

**REPORT TO THE SUBDIVISION AND  
DEVELOPMENT APPEAL BOARD**

<b>DATE:</b> <del>April 29, 2021</del> ; July 8, 2021	<b>APPEAL NO.:</b> SDAB2021-0028 <b>FILE NO.:</b> SB2020-0029
<b>APPEAL BY:</b> Deer Trail Development Inc. and Maidment Land Surveys Ltd., represented by Robert Homersham	
<b>FROM A DECISION OF THE SUBDIVISION AUTHORITY</b> where a subdivision  was refused at  <u>882 77 Street SW:</u> <u>PLAN 0210368; BLOCK D; LOT 22</u>	<b>LAND USE DESIGNATION:</b> R-1s
<b>COMMUNITY OF:</b> West Springs	<b>DATE OF DECISION:</b> March 16, 2021
<b>APPLICANTS:</b> Deer Trail Development Inc. and Maidment Land Surveys Ltd., rep. by Robert Homersham	<b>OWNER:</b> Deer Trail Development Inc., represented by Robert Homersham

The hearing commenced on April 29, 2021 with consideration of procedural and jurisdictional issues. The Board adjourned the hearing to July 8, 2021.

**Notes:**

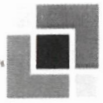
- Notice has been given of the hearing pursuant to the *Municipal Government Act* and Land Use Bylaw, including notices to parties who may be affected by the appeal. The final determination of whether a party is an “affected person” will be made by the Board if required.
- This Report is provided as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

\*\* Attention: Mac Users \*\*

ARB Rec'd

Do not attempt to complete this form using Mac pdf Preview. To complete and submit this form successfully, right click to select "Open with" and choose your Adobe Reader program. Download a free copy of Adobe Reader at <http://get.adobe.com/reader/>.

APR 6 2021



Subdivision  
& Development  
**APPEAL BOARD**

**NOTICE OF APPEAL**  
**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

CC 821 (R2020-01)

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

<b>Site Information</b>			
Municipal Address of Site Under Appeal 882 77 Street SW, West Springs		Development Permit/Subdivision Application/File Number SB2020-0029	
<b>Appellant Information - must name all appellants</b>			
Name of Appellant Deer Trail Development Inc. (Owner) and **		Agent Name (if applicable) Dentons Canada LLP - Attention: Bonnie Anderson	
Street Address (for notification purposes) 850 2 Street SW, 15th Floor Bankers Court			
City Calgary	Province AB	Postal Code T2P 0R8	Residential Phone # ( )
Business Phone # ( 403 ) 268-6886	Email Address bonnie.anderson@dentons.com		

**APPEAL AGAINST (Check one box only: for multiple appeals you must submit another Notice of Appeal)**

<b>Development Permit</b>	<b>Subdivision Application</b>	<b>Notice of Order</b>
<input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" 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 (Attach a separate page if required):**

\*\* Additional Name of Appellant: Maidment Land Surveys Ltd. (Applicant)

Reasons. The application:

- has regard to the West Springs ASP;
- conforms with the uses of land referred to in Land Use Bylaw 1P2007;
- is consistent with the land use policies; and
- has regard to the Subdivision and Development Regulations;

and such other reasons as may be presented to this Board in the written submissions and hearing of this matter.

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

Estimated presentation time (minutes/hours) approx. 1-1.5 hours	Will you be using an agent/legal counsel? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
If yes, what are the issues?	
Do you anticipate bringing any witnesses/experts to your hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	If yes, how many will you be bringing? 2-3

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.

Signature of Appellant / Agent 	Date YYYY MM DD 2021 04 05
------------------------------------	----------------------------------

FOR OFFICE USE ONLY					
Final Date of Appeal YYYY MM DD <b>2021 04 05</b>	SDAB Appeal Number <b>SDAB2021-0028</b>	Fee Paid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hearing Date YYYY MM DD <b>2021 04 29</b>	Date Received <b>April 5, 2021</b>	

**Print**

**SDAB2021-0028**



ARB Rec'd

APR - 6 2021

Deer Trail Development Inc.

owner(s)

Adhem Kadri

contact name

c/o 600, 5920 Macleod Trail South

contact address

403 606 6777

contact phone

adhem@telus.net

contact email

City of Calgary

Planning &amp; Development

P.O. Box 2100, Stn. M, # 8108

Calgary, AB, Canada T2P 2M5

To Whom It May Concern,

With regards to 882 77 Street SW, West Springs, Calgary  
property address

Please be advised that I, Adhem Kadri am:  
full name

(select one)



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

an officer or director of the owner(s) of the above mentioned property,  
and that I am authorized by that owner to authorizeDentons Canada LLPagent or company name

and/or its

applicant, consultant, contractor (if applicable)

to apply for any and all appeals relating to Subdivision #SB2020-0029  
permit type

for the above mentioned property.

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

April 5, 2021date signedsignature of ownerAdhem Kadri for Deer Trail Development Inc.name of owner (printed)

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

大成 DENTONS

Bonnie J. Anderson  
Partner

bonnie.anderson@dentons.com  
D +1 403 268 6886  
M +1 403 229 9445

Dentons Canada LLP  
15th Floor, Bankers Court  
850 - 2nd Street SW  
Calgary, AB, Canada T2P 0R8

dentons.com

April 5, 2021

**HAND DELIVERY (DROP BOX)**

City Appeals Board  
Subdivision and Development Appeal Board  
4<sup>th</sup> Floor, 1212 31 Avenue NE  
(Deerfoot Junction III Building (DJ3))  
Calgary, AB T2E 7S8

Dear Sirs/Mesdames:

**Re: 882 77 Street SW, West Springs, Calgary  
SB2020-0029 – Bareland Condominium  
Notice of Appeal**

We act for Deer Trail Development Inc. and attach the following:

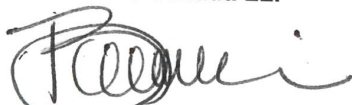
1. Notice of Appeal;
2. Landowner Authorization, if required;
3. Appeal fee (cash).

Kindly confirm receipt, and forward receipt of the cash payment in due course for accounting purposes.

Should you have any concerns, kindly contact me at [bonnie.anderson@dentons.com](mailto:bonnie.anderson@dentons.com) or 403 268 6886.

Yours truly,

Dentons Canada LLP



Bonnie Anderson

Enclosures

ARB Rec'd  
APR - 6 2021



Dentons Canada LLP  
15th Floor, Bankers Court  
850 - 2nd Street SW  
Calgary, AB, Canada T2P 0R8

Bonnie J. Anderson  
Partner

bonnie.anderson@dentons.com  
D +1 403 268 6886  
M +1 403 229 9445

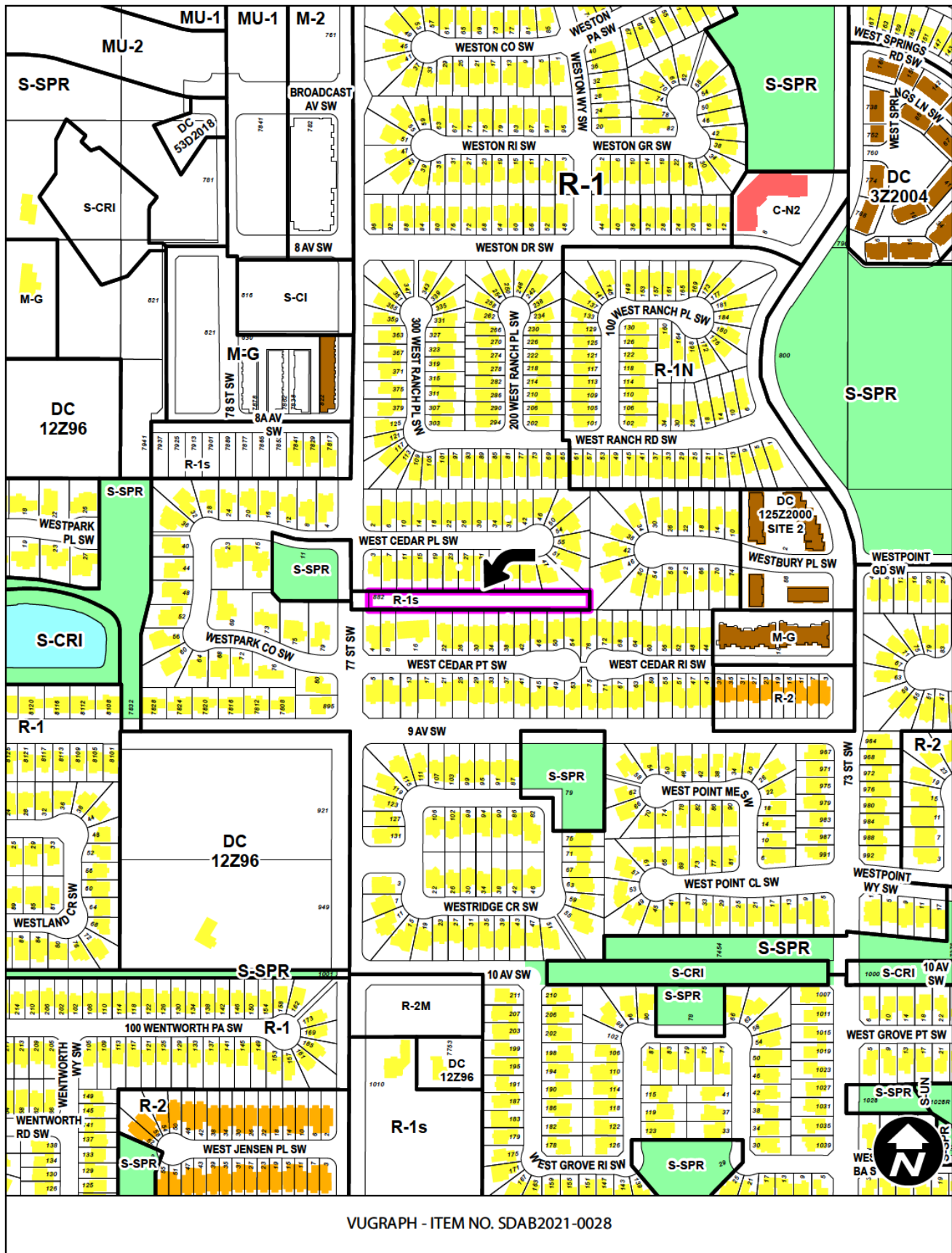
\*Submitted  
April 5 / 2021

ARB Rec'd  
APR - 6 2020

TO: City Appeals Board  
Subdivision and Development Appeal Board  
4<sup>th</sup> Floor, 1212 31 Avenue NE  
(Deerfoot Junction III Building (DJ3))  
Calgary, AB T2E 7S8

Phone: 403 268 5312











Our File: SB2020-0029

MAIDMENT LAND SURVEYS LTD  
#10, 141 Commercial Drive  
Calgary Alberta T3Z 2A7

**RE: Subdivision Application for 882 77 ST SW**

**0210368;D;22**

This is your notification of the decision by the Subdivision Development Authority to refuse the above noted application on MAR 16, 2021. Enclosed are the Reasons for Refusal.

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 [www.calgarysdab.ca](http://www.calgarysdab.ca). To obtain an appeal form, for information on appeal submission options or the appeal process, please call (403) 268-5312.

If you have any questions, please contact me at (403) 268-1468.  
Yours truly,

Vivian Barr  
File Manager

**ISC: PROTECTED**



## Reasons for Refusal – Subdivision by Plan

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**Application Number:** SB2020-0029  
**Map Section Number:** 22W  
**Application Description:** Bare Land Condominium  
**Land Use District:** R-1s  
**Site Address:** 882 77 ST SW  
**Existing Use:** Vacant  
**Proposed Use:** Bare Land Condominium  
**Related File:** PE2018-00157 & LOC2016-0218  
**Community:** WEST SPRINGS  
**Applicant:** MAIDMENT LAND SURVEYS LTD – Brent Wilson  
**Date of Refusal:** **March 16, 2021**

### CPAG Team:

#### Subdivision Services

VIVIAN BARR (403) 268-1468 vivian.barr@calgary.ca

#### Development Engineering

JORDAN WACHER (403) 268-2721 jordan.wacher@calgary.ca

#### Transportation

FABIAN SNYDERS (403) 268-5094 fabian.snyders@calgary.ca

#### Parks

CURESHA MOODLEY (403) 268-5635 curesha.moodley@calgary.ca

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## Reasons for refusal

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The City of Calgary has the authority, granted by Section 656 of the Municipal Government Act to approve or refuse a subdivision application, subject to conditions outlined in Section 655 of the same Act.

The information listed below comprises the reasons for refusal. The decision has been made by the Subdivision Authority and can be appealed by the applicant to the Subdivision and Development Appeal Board.

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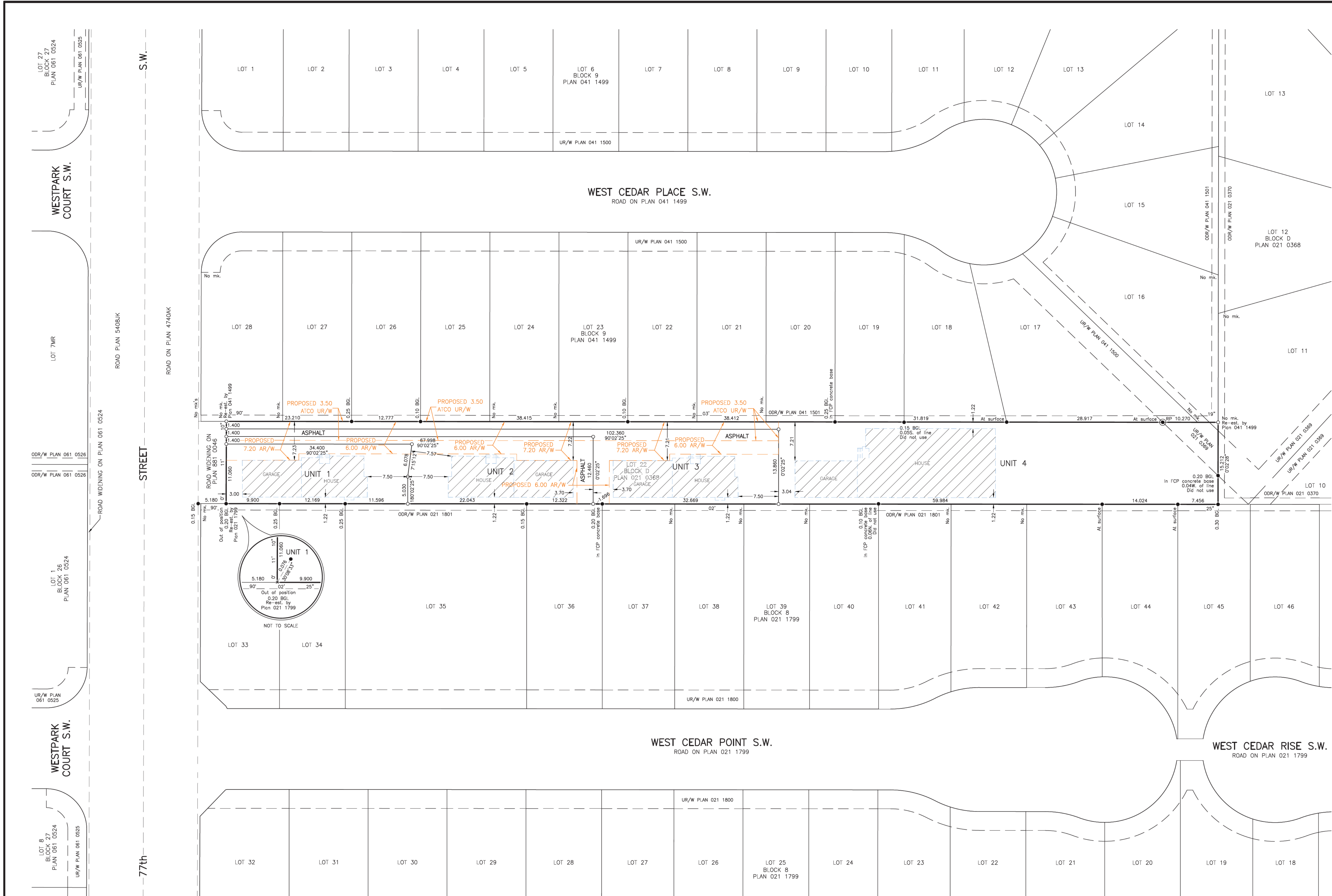
The Subdivision Authority is refusing this application because the land that is proposed to be subdivided is not suitable for the purpose for which the subdivision is intended and access to the easterly units is not satisfactory.

The Subdivision Authority is primarily concerned with the following:

**SDAB2021-0028**

1. The proposed lotting pattern is out of character with the surrounding area.
2. The proposed access easements will limit the practical use of the proposed lots, in that unimpeded access to the right-of-way will be required at all times. This means there will be no parking area for visitors, service vehicles, etc.
3. In the event that the utilities within the proposed utility right-of-way/access right-of-way need to be excavated, vehicular egress and ingress would be severely impeded.





**SURVEYOR**

BRENT M. WILSON, A.L.S. 2020  
SURVEYED BETWEEN THE DATES OF OCTOBER 8, 2019 AND \_\_\_\_\_, 2020  
IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYS ACT.

**REGISTERED OWNER**

DEER TRAIL DEVELOPMENT INC.

**SUBDMISION AUTHORITY**

CITY OF CALGARY  
FILE NO: SB2020-0029

**REGISTRAR**

ALBERTA LAND TITLES OFFICE

PLAN NO. \_\_\_\_\_

ENTERED AND REGISTERED

ON \_\_\_\_\_

INSTRUMENT NO. \_\_\_\_\_

A.D. REGISTRAR



**CONDOMINIUM CORPORATION ADDRESS**

46 WESTBURY PLACE S.W.  
CALGARY, ALBERTA T3H 5B6

FOR ANY ENDORSEMENT, REGISTRATION MEMORANDUM, NOTIFICATION OR OTHER ENTRY THAT IS TO BE MADE ON THE PLAN, PLEASE SEE THE CONDOMINIUM ADDITION SHEET (CS) WHICH IS ADDED TO THIS PLAN PURSUANT TO THE CONDOMINIUM PROPERTY REGULATION.

**CITY OF CALGARY**  
**TENTATIVE PLAN SHOWING SURVEY OF**  
**PROPOSED BARE LAND CONDOMINIUM**  
**AFFECTING**  
**LOT 22, BLOCK D, PLAN 021 0368**  
**WITHIN THE**  
**N.E.1/4 SEC.22, TWP.24, RGE.2, W.5M.**  
**SCALE: 1: 300**  
**B.M. WILSON, ALS 2020**

**LEGEND**

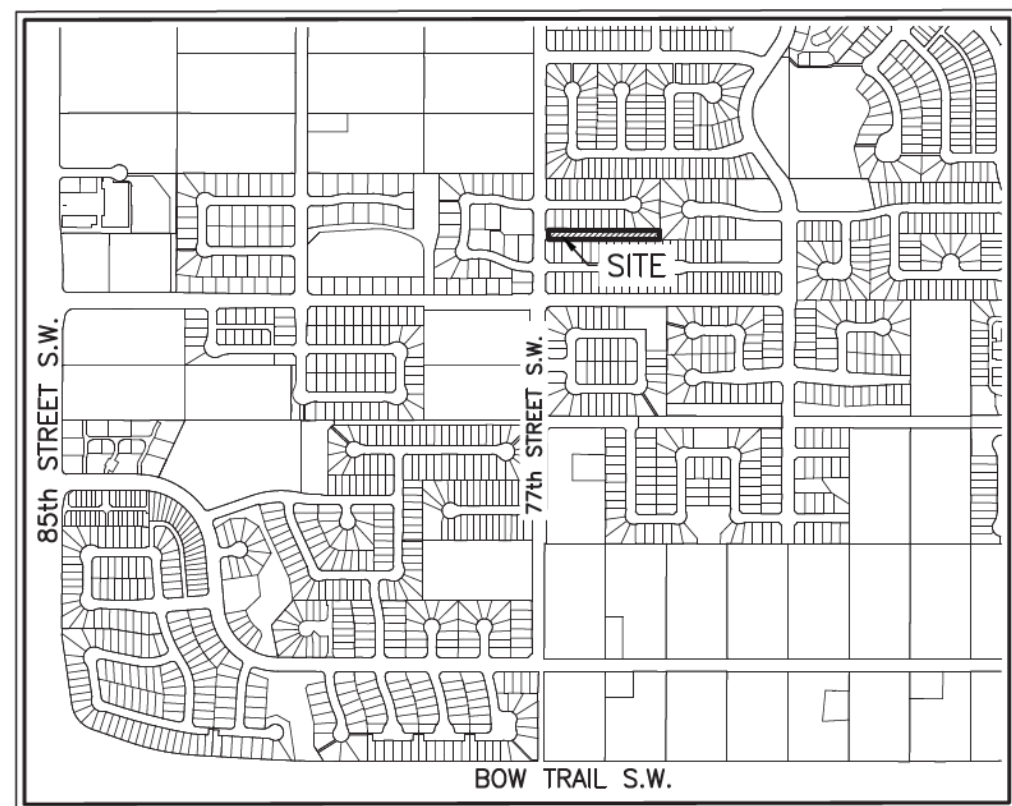
1. AREA AFFECTED BY THIS PLAN OUTLINED THUS \_\_\_\_\_ AND CONTAINS .0280 ha, 4 UNITS.
2. STATUTORY IRON POSTS SHOWN THUS: ● FOUND ○ PLACED (MARKED "P196")
3. TEMPORARY POINT ESTABLISHED, LEFT NO MARK, SHOWN THUS: X
4. FOUND STATUTORY IRON POST, USED AS REFERENCE POINT SHOWN THUS: ● RP
5. DISTANCES ARE IN METRES.
6. BEARINGS ARE DERIVED FROM REGISTERED PLAN 041 1499.
7. THE PROJECTION IS 3° TRANSVERSE MERCATOR, THE DATUM IS NAD83 (ORIGINAL), THE REFERENCE MERIDIAN IS 114° WEST LONGITUDE, AND THE COMBINED SCALE FACTOR IS 0.999711.
8. GRID COORDINATES ARE DERIVED FROM PLAN 041 1499 WITH THE FOLLOWING COORDINATES FOR THE REFERENCE POINT:  
NORTHING = 5658293.826, EASTING = -13792.291.
9. UNIT BOUNDARIES ARE GOVERNED BY THE SURVEY MONUMENTS PLACED PURSUANT TO THE SURVEYS ACT.

A.L.S.	ALBERTA LAND SURVEYOR	NAD83	NORTH AMERICAN DATUM OF 1983
SEC.	SECTION	RP	REFERENCE POINT
TWP.	TOWNSHIP	R/W	RIGHT OF WAY
RGE.	RANGE	AR/W	ACCESS RIGHT OF WAY
M.	MERIDIAN	ODR/W	OVERLAND DRAINAGE RIGHT OF WAY
hg	HECTARE	UR/W	UTILITY RIGHT OF WAY
N.	NORTH	AGL	ABOVE GROUND LEVEL
S.	SOUTH	BGL	BELOW GROUND LEVEL
E.	EAST	F.C.P.	FENCE CORNER POINT
W.	WEST	Re-est.	RE-ESTABLISHED

**SCHEDULE OF UNIT FACTORS AND AREA**

UNIT NUMBER	UNIT FACTOR	APPROX. AREA(sq.m.)
1	2500	374.5
2	2500	473.0
3	2500	571.5
4	2500	1382.1
TOTAL	10000	

THE BASIS FOR DETERMINING UNIT FACTORS IS AS FOLLOWS:  
-UNIT FACTORS WERE ASSIGNED BASED ON EQUAL ALLOCATION.



**KEY PLAN**  
NOT TO SCALE

**MAIDMENT**  
LAND SURVEYS LTD.  
10, 141 Commercial Drive 403.286.0501  
Calgary, AB T2Z 2A7 www.maidment.ca  
FILE NUMBER: 119039tp

February 3, 2020

The City of Calgary  
Planning and Building MC# 8076  
3rd Floor, 800 Macleod Trail S.  
Calgary, Alberta

**Attention: File Manager, Subdivision Applications**

**Re: Letter of Authorization, Subdivision Application – West Springs**

Affecting Lot 22 Block D Plan 021 0368

Dear Sir/Madam,

Please accept this letter as authorization for Maidment Land Surveys Ltd. to make subdivision application affecting the above described lands owned by Deer Trail Development Inc..

Yours truly,

Deer Trail Development Inc.

ADHEM KADRI







## LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0029 199 213	0210368;D;22	141 031 751

LEGAL DESCRIPTION  
 PLAN 0210368  
 BLOCK D  
 LOT 22  
 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 5;2;24;22;NE

MUNICIPALITY: CITY OF CALGARY

REFERENCE NUMBER: 131 060 045

-----				
REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
-----				
141 031 751	04/02/2014	TRANSFER OF LAND	\$400,500	NOMINAL

## OWNERS

DEER TRAIL DEVELOPMENT INC.  
 OF C/O 600, 5920 MACLEOD TR S  
 CALGARY  
 ALBERTA T2H 0K2

-----		
ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
-----		
011 154 803	05/06/2001	EASEMENT OVER AND FOR BENEFIT OF: SEE INSTRUMENTS (R/W PLAN 0111430)
011 154 804	05/06/2001	EASEMENT OVER AND FOR BENEFIT OF: SEE INSTRUMENT (PORTION AS DESCRIBED)
021 043 602	05/02/2002	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF CALGARY.

( CONTINUED )

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ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 141 031 751

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
-----		

AS TO PORTION OR PLAN:0210369

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 4 DAY OF  
FEBRUARY, 2020 AT 01:31 P.M.

ORDER NUMBER: 38759285

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

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

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



**ALBERTA GOVERNMENT SERVICES  
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

**011154803**

**ORDER NUMBER: 37101494**

**ADVISORY**

This electronic image is a reproduction of the original document registered at the Land Titles Office. Please compare the registration number on this coversheet with that on the attached document to ensure that you have received the correct document. Note that Land Titles Staff are not permitted to interpret the contents of this document.

Please contact the Land Titles Office at (780) 422-7874 if the image of the document is not legible.

# MASUCH, ALBERT & NEALE

Barristers & Solicitors  
C200, 9705 Horton Road S.W.  
Calgary, Alberta T2V 2X5

Fax: (403) 543-1111  
Telephone: (403) 543-1100

Our File: 00-19-9137/GEM/sm  
00-19-9138/GEM/sm

June 5, 2001

Delivered by Courier

Land Titles Office  
Main Floor, 620 - 7 Avenue S.W.  
Calgary, AB

Attention: Gulzar Velji

Dear Sirs:

Re: Plan 7510309, Block C

Please be advised that this office acts as solicitors for Bucci Springbank Project Ltd.

We would confirm that Bucci Springbank Project Ltd. is entitled to become the Registered Owner of the above-described property. You will note that a Purchaser's Lien has been filed on behalf of Bucci Springbank Project Ltd. against title to the subject property as Instrument No. 011 077 864.

We would confirm that it is our understanding that you are now in a position to proceed with registration of the General Utility Right-of-Way Easement Agreement and the Access Easement Agreement.

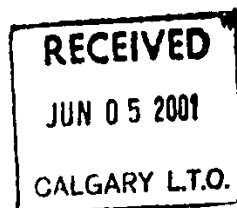
If we can be of further assistance, please do not hesitate to contact the writer.

Yours truly,

MASUCH, ALBERT & NEALE

  
Gerald E. Masuch

GEM/sm  
Enclosures



Ease

**GENERAL UTILITY RIGHT-OF-WAY  
EASEMENT AGREEMENT**

**WILLIAM J. CARR**

(hereinafter referred to as "the Grantor") being the registered owner of all those certain lands situate in the Province of Alberta, and more particularly described as follows, namely:

PLAN 4587 S

BLOCK 28

EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter referred to as the "Lands")

DOES HEREBY in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt whereof is hereby acknowledged, GIVE, GRANT, TRANSFER and MAKE OVER unto the owners, or parties entitled to become the owners, of the Benefitting Lands, as hereinafter described in the following proportionate interests, as Tenants-in-Common, namely

<u>Registered owner or party entitled to become registered owner of the following parcels of land</u>	<u>Proportionate ownership in General Utility Right-of-Way Easement</u>
Bucci Springbank Project Ltd. as to Parcel 1	26.21%
Serhan Jomaa and Montazi Jomaa as to Parcel 2	13.15%
Deer Trail Development Inc. as to Parcel 3	7.97%
Ibsen Holdings Ltd. as to Parcel 4	26.20%
Wayne Chiu and Dominic Hon as to Parcel 5	26.47%

(hereinafter collectively referred to as the "Grantee"), the right, privilege and easement of right-of-way in, through and over the following lands, namely:

**THOSE PORTIONS OF THE ABOVE LANDS WHICH LIE WITHIN THE  
RIGHT-OF-WAY AS SHOWN ON PLAN CALGARY 0111430**

(hereinafter referred to as the "right-of-way") for the digging, putting down, taking up, relaying, connecting, disconnecting, constructing, repairing, replacing, maintaining, inspecting and operating sanitary sewer, storm sewer, water, gas, electrical transmission, telephone and telecommunication lines, and pole anchors, or any one or more of them, together with the usual

and ordinary appurtenances thereto (all or any one or more of which are hereinafter referred to as "the utility line or lines"), to be laid in, under, on, over or across the Lands, for the benefit of the parcels of land adjacent to the Lands being:

Parcel #1: Plan 7510309  
Block C  
Excepting Thereout All Mines and Minerals

Parcel #2: ✓ Firstly: Plan 9010769  
Block F  
Excepting Thereout All Mines and Minerals

✓ Secondly: Plan 9010769  
Block E  
Excepting Thereout All Mines and Minerals

Parcel #3: Plan 8810046  
Block D  
Lot 2  
Excepting Thereout All Mines and Minerals

Parcel #4: Plan 7510309  
Block B  
Excepting Thereout All Mines and Minerals

✓ Parcel #5: The North Half of Legal Subdivision 15  
In the North East Quarter of Section 22  
In Township 24, Range 2, West of the 5<sup>th</sup> Meridian  
Containing 8.09 Hectares (more or less) 20.00 Acres More or Less  
Excepting the Roadway on Plan 2491 JK  
Containing 0.012 of a Hectare (0.03 of an acre) More or Less

Excepting Thereout All Mines and Minerals.

(hereinafter collectively referred to as the "Benefitting Lands"), the said right, privilege and easement being subject to the following terms and conditions which are hereby agreed to by and between the Grantor and the Grantee, namely:

1. The easement of a right-of-way hereby granted shall be for such length of time as the utility line or lines are required by the Grantee.

2. The Grantee, its tenants, contractors, subcontractors, officers, servants, agents and workmen, including The City of Calgary and its contractors, subcontractors, officers, servants, agents and workmen, shall have the full and free right and liberty to have ingress, egress and to pass and repass on the right-of-way either on foot or by means of vehicles or necessary machines whatsoever, and to remain on the right-of-way for all purposes of digging.



putting down, taking up, relaying, connecting, disconnecting, constructing, repairing, replacing, maintaining, inspecting and operating the utility line or lines.

3. The Grantee in carrying out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the owner or occupier of the Lands, as is possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition. The replacement of trees, shrubs and landscaping other than grass shall be deemed to be impracticable.

4. The Grantor covenants that he (it) will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right-of-way any building or structure, nor allow changes to the design or existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees, shrubs or landscaping which would or could prevent or hinder the exercise by the Grantee of any of the rights hereinbefore granted.

5. The Grantee will indemnify and save harmless the Grantor from and against all claims, damages, debts, dues, suits, actions and causes of actions, costs or sums of money that the Grantor may suffer or be put to by reason of anything done by the Grantee in the exercise of the rights and privileges herein granted.

6. This easement of a right-of-way and the covenants herein granted are and shall be covenants running with the Land.

7. The rights, privileges and obligations hereunder shall extend to and shall be binding upon the Grantor, and his heirs, successor, administrators, successors in title and assigns, and upon the Grantee, their heirs, executors, administrators, successors and assigns. Without restricting the generality of the foregoing, the Grantee shall have the right to assign this General Utility Right-of-Way Easement Agreement to The City of Calgary.

8. Notwithstanding that The City of Calgary (a municipal corporation pursuant to the *Municipal Government Act*, S.A.1994, c.M-26.1, as amended) is not a party to this Agreement, the Grantee agrees that it shall not surrender its rights hereunder or agree to a discharge of this instrument from title to the Land without the prior written consent of The City of Calgary. The request for The City of Calgary's consent shall be in writing, accompanied by a true copy of this Agreement.

9. The address for service of the Grantee shall be in care of

Bucci Springbank Project Ltd.  
800, 543 Granville Street  
Vancouver, British Columbia  
V6C 1X8

General Utility Right-of-Way Agreement

IN WITNESS WHEREOF the Grantor and the Grantee have executed this Agreement by setting forth their hands and seals, or have caused their corporate seal to be affixed, attested to by the hands of their proper officers in this behalf, at the City of Yellowknife, in the Northwest Territories, and at the City of Calgary, in the Province of Alberta, as at the 27<sup>th</sup> day of February, A.D. 2001.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

Grantor:

\_\_\_\_\_  
William J. Carr

Grantee:

BUCCI SPRINGBANK PROJECT LTD.

Per: \_\_\_\_\_

\_\_\_\_\_  
Serhan Jomaa

\_\_\_\_\_  
Montazi Jomaa

DEER TRAIL DEVELOPMENT INC.

Per: \_\_\_\_\_

IBSEN HOLDINGS LTD.

Per: \_\_\_\_\_

\_\_\_\_\_  
Wayne Chiu

\_\_\_\_\_  
Dominic Hon

**CONSENT OF SPOUSE**

I, \_\_\_\_\_, being married to the above named WILLIAM J. CARR, do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this Document for the purpose of giving up my life estate and other dower rights in the said property given to me by The Dower Act, to the extent necessary to give effect to the said disposition.

\_\_\_\_\_

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document relating to the lands legally described as:

PLAN 4587 S

BLOCK 28

EXCEPTING THEREOUT ALL MINES AND MINERALS

was acknowledged before me by \_\_\_\_\_ apart from  
her husband.

2. \_\_\_\_\_ acknowledged to me that she:

- (a) is aware of the nature of the disposition (or agreement);
- (b) is aware that The Dower Act, gives her a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
- (c) consents to the disposition (or agreement) for the purpose of giving up the life estate and other dower rights in the homestead given to her by The Dower Act, to the extent necessary to give effect to the said disposition (or agreement);
- (d) is executing this document freely and voluntarily without any compulsion on the part of her husband.

Dated at the City of Yellowknife, in the Northwest Territories, this \_\_\_\_ day of March, A.D. 2001.

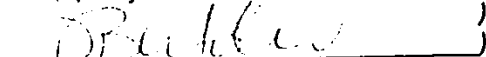
\_\_\_\_\_  
Barrister & Solicitor

DOWER AFFIDAVIT

I, WILLIAM J. CARR, of the City of Yellowknife, in the Northwest Territories, make oath and say:

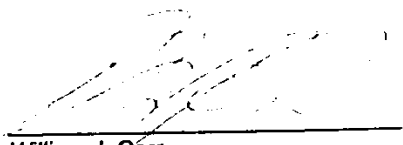
- 1. That I am the Transferor named in the within instrument.
- 2. That I am not married
- ~~2. That neither myself nor my spouse have resided on the within mentioned lands of any time since the date of our marriage.~~

SWORN before me at the City of )  
Yellowknife, in the Northwest Territories, )  
this 14 day of March, A.D. 2001 )



A Notary Public in and for  
the Northwest Territories

DENISE E. BERTOLINI  
Notary Public in and for the  
Northwest Territories. My  
Commission expires: 17/06/2004

  
William J. Carr

## AFFIDAVIT OF EXECUTION

CANADA )  
 )  
 PROVINCE OF ALBERTA )  
 )  
 TO WIT: )

I, William J. Carr  
 of the City of Yellowknife,  
 in the Northwest Territories  
Notary Public  
 (occupation)  
 MAKE OATH AND SAY:

1. That I was personally present and did see WILLIAM J. CARR named in the within Instrument who is personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein;
2. That the same was executed at the City of Yellowknife, in the Northwest Territories, and that I am the subscribing witness thereto;
3. That I know the said WILLIAM J. CARR and he is in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City of )  
 Yellowknife, in the Northwest Territories, )  
 this 14 day of, March A.D. 2001 )

[Signature]  
 A Notary Public in and for  
 the Northwest Territories

JOSE E. CERTOLINI  
 Notary Public in and for the  
 Northwest Territories. My  
 Commission expires: Sept 11, 2001

## AFFIDAVIT OF EXECUTION

CANADA )  
 )  
 PROVINCE OF ALBERTA )  
 )  
 TO WIT: )

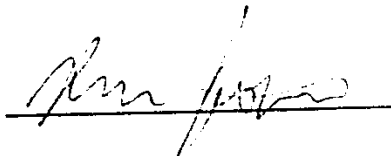
I, AKRAM JOMAA  
 of the City of Calgary, in  
 the Province of Alberta  
 \_\_\_\_\_  
 (occupation)  
 MAKE OATH AND SAY:

1. That I was personally present and did see SERHAN JOMAA and MONTAZI JOMAA named in the within Instrument who are personally known to me to be the persons named therein, duly sign and execute the same for the purposes named therein;
2. That the same was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto;
3. That I know the said SERHAN JOMAA and MONTAZI JOMAA and they are each in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City of )  
 Calgary, in the Province of Alberta, )  
 this 14 day of February, )  
 A.D. 2001 2001 )

  
 A Commissioner for Oaths  
 in and for the Province of Alberta

ALIS. JOMAA  
 BARRISTER & SOLICITOR



## AFFIDAVIT OF EXECUTION

CANADA )  
 )  
 PROVINCE OF ALBERTA )  
 )  
 TO WIT: )

I, BENNY CHEUNG  
 of the City of Calgary, in  
 the Province of Alberta  
 \_\_\_\_\_  
 (occupation)  
 MAKE OATH AND SAY:

1. That I was personally present and did see WAYNE CHIU and DOMINIC HON named in the within Instrument who are personally known to me to be the persons named therein, duly sign and execute the same for the purposes named therein;
2. That the same was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto;
3. That I know the said WAYNE CHIU and DOMINIC HON and they are each in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City of )  
 Calgary, in the Province of Alberta, )  
 this 9 day of February, )  
 A.D. 2001 May )

Silvia  
 A Commissioner for Oaths  
 in and for the Province of Alberta

JANE LI MANYAN  
 Commissioner for Oaths #0686  
 Appointment expires  
 June 3, 2002 ✓

Wayne Chiu  
Dominic Hon

Dated this \_\_\_\_\_ day of February, A.D. 2001

BETWEEN:

WILLIAM J. CARR

*the Grantor*

- and -

BUCCI SPRINGBANK PROJECT LTD.,  
SERHAN JOMAA and MONTAZI JOMAA,  
DEER TRAIL DEVELOPMENT INC., IBSEN  
HOLDINGS LTD., and WAYNE CHIU and  
DOMINIC HON

*the Grantee*

**GENERAL UTILITY  
RIGHT-OF-WAY AGREEMENT**

011154003 REGISTERED 2001 06 05  
PAGE EASEMENT  
DOC 1 OF 2 DRR#: 9361174 ADR/GVRLJI  
LINC/S: 0014532920 0017322603  
0017560476 0013515095 0013515103  
0016281991 0013059597

Masuch, Albert & Neale  
Barristers and solicitors  
C200, 9705 Horton Road S.W.  
Calgary, Alberta T2V 2X5

Solicitors File No.: 00-19-9137/GEM

**ALBERTA GOVERNMENT SERVICES  
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

**021043602**

**ORDER NUMBER: 38759340**

**ADVISORY**

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## GENERAL UTILITY

Deer Trail Development Inc.  
2808 Signal Hill Drive S.W.  
CALGARY, ALBERTA  
T2H 2L9

(hereinafter referred to as "the Grantor") being the registered owner of all those certain lands situate in the Province of Alberta, and more particularly described as follows, namely:

22.66.6.  
LOTS 3 TO 23 INCLUSIVE  
BLOCK D  
PLAN 0210368

*Kamal N. Kadri*  
*KAMA-N-KADRI*

EXCEPTING THEREOUT ALL MINES AND MINERALS  
(NE ¼ SECTION 22, TOWNSHIP 24, RANGE 2, WEST 5<sup>TH</sup> MERIDIAN, ALBERTA)

DO HEREBY in consideration of the sum of one (\$1.00) dollar and other good and valuable consideration, the receipt whereof is hereby acknowledged, GIVE, GRANT, TRANSFER AND MAKE OVER unto The City of Calgary, (hereinafter referred to as "the City") the right, privilege and easement of a right-of-way in, through and over the following lands, namely:

THOSE PORTIONS OF THE ABOVE SAID LAND WHICH LIE WITHIN THE RIGHT OF WAY AS SHOWN ON PLAN 0210369

(hereinafter, referred to as "the right of way") for digging, putting down, taking up, relaying, connecting, disconnecting, constructing, repairing, replacing, maintaining, inspecting and operating sewer, water, gas, electrical transmission, telephone and telecommunication lines, and pole anchors, or any one or more of them, together with the usual and ordinary appurtenance thereto, (all or any one or more of which are hereinafter referred to as "the utility line or lines") to be laid in, under, on, over or across the right-of-way, the said right, privilege and easement being subject to the following terms and conditions which are hereby agreed to by and between the City and the Grantor, namely:

1. The term "the City" wherever used in these presents shall include and shall be interpreted to mean The City of Calgary and the nominees or appointees of the City.
2. The easement of a right-of-way hereby granted shall be for such length of time as the utility line or lines are required by the City.
3. The City its tenants, contractors, subcontractors, officers, servants, agents and workmen shall have the full and free right and liberty to have ingress, egress and to pass and repass on the right-of-way either on foot or by means of vehicles or necessary machines whatsoever, and to remain on the right-of-way for all purposes of digging, putting down, taking up, relaying, connecting, disconnecting, constructing, repairing, replacing, maintaining, inspecting and operating the utility line or lines.
4. The City in carrying out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the owner or occupier of the said lands, as is possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition. The replacement of trees, shrubs and landscaping other than grass shall be deemed to be impracticable.
5. The Grantor covenants that he (it) will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right-of-way any building or structure, nor allow changes to the design or existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees, shrubs or landscaping which would or could prevent or hinder the exercise by the City of any of the rights hereinbefore granted.

-2-

6. The City will indemnify and save harmless the Grantor from and against all claims, damages, debts, dues, suits, actions and causes of actions, costs or sums of money that the Grantor may suffer or be put to by reason or anything done by the City in the exercise of the rights and privileges herein granted.

7. This easement of a right-of-way and the covenants herein granted are and shall be covenants running with the land.

8. The rights, privileges and obligations hereunder shall extend to and shall be binding upon The City of Calgary its successors and assigns, and upon the Grantor and his or their heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF The City of Calgary has hereunto caused its corporate seal to be affixed, attested by the hands of its proper officers in this behalf and the Grantor has hereunto set his (their) hand and seal (the Grantor has hereunto caused its corporate seal to be affixed, attested by the hands of its proper officers in this behalf), at CALGARY in the Province of Alberta this 4 day of Feb A.D., 2001-2002

APPROVED	
CORPORATE PROPERTIES	<i>gt</i>
AS TO FORM SOLICITORS	<i>gt</i>

THE CITY OF CALGARY

*[Signature]*  
ACTING MANAGER, LAND DIVISION

*[Signature]*  
CITY CLERK

FEB 04 2002

Deer Trail Developments Inc.

*[Signature]*  
Per:

(corporate seal)

Per:



021043602 REGISTERED 2002 02 05  
UTRW - UTILITY RIGHT OF WAY  
DOC 5 OF 7 DR# 6150503 ADRAKSTANG

14

**ALBERTA GOVERNMENT SERVICES  
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

**011154804**

**ORDER NUMBER: 37101494**

**ADVISORY**

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# MASUCH, ALBERT & NEALE

Barristers & Solicitors  
C200, 9705 Horton Road S.W.  
Calgary, Alberta T2V 2X5

Fax: (403) 543-1111  
Telephone: (403) 543-1100

Our File: 00-19-9137/GEM/sm  
00-19-9138/GEM/sm

June 5, 2001

Delivered by Courier

Land Titles Office  
Main Floor, 620 - 7 Avenue S.W.  
Calgary, AB

Attention: Gulzar Velji

Dear Sirs:

Re: Plan 7510309, Block C

Please be advised that this office acts as solicitors for Bucci Springbank Project Ltd.

We would confirm that Bucci Springbank Project Ltd. is entitled to become the Registered Owner of the above-described property. You will note that a Purchaser's Lien has been filed on behalf of Bucci Springbank Project Ltd. against title to the subject property as Instrument No. 011 077 864.

We would confirm that it is our understanding that you are now in a position to proceed with registration of the General Utility Right-of-Way Easement Agreement and the Access Easement Agreement.

If we can be of further assistance, please do not hesitate to contact the writer.

Yours truly,

MASUCH, ALBERT & NEALE

  
Gerald E. Masuch

GEM/sm  
Enclosures



ACCESS EASEMENT

WILLIAM J. CARR

(hereinafter referred to as "the Grantor") being the registered owner of all those certain lands situate in the Province of Alberta, and more particularly described as follows, namely:

PLAN 4587 S  
BLOCK 28

EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter referred to as the "Lands")

DOES HEREBY in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt whereof is hereby acknowledged, GIVE, GRANT, TRANSFER and MAKE OVER unto the owners, or parties entitled to become the owners, of the Benefitting Lands, as hereinafter described in the following proportionate interests, as Tenants-in-Common, namely

<u>Registered owner or party entitled to become registered owner of the following parcels of land</u>	<u>Proportionate ownership in General Utility Right-of-Way Easement</u>
Bucci Springbank Project Ltd. as to Parcel 1	26.21%
✓ Serhan Jomaa and Montazi Jomaa as to Parcel 2	13.15%
✓ Deer Trail Development Inc. as to Parcel 3	7.97%
✓ Ibsen Holdings Ltd. as to Parcel 4	26.20%
✓ Wayne Chiu and Dominic Hon as to Parcel 5	26.47%

(hereinafter collectively referred to as the "Grantee") the right, privilege and easement of right-of-way in, through and over the following lands, namely:

THOSE PORTIONS OF THE ABOVE LANDS WHICH LIE ADJACENT TO THE GENERAL UTILITY RIGHT-OF-WAY AS SHOWN ON PLAN CALGARY 0111430 AND AS ARE FURTHER DESCRIBED AS THE "HATCHED AREA" ON THE SCHEDULE ATTACHED AS SCHEDULE "A" HERETO AND MADE A PART HEREOF AND LEGALLY DESCRIBED AS THE WESTERLY 15 METRES OF THE EASTERLY 26.75 METRES IN PERPENDICULAR WIDTH OF BLOCK 28

(hereinafter referred to as the "Access Easement Area") for the use of the Grantee's non-exclusive right, privilege and easement in, through and over the Access Easement Area at all

times hereafter for the purposes of digging, putting down, taking up, relaying, connecting, disconnecting, constructing, repairing, replacing, maintaining, inspecting, and operating the general utility line or lines located within the above-described General Utility Right-of-Way located on the Lands for the benefit of the parcels of land adjacent to the Lands, being:

- Parcel #1. Plan 7510309  
Block C  
Excepting Thereout All Mines and Minerals
- Parcel #2 Firstly, Plan 9010769  
Block F  
Excepting Thereout All Mines and Minerals
- Secondly Plan 9010769  
Block E  
Excepting Thereout All Mines and Minerals
- Parcel #3 Plan 8810046  
Block D  
Lot 2  
Excepting Thereout All Mines and Minerals
- Parcel #4 Plan 7510309  
Block B  
Excepting Thereout All Mines and Minerals
- Parcel #5 The North Half of Legal Subdivision 15  
In the North East Quarter of Section 22  
In Township 24, Range 2, West of the 5<sup>th</sup> Meridian  
Containing 8.09 Hectares (more or less) 20.00 Acres More or Less
- Excepting the Roadway on Plan 2491 JK  
Containing 0.012 of a Hectare (0.03 of an acre) More or Less
- Excepting Thereout All Mines and Minerals

(hereinafter collectively referred to the "Benefitting Lands"), the said right, privilege and easement being subject to the following terms and conditions which are hereby agreed to by and between the Grantor and the Grantee, namely:

- 1 The Grantor shall retain a right of egress and ingress on and over the Access Easement Area.
- 2 The Grantor covenants and agrees for himself and his successors in title that it will not
  - (a) perform any act which would damage the Access Easement Area or otherwise interfere with the Grantee's rights under this Agreement;
  - (b) build, erect, plant or maintain nor permit or suffer to be built, erected, planted or maintained on or near the Access Easement Area any building, structure,

fencing, trees, shrub vegetation or landscaping which prevents or interferes, or may prevent or interfere with the exercise of the Grantee's rights covered by this Agreement.

3 The Grantee and Grantor understand and acknowledge that the right of the Grantee to have the liberty to have ingress, egress and to pass and repass across and along the Access Easement Area, either on foot or by means of vehicles or necessary machines, and to remain upon the Access Easement Area, is restricted to those periods and times in which the Access Easement Area is required by the Grantee for the purposes of exercising and performing its respective rights, privileges and obligations under this Agreement, and for no other reason or purpose whatsoever.

4 The Grantee, its tenants, contractors, subcontractors, officers, servants, agents and workmen, including The City of Calgary and its contractors, subcontractors, officers, servants, agents and workmen, shall have the full and free right and liberty to have ingress, egress and to pass and repass on the Access Easement Area either on foot or by means of vehicles or necessary machines whatsoever, and to remain on the Access Easement Area for all purposes of digging, putting down, taking up, relaying, connecting, disconnecting, constructing, repairing, replacing, maintaining, inspecting and operating the utility line or lines located on the adjacent General Utility Right-of-Way.

5 The Grantee, in exercising and performing its respective rights, privileges and obligations under this Agreement will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the Grantor or the Access Easement Area as is possible, and in respect of the Access Easement Area, any excavations or workings made or done in connection therewith shall, so far as is reasonably practicably, be restored to its former condition. Without limiting the generality of the foregoing, the Grantee shall be responsible for removal of any residual soil, fill, construction materials or debris from the Access Easement Area and the replacement of any building, structure, fencing, trees, shrub vegetation, or landscaping or any other development that is allowed to be erected by the Grantor upon the Access Easement Area, in accordance with this Agreement, shall be included in the obligation to restore.

6 The Grantee will indemnify and save harmless the Grantor, with respect to the Access Easement Area, from and against all claims, damages, debts, suits, dues, actions, liabilities and causes of action, costs, or sums of money whatsoever that the Grantor may suffer or be put to by reason of anything done by the Grantee in the exercise of any one or more of the rights and privileges granted in this Agreement.

7 The parties acknowledge and agree that the Access Easement Agreement and covenants granted herein are deemed to be and shall be covenants running with the Land.

8 No action shall lie against either the Grantor or the Grantee for damages, for breach of any one or more of the covenants contained in this Agreement unless the Grantor or Grantee were, at the time of the alleged breach, an owner of the Lands or the above-described General Utility Right-of-Way and alleged and found by a court of competent jurisdiction to be in breach of this Agreement. This covenant shall constitute an absolute defence to any such action and may be pleaded as such.

9 The parties acknowledge that this Agreement contains the entire terms, conditions and warranties as agreed to by the parties respecting the Access Easement Area.



and that there are no terms, conditions, warranties or other Agreements except as stated in this Agreement.

10 If any covenant, term or provision of this Agreement, or application thereto to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, other than such term, shall not be affected thereby and each remaining provision shall be valid and enforceable to the extent permitted by law.

11. This Access Easement Agreement shall come into full force and effect on the date of execution of this Agreement and shall continue in full force and effect unless terminated by unanimous and mutual agreement of the Grantor and the Grantee, in writing. Notwithstanding the generality of the foregoing, this Access Easement Agreement shall be deemed to be terminated upon the registration of a road plan and utility right-of-way in favour of The City of Calgary, and registered against both the Lands, and the adjoining lands described as Plan 4587 S, Block 28. Upon termination of this Access Easement Agreement, the Grantee shall discharge, at the Grantee's sole cost and expense, any encumbrance registered against the Lands pursuant to this Agreement. Notwithstanding that The City of Calgary (a municipal corporation pursuant to the *Municipal Government Act*, S.A. 1994, c.M-26 1, as amended) is not a party to this Agreement, the Grantee agrees that it shall not surrender its rights hereunder or agree to a discharge of this instrument from the title to the Land without the prior written consent of The City of Calgary. The request for The City of Calgary's consent shall be in writing, accompanied by a true copy of this Agreement.

12 The Grantor acknowledges, covenants, and agrees that this Access Easement Agreement constitutes an interest in land, and the Grantee shall be entitled to file a caveat, protecting its interest under this Access Easement Agreement, against the Lands.

13 The rights, privileges and obligations hereunder shall extend to and shall be binding upon the Grantor, and his heirs, successor, administrators, successors in title and assigns, and upon the Grantee, their heirs, executors, administrators, successors and assigns. Without restricting the generality of the foregoing, the Grantee shall have the right to assign this Access Easement Agreement to The City of Calgary.

14 Throughout this Agreement, the singular shall include the plural and the masculine shall include the feminine as the case may be, and vice versa. Should the Grantor or Grantee at any time and from time to time comprise two or more persons, each such person shall be jointly and severally bound with the other and others for the due performance of the obligations of the Grantor or Grantee of such rights.

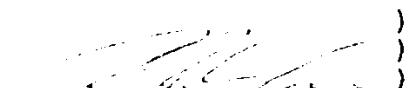
15 A term of this Agreement may not be waived or varied except in writing signed by the Grantee and Grantor.


16 This Agreement is governed by the laws of Alberta.

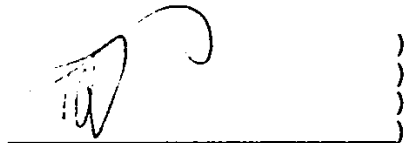
17 The address for service of the Grantee shall be in care of

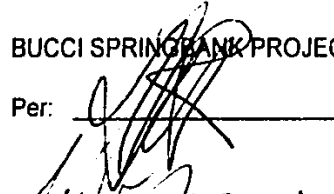
Bucci Springbank Project Ltd  
800, 543 Granville Street  
Vancouver, British Columbia  
V6C 1X8

IN WITNESS WHEREOF the Grantor and the Grantee have executed this Agreement by setting forth their hands and seals, or have caused their corporate seal to be affixed, attested to by the hands of their proper officers in this behalf, at the City of Yellowknife, in the Northwest Territories, and the City of Calgary, in the Province of Alberta, as at the 27<sup>th</sup> day of February, A.D. 2001.

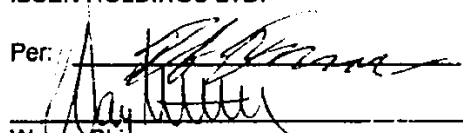
  
 \_\_\_\_\_  
 Witness

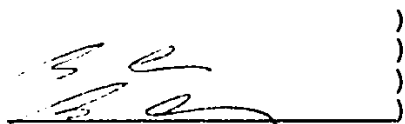
Grantor:   
 \_\_\_\_\_  
 William J. Carr


  
 \_\_\_\_\_  
 Witness

Grantee:  
 BUCCI SPRINGBANK PROJECT LTD.  
 Per:   
 \_\_\_\_\_  
 Serhan Jomaa  
 MT  
 \_\_\_\_\_  
 Montazi Jomaa

DEER TRAIL DEVELOPMENT INC.  
 Per:   
 \_\_\_\_\_

IBSEN HOLDINGS LTD.  
 Per:   
 \_\_\_\_\_  
 Wayne Chiu

  
 \_\_\_\_\_  
 Witness

  
 \_\_\_\_\_  
 Dominic Hon

**CONSENT OF SPOUSE**

I, \_\_\_\_\_, being married to the above named WILLIAM J. CARR, do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this Document for the purpose of giving up my life estate and other dower rights in the said property given to me by The Dower Act, to the extent necessary to give effect to the said disposition.

\_\_\_\_\_

Access Easement

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document relating to the lands legally described as:

PLAN 4587 S  
 BLOCK 28  
 EXCEPTING THEREOUT ALL MINES AND MINERALS

was acknowledged before me by \_\_\_\_\_ apart from  
 her husband.

2. \_\_\_\_\_ acknowledged to me that she:

- (a) is aware of the nature of the disposition (or agreement);
- (b) is aware that The Dower Act, gives her a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
- (c) consents to the disposition (or agreement) for the purpose of giving up the life estate and other dower rights in the homestead given to her by The Dower Act, to the extent necessary to give effect to the said disposition (or agreement);
- (d) is executing this document freely and voluntarily without any compulsion on the part of her husband.

Dated at the City of Yellowknife, in the Northwest Territories, this \_\_\_\_\_ day of March, A.D. 2001.

\_\_\_\_\_  
 Barrister & Solicitor

DOWER AFFIDAVIT

I, WILLIAM J. CARR, of the City of Yellowknife, in the Northwest Territories, make oath and say:

- 1. That I am the Transferor named in the within instrument.
- 2. That I am not married
- ~~2. That neither myself nor my spouse have resided on the within mentioned lands at any time since the date of our marriage.~~

SWORN before me at the City of  
 Yellowknife, in the Northwest Territories,  
 this 14 day of March, A.D. 2001

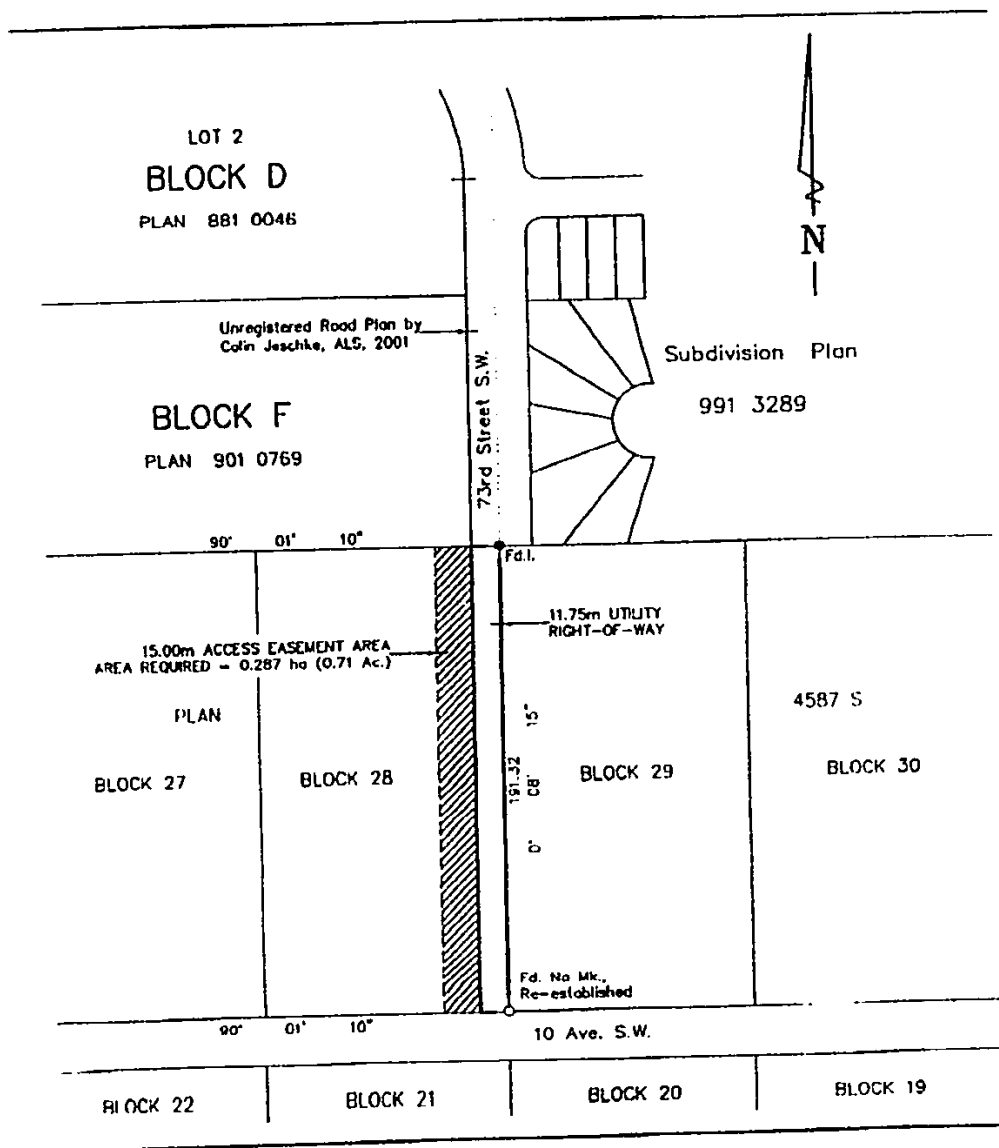
\_\_\_\_\_  
 A Notary Public in and for  
 the Northwest Territories

\_\_\_\_\_  
 William J. Carr

DENISE E. BERTOLINI  
 Notary Public in and for the  
 Northwest Territories. My  
 Commission expires: 13, AUGUST 1

SCHEDULE "A"

INDIVIDUAL OWNERSHIP PLAN  
SHOWING  
UTILITY RIGHT OF WAY  
WITHIN  
BLOCK 28 PLAN 4587 S



## NOTES

SURVEY MONUMENTS FOUND SHOWN THUS . . . ●  
SURVEY MONUMENTS PLANTED SHOWN THUS . . . ○  
AREA AFFECTED BOUNDED THUS . . . ———  
DISTANCES ARE IN METRES.

OWNFR: WILLIAM J. CARR

CERTIFICATE OF TITLE NUMBER: 119E181

AREA REQUIRED: 0.225 ha (0.56 Ac.)

CERTIFIED CORRECT

THIS 28th DAY OF FEBRUARY, 2001

COLIN B. JESCHKE, A.L.S.



Usher Canada Limited

Phone: 640-9002 Fax: 640-9002  
e-mail: ucl@kpsny@usherenn.com

Drawn By D.G.

Scale: 1:2,000

Date: February 21st, 2001

Checked By CRM

File No. 7715.002

Drawing No. 377-C1-R1

## AFFIDAVIT OF EXECUTION

CANADA )  
 )  
 PROVINCE OF ALBERTA )  
 )

TO WIT: )

I, William J. Carr  
 of the City of Yellowknife,  
 in the Northwest Territories

Lawyer  
 (occupation)

MAKE OATH AND SAY:

1. That I was personally present and did see WILLIAM J. CARR named in the within Instrument who is personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein;
2. That the same was executed at the City of Yellowknife, in the Northwest Territories, and that I am the subscribing witness thereto;
3. That I know the said WILLIAM J. CARR and he is in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City of )  
 Yellowknife, in the Northwest Territories, )  
 this 11 day of March, A.D. 2001 )

E. Bertolini )

A Notary Public in and for  
 the Northwest Territories

RENISE E. BERTOLINI  
 Notary Public in and for the  
 Northwest Territories. My  
 Commission expires: Sept 11, 2001

William J. Carr



Access Easement

## AFFIDAVIT OF EXECUTION

CANADA )  
 )  
 PROVINCE OF ALBERTA )  
 )  
 TO WIT: )

I, Akram Jomaa  
 of the City of Calgary, in  
 the Province of Alberta  
 \_\_\_\_\_  
 (occupation)  
 MAKE OATH AND SAY:

1. That I was personally present and did see SERHAN JOMAA and MONTAZI JOMAA named in the within Instrument who are personally known to me to be the persons named therein, duly sign and execute the same for the purposes named therein;
2. That the same was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto;
3. That I know the said SERHAN JOMAA and MONTAZI JOMAA and they are each in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City of )  
 Calgary, in the Province of Alberta, )  
 this 14 day of February, )  
 A.D. 2001 MAY )

[Signature]  
 A Commissioner for Oaths  
 in and for the Province of Alberta

**ALI S. JOMAA**  
**BARRISTER & SOLICITOR**

[Signature]

## AFFIDAVIT OF EXECUTION

CANADA )  
 )  
 PROVINCE OF ALBERTA )  
 )  
 TO WIT: )

I, BENNY CHENG  
 of the City of Calgary, in  
 the Province of Alberta  
 \_\_\_\_\_  
 (occupation)  
 MAKE OATH AND SAY:

1. That I was personally present and did see WAYNE CHIU and DOMINIC HON named in the within Instrument who are personally known to me to be the persons named therein, duly sign and execute the same for the purposes named therein;
2. That the same was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto;
3. That I know the said WAYNE CHIU and DOMINIC HON and they are each in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City of )  
 Calgary, in the Province of Alberta, )  
 this 9 day of February, )  
 A.D. 2001 May )

[Signature]  
 A Commissioner for Oaths  
 in and for the Province of Alberta

JANE LI MANYAN  
 Commissioner for Oaths #0686679  
 Appointment expires  
 June 3, 2002

[Signature]  
[Signature]

[Signature]

Dated this \_\_\_\_\_ day of February, A.D. 2001

BETWEEN:

WILLIAM J. CARR

*the Grantor*

- and -

BUCCI SPRINGBANK PROJECT LTD.,  
SERHAN JOMAA and MONTAZI JOMAA,  
DEER TRAIL DEVELOPMENT INC., IBSEN  
HOLDINGS LTD., and WAYNE CHIU and  
DOMINIC HON

*the Grantee*

---

**ACCESS EASEMENT AGREEMENT**

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01154504 REGISTERED 2001 06 05  
EASE - EASEMENT  
DOC 2 OF 2 DEP#: 0361174 ADR/GVELJI  
LINC/S: 0018532920 0017322603  
0017550476 0013515095 0013515103  
0016221891 0013059597

Masuch, Albert & Neale  
Barristers and solicitors  
C200, 9705 Horton Road S.W.  
Calgary, Alberta T2V 2X5

Solicitors File No.: 00-19-9137/GEM

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## Abandoned Well Declaration

Application # \_\_\_\_\_  
for office use only

Site Address: 882 77 ST SW

Legal Description: 0210368;D;22

SB2020-0029

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

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

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

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

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

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

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

Licensee Company Name \_\_\_\_\_ Licensee Contact \_\_\_\_\_

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

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

☒ Applicant ☐ Owner ☐ Builder ☐ Other \_\_\_\_\_

Company Name MAIDMENT LAND SURVEYS LTD. Contact Person BRENT WILSON, ALS

Address 10, 141 COMMERCIAL DRIVE, CALGARY, ALBERTA

Phone 403-286-0501 Cell Phone \_\_\_\_\_ Email bwilson@maidment.ca

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

☐ Yes ☒ No

If you answered 'yes':

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

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

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

February 4, 2020

Date

Applicant Signature

Brent Wilson, ALS

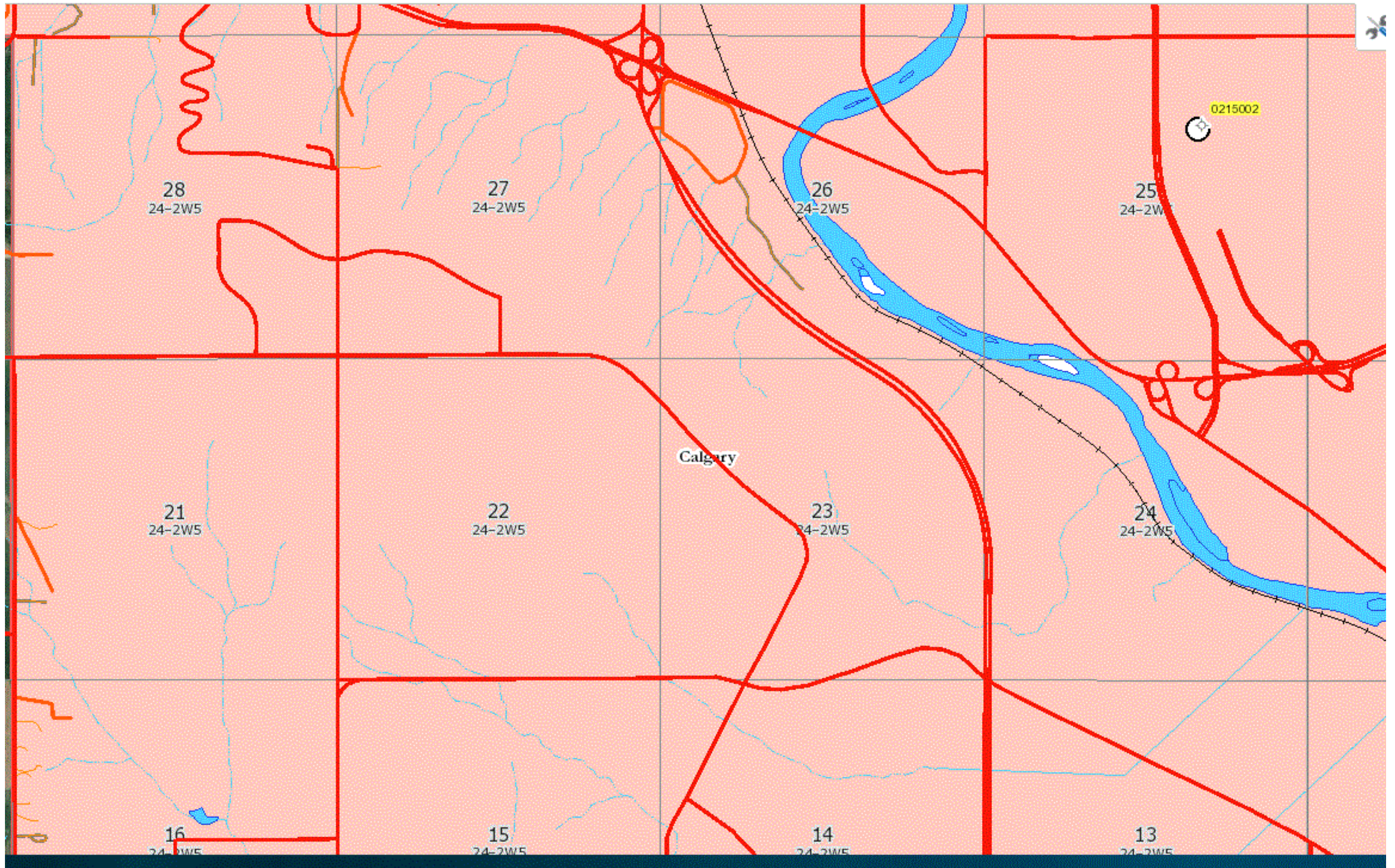
Applicant Name (Please Print)

Maidment Land Surveys Ltd.

Company Name (Please Print)

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









## Site Contamination Statement

Application # \_\_\_\_\_  
for office use only

Site Address: 882 77 ST SW

Legal Description: 0210368;D;22

SB2020-0029

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

You are responsible for the accuracy of the information provided in this statement. The questions must be answered to the best of your knowledge based upon diligent inquiry and the thorough inspection and review of all documents and other information pertaining to the subject property.

**Please be aware that further site assessments may be required as part of the review of your application.**

1. Are you aware of any environmental investigations (audits, assessments, tests, surveys or studies) for this site?

☐ Yes ☒ No

If yes, please provide copy(s).

2. Are you aware of any environmental requirements associated with any previous planning applications on this site?  
(i.e. development permit, land use redesign or subdivision)

☐ Yes ☒ No

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

3. Has there been site remediation or a request for such on the site?

☐ Yes ☒ No

If yes, please provide a brief description:



4. Are you aware of any regulatory actions, past or current, which have been applied to this site?

☐ Yes ☒ No

Examples include (but are not limited to):

- Environmental Protection Orders
- Reclamation Orders or Certificates
- Control / Stop Orders, fines, tickets or prosecutions
- Violations of environmental statutes, regulations and bylaws
- Administrative penalties and warning letters

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

5. Have any permits been issued or are you currently operating under a license or approval issued by federal or provincial authorities or the Calgary Fire Department for activities which may impact the property?  
(e.g. certificates of approval, storage tank regulations, plant operating permits)

☐ Yes ☒ No

If yes, please describe:

6. Has there been contact with Alberta Environment or Calgary Regional Health Authority regarding possible contamination on the site?

☐ Yes ☒ No

If yes, please provide a brief description:

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

I, the ☐ owner, ☒ authorized agent, ☐ authorized consultant, state that, to the best of my knowledge, the information provided in this statement is accurate, complete and is based on diligent inquiry and thorough inspection and review of all the documents and other information reasonably available pertaining to the subject property. I am not aware of any other information that may indicate that the subject property is potentially contaminated.

FEBRUARY 4, 2020

Date

cc

Applicant Signature

ADHEM KADRI

Applicant Name (Please Print)

DEERTRAIL DEVELOPMENT INC

Company Name (Please Print)

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



March 12, 2020

MAIDMENT LAND SURVEYS LTD  
 #10, 141 Commercial Drive  
 Calgary, Alberta  
 T3Z 2A7

Dear Sir:

**RE: Detailed Team Review (DTR)**

**Application Number: SB2020-0029**

The Corporate Planning Applications Group (CPAG) has completed a detailed review of your subdivision proposal received on February 13, 2020, in order to evaluate the feasibility of the proposal and compliance with the Municipal Government Act, the Planning and Development Regulations, the Land Use Bylaw and applicable City of Calgary policies. Any variance from the above noted legislation, regulations, or policies will require further discussion and/or revision prior to a decision for approval or refusal by the City of Calgary on the proposed application.

Applicants are requested to contact the respective team members to resolve outstanding issues. Revisions to the proposed subdivision application should not be submitted until we are able to provide comments from all circulation referees.

Should you have any questions or concerns, please contact me at (403) 268-1468 or by email at [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca).

Sincerely,

*Vivian Barr*

**VIVIAN BARR**

Senior Planning Technician

cc: DEER TRAIL DEVELOPMENT INC.  
 46 WESTBURY PL SW  
 CALGARY, AB  
 T3H 5B6



## Detailed Team Review 1 – Subdivision by Plan

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**Application Number:** SB2020-0029  
**Map Section Number:** 22W  
**Application Description:** Bare Land Condominium  
**Land Use District:** R-1s  
**Site Address:** 882 77 ST SW  
**Existing Use:** Vacant  
**Proposed Use:** Bare Land Condominium  
**Related File:** PE2018-00157 & LOC2016-0218  
**Community:** WEST SPRINGS  
**Applicant:** MAIDMENT LAND SURVEYS LTD – Brent Wilson  
**Date DTR Sent:** March 12, 2020

### CPAG Team:

<b>Subdivision Services</b>		
VIVIAN BARR	(403) 268-1468	vivian.barr@calgary.ca
<b>Development Engineering</b>		
ERIN WARD	(587) 215-7674	erin.ward@calgary.ca
<b>Transportation</b>		
FABIAN SNYDERS	(403) 268-5094	fabian.snyders@calgary.ca
<b>Parks</b>		
CURESHA MOODLEY	(403) 268-1396	curesha.moodley@calgary.ca

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## Prior to Decision Conditions

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The following issues must be addressed by the Applicant through a written submission prior to the decision by the Subdivision Authority to approve or refuse the proposed subdivision application. Applicants are encouraged to contact the respective team members directly to discuss outstanding issues or alternatively request a meeting with the CPAG Team.

### Subdivision Services:

- Unit 2 does not meet the minimum width requirement of the R-1s land use district. **Prior to decision**, submit a revised plan to demonstrate compliance with the land use bylaw. If our calculations are correct, the shortest side property line for Unit 2 is the "panhandle", which is 33.637m long vs the southerly property line, which is 34.365m long.  
**Revised Tentative plan has been uploaded to Vista which satisfies this requirement.**

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

(102) "parcel width" means the distance between the *side property lines* of a *parcel* measured at a right angle to the mid-point of the shortest *side property line*.

2. At this time, the Subdivision Authority is still reviewing the application and will therefore not recommend a decision until the prior to decision conditions have been satisfied.

**Noted.**

3. Notification of this application has been circulated to the adjacent property owners. Several letters of objection have been received. An extension to March 24, for comments, has been granted to the community association and adjacent property owners.

**The developer is encouraged to have a meeting with the community association & property owners prior to decision.**

**A copy of adjacent neighbour outreach summary report has been uploaded to Vista.**

4. **Prior to decision**, review the circulation letter from Atco and demonstrate, to their satisfaction, where any proposed utility right-of-way, required to service the proposed bare land condominium, would be located.

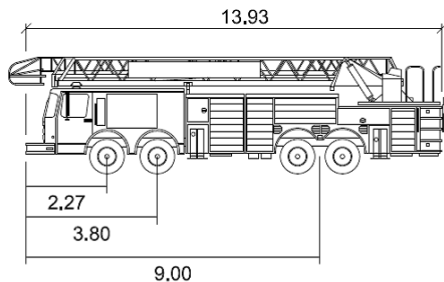
**A 3.5m Shallow Utility Easement has been provided along the north PL. Through detailed site design, coordination will be completed with ATCO to confirm required easements and installation locations.**

#### Development Engineering:

5. **Prior to decision**, amend the plans to address the following conditions:

##### Fire – Primary Fire Access Road Design

- a. Indicate a minimum 6.0m wide fire access route.  
*Note: this is the minimum requirement for trucks to set up outriggers. Ensure there will be no encroachments into this access route (ie: stairs).*
- b. Indicate the fire access route is designed to support a 38,556kg/85,000 lbs load. Indicate the access is designed to support the NFPA 1901 point load of 517kPa (75 psi) over a 24" x 24" area which corresponds to the outrigger pad size.



CFD\_Bronto\_Skylift

meters

Width	: 2.57
Track	: 2.57
Lock to Lock Time	: 6.0
Steering Angle	: 47.5
Turning Radius	: 10.18

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

- c. Indicate no parking signs on both sides of the fire access route as the road width is less than 7.49m.

**Agreed, to all items a-c., and these details will be shown/noted on the Fire Protection plan and DSSP submitted to the Water Resources by Urban Systems this week (Sept 24-25). Copies of each plan have been uploaded to Vista for your reference.**

#### Utility Line Assignments

- a. Indicate and dimension all existing / proposed utility rights-of-way and / or easements on **all relevant** plans and details,
- b. Indicate the location of the existing shallow utilities on **all relevant** plans and details, *Note: it appears that there is an ATCO service line entering the west side of the parcel.*

**This information is shown on the Tentative plan.**

#### Waste & Recycling Services – General

- a. Provide details of the proposed waste collection facilities as information is not indicated on the plans.

**We are unable to provide a full turnaround on site for this noted Vehicle. We would like to get clarity on how the multi-family site directly east of No Frills on 9<sup>th</sup> Avenue (West Park Common) is able to obtain services without a turnaround – and it is our understanding that they have City Services. Should it be determined that we can't have the same consideration as the example provided, we will look to a private service to fulfill this obligation. But it is our desire to obtain a satisfactory outcome that enables City Services. We have provided a residential standard turnaround between Unit 3 and Unit 4.**

#### Waste & Recycling Services – Collection Vehicle Access

- a. Provide a scaled plan (1:200 / 1:300) indicating the vehicle sweep and turning movement for collection vehicles. Refer to the "Development Reviews: Design Standards for the Storage and Collection Waste" found at:  
<http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>
- b. Indicate that the maximum distance the collection vehicle will reverse is two truck lengths.
- c. Provide a minimum 5.0m vertical and horizontal clearance for vehicle access.
- d. Provide a City standard turnaround area or a looped route to allow the collection vehicle to both access and egress the site by driving forward.

**We are unable to provide a full turnaround on site for this noted Vehicle. We would like to get clarity on how the multi-family site directly east of No Frills on 9<sup>th</sup> Avenue (West Park Common) is able to obtain services without a turnaround – and it is our understanding that they have City Services. Should it be determined that we can't have the same consideration as the example provided, we will look to a private service to fulfill this obligation. But it is our desire to obtain a satisfactory outcome that enables City Services. We have provided a residential standard turnaround between Unit 3 and Unit 4.**

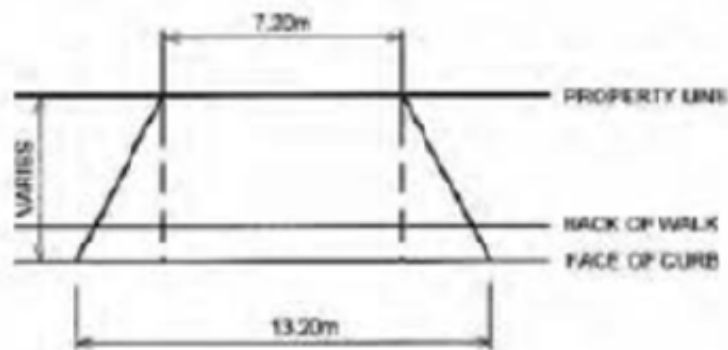
6. **Prior to decision**, submit, for review, a preliminary servicing plan to Urban Development for review by Water Resources.

**The DSSP will be submitted to Urban Development in conjunction with the DTR #1 submission response.**

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

**Transportation:**

7. **Prior to decision**, amend the plans to provide a minimum 7.2m wide access right-of-way, which is required for two way vehicle traffic, as well as to accommodate for the vehicle back out maneuver from the proposed garages. Also, amend the vehicle swept paths to be a TAC large 4 door sedan ensuring at least 0.5m of clearance from all obstacles, and no more than 3 back and forth movements to enter and exit all the garages. Anything more than this is overly onerous.  
**The Plan has been updated to ensure 7.2m wide access directly adjacent to the private garages to satisfy this request.**
8. At the time of Development, a standard 7.2m wide driveway with 3m wide flares will be required to access the site off 77 Street S.W. (See image below). Also, be aware that the flares are not permitted to cross lot lines without permission from the affected landowner. **Prior to decision**, amend the plans to confirm the direction that is to be taken, ensuring appropriate sight triangles for vehicle/ pedestrian safety are provided. Refer to the diagram below.  
**As discussed with Fabian Snyders April 16, 2020 a custom 6m driveway, with 0.5m flares will be provided and detailed in the DSSP. These flares will not cross lot lines and will not impact adjacent land owners. Swept path analysis has confirmed fire access will be accommodated with this driveway design.**

**Conditions of Approval**

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



The City of Calgary has the authority, granted by Section 656 of the Municipal Government Act to approve or refuse a subdivision application, subject to conditions outlined in Section 655 of the same Act.

The conditions listed below comprise the conditions of approval of the subdivision. These conditions will form the basis of the decision by the Subdivision Authority and can be appealed by the applicant to the Subdivision and Development Appeal Board.

The conditions that need to be addressed prior to the endorsement of the final instrument by the City and conditions that are to be addressed concurrent to the registration of the final instrument have been identified and listed first.

### **Prior to Endorsement Conditions**

#### **Subdivision Services:**

9. The existing buildings (sheds) shall be removed **prior to endorsement of the final instrument.**  
**Agreed.**

#### **Development Engineering:**

9. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw 33M2005*. Contact [developmentservicing2@calgary.ca](mailto:developmentservicing2@calgary.ca) for additional details.

For further information, refer to the following:

#### **Design Guidelines for Development Site Servicing Plans**

[http://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/DSSP2015.pdf](http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP2015.pdf)

#### **Development Site Servicing Plans CARL (requirement list)**

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

**Agreed.**

10. Restrictive covenants shall be registered **concurrent with the registration of the final instrument** on all lots adjacent to trapped lows with spill depths exceeding 0.3m. The Development Engineering Generalist will specify which lots require covenants **prior to endorsement of the final instrument.**  
**Agreed.**
11. **Prior to endorsement of the final instrument**, ~~indicate~~ provide evidence that a registered access easement agreement is in place, which is required to permit the waste and recycling collection vehicle to travel through the adjacent lot.  
**An Access Easement Agreement will be registered concurrently with the plan, please kindly move this to a Concurrent with Registration Condition.**

### **Concurrent with Registration Conditions**

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

**Development Engineering:**

12. Execute and register on all affected titles, where required, a utility right-of-way plan and an accompanying ~~City of Calgary~~ General Utility Easement Agreement **concurrent with the registration of the final instrument**, which protects any proposed utilities in the subject parcel.  
**Agreed.**

**Transportation:**

13. **Concurrent with the registration of the final instrument**, execute and register on title a 7.2m wide Access Easement Agreement with the City of Calgary over Lot 22, Block D, Plan 021 0368/future Units 1-4 (Servient Lands) in favour of 77 Street S.W. (Dominant Lands) for the purpose of parking, access & an access route for the waste & recycling collection vehicle (If required) to the storage facilities. The agreement and access right of way plan shall be approved by the Director, Transportation Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement and an Instruction Document will be provided by the Transportation CPAG Generalist. Submit an original copy of the executed agreement and the certificate of title(s), indicating the agreement is registered on title, for all affected parcels.  
**The Access Easement will vary between 6-7.2m (adjacent to garages).**  
**As noted above in #5, if the City is able to provide waste & recycling collection for our site, then this condition is fine, if not, please kindly revise condition.**

**Conditions of Approval****Subdivision Services:**

14. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.  
**Agreed.**

**Development Engineering:**

15. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.  
**Agreed.**
16. Submit, for review, two (2) copies of the Erosion and Sediment Control (ESC) **report and/or drawings** to Urban Development for review by the Erosion Control Coordinator, Water Resources. Prior to submission of the ESC report and drawing(s), please contact the Erosion Control Coordinator, Water Resources at 268-2655 to discuss ESC requirements.

**If the overall site size is less than 2 hectares (5 acres) (Only if the entire development proposed is over such size in area), only a drawing** may be required for review. Please contact the Erosion Control Coordinator to discuss report and drawing requirements for these sites.

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



Documents submitted shall conform to the requirements detailed in the current edition of The City of Calgary *Guidelines for Erosion and Sediment Control* and shall be prepared by a qualified consultant or certified professional specializing in ESC. For each stage of work where soil is disturbed or exposed, drawing(s) must clearly specify the location, installation, inspection and maintenance details and requirements for all temporary and permanent controls and practices.

**As the site is under 0.40ha., a full ESC Report/Drawing set should not be required. Instead, development will proceed following ESC Best Practices throughout construction. Please kindly, reword/revise this condition.**

## Advisory Comments

The following advisory comments are provided by the City of Calgary as a courtesy to the applicant and property owner. These comments will not form the basis of the decision to approve or refuse the proposed subdivision application. They are simply provided for information purposes.

### Subdivision Services:

17. Please review the circulation comments from:
  - Enmax, dated March 3, 2020;
  - Atco, dated February 28, 2020; and
  - Telus, dated February 20, 2020.

**Acknowledged.**
18. Easements #011 154 803 & 011 15 4804 should be discharged from the title, as they are no longer required.
 

**Acknowledged.**

### Development Engineering:

19. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,
  - a. the person discovering such contamination must immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment and Sustainable Resource Development, the Alberta Health Services and The City of Calgary (311).
  - b. on City of Calgary lands or utility corridors, the City's Environmental Risk & Liability group must be immediately notified (311).

**Acknowledged.**
20. The developer is responsible for ensuring that the environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.

The developer is responsible for ensuring that appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and the Alberta Health Services.

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

The developer is responsible for ensuring that the development conforms to any reviewed and accepted remedial action plan/risk management plans.

The developer is responsible for ensuring that all reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.

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

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

The developer is responsible for ensuring that the development is in compliance with applicable environmental approvals (e.g. Alberta Environment and Sustainable Resources Development Approvals, Registrations, etc), Alberta Energy Regulatory approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

**Acknowledged.**

21. No overland drainage will be permitted to leave the plan area, except in conformance with the approved Stormwater Management Report. Overland drainage is to conform to the current edition of Alberta Environment's Stormwater Management Guidelines and The City of Calgary's Design Guidelines for Subdivision Servicing and Stormwater Management and Design Manual. The developer should evaluate the impact of the 1:100 year event on all major storm routes. Storage and/or acceptable conveyance for up to and including the 1:100 year event will be required.

Drainage control features are required at the back of laneless lots and where lots are adjacent to reserves and rights-of-way, unless otherwise permitted by Calgary Parks. Overland drainage easements and separate CCCs and FACs are required for all drainage features. Complete details of these features and "as-builts" of the same may be required to be provided and approved prior to issuance of CCCs.

**Acknowledged**

22. **Prior to acceptance of any construction drawings in the plan area**, a Stormwater Management Report is required. The Stormwater Management Report is to illustrate the overall stormwater management plan for the entire plan area and should include areas upstream that currently drain to the area. Refer to Water Services' currently applied Stormwater Management and Design Manual for details.

Note: According to the approved West Springs Phase 1 Overland Drainage Analysis in 2003, storm can tie to manhole EX MH5 with UARR = 28.38 L/s/ha.

**As the site is 0.28ha., with likely a single Traplow, stormwater management to be designed based upon rational method. Stormwater design for site to follow approved SWMR's for the area and ensure permissible release rates are met. Stormwater Technical memo may be provided (if required) with DSSP to detail how the site works in conjunction with past approvals, however a digital model will not be generated.**

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

23. Water is available to connect from 77 St. SW.  
**Acknowledged.**
24. Sanitary is available to connect from 77 St. SW. If the proposed density is over 55 persons per hectares or proposed sanitary flow is greater than 1 L/s, a sanitary servicing study is required.  
**Acknowledged.**
25. Ensure all proposed private utilities within the subject site are protected with registered utility right-of-ways to the satisfaction of the utility owners.  
**Acknowledged.**
26. As the subdivision currently has not met the standards in either the current City of Calgary standards – “Development Reviews: Design Standards for the Storage and Collection of Waste” or the current Waste and Recycling Bylaw, the development may not be eligible to receive collection service from The City of Calgary.  
**Noted – but it is our desire to work with the City on a mutually agreeable solution for City Services, if possible.**
27. For questions and concerns regarding waste storage facilities, refer to the “Development Reviews: Design Standards for the Storage and Collection of Waste”  
Found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>
- Or
- Contact the Waste & Recycling Services Specialist 403-268-8429 for further site specific details.  
**Acknowledged.**
28. All financial obligations resolved under DA2001-0070 West Springs, Phase 1.  
**Noted, however our understanding is that there are no financial obligations as these were previously paid.**

#### **Transportation:**

29. Transportation Planning recommends the applicant purchase the Road Widening plan #881 0046, as it is not required. A road closure and land use redesignation will be required.  
**The owners do not wish to purchase the road closure lands at this time. We have ensured the proposed development is outside the road widening area and we feel it can remain as road.**

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



October 14, 2020

MAIDMENT LAND SURVEYS LTD  
 #10, 141 Commercial Drive  
 Calgary, Alberta  
 T3Z 2A7

Dear Sir:

**RE: Detailed Team Review (DTR)**

**Application Number: SB2020-0029**

The Corporate Planning Applications Group (CPAG) has completed a detailed review of your subdivision proposal received on February 13, 2020, in order to evaluate the feasibility of the proposal and compliance with the Municipal Government Act, the Planning and Development Regulations, the Land Use Bylaw and applicable City of Calgary policies. Any variance from the above noted legislation, regulations, or policies will require further discussion and/or revision prior to a decision for approval or refusal by the City of Calgary on the proposed application.

Applicants are requested to contact the respective team members to resolve outstanding issues. Revisions to the proposed subdivision application should not be submitted until we are able to provide comments from all circulation referees.

Should you have any questions or concerns, please contact me at (403) 268-1468 or by email at [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca).

Sincerely,

*Vivian Barr*

**VIVIAN BARR**

Senior Planning Technician

cc: DEER TRAIL DEVELOPMENT INC. (to be e-mailed by applicant)  
 CALGARY, AB  
 T3H 5B6



## Detailed Team Review 2 – Subdivision by Plan

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**Application Number:** SB2020-0029  
**Map Section Number:** 22W  
**Application Description:** Bare Land Condominium  
**Land Use District:** R-1s  
**Site Address:** 882 77 ST SW  
**Existing Use:** Vacant  
**Proposed Use:** Bare Land Condominium  
**Related File:** PE2018-00157 & LOC2016-0218  
**Community:** WEST SPRINGS  
**Applicant:** MAIDMENT LAND SURVEYS LTD – Brent Wilson  
**Date DTR Sent:** October 14, 2020

### CPAG Team:

#### Subdivision Services

VIVIAN BARR (403) 268-1468 vivian.barr@calgary.ca

#### Development Engineering

JORDAN WACHER (403) 268-1541 jordan.wacher@calgary.ca

#### Transportation

FABIAN SNYDERS (403) 268-5094 fabian.snyders@calgary.ca

#### Parks

CURESHA MOODLEY (403) 268-5635 curesha.moodley@calgary.ca

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## Prior to Decision Conditions

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The following issues must be addressed by the Applicant through a written submission prior to the decision by the Subdivision Authority to approve or refuse the proposed subdivision application. Applicants are encouraged to contact the respective team members directly to discuss outstanding issues or alternatively request a meeting with the CPAG Team.

### Subdivision Services:

1. At this time, the Subdivision Authority is still reviewing the application and will therefore not recommend a decision until the prior to decision conditions have been satisfied.

### Development Engineering:

2. **Prior to decision**, amend the plans to address the following condition:

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

### Fire – Primary Fire Access Road Design

- a. Indicate no parking signs on both sides of the fire access route as the road width is less than 7.49m.

**NOTE:** No parking signs are required on both sides of the route as mentioned above, and spaced out so that there is one near every one of the first 3 units – the signs cannot encroach within the 6 m fire access (which they currently are).

**Copy of Approved Fire Plan has been uploaded to Vista for your records.**

3. **Prior to decision**, submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw 33M2005*. Contact [developmentsservicing2@calgary.ca](mailto:developmentsservicing2@calgary.ca) for additional details.

For further information, refer to the following:

#### **Design Guidelines for Development Site Servicing Plans**

[http://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/DSSP2015.pdf](http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP2015.pdf)

#### **Development Site Servicing Plans CARL (requirement list)**

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

**Copy of DSSP has been uploaded to Vista.**

4. **(NEW) Prior to decision**, provide a lane cross-section with detailed measurements, for review and acceptance, including shallow utilities, deep utilities, and surface.  
**Copy of cross section has been uploaded to Vista.**
5. **(NEW) Prior to decision**, provide a plan, to the satisfaction of Development Engineering and Fire, that provides confirmation of public fire safety during any potential shallow or deep utility repairs.

**NOTE:** A 6.0m wide (minimum) fire access route clear of all encroachments is required and the emergency access agreement requires this access to be free of encroachments at all times. The current plan does not allow this to be possible with future underground maintenance. This is the only route into this very narrow and deep site and the 6.0m minimum is provided with a fence immediately to the north and houses immediately to the south. Provide a future maintenance plan to address this.

**Removed with addition of Fire Advisories, as per email with Jordan Wachter. A copy of Jordan's email has been uploaded to Vista.**

## Conditions of Approval

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The City of Calgary has the authority, granted by Section 656 of the Municipal Government Act to approve or refuse a subdivision application, subject to conditions outlined in Section 655 of the same Act.

The conditions listed below comprise the conditions of approval of the subdivision. These

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

conditions will form the basis of the decision by the Subdivision Authority and can be appealed by the applicant to the Subdivision and Development Appeal Board.

The conditions that need to be addressed prior to the endorsement of the final instrument by the City and conditions that are to be addressed concurrent to the registration of the final instrument have been identified and listed first.

### **Prior to Endorsement Conditions**

#### **Subdivision Services:**

6. The existing buildings (sheds) shall be removed **prior to endorsement of the final instrument**.  
**Agreed.**

#### **Development Engineering:**

7. Restrictive covenants shall be registered **concurrent with the registration of the final instrument** on all units adjacent to trapped lows with spill depths exceeding 0.3m. The Development Engineering Generalist will specify which lots require covenants **prior to endorsement of the final instrument**.  
**Agreed.**

8. **(Moved from COA) Prior to endorsement**, submit for review and approval two (2) copies of the Erosion and Sediment Control (ESC) **report and/or drawings** to Urban Development for review by the Erosion Control Coordinator, Water Resources. Prior to submission of the ESC report and drawing(s), please contact the Erosion Control Coordinator, Water Resources at 268-2655 to discuss ESC requirements.

**If the overall site size is less than 2 hectares (5 acres), only a drawing** may be required for review. Please contact the Erosion Control Coordinator to discuss report and drawing requirements for these sites.

Documents submitted shall conform to the requirements detailed in the current edition of The City of Calgary *Guidelines for Erosion and Sediment Control* and shall be prepared by a qualified consultant or certified professional specializing in ESC. For each stage of work where soil is disturbed or exposed, drawing(s) must clearly specify the location, installation, inspection and maintenance details and requirements for all temporary and permanent controls and practices.

**Acknowledged.**

### **Concurrent with Registration Conditions**

#### **Development Engineering:**

9. Execute and register on all affected titles, where required, a utility right-of-way plan and an accompanying General Utility Easement Agreement **concurrent with the registration of the final instrument**, which protects any proposed utilities in the subject parcel.

**Agreed.**



10. **(UPDATED)** An emergency access easement agreement, to the satisfaction of the Manager, Infrastructure Planning and the City Solicitor, shall be registered **concurrent with registration of the final instrument**. The agreement and registerable access right of way plan shall be approved by the Manager, Infrastructure Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement will be provided by the Development Engineering Generalist. Prepare and submit three (3) copies of the agreement for the City's signature.

**NOTE:** A requirement of the emergency access easement is that the surface is maintained and free of encroachments at all times.

**Agreed.**

#### **Transportation:**

11. **Concurrent with the registration of the final instrument**, execute and register on title a 6m (two way vehicle traffic areas) to 7.2m wide (vehicle back our areas) Access Easement Agreement with the City of Calgary over Lot 22, Block D, Plan 021 0368/future Units 1- 4 (Servient Lands) in favour of 77 Street S.W. (Dominant Lands) for the purpose of parking, access & an access route for the waste & recycling collection vehicle (If required) to the storage facilities. The agreement and access right of way plan shall be approved by the Director, Transportation Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement and an Instruction Document will be provided by the Transportation CPAG Generalist. Submit an original copy of the executed agreement and the certificate of title(s), indicating the agreement is registered on title, for all affected parcels.

**Agreed.**

#### **Conditions of Approval**

##### **Subdivision Services:**

12. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.

**Agreed.**

##### **Development Engineering:**

13. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.

**Agreed.**

## **Advisory Comments**

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The following advisory comments are provided by the City of Calgary as a courtesy to the applicant and property owner. These comments will not form the basis of the decision to approve or refuse the proposed subdivision application. They are simply provided for information purposes.

##### **Subdivision Services:**

14. Please review the circulation comments from:

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

- Enmax, dated March 3, 2020;
- Atco, dated February 28, 2020; and
- Telus, dated February 20, 2020.

15. Easements #011 154 803 & 011 15 4804 should be discharged from the title, as they are no longer required.

**Development Engineering:**

16. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,
- a. the person discovering such contamination must immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment and Sustainable Resource Development, the Alberta Health Services and The City of Calgary (311).
  - b. on City of Calgary lands or utility corridors, the City's Environmental Risk & Liability group must be immediately notified (311).
17. The developer is responsible for ensuring that the environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.

The developer is responsible for ensuring that appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and the Alberta Health Services.

The developer is responsible for ensuring that the development conforms to any reviewed and accepted remedial action plan/risk management plans.

The developer is responsible for ensuring that all reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.

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

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

The developer is responsible for ensuring that the development is in compliance with applicable environmental approvals (e.g. Alberta Environment and Sustainable Resources Development Approvals, Registrations, etc), Alberta Energy Regulatory approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

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

18. No overland drainage will be permitted to leave the plan area, except in conformance with the approved Stormwater Management Report. Overland drainage is to conform to the current edition of Alberta Environment's Stormwater Management Guidelines and The City of Calgary's Design Guidelines for Subdivision Servicing and Stormwater Management and Design Manual. The developer should evaluate the impact of the 1:100 year event on all major storm routes. Storage and/or acceptable conveyance for up to and including the 1:100 year event will be required.

Drainage control features are required at the back of laneless lots and where lots are adjacent to reserves and rights-of-way, unless otherwise permitted by Calgary Parks. Overland drainage easements and separate CCCs and FACs are required for all drainage features. Complete details of these features and "as-builts" of the same may be required to be provided and approved prior to issuance of CCCs.

19. **Prior to acceptance of any construction drawings in the plan area**, a Stormwater Management Report is required. The Stormwater Management Report is to illustrate the overall stormwater management plan for the entire plan area and should include areas upstream that currently drain to the area. Refer to Water Services' currently applied Stormwater Management and Design Manual for details.

Note: According to the approved West Springs Phase 1 Overland Drainage Analysis in 2003, storm can tie to manhole EX MH5 with UARR = 28.38 L/s/ha.

NOTE: As site is only 0.28ha, only a memo is required with the DSSP.

20. Water is available to connect from 77 St. SW.
21. Sanitary is available to connect from 77 St. SW. If the proposed density is over 55 persons per hectares or proposed sanitary flow is greater than 1 L/s, a sanitary servicing study is required.
22. Ensure all proposed private utilities within the subject site are protected with registered utility right-of-ways to the satisfaction of the utility owners.
23. (Updated) As the subdivision currently has not met the standards in either the current City of Calgary standards – "Development Reviews: Design Standards for the Storage and Collection of Waste" or the current Waste and Recycling Bylaw, the development may not be eligible to receive collection service from The City of Calgary.
24. For questions and concerns regarding waste storage facilities, refer to the "Development Reviews: Design Standards for the Storage and Collection of Waste"  
Found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>

Or

Contact the Waste & Recycling Services Specialist 403-268-8429 for further site specific details.

25. All financial obligations resolved under DA2001-0070 West Springs, Phase 1.

**Brent Wilson**

---

**Subject:** FW: SB2020-0029 - Fire Access**From:** Wacher, Jordan <[Jordan.Wacher@calgary.ca](mailto:Jordan.Wacher@calgary.ca)>**Sent:** November 24, 2020 3:57 PM**To:** Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>**Cc:** Phil Nottveit <[pnottveit@urbansystems.ca](mailto:pnottveit@urbansystems.ca)>**Subject:** RE: SB2020-0029 - Fire Access**CAUTION: External Email.**

Hi Brock,

Reading through your email below, I don't know that there are many past projects like this to compare to (this one is very unique). In regards to your comment about not being in the City of Calgary access standard: an emergency access agreement is required for an emergency access and in that agreement it says that it is to be free of encroachments at all times.

I agree with the 6 meter access - this is what we have asked for (6m minimum). The comment provided stems from these items – how do you keep this 6.0 minimal width that has been provided clear of all encroachments at all times? The majority of boxes have been checked through creative design. The comment is due to 1 entrance to this deep and narrow site, this entrance is the minimum width, and there are shallow and deep utilities under this 6 m width. Any UG maintenance makes these above requirements temporarily unobtainable.

I have had further discussion and review with Fire. UG repair on this site would be a rare occurrence and during such events Fire has confirmed a fail-safe involving trucks on the adjacent cul-de-sacs spraying over / past adjacent houses. This can be detailed through a Fire Safety Plan. I will add this with a couple other Fire advisories and we can strike this PTD.

Just respond to this: Removed with addition of Fire Advisories, as per email with Jordan.

Thanks,

**Jordan Wacher**

Development Engineering | Infrastructure Planning

The City of Calgary | Mail code: #8032

T 403.268.2721 | [Jordan.Wacher@Calgary.ca](mailto:Jordan.Wacher@Calgary.ca)

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

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

**From:** Brock Dyck [<mailto:bdyck@urbansystems.ca>]**Sent:** Friday, November 20, 2020 11:49 AM**To:** Wacher, Jordan <[Jordan.Wacher@calgary.ca](mailto:Jordan.Wacher@calgary.ca)>**Cc:** Phil Nottveit <[pnottveit@urbansystems.ca](mailto:pnottveit@urbansystems.ca)>**Subject:** [EXT] SB2020-0029 - Fire Access**SDAB2021-0028**

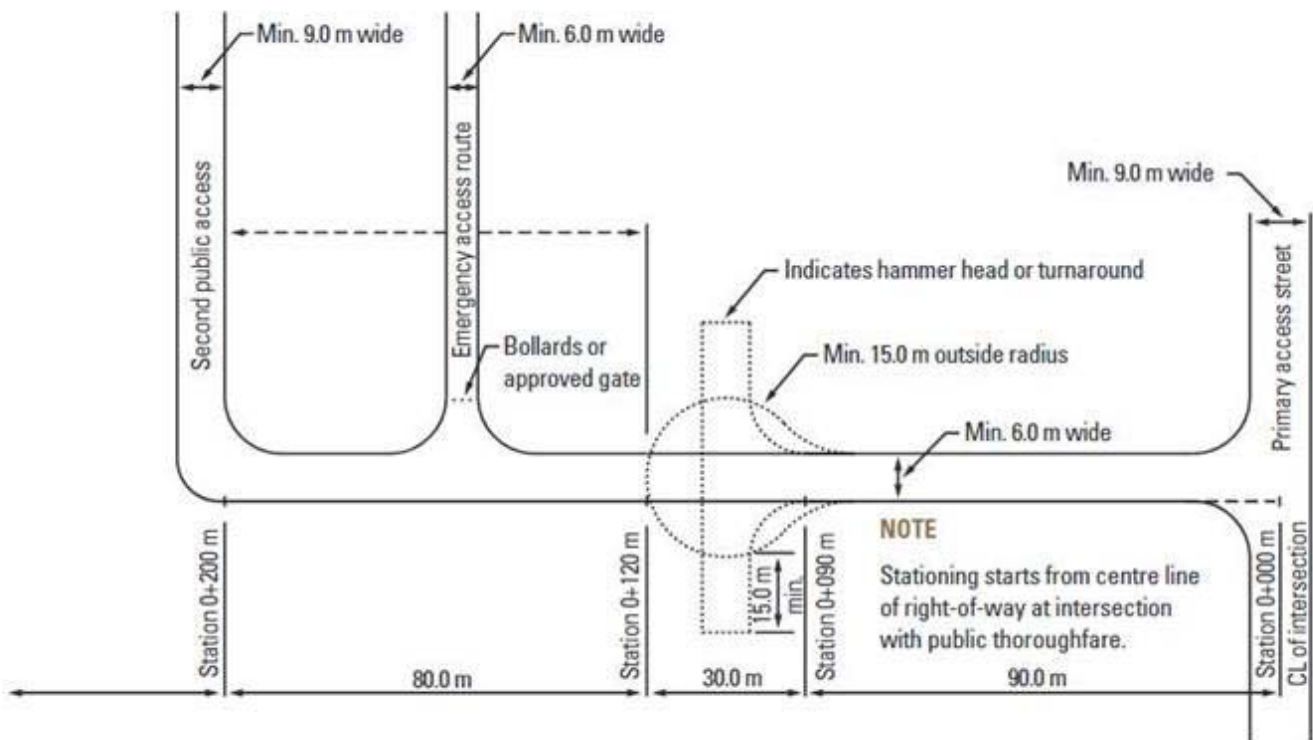
Good Morning Jordan,

I am looking to follow up with you on DTR #2 on SB2020-0029. It contained the following comment:

5. (NEW) Prior to decision, provide a plan, to the satisfaction of Development Engineering and Fire, that provides confirmation of public fire safety during any potential shallow or deep utility repairs.

