

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
August 5, 2015**

**Hearing Room No. 2
Churchill Building,
10019 - 103 Avenue NW,
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 2**

I	9:00 A.M.	SDAB-D-15-171	Construct exterior alterations (Driveway extension, 6.0m x 1.22m and 1.55m x 12m) existing without permits 3210 - 35A Avenue NW Project No.: 158053134-002
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BREAK – 10:15 A.M. TO 10:30 A.M.

II	10:30 A.M.	SDAB-D-15-169	Construct an Accessory Building (rear detached 2 Storey Garage - 5.72m x 12.50m) 10185 - 92 Street NW Project No.: 140968761-005
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LUNCH BREAK – 12:00 P.M. TO 1:00 P.M.

III	1:00 P.M.	SDAB-D-15-170	Construct a Semi-detached House with veranda and fireplace and to demolish a Single Detached House 7324 - 81 Avenue NW Project No.: 170694991-001
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BREAK – 2:45 P.M. TO 3:00 P.M.

IV	3:00 P.M.	SDAB-D-15-168	Construct an Accessory Building (rear detached Garage, 8.53m x 7.93m) 5423 - 203 Street NW Project No.: 173111314-001
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Tabled to August 12/13, 2015

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-15-171

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 158053134-002

APPLICATION TO: Construct exterior alterations (driveway extension, 6.0m x 1.22m and 1.55m x 12m) existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 6, 2015

DATE OF APPEAL: July 8, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3210 - 35A Avenue NW

LEGAL DESCRIPTION: Plan 0125039 Blk 36 Lot 72

ZONE: RF1 Single Detached Residential Zone

OVERLAY: N/A

PLANS IN EFFECT: Meadows Area Structure Plan
Wild Rose Neighbourhood Structure Plan

DEVELOPMENT OFFICER'S DECISION

REFUSED - The proposed development is refused for the following reasons:

1) Section 6.1(26): Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area

Other than the approved 6.1 m wide concrete front driveway, the existing concrete extension on the left side and right side of the property does not lead to an overhead garage door or parking area. (Section 6.1(26)).

2) Section 54.1(4)(b): for a Site 10.4 m wide or greater, have a maximum width that shall be calculated as the product of 3.1 m multiplied by the total number of adjacent side-by-side parking spaces contained within the Garage.

The proposed driveway is beyond the containment of the Garage by a total of 2.90m not including the existing extension encroaching on the neighbouring property to the West.

3) Section 55.4(1): All open space including Front Yards, Rear Yards, Side Yards and Yards, at grade Amenity Areas, Private Outdoor Amenity Areas, Setback areas and Separation Spaces shall be landscaped with trees, shrubs, flower beds, grass, ground cover or suitable decorative hardsurfacing.

The driveway extension is in the front of the property. Based on the landscaping regulations, front yards/front setbacks must be landscaped. Monolithic concrete is not considered a form of landscaping. (Section 55.4(1)) (Section 6.1(55))

4) Section 54.2(2)(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: parking spaces shall not be located within a Front Yard.

The Front yard of this property between the left side property line and 1.54m beyond the East wall of the front attached garage, are being used for parking. These areas should be landscaped and parking is also not allowed within these yards.

5) Section 11.3(1): Given the above observations, the proposed development would unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring properties in the opinion of the Development Officer.

The extensive concrete which will cover the majority of the front yard is unsightly. Other than areas designated for driveway, the rest of the front yard should be landscaped. Parking on areas that should be landscaped also takes away from desirable curb appeal. This proposed driveway extension is not in keeping with the character of the neighbourhood.

NOTES:

Sufficient on site parking is provided through the provision of a 2-car front attached garage, additional parking spaces create a negative impact to the site and the surrounding neighbourhood.

This Development Permit application "To construct exterior alterations (driveway extension, 6.0m x 1.22m and 1.55m x 12m) existing without permits." originated as a Development Compliance Complaint.

Runoff may drain onto neighbouring properties creating a negative impact.

This sort of driveway extension is not characteristic of the neighbourhood, nor allowed in the City of Edmonton.

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

APPELLANT'S SUBMISSION

There are other properties in the area that have extended driveways.

I did not know a permit was required.

There is no parking at the rear of the property.

It is difficult to park on the road as there is a bus route along my street.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD OFFICER'S COMMENTS

Under Section 110.2(4) of the *Edmonton Zoning Bylaw*, **Single Detached Housing** is a Permitted Use in the RF1 Single Detached Residential Zone.

The *Edmonton Zoning Bylaw* states the following with respect to the **Location of Vehicular Parking Facilities**:

54.2(2)(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;

The Development Officer made the following determination:

4) Section 54.2(2)(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: parking spaces shall not be located within a Front Yard.

The Front yard of this property between the left side property line and 1.54m beyond the East wall of the front attached garage, are being used for parking. These areas should been landscaped and parking is also not allowed within these yards.

Section 6.1(26) defines **Driveway** as “an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area”.

The Development Officer made the following determination:

1) Section 6.1(26): Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area

Other than the approved 6.1 m wide concrete front driveway, the existing concrete extension on the left side and right side of the property does not lead to an overhead garage door or parking area. (Section 6.1(26)).

