

REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD

DATE: November 4, 2021 ; November 25, 2021	APPEAL NO.: SDAB2021-0072 FILE NO.: DP2021-5537
APPEAL BY: Malcolm Colin Innes	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY for a Relaxation: deck - projection into rear setback was approved at <u>204R Cranfield Park SW.</u>	LAND USE DESIGNATION: R-1N Permitted with a Relaxation
COMMUNITY OF: Cranston	DATE OF DECISION: October 7, 2021
APPLICANT: Noel Maciel, Epoxy Counter Top Pro	OWNERS: Noel Maciel & Vian Pereira

The hearing commenced on November 4, 2021 with consideration of procedural and jurisdictional issues. The Board adjourned the hearing to November 25, 2021.

Notes:

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

CC 821 (R2014-01)

ISC: Unrestricted

APPEAL AGAINST

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

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:

Please note I've sent an email to the above address with a detailed appeal response.

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

Estimated presentation time (minutes/hours) 2 HOURS	Will you be using an agent/legal counsel? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.) <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	
If yes, what are the issues?	
Do you anticipate bringing any witnesses/experts to your hearing? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	If yes, how many will you be bringing?

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

FOR OFFICE USE ONLY										
Final Date of Appeal			SDAB Appeal Number		Fee Paid		Hearing Date		Date Received	
YYYY	MM	DD			<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No		YYYY	MM	DD	
2021	11	04	SDAB2021-0072				2021	11	04	October 12, 2021 (stat 11Oct21)

SDAB2021-0072

From: mcolinnes@gmail.com
Sent: Tuesday, October 12, 2021 12:49 PM
To: Riley, Coeur A.
Subject: [EXT] RE: Use this email for the Reasons for Appeal

Hi Riley,

Thank you for your message.

This is the email sent yesterday that we discussed and was bounced back.

Thank you,

Colin

From: mcolinnes@gmail.com mcolinnes@gmail.com
Sent: October 11, 2021 10:14 AM
To: info@calgarysdab.ca
Cc: 'Jo-Anne Yau' jyau@robertsonllp.ca
Subject: Appeal of Development Permit DP2021-5537, Residential - Narrow Parcel One Dwelling District (R-1N), 204R CRANFIELD PA SE, 0007-10033-14798-00002-P

Hello,

We are apposed to this development for several reasons listed below and want to challenge this development application.

- Serious privacy concerns
 - Given the narrow distance between houses our privacy will be compromised.
 - Currently the owners often stand at the edge of their deck and stare, make a lot of noise and harass us on our deck that is only a few feet apart.
 - Extending their deck will provide more capacity to breach our privacy which is unacceptable.
- Area zoned for single family
 - There are multiple generations living on one floor and another family living on another floor.
 - This area is not designed for multi-family dwellings and with this proposed development it will make it one.
 - The noise is already really bad, and this development will be far worse causing multiple calls on noise breaches to bylaws and police.
- No other like structure on our green belt
 - What is being proposed for such narrow lots isn't anywhere along the green belt and would stick out like a soar thumb. It would appear to seriously not belong in the neighbourhood.
 - A second level of these structure is not at all a suitable structure for this community.
- Basement suite vs bar
 - When they moved on to street Noel started telling neighbors he was building a bar in his basement while deceiving all and was actually building a basement suite for renters.
 - Given the location it is now a parking nightmare on this part of the street for the neighbors.
- Contractor is homeowner without skills

4

- Recent visit from the building inspector said the quality of was quite poor.
- The application put in by the name on the development permit is actually the homeowners trying to deceive the city and the neighbors. Epoxy Counter Top Pro is the homeowner.
- Work is being done by an unskilled homeowner and no professional trades are involved.
- Safety concerns for tenant
 - The poor-quality construction used on recent expansion to the walkout basement could cause issues for the tenant being able to leave suite in the case of an emergency.
- Outside stair railing to the is not connected to any structure where it terminates at the top creating a safety issue when used. This is an example of the poor quality of workmanship and construction that is evident throughout all their structures they have built. This structure is an eyesore to the neighborhood and expanding it to a second level is unacceptable.
- Current structure issues
 - Being used to run is not permitted business using toxic chemicals to manufacture with and endangering neighbors with flammable and toxic fumes.
 - Several bylaw officers have been out over the years advising him to stop. We've been told by them now to just call the fire department each time in order to stop the dangerous chemicals from being used.
 - All though they claim the use of this structure is for 3 seasons it is actually being used for his chemical-based business year-round directly in front of his tenant's entrance. In fact, the tenant must exit out of their suite into this basement extension in order to access a door to the outside of the house.
 - It is being used year-round for his business and is not a 3-season room. Natural gas lines and heater have been run into this structure for year-round use.
 - We recently had a major renovation done by professional contractors and while work was being done these different contractors pointed out all the various building code violations that we should be reporting.
- Proposed structure engineering
 - Given the constraints to operating his chemical-based business in the basement extension in front of his tenant, the real purpose for the 2nd level extension is so they can operate that business on the second level unimpeded.
 - Using this second level structure to operate their business will be more convenient so they're not disturbing their tenants.
 - The deck and the basement extension engineering are not designed to take on the weight and other factors to put up an extension of this kind. Given the workmanship and cut corners approach we have no confidence in the safety of the construction.
- Our Full disclosure
 - Multiply bylaw breaches
 - They constantly breach bylaws that neighbors call the city on.
 - Many times, these breaches are reoccurring because they've shown they don't respect the city rules or neighbors.
 - Bylaw breaches happen often and over many years demonstration a proven disregard and disrespect for all involved.
 - Various bylaw breach including most recent case numbers of 494131, 21-00584632, 494147, 494134.
 - Recently Parking Authority came out 2 weeks in a row for having their travel trailer parked on the street unhitched for 2 or more days ignoring previous warnings.
 - Police involvement over ongoing harassment.
 - Currently being closely monitored by Calgary City Policy by CST. Anthony Thompson #4394 CRO2 for their behavior and have had multiply visits.
 - We've been advised to journal all interactions.
 - Statement of claim has been filed by law firm of Robertson LLP.

5

- At the recommendation of law enforcement, neighbors and lawyers over several deliberate actions a statement of claim has been served.
- They have demonstrated over multiply instances and years of their willingness to constantly deceive the city and neighbors with false claims of what their permit applications are for vs. their actual use.

Sincerely,

Colin Innes
208 Cranfield Park SE
Calgary, AB
T3M 1B6
403 615-2002

From: Riley, Coeur A. <Coeur.Riley2@calgary.ca>
Sent: October 12, 2021 12:17 PM
To: mcolinnes@gmail.com
Subject: Use this email for the Reasons for Appeal

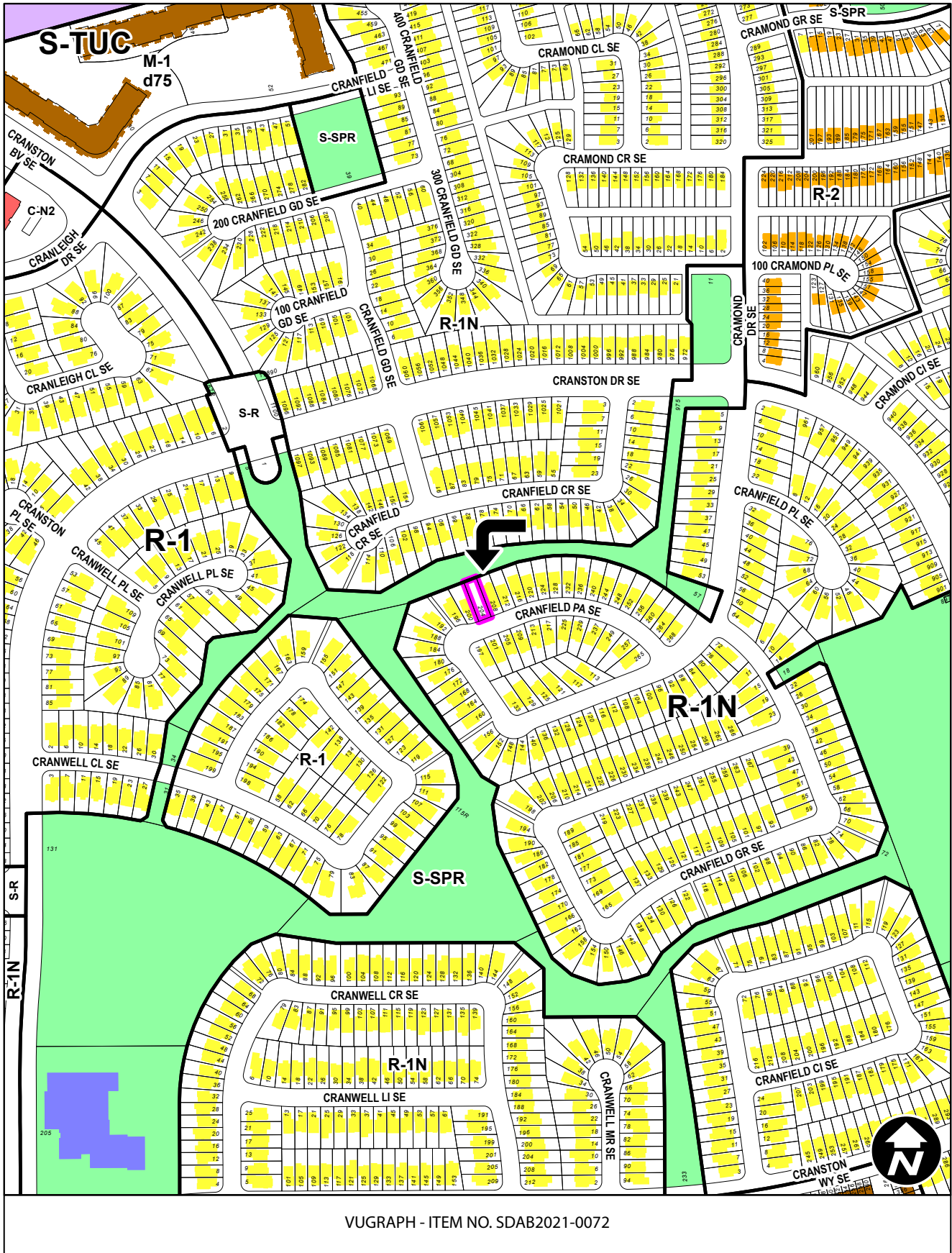
Try this one!

Thank you,

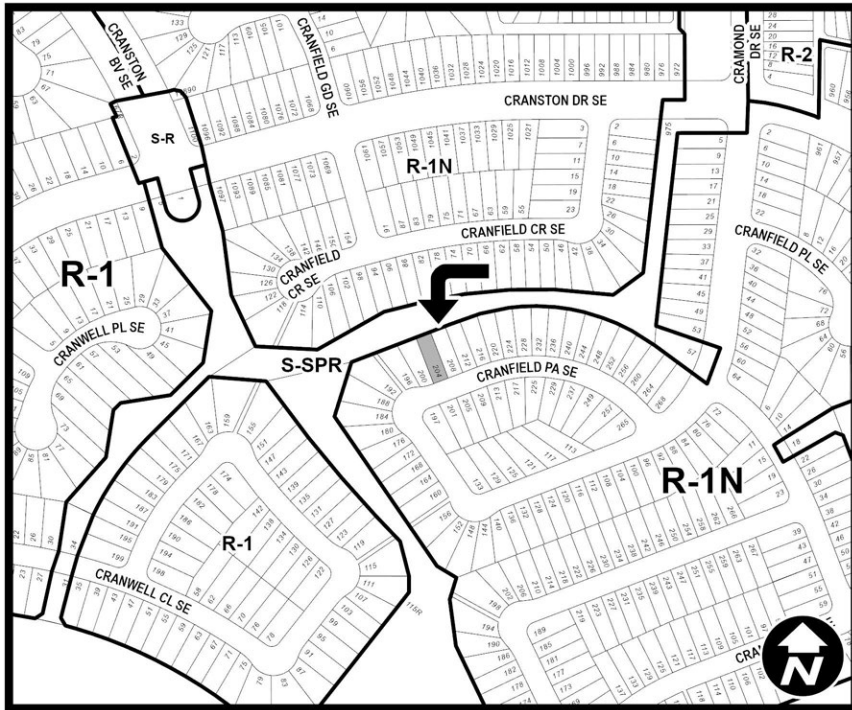
Coeur Riley
Tribunal Clerk, City Appeal Boards
City Clerk's Office | The City of Calgary | Mail Code #8110
PO Box 2100, Station M | Calgary, AB T2P 2M5
General Phone Line: 403.268.5312 | calgarysdab.ca

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.



VUGRAPH - ITEM NO. SDAB2021-0072



SDAB2021-0072



October 13, 2021

EPOXY COUNTER TOP PRO

Noel maciel

[REDACTED]
[REDACTED]

Dear Sir/Madam:

RE: Notification of Decision: DP2021-5537

Subject: Relaxation: deck - projection into rear setback

Project:

Address: 204 CRANFIELD PA SE

204R CRANFIELD PA SE

This is your notification of decision by the Development Authority to approve the above noted application on October 7, 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 October 7, 2023 or the development permit shall cease to be valid.

The decision will be advertised beginning October 14, 2021 at www.calgary.ca/publicnotices, which is the start of the mandatory 21-day appeal period. This appeal period will conclude at midnight November 4, 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) 333-5612 or by email at Michele.yakemchuk@calgary.ca and assist me by quoting the Development Permit number.

