

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
February 7, 2018**

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

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 7**

I	9:00 A.M.	SDAB-D-18-023	Construct exterior alterations to a Single Detached House (Driveway extension, 1.2m x 4.41m) 5220 - 1A Avenue SW Project No.: 266266065-002
<hr/>			
II	10:30 A.M.	SDAB-D-18-024	Remove the Residential Sales Centre from the property by February 7, 2018 <u>or</u> Obtain a Development Permit for the Residential Sales Centre. A complete application must be submitted by February 7, 2018 7730 - 101 Avenue NW Project No.: 187765571-004
<hr/>			
III	10:30 A.M.	SDAB-D-18-025	Cease the Apartment/Lodging House Use of the building at 7740 - 101 Avenue NW until the use of the building at 7740 - 101 Avenue NW conforms with an approved Development Permit 7730 - 101 Avenue NW Project No.: 187765571-005
<hr/>			

..... continued

IV 10:30 A.M. SDAB-D-18-026 Obtain a valid Development Permit for the Freestanding Off-premises Sign (Billboard Sign). A complete application must be submitted by February 7, 2018

or

Remove the Freestanding Off-premises Sign (Billboard Sign) from the Site by February 7, 2018

7730 - 101 Avenue NW
Project No.: 187765571-00

V 10:30 A.M. SDAB-D-18-027 Cease the Apartment/Lodging House Use of the building at 7730 - 101 Avenue NW until the use of the building conforms with an approved Development Permit

7730 - 101 Avenue NW
Project No.: 187765571-001

NOTE: *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-18-023

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 266266065-002

APPLICATION TO: Construct exterior alterations to a Single Detached House (Driveway extension, 1.2m x 4.41m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 11, 2018

DATE OF APPEAL: January 11, 2018

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5220 - 1A Avenue SW

LEGAL DESCRIPTION: Plan 1026029 Blk 1 Lot 259B

ZONE: RF4 Semi-Detached Residential Zone

OVERLAY: N/A

STATUTORY PLAN: Charlesworth Neighbourhood Structure Plan
Southeast Area Structure Plan

Grounds for Appeal

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

The new owners of the property have requested an appeal of the decision in order to receive a compliant RPR. The driveway extension was professionally installed in 2012. The property was purchased in 2011 and sold in 2017.

The extension was put in place to alleviate parking concerns in the neighborhood, as one side of the street has NO PARKING signs. Numerous houses in the neighborhood have put in driveway extensions, however, many have done this with the use of concrete blocks, paving stones, or cement poured over grass. The driveway extension on this property was done professionally in an effort to match the existing

driveway. Driveway extensions are becoming characteristic in this neighborhood, as many people are doing variations of extensions to alleviate parking restrictions. The previous neighbors had little concern with the driveway extension and would also utilize the extension to alleviate their parking issue. I will provide pictures of the driveway extension, as well as example of homes within 60 meters walking distance of the subject site who have also put in driveway extensions. I will also include images of other homes who have not put in driveway extension, but are parking vehicles on the grass in order to alleviate parking restrictions in the area.

Thank you for the opportunity to appeal the decision.

<i>General Matters</i>

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

(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...

Determining an Appeal

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 150.1 states that the **General Purpose** of the **RF4 Semi-detached Residential Zone** is “to provide a zone primarily for Semi-detached Housing and Duplex Housing.”

Section 6.1(30) states: “**Driveway** means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area and does not include a Walkway.”

Section 6.1(122) states: “**Walkway** means a path for pedestrian circulation that cannot be used for vehicular parking”.

<i>Driveway Regulations</i>

Section 54.1(4) states:

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

- a. lead directly from the roadway to the Garage or Parking Area;
- b. for a Garage or Parking Area with one parking space, have a maximum width of 4.3 m, or the width of the Garage or Parking Area, whichever is the lesser;
- c. For a Garage or Parking Area with two or more parking spaces, have a maximum width that shall be calculated as the product of 3.7 m multiplied by the total number of adjacent side-by-side parking spaces contained within the Garage or Parking Area, or the width of the Garage or Parking Area, whichever is the lesser; and
- d. for a Site Zoned RF1 and less than 10.4 m wide, have a maximum width of 4.3 m.

