

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
April 25, 2018**

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

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

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I	9:00 A.M.	SDAB-D-18-059	Install three (3) Freestanding On-premises Signs (GRIESBACH VILLAGE)  503 - Griesbach Parade NW Project No.: 270897656-001
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**TO BE RAISED**

II	1:00 P.M.	SDAB-D-18-046	Construct an Accessory Building (Garage, 30.48 metres by 15.24 metres)  21007 - 97 Avenue NW Project No.: 227580248-002
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***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-18-059

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 270897656-001

APPLICATION TO: Install three (3) Freestanding On-premises Signs (GRIESBACH VILLAGE)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 28, 2018

DATE OF APPEAL: April 3, 2018

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 503 - Griesbach Parade NW

LEGAL DESCRIPTION: Plan 1523747 Blk 27 Lot 5

ZONE: (GVC) Griesbach Village Centre Zone

OVERLAY(S): Griesbach Special Area Main Streets Overlay

STATUTORY PLAN: Griesbach Neighbourhood Area Structure Plan

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***Grounds for Appeal***

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

We are solicitors for Griesbach Village Properties Inc., the Applicant in the above noted matter. Our clients' Development Permit Application has been refused. On behalf of our clients, we hereby appeal the refusal on the following grounds:

1. The proposed development, Freestanding On-premises Signs, is a permitted use in the (GVC) Griesbach Village Centre Zone District.

2. The site is particularly large (13.22 acres) and can readily support the additional sign requested without impacting at all the use, enjoyment or value of neighbouring properties nor on the amenities of the neighbourhood.
3. The proposed sign locations are at the periphery of the Site and the requested increases in height will not, in any manner, impact negatively on the pedestrian oriented character of the Site's interior. Moreover, the height of the signs at the periphery will not negatively impact the neighbouring commercial properties.
4. The proposed development will not harm nor preclude the use of any tree stands.
5. The proposed development accords with the Griesbach NASP and is the second step in the sign program approved by the Board in SDAB-D-16-146.
6. Such further and other reasons as may be presented at the hearing of the within appeal.

<b><i>General Matters</i></b>
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**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 decision is made 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;

...

- (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 940.6(3)(z), **Freestanding On-premises Signs** is a **Permitted Use** in the (GVC) Griesbach Village Centre Zone.

Under section 7.9(4), **Freestanding On-premises Signs** means:

any Sign supported independent of a building, displaying Copy that identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

Section 940.6(1) states that the **General Purpose** of the **(GVC) Griesbach Village Centre Zone** is:

To allow for a mixed Use of businesses, residences, and institutional Uses in a village centre format promoting pedestrian orientation in accordance with the design objectives in the Griesbach Neighbourhood Area Structure Plan.

Section 940.1 states that the **General Purpose** of the **Griesbach Special Area** is:

To designate Griesbach as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the Griesbach Neighbourhood Area Structure Plan, as adopted by Bylaw 12936, as amended.

Section 819.1 states that the **General Purpose** of the **Main Streets Overlay** is:

To encourage and strengthen the pedestrian-oriented character of Edmonton's main street commercial areas that are located in proximity to residential and transit-oriented areas, by providing visual interest, transparent storefront displays, and amenities for pedestrians.

Section 819.2 states under the **Main Streets Overlay Application** that:

This Overlay applies to all Commercial Zones within the areas shown on the Appendix to this Overlay, and within 200 m of an existing LRT station or transit centre, or a future LRT station or transit centre with a Council-approved Concept Plan.

<b><i>Height</i></b>
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Section 940.6(5)(q) of the (GVC) Griesbach Village Centre Zone states:

Signs shall comply with the regulations found in Schedule 59E of this Bylaw, with the intent to complement the pedestrian-oriented commercial environment, except that:

- i. the maximum Height of a Freestanding Sign shall be 6.0 m;

...

Section 819.3(26) of the Main Streets Overlay states:

Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw, except that:

- a. the maximum Height of a Freestanding Sign or Digital Sign shall be 6.0 m.

