

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
September 24, 2015**

**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-15-215	Operate a Major Home Based Business (Big Glamour Exchange - consignment clothing business)  390 - Blackburn Drive East SW Project No.: 176139202-001
---	-----------	---------------	---

---

**TO BE RAISED**

II	1:00 P.M.	SDAB-D-15-161	Construct 4 Dwellings of Row Housing with attached Garages and to demolish the existing Single Detached House and rear detached Garage  15104 - 110 Avenue NW Project No.: 149159648-001
----	-----------	---------------	---

---

**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-15-215

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

APPELLANT:

APPLICATION NO.: 176139202-001

APPLICATION TO: Operate a Major Home Based Business (Big Glamour Exchange - consignment clothing business)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: August 13, 2015

DATE OF APPEAL: September 1, 2015

NOTIFICATION PERIOD: August 20, 2015 through September 2, 2015

RESPONDENT: Nadia Salles

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 390 - Blackburn Drive East SW

LEGAL DESCRIPTION: Plan 9722099 Blk 6 Lot 76

ZONE: RF1 Single Detached Residential Zone

OVERLAY: N/A

STATUTORY PLAN: Blackburne Neighbourhood Area Structure Plan

---

***Grounds for Appeal***

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

We wish to appeal the decision to approve a Major Home Based Business at the above address on the following grounds:

1. Based on information received from the Planning Officer, the business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the zone in which it is located.
  - The location of the residence is at the far end of a secluded residential neighborhood. It is approximately 1.5 km from the nearest commercial property (convenience store). The residence is not on a bus route, and there is no through traffic in the neighborhood as there is only one entrance/exit. The traffic and parking in the neighborhood outside of the residents is very minimal. Any additional traffic is noticeable; even at the maximum of four vehicles per day due to the current low volume of traffic. Business traffic is not characteristic of the area. The attached map shows the location of the residence.
  - The Homeowners Association does not support this type of business based on the traffic issues for the location, as indicated.
2. Limitations of the permit indicate that all home visits shall occur between 8 am and 6 pm with no overlap, no dedicated waiting room, and by scheduled appointment only. The permit indicates a maximum of 4 visits per day.
  - The information on the business website does not support the limits set by the permit. The website does not state that visits are by appointment only, and invites potential customers to "visit or call", and clearly lists the residence address with a map and directions. The business hours are listed as 10am to 8 pm Monday to Friday, and Saturday 10am - 6 pm. The applicant had indicated to the Planning Officer on or before August 19, 2015 that the site was a work in progress. As of August 27, the information has not changed. As this is the information available to the public, it is reasonable to expect that there will be unscheduled visits during the posted hours of business, as well as possible overlapping visits. Screen captures of the website taken on August 27 are attached as reference.
3. The permit was approved based on one parking spot available for the scheduled visits. The information provided indicates that there two parking spots in the garage, and two spots on the driveway. Street parking is not considered to meet this requirement.
  - The garage at the residence is not available for parking as it appears to be used for other activities. Both spots on the driveway are routinely used by the current residents for parking, leaving no customer spots for parking.
  - The activities within the garage involve tools and machinery characteristic of engine repair, and have been used on a regular basis, frequently on a daily basis. There have been a number of ATVs, motorbikes, lawnmowers seen being worked on by the resident, and picked up by other individuals. Two calls to bylaw enforcement were made with concerns about the noise from the machinery and running of the motors. Two file numbers have been generated: July 2, 2015, #173575940-001, and August 12, #177440123-001. An EPS file number was also generated on August 23 when attempts were made to ask the resident to stop the machinery use after several hours out of respect for the neighbors was met with an aggressive response that quickly escalated. Complains from both parties are part of this file number.

