

REPORT TO THE SUBDIVISION AND  
DEVELOPMENT APPEAL BOARD

<b>DATE:</b> March 27, 2025	<b>APPEAL NO.:</b> SDAB2025-0021 <b>FILE NO.:</b> DP2024-08329
<b>APPEAL BY:</b> Catherine Allan	
<b>FROM A DECISION OF THE DEVELOPMENT AUTHORITY</b> where a  <b>New: Accessory Residential Building (garage), Backyard Suite (above garage)</b>  <b>was approved at <u>2501 35 Street SE</u></b>	<b>LAND USE DESIGNATION: R-CG</b>  <b>Discretionary</b>
<b>COMMUNITY OF:</b> Southview	<b>DATE OF DECISION:</b> February 21, 2025
<b>APPLICANT:</b> Mohamad Chehade	<b>OWNERS:</b> Mohamad Chehade

**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: 4<sup>th</sup> 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] 2501 35 Street SE Calgary Alberta

Development Permit/Subdivision Application/File Number [required] SOUTHVIEW DP2024-083

Name of Appellant [required] Catherine Allan

Agent Name (if applicable)

Street Address [required] 2522 Sable Drive SE

hdnFullAddress 2522 Sable Drive SE Calgary AB T2B 1S2

City [required] Calgary

Province [required] Alberta

Postal Code [required] T2B 1S2

Residential Phone # [required] (403) 235-2894

Business Phone #

Email Address [required] ch\_allan@telus.net

## 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 owner of this property already has one secondary suite in the basement (unregistered). To grant the approval of a garage suite would mean there are three separate residences on this one property. Considering the owner did not register the basement suite, one would have to question the ethics of the application. I fully support increased housing in the form of secondary suites but this application represents more than that - namely an owner who wishes to increase his bottom line regardless of the impact on the community, and only following the rules when it suits.

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

Estimated Presentation Time

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

No

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]

No

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

2025-02-28 14:12:53 MST

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*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.*

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

Website: [calgary.ca/sdab](http://calgary.ca/sdab)

Phone: (403) 268-5312

Email: [info@calgarysdab.ca](mailto:info@calgarysdab.ca)

**Cody, Kimberly**

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**From:** Calgary SDAB Info  
**Sent:** Tuesday, March 4, 2025 1:59 PM  
**To:** ch\_allan@telus.net  
**Cc:** Calgary SDAB Info  
**Subject:** Confirmation of Appeal: SDAB2025-0021  
**Attachments:** SDAB2025-0021 Notice of Appeal.pdf

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

The Subdivision and Development Appeal Board is in receipt of the Notice of Appeal (attached) on February 28, 2025. As of this today, we do not see an associated payment for the appeal filing in our payment processing system. Please advise if you plan to deliver payment in cash or by cheque to our office (4th Floor, 1212 31 Ave NE). 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. If you prefer to complete payment online, please contact us for instructions.

Once the appeal has been scheduled to be heard by the Board, a formal Notice of Hearing will be provided. We encourage you to reference our website at [Participating \(calgary.ca\)](https://www.calgary.ca/participating) for information on preparing for an appeal hearing.

Thank you,

**SDAB Admin**

Municipal Boards & Governance  
Office: 4<sup>th</sup> Flr, 1212 31 Avenue NE  
Mail: PO Box 2100, Station M, MC #8110 | Calgary, AB T2P 2M5  
General Phone Line: 403.268.5312 | [calgarysdab.ca](https://www.calgarysdab.ca)

**From:** [C. Allan](#)  
**To:** [Calgary SDAB Info](#); [CLWARD9 - Vacant](#); [svcarentals@gmail.com](mailto:svcarentals@gmail.com)  
**Subject:** [External] Re: Confirmation of Appeal: SDAB2025-0021 -> Juris Non-Payment  
**Date:** Tuesday, March 4, 2025 4:58:22 PM

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**This Message Is From an Untrusted Sender**

You have not previously corresponded with this sender.

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](mailto:spam@calgary.ca)

Thank you for the email. I received a telephone call yesterday but when I called, the number provided, the phone just rang. I can only assume you did not want to hear from me.

I did not attach a payment as to make an appeal, it was not indicated prior to my application, that I needed to pay \$200. As a senior, I'm sure you can appreciate that this is an amount that is beyond my budget. And as you know, by previous submission, that I opposed this permit. There is absolutely no indication that by paying the appeal fee, that there would be a different planning permission decision.

I restate my opposition to this application as the owner already has a secondary basement suite (unregistered) at this address. To increase the residences at this address would be more than a secondary suite application and that there would be three residences at this address. And that the owner did not apply for a registered secondary suite (basement) one would have to question the ethics of this application.

However, since City of Calgary Planning has decided to approve this application, I can only assume there is no consideration to community standards nor to the city standards regarding secondary suites. It would appear to any observer, that the City of Calgary Planning Department does not take into consideration any opposition to planning proposal, regardless of the validity of opposition.

I will not submit the \$200. However, I have copied the community association and the counselor to ensure they are both up-to-date on the application. And should there be future issues with this property, the City of Calgary will have been deemed notified. I will also copy the Mayor on this issue.

Catherine Allan

On Tue, Mar 4, 2025 at 1:59 PM Calgary SDAB Info <[Info@calgarysdab.ca](mailto:Info@calgarysdab.ca)> wrote:

The Subdivision and Development Appeal Board is in receipt of the Notice of Appeal (attached) on February 28, 2025. As of this today, we do not see an associated payment for the appeal filing in our payment processing system. Please advise if you plan to deliver payment in cash or by cheque to our office (4th Floor, 1212 31 Ave NE). 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. If you prefer to complete payment online, please contact us for instructions.

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Thank you,

**SDAB Admin**

Municipal Boards & Governance

Office: 4<sup>th</sup> Flr, 1212 31 Avenue NE

Mail: PO Box 2100, Station M, MC #8110 | Calgary, AB T2P 2M5

General Phone Line: 403.268.5312 | [calgarysdab.ca](https://calgarysdab.ca)

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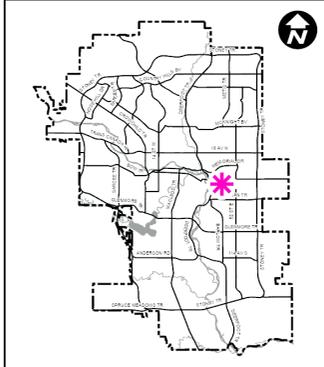
NOTICE -

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.

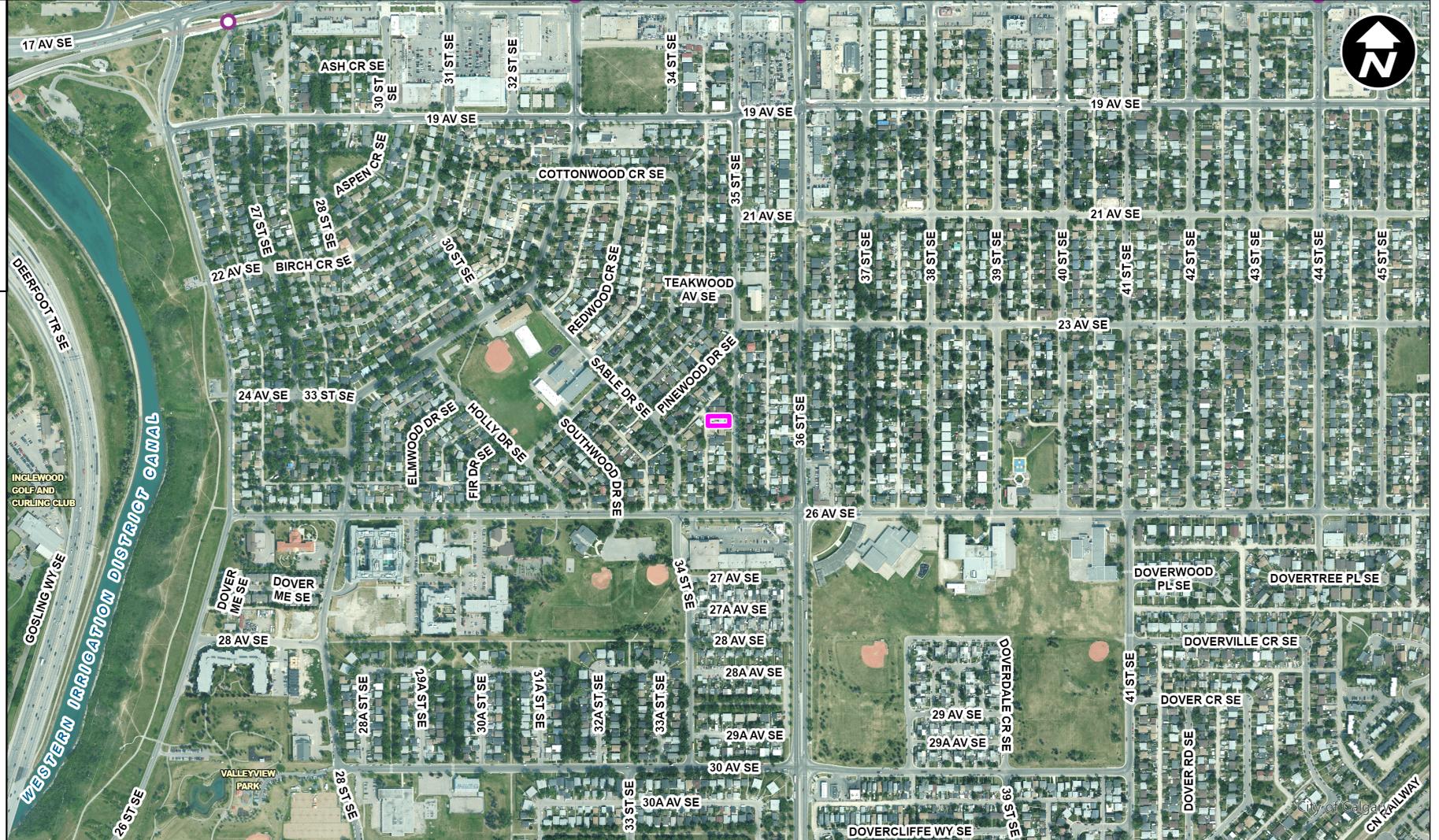
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Catherine Allan

