

REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD

DATE: December 19, 2024	APPEAL NO.: SDAB2024-0079 FILE NO.: DP2024-07654
APPEAL BY: Michael Sector, Domic Hodel & Devin Goss (M. Sector will represent D. Hodel & D. Goss)	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY where a Relaxation: Single Detached Dwelling (existing) - building setback from side and rear property line was approved at <u>4904 15 Street SW.</u>	LAND USE DESIGNATION: R-CG Discretionary
COMMUNITY OF: Altadore	DATE OF DECISION: November 01, 2024
APPLICANT: Sheldon Streifel	OWNERS: Cherilyn Marie Chalmers Sheldon Joseph Streifel

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. The Board’s record may be viewed at the Appeal Board office at: 4th Floor, 1212 31 Avenue NE, Calgary, Alberta during regular office hours.

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.

Municipal Address of Site Under Appeal [required]	4904 15 Street SW
Development Permit/Subdivision Application/File Number [required]	DP2024-07654
Name of Appellant [required]	Michael Sector and as agent for Mr. Hodel and Goss
Agent Name (if applicable)	
Street Address [required]	4912 15 St. SW
hdnFullAddress	4912 15 Street Southwest Calgary AB T2T 4B6
City [required]	Calgary
Province [required]	Alberta
Postal Code [required]	T2T 4B6
Residential Phone # [required]	(403) 875-0051
Business Phone #	
Email Address [required]	msector@gmail.com

APPEAL AGAINST

Required field. Check one item only: for multiple appeals you must submit another Notice of Appeal.

Development Permit Approval

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons [required]

The requested relaxation is too large and inconsistent with other properties in the area, and it will negatively affect the neighbourhood and neighboring parcels of land. I am awaiting full DP application plans and reserve the right to provide other grounds once I have more information. I am appealing on behalf of myself and as agent for Mr. Domonic Hodel, Mr. Devin Goss, Ms. Andrea Tambay and will provide consents prior to the hearing if you require.

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

Estimated Presentation Time 45

Will you be using an agent/legal counsel? [required] Unknown

Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.)? [required] Unknown

If yes, what are the issues?

Do you anticipate bringing any witnesses/experts to your hearing? [required] Unknown

If yes, how many will you be bringing?

I confirm and acknowledge that

- *I have read and understood this form;*
- *The information I have provided is accurate to the best of my knowledge; and*
- *I am responsible for paying the appeal fee and my notice of appeal will not be considered filed until my appeal fee has been received.*

Submission Date 2024-11-26 20:03:39 MST

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. THIS INFORMATION WILL BE USED FOR PROCESSING YOUR APPEAL AND WILL BECOME PART OF A PUBLIC AGENDA. If you have any questions regarding the collection of this information, contact the Tribunal Coordinator, City Appeal Boards at 403-268-5312 or PO Box 2100, Stn "M", #8110, Calgary, AB, T2P 2M5.

If you require further information regarding appeal deadlines and procedures, please contact the SDAB office at:

Website: calgary.ca/sdab

Phone: (403) 268-5312

Email: info@calgarysdab.ca

From: [Michael Sector](#)
To: [Calgary SDAB Info](#)
Cc: [Katie Tedham](#); [Dominic Hodel](#); andreatambaydesign@gmail.com; devingoss@shaw.ca
Subject: [External] SDAB2024-0079 – 4904 15 Street SW – DP2024-07654 – Email from Appellants Michael Sector et al
Date: Tuesday, December 10, 2024 2:02:28 PM

This Message Is From an External Sender

This message came from outside your organization.

ATTENTION: Do not click links or open attachments from external senders unless you are certain it is safe to do so. Please forward suspicious/concerning email to spam@calgary.ca

Good afternoon,

I filed a notice of appeal on behalf of myself and other appellants as neighbours to the proposed development.

The appeal has been set for a procedural and jurisdictional meeting on December 19, and a submission deadline of December 10.

We do not have the SDAB record until after today's submission deadline and the file manager did not provide plans when asked. Thus, we will be unable to provide written submissions until we have that record in hand.

We have a formal authorization signed by myself and others, so we can delegate speaker(s) within our group of appellants to addresses various stages of the appeal. We will forward that shortly.

I can advise that due to work commitments, I will be unable to attend on December 19. Andrea Tambay, who is one of the other appellants and neighbours, will be present to speak for the group on that day as to time for argument, submission deadlines, availability for hearing dates, etc.

Kindly acknowledge receipt of this email as it is due by 4:00 p.m. today.

Should you have any questions or concerns, let me know.

Kind regards,

Michael Sector

On behalf of Katie Tedham, Dominic Hodel, Andrea Tambay and Devin Goss

Michael B. Sexter MD MSc. FRCSC
Division of Minimally Invasive Gynecologic Surgery
Clinical Assistant Professor, Department of Obstetrics and Gynecology
Foothills Medical Centre, University of Calgary

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From: [Fandrich, Jamie](#)
To: [Calgary SDAB Info](#)
Cc: [Planning Advisory & Coordination](#)
Subject: Appeal Response for: SDAB2024-0079 / DP2024-07654 at 4904 15 ST SW
Date: Tuesday, December 10, 2024 12:52:22 PM
Attachments: [SDAB2024-0079 Appeal Response.pdf](#)

Hello,

Attached is the appeal response for SDAB2024-0079.

