

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
August 16, 2017**

**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-17-144

Construct exterior alterations to a Single Detached House (Driveway extension, 2.50 metres by 11.00 metres)

5712 - Edworthy Landing NW
Project No.: 161176003-006

II 10:30 A.M. SDAB-D-17-145

WITHDRAWN

Develop a Comprehensive Sign Design Plan and to install (3) Freestanding On-premises Signs (GRIESBACH VILLAGE).

9704 - 137 Avenue NW
581 - Griesbach Parade NW
503 - Griesbach Parade NW
Project No.: 242638441-001

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-17-144

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 161176003-006

APPLICATION TO: Construct exterior alterations to a Single Detached House (Driveway extension, 2.50 metres by 11.00 metres)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 18, 2017

DATE OF APPEAL: July 20, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5712 - Edworthy Landing NW

LEGAL DESCRIPTION: Plan 1320806 Blk 15 Lot 10

ZONE: RSL-Residential Small Lot Zone

OVERLAY: N/A

STATUTORY PLAN: Edgemont Neighbourhood Area Structure Plan

Grounds for Appeal

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

I just want to extending my driveway by 2.5 metres by 11 metres for additional parking. The project is small and simple and not violate city zoning by law.

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

Hearing and Decision

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

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the 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 115.2(4), **Single Detached Housing** is a **Permitted Use** in the RSL Residential Small Lot Zone.

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.”

Section 115.1 states that the **General Purpose** of the **RSL Residential Small Lot Zone** is:

...is to provide for smaller lot Single Detached Housing with attached Garages in a suburban setting that provides the opportunity for the more efficient utilization of undeveloped suburban areas and includes the opportunity for Secondary Suites.

<i>Driveway Width</i>

Section 54.1(4) states the Front Yard of any at Grade Dwelling in any Residential Zone, or in the case of a corner Site, either the Front Yard or the flanking Side Yard in any Residential Zone, may include a maximum of one Driveway. The Driveway shall:

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

- d. for a Site Zoned RF1 and less than 10.4 metres wide, have a maximum width of 4.3 metres.

Under Section 6.1(31), **Driveway** means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area and does not include a Walkway.

Under Section 6.1(77), **Parking Area** means an area that is used for the parking of vehicles. A Parking Area is comprised of one or more parking spaces, and includes a parking pad, but does not include a Driveway.

Under Section 6.1(121), **Walkway** means a path for pedestrian circulation that cannot be used for vehicular parking.


Development Officer's Determination:

For a Garage or Parking Area with two or more parking spaces, have a maximum width that shall be calculated as the product of 3.7 metres multiplied by the total number of adjacent side-by-side parking spaces contained within the Garage or Parking Area, or the width of the Garage or Parking Area, whichever is the lesser. (Reference Section 54.1.4(c)) as of April 27 2017

Existing Driveway Width: 6.1 metres
Garage Width: 6.1 metres
Proposed Driveway Width: 8.6 metres
Exceeded by: 2.5 metres

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: 161176003-006 Application Date: JUN 20, 2017 Printed: July 21, 2017 at 7:48 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for Minor Development Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
Applicant <div style="border: 1px solid black; width: 200px; height: 40px; margin: 0 auto;"></div>	Property Address(es) and Legal Description(s) 5712 - EDWORTHY LANDING NW Plan 1320806 Blk 15 Lot 10		
Scope of Application To construct exterior alterations to a Single Detached House (Driveway extension, 2.50m x 11.00m).			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> # of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N </td> <td style="width: 50%; border: none; vertical-align: top;"> Class of Permit: Lot Grading Needed?: New Sewer Service Required: N/A Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: New Sewer Service Required: N/A Stat. Plan Overlay/Annex Area: (none)
# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: New Sewer Service Required: N/A Stat. Plan Overlay/Annex Area: (none)		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Application Decision Refused Reason for Refusal The application is refused for the following reason(s): 1. For a Garage or Parking Area with two or more parking spaces, have a maximum width that shall be calculated as the product of 3.7 m multiplied by the total number of adjacent side-by-side parking spaces contained within the Garage or Parking Area, or the width of the Garage or Parking Area, whichever is the lesser. (Reference Section 54.1.4(c)) as of April 27 2017 Existing Driveway Width: 6.1m Garage Width: 6.1m Proposed Driveway Width: 8.6m Exceeded by: 2.5m 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: Jul 18, 2017 Development Authority: KIM, JENNIFER Signature: _____			
THIS IS NOT A PERMIT			