**NOTE:** A 6.0m wide (minimum) fire access route clear of all encroachments is required and the emergency access agreement requires this access to be free of encroachments at all times. The current plan does not allow this to be possible with future underground maintenance. This is the only route into this very narrow and deep site and the 6.0m minimum is provided with a fence immediately to the north and houses immediately to the south. Provide a future maintenance plan to address this.

This comment is no in alignment with any past projects or the City of Calgary's fire access standards. As per City Fire Access Standards, a singular access point is permitted for sites with less than 100 units, or less than 200m from a building primary access to the public street. Again, this document points to a 6m access as the requirement.



Can you please give me a call to discuss this comment and how we can go about getting it addressed?

Thank you,

**Brock Dyck, P.Eng** Project Engineer

**URBAN**  
SYSTEMS

101-134 11<sup>th</sup> Ave SE | Calgary, AB T2G 0X5  
t 403-291-1193 | c 403-519-8908  
w [urbansystems.ca](http://urbansystems.ca)



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**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.

DATE: November 25, 2020  
 TO: City of Calgary, Water Resources  
 FROM: Brock Dyck, P.Eng  
 FILE: 4698.0001.01  
 SUBJECT: West Springs Multifamily Site – SB2020-0029-Stormwater Design

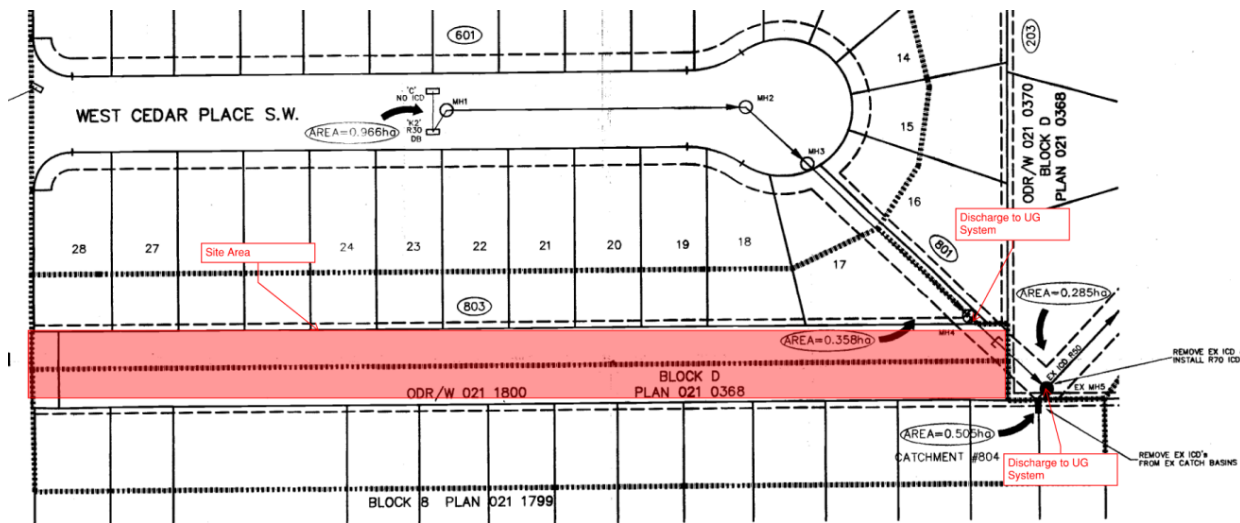
The following stormwater technical memo is provided to outline to proposed stormwater management approach for the West Springs Multifamily Site, submitted under SB2020-0029 and DSSP2020-0164.

## 1.0 SITE CONDITIONS

The proposed site is located at 882 77 ST SW. The intent of this project is to subdivide the subject site into a 4-unit Condominium site, with shared Sanitary, Water and Stormwater Servicing. The existing site falls within the West Springs Phase 1 SWMR, which has defined an ultimate stormwater release for the West Springs Phase 1 at 28.38 L/s/ha.

## 2.0 EXISTING CONDITIONS

Existing stormwater management for the site is handled via 2 existing overland drainage swales, along the north and south property lines of the site. They concrete swales discharge water to the east, ultimate picked up by the existing storm system, as per below:



The site currently discharges all water uncontrolled to these drainage swales. The design 28.38 L/s/ha release rate for the subject parcel is then achieved via ICD plate and UG storage within existing 1200mm Concrete pipe running between ex MH3 and ex MH4. This 1200mm concrete pipe storage is utilize for the entire Phase 1 development area to achieve the design UARR. Based upon Rational Method Analysis, the pre-development release from this site to the existing underground storage is 39.23 L/s in the 1:100 year storm event. Please find the existing condition rational method calculation below:



Table 1: Existing Conditions 1:100 Year Release

RATIONAL METHOD STORM CALCULATIONS			
CATCHMENT AREA #		1,2,3	
INPUT VARIABLES			
UARR	=	115 l/s	
C1	=	0.611	(Coefficient of Runoff To Main)
I	=	82.55 mm/hr	(Intensity)
	=	168 mm/hr	(For Free Flow Areas)
			100 yr. Storm runoff
Ar	=	0.000 ha	(Area of Roof)
Ap	=	0.000 ha	(Area of Paving)
Ag	=	0.000 ha	(Area of Gravel)
Al	=	0.280 ha	(Area of Landscaping)
Aal	=	0.000 ha	(Area of Absorbent Landscaping)
A	=	0.280 ha	(Total Site Area)
ALLOWABLE DISCHARGE TO MAIN			
Q1	=	C1 x I x A x 2.78	
	=	39.23 l/s	
ACTUAL RUN-OFF FROM SITE			
C2	=	$\frac{(Ar \times 1) + (Ap \times 0.9) + (Ag \times 0.5) + (Al \times 0.3) + (Aal \times 0.15)}{\text{ENTIRE SITE AREA}}$	
	=	0.30	
Q2	=	C2 x I x A x 2.78	
	=	39.23 l/s	

### 3.0 PROPOSED SITE CONDITIONS

Based upon the existing conditions above, the site has been designed in order to achieve a total release to existing storm system of 24.35 l/s. This has been achieved through the use of 3 catchment areas. Catchments #1 and #2 continue to release stormwater uncontrolled in the 1:100 year storm event, while Catchment #3 utilizes an onsite traplow, catchbasin and Hydrovex 75VHV flow regulator to limit offsite flows up to the 1:100 year storm event. Please find below a summary of these 3 catchments, their 1:100 year release rates and total stormwater discharge from the site:

Table 2: 1:100 Year Catchment Releases

Catchment	1:100 Year Release (l/s)	Notes
Catchment 1	3.50	Uncontrolled
Catchment 2	14.69	Uncontrolled
Catchment 3	6.16	Controlled to Area SWMR UARR of 28.38 L/s/ha
<b>Total Flow</b>	<b>24.35</b>	

Please find below a summary of the rational method calculations for each of these catchment areas, along with required ponding within traplow 1 and discharge through the proposed Hydrovex 75VHV Flow Regulator.

Table 3: Catchment 1 Post Development

RATIONAL METHOD STORM CALCULATIONS			
CATCHMENT AREA #		1	
INPUT VARIABLES			
UARR	=	115	l/s
C1	=	0.600	(Coefficient of Runoff To Main)
I	=	82.55	mm/hr (Intensity)
	=	168	mm/hr (For Free Flow Areas)
			100 yr. Storm runoff
Ar	=	0.003	ha (Area of Roof)
Ap	=	0.005	ha (Area of Paving)
Ag	=	0.000	ha (Area of Gravel)
Al	=	0.000	ha (Area of Landscaping)
Aal	=	0.002	ha (Area of Absorbant Landscaping)
A	=	0.010	ha (Total Site Area)
ALLOWABLE DISCHARGE TO MAIN			
Q1	=	C1 x I x A x 2.78	
	=	1.38 l/s	
ACTUAL RUN-OFF FROM SITE			
C2	=	$\frac{(Ar \times 1) + (Ap \times 0.9) + (Ag \times 0.5) + (Al \times 0.3) + (Aal \times 0.15)}{\text{ENTIRE SITE AREA}}$	
	=	0.75	
Q2	=	C2 x I x A x 2.78	
	=	3.50 l/s	

Table 4: Catchment 2 Post Development

RATIONAL METHOD STORM CALCULATIONS			
CATCHMENT AREA #		2	
INPUT VARIABLES			
UARR	=	115 l/s	
C1	=	1.280	(Coefficient of Runoff To Main)
I	=	82.55 mm/hr	(Intensity)
	=	168 mm/hr	(For Free Flow Areas)
			100 yr. Storm runoff
Ar	=	0.026 ha	(Area of Roof)
Ap	=	0.003 ha	(Area of Paving)
Ag	=	0.000 ha	(Area of Gravel)
Al	=	0.000 ha	(Area of Landscaping)
Aal	=	0.022 ha	(Area of Absorbant Landscaping)
A	=	0.050 ha	(Total Site Area)
ALLOWABLE DISCHARGE TO MAIN			
Q1	=	C1 x I x A x 2.78	
	=	14.69 l/s	
ACTUAL RUN-OFF FROM SITE			
C2	=	$\frac{(Ar \times 1) + (Ap \times 0.9) + (Ag \times 0.5) + (Al \times 0.3) + (Aal \times 0.15)}{\text{ENTIRE SITE AREA}}$	
	=	0.63	
Q2	=	C2 x I x A x 2.78	
	=	14.69 l/s	

Table 5: Catchment 3 Post Development, Traplow Volume and ICD Flows

RATIONAL METHOD STORM CALCULATIONS									
CATCHMENT AREA #				3					
INPUT VARIABLES									
UARR	=	115	l/s						
C1	=	0.122		(Coefficient of Runoff To Main)					
I	=	82.55	mm/hr	(Intensity)					
	=	168	mm/hr	(For Free Flow Areas)					
				100 yr. Storm runoff					
Ar	=	0.061	ha	(Area of Roof)					
Ap	=	0.071	ha	(Area of Paving)					
Ag	=	0.000	ha	(Area of Gravel)	UARR	28.38	l/s/ha		
Al	=	0.000	ha	(Area of Landscaping)					
Aal	=	0.088	ha	(Area of Absorbant Landscaping)					
A	=	0.220	ha	(Total Site Area)	Qaf	=	6.16	l/s	(Based on Catchment area and UARR)
ALLOWABLE DISCHARGE TO MAIN				Based on driving head and permissible release, use Hydrovex 75VHV					
Q1	=	C1 x I x A x 2.78							
	=	6.16	l/s						
ACTUAL RUN-OFF FROM SITE				STORAGE VOLUME REQUIREMENT CALCULATION					
C2	=	(Ar x 1) + (Ap x 0.9) + (Ag x 0.5) + (Al x 0.3) + (Aal x 0.15)		C1'	=	Qaf			
		ENTIRE SITE AREA			=	82.55 x A x 2.78			
	=	0.63				0.12		(Runoff Coefficient Of Discharge)	
					C2/C1'	=	5.14		
					SVF	=	1.50	(From Storage Volume Factors Chart)	
Q2	=	C2 x I x A x 2.78		V100	=	SVF x A x C1' x 1000			
	=	64.50	l/s			=	37.84	m <sup>3</sup>	

## 4.0 CLOSING

As can be seen above, the post development stormwater release to public system will be maintained/reduced between existing and proposed conditions, while achieving the design UARR of 28.38 l/s/ha for Catchment 3.

Condition	Release Rate 1:100 Year, l/s
Pre-Development	39.23
Post Development	24.35

Sincerely,

URBAN SYSTEMS LTD.



Brock Dyck, P.Eng  
Project Engineer



## VHV Vertical Vortex Flow Regulator

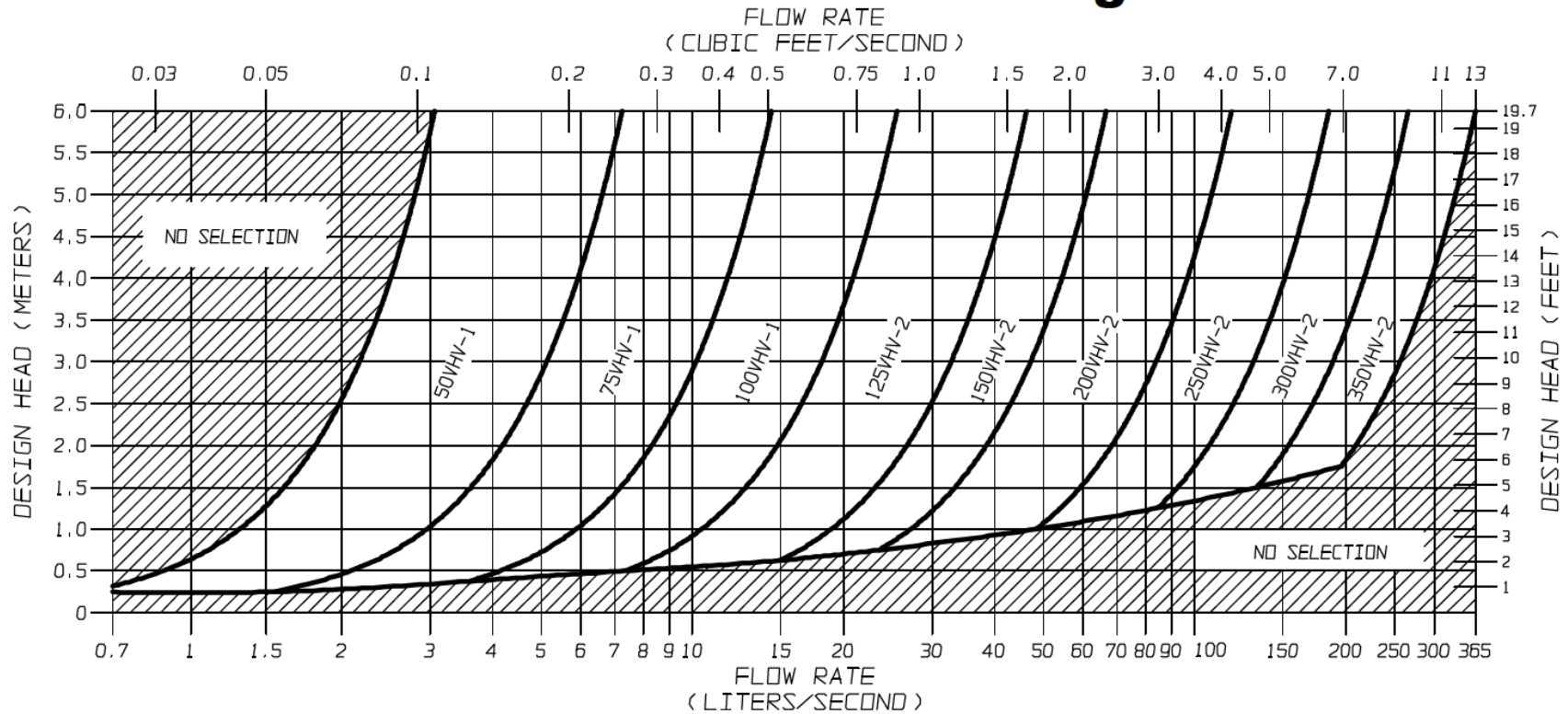


FIGURE 3 - VHV

**JOHN MEUNIER**



January 15, 2021

MAIDMENT LAND SURVEYS LTD  
 #10, 141 Commercial Drive  
 Calgary, Alberta  
 T3Z 2A7, Canada

Dear Sir:

**RE: Detailed Team Review (DTR)**

**Application Number: SB2020-0029**

The Corporate Planning Applications Group (CPAG) has completed a detailed review of your subdivision proposal received on February 13, 2020, in order to evaluate the feasibility of the proposal and compliance with the Municipal Government Act, the Planning and Development Regulations, the Land Use Bylaw and applicable City of Calgary policies. Any variance from the above noted legislation, regulations, or policies will require further discussion and/or revision prior to a decision for approval or refusal by the City of Calgary on the proposed application.

Applicants are requested to contact the respective team members to resolve outstanding issues. Revisions to the proposed subdivision application should not be submitted until we are able to provide comments from all circulation referees.

Should you have any questions or concerns, please contact me at (403) 268-1468 or by email at [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca).

Sincerely,

*Vivian Barr*

**VIVIAN BARR**

Senior Planning Technician

cc: DEER TRAIL DEVELOPMENT INC. (to be e-mailed by applicant)  
 CALGARY, AB  
 T3H 5B6





## Detailed Team Review 3 – Subdivision by Plan

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**Application Number:** SB2020-0029  
**Map Section Number:** 22W  
**Application Description:** Bare Land Condominium  
**Land Use District:** R-1s  
**Site Address:** 882 77 ST SW  
**Existing Use:** Vacant  
**Proposed Use:** Bare Land Condominium  
**Related File:** PE2018-00157 & LOC2016-0218  
**Community:** WEST SPRINGS  
**Applicant:** MAIDMENT LAND SURVEYS LTD – Brent Wilson  
**Date DTR Sent:** January 15, 2021

### CPAG Team:

#### Subdivision Services

VIVIAN BARR (403) 268-1468 vivian.barr@calgary.ca

#### Development Engineering

JORDAN WACHER (403) 268-1541 jordan.wacher@calgary.ca

#### Transportation

FABIAN SNYDERS (403) 268-5094 fabian.snyders@calgary.ca

#### Parks

CURESHA MOODLEY (403) 268-5635 curesha.moodley@calgary.ca

---

## Prior to Decision Conditions

---

The following issues must be addressed by the Applicant through a written submission prior to the decision by the Subdivision Authority to approve or refuse the proposed subdivision application. Applicants are encouraged to contact the respective team members directly to discuss outstanding issues or alternatively request a meeting with the CPAG Team.

### Subdivision Services:

1. At this time, the Subdivision Authority is still reviewing the application and will therefore not recommend a decision until the prior to decision conditions have been satisfied.

### Development Engineering:

2. **Prior to decision**, submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from

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

Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw* 33M2005. Contact [developmentservicing2@calgary.ca](mailto:developmentservicing2@calgary.ca) for additional details.

For further information, refer to the following:

**Design Guidelines for Development Site Servicing Plans**

[http://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/DSSP2015.pdf](http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP2015.pdf)

**Development Site Servicing Plans CARL (requirement list)**

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

**NOTE: DSSP2020-0164 is currently under review.**

**The DSSP has been approved and a copy of the same has been uploaded to Vista.**

3. **(Revised) Prior to decision**, provide confirmation from the shallow utility companies that they support their infrastructure and URWs under heavy duty asphalt designed to support 38,556 kg.

**Further to an email dated February 23, 2021 from Jordan Wachter (copy uploaded to Vista), this Condition has been waived in favour of URW registration which will occur Prior to Endorsement and Concurrent with Registration.**

## Conditions of Approval **(We agree to all below COA's and AC's.)**

---

The City of Calgary has the authority, granted by Section 656 of the Municipal Government Act to approve or refuse a subdivision application, subject to conditions outlined in Section 655 of the same Act.

The conditions listed below comprise the conditions of approval of the subdivision. These conditions will form the basis of the decision by the Subdivision Authority and can be appealed by the applicant to the Subdivision and Development Appeal Board.

The conditions that need to be addressed prior to the endorsement of the final instrument by the City and conditions that are to be addressed concurrent to the registration of the final instrument have been identified and listed first.

### **Prior to Endorsement Conditions**

#### **Subdivision Services:**

4. The existing buildings (sheds) shall be removed **prior to endorsement of the final instrument**.

#### **Development Engineering:**

5. Restrictive covenants shall be registered **concurrent with the registration of the final instrument** on all units adjacent to trapped lows with spill depths exceeding 0.3m. The

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

Development Engineering Generalist will specify which lots require covenants **prior to endorsement of the final instrument**.

6. **Prior to endorsement of the final instrument**, submit for review and approval two (2) copies of the Erosion and Sediment Control (ESC) **report and/or drawings** to Urban Development for review by the Erosion Control Coordinator, Water Resources. Prior to

submission of the ESC report and drawing(s), please contact the Erosion Control Coordinator, Water Resources at 268-2655 to discuss ESC requirements.

**If the overall site size is less than 2 hectares (5 acres), only a drawing** may be required for review. Please contact the Erosion Control Coordinator to discuss report and drawing requirements for these sites.

Documents submitted shall conform to the requirements detailed in the current edition of The City of Calgary *Guidelines for Erosion and Sediment Control* and shall be prepared by a qualified consultant or certified professional specializing in ESC. For each stage of work where soil is disturbed or exposed, drawing(s) must clearly specify the location, installation, inspection and maintenance details and requirements for all temporary and permanent controls and practices.

### **Concurrent with Registration Conditions**

#### **Development Engineering:**

7. Execute and register on all affected titles, where required, a utility right-of-way plan and an accompanying General Utility Easement Agreement **concurrent with the registration of the final instrument**, which protects any proposed utilities in the subject parcel.
8. An emergency access easement agreement, to the satisfaction of the Manager, Infrastructure Planning and the City Solicitor, shall be registered **concurrent with registration of the final instrument**. The agreement and registerable access right of way plan shall be approved by the Manager, Infrastructure Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement will be provided by the Development Engineering Generalist. Prepare and submit three (3) copies of the agreement for the City's signature.

**NOTE:** A requirement of the emergency access easement is that the surface is maintained and free of encroachments at all times.

#### **Transportation:**

9. **Concurrent with the registration of the final instrument**, execute and register on title a 6m (two way vehicle traffic areas) to 7.2m wide (vehicle back our areas) Access Easement Agreement with the City of Calgary over Lot 22, Block D, Plan 021 0368/future Units 1- 4 (Servient Lands) in favour of 77 Street S.W. (Dominant Lands) for the purpose of parking, access & an access route for the waste & recycling collection vehicle (If required) to the storage facilities. The agreement and access right of way plan shall be approved by the Director, Transportation Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement and an Instruction Document will be provided by the Transportation CPAG Generalist. Submit an original copy of the executed agreement and the certificate of title(s), indicating the agreement is registered on title, for all affected parcels.

### **Conditions of Approval**

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

**Subdivision Services:**

10. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.

**Development Engineering:**

11. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.

**Advisory Comments**


---

The following advisory comments are provided by the City of Calgary as a courtesy to the applicant and property owner. These comments will not form the basis of the decision to approve or refuse the proposed subdivision application. They are simply provided for information purposes.

**Subdivision Services:**

12. Please review the circulation comments from:
  - Enmax, dated March 3, 2020;
  - Atco, dated February 28, 2020; and
  - Telus, dated February 20, 2020.
13. Easements #011 154 803 & 011 15 4804 should be discharged from the title, as they are no longer required.

**Development Engineering:**

14. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,
  - a. the person discovering such contamination must immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment and Sustainable Resource Development, the Alberta Health Services and The City of Calgary (311).
  - b. on City of Calgary lands or utility corridors, the City's Environmental Risk & Liability group must be immediately notified (311).
15. The developer is responsible for ensuring that the environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.

The developer is responsible for ensuring that appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and the Alberta Health Services.

The developer is responsible for ensuring that the development conforms to any reviewed and accepted remedial action plan/risk management plans.

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

The developer is responsible for ensuring that all reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.

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

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

The developer is responsible for ensuring that the development is in compliance with applicable environmental approvals (e.g. Alberta Environment and Sustainable Resources Development Approvals, Registrations, etc), Alberta Energy Regulatory approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

16. No overland drainage will be permitted to leave the plan area, except in conformance with the approved Stormwater Management Report. Overland drainage is to conform to the current edition of Alberta Environment's Stormwater Management Guidelines and The City of Calgary's Design Guidelines for Subdivision Servicing and Stormwater Management and Design Manual. The developer should evaluate the impact of the 1:100 year event on all major storm routes. Storage and/or acceptable conveyance for up to and including the 1:100 year event will be required.

Drainage control features are required at the back of laneless lots and where lots are adjacent to reserves and rights-of-way, unless otherwise permitted by Calgary Parks. Overland drainage easements and separate CCCs and FACs are required for all drainage features. Complete details of these features and "as-builts" of the same may be required to be provided and approved prior to issuance of CCCs.

17. **Prior to acceptance of any construction drawings in the plan area**, a Stormwater Management Report is required. The Stormwater Management Report is to illustrate the overall stormwater management plan for the entire plan area and should include areas upstream that currently drain to the area. Refer to Water Services' currently applied Stormwater Management and Design Manual for details.

Note: According to the approved West Springs Phase 1 Overland Drainage Analysis in 2003, storm can tie to manhole EX MH5 with UARR = 28.38 L/s/ha.

NOTE: As site is only 0.28ha, only a memo is required with the DSSP.

18. Water is available to connect from 77 St. SW.
19. Sanitary is available to connect from 77 St. SW. If the proposed density is over 55 persons per hectares or proposed sanitary flow is greater than 1 L/s, a sanitary servicing study is required.



20. Ensure all proposed private utilities within the subject site are protected with registered utility right-of-ways to the satisfaction of the utility owners.
21. As the subdivision currently has not met the standards in either the current City of Calgary standards – “Development Reviews: Design Standards for the Storage and Collection of Waste” or the current Waste and Recycling Bylaw, the development may not be eligible to receive collection service from The City of Calgary.
22. For questions and concerns regarding waste storage facilities, refer to the “Development Reviews: Design Standards for the Storage and Collection of Waste”  
Found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>  
  
Or  
  
Contact the Waste & Recycling Services Specialist 403-268-8429 for further site specific details.
23. All financial obligations resolved under DA2001-0070 West Springs, Phase 1.

**Brent Wilson**

---

**From:** Wacher, Jordan <Jordan.Wacher@calgary.ca>  
**Sent:** February 23, 2021 3:12 PM  
**To:** Brock Dyck  
**Subject:** RE: SB2020-0029 - West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES  
**Attachments:** SB2020-0029 - WEST SPRINGS - 0 - Other - DTR2 - PTD3 West Springs (Kad....pdf

CAUTION: External Email.

Hi Brock,

I have briefly discussed with Utility Line Assignment. It is recommended that there is a URW for your UG power line, but other than that I think I am comfortable striking the need for ENMAX's approval of its location since it is private.

Thank you,

**Jordan Wacher**, P.Eng.

Development Engineering | Infrastructure Planning

The City of Calgary | Mail code: #8032

T 587.576.4320 | [Jordan.Wacher@Calgary.ca](mailto:Jordan.Wacher@Calgary.ca)

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

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




---

**From:** Brock Dyck [mailto:bdyck@urbansystems.ca]  
**Sent:** Tuesday, February 23, 2021 10:17 AM  
**To:** Wacher, Jordan <Jordan.Wacher@calgary.ca>  
**Subject:** [EXT] FW: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

Hi Jordan,

As discussed, below is the feedback from Enmax regarding the secondaries from transformer on the west side to each unit.

Thank you,

**Brock Dyck, P.Eng** Project Engineer

Urban Systems Ltd. | 101-134 11<sup>th</sup> Ave SE, Calgary, AB T2G 0X5

t 403-291-1193 | c 403-519-8908 | w [urbansystems.ca](http://urbansystems.ca)

---

**From:** Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
**Sent:** January 18, 2021 4:47 PM  
**To:** Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>

Cc: adhem ([adhem01@telus.net](mailto:adhem01@telus.net)) <[adhem01@telus.net](mailto:adhem01@telus.net)>; Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>  
 Subject: RE: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

CAUTION: External Email.

Brock,

The customer, not ENMAX, will complete the installation of the secondary services from the ENMAX assets on private property to the customer units. I believe this would need to be signed by your shallow installation contractor.

Please feel free to call me for any further clarification.

Thanks,

Samuel Bakker, P. Eng, PMP  
 C: (403) 472-6923

---

From: Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>  
 Sent: Friday, January 15, 2021 4:47 PM  
 To: Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
 Cc: adhem [REDACTED] Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>  
 Subject: RE: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

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Hi Sam,

Please find attached the DTR from the City with this request.

The City is looking to ensure that the shallow utility providers are ok with the fact that they will need to install under asphalt to service the 4 units on the site.

Thank you,

**Brock Dyck, P.Eng** Project Engineer  
 Urban Systems Ltd. | 101-134 11<sup>th</sup> Ave SE, Calgary, AB T2G 0X5  
 t 403-291-1193 | c 403-519-8908 | w [urbansystems.ca](http://urbansystems.ca)

---

From: Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
 Sent: January 15, 2021 4:24 PM  
 To: Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>  
 Cc: adhem [REDACTED] Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>

Subject: RE: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

CAUTION: External Email.

Brock,

Please can you provide more context to this request? Possibly, send the entirety of the document so that I can understand the requirements.

Thanks,

Samuel Bakker, P. Eng, PMP  
C: (403) 472-6923

---

From: Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>  
Sent: Friday, January 15, 2021 3:21 PM  
To: Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
Cc: adhem ([adhem01@telus.net](mailto:adhem01@telus.net)) <[adhem01@telus.net](mailto:adhem01@telus.net)>; Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>  
Subject: RE: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

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Good Afternoon Samuel,

As part of this project, the City is looking for the following:

*"Provide confirmation from the shallow utility companies that they support their infrastructure and URWs under heavy duty asphalt designed to support 38,556 kg."*

Can you please confirm that Enmax will be ok with this?

Thank you,

**Brock Dyck, P.Eng** Project Engineer  
Urban Systems Ltd. | 101-134 11<sup>th</sup> Ave SE, Calgary, AB T2G 0X5  
t 403-291-1193 | c 403-519-8908 | w [urbansystems.ca](http://urbansystems.ca)

---

From: Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
Sent: December 10, 2020 8:05 PM  
To: Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>  
Cc: adhem [REDACTED] Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>  
Subject: RE: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

CAUTION: External Email.

Brock,

Unfortunately not, records do not indicate any existing secondary service that we could use. Additionally, at our site visit on Tuesday we could not identify any ENMAX servicing.

Thanks,

**Samuel Bakker, P. Eng, PMP**  
C: (403) 472-6923

---

**From:** Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>  
**Sent:** Thursday, December 10, 2020 10:20 AM  
**To:** Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
**Cc:** adhem [REDACTED] Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>  
**Subject:** RE: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

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Hi Sam,

One more question, Adhem had previously been advised that there was Enmax servicing already into the parcel. Do your records show any Enmax servicing already coming into this site that could potentially be utilized for servicing of this site to keep the cost/construction efforts down?

Thanks,

**Brock Dyck, P.Eng** Project Engineer  
Urban Systems Ltd. | 101-134 11<sup>th</sup> Ave SE, Calgary, AB T2G 0X5  
t 403-291-1193 | c 403-519-8908 | w [urbansystems.ca](http://urbansystems.ca)

Vacation Alert: I will be Out of Office December 21<sup>st</sup>, returning January 4<sup>th</sup>

---

**From:** Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
**Sent:** December 9, 2020 1:50 PM  
**To:** Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>  
**Cc:** adhem [REDACTED] Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>  
**Subject:** RE: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

CAUTION: External Email.

Brock,

Please note that the maximum sizing we can provide from the overhead transformer across the road is 400A. Anything larger would require a designated transformer on your property with additional costs. The 400A service with a pedestal would roughly cost between \$20,000 - \$25,000, while the dedicated transformer cost option would be roughly \$50,000 - \$60,000.

We can service the site with a 400A pedestal on the property from the overhead transformer across the road. However, our ENMAX boundary would end at the pedestal. Your electrical contractor could complete the secondary servicing on private property. This would be cheaper for you.

I've discussed the details with Brock; please let me know if you have any further questions.

Thanks,

Samuel Bakker, P. Eng, PMP  
C: (403) 472-6923

---

From: Brock Dyck <[bdyck@urbansystems.ca](mailto:bdyck@urbansystems.ca)>  
Sent: Wednesday, December 9, 2020 1:14 PM  
To: Bakker, Samuel <[Sbakker@enmax.com](mailto:Sbakker@enmax.com)>  
Cc: adhem [REDACTED] Kathy Oberg <[koberg@bapg.ca](mailto:koberg@bapg.ca)>; Brent Wilson <[bwilson@maidment.ca](mailto:bwilson@maidment.ca)>  
Subject: West Springs Site - 21386264 - Initial Payment Letter - 882 77 ST SW - NEW TRANSFORMER FOR 4X200A HOUSES

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Good Afternoon Sam,

As per our discussion, we are looking to submit a response to the City on the subdivision for our Subdivision conditions.

The specific condition we are looking to address is:

4. **(NEW) Prior to decision**, provide a lane cross-section with detailed measurements, for review and acceptance, including shallow utilities, deep utilities, and surface.

Are you able to provide an email confirming that Enmax will be able to service this site as we have discussed, along with running secondaries along the front of homes to service all 4 homes.

Thank you,

**Brock Dyck, P.Eng** Project Engineer



101-134 11<sup>th</sup> Ave SE | Calgary, AB T2G 0X5  
t 403-291-1193 | c 403-519-8908  
w [urbansystems.ca](http://urbansystems.ca)



Named as one of Canada's Best Workplaces – 15 years running

Vacation Alert: I will be Out of Office December 21<sup>st</sup>, returning January 4<sup>th</sup>



---

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THIS AGREEMENT made this 14th day of April, 2020

BETWEEN:

**MAIDMENT LAND SURVEYS LTD.**  
("the Applicant")

**OF THE FIRST PART**

**AND**


**THE SUBDIVISION AUTHORITY**  
("the Authority")

**OF THE SECOND PART**

**WHEREAS** the Applicant has submitted an application for subdivision to the Authority and the said application cannot be considered within the period prescribed by the Subdivision and Development Regulation;

**NOW THEREFORE** this agreement witnesses that the Applicant hereby grants to the Authority an extension of time until the 1st day of September, 2021  
in which to render a decision on the Subdivision Application **#SB2020-0029**.

**IN WITNESS WHEREOF** the parties hereto have hereunto set their hands on the date first above written.

  
\_\_\_\_\_  
**APPLICANT**

**SUBDIVISION AUTHORITY**

Per: *Vivian Barr*

**Paynter, Garth K.**

---

**From:** CirculationsGrowthandImprovement <CirculationsGrowthandImprovement@atco.com>  
**Sent:** Friday, February 28, 2020 8:31 AM  
**To:** CPAG Circ  
**Subject:** [EXT] RE: SB2020-0029 - Circulation Package

The Engineering Design Department of ATCO Gas Distribution has reviewed the above named plan and approves the work provided the following conditions are met:

Right-of-ways will be required for the gas mains within property, and should be 2.4 metres wide if provided for the sole use of ATCO, and 3.5 metres if shared with other shallow utilities. CITY OF CALGARY ONLY: [In some areas right of ways should be 2.4 metres if shared with other shallow utilities. In these areas if gas mains are required in the side yard, a right of way of 3.4m is required.] Please note, all costs associated with obtaining the right-of-way will be borne by the developer/owner.

The utility right-of-way requirements within the subdivision may change depending upon actual gas main layout, direction of development and boundary locations of the different construction phases. Final rights-of-way requirements must be satisfied at the time of gas main design.

All right-of-ways are to be registered as general utility rights-of-way granted to City of Calgary, and are to be registered simultaneously with the legal plan of the subdivision.

A gas main extension will be required to service the proposed development. Natural gas service may be obtained by making formal application with our office in Calgary at 403-245-7888

Before ATCO can process a work order for gas main installation in the area, we must be in receipt of the following:

1. Legal plan.
2. Utility right-of-way plan.
3. Complete set of approved engineering drawings, including profiles, coordinate plan, building grades (if applicable) and the location of all other utilities
4. Construction schedule.
5. A digital file of the computer base plan in the "DWG" or "DGN" format (Autocad 2010) in modelspace.

We require at least nine (9) months to complete the distribution system design, and to process a work order for our Construction Department to schedule. Prior to the installation of gas mains, the area must be within 150 mm (6") of final grade, all obstructions must be removed from the gas main alignment, and the installation of all other underground utilities must be completed.

The developer must ensure that driveways are not constructed prior to the installation of gas mains in the subdivision. If driveways are pre-installed, a sleeve must be provided at the proper depth and alignment for our use. Otherwise, the cost of coring under the driveway or cutting out and replacing the driveway will be invoiced to the developer at the prevailing rates. The locations of sleeves will be confirmed during the design of the gas mains.

For further information and requirements for natural gas servicing, please refer to the "Guide to Natural Gas Servicing" found on the ATCO Gas website.

There are abandoned ATCO facilities in the work area. Please contact ATCO South Operations Dispatch at 403-245-7220 to confirm status of the gas lines at least 48 hours prior to excavation.

If gas service is required, to avoid delays, the owner / developer should follow the steps listed on the ATCO Gas website (<http://www.atcogas.com/Services/Service-Request/Install-a-Service-Line>) or contact **ATCO Customer Assistance Centre** at **310-5678**, or their local ATCO Gas Distribution agency office at their earliest convenience to discuss the service contract, gas load requirements, timing details and any associated costs. To avoid delays a minimum notice of 6 months is recommended. Note, each lot / unit is to have a separate service line.

For further information and requirements for natural gas servicing, please refer to the "Guide to Natural Gas Servicing" found on the ATCO Gas website.

It will always remain the responsibility of the proponent to verify exact location and depths of nearby facilities by arranging for an in-field location with Alberta One-Call at 1-800-242-3447 or albertaonecall.com. Please contact Alberta One-Call Corporation prior to any surface construction.

(1) Contact Alberta One Call (1-800-242-3447) for locates to verify alignment of the existing gas facilities.

(2) Contact ATCO South Operations Dispatch at 403-245-7220 for an inspection of the exposed lines (including hydrovac holes) prior to backfill. Inspection services are available Monday to Friday, 8am – 4pm.

(3) Hydrovac or hand expose facilities to verify horizontal and vertical alignment of all gas mains in conflict areas. This should be done as soon as possible to determine if the main will need to be relocated.

(4) If existing gas mains require lowering or relocation due to the proponent's project, notification must be given to our ATCO Gas Distribution Engineering Department with a minimum of one (1) year notice. Forward plans and requirements to the ATCO Gas Distribution Engineering Department at 909 – 11th Ave. SW Calgary, AB, T2R 1L8.

Please refer to the "Working Around Natural Gas" Safety Handbook found on our website at:

[http://www.atcogas.com/Safety/Safety-Education-and-Resources/Documents/Safety\\_Resources\\_Contractor\\_WorkingAroundNaturalGasPipelines.pdf](http://www.atcogas.com/Safety/Safety-Education-and-Resources/Documents/Safety_Resources_Contractor_WorkingAroundNaturalGasPipelines.pdf)

Thank You

## Maria Franssen

Administrative Coordinator

Distribution Engineering - Growth

Natural Gas

5<sup>th</sup> Floor, 909 – 11 Ave SW | Calgary, Ab. | T2R 1L8

Tel. 403-245-7442 Fax 403-245-7405

email: maria.franssen@atco.com

[ATCO.com](#) [Facebook](#) [Twitter](#) [LinkedIn](#)




---

**From:** CPAG Circ

**Sent:** Friday, February 14, 2020 2:14 PM

**Cc:** CPAG Circ ; Barr, Vivian

**Subject:** SB2020-0029 - Circulation Package

**\*\*Caution – This email is from an external source. If you are concerned about this message, please forward it to [spam@atco.com](mailto:spam@atco.com) for analysis.\*\***

Good Morning,

Please find attached to this email the Circulation Package for Subdivision Application SB2020-0029 for your review and comment.

Please submit all correspondence to Subdivision Circulation no later than March 3, 2020.

Please forward all comments to [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca).

Carolyn  
Applications Processing Representative  
Calgary Building Services  
Planning & Development  
The City of Calgary | Mail Code: 8201  
T 403.268.8205 | E [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca)  
Floor #3, Municipal Building - 800 Macleod Tr. S.E.  
P.O. Box 2100, Station M, Calgary, AB T2P 2M5



ICS: Unrestricted

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Tue 2/18/2020 10:50 AM

Wright, Maira <Maira.Wright@atco.com>

[EXT] 20-0501 Response - SB2020-0029 - Circulation Package

To ☐ CPAG Circ

Cc Barr, Vivian



Message



SB2020-0029 - Circulation Package.pdf (531 KB)

Good Morning,

ATCO Transmission high pressure pipelines has no objections.

Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

Thank you,

**Maira Wright**

Sr. Administrative Coordinator | Operations Engineering | Gas Transmission  
ATCO Pipelines & Liquids Global Business Unit

P. 780 420 3896





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

March 3, 2020

Our File: 2020-22W-01

Your File: SB2020-0029

Circulation Control (#8201)

Attention: Vivian Barr

Location: 882 77 ST SW

Enclosed is a copy of the tentative plan.

We have reviewed this application and have the following comments:

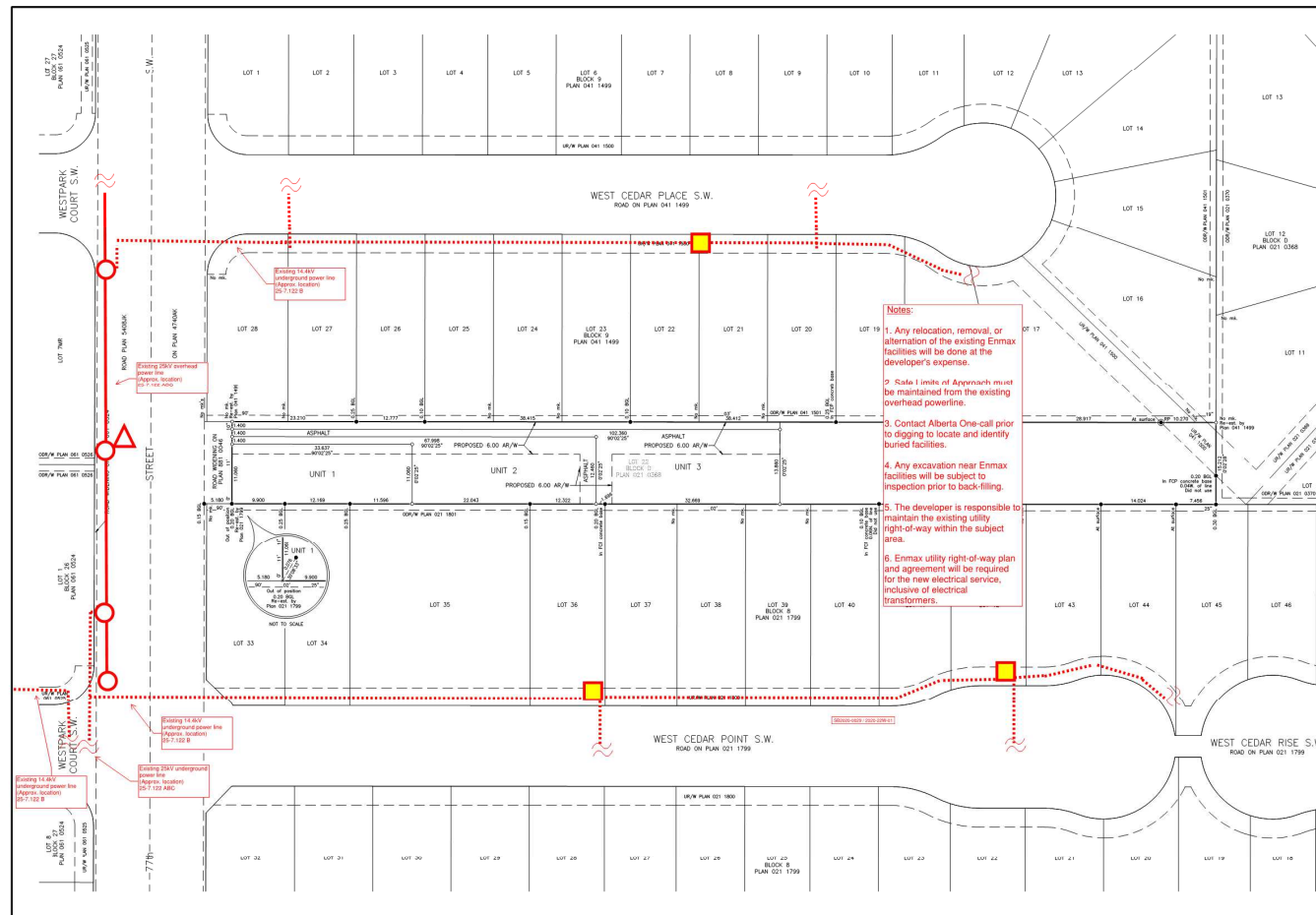
1. There is an existing 25 kV three-phase overhead power line installed along the 77 ST SW, outside the west limit of the subject area (as approximately shown on the attached plan. Any revision, relocation, or alteration of the existing overhead power line will be done at the developer's expense.
2. Anyone working near the above-mentioned overhead power line must maintain Safe Limits of Approach in accordance with the Alberta Electrical and Communication Utility Code, Table 1 (i.e. minimum 3.0m).
3. There is an existing 14.4 kV underground power line installed south of West Cedar Place SW and north of West Cedar Point SW as approximately shown on the attached plan. The developer is responsible to maintain the existing utility right-of-way within the subject area. Any revision, relocation, or alteration of the existing underground power line will be done at the developer's expense.
4. Any exposure of Enmax facilities will be subject to inspection prior to backfilling.
5. Prior to construction, all underground utilities within the subject area must be located. Please contact Alberta One-Call at 1-800-242-3447 to locate and identify the buried utilities. If the developer crosses any existing Enmax underground installation, the developer should notify Enmax for inspection prior to backfilling the crossing.
6. The party wall agreement for this dwelling must make reference and be inclusive of electrical servicing for the same.
7. If the developer requests any changes that could affect the existing ENMAX structures in the vicinity, (e.g. grade changes, relocation, or removal of lines, etc.), the developer is responsible for all the associated costs for making the change.

8. The developer would need approval from ENMAX before proceeding with changes that could affect ENMAX installations, and all agreements are to be in place 8 weeks prior to relocation.


If you have any questions or concerns, please contact Younglae Kim at [yokim@enmax.com](mailto:yokim@enmax.com) or (403) 472-8130.

Younglae Kim  
Engineer, Distribution  
ENMAX Power Corporation

Enclosure



<p><b>SURVEYOR</b>          SPENT IN WELDON, AS 2020          IMPACTS BETWEEN THE DATES OF 2019 AND 2020          IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYS ACT.</p>	<p><b>REGISTRAR</b>  <b>ALBERTA LAND TITLES OFFICE</b></p>
<p><b>REGISTERED CLAIMANT</b>          DEER TRAIL DEVELOPMENT INC.</p>	<p><b>PLAN NO.</b>          CHARGED AND REGISTERED          ON _____  <b>INSTRUMENT NO.</b> _____</p>



**SUBMISSION AUTHORITY**  
 OFFICE OF CLERK OF THE QUARTERS  
 FILE NO. S88200-0029

**A.D. REGISTRAR**

**CONDOMINIUM CHARGE/AGREEMENT**  
 46, WESTBURY PLACE S.W.

**SHEET 1 OF 1**

FOR AN EXHAUSTIVE RECONCILIATION, INFORMATION OR COMMENT  
 CONCERNING THIS INSTRUMENT, PLEASE CONTACT THE REGISTRAR.  
 CONDOMINIUM ACT/SECTION 25.01(4) MAKES IT A CRIME TO FRAUDULENTLY  
 OBTAIN OR ATTEMPT TO OBTAIN A CONDOMINIUM INSTRUMENT.  
 IF YOU ARE A PARTY TO THIS INSTRUMENT, YOU MAY BE SUBJECT TO  
 PROSECUTION UNDER THE CONDOMINIUM ACT/SECTION 25.01(4).

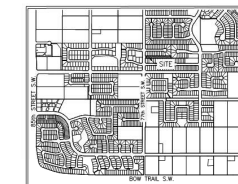
CITY OF CALGARY  
TENTATIVE PLAN SHOWING SURVEY OF  
PROPOSED BARE LAND CONDOMINIUM  
AFFECTING  
LOT 22, BLOCK D, PLAN 021 0368  
WITHIN THE  
N.E.1/4 SEC.22, TWP.24, RGE.2, W.5M.  
SCALE: 1: 300

[illegible]

SCHEDULE OF UNIT FACTORS AND AREA

UNIT NUMBER	UNIT FACTOR	APPROX AREA(sq.m)
1	2500	372.2
2	2500	475.3
3	2500	571.5
4	2500	1,382.1
TOTAL	10000	

THE BASIS FOR DETERMINING UNIT FACTORS  
IS AS FOLLOWS:  
-UNIT FACTORS WERE ASSIGNED BASED ON EQUAL ALLOCATION



KEY PLAIN

**MAIDMENT**  
**LAND SURVEYS LTD.**  
10, 141 Commercial Drive 403.286.0501  
Calgary, AB T2E 2A7 [www.maidment.ca](http://www.maidment.ca)  
FILE NUMBER: 119039tp

**From:** Project Manager - Southern Alberta <ProjectManagerSouthernAlberta@sjrb.ca>  
**Sent:** Friday, February 14, 2020 2:32 PM  
**To:** CPAG Circ  
**Subject:** [EXT] RE: SB2020-0029 - Circulation Package

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Please be advised Shaw Cablesystems does not have any objections to the proposed application.

Thank you,

**Shaw Calgary Planning**

Shaw Communications Inc. 2400 32 Ave NE, Calgary, AB

E: [projectmanagersouthernalberta@sjrb.ca](mailto:projectmanagersouthernalberta@sjrb.ca)



*This message is confidential and may contain privileged information. We ask that you not use or disclose this message other than with our consent. If you are not an intended recipient, please immediately notify us and delete this message. Thank-you.*

---

**From:** CPAG Circ  
**Sent:** Friday, February 14, 2020 2:14 PM  
**Cc:** CPAG Circ ; Barr, Vivian  
**Subject:** SB2020-0029 - Circulation Package

**CAUTION:** This email is from an external source. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Please find attached to this email the Circulation Package for Subdivision Application SB2020-0029 for your review and comment.

Please submit all correspondence to Subdivision Circulation no later than March 3, 2020.

Please forward all comments to [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca).

Carolyn  
 Applications Processing Representative  
 Calgary Building Services  
 Planning & Development  
 The City of Calgary | Mail Code: 8201  
 T 403.268.8205 | E [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca)

Floor #3, Municipal Building - 800 Macleod Tr. S.E.  
P.O. Box 2100, Station M, Calgary, AB T2P 2M5



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## REQUEST FOR COMMENT ON APPLICATION

---

Date: February 14, 2020

**File Number:** SB2020-0029

**Related Files:** PE2018-00157

**Address and Legal:** 882 77 ST SW      0210368;D;22

**Applicant:** MAIDMENT LAND SURVEYS LTD

**Type of Application:** Tentative Plan - Conforming - WEST SPRINGS 0 - Section 22W

**Proposed Use:** Bare Land Condominium (4 single detached dwellings)      **Existing Use:** Vacant

---

Attached are the plans and application material for this proposal. Please submit your response by: **March 03, 2020**  
**Should no response be received by the said date the circulation will be deemed no response / no comment.**

**PLEASE CHECK ONE**

- ☐ No Objection  
☐ See Attached Comments

**Signed:** MEHGAN SMITH

**Date:** FEBRUARY 20, 2020

**Agency:** TELUS COMMUNICATIONS INC

Please e-mail your response to: [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca) . Be sure to include the file number in the subject line.

Alternate method of submitting your response: **Mail:** Circulation Control  
 Planning, Development & Assessment  
 #8201 P.O. Box 2100 Station M  
 Calgary AB T2P 2M5

Please note that any submissions made in response to this application will form part of the official record, and upon final decision of the application the correspondence will be available for public viewing.

If you want to discuss this application further, please contact the File Manager:

Vivian Barr (403) 268-1468 <mailto:vivian.barr@calgary.ca>



**This Application has been circulated to the following parties:**

Christine Riddell, Atco Gas, 5th Floor, 909 11 AV SW

Engineering OSP - Alberta, Telus Communications #66, 2930 Centre Ave NE

Isabel Solis, Atco Pipelines, 7210 42 St NW

Jeff Davison, Ward 6 Councillor, #8001A

Lars Lehmann, West Springs/Cougar Ridge Community Association, Suite 138, Unit 406, 917 85 St SW

Ross Tabalada, Shaw Cablesystems Company; Planning Department, 2400 32 Av NE

Stephan Chudleigh, Enmax Power Corporation , 2801.L





**TELUS Communications Inc.**

Right of Way Department  
2930 Centre Avenue NE  
Calgary, AB T2A 4Y2

Telephone 403-384-3066

E-mail [rightofwayab@telus.com](mailto:rightofwayab@telus.com)

February 20, 2020

TELUS File: C2020-34S  
Your File: SB2020-0029

**CITY OF CALGARY**

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

**Attention: Vivian Barr**

**RE: TELUS COMMUNICATIONS INC ('TELUS')  
PROPOSED SUBDIVISION REPLY  
PLAN 0210368; BLOCK D; LOT 22 – 882 77 STREET SW**

---

We understand that an application has been made for a subdivision over the abovementioned land.

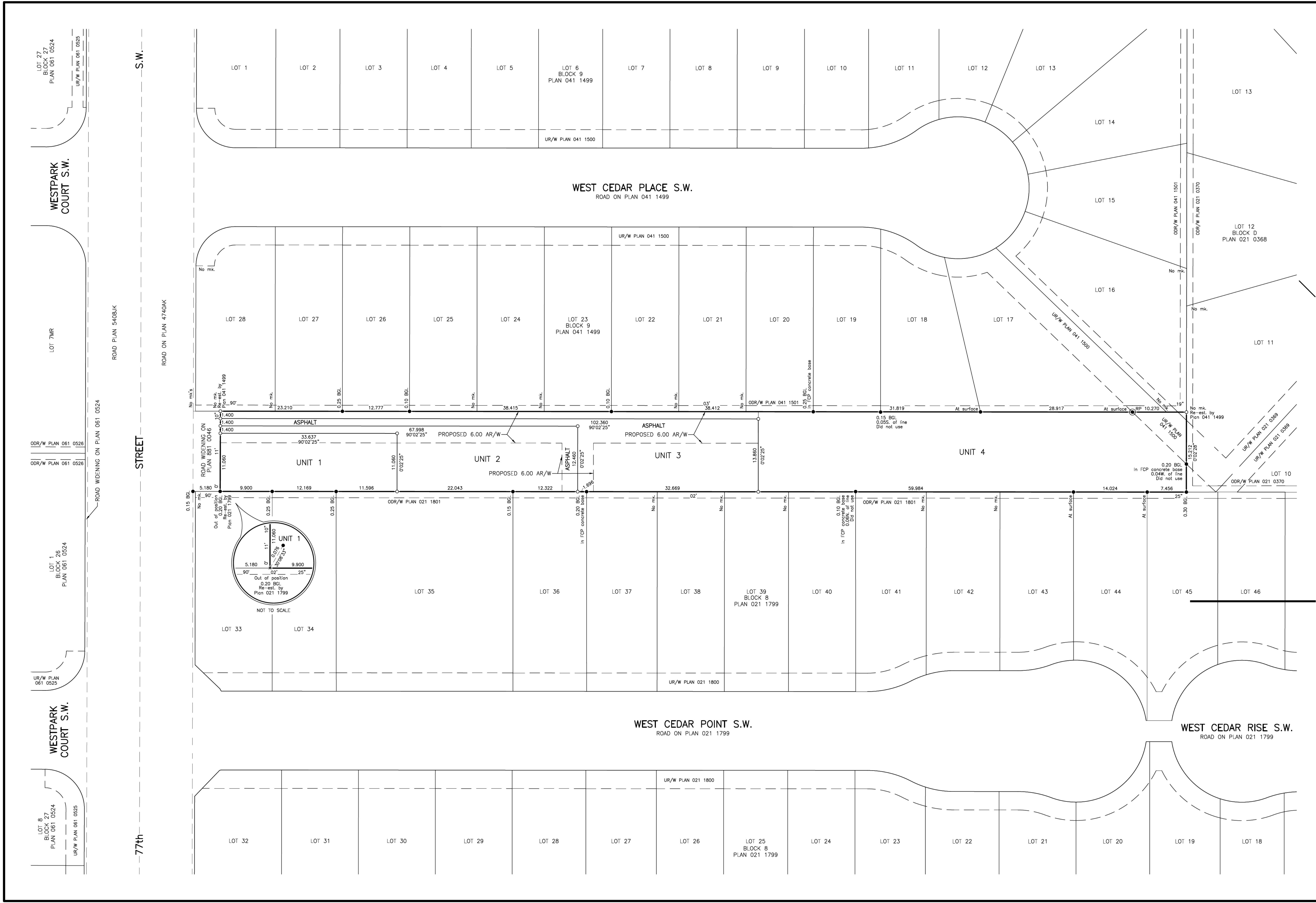
TELUS has no objection to the current land owner proceeding with this application, however, TELUS would like to be included in the 4 party corridor trench.

We ask that you place our above requirement under the conditions of approval for this proposed subdivision.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Mehgan Smith', with a stylized flourish at the end.

Mehgan Smith  
Real Estate Specialist  
Rights of Way  
Real Estate Department



**SURVEYOR**  
BRENT M. WILSON, ALS 2020  
SURVEYED BETWEEN THE DATES OF OCTOBER 8, 2019 AND \_\_\_\_\_, 2020  
IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYS ACT.

**REGISTERED OWNER**  
DEER TRAIL DEVELOPMENT INC.

**SUBDIVISION AUTHORITY**  
CITY OF CALGARY  
FILE NO: SB2020-0029

**REGISTRAR**  
**ALBERTA LAND TITLES OFFICE**

PLAN NO. \_\_\_\_\_  
ENTERED AND REGISTERED  
ON \_\_\_\_\_  
INSTRUMENT NO. \_\_\_\_\_  
A.D. REGISTRAR \_\_\_\_\_

**CONDOMINIUM CORPORATION ADDRESS**  
46 WESTBURY PLACE S.W.  
CALGARY, ALBERTA T3H 5B6

**CITY OF CALGARY**  
**TENTATIVE PLAN SHOWING SURVEY OF**  
**PROPOSED BARE LAND CONDOMINIUM**  
**AFFECTING**  
**LOT 22, BLOCK D, PLAN 021 0368**  
**WITHIN THE**  
**N.E.1/4 SEC.22, TWP.24, RGE.2, W.5M.**  
**SCALE: 1: 300**  
**B.M. WILSON, ALS 2020**

**LEGEND**  
1. AREA AFFECTED BY THIS PLAN OUTLINED THUS \_\_\_\_\_ AND CONTAINS .0280 ha, \_\_\_\_\_ 4 UNITS.  
2. STATUTORY IRON POSTS SHOWN THUS: ● FOUND ○ PLACED (MARKED "P196")  
3. TEMPORARY POINT ESTABLISHED, LEFT NO MARK, SHOWN THUS: x  
4. FOUND STATUTORY IRON POST, USED AS REFERENCE POINT SHOWN THUS: ● RP  
5. DISTANCES ARE IN METRES.  
6. BEARINGS ARE DERIVED FROM REGISTERED PLAN 041 1499.  
7. THE PROJECTION IS N TRANSVERSE MERCATOR, THE DATUM IS NAD83 (ORIGINAL), THE REFERENCE MERIDIAN IS 114° WEST LONGITUDE, AND THE COMBINED SCALE FACTOR IS 0.999711.  
8. GRID COORDINATES ARE DERIVED FROM PLAN 041 1499 WITH THE FOLLOWING COORDINATES FOR THE REFERENCE POINT:  
NORTHING = 558293.828, EASTING = -13792.291.  
9. UNIT BOUNDARIES ARE GOVERNED BY THE SURVEY MONUMENTS PLACED PURSUANT TO THE SURVEYS ACT.

ALS	ALBERTA LAND SURVEYOR	NAD83	NORTH AMERICAN DATUM OF 1983
SEC.	SECTION	RP	REFERENCE POINT
TWP.	TOWNSHIP	R/W	RIGHT OF WAY
RGE.	RANGE	AR/W	ACCESS RIGHT OF WAY
M.	MERIDIAN	ODR/W	OVERLAND DRAINAGE RIGHT OF WAY
hg	HECTARE	UR/W	UTILITY RIGHT OF WAY
N.	NORTH	AGL	ABOVE GROUND LEVEL
S.	SOUTH	BGL	BELOW GROUND LEVEL
E.	EAST	FOP	FENCE CORNER POST
W.	WEST	Re-est.	RE-ESTABLISHED

**SCHEDULE OF UNIT FACTORS AND AREA**

UNIT NUMBER	UNIT FACTOR	APPROX. AREA(sq.m.)
1	2500	372.2
2	2500	475.3
3	2500	571.5
4	2500	1382.1
TOTAL	10000	

THE BASIS FOR DETERMINING UNIT FACTORS IS AS FOLLOWS:  
-UNIT FACTORS WERE ASSIGNED BASED ON EQUAL ALLOCATION.

**KEY PLAN**  
NOT TO SCALE

**MAIDMENT LAND SURVEYS LTD.**  
10, 141 Commercial Drive 403.286.0501  
Calgary, AB T3Z 2A7 www.maidment.ca  
FILE NUMBER: 119039tp



## West Springs/Cougar Ridge Community Association

Ms. Vivian Barr  
Planning, Development & Assessment  
#8201, P.O. Box 2100  
Station M  
Calgary T2P 2M5

March 23, 2020

**Re: SB2020-0029 Subdivision Application for 882 - 77th Street SW**

Dear Ms. Barr,

Please find below our comments regarding the subdivision application SB2020-0029, for the property located at 882 - 77 St. SW, in the community of West Springs.

The WSCRA has historically been opposed to any development on this anomalous segment of land because of negative impacts on many adjacent owners, preferring that a "land-swap" might have been arranged to convert it into a green space.

We now have a further reason for opposing this application for a four unit bare land condominium development: we believe that it effectively seeks the intervention of your office to **frustrate** rather than **execute** the clear will and intention of City of Calgary Council that the land may only be used as a single-family residence with a secondary suite. A close examination of the history of Council's approval of this parcel's current land use designation reveals that it was granted on the *implicit condition* that the use be limited to a single family residence with a secondary suite.

The applicant's express purpose for seeking the 2016 re-designation to R-1s (LOC2016-0218, Bylaw 312D2016) now relied upon, was "to add **a secondary suite to a single family home**": see page 7 of the CPC Report to Council for its December 5, 2016 meeting. In keeping with that, the applicant told Council that he was "proposing one home here" and confirmed ("That's right") when asked whether "at one point you were hoping for four homes on the site but you've settled on **one** in the end". The applicant told Council he was "not sure where I'd put **the** house at this point" or whether the secondary suite would be a basement suite, an above-grade garden suite or a garage suite. In a related "motion arising" Council effectively treated the matter as an application for approval of a single secondary suite and directed "Administration to refund the application costs incurred by the applicant for this Land Use Amendment" on the basis that its practice had been to waive secondary suite development permit fees in other land use contexts, a refund of the \$5000 secondary suite fee for a suite that the applicant does not apparently have any intention of developing.

This long and narrow property of an original panhandle acreage (15.23m X 183.78m) has had a long and concerning history of applications to the City. The land parcel to the south, which includes West Cedar Point SW, was rezoned in 2001. The CPC report for that application noted that attempts to incorporate the "panhandle" into the 2001 application were unsuccessful and indicated that the panhandle lot could be incorporated within a future application for the adjacent parcel to the *north*. However, in 2002, the application LOC2002-031, Bylaw 49Z2003, for West Cedar Place SW to the north of the parcel, did *not* incorporate the panhandle parcel in question. *Therefore, due to these unfortunate events the adjacent residents and the community are now left with a very undesirable piece of land that does not fit into the community fabric.*

At the WSCRA Planning Committee meeting on February 25th, 2020, 21 residents, representing 16 of the 24 adjacent homes, attended and expressed grave concerns regarding the current application. The Westpark Residents Association has also contacted us regarding their concerns. These West Springs residents are very opposed to the possibility that a landowner could potentially be granted a *de facto* density increase through subdivision when this was not permitted by CPAG in 2016.

Suite 138, Unit 408, 917 - 85th St. SW,  
Calgary, Alberta  
T3H 5Z9  
403.770.8585 [www.wscra.ca](http://www.wscra.ca)





## West Springs/Cougar Ridge Community Association

In addition to this central issue, the WSCRA has concerns over the following technical aspects of this application:

1. **Property Setbacks:** Three of the four condominium units have frontage onto 77th St. SW of only 1.2m. This is insufficient to claim frontage on the main street of 77th for these three units. (Unit 1 has a frontage of 11.0m on to 77th St. SW.). Therefore, the three easterly units, front onto the "private condominium roadway" which then dictates the front and rear property lines. The Land Use Bylaw dictates that the front setbacks should be no less than 3m (Div 6, 455(b)) and the rear setbacks should be 7.5m or more (Section 457). Thus, three of the lots designed in this application do not conform to the Bylaws for the R-1s Land Use District.
2. **Fire Safety:** The current building code identifies that there must be a turn-around facility for any dead end portion of the access route more than 90 m long. It also stipulates (NBC 3.2.5.5 AE) that the principle entrance be located not less than 3m and not more than 15m from the closest portion of the access route. This parcel has a length of 183.78 m and therefore does not meet minimum fire code standards without providing a turn around.
3. **Nonconformity to the Municipal Development Plan:** the application does not fit in with the surrounding single family homes in that it does not "respect the character of the low-density residential areas", does not "complement the established character of the area". In addition, it is certainly against the requirement of: do "not create dramatic contrasts in the physical development pattern" (Section 2.3.2 (a) & (c)). Having the condominium units oriented at right angles to the existing homes and only 1.2 m from rear property lines, is significantly different from any other development in the WSCR community.
4. **Shadowing and impingement of sight lines** will be significant for existing residents to the north and south.
5. **Surface water drainage** is a concern as much of the property will be built on or paved, thus significantly increasing water runoff onto neighbouring properties.

In summary, due to the *extremely unusual circumstances* surrounding this application, the WSCRA is strongly requesting that the City look for an *exceptional solution* that will require the applicant to conform to the original intent of the 2016 land use change. It is *imperative* that the decision for this application not be made solely by the file manager and Subdivision department. This application needs to be reviewed by a committee be it CPC, Urban Planning, or at the very least there needs to be a requirement for a Development Permit.

We strongly urge the City to undertake all steps necessary to ensure that the applicant not be permitted to subvert the clear intention of Council, deviate from the assurances given to Council and accomplish indirectly what the applicant was unable to achieve directly. In other words, superficial and mechanistic reliance upon the technical land designation would permit the applicant to frustrate the manifest intention of Council and create unjust and inequitable consequences for adjacent owners in the process..

Our comments are based on the application as presented. We reserve the right to comment on any changes that may occur from the current proposal or implications that may arise from the proposed application.

Regards,

Linda Nesset  
Director  
West Springs/Cougar Ridge Community Association

cc: **Jeff Davison**, Councillor Ward 6. Email: [jeff.davison@calgary.ca](mailto:jeff.davison@calgary.ca)  
cc: **Naheed Nenshi**, Mayor of Calgary. Email: [mayor@calgary.ca](mailto:mayor@calgary.ca)

Suite 138, Unit 408, 917 - 85th St. SW,  
Calgary, Alberta  
T3H 5Z9  
403.770.8585 [www.wscr.ca](http://www.wscr.ca)

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**From:** Barr, Vivian  
**Sent:** Tuesday, February 25, 2020 12:59 PM  
**To:** [REDACTED]  
**Subject:** RE: [EXT] File SB2020-0029

Hi Kevin,

Thank you for your response.

I understand your concerns about the impacts to surrounding property and I would recommend you express those to both the Community Association and the Ward Councilor Davison. The parcel was granted a land use redesignation to R-1s back in 2016 and single detached dwellings are a permitted use in R-1s zoned areas.

Thank you.

Jeff Nielsen on behalf of Vivian Barr.

**From:** Kevin & Sharon Cholowsky [REDACTED]  
**Sent:** Monday, February 24, 2020 5:48 PM  
**To:** Barr, Vivian  
**Subject:** [EXT] File SB2020-0029

I am writing this is response to File SB2020-0029. I am completely against any and all proposals to use that land for anything other than a green belt.

When Serhan Jomaa originally submitted development plans for the land, the parcel in question was earmarked to meet City Development greenspace requirements as in all new developments. I am the original owner of my home, in fact purchasing it from Sam Jomaa. He explained it as such, and told me when the City finished approving the development when all of the houses were done, he would turn the land over to the City as a greenbelt.

I suggest someone come and physically take a look at the parcel in question. It is extremely clear that the above was the plan from the start (green belt). To see this application now goes in direct conflict to everything the developer promised. As a result, this and further applications for this land other than the original plan for a green belt should be denied.

Regards,

Kevin Cholowsky  
30 West Cedar Point SW  
[REDACTED]

[Sent from Yahoo Mail on Android](#)

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**From:** yan zhang [REDACTED]  
**Sent:** Wednesday, February 26, 2020 1:46 PM  
**To:** Barr, Vivian  
**Subject:** [EXT] RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22  
**Attachments:** letter from 23 West Cedar PL SW.pdf

Dear Vivian,

We are shocked when we are receiving your letter about the application of changing the land use. We bought our house at December 2016 but not informed by the realtor that the land owner had applied to change the use of the land. We love the trees and privacy therefore we bought this house and paid extra value on it.

Summery of my concern:

1. Fire trucks access and safety risk. Fire Hazard and Congestion are the biggest issue.
2. Over-shadowing. The only way we get sunshine from south. if the house were build up, we have very limited sunshine
3. Erosion of Property values, this would decrease our house values more than 20%
3. Loss of Privacy
4. garbage truck access.
5. waster water
6. Noise and backyard safety
7. impact 77 street traffic.

There may have other technical issues I may not know.

We are therefore strongly opposed to subdividing the above-mentioned property to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments he now wants compared to the original rezoning application.

We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.

Yenny Zhang

Dear Vilian

RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address 882-77 Street SW, Calgary, Alberta

We bought our house at December 2016 but not informed by the realtor that the land owner had applied to change the use of the land. We love the trees and privacy therefore we bought this house and paid extra value on it.

We are shocked when I received the notice mailed out by the City of Calgary on Feb 14, 2020 in respect of the Application for the Proposed Subdivision of the noted property 882 77 ST SW. We are the resident of 23 West Cedar place, SW. Calgary, wish to make urgent comments for the Calgary Community planning Department to consider in reviewing this application.

We believe when the landowner built this community, leaving this green space to attract people to buy these houses. But it is not fair for our resident that he wants to change original purpose.

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

To build two new single detached dwellings in such narrow land will significantly increase the risk of safety to residents and the environment as well as adversely impact the value of properties for adjacent land owners:

#### **Fire Hazard and Congestion**

The subject property is very is very deep(700 feet+), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of two detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties.

#### **Adverse impact on Infrastructure**

We already have an issue with the large amount of motor vehicles in our street. Giving access to two or more additional residents each with their own motor vehicles and recreational vehicles will make an existing bad situation even worse. Construction of two new houses in the very small narrow and crowded area will also be nearly impossible as clearly proven by the resent development in 77<sup>th</sup> street.

#### **Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2 meter side yard setback will have significant over-shadowing issues throughout the day. Allowing two detached houses would double the effect.

#### **Erosion of Property values**



Losing a beautiful and pristine 50-foot buffer of trees, plants and animals in exchange for two houses squeezed into area poorly suited for development, separated only 1.2 meters from existing property will have a catastrophic impact on all property values in the area. Loosing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

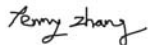
Loss of Privacy Concerns:

Any development in the green space will result in a huge invasion of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increase even further during the construction of two houses that were never intended to be there in the 1<sup>st</sup> place. And were not developed with the rest of the residential area.

We are therefore strongly opposed to subdividing the above-mentioned property to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments he now wants compared to the original rezoning application.

We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.

Sincerely,

Yenny Zhang  Feb25, 2020

23 West Cedar Place, S.W

Calgary

T3H 5T9

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**From:** jinchun sun [REDACTED]  
**Sent:** Wednesday, February 26, 2020 3:08 PM  
**To:** Barr, Vivian  
**Subject:** [EXT] Proposed Subdivision of Plan 021 0368, Block D, Lot 22  
**Attachments:** Concerns for the application.pdf

Dear Vivian,

I am shocked when we are receiving your letter about the application of changing the land use.

Just want to tell a story. A land owner built houses and left a narrow green space within that everyone considered that it will be there forever. There are birds, small and large animals in the space. The land owner sold all houses with higher prices than normal and then after 14 years the developer want build condos in the green space and sell them for more money in sacrifice of the houses' values around it. This is unreasonable and unfair for the house owners.

If the land owner's application get approved, this will be a great case as MBA case on how to earn more money and other developer will follow, also it will be a great case for public service program in university, but in other way.

I am therefore strongly opposed to subdividing the above-mentioned property to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments he now wants compared to the original rezoning application.

I therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.

See attachment for my concerns.

Jinchun Sun

23 West Cedar PL SW  
Calgary, AB, T3H 5T9

Dear Vivian,  
Senior Planning Technician

**RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta**

With regards to your notice in respect of the Application for the Proposed Subdivision of the noted property 882 77 ST SW, mailed out by the City of Calgary on February 14, 2020, we the residents of 23 West Cedar place, S.W. Calgary, wish to make urgent comments for the Calgary Community planning Department to consider in reviewing this application.

We together with several residents have been gravely opposed to the proposed development and we have already voiced our concern for the development of a single property home. **It was approved by a single vote in council in 2016 to change the land use from DC Direct Control District to Residential – One Dwelling (R-1s) that would approve the addition of a secondary suite to any proposed single family home on the subject property.**

**This new attempt by the landowner, once again shows that his intentions are not truthful and that he intends to yet again bend the rules for personal gain.**

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

Should the subdivision for not just one secondary suite to a proposed single family home, but for four unit bareland condos be allowed, the following concerns have been identified that will significantly increase the risk/safety to residents and the environment as well as adversely impact the value of properties for adjacent land owners:

#### **Fire Hazard and Congestion**

The subject property is very deep (700 feet +), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of four detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. During a recent fire which occurred on West Cedar Place in 2015, proper access by multiple fire engines were paramount in preventing a house from burning down and causing only minimal damage to adjacent properties. Also consider Fort McMurray, and how the crowding and high density of residential dwellings lead to whole neighborhoods being destroyed.

#### **Adverse impact on Infrastructure**

We already have an issue with the large amount of motor vehicles in our street. Giving access to four additional condo units, each with their own motor vehicles and recreational vehicles will make an existing bad situation even worse. Construction of four new condos in the very small and crowded area will also be nearly impossible as clearly proven by the recent development in 77<sup>th</sup> street.

**Erosion of Property values**

Losing a beautiful and pristine 50-foot buffer of trees, plants and animals in exchange for two houses squeezed into area poorly suited for development, separated only 1.2 meters from existing property will have a catastrophic impact on all property values in the area.

Any additional development will result in the permanent destruction of a unique and valuable green space and mini eco systems. Loosing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

**Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2meter side yard setback will have significant over-shadowing issues throughout the day. Allowing four new condo units would be catastrophic.

**Loss of Privacy Concerns:**

Any development in the green space will result in a huge invasion of our privacy and personal living space. Building four condo units will allow its residents to not only disturb the serenity of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increased even further during the construction of the four condo units that were never intended to be there in the 1<sup>st</sup> place and were not developed with the rest of the residential area.

We are therefore strongly opposed to subdividing the above-mentioned property to once again to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments, he now wants compared to the original rezoning application.

**We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.**

Sincerely,

Jinchun Sun

23 West Cedar Place, S.W.

Calgary, AB, T3H5T9

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**From:** Karl Martin Klein [REDACTED]  
**Sent:** Thursday, February 27, 2020 11:02 PM  
**To:** Barr, Vivian  
**Subject:** [EXT] Proposed subdivision of Plan 21 0368, Block D, Lot 22, File number SB2020-0029  
**Attachments:** Response SB2020-0029 Karl and Annette Klein.pdf

Dear Ms Barr,

Please find attached our comments about the proposed subdivision of Plan 21 0368, Block D, Lot 22, File number SB2020-0029.

We would greatly appreciate if these were considered when deciding about the proposed subdivision.

Sincerely

Karl Martin Klein  
31 West Cedar Place SW  
Calgary, AB T3H 5T9

Karl Martin Klein

February 27, 2020  
31 West Cedar Place SW  
Calgary, AB T3H 5T9  
Tel.: [REDACTED]

K. M. Klein 31 West Cedar Place SW Calgary, AB T3H 5T9

City of Calgary, Community Planning  
Attn: Ms. Vivian Barr  
Planning and Development # 8076  
P.O. Box 2100, Station M  
Calgary, AB T2P 2M5

-

Dear Ms Barr,

**RE: Proposed subdivision of Plan 21 0368, Block D, Lot 22, File number SB2020-0029, property address: 882-77 Street SW, Calgary, Alberta**

Thank you very much for your letter from February 14, 2020, as well as the additional information provided by email on February 24, 2020. The proposed subdivision is of great concern to us and our neighbors.

When we bought our property (31 West Cedar Place SW) in August 2018 we undertook significant efforts to determine the possible use of the property at Plan 21 0368, Block D, Lot 22. Our realtor was in touch with the owner of the property and the City of Calgary. We were informed that a single building could be constructed on that property and this would be located close to 77 St SW so not interfere with our backyard. We then went ahead with the purchase.

We now learned that the owner of this property is not acting in good faith. The applications submitted over the years clearly show a step-wise approach to change this lot from DC Direct Control District to now 4 lots of Residential – One Dwelling (R-1s). We strongly suspect that an initial submission of the current plan would have resulted in a rejection.

We would like to raise the following issues and urge the City of Calgary to reject the application and take measures to avoid similar attempts in the future.

#### **1. Unacceptable density of the buildings in this area**

The bylaws for low density residential districts (R-1s) indicate that the minimum building setback from a rear property line is 7.5 metres. The property in question is angled 90 degrees to the other properties in this area which is a very unusual situation and not otherwise seen in our neighborhood. Therefore, it is not appropriate to use the minimum setback from side property lines to define the distance of the proposed buildings from the property line, as planned by the owner. The bylaws clearly intend to keep a minimum space of  $2 \times 7.5 = 15$  meters between the backsides of buildings. The proposed plan would significantly decrease this



distance and result in an inappropriately high building density for a low density residential district with all the negative effects outlined below.

## **2. Fire Hazard**

The property in question is a very narrow and deep lot and the current proposal results in multiple buildings being constructed on this lot. The narrow space significantly reduces the accessibility for firefighting. We are concerned that the maximum distance to fire hydrants are exceeded. Furthermore, firefighting at one building would block access to the other buildings further inside the property. In case of an extension of the fire to adjacent buildings, firefighting will be severely impaired as access for additional fire engines will be blocked.

## **3. Water drainage**

The current plan proposes to seal the complete surface of the lot with buildings and roads. This will result in a large amount of water during heavy rain that needs to be drained. We are very concerned that this drainage will exceed the capacity of the existing drains and flood the backyards of the adjacent properties.

## **4. Traffic hazard**

The proposed access road for the 4 residential units will add another intersection at 77 St SW which will be located very close to the existing intersections with West Cedar Place SW and West Cedar Point SW. We are concerned that this will result in hazardous traffic conditions during peak times in the morning and evening.

## **5. Overshadowing**

The proposed building distance, which in our view violates the intention of the bylaws for low density residential districts, will result in significant shadowing of our backyard. This will not only impair the recreational value of our backyard but also likely result in dying of our plants.

## **6. Loss of privacy**

The proposed buildings will be located very close to the rear line of our property. As outlined, one can expect a minimum distance of 7.5 m from the rear property line to the next building. The proposed buildings with a possible height between 11 and 12 meters will be located significantly closer, resulting in much better visibility into our backyard and bedrooms which impedes our privacy.

## **7. Environmental concerns**

The lot currently contains a large natural habitat with trees, plants and animals which is heavily needed in a densely developed environment. The proposed subdivision would destroy this valuable green space with a significant negative impact on wildlife and adjacent properties.

## **8. Garbage**

The four proposed condos will generate a lot of waste which will require a number of garbage bins. It is unclear to us where these garbage bins will be positioned for collection. There is insufficient space on 77 St SW and positioning them on the access road within the lot will block emergency access.



Overall, the proposed subdivision will have a disastrous impact on our and the adjacent properties and impede our quality of life. When we moved to Canada 1.5 years ago, we intentionally moved into a low density residential area. If we had known about the proposed construction we would never have bought our current property. However, we were informed that something like the proposed subdivision would not be possible as it violates the intention of the appropriate bylaws.

We therefore strongly oppose the proposed subdivision and urge the Calgary Planning Commission to deny the application and take measures that further similar efforts are impossible. Possible solutions would be a public green space maintained by the City of Calgary or the opportunity for the adjacent homeowners to buy the part of the lot adjacent to their property.

Sincerely



Karl Martin Klein



Annette Klein

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**From:** chandler wang [REDACTED]  
**Sent:** Friday, February 28, 2020 10:06 AM  
**To:** Barr, Vivian  
**Cc:** Amy Tang  
**Subject:** [EXT] RE: Comments for Proposed Subdivision of Plan 0210368  
**Attachments:** Comments for Proposed Subdivision of Plan 0210368.pdf

Dear Vivian

We are the owners of 26 West Cedar Point SW, we received the mail from City regarding the comments requested for the Proposed Subdivision of Plan 0210368 (File#SB2020-0029), attachment is our comments letter, please look into it, we hope this ridiculous application can be dismissed. Thanks for your help!

Regards,

Qian (Chandler) Wang & Hongying (Amy) Tang

Feb 27, 2020

Dear Vivian,  
Senior Planning Technician

**RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta**

We, Qian (Chandler) Wang and Hongying (Amy) Tang who are the owner of 26 West Cedar Point SW, just got the mail three days ago regarding your notice of the Application for the Proposed Subdivision of the noted property 882 77 ST SW (mailed out by the City of Calgary on February 14, 2020), we were shocked by the news and even thought it was a joke, to build 4 units condo in so narrow land is REALLY REALLY ridiculous, the exterior wall of new building just by my backyard fence (1.2 meter away), we hope Calgary Community planning Department to hear our voice when reviewing this application and made the decision based on to build a better community, a better city.

We together with several residents have been gravely opposed to the proposed development and we have already voiced our concern for the development of a single property home. **It was approved by a single vote in council in 2016 to change the land use from DC Direct Control District to Residential – One Dwelling (R-1s) that would approve the addition of a secondary suite to any proposed single family home on the subject property.**

**This new attempt by the landowner, once again shows that his intentions are not truthful and that he intends to yet again bend the rules for personal gain.**

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

Should the subdivision for not just one secondary suite to a proposed single family home, but for four unit bareland condos be allowed, the following concerns have been identified that will significantly increase the risk/safety to residents around:

#### **Fire Hazard and Congestion**

The subject property is very deep (700 feet +), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of four detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. During a recent fire which occurred on West Cedar Place in 2015, proper access by multiple fire engines were paramount in preventing a house from burning down and causing only minimal damage to adjacent properties. Also consider Fort McMurray, and how the crowding and high density of residential dwellings lead to whole neighborhoods being destroyed.

#### **Increase in Vehicle/Pedestrian Conflicts**

We already have an issue with the large amount of motor vehicles in our street. Giving access to four additional condo units, each with their own motor vehicles will make an existing bad situation even worse.

Construction of four new condos in the very small and crowded area will also be nearly impossible as clearly proven by the recent development in 77<sup>th</sup> street.

#### **Decrease Natural Ventilation and Loss of Green Space**

Truman is building tons of apartments in this area, the land on 9<sup>ave</sup> and 77<sup>th</sup> street is proposed to build condos as well, any additional development will result in the permanent destruction of a unique and valuable green space and mini eco systems. Losing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

#### **Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2meter side yard setback will have significant over-shadowing issues throughout the day. Allowing four new condo units would be catastrophic.

#### **Loss of Privacy Concerns:**

Any development in the green space will result in a huge invasion of our privacy and personal living space. Building four condo units will allow its residents to not only disturb the serenity of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increased even further during the construction of the four condo units that were never intended to be there in the 1<sup>st</sup> place and were not developed with the rest of the residential area.

We are therefore strongly opposed to subdividing the above-mentioned property to once again to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments, he now wants compared to the original rezoning application.

**We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.**

Sincerely,

  
Qian (Chandler) Wang & Hongying (Amy) Tang

26 West Cedar Point S.W.

Calgary

Hi Vivian and Jeff

**RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta**

With regards to your notice in respect to the Application for the Proposed Subdivision of the noted property 882 77 ST SW, mailed out by the City of Calgary on February 14, 2020, we the residents of 27 West Cedar Place, S.W. Calgary, wish to make urgent comments for the Calgary Community planning Department to consider in reviewing this application.

We together with several residents have been gravely opposed to the proposed development and we have already voiced our concern for the development of a single property home. **It was approved by a single vote in council in 2016 to change the land use from DC Direct Control District to Residential – One Dwelling (R-1s) that would approve the addition of a secondary suite to any proposed single family home on the subject property.**

**This new attempt by the landowner, once again shows that his intentions are not truthful and that he intends to yet again bend the rules for personal gain.**

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

Should the subdivision for not just one secondary suite to a proposed single family home, but for four unit bareland condos be allowed, the following concerns have been identified that will significantly increase the risk/safety to residents and the environment.

#### **Fire Hazard and Congestion**

The subject property is very deep (700 feet +), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of four detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. During a recent fire which occurred on West Cedar Place in 2015, proper access by multiple fire engines were paramount in preventing a house from burning down and causing only minimal damage to adjacent properties. Also consider the Fort McMurray fire, and how the crowding and high density of residential dwellings led to whole neighborhoods being destroyed.

#### **Adverse impact on Infrastructure**

We already have an issue with the large amount of motor vehicles in our street. Giving access to four additional condo units, each with their own motor vehicles and recreational vehicles will make an existing bad situation even worse. Construction of four new condos in the very small and crowded area will also be nearly impossible as clearly proven by the recent development in 77<sup>th</sup> street.

Any additional development will result in the permanent destruction of a unique and valuable green space and mini eco systems. Losing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

#### **Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2meter side yard setback will have significant over-shadowing issues throughout the day. Allowing four new condo units would be catastrophic.

#### **Loss of Privacy Concerns:**

Any development in the green space will result in a huge invasion of our privacy and personal living space. Building four condo units will allow its residents to not only disturb the serenity of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increased even further during the construction of the four condo units that were never intended to be there in the 1<sup>st</sup> place and were not developed with the rest of the residential area.

We are therefore strongly opposed to subdividing the above-mentioned property to once again accommodate the needs of a single landowner who has not acted in good faith in the past as shown by his escalation of amendments, compared to the original rezoning application.

**We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.**

Sincerely,

Mike & Brenda Laing

27 West Cedar Place, S.W.

Calgary

T3H5T9



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**From:** [REDACTED]  
**Sent:** Friday, February 28, 2020 4:30 PM  
**To:** Barr, Vivian  
**Subject:** [EXT] Response to proposed Subdivision of Plan 021 0368, Block D, Lot 22

Dear Vivian,

**RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta**

With regards to you notice in respect of the Application for the Proposed Subdivision of the noted property 882 77 ST SW, mailed out by the City of Calgary on February 14, 2020, we the residents of 19 West Cedar place, S.W. Calgary, wish to make urgent comments for the Calgary Community planning Department to consider in reviewing this application.

We together with several residents have been gravely opposed to the proposed development and we have already voiced our concern for the development of a single property home. **It was approved by a single vote in council in 2016 to change the land use from DC Direct Control District to Residential – One Dwelling (R-1s) that would approve the addition of a secondary suite to any proposed single family home on the subject property.**

**This new attempt by the landowner, once again shows that his intentions are not truthful and that he intends to yet again bend the rules for personal gain.**

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

Should the subdivision for not **just one secondary suite to a proposed single family home, but for four unit bareland condos** be allowed, the following concerns have been identified that will significantly increase the risk/safety to residents and the environment as well as adversely impact the value of properties for adjacent land owners:

#### **Fire Hazard and Congestion**

The subject property is very deep (700 feet +), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of two detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. During a recent fire which occurred on West Cedar Place in 2015, proper access by multiple fire engines were paramount in preventing a house from burning down and causing only minimal damage to adjacent properties. Also consider Fort McMurray, and how the crowding and high density of residential dwellings lead to whole neighborhoods being destroyed.

#### **Adverse impact on Infrastructure**

We already have an issue with the large amount of motor vehicles in our street. Giving access to four additional condo units, each with their own motor vehicles and recreational vehicles will make an existing bad situation even worse. Construction of four new condos in the very small and crowded area will also be nearly impossible as clearly proven by the recent development in 77<sup>th</sup> street.



**Erosion of Property values**

Losing a beautiful and pristine 50-foot buffer of trees, plants and animals in exchange for two houses squeezed into area poorly suited for development, separated only 1.2 meters from existing property will have a catastrophic impact on all property values in the area.

Any additional development will result in the permanent destruction of a unique and valuable green space and mini eco systems. Losing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

**Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2meter side yard setback will have significant over-shadowing issues throughout the day. Allowing four new condo units would be catastrophic.

**Loss of Privacy Concerns:**

Any development in the green space will result in a huge invasion of our privacy and personal living space. Building four condo units will allow its residents to not only disturb the serenity of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increased even further during the construction of the four condo units that were never intended to be there in the 1<sup>st</sup> place and were not developed with the rest of the residential area.

We are therefore strongly opposed to subdividing the above-mentioned property to once again to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments, he now wants compared to the original rezoning application.

**We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.**

Sincerely,

Theuns Venter

19 West Cedar Place, S.W.

Calgary

T3H5T9

---

**From:** tamer adham [REDACTED]  
**Sent:** Sunday, March 1, 2020 9:58 AM  
**To:** Barr, Vivian; Nielsen, Jeff A.  
**Cc:** shahinaz saba; Mike Laing; [REDACTED]  
**Subject:** [EXT] Proposed development of plan 021 0368, block D, lot 22. File number: SB2020-0029

Dear Vivian and Jeff,

With regards to the matter of the proposed development in West Springs area between West Cedar Point and West Cedar Place, I would like to confirm that my family and I are directly affected neighbors of this proposed subdivision as we are living at 54 West Cedar Point SW, Calgary.

My wife, Mrs. Shahinaz Sabaa and I are very concerned and are directly affected, like our neighbors by this proposed development. Our concerns include the following (as a summarized list):

- - Safety concerns, with the possibility of fires in this narrow area that could have catastrophic outcome. I understand that there is a past history of a fire few years ago at West Cedar Place, when the access to few Fire Trucks was crucial in limiting the damaging effects of fire. We are talking people's lives here.
- - Traffic concerns: looking at the proposed development with apparently two way road in this area.
- - Loss of privacy (with a very narrow space proposed between the houses)
- - Noise and pollution concerns especially during the building phase.
- - This can seriously affect our quality of life, a reason why we have basically moved to this city, and to this part of the city.
- - The process of development can affect our house, yards and plants.
- - Damaging effects on wildlife in this small beautiful green area in the neighborhood.
- - The fact that the developer is wanting to subdivide the land to develop 4 bare land condominium units on the parcel which is very significantly different from what the City Authority approved on the previous application in 2016 by a narrow margin of 1 vote.
- - Our neighbors state that they have received a letter from the City of Calgary advising that the new subdivision was for two dwelling homes but then upon inquiries by some neighbors, it was discovered that that was in fact a mistake and it is actually for 4 bare land condominium units.
- - We also understand that the developer had, tried few years ago to re-designate or subdivide the parcel into a 4-6 unit bare land condominium and that same was refused by the City on the prior application. I believe this history is very important in respect of this new application.

My wife and I trust you find the foregoing in order and look forward to hearing from you in these regards.

Yours truly,  
Dr. Tamer Adham,  
MB.BCh, MSc, MD (Pediatrics),  
MRCPCH (London)  
54 West Cedar Point sw, Calgary  
T3h5e3  
Sent from my iPhone

---

**From:** Cachia, Craig [REDACTED]  
**Sent:** Monday, March 2, 2020 4:31 AM  
**To:** Barr, Vivian  
**Cc:** [REDACTED] Chantal Cachia  
**Subject:** [EXT] Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta  
**Attachments:** [Untitled].pdf

Morning Vivian

Attached please find a letter from myself expressing concern regarding the above noted expansion. I trust this matter will be dealt with in a fair and transparent manner

Regards

Craig Cachia | [REDACTED]

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Dear Vivian,  
Senior Planning Technician

**RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta**

With regards to your notice in respect of the Application for the Proposed Subdivision of the noted property 882 77 ST SW, mailed out by the City of Calgary on February 14, 2020, we the residents of 47 West Cedar Place, S.W. Calgary, wish to make urgent comments for the Calgary Community planning Department to consider in reviewing this application.

We together with several residents have been gravely opposed to the proposed development and we have already voiced our concern for the development of a single property home. **It was approved by a single vote in council in 2016 to change the land use from DC Direct Control District to Residential – One Dwelling (R-1s) that would approve the addition of a secondary suite to any proposed single family home on the subject property.**

**This new attempt by the landowner, once again shows that his intentions are not truthful and that he intends to yet again bend the rules for personal gain.**

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

Should the subdivision for not just one secondary suite to a proposed single family home, but for four unit bareland condos be allowed, the following concerns have been identified that will significantly increase the risk/safety to residents and the environment as well as adversely impact the value of properties for adjacent land owners:

#### **Fire Hazard and Congestion**

The subject property is very deep (700 feet +), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of four detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. During a recent fire which occurred on West Cedar Place in 2015, proper access by multiple fire engines were paramount in preventing a house from burning down and causing only minimal damage to adjacent properties. Also consider Fort McMurray, and how the crowding and high density of residential dwellings lead to whole neighborhoods being destroyed.

#### **Adverse impact on Infrastructure**

We already have an issue with the large amount of motor vehicles in our street. Giving access to four additional condo units, each with their own motor vehicles and recreational vehicles will make an existing bad situation even worse. Construction of four new condos in the very small and crowded area will also be nearly impossible as clearly proven by the recent development in 77<sup>th</sup> street.

**Erosion of Property values**

Losing a beautiful and pristine 50-foot buffer of trees, plants and animals in exchange for two houses squeezed into area poorly suited for development, separated only 1.2 meters from existing property will have a catastrophic impact on all property values in the area.

Any additional development will result in the permanent destruction of a unique and valuable green space and mini eco systems. Loosing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

**Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2meter side yard setback will have significant over-shadowing issues throughout the day. Allowing four new condo units would be catastrophic.

**Loss of Privacy Concerns:**

Any development in the green space will result in a huge invasion of our privacy and personal living space. Building four condo units will allow its residents to not only disturb the serenity of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increased even further during the construction of the four condo units that were never intended to be there in the 1<sup>st</sup> place and were not developed with the rest of the residential area.

We are therefore strongly opposed to subdividing the above-mentioned property to once again to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments, he now wants compared to the original rezoning application.

**We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.**

Sincerely,



Craig Cachia

47 West Cedar Place, S.W.

Calgary

T3H5T9

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**From:** Chantal Cachia [REDACTED]  
**Sent:** Monday, March 2, 2020 7:09 AM  
**To:** Barr, Vivian  
**Cc:** [REDACTED] Craig Cachia; Dominic Cachia  
**Subject:** [EXT] Proposed Subdivision of Plan 0210368, Block D, Lot 22 (File # SB2020-0029) Property Address 882-77 Street SW Calgary, Alberta  
**Attachments:** [Untitled].pdf

Good Morning Vivian,

Attached please find a letter from myself expressing concern regarding the above noted expansion.

I trust this matter will be dealt with in a fair and transparent manner and that the financial and social impact to the multiple families effected directly and indirectly, will be of serious concern to the city.

Regards,

Chantal Cachia



Dear Vivian,  
Senior Planning Technician

**RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta**

With regards to your notice in respect of the Application for the Proposed Subdivision of the noted property 882 77 ST SW, mailed out by the City of Calgary on February 14, 2020, we the residents of 47 West Cedar Place, S.W. Calgary, wish to make urgent comments for the Calgary Community planning Department to consider in reviewing this application.

We together with several residents have been gravely opposed to the proposed development and we have already voiced our concern for the development of a single property home. **It was approved by a single vote in council in 2016 to change the land use from DC Direct Control District to Residential – One Dwelling (R-1s) that would approve the addition of a secondary suite to any proposed single family home on the subject property.**

**This new attempt by the landowner, once again shows that his intentions are not truthful and that he intends to yet again bend the rules for personal gain.**

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

Should the subdivision for not just one secondary suite to a proposed single family home, but for four unit bareland condos be allowed, the following concerns have been identified that will significantly increase the risk/safety to residents and the environment as well as adversely impact the value of properties for adjacent land owners:

#### **Fire Hazard and Congestion**

The subject property is very deep (700 feet +), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of four detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. During a recent fire which occurred on West Cedar Place in 2015, proper access by multiple fire engines were paramount in preventing a house from burning down and causing only minimal damage to adjacent properties. Also consider Fort McMurray, and how the crowding and high density of residential dwellings lead to whole neighborhoods being destroyed.

#### **Adverse impact on Infrastructure**

We already have an issue with the large amount of motor vehicles in our street. Giving access to four additional condo units, each with their own motor vehicles and recreational vehicles will make an existing bad situation even worse. Construction of four new condos in the very small and crowded area will also be nearly impossible as clearly proven by the recent development in 77<sup>th</sup> street.

### **Erosion of Property values**

Losing a beautiful and pristine 50-foot buffer of trees, plants and animals in exchange for two houses squeezed into area poorly suited for development, separated only 1.2 meters from existing property will have a catastrophic impact on all property values in the area.

Any additional development will result in the permanent destruction of a unique and valuable green space and mini eco systems. Loosing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

### **Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2meter side yard setback will have significant over-shadowing issues throughout the day. Allowing four new condo units would be catastrophic.

### **Loss of Privacy Concerns:**

Any development in the green space will result in a huge invasion of our privacy and personal living space. Building four condo units will allow its residents to not only disturb the serenity of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increased even further during the construction of the four condo units that were never intended to be there in the 1<sup>st</sup> place and were not developed with the rest of the residential area.

We are therefore strongly opposed to subdividing the above-mentioned property to once again to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments, he now wants compared to the original rezoning application.

**We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application.**

Sincerely,



Chantal Cachia

47 West Cedar Place, S.W.

Calgary

T3H5T9

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**From:** Ds Yulian Kim [REDACTED]  
**Sent:** Monday, March 2, 2020 11:06 AM  
**To:** Barr, Vivian  
**Subject:** [EXT] File# SB2020-0029; Choong Kwan Kim and Sung Ja Hong

Hi, my name is Da Sol Kim,  
I'm sending email regard of Choong Kwan Kim and Sung Ja Hong who currently live in 76 West cedar rise SW,

We are sending you another email because we received another letter from city of Calgary regard about file # SB2020-0029.

unfortunately, we are disagree about the application, because

1. building will be block the sunlight.
2. privacy issue such as we are very concerning about building will built too close to our house, which will be no privacy for our family.
3. as personal issued, as I mentioned previous email, my mother (Sung Ja Hong) is currently taking care my 3 years old her granddaughter with autism spectrum, and she is very sensitive with all those noise.
4. all the dust from construction, my mother (Sung Ja Hong) has asthma symptom, all the dust will be cause negatively to her symptom.
5. environmental issues, we are strongly disagree with cut down the tress.

so all those reason, we disagree about the application.

thank you

sincerely,  
Kim's family.  
(Choong Kwan Kim, Sung Ja Hong and Da Sol Kim)

**From:** Barr, Vivian  
**Sent:** Tuesday, March 3, 2020 2:11 PM  
**To:** 'Clint Clark'  
**Cc:** [REDACTED]  
**Subject:** RE: SB2020-0029 882-77 Street SW, Calgary, Alberta  
**Attachments:** LAND USE AMENDMENT- WEST SPRINGS (WARD 6)- 9 AVENU - Cover Report.pdf; CG-07-03 - Final - 312D2016.pdf; SB2020-0029 Notification Letter.pdf; CG-07-03 - Final - 125Z2000.pdf

Good afternoon Clint

In response to your inquiry, please see my comments in red below.

Sincerely,

**Vivian Barr**, Senior Planning Technician  
 Community Planning  
 The City of Calgary | Mail Code: #8076  
 T403.268.1468 | [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca)  
 Municipal Building, 5<sup>th</sup> Floor, 5-B3-5, 800 Macleod Tr SE  
 PO Box 2100, Stn. M, Calgary, AB T2P 2M5

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**From:** Clint Clark [REDACTED]  
**Sent:** Friday, February 28, 2020 2:19 PM  
**To:** Barr, Vivian ; Nielsen, Jeff A.  
**Cc:** [REDACTED]  
**Subject:** [EXT] SB2020-0029 882-77 Street SW, Calgary, Alberta

Hi Vivian and Jeff,

Further to the above noted matter, and traded calls with Jeff, I confirm that I am a directly affected neighbor of this proposed subdivision living at 15 West Cedar Place SW, Calgary. I am also a real estate lawyer and have been asked by a group of concerned and directly affected neighbors to make inquiries regarding this development.

I am aware of the previous land use re-designation in 2016 whereby the City approved a re-designation to allow for a single family residence and a secondary suite which could be a basement suite or carriage house over a garage, etc. I would appreciate it if you could forward us relevant documentation related to that application. **CPC report & bylaw attached. LOC2016-0218, Bylaw 312D2016**

I now understand that the developer is wanting to subdivide the lands to develop 4 bare land condominium units on the parcel which is significantly different from what the City Authority approved on the previous application in 2016 by a narrow margin of 1 vote. We received a letter from the City of Calgary advising that the new subdivision was for two dwelling homes but then upon inquiries by some neighbors, it was discovered that that was in fact a mistake and it is actually for 4 bare land condominium units. I have not seen a new letter from the City to that effect although I understand that it is supposed to be forthcoming from the City. **Copy of letter dated February 25, 2020 is attached.** Can you please send me the developer's application for this subdivision and all materials they have filed in support of same, a copy of the new letter that is supposed to be coming from the City of Calgary and any other information related to this subdivision. **Sorry, we cannot provide you with copies of the application documents. Once a decision is made on the application, the conditions of approval or reasons for refusal will be public information. However, we can arrange to meet and I can show you the proposed plan, but I can't give you a copy.** I would also appreciate knowing what the

Planning Authority's position is with respect to being in support or opposing such new subdivision application and development. **This application is still under review. At this point, I'm not sure what our decision will be.**

I also understand that the developer had, some years back, tried to re-designate or subdivide the parcel into a 4-6 unit bare land condominium and that same was refused by the City on the prior application. If that is correct, I would appreciate receiving copies of that application, materials in support of it and the decision of the City of Calgary Authority or Subdivision Authority. I believe this history is important in respect of this new application. **The subject land may have been included in a land use redesignation in 2000. However, I can't locate any pertinent information online. Attached is a pdf of Bylaw 125Z2000, however, the drawing is not legible. Please contact City Clerks directly to see if they can provide a better copy of the bylaw. Alternatively, you can call 311 to research application number LOC2000-0071, which may also be called AM2000-0071. There will be a charge for the file order, etc.**

I would appreciate any other information related to this parcel development that you deem would be relevant in respect of this matter as well. I also would appreciate it if once you receive this, if we could set a time to meet with either of you or set up a conference call to discuss the proposed subdivision in further detail. **We can possibly set up a meeting for next week, once I've had time to review the application in further detail. My understanding at this point is that the proposed lots meet the requirements of the R-1s land use district.**

I trust you find the foregoing in order and look forward to hearing from you in these regards.

Yours truly,



**Clint Clark** | Barrister & Solicitor | direct [REDACTED]  
[www.clarklegal.com](http://www.clarklegal.com) | toll free [REDACTED]  
 Suite 8, 6020 - 1A Street S.W. Calgary, AB T2H - 0G3

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**From:** yan zhang [REDACTED]  
**Sent:** Thursday, March 5, 2020 10:00 PM  
**To:** Barr, Vivian  
**Subject:** [EXT] RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address 882-77 Street SW, Calgary, Alberta  
**Attachments:** letter from 23 West Cedar PL SW.pdf

Dear Vilian

We even more surprised with the subdivision of 4 units condos in your second letter!!

I got anxiety recently and can't sleep during the night. My husband lost job for more than a year and my job is not stable and considering sell the house. If it was approved by Citi Calgary, I don't know what I am going to do with my house. We have a lot of mortgage on it and house market is weak plus this Subdivision plan.

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368, Block D, Lot 22.

To build 4 units condos in such narrow land will significantly increase the risk of safety to residents and the environment:

#### 1. Fire Hazard and Congestion

The subject property is very is very deep(700 feet+), with no access but for the frontage on 77th Street. Allowing the development of 4 units condos, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. Fire truck access is only one way and deep to the end.

#### 2. Over-shadowing

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2 meter side yard setback will have significant over-shadowing issues throughout the day. Allowing so many condos would double the effect.

#### 3. Loss of Privacy Concerns:

Any development in the green space will result in a huge invasion of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increase even further during the construction of two houses that were never intended to be there in the 1st place. And were not developed with the rest of the residential area.

#### 4. Traffic and parking safety concerns beside our fences

There would be many cars for 4unit condos including visitor's cars going by such narrow road beside by our fences. Kids paly in the backyard will be scared by the cars passing by so closely. As the fences are not concrete walls.

#### 5. Community environment

Around this narrow space are all expensive houses. It doesn't look good with crowded condos congestion together. It is not good for City community environment planning. It will be a bad example for landowners to leave a space when they build houses and change the space use in later years to make money.

6. There may be some other significant technique issues such as waste water.... impact the adjacent houses.

We are therefore strongly opposed to subdividing the above-mentioned property to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments he now wants compared to the original rezoning application.

We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application. We trust and believe Calgary Planning Commission will make the right decision for all current residents and potential residents to avoid future fire risk and other safety risk.

Sincerely,  
Yenny Zhang  
23 West Cedar Place, S.W  
Calgary  
T3H 5T9



---

**From:** Mario Forcinito [REDACTED]  
**Sent:** Sunday, March 8, 2020 3:52 PM  
**To:** Barr, Vivian  
**Cc:** kcholows  
**Subject:** [EXT] Letter from the CSHA Re:- File number SB2020-0029  
**Attachments:** Letter\_Land\_use.pdf

Ms. Barr,

I am the current president of the Home Owners Association neighbouring to the south of the propose development. Here is our letter expressing our opposition. A hard copy was also mailed.

Please contact me with any questions you may have.