Regards,

Jamie Fandrich, AT ([hear name](#))

Senior Planning Technician

Development & Subdivision Application Services | Community Planning

Planning and Development Services | The City of Calgary

C 403.651.5029 | jamie.fandrich@calgary.ca



The City of Calgary
Planning & Development Services

Development Authority Appeal Response

Appeal Number: SDAB2024-0079

Development Permit Number: DP2024-07654

Address: 4904 15 ST SW

Description: Relaxation: Single Detached Dwelling (existing) - building setback from side and rear property line

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

Community: Altadore

Identified Appeal Body:

Subdivision and Development Appeal Board (SDAB)

Development Authority Attendance: No

Use: Discretionary

Notice Posted: Not Required

Public Response(s) Received? No

Applicable Planning Policies:

- South Calgary/Altadore Area Redevelopment Plan

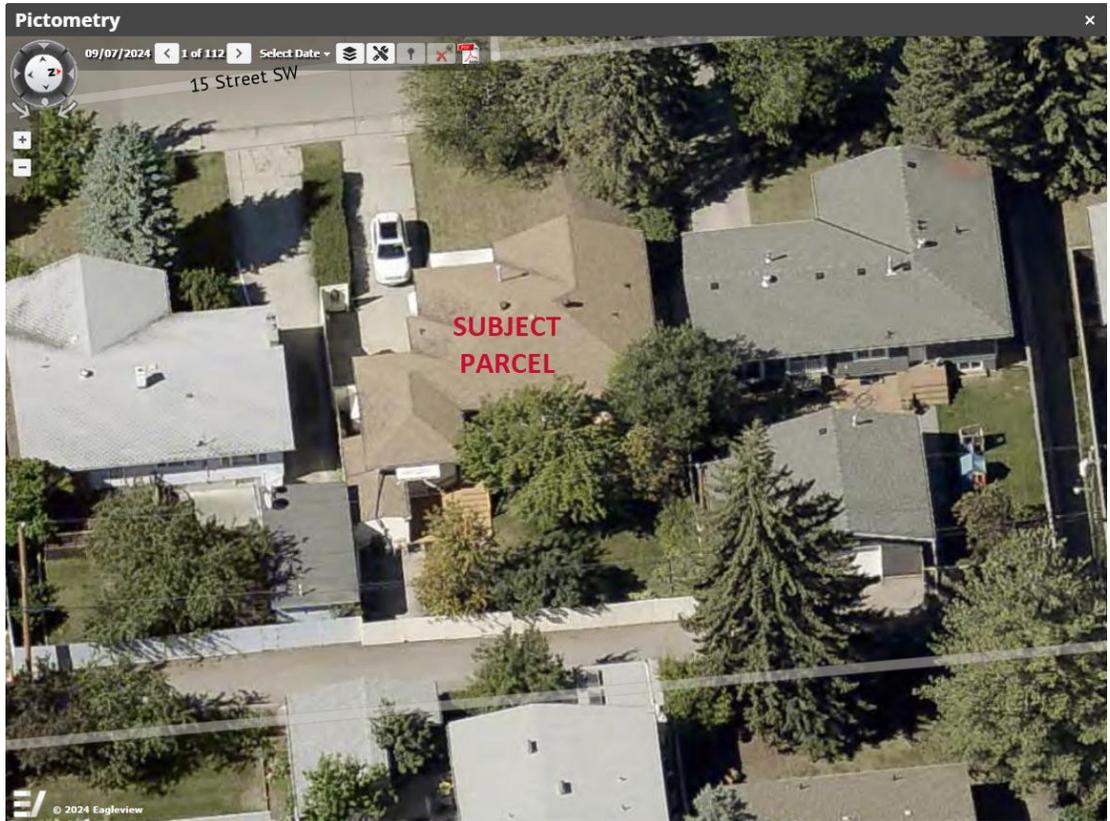
Bylaw Relaxations:

The development requires the following Land Use Bylaw relaxations:

Regulation	Standard	Provided
539 Building Setback from Side Property Line	(1) Subject to subsections (3) through (9), the minimum building setback from any side property line is 1.2 metres.	The plans indicate the Dwelling is 0.13m (-1.07m) from the side property line.
540 Building Setback from Rear Property Line	(1) Unless otherwise referenced in subsection (2) the minimum building setback from a rear property line is 7.5 metres.	The plans indicate the Dwelling is 6.7m (-0.8m) from the rear property line.