The *Edmonton Zoning Bylaw* states the following with respect to **Off-street Parking and Loading Regulations:**

- 54.1(4) The Front Yard of any at-grade Dwelling unit in any Residential Zone, or in the case of a corner Site, the Front Yard or the flanking Side Yard in any Residential Zone, may include a maximum of one Driveway. The area hardsurfaced for a Driveway, not including the area used as a walkway, shall:
- a. a minimum width of 3.1 m; and
 - b. for a Site 10.4 m wide or greater, have a maximum width that shall be calculated as the product of 3.1 m multiplied by the total number of adjacent side-by-side parking spaces contained within the Garage ; and
 - c. for a Site less than 10.4 m wide, have a maximum width of 3.1 m.

The Driveway shall lead directly from the roadway to the required Garage or Parking Area.

The Development Officer made the following determination:

2.) Section 54.1(4)(b): for a Site 10.4 m wide or greater, have a maximum width that shall be calculated as the product of 3.1 m multiplied by the total number of adjacent side-by-side parking spaces contained within the Garage.

The proposed driveway is beyond the containment of the Garage by a total of 2.90m not including the existing extension encroaching on the neighbouring property to the West.

The *Edmonton Zoning Bylaw* defines **Landscaping** as follows:

- 6.1(55) Landscaping means the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:

- a. soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
- b. decorative hardsurfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
- c. architectural elements such as decorative fencing, walls and sculpture;

The *Edmonton Zoning Bylaw* states the following with respect to **Landscaping**:

55.4(1) All open space including Front Yards, Rear Yards, Side Yards and Yards, at grade Amenity Areas, Private Outdoor Amenity Areas, Setback areas and Separation Spaces shall be landscaped with trees, shrubs, flower beds, grass, ground cover or suitable decorative hardsurfacing, in accordance with the Landscape Plan submitted pursuant to subsection 55.3 and approved by the Development Officer.

The Development Officer made the following determination:

3.) Section 55.4(1): All open space including Front Yards, Rear Yards, Side Yards and Yards, at grade Amenity Areas, Private Outdoor Amenity Areas, Setback areas and Separation Spaces shall be landscaped with trees, shrubs, flower beds, grass, ground cover or suitable decorative hardsurfacing.

The driveway extension is in the front of the property. Based on the landscaping regulations, front yards/front setbacks must be landscaped. Monolithic concrete is not considered a form of landscaping. (Section 55.4(1)) (Section 6.1(55))

The *Edmonton Zoning Bylaw* states the following with respect to **Variance to Regulations**:

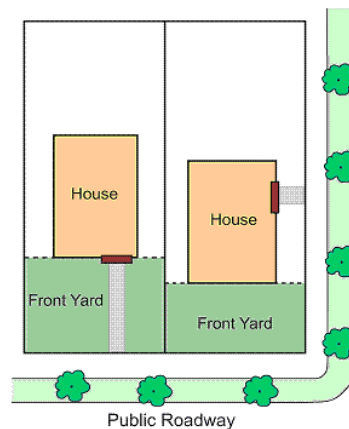
- 11.3 The Development Officer may approve, with or without conditions as a Class B Development, an application for development that does not comply with this Bylaw where:
1. the proposed development would not, in his opinion:
 - a. unduly interfere with the amenities of the neighbourhood; or
 - b. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

The Development Officer made the following determination:

5.) Section 11.3(1): Given the above observations, the proposed development would unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring properties in the opinion of the Development Officer.

The extensive concrete which will cover the majority of the front yard is unsightly. Other than areas designated for driveway, the rest of the front yard should be landscaped. Parking on areas that should be landscaped also takes away from desirable curb appeal. This proposed driveway extension is not in keeping with the character of the neighbourhood.

Under Section 6.1(40), **Front Yard** is defined as “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.”



