SUBDIVISION AND DEVELOPMENT APPEAL BOARD
APPEAL PACKAGE

July 17, 2025
9:00 am
COUNCIL CHAMBERS
400 Main Street SE

HYBRID MEETING - Via MS Teams and In Person

Pages

1. Property: 1611 Baywater St SW (Lot 12, Block 29, Plan 2211099), Bayside

2. Appeal:
This is an appeal of the development authority's decision to deny a development permit application for dwelling, single detached - variance to side yard setback for roof structure at 1611 Baywater Street SW, Airdrie.

Appeal by: Fahmi Welayet
Applicant/Property Owner: Fahmi Welayet

3. Development/Subdivision Authority's submissions

3.1 Report to the Board 1

4. Appellants'/Applicants' submissions

4.1 Notice of Appeal 44

4.2 Written submissions 48

5. Support for appeal
None received

6. Opposition to appeal
None received

CITY of AIRDRIE
COMMUNITY & OPPORTUNITY

SUBDIVISION AND DEVELOPMENT APPEAL BOARD – AGENDA REPORT

Meeting Date:	17 July 2025
Subject:	PL2500742 – Development Permit Refusal
Boards Routed Through:	N/A
Date:	11 July 2025

Issue:

The Subdivision and Development Appeal Board ("SDAB") is being asked to decide on an appeal against the Development Authority's decision to refuse Development Permit Application PL2500742. The application requested a variance to the Minimum Required Side Yard Setback of the district to allow the encroachment of a roof structure over the existing Secondary Suite entrance. The application was refused due to non-compliance with the Land Use Bylaw No. B-01/2016 as detailed within this report.

Background:

On April 1, 2025, the city received a development permit application for a Variance to the Minimum Side Yard Setback for a roof structure at 1611 Baywater Street SW, Airdrie, AB. Based on review of the application against relevant regulations and policies, the application was determined to be non-compliant with applicable regulations of the Land Use Bylaw (LUB), and a refusal Notice of Decision was issued by the Development Authority on April 30, 2025.

The subject site is zoned R1, Single Detached Residential District per the LUB. It is currently developed with a Dwelling, Single Detached, which is a permitted use in the district. The dwelling has an existing side entrance on the south elevation to the approved Secondary Suite in the basement. The roof structure was installed over the suite entrance, as observed during a site inspection on April 22, 2025.

The submitted Site Plan indicated the roof structure encroaches 1.18 m into the 1.2 m side yard setback which is a 97.9% variance to the Minimum Required Setback of the R1 district. The Applicant and Owner were advised to apply for a variance development permit application with a rationale for the encroachment. According to the Owner, the roof structure spans the full width and depth of the side entrance for weather protection and to enable it to comply with building code fire protection requirements for exiting the suite. The complete application package, including drawings and photos, are provided within *Attachment 1*.

The proposed roof structure was first identified by the file manager during the review of the Building Permit application drawings for the Secondary Suite in February 2025. The file manager informed Building Inspections of the non-compliance of the roof structure with the district setback requirements. On February 27, 2025, the Safety Codes Officer provided the Applicant with an alternative solution for fire protection of the suite entry, which involved changing the windows near the entrance to wired or glass block instead of the proposed roof. Further, the file manager provided the Applicant with details on applicable bylaw regulations.

On March 19, 2025, the Owner informed the file manager that they could not make the alternative solution work due to the costs associated with the window upgrades and the impact on their building warranty. On March 21, 2025, the file manager informed the Owner that the major roof encroachment could not be supported by the Development Authority and provided the option and information to apply for a variance development permit application.

The application was made on April 1, 2025, and was deemed complete by the file manager who issued the Notice of Complete Application on April 11, 2025 (Refer to *Attachment 2)*. Following this, the application was reviewed by the assigned file manager, Building Inspections, and Engineering Services during the circulation period.

A summary of circulation comments detailing non-compliance with specific by-law regulations was sent to the Applicant on April 30, 2025 (Refer to *Attachment 3*). The Notice of Decision, with reasons for refusal, was issued on May 2, 2025, and sent to the Applicant/Owner in accordance with Section 2.4.6 (4) of the LUB (Refer to *Attachment 4*).

On May 20, 2025, Legislative Services received a Notice of Appeal from the Owner against the refused Development Permit PL2500742 (Refer to *Attachment 5*) and issued the Notice of Hearing for the appeal (Refer to *Attachment 6*).

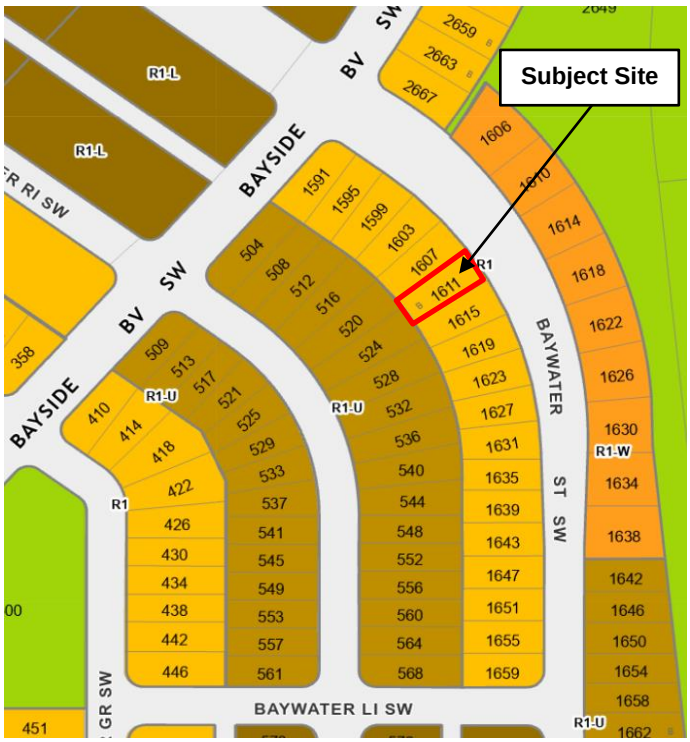
On May 25, 2025, the Owner requested an adjournment of the hearing date from June 5, 2025, to July 17, 2025. The Notice of Hearing Adjournment was issued per Board meeting on May 29, 2025 (Refer to *Attachment 7*).

Site and Context:

The Subject Site is located at 1611 Baywater Street SW, Airdrie, AB in the Bayside residential community. Refer to *Map 1* for Land Use and Context.

The site is rectangular with an area of 418.00 sq. m. (0.08 ac). It is developed with a Dwelling, Single Detached including a two-car attached garage and a Secondary Suite in the basement.

The site is zoned R1, Single Detached Residential District, and is surrounded by similar residential districts.



Map 1: Land Use and Context

Land Use Bylaw No. B-01/2016 Review:

The purpose of Land Use Bylaw No. B-01/2016 (LUB) is to regulate and control the use and development of land, buildings, and structures within the City of Airdrie. The Development Authority evaluates development permit applications for regulatory compliance, and compatibility with the surrounding neighborhood, and potential impacts on neighbouring properties.

Based on a review of the submitted Site Plan, elevations, construction drawings, circulation comments, and site inspection, the Development Authority determined the roof structure did not comply with setback regulations of the bylaw and created the potential for on-site and off-site drainage impacts to the neighbouring site. An assessment of the application against applicable bylaw regulations is demonstrated below (Refer to *Attachment 8* for applicable regulations):

- Section 8.5.1 R1, Single Detached Residential District of the LUB requires a Minimum Side Yard Setback of 1.2 m (3.94 ft.) for the principal building. Only encroachments outlined under Section 7.25, Table 15, are permitted within the setback.
    - The proposed roof structure encroaches 1.18 m (3.87 ft.) into the required setback, accounting for a 97.9% variance to the required side yard setback. The roof structure is shown to be 0.02 m (1 inch) from the side property line on the submitted Site Plan (Refer to the Proposed Site Plan within *Attachment 1*).
- Section 7.25 of the LUB allows specific projections and encroachments within the required setbacks of residential districts. Table 15 permits Architectural Features that are integral to the architecture of the building, such as awnings and similar elements, to encroach up to 0.60m into a required setback less than 3.0m.
    - Architectural features integral to the building includes "*eaves, chimneys, cantilevers, parapet walls, awnings, window wells and similar elements*" per Table 15. The roof structure is not architecturally significant as it does not add to the form or the aesthetic of the principal dwelling. Therefore, it cannot be considered a similar permitted encroachment under Table 15. The roof structure is an interlocking metal pan system constructed over 3" x 3" columns. (Refer to Staircase Section #2 and Details page within *Attachment 1*).
    - Section 1.13 of the LUB defines an awning as "*A cloth-like or lightweight metal shelter projecting from and supported entirely by the exterior wall of a building*". The roof structure does not meet this definition as it is not solely supported by the exterior wall. The submitted drawings show the roof extend from the wall, but due to its width of 1.18 m (3.87 ft.) and length of 4.78m (15.67 ft.) is supported by several posts. As such, the roof is not considered to be similar in material or structure to that of an awning.
- Section 2.4.4 of the LUB provides the Development Authority with specific criteria to consider variances as a condition of a Development Permit. The proposed variance to the minimum required setback for the roof structure could not be considered under Section 2.4.4 (2) and (3):

  Section 2.4.4 (2) The proposed development, with variance, would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

- The South Elevation (Refer to Proposed Left Elevation within *Attachment 1*) illustrates gutters along the roof line directing drainage towards the rear of the site. However, given the slope of the roof and its proximity of 0.02 m (1 inch) to the side property line, excess drainage towards the property line and on the neighbouring site is expected, especially during extreme weather conditions. Comments from Engineering and Building Inspections noted that drainage from the roof shall be directed to the rear of the site, not to the adjacent property. Refer to the Summary of Circulation Comments in *Attachment 3*.
- Site inspection of the roof structure on April 22, 2025, and the follow up inspection on July 10, 2025, observed that the installed was rectangular in size and approximately 4 inches away from the property line in comparison to the submitted Site Plan and Elevation drawings (Refer to photos in *Attachment 1*). Further, gutters along the roof line and downspouts to the rear were observed.
- Further consideration was given to the impact of allowing a major variance to the setback within the newly developed community, where outright compliance with the bylaw regulations is required at the initial development stage of the dwellings. Allowing a roof structure to encroach at 97.9% variance would set a precedent for similar non-compliant developments in the future.

Section 2.4.4 (3) The variance is a function of an aspect or feature that is specific to the site, building or sign to which it applies, not shared by other sites, buildings, or signs in the City.

- Variances are often considered where undue hardship occurs from site-specific constraints or development challenges. Eave and roof projections are limited to 0.60m (2.0 ft.) within a required side yard setback across all residential districts to ensure on-site drainage is maintained at all times. The application did not meet the intent of this criteria. The Land Use Bylaw does not require Secondary Suite entrances to have roof coverings considering the potential drainage impacts to adjacent sites. At present, there are no similar applications requesting roof structures over secondary suite entrances within the area.

Policy Review:

AirdrieONE Sustainability Plan

The plan emphasizes that the city employ a sustainable approach to governance by providing fairness and consistency in decision making. Prior to refusing the application, the Development Authority considered several short-term and long-term impacts of the proposed roof structure on the site, neighbouring lots, and the community overall. With this application's proposal being the first of its kind within this new phase of the community, the Development Authority and Building Inspection staff ensured consistency in information shared with the Applicant and Owner from the inquiry through to the application process, keeping them well informed on the intent and reasons for the refusal decision.

Regarding stormwater concerns, the plan states that stormwater should be managed at a community level to create a more sustainable city. Currently, the impact to drainage from the addition of the roof structure is limited to the subject site and the adjacent site. Significant impacts to the off-site stormwater system are not expected; therefore, the application is considered to align with the high-level stormwater objectives and policies.

Lastly, the plan outlines objectives for achieving a built environment that is sustainable from an environmental, social, fiscal standpoint. At a micro-level, the roof structure within the side yard is not consistent with the built form of the on-site dwelling and adjacent dwellings. If variances such as these were allowed on multiple adjacent sites over time, it could minimally disrupt the development pattern of the community. However, it would not significantly influence or conflict with the sustainability objectives for the community.

Airdrie City Plan

The plan is a long-range, strategic plan that builds on the AirdrieONE Sustainability Plan by setting direction for new development through the city. The site and community align with Low Density Residential Policy 6.11 of the plan. The subject site is developed with a single detached dwelling in accordance with the R1 District and the Neighbourhood Structure Plan for the Bayside community. The plan otherwise directs developments within low density residential districts to be regulated by the Land Use Bylaw.

Planning Considerations & Reasons for Refusal:

As the Development Authority, it is our responsibility to exercise fair, honest, and independent judgment to best facilitate smart growth and good design. This application involved due consideration of the merits of the application submission and requirements of the Land Use Bylaw B-01/2016.

The Development Authority's decision to refuse Development Permit application PL2500742 for a Variance to the Minimum Side Yard Setback for a Roof Structure was primarily based on the following:

1. The proposed roof structure did not meet the Minimum Side Yard Setback requirement of Section 8.5.1 R1, Single Detached Residential District of the Land Use Bylaw No. B-01/2016.
2. The proposed roof structure did not meet the requirements of Table 15, Section 7.25 (Projections and Encroachments) of the Land Use Bylaw No. B-01/2016.
3. The potential for off-site drainage from the development did not align with the variance evaluation criteria of Section 2.4.4 (Variances). Based on the submitted drawings, circulation comments, and site visit, it was determined that the roof structure's proximity to the adjacent site could create on-site and off-site drainage impacts.

Boards Routed Through:

N/A

Alternatives/Implications:

Alternative 1: To deny the appeal and uphold the decision of the Development Officer.

Choosing this alternative would mean the appeal is refused, and the refusal decision for PL2500742 by the Development Authority stands.

Alternative 2: To grant the appeal and approve Development Permit PL2500742.

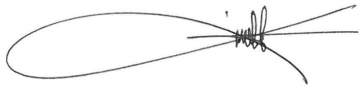
Choosing this alternative would mean that the appeal is granted, and the Development Permit PL2500742 would be approved, subject to standard Conditions of Approval per Attachment 9.

Alternative 3: To table the appeal and request further information from Administration.

Choosing this alternative would postpone a decision on the appeal until additional information is provided in accordance with the Board's request.

Recommendation:

City Administration recommends that the SDAB deny the appeal and uphold the decision of the Development Authority on PL2500742.



Sangeeta Vishwakarma
Subdivision Planner

Presenter:	Sangeeta Vishwakarma, Subdivision Planner
Department:	Current Planning
Reviewed by:	Gail Gibeau, Team Leader, Current Planning
Attachments:	Attachment 1: Application Package, Drawings, and Photos
	Attachment 2: Notice of Complete Application
	Attachment 3: Summary of Circulation Comments
	Attachment 4: Development Authority Notice of Decision
	Attachment 5: Notice of Appeal
	Attachment 6: Notice of Hearing
	Attachment 7: Notice of Hearing Adjournment
	Attachment 8: Applicable Land Use Bylaw Regulations
	Attachment 9: Conditions of Approval

Submission from Development Authority July 11, 2025

CITY OF AIRDRIE

Variance

Application for Development Permit

Property Information

Municipal Address *(if applicable)*

1611 Baywater Street SW

Legal Description (*all/parts of)*

Lot	13
Block	29
Registered Plan	221 1099

Variance/Relaxation Proposal

Land Use Bylaw Section to be Varied	Section 8.5.1 R1 District

Authorization & Consent

☑ **Use of Information**

I hereby consent to the use of information included in this application for promotional purposes, news, research and/or educational purposes.

☑ **Right of Entry**

I authorize Planning Department staff to access my property for the purposes of evaluating this application.

Declarations

Name of Applicant:

× Kevin Tran

Signature of Applicant:

× Kevin Tran [redacted]

Date: March 29th 2025

Application Info *(for office use only)*

DP #	PL2500742	
Fees $		
Receipt #		
		Date
Approved By	☐ CISG / ☐ DO / ☐ SDAB	
Refused By	☐ CISG / ☑ DO / ☐ SDAB	
	Permit Issuance	
	Permit Expiry	

Applicant

Name	Kevin Tran
Business Name	KTran Design & Drafting
Mailing Address	[redacted]
City	Calgary
Province	Alberta
Postal Code	T3K 0A1
Phone	[redacted]
Email (required)	[redacted]

Registered Landowner *(if not the applicant)*

Name	Fahmi Welayet
Business Name	-
Mailing Address	1611 Baywater Street SW
City	Airdrie
Province	Alberta
Postal Code	T4B 5K6
Phone	[redacted]
Email (required)	[redacted]

The information on this form is collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy Act and the Land Use Bylaw. It is used solely for Planning, Engineering, Economic Development, and Assessment/Taxation purposes. Questions on collecting this information can be directed to the Team Leader, Current Planning Department at 400 Main Street SE, Airdrie, Alberta, T4B 3C3, telephone 403-948-8832.