Sincerely,

Michele Yakemchuk
Senior Planning Technician
Planning and Development
Attachment(s)



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

DP2021-5537

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

204 CRANFIELD PA SE

204R CRANFIELD PA SE

Community: **Cranston**

L.U.D.: **R-1N**

and legally described as:

0010414;5;79

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

Relaxation: deck - projection into rear setback

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

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

Decision By: **Development Authority**

Date of Decision: **October 7, 2021**

Development Authority **Marie K Rupert**

File Manager: **Michele
Yakemchuk**

Release Date: _____

This permit will not be valid if development has not commenced by: October 07, 2023

This Development Permit was advertised on: **October 14, 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: **EPOXY COUNTER TOP PRO**
Address: **204 CRANFIELD PA SE**
City: **CALGARY, Alberta, T3M1B6**
Phone: **5877031113**

Complete Address and Legal Description listing for Development Permit DP2021-5537

Address Type	Address	Legal Description
Building	204 CRANFIELD PA SE	
Parcel	204 CRANFIELD PA SE	0010414;5;79
Suite	204R CRANFIELD PA SE	



Conditions of Approval – Development Permit

Application Number:	DP2021-5537
Application Description:	Relaxation: deck - projection into rear setback
Land Use District:	Residential - Narrow Parcel One Dwelling
Use Type:	Permitted with a Relaxation
Site Address:	204 CRANFIELD PA SE
Community:	CRANSTON
Applicant:	EPOXY COUNTER TOP PRO
Senior Planning Technician:	MICHELE YAKEMCHUK - (403) 333-5612 - Michele.yakemchuk@calgary.ca

Permanent Conditions

The following permanent conditions shall apply:

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. The relaxation is only for the deck as shown on the approved plans.
4. Should the structure(s) be demolished at any time in the future, any new buildings erected on the site shall comply with the minimum requirements of the Land Use Bylaw.
5. 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.

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.

6. 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.
7. The approval of this development permit does not limit in any way the application of any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline, nor does it constitute any permit or permission under any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline.
8. 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.
9. This development permit has not been reviewed for potential issues with the National Building Code - 2019 Alberta Edition. You may require a Building Permit in addition to this development permit in which case compliance with the Code will be assessed through a Building Permit application. Should a Building Permit review require changes to the approved development permit, the changes must be to the satisfaction of the Development Authority and are potentially subject to a new development permit.
10. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property. Property owners must evaluate whether this development is in compliance with any documents registered on title.

Home Improvement - Development Permit

Application Submitted at: 2021 August 02 4:53:58 PM

Permit Type: Development Permit

Applicant Info and Project Location

Project Location : 204 CRANFIELD PA SE

Project Location Full Spell : 204 CRANFIELD PARK SE

Applicant Information

I am the property owner : False

I am the licensed contractor : True

Contact Info

First Name : Noel

Last Name : maciel

Phone Number : [REDACTED]

Mailing Address

Address Line 1 : 204 CRANFIELD PA SE

Address Line 2 :

City : Calgary

Province : Alberta

Country : Canada

Postal Code : T3M1B6

What are you applying for?

Selected Permits : Uncovered deck

Development Permit Detail

Are any public trees affected by the project? : No

Input Data

Uploaded Document:

Document Type: : ARCHITECTURAL

Document Subtype: : PLANS

Document Name: : Deck extension and 2nd floor deck-Development permit -15th july 2021 Rev-1.pdf

Is Optional: : False

Is Personal Document: : False

Uploaded Document:

Document Type: : SUPPORTING DOCUMENT

Document Subtype: : PUBLIC TREE DISCLOSURE

Document Name: : public_tree_disclosure_statement.pdf

Is Optional: : False

Is Personal Document: : False

FOIP DISCLAIMER

The personal information obtained on this form is being collected under the authority of section 33(c) of the <a href="https://www.serviceal

Applicant's Declaration

Terms and Conditions : Online Services Terms of Use

PLEASE REVIEW THESE TERMS OF USE CAREFULLY. BY ACCESSING AND USING THIS ELECTRONIC ONLINE SERVICES WEBSITE, YOU ACCEPT AND AGREE TO THE FOLL

1. <u>Interpretation</u>

These Online Application Consent and Confirmation of Applicant supplement, and shall be interpreted consistently with, the general Te

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 i

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 O

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

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

6. <u>Changes to Site and Terms of Use</u>

The City reserves the right to make changes to this Online Services Site, the Terms of Use and provide additional terms at any time without

7. <u>Disclaimer of Warranties and Conditions</u>

THE CONTENTS, PRODUCTS AND SERVICES ON THIS ONLINE SERVICES SITE AND YOUR USE OF THIS ONLINE SERVICES SITE ARE PROVIDED IN GOOD FAITH ON AN

THE CITY DISCLAIMS ALL WARRANTIES OR CONDITIONS, EXPRESS OR IMPLIED, WITH RESPECT TO THE CONTENTS, PRODUCTS AND SERVICES CONTAINED ON THIS O

WHILE THE CITY TRIES TO ENSURE THE ACCURACY AND COMPLETENESS OF INFORMATION ON THIS ONLINE SERVICES SITE, IT DOES NOT GUARANTEE ITS ACCURAC

8. <u>Privacy Statement and Collection of Personal Information</u>

Any information, including personal information, contained in a permit application submitted by using this site is being collected under the

9. <u>Alberta Law</u>

You agree to be bound by Alberta law when using this Online Services Site and agree that any court proceedings or other legal action will ta

10. <u>No Damage or Modification of Site</u>

You agree that you will not take any action to damage, modify, or breach the security of this Online Services Site, or cause the Online Serv

11. <u>Site Ownership</u>

The contents of this Online Services Site are owned or licensed by The City. You may not copy, transfer, store, upload, distribute, publish

12. <u>Security of Account Information</u>

You are responsible for protecting the confidentiality of any account information, user names, logins, passwords, security questions and ans

13. <u>Violation of Terms of Use</u>

Any rights you have to use this Online Services Site will terminate immediately upon any violation of these Online Services Terms of Use. Th

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 w

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 Condomini













Rev-2 Oct 7th, 2021East neighbor.

This picture shows adjacent house 208 Cranfield pk se which has deck extension out to 5.2 m from the rear fence. If the neighbor's deck has deck with 5.2 m with privacy screen both sides. We will also do the same. **The new proposed deck will have 2- meter privacy screen on both sides**



This is our existing deck of 204 Cranfield pk se where we plan to build a 3-season room on top it.

Proposed new deck extension 5.2 m setback from fence

East neighbor.

This picture shows adjacent house 208 Cranfield pk se which has deck extension out to 5.2 m from the rear fence with 2-meter privacy fence .

The new proposed deck will have 2- meter privacy screen on both sides



The side distance of the new proposed deck extension is 2.5 m from the neighbor's fence

The new proposed deck will have 2- meter privacy screen on both sides

West neighbor.



The other side distance of the new proposed deck extension is 1.5 m from the neighbor's fence and covered with trees.

The new proposed deck will have 2- meter privacy screen on both sides

West neighbor.

House on the other side . **The new proposed deck will have 2- meter privacy screen on both sides**





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.



October 5, 2021

EPOXY COUNTERTOP PRO
Maciel, Noel

Dear Sir/Madam:

RE: Detailed Review (DR)

Development Permit Number: DP2021-5537

Based on the plans received, your application has been reviewed in order to determine compliance with the Land Use Bylaw and applicable City policies. Any variance from the Land Use Bylaw or City policies may require further discussion or revision prior to a decision being rendered.

A written response to the Prior to Decision issues in this DR is required from the Applicant by the end of the thirty (30) calendar day response due date. In the event that the response due date expires, the application may be inactivated subject to a fifteen (15) calendar day reactivation timeline. In the case of a non-responsive or incomplete application, the General Manager – Planning, Development and Assessment may cancel the application as per Section 41.1 of Land Use Bylaw 1P2007.

Should you have any questions or concerns, please contact me at (403) 333-5612 or by email at Michele.yakemchuk@calgary.ca.

Sincerely,

A handwritten signature in blue ink that reads "M. Yakemchuk".

MICHELE YAKEMCHUK
Senior Planning Technician



Detailed Review 1 – Development Permit

Application Number:	DP2021-5537
Application Description:	Relaxation: deck - projection into rear setback
Land Use District:	Residential - Narrow Parcel One Dwelling
Use Type:	Permitted with a Relaxation
Site Address:	204 CRANFIELD PA SE
Community:	CRANSTON
Applicant:	EPOXY COUNTER TOP PRO
Date DR Sent:	October 5, 2021
Response Due Date:	November 5, 2021
Senior Planning Technician:	MICHELE YAKEMCHUK - (403) 333-5612 - Michele.yakemchuk@calgary.ca

General Comments

The original proposal was for an addition (enclosing the existing deck) to the rear façade. The addition would have a deck and a balcony located on the roof. The applicant was advised the proposal was not supported. The applicant submitted revised plans showing the addition and balcony were removed from the proposal.

The house has a walkout basement and the revised plans propose a 47m² deck with access from the main floor. The area of the proposed deck is a significant size that will create overlooking, privacy and noise concerns to the adjacent parcels. Planning rationale for the proposed development was not submitted with the application.

The proposed deck does not meet Land Use Bylaw section 338 (2) Projections into Rear Setback Area. The required setback from the rear property line to a projection (deck) is 6.0m. If the proposed deck were reduced in size to meet the setback a development permit would not be required. The deck would need to be 6.0m from the rear property line. A building permit is required for the construction of a deck.

Bylaw Discrepancies		
Regulation	Standard	Provided
338 Projections Into Rear Setback Area	(2) Awnings, <u>balconies</u> , <u>bay windows</u> , canopies, chimneys, <u>decks</u> , eaves, fireplaces, fire escapes, <u>landings</u> , <u>porches</u> , and ramps other than wheelchair ramps may project a maximum of <u>1.5 metres</u> into any <u>rear setback area</u> .	Plans indicate the deck is 5.0m (+1.0m) from the rear property line. The required rear setback for this parcel is 7.5m.

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

Prior to Decision Requirements

The following issues must be addressed by the Applicant through a written submission and amended plans prior to a decision by the Approving Authority:

1. Submit a complete set of the amended plans, by email in PDF format, to the Senior Planning Technician. The submitted plans must address the requirements listed in this document. Ensure that all plans affected by the revisions are amended accordingly.
2. Submit the following information:
 - a. Provide planning rationale in support of the proposed relaxation. Planning rationale is required when the proposal does not comply with council approved policies, bylaw standards or technical guidelines.
 - b. Provide photos of the adjacent parcels.

Note: Submitting the above information will help to render a decision. The application may not be supported even with the above information.

OR

- c. Amend the plans by reducing the depth of the deck so that it is 6.0m from the rear property line. If plans are amended a development permit is not required. Request cancellation of the Development Permit.

Permanent Conditions

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

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

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.

4. The advisory comments will be finalized at the time of Development Authority decision.
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. This development permit has not been reviewed for potential issues with the National Building Code - 2019 Alberta Edition. You may require a Building Permit in addition to this development permit in which case compliance with the Code will be assessed through a Building Permit application. Should a Building Permit review require changes to the approved development permit, the changes must be to the satisfaction of the Development Authority and are potentially subject to a new development permit.

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

From: [Yakemchuk, Michele](#)
To: [Calgary epoxy countertop reface](#)
Subject: RE: [EXT] Re: DP2021-5537 INITIAL REVIEW - 204R CRANFIELD PA SE
Date: Friday, September 17, 2021 4:29:00 PM

Hi Noel,

Please send updated plans to show what you will be proposing and we can go from there. It is easier to say or confirm what is required if I have plans.

Thank you,
Michele

Michele Yakemchuk
Senior Planning Technician

From: Calgary epoxy countertop reface <[REDACTED]>
Sent: Thursday, September 16, 2021 12:32 AM
To: Yakemchuk, Michele <Michele.Yakemchuk@calgary.ca>
Subject: Re: [EXT] Re: DP2021-5537 INITIAL REVIEW - 204R CRANFIELD PA SE

Michele,
Please confirm my below request. I don't want to do the balcony. Only need the deck extension.

Please confirm

Thanks
Noel
[REDACTED]

On Thu., Sep. 9, 2021, 9:27 a.m. Calgary epoxy countertop reface,
<[REDACTED]> wrote:

Michele,
Please let me know if you need revised drawings I just need the development permit for the extension of the deck to 5.2m

Thanks
Noel
[REDACTED]

[REDACTED] Tue., Sep. 7, 2021, 4:10 p.m. Calgary epoxy countertop reface,
<[\[REDACTED\]](#)> wrote:

Michele,

SDAB2021-0072

If the set back of balcony has an issue then please remove that from the development permit.

I just want the deck extension.

Please let me know.

Rest I will go as per my building permit bp2021 01938 .

Thanks

Noel

On Tue., Sep. 7, 2021, 3:30 p.m. Yakemchuk, Michele, <Michele.Yakemchuk@calgary.ca> wrote:

Hi Noel,

Every development is different and needs to be evaluated individually. Your neighbour's application may have only been for an extension of a deck. Your application is requesting to enclose the existing deck and then add a deck from that addition and then add a balcony on the roof of the addition. It is the overall impact of your application that causes the most concern. It is not simply extending a deck into the rear setback.

Thank you,
Michele

Michele Yakemchuk

Senior Planning Technician

From: Calgary epoxy countertop reface [REDACTED] >

Sent: Tuesday, September 7, 2021 11:03 AM

To: Yakemchuk, Michele <Michele.Yakemchuk@calgary.ca>

Subject: Re: [EXT] Re: DP2021-5537 INITIAL REVIEW - 204R CRANFIELD PA SE

Michele,

If it creates a problem than i can leave with it at 5.2. The only question I have is my neighbors lately they got they deck extended to 5.2 m .(208 cranfield pk se) so just a question raises in my mind is that why cannot we extend.?

Thanks
Noel

On Tue., Sep. 7, 2021, 9:40 a.m. Yakemchuk, Michele, <Michele.Yakemchuk@calgary.ca>

wrote:

Hello Noel,

Your application is under review. If you wish to change the setback please amend the plans and submit them to me as soon as possible.

At this time, I cannot say for certain the deck would be supported at a distance of 4.8m to the rear property line. The minimum distance required from the rear property line to a deck is 6.0m. You are requesting a significant relaxation that creates overlooking and privacy concerns to your neighbours. The original distance of 5.2m is also a significant relaxation.

