REPORT TO THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

DATE: ~~September 16, 2021~~; October 14, 2021	**APPEAL NO.: SDAB 2021-0062** **FILE NO.: DP2021-4642**
APPEAL(S) BY: Catherine Inglis	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY where a **Addition: Single Detached Dwelling (main floor – rear)** **was approved at <u>123 Thames Close NW</u>**	**LAND USE DESIGNATION: R-C1** **Discretionary**
COMMUNITY OF: Thorncliffe	**DATE OF DECISION: August 4, 2021**
APPLICANT(S): Jeff Rogers – Ultimate Renovations	**OWNER(S): Albert James (Jim) and Vera Joan Benedict**

The hearing commenced on September 16, 2021 with consideration of procedural and jurisdictional issues. At the request of the appellant/applicant, the Board adjourned the hearing to October 14, 2021.

<u>Notes:</u>

- 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.

Subdivision & Development APPEAL BOARD

NOTICE OF APPEAL
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

CC 821 (R2014-01)

In accordance with Sections 678 and 686 of the Municipal Goverment 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	Order Number	Online Form Processed
10388017	35988312	2021-08-30 7:08:19 AM

Site Information

Municipal Address of Site Under Appeal	Development Permit/Subdivision Application/File Number
123 THAMES CLOSE NW	DP2021-4642

Appellant Information

Name of Appellant	Agent Name (if applicable)
CATHERINE INGLIS	

Street Address (for notification purposes)
119 THAMES CLOSE NW

City	Province	Postal Code	Residential Phone #
CALGARY	ALBERTA	T2K 5L1	403-815-3004

Business Phone #	Email Address
	cinglis22@gmail.com

APPEAL AGAINST

Development Permit	Subdivision Application	Notice of Order
☑ Approval	☐ Approval	☐ Notice of Order
☐ Conditions of Approval	☐ Conditions of Approval	
☐ Refusal	☐ 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.

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons:

This development will have a detrimental impact on the enjoyment of my backyard for the following reasons:
Shade: the project will create a sold 13 foot high wall to run between the house and current garage causing portions of my yard that now get plenty of sun to get none at all. I will have to replant trees and shrubs currently in place because they are not suited to full shade.
View & Openness: currently I have the pleasure of seeing large mature trees and parkland when I look SW through the gap between my neighbour's house and garage. I will lose this view completely and along with that a sense of openness and connection to the park and my community - a connection that I currently cherish.
Neighbourly connection: This solid wall running the length of my property will eliminate any sense of safety gained through being able to keep an eye on one another's property.

Other considerations:
Norm for the neighbourhood: A solid structure running the length of the property is not the norm for this neighbourhood. Almost every house has a detached laneway garage with an open space between them. That is what is expected in this area. It is quite likely this development will decrease the value of my property. Who would want a 13' wall running the length of their property? One might expect this in the inner city, but not in this area.
Lot coverage: this development will cause the maximum lot coverage to be exceeded for this zone. Max = 40%, this develpment will result in 46% lot coverage

In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

Estimated presentation time (minutes/hours)	Will you be using an agent/legal counsel?
30 MINUTES	☐ Yes ☑ No ☐ Unknown

Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.)
☐ Yes ☑ No ☐ Unknown

If yes, what are the issues?

Do you anticipate bringing any witnesses/experts to your hearing?	If yes, how many will you be bringing?
☐ Yes ☑ No ☐ Unknown	

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)	SDAB Appeal Number	Fee Paid	Hearing Date (YYYY MM DD)	Date Received
2021 09 04	SDAB2021-0062	☑ Yes ☐ No	2021 09 16	August 30, 2021

3

Reason for Appeal	
Reason	This development will have a detrimental impact on the enjoyment of my backyard for the following reasons: Shade: the project will create a sold 13 foot high wall to run between the house and current garage causing portions of my yard that now get plenty of sun to get none at all. I will have to replant trees and shrubs currently in place because they are not suited to full shade. View & Openness: currently I have the pleasure of seeing large mature trees and parkland when I look SW through the gap between my neighbour's house and garage. I will lose this view completely and along with that a sense of openness and connection to the park and my community - a connection that I currently cherish. Neighbourly connection: This solid wall running the length of my property will eliminate any sense of safety gained through being able to keep an eye on one another's property. Other considerations: Norm for the neighbourhood: A solid structure running the length of the property is not the norm for this neighbourhood. Almost every house has a detached laneway garage with an open space between them. That is what is expected in this area. It is quite likely this development will decrease the value of my property. Who would want a 13' wall running the length of their property? One might expect this in the inner city, but not in this area. Lot coverage: this development will cause the maximum lot coverage to be exceeded for this zone. Max = 40%, this development will result in 46% lot coverage Accuracy of drawings submitted: The elevation drawing submitted for this side of the development is not accurate. It does not show the slope of the land and shows the current deck height 2.5'. The correct deck height is 3.0' next to the house. Please do not allow this development - A solid 13' high structure running the length of my property, blocking light, views, and connection to my neighbourhood will be devastating.

Appeal Board Received: September 8, 2021
Submitted by: C. Inglis, Appellant

September 8th, 2021

To the members of the Subdivision and Development Appeal Board, (SDAB2021-0062)

I Catherine Inglis, owner of the property at 119 Thames Close NW, appeal development permit DP2021-4642 re: 123 Thames Close NW, due to the negative impact it will have on the enjoyment and use of my backyard, for the deviation from the norm for the neighbourhood, and for the potential to negatively impact my property value.

Jim and Joan Benedict have been my neighbours to the SE for 40 years. About a decade ago, they undertook a major rebuild of their house. Until that time there was no garage on the property at all. Thus, I enjoyed a very open backyard with a panoramic view of Egert's park; the garden and trees of neighbours across and down the alley; and of Nose Hill in the distance. With the complete rebuilding of this house nearly a decade ago, a plan for a front drive attached garage was blocked by the City. I was in favour of this front drive garage, because it preserved the openness of my backyard and the panoramic view I enjoyed. At that time, I submitted written support of their appeal, but SDAB did not approve their application and a laneway garage was the only option. This was unfortunate for me, but certainly everyone is entitled to a garage.

Towards the owner's goal of achieving an "age-in-place" property, they constructed a raised deck so that access between house and garage would have little to no steps. This required raising the deck 3ft above grade. They also wanted a low-maintenance chain link fence and I agreed to this to soften the view of the underside of the deck from my property, and the view of deck furniture I have planted two small Japanese Lilac trees, a Sutherland Caragana and some small shrubs. I intentionally did not create more of a barrier in order not to lose my remaining view of the large mature trees of Egert's Park and of Nose Hill further on.

I am vehemently opposed to the Benedict's current plans to construct what might be called an "outdoor living room" complete with fireplace and large screen TV because the wall housing these features will be on my side of the property and will run the full distance from house to garage. The connection of the house to the garage, and the height of the current deck means that this will create a continuous structure running the full length of the property; 26m of the 33m of the shared property line. The deck wall section will be over 13' above grade due to the height of the current deck.

This structure will negatively impact me in the following ways:

1. **LOSS OF MY VIEW OF EGERT'S PARK, MATURE TREES, GRASS AND MORE…**

   Being over 13' high, the wall will loom large over my yard and will significantly obstruct my view of mature trees and grass in Egert's Park, and a slice of Nose Hill in the distance. I not only enjoy the view from my backyard deck, but every morning when I pull my drapes, I take in the view of a neighbour's garden further up the alley as well as checking for bad weather in the distance over Nose Hill. Please see Appendix I for supporting photos.

2. **LOSS OF OPENNESS AND CONNECTION TO THE COMMUNITY…**

I value and cherish openness and connection to the community. It is very important to my well-being, more so now that I live alone. This structure will eliminate all chance of spontaneous connection to the current residents and to any future residents of 123 Thames Close (the kind of connections that occur over the backyard fence).

LOSS OF CRITICAL AFTERNOON AND EVENING SUNSHINE…

I had hopes to conduct a proper shade study for this submission, but due to time constraints, I was unable to do this. I have included a few pictures (see Appendix II) to illustrate the significant amount of afternoon sun that will be lost to me. Sunshine that is critical to the health and survival of plants and lawn grass in my yard and that provides a measure of evening warmth on my deck. The angle of the property is such that my house casts shade on the SE side of the yard until around mid-day after which the yard can get a good dose of sunshine from mid-day to early evening when the sun goes behind the garage. This impact will be even greater in the shoulder seasons when the sun is lower, and in winter I am not sure if my yard, nor my deck, nor my second-floor bedroom will get any sunlight at all. Changes to current landscaping, including the trees will be required.

3. NORM FOR THE NEIGHBOURHOOD AND PROPERTY VALUE…

The norm in this neighbourhood is modest houses with detached laneway garages and a small yard between house and garage (see Appendix III). It is what one expects to see when choosing to live in a neighbourhood like this. There is simply no precedent for a continuous structure from front yard to laneway anywhere in the neighbourhood--certainly not on this street and this close to the park. Families buy into this sort of neighbourhood for the esthetic of bright, open and connected backyards – not for solid 13’ walls completely disconnecting them from their neighbours.

The subject development will create a unique characteristic to my property that I believe will reduce its value comparatively. I believe that a structure running the length of the property next door, looming over the backyard and blocking the sun, and that is also completely outside the norm for a neighbourhood, could do nothing but reduce the number of interested buyers and in turn the price one could realize upon the sale of their property.

4. ACCURACY OF DRAWINGS AND LOT COVERAGE …

The lack of accuracy and detail in the elevation sketches of wall facing my property concerns me. The indicated height of the existing deck is shown as 2.5’ when it is actually 3.0’. Although the slope of the land upwards towards the back of the garage may not be relevant to my appeal, this in conjunction with the misrepresentation of the height of the deck begs that question as to whether there are any other inaccuracies included in the plans.

In my original submission I stated that the maximum lot coverage for RC1 zoning was 40% and I realize now that this is incorrect, and the limit is 45%. During the 24-hour period that I was able

to view the drawings, I noted that they indicate the new lot coverage to be 46% which still exceeds the limit.

SUMMARY

The Benedict's, and I have been good neighbours for 40 years now without incident. I have, in the past supported all their property improvements, but the current plans will have such a variety of negative impacts, that I must protest. I will lose a view of nature, a sense of openness, and valuable sunshine for my trees and shrubs.

Benedict's already enjoy the absolute best view of Egert's Park as well as unparalleled access to it – with an additional raised deck on the park side of their house. Should they now erect a wall that will give them sole ownership of that vista.

Thank you for considering my position.

Catherine Inglis
Owner, 119 Thames Close NW

APPENDIX 1 – Loss of View:

Figure 1: Current View



Figure 2: After



APPENDIX II – Samples of Shade Coverage

Figure 3: Backyard shade September 6th, 09:22



Figure 4: Backyard shade September 4th, 13:15



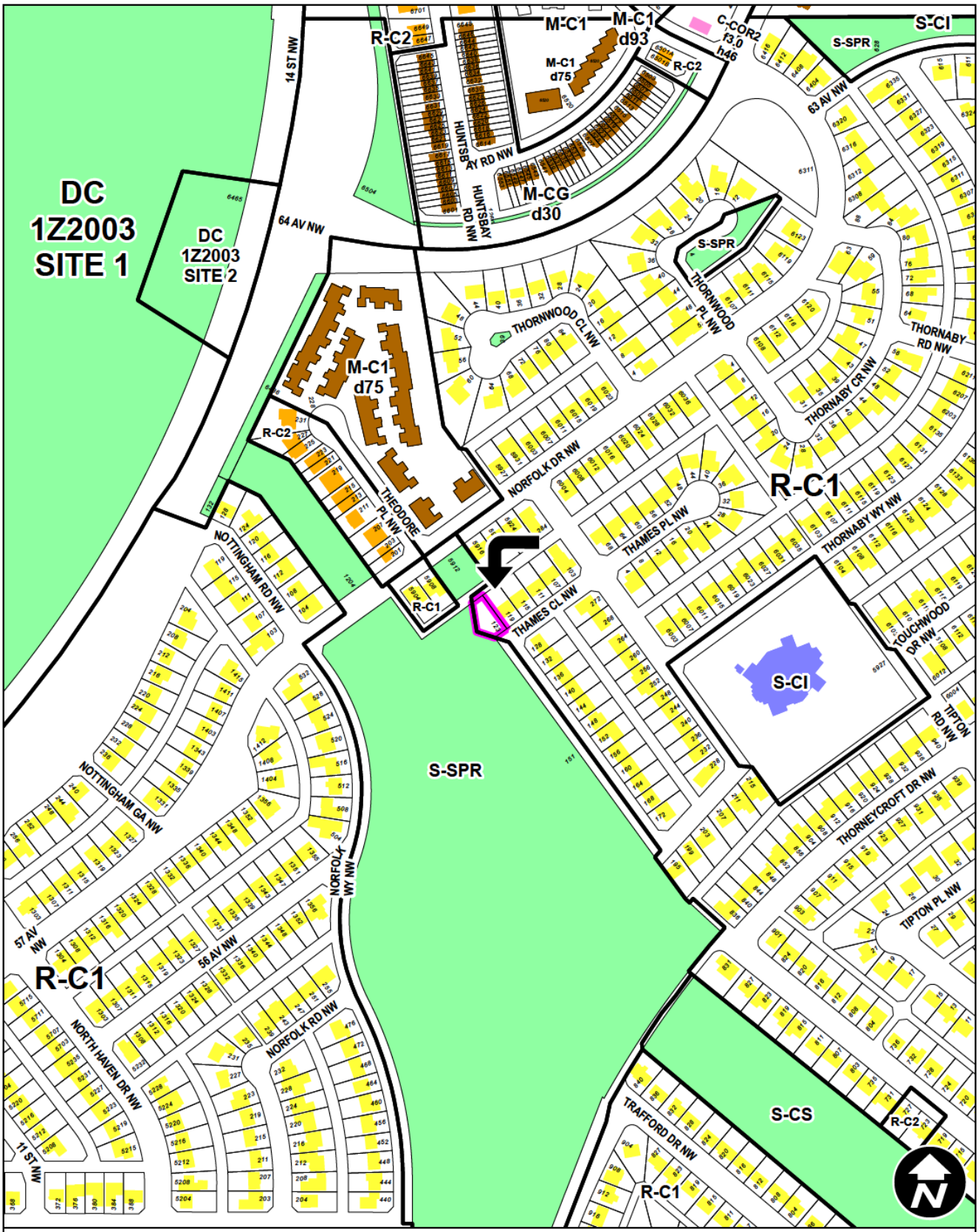
Figure 5: Backyard shade September 4th, 16:36