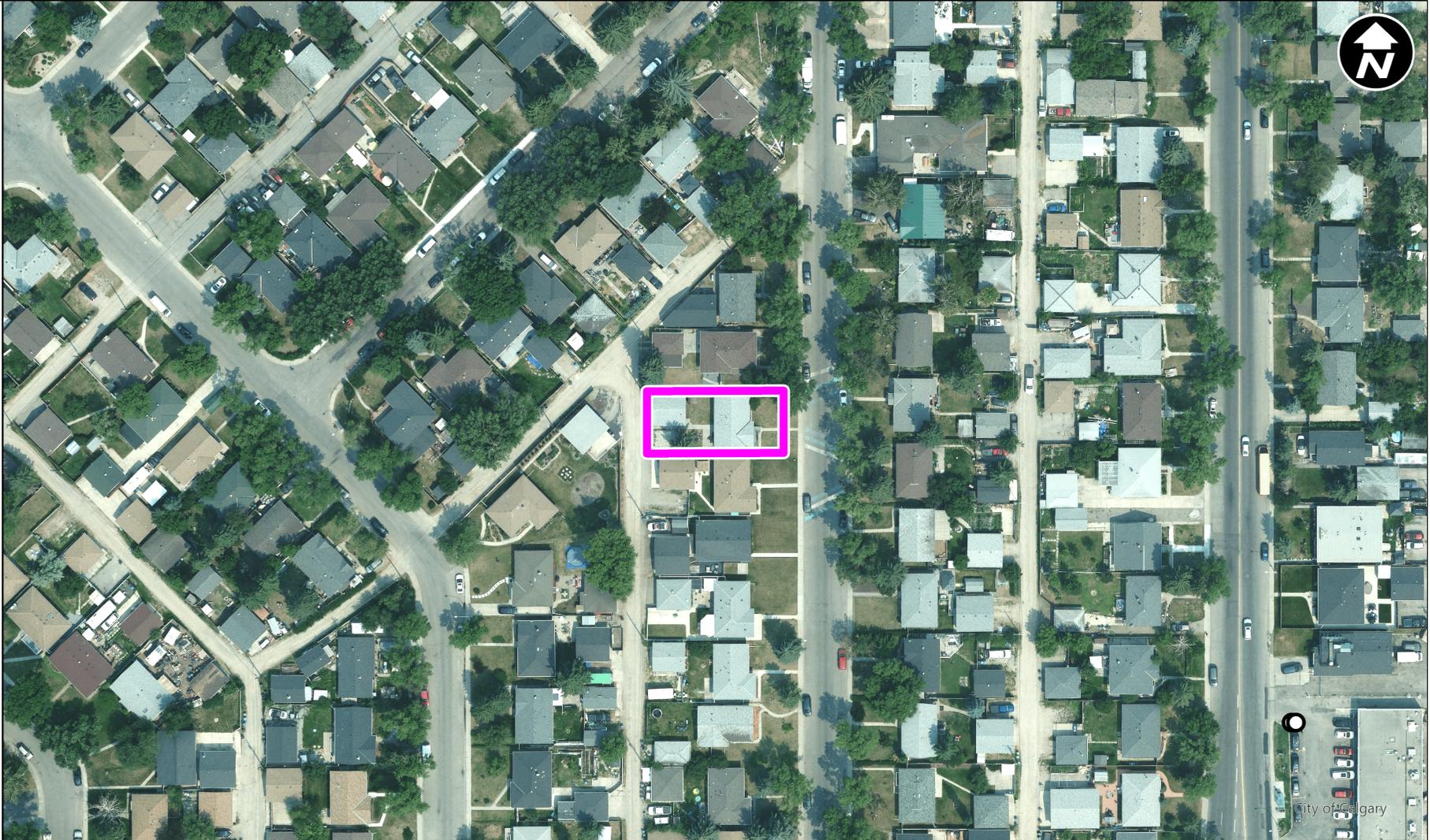
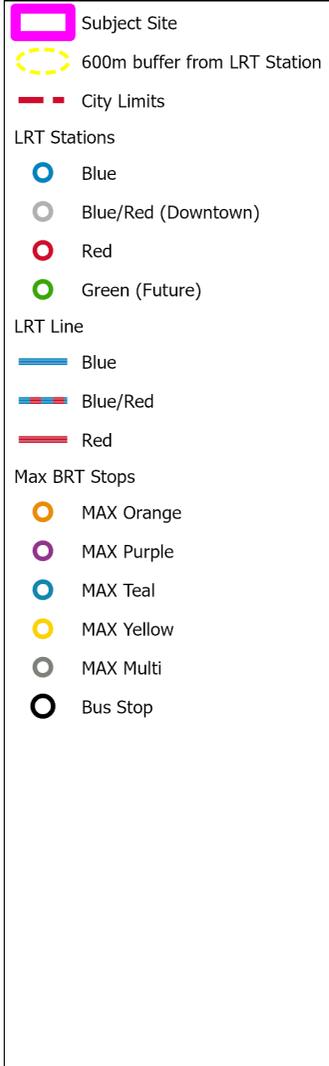
# Community Context SDAB2025-0021



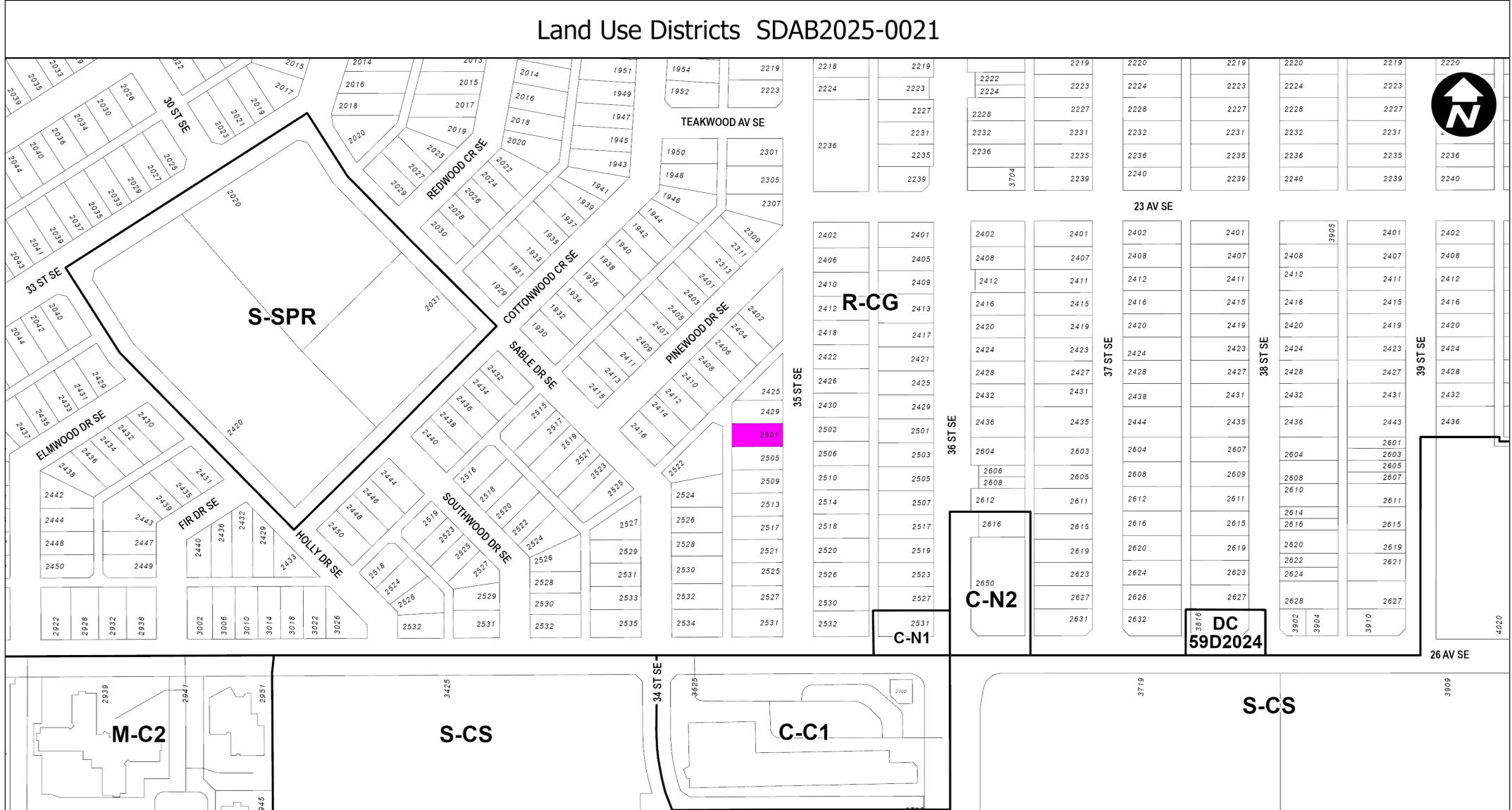
- Subject Site
- 600m buffer from LRT Station
- City Limits
- LRT Stations
  - Blue
  - Blue/Red (Downtown)
  - Red
  - Green (Future)
- LRT Line
  - Blue
  - Blue/Red
  - Red
- Max BRT Stops
  - MAX Orange
  - MAX Purple
  - MAX Teal
  - MAX Yellow
  - MAX Multi



Site Context SDAB2025-0021



Land Use Districts SDAB2025-0021



Surrounding Land Use SDAB2025-0021

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





February 24, 2025

CHEHADE, MOHAMAD



Dear Applicant:

**RE: Notification of Decision: DP2024-08329**

**Subject: New: Accessory Residential Building (garage), Backyard Suite (above garage)**

**Address: 2501 35 ST SE**

This is your notification of decision by the Development Authority to approve the above noted application on February 21, 2025.

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

Development approved by this permit must commence by February 21, 2027 or the development permit shall cease to be valid. The decision will be advertised beginning February 27, 2025 at [www.calgary.ca/publicnotices](http://www.calgary.ca/publicnotices), which is the start of the mandatory 21-day appeal period. This appeal period will conclude at midnight March 20, 2025. Release of the permit will occur within 2-4 business days following the conclusion of the appeal period and upon receipt of all Prior to Release requirements.

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](http://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](mailto:Garrett.Murray@calgary.ca) and assist me by quoting the Development Permit number.

Yours truly,

Garrett Murray  
Senior Planning Technician  
Planning and Development  
Attachment(s)



DEVELOPMENT PERMIT  
LAND USE BYLAW NO 1P2007

DP2024-08329

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

**2501 35 ST SE**

Community: **Southview**

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

and legally described as:

**7733HK;6;11**

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

**New: Accessory Residential Building (garage), Backyard Suite (above garage)**

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: **February 21, 2025**

Development Authority: **Melanie D Meadows**

File Manager: **Garrett Murray**

Release Date: \_\_\_\_\_

**This permit will not be valid if development has not commenced by: February 21, 2027**

This Development Permit was advertised on: **February 27, 2025**

**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: **CHEHADE, MOHAMAD**

Address:

City:

Phone:



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

**DP2024-08329**

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**Complete Address and Legal Description listing for Development Permit DP2024-08329**

<b>Address Type</b>	<b>Address</b>	<b>Legal Description</b>
Building	2501 35 ST SE	
Parcel	2501 35 ST SE	7733HK;6;11



## Conditions of Approval – Development Permit

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<b>Application Number:</b>	<b>DP2024-08329</b>
<b>Application Description:</b>	New: Accessory Residential Building (garage), Backyard Suite (above garage)
<b>Land Use District:</b>	Residential - Grade-Oriented Infill
<b>Use Type:</b>	Discretionary
<b>Site Address:</b>	2501 35 ST SE
<b>Community:</b>	SOUTHVIEW
<b>Applicant:</b>	CHEHADE, MOHAMAD
<b>Planning:</b>	GARRETT MURRAY 587-224-4099 Garrett.Murray@calgary.ca

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## Permanent Conditions

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The following permanent conditions shall apply:

### Planning

1. The development shall be completed in its entirety, in accordance with the approved plans and conditions. The stamped and signed plans are a legal document.
2. No changes to the approved plans shall take place unless authorized by the Development Authority. If changes to the development occur or are proposed, a new development permit or revised plan application may be required.

## Advisory Comments

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The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

### Planning

3. The Applicant may appeal the decision of the Development Authority, including any of the conditions of the development permit. If you decide to file an appeal, please refer to the notification of decision letter for the appropriate appeal body and appeal process.
4. Building Regulations advises of the following:  
A review of Division B., 9.10.15. could not be completed. Please insure the glazing and spacial separation requirements are met. The following was not provided.
  1. Please provide the rear elevation of the existing house facing the suites. Provide the spacial calculations for the existing dwelling and the proposed dwelling unit. You will find this request in the back yard suite checklist at: <https://www.calgary.ca/content/dam/www/pda/pd/documents/permit-checklists/backyard-suite-permit-checklist.pdf>  
  
Amended plans may require further review or circulation. Please note that a full plans review has not been completed, and further issues may arise upon full building permit application review.
5. The approval of this development permit does not limit in any way the application of any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline, nor does it constitute any permit or permission under any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline.
6. This development permit has not been reviewed for potential issues with the National Building Code - current Alberta Edition. You may require a Building Permit in addition to this development permit in which case compliance with the Code will be assessed through a Building Permit application. Should a Building Permit review require changes to the approved development permit, the changes must be to the satisfaction of the Development Authority and are potentially subject to a new development permit.
7. All plumbing services including sanitary, storm and water must be verified onsite by the owner and/or builder to ensure the size and location is compliant with the National Plumbing Code of Canada for the number of fixtures being installed. The waterline must be of the size that is indicated on the grade slip, but in no case smaller than 1 in size.
8. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property.

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.

Property owners must evaluate whether this development is in compliance with any documents registered on title.

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 3 of 3



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

550367920-001  
Taken By:

Application Date **Nov 26, 2024**

**APPLICATION NO DP2024-08329**

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: **CHEHADE, MOHAMAD**

Address:

City:

Phone:

Parcel Address: **2501 35 ST SE**

Legal: **7733HK;6;11**

Building Address: **2501 35 ST SE**

Legal:

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

Community: **SOUTHVIEW**

Sec. Number: **9E** Ward: **09**

Description: **New: Accessory Residential Building (garage),  
Backyard Suite (above garage)**

Wdwelling Units: 1

Proposed Development is: **Discretionary**

Proposed Use: **Accessory Residential Building  
Backyard Suite**

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

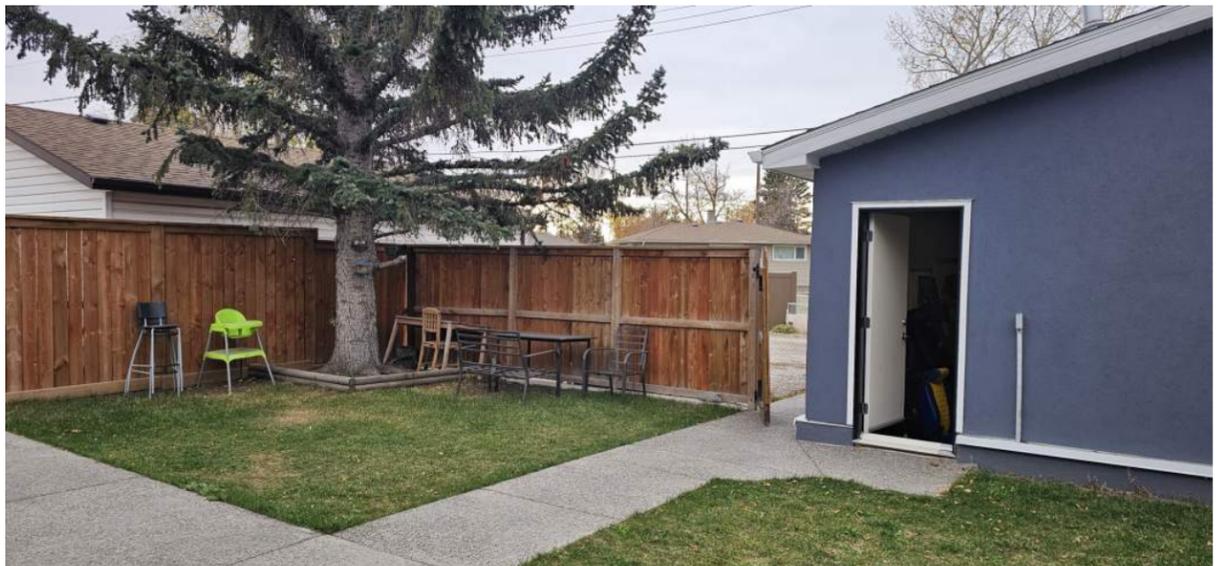
By signing below, I confirm that the contact information provided above is accurate and further, acknowledge the ability of the General Manager - Planning and Development to inactivate and cancel incomplete applications.

Applicant / Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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) **DP2024-083**   
or call our Planning Support Centre at (403)268-5311.

**SDAB2025-0021**



 <p>13 LAKESIDE GREENS CLOSE CHESTERMERE, ALBERTA T1X 1C2 403-975-8496</p>	<p>CLIENT: Owner</p>	<p>Main Floor: 971 sf</p>	<p>Basement:</p>
		<p>Upper Floor: 885 sf</p>	<p>Garage:</p>
<p>Drawing Title: Photos</p>			<p>2024-11-24</p>
<p>Project Name: 2501 35 Street SE Calgary, Alberta</p>			<p>SCALE DP5</p>



## Abandoned Well Declaration

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

Site Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

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.

- 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.

- 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.**
- 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.

- Who is submitting the Abandoned Well Declaration for this development?

Applicant  Owner  Builder  Other \_\_\_\_\_

Company Name \_\_\_\_\_ Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_ Email \_\_\_\_\_

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

Yes  No

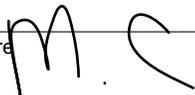
If you answered 'yes':

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

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature 

\_\_\_\_\_  
Applicant Name (Please Print)

\_\_\_\_\_  
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.



home Draw & Share

Tool Labels X



Go To Address

I want to...

Go to Address tool will enable users to zoom to any location with a permanent address. If rural addresses are used, the appropriate postal code is required to perform the search. Results are returned based on best match. Examples:

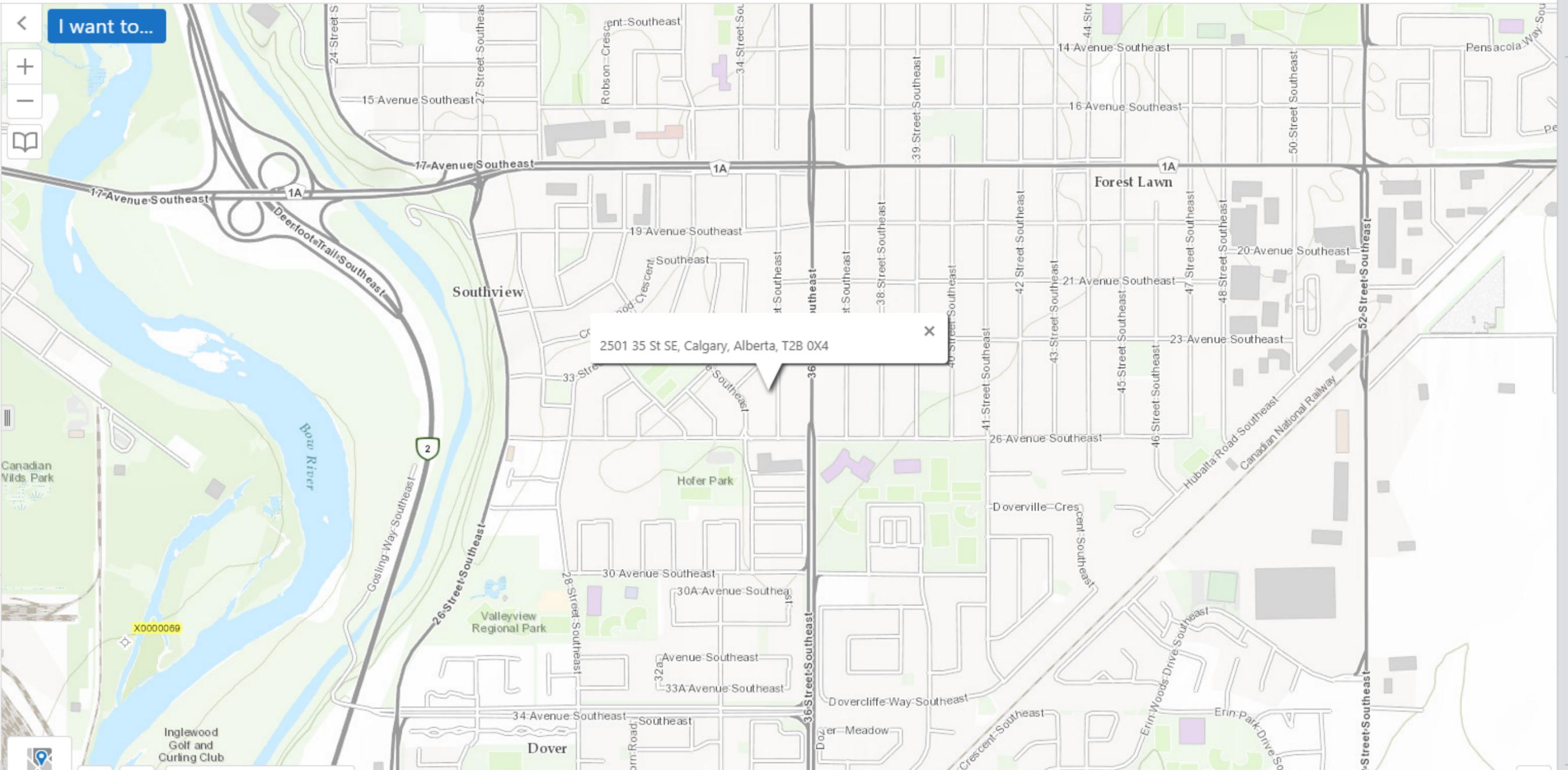
- 9820 - 106 Street Edmonton, Alberta
- 346 - 3 Street SE Medicine Hat, Alberta
- Township Rd 1044 Buffalo Head Prairie, AB T0H4A0
- 25005 Sturgeon Rd, Sturgeon County, Alberta T8T

2501 35 ST SE calgary

Clear Search

Click on result to turn label on or off. To zoom to a location check the 'Zoom To' checkbox and then click your result of interest.

- Zoom To
- 2501 35 St SE, Calgary, Alberta, T2B 0X4





Public Tree Disclosure Statement

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

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

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

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

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

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

Applicant   
  Owner   
  Builder   
  Other:

If Other:    Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

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

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



### Site Contamination Statement

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

Site Address: 2501 35 st se Calgary ab

Legal Description: Lot 11 block 6 plan 7733

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

X

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

Yes  No

Examples include (but are not limited to):

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

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

\_\_\_\_\_  
\_\_\_\_\_

5. Have any permits been issued or are you currently operating under a license or approval issued by federal or provincial authorities (including, but not limited to the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board, Alberta Utilities Commission, Minister of Environment and Parks) or the Calgary Fire Department for activities which may impact the property? (e.g. certificates of approval, storage tank regulations, plant operating permits)

Yes  No

If yes, please describe:

\_\_\_\_\_  
\_\_\_\_\_

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

Yes  No

If yes, please provided a brief description:

\_\_\_\_\_  
\_\_\_\_\_

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

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

Dec 4 2024  
Date

Applicant Signature

M.C

Mohamad E

Applicant Name (Please Print)

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.



January 10, 2025

CHEHADE, MOHAMAD



Dear Applicant:

**RE: Detailed Review (DR)**

**Development Permit Number: DP2024-08329**

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

The City endeavors to render decisions on applications within specific service standards. Please assist us in meeting these targets by ensuring your resubmission is complete and made in a timely manner. Please submit a digital set of the amended plan, in PDF format, along with a detailed response letter on how each of the Prior to Decision and/or Prior to Release conditions have been addressed and/or resolved.

This information must be received, in its entirety, no later than February 9, 2025. If a complete submission is not received by this date, the development permit may be inactivated and subject to a reactivation fee. If the development permit application is not reactivated, it may be cancelled by Administration as per Land Use Bylaw 1P2007, Section 41.1. If you require additional time to respond to the conditions outlined in this Detailed Review document, please let me know by contacting me.

Should you have any questions or concerns, please contact me at 587-224-4099 or by email at [Garrett.Murray@calgary.ca](mailto:Garrett.Murray@calgary.ca).

Sincerely,

**GARRETT MURRAY**  
Senior Planning Technician



## Detailed Review 1 – Development Permit

<b>Application Number:</b>	<b>DP2024-08329</b>
<b>Application Description:</b>	New: Accessory Residential Building (garage), Backyard Suite (above garage)
<b>Land Use District:</b>	Residential - Grade-Oriented Infill
<b>Use Type:</b>	Discretionary
<b>Site Address:</b>	2501 35 ST SE
<b>Community:</b>	SOUTHVIEW
<b>Applicant:</b>	CHEHADE, MOHAMAD
<b>Date DR Sent:</b>	January 10, 2025
<b>Response Due Date:</b>	February 9, 2025
<b>Planning:</b>	GARRETT MURRAY 587-224-4099 Garrett.Murray@calgary.ca

## Comments on Relevant City Policies

Bylaw Discrepancies		
Regulation	Standard	Provided
343 Fences	The height of a fence above grade at any point along a fence line must not exceed: (b) 2.0m in all other cases, and	Plans do not indicate the height of the proposed fence.
345 Accessory Residential Building	(6) The height of an Accessory Residential Building must not exceed: (b) 3.0m at any eaveline, when measured from the finished floor of the building; and	Plans indicate an eaveline height of 3.05m (+0.05m).
346 Restrictions on Use of Accessory Residential Building	(4) The area of a parcel covered by all Accessory Residential Buildings located on a parcel: (a) must not exceed the less of: (ii) 75.0m <sup>2</sup> for each Dwelling Unit located on the parcel; and	Plans indicate an area of 83.07m <sup>2</sup> (+8.07m <sup>2</sup> ).
352 Backyard Suite	(4.1) The maximum building height for a Backyard Suite is: (a) 5.0m measured from grade at a side property line shared with a parcel designated with a low density residential district; (c) increases at a 45 degree angle to a maximum of 7.5m at a proportional distance from the shared property line.	Plans indicate portions of building above the height chamfer cut from the north side property line.

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.

	(5) The maximum floor area of a Backyard Suite, excluding any area covered by stairways and internal landings not exceeding 2.5m <sup>2</sup> , is 75m <sup>2</sup> .	Plans indicate an area of 81.7m <sup>2</sup> (+6.7m <sup>2</sup> ).
	(9) A balcony attached to a Backyard Suite may project into a required setback area from a property line shared with a street or a lane to a minimum setback of 0.6m from the property line.	Plans indicate a setback of 0.33mm (-0.27m)>

## Prior to Decision Requirements

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

### Planning

1. Submit a complete set of the amended plans, by email in PDF format, to the Senior Planning Technician. The submitted plans must address the requirements listed in this document. Ensure that all plans affected by the revisions are amended accordingly.

## Permanent Conditions

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The following permanent conditions shall apply:

### Planning

2. The development shall be completed in its entirety, in accordance with the approved plans and conditions. The stamped and signed plans are a legal document.
3. No changes to the approved plans shall take place unless authorized by the Development Authority. If changes to the development occur or are proposed, a new development permit or revised plan application may be required.

## Advisory Comments

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The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

### Planning

4. The Applicant may appeal the decision of the Development Authority, including any of the conditions of the development permit. If you decide to file an appeal, please refer to the notification of decision letter for the appropriate appeal body and appeal process.
5. Building Regulations advises of the following:  
A review of Division B., 9.10.15. could not be completed. Please insure the glazing and spacial separation requirements are met. The following was not provided.
  1. Please provide the rear elevation of the existing house facing the suites. Provide the spacial calculations for the existing dwelling and the proposed dwelling unit. You will find this request in the back yard suite checklist at: <https://www.calgary.ca/content/dam/www/pda/pd/documents/permit-checklists/backyard-suite-permit-checklist.pdf>

Amended plans may require further review or circulation. Please note that a full plans review has not been completed, and further issues may arise upon full building permit application review.
6. The approval of this development permit does not limit in any way the application of any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline, nor does it constitute any permit or permission under any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline.
7. This development permit has not been reviewed for potential issues with the National Building Code - current Alberta Edition. You may require a Building Permit in addition to this development permit in which case compliance with the Code will be assessed through a Building Permit application. Should a Building Permit review require changes to the approved development permit, the changes must be to the satisfaction of the Development Authority and are potentially subject to a new development permit.
8. All plumbing services including sanitary, storm and water must be verified onsite by the owner and/or builder to ensure the size and location is compliant with the National Plumbing Code of Canada for the number of fixtures being installed. The waterline must be of the size that is indicated on the grade slip, but in no case smaller than 1 in size.
9. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property.

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.

Property owners must evaluate whether this development is in compliance with any documents registered on title.



Page 3		Residential - Grade-Oriented Infill (R-CG) District		D.P. #		2024-08329	
Rule	Requirements		Notes	Evaluation			
				Provided/Variance			
Secondary Suites	If applicable please refer to Secondary Suites Form			See Attached	N/A	N/I	
343 Fences <i>note: Only apply fence rules to</i>	The height of a fence above grade at any point along a fence	(b) 2.0m in all other cases, and		C	N/C	N/A	N/I
122 Standards for Motor Vehicle Parking Stalls	(4) The minimum width of a motor vehicle parking stall required for a Dwelling Unit is: (a) 3.0m where both sides of a stall abut a physical barrier; (b) 2.85m where one side of a stall abuts a physical barrier; and (c) 2.5m in all other		surplus pad stall not reviewed.	C	N/C	N/A	N/I

Page 6		Accessory Residential Building			D.P. #	2024-08329
Rule	Requirements				Evaluation	
					Provided/Variance	
<b>345 Accessory Residential Building</b>	(6) The height of an Accessory Residential Building must not exceed:	(b) 3.0m at any eaveline, when measured from the finished floor of the building; and		as shown on side and rear elevation (okay on front elevation)	<b>3.05</b>	<b>0.05</b>
<b>346 Restrictions on Use of Accessory Residential Building</b>	(4) The area of a parcel covered by all Accessory Residential Buildings located on a parcel:	(a) must not exceed the less of:	(ii) 75.0m <sup>2</sup> for each Dwelling Unit located on the parcel; and	Unit 1	<b>83.07</b>	<b>8.07</b>
				Unit 2		
				Unit 3		
				Unit 4		

Page 7		Backyard Suite				D.P. #	2024-08329								
Rule	Requirements					Evaluation									
						Notes				Provided/Variance					
<b>Note: Remember to check any applicable district rules</b>															
<b>352 Backyard Suite</b>	(1) For a Backyard Suite, the minimum building setback from a rear property line is:		(a) 1.5m for any portion of the building used as a Backyard Suite; and					1.50		0.00					
			(b) 0.6m for any portion of the building used as a private garage.					N/A							
	(2) Unless otherwise specified in the district, for a Backyard Suite, the minimum building setback from a side property line is 1.2m for any portion of the building used as a Backyard Suite.					South		2.52		1.32					
						North		1.20		0.00					
	(3) Unless otherwise referenced in subsections (3.1) and (3.2), a minimum separation of 5.0m is required between the closest facade of the main residential building to the closest façade of a Backyard Suite.							7.81		2.81					
								(3.1) The minimum façade separation in subsection (3) may be reduced to 1.5m where amenity space is provided at grade that:		N/A					
			(a) is adjacent to the main residential building and the Backyard Suite; and			C				N/C		N/A		N/I	
								(b) has no dimension less than 5.0m.			N/A				
	(3.2)(a) Where portions of a Backyard Suite meet the requirements of subsection (b) these portions may project:		(i) into a setback area from a property line shared with a street or a lane to a minimum building setback of 0.6m from the shared property line; and								N/A				
								(ii) 0.6m into a minimum separation area required in subsection (3) or the amenity space required in subsection (3.1);			N/A				
	(3.2)(b) Projections in subsection (a) must:		(i) not exceed 40% of the length of the façade on each storey for the total combined length of all projections;								%		Length		%
						1st st		X 40% =		N/A					
						2nd st		X 40% =							
			__st		X 40% =										
					(ii) each contain a window; and			C		N/C		N/A		N/I	
		(iii) each have a maximum length of 3.1m						N/A							
					(4) Unless otherwise referenced in subsection (4.1), the maximum building height for a Backyard Suite is 7.5m.					7.40		-0.10			

(4.1) The maximum building height for a Backyard Suite is:	(a) 5.0m measured from grade at a side property line shared with a parcel designated with a low density residential district;	(c) increases at a 45 degree angle to a maximum of 7.5m at a proportional distance from the shared property line.	North side	C	N/C	N/A	N/I
	(b) 3.0m measured from grade at a rear property line shared with a parcel designated with a low density residential district; and		C	N/C	N/A	N/I	
(5) The maximum floor area of a Backyard Suite, excluding any area covered by stairways and internal landings not exceeding 2.5m <sup>2</sup> , is 75m <sup>2</sup> .				81.71	6.71		
(6) The maximum floor area of a Backyard Suite may be relaxed by the Development Authority to a maximum of 10.0%.							
<b>Compliant</b>							-0.79
							8.95%
(8) A Backyard Suite may include a balcony where the balcony:	(a) projects from a façade that faces a property line shared with a lane or a street; or			C	N/C	N/A	N/I
	(b) includes a privacy wall that screens the balcony from a property line shared with a parcel designated with low density residential district where:	(i) the balcony is setback less than 4.0m from the shared property line; and (ii) the privacy wall is a minimum of 2.0m in height and a maximum of 3.0m in height.		C	N/C	N/A	N/I
(9) A balcony attached to a Backyard Suite may project into a required setback area from a property line shared with a street or a lane to a minimum setback of 0.6m from the property line.				0.60	0.00		

FILE: DP 2024-08329

DATE RECEIVED: January 29, 2025

<b>Bylaw Discrepancies</b>		
<b>Regulation</b>	<b>Standard</b>	<b>Provided</b>
345 Accessory Residential Building	(6) The height of an Accessory Residential Building must not exceed: (b) 3.0m at any eaveline, when measured from the finished floor of the building; and	Plans indicate an eaveline height of 3.05m (+0.05m) as shown on the side and rear elevations.
346 Restrictions on Use of Accessory Residential Building	(4) The area of a parcel covered by all Accessory Residential Buildings located on a parcel: (a) must not exceed the less of: (ii) 75.0m <sup>2</sup> for each Dwelling Unit located on the parcel; and	Plans indicate an area of 83.07m <sup>2</sup> (+8.07m <sup>2</sup> ).
352 Backyard Suite	(4.1) The maximum building height for a Backyard Suite is: (a) 5.0m measured from grade at a side property line shared with a parcel designated with a low density residential district; (c) increases at a 45 degree angle to a maximum of 7.5m at a proportional distance from the shared property line.	Plans indicate portions of building above the height chamfer cut from the north side property line.
	(5) The maximum floor area of a Backyard Suite, excluding any area covered by stairways and internal landings not exceeding 2.5m <sup>2</sup> , is 75m <sup>2</sup> .	Plans indicate an area of 81.71m <sup>2</sup> (+6.71m <sup>2</sup> ).



**Re: DP2024-08329 COMPLETENESS REVIEW - 2501 35 ST SE**

---

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 underwa

For more information about the development permit process please visit [www.calgary.ca/dpprocess](http://www.calgary.ca/dpprocess).

Please track your application, using your Job Access Code (JAC) DP2024-08329-67920, at [www.calgary.ca/vista](http://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](mailto:Garrett.Murray@calgary.ca)  
587-224-4099  
[www.calgary.ca/PDMap](http://www.calgary.ca/PDMap)



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

2025-01-07

**File No: DP2024-08329**  
**Location: 2501 35 ST SE**

ENMAX Power Corporation (EPC) has reviewed the above permit application dated 2024-12-13 and based on the information provided and as of the above noted date the proposed development does not conflict with ENMAX facilities in respect of the requirements set forth in 10-002 Overhead System (Table 7) and 12-002 Underground Systems of the Alberta Electrical Utility Code (AEUC) under the *Safety Codes Act* (Alberta). This non-conflict letter does not reduce or limit responsibility to comply with all laws and regulations regarding utility facilities and all requirements under the *Alberta Occupational Health & Safety Act* (OHS) (including any code or regulations thereunder)(OHS) and the applicant shall observe all such laws and regulations when commencing any work related to the permit application. If a situation arises where there is a discrepancy between ENMAX required setbacks and the AEUC or the OHS, the stricter set of requirements shall govern. Please refer to ENMAX Ground Disturbance Guidelines while working near ENMAX Facilities.

Pursuant to Section 225(1) of Part 17 of the *OHS Code*, anyone working near overhead powerlines must maintain safe limits of approach as provided in Schedule 4, Table 1 of the *OHS Code* or Table 1 in the *AEUC*. Anyone excavating must contact Utilities Safety Partners for locations of all buried facilities. All contractors, prime or sub (excavating company) must contact [hotdigs@enmax.com](mailto:hotdigs@enmax.com) to obtain a permission letter prior to disturbing the ground within 2 metres of any ENMAX underground facility. As a condition of this no-conflict letter, and despite any existence of a permit, the applicant must contact EPC [Lineinspection@enmax.com](mailto:Lineinspection@enmax.com) or call (403) 514-3117 prior to the commencement of any construction where any workers or equipment will be within 7.0m of existing overhead EPC facilities. If EPC is contacted in accordance with the above, no construction work shall be commenced thereafter unless and until EPC determines the minimum safe limit of approach distance in relation to the overhead facilities present at the project site.

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

If you require any additional information regarding this Development Permit, please contact the Project Administrator at [EPC\\_Permits@enmax.com](mailto:EPC_Permits@enmax.com). **For new services inquiries, please contact ENMAX GetConnected at [GetConnected@enmax.com](mailto:GetConnected@enmax.com).**

Sincerely,

Will Du P.Eng  
 Distribution Engineering

QR Code for ENMAX Ground  
 Disturbance Guidelines



**SDAB2025-0021**

## Comment Summary



Permit #: DP2024-08329  
Address: 2501 35 ST SE  
Job Description: New: Accessory Residential Building (garage), Backyard Suite (above garage)

---

Name: Danica Bobyk  
Created Date: December 16, 2024  
Phone: [REDACTED]  
Circulation Referee: N  
Email: [REDACTED]  
Number: 558847903  
Address: 2521 Dogwood Crescent SE  
Overall: In opposition of this application

### Area of Concern

Building (massing, façade, height, shadowing, etc.)  
Parking or loading zones  
Landscaping plans  
Environmental preservation  
Privacy considerations  
Garbage and recycling facility locations  
Site layout

### General Comment

Comments attached.

Thank you.

### Attachments

[SUPPORTING DOCUMENT - CIRCULATION COMMENTS - Feedback on Development Permit DP2024.pdf](#)

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Name: Catherine Allan  
Created Date: December 18, 2024  
Phone: [REDACTED]  
Circulation Referee: N  
Email: [REDACTED]  
Number: 559326008  
Address: 2522 Sable Drive SE  
Overall: In opposition of this application

### Area of Concern

Privacy considerations  
Garbage and recycling facility locations  
Other

### General Comment

Owner already has an unregistered basement suite at this location. Additional housing (above garage) would increase the capacity of the property to 3 units on one single property.

The other areas of concern are:

Privacy - having a taller unit would look down onto my back yard thus interfering with the enjoyment of my property

Garbage location - currently there is an abundance of garbage/recycling product from this property which neighbours are

**Feedback on Development Permit DP2024-08287**

Address: 2525 Dogwood Crescent, SE

Date: Dec 13<sup>th</sup>, 2024

To Whom It May Concern,

I am writing to provide feedback on Development Permit DP2024-08287. While I am not opposed to the redevelopment of this site in principle, I have concerns about the scale of the proposed development and its alignment with the character of our street and neighborhood. I recognize that every landowner has the right to maximize their property within current bylaws and building codes; however, I believe thoughtful consideration should be given to how the development will affect existing residents. If this were a homeowner building on the property, they likely would have demonstrated greater concern for neighborhood compatibility than a developer whose primary focus is profit rather than community integration.

As a direct neighbor to the proposed project, I will be significantly affected by this development. The current proposal replaces mature trees and an adjacent single-family home with two large buildings, dramatically altering the views from my home. Additionally, the proposed design places the buildings much closer to the front property line than neighboring homes. This forward positioning disrupts the continuity of the block, creating a visual and functional divide that undermines the cohesive streetscape of our neighborhood. While I understand that change is inevitable and density is required in some areas, I strongly believe that redevelopment should prioritize compatibility with the existing community's aesthetics and values.

**Comments and concerns, in no specific order:****1. Development Plans - Compliance Issues, Questions, Comments**

- There appears to potential mislabeling of elevations.
- Unclear landscaping calculations:
  - a. Total landscaped area + total non-landscaped area does not equal total site area.
  - b. Proposed landscaped area does not fulfill the 40% requirement.
  - c. Wood patios are classified as hard landscaping, this plan includes them in soft landscaping. Plan does not meet soft landscaping requirements.
  - d. The percentages for hard and soft landscaping are percentages of the requirement, not of the actual. Perhaps this is typical for DP plans; however, this is misleading.
  - e. Where is the garbage and recycling area included in site lot coverage calculations?
- The plans indicate the removal of bushes along the rear property line, where there is a noticeable elevation difference between the two properties. The new retaining wall does not address this. How does the developer plan to address potential erosion issues resulting from this change?

- Additionally, it is my understanding that there needs to be a minimum separation of 6.5 meters between Buildings 1 and 2, which this proposal does not appear to meet.

## **2. Tree Removal and Landscaping**

- Removing mature trees is counterproductive to Calgary's efforts to increase its urban canopy and diminishes the aesthetics and environmental value of the neighborhood. Existing trees are a defining feature of Southview, both private and city owned, and their retention should be a design priority, even when located on private property.
- The grass on the west side of the garage appears to be included solely to try and meet the soft landscaping requirements. This area is not a usable space for residents and will become a space that grows weeds and collects garbage.

## **3. Privacy and Fencing**

- The removal of mature trees along the property line currently provides natural privacy between my property and the proposed development. I would appreciate the opportunity to discuss the installation of a fence to restore this separation along the property line.

## **4. Parking**

- Although the minimum parking requirements are technically met, the garage sizes are unlikely to be practical for vehicle parking. Residents will use these spaces for storage (e.g., bicycles, sports equipment). This will result in increased on-street parking by residents and their visitors.
- The street already experiences significant use, and its proximity to a playground raises safety concerns, particularly with increased vehicular traffic. Furthermore, the location is not well-served by rapid transit or amenities within a reasonable walking distance, making car ownership a likely necessity for most residents on the south side of the neighborhood.

## **5. Garbage Bins and Waste Management**

- The proposed design allows for bins serving only half the units (4 sets for 8 units). On collection days, there is insufficient space to accommodate all bins (especially blue and green carts) without obstructing garage and laneway access.
- While private collection may allow for more frequent pick-ups, the limited space for bins could lead to overflows, misuse of neighboring bins, visual clutter, and potential accessibility challenges.

## **6. Impact on Streetscape Continuity**

- The proposal places the development significantly closer to the front property line than adjacent homes, disrupting the visual harmony of the block. This forward positioning creates a noticeable divide within the streetscape and detracts from the

neighborhood's cohesive and consistent appearance. It also creates a safety hazard for using my driveway.

In summary, while I support the redevelopment of this site, I strongly disagree with the scale and density of the proposed mid-block double duplex. The design feels oversized and overcrowded. A development with fewer units — or one that sets the front of the buildings further back—would better integrate into the neighborhood, providing a harmonious transition between the redevelopment and the existing streetscape. Furthermore, I do not believe it is appropriate for the city to approve any further R-CG developments until a court decision has been made regarding blanket rezoning.

Regards,

Danica Bobyk

forced to deal with. Please refer to bylaw complaints re same address. Adding another residence would increase the amount of garbage and work for neighbors as the owner seems not concerned with this issue.

**Attachments**

---

Name:	Gian-Carlo Carra	Created Date:	December 19, 2024
Phone:	4032682477	Circulation Referee:	Y
Email:	eaward9@calgary.ca	Number:	559755382
Address:	Circulation Referee No Address		
Overall:	In support of this application		

**Area of Concern**

Other

**General Comment**

This is a nice addition

**Attachments**

---

Name:	ENMAX	Created Date:	January 7, 2025
Phone:		Circulation Referee:	N
Email:	epc_permits@enmax.com	Number:	562022177
Address:	8820 52 ST SE		
Overall:	Neither in support nor in opposition of this application		

**Area of Concern**

Other

**General Comment**

No conflict from nearby ENMAX facilities

**Attachments**

[SUPPORTING DOCUMENT - CIRCULATION COMMENTS - DP2024-08329-Reply Letter-2025-01-07.pdf](#)

**From:** [Fandrich, Jamie](#)  
**To:** [Calgary SDAB Info](#)  
**Subject:** SDAB2025-0020 & 0021 - Appeal Responses  
**Date:** Tuesday, March 18, 2025 2:47:53 PM  
**Attachments:** [SDAB2025-0020 DP2025-00069 Appeal Response.pdf](#)  
[SDAB2025-0021 DP2025-00069 Appeal Response.pdf](#)

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Hello,

Attached are the Appeal Responses for SDAB2025-0020 / DP2025-00069 & SDAB2025-0021 / DP2024-08329.

Regards,

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The City of Calgary  
Planning & Development Services

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# Development Authority Appeal Response

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**Appeal Number:** SDAB2025-0021

**Development Permit Number:** DP2024-08329

**Address:** 2501 35 ST SE

**Description:** New: Accessory Residential Building (garage), Backyard Suite (above garage)

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

**Community:** Southview

**Identified Appeal Body:**

Subdivision and Development Appeal Board (SDAB)

**Development Authority Attendance:** No

**Use:** Discretionary

**Notice Posted:** Completed as per Bylaw

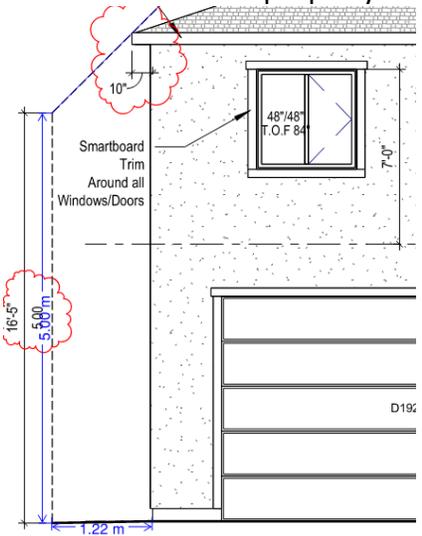
**Public Response(s) Received?** Yes, responses included in the Board Report

**Applicable Planning Policies:**

- Municipal Development Plan (MDP)
- Backyard Suites How-to Guide (the Guide)
- Policy to Guide Discretion for Secondary Suites and Backyard Suites (the Policy)
- East Calgary International Avenue Communities Local Area Plan (LAP)

**Bylaw Relaxations:**

The development requires the following Land Use Bylaw relaxations:

Regulation	Standard	Provided
345 Accessory Residential Building	(6) The height of an Accessory Residential Building must not exceed: (b) 3.0m at any eaveline, when measured from the finished floor of the building; and	Plans indicate an eaveline height of 3.05m (+0.05m) as shown on the side and rear elevations.
346 Restrictions on Use of Accessory Residential Building	(4) The area of a parcel covered by all Accessory Residential Buildings located on a parcel: (a) must not exceed the less of: (ii) 75.0m <sup>2</sup> for each Dwelling Unit located on the parcel; and	Plans indicate an area of 83.07m <sup>2</sup> (+8.07m <sup>2</sup> ).
352 Backyard Suite	(4.1) The maximum building height for a Backyard Suite is: (a) 5.0m measured from grade at a side property line shared with a parcel designated with a low density residential district; (c) increases at a 45 degree angle to a maximum of 7.5m at a proportional distance from the shared property line.	Plans indicate portions of building above the height chamfer cut from the north side property line. 
	(5) The maximum floor area of a Backyard Suite, excluding any area covered by stairways and internal landings not exceeding 2.5m <sup>2</sup> , is 75m <sup>2</sup> .	Plans indicate an area of 81.71m <sup>2</sup> (+6.71m <sup>2</sup> ).

**Additional Factors, Considerations, and/or Rationale:**

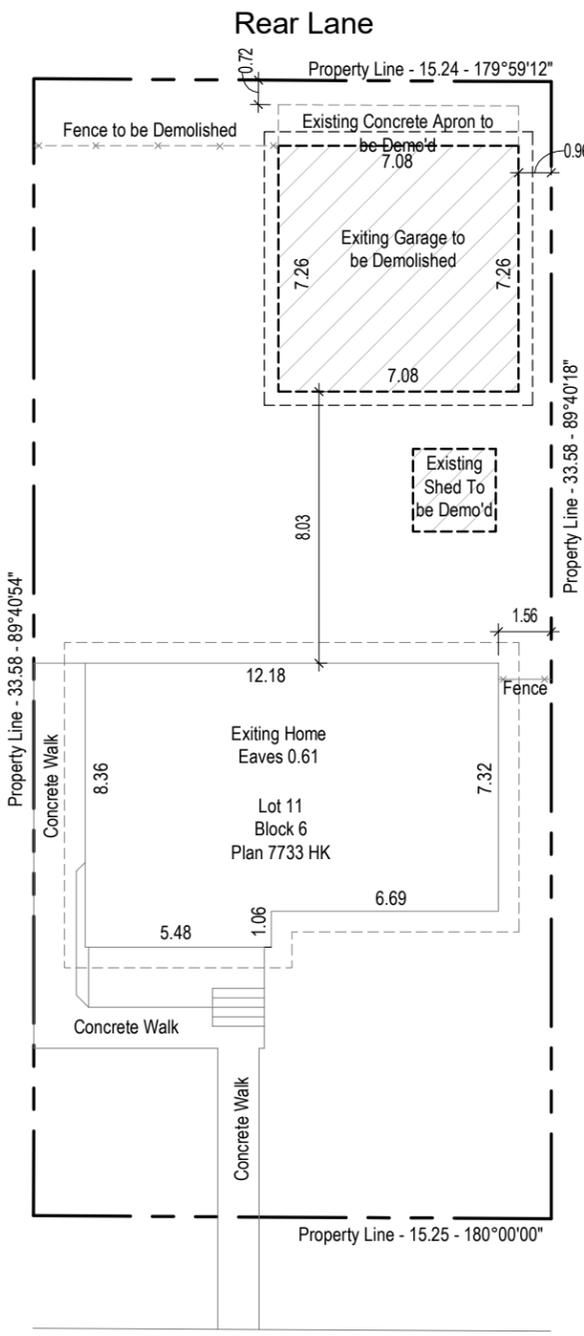
1. The use of the use of Accessory Residential Building (garage) is a permitted use, and the use of Backyard Suite is a discretionary use in the R-CG District, therefore the application was reviewed as a discretionary use.
2. In rendering their decision, the Development Authority applied Sections 35 and 36 of the Land Use Bylaw.
3. The subject parcel is an interior lot with vehicle access at the rear lane. There is an existing Single Detached Dwelling on the parcel.

4. Backyard suites increase the diversity and affordability of housing in neighbourhoods. Because they cannot be sold separately, they provide rental housing that contributes to a mix of tenures. The Municipal Development Plan (MDP) supports a diversity of housing through the following policies:
  - a. Facilitating moderate intensification in a form and nature that respects the scale and character of the neighbourhood. (MDP 3.5.1)
  - b. Provide a range of housing types, tenures (rental and ownership) and densities to create diverse neighbourhoods to meet affordability, accessibility, life cycle and lifestyle needs of different groups. (MDP 2.3.1.a)
  - c. Promote methods to efficiently use or adapt the existing housing stock to enable changing households to remain in the same home or neighbourhood for many years. (MDP 2.3.1.d)
5. The Policy and the Guide were reviewed during the planning analysis. The Guide is an illustrated explanation of planning policies and principles outlined in the Policy.
6. The proposed development aligns with the following policies of the Guide:
  - a. Building Placement - *The new backyard suite should be located to align with building and yard placement on neighbouring parcels.*
    - Location is aligned with the garages in the rear yards of the adjacent parcels. This follows the principle of buildings next to building, yards next to yards.
  - b. Sunlight & Shadowing – *Angled or stepped rooflines that let more sunlight into yards next to the suite are encouraged.*
    - Roof is a hip roof, minimizing the shadowing on all sides of the building location.
  - c. Windows – *Windows should generally be placed to provide views to the street, the lane or into the yard shared with the primary residence. Windows on side facades are more appropriate where direct views of neighbouring yards are screened with trees or where the window overlooks a neighbouring garage.*
    - *Windows are primarily on the front and yard facades, facing into the land and subject parcel's yard. One window is proposed on the south façade, which overlooks the neighbouring garage.*
  - d. Balconies – *Balconies should face onto the street, the lane or into the yard that contains the suite. Direct side views of neighbouring yards should be avoided and may be screened using privacy walls or trees.*
    - The proposed balcony faces the west property line, facing the rear lane. A solid privacy wall is provided on the south end of the balcony. The distance from the balcony to the south property line is 3.86 metres, and 4.97metres to the north.
  - e. Access – *Where the backyard suite is located on a parcel with a lane it should have access to the lane through a direct entrance on the lane or provide direct access to the lane or the street via a hard surfaced pathway.*
    - The entrance door to the suite is on the south side façade accessed by a concrete path leading directly to the lane.
7. The proposed development aligns with the following policies of The Policy:
  - a. Parking – *Unless otherwise referenced in Policy B.2, the required motor vehicle parking stall for a suite shall be provided on the parcel. The required motor vehicle parking stall(s) for the primary Dwelling Unit shall not be considered as providing the*

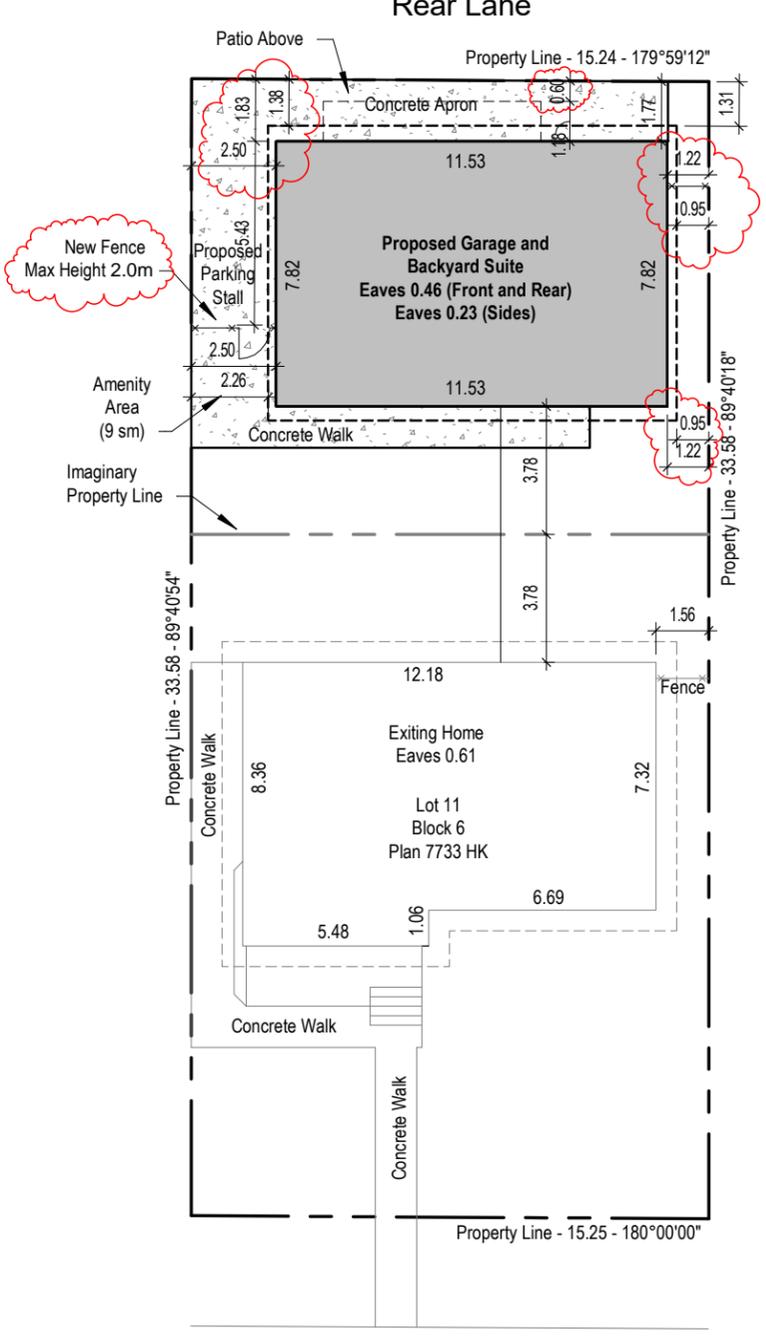
*required motor vehicle parking for a suite. Required motor vehicle parking stalls for a suite are intended for the exclusive use if the suite and: ii. Should be accessed from a lane where a rear or side lane provides access to the parcel. (the Policy B.1.a,b,c)*

- The required parking is two stalls: one for the Single Detached Dwelling and one for the Backyard Suite. Three motor vehicle parking stalls are in the garage and are accessed from the lane.
- a. *Window placement should allow light penetration into the suite while respecting the privacy of adjacent parcels. Off-setting, frosting, and placing windows to face the land or street should be considered. (the Policy C.1.e)*
- The development proposes one window on the side elevation, which overlooks the neighbouring garage, all other windows overlook the lane and the subject parcel, respecting the privacy of adjacent neighbours.
8. East Calgary International Avenue Communities Local Area Plan – The subject parcel is located within the Neighbourhood Local area in the plan. Policies that relate to the development are listed below.
- 2.2.1.4 a.** Land Use – Development in Neighbourhood Connector and Neighbourhood Local areas of a community should: i. be primarily residential uses; and ii. Support a broad range and mix of housing types, unit structures and forms.
- 2.2.1.6 a.** Secondary Suite are supported where already allowed by the existing land use designation and are not considered a unit in the following policies.
9. The Development Authority assessed the Land Use Bylaw relaxations and felt they were warranted for this development. The proposal is appropriate for the location and is compatible with respect to the adjacent parcels.
10. During the review, the community association and neighbours submitted comments. Planning-related comments were a consideration of the Development Authority in making their decision.
11. In response to the Notice of Appeal.
- a. A parcel located in the R-CG land use district can have both a Secondary Suite and a Backyard Suite.
12. The Development Authority may provide additional submission prior to the merits hearing.

NORTH



35th Street SE



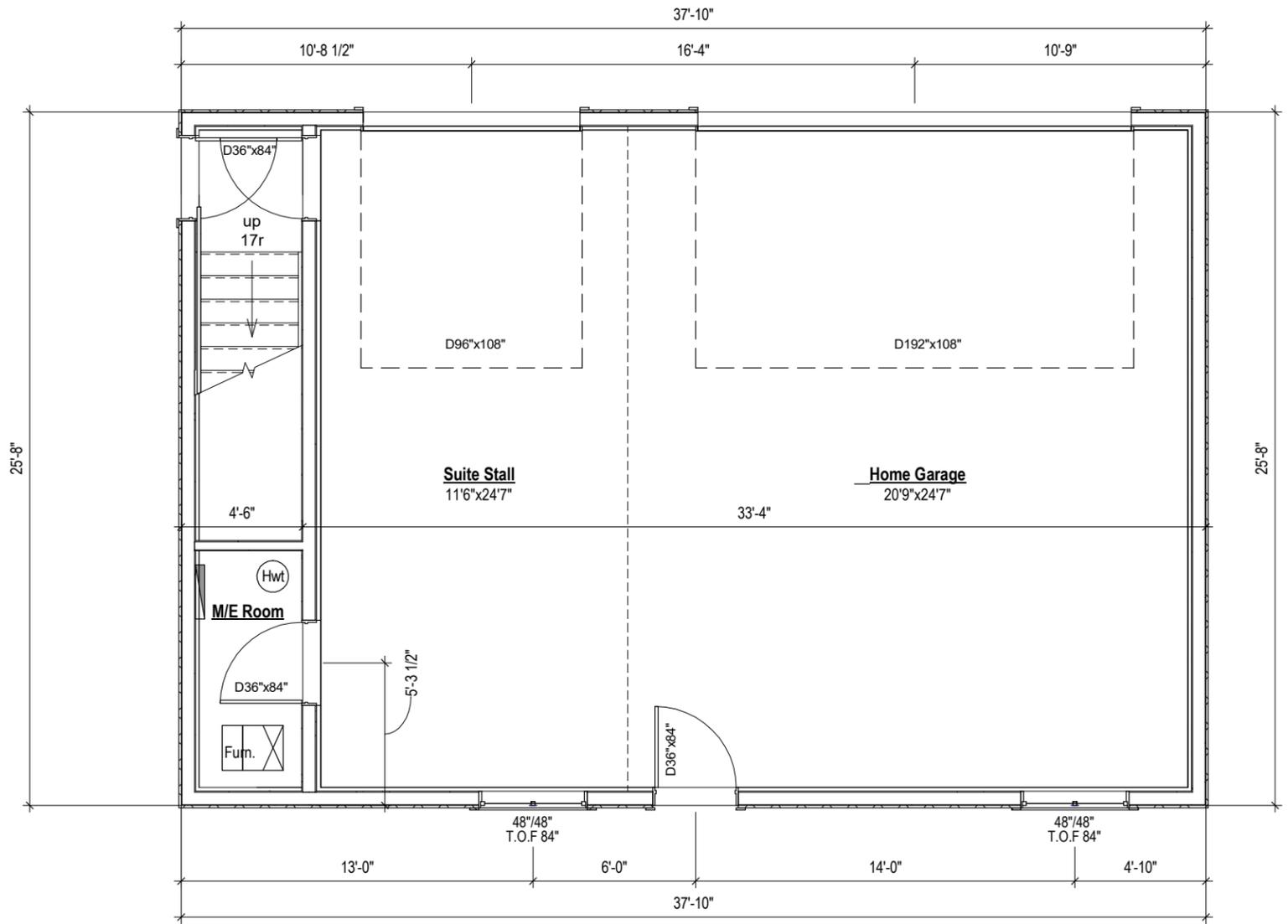
35th Street SE

**1 SITE PLAN - Existing**  
DP1 SCALE: 1 : 200

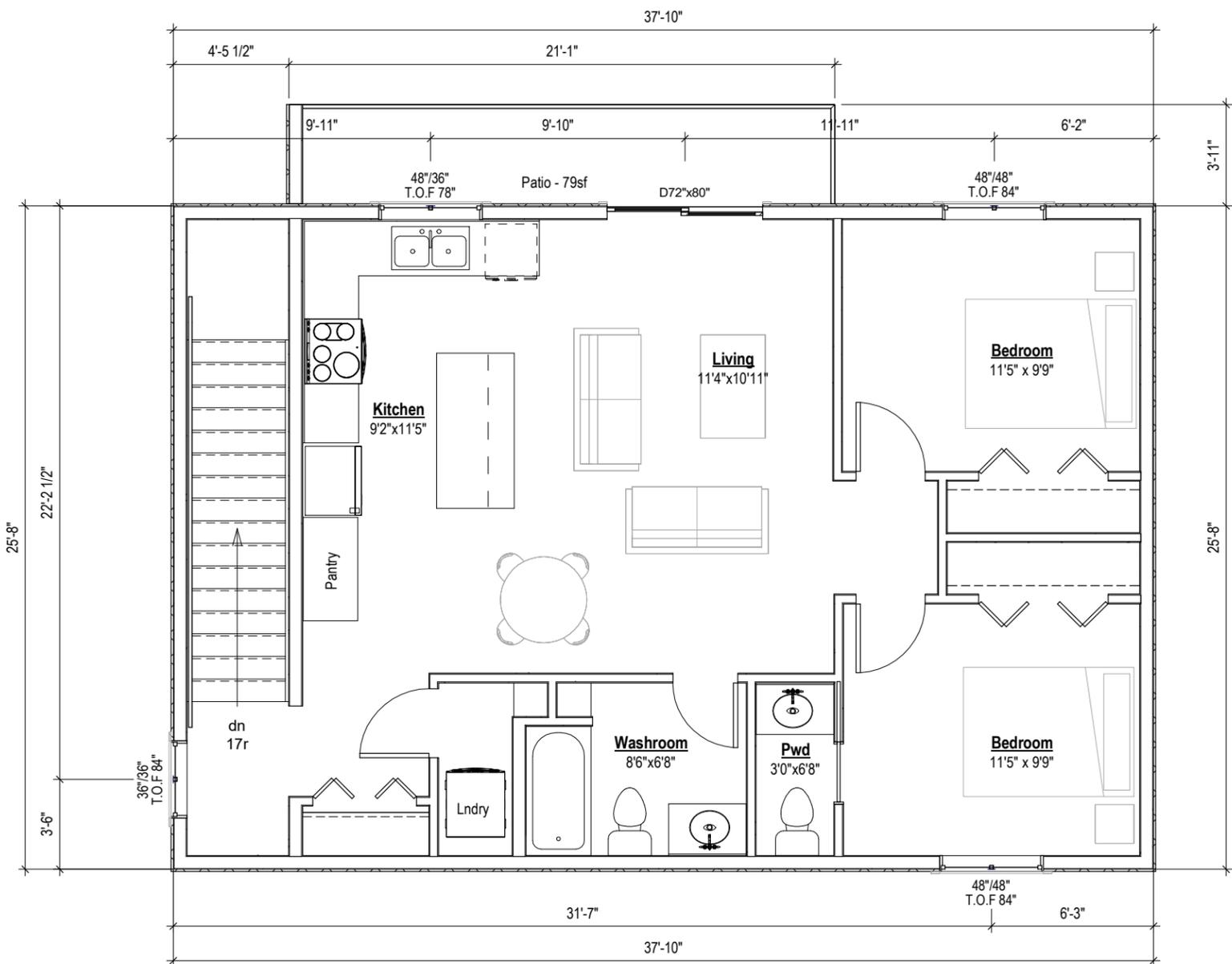
**2 SITE PLAN - Proposed**  
DP1 SCALE: 1 : 200

SITE SUMMARY AND LAND USE		
BY-LAW ITEM	DESCRIPTION	REFERENCE
LEGAL DESCRIPTION	LOT 11 BLOCK 6 PLAN 7733 HK	
MUNICIPAL ADDRESS	2501 35 STREET SE, CALGARY AB	
APPLICABLE BY-LAW AND REFERENCES	CITY OF CALGARY LAND USE BY-LAW, R-CG CITY OF CALGARY LAND USE DISTRICT MAP	IP2007
DESCRIPTION	GARAGE - PERMITTED USE BACKYARD SUITE - DISCRETIONARY USE	
SITE AREA:	512sm/5,511sf	
BUILDING AREA:	90.2sm / 971 sf(PROPOSED) 94.8 sm / 1021sf(EXISTING HOME)	
SITE COVERAGE:	45% MAXIMUM 36% PROPOSED (TOTAL W/EXISTING HOME)	393
BUILDING HEIGHT:	MAXIMUM 7.50m (24.6') PROPOSED 7.40m (24.3.5')	352
SETBACKS:	FRONT - 3.0m SIDE - 1.2m REAR - 1.5m (BACKYARD SUITE)	352

 <small>13 LAKESIDE GREENS CLOSE CHESTERMERE, ALBERTA T1X 1C2 403-975-8496</small>	<b>CLIENT:</b> Owner	<b>Main Floor:</b> 971 sf <b>Basement:</b> <b>Upper Floor:</b> 885 sf <b>Garage:</b>	2024--01-25	
		<b>Drawing Title:</b> Site Plans		<b>SCALE</b> As indicated
<b>Project Name:</b> 2501 35 Street SE Calgary, Alberta				

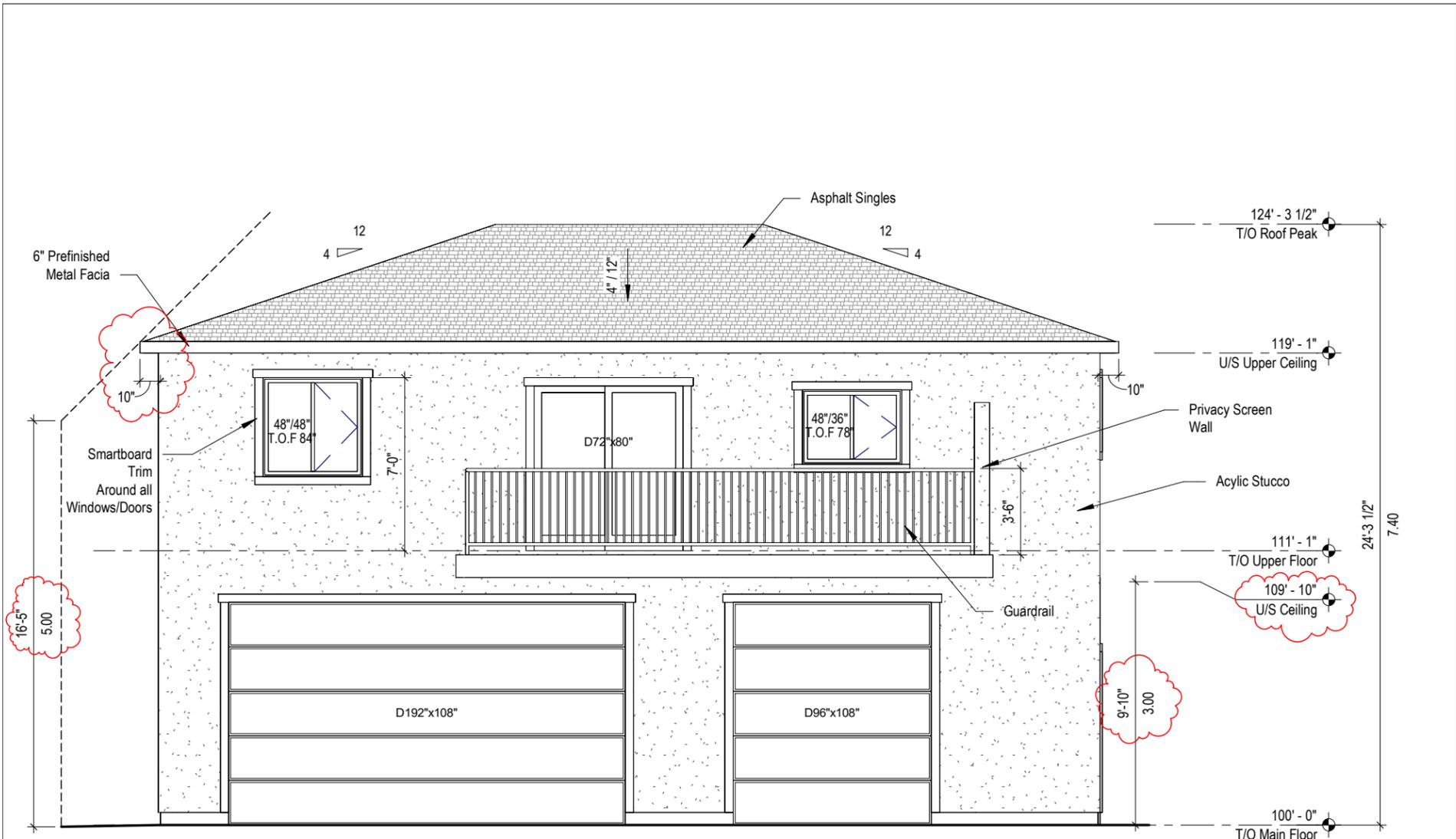


**1 Main Floor**  
 DP2 SCALE: 3/16" = 1'-0"



**2 Upper Floor**  
 DP2 SCALE: 3/16" = 1'-0"

 13 LAKESIDE GREENS CLOSE CHESTERMERE, ALBERTA T1X 1C2 403-975-8496	CLIENT: Owner	Main Floor: 971 sf Upper Floor: 885 sf	Basement: Garage:	
	Drawing Title: Floor Plans		2024-11-24	
	Project Name: 2501 35 Street SE Calgary, Alberta		SCALE 3/16" = 1'-0"	<b>DP2</b>

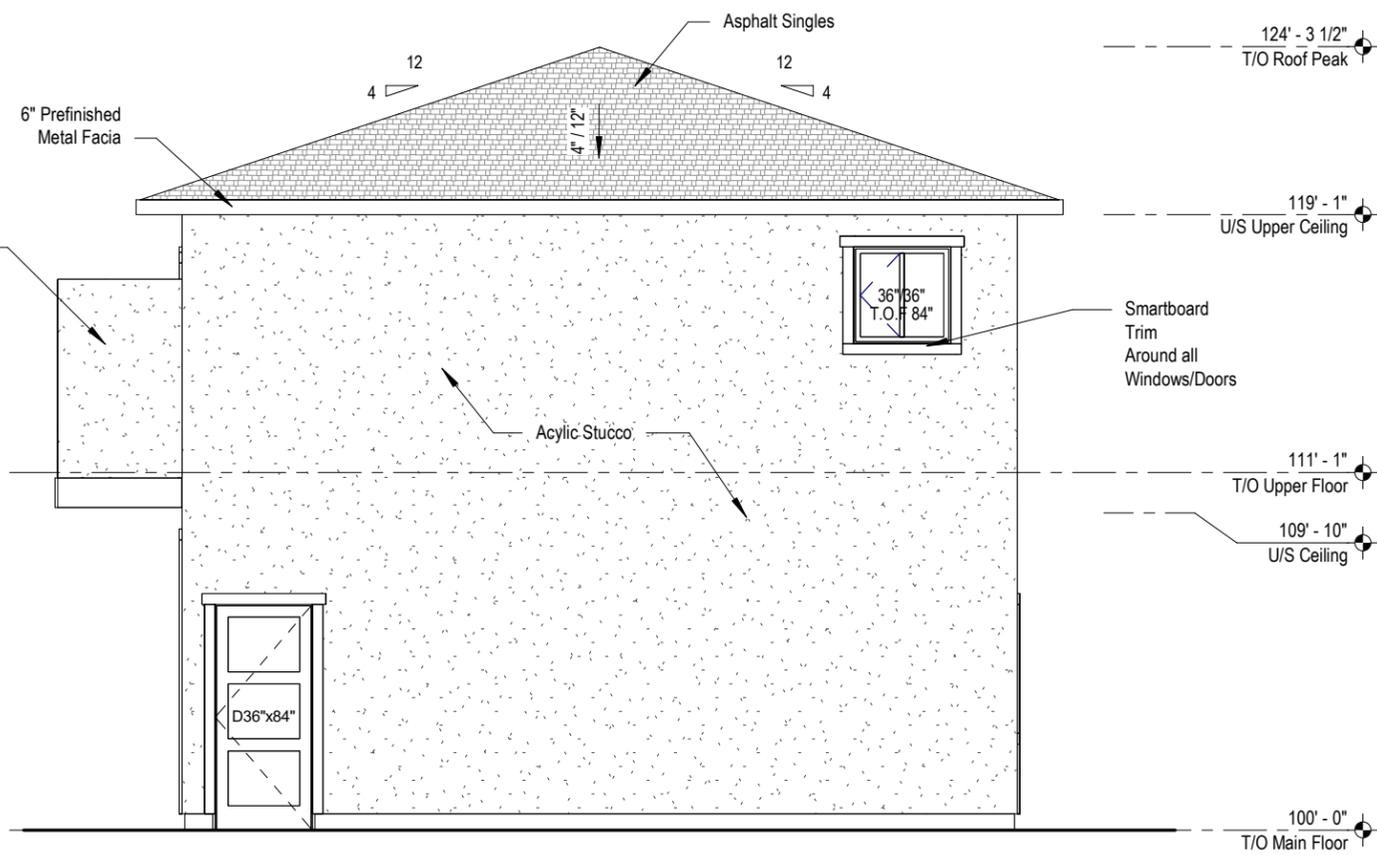


**1 Front Elevation**  
 DP3 SCALE: 3/16" = 1'-0"

**Spatial Separation Calculation**  
 Table 9.10.14.4.A

Area of Exposed Building Face:	725sf / 67sm
Area of Glazed Opening:	284sf / 26sm
Limiting Distance (C/L Lane +1.5m):	5.55m
Allowable Area of Glazed Openings:	40%
% of Unprotected Openings:	<b>39.2%</b>

**2 Side Elevation**  
 DP3 SCALE: 3/16" = 1'-0"



**Spatial Separation Calculation**  
 Table 9.10.14.4.A

Area of Exposed Building Face:	480sf / 44.6sm
Area of Glazed Opening:	29sf / 2.7sm
Limiting Distance (PL):	2.52m
Allowable Area of Glazed Openings:	15%
% of Unprotected Openings:	<b>6%</b>



CLIENT:  
 Owner

Main Floor: 971 sf  
 Upper Floor: 885 sf

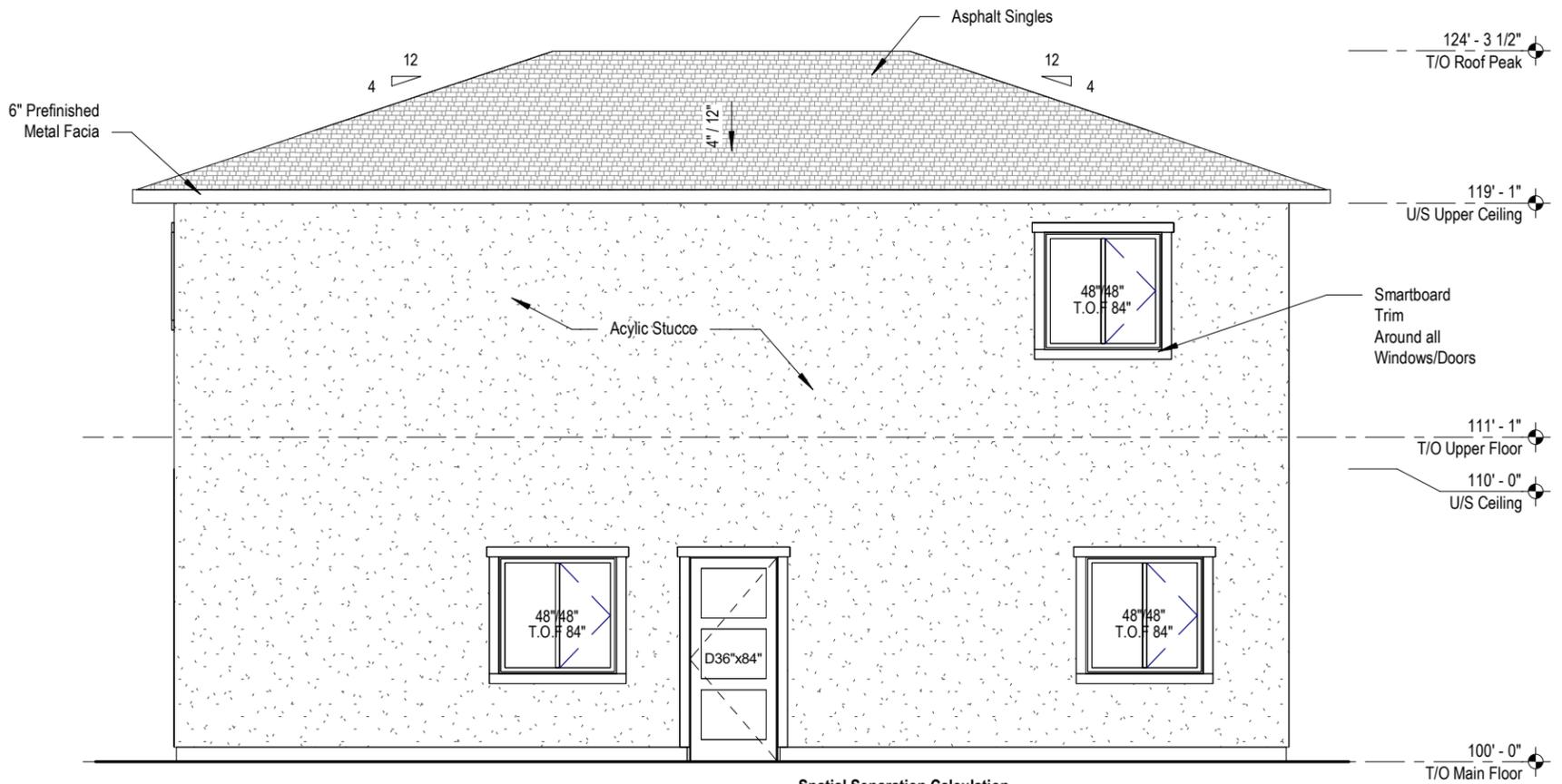
Basement:  
 Garage:

Drawing Title: Elevations  
 Project Name: 2501 35 Street SE  
 Calgary, Alberta

2025-01-25

SCALE  
 3/16" = 1'-0"

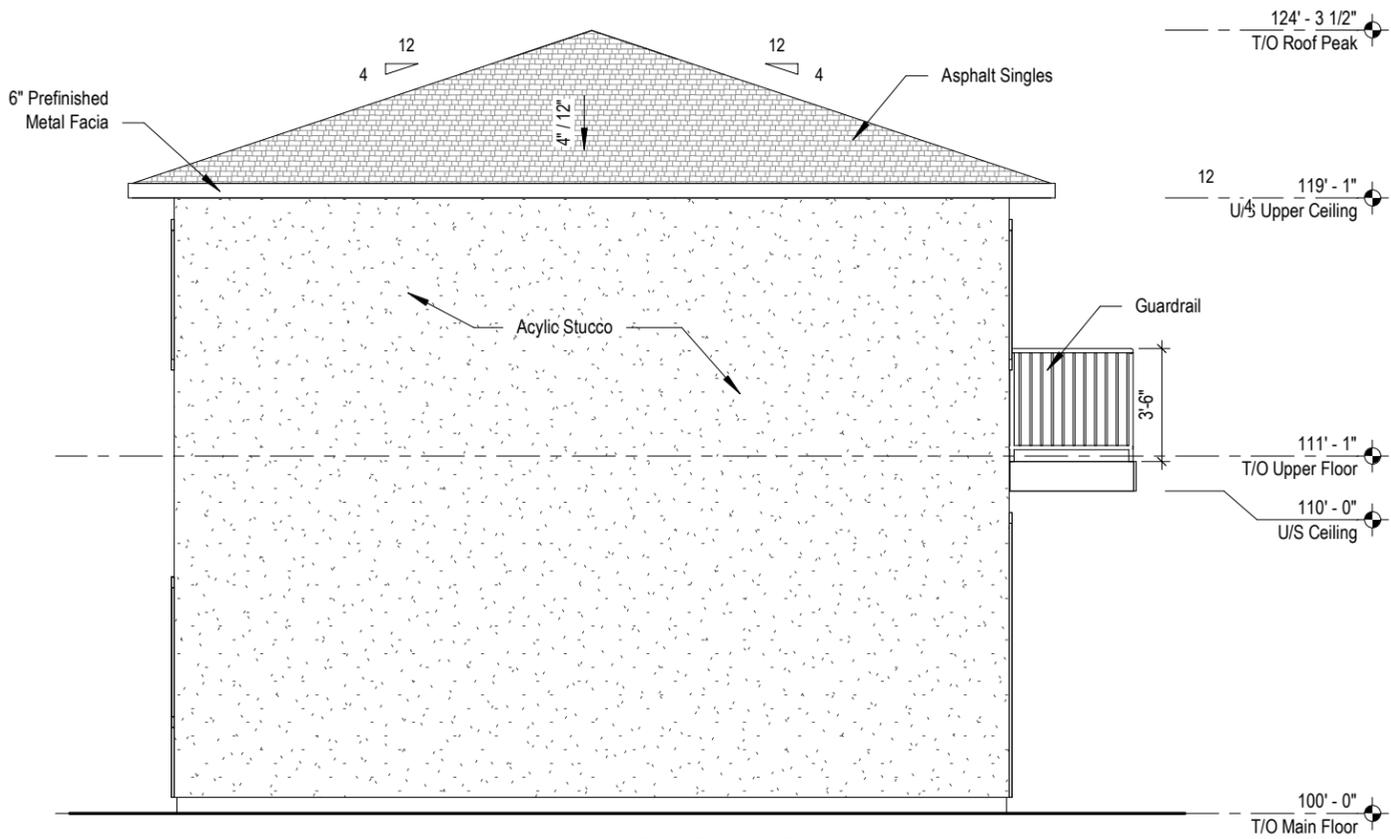
**DP3**



**Spatial Separation Calculation**  
Table 9.10.14.4.A

Area of Exposed Building Face:	725sf / 67sm
Area of Glazed Opening:	69sf / 6.4sm
Limiting Distance (IPL):	3.91m
Allowable Area of Glazed Openings:	30% (Based of 40sm)
% of Unprotected Openings:	<b>9.6%</b>

**1 Rear Elevation**  
DP4 SCALE: 3/16" = 1'-0"

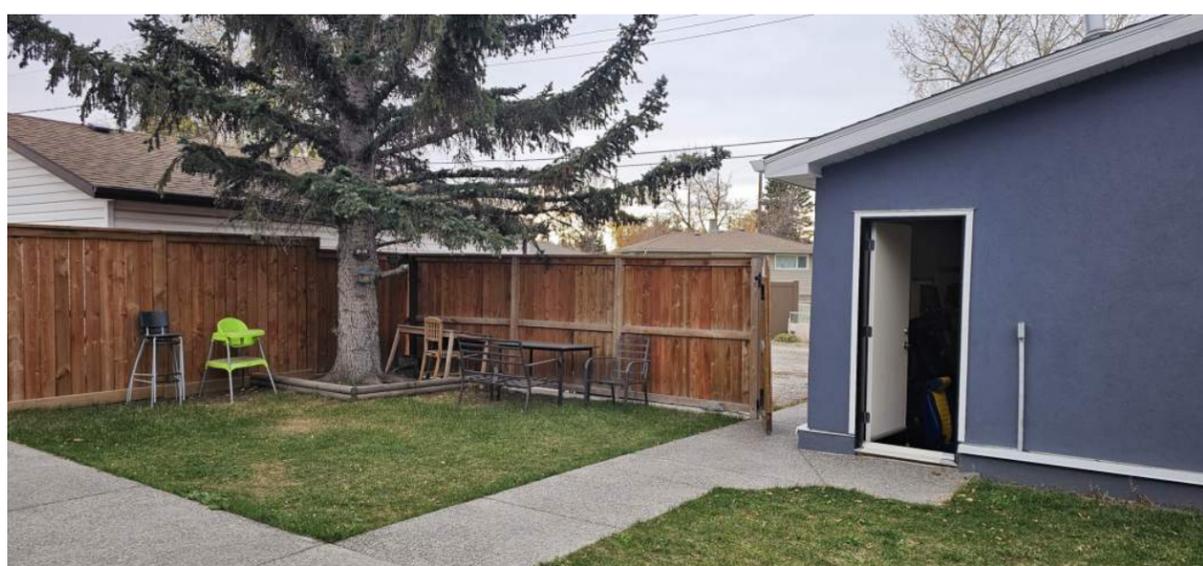


**Spatial Separation Calculation**  
Table 9.10.14.4.A

Area of Exposed Building Face:	480sf / 44.6sm
Area of Glazed Opening:	0sf / 0sm
Limiting Distance (PL):	1.20m
Allowable Area of Glazed Openings:	7%
% of Unprotected Openings:	<b>0%</b>

**2 Side Elevation**  
DP4 SCALE: 3/16" = 1'-0"

 <small>13 LAKESIDE GREENS CLOSE CHESTERMERE, ALBERTA T1X 1C2 403-975-8496</small>	CLIENT: Owner	Main Floor: 971 sf	Basement:
		Upper Floor: 885 sf	Garage:
	Drawing Title: Elevations		2024-11-24
Project Name: 2501 35 Street SE Calgary, Alberta		SCALE 3/16" = 1'-0"	<b>DP4</b>



 <p>13 LAKESIDE GREENS CLOSE CHESTERMERE, ALBERTA T1X 1C2 403-975-8496</p>	<p>CLIENT: Owner</p>	<p>Main Floor: 971 sf</p>	<p>Basement:</p>
		<p>Upper Floor: 885 sf</p>	<p>Garage:</p>
<p>Drawing Title: Photos</p>			<p>2024-11-24</p>
<p>Project Name: 2501 35 Street SE Calgary, Alberta</p>			<p>SCALE DP5</p>