Planning rationale in support of your relaxation request needs to be provided. Planning rationale is required when the proposal does not comply with council approved policies, bylaw standards or technical guidelines.

Other items to support your development would be to submit letters from the neighbours stating they are in support of your development.

Thank you,
Michele

Michele Yakemchuk

Senior Planning Technician

From: Calgary epoxy countertop reface <[REDACTED]>

Sent: Tuesday, September 7, 2021 8:32 AM

To: Yakemchuk, Michele <Michele.Yakemchuk@calgary.ca>

Subject: [EXT] Re: DP2021-5537 INITIAL REVIEW - 204R CRANFIELD PA SE

Michele,

Just following up with the development permit application.

One question. For the deck extension from rear fence we said in drawings 5.2m can that be modified to 4.8 m.

Thanks
Noel
[REDACTED]

On Wed., Aug. 18, 2021, 4:20 p.m. , <Michele.yakemchuk@calgary.ca> wrote:

logo



Re: DP2021-5537 INITIAL REVIEW - 204R CRANFIELD PA SE

Good day,

I am the file manager who will be reviewing your Development Permit application.

The initial review of your application is complete, and a detailed planning review is now underway. This includes consulting with stakeholders to gather planning information relevant to your application. You will be contacted if additional information is needed.

For more information about the Development Permit Process please visit www.calgary.ca/dpprocess.

Please track your application, using your Job Access Code (JAC) DP2021-5537-██████, at www.calgary.ca/vista.

Regards,

MICHELE YAKEMCHUK
Senior Planning Technician
Michele.yakemchuk@calgary.ca
(403) 333-5612
www.calgary.ca/PDMap

From: [REDACTED]
To: [Yakemchuk, Michele](#)
Subject: [EXT] 204R CRANFIELD PA SE - DP2021-5537 - Comment from Development Map - Mon 8/23/2021 8:30:23 AM
Date: Monday, August 23, 2021 8:30:30 AM
Attachments: [Development permit opposition .pdf](#)

Application: DP2021-5537

Submitted by: Malcolm Colin Innes

Contact Information

Address: 208 Cranfield Pk SE

Phone [REDACTED]

[REDACTED]

Feedback:

Our comments are attached.

We are apposed to this development for several reasons listed below and want to challenge this development application.

- Serious privacy concerns
 - Given the narrow distance between houses our privacy will be compromised.
 - Currently the owners often stand at the edge of their deck and stare, make a lot of noise and harass us on our deck that is only a few feet apart.
 - Extending their deck will provide more capacity to breach our privacy which is unacceptable.
- Area zoned for single family
 - There are multiple generations living on one floor and another family living on another floor.
 - This area is not designed for multi-family dwellings and with this proposed development it will make it one.
 - The noise is already really bad, and this development will be far worse causing multiple calls on noise breaches to bylaws and police.
- No other like structure on our green belt
 - What is being proposed for such narrow lots isn't anywhere along the green belt and would stick out like a sore thumb. It would appear to seriously not belong in the neighbourhood.
 - A second level of these structure is not at all a suitable structure for this community.
- Basement suite vs bar
 - When they moved on to street Noel started telling neighbors he was building a bar in his basement while deceiving all and was actually building a basement suite for renters.
 - Given the location it is now a parking nightmare on this part of the street for the neighbors.
- Contractor is homeowner without skills
 - Recent visit from the building inspector said the quality of was quite poor.
 - The application put in by the name on the development permit is actually the homeowners trying to deceive the city and the neighbors. Epoxy Counter Top Pro is the homeowner.
 - Work is being done by an unskilled homeowner and no professional trades are involved.
- Safety concerns for tenant
 - The poor-quality construction used on recent expansion to the walkout basement could cause issues for the tenant being able to leave suite in the case of an emergency.
- Outside stair railing to the is not connected to any structure where it terminates at the top creating a safety issue when used. This is an example of the poor quality of workmanship and construction that is evident throughout all their structures they have built. This structure is an eyesore to the neighborhood and expanding it to a second level is unacceptable.
- Current structure issues
 - Being used to run is not permitted business using toxic chemicals to manufacture with and endangering neighbors with flammable and toxic fumes.

- Several bylaw officers have been out over the years advising him to stop. We've been told by them now to just call the fire department each time in order to stop the dangerous chemicals from being used.
- All though they claim the use of this structure is for 3 seasons it is actually being used for his chemical-based business year-round directly in front of his tenant's entrance. In fact, the tenant must exit out of their suite into this basement extension in order to access a door to the outside of the house.
- It is being used year-round for his business and is not a 3-season room. Natural gas lines and heater have been run into this structure for year-round use.
- We recently had a major renovation done by professional contractors and while work was being done these different contractors pointed out all the various building code violations that we should be reporting.
- Proposed structure engineering
 - Given the constraints to operating his chemical-based business in the basement extension in front of his tenant, the real purpose for the 2nd level extension is so they can operate that business on the second level unimpeded.
 - Using this second level structure to operate their business will be more convenient so they're not disturbing their tenants.
 - The deck and the basement extension engineering are not designed to take on the weight and other factors to put up an extension of this kind. Given the workmanship and cut corners approach we have no confidence in the safety of the construction.
- Our Full disclosure
 - Multiply bylaw breaches
 - They constantly breach bylaws that neighbors call the city on.
 - Many times, these breaches are reoccurring because they've shown they don't respect the city rules or neighbors.
 - Bylaw breaches happen often and over many years demonstration a proven disregard and disrespect for all involved.
 - Various bylaw breach including most recent case numbers of 494131, 21-00584632, 494147, 494134.
 - Recently Parking Authority came out 2 weeks in a row for having their travel trailer parked on the street unhitched for 2 or more days ignoring previous warnings.
 - Police involvement over ongoing harassment.
 - Currently being closely monitored by Calgary City Policy by CST. Anthony Thompson #4394 CRO2 for their behavior and have had multiply visits.
 - We've been advised to journal all interactions.
 - Statement of claim is being drafted by law firm of Robertson LLP.
 - At the recommendation of law enforcement, neighbors and lawyers over several deliberate actions a statement of claim is being drafted and will be served.
 - They have demonstrated over multiply instances and years of their willingness to constantly deceive the city and neighbors with false claims of what their permit applications are for vs. their actual use.



Development Authority Response to Notice of Appeal

Appeal number: SDAB2021-5537

Development Permit number: DP2021-0072

Address: 204 Cranfield PA SE

Description: Relaxation: deck – projection into rear setback

Land Use: Residential – Narrow Parcel One Dwelling (R-1N)

Community: Cranston

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: Permitted with Relaxation

Notice Posted: Not required

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
338 Projections into Rear Setback Area	...decks... may project a maximum of 1.5 metres into a rear setback area	The deck projects 2.3 metres (+0.8 metres) into the rear setback area. In the R-1N district the rules require a deck to be 6.0 metres from a rear property line, the subject deck is 5.2 metres from the rear property line.

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

- East McLeod Area Structure Plan

Additional factors, considerations and rationale for the decision:

1. The deck is accessory to a Single Detached Dwelling which is a permitted use in the R-1N District
2. In Rendering their decision, the Development Authority applied Section 29 of the Land Use Bylaw
3. The subject dwelling is a two-story home with a walk out basement.
 - a. There is currently a main level deck which is enclosed at the basement level
 - b. The deck is accessed by an existing stair
 - c. The application originally proposed a sunroom addition and balcony
 - d. Prior to a decision being rendered, the applicant amended their proposal to only include the deck
 - e. The decision rendered drawings indicate a “future 3 season sunroom”, the Development Authorities decision is limited to the current proposal, no weight was given to future development which will require their own permits and approvals
 - f. The Development Authorities decision is to extend the existing deck by 2.3
4. The proposed development complies with the following Land Use Bylaw rules for R-1N:

- a. Section 25 of the Land Use Bylaw exempts developments which meet the rules of the Land Use Bylaw from the requirement to obtain a development permit
 - b. The height of a deck in the development area must not exceed 0.3 metres above the main floor of the dwelling, the subject deck functionally at the same height of the main floor and complies with the rule
 - c. A 1.5 metres and 2.5 metres side setbacks are provided, which exceed the 1.2 metres requirement
- 5. The R-1N district requires a 7.5 metres rear setback, decks may project 1.5 metres into the required setback
 - a. The existing deck (and enclosure below) provides a 7.5 metres setback from the rear property line
 - b. The deck could be extended 1.5 metres and comply with the rule; however, a 2.3 metres projection is proposed
 - c. the dwelling to the west projects slightly beyond the existing deck
 - d. there is a greenspace and region pathway located to the north
 - e. the dwelling to the east includes a deck which projects beyond the placement of the current deck
 - f. it is the opinion of the development authority that the issuance of a 0.8 metres relaxation of the rules will not result in a development which is significantly or materially different than elsewhere along the blockface
 - g. The development authority does not anticipate that there will be an impact on the use and enjoyment of land as a result of the relaxation
 - h. Overlooking is always a challenge on parcels with walkout basements because main floor decks create the potential for overlooking, the 0.8 metres relaxation of the deck does not create a substantial increase in the potential for overlooking; however, the Development Authority still felt it appropriate to require a privacy screen be provided along the sides of the deck
- 6. During the review there were additional issues raised to the Development Authority regarding additional dwelling units, home based businesses and construction safety
 - a. The Development Authorities decision applies to the scope of the application, which is an extension to an existing deck
 - b. The Safety Codes Act applies to construction, the owner is responsible for obtaining additional permits to authorize the physical construction of the deck
- 7. It is the opinion of the Development Authority that the test for relaxation is met; therefore, the development is approved.

Appeal Board rec'd: October 24, 2021
Submitted by: N. Maciel, applicant/owner

Response to Appeal SDAB2021-0072

We the owners 204 Cranfield pk SE are not astonished by the appealer RESPONSE at all based on his character. See below our response point-wise for the below items addressed by the appealer (208 Cranfield pk se)

Note: At the end of this document we the owners of 204 Cranfield pk se will explain why we need the deck extension so that we can practice our rights of privacy which are exploited by the owner and the appealer (208CRANFIELD PK SE)

□ Serious privacy concerns

o Given the narrow distance between houses our privacy will be compromised.

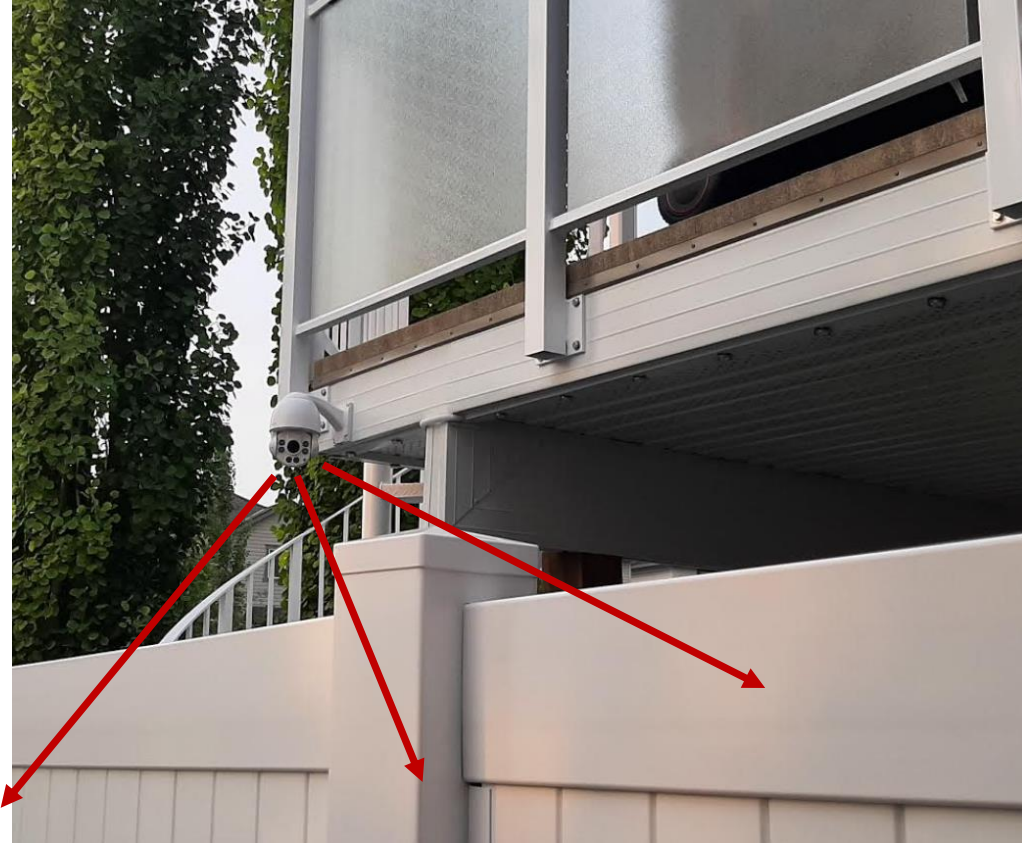
Reply:

1. The proposed deck extension for 204 canfield pk se is **2.5 meters away from the neighbor's (appealer) (208CRANFIELD PK SE) side fence**. As per the plan submitted for approval a **2-meter privacy screen is shown**. The same way how the Appealers deck extension is approved by the city under development permit DP2020-5904
2. The approved deck extension 5.2 m from the rear property line for the appealer (208CRANFIELD PK SE) under development permit DP2020-5904 creates a major **privacy concern** for the residents of 204 canfield pk se which are explained below point-wise and with pictures.
 - a. The appealer is pointing their security cameras from the extended edge of the new deck onto the yard, home, and deck of 204 Cranfield pk se.
 - b. The cameras move occasionally when we are on the deck especially when my family is outside which concerns me the most.
 - c. The (appealer) (208CRANFIELD PK SE) is spying, staring from the extended deck edge through **the clear glass which he has changed after getting the final approval from the inspector. -See picture 2C below.**
 - d. (appealer) (208CRANFIELD PK SE) NEW DECK EXTENSION UNDER under development permit DP2020-5904 is allowed city. The privacy panel has been changed to clear glass and hence can spy in residence at all times also from the **staircase**, apart of using the camera as mentioned above. This is the reason resident of 204 Cranfield pk is asking for deck extension under development permit **DP2021-5537** same as approved for the appealer under development permit DP2020-5904
3. For the approval of the deck extension 5.2 m from the property for 204 Cranfield pk se a 2m privacy screen was required to be shown. We assume that this was the same case for the appealer (208CRANFIELD PK SE) to get their development DP2020-5904 approved. If that was the case see below the violations the appealer (208CRANFIELD PK SE) Is doing. If that was not the case then we have some serious big privacy concerns which may have been overlooked.
 - a. The appealer(208CRANFIELD PK SE) itself is violating their recent deck extension 5.2m setback from property line under DP2020-5904 development permit by removing the privacy screen and putting a **CLEAR GLASS** spying, staring at the LIVING ROOM, TOP BONUS ROOM, DAUGHTERS BEDROOM, THE KITCHEN from their newly built deck at 208 Cranfield pk SE. Pictures are attached below as evidence.
 - b. Apart from spying, staring from the clear glass the appealer (208CRANFIELD PK SE) also points the security camera from the edge of the newly extended deck to the yard, property, inside of the house, and three-season room..
 - c. Appealer is deceiving the city as he had a privacy glass for his final inspection and after that put a clear glass.