APPENDIX III – Neighbourhood Norm

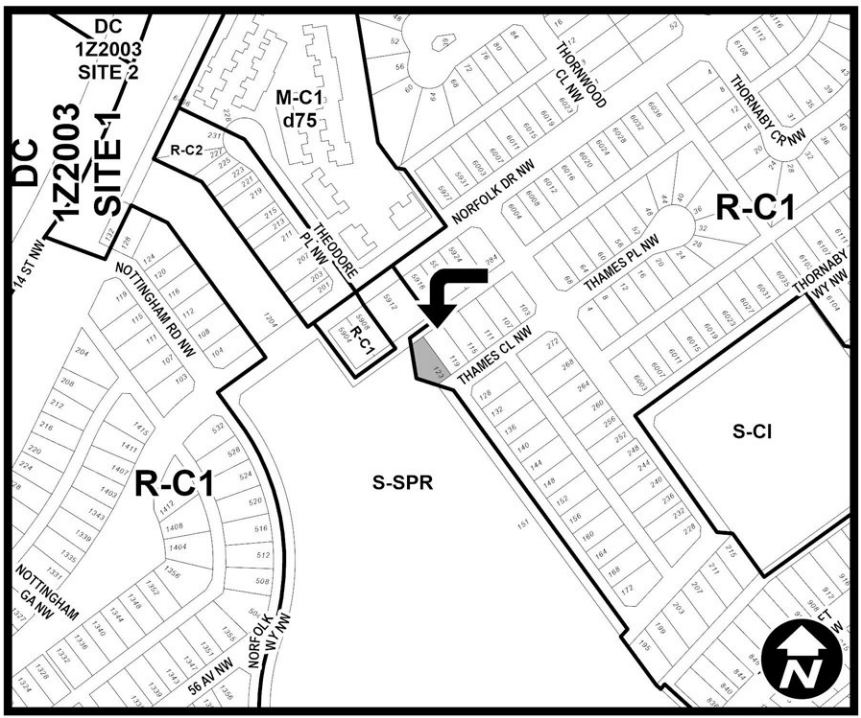
Figure 6: Yards of Neighbours facing NW





VUGRAPH - ITEM NO. SDAB2021-0062

SDAB2021-0062



SDAB2021-0062

August 4, 2021

ULTIMATE RENOVATIONS
Jeff Rogers
j.rogers@ultimaterenovations.com
(403) 714-3789

Dear Sir/Madam:

RE: Notification of Decision: DP2021-4642
Subject: Addition: Single Detached Dwelling (main floor - rear)
Project:
Address: 123 THAMES CL NW

This is your notification of decision by the Development Authority to approve the above noted application on August 4, 2021.

Read all of the Permanent Conditions of approval carefully as they form part of the approval decision. Advisory Comments, if applicable, are also attached and are intended to be of assistance in obtaining additional permits and supplementary information for the successful completion of your development.

Development approved by this permit must commence by August 4, 2023 or the development permit shall cease to be valid.

The decision will be advertised beginning August 12, 2021 at www.calgary.ca/publicnotices, which is the start of the mandatory 21-day appeal period. This appeal period will conclude at midnight September 2, 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, your Development Permit will be released. Should you require clarification of the above or further information, please contact me at 403) 333-5526 or by email at Sharon.vandeBurgt@calgary.ca and assist me by quoting the Development Permit number.

Sincerely,

Sharon Van De Burgt
Senior Planning Technician
Planning and Development
Attachment(s)

DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007

DP2021-4642

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

123 THAMES CL NW

Community: **Thorncliffe** L.U.D.:**R-C1**

and legally described as:

7510527;23;1

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

Addition: Single Detached Dwelling (main floor - rear)

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: **August 4, 2021**

Development Authority **Marie K Rupert**

File Manager: **Sharon Van De Burgt**

Release Date: _____

This permit will not be valid if development has not commenced by: August 04, 2023

This Development Permit was advertised on: **August 12, 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: **ULTIMATE RENOVATIONS**
Address: **5056 11 ST SE**
City: **CALGARY, AB, T2H2Y5**
Phone: **4032873122**

SDAB2021-0062

Complete Address and Legal Description listing for Development Permit DP2021-4642

Address Type	Address	Legal Description
Building	123 THAMES CL NW	
Parcel	123 THAMES CL NW	**7510527;23;1**

Conditions of Approval – Development Permit

Application Number:	**DP2021-4642**
Application Description:	Addition: Single Detached Dwelling (main floor - rear)
Land Use District:	Residential - Contextual One Dwelling
Use Type:	Discretionary
Site Address:	123 THAMES CL NW
Community:	THORNCLIFFE
Applicant:	ULTIMATE RENOVATIONS
Senior Planning Technician:	SHARON VAN DE BURGT - 403) 333-5526 - Sharon.vandeBurgt@calgary.ca

Permanent Conditions

The following permanent conditions shall apply:

Planning

1. 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.

2. 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.

3. 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.

4. No exterior wall or portion thereof can be removed or structurally altered unless identified on the approved plans released with this permit. Any exterior wall removal or alterations not approved by the floor plans released with this permit requires approval by a new Development Permit application.

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

5. 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.

6. The land use bylaw rule relaxation is only for existing structure(s) as shown on the approved plans. If the existing structure(s) are demolished and a new development is proposed, a new development permit application is required.

7. 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.

Home Improvement - Development Permit
==========
Application Submitted at: 2021 June 25 10:23:33 AM

Permit Type: Development Permit

Applicant Info and Project Location
==========
Project Location : 123 THAMES CL NW

Project Location Full Spell : 123 THAMES CLOSE NW

Applicant Information
****
I am the property owner : False

I am the licensed contractor : True

Contact Info

****
First Name : Jeff

Last Name : Rogers

Phone Number : 4037143789

Email : j.rogers@ultimaterenovations.com

Mailing Address

****
Address Line 1 : 5056 11 STREET SE

Address Line 2 :

City : CALGARY

Province : Alberta

Country : Canada

Postal Code : T2H 2Y5

What are you applying for?
==========

Selected Permits : Addition to house

Development Permit Detail
==========

****
******
Are any public trees affected by the project? : No

Input Data
****
******
Addition - Size (sq ft) : 481

Uploaded Document:
****
******
Document Type: : ARCHITECTURAL

Document Subype: : PLANS

Document Name: : 123 Thames Close - DP Drawings.pdf

Is Optional: : False

Is Personal Document: : False

Uploaded Document:
****
******
Document Type: : SUPPORTING DOCUMENT

Document Subype: : ABANDONED WELL

Document Name: : Abandoned Well Form.pdf

Is Optional: : False

Is Personal Document: : False

Uploaded Document:
****
******
Document Type: : SUPPORTING DOCUMENT

Document Subype: : PUBLIC TREE DISCLOSURE

Document Name: : Public Tree Disclosure Statement - form.pdf

Is Optional: : False

Is Personal Document: : False

Uploaded Document:
****
******
Document Type: : SUPPORTING DOCUMENT

Document Subype: : SITE CONTAMINATION

Document Name: : Site Contamination Form.pdf

Is Optional: : False

Is Personal Document: : False

Uploaded Document:
****
******
Document Type: : SUPPORTING DOCUMENT

Document Subype: : OTHER

Document Name: : standard-authorization-letter (3).pdf

Is Optional: : True

Is Personal Document: : False

Uploaded Document:
****
******
Document Type: : ARCHITECTURAL

Document Subype: : INFORMATION FORM

Document Name: : 123 Thames Close Proposed Site Plan.pdf

Is Optional: : True

Is Personal Document: : False

Uploaded Document:
****
******
Document Type: : SUPPORTING DOCUMENT

Document Subype: : REGISTERED DOCUMENT - OTHER

Document Name: : 123 Thames Close Existing Site Plan.pdf

Is Optional: : True

Is Personal Document: : False

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Applicant's Declaration
==========
Terms and Conditions : Online Services Terms of Use

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2. <u>Accuracy of Information Submitted</u>

You acknowledge and agree that your electronic submission of information to The City of Calgary ("The City") using this Online Application is true and accurate and is intended to be your permit application to The City.

3. <u>Consent to Electronic Decision</u>

I agree that The City can issue its formal decision to in electronic form (e.g. electronic mail) to the email address provided through the Online Application. If my email address changes I will advise The City of the new email address or provide a mailing address for the formal approval.

4. <u>Electronic Submission</u>

Except as may otherwise be required by The City, you must only submit, provide and accept information or records related to your application in electronic form and you will not re-submit your application in paper form. The City does not guarantee that the entire electronic permit application process will be completed electronically, and The City reserves the right in its sole discretion to require you to submit information and records relating to your application in paper form.

5. <u>Complete Application</u>

I acknowledge that The City may inactivate or cancel incomplete permit applications that do not contain all of the requested information at The City's sole discretion.

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Any rights you have to use this Online Services Site will terminate immediately upon any violation of these Online Services Terms of Use. The City may, in its sole discretion, temporarily or permanently terminate your access to and use of this Online Services Site, at any time, for any reason, without notice or liability to you. The City is not liable for any damages resulting from its termination of your access to, or use of, this Online Services Site.

14. <u>Copyright</u>

I acknowledge and understand that, as part of The City's process in reviewing, evaluating, and processing the permit application, The City will need to make available, in print and digital form, copies of the application materials to relevant City business units, members of City council, utility providers, other municipalities, municipal school Boards, relevant community associations/groups/organizations (including their boards of directors and planning committees), members of the general public, and any other external agencies or third parties whose input is required by The City in connection with the processing of your application. I hereby (i) consent to The City's copying, reproduction, distribution, and communication of the permit application materials, in any material form and via any medium, as required for the purpose of enabling The City to process your application; and (ii) certify that I am authorized and have the right to grant such consent.

15. Condominium Property

I have all authorizations required under the Condominium Property Act, RSA 2000, c C-22, as amended or replaced, the bylaws of the Condominium Corporation, and otherwise in law to apply for this application if it is respecting condominium property. I further agree to immediately notify The City, in writing, of any changes regarding this information.

From: Lee Madelaine on behalf of CAS ePermit
To: "j.rogers@ultimaterenovations.com"
Subject: City of Calgary – DP Hold - First Notice
Date: Saturday, July 3, 2021 7:51:51 PM
Attachments: CARL - Additions (June 2021).pdf
image003.png

---

cid:companylogo

Web: calgary.ca/pd
Phone: 403.268.5311 (8:00a.m. – 4:15pm, Monday to Friday)

Evening,

Your application, DO2021-4642 at 123 Thames CL NW, received on June 25, 2021 is incomplete. The following is required in order to move forward with your application:

- **Additional items – Please note that your project will remain on hold at intake until the required documents are submitted.** If the missing documents are not submitted within 20 days of the original application date, your application is subject to cancellation. If fees are also missing, the application will not be reviewed until fees have been paid. The items needed are (see attached document for a list of missing document requirements):
  - Please provide elevation drawings showing the proposed addition per the attached checklist.
  - **NOTE 1:** If we receive all the required information listed above, we will notify you in writing that the application is complete. Please note that we may, through further review of the application, request additional information as the application proceeds.
  - **NOTE 2:** We cannot accept documents submitted by a third party cloud service. Please add the required document(s) as a PDF attachment to your response.

Thank you for supporting our mission to maintain and improve building safety in Calgary.