4. There is no observable evidence to date to indicate that the residents are concerned or respectful of the quiet character and nature of this neighborhood, or are concerned with meeting the requirements of the permit.
  - Publicly available information does not align with the approved variance, potentially leading to non-typical neighborhood traffic; no visible attempts to correct the information have been made at the time of appeal.
  - The current use of the residence does not provide for the required parking.
  - Noise generating activities to date have demonstrated a lack of concern for the neighborhood and their neighbor's enjoyment of their own property. There have been no observable efforts to change the current activities, leaving reasonable doubt that the new business activities under this permit will not affect the neighborhood.
  - Concerns have also been raised about the impact of a traffic generating business on the surrounding properties, as one of the key benefits of this area is the quiet, secluded residential setting.
  - A call to the property management company (Houseme.ca) regarding the noise and activities has indicated that they were not aware of the application for a business licence or bylaw concerns and would be investigating these issues further.
5. There are no planned activities to monitor this business for compliance, leaving this duty to the current neighbors to monitor and report. Based on the outcomes of the bylaw investigation to date, there is no confidence that any concerns would be addressed in a meaningful way for the neighbors surrounding this business.

Based on these concerns we are respectfully requesting that approval of this permit is reconsidered. [unedited].

<i>General Matters</i>
------------------------

**Appeal Information:**

The decision of the Development Authority was appealed by the property at 389 – Blackburn Drive East SW.

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

**Grounds for Appeal**

685(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 within 14 days,

...

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

...

The Board is advised that the decision of approval by the Development Officer is dated August 13, 2015. The Notice of Appeal Period began August 20, 2015 and ended September 2, 2015 and the Notice of Appeal was filed on September 1, 2015.

**General Provisions from the *Edmonton Zoning Bylaw*:**

Under section 110.3(7), a **Major Home Based Business** is a **Discretionary Use** in the RF1 Single Detached Residential Zone.

Under section 7.3(7), **Major Home Based Business** means:

development consisting of the use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses such businesses may generate more than one business associated visit per day. The business use must be secondary to the residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use Class includes Bed and Breakfast Operations but does not include General Retail Sales.

Section 110.1 states the following with respect to the **General Purpose** of the **RF1 Single Detached Residential Zone**:

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

***Major Home Based Business***

Section 75 states a Major Home Based Business shall comply with the following regulations:

1. there shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling;
2. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;

3. the Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located;
4. the number of non-resident employees or business partners working on-site shall not exceed two at any one time;
5. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings;
6. the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings;
7. a Bed and Breakfast Operation, operating as a Major Home Based Business shall have a maximum of two Sleeping Units. Cooking facilities shall not be located within the Sleeping Units. In addition to any other parking requirements of this Bylaw, one additional parking space shall be provided for each Sleeping Unit;
8. in addition to the information requirements of subsection 13.1 of this Bylaw, each application for a Development Permit for the Use Class Major Home Based Business shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for parking, and where any materials or equipment associated with the business use are to be stored; and
9. the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.
10. a Major Home Based Business shall not be allowed within the same principal Dwelling containing a Secondary Suite or within the same Site containing a Garage Suite or a Garden Suite and an associated principal Dwelling, unless the Home Based Business is a Bed and Breakfast Operation and the Secondary Suite or the Garage Suite or the Garden Suite is an integral part of the Bed and Breakfast Operation.

---

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. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

---




Project Number: 176139202-001  
Application Date: JUL 20, 2015  
Printed: September 1, 2015 at 4:04 PM  
Page: 1 of 3

## Application for Home Occupation

This document is an application for a Development Permit for the development described below.

**Applicant**

SALLES, NADIA  


**Property Address(es) and Legal Description(s)**

390 - BLACKBURN DRIVE EAST SW  
Plan 9722099 Blk 6 Lot 76

**Scope of Permit**

To operate a Major Home Based Business (Big Glamour Exchange - consignment clothing business)

**Permit Details**

# of businesss related visits/day: 4  
Administration Office Only?: N  
Class of Permit: Class B  
Do you live at the property?: Y  
Outdoor storage on site?: N

# of vehicles at one time: 1  
Business has Trailers or Equipment?: N  
Description of Business: Clothing business. online/in-person customer.  
Expiry Date: 2020-08-13 00:00:00

I/We certify that the above noted details are correct.