Development Officer's Determination

Referencing section 54.1(4)(b), the Development Officer determined:



The Driveway extension is 1.2m x 4.41m which results in a total Driveway width of 4.85m. As per the regulation above, the permitted Driveway width for the subject Garage is 3.65m. This Driveway exceeds the allowable width by 1.2m.

Referencing section 54.1(4)(a), the Development Officer determined:

The proposed extension does not lead directly to the Garage and the extension is used for parking.

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: 266266065-002 Application Date: DEC 01, 2017 Printed: January 11, 2018 at 11:23 AM Page: 1 of 2										
<h2 style="margin: 0;">Application for Minor Development Permit</h2>											
This document is a Development Permit Decision for the development application described below.											
Applicant 	Property Address(es) and Legal Description(s) 5220 - 1A AVENUE SW Plan 1026029 Blk 1 Lot 259B Specific Address(es) Entryway: 5220 - 1A AVENUE SW Building: 5220 - 1A AVENUE SW										
Scope of Application To construct exterior alterations to a Single Detached House (Driveway extension, 1.2m x 4.41m), existing without a permit.											
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> # of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N </td> <td style="width: 50%; border: none;"> Class of Permit: Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none)								
# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none)										
I/We certify that the above noted details are correct. Applicant signature: _____											
Development Application Decision Refused Reason for Refusal The application is refused for the following reason(s): 1. For a Garage or Parking Area with one parking space, have a maximum width of 4.3 m, or the width of the Garage or Parking Area, whichever is the lesser. (Reference Section 54.1.4(b)) The Driveway extension is 1.2m x 4.41m which results in a total Driveway width of 4.85m. As per the regulation above, the permitted Driveway width for the subject Garage is 3.65m. This Driveway exceeds the allowable width by 1.2m. 2. The Front Yard of any at Grade Dwelling in any Residential Zone, or in the case of a corner Site, either the Front Yard or the flanking Side Yard in any Residential Zone, may include a maximum of one Driveway. The Driveway shall lead directly from the roadway to the Garage or Parking Area. (Reference Section 54.1.4(a)) The proposed extension does not lead directly to the Garage and the extension is used for parking. 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 11, 2018 Development Authority: KIM, JENNIFER Signature: _____											
Fees <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">Fee Amount</th> <th style="text-align: center;">Amount Paid</th> <th style="text-align: center;">Receipt #</th> <th style="text-align: center;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Dev. Application Fee</td> <td style="text-align: center;">\$166.00</td> <td style="text-align: center;">\$166.00</td> <td style="text-align: center;">04668001</td> <td style="text-align: center;">Dec 01, 2017</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$166.00	\$166.00	04668001	Dec 01, 2017
	Fee Amount	Amount Paid	Receipt #	Date Paid							
Dev. Application Fee	\$166.00	\$166.00	04668001	Dec 01, 2017							
THIS IS NOT A PERMIT											



