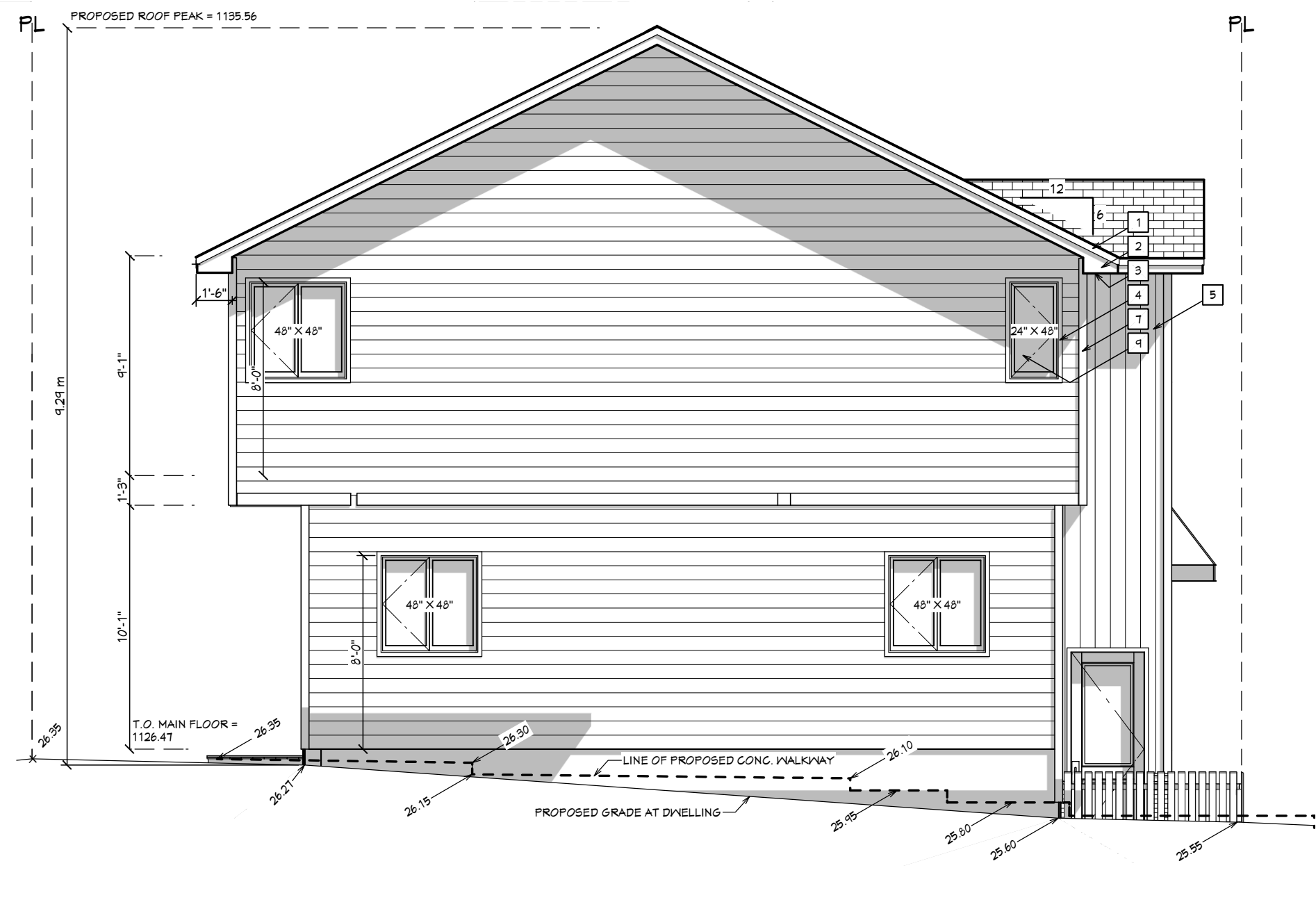
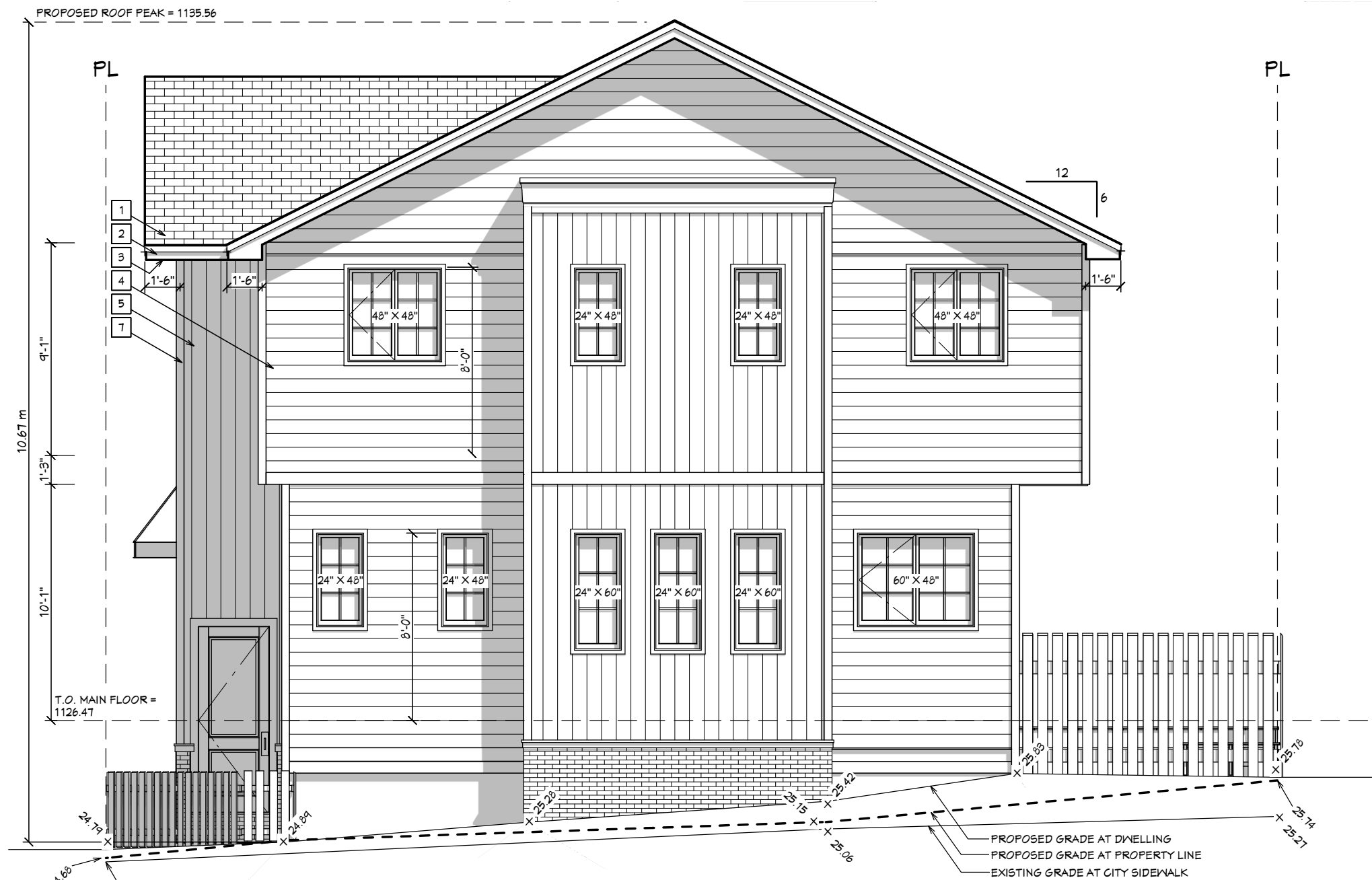
$$3/16'' = 1'-0''$$

FLOOR PLANS & GARAGE ELEVATIONS

PAGE

A3

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RESPONSIBILITIES

NEW CENTURY DESIGN

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DRAFT

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STREET ADDRESS

2037 32 ST SW

LEGAL ADDRESS

LOT 1, BLOCK 1, PLAN 1773FR

PROJECT

KILLARNEY ROW HOUSE DEVELOPMENT

DRAWN: CI CHECKED: CI

PROJECT # 20-03-SS-SP-031

SCALE

3/16" = 1'-0"

TITLE

ELEVATIONS

PAGE

A4

4

Appeal Board rec'd: January 11, 2021
Submitted by: M. Cariou, appellant (revision of original submission)

January 11, 2021

Mr. Brendyn Seymour
Planner II, Centre West Area
Community Planning
Planning & Development
The City of Calgary
5th Floor Municipal Building,
800 Macleod Trail SE
P.O. Box 2100 Station M,
Calgary, Alberta T2P 2M5

RE: Appeal of Development Permit for File #DP2021-1828

Please let this letter serve as an appeal against the Development Permit approved for the construction by New Century Design of a Row House Building (1 building), Secondary Suites (1 building, 4 units) and an Accessory Residential Building (garage) located at 2037 32 ST SW.

This Development Permit should not be granted for the following reasons:

1) Neighborhood Compatibility/Street Context

a) Context re: Streetscape

As stated in the Context Guideline of the **Low Density Residential Infill Housing Guidelines for Established Communities** (Section 4.2, page 15) "New development should be designed in a manner which is responsive to the local context... In many areas, a general pattern characterizes the streetscape and the community. Any new development should respect this context. A building which is designed without considering its ability to complement its neighbours and the broader community, may negatively affect the character of an area."

In relation to the above-referenced Infill Guidelines developed by the City of Calgary, the subject proposed row house disrupts the street context of neighboring properties and is incompatible with the surrounding Conservation/Infill development.

The Killarney Glengarry ARP is a statutory document that designates the 2037 32 ST SW location as part of the conservation/Infill section of the community. Within this section of Killarney, the vast contiguous majority of new development is designated R-C1/R-C2 (see Display #1 below). Up to this point, our community's land policy (ARP), endorsed and supported by its residents, has ensured that street context is respected when a new development is proposed. The subject proposed Row House Building fails to align with existing street context and therefore we appeal against its approved Development Permit.

SDAB2021-0083 Additional Submission

Display #1

Streetscape of east and west orientations of 32nd Street SW at 21st Avenue. Note consistent R-C2 development along designated Conservation/Infill section of neighborhood.



b) Context re: Setbacks

As stated in the Building Setback from Front Property Line (Front Setback) Guideline in the ***Low Density Residential Housing Guidelines for Established Communities*** (Section 4.3.1, page 21) "The setbacks of new development should respect the established street pattern... The Front Yard Setbacks of the New Infill Developments should respect those of other houses on the Street."

Under the recently approved Development Permit for 2037 32 ST SW, the new structure will extend approximately 6 metres beyond the front façade of the neighboring structure located at 2035. This front-forward design not only disrupts existing street context but will eliminate mature vegetation while significantly obstructing sightlines of neighboring homes. (See Display #2 below)

Display #2

At left, current front façade of both 2037 and 2035 32 St SW structures.

At right, the new design for 2037, with front façade extending 6 metres beyond neighboring home.



2) Massing

As stated in the Building Mass Guideline in the ***Low Density Residential Housing Guidelines for Established Communities*** (Section 4.4, page 30), “New development should respect the existing scale and massing of its immediate surroundings”.

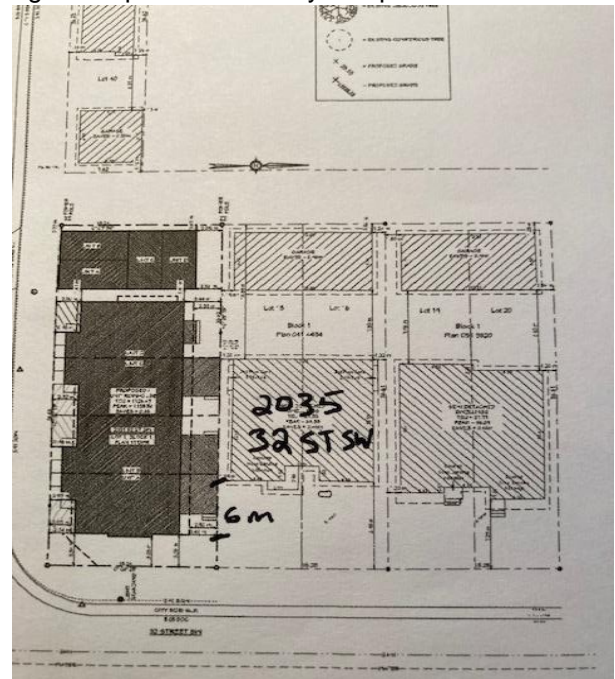
The visual impact of the subject proposed Row House Building, in relation to the adjacent 2035 property, is significant and negative. The building envelope of such development will create substantial loss of privacy and sunlight.

- a) Privacy – the width of the subject proposed Row House Building along 21st Avenue will significantly exceed the typical rear setback of adjacent properties and will create an excessive loss of privacy through overlooking. In fact, Unit D of the proposed new development will stretch across the entire depth of the neighboring outdoor yard space and has a slider window directly facing the 2035 yard space. Privacy issues are also created by unit A on the streetfront, with windows giving visual access to the master bedroom on the 2nd floor at 2035 32 ST SW. Unless windows are static and unopenable, frosting is completely ineffective as a privacy measure. During mild months, these windows will be left open to cool the space, eliminating all effectiveness of New Century’s response to privacy concerns.

Display #3

At left, current view from 2035 32 ST SW back yard space, facing south toward 2037.

At right, the proposed new development, with Unit D extending the depth of the back yard space of 2035.



b) Shadowing

As outlined in the Building Setback from Rear Property Line (Rear Setback) Guideline of the ***Low Density Residential Housing Guidelines for Established Communities*** (Section 4.3.4 page 27), “The enjoyment of the neighbour’s outdoor rear amenity space

should not be unduly diminished by new development. Modifications to the length of a building may be required, particularly when new developments are proposed on the north side of an avenue or east side of a street, where significant shadowing can result.”

The proposed row houses will be located on the north side of 21st Avenue, the orientation from which the most significant shadowing occurs. The table attached in Display #4 (below) was created using Suncalc.org and documents the length of shadow casted by a **9.97 m** high building at annual solstice and equinox dates. The building height of the design plan put forward by New Century Design is 10.31 at its east elevation and 9.63 at its west elevation. We established the building height of 9.97 used for the shadow study by averaging the east and west heights. These shadow measurements predict how the new development will impact neighboring yard amenities at various points throughout the year. The distance from the roof peak of the new development to the northern fenceline is 7.86 metres. Therefore, any shadow length longer than 7.86 metres will cast into the adjacent property. Given that the property at 2035 32 ST SW has a width of 7.62 metres, any shadow length of **15.48** (7.86 + 7.62) metres or longer is actually shadowing the **entire** neighboring back yard space. Measurements highlighted in yellow indicate full backyard shadowing; measurements highlighted in peach indicate partial backyard shadowing. The percentage included in each table cell reflects the specific amount of neighboring yard shaded by the new development. As the table below demonstrates, the shadow cast into 2035 32 ST SW as a result of the proposed new development at 2037 will be significant and detrimental to the enjoyment of the outdoor space of the neighboring property.

Display #4

Shadow lengths cast into neighboring property are significant and detrimental to enjoyment of adjacent outdoor space

	Northward Shadow Length Cast per Time of Day (in Metres)			
Season	10am	12pm	2pm	4pm
Spring Equinox (March 21)	25.84 (100%)	14.25 (84%)	12.13 (56%)	15.99 (100%)
Summer Solstice (June 21)	11.85 (52%)	6.60 (0%)	5.28 (0%)	8.0 (2%)
Fall Equinox (Sept 21)	23.50 (100%)	13.74 (77%)	12.33 (59%)	17.13 (100%)
Winter Equinox (Dec 21)	69.10 (100%)	36.72 (100%)	42.28 (100%)	78.58 (100%)

 = Partial shading of neighboring yard

 = Full shading of neighboring yard

(%) = The percentage of neighboring back yard shaded by new development

3) Non-compliance with Section 5, Division 11 of Land Use Bylaw 1P2007

As an adjacent property owner, I oppose the relaxations granted to this development permit as they are vastly non-compliant with the above-referenced City of Calgary Bylaw. Even with this property's recent rezoning approval for RCG development, this design submission required nine relaxations to rules outlined in the above bylaw in order to find space on this lot for the proposed development. This is a clear indication that the design is inappropriate for the space. In the Conditions of Approval for the subject Development Permit Application, relaxations were granted relating to:

- Driveway length and square footage
- Setbacks from front property line
- Setbacks from north property line
- Amenity areas on the north side
- Distance between main structure and accessory buildings

I oppose all relaxations allowed for this design and reiterate that the design is non-compliant with the lot size.

For the above reasons, the current development permit should be revoked. This Development Permit and the preceding rezoning that was granted in December 2020 have faced significant opposition from neighboring property owners, as attested by the following attached documents:

- Community Opposition Letter to Development Permit
- Letter of Opposition to Rezoning Amendment
- Public Hearing presentations to City Council

The Developer has other options to develop this corner lot that would alleviate concerns from neighboring property owners. Densification could still be achieved while aligning with the local context and streetscape, alleviating massing issues (both privacy and shadowing) and complying with all relevant low density residential development bylaw requirements.

We look forward to collaborating toward a solution that best meets the interests of both individual stakeholders and our community.

Regards,

Michelle Cariou
Property Owner
2035 32 ST SW
Calgary, AB T3E 2R2

Appendix

List of previous submissions regarding File #DP2021-1828

Copy of Community Letter of Opposition to Development Permit Application.....	Page 7
Appellant's Letter of Opposition to Rezoning Amendment.....	Page 10
Copy of Public Hearing Presentation opposing Rezoning, December 14 th , 2020.....	Page 13

April 29, 2021

Mr. Brendyn Seymour
Planner II, Centre West Area
Community Planning
Planning & Development
The City of Calgary
5th Floor Municipal Building,
800 Macleod Trail SE
P.O. Box 2100 Station M,
Calgary, Alberta T2P 2M5



Dear Mr. Seymour,

**Re: DP2021 – 1828 / FILE #LOC2020-0126
Building Permit Application / DEVELOPMENT APPEAL BOARD
Letter of Opposition**

Pursuant to recent correspondence from our various members regarding the above noted matter, please let this letter serve as formal opposition notice from the Killarney Residents' Coalition for the above noted Permit Application.

Rejection of Application:

Numerous opposition letters from individual Killarney residents were submitted to the City of Calgary during the rezoning application which consistently outlined strong opposition to the original rezoning application. Rejection criteria is generally based on the following principles:

Updated zoning requirements for the neighborhood were established in consultation with our community. The re-zoning application did not conform or adhere to the parameters established by both the community and the city. Further, there was no engagement by the developer to stakeholder residents that surround the proposed development. Finally, the development does not comply with several city mandates, including the authorized "Main Streets Initiative".

The permit submission and development design is unresponsive to the local context. It puts forward a development size and scope which is well outside of the ARP and Infill guidelines including but not limited to:

- The elevations for the proposed development are not in keeping with established design criteria.
- Both the style and finishes appear to be of poor quality and not consistent with those currently exhibited in the community.
- The addition of independently accessed suites on such a small parcel of development are not consistent with any other development within the immediate area.
- The massing of a building is a key factor for the successful integration of a new infill development into its setting. The majority of buildings within the City's established communities require a reduced building mass, including height, in order to respect the adjacent homes and streetscape. Homes built to the maximum Bylaw standards can be incompatible and visually disruptive to the street. In this application, height, depth and width

measurements make the project incompatible with its context and will result in a substantial loss of privacy and sunlight to the adjacent property.

- A shadow study for the winter solstice (December 21), the summer solstice (June 21) and the spring equinox (March 21) needs to be provided by the applicant to fully assess the impact the proposed structure will have on the northerly neighbouring property.
- Proposed development will negatively affect the use and enjoyment of the adjacent property to the north, in particular its imposing building bulk, mass, height and the resulting impacts on neighbour's use of their outdoor amenity areas.
- The majority of the vegetation will be destroyed (2 mature spruce tree and one crab apple tree). The root system of the mature birch tree planned to be conserved will be irreversibly damaged during the excavation work with little hope to salvage the tree.

The Director of Development and President for our community failed to represent the interests of the residents during the rezoning application as did the Ward 7 city counsellor. In fact, other city counsellors were opposed to the re-zoning application in a ward they didn't even represent given the dereliction of duties from those claiming to represent the community.

While we can empathize with the city's objective of inner-city densification, the redevelopment from a single house to 8 units within a quiet residential side street is not reasonable or acceptable. At this time, there are no developments above 2 units on the entire R2 zoned section of 32nd Street.

Numerous residents in the area recently purchased dwellings based on the R-2 designation which restricts the densification to reasonable, sustainable levels. Unlike the narrative that is propagated by those with special interests, this proposed development not only reduces property values but penalizes those who originally purchased attached houses in this area specifically for limitations on density (and therefore, congestion, crime and other factors).

The City of Calgary has paused and is reviewing the rollout of The Guidebook for Great Communities due to an avalanche of resident opposition to development initiatives exactly like this one we are opposing. In keeping with the City of Calgary's commitment to review the Guidebook, and its impact on communities like Killarney, this Development Plan must be rejected.

Accordingly, we are requesting that the redevelopment permit in its current form be rejected in its entirety without substantial changes that reflect the above noted community concerns.

If this permit reaches the advertising stage without our consultation, we will take the following steps:

- Appeal the permit application; and
- Direct our legal counsel to secure an injunction to prevent further development until the concerns of the residents are appropriately represented and addressed in an independent tribunal.

About the Killarney Resident's Coalition:

We are a non-profit, community-based association that was formed to represent the best interests of residents based in the Calgary community of inner-Killarney. Our goal is to preserve the safety and aesthetics of our environment for our established community members and those who choose Killarney for the quiet, friendly and safe community.

We recognize that you have a challenging task when trying to meet the objectives for growth and densification on this great city. We are not opposed to development when it is achieved through collaboration that is independent of special interests.

We look forward to resolving this issue and collaborating toward a solution that best meets the interests of both individual stakeholders and our community.

Regards,

Michelle Cariou	Grant Kosowan
President	Community Project Volunteer
Killarney Residents' Coalition	Killarney Residents' Coalition

c.c. Darren Lockhart, Manager, Development Approvals
 Jyoti Gondek, Mayoral Candidate / Ward 3
 Jeremy Farkas, Mayoral Candidate / Ward 11
 Nahed Nenshi, City Mayor

Michelle Cariou
 Grant Kosowan
 Joey Stewart
 Monika Galecki
 Paul Galecki
 Lindsey McPherson
 Stuart McPherson
 Sherry Garrido
 Alfredo Garrido
 Joshua Garrido
 Daniel Goulet
 Sue Crawford
 Karin King
 James Gilfillan
 Kirill Bryuzgin
 Ksenia Khatova
 Claire Hearn
 Carla Dexter
 Victoria Rivera
 David Rivera
 Roger Keen
 Susanne Bechtold
 Annalise Hearn

Michelle Cariou
2035 32 ST SW
Calgary, AB
T3E 2R2

December 4, 2020

Office of the City Clerk
The City of Calgary
700 MacLeod Trail SE
PO Box 2100
Postal Station "M"
Calgary AB T2P 2M5

Dear Office of the City Clerk,

I, **Michelle Cariou**, am a resident of the neighborhood of Killarney, and I align with other concerned residents in opposition to the application for a Land Use Re-zoning Amendment at 2037 32 ST SW from R-C2 to R-CG (reference #LOC2020-0126).

Our primary concerns about this rezoning application are as follows:

Opposition #1

No Applicant-Led Engagement with the community was undertaken leading up to Application Submission:

Despite the availability of toolkits and city resources aimed at assisting applicants to better engage with residents during the covid pandemic, there was no effort made by this applicant to engage in community outreach.

This applicant did no more than tick the basic boxes in terms of City-mandated minimum activity requirements for application submission. As residents of Killarney, it is clear to us that community engagement from this applicant has been absent and that they demonstrate no insight into what this community wants – and more importantly - **where we want it**.

Opposition #2

As Killarney residents, we oppose exceptions brought forward to our Area Development Plan (ARP) while it is under review. Until the ARP review process is complete, we consider our ARP to be valid and endorsed by residents through the consultation process.

Killarney has an Area Development Plan (ARP), created in 1986 and vastly amended in 2017. That ARP is a statutory plan, and pursuant to Section 687 of the Municipal Government Act, any decisions regarding rezoning must comply with this statutory plan.

Opposition #3

SDAB2021-0083 Additional Submission

As per the goals established during the City Council authorized *Main Streets Initiative*, Application Reference # LOC2020-0126 does not align with our shared vision (between City and residents) of how we intend to increase density, services and opportunity in our community.

The Main Streets Program focuses density intensification in communities like Killarney **AROUND THE CORRIDORS** – the main streets in our neighborhoods. As a direct result of this initiative, rezoning amendments in support of densification were vastly extended and approved by bylaw in 2017 in the concentrated sectors of Killarney off 17th Avenue and 37th Street.

2037 32nd Street SW, in the heart of Conservation/Infill in this community, was retained for R-C2 development. As such, it is not on the table as a location for rezoning consideration. The land targeted by this developer was recently reviewed as part of the Main Streets Initiative and was deemed appropriate for its current R-C2 zoning designation.

Opposition #4

This Section of our Community has already - without exception – consistently redeveloped 32nd Street SW (south of 19th Street) in accordance with existing R-C2 zoning requirements.

***This location at 2037 32 ST SW is completely surrounded by R-C2 development – 2 detached units behind, 2 attached units in front, 2 attached units beside (all falling within R-C2 zoning requirements).**

A zoning exception on this particular land would create a glaring, unnecessary and random fault line in the flow, esthetic and context of the neighborhood.

Opposition #5

One-off, exception-based zoning redesignation approvals create investment uncertainty for existing residents, thus decreasing the appeal of Killarney as a community of choice.

We, as resident stakeholders, deserve the ability to count on existing zoning guidelines – ones that we have recently helped to establish – in order to make sound investment decisions for our Killarney properties.

Opposition #6

The continued approval of one-off exception-based zoning requests in mature Calgary neighborhoods – particularly during the Covid-19 Pandemic - erodes community confidence that elected City Officials value the trust relationship that needs to exist between neighborhood and municipal administration.

We have worked hard alongside City Planners to establish updated zoning maps for our community. Despite their existence, the City has facilitated this unnecessary and unwelcome rezoning conversation and imposed it on Killarney residents during our very difficult current covid reality.

This submission states, as highlighted in Opposition #1, that “No Applicant-led engagement has been undertaken and “No City-led engagement was undertaken” as part of this application process leading up to the Planning Commission decision on November 5th, 2020.

This left the onus of information sharing entirely on the shoulders of residents. We were forced to door knock and deliver flyers at a time when circulating in the community is legitimately perceived as showing disregard for the public health restrictions imposed during this Provincial State of Emergency. This rezoning process pushed through during covid, and our resulting need to respond and mobilize as a community, causes us to question the value City officials place on their community partnerships. Vote No to this application to demonstrate that this community relationship matters to you.

We intend to have representation at the Public Hearing Meeting on December 14th to reconfirm these concerns in front of Council. We implore the Council to consider these points brought forward, and to vote against this exception that clearly has no welcome place in our community.

Regards,

Michelle Cariou

Presentation to Council, December 14th 2021 Public Hearing

Opposition to File #LOC2020-0126

Good afternoon your worship and Council members,

My name is Michelle Cariou and I own the lot on the sunny north side adjacent to the one put forward for this rezoning amendment.

Killarney has been home to me for many years. I started renting here in 1995 and then was able to purchase my 32nd street property in 2012. I love Killarney and I am invested in how this community evolves, revitalizes and provides opportunity for all who live here.

I oppose this application for a zoning redesignation and I represent the views of many Killarney residents who have reached out to me to express their concern about and opposition to exception-based rezoning approvals that happen far too often in this neighborhood.

Firstly, I oppose this application because it doesn't meet Main Streets Program goals.

The Main Streets Program generated consultation between community and City that resulted in an agreement. We all agreed that increased densification in Killarney would happen off our main corridors of 17th Avenue and 37th Streets. We significantly amended our zoning maps to designate specific sectors of Killarney where densification should happen.

2017 was a significant year for Killarney at which point very planned and organized updates to zoning bylaws took effect in our neighborhood.

But 2017 was NOT a year when developers were invited to declare open season on random densification throughout Conservation/Infill in this community.

Too often we have developers like the applicant today who justify their project by saying "but Killarney welcomes densification. It's happening everywhere in your community." One comment emailed to me by the applicant was "we know change is hard."

Be it noted that random exception-based rezoning amendments are not what Killarney residents agreed to. We believe in increased density in our community when implemented according to the goals and zoning amendments established through Main Streets and through the thoughtful work that continues to take place as part of the Westbrook Communities Local Area Planning project.

Why would you undermine the strategic work that continues to happen on building out densification plans for inner city communities by approving random exceptions that aren't measured against the development goals we continue to define?

Secondly, I oppose this application due to the complete absence of applicant-led community engagement that took place leading up to application submission. If the applicant had shown any commitment to understanding this community, they would have heard loud and clear, before the Planning Commission meeting on November 5th, that we place high importance on the City's commitment to allow us to protect the inner sector of this community - the Conservation/Infill sector – that retains original aspects of this mature neighborhood. R-C2 zoning is the key to protecting that original community context. This applicant failed to meet

even minimum expectations regarding application led engagement, another reason to reject the application.

Thirdly I oppose this application due to the fact that in this contiguous section of Conservation/Infill, RC2 zoned land in Killarney, all of the extensive redevelopment that has already taken place has been, without exception, in compliance with existing R-C2 zoning regulations. This particular property, recently purchased by the landowner represented by this applicant, is completely surrounded by R-C2 redeveloped, 2 unit per lot dwellings; an attached RC2 in front, an attached RC2 beside, and 2 detached RC2's across the alley.

Because I haven't provided a photo, let me paint you a picture. When I walk this street from 19th Avenue south to 26th Avenue, there are only 24 original bungalows remaining. Every other lot within those 4 long blocks has R-C2 developed homes already established. We have 140 infills within these 4 blocks of Conservation/Infill and the flow of infill development is only interrupted by the original bungalows that remain.

To approve this exception would create and glaring faultline in the flow, esthetic and context of this sector of Conservation/Infill in Killarney.

In the midst of a pandemic, when we've all been asked to reduce our public footprint, Killarney residents have been forced to circulate in our community to once again build a case for Council as to why zoning agreement matter to us.

Vote No to this application to demonstrate that the resident voice in fact matters to you.



SDAB2021-0083 / DP2021-1828

Appeal of:

**New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage)
Discretionary**

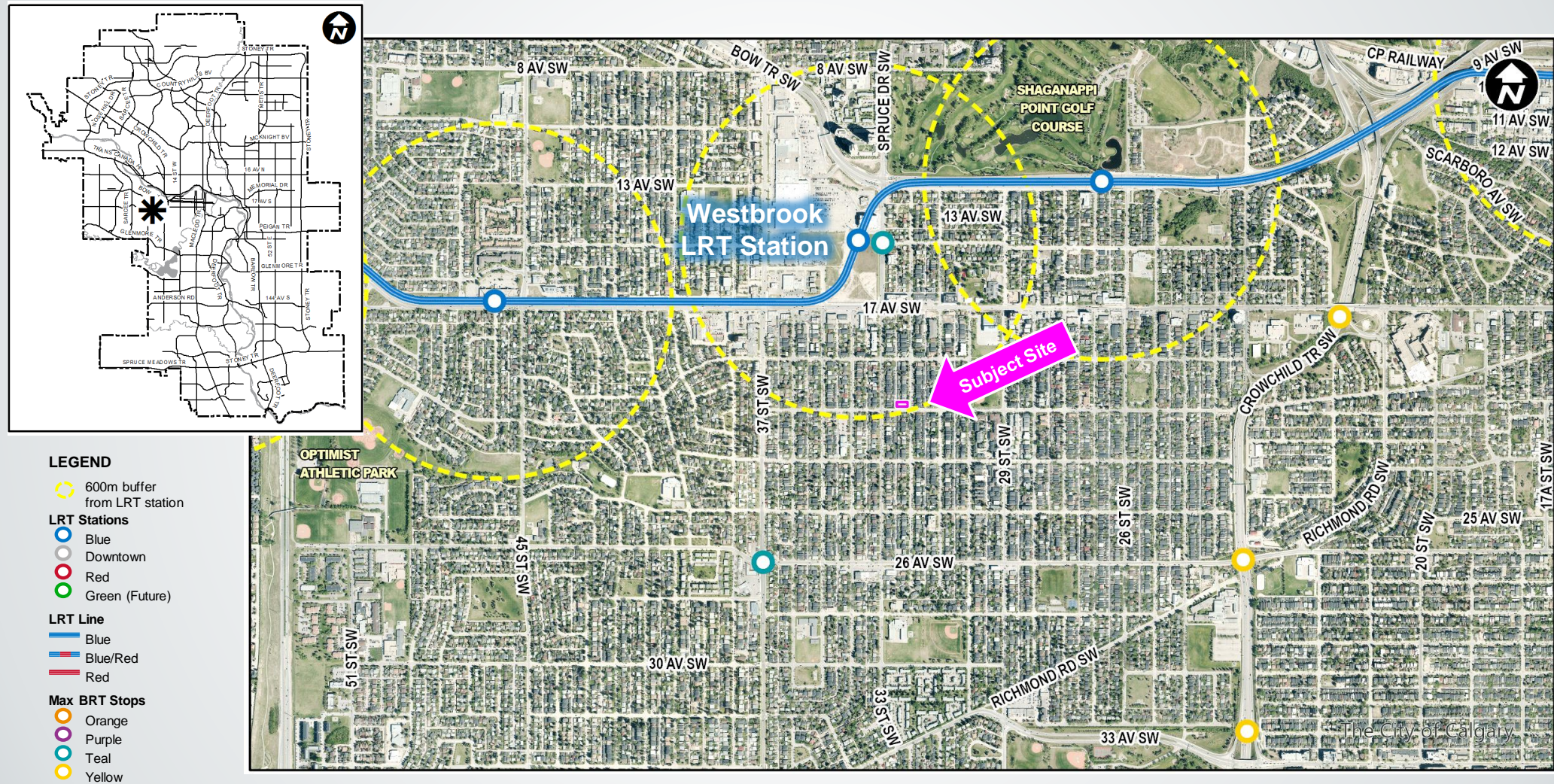
Proposed Development - Summary



DP2021-1828

- Rowhouse Building with 4 units and 4 Secondary Suites
- Accessory Residential Building (garage) with 4 parking spaces

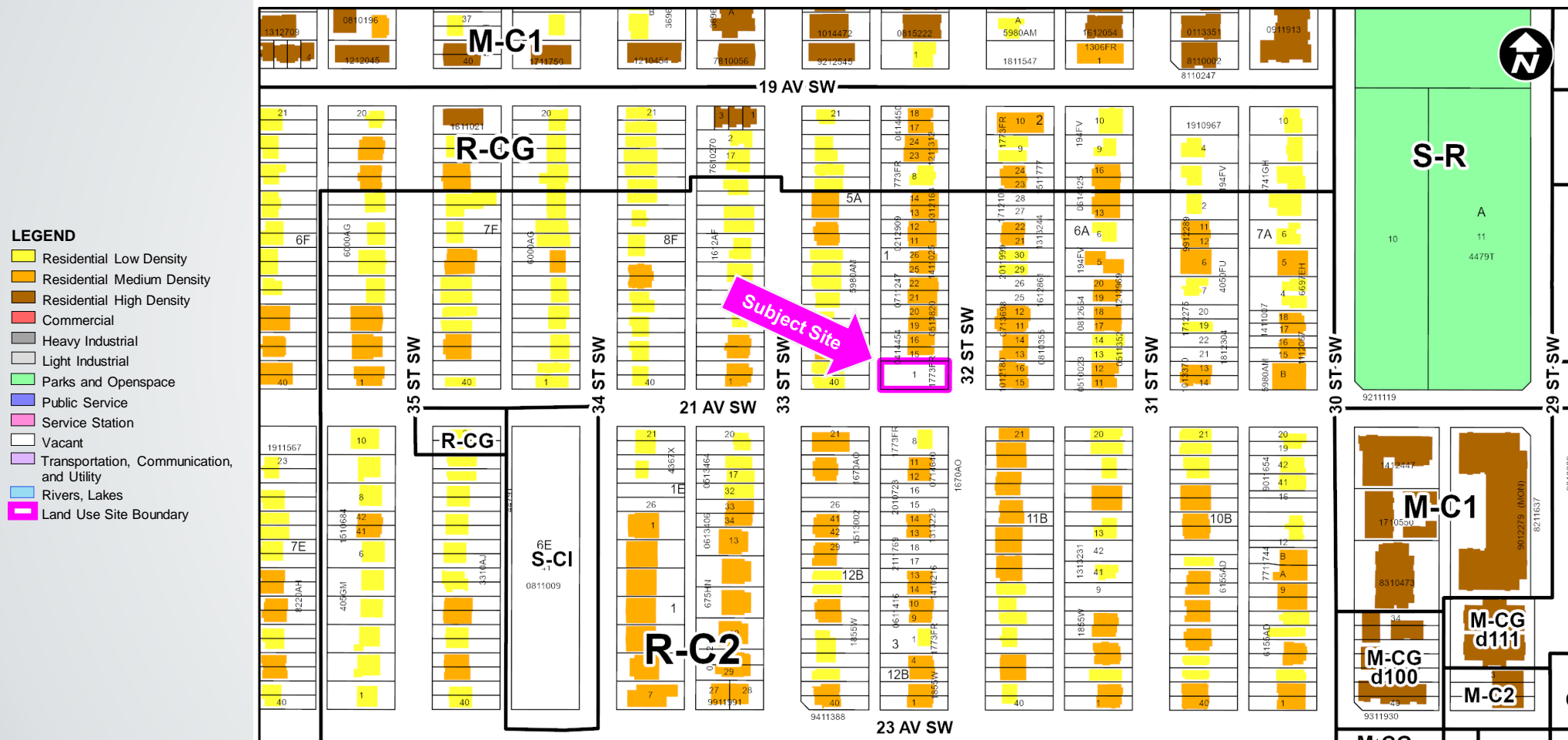
Location Maps



Context



Surrounding Land Use



Site Photos

Looking west to front of existing house from 32 Street SW



Site Photos

Looking north to garage access and side of existing house from 21 Avenue SW



Application Review

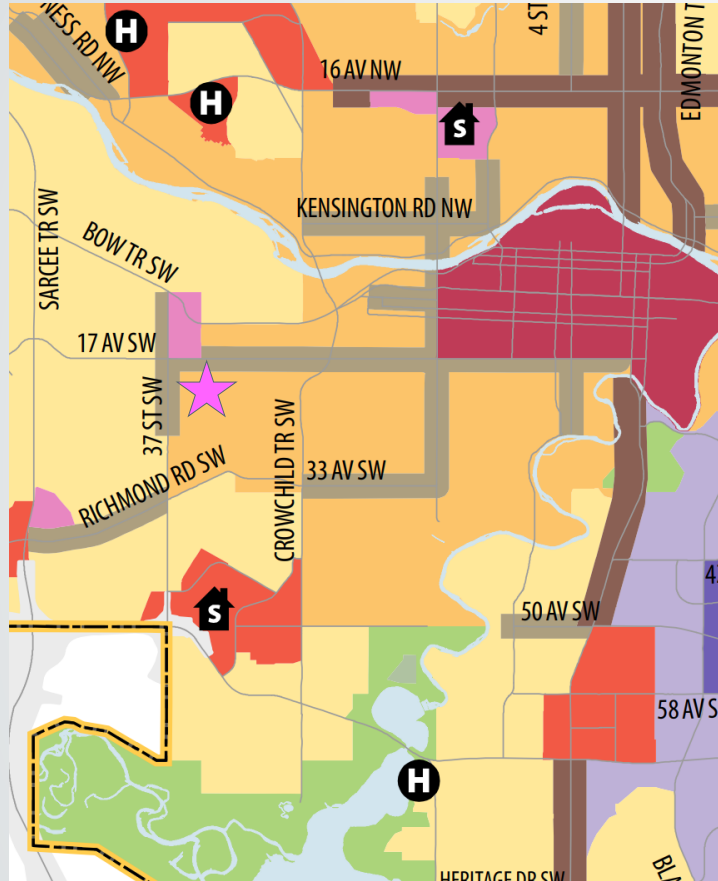
Key Milestones

- | | |
|--------------------------|--------------------------------|
| • Application received | 2021 March 19 |
| • Circulation | 2021 March 30 – April 28 |
| • DTR 1 issued | 2021 April 28 |
| • Amended plans received | 2021 August 25 |
| • Circulation | 2021 August 25 – September 08 |
| • Notice Posting | 2021 September 29 – October 05 |
| • Decision rendered | 2021 October 20 |
| • Decision advertised | 2021 October 28 |

Circulation

1. **Enmax** – responded indicating no objections.
2. **Ward Councillor** – responded indicating no objections.
3. **Building Regulations** – provided advisory comments regarding the Building Code.
4. **Killarney/Glengarry Community Association** – no response was received.

Applicable Legislation: Municipal Development Plan



- Developed Residential - Inner City area
- Approximate Location of Subject Site

Map 1: Urban Structure identifies as Developed Residential - Inner City area (MDP page 160)

Section 2.2.5 (MDP pg. 37): Strong Residential Neighbourhoods

- a. Encourage growth and change in low-density neighbourhoods through development and redevelopment that is similar in scale and built form and increases the mix of housing types such as accessory suites, semi-detached, townhouses, cottage housing, rowhousing and other ground-oriented housing.
- b. Support development and redevelopment that provides a broader range of housing choice in local communities to help stabilize population declines and support the demographic needs of communities.
- c. Encourage higher residential densities in areas of the community that are more extensively served by existing infrastructure, public facilities and transit, appropriate to the specific conditions and character of the neighbourhood.

Applicable Legislation: Municipal Development Plan

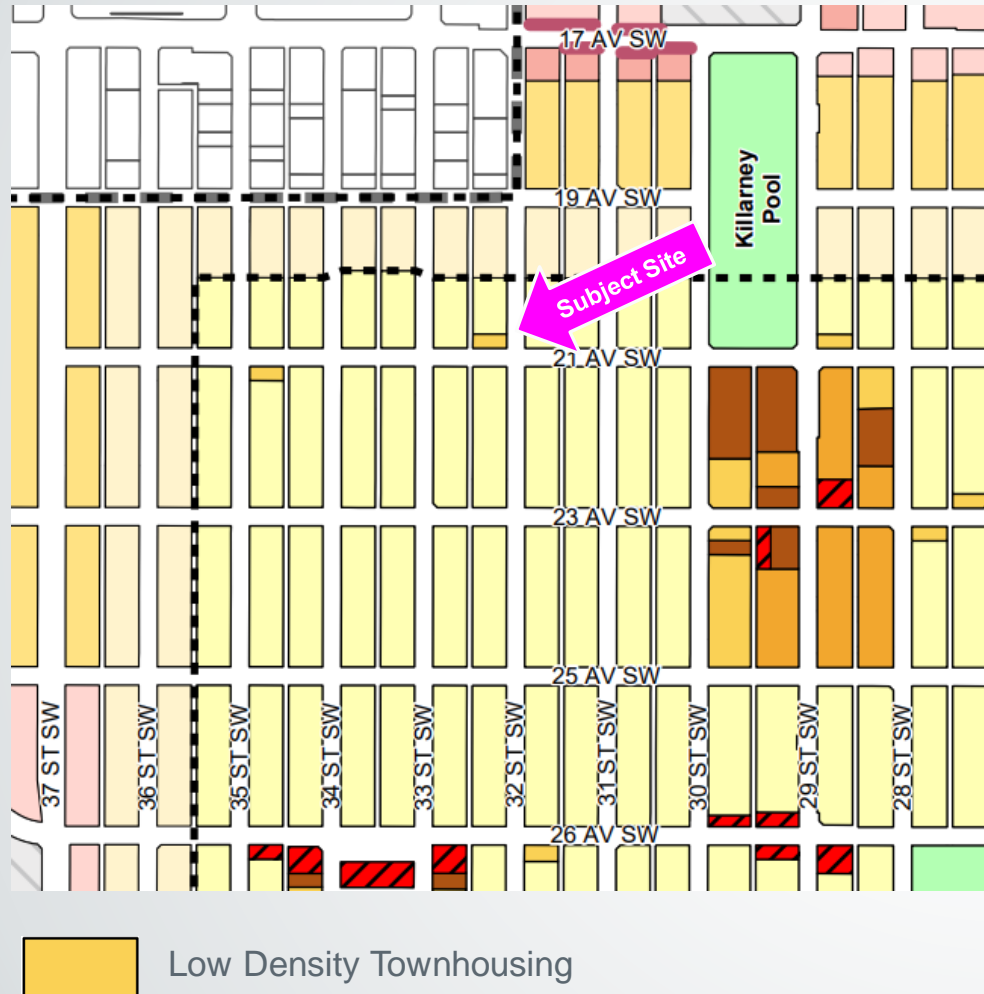
Section 3.5.1.a (MDP page 102):

- a. Recognize the predominantly low density residential nature of Developed Residential Areas and support retention of housing stock, or moderate intensification in a form and nature that respects the scale and character of the neighbourhood. Local commercial development within residential areas, that is of a scale and intensity that supports residents' commercial needs is supported.

Section 3.5.2.b (MDP page 103):

- b. A range of intensification strategies should be employed to modestly intensify the Inner City Area, from parcel-by-parcel intensification to larger more comprehensive approaches at the block level or larger area.

Applicable Legislation: Killarney-Glengarry Area Redevelopment Plan



Section 2 (ARP page 9):

This policy offers the opportunity for higher density development while requiring a built form more compatible with the existing low density development than apartment development. In addition, by providing individual at-grade access to a substantial portion of the units and encouraging private open space, townhouse development can also provide suitable housing for families with children.

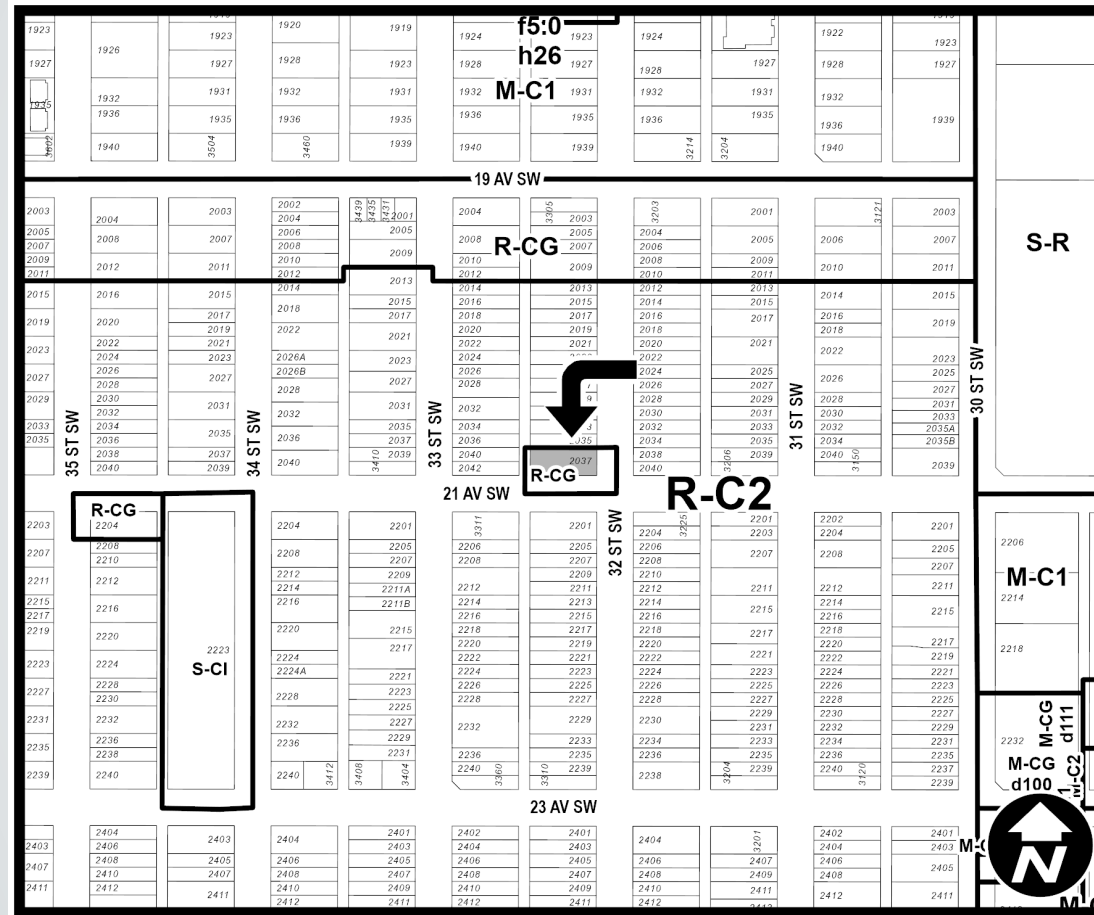
Applicable Legislation: Killarney-Glengarry Area Redevelopment Plan

Section 2.1.4.2 (ARP pages 10 & 11)

To demonstrate compatibility of new development with surrounding developing, the following development guidelines are encouraged:

- a) front yard setback similar to surrounding properties;
- b) front yards used as landscaped space or amenity area and not for parking provision;
- c) retention of existing mature vegetation wherever possible;
- d) front building entry;
- e) berming or raised planting beds in combination with trees, shrubs and fences to screen surface parking and private amenity areas;
- f) compatible roofline, orientation and slope;
- g) building finishing materials, colour, design detail, and facade articulation and rooflines respecting existing building character;
- h) provision of 1.25 resident parking spaces and .15 visitor parking spaces per dwelling unit;
- i) as high a proportion of units with 2 or more bedrooms as possible.

Existing Land Use Map

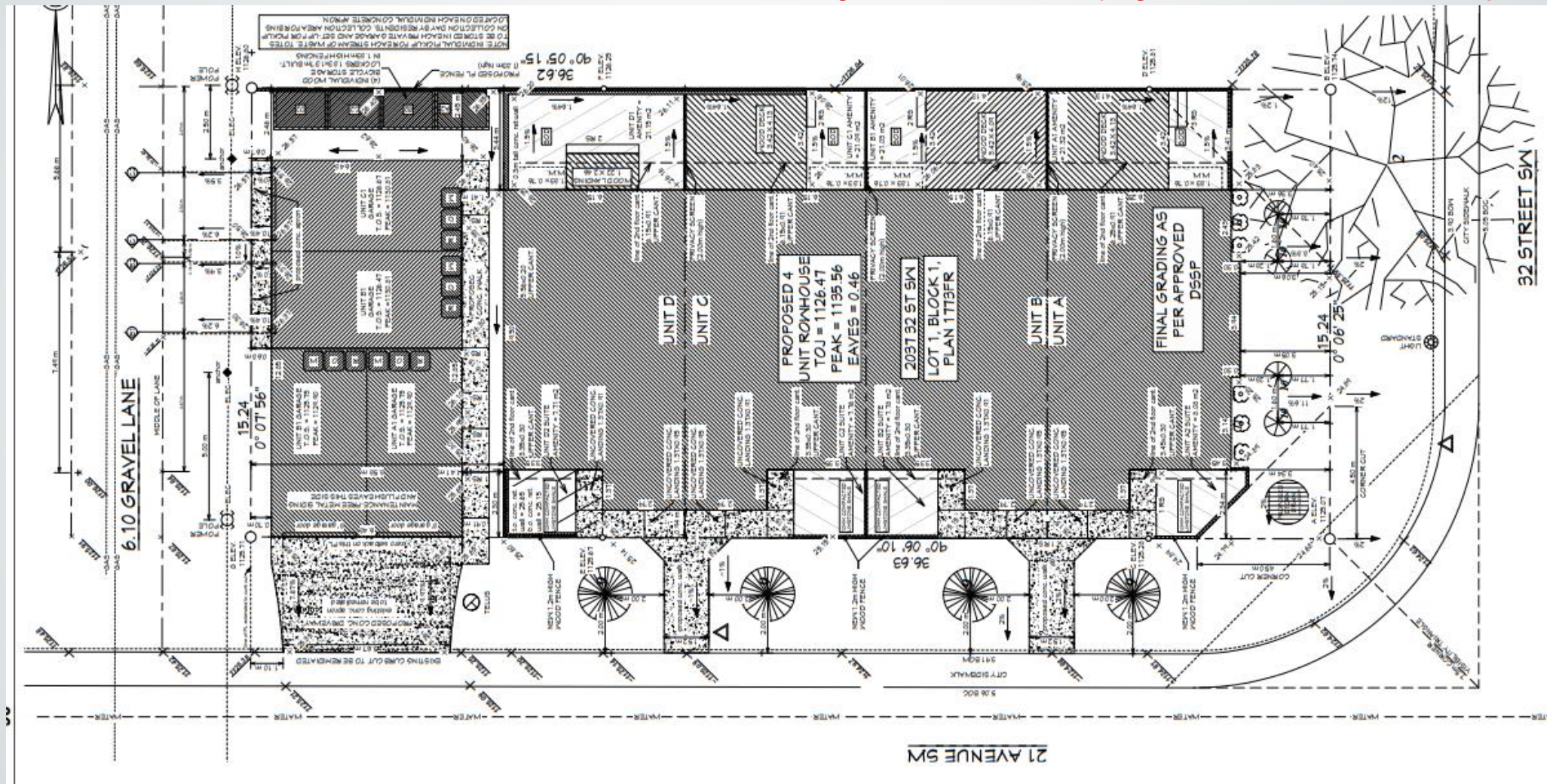


R-CG District

- Allows a range of low-density residential building types (single detached, semi-detached, duplex dwellings, rowhouses and secondary suites)
- Maximum height of 11 metres
- Maximum density of 75 units per hectare (4 dwelling units on subject site)

Approved Plans – Site Plan

Full sized drawings can be found on pages 89 - 92 of the board report.



Approved Plans Elevations

Full sized drawings
can be found on
pages 89 - 92
of the board report.



Applicable Legislation: Land Use Bylaw

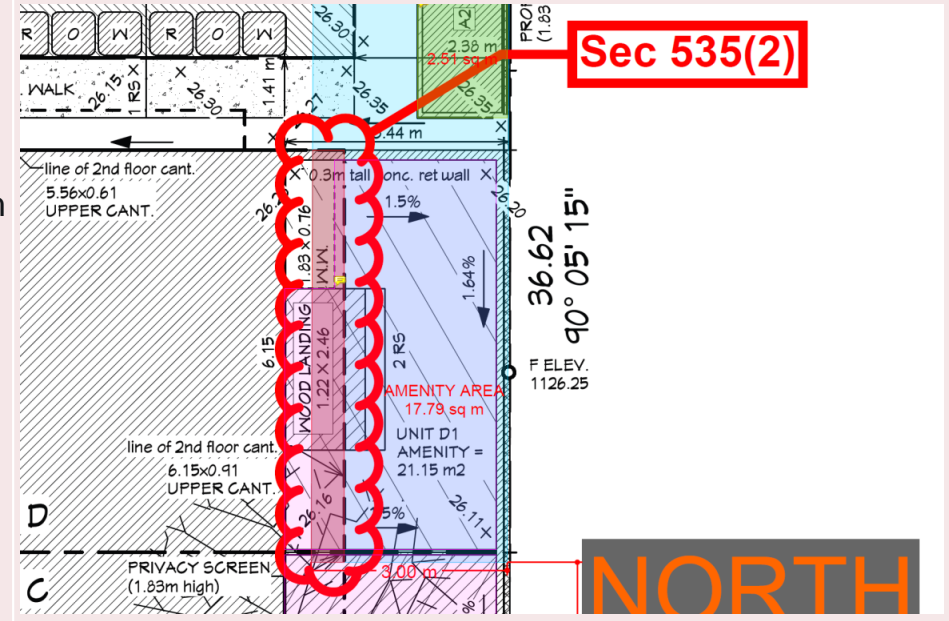
Relaxations

Bylaw Discrepancies		
Regulation	Standard	Provided
<p>537 Building Setback from Front Property Line</p>	<p>(2) On a corner parcel, the min building setback from a front property line may be reduced to:</p> <p>(a) the contextual front setback at the side property line shared with another parcel to a max of 6.0m; and</p> <p>(b) decreases in equal proportion with the increase in the distance from the shared side property line, to a min of 3.0m.</p>	<p>Plans indicate a portion of the second floor is located in the corner building setback chamfer from the front property line.</p>

Full sized drawings can be found on pages 89 - 92 of the board report.
The full Bylaw Check can be found on pages 42 - 57 of the board report.

Applicable Legislation: Land Use Bylaw

Relaxations

Bylaw Discrepancies		
Regulation	Standard	Provided
535 Building Depth	<p>(2) For a Rowhouse Building located on a corner parcel there is no max building depth where the building setback from the side property line shared with another parcel is a min of 3.0m for any portion of the Rowhouse Building located between the rear property line and 50.0% parcel depth or the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.</p>	<p>Plans indicate a portion of the second floor is located in the 3.0m stepback from the North property line.</p> 

Full sized drawings can be found on pages 89 - 92 of the board report.

The full Bylaw Check can be found on pages 42 - 57 of the board report.

Applicable Legislation: Land Use Bylaw

Relaxations

Bylaw Discrepancies		
Regulation	Standard	Provided
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: (b) has a minimum total area of 20.0m ² ; and (d) 60.0% of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater.	Plans indicate the following amenity areas: Unit A – 18.92m ² (-1.08m ²); Unit B – 18.95m ² (-1.05m ²); Unit C – 18.48m ² (-1.52m ²); and Unit D – 17.79m ² (-2.21m ²). Relaxation supported: The amenity space was reduced due to the window wells not counting towards the required area.

Full sized drawings can be found on pages 89 - 92 of the board report.
The full Bylaw Check can be found on pages 42 - 57 of the board report.

Applicable Legislation: Land Use Bylaw Relaxations

Full sized drawings can be found on pages 89 - 92 of the board report.
The full Bylaw Check can be found on pages 42 - 57 of the board report.

Bylaw Discrepancies		
Regulation	Standard	Provided
341 Driveways	(2) A driveway connecting a street to a private garage must: (a) be a min of 6.0m in length along the intended direction of travel for vehicles measured from: (i) the back of the public sidewalk to the door of the private garage; or	Plans indicate a driveway length of 3.91m (-2.09m) from the back of the public sidewalk. Relaxation supported: The placement of the garage is solely due to the Enmax anchors that are situated in the lane. The applicant has spent considerable funds to relocate the anchors to make the lot feasible for development, either R-C2 or R-CG. There is no alternative due to the Enmax anchors.
	(2) A driveway connecting a street to a private garage must: (b) contain a rectangular area measuring 6.0m in length and 3.0m in width.	Plans do not indicate a driveway that contains a rectangular measuring 6.0m in length and 3.0m in width. As above.
	(6) In the developed area a driveway accessing a street must not be constructed, altered or replaced except where: (a) located on a laneless parcel; (b) located on a laned parcel and 50 % or more parcels on same block face have an existing driveway accessing a street; or (c) legally existing driveway not being relocated or widened.	Plans indicate a new driveway accessing the street where the parcel is laned and less than 50% of the blockface have an existing driveway accessing a street. As above.

Applicable Legislation: Land Use Bylaw

Relaxations

Full sized drawings can be found on pages 89 - 92 of the board report.
The full Bylaw Check can be found on pages 42 - 57 of the board report.

Permitted Contextual Use Rules		
Regulation	Standard	Provided
347.3 Permitted Use Rowhouse Building	(1) To be a permitted use a Rowhouse Building: (f) must not have windows on an exposed side façade of a unit that are located beyond the rear façade of a contextually adjacent building on an adjoining parcel unless: (ii) the glass in the window is entirely obscured; (iii) there is a minimum distance of 1.5m between the finished floor and the bottom of the window sill; or (iv) the façade that contains the window is setback a minimum of 4.2m from the side property line	Plans indicate an unobscured second storey window located beyond the rear façade of the main residential building of the adjoining North parcel.

Proposed Prior to Release (PTR) condition for consideration:

Add the following as **new Planning PTR #3**:

“3. Amend the plans by adding a note on the plan stating the second floor window of Unit D1 on the north elevation must be obscured glass.”

And renumber accordingly.

Summary

In the opinion of the Development Authority the proposed development:

- Complies with Council direction set out in the Municipal Development Plan, Killarney-Glengarry Area Redevelopment Plan and Land Use Bylaw 1P2007, with relaxations; and
- Would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

Planning & Development Report to
Calgary Planning Commission
2020 November 05

ISC: UNRESTRICTED
CPC2020-1207

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2037 – 32 Street SW, LOC2020-0126**

EXECUTIVE SUMMARY

This application was submitted on 2020 August 18 by New Century Design on behalf of the landowner, John Manuel Bettencourt. This application proposes to redesignate the site from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Contextual Grade-Oriented (R-CG) District to allow for:

- rowhouses in addition to the building types already allowed (e.g. single detached, semi detached, duplex homes and secondary suites);
- a maximum building height of 11 metres, about 2 to 3 storeys (an increase from the current maximum of 10 metres);
- a maximum of 4 dwelling units (an increase from the current maximum of 2 dwelling units); and
- the uses listed in the R-CG District.

The proposal conforms to the relevant policies of the [Municipal Development Plan \(MDP\)](#). To accommodate this proposal, a minor amendment to the [Killarney/Glengarry Area Redevelopment Plan \(ARP\)](#) is required.

No development permit application has been submitted at this time.

Planning & Development Report to
Calgary Planning Commission
2020 November 05

ISC: UNRESTRICTED
CPC2020-1207

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2037 - 32 Street SW, LOC2020-0126**

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed amendment to the Killarney/Glengarry Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw.
3. **ADOPT**, by bylaw, the proposed land use redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 2037 – 32 Street SW (Plan 1773FR, Block 1, Lot 1) from Residential – Contextual One / Two Dwelling District (R-C2) District **to** Residential – Grade Oriented Infill (R-CG) District; and
4. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 NOVEMBER 05:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed amendment to the Killarney/Glengarry Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the **Proposed Bylaw 56P2020**.
3. Adopt, by bylaw, the proposed land use redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 2037 – 32 Street SW (Plan 1773FR, Block 1, Lot 1) from Residential – Contextual One / Two Dwelling District (R-C2) District to Residential – Grade Oriented Infill (R-CG) District; and
4. Give three readings to the **Proposed Bylaw 163D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

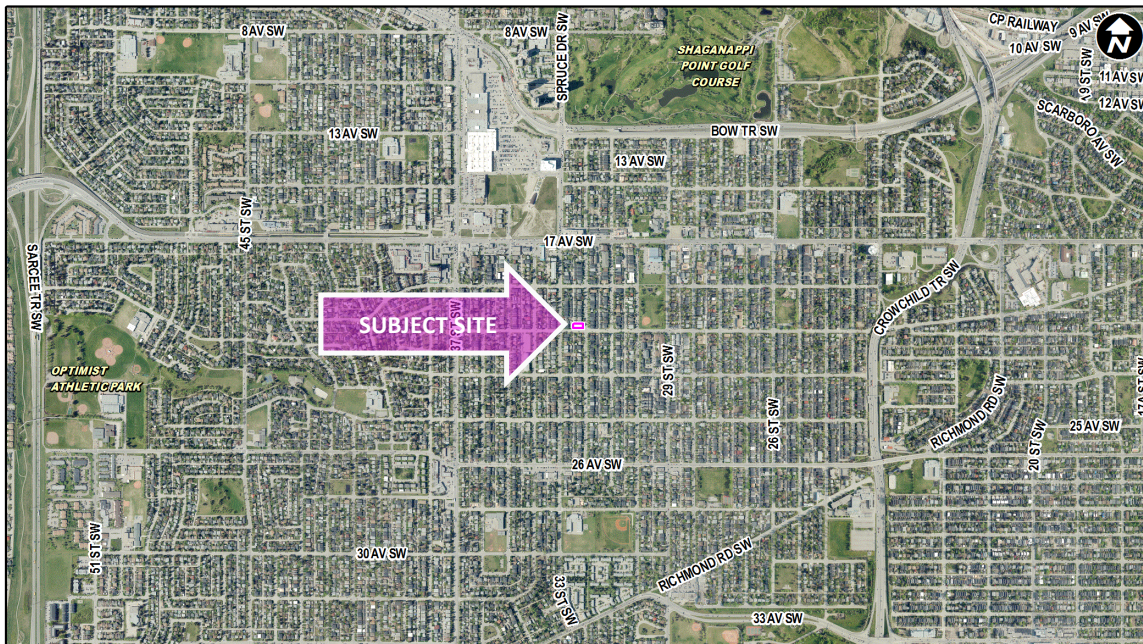
BACKGROUND

This land use application was submitted by New Century Design on 2020 August 18. A development permit has not been submitted; however, the applicant intends to build a future four-unit rowhouse development with four secondary suites, as described in the Applicant Submission (Attachment 1).

Planning & Development Report to
Calgary Planning Commission
2020 November 05

ISC: UNRESTRICTED
CPC2020-1207

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2037 - 32 Street SW, LOC2020-0126**



Site Context

The subject site is located north of 21 Avenue SW and west of 32 Street SW in the community of Killarney/Glengarry. The site is currently developed with a single detached dwelling and detached garage that was built in the 1950's. Adjacent to the site in all directions are single detached dwellings regulated by the R-C2 District. The site benefits from lane access. The site is relatively flat and approximately 0.05 hectares (0.12 acres) in size, with dimensions of approximately 15 metres by 36 metres.

As identified in Figure 1, the community of Killarney/Glengarry reached its peak population in 2019.

Figure 1: Community Peak Population

Killarney/Glengarry	
Peak Population Year	2019
Peak Population	7,685
2019 Current Population	7,685
Difference in Population (Number)	0
Difference in Population (Percent)	0%

Source: The City of Calgary 2019 Civic Census

Approval(s): S. Lockwood concurs with this report. Author: T. Schlodder
City Clerks: A. Degrood

Planning & Development Report to
Calgary Planning Commission
2020 November 05

ISC: UNRESTRICTED
CPC2020-1207

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2037 - 32 Street SW, LOC2020-0126**

Additional demographic and socio-economic information may be obtained online through the [Killarney/Glengarry](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This application proposes to redesignate the site from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade Oriented Infill (R-CG) District to facilitate a future rowhouse development. While the parcels immediately adjacent are R-C2, there are several R-CG lots to the north, within the same street block.

This application meets the objectives of the applicable policies as discussed in the Strategic Alignment section of this report.

Land Use

The existing R-C2 District accommodates residential buildings in the form of single-detached, semi-detached and duplex dwellings as well as secondary suite uses in applicable contexts. A maximum of two dwelling units per parcel and a maximum building height of 10 metres is allowed.

The proposed R-CG District is also a contextual low-density residential district that would allow for a maximum of four dwelling units with four secondary suites and a maximum contextual building height that ranges from seven to 11 metres. The applicant is pursuing this change so as to accommodate the future construction of a rowhouse development.

The proposed district is appropriate for this site, as the resulting building scale and forms are suitable for the surrounding low-density residential areas.

Development and Site Design

The rules of the proposed R-CG District will provide guidance for future site development including uses, building massing, height, landscaping and parking.

Transportation

Pedestrian and vehicular access to the site is available from 32 Street SW or 21 Avenue SW as well as direct access to the rear lane. The site is located approximately 600 metres (an approximately 10-minute walk) from Westbrook LRT Station. The site is approximately 370 to 470 metres away from bus stops, providing service throughout South Calgary, Mount Royal and Glendale, as well as into the Downtown Core and other LRT stations. There are no on-street parking restrictions.

Planning & Development Report to
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2020 November 05

ISC: UNRESTRICTED
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Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at 2037 - 32 Street SW, LOC2020-0126

Environmental Site Considerations

An Environmental Site Assessment was not required as part of this application.

Utilities and Servicing

Water, sanitary sewer and storm sewer mains are available to service the subject site.

Climate Resilience

The applicant has not identified any climate resilience measures as part of this application. Further opportunities to align future development on this site with applicable climate resilience strategies may be explored and encouraged at the development permit stage.

Stakeholder Engagement, Research and Communication

In keeping with Administration's practices, this application was circulated to stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

To date, 27 letters of opposition have been received by citizens and their reasons are summarized as follows:

- Not aligned with the [Killarney/Glengarry ARP](#);
- Increased density will have negative impact on community character;
- Increased density will create more traffic and on-street parking congestion; and
- Taller buildings will result in adjacent neighbors' loss of privacy.

The Killarney-Glengarry Community Association (CA) is neither in support or opposition of this application. The CA has requested that if this application is approved, that they be involved in applicant-led public outreach as part of the development permit process to address their concerns regarding privacy for neighbors across the lane, overall parking concerns and ensuring units are ground-oriented. The Community Association's letter is provided under Attachment 3.

Administration considered all comments as part of the review process and determined the following:

- The [Killarney/Glengarry ARP](#) typology policies, especially those of the Conservation/Infill typology do not align with current *Municipal Development Plan* intent or policies. In such circumstances, the MDP policies prevail;
- While the density of this parcel would increase from a maximum of two dwelling units to a maximum of four dwelling units, the proposed R-CG District is a low-density residential district, just as the R-C2 District is, which will ensure that the building form and scale is contextually sensitive to the surrounding parcels;

Approval(s): S. Lockwood concurs with this report. Author: T. Schlodder
City Clerks: A. Degrood

Planning & Development Report to
Calgary Planning Commission
2020 November 05

ISC: UNRESTRICTED
CPC2020-1207

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2037 - 32 Street SW, LOC2020-0126**

- Issues regarding traffic generation and parking requirements will be addressed to the satisfaction of the Development Authority at the development permit stage, and;
- The proposed R-CG District only allows for a maximum building height of 11 metres, which is a slight increase from the current 10 metres allowed by R-C2.

No Applicant-led engagement has been undertaken as part of this application. The applicant has informed the Killarney-Glengarry Community Association of their intent to undertake public outreach in the future as part of the development permit process. They've indicated that this outreach will involve the CA representatives and community residents. The applicant outreach summary is available under Attachment 4.

No City-led engagement was undertaken as part of this application.

Following a meeting of the Calgary Planning Commission, Commission's recommendation and the date of the Public Hearing will be advertised, posted on-site and mailed out to adjacent landowners.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy directions of the [South Saskatchewan Regional Plan](#) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the Calgary Metropolitan Region Board's [Interim Growth Plan](#). The proposed land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

This site is within the Residential – Developed – Inner City typology of the [Municipal Development Plan](#). Policy for this area encourages modest intensification in a form and nature that respects the scale and character of the surrounding neighborhood. Buildings should also maximize front door access to the street.

The proposed redesignation aligns with this policy direction, as development would be guided by a land use district that only allow for ground-oriented housing using building forms, scale and setback rules that respects the scale and character of the surrounding land uses.

Planning & Development Report to
Calgary Planning Commission
2020 November 05

ISC: UNRESTRICTED
CPC2020-1207

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2037 - 32 Street SW, LOC2020-0126**

Climate Resilience Strategy (2018)

The [Climate Resilience Strategy](#) identifies programs and actions intended to reduce Calgary's greenhouse gas emissions and mitigate climate risks. This land use application does not include any actions that specifically meet objectives of this plan, however, opportunities to align development of this site with applicable climate resilience strategies may be explored and encouraged at subsequent development application approval stages.

Killarney / Glengarry Area Redevelopment Plan (Statutory – 1980)

The site is within the Conservation / Infill Area typology of the [Killarney/Glengarry ARP](#). Policy for this area restricts new development to only single detached, semi-detached, duplex or other forms that would contain no more than two dwelling units.

To accommodate the proposed application, an amendment to the land use map in the [ARP](#) is required. The amendment will change the property's land use category from 'Conservation / Infill' to 'Low Density Townhousing' to allow for an increase in density and change in built form.

The *Killarney/Glengarry ARP* is currently under review by Administration as part of the [Westbrook Communities Local Growth Planning](#) initiative that includes Killarney/Glengarry and other surrounding communities. The multi-community planning process does not prohibit applications from being submitted.

While the project was originally launched in 2019 September, project and engagement timelines are being adjusted due to the COVID-19 pandemic and work being completed on the [Guidebook for Great Communities](#) and does not currently have an anticipated date for completion.

Social, Environmental, Economic (External)

The proposed land use district allows for a wider range of residential uses which may better accommodate the housing needs of different age groups, lifestyles and demographics.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Planning & Development Report to
Calgary Planning Commission
2020 November 05

ISC: UNRESTRICTED
CPC2020-1207

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2037 - 32 Street SW, LOC2020-0126**

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed district is in keeping with the applicable policies of the *Municipal Development Plan* by supporting a variety of housing types that respect the low density residential character of the area.

ATTACHMENT(S)

1. Applicant Submission
2. **Proposed Bylaw 56P2020**
3. Community Association Letter
4. Applicant Outreach Summary
5. **Proposed Bylaw 163D2020**

Applicant Submission

Clay Israelson
New Century Design

August 18, 2020

2037 32 ST SW is currently a single-family dwelling built in the late 1940's. The lot is located one block two block south of 17 Ave S on the NE corner of 32 St W & 21 Ave S. The lot is rectangular in shape and is approximately 15.24x36.63 with a detached garage accessed from the south on 21 Ave S. There is one large city tree in the boulevard just east of the lot.

The property is also located in close proximity to a variety of public transportation. 17th Ave S has multiple bus services and the Westbrook C-Train station is less then 600m away. Crowchild Trail is a short drive to the east and Bow Trail just to the north. Sarcee Trail is also close by to the west and will give access to the Calgary's soon to be completed ring road.

Within a short drive there are plenty of schools, at varying age ranges, and with the transit available it is a short ride to U of C, Mount Royal & AU Arts. Downtown is a short drive or transit trip which makes this a desirable lot for professionals as well as young families and continuing students.

Not only does this lot have easy access to roadways and transit, it also has some great amenities within Killarney. Killarney Aquatic and Recreation Centre is just to the east and is adjacent to a large park. Shaganappi Point Golf Course is just to the north and Westbrook Mall is adjacent to the aforementioned C-Train station. 17th Ave is one of Calgary's best known places for restaurants, shopping & services and continuing redevelopment along this corridor has led to densification in the adjacent communities.

This application is to redesignate from the existing R-C2 to a proposed R-CG, which would allow rowhouses with secondary suites. The future design proposal will be submitted concurrently with this application process, **with the intention of 4 rowhouse units, each with a basement suite.**

We believe that due to an abundance of nearby amenities, schools, bus and LRT transit, and open space, this parcel is in a perfect location for suited rowhousing. With three rowhouses on this lot, we will be able to provide four residences at a reasonable cost in an excellent neighbourhood as well as the opportunities for smaller and lower-cost basement suites that will allow a greater diversity of Calgarians the opportunity to buy and rent in Killarney.

For these reasons we feel that this lot has great potential for an R-CG development and we are hopeful that through community outreach and great design we can accomplish a project that is both suited to the neighborhood and is desirable for future Killarney residents.

PROPOSED

CPC2020-1207
ATTACHMENT 2

BYLAW NUMBER 56P2020

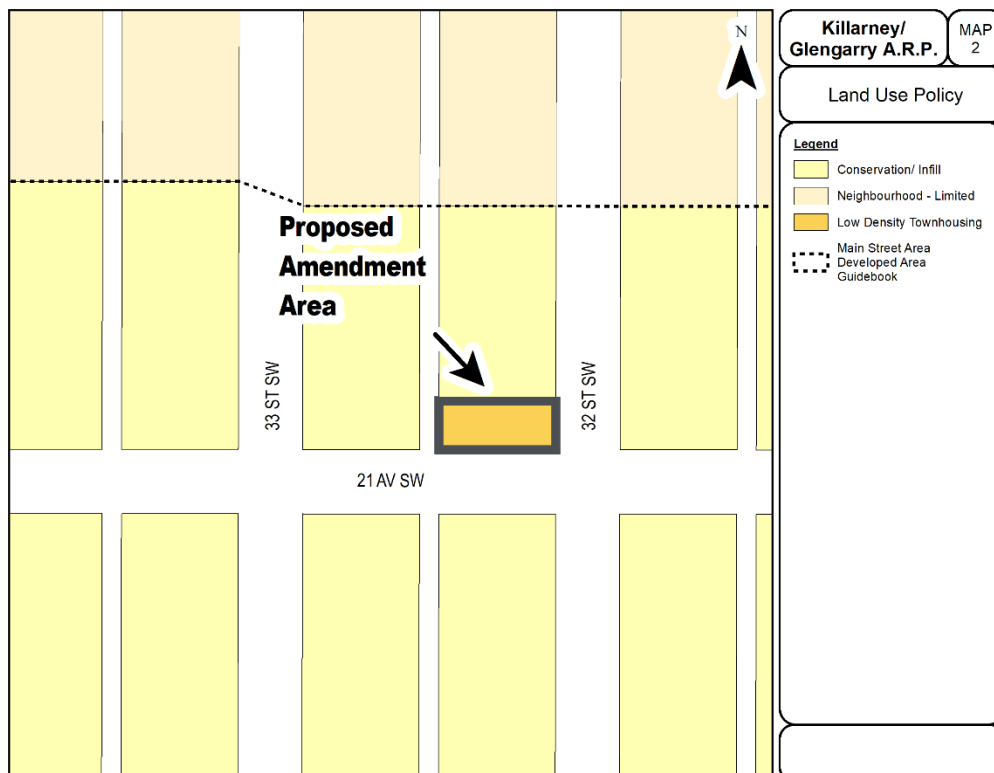
BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE KILLARNEY/GLENGARRY AREA REDEVELOPMENT PLAN BYLAW 16P85 (LOC2020-0126/CPC2020-1207)

WHEREAS it is desirable to amend the Killarney/Glengarry Area Redevelopment Plan Bylaw 16P85, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Killarney/Glengarry Area Redevelopment Plan attached to and forming part of Bylaw 16P85, as amended, is hereby further amended as follows:
 - (a) Amend Map 2 entitled 'Land Use Policy' by changing 0.06 hectares \pm (0.15 acres \pm) located at 2037 – 32 Street SW (Plan 1773FR, Block 1, Lot 1) from 'Conservation/Infill' to 'Low Density Townhousing', as generally illustrated in the sketch below:



140
PROPOSED

BYLAW NUMBER 56P2020

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

Community Association Letter

September 26, 2020

City of Calgary
PO Box 2100 Station M
Calgary Alberta
T2P 2M5

Attn: Tom Schlodder
Ref: LOC2020-0126

Dear City Council,

I am writing on behalf of the Killarney-Glengarry Community Association (KGCA) regarding LOC2020-0126.

The applicant's submission states that *"The future design proposal will be submitted concurrently with this application"*. Thus far the KGCA has not received a circulation notice for a Development Permit on this parcel. The KGCA looks forward to receiving a circulation notice for a Development Permit upon the application's submission.

The applicant's submission also states that intention is to develop four (4) rowhouse units, each with their basement suite for a total of eight (8) dwelling units. The current Killarney-Glengarry Area Redevelopment Plan Bylaw 16P85 (KGARP), identifies this parcel as *"Conservation/Infill"* which does not align with the proposed R-CG redesignation as the Conservation/Infill is intended for:

2.1.2 "...the form and density allowed under the existing R-1 and R-2 Land Use Bylaw districts which includes single-family detached, semidetached, duplex and converted structures containing no more than two units."

In order to ensure that the proposed redesignation aligns with the KGARP, prior to this application proceeding to Public Hearing an amendment to the KGARP is required. The amendment should include changes to Map 2 so that the lands are identified as either *"Low Density Townhousing"* or *"Medium Density Stacked Townhousing"*. This is due to the eight (8) units being proposed on the property in a rowhouse format. It should be noted that Map 2 includes similar amendments for other R-CG parcels within the community.

Should the KGARP amendment and redesignation be approved by Council, The KGCA requests the following be addressed by the applicant at the time of Development Permit application:

Parking be addressed

The applicant's submission states that the intent is for four (4) row house units each with their own basement suite. Land Use Bylaw 1P2007 (LUB) requires a minimum of eight (8) parking stalls for this type of development, one (1) for each unit. Given the dimensions of the parcel, there does not appear to be sufficient space to accommodate the minimum LUB required parking.

www.killarneyglengarry.com   

Community Association Letter**All vehicular access be provided from the rear lane**

This will enhance safety in the area by removing the need for curb cuts along 21 Ave SW and 32 St SW, thereby reducing potential pedestrian/vehicle conflicts along the sidewalk.

The main floor of units be located at grade and not above garages

This will provide for eyes on the street towards 21 Ave SW and 32 St SW from the dwellings, remove the need for numerous curb cuts, and provide for a better urban design interface along both streets.

Screening at the rear of the unit closest to the laneway

Within R-CG developments, the main floor rear windows/door of the unit closest to the lane typically directly overlooks the backyards of the rest of the block; in this case directly north into neighbouring backyards. Screening in the form of frosting/semi-transparent glass, privacy walls, and/or landscaping should be used to reduce potential overlooking.

If there are any questions with regards the above please do not hesitate to reach out and discuss.

Sincerely,

Sean MacLean BURPI RPP MCIP
Director of Development
Killarney-Glengarry Community Association
403-619-0094

Applicant Outreach Summary

October 19, 2020

Re: 2037 32 St SW - R-C2 to R-CG

The outreach for this application has been quite brief thus far and has consisted of a being in communication with the community association and informing them of our intention to complete a series of public outreach events including: meeting with the CA and proposing the application along with a media package with some of our previous R-CG designs, completing a mail drop to surrounding homes and sharing a recently designed webpage with basic information & FAQs about R-CG developments & zoning. We will also be adapting our outreach as needed to best suite the feedback we receive throughout the process.

The Killarney Community Association's position is to neither support or oppose the application but they would like to be involved in the public outreach and to work with us throughout the development permit process to ensure that the concerns of local residents have been heard and taken into account during design.

It is our intention to make use of the Community Association's offer to assist us in conducting future outreach and ensure that we have heard from members of the community who have not yet had a chance to share their opinions, ask questions and inquire for further information.

Regards,

Clay Israelson

New Century Design Inc. (Applicant)

PROPOSED

CPC2020-1207
ATTACHMENT 5

BYLAW NUMBER 163D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2020-0126/CPC2020-1207)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefore that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____
READ A SECOND TIME ON _____
READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

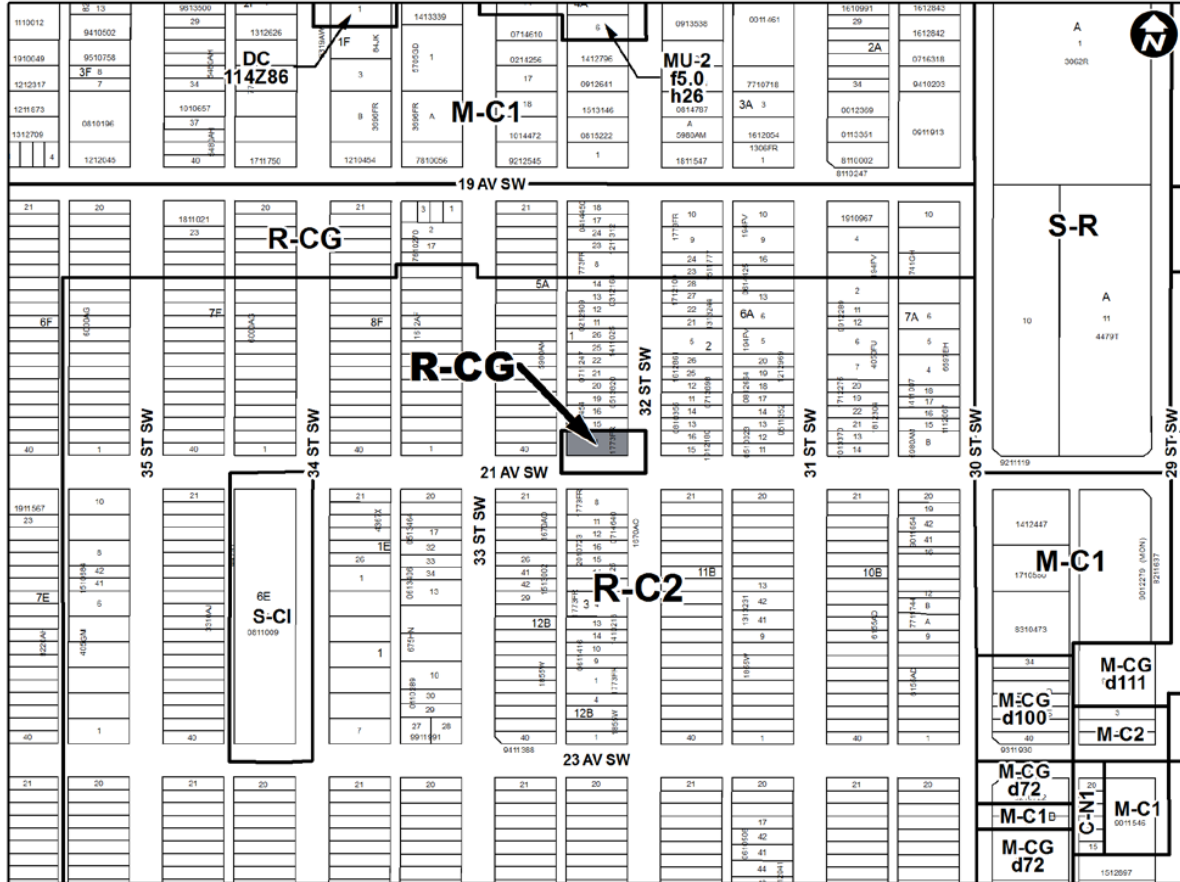
**AMENDMENT LOC2020-0126/CPC2020-1207
BYLAW NUMBER 163D2020**

The map displays a grid of streets and building footprints in San Francisco. Key streets shown include 15th St, 16th St, 17th St, 18th St, 19th St, 20th St, 21st St, 22nd St, 23rd St, 24th St, 25th St, 26th St, 27th St, 28th St, 29th St, 30th St, 31st St, 32nd St, 33rd St, 34th St, 35th St, 36th St, 37th St, 38th St, 39th St, 40th St, 41st St, 42nd St, 43rd St, 44th St, 45th St, 46th St, 47th St, 48th St, 49th St, 50th St, 51st St, 52nd St, 53rd St, 54th St, 55th St, 56th St, 57th St, 58th St, 59th St, 60th St, 61st St, 62nd St, 63rd St, 64th St, 65th St, 66th St, 67th St, 68th St, 69th St, 70th St, 71st St, 72nd St, 73rd St, 74th St, 75th St, 76th St, 77th St, 78th St, 79th St, 80th St, 81st St, 82nd St, 83rd St, 84th St, 85th St, 86th St, 87th St, 88th St, 89th St, 90th St, 91st St, 92nd St, 93rd St, 94th St, 95th St, 96th St, 97th St, 98th St, 99th St, 100th St. Building footprints are shown with lot numbers and street names. A north arrow is in the top right corner. The map is titled '15th Street' and 'San Francisco'.

146 PROPOSED

AMENDMENT LOC2020-0126/CPC2020-1207
BYLAW NUMBER 163D2020

SCHEDULE B



Site Photos SDAB2021-0083



Looking east from lane at the rear of the house and garage, showing Enmax pole and guy wire.

148



Looking north at garage and side of existing house from 21 Avenue SW

149



View from 21 Avenue SW looking directly north

150



View from 21 Avenue SW looking NW at the existing House and Garage

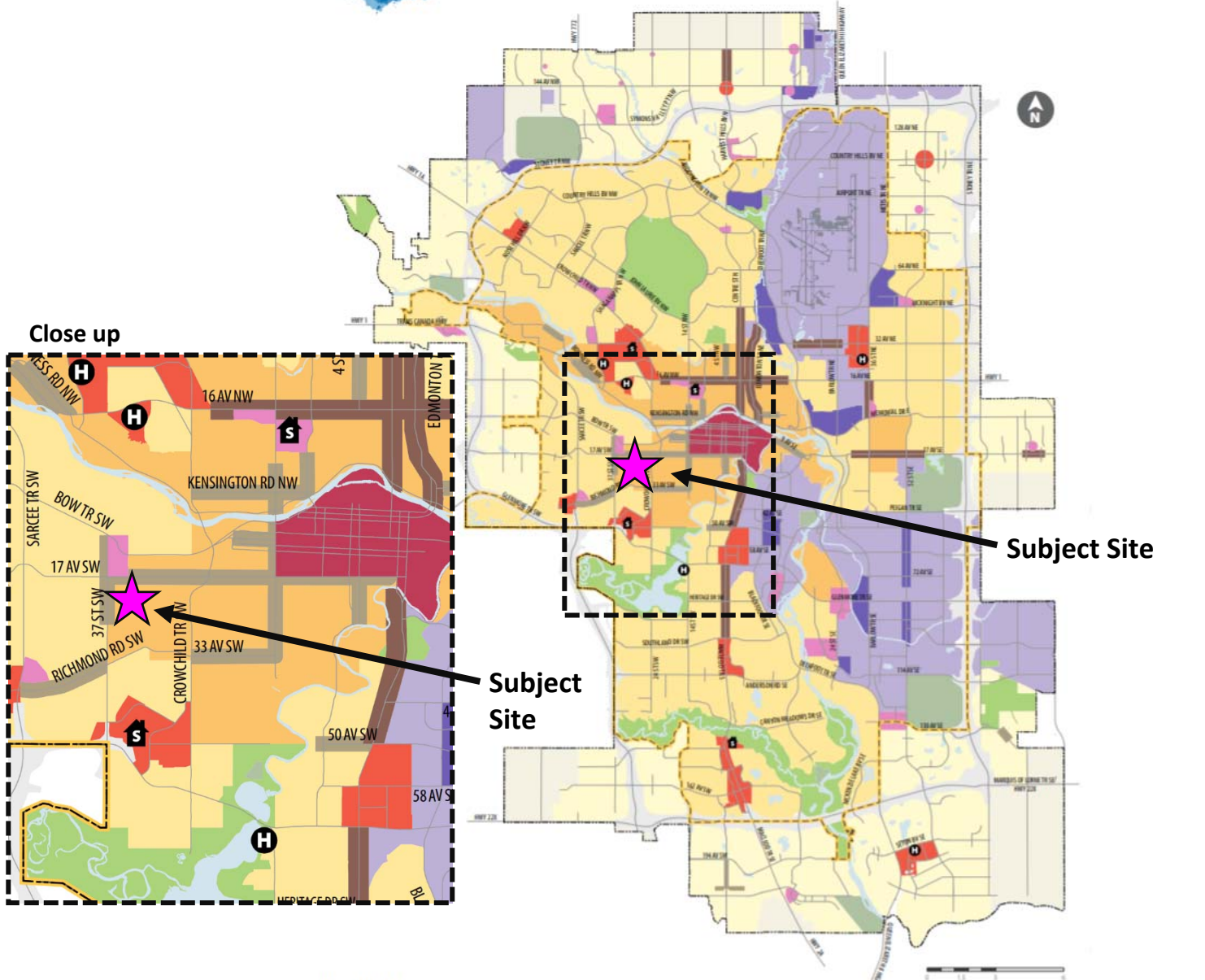
151



Looking west to front of the property

Municipal Development Plan Policies

1 Urban Structure



2.2.5 STRONG RESIDENTIAL NEIGHBOURHOODS

Objective

Reinforce the stability of Calgary's neighbourhoods and ensure housing quality and vitality of its residential areas.

Residential communities are not static. They evolve over time as demographics shift and buildings age, offering an opportunity to review and accommodate changing community needs. Understanding this community dynamic can help develop plans and strategies to stabilize local population fluctuations, support predictability for the market, guide public reinvestment and ensure long-term viability of local services and facilities.

Outside of the Greater Downtown, Activity Centre and Main Street areas, low to moderate density infill development can be accommodated to support the efficient use of land, infrastructure and services as well as enhance housing choice and affordability. In many cases, public infrastructure and transit service are already in place to support redevelopment. Calgary's older residential areas present some of the best opportunities to accommodate infill development, increasing the range of housing for families and individuals within areas that take advantage of existing infrastructure, transit and existing amenities such as local retail, schools, parks and community services.

Intensification should be accommodated within existing communities in a sensitive manner. In commercial areas, infill and redevelopment can create more cohesive and vibrant neighbourhoods. Integrating new development with existing buildings can enhance or fill in gaps in the street wall to improve the vitality, appearance and security of streets and public spaces.

The City promotes infilling that is sensitive, compatible and complementary to the existing physical patterns and character of neighbourhoods.

Policies

Neighbourhood infill and redevelopment

- a. Encourage growth and change in low-density neighbourhoods through development and redevelopment that is similar in scale and built form and increases the mix of housing types such as accessory suites, semi-detached, townhouses, cottage housing, rowhousing and other ground-oriented housing.
- b. Support development and redevelopment that provides a broader range of housing choice in local communities to help stabilize population declines and support the demographic needs of communities
- c. Encourage higher residential densities in areas of the community that are more extensively served by existing infrastructure, public facilities and transit, appropriate to the specific conditions and character of the neighbourhood.
- d. Encourage redevelopment that incorporates natural infrastructure solutions and shared energy efficiencies (See Section 2.6).

3.5.1 GENERAL POLICIES FOR DEVELOPED RESIDENTIAL AREA

Policies

The following policies apply to all Developed Residential Areas and are general in nature. Policies that are unique to the Inner City Area and the Established Area follow after this section.

Land Use Policies

- a. Recognize the predominantly low density residential nature of Developed Residential Areas and support retention of housing stock, or moderate intensification in a form and nature that respects the scale and character of the neighbourhood. Local commercial development within residential areas, that is of a scale and intensity that supports residents' commercial needs is supported.
- b. Redevelopment within predominantly multi-family areas should be compatible with the established pattern of development and will consider the following elements:
 - i. Appropriate transitions between adjacent areas.
 - ii. A variety of multi-family housing types to meet the diverse needs of present and future populations.
- c. Redevelopment should support the revitalization of local communities by adding population and a mix of commercial and service uses.

Mobility Policies

- d. For multi-family housing, encourage parking that is well integrated into the residential environment (e.g., consider landscape buffering, smaller lots).
- e. When designing new streets or retrofitting existing streets, use the Complete Streets policies in the CTP.
- f. Ensure that high-quality pedestrian and cyclist connections and facilities are provided from the Developed Residential Area and linked to adjacent areas of higher intensity development (i.e., Neighbourhood Main Streets and Neighbourhood Activity Centres).
- g. Areas beyond the Primary Transit Network will be served with Base Transit Service, with opportunities for enhancing frequency of service as required.

3.5.2 INNER CITY AREA

The Inner City Area comprises residential communities that were primarily subdivided and developed prior to the 1950s. Key features of these areas are a grid road network, older housing stock in the form of low to moderate housing densities and a finer mix of land uses along many of the edge streets. The Inner City Area has undergone redevelopment in recent years. Much of this intensification has taken place along busier roads and as low density infilling within lower density areas. Intensification and change will continue to occur within the Inner City Area; however, it is important to maintain stable family neighbourhoods.



Typical Inner City Area Development Pattern

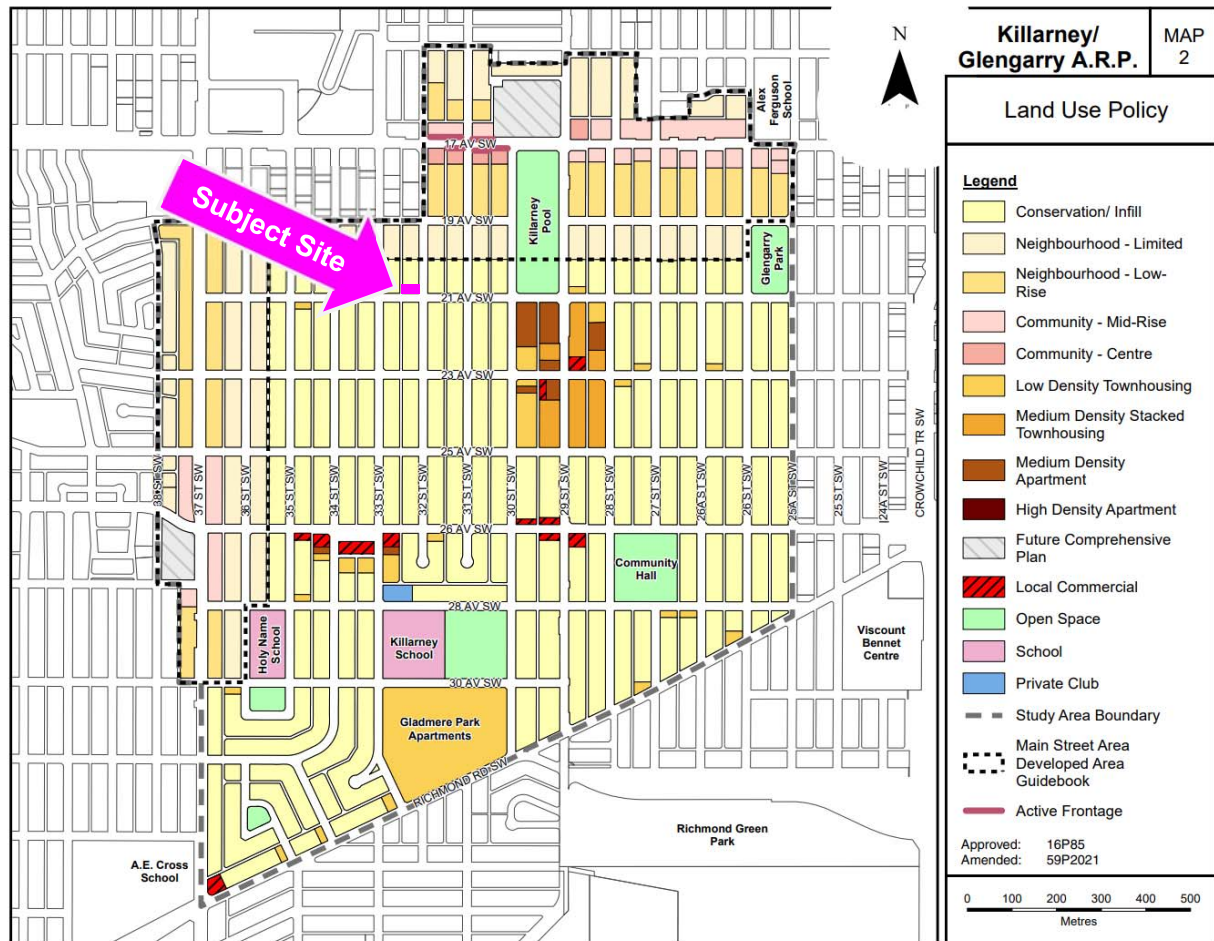
Land Use Policies

- a. Sites within the Inner City Area may intensify, particularly in transition zones adjacent to areas designated for higher density (i.e., Neighbourhood Main Street), or if the intensification is consistent and compatible with the existing character of the neighbourhood. Transition zones should be identified through a subsequent planning study.
- b. A range of intensification strategies should be employed to modestly intensify the Inner City Area, from parcel-by-parcel intensification to larger more comprehensive approaches at the block level or larger area.
- c. Maintain and expand, where warranted by increased population, local commercial development that provides retail and service uses in close proximity to residents, especially in the highest density locations.
- d. Buildings should maximize front door access to the street and principal public areas to encourage pedestrian activity.
- e. Encourage at-grade retail to provide continuous, active, transparent edges to all streets and public spaces.

Mobility Policies

- f. Transit stops should be easily accessible and, where possible, integrated with adjacent multi-family residential or retail buildings.

Killarney-Glengarry Area Redevelopment Plan Policies



Townhouse Development

Townhouse and stacked townhouse development as proposed for Killarney/Glengarry would be permitted in a range of medium density development of up to 111 units per hectare (45 units per acre). This policy offers the opportunity for higher density development while requiring a built form more compatible with the existing low density development than apartment development. In addition, by providing individual at-grade access to a substantial portion of the units and encouraging private open space, townhouse development can also provide suitable housing for families with children.

The RM-2 and RM-3 districts which would be used to implement this policy provide for maximum densities of 75 dwelling units per hectare (29 units per acre) and 111 units per hectare (45 units per acre) respectively. Since the Land Use Bylaw does not permit use of the RM-2 district outside of the inner city, a Direct Control (D.C.) designation with RM-2 guidelines would be used to implement the low density townhousing policy.

2.1.3 Policy

2.1.3.1 The Land Use Policy for Killarney/Glengarry is indicated on Map 2.

2.1.3.2 A Low Density single and two-family dwelling policy for development will continue to be applied to the areas presently designated R-2.

Deleted **BYLAW 16P2017**

Deleted **BYLAW 16P2017**

2.1.3.3 The existing D.C. site (25A Street S.W.) with RM-6 guidelines will retain its designation.

2.1.3.4 Non-conforming uses will be avoided wherever possible by ensuring that redesignations initiated by this ARP do not result in existing developments being redesignated to a lower density land use designation which would not allow such development.

2.1.3.5 Utility and road upgrading and other public improvements may be required as redevelopment occurs. Costs associated with such upgrading shall be the responsibility of the developer.

BYLAW 16P2017

2.1.4.2	D.C. (RM-2)	Townhousing/ Stacked Townhousing	<p>To demonstrate compatibility of new development with surrounding development, the following are to be encouraged:</p> <p>1. For single and two-family dwellings, development guidelines as in Section 2.1.4.1.</p>
2.1.4.2 Cont'd	District	Land Use Policy	<p>Development Guidelines</p> <p>2. For multi-family development:</p> <ul style="list-style-type: none"> a) front yard setback similar to surrounding properties; b) front yards used as landscaped space or amenity area and not for parking provision; c) retention of existing mature vegetation wherever possible; d) front building entry; e) berming or raised planting beds in combination with trees, shrubs and fences to screen surface parking and private amenity areas; f) compatible roofline, orientation and slope; g) building finishing materials, colour, design detail, and facade articulation and rooflines respecting existing building character; h) provision of 1.25 resident parking spaces and .15 visitor parking spaces per dwelling unit; i) as high a proportion of units with 2 or more bedrooms as possible.



Development Authority Response to Notice of Appeal

Appeal number: SB2021-0083

Development Permit number: DP2021-1828

Address: 2037 - 32 Street SW

Description: New: Rowhouse Building (1 building), Secondary Suite (1 building, 4 units), Accessory Residential Building (garage) - setback to side property line

Land Use: Residential – Grade-Oriented Infill (R-CG)

Community: Killarney/Glengarry

Jurisdiction Criteria:

Is this application subject to any license, permit, approval, or other authorization from the National Resources Conservation Board, the Energy Resources Conservation Board, the Alberta Energy Regulator, the Alberta Energy and Utilities Board, the Alberta Utilities Commission or the Minister of Environmental and Parks? **No**

DA Attendance: Yes

Notice Posted: Yes, 7 days

Objections: Yes, 1 letter of opposition from the Killarney Residents' Coalition noting concerns with the following:

- the elevations not meeting established design criteria;
- quality of style and finishes of the buildings;
- secondary suites being included;
- building mass, bulk and height will negatively impact the use and enjoyment of the adjacent property to the north;
- lack of shadow study; and
- loss of vegetation on the parcel.

Support: None received.

INTRODUCTION

This document was prepared in response to an appeal (SDAB2021-0083) against the approval of a 4-unit Rowhouse Building with 4 secondary suites located at 2037 - 32 Street SW granted by the Development Authority on 2021 October 20. The Response to Notice of Appeal is intended to provide a summary of the proposal, applicable legislation, review process, and rationale for any relaxations to Land Use Bylaw 1P2007 granted by the Development Authority.

Development Summary:

A development permit application (DP2021-1828) was submitted by New Century Design on 2021 March 19 for a two-storey, 4-unit Rowhouse Building with 4 secondary suites. The parcel is located at 2037 – 32 Street SW, on the corner of 32 Street SW and 21 Avenue SW in the community of Killarney/Glengarry.

The property is approximately 0.06 hectares in size with approximate dimensions of 15.2 metres wide by 36.5 metres deep. The site is currently developed with a one-storey single detached dwelling and a detached garage that is accessed from 21 Avenue SW due to the Enmax power pole along the lane.

The site is currently designated Residential – Grade-Oriented Infill (R-CG) District which allows for Rowhouse Buildings, as well as secondary suites. The district allows for a maximum height of 11.0 metres and a maximum density of 75 units per hectare. Surrounding land use districts in this area are predominantly Residential – Contextual One / Two Dwelling (R-C2) District, as well as Residential – Grade-Oriented Infill (R-CG) District located on the same block 90 metres to the north.

Applicable policies and regulations: The application was evaluated with respect to applicable statutory planning policies including:

- South Saskatchewan Regional Plan (Statutory – 2014)
- Municipal Development Plan (Statutory – 2009)
- Killarney-Glengarry Area Redevelopment Plan (Statutory – 1993)
- Land Use Bylaw 1P2007

Additional factors, considerations and rationale for the decision: The approved building aligns with the community vision of the Area Redevelopment Plan (ARP) and the specific intent of the land use district. It makes efforts to respect the additional constraints encouraged by the ARP and meets technical requirements to the satisfaction of the Development Authority. It is the opinion of the Development Authority that this is a reasonable development in compliance with policy that does not unduly interfere with adjacent properties.

Application Review:

Key development permit application review milestones include:

- Application received 2021 March 19
- Circulation 2021 March 30 – April 28

- DTR 1 issued 2021 April 28
- Amended plans received 2021 August 25
- Circulation 2021 August 25 – September 08
- Notice Posting 2021 September 29 – October 05
- Decision rendered 2021 October 20
- Decision advertised 2021 October 28

Circulation and Notice Posting


During the circulation period, the application was notice posted for seven days, and the following referees were circulated:


1. **Enmax** – responded indicating no objections.
2. **Ward Councillor** – responded indicating no objections.
3. **Building Regulations** – provided advisory comments regarding the Alberta Building Code that did not require amendment to the development permit plans.
4. **Killarney/Glengarry Community Association** – no response was received.

Notice Posting – The application was notice-posted for 7 days. In total 1 letter of objection was received indicating the concerns identified in page 1 of this response to appeal.

Administration took these comments into consideration as part of their review, noting that the massing and height of the rowhouse complies with Bylaw 1P2007.

Bylaw relaxations: The development, requires the following relaxations of the rules of the Land Use Bylaw:

Regulation	Standard	Provided
537 Building Setback from Front Property Line	<p>(2) On a corner parcel, the min building setback from a front property line may be reduced to:</p> <p>(a) the contextual front setback at the side property line shared with another parcel to a max of 6.0m; and</p> <p>(b) decreases in equal proportion with the increase in the distance from the shared side property line, to a min of 3.0m.</p>	<p>Plans indicate a portion of the second floor is located in the corner building setback chamfer from the front property line.</p> <p>Relaxation supported: as second floor projection into setback is very minimal at 0.09m (see below)</p> 
535 Building Depth	<p>(2) For a Rowhouse Building located on a corner parcel there is no max building depth where the building setback from the side property line shared with another parcel is a min of 3.0m for any portion of the Rowhouse Building located between the rear property</p>	<p>Plans indicate a portion of the second floor is located in the 3.0m stepback from the North property line.</p> <p>Relaxation supported:</p>

	line and 50.0% parcel depth or the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.	<p>As it is only the second floor (and not first floor) with a 0.5m projection into the setback area. A 2.47m setback (vs 3m) will have minimal impact on the neighbouring property.</p> 
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: (b) has a minimum total area of 20.0m ² ; and (d) 60.0% of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater.	<p>Plans indicate the following amenity areas: Unit A – 18.92m² (-1.08m²); Unit B – 18.95m² (-1.05m²); Unit C – 18.48m² (-1.52m²); and Unit D – 17.79m² (-2.21m²).</p> <p>Relaxation supported: The amenity space was reduced due to the window wells not counting towards the required area.</p>
341 Driveways	(2) A driveway connecting a street to a private garage must: (a) be a min of 6.0m in length along the intended direction of travel for vehicles measured from: (i) the back of the public sidewalk to the door of the private garage; or	<p>Plans indicate a driveway length of 3.91m (-2.09m) from the back of the public sidewalk.</p> <p>Relaxation supported: As per the applicant, the placement of the garage is solely due to the Enmax anchors that are situated in the lane. The applicant has spent considerable funds to relocate the anchors to make the lot feasible for development, either R-C2 or R-CG. There is no alternative due to the Enmax anchors.</p>
	(2) A driveway connecting a street to a private garage must: (b) contain a rectangular area measuring 6.0m in length and 3.0m in width.	<p>Plans do not indicate a driveway that contains a rectangular measuring 6.0m in length and 3.0m in width.</p> <p>Relaxation supported as above.</p>
	(6) In the developed area a driveway accessing a street must not be constructed, altered or replaced except where: (a) located on a laneless parcel; (b) located on a laned parcel and 50 % or more parcels on same block face have an existing driveway accessing a street; or (c) legally existing driveway not being relocated or widened.	<p>Plans indicate a new driveway accessing the street where the parcel is laned and less than 50% of the blockface have an existing driveway accessing a street.</p> <p>Relaxation supported as above.</p>
345 Accessory Residential Building	(1) The min. building setback for an Accessory Residential Building is: (a) 1.2m from a side or rear property line shared with a street; OR	<p>Plans indicate an Accessory Residential Building setback of 0.0m (-1.2m) from the South side property line shared with the street.</p> <p>Relaxation supported as above.</p>

	(5) The min. distance between any façade of an Accessory Residential Building 10.0m ² or more and a main residential building or a building containing a Secondary Suite is 1.0m	Plans indicate a separation distance of 0.80m (-0.20m) between the Accessory Residential Building and the second floor of Unit D. Relaxation supported.
	(6) The height of an Accessory Residential Building must not exceed: (b) 3.0m at any eaveline, when measured from the finished floor of the building; and	Plans indicate an Accessory Residential Building indoor wall height of 3.16m (+0.16m). <i>It should be noted that the indoor wall height was measured to the top of fascia as a building section was not provided.</i> Relaxation supported
347.3 Permitted Use Rowhouse Building	(1) To be a permitted use a Rowhouse Building: (f) must not have windows on an exposed side façade of a unit that are located beyond the rear façade of a contextually adjacent building on an adjoining parcel unless: (ii) the glass in the window is entirely obscured; (iii) there is a minimum distance of 1.5m between the finished floor and the bottom of the window sill; or (iv) the façade that contains the window is setback a minimum of 4.2m from the side property line; and	Plans indicate an unobscured second storey window located beyond the rear façade of the main residential building of the adjoining North parcel. This discrepancy was missed at the Detailed Team Review stage. The applicant is willing to add a prior to release condition to the Conditions of Approval stating the plans be amended to add a note stating the second floor window of Unit D1 on the north elevation must be obscured glass.

From: clay <clay@newcenturydesign.ca>
Sent: Monday, November 29, 2021 2:35 PM
To: Seymour, Brendyn
Cc: Wishlow, Kristen D.; Ganczar, Lindsey; Shawn Jensen
Subject: [EXT] Re: DP2021-1828 - Appeal

Brandon,

Yes we would definitely be willing to add that in and we should have included it in the first place! I have also added New Century Design's owner and principal Shawn Jensen to this email chain to keep him in the loop.

Thanks,

Clay Israelson
 New Century Design
 403 244 9744

On Nov 29, 2021, at 2:30 PM, Seymour, Brendyn <Brendyn.Seymour@calgary.ca> wrote:

Hi Clay,
 Thanks for this. You are correct. We totally missed including this discrepancy in the DTR.

Could you please confirm that you agree in principle to the following new Prior to Release condition to add obscured glass? This additional condition will be submitted to the SDAB board with the request that it be included in the CoA.

- "Amend the plans by adding a note on the plan stating the second floor window of Unit D1 on the north elevation must be obscured glass."

Also, I have cc'd Kristen and Lindsey who will be presenting this DP to SDAB on behalf of The City.

Thanks Clay.

BRENDYN SEYMOUR MAUD, RPP, MCIP
 Planner II, Centre West Area
 Community Planning
 Planning & Development
 The City of Calgary | Mail code: #8075
 T 587.576.4310 | F 403.268.2941 | calgary.ca
 5th Floor, Municipal Building, 800 Macleod Tr. S.E.
 P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

Please note my new phone number

ISC: Protected

From: clay@newcenturydesign.ca <clay@newcenturydesign.ca>
Sent: Monday, November 29, 2021 12:15 PM
To: Seymour, Brendyn <Brendyn.Seymour@calgary.ca>
Subject: Re: [EXT] File #DP2021-1828 - approved design and conditions

Hi Brandon,

Looking back at the DTR plans your are right in that the obscure glass was not labeled and I don't believe it was brought up in the DTR either. We implement obscure glass on any window past the rear wall of a neighbouring building on all our R-CG designs but it wax clearly missed here. I can provide you with a revised set of plans with that labeled if that helps at all.

Is there anything else I can do to help out or would it be beneficial for us to have a brief conversation? Let me know when you have a chance.

Thanks,

Clay Israelson
New Century Design
403 244 9744

On Nov 29, 2021, at 12:01 PM, Seymour, Brendyn <Brendyn.Seymour@calgary.ca> wrote:

Hi Clay,

Quick question for you as I am preparing our response to the appeal. You mentioned in #3 below the obscure glass. I don't see on the plans a label regarding this glass will be obscured. Can you clarify?

BRENDYN SEYMOUR MAUD, RPP, MCIP
Planner II, Centre West Area
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5th Floor, Municipal Building, 800 Macleod Tr. S.E.
P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

Please note my new phone number

ISC: Protected

From: clay@newcenturydesign.ca <clay@newcenturydesign.ca>
Sent: Wednesday, November 17, 2021 10:40 AM
To: Seymour, Brendyn <Brendyn.Seymour@calgary.ca>
Subject: Re: [EXT] File #DP2021-1828 - approved design and conditions

Brendyn,

List of design characteristics to minimize impact on neighbouring lot:

1. Unit D, closest to the lane, has the joists hung off of the foundation wall instead of typically being on top of the wall. I did this to minimize the height, massing and shadowing on the neighbouring lot. Basically this means that Unit D's main floor is very close to grade while other homes along the block are typically raised 2-3' from grade and would cast a longer shadow than our design.
2. Maintaining a 3m setback from the shared PL means that the majority of shadowing will fall on to our own lot and not on to the neighbours.
3. Obscure glass used in all windows past the rear wall of the neighbouring lot. This is regular practice for infills and is meant to remove the overlooking/privacy concerns for development that wish to employ the buildable area towards the rear of the lot.
4. Window placement has been designed so that there is only one window on the upper level which overlooks the neighbouring yard and as mentioned this window will be obscured glass. The other upper level bedrooms windows have been moved to face the garage. On the main level there is a sliding patio door which accesses small framed landing and a 12" drop to grade. The other window which would have faced the neighbouring rear yard has been moved to face the garage to minimize privacy loss for the neighbour.
5. In terms of community context we designed a traditional style row house and stayed away from both a third level and the large massing seen in other developments along 21 Ave to the east and west. Multiple letters of opposition mentioned concerns about a 3 storey cement box which is clearly not the case for this design.
6. Through significant investment we employed the use of a driveway facing 21 Ave which minimizes the number of vehicles accessing the lane. This was a concern mentioned by multiple residents as they had experienced lane congestion and safety concerns when leaving their garages.
7. Along the shared PL there is also a proposed 6' tall fence to mitigate any privacy concerns.

If there are any questions or if I can assist in providing insight to our design please let me know.

Thanks,

Clay Israelson
New Century Design
403 244 9744

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Appeal Board rec'd: January 1, 2022
Submitted by: Dr. C. Bulanda, Neighbour

From: Dr. Catherine S. Bulanda <csb17@telus.net>
Sent: Saturday, January 1, 2022 4:16 PM
To: Calgary SDAB Info
Subject: [EXT] Support for Appeal #SDAB2021-0083

Follow Up Flag: Follow up
Flag Status: Flagged

To The Subdivision and Development Appeal Board,

My name is Dr. Catherine S. Bulanda and I have resided at 2040 33rd St SW for over 20 years. Unfortunately, I was not able to attend the previous appeal meeting on December 9, 2021 (and did not submit my opposition as I was not speaking) and will be unable to attend the meeting on January 20th, 2022. I will be serving Calgarians by seeing my patients at that time. I respectfully request that my email letter be distributed and/or read to all members of the Appeal Board and to all parties involved in this matter.

I am VEHEMENTLY OPPOSED to the proposed development by New Century Design at 2037 32nd St SW. There are a multitude of reasons why this development will create more problems for not only the current residents of this area but COSTLY problems for the City.

It is clear that this area does not have the appropriate infrastructure to support a potential 8 unit structure; 4 main suites with 4 secondary suites. I will outline briefly the main issues of infrastructure. Over the past few years, there have been multiple sewerage backups at 2040, 2042, 2036 and 2032 33rd ST SW due to the development of the duplexes on the west side of 33rd St SW. This was stated by the City's own Water department who had to replace the water main at 33rd St SW and 21 Avenue in 2020. On March 15th, 2020, I had a severe sewer backup that was the result of this issue. I was left for 4 days without running water or sewerage service. The City's Water department visited my home 4 times in 4 days to finally discover that the problem was on the main line under 33rd St SW. The Water Department was fabulous to me. I cannot say enough good things about them. However, I was without water or sewerage for 4 days at the beginning of the COVID pandemic. When the paving crews had to repave the torn up street, after the water main repair, both the Foreman and the Water Dept. Fellow said the problem was from the newly built duplex and its connection to the system. So, I ask you, in simple math terms, instead of a possible 3 or 6 toilets and showers going into the sewerage/waste water lines if a duplex or single house was built at 2037 32nd St SW, how do you think at least 12 toilets and 12 showers or baths, not to mention all the sinks are going to NOT OVERLOAD the current infrastructure? If you allow the current proposed structure to proceed, I guarantee you, there will be more backups requiring costly repairs to be done by the City in several departments. This will outweigh any increased tax revenue or utilities revenue from the 4/8 proposed dwellings instead of the appropriate 2 dwellings that should be built on this property. And, the potential health and safety risks with sewerage backups and lack of running water needs no explanation.

The same issue of overload is concerning the sanitation carts. There is already a problem with spacing and carts, as well as missed service. The Sanitation Department cannot handle the current number of carts in the alley right now. This past summer, I did not have my black cart taken in over 6 weeks. The Sanitation Department missed my black cart 3 times in a row. My neighbours have had similar experiences with the black, blue and green cart service. You can check my file, to see this was NOT the first time this has happened to my property. I have had to call 311 to report the lack of service multiple times over the years. Again, in simple math terms, you are looking at going from 3 carts for 2037 32nd St SW up to 12 carts in the alley. There is currently not consistent service for the existing 15 carts in this area by the Sanitation Department and you now want to add 9 more carts. That would be a total of 24 carts in an alley that currently cannot handle the space capacity or the service as it is. Can you imagine the concentrated smell that will result from the additional carts in such a small space? The risk to the current residents and any new residents to the area from improper sanitation is astounding.

Building a massive 8 unit complex in this area will also negatively affect the currently strained parking situation and increase traffic leading to accidents. Many people use 21st Ave to go from East to West in Kilarney and the corner of 21st Ave and 33rd St is a prime accident corner. There are many obstructions due to parked cars and accidents

constantly occur. I even had a person drive through my front hedge, a few years ago, to avoid a collision. I came home to a partially destroyed hedge and tire tracks across my front lawn. It didn't take Sherlock Holmes to figure out what had happened. Visitors and work people to anyone's houses now have difficulty finding parking. Adding 4 or 8 more cars to this area, plus their visitors or work people, will only cause more potential accidents, more frustration and less tolerance, leading to potential aggressive confrontations between neighbours. How does that foster community spirit? It also puts Calgarians' safety at risk.

As well, building a 3 storey, multi unit structure in the middle of a family neighbourhood just eclipses the surrounding properties and reduces our privacy. Some of these structures have already been placed on the periphery of Kilarney but there is no way this proposed structure will not negatively affect this particular spot and does not belong there. This proposed structure is NON-COMPLIANT with the Residential Infill Housing Guidelines. In fact, this proposed structure has NEVER MET even the new guidelines for development. And that is evidenced by the fact that NINE RELAXATIONS of the RCG zoning standards were given to accommodate this structure. Why was that done? Doesn't that tell you right there that this proposed structure WILL NOT FIT and DOES NOT BELONG at 2037 32nd ST SW? You would never dream of allowing such a structure in the middle of Scarboro or Glamorgan or Wildwood? It is equally not acceptable at this particular location in Kilarney. Perhaps, it is better suited for the periphery of the community and not the center of it.

I respectfully implore the Members of the Appeal Board to reconsider the proposed 8 unit structure being submitted by New Century Design. Please have them re-design and downsize this proposed structure to something that would fit appropriately at this location such as a duplex. I am confident that this Appeal Board will do the right thing and choose to put the safety and welfare of the current residents and any future residents of this area above the intentions of a real estate developer.

Thank you for allowing me to "voice" my concerns. I appreciate your time and consideration with this matter.

Signed,

Dr. Catherine S. Bulanda BSc DPM FACFAS
2040 33rd St SW
Calgary, Alberta
T3E 2S8

Appeal Board rec'd: January 7, 2022
Submitted by: G. Kosowan, Neighbour

From: Grant Kosowan <grantkosowan@shaw.ca>
Sent: Friday, January 7, 2022 12:33 PM
To: Calgary SDAB Info
Cc: Michelle; Monika Galecki
Subject: #SDAB2021-0083 / 2037 32 Street SW

Follow Up Flag: Follow up
Flag Status: Flagged

Good Day Mr. Seymour,

We have been advised that despite numerous letters and overwhelming community opposition, a conditional permit was approved for the above noted development.

It would appear that the City of Calgary permitting department has completely ignored a comprehensive appeal made by the Killarney Resident Coalition, which is comprised of over 20 surrounding residents that are negatively impacted by the proposed development. It has been suggested that "more letters and opposition" may now be needed for the appeal board. We find this request offensive in light of the substantial efforts and communications that have already been submitted by community members to defend / uphold an existing zoning. Not only has our opposition to maintain R2 zoning on this location been disregarded, but the fact that multiple relaxations to new RCG zoning requirements have been now been added/allowed is utterly reprehensible. The onus is on city planners to preserve and comply with existing regulations/zoning and if you fail to do so, we will consider all legal avenues including an injunction to uphold the current laws. If it comes to this, we will also consider seeking damages on a personally named basis of any city file managers involved that fails to uphold zoning and protect communities and residents from special interests of developers as it relates to this application.

The surreptitious nature of pushing through this permit while granting numerous zoning relaxations in the face of extensive community opposition is unacceptable in every sense of the term.

I am available at the number below should you wish to discuss further.

Regards,
Grant

Grant Kosowan
403 519 5000
2212 32 street SW Calgary, Alberta
grantkosowan@shaw.ca