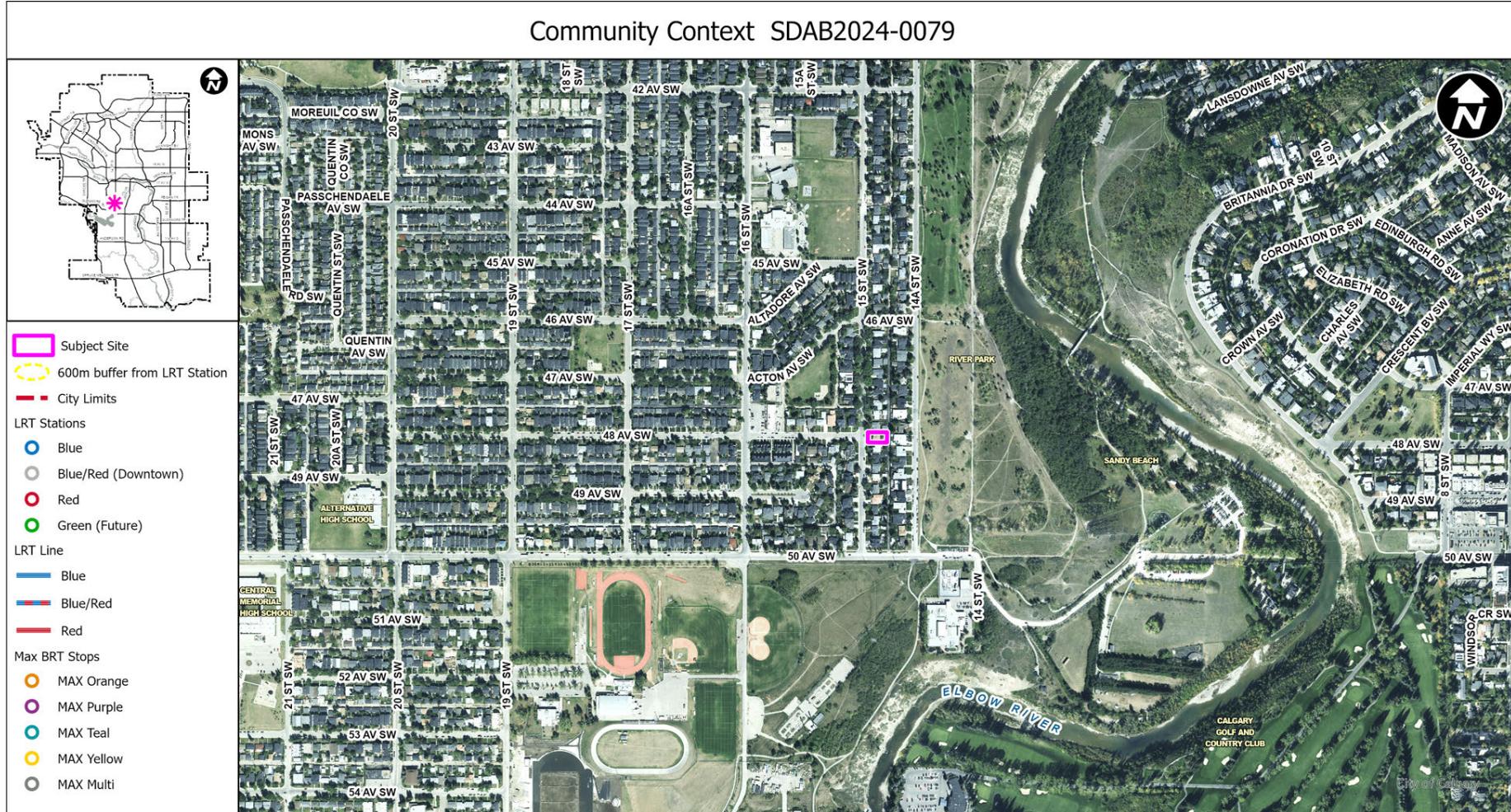
Additional Factors, Considerations, and/or Rationale:

1. The use of Single Detached Dwelling is a discretionary use in the R-CG District.
2. In making their decision the Development Authority applied Sections 35 and 36 of the Land Use Bylaw.
3. In response to the notice of appeal:
 - a. Current aerial photo dated September 7, 2024, of the subject parcel.



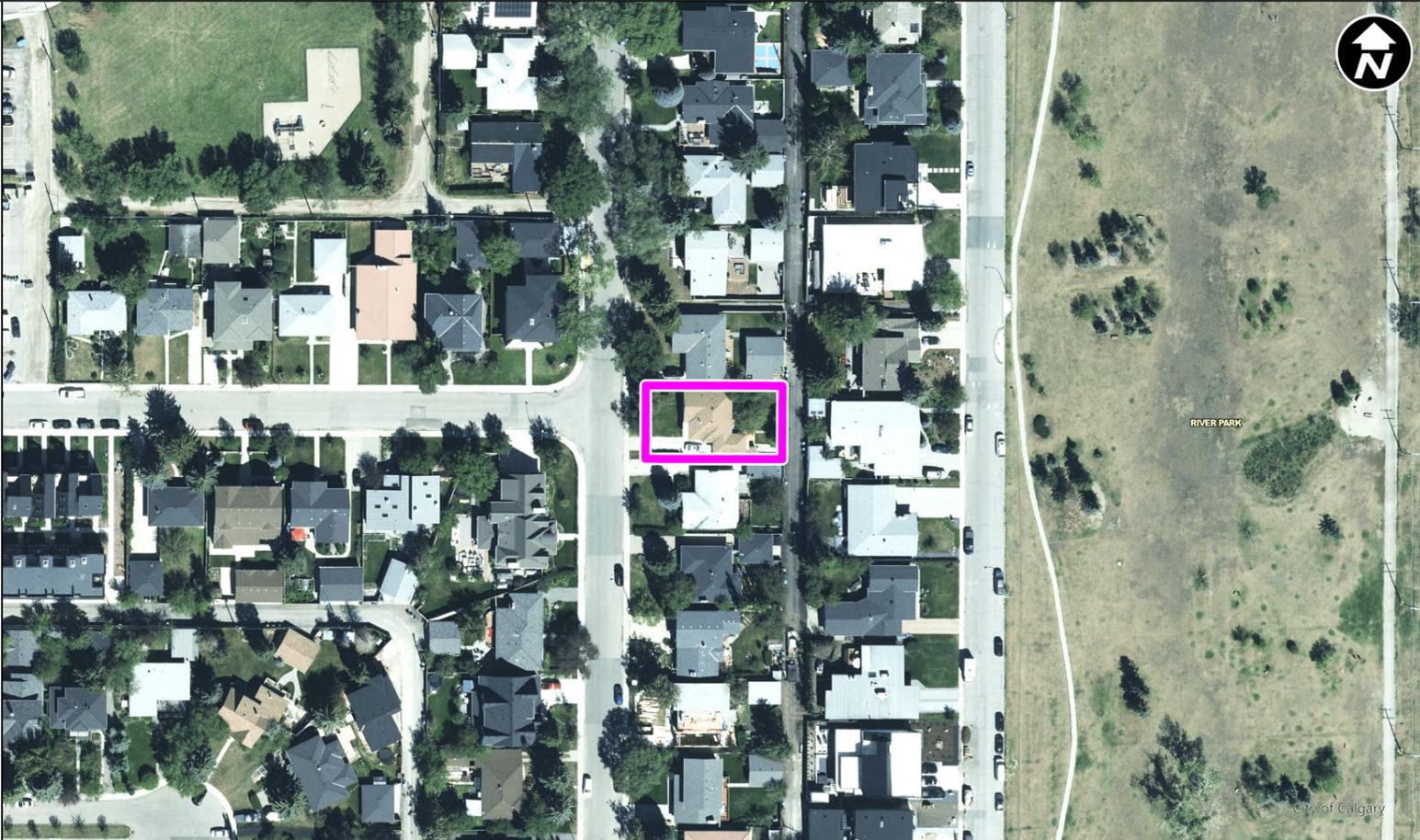
4. The Development Authority may provide additional submission prior to the merits hearing.