Applicant signature: \_\_\_\_\_

**Development Permit Decision**

Approved

**THIS IS NOT A PERMIT**





Project Number: 176139202-001  
Application Date: JUL 20, 2015  
Printed: September 1, 2015 at 4:04 PM  
Page: 2 of 3

## Application for Home Occupation

### Subject to the Following Conditions

1. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)
2. This Development Permit may be revoked or invalidated, at any time, if the Major Home Based Business as stated in the Permit Details, or if the character or appearance of the Dwelling or Accessory Building, changes.
3. The Major Home Based Business shall be operated by a resident of the Dwelling on the property and must be secondary to the residential use of the Building (Section 7.3(7)).
4. 3 Parking spaces shall be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the Single Detached House or Major Home Based Business. (Section 54.1(1)(c)).
5. There shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling (section 75(1))
6. There shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings (section 75(2))
7. The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located (section 75(3))
8. All client visits shall be scheduled by appointment only between 8:00 AM to 6:00 PM, and no two appointments shall overlap. No dedicated waiting room for this business shall be created inside the dwelling.
9. The number of non-resident employees or business partners working on-site shall not exceed two at any one time (Section 75(4))
10. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings (Section 75(5))

### NOTES:

- i. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.
- ii. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.

### VariANCES

1. Class B Discretionary Development: Major Home Based Business is a Discretionary Use in the RF1 zone. (Section 110.3(7))

### Notes:

A variance was granted for this Development Permit pursuant to Sections 11.3 and 11.4. Subject to the right of appeal the permit is NOT VALID until the required Notification Period expires (date noted below) in accordance with Sections 21.1 and 17.1.

Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.

**THIS IS NOT A PERMIT**



Project Number: 176139202-001  
Application Date: JUL 20, 2015  
Printed: September 1, 2015 at 4:04 PM  
Page: 3 of 3