Best regards,

Mario Forcinito  
21 West Cedar Point SW,  
Calgary, AB T3H 5E3  
c: [REDACTED]

March 8, 2020

**Vivian Barr,**  
**Senior Planning Technician**  
 City of Calgary, Community Planning  
 Planning and Development #8076  
 P.O. Box 2100, Station M  
 Calgary, AB T2P 2M5

**RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address: 882-77 Street SW, Calgary, Alberta**

Dear Ms. Barr,

The Cedar Springs Home Owners Association members are the property owners for West Cedar Rise and West Cedar Point. 13 of these properties are adjacent to the Lot proposed for development. Many of the owners have aired their concerns about the development plan proposed at this lot. I want to add to them and also register my comments on the Application for the Proposed Subdivision of the noted property 882 77 ST SW, mailed out by the City of Calgary on February 14, 2020.

The main concern is that on this matter, council voted to change the land use from DC Direct Control District to Residential – One Dwelling (R-1s) whilst the plan presented at this time has four-unit bareland condos. It is very evident from the videotape and minutes taken at December 5<sup>th</sup> 2016 that the amendment was granted based on the fact that only one dwelling will be built. The proposed development violates the spirit of Council's resolution and should not be allowed just on that basis.

There are additional compelling reason for not allowing the development of four unit on that lot:

**Fire Hazard:** Because of the dimensions of the lot it will be impossible for more than one firetruck to work. Moreover, my layman interpretation of the City standards, is that the proposed layout for the site does not comply with the access requirements stated in Section 3 of The City of Calgary Fire Department Standards<sup>1</sup> The distance to the center of the access street (77 st.) to the end of the second proposed unit is about 90m. In this situation the standard requires a hammer-head or turnaround or a secondary access, none of which are planned,

Allowing the development of four detached houses, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties

<sup>1</sup> <https://www.calgary.ca/CSPS/Fire/Documents/Fire-Department-Access-Standard.pdf>

**Grading:** There is no practical way to grade such a long and narrow lot in a way that avoid the run-off drain on neighbouring lots.

**Loss of green area:** Because of the complex history of development in this area, the Cedar Spring development ended up with no green area. This lot until now have been the de-facto green area. In hindsight, council may have made a mistake in allowing this piece of land to be designated as R-1s, allowing the addition of more units will compound the error.

**In representation of the CSHA, I urge the Calgary Planning Commission to dismiss the application.**



Mario Forcinito  
President, CSHA  
21 West Cedar Point SW  
Calgary, AB, T3H 5E3

**From:** Barr, Vivian <Vivian.Barr@calgary.ca>  
**Sent:** Thursday, March 19, 2020 10:40 AM  
**To:** 'min zhang' [REDACTED]  
**Subject:** RE: SB2020-0029 882-77 Street SW, Calgary, Alberta

Good morning Min

Further to your e-mail, attached is a copy of the Calgary Planning Commission Report for the land use redesignation of the subject property to R-1s and a copy of the associated bylaw.

I apologize for the confusion about the two notification letters. I was out of the country for an extended period of time and my co-worker sent the letters on my behalf while I was away. He mistakenly didn't update the number of proposed units on our template letter. Attached is the second notification letter that was sent, correctly indicating four proposed units.

Unfortunately, I can't send you a copy of the proposed subdivision plan, as it is protected by copyright by the surveyor. You may, however, contact your community association representative to view the plan. However, it is not to be copied. The application is still under review, so I cannot provide you with our recommendation at this time.

As to your inquiry about previous applications to redesignate or subdivide the property, I have no record of any applications.

Sincerely,

**Vivian Barr**, Senior Planning Technician  
 Community Planning  
 The City of Calgary | Mail Code: #8076  
 T403.268.1468 | [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca)  
 Municipal Building, 5<sup>th</sup> Floor, 5-B3-5, 800 Macleod Tr SE  
 PO Box 2100, Stn. M, Calgary, AB T2P 2M5

**From:** min zhang [REDACTED]  
**Sent:** Wednesday, March 11, 2020 9:44 AM  
**To:** Barr, Vivian ; Nielsen, Jeff A.  
**Subject:** [EXT] SB2020-0029 882-77 Street SW, Calgary, Alberta

Hi Vivian and Jeff,

Further to the above noted matter, I confirm that I am a directly affected neighbor of this proposed subdivision living at 38 West Cedar Point SW, Calgary. I have been asked by a group of concerned and directly affected neighbors to make inquiries regarding this development.

I am aware of the previous land use re-designation in 2016 whereby the City approved a redesignation to allow for a single family residence and a secondary suite which could be a basement suite or carriage house over a garage, etc. I would appreciate it if you could forward us relevant documentation related to that application.

I now understand that the developer is wanting to subdivide the lands to develop 4 bare land condominium units on the parcel which is significantly different from what the City Authority approved on the previous application in 2016 by a narrow margin of 1 vote. We received a letter from the City of Calgary advising that the new subdivision was for two

dwelling homes but then upon inquiries by some neighbors, it was discovered that that was in fact a mistake and it is actually for 4 bare land condominium units. I have not seen a new letter from the City to that effect although I understand that it is supposed to be forthcoming from the City. Can you please send me the developer's application for this subdivision and all materials they have filed in support of same, a copy of the new letter that is supposed to be coming from the City of Calgary and any other information related to this subdivision. I would also appreciate knowing what the Planning Authority's position is with respect to being in support or opposing such new subdivision application and development.

I also understand that the developer had, some years back, tried to re-designate or subdivide the parcel into a 4-6 unit bare land condominium and that same was refused by the City on the prior application. If that is correct, I would appreciate receiving copies of that application, materials in support of it and the decision of the City of Calgary Authority or Subdivision Authority. I believe this history is important in respect of this new application. I would appreciate any other information related to this parcel development that you deem would be relevant in respect of this matter as well.

I trust you find the foregoing in order and look forward to hearing from you in these regards.

Yours truly,

Yang Zhang & Mindi Wang

**LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016**

**MAP 22W**

**EXECUTIVE SUMMARY**

This land use amendment application is to redesignate the vacant subject parcel from DC Direct Control District to Residential – One Dwelling (R-1s) District to allow for a secondary suite or a backyard suite. The existing DC District allows the development of one single-detached dwelling as a discretionary use.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION**

2016 October 20

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaw 312D2016; and

1. **ADOPT** the proposed redesignation of 0.28 hectares  $\pm$  (0.69 acres  $\pm$ ) located at 882 – 77 Street SW (Plan 0210368, Block D, Lot 22) from DC Direct Control District **to** Residential – One Dwelling (R-1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 312D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-1s district would be compatible with the existing adjacent development. The lot is large and complies with the rules of the land use bylaw and all required parking can be accommodated on site. The West Springs Area Structure Plan encourages secondary suites throughout the Neighbourhood Area.

**ATTACHMENTS**

1. Proposed Bylaw 312D2016
2. Public Submissions





LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.28 hectares  $\pm$  (0.69 acres  $\pm$ ) located at 882 – 77 Street SW (Plan 0210368, Block D, Lot 22) from DC Direct Control District **to** Residential – One Dwelling (R-1s) District.

**Moved by: C. Friesen**

**Carried: 5 – 1**  
Opposed: R. Wright

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

**Applicant:**

Deer Trail Development Inc

**Landowner:**

Deer Trail Development Inc

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is located in the community of West Springs on the east side of 77 Street SW and north of 9 Avenue SW. The parcel has a width of 15.23 metres ± and depth of 183.78 metres ± and is currently vacant with Aspen and Birch tree stands. Single detached dwellings surround the subject site.

The site is the handle portion of an old panhandle acreage lot that was redeveloped in 2000. In 2000 the subject site was surrounded by acreage parcels. A DC Direct Control land use was approved on the subject parcel that allows a single-detached dwelling as a discretionary use. The site is serviced but has never been developed.

<b>West Springs</b>	
Peak Population Year	2016
Peak Population	9785
2016 Current Population	9785
Difference in Population (Number)	0
Difference in Population (Percent)	0%

**LAND USE DISTRICTS**

The proposed R-1s district has the ability to accommodate secondary suites on parcels that already permit a single detached dwelling on a single parcel. The R-1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

The subject site meets the minimum R-1s parcel size requirements. As such, the site can accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements, including the minimum parking requirement and the amenity space provisions. If any relaxation may be required, these may be considered at the development permit stage.

Approval of this land use amendment application does not constitute approval of a specific secondary suite type, but rather allows for a secondary suite to be considered via the development or building permit process.

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

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## LEGISLATION & POLICY

### South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

### Municipal Development Plan (MDP)

The subject site is located within the *Residential Developing: Planned Greenfield with Area Structure Plan* as identified on Map 1 in the Municipal Development Plan (MDP).

### West Springs Area Structure Plan (ASP)

The subject site is designated Urban Development within the Neighbourhood Area in the West Springs ASP. Residential density should be between 9.9 and 17.3 units per hectare (4 to 7 units per acre). Secondary suites are encouraged throughout the Neighbourhood Area.

## TRANSPORTATION NETWORKS

The site is located approximately 75 metres from a bus stop, for route 453, with service to the 69 Street SW LRT station. All access to the site would be from 77 Street SW.

## UTILITIES & SERVICING

Existing services are available and can accommodate the potential addition of a secondary suite.

## ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

## ENVIRONMENTAL SUSTAINABILITY

No sustainability features have been provided at this time.

## GROWTH MANAGEMENT

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

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

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## **PUBLIC ENGAGEMENT**

### **Community Association Comments**

The West Springs/Cougar Ridge Community Association expressed some concern but has not sent in formal comments at the time of this report.

### **Citizen Comments**

Comments were received from residents of 19 properties, 17 of which are immediately adjacent to the subject site. Issues raised by the residents are listed below:

- Negative impact on property values;
- Loss of privacy in the rear yards;
- Overshadowing of rear yards;
- Fire and safety concerns due to limited access;
- Loss of green space and trees;
- Increase in vehicle/pedestrian conflicts;
- Decrease natural ventilation, reduce breezes; and
- Increase in eavesdropping on neighbouring properties.

The subject site may be developed for a single detached dwelling under the existing land use. The existing development surrounding the site would have a greater impact on many of the above issues than the proposed development of this site.

### **Public Meetings**

No public meetings were held by the applicant or administration.

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

The purpose of this application for re-designation is to add a secondary suite to a single-family home on the proposed site. This is a very large parcel (.69) of an acre, which comes with its challenges based on access and dimensions. Based on the size of the lot it would allow for a variety of possibilities in incorporating a secondary suite to a single-family home. Furthermore, it would slightly increase the density on this parcel, which would be more in line with the density set out for the area. I appreciate your time.

**BYLAW NUMBER 312D2016****BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2016-0218)  
\*\*\*\*\***

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

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

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


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

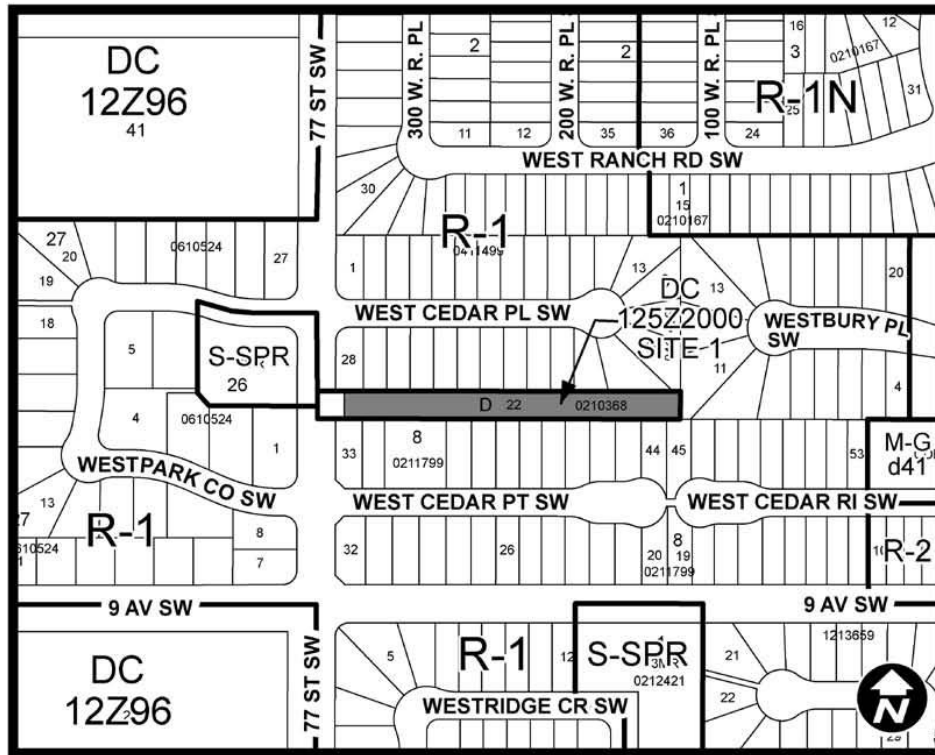
READ A FIRST TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

READ A SECOND TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

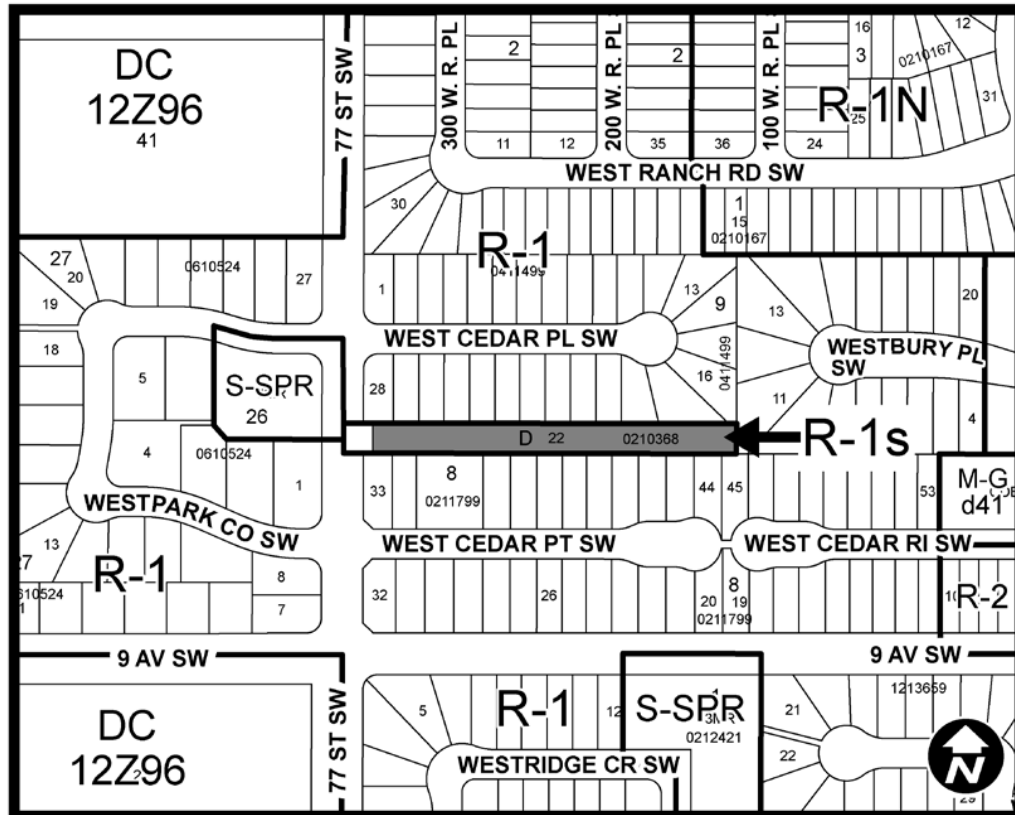
READ A THIRD TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

  
\_\_\_\_\_  
MAYOR  
SIGNED THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

  
\_\_\_\_\_  
ACTING CITY CLERK  
SIGNED THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

SCHEDULE A



SCHEDULE B



FEB 25 2020 *gm*

**File Number: SB2020-0029**

February 25, 2020

To the Adjacent Landowners

**Re: Proposed Subdivision of Plan 021 0368, Block D, Lot 22**

The City of Calgary has received an application to subdivide the above noted property, located at **882 77 ST SW** (see attached map).

*This letter is to inform you of a proposed subdivision in your community and is in compliance with the Municipal Government Act, Section 653(3)(b). It requires the subdivision authority to give notice to owners of land that is adjacent to land that is the subject of a subdivision application.*

The purpose of the subdivision is to create a **four unit bareland condominium**. Future use of the parcels is to accommodate **four new single detached dwellings**.

If you have questions or planning related comments about the subdivision application, please send them to my attention by **2020 March 10<sup>th</sup>**. Include the file number and your contact information on the correspondence, forward by email to [Vivian.Barr@calgary.ca](mailto:Vivian.Barr@calgary.ca)

If you prefer to send the correspondence by mail, please address it to:

City of Calgary, Community Planning  
Planning & Development # 8076  
P.O. Box 2100, Station M  
Calgary, AB T2P 2M5

*(JV for)*

**Vivian Barr**, Senior Planning Technician  
Community Planning  
The City of Calgary | Mail Code: #8076  
T403.268.1468 | [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca)  
Municipal Building, 5<sup>th</sup> Floor, 5-B3-5, 800 Macleod Tr SE  
PO Box 2100, Stn. M, Calgary, AB T2P 2M5

2  
2020/02/25



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**From:** Barr, Vivian  
**Sent:** Thursday, March 19, 2020 11:01 AM  
**To:** 'Gary and Sue Clark'  
**Subject:** RE: Proposed Subdivision of plan 021 0368, Block D,Lot 22 (Our file: SB2020-0029)  
**Attachments:** SB2020-0029 Notification Letter.pdf

Good morning Gary and Sue,

I apologize for the confusion about the two notification letters. I was out of the country for an extended period of time and my co-worker sent the letters on my behalf while I was away. He mistakenly didn't update the number of proposed units on our template letter. Attached is the second notification letter that was sent, correctly indicating four proposed units.

As you have likely noticed, as you were cc'd in the e-mails to Clint Clark on March 3<sup>rd</sup> & 5<sup>th</sup>, we have granted an extension to March 24<sup>th</sup> for letters of submission. Hopefully the information in those e-mails are helpful to you.

Please be advised that the application is still under review, but the proposal for four single detached dwellings is a permitted use under the R-1s guidelines of the land use bylaw.

Sincerely,

**Vivian Barr**, Senior Planning Technician  
 Community Planning  
 The City of Calgary | Mail Code: #8076  
 T403.268.1468 | [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca)  
 Municipal Building, 5<sup>th</sup> Floor, 5-B3-5, 800 Macleod Tr SE  
 PO Box 2100, Stn. M, Calgary, AB T2P 2M5

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**From:** Gary and Sue Clark [REDACTED]  
**Sent:** Saturday, February 29, 2020 8:44 AM  
**To:** Barr, Vivian  
**Subject:** [EXT] FW: Proposed Subdivision of plan 021 0368, Block D,Lot 22

Good morning Vivian.

My name is Gary Clark (11 West Cedar Place). I am looking for clarification on this proposal so I can respond appropriately with my concerns ... and more importantly understand exactly which proposal and when is the submission date.

1. I responded back in **2016** based on a proposed re-zoning of a **secondary suite and carriage house**.
2. I received a letter on **February 18th** regarding a proposal for **two new single detached** dwellings with a Feb 28th response required
3. I attended the West Springs Planners meeting on **February 24th** and was presented a plan for **four new single detached dwellings** and were told to plans changed and a new letter was to be emailed with a response date of March 10th
4. Then yesterday **Feb 28th**, I received a envelope from the city (see attached photo) that is **empty and appears to have been opened** from my mail box.

I am left wondering, since there seems to be a significant variance in what was originally approved by council in 2016) and what is proposed today is a complete process reset required or provide some transparency on the changes? I am very confused and frustrated radical variances in proposals presented and not sure what the cutoff date is for submissions.

Can you please provide clarity as this potentially has significant impacts in my quality of life, specifically at it related to privacy and safety! I would appreciate a timely response, as receiving empty envelopes from the city given the ask is concerning.

Regards,  
Gary and Sue



# Calgary



**8076**





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**From:** Clint Clark [REDACTED]  
**Sent:** Friday, March 20, 2020 1:36 PM  
**To:** Barr, Vivian  
**Cc:** Davison, Jeffrey R.; Clint Clark  
**Subject:** [EXT] SB2020-0029 882 - 77 Street S.W. – Letter of Opposition  
**Attachments:** Letter of Opposition.pdf; Neighbors Support.pdf; Contacts.xlsx

Hi Vivian,

Further to the above noted matter, please find attached my formal Letter of Opposition to the above noted subdivision application. The Letter of Opposition is written on behalf of 17 neighbors immediately adjacent and directly affected by the subdivision application on the above noted lands. In that regard, please also find attached a list of the names, addresses and contact information for all 17 neighbors as well as copies of emails from each of them confirming their review and support of the Letter of Opposition. They have not been copied with this email so that you are not inundated with further emails from them but their contact information is attached in case you need to reach out to any of them. We will confirm with each of them that the letter has been sent to you.

We believe that the Letter of Opposition raises technically sound planning arguments opposing the application, which we trust you will carefully review and consider in your recommendations to the Subdivision Authority. We thank you in advance for your time and careful review of this letter and all the materials before you.

Should you require any further information or clarity on any of the items set out in our Letter of Opposition, please do not hesitate to contact me directly.

Yours truly,



Clint Clark | Barrister & Solicitor | [REDACTED]  
[www.clarklegal.com](http://www.clarklegal.com) | [REDACTED]  
Suite 8, 6020 - 1A Street S.W. Calgary, AB T2H - 0G3

This e-mail may contain confidential information and be subject to solicitor-client privilege. If received in error, please delete and advise sender. Thank you.

**CALGARY SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**IN THE MATTER OF THE APPEAL OF SUBDIVISION APPLICATION NO. SB2020-0029**

BETWEEN:

**Deer Trail Development Inc.**

Appellant

- AND -

**The City of Calgary**

Respondent

DOCUMENT: **MEMORANDUM OF ARGUMENT OF THE APPELLANT**

**Robert Homersham, Barrister & Solicitor**

**Counsel for the Appellant**

# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

JULY 8, 2021

Robert Homersham  
Barrister & Solicitor

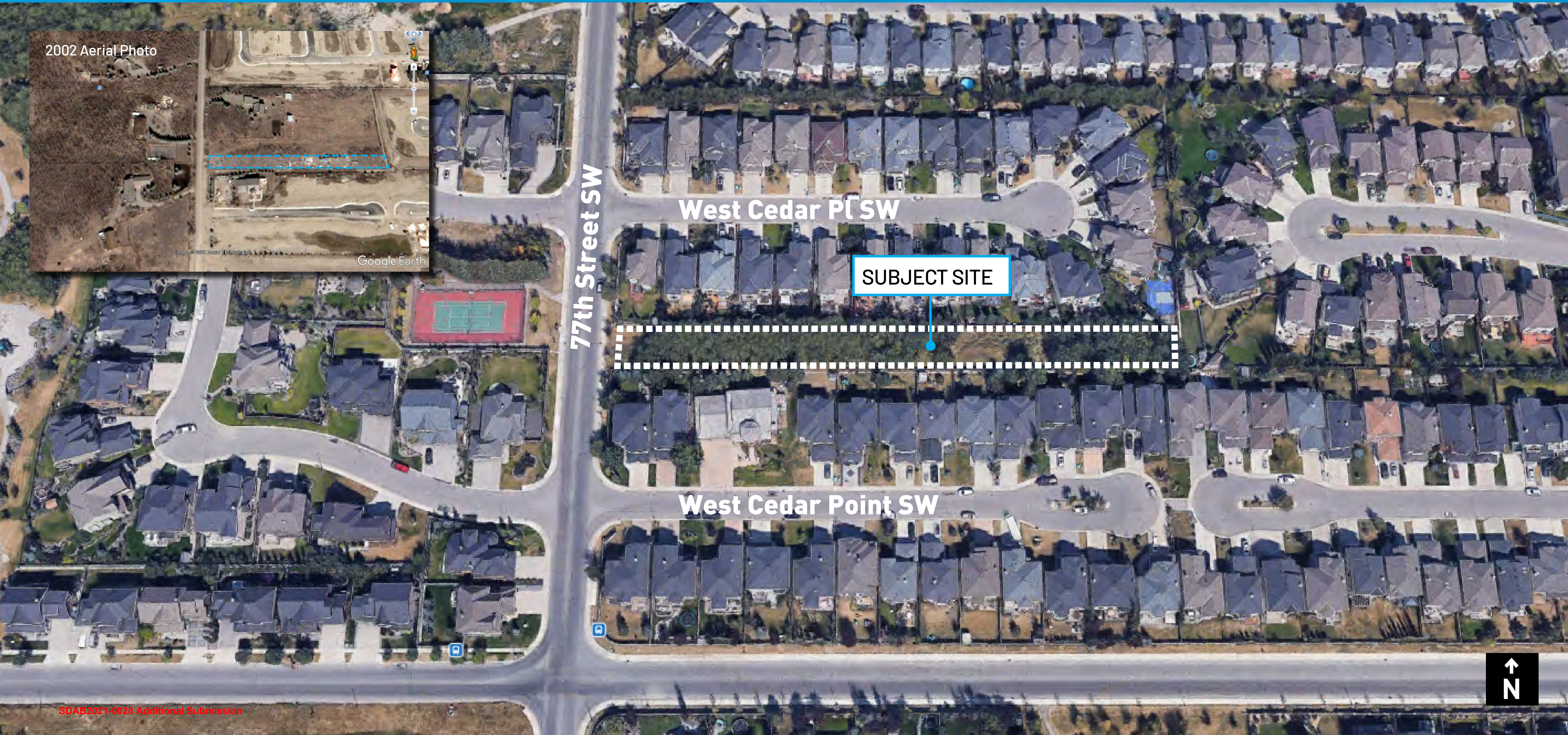
b&a

Maidment Land Surveys Ltd.  
Land Surveyors/Land Development Consultants

URBAN  
systems



2002 Aerial Photo





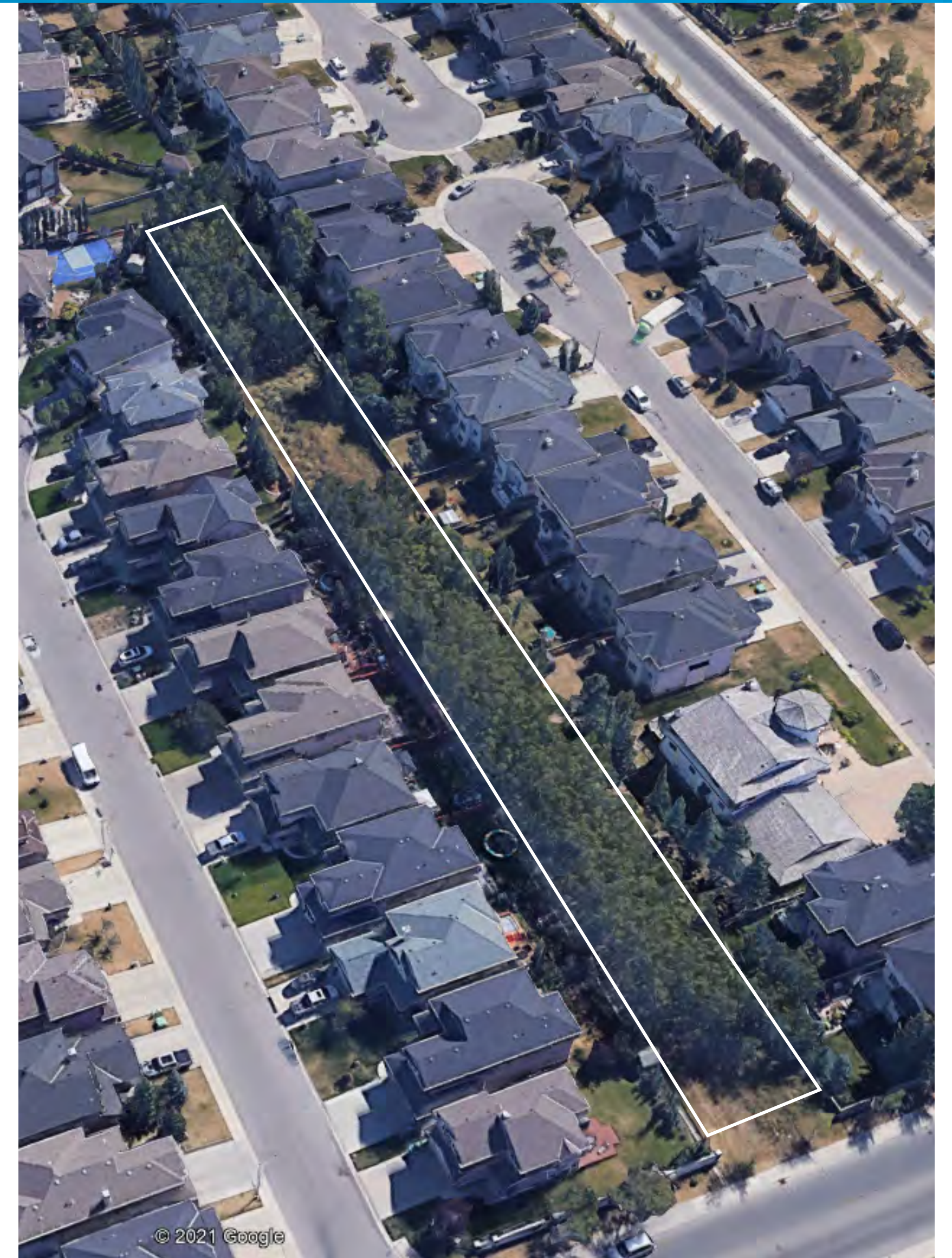
Subject Lands - Looking West  
towards 77th Street SW





## Birds Eye Views of Subject Site

Subject Lands - Looking East  
from 77th Street SW







Adjacent backyard - no fencing



Adjacent backyard -fencing/gates





Looking East from 77th Street SW



Looking North on 77th Street SW



Looking South on 77th Street SW

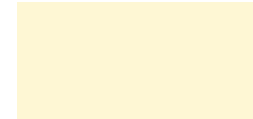






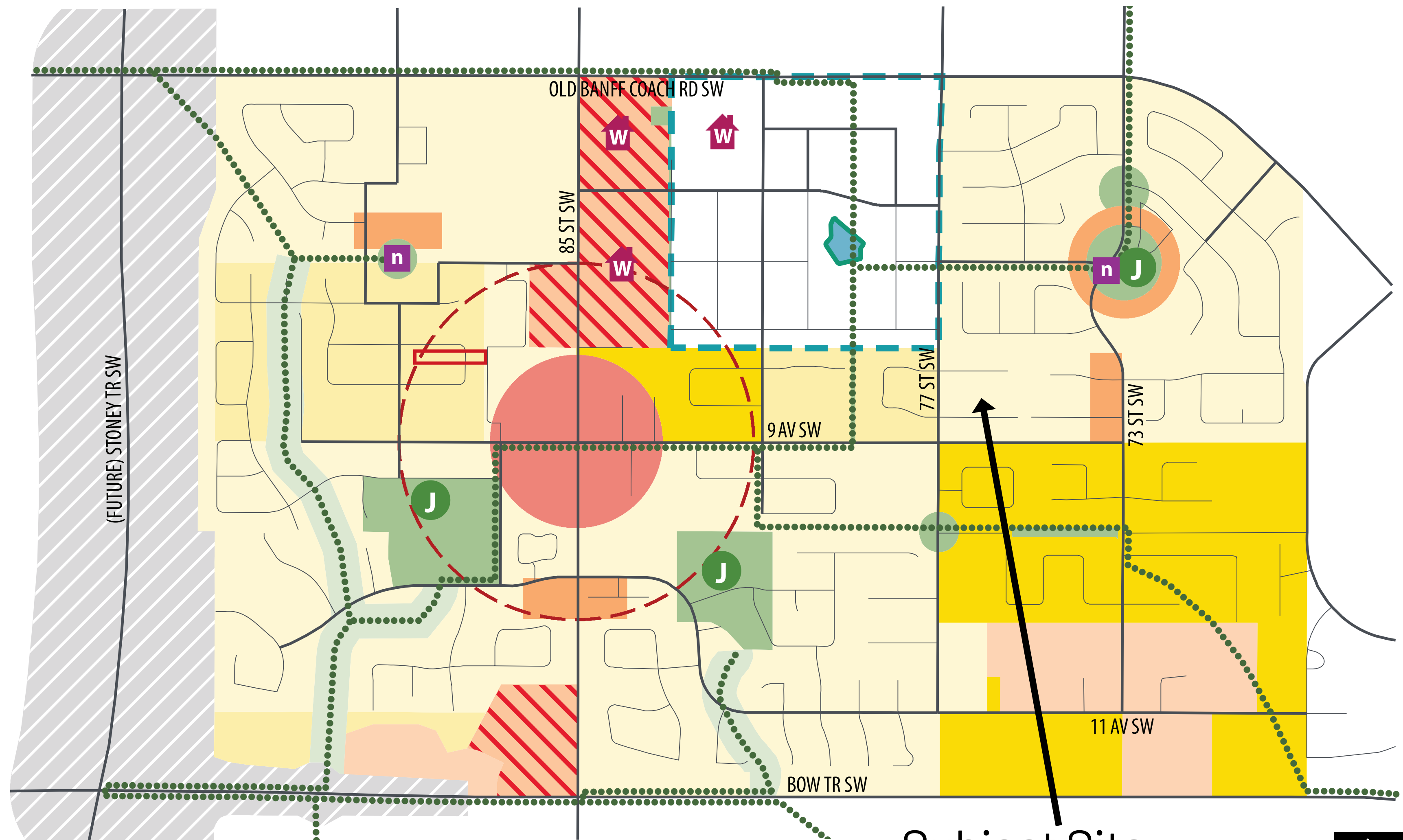
NW corner at 77th Street SW





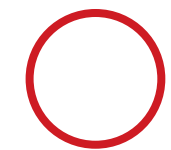
- The Subject Land is located within the West Springs Area Structure Plan.
- It is identified within the Urban Development Area and the following rules:
- The proposal meets the rules as outlined in the ASP

	Urban Development
	Low Density Infill
	Standard Density Infill
	Medium Density
	Multi Dwelling Residential



Subject Site

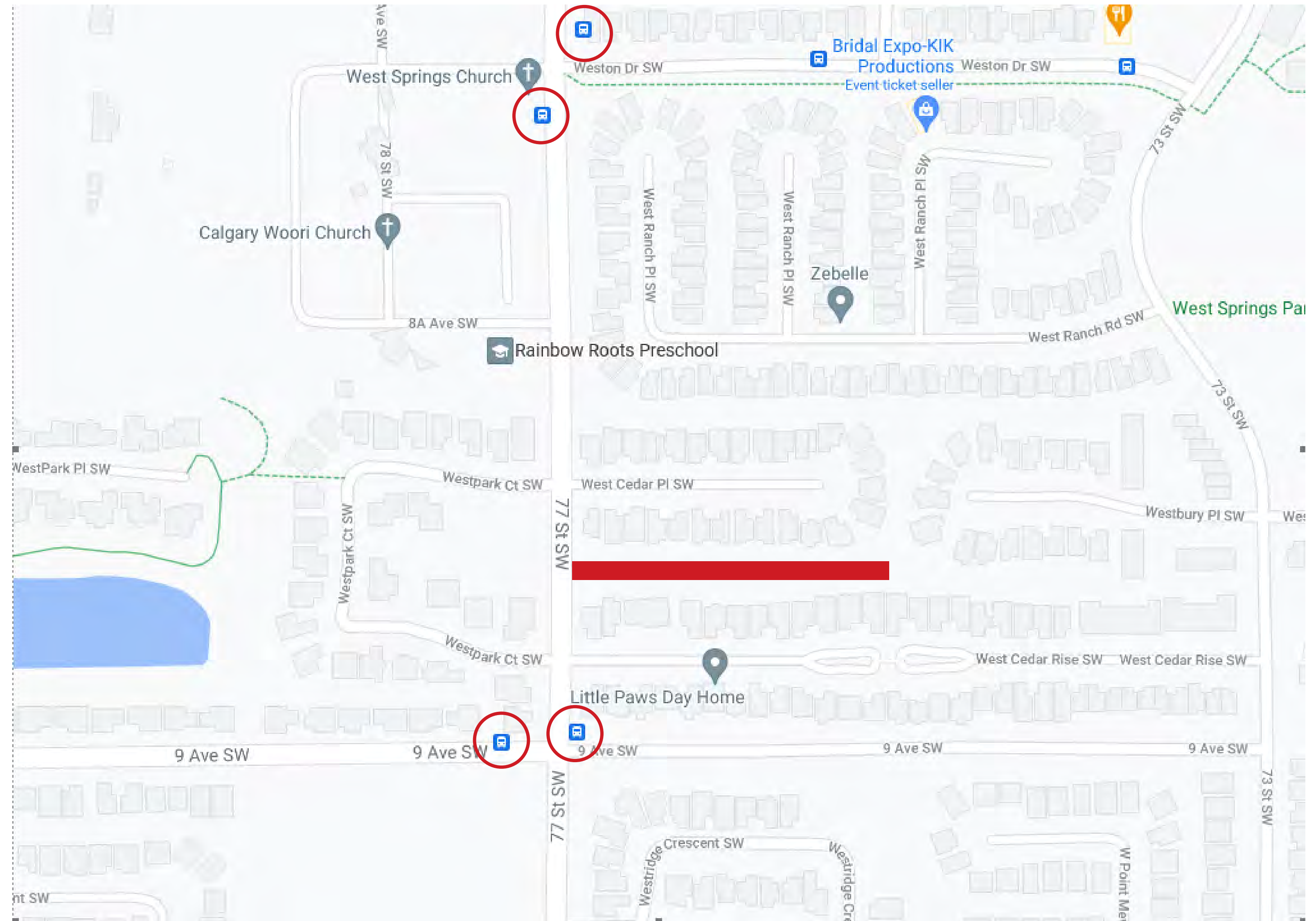




TRANSIT STOPS IN PROXIMITY TO THE SUBJECT SITE



SUBJECT SITE



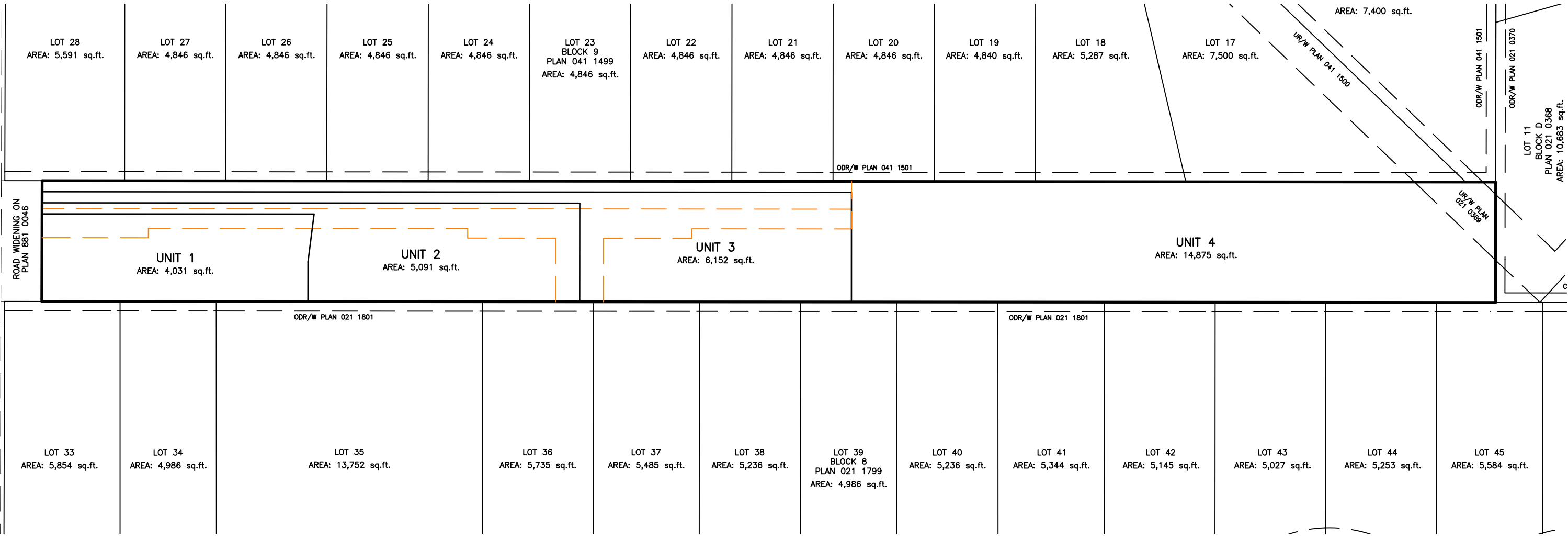








Unit 2 building has been 'flipped' and relocated on the parcel.



SKETCH SHOWING  
PARCEL WIDTHS & DEPTHS BASED UPON  
LAND USE BYLAW 1P2007

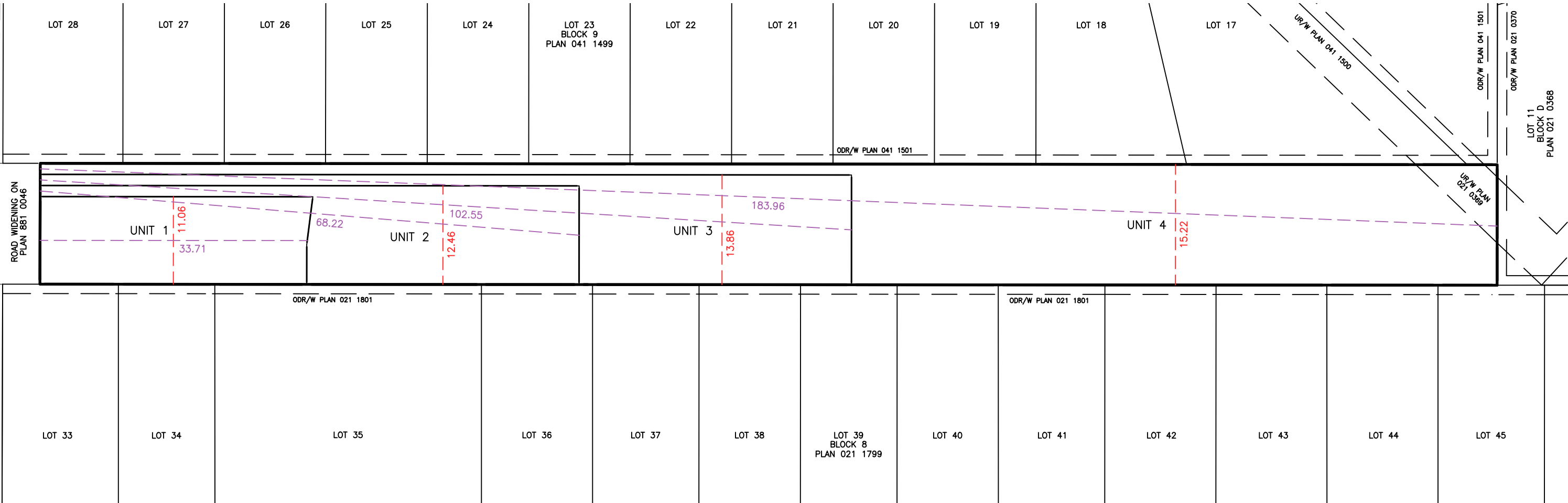
SCALE: 1: 500

- NOTES:
- 1. Distances are in metres.
  - 2. Lot width dimensions are shown in red.
  - 3. Lot depth dimensions are shown in purple.

SKETCH SHOWING  
PARCEL AREAS

SCALE: 1: 500

- NOTES:
- 1. Distances are in metres.







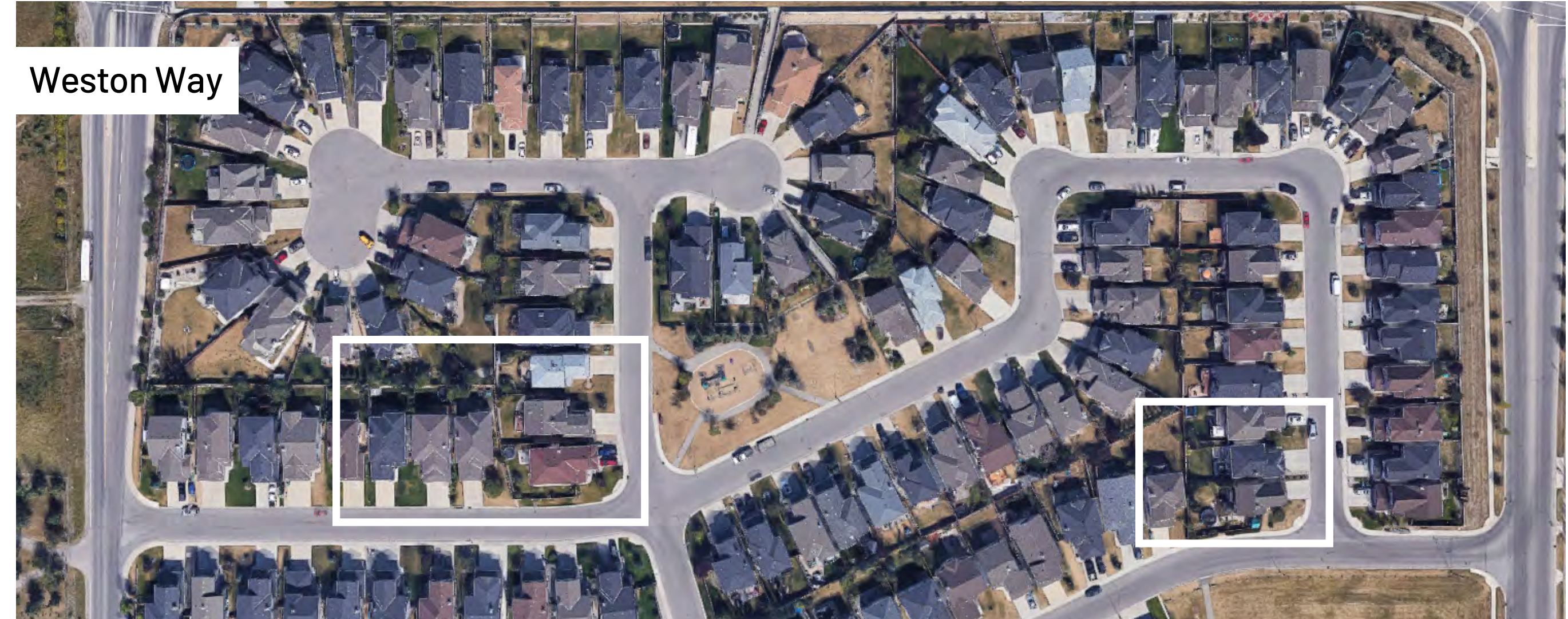
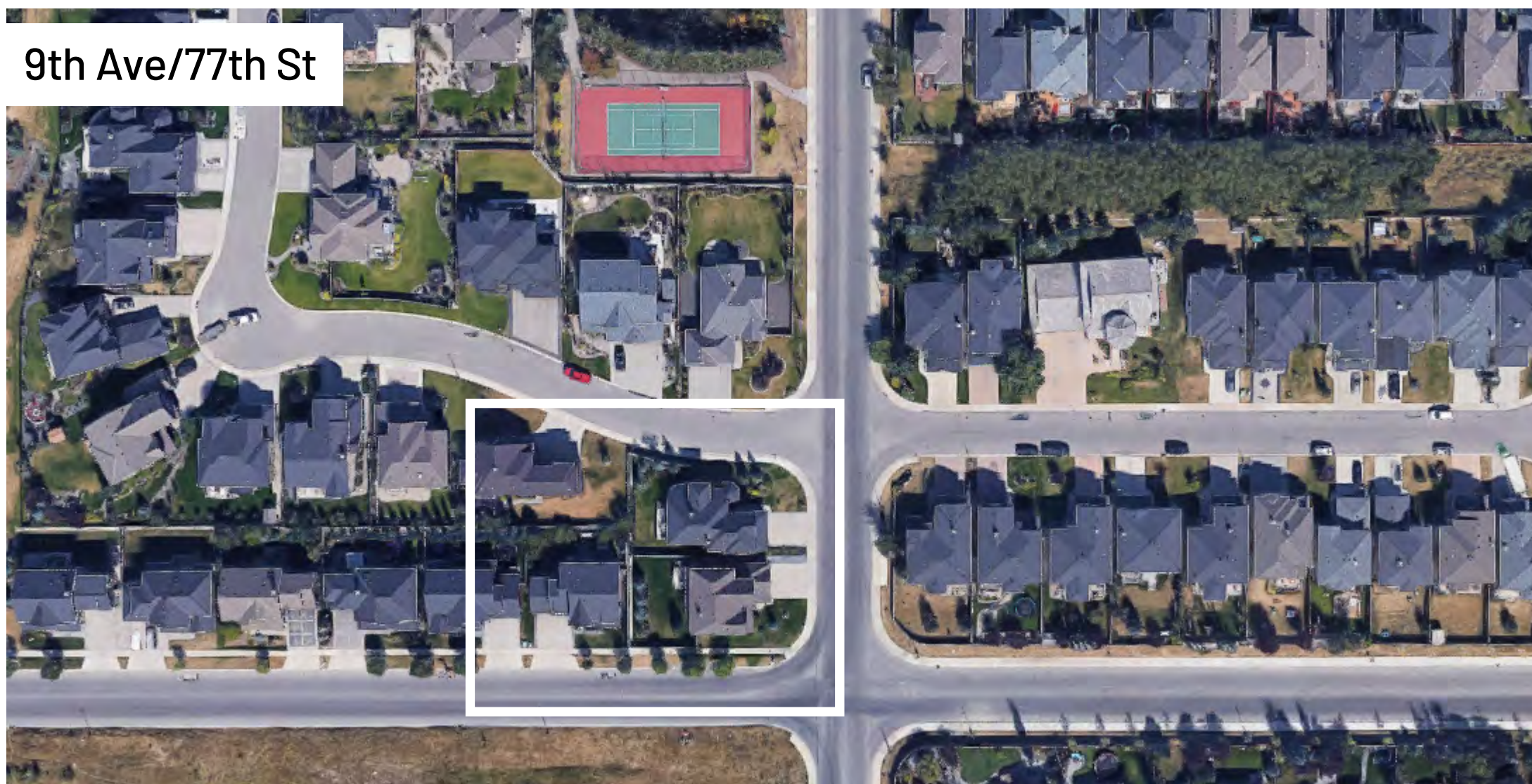
NORTH ELEVATION



WEST ELEVATION

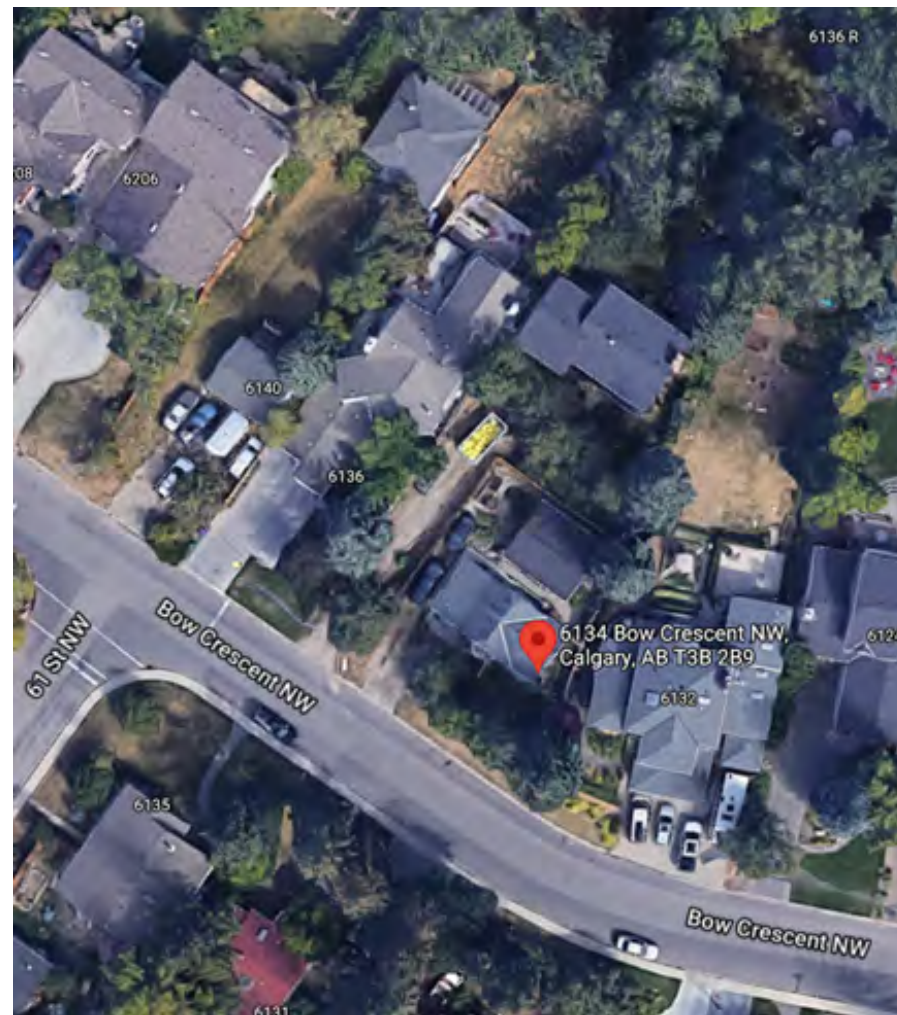
\*All side elevations (north/south) will adhere to the Alberta Building Code for glazing maximums - to be determined at subsequent stages.



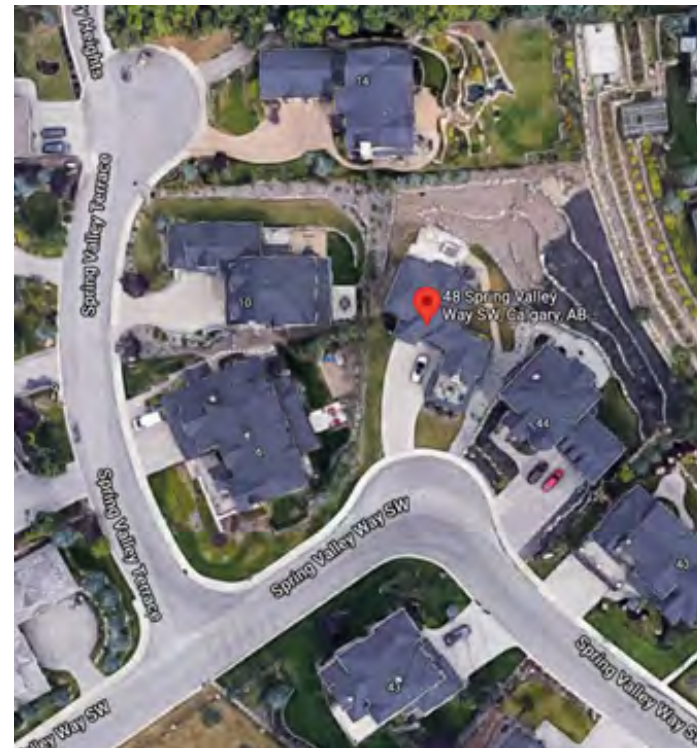




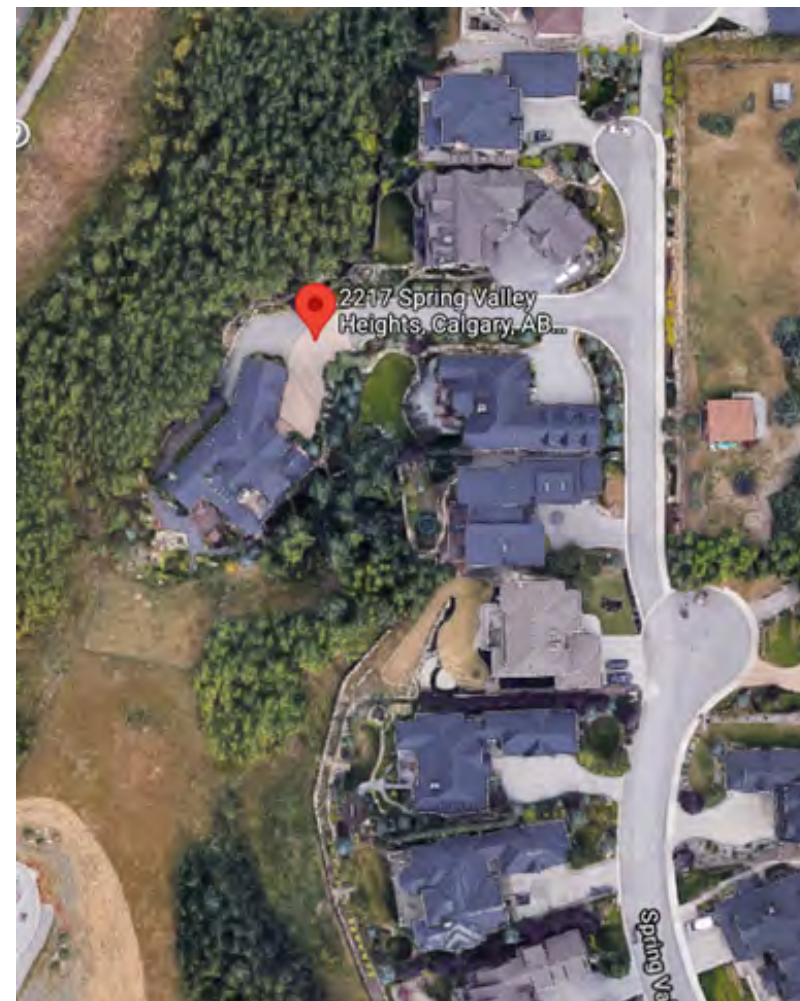
6134/6136 Bow Crescent NW



48 Spring Valley Wy SW



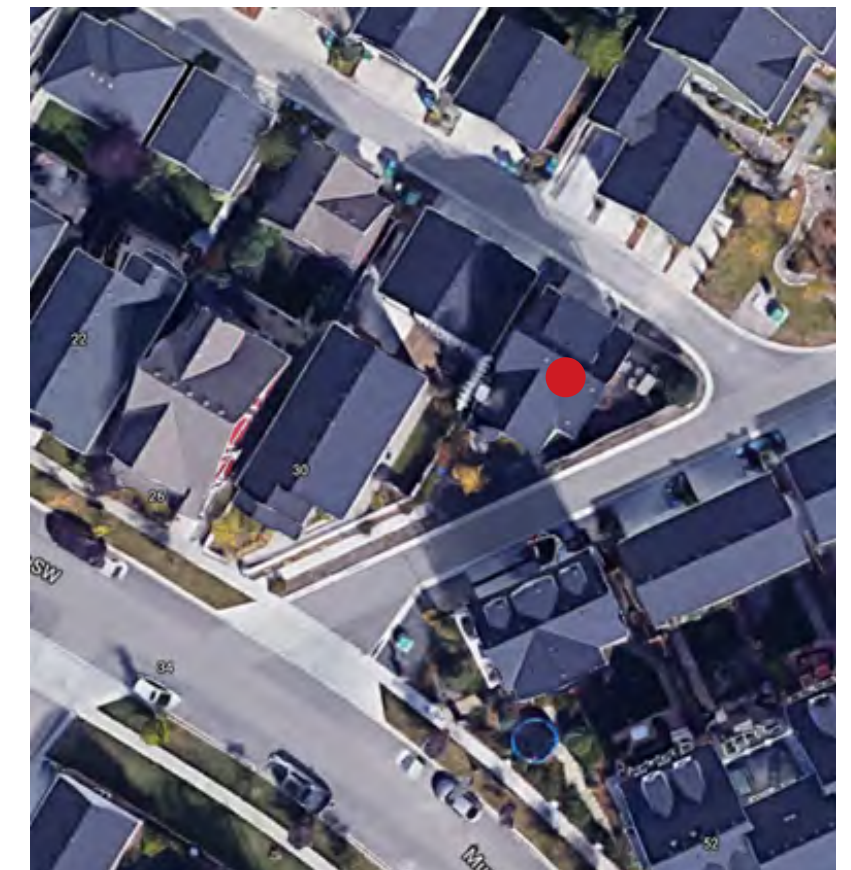
2217 Spring Valley Heights SW



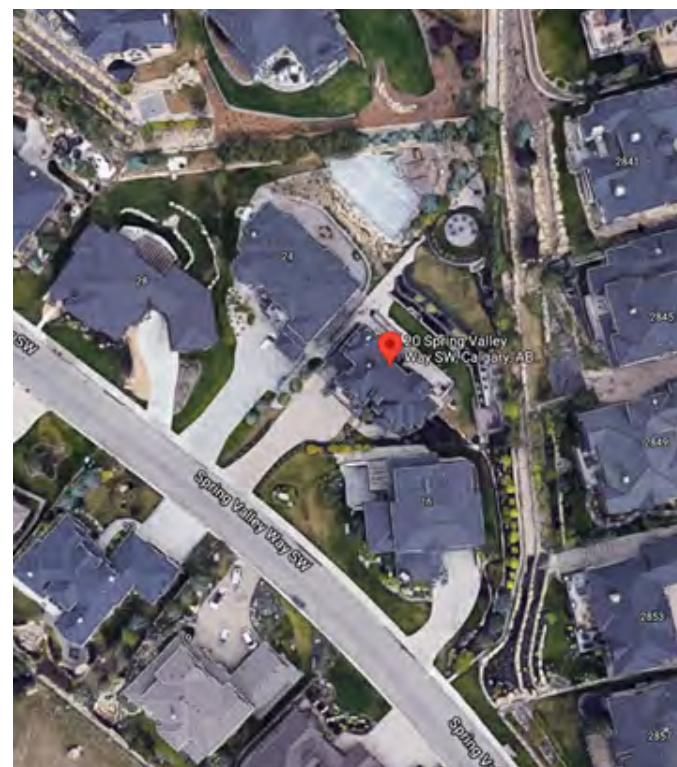
Dieppe Drive Southwest  
(innovation – Cottage house)



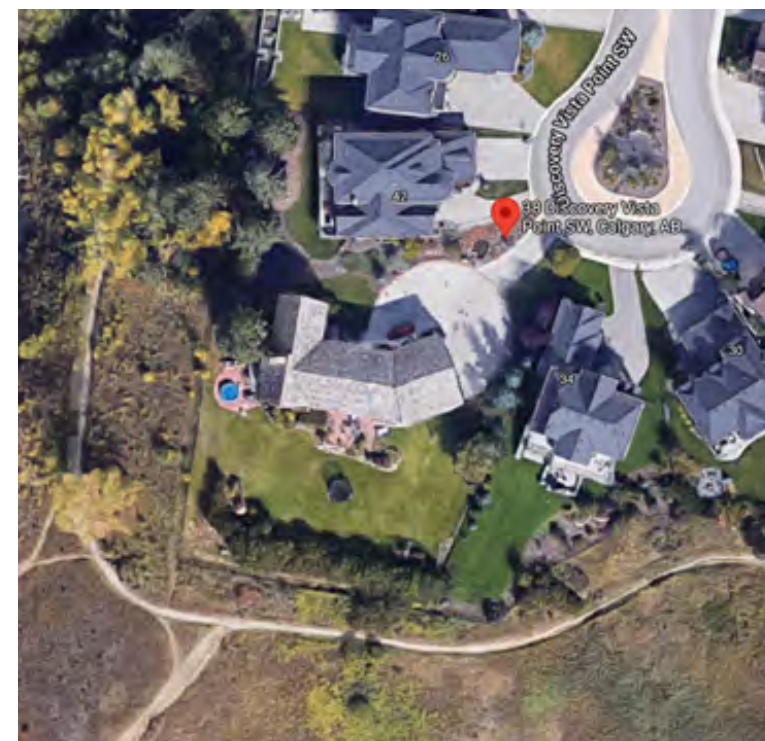
30 Murmansk Way SW



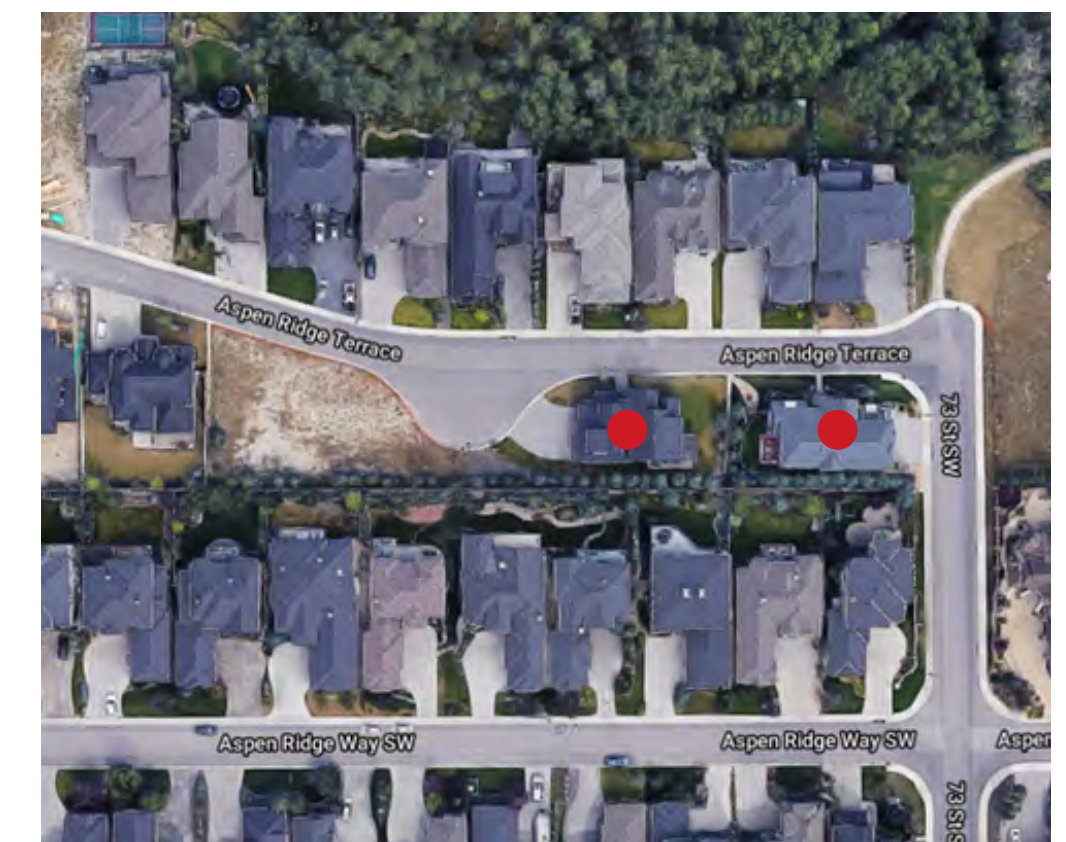
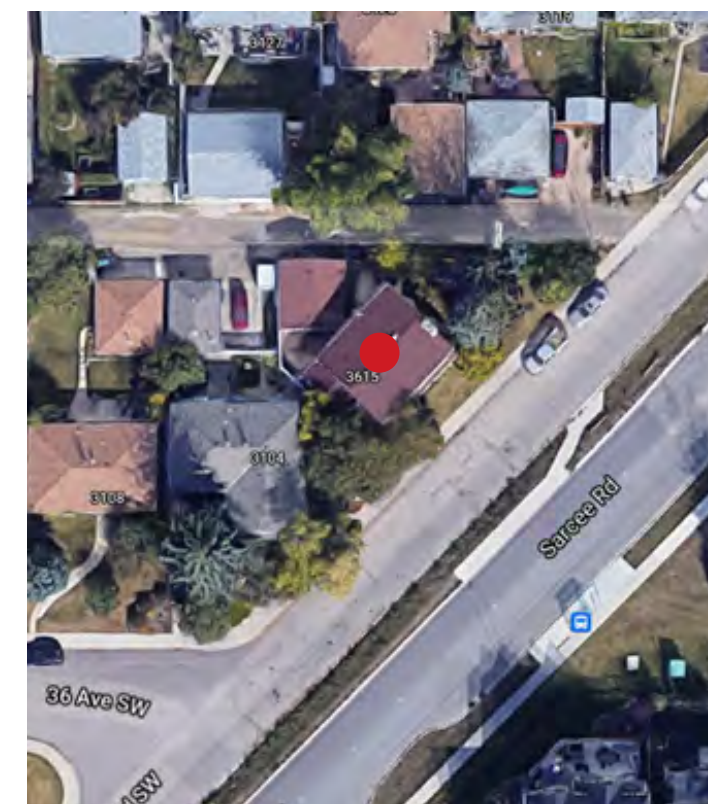
20/24 Spring Valley Wy SW



38 Discovery Vista Point SW

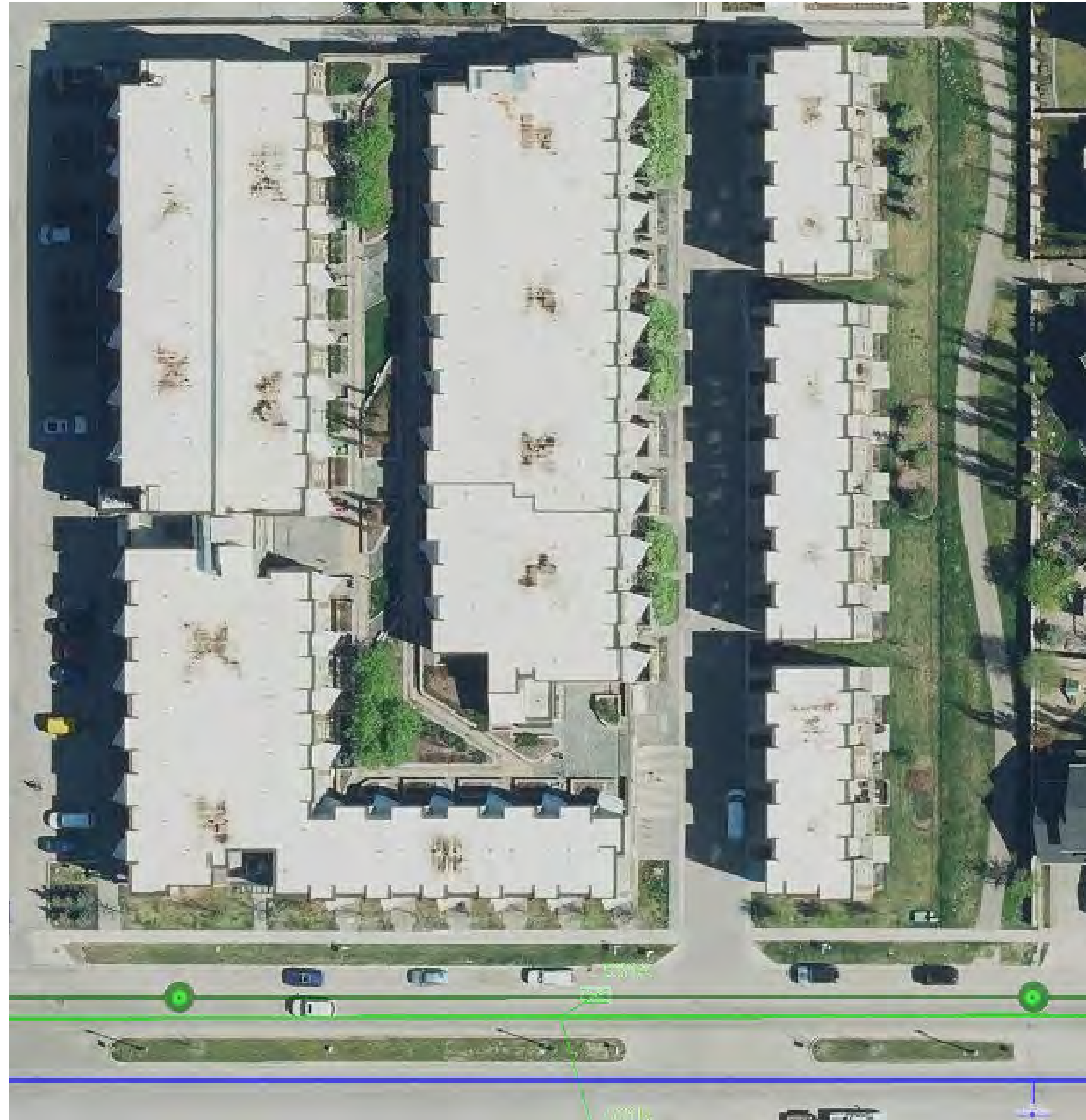


3615 Sarcee Road SW



Aspen Ridge Terrace (side  
orientation – non standard)





2-28 West Park Common SW



Shadow Analysis has been prepared for the 4 Unit Proposal March 21 at 2:00PM



Shadow Analysis has been prepared for a Single Home and Existing Trees - March 21 at 2:00PM



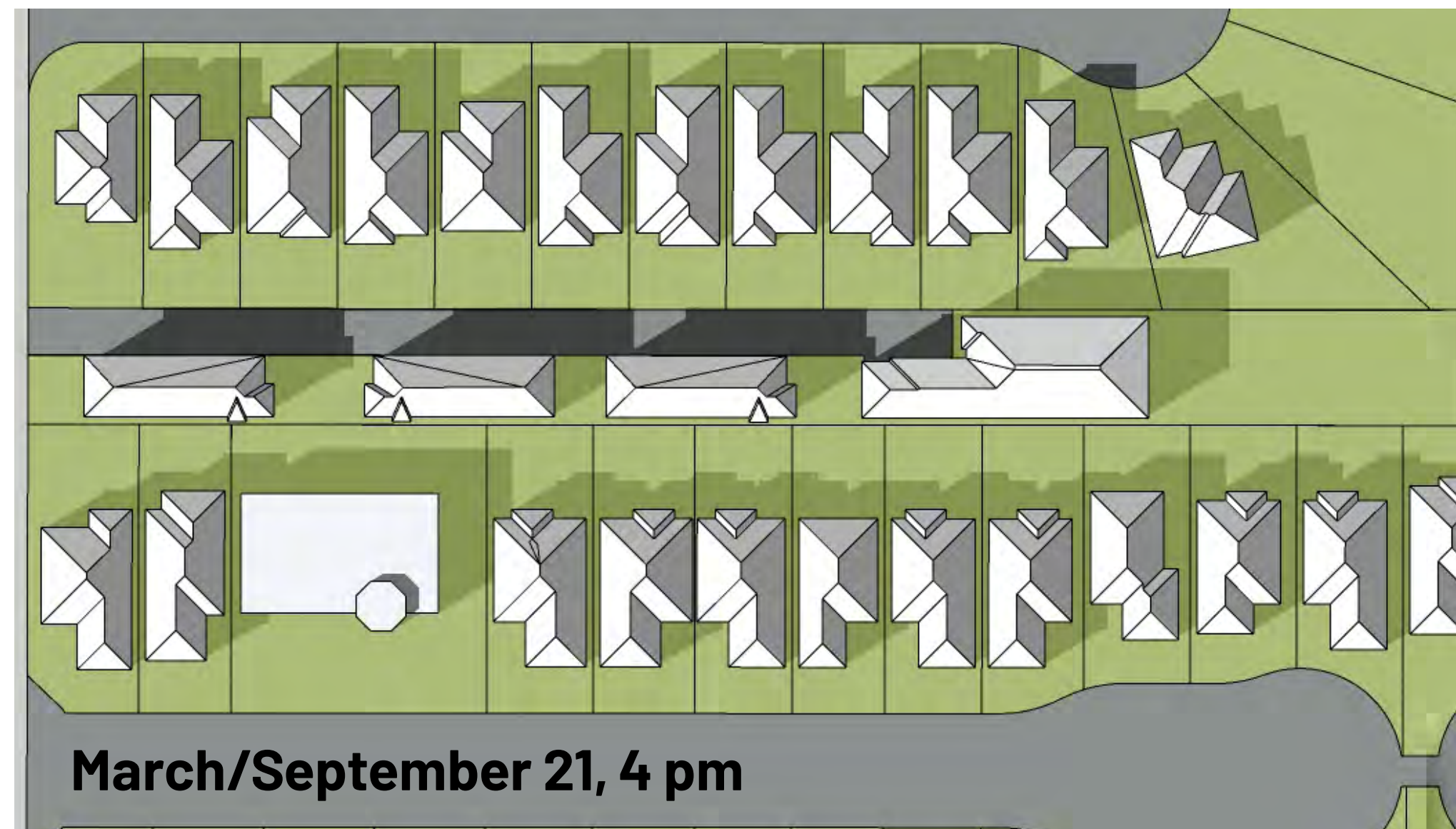
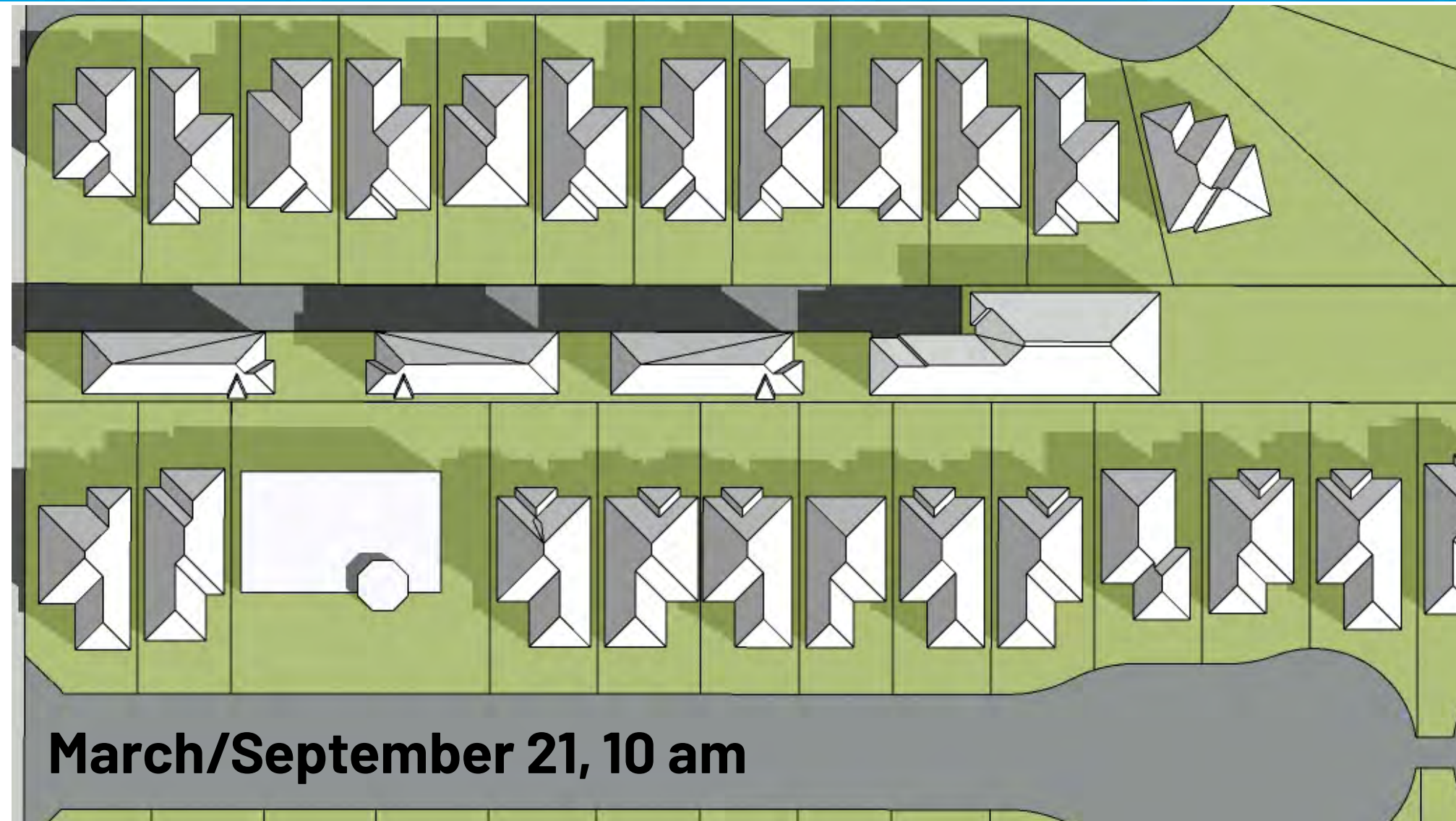
### WHEN ARE SHADOWS ANALYSED?

March/September 21  
10am, 12pm, 2pm, 4pm

June 21  
10am, 12pm, 2pm, 4pm

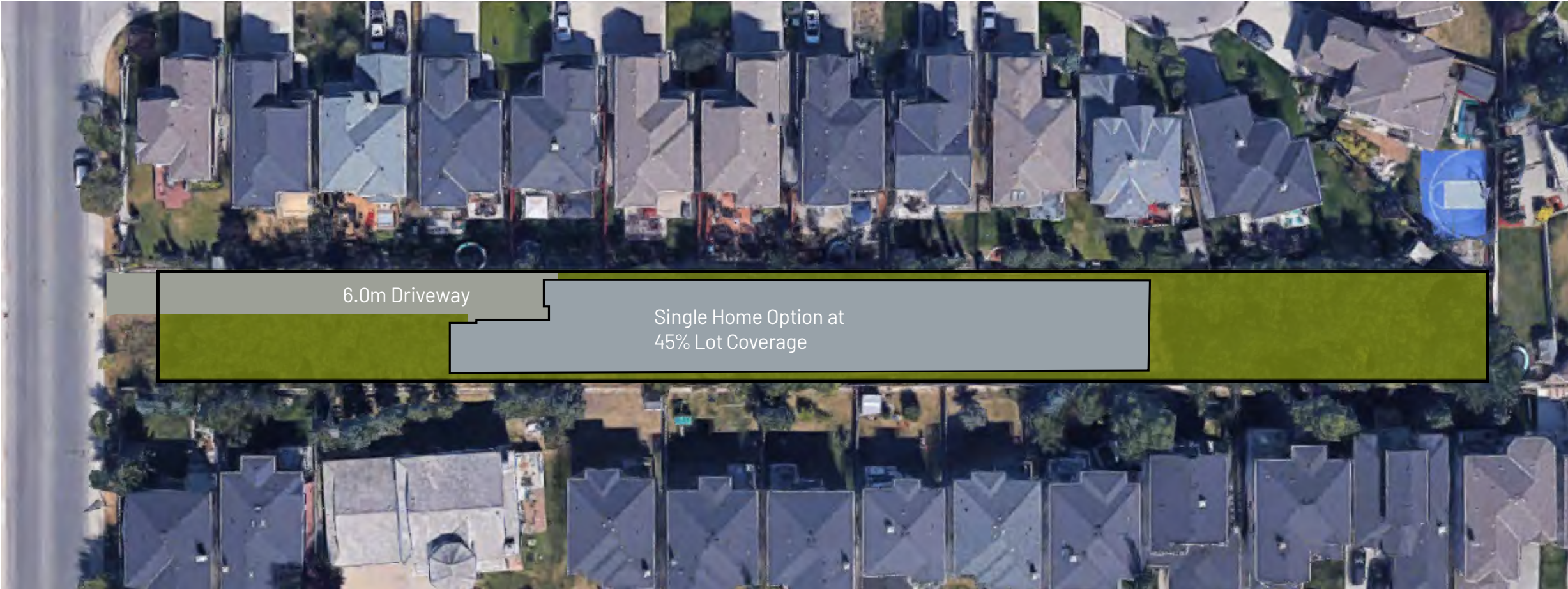
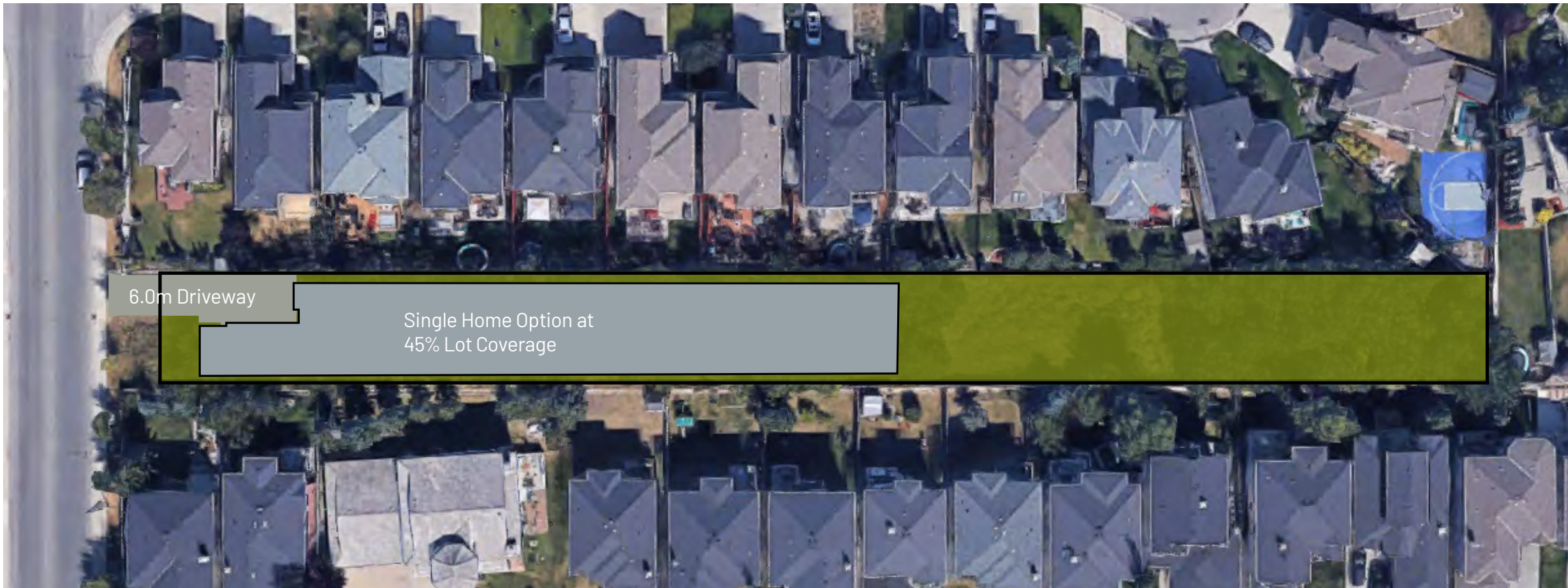
Dec 21  
10am, 12pm, 2pm, 4pm







POTENTIAL 1-HOME PLACEMENTS  
(For Illustration Purposes)



R-1S: 45% LOT COVERAGE ALLOWANCE in Land Use Bylaw

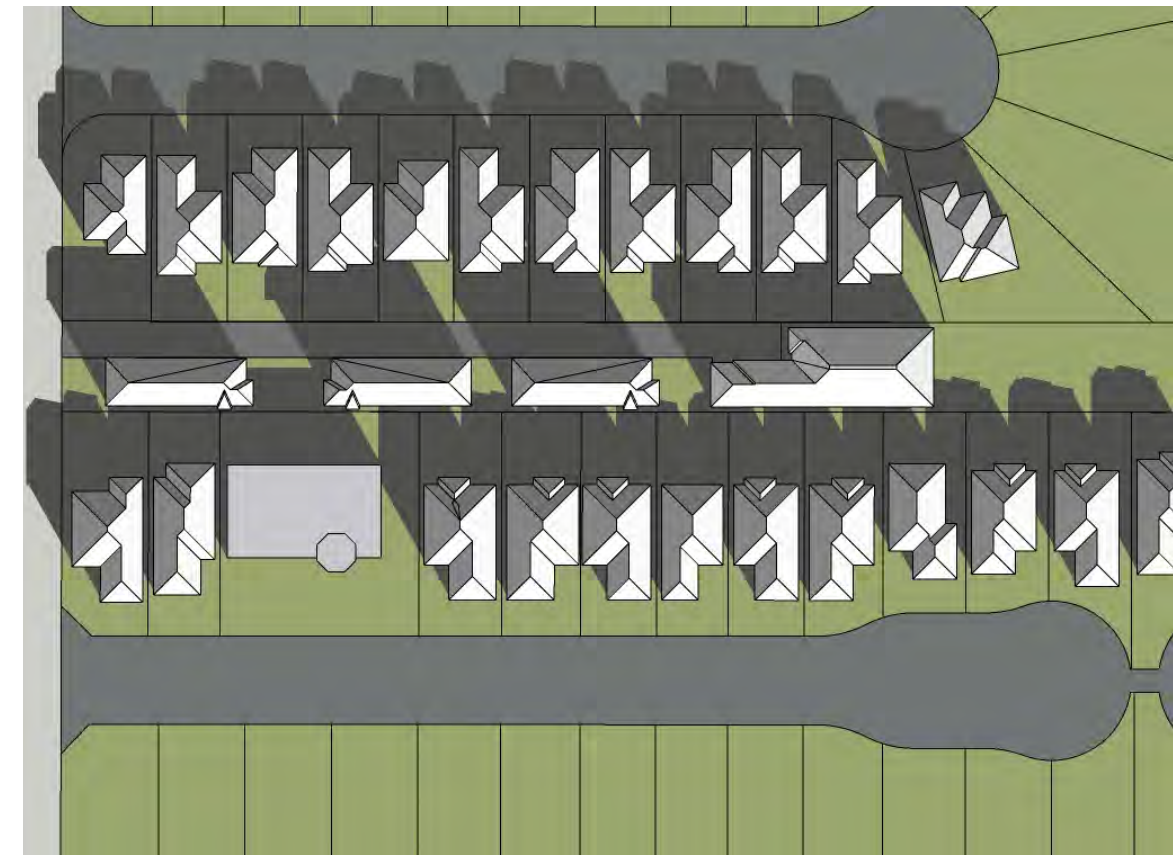




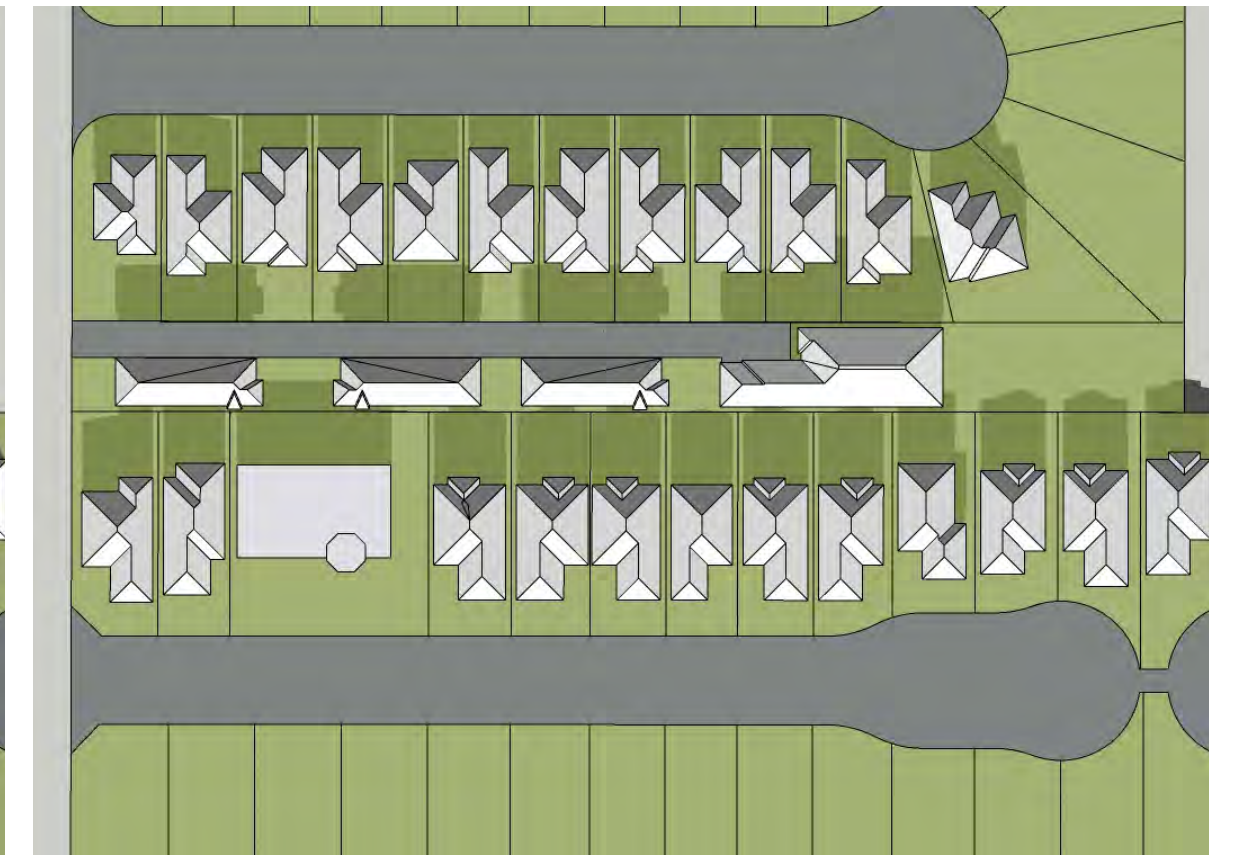
June 21, 10 am



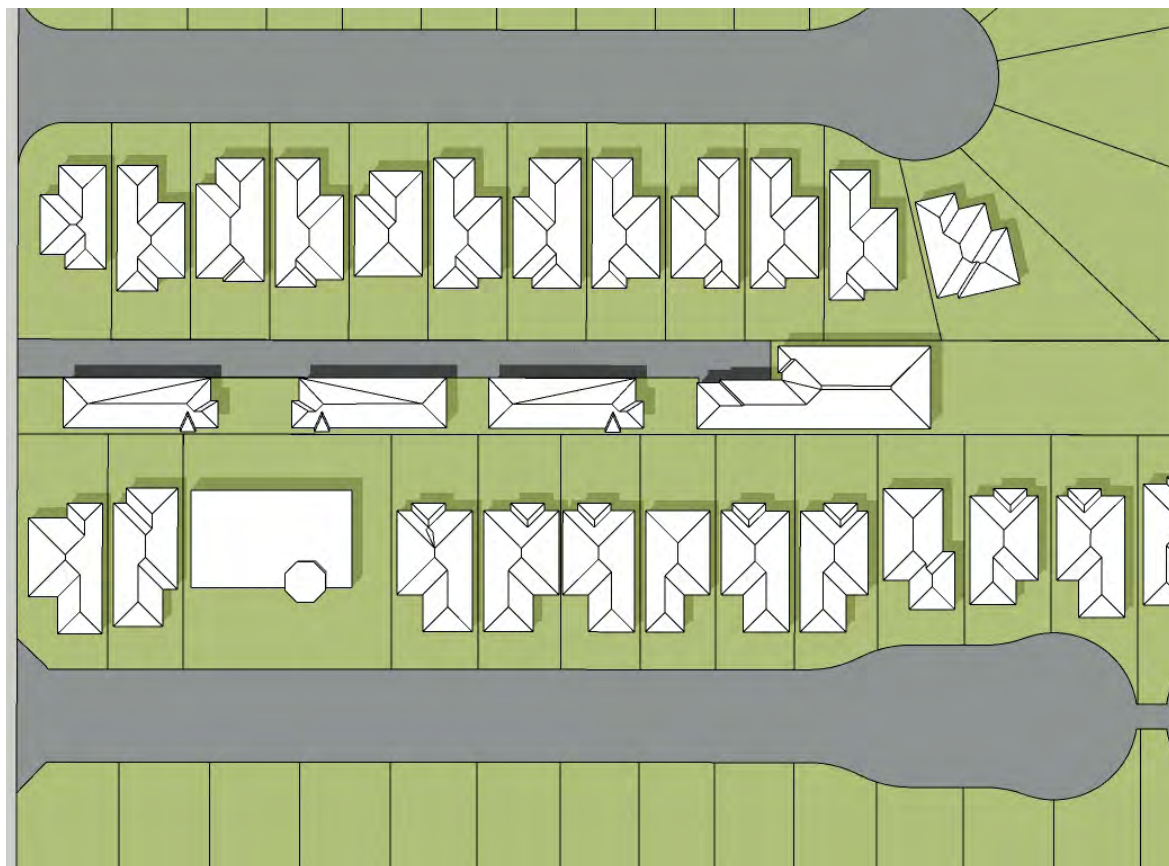
June 21, 12 pm



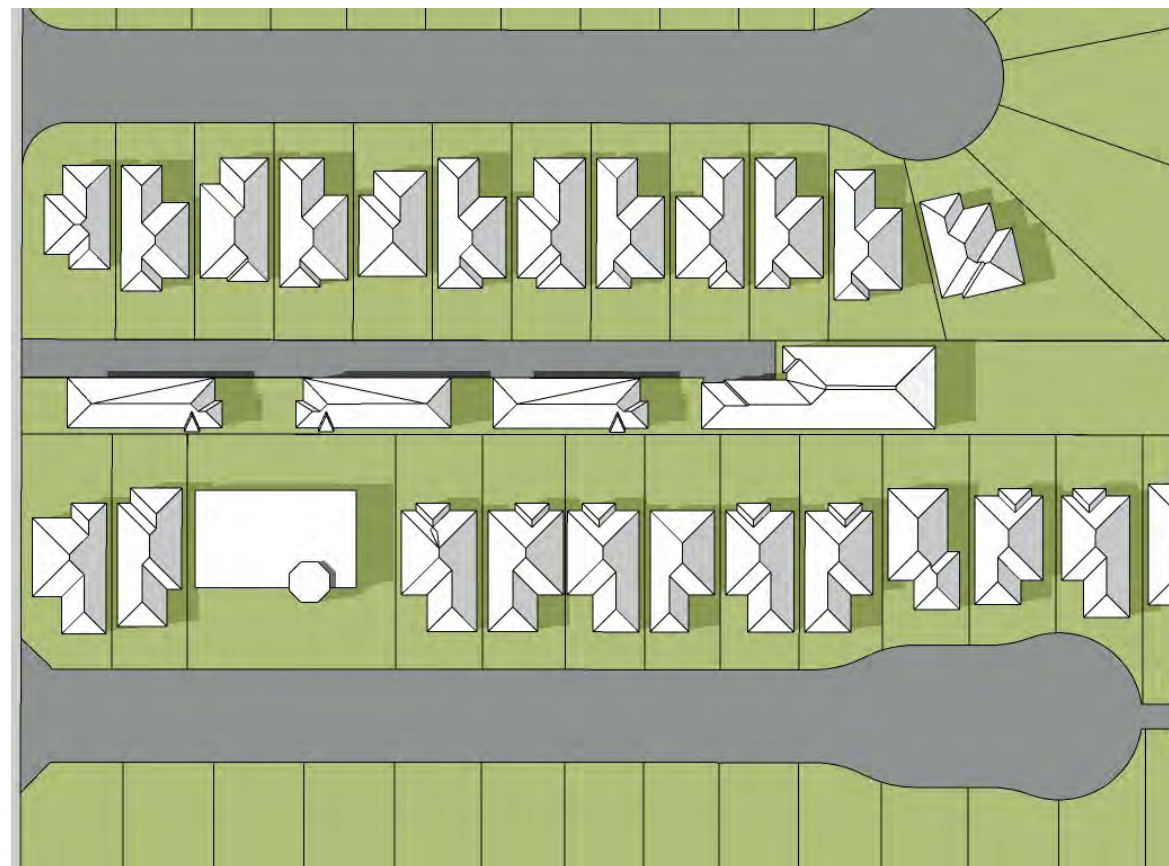
December 21, 10 am



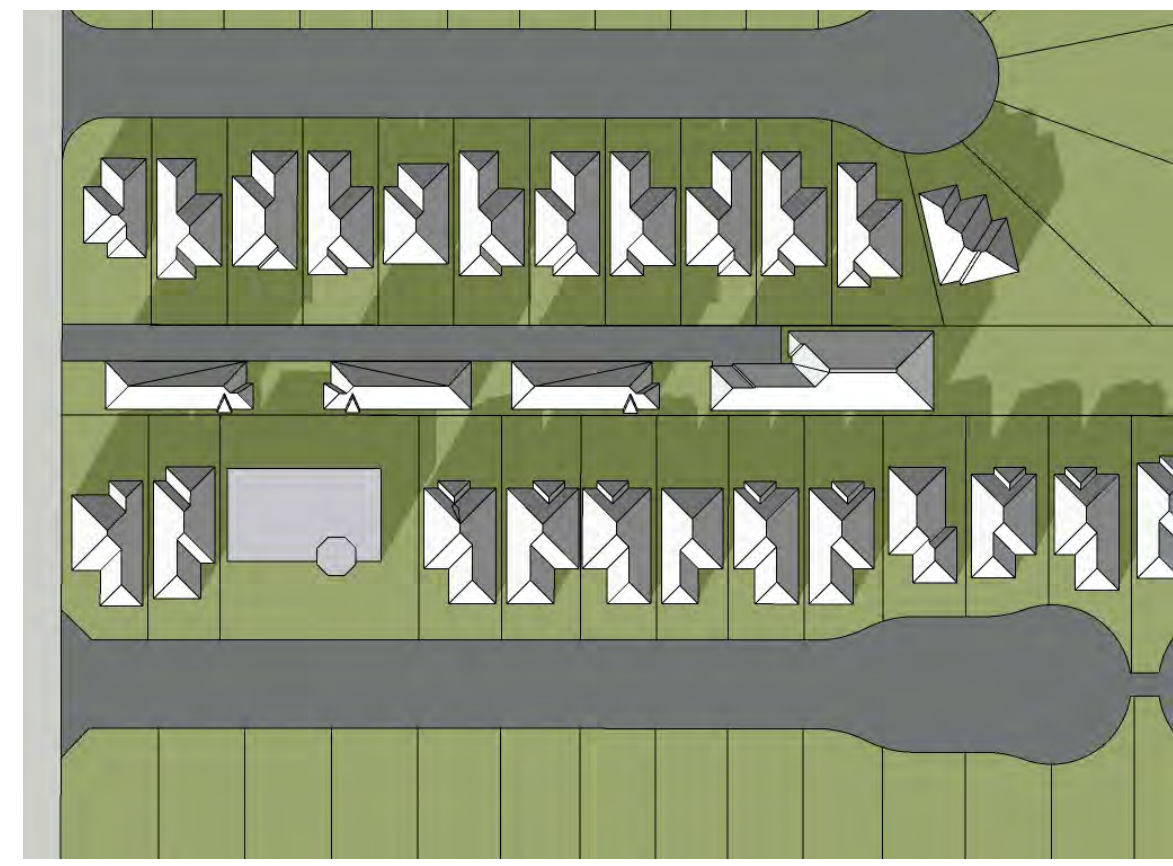
December 21, 12 pm



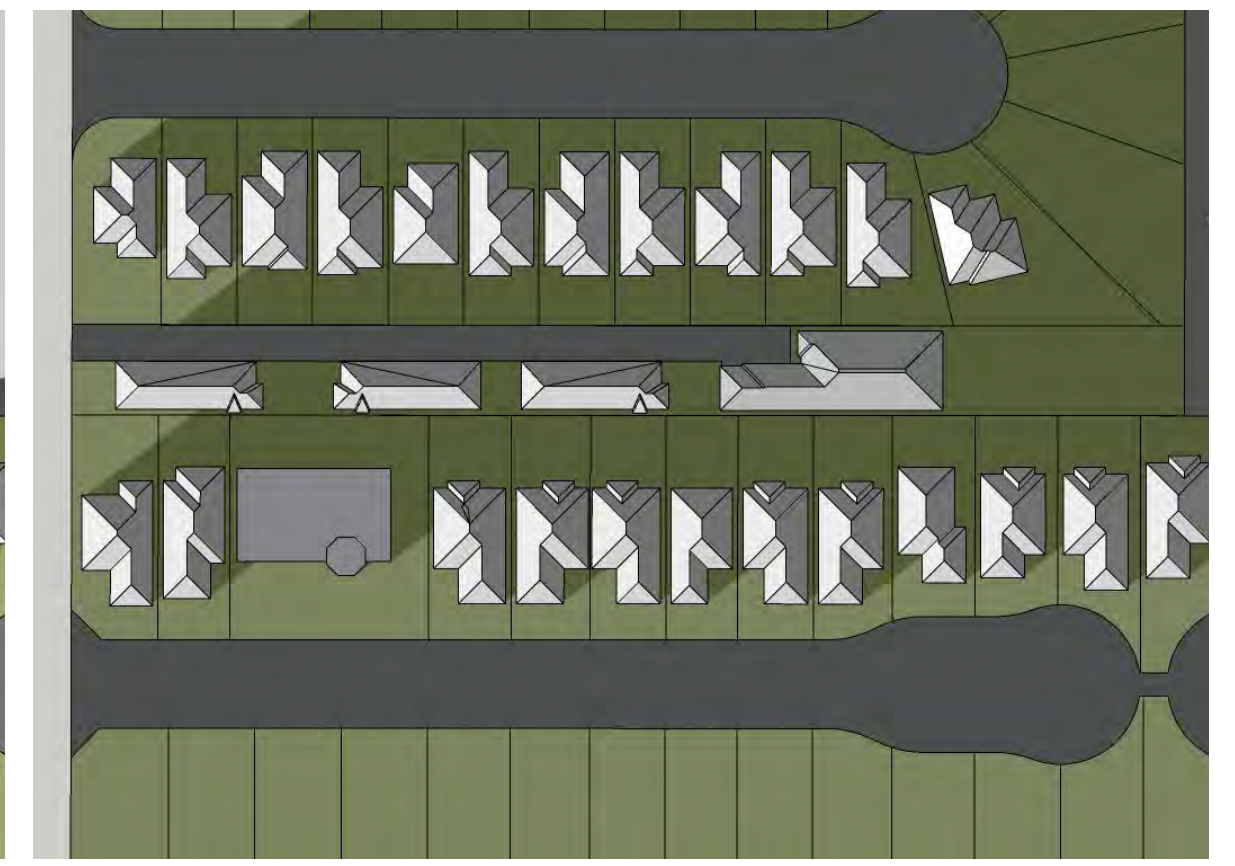
June 21, 2 pm



June 21, 4 pm



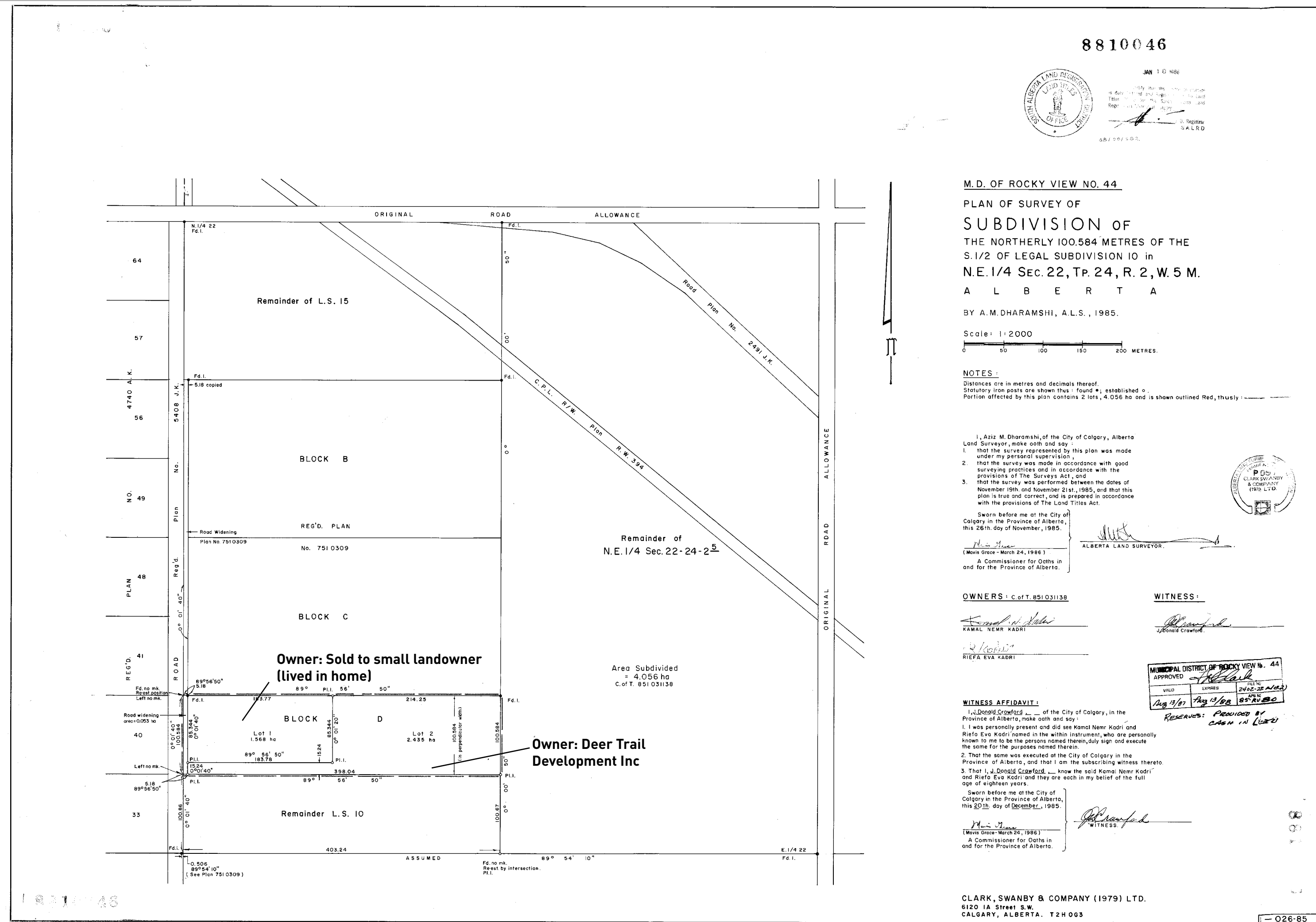
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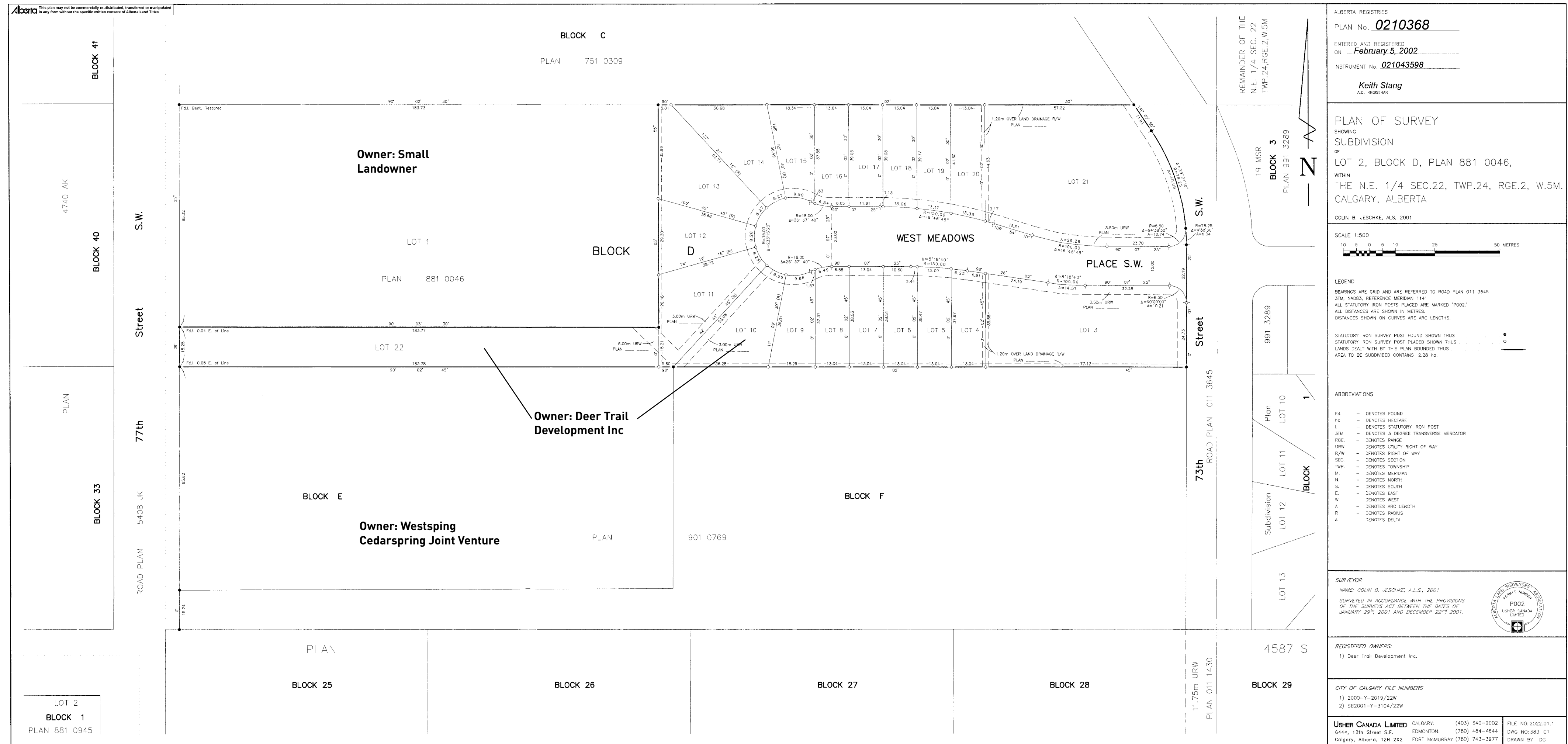
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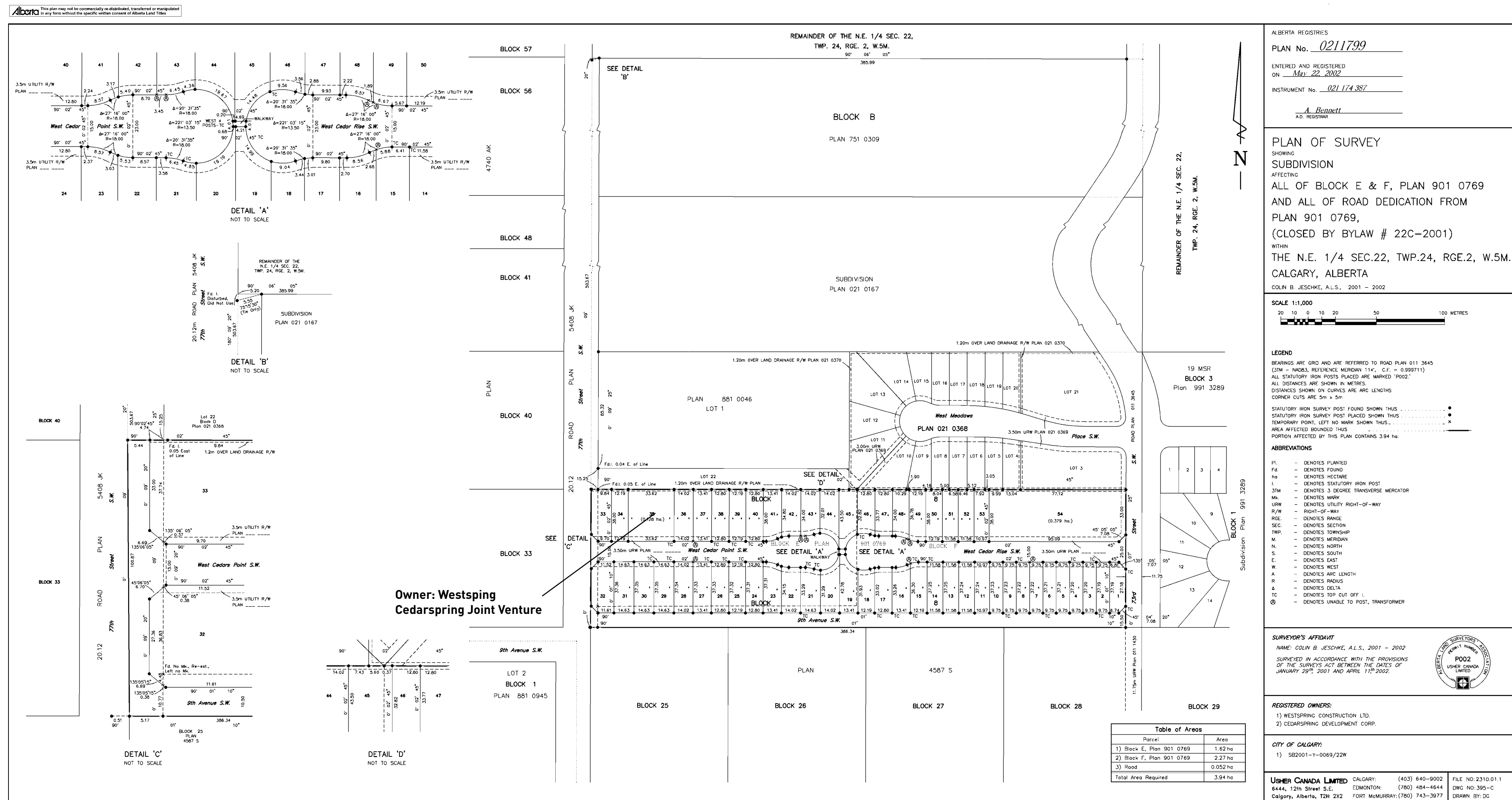
**Alberta** This plan may not be commercially re-distributed, transferred or manipulated in any form without the specific written consent of Alberta Land Titles