Community Context SDAB2024-0079

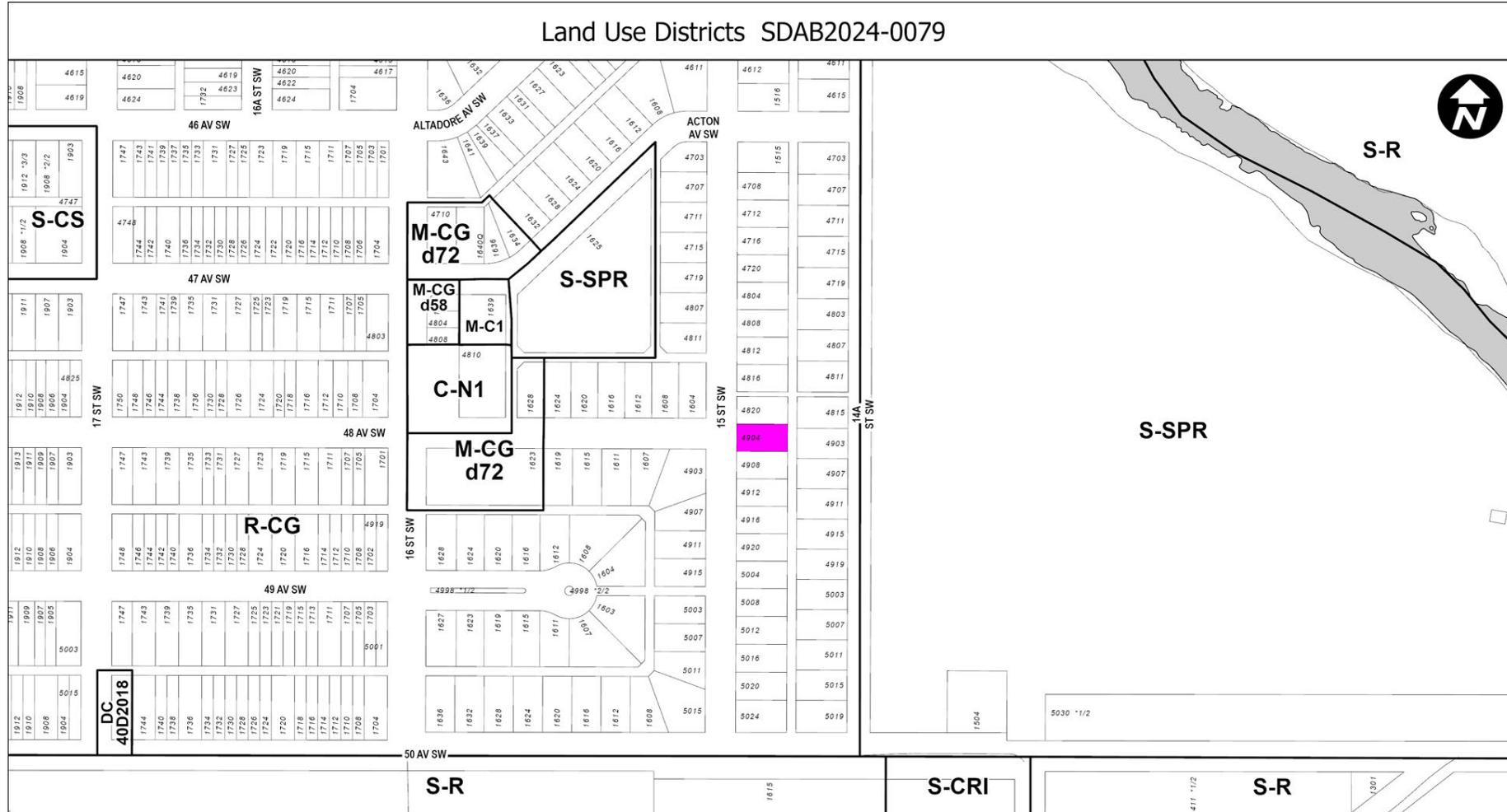


Site Context SDAB2024-0079

- Subject Site
- 600m buffer from LRT Station
- City Limits
- LRT Stations
 - Blue
 - Blue/Red (Downtown)
 - Red
 - Green (Future)
- LRT Line
 - Blue
 - Blue/Red
 - Red
- Max BRT Stops
 - MAX Orange
 - MAX Purple
 - MAX Teal
 - MAX Yellow
 - MAX Multi
 - Bus Stop

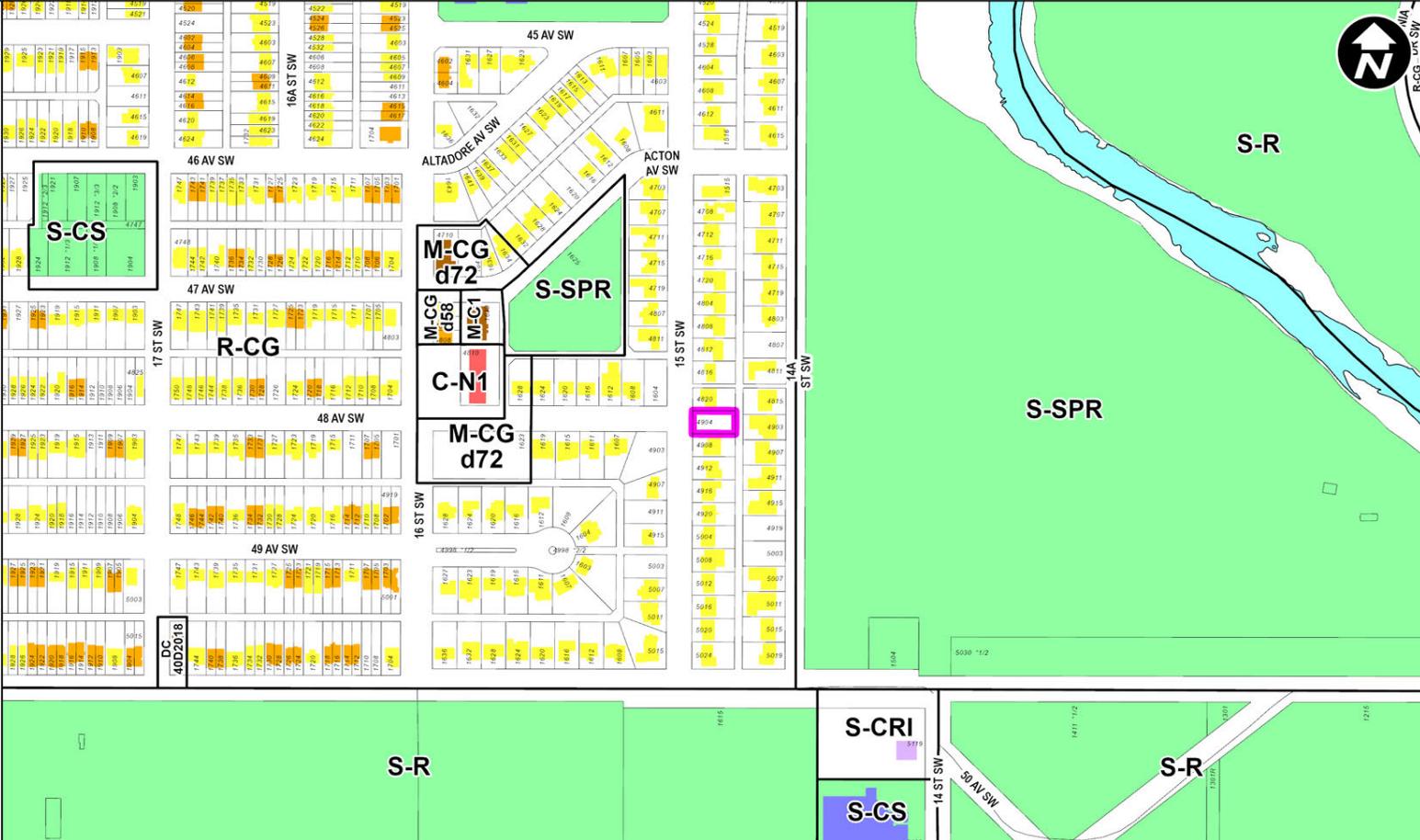


Land Use Districts SDAB2024-0079



Surrounding Land Use SDAB2024-0079

- Subject Site
- Land Use Designation Polygons
- Single Detached Dwelling
- Semi-Detached/Duplex Dwelling
- Rowhouse/Multi-Residential
- Commercial
- Heavy Industrial
- Light Industrial
- Parks & Openspace
- Service Station
- Vacant
- Transportation, Communication, and Utility
- Rivers, Lakes
- Public Service





November 01, 2024

Streifel, Sheldon
[REDACTED]

Dear Applicant:

RE: Notification of Decision:DP2024-07654

Subject: Relaxation: Single Detached Dwelling (existing) - building setback from side and rear property line

Address: 4904 15 ST SW

This is your notification of the decision of the Development Authority to approve the above noted application on November 1, 2024.

The development Permit approval is subject to the following conditions:

1. The relaxation is only for existing structure(s) as shown on the approved plans.
2. Should the existing structure(s) be demolished at any time in the future, any new buildings erected on the site shall comply with the minimum requirements of the Land Use Bylaw.
3. Approval of this Development Permit does not in any way exempt you from complying with the requirements of the Alberta Building Code.

The decision will be advertised beginning November 7, 2024 at www.calgary.ca/publicnotices, which is the start of the mandatory 21 day appeal period. The appeal period will conclude at midnight November 28, 2024. Release of the permit will occur within 2 - 4 business days following the conclusion of the appeal period.

If you wish to appeal, submit your appeal with reasons and the \$200.00 filing fee to the Subdivision and Development Appeal Board within 21 days of this notice of decision being given. The appeal may be filed online at www.calgarysdab.ca or in person or by mail.

Please note that this letter is to advise you of the conditions of approval, the mandatory advertising appeal period and the timeframe in which you may appeal this decision. If no appeals have been filed during the appeal period, your Development Permit will be released. Should you require clarification of the above or further information, please contact me at 587-224-4099 or by email at Garrett.Murray@calgary.ca and assist me by quoting the Development Permit number.

Sincerely,

Garrett Murray
Senior Planning Technician
Planning and Development



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

DP2024-07654

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

4904 15 ST SW

Community: **Altadore**

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

and legally described as:

148HE;1;30

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

Relaxation: Single Detached Dwelling (existing) - building setback from side and rear property line

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

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

Decision By: **Development Authority**

Date of Decision: **November 1, 2024**

Development Authority: **Melanie D Meadows**

File Manager: **Garrett Murray**

Release Date: November 29, 2024

This permit will not be valid if development has not commenced by: November 01, 2026

This Development Permit was advertised on: **November 07, 2024**

This is NOT a Building Permit

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

WARNING

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

Applicant: **Streifel, Sheldon**

Address:

City: , ,

Phone:



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

DP2024-07654

Complete Address and Legal Description listing for Development Permit DP2024-07654

Address Type	Address	Legal Description
Building	4904 15 ST SW	
Parcel	4904 15 ST SW	148HE;1;30



APPLICATION FOR A DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007

535013721-002
Taken By:

Application Date **Oct 28, 2024**

APPLICATION NO DP2024-07654

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

Total Fees: \$0.00

Cart #:

Applicant: **Streifel, Sheldon**

Address:

City: , ,

Phone:

Parcel Address: **4904 15 ST SW**

Legal: **148HE;1;30**

Building Address: **4904 15 ST SW**

Legal:

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

Community: **ALTADORE**

Sec. Number: **5C** Ward: **08**

Description: **Relaxation: Single Detached Dwelling (existing) - building setback from side property line**

Proposed Development is: **Discretionary**

Proposed Use: **Single Detached Dwelling**

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

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

Applicant / Agent Signature: _____ Date: _____

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

Track your application on-line with **VISTA** Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) XXXXXXXXXX
or call our Planning Support Centre at (403)268-5311.



October 3, 2024

THIRD ROCK GEOMATICS

Re: Stamp of Compliance – 4904 15 ST SW
Our file number: CC2024-10730

We have received your request for a Stamp of Compliance. The building setback area does not comply with Land Use Bylaw 1P2007. The main residential building (attached shed) is 0.14 metres from the side property line. The land use bylaw reads as follows:

PART 5: LOW DENSITY RESIDENTIAL DISTRICTS

Division 11: Residential – Grade-Oriented Infill (R-CG) (R-CGex) District

Building Setback from Side Property Line

539 (1) Subject to subsections (3) through (9), the minimum building setback from any side property line is 1.2 metres.

No record of a Development Permit for relaxation of the Land Use Bylaw was found on file, but your application can be transitioned to a relaxation request at no additional charge. If the Development Permit for relaxation is approved, it will act as compliance for the property.

The requirements to proceed with a relaxation request are as follows:

- Colour photographs (minimum of two different views) showing:
 - (a) The existing structure
 - (b) A visual account of the parcel and the surrounding area
 - (c) Label and identify each photograph
- If the application is being made by anyone other than the applicant named at the top of this letter, a copy of the RPR will need to be provided.

One or more City encroachments have been identified on the real property report.

Regards,

Kate Hindbo

Senior Planning Services Technician
Calgary Building Services
Planning & Development
403.268-5311 | Mail code #8108

For general information, please call 403-268-5311.

Your request for a Stamp of Compliance has been completed and it has been determined that you require a relaxation of the Land Use Bylaw to complete your request.

You can proceed to the next step by forwarding your request for additional review, along with photos visualizing the reasons we outlined, to CAS_epermit@calgary.ca.

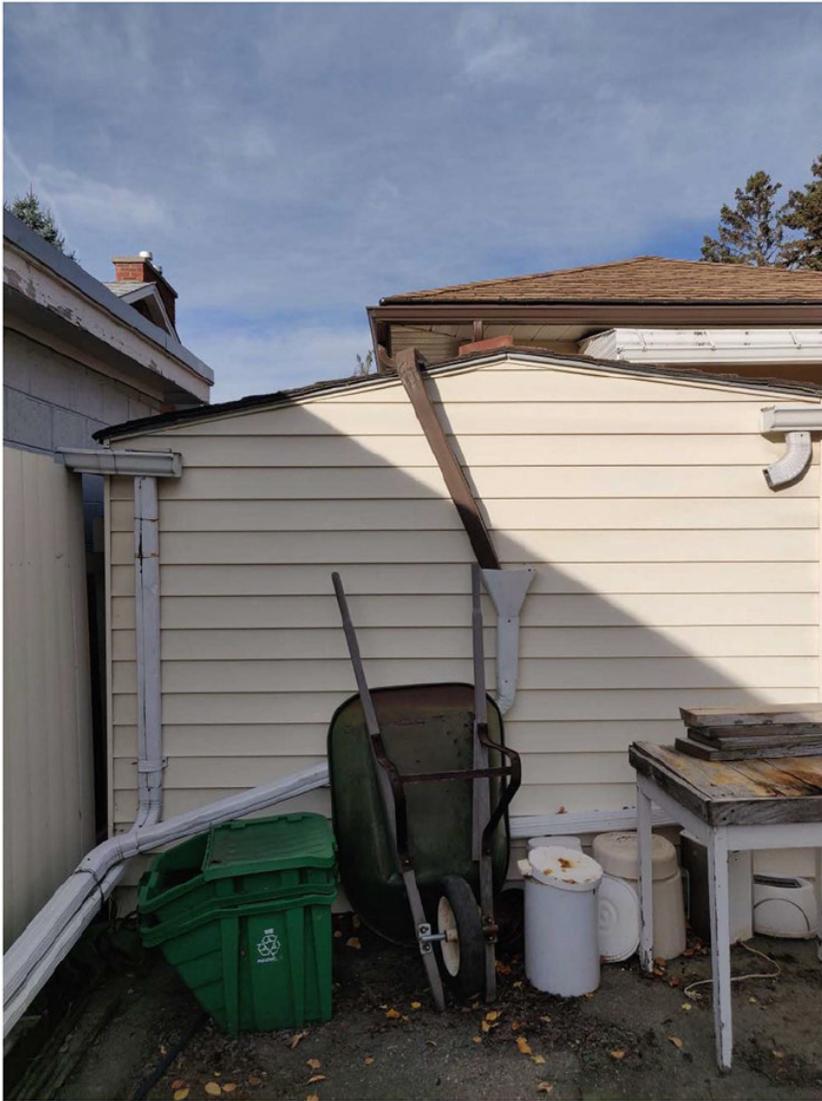
Please note that the additional review may take up to eight weeks and does not guarantee that a Stamp of Compliance will be issued.

If you wish to submit an updated real property report (RPR), you may re-apply by forwarding a copy to CAS_epermit@calgary.ca. If you have questions concerning your application, please contact the Planning Services Centre at 403-268-5311.

Please be aware that all Development Permits for existing relaxation will be reviewed and released via email. You will receive a stamped copy of the rear property report (RPR) along with the Development Permit in a digital format.

Calgary Building Services
Planning & Development
403-268-5311 | Mail code #8108







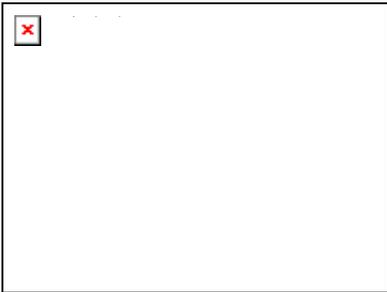






Knee, Judy

From: Garrett.Murray@calgary.ca
Sent: Wednesday, October 30, 2024 11:46 AM
To: [REDACTED]
Cc: Garrett.Murray@calgary.ca
Subject: DP2024-07654 COMPLETE APPLICATION 4904 15 ST SW



Re: DP2024-07654 COMPLETENESS REVIEW - 4904 15 ST SW

Dear Applicant,

I am the file manager who will be leading the review of your development permit application.

A review of your application has been undertaken and it has been determined that your application is a complete application. A comprehensive review is now underway. The comprehensive review may include notice posting and consultation with affected parties to gather planning information relevant to your application.

For more information about the development permit process please visit www.calgary.ca/dpprocess.

Please track your application, using your Job Access Code (JAC) DP2024-07654-02610, at www.calgary.ca/vista.

Should you have any questions or concerns, please contact me at your convenience.

Regards,

GARRETT MURRAY
Senior Planning Technician
Garrett.Murray@calgary.ca
587-224-4099
www.calgary.ca/PDMap

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

THIRD ROCK GEOMATICS

PO Box 216, Suite 104 1240 Kensington Road NW
 Calgary, Alberta T2N 3P7 Phone 587-333-4413



Description of Property:

Civic Address: 4904 15 Street SW, Calgary, Alberta
 Legal Address: Lot 30, Block 1, Plan 148HE

Certificate of Title: 241 058 394
 Owner(s): Catherine Christine Streifel
 Registered instrument affecting the extent of property: NONE
 Pending Registration DRR Received: F00BL2D
 Date of Title Search: September 10, 2024
 Date of Survey: September 16, 2024

I, Mark A. Sutter, Alberta Land Surveyor, hereby certify that this Report, which includes the attached plan and related survey, was prepared and performed under my supervision, direction, and control and in accordance with standards and rules for the practice of surveying prescribed by the Alberta Land Surveyors' Association. Accordingly, within those standards and as of the date of this Report, I am of the opinion that:

- the plan illustrates the boundaries of the subject Property, the improvements as defined in Part C, Section 6.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, and the defined limits of registered interests affecting the extent of the title to the subject Property;
- the improvements are entirely within the boundaries of the subject Property except: Concrete Driveway extends 0.50m, Concrete Walk extends 0.53m, and Wood fence extends 0.64m into Lane. Concrete Driveway extends 0.07m into Lot 7.
- no visible improvements situated on an adjoining property cross the boundaries of the subject Property except: NONE IDENTIFIED
- no visible improvements exist within the defined limits of any registered interests affecting the extent of the subject Property except: NONE IDENTIFIED

This is Page 1 of 2 for a Real Property Report and is ineffective if detached from Page 2

Notes: Distances are in metres and decimals thereof. Bearings are assumed from plan 148HE. All ties are perpendicular to property line, Side yard and setback distances are measured to concrete walls, except otherwise shown. All fences are within 0.20m of the property line unless otherwise noted. Eaves are measured to the foundation, unless otherwise noted.