...

Under section 6.2(10) **Height Signs** means “the vertical distance measured from the finished ground surface directly under the Sign to the highest point of the Sign.”

**Development Officer’s Determination**

**Proposed: 8.0m (Signs #2, #3 and #5)  
Exceeds by: 2.0 m**

**Advisement:**

**The letter of support provided by the CLC, and included in this submission, is based on information from Mr. Braithwaite indicating that the signs comply with the bylaw regulation height of 6.0m, however the application submitted is for signs that are 8.0 m high, contrary to the Griesbach Neighbourhood Area Structure Plan and the Griesbach Village Centre (GVC) Zone in the Edmonton Zoning Bylaw 12800.**

<b><i>Maximum number of Signs</i></b>
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Schedule 59E.2(3)(c) states:

the maximum number of Freestanding On-premises Signs, Roof On-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs on a Site shall be four.

**Development Officer’s Determination**

**Proposed: 3  
Existing: 2  
Total: 5  
Exceeds by: 1**

***Griesbach Neighbourhood Area Structure Plan***

Section 8 (Implementation) provides the following under *Special Area Status*:

[...]

*Additional design principles to promote a pedestrian oriented environment in the village centre area include limitations on vehicle oriented uses, building setbacks that promote interaction with sidewalk traffic, and architectural provisions. Commercial establishments will be limited in size, to promote a smaller scale village style environment with a more eclectic mix of pedestrian friendly shops and personal service uses. It will also prevent the dominance of the area and its streets by large business operations. The heights of freestanding signs will be lower than standard zones and projecting signs will be designed and located to reflect a pedestrian scale."*

**Development Officer's Determination**

**The proposed development does not comply with this section of the Griesbach Neighbourhood Area Structure Plan as the heights of Freestanding Signs are not lower than standard zones.**

Section 59.2(6) of the *Edmonton Zoning Bylaw* states:

For all Sign Applications, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development. The Development Officer shall refuse any Sign Application that may adversely impact the amenities or character of the Zone.

Section 5 (The Plan) provides the following under *Tree Retention*:

[...] *Tree retention was also identified and supported in the consultation process as being important to the neighbouring communities. Particular attention focused on the shelterbelt of amur maples, colourful in the fall, along the west side of 97 Street. [...]*

[...] *Subdivision and detailed site planning will provide for public access to the amur maples for wedding photography. [...]*

**Development Officer's Determination**

**The NASP contemplates maintaining the trees themselves, but also recognizes the aesthetic characteristics of this unique location. Sign #5 would materially interfere with this neighbourhood amenity, and approval of this sign would be non-compliant with the Griesbach NASP.**



**The location of this sign adversely impacts the amenities and character of the Zone, and may affect the use and enjoyment of the surrounding community. A letter of support with a condition that no trees are removed was received from the Northmount Community League. A letter of non-support for the proposed development was received from the Griesbach Community League.**

***Main Streets Overlay – Community Consultation***

Section 819.3(28) states:

When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this Overlay:

- a. the Development Officer shall send notice to the municipal address and assessed owners 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 and each Business Improvement Area Association operating within the distance described above to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;
- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been mailed, unless the Development Officer receives feedback from all specified recipients; and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.2.

***Previous Subdivision and Development Appeal Board Decision***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-16-146	To install (2) Freestanding On-premises Signs (GRIESBACH VILLAGE)	July 7, 2016; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED as applied for to the Development Authority, subject to the following


		<p>CONDITIONS:</p> <p>1) This approval is based on the revised plan submitted and reviewed by the Board. Sign 2 located in the southeast corner of the Site at the intersection of 97 Street and 137 Avenue NW shall have an overall width of 12.93 metres (42 feet 5 inches).</p> <p>2) The intensity of exposed bulbs on a Sign, excluding Digital Signs, shall not exceed 1100 lumens (Section 59.2(4))</p>
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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*.