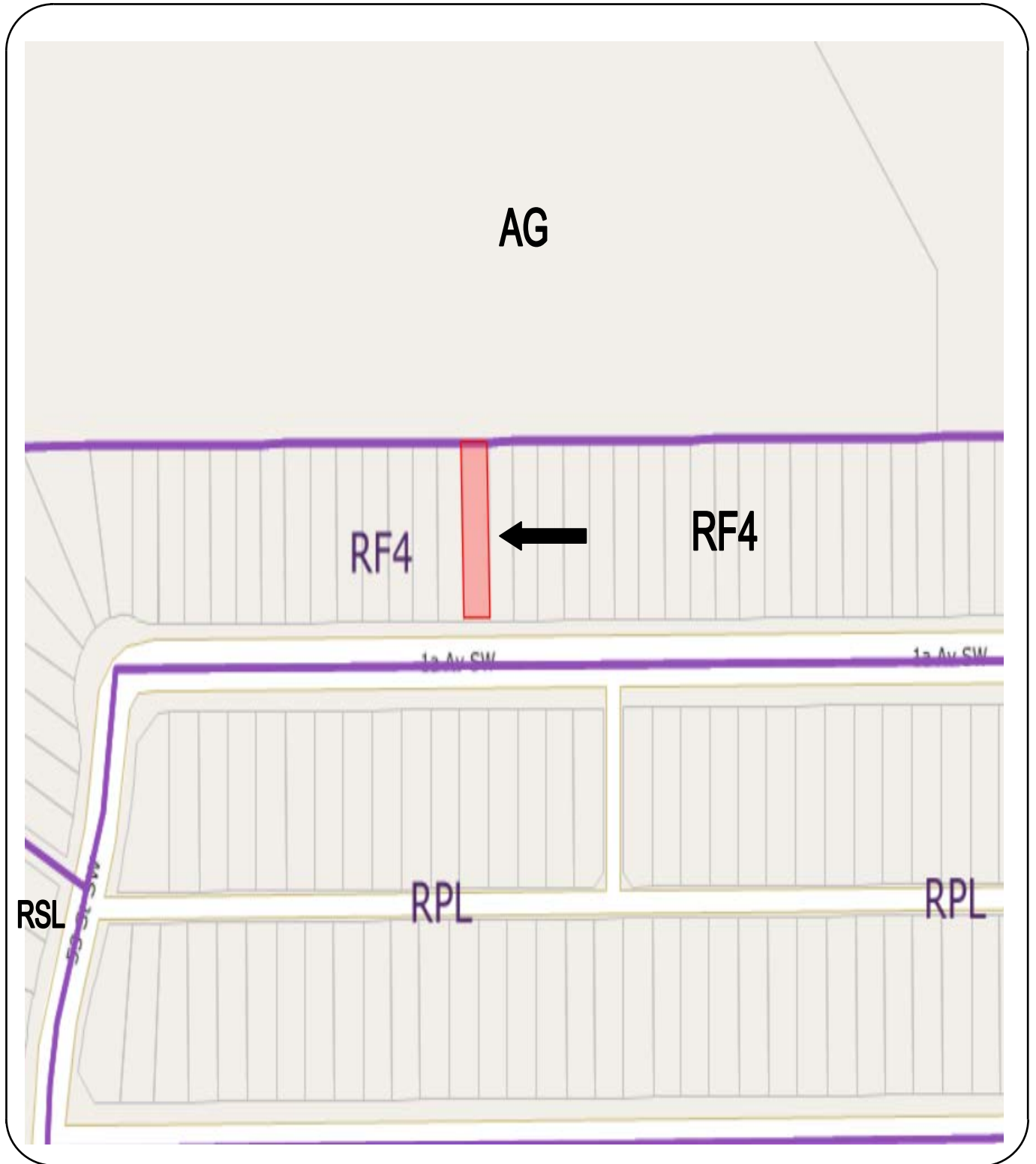
Project Number: **266266065-002**
Application Date: DEC 01, 2017
Printed: January 11, 2018 at 11:23 AM
Page: 2 of 2

Application for Minor Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Existing Without Permit Penalty Fee	\$0.00			
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$166.00	\$166.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-023



APPEALS FROM FOUR ORDERS ISSUED BY THE DEVELOPMENT AUTHORITY

APPELLANT:

ORDER NO.: 187765571-004 (SDAB-D-18-024)

An Order to remove the Residential Sales Centre from the property by February 7, 2018

or

Obtain a Development Permit for the Residential Sales Centre. A complete application must be submitted by February 7, 2018.

ORDER NO.: 187765571-005 (SDAB-D-17-025)

An Order to cease the Apartment/Lodging House Use of the building at 7740 - 101 Avenue NW until the use of the building at 7740 - 101 Avenue NW conforms with an approved Development Permit

ORDER NO.: 187765571-007 (SDAB-D-17-026)

An Order to obtain a valid Development Permit for the Freestanding Off-premises Sign (Billboard Sign). A complete application must be submitted by February 7, 2018

or

Remove the Freestanding Off-premises Sign (Billboard Sign) from the Site by February 7, 2018.

ORDER NO.: 187765571-001 (SDAB-D-17-027)

Order to cease the Apartment/Lodging House Use of the building at 7730 - 101 Avenue NW until the use of the building conforms with an approved Development Permit.