## February 2002 (Subject Lands) - East Parcel is Developed

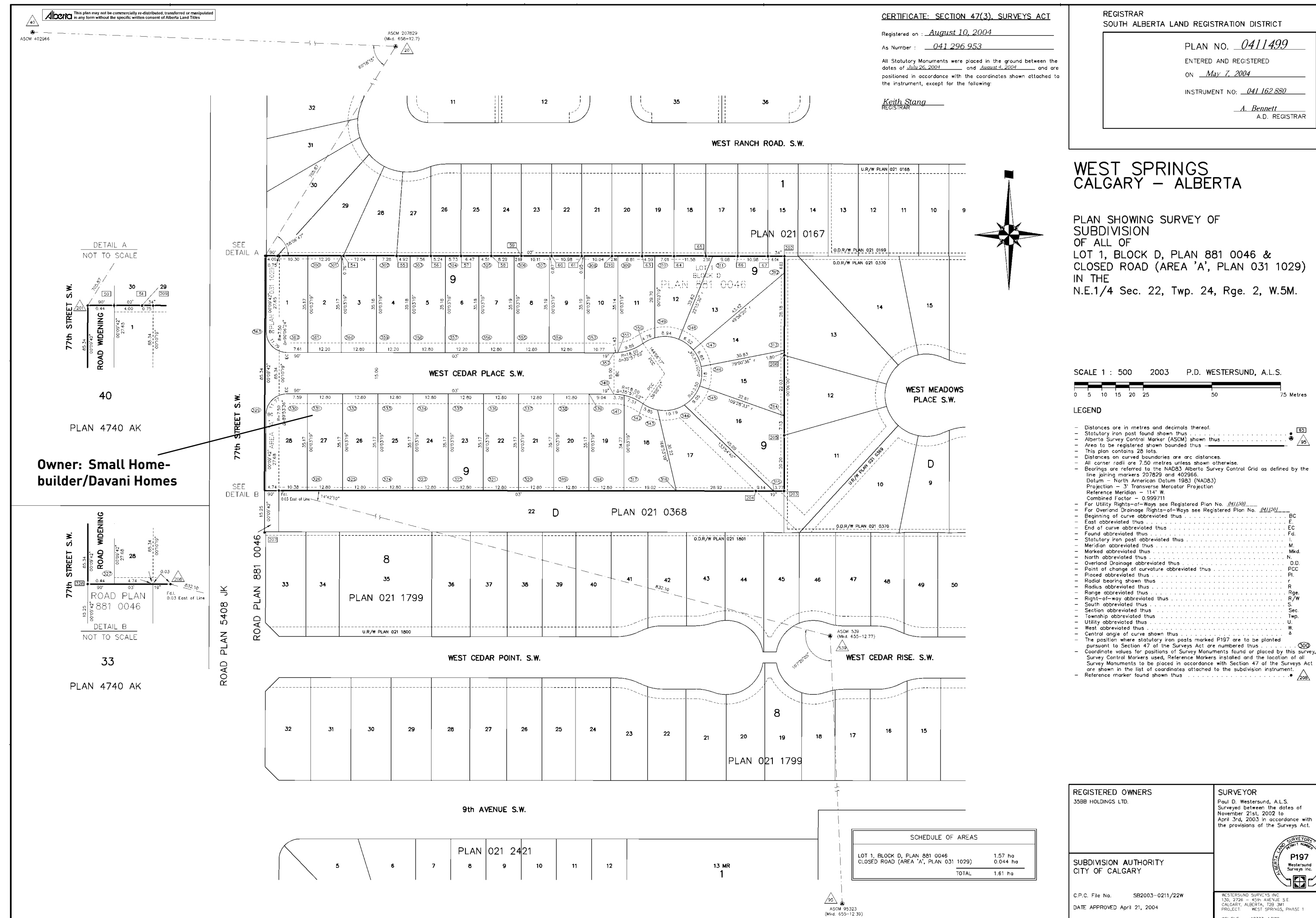


## May 2002 (Adjacent Lands - South) - Lands to the South are Developed





## May 2004 (Adjacent Lands - North) - Lands to the North are Developed







### Option 1: Comprehensive shadow plan to include the subject lands

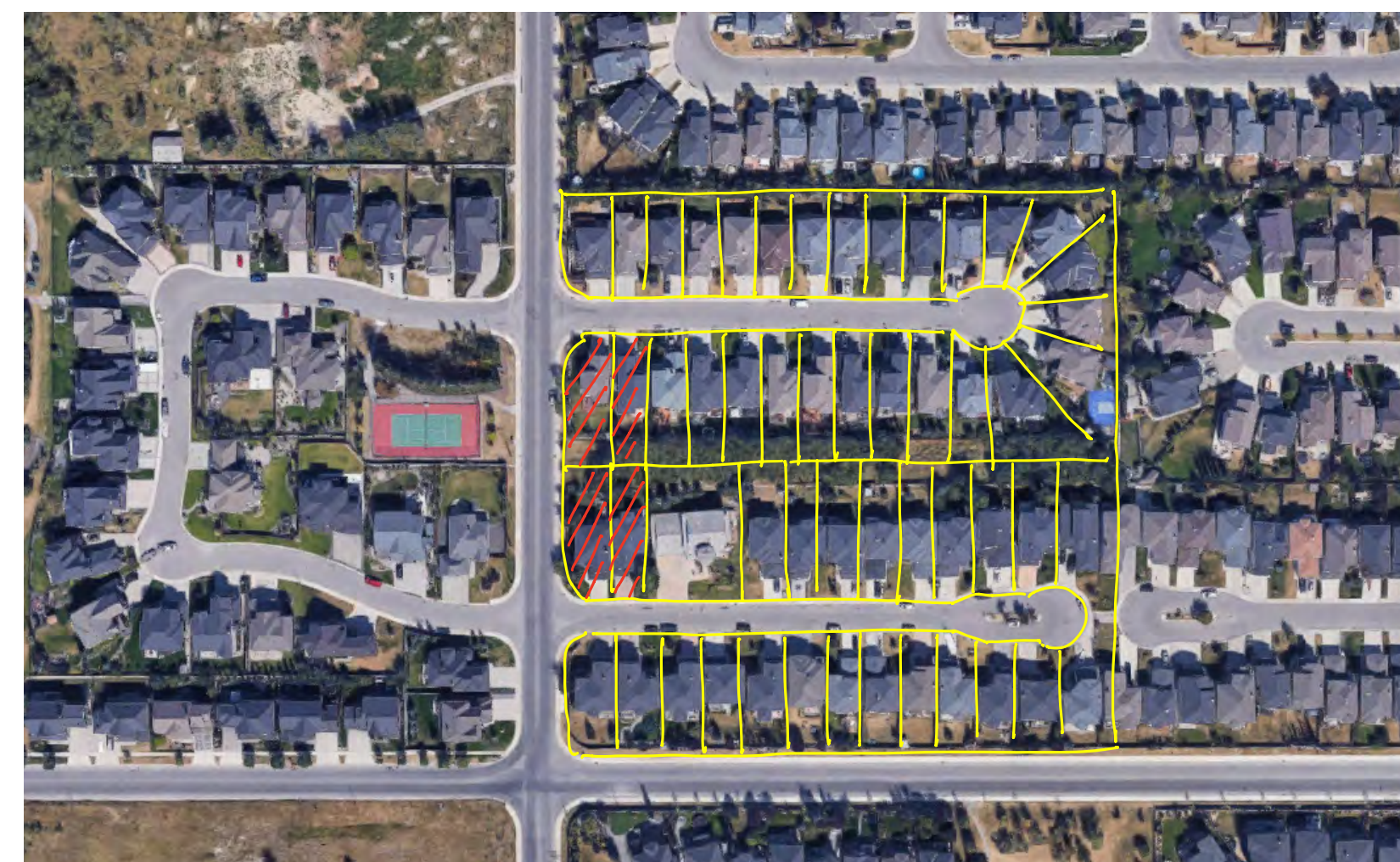
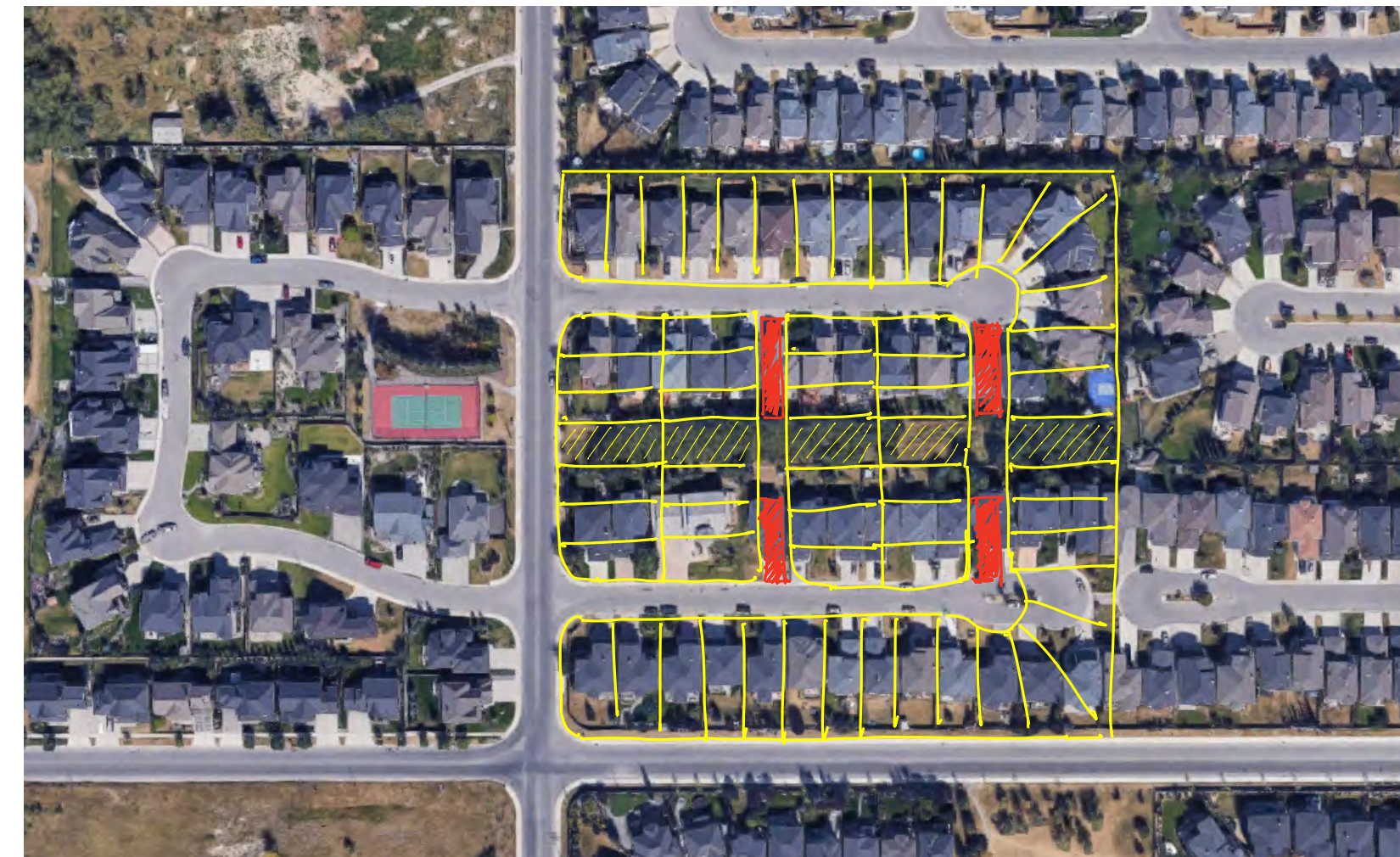
Had the area been comprehensively designed, the the early 2000's, it should have resulted in the creation of 5 lots for the subject lands, and the adjacent land owners would have provided additional land dedication for public roads (losing 2 lots each to roads).

### Road Dedication:

Each developer (north and south) was afforded two additional lots of development based on the current land situation.

### Option 2: Amalgamation of the property with the provision of lot swap

If the subject land were included within the applications, as in Option 2, then a land swap should have occurred, affording the owner the additional 4-5 lots gained that would have been dedicated to roadway.





## I. Introduction:

1. On March 16, 2021, The City of Calgary Subdivision Authority (the “Subdivision Authority”) refused Subdivision Application No. SB2020-0029 for the subdivision of a 0.280 hectare parcel at 882 – 77 St SW, in the community of West Springs (the “Parcel”).<sup>1</sup> The proposed subdivision would have created 4 bare land condominium units.<sup>2</sup>
2. The Land Use District for the Parcel is R-1s, Residential – One Dwelling District, wherein a single detached dwelling and secondary suite are both permitted uses.
3. The proposed subdivision required no relaxations to the Land Use Bylaw standards for parcel area, width, and depth. The units would have direct access to the adjacent 77 Street SW, and would be serviced to City standards. The Parcel’s topography was suitable for its intended use. The proposed density – 4 single detached dwellings – is compatible with the Land Use Concept in the West Springs Area Structure Plan.<sup>3</sup> The land in the vicinity of the Parcel has been developed as single detached dwellings.
4. Notwithstanding that the proposed subdivision of the Parcel met the relevant considerations that the subdivision authority must consider,<sup>4</sup> the Application was refused.
5. Section 654(3) of the *Municipal Government Act* (the “MGA” or the “Act”)<sup>5</sup> confers on a subdivision authority the discretion to “approve or refuse an application for subdivision approval.” It appears the subdivision authority relied on this discretionary power to refuse the application. It refused this application for the following three (3) reasons:
  - i. The proposed lotting pattern is out of character with the surrounding area.
  - ii. The proposed access easement will limit the practical use of the proposed lots, in that unimpeded access to the right-of-way will be required at all times. This means there will be no parking for visitors, service vehicles, etc.
  - iii. In the event that the utilities within the proposed utility right-of-way/access right-of-way need to be excavated, vehicular ingress/egress would be severely impeded.<sup>6</sup>

<sup>1</sup> Report to the Subdivision and Development Appeal Board (“SDAB Report”), April 29, 2021, re: Appeal No. 2021-0028, pp. 8-11.

<sup>2</sup> SDAB Report, p. 11.

<sup>3</sup> West Springs Area Structure Plan (West Springs ASP”), City of Calgary Bylaw 20P2012, Office Consolidation (December 2015), pp. 15-16.

<sup>4</sup> Subdivision and Development Regulation, AR43/2002, sec. 7 (the “Regulation”).

<sup>5</sup> Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 (“MGA”).

<sup>6</sup> SDAB Report, p. 10.



6. Notwithstanding that the MGA does not require that notice of this subdivision application be provided to adjacent land owners because the Parcel is contained within an area structure plan (the West Springs ASP) and a public hearing was held in connection with the ASP,<sup>7</sup> the Appellant conducted an information session with this group<sup>8</sup> and the following is a summary of their concerns and the responses of the Appellant<sup>9</sup>:

- i. **Height & Density** - The homes will be single family and compatible with the adjacent development including heights. In addition, the proposed density conforms to the West Springs ASP Urban Development Density Range, and the minimum parcel area density in the Land Use Bylaw More details about the proposed development dimensions have been shared in Appendix D thereto. Please note they are approximate dimensions and full building plans are still to be finalized.
- ii. **Transportation** - The driveway is private, and the condominium will be responsible for it, including its maintenance and repair. Each of the four homes will have a private access easement across the driveway. Both the City of Calgary and our transportation expert indicate that 77 Street SW can handle the volume of vehicles from four homes.
- iii. **Construction** - Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. Mr. Kadri would be pleased to have the current fencing catalogued pre-construction.
- iv. **Interface** - The project team recognizes that to date the adjacent owners have been fortunate to have the site remain undeveloped. It is a privately-owned parcel. The relationship of side yard to rear yard is a common interface. The proposal meets the R-1S guidelines. Exact landscaping and fencing details have not been finalized at this time. Details will be shared with neighbours when confirmed.
- v. **Shadowing** - Shadow studies have been completed and were shared in the information session, see Appendix A & B thereto. Most shadows are retained within the site. The

<sup>7</sup> MGA, s. 653(4.1).

<sup>8</sup> See Kadri Land, West Springs Subdivision Application "Information Session Presentation", June 30, 2020, at Tab 1 hereto.

<sup>9</sup> See Kadri Land, West Springs Subdivision Application "Adjacent Neighbour Outreach Summary", September 2020, at Tab 2 hereto.

current trees create more of a shadow today than the new homes, though we understand that trees provide a nice buffer.

- vi. **Safety** – The project team has met with the City of Calgary and the proposed site plan meets the rules set out by the Fire Department. The access road has been designed to accommodate fire trucks and the hydrant is within their specifications.<sup>10</sup>
- vii. **Servicing** - Water runoff from site to be handled in two ways. Firstly, the existing City of Calgary drainage swales to north and south of property have an allowance for site discharge. Secondly, due to the development of the site, an additional catch basin with flow control and surface ponding will be provided at the east end of site to manage stormwater and ensure permissible release rates are not exceeded. Snow removal will be appropriately handled by the condominium association largely through onsite storage. Further discussion is required with the City of Calgary for residential garbage removal.
- viii. **Green Space** - These lands are private and are not part of the community's open space allocations. These lands have never been owned by the City nor allocated as Reserves. The City is not interested in making this land a park. All development has an impact on wildlife and City policies look to balance this through proper Open Space allocations within communities.

These concerns of adjacent land owners were shared with the subdivision authority. The adjacent land owners also addressed their concerns directly to the subdivision authority and these concerns were taken into account in its decision.<sup>11</sup>

7. In *Planning Law and Practice in Alberta*, the authors opine on the proper exercise of a subdivision's authority's discretion under s. 654(3) in refusing a subdivision application that complies with the Act, the Regulation, all adopted plans, the applicable land use bylaw and where it has determined that servicing is available and that the land is physically suitable for the proposed subdivision:

Section 654(3) of the Act expressly confers a discretion on a subdivision authority to approve or refuse a subdivision. This begs the question: Can an authority lawfully refuse a subdivision application where it has found it to comply with the Act, the Regulation, all adopted plans, the applicable land use bylaw and where it has determined that servicing is available and that the land is physically suitable for the

<sup>10</sup> See "Summary of Fire Safety" at Tab 3 hereof.

<sup>11</sup> SDAB Report, pp. 102-139.

proposed subdivision? The better view is that an authority has such power, but only where there are planning concerns arising out of the subdivision that have not been specifically addressed in the Act, the Regulation, the applicable statutory plans and the land use bylaw, or are otherwise of overriding importance (emphasis added).<sup>12</sup>

## II. Issues

8. Are the planning concerns raised by the Subdivision Authority in its reasons for refusal not specifically addressed in the Act, the Regulation, the applicable statutory plans and the land use bylaw, or are otherwise of overriding importance?
9. Are the planning concerns raised by the adjacent land owners not specifically addressed in the Act, the Regulation, the applicable statutory plans and the land use bylaw, or are otherwise of overriding importance?
10. If such planning concerns exist that have not been so addressed or are otherwise of overriding importance, have these planning concerns nevertheless been adequately addressed by the Appellant?

## III. Arguments of the Appellant

### **Compliance with the Act, the Regulation, the applicable statutory plans and the land use bylaw**

11. Section 654(1) of the Act states that a subdivision authority must not approve an application for subdivision approval unless
  - (a) The land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
  - (b) The proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
  - (c) The proposed subdivision complies with this Part and part 17.1 and the regulations under those parts, and
  - (d) All outstanding property taxes on the land proposed to be subdivided have been paid ....

<sup>12</sup> *Planning Law and Practice in Alberta*, 4<sup>th</sup> edition, by Frederick A. Laux, Q.C. and Gwendolyn Stewart-Palmer, Juriliber, Edmonton, AB, 2019 ("Laux"), p. 12-22.



### Suitability for Intended Purpose

12. The land use designation of the Parcel is R-1s. The intended purpose of the subdivision is to accommodate development of single detached dwellings, which is a permitted use. The land is suitable for the intended purpose, and the subdivision authority did not opine otherwise.

### MDP Compliance

13. The applicable statutory plans are the Municipal Development Plan (“MDP”) and the West Springs Area Structure Plan. The applicable policies of the MDP are found in Section 2.3.2, Respecting and Enhancing Neighbourhood Character, in particular:

2.3.2(a) Respect the existing character of the low-density residential areas, while still allowing for innovative and creative designs that foster distinctiveness, and

2.3.2(c) Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern.

This long and (relative to its length) narrow Parcel, situated between single detached lotting patterns to the north and south that orient perpendicularly to the Parcel, does pose development challenges. However, the subdivision solution proposed – with panhandles on units 2 -4 extending to 77 Street SW, thereby allowing for a west-east orientation of front and rear yards to take advantage of the Parcel’s length and at the same time meet the parcel width depth and area minimums of the Land Use Bylaw – is an innovative solution that respects the low density of the surrounding neighbourhood.

The interface of the proposed side yards, 6.0m to the adjacent rear yards to the north and 1.2m to the adjacent rear yards to the south, do not create a dramatic contrast to the neighbourhood’s physical development pattern. The West Springs ASP area lacked comprehensive planning in the sense that smaller 5-acre parcels were typically subdivided and developed as residential blocks rather than being subdivided and developed comprehensively. The residential development around West Cedar Point and West Cedar Place are typical of the area. Such development patterns created inefficiencies and, arguably, resulted in the Parcel not being part of a more comprehensive subdivision of the northerly or southerly parcels. Irregular lotting patterns are common in West Springs,<sup>13</sup> so the proposed subdivision would not create a dramatic contrast.

<sup>13</sup> See “Information Session Presentation” at Tab 1, p. 6.

## ASP Compliance

14. The Parcel is situated within an area described as the West Springs North Neighbourhood in the West Springs ASP.<sup>14</sup> The proposed subdivision conforms to the following ASP policies:

4.2 Existing Servicing Infrastructure – The West Springs North Neighbourhood is within an area of the city that has already been serviced to an urban standard. Using existing infrastructure creates monetary savings for The City taxpayers.

### 4.5.1 General Policies

3. Development should be integrated with adjacent areas by ensuring appropriate transition in building height, scale and intensity of uses.
4. Residential development should incorporate a mix of unit sizes and types to provide diversity in housing choice.

Development of the units that would be created by the proposed subdivision will be done in compliance with the standards of the Land Use Bylaw, thereby ensuring an appropriate transition in building height, scale and intensity of uses. The Parcel could, by its size, accommodate a density of five (5) residential units but only four (4) units are proposed. This allows the proposed subdivision's private roadway to comply with the maximum length under the Fire Department's standards for a roadway without a sufficient turn-around to accommodate a fire truck.

The proposed subdivision will create units (1 – 3) that will accommodate slightly more modest single detached dwellings than the existing housing stock in the surrounding area. All units may incorporate secondary suites (a permitted use under R-1s) into their development. This would provide a diversity of housing choice.

## Compliance with the Regulation

15. Section 7 of the Subdivision and Development Regulation sets out the “Relevant Considerations” that a subdivision authority must apply to its decision on whether to approve a subdivision application. The Relevant Considerations are as follows:

7 In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application,

<sup>14</sup> West Springs ASP, pp. 15-16.

- (a) its topography,
- (b) its soil characteristics,
- (c) storm water collection and disposal,
- (d) any potential for the flooding, subsidence or erosion of the land,
- (e) its accessibility to a road,
- (f) the availability and adequacy of a water supply, sewage disposal system and solid waste disposal,
- (g) in the case of land not serviced by a licensed water distribution system and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the *Private Sewage Disposal Systems Regulation* (AR 229/97) in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems as identified in section 4(4)(b) and (c),
- (h) the use of the land in the vicinity of the land that is the subject of the application, and
- (i) any other matters that it considers necessary to determine whether the land that is the subject of the applications is suitable for the purpose for which the subdivision is intended.

16. The subject application responded to three (3) rounds of Detailed Team Reviews, submitted a Development Site Servicing Plan, and satisfied the subdivision authority with respect to access, servicing, and other relevant considerations described above.<sup>15</sup>

#### **Compliance with the Land Use Bylaw**

17. The subject application complies with the Land Use Bylaw applicable uses and standards. No relaxations with respect to parcel depth, parcel area, parcel length or such other applicable standards under R-1s were required, contrary to the claim by the West Springs/Cougar Ridge Community Association in its letter to the subdivision authority dated March 23, 2020.<sup>16</sup>

<sup>15</sup> SDAB Report, pp. 74-81. See also the approved DSSP at Tab 4 hereof.

<sup>16</sup> SDAB Report, pp. 102-103.



## Exercise of Discretion to Refuse the Subdivision Application

18. Notwithstanding the subdivision application's apparent compliance with the Act, the Regulation, the MDP, the ASP, and the Land Use Bylaw, the subdivision exercised its discretion to refuse the application. The Appellant is not aware of any judicial or quasi-judicial interpretation of how this discretion under s. 654(3) of the Act should be exercised. We are, however, persuaded by the logic of the interpretation advanced by Laux (see para. 7 above), and by the high regard that this academic text on planning law in Alberta is held by those who practice in this area. We recommend that the Board accept this interpretation. If the Board accepts this interpretation, the test for refusing this subdivision application is that it presented planning concerns that were not adequately addressed through the approval criteria described above or are otherwise of overriding importance. In that context, then, is our analysis of the planning concerns the caused the subdivision authority to exercise its discretion to refuse.
19. **Lotting Pattern** – Contrary to the subdivision authority's position that the lotting pattern of the proposed subdivision is out of character with the surrounding area, there are several examples in the surrounding area of a side yard to rear yard interface.<sup>17</sup> Further, it is important to consider that the existing lotting pattern (ie, the Parcel in its current state, without being subdivided), is significantly out of character with the neighbourhood lotting pattern. The 0.280 hectare Parcel, with its current land use designation of R-1s, would require only a building permit to be developed with a single detached dwelling. This single detached home could be quite large (up to 45% of lot coverage) and would be oriented so that its north and south side yards interface with the rear yards of adjacent owners and could be at the bylaw minimum of 1.2m.<sup>18</sup> The Parcel size would also allow a building height of 12.0m,<sup>19</sup> significantly higher than the neighbouring homes. This 15.2m x 183.8m with only one single detached home thereon would represent a significant anomaly to the lotting pattern in West Springs. The proposed subdivision represents a pattern of lot sizes that is much more typical of the surrounding area, would reduce the size of the single detached home that could be built thereon to something more compatible and sensitive to the existing adjacent homes, and the side-to-rear yard interface is not atypical of the surrounding area.
20. **Narrow Internal Road Impeding Access, Parking** – The proposed private common roadway is 6.0m wide and expands to 7.2m at the entrances to the private attached garages. It meets the City's standards for such internal roadways and was approved by the Transportation and Fire Departments as part of the Detailed Team Review. The proposed units and single detached homes thereon will meet on-site parking requirements. There is a vehicle turn-around between units 2 & 3. There is ample public parking on the adjacent 77 Street SW. On-site visitor parking is not required, and parking would be prohibited on the

<sup>17</sup> See "Information Session Presentation" at Tab 1 hereof, p. 6.

<sup>18</sup> See Appellant's Slide Deck Presentation, submitted concurrently with this memorandum, at p. 18

<sup>19</sup> City of Calgary Land Use Bylaw1P2007, s. 458(2).

private roadway. Visitor and service vehicle parking would be less convenient than having the ability to park on the private roadway. However, this inconvenience falls far short of being a planning consideration of “overriding importance.”<sup>20</sup> In fact, the city has approved numerous similar private access roads for much denser multi-family developments. For example, the multi-family development east of the No-Frills store in the West Springs Commercial Centre (near the intersection of 85 Street & 9 Avenue SW), has a single driveway, West Park Common SW, to access the development, along which parking is prohibited.<sup>21</sup>

21. **Excavation of the private roadway would severely impede vehicular ingress/egress** – The Appellant acknowledges that vehicular access would be severely impeded by such excavation but argues that such excavation is exceedingly rare and, in any event, can be managed by providing notice to the residents and having them park their vehicles on the adjacent 77 Street SW during this interruption. Further, this situation is commonplace throughout the city and in West Springs in particular, where cul-de-sacs are in abundance. In fact, the West Cedar Place to the immediate north of the Parcel and West Cedar Point to the immediate south are both cul-de-sacs. Excavation of these roads would also severely impede vehicular traffic. Fortunately, the requirement for such excavation is rare, and the risk of such can hardly be a planning consideration of overriding importance to justify refusal of this subdivision application.

#### **Analysis of Planning Concerns Raised by Adjacent Land Owners**

22. The planning concerns raised by adjacent land owners in the June 2020 Information Session were, as mentioned, shared with the subdivision authority. The adjacent land owners also addressed their concerns directly to the subdivision authority. The concerns raised with respect to fire safety, servicing, traffic concerns, have all been adequately addressed through the subdivision approval criteria. The Appellant acknowledges the safety concern of the private roadway being adjacent to the rear yards of several of the northerly lots where there is not a fence between rear yard and proposed roadway. Accordingly, the Appellant would accept as a condition of subdivision approval that it construct a fence along the northerly property line adjacent to the private roadway where no fence currently exists.
23. The concern regarding loss of green space is readily addressed by the fact that the Parcel is private not public property. The concern about shadowing were adequately addressed by the shadow studies provided in the Information Session and by the simple fact that the thick growth of mature trees on the

<sup>20</sup> Laux, p. 12-22.

<sup>21</sup> See Appellant’s Slide Deck Presentation, submitted concurrently with this memorandum, at p. 15.

Parcel in its current undeveloped state provide far more shadowing than would development on the proposed units.<sup>22</sup>

24. The concerns expressed by the adjacent land owners about the side yard to rear yard interface has been partly addressed in the Appellant's response (at para. 19 above) to the subdivision authority's concerns about lotting pattern. That is, this type of interface is not uncommon in the surrounding area. However, the Appellant acknowledges that other planning concerns might arise with this type of interface, particularly loss of privacy. The south facades of the single detached dwellings on units 1 - 4 will be setback 1.2m from the property line, which meets the Land Use Bylaw side yard setback requirement. The south facades will have limited second storey glazing, and where there is currently no fence along this property line, the Appellant will accept a condition of subdivision approval to construct a fence to fill those gaps, thereby protecting the mutual privacy of these neighbours. The north facade of the dwelling on unit 4 will also have a 1.2m sideyard setback and limited second storey glazing. The Appellant will accept a condition of subdivision approval to construct a fence along this northerly property line where none currently exists, thereby protecting the mutual privacy of these neighbours.
25. The north facade of the dwellings on units 1 - 3 will be setback a minimum of 6.0m from the property line, which is in excess of the required minimum sideyard setback of 1.2m. This 6.0 metres, combined with the required 7.5m rear yard setback of the neighbouring lots to the north, and with the lots being separated by a fence, provides sufficient distance to protect the mutual privacy of these neighbours.
26. The Parcel and several of the rear yards of the adjacent land owners have mature trees typical of subdivisions developed almost 20 years ago.<sup>23</sup> The trees in these rear yards will be unaffected by the subdivision and development of the Parcel, and will continue to provide shelter and privacy to those land owners.

#### IV. Conclusion

27. Notwithstanding that the subdivision authority has discretion to refuse a subdivision application that nevertheless meets the subdivision approval criteria set out in the Act, the Regulation, applicable statutory plans, the land use bylaw, the better view posited by Laux is that an authority has such power, but only where there are planning concerns arising out of the subdivision that have not been specifically addressed in the Act, the Regulation, the applicable statutory plans and the land use bylaw, or are otherwise of overriding importance. Most of the planning concerns posed by this subdivision application have been addressed through compliance with the legislated criteria for subdivision approval. The

<sup>22</sup> See Appellant's Slide Deck Presentation, submitted concurrently with this memorandum, at pp. 3-4.

<sup>23</sup> See Appellant's Slide Deck Presentation, submitted concurrently with this memorandum, at pp. 3-6.



remaining planning concerns have otherwise been adequately addressed through voluntary measures to protect privacy and safety (ie, fencing) or by existing conditions - ie, mature trees to protect privacy. For the reasons set out above, we respectfully ask that the SDAB exercise its jurisdiction under s. 680(2)(e) to overturn the subdivision authority's refusal of this subdivision and approve it with the conditions described herein.

**“Information Session Presentation” June 30, 2020**

**(see attached)**

# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

WELCOME TO THE

# INFORMATION SESSION

JUNE 30, 2020

b&a

Maidment Land Surveys Ltd  
Land Surveyors & Development Consultants

URBAN  
systems



2002 Aerial Photo

Images 2020 Kadri Technologies

Google Earth

77th Street SW

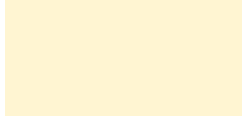




West Cedar PI SW

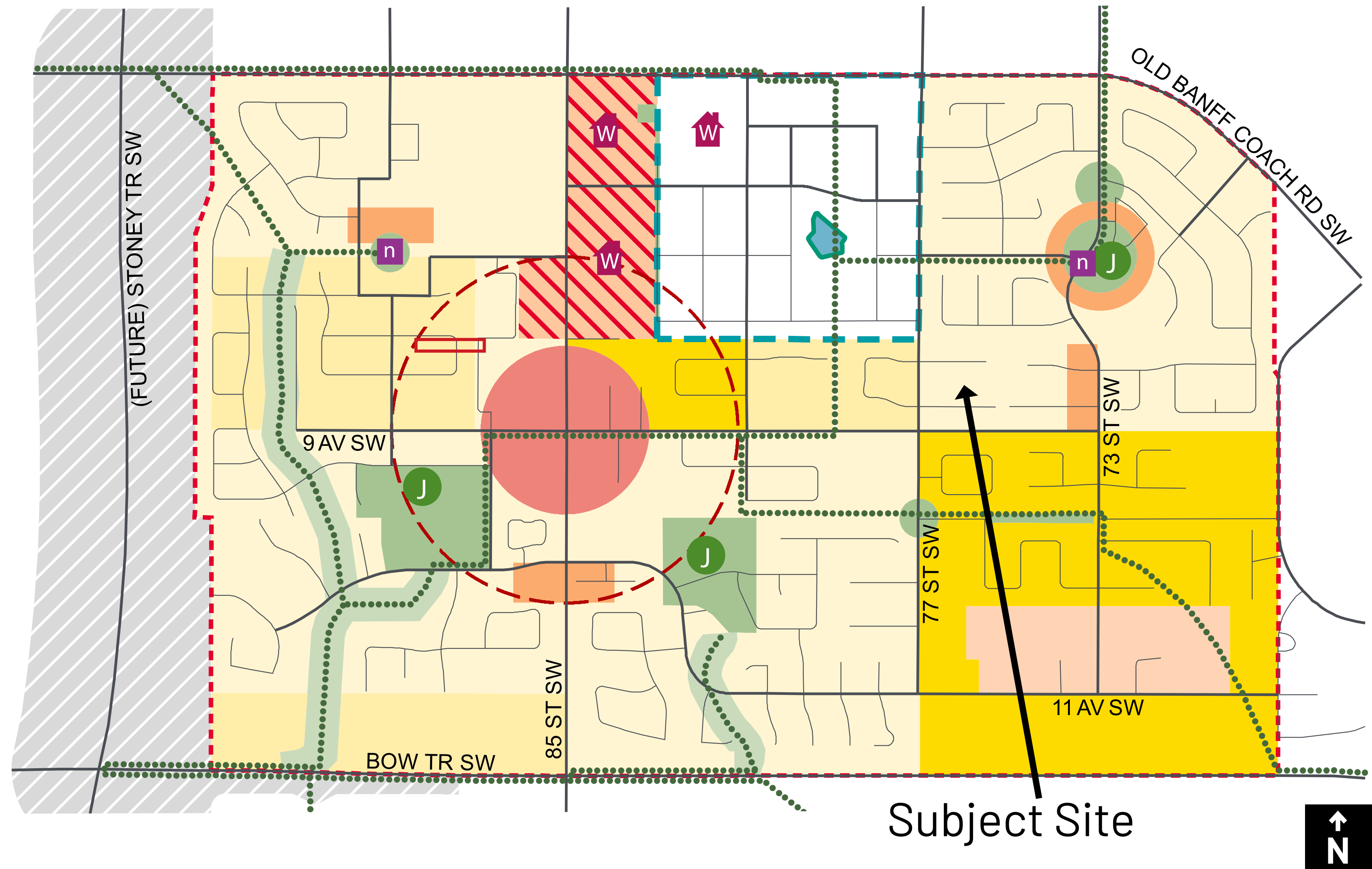
SUBJECT SITE

West Cedar Point SW



- The Subject Land is located within the West Springs Area Structure Plan.
- It is identified within the Urban Development Area and the following rules:
- The proposal meets the rules as outlined in the ASP

	Urban Development
	Low Density Infill
	Standard Density Infill
	Medium Density
	Multi Dwelling Residential







## SAMPLE HOUSE DESIGN (LOTS 1-3)





9th Ave/77th St



Westpoint Gardens



W Grove Rise



Weston Way





Shadow Analysis has been prepared for the 4 Unit Proposal March 21 at 2:00PM



Shadow Analysis has been prepared for a Single Home and Existing Trees – March 21 at 2:00PM



### WHEN ARE SHADOWS ANALYSED?

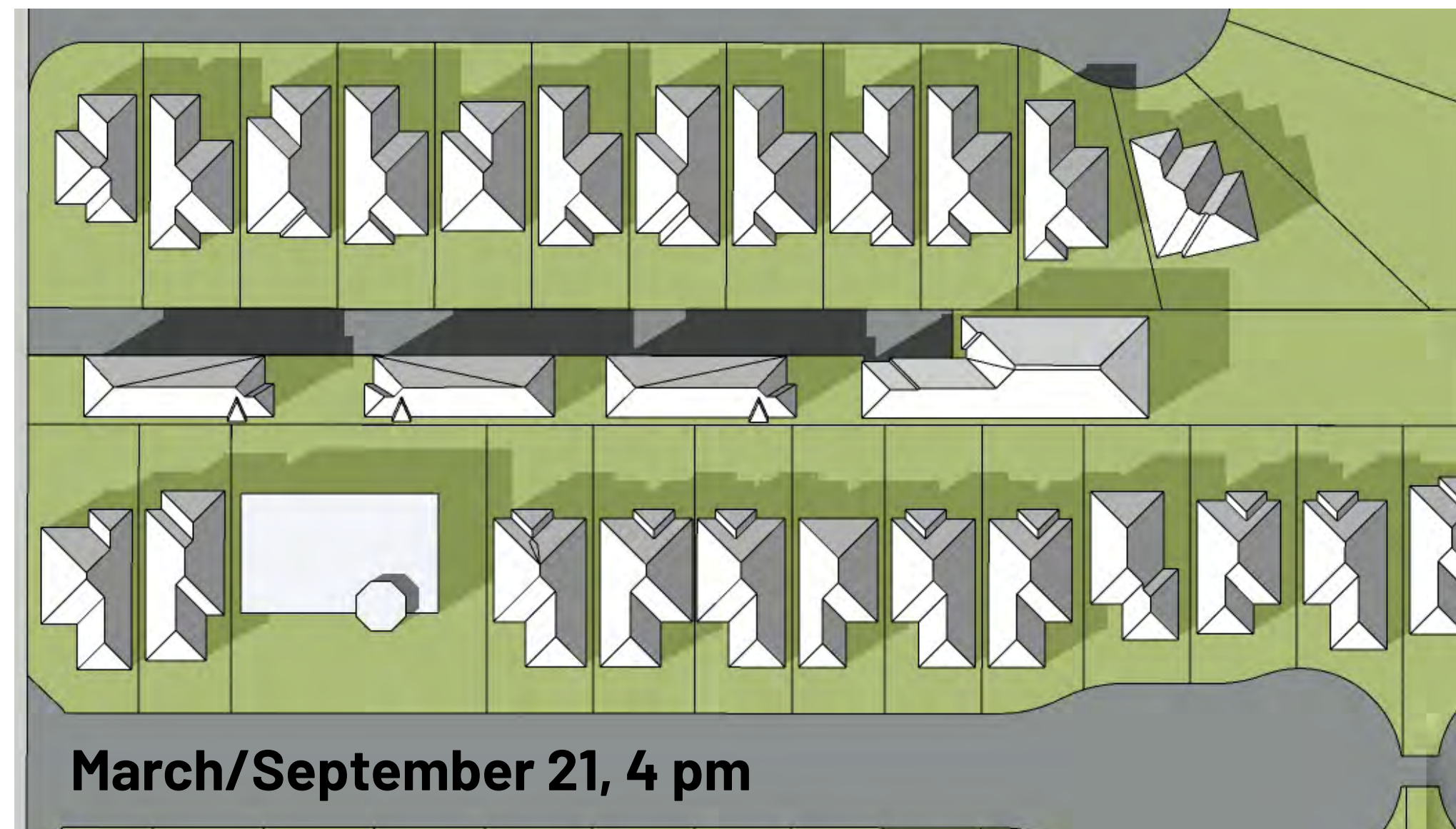
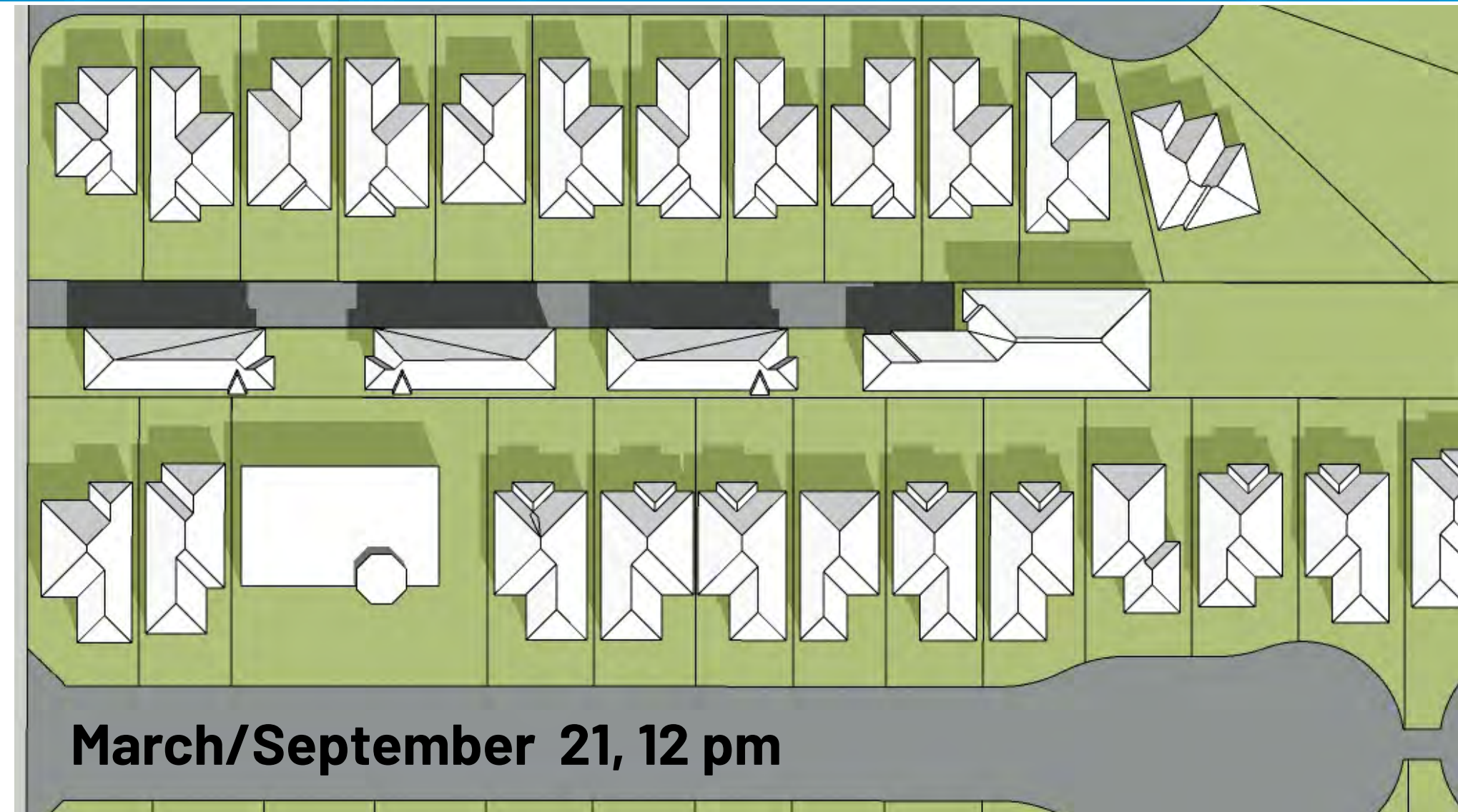
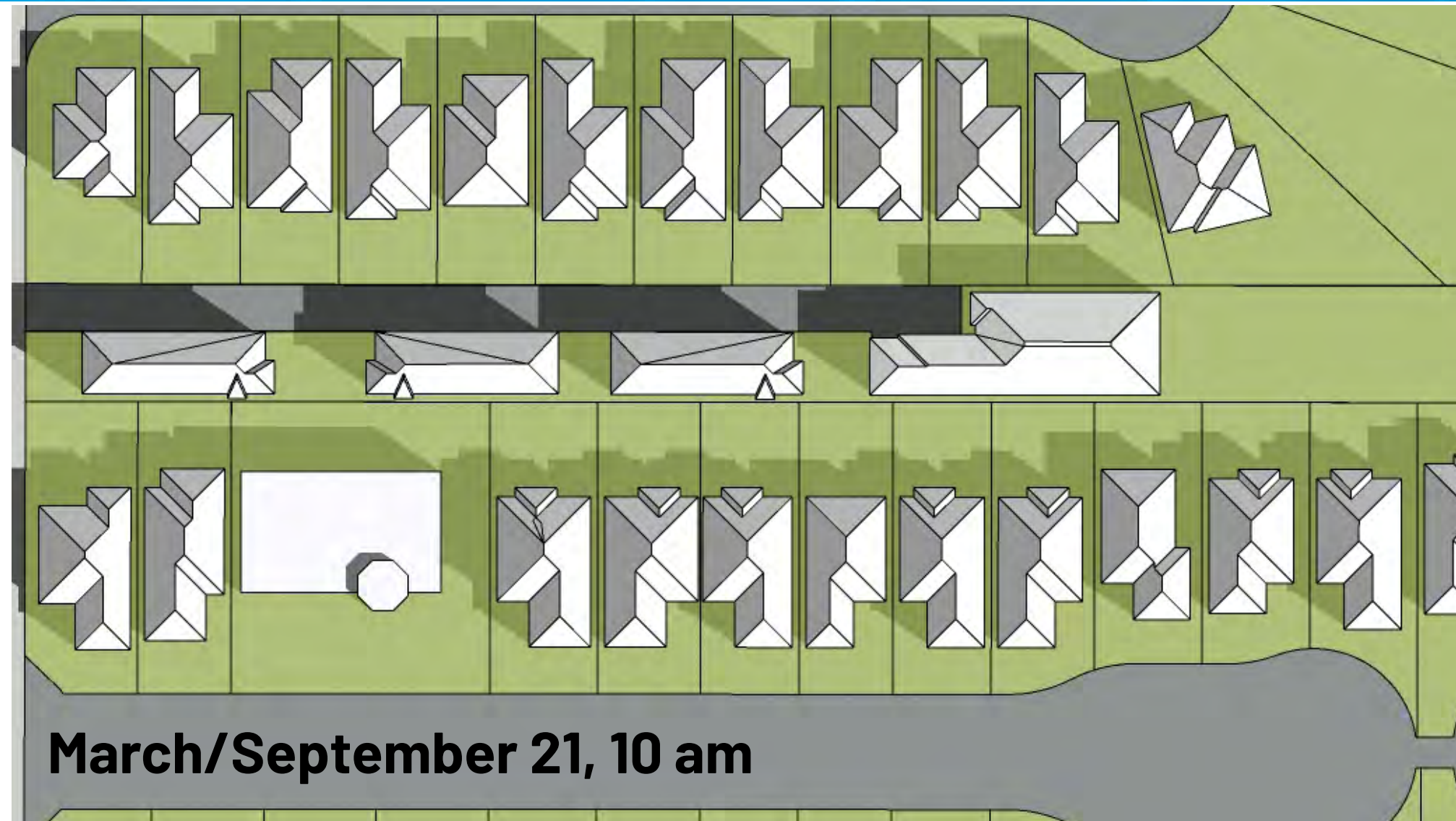
March/September 21  
10am, 12pm, 2pm, 4pm

June 21  
10am, 12pm, 2pm, 4pm

Dec 21  
10am, 12pm, 2pm, 4pm



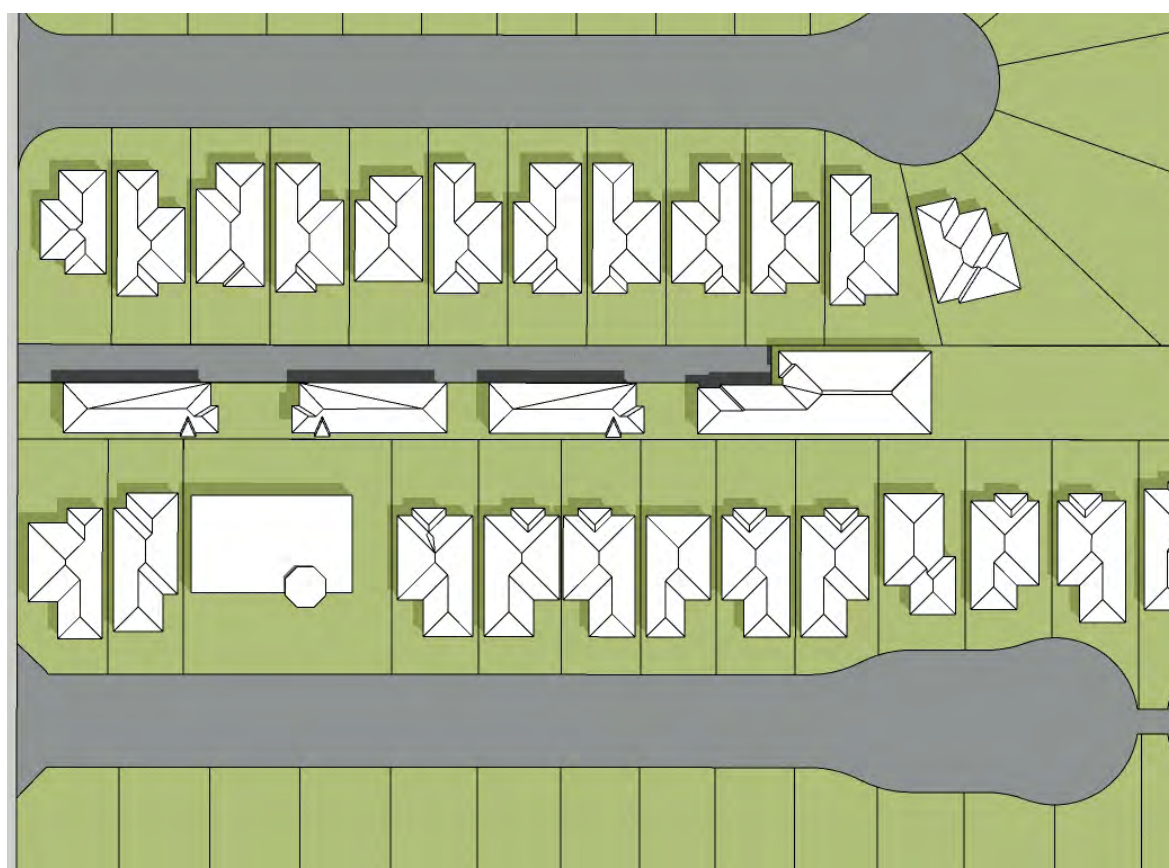
## SHADOWING - MARCH/SEPTEMBER 21



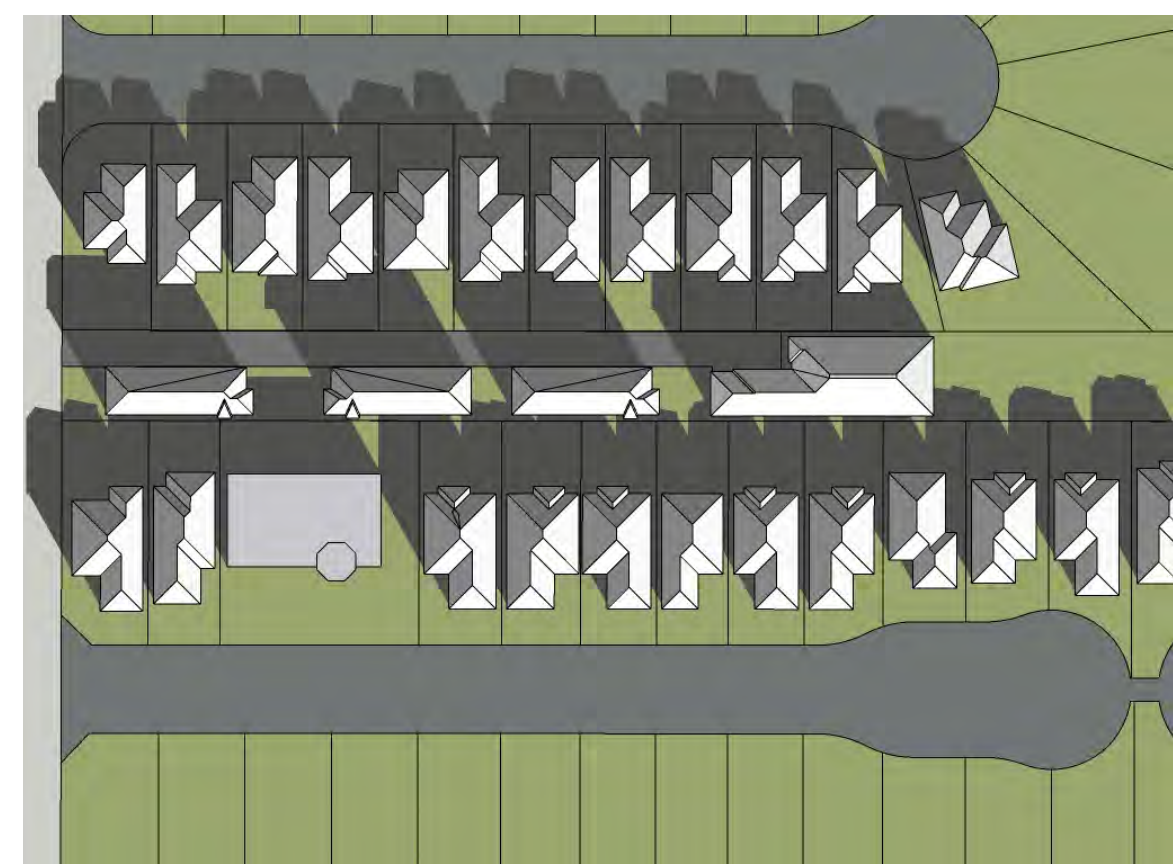




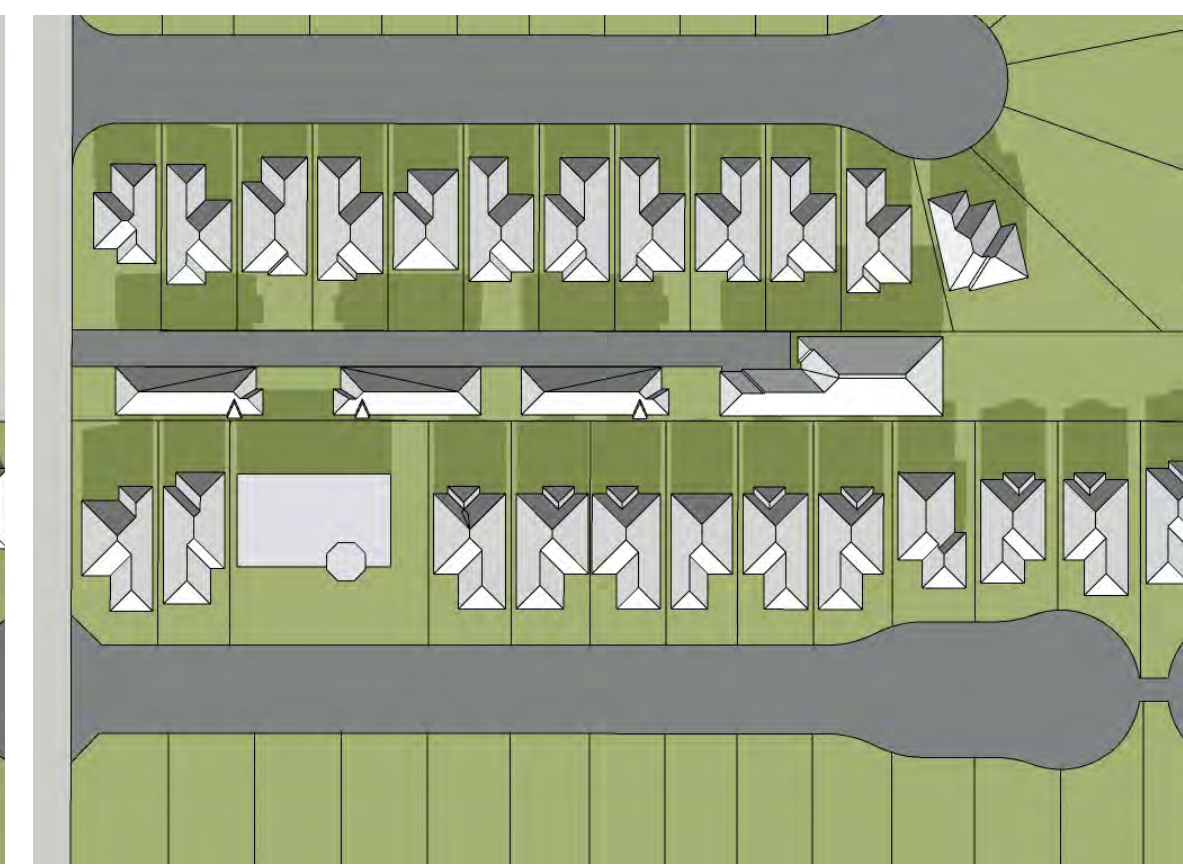
June 21, 10 am



June 21, 12 pm



December 21, 10 am



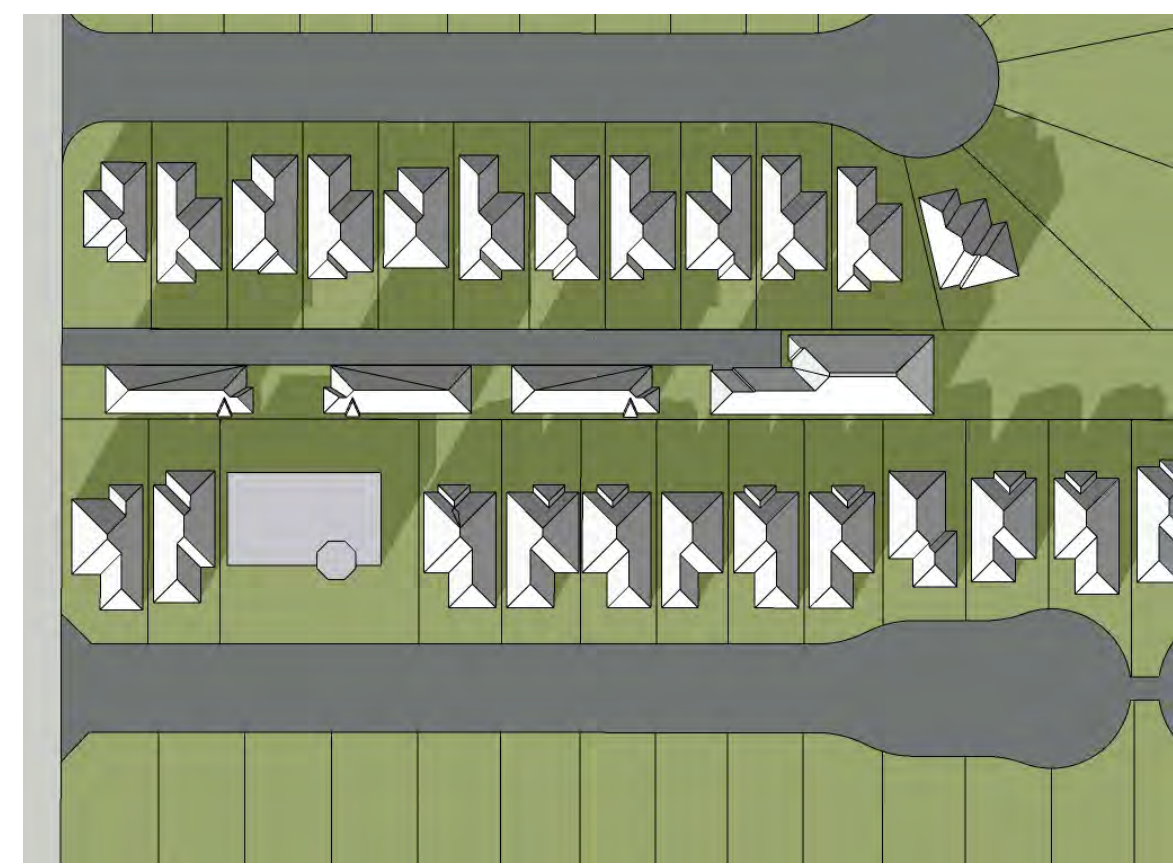
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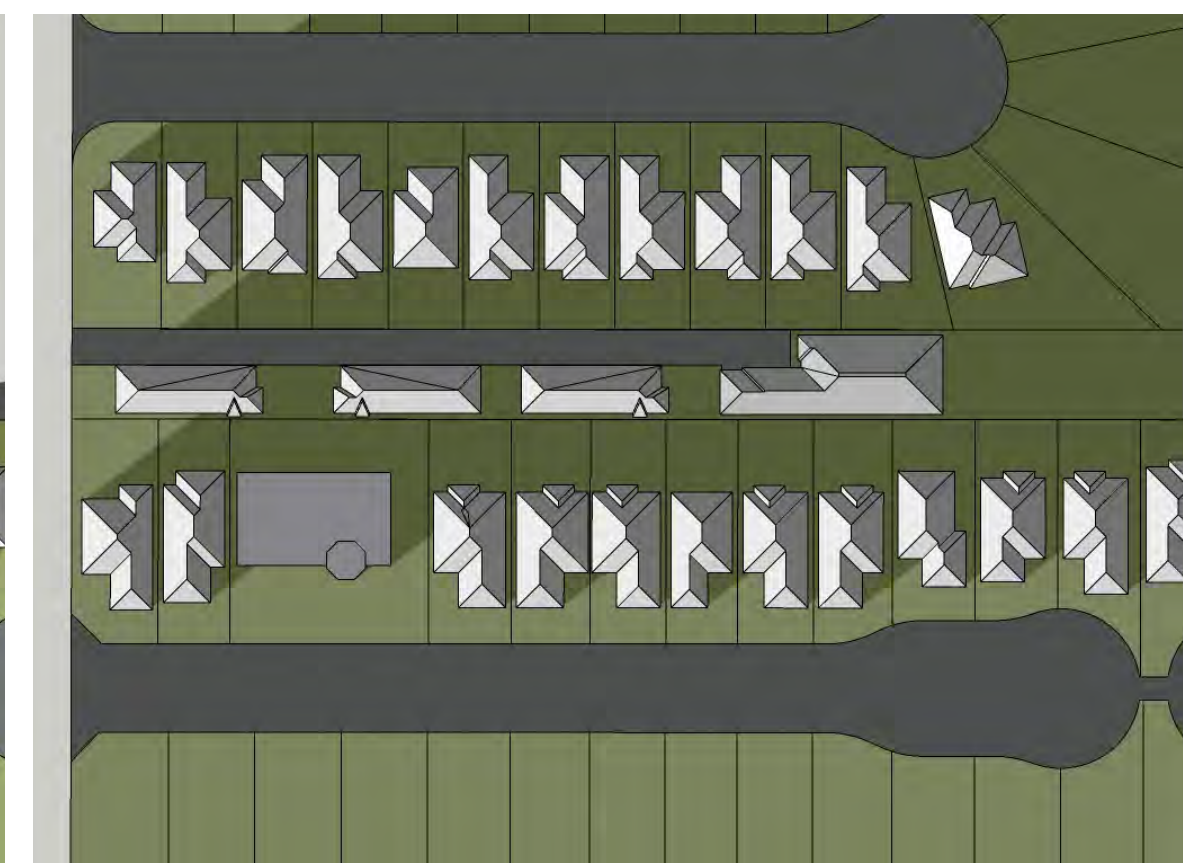
June 21, 2 pm



June 21, 4 pm



December 21, 2 pm



December 21, 4 pm







## Comments and Contact Email

# Thank you!

The project team will share the summary comments and information with stakeholders. If you have any questions, please reach out to the project engagement specialist:

**Martha McClary**

Engagement Specialist |  
B&A Planning Group

✉ [mmcclary@bapg.ca](mailto:mmcclary@bapg.ca)

**“Adjacent Neighbour Outreach Summary” September 2020**

**(see attached)**



# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

West Cedar Pl SW

## ADJACENT NEIGHBOUR OUTREACH SUMMARY



SEPTEMBER 2020

b&a

SDAB2021-0028 Additional Submission

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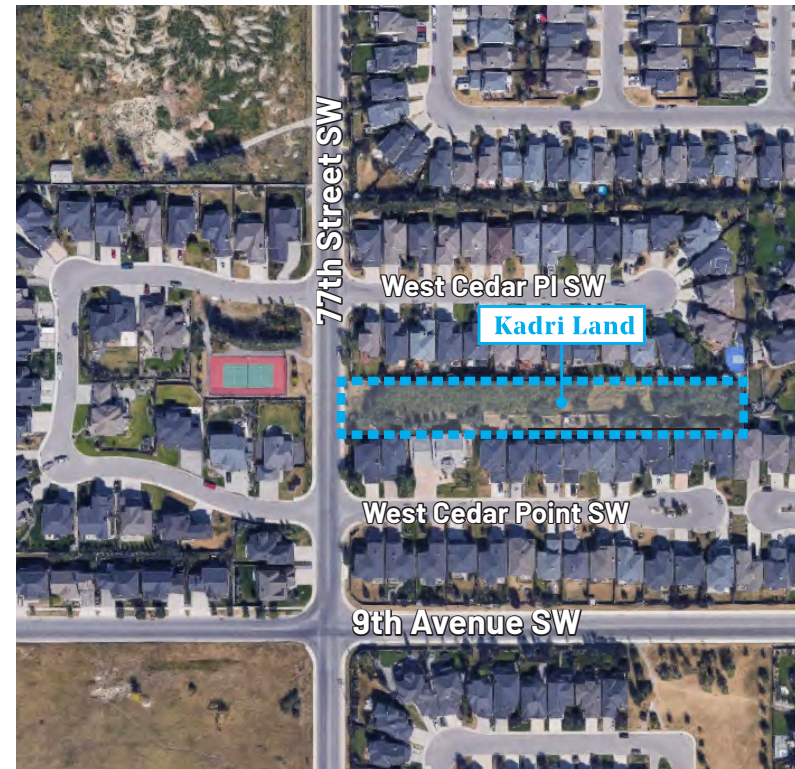
## APPENDIX A

<b>A</b>	Resident Information Session presentation
<b>B</b>	West Springs Cougar Ridge Community Association Letter
<b>C</b>	House Dimensions
<b>D</b>	City of Calgary DTR



# 01 Project Information

The following outreach summary has been prepared for the Kadri Land Subdivision Application. The 0.30 hectare (0.74 acre) site is located within the community of West Springs. The subject site is located east of 77 ST SW, between West Cedar Point and West Centre Place SW, directly adjacent to single family residential parcels.





# 02 Project Information

This subject site was annexed into the City of Calgary in 1998. Once annexed, the City created an overarching policy framework (East Springbank Area Structure Plan (ASP) for expected urban development to follow at 4-7 units per gross developable acre. While the City did an excellent job in creating the framework, the complexities and pressures developing 5- and 10-acre parcels in the area were underestimated. The framework did not require comprehensive planning or a master plan. Parcels were developed without consideration or dialogue with neighbouring parcels. Many of the developments that occurred in the early 2000s were patterned off the simplest of forms, the cul-de-sac, and left landowners managing odd parcels such as that before you today. This contradicts best planning practice, which requires shadow plans for parcels that are not immediately developing to ensure that no approval negatively hinders the land development options of another landowner.

The Kadri Land is a linear parcel approved by Rocky View County several decades ago. Two immediately adjacent subdivisions have been approved since. In 2002, the 5-acre parcel to the south of the Kadri Land (West Cedar Point SW) was approved for development without consideration of the Kadri Land. Within the Calgary Planning Commission report for that south parcel, it was noted the Kadri Land would be reviewed with the north parcel. Subsequent to this, the north parcel (West Cedar Place SW) was approved without consideration or consolidation of the Kadri Land. This resulted in a linear parcel with the allowable density to support 5 units as per the prior East Springbank ASP and the current West Springs ASP.

In 2008 our client, Adhem Kadri, approached the City to discuss development and learned that the constraints placed on the linear parcel were significant. It was not until 2015, after Mr. Kadri's father passed in 2013, that more serious discussions were undertaken with the City.

Given the density allowances offered within the East Springbank ASP, Mr. Kadri approached the City in 2015 for a land use redesignation proposal containing 3-4 dwelling units. Administration expressed concern about this goal given the linear nature of the Kadri Land. Given comments from Administration, Mr. Kadri had difficulty seeing a path forward and requested R-1S for the time being.

That application went before City Council in December 2015. While the application was approved, Mr. Kadri left the Council meeting feeling unsettled especially given the comments of the Mayor, Councillor Chabot and Administration as to lack of density. Feeling as though he didn't achieve the density that was available to him, Mr. Kadri engaged in discussions with planning and engineering consultants to see if a solution existed to develop the Kadri Land to their potential. A solution was found and resulted in the bareland condominium subdivision application before you today.

The subdivision application is proposing 4 single family homes with a mutual driveway off 77 Street SW. To ensure safety, one access point is being proposed with proper corner cuts and sidewalks. The homes will contain private garages and no parking will be allowed on the driveway.

# Kadri Land

The homes have been located 1.2m from the south property line and 6.0m to the north property line. A turnaround on site has been included for residential vehicles.

While the orientation is unique, it is very typical for community plans to vary lot orientation and locate rear yards adjacent to side yards adjacent to one another. Examples exist within the City of Calgary including in West Springs. Examples were shared in the presentation, see Appendix A.

Shadow studies have been prepared for the 4 single family homes. The shadows will be no more impactful than the existing trees. Shadow studies from March/September, June and December were shared in the presentation. These time frames represent the longest and shortest days of the year.

There is an active subdivision application for the site with the City of Calgary. If approved, the project will adhere to the subsequent approvals required by the City. It is not anticipated that tree removal or construction would occur any earlier than spring 2021. The development could be developed in two phases and construction timing is unknown at this time.



## 03

# Adjacent Neighbour Outreach

The purpose of the outreach was to present subdivision application information to adjacent neighbours in order to respond to their questions and document feedback. The summary will be shared with the City as part of the subdivision application process and has been circulated to stakeholders that attended the information session or emailed their comments to the project team.



# Kadri Land

## Virtual Adjacent Neighbour Information Session

Held on June 30, 2020 from 6:00pm to 7:00pm

The session shared information about the subdivision application and provided opportunity for adjacent residents to ask questions and share their feedback. The session was hosted virtually in support of social distancing measures and was advertised through a postcard delivered to directly adjacent neighbours. The presentation slides are included in Appendix A. The session was facilitated by Kathy Oberg and Martha McClary from B&A Planning Group with support from the project team including Brock Dyck from Urban Systems, Brent Wilson from Maidment, and Adhem Kadri, the applicant.



**26** attendee

at the resident Information Session



**12**

The project team received  
stakeholder emails

**01**

phone call



**60** Stakeholders shared  
questions and comments  
during the online session

**72**

stakeholder  
comments  
and questions

from

**17**

stakeholders

# 04 Outreach Themes

Feedback received during the session and through stakeholder correspondence has been documented and grouped into themes. Comments were received though phone, email and during the virtual information session. The project team has summarized stakeholder comments in the table below to respond to feedback received during adjacent neighbour outreach.



## THEME HEIGHT & DENSITY

**15%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The proposed site plan includes four single family, detached residences. The project team recognizes that the form is not identical to the surrounding streets. The homes will be single family and compatible with the adjacent development including heights. In addition, the proposed density conforms to the West Springs ASP Urban Development Density Range. More details about the proposed development dimensions have been shared in Appendix D. Please note they are approximate dimensions and full building plans are still to be finalized.

#### VERBATIM QUESTIONS & COMMENTS

#### RESPONSE

What are the dimensions of the homes, how long and how wide?

More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.

Are the basements legal suites which would mean additional families can live in the units?

At this time, it is not Mr. Kadri's desire to apply for secondary suites.

Sorry if I missed this being asked earlier, but can you please comment on density of this development and how this fits within the existing land use requirements?

The parcel is currently zoned R-1S and the Land Use Bylaw allows for comprehensive development, if it follows the R-1S guidelines. As such the proposal is for single family homes and the density allowed for this parcel (as outlined in the current West Springs ASP and prior East Springbank ASP) is between 4-7 upa which equals 5 homes. This proposal is for 4 homes, just under the density allowance. This density is consistent with the adjacent developments to the north and south.

Multi-family development directly within an existing single family development. It is unfortunate that the previous developments left the owner an essentially unusual piece of land, but developing it into multi-family does not make any sense

The proposal is for 4 single family units with a private driveway instead of a public road. This is not a multi-family development. The land use district is R-1S which is defined as “a residential designation in developing areas that is primarily for single detached homes”. As mentioned, the developments north and south did not consider this parcel during development. Therefore, we are providing the allowable density (as per the West Springs ASP) in a unique layout.

Are you going to be doing secondary suites in each of the units since that’s what you got the zoning change to

Currently, it is not Mr. Kadri’s desire to apply for secondary suites.

Development will have a very significant impact on all the adjacent landowners and we would appreciate receiving detailed information regarding the building specifications, heights of buildings, setbacks, specific locations of garages and homes, any landscaping plans and status of the subdivision and feedback from the city of Calgary including the detailed team review.

More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.

Dimensions: The dimensions for each home is an extremely important piece of information and I was disappointed that nobody on the call could provide that. We would appreciate getting that information.

More details about the proposed development dimensions have been shared in Appendix C. We are happy to be able to share the dimensions of the proposed homes. Dimensions are not a requirement for a subdivision application. Please note they are approximate dimensions and full building plans for the four homes are still to be finalized.

Are these 4 properties going to be detached homes? Or are they going to be multi-unit buildings?

The 4 properties are single family detached homes in a linear configuration instead of a side by side configuration.

Which height are you planning for the buildings?

The height will meet the requirements of the Land Use Bylaw R-1S district and be between 10-11m tall. More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.



How high are the homes?	The height will meet the requirements of the Land Use Bylaw R-1S district and be between 10-11m tall. More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.
The application does not fit in with the surrounding single family homes and does not respect the character of the low density residential areas and does not compliment the established character of the area. It will create a dramatic contrast to existing homes.	The proposal is for the same housing type as surrounding homes and is a low density housing form. It is the most consistent land use district to the adjacent homes.
Does units have basement?	The four homes will have basements.
During web meeting, we didn't get enough detailed information for building spec, like height of building, type of basement, landscaping plan..., we hope you will release more info to us.	More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized. .
Looked around our area now, West District (approximated 22 hectares) is building mid to high density residential units (apartments and townhouses); West Park (approximated 22 hectares) is building single houses; The corner of 11 Avenue S.W. and 77 Street S.W. (1.9 hectares) is building 30 single houses; 921 77 ST (LOC2019-0004) is changing designation to build maximum of 28 dwelling units (an increase from the current maximum of 2 dwelling units); West of 85 Street S.W. and north of Bow Trail S.W (Approximately 13 hectares)(LOC2017-0188 Site) is building multi-residential units. With so many projects proceed, our community is going over- population, we will not have enough green space left in these area, I don't believe this is what City of Calgary wants our community to be like? So many lands in West Springs are already under construction, why just keep this small area left for a better quality of life for existing and future residents?	The City, through its policies, balances built form and open spaces. The City receives 10% in land to make the appropriate open space allocations within a community. City data has indicated the west side to be of the lowest contributing populations and it is the goal of the City to approve applications that meet the density targets of the policy.
Referring to discussion during following application presentation, we are looking to receive following information: Proposed development layout and Elevation drawings with dimensions	More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.



## THEME TRANSPORTATION

**11%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The driveway is private, and the condominium will be responsible for it, including its maintenance and repair. Each of the four homes will have a private access easement across the driveway. Both the City of Calgary and our transportation expert indicate that 77 Street SW can handle the volume of vehicles from four homes.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
is this roadway wide enough for 2 vehicles to pass each other	The driveway will be constructed in compliance with City approval specifications. 6m is wide enough for two vehicles to pass, particularly given this is a private road and the expected very low volume of traffic. All the lanes in inner City Calgary are designed as 6m lanes.
Who would be responsible for the maintenance of the driveway? What are the requirements for a residence association for this small development?	The driveway is private, and the condominium will be responsible for it, including its maintenance and repair. Each of the four homes will have a permanent private access easement across the shared driveway.
Will the street have public access?	The driveway is private.
Adding a driveway that would access more than one household with potentially several vehicles turning onto an already busy section of 77 ST SW which also has many pedestrians crossing 77 ST SW in that area in order to access the pathway via Westpark Court SW, also parking along 77 ST SW to use the City tennis court	The driveway will have proper curb cuts like a front drive home. Pedestrians and vehicles will acknowledge it as such, and any parking on 77 Street SW will be outside the driveway. It is not uncommon for Collector Roadways to have driveways directly accessing the roadway. Compared to 9th Avenue, 77th Street is currently in a safer state because no other homes have direct access. As such, this one private driveway is more than appropriate.
Consistent with other land use amendments recently approved by Council in West Springs, adding higher density development should be done only once the supporting infrastructure is in place to support it (e.g. roadways and traffic management)	The driveway is not public, and the four homes are expected to yield few vehicle trips. Both the City of Calgary and our transportation expert indicate that 77 Street SW can handle the volume of vehicles from four homes. Additionally, the density projected from these four homes is in keeping with what the City forecasts in their background network.

will we have access to the alleyway	This is a private driveway and no access will be granted to adjacent neighbour properties.
Has a question been asked about visitor parking? if no where would visitor parking be available to these 4 units?	Like adjacent homes, visitor parking will either occur on the driveway (in this case, in the garage) or on the public street.
will it be a rule that the residents much drive forward out of the driveway? if yes how will it be enforced?	All garages are accessed off the internal private roadway. No garages have direct access to 77 Street SW. There is a turnaround on site, and it is likely that residential vehicles will be driving forward out onto 77 Street SW. Vehicles are allowed to back out onto Collector Standard roads such as 77 Street SW.
will walking access to the units from the street be on the driveway or will there be a sidewalk installed? and if a sidewalk will there be sufficient space for 2 cars to fit (plus the sidewalk)?	The driveway is private and expected usage is very low. The private driveway will be treated like a 'mews' (a place for vehicles, pedestrians, and bikes in a shared space). It will have room for all those uses and meet City of Calgary standards.
How much space is required between the driveway and the front door? Would this allow 2 cars to pass plus someone to walk out of their front door?	This detail will be worked out at building permit stage. The front door will be clear of the access road and might require an inset doorway and will meet City of Calgary specifications, so all users are safe.
What is Traffic measure for new intersection with 77 Street. It is a traffic hazards	There will be a driveway at 77 Street SW, like other sites that access 77 Street SW. This is not an intersection. It will be designed to meet the technical standards for a driveway. The City of Calgary transportation experts, and our transportation experts, have not identified this driveway as a hazard.





## THEME CONSTRUCTION

**9%** OF FEEDBACK RECEIVED

### OUR RESPONSE

Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. Mr. Kadri would be pleased to have the current fencing catalogued pre-construction.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
What is the strategy to minimize noise during construction so neighbours are not disturbed? How would the "noise" dialogue work?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise.
What is the plan to prevent damage to the current fences/ properties etc.?	Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. We would be pleased to have the current fencing catalogued pre-construction.
How will noise be controlled during construction?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise.
Will residents sign off on the as found status? Please confirm residents will sign off rather than be engaged on the as found report?	Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. Mr. Kadri would be pleased to have the current fencing catalogued pre-construction.
Where will constructions vehicles park there is already congestion with the Truman development?	All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri.

Is there insurance in place to protect owners against damage, if so how does the claims process work or do we need to proactively take out a lien?	Appropriate insurance will be in place, and construction of this site is similar to many other situations where construction is taking place next to sites that are occupied. A lien is not appropriate and unlikely to be registrable.
Will residents be consulted on the execution plan?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri.
How will all of these rules be enforced on a sustainable basis?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. .
Will the detailed construction plan be reviewed with the residents before construction commences?	All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. .



## THEME INTERFACE

**9%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The project team recognizes that to date the adjacent owners have been fortunate to have the site remain undeveloped. It is a privately-owned parcel. The relationship of side yard to rear yard is a common interface. The proposal meets the R-1S guidelines. Exact landscaping and fencing details have not been finalized at this time. Details will be shared with neighbours when confirmed.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
All the developer be doing any fencing	Landscaping and fencing details have not been finalized at this time. Details will be shared with neighbours when confirmed.
Setbacks: it doesn't sound like this development satisfies all the city requirements, so what's plan B?	The proposal meets the R-1S guidelines.
My understanding of the planning restrictions is that buildings need to follow the setback from the road that provides access to them. This plan does not respect the front setback from the driveway at all.	The proposal meets the R-1S guidelines.
Please explain how these properties conform to the Bylaws for the R-1s land use district seeing as 3 of the 4 condos have frontages onto 77th St of only 1.2 m. This would seem to be insufficient to claim footage on 77th. Unit 1 has a frontage of only 11 m on 77th. Therefore the 3 easterly lots front onto "private condominium roadway" which then dictates the front and rear property lines. The bylaw dictates that the front setbacks should be no less than 3m. (Div 6, 455(b) and rear setbacks should be 7.5m or more.	The proposal meets the R-1S guidelines, including setbacks.



Why the plan provided about 14 meters opening between Unit 1 & 2 in front of largest home (12 West Cedar PT) and completely blocking other units on the west side. It appears is related to relation of owner with 12 West Cedar and is not fair to other neighbor

The plan was developed to join the backyards of units 1 & 2 and group the garages in units 2 & 3. At the detailed development stage, we will look closer at the layout to see if a different configuration will work to balance out the separation distances.

We are also concerning our privacy to be affected per this plan. We didn't hear anything will be done to keep the adjacent landowners privacy, but the houses to be built barely just besides our fences looks the invasion of our privacy!

We recognize that to date the adjacent owners have been fortunate to have the site remain undeveloped. It is a privately-owned parcel. The relationship of side yard to rear yard is a common interface.

I attended the web meeting on June 30th, 2020. I have to say my family are very disappointed for this land plan. In my concern, it is ridiculous and unacceptable. We still can't believe on this narrow land (only less 15m width) 4 single houses can be built, honestly the plan is out of our imagination! After reviewed the plan again, below are our concerns,  
You guys showed us the examples of similar houses in same situation were already built before (see attached screenshot), but did you realize all these houses were located on corner lots? all of houses do have driveways to their garages? all of houses are facing streets that are width 9.5m or greater?

We recognize that some of the examples were corner lots, and some were also interior lots. The examples demonstrate that having a rear yard adjacent to a side yard is a relationship that is planned all throughout the City.

We are requesting following clarification and request:  
The Developer will provide and install permanent Wooden Fence around the development lot, before starting any activity (if approved). We would like to ensure about this matter and the permanent wooden fence (Mutually agreed type) is required to be replaced with net fence (as some neighbor has) to protect against construction, dusts, Safety & Security and privacy.

Landscaping and fencing details have not been finalized at this time. Details will be shared with neighbours when confirmed.

We understood during webinar it is noted the trees will be relocated. We are requesting to plants some of those trees in our backyard against the future building wall for privacy. Or alternatively reimburse us for cost of planting trees, ourselves.

Existing trees that require removal will not be relocated. It is the desire, at the grading stage, to see if trees can be maintained east of Unit 4. If grading requires them to be removed, or they are otherwise required to be removed, then some plantings will be included at the time of landscaping.



## THEME OUTREACH

**9%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The information session was hosted online to comply with current social distancing practices. All questions and comments received from stakeholders either by email or during the session have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A. Notice for the information session was shared with directly adjacent neighbours to the site through delivery of a postcard. The information session was intended to allow directly affected stakeholders to ask questions and provide their comments.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
<p>Thank you for the presentation on Tuesday evening. I thought it was not well presented and a lot of questions could not be answered. Next time it would be helpful to have an agenda of the meeting and to send out the presentation ahead of time for residents to be able to review and formulate questions ahead of time, as opposed to having only the ability to ask questions at the time of the presentation. Also, it would have been beneficial to see what other questions were being asked. Please can you provide a full report of all the questions asked by the residents and your responses. Please may I also have a copy of your presentation.</p>	<p>Thank you for your feedback. As we move to online meetings, it is helpful to have feedback to see where we can make adjustments for the future sessions. All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.</p>
<p>Selection of this time for the public information session is also inappropriate given the stat holiday the next day and many people on vacation this week (though offering a virtual meeting may result in more attendees than otherwise)</p>	<p>Thank you for your feedback. The date was chosen based on project team availability, to occur after work, and before the holiday.</p>

Sorry for the short notice but timing for this webinar on June 30 just before that Canada day holiday has been difficult timing. As adjacent neighbours we have had very little disclosure regarding the subdivision and development on these lands. This information is critical for any of us to provide any suggestions or feedback regarding the subdivision and development. We hope that this information is available and will be shared in a direct and forthright manner. Thank you

Thank you for your feedback. The date was chosen based on project team availability, to occur after work, and before the holiday. All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.

A curiosity question to be asked: Why did NOT all of the Westpark residence community (approx. 108 houses, located on Westpark Court, Westpark Crescent, Westpark Place and 9th Avenue) receive the notice(s), of this land use change and potential development? Will this be corrected going forward to notice all the adjacent neighbours in this community East of 77th street SW?

As an FYI only, a few neighbours in Westpark were still unaware of the presentation on Tuesday, June 30, 2020 in the evening that was organized prior to the holiday. Thanks

Notice for the information session was shared with directly adjacent neighbours to the site through delivery of a postcard. The information session was intended to allow directly affected stakeholders to ask questions and provide their comments. We appreciate your feedback.



# Kadri Land

In my opinion only, the timing to have this meeting occur the evening prior to a holiday in the first week in July, with some of the residence going away is NOT an ideal time for some residence. It appears to be a quick pressure tactic on some internal deadlines of which not all of the nearby residence is privileged to this knowledge. In addition, more notice should have been provided and NOT all of the Westpark residence community across the road had received any notice of this meeting.

We will retain our question until either during or after the webinar presentation in case the information will be learned and/or other neighbours have commented. We definitely have some concerns on this land, of which I believe a few individuals have already provided a letter outlining several of these concerns. Additional correspondence will be forthcoming in July, once several of the neighbours have had the information provided and time to digest and respond appropriately to the necessary individuals. I am aware that Clint Clark has provides you with some information to date.

We look forward to being educated from your Webinar and responding appropriately thereafter.

Thank you for your feedback.

Of curiosity, why is this webinar being conducted after business hours, later in the evening the day before Canada Day (holiday)? In addition, why has not everyone in the community East and West of 77th Street SW received a door hanging, postcard or letter pertaining to this proposed development?

Has B & A been retained for the proposed development owned by Trico Homes? It is the two, five-acre parcels located on 81st Street SW, north of Westpark Crescent and Westpark Place S.W.? If so, we would appreciate being added to this list as well?

Thank you for your feedback. The date was chosen based on project team availability, to occur after work, and before the holiday. All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.

B&A is not representing Trico on 81st Street SW. We are currently not involved in any new applications in that area.

Why were not all the adjacent neighbours notified of this meeting? I would like to have it clearly noted that I did NOT receive a postcard, notifying us of the meeting.

Notice for the information session was shared with directly adjacent neighbours to the site through delivery of a postcard. The information session was intended to allow directly affected stakeholders to ask questions and provide their comments. We appreciate the feedback.

Why were the controls on how to participate during the meeting not properly explained to all participants? I would to have the controls explained in more detail please, merely stating that the participants can click on a question mark is not sufficient

Details about how to interact during the webinar were shared at the start of the meeting and again during the meeting. We appreciate the feedback about the webinar platform. As we move to online meetings, it is helpful to have feedback to see where we can make adjustments for the future sessions.

Referring to discussion during following application presentation, we are looking to receive following information: Record of the Webinar including response to the questions raised during the webinar

All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.



## THEME PROCESS

**8%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The City is still evaluating the Kadri Land subdivision application. The project team will be responding to the DTR (Detailed Team Review Comments) and resubmitting to the City shortly. DTR comments have been included in Appendix E. The subdivision application may receive approval by late summer or early fall. Work will not begin on the site until 2021 or later.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
Are you going to be submitting a development permit application once the subdivision is true and what is the expected time in on scene	We will submit all subsequent applications required by the City. We anticipate subdivision approval late summer or early fall. Work will not begin on the site until 2021 or later.
Can you share with us the comments the city has given to you regarding the subdivision in your detail team review and provide us with a copy of same	DTR comments have been included in Appendix D. The project team is currently responding to City comments and foresee a resubmission to the City over the summer.
I received a team detail team review on this from the City of Calgary	Noted
When is the start date to remove the trees? Sorry if I missed an answer, was late to the meeting.	Site work and tree removal will not occur until spring 2021 at the earliest.
What is anticipated timeline for development?	The site may develop over two phases, and full buildout will likely take in the range of 2-3 years.
When do you actually plan to get approval?	We hope to have subdivision approval by fall of 2020.
So, City approved already? Or construction is waiting for approval? When will start to dig dirt?	The City is still evaluating our subdivision application. We will be responding to our DTR (Detailed Team Review Comments) and resubmitting to the City shortly. We anticipate subdivision approval late summer or early fall. Work will not begin on the site until 2021 or later.
Referring to discussion during following application presentation, we are looking to receive following information: The City Development feedback/clarification request for the development application	DTR comments have been included in Appendix D. The project team is currently responding to their comments and foresee a resubmission to the City over the summer.





## THEME SHADOWING

**7%** OF FEEDBACK RECEIVED

### OUR RESPONSE

Shadow studies have been completed and were shared in the presentation, see Appendix A & B. Most shadows are retained within the site. The current trees create more of a shadow today than the new homes, though we understand that trees provide a nice buffer.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
There are 3 houses that have south backyards that will never see sun	Shadow Studies were shared in the presentation, which can be found in Appendix A and B. December is a month that affects all homes throughout the City and most homes do not see the sun now with the existing trees.
Shadows from trees are more welcome than those from houses	We appreciate your feedback.
and sun still comes through the trees	We appreciate your feedback.
Overshadowing: I would like to see this information again if the presentation can be sent out.	Shadow Studies were shared in the presentation, which can be found in Appendix A and B.
Could you please clarify the shadowing. If you aim for the height of the surrounding buildings, how can the shadow not affect the surrounding lots if you keep only 6 meter distance to the lots located in the north.	The Shadow Studies were prepared using a house that is between 10m-11m tall. The software that is used automatically calculates the sun angle at times over the year. It is standard practice to show March 21, June 21, September 21 and December 21.
Could you please share the details of the calculations for the shadowing by email?	The Shadow Studies were prepared using a house that is between 10m-11m tall. The software that is used automatically calculates the sun angle at times over the year. It is standard practice to show March 21, June 21, September 21 and December 21. Shadow Studies were shared in the presentation, which can be found in Appendix A and B.
Can you please explain why you can provide details on shadowing but cannot provide details on the dimensions of the single family dwellings?	It was an oversight for us not to have the dimensions from the designer available for the public meeting. More details about the proposed development dimensions have been shared in Appendix C. The Shadow Studies were built from the footprint (as shown on the concept plan) and used the single family height of the R-1S - a house that is between 10m-11m tall.



## THEME SITE HISTORY

**7%** OF FEEDBACK RECEIVED

### OUR RESPONSE

We understand that this will change this block. The Kadri Land are privately held and when planning was undertaken north and south, they should have been consolidated into one or both parcels and a better outcome designed. When the west side of Calgary was annexed in the late 1990s, the redevelopment or development of 5- and 10-acre form created a number of outcomes that hinder connectivity. The problem was a lack of comprehensive outcomes as landowners didn't have a responsibility to plan with their neighbours. The cul-de-sacs were approved north and south without proper consolidation of the Kadri Land. A great example of how planning is undertaken today is the West District, which was a policy plan that looked at 16 5-acre parcels together to ensure a great outcome.

Mr. Kadri was unfortunately left with a unique parcel due to planning decisions north and south of his lands. Not unlike the original owners

or developers of your lands, there is always the desire to maximize development. The north and south developments certainly adhered to the density allowed and had the Kadri Land been included, then they too would have maximized their potential. When Mr. Kadri approached the City in 2014/2015, they were advised that the land was unique and that due to the width offered one option, a single family home with a suite. While they resolved to follow this path at the time, they realized, while at the Public Hearing of Council, that perhaps they should have explored other alternates. It was noted by the Mayor and other Councillors that perhaps these lands were not delivering their potential. It was after this moment that further exploration was undertaken by our client. We understand and respect your comments but also feel that these lands have greater potential.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
Is there any chance of buying this lot to keep this development from happening	Mr. Kadri has explored a number of options for the site and is open to discussion if there is serious interest in purchasing the site. It should be noted that the development potential of the site is up to 5 units as per the West Springs ASP and reflected in the expected value.
Given the history of what occurred, perhaps the City would consider a land swap so it can stay as a green space?	The City has not offered a land swap and have not indicated they wish these lands to become a park within their ownership.

Mr. Kadri, when we met you indicated you were building a mother in law suite, in fact you are on video... I can only assume this was to get initial approval, you grossly mislead our alderman, our neighbourhood representatives and council vs what you are proposing today, do you think this is ethical and how do you think we as your neighbours are expected to respond?

Thank you for your comments. Project background information is shared above. The project team recognizes that the plans have evolved.

Back in 2015, this was approved by one vote and the owner mentioned the secondary suite was a good compromise for everyone. I'm not sure how we went from there to 4 homes? Either way, if a secondary was barely approved, I find it hard to believe this would have been approved given the negative impact on so many people.

The project team recognizes that this will be a change for the adjacent residents.

You company has intelligence to create this crazy plan on this extremely narrow land, why don't you use this intelligence to pursue other options (like swap a regular land from City...) to make all things easier to proceed, to make neighbors be happier, to make new houses easier to sell out, to make community more attractive, to make people smiles on their faces, to make wild creatures stay with their home, to make more fresh air to produce, to make all of us feel friendship, and care, love each other!

The project team recognizes that this proposal has an effect on neighbours, but it is the option that is available to the landowner at this time. It is unfortunate that the lands directly adjacent were allowed to be developed without consideration of the Kadri Land.

I received a flyer regarding the project by my back yard, just wondering what it is for? We strongly refused any development on it, it's so ridiculous to build houses in this narrow land, and also so closed to all adjacent neighbors, your meeting means the owner still insists to develop and never consider other options? City approved the request?

The landowner has reviewed every option possible for these lands and the decision was to proceed with single family homes that are compatible with the adjacent homes.

Referring to discussion during following application presentation, we are looking to receive following information:

4) More info regarding City response to Land swap opportunity (our understanding from Webinar is the developer is in favor of land swap if City agrees and this could be the best outcome for all neighbors opposing the development)

The landowner has explored all options for the lands and the only available option provided was to proceed with a development proposal, therefore a subdivision application was submitted to the City.





