

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Tuesday, 9:00 A.M.
December 11, 2018**

**Hearing Room No. 3
Churchill Building,
10019 - 103 Avenue NW,
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3**

I 9:00 A.M. SDAB-D-18-206

Construct exterior alterations (Driveway extension, 2.40 metres by 6.46 metres) to a Single Detached House, existing without permits

18535 - 70 Avenue NW
Project No.: 289466967-002

II 10:30 A.M. SDAB-D-18-207

Leave as built a Garden Suite

11506 - 71 Avenue NW
Project No.: 111525049-002

III 1:30 P.M. SDAB-D-18-210

Erect a fence 1.83 metres in Height in the flanking Side Yard Abutting Prowse Road SW

4203 - Prowse Way SW
Project No.: 284207116-003

NOTE: *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-18-206

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 289466967-002

APPLICATION TO: Construct exterior alterations (Driveway extension, 2.40 metres by 6.46 metres) to a Single Detached House, existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 21, 2018

DATE OF APPEAL: November 27, 2018

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 18535 - 70 Avenue NW

LEGAL DESCRIPTION: Plan 7721448 Blk 31 Lot 65R

ZONE: RF1-Single Detached Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

The Appellant provided the following reasons for appealing the decision of the Development Authority:

I meant to use this as a sidewalk to access the backyard. It is constructed of interlok bricks. I have spoken to my neighbours and they have no objections.

General Matters

Appeal Information:

The *Municipal Government Act*, RSA 2000, c M-26 states the following:

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,

- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board,

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, [...]

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- ...
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not

(A) unduly interfere with the amenities of the neighbourhood, or

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 110.2(5) states a **Single Detached House** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under Section 7.2(8), **Single Detached Housing** means development consisting of a building containing one principal Dwelling which is separate from any other principal Dwelling or building. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is:

to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, and Garden Suites, as well as Semi-detached Housing and Duplex Housing under certain conditions.

Under section 6.1, **Accessory** means “when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.”

Under section 6.1, **Driveway** means “an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area and does not include a Walkway.”

Under section 6.1, **Front Yard** means:

the portion of a Site abutting the Front Lot Line extending across the full width of the Site, situated between the Front Lot Line and the nearest wall of the principal building, not including projections.



Under section 6.1, **Garage** means “an Accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.”

Under section 6.1, **Parking Area** means “an area that is used for the parking of vehicles. A Parking Area is comprised of one or more parking spaces, and includes a parking pad, but does not include a Driveway.”

Under section 6.1, **Walkway** means “a path for pedestrian circulation that cannot be used for vehicular parking.”

Off-street Parking and Loading Regulations

Section 54.1(4) states:

The Front Yard of any ground level Dwelling in any Residential Zone, or in the case of a corner Site, either the Front Yard or the flanking Side Yard in any Residential Zone, may include a maximum of one Driveway. The Driveway shall:

- a. lead directly from the roadway to the Garage or Parking Area;
- b. for a Garage or Parking Area with one parking space, have a maximum width of 4.3 m, or the width of the Garage or Parking Area, whichever is the lesser;
- c. For a Garage or Parking Area with two or more parking spaces, have a maximum width that shall be calculated as the product of 3.7 m multiplied by the total number of adjacent side-by-side parking spaces contained within the Garage or Parking Area, or the width of the Garage or Parking Area, whichever is the lesser; and
- d. ...

Development Officer’s Determination

1. Driveway extension does not lead to a Garage or Parking Area. (Reference Section 54.1(4)(a)) [unedited]
2. The width of the Driveway and Driveway extension is 2.4 m greater than the width of the Garage. (Reference Section 54.1(4)(c)) [unedited]

Parking Spaces

Section 45.7 states in the Front Yard of any Site in any Residential Zone, or in the case of a corner Site, in the Front Yard or the flanking Side Yard in any Residential Zone:

- a. vehicles shall not be located on the landscaped portion of the Yard; and
- b. vehicles shall only be allowed on a Driveway or within an attached or detached Garage.


Section 54.2(2)(e)(i) states except as otherwise provided for in this Bylaw, parking spaces, not including Driveways, shall be located in accordance with the following: parking spaces shall not be located within a Front Yard in a Residential Zone.

Development Officer's Determination

- 3. Parking spaces shall not be located within a Front Yard in a Residential Zone. (Reference Section 54.2(2)(e)(i)) [unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

	<h2 style="margin: 0;">Application for Alterations Permit</h2>	Project Number: 289466967-002 Application Date: OCT 12, 2018 Printed: November 21, 2018 at 2:41 PM Page: 1 of 1																									
This document is a Development Permit Decision for the development application described below.																											
Applicant	Property Address(es) and Legal Description(s) 18535 - 70 AVENUE NW Plan 7721448 Blk 31 Lot 65R																										
	Location(s) of Work Entryway: 18535 - 70 AVENUE NW Building: 18535 - 70 AVENUE NW																										
Scope of Application To construct exterior alterations (Driveway extension, 2.40 m x 6.46 m) to a Single Detached House, existing without permits.																											
Permit Details																											
Class Of Permit: Class B Stat. Plan Overlay/Annex Area: (none)	Site Area (sq. m.): 650.08																										
I/We certify that the above noted details are correct. Applicant signature: _____																											
Development Application Decision Refused Issue Date: Nov 21, 2018 Development Authority: FOLKMAN, JEREMY Reason for Refusal 1. Driveway extension does not lead to a Garage or Parking Area. (Reference Section 54.1(4)(a)) 2. The width of the Driveway and Driveway extension is 2.4 m greater than the width of the Garage. (Reference Section 54.1(4)(c)) 3. Parking spaces shall not be located within a Front Yard in a Residential Zone. (Reference Section 54.2(2)(e)(i)) Rights of Appeal The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.																											
Building Permit Decision Refused																											
Fees <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 15%;">Fee Amount</th> <th style="text-align: right; width: 15%;">Amount Paid</th> <th style="text-align: right; width: 10%;">Receipt #</th> <th style="text-align: right; width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Existing Without Permit Dev Application Penalty Fee</td> <td style="text-align: right;">\$170.00</td> <td style="text-align: right;">\$170.00</td> <td style="text-align: right;">05406678</td> <td style="text-align: right;">Oct 12, 2018</td> </tr> <tr> <td>Dev Application Fee</td> <td style="text-align: right;">\$170.00</td> <td style="text-align: right;">\$170.00</td> <td style="text-align: right;">05406678</td> <td style="text-align: right;">Oct 12, 2018</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$340.00</td> <td style="text-align: right; border-top: 1px solid black;">\$340.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Existing Without Permit Dev Application Penalty Fee	\$170.00	\$170.00	05406678	Oct 12, 2018	Dev Application Fee	\$170.00	\$170.00	05406678	Oct 12, 2018	Total GST Amount:	\$0.00				Totals for Permit:	\$340.00	\$340.00		
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THIS IS NOT A PERMIT																											



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-206



ITEM II: 10:30 A.M.

FILE: SDAB-D-18-207

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER BY AN ADJACENT PROPERTY OWNER

APPELLANT:

ADDRESS OF APPELLANT: 11502 – 71 Avenue NW

APPLICATION NO.: 111525049-002

APPLICATION TO: Leave as built a Garden Suite

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: November 13, 2018

DATE OF APPEAL: November 23, 2018

NOTIFICATION PERIOD: Nov. 20, 2018 through Dec. 11, 2018

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11506 - 71 Avenue NW

LEGAL DESCRIPTION: Plan 2938HW Blk 13 Lot 73

ZONE: RF1-Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: McKernan/Belgravia Station Area Redevelopment Plan

Grounds for Appeal

The Appellant provided the following reasons for appealing the decision of the Development Authority:

The structure at 11506 71 avenue is built too close to the property line with my property. This results in significant flooding in the part of my yard adjacent to this property. The property also overlooks my backyard and deck. The structure being situated closer than the minimum required setback results in a greater impact on my privacy and enjoyment of my backyard.

The city of Edmonton website (<https://transformingedmonton.ca/variances-balancing-development-needs-with-zoning-regulations/>) states that a variance is only granted when "

1. following the rules would cause unnecessary hardship or practical difficulties that are not generally common to other properties in the same area, such as an irregular site shape or unique slope characteristics.
2. the proposed development will not interfere with the enjoyment or value of neighbouring properties or community amenities.

In this case there is no unique feature to the lot that necessitated building the garage suite closer than the minimum setback laid out in Zoning Bylaw #12800 and it does impact on my enjoyment of my property and the value of my property.

I respectfully request that the board refuse the erroneous approval of the development permit 111525049-002.

<i>General Matters</i>

Appeal Information:

The *Municipal Government Act*, RSA 2000, c M-26 states the following:

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board,

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,

(A) within 21 days after the date on which the written decision is given under section 642, [...]

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made,

or

(b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

...

(a.1) must comply with the land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

(c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

(i) the proposed development would not

- (A) unduly interfere with the amenities of the neighbourhood, or
- (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 110.2(1) states a **Garden Suite** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under Section 7.2(3), **Garden Suite** means an Accessory building containing a Dwelling, which is located separate from the principal Use which is Single Detached Housing, and which may contain a Parking Area. A Garden Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of the principal Dwelling located on the Site. This Use Class does not include Secondary Suites, Blatchford Lane Suites, or Blatchford Accessory Suites.

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is:

to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, and Garden Suites, as well as Semi-detached Housing and Duplex Housing under certain conditions.

Section 814.1 states that the **General Purpose** of the **Mature Neighbourhood Overlay** is:

to regulate residential development in Edmonton's mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations.

Section 110.4(5) states Garden Suites shall comply with Section 87 of this Bylaw.

<i>Side Setbacks</i>

Section 87(10) states the minimum Side Setback shall be the same as that prescribed for Single Detached Housing within the underlying Zone or applicable Overlay.

Section 814.3(b) states where a Site Width is greater than 12.0 metres and less than 18.3 metres, the Side Setback requirements of the underlying Zone shall apply.


Section 110.4(11)(a) states Side Setbacks shall total at least 20 percent of the Site Width, with a minimum Side Setback of 1.2 metres on each side.

Development Officer's Determination

Reduced Side Setback - The distance from the Garden Suite to the property line shared with 11502 - 71 AVENUE NW (side lot line) is 1.0m instead of 1.2m (Section 110.4.11.a). [unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

	Project Number: 111525049-002 Application Date: NOV 01, 2018 Printed: November 23, 2018 at 9:13 AM Page: 1 of 2
Minor Development Permit	
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.	
Applicant	Property Address(es) and Legal Description(s) 11506 - 71 AVENUE NW Plan 2938HW Blk 13 Lot 73
Scope of Permit To leave as built a Garden Suite.	
Permit Details	
# of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Leave as Built Single Detached House Secondary Suite Included?: N	# of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Permit Decision	
Approved Issue Date: Nov 13, 2018 Development Authority: XIE, JASON	
Subject to the Following Conditions	
This Development Permit authorizes to leave as built a Garden Suite. The development shall be in accordance with the stamped and approved drawings. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21. (Reference Section 17.1)	
ADVISEMENTS:	
An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the Site. (Reference Section 5.2)	
Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.	
Variances	
Reduced Side Setback - The distance from the Garden Suite to the property line shared with 11502 - 71 AVENUE NW (side lot line) is 1.0m instead of 1.2m (Section 110.4.11.a).	
Rights of Appeal	
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.	