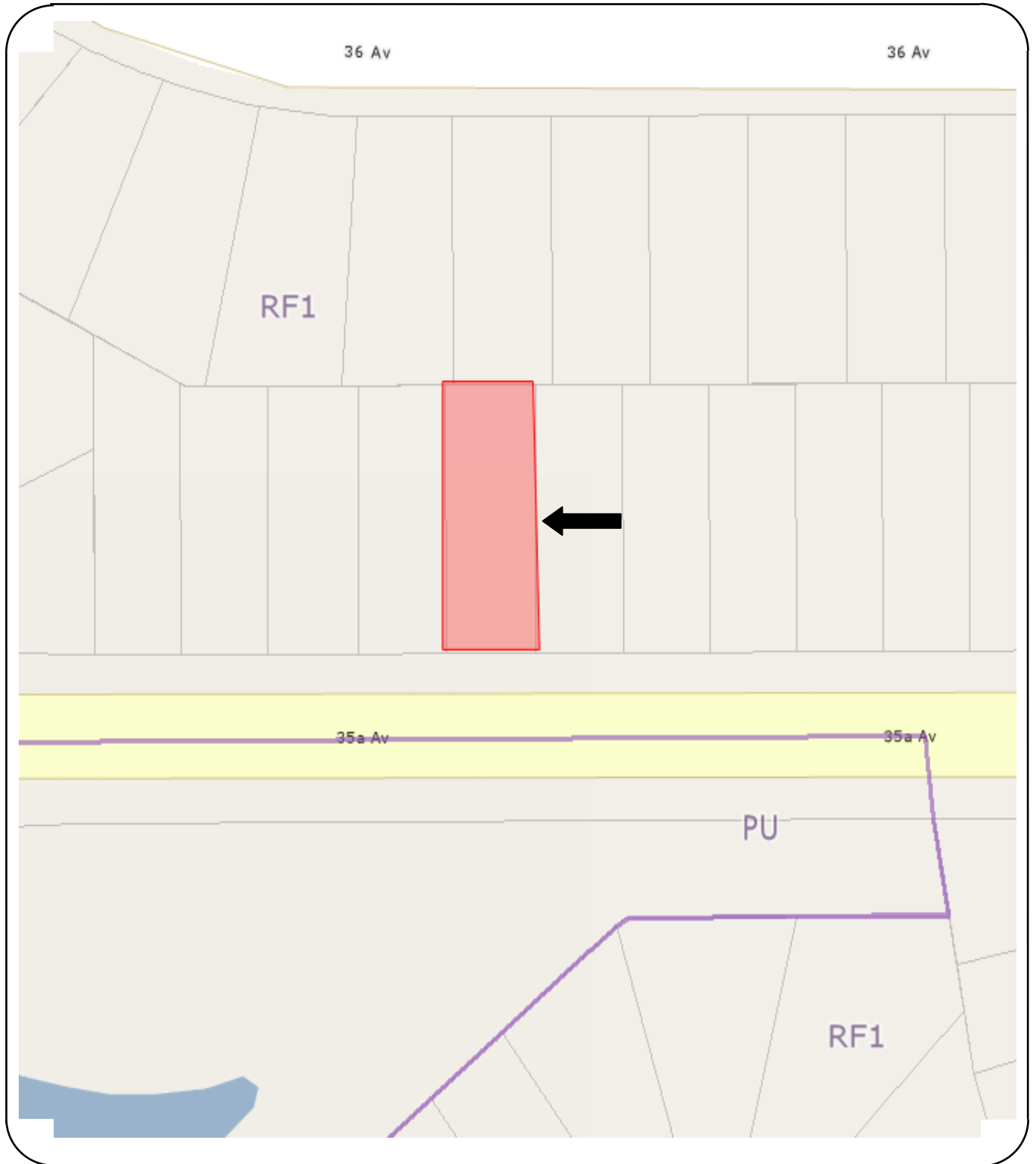
Section 6.1(41), **Garage** is defined as “an Accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport”.

Section 6.1(69), **Parking Area** is defined as “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”.

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, Semi-detached Housing and Duplex Housing under certain conditions.”

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.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-171



ITEM II: 10:30 A.M.

FILE: SDAB-D-15-169

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 140968761-005

APPLICATION TO: Construct an Accessory Building (rear detached 2 Storey Garage - 5.72m x 12.50m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 7, 2015

DATE OF APPEAL: July 9, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10185 - 92 Street NW

LEGAL DESCRIPTION: Plan 1021299 Blk 1 Lot 23A

ZONE: RF2 Low Density Infill Zone

OVERLAY: Mature Neighbourhood Overlay

PLANS IN EFFECT: Riverdale Area Redevelopment Plan

DEVELOPMENT OFFICER'S DECISION

REFUSED - The proposed development is refused for the following reasons:

1) Section 50.3(2) An Accessory Building or Structure shall not exceed 4.3m nor one Storey in Height.

Required: 4.3 m / 1 Storey
Proposed height: 4.77 m / 2 Storey
Exceeds by: 0.47 m / 1 Storey

2) Section 50.3(3)(a) The Site Coverage of Accessory Buildings, with or without a Garage Suite, or Structures shall not exceed 12%, unless a different standard is prescribed within the regulations contained within the relevant Zone.

Required maximum: 12%
Proposed Garage site coverage: 21.78% (75.90 m2)
Exceeds by: 9.78% (34.07 m2)

3) Section 120.4(7)(a) The maximum Total Site Coverage shall be 40%

Required maximum: 40%
Proposed Total Site Coverage: 41.3 % (144.03 m2)
Exceeds by: 1.3 % (4.68 m2)

4) Section 814.3(20) A rear detached Garage shall be fully contained within the rear 12.8 m of the Site.

Required: 12.8m
Proposed distance: 14.94m
Exceeds by: 2.14m

APPELLANT'S SUBMISSION

I was approved previously by the SDAB for this building which is at the framing stage. During construction we decided to reduce the size of the garage and eliminate some components. This was to accommodate neighbours to the east and west, at our will. We have never had problems or complaints from the neighbours, we just felt the building to be too obtrusive. With the jobs myself and my wife hold we just need the extra space. Our house is quite small, and we just need more space. I am a carpenter and have a lot of equipment that needs secure storage.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD OFFICER'S COMMENTS

Section 6.1(2) states that “**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”.

Section 50.1(2) states that “Accessory Uses and buildings are permitted in a Zone when Accessory to a principal Use which is a Permitted Use in that same Zone and for which a Development Permit has been issued.”

On July 9, 2015, City Council signed and passed amendments to the *Edmonton Zoning Bylaw*, resulting in the following changes:

- 1) The removal of “Storeys” from the calculation of Height under Section 50.3(2);
- 2) The definition of Height in Section 6.1(49) is replaced with a new definition; and
- 3) Section 52 with respect to Height and Grade was deleted in its entirety and replaced with new regulations.

With respect to **Accessory building or structure**, the recently amended Section 50.3(2) states:

In a Residential Zone:

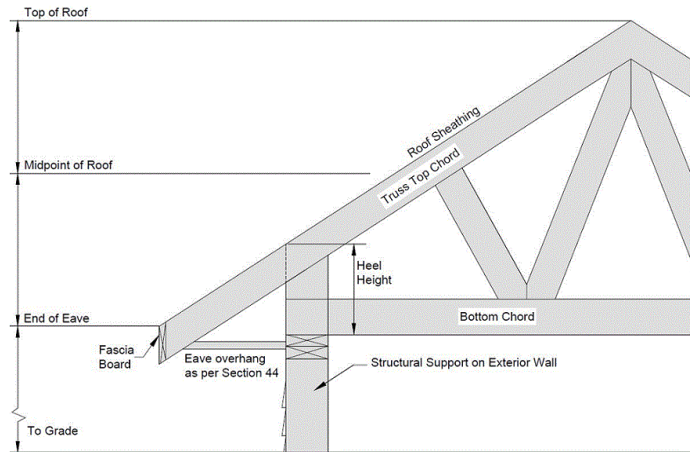
1. ...
2. an **Accessory building or structure** shall not exceed 4.3 m in Height, except:
 - a. as provided in the RPLt, RF4t, RF5t, TSDR, TSLR, BRH, BLMR, and BMR Zones, where the maximum Garage Height shall not exceed 5.0 m;
 - b. in the case of a Garage containing a Garage Suite where listed as a Permitted or Discretionary Use, where the Height shall be in accordance with Section 87.
 - c. in the case of a Garage containing a Blatchford Lane Suite, where the Height shall be in accordance with Section 997; and
 - d. as provided in subsections 50.4, 50.5.

The recently amended Section 6.1(49) defines **Height** to mean “a vertical distance between two points.”

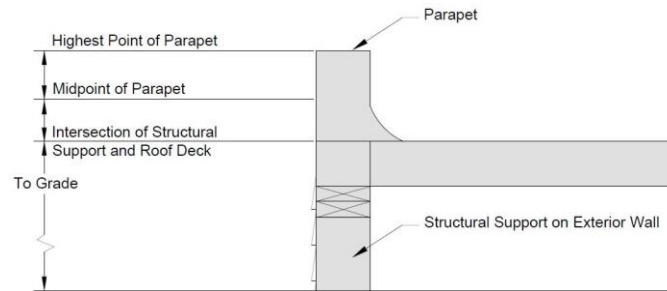
The recently amended Section 52 states the following with respect to **Height and Grade**:

52. *Height and Grade*

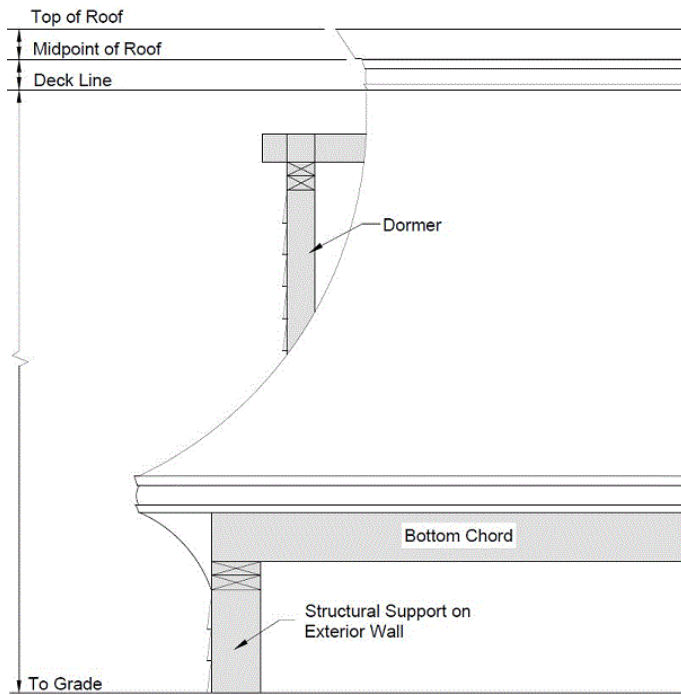
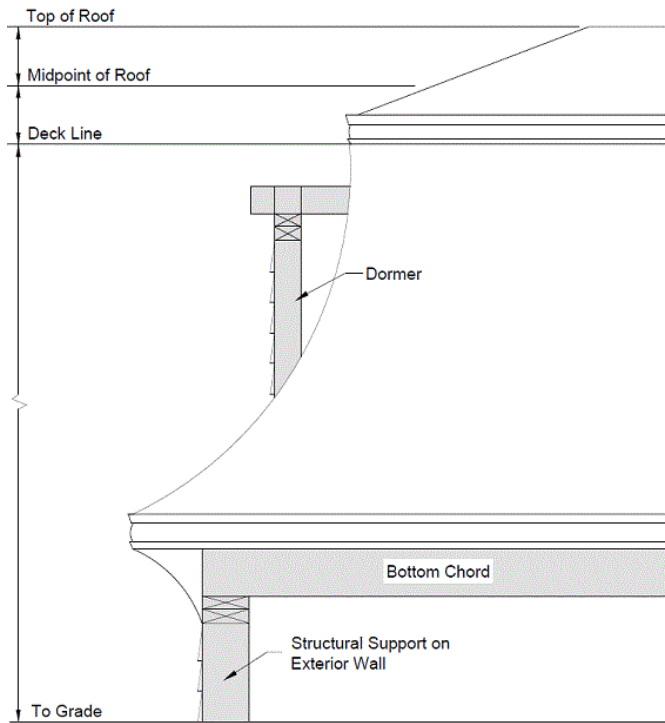
1. The Development Officer shall calculate building Height by determining the roof type, and applying the following:
 - a. For hip and gable roof types Height shall be determined by measuring from the horizontal plane through Grade to the midpoint of the highest roof. The midpoint is determined to be between the end of the eave (intersection of the fascia board and the top of the roof sheathing, or less, in accordance with Section 44), and the top of the roof; or