- d. As counter claim has been filed for privacy breach by camera has been filed by our lawyer west legal against the appellant

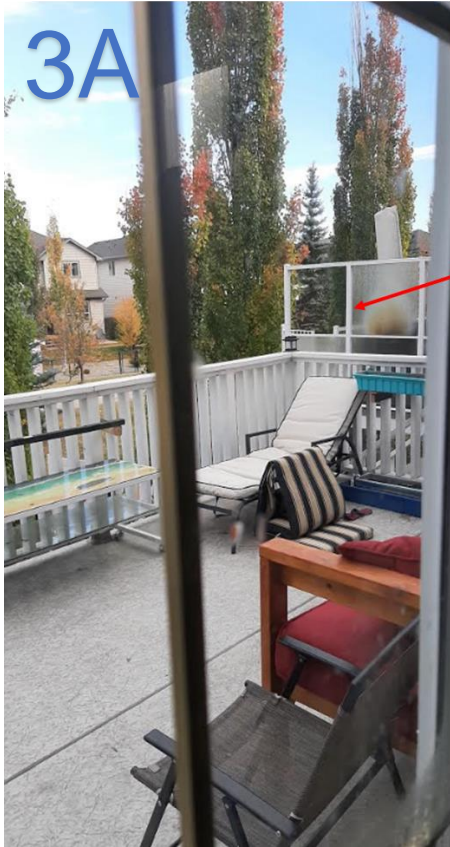


(appellant) (208CRANFIELD PK SE) camera spying from his new extended deck on to the property of 204 Cranfield pk se. **CAUGHT IN ACTION**



Appealers new deck extension 208 Cranfield pk 5.2 m from fence .
Changed privacy panel to clear glass to spy



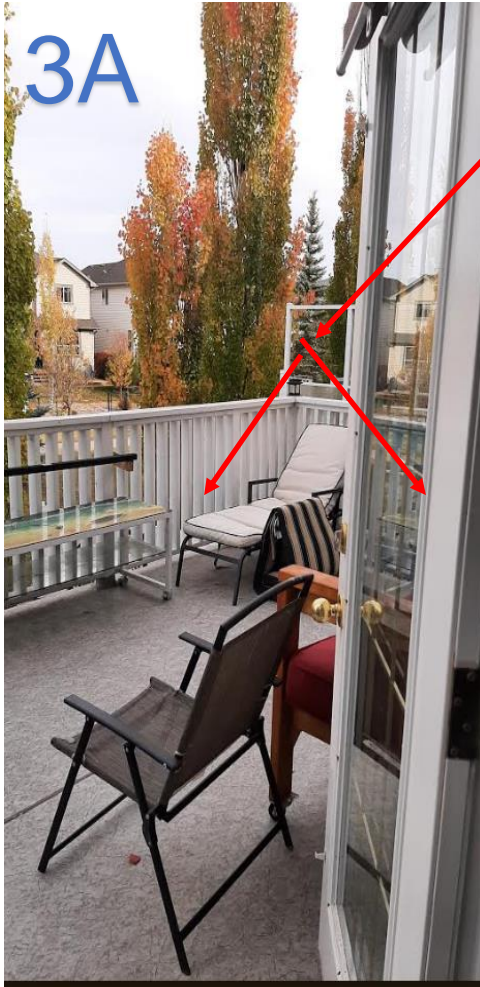


Appealers new deck extension
208 Cranfield pk 5.2 m from
fence . Changed privacy
panel to clear glass to spy
living room at 204 Cranfield
pk se

Photo taken from inside of 204 Cranfield pk se living room and kitchen



Appealers new deck
extension 208 Canfield
pk 5.2 m from fence
under DP DP2020-
5904 – stares ,spy's
straight into the living
room, kitchen at all
times with this the
privacy of the residents
of 204 Cranfield pk se
is totally violated.



Appealers new deck extension 208 Cranfield pk 5.2 m from fence under DP DP2020-5904 – stares ,spy's straight into the living room, kitchen at all times with this the privacy of the residents of 204 Cranfield pk se is totally violated.

Photo taken from inside of 204 Cranfield pk se deck door

1. (appealer) (208CRANFIELD PK SE) NEW DECK EXTENSION UNDER under development permit DP2020-5904 is allowed city. The privacy panel has been changed to clear glass and hence can spy in residence at all times also from the staircase, apart of using the camera as mentioned above.
This is the reason resident of 204 Cranfield pk is asking for deck extension under development permit **DP2021-5537** same as approved for the appealer under development permit DP2020-5904



o Currently the owners often stand at the edge of their deck and stare, make a lot of noise and harass us on our deck that is only a few feet apart.

Reply:

1. A false claim by the appealer
2. The current deck is 2.5 m from the fence of (appealer)and the stair landing is 1.3 m from the fence of (208CRANFIELD PK SE)
3. As falsely indicated, we as the homeowner have the full right to enjoy the deck with our kids similar as the other neighbors do.
4. As indicated by the appealer why has there been no complaint registered so far? A lie by the appealer.

o Extending their deck will provide more capacity to breach our privacy which is unacceptable.

Reply:

1. The proposed deck extension for 204 Cranfield pk se is 2.5 m away from the neighbor's (appealer) (208CRANFIELD PK SE) side fence. As per the plan submitted for approval a 2-meter privacy screen is shown. The same way how the Appealers deck extension is approved by the city under development permit DP2020-5904
2. The approved deck extension 5.2 m from the rear property line for the appealer (208CRANFIELD PK SE) under development permit DP2020-5904 creates a major **privacy concern** for the residents of 204 Cranfield pk se which are explained below point-wise and with pictures.
 - a. The appealer is pointing their security cameras from the extended edge of the new deck onto the yard, home, and deck of 204 Cranfield pk se.
 - b. The cameras move occasionally when we are on the deck especially my family are outside which concerns me the most.
 - c. The (appealer) (208CRANFIELD PK SE) is spying, stares from the extended deck edge through the **clear glass which he has changed after getting the final approval from the inspector. -See picture 2C below.**
3. For the approval of the deck extension 5.2 m from the rear property line for 204 Cranfield pk se a 2m privacy screen was required to be shown. We assume that this was the same case for the appealer (208CRANFIELD PK SE) to get their development DP2020-5904 approved. If that was the case see below the violations the appealer (208CRANFIELD PK SE) is doing. If that was not the case then we have some serious big privacy concerns which may have been overlooked.
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 - b. Apart from spying, staring from the clear glass the appealer (208CRANFIELD PK SE) also points the security camera from the edge of the newly extended deck to the yard, property, inside of the house, and three-season room..
 - c. Appealer is deceiving the city as he had a privacy glass for his final inspection and after that put a clear glass.
 - d. As counterclaim has been filed for privacy breach by the camera has been filed by our lawyer west legal against the appealer

□ Area zoned for single-family

o There are multiple generations living on one floor and another family living on another floor.

Reply:

1. Again, a false claim by the appealer.
2. The only people living in 204 Cranfield pk are Noel Maciel along with his mom and dad and wife and two kids. It's ONE FAMILY. Not two separate families.
3. Is there any bylaw that states that the parents of Noel Maciel cannot stay with their son? In our culture parents stay with the kids. My parents are dependent on me. Is there anything wrong with it?
4. **We the residents of 204 Cranfield pk se would like to invite CITY to our house to see how the appealer is lying and trying to harass residents of 204 Cranfield pk se any time 24/ 7 365 days.**
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o This area is not designed for multi-family dwellings and with this proposed development it will make it one.

Reply:

1. Again, a false claim by the appellant.
2. The only people living in 204 Cranfield pk are Noel Maciel along with his mom and dad and wife and two kids. It's ONE FAMILY. Not two separate families.
3. Is there any bylaw that states that the parents of Noel Maciel cannot stay with their son? In our culture parents stay with the kids. My parents are dependent on me. Is there anything wrong with it?
4. **We the residents of 204 canfield pk we would like to invite CITY to our house to see how the appellant is lying and trying to harass residents of 204 canfield pk se any time 24/ 7 365 days.**
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o The noise is already really bad, and this development will be far worse causing multiple calls on noise breaches to bylaws and police.

Reply:

1. Again, a false claim by the appellant.
2. The appellant is falsely reporting Noise and why there hasn't been a single ticket or complaint issued to the owner of 204 canfield pk if the appellant is telling the truth.
3. The owner of 204 Cranfield pk se has a very good understanding of bylaws when building projects.
4. The appellant is well known to call on us for unreal reasons and always waits for a chance to spy from his back yard and front yard camera.
5. The owners of 204 Cranfield pk se have the full right to enjoy on the deck as others do,
6. **This statement is irrelevant to the appeal against development permit DP2021-5537**

□ No other like structure on our green belt

o What is being proposed for such narrow lots isn't anywhere along the green belt and would stick out like a soar thumb. It would appear to seriously not belong in the neighborhoods.

Reply:

1. Again, a false claim by the appellant.
2. The Development permit **is for deck extension 5.2 m from the rear setback** from the property line which has been approved for the neighbor appellant (208CRANFIELD PK SE) under development permit DP2020-5904
3. As per the development permit, a deck extension has been already being allowed for (appellant) (208CRANFIELD PK SE) but violates the development permit by removing the privacy screen and putting CLEAR GLASS so the owner of 208 Canfield PK can spy into the rooms of 204 Cranfield pk se along with the camera, see color picture above 2A,B,3 A.
4. Appellant is deceiving the city with his recent DP2020-5904.
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o A second level of these structure is not at all a suitable structure for this community.

Reply:

1. Again, a false claim by the appealer.
2. A future enclosed 3 season room/sunroom can be built as per the city by law at 204 Cranfield pk. These types of sunrooms and 3 season rooms are already existing in this community. Its not a new thing.
3. **This statement is irrelevant to the appeal against development permit DP2021-5537**

☐ Basement suite vs bar

o When they moved on to street Noel started telling neighbors he was building a bar in his basement

While deceiving all and was actually building a basement suite for renters.

Reply:

1. Again, a false claim by the appealer.
2. The owner of 204 Cranfield pk did build a dry bar in the basement initially. Then one fine beautiful morning one day the owner of 204 Cranfield pk saw an advertisement about a secondary suite. The owner then decided to do a new secondary suite and then through the proper city procedure applied for a new development permit for a secondary suite which is approved.
3. It's not a law that the resident showed report everything that we want to do with our house and our property.
4. The owner has a very good understanding of how to operate his secondary suite which the appealer is showing signs of anger and jealousy.
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o Given the location it is now a parking nightmare on this part of the street for the neighbors.

Reply:

1. Again a false statement.
2. The owner of 204 Cranfield pk has a dedicated separate parking stall on their driveway for the tenant living in the secondary suite.
3. At no point in time, the renter has parked on the streets overnight unless there was any repair work taking place of the driveway.
4. On the contradictory, the appealer would always park his car on the street blocking the driveway of 204 cranfield pk for which he has a warning issued by the city in 2018
5. We the residents of 204 Cranfield pk se would like to invite you to our beautiful house any time 24 / 365
6. **This statement is irrelevant to the appeal against development permit DP2021-5537**

☐ Contractor is homeowner without skills

o Recent visit from the building inspector said the quality of was quite poor.

Reply:

1. Again, a false claim by the appellant.
2. As per the latest building permit project for a three-season room at 204 Cranfield pk se all final approvals for all inspections have been done in stages and have successfully been completed and closed by various city inspectors.
3. No comments of the poor building have been listed on the closed building permits.
4. All inspectors have been congratulating me on the idea and how the building was done. It's awesome built and ties in the community. See picture.
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**





o The application put in by the name on the development permit is actually the homeowners trying to deceive the city and the neighbors. Epoxy Counter Top Pro is the homeowner.

Reply:

1. Again, a false claim by the appellant.
2. Applicant name is the name of the homeowner and is done under the account of the epoxy countertop.
3. We have no idea what the appellant is trying to explain.
4. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o Work is being done by an unskilled homeowner and no professional trades are involved.

Reply:

1. Again, a false claim by the appellant and his laws.
2. Homeowners' permits and taken and inspected by the city of Calgary inspectors.
3. Professional trades are used where required for example installing gas lines for gas heaters that have building permits and final inspections done by the city.
4. All inspectors have been congratulating me on the idea and how the building was done. It's awesome built and ties in the community.
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**

□ Safety concerns for tenant

o The poor-quality construction used on recent expansion to the walkout basement could cause issues for the tenant being able to leave the suite in the case of an emergency.