THEME  
**SAFETY**

**6%** OF FEEDBACK RECEIVED

## OUR RESPONSE

The project team has met with the City of Calgary Fire Department and the proposed site plan meets the rules set out by the Fire Department. The access road has been designed to accommodate fire trucks and the hydrant is within their specifications.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
Kids playing, access to backyards etc.	This site is not intended to have any access points into the adjacent private back yards. These are private lands, as the adjacent lands are private to that landowner.
We also have significant safety concerns, including access for fire and emergency vehicles, as well as overshadowing and privacy concerns which we would like to see addressed.	Discussion has occurred with the Fire Department and standards are being met. Shadow studies were shared in the presentation which can be found in Appendix A and B. From the south, there will be a setback distance from existing house to proposed house of 9m and to the north the setback is 14m. The south façade of the homes will have window limitations to meet the Alberta Building Code.
As a follow up to the webinar on Tuesday evening, I'm left with several significant concerns that weren't addressed in the meeting:	
Safety Concerns: I have concerns with the access for Emergency vehicles with such limited space. If something significant were to happen, I'm extremely worried for all stakeholders that the emergency responders couldn't properly do their job and provide the level of service required to keep everyone safe.	The proposal meets the emergency standards of the City. A bareland condominium site is a form of development that exists throughout many locations in the City of Calgary. It is equally important to the applicant that the site is built to the technical standards and safety is maintained.
Given that the current fire code identifies that there must be a turnaround for any dead-end portion of the access route more than 90 m, where will sufficient turn around be provided?	The proposal meets the emergency standards of the City. There is a maximum distance for fire vehicles, and they will pull in and back out as per their guidelines. The site is not required to have a fire turnaround.

#### How Fire Department Access is provided?

Per your plan, you will build a 6m width road (from our fences to new house garage doors), and without any sidewalks, but do you know for a semi-truck (EMS truck is similar size or bigger), a minimum inner radius of 19'4" (5.9 m) and minimum outer radius between 40'- 40'10" (12.2- 12.4 m) to be required for 180° turn, for a fire truck, the inside turning radius for a fire apparatus access road shall be 25' (7.6 m) or greater, the outside turning radius for a fire apparatus access road shall be 45' (13.7m) or greater. Your plan looks can't meet this requirement at all, without sidewalk also make pedestrians in dangers situation. There are lots of kids living in adjacent neighbors, they are always playing in the backyard, we are very worrying about kids will be in extremely danger situation per your plan! we can also forecast during emergency situation, how much time will be waste to arrange EMS and Fire Trucks to enter this area to fight fire or execute people to hospital. Safety is our primary concern.

The proposal meets the emergency standards of the City. There is a maximum distance for fire vehicles and they will pull in and back out as per their guidelines.

It is equally important to the applicant that the site is built to the technical standards and safety is maintained. The proposal meets the emergency standards of the City. The site is not required to have a fire turnaround. Their specifications allow for a drive in/back out maneuver. There is a turnaround mid-way on the site that will accommodate vehicle turnarounds which will also accommodate an EMS vehicle if needed.



## OUR RESPONSE

Water runoff from site to be handled in two ways. Firstly, the existing City of Calgary drainage swales to north and south of property have an allowance for site discharge. Secondly, due to the development of the site, an additional catch basin with flow control and surface ponding will be provided at east end of site to manage stormwater and ensure permissible release rates are not exceeded. Snow removal will be appropriately handled by the condominium association largely through onsite storage. Further discussion is required with the City of Calgary for residential garbage removal.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
How do you plan to deal with water/ runoff on the site?	Water runoff from site to be handled in two ways. Firstly, the existing City of Calgary drainage swales to north and south of property have an allowance for site discharge. Secondly, due to the development of the site, an additional catch basin with flow control and surface ponding will be provided at east end of site to manage stormwater and ensure permissible release rates are not exceeded.
What about trash collection and snow removal? Garbage trucks have trouble turning on our street. We also get a lot of snow.	Snow removal will be handled by the condominium association largely through onsite storage. Further discussion is required with the City of Calgary for residential garbage removal.
Snow removal: With the amount of snow we get, this is obviously a key item, and it doesn't sound like there's a plan for this.	Snow removal will be handled by condominium association largely through onsite storage. Condominium
Garbage: if this doesn't meet the city requirements, what does the private option look like? Does a garbage truck come down the driveway to access these 4 homes? How often do they come to properly remove garbage so it doesn't pile up?	Further discussion is required with the City of Calgary for residential garbage removal.
How Garbage Truck access provided?	Further discussion is required with the City of Calgary for residential garbage removal.





## THEME GREEN SPACE

**4%** OF FEEDBACK RECEIVED

### OUR RESPONSE

These lands are private and are not part of the community's open space allocations. These lands have never been owned by the City nor allocated as Reserves. The City is not interested in making this land a park. All development has an impact on wildlife and City policies look to balance this through proper Open Space allocations within communities.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
How do you plan on dealing with the abundant wildlife in the area? i.e. birds nests, squirrels at unit 4, deer etc.	Communities like Cougar Ridge, West Springs, Aspen Woods, and Springbank Hill had an abundance of open space when the lands were annexed into the City in 1998. It was a decision of the City of Calgary and Rocky View County to allow these lands to be developed at urban densities. Development of these communities has displaced wildlife to more appropriate locations. The City balances development with the natural environment throughout their communities through policy and designation of municipal and environmental reserves in appropriate locations.
Narrow tract of land being developed into multi-family development would remove a significant amount of greenspace	The lands are not designated as municipal reserve or environmental reserve. The City has taken the municipal reserve and environmental reserve lands required in this area. The site is privately held, undeveloped land that is not intended for use as a public green space. The proposal is for single family homes not multi-family development.
What is the intended use for the green space to the east of Unit 4?	The lands east of Unit 4 will be the backyard of Unit 4.
There are deer and different types of birds resident in this land, I don't know if you are agree it's our responsibility to protect wild animals and also our environment, with population rapid growth in this area, to keep trees will show City of Calgary is building harmonious environment, not only building houses, apartments..., City is trying to make our communities be better. The creatures will also appreciate your decision.	Communities like Cougar Ridge, West Springs, Aspen Woods, and Springbank Hill had an abundance of open space when the lands were annexed into the City in 1998. It was a decision of the City of Calgary and Rocky View County to allow these lands to be developed at urban densities. Development of these communities has displaced wildlife to more appropriate locations. The City balances development with the natural environment throughout their communities through policy and designation of municipal and environmental reserves in appropriate locations.



THEME  
**OTHER**

**7%** OF FEEDBACK RECEIVED

## VERBATIM QUESTIONS & COMMENTS

## RESPONSE

What percentage do you anticipate that our properties will devalue by?

Water runoff from site to be handled in two ways. Firstly, the existing City of Calgary drainage swales to north and south of property have an allowance for site discharge. Secondly, due to the development of the site, an additional catch basin with flow control and surface ponding will be provided at east end of site to manage stormwater and ensure permissible release rates are not exceeded.

How much does Kadri anticipate selling these properties for? I know part of the Truman development at being responsible developers is to ensure that the current development is in line with the current values of surrounding properties.

We appreciate the question, but property values are not a planning consideration. The value of these homes is not a valid planning consideration and will be consistent with the area and market.

Thank you!

Thank you for attending

Are there any benefits to the homeowners living next to the Kadri land?

There are many benefits of living in an urban environment and more density. The park-like setting was always available for development and was never a green space for the neighbourhood to control.

How much are these homes going to cost?

They will be priced to market compatible rates for new single-family homes.

As per the attached letter the WSCRCA sent to the City, the community association has serious concerns regarding this application for subdivision.

Noted- the WSCRCA Letter has been shared in Appendix B.

When we bought the house, we did a research of the plan of this land, after realized land is R-1s, and only allowed to build one dwelling, we placed the order. If land type changed again, we will keep the right to have law act to those who were involved to make the decision and result to value loss of my property.

There is no intention of changing the land use district, the form will be single family homes on a bareland condominium parcel.

Thanks for your information.

Can we let the owner know If they build the house after the application is approved, we will plan lines of tall trees in both front and back yard for our privacy. The tall tree will block the sunshine of the house and we will put sign in our yard telling people tall trees will be planned in the front of the house when they sell the houses, therefore no one would like to buy the house. if the owner not able sell the house, the owner will lose money and we will lose the privacy and safety. This is not Win win project for us and for the owner. Are we allowed to plan lines of tall trees to block the sunshine to the house for privacy?

Thank you for your comment



# 05 Next Steps

There is an active subdivision application for the site with the City of Calgary. The public outreach summary will be shared with adjacent neighbours and the City of Calgary.

## Contact



**Kathy Oberg, Partner** | B&A Planning Group



koberg@bapg.ca

# Appendix A

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Resident Information Session presentation

# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

WELCOME TO THE

# INFORMATION SESSION

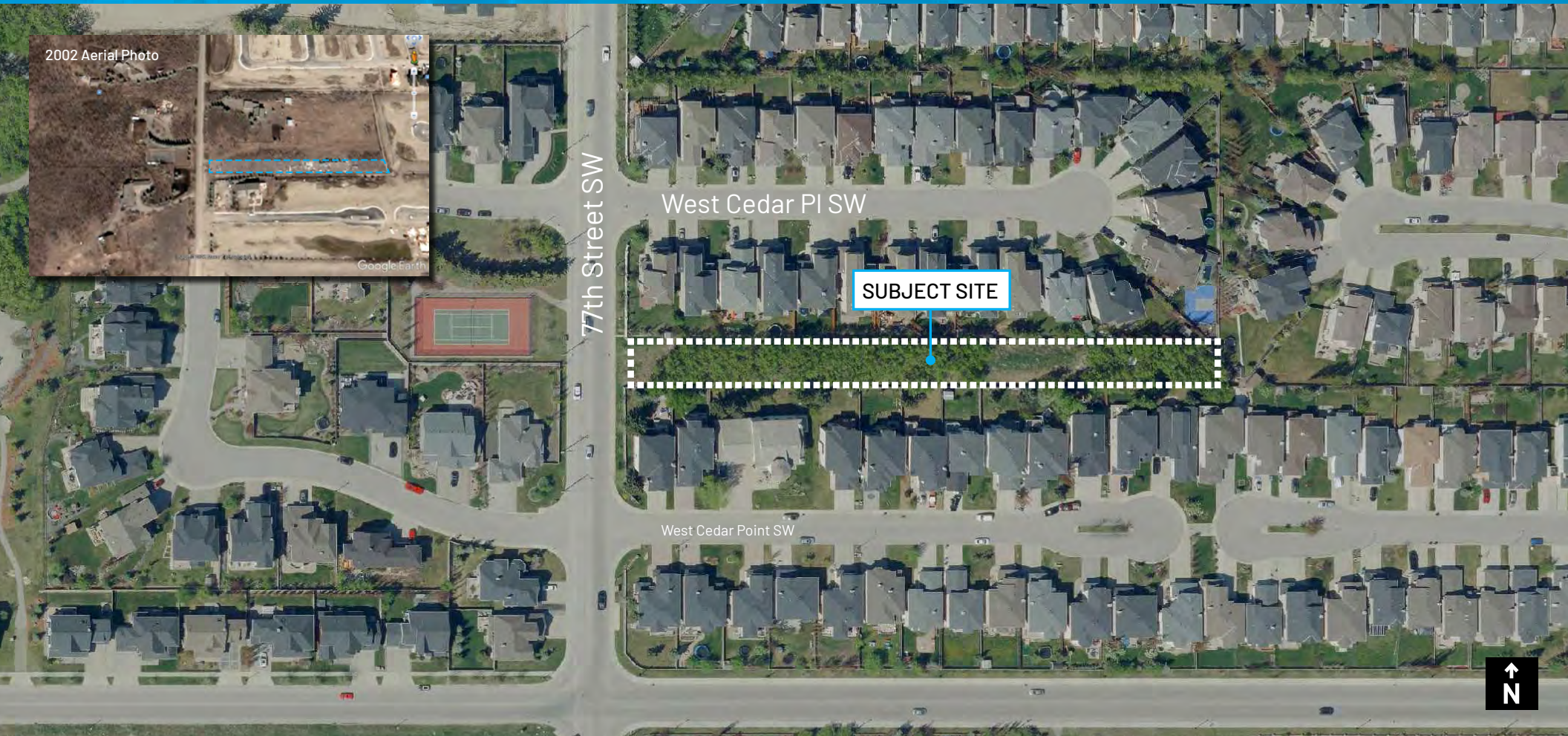
JUNE 30, 2020

b&a

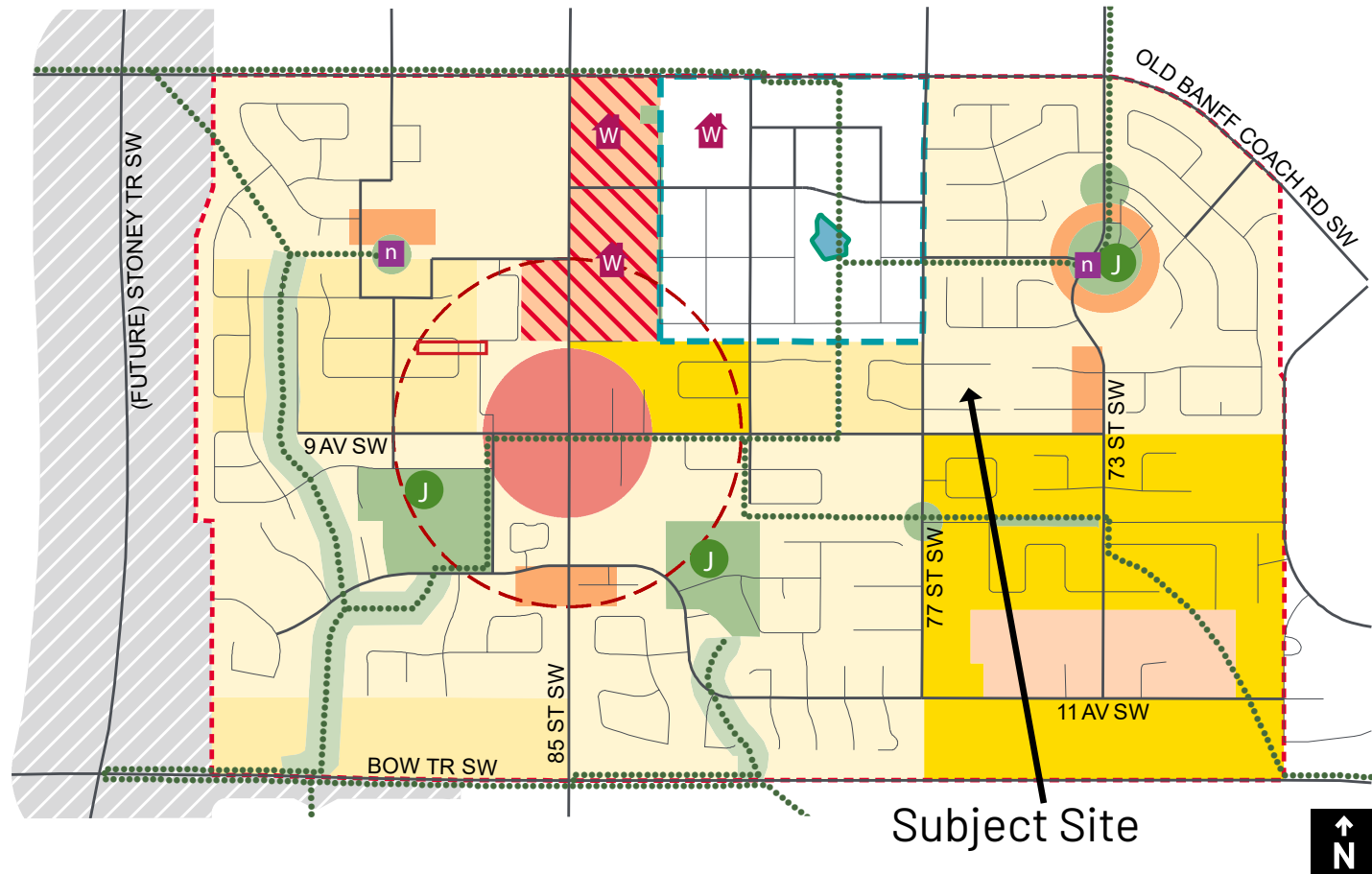
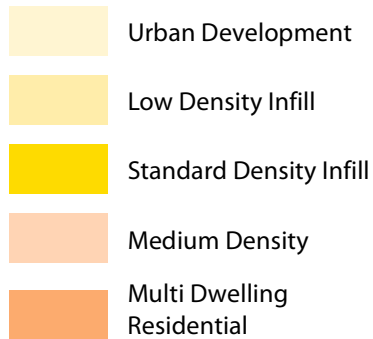
Maidment Land Surveys Ltd.  
Land Surveyors and Development Consultants

**URBAN**  
systems





- The Subject Land is located within the West Springs Area Structure Plan.
- It is identified within the Urban Development Area and the following rules:
- The proposal meets the rules as outlined in the ASP

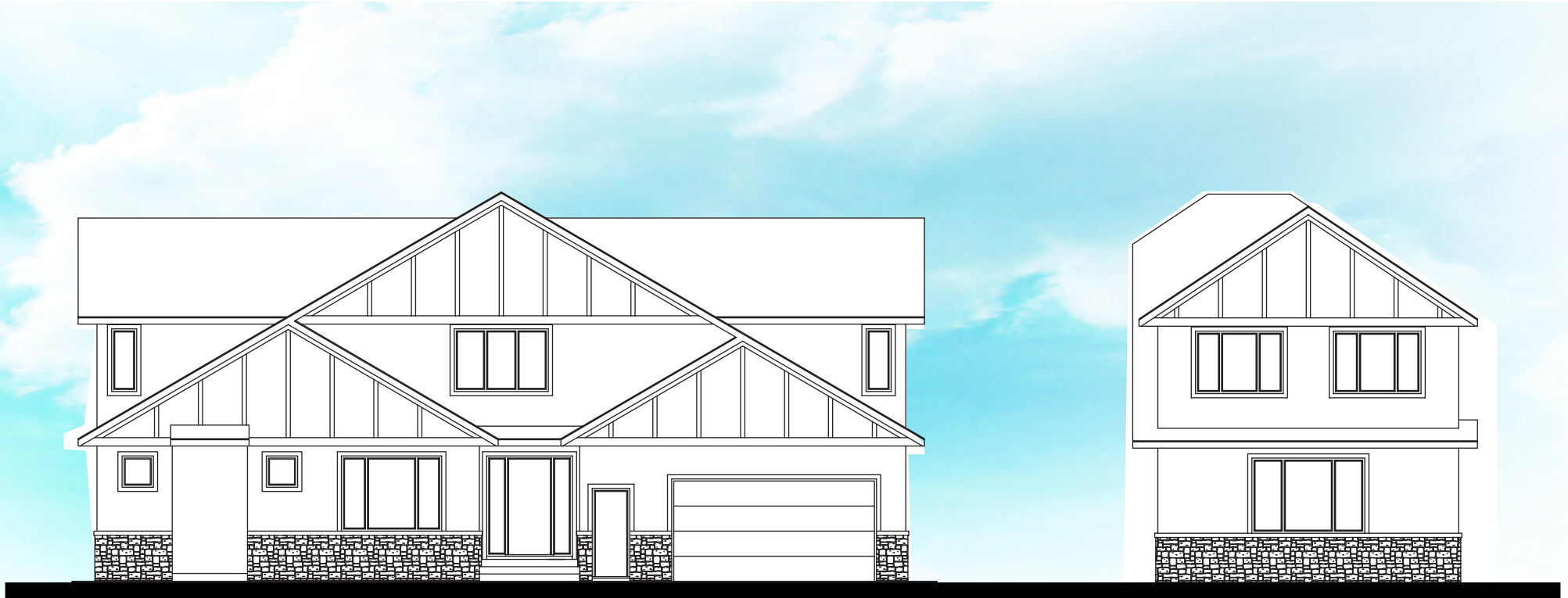




WEST SPRINGS | SUBDIVISION APPLICATION









# REAR YARD/SIDE YARD INTERFACE EXAMPLES

JUNE 30, 2020

b&amp;a

9th Ave/77th St



Westpoint Gardens



W Grove Rise



Weston Way





Shadow Analysis has been prepared for the 4 Unit Proposal March 21 at 2:00PM



Shadow Analysis has been prepared for a Single Home and Existing Trees - March 21 at 2:00PM



### WHEN ARE SHADOWS ANALYSED?

March/September 21  
10am, 12pm, 2pm, 4pm

June 21  
10am, 12pm, 2pm, 4pm

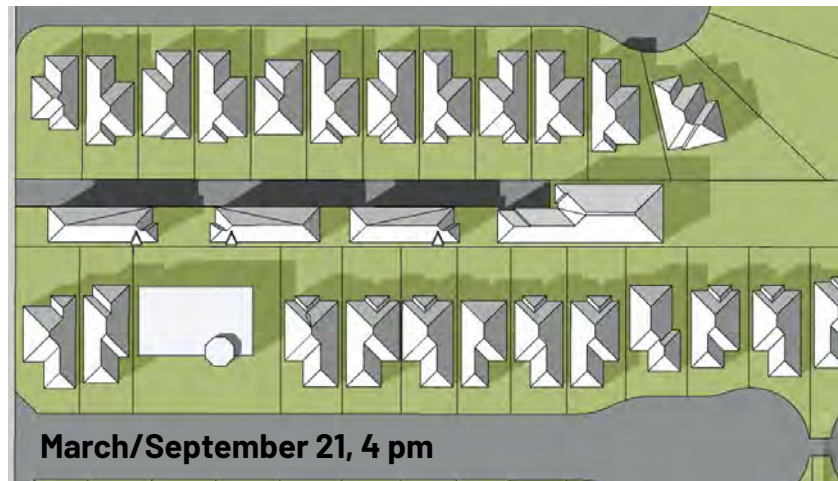
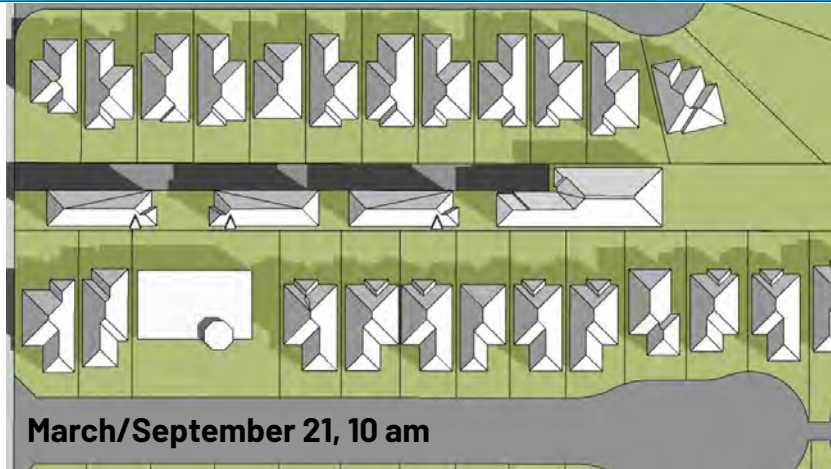
Dec 21  
10am, 12pm, 2pm, 4pm

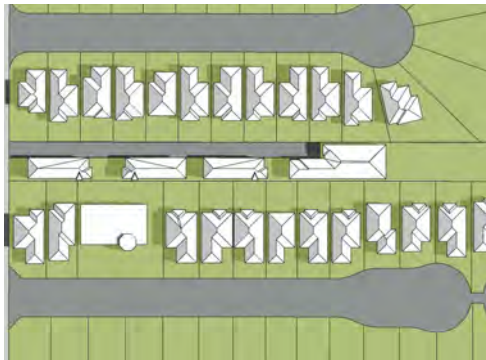


# SHADOWING - MARCH/SEPTEMBER 21

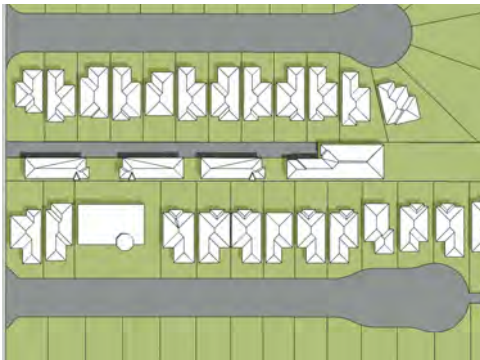
JUNE 30, 2020

b&amp;a

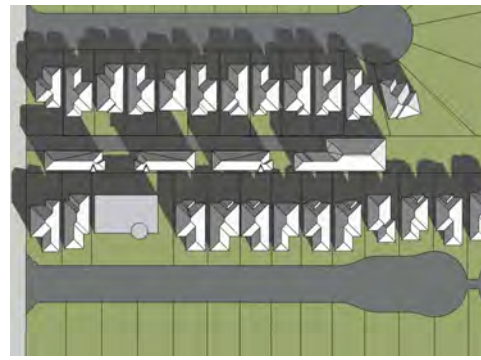




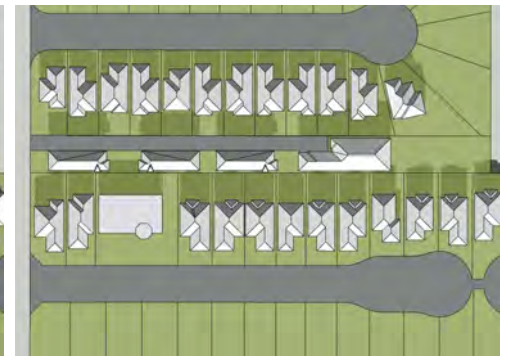
June 21, 10 am



June 21, 12 pm



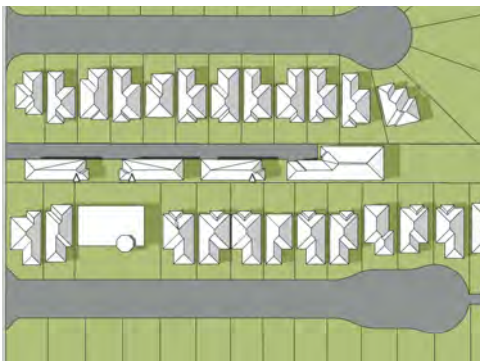
December 21, 10 am



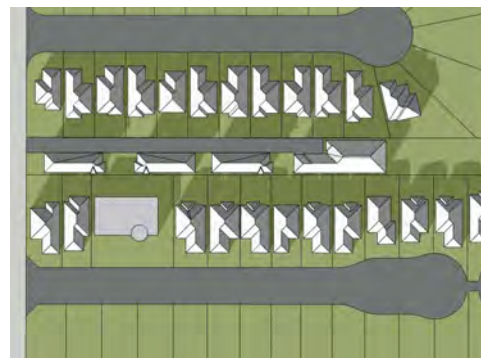
December 21, 12 pm



June 21, 2 pm



June 21, 4 pm



December 21, 2 pm



December 21, 4 pm



WEST SPRINGS | SUBDIVISION APPLICATION





# Thank you!

The project team will share the summary comments and information with stakeholders. If you have any questions, please reach out to the project engagement specialist:

**Martha McClary**

Engagement Specialist |  
B&A Planning Group

✉ [mmccclary@bapg.ca](mailto:mmccclary@bapg.ca)

# Appendix B

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## West Springs Cougar Ridge Community Association Letter



West Springs/Cougar Ridge  
Community Association

Ms. Vivian Barr  
Planning, Development & Assessment  
#8201, P.O. Box 2100  
Station M  
Calgary T2P 2M5

March 23, 2020

**Re: SB2020-0029 Subdivision Application for 882 - 77th Street SW**

Dear Ms. Barr,

Please find below our comments regarding the subdivision application SB2020-0029, for the property located at 882 - 77 St. SW, in the community of West Springs.

The WSCRCA has historically been opposed to any development on this anomalous segment of land because of negative impacts on many adjacent owners, preferring that a "land-swap" might have been arranged to convert it into a green space.

We now have a further reason for opposing this application for a four unit bare land condominium development: we believe that it effectively seeks the intervention of your office to **frustrate** rather than **execute** the clear will and intention of City of Calgary Council that the land may only be used as a single-family residence with a secondary suite. A close examination of the history of Council's approval of this parcel's current land use designation reveals that it was granted on the *implicit condition* that the use be limited to a single family residence with a secondary suite.

The applicant's express purpose for seeking the 2016 re-designation to R-1s (LOC2016-0218, Bylaw 312D2016) now relied upon, was "to add **a secondary suite to a single family home**": see page 7 of the CPC Report to Council for its December 5, 2016 meeting. In keeping with that, the applicant told Council that he was "proposing one home here" and confirmed ("That's right") when asked whether "at one point you were hoping for four homes on the site but you've settled on **one** in the end". The applicant told Council he was "not sure where I'd put **the** house at this point" or whether the secondary suite would be a basement suite, an above-grade garden suite or a garage suite. In a related "motion arising" Council effectively treated the matter as an application for approval of a single secondary suite and directed "Administration to refund the application costs incurred by the applicant for this Land Use Amendment" on the basis that its practice had been to waive secondary suite development permit fees in other land use contexts, a refund of the \$5000 secondary suite fee for a suite that the applicant does not apparently have any intention of developing.

This long and narrow property of an original panhandle acreage (15.23m X 183.78m) has had a long and concerning history of applications to the City. The land parcel to the south, which includes West Cedar Point SW, was rezoned in 2001. The CPC report for that application noted that attempts to incorporate the "panhandle" into the 2001 application were unsuccessful and indicated that the panhandle lot could be incorporated within a future application for the adjacent parcel to the *north*. However, in 2002, the application LOC2002-031, Bylaw 49Z2003, for West Cedar Place SW to the north of the parcel, did *not* incorporate the panhandle parcel in question. *Therefore, due to these unfortunate events the adjacent residents and the community are now left with a very undesirable piece of land that does not fit into the community fabric.*

At the WSCRCA Planning Committee meeting on February 25th, 2020, 21 residents, representing 16 of the 24 adjacent homes, attended and expressed grave concerns regarding the current application. The Westpark Residents Association has also contacted us regarding their concerns. These West Springs residents are very opposed to the possibility that a landowner could potentially be granted a *de facto* density increase through subdivision when this was not permitted by CPAG in 2016.

Suite 138, Unit 408, 917 - 85th St. SW,  
Calgary, Alberta  
T3H 5Z9  
403.770.8585 [www.wscr.ca](http://www.wscr.ca)





## West Springs/Cougar Ridge Community Association

In addition to this central issue, the WSCRCA has concerns over the following technical aspects of this application:

1. **Property Setbacks:** Three of the four condominium units have frontage onto 77th St. SW of only 1.2m. This is insufficient to claim frontage on the main street of 77th for these three units. (Unit 1 has a frontage of 11.0m on to 77th St. SW.). Therefore, the three easterly units, front onto the "private condominium roadway" which then dictates the front and rear property lines. The Land Use Bylaw dictates that the front setbacks should be no less than 3m (Div 6, 455(b)) and the rear setbacks should be 7.5m or more (Section 457). Thus, three of the lots designed in this application do not conform to the Bylaws for the R-1s Land Use District.
2. **Fire Safety:** The current building code identifies that there must be a turn-around facility for any dead end portion of the access route more than 90 m long. It also stipulates (NBC 3.2.5.5 AE) that the principle entrance be located not less than 3m and not more than 15m from the closest portion of the access route. This parcel has a length of 183.78 m and therefore does not meet minimum fire code standards without providing a turn around.
3. **Nonconformity to the Municipal Development Plan:** the application does not fit in with the surrounding single family homes in that it does not "respect the character of the low-density residential areas", does not "complement the established character of the area". In addition, it is certainly against the requirement of: do "not create dramatic contrasts in the physical development pattern" (Section 2.3.2 (a) & (c)). Having the condominium units oriented at right angles to the existing homes and only 1.2 m from rear property lines, is significantly different from any other development in the WSCR community.
4. **Shadowing and impingement of sight lines** will be significant for existing residents to the north and south.
5. **Surface water drainage** is a concern as much of the property will be built on or paved, thus significantly increasing water runoff onto neighbouring properties.

In summary, due to the *extremely unusual circumstances* surrounding this application, the WSCRCA is strongly requesting that the City look for an *exceptional solution* that will require the applicant to conform to the original intent of the 2016 land use change. It is *imperative* that the decision for this application not be made solely by the file manager and Subdivision department. This application needs to be reviewed by a committee be it CPC, Urban Planning, or at the very least there needs to be a requirement for a Development Permit.

We strongly urge the City to undertake all steps necessary to ensure that the applicant not be permitted to subvert the clear intention of Council, deviate from the assurances given to Council and accomplish indirectly what the applicant was unable to achieve directly. In other words, superficial and mechanistic reliance upon the technical land designation would permit the applicant to frustrate the manifest intention of Council and create unjust and inequitable consequences for adjacent owners in the process..

Our comments are based on the application as presented. We reserve the right to comment on any changes that may occur from the current proposal or implications that may arise from the proposed application.

Regards,

Linda Nessel  
Director  
West Springs/Cougar Ridge Community Association

cc: **Jeff Davison**, Councillor Ward 6. Email: jeff.davison@calgary.ca  
cc: **Naheed Nenshi**, Mayor of Calgary. Email: mayor@calgary.ca

Suite 138, Unit 408, 917 - 85th St. SW,  
Calgary, Alberta  
T3H 5Z9  
403.770.8585 [www.wscr.ca](http://www.wscr.ca)

# Appendix C

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## House Dimensions

*\*Please note they are approximate dimensions and full building plans are still to be finalized.*

SDAB2021-0028 Additional Submission



# Appendix D

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City of Calgary DTR



March 12, 2020

MAIDMENT LAND SURVEYS LTD  
#10, 141 Commercial Drive  
Calgary, Alberta  
T3Z 2A7

Dear Sir:

**RE: Detailed Team Review (DTR)**

**Application Number: SB2020-0029**

The Corporate Planning Applications Group (CPAG) has completed a detailed review of your subdivision proposal received on February 13, 2020, in order to evaluate the feasibility of the proposal and compliance with the Municipal Government Act, the Planning and Development Regulations, the Land Use Bylaw and applicable City of Calgary policies. Any variance from the above noted legislation, regulations, or policies will require further discussion and/or revision prior to a decision for approval or refusal by the City of Calgary on the proposed application.

Applicants are requested to contact the respective team members to resolve outstanding issues. Revisions to the proposed subdivision application should not be submitted until we are able to provide comments from all circulation referees.

Should you have any questions or concerns, please contact me at (403) 268-1468 or by email at [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca).

Sincerely,

*Vivian Barr*

**VIVIAN BARR**

Senior Planning Technician

cc: DEER TRAIL DEVELOPMENT INC.  
46 WESTBURY PL SW  
CALGARY, AB  
T3H 5B6

P.O. Box 2100, Postal Station M  
Calgary, Alberta, Canada, T2P 2M5, (403) 268-5311

**SDAB2021-0028 Additional Submission**



## Detailed Team Review 1 – Subdivision by Plan

<b>Application Number:</b>	<b>SB2020-0029</b>
<b>Map Section Number:</b>	22W
<b>Application Description:</b>	Bare Land Condominium
<b>Land Use District:</b>	R-1s
<b>Site Address:</b>	882 77 ST SW
<b>Existing Use:</b>	Vacant
<b>Proposed Use:</b>	Bare Land Condominium
<b>Related File:</b>	PE2018-00157 & LOC2016-0218
<b>Community:</b>	WEST SPRINGS
<b>Applicant:</b>	MAIDMENT LAND SURVEYS LTD – Brent Wilson
<b>Date DTR Sent:</b>	March 12, 2020

### CPAG Team:

#### Subdivision Services

VIVIAN BARR	(403) 268-1468	<a href="mailto:vivian.barr@calgary.ca">vivian.barr@calgary.ca</a>
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#### Development Engineering

ERIN WARD	(587) 215-7674	<a href="mailto:erin.ward@calgary.ca">erin.ward@calgary.ca</a>
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#### Transportation

FABIAN SNYDERS	(403) 268-5094	<a href="mailto:fabian.snyders@calgary.ca">fabian.snyders@calgary.ca</a>
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#### Parks

CURESHA MOODLEY	(403) 268-1396	<a href="mailto:curesha.moodley@calgary.ca">curesha.moodley@calgary.ca</a>
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## Prior to Decision Conditions

The following issues must be addressed by the Applicant through a written submission prior to the decision by the Subdivision Authority to approve or refuse the proposed subdivision application. Applicants are encouraged to contact the respective team members directly to discuss outstanding issues or alternatively request a meeting with the CPAG Team.

### Subdivision Services:

- Unit 2 does not meet the minimum width requirement of the R-1s land use district. **Prior to decision**, submit a revised plan to demonstrate compliance with the land use bylaw. If our calculations are correct, the shortest side property line for Unit 2 is the "panhandle", which is 33.637m long vs the southerly property line, which is 34.365m long.

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



(102) "parcel width" means the distance between the *side property lines* of a *parcel* measured at a right angle to the mid-point of the shortest *side property line*.

2. At this time, the Subdivision Authority is still reviewing the application and will therefore not recommend a decision until the prior to decision conditions have been satisfied.
3. Notification of this application has been circulated to the adjacent property owners. Several letters of objection have been received. An extension to March 24, for comments, has been granted to the community association and adjacent property owners.

**The developer is encouraged to have a meeting with the community association & property owners prior to decision.**

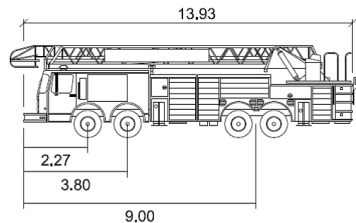
4. **Prior to decision**, review the circulation letter from Atco and demonstrate, to their satisfaction, where any proposed utility right-of-way, required to service the proposed bare land condominium, would be located.

#### Development Engineering:

5. **Prior to decision**, amend the plans to address the following conditions:

##### Fire – Primary Fire Access Road Design

- a. Indicate a minimum 6.0m wide fire access route.  
*Note: this is the minimum requirement for trucks to set up outriggers. Ensure there will be no encroachments into this access route (ie: stairs).*
- b. Indicate the fire access route is designed to support a 38,556kg/85,000 lbs load. Indicate the access is designed to support the NFPA 1901 point load of 517kPa (75 psi) over a 24" x 24" area which corresponds to the outrigger pad size.



CFDBronto\_Skylift

	meters
Width	: 2.57
Track	: 2.57
Lock to Lock Time	: 6.0
Steering Angle	: 47.5
Turning Radius	: 10.18

- c. Indicate no parking signs on both sides of the fire access route as the road width is less than 7.49m.

##### Utility Line Assignments

- a. Indicate and dimension all existing / proposed utility rights-of-way and / or easements on **all relevant** plans and details,

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

- b. Indicate the location of the existing shallow utilities on **all relevant** plans and details, *Note: it appears that there is an ATCO service line entering the west side of the parcel.*

##### Waste & Recycling Services – General

- a. Provide details of the proposed waste collection facilities as information is not indicated on the plans.

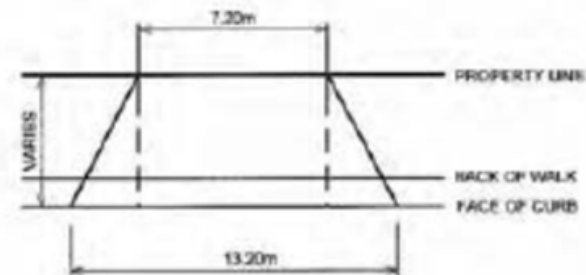
##### Waste & Recycling Services – Collection Vehicle Access

- a. Provide a scaled plan (1:200 / 1:300) indicating the vehicle sweep and turning movement for collection vehicles. Refer to the "Development Reviews: Design Standards for the Storage and Collection Waste" found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>
- b. Indicate that the maximum distance the collection vehicle will reverse is two truck lengths.
- c. Provide a minimum 5.0m vertical and horizontal clearance for vehicle access.
- d. Provide a City standard turnaround area or a looped route to allow the collection vehicle to both access and egress the site by driving forward.

6. **Prior to decision**, submit, for review, a preliminary servicing plan to Urban Development for review by Water Resources.

#### Transportation:

7. **Prior to decision**, amend the plans to provide a minimum 7.2m wide access right-of-way, which is required for two way vehicle traffic, as well as to accommodate for the vehicle back out maneuver from the proposed garages. Also, amend the vehicle swept paths to be a TAC large 4 door sedan ensuring at least 0.5m of clearance from all obstacles, and no more than 3 back and forth movements to enter and exit all the garages. Anything more than this is overly onerous.
8. At the time of Development, a standard 7.2m wide driveway with 3m wide flares will be required to access the site off 77 Street S.W. (See image below). Also, be aware that the flares are not permitted to cross lot lines without permission from the affected landowner. **Prior to decision**, amend the plans to confirm the direction that is to be taken, ensuring appropriate sight triangles for vehicle/ pedestrian safety are provided. Refer to the diagram below.



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



## Conditions of Approval

The City of Calgary has the authority, granted by Section 656 of the Municipal Government Act to approve or refuse a subdivision application, subject to conditions outlined in Section 655 of the same Act.

The conditions listed below comprise the conditions of approval of the subdivision. These conditions will form the basis of the decision by the Subdivision Authority and can be appealed by the applicant to the Subdivision and Development Appeal Board.

The conditions that need to be addressed prior to the endorsement of the final instrument by the City and conditions that are to be addressed concurrent to the registration of the final instrument have been identified and listed first.

### Prior to Endorsement Conditions

#### Subdivision Services:

9. The existing buildings (sheds) shall be removed **prior to endorsement of the final instrument**.

#### Development Engineering:

10. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw 33M2005*. Contact [developmentsservicing2@calgary.ca](mailto:developmentsservicing2@calgary.ca) for additional details.

For further information, refer to the following:

#### Design Guidelines for Development Site Servicing Plans

[http://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/DSSP2015.pdf](http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP2015.pdf)

#### Development Site Servicing Plans CARL (requirement list)

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

11. Restrictive covenants shall be registered **concurrent with the registration of the final instrument** on all lots adjacent to trapped lows with spill depths exceeding 0.3m. The Development Engineering Generalist will specify which lots require covenants **prior to endorsement of the final instrument**.
12. **Prior to endorsement of the final instrument**, ~~indicate~~ provide evidence that a registered access easement agreement is in place, which is required to permit the waste and recycling collection vehicle to travel through the adjacent lot.

### Concurrent with Registration Conditions

#### Development Engineering:

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

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**SDAB2021-0028 Additional Submission**

13. Execute and register on all affected titles, where required, a utility right-of-way plan and an accompanying ~~City of Calgary~~ General Utility Easement Agreement **concurrent with the registration of the final instrument**, which protects any proposed utilities in the subject parcel.

#### Transportation:

14. **Concurrent with the registration of the final instrument**, execute and register on title a 7.2m wide Access Easement Agreement with the City of Calgary over Lot 22, Block D, Plan 021 0368/future Units 1-4 (Servient Lands) in favour of 77 Street S.W. (Dominant Lands) for the purpose of parking, access & an access route for the waste & recycling collection vehicle (If required) to the storage facilities. The agreement and access right of way plan shall be approved by the Director, Transportation Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement and an Instruction Document will be provided by the Transportation CPAG Generalist. Submit an original copy of the executed agreement and the certificate of title(s), indicating the agreement is registered on title, for all affected parcels.

### Conditions of Approval

#### Subdivision Services:

15. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.

#### Development Engineering:

16. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.
17. Submit, for review, two (2) copies of the Erosion and Sediment Control (ESC) **report and/or drawings** to Urban Development for review by the Erosion Control Coordinator, Water Resources. Prior to submission of the ESC report and drawing(s), please contact the Erosion Control Coordinator, Water Resources at 268-2655 to discuss ESC requirements.

**If the overall site size is less than 2 hectares (5 acres) (Only if the entire development proposed is over such size in area), only a drawing** may be required for review. Please contact the Erosion Control Coordinator to discuss report and drawing requirements for these sites.

Documents submitted shall conform to the requirements detailed in the current edition of The City of Calgary *Guidelines for Erosion and Sediment Control* and shall be prepared by a qualified consultant or certified professional specializing in ESC. For each stage of work where soil is disturbed or exposed, drawing(s) must clearly specify the location, installation, inspection and maintenance details and requirements for all temporary and permanent controls and practices.

## Advisory Comments

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

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The following advisory comments are provided by the City of Calgary as a courtesy to the applicant and property owner. These comments will not form the basis of the decision to approve or refuse the proposed subdivision application. They are simply provided for information purposes.

#### Subdivision Services:

18. Please review the circulation comments from:
  - Enmax, dated March 3, 2020;
  - Atco, dated February 28, 2020; and
  - Telus, dated February 20, 2020.
19. Easements #011 154 803 & 011 15 4804 should be discharged from the title, as they are no longer required.

#### Development Engineering:

20. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,
  - a. the person discovering such contamination must immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment and Sustainable Resource Development, the Alberta Health Services and The City of Calgary (311).
  - b. on City of Calgary lands or utility corridors, the City's Environmental Risk & Liability group must be immediately notified (311).
21. The developer is responsible for ensuring that the environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.

The developer is responsible for ensuring that appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and the Alberta Health Services.

The developer is responsible for ensuring that the development conforms to any reviewed and accepted remedial action plan/risk management plans.

The developer is responsible for ensuring that all reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.

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

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

The developer is responsible for ensuring that the development is in compliance with applicable environmental approvals (e.g. Alberta Environment and Sustainable Resources Development Approvals, Registrations, etc), Alberta Energy Regulatory approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

22. No overland drainage will be permitted to leave the plan area, except in conformance with the approved Stormwater Management Report. Overland drainage is to conform to the current edition of Alberta Environment's Stormwater Management Guidelines and The City of Calgary's Design Guidelines for Subdivision Servicing and Stormwater Management and Design Manual. The developer should evaluate the impact of the 1:100 year event on all major storm routes. Storage and/or acceptable conveyance for up to and including the 1:100 year event will be required.

Drainage control features are required at the back of laneless lots and where lots are adjacent to reserves and rights-of-way, unless otherwise permitted by Calgary Parks. Overland drainage easements and separate CCCs and FACs are required for all drainage features. Complete details of these features and "as-builts" of the same may be required to be provided and approved prior to issuance of CCCs.

23. **Prior to acceptance of any construction drawings in the plan area**, a Stormwater Management Report is required. The Stormwater Management Report is to illustrate the overall stormwater management plan for the entire plan area and should include areas upstream that currently drain to the area. Refer to Water Services' currently applied Stormwater Management and Design Manual for details.

Note: According to the approved West Springs Phase 1 Overland Drainage Analysis in 2003, storm can tie to manhole EX MH5 with UARR = 28.38 L/s/ha.

24. Water is available to connect from 77 St. SW.
25. Sanitary is available to connect from 77 St. SW. If the proposed density is over 55 persons per hectares or proposed sanitary flow is greater than 1 L/s, a sanitary servicing study is required.
26. Ensure all proposed private utilities within the subject site are protected with registered utility right-of-ways to the satisfaction of the utility owners.
27. As the subdivision currently has not met the standards in either the current City of Calgary standards – "Development Reviews: Design Standards for the Storage and Collection of Waste" or the current Waste and Recycling Bylaw, the development may not be eligible to receive collection service from The City of Calgary.
28. For questions and concerns regarding waste storage facilities, refer to the "Development Reviews: Design Standards for the Storage and Collection of Waste"  
Found at: <http://www.calgary.ca/UEP/WRP/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>

Or

Contact the Waste & Recycling Services Specialist 403-268-8429 for further site specific details.

29. All financial obligations resolved under DA2001-0070 West Springs, Phase 1.

**Transportation:**

30. Transportation Planning recommends the applicant purchase the Road Widening plan #881 0046, as it is not required. A road closure and land use redesignation will be required.



262

West Cedar Pl SW

West Cedar Point SW

# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

SDAB2021-0028 Additional Submission

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Go

**“Summary of Fire Safety”**

**(prepared by Urban Systems)**

- **Summary of Fire Safety**

- City of Calgary reviewed and approved Fire Prevention Plan as part of the DSSP to confirm that adequate access is provided to the parcel and sufficient hydrant coverage has been provided. Please see attached.
- The site meets the requirements laid out within the City of Calgary Fire Department Access Standards (see attached). This includes:
  - 6m access w/ no parking
  - Widens to 7.2m in numerous spots (again with no parking)
- See below excerpts from The City of Calgary Fire Department Fire Prevention Bureau Fire Department Access Standards (enclosed):

**Figure 1: Section 2 - Submitting Plans - Page 4**

**EMERGENCY VEHICLE SET UP AND OPERATIONAL DIMENSIONS**

A width of 6 m is required for fire department apparatus to set up at an emergency scene and to provide a safe work area for emergency personnel performing their duties. This includes:

- ▲ 3 m for the vehicle
- ▲ 2 m for non-restricted hose operation, so as not to restrict water flow
- ▲ 1 m for operation of doors, equipment and manpower
- ▲ Aerial units require a minimum of 5 m for operation and 6 m for setup.

- **Figure 2: Section 3 - Access- Page 5**

**EMERGENCY ACCESS ROUTES**

An emergency access route is required when the distance from the centre line of the primary access street to the closest point of the access route at a building's principal entrance exceeds 120 m but is less than 200 m and/or the total number of residential households exceeds 100 (NFPA 1141).

The emergency access route shall be a minimum of 6 m wide, designed to support a load of 38,556 kg (85,000 lbs.) and to meet the access requirements set out in ABC article 3.2.5.6.

-

Figure 3: Section 3- Access - Page 8

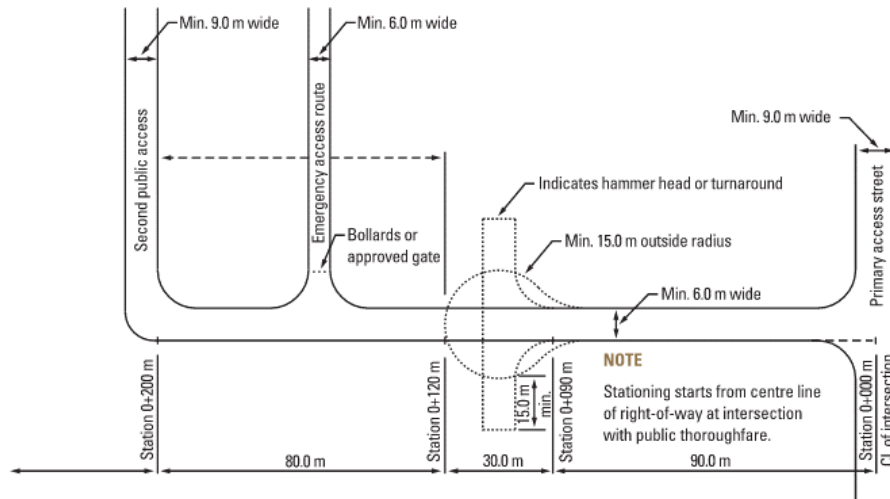
**UP TO 90 M LENGTH**

- ⚠ No turnaround required.
- ⚠ No other access required.

**MORE THAN 90 M WITH A DEAD-END**

- ⚠ Turnaround required for any dead-end portion of the access route more than 90 m long.
- ⚠ "Hammer-head" or turnaround.
- ⚠ No other access required.
- ⚠ Turnaround can also be a parking lot meeting 12.0 m centre line of roadway radius at corners and 6.0 m minimum road width.

Figure 4: Section 3 - Access - Page 7



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**FIG. A: SITE ACCESS CRITERIA**





**FIG. G: EMERGENCY ACCESS ROUTE, ONE-WAY OR TWO-WAY STREET**

NO PARKING PERMITTED, NO-PARKING SIGNS POSTED EACH SIDE 20 m APART, 2.3 m ABOVE SURROUNDING GRADE

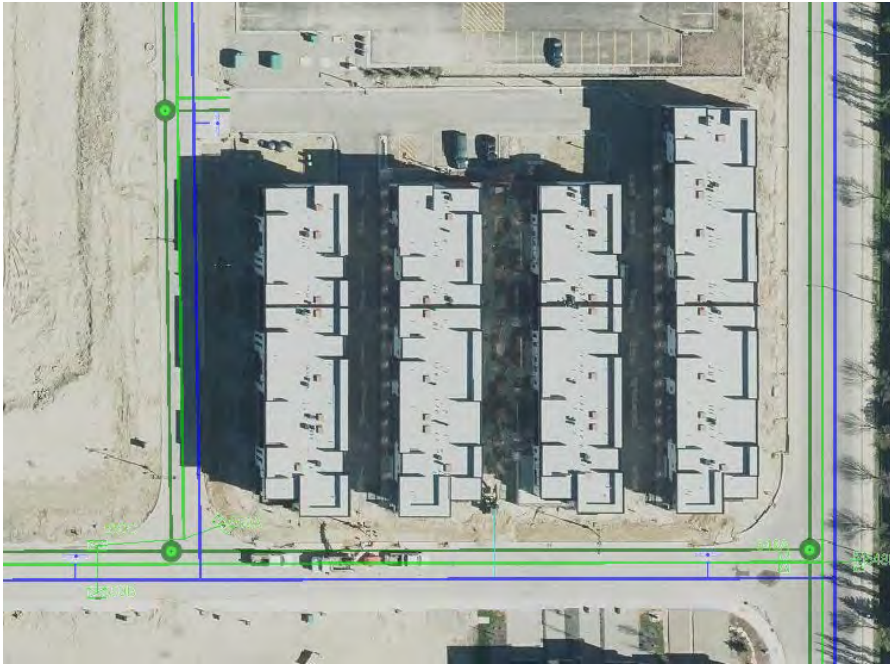
Figure 6: Section 3 - Access - Page 8

### MAINTENANCE OF ACCESS

It is unrealistic to assume that either a municipality or a private owner can guarantee an operational year-round snow removal program to ensure routes will be clear of snow and debris at all times. However, routes should be designed to readily allow for snow removal throughout the year. **This is the responsibility of the owner(s) to maintain.**

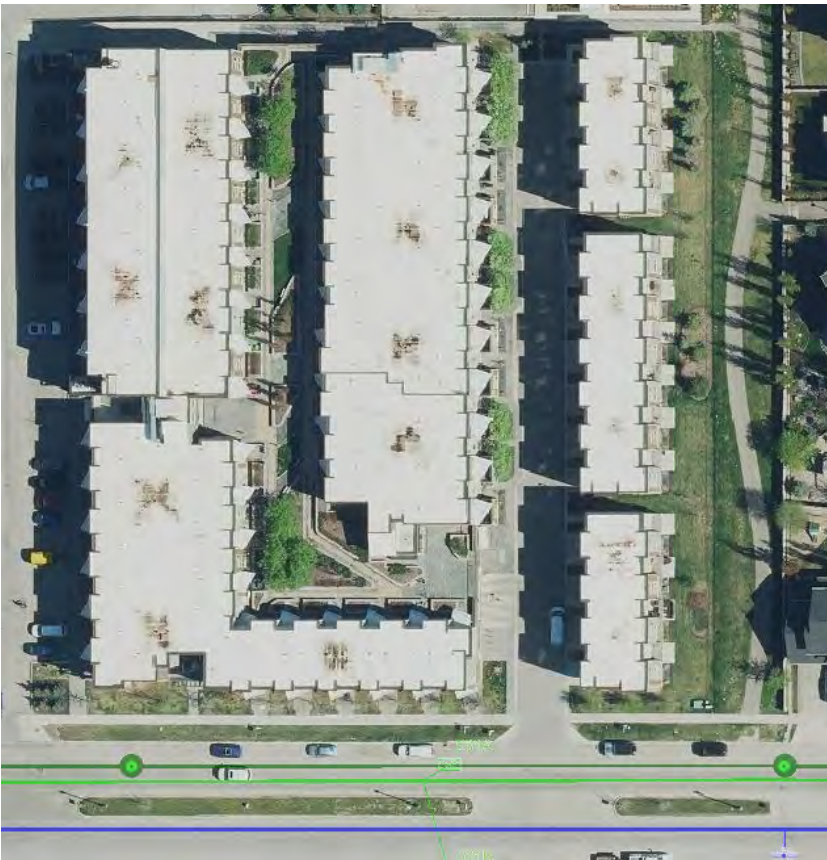
- **Utilities within Access**

- It is typical of multi-family sites for utility servicing to enter a site via the driving access. This typically provides a free and clear route for utility installation. See below for multiple examples of this within the City of Calgary, where utility maintenance will block site access, typically to more residents than impacted within this site.
- 830 78 St SW – West District
- 34 Townhome Units, single 7.2m entrance, storm/sanitary sewer through entrance



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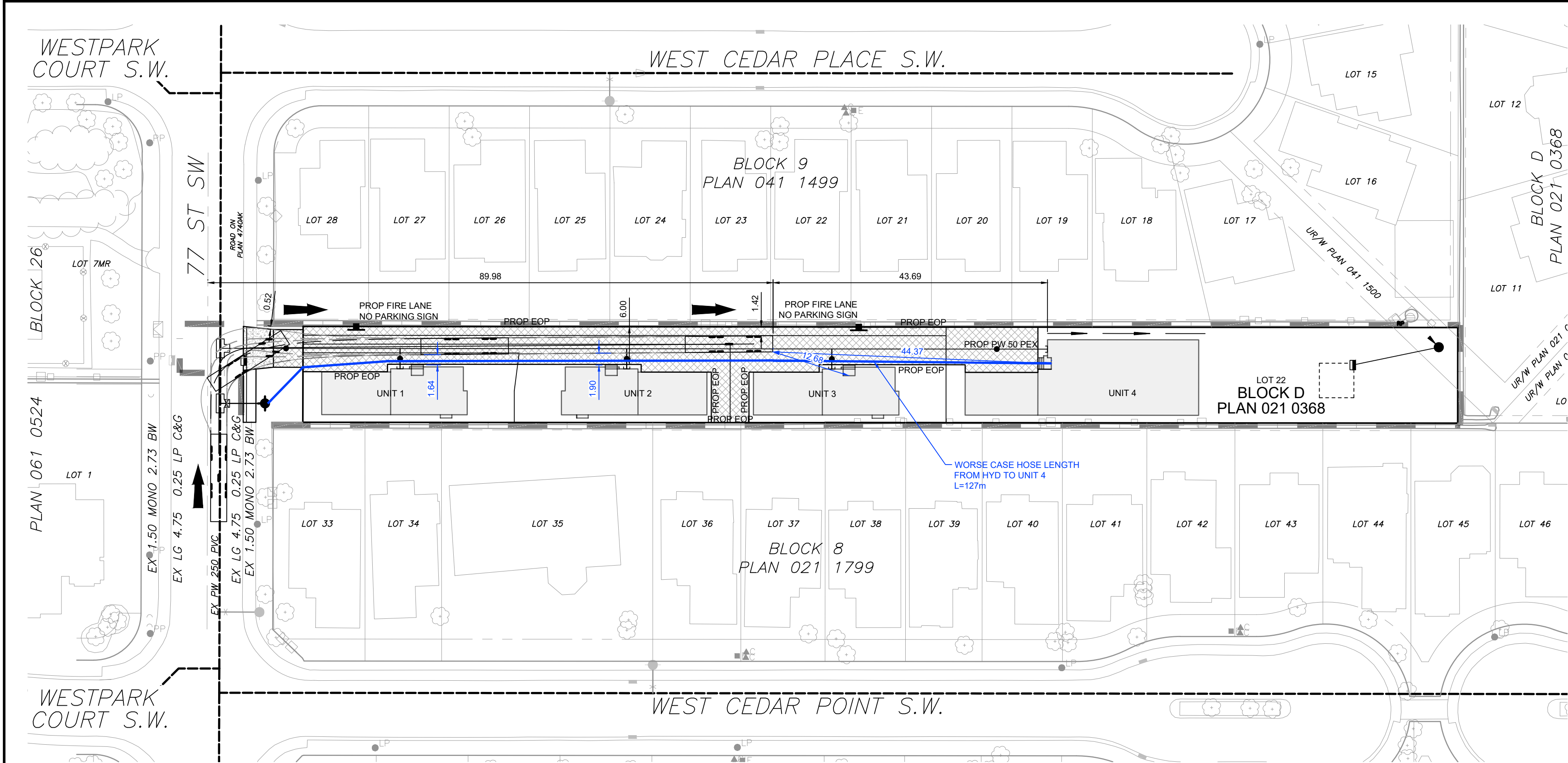
- 2-28 West Park Common
- Singular vehicle access to ~26 Townhome units
- 7.2m access



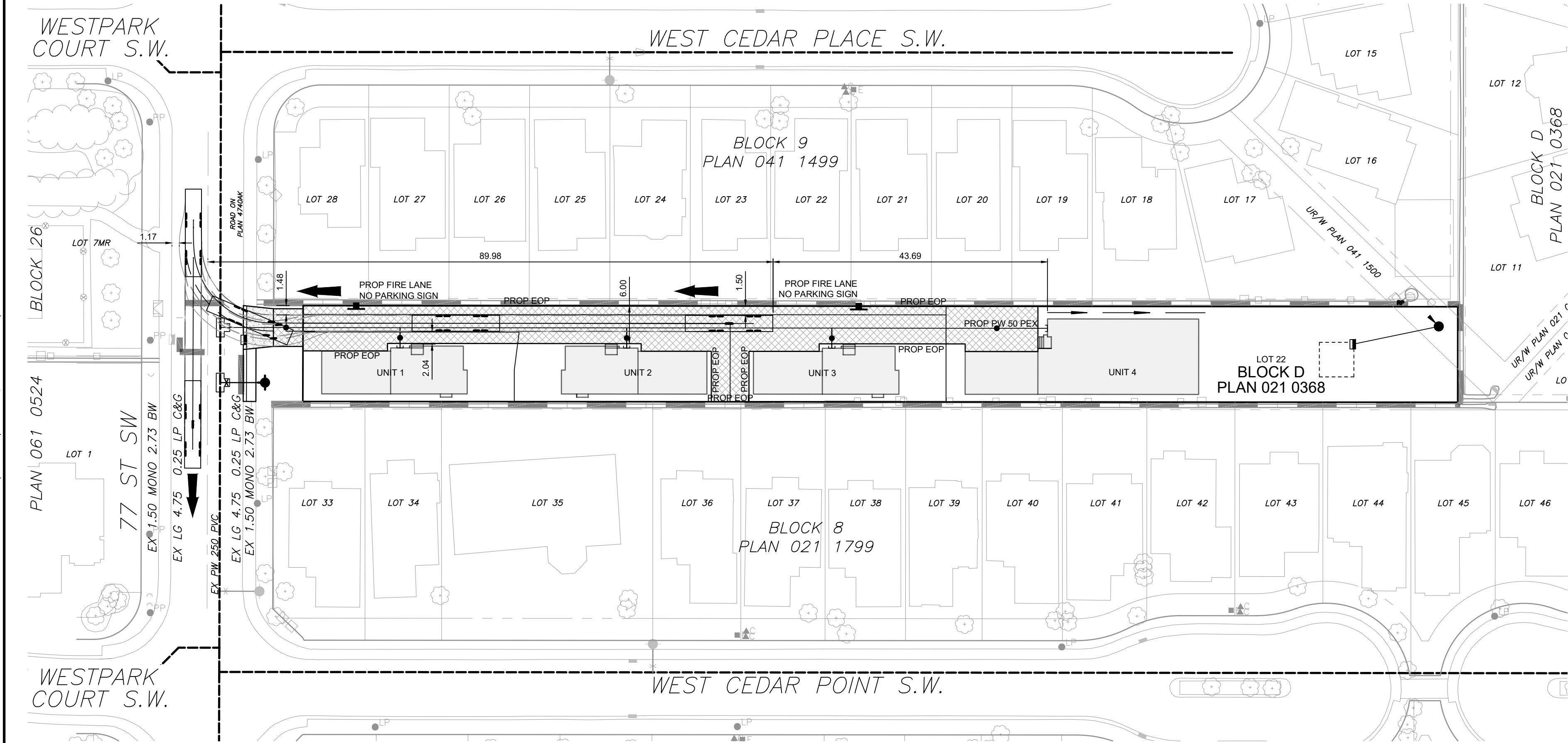


- Surface Drainage
  - Site Grading and Stormwater Approved via Development Site Servicing Plan review by City of Calgary Water Resources
  - Existing concrete swales to north and south were sized/provide drainage from current parcel, as well as existing underground stormwater infrastructure
  - Onsite Stormwater retention has been developed to buffer increased stormwater runoff due to increased impervious areas
  - Stormwater storage at east end has been sized to fully contain 1:100 year event.
    - 1:100 Year required storage based upon Rational Method Modelling = 38m<sup>3</sup>
    - Available Storage = 61m<sup>3</sup>
    - Additional storage = 23m<sup>3</sup> (60% additional storage, above/beyond 1:100 year event)
  - Emergency escape it to the east to existing highback concrete swale, then eastward via existing swale, ultimately discharging to 73 St SW





1 FIRE TRUCK ENTRANCE MOVEMENT  
SCALE 1:500



2 FIRE TRUCK EXIT MOVEMENT  
SCALE 1:500

**LEGEND**

CONSTRUCTION BOUNDARY SITE BOUNDARY/LIMIT OF CONSTRUCTION

PROPOSED FEATURES  
PROP LG 3.00 0.25 R C&G  
PROP LG 1.10 MONO BW 1.38  
PROP PW 200 PVC

LIP OF CURB  
2.15 PARKING LANE (INCLUDES 0.25m GUTTER PAN)  
0.50m OVERHANG  
EDGE OF BUILDING  
WATERMAIN  
HYDRANT  
VALVE  
FIRE DEPT. CONNECTION  
WATER METER ROOM  
PROPOSED LANDSCAPE AREA  
HEAVY DUTY ASPHALT DESIGNED FOR 38,556kg  
HEAVY DUTY CONCRETE DESIGNED FOR 38,556kg

Bronto Skylift

Width : 2.57  
Track : 2.57  
Lock to Lock Time : 6.0  
Steering Angle : 47.5

FIRE TRUCK TEMPLATE  
NTS

**NOTES**

**ATTENTION**  
THIS DRAWING WAS PREPARED FOR THE SOLE USE OF OUR CLIENT. NO REPRESENTATIONS OF ANY KIND ARE MADE BY URBAN SYSTEMS LTD. OR ITS EMPLOYEES TO ANY PARTY WITH WHOM URBAN SYSTEMS LTD. DOES NOT HAVE A CONTRACT.

**WARNING**  
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**PERMIT**

PERMIT TO PRACTICE  
URBAN SYSTEMS LTD.  
Signature \_\_\_\_\_  
Date Sep 23 2020  
PERMIT NUMBER: P 3836  
The Association of Professional Engineers and Geoscientists of Alberta

8	-	-	-
7	-	-	-
6	-	-	-
5	-	-	-
4	-	-	-
3	-	-	-
2	-	-	-
1	ISSUED FOR APPROVAL	2020-09-23	BD

NO.	DESCRIPTION	DATE (YYYY-MM-DD)	APPD

SEAL

DESIGNED BY BD  
DRAWN BY TL  
CHECKED BY BD

SCALE 1:500

0 10 20 m

**URBAN systems**  
101 - 134 11th AVENUE SE  
CALGARY, ALBERTA T2G 0X5  
urbansystems.ca

PROJECT  
4 LOT BARELANDS CONDOMINIUM

PARCEL SIZE  
0.28 ha

LOT	BLOCK	PLAN
22	D	021 0368

LEGAL  
PORTION OF XX1/4, SEC ##, TWP ##, RGE #, W#M

MUNICIPAL ADDRESS  
882 - 77 ST SW

DP #	DSP #
20XX-XXXX	20XX-XXXX

SHEET TITLE  
FIRE PREVENTION PLAN

FILE NO.	ENG DWG NO.
	4698.0001.01

SHEET ID.	SHEET COUNT
C09	1

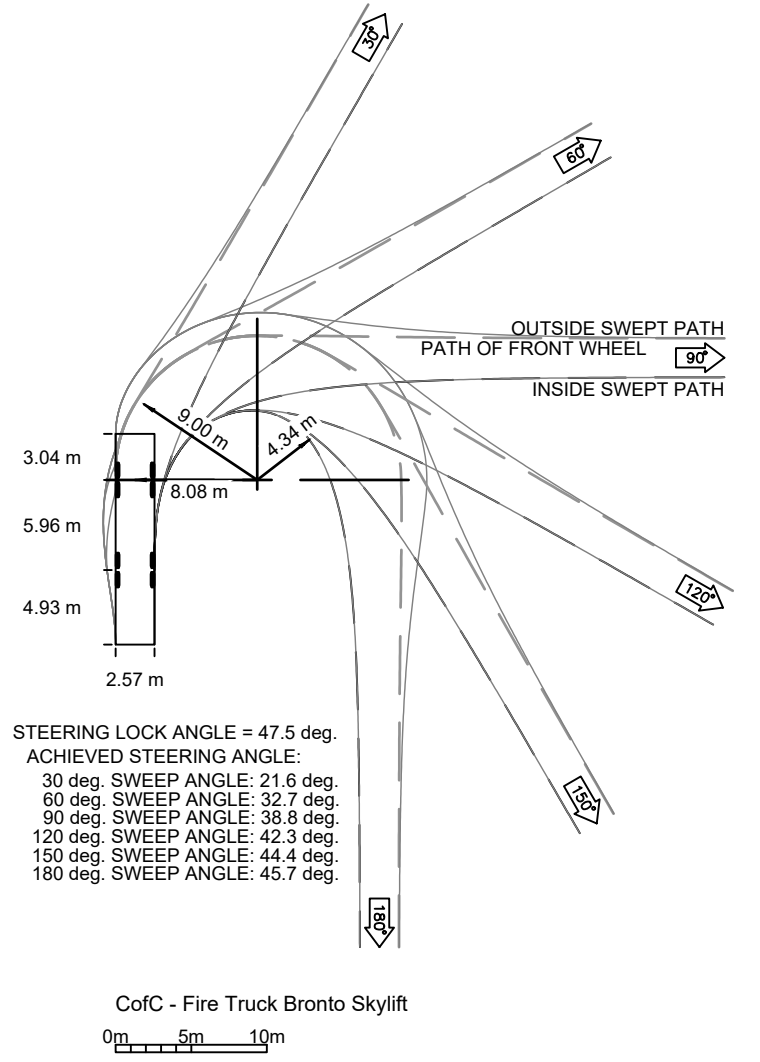
CALGARY FIRE PREVENTION BUREAU STAMP

**HYDRANT LOCATION ONLY**  
11/03/2020 11:47:47 AM

**SCO# 121896**  
Technical Services Officer  
Calgary Fire Department  
Fire Inspections & Investigations  
x Approved See Report  
Number of Hydrants 1

Final hydrant locations are to meet the requirements of the current NBC-AE and NFC-AE related to Access Routes, Fire Department Connections, Principal Entrance and path of travel for the Firefighter. Locations are to be verified by the Authority Having Jurisdiction.

11/03/2020 11:47:54 AM  
SCO#121896



**Development Site Servicing Plan**  
**(see attached)**



## Development Site Servicing Plan – Review 3

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**Application #:** DSSP2020-0164  
**Job Description:** N/A  
**Site Address:** 882 77 ST SW  
**Date Submitted:** February 01, 2021  
**Applicant Name:** Dyck, Brock  
**Phone Number:** (403) 291-1193  
**Email:** [BDyck@urbansystems.ca](mailto:BDyck@urbansystems.ca)

**Water Resource Contact:** Mark Brown  
**Email:** [Mark.Brown@calgary.ca](mailto:Mark.Brown@calgary.ca)

Applicants are requested to contact Water Resources to resolve outstanding issues. Revised plans should not be submitted until all comments are addressed.

The Engineer of Record maintains full responsibility for the entirety of their design, and must adhere to the most current published version of the DSSP guidelines, Stormwater Management Design Manual and standard specifications for water and sewer construction on aspects of the design related to stormwater management, the public pipe system, and public health & safety.

The Lot Owner and their representatives (ex. Engineer of Record) are responsible for ensuring contractors are constructing as per the approved plans within the private site, and adhering to the above noted requirements. Contractors working on behalf of the Lot Owner are responsible for ensuring that they are adhering to all relevant codes and regulations, enabling the outcomes of protecting public health & safety, the municipal pipe system, and supporting stormwater management.

The Lot Owner maintains full ownership and responsibility for the utility site servicing installations from the property line to the building connection unless an easement granting ownership of the infrastructure to The City of Calgary is registered on title. This includes the ongoing operation, maintenance and compliance with applicable regulations.

Yours truly,

Mark Brown





## Required Comments

These comments must be addressed and the plans resubmitted for approval.

1.

## Conditions of Approval:

The approval is subject to the comments listed and no further submissions are required.

2.

## Recommended/Advisory Comments

These comments are not required for approval and are recommended/advisory changes only.

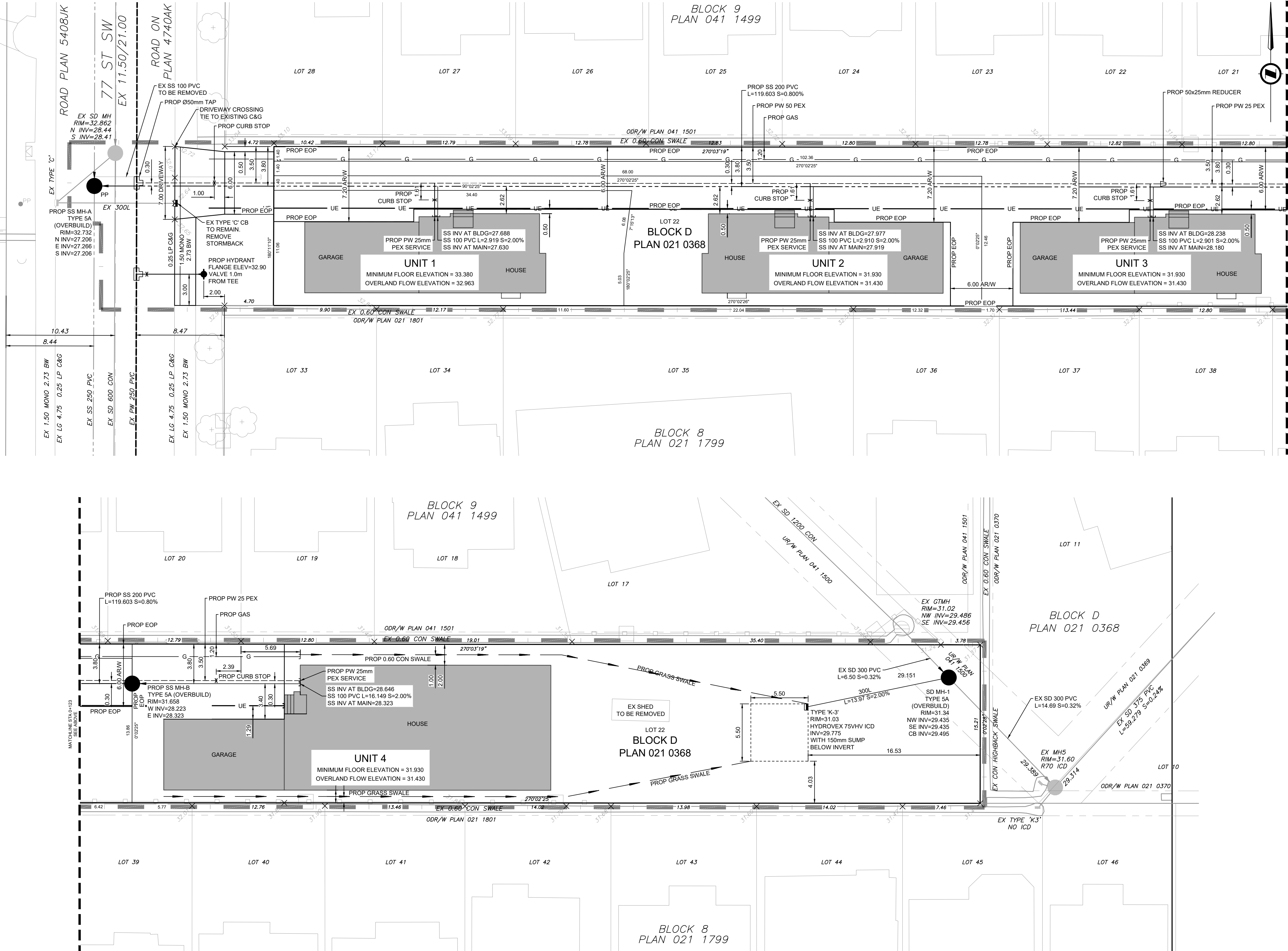
3.

**WATER RESOURCES: APPROVED -NO COMMENT**

**CONNECTION BY: CITY**

DSSP2020-0164-3 (Page 1 of 3)

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LEGEND

CONSTRUCTION BOUNDARY

SITE BOUNDARY/LIMIT OF CONSTRUCTION

PROPOSED FEATURES

EXISTING FEATURES

LIP OF CURB

ASPHALT/CONCRETE SIDEWALK

EDGE OF BUILDING

PARKADE PERIMETER

FENCELINE (WOOD SCREEN)

FENCELINE (CHAIN LINK)

FENCELINE (NOISE BARRIER)

FENCELINE (POST & CABLE)

BOLLARD

SANITARY SEWER

STORM SEWER

WATERMAIN

5A / 1S MANHOLE

MANHOLE - GRATED TOP

FLOW DIRECTION

CAP

CATCHBASIN

INLET / OUTLET STRUCTURE

CULVERT

HYDRANT

VALVE

FIRE DEPT. CONNECTION

WATER METER ROOM

GAS METER ROOM

ELECTRICAL METER ROOM

STREET LIGHT STANDARD

SWALE

DITCH

BERM

TOE OF BANK/SLOPE

SPOT ELEVATION

PROPOSED LANDSCAPE AREA

GENERAL NOTES:

1. ALL MATERIALS AND CONSTRUCTION TO CONFORM TO CITY OF CALGARY STANDARDS AND SPECIFICATIONS IN FORCE AT TIME OF REVISED FINAL APPROVAL.

2. ALL PIPE SIZES ARE IN MILLIMETRES AND ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE NOTED.

3. ALL COORDINATES AND DISTANCES ARE BASED ON 3TM COORDINATE SYSTEM (NAD 83). STATION COMBINED FACTOR APPLIED = 0.999711. INVERSE = 1.00028903546142.

4. NO CONSTRUCTION SHALL PROCEED UNTIL ALL APPROPRIATE REGULATORY APPROVALS ARE OBTAINED.

5. ALL PLANS SUBJECT TO TERMS OF THE DEVELOPMENT AGREEMENT/PERMIT AND THE CONTRACT DOCUMENTS.

6. ANY ERRORS OR DISCREPANCIES TO BE REPORTED TO THE ENGINEER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

7. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF CALGARY SPECIFICATIONS AND RECOMMENDATIONS OF GEOTECHNICAL ENGINEER.

8. CONTRACTOR TO TAKE CARE WHEN WORKING NEAR EXISTING INFRASTRUCTURE AND TO BE RESPONSIBLE FOR LOCATION AND ALIGNMENT OF ALL EXISTING UTILITIES. EXACT LOCATION OF ALL EXISTING INFRASTRUCTURE (HORIZONTAL AND VERTICAL) TO BE CONFIRMED IN THE FIELD BEFORE CONSTRUCTION BEGINS.

9. CONTRACTOR TO COORDINATE ALL CONSTRUCTION WITH ASSOCIATED OWNERS WHEN WORKING NEAR EXISTING INFRASTRUCTURE.

10. EXISTING SURFACE FEATURES TO BE REINSTATED TO CONDITIONS PRECEDING CONSTRUCTION WHERE EXISTING CONDITIONS WILL BE MAINTAINED.

11. ALL LANDSCAPE AREAS TO CONTAIN MINIMUM 0.3m TOPSOIL DEPTH AND 0.6m SHRUB/TREE PLANTING BEDS.

STORM SEWER NOTES:

1. ALL TRUNCATED RIMS, INVERTS, AND ELEVATIONS ARE GEODETIC, REFERENCED TO 1200.00 m IN ELEVATION.

2. ALL PVC PIPES TO BE DR36 UNLESS OTHERWISE NOTED. REFER TO PROFILE DRAWINGS.

3. ALL ULR (ULTRA-RIB) PIPES TO UTILIZE 20mm BEDDING AS PER CITY SPECIFICATIONS.

4. ALL CIRCULAR CONCRETE PIPES TO BE CLASS III UNLESS OTHERWISE NOTED. REFER TO PROFILE DRAWINGS.

5. ALL PIPE BACKFILL SHALL SATISFY A MINIMUM TYPE 2 INSTALLATION SPECIFICATION WITH CLASS II BEDDING, OR AS PER GEOTECHNICAL RECOMMENDATIONS IF APPLICABLE. REFER TO PROFILE DRAWINGS.

6. ALL EXISTING STORM SEWERS ARE OPERATIONAL AND MUST BE MAINTAINED AS SUCH DURING CONSTRUCTION OR SUITABLE ALTERNATE SERVICE CONDITIONS PROVIDED.

SANITARY SEWER NOTES:

1. ALL TRUNCATED RIMS, INVERTS, AND ELEVATIONS ARE GEODETIC, REFERENCED TO 1200.00 m IN ELEVATION.

2. ALL PVC PIPES TO BE SDR35 UNLESS OTHERWISE NOTED. REFER TO PROFILE DRAWINGS.

3. ALL CIRCULAR CONCRETE PIPES TO BE CLASS III UNLESS OTHERWISE NOTED. REFER TO PROFILE DRAWINGS.

4. ALL PIPE BACKFILL SHALL SATISFY A MINIMUM TYPE 2 INSTALLATION SPECIFICATION WITH CLASS II BEDDING, OR AS PER GEOTECHNICAL RECOMMENDATIONS IF APPLICABLE. REFER TO PROFILE DRAWINGS.

5. SANITARY MANHOLE LIDS MUST BE SEALED WHEN LOCATED IN TRAPPED LOW AREAS WITH PLASTIC PLUGS OR USE A SINGLE VENT COVER.

6. ALL EXISTING SANITARY SEWERS ARE OPERATIONAL AND MUST BE MAINTAINED AS SUCH DURING CONSTRUCTION OR SUITABLE ALTERNATE SERVICE CONDITIONS PROVIDED.

WATER SYSTEM NOTES:

1. ALL TRUNCATED RIMS, INVERTS, AND ELEVATIONS ARE GEODETIC, REFERENCED TO 1200.00 m IN ELEVATION.

2. ALL WATER MAINS TO BE PVC DR18 UNLESS OTHERWISE NOTED. REFER TO PROFILE DRAWINGS.

3. ALL WATER MAINS SHALL BE INSTALLED AND INSULATED AS SPECIFIED IN THE PROFILE DRAWINGS. CITY OF CALGARY SPECIFICATIONS AND GEOTECHNICAL RECOMMENDATIONS. PRIOR TO DEVIATION FROM ANY OF THESE THREE (3) ITEMS SHALL REQUIRE APPROVAL OBTAINED FROM THE ENGINEER.

4. MINIMUM DEPTH OF WATER MAINS AT HYDRANT LEADS TO BE 3.00 METERS, UNLESS OTHERWISE NOTED.

5. PRIOR TO PRESSURE TESTING, CHLORINATION, OR SIMILAR, AUTHORIZATION AND DIRECTION FROM WATER SERVICES SHALL BE OBTAINED. ALL WATER MAINS AND APPURTENANCES MUST BE PROPERLY TESTED PRIOR TO UTILIZATION.

6. NO HYDRANTS ARE TO BE USED FOR CONSTRUCTION WATER UNLESS OTHERWISE AUTHORIZED.

7. ALL EXISTING WATER MAINS ARE OPERATIONAL AND MUST BE MAINTAINED AS SUCH DURING CONSTRUCTION OR SUITABLE ALTERNATE SERVICE CONDITIONS PROVIDED.

STORMWATER MANAGEMENT NOTES:

1. DRAINAGE BOUNDARIES SHOWN REPRESENT PROPOSED ULTIMATE CONDITIONS (UNLESS OTHERWISE NOTED).

2. EXISTING UTILITY INFORMATION SHOWN ON THIS DRAWING IS COMPILED FROM RECORD INFORMATION PROVIDED BY OTHERS.

3. ALL DRAINAGE BOUNDARIES ARE COORDINATED WITH ADJACENT DEVELOPMENT AREAS.

DSSP NOTES:

1. NO SWMR REQUIRED. ALL STORMWATER RETENTION IS BASED ON THE RATIONAL METHOD.

2. SEE SHEET C03 FOR STORMWATER RETENTION CALCULATIONS.

3. SEE SHEET C03 FOR MINOR STORMWATER MANAGEMENT INFORMATION.

4. SEE SHEETS C02 FOR SITE GRADING, INCLUDING SWALE INFORMATION.

5. ALL SWALES ARE GRASS UNLESS OTHERWISE NOTED.

6. SEE SHEETS C02 FOR SURFACE MATERIALS.

CITY OF CALGARY

DEVELOPMENT SITE SERVICING PLAN

DATE RECEIVED

CIRCULATION TO

WATER RESOURCES

INITIAL

DATE

REVIEW AND INSPECTION BY THE CITY IS NOT A SUBSTITUTE FOR SUPERVISION, INSPECTION, AND DUE DILIGENCE BY THE ENGINEER OF RECORD, LOT OWNER, OR CONTRACTOR.

THE ENGINEER OF RECORD MAINTAINS FULL RESPONSIBILITY TO EXERCISE COMPETENCE AND GOOD ENGINEERING JUDGEMENT FOR THE ENTIRETY OF THEIR DESIGN AND TO PERFORM SITE WORKS AND PROVIDE DOCUMENTATION FOR ALL PRIVATE SITE WORKS AND RETAIN THESE RECORDS FOR THE USE OF THEIR CLIENTS.

NOTES

ATTENTION

WARNING

PERMIT

PERMIT TO PRACTICE

URBAN SYSTEMS LTD.

Signature

Date

PERMIT NUMBER: P 3836

The Association of Professional Engineers and Geoscientists of Alberta

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3	ISSUED FOR APPROVAL	2021-01-19	BD
2	ISSUED FOR APPROVAL	2020-12-18	BD
1	ISSUED FOR APPROVAL	2020-09-23	BD
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PROFESSIONAL ENGINEER ALBERTA

2021-01-22

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URBAN systems

101 - 134 11th AVENUE SE

CALGARY, ALBERTA T2G 0X5

urbansystems.ca

PROJECT

4 LOT BARELANDS CONDOMINIUM

PARCEL SIZE

0.28 ha

LOT

22

BLOCK

D

PLAN

021 0368

LEGAL

PORTION OF XX1/4, SEC ##, TWP ##, RGE #, W##

MUNICIPAL ADDRESS

882 - 77 ST SW

DP #

20XX-XXXX

DSPP #

20XX-XXXX

SHEET TITLE

SITE SERVICING PLAN

FILE NO.

ENG DWG NO.

4698.0001.01

SHEET ID.

C01

SHEET COUNT

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SHEET SIZE ARCH D

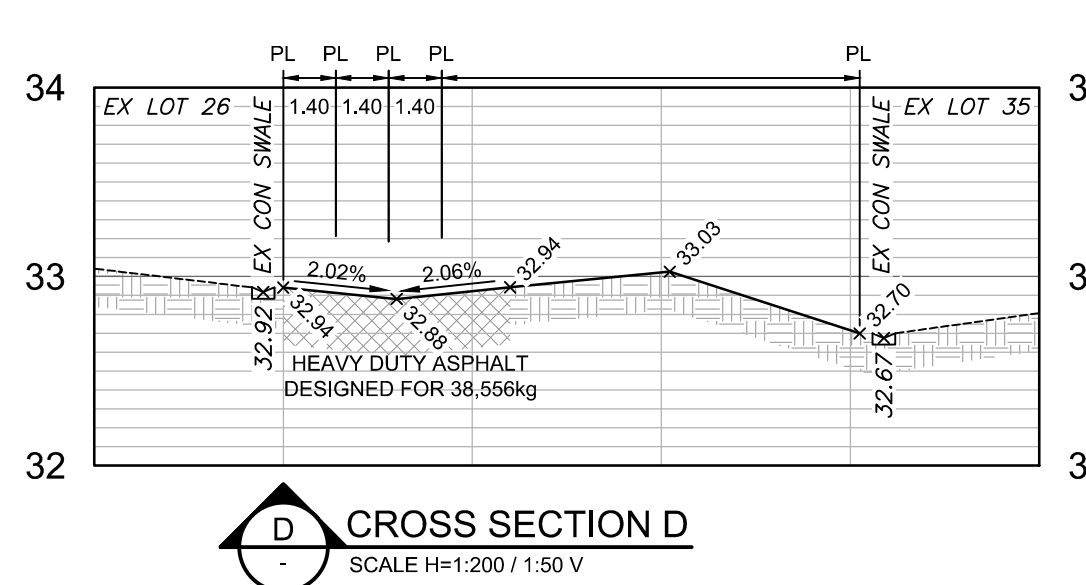
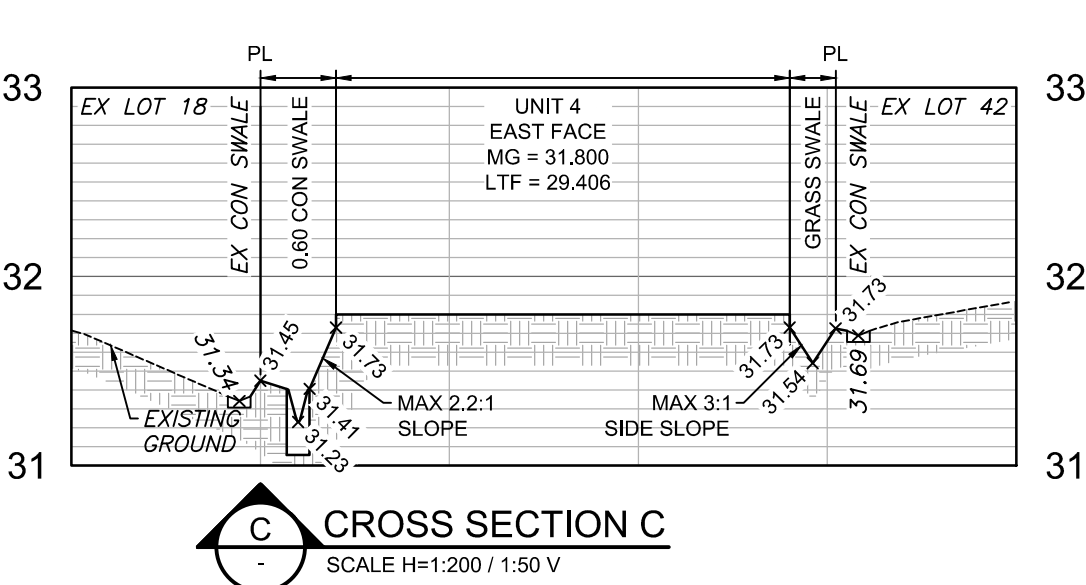
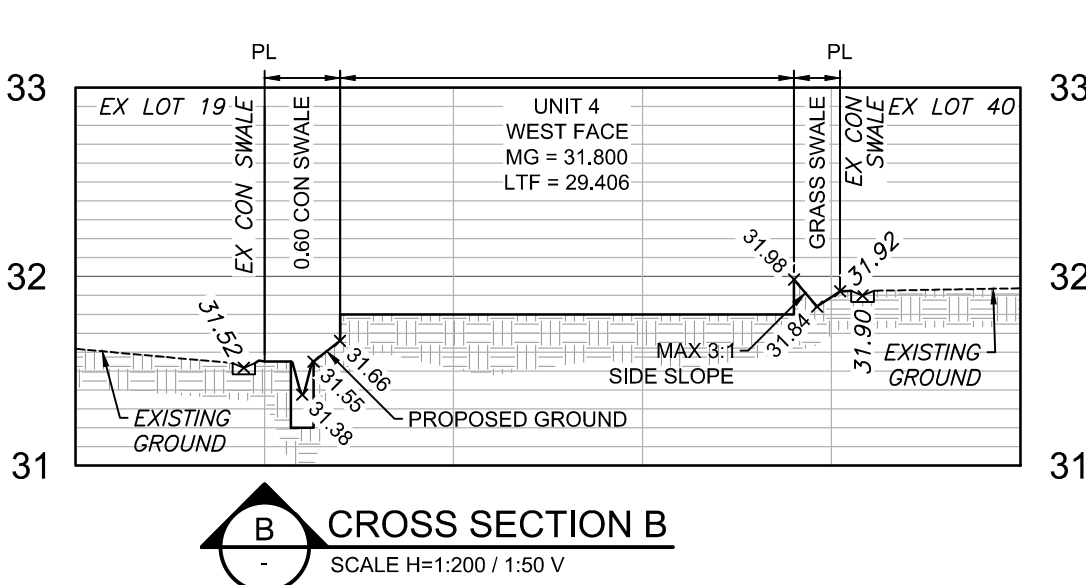
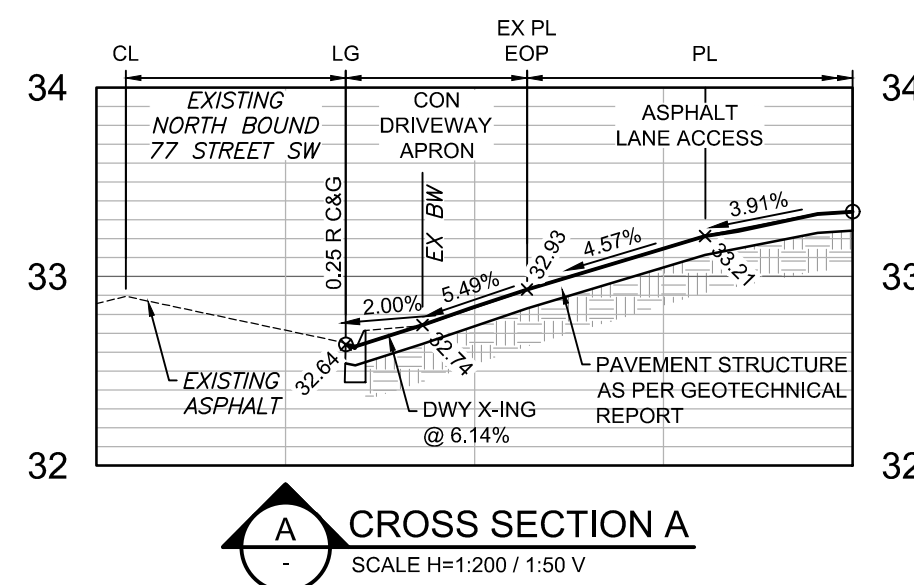
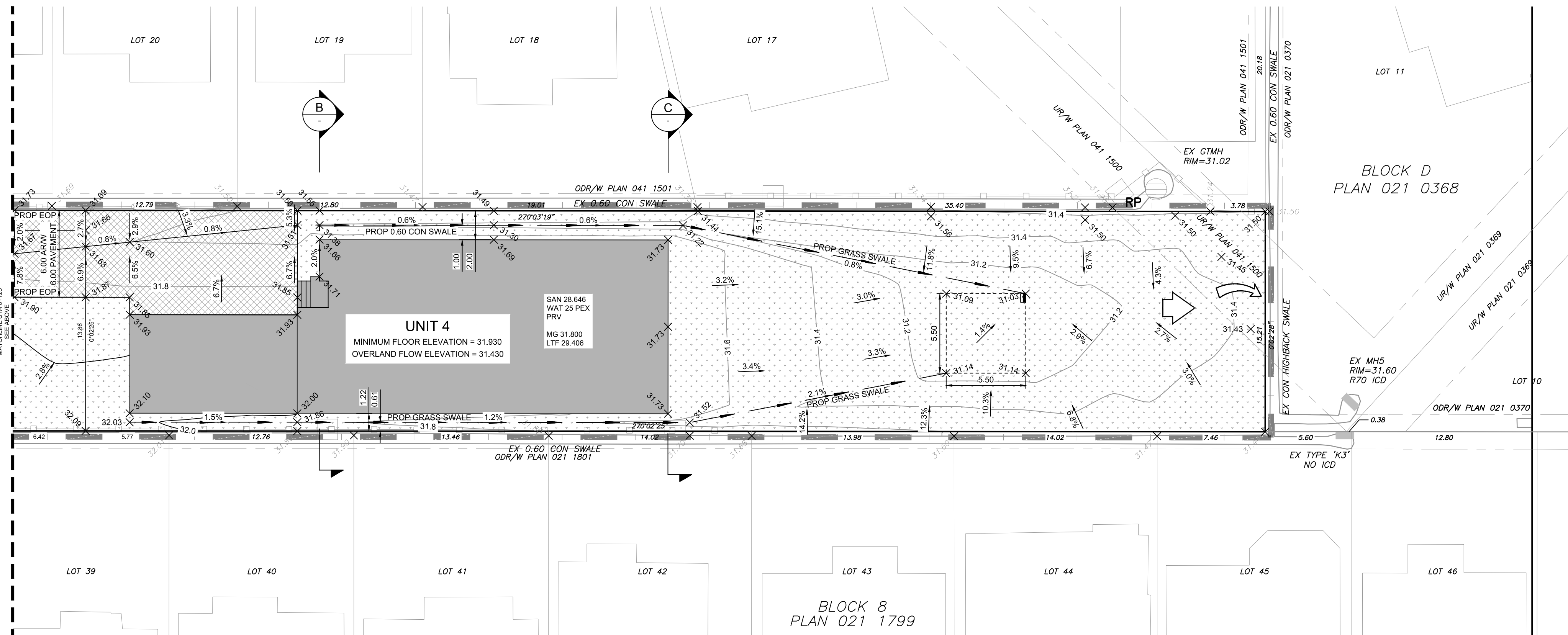
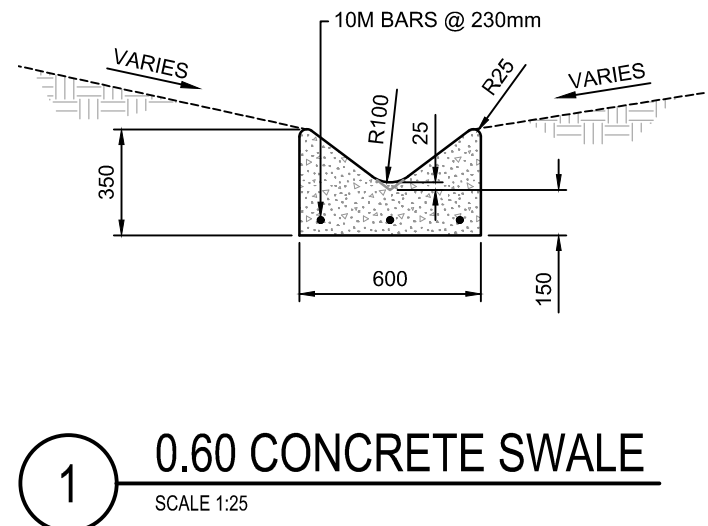
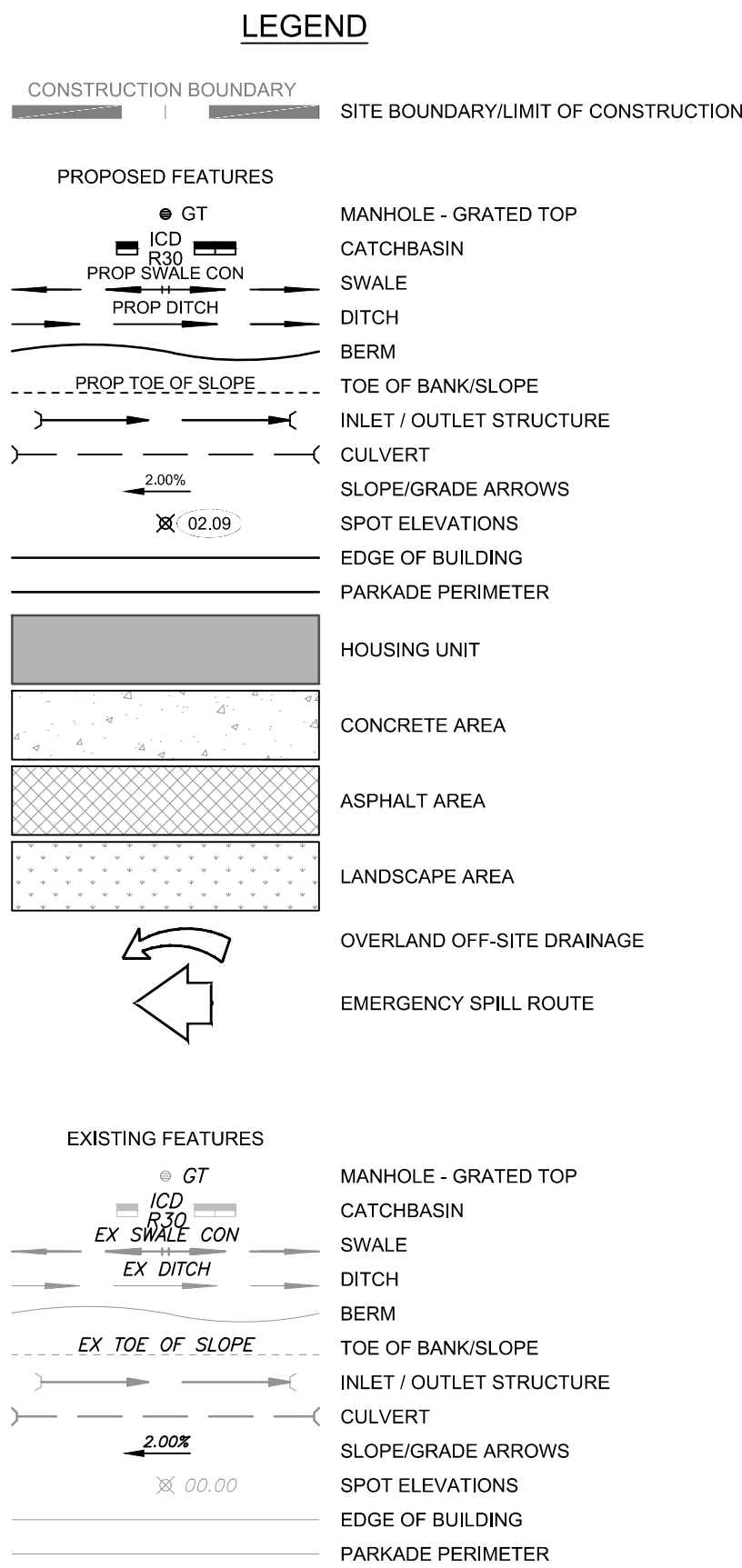
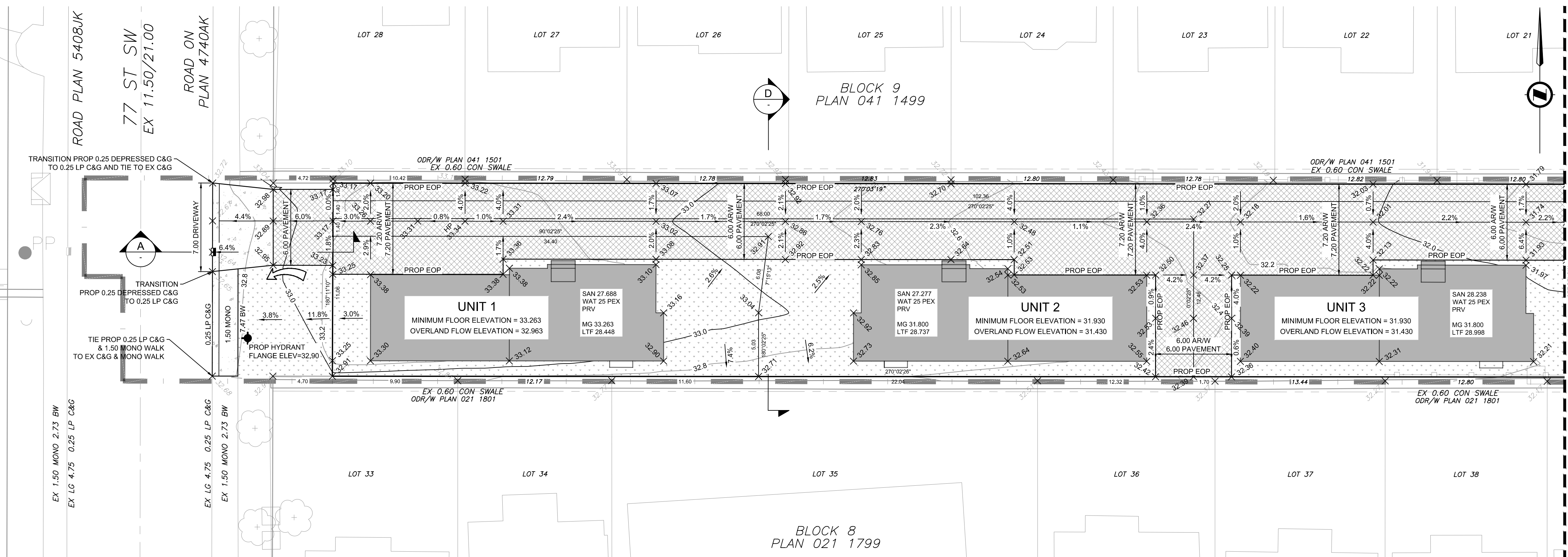
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DSSP2020-0164-3 (Page 2 of 3)

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## NOTES

### ATTENTION

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### WARNING

UTILITIES OR STRUCTURES SHOWN ON THIS DRAWING WERE COMPILED FROM INFORMATION SUPPLIED BY VARIOUS PARTIES AND MAY NOT BE COMPLETE OR ACCURATE. EXPOSE AND CONCLUSIVELY CONFIRM THE LOCATION IN THE FIELD OF ALL UNDERGROUND UTILITIES AND STRUCTURES INDICATED ON THIS DRAWING. ALL UNDERGROUND UTILITIES IN THE AREA OF THE PROPOSED WORK AND ANY UTILITIES OR STRUCTURES REASONABLY APPARENT FROM AN INSPECTION OF THE PROPOSED WORK. URBAN SYSTEMS LTD ASSUMES NO RESPONSIBILITY FOR LOSS OR DAMAGE CAUSED BY THIRD PARTY NEGLIGENCE INCLUDING FAILURE TO COMPLY WITH THE ABOVE.