## Application for Home Occupation

**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.

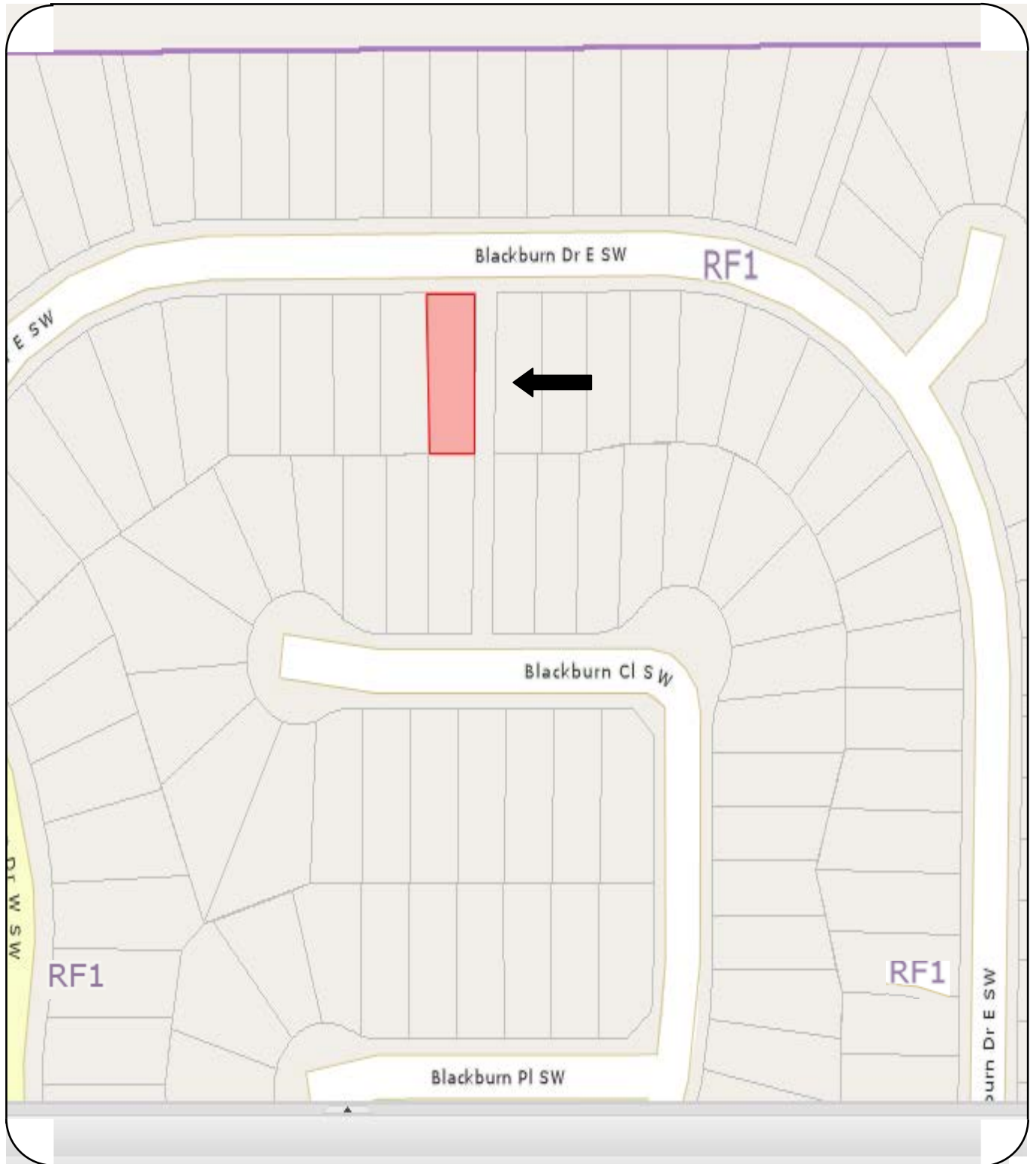
**Issue Date:** Aug 13, 2015    **Development Authority:** HAMILTON, FIONA  
**Notice Period Begins:** Aug 20, 2015    **Ends:** Sep 02, 2015

**Signature:** \_\_\_\_\_

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee	\$291.00	\$291.00	02599439	Jul 20, 2015
Total GST Amount:	\$0.00			
Totals for Permit:	\$291.00	\$291.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-15-215



**TO BE RAISED**  
**ITEM II: 1:00 P.M.**

FILE: SDAB-D-15-161

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 149159648-001

APPLICATION TO: Construct 4 Dwellings of Row Housing with attached Garages and to demolish the existing Single Detached House and rear detached Garage

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 10, 2015

DATE OF APPEAL: June 29, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 15104 - 110 Avenue NW

LEGAL DESCRIPTION: Plan 4874HW Blk 12 Lot 1

ZONE: RF3 Small Scale Infill Development Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

---

***Grounds for Appeal***

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

The rear 40 percent Setback is applicable given the corner lot and the allowances for such the underlined zoning.

The flanking side driveway access is consistent with other properties in the area.

We are willing to provide landscaping and features as required to buffer the adjacent neighbour.

Given the other higher density projects that exist we meet the intent and characteristics of the neighbourhood. [unedited].

***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 within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
  - (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or
  - ...

The decision of refusal by the Development Officer is dated April 10, 2015. Fourteen days from the decision date is April 24, 2015 and the Notice of Appeal was filed on June 29, 2015.

**July 22, 2015 hearing motion:**

The Subdivision and Development Appeal Board at a hearing on July 22, 2015 made and passed the following motion:

With the consent of the parties, this matter is tabled to September 23 or 24, 2015, to give the Appellant the opportunity to present evidence regarding the late filing issue.

**General Provisions from the *Edmonton Zoning Bylaw*:**

Under section 140.3(5), **Row Housing** is a **Permitted Use** in the RF3 Small Scale Infill Development Zone.

Under section 7.2(6), **Row Housing** means:

development consisting of a building containing a row of three or more Dwellings joined in whole or in part at the side only with no Dwelling being placed over another in whole or in part. Individual Dwellings are separated from one another by a Party Wall. Each Dwelling has separate, individual, and direct access to Grade. This Use Class does not include Stacked Row Housing or Blatchford Townhousing.

Section 140.1 states the following with respect to the **General Purpose** of the **RF3 Small Scale Infill Development Zone**:

...to provide for Single Detached Housing and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to buildings containing up to four Dwellings, and including Secondary Suites under certain conditions.

Section 814.3(24) states “When a Development Permit application is made and the Development Officer determines that the proposed development does not comply with the regulations contained in this Overlay:

- a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League;
- b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
- c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
- d. the applicant shall submit this documentation to the Development Officer no sooner than twenty-one calendar days after giving the information to all affected parties.”

***General Purpose of the Mature Neighbourhood Overlay***

Section 814.1 states the following with respect to the **General Purpose** of the **Mature Neighbourhood Overlay** is:

...to ensure that new low density development in Edmonton’s mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants

and neighbouring affected parties when a development proposes to vary the Overlay regulations.

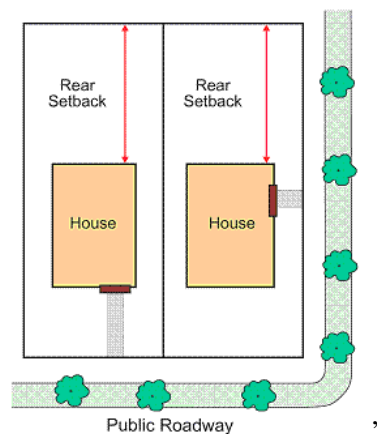
**Development Officer’s Determination:**

Proposed Row Housing shows a 26.51 m long rear facade with multiple windows facing the adjacent Site. This will interfere with the privacy and enjoyment of the neighbouring property. [unedited].

***Rear Setback requirement***

Section 814.3(5) states “The minimum Rear Setback shall be 40% of Site depth. Row Housing not oriented to a public roadway is exempt from this Overlay requirement.”

Section 6.1(82) defines **Rear Setback** to mean “the distance that a development or a specified portion of it, must be set back from a Rear Lot Line. A Rear Setback is not a Rear Yard, Amenity Space or Separation Space



**Development Officer’s Determination:**

Required 40% = 37.19m x 40%= 14.876m  
 Proposed: 4.55m  
 Deficient by 10.327m [unedited].

***Location requirement***

Section 814.3(10) states “Regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists, and

- a. a Treed Landscaped Boulevard is present along the roadway adjacent to the property line;

- b. the Site Width is less than 15.5 metres; or
- c. fewer than 50 percent of principal Dwellings on the blockface have vehicular access from the front or flanking roadway.”

Section 6.1(106) defines **Treed Landscaped Boulevard** to mean “that portion of public road right-of-way which has been landscaped with trees planted at intervals.”

**Development Officer’s Determination:**

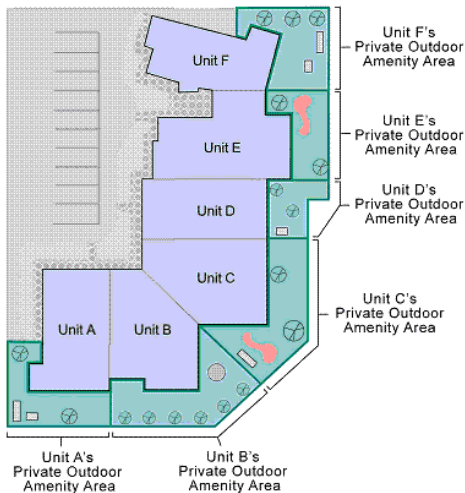
Proposed vehicular access is from the Flanking public road which has an abutting Lane and a Treed Landscaped Boulevard. [unedited].

***Private Outdoor Amenity Area***

Section 140.4(15) states “Private Outdoor Amenity Area shall be provided on Site in accordance with Section 47 of this Bylaw.”

Section 47.5 states “Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 4.0 m, except that if it is provided above the first Storey the minimum dimensions shall be 3.0 m.”

Section 6.1(78) defines **Private Outdoor Amenity Area** to mean “required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular Dwelling and which is immediately adjacent to and directly accessible from the Dwelling it is to serve;



**Development Officer’s Determination:**

Proposed minimum dimension is 3.25m.  
Deficient by 0.75 m [unedited]



***Vehicular Parking Requirement***

Section 54.2 Schedule 1(A)(1) provides the following with respect to the **minimum number of Parking Spaces or Garage Spaces Required** for Apartment Housing:

	Minimum	Maximum	TOD minimum	TOD maximum
Bed Sitting Room	1	N/A	0.7	1
Bachelor Suite	1	N/A	0.7	1
1 Bedroom Dwelling	1	N/A	0.8	1
2 Bedroom Dwelling	1.5	N/A	1	1.5
3 or more Bedroom Dwelling	1.7	N/A	1.25	1.75
Visitor Parking	1 per 7 Dwellings	N/A	1 per 7 Dwellings	N/A

Where such Uses contain three or more dwelling units (or where Semi-Detached Housing, Duplex Housing, or Apartment Housing consisting of fewer than three dwelling units, comprise part of a Multi-Unit Project Development) and are located within 400 metres of an existing LRT station or a future LRT station with a Council-approved Concept Plan, within 400 metres of an existing Transit Centre or a future Transit Centre with a Council-approved Concept Plan, or within 100 metres of a Transit Avenue, the following minimum parking requirements and maximum parking requirements shall apply.

The visitor parking must be readily available to an entrance of the building and be clearly identified as visitor parking.

The Development Officer may accept Tandem Parking spaces of a number that is equivalent to the total required parking minus the total number of Dwellings and minus visitor parking. Visitor parking spaces shall not be in tandem.

Section 54.2(2) states the following with respect to **Location of Vehicular Parking Facilities:**

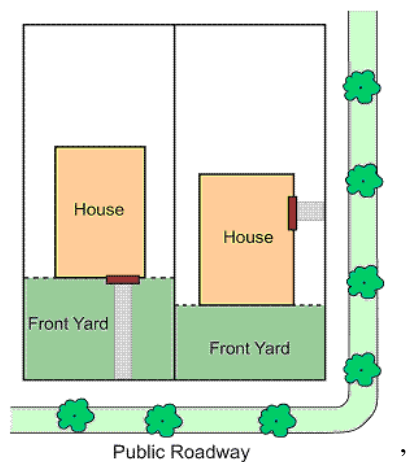
...

- (e) except as otherwise provided for in this Bylaw, parking spaces, not including Driveways, that are required in accordance with the minimum standards of this Bylaw shall be located in accordance with the following:
  - i. parking spaces shall not be located within a Front Yard; and

- ii. on a Corner Lot in a Residential Zone, parking spaces, in addition to complying with the other provisions of this Bylaw, shall not be located within the Side Yard abutting the flanking public roadway, other than a Lane. Where the amount of parking provided on a Corner Lot is in excess of the minimum requirements of this Bylaw, the Development Officer shall have the discretion to allow such additional spaces within a Side Yard flanking a public roadway, other than a Lane.

...

Section 6.1(40) defines **Front Yard** to mean “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.