Reply:

1. Again, a false claim by the appellant.
2. It's not a building expansion but a three-season room with all approved buildings permits and final inspections done successfully for the secondary suite.
3. The new three-season room under the deck has two doors all drawings have been approved by city safety code officers.
4. The final inspection was done in August.
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**



□ Outside stair railing to the is not connected to any structure where it terminates at the top creating a safety issue when used. This is an example of the poor quality of workmanship and construction that is evident throughout all their structures they have built. This structure is an eyesore to the neighborhood and expanding it to a second level is unacceptable.

Reply:

1. Again, a false claim by the appellant.
2. All buildings permits are successfully inspected by city inspectors and all permits have been closed.
3. See pictures of 204 Cranfield pk backyard. It is so beautiful and blends in perfectly with the community.
4. The owner of 204 Cranfield pk is in the progress of painting the stair railings and replacing old deck trim and fascia trim hence has to remove some posts to paint inside. This is part of general maintainable and not construction issues. As mentioned above appellant and with pictures appellant is always spying with his security camera and waiting for a chance.

5. The structure is not an eyesore to the neighborhood but the contradiction enhances the beauty of the community. See below before and after pictures, it's so beautiful and it looks like it's meant to be there.
6. Several neighbors have liked the idea and would like to do it too but the appealer is showing signs of frustration and jealousy
7. The back three-season room looks much better than the front LOL
8. **This statement is irrelevant to the appeal against development permit DP2021-5537**



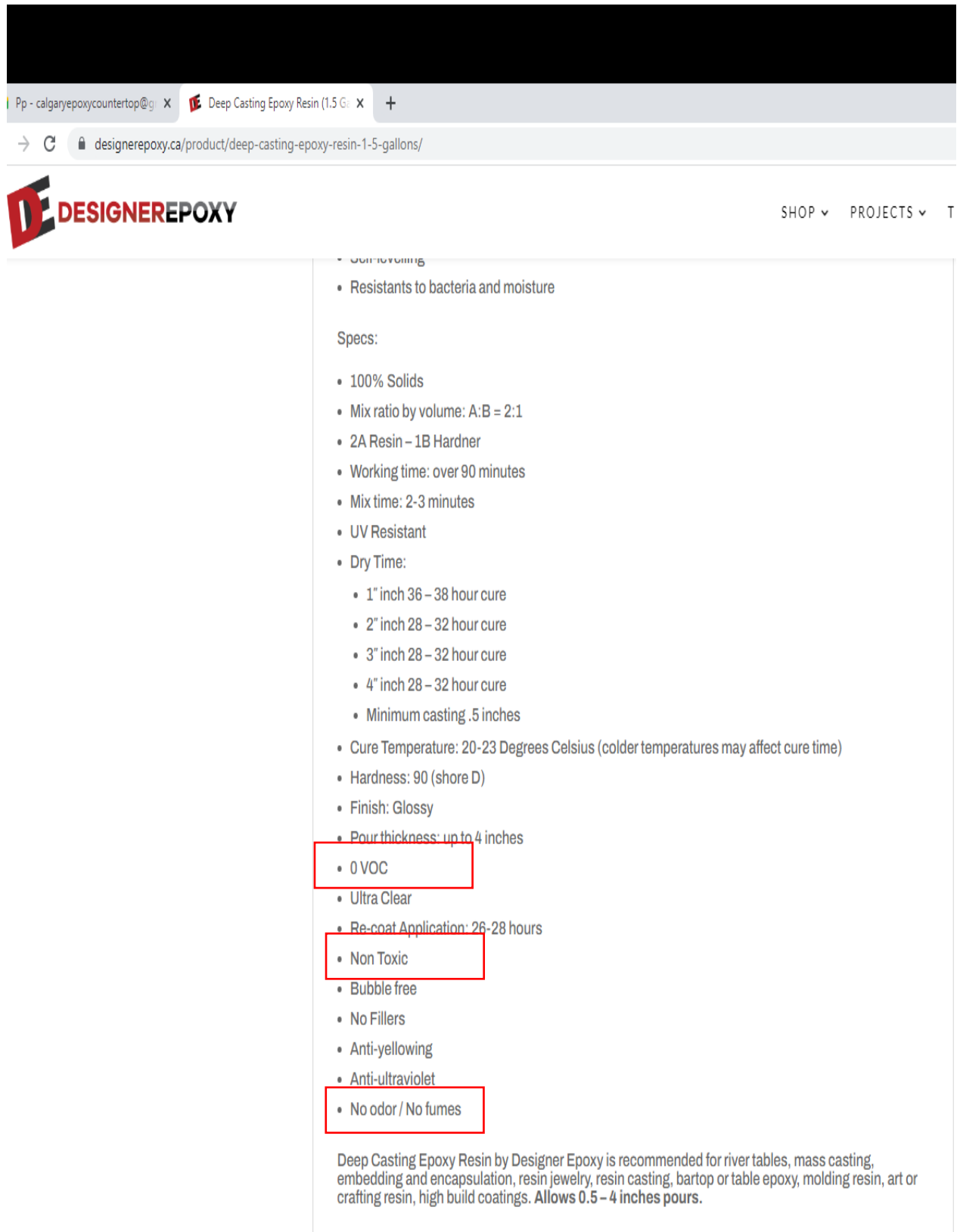


□ Current structure issues

o Being used to run is not permitted business using toxic chemicals to manufacture with and endangering neighbors with flammable and toxic fumes.

Reply:

1. Again, a false claim by the appellant.
2. The owner does not use any chemicals or does any manufacturing. A false claim.
3. **City, police, fire personal anyone is most welcome to visit our beautiful 3 season room and our beautiful home 24/7. This is an open challenge**
4. The resident of 204 Cranfield pk se has an epoxy countertop reface company and owning a business with the name epoxy does not mean we use chemicals.
5. The nature of the business as seen by the name of the company is to reface existing kitchen countertops at the customer's home. The epoxy that is bought from the store for this job at the job site is **ZERO VOC, NO FUMES, FOOD SAFE AND APPROVED BY FDA AND NON-TOXIC**. Technician data sheets can be provided if required,
6. Appellant is trying to fabricate unnecessary and unimaginable lies.
7. The owner of 204 Cranfield pk is an artist and along with his family does various household projects for **personal use** using the **ZERO VOC, NO FUMES, FOOD SAFE AND APPROVED BY FDA AND NON-TOXIC** epoxy. Projects like epoxy on kids table, epoxy on the floor of the three-season room, etc.
8. **We love doing projects with epoxy and soon we will do a sign 204 Cranfield pk se with epoxy.**
9. **This statement is irrelevant to the appeal against development permit DP2021-5537**
10. **See below link for epoxy so that everyone understands how the appellant is trying to deceive everyone and waste everyone's time**
11. **See some videos on how they do countertop epoxy reface at customer houses .No mask needed as no fumes and zero voc .**
<https://youtu.be/RAIGfBm9q0k>
<https://youtu.be/kznkcaoLNao>



designerepoxy.ca/product/deep-casting-epoxy-resin-1-5-gallons/

DESIGNEREPOXY SHOP ▾ PROJECTS ▾ T

- Resistant to bacteria and moisture

Specs:

- 100% Solids
- Mix ratio by volume: A:B = 2:1
- 2A Resin – 1B Hardener
- Working time: over 90 minutes
- Mix time: 2-3 minutes
- UV Resistant
- Dry Time:
 - 1" inch 36 – 38 hour cure
 - 2" inch 28 – 32 hour cure
 - 3" inch 28 – 32 hour cure
 - 4" inch 28 – 32 hour cure
 - Minimum casting .5 inches
- Cure Temperature: 20-23 Degrees Celsius (colder temperatures may affect cure time)
- Hardness: 90 (shore D)
- Finish: Glossy
- Pour thickness: up to 4 inches
- 0 VOC
- Ultra Clear
- Re-coat Application: 26-28 hours
- Non Toxic
- Bubble free
- No Fillers
- Anti-yellowing
- Anti-ultraviolet
- No odor / No fumes

Deep Casting Epoxy Resin by Designer Epoxy is recommended for river tables, mass casting, embedding and encapsulation, resin jewelry, resin casting, bartop or table epoxy, molding resin, art or crafting resin, high build coatings. Allows 0.5 – 4 inches pours.

o Several bylaw officers have been out over the years advising him to stop. We've been told by them now to just call the fire department each time in order to stop the dangerous chemicals from being used.

Reply:

1. Again, a false claim by the appellant.
2. If several bylaw officers have been called to 204 Cranfield pk and no notice no warning or ticket has been issued is surprising..
3. Appellant has no idea about epoxy resin. We assume the appellant is confused with the aromas of a good, cooked curry by my mother LOL.
4. Why hasn't the appellant called the fire department yet? The appellant is a liar.
5. City, police, fire personal anyone is most welcome to visit our beautiful 3 season room and our beautiful home 24/7.
6. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o All though they claim the use of this structure is for 3 seasons it is actually being used for his chemical-based business year-round directly in front of his tenant's entrance. In fact, the tenant must exit out of their suite into this basement extension in order to access a door to the outside of the house.

Reply:

1. Again, a false claim by the appellant.
2. The owner does not store any chemicals nor does any manufacturing. A false claim. Please provide evidence open challenge.
3. The owner does not need any place actually to operate his business. The owner just needs a phone and he can operate his business from it. As the nature of the business is to be done in-situ that is at the site in this case customers house in their kitchen.
4. City, police, and fire personal anyone is most welcome to visit our beautiful 3 season room any time of the year.
5. Drawings for the 3-season room are approved by city building safety code officers and the project has been completed.
6. The three-season room is for the tenants totally and used as what is it a three-season room.
7. home 24/7.
8. See the picture of the three-season room . The city and anyone is most welcome any time 24/7 365 to come in and check to see how big liar the appellant is.
9. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o It is being used year-round for his business and is not a 3-season room. Natural gas lines and heater have been run into this structure for year-round use.

Reply:

1. Again, a false claim by the appellant.
2. The three-season room construction has been completed in august 2021 and the final inspection is done in 2021
3. The owner does not store any chemicals nor does any manufacturing. A false claim.
4. **City, police, fire personal anyone is most welcome to visit our beautiful 3 season room.**
5. The three-season room is used as a three-season room that it was intended for.
6. **This statement is irrelevant to the appeal against development permit DP2021-5537**



o We recently had a major renovation done by professional contractors and while work was being done these different contractors pointed out all the various building code violations that we should be reporting.

Reply:

1. Again, a false claim by the appellant.
2. The owner of 204 Cranfield pk has gone through proper channels and has buildings permits, inspections are done and completed by city inspector for the latest three season room
3. **This statement is irrelevant to the appeal against development permit DP2021-5537**

□ Proposed structure engineering

o Given the constraints to operating his chemical-based business in the basement extension in front of his tenant, the real purpose for the 2nd level extension is so they can operate that business on the second level unimpeded.

Reply:

1. Again, a false claim by the appellant.
2. The owner does not operate a chemical business. A false claim.
3. City, police, fire personal anyone is most welcome to visit our beautiful 3 season room.
4. The three-season room is used as a three-season room that it was intended for.
5. 2 level extension is not there and the appellant is assuming a lot of things.
6. If the owner ever decides to build a three-season room on the deck as per the by-law it will be used as a three-season room. The city is most welcome any time 24/7 365 days to come. Open challenge.

7. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o Using this second level structure to operate their business will be more convenient so they're not disturbing their tenants.

Reply:

1. Again, a false claim by the appellant.
2. The nature of the business is such that it cannot be operated from home.
3. The owner does not operate a chemical business. A false claim.
4. City, police, fire personal anyone is most welcome to visit our beautiful 3 season room.
5. The three-season room is used as a three-season room that it was intended for.
6. 2 level extension is not there and the appellant is assuming a lot of things.
7. If the owner ever decides to build a three-season room on the deck as per the by-law it will be used as a three-season room. The city is most welcome any time 24/7 365 days to come. Open challenge
8. **This statement is irrelevant to the appeal against development permit DP2021-5537**

o The deck and the basement extension engineering are not designed to take on the weight and other factors to put up an extension of this kind. Given the workmanship and cut corners approach we have no confidence in the safety of the construction.

Reply:

1. Again, a false claim by the appellant.
2. There is no basement extension. It's a three-season room under the deck that has drawings approved by the city, framing inspections done, and completed final inspections.
3. The new deck extension has engineering stamped PENG drawings ready.
4. Owner of 204 canfield pk extensive knowledge of building and the bylaws
5. **This statement is irrelevant to the appeal against development permit DP2021-5537**

□ Our Full disclosure

o Multiply bylaw breaches

Reply:

1. Again, a false claim by the appellant.
2. If at all we were breaching bylaws we should have been ticked .with the recent inspection by the city bylaw officer, we have proof that our property complies with bylaws.
3. Appellant its self has a bylaws breach 517594 pointing downspout directly to neighbor's property and damaging foundation and side path.
4. **This statement is irrelevant to the appeal against development permit DP2021-5537**



- ☐ They constantly breach bylaws that neighbors call the city on.

Reply:

1. Again, a false claim by the appealer.
2. Appealer is constantly spying with his backyard and front yard cameras into the property of 204 Cranfield pk
3. **This statement is irrelevant to the appeal against development permit DP2021-5537**

- ☐ Many times, these breaches are reoccurring because they've shown they don't respect the city rules or neighbors.

Reply:

1. Again, a false claim by the appealer.
2. We respect the City, and we also respect other people's privacy which the appealer is not doing but spying in their neighbors' homes, at 204 Cranfield pk se with the camera and from the newly built deck. Pictures available
3. **This statement is irrelevant to the appeal against development permit DP2021-5537**

- ☐ Bylaw breaches happen often and over many years demonstration a proven disregard and disrespect for all involved.

