

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
February 21, 2018**

**River Valley Room
City Hall**

Edmonton, AB

Members Scheduled

Noel Somerville, Presiding Officer
Mark Young
Elaine Solez
Kenn Hample
Rick Hachigian

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
RIVER VALLEY ROOM – CITY HALL**

I	9:00 A.M.	SDAB-D-18-034	Construct a Semi-Detached House with a veranda 12045 - 95 Street NW Project No.: 257047913-001
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II	11:00 A.M.	SDAB-D-18-035	Operate a Major Home Based Business (Repair cellphone and tablet - Dr. Fix Wireless Ltd, expires Jan 17, 2023) 10848 - 73 Avenue NW Project No.: 260326944-001
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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-18-034

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 257047913-001

APPLICATION TO: Construct a Semi-Detached House with a veranda

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 23, 2018

DATE OF APPEAL: January 26, 2018

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12045 - 95 Street NW

LEGAL DESCRIPTION: Plan 1458AQ Blk 5 Lot 2

ZONE: RF3-Small Scale Infill Development Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: Alberta Avenue / Eastwood Area Redevelopment Plan

Grounds of Appeal

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

I will attach my reason and explanation prior to appeal.

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 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, 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 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 140.2(9), **Semi-detached Housing** is a **Permitted Use** in the **(RF3) Small Scale Infill Development Zone**.

Under section 7.2(7), **Semi-detached Housing** means:

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 does not include Secondary Suites or Duplexes.

Under section 6.1(31), **Dwelling** means:

a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is used permanently or semi-permanently as a residence for a single Household.

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.

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 under certain conditions, and including Secondary Suites and Garden Suites.

Site Area

Section 140.4(3)(a) states the minimum Site area shall be 442.2 square metres.

Development Officer's Determination

Site Area - The area of the site is 384.02m², instead of 442.2m² (Section 140.4(3)(a)) [unedited]

Front Setback

Under Section 814.3(1), the Front Setback shall be a minimum of 3.0 metres and shall be consistent within 1.5 metres of the Front Setback on Abutting Lots, to a maximum of 20 percent of Site Depth. Where an Abutting Lot is vacant, the vacant Lot shall be deemed to have a Front Setback of the next Abutting Lot.

Development Officer's Determination

Reduced Front Setback - The distance from the House to the property line along 95 Street (front lot line) is 4.90m, instead of 7.63m (Section 814.3.1)

Community Consultation

Section 814.5 states the following:

1. When the Development Officer receives a Development Permit Application for a new principal building, new Garage Suite, or 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) or 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 11.2 and 11.3.
- d.

Tier #	Recipient Parties	Affected Parties	Regulation of this Overlay Proposed 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

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: **257047913-001**
 Application Date: JUL 11, 2017
 Printed: January 26, 2018 at 12:14 PM
 Page: 1 of 1

Application for Minor Development Permit

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

<p>Applicant</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>	<p>Property Address(es) and Legal Description(s) 12045 - 95 STREET NW Plan 1458AQ Blk 5 Lot 2</p> <hr/> <p>Specific Address(es) Entryway: 12045 - 95 STREET NW Entryway: 12047 - 95 STREET NW Building: 12045 - 95 STREET NW</p>
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Scope of Application
 To construct a Semi-Detached House with a veranda

Permit Details

# of Dwelling Units Add/Remove: 2 Client File Reference Number: Minor Dev. Application Fee: Semi-Detached House Secondary Suite Included?: N	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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I/We certify that the above noted details are correct.
 Applicant signature: _____

Development Application Decision
 Refused

Reason for Refusal

1. Reduced Front Setback - The distance from the House to the property line along 95 Street (front lot line) is 4.90m, instead of 7.63m (Section 814.3.1)
2. Site Area - The area of the site is 384.02m², instead of 442.2m² (Section 140.4(3)(a))

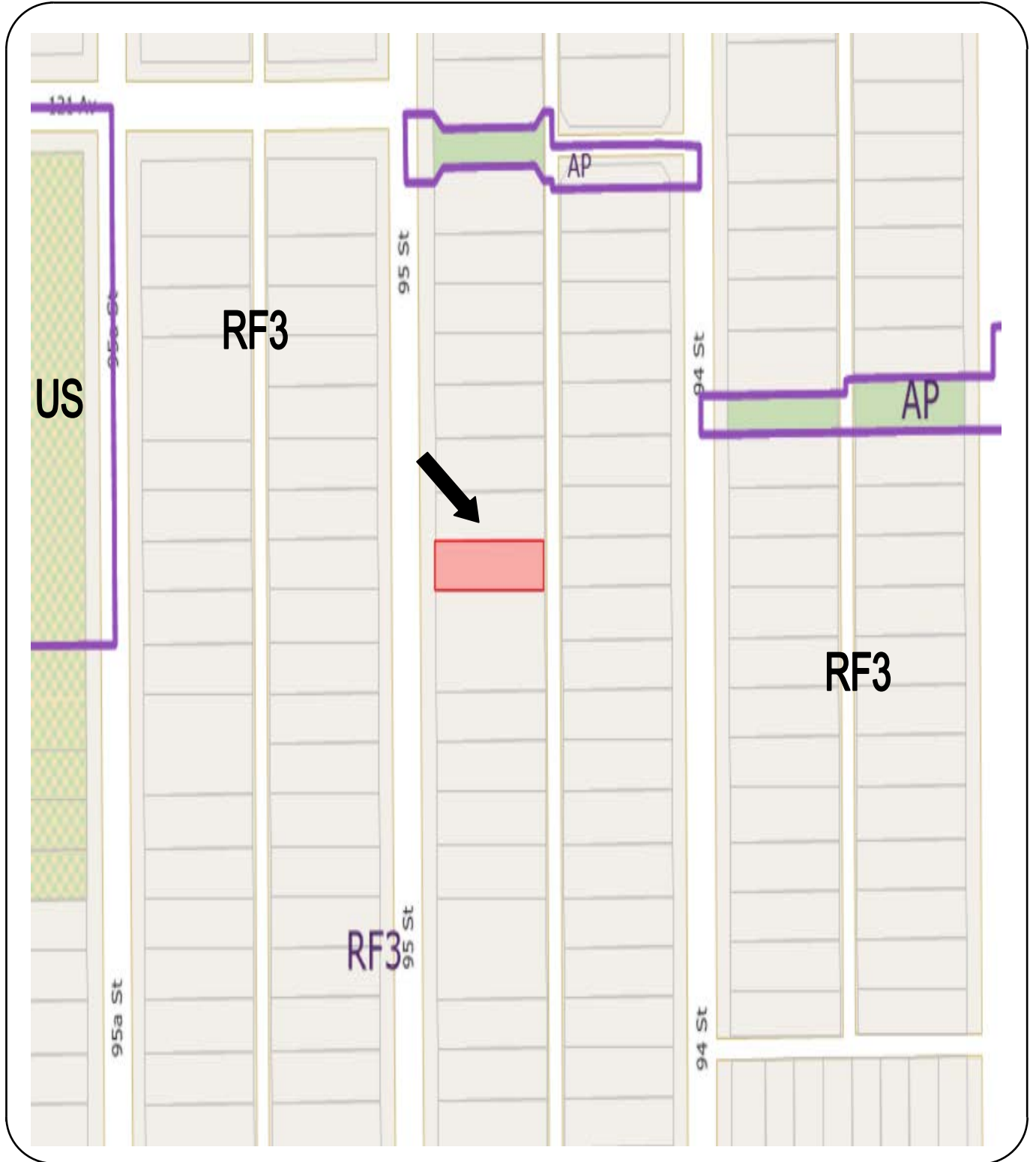
Rights of Appeal
 The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Jan 23, 2018 **Development Authority:** LANGILLE, BRANDON **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$475.00	\$475.00	04285361	Jul 12, 2017
Sanitary Sewer Trunk Fund	\$3,132.00	\$3,132.00	04285361	Jul 12, 2017
Lot Grading Fee	\$280.00	\$280.00	04285361	Jul 12, 2017
Development Permit Inspection Fee	\$200.00	\$200.00	04285361	Jul 12, 2017
Total GST Amount:	\$0.00			
Totals for Permit:	\$4,087.00	\$4,087.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-034



ITEM II: 11:00 A.M.

FILE: SDAB-D-18-035

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 260326944-001

APPLICATION TO: Operate a Major Home Based Business
(Repair cellphone and tablet - Dr. Fix
Wireless Ltd, expires Jan 17, 2023)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 17, 2018

DATE OF APPEAL: January 24, 2018

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 10848 - 73 Avenue NW

LEGAL DESCRIPTION: Plan 5765Q Blk 9 Lot 30

ZONE: RF6-Medium Density Multiple Family
Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLAN: N/A

Grounds of Appeal

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

On Aug 23, 2017, I submitted my major home based business application, the project number is 260326944-001. On Jan 17, 2018, my application is refused by development authority.

They give four reasons for refusal: first, my business is a general retail store, which cannot be used in RF6 Zone; second, major home based business is a Discretionary use in RF6 Zone. Third, my business changed the principal character or external appearance of the dwelling buildings; lastly, my business should be in a commercial or industrial zone.

For these reasons above, I do completely agree with the Development Authority.

My home based business mostly is repairing cellphone. Only one desk and one shelf are located in my living area. It is about 10ft by 10 ft area. The reason to apply home based business is that because of high rent of commercial place, and huge competition from online store and economic recession. So I am no longer doing general retail business like selling accessories etc. anymore. I only do repairing service for a few phones from customer each day in order to cover my living expenses. I limit five visitors every day, and by appointment. I think my scale of business is so small, that it cannot fit into a category of general retail shop. Furthermore, the business is too small and my income is very limited that I cannot afford the high rent in a commercial store.

I recently spent thousands of dollars to comply with the requirements of the city. I did some renovation for inside of house and landscaping. However, I do not fully agree with development authority that I changed the principal character or external appearance of the Dwelling. I present photos to illustrate my reasons.

According to the city's definition, Dwelling means a self-contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is used permanently or semi-permanently as a residence for a single Household. (Reference Section 6.1(31)). In my house, from my point of view, I have met all the character of the definition. I do not understand why they classified my house does not appear to be the residential use.

For example, I have printers, drawers, garden tools, tv, many storage boxes etc. in my basement. These items are personal items having nothing to do the business. Almost every home has these common items. It is very biased from the inspector and development authority. They think that the rest of the house appears to be the staff room, office, and storage for business just because it is a house that running a home based business.

For the main floor, there are one desk and shelf in the small area of living room, and separated from other main floor area. My design will look more spacious, neat and comfortable, and benefit both my privacy and customer's feeling. The rest of area is my kitchen, bedroom, washroom for personal use. Diffident people have different meaning of the word home, and people have different lifestyle. I have a hard time to understand what the requirements of the city are. Such as what is the requirement minimal percentage of a business area out of total floor area, how to classify appears looking is store use or residential, and why my home does not appear to be the residential use, I am the only resident in the house for a year. The primary use in my home is residential use, only one desk and one shelf for doing the business. Lastly, I am willing to adapt to the requirements of the city but has to understand what they are.

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 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, 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 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*:

Section 170.1 states that the **General Purpose** of the **(RF6) Medium Density Multiple Family Zone** is to provide for medium density housing, where some units may not be at Grade.

<i>Use</i>

A **General Retail Store** is neither a **Permitted** nor a **Discretionary Use** in the **(RF6) Medium Density Multiple Family Zone**.

Under Section 7.4(24), **General Retail Stores** means:

development used for the retail or consignment sale of new goods or merchandise within an enclosed building, not including the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or goods sold wholesale. Accessory Uses may include the assembly or repair of products sold on Site, or minor public services such as postal services or pharmacies. This Use does not include Aircraft Sales/Rentals, Automotive and Minor Recreation Vehicle Sales/Rentals, Cannabis Retail Sales, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Garden Centres, Pawn Stores, Major Alcohol Sales, Minor Alcohol Sales, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.

Under section 170.3(6), a **Major Home Based Business** is a **Discretionary Use** in the **(RF6) Medium Density Multiple Family Zone**.

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

development consisting of the Use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses that may generate more than one business associated visit per day.

The business Use must be secondary to the Residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use includes Bed and Breakfast Operations but does not include General Retail Sales.

Under Section 6.1(31), **Dwelling** means a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is used permanently or semi-permanently as a residence for a single Household.

Development Officer's Determination

General Retail Store Use is neither a Permitted nor Discretionary Use in the RF6 Zone (Section 170).

The Development Officer determines this Use to be a General Retail Store as the proposed Home Based Business will be repairing cellphones and tablets, and selling the cellphone accessories on site which conforms with the definition of General Retail Store (Section 7.4(24)).

If the proposed development is to be considered as a Major Home Based Business, the following additional reasons for refusal will apply:

Major Home Based Business is a Discretionary Use in RF6 Zone (Section 170.3(6)).

Principal Character or External Appearance

Section 75.6 states the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings

Development Officer's Determination

Based on the inspection result, the proposed Major Home Based Business changed the principal character of the Dwelling, and the primary use of the house does not appear to be the residential use. The main floor is developed as a commercial retail store and the rest of the house appears to be the staff room, office, and storage for the proposed business, contrary to Section 75.6.

More Appropriate Location

Section 75.9 states the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.

Development Officer's Determination

The proposed Major Home Based Business would be more appropriately located in a Commercial Zone as the proposed business appears to be a typical commercial retail store rather than a secondary to the residential use, which is not compatible with the residential character of the area, contrary to Section 75.9.

Major Home Based Business Regulations – Section 75


A Major Home Based Business shall comply with the following regulations:

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

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

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

	Project Number: 260326944-001 Application Date: AUG 23, 2017 Printed: January 24, 2018 at 1:16 PM Page: 1 of 2		
<h2>Application for Home Occupation</h2>			
<p>This document is a Development Permit Decision for the development application described below.</p>			
Applicant <div style="border: 1px solid black; width: 200px; height: 40px; margin: 10px auto;"></div>	Property Address(es) and Legal Description(s) 10848 - 73 AVENUE NW Plan 5765Q Blk 9 Lot 30 Specific Address(es) Suite: 10848 - 73 AVENUE NW Entryway: 10848 - 73 AVENUE NW Building: 10848 - 73 AVENUE NW		
Scope of Application To operate a Major Home Based Business (Repair cellphone and tablet - Dr. Fix Wireless Ltd, expires Jan 17, 2023)			
Permit Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> # of business related visits/day: 5 Administration Office Only?: N Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: N </td> <td style="width: 50%; vertical-align: top;"> # of vehicles at one time: 2 Business has Trailers or Equipment?: N Description of Business: Repair cellphone and tablet, Monday to Saturday 10am to 6pm, maximum of 15 mins per visit, by appointment only, no overlapping appointments Expiry Date: 2023-01-17 00:00:00 </td> </tr> </table>		# of business related visits/day: 5 Administration Office Only?: N Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: N	# of vehicles at one time: 2 Business has Trailers or Equipment?: N Description of Business: Repair cellphone and tablet, Monday to Saturday 10am to 6pm, maximum of 15 mins per visit, by appointment only, no overlapping appointments Expiry Date: 2023-01-17 00:00:00
# of business related visits/day: 5 Administration Office Only?: N Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: N	# of vehicles at one time: 2 Business has Trailers or Equipment?: N Description of Business: Repair cellphone and tablet, Monday to Saturday 10am to 6pm, maximum of 15 mins per visit, by appointment only, no overlapping appointments Expiry Date: 2023-01-17 00:00:00		
<p>I/We certify that the above noted details are correct.</p> <p>Applicant signature: _____</p>			
Development Application Decision Refused			
THIS IS NOT A PERMIT			



Project Number: **260326944-001**
 Application Date: AUG 23, 2017
 Printed: January 24, 2018 at 1:16 PM
 Page: 2 of 2

Application for Home Occupation

Reason for Refusal

1. General Retail Store Use is neither a Permitted nor Discretionary Use in the RF6 Zone (Section 170).

The Development Officer determines this Use to be a General Retail Store as the proposed Home Based Business will be repairing cellphones and tablets, and selling the cellphone accessories on site which conforms with the definition of General Retail Store (Section 7.4(24)).

If the proposed development is to be considered as a Major Home Based Business, the following additional reasons for refusal will apply:

2. Major Home Based Business is a Discretionary Use in RF6 Zone (Section 170.3(6)).

3. Section 75.6: the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings;

Based on the inspection result, the proposed Major Home Based Business changed the principal character of the Dwelling, and the primary use of the house does not appear to be the residential use. The main floor is developed as a commercial retail store and the rest of the house appears to be the staff room, office, and storage for the proposed business, contrary to Section 75.6.

4. Section 75.9: the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.

The proposed Major Home Based Business would be more appropriately located in a Commercial Zone as the proposed business appears to be a typical commercial retail store rather than a secondary to the residential use, which is not compatible with the residential character of the area, contrary to Section 75.9.

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: Jan 17, 2018 **Development Authority:** LEE, RACHEL **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$309.00	\$309.00	04393397	Aug 23, 2017
Total GST Amount:	\$0.00			
Totals for Permit:	\$309.00	\$309.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-035

