

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
February 24, 2016**

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

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

I	9:00 A.M.	SDAB-D-16-061	Convert a portion of a Single Detached House to a Professional, Financial, and Office Support Service (107.5 sq.m. - main floor only) 12018 - 102 Avenue NW Project No.: 178289946-003
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II	11:00 A.M.	SDAB-D-16-062	Operate an Automotive/Minor Recreation Vehicle Sales/Rental and to relocate an existing mobile office (Peace Motors) 9115 - 127 Avenue NW, 9035 - 127 Avenue NW Project No.: 176691253-001
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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-16-061

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 178289946-003

ADDRESS OF APPELLANT: 12018 - 102 Avenue NW

APPLICATION TO: Convert a portion of a Single Detached House to a Professional, Financial, and Office Support Service (107.5 sq.m. - main floor only)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: December 1, 2015

DATE OF APPEAL: January 27, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12018 - 102 Avenue NW

LEGAL DESCRIPTION: Plan 4423AJ Blk 20 Lot 27

ZONE: DC1 (Area 1) of the Oliver Area Redevelopment Plan

OVERLAY: N/A

STATUTORY PLAN: Oliver Area Redevelopment Plan

Grounds for Appeal

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

[Appellant provided no reasons.]

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
 - ...

The decision of the Development Authority is dated December 1, 2015. The Notice of Appeal was filed on January 27, 2016.

The Development Officer submitted a Canada Post receipt confirming delivery of the Development Permit Refusal on December 3, 2015. The receipt was signed by “Larry Larry”.

Direct Control Districts

The *Municipal Government Act* states:

Designation of direct control districts

641(1) The council of a municipality that has adopted a municipal development plan, if it wishes to exercise particular control over the use and development of land or buildings within an area of the municipality, may in its land use bylaw designate that area as a direct control district.

(2) If a direct control district is designated in a land use bylaw, the council may, subject to any applicable statutory plan, regulate and control the use or development of land or buildings in the district in any manner it considers necessary.

(3) In respect of a direct control district, the council may decide on a development permit application or may delegate the decision to a development authority with directions that it considers appropriate.

(4) Despite section 685, if a decision with respect to a development permit application in respect of a direct control district

- (a) is made by a council, there is no appeal to the subdivision and development appeal board, or
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

General Provisions from the Edmonton Zoning Bylaw:

Section 2.7 of the *Edmonton Zoning Bylaw* states:

Unless there is an explicit statement to the contrary in a Direct Control District or Provision, any reference in a Direct Control District or Direct Control Provision to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District or Provision.

General Provisions from the Oliver Area Redevelopment Plan – DC1 (Area 1):

Bylaw 11618 (as amended) was adopted by Council on December 9, 1997. Bylaw 11618 adopted the Oliver Area Redevelopment Plan (“Oliver ARP”).

Section 15.2.1 of the Oliver ARP outlines the **Area of Application** for **DC1 (Area 1)**, which includes:

A portion of Sub Area 1, located between Stony Plain Road and Jasper Avenue from 123 Street to 121 Street; *and a portion of Sub Area 2, located at 121 Street and 102 Avenue, designated DC1 (Area 1)* [emphasis added] in Bylaw 11619, amending the Land Use Bylaw.

Section 15.2.2 of the Oliver ARP states that the **Rationale** of **DC1 (Area 1)** is:

To provide for a mixed use area that encourages the retention of existing older residential structures by providing opportunity for the conversion of these older structures to small scale, low impact commercial uses. New development and conversions will be of a scale and design that is complementary to the existing low density residential dwellings in the area.

Section 15.2.4(n)(iii) of the Oliver ARP – DC1 (Area 1) states:

Notwithstanding other regulations in this District... Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.

Section 88 of *Land Use Bylaw 5996* (Version 10, November 1999) states:

88. Conversion of Single Detached, Semi-detached, or Duplex Dwellings to Professional Offices

1) In considering any application for the Conversion of a Single Detached, Semi-detached, or Duplex Dwelling to a Professional Office, the Development Officer shall ensure the development complies with the following requirements:

a) parking shall be provided in accordance with Section 66 of this Bylaw;

b) where the Conversion involves exterior renovation, such renovation shall be of a nature which maintains a Height and coverage which is generally in keeping with the Height and coverage of existing adjacent Single Detached, Semi-detached and Duplex Housing;

c) existing vegetation shall be governed by the provisions of subsection 69.4(8) of this Bylaw, provided that any replacement vegetation shall be of a species which is in keeping with other vegetation in the area; and

d) exterior lighting shall be provided in a manner which provides safety for pedestrians on the site and adjacent to it, and in accordance with Section 62 of this Bylaw.