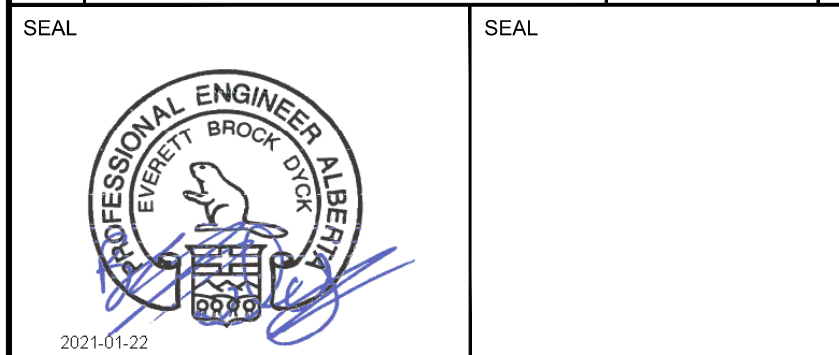
### PERMIT

#### PERMIT TO PRACTICE URBAN SYSTEMS LTD.

Signature *[Signature]*  
Date Jan 22 2021

PERMIT NUMBER: P 3836  
The Association of Professional Engineers  
and Geoscientists of Alberta

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2	ISSUED FOR APPROVAL	2020-12-18	BD
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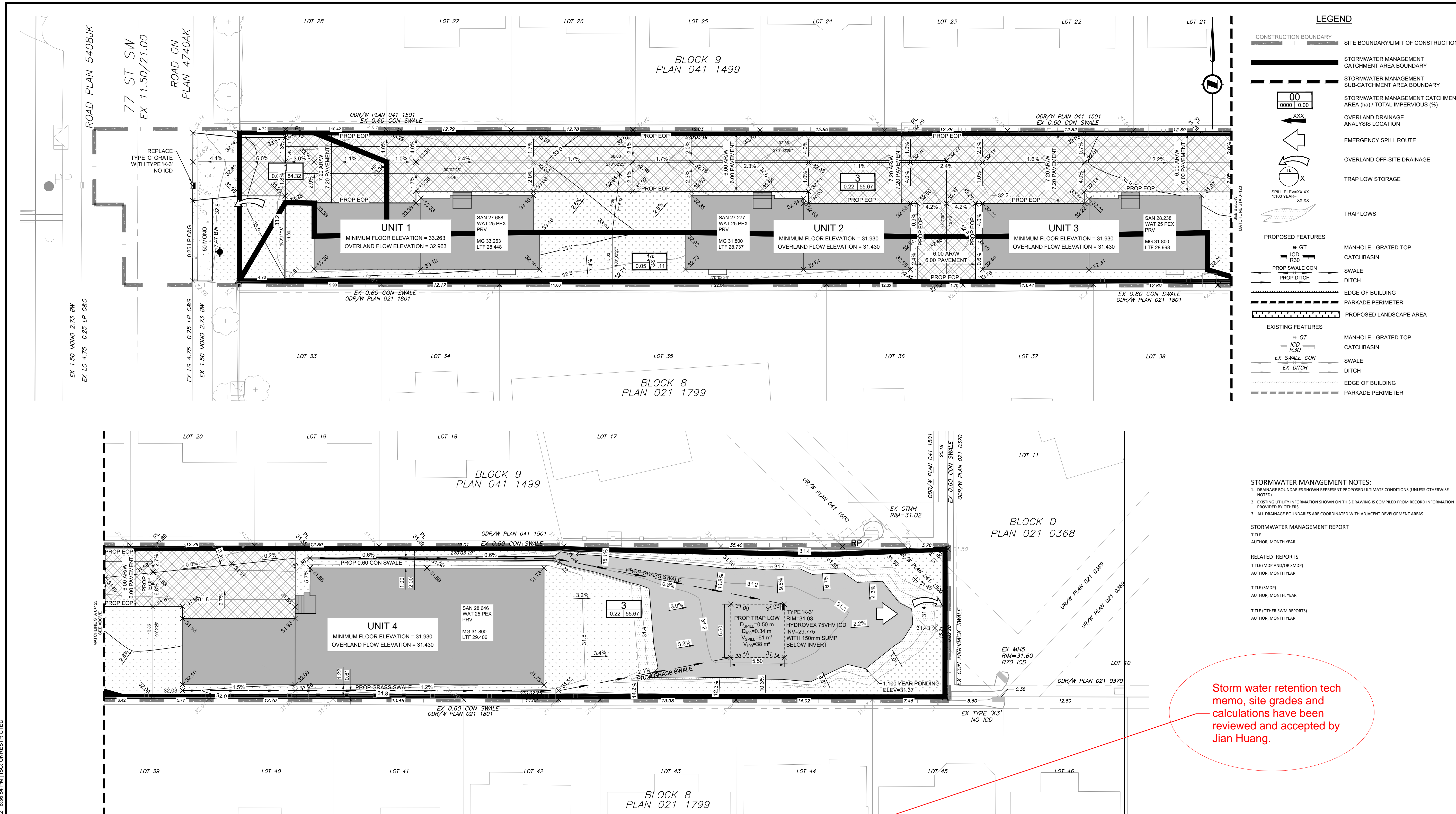


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**URBAN**  
systems  
101 - 134 11th AVENUE SE  
CALGARY, ALBERTA T2G 0X5  
urbansystems.ca

PROJECT		
4 LOT BARELANDS CONDOMINIUM		
PARCEL SIZE		
0.28 ha		
LOT	BLOCK	PLAN
22	D	021 0368
LEGAL		
PORTION OF XX1/4, SEC ##, TWP ##, RGE #, W#M		
MUNICIPAL ADDRESS		
882 - 77 ST SW		
DP #	DSPP #	
20XX-XXXX	20XX-XXXX	
SHEET TITLE		
SITE GRADING PLAN		
FILE NO.	ENG DWG NO.	
	4698.0001.01	
SHEET ID.	SHEET COUNT	
C02	2	





## NOTES

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## PERMIT

**PERMIT TO PRACTICE**  
**URBAN SYSTEMS LTD.**

Signature *[Signature]*  
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1	ISSUED FOR APPROVAL	2020-09-23	BD
NO.	DESCRIPTION	DATE (YYYYMMDD)	APPD

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**URBAN**  
**systems**

101 - 134 11th AVENUE SE  
CALGARY, ALBERTA T2G 0X5  
**urbansystems.ca**

**PROJECT**  
**4 LOT BARELANDS CONDOMINIUM**

PARCEL SIZE	0.28 ha
-------------	---------

LOT	22	BLOCK	D	PLAN	021 0368
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**LEGAL**  
**PORTION OF XX1/4, SEC ##, TWP ##, RGE #, W#M**

**MUNICIPAL ADDRESS**  
882 - 77 ST SW

DP #	20XX-XXXX	DSPP #	20XX-XXXX
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**SHEET TITLE**  
**STORM DRAINAGE AREAS**

FILE NO.	ENG DWG NO.
	4698.0001.01

SHEET ID.	SHEET COUNT
<b>C03</b>	<b>3</b>

RATIONAL METHOD STORM CALCULATIONS	
CATCHMENT AREA #	1,2,3
<b>INPUT VARIABLES</b>	
UARR	= 115 l/s
C1	= 0.611 (Coefficient of Runoff To Main)
I	= 82.55 mm/hr (Intensity)
	= 168 mm/hr (For Free Flow Areas)
	100 yr. Storm runoff
Ar	= 0.000 ha (Area of Roof)
Ap	= 0.000 ha (Area of Paving)
Ag	= 0.000 ha (Area of Gravel)
Al	= 0.280 ha (Area of Landscaping)
Aal	= 0.000 ha (Area of Absorbant Landscaping)
A	= 0.280 ha (Total Site Area)
<b>ALLOWABLE DISCHARGE TO MAIN</b>	
Q1	= C1 x I x A x 2.78
	= 39.23 l/s
<b>ACTUAL RUN-OFF FROM SITE</b>	
C2	= (Ar x 1) + (Ap x 0.9) + (Ag x 0.5) + (Al x 0.3) + (Aal x 0.15)
	ENTIRE SITE AREA
	= 0.30
Q2	= C2 x I x A x 2.78
	= 39.23 l/s

RATIONAL METHOD STORM CALCULATIONS	
CATCHMENT AREA #	1
<b>INPUT VARIABLES</b>	
UARR	= 115 l/s
C1	= 0.600 (Coefficient of Runoff To Main)
I	= 82.55 mm/hr (Intensity)
	= 168 mm/hr (For Free Flow Areas)
	100 yr. Storm runoff
Ar	= 0.003 ha (Area of Roof)
Ap	= 0.005 ha (Area of Paving)
Ag	= 0.000 ha (Area of Gravel)
Al	= 0.000 ha (Area of Landscaping)
Aal	= 0.002 ha (Area of Absorbant Landscaping)
A	= 0.010 ha (Total Site Area)
<b>ALLOWABLE DISCHARGE TO MAIN</b>	
Q1	= C1 x I x A x 2.78
	= 1.38 l/s
<b>ACTUAL RUN-OFF FROM SITE</b>	
C2	= (Ar x 1) + (Ap x 0.9) + (Ag x 0.5) + (Al x 0.3) + (Aal x 0.15)
	ENTIRE SITE AREA
	= 0.75
Q2	= C2 x I x A x 2.78
	= 3.50 l/s

RATIONAL METHOD STORM CALCULATIONS	
CATCHMENT AREA #	2
<b>INPUT VARIABLES</b>	
UARR	= 115 l/s
C1	= 1.280 (Coefficient of Runoff To Main)
I	= 82.55 mm/hr (Intensity)
	= 168 mm/hr (For Free Flow Areas)
	100 yr. Storm runoff
Ar	= 0.026 ha (Area of Roof)
Ap	= 0.003 ha (Area of Paving)
Ag	= 0.000 ha (Area of Gravel)
Al	= 0.000 ha (Area of Landscaping)
Aal	= 0.022 ha (Area of Absorbant Landscaping)
A	= 0.050 ha (Total Site Area)
<b>ALLOWABLE DISCHARGE TO MAIN</b>	
Q1	= C1 x I x A x 2.78
	= 14.69 l/s
<b>ACTUAL RUN-OFF FROM SITE</b>	
C2	= (Ar x 1) + (Ap x 0.9) + (Ag x 0.5) + (Al x 0.3) + (Aal x 0.15)
	ENTIRE SITE AREA
	= 0.63
Q2	= C2 x I x A x 2.78
	= 14.69 l/s

RATIONAL METHOD STORM CALCULATIONS	
CATCHMENT AREA #	3
<b>INPUT VARIABLES</b>	
UARR	= 115 l/s
C1	= 0.122 (Coefficient of Runoff To Main)
I	= 82.55 mm/hr (Intensity)
	= 168 mm/hr (For Free Flow Areas)
	100 yr. Storm runoff
Ar	= 0.061 ha (Area of Roof)
Ap	= 0.071 ha (Area of Paving)
Ag	= 0.000 ha (Area of Gravel)
Al	= 0.000 ha (Area of Landscaping)
Aal	= 0.088 ha (Area of Absorbant Landscaping)
A	= 0.220 ha (Total Site Area)
<b>ALLOWABLE DISCHARGE TO MAIN</b>	
Q1	= C1 x I x A x 2.78
	= 6.16 l/s
<b>ACTUAL RUN-OFF FROM SITE</b>	
C2	= (Ar x 1) + (Ap x 0.9) + (Ag x 0.5) + (Al x 0.3) + (Aal x 0.15)
	ENTIRE SITE AREA
	= 0.63
Q2	= C2 x I x A x 2.78
	= 64.50 l/s

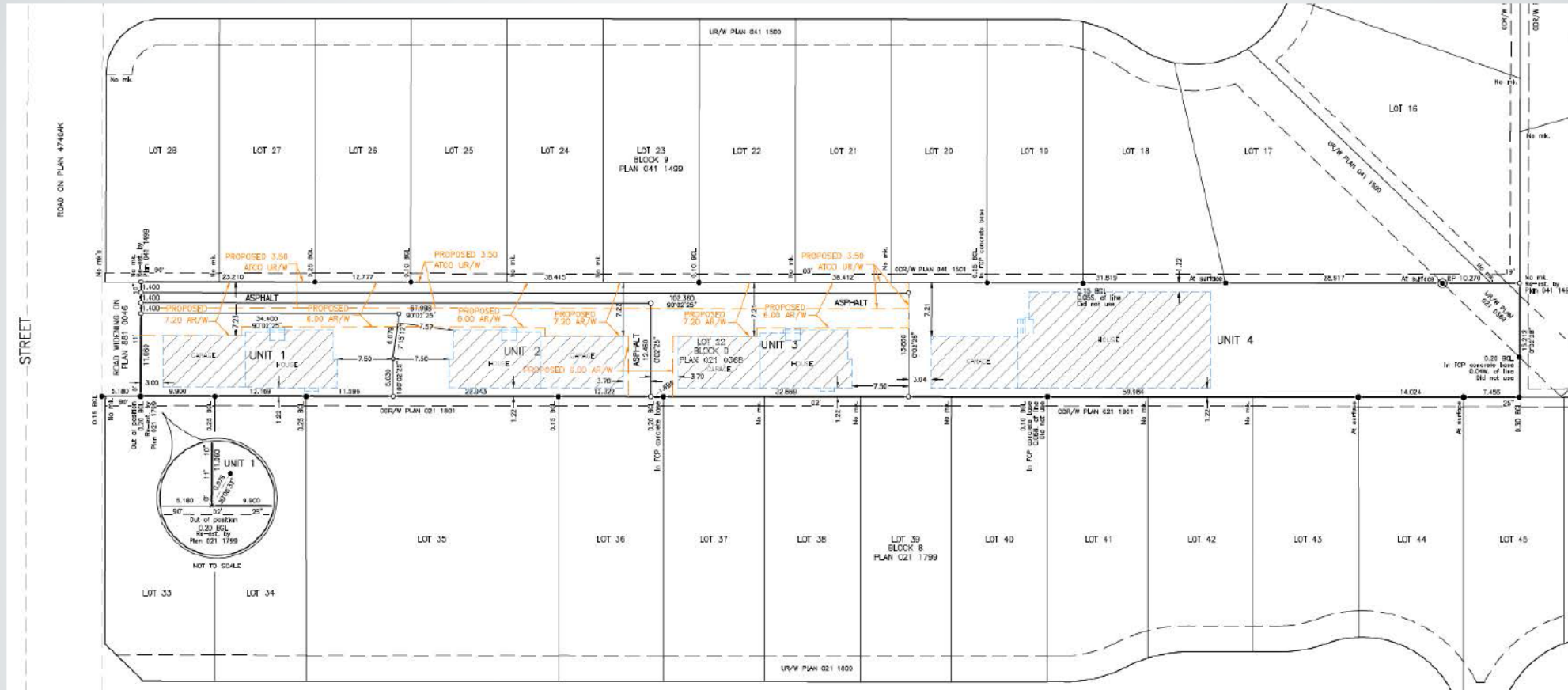
RATIONAL METHOD STORM CALCULATIONS	
CATCHMENT AREA #	Area to Swale
<b>INPUT VARIABLES</b>	
UARR	= 115 l/s
C1	= 0.501 (Coefficient of Runoff To Main)
I	= 82.55 mm/hr (Intensity)
	= 168 mm/hr (For Free Flow Areas)
	100 yr. Storm runoff
Ar	= 0.022 ha (Area of Roof)
Ap	= 0.087 ha (Area of Paving)
Ag	= 0.000 ha (Area of Gravel)
Al	= 0.000 ha (Area of Landscaping)
Aal	= 0.000 ha (Area of Absorbant Landscaping)
A	= 0.109 ha (Total Site Area)
<b>ALLOWABLE DISCHARGE TO MAIN</b>	
Q1	= C1 x I x A x 2.78
	= 12.48 l/s
<b>ACTUAL RUN-OFF FROM SITE</b>	
C2	= (Ar x 1) + (Ap x 0.9) + (Ag x 0.5) + (Al x 0.3) + (Aal x 0.15)
	ENTIRE SITE AREA
	= 0.92
Q2	= C2 x I x A x 2.78
	= 46.63 l/s

Storm water retention tech memo, site grades and calculations have been reviewed and accepted by Jian Huang.



# **SDAB2021-0028 | SB2020-0029**

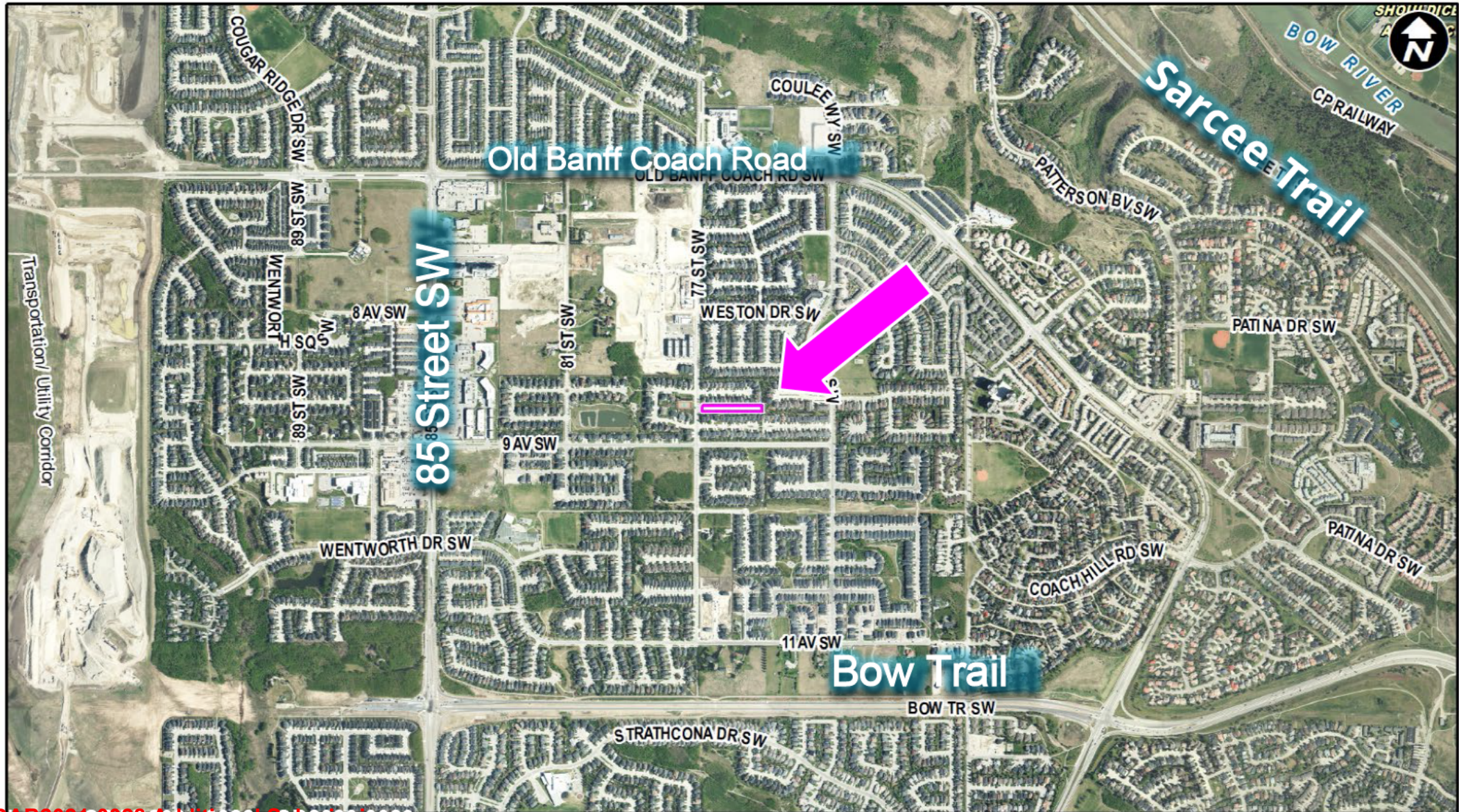
## **Appeal against the refusal of: Bare Land Condominium**



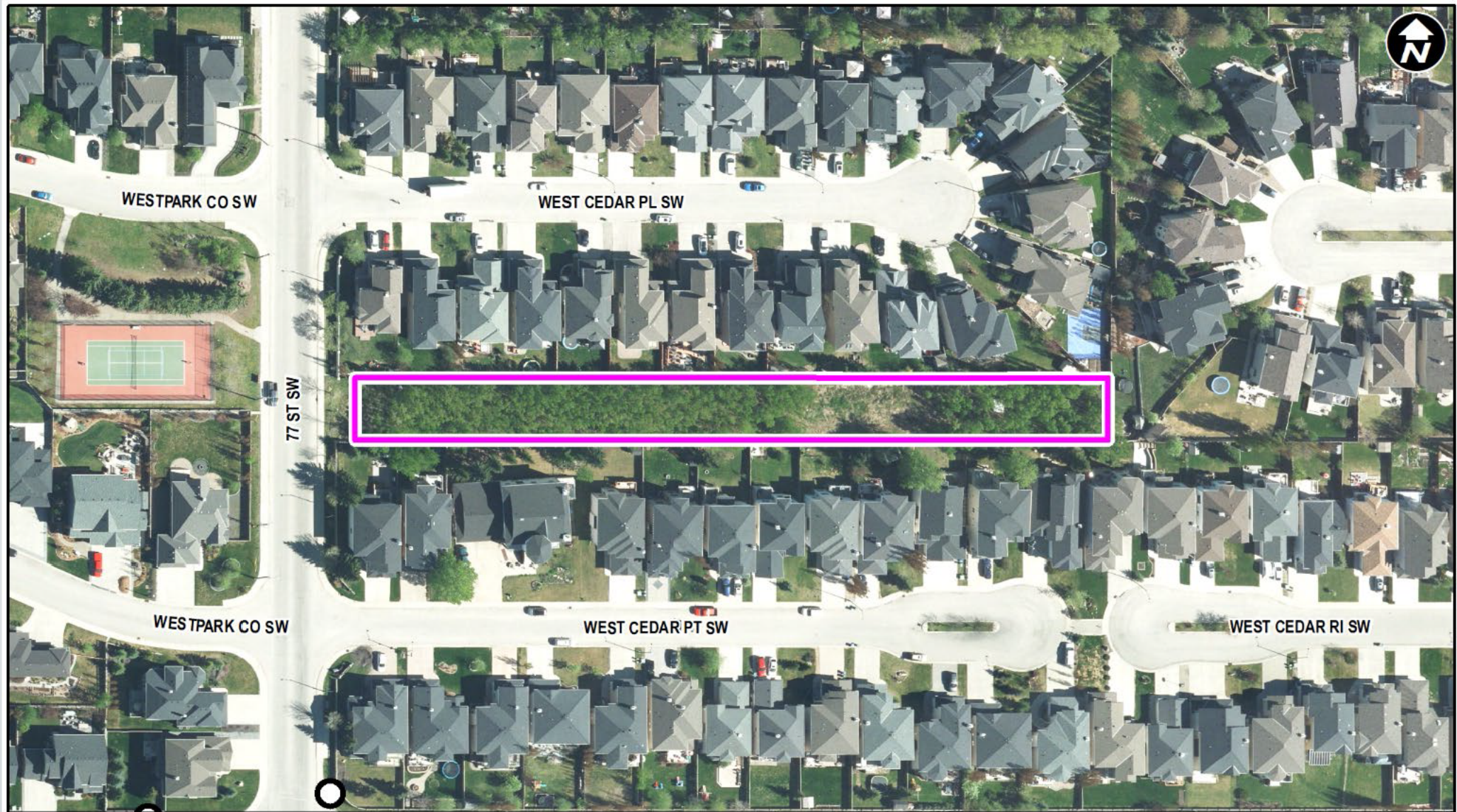
SB2020-0029

- 4-unit bare land condominium
- Proposed “panhandle” lot pattern













View from 77 Street SW looking east.





View of adjacent parcel to North  
along 77 Street SW (looking  
northeast)



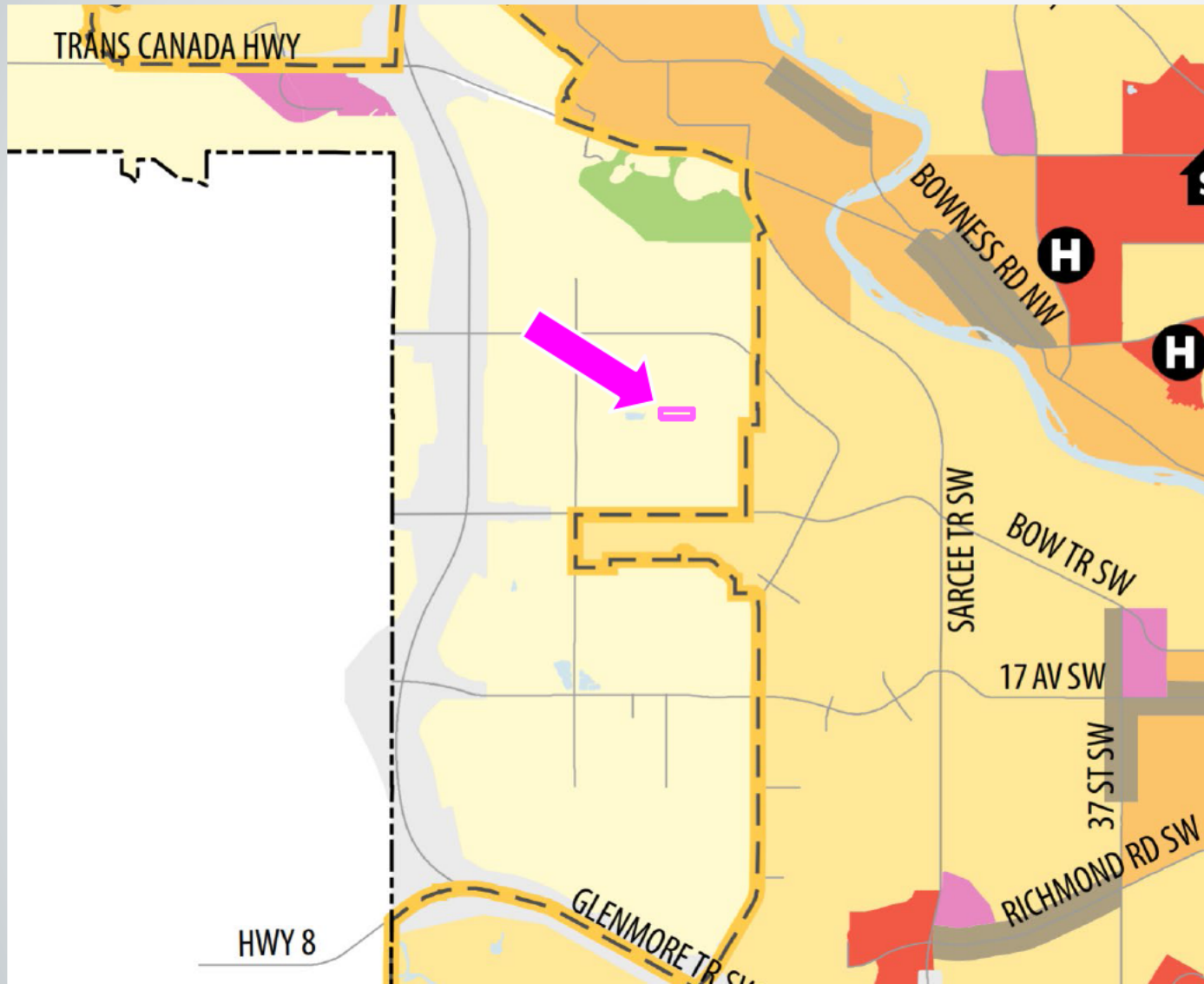


View of adjacent parcel to South  
along 77 Street SW (looking  
southeast)



# Applicable Legislation

282



- Municipal Development Plan (Map 1): Identified as *Residential – Developing – Planned Greenfield with Area Structure Plan (ASP)* area
  - Characterized by relatively low-density residential neighbourhoods containing single-detached housing, few multi-residential developments, and local retail.

## Developed Residential

- Inner City
- Established

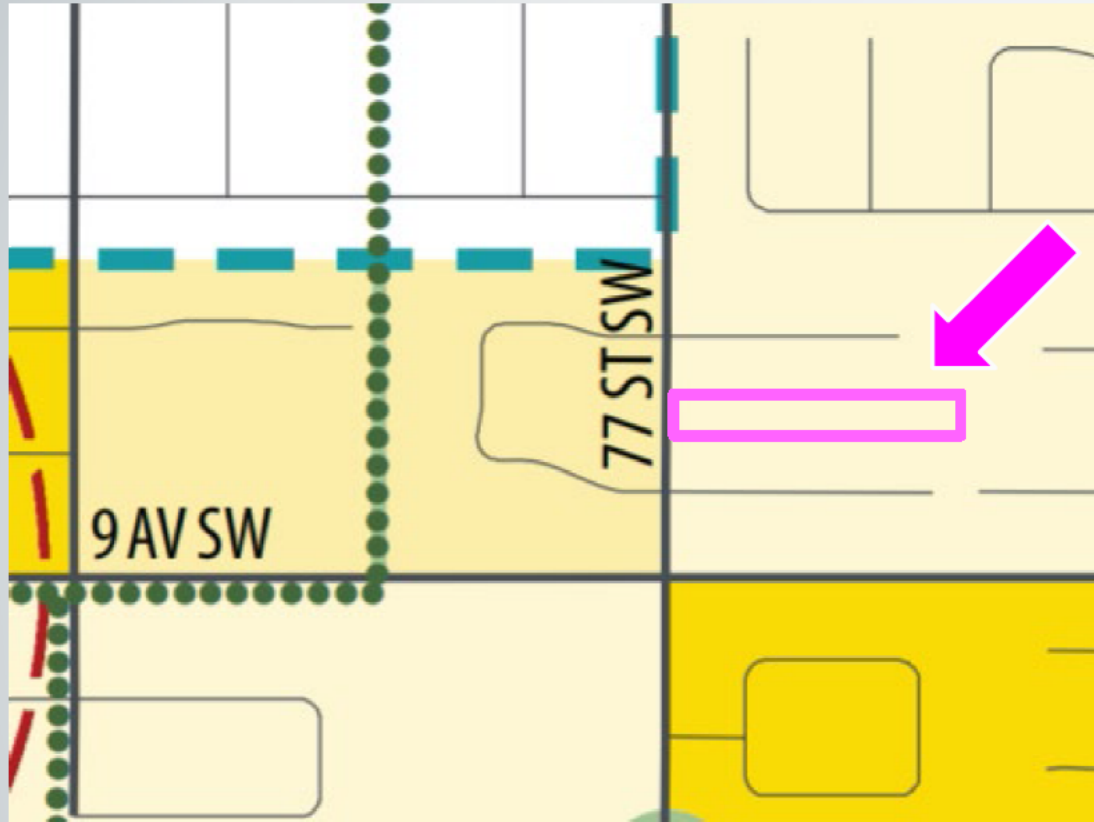
## Developing Residential




- Planned Greenfield with Area Structure Plan (ASP)
- Future Greenfield



## Applicable Legislation

283

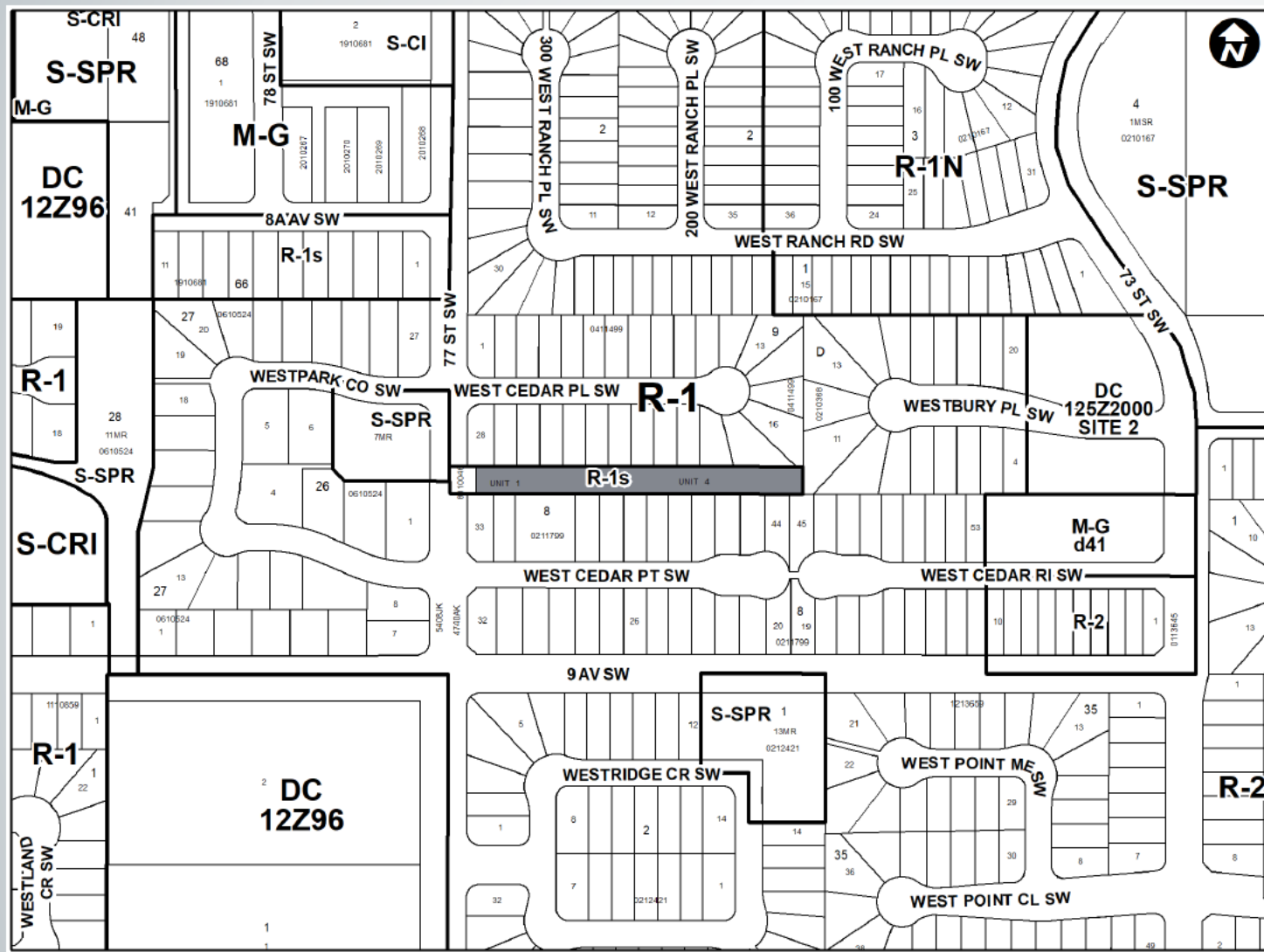


	Urban Development
	Low Density Infill
	Standard Density Infill

- West Springs Area Structure Plan (Map 2): Identified as Neighbourhood Areas - Urban Development area
  - Allows for comprehensively designed residential areas.
  - Allows for growth and change through development and redevelopment that is respectful of the existing context, enhances community character.
  - Section 8.3.3 - Residential units should flank or front onto collector and residential streets.

# Existing Land Use

284



## Residential – One Dwelling (R-1s) District (with Secondary Suite)

- (a) Accommodate residential development in the form of Single Detached Dwellings in the Developing Area.
- (b) Accommodate a Secondary Suite as a permitted use on the same parcel as a Single Detached Dwelling.



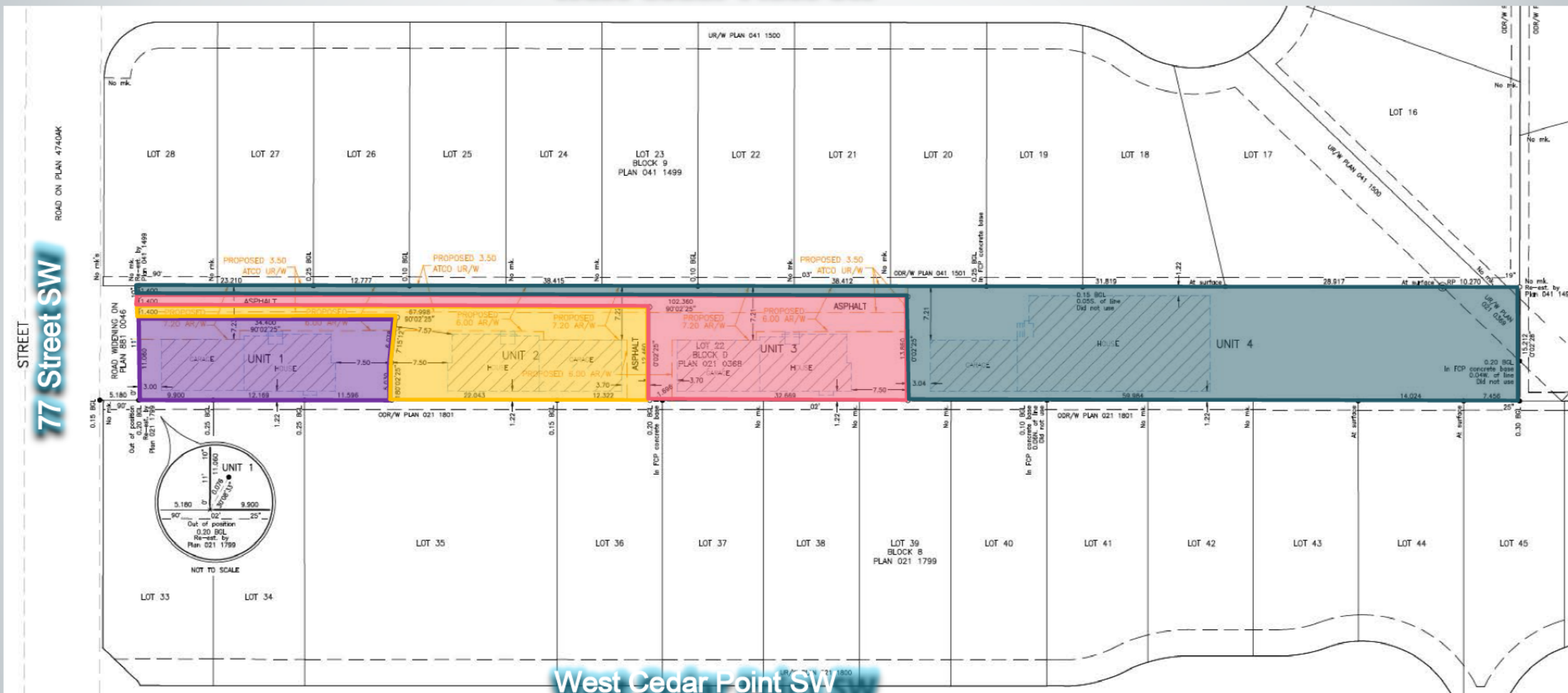
- Single Detached Dwellings are the only allowed residential built form.
  - Secondary suite is allowed as a permitted use on the same parcel as a Single Detached Dwelling.
  - Maximum building height = 12 metres
  - Maximum density = 1 main dwelling unit per parcel
- Section 13(99) states that in the R-1s District, "Parcel" includes a bare land unit created under a condominium plan
- Section 13(48) states that, when calculating "Density", Secondary Suites and Backyard Suites are not included.



# Proposed Development

286

## West Cedar Place SW



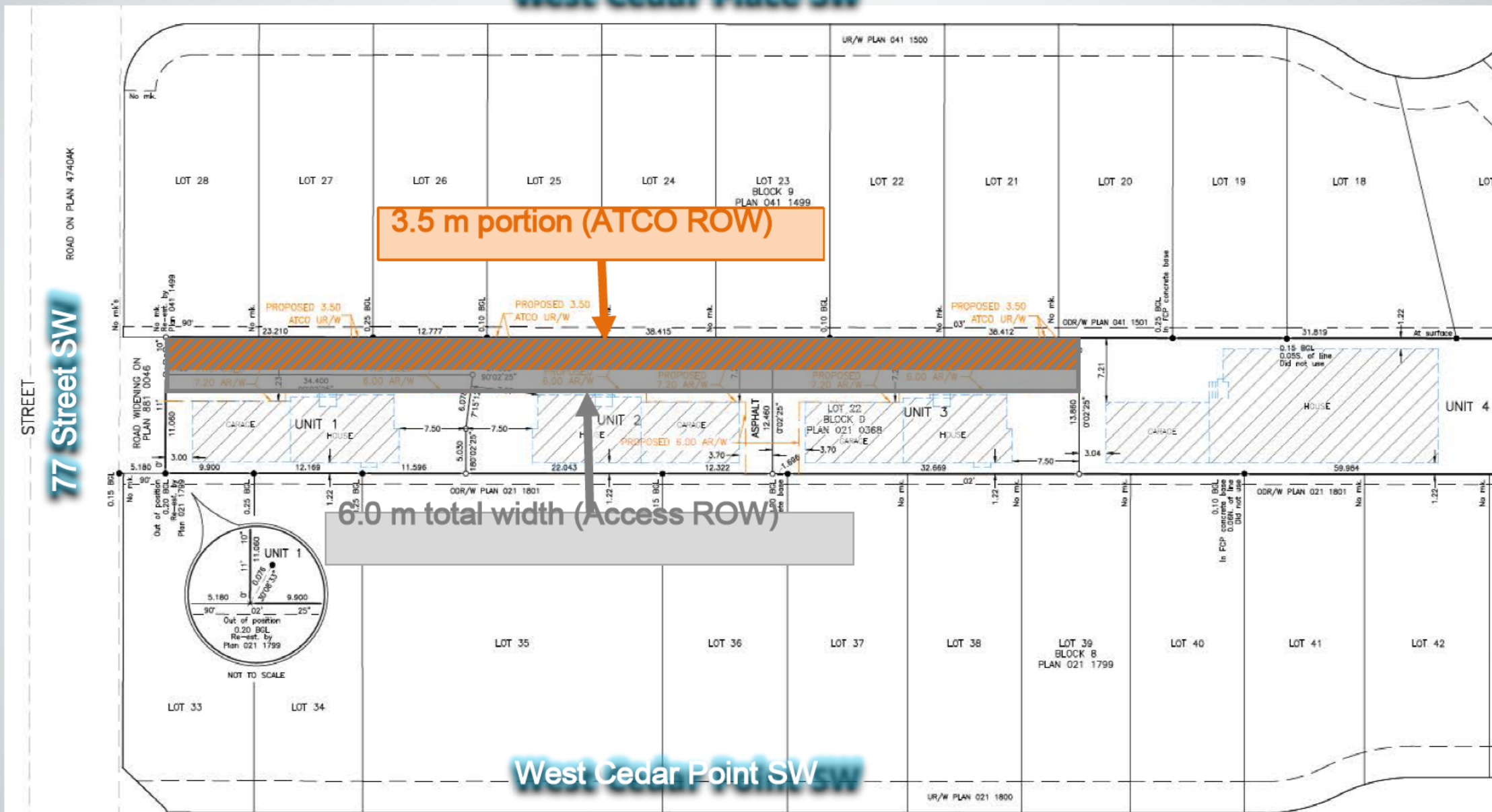
STREET  
77 Street SW



## Rights-of-Way

288

West Cedar Place SW



West Cedar Point SW



In the opinion of the Subdivision Authority, the proposed subdivision:

1. Is out of character with the surrounding lot patterns and street frontages;
2. Would create an impractical situation where the 6.0 metre access right-of-way must always remain clear; and
3. Would be inaccessible in the case of utilities maintenance or excavation within the ATCO right-of-way (which is located in the access right-of-way).

The Development Authority recommends the Subdivision and Development Appeal Board deny the appeal and uphold the decision of the Subdivision Authority to refuse the Subdivision application.

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**From:** Barr, Vivian  
**Sent:** Tuesday, March 3, 2020 2:11 PM  
**To:** 'Clint Clark'  
**Cc:** [REDACTED]  
**Subject:** RE: SB2020-0029 882-77 Street SW, Calgary, Alberta  
**Attachments:** LAND USE AMENDMENT- WEST SPRINGS (WARD 6)- 9 AVENU - Cover Report.pdf; CG-07-03 - Final - 312D2016.pdf; SB2020-0029 Notification Letter.pdf; CG-07-03 - Final - 125Z2000.pdf

Good afternoon Clint

In response to your inquiry, please see my comments in red below.

Sincerely,

**Vivian Barr**, Senior Planning Technician  
 Community Planning  
 The City of Calgary | Mail Code: #8076  
 T403.268.1468 | [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca)  
 Municipal Building, 5<sup>th</sup> Floor, 5-B3-5, 800 Macleod Tr SE  
 PO Box 2100, Stn. M, Calgary, AB T2P 2M5

---

**From:** Clint Clark [REDACTED]  
**Sent:** Friday, February 28, 2020 2:19 PM  
**To:** Barr, Vivian ; Nielsen, Jeff A.  
**Cc:** [REDACTED]  
**Subject:** [EXT] SB2020-0029 882-77 Street SW, Calgary, Alberta

Hi Vivian and Jeff,

Further to the above noted matter, and traded calls with Jeff, I confirm that I am a directly affected neighbor of this proposed subdivision living at 15 West Cedar Place SW, Calgary. I am also a real estate lawyer and have been asked by a group of concerned and directly affected neighbors to make inquiries regarding this development.

I am aware of the previous land use re-designation in 2016 whereby the City approved a re-designation to allow for a single family residence and a secondary suite which could be a basement suite or carriage house over a garage, etc. I would appreciate it if you could forward us relevant documentation related to that application. **CPC report & bylaw attached. LOC2016-0218, Bylaw 312D2016**

I now understand that the developer is wanting to subdivide the lands to develop 4 bare land condominium units on the parcel which is significantly different from what the City Authority approved on the previous application in 2016 by a narrow margin of 1 vote. We received a letter from the City of Calgary advising that the new subdivision was for two dwelling homes but then upon inquiries by some neighbors, it was discovered that that was in fact a mistake and it is actually for 4 bare land condominium units. I have not seen a new letter from the City to that effect although I understand that it is supposed to be forthcoming from the City. **Copy of letter dated February 25, 2020 is attached.** Can you please send me the developer's application for this subdivision and all materials they have filed in support of same, a copy of the new letter that is supposed to be coming from the City of Calgary and any other information related to this subdivision. **Sorry, we cannot provide you with copies of the application documents. Once a decision is made on the application, the conditions of approval or reasons for refusal will be public information. However, we can arrange to meet and I can show you the proposed plan, but I can't give you a copy.** I would also appreciate knowing what the

Planning Authority's position is with respect to being in support or opposing such new subdivision application and development. **This application is still under review. At this point, I'm not sure what our decision will be.**

I also understand that the developer had, some years back, tried to re-designate or subdivide the parcel into a 4-6 unit bare land condominium and that same was refused by the City on the prior application. If that is correct, I would appreciate receiving copies of that application, materials in support of it and the decision of the City of Calgary Authority or Subdivision Authority. I believe this history is important in respect of this new application. **The subject land may have been included in a land use redesignation in 2000. However, I can't locate any pertinent information online. Attached is a pdf of Bylaw 125Z2000, however, the drawing is not legible. Please contact City Clerks directly to see if they can provide a better copy of the bylaw. Alternatively, you can call 311 to research application number LOC2000-0071, which may also be called AM2000-0071. There will be a charge for the file order, etc.**

I would appreciate any other information related to this parcel development that you deem would be relevant in respect of this matter as well. I also would appreciate it if once you receive this, if we could set a time to meet with either of you or set up a conference call to discuss the proposed subdivision in further detail. **We can possibly set up a meeting for next week, once I've had time to review the application in further detail. My understanding at this point is that the proposed lots meet the requirements of the R-1s land use district.**

I trust you find the foregoing in order and look forward to hearing from you in these regards.

Yours truly,



Clint Clark | Barrister & Solicitor | direct [REDACTED]  
[www.clarklegal.com](http://www.clarklegal.com) | toll free [REDACTED]  
 Suite 8, 6020 - 1A Street S.W. Calgary, AB T2H - 0G3

This e-mail may contain confidential information and be subject to solicitor-client privilege. If received in error, please delete and advise sender. Thank you.



**LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016**

**MAP 22W**

**EXECUTIVE SUMMARY**

This land use amendment application is to redesignate the vacant subject parcel from DC Direct Control District to Residential – One Dwelling (R-1s) District to allow for a secondary suite or a backyard suite. The existing DC District allows the development of one single-detached dwelling as a discretionary use.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION**

2016 October 20

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaw 312D2016; and

1. **ADOPT** the proposed redesignation of 0.28 hectares  $\pm$  (0.69 acres  $\pm$ ) located at 882 – 77 Street SW (Plan 0210368, Block D, Lot 22) from DC Direct Control District **to** Residential – One Dwelling (R-1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 312D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-1s district would be compatible with the existing adjacent development. The lot is large and complies with the rules of the land use bylaw and all required parking can be accommodated on site. The West Springs Area Structure Plan encourages secondary suites throughout the Neighbourhood Area.

**ATTACHMENTS**

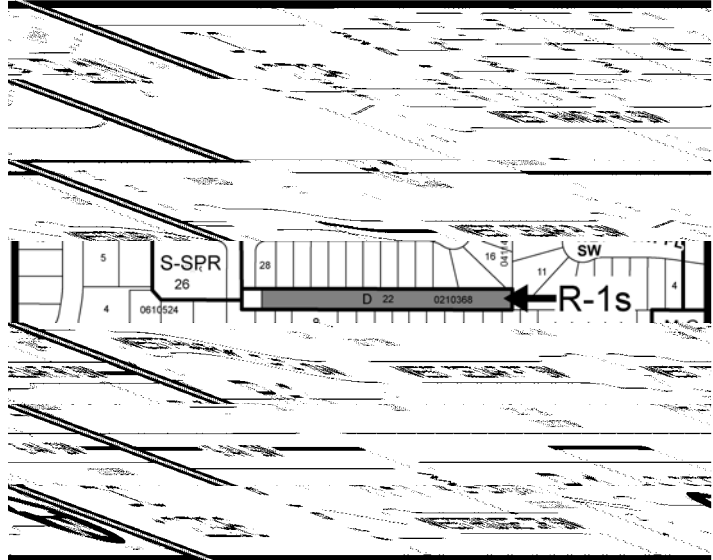
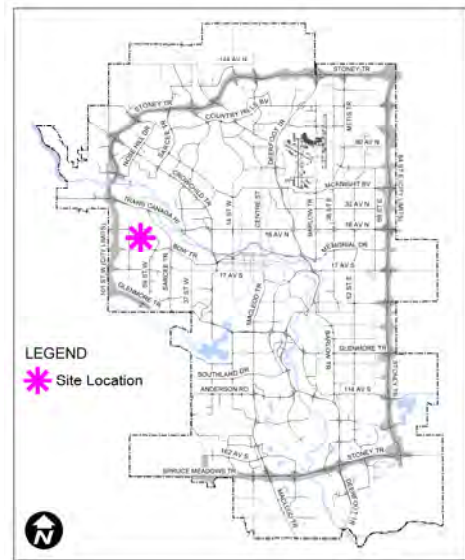
1. Proposed Bylaw 312D2016
2. Public Submissions

S. Small

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

LOCATION MAPS



LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.28 hectares  $\pm$  (0.69 acres  $\pm$ ) located at 882 – 77 Street SW (Plan 0210368, Block D, Lot 22) from DC Direct Control District **to** Residential – One Dwelling (R-1s) District.

**Moved by: C. Friesen**

**Carried: 5 – 1**  
Opposed: R. Wright



LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

**Applicant:**

Deer Trail Development Inc

**Landowner:**

Deer Trail Development Inc

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is located in the community of West Springs on the east side of 77 Street SW and north of 9 Avenue SW. The parcel has a width of 15.23 metres ± and depth of 183.78 metres ± and is currently vacant with Aspen and Birch tree stands. Single detached dwellings surround the subject site.

The site is the handle portion of an old panhandle acreage lot that was redeveloped in 2000. In 2000 the subject site was surrounded by acreage parcels. A DC Direct Control land use was approved on the subject parcel that allows a single-detached dwelling as a discretionary use. The site is serviced but has never been developed.

<b>West Springs</b>	
Peak Population Year	2016
Peak Population	9785
2016 Current Population	9785
Difference in Population (Number)	0
Difference in Population (Percent)	0%

**LAND USE DISTRICTS**

The proposed R-1s district has the ability to accommodate secondary suites on parcels that already permit a single detached dwelling on a single parcel. The R-1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

The subject site meets the minimum R-1s parcel size requirements. As such, the site can accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements, including the minimum parking requirement and the amenity space provisions. If any relaxation may be required, these may be considered at the development permit stage.

Approval of this land use amendment application does not constitute approval of a specific secondary suite type, but rather allows for a secondary suite to be considered via the development or building permit process.

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

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## LEGISLATION & POLICY

### South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

### Municipal Development Plan (MDP)

The subject site is located within the *Residential Developing: Planned Greenfield with Area Structure Plan* as identified on Map 1 in the Municipal Development Plan (MDP).

### West Springs Area Structure Plan (ASP)

The subject site is designated Urban Development within the Neighbourhood Area in the West Springs ASP. Residential density should be between 9.9 and 17.3 units per hectare (4 to 7 units per acre). Secondary suites are encouraged throughout the Neighbourhood Area.

## TRANSPORTATION NETWORKS

The site is located approximately 75 metres from a bus stop, for route 453, with service to the 69 Street SW LRT station. All access to the site would be from 77 Street SW.

## UTILITIES & SERVICING

Existing services are available and can accommodate the potential addition of a secondary suite.

## ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

## ENVIRONMENTAL SUSTAINABILITY

No sustainability features have been provided at this time.

## GROWTH MANAGEMENT

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

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

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## **PUBLIC ENGAGEMENT**

### **Community Association Comments**

The West Springs/Cougar Ridge Community Association expressed some concern but has not sent in formal comments at the time of this report.

### **Citizen Comments**

Comments were received from residents of 19 properties, 17 of which are immediately adjacent to the subject site. Issues raised by the residents are listed below:

- Negative impact on property values;
- Loss of privacy in the rear yards;
- Overshadowing of rear yards;
- Fire and safety concerns due to limited access;
- Loss of green space and trees;
- Increase in vehicle/pedestrian conflicts;
- Decrease natural ventilation, reduce breezes; and
- Increase in eavesdropping on neighbouring properties.

The subject site may be developed for a single detached dwelling under the existing land use. The existing development surrounding the site would have a greater impact on many of the above issues than the proposed development of this site.

### **Public Meetings**

No public meetings were held by the applicant or administration.



LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

The purpose of this application for re-designation is to add a secondary suite to a single-family home on the proposed site. This is a very large parcel (.69) of an acre, which comes with its challenges based on access and dimensions. Based on the size of the lot it would allow for a variety of possibilities in incorporating a secondary suite to a single-family home. Furthermore, it would slightly increase the density on this parcel, which would be more in line with the density set out for the area. I appreciate your time.

**BYLAW NUMBER 312D2016****BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2016-0218)**

\*\*\*\*\*

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

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

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

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

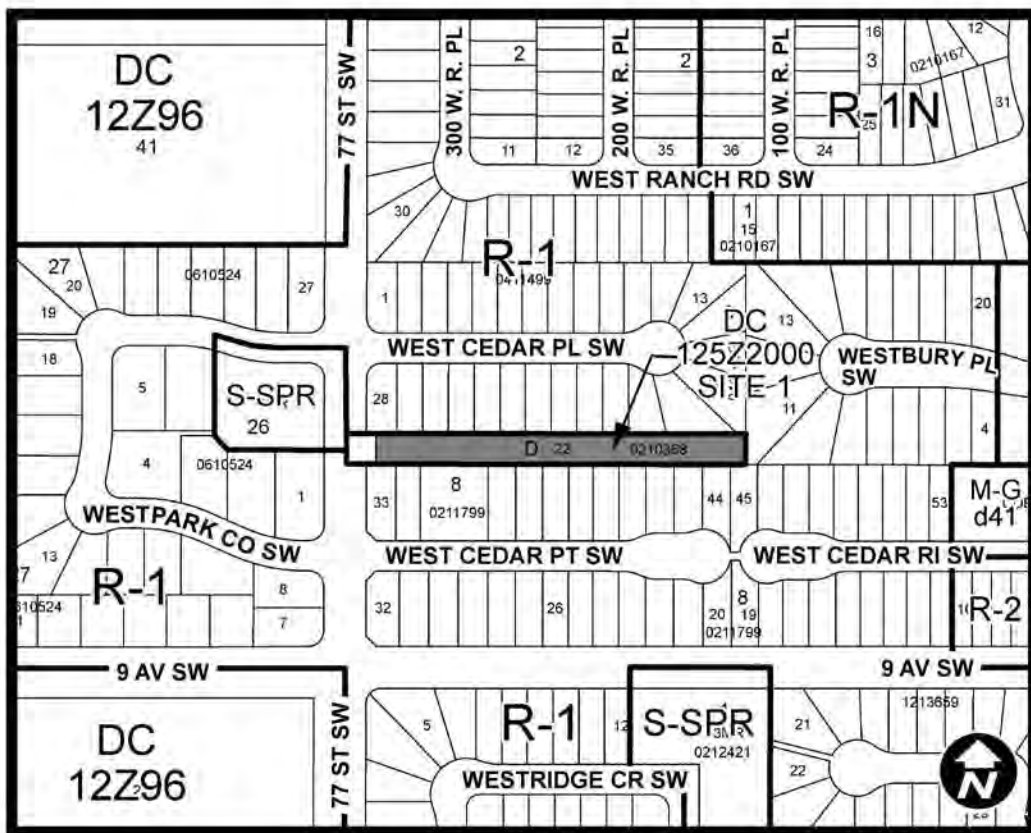
READ A FIRST TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

READ A SECOND TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

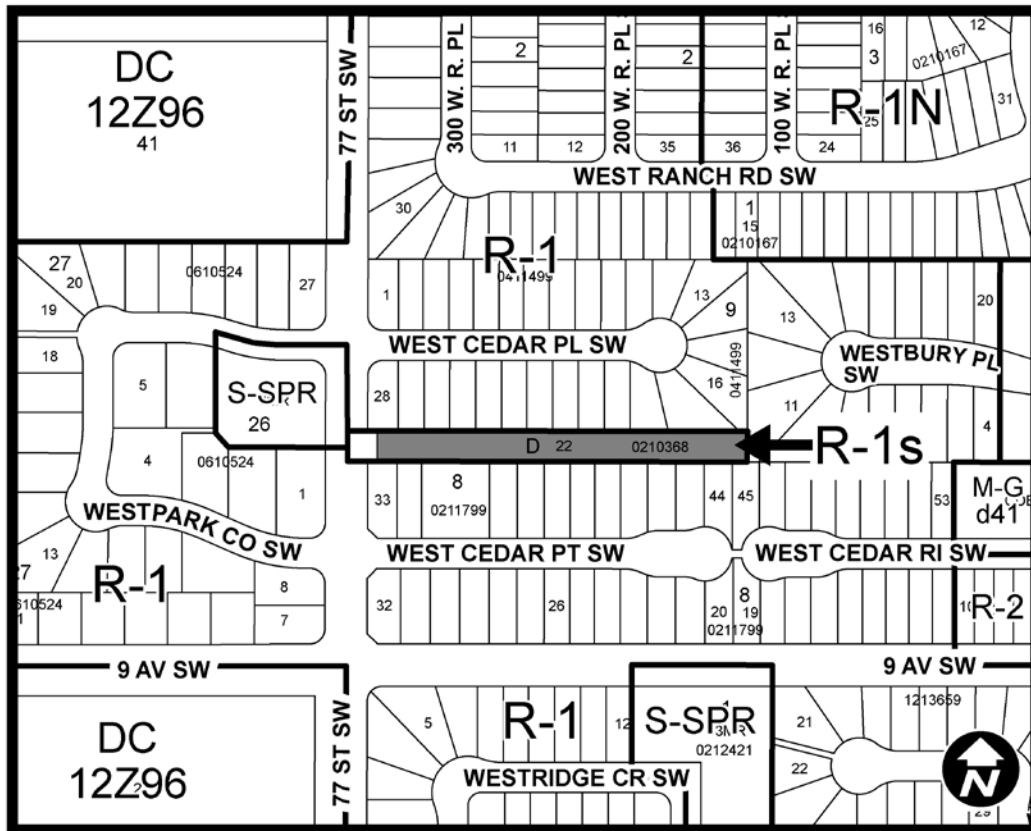
READ A THIRD TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

  
\_\_\_\_\_  
MAYOR  
SIGNED THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

  
\_\_\_\_\_  
ACTING CITY CLERK  
SIGNED THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

SCHEDULE A



SCHEDULE B



FEB 25 2020 *gm*

File Number: SB2020-0029

February 25, 2020

To the Adjacent Landowners

**Re: Proposed Subdivision of Plan 021 0368, Block D, Lot 22**

The City of Calgary has received an application to subdivide the above noted property, located at **882 77 ST SW** (see attached map).

*This letter is to inform you of a proposed subdivision in your community and is in compliance with the Municipal Government Act, Section 653(3)(b). It requires the subdivision authority to give notice to owners of land that is adjacent to land that is the subject of a subdivision application.*

The purpose of the subdivision is to create a **four unit bareland condominium**. Future use of the parcels is to accommodate **four new single detached dwellings**.

If you have questions or planning related comments about the subdivision application, please send them to my attention by **2020 March 10<sup>th</sup>**. Include the file number and your contact information on the correspondence, forward by email to [Vivian.Barr@calgary.ca](mailto:Vivian.Barr@calgary.ca)

If you prefer to send the correspondence by mail, please address it to:

City of Calgary, Community Planning  
Planning & Development # 8076  
P.O. Box 2100, Station M  
Calgary, AB T2P 2M5

*(JV for)*

**Vivian Barr**, Senior Planning Technician  
Community Planning  
The City of Calgary | Mail Code: #8076  
T403.268.1468 | [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca)  
Municipal Building, 5<sup>th</sup> Floor, 5-B3-5, 800 Macleod Tr SE  
PO Box 2100, Stn. M, Calgary, AB T2P 2M5





## BYLAW NO 125Z2000

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND  
THE CITY OF CALGARY LAND USE BYLAW 2P80  
(Land Use Designation Amendment No 2000/071)

\*\*\*\*\*

WHEREAS it is desirable to amend The City of Calgary Land Use Bylaw Number 2P80 to change the Land Use Designation of certain lands within the City of Calgary,

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, S A 1994, c M-26 1 as amended,

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

- 1 The City of Calgary Land Use Bylaw, being Bylaw 2P80 of the City of Calgary, is hereby amended
- 2 Bylaw 2P80 is hereby amended by deleting that portion of the Land Use Map shown stippled on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use Map shown stippled on Schedule "B" to this Bylaw, including any Land Use Designation, or specific Land Uses and Development Guidelines contained in the said Schedule "B"
- 3 This Bylaw comes into force on the date it is passed

READ A FIRST TIME THIS 06<sup>TH</sup> DAY OF NOVEMBER, 2000

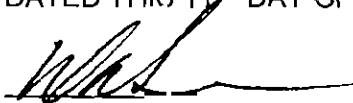
READ A SECOND TIME THIS 06<sup>TH</sup> DAY OF NOVEMBER, 2000

READ A THIRD TIME THIS 11<sup>TH</sup> DAY OF DECEMBER, 2000



MAYOR

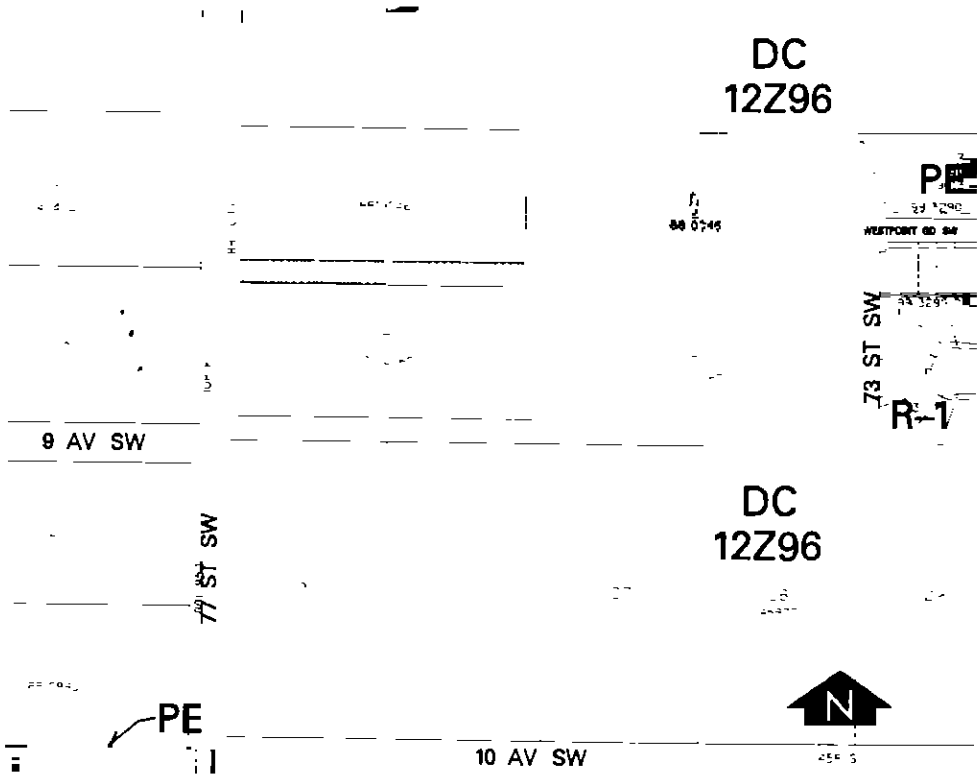
DATED THIS 11<sup>TH</sup> DAY OF DECEMBER, 2000



CITY CLERK

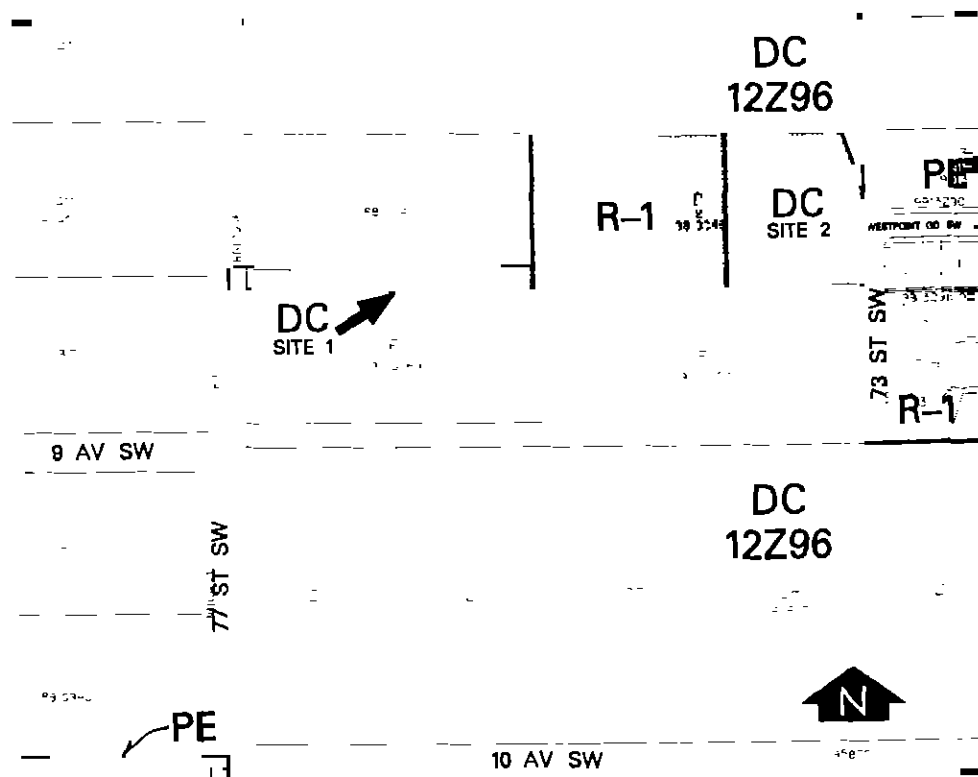
Amendment # 2000/071  
Bylaw # 125Z2000

SCHEDULE A



**Amendment # 2000/071**  
**Bylaw # 125Z2000**

**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

**SITE 1**      **0.28 ha± (0.69 ac±)**

**1**      **Land Use**

The land use shall be for one single-detached dwelling only as a Discretionary Use



## Amendment # 2000/071 Bylaw #125Z2000

### SCHEDULE B

CONTINUED

2 Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the R-1 Residential Single-Detached District shall apply unless otherwise noted below

(a) Front Yard

A minimum of 9 metres

(b) Development Plans

Approval of this application does not constitute approval of a development permit. Comprehensive plans shall be submitted to the Approving Authority as part of a development permit application.

**SITE 2      0.61 ha± (1.51 ac±)**

1 Land Use

The Permitted and Discretionary Uses of the RM-1 Residential Low Density Multi-Dwelling District shall be the Permitted and Discretionary Uses respectively

2 Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the RM-1 Residential Low Density Multi-Dwelling District shall apply unless otherwise noted

## **Amendment # 2000/071 Bylaw #125Z2000**

### **SCHEDULE B**

CONTINUED

(a) Density

The maximum number of units shall be  
North parcel - 12  
South parcel - 8

(b) Access

No direct vehicular access shall be allowed to or from  
73 Street SW

(c) Parking

All units shall provide 200 percent off-street parking, together  
with visitor parking as required by the Bylaw

(d) Building Design

- (i) The design, character and appearance of the buildings shall be compatible with and complementary to the surrounding area.
- (ii) Where units back onto low density residential units, the rear elevation of the units shall be compatible with the rear elevations of the low density residential units.
- (iii) Where units back onto a public street, their street elevation shall be of a quality and articulation compatible with the residential units across the street.
- (iv) In addition to the above, the site plan and building design shall address massing, height, orientation and coverage, as required in Section 1 6 5 of the East Springbank II Community Plan

**Amendment # 2000/071**  
**Bylaw #125Z2000**

**SCHEDULE B**

CONTINUED

- (e) Rear Yard  
  
A minimum of 7.5 metres
- (f) Side Yard  
  
*A minimum of 5 metres abutting a low density residential district except a minimum of 3 metres may be provided where the end unit is a maximum of 2 storeys*
- (g) Open space  
  
A common amenity area shall be included as part of the landscaping provision
- (h) Environmentally Significant and Natural Areas  
  
Existing environmentally significant and other natural areas shall be considered and where possible, integrated into the site layout and design
- (i) Development Plans  
  
Approval of this application does not constitute an approval of a development permit. Comprehensive plans shall be submitted to the Approval Authority as part of a development permit application.



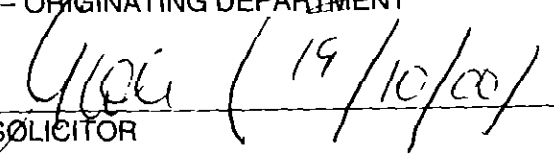
TO CITY CLERK  
FROM THE PLANNING & BUILDING DEPARTMENT  
RE LUB/125Z2000

=====

APPROVED AS TO CONTENT

  
\_\_\_\_\_  
HEAD - ORIGINATING DEPARTMENT

APPROVED AS TO FORM

  
\_\_\_\_\_  
CITY SOLICITOR

BUDGET PROGRAM NO  
(if applicable)

DATE OF COUNCIL INSTRUCTION  
(if applicable)

---

**From:** Clint Clark [REDACTED]  
**Sent:** Friday, March 20, 2020 1:36 PM  
**To:** Barr, Vivian  
**Cc:** Davison, Jeffrey R.; Clint Clark  
**Subject:** [EXT] SB2020-0029 882 - 77 Street S.W. – Letter of Opposition  
**Attachments:** Letter of Opposition.pdf; Neighbors Support.pdf; Contacts.xlsx

Hi Vivian,

Further to the above noted matter, please find attached my formal Letter of Opposition to the above noted subdivision application. The Letter of Opposition is written on behalf of 17 neighbors immediately adjacent and directly affected by the subdivision application on the above noted lands. In that regard, please also find attached a list of the names, addresses and contact information for all 17 neighbors as well as copies of emails from each of them confirming their review and support of the Letter of Opposition. They have not been copied with this email so that you are not inundated with further emails from them but their contact information is attached in case you need to reach out to any of them. We will confirm with each of them that the letter has been sent to you.

We believe that the Letter of Opposition raises technically sound planning arguments opposing the application, which we trust you will carefully review and consider in your recommendations to the Subdivision Authority. We thank you in advance for your time and careful review of this letter and all the materials before you.

Should you require any further information or clarity on any of the items set out in our Letter of Opposition, please do not hesitate to contact me directly.

Yours truly,



Clint Clark | Barrister & Solicitor | [REDACTED]  
[www.clarklegal.com](http://www.clarklegal.com) | [REDACTED]  
Suite 8, 6020 - 1A Street S.W. Calgary, AB T2H - 0G3

This e-mail may contain confidential information and be subject to solicitor-client privilege. If received in error, please delete and advise sender. Thank you.



# CLARK & CLARK

## LAWYERS

\*CLINT R. CLARK B.COMM, JD

\*Denotes Professional Corporation

R. TERRY CLARK B.A. LL.B  
(retired)

MAXWELL C. LABRECH  
B.A., J.D.

March 19, 2020

Ms. Vivian Barr  
City of Calgary  
800 Macleod Trail SE  
Calgary, AB  
T2P 2M5

**File Number: SB2020-0029**

**Re: Proposed Subdivision of Plan 012 0368, Block D, Lot 22 – February 25, 2020**

Ms Vivian Barr,

Thank you for meeting with me on Thursday, March 12, 2020, to discuss the Subdivision application to allow for four unit bareland condominium strata to accommodate four new single detached dwellings at 882 77 Street SW (SB2020-0029). I appreciate the information and insight you provided at the meeting regarding the potential subdivision. This letter is intended to outline my concerns with the application as a neighbour, and why I feel this subdivision application could be harmful to myself and my neighbours whose homes back onto 882 77 Street SW. I will frame the concerns under separate headings, for the sake of clarity.

### **Respecting the existing pattern of development**

The proposed lot configuration proposed within SB2020-029 is in stark contrast to the existing development pattern in the immediate area and neighbourhood. The developer's suggested side property lines are abutting neighbouring rear property lines. Entrances to homes and garages are in the side yard and are not at the front of the house. The orientation of each of the lots is haphazard and used only to maximize the amount of lots that could be created on the site. The largely varying size of the lots are not keeping with the development and lot pattern of the adjacent developed area. This could produce very large homes based on the allowed lot coverage of 45%, with the sides of the homes being oriented

**SDAB2021-0028 Additional Submission**



towards the backyards of adjacent neighbours. This would be a very significant and unusual condition for development, and would have a significant visual (via height and massing) and shadowing impact on neighbouring properties.

Not only is this an unusual lot configuration and condition, but there also doesn't seem to be another example of this pattern of development in the city that could have a direct precedent, particularly in the R-1S land use district. In this respect the proposed subdivision does not conform to the Municipal Development Plan (MDP) in the following sections:

- Section 2.3.2(a) Respect the existing character of the low-density residential areas, while still allowing for innovative and creative designs that foster distinctiveness.
- Section 2.3.2(c) Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern.

### **Lot Orientation, Property Lines and Setbacks**

The proposed subdivision would create four parcels with three parcels having a panhandle strip of land running towards 77 Street SW. This lot orientation is devoid of planning rationale, other than to create a false front property line with 77 Street SW for each of the three easterly parcels. This is a clear attempt to circumvent the rules of the Land Use Bylaw to achieve the maximum proposed developments on the subject lands while ignoring the negative impacts that such developments would create on the adjacent properties and residential homes. The panhandle strip of land for the three easterly lots, is not sufficient for lots 2-4 to claim front orientation to 77 Street SW. The strata road right-of-way (herein the "strata street") should be considered the street which dictates the location of the front property line, as per section 13(134) of the Land Use Bylaw.

Front and rear property lines are defined in the LUB, section 13, as:

- (66) "front property line" means: (a) the property line separating a parcel from an adjoining street; (b) in the case of a parcel that adjoins more than one street, the shortest property line that is parallel to the direction of travel on the street; and
- (116) "rear property line" means the property line opposite to and farthest from the front property line (c) runs parallel to the front property line, or, if the front property line is a curved line, runs parallel to the straight line between the two end points of the curve of the front property line.

The above Bylaw regulations would require the front property line to be located along the proposed strata street for units 2-4, and unit 1 towards 77 Street SW. This would mean that the front setback from the closest street (the strata street) should be no less than 3 m (per section 455(b)). The rear property line for the new lots should be abutting the rear property lines of the homes located along West Cedar Point SW, and the buildings should be set back 7.5m from such property line (section 457).

Property lines are defined quite clearly in the Land Use Bylaw, and orientation of the properties are defined by the building's location relative to the nearest roadway. The property lines in this lot configuration for SB2020-0029 is a creative, albeit incorrect interpretation of the Land Use Bylaw, and does not create lots that conform with the R-1S District. The proposed lots, if approved, would result in requiring

significant relaxations of the Land Use Bylaw to accommodate development. The proposed application's configuration does not meet the rules and requirements of the Land Use Bylaw.

### **Cottage Housing Cluster**

In section 130(4) of the Land Use Bylaw regarding General Provisions related to Uses and Use Rules, it states: "Unless otherwise referenced in subsection (7), the use definitions must not be interpreted to include a development that clearly falls within another defined use."

The intended development scenario of a four unit bareland condominium strata to accommodate four new single detached dwellings within the proposed application would be better defined as a Cottage Housing Cluster (section 175). Cottage Housing Cluster is not a permitted or discretionary use in the R-1S District.

### **Fire Safety & City Standards**

City subdivision and road design standards for private driveways requires 7 m of ROW width and a turn around for fire trucks after 113 m from the main road. If a fire truck turn around is not possible, a secondary emergency access is required. Given that none of these items are addressed in the application, the proposed subdivision does not meet minimum standards.

### **Conclusion**

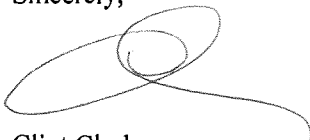
The application is inappropriate for the following reasons:

- The subdivision application does not comply with the Municipal Development Plan, as the new parcels would create dramatic contrasts in the physical development pattern and does not respect the existing character of the surrounding neighbourhood;
- The resulting development associated with the subdivision application does not create lots as envisioned by the R-1S land use district, would not meet the requirements of the Land Use Bylaw. If approved, any resulting development would require significant Bylaw relaxations to front and rear setbacks;
- The proposed use is more closely defined as a "Cottage Housing Cluster", which is not a permitted or discretionary use within R-1S;
- The subdivision fails to meet minimum safety and transportation considerations; and
- The proposed subdivision is not in keeping with sound planning principles and lacks planning merit.

For these reasons, this subdivision application would negatively impact the use and enjoyment of my property and affect my neighbours use and enjoyment of their properties.

Thank you for taking the time to read my letter.

Sincerely,



Clint Clark

ADDRESS	NAME	TELEPHONE NUMBER	EMAIL
7 WEST CEDAR PLACE	Ben & Jenn Ellard	[REDACTED]	[REDACTED]
11 WEST CEDAR PLACE	Gary & Sue Clark	[REDACTED]	[REDACTED]
15 WEST CEDAR PLACE	Clint & Arlene Clark	[REDACTED]	[REDACTED]
19 WEST CEDAR PLACE	Theunis & Erika Venter	[REDACTED]	[REDACTED]
23 WEST CEDAR PLACE	Yenny & Eric Zhang	[REDACTED]	[REDACTED]
27 WEST CEDAR PLACE	Mike & Brenda Laing	[REDACTED]	[REDACTED]
31 WEST CEDAR PLACE	Karl & Annette Klein	[REDACTED]	[REDACTED]
35 WEST CEDAR PLACE	Philip & Amanda Connolly	[REDACTED]	[REDACTED]
47 WEST CEDAR PLACE	Chantal & Craig Cachia	[REDACTED]	[REDACTED]
4 WEST CEDAR POINT	Rick Bowie	[REDACTED]	[REDACTED]
8 WEST CEDAR POINT	Sam & Naz Vaseghi	[REDACTED]	[REDACTED]
22 WEST CEDAR POINT	Albert & Rosemond Banahene	[REDACTED]	[REDACTED]
30 WEST CEDAR POINT	Kevin & Sharon Cholowski	[REDACTED]	[REDACTED]
34 WEST CEDAR POINT	Peter & Kristie Farrell	[REDACTED]	[REDACTED]
38 WEST CEDAR POINT	Mindi Zhang	[REDACTED]	[REDACTED]
46 WEST CEDAR POINT	Jeremy Paylor	[REDACTED]	[REDACTED]
54 WEST CEDAR POINT	Tamer Adham Shahinaz Sabaa	[REDACTED]	[REDACTED]



**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:08 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Gary and Sue Clark [REDACTED]  
**Sent:** March 19, 2020 7:45 PM  
**To:** Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi Clint,  
 We reviewed and approved.  
 Gary and Sue Clark  
 11 West Cedar Place

Sent from my iPhone

On Mar 19, 2020, at 11:12 AM, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark

<image001.png>  
 <image002.png>

Clint Clark | Barrister & Solicitor | [REDACTED]  
 [REDACTED]

This e-mail may contain confidential information and be subject to solicitor-client privilege. If received in error, please delete and advise sender. Thank you.

**Clint Clark**

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:07 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

**From:** [REDACTED]  
**Sent:** March 19, 2020 8:11 PM  
**To:** Clint Clark [REDACTED]  
**Subject:** RE: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

Hi Clint,

We have read and fully agree with the contents of the attached letter and fully support Clark and Clark submitting this to the city of Calgary .

Regards,

Theunis and Hendrika Venter  
 19 West Cedar Place, S.W.  
 Calgary

**From:** Clint Clark [REDACTED]  
**Sent:** March 19, 2020 11:12 AM  
**To:** [REDACTED]; 'Mike Laing' [REDACTED]; 'Albert & Rosemond Banahene' [REDACTED]; 'Kevin [REDACTED]'; 'Rick Bowie' [REDACTED]; 'Craig & Chantal Cachia' [REDACTED]; 'Philip & Amanda Connolly' [REDACTED]; 'Sharon Cholowski' [REDACTED]; 'Gary & Sue Clark' [REDACTED]; 'Peter Farrell' [REDACTED]; 'Ben & Jenn Ellard' [REDACTED]; 'Mike & Brenda Laing' [REDACTED]; 'Karl & Annette Klein' [REDACTED]; 'Tamer Adham' [REDACTED]; 'Sam & Naz Vaseghi' [REDACTED]; 'Shahinaz Sabaa' [REDACTED]; 'Yenny & Eric Zhang' [REDACTED]; Arlene Clark [REDACTED]  
**Cc:** Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark

**Clint Clark**

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:09 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** yan zhang [REDACTED]  
**Sent:** March 19, 2020 4:14 PM  
**To:** [REDACTED]; [REDACTED]; 'Mike Laing' [REDACTED]; 'Albert & Rosemond Banahene' [REDACTED]; 'Kevin [REDACTED]'; 'Rick Bowie' [REDACTED]; 'Craig & Chantal Cachia' [REDACTED]; 'Philip & Amanda Connolly' [REDACTED]; & Sharon Cholowski [REDACTED]; 'Gary & Sue Clark' [REDACTED]; 'Ben & Jenn Ellard' [REDACTED]; 'Peter Farrell' [REDACTED]; 'Karl & Annette Klein' [REDACTED]; 'Mike & Brenda Laing' [REDACTED]; 'Shahinaz Sabaa' [REDACTED]; 'Tamer Adham' [REDACTED]; 'Sam & Naz Vaseghi' [REDACTED]; [REDACTED]; Arlene Clark [REDACTED]; Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi Clint,

We have read and fully agree with the contents of the attached letter and fully support Clark and Clark submitting this to the city of Calgary .

Regards,  
 Yenny

23 West Cedar Place SW

On Thursday, March 19, 2020, 11:11:53 a.m. MDT, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,



**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:16 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Mike Laing [REDACTED]  
**Sent:** March 19, 2020 12:19 PM  
**To:** Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Clint Clark

I would like to acknowledge that Mike & Brenda Laing have reviewed the letter from Clark & Clark dated March 19, 2020 and fully support its contents.

Mike & Brenda Laing  
 27 West Cedar Place S.W.  
 Calgary Alberta, T3H 5T9

On Thursday, March 19, 2020, 11:11:53 AM MDT, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark

**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:11 AM  
**To:** Clint Clark  
**Subject:** FW: Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Annette Klein [REDACTED]  
**Sent:** March 19, 2020 2:25 PM  
**To:** Clint Clark [REDACTED]  
**Subject:** AW: Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi Clint,

I have reviewed the letter of Opposition regarding development at 882 77 Street SW.  
 I fully support the contents of same and consent Clark and Clark representing same to the City of Calgary.

Best regards

Annette Klein

31 West Cedar Place SW  
 Calgary, AB, T3H 5T9

Von meinem Sony Xperia™-Smartphone gesendet

---- Clint Clark schrieb ----

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:13 AM  
**To:** Clint Clark  
**Subject:** FW: WG: Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

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

**From:** Karl Martin Klein [REDACTED]  
**Sent:** March 19, 2020 1:34 PM  
**To:** Clint Clark [REDACTED]  
**Cc:** Annette Klein [REDACTED]  
**Subject:** Re: WG: Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Dear Clint,

Many thanks for your letter from March 19, 2020 to Ms. Vivian Barr regarding the proposed subdivision of Plan 012 0368, Block D, Lot 22 - February 25, 2020.

I have reviewed this letter and fully support the contents of same and consent to Clark and Clark representing same to the City of Calgary.

Best regards

Karl

---

Karl Martin Klein  
31 West Cedar Place SW  
Calgary, AB T3H 5T9



**Clint Clark**

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:13 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Philip Connolly [REDACTED]  
**Sent:** March 19, 2020 2:14 PM  
**To:** Clint Clark [REDACTED]  
**Cc:** [REDACTED]; Mike Laing [REDACTED]; Albert & Rosemond Banahene [REDACTED]; Kevin & [REDACTED]; Rick Bowie [REDACTED]; Craig & Chantal Cachia [REDACTED]; Sharon Cholowski [REDACTED]; Gary & Sue Clark [REDACTED]; Ben & Jenn Ellard [REDACTED]; Peter Farrell [REDACTED]; Karl & Annette Klein [REDACTED]; Mike & Brenda Laing [REDACTED]; Shahinaz Sabaa [REDACTED]; Tamer Adham [REDACTED]; Sam & Naz Vaseghi [REDACTED]; Yenny & Eric Zhang [REDACTED]; Arlene Clark [REDACTED]; Amanda Connolly [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi Clint,

This is great, we fully support this letter.

Phil and Amanda Connolly  
 35 West Cedar Place SW.

Thanks for all of your hard work.

Sent from my iPhone

On Mar 19, 2020, at 11:11 AM, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark

**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:16 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Chantal Cachia [REDACTED]  
**Sent:** March 19, 2020 11:44 AM  
**To:** Clint Clark [REDACTED]  
**Cc:** [REDACTED]; Mike Laing [REDACTED]; Albert & Rosemond Banahene [REDACTED]; Gary & [REDACTED]; Rick Bowie [REDACTED]; Kevin & Sharon Cholowski [REDACTED]; Ben & Jenn Ellard [REDACTED]; Sue Clark [REDACTED]; Philip & Amanda Connolly [REDACTED]; Karl & Annette Klein [REDACTED]; Mike & [REDACTED]; Peter Farrell [REDACTED]; Brenda Laing <milaing@icloud.com>; Shahinaz Sabaa <drshahinazsaba@yahoo.com>; Tamer Adham [REDACTED]; Sam & Naz Vaseghi [REDACTED]; Yenny & Eric Zhang [REDACTED]; Arlene Clark [REDACTED]; Craig Cachia [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi Clint,

We have read and fully agree with the contents of the attached letter and fully support Clark and Clark submitting this to the city of Calgary .

Regards,

Craig and Chantal Cachia  
 47 West Cedar Place

Sent from my iPhone

On Mar 19, 2020, at 2:41 PM, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark  
**SDAB2021-0028 Additional Submission** 1

**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:15 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

**From:** [REDACTED]  
**Sent:** March 19, 2020 12:52 PM  
**To:** Clint Clark [REDACTED]; [REDACTED]; [REDACTED]; 'Mike Laing' [REDACTED];  
 'Albert & Rosemond Banahene' [REDACTED]; 'Craig & Chantal Cachia' [REDACTED]; 'Kevin &  
 Sharon Cholowski' [REDACTED]; 'Gary & Sue Clark' [REDACTED]; 'Philip & Amanda Connolly'  
 [REDACTED]; 'Ben & Jenn Ellard' [REDACTED]; 'Peter Farrell'  
 [REDACTED]; 'Karl & Annette Klein' [REDACTED]; 'Mike & Brenda Laing' [REDACTED];  
 'Shahinaz Sabaa' [REDACTED]; 'Tamer Adham' [REDACTED]; 'Sam & Naz Vaseghi'  
 [REDACTED]; 'Yenny & Eric Zhang' [REDACTED]; Arlene Clark [REDACTED]  
**Subject:** RE: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

Good Afternoon Clint,

Great job on your letter to the City of Calgary detailing our opposition to the Development and the rationale as to why this simply does not fit in our neighbourhood.

I fully support submitting this letter to Ms. Barr in order to halt this project.

Sincerely,

Rick Bowie  
 4 West Cedar Point SW  
 Calgary, Alberta  
 T3H 5E3  
 [REDACTED]

**From:** Clint Clark [REDACTED]  
**Sent:** March 19, 2020 11:12 AM  
**To:** [REDACTED]; [REDACTED]; 'Mike Laing' [REDACTED]; 'Albert & Rosemond Banahene'  
 [REDACTED]; 'Rick Bowie' [REDACTED]; 'Craig & Chantal Cachia' [REDACTED]; 'Kevin  
 & Sharon Cholowski' [REDACTED]; 'Gary & Sue Clark' [REDACTED]; 'Philip & Amanda Connolly'  
 [REDACTED]; 'Ben & Jenn Ellard' [REDACTED]; 'Peter Farrell'  
 [REDACTED]; 'Karl & Annette Klein' [REDACTED]; 'Mike & Brenda Laing' [REDACTED];  
 'Shahinaz Sabaa' [REDACTED]; 'Tamer Adham' [REDACTED]; 'Sam & Naz Vaseghi'  
 [REDACTED]; 'Yenny & Eric Zhang' [REDACTED]; Arlene Clark [REDACTED]  
**Cc:** Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

Hi everyone,



**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:12 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Sam Vaseghi Gmail [REDACTED]  
**Sent:** March 19, 2020 2:27 PM  
**To:** Clint Clark [REDACTED]  
**Cc:** [REDACTED]; Mike Laing [REDACTED]; Albert & Rosemond Banahene [REDACTED]; Kevin & [REDACTED]; Rick Bowie [REDACTED]; Craig & Chantal Cachia [REDACTED]; Sharon Cholowski [REDACTED]; Gary & Sue Clark [REDACTED]; Philip & Amanda Connolly [REDACTED]; Ben & Jenn Ellard [REDACTED]; Peter Farrell [REDACTED]; Karl & Annette Klein [REDACTED]; Mike & Brenda Laing [REDACTED]; Shahinaz Sabaa [REDACTED]; Tamer Adham [REDACTED]; Yenny & Eric Zhang [REDACTED]; Arlene Clark [REDACTED]; Naz Tabibi [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi Clint,

Thanks for the letter we are fully endorsing this letter opposing subject development application.

Regards,

Sam & Naz Vaseghi  
 8 West Cedar PT, SW  
 [REDACTED]

Sent from my iPhone

On Mar 19, 2020, at 11:11 AM, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark  
**SDAB2021-0028 Additional Submission** 1

**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:14 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

---

**From:** Albert Banahene [REDACTED]  
**Sent:** March 19, 2020 1:21 PM  
**To:** Clint Clark [REDACTED]  
**Cc:** [REDACTED]; [REDACTED]; laingm [REDACTED]; Rick Bowie [REDACTED]; Chantal Cachia [REDACTED]; Kevin & Sharon Cholowski [REDACTED]; Gary & Sue Clark [REDACTED]; [REDACTED]; Philip & Amanda Connolly [REDACTED]; Ben & Jenn Ellard [REDACTED]; [REDACTED]; Peter Farrell [REDACTED]; Karl & Annette Klein [REDACTED]; Mike & Brenda Laing [REDACTED]; Shahinaz Sabaa [REDACTED]; Tamer Adham [REDACTED]; [REDACTED]; Sam & Naz Vaseghi [REDACTED]; Yenny & Eric Zhang [REDACTED]; [REDACTED]; Arlene Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Good day Clint,

We do endorse the letter.

Thanks

Albert & Rosemond Banahene  
 22 West Cedar Point

---

**From:** "Clint Clark" [REDACTED]  
**To:** [REDACTED]; "laingm" [REDACTED]; "abanahene" [REDACTED]; "Rick Bowie" [REDACTED]; "Chantal Cachia" [REDACTED]; "Kevin & Sharon Cholowski" [REDACTED]; "Gary & Sue Clark" [REDACTED]; "Philip & Amanda Connolly" [REDACTED]; "Ben & Jenn Ellard" [REDACTED]; "Peter Farrell" [REDACTED]; "Karl & Annette Klein" [REDACTED]; "Mike & Brenda Laing" [REDACTED]; "Shahinaz Sabaa" [REDACTED]; "Tamer Adham" [REDACTED]; "Sam & Naz Vaseghi" [REDACTED]; "Yenny & Eric Zhang" [REDACTED]; "Arlene" [REDACTED]  
**Cc:** "Clint Clark" [REDACTED]  
**Sent:** Thursday, March 19, 2020 11:11:46 AM  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

**Clint Clark**

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:14 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Kevin & Sharon Cholowsky [REDACTED]  
**Sent:** March 19, 2020 1:09 PM  
**To:** [REDACTED]; 'Mike Laing' [REDACTED]; 'Albert & Rosemond Banahene'  
[REDACTED]; 'Rick Bowie' [REDACTED]; 'Craig & Chantal Cachia' [REDACTED]; 'Gary &  
Sue Clark' [REDACTED]; 'Philip & Amanda Connolly' [REDACTED]; 'Ben & Jenn Ellard'  
[REDACTED]; 'Peter Farrell' [REDACTED]; 'Karl & Annette Klein' [REDACTED]; 'Mike &  
Brenda Laing' [REDACTED]; 'Shahinaz Sabaa' [REDACTED]; 'Tamer Adham'  
[REDACTED]; 'Sam & Naz Vaseghi' [REDACTED]; 'Yenny & Eric Zhang'  
[REDACTED]; Arlene Clark [REDACTED]; Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Perfect. Fully endorsed by:

Kevin & Sharon Cholowsky  
30 West Cedar Point SW

Thank you.

On Thursday, March 19, 2020, 11:11:53 a.m. MDT, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark



**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:10 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

**From:** Pete [REDACTED]  
**Sent:** March 19, 2020 4:08 PM  
**To:** Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Clint,  
 I approve the letter.  
 Peter Farrell  
 34 west cedar point SW Calgary t3h5e3

[REDACTED]

Peter

Sent from my iPhone

On Mar 19, 2020, at 11:11, Clint Clark [REDACTED] wrote:

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark

<image001.png>  
 <image002.png>

Clint Clark | Barrister & Solicitor [REDACTED]

This e-mail may contain confidential information and be subject to solicitor-client privilege. If received in error, please delete and advise sender. Thank you.

**Clint Clark**

---

**From:** Mike Laing [REDACTED]  
**Sent:** March 20, 2020 12:09 PM  
**To:** Clint Clark  
**Subject:** Mindi

----- Forwarded Message -----

**From:** min zhang [REDACTED]  
**To:** Mike Laing [REDACTED]  
**Sent:** Thursday, March 19, 2020, 02:45:20 PM MDT  
**Subject:**

Hi Clint,

We have read and fully agree with the contents of the attached letter and fully support Clark and Clark submitting this to the city of Calgary .

Regards,

Mindi Zhang

38 West Cedar Point SW

Sent from Mail for Windows 10

**Clint Clark**

---

**From:** Clint Clark  
**Sent:** Friday, March 20, 2020 9:10 AM  
**To:** Clint Clark  
**Subject:** FW: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

**From:** [REDACTED]  
**Sent:** March 19, 2020 3:03 PM  
**To:** Clint Clark [REDACTED]  
**Subject:** RE: SB2020-0029 Development at 882 - 77 Street S.W. - Letter of Opposition

Hi Clint,

We have read and fully agree with the contents of the attached letter and fully support Clark and Clark submitting this to the city of Calgary .

Regards,

Jeremy Paylor  
 46 West Cedar Point SW

**From:** Clint Clark [REDACTED]  
**Sent:** March 19, 2020 11:12 AM  
**To:** [REDACTED]; 'Mike Laing' [REDACTED]; 'Albert & Rosemond Banahene'  
 [REDACTED]; 'Rick Bowie' [REDACTED]; 'Craig & Chantal Cachia' [REDACTED]; 'Kevin  
 & Sharon Cholowski' [REDACTED]; 'Gary & Sue Clark' [REDACTED]; 'Philip & Amanda Connolly'  
 [REDACTED]; 'Ben & Jenn Ellard' [REDACTED]; 'Peter Farrell'  
 [REDACTED]; 'Karl & Annette Klein' [REDACTED]; 'Mike & Brenda Laing' [REDACTED];  
 'Shahinaz Sabaa' [REDACTED]; 'Tamer Adham' [REDACTED]; 'Sam & Naz Vaseghi'  
 [REDACTED]; 'Yenny & Eric Zhang' [REDACTED]; Arlene Clark [REDACTED]  
**Cc:** Clint Clark [REDACTED]  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi everyone,

Please find attached my draft letter of opposition to the above noted subdivision for your review and hopeful approval. I would appreciate it if all of you can take the time to review the letter and send a return email confirming your support to the letter, please ensure that your full names and addresses are noted in such return email. I would like to try and get the letter out to Vivian Barr today would appreciate if everybody can turn this around as soon as possible. Thanks so much!

Yours truly,

Clint Clark



**Clint Clark**

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**From:** tamer adham [REDACTED]  
**Sent:** March 20, 2020 11:54 AM  
**To:** Clint Clark  
**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Dr. Tamer Adham,  
 MB.BCh, MSc, MD (Pediatrics),  
 MRCPCH (London)  
 Sent from my iPhone

On Mar 20, 2020, at 10:28 AM, tamer adham [REDACTED] wrote:

Thanks Clint.

I do approve the letter.

Dr. Tamer Adham,  
 54 West Cedar Point sw

Sent from my iPhone

On Mar 20, 2020, at 9:35 AM, Clint Clark [REDACTED] wrote:

**From:** Clint Clark

**Sent:** March 19, 2020 11:12 AM

**To:** [REDACTED]; [REDACTED]; 'Mike Laing'

[REDACTED]; 'Albert & Rosemond Banahene' [REDACTED];

'Rick Bowie' [REDACTED]; 'Craig & Chantal Cachia'

[REDACTED]; 'Kevin & Sharon Cholowski' [REDACTED];

'Gary & Sue Clark' [REDACTED]; 'Philip & Amanda Connolly'

[REDACTED]; 'Ben & Jenn Ellard' [REDACTED];

'Peter Farrell' [REDACTED]; 'Karl & Annette Klein'

[REDACTED]; 'Mike & Brenda Laing' [REDACTED]; 'Shahinaz Sabaa'

[REDACTED]; 'Tamer Adham' [REDACTED]; 'Sam &

Naz Vaseghi' [REDACTED]; 'Yenny & Eric Zhang'

[REDACTED]; Arlene Clark [REDACTED]

**Cc:** Clint Clark [REDACTED]

**Subject:** Re: SB2020-0029 Development at 882 - 77 Street S.W. – Letter of Opposition

Hi everyone,

**SDAB2021-0028 Additional Submission**

**Barr, Vivian**

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**From:** Barr, Vivian  
**Sent:** Tuesday, February 25, 2020 5:59 PM  
**To:** 'Peter Farrell'  
**Subject:** RE: [EXT] Proposed subdivision. SB2020-0029

Thank you for your comments, I will add them to the file.

As this is a subdivision application we don't have many details other than the proposal to create 4 bareland units with 4 single detached dwellings. You will be receiving an updated notification letter to reflect the 4 single detached dwellings as the earlier letter incorrectly indicated 2.

There was a public hearing and a change in the land use back in 2016. The change was to R-1s and single detached dwellings are a permitted use.

I would recommend you also voice your comments to the Community Association and Councilor Davison.

Thank you.

Jeff Nielsen on behalf of Vivian Barr.

**From:** Peter Farrell [REDACTED]  
**Sent:** Tuesday, February 25, 2020 8:26 AM  
**To:** Barr, Vivian <Vivian.Barr@calgary.ca>; Peter Farrell [REDACTED]  
**Subject:** [EXT] Proposed subdivision. SB2020-0029

Dear Vivian Barr,

My wife and I are writing this email in regard to the proposed subdivision located at:

882 77 St, SW Calgary  
Proposed Subdivision of Plan 021 0368, Block D, Lot 22  
City of Calgary File Number: SB2020-0029

We strongly oppose the proposed subdivision located at 882 77ST, SW Calgary. With respect to the community of West Spring and Calgary development, this project clearly doesn't fit within the responsible development plan of West Springs. Not only will this project devalue the properties adjacent, it will also reduce the privacy held by homeowners. The area being proposed is unfit for residential development. This project has many flaws and we believe it deserves the upmost scrutiny before being approved.

Please forward me any details regarding this application.

Thank you for your time,

Peter Farrell

Barr, Vivian

**From:** Barr, Vivian  
**Sent:** Tuesday, February 25, 2020 12:36 PM  
**To:** 'Sam Vaseghi'  
**Subject:** RE: [EXT] File No: SB2020-0029- Proposed Subdivision Plan 021 0368, Block D, Lot 22 (882 77 ST SW)

The notification letter sent to you indicated 4 unit bareland condo with single detached dwellings. I am unsure of why this is misleading info. To answer your questions with the information that we have:

- 1) We do not know the height or # of stories that will be built as this a subdivision application.
- 2) Same response as above, we don't have any formal development plans just the building footprints.
- 3) No elevation drawings were submitted.
- 4) This application is not shown on the City website, we circulated the notification to you as an adjacent neighbor as a courtesy due to the impact it would have on your property. Subdivision applications do not require public hearings and are not notice posted on a website for viewing.
- 5) We have 60 days to render a decision on this subdivision application.

Thank you.

Jeff Nielsen on behalf of Vivian Barr.

**From:** Sam Vaseghi [REDACTED]  
**Sent:** Tuesday, February 25, 2020 9:47 AM  
**To:** Barr, Vivian <Vivian.Barr@calgary.ca>  
**Subject:** Re: [EXT] File No: SB2020-0029- Proposed Subdivision Plan 021 0368, Block D, Lot 22 (882 77 ST SW)

Hi Vivian/Jeff,

Thanks for the feedback and correcting notice letter from City regarding the application which was a misleading info. It is now even much more concern for us and looks our property will be one of the most impacted one as the Condos will be built on our side (Access Road on North) and completely blocking our property in very unusual distance to our property!

Please confirm:

- 1) Number of stories for the condo#1 (from Ground) \*\*This is very important to us \*\*
- 2) If the Garage will be one level and no structure/Building level on top of the garage?
- 3) Any Section/elevation drawings
- 4) Where in Calgary.ca can find more info about this application
- 5) What is approval timeline (is there a due date for City decision)?

Regards,

Sam Vaseghi

On Mon, 24 Feb 2020 at 16:45, Barr, Vivian <Vivian.Barr@calgary.ca> wrote:

Thank you for your comments.

WC  
Point



I can provide the following information in relation to your questions. The application we received is for a 4 unit bareland condo not 2 dwellings as previously stated. There would be an access road that would run along the northern part of this parcel to provide access to each bareland unit. We will circulate this application to emergency services and fire to ensure they can adequately access each unit if required. I have attached the proposed site plan above for reference of where they plan to put the buildings and the proposed access to each parcel. There are no Development Permits required for these units as they comply with the Land Use Bylaw and do not require DP's for single detached homes in the developing areas. As far as timing, if this application is approved, we have no control or estimated timeline when construction or development would begin.

I understand your concerns about the impacts to surrounding property and I would recommend you express those to both the Community Association and the Ward Councilor Davison.

Thank you.

Jeff Nielsen on behalf of Vivian Barr.

**From:** Sam Vaseghi [REDACTED]  
**Sent:** Monday, February 24, 2020 10:50 AM  
**To:** Barr, Vivian <Vivian.Barr@calgary.ca>  
**Subject:** [EXT] File No: SB2020-0029- Proposed Subdivision Plan 021 0368, Block D, Lot 22 (882 77 ST SW)

Hi Vivian,

I am home owner adjacent to the subject lot. From your letter dated 14-Feb-2020 I understood the landowner is decided to apply for subdivision application to create two parcels in this lot and build two detached dwellings.

It is very concerning for us as likely most impacted resident in the vicinity of this development. the community of residents on both adjacent streets (Cedar PT & Cedar PL) had submitted concern (including safety/fire access) regarding this development and adverse impact on many residents few years ago when the owner filed land use change application which unfortunately approved by the City.

Now, I would like to know more details about the proposed application. This is a long and very narrow lot and I would like to know:

- a) How the owner is proposing to have two parcels each with a detached dwelling fit in this narrow lot (Where along the stretch of the lots these two dwellings will be located)?
- b) How they will get access to the dwelling in the middle (there is no space for an access beside one dwelling)?
- c) How much is dwelling structures set back from our resident fences?
- d) Are they 2 storeys dwellings (same height of our property)?
- e) What is the proposed timeline for this development?
- f) I tried to find info in Calgary.ca regarding this application, but no data for 882 77 ST SW in the "Building, planning & Business" section of the City site found. Could you please direct me to the location for this application in the City website?

Looking to receive your response on the above.

Regards,

Sam Vaseghi

Owner of 8 West Cedar PT SW, Calgary, AB T3H5E3

[REDACTED]

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**From:** yan zhang [REDACTED]  
**Sent:** Thursday, March 5, 2020 10:00 PM  
**To:** Barr, Vivian  
**Subject:** [EXT] RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029),  
Property Address 882-77 Street SW, Calgary, Alberta  
**Attachments:** letter from 23 West Cedar PL SW.pdf

Dear Vilian

We even more surprised with the subdivision of 4 units condos in your second letter!!

I got anxiety recently and can't sleep during the night. My husband lost job for more than a year and my job is not stable and considering sell the house. If it was approved by Citi Calgary, I don't know what I am going to do with my house. We have a lot of mortgage on it and house market is weak plus this Subdivision plan.

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368,Block D, Lot 22.

To build 4 units condos in such narrow land will significantly increase the risk of safety to residents and the environment:

#### 1. Fire Hazard and Congestion

The subject property is very is very deep(700 feet+), with no access but for the frontage on 77th Street. Allowing the development of 4 units condos, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. Fire truck access is only one way and deep to the end.

#### 2. Over-shadowing

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2 meter side yard setback will have significant over-shadowing issues throughout the day. Allowing so many condos would double the effect.

#### 3. Loss of Privacy Concerns:

Any development in the green space will result in a huge invasion of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increase even further during the construction of two houses that were never intended to be there in the 1st place. And were not developed with the rest of the residential area.