DECISION OF THE DEVELOPMENT AUTHORITY: Four Orders Issued

DECISION DATE: December 21, 2017

DATE OF APPEAL: January 12, 2018

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7730 - 101 Avenue NW
7740 - 101 Avenue NW

LEGAL DESCRIPTION: Plan 1221538 Blk 4 Lot 1A

ZONE: DC2 (936) and (807) Site Specific Development Control Provision

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

The Appellant provided the following reasons for appealing the orders issued by the Development Authority:

To continue operating existing business as motel operation until demolition. Time line next 6 months. We would like extend development office order. For more time to dealing with demolition permit.

General Matters

Appeal Information:

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

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

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,

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) ...
 - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made,

...

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*:

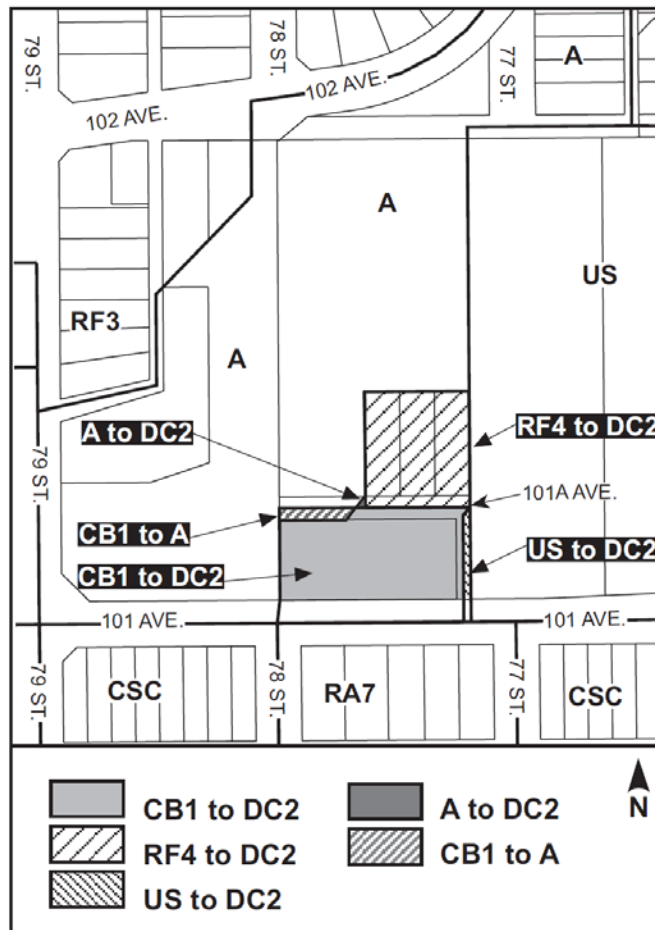
The subject property is legally described as Plan 1221538 Blk 4 Lot 1A.

DC2.807 (Bylaw 15674) was passed on October 11, 2011. Section DC2.807.2 states:

This DC2 Provision shall apply to 0.547 ha of land consolidated from Lots 1-3, Block 4, Plan 5774KS and Lot A, Block 4, Plan 4886HW, and that portion of road closed under Bylaw 15673 located north of 101 Avenue NW, and east of 79 Street NW as shown on Schedule "A" of the Bylaw adopting this DC2 Provision; Forest Heights.

SCHEDULE "A"

BYLAW 15674



Under section 2.807.3 of the DC2 Site Specific Development Control Provision, **Apartment Housing** and **Residential Sales Centre** are listed uses.

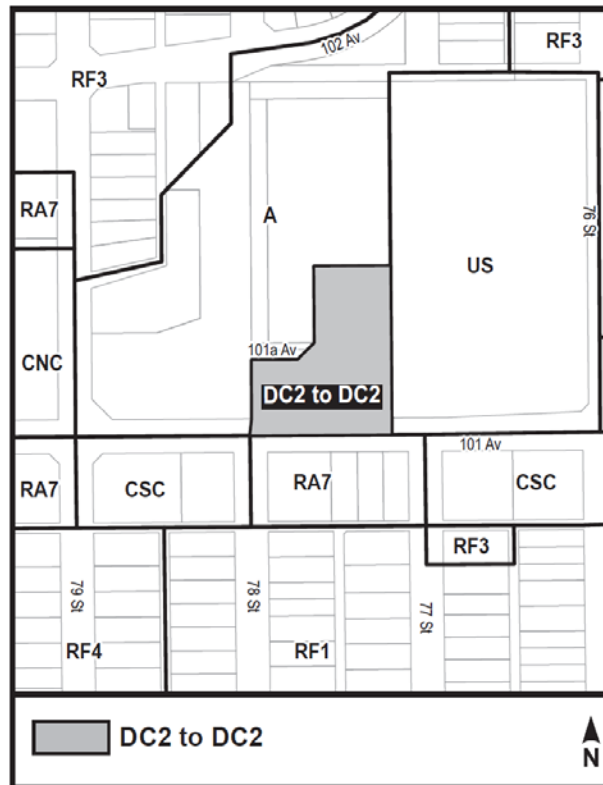
Freestanding Off-premises Sign and **Lodging Houses** are not listed uses.

DC2.936 (Bylaw 17799) was passed on October 24, 2016. Section DC2.936.2 states:

This DC2 Provision shall apply to Lot 1A, Block 4, Plan 122 1538, located north of 101 Avenue NW, and east of 79 Street NW as shown on Schedule “A” of the Bylaw adopting this DC2 Provision, Forest Heights.

SCHEDULE “A”

BYLAW 17799



Under section 2.936.3 of the DC2 Site Specific Development Control Provision, **Apartment Housing**, **Lodging Houses** and **Residential Sales Centre** are listed uses.

Freestanding Off-premises Sign is not a listed use.

Section 7.2(1) 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.”

Section 7.3(9) states: “**Residential Sales Centre** means a permanent or temporary building or structure used for a limited period of time for the purpose of marketing residential land or buildings.”

Section 7.3(6) states: “**Lodging Houses** means a building or part of building, used for Congregate Living, containing Sleeping Units and four or more persons, and where there is no provision of on-site care, treatment or professional services of a physical or mental health nature. This Use does not include Extended Medical Treatment Services, Detention and Correction Facilities, Fraternity and Sorority Housing, Group Homes, and Limited Group Homes.”

Section 7.9(3) states: “**Freestanding Off-premises Signs** means any Sign supported independent of a building, displaying Copy that directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.”

<i>Stop Orders</i>

The four stop orders as issued are set out below:

SDAB-D-18-024 / 187765571-004 (7730 – 101 Ave NW)

Remove the Residential Sales Centre from the property by February 7, 2018.

OR;

Obtain a Development Permit for the Residential Sales Centre. A complete application must be submitted by February 7, 2018.

The property will be inspected after February 7, 2018 to determine compliance with this Order.

SDAB-D-18-025 / 187765571-005 (7740 – 101 Ave NW)

Cease the Apartment/Lodging House Use of the building at 7740 101 Avenue NW until the use of the building at 7740 101 Avenue NW conforms with an approved Development Permit. This may require you to apply for and obtain a new Development Permit. Should you wish to obtain a Development Permit a complete application must be submitted by March 7, 2018.

SDAB-D-18-026 / 187765571-007 (7730 – 101 Ave NW)

1. Obtain a valid Development Permit for the Freestanding Off-premises Sign (Billboard sign). A complete application must be submitted by February 7, 2018.

OR:

2. Remove the Freestanding Off-premises Sign (Billboard sign) from the site by February 7, 2018.

The property will be inspected after February 7, 2018 to determine compliance with this Order.

SDAB-D-18-027 / 187765571-001 (7730 – 101 Ave NW)

Cease the Apartment/Lodging House Use of the building at 7730 101 Avenue NW until the use of the building at 7730 101 Avenue NW conforms with an approved Development Permit. This may require you to apply for and obtain a new Development Permit. Should you wish to obtain a Development Permit a complete application must be submitted by March 7, 2018.

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*.

City of Edmonton
Development and Zoning Services
Development Compliance & Inquiries

5th Floor, Edmonton Tower
10111 104 Avenue NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



SDAB-D-18-024

December 21, 2017

Our File: 187765571-004

1196885 ALBERTA LTD
423 - CALDWELL PLACE NW
EDMONTON AB T6M 2X3

1196885 ALBERTA LTD
P.O. BOX 56, SITE 14, R.R. 1
OKOTOKS, ALBERTA T1S 1A1

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir/Madam:

A check with Land Titles Office discloses that you are the registered owner(s) of the property located at 7730 - 101 AVENUE NW, legally described as Plan 