From: Jeff Rogers <Jeff@ultimaterenovations.com>
Sent: Wednesday, July 7, 2021 3:32 PM
To: CAS ePermit
Subject: [EXT] RE: City of Calgary – DP Hold - First Notice
Attachments: 123 Thames Close - DP Drawings (Revised 07-07-21).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please see attached revised development drawings attached with left and right side elevation drawings included. Please let me know if there are any further details required.

Thanks,

Jeff Rogers A.T.
Design Manager
C 403.714.3789 UltimateRenovations.com
5056 – 11 Street SE | Calgary, AB | T2H 2Y5
11-Time "Renovator of the Year"

ULTIMATE RENOVATIONS SINCE 1979

From: CAS ePermit <CAS_ePermit@calgary.ca>
Sent: July 3, 2021 7:52 PM
To: Jeff Rogers <Jeff@ultimaterenovations.com>
Subject: City of Calgary – DP Hold - First Notice

Calgary

Web: calgary.ca/pd
Phone: 403.268.5311 (8:00a.m. – 4:15pm, Monday to Friday)

Evening,

SDAB2021-0062

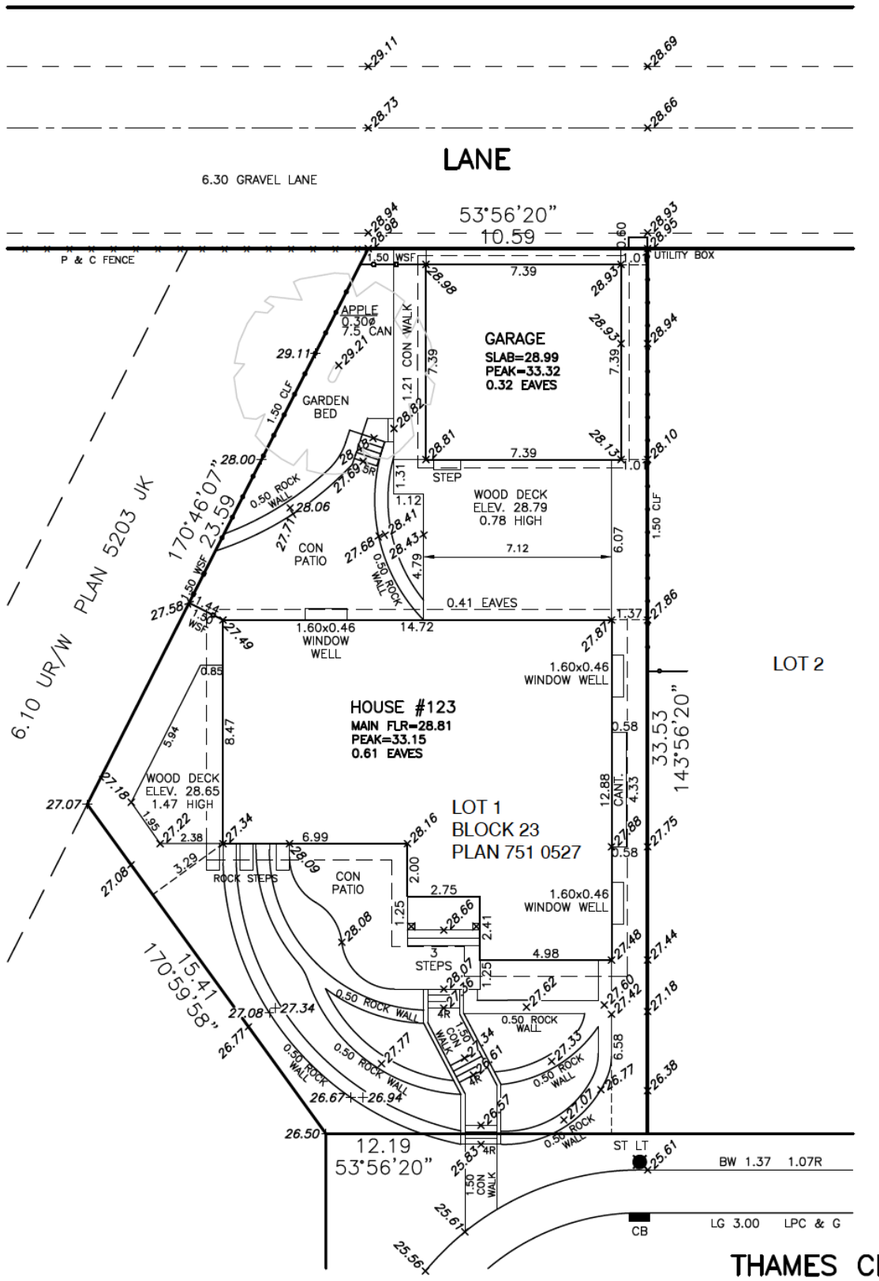
27

Your application, DO2021-4642 at 123 Thames CL NW, received on June 25, 2021 is incomplete. The following is required in order to move forward with your application:

- **Additional items – Please note that your project will remain on hold at intake until the required documents are submitted.** If the missing documents are not submitted within 20 days of the original application date, your application is subject to cancellation. If fees are also missing, the application will not be reviewed until fees have been paid. The items needed are (see attached document for a list of missing document requirements):
  - Please provide elevation drawings showing the proposed addition per the attached checklist.
  - **NOTE 1:** If we receive all the required information listed above, we will notify you in writing that the application is complete. Please note that we may, through further review of the application, request additional information as the application proceeds.
  - **NOTE 2:** We cannot accept documents submitted by a third party cloud service. Please add the required document(s) as a PDF attachment to your response.

Thank you for supporting our mission to maintain and improve building safety in Calgary.

NOTICE -
This communication is intended ONLY for the use of the person or entity named above and may contain information that is confidential or legally privileged. If you are not the intended recipient named above or a person responsible for delivering messages or communications to the intended recipient, YOU ARE HEREBY NOTIFIED that any use, distribution, or copying of this communication or any of the information contained in it is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and then destroy or delete this communication, or return it to us by mail if requested by us. The City of Calgary thanks you for your attention and co-operation.



LOT PLAN (Existing)

MUNICIPAL ADDRESS:
123 THAMES CLOSE NW, CALGARY, ALBERTA
LOT 1, BLOCK 23, PLAN 751 5027

City of CALGARY

PLAN
SHOWING

SURVEY for DEVELOPMENT PERMIT

AFFECTING

LOT 1, BLOCK 23, PLAN 751 0527
SEC. 4 TWP. 25 RGE. 1 W5M

Eave Fascia are shown thus ... --------
Fences are shown thus ... —X—X—
Building foundation shown thus ... ———
Property line shown thus ... ———
Utility Rights–Of–Way are shown thus ... ___ ___
Coniferous trees are shown thus ...
Shrubs are shown thus ...
Deciduous trees are shown thus ...

NOTES

Elevations are metric and are shown thus ... ×100.00
To obtain actual elevation add 1,100.
Elevations are referred to Alberta Survey Control Marker No. 174201 Elevation: 1121.936.
Boundary copied from Plan 751 0527
Positions of spot elevations are approximate.
Distances are in metres and decimals thereof.
Fences are within 0.10m of property line unless otherwise noted.

COPYRIGHT:

ALL IDEAS AND DESIGNS REPRESENTED BY THIS DRAWING ARE OWNED BY ULIMATE RENOVATIONS AND WERE CREATED FOR USE IN SPECIFIED PROJECT. NONE OF THE IDEAS AND/OR DESIGNS MAY BE USED BY OR DISCLOSED TO ANY OTHER PERSON OR ORGANIZATION FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF ULIMATE RENOVATIONS.

FIRM NAME AND ADDRESS:

Ultimate 1979 Renovations & Additions
5056-11STS.E.
CALGARY, ALBERTA
T2C2M7
PHONE: (403) 287-3122

PROJECT NAME AND ADDRESS:

BENEDICT RES DENCE
123 THAMES CLOSE NW,
CALGARY, ALBERTA

LOT 1, BLOCK 23, PLAN 751 0527

PROJECT No.:	ISSUE	DRAWING No.
200-26	0	A1b
DATE: MAY 2021		
SCALE: 1: 200		

Jim & Joan Benedict

owner(s)
Jim & Joan Benedict

contact name
123 THAMES CLOSE NW
[redacted]

[redacted]

[redacted]

[redacted]

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 123 THAMES CLOSE NW
property address

Please be advised that I, Jim & Joan Benedict 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

ULTIMATE RENOVATIONS and/or its JEFF ROGERS
agent or company name — applicant, consultant, contractor (if applicable)

to apply for any and all DEVELOPMENT AND BUILDING PERMITS
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.

date signed

signature of owner

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.

Updated 2016 June 15

Site Contamination Statement

Application # _____
for office use only

Site Address: 123 THAMES CLOSE NW

Legal Description: LOT 1 BLOCK 23 PLAN 751 0527

The information provided in this disclosure statement will assist the Development, Land Use and Subdivision Authorities in processing planning applications. The Authorities rely on the information provided in this statement to assist in determining the potential for site contamination, which may have been caused by current or historic activities.

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 inquiry and the thorough inspection and review of all documents and other information pertaining to the subject property. **Please be aware that further site assessments may be required as part of the review of your application.**

1. Are you aware of any environmental investigations (audits, assessments, tests, surveys or studies) for this site? ☐ Yes ☑ No

   If yes, please provide copy(s).

2. Are you aware of any environmental requirements associated with any previous planning applications on this site? (i.e. development permit, land use redesign or subdivision) ☐ Yes ☑ No

   If yes please provided a brief description and the associated development application number(s):

   _____

   _____

   _____

3. Has there been site remediation or a request for such on the site? ☐ Yes ☑ No

   If yes, please provide a brief description:

   _____

   _____

   _____

   _____

   _____

SDAB2021-0062

4. Are you aware of any regulatory actions, past or current, which have been applied to this site? ☐ Yes ☑ No

   Examples include (but are not limited to):
   - Environmental Protection Orders
   - Reclamation Orders or Certificates
   - Control / Stop Orders, fines, tickets or prosecutions
   - Violations of environmental statutes, regulations and bylaws
   - Administrative penalties and warning letters

   If yes, please describe and provide copies of relevant documents:

   _____

   _____

5. Have any permits been issued or are you currently operating under a license or approval issued by federal or provincial authorities (including, but not limited to the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board, Alberta Utilities Commission, Minister of Environment and Parks) or the Calgary Fire Department for activities which may impact the property? (e.g. certificates of approval, storage tank regulations, plant operating permits) ☐ Yes ☐ No

   If yes, please describe:

   _____

   _____

6. Has there been contact with Alberta Environment or Calgary Regional Health Authority regarding possible contamination on the site? ☐ Yes ☐ No

   If yes, please provided a brief description:

   _____

   _____

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. I am not aware of any other information that may indicate that the subject property is potentially contaminated.

18/06/21
Date

Applicant Signature

JEFF ROGERS
Applicant Name (Please Print)

ULTIMATE RENOVATIONS
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 & 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.

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:

a. Use the City's tree map (may not be up to date for your property)
b. Contact 3-1-1 to put in a "development tree inquiry" to get confirmation from an Urban Forester
c. 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: _____ Phone: _____

Email: _____

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.

Updated 2016 July 15

Calgary

Abandoned Well Declaration

Application # _____
for office use only

Site Address: 123 Thames Close NW

Legal Description: Lot 1 block 23 Plan 751 0527

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 ULTIMATE RENOVATIONS Contact Person JEFF ROGERS

   Address 5056 11 ST SE

   Phone 403-714-3789 Cell Phone _____ Email JEFF@ULTIMATERENOVATIONS.COM

SDAB2021-0062

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.

18/06/21
Date

Applicant Signature

JEFF ROGERS
Applicant Name (Please Print)

ULTIMATE RENOVATIONS
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 - Contextual One Dwelling (R-C1) (R-C1s)

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:	July 19, 2021
Date Received:	June 25, 2021
F/M:	**SHARON VAN DE BURGT**
BLC BY:	**JOSHUA PAUL**
Review Required:	COMPLETE
Markups Completed Electronically:	Yes - Refer to Livelink

D.P. #	**2021-4642**

For Internal Distribution Only

Modifier(s):	**F.A.R**		**Height**		**Density**		**ALL MODIFIER(S) ARE COMPULSORY (Cannot be relaxed)**

Project Description(s):	Addition: Single Detached Dwelling (Rear Sunroom and Attached Garage)

Floodway/Floodfringe/Overland Flow

DOES NOT APPLY

If applicable Complete Flood Sheet*

Airport Vicinity Protection Area (AVPA)

DOES NOT APPLY

Public Realm Setbacks					
Rd / St / Av		**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:
BP2014-08353 has existing garage height at 4.39m in height but current plans show it at 5.66m.