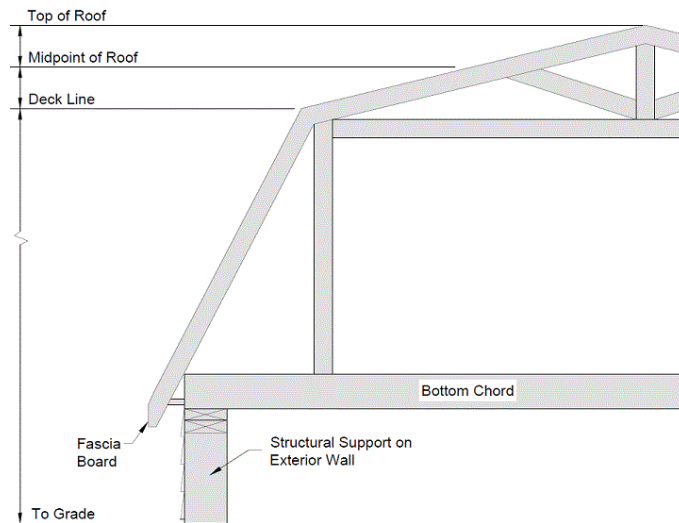


- a. For the flat roof type, Height shall be determined by measuring from the horizontal plane through Grade to the midpoint of the highest parapet, provided the resulting top of the parapet is no more than 0.4 metres above the maximum Height allowed in the zone or overlay; or



- c. For mansard and gambrel roof types, Height shall be determined by measuring from the horizontal plane through Grade to the midpoint of the highest roof. The midpoint is determined to be between the deck line and the top of the roof; or





- d. For all other roof types, including saddle, dome, dual-pitch, shed, butterfly or combination roofs, the Development Officer shall determine Height by applying one of the previous three types that is most appropriate for balancing the development rights and the land use impact on adjacent properties.
2. In determining whether a development conforms to the maximum Height permissible in any Zone, the following regulations shall apply:
 - a. in any Zone other than a Residential Zone, the following features shall not be considered for the purpose of Height determination: chimney stacks, either free-standing or roof mounted, steeples, belfries, domes, or spires, monuments, elevator housings, roof stairways, entrances, water or other tanks, ventilating equipment, skylights, fire walls, plumbing stacks, receiving or transmitting structures, masts, flag poles, clearance markers or other similar erections;
 - b. in any Residential Zone, those features specified in subsection 52.2(a) shall not be considered for the purpose of Height determination, except that the maximum Height of receiving or transmitting structures, where these are Satellite Signal Receiving Antennae or Amateur Radio Antennae and Support Structures, shall be calculated in accordance with the regulations of subsections 50.5 and 50.6, respectively, of this Bylaw.

The maximum Height for all other receiving or transmitting structures, other than those which may normally be required for adequate local television reception, shall be the maximum Height in the Zone, and not the maximum Height for Accessory buildings in Residential Zones specified in subsection 50.3(2);

- c. Where the maximum Height as determined by Section 52.1 is measured to the midpoint, the ridge line of the roof shall not extend more than 1.5 m above the maximum permitted building Height of the Zone or overlay, or in the case of a Garage Suite the maximum permitted building Height in accordance with Section 87 of this Bylaw.
3. An applicant shall submit, for any Development Permit to construct, rebuild or increase the Height of a structure, a grading plan that shows the elevation of the Site at each corner of the Site before and after construction;
 4. The Development Officer shall determine Grade by selecting, from the methods listed below, the method that best ensures compatibility with surrounding development:
 - a. if the applicant can show by reference to reliable topographical maps that the elevation of the Site varies by no more than one meter in 30 lineal meters, the Development Officer may determine Grade by calculating the average of the highest and lowest elevation on the Site;
 - b. the Development Officer may determine Grade by calculating the average of the elevation at the corners of the Site prior to construction as shown on the applicant's grading plan;
 - c. the Development Officer may determine Grade by calculating the average elevation of the corners of the buildings on all properties abutting the Site or separated from the Site by a Lane;
 - d. for a Site where the highest geodetic elevation at a corner of the front property line is greater than the lowest geodetic elevation at a corner of the rear property line by 2.0 m or more, the Development Officer may determine Grade by calculating the average elevation of the front corners of the Lot, and along the side property lines a distance equal to the minimum front Setback in the underlying Zone from the front property line. This method is intended for small scale development with a single Principal building and is not intended to be used for Multi-unit Project Developments; or