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	<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	Project Number: <b>270897656-001</b> Application Date: DEC 27, 2017 Printed: March 28, 2018 at 10:51 AM Page: 1 of 3
This document is a Development Permit Decision for the development application described below.		
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 503 - GRIESBACH PARADE NW Plan 1523747 Blk 27 Lot 5	
<b>Scope of Application</b> To install (3) Freestanding On-premises Signs (GRIESBACH VILLAGE).		
<b>Permit Details</b>		
ASA Sticker No./Name of Engineer: Construction Value: 119000	Class of Permit: Expiry Date:	
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 3 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0	
I/We certify that the above noted details are correct. Applicant signature: _____		
<b>Development Application Decision</b> Refused		
<b>THIS IS NOT A PERMIT</b>		



## Application for Sign Combo Permit

Project Number: **270897656-001**  
 Application Date: DEC 27, 2017  
 Printed: March 28, 2018 at 10:51 AM  
 Page: 2 of 3

### Reason for Refusal

1. The maximum number of Freestanding On-premises Signs, Roof On-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs on a Site shall be four (Reference Section 59E.2(3)(c)).

Proposed: 3  
 Existing: 2  
 Total: 5  
 Exceeds by: 1

2. The site is located in Special Area Griesbach. The purpose of this designation is to designate Griesbach as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the Griesbach Neighbourhood Area Structure Plan, as adopted by Bylaw 12936, as amended.

Within the Special Area Griesbach, Griesbach Village Centre (GVC) Zone, signs shall comply with the regulations found in Schedule 59E of this Bylaw, with the intent to complement the pedestrian-oriented commercial environment, except that: the maximum Height of a Freestanding Sign shall be 6.0 m (Reference Section 940.6(5)(q)(i)).

Proposed: 8.0m (Signs #2, #3 and #5)  
 Exceeds by: 2.0 m

3. Additional design principles to promote a pedestrian oriented environment in the village centre area include limitations on vehicle oriented uses, building setbacks that promote interaction with sidewalk traffic, and architectural provisions. The heights of freestanding signs will be lower than standard zones and projecting signs will be designed and located to reflect a pedestrian scale.” (Reference Section 8. Implementation of the Griesbach Neighbourhood Area Structure Plan (NASP), Statutory Plan, Bylaw 12936 (as amended) adopted by Council in March 2002.

The proposed development does not comply with this section of the Griesbach Neighbourhood Area Structure Plan as the heights of Freestanding Signs are not lower than standard zones.

4. For all Sign Applications, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development. The Development Officer shall refuse any Sign Application that may adversely impact the amenities or character of the Zone. (Reference Section 59.2(6))

i) Sign #5 located along 97 Street is placed in close proximity to the existing stand of amur maples which are designated for retention in the Griesbach NASP which states: “Tree retention was also identified and supported in the consultation process as being important to the neighbouring communities. Particular attention focused on the shelterbelt of amur maples, colourful in the fall, along the west side of 97 Street” and “The Subdivision and detailed site plan will provide for public access to the amur maples for wedding photography”. (Reference Section 5. The Plan. Tree preservation and Tree Retention of the Griesbach Neighbourhood Area Structure Plan (Statutory Plan, Bylaw 12936 (as amended) adopted by Council in March 2002.)

The NASP contemplates maintaining the trees themselves, but also recognizes the aesthetic characteristics of this unique location. Sign #5 would materially interfere with this neighbourhood amenity, and approval of this sign would be non-compliant with the Griesbach NASP.

The location of this sign adversely impacts the amenities and character of the Zone, and may affect the use and enjoyment of the surrounding community. A letter of support with a condition that no trees are removed was received from the Northmount Community League. A letter of non-support for the proposed development was received from the Griesbach Community League.

### Advisement:

1. 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

**THIS IS NOT A PERMIT**



Project Number: **270897656-001**  
 Application Date: DEC 27, 2017  
 Printed: March 28, 2018 at 10:51 AM  
 Page: 3 of 3

## Application for Sign Combo Permit

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)

2. The letter of support provided by the CLC, and included in this submission, is based on information from Mr. Braithwaite indicating that the signs comply with the bylaw regulation height of 6.0m, however the application submitted is for signs that are 8.0 m high, contrary to the Griesbach Neighbourhood Area Structure Plan and the Griesbach Village Centre (GVC) Zone in the Edmonton Zoning Bylaw 12800.

**Rights of Appeal**

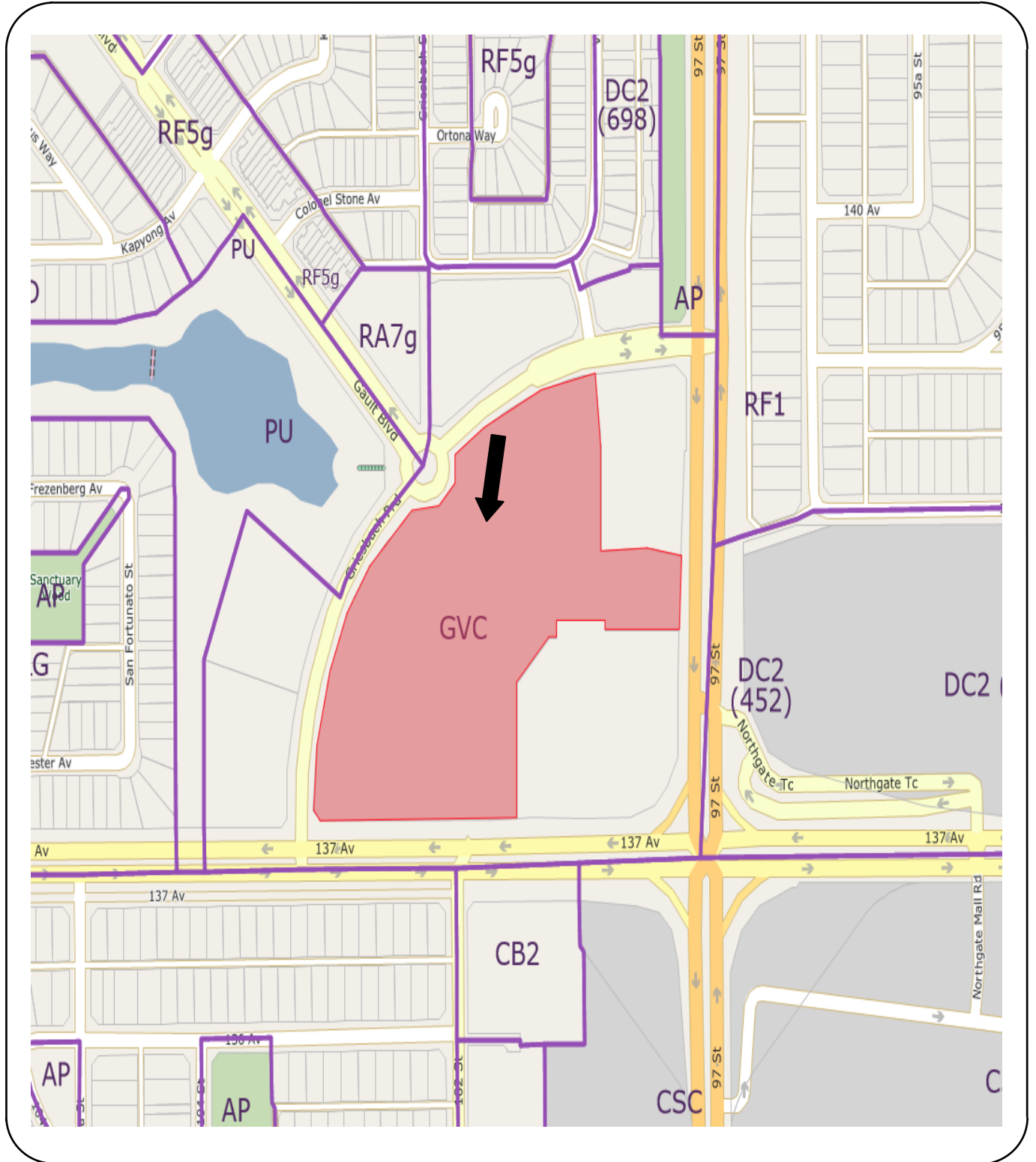
The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

**Issue Date:** Mar 28, 2018    **Development Authority:** NOORMAN, BRENDA    **Signature:** \_\_\_\_\_

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Sign Building Permit Fee	\$1,190.00	\$1,190.00	04709582	Dec 27, 2017
Sign Development Application Fee	\$816.00	\$816.00	04709582	Dec 27, 2017
Safety Codes Fee	\$47.60	\$47.60	04709582	Dec 27, 2017
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,053.60	\$2,053.60		

**THIS IS NOT A PERMIT**



### SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-059



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

FILE: SDAB-D-18-046

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 227580248-002

APPLICATION TO: Construct an Accessory Building (Garage,  
30.48 metres by 15.24 metres)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 13, 2018

DATE OF APPEAL: March 13, 2018

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 21007 - 97 Avenue NW

LEGAL DESCRIPTION: Plan 5496HW Lot 14

ZONE: (RR) Rural Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S): Lewis Farms Area Structure Plan  
Webber Greens Neighbourhood Structure  
Plan

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***Grounds for Appeal***

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

Development permit was refused due to height allowance restrictions.  
Past the forty day application decision.

***General Matters***

**Appeal Information:**

**The Subdivision and Development Appeal Board made and passed the following motion on April 4, 2018:**

**That the appeal hearing regarding Project No. 227580248-002 be TABLED to April 25, or April 26, 2018.**

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 decision is made 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;

...

(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.**

#### **Non-conforming use and non-conforming buildings**

**643(1)** If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

**(2)** A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

**(3)** A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

**(4)** A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

- (a) to make it a conforming building,
- (b) for routine maintenance of the building, if the development authority considers it necessary, or
- (c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

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

A **Mobile Home** is **neither** a Permitted Use **nor** a Discretionary Use in the (RR) Rural Residential Zone.

Under section 7.2(4), **Mobile Home** means:

development consisting of transportable Single Detached Housing which is suitable for permanent occupancy, designed to be transported on its own wheels, and which is, upon its arrival at the Site where it is to be located, ready for occupancy except for incidental building operations such as placement on foundation supports and connection to utilities.

Under section 240.2(5), **Single Detached Housing** is a **Permitted Use** in the (RR) Rural Residential Zone.

Under section 7.2(8), **Single Detached Housing** means:

development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use in a Zone, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

Section 7.1 provides the following with respect to *Use Definitions*:

1. Uses, as set out in subsections 7.2 through 7.9 inclusive, are grouped according to common functional or physical impact characteristics.

2. Use definitions are used to define the range of Uses, which are Permitted Uses or Discretionary Uses, within the various Zones of this Bylaw.
3. The following guidelines shall be applied in interpreting the Use definitions:
  - a. the typical purposes or activities, which may be listed in the definitions, are not intended to be exclusive or restrictive;
  - b. where specific purposes or activities do not conform to any Use definition or generally conform to the wording of two or more Use definitions, the Development Officer may, at their discretion, deem that the purposes or activities conform to and are included in that Use which they consider to be the most appropriate. In such a case, the Use shall be considered a Discretionary Use, whether or not the Use is listed as a Permitted Use or Discretionary Use within the applicable Zone; and
  - c. the headings such as Residential Uses or Commercial Uses do not mean that the Uses listed under these headings are permitted only in Residential or Commercial Zones of this Bylaw. Reference must be made to the lists of Permitted Uses and Discretionary Uses within each Zone.

Section 78 provides the following with respect to *Mobile Homes*:

1. in any Zone, other than the RMH Zone, where a Mobile Home is the development proposed in an application for a Development Permit for Single Detached Housing, the following regulations shall apply:
  - a. the Mobile Home shall be not less than 5.5 m in width or length; and
  - b. the Mobile Home shall be placed on a permanent foundation.

Section 50.1(1) provides the following with respect to *Accessory Uses and Buildings*:

A Use shall be Accessory to a Permitted or Discretionary Use which is a principal Use on the Site, if such Use complies with the definition of Accessory in this Bylaw. Notwithstanding the foregoing, Accessory parking may be on the same Site as the principal Use or comply with subsection 54.2(2) of this Bylaw.

Under section 6.1(2), **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(46), **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(120), **Use** means:

the purposes or activities for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Section 240.1 states that the **General Purpose** of the **(RR) Rural Residential Zone** is:

to provide for Single Detached Residential development of a permanent nature in a rural setting, generally without the provision of the full range of urban utility services. The RR Zone is intended to regulate rural residential development within existing rural residential subdivisions that existed prior to the passage of this Bylaw, and is not intended to facilitate future rural residential development and subdivision, which is contrary to the Municipal Development Plan.

<b><i>Height</i></b>
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Section 50.3(3)(a) states “an Accessory building or structure shall not exceed 4.3 m in Height, [...]”

Under section 6.1(54), **Height** means “a vertical distance between two points.”

**Development Officer’s Determination**


**Accessory Building Height - The garage is 5.8m in height instead of 4.3m. (Section 50.3.3) [unedited]**

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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*.

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	Project Number: <b>227580248-002</b> Application Date: JAN 31, 2018 Printed: March 13, 2018 at 3:41 PM Page: 1 of 1																														
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Accessory Building Development and Building Permit</h3>																															
This document is a record of a Development Permit and/or Building 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, Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, Alberta Building Code and City of Edmonton Bylaw 15894 Safety Codes Permit Bylaw.																															
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 21007 - 97 AVENUE NW Plan 5496HW Lot 14																														
<b>Scope of Application</b> To construct an Accessory Building (Garage, 30.48m x 15.24m).																															
<b>Permit Details</b>																															
Building Area (sq. ft.): 5000 Stat. Plan Overlay/Annex Area: (none)	Class of Permit: Type of Accessory Building: Shed (040)																														
I/We certify that the above noted details are correct. Applicant signature: _____																															
<b>Development Application Decision</b> Refused <b>Reasons for Refusal</b> Accessory Building Height - The garage is 5.8m in height instead of 4.3m. (Section 50.3.3) <b>Variances</b>  <b>Rights of Appeal</b> 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: Mar 13, 2018    Development Authority: BERNUY, MICHELLE    Signature: _____																															
<b>Fees</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 15%;">Fee Amount</th> <th style="width: 15%;">Amount Paid</th> <th style="width: 10%;">Receipt #</th> <th style="width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Building Permit Fee</td> <td style="text-align: right;">\$108.00</td> <td style="text-align: right;">\$108.00</td> <td>04773801</td> <td>Jan 31, 2018</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.50</td> <td style="text-align: right;">\$4.50</td> <td>04773801</td> <td>Jan 31, 2018</td> </tr> <tr> <td>Dev. Application Fee</td> <td style="text-align: right;">\$116.00</td> <td style="text-align: right;">\$116.00</td> <td>04773801</td> <td>Jan 31, 2018</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$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;">\$228.50</td> <td style="text-align: right; border-top: 1px solid black;">\$228.50</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Building Permit Fee	\$108.00	\$108.00	04773801	Jan 31, 2018	Safety Codes Fee	\$4.50	\$4.50	04773801	Jan 31, 2018	Dev. Application Fee	\$116.00	\$116.00	04773801	Jan 31, 2018	Total GST Amount:	\$0.00				Totals for Permit:	\$228.50	\$228.50		
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