See reverse for application requirements

Submission from Development Authority July 11, 2025

Variance
Minimum Application Requirements

Item	Format Requirements
☑ **Application Fee**	See the current planning fee schedule.
☑ **Authorization Letter**	An original letter of authorization from the registered landowner. (if the applicant is not the landowner)
☑ **Certificate of Title(s)**	One copy of the property Certificate of Title dated no later than 30 days from the date of the application. For a copy of the Certificate of Title(s), visit the land titles website at www.spin.gov.ab.ca or visit a local registry office.
☑ **Variance Rationale**	A written description outlining your reasons for the variance/relaxation and how: • The variance will not interfere with the neighbourhood's amenities or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land. • The variance is a function of an aspect or feature specific to the site, building or sign to which it applies, not shared by other sites, buildings or signs in the City. • The variance results from an error in the situating of a building or structure, and rectifying the mistake would create unnecessary hardship for the property owner. • The variance will not cause hardship to bring the subject building(s) or structure(s) into compliance with the requirements of the Safety Codes Act, the Alberta Building Code, and the Alberta Fire Code
☑ **Site Plan**	8.5” x 11” or 11” x 17” scaled plan showing (dimensions/distances **in metric**): • Location of all structures on the property and their setback distances relative to the property lines. • Highlighted development area pertaining to variance request.

The above list is a generalized list of requirements. The Development Authority may require additional information (see Land Use Bylaw No. B-01/2016).

City of Airdrie – Current Planning
400 Main ST SE, Airdrie, AB T4B 3C3 I Phone: 403-948-8832 I Email: planning@airdrie.ca

Submission from Development Authority July 11, 2025

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0039 208 988	2211099;29;13	231 312 381

LEGAL DESCRIPTION
PLAN 2211099
BLOCK 29
LOT 13
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;1;27;2;NE

MUNICIPALITY: CITY OF AIRDRIE

REFERENCE NUMBER: 221 156 019 +47

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
231 312 381	12/10/2023	TRANSFER OF LAND	$650,000	SEE INSTRUMENT

OWNERS

FAHMI WELAYET
OF 1611 BAYWATER STREET SW
AIRDRIE
ALBERTA T4B 5K6

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
221 156 022	27/07/2022	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF AIRDRIE. AS TO PORTION OR PLAN:2211100
221 156 024	27/07/2022	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
221 156 025	27/07/2022	CAVEAT RE : EASEMENT

(CONTINUED)

Submission from Development Authority July 11, 2025

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
221 156 030	27/07/2022	RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 29 DAY OF MARCH, 2025 AT 12:41 P.M.

ORDER NUMBER: 53277820

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

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

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

CITY of AIRDRIE
COMMUNITY & OPPORTUNITY

Current Planning
400 Main Street SE, Airdrie, AB T4B 3C3
Phone: 403.948.8832
Email: planning@airdrie.ca
www.airdrie.ca/planning

Letter of Authorization

Property Owner Information

Registered Owner: FAHMI WELAYET

Registered Owner *(if applicable)*:

Phone Number(s): [redacted]

Email Address(s): [redacted]

I/we FAHMI WELAYET hereby authorize
Registered Owner(s)

KTRAN DESIGN & DRAFTING to apply for a Development Permit at:
Applicant

1611 BAYWATER ST SW / Lot: 13 Block: 23 Plan: 221 1099.
Municipal Address *Legal Description*

Registered Owner *(Signature)*: [redacted]

Registered Owner *(Signature)*:

Date Signed: MARCH 29, 2025

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Submission from Development Authority July 11, 2025

CITY of AIRDRIE
COMMUNITY & OPPORTUNITY

Current Planning
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Email: planning@airdrie.ca
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Letter of Authorization

Property Owner Information

Registered Owner: FAHMI WELAYET

Registered Owner *(if applicable)*: _____

Phone Number(s): [redacted]

Email Address(s): [redacted]

I/we FAHMI WELAYET hereby authorize
Registered Owner(s)

KTRAN DESIGN & DRAFTING to apply for a Development Permit at:
Applicant

1611 BAYWATER STREET SW / Lot: 13 Block: 29 Plan: 221 1099.
Municipal Address *Legal Description*

Registered Owner *(Signature)*: _____

Registered Owner *(Signature)*: _____

Date Signed: MARCH 29TH 2025

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Outlook

Development permit for Canopy for side entrance

From Fahmi Welayet [redacted]
Date Sat 2025-03-29 9:23 PM
To Kevin Tran [redacted]

The side entrance landing is fully within my property, and the proposed canopy will also be entirely within my property line without encroaching on my neighbor's space. I consulted with the canopy installer, who confirmed that the rainwater drainage system is designed to ensure no impact on my neighbor's property.

Regarding the fire-rated windows, Kyle provided two excellent options: glass block windows or wired glass with a steel frame. After extensive research and contacting numerous suppliers, I successfully found one that can install glass block windows for approximately $5,000. Additionally, my home remains under warranty, and the builder has clarified that they will not be responsible for any future damages.

I sincerely appreciate your time and consideration of my canopy development permit application and want to assure you that it will fully comply with property boundaries.

Regards,

Fahmi Welayet

Submission from Development Authority July 11, 2025

EXTERIOR MODIFICATION-COVERED ROOF

1611 BAYWATER STREET SW
AIRDRIE, ALBERTA

DRAWING LISTS:

ARCHITECTURAL

A.00	COVER PAGE
A.01	GENERAL NOTES
A.02	EXISTING SITE PLAN
A.03	PROPOSED SITE PLAN
A.03(B)	ENLARGED SITE PLAN
A.04	EXISTING BASEMENT FLOOR PLAN
A.05	PROPOSED BASEMENT FLOOR PLAN
A.06	EXISTING LEFT ELEVATION
A.07	PROPOSED LEFT ELEVATION
A.08	STAIRCASE SECTION # 1
A.09	STAIRCASE SECTION # 2
A.10	TYPICAL DETAILS

KTran DESIGN & DRAFTING

PROJECT

EXTERIOR MODIFICATION
EXTERIOR ROOF

STAMP

ISSUED:

NO.	ISSUE	DATE
	ISSUE FOR REVIEW	06.03.2025

NOTES

DRAWING INFORMATION:

CLIENT:

ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO: 01

DRAWING TITLE: COVER PAGE

SHEET: A.00

SCALE: NTS

REV. 0

GENERAL NOTES

1. THE FOLLOWING NOTES ARE APPLICABLE TO ALL DRAWINGS AND PERTAIN WITHIN THE SCOPE OF WORK DOCUMENTATION

2. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ELECTRICAL AND MECHANICAL ENGINEERING DRAWINGS AND SPECIFICATIONS. IT IS THE FULL RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CONTACT THE DESIGNER IN THE EVENT OF A DISCREPANCY BETWEEN THE CONSULTANTS DOCUMENTATION AND THAT OF THE DESIGNER FOR RESOLUTION PRIOR TO CONSTRUCTION / INSTALLATION. THE DESIGN DRAWINGS SHALL TAKE PRECEDENCE OVER THE ELECTRICAL AND MECHANICAL DRAWINGS.

3. ALTHOUGH PRESUMED TO BE ACCURATE, THESE DRAWINGS ARE NOT TO BE SCALED. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE. THE CONTRACTOR SHALL VERIFY, COORDINATE AND BE RESPONSIBLE FOR ALL DIMENSIONS ON THE JOB SITE. DIMENSIONS REQUIRING SITE MEASUREMENT SHALL BE CONFIRMED PRIOR TO PROCEEDING WITH WORK.

4. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS AND INSPECTIONS REQUIRED BY THE CITY OF AIRDRIE AND THE PROVINCE OF ALBERTA.

5. ALL WORK TO BE IN COMPLIANCE WITH THE LATEST EDITION OF THE ALBERTA BUILDING CODE 2023.

6. THE GENERAL CONTRACTOR SHALL EXAMINE THE SITE PRIOR TO SUBMITTING TENDERS AND INCLUDE FOR ALL WORK NECESSARY FOR A COMPLETE INSTALLATION AS REQUIRED BY THESE THE CONTRACT DOCUMENTS. ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND THE SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER IMMEDIATELY. FAILURE TO NOTE SITE CONDITIONS AND MAKE SUITABLE ALLOWANCES FOR SAME IN TENDER WILL IN NO WAY JUSTIFY A CLAIM FOR ADDITIONAL CHARGES OR COMPENSATION.

7. THESE CONTRACT DOCUMENTS ARE DIAGRAMMATIC IN NATURE AND ARE FURNISHED TO ESTABLISH SCOPE, MATERIAL, QUANTITIES, AND DESIGN INTENT. THE DOCUMENTS ARE NOT DETAILED INSTALLATION DRAWINGS. MINOR DETAILS USUALLY NOT SHOWN OR SPECIFIED AND ANY INCIDENTAL ACCESSORIES REQUIRED FOR PROPER INSTALLATION OF THE DESIGN ARE TO BE INCLUDED IN THE WORK AND ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND THEIR SUB-TRADES.

8. ALL CONSTRUCTION AND MATERIALS SHALL BE OF THE HIGHEST QUALITY AND CONFORM TO ACCEPTED INDUSTRY/TRADE STANDARDS FOR BEST QUALITY DESIGN AND CONSTRUCTION. ALL MATERIALS SHALL BE INSTALLED TO MANUFACTURER'S SPECIFICATIONS. ANY MATERIALS NOT SPECIFIED SHALL BE THE MOST SUITABLE FOR THE INTENDED PURPOSE.

9. THE GENERAL CONTRACTOR TO PROVIDE TO THE OWNER/TENANT WRITTEN MAINTENANCE INSTRUCTIONS FOR ALL NEW MATERIALS AND EQUIPMENT SUPPLIED.

10. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO ENSURE THAT THE DELIVERY TIME OF THE SPECIFIED MATERIALS DO NOT CAUSE A DELAY IN THE SCHEDULED COMPLETION OF THE PROJECT.

11. ANY WORK THAT CAN BE DEEMED DISRUPTIVE OR NOISY TO OTHER TENANTS, SHALL BE UNDERTAKEN AFTER HOURS. COORDINATE WITH LANDLORD AND/OR TENANT FOR SPECIFIC HOURS. ALLOWANCE FOR ALL AFTER HOURS WORK OR SCHEDULING TO BE INCLUDED IN BASE BID.

12. PROVIDE A SLIP JOINT AT THE TOP OF FULL HEIGHT WALLS WHICH MEET THE FLOOR SLAB ABOVE, TO ALLOW FOR 1" SLAB DEFLECTION.

13. SUPPLY AND INSTALL SOLID WOOD INTERNAL BLOCKING IN ALL WALLS TO RECEIVE WALL MOUNTED MILLWORK, EQUIPMENT AND OTHER OBJECTS FASTENED TO THE WALL.

14. THE CONTRACTOR IS TO REPAIR ALL DAMAGE TO WALL, FLOOR OR CEILING CAUSED BY THE CONSTRUCTION OR BUILD OUT OF THIS SPACE.

15. THE GENERAL CONTRACTOR IS TO ENSURE THAT PROPER AIR BALANCING TAKES PLACE PRIOR TO OCCUPANCY.

16. ALL MILLWORK SHALL CONFORM WITH THE LATEST VERSION OF THE A.W.M.A.C. (ARCHITECTURAL WOODWORK MANUFACTURERS ASSOCIATION OF CANADA) STANDARDS GUIDE.

17. THE GENERAL CONTRACTOR IS TO KEEP ONE SET OF RECORD DRAWINGS ON SITE AT ALL TIMES.

18. THIS INDICATES FOR RESIDENTIAL PROJECTS ONLY.

19. THE ROOF TRUSSES ARE TO BE DESIGNED BY A PROFESSIONAL ENGINEER AND FABRICATED BY A TRUSS SUPPLIER. SUPPLIER TO DO DRAWINGS FOR THE TOTAL ROOF AND VERIFY ALL DETAILS SHOWN ON THE DESIGNER'S DRAWINGS THE ROOF APPEARANCE MAY VARY.

20. ALL NAILING AND CONNECTIONS AS PER THE ALBERTA BUILDING CODE.

21. INSTALL EAVESTROUGHING , DOWNSPROUTS AND EXTENSIONS, AS REQUIRED

22. ELECTRICAL, PLUMBING AND HEATING SYSTEM DESIGNED BY OTHERS

23. FACTORY-FIREPLACES ARE TO BE SUPERIOR CF3860 OR EQUIVALENT AND SHALL BE INSTALLED TO CONFORM TO ULC S610 0, ABC AND MANUFACTURER'S SPECIFICATIONS.

24. GRADES SHOWN MAY VARY ON SITE AND MAY ALTER THE APPEARANCE OF THE BUILDING

25. ANY ENGINEERING REQUIRED ON THESE DRAWINGS IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR/OWNER

26. SOIL BEARING IS ASSUMED TO BE MINIMUM OF 2,500 p.s.f. SOIL BEARING TO BE CHECKED BY THE GENERAL CONTRACTOR. CONSULT WITH A PROFESSIONAL ENGINEER IF THE SOIL BEARING IS LESS THAN 2,500 p.s.f. AND ALSO IF A PROBLEM SOIL EXISTS. THE FOUNDATION DESIGN MAY HAVE TO BE REVISE BY AN ENGINEER.

1 / A.01 GENERAL NOTES

BUILDING ANALYSIS:

MUNICIPAL ADDRESS:
1611 BAYWATER STREET SW
AIRDRIE, ALBERTA

LEGAL PLAN:
LOT 13 BLOCK 29 PLAN 221 1099

SITE SIZE:
4500.00 SQ.FT.

BUILDING SIZE:
1988.00 SQ.FT.

ZONING:

YEAR OF CONSTRUCTION:

W1
WALL TYPE 1 (BASEMENT WALL)
- PARRKING ABOVE GRADE
- DAMP ROOFING BELOW GRADE
- 8" CONCRETE FOUNDATION WALL R/W
- 2-15M TOP & BOTTOM ON
- 8"X 20" CONCRETE STRIP FOOTING
- 2X 4 WOOD STUDS @ 24" O.C.
- R-20 INSULATION
- 6 MIL POLY VAPOR BARRIER
- AIR SPACE

W2
WALL TYPE 2 (EXTERIOR WALL)
-SIDING
- 1/2" DENSE OSB SHEATHING
- 2x6 WOOD STUD @ 16" o/c
- R-20 BATT INSULATION
- 6mil POLY VAPOR BARRIER
- ½" GYPSUM BOARD

W3
WALL TYPE 3 (INTERIOR PARTITION)
- ½" GYPSUM BOARD
- 2x4 WOOD STUD @ 16" o/c
- ½" GYPSUM BOARD

W4
WALL TYPE 4 (INTERIOR PLUMBING PARTITION)
- ½" GYPSUM BOARD
- 2x6 WOOD STUD @ 16" o/c
- ½" GYPSUM BOARD

PERFORMANCE REQUIREMENTS NAFS
PROVINCE = ALBERTA
CITY = CALGARY
PRODUCT HEIGHT = 28'2"
TERRAIN TYPE = OPEN

MIN. PERFORMANCE GRADE = 30 PG
MIN. POSITIVE DESIGN PRESSURE = 1440 PA
MIN. NEGATIVE DESIGN PRESSURE = 1440 PA
MIN. WATER PENETRATION RESISTANCE TEST PRESSURE = 220 PA
MIN. CANADA AIR INFILTRATION/EXFILTRATION = A2

calculations based on AAMA/WDMA/CSA 101/I.S. 2/A440-11 (NAFS-11) AND CSA A440S1-17 (CANADIAN SUPPLEMENT TO NAFS-11)

KTran DESIGN & DRAFTING

PROJECT

BASEMENT EXTERIOR MODIFICATION

STAMP

ISSUED:

NO.	ISSUE	DATE
1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

CLIENT:

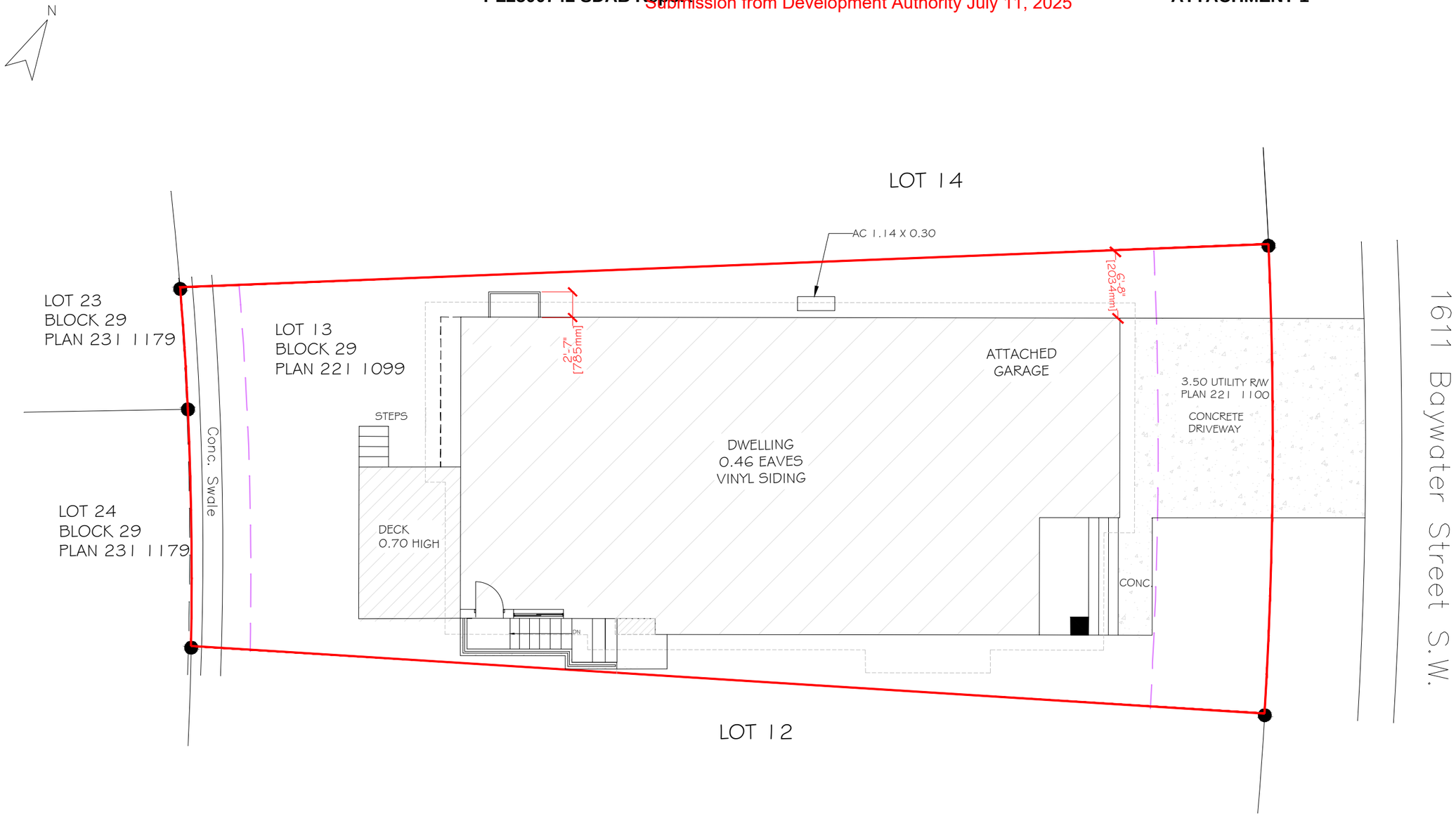
ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	02
DRAWING TITLE:	GENERAL NOTES
SHEET:	A.01
SCALE:	NTS
REV.	0



1 / A.02 EXISTING SITE PLAN

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BASEMENT EXTERIOR MODIFICATION

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1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

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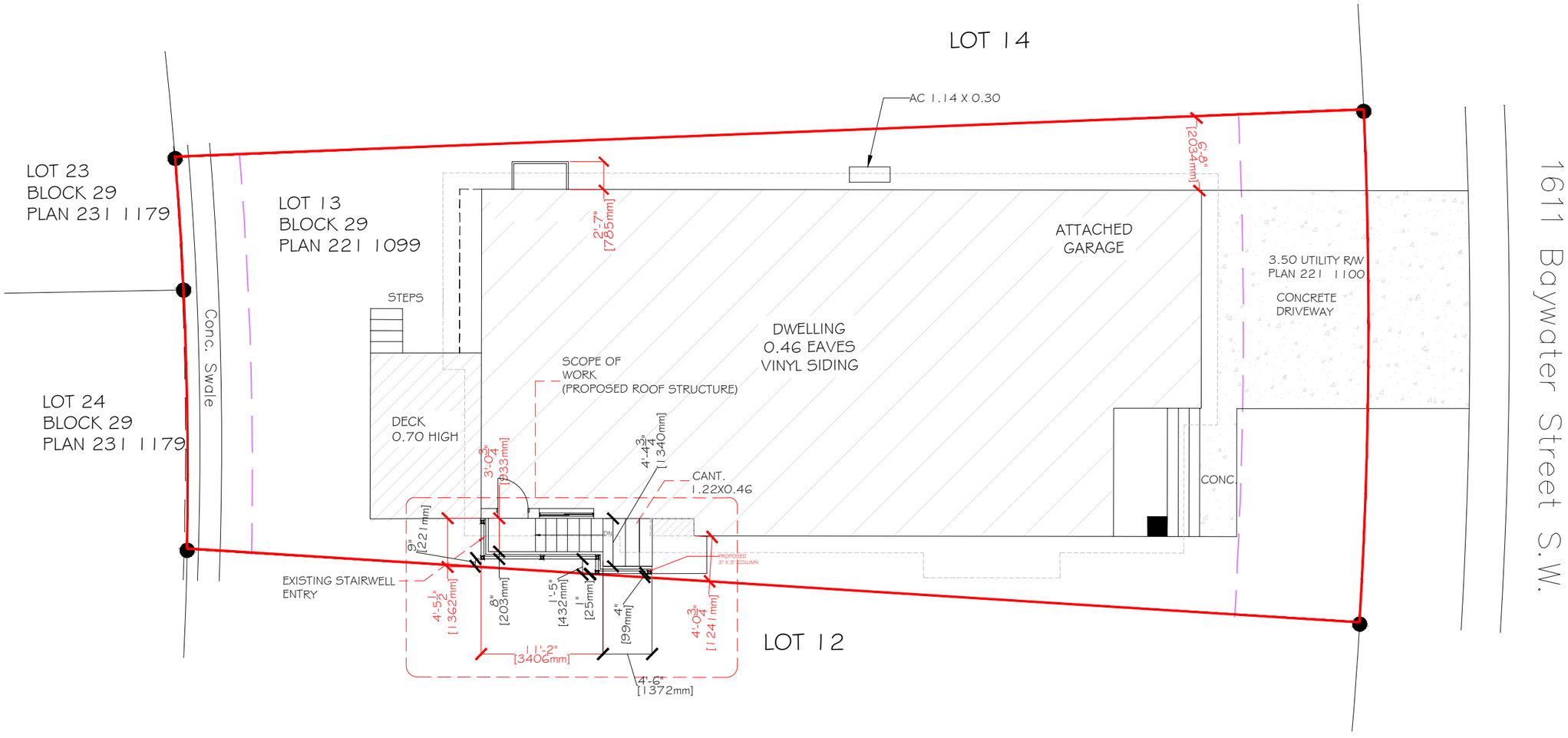
ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	03
DRAWING TITLE:	EXISITNG SITE PLAN
SHEET:	A.02
SCALE:	3/32"=1'0"
REV.	0



1 / A.03 PROPOSED SITE PLAN

KTran DESIGN & DRAFTING

PROJECT

BASEMENT EXTERIOR MODIFICATION

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ISSUED:

NO.	ISSUE	DATE
1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

CLIENT:

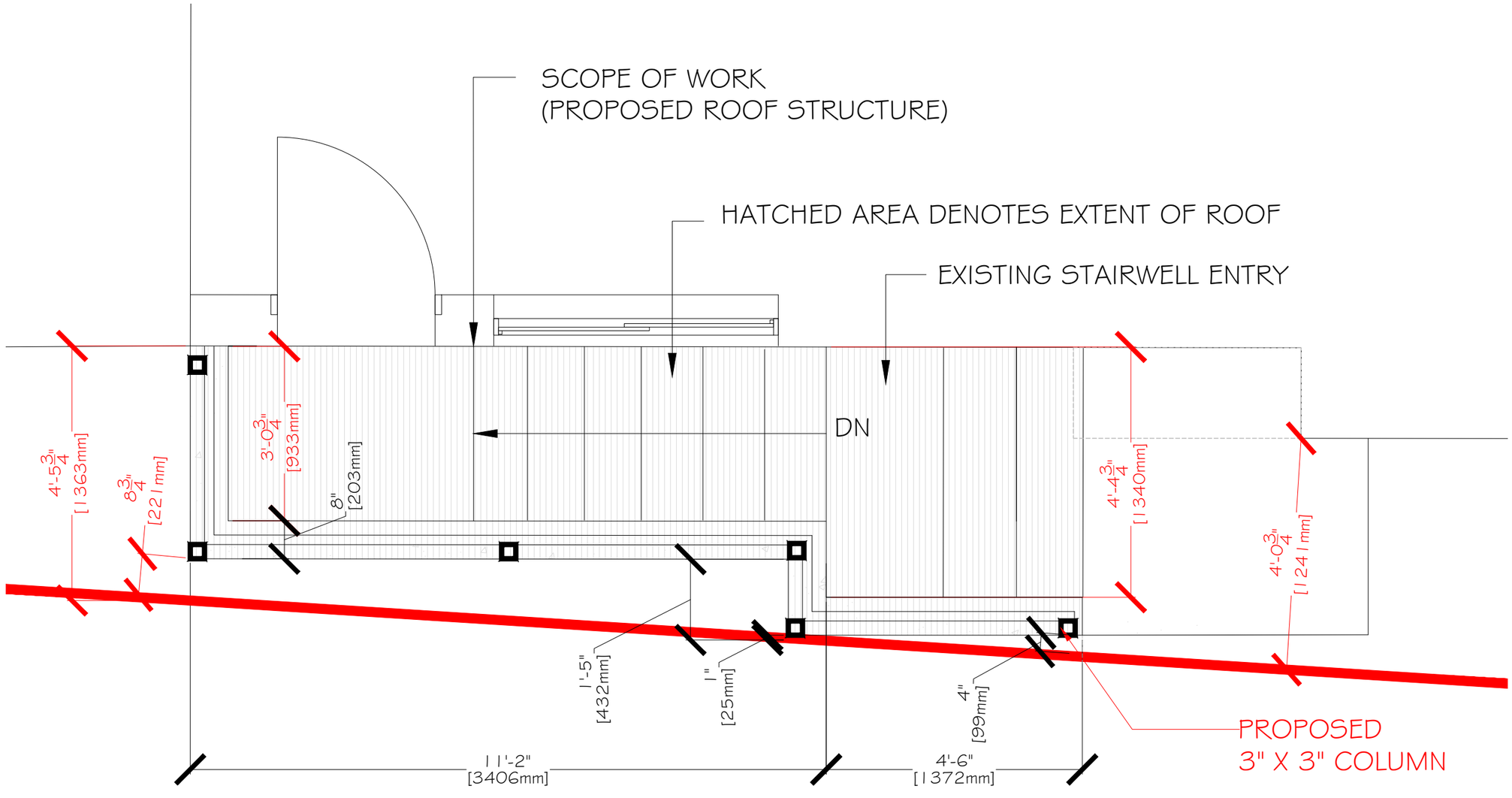
ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	04
DRAWING TITLE:	PROPOSED SITE PLAN
SHEET:	A.03
SCALE:	3/32"=1'0"
REV.	0



1 / A.03(B) ENALRGED SITE PLAN

KTran DESIGN & DRAFTING

PROJECT

BASEMENT EXTERIOR MODIFICATION

STAMP

ISSUED:

NO.	ISSUE	DATE
1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

CLIENT:

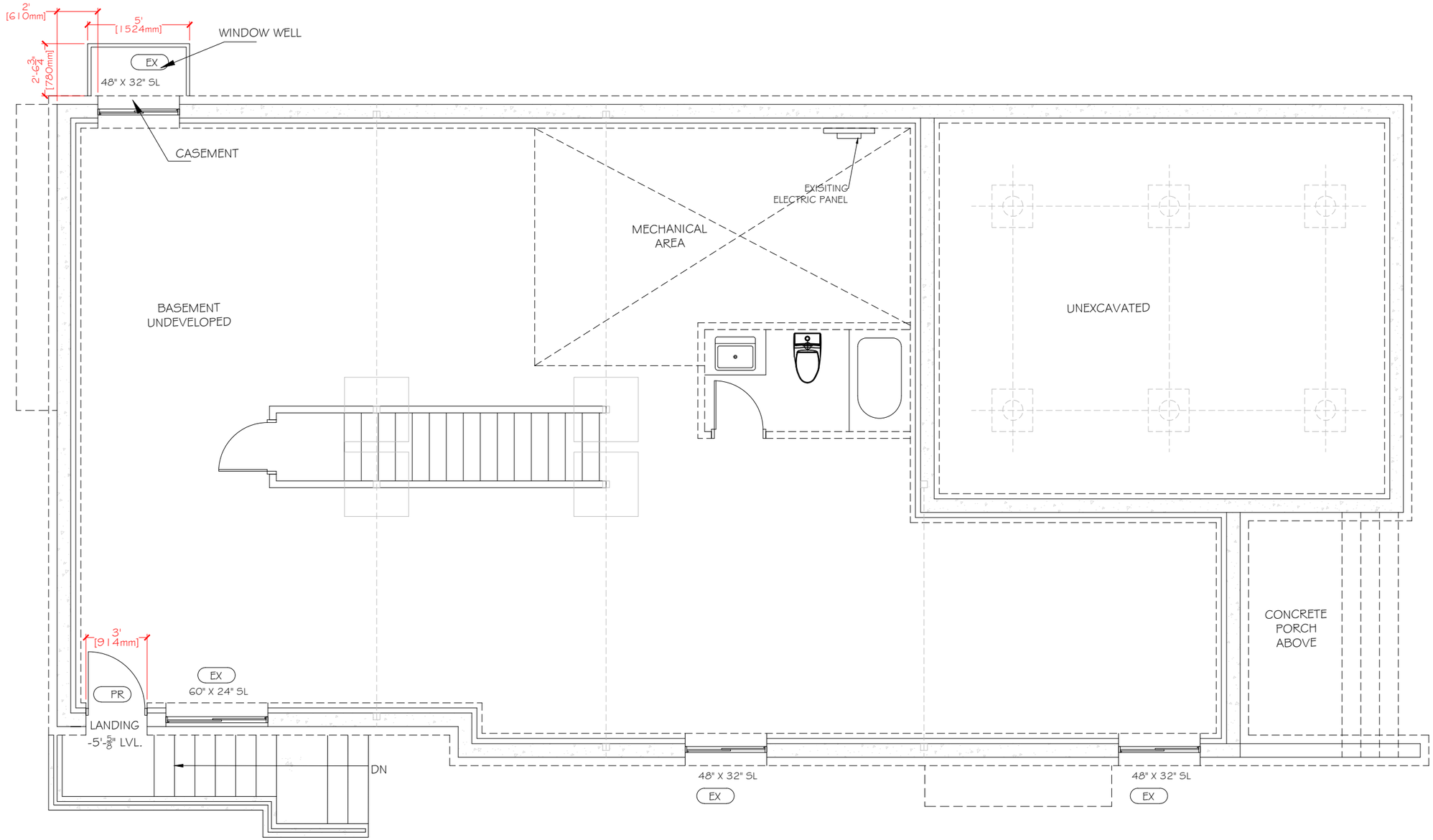
ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	04
DRAWING TITLE:	ENLARGED SITE PLAN
SHEET:	A.03(B)
SCALE:	1/2"=1'0"
REV.	0



1 / A.04 EXISTING BASEMENT FLOOR PLAN

KTran DESIGN & DRAFTING

PROJECT

BASEMENT EXTERIOR MODIFICATION

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ISSUED:

NO.	ISSUE	DATE
1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

CLIENT:

ADDRESS: 1611 BAYWATER STREET SW

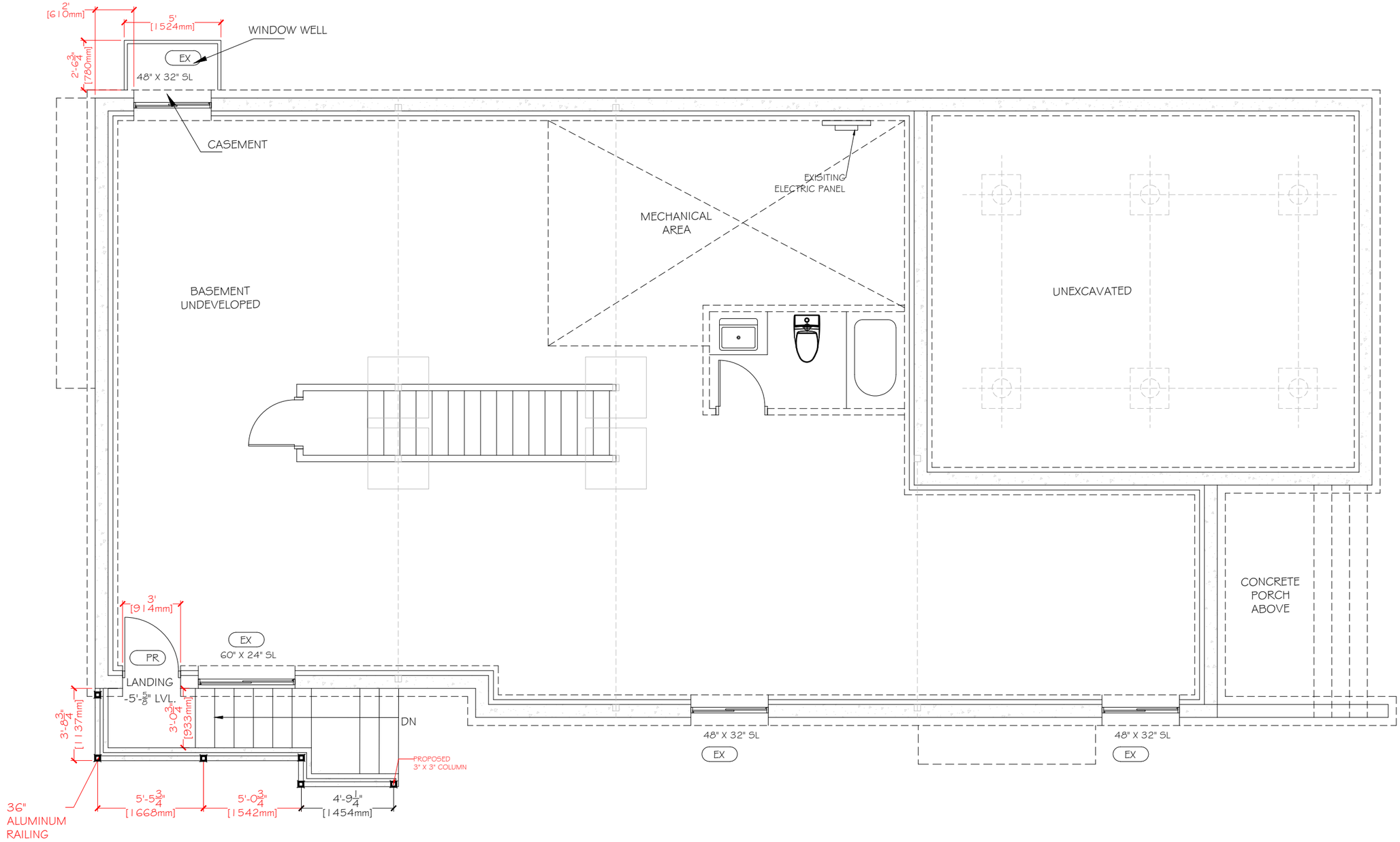
LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	05
DRAWING TITLE:	EXIST. BASEMENT FLR PLANS
SHEET:	A.04
SCALE:	3/16"= 1'0"
REV.	0