2) In addition, the Development Officer shall have regard to the following in exercising his discretion to approve such developments:

a) a proposed Conversion should not be approved where approval would result in a concentration of such Conversions on a group of adjacent sites, or within a block, which would alter the residential character of the area;

b) the level of activity resulting from the use should not be an intrusion into an area primarily residential in character, nor should it generate traffic or parking in excess of the capacity of adjacent public roadways;

c) the Conversion should not adversely affect pedestrian movement on adjacent sidewalks; and

d) the Conversion should maintain an external appearance which is generally in keeping with the external appearance of existing adjacent Single Detached, Semi-detached and Duplex Housing.

3) The Development Officer shall also be guided by the provisions of any applicable Statutory Plan.

<i>Listed Use</i>

Section 15.2.3 of the Oliver ARP lists the following **Uses** prescribed under **DC1 (Area 1)**:

The following uses are prescribed for lands designated DC1 (Area 1) pursuant to Section 710.3 of the Land Use Bylaw:

- i) Business Support Services*
- ii) Child Care Services*
- iii) Commercial Schools*
- iv) Community Recreation Services
- v) Custom Manufacturing Establishments*
- vi) Duplex Housing
- vii) Eating and Drinking Establishments, Minor*
- viii) Essential Utility Services
- ix) Foster Homes
- x) Group Homes
- xi) Group Homes, Limited
- xii) Health Services*
- xiii) Home Occupations, Major
- xiv) Home Occupations, Minor
- xv) Minor Impact Utility Services
- xvi) Personal Service Shops*
- xvii) Private Education Services*

- xviii) Professional, Financial and Office Support Services*
- xix) Professional Offices*
- xx) Retail Stores, Convenience*
- xxi) Row Housing
- xxii) Secondary Suites
- xxiii) Semi-detached Housing
- xiv) Single Detached Housing

(Note: Commercial uses identified by an asterisk shall be only be allowed if located in a converted older residential structure, and shall not be allowed within a new development.)

Section 10.1(7) of *Land Use Bylaw 5996* (Version 10, November 1999) states:

Single Detached Housing means development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use Class in a District, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use Class includes Mobile Homes which conform to Section 89 of this Bylaw.

Section 10.1(5a) of *Land Use Bylaw 5996* (Version 10, November 1999) states:

Secondary Suite means development consisting of a self-contained Dwelling located in a structure in which the principal use is Single Detached Housing. A Secondary Suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal Dwelling within the structure. For the purpose of this Clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the exterior of the structure. This Use Class includes conversion of basement space to a Dwelling, or the addition of new floorspace for a Secondary Suite to an existing Single Detached Dwelling. This Use Class does not include Duplex Housing, Semi-detached Housing, or Apartment Housing, where the structure was initially designed for two or more Dwellings, and does not include Boarding and Lodging Houses.

Section 10.3(31) of *Land Use Bylaw 5996* (Version 10, November 1999) states:

Professional, Financial and Office Support Services means development primarily used for the provision of professional, management, administrative, consulting, and financial services, but does not include Health Services or Government Services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial uses.

Section 10.1(1) of *Land Use Bylaw 5996* (Version 10, November 1999) states:

Apartment Housing means development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other Residential Use Class.

Section 9.1(19) of *Land Use Bylaw 5996* (Version 10, November 1999) states:

Dwelling means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a Household and either up to two lodgers, roomers, or boarders; or four foster children;

Development Officer's Determination



1) The proposed development is located on a DC1-zoned site within the Oliver Area Redevelopment Plan. The proposed development converts a Single Family House into a Professional, Financial, and Office Support Service with a one-dwelling Apartment House on the second floor.

2) Conversions of Single Family Housing to commercial uses are allowed in the DC1 Zone. The conversion to Professional, Financial, and Office Support Service, in itself, is acceptable under the relevant planning regulations and development standards. However, the ability to convert does not allow for Dwellings to continue to exist post-conversion in the Zone.