Page 2

Residential – Contextual One Dwelling

D.P. # 2021-4642

Rule	Requirements		Notes	Evaluation Provided/Variance	
397 Building Setback from Side Property Line	(1) For a laned parcel, the min. building setback from any side property line is 1.2m		south	1.44	0.24
			Attached garage - north	1.01	-0.19
	(2) For a laneless parcel, the min. setback is:	(a) 1.2m; or		N/A	
		(b) 3.0 m when no provision has been made for a private garage on the front or side.			
	(3) Corner parcel, the min. setback from a side property line shared with a street is 1.2m,	1.2m min. requirement to building			
	Provided there is no portion of a building, **except for a Eaves (337)** located within 3.0m of:	(a) the back of the public sidewalk; or (b) the curb, where there is no public sidewalk.			
	(4) Where a corner parcel shares a side property line with a street and the parcel forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980, the minimum building setback from that side property line is 1.2m				
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,				
	(1.2) (b) for all other uses:	(i) when located on a corner parcel;		C	N/C	N/A	N/I
		(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		C	N/C	N/A	N/I
		(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.		C	N/C	N/A	N/I
	(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.			C	N/C	N/A	N/I
	(3) Eaves may project a max. of 0.6m into any side setback area.			N/A	
	(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			

Page 3	(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 0.9m from the nearest front façade.							
	(9) Balconies and decks must not project into any side setback area;					C	N/C	N/A	N/I
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 façade *(Does not apply to 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)*								
398 Building Setback from Rear Property Line	(1) The min. setback from a rear property line is 7.5m				WEST	7.99		0.49	
338 Projections Into Rear Setback Area	(2) Awnings, balconies, bay windows, canopies, chimneys, decks, eaves, fireplaces, fire escapes, landings, porches, and ramps other than wheelchair ramps may project a max of 1.5m into any rear setback area.					N/A			
	(3) A private garage attached to a building may project without limits into a rear setback area provided it:	(a) does not exceed 4.6m in height, measured from the finished floor of the private garage;				5.66		1.06	
		(b) does not exceed 75.0m^2 in gross floor area for each Dwelling Unit located on the parcel.				54.63		-20.37	
		(c) has no part that is located closer than 0.60m to the rear property line; and				0.60		0.00	
		(d) has no eave closer than 0.6m to a side property line.				0.69		0.09	
	(4) When an attached private garage has a balcony or deck, the balcony or deck must not be located within 6.0 m of a rear property line or 1.2m of a side property line.					C	N/C	N/A	N/I
360 Building Height *(Method For Additions not to be noted as a bylaw relaxation)*	(5) The building height for an addition to a main residential building is measured from grade at any point adjacent to the addition when the addition is less than or equal to: *If the Addition does not meet the height by using 5 (a) or (b) Use 399*	(a) 7.5m in height from grade where the existing building has a walkout basement, and				N/A			
		(b) 6.0m in height from grade where the existing building does not have a walkout basement				3.61		-2.39	
390 Parcel Width	The minimum parcel width is 12.0m					20.31		8.31	
391 Parcel Depth	The minimum parcel depth is 22.0m					33.53		11.53	
392 Parcel Area	The minimum area of a parcel is 330.0m^2					543.12		213.12	
	In order for the exemption in section 25(2)(a) to apply to an exterior alteration or addition to an existing Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:								

365 Exempt Addition	(b) the addition may be a maximum of:							
	(i) 40.0m² in floor area for any portion at a height less than or equal to:	(A) 7.5m measured from grade where the existing building has a walkout basement; or (B) 6.0m measured from grade where the existing building does not have a walkout basement; and			**42.8**		**2.8**	
	(ii) 10.0m² in floor area for any portion not exceeding the highest point of the existing roof;				**N/A**			
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**
		(c) there is no enclosed floor area or balcony located directly above the roof of the porch.			**C**	**N/C**	**N/A**	**N/I**
393 Parcel Coverage	The max. parcel coverage is 45.0% of the area of a parcel, which must be reduced by 21.0 m² for each required motor vehicle parking stall that is **not** provided in a private garage.				**%**		**%**	
	45% X **543.12** Parcel Area minus Required Stalls X 21m² = **244.40** Max. Coverage				**45.94%**		**0.94%**	
	Parcel Coverage Totals				**m²**		**m²**	
	House	**Addition**	**Garage(s)**	**Other**	**Total**			
	194.87		**54.63**		249.50	**249.50**		**5.10**

FILE: DP 2021-4642

DATE RECEIVED : June 25, 2021

Bylaw Discrepancies		
Regulation	**Standard**	**Provided**
397 Building Setback from Side Property Line	(1) For a laned parcel, the min. building setback from any side property line is 1.2m	Plans indicate a side setback of 1.01m (-0.19m)
338 Projections Into Rear Setback Area	(3) A private garage attached to a building may project without limits into a rear setback area provided it: (a) does not exceed 4.6m in height, measured from the finished floor of the private garage;	Plans indicate a rear attached garage height of 5.66m (+1.06m)
393 Parcel Coverage	The max. parcel coverage is 45.0% of the area of a parcel, which must be reduced by 21.0 m2 for each required motor vehicle parking stall that is not provided in a private garage.	Plans indicate a parcel coverage of 45.94% (+0.94%) and 249.50 sqm (+5.10 sqm)

Community Association Feedback Form

File Number: **DP 2021-4642**
Name of Planning Representative/s who filled out this form: **Patrick Saunders**
Community Association: **Thorncliffe Greenview Community Association**
Date Returned: **Wednesday August 4, 2021**

I commit to the Planning Systems core values: innovation, collaboration, transparency, accountability, trust and responsibility.

Questions

Community Association perspective and responses:

1. What are strength and challenges of the proposed development?

2. Are there changes that could be made to the proposed development to make it more compatible or beneficial to the area?

3. Provide comments on the following; height, privacy, parking, vehicle or pedestrian access and landscaping as you respond to these questions.

    a) The use (if identified not applicable for single-detached houses, semi-detached dwellings or duplexes).

    b) The site design.

    c) The building design.

4. Has the applicant discussed the development permit application with the community? If yes what information was provided?
   No.
5. Provide any additional comments or concerns regarding the proposed development.
   Thorncliffe/Greenview Community Association fully supports proposed development application DP2021-4642.

41

From: [redacted]
To: van de Burgt, Sharon
Subject: [EXT] 123 THAMES CL NW - DP2021-4642 - Comment from Development Map - Tue 7/20/2021 1:35:43 AM
Date: Tuesday, July 20, 2021 1:35:54 AM
Attachments: IMG_20210719_171531a.jpg

Application: DP2021-4642

Submitted by: Catherine Inglis

Contact Information

Address: 119 Thames Close NW

Phone: [redacted]

Email: [redacted]

Feedback:

I live next door to this residence. I just invited my neighbour over to show me the plans for this renovation

I want to cry. The impact of this development on my enjoyment of my backyard will be horribly negative.

The existing deck, installed in their recent complete rebuild of the property was constructed 36" above ground level for no other reason than to provide level access between their house and their garage. This was a nod to aging-in-place, but they are currently very healthy and active and do not have any accessibility issues. Thus, the height of the deck is only a convenience at this time.

We are blessed to reside next to Egert's park with my neighbour being right on the part and my home being one door away. Through the gap between their house and garage, I enjoy a view of many mature trees and the green grass of the park. This is just from my backyard. From my bedroom window I also enjoy a view of the back flower garden of the neighbor across the alley from us. I value and cherish these views and the overall feeling of space and openness. I cherish this more than many others might and certainly more than most could understand as it directly impacts my mental wellbeing.

Due to the height of their current deck (unnecessarily high in my opinion) the proposed development will completely block my view of anything but sky and will have the same effect and sense of enclosure that erecting a 12-foot-high fence would have. Allow me to explain why this is.

Their deck is 3' above ground level. The grade of our yards slopes upwards towards the back alley. When these neighbours rebuilt a new house on their lot, they built their house as high as local ordinance would allow in order to build a raised deck that would give them level access to their garage. The two structures are fully connected by this raised deck. The norm in this area is for decks to be at or near ground level. Houses are not raised so high that they need raised decks. But really. this is not the problem. Adding a solid continuous wall between the house and the garage to an already raised deck is the problem.

Beginning with a deck at 3' above ground, then adding 9' (distance from deck to soffit) and then another 1-2' of roof structure creates a wall 14' high. This wall will be located only 3' from our property line. Remember, this wall will fully connect the house to the garage – creating a continuous vertical surface on the order of 100' long running from the front of the house to the back of the garage. I will be exposed to all of this except for the portion immediately adjacent to my own house.

Who wants to live beside a 60' long by 14' high wall? This will have a detrimental affect on my property value.

In addition to losing a view of trees, grass, parkland and sky, and losing a moderate sense of backyard openness that is normal for this area, I will lose a significant amount of sunlight from my yard - especially in spring, winter and fall when the sun is lower. I graciously dealt with the look of this raised deck by planting a few trees and small shrubs along the fence to break up the view of the underside of their deck. I intentionally chose smaller types of trees and shrubs so as not to block the view of sky, trees, grass and flowers that I value and, dare I say, need, for my mental health. Additionally, I would have to change my garden due to the lack of sunlight that would fall in this area.

Erecting a 14-foot fence would not be allowed, so why would erecting a 14-foot continuous wall only 3 feet from the property line be allowed?

This development is unconscionable. It will have a negative impact on my life and my property value. The very idea of this proposal makes me quite distraught. I will be opposing this development by all means available to me.

From: van de Burgt, Sharon
To: "Cathy Inglis Sondergard"
Subject: RE: [EXT] DP2021-4642
Date: Monday, August 9, 2021 2:57:00 PM

Hello Cathy,

Yes, you may request the drawings with Property Research as propertyresearch@calgary.ca.

Thank you and have a lovely afternoon!

Sharon van de Burgt
Senior Planning Technician
Technical Planning | Community Planning
Planning & Development
T 403.333.5526 | **E** sharon.vandeburgt@calgary.ca
Check out www.calgary.ca/pdmap to learn more about the development activity in your community.

From: Cathy Inglis Sondergard <cinglis22@gmail.com>
Sent: Friday, August 6, 2021 3:08 PM
To: van de Burgt, Sharon <Sharon.vandeBurgt@calgary.ca>
Subject: Re: [EXT] DP2021-4642

HI Sharon,

Is it possible for me to obtain the drawings and other details that were submitted with the DP application?

Cathy

On Wed, Aug 4, 2021 at 4:43 PM van de Burgt, Sharon <Sharon.vandeBurgt@calgary.ca> wrote:

> Good afternoon Cathy,
>
> Thank you very much for your comments.
>
> The development permit has been approved and you may appeal the Development Authority's decision if you wish. The file will be in advertising from August 12 until September 2, 2021.
>
> An appeal against the Development Authority's decision to approve the Development Permit application may be made within 21 days after the Public Notice advertisement, in this case starting on August 12, 2021. For questions concerning the appeal process, please contact the Subdivision and Development Appeal Board (SDAB) by phone at 403-268-5312; by email at Info@calgarysdab.ca; or by visiting their website at www.calgarysdab.ca.

FOIP Statement

The Personal Information on Submissions made regarding this development permit application is collected under the authority of the Alberta Freedom of Information and Protection of Privacy Act, Section 33(c) and the Calgary Land Use Bylaw 1P2007, Part 1, Section 27 and subsequent versions of the Act and Bylaw. The submission may be included in the public meeting agenda of either, or both, the Calgary Planning Commission or the Subdivision and Development Appeal Board and as such the personal information included in the submission will be publicly available, in accordance with Section 40(1) of the FOIP Act. If you have any questions regarding the collection of this information please contact 403-268-5311 for the FOIP Program Administrator, Planning & Development Department, PO Box 2100, Stn 'M', Calgary, AB T2P 2M5.

Kind regards,

Sharon van de Burgt
Senior Planning Technician
Technical Planning | Community Planning
Planning & Development
T 403.333.5526 | **E** sharon.vandeburgt@calgary.ca
Check out www.calgary.ca/pdmap to learn more about the development activity in your community.

From: Cathy Inglis Sondergard [redacted]>
Sent: Tuesday, August 3, 2021 4:43 PM
To: van de Burgt, Sharon <Sharon.vandeBurgt@calgary.ca>
Subject: [EXT] DP2021-4642

Hello Sharon,

I was given your email address by Jordyn via the Chat centre on the City of Calgary Development website.

I am emailing you in regards to the subject Development Permit Application. I live next door to Jim and Joan Benedict who are the ones seeking to create an outdoor living room on their current raised deck. Their address is 123 Thames Close NW. I submitted my opposition to this permit shortly after the lawn sign was erected.

I understand that you likely do not have a decision on this application at this time, but I wonder if you are able to answer a few of my questions.

1. How much weight does my dissenting opinion carry? I would be the only property owner impacted by this renovation so I want to understand how much weight my submission will

carry in the decision making process.

2. Is there anything more I can do to oppose this project? Should I submit more pictures, documents or explanations?
3. Will I be directly notified of the decision?
4. Should the decision be in favour of the application, will I be able to appeal the decision?
5. What will the timing of the next steps be? I will be out of the country for a good part of September and wouldn't want to miss any notices while I am away.