Submission from Development Authority July 11, 2025



1 / A.05 PROPOSED BASEMENT FLOOR PLAN

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NOTES

DRAWING INFORMATION:

CLIENT:

ADDRESS: 1611 BAYWATER STREET SW

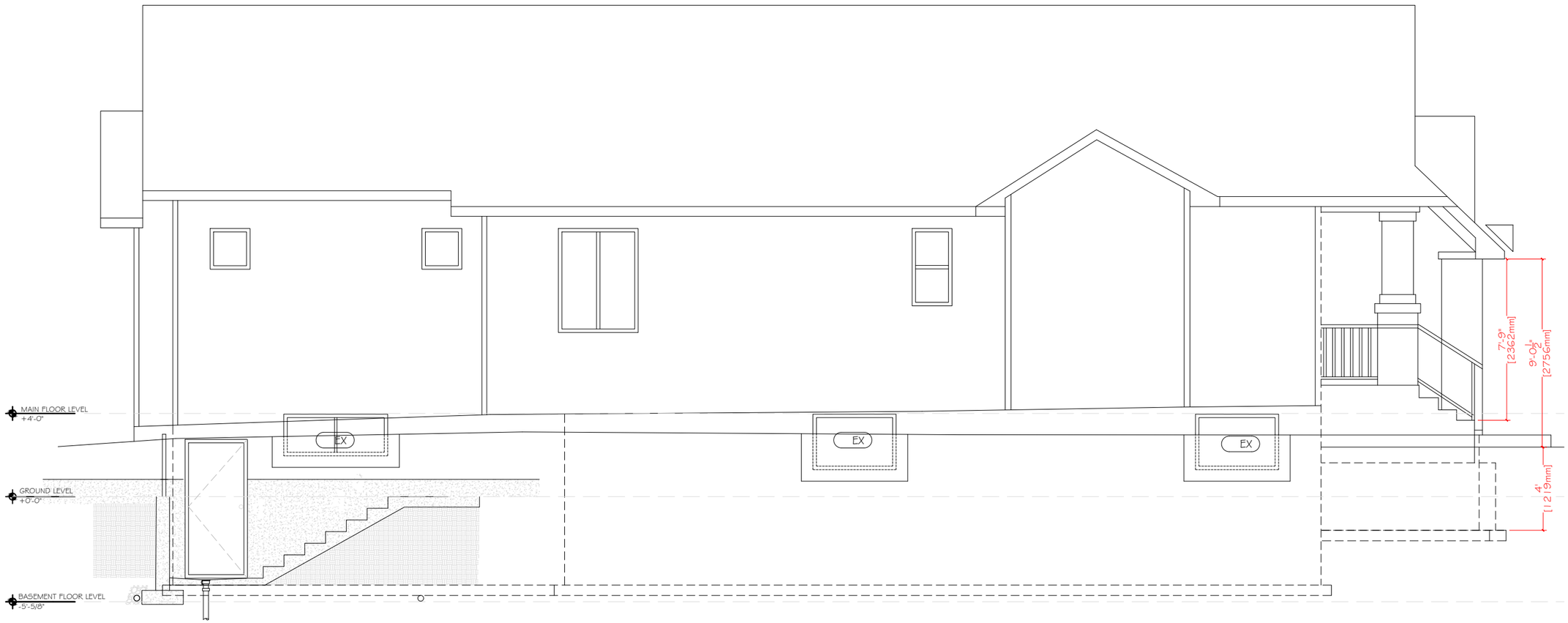
LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	06
DRAWING TITLE:	PROP. BASEMENT FLR PLANS
SHEET:	A.05
SCALE:	3/16"= 1'0"
REV.	0

Submission from Development Authority July 11, 2025



1 / A.06 EXISTING LEFT ELEVATION

KTran DESIGN & DRAFTING

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NO.	ISSUE	DATE
1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

CLIENT:

ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

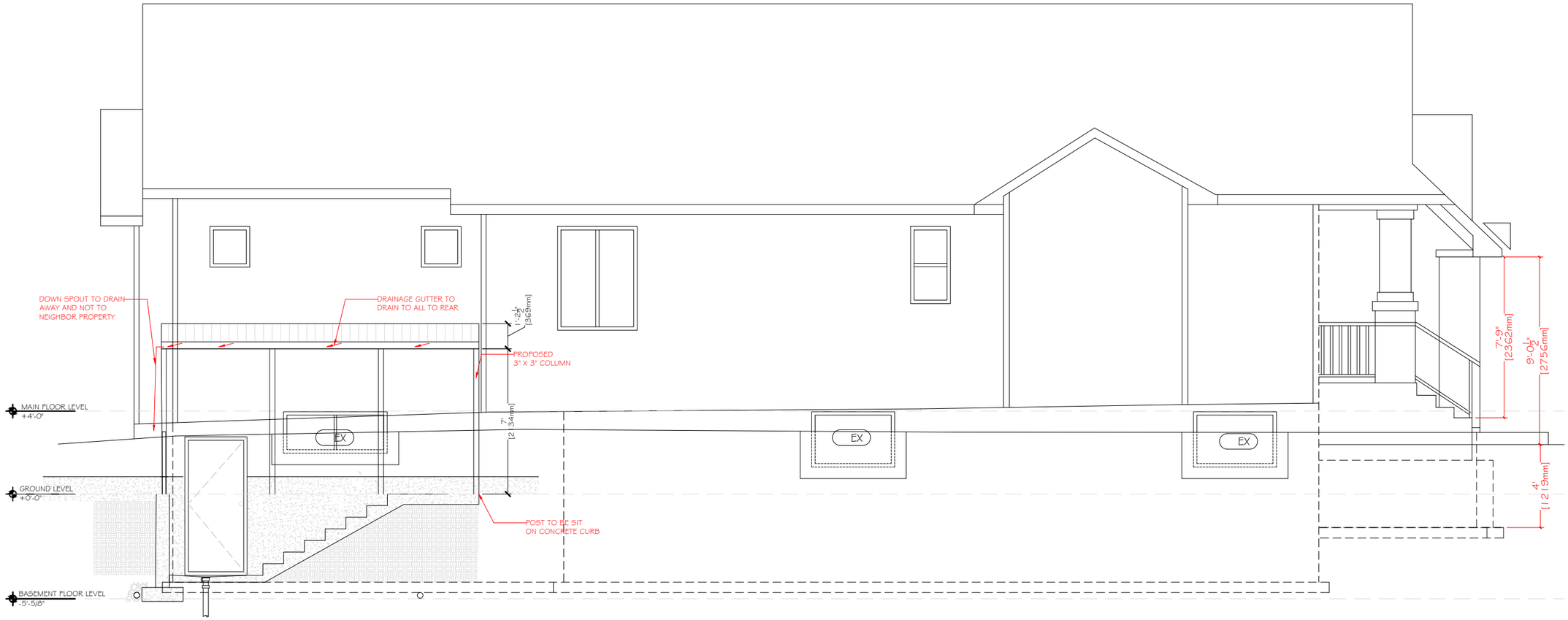
DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	07
DRAWING TITLE:	EXISTING LEFT ELEVATION
SHEET:	A.06
SCALE:	3/16"= 1'0"
REV.	0

Submission from Development Authority July 11, 2025

L



1 / A.07 PROPOSED LEFT ELEVATION

KTran DESIGN & DRAFTING

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NO.	ISSUE	DATE
1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

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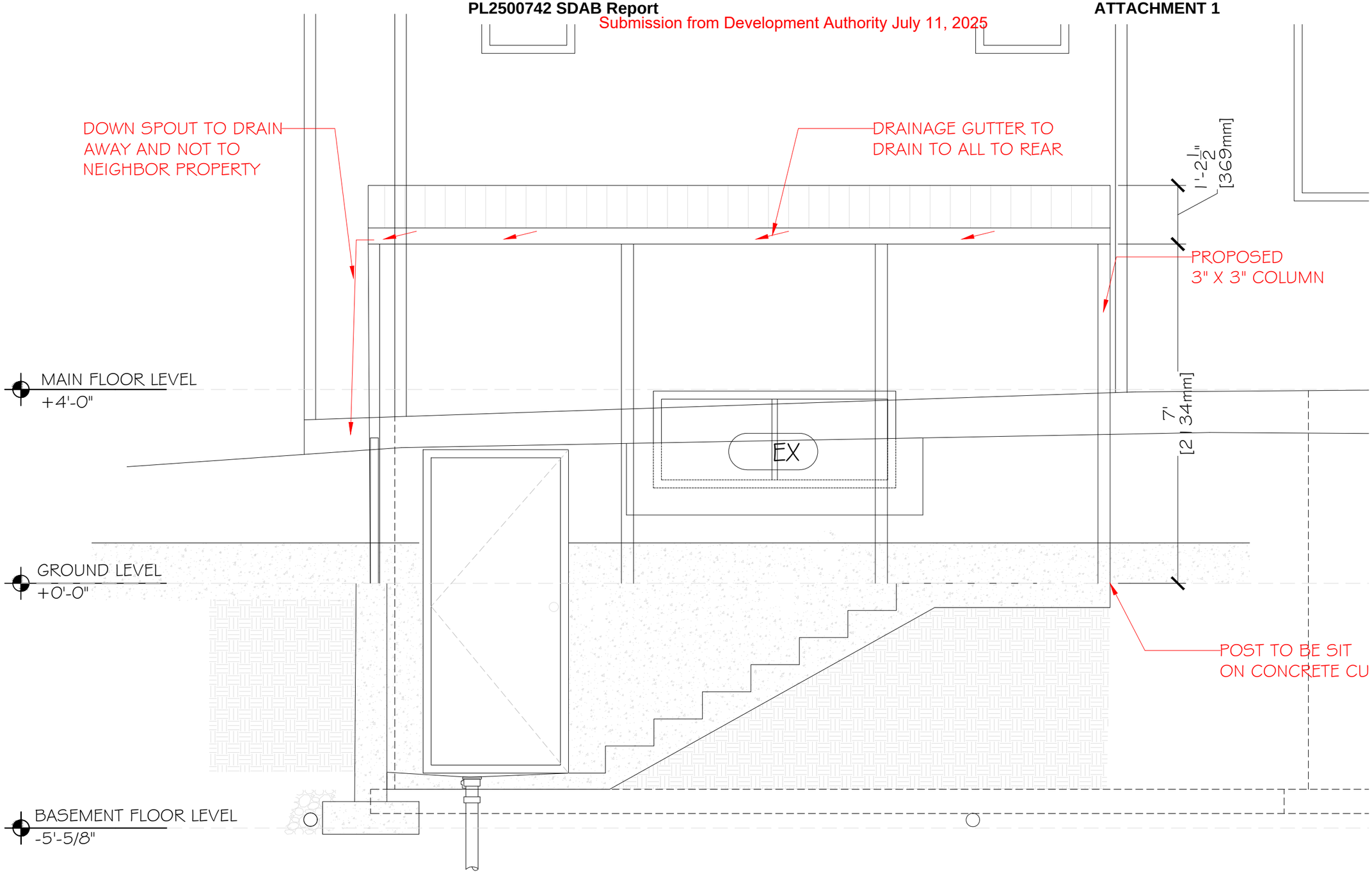
ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	08
DRAWING TITLE:	PROPOSED LEFT ELEVATION
SHEET:	A.07
SCALE:	3/16"= 1'0"
REV.	0



1 / A.08 STAIRCASE SECTION # 1

KTran DESIGN & DRAFTING

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CLIENT:

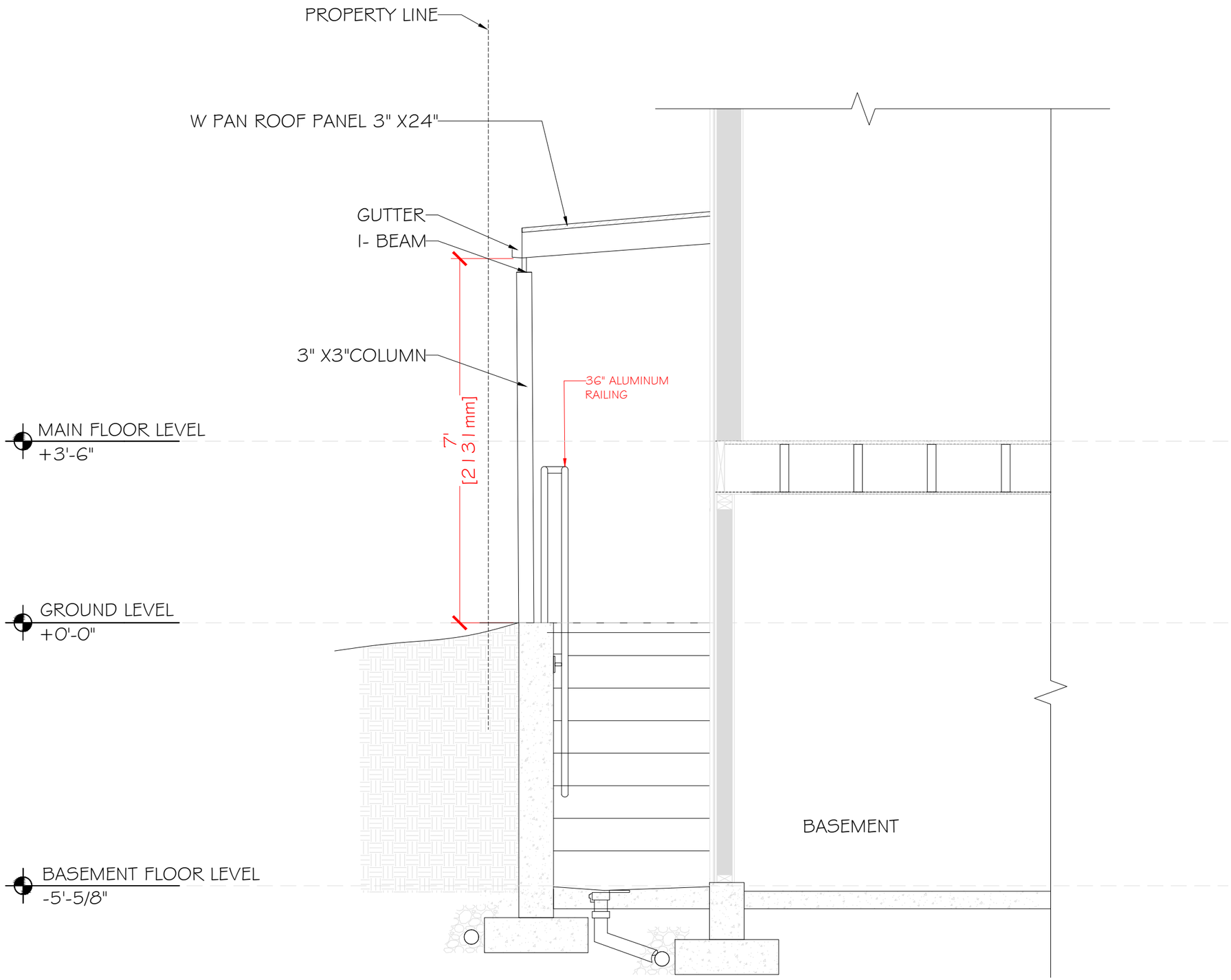
ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	07
DRAWING TITLE:	STAIRCASE SECTION #1
SHEET:	A.08
SCALE:	1/2"= 1'0"
REV.	0



1 / A.09 STAIRCASE SECTION # 2

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ADDRESS: 1611 BAYWATER STREET SW