It is the Development Officer's opinion that, given the proposed continued existence of a Dwelling that will not be a Single Family House, the proposed development is not an Approved Use within the DC1 Zone. [unedited]

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: 178289946-003 Application Date: NOV 12, 2015 Printed: February 5, 2016 at 10:44 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for Major Development Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
Applicant 1786537 ALBERTA LTD 	Property Address(es) and Legal Description(s) 12018 - 102 AVENUE NW Plan 4423AJ Blk 20 Lot 27 Specific Address(es) Suite: 12018 - 102 AVENUE NW Entryway: 12018 - 102 AVENUE NW Building: 12018 - 102 AVENUE NW		
Scope of Application To convert a portion of a Single Detached House to a Professional, Financial, and Office Support Service (107.5 sq.m. - main floor only).			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> Class of Permit: Class A Gross Floor Area (sq.m.): 107.5 New Sewer Service Required: N/A Site Area (sq. m.): 543.04 </td> <td style="width: 50%; border: none; vertical-align: top;"> Contact Person: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Class A Gross Floor Area (sq.m.): 107.5 New Sewer Service Required: N/A Site Area (sq. m.): 543.04	Contact Person: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Class A Gross Floor Area (sq.m.): 107.5 New Sewer Service Required: N/A Site Area (sq. m.): 543.04	Contact Person: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: 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 1) The proposed development is located on a DC1-zoned site within the Oliver Area Redevelopment Plan. The proposed development converts a Single Family House into a Professional, Financial, and Office Support Service with a one-dwelling Apartment House on the second floor. 2) Conversions of Single Family Housing to commercial uses are allowed in the DC1 Zone. The conversion to Professional, Financial, and Office Support Service, in itself, is acceptable under the relevant planning regulations and development standards. However, the ability to convert does not allow for Dwellings to continue to exist post-conversion in the Zone. It is the Development Officer's opinion that, given the proposed continued existence of a Dwelling that will not be a Single Family House, the proposed development is not an Approved Use within the DC1 Zone. 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: Dec 01, 2015 Development Authority: WELCH, IMAI Signature: _____			
THIS IS NOT A PERMIT			



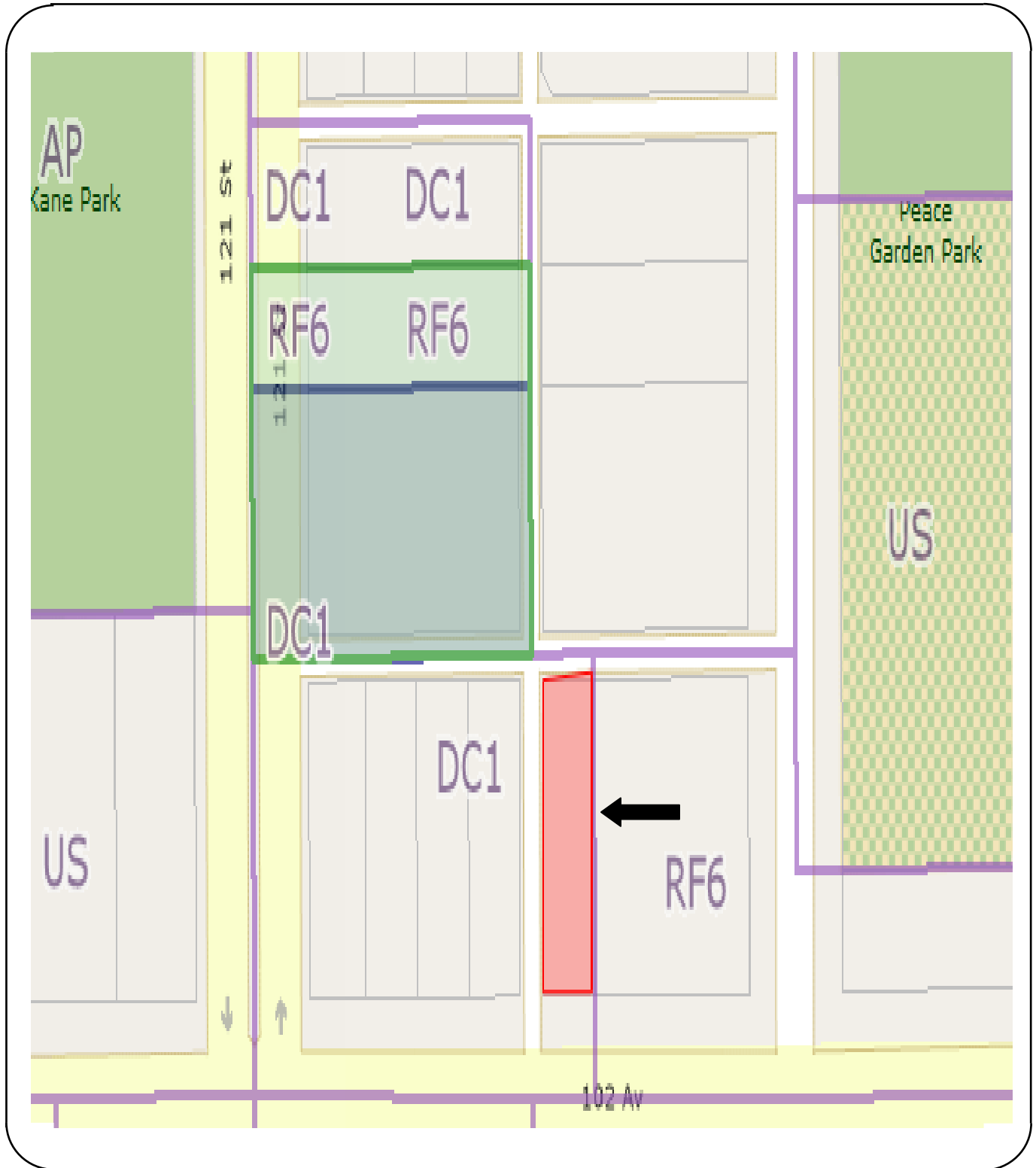
Project Number: **178289946-003**
Application Date: NOV 12, 2015
Printed: February 5, 2016 at 10:44 AM
Page: 2 of 2