Reply:

1. Again, a false claim by the appealer.

2. Appealer has its self has breached the bylaw by pointing the downspout to a neighbor's property. After the bylaw inspection, the appealer only moved one downspout the other downspout in the backyard is still pointing towards 204 Cranfield pk property.
3. Invading the privacy of 204 Cranfield by spying with a camera in their backyard and through the newly extent deck 5.2 m to the property line.
4. **This statement is irrelevant to the appeal against development permit DP2021-5537**

□ Various bylaw breach including most recent case numbers of 494131

Reply:

1. This was issued when the owners of 204 Cranfield pk se had a valid active building permit. Once the construction was done all building materials were removed and cleared. The city inspector did visit and said that we complied with the bylaw.
2. **This statement is irrelevant to the appeal against development permit DP2021-5537**

21-00584632,

Reply:

1. This was caused due to construction of the yard in 208 Cranfield pk, and all loose gravel was thrown into 204 Cranfield pk property. We soon followed the corrective action, and no ticket was ever issued.
2. **This statement is irrelevant to the appeal against development permit DP2021-5537**

494147, No idea ?

494134.

Reply:

- 1 Our grass was never more than 5 inches. No ticket has been issued, the Owner has been leaving here for 12 years and no city ticket has been ever issued.
- 2 **This statement is irrelevant to the appeal against development permit DP2021-5537**

□ Recently Parking Authority came out 2 weeks in a row for having their travel trailer parked on the street unhitched for 2 or more days ignoring previous warnings –

Reply:

- 1 False statement
- 2 Only one ticket has been issued and there are reasons for it of \$40 .There were issues with the truck and hence we had to detach the trailer so that we could rectify and change the tire and make necessary adjustments.
- 3 After that ticket, the owners have been using and parking the trailer than 10 times this summer like any other in the neighborhood.
- 4 Owners of 204 canfield pk se will be using their trailer always in the future as per bylaw and will park on the street in front of our driveway like others do.

- 5 **This statement is irrelevant to the appeal against development permit DP2021-5537**

o Police involvement over ongoing harassment.

Reply:

- 1 Again a false claim.
- 2 The owners of 204cranfield pk never in the 12 years and have never engaged in any dialogue or any kind of face-to-face or person-to-person talks.
- 3 **This statement is irrelevant to the appeal against development permit DP2021-5537**

☐ currently being closely monitored by Calgary City Policy by CST. Anthony Thompson #4394 CRO2

for their behavior and have had multiply visits.

Reply:

- 1 Again, with a false complaint.
- 2 Why there has been no action taken. The owner has been here since 2012.
- 3 The owners of 204cranfield pk never in the 12 years and have never engaged in any dialogue or any kind of face-to-face or person-to-person talks.
- 4 **Appealer has been sued by 204 Cranfield pk for breach of privacy to the residents of 204 Cranfield pk se by layer west legal.**
- 5 **This statement is irrelevant to the appeal against development permit DP2021-5537**

☐ We've been advised to journal all interactions.

o Statement of claim has been filed by law firm of Robertson LLP.

Reply:

- 1 Counterclaim has been filed by a law firm west legal for continuous harassment, damage to property, and invasion of privacy of 204 Cranfield pk se **by the appellant.**
- 2 **This statement is irrelevant to the appeal against development permit DP2021-5537**

☐ At the recommendation of law enforcement, neighbors, and lawyers over several deliberate

actions a statement of claim has been served.

Reply:

- 1 As per the recommendation and talks with law enforcement, neighbors and lawyers law enforcement, neighbors and lawyers a Counterclaim has been filed against appellant (208 Cranfield pk se) by a law firm west legal **for privacy breach, damage to property, and invasion of privacy.**
- 2 **This statement is irrelevant to the appeal against development permit DP2021-5537**

o They have demonstrated over multiply instances and years of their willingness to constantly deceive the city and neighbors with false claims of what their permit applications are for vs. their actual us

Reply:

1. Again, a false claim.
2. Owner of 204 Cranfield pk has never deceived the city and has always followed proper procures and permits for all their building permits.
3. **This statement is irrelevant to the appeal against development permit DP2021-5537**

WHY IS THE HOMEOWNER ASKING FOR A DECK EXTENSION AT 204 CRANFIELD PK SE

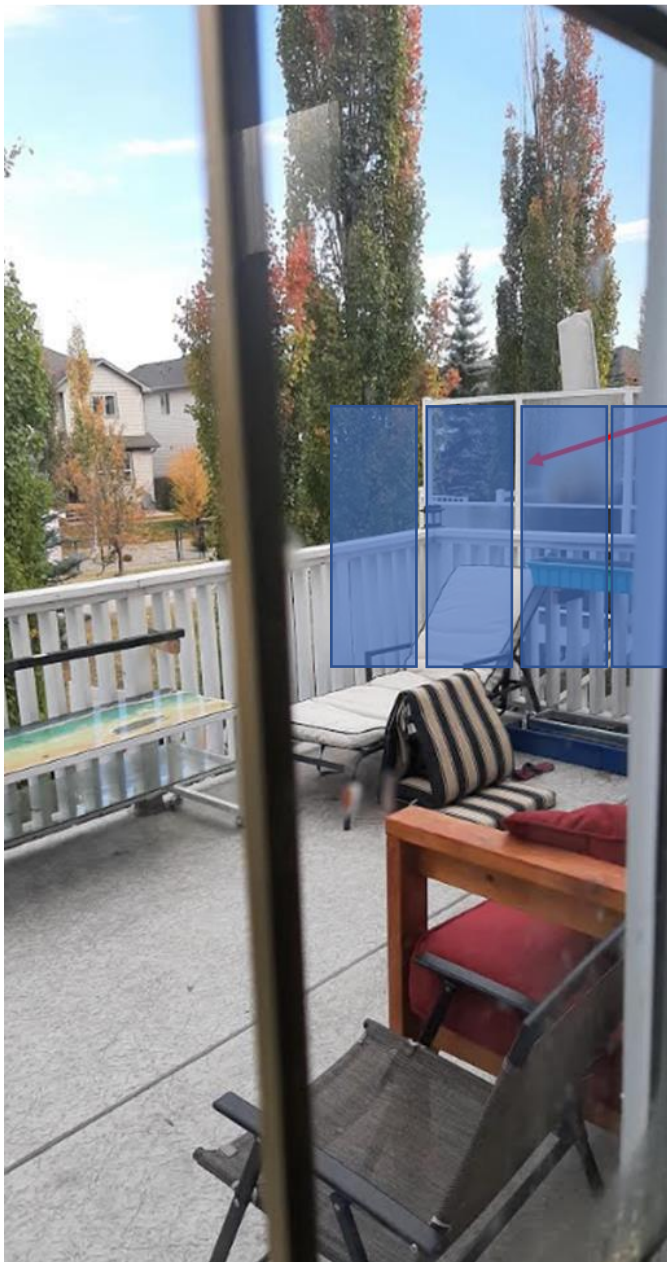
Below are the reasons why the homeowner of 204 Cranfield pk se is asking for the deck extension at 5.2 m set back from the rear property line same as the appealers (208 Cranfield pk se) latest deck extension.

- 1) To maintain our privacy which has been violated by the appealer
- 2) Privacy of the residents of 204 Cranfield se are violated as per the latest deck extension by the appealer at 208 Cranfield pk se under development permit DP2020-5904
- 3) The proposed deck extension for 204 canfield pk se is 2.5 m away from the neighbor's (appealer) (208CRANFIELD PK SE) side fence. As per the plan submitted for approval a 2-meter privacy screen is shown. The same way how the Appealers deck extension is approved by the city under development permit DP2020-5904
- 4) The approved deck extension 5.2 m from the rear property line for the appealer (208CRANFIELD PK SE) creates a major **privacy concern** for the residents of 204 canfield pk se which are explained below point-wise and with pictures.
 - a. The appealer is pointing their security cameras from the extended edge of the new deck onto the yard, home, and deck of 204 Cranfield pk se.
 - b. The cameras move occasionally when we are on the deck especially when,y family is outside which concerns me the most.
 - c. The (appealer) (208CRANFIELD PK SE) is spying, stares from the extended deck edge through the clear glass which he has changed after getting the final approval from the inspector. –See picture 2C below
 - d. (appealer) (208CRANFIELD PK SE) NEW DECK EXTENSION UNDER under development permit DP2020-5904 is allowed city. The privacy panel has been changed to clear glass and hence can spy in residence at all times also from the staircase, apart of using the camera as mentioned above. **This is the reason resident of 204 Cranfield pk is asking for deck extension under development permit DP2021-5537**
- 5) For the approval of the deck extension 5.2 m from the property for 204 Cranfield pk se a 2m privacy screen was required to be shown. We assume that this was the same case for the appealer (208CRANFIELD PK SE) to get their development DP2020-5904 approved. If that was the case see below the violations the appealer (208CRANFIELD PK SE) Is doing. If that was not the case then we have some serious big privacy concerns which may have been overlooked.
 - a. The appealer(208CRANFIELD PK SE) itself is violating their recent deck extension 5.2m setback from property line under DP2020-5904 development permit by **removing the privacy screen and putting a CLEAR GLASS** spying, staring at the LIVING ROOM, TOP BONUS ROOM, DAUGHTERS BEDROOM, THE KITCHEN from their newly built deck at 208 Cranfield pk SE. Pictures are attached below as evidence.
 - b. Apart from spying, staring from the clear glass the appealer (208CRANFIELD PK SE) also points the security camera from the edge of the newly extended deck to the yard, property, inside of the house, and three-season room..
 - c. Appealer is deceiving the city as he had a privacy glass for his final inspection and after that put a clear glass.
 - d. As counterclaim for privacy breach has been filed for this by our lawyer west legal

.....
 HOW THE DECK EXTENSION WILL HELP 204 CRANFIELD PK WITH PRIVACY

- 1) Extending the deck and putting a 2 m high *privacy* screen will avoid any privacy breaches by the appellant at 208 Cranfield pk se based on below pictures and drawings illustrated.
- 2) (appellant) (208CRANFIELD PK SE) NEW DECK EXTENSION UNDER development permit DP2020-5904 is allowed city. The privacy panel has been changed to clear glass and hence can spy in residence at all times also from the staircase, apart of using the camera as mentioned above.
 This is the reason resident of 204 Cranfield pk is asking for deck extension under development permit DP2021-5537
- 3) Final conclusion. of the same deck extension has been approved for the appellant under DP2020-5904 why cannot 204 canfield pk se resident have the same ? Does our privacy not matter? Question to be asked for the upcoming meeting.

New deck extension requested by 204 cranfield pk se under development permit DP2021-5537 will help regain our privacy which has been violated by the appealer at 208 canfield pk se . See below sketch how the new deck will help.



New deck extension for 204 canfield pk se under development permit with 2 m high screen will help in our Privacy and my family and my daughter can enjoy the deck again

REV-6 Oct 12th, 2021

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

2-meter-high privacy screen both sides

PROPOSED DECK EXTENSION
5.2 M SETBACK FROM REAR
FENCE

FUTURE 3 SEASON ROOM ON DECK

Address : 204 Cranfield Park S.E.
Calgary, Alberta

Legal : Lot 79, Block 5, Plan 001 0414

To : Jonette Schneider
204 Cranfield Park S.E.
Calgary, Alberta, T3M 1B6

Date of Survey : June 29th, 2012

Date of Title Search : May 29th, 2012

Title No. : 031 142 507

Certification

I hereby certify that this report and related survey are prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this report, I am of the opinion that:

1. the Plan illustrates the boundaries of the property, the improvements as defined in Part D, Section 7.6 of the Alberta Land Surveyors' Association Manual of Standard Practice, registered easements and rights-of-way affecting the extent of the title to the property;
2. the improvements are entirely within the boundaries of the property;
3. no visible encroachments exist on the property from any improvements situated on an adjoining property;
4. no visible encroachments exist on registered easements or rights-of-way affecting the extent of the property;
5. title subject to Restrictive Covenant #001 052 212.

Disclaimers

This Report has been prepared for the benefit of the property owner(s), subsequent owner(s) and any of their agents for the purpose of (a) Land Conveyance, support of a Subdivision Application, a Mortgage Application, a submission to the municipality for a Compliance Certificate, etc.) Copying is permitted only for the benefit of those parties. Where applicable, registered easements and utility rights-of-way affecting the extent of the property have been shown. Other matters affecting the property, such as restrictive covenants or municipal requirements, have not been placed during the survey for this report. This plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information shown on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.

Dated at Calgary, Alberta, July 10th, 2012

Ian Douglas, A.L.S.
(copyright reserved)

© Copyright Douglas Surveys Inc., 2012.

NOTE

Scale 1 : 200

All measurements are in metres.

Unless otherwise specified, the dimensions shown relate to distances from property boundaries to foundation walls.

Unless otherwise specified, areas are dimensioned to the line of foundation.

Statutory Iron Posts found shown thus:

Drill Holes found shown thus:

Property Boundaries of Parcel Affected shown thus:

Foundation shown thus:

Fence shown thus:

Fences found to be within 0.20m of the property line are shown on the property line.

This plan is not valid unless it bears an original signature (in blue ink) and Douglas Surveys Inc. permit stamp (in red ink).

Survey is based on field measurements and Douglas Surveys Inc. job 021868.

DOUGLAS SURVEYS INC.610, 1300 - 8th Street S.W.
Calgary, Alberta, T2R 1B2
Phone : 403-228-7005 Fax : 403-228-4144

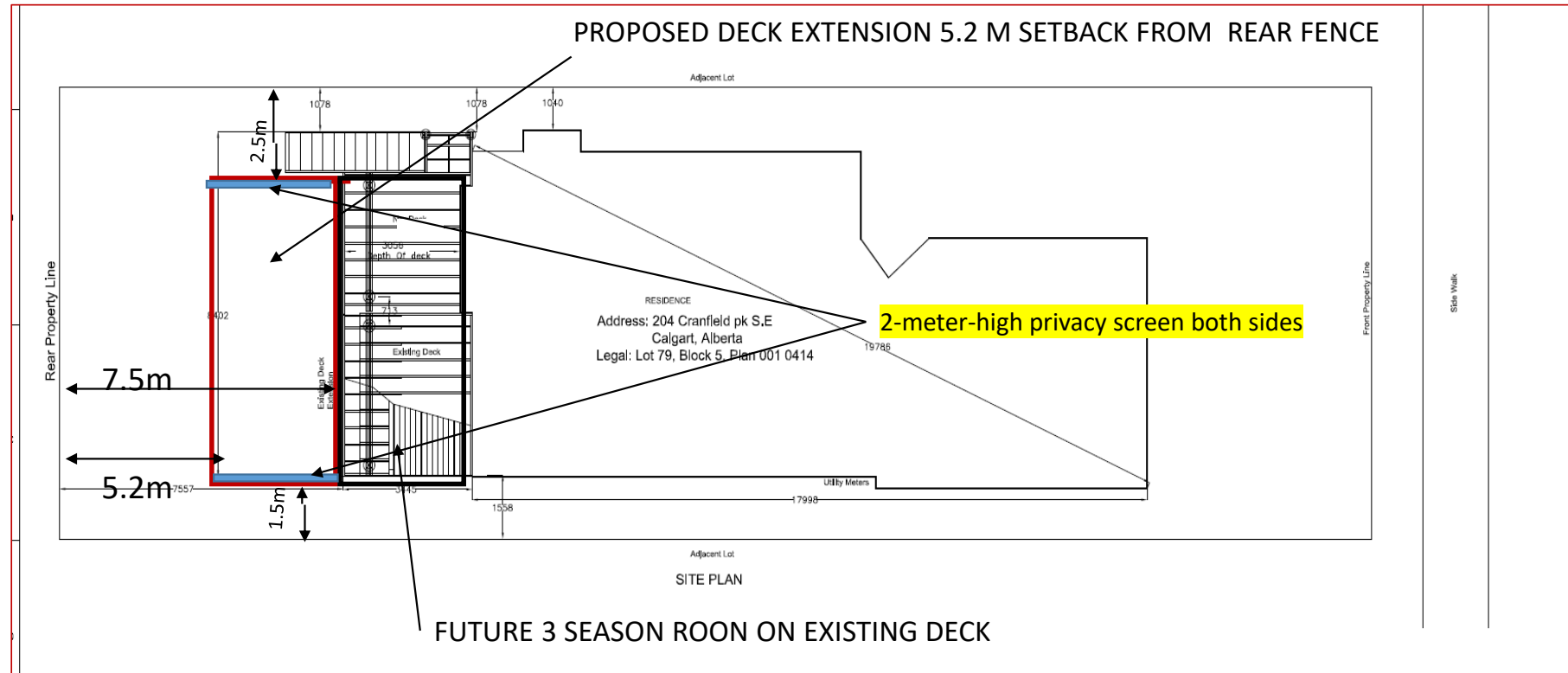
Job : 120602
SH FF ID
Cad : 120602rpr

DEVELOPMENT
PERMIT
DECISION
RENDERED
ON THIS PLAN

DEVELOPMENT PERMIT FOR PROPOSED DECK EXTENSION

SDAB2021-0072

DEVELOPMENT PERMIT FOR PROPOSED DECK EXTENSION



DEVELOPMENT PERMIT FOR PROPOSED DECK EXTENSION

Existing 3 season sunroom under deck

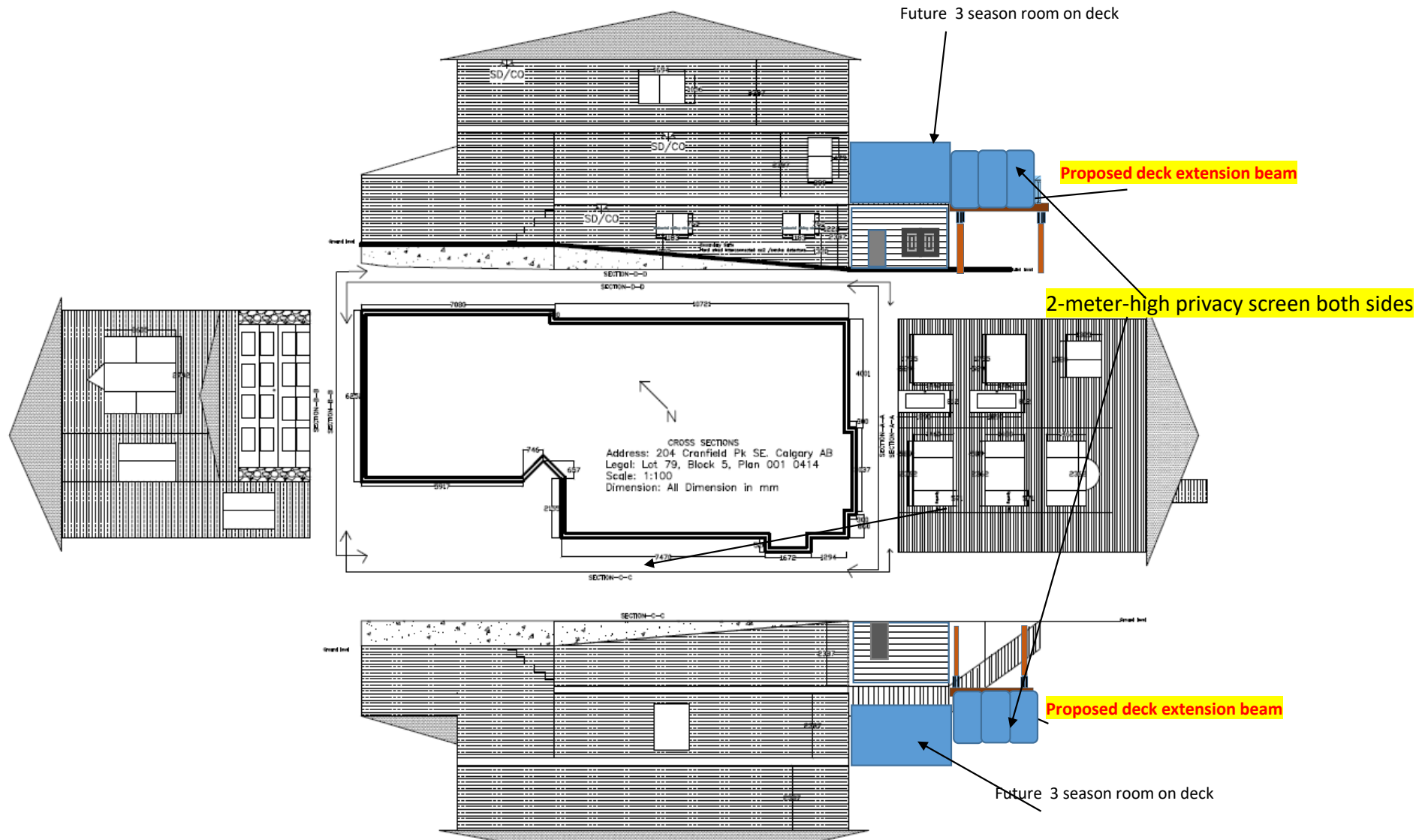


Future 3 season room on deck

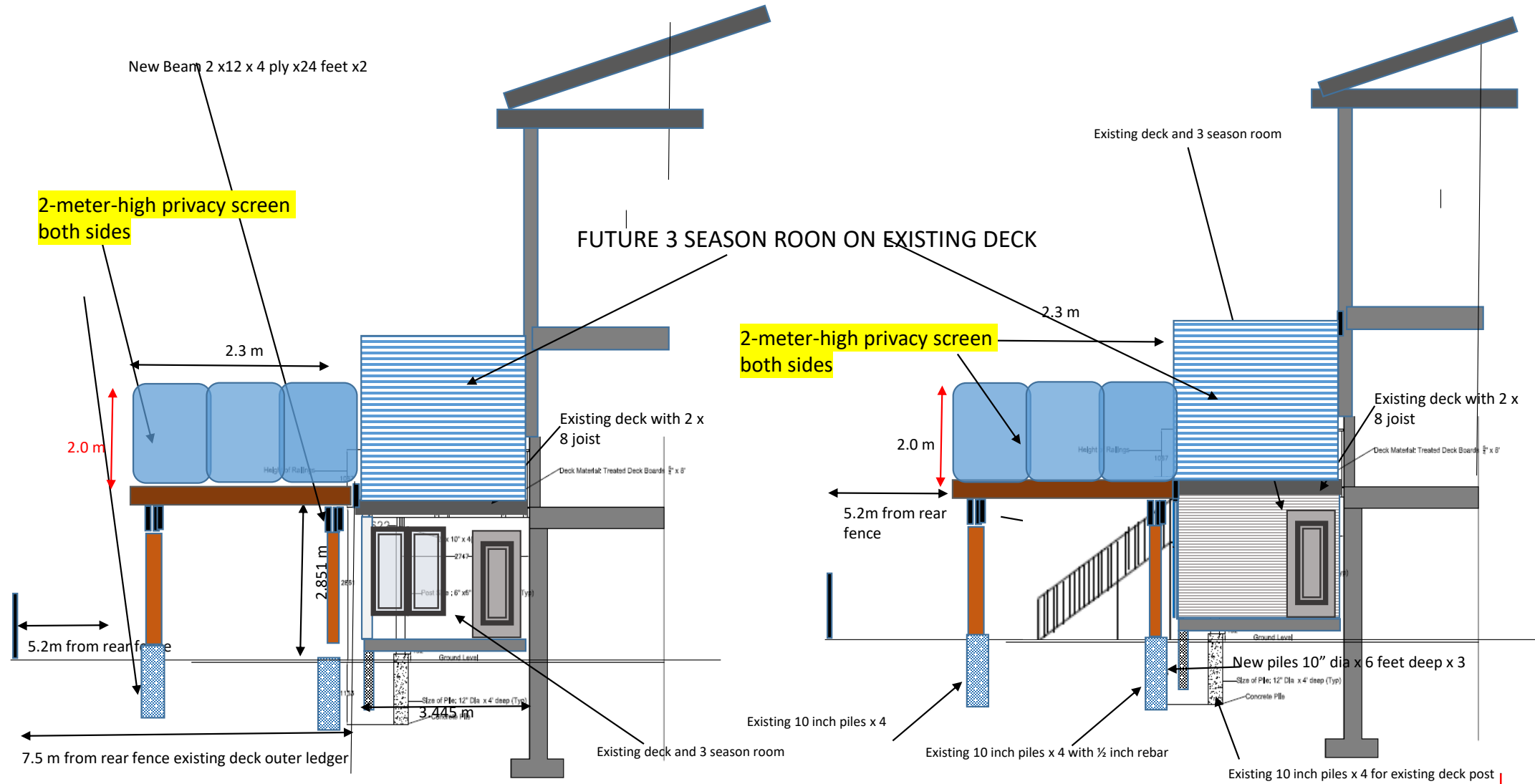
2-meter-high privacy screen both sides

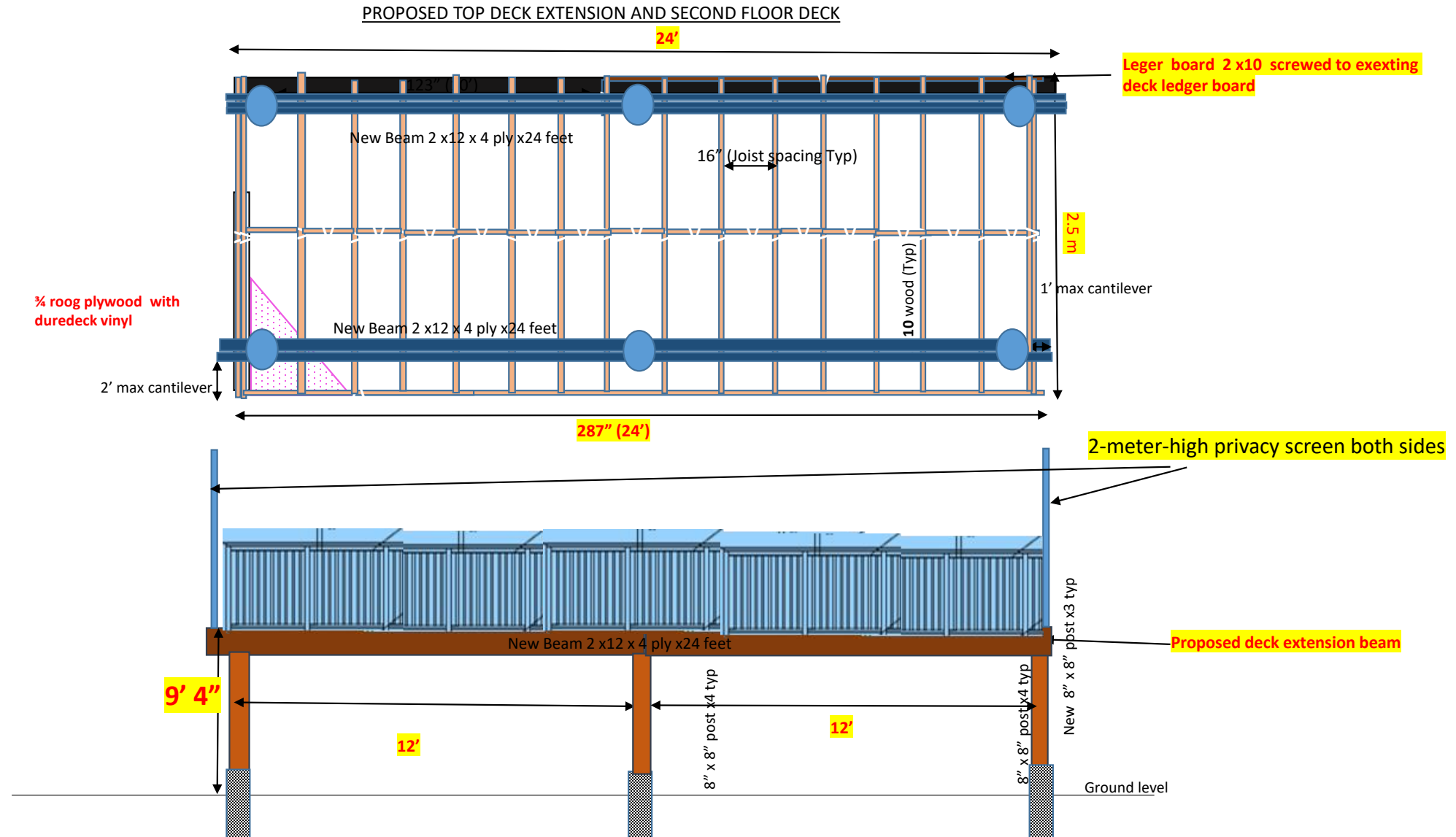
Proposed Deck Extension 5.2 setback from rear fence