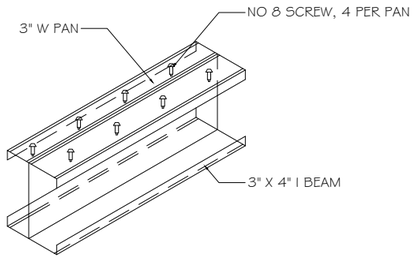
LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

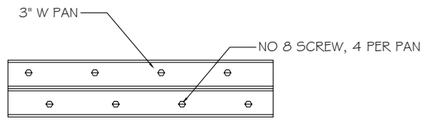
LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	08
DRAWING TITLE:	STAIRCASE SECTION #2
SHEET:	A.09
SCALE:	1/2"=1'0"
REV.	0

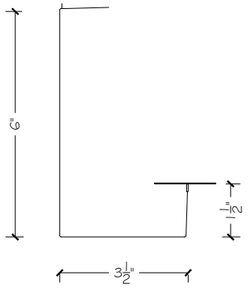
Submission from Development Authority July 11, 2025



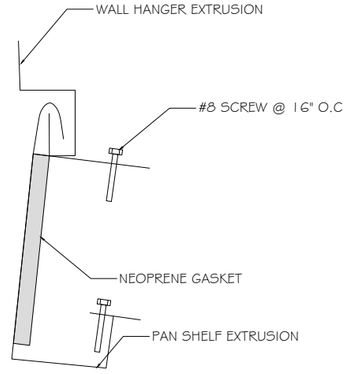
ISO VIEW



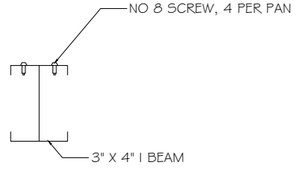
TOP VIEW



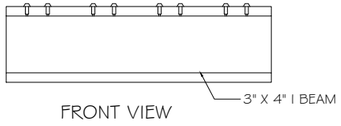
EXTRUDED GUTTER



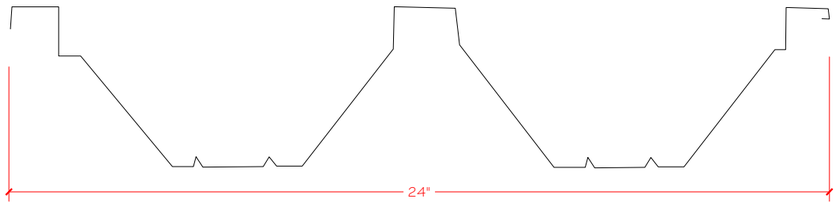
WALL HANGER
(ATTACHED TO LEDGER BOARD)



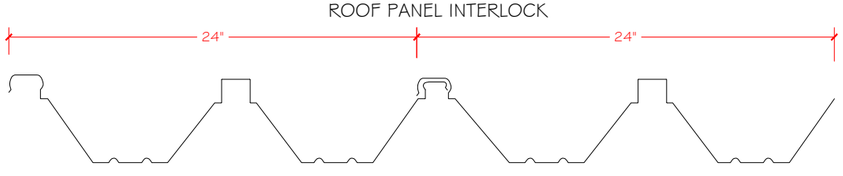
SECTION VIEW

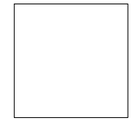


FRONT VIEW

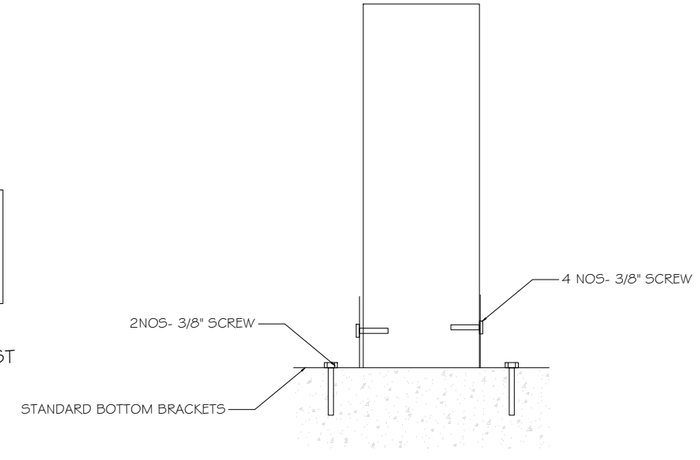


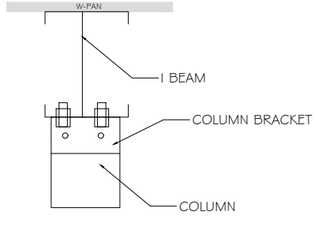
W PAN ROOF PANEL 3" X 24"
(0.032 GAUGE THICKNESS)





3" X 3"
COLUMN POST





1 DETAILS
A.10

25

K-Tran
DESIGN & DRAFTING

PROJECT

BASEMENT EXTERIOR MODIFICATION

STAMP

ISSUED:

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1.	ISSUE FOR REVIEW	07.03.24

NOTES

DRAWING INFORMATION:

CLIENT:

ADDRESS: 1611 BAYWATER STREET SW

LOCATION:AIRDRIE , ALBERTA

DRAWN BY: KT

LEGAL PLAN: LOT 13 BLOCK 29 PLAN 221 1099

DRAWING NO:	09
DRAWING TITLE:	DETAILS
SHEET:	A.10
SCALE:	3"=1'0"
REV.	0

Submission from Development Authority July 11, 2025



Existing side entrance prior to new roof structure

Submission from Development Authority July 11, 2025



Existing side entrance

Submission from Development Authority July 11, 2025



Existing side entrance

Submission from Development Authority July 11, 2025

New roof structure from distance

Submission from Development Authority July 11, 2025

New roof structure

Submission from Development Authority July 11, 2025

CITY of AIRDRIE
COMMUNITY & OPPORTUNITY

Current Planning
400 Main Street SE, Airdrie, AB T4B 3C3
Phone: 403.948.8832
Email: planning@airdrie.ca
www.airdrie.ca/planning

Date Printed: April 11, 2025

KTRAN DESIGN & DRAFTING
PO BOX 33051 RPO PANORAMA HILLS
CALGARY, AB T3K 0A1

NOTICE OF COMPLETE APPLICATION

Application Number: PL2500742
Proposed Use: Dwelling, Single Detached - Variance to Side Yard Setback for Covered Side Entry

Property Address
1611 BAYWATER STREET SW, AIRDRIE, AB

Legal Description
Lot: 13, Block: 29, Plan: 2211099

Dear Applicant,

The City of Airdrie has received the above-noted application and has been *deemed complete* for circulation.

The application will be referred to City departments and external agencies for review and comment. The circulation period will close at 4:30 pm on April 24, 2025. Following this date, all received comments will be compiled, reviewed, and forwarded to you.

If you have any questions, please get in touch with the file manager, Sangeeta Vishwakarma at Sangeeta.Vishwakarma@airdrie.ca or 403.948.8800 ext. 8447.

Yours truly,

Sangeeta Vishwakarma
Subdivision Planner
Current Planning
City of Airdrie

Submission from Development Authority July 11, 2025

CITY of AIRDRIE
COMMUNITY & OPPORTUNITY

Current Planning
400 Main Street SE, Airdrie, AB T4B 3C3
Phone: 403.948.8832
Email: planning@airdrie.ca
www.airdrie.ca/planning

Date Printed: April 30,2025

KTRAN DESIGN & DRAFTING
PO BOX 33051 RPO PANORAMA HILLS
CALGARY, AB T3K 0A1

SUMMARY OF CIRCULATION COMMENTS

Application Number: PL2500742
Proposed Use: Dwelling, Single Detached - Variance to Side Yard Setback for Covered Side Entry (Refusal)

Property Address	**Legal Description**
1611 BAYWATER STREET SW, AIRDRIE, AB	Lot: 13, Block: 29, Plan: 2211099

Dear KTRAN DESIGN & DRAFTING,

The circulation period for the above-mentioned permit application (PL2500742) has completed. Please review the comments below from internal and external agencies (if noted):

Planning Review -

The Development Application has been reviewed and based on evaluation against the Land Use Bylaw, would be refused for the following reasons:

1. The proposed roof structure does not meet the Minimum Side Yard Setback requirement of Section 8.5.1 R1, Single Detached Residential District of the Land Use Bylaw B-01/2016:
   a. The Minimum Required Side Yard Setback in accordance with Section 8.5.1 R1, Single Detached Residential District is 1.2 m (3.94 ft.).
   b. The roof structure is proposed at 1.18 m (3.87 ft.) from the exterior building wall.
   c. No portion of the roof structure is allowed to project into a required setback as per Section 7.25, the entire roof structure is considered to encroach the required side yard setback at 1.18 m (3.87 ft.), for a 97.9% Variance to the Minimum Required Side Yard Setback.

2. The proposed roof structure does not meet Section 7.25 (Projections and Encroachments) of the Land Use Bylaw B-01/2016:
   a. In accordance with Section 7.25 (Table 15), Architectural Features such as awnings and similar elements that are integral parts of the architecture of the building may encroach up to 0.60 m (1.97 ft) into a setback less than 3.0 m.
   b. The roof structure does not meet the definition of an awning (Section 1.13) or similar

Submission from Development Authority July 11, 2025
Current Planning
400 Main Street SE, Airdrie, AB T4B 3C3
Phone: 403.948.8832
Email: planning@airdrie.ca
www.airdrie.ca/planning

element as it is not solely supported by the exterior wall of the building. The roof extends from the exterior wall, however due to its width and depth, is supported by posts sitting 0.02 m (1 inch) from the side property line.

3. The encroachment of the proposed roof structure into the Minimum Required Side Yard Setback would unduly or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.
   a. The application indicates that gutters would be installed along the roof line to re-direct drainage on-site towards the rear. However, due to the proximity of the roof structure at 0.02 m (1 inch) from the side property line, off-site drainage impacts to the neighbouring site is expected. Furthermore, the gutters would appear to encroach over the side property line based on the submitted drawings.

BI Building Review -

Provide evidence that the chosen materials are CCMC approved; design climactic requirements (snow loads, etc.) for Airdrie; fireplace exhaust cannot exhaust below this roof; If the exit stairs are under the next window, then the roof protection must extend; roof drainage cannot shed over the PL or adversely affect neighboring property.

Engineering Review -

Ensure the downspout of the cover directs the drainage to the back, and not to adjacent property.

If you have any questions, please get in touch with the file manager, Sangeeta Vishwakarma at Sangeeta.Vishwakarma@airdrie.ca or 403.948.8800 ext. 8447.

Yours truly,

Sangeeta Vishwakarma
Subdivision Planner
Current Planning
City of Airdrie

Submission from Development Authority July 11, 2025

Current Planning
400 Main Street SE, Airdrie, AB T4B 3C3
Phone: 403.948.8832
Email: planning@airdrie.ca
www.airdrie.ca/planning

Date Printed: April 30,2025

KTRAN DESIGN & DRAFTING
PO BOX 33051 RPO PANORAMA HILLS
CALGARY, AB T3K 0A1

NOTICE OF DECISION

Application Number: PL2500742
Refused Use: Dwelling, Single Detached - Variance to Side Yard Setback for Roof Structure (Refusal)

Property Address
1611 BAYWATER STREET SW,
AIRDRIE, AB

Legal Description
Lot: 13, Block: 29, Plan: 2211099

Dear Applicant,

The Development Authority has reviewed the above Development Permit application for a **Dwelling, Single Detached - Variance to Side Yard Setback for Roof Structure** on **April 30, 2025.** The application has been **REFUSED** for the following reasons:

1. The proposed roof structure does not meet the Minimum Side Yard Setback requirement of Section 8.5.1 *R1, Single Detached Residential District* of the Land Use Bylaw B-01/2016:

    a. The Minimum Required Side Yard Setback in accordance with Section 8.5.1 R1, Single Detached Residential District is 1.2 m (3.94 ft.).
    b. The roof structure is proposed at 1.18 m (3.87 ft.) from the exterior building wall.
    c. No portion of the roof structure is allowed to project into a required setback as per Section 7.25, the entire roof structure is considered to encroach the required side yard setback at 1.18 m (3.87 ft.), for a 97.9% Variance to the Minimum Required Side Yard Setback.

2. The proposed roof structure does not meet Section 7.25 (*Projections and Encroachments)* of the Land Use Bylaw B-01/2016:

    a. In accordance with Section 7.25 (Table 15), Architectural Features such as awnings and similar elements that are integral parts of the architecture of the building may encroach up to 0.60 m (1.97 ft) into a setback less than 3.0 m.
    b. The roof structure does not meet the definition of an awning (Section 1.13) or similar element as it is not solely supported by the exterior wall of the building. The roof extends from the exterior wall, however due to its width and depth, is supported by posts sitting 0.02 m (1 inch) from the side property line.

3. The encroachment of the proposed roof structure into the Minimum Required Side Yard Setback would unduly or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land:

Submission from Development Authority July 11, 2025

Current Planning
400 Main Street SE, Airdrie, AB T4B 3C3
Phone: 403.948.8832
Email: planning@airdrie.ca
www.airdrie.ca/planning

a. The application indicates that gutters would be installed along the roof line to re-direct drainage on-site towards the rear. However, due to the proximity of the roof structure at 0.02 m (1 inch) from the side property line, off-site drainage impacts to the neighbouring site is expected. Furthermore, the gutters would appear to encroach over the side property line based on the submitted drawings.

According to Section 2.7.2 of the Land Use Bylaw B-01/2016, you have the right to appeal this decision to the Subdivision and Development Appeal Board (SDAB) by filing a Notice of Appeal form, together with the applicable fee within twenty-one (21) days from the date of this letter, April 30, 2025.

Please be advised that when a Development Permit has been refused by the Development Authority or on appeal by the SDAB, the submission of another application for the same or similar use on the same parcel of land may not be made by the applicant for a period of six (6) months from the date of the refusal.

If you have any questions, please get in touch with the file manager, Sangeeta Vishwakarma at Sangeeta.Vishwakarma@airdrie.ca or 403.948.8800 ext.8447.

For more information about filing an appeal, visit www.airdrie.ca/sdab or contact the Subdivision and Development Appeal Board (SDAB) clerk at 403.948.8816 or appeals@airdrie.ca.

Yours truly,

Gail R. Gibeau RPP, MCIP
Development Officer
Current Planning
City of Airdrie

Submission from Development Authority July 11, 2025

City of Airdrie
Subdivision and Development Appeal Board

Notice of Appeal Form

A notice of appeal for a development matter must be filed within 21 days of the development authority's written decision.
A notice of appeal for a subdivision matter must be filed within 14 days after the receipt of the subdivision authority's written decision.

Appellant (Landowner, applicant, or affected party filing the appeal)

Name of Appellant(s)	Telephone #
FAHMI WELAYET	

Mailing Address	Municipality	Province	Postal Code
1611 BAY WATER ST SW	AIRDRIE	AB	T4B 5K6

E-mail Address (*By providing an e-mail address I consent to receive documents by e-mail*)

Property under appeal

Municipal Address	Legal Land Description (Lot, Block, Plan)
SAME AS ABOVE	13; 29; 2211099
Development Permit #, Subdivision Application #, or Enforcement Order #	**Date of decision**
PL2500742	APRIL 30, 2025

Matter being appealed (check one box only)

Development authority decision	**Subdivision authority decision**	**Enforcement decision**
☐ Approval or the conditions of approval	☐ Approval or the conditions of approval	☐ Stop Order
☒ Refusal	☐ Refusal	

Reasons for appeal (attach separate page if required) - All appeals must contain reasons

Please see next page attached.

RECEIVED
MAY 20 2025
CITY OF AIRDRIE

Signature of Appellant	**Date**
[redacted]	May 18, 2025

The personal information on this form is collected for the purpose of administering the Subdivision and Development Appeal Board appeal process and becomes a public document which may be provided to those who may be affected by your appeal. This personal information is collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. Questions concerning the collection of this information can be directed to the FOIP Coordinator at (403) 948-8816 or by e-mail to foip@airdrie.ca.

Last updated: June 5, 2024

RECEIVED
MAY 20 2025
CITY OF AIRDRIE

May 18, 2025
City of Airdrie
Subdivision and Development Appeal Board

RE: Appeal of Refusal – File PL2500742
Property Address: 1611 Baywater ST SW, Airdrie, AB

Dear Members of the Subdivision and Development Appeal Board,

I am writing to formally appeal the decision to refuse my application for the installation of an engineered awning over the basement stairwell at my property.

In an effort to comply with the City of Airdrie's requirements, we explored the alternative option of installing glass block windows. However, after thorough research, we discovered that this modification would void the builder's home warranty. This raises serious concerns about the long-term integrity and resale value of our home. Additionally, sourcing qualified contractors for glass block installation in this area has proven to be extremely challenging due to limited availability.

Replacing the two small windows would also require significant structural changes to the home, including removal and replacement of exterior siding and associated construction. A professional quote for the window replacement alone came to $7,000—excluding the cost of other necessary modifications—making the option financially prohibitive.

Prior to this application, I consulted my next-door neighbour, Mr. Devin Rogers, who owns the adjacent property. He expressed no objection to the awning installation, provided that it does not direct rainwater onto his property. We are committed to ensuring proper drainage design to respect this concern.