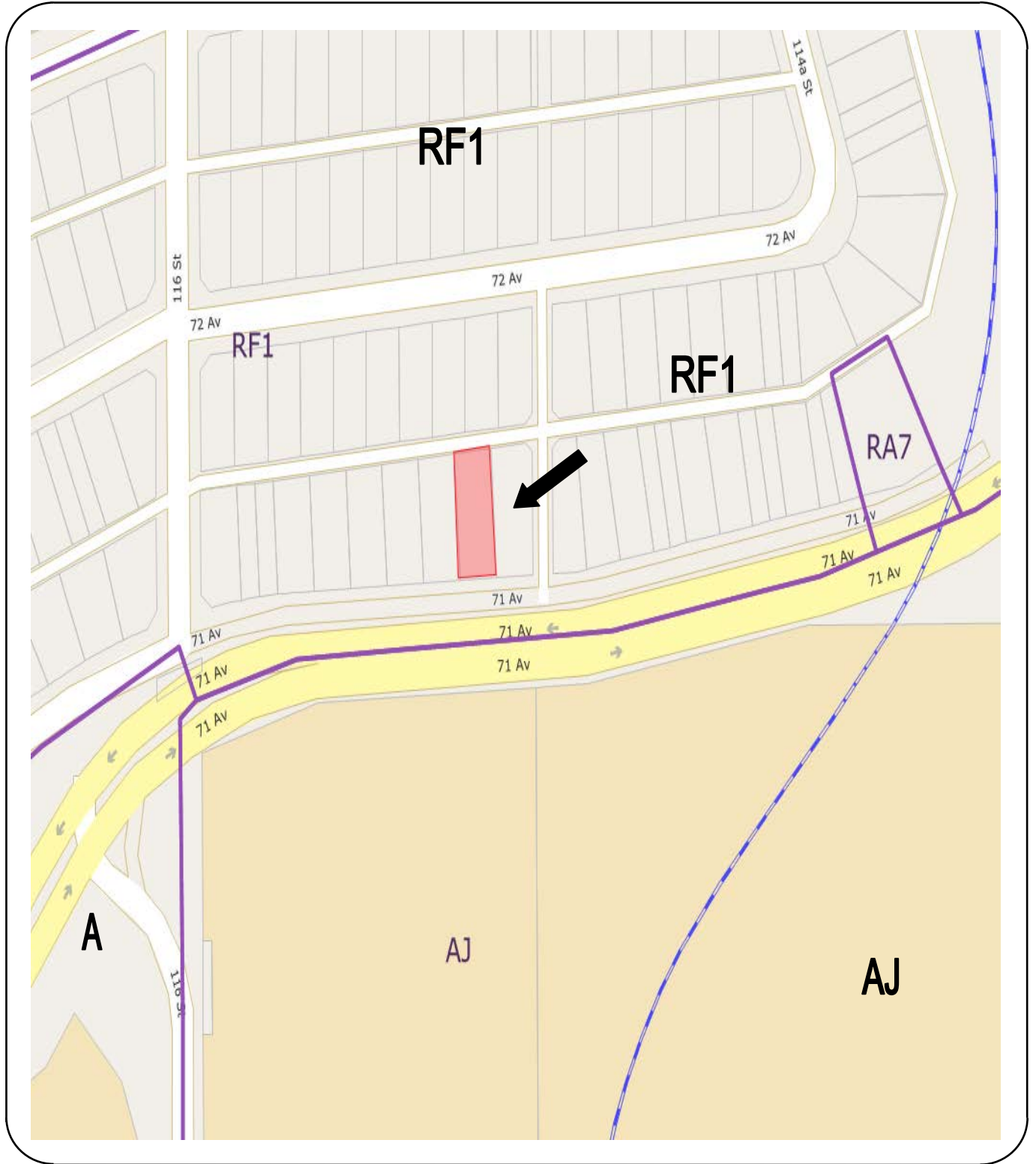
Project Number: **111525049-002**
Application Date: NOV 01, 2018
Printed: November 23, 2018 at 9:13 AM
Page: 2 of 2

Minor Development Permit

Notice Period Begins: Nov 20, 2018 Ends: Dec 11, 2018

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$0.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$0.00	\$0.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-207



ITEM III: 1:30 P.M.

FILE: SDAB-D-18-210

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER BY AN ADJACENT PROPERTY OWNER

APPELLANT:

ADDRESS OF APPELLANT: 4221 Prowse Way SW

APPLICATION NO.: 284207116-003

APPLICATION TO: Erect a fence 1.83 metres in Height in the flanking Side Yard Abutting Prowse Road SW

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: November 8, 2018

DATE OF APPEAL: November 27, 2018

NOTIFICATION PERIOD: Nov. 15, 2018 through Dec. 6, 2018

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 4203 - Prowse Way SW

LEGAL DESCRIPTION: Plan 1424774 Blk 8 Lot 1

ZONE: HVLD-Heritage Valley Low Density

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

The Appellant provided the following reasons for appealing the decision of the Development Authority:

The home owner at 4203 Prowse Way SW built his fence over the height allowed according to Zoning Bylaw 12800. The fence along Prowse Road SW is 1.83m high, instead of the required 1.2m (Section 49.4). We are appealing the decision to approve this variance to the bylaws as the fence has been creating sightline issues since it was built. In May 2017 we lodged a bylaw complaint with the City of Edmonton to address the sightline issues when entering and exiting the alley from Prowse Road; 242534244-001. Further documentation will provided to support this appeal.

General Matters

Appeal Information:

The *Municipal Government Act*, RSA 2000, c M-26 states the following:

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

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- (i) with respect to an application for a development permit,

- (A) within 21 days after the date on which the written decision is given under section 642, [...]

- (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made,

or

- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

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- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 980.1, the **General Purpose** of **(HVLDD) Special Area Heritage Valley Low Density Zone** is to provide for low density housing with the opportunity for Zero Lot Line, Reverse Housing, and Row Housing, in accordance with the design objectives in the Heritage Valley 12 Neighbourhood Area Structure Plan.

Under section 980.3(h), **Single Detached Housing** is a **Permitted Use** in the **(HVLDD) Special Area Heritage Valley Low Density Zone**.

Under section 7.2(8), **Single Detached Housing** means “development consisting of a building containing one principal Dwelling which is separate from any other principal Dwelling or building. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.”

Under section 6.1, **Accessory** is “a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.”

Under section 6.1, a **Fence** means “a structure constructed at ground level, used to prevent or restrict passage, provide visual screening, noise attenuation, Landscaping, or to mark a boundary.”

<i>Height</i>

Under section 49.1, Fences, walls and gates:

- a. The regulations contained within Section 49.1 of this Bylaw apply to:
 - i. the Height of the material used in the construction of a Fence, wall, or gate, such as but not limited to boards, panels, masonry, ornamental iron, and chain link, plus any additional elements used for screening, such as, but not limited to, lattice.
- b. Notwithstanding subsection 49(1)(a), the regulations for Fences, walls, and gates contained within this Section do not apply to the Height of the posts or other supporting material used to anchor the Fence, wall, or gate.
- c. The Height of a Fence, wall, or gate shall be measured from the general ground level 0.5 m back from the property line of the Site on which the Fence, wall, or gate is to be constructed.
- d. on an Interior Site, the Height of a Fence, wall, or gate shall not exceed
 - i. 1.2 metres for the portion of the Fence, wall, or gate constructed in the Front Yard
 - ii. 1.85 metres in all other Yards.
- e. On a Corner Site, the Height of a Fence, wall, or gate shall not exceed:
 - i. 1.2 m for the portion of the Fence, wall, or gate constructed in the Front Yard,


- ii. 1.2 m for the portion of the Fence, wall, or gate situated between the flanking Side Lot Line and the foremost side Façade of the principal structure, and extending from the Front Lot Line to the Rear Lot Line, and
- iii. 1.85 m in all other Yards.
- f. In the case where the permitted Height of a Fence, wall, or gate is 1.2 m, the Development Officer may vary the Height of the Fence, wall, or gate to a maximum of 1.85 m, in order to provide additional screening from public roadways or incompatible adjacent Uses,
- g. in the case where the permitted Height of a Fence, wall, or gate is 1.85 metres, the Development Officer may vary the Height of the Fence, wall, or gate to a maximum of 2.44 metres, in order to provide an additional screening to the public roadways or incompatible adjacent Users.
- h. ...

Development Officer's Determination

Fence Height - The fence along Prowse Road SW is 1.83 m high, instead of 1.2 m (Section 49.4) [Unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

	Project Number: 284207116-003 Application Date: JUL 13, 2018 Printed: November 28, 2018 at 8:20 AM Page: 1 of 2		
<h2 style="margin: 0;">Minor Development Permit</h2>			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.			
Applicant	Property Address(es) and Legal Description(s) 4203 - PROWSE WAY SW Plan 1424774 Blk 8 Lot 1		
Scope of Permit To erect a fence A 1.83m in Height in the flanking Side Yard Abutting Prowse Road SW.			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> # of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Fence Secondary Suite Included?: N </td> <td style="width: 50%; border: none;"> # of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: Y Stat. Plan Overlay/Annex Area: </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Fence Secondary Suite Included?: N	# of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: Y Stat. Plan Overlay/Annex Area:
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I/We certify that the above noted details are correct. Applicant signature: _____			
Development Permit Decision Approved Issue Date: Nov 08, 2018 Development Authority: FOLKMAN, JEREMY Subject to the Following Conditions This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21. (Reference Section 17.1) This Development Permit authorizes the development of a fence A 1.83 m in Height in the flanking Side Yard Abutting Prowse Road SW. The development shall be constructed in accordance with the stamped and approved drawings. The fence shall be installed entirely on the subject property. The fence shall not impede any sightlines for vehicular or pedestrian traffic. As far as reasonably practicable, the design and use of exterior finishing materials used shall be similar to, or better than, the standard of surrounding development (Reference Section 57.3(1)). ADVISEMENTS: An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the Site. (Reference Section 5.2) Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.			



Project Number: 284207116-003
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Minor Development Permit

Variances

Fence Height - The fence along Prowse Road SW is 1.83 m high, instead of 1.2 m (Section 49.4)

Rights of Appeal

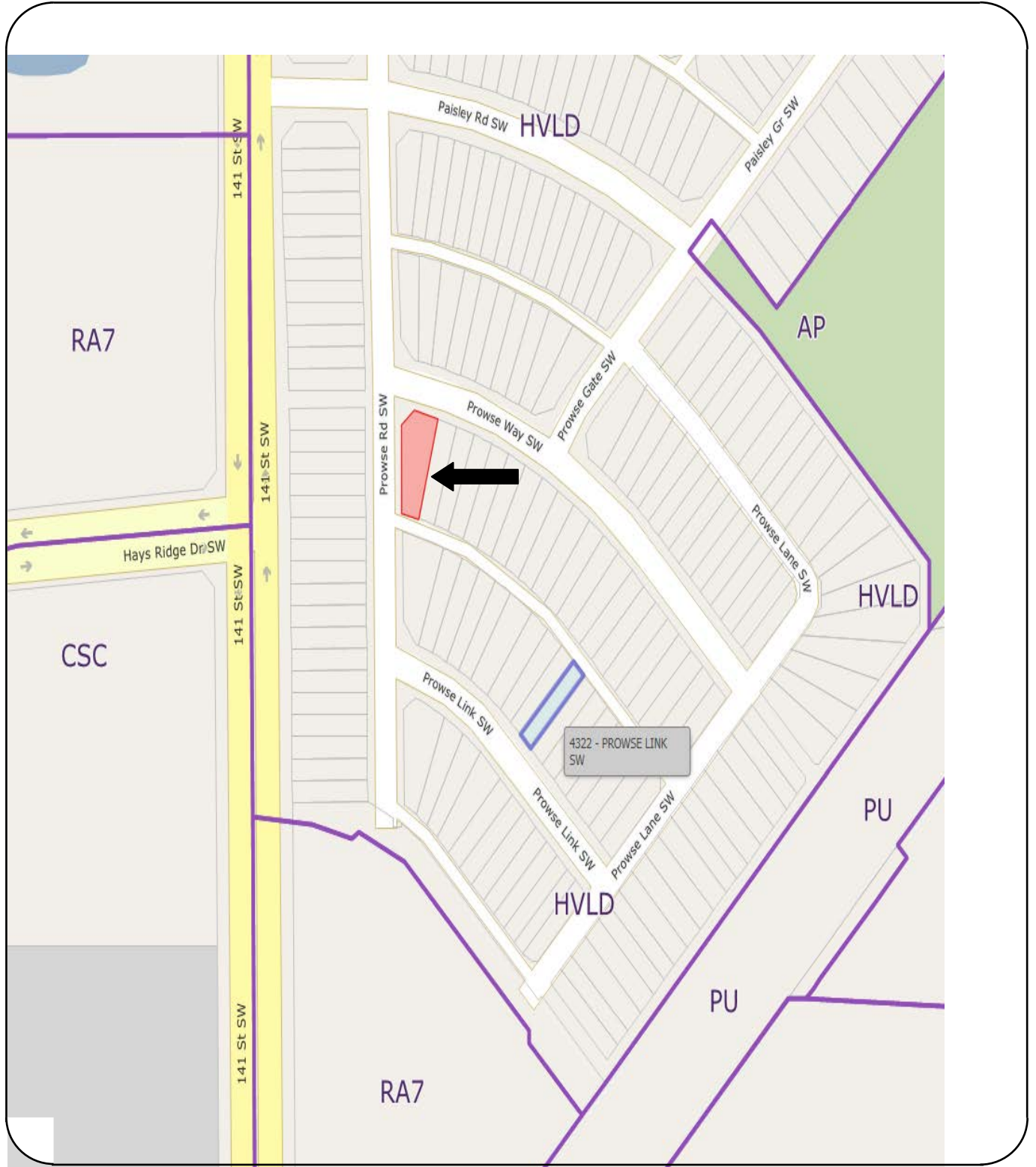
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Notice Period Begins: Nov 15, 2018

Ends: Dec 06, 2018

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$176.00	\$176.00	05183448	Jul 13, 2018
Existing Without Permit Penalty Fee	\$176.00	\$176.00	05183448	Jul 13, 2018
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$352.00</u>	<u>\$352.00</u>		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-210