I am quite distraught at the thought of this application being approved as this 14' high wall will block views of nature from my backyard and from my bedroom window. It will block sunlight from my yard, necessitating the removal of current shade intolerant trees and shrubs, and generally make my backyard feel a bit like a prison yard. Not only will their extravagant project negatively impact the enjoyment of my backyard, I am sure it will reduce the value of my property significantly. Who wants a solid 10 to 14 foot high wall running along the full length of their property - especially on the SW exposure where one gets all the late day sun during the winter.

Thank you in advance for any information you can provide at this time. Just knowing a bit more about the process will allow me to fret a bit less and to know what to expect in the coming weeks.

Have a great day!

Cathy Inglis
[redacted]
119 Thames Close NW

The City of Calgary
Planning and Development

Development Authority Response to Notice of Appeal

Appeal number: SDAB2021-0062

Development Permit number: DP2021-4642

Address: 123 Thames CL NW

Description: Addition: Single Detached Dwelling (main floor – rear)

Land Use: Residential – Contextual One Dwelling (R-C1)

Community: Thorncliffe

Jurisdiction Criteria:

Subject to National Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board, Alberta Utilities Commission or Minister of Environmental and Parks license, permit, approval, or other authorization: No

DA Attendance: No

Use: Discretionary

Notice Posted: Yes

Objections: Yes

Support: No

Bylaw relaxations:

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

Bylaw Discrepancies		
Regulation	**Standard**	**Provided**
397 Building Setback from Side Property Line	(1) For a laned parcel, the min. building setback from any side property line is 1.2m	Plans indicate a side setback of 1.01m (-0.19m)
393 Parcel Coverage	The max. parcel coverage is 45.0% of the area of a parcel, which must be reduced by 21.0 m2 for each required motor vehicle parking stall that is not provided in a private garage.	Plans indicate a parcel coverage of 45.94% (+0.94%) and 249.50 sqm (+5.10 sqm)

The Bylaw Check dated June 25, 2021 measured the height of the private garage from grade and indicated a height relaxation being required. Section 338 indicates that the height of a projecting private garage must not exceed a height of 4.6 metres when measured from the finished floor level. The private garage complies with section 338 when measured from the finished floor.

Applicable ARP, ASP or Design Brief (in addition to the MDP):

- not applicable

Additional factors, considerations and rationale for the decision:

1. The use of Single Detached Dwelling is a discretionary use in the R-C1 District
2. In rendering their decision, the Development Authority applied Sections 35 and 36 of the Land Use Bylaw
3. The application proposes to cover an existing deck with a louvered roof and pergola (covered deck):
    a. The Land Use Bylaw defines deck as an uncovered structure, there is no definition for a covered deck
    b. As there is no definition for a covered deck, the proposed structure is considered to be an addition

   c. The proposed structure connects the Single Detached Dwelling to an existing Accessory Residential Building (private garage)
   d. Private garage is a defined term and includes garages which are freestanding (Accessory Residential Building) and attached (Single Detached Dwelling)
   e. Once attached to the Single Detached Dwelling the private garage becomes part of the Single Detached Dwelling
   f. The subject parcel slopes from the lane, down to the street, the private garage is constructed at lane height and sets atop a raised foundation to allow vehicular access, the main floor of the dwelling is therefore slightly lower than the floor of the garage and the grade of the lane.
   g. The roof structure is flat and with no peak or projecting eaves, a wall is proposed along the northerly property line separating the covered area from the adjacent parcel
4. The proposed development complies with the following Land Use Bylaw rules for Single Detached Dwelling:
   a. A minimum side setback of 1.2 metres is required, the louvered roof area and pergola are 1.4 metres from the northerly property line, 0.2 metre greater than the minimum requirement
   b. The maximum building height in the district is 8.6 metres measured from the building reference points at the corners of the parcel, the maximum height increase up to 10.0 metre dependent on the context
   c. Due to the complexity of the height rules, the Land Use Bylaw includes a second building height rule for additions, which allows a height of 6.0 metre measured from grade, the development is proposed with a height of 3.6 metres, well below the maximum
   d. The Land Use Bylaw includes a rule which limits privacy screen height to 2.0 metres when located on a deck
   e. The covered area is greater than 7.5 meters from the rear property line and therefore meet the minimum setback of the district
5. Summarize rules/policies not met and how it applies to test for relaxation, policies etc.
   a. The Land Use Bylaw allows attached private garages to project into the rear setback areas provided they comply with the required side setback; detached private garages do not require a side setback where certain conditions are met
   b. As the existing private garage with a 1.0 metres is being attached to the dwelling a 1.2 metre side setback is now required, a relaxation of 0.2 metres
   c. Uncovered decks are excluded from the definition of building coverage and therefore parcel coverage; by covering a deck, even with an open louver, the structures are considered roofed and is considered towards building coverage
   d. By covering the deck, the parcel coverage increases to 45.9 per cent, a relaxation of 0.9 per cent, or 5.1 metres

e. In rendering their decision, the Development Authority considered the following:

i. The purpose statement for the district calls for contextually sensitive development; it is important to the Development Authority that the purpose statement calls for sensitivity in redevelopment, not does not require a duplication of the existing context.
ii. The location of the deck and private garage is existing, the addition provides a cover over the deck and wall connecting the two structures
iii. Although the private garage is now technically attached, it's size, shape and location is established and forms the current context,
iv. The Development Authority is of that the 0.2 metre side setback (projections) relaxation for the private garage meets the test for relaxation
v. The addition is not directly visible form the street or lane, it may be visible form the park, although it is on the north side of the parcel; the principle consideration of the review is therefore regarding the impacts to the north
vi. It is important to the Development Authority that the structure has a flat roof and does not generate mass above the eave line of the existing house.
vii. From the north, the addition primarily appears as a wall, it is noted that a privacy wall may be built on a deck to a height of 2.0 metres, the proposed addition is less than 1.0 metres higher than the height of a privacy wall which does not require a Development Permit
viii. The addition is not visible from the street and does not result in the appearance of a larger building mass from the public realm, nor does the addition increase the amount of hard surface on the parcel
ix. The Development Authority is of the opinion that the proposed development meets the test for relaxation in section 36 of the Land Use Bylaw
x. The Development Authority is of the opinion that the development also complies with section 35 of the Land Use Bylaw
xi. Based on a detailed analysis and consideration the Development Authority made the decision to approve the development.

Appeal Board Received: September 7, 2021
Submitted by: J. Benedict, Owner

Submittal to Calgary Appeal Board – Subdivision & Development
Appeal Number **SDAB2021-0062**
RE: Development Permit DP2021-4642
By Jim and Joan Benedict

Summary

The Benedict family at 123 Thames Close N.W. have lived on this property since 1976. In 2013, the original house was lifted and relocated to Vulcan, to continue with another family. A new house was then constructed on #123, designed for senior people in their 70's, with enhanced "living in place" features, such as wider hallways and bathrooms. The connection to the back alley and garage were also designed for same-level pathways for elderly people and visitors (photo #2). The rear deck, which connects the house and garage is an important feature for us for extending our living space and for safety access to the garage and alleyway.

Our intent is to extend the benefits of living in this wonderful neighbourhood. Our rear deck, at 20 by 23 feet, is our outdoor environment during the day and evening. The extended two years of COVID lockdown has highlighted the challenges of forced living at home and the advantages of an accessible same-level three-season exterior sunroom.

During the winter period, our deck can be coated in ice and snow, presenting a falling hazard, for something as minor as retrieving storage supplies from the garage. Some risk is reduced by use of rubber mats on the deck (photo Winter snow & ice.jpg) but the snow still needs to be shoveled. A sunroom will allow easy and secure access between house and garage.

Deck gatherings have become very important social events with close friends and family, our COVID 'bubble groups', and now we are entering the fourth wave, with no end in sight, yet. During spring and fall, and even in the summer, Calgary is subject to variable cool winds in Chinook Country. Having a three-season room will allow us to be with our family and friends in some comfort, while following protocol.

Our house exterior design has been done with the community in mind, using landscaping that both reduces maintenance while enhancing curb appeal for our neighbours and visitors (photo #1). We have had many compliments on the new house (see Patricia Blair letter). The sunroom design will also be done with that goal and by a professional company of high standards.

In summary, we want to enjoy our time going forward in our own home, self-sufficient, with comfort and safety.

Jim and Joan Benedict
123 Thames Close, N.W.

Submittal to Calgary Appeal Board – Subdivision & Development
Appeal Number **SDAB2021-0062**
RE: Development Permit DP2021-4642
By Jim and Joan Benedict

Response to appeal

Shade:

Please refer to photos #3 to #7. Any shadowing by the garage is shown by a white line, and any projected shadowing of the sunroom is shown by a dashed white line.

Photos #3 and #4 were taken in early August this year of the next-door back yard (#119 Thames Close). Please note that the 3:47 pm photo shows minimal shadowing in the back yard caused by our garage. The 5:23 pm photo indicates that the sunroom will still have a minimal effect on the backyard and no effect on the existing deck.

Photos #5 and #6 were taken a month later in September. Again, any shading will not reach the deck until later in the evening. And the shading will come from the existing garage and not the sunroom.

Photo #7 was taken at the same time as #5 but from the rear alleyway. The deck is shown in full sunlight and would be sunny even with the proposed sunroom. The trees' foliage is in full sunlight.

At other times of the day, especially in the mornings, this backyard experiences full sunlight exposure. By midday, there is shadowing starting, but that is caused by the house on that property.

View and openness:

When seated on the deck at #119 backyard, the park to the west is just not visible due to the height of our existing deck and is further restricted by deck furniture. However, there is a great view of the park from the front of the house, from both the porch and the bay window (photo #1).

Neighbourly connection:

We appreciate having neighbours look after neighbours. This is a friendly area with a lot of connections, especially with the dog walkers in the park and the alleyway. We have people keeping an eye on mutual properties all during the day and evening.

Our neighbor has said that she likes to know of our presence next door and expressed concern on not being able to keep an eye on one another's property. So, we have adjusted the wall design accordingly. The adjoining wall of the sunroom will incorporate translucent (frosted) panels so that activity can be seen on the other side, yet still protect the privacy of our neighbour. As well, there will be a decorative feature built into the wall to break up the length.

Submittal to Calgary Appeal Board – Subdivision & Development
Appeal Number **SDAB2021-0062**
RE: Development Permit DP2021-4642
By Jim and Joan Benedict

Property valuation:

We do not believe this sunroom will reduce property valuation. If anything, our existing deck, with full and unblocked view overlooking the neighbour's backyard, could be taken as a negative by a potential buyer.

Lot coverage:

Our neighbourhood is designated as zone R-C1, which allows 45% land coverage. We have a relaxation for our proposed coverage of 46.37%.

Elevation:

Note: the elevation on the submitted drawings is correct. The deck is 2.5 feet high at the garage side and 3 feet high at the house side.

Attachments

- 8 photographs: Photo_1.jpg to Photo_7.jpg; Winter_snow_&_ice.jpg
- "Photos.pdf"; a collation of the photographs.
- Survey of property that was included in the development permit application.
- Letter "Benedict_Appeal.pdf": letter of support from Patricia Blair

Photo 7



Winter snow & ice



Photo 1



Photo 2



Photo 3



Photo 4

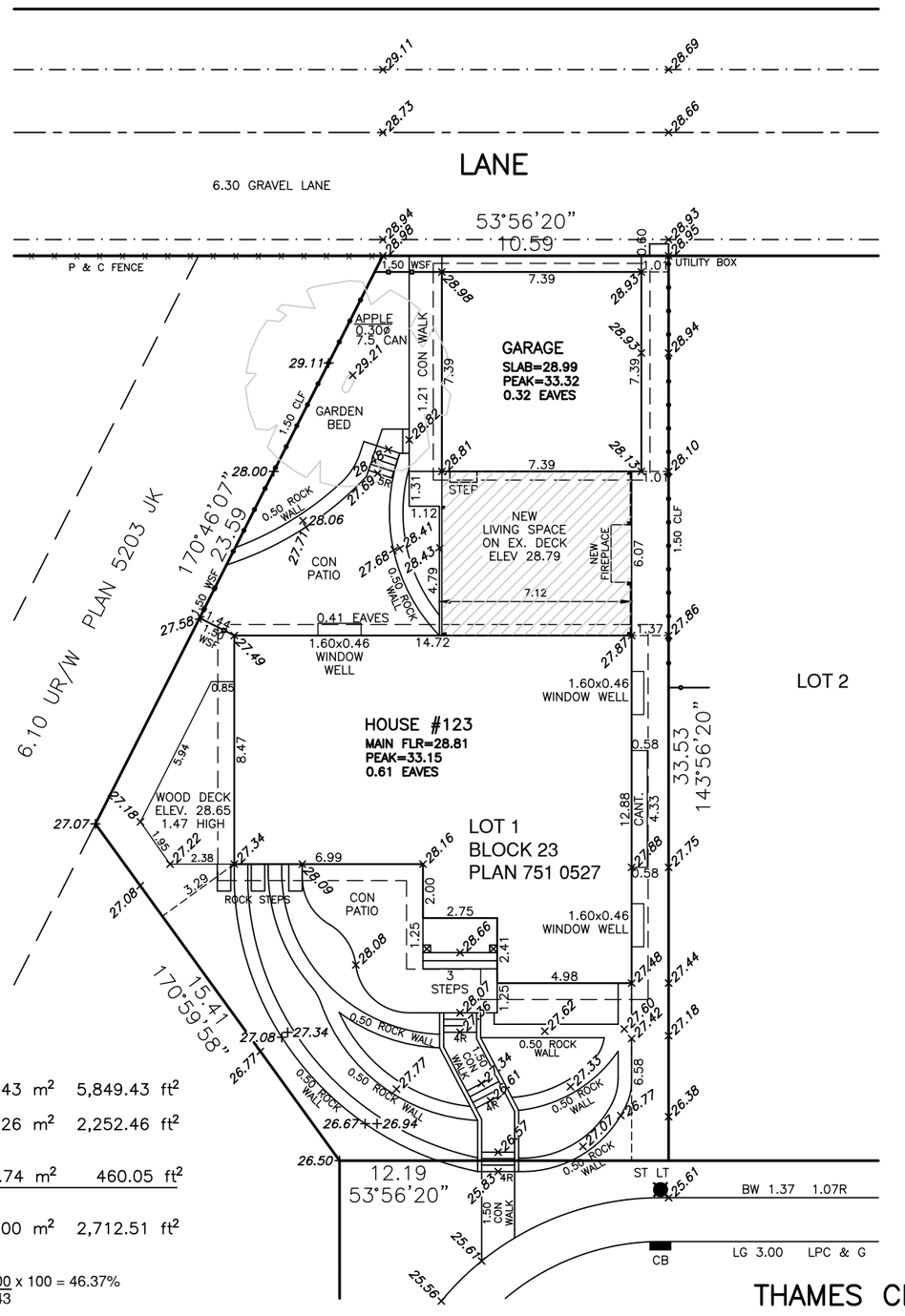


Photo 5



Photo 6





123 THAMES CLOSE NW

PERCENTAGE OF LOT COVERAGE

LOT SIZE: NORTH	543.43 m^2	5,849.43 ft^2
EXISTING HOUSE and GARAGE:	209.26 m^2	2,252.46 ft^2
NEW LIVING SPACE:	42.74 m^2	460.05 ft^2
TOTAL PROPOSED:	252.00 m^2	2,712.51 ft^2
PERCENTAGE COVERAGE:	252.00 x 100 = 46.37% / 543.43	

MUNICIPAL ADDRESS:
123 THAMES CLOSE NW, CALGARY, ALBERTA
LOT 1, BLOCK 23, PLAN 751 5027

LOT PLAN (Proposed)

City of CALGARY

PLAN
SHOWING

SURVEY for DEVELOPMENT PERMIT

AFFECTING

LOT 1, BLOCK 23, PLAN 751 0527
SEC. 4 TWP. 25 RGE. 1 W5M

Eave Fascia are shown thus ... --------
Fences are shown thus ... —x—x—
Building foundation shown thus ... ———
Property line shown thus ... ———
Utility Rights-Of-Way are shown thus ... —— ——
Coniferous trees are shown thus ...
Shrubs are shown thus ...
Deciduous trees are shown thus ...

NOTES

Elevations are metric and are shown thus ... x100.00
To obtain actual elevation add 1,100.
Elevations are referred to Alberta Survey Control Marker No. 174201 Elevation: 1121.936.
Boundary copied from Plan 751 0527
Positions of spot elevations are approximate.
Distances are in metres and decimals thereof.
Fences are within 0.10m of property line unless otherwise noted.

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FIRM NAME AND ADDRESS:

Ultimate 1979 Renovations & Additions
5056-11STS.E.
CALGARY, ALBERTA
T2C2M7
PHONE: (403) 287-3122

PROJECT NAME AND ADDRESS:

BENEDICT RESIDENCE
123 THAMES CLOSE NW,
CALGARY, ALBERTA

LOT 1, BLOCK 23, PLAN 751 0527

PROJECT No.:	ISSUE	DRAWING No.
200-26	0	A1a
DATE: MAY 2021		
SCALE: 1: 200		

58

Appeal Board Received: September 6, 2021
Submitted by: P. Blair, Neighbour

September 06, 2021

To whom it may concern,

I recently received notification about an appeal related to a Development Permit my neighbours at 123 - Thames Close NW have requested.

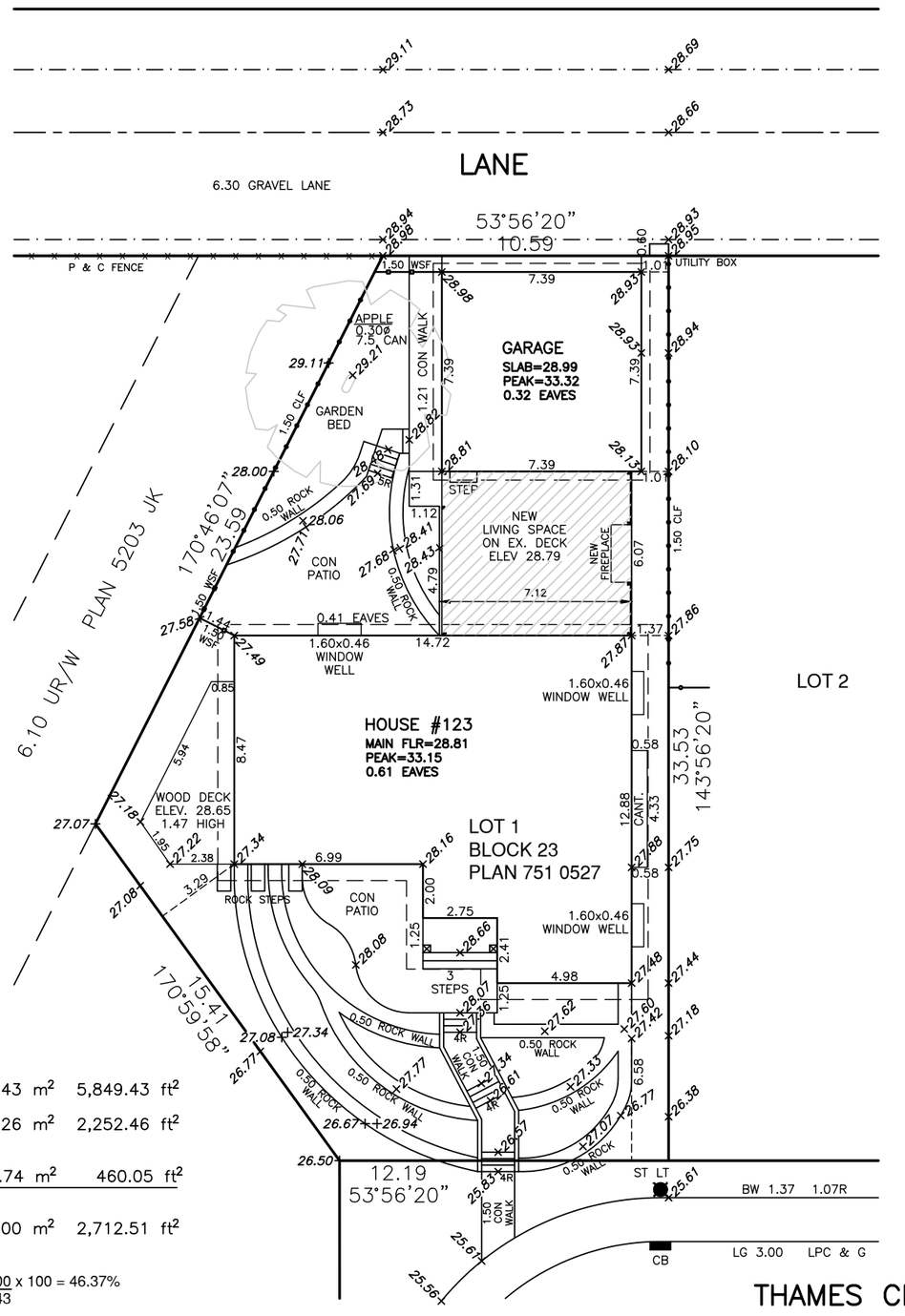
I would like to share with you that I 100% support the enhancement they would like to make to the back of their home.

They recently rebuilt their home to enable them to stay there, live independently, and age in place. This development will provide them with additional safety going from their house to their garage, and will also provide protection from the wind, while enjoying being outside.

They have always used professional and reputable designers and trades people, for any work they have had done to their home, and have also considered their neighbours when making their choices. I have no doubt in my mind that this development, will be done properly, be aesthetically pleasing and an improvement to the neighbourhood.

Respectfully,

Patricia Blair
128 - Thames Close N.W.
Calgary AB T2K 5N3



123 THAMES CLOSE NW

PERCENTAGE OF LOT COVERAGE

LOT SIZE: NORTH	543.43 m^2	5,849.43 ft^2
EXISTING HOUSE and GARAGE:	209.26 m^2	2,252.46 ft^2
NEW LIVING SPACE:	42.74 m^2	460.05 ft^2
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MUNICIPAL ADDRESS:
123 THAMES CLOSE NW, CALGARY, ALBERTA
LOT 1, BLOCK 23, PLAN 751 5027

LOT PLAN (Proposed)

City of CALGARY

PLAN
SHOWING

SURVEY for DEVELOPMENT PERMIT

AFFECTING

LOT 1, BLOCK 23, PLAN 751 0527
SEC. 4 TWP. 25 RGE. 1 W5M

Eave Fascia are shown thus ... --------
Fences are shown thus ... —x—x—
Building foundation shown thus ... ———
Property line shown thus ... ———
Utility Rights-Of-Way are shown thus ... —— ——
Coniferous trees are shown thus ...
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FIRM NAME AND ADDRESS:

Ultimate 1979 Renovations & Additions
5056-11STS.E.
CALGARY, ALBERTA
T2C2M7
PHONE: (403) 287-3122

PROJECT NAME AND ADDRESS:

BENEDICT RESIDENCE
123 THAMES CLOSE NW,
CALGARY, ALBERTA

LOT 1, BLOCK 23, PLAN 751 0527

PROJECT No.:	ISSUE	DRAWING No.
200-26	0	A1a
DATE: MAY 2021		
SCALE: 1: 200		

BENEDICT RESIDENCE

JOB# - C21038

ADDRESS - 123 THAMES CLOSE NW



TABLE OF CONTENTS	
Label	Title
A1	TITLE PAGE
A2	OUTDOOR LIVING SPACE
A3	RIGHT ELEVATION
A4	ELEVATION DRAWINGS
A5	OUTDOOR LIVING RENDERINGS
A6	OUTDOOR LIVING RENDERINGS
A7	OUTDOOR LIVING SEATING AREA
A8	FIREPLACE OPTION RENDERINGS

Revision Table

Number	Label	Date	Revised By	Description
1	ALL	14/05/2021	NRH	PROPOSED DRAWINGS
2	ALL	28/05/2021	NRH	REVISED PROPOSED DRAWINGS

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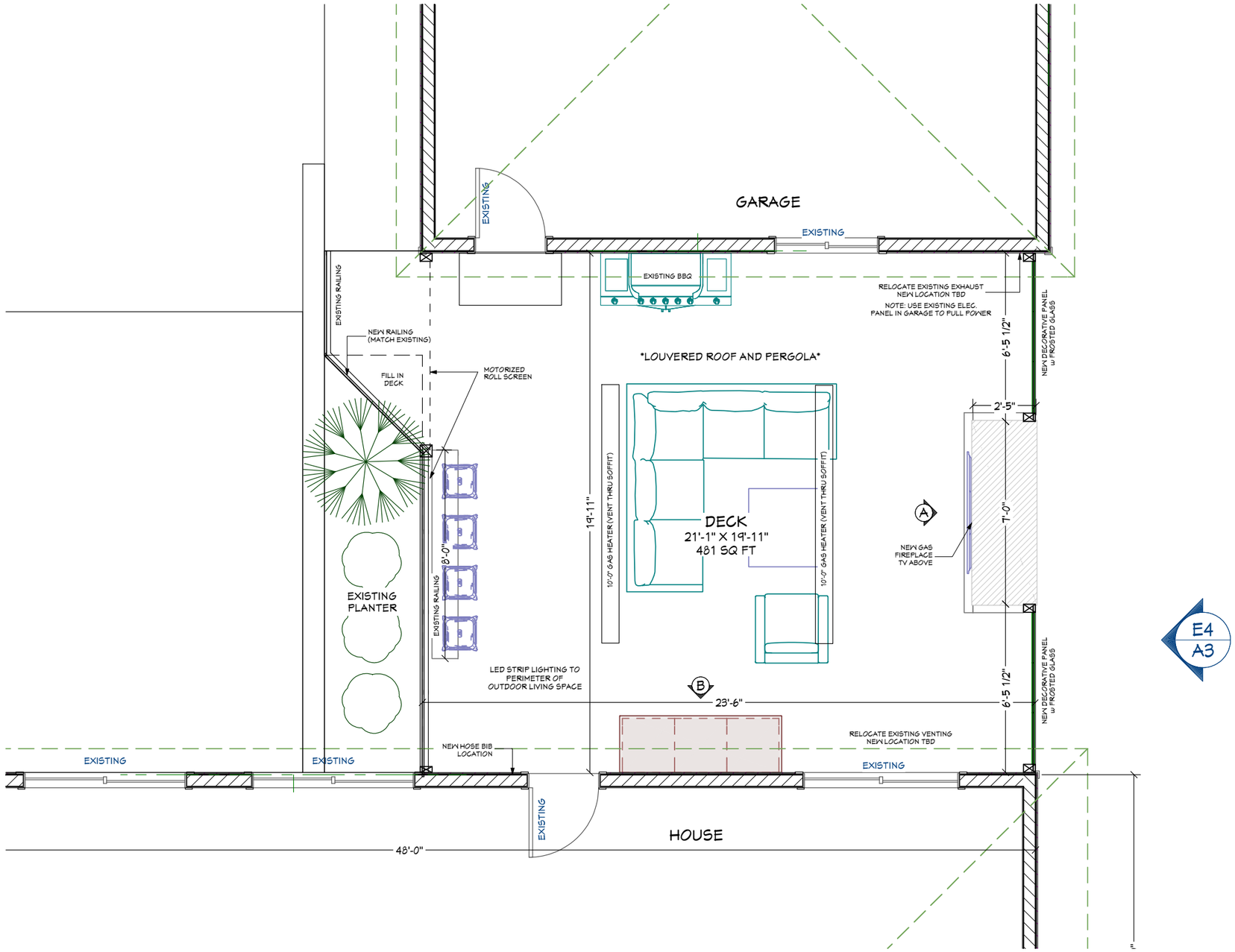
ULTIMATE RENOVATIONS SINCE 1979
5056 11 ST SE CALGARY, AB. T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481 SQFT

TITLE PAGE

PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:31 PM
SHEET:
A1



OUTDOOR LIVING SPACE

8'-8" CEILING HT.
SCALE: 1/4" = 1'-0"

SDAB2021-0062

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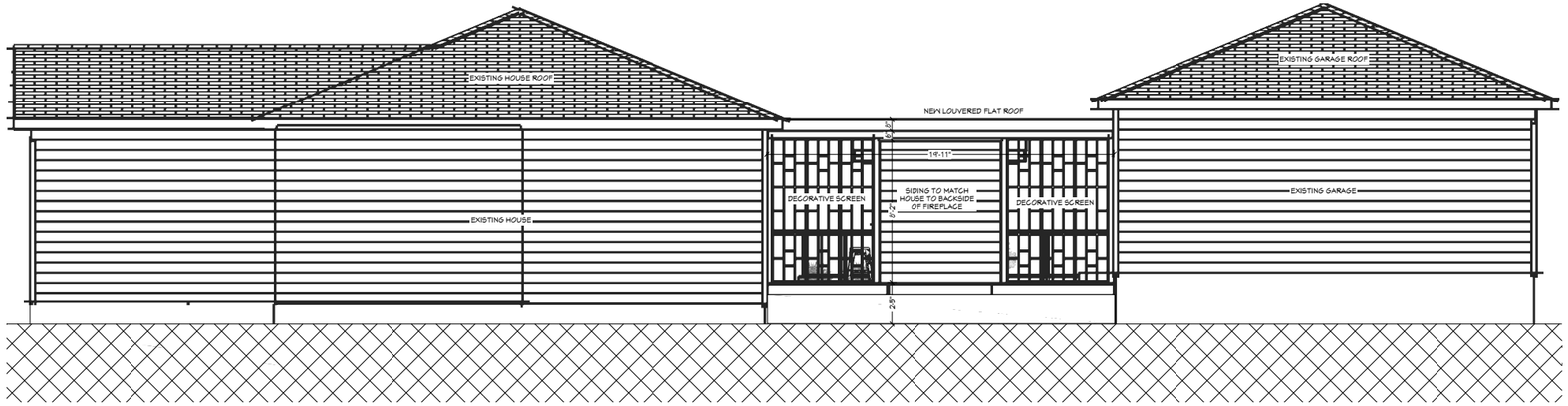
ULTIMATE RENOVATIONS SINCE 1979
5056 11 ST SE CALGARY, AB.
T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481 SQFT

OUTDOOR LIVING SPACE

PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:31 PM
SHEET:
A2



RIGHT ELEVATION

8'-8" CEILING HT.
SCALE: 1/8" = 1'-0"



LEFT ELEVATION

8'-8" CEILING HT.
SCALE: 1/8" = 1'-0"

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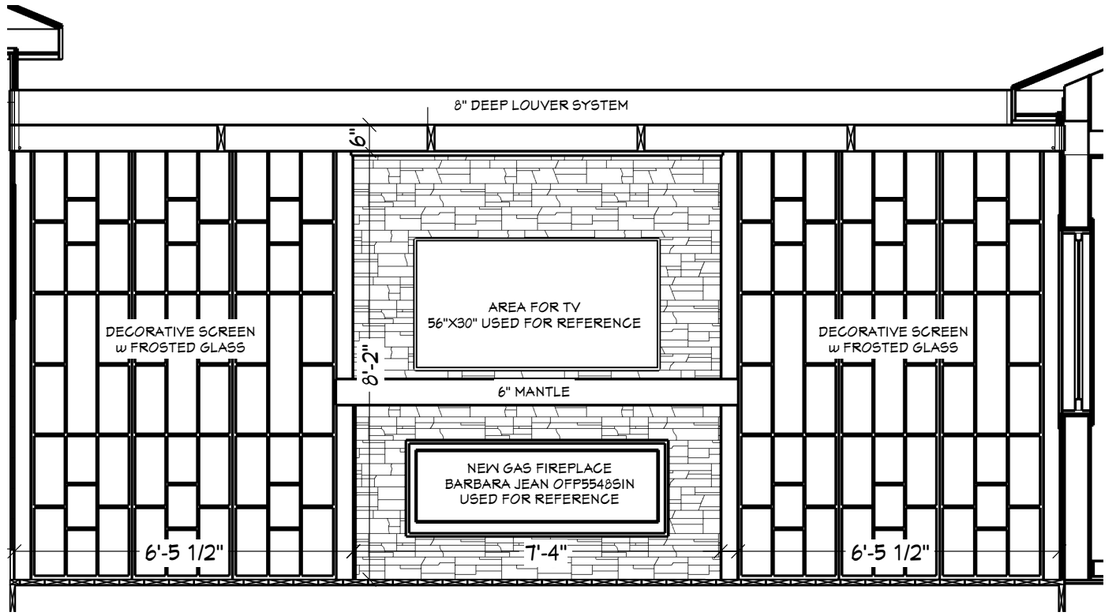
ULTIMATE RENOVATIONS SINCE 1979
5056 11 ST SE CALGARY, AB. T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481 SQFT

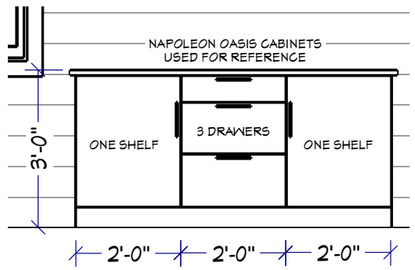
RIGHT ELEVATION

PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:33 PM
SHEET:
A3



A **FIREPLACE**
SCALE: 3/8" = 1'-0"



B **CABINETS**
SCALE: 3/8" = 1'-0"

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5056 11 ST SE CALGARY, AB. T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481 SQFT

ELEVATION DRAWINGS

PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:33 PM
SHEET:
A4



OUTDOOR LIVING RENDERING
NOT TO SCALE

NOTE: ALL FINISHES SHOWN FOR DISPLAY PUROPOSES ONLY AND MAY NOT BE INDICATIVE OF FINAL SELECTIONS



OUTDOOR LIVING RENDERING
NOT TO SCALE

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ULTIMATE RENOVATIONS SINCE 1979
5056 11 ST SE CALGARY, AB. T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481

OUTDOOR LIVING RENDERINGS

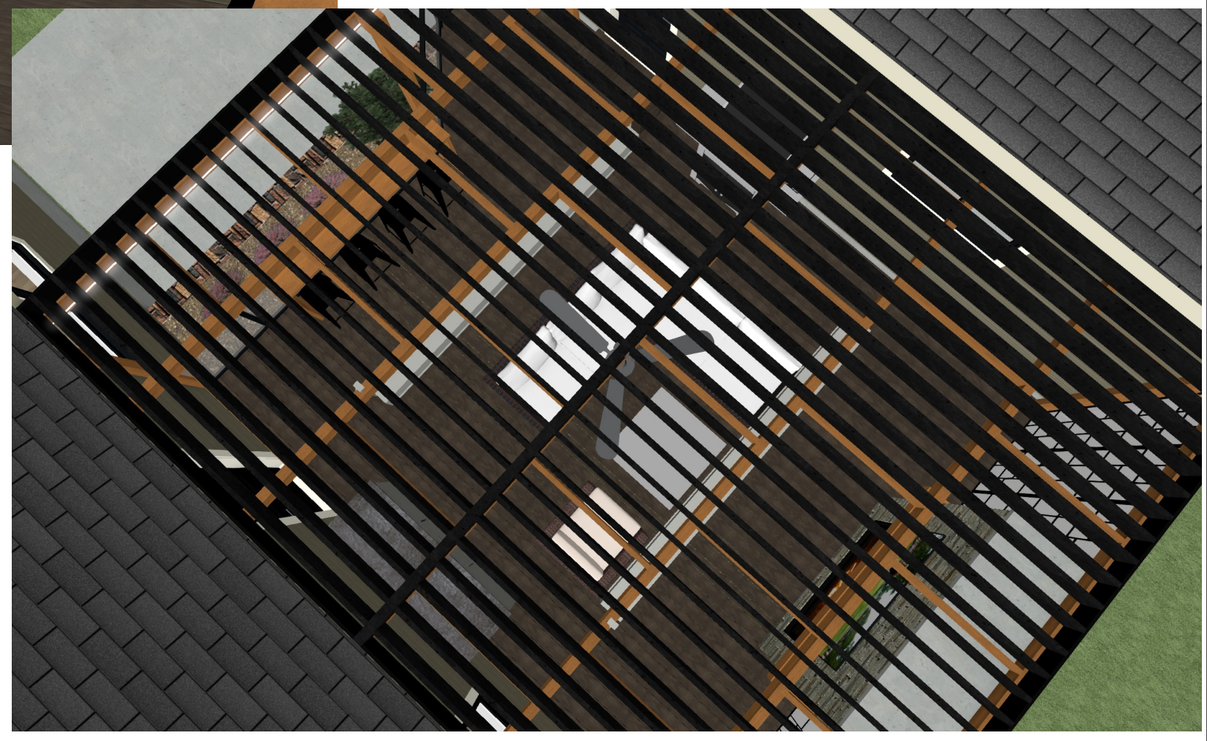
PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:36 PM
SHEET:
A5



OUTDOOR LIVING RENDERING
NOT TO SCALE

NOTE: ALL FINISHES SHOWN FOR DISPLAY PUROPOSES ONLY AND MAY NOT BE INDICATIVE OF FINAL SELECTIONS



OUTDOOR LIVING RENDERING
NOT TO SCALE

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ULTIMATE RENOVATIONS SINCE 1979
5056 11 ST SE CALGARY, AB. T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481 SQFT

OUTDOOR LIVING RENDERINGS

PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:39 PM
SHEET:
A6



OUTDOOR LIVING RENDERING
NOT TO SCALE

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OUTDOOR LIVING RENDERING
NOT TO SCALE

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5056 11 ST SE CALGARY, AB. T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481 SQFT

OUTDOOR LIVING SEATING AREA

PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:41 PM
SHEET:
A7



OUTDOOR LIVING RENDERING
NOT TO SCALE

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OUTDOOR LIVING RENDERING
NOT TO SCALE

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5056 11 ST SE CALGARY, AB. T2H 2Y5 (403) 287 3122

DESIGNER: NRH
STATUS: PROPOSED
FINISHED SQFT: 481 SQFT

FIREPLACE OPTION RENDERINGS

PROJECT: C21038
BENEDICT RESIDENCE
123 THAMES CLOSE NW
CALGARY, AB.

DATE:
07/07/2021
TIME:
3:29:44 PM
SHEET:
A8

Riley, Coeur A.