#### 4. Traffic and parking safety concerns beside our fences

There would be many cars for 4unit condos including visitor's cars going by such narrow road beside by our fences. Kids paly in the backyard will be scared by the cars passing by so closely. As the fences are not concrete walls.

#### 5. Community environment



Around this narrow space are all expensive houses. It doesn't look good with crowded condos congestion together. It is not good for City community environment planning. It will be a bad example for landowners to leave a space when they build houses and change the space use in later years to make money.

6. There may be some other significant technique issues such as waste water.... impact the adjacent houses.

We are therefore strongly opposed to subdividing the above-mentioned property to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments he now wants compared to the original rezoning application.

We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application. We trust and believe Calgary Planning Commission will make the right decision for all current residents and potential residents to avoid future fire risk and other safety risk.

Sincerely,  
Yenny Zhang  
23 West Cedar Place, S.W  
Calgary  
T3H 5T9

**Dear Vilian**

RE: Proposed Subdivision of Plan 021 0368, Block D, Lot 22. (File number SB2020-0029), Property Address 882-77 Street SW, Calgary, Alberta

We bought our house at December 2016 but not informed by the realtor that the land owner had applied to change the use of the land. We love the trees and privacy therefore we bought this house and paid extra value on it.

We are shocked when I received the notice mailed out by the City of Calgary on Feb 14, 2020 in respect of the Application for the Proposed Subdivision of the noted property 882 77 ST SW. **We even more surprised with the subdivision of 4 units condos in second letter.** We are the resident of 23 West Cedar place, SW. Calgary, wish to make urgent comments for the Calgary Community planning Department to consider in reviewing this application.

We believe when the landowner built this community, leaving this green space to attract people to buy these houses. But it is not fair for our resident that he wants to change original purpose.

In view of the significant negative impact highlighted in the paragraphs below, we urge the city of Calgary to reject the proposed subdivision of plan 021 0368.

To build 4 units condos in such narrow land will significantly increase the risk of safety to residents and the environment as well as adversely impact the value of properties for adjacent landowners:

#### **Fire Hazard and Congestion**

The subject property is very is very deep(700 feet+), with no access but for the frontage on 77<sup>th</sup> Street. Allowing the development of 4 units condos, will result in very limited firefighting access and given the 25 adjacent properties could result in a very significant fire safety hazard not only for the subject properties but also to the neighboring properties. Fire truck access is only one way and deep to the end.

#### **Adverse impact on Infrastructure**

We already have an issue with the large amount of motor vehicles in our street. Giving access to two or more additional residents each with their own motor vehicles and recreational vehicles will make an existing bad situation even worse. Construction of 4 unit condos in the very small narrow and crowded area will also be nearly impossible as clearly proven by the resent development in 77<sup>th</sup> street.

#### **Over-shadowing**

The homes adjacent to the property have north and south facing back yards, and any development permitted which has a 1.2 meter side yard setback will have significant over-shadowing issues throughout the day. Allowing so many condos would double the effect.

#### **Erosion of Property values**

Losing a beautiful and pristine 50-foot buffer of trees, plants and animals in exchange for two houses squeezed into area poorly suited for development, separated only 1.2 meters from existing property will have a catastrophic impact on all property values in the area. Losing this green space will not just have a significant permanent impact on wildlife but also on adjacent homeowners.

#### **Loss of Privacy Concerns:**

Any development in the green space will result in a huge invasion of our back yard but also allow others to peer into our bedroom windows. We will be bare and exposed and feel as if we are constantly being watched. The potential noise hazard is also a concern as the existing green space acts as a natural barrier that screens the view and blocks noise. This would be increase even further during the construction of two houses that were never intended to be there in the 1<sup>st</sup> place. And were not developed with the rest of the residential area.

#### **Traffic and parking safety concerns beside our fences**

There would be many cars for 4 unit condos including visitor's cars going by such narrow road beside by our fences. Kids paly in the backyard will be scared by the cars passing by so closely. As the fences are not concrete walls.

#### **Community environment**


Around this narrow space are all expensive houses. It doesn't looks good with crowed condos congestion together. It is not good for Citi community environment planning. It will be a bad example for landowners to leave a space when they build houses and change the space use in later years to make money.

We are therefore strongly opposed to subdividing the above-mentioned property to accommodate the needs of a single landowner who has not acted in good faith in the past as shown by amendments he now wants compared to the original rezoning application.

We therefore urge the Calgary Planning Commission to dismiss the application and revoke his original rezoning application. We trust and believe Calgary Planning Commission will make the right decision for all current residents and potential residents to avoid future fire risk and other safety risk.

Sincerely,

Yenny Zhang



March 5, 2020

23 West Cedar Place, S.W

Calgary

T3H 5T9



8810046

JAN 14 1985



A.L.S. 1985

S.A. 100/100

M.D. OF ROCKY VIEW NO. 44

PLAN OF SURVEY OF  
SUBDIVISION OF  
THE NORTHERLY 100.584 METRES OF THE  
S.1/2 OF LEGAL SUBDIVISION 10 in  
N.E.1/4 Sec. 22, Tp. 24, R. 2, W. 5 M.

A L B E R T A

BY A.M. DHARAMSHI, A.L.S., 1985.

Scale: 1:2000

0 50 100 150 200 METRES.

## NOTES:

Distances are in metres and decimals thereof.  
Statutory iron posts are shown thus: found \*; established o  
Portion affected by this plan contains 2 lots, 4.056 ha and is shown outlined Red, thusly: ———

- I, Aziz M. Dharamshi, of the City of Calgary, Alberta  
Land Surveyor, make oath and say:
- that the survey represented by this plan was made under my personal supervision,
  - that the survey was made in accordance with good surveying practices and in accordance with the provisions of The Surveys Act, and
  - that the survey was performed between the dates of November 19th and November 21st, 1985, and that this plan is true and correct, and is prepared in accordance with the provisions of The Land Titles Act.

Sworn before me at the City of  
Calgary in the Province of Alberta,  
this 26th day of November, 1985.

(Mavis Grace - March 24, 1986)  
A Commissioner for Oaths in  
and for the Province of Alberta.

ALBERTA LAND SURVEYOR.

OWNERS: C. of T. 851 031138

WITNESS:

KAMAL NEMR KADRI

J. Donald Crawford

RIEFA EVA KADRI

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44			
APPROVED <i>[Signature]</i>			
VALID	EXPIRES	FILE NO.	APPROVAL NO.
Aug 13/87	Aug 13/88	2402-22N042	85-RV-80

## WITNESS AFFIDAVIT:

- I, J. Donald Crawford, of the City of Calgary, in the Province of Alberta, make oath and say:
- I was personally present and did see Kamal Nemr Kadri and Riefa Eva Kadri named in the within instrument, who are personally known to me to be the persons named therein, duly sign and execute the same for the purposes named therein.
  - That the same was executed at the City of Calgary in the Province of Alberta, and that I am the subscribing witness thereto.
  - That I, J. Donald Crawford, know the said Kamal Nemr Kadri and Riefa Eva Kadri and they are each in my belief of the full age of eighteen years.

Sworn before me at the City of  
Calgary in the Province of Alberta,  
this 20th day of December, 1985.

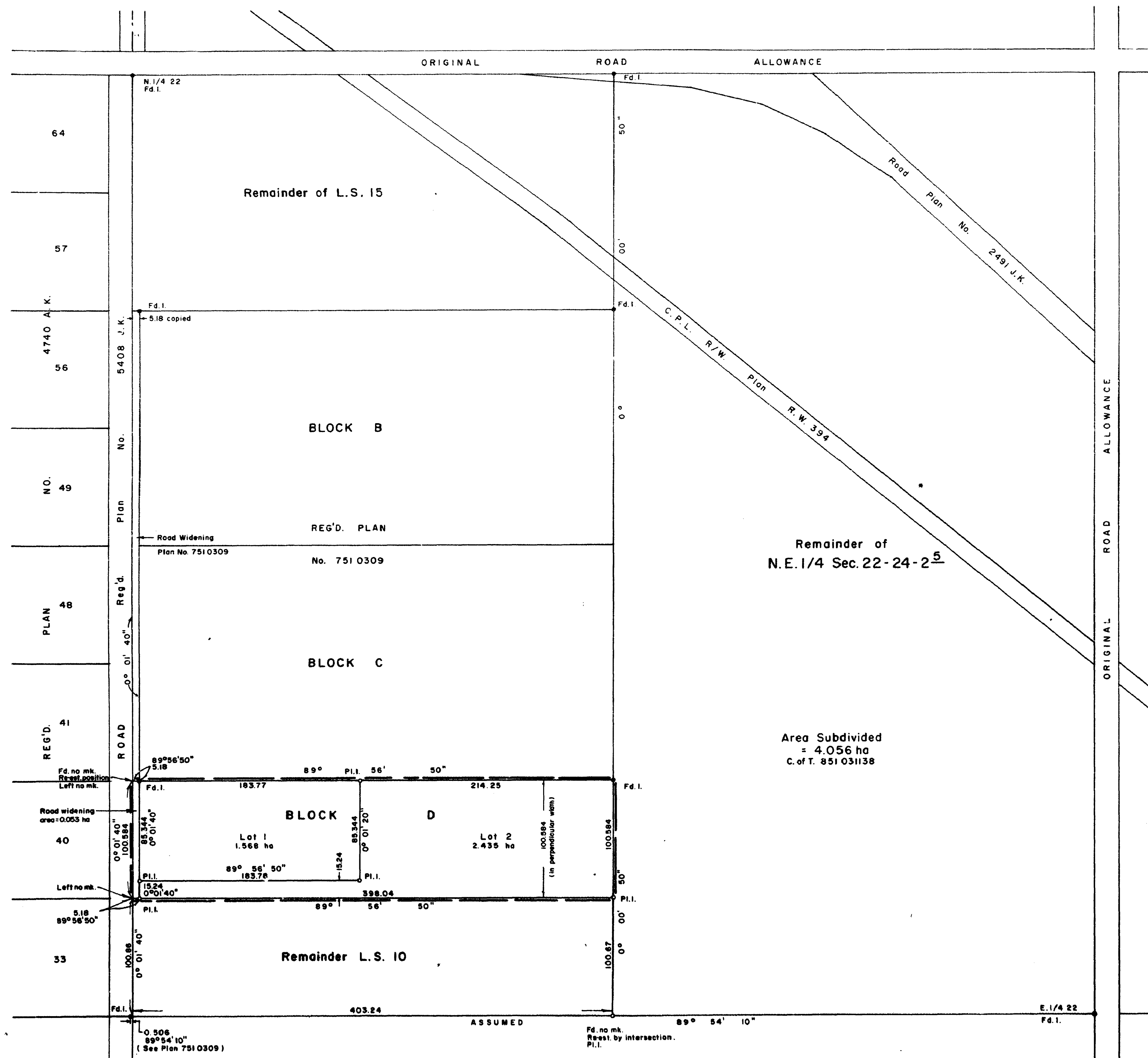
(Mavis Grace - March 24, 1986)  
A Commissioner for Oaths in  
and for the Province of Alberta.

WITNESS.

CLARK, SWANBY & COMPANY (1979) LTD.  
6120 1A Street S.W.  
CALGARY, ALBERTA. T2H 0G3

363. 8810046

S-026-85



**WEST SPRINGS**  
(Ward 6 - Alderman Bronconnier)



AM 2000/071  
2000-Y-2019/22W  
CPC 2000 October 04

**RECOMMENDATION:****CALGARY PLANNING COMMISSION RECOMMENDATION TO COUNCIL:**

The Calgary Planning Commission recommended that Council:

1. **APPROVE** the proposed redesignation from DC Direct Control District to R-1 Residential Single-Detached District and DC Direct Control District to accommodate a single-detached dwelling and low density multi-dwelling residential development at 882 77 Street SW in accordance with the Corporate Planning Applications Group recommendation; and
2. Give two readings to the proposed Bylaw withholding third reading pending the developer entering into an agreement for servicing, roadway dedication, and timing for the construction of 73 Street SW to the satisfaction of the Manager, Urban Development.

Moved by: D. Bronconnier

Carried: 10-0



**PROPOSALS:**

1. Redesignation: From: DC Direct Control District  
To: R-1 Residential Single-Detached District and DC Direct Control District to accommodate a single-detached and low density multi-dwelling residential development.
2. Outline plan between 73 and 77 Streets SW, north of 9 Avenue.

<b>APPLICANT:</b> Interplan Strategies Inc. 10991 Valley Springs Road NW Calgary, AB T3B 5S5	<b>OWNER:</b> Deer Trail Development Inc. 2808 Signal Hill Drive SW Calgary, AB T3H 2L9
<b>MUNICIPAL ADDRESS:</b> 882 - 77 Street SW	<b>LEGAL DESCRIPTION:</b> Plan 8810046, Block D, Lot 2 (Map 22W)
<b>EXISTING LAND USE DESIGNATION:</b> DC	
<b>PROPOSED LAND USE DESIGNATION:</b> R-1 and DC	
<b>SITE CHARACTERISTICS:</b>	Flat land with aspen stands
<b>AREA OF SITE:</b>	2.45 ha+ (6.05 ac+)
<b>CURRENT DEVELOPMENT:</b>	Vacant Land

**ADJACENT USES:**

- NORTH:** Single-detached dwellings on large acreage parcels;
- SOUTH:** Single-detached dwellings on large acreage parcels;
- EAST:** Existing and future single-detached dwellings, open space; and
- WEST:** 77 Street SW and single-detached dwellings on large acreage parcels.

**RELEVANT POLICIES:****East Springbank Area Structure Plan**

- Approved by Council on 1997 June 23 and subsequently amended.
- Identifies the site area as an Urban Development Area intended to accommodate fully serviced and comprehensively designed residential development at a density level of 4 to 7 units per gross developable acre.

**East Springbank Area Structure Plan, Appendix 3: East Springbank II Community Plan**

- Approved by Council 1998 October 05.
- As per the East Springbank Area Structure Plan, the site area is identified as an Urban Development Area intended to allow for residential density in the range of 4 to 7 upa, encouraging a wide variety of housing units, with the possible provision of a multi-family residential development on the eastern portion of the site.

**RELEVANT PLANNING HISTORY:**

2000 May 26, an application was made on the property to the south located at 7664 and 7752 - 10 Avenue SW to redesignate 9.5 ac+ from DC to R-1 and PE. Scheduled for consideration by Council on 2000 October 2.  
(Amendment 2000/063, Bylaw 117Z2000)

1999 March 22, Council redesignated 87.30 ac+ located southeast of the subject site at 1016 and 1050 - 85 Street SW and 1011 - 77 Street SW from DC to R-1, PE and DC to accommodate narrow lot single-detached, semi-detached, townhouse and medium density residential development.  
(Amendment 98/083, Bylaw 26Z99)

1998 December 14, Council redesignated 51.57 ac+ located northeast of the subject site at 7217 Old Banff Coach Road SW from DC to R-1, PE and DC to accommodate low and medium density residential development.  
(Amendment 98/079, Bylaw 106Z98)

1996 April 24, Council redesignated the subject site in accordance with the East Springbank Annexation area from AG-8(MD of Rockyview) to DC to accommodate rural residential development.  
(Amendment 96/005, Bylaw 12Z96)

**APPLICANT'S SUBMISSION:**

*The intent of the application is to provide for a comprehensively planned residential cell comprised of single family detached and multi-family housing that integrates well with the surrounding area and capitalizes upon the potential of good location.*

The plan is anticipated to accommodate 38 residential dwelling units, of which 20 are multi-family, for an overall density of 6.3 dwelling units per acre.

The emphasis upon landscaping, i.e. median planting, and enhanced street lighting are intended to add to the quality of the cell in keeping with the vision for the East Springbank area.

The proposed development complies with the intent and policies of the Community Plan, fits within the content of area and does not unduly compromise the development of adjacent lands.

SUMMARY OF CIRCULATION REPLIES				
CIRCULATED TO	NO REPLY	NO OBJ.	EASEMENTS REQUIRED	REMARKS
CPAG		X	X	Servicing requirements, Development Agreement.
ENMAX		X	X	
TELUS COMMUN.		X	X	
ATCO GAS		X	X	
CABLE TV		X	X	
FIRE DEPARTMENT		X		
CORP. PROPERTIES GROUP		X		
CALG. BD. ED.		X		
SEP. SCH. BD.		X		
SITE PLANNING		X		
C.R.H.A.		X		
E.M.S.		X		
EAST SPRINGBANK COMMUNITY ASSOC.		X		

#### PLANNING EVALUATION:

These proposals are for the redesignation and subdivision of an 2.45 ha± (6.05 ac±) parcel to R-1, and DC for detached single-family and low density multi-dwelling units in the new



West Springs Community, west of Coach Hill. The subject land is located east of 77 Street SW, north of the 9 Avenue alignment and west of the future 73 Street. It consists of a "panhandle" parcel with the "handle" portion extending westward to 77 Street, which was subdivided by the Municipal District of Rocky View prior to annexation.

### **Adjacent Developments**

Two proposals have been approved east of this site for various residential housing forms which are presently under construction and a future joint use site with a stormwater detention facility.

### **History**

A previous application for a larger area that also included the two abutting parcels to the south was withdrawn in April of this year.

### **Topography and Vegetation**

The lands are generally flat, with less than a metre of elevation variance across the site. Small stands of aspen trees on the site are rated as Level C Natural Areas in the Community Plan.

**Policy:** East Springbank II Community Plan (Appendix 3) Amendment to the East Springbank Area Structure Plan

This Community Plan covers approximately 370 hectares (915 acres) of land lying south of Old Banff Coach Road SW, west of Coach Hill Road and Coach Ridge Road, north of 12 Avenue (future Bow Trail expressway) and east of the Transportation and Utility Corridor for the future Stoney Trail.

The subject lands are located in the northeast quadrant of the Community Plan, approximately one half mile south of Old Banff Coach Road, within the Urban Development zone which is intended for a residential density of between 9.9 and 17.3 units per gross developable hectare (4.0 to 7.0 units per gross developable acre). The Urban Development areas would accommodate a mix of dwelling units overall but not necessarily on each individual ownership given the extensive fragmentation of the lands. Higher density uses would be located at the community core or neighbourhood nodes.

A Low Density Infill Development area is located immediately west of 77 Street. The East Springbank ASP requires that the interface with such lands should be addressed through buffering techniques such as increased building setback, retention of existing vegetation, provision of pathways or parks and restrictions on land use and building heights.

Two collector roads abut the east and west boundaries of the site, with 73 Street on the east side being an undivided primary collector and 77 Street being a standard collector. The future 9 Avenue on the south boundary of the abutting parcel will also be a collector. 77 Street and 9 Avenue form part of the transit system in the community.

The eastern segment of the site is identified in the Community Plan as a possible multi-family location.

### Land Uses

The R-1 district on the central portion of the site would provide for an anticipated maximum of 17 lots for single-detached development determined by the minimum average lot width of 13 metres (42.7 ha±). A single DC (R-1) site of 0.28ha± (0.69ac±) is to be created from the panhandle portion of the lands fronting onto 77 Street. One single-detached dwelling only would be permitted on this lot which should, if possible, be consolidated and redesignated as part of a future proposal for either of the adjacent blocks.

Two separate parcels located immediately west of 73 Street are to be designated DC, with the guidelines of the RM-1 district, for a townhouse development, to a maximum of 20 units on this 0.61 ha± (1.51 ac±) area. The Community Plan provides that all multi-family sites are to be designated DC to address design and building details including massing, height, orientation, coverage, open spaces and environmentally significant other natural areas. These components could be addressed either through the wording of performance measures in the guidelines or through creation of a DC district tied to plans. Preliminary concept plans for these sites illustrate units fronting onto driveways extending inward from the central internal road and proposed performance criteria are set out in the DC guidelines.

### Density

The projected maximum of 38 units would result in a density of 6.3 upa which conforms with the range of 4 - 7 upa of the East Springbank Area Structure Plan and the East Springbank II Community Plan.

### Outline Plan

The outline plan design is based on all the lots except the western parcel fronting onto a short cul-de-sac roadway extending westward from 73 Street. This will be a residential standard road with a median in the west half.

The ultimate road network proposed in the Community Plan provides for future collectors along the east and west sides of the site. In the interim, given that there are several ownerships to the north which will determine the timing of the actual construction of 73 Street, it is proposed that, if required, interim access will be via Westpoint Court and West Springs Way to Old Banff Coach Road, until such time as the permanent access is in place.

The outline plan will provide for the remaining road dedication along the eastern edge for the 23.5 metre wide 73 Street primary collector. A 5.18 metre dedicated widening for 77 Street was already provided by Plan 8810046. This dedication exceeds the required widening of 77 Street.

**Open Space**

No provision has been made for any on-site dedicated open space lands. At the time of the previous subdivision, cash-in-lieu of reserve was paid to the Municipal District of Rocky View and thus there is no further reserve requirement.

**Servicing**

## a) Storm

All stormwater effluent from this subdivision is to be discharged to a stormwater pond proposed on the adjacent properties directly to the north. The stormwater pond will in turn discharge into the Edworthy system via a future stormmain to be located in the future 73 Street SW.

## b) Sanitary

A sanitary main will be constructed in the future 73 Street and will extend south through the newly acquired easement to 10 Avenue then along the 10 Avenue to the existing main in 69 Street.

## c) Water

Water service to the site will ultimately be provided by a main located in 73 Street SW, whereas interim service will be achieved by a connection to the existing water main at the west side of the APEX development located directly east of the site.

**Conclusion:**

The Corporate Planning Applications Group is supporting this land use redesignation and outline plan for the following reasons:

- a) The proposed use and density are consistent with the provisions of the approved East Springbank ASP and the proposed East Springbank II Community Plan;
- b) The proposed residential use is compatible with the existing and future residential development on adjacent lands; and
- c) The lands are serviceable to municipal standards.

**CORPORATE PLANNING APPLICATIONS GROUP RECOMMENDATION: APPROVAL**

- A. Recommend that City Council APPROVE, by bylaw, the redesignation of 2.45 ha± (6.05 ac±) from DC Direct Control District to:

- a) R-1 Residential Single-Detached District, 1.56ha± (3.85 ac±); and



b) DC Direct Control District, with the following guidelines:

**SITE 1** 0.28 ha± (0.69 ac±)

1. Land Use

The land use shall be for one single-detached dwelling only as a Discretionary Use.

2. Development Guidelines

The General Rules for Residential Districts contained in section 20 of Bylaw 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the R-1 Residential Single-Detached District shall apply unless otherwise noted below:

(a) Front Yard

A minimum of 9 metres.

(b) Development Plans

Approval of this application does not constitute approval of a development permit. Comprehensive plans shall be submitted to the Approving Authority as part of a development permit application.

**SITE 2** 0.61 ha± (1.51 ac±)

1. Land Use

The Permitted and Discretionary Uses of the RM-1 Residential Low Density Multi-Dwelling District shall be the Permitted and Discretionary Uses respectively.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the RM-1 Residential Low Density Multi-Dwelling District shall apply unless otherwise noted.

(a) Density

The maximum number of units shall be:

North parcel - 12

South parcel - 8

## (b) Access

No direct vehicular access shall be allowed to or from 73 Street.

## (c) Parking

All units shall provide 200 percent off-street parking, together with visitor parking as required by the Bylaw.

## (d) Building Design

- (i) The design, character and appearance of the buildings shall be compatible with and complimentary to the surrounding area;
- (ii) Where units back onto low density residential units the rear elevation of the units shall be compatible with the rear elevations of the low density residential units;
- (iii) Where units back onto a public street their street elevation shall be of a quality and articulation compatible with the residential units across the street;
- (iv) In addition to the above, the site plan and building design shall address massing, height, orientation and coverage, as required in Section 1.6.5. of the East Springbank II Community Plan.

## (e) Rear Yard

A minimum of 7.5 metres.

## (f) Side Yard

A minimum of 5 metres abutting a low density residential district except a minimum of 3 metres may be provided where the end unit is a maximum of 2 storeys.

## (g) Open space

A common amenity area shall be included as part of the landscaping provision.

## (h) Environmentally Significant and Natural Areas

Existing environmentally significant and other natural areas shall be considered and where possible integrated into the site layout and design.

## (i) Development Plans

Approval of this application does not constitute an approval of a development permit. Comprehensive plans shall be submitted to the Approval Authority as part of development permit application.

- B. Recommend that the Calgary Planning Commission **APPROVE** the outline plan subject to the conditions set out in Appendix I

**PLANNING COMMISSION DECISION:**

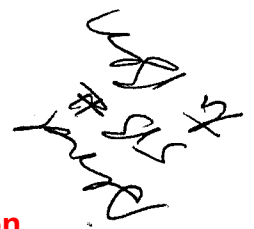
2000 October 04

1. **APPROVE** the proposed redesignation from DC Direct Control District to R-1 Residential Single-Detached District and DC Direct Control District to accommodate a single-detached dwelling and low density residential development at 882 77 Street SW in accordance with the Corporate Planning Application Group recommendation; and
2. Give two readings to the proposed Bylaw withholding third reading pending the developer entering into an agreement for servicing, roadway dedication, and timing for the construction of 73 Street SW to the satisfaction of the Manager, Urban Development.

Moved by: **D. Bronconnier**

Carried: **10-0**







Parcel to the south

(2)

AM2001/003  
2001-Y-2001/22W  
CPC 2001 June 06

and have multiple ownership.

As indicated by the Community Plan, where ever practical, single-detached dwellings should not back onto collector roads. To address this concern, alternative designs including front lotting and side lotting onto 9 Avenue were considered.

Front lotting would not be feasible due to the development constraints from approvals granted north and south of the subject site. Due to the narrow nature of the parcel and the outline plan approval granted for the adjacent parcel to the north, constraints are introduced that would make front lotting on 9 Avenue unfeasible. As back lotting has already been approved along a portion of the south side of 9 Avenue, the inclusion of front lotting on the north side of the road would result in an undesirable streetscape appearance. As a result, front lotting was considered inappropriate.

Side lotting with cul-de-sac road access from 9 Avenue was also considered. This option was considered unfeasible due to the inability of the design to meet fixed storm sewer grades and the fact that a portion of the south half of the 9 Avenue right-of-way, required for the development, may not be available for some time due to different ownership. As a result it was not considered practical to restrict back lotting onto 9 Avenue.

In order to address Staff concerns regarding the negative visual and safety effects of back lotting on the public realm, the applicant has provided options for uniform fence designs. As fence design detail has not been finalized, the applicant has agreed to an outline plan condition that requires fencing details be provide to the satisfaction of the Manager of Urban Development and the Chief Subdivision Officer.

\* Attempts were unsuccessful to incorporate the adjacent panhandle parcel, located northwest of the site, within this proposal. The panhandle lot can be incorporated within any future application with its adjacent parcel to the north.

### Open Space

No provision has been made for any on-site dedicated open space lands. At the time of the previous subdivision, cash-in-lieu of reserve was paid to the Municipal District of Rocky View and thus there is no further reserve requirement.

### Servicing

#### 1) Storm

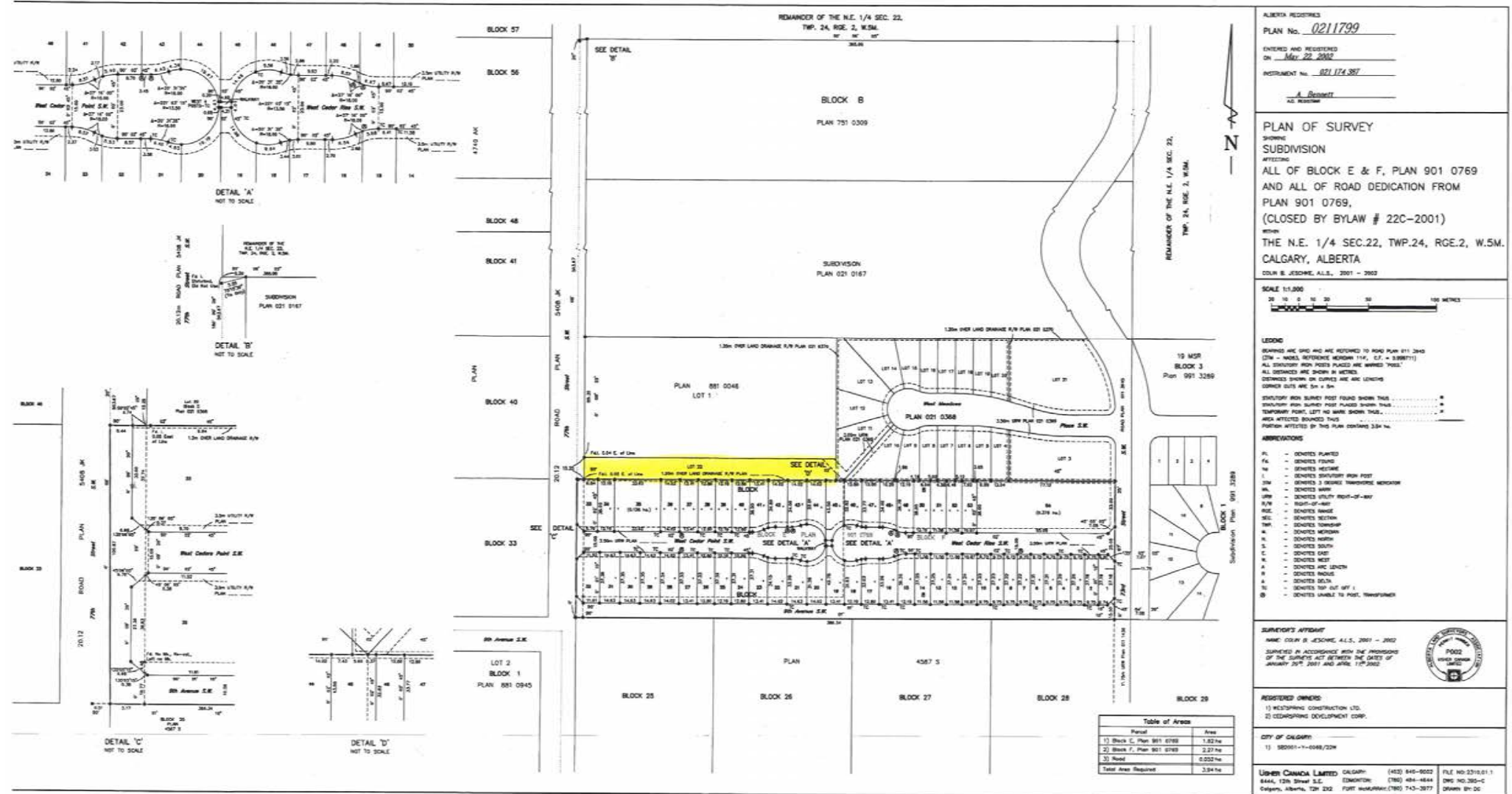
All stormwater from this subdivision is to be discharged to a stormwater pond proposed on properties directly to the north. The stormwater pond will in turn discharge into the Edworthy system.

#### 2) Sanitary

A sanitary main will be constructed in the future 73 Street and will extend south



2



*Parcel to  
the north*

3

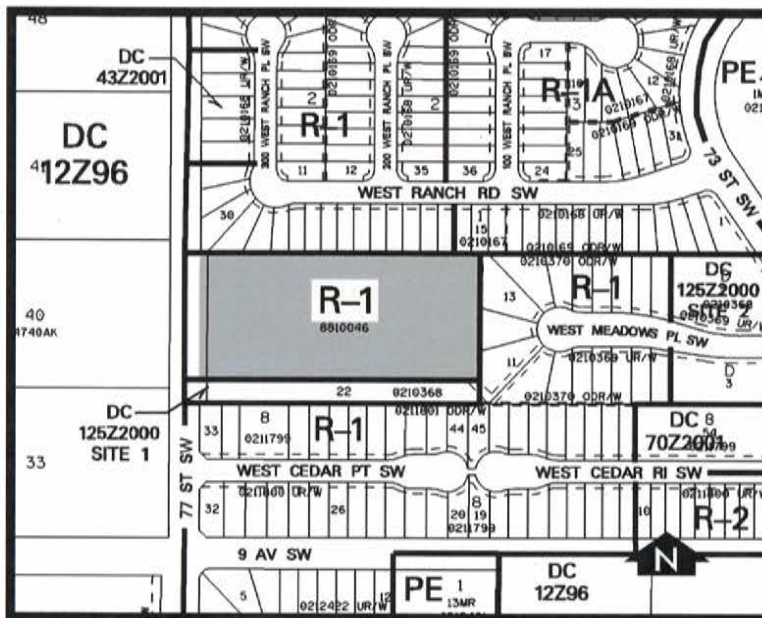
CPC2003-072

## REPORT TO COUNCIL FROM CALGARY PLANNING COMMISSION

LAND USE AMENDMENT AND OUTLINE PLAN	ITEM NO. 10	
	FILE NO:	LOC2002-0131
	CPC DATE:	2003 April 03
	COUNCIL DATE:	2003 May 12
	BYLAW NO:	49Z2003

WEST SPRINGS  
(Ward 6 - Alderman Burrows)

Comment [COMMENT1]: The rest of this page is blank for the map to be inserted.



**Density**

The outline plan meets the density objectives of the Area Structure Plan in the opinion of staff.

Nothing would be gained by reducing the density to 7.0 from the proposed 7.14 units per acre. It is also noted that the adjoining parcel to the south can only be developed as one lot for a single detached home with its 52 foot frontage on 77 Street SW. that limits its re-development potential. In consideration of this parcel the density of the West Cedar Place application would drop to approximately 6.24 units per acre.

**Servicing**

Sanitary and water servicing to West Cedar Place will be provided by extending trunks from the existing facilities in 77 Street SW. The storm water system drains to the east through the 6.0 right-of-way to an existing storm water pond. The site can be serviced to City of Calgary standards. Urban Development has not objected to the approval of the Outline Plan, but has cautioned that: " due to the aggressive development activity in the Broadcast Hill/Strathcona water pressure zones, this land may not be serviceable at the time of Building Permit release. A reservoir will be required to the west of the City limits and a feeder main on Old Banff Coach Road. Waterworks is making their best effort to have these utilities in operation for the Fall of 2004." Urban Development will be monitoring this situation, and if the homes are built this year as planned by the developer/builder, it is not anticipated to be a problem.

**Public Involvement:**

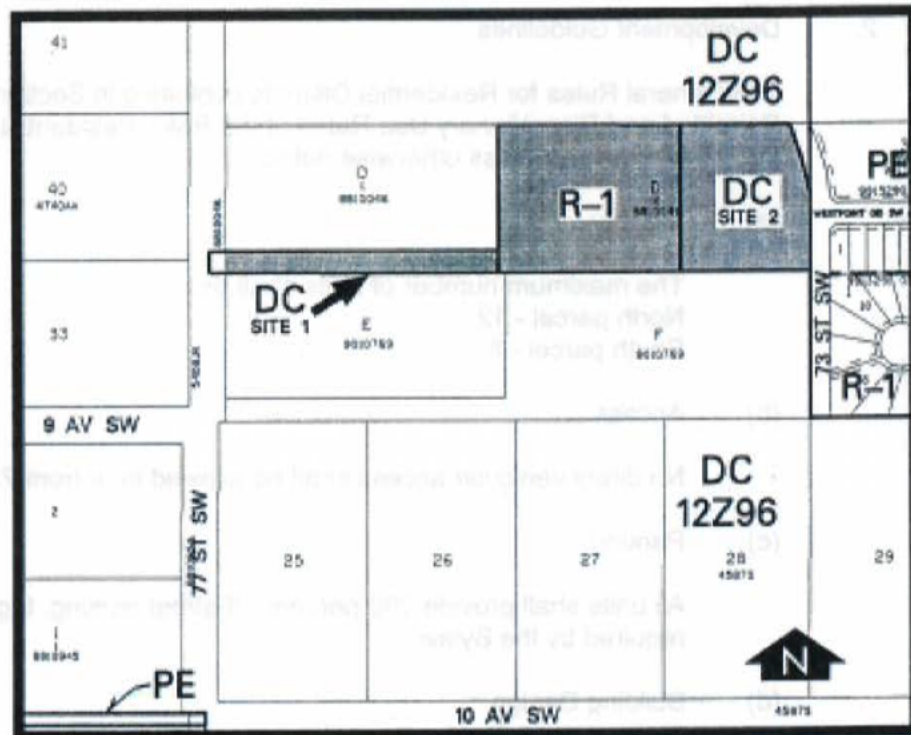
The local Community Association, abutting landowners, and local ward alderman's office was circulated these applications. All had no objections, except for one e-mail that was received from an abutting homeowner. Mr. and Mrs. Joy who requested the applicant make every effort to save the spruce and aspen trees found on site along the former fence line, and adjoining 77 Street SW and the existing home. This matter was discussed with the applicant, and they will make their best efforts to save as many trees on site as possible that are not in conflict with the urban drainage systems and associated site grading. Concrete drainage gutters are already installed by other developers on the north and east side of the property. These trees add both environmental, aesthetic and real estate value to the property.

**CONCLUSION:**

The Corporate Planning Applications Group supports this land use redesignation and outline plan for the following reasons:

1. It is in conformity with the East Springbank Area Structure Plan Appendix 3: East Springbank II Community Plan;
2. The site can be serviced to City of Calgary standards.



**Amendment No. 2000/071****Bylaw No. 125Z2000****Council Approval: 11 December 2000****SCHEDULE B****SITE 1      0.28 ha± (0.69 ac±)****1. Land Use**

The land use shall be for one single-detached dwelling only as a Discretionary Use.

**2. Development Guidelines**

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the R-1 Residential Single-Detached District shall apply unless otherwise noted below:

**(a) Front Yard**

A minimum of 9 metres.

**(b) Development Plans**

Approval of this application does not constitute approval of a development permit. Comprehensive plans shall be submitted to the Approving Authority as part of a development permit application.

**SITE 2      0.61 ha± (1.51 ac±)**

1. Land Use

The Permitted and Discretionary Uses of the RM-1 Residential Low Density Multi-Dwelling District shall be the Permitted and Discretionary Uses respectively.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the RM-1 Residential Low Density Multi-Dwelling District shall apply unless otherwise noted.

(a) Density

The maximum number of units shall be:  
North parcel - 12  
South parcel - 8

(b) Access

No direct vehicular access shall be allowed to or from 73 Street SW.

(c) Parking

All units shall provide 200 percent off-street parking, together with visitor parking as required by the Bylaw.

(d) Building Design

- (i) The design, character and appearance of the buildings shall be compatible with and complementary to the surrounding area;
- (ii) Where units back onto low density residential units, the rear elevation of the units shall be compatible with the rear elevations of the low density residential units;
- (iii) Where units back onto a public street, their street elevation shall be of a quality and articulation compatible with the residential units across the street;
- (iv) In addition to the above, the site plan and building design shall address massing, height, orientation and coverage, as required in Section 1.6.5. of the East Springbank II Community Plan.

(e) Rear Yard

A minimum of 7.5 metres.

(f) Side Yard

A minimum of 5 metres abutting a low density residential district except a minimum of 3 metres may be provided where the end unit is a maximum of 2 storeys.

(g) Open space

A common amenity area shall be included as part of the landscaping provision.

(h) Environmentally Significant and Natural Areas

Existing environmentally significant and other natural areas shall be considered and where possible, integrated into the site layout and design.

(i) Development Plans

Approval of this application does not constitute an approval of a development permit. Comprehensive plans shall be submitted to the Approval Authority as part of a development permit application.



LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

### **EXECUTIVE SUMMARY**

This land use amendment application is to redesignate the vacant subject parcel from DC Direct Control District to Residential – One Dwelling (R-1s) District to allow for a secondary suite or a backyard suite. The existing DC District allows the development of one single-detached dwelling as a discretionary use.

### **PREVIOUS COUNCIL DIRECTION**

None.

### **ADMINISTRATION RECOMMENDATION**

2016 October 20

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

### **RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaw 312D2016; and

1. **ADOPT** the proposed redesignation of 0.28 hectares  $\pm$  (0.69 acres  $\pm$ ) located at 882 – 77 Street SW (Plan 0210368, Block D, Lot 22) from DC Direct Control District to Residential – One Dwelling (R-1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 312D2016.

### **REASON(S) FOR RECOMMENDATION:**

The proposed R-1s district would be compatible with the existing adjacent development. The lot is large and complies with the rules of the land use bylaw and all required parking can be accommodated on site. The West Springs Area Structure Plan encourages secondary suites throughout the Neighbourhood Area.

### **ATTACHMENTS**

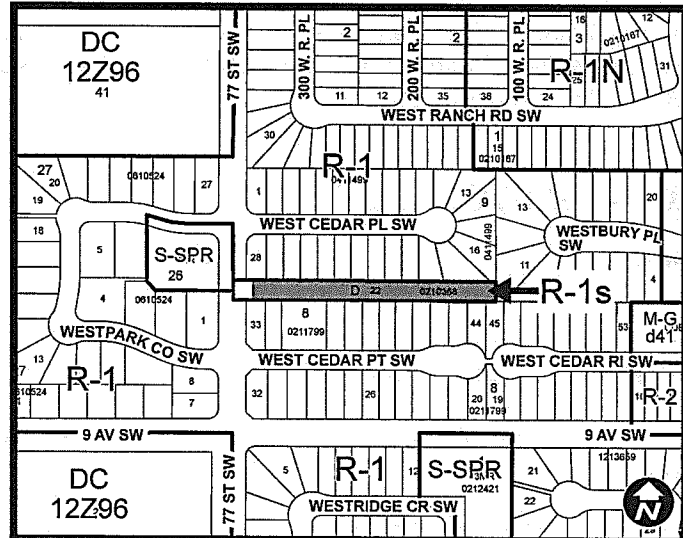
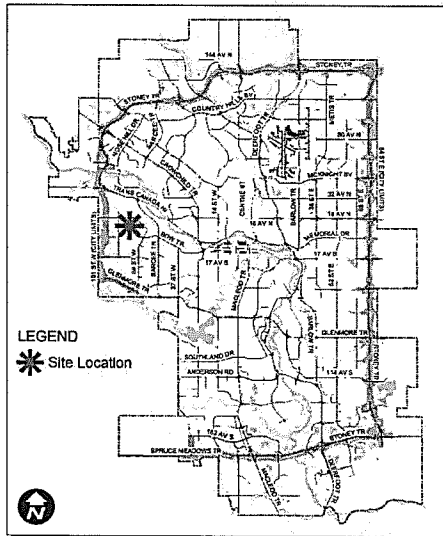
1. Proposed Bylaw 312D2016
2. Public Submissions

S. Small

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

LOCATION MAPS



S. Small

CALGARY PLANNING COMMISSION  
REPORT TO COUNCIL  
2016 DECEMBER 05

ISC: UNRESTRICTED  
CPC2016-316  
LOC2016-0218  
Page 3 of 7

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.28 hectares  $\pm$  (0.69 acres  $\pm$ ) located at 882 – 77 Street SW (Plan 0210368, Block D, Lot 22) from DC Direct Control District to Residential – One Dwelling (R-1s) District.

**Moved by: C. Friesen**

**Carried: 5 – 1**  
**Opposed: R. Wright**



LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

**Applicant:**

Deer Trail Development Inc

**Landowner:**

Deer Trail Development Inc

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is located in the community of West Springs on the east side of 77 Street SW and north of 9 Avenue SW. The parcel has a width of 15.23 metres  $\pm$  and depth of 183.78 metres  $\pm$  and is currently vacant with Aspen and Birch tree stands. Single detached dwellings surround the subject site.

The site is the handle portion of an old panhandle acreage lot that was redeveloped in 2000. In 2000 the subject site was surrounded by acreage parcels. A DC Direct Control land use was approved on the subject parcel that allows a single-detached dwelling as a discretionary use. The site is serviced but has never been developed.

<b>West Springs</b>	
Peak Population Year	2016
Peak Population	9785
2016 Current Population	9785
Difference in Population (Number)	0
Difference in Population (Percent)	0%

**LAND USE DISTRICTS**

The proposed R-1s district has the ability to accommodate secondary suites on parcels that already permit a single detached dwelling on a single parcel. The R-1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

The subject site meets the minimum R-1s parcel size requirements. As such, the site can accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements, including the minimum parking requirement and the amenity space provisions. If any relaxation may be required, these may be considered at the development permit stage.

Approval of this land use amendment application does not constitute approval of a specific secondary suite type, but rather allows for a secondary suite to be considered via the development or building permit process.

S. Small

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

## LEGISLATION & POLICY

### South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

### Municipal Development Plan (MDP)

The subject site is located within the *Residential Developing: Planned Greenfield with Area Structure Plan* as identified on Map 1 in the Municipal Development Plan (MDP).

### West Springs Area Structure Plan (ASP)

The subject site is designated Urban Development within the Neighbourhood Area in the West Springs ASP. Residential density should be between 9.9 and 17.3 units per hectare (4 to 7 units per acre). Secondary suites are encouraged throughout the Neighbourhood Area.

## TRANSPORTATION NETWORKS

The site is located approximately 75 metres from a bus stop, for route 453, with service to the 69 Street SW LRT station. All access to the site would be from 77 Street SW.

## UTILITIES & SERVICING

Existing services are available and can accommodate the potential addition of a secondary suite.

## ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

## ENVIRONMENTAL SUSTAINABILITY

No sustainability features have been provided at this time.

## GROWTH MANAGEMENT

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

S. Small

LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

## PUBLIC ENGAGEMENT

### Community Association Comments

The West Springs/Cougar Ridge Community Association expressed some concern but has not sent in formal comments at the time of this report.

### Citizen Comments

Comments were received from residents of 19 properties, 17 of which are immediately adjacent to the subject site. Issues raised by the residents are listed below:

- Negative impact on property values;
- Loss of privacy in the rear yards;
- Overshadowing of rear yards;
- Fire and safety concerns due to limited access;
- Loss of green space and trees;
- Increase in vehicle/pedestrian conflicts;
- Decrease natural ventilation, reduce breezes; and
- Increase in eavesdropping on neighbouring properties.

The subject site may be developed for a single detached dwelling under the existing land use. The existing development surrounding the site would have a greater impact on many of the above issues than the proposed development of this site.

### Public Meetings

No public meetings were held by the applicant or administration.



CALGARY PLANNING COMMISSION  
REPORT TO COUNCIL  
2016 DECEMBER 05

ISC: UNRESTRICTED  
CPC2016-316  
LOC2016-0218  
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LAND USE AMENDMENT  
WEST SPRINGS (WARD 6)  
9 AVENUE SW AND 77 STREET SW  
BYLAW 312D2016

MAP 22W

**APPENDIX I**

**APPLICANT'S SUBMISSION**

The purpose of this application for re-designation is to add a secondary suite to a single-family home on the proposed site. This is a very large parcel (.69) of an acre, which comes with its challenges based on access and dimensions. Based on the size of the lot it would allow for a variety of possibilities in incorporating a secondary suite to a single-family home. Furthermore, it would slightly increase the density on this parcel, which would be more in line with the density set out for the area. I appreciate your time.

S. Small

**Appeal Board rec'd: June 23, 2021**  
**Submitted by: R. Grol, agent for neighbour group**  
**Calgary Subdivision and Development Appeal Board**

In the Matter of:

Appeal by Deer Trail Development Inc. and Maidment Land Surveys Ltd. against a decision of the Subdivision Authority where a subdivision was refused at 882 77 Street SW (Plan 0210368; Block D; Lot 22), Calgary

SDAB2021-0028  
SB2020-0029

Hearing: April 29, 2021  
Adjourned to: July 8, 2021

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**HEARING SUBMISSIONS**

**of**

Affected adjacent landowners Mrs. Arlene Clark and Mr. Clint Clark *et al*, represented by Clint Clark, Barrister and Solicitor, and Rick Grol, Agent.

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Date: June 22, 2021

Submitted by Rick Grol, Agent for Clark *et al*

## I. Introduction

1. The appellants, Deer Trail Development Inc. and Maidment Land Surveys Ltd., appealed the Subdivision Authority's refusal of the application (SB2020-0029) for subdivision of the parcel at 822 77 Street SW (Plan 0210368; Block D; Lot 22) in the community of West Springs. The subject property has the land use designation "Residential – One Dwelling (R-1S) District" in the Land Use Bylaw 1P2007 (LUB).
2. Mrs. and Mr. Clark are the registered owners of the property 15 Cedar Place SW, located to the immediate north of the parcel that is the subject of the subject application. Mr. Clark and Mr. Grol represent the adjacent property owners to the immediate north (along West Cedar Place SW) and south (West Cedar Point SW) of the subject parcel. All adjacent property owners with the exception of the owners of #3 West Cedar Place SW and #16 West Cedar Point SW oppose the proposed subdivision and have authorized us to make representations on their behalf. [See Appendix A – List of adjacent property owners] For ease of reference in this submission document the Clark *et al* group will be called "the Clarks". The location of the adjacent landowners that oppose the subdivision are indicated in Appendix B [Aerial Maps]. These property owners are directly and materially affected by the proposed subdivision.
3. The Clarks submit that in refusing the application the Subdivision Authority (SA) properly exercised its discretion in accordance with section 654(3) of the *Municipal Government Act*, RSA 2000, c M-26, as amended (MGA or Act).
4. The Clarks agree with the SA's refusal of the proposed subdivision and agree with the SA's reasons for refusing the application.

## II. Background

5. The application proposes to subdivide the subject residential parcel into four parcels to allow for four Single Detached Dwelling units with secondary suites to be built. One Single Detached Dwelling on each parcel. The proposed subdivision proposed a configuration of one parcel fronting on 77 Street SW and three so-called panhandle lots (or flag-lots) accessed by an internal strata road. The three panhandle lots each have a sliver portion of land fronting onto 77 Street SW. The applicant in their representations to the SA and adjacent property owners submitted that the lots are accessed through a private internal roadway.
6. On March 16, 2021, the SA refused the subdivision application SB2020-0029. The reasons for refusal of the SA's decision are contained in the Board report, pages 8-10.



7. The SA determined that the land is not suitable for the purpose for which the subdivision is intended and access to the easterly units is not satisfactory. The SA is primarily concerned with the following: (1) The proposed lotting pattern is out of character with the surrounding area; (2) The proposed access easements will limit the practical use of the proposed lots, in that unimpeded access to the right-of-way will be required at all times. This means there will be no parking area for visitors, service vehicles, etc.; and (3) In the event that the utilities within the proposed utility right-of-way/access right-of-way need to be excavated, vehicular egress and ingress would be severely impeded.

#### *Notice of Appeal*

8. In the Notice of Appeal the appellants submitted that the application: (a) Has regard to the West Springs Area Structure Plan (ASP); Conforms to the uses of land referred to in the LUB; (c) Is consistent with the land use policies; and (d) Has regard to the Subdivision and Development Regulations.

### **III. Evidence and Arguments**

#### *Applicable Plans and Policies*

##### *MDP*

9. The policies of the Municipal Development Plan (MDP), a statutory plan, approved by Council, are relevant to the application. The MDP provides high-level policy direction for the redevelopment of existing communities.
10. The MDP states in section 2.3.2(a): “Respect the existing character of the low-density residential areas, while still allowing for innovative and creative designs that foster distinctiveness.” Section 2.3.2(c) of the MDP states: “Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern.”
11. It is important to note that subdivisions precede development and set the stage for possible development allowed under the Land Use Bylaw.

##### *West Springs ASP*

12. In the ASP the subject parcel is designated “Urban Development”. Section 10 contains policies regarding Transportation. Section 10.2, Policies (p. 56), states that: “1. The layout of the local street network should [...] d. eliminate or minimize development of culs-de-sac, crescents and p-loops; and [...]” We submit that this ASP section would discourage proposed subdivisions with panhandle style parcels and internal road to access parcels and developments.

13. The Clarks commissioned a report by Carol McClary Planning Solutions Ltd. regarding the subject subdivision application and appeal. Ms. McClary is a former planner with the City of Calgary and acted as Development Authority. Her report speaks for itself. The practice of the SA is to have regard to the Infill Guidelines when reviewing subdivision applications. In our view that is not only logical but also in the furtherance of sound planning principles/considerations. This is an aspect of determining whether the land is suitable for subdivision and falls within excising discretion of the SA regarding a subdivision application in accordance with section 654(3) of the MGA. Ms. McClary concludes in her report that the proposed subdivision is not compatible with the adjacent and nearby parcels. She goes on to conclude that if variances of the LUB are required, such variances would not meet the variance test of section 654(2) of the Act. [Appendix D]

#### *Analysis*

14. Section 640(4)(a) of the *Municipal Government Act*, allows for a land use bylaw to provide for subdivision design standards. We submit that the applicable Bylaw sections of the R-1S District, which stipulates a minimum parcel width and depths, are subdivision standardx. This opinion is shared by Ms. McClary in her report.
15. The SA determined that the subdivision application technically meets the rules of the LUB. We submit that is only the case because the applicant is not pursuing a “private condominium roadway” as defined in section 13(111) of the LUB but rather creates three panhandle lots with private roadway easements to access all panhandle lots in place of a common property that is part of a bare land condominium plan or a bare land unit that is used for the purpose of accommodation a private road way for access purposes.
16. In our view, having regard to section 13(111) and 13(134), the subdivision constitutes gerrymandering of a subdivision of 4 parcels that in essence amount to a private roadway as contemplated in section 13(111). The proposed subdivision creates a false front property with 77 Street for each of the three easterly parcels. While this technically meets the LUB rules, is goes contrary to the intent of the LUB that a private internal roadway should be considered a street as defined in section 13(134). [Appendix E]
17. By seeking a proposed subdivision the appellants in essence are attempting to pursue through the back door what they could not do through the front door. City Council expressly zoned the subject property as R-1S District. This parcel was a remnant parcel that the owner inherited as a left over parcel when the adjacent parcels were created.
18. Further, it is noteworthy that under the scheme of the MGA there is no entitlement to the approval of a subdivision application. Pursuant to section 654(3) of the Act a subdivision authority may approve or refuse an application for subdivision approval. Thus the Subdivision Authority has discretion to refuse a subdivision application having regard to sound planning principles and transportation engineering considerations.

*Purpose of Part 17 of the MGA*

19. Planning does not happen in a vacuum. Section 617 of the MGA is the guiding philosophy from which all provincial and municipal plans are derived. It mandates that MDP's and land use bylaws reflect a balance of interests between individuals and the overall public interest. A significant planning reason is required to disrupt the balance of interests captured in these pieces of legislation. For all the reasons enunciated in the SA's decision, the proposed subdivision does not achieve the orderly, economical and beneficial development, use of land and the pattern of human settlement, as contemplated by section 617 of the Act.

*Impact on Adjacent Properties*

20. It is significant that almost all adjacent and neighbouring property owners and residents have expressed concerns regarding the proposed subdivision. They point out to the negative impacts of the proposed subdivision. Some have stated that the proposed subdivision in their opinion is not in keeping with the character and ambiance of the neighbourhood.
21. The proposed lot configuration is in stark contrast to the existing development patterns in the immediate area and neighbourhood. The developer's suggested side property lines are abutting neighbouring rear property lines. Entrances to the homes are in the side yard and not in the front of the houses. The orientation is haphazard and used only to maximize the amount of lots that could be created on site. The largely varying size of the lots is not in keeping with the development and lot pattern of the adjacent developed area.
22. The proposed subdivision would result in developments that would consist of relatively large homes based on the allowable lot coverage of 45 per cent with sides of the homes being oriented towards backyard of adjacent neighbours. Furthermore, the private internal roadway would limit the ability to provide landscaping in the form of trees that typically would provide screening to limit overlooking and respect the privacy of neighbouring residents. In addition, the rear yards of the adjacent properties to the south of the subject parcel have no mature trees. This is a factor to be considered.
23. Furthermore, the proposed subdivision would create a "sea of asphalt" on the subject land. The new parcels would have the bare minimum of landscaping and would be dominated by hard surfaced areas and driveways and the internal roadway. The amount of hard surface would affect stormwater runoff and limit water absorption due to the amount of hard surface pavement. During large storm events this could affect the adjacent properties. While this may be dealt with through a stormwater management plan for the subject property at the time of the development permit application stage, sustainable development and stormwater issues are relevant planning considerations that are a factor for subdivision and development permit applications. It is important to note



that the proposed development on the subject parcels are permitted uses. Therefore, under the scheme of the MGA and the LUB, and its operations, the Development Authority of the City has limited ability to impose conditions at the development stage, if any.

24. The proposed subdivision is a clear attempt to circumvent the rules of the LUB to achieve the maximum proposed development in the subject lands while ignoring the negative impacts that such developments would create on the adjacent properties and residential homes. This is evident from the photographic evidence contained in Appendix C.
25. To put it in perspective, the rear facades of the home to the immediate north on West Cedar Place SW are located at a distance of 8 to 10 metres from the property line with the subject parcel. The rear facades of the homes to the immediate south on West Cedar Point SW are located at 6 to 12 metre distance from the property line. In most instances the distance is much closer as most homes have rear decks that extend into the rear yards of these properties.
26. The proposed subdivision would negatively impact the use, value and enjoyment of the adjacent properties of West Cedar Place and West Cedar Point SW. Twenty four (24) adjacent properties are directly and materially affected by the proposed development. It is very unusual that a proposed subdivision of four new lots would affect such a large number of properties. This underscores the fact that, from a planning perspective, the proposed subdivision is uncharacteristic.
27. The proposed subdivision will require access easements that would limit unimpeded access and egress to the right-of-way that will be required. Therefore, parking of visitors and service vehicles on the right-of-way would not be allowed. It also limits the access to utilities etc.
28. It is important to note that the uses of “Single Detached Dwelling” and “Secondary Suite” are permitted uses in the R-1S District. This means that if the proposed developments on the proposed four subdivision parcels would meet the requirement the affected neighbouring property owners would have no ability to appeal the development permits for the development on the parcels.

#### *Emergencies and Calamities*

29. In case of emergencies, among other calamities like fire etc., access to the proposed lots and developments would be required through the adjacent properties. While emergencies are incidental, this would be a burden on the use and enjoyment of the adjacent properties and could create safety issues. The fact that no turnaround is provided on the subject property is a safety concern.

### *Other Issues*

30. The reasons for the proposed subdivision are better characterized as financial in nature and to facilitate the sale of land. That is an irrelevant factor in terms of planning considerations pertaining to subdivision applications.
31. The Clarks submit that the proposed subdivision does not respect the character of the neighbourhood by significantly altering the established subdivision pattern of the area in terms of parcel size, dimensions and orientation. The proposed subdivision would create a dramatic contrast to the current lot pattern established in the immediate area and neighbourhood. The proposed subdivision is uncharacteristic for the established development and lot pattern in the immediate area and neighbourhood. Consequently, the subdivision application is not in keeping with the policies articulated in section 2.3.2(a) and (b) of the MDP.
32. Waste collection would also become a concern since there is insufficient room for a turnaround on site for garbage trucks of the City's Waste & Recycling Services.
33. The proposed subdivision of the subject land creates four parcels that are relatively narrow in width. These parcels would be sandwiched between existing adjacent parcels impacting shadowing, privacy and overlooking.

### *Variances Land Use Bylaw*

34. In the event that the Board determines that the subdivision application would require variances of the LUB, then the Clarks would submit the following. Any required Bylaw relaxations/variances do not meet the test of section 654(2) of the MGA, as the proposed subdivision would unduly interfere with the amenities of the neighbourhood, and materially interferes with or affect the use, value or enjoyment of neighbouring parcels of land. We submit that the evidence indicates there are established negative impacts arising from the proposed subdivision on the adjacent properties.

## **IV. Summary**

35. The Clarks are of the opinion that the appeal is without merit. It is the Clarks' position that:
  - (a) The Subdivision Authority properly exercised its discretion in this case in accordance with the MGA;
  - (b) The proposed subdivision does not comply with the policies of the MDP;
  - (c) The proposed subdivision is unsuitable for the subject lands;

- (d) The proposed subdivision is uncharacteristic for the established development pattern and lot configuration/pattern in the immediate area and neighbourhood;
- (e) The proposed subdivision does not meet proper access and egress standards for the proposed parcels; and
- (f) The proposed subdivision is inconsistent with sound planning principles and transportation engineering standards.

**V. Conclusion**

36. We respectfully request that the appeal be denied and that the SA's decision be upheld.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Rick Grol', with a long horizontal stroke extending to the right.

Rick Grol, Agent for Clark *et al*

Encl.:

- Appendix A – List of Adjacent Property Owners opposed to the subdivision
- Appendix B – Maps/Aerial Images
- Appendix C – Context Photos
- Appendix D – Report Carol McClary Planning Solutions Ltd.
- Appendix E – Excerpts LUB



## **APPENDIX A**

### **List of Affected Neighbouring Property Owners**

ADDRESS	NAME
7 WEST CEDAR PLACE	Ben & Jenn Ellard
11 WEST CEDAR PLACE	Gary & Sue Clark
15 WEST CEDAR PLACE	Clint & Arlene Clark
19 WEST CEDAR PLACE	Theunis & Erika Venter
23 WEST CEDAR PLACE	Yenny & Eric Zhang
27 WEST CEDAR PLACE	Sam Zeoli & Heianna Ge
31 WEST CEDAR PLACE	Karl & Annette Klein
35 WEST CEDAR PLACE	Philip & Amanda Connolly
39 WEST CEDAR PLACE	Atuni & Ator Teteata
43 WEST CEDAR PLACE	Tayo and Nomvula Dawodu
47 WEST CEDAR PLACE	Gary and Amber Douglas
4 WEST CEDAR POINT	Rick Bowie
8 WEST CEDAR POINT	Sam & Naz Vaseghi
22 WEST CEDAR POINT	Albert & Rosemond Banahene
26 WEST CEDAR POINT	Amy & Chandler Wang *
30 WEST CEDAR POINT	Kevin & Sharon Cholowski
	Xiaoting, Wang (bought Cholowski property)
34 WEST CEDAR POINT	Peter & Kristie Farrell
38 WEST CEDAR POINT	Mindi Zhang
42 WEST CEDAR POINT	Moe and Ahmed Eddessa
46 WEST CEDAR POINT	Jeremy Paylor
50 WEST CEDAR POINT	Manu Kundra & Rati Chadha **
54 WEST CEDAR POINT	Tamer Adham /Shahinaz Sabaa

**APPENDIX B**  
**Maps/Aerial Images**





**Subject Property**



**Directly affected neighbours opposed to the Appeal**



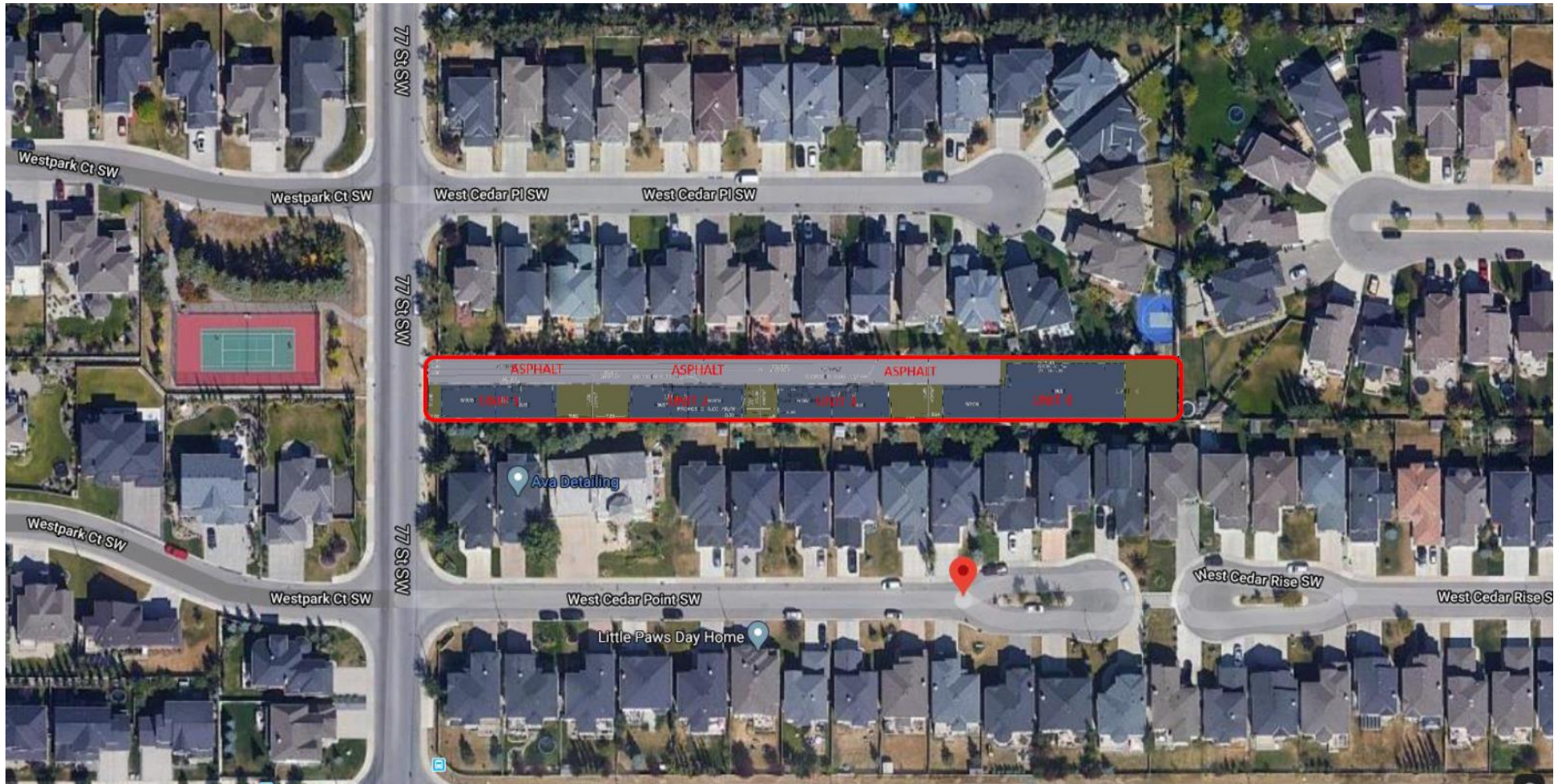
Aerial Overview





Proposed location/configuration 4 dwelling units on the subject property









**APPENDIX C**  
**Context Photos**



**Subject parcel – view from 77 Street SW looking east**





**View looking east from rear yard #22 West Cedar Point SW**



**View North at rear property line #22 West Cedar Point SW to subject property**  
**Rear facades of the homes on West Cedar Place SW visible in the back**





View south from rear deck of #15 West Cedar Place SW towards subject property





View southeast from rear deck of #15 West Cedar Place SW towards subject property



**View east from rear deck of #15 West Cedar Place SW**





**View west from rear deck of #15 West Cedar Place SW**

**Subject property to the left**

**Note swale along the property line**





**View from rear yard # 35 West Cedar Place SW towards subject property**

**Homes at West Cedar Point SW visible the background**



**Note the width of the streets**



**Aerial View lot pattern – All homes and parcels with front yards facing the street**





Carol McClary Planning Solutions Ltd.

Subdivision and Development Appeal Board  
4<sup>th</sup> Floor, 1212 – 31 Avenue NE  
Calgary, Alberta T2P 2M5

June 22, 2021

Dear Chair and Members of the Board:

RE: SDAB2021-0023 Hearing Scheduled for July 8, 2021  
SB2020-0029 Proposed Bare Land Condominium of  
Plan 0210368; Block D; Lot 22 to create 4 units  
Address: 882 – 77 Street SW, Calgary

I, Carol McClary, planning consultant, have been requested, by Mr. Rick Grol to provide my professional planning opinion on the proposed subdivision of Plan 0210368, Block D, Lot 22 at 882 - 77 Street NW, in the community of West Springs.

In performing my analysis of the proposed development permit, I have reviewed the SDAB report SDAB2021-0028 and proposed bare land condominium plan as submitted. I have reviewed the City of Calgary's Land Use Bylaw 1P2007, the City of Calgary Municipal Development Plan, East Springbank Area Structure Plan, Appendix 5 East Springbank Community Plan along with my knowledge of the interrelationship between the policy, land use bylaw, development and subdivision applications to prepare my evaluation.

A summary of my analysis, findings and professional planning opinion is below.

### History

The lands in the community of West Spring were originally 5 acre parcels. After annexation to the City of Calgary in 1990, the East Springbank Area Structure Plan, Appendix 5 East Springbank Community Plan, adopted in 1999 set the stage for urban forms of development such as: single

detached dwellings on city sized parcels, multi-family town houses, apartment buildings, small commercial strip malls, multi-storey mixed-use buildings. Over the past 27 years, the acreage parcels have been subdivided, urban services have been installed and roads have been constructed and urban forms of development has occurred. It should be noted that there is still a large undeveloped acreage parcel remaining at the southwest corner of 9<sup>th</sup> Avenue and 77 Street SW.

Preceding the adoption of the East Springbank Area Structure Plan, all the lands were redesignated to a Direct Control Bylaw, 12Z96, which allowed for existing forms of development to remain, one subdivision per parcel, and for the construction of a single-detached dwelling as a discretionary use. The intent of this DC land use district was to allow for minimal re-development prior to any submission of an outline plan or tentative plan of subdivision associated with a land use amendment that would allow for urban density, Appendix A.

The subject parcel was redesignated 12Z96. The land use changed in December 2000 to Direct Control Bylaw No. 125Z2000, Site 1, pursuant to Land Use Bylaw 2P80. The DC Bylaw specified "the land use shall be for one single-detached dwelling only as a Discretionary Use with the minimum front yard of 9 metres", Appendix B.

In December 2016, Council passed Bylaw 312Z2016 and the subject parcel was redesignated to R-1s Residential – One Dwelling District with a Secondary Suite. Any development would follow Land Use Bylaw 1P2007, Appendix C.

#### Site Description

By observing the lotting pattern shown on the map attached with Bylaw No. 125Z2000, Appendix B, the subject parcel was part of a flag shaped parcel (or pan-handled parcel) with 77 Street to the west and a larger R-1 parcel to the east. The flag shaped parcel is replicated to the south and the southern portion of that parcel was dedicated as a road: 9<sup>th</sup> Avenue SW.

Subsequent subdivision and land use decisions directed the development of West Cedar Pt SW and West Cedar Pl SW, two cul-de-sacs in a west / east direction with uniform low density residential parcels along both cul-de-sacs in a north/south orientation. See map on page 6 of SDAB Report.



The subject parcel is 15.21 metres (50 feet) in width and 182.16 metres (597.6 feet) in depth for an area of 0.28 ha (0.69 acres). This parcel remained after the urban residential subdivision was developed and is located between the two rows of residential parcels, Appendix D

The parcel is flat only with a slight drop in elevation at the rear. The parcel is currently vacant but full of a natural stand of aspen trees.

Along each north and south rear property line, a concrete drainage swale marks the property line. To the north, there are 12 lots with single detached dwellings with their rear yards adjacent to the north property line of the subject parcel. The rear setbacks of the houses vary from 8 to 10 metres and each house has a rear deck that is approximately 2 to 3 metres in depth. Those houses at the end of the cul-de-sac have walk-out basements.

To the south, there are 13 lots with single detached dwelling with their rear yards adjacent to the south property line of the subject parcel. The rear setbacks of the houses vary from 6 to 12 metres with the closest house located at 54 West Cedar Pt SW. The houses at the end of the cul-de-sac have walk-out basements, see Appendix E.

#### Relationship of Parcel Size and Shape to Development

The parcel size and shape dictate the form of development that may be built on a parcel as all development setbacks: front, side and rear are measured from an existing property line. The wider the parcel, the wider the house; while the narrower the parcel, the narrower and longer the house. The Subdivision Authority does not approve development on parcels. The Subdivision Authority must be aware of the form of development that follows when parcels or in this case, Units, are created.

To clarify the difference between a parcel and a unit, the General Definition Section of Use Bylaw 1P208, Section 13(99) in the R-1 land use district, the term parcel means a unit created under a condominium plan, the two words have the same meaning.

When the adjacent houses to the south were constructed between 2002 to 2006 and the adjacent houses to the north were constructed in 2004-2005, there was always an understanding that one single detached dwelling would be built on the subject parcel. Access would be off of 77 Street SW and any house would have a 9 metre setback from the front property line. The adjacent



homeowners could reasonably assume the majority of the trees in the aspen grove would be retained.

Even at the most recent land use amendment to Residential – One Dwelling District, R-1s, it was still only anticipated one single detached dwelling with a secondary suite would be developed as a maximum.

#### Proposed Bare Condominium and Proposed Development of 4 Units or Parcels

The subject application before the Subdivision and Development Appeal Board is an application for 4 units with each 3 units having a 1.4 metre width property line adjacent to 77<sup>th</sup> Street front property line. Unit 1 has a frontage of 11 metres, a rear property line of 11 metres and is a rectangle. Units 2, 3 and 4 would be flag-shaped or pan-handled and have a frontage of 1.4 metres and a varying in length of 34m, 67m and 102 metres and flare to varying widths of 12.46 m, 13.86m and 15.2 m respectively. The proposed units are not the same width or area as the adjacent parcels to the north or south.

Access to each of the proposed parcels would be along a mutual access easement that varies in width from 6 metres adjacent to the houses and to 7.2 metres wide next to the garage portion of the four houses. In effect, the access easement and the space in front of the garage will act as an internal road, function like a city street, to provide access to each of the four units.

The width of the mutual access easement would allow for the movement of only one car in and out of the development at one time. The frontage width of the parcel is 1.4 metres and that would allow for only one person to walk along their property. The practical functioning of the proposed 4 units with 4 houses is totally dependent on the management and maintenance of the mutual access easement.

Only the houses proposed on Unit 1, 3 and Unit 4 would be considered to face west, while the proposed house on Unit 2 is reverse to the others. The proposed houses on Units 2, 3, 4, are not visible from the street.

Any garbage bins, 12 in total would be located on the sidewalk or on 77<sup>th</sup> Street for collection.

The overall design is not practical. It is fraught with problems that will occur during the construction of the four houses and for years later with the design and orientation of the parcels and houses and timing of arrivals and departures of the residents vehicles, service vehicles and visitors.

#### Relevant Policy

The Municipal Development Plan provides the high-level policy direction for the redevelopment of existing communities and Section 2.3.2(a), and (c) states:

- "a. Respect the existing character of low-density residential areas, while still allowing for innovative and creative designs that foster distinctiveness.
- c. Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern."

These sections of the Municipal Development Plan direct the preservation of the existing lotting pattern and allow for well-designed houses that demonstrate a character of the community. These sections are relevant in evaluating the proposed subdivision of 4 parcels or units.

As described above, the proposed 4 units are oriented opposite to the surrounding lotting pattern and siting of the houses on the nearby parcels. The nearby parcels are visible from both streets, West Cedar Place and West Cedar Point SW and the houses all have front drive garages and the front doors of all of the houses are oriented to the streets. The rear properties have a setback that varies from 6 metres to 10 metres and the houses meet the standards set by the Land Use Bylaw.

The proposed four units and the four houses each with the possibility of a secondary suite will be located 1.2 metres from the subject parcel's south property line and will be located a minimum distance of 6 metres from the north property line and this space will be used as a road, a hard surface, with no setback from the subject parcel's north property. The proposed houses are oriented west/east while the adjacent houses are oriented north/south.

This is a jarring contrast to the existing lotting pattern and location of adjacent houses. Ten parcels along West Cedar Point SW will have the four proposed houses 1.2 metres from their rear property lines. Eleven parcels along West Cedar Place SW will have a 6 metre to 7.2 metre wide road adjacent to their rear property lines. The potential for overlooking from windows, rear decks, and second and third floor balconies and shadowing from 11 metre high houses is very likely.





## Conclusion

A key factor in subdivision design is compatibility to adjacent and nearby parcels. This leads to compatibility and comprehensive building design on lands that have the same land use designation, R-1, within a community. This sets the context of the community.

In a suburban context, such as this, a uniform lotting pattern is expected and for those irregular shaped parcels there are rules to clarify the interpretation of setbacks. It is the uniform lotting pattern that lends itself to the quick development of suburban communities. Also, it is the uniform application of the front, rear and side setback rules, building height, parcel coverage that allow for permitted use single detached dwellings to be approved in conjunction with a Building Permit.

The rules related to the size and shape of a parcel have been warped. The normal interpretation of a private condominium road has been overshadowed by a mutual private access agreement. The calculation of parcel width has been taken only on the developable portion of the parcel. The front and rear setback areas are not uniformly applied and there is no rational explanation for the application on any setback rules. The proposed houses front the mutual access easement and not the public street.

The requirement of access to a public street through the creation of 3 flag-shaped parcels that are 1.4 metres wide does not comply with this provision because a vehicle cannot drive on its own property. The proposed subdivision and subsequent development are not compatible with the adjacent form of development or any form of development within the greater community.

Subdivision precedes development and sets the stage for possible development allowed under the Land Use Bylaw. The outcome of all the policies and rules associated with residential development is to ensure compatibility by following the established lotting patterns, parcel size, parcel access, established front and rear setbacks, reasonable building height and parcel coverage.

The residents were aware that only one single-detached dwelling could be approved on this parcel with a front setback of 9 metres, subject to a discretionary development permit application. This



proposal would see 4 parcels with 4 houses and 4 secondary suites, all as a permitted use. This is dramatic difference in development potential and development form.

Residents rely on the rules of the Land Use Bylaw and applicable policy documents approved by City Council for certainty and to create a level playing field for development so that everyone knows what to expect over time.

Having reviewed all the materials and documentation associated with this subdivision application, I agree with the Subdivision Authority's decision of refusal. It is my professional opinion as a planner that the proposed subdivision is uncharacteristic for the development and lotting pattern in the immediate area and neighbourhood. Further if variances of the Land Use Bylaw are required, the proposed subdivision would not meet the variance test as stipulated in Section 654(2) of the Municipal Government Act. Any development that would be constructed on these 4 units would not comply with the rules of the Land Use Bylaw 1P2008.

Should you have any questions, I will be available at the Hearing.

Respectfully submitted,

*Carol McClary (signed electronically)*

Carol McClary

Carol McClary Planning Solutions Ltd.

Appendix A – Direct Control Bylaw 12Z96

Appendix B – Direct Control Bylaw 125Z2000

Appendix C – Bylaw 312D2016

Appendix D – Block plan of West Cedar Pl SW and West Cedar Pt SW

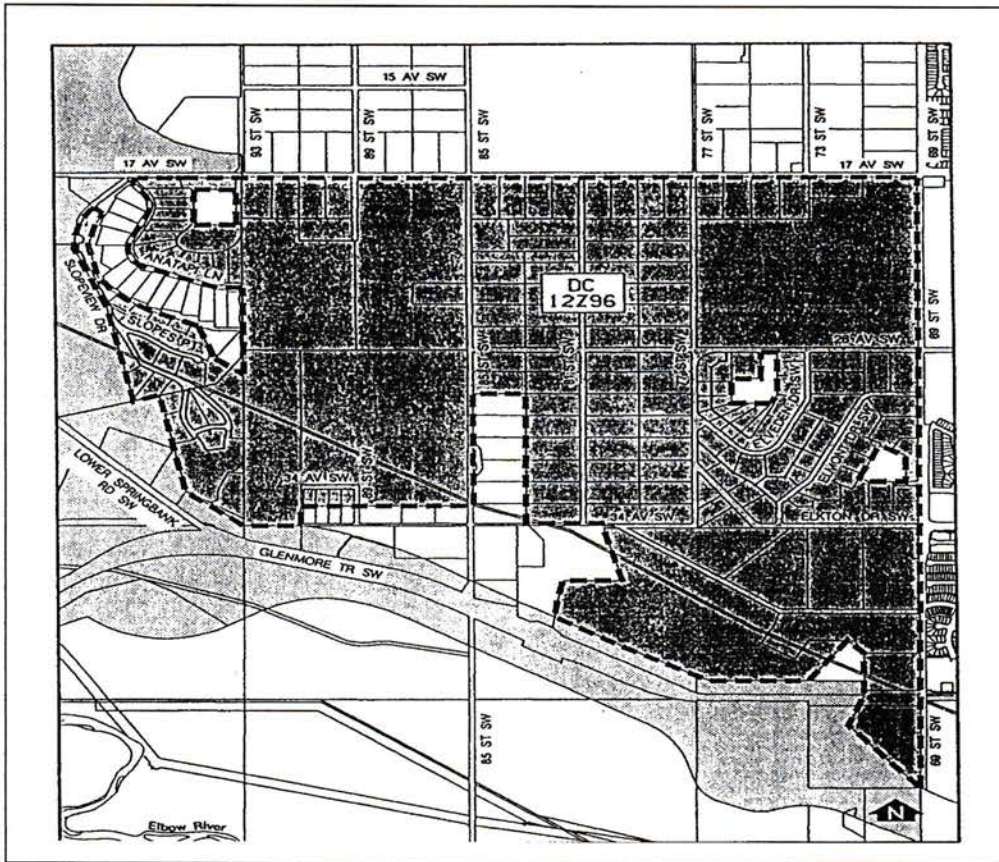
Appendix E – Block plan of nearby subdivisions from Westpark Co SW to 73<sup>rd</sup> Street SW

Appendix F – Proposed subdivision plan showing location of houses and internal driveway

Appendix G – Photos of subject parcel and adjacent parcels and houses









**(1) PURPOSE**

The purpose of this Bylaw is to provide for rural residential development which is consistent with the character of the existing rural area.

**(2) PERMITTED USES**

Accessory buildings

Essential public services

Extensive agricultural uses

Home occupations - Class 1

Parks and playgrounds

Utilities

**(3) PERMITTED USE RULES**

The General Rules for Special Districts contained in Section 48 of the Land Use Bylaw 2P80 shall apply unless otherwise noted below:

**(a) Yards**

A minimum depth of 7.5 metres.

**(b) Landscaped Area**

For utilities and essential public services the following areas shall be landscaped:

- (i) all minimum required front yards, and
- (ii) all adjoining City boulevards.

**(c) Building Height**

A maximum of 10 metres.

**(d) Garbage Storage**

Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw, and shall be visually screened from all adjacent sites and public thoroughfares.

**(4) DISCRETIONARY USES**

Home occupations - Class 2 (N.P.)

Signs

Single-detached dwellings

Note: N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4) of Bylaw 2P80.

**(5) DISCRETIONARY USE RULES**

In addition to the General Rules for Special Districts contained in Section 48 of Bylaw 2P80 and the Permitted Use Rules contained in Subsection 3 of this Bylaw, the following rules shall apply:

**(a) Lot Area**

Any lot existing as of 1994 May 09 may be subdivided, once only, where the purpose of the subdivision is to create an additional lot for residential development of no less than 0.2 hectare (0.5 acre).

Where the existing lot abuts the north side of Anatapi Lane, any new lot created shall be on the north side of the existing lot and shall have no access to or from Anatapi Lane.

**(b) Site Development**

(i) Details respecting the provision of facilities for water, sanitary sewage disposal and stormwater control for residential development shall be provided to the satisfaction of the Development Authority.

(ii) At the time of subdivision referred to in subsection (5) (a) above, a conceptual scheme that relates the proposal to future subdivision and development of adjacent areas shall be provided to the satisfaction of the Development Authority.

**(c) Building Height**

A maximum of 10 metres.

**(d) Signs**

See Appendix of Bylaw 2P80.

**(6) CONDITIONS OF DEVELOPMENT**

In addition to the land use rules for Discretionary Uses contained in this Bylaw, the Approving Authority may impose conditions on a development permit as provided for in Section 11(2)(a)(i) of Bylaw 2P80.

**(7) EXISTING USES**

Where

- (a) a use was existing at the time of coming into force of this Bylaw, and
- (b) the use was not listed as a permitted or a discretionary use in this Bylaw,

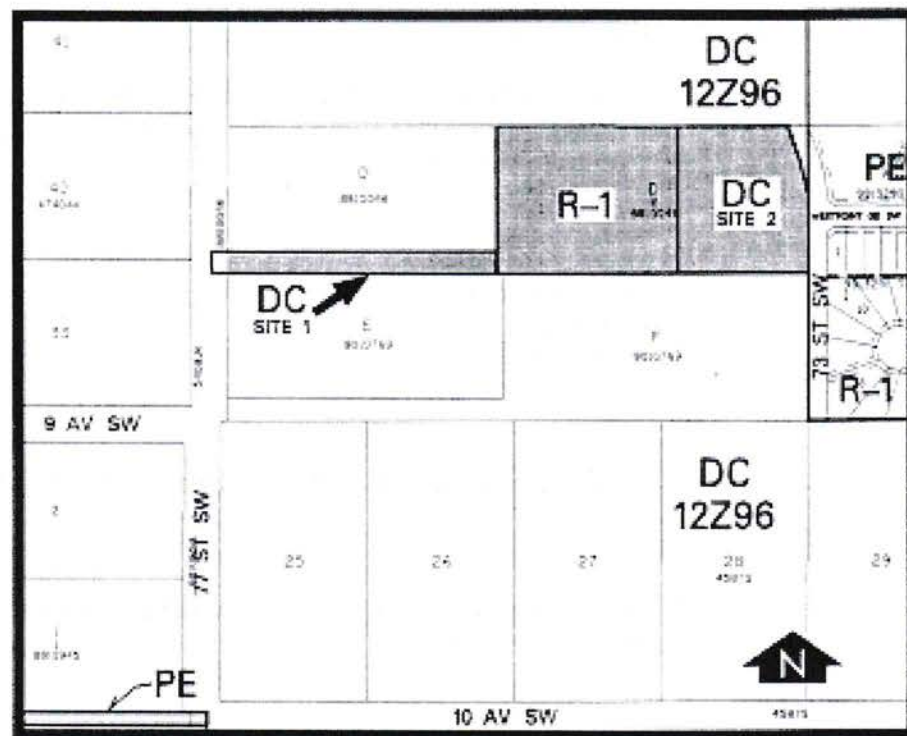
that use on that land shall be deemed to be a discretionary use in this Bylaw, but if that use is discontinued for a period of six consecutive months or more, any future use of the land shall conform with the uses specified in this Bylaw.



Amendment No. 2000/071

Bylaw No. 125Z2000

Council Approval: 11 December 2000

**SCHEDULE B****SITE 1      0.28 ha± (0.69 ac±)****1. Land Use**

The land use shall be for one single-detached dwelling only as a Discretionary Use.

**2. Development Guidelines**

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the R-1 Residential Single-Detached District shall apply unless otherwise noted below:

**(a) Front Yard**

A minimum of 9 metres.

**(b) Development Plans**

Approval of this application does not constitute approval of a development permit. Comprehensive plans shall be submitted to the Approving Authority as part of a development permit application.

**SITE 2      0.61 ha± (1.51 ac±)**

1. Land Use

The Permitted and Discretionary Uses of the RM-1 Residential Low Density Multi-Dwelling District shall be the Permitted and Discretionary Uses respectively.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the RM-1 Residential Low Density Multi-Dwelling District shall apply unless otherwise noted.

(a) Density

The maximum number of units shall be:

North parcel - 12

South parcel - 8

(b) Access

No direct vehicular access shall be allowed to or from 73 Street SW.

(c) Parking

All units shall provide 200 percent off-street parking, together with visitor parking as required by the Bylaw.

(d) Building Design

(i) The design, character and appearance of the buildings shall be compatible with and complementary to the surrounding area;

(ii) Where units back onto low density residential units, the rear elevation of the units shall be compatible with the rear elevations of the low density residential units;

(iii) Where units back onto a public street, their street elevation shall be of a quality and articulation compatible with the residential units across the street;

(iv) In addition to the above, the site plan and building design shall address massing, height, orientation and coverage, as required in Section 1.6.5. of the East Springbank II Community Plan.

(e) Rear Yard

A minimum of 7.5 metres.

(f) Side Yard

A minimum of 5 metres abutting a low density residential district except a minimum of 3 metres may be provided where the end unit is a maximum of 2 storeys.

(g) Open space

A common amenity area shall be included as part of the landscaping provision.

(h) Environmentally Significant and Natural Areas

Existing environmentally significant and other natural areas shall be considered and where possible, integrated into the site layout and design.

(i) Development Plans

Approval of this application does not constitute an approval of a development permit. Comprehensive plans shall be submitted to the Approval Authority as part of a development permit application.



**BYLAW NUMBER 312D2016****BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2016-0218)**

\*\*\*\*\*

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

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

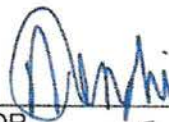
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

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

READ A FIRST TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

READ A SECOND TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

READ A THIRD TIME THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.



MAYOR

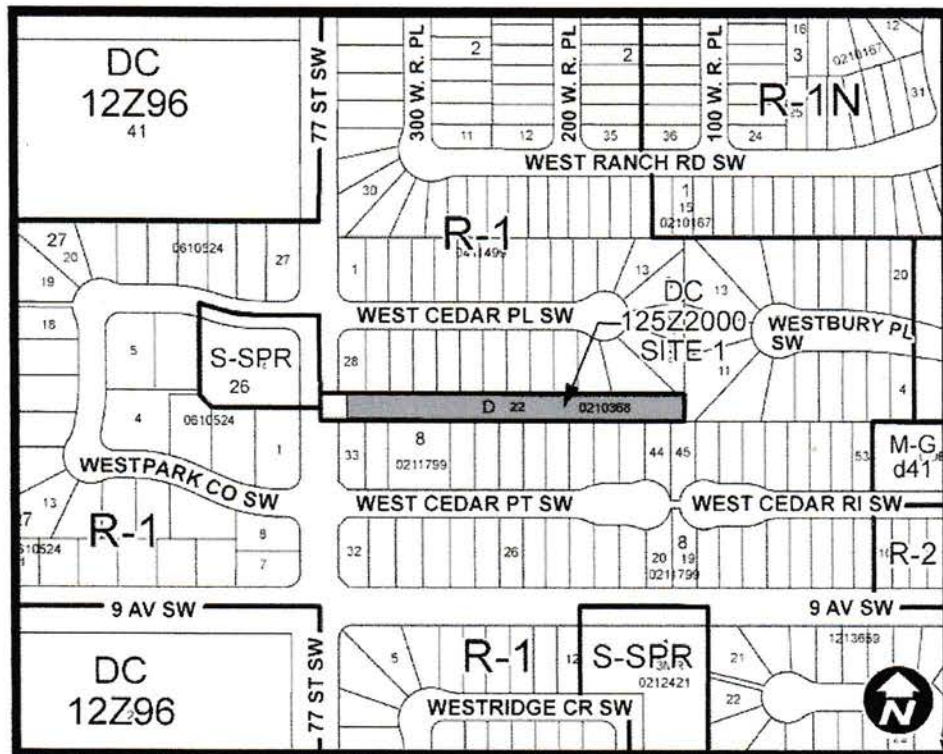
SIGNED THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

ACTING CITY CLERK

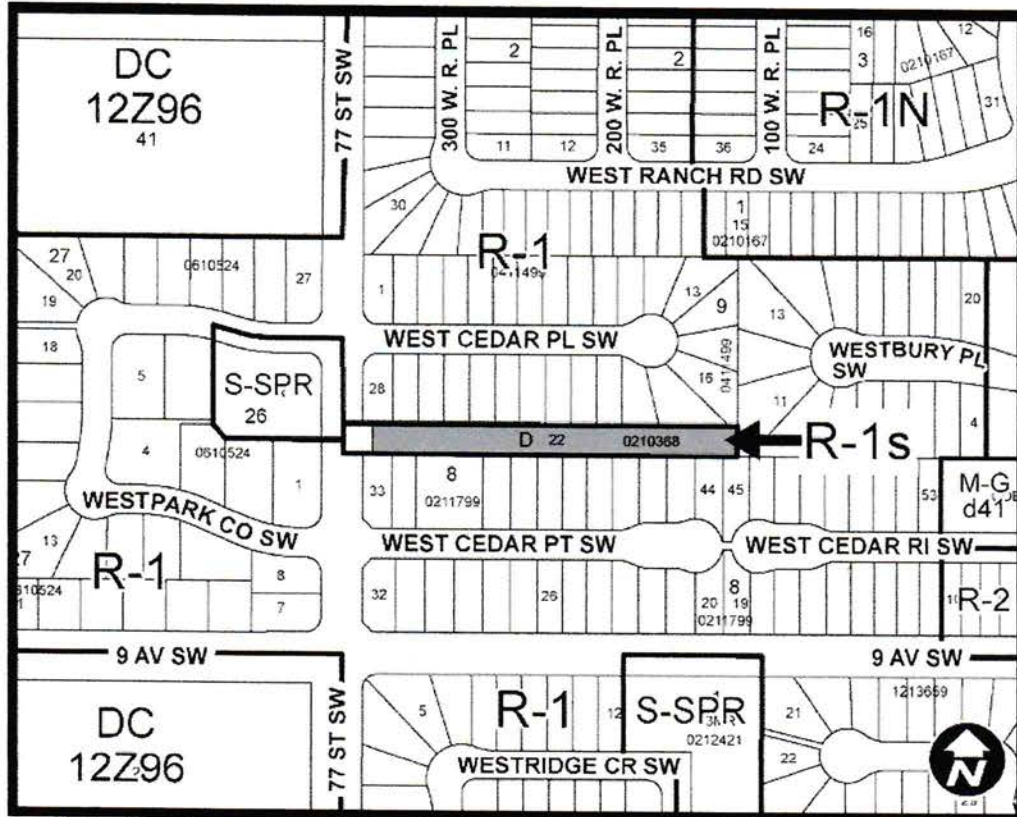
SIGNED THIS 5<sup>TH</sup> DAY OF DECEMBER, 2016.

AMENDMENT LOC2016-0218  
BYLAW NUMBER 312D2016

**SCHEDULE A**



3 of 3

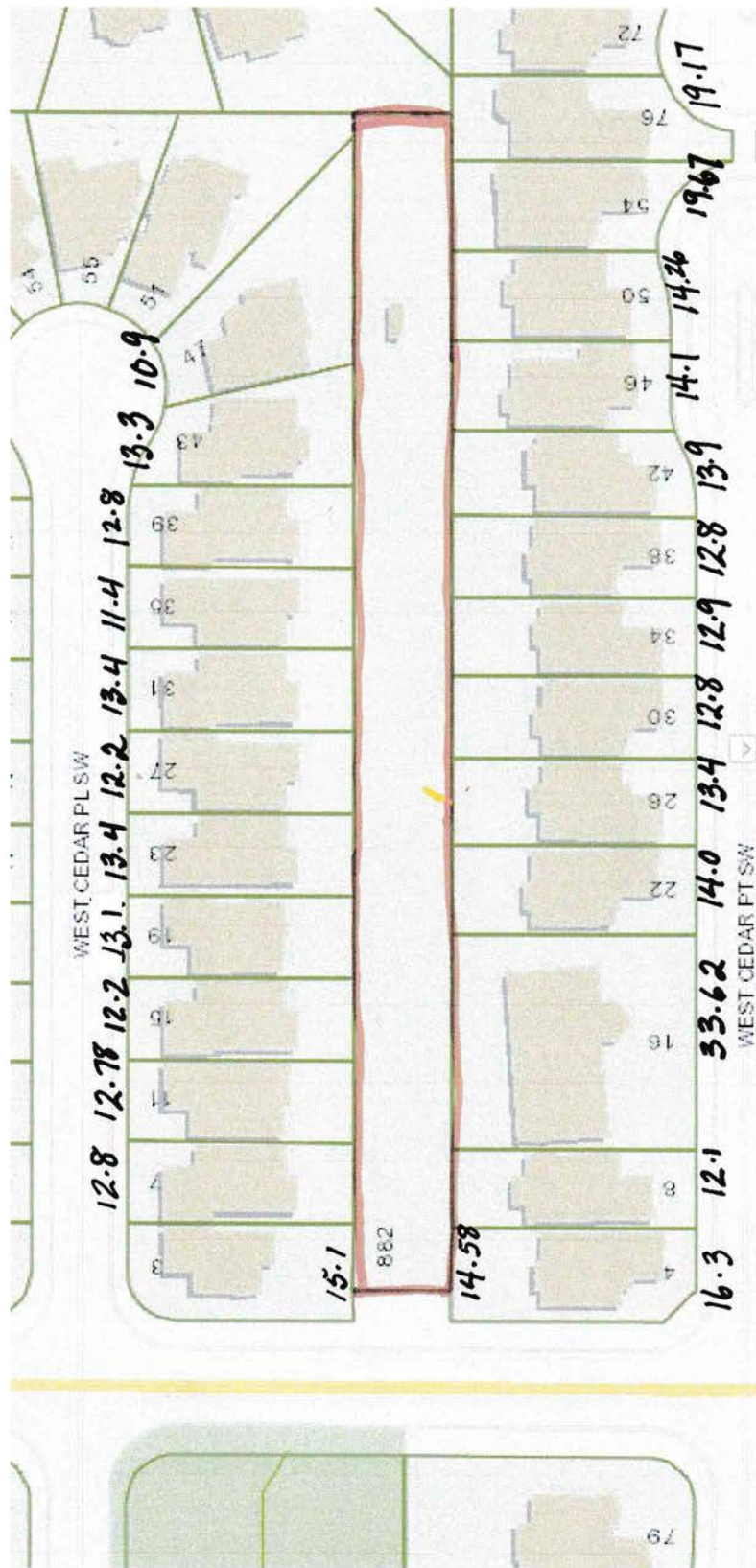
SCHEDULE B



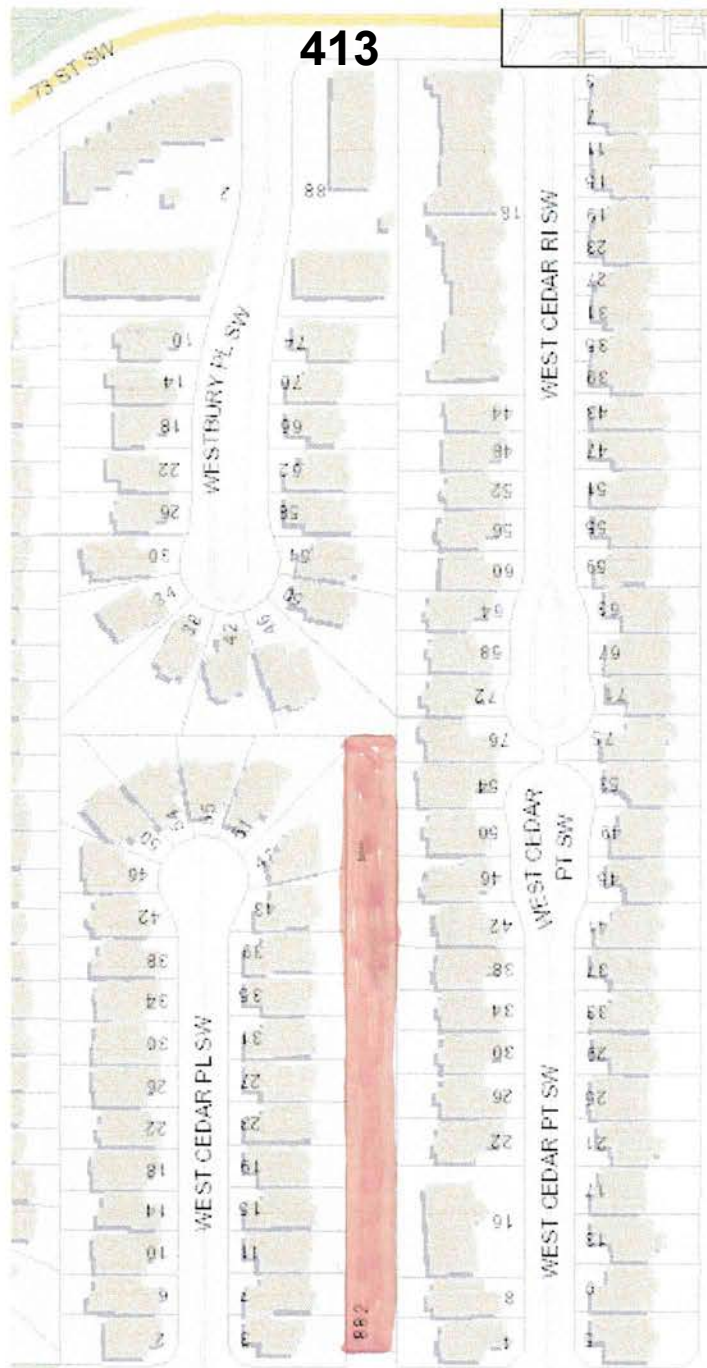
## Appendix D

Plan of  
adjacent  
houses on  
north &  
south of  
subject parcel

parcel width  
shown in  
metres.



413

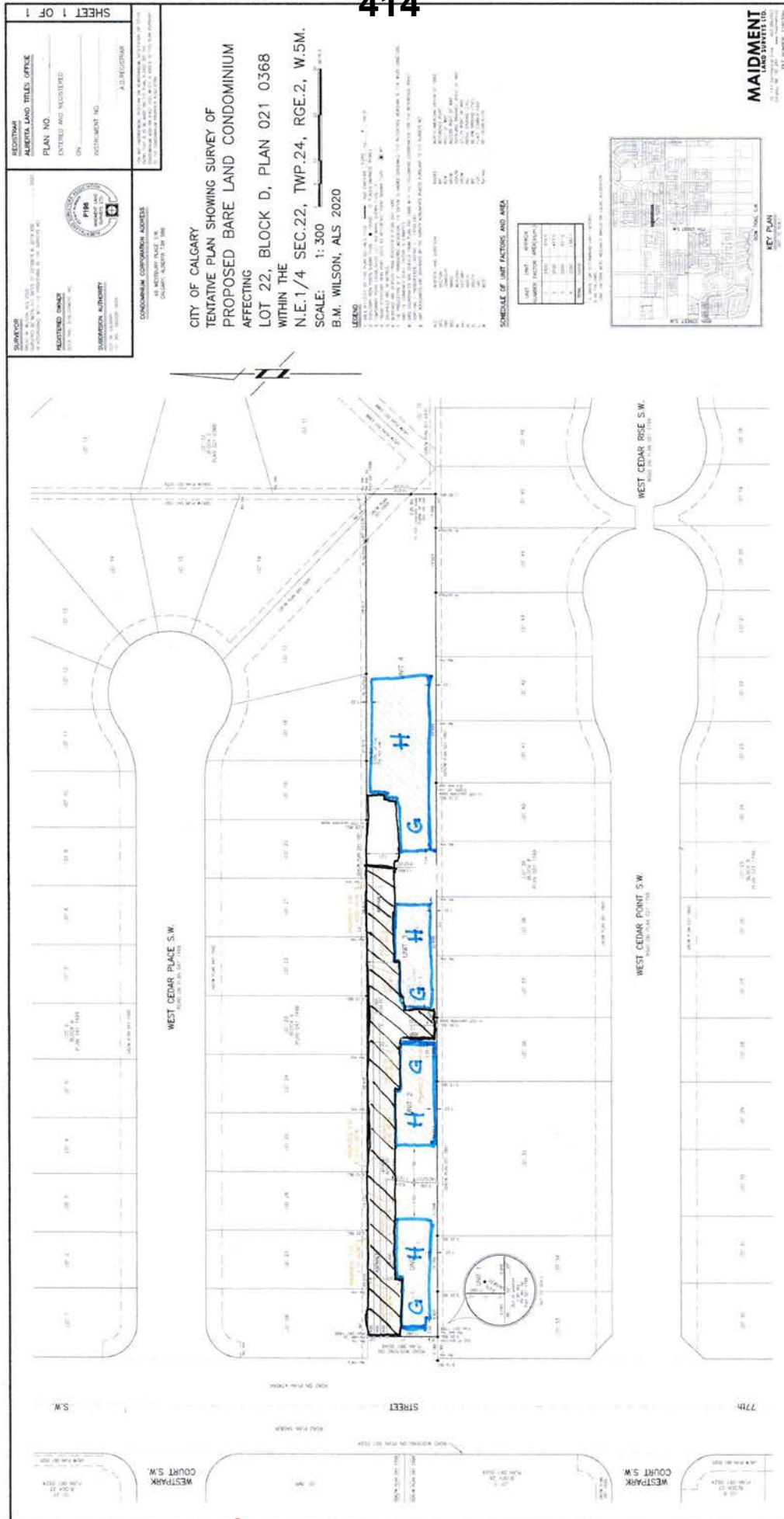


Appendix E

Plan of  
nearby  
subdivision  
and  
development

subject parcel  
shaded in  
orange





Appendix F

Proposed Subdivision Plan showing

- location of internal road.
- location of houses with garage location



## Appendix G Photos

View looking east at 882 – 77 Ave SW – the subject parcel



View looking east - location of two corner parcels



3 West Cedar Place SW - site - 4 West Cedar Pt SW

View of subject site looking north on 77 Street SW



View Looking south on 77 Street SW



View of the rear of the houses on West Cedar Place SW

North property line of subject parcel

Location of future access internal road



View of south property line of subject site and corner house on West Cedar Pt SW

Proposed Houses will be 1.2 metres from the south property line





View of interior of the subject parcel, taken from sidewalk on 77 Street SW.



View into the subject parcel looking east – south property line



Photos of 16 and 22 West Cedar Pt SW – no fence at rear of property



Permission given to take photos of subject parcel from owner of 22 West Cedar Pt SW, fence is on the rear property line of house to the north on West Cedar Place

Aspen trees are the subject parcel.



View looking west along the drainage swale, proposed Unit 2 location



View to the north, the aspen trees are the subject parcel





View looking northeast, fence at the rear of houses on West Cedar Place



View looking east, shed on property at 22 West Cedar PT SW, location of the proposed garage for unit 2 and unit 3 to the east



View looking east on subject parcel's south property line – location of proposed Unit 2 and 3



View looking directly north



View of West Cedar Place SW



View of House west side of 77 Street SW – 4 Westpark CO SW





View of House at 80 Westpark CO SW



View of house located at 5 West Cedar PT SW and 9<sup>th</sup> Avenue SW



## Appendix G Photos

View looking east at 882 – 77 Ave SW – the subject parcel



View looking east - location of two corner parcels



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Location of future access internal road



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View of West Cedar Place SW



View of House west side of 77 Street SW – 4 Westpark CO SW



View of House at 80 Westpark CO SW



View of house located at 5 West Cedar PT SW and 9<sup>th</sup> Avenue SW



**APPENDIX E**  
**Excerpts LUB**



### General Definitions

13 (1) In this Bylaw, the following terms have the following meanings.

- (14) "***bare land unit***" means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act* respecting subdivision.
- (66) "***front property line***" means:
- (a) the ***property line*** separating a ***parcel*** from an adjoining ***street***;
  - (b) in the case of a ***parcel*** that adjoins more than one ***street***, the shortest ***property line*** that is parallel to the direction of travel on the ***street***; and
  - (c) in the case of a ***parcel*** that adjoins more than one ***street*** and where the ***property lines*** adjoining ***streets*** are of equal length, the ***property line*** adjoining the ***street*** to which the ***parcel*** has been municipally addressed.
- (111) "***private condominium roadway***" means an area of land that provides access to a ***parcel***, and is contained within:
- (a) common property forming part of a bare land condominium plan; or
  - (b) a ***bare land unit*** that is used for the purpose of accommodating a private roadway for access purposes in accordance with an easement agreement registered on it.
- (113) "***property line***" means the legal boundary of a ***parcel***.