When Mr. Kyle Varney, Safety Codes Officer with the City of Airdrie, visited my residence for a prior inspection, he informed me that an engineered awning over the basement entrance would be acceptable. Based on this information, I invested several thousand dollars to hire a professional engineer to draft the necessary drawings and proceed with the application.

The proposed awning provides several important benefits:

1. **Improved Safety**: Prevents snow and ice accumulation on the stairway, greatly reducing the risk of slips and falls during winter months.
2. **Water Protection**: Shields the basement door from rain and snowmelt, minimizing the risk of leaks, rot, and mold.
3. **Better Drainage**: With proper installation, the awning directs runoff away from the foundation, reducing potential flooding and water damage.
4. **Fire Safety**: An awning can help slow the spread of fire by acting as a barrier above the entry.

Considering the significant financial investment already made, the impact on our home warranty, the lack of viable alternatives, and the safety and structural benefits of the proposed awning, we respectfully request the Board to reconsider the refusal and approve our application.

Thank you for your time and attention to this matter.

Sincerely,

[redacted]

Fahmi Welayet

[redacted]

Submission from Development Authority July 11, 2025

City of Airdrie
Subdivision and Development Appeal Board

400 Main Street SE, Airdrie, AB T4B 3C3
P 403-948-8816 | E Appeals@airdrie.ca
www.airdrie.ca/sdab

NOTICE OF HEARING

May 22, 2025

Re: Appeal for development permit application no. PL2500742 at 1611 Baywater Street SW (Lot 13, Block 29, Plan 2211099)

The City of Airdrie Subdivision and Development Appeal Board (SDAB or Board) received an appeal of the development authority's decision to deny a development permit application for dwelling, single detached - variance to side yard setback for roof structure at 1611 Baywater Street SW, Airdrie.

The public hearing for this appeal is scheduled for **9:00 AM on Thursday, June 5, 2025, at City Hall**. The hearing will be streamed online at www.airdrie.ca/sdab.

If you believe you are affected by this appeal, you may either:

1. Email, mail, or drop-off a letter of support or opposition, including visual materials, to the Board at the contact information above. Submissions received after **Friday, May 30th** may not be included in the appeal evidence package and may result in a hearing delay;

   OR

2. Speak to the Board at the hearing in-person or virtually via Microsoft Teams. Please review the SDAB Participant Guide posted on www.airdrie.ca/sdab.

   - In-person: You must bring **15 paper copies** of presentation materials, including digital materials, to the hearing. Failure to do so may result in a hearing delay. In addition to paper copies, you may e-mail the clerk a copy of your PowerPoint presentation. USBs are not accepted.

   - Virtual: Contact the Board for a Microsoft Teams invitation.

Information about the development permit application and documents submitted for the appeal will be posted on www.airdrie.ca/sdab on **Monday, June 2, 2025.** You may also watch the live streaming of the meeting at www.airdrie.ca/sdab starting at 9:00 a.m.

Any information you provide to the SDAB is collected under section 33(c) of the *Freedom of Information and Protection of Privacy Act* (FOIP Act). The information may be used as evidence at the appeal hearing and will become a part of the appeal hearing's public record. Your name, street address, and reasons for supporting or opposing the appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. You may direct questions concerning the collection and release of this information to the FOIP Coordinator at 403-948-8816.

City of Airdrie
Subdivision and Development Appeal Board
400 Main Street SE, Airdrie, AB T4B 3C3
P 403-948-8816 | E Appeals@airdrie.ca
www.airdrie.ca/sdab

NOTICE OF HEARING ADJOURNMENT

May 22, 2025

Re: Appeal for development permit application no. PL2500742 at 1611 Baywater Street SW (Lot 13, Block 29, Plan 2211099)

The City of Airdrie Subdivision and Development Appeal Board (SDAB or Board) received an appeal of the development authority's decision to deny a development permit application for dwelling, single detached - variance to side yard setback for roof structure at 1611 Baywater Street SW, Airdrie.

On May 25, 2025 a request for adjournment to a new date was received by the appellant. On May 29, 2025 the Chair of the Board opened the hearing and adjourned it to **9:00 AM on Thursday, July 17, 2025, at City Hall**. The hearing will be streamed online at www.airdrie.ca/sdab.

If you believe you are affected by this appeal, you may either:

1. Email, mail, or drop-off a letter of support or opposition, including visual materials, to the Board at the contact information above. Submissions received after **Friday, July 11th** may not be included in the appeal evidence package and may result in a hearing delay;

   OR

2. Speak to the Board at the hearing in-person or virtually via Microsoft Teams. Please review the SDAB Participant Guide posted on www.airdrie.ca/sdab.

   - In-person: You must bring **15 paper copies** of presentation materials, including digital materials, to the hearing. Failure to do so may result in a hearing delay. In addition to paper copies, you may e-mail the clerk a copy of your PowerPoint presentation. USBs are not accepted.

   - Virtual: Contact the Board for a Microsoft Teams invitation.

Information about the development permit application and documents submitted for the appeal will be posted on www.airdrie.ca/sdab on **Monday, July 14, 2025.** You may also watch the live streaming of the meeting at www.airdrie.ca/sdab starting at 9:00 a.m.

Any information you provide to the SDAB is collected under section 33(c) of the *Freedom of Information and Protection of Privacy Act* (FOIP Act). The information may be used as evidence at the appeal hearing and will become a part of the appeal hearing's public record. Your name, street address, and reasons for supporting or opposing the appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. You may direct questions concerning the collection and release of this information to the FOIP Coordinator at 403-948-8816.

APPLICABLE LAND USE BYLAW REGULATIONS

8.5 Land Use Districts

8.5.1 R1, Single Detached Residential District

Purpose and Intent
The purpose of this district is to provide for residential development in the form of single detached dwellings.

Permitted Land Uses	Discretionary Land Uses
Dwelling, Single Detached	Dwelling, Garden Suite Bylaw B-30/2024
Dwelling, Secondary Suite	Bed and Breakfast
Dwelling, Garage Suite Bylaw B-30/2024	Home Business, General
Accessory Building	Public Assembly, Limited
Home Business, Limited	Child Care, General Bylaw B-31/2023
Child Care, Limited	Supportive Housing, Limited
	Urban Agriculture Bylaw B-08/2021

Note 1: All land uses are subject to general and use-specific regulations and standards provided in Parts 6 and 7 of this Bylaw.

Development Dimensions

Minimum Dimensions		
Lot/Unit Type	*Area*	*Width*
District Standard	360m²	11.0m
Corner Lot	380m²	12.8m

Minimum Required Setbacks	
Front Yard	4.6m
Front Yard w/Rear Lane	3.5m
Side Yard	1.2m
Side Yard, Corner	3.0m
Rear Yard	8.0m

Massing and Coverage	
Maximum Building Height	11.0m
Maximum Site Coverage	55% of Lot Area
Minimum Landscaping	30% of Lot Area

7.25 Projections and Encroachments

(1) A Residential property with an approved Garage Suite or Garden Suite must maintain at least one unobstructed side setback, which may be a corner side setback, with a clearance of not less than 1.2 metres, unless access for emergency services is otherwise provided to the satisfaction of the Development Authority. For the purposes of this section, all of the encroachments listed in **Table 15** below are considered to be obstructions, except for eaves and parapet walls.

(2) The following projections or encroachments may be permitted into the required setbacks for any principal building, except where specific projections or encroachments are outlined within an individual Land Use District in Part 8 of this Bylaw. In the case of a conflict between projections and encroachments listed within a Land Use District and those listed in **Table 15** below, the standards within the Land Use District shall govern.

Table 15: Permitted Encroachments

Feature	Details
Building Access Steps, landings, wheelchair access ramps, or similar structures providing access to a building at the first storey level or into a basement.	▪ May encroach up to 2.0m into a Front or Rear setback ▪ May encroach up to 1.2m into a Side setback ▪ Wheelchair access ramps or other accessibility devices may encroach any distance into a Front, Rear, or Corner Side setback ▪ Steps or landings providing direct access to a basement are not permitted in a Front setback ▪ Steps or landings providing direct access to a basement may encroach up to 1.2m into a Corner Side setback provided that appropriate screening or architectural detailing is provided to the satisfaction of the Development Authority. Bylaw B-12/2017
Architectural Features Includes eaves, chimneys, cantilevers, parapet walls, awnings, window wells, and similar elements that are integral parts of the architecture of the building.	▪ Window wells may encroach up to 0.8m into a setback less than 3.0m ▪ Other features may encroach up to 0.6m into a setback less than 3.0m ▪ All features May encroach up to 1.2m into a setback 3.0m or greater ▪ No wall may have a cantilever greater than 40% of its length

2.4.4 Variances

Unless as specific provision of this Bylaw provides otherwise, a Development Authority may allow a variance as a condition of a Development Permit if:

(1) The proposed development is a Permitted Use, Discretionary Use or Similar Use in the district in which it is to be located;

(2) The proposed development, with variance, would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;

(3) The variance is a function of an aspect or feature that is specific to the site, building or sign to which it applies, not shared by other sites, buildings or signs in the City;

(4) The variance is a result of an error in the situating of a building or structure, and the rectifying of the error would create unnecessary hardship to the property owner;

(5) The variance is expressed to be a condition of Development Permit approval, and is specifically mentioned in public notices of the Development Permit approval; or

(6) The variance would not cause undue hardship to bring the subject building(s) or structure(s) into compliance with the requirements of the *Safety Codes Act*, the *Alberta Building Code*, and the *Alberta Fire Code*.

1611 Baywater Street SW, Airdrie, AB

Conditions of Approval

1. This development is classified as Dwelling, Single Detached, and is a Permitted Use in the R1, Single Detached Residential District, on the lands legally described as LOT 13, Block 29, PLAN 2211099.
2. Prior to the issuance of the Development Permit, the applicant shall provide a final set of plans, elevations, and details with metric dimensions, which shall include any revisions required by the Development Authority as part of the approval at the time of the decision.
3. Any changes to the design, format, location, orientation, capacity, or use of any part of the development must receive the approval of the Development Authority before they may be commenced.
4. All development must be carried out in accordance with the Land Use Bylaw and the Engineering Standards.
5. All development, including the location, orientation, capacity, intensity, and use of buildings and any landscaping and site improvements, must be completed in accordance with Approved Plans.
6. The Applicant/Owner shall ensure all drainage from the subject property, including roof drainage is managed through the installation of eaves and downspouts, is contained within the property boundaries, and does not adversely impact adjacent parcels.
7. The roof structure shall complement the architectural design and materials of the Dwelling, Single Detached.

Advisory Comments

1. All contractors working on this development may require a valid Airdrie Business License prior to the commencement of any work and must maintain the license for the full duration of the construction period.
2. It is the responsibility of the Applicant/Owner to meet all conditions of approval.
3. All necessary permits and inspections are the responsibility of the Applicant/Owner including, but not limited to, Building Permits, Fire Approval, etc., and shall be submitted to the City upon request.

City of Airdrie
Subdivision and Development Appeal Board

Notice of Appeal Form

A notice of appeal for a development matter must be filed within 21 days of the development authority's written decision.
A notice of appeal for a subdivision matter must be filed within 14 days after the receipt of the subdivision authority's written decision.

Appellant (Landowner, applicant, or affected party filing the appeal)

Name of Appellant(s)	Telephone #
FAHMI WELAYET	

Mailing Address	Municipality	Province	Postal Code
1611 BAY WATER ST SW	AIRDRIE	AB	T4B 5K6

E-mail Address (*By providing an e-mail address I consent to receive documents by e-mail*)

Property under appeal

Municipal Address	Legal Land Description (Lot, Block, Plan)
SAME AS ABOVE	13; 29, 2211099
Development Permit #, Subdivision Application #, or Enforcement Order #	**Date of decision**
PL2500742	APRIL 30, 2025

Matter being appealed (check one box only)

Development authority decision	**Subdivision authority decision**	**Enforcement decision**
☐ Approval or the conditions of approval	☐ Approval or the conditions of approval	☐ Stop Order
☒ Refusal	☐ Refusal	

Reasons for appeal (attach separate page if required) - All appeals must contain reasons

Please see next page attached.

RECEIVED
MAY 20 2025
CITY OF AIRDRIE

Signature of Appellant	**Date**
	May 16, 2025

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Last updated: June 5, 2024

RECEIVED
MAY 20 2025
CITY OF AIRDRIE

May 18, 2025
City of Airdrie
Subdivision and Development Appeal Board

RE: Appeal of Refusal – File PL2500742
Property Address: 1611 Baywater ST SW, Airdrie, AB

Dear Members of the Subdivision and Development Appeal Board,

I am writing to formally appeal the decision to refuse my application for the installation of an engineered awning over the basement stairwell at my property.

In an effort to comply with the City of Airdrie's requirements, we explored the alternative option of installing glass block windows. However, after thorough research, we discovered that this modification would void the builder's home warranty. This raises serious concerns about the long-term integrity and resale value of our home. Additionally, sourcing qualified contractors for glass block installation in this area has proven to be extremely challenging due to limited availability.

Replacing the two small windows would also require significant structural changes to the home, including removal and replacement of exterior siding and associated construction. A professional quote for the window replacement alone came to $7,000—excluding the cost of other necessary modifications—making the option financially prohibitive.

Prior to this application, I consulted my next-door neighbour, Mr. Devin Rogers, who owns the adjacent property. He expressed no objection to the awning installation, provided that it does not direct rainwater onto his property. We are committed to ensuring proper drainage design to respect this concern.

When Mr. Kyle Varney, Safety Codes Officer with the City of Airdrie, visited my residence for a prior inspection, he informed me that an engineered awning over the basement entrance would be acceptable. Based on this information, I invested several thousand dollars to hire a professional engineer to draft the necessary drawings and proceed with the application.

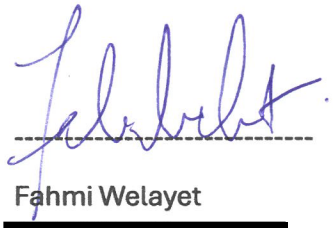
The proposed awning provides several important benefits:

1. **Improved Safety**: Prevents snow and ice accumulation on the stairway, greatly reducing the risk of slips and falls during winter months.
2. **Water Protection**: Shields the basement door from rain and snowmelt, minimizing the risk of leaks, rot, and mold.
3. **Better Drainage**: With proper installation, the awning directs runoff away from the foundation, reducing potential flooding and water damage.
4. **Fire Safety**: An awning can help slow the spread of fire by acting as a barrier above the entry.

Considering the significant financial investment already made, the impact on our home warranty, the lack of viable alternatives, and the safety and structural benefits of the proposed awning, we respectfully request the Board to reconsider the refusal and approve our application.

Thank you for your time and attention to this matter.

Sincerely,



Fahmi Welayet

[redacted]

City Of Airdrie
400 Main ST SE
Airdrie AB T4B 3C3

RECEIPT OF PAYMENT

FAHMI WELAYET
PL2500742

Receipt Number: 11860013
Tax Number: R106929961
Date: May 20, 2025
Initials: JM

Notes: 1611 BAYWATER ST SW

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	132	SDAB APPEAL FEE	N/A	$0.00	$250.00	N/A

Subtotal:	$250.00
Taxes:	$0.00
Total Receipt:	$250.00
Credit Card:	$250.00

Cash	$0.00
Cheque	$0.00
Cheque #	
Debit/Credit	$250.00

Total Amount Received:	$250.00
Rounding:	$0.00
Amount Returned:	$0.00

Legal Basement Entrance Cover Presentation

Permit # PL2500742
Address: 1611 Baywater Airdrie St SW Airdrie T4B 0A7.

Fahmi Welayet (Homeowner)
July 2025

Purpose and Underlying Issues:

We constructed a secondary suite in the basement, and since there is a window on the main floor located just before the entrance, we needed to cover the secondary entrance with a shade to minimize fire risk from the main floor window in case of an emergency.

Due to the builder's warranty and exclusion clauses, we are not permitted to alter or replace any windows. Additionally, installing fire-rated windows is not a cost-effective option due to their high cost. Therefore, we sought a solution that was both budget-friendly and provided safe, all-weather protection for the secondary suite entrance—including against rain, snow, and hail.

An awning shade proved to be an ideal solution. It is affordable, offers adequate protection, and includes a built-in drainage system that channels water within the property limits. The awning maintains a 3.5-inch clearance from the neighboring property boundary.

Our neighbor also visited the site and confirmed that the installation does not impact their property in any way. I will share photos and warranty details in the following slides:

Submission from Appellant July 7, 2025

March 13, 2025

Fahami Welayet
1611 Baywater St, SW
Airdrie, Alberta
[redacted]

Main floor fire rated windows

New fire rated windows

- All new required framing to suite fire rated window blocks
- Demo and remove existing windows
- Remove siding and existing finishes
- Supply and install new rated blocks to suite secondary suite egress code
- Repair and re seal all exterior and interior finishes to suite Alberta building code

Please note there is always a possibility of unforeseen extras not included in this proposal, change to design, or add costs to listed budgeted prices. Roof ever entrance excluded. All appliances and installation excluded.

Permits

- Permits are required for the completion of this work, Done in one will be responsible for all permits and inspections.

All work is guaranteed for a minimum of 1 year upon completion

Total Cost of completion:
$7,840.00GST Extra.
$8,870.00 option custom wire mesh glass

Please note, it is assumed both options will void builder's warranty

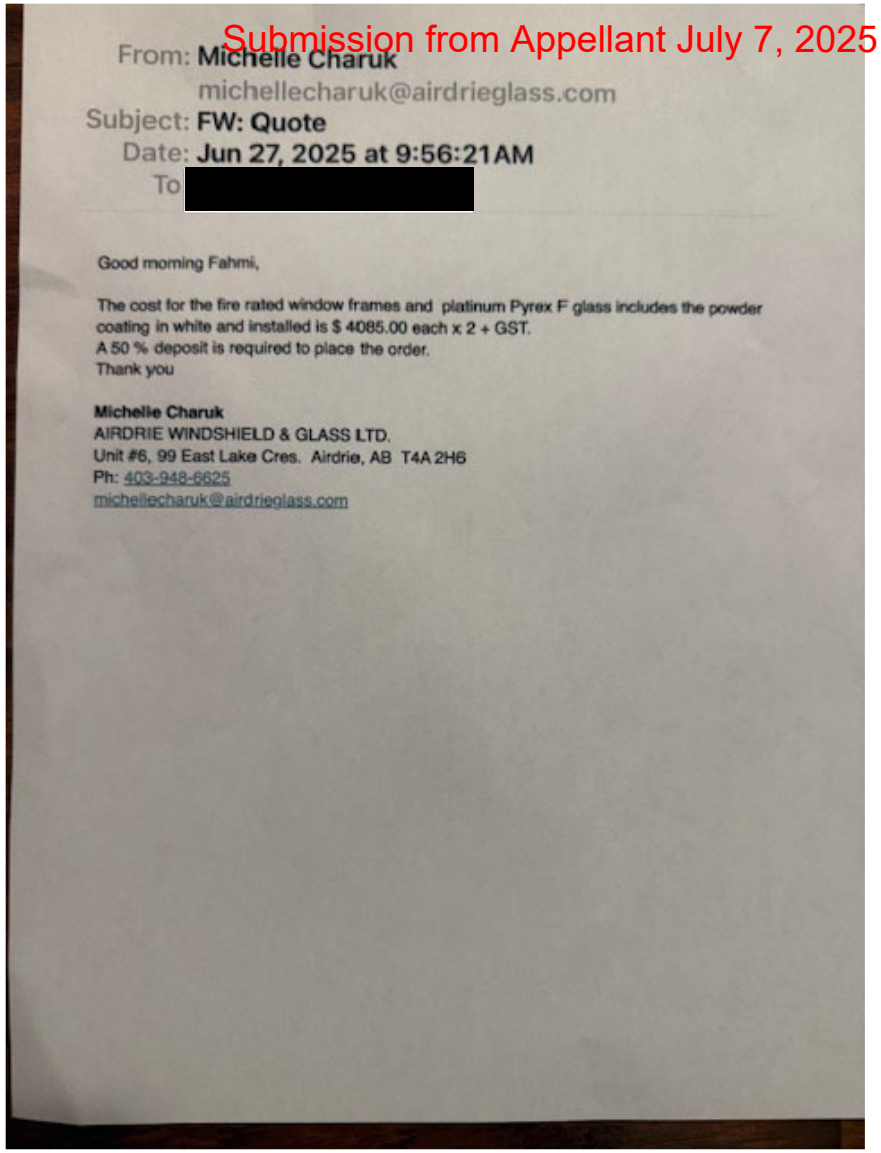
If you have any questions or concerns regarding this proposal, please feel free to contact me at any time. or to Schedule a walk through to Break out the individual cost.

All costing and design will be finalized after a walkthrough of the area, and choice of materials has been made.

Kind regards,
]

Main floor Fire Rated Windows cost $7,840 minimum

Submission from Appellant July 7, 2025



From: Michelle Charuk
michellecharuk@airdrieglass.com
Subject: FW: Quote
Date: Jun 27, 2025 at 9:56:21AM
To [redacted]

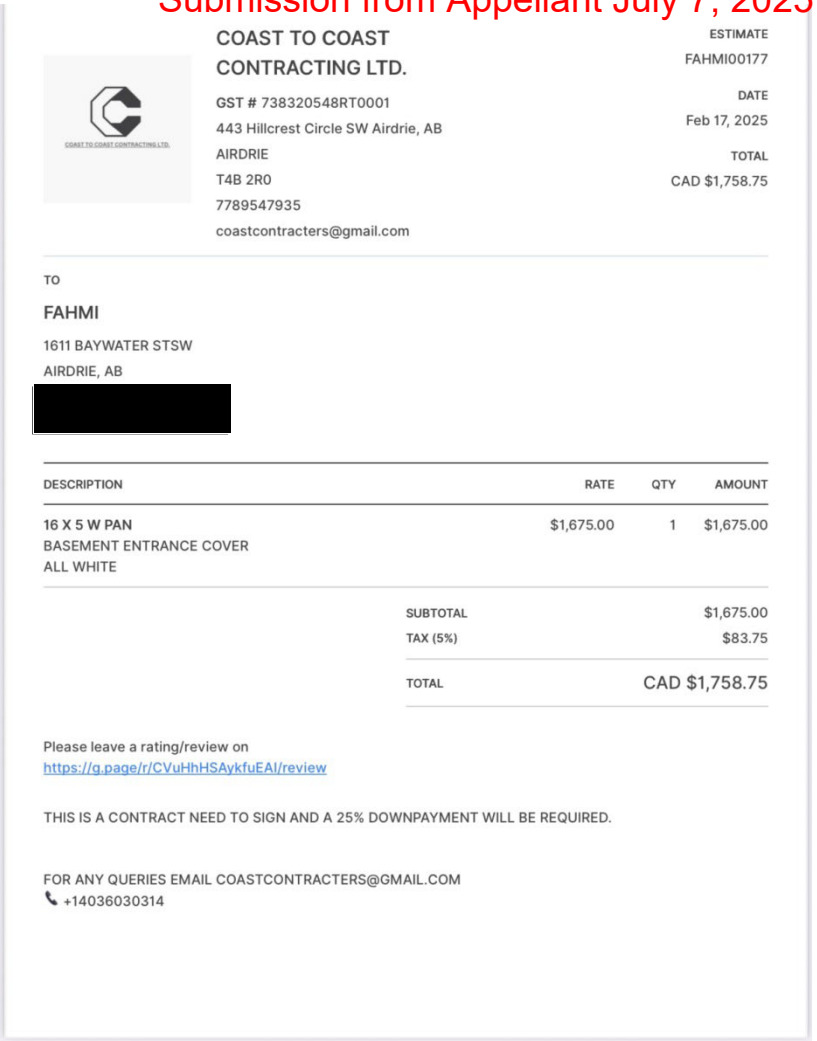
Good morning Fahmi,

The cost for the fire rated window frames and platinum Pyrex F glass includes the powder coating in white and installed is $ 4085.00 each x 2 + GST.
A 50 % deposit is required to place the order.
Thank you

Michelle Charuk
AIRDRIE WINDSHIELD & GLASS LTD.
Unit #6, 99 East Lake Cres. Airdrie, AB T4A 2H6
Ph: 403-948-6625
michellecharuk@airdrieglass.com

Fire rated window quote $4085x2= $8170 +GST

Submission from Appellant July 7, 2025



COAST TO COAST CONTRACTING LTD.

GST # 738320548RT0001
443 Hillcrest Circle SW Airdrie, AB
AIRDRIE
T4B 2R0
7789547935
coastcontracters@gmail.com

ESTIMATE
FAHMI00177

DATE
Feb 17, 2025

TOTAL
CAD $1,758.75

TO

FAHMI

1611 BAYWATER STSW
AIRDRIE, AB
[redacted]

DESCRIPTION	RATE	QTY	AMOUNT
16 X 5 W PAN BASEMENT ENTRANCE COVER ALL WHITE	$1,675.00	1	$1,675.00

SUBTOTAL	$1,675.00
TAX (5%)	$83.75
TOTAL	CAD $1,758.75

Please leave a rating/review on
https://g.page/r/CVuHhHSAykfuEAI/review

THIS IS A CONTRACT NEED TO SIGN AND A 25% DOWNPAYMENT WILL BE REQUIRED.

FOR ANY QUERIES EMAIL COASTCONTRACTERS@GMAIL.COM
+14036030314

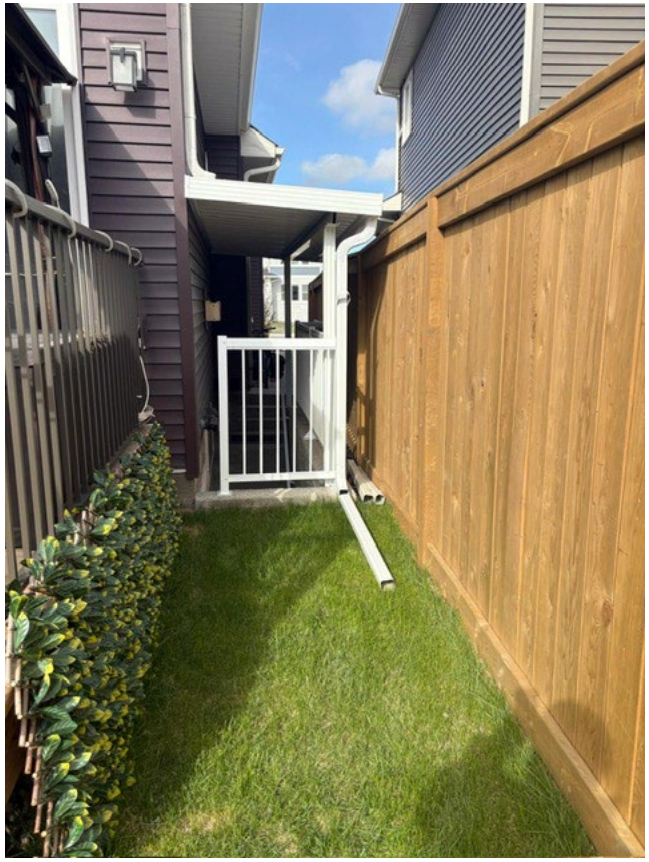
Basement entrance cover cost $1758.75

SOLUTION TO THE PROBLEM-AWNING WHITE SHADE COVER

The awning offers a cost-effective solution that provides full coverage for the basement entrance, effectively preventing the accumulation of snow and water, thereby significantly reducing the risk of slip-related accidents.

Submission from Appellant July 7, 2025

Awning basement cover entrance





Cover Installation Overview

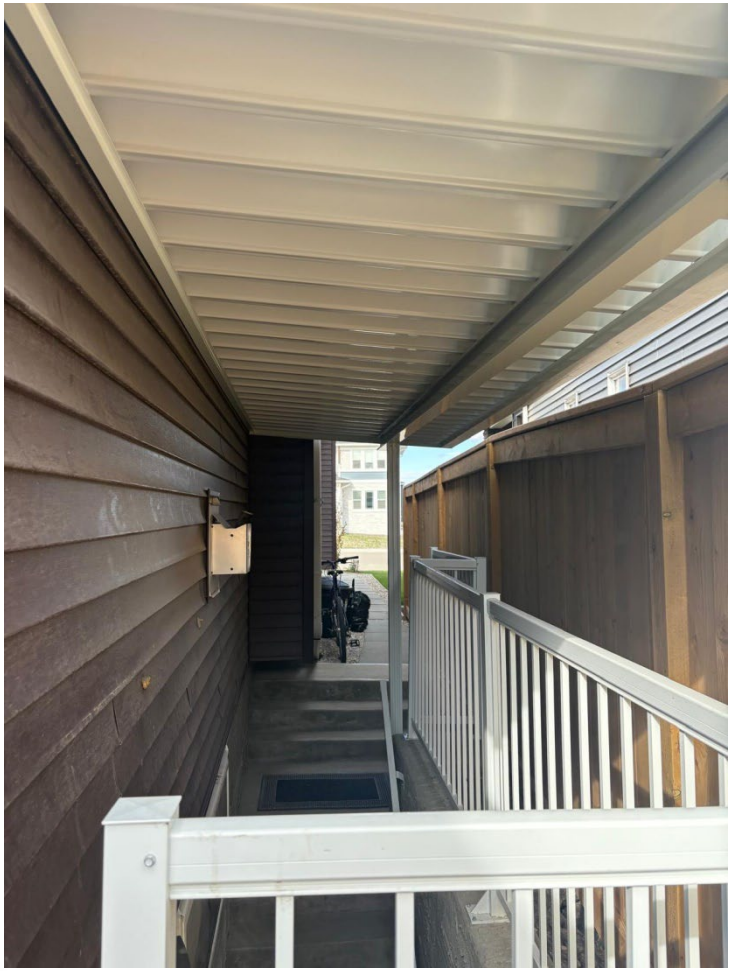
Awning is entirely within the homeowner’s property boundaries (see attached photo) next slide

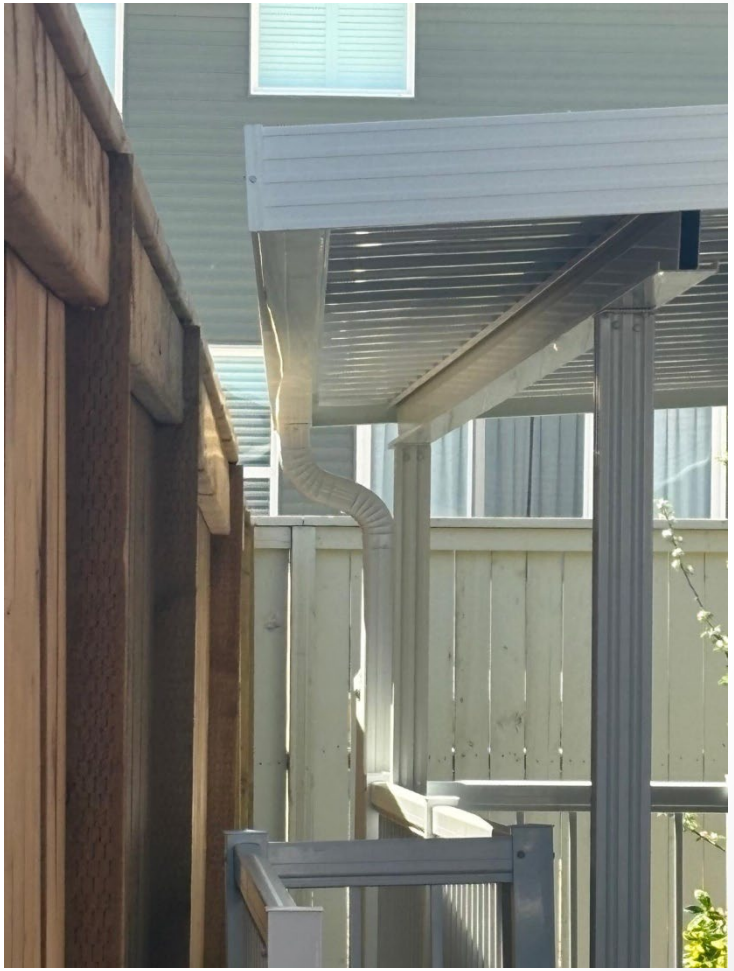
Redirected drainage:

Downspout rerouted to the rear for proper water flow.