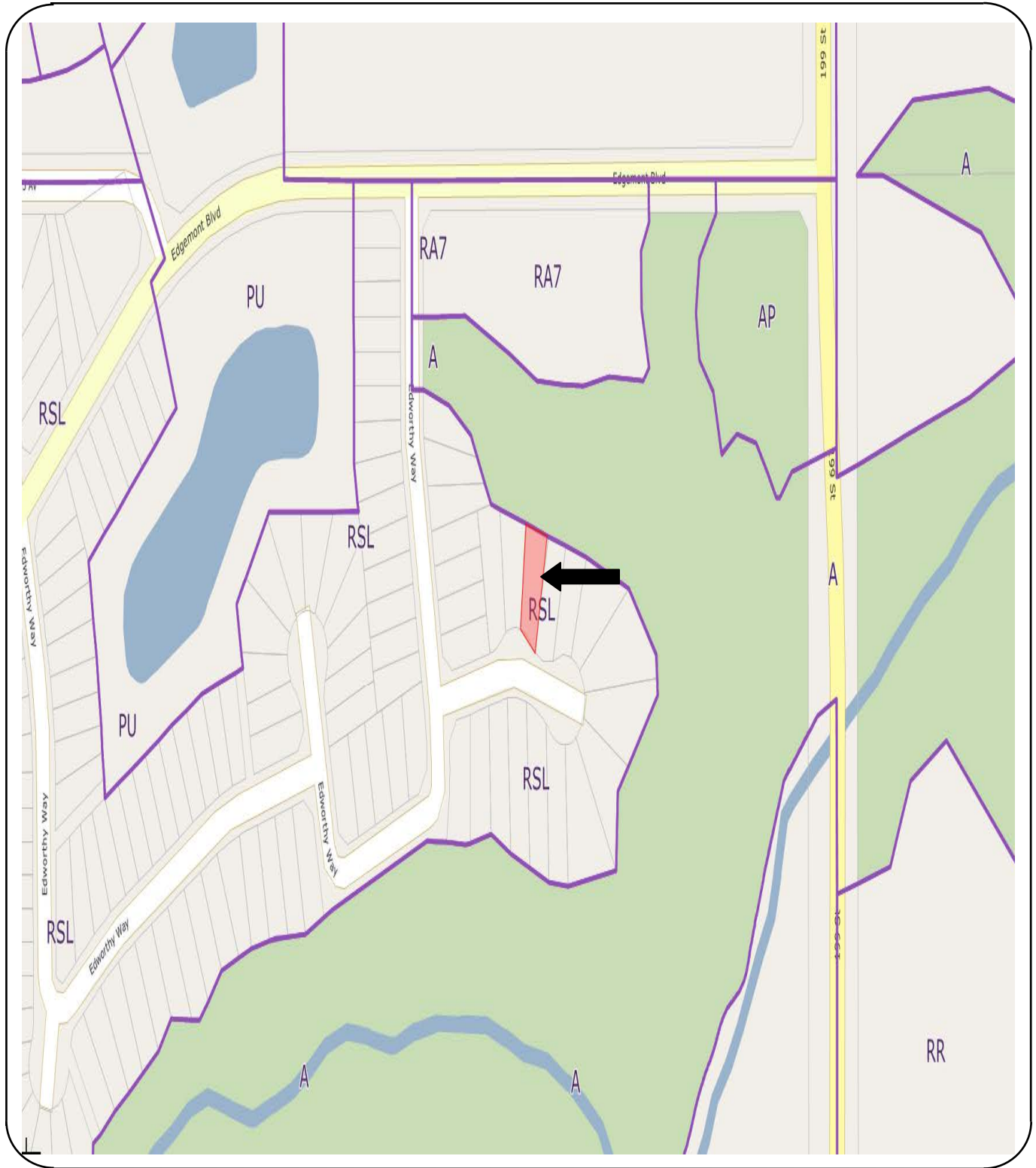
Project Number: **161176003-006**
Application Date: JUN 20, 2017
Printed: July 21, 2017 at 7:48 AM
Page: 2 of 2

Application for Minor Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$166.00	\$166.00	04224869	Jun 21, 2017
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$166.00	\$166.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-144



ITEM II: 10:30 A.M.

FILE: SDAB-D-17-145

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 242638441-001

APPLICATION TO: Develop a Comprehensive Sign Design Plan and to install (3) Freestanding On-premises Signs (GRIESBACH VILLAGE).

WITHDRAWN

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 26, 2017

DATE OF APPEAL: July 19, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9704 - 137 Avenue NW, 581 - Griesbach Parade NW, 503 - Griesbach Parade NW

LEGAL DESCRIPTION: Plan 1320318 Blk 27 Lot 1
Plan 1322652 Blk 27 Lot 3
Plan 1523747 Blk 27 Lot 5

ZONE: GVC-Griesbach Village Centre Zone

OVERLAY:
STATUTORY PLAN:

