

SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA

Wednesday, 9:00 A.M.
December 8, 2021

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

TO BE RAISED

I 9:00 A.M. SDAB-D-21-107

To install a Minor Digital On-premises
Freestanding Sign ((1.8 metres by 5.4 metres)
Facing North /South | CITY FORD SALES)

14750 - Mark Messier Trail NW
Project No.: 377004560-003

II 10:30 A.M. SDAB-D-21-198

To construct a Multi-unit Housing
(three-Dwellings Row Housing) with Unenclosed
Front Porches, balconies, front and rear uncovered
decks (3.05 metres by 3.66 metres) and Secondary
Suites in the Basements

7510 - 80 Avenue NW
Project No.: 398723166-002

NOTE: *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

TO BE RAISED

ITEM I: 9:00 A.M.

FILE: SDAB-D-21-107

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 377004560-003

APPLICATION TO: Install a Minor Digital On-premises Freestanding Sign ((1.8 metres by 5.4 metres) Facing North /South | CITY FORD SALES)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 3, 2021

DATE OF APPEAL: June 16, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 14750 - Mark Messier Trail NW

LEGAL DESCRIPTION: Plan 8721894 Blk B Lot 3D

ZONE: (IB) Industrial Business Zone

OVERLAY: Major Commercial Corridors Overlay

STATUTORY PLAN: Mistatim Area Structure Plan

Grounds for Appeal

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

Sign is .6M in public space, sign has existed since 1993, and moving it at this time will create hardship for property owner.

Base of the sign is on private property, it is the upper portion, 6.5M off the ground, that encroaches.

Sign fully exists within the grass area of the city/property.

General Matters

The Subdivision and Development Appeal Board made and passed the following motion on October 29, 2021:

“That the appeal be TABLED until December 8, 2021 or December 9, 2021.”

The Subdivision and Development Appeal Board made and passed the following motion on July 15, 2021:

“That SDAB-D-21-107 be TABLED until October 20 or 21, 2021.”

The Subdivision and Development Appeal Board made and passed the following motion on July 15, 2021:

“That the appeal hearing be rescheduled to September 8 or 9, 2021, at the request of the Appellant’s agent.”

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal the decision in accordance with subsection (2.1).

Appeals

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

(a) in the case of an appeal made by a person referred to in section 685(1)

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

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

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

or

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

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

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

(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 (a.4) and (d), must comply with any land use bylaw in effect;

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

...

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 400.3(43), a **Minor Digital On-premises Sign** is a **Discretionary Use** in the **(IB) Industrial Business Zone**.

Under section 7.9(8), **Minor Digital On-premises Signs** means:

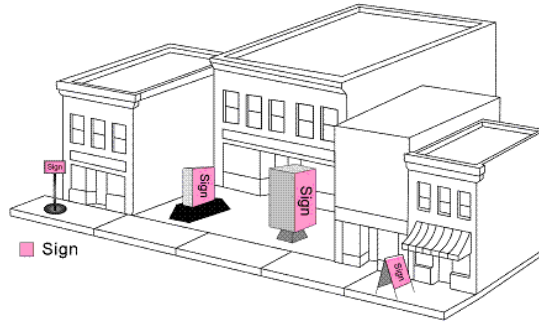
a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays On-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Under section 6.2, **Digital Copy** means:

the portion of a Sign that contains Copy that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to manually or mechanically replace the Sign face or its components.

Under section 6.2, a **Freestanding Sign** means:

means a Sign supported independently of a building.



Section 400.1 states that the **General Purpose** of the **(IB) Industrial Business Zone** is:

to provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.

Section 813.1 states that the **General Purpose** of the **Major Commercial Corridors Overlay** is “to ensure that development along Major Commercial Corridors is visually attractive and that due consideration is given to pedestrian and traffic safety.”

Section 400.4(6) states “Signs shall comply with the regulations found in Schedule 59F.”

Sign Regulations - General Provisions

Schedule 59.2(12) states:

All Freestanding Signs, Temporary Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of the Sign may project beyond the property lines unless otherwise specified in a Sign Schedule.

Development Officer’s Determination

1. All Minor Digital On-premises Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of the Sign may project beyond the property lines unless otherwise specified in a Sign Schedule.

Proposed: Sign encroaches 0.65 m onto the Mark Messier Trail road rights-of-way

City Operations has reviewed the documents and objects to the Encroachment Agreement.

[unedited]

Height

Schedule 59F.3(5)(a) states “that maximum Height shall be 8.0 m”

Under section 6.1, **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

2. the maximum Height of a Minor Digital On-premises Sign shall be 8.0 m;

Proposed Height : 10.0 m

Exceeds by: 2.0 m

[unedited]

Separation Distance

Schedule 59F.3(5)(d) states:

proposed Sign locations shall be separated from Signs with Digital Copy greater than 8.0 m² or Off-premises Signs as follows:

Proposed Sign Area	Minimum separation distance from Signs with Digital Copy greater than 8.0 m ² or Off-premises Signs
Greater than 8.0 m ² to less than 20 m ²	100 m
20 m ² to 40 m ²	200 m
Greater than 40 m ²	300 m

The separation shall be applied from the location of the larger Off-premises Sign or Sign with Digital Copy.

Development Officer’s Determination

3. Proposed Sign locations shall be separated from Signs containing Digital Copy greater than 8.0m² or Off-premises Signs, greater than 20m² by 200m, and Greater than 40 m² by 300m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

**Area of Existing ICEWORKS Sign (DP 221048720-001): 32 m²
 Location: 14626 - MARK MESSIER TRAIL NW
 Required Separation Distance: 200 m
 Proposed Separation Distance: 183 m
 Deficient by: 17 m**

**Area of Existing PATTISON Sign (DP 221048720-001): 62 m²
 Location: 15230 - MARK MESSIER TRAIL NW
 Required Separation Distance: 300 m
 Proposed Separation Distance: 280 m
 Deficient by: 20 m**

The Zoning Bylaw establishes the separation distances between digital signs and off-premises signs to prevent the proliferation of such signs.

[unedited]

Previous Subdivision and Development Appeal Board Decision


Application Number	Description	Decision
SDAB-D-10-124	Construct an On-premises Freestanding Sign (0.9 metres by 5.5 metres - City Ford and 1.8 metres by 5.5 metres - LED Electronic Message Centre)	June 4, 2010; the appeal be ALLOWED and the DEVELOPMENT GRANTED and the deficiency of 10.28 metres in the minimum building Setback adjacent to the Major Arterial Roads and the intersecting Arterial Roads within the Major Commercial Corridors be permitted, subject to the following conditions:


		<p>1.The frequency of the change in changeable copy shall be a minimum of 10 second intervals or such greater interval as may be set in future regulations of the Edmonton Zoning Bylaw.</p> <p>2.The approval for the proposed sign shall be for a period of five (5) years.</p> <p>3.The proposed sign shall be constructed entirely within private property. No portion of the sign shall encroach over/into road right-of-way.</p> <p>4.The proposed sign shall not operate or employ any animation, motion picture projection, or holography.</p> <p>5.The proposed sign shall not display lights resembling the flashing lights usually associated with danger or those used by emergency services vehicles.</p> <p>6.That, should at any time, the Transportation Department determine that the sign face contribute to safety concerns, the owner/applicant must immediately address the safety concerns identified by removing the sign, de-energizing the sign, changing the message conveyed on the sign, and/or address the concern in another manner acceptable to the Transportation Department.</p> <p>7.The owner/applicant must provide a written statement of the actions taken to mitigate concerns identified by the Transportation Department within 30 days of the notification of the safety concern. Failure to provide</p>
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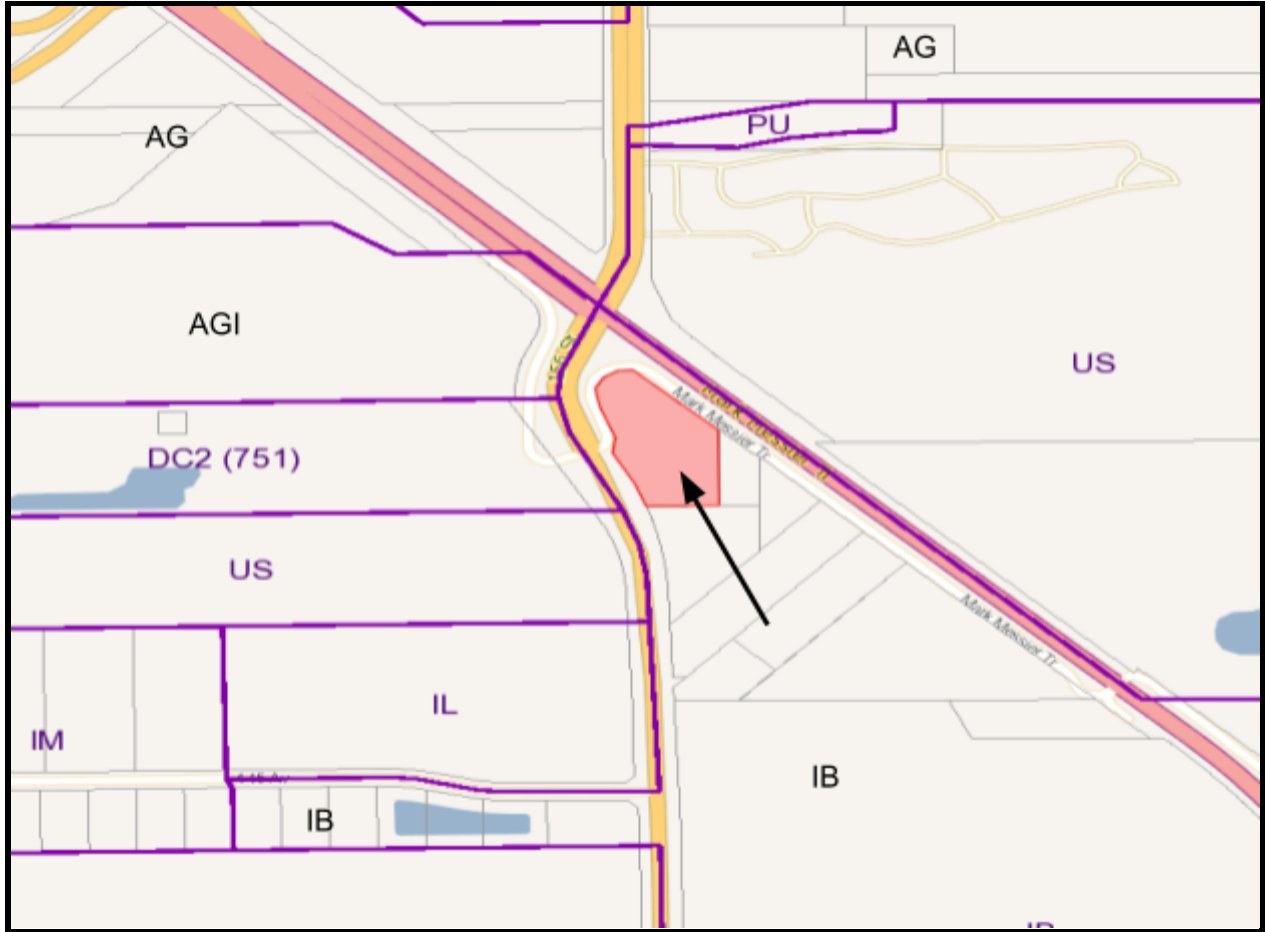
		corrective action will result in the requirement to immediately remove or de-energize the sign.
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Notice to Applicant/Appellant

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.

	<h2>Application for Sign Permit</h2>	Project Number: 377004560-003 Application Date: APR 09, 2021 Printed: June 3, 2021 at 4:14 PM Page: 1 of 2
This document is a Development Permit Decision for the development application described below.		
Applicant	Property Address(es) and Legal Description(s) 14750 - MARK MESSIER TRAIL NW Plan 8721894 Blk B Lot 3D	
Scope of Application To install a Minor Digital On-premises Freestanding Sign ((1.8 m x 5.4 m) Facing North /South CITY FORD SALES)		
Permit Details		
ASA Sticker No./Name of Engineer: Construction Value: 0	Class of Permit: Class B 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: 2 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0	
Development Application Decision Refused Issue Date: Jun 03, 2021 Development Authority: MERCIER, KELSEY		
THIS IS NOT A PERMIT		

	<h2 style="margin: 0;">Application for Sign Permit</h2>	Project Number: 377004560-003 Application Date: APR 09, 2021 Printed: June 3, 2021 at 4:14 PM Page: 2 of 2																				
<p>Reason for Refusal</p> <p>1. All Minor Digital On-premises Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of the Sign may project beyond the property lines unless otherwise specified in a Sign Schedule.</p> <p>Proposed: Sign encroaches 0.65 m onto the Mark Messier Trail road rights-of-way</p> <p>City Operations has reviewed the documents and objects to the Encroachment Agreement.</p> <p>2. the maximum Height of a Minor Digital On-premises Sign shall be 8.0 m; Proposed Height : 10.0 m Exceeds by: 2.0 m</p> <p>3. Proposed Sign locations shall be separated from Signs containing Digital Copy greater than 8.0m² or Off-premises Signs, greater than 20m² by 200m, and Greater than 40 m² by 300m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.</p> <p>Area of Existing ICEWORKS Sign (DP 221048720-001): 32 m² Location: 14626 - MARK MESSIER TRAIL NW Required Separation Distance: 200 m Proposed Separation Distance: 183 m Deficient by: 17 m</p> <p>Area of Existing PATTISON Sign (DP 221048720-001): 62 m² Location: 15230 - MARK MESSIER TRAIL NW Required Separation Distance: 300 m Proposed Separation Distance: 280 m Deficient by: 20 m</p> <p>The Zoning Bylaw establishes the separation distances between digital signs and off-premises signs to prevent the proliferation of such signs.</p> <p>Rights of Appeal THE Applicant has THE RIGHT OF appeal TO THE Subdivision AND Development Appeal Board (SDAB) WITHIN 21 days AFTER THE date ON which THE decision IS made AS outlined IN Chapter M-26, SECTION 683 THROUGH 689 OF THE Municipal Government Act.</p>																						
<p>Fees</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 15%;">Fee Amount</th> <th style="text-align: right; width: 15%;">Amount Paid</th> <th style="text-align: left; width: 10%;">Receipt #</th> <th style="text-align: left; width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Sign Development Application Fee - Digital Signs</td> <td style="text-align: right;">\$1,800.00</td> <td style="text-align: right;">\$1,800.00</td> <td>06999001</td> <td>May 03, 2021</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;">\$1,800.00</td> <td style="text-align: right; border-top: 1px solid black;">\$1,800.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Development Application Fee - Digital Signs	\$1,800.00	\$1,800.00	06999001	May 03, 2021	Total GST Amount:	\$0.00				Totals for Permit:	\$1,800.00	\$1,800.00		
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<p>THIS IS NOT A PERMIT</p>																						



SURROUNDING LAND USE DISTRICTS

Site Location ← **File: SDAB-D-21-107** ▲
N

ITEM II: 10:30 A.M.

FILE: SDAB-D-21-198

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 398723166-002

APPLICATION TO: Construct a Multi-unit Housing (three-Dwellings Row Housing) with Unenclosed Front Porches, balconies, front and rear uncovered decks (3.05 metres by 3.66 metres) and Secondary Suites in the Basements.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 9, 2021

DATE OF APPEAL: November 18, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7510 - 80 Avenue NW

LEGAL DESCRIPTION: Plan 2061HW Blk 61 Lot 13

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:

- 1) Reduced Front Setback – The Minimum front setback should be 7M (Section 814.3.2.b)

We think: According Section 814.3.2.b which stand: For lot where the front setback of the Abutting Lot is Greater than 9.0 M and less than 11.0 m, the front setback shall be consistent within 3.0 m of the Front Setback of the Abutting lot,

to Maximum of 7.0M. We are proposed 6.12 M and 6.15M front setback .it should within the Bylaw (See Exhibit C& D)

2) Reduced Rear Set Back – The minimum rear setback should be 14.6 m (40% of the site depth) (section814.3.4)

We think: we are proposed 13.7 m (37% of the site depth) in the result it has deficient by 0.9 m. *** since there is the garage right behind the house we are only reduce the side yard by 0.9 M. We would appreciate if this Board member will allow this variance. (See Attach Exhibit C&D)

3) Height- The maximum height to midpoint should not exceed 8.9 m (section 814.3.5) and When a structure is greater than 7.5 min height, the width of any one Dormer shell not exceed 3.6 m. The aggregate total width of one or all Dormers shall not exceed one third of the length of the building’s wall in which the Dormers are located (814.3.7)

We are proposed 16.7 m in total of back wall length. It made exceed 2/3 of the length of the back wall which the Dormers are located.

Consideration as follow:

a) According Rear Elevation and Attic Plan we only rise 30% of total roof line area at back side of attic. Remaining roof area are still keep within the guidelines and regulation (See attach Picture, Right, Left, Rear elevation and Attic plan)

b) We understand our proposed are exceed Section 814.3.5&7. However, we are going to consultation in surrounding neighbor (see attach form)

c) We would like ask the board to consider and support this small roof line change.

This project is considered fit and conformance both Southeast Area Plan and the Residential Infill guidelines. We would ask Development Appeal Board to support this application.

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.

...

(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 the decision in accordance with subsection (2.1).

Appeals

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

(a) in the case of an appeal made by a person referred to in section 685(1)

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

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

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

or

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

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

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

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

...

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

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 140.2(5), **Multi-unit Housing** is a **Permitted Use** in the **(RF3) Small Scale Infill Development Zone**.

Under section 140.2(6), **Secondary Suite** is a **Permitted Use** in the **(RF3) Small Scale Infill Development Zone**.

Under section 7.2(4), **Multi-unit Housing** means development:

that consists of:

- a. three or more principal Dwellings arranged in any configuration and in any number of buildings;

or

- b. any number of Dwellings developed in conjunction with a Commercial Use where allowed in the Zone.

Under section 7.2(6), **Secondary Suite** means:

development consisting of a Dwelling located within, and Accessory to, a structure in which the principal Dwelling is in a building that is in the form of Single Detached Housing, Semi-detached Housing, Duplex Housing, or Multi-unit Housing that is built in the form of Row Housing. A Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal Dwelling within the structure. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from outside the structure. This Use Class includes the Development or Conversion of Basement space or space above ground level to a separate Dwelling, or the addition of new floor space for a Secondary Suite to an existing Dwelling. A Secondary Suite shall not be subject to separation from the principal Dwelling through a condominium conversion or subdivision. This Use Class does not include Garden Suites, Lodging Houses, or Blatchford Lane Suites.

Section 140.1 states that the **General Purpose** of the **(RF3) Small Scale Infill Development Zone** is “to provide for a mix of small scale housing.”

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

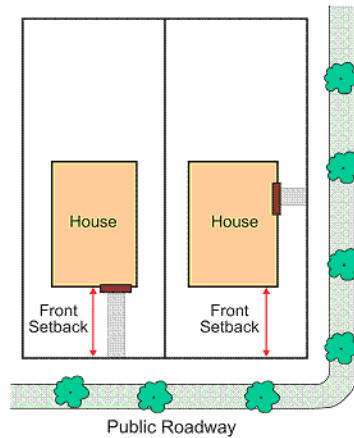
to regulate residential development in Edmonton’s mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the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

Front Setback

Section 814.3(1)(b) states “the maximum Front Setback shall be 1.5 m greater than the average Front Setback on Abutting Lots;”

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

the distance that a development or a specified portion of it, must be set back from a Front Lot Line. A Front Setback is not a Front Yard, Amenity Space or Separation Space.



Development Officer’s Determination

**Reduced Front Setback - The minimum front setback should be 7m.
 (Section 814.3.2.b)
 - proposed 6.1m
 - deficient by 0.9m**

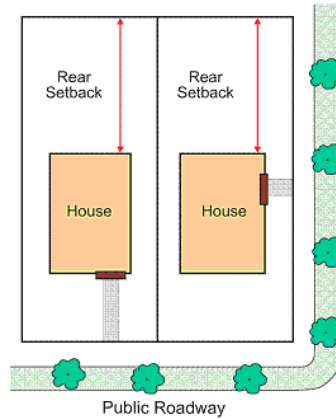
[unedited]

Rear Setback

Section 814.3(4) states “The minimum Rear Setback shall be 40% of Site Depth, [...]”

Under section 6.1, **Rear Setback** means:

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

- Reduced Rear Setback - The minimum rear setback should be 14.6m (40% of the site depth). (Section 814.3.4)**
- proposed 13.7m (37% of the site depth)**
- deficient by 0.9m**

[unedited]

Height

Section 814.3(5) states “The maximum Height shall not exceed 10.0 m in the RF5 Zone and 8.9 m in all other Zones.”

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

Development Officer’s Determination

- Height - The maximum height to midpoint should not exceed 8.9m. (Section 814.3.5)**
- proposed from average grade to midpoint: 10.1m**
- exceeded by 1.2m**

[unedited]

Community Consultation

Section 814.5(1) states the following with respect to Proposed Variances:

When the Development Officer receives a Development Permit Application for a new principal building, or a new Garden Suite that does not comply with any regulation contained within this Overlay, or receives a Development Permit for alterations to an existing structure that require a variance to Section 814.3(1), 814.3(3), 814.3(5) and 814.3(9) of this Overlay:

- a. the Development Officer shall send notice, to the recipient parties specified in Table 814.5(2), 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 sent, unless the Development Officer receives feedback from the specified affected parties in accordance with Table 814.5(2); 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 Sections 11.3 and 11.4.


Section 814.5(2) states:

Tier #	Recipient Parties	Affected Parties	Regulation of this Overlay to be Varied
Tier 1	The municipal address and assessed owners of the land wholly or partially located within a distance of 60.0 m of the Site of the proposed development and the President of each Community League	The assessed owners of the land wholly or partially located within a distance of 60.0 m of the Site of the proposed development and the President of each Community League	814.3(1) – Front Setback 814.3(5) - Height
Tier 2	The municipal address and assessed owners of the land Abutting the Site, directly adjacent across a Lane from the Site of the proposed development and the President of each	The assessed owners of the land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development	814.3(4) - Rear Setback

	Community League		
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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.

	Project Number: 398723166-002 Application Date: JUN 07, 2021 Printed: November 9, 2021 at 9:14 AM Page: 1 of 2		
<h2>Application for Minor Development Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
Applicant	Property Address(es) and Legal Description(s) 7510 - 80 AVENUE NW Plan 2061HW Blk 61 Lot 13 Specific Address(es) Suite: 7510 - 80 AVENUE NW Suite: 7512 - 80 AVENUE NW Suite: 7514 - 80 AVENUE NW Suite: BSMT, 7510 - 80 AVENUE NW Suite: BSMT, 7512 - 80 AVENUE NW Suite: BSMT, 7514 - 80 AVENUE NW Entryway: 7510 - 80 AVENUE NW Entryway: 7512 - 80 AVENUE NW Entryway: 7514 - 80 AVENUE NW Building: 7510 - 80 AVENUE NW		
Scope of Application To construct a Multi-unit Housing (3-Dwellings Row Housing) with Unenclosed Front Porches, balconies, front and rear uncovered decks (3.05m x 3.66m) and Secondary Suites in the Basements.			
Permit Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> # of Dwelling Units Add/Remove: 5 # of Secondary Suite Dwelling Units To Construct: 3 Client File Reference Number: Minor Dev. Application Fee: Row House up to 4 dwellings Secondary Suite Included?: Y </td> <td style="width: 50%; vertical-align: top;"> # of Primary Dwelling Units To Construct: 3 Class of Permit: Class B Lot Grading Needed?: Y New Sewer Service Required: Y Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay </td> </tr> </table>		# of Dwelling Units Add/Remove: 5 # of Secondary Suite Dwelling Units To Construct: 3 Client File Reference Number: Minor Dev. Application Fee: Row House up to 4 dwellings Secondary Suite Included?: Y	# of Primary Dwelling Units To Construct: 3 Class of Permit: Class B Lot Grading Needed?: Y New Sewer Service Required: Y Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
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Development Application Decision Refused Issue Date: Nov 09, 2021 Development Authority: LAI, ECHO Reason for Refusal Reduced Front Setback - The minimum front setback should be 7m. (Section 814.3.2.b) - proposed 6.1m - deficient by 0.9m Reduced Rear Setback - The minimum rear setback should be 14.6m (40% of the site depth). (Section 814.3.4) - proposed 13.7m (37% of the site depth) - deficient by 0.9m Height - The maximum height to midpoint should not exceed 8.9m. (Section 814.3.5) - proposed from average grade to midpoint: 10.1m - exceeded by 1.2m			
THIS IS NOT A PERMIT			



Project Number: **398723166-002**
 Application Date: JUN 07, 2021
 Printed: November 9, 2021 at 9:14 AM
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Application for Minor Development Permit

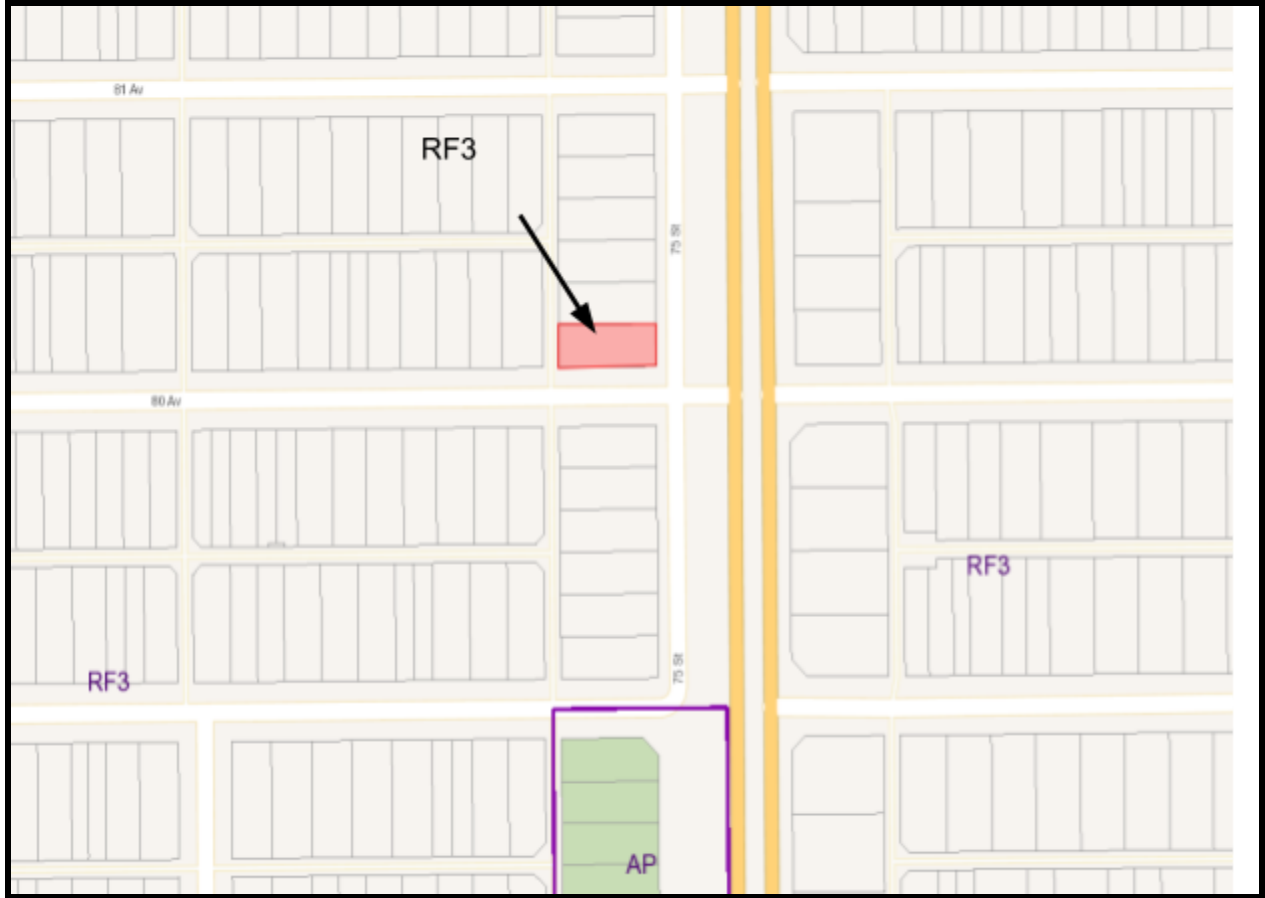
Rights of Appeal

The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Permit Inspection Fee	\$528.00	\$528.00	071520210708000	Jul 08, 2021
Lot Grading Fee	\$420.00	\$420.00	071520210708000	Jul 08, 2021
Sanitary Sewer Trunk Fund (Secondary/Garden Suite)	\$2,319.00	\$2,319.00	071520210708000	Jul 08, 2021
Sanitary Sewer Trunk Fund	\$1,992.00	\$1,992.00	071520210708000	Jul 08, 2021
Dev. Application Fee	\$864.00	\$864.00	071520210708000	Jul 08, 2021
Total GST Amount:	\$0.00			
Totals for Permit:	\$6,123.00	\$6,123.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

▲
N

File: SDAB-D-21-198