Water Flow Test: From the picture taken and video confirms water drains into the homeowner’s property and not the neighbor's property. (attached video file sent on July 7th 2025 appeals@airdrie.ca)

Close up photos





Water drainage inside property





Key Benefits of the Awning

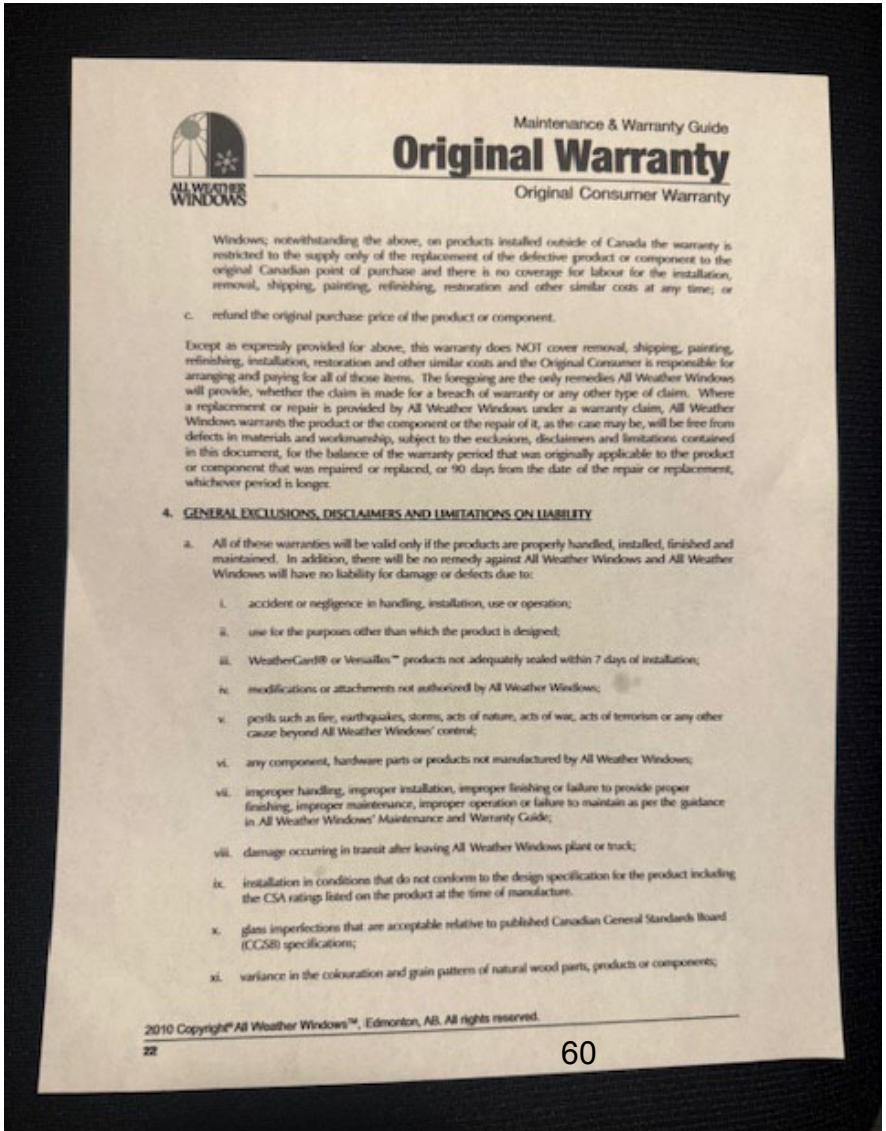
- Safety: Reduces winter slip risks from snow/ice on stairs
- Weather Protection: Protects the basement door from rain/snow, prevents leaks, rot, mold
- Improved Drainage: Proper water runoff help prevent basement flooding and foundation damage
- Fire Safety: Serves as a protective barrier above the entry, helping slow fire spread

Further investigation

Submission from Appellant July 7, 2025

- In response to City of Airdrie’s recommendation, we investigated using glass block windows or fire rated windows
- Research confirmed this would void the builder’s home warranty making it an impractical solution.
- A copy of builder's home warranty and warranty exclusions of windows are submitted for your reference.

Windows Warranty Exclusions



ALL WEATHER WINDOWS

Maintenance & Warranty Guide

Original Warranty

Original Consumer Warranty

Windows; notwithstanding the above, on products installed outside of Canada the warranty is restricted to the supply only of the replacement of the defective product or component to the original Canadian point of purchase and there is no coverage for labour for the installation, removal, shipping, painting, refinishing, restoration and other similar costs at any time; or

c. refund the original purchase price of the product or component.

Except as expressly provided for above, this warranty does NOT cover removal, shipping, painting, refinishing, installation, restoration and other similar costs and the Original Consumer is responsible for arranging and paying for all of those items. The foregoing are the only remedies All Weather Windows will provide, whether the claim is made for a breach of warranty or any other type of claim. Where a replacement or repair is provided by All Weather Windows under a warranty claim, All Weather Windows warrants the product or the component or the repair of it, as the case may be, will be free from defects in materials and workmanship, subject to the exclusions, disclaimers and limitations contained in this document, for the balance of the warranty period that was originally applicable to the product or component that was repaired or replaced, or 90 days from the date of the repair or replacement, whichever period is longer.

4. GENERAL EXCLUSIONS, DISCLAIMERS AND LIMITATIONS ON LIABILITY

a. All of these warranties will be valid only if the products are properly handled, installed, finished and maintained. In addition, there will be no remedy against All Weather Windows and All Weather Windows will have no liability for damage or defects due to:

i. accident or negligence in handling, installation, use or operation;

ii. use for the purposes other than which the product is designed;

iii. WeatherGard® or Versailles™ products not adequately sealed within 7 days of installation;

iv. modifications or attachments not authorized by All Weather Windows;

v. perils such as fire, earthquakes, storms, acts of nature, acts of war, acts of terrorism or any other cause beyond All Weather Windows' control;

vi. any component, hardware parts or products not manufactured by All Weather Windows;

vii. improper handling, improper installation, improper finishing or failure to provide proper finishing, improper maintenance, improper operation or failure to maintain as per the guidance in All Weather Windows' Maintenance and Warranty Guide;

viii. damage occurring in transit after leaving All Weather Windows plant or truck;

ix. installation in conditions that do not conform to the design specification for the product including the CSA ratings listed on the product at the time of manufacture.

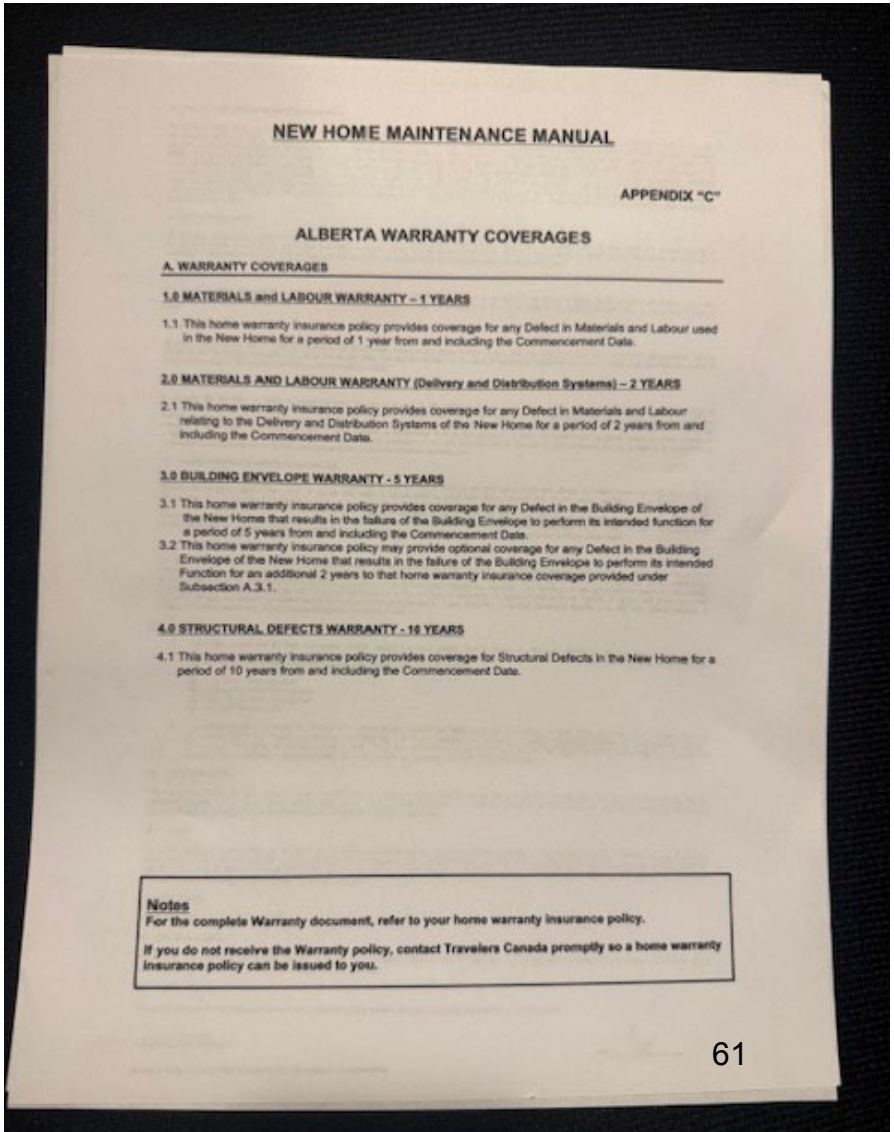
x. glass imperfections that are acceptable relative to published Canadian General Standards Board (CGSB) specifications;

xi. variance in the colouration and grain pattern of natural wood parts, products or components;

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Submission from Appellant July 7, 2025

Alberta Warranty Coverage



NEW HOME MAINTENANCE MANUAL

APPENDIX "C"

ALBERTA WARRANTY COVERAGES

A. WARRANTY COVERAGES

1.0 MATERIALS and LABOUR WARRANTY – 1 YEARS

1.1 This home warranty insurance policy provides coverage for any Defect in Materials and Labour used in the New Home for a period of 1 year from and including the Commencement Date.

2.0 MATERIALS AND LABOUR WARRANTY (Delivery and Distribution Systems) – 2 YEARS

2.1 This home warranty insurance policy provides coverage for any Defect in Materials and Labour relating to the Delivery and Distribution Systems of the New Home for a period of 2 years from and including the Commencement Date.

3.0 BUILDING ENVELOPE WARRANTY - 5 YEARS

3.1 This home warranty insurance policy provides coverage for any Defect in the Building Envelope of the New Home that results in the failure of the Building Envelope to perform its intended function for a period of 5 years from and including the Commencement Date.

3.2 This home warranty insurance policy may provide optional coverage for any Defect in the Building Envelope of the New Home that results in the failure of the Building Envelope to perform its intended Function for an additional 2 years to that home warranty insurance coverage provided under Subsection A.3.1.

4.0 STRUCTURAL DEFECTS WARRANTY - 10 YEARS

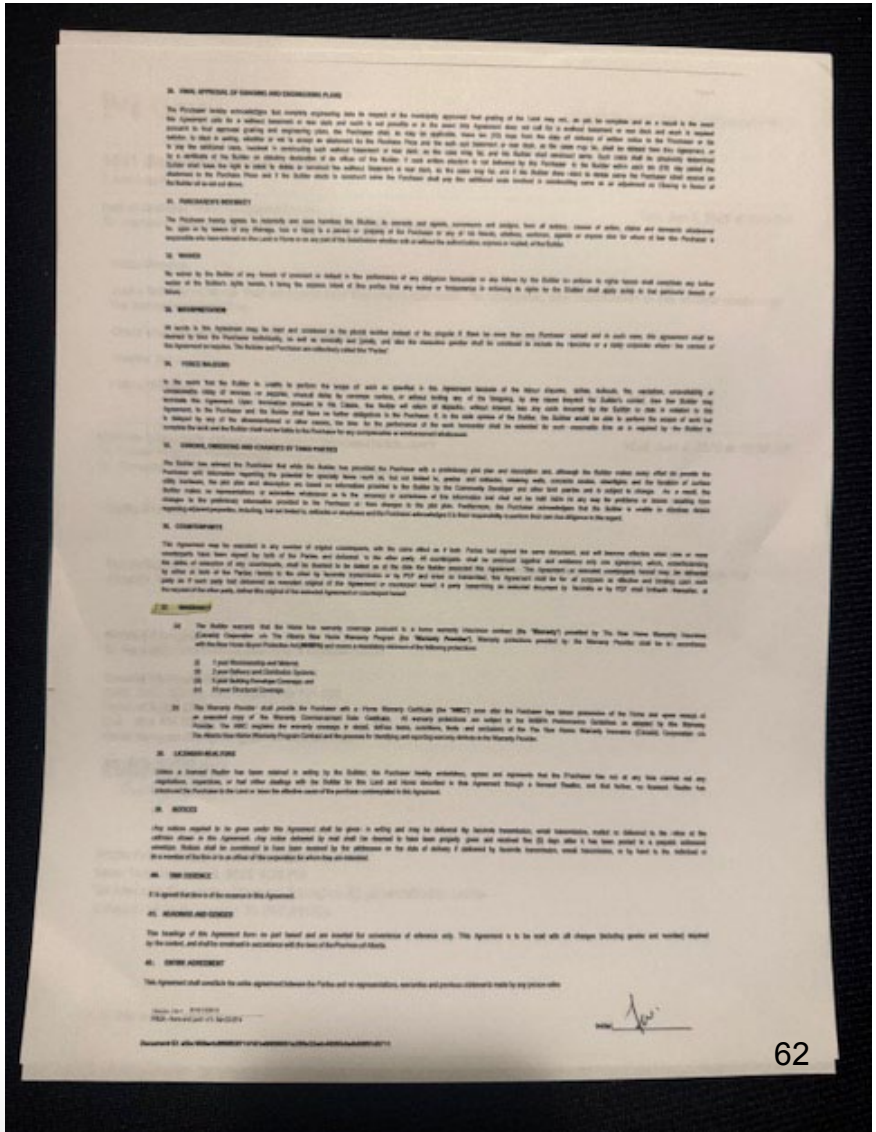
4.1 This home warranty insurance policy provides coverage for Structural Defects in the New Home for a period of 10 years from and including the Commencement Date.

Notes
For the complete Warranty document, refer to your home warranty insurance policy.

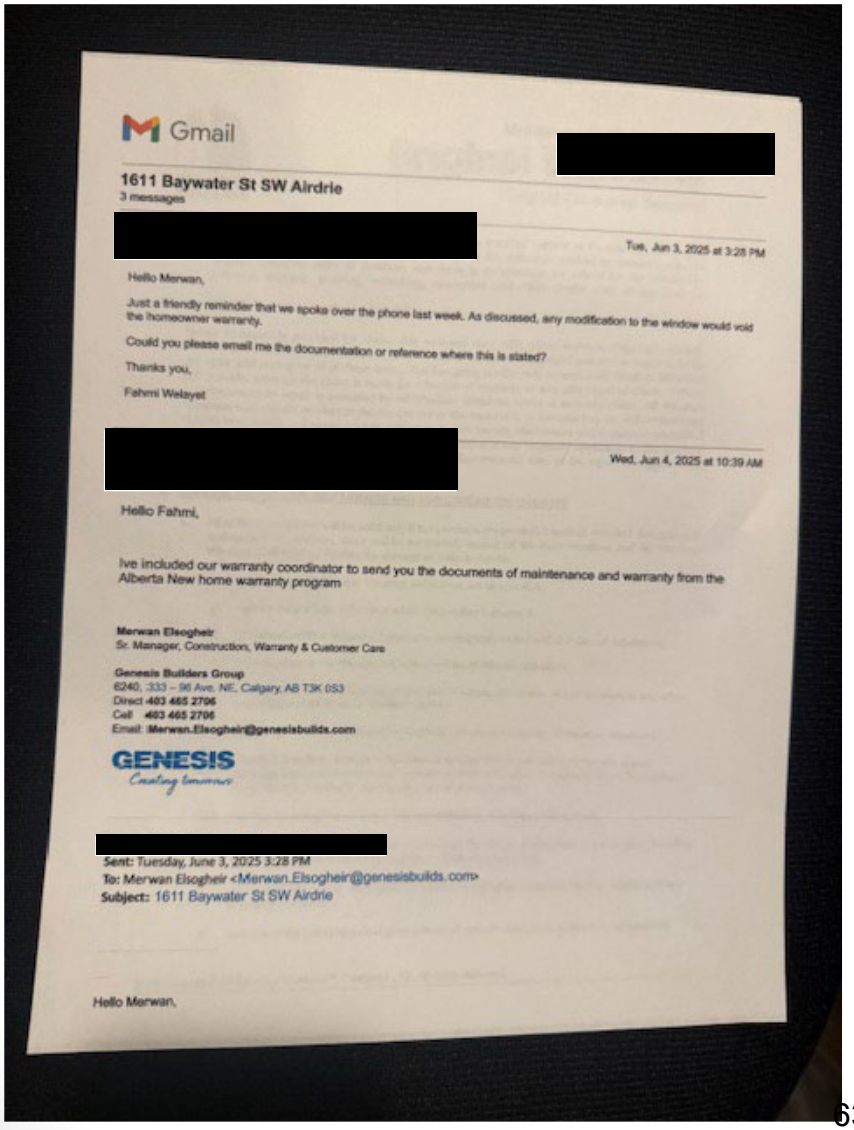
If you do not receive the Warranty policy, contact Travelers Canada promptly so a home warranty insurance policy can be issued to you.

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Warranty continues



Builders Email about Warranty



Gmail [redacted]

1611 Baywater St SW Airdrie
3 messages

[redacted] Tue, Jun 3, 2025 at 3:28 PM

Hello Merwan,

Just a friendly reminder that we spoke over the phone last week. As discussed, any modification to the window would void the homeowner warranty.

Could you please email me the documentation or reference where this is stated?

Thanks you,

Fahmi Welayat

[redacted] Wed, Jun 4, 2025 at 10:39 AM

Hello Fahmi,

Ive included our warranty coordinator to send you the documents of maintenance and warranty from the Alberta New home warranty program

Merwan Elsogheir
Sr. Manager, Construction, Warranty & Customer Care

Genesis Builders Group
6240, 333 – 96 Ave. NE, Calgary, AB T3K 0S3
Direct **403 465 2706**
Cell **403 465 2706**
Email: **Merwan.Elsogheir@genesisbuilds.com**

GENESIS
Creating tomorrow

[redacted]
Sent: Tuesday, June 3, 2025 3:28 PM
To: Merwan Elsogheir <Merwan.Elsogheir@genesisbuilds.com>
Subject: 1611 Baywater St SW Airdrie

Hello Merwan,

Appeal

Therefore, I request your consideration in approving the development permit # PL2500742 for the awning would be greatly appreciated, as we have investigated significantly to ensure the basement is fully legal and compliant.

Thank You All.