(116) "**rear property line**" means the **property line** opposite to and farthest from the **front property line**, or in the case of an **irregular parcel**, the **rear property line** is established by drawing a line the maximum distance from the **front property line** that:

- (a) is wholly within the **parcel**;
- (b) is not less than 3.0 metres long; and
- (c) runs parallel to the **front property line**, or, if the **front property line** is a curved line, runs parallel to the straight line between the two end points of the curve of the **front property line**.

.....

(125) "**side property line**" means a **property line** other than the **front** and **rear property lines**.

(134) "**street**" means:

- (a) any public road, including the boulevards, sidewalks and improvements, but excluding a **lane**, bridge or walkway; or
- (b) a **private condominium roadway**.

.....

**Division 6: Residential – One Dwelling (R-1) (R-1s) District****Purpose**

- 444 (1) The Residential – One Dwelling District is intended to accommodate residential *development* in the form of **Single Detached Dwellings** in the *Developing Area*.
- (2) *Parcels* designated R-1s are intended to accommodate a **Secondary Suite** as a *permitted use* on the same *parcel* as a **Single Detached Dwelling**.



**Appeal Board rec'd June 23, 2021**  
**Submitted by: C. Clark, neighbour and agent for neighbour group**

ADDRESS	NAME
7 WEST CEDAR PLACE	Ben & Jenn Ellard
11 WEST CEDAR PLACE	Gary & Sue Clark
15 WEST CEDAR PLACE	Clint & Arlene Clark
19 WEST CEDAR PLACE	Theunis & Erika Venter
23 WEST CEDAR PLACE	Yenny & Eric Zhang
27 WEST CEDAR PLACE	Sam Zeoli & Heianna Ge
31 WEST CEDAR PLACE	Karl & Annette Klein
35 WEST CEDAR PLACE	Philip & Amanda Connolly
39 WEST CEDAR PLACE	Atuni & Ator Teteata
43 WEST CEDAR PLACE	Tayo and Nomvula Dawodu
47 WEST CEDAR PLACE	Gary and Amber Douglas
4 WEST CEDAR POINT	Rick Bowie
8 WEST CEDAR POINT	Sam & Naz Vaseghi
22 WEST CEDAR POINT	Albert & Rosemond Banahene
26 WEST CEDAR POINT	Amy & Chandler Wang *
30 WEST CEDAR POINT	Kevin & Sharon Cholowski
	Xiaoting, Wang (bought Cholowski property)
34 WEST CEDAR POINT	Peter & Kristie Farrell
38 WEST CEDAR POINT	Mindi Zhang
42 WEST CEDAR POINT	Moe and Ahmed Eddessa
46 WEST CEDAR POINT	Jeremy Paylor
50 WEST CEDAR POINT	Manu Kundra & Rati Chadha **
54 WEST CEDAR POINT	Tamer Adham /Shahinaz Sabaa

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

**RE: Appeal SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street SW: PLAN  
0210368; BLOCK D; LOT 22  
Authorization**

Please be advised that we, the undersigned, are the owners of the properties immediate adjacent to and directly affected by the subdivision application. We are opposed to the appeal and subdivision application.

We have retained Mr. Clint Clark, Barrister & Solicitor, and Mr. Rick Grol to act as our agents/representatives regarding the appeal and subdivision application. Mr. Clark and Mr. Grol are authorized to make representations and submissions on our behalf regarding the appeal and application.

Sincerely,

Signature: \_\_\_\_\_

*Yan Zhang*

Name: \_\_\_\_\_

*YAN ZHANG*

Address: \_\_\_\_\_

*23 West Cedar PL SW*

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature:  \_\_\_\_\_

Name: ATENTOR TETENTA \_\_\_\_\_

Address: 39 WEST CEDAR PL SW \_\_\_\_\_



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature(s):

Dawson Bowie

Name:

Dawson Bowie

Address:

4 West Cedar St.

SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

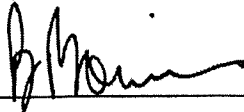
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Sincerely,

Signature(s): 

Name: BRANDON BOWIE

Address: 4 WEST CEDAR PT.  
SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature(s): Jane Bowic

Name: Jane Bowic

Address: 4 West Cedar Pt  
SW, Calgary, Ab



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature(s):



Name:

Arvin Vaseghi

Address:

8 WEST CEDAR POINT

SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature: 王曉婷  
Name: Xiaoting, Wang  
Address: 30 West cedar point SW

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature:  

Name: HONGYING TANG & Qian Wang

Address: 26 West Cedar Point SW, Calgary



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

**RE: Appeal SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street  
SW: PLAN 0210368; BLOCK D; LOT 22**

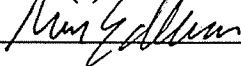
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Sincerely,

Signature(s):

  
\_\_\_\_\_

Name:

Moe Edness  
\_\_\_\_\_

Address:

42 West cedar point  
SW, Calgary, Ab  
\_\_\_\_\_

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

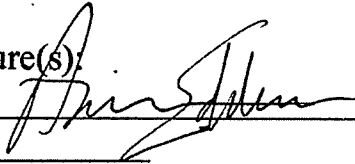
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Sincerely,

Signature(s):



Name:

Ahmed Eddessa

Address:

42 west cedar pt.  
SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature: Manny Kundra  
Name: Manny Kundra  
Address: 50 West Cedar Pt SW, Calgary T3H5E3



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature(s): Ben Ellard

Name: Ben Ellard

Address: 7 West Cedar PI SW, Calgary, Ab

April 23, 2021

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

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Sincerely,

Signature(s):

Handwritten signatures of Gary and Sue Clark. The signature for Gary is on the left, and the signature for Sue is on the right. Both are written in black ink.

Name: Gary and Sue Clark

Address: 11 West Cedar Place SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5


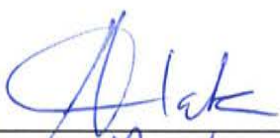
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Sincerely,

Signature(s):    
Name: Clint Clark Arlene Clark  
Address: 15 West Cedar Pl. SW, Calgary, Ab



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5



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Sincerely,

Signature(s):    
Name: Theuns Venter Erika Venter  
Address: 19 West Cedar Place SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

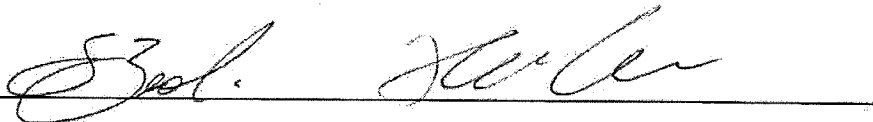
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Sincerely,

Signature(s):



Name: Sebastiano (Sam) Zeoli & Heianna Ge

Address: 27 West Cedar Place SW, Calgary, Ab. T3H 5T9

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Stn. M, #8110, Calgary, AB, T2P 2M5.

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Sincerely,

Signature(s): K.M. Klein A. Klein  
Name: Karl Martin Klein Annette Klein  
Address: 31 West Cedar Place SW SW, Calgary, Ab  
T3H 5T9



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

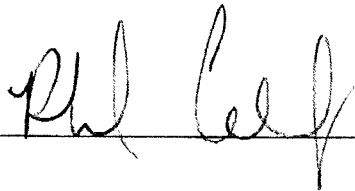
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Sincerely,

Signature(s):



Name:

Phil Connolly

Address:

35 West Cedar Pl SW  
SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

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Sincerely,

Signature(s):

Name: TAYO DAWODO & NOMVULA DAWODO

Address: 43 WEST CEDAR PLACE SW, Calgary, Ab



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

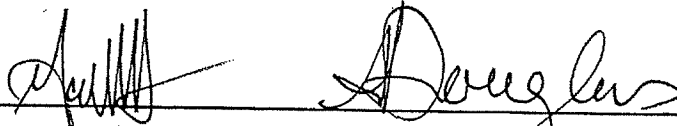
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Sincerely,

Signature(s):



Name:

GARY + AMBER DOUGLAS

Address:

47 WEST CEDAR PLACE

SW, Calgary, Ab



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

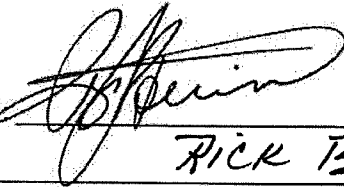
Dear Mr. Chair and Board Members:

**RE: Appeal SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street SW: PLAN 0210368; BLOCK D; LOT 22 Authorization**

Please be advised that we/I, the undersigned, are/am the owner(s) of one of the properties immediate adjacent to and directly affected by the subdivision application. We/I are/am opposed to the appeal and subdivision application.

We/I have retained Mr. Clint Clark, of Clark & Clark, Barristers & Solicitors, and Mr. Rick Grol to act as our/my agent(s)/representative(s) regarding the appeal and subdivision application. Mr. Clark and Mr. Grol are authorized to make representations and submissions on our/my behalf regarding the appeal and application.

Sincerely,

Signature(s) 

Name: RICK BOWIE

Address: 4 WEST CEDAR PT.

SW, Calgary, Ab

403-875-5138

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

**RE: Appeal SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street SW: PLAN  
0210368; BLOCK D; LOT 22  
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Sincerely,

Signature(s):



Name: Sam Vaseghi

Address: 8 West Cedar PT, SW, Calgary, AB

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

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Sincerely,

Signature(s):  

Name: Albert & Rosemond Banahene

Address: 22 West Cedar Point SW, Calgary, AB



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

**RE: Appeal SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street SW: PLAN  
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Sincerely,

Signature(s):

Name: Kevin Cholewsky

Address: 30 West Cedar Point SW, Calgary, Ab



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

**RE: Appeal SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street  
SW: PLAN 0210368; BLOCK D; LOT 22  
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Sincerely,

Signature(s):



Name:

Peter Farrell Kristin Farrell

Address:

34 West Cedar PT

SW, Calgary, Ab



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

**RE: Appeal SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street SW: PLAN  
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Authorization**

Please be advised that we/I, the undersigned, are/am the owner(s) of one of the properties immediate adjacent to and directly affected by the subdivision application. We/I are/am opposed to the appeal and subdivision application.

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Sincerely,

Signature(s): Mindi Wang

Name: Mindi Wang

Address: 38 West Cedar Point SW, Calgary, Ab



April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

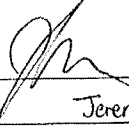
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Sincerely,

Signature(s):



Name:

Jeremy Paylor

Address:

46 West Cedar Pt SW

SW, Calgary, Ab

April 23, 2021

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station W  
Calgary, Alberta T2P 2M5

Dear Mr. Chair and Board Members:

RE: Appeal SDAB2021-0028/SB2010-0029; Subdivision refusal at 882 77 Street SW; PLAN  
0210368; BLOCK D; LOT 22  
Authorization

Please be advised that we, the undersigned, are/am the owner(s) of one of the properties  
immediate adjacent to and directly affected by the subdivision application. We/ I are/am  
opposed to the appeal and subdivision application.

We/I have retained Mr. Clint Clark, of Clark & Clark, Barristers & Solicitors, and Mr. Rick Grol to  
act as our/my agent(s)/representative(s) regarding the appeal and subdivision application.  
Mr. Clark and Mr. Grol are authorized to make representations and submissions on our/my  
behalf regarding the appeal and application.

Sincerely,

Signature(s):

Name:

Address:

Dr. Tamer Adnan

514 West Cedar point SW

SW, Calgary, Ab

Date:

June 22 2021

Via Email: [info@calgarysdab.ca](mailto:info@calgarysdab.ca)

City Appeal Boards  
 Subdivision and Development Appeal Board  
 P.O. Box 2100, Station M, #8110  
 Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
 Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at

14 West Cedar Pl SW

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,

Name  
 Address

  
 Jillian Feers

14 West Cedar Pl SW  
 Calgary AB  
 T3H 5T9



Date: June 21'21

Via Email: info@calgarysdab.ca

City Appeal Boards  
 Subdivision and Development Appeal Board  
 P.O. Box 2100, Station M, #8110  
 Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
 Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 22 West Cedar Pl SW

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,

Name  
 Address



June 18, 2021

Via Email: treid@phoenixrealestateinvesting.com

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs

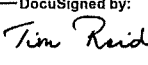
We reside at 25 West Cedar Point SW

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,

DocuSigned by:  
  
93872204670E466...

Tim Reid  
25 West Cedar Point SW  
Cell: 403 371 2731

Date: 22 June 2021

Via Email: info@calgarysdab.ca

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 26 west cedar Place SW

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,

Name Stella Ajerifija  
Address 26 west cedar Place SW T3H 5T9  




Date: 22 June, 2021

Via Email: info@calgarysdab.ca

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 34 West Cedar PL S.W, CALGARY, AB, T3H5T9

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,



Name AMAN PAL BHULLAR  
Address 34 West Cedar PL S.W,  
CALGARY, AB, T3H5T9

Date: June 22, 2021

Via Email: info@calgarysdab.ca

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 34 West Cedar Place S.W.

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,



Name

Address

Harjinder Bhullar  
34 West Cedar Place S.W.  
Calgary, AB T3H 5T9

Date: June 22 2021

Via Email: info@calgarysdab.ca

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 38 West Cedar Pl SW T3H 5T9

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,

Name Jennifer Ruparall  
Address [Signature]



June 23, 2021

Via Email: [info@calgarysdab.ca](mailto:info@calgarysdab.ca)

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 52 Westpark Cres SW

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

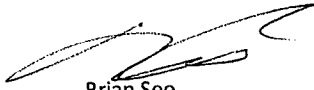
In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

Each morning and afternoon during school pick up and drop off the intersection at 9 Ave and 81 St is a total disaster. It takes sometimes up to 15 min just to make a left hand turn. With parents dropping off in the residential area of Westpark to St Joan of Arc school it is making it unsafe for children walking to school and way too congested. The infrastructure is not there to support this type of traffic.

Secondly each year the waiting list for St Joan of Arc and West Springs has been high and it has been tough for parents to enter the school in the early stages of registration.

We respectfully request that the refusal of the application be upheld.

Kind regards,



Brian Seo  
52 Westpark Cres SW  
403 700 5596  
Bseo17@gmail.com

Date: June 22, 2022

Via Email: info@calgarysdab.ca

City Appeal Boards  
 Subdivision and Development Appeal Board  
 P.O. Box 2100, Station M, #8110  
 Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
 Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 79 Westpark court SW

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,



Name Alkarim Rashid  
 Address 79 Westpark crt SW  
Calgary, AB

**Appeal Board rec'd: April 28, 2021**  
**Submitted by: C. & A. Wang, neighbours**

**From:** [chandler.wang](#)  
**To:** [Calgary SDAB Info](#)  
**Subject:** [EXT] Re: regist to the appeal hearing SDAB2021-0028  
**Date:** Wednesday, April 28, 2021 4:29:53 PM  
**Attachments:** [Kadri Residential - Adjacent Neighbour Outreach Summary - Sept 2020.pdf](#)

---

Dear SDAB,

I'm living at 26 West Cedar Point SW Calgary, this application is trying to build houses just beside my back yard fence (building body is only around one meter away from my fence), my property is impacted by this application very much, I support City to refuse this application.

In Sep 2020, we received Kadri Neighbor Outreach Summary (see attached file#1), after read it I just felt disappointed and angry, I wrote back with my concerns like fire alarm issue, entrance issue, safety, water drainage, noise, privacy, etc... (my letter was filed by City), here I just want to bring out a little more misleading information on the proposal to bring your attention,

1. On pages 36 on PDF, "Rear yard/Side yard interface examples", I don't think all examples apply to this proposal, all houses mentioned in the "similar situation" are not similar at all, Google map shows very clearly all the "similar" houses are located on corner lots, all houses have long driveways, all houses are facing wide roads, the roads in front of houses allowed at least four cars parallel passing at the same time, all houses have enough space for visitors and emergency vehicles, the maximal numbers of the adjacent houses are 5, however this proposal will affect 24 neighbors! I don't think these examples are acceptable for supporting proposal.
2. On page 4 on PDF, the proposal land shown on the picture isn't correct, it does include our backyard, we don't allow them to build anything in our yard! The truth is the proposal land is very very narrow, please don't trust the picture and give you wrong imagination.

Thanks SDAB for support us!

Stay well

Chandler and Amy

On Wednesday, April 21, 2021, 04:19:01 p.m. MDT, Calgary SDAB Info <[info@calgarysdab.ca](mailto:info@calgarysdab.ca)> wrote:

We will add you to the attendee list for April 29. Would you mind providing your street address so the Board will know how close your property is to this proposed subdivision? I can normally cross check with the list of letter recipients but in this instance I have more than one property owner with your last name.



Thank you,

**SDAB Admin**

City Appeal Boards, Appeals and Tribunals

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

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

General Phone Line: 403.268.5312 | [calgarysdab.ca](http://calgarysdab.ca)

**From:** chandler wang [mailto:chandler\_wang@yahoo.ca]

**Sent:** Wednesday, April 21, 2021 2:40 PM

**To:** Calgary SDAB Info <Info@calgarysdab.ca>

**Subject:** \*Add to Apr 29 Reg'n\* Re: regist to the appeal hearing SDAB2021-0028

Hi there , please register me for the appeal hearing#SDAB2021-0028, my property is closed to this land, I strongly disagree land owner's construction plan in this super narrow land.

Thanks

Chandler

[Sent from Yahoo Mail on Android](#)

---

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.



# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

West Cedar Pl SW

## ADJACENT NEIGHBOUR OUTREACH SUMMARY



SEPTEMBER 2020

b&a

SDAB2021-0028 Additional Submission

© 2017 Google







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## TABLE OF CONTENT

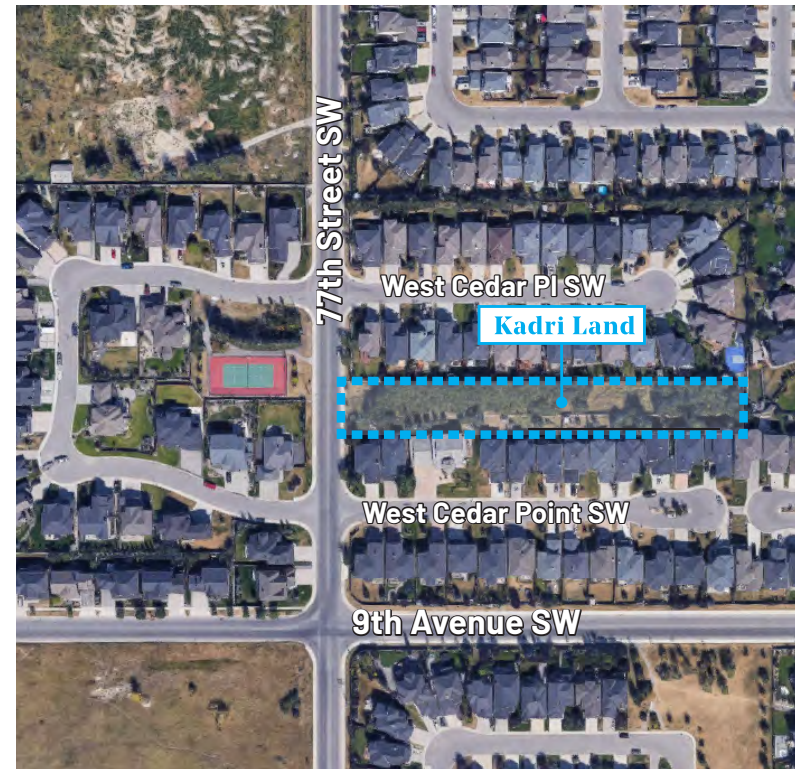
<b>1</b>	Project Information	<b>01</b>
<b>2</b>	Project Background	<b>02</b>
<b>3</b>	Adjacent Neighbour Outreach	<b>03</b>
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<b>5</b>	Next Steps	<b>29</b>

## APPENDIX A

<b>A</b>	Resident Information Session presentation
<b>B</b>	West Springs Cougar Ridge Community Association Letter
<b>C</b>	House Dimensions
<b>D</b>	City of Calgary DTR

# 01 Project Information

The following outreach summary has been prepared for the Kadri Land Subdivision Application. The 0.30 hectare (0.74 acre) site is located within the community of West Springs. The subject site is located east of 77 ST SW, between West Cedar Point and West Centre Place SW, directly adjacent to single family residential parcels.



# 02 Project Information

This subject site was annexed into the City of Calgary in 1998. Once annexed, the City created an overarching policy framework (East Springbank Area Structure Plan (ASP) for expected urban development to follow at 4-7 units per gross developable acre. While the City did an excellent job in creating the framework, the complexities and pressures developing 5- and 10-acre parcels in the area were underestimated. The framework did not require comprehensive planning or a master plan. Parcels were developed without consideration or dialogue with neighbouring parcels. Many of the developments that occurred in the early 2000s were patterned off the simplest of forms, the cul-de-sac, and left landowners managing odd parcels such as that before you today. This contradicts best planning practice, which requires shadow plans for parcels that are not immediately developing to ensure that no approval negatively hinders the land development options of another landowner.

The Kadri Land is a linear parcel approved by Rocky View County several decades ago. Two immediately adjacent subdivisions have been approved since. In 2002, the 5-acre parcel to the south of the Kadri Land (West Cedar Point SW) was approved for development without consideration of the Kadri Land. Within the Calgary Planning Commission report for that south parcel, it was noted the Kadri Land would be reviewed with the north parcel. Subsequent to this, the north parcel (West Cedar Place SW) was approved without consideration or consolidation of the Kadri Land. This resulted in a linear parcel with the allowable density to support 5 units as per the prior East Springbank ASP and the current West Springs ASP.

In 2008 our client, Adhem Kadri, approached the City to discuss development and learned that the constraints placed on the linear parcel were significant. It was not until 2015, after Mr. Kadri's father passed in 2013, that more serious discussions were undertaken with the City.

Given the density allowances offered within the East Springbank ASP, Mr. Kadri approached the City in 2015 for a land use redesignation proposal containing 3-4 dwelling units. Administration expressed concern about this goal given the linear nature of the Kadri Land. Given comments from Administration, Mr. Kadri had difficulty seeing a path forward and requested R-1S for the time being.

That application went before City Council in December 2015. While the application was approved, Mr. Kadri left the Council meeting feeling unsettled especially given the comments of the Mayor, Councillor Chabot and Administration as to lack of density. Feeling as though he didn't achieve the density that was available to him, Mr. Kadri engaged in discussions with planning and engineering consultants to see if a solution existed to develop the Kadri Land to their potential. A solution was found and resulted in the bareland condominium subdivision application before you today.

The subdivision application is proposing 4 single family homes with a mutual driveway off 77 Street SW. To ensure safety, one access point is being proposed with proper corner cuts and sidewalks. The homes will contain private garages and no parking will be allowed on the driveway.



# Kadri Land

The homes have been located 1.2m from the south property line and 6.0m to the north property line. A turnaround on site has been included for residential vehicles.

While the orientation is unique, it is very typical for community plans to vary lot orientation and locate rear yards adjacent to side yards adjacent to one another. Examples exist within the City of Calgary including in West Springs. Examples were shared in the presentation, see Appendix A.

Shadow studies have been prepared for the 4 single family homes. The shadows will be no more impactful than the existing trees. Shadow studies from March/September, June and December were shared in the presentation. These time frames represent the longest and shortest days of the year.

There is an active subdivision application for the site with the City of Calgary. If approved, the project will adhere to the subsequent approvals required by the City. It is not anticipated that tree removal or construction would occur any earlier than spring 2021. The development could be developed in two phases and construction timing is unknown at this time.



# 03 Adjacent Neighbour Outreach

The purpose of the outreach was to present subdivision application information to adjacent neighbours in order to respond to their questions and document feedback. The summary will be shared with the City as part of the subdivision application process and has been circulated to stakeholders that attended the information session or emailed their comments to the project team.

# Kadri Land

## Virtual Adjacent Neighbour Information Session

Held on June 30, 2020 from 6:00pm to 7:00pm

The session shared information about the subdivision application and provided opportunity for adjacent residents to ask questions and share their feedback. The session was hosted virtually in support of social distancing measures and was advertised through a postcard delivered to directly adjacent neighbours. The presentation slides are included in Appendix A. The session was facilitated by Kathy Oberg and Martha McClary from B&A Planning Group with support from the project team including Brock Dyck from Urban Systems, Brent Wilson from Maidment, and Adhem Kadri, the applicant.



**26** attendee

at the resident Information Session



**12**

The project team received  
stakeholder emails

**01**

phone call



**60** Stakeholders shared  
questions and comments  
during the online session

**72**

stakeholder  
comments  
and questions

from

**17**

stakeholders



# 04 Outreach Themes

Feedback received during the session and through stakeholder correspondence has been documented and grouped into themes. Comments were received though phone, email and during the virtual information session. The project team has summarized stakeholder comments in the table below to respond to feedback received during adjacent neighbour outreach.



## THEME HEIGHT & DENSITY

**15%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The proposed site plan includes four single family, detached residences. The project team recognizes that the form is not identical to the surrounding streets. The homes will be single family and compatible with the adjacent development including heights. In addition, the proposed density conforms to the West Springs ASP Urban Development Density Range. More details about the proposed development dimensions have been shared in Appendix D. Please note they are approximate dimensions and full building plans are still to be finalized.

#### VERBATIM QUESTIONS & COMMENTS

#### RESPONSE

What are the dimensions of the homes, how long and how wide?

More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.

Are the basements legal suites which would mean additional families can live in the units?

At this time, it is not Mr. Kadri's desire to apply for secondary suites.

Sorry if I missed this being asked earlier, but can you please comment on density of this development and how this fits within the existing land use requirements?

The parcel is currently zoned R-1S and the Land Use Bylaw allows for comprehensive development, if it follows the R-1S guidelines. As such the proposal is for single family homes and the density allowed for this parcel (as outlined in the current West Springs ASP and prior East Springbank ASP) is between 4-7 upa which equals 5 homes. This proposal is for 4 homes, just under the density allowance. This density is consistent with the adjacent developments to the north and south.

Multi-family development directly within an existing single family development. It is unfortunate that the previous developments left the owner an essentially unusual piece of land, but developing it into multi-family does not make any sense

The proposal is for 4 single family units with a private driveway instead of a public road. This is not a multi-family development. The land use district is R-1S which is defined as “a residential designation in developing areas that is primarily for single detached homes”. As mentioned, the developments north and south did not consider this parcel during development. Therefore, we are providing the allowable density (as per the West Springs ASP) in a unique layout.

Are you going to be doing secondary suites in each of the units since that’s what you got the zoning change to

Currently, it is not Mr. Kadri’s desire to apply for secondary suites.

Development will have a very significant impact on all the adjacent landowners and we would appreciate receiving detailed information regarding the building specifications, heights of buildings, setbacks, specific locations of garages and homes, any landscaping plans and status of the subdivision and feedback from the city of Calgary including the detailed team review.

More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.

Dimensions: The dimensions for each home is an extremely important piece of information and I was disappointed that nobody on the call could provide that. We would appreciate getting that information.

More details about the proposed development dimensions have been shared in Appendix C. We are happy to be able to share the dimensions of the proposed homes. Dimensions are not a requirement for a subdivision application. Please note they are approximate dimensions and full building plans for the four homes are still to be finalized.

Are these 4 properties going to be detached homes? Or are they going to be multi-unit buildings?

The 4 properties are single family detached homes in a linear configuration instead of a side by side configuration.

Which height are you planning for the buildings?

The height will meet the requirements of the Land Use Bylaw R-1S district and be between 10-11m tall. More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.

How high are the homes?	The height will meet the requirements of the Land Use Bylaw R-1S district and be between 10-11m tall. More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.
The application does not fit in with the surrounding single family homes and does not respect the character of the low density residential areas and does not compliment the established character of the area. It will create a dramatic contrast to existing homes.	The proposal is for the same housing type as surrounding homes and is a low density housing form. It is the most consistent land use district to the adjacent homes.
Does units have basement?	The four homes will have basements.
During web meeting, we didn't get enough detailed information for building spec, like height of building, type of basement, landscaping plan..., we hope you will release more info to us.	More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized. .
Looked around our area now, West District (approximated 22 hectares) is building mid to high density residential units (apartments and townhouses); West Park (approximated 22 hectares) is building single houses; The corner of 11 Avenue S.W. and 77 Street S.W. (1.9 hectares) is building 30 single houses; 921 77 ST (LOC2019-0004) is changing designation to build maximum of 28 dwelling units (an increase from the current maximum of 2 dwelling units); West of 85 Street S.W. and north of Bow Trail S.W (Approximately 13 hectares)(LOC2017-0188 Site) is building multi-residential units. With so many projects proceed, our community is going over- population, we will not have enough green space left in these area, I don't believe this is what City of Calgary wants our community to be like? So many lands in West Springs are already under construction, why just keep this small area left for a better quality of life for existing and future residents?	The City, through its policies, balances built form and open spaces. The City receives 10% in land to make the appropriate open space allocations within a community. City data has indicated the west side to be of the lowest contributing populations and it is the goal of the City to approve applications that meet the density targets of the policy.
Referring to discussion during following application presentation, we are looking to receive following information: Proposed development layout and Elevation drawings with dimensions	More details about the proposed development dimensions have been shared in Appendix C. Please note they are approximate dimensions and full building plans are still to be finalized.





## THEME TRANSPORTATION

**11%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The driveway is private, and the condominium will be responsible for it, including its maintenance and repair. Each of the four homes will have a private access easement across the driveway. Both the City of Calgary and our transportation expert indicate that 77 Street SW can handle the volume of vehicles from four homes.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
is this roadway wide enough for 2 vehicles to pass each other	The driveway will be constructed in compliance with City approval specifications. 6m is wide enough for two vehicles to pass, particularly given this is a private road and the expected very low volume of traffic. All the lanes in inner City Calgary are designed as 6m lanes.
Who would be responsible for the maintenance of the driveway? What are the requirements for a residence association for this small development?	The driveway is private, and the condominium will be responsible for it, including its maintenance and repair. Each of the four homes will have a permanent private access easement across the shared driveway.
Will the street have public access?	The driveway is private.
Adding a driveway that would access more than one household with potentially several vehicles turning onto an already busy section of 77 ST SW which also has many pedestrians crossing 77 ST SW in that area in order to access the pathway via Westpark Court SW, also parking along 77 ST SW to use the City tennis court	The driveway will have proper curb cuts like a front drive home. Pedestrians and vehicles will acknowledge it as such, and any parking on 77 Street SW will be outside the driveway. It is not uncommon for Collector Roadways to have driveways directly accessing the roadway. Compared to 9th Avenue, 77th Street is currently in a safer state because no other homes have direct access. As such, this one private driveway is more than appropriate.
Consistent with other land use amendments recently approved by Council in West Springs, adding higher density development should be done only once the supporting infrastructure is in place to support it (e.g. roadways and traffic management)	The driveway is not public, and the four homes are expected to yield few vehicle trips. Both the City of Calgary and our transportation expert indicate that 77 Street SW can handle the volume of vehicles from four homes. Additionally, the density projected from these four homes is in keeping with what the City forecasts in their background network.

will we have access to the alleyway	This is a private driveway and no access will be granted to adjacent neighbour properties.
Has a question been asked about visitor parking? if no where would visitor parking be available to these 4 units?	Like adjacent homes, visitor parking will either occur on the driveway (in this case, in the garage) or on the public street.
will it be a rule that the residents much drive forward out of the driveway? if yes how will it be enforced?	All garages are accessed off the internal private roadway. No garages have direct access to 77 Street SW. There is a turnaround on site, and it is likely that residential vehicles will be driving forward out onto 77 Street SW. Vehicles are allowed to back out onto Collector Standard roads such as 77 Street SW.
will walking access to the units from the street be on the driveway or will there be a sidewalk installed? and if a sidewalk will there be sufficient space for 2 cars to fit (plus the sidewalk)?	The driveway is private and expected usage is very low. The private driveway will be treated like a 'mews' (a place for vehicles, pedestrians, and bikes in a shared space). It will have room for all those uses and meet City of Calgary standards.
How much space is required between the driveway and the front door? Would this allow 2 cars to pass plus someone to walk out of their front door?	This detail will be worked out at building permit stage. The front door will be clear of the access road and might require an inset doorway and will meet City of Calgary specifications, so all users are safe.
What is Traffic measure for new intersection with 77 Street. It is a traffic hazards	There will be a driveway at 77 Street SW, like other sites that access 77 Street SW. This is not an intersection. It will be designed to meet the technical standards for a driveway. The City of Calgary transportation experts, and our transportation experts, have not identified this driveway as a hazard.



## THEME CONSTRUCTION

**9%** OF FEEDBACK RECEIVED

### OUR RESPONSE

Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. Mr. Kadri would be pleased to have the current fencing catalogued pre-construction.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
What is the strategy to minimize noise during construction so neighbours are not disturbed? How would the "noise" dialogue work?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise.
What is the plan to prevent damage to the current fences/ properties etc.?	Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. We would be pleased to have the current fencing catalogued pre-construction.
How will noise be controlled during construction?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise.
Will residents sign off on the as found status? Please confirm residents will sign off rather than be engaged on the as found report?	Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. Mr. Kadri would be pleased to have the current fencing catalogued pre-construction.
Where will constructions vehicles park there is already congestion with the Truman development?	All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri.



Is there insurance in place to protect owners against damage, if so how does the claims process work or do we need to proactively take out a lien?	Appropriate insurance will be in place, and construction of this site is similar to many other situations where construction is taking place next to sites that are occupied. A lien is not appropriate and unlikely to be registrable.
Will residents be consulted on the execution plan?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri.
How will all of these rules be enforced on a sustainable basis?	Construction will occur in a respectful manner and is very similar to other sites in the City of Calgary where construction occurs next to sites that are already occupied. All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. .
Will the detailed construction plan be reviewed with the residents before construction commences?	All construction on site will adhere to the City of Calgary rules and regulations, including noise, limited hours of certain types of construction, and parking on site where possible. Should there be any concerns during construction, we will provide adjacent neighbours the phone number of the site supervisor and Mr. Kadri. .



## THEME INTERFACE

**9%** OF FEEDBACK RECEIVED

### OUR RESPONSE

The project team recognizes that to date the adjacent owners have been fortunate to have the site remain undeveloped. It is a privately-owned parcel. The relationship of side yard to rear yard is a common interface. The proposal meets the R-1S guidelines. Exact landscaping and fencing details have not been finalized at this time. Details will be shared with neighbours when confirmed.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
All the developer be doing any fencing	Landscaping and fencing details have not been finalized at this time. Details will be shared with neighbours when confirmed.
Setbacks: it doesn't sound like this development satisfies all the city requirements, so what's plan B?	The proposal meets the R-1S guidelines.
My understanding of the planning restrictions is that buildings need to follow the setback from the road that provides access to them. This plan does not respect the front setback from the driveway at all.	The proposal meets the R-1S guidelines.
Please explain how these properties conform to the Bylaws for the R-1s land use district seeing as 3 of the 4 condos have frontages onto 77th St of only 1.2 m. This would seem to be insufficient to claim footage on 77th. Unit 1 has a frontage of only 11 m on 77th. Therefore the 3 easterly lots front onto "private condominium roadway" which then dictates the front and rear property lines. The bylaw dictates that the front setbacks should be no less than 3m. (Div 6, 455(b) and rear setbacks should be 7.5m or more.	The proposal meets the R-1S guidelines, including setbacks.

Why the plan provided about 14 meters opening between Unit 1 & 2 in front of largest home (12 West Cedar PT) and completely blocking other units on the west side. It appears is related to relation of owner with 12 West Cedar and is not fair to other neighbor

The plan was developed to join the backyards of units 1 & 2 and group the garages in units 2 & 3. At the detailed development stage, we will look closer at the layout to see if a different configuration will work to balance out the separation distances.

We are also concerning our privacy to be affected per this plan. We didn't hear anything will be done to keep the adjacent landowners privacy, but the houses to be built barely just besides our fences looks the invasion of our privacy!

We recognize that to date the adjacent owners have been fortunate to have the site remain undeveloped. It is a privately-owned parcel. The relationship of side yard to rear yard is a common interface.

I attended the web meeting on June 30th, 2020. I have to say my family are very disappointed for this land plan. In my concern, it is ridiculous and unacceptable. We still can't believe on this narrow land (only less 15m width) 4 single houses can be built, honestly the plan is out of our imagination! After reviewed the plan again, below are our concerns,  
You guys showed us the examples of similar houses in same situation were already built before (see attached screenshot), but did you realize all these houses were located on corner lots? all of houses do have driveways to their garages? all of houses are facing streets that are width 9.5m or greater?

We recognize that some of the examples were corner lots, and some were also interior lots. The examples demonstrate that having a rear yard adjacent to a side yard is a relationship that is planned all throughout the City.

We are requesting following clarification and request:  
The Developer will provide and install permanent Wooden Fence around the development lot, before starting any activity (if approved). We would like to ensure about this matter and the permanent wooden fence (Mutually agreed type) is required to be replaced with net fence (as some neighbor has) to protect against construction, dusts, Safety & Security and privacy.

Landscaping and fencing details have not been finalized at this time. Details will be shared with neighbours when confirmed.

We understood during webinar it is noted the trees will be relocated. We are requesting to plants some of those trees in our backyard against the future building wall for privacy. Or alternatively reimburse us for cost of planting trees, ourselves.

Existing trees that require removal will not be relocated. It is the desire, at the grading stage, to see if trees can be maintained east of Unit 4. If grading requires them to be removed, or they are otherwise required to be removed, then some plantings will be included at the time of landscaping.





## OUR RESPONSE

The information session was hosted online to comply with current social distancing practices. All questions and comments received from stakeholders either by email or during the session have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A. Notice for the information session was shared with directly adjacent neighbours to the site through delivery of a postcard. The information session was intended to allow directly affected stakeholders to ask questions and provide their comments.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
<p>Thank you for the presentation on Tuesday evening. I thought it was not well presented and a lot of questions could not be answered. Next time it would be helpful to have an agenda of the meeting and to send out the presentation ahead of time for residents to be able to review and formulate questions ahead of time, as opposed to having only the ability to ask questions at the time of the presentation. Also, it would have been beneficial to see what other questions were being asked. Please can you provide a full report of all the questions asked by the residents and your responses. Please may I also have a copy of your presentation.</p>	<p>Thank you for your feedback. As we move to online meetings, it is helpful to have feedback to see where we can make adjustments for the future sessions. All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.</p>
<p>Selection of this time for the public information session is also inappropriate given the stat holiday the next day and many people on vacation this week (though offering a virtual meeting may result in more attendees than otherwise)</p>	<p>Thank you for your feedback. The date was chosen based on project team availability, to occur after work, and before the holiday.</p>

Sorry for the short notice but timing for this webinar on June 30 just before that Canada day holiday has been difficult timing. As adjacent neighbours we have had very little disclosure regarding the subdivision and development on these lands. This information is critical for any of us to provide any suggestions or feedback regarding the subdivision and development. We hope that this information is available and will be shared in a direct and forthright manner. Thank you

Thank you for your feedback. The date was chosen based on project team availability, to occur after work, and before the holiday. All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.

A curiosity question to be asked: Why did NOT all of the Westpark residence community (approx. 108 houses, located on Westpark Court, Westpark Crescent, Westpark Place and 9th Avenue) receive the notice(s), of this land use change and potential development? Will this be corrected going forward to notice all the adjacent neighbours in this community East of 77th street SW?

As an FYI only, a few neighbours in Westpark were still unaware of the presentation on Tuesday, June 30, 2020 in the evening that was organized prior to the holiday. Thanks

Notice for the information session was shared with directly adjacent neighbours to the site through delivery of a postcard. The information session was intended to allow directly affected stakeholders to ask questions and provide their comments. We appreciate your feedback.

# Kadri Land

In my opinion only, the timing to have this meeting occur the evening prior to a holiday in the first week in July, with some of the residence going away is NOT an ideal time for some residence. It appears to be a quick pressure tactic on some internal deadlines of which not all of the nearby residence is privileged to this knowledge. In addition, more notice should have been provided and NOT all of the Westpark residence community across the road had received any notice of this meeting.

We will retain our question until either during or after the webinar presentation in case the information will be learned and/or other neighbours have commented. We definitely have some concerns on this land, of which I believe a few individuals have already provided a letter outlining several of these concerns. Additional correspondence will be forthcoming in July, once several of the neighbours have had the information provided and time to digest and respond appropriately to the necessary individuals. I am aware that Clint Clark has provides you with some information to date.

We look forward to being educated from your Webinar and responding appropriately thereafter.

Thank you for your feedback.

Of curiosity, why is this webinar being conducted after business hours, later in the evening the day before Canada Day (holiday)? In addition, why has not everyone in the community East and West of 77th Street SW received a door hanging, postcard or letter pertaining to this proposed development?

Has B & A been retained for the proposed development owned by Trico Homes? It is the two, five-acre parcels located on 81st Street SW, north of Westpark Crescent and Westpark Place S.W.? If so, we would appreciate being added to this list as well?

Thank you for your feedback. The date was chosen based on project team availability, to occur after work, and before the holiday. All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.

B&A is not representing Trico on 81st Street SW. We are currently not involved in any new applications in that area.



Why were not all the adjacent neighbours notified of this meeting? I would like to have it clearly noted that I did NOT receive a postcard, notifying us of the meeting.

Notice for the information session was shared with directly adjacent neighbours to the site through delivery of a postcard. The information session was intended to allow directly affected stakeholders to ask questions and provide their comments. We appreciate the feedback.

Why were the controls on how to participate during the meeting not properly explained to all participants? I would to have the controls explained in more detail please, merely stating that the participants can click on a question mark is not sufficient

Details about how to interact during the webinar were shared at the start of the meeting and again during the meeting. We appreciate the feedback about the webinar platform. As we move to online meetings, it is helpful to have feedback to see where we can make adjustments for the future sessions.

Referring to discussion during following application presentation, we are looking to receive following information: Record of the Webinar including response to the questions raised during the webinar

All questions and comments from stakeholders have been captured within this summary. They have been grouped by theme and answers have been provided. The presentation is shared in Appendix A.



## OUR RESPONSE

The City is still evaluating the Kadri Land subdivision application. The project team will be responding to the DTR (Detailed Team Review Comments) and resubmitting to the City shortly. DTR comments have been included in Appendix E. The subdivision application may receive approval by late summer or early fall. Work will not begin on the site until 2021 or later.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
Are you going to be submitting a development permit application once the subdivision is true and what is the expected time in on scene	We will submit all subsequent applications required by the City. We anticipate subdivision approval late summer or early fall. Work will not begin on the site until 2021 or later.
Can you share with us the comments the city has given to you regarding the subdivision in your detail team review and provide us with a copy of same	DTR comments have been included in Appendix D. The project team is currently responding to City comments and foresee a resubmission to the City over the summer.
I received a team detail team review on this from the City of Calgary	Noted
When is the start date to remove the trees? Sorry if I missed an answer, was late to the meeting.	Site work and tree removal will not occur until spring 2021 at the earliest.
What is anticipated timeline for development?	The site may develop over two phases, and full buildout will likely take in the range of 2-3 years.
When do you actually plan to get approval?	We hope to have subdivision approval by fall of 2020.
So, City approved already? Or construction is waiting for approval? When will start to dig dirt?	The City is still evaluating our subdivision application. We will be responding to our DTR (Detailed Team Review Comments) and resubmitting to the City shortly. We anticipate subdivision approval late summer or early fall. Work will not begin on the site until 2021 or later.
Referring to discussion during following application presentation, we are looking to receive following information: The City Development feedback/clarification request for the development application	DTR comments have been included in Appendix D. The project team is currently responding to their comments and foresee a resubmission to the City over the summer.



## THEME SHADOWING

**7%** OF FEEDBACK RECEIVED

### OUR RESPONSE

Shadow studies have been completed and were shared in the presentation, see Appendix A & B. Most shadows are retained within the site. The current trees create more of a shadow today than the new homes, though we understand that trees provide a nice buffer.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
There are 3 houses that have south backyards that will never see sun	Shadow Studies were shared in the presentation, which can be found in Appendix A and B. December is a month that affects all homes throughout the City and most homes do not see the sun now with the existing trees.
Shadows from trees are more welcome than those from houses	We appreciate your feedback.
and sun still comes through the trees	We appreciate your feedback.
Overshadowing: I would like to see this information again if the presentation can be sent out.	Shadow Studies were shared in the presentation, which can be found in Appendix A and B.
Could you please clarify the shadowing. If you aim for the height of the surrounding buildings, how can the shadow not affect the surrounding lots if you keep only 6 meter distance to the lots located in the north.	The Shadow Studies were prepared using a house that is between 10m-11m tall. The software that is used automatically calculates the sun angle at times over the year. It is standard practice to show March 21, June 21, September 21 and December 21.
Could you please share the details of the calculations for the shadowing by email?	The Shadow Studies were prepared using a house that is between 10m-11m tall. The software that is used automatically calculates the sun angle at times over the year. It is standard practice to show March 21, June 21, September 21 and December 21. Shadow Studies were shared in the presentation, which can be found in Appendix A and B.
Can you please explain why you can provide details on shadowing but cannot provide details on the dimensions of the single family dwellings?	It was an oversight for us not to have the dimensions from the designer available for the public meeting. More details about the proposed development dimensions have been shared in Appendix C. The Shadow Studies were built from the footprint (as shown on the concept plan) and used the single family height of the R-1S - a house that is between 10m-11m tall.





## THEME SITE HISTORY

**7%** OF FEEDBACK RECEIVED

### OUR RESPONSE

We understand that this will change this block. The Kadri Land are privately held and when planning was undertaken north and south, they should have been consolidated into one or both parcels and a better outcome designed. When the west side of Calgary was annexed in the late 1990s, the redevelopment or development of 5- and 10-acre form created a number of outcomes that hinder connectivity. The problem was a lack of comprehensive outcomes as landowners didn't have a responsibility to plan with their neighbours. The cul-de-sacs were approved north and south without proper consolidation of the Kadri Land. A great example of how planning is undertaken today is the West District, which was a policy plan that looked at 16 5-acre parcels together to ensure a great outcome.

Mr. Kadri was unfortunately left with a unique parcel due to planning decisions north and south of his lands. Not unlike the original owners

or developers of your lands, there is always the desire to maximize development. The north and south developments certainly adhered to the density allowed and had the Kadri Land been included, then they too would have maximized their potential. When Mr. Kadri approached the City in 2014/2015, they were advised that the land was unique and that due to the width offered one option, a single family home with a suite. While they resolved to follow this path at the time, they realized, while at the Public Hearing of Council, that perhaps they should have explored other alternates. It was noted by the Mayor and other Councillors that perhaps these lands were not delivering their potential. It was after this moment that further exploration was undertaken by our client. We understand and respect your comments but also feel that these lands have greater potential.

### VERBATIM QUESTIONS & COMMENTS

Is there any chance of buying this lot to keep this development from happening

Given the history of what occurred, perhaps the City would consider a land swap so it can stay as a green space?

### RESPONSE

Mr. Kadri has explored a number of options for the site and is open to discussion if there is serious interest in purchasing the site. It should be noted that the development potential of the site is up to 5 units as per the West Springs ASP and reflected in the expected value.

The City has not offered a land swap and have not indicated they wish these lands to become a park within their ownership.

Mr. Kadri, when we met you indicated you were building a mother in law suite, in fact you are on video... I can only assume this was to get initial approval, you grossly mislead our alderman, our neighbourhood representatives and council vs what you are proposing today, do you think this is ethical and how do you think we as your neighbours are expected to respond?

Thank you for your comments. Project background information is shared above. The project team recognizes that the plans have evolved.

Back in 2015, this was approved by one vote and the owner mentioned the secondary suite was a good compromise for everyone. I'm not sure how we went from there to 4 homes? Either way, if a secondary was barely approved, I find it hard to believe this would have been approved given the negative impact on so many people.

The project team recognizes that this will be a change for the adjacent residents.

You company has intelligence to create this crazy plan on this extremely narrow land, why don't you use this intelligence to pursue other options (like swap a regular land from City...) to make all things easier to proceed, to make neighbors be happier, to make new houses easier to sell out, to make community more attractive, to make people smiles on their faces, to make wild creatures stay with their home, to make more fresh air to produce, to make all of us feel friendship, and care, love each other!

The project team recognizes that this proposal has an effect on neighbours, but it is the option that is available to the landowner at this time. It is unfortunate that the lands directly adjacent were allowed to be developed without consideration of the Kadri Land.

I received a flyer regarding the project by my back yard, just wondering what it is for? We strongly refused any development on it, it's so ridiculous to build houses in this narrow land, and also so closed to all adjacent neighbors, your meeting means the owner still insists to develop and never consider other options? City approved the request?

The landowner has reviewed every option possible for these lands and the decision was to proceed with single family homes that are compatible with the adjacent homes.

Referring to discussion during following application presentation, we are looking to receive following information:

4) More info regarding City response to Land swap opportunity (our understanding from Webinar is the developer is in favor of land swap if City agrees and this could be the best outcome for all neighbors opposing the development)

The landowner has explored all options for the lands and the only available option provided was to proceed with a development proposal, therefore a subdivision application was submitted to the City.



## OUR RESPONSE

The project team has met with the City of Calgary Fire Department and the proposed site plan meets the rules set out by the Fire Department. The access road has been designed to accommodate fire trucks and the hydrant is within their specifications.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
Kids playing, access to backyards etc.	This site is not intended to have any access points into the adjacent private back yards. These are private lands, as the adjacent lands are private to that landowner.
We also have significant safety concerns, including access for fire and emergency vehicles, as well as overshadowing and privacy concerns which we would like to see addressed.	Discussion has occurred with the Fire Department and standards are being met. Shadow studies were shared in the presentation which can be found in Appendix A and B. From the south, there will be a setback distance from existing house to proposed house of 9m and to the north the setback is 14m. The south façade of the homes will have window limitations to meet the Alberta Building Code.
As a follow up to the webinar on Tuesday evening, I'm left with several significant concerns that weren't addressed in the meeting:	
Safety Concerns: I have concerns with the access for Emergency vehicles with such limited space. If something significant were to happen, I'm extremely worried for all stakeholders that the emergency responders couldn't properly do their job and provide the level of service required to keep everyone safe.	The proposal meets the emergency standards of the City. A bareland condominium site is a form of development that exists throughout many locations in the City of Calgary. It is equally important to the applicant that the site is built to the technical standards and safety is maintained.
Given that the current fire code identifies that there must be a turnaround for any dead-end portion of the access route more than 90 m, where will sufficient turn around be provided?	The proposal meets the emergency standards of the City. There is a maximum distance for fire vehicles, and they will pull in and back out as per their guidelines. The site is not required to have a fire turnaround.



#### How Fire Department Access is provided?

The proposal meets the emergency standards of the City. There is a maximum distance for fire vehicles and they will pull in and back out as per their guidelines.

Per your plan, you will build a 6m width road (from our fences to new house garage doors), and without any sidewalks, but do you know for a semi-truck (EMS truck is similar size or bigger), a minimum inner radius of 19'4" (5.9 m) and minimum outer radius between 40'- 40'10" (12.2- 12.4 m) to be required for 180° turn, for a fire truck, the inside turning radius for a fire apparatus access road shall be 25' (7.6 m) or greater, the outside turning radius for a fire apparatus access road shall be 45' (13.7m) or greater. Your plan looks can't meet this requirement at all, without sidewalk also make pedestrians in dangers situation. There are lots of kids living in adjacent neighbors, they are always playing in the backyard, we are very worrying about kids will be in extremely danger situation per your plan! we can also forecast during emergency situation, how much time will be waste to arrange EMS and Fire Trucks to enter this area to fight fire or execute people to hospital. Safety is our primary concern.

It is equally important to the applicant that the site is built to the technical standards and safety is maintained. The proposal meets the emergency standards of the City. The site is not required to have a fire turnaround. Their specifications allow for a drive in/back out maneuver. There is a turnaround mid-way on the site that will accommodate vehicle turnarounds which will also accommodate an EMS vehicle if needed.



## OUR RESPONSE

Water runoff from site to be handled in two ways. Firstly, the existing City of Calgary drainage swales to north and south of property have an allowance for site discharge. Secondly, due to the development of the site, an additional catch basin with flow control and surface ponding will be provided at east end of site to manage stormwater and ensure permissible release rates are not exceeded. Snow removal will be appropriately handled by the condominium association largely through onsite storage. Further discussion is required with the City of Calgary for residential garbage removal.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
How do you plan to deal with water/ runoff on the site?	Water runoff from site to be handled in two ways. Firstly, the existing City of Calgary drainage swales to north and south of property have an allowance for site discharge. Secondly, due to the development of the site, an additional catch basin with flow control and surface ponding will be provided at east end of site to manage stormwater and ensure permissible release rates are not exceeded.
What about trash collection and snow removal? Garbage trucks have trouble turning on our street. We also get a lot of snow.	Snow removal will be handled by the condominium association largely through onsite storage. Further discussion is required with the City of Calgary for residential garbage removal.
Snow removal: With the amount of snow we get, this is obviously a key item, and it doesn't sound like there's a plan for this.	Snow removal will be handled by condominium association largely through onsite storage. Condominium
Garbage: if this doesn't meet the city requirements, what does the private option look like? Does a garbage truck come down the driveway to access these 4 homes? How often do they come to properly remove garbage so it doesn't pile up?	Further discussion is required with the City of Calgary for residential garbage removal.
How Garbage Truck access provided?	Further discussion is required with the City of Calgary for residential garbage removal.



## THEME GREEN SPACE

**4%** OF FEEDBACK RECEIVED

### OUR RESPONSE

These lands are private and are not part of the community's open space allocations. These lands have never been owned by the City nor allocated as Reserves. The City is not interested in making this land a park. All development has an impact on wildlife and City policies look to balance this through proper Open Space allocations within communities.

VERBATIM QUESTIONS & COMMENTS	RESPONSE
How do you plan on dealing with the abundant wildlife in the area? i.e. birds nests, squirrels at unit 4, deer etc.	Communities like Cougar Ridge, West Springs, Aspen Woods, and Springbank Hill had an abundance of open space when the lands were annexed into the City in 1998. It was a decision of the City of Calgary and Rocky View County to allow these lands to be developed at urban densities. Development of these communities has displaced wildlife to more appropriate locations. The City balances development with the natural environment throughout their communities through policy and designation of municipal and environmental reserves in appropriate locations.
Narrow tract of land being developed into multi-family development would remove a significant amount of greenspace	The lands are not designated as municipal reserve or environmental reserve. The City has taken the municipal reserve and environmental reserve lands required in this area. The site is privately held, undeveloped land that is not intended for use as a public green space. The proposal is for single family homes not multi-family development.
What is the intended use for the green space to the east of Unit 4?	The lands east of Unit 4 will be the backyard of Unit 4.
There are deer and different types of birds resident in this land, I don't know if you are agree it's our responsibility to protect wild animals and also our environment, with population rapid growth in this area, to keep trees will show City of Calgary is building harmonious environment, not only building houses, apartments..., City is trying to make our communities be better. The creatures will also appreciate your decision.	Communities like Cougar Ridge, West Springs, Aspen Woods, and Springbank Hill had an abundance of open space when the lands were annexed into the City in 1998. It was a decision of the City of Calgary and Rocky View County to allow these lands to be developed at urban densities. Development of these communities has displaced wildlife to more appropriate locations. The City balances development with the natural environment throughout their communities through policy and designation of municipal and environmental reserves in appropriate locations.





THEME  
**OTHER**

**7%** OF FEEDBACK RECEIVED

## VERBATIM QUESTIONS & COMMENTS

## RESPONSE

What percentage do you anticipate that our properties will devalue by?

Water runoff from site to be handled in two ways. Firstly, the existing City of Calgary drainage swales to north and south of property have an allowance for site discharge. Secondly, due to the development of the site, an additional catch basin with flow control and surface ponding will be provided at east end of site to manage stormwater and ensure permissible release rates are not exceeded.

How much does Kadri anticipate selling these properties for? I know part of the Truman development at being responsible developers is to ensure that the current development is in line with the current values of surrounding properties.

We appreciate the question, but property values are not a planning consideration. The value of these homes is not a valid planning consideration and will be consistent with the area and market.

Thank you!

Thank you for attending

Are there any benefits to the homeowners living next to the Kadri land?

There are many benefits of living in an urban environment and more density. The park-like setting was always available for development and was never a green space for the neighbourhood to control.

How much are these homes going to cost?

They will be priced to market compatible rates for new single-family homes.

As per the attached letter the WSCRCA sent to the City, the community association has serious concerns regarding this application for subdivision.

Noted- the WSCRCA Letter has been shared in Appendix B.

When we bought the house, we did a research of the plan of this land, after realized land is R-1s, and only allowed to build one dwelling, we placed the order. If land type changed again, we will keep the right to have law act to those who were involved to make the decision and result to value loss of my property.

There is no intention of changing the land use district, the form will be single family homes on a bareland condominium parcel.

Thanks for your information.

Can we let the owner know If they build the house after the application is approved, we will plan lines of tall trees in both front and back yard for our privacy. The tall tree will block the sunshine of the house and we will put sign in our yard telling people tall trees will be planned in the front of the house when they sell the houses, therefore no one would like to buy the house. if the owner not able sell the house, the owner will lose money and we will lose the privacy and safety. This is not Win win project for us and for the owner. Are we allowed to plan lines of tall trees to block the sunshine to the house for privacy?

Thank you for your comment

# 05 Next Steps

There is an active subdivision application for the site with the City of Calgary. The public outreach summary will be shared with adjacent neighbours and the City of Calgary.

## Contact



**Kathy Oberg, Partner** | B&A Planning Group



koberg@bapg.ca



# Appendix A

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Resident Information Session presentation

# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

WELCOME TO THE  
**INFORMATION  
SESSION**

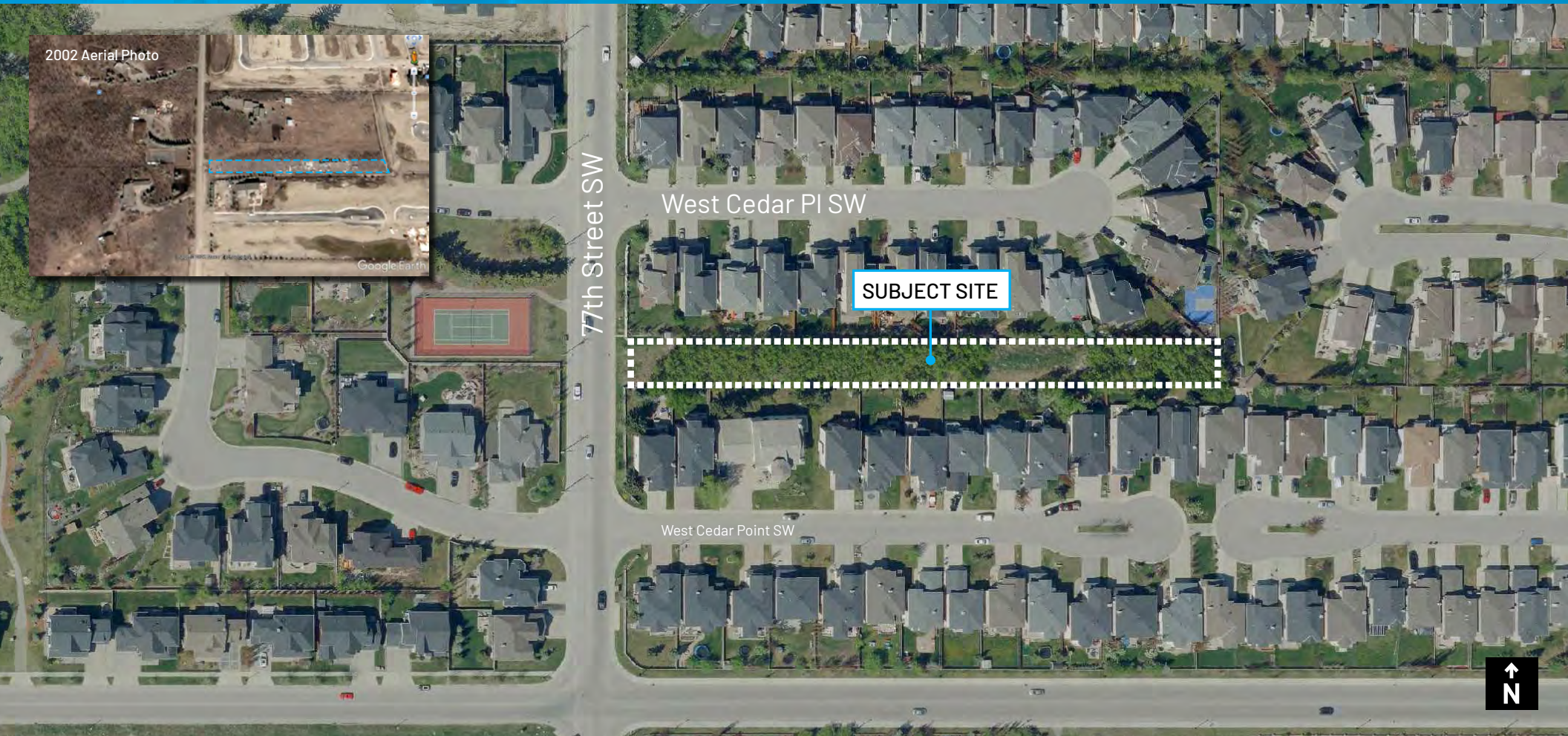
JUNE 30, 2020

b&a

Maidment Land Surveys Ltd.  
Land Surveyors and Development Consultants

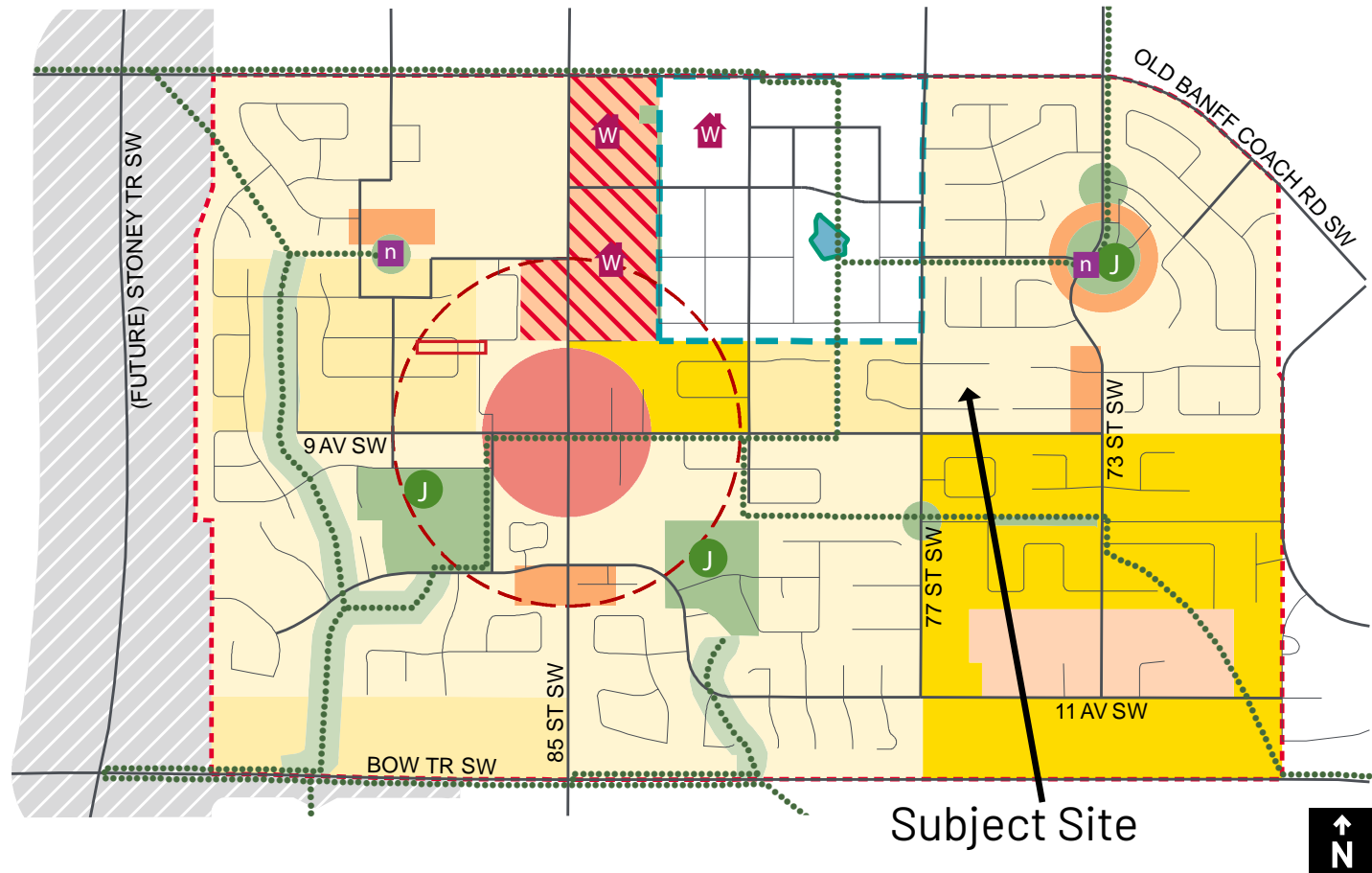
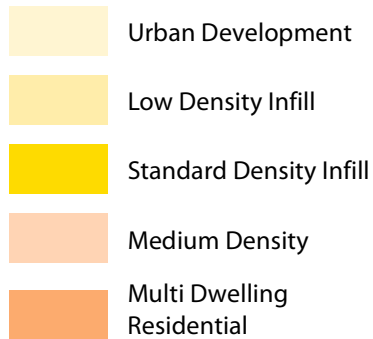
**URBAN**  
systems







- The Subject Land is located within the West Springs Area Structure Plan.
- It is identified within the Urban Development Area and the following rules:
- The proposal meets the rules as outlined in the ASP













Shadow Analysis has been prepared for the 4 Unit Proposal March 21 at 2:00PM



Shadow Analysis has been prepared for a Single Home and Existing Trees - March 21 at 2:00PM

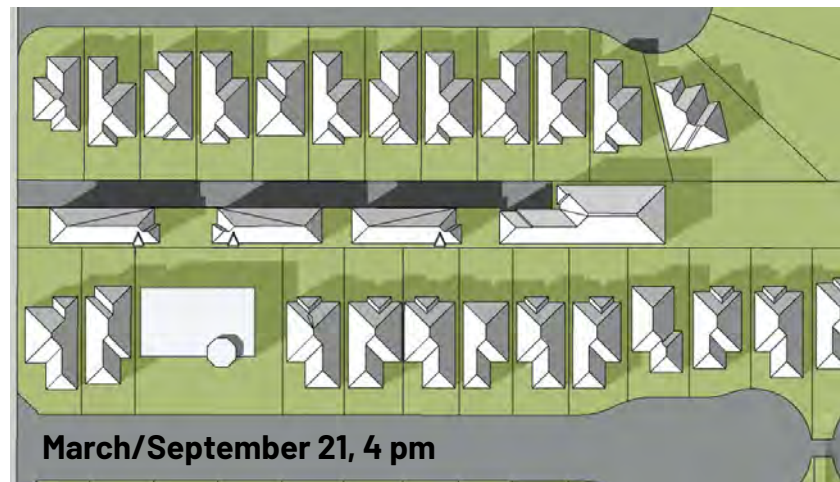


### WHEN ARE SHADOWS ANALYSED?

March/September 21  
10am, 12pm, 2pm,  
4pm

June 21  
10am, 12pm, 2pm,  
4pm

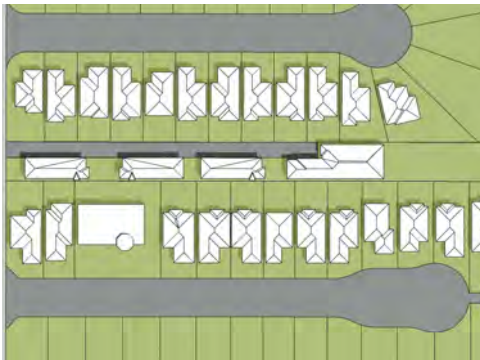
Dec 21  
10am, 12pm, 2pm,  
4pm



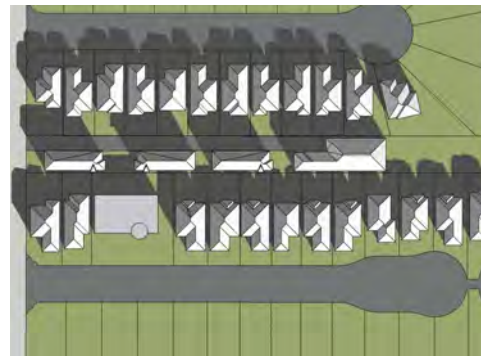




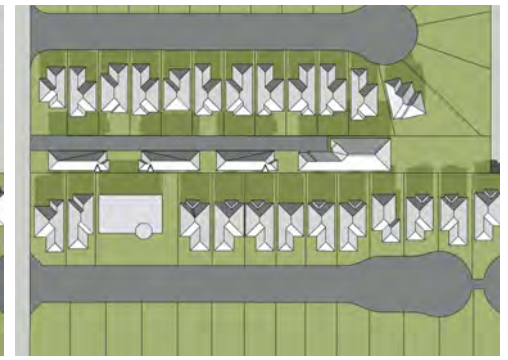
June 21, 10 am



June 21, 12 pm



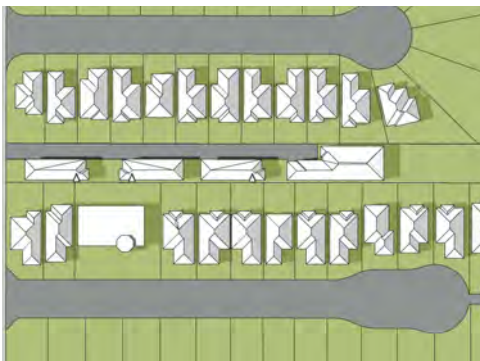
December 21, 10 am



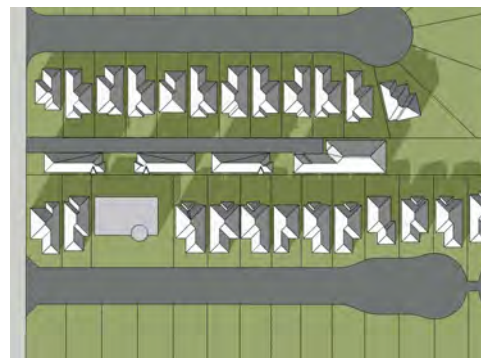
December 21, 12 pm



June 21, 2 pm



June 21, 4 pm



December 21, 2 pm



December 21, 4 pm

WEST SPRINGS | SUBDIVISION APPLICATION



# Thank you!

The project team will share the summary comments and information with stakeholders. If you have any questions, please reach out to the project engagement specialist:

**Martha McClary**

Engagement Specialist |  
B&A Planning Group

✉ [mmccclary@bapg.ca](mailto:mmccclary@bapg.ca)



# Appendix B

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## West Springs Cougar Ridge Community Association Letter



West Springs/Cougar Ridge  
Community Association

Ms. Vivian Barr  
Planning, Development & Assessment  
#8201, P.O. Box 2100  
Station M  
Calgary T2P 2M5

March 23, 2020

**Re: SB2020-0029 Subdivision Application for 882 - 77th Street SW**

Dear Ms. Barr,

Please find below our comments regarding the subdivision application SB2020-0029, for the property located at 882 - 77 St. SW, in the community of West Springs.

The WSCRCA has historically been opposed to any development on this anomalous segment of land because of negative impacts on many adjacent owners, preferring that a "land-swap" might have been arranged to convert it into a green space.

We now have a further reason for opposing this application for a four unit bare land condominium development: we believe that it effectively seeks the intervention of your office to **frustrate** rather than **execute** the clear will and intention of City of Calgary Council that the land may only be used as a single-family residence with a secondary suite. A close examination of the history of Council's approval of this parcel's current land use designation reveals that it was granted on the *implicit condition* that the use be limited to a single family residence with a secondary suite.

The applicant's express purpose for seeking the 2016 re-designation to R-1s (LOC2016-0218, Bylaw 312D2016) now relied upon, was "to add **a secondary suite to a single family home**": see page 7 of the CPC Report to Council for its December 5, 2016 meeting. In keeping with that, the applicant told Council that he was "proposing one home here" and confirmed ("That's right") when asked whether "at one point you were hoping for four homes on the site but you've settled on **one** in the end". The applicant told Council he was "not sure where I'd put **the** house at this point" or whether the secondary suite would be a basement suite, an above-grade garden suite or a garage suite. In a related "motion arising" Council effectively treated the matter as an application for approval of a single secondary suite and directed "Administration to refund the application costs incurred by the applicant for this Land Use Amendment" on the basis that its practice had been to waive secondary suite development permit fees in other land use contexts, a refund of the \$5000 secondary suite fee for a suite that the applicant does not apparently have any intention of developing.

This long and narrow property of an original panhandle acreage (15.23m X 183.78m) has had a long and concerning history of applications to the City. The land parcel to the south, which includes West Cedar Point SW, was rezoned in 2001. The CPC report for that application noted that attempts to incorporate the "panhandle" into the 2001 application were unsuccessful and indicated that the panhandle lot could be incorporated within a future application for the adjacent parcel to the *north*. However, in 2002, the application LOC2002-031, Bylaw 49Z2003, for West Cedar Place SW to the north of the parcel, did *not* incorporate the panhandle parcel in question. *Therefore, due to these unfortunate events the adjacent residents and the community are now left with a very undesirable piece of land that does not fit into the community fabric.*

At the WSCRCA Planning Committee meeting on February 25th, 2020, 21 residents, representing 16 of the 24 adjacent homes, attended and expressed grave concerns regarding the current application. The Westpark Residents Association has also contacted us regarding their concerns. These West Springs residents are very opposed to the possibility that a landowner could potentially be granted a *de facto* density increase through subdivision when this was not permitted by CPAG in 2016.

Suite 138, Unit 408, 917 - 85th St. SW,  
Calgary, Alberta  
T3H 5Z9  
403.770.8585 [www.wscr.ca](http://www.wscr.ca)



## West Springs/Cougar Ridge Community Association

In addition to this central issue, the WSCRA has concerns over the following technical aspects of this application:

1. **Property Setbacks:** Three of the four condominium units have frontage onto 77th St. SW of only 1.2m. This is insufficient to claim frontage on the main street of 77th for these three units. (Unit 1 has a frontage of 11.0m on to 77th St. SW.). Therefore, the three easterly units, front onto the "private condominium roadway" which then dictates the front and rear property lines. The Land Use Bylaw dictates that the front setbacks should be no less than 3m (Div 6, 455(b)) and the rear setbacks should be 7.5m or more (Section 457). Thus, three of the lots designed in this application do not conform to the Bylaws for the R-1s Land Use District.
2. **Fire Safety:** The current building code identifies that there must be a turn-around facility for any dead end portion of the access route more than 90 m long. It also stipulates (NBC 3.2.5.5 AE) that the principle entrance be located not less than 3m and not more than 15m from the closest portion of the access route. This parcel has a length of 183.78 m and therefore does not meet minimum fire code standards without providing a turn around.
3. **Nonconformity to the Municipal Development Plan:** the application does not fit in with the surrounding single family homes in that it does not "respect the character of the low-density residential areas", does not "complement the established character of the area". In addition, it is certainly against the requirement of: do "not create dramatic contrasts in the physical development pattern" (Section 2.3.2 (a) & (c)). Having the condominium units oriented at right angles to the existing homes and only 1.2 m from rear property lines, is significantly different from any other development in the WSCR community.
4. **Shadowing and impingement of sight lines** will be significant for existing residents to the north and south.
5. **Surface water drainage** is a concern as much of the property will be built on or paved, thus significantly increasing water runoff onto neighbouring properties.

In summary, due to the *extremely unusual circumstances* surrounding this application, the WSCRA is strongly requesting that the City look for an *exceptional solution* that will require the applicant to conform to the original intent of the 2016 land use change. It is *imperative* that the decision for this application not be made solely by the file manager and Subdivision department. This application needs to be reviewed by a committee be it CPC, Urban Planning, or at the very least there needs to be a requirement for a Development Permit.

We strongly urge the City to undertake all steps necessary to ensure that the applicant not be permitted to subvert the clear intention of Council, deviate from the assurances given to Council and accomplish indirectly what the applicant was unable to achieve directly. In other words, superficial and mechanistic reliance upon the technical land designation would permit the applicant to frustrate the manifest intention of Council and create unjust and inequitable consequences for adjacent owners in the process..

Our comments are based on the application as presented. We reserve the right to comment on any changes that may occur from the current proposal or implications that may arise from the proposed application.

Regards,

Linda Nasset  
Director  
West Springs/Cougar Ridge Community Association

cc: **Jeff Davison**, Councillor Ward 6. Email: [jeff.davison@calgary.ca](mailto:jeff.davison@calgary.ca)  
cc: **Naheed Nenshi**, Mayor of Calgary. Email: [mayor@calgary.ca](mailto:mayor@calgary.ca)

Suite 138, Unit 408, 917 - 85th St. SW,  
Calgary, Alberta  
T3H 5Z9  
403.770.8585 [www.wscr.ca](http://www.wscr.ca)



# Appendix C

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## House Dimensions

*\*Please note they are approximate dimensions and full building plans are still to be finalized.*

SDAB2021-0028 Additional Submission



# Appendix D

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City of Calgary DTR





March 12, 2020

MAIDMENT LAND SURVEYS LTD  
#10, 141 Commercial Drive  
Calgary, Alberta  
T3Z 2A7

Dear Sir:

**RE: Detailed Team Review (DTR)**

**Application Number: SB2020-0029**

The Corporate Planning Applications Group (CPAG) has completed a detailed review of your subdivision proposal received on February 13, 2020, in order to evaluate the feasibility of the proposal and compliance with the Municipal Government Act, the Planning and Development Regulations, the Land Use Bylaw and applicable City of Calgary policies. Any variance from the above noted legislation, regulations, or policies will require further discussion and/or revision prior to a decision for approval or refusal by the City of Calgary on the proposed application.

Applicants are requested to contact the respective team members to resolve outstanding issues. Revisions to the proposed subdivision application should not be submitted until we are able to provide comments from all circulation referees.

Should you have any questions or concerns, please contact me at (403) 268-1468 or by email at [vivian.barr@calgary.ca](mailto:vivian.barr@calgary.ca).

Sincerely,

*Vivian Barr*

**VIVIAN BARR**  
Senior Planning Technician

cc: DEER TRAIL DEVELOPMENT INC.  
46 WESTBURY PL SW  
CALGARY, AB  
T3H 5B6

P.O. Box 2100, Postal Station M  
Calgary, Alberta, Canada, T2P 2M5, (403) 268-5311

**SDAB2021-0028 Additional Submission**



## Detailed Team Review 1 – Subdivision by Plan

<b>Application Number:</b>	<b>SB2020-0029</b>
<b>Map Section Number:</b>	22W
<b>Application Description:</b>	Bare Land Condominium
<b>Land Use District:</b>	R-1s
<b>Site Address:</b>	882 77 ST SW
<b>Existing Use:</b>	Vacant
<b>Proposed Use:</b>	Bare Land Condominium
<b>Related File:</b>	PE2018-00157 & LOC2016-0218
<b>Community:</b>	WEST SPRINGS
<b>Applicant:</b>	MAIDMENT LAND SURVEYS LTD – Brent Wilson
<b>Date DTR Sent:</b>	March 12, 2020

**CPAG Team:**

<b>Subdivision Services</b>		
VIVIAN BARR	(403) 268-1468	<a href="mailto:vivian.barr@calgary.ca">vivian.barr@calgary.ca</a>
<b>Development Engineering</b>		
ERIN WARD	(587) 215-7674	<a href="mailto:erin.ward@calgary.ca">erin.ward@calgary.ca</a>
<b>Transportation</b>		
FABIAN SNYDERS	(403) 268-5094	<a href="mailto:fabian.snyders@calgary.ca">fabian.snyders@calgary.ca</a>
<b>Parks</b>		
CURESHA MOODLEY	(403) 268-1396	<a href="mailto:curesha.moodley@calgary.ca">curesha.moodley@calgary.ca</a>

## Prior to Decision Conditions

The following issues must be addressed by the Applicant through a written submission prior to the decision by the Subdivision Authority to approve or refuse the proposed subdivision application. Applicants are encouraged to contact the respective team members directly to discuss outstanding issues or alternatively request a meeting with the CPAG Team.

**Subdivision Services:**

- Unit 2 does not meet the minimum width requirement of the R-1s land use district. **Prior to decision**, submit a revised plan to demonstrate compliance with the land use bylaw. If our calculations are correct, the shortest side property line for Unit 2 is the "panhandle", which is 33.637m long vs the southerly property line, which is 34.365m long.

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

(102) "parcel width" means the distance between the *side property lines* of a *parcel* measured at a right angle to the mid-point of the shortest *side property line*.

2. At this time, the Subdivision Authority is still reviewing the application and will therefore not recommend a decision until the prior to decision conditions have been satisfied.
3. Notification of this application has been circulated to the adjacent property owners. Several letters of objection have been received. An extension to March 24, for comments, has been granted to the community association and adjacent property owners.

**The developer is encouraged to have a meeting with the community association & property owners prior to decision.**

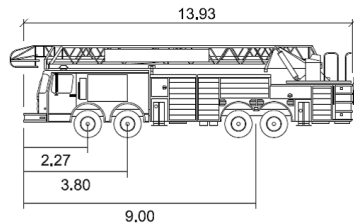
4. **Prior to decision**, review the circulation letter from Atco and demonstrate, to their satisfaction, where any proposed utility right-of-way, required to service the proposed bare land condominium, would be located.

#### Development Engineering:

5. **Prior to decision**, amend the plans to address the following conditions:

##### Fire – Primary Fire Access Road Design

- a. Indicate a minimum 6.0m wide fire access route.  
*Note: this is the minimum requirement for trucks to set up outriggers. Ensure there will be no encroachments into this access route (ie: stairs).*
- b. Indicate the fire access route is designed to support a 38,556kg/85,000 lbs load. Indicate the access is designed to support the NFPA 1901 point load of 517kPa (75 psi) over a 24" x 24" area which corresponds to the outrigger pad size.



CFD\_Bronto\_Skylift

	meters
Width	: 2.57
Track	: 2.57
Lock to Lock Time	: 6.0
Steering Angle	: 47.5
Turning Radius	: 10.18

- c. Indicate no parking signs on both sides of the fire access route as the road width is less than 7.49m.

##### Utility Line Assignments

- a. Indicate and dimension all existing / proposed utility rights-of-way and / or easements on **all relevant** plans and details,

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

- b. Indicate the location of the existing shallow utilities on **all relevant** plans and details, *Note: it appears that there is an ATCO service line entering the west side of the parcel.*

##### Waste & Recycling Services – General

- a. Provide details of the proposed waste collection facilities as information is not indicated on the plans.

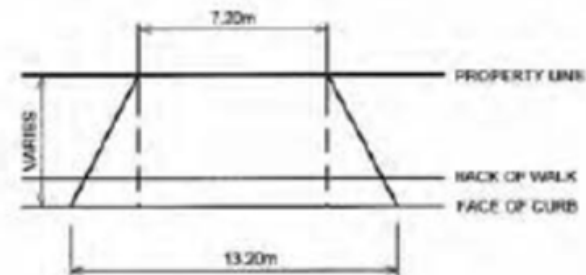
##### Waste & Recycling Services – Collection Vehicle Access

- a. Provide a scaled plan (1:200 / 1:300) indicating the vehicle sweep and turning movement for collection vehicles. Refer to the "Development Reviews: Design Standards for the Storage and Collection Waste" found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>
- b. Indicate that the maximum distance the collection vehicle will reverse is two truck lengths.
- c. Provide a minimum 5.0m vertical and horizontal clearance for vehicle access.
- d. Provide a City standard turnaround area or a looped route to allow the collection vehicle to both access and egress the site by driving forward.

6. **Prior to decision**, submit, for review, a preliminary servicing plan to Urban Development for review by Water Resources.

#### Transportation:

7. **Prior to decision**, amend the plans to provide a minimum 7.2m wide access right-of-way, which is required for two way vehicle traffic, as well as to accommodate for the vehicle back out maneuver from the proposed garages. Also, amend the vehicle swept paths to be a TAC large 4 door sedan ensuring at least 0.5m of clearance from all obstacles, and no more than 3 back and forth movements to enter and exit all the garages. Anything more than this is overly onerous.
8. At the time of Development, a standard 7.2m wide driveway with 3m wide flares will be required to access the site off 77 Street S.W. (See image below). Also, be aware that the flares are not permitted to cross lot lines without permission from the affected landowner. **Prior to decision**, amend the plans to confirm the direction that is to be taken, ensuring appropriate sight triangles for vehicle/ pedestrian safety are provided. Refer to the diagram below.



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

## Conditions of Approval

The City of Calgary has the authority, granted by Section 656 of the Municipal Government Act to approve or refuse a subdivision application, subject to conditions outlined in Section 655 of the same Act.

The conditions listed below comprise the conditions of approval of the subdivision. These conditions will form the basis of the decision by the Subdivision Authority and can be appealed by the applicant to the Subdivision and Development Appeal Board.

The conditions that need to be addressed prior to the endorsement of the final instrument by the City and conditions that are to be addressed concurrent to the registration of the final instrument have been identified and listed first.

### Prior to Endorsement Conditions

#### Subdivision Services:

9. The existing buildings (sheds) shall be removed **prior to endorsement of the final instrument**.

#### Development Engineering:

10. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw 33M2005*. Contact [developmentsservicing2@calgary.ca](mailto:developmentsservicing2@calgary.ca) for additional details.

For further information, refer to the following:

#### Design Guidelines for Development Site Servicing Plans

[http://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/DSSP2015.pdf](http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP2015.pdf)

#### Development Site Servicing Plans CARL (requirement list)

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

11. Restrictive covenants shall be registered **concurrent with the registration of the final instrument** on all lots adjacent to trapped lows with spill depths exceeding 0.3m. The Development Engineering Generalist will specify which lots require covenants **prior to endorsement of the final instrument**.
12. **Prior to endorsement of the final instrument**, ~~indicate~~ provide evidence that a registered access easement agreement is in place, which is required to permit the waste and recycling collection vehicle to travel through the adjacent lot.

### Concurrent with Registration Conditions

#### Development Engineering:

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

Page 4

**SDAB2021-0028 Additional Submission**

13. Execute and register on all affected titles, where required, a utility right-of-way plan and an accompanying ~~City of Calgary~~ General Utility Easement Agreement **concurrent with the registration of the final instrument**, which protects any proposed utilities in the subject parcel.

#### Transportation:

14. **Concurrent with the registration of the final instrument**, execute and register on title a 7.2m wide Access Easement Agreement with the City of Calgary over Lot 22, Block D, Plan 021 0368/future Units 1-4 (Servient Lands) in favour of 77 Street S.W. (Dominant Lands) for the purpose of parking, access & an access route for the waste & recycling collection vehicle (If required) to the storage facilities. The agreement and access right of way plan shall be approved by the Director, Transportation Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement and an Instruction Document will be provided by the Transportation CPAG Generalist. Submit an original copy of the executed agreement and the certificate of title(s), indicating the agreement is registered on title, for all affected parcels.

### Conditions of Approval

#### Subdivision Services:

15. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.

#### Development Engineering:

16. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.
17. Submit, for review, two (2) copies of the Erosion and Sediment Control (ESC) **report and/or drawings** to Urban Development for review by the Erosion Control Coordinator, Water Resources. Prior to submission of the ESC report and drawing(s), please contact the Erosion Control Coordinator, Water Resources at 268-2655 to discuss ESC requirements.

**If the overall site size is less than 2 hectares (5 acres) (Only if the entire development proposed is over such size in area), only a drawing** may be required for review. Please contact the Erosion Control Coordinator to discuss report and drawing requirements for these sites.

Documents submitted shall conform to the requirements detailed in the current edition of The City of Calgary *Guidelines for Erosion and Sediment Control* and shall be prepared by a qualified consultant or certified professional specializing in ESC. For each stage of work where soil is disturbed or exposed, drawing(s) must clearly specify the location, installation, inspection and maintenance details and requirements for all temporary and permanent controls and practices.

## Advisory Comments

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

Page 5



The following advisory comments are provided by the City of Calgary as a courtesy to the applicant and property owner. These comments will not form the basis of the decision to approve or refuse the proposed subdivision application. They are simply provided for information purposes.

#### Subdivision Services:

18. Please review the circulation comments from:
  - Enmax, dated March 3, 2020;
  - Atco, dated February 28, 2020; and
  - Telus, dated February 20, 2020.
19. Easements #011 154 803 & 011 15 4804 should be discharged from the title, as they are no longer required.

#### Development Engineering:

20. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,
  - a. the person discovering such contamination must immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment and Sustainable Resource Development, the Alberta Health Services and The City of Calgary (311).
  - b. on City of Calgary lands or utility corridors, the City's Environmental Risk & Liability group must be immediately notified (311).
21. The developer is responsible for ensuring that the environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.

The developer is responsible for ensuring that appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and the Alberta Health Services.

The developer is responsible for ensuring that the development conforms to any reviewed and accepted remedial action plan/risk management plans.

The developer is responsible for ensuring that all reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.

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

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

The developer is responsible for ensuring that the development is in compliance with applicable environmental approvals (e.g. Alberta Environment and Sustainable Resources Development Approvals, Registrations, etc), Alberta Energy Regulatory approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

22. No overland drainage will be permitted to leave the plan area, except in conformance with the approved Stormwater Management Report. Overland drainage is to conform to the current edition of Alberta Environment's Stormwater Management Guidelines and The City of Calgary's Design Guidelines for Subdivision Servicing and Stormwater Management and Design Manual. The developer should evaluate the impact of the 1:100 year event on all major storm routes. Storage and/or acceptable conveyance for up to and including the 1:100 year event will be required.

Drainage control features are required at the back of laneless lots and where lots are adjacent to reserves and rights-of-way, unless otherwise permitted by Calgary Parks. Overland drainage easements and separate CCCs and FACs are required for all drainage features. Complete details of these features and "as-builts" of the same may be required to be provided and approved prior to issuance of CCCs.

23. **Prior to acceptance of any construction drawings in the plan area**, a Stormwater Management Report is required. The Stormwater Management Report is to illustrate the overall stormwater management plan for the entire plan area and should include areas upstream that currently drain to the area. Refer to Water Services' currently applied Stormwater Management and Design Manual for details.

Note: According to the approved West Springs Phase 1 Overland Drainage Analysis in 2003, storm can tie to manhole EX MH5 with UARR = 28.38 L/s/ha.

24. Water is available to connect from 77 St. SW.
25. Sanitary is available to connect from 77 St. SW. If the proposed density is over 55 persons per hectares or proposed sanitary flow is greater than 1 L/s, a sanitary servicing study is required.
26. Ensure all proposed private utilities within the subject site are protected with registered utility right-of-ways to the satisfaction of the utility owners.
27. As the subdivision currently has not met the standards in either the current City of Calgary standards – "Development Reviews: Design Standards for the Storage and Collection of Waste" or the current Waste and Recycling Bylaw, the development may not be eligible to receive collection service from The City of Calgary.
28. For questions and concerns regarding waste storage facilities, refer to the "Development Reviews: Design Standards for the Storage and Collection of Waste"  
Found at: <http://www.calgary.ca/UEP/WRP/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>

Or

Contact the Waste & Recycling Services Specialist 403-268-8429 for further site specific details.

29. All financial obligations resolved under DA2001-0070 West Springs, Phase 1.

**Transportation:**

30. Transportation Planning recommends the applicant purchase the Road Widening plan #881 0046, as it is not required. A road closure and land use redesignation will be required.

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West Cedar Pl SW

West Cedar Point SW

# Kadri Land

WEST SPRINGS | SUBDIVISION APPLICATION

SDAB2021-0028 Additional Submission

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Go



**535**  
**Appeal Board rec'd. April 28, 2021**  
**Submitted by: Y. Zhang, neighbour**

**From:** [yan zhang](#)  
**To:** [Calgary SDAB Info](#)  
**Subject:** [EXT] 882 77 Street SW. PLAN 0210368 BLOCK D LOT22  
**Date:** Tuesday, April 27, 2021 7:07:36 PM

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Hello SDAB,

I am a resident of 23 West cedar PL that is seriously impacted by the subdivision application. I attached a picture of our backyard that the land owner is applying to build houses.

I am an immigrant and put all my money with a lot of mortgage to this house three years ago. Our property value in both side will be decrease a lot if the subdivision plan approved. I don't know it is private land and the realtor did not tell me either. I was shocked when I received the notice that the land owner is planning to build a few houses in front of our yard. I never think about it can be build houses as it is such a narrow land.

I really concern about the shadow issue as this narrow land is higher level than our front yard and so close to our yard. it will block the sunshine in our yard and house. The car road beside our yard is not safe for the kids playing in the yard. I am not a technical person to know how the fire, drain water impact. but I believe the shadow issue is biggest issue even the developer said no problems.

The land owner left this green zoon when they built houses to attract people to buy these houses. but he want to build houses to make more money without thinking about impacting our house values and shadow our houses. Canada is a nice beautiful country with huge land that my family immigrant to Canada. There are some deer in this green place . This is also their home too.

The Citi of Calgary already rejected the owner's subdivision plan. I believe SDAB also think about majority people's interests and the serious negative impact on our houses and the appearance of our community and reject the appeal. I trust SDAB and I love Canada.

Thanks,  
Yenny

June 23, 2021

Via Email: [info@calgarysdab.ca](mailto:info@calgarysdab.ca)

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs

We reside at 9 West Cedar Point, SW.

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,

Dave & Jody Danchuk  
9 West Cedar Point, SW, Calgary  
403.990.1507  
[ddanchuk@shaw.ca](mailto:ddanchuk@shaw.ca)

**537**  
**Appeal Board received: June 23, 2021**  
**Submitted by: D. & T. Weston, neighbours**

**From:** [Darcy Weston](#)  
**To:** [Calgary SDAB Info](#)  
**Subject:** [EXT] Land Parcel Application Appeal - SDAB 2021-0028/ SB2020-0029 - Please Deny this Appeal  
**Date:** Wednesday, June 23, 2021 8:46:16 AM

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June 23, 2021

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M,  
Calgary, AB T2P 2M5

**RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77  
Street SW; Tentative Plan - Conforming (Bare Land Condominium); West  
Springs**

To Whom it May Concern:

I live at 51 West Cedar Place SW.

I am writing to express our support for the City's decision to refuse the application SB2020-0029 with respect to the proposed "panhandle" subdivision of the parcel at 882 77 Street SW. We agree with the cities refusal for the subdivision application for the following reasons:

- The proposed subdivision is not suitable for the parcel or the esthetics of the neighborhood.
- The subdivision will result in four bare land condo lots which will substantially differ from the majority of the parcels in the immediate neighborhood.
- The proposed subdivision also will result that the subsequent development of 4 single detached dwellings would be in stark contrast with the adjacent homes to the immediate north and south of the parcel.
- The result is development that does not complement the established character of the area and which would not align with the Municipal Development Plan or the Infill Housing Guidelines.

I respectfully request that the appeal be denied.

Sincerely,

Darcy and Tamara Weston (Homeowners)  
51 West Cedar Place SW  
Calgary AB



Date: JUNE 22, 2021

Via Email: [info@calgarysdab.ca](mailto:info@calgarysdab.ca)

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs


We reside at \_\_\_\_\_

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

We respectfully request that the refusal of the application be upheld.

Kind regards,

  
Name: EMMAUEL & WINIFRED Akpan  
Address: 10 WEST CEDAR PL, SW  
CALGARY, AB, T3H 5T9.

**539**  
**Appeal Board rec'd: April 28, 2021**  
**Submitted by: M. Grewal, neighbour**

**From:** [Gursharan Grewal](#)  
**To:** [Calgary SDAB Info](#)  
**Subject:** [EXT] Appeal Number SDAB2021-0028  
**Date:** Wednesday, April 28, 2021 11:08:23 AM

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To Whom It May Concern,

My name is Manjinder Grewal (403-455-4290). I am the home owner and resident of 72 West Cedar Rise SW, which lies adjacent to the Subject Property to the Appeal.

I am responding to the letter mailed to us by the Subdivision & Development Appeal Board regarding the development of the Subject Property.

I agree with the City of Calgary's reason for refusal of the subdivision and development of the Subject Property. The homes in this particular neighbourhood are single family homes which are unique for the area in that they do not have neighbours backing to their property. The subject property is undeveloped with adequate vegetation to provide much needed privacy to all the residents / homeowners who's properties abut the Subject Property. At the nearest section of the Subject Property to my personal residence, there is a large open area providing privacy and distance from other neighbours due to the maintenance of space and vegetation by the Subject Property. The open area provided by the original Developer's decision to subdivide the cul-de-sacs into pie shaped lots also would support the argument that the original character of this area is one of adequate space and privacy between neighbours. Therefore, I agree with the original decision to not allow the development of the Subject Property due to the reasons given by the Board. It would be out of character for the area to develop the Subject Property and it would result in the loss of the privacy afforded to all properties surrounding it.

I have attached photos of the area and hope they are helpful in showing the privacy and space provided for the existing homes in the surrounding area by the current state of the Subject Property. Your server did not accept my e-mail, so I am the photos individually with the subject line as "Appeal Number SDAB2021-0028 Pic #". Thank you for your time and consideration in the matter of the Appeal.

Sincerely,

Manjinder Grewal























June 21, 2021

Via Email: [info@calgarysdab.ca](mailto:info@calgarysdab.ca)

City Appeal Boards  
Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

To whom it may concern:

RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs



We reside at 5 West Cedar Point Sw

We are opposed to appeal SDAB2021-0028 and the proposed subdivision of the parcel at 882 77 Street SW.

In our opinion, the City correctly refused the subdivision application. The proposed subdivision is not suitable for the parcel and will substantially differ from majority of the parcels in the immediate vicinity. In fact the development will not complement the establish character of the area.

We respectfully request that the refusal of the application be upheld.

Kind regards,

  
Mohammed Rahman  
&   
Dil Rahman  
5 West Cedar Point SW  
Calgary, AB  
T3H 5E3



June 15, 2021

Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

**RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs**

Dear Chair and Board Members:

The Westpark Residents Association (WPRA) is a non-profit society whose membership includes all the homeowners of the neighbourhood of Westpark. The WPRA encompasses 104 homes (Westpark Court SW, Westpark Place SW and Westpark Crescent SW, located to the immediate west of the subject parcel across 77 Street SW).

The WPRA is in support of the City's Subdivision Authority's decision to refuse the application SB2020-0029 to subdivide the parcel at 882 77 Street SW.

In the WPRA's opinion, the proposed subdivision is ill suited for the parcel. The proposed subdivision is inconsistent with the development and lot pattern in the surrounding neighbourhood.

Our association respectfully requests that the appeal be dismissed. Should you have any questions or concerns please contact the undersigned.

Sincerely, ,

Brian Bidyk  
Director

WESTPARK RESIDENTS' ASSOCIATION  
189, 917 85 Street S.W.  
Calgary, AB T3H 5Z9

[westparkresidents@gmail.com](mailto:westparkresidents@gmail.com)  
403-560-5942





*Cedar Springs*  
*Home Owners Association*  
West Cedar Rise/Point SW Calgary



June 21, 2021

Subdivision and Development Appeal Board  
P.O. Box 2100, Station M, #8110  
Calgary, AB T2P 2M5

**RE: SDAB 2021-0028/ SB2020-0029; Proposed subdivision at 882 77 Street SW;  
Tentative Plan - Conforming (Bare Land Condominium); West Springs**

Dear Chair and Board Members:

The Cedar Springs Homeowners Association (CSHA) is a non-profit society whose membership includes all the homeowners of the neighbourhood known as Cedar Springs. The CSHA encompasses 68 homes (on West Cedar Point SW and West Cedar Rise SW located to the immediate south and southeast of the subject parcel).

The CSHA is in support of the City's Subdivision Authority's decision to refuse the application SB2020-0029 to subdivide the parcel at 882 77 Street SW.

In the CSHA's opinion, the proposed subdivision is not suitable for the parcel and is not in keeping with the lotting pattern of the immediate neighboring parcels of land.

Our association respectfully requests that the appeal be dismissed.

Sincerely,

Mario Forcinito, President  
Cedar Springs Homeowners Association,

Address: 21 West Cedar Point SW  
T: (403) 809-1709  
E: mario4c@gmail.com



548

Appeal Board rec'd: June 23, 2021

Submitted by: WSCRCA West Springs/Cougar Ridge  
Community Association

Subdivision and Development Appeal Board (#8110)  
P.O. Box 2100, Station M  
Calgary, Alberta T2P 2M5

June 23, 2021

**Re: SDAB2021-0028/SB2020-0029; Subdivision refusal at 882 77 Street SW: PLAN 0210368; BLOCK D; LOT 22**

Attn: Subdivision and Development Appeal Board

The West Springs Cougar Ridge Community Association (WSCRCA) continues to oppose any development of PLAN 0210368; BLOCK D; LOT 22 (panhandle lot). Due to the irregular size and location, any development on this land would negatively impact adjacent homeowners. The community would prefer to see this land converted into a community greenspace, by means of a land-swap, with the current landowner.

A close examination of the past of Council's approval of this parcel's current land use designation reveals that it was granted on the *implicit condition* that the use be limited to a single-family residence with a secondary suite. To then rezone this land to a four-unit bare land condominium development, would be in direct contravention of Council's original intent.

The applicant's express purpose for seeking the 2016 re-designation to R-1s (LOC2016-0218, Bylaw 312D2016) now relied upon, was "to add **a secondary suite to a single family home**": see page 7 of the CPC Report to Council for its December 5, 2016 meeting. In keeping with that, the applicant told Council that he was "proposing one home here" and confirmed ("That's right") when asked whether "at one point you were hoping for four homes on the site but you've settled on **one** in the end". The applicant told Council he was "not sure where I'd put **the** house at this point" or whether the secondary suite would be a basement suite, an above-grade garden suite or a garage suite. In a related "motion arising" Council effectively treated the matter as an application for approval of a single secondary suite and directed "Administration to refund the application costs incurred by the applicant for this Land Use Amendment" on the basis that its practice had been to waive secondary suite development permit fees in other land use contexts, a refund of the \$5000 secondary suite fee for a suite that the applicant does not apparently have any intention of developing.

This long and narrow property, of an original panhandle acreage (15.23m X 183.78m), has a storied history of applications to the City. There were 2 opportunities for this land to be incorporated into the community. In 2001, the land parcel to the south was rezoned. The CPC report for that application noted that attempts to incorporate the panhandle lot were unsuccessful but did note that it could be incorporated in future development applications. Unfortunately, subsequent rezoning of the lands to the north of the parcel (2002LOC2002-031, Bylaw 49Z2003) once again did not include this anomalous segment of land. Hence the situation residents, and the community, are left with now. An oddly shaped, challenging piece of property that does not fit into the fabric of the community.

At a WSCRCA Planning Committee meeting on February 25th, 2020, attended by 21 residents representing 16 of the 24 adjacent homes, homeowners expressed grave concerns regarding subdivision application (SB2020-0029). Subsequently, The Westpark Residents Association, has also come forward to express concern with the application. These West Springs residents are very opposed to the possibility that a landowner could potentially be granted a *de facto* density increase through a subdivision application when this was not permitted by CPAG in 2016.

Suite 138, Unit 408, 917 - 85th St. SW,  
Calgary, Alberta

**SDAB2021-0028 Additional Submission** T3H 5Z9

403.770.8585 [www.wscr.ca](http://www.wscr.ca)



## West Springs/Cougar Ridge Community Association

In addition to this central issue, the WSCRCA has concerns over the following technical aspects of this application:

1. **Property Setbacks:** Three of the four condominium units have frontage onto 77th St. SW of only 1.2m. This is insufficient to claim frontage on the main street of 77th for these three units. (Unit 1 has a frontage of 11.0m on to 77th St. SW.). Therefore, the three easterly units, front onto the “private condominium roadway” which then dictates the front and rear property lines. The Land Use Bylaw dictates that the front setbacks should be no less than 3m (Div 6, 455(b)) and the rear setbacks should be 7.5m or more (Section 457). Thus, three of the lots designed in this application do not conform to the Bylaws for the R-1s Land Use District.
2. **Fire Safety:** The current building code identifies that there must be a turn-around facility for any dead-end portion of the access route more than 90 m long. It also stipulates (NBC 3.2.5.5 AE) that the principle entrance be located not less than 3m and not more than 15m from the closest portion of the access route. This parcel has a length of 183.78 m and therefore does not meet minimum fire code standards without providing a turn around.
3. **Nonconformity to the Municipal Development Plan:** the application does not fit in with the surrounding single-family homes in that it does not “respect the character of the low-density residential areas”, does not “complement the established character of the area”. In addition, it is certainly against the requirement to “not create dramatic contrasts in the physical development pattern” (Section 2.3.2 (a) & (c)). Having the condominium units oriented at right angles to the existing homes and only 1.2 m from rear property lines, is significantly different from any other development in the West Spring Cougar Ridge community.
4. **Shadowing and impingement of sight lines** will be significant for existing residents to the north and south.
5. **Surface water drainage** is a concern as much of the property will be built on or paved, thus significantly increasing water runoff onto neighbouring properties.

The original decision to deny the subdivision application was the right one and we that the City look for an *exceptional solution* that will require the applicant to conform to the original intent of the 2016 land use change.

We strongly urge the City to undertake all steps necessary to ensure that the applicant not be permitted to subvert the clear intention of Council, deviate from the assurances given to Council and accomplish indirectly what the applicant was unable to achieve directly. In other words, superficial and mechanistic reliance upon the technical land designation would permit the applicant to frustrate the manifest intention of Council and create unjust and inequitable consequences for adjacent owners in the process.

Our comments are based on the original application and appeal as presented. We reserve the right to comment on any changes that may occur from the current appeal or implications that may arise from the appeal process.

Regards,

Cara Molnar  
Director  
West Springs/Cougar Ridge Community Association

cc: **Jeff Davison**, Councillor Ward 6. Email: [jeff.davison@calgary.ca](mailto:jeff.davison@calgary.ca)  
cc: **Naheed Nenshi**, Mayor of Calgary. Email: [mayor@calgary.ca](mailto:mayor@calgary.ca)  
cc: **Clint Clark**, West Springs Resident. Email: [clint@clarklegal.com](mailto:clint@clarklegal.com)