Section 6.1(100) defines **Tandem Parking** to mean “two parking spaces, one behind the other, with a common or shared point of access to the manoeuvring aisle.”

**Development Officer’s Determination:**

Required: 4 Dwellings x 1.7= 6.8 or 7 spaces


Proposed: 7 spaces, but 4 of them (in attached garages) have access from the flanking road and parking # 5 located on required front yard is not allowed. [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. Bylaw No. 11136 requires that a verbal announcement of the Board’s decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

---

	Project Number: <b>149159648-001</b> Application Date: JAN 31, 2014 Printed: June 30, 2015 at 7:54 AM Page: 1 of 2
<h2 style="margin: 0;">Application for Major Development Permit</h2>	

This document is a Development Permit Decision for the development application described below.

<b>Applicant</b>  ALI , ALI ABDULHADI 	<b>Property Address(es) and Legal Description(s)</b> 15104 - 110 AVENUE NW Plan 4874HW Blk 12 Lot 1  <b>Specific Address(es)</b> Entryway: 15104 - 110 AVENUE NW Entryway: 15106 - 110 AVENUE NW Entryway: 15108 - 110 AVENUE NW Entryway: 15110 - 110 AVENUE NW Building: 15104 - 110 AVENUE NW
--	---

**Scope of Application**  
 To construct 4 Dwellings of Row Housing with attached Garages and to demolish the existing Single Detached House and rear detached Garage.

<b>Permit Details</b>  Class of Permit: Gross Floor Area (sq.m.): 367.03 New Sewer Service Required: Y Site Area (sq. m.): 821.56	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 4 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
--	---

I/We certify that the above noted details are correct.

Applicant signature: \_\_\_\_\_

**Development Application Decision**  
 Refused

**THIS IS NOT A PERMIT**



Project Number: **149159648-001**  
 Application Date: JAN 31, 2014  
 Printed: June 30, 2015 at 7:54 AM  
 Page: 2 of 2

## Application for Major Development Permit

**Reason for Refusal**

1. The general purpose of this Overlay is to ensure that new low density development in Edmonton's mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants and neighbouring affected parties when a development proposes to vary the Overlay regulations. (Reference Section 814.1)  
 Proposed Row Housing shows a 26.51 m long rear facade with multiple windows facing the adjacent Site. This will interfere with the privacy and enjoyment of the neighbouring property.
  
2. The minimum Rear Setback shall be 40% of Site depth. (Reference Section 814.3(5))  
 Required 40% = 37.19m x 40%= 14.876m  
 Proposed: 4.55m  
 Deficient by 10.327m
  
3. Regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists and a Treed Landscaped Boulevard is present along the roadway adjacent to the property line. (Reference Section 814.3(10))  
 Proposed vehicular access is from the Flanking public road which has an abutting Lane and a Treed Landscaped Boulevard.
  
4. Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 4.0 m. (Reference Section 47.5)  
 Proposed minimum dimension is 3.25m.  
 Deficient by 0.75 m
  
5. Schedule 1- Vehicular Parking Requirement (Reference Section 54.2)  
 Required: 4 Dwellings x 1.7= 6.8 or 7 spaces  
 Proposed: 7 spaces, but 4 of them (in attached garages) have access from the flanking road and parking # 5 located on required front yard is not allowed.

NOTE: All Sections are referenced from the Edmonton Zoning Bylaw as amended.