Fd. - Found, Mk. - Mark, C.S. - Countersunk, AGL - Above ground level, Conc. - Concrete
 Δ - Central angle of curve, R - Radius, A - Arc Length, CK,m. - Check measured
 Calculated Position shown thus X
 Statutory Iron Post found shown thus ● Fd. I.
 Title boundary shown thus ————
 Fence shown thus ————

Dated at the City of Calgary, Alberta, September 18, 2024



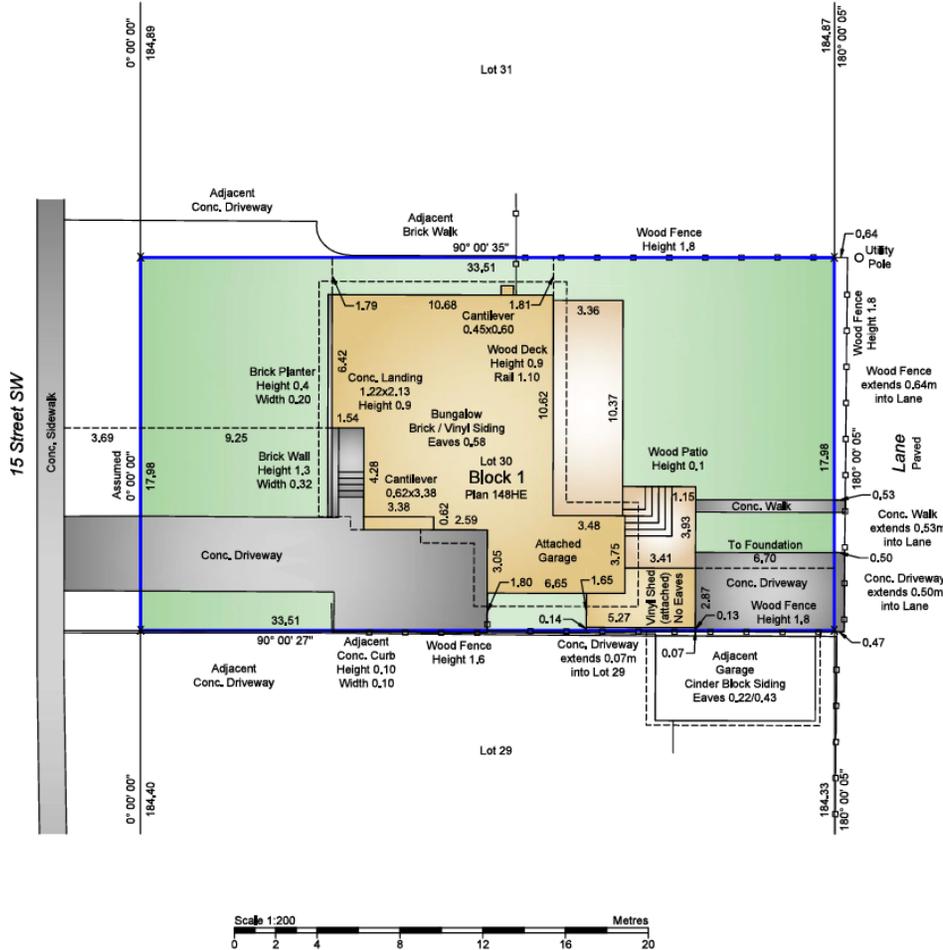
Mark A. Sutter, A.L.S., P.Surv. (Copyright reserved)
 This document is not valid unless it bears the original or digital signature of an Alberta Land Surveyor and a Third Rock Geomatics Ltd. permit stamp.

Purpose: This Report and attached plan have been prepared for the benefit of the subject Property owner, subsequent owners, and any of their agents for the purposes of a land conveyance, support of a subdivision application, a mortgage application, or a submission to the municipality for a compliance certificate. Copying is permitted only for the benefit of these parties, and only if the plan remains attached.

The owner is responsible for the review of this Real Property Report and to report any discrepancies or omissions within 3 months of the issuance of this report to the surveyor. Failure to report the discrepancies relieves Third Rock Geomatics Ltd. of any future liabilities or claims. Some improvements may not be shown if they are, in the opinion of the surveyor, considered to be temporary or do not substantially affect the value of the property.

Where applicable, registered interests affecting the extent of the Property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the survey for this Report. The attached plan should not be used to establish boundaries (e.g., for fencing) because of the risk of misinterpretation or measurement error by the user. The information shown on this Report reflects the status of this subject Property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements because subsequent development changes will not be reflected on the existing Real Property Report.

File: 24-0332 148HE;1;30 | Drawing Name: 24-0332.dwg | Plot Date: 2024-09-18 07:35 AM



ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

THIRD ROCK GEOMATICS

PO Box 216, Suite 104 1240 Kensington Road NW
 Calgary, Alberta T2N 3P7 Phone 587-333-4413



Description of Property:

Civic Address: 4904 15 Street SW, Calgary, Alberta
 Legal Address: Lot 30, Block 1, Plan 148HE
 Date of Survey: September 16, 2024

Notes: Distances are in metres and decimals thereof, Bearings are assumed from plan 148HE.
 All ties are perpendicular to property line. Side yard and setback distances are measured to concrete walls, except otherwise shown. All fences are within 0.20m of the property line unless otherwise noted. Eaves are measured to the foundation, unless otherwise noted.
 Fd. - Found, Mk. - Mark, C.S. - Countersunk, AGL - Above ground level, Conc. - Concrete
 Δ - Central angle of curve, R - Radius, A - Arc Length, CK, m - Check measured
 Calculated Position shown thus X
 Statutory Iron Post found shown thus ● Fd. I.
 Title boundary shown thus ————
 Fence shown thus —○—○—○—○—

This is Page 2 of 2 for a Real Property Report
 and is ineffective if detached from Page 1