Application for Major Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$254.00	\$254.00	02887428	Nov 12, 2015
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$254.00	\$254.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-061



ITEM II: 11:00 A.M.

FILE: SDAB-D-16-062

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 176691253-001

ADDRESS OF APPELLANT: 9115 - 127 Avenue NW,
9035 - 127 Avenue NW

APPLICATION TO: Operate an Automotive/Minor Recreation
Vehicle Sales/Rental and to relocate an
existing mobile office (Peace Motors).

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 13, 2016

DATE OF APPEAL: January 27, 2016

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 9115 - 127 Avenue NW,
9035 - 127 Avenue NW

LEGAL DESCRIPTION: Plan 0520041 Blk 60A Lot 8,
Plan 0520041 Blk 60A Lot 9

ZONE: DC2.864

OVERLAY: N/A

STATUTORY PLAN: CN Intermodal Facility and Area ARP

Grounds for Appeal

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

[None provided]

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
 - ...

The decision of the Development Authority is dated January 13, 2016. The Notice of Appeal was filed on January 27, 2016.

Direct Control Districts

The *Municipal Government Act* states:

Designation of direct control districts

641(1) The council of a municipality that has adopted a municipal development plan, if it wishes to exercise particular control over the use and development of land or buildings within an area of the municipality, may in its land use bylaw designate that area as a direct control district.

(2) If a direct control district is designated in a land use bylaw, the council may, subject to any applicable statutory plan, regulate and control the use or development of land or buildings in the district in any manner it considers necessary.

(3) In respect of a direct control district, the council may decide on a development permit application or may delegate the decision to a development authority with directions that it considers appropriate.

(4) Despite section 685, if a decision with respect to a development permit application in respect of a direct control district

(a) is made by a council, there is no appeal to the subdivision and development appeal board, or

(b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 2.7 of the *Edmonton Zoning Bylaw* states:

Unless there is an explicit statement to the contrary in a Direct Control District or Provision, any reference in a Direct Control District or Direct Control Provision to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District or Provision.

Automotive/Minor Recreation Vehicle Sales/Rentals is a listed Use under DC2.864.3(c).

Section 7.4(5) states:

Automotive and Minor Recreation Vehicle Sales/Rentals means development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of parts. This Use Class includes automobile dealerships, car rental agencies and motorcycle dealerships. This Use Class does not include dealerships for the sale of trucks with a gross vehicle weight rating of 4 000 kg or greater, or the sale of motorhomes with a gross vehicle weight rating greater than 6 000 kg or a length of more than 6.7 m.

Development in Accordance with Site Plan

DC2.864.4(a) states: "Development of the Site shall be in general accordance with the Site Plan attached to this provision, as Appendix I."

Development Officer's Determination

The Development Officer referenced DC2.864.4(a) and made the following determination:

The proposed location and orientation of the mobile trailer is not in general accordance with the Site Plan of Appendix I. [unedited]

Materials Used

DC2.864.4(l) states:

All buildings shall be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Officer may require that the appearance of metal, or concrete block walls exposed to public view from beyond the Site be improved where such walls are inconsistent with the finishing materials or appearance characteristic of surrounding development.

Section 57.2(1) of the *Edmonton Zoning Bylaw* states:

In all non-industrial developments, the design and use of exterior finishing materials shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials shall be used that ensure that the standard of the proposed buildings and structures shall be similar to, or better than, the standard of surrounding development.

Development Officer's Determination

The Development Officer referenced DC2.864.4(l) and Section 57.2 of the *Edmonton Zoning Bylaw*, and made the following determination:

Based on site visit, the proposed building, identified as a modular unit on the site plan, is existing and is not in good repair, and is not finished with durable materials to maintain a high level of appearance of the development throughout the life of the project. [unedited]

Hardsurfacing and Curbing of Parking and Loading Spaces

Section 54.6(3) states:

3. Commercial and Industrial Zones

- a. Every off-street parking or loading space provided or required in any Commercial Zone, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applies, shall be Hardsurfaced if the access is from a public roadway which is Hardsurfaced.
- b. Every off-street parking or loading space provided or required in an Industrial Zone, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applied, shall be Hardsurfaced if such area lies in front of the principal building. Any area at the rear or the side of the principal building provided or required for off-street parking or loading space need not be Hardsurfaced, but shall be of such a surface that shall minimize the carrying of dirt or foreign matter upon the highway.

Development Officer’s Determination

The Development Officer referenced Section 54.6(3) and made the following determination:

The proposed parking lot is a gravel parking lot and not is hardsurfaced, contrary to Section 54.6.a and b. [unedited]

Landscaping

Section 55.4(3) states:

Any parking lot having eight or more parking spaces that is visible from an adjoining Site in a Residential or Commercial Zone, or from a public roadway other than a Lane, or from a Light Rail Transit line, shall have perimeter planting. The location, length, thickness and Height of such perimeter planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial Zone, and enhance the view of the parking area from any adjacent public roadway or Light Rail Transit line.

Development Officer’s Determination

The Development Officer referenced Section 55.4(3) and made the following determination:

The proposed Site has more than eight parking spaces visible from a public roadway. The proposed Landscaping Plan along 127 Ave. does not provide substantial interruption of the view of the parking area from the Residential Zone. [unedited]

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: **176691253-001**
Application Date: JUL 29, 2015
Printed: February 11, 2016 at 1:14 PM
Page: 1 of 3

Application for Major Development Permit

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

Applicant

1101731 ALBERTA LTD


Property Address(es) and Legal Description(s)

9115 - 127 AVENUE NW
Plan 0520041 Blk 60A Lot 8
9035 - 127 AVENUE NW
Plan 0520041 Blk 60A Lot 9

Scope of Application

To operate a Automotive/Minor Recreation Vehicle Sales/Rental and to relocate an existing mobile office (Peace Motors).

Permit Details

Class of Permit: Class B
Gross Floor Area (sq.m.): 73.37
New Sewer Service Required: N/A
Site Area (sq. m.): 6059.68

Contact Person:
Lot Grading Needed?: N/A
NumberOfMainFloorDwellings:
Stat. Plan Overlay/Annex Area: (none)

I/We certify that the above noted details are correct.

Applicant signature: _____

Development Application Decision

Refused

THIS IS NOT A PERMIT



Project Number: **176691253-001**
 Application Date: JUL 29, 2015
 Printed: February 11, 2016 at 1:14 PM
 Page: 2 of 3

Application for Major Development Permit

Reason for Refusal

1) Development of the Site shall be in general accordance with the Site Plan attached to this provision, in accordance to Appendix I (Reference DC2.864(4)(a)):

The proposed location and orientation of the mobile trailer is not in general accordance with the Site Plan of Appendix I.

2) All buildings shall be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Officer may require that the appearance of metal, or concrete block walls exposed to public view from beyond the Site be improved where such walls are inconsistent with the finishing materials or appearance characteristic of surrounding development (Reference DC2.864(4)(l))

In all non-industrial developments, the design and use of exterior finishing materials shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials shall be used that ensure that the standard of the proposed buildings and structures shall be similar to, or better than, the standard of surrounding development. (Section 57.2)

Based on site visit, the proposed building, identified as a modular unit on the site plan, is existing and is not in good repair, and is not finished with durable materials to maintain a high level of appearance of the development throughout the life of the project.

3) Every off-street parking or loading space provided or required in any Commercial Zone, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applies, shall be Hardsurfaced if the access is from a public roadway which is Hardsurfaced.

Every off-street parking or loading space provided or required in an Industrial Zone, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applied, shall be Hardsurfaced if such area lies in front of the principal building. Any area at the rear or the side of the principal building provided or required for off-street parking or loading space need not be Hardsurfaced, but shall be of such a surface that shall minimize the carrying of dirt or foreign matter upon the highway. (Reference Section 54.6.3.a and b):

The proposed parking lot is a gravel parking lot and not is hardsurfaced, contrary to Section 54.6.a and b.

4) Any parking lot having eight or more parking spaces that is visible from an adjoining Site in a Residential or Commercial Zone, or from a public roadway other than a Lane, or from a Light Rail Transit line, shall have perimeter planting. The location, length, thickness and height of such perimeter planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial Zone, and enhance the view of the parking area from any adjacent public roadway or Light Rail Transit line (Reference Section 55.4.3):

The proposed Site has more than eight parking spaces visible from a public roadway. The proposed Landscaping Plan along 127 Ave. does not provide substantial interruption of the view of the parking area from the Residential Zone.

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 13, 2016 **Development Authority:** BUCCINO, SAMANTHA **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$316.00	\$316.00	02625568	Jul 29, 2015

THIS IS NOT A PERMIT



Project Number: **176691253-001**
Application Date: JUL 29, 2015
Printed: February 11, 2016 at 1:14 PM
Page: 3 of 3

Application for Major Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
DP Notification Fee	\$100.00	\$100.00	02625568	Jul 29, 2015
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$416.00	\$416.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-062



BUSINESS LAID OVER

SDAB-D-15-285	An appeal by <u>Sakaw Daycare</u> to convert an existing Single Detached House into a Child Care Services Use Building (60 Children, 2- 12-18 months, 6 – 19 months-3 yrs, 32 – 3-4.5 yrs, 20 – above 4.5 yrs) and to construct interior and exterior alterations <i>March 2 or 3, 2016</i>
SDAB-D-15-238	An appeal by <u>Jim Murphy</u> regarding an Order to comply with all conditions of Development Permit 149045660-001 or cease the Use and demolish all materials by September 25, 2015 <i>March 3, 2016</i>
SDAB-D-15-247	An appeal by <u>Kennedy Agrios LLP VS. Eton-West Construction (Alta) Inc.</u> change the use of "Building E" from Professional, Financial and Office Support Services to General Retail Stores and to construct interior and exterior alterations (increase building size and change dimensions, revision to parking layout and Drive-thru). <i>March 9 or 10, 2016</i>
SDAB-D-16-048	An appeal by <u>Pattison Outdoor Advertising</u> to construct a Freestanding Off-premises Sign <i>March 9 or 10, 2016</i>
SDAB-D-16-049	An appeal by <u>Petwin 104 Corporation</u> to develop a Parking Area Accessory to an existing Apartment House. <i>March 9 or 10, 2016</i>
SDAB-D-16-050	An appeal by <u>Permit Solutions Inc.</u> to install (1) Fascia On-premises Sign (Boardwalk) <i>March 16, 2016</i>
SDAB-D-16-501	An appeal by <u>Darren Crocker / Brownlee LLP</u> to demolish an existing building. <i>March 30 or 31, 2016</i>

APPEAL HEARINGS TO BE SCHEDULED

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