- e. the Development Officer may use his variance power to determine Grade by a method other than the ones described in subsection 52.4. If so, this shall be a Class B Discretionary Development.
5. The applicant shall submit all information the Development Officer requires to determine Grade by the method the Development Officer chooses.

The Development Officer's determination of Height is based on the pre-amendment provisions.

The Development Officer made the following determination:

- 1) **Section 50.3(2) An Accessory Building or Structure shall not exceed 4.3m nor one Storey in Height.**

Required: 4.3 m / 1 Storey
Proposed height: 4.77 m / 2 Storey
Exceeds by: 0.47 m / 1 Storey

Section 50.3(3)(a) states the following with respect to **Accessory Buildings in Residential Zones:**

In a Residential Zone:

...

3. the Site Coverage of Accessory buildings, with or without a Garage Suite, or structure shall:
 - a. not exceed 12%, unless a different standard is prescribed within the regulations contained within the relevant Zone; and

The Development Officer made the following determination:

- 2) **Section 50.3(3)(a) The Site Coverage of Accessory Buildings, with or without a Garage Suite, or Structures shall not exceed 12%, unless a different standard is prescribed within the regulations contained within the relevant Zone.**

Required maximum: 12%
Proposed Garage site coverage: 21.78% (75.90 m²)
Exceeds by: 9.78% (34.07 m²)

Section 120.4(7)(a) states the following with respect to **Development Regulations for Permitted and Discretionary Uses**:

7. Maximum Site Coverage shall be as follows:

	Principal Dwelling/ building	Accessory building	Principal building with attached Garage	Total Site Coverage
a. Single Detached and Duplex Housing - Site area 300 m ² or greater	28%	12%	40%	40%

The Development Officer made the following determination:

3) Section 120.4(7)(a) The maximum Total Site Coverage shall be 40%

Required maximum: 40%

Proposed Total Site Coverage: 41.3 % (144.03 m2)

Exceeds by: 1.3 % (4.68 m2)

Section 814.3(20) with respect to **Development Regulations** under the **Mature Neighbourhood Overlay** states that “A rear detached Garage shall be fully contained within the rear 12.8 m of the Site.”

The Development Officer made the following determination:

4) Section 814.3(20) A rear detached Garage shall be fully contained within the rear 12.8 m of the Site.

Required: 12.8m

Proposed distance: 14.94m

Exceeds by: 2.14m

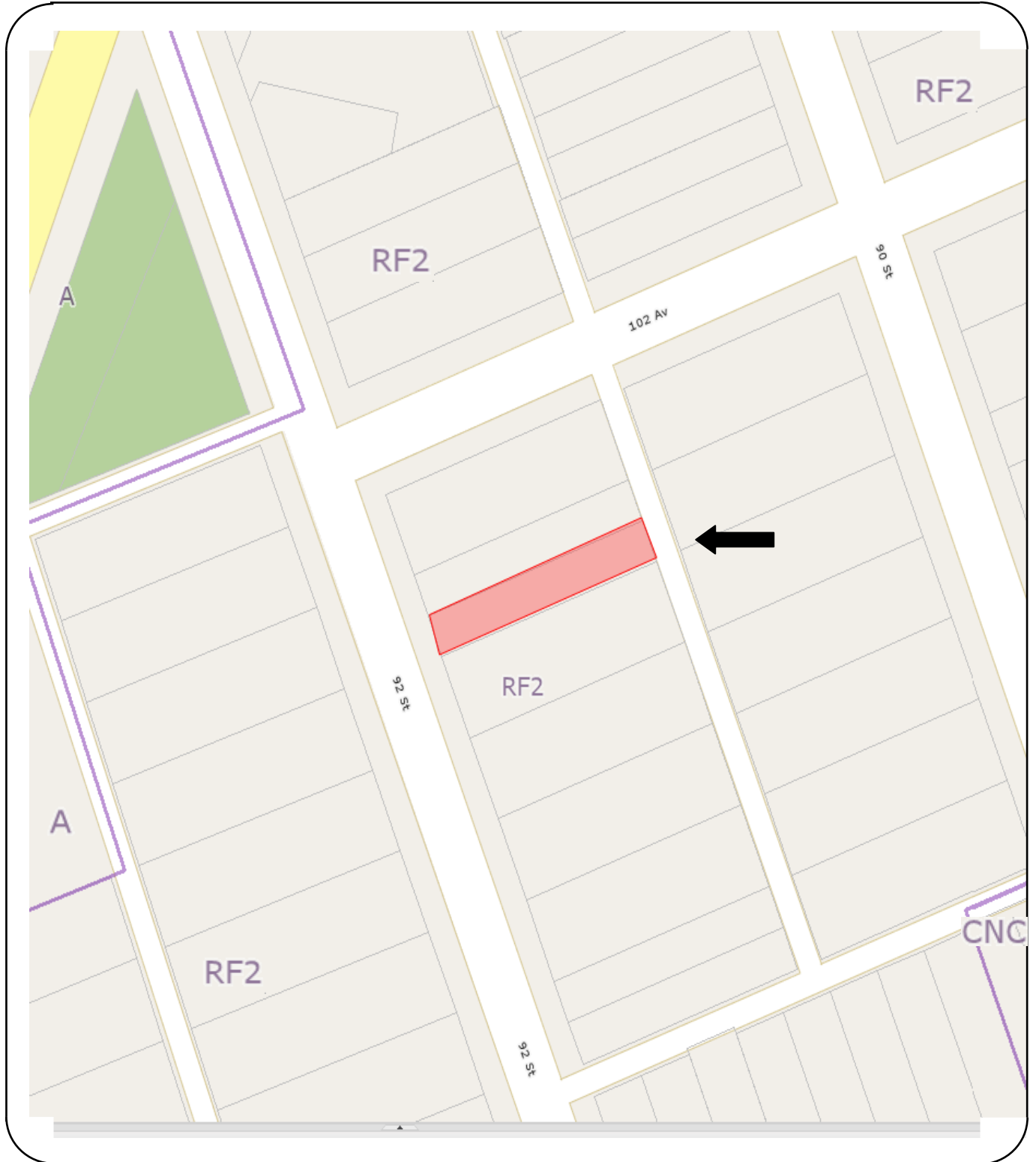
Section 814.1 states that the **General Purpose** of the **Mature Neighbourhood Overlay** as follows:

... 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.

Section 120.1 states that the **General Purpose** of the **RF2 Low Density Infill Zone** is “to retain Single Detached Housing, while allowing infill on narrow lots, including Secondary Suites under certain conditions.”

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.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-169



ITEM III: 1:00 P.M.

FILE: SDAB-D-15-170

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 170694991-001

APPLICATION TO: Construct a Semi-detached House with veranda and fireplace and to demolish a Single Detached House

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 30, 2015

DATE OF APPEAL: July 8, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7324 - 81 Avenue NW

LEGAL DESCRIPTION: Plan 7884AH Blk 21 Lot 6

ZONE: RF3 Small Scale Infill Development Zone

OVERLAY: Mature Neighbourhood Overlay

PLANS IN EFFECT: N/A

DEVELOPMENT OFFICER'S DECISION

REFUSED - The proposed development is refused for the following reasons:

1) Section 140.4(3)(a) The minimum Site area for Semi-Detached Housing shall be 442.2 m²;

Proposed: 399.5 m²
Deficient by: 42.7 m²

APPELLANT'S SUBMISSION

We would like to appeal the Development Officer's refusal to construct a family oriented Semi-Detached House at 7324-81 Avenue. The semi-detached house conforms to the intent of the RF3 Small Scale Infill Development Zone, was designed to be characteristic of the neighbourhood and will provide an opportunity for families to call home.

This development is also supported by City Council and Neighbourhood objectives outlined in the City of Edmonton's Residential Infill Guidelines including:

- 1.To increase the supply of available family-oriented housing; defined as 3-bedroom homes with at grade access
- 2.Provide additional housing opportunities in mature neighbourhoods
- 3.To develop near community shopping centres (the site is abutting commercial uses at the rear)
- 4.Locate homes where they can support transit and maximize walkability (the site is one block south of Whyte Avenue and major transit routes)
- 5.Contribute to the renewal of old housing stock (the current home is vacant and has become dilapidated, our semi-detached will rejuvenate the property)
- 6.The home is compatible with the neighbourhood in terms of scale and architecture

SUBDIVISION AND DEVELOPMENT APPEAL BOARD OFFICER'S COMMENTS

Semi-detached Housing is a Permitted Use in the RF3 Small Scale Infill Development Zone under Section 140.2(8).

Section 7.2(8) defines **Semi-detached Housing** as follows:

...development consisting of a building containing only two Dwellings joined in whole or in part at the side or rear with no Dwelling being placed over another in whole or in part. Each Dwelling has separate, individual, and direct access to Grade. This type of development is designed and constructed as two Dwellings at the time of initial construction of the building. This Use Class does not include Secondary Suites or Duplexes.

Section 140.4(3)(a) states the following with respect to **Development Regulations for Permitted and Discretionary Uses**:

3. Site regulations for Semi-detached Housing:
 - a. the minimum Site area shall be 442.2 m²;

The Development Officer made the following determination:

1) Section 140.4(3)(a) The minimum Site area for Semi-Detached Housing shall be 442.2 m²;