**Rights of Appeal**

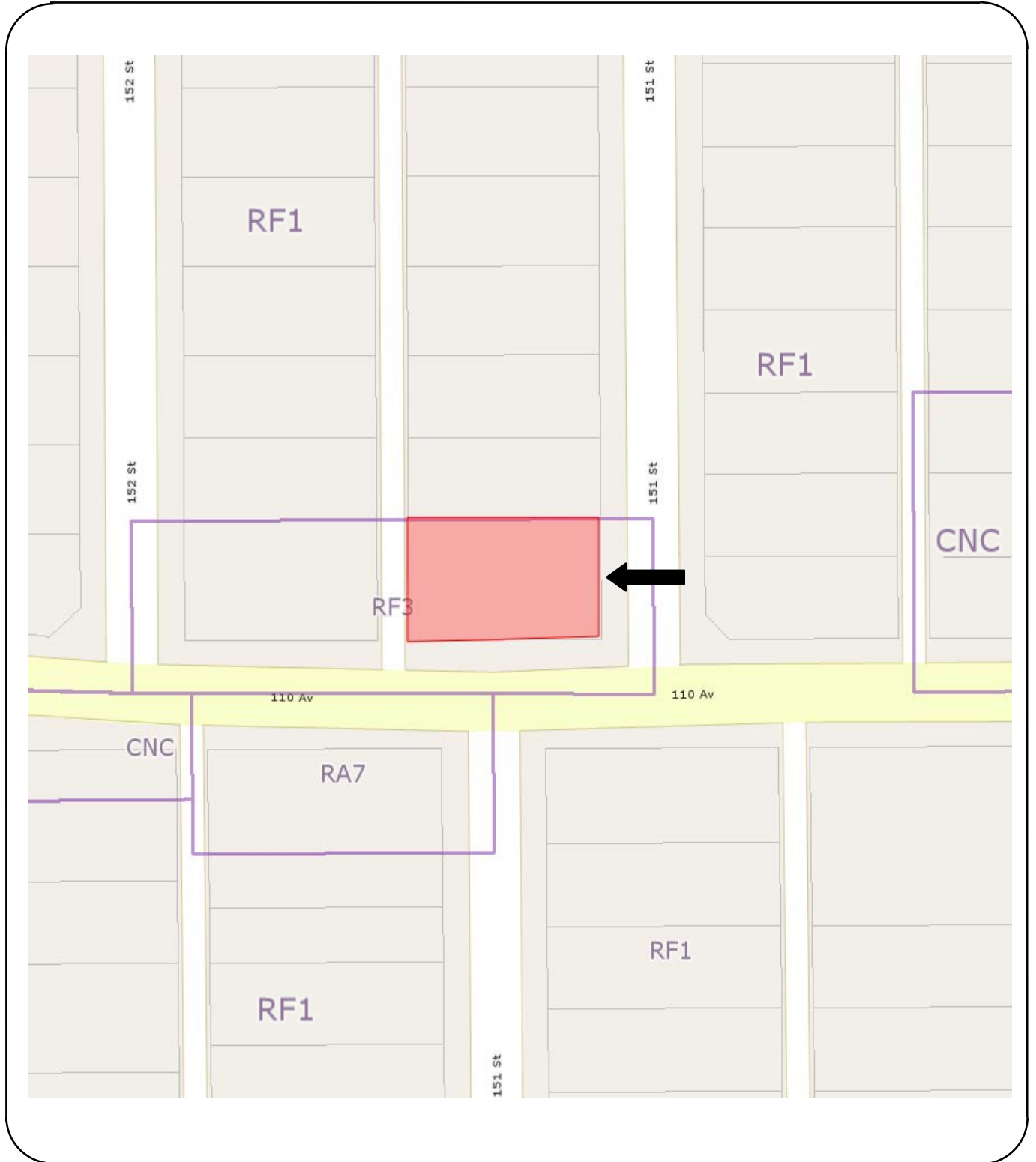
The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

**Issue Date:** Apr 10, 2015    **Development Authority:** ANGELES, JOSELITO    **Signature:** \_\_\_\_\_

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$770.00	\$770.00	01445286	Jan 31, 2014
Sanitary Sewer Trunk Fund 2012+	\$2,654.00			
Lot Grading Fee	\$440.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$3,864.00	\$770.00		
(\$3,094.00 outstanding)				

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location



File: SDAB-D-15-161