DEVELOPMENT PERMIT FOR PROPOSED DECK EXTENSION



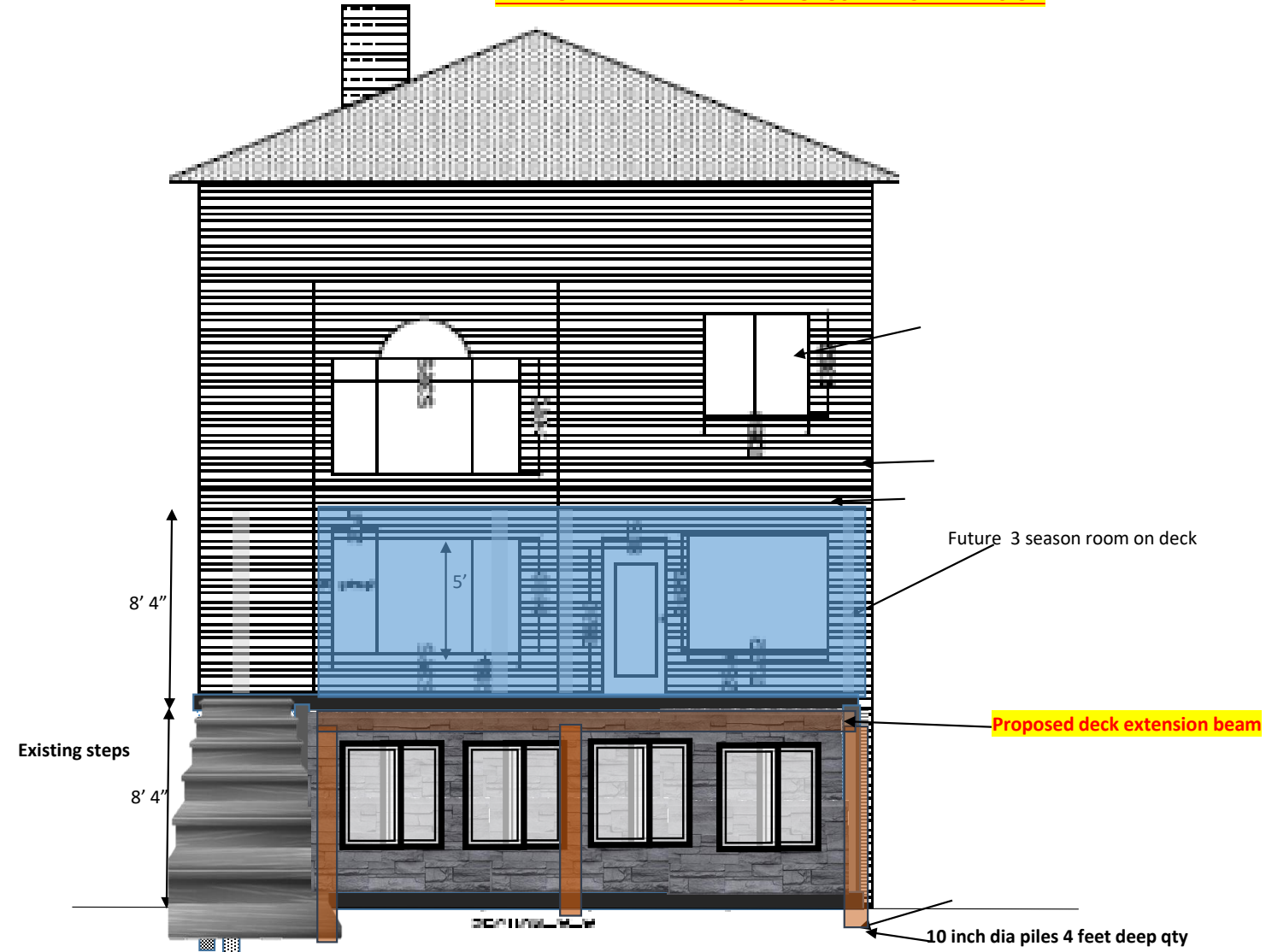
DEVELOPMENT PERMIT FOR PROPOSED DECK EXTENSION





70

DEVELOPMENT PERMIT FOR PROPOSED DECK EXTENSION



SDAB2021-0072











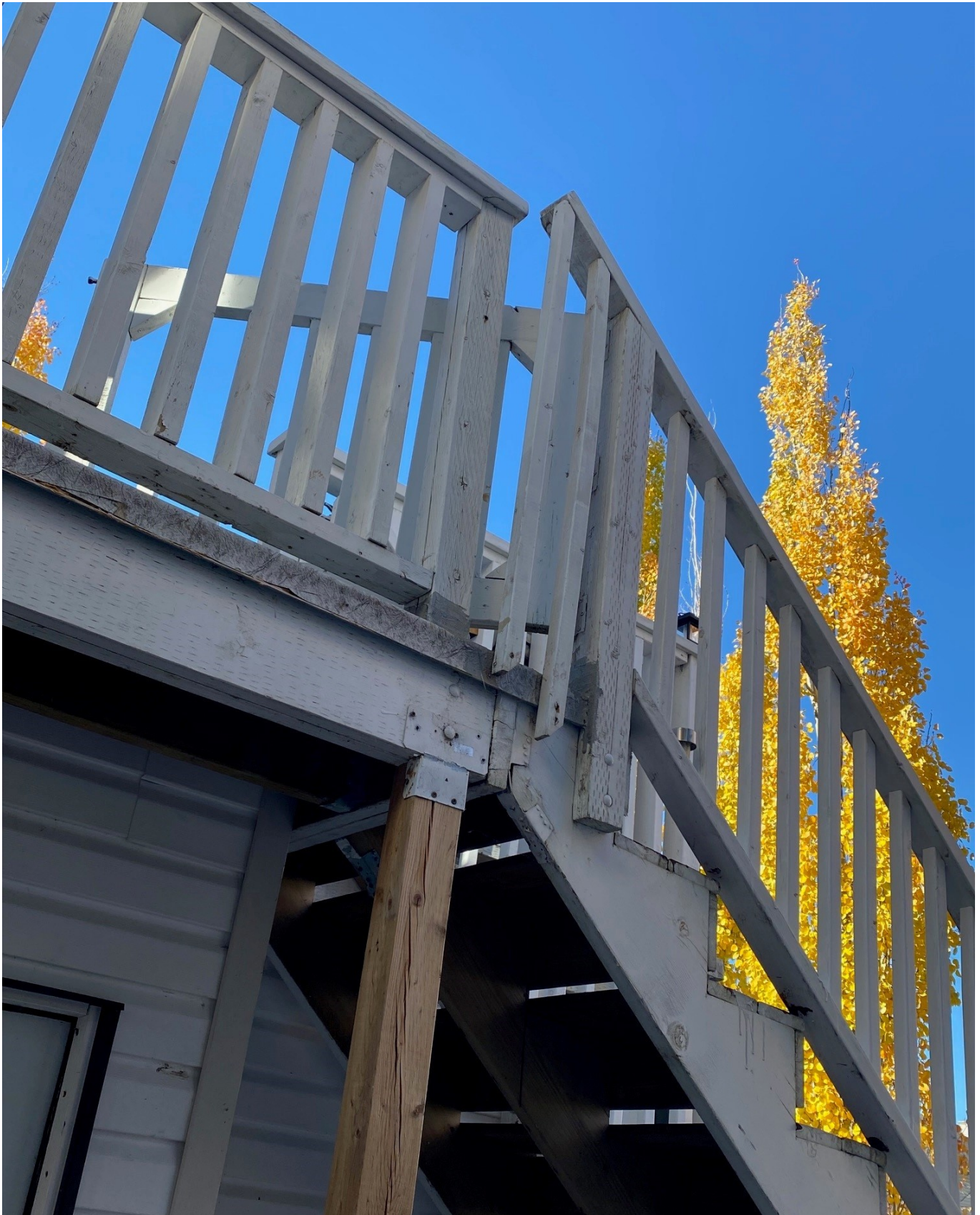




















Appeal Board rec'd: November 16, 2021
Submitted by: M. C. Innes, appellant

From: [Riley, Coeur A.](#)
To: mcolinnes@gmail.com; [Calgary SDAB Info](#)
Subject: RE: FW: Notice of Appeal: SDAB2021-0072 (DP2021-5537, 204R Cranfield PK SE)
Date: Tuesday, November 16, 2021 2:48:08 PM

Mr. Innes,

All submissions are to be emailed to info@calgarysdab.ca. By this email I am redirecting your submission to the correct inbox.

Coeur Riley

Tribunal Clerk, City Appeal Boards
 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: mcolinnes@gmail.com <mcolinnes@gmail.com>
Sent: Tuesday, November 16, 2021 2:41 PM
To: Riley, Coeur A.
Subject: [EXT] FW: Notice of Appeal: SDAB2021-0072 (DP2021-5537, 204R Cranfield PK SE)

Hi Riley,

Please note the email below supporting the above appeal with thanks.

Best regards,

Colin and Shelley Innes
 208 Cranfield Park SE
 Calgary

From: cabalce alma <acabalce@yahoo.com>
Sent: November 16, 2021 9:29 AM
To: Shelley Innes <shelleyinnes58@hotmail.com>; mcolinnes@gmail.com
Subject: Re: Notice of Appeal: SDAB2021-0072 (DP2021-5537, 204R Cranfield PK SE)

To Whom It May Concern,

Good day!

We are the residents of 212 Cranfield Pk., a house away from residence 204/204R. We've been in the neighbourhood for 8 years now. It was brought into our attention that the residents of house 204 is planning to develop a 3 season room on top of the existing structure.

In this regard, we strongly opposed to this proposed development for the following reasons:

- 1.) The proposed deck extension using the existing structure (without proper foundation) will compromise the safety of the occupants and even the neighbours.
- 2.) If the proposed development will proceed, the property value within the area will affect negatively.
- 3.)It is a rare kind of structure to build in a residential community that has narrow lots.

Hoping for your consideration to these concerns.

Sincerely,

Alma and Orlando Sobremonete

Appeal Board rec'd: November 16, 2021
Submitted by: M. C. Innes, appellant

From: mcolinnes@gmail.com
To: [Calgary SDAB Info](#)
Subject: [EXT] Notice of Appeal: SDAB2021-0072 (DP2021-5537, 204R Cranfield PK SE)
Date: Tuesday, November 16, 2021 3:11:45 PM
Attachments: [204 Cranfield Park.docx](#)

Hello,

Please note the email below and their attachments supporting the above appeal with thanks.

Best regards,

Colin and Shelley Innes
208 Cranfield Park SE
Calgary

-----Original Message-----

From: Frank Farevaag <f.farevaag@gmail.com>
Sent: November 16, 2021 12:37 PM
To: mcolinnes@gmail.com
Subject: 204 Cranfeild Park SE

Good Afternoon Colin
Please find attached the following

November 16, 2021

1 of 2

Frank and Karen Farevaag
133 Cranfield Park SE.
Calgary Alberta T3M 1B6

City of Calgary
Appeal Board

Re: Appeal Number: SDAB2021-0072

Along with several neighbours we have joined the appeal committee based to the following reasons.

We have resided in the community of Cranston for 20 years and have watched it grow and mature into beautiful place to bring up your family. As you walk through the green places you notice people have added three season rooms, screen in decks, all city approved, architecturally designed that blend into the neighbourhood.

When you walk past the rear of 204 Cranfield Park SE you get a totally different perspective, this three-season room addition is sub standard for our community. It reminds me of the rough addition to a hunting shack out in the bush.

This appeal is about the owner now wanting to add another three season room on top of the existing deck and to extend the existing deck beyond the standard set back dimensions.

The development drawings I have seen do not represent the actual existing conditions - the drawings lack.

The drawn elevations do not match the actual house elevations [see the attached pictures]. There are no architectural, structural or electrical drawings nor are there written material specifications.

The new three season room on top of the deck are just horizontal lines no design what so ever.

November 16, 2021

2 of 2

Appeal Board

Appeal Number: SDAB2021-0072

These drawings do not give the development department and/or the Appeal Board sufficient information.

The history the property owner should be considered in this development permit as well.

The existing owner has resided at this address for approx. eight years and has been observed by the neighbours doing so called improvements without the proper permits for example

- 1] The basement renovations started out as a bar area construction this turned into illegal suite.
- 2] After repeated bylaw inspections the owner was granted a legal suite status. Which in the writer's mind should not be allowed? Because of insufficient parking on his property, street parking is very limited at the best of times.
- 3] Using sub-standard materials to build this room
- 4] As you can see from the side elevation picture there is now natural gas lines running the length of the home into this this so-called addition.

It would be extremely interesting to compare his original city approved drawings to what is there right now, to see the actual code violations which have occurred.

Please do not hesitate in contacting the writer for addition information.

Sincerely

Frank and Karen Farevaag

91



SDAB2021-0072 Additional Submission

92



SDAB2021-0072 Additional Submission

93



SDAB2021-0072 Additional Submission

94



SDAB2021-0072 Additional Submission