Proposed: 399.5 m²
Deficient by: 42.7 m²

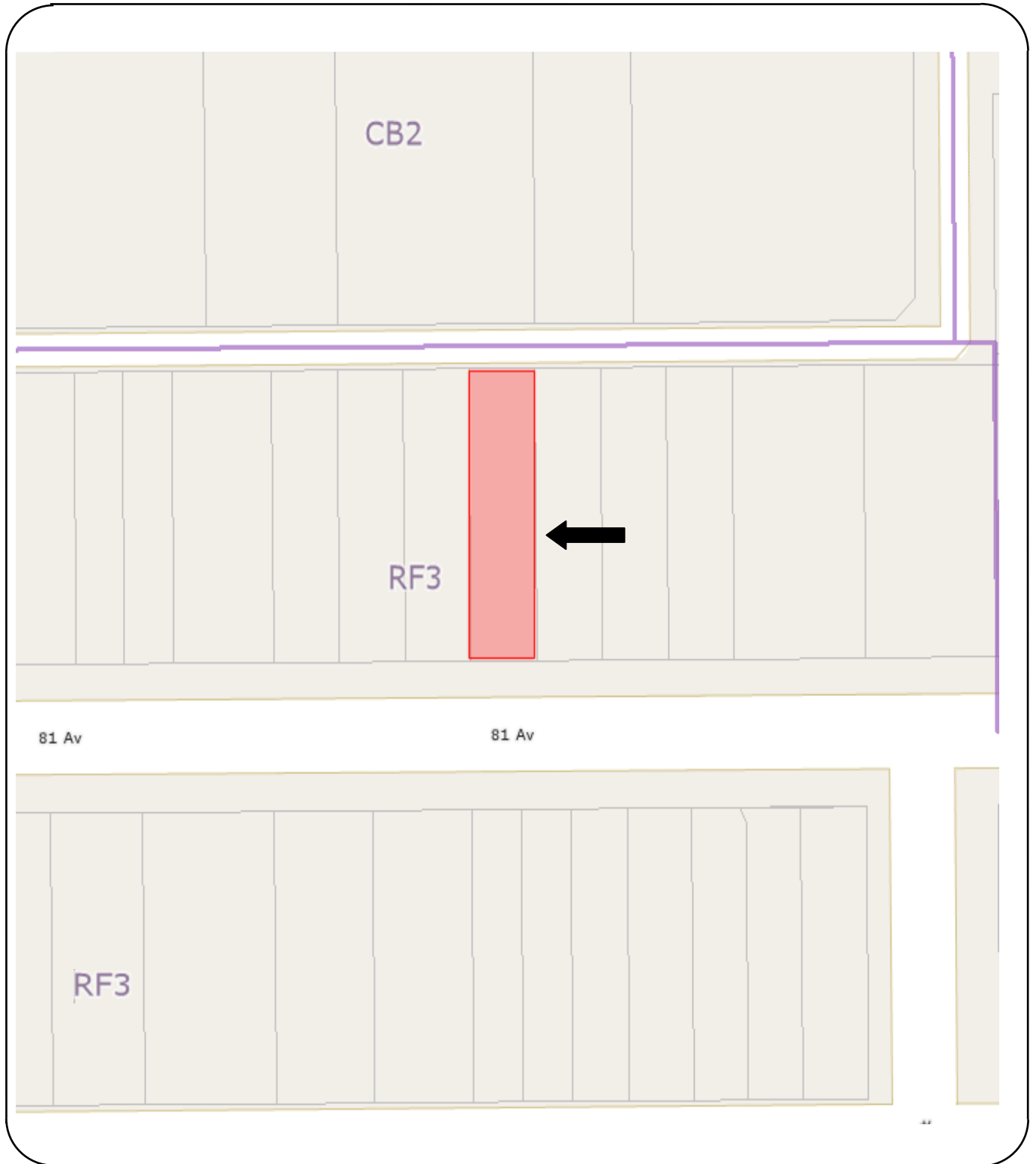
Section 140.1 states that the **General Purpose** of the **RF3 Small Scale Infill Development Zone** is “to provide for Single Detached Housing and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to buildings containing up to four Dwellings, and including Secondary Suites under certain conditions.”

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

... 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.

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.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-170

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ITEM IV: 3:00 P.M.

FILE: SDAB-D-15-168

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 173111314-001

APPLICATION TO: Construct an Accessory Building (rear detached Garage, 8.53m x 7.93m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 10, 2015

DATE OF APPEAL: July 14, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5423 - 203 Street NW

LEGAL DESCRIPTION: Plan 0226719 Blk 1 Lot 91

ZONE: RPL Planned Lot Residential Zone

OVERLAY: N/A

PLANS IN EFFECT: Grange Area Structure Plan
Hamptons Neighbourhood Structure Plan

Tabled to August 12/13, 2015

BUSINESS LAID OVER

SDAB-D-15-168	An appeal by <u>Bradley Tymchyshyn</u> to Construct an Accessory Building (rear detached Garage, 8.53m x 7.93m) <i>August 12 or 13, 2015</i>
SDAB-D-15-184 /185/186/187/ 188/189	An appeal by <u>Andromeda Investments Ltd.</u> cease the operation of the Non-Accessory Parking and completely prohibit vehicular access to the site with barricades <i>August 26 or 27, 2015</i>
SDAB-D-15-161	An appeal by <u>Ali Abdulhadi</u> to construct four Dwellings of Row Housing with attached Garages and to demolish the existing Single Detached House and rear detached Garage <i>September 23 or 24, 2015</i>

APPEAL HEARINGS TO BE SCHEDULED

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