From: McLean, Lauren E. on behalf of Calgary SDAB Info
Sent: Tuesday, August 31, 2021 2:39 PM
To: 'Cathy Inglis Sondergard'
Cc: Calgary SDAB Info
Subject: *LM* RE: Re: Notice of Appeal: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

Follow Up Flag: Follow up
Flag Status: Completed

Good Afternoon Cathy,

Thank you for your email. Please know that once an appeal has been filed with the SDAB, the Board is obligated to schedule a hearing within 30 days in accordance with the *Municipal Government Act.* Currently, the hearing is scheduled as a procedural and jurisdictional hearing that will be conducted using Microsoft Teams, a video conferencing service which does offer a call-in option if you do not have access to a reliable internet source. As a guideline, a P&J tends to run 15-20 minutes, depending on the number of parties who attend, and yours is slated number 2 on the agenda for that morning.

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Thank you,

SDAB Admin
City Appeal Boards, Appeals and Tribunals
City Clerk's Office | The City of Calgary | Mail Code #8110
PO Box 2100, Station M | Calgary, AB T2P 2M5
General Phone Line: 403.268.5312 | calgarysdab.ca

From: Cathy Inglis Sondergard <cinglis22@gmail.com>
Sent: August 30, 2021 4:23 PM
To: Calgary SDAB Info <Info@calgarysdab.ca>
Subject: [EXT] Re: Notice of Appeal: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

Hello,

Is it possible to move the hearing date? I am out of the country from September 6th to September 22nd inclusive on a long ago planned trip to accompany my daughter and get her settled in London UK as she begins her University studies there. There is simply no possible way for me to change this trip, and I am not certain of the quality of access to internet while I am there.

Thank you,
Cathy

Catherine Inglis
119 Thames Close NW
Calgary, AB T2K 5L1

1-403-815-3004

On Mon, Aug 30, 2021 at 3:19 PM Calgary SDAB Info <Info@calgarysdab.ca> wrote:

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Appeal Number: SDAB2021-0062
123 Thames Close NW. Addition: Single Detached Dwelling (main floor - rear) Appeal against an approval. DP2021-4642.

The appeal is tentatively scheduled as follows:

Type:	**Procedural & Jurisdictional**
Date:	**Thursday, September 16, 2021**
Time:	**9:00 a.m. ***
Format:	**MS Teams video conference call**

*The time assigned to your appeal is the earliest possible time this particul delayed depending on the complexities associated with other appeals.

*You do not have to have the application downloaded to participate.

A formal Notice of Hearing letter confirming your hearing date and further outlining how to participate and submit your mater **Friday, September 3, 2021**

Thank you,

SDAB Admin

City Appeal Boards, Appeals and Tribunals

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PO Box 2100, Station M | Calgary, AB T2P 2M5

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Riley, Coeur A.

From: Riley, Coeur A. on behalf of Calgary SDAB Info
Sent: Wednesday, September 1, 2021 11:49 AM
To: Cathy Inglis Sondergard
Cc: Calgary SDAB Info
Subject: *CR* Re: Notice of Appeal: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)
Attachments: Procedural Insert (2019).pdf

Follow Up Flag: Follow up
Flag Status: Completed

The 30 day scheduling requirement starts from the date an appeal is filed, in this case Aug 30, (+ 30 days = Sept 29 and the SDAB holds hearings on Thursdays) which makes Sept 23 the last available date we can open it in the Board's calendar. The Board selected Sept 16 as the date of the hearing and courtesy notification via email has been sent to all key parties (you as the appellant, plus the applicant, property owner, Development Authority and Community Association) therefore we cannot simply change a communicated date without giving the other parties opportunity to respond to a request for adjournment.

We encourage you to review the information we previously provided regarding the purpose of the procedural and jurisdictional (P&J) hearing. It is primarily a scheduling exercise to assist the Board in efficiently and effectively allotting sufficient time later on their calendar to hear the merits of an appeal.

If you are not amenable to the Board proceeding with the P&J and likely arranging a later date for a merit hearing factoring in your provided availability, please send us a separate email requesting an **adjournment of the procedural and jurisdictional hearing from September 16**, along with your reasons for adjournment (pre-planned travel to London, UK and uncertainty of quality of access to internet), and include your availability. Any additional information you can provide that addresses the items in the Procedural insert would be appreciated (length of your presentation, materials you plan to provide, number of witnesses you anticipate, etc.). Please also include contact information of your representative who will be attending on Sept 16 to speak to your request for adjournment or can provide your later availability for a merit hearing should the Board not grant an adjournment of the P&J hearing.

If it's easier to explain options over the phone, please let us know when the best time to call is.

Thank you,

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PO Box 2100, Station M | Calgary, AB T2P 2M5
General Phone Line: 403.268.5312 | calgarysdab.ca

From: Cathy Inglis Sondergard <cinglis22@gmail.com>
Sent: Tuesday, August 31, 2021 4:10 PM
To: Calgary SDAB Info <Info@calgarysdab.ca>
Subject: Re: [EXT] Re: Notice of Appeal: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

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I would like to submit the adjournment request in writing immediately. How do I go about doing this?

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Thank you in advance for providing direction on how to proceed with an immediate request for adjournment.

Cathy

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>
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>
> Thank you,
>
> **SDAB Admin**
>
> City Appeal Boards, Appeals and Tribunals
>
> City Clerk's Office | The City of Calgary | Mail Code #8110
>
> PO Box 2100, Station M | Calgary, AB T2P 2M5

From: Cathy Inglis Sondergard <cinglis22@gmail.com>
Sent: August 30, 2021 4:23 PM
To: Calgary SDAB Info <Info@calgarysdab.ca>
Subject: [EXT] Re: Notice of Appeal: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

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Thank you,

Cathy

Catherine Inglis

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Calgary, AB T2K 5L1

1-403-815-3004

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An appeal has been filed with the Calgary Subdivision and Development Appeal Board (SDAB) regarding a decision of The City

Appeal Number: SDAB2021-0062
123 Thames Close NW. Addition: Single Detached Dwelling (main floor - rear) Appeal against an approval. DP2021-4642.

The appeal is tentatively scheduled as follows:

Type:	**Procedural & Jurisdictional**
Date:	**Thursday, September 16, 2021**

Time:	**9:00 a.m. ***
Format:	**MS Teams video conference call**

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A formal Notice of Hearing letter confirming your hearing date and further outlining how to participate and submit your mate
Friday, September 3, 2021

Thank you,

SDAB Admin

City Appeal Boards, Appeals and Tribunals

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PO Box 2100, Station M | Calgary, AB T2P 2M5

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Riley, Coeur A.

From: Riley, Coeur A. on behalf of Calgary SDAB Info
Sent: Wednesday, September 1, 2021 4:52 PM
To: Cathy Inglis Sondergard; Calgary SDAB Info
Subject: *CR* RE: Re: Notice of Appeal: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

Follow Up Flag: Follow up
Flag Status: Completed

As administration we do not speak for the Board, so cannot provide you with the clear assurance that you are hoping for, as only they can offer that within an appeal hearing. What we can say is that since they have scheduled this matter as a p&j hearing, then in our vast experience they are highly unlikely to proceed with hearing merits of the appeal that day, especially with you not in attendance. The SDAB very much applies the principles of natural justice and procedural fairness which includes the right for all affected parties to be heard, so it would be uncharacteristic for them to proceed beyond what we've outlined so far. We have had parties simply provide a list of available dates and the Board has proceeded to scheduling based on that.

Our website is quite comprehensive at outlining the procedures of the SDAB including timelines and we are available to answer questions on what you can generally expect as a participant in the process.

Thank you,

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PO Box 2100, Station M | Calgary, AB T2P 2M5
General Phone Line: 403.268.5312 | calgarysdab.ca

From: Cathy Inglis Sondergard <cinglis22@gmail.com>
Sent: Wednesday, September 1, 2021 12:41 PM
To: Calgary SDAB Info <Info@calgarysdab.ca>
Subject: [EXT] Re: Notice of Appeal: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

Thank you for your email.

Based on my limited knowledge, I don't think it would be a problem for the P&J to proceed on September 16th, but it is the possibility of the hearing taking place on that day that concerns me. I would not be able to have my presentation ready for that date and certainly not submitted to the committee in advance of that date. I would need assurance that the hearing would be scheduled for a later date.

Had I known that the 30 day window began on the date of my submission, I would have waited until September 2nd to submit.

Do I understand correctly that I should send a separate email to this address requesting adjournment? If so, I can do that today.

Cathy

On Wed, Sep 1, 2021 at 11:49 AM Calgary SDAB Info <Info@calgarysdab.ca> wrote:

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*The time assigned to your appeal is the earliest possible time this parti
delayed depending on the complexities associated with other appeals.

*You do not have to have the application downloaded to participate.

A formal Notice of Hearing letter confirming your hearing date and further outlining how to participate and submit your mat
Friday, September 3, 2021

Thank you,

SDAB Admin

City Appeal Boards, Appeals and Tribunals

City Clerk's Office | The City of Calgary | Mail Code #8110

PO Box 2100, Station M | Calgary, AB T2P 2M5

General Phone Line: 403.268.5312 | calgarysdab.ca

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received this communication in error, please notify us immediately by telephone and then destroy or delete this communication, or return it to us by mail if requested by us. The City of Calgary thanks you for your attention and co-operation.

80

Riley, Coeur A.

From: Riley, Coeur A. on behalf of Calgary SDAB Info
Sent: Friday, September 3, 2021 4:07 PM
To: Cathy Inglis Sondergard
Cc: Calgary SDAB Info
Subject: *CR* RE: Re: Notice of Hearing: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for letting us know. Send us the person's contact info (just an email/phone so we can track them down if they don't appear in the video conference) as soon as you can. With your submission will be fine.

SDAB Admin
City Appeal Boards, Appeals and Tribunals
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PO Box 2100, Station M | Calgary, AB T2P 2M5
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From: Cathy Inglis Sondergard <cinglis22@gmail.com>
Sent: Friday, September 3, 2021 3:59 PM
To: Calgary SDAB Info <Info@calgarysdab.ca>
Subject: [EXT] Re: Notice of Hearing: SDAB2021-0062 (DP2021-4642, 123 Thames Close NW)

Due to my travel plans, I wish to have another person attend the P&J hearing on September 16th on my behalf. I may have indicated otherwise in my original submission so I am wondering how I would go about giving proper notice of my intent and authorization.

Can I submit authorization and notice with materials submitted on September 8th.

Cathy

Cathy

On Fri, Sep 3, 2021 at 3:30 PM Calgary SDAB Info <Info@calgarysdab.ca> wrote:

> Please find attached Notice of Hearing on behalf of the Subdivision Development Appeal Board. Please contact our administration staff at 403-268-5312 or by return email with any questions.
>
> Thank you,
>
> **SDAB Admin**
>
> City Appeal Boards, Appeals and Tribunals

SDAB2021-0062

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Appeal Hearing

Addition of Three-Season Enclosure to Rear Deck.

Owners:

Jim and Joan Benedict

123 Thames Close NW

Hearing on 14 Oct 2021

Ref: 2021-0062





Benefits of Development

- Aging in place.
- Original home in 1976.
- A new house as of 2013.
- COVID lockdown
- Enjoy visits of family and friends within health guidelines
- Safety in winter
- Enhanced value for property and for the neighbourhood



Calgary winds

Wind tunnel between house and garage



Proposed deck view from the park





Winter hazard



Neighbourhood house appearance





Response to Appeal

- Shade
- View and privacy
- Neighbourly connection
- Property valuation
- Lot coverage
- Elevation

Shading

August
4 pm



Shading

August
5:20 pm



Shading

Sept
4 pm



Shading

Sept
6:20 pm



View and Privacy

- Not visible from street
- Minimally visible from alley
- Below height of both house and garage
- Enhances privacy for both properties
- Frosted glass panels still allow afternoon light and some visibility of persons
- Wall enhancements added for benefit of our neighbour

Proposed view of project from the east side



SDAB2021-0062 key points

- The Applicant agrees with the Development Authority's response to the appeal as outlined on pages 47 to 49 of the Board report
- The Development Authority correctly applied sections 35 and 36 of the Land Use Bylaw
- A privacy wall up to 2m in height on the deck at the same location between the home and the garage would not need a development permit. This is allowed under the Land Use Bylaw, section 339 (2.1).
- The Appellant is not entitled to a view to the Park. Views are not protected under Alberta Law
- The development complies with section 35 of the Land Use Bylaw. The development is compatible with the adjacent properties.

Land Use Bylaw Relaxations

- The proposed development requires two Bylaw relaxations:
    - (a) Side Setback: 0.19m relaxation from the required 1.2m
    - (b) Parcel Coverage 45.94%: 0.94% relaxation (or 5.1 square metres)
- The Bylaw relaxations are relatively minor
- The test for relaxation in section 36 of the Land Use Bylaw and section 687(3)(d) of the Municipal Government Act is met. There is no negative impact on the use and enjoyment of the appellant's property. Shadowing is limited as you can note from the photos contained in the Board report
- The development allows aging in place, allowing the owners to remain enjoying their residence
- We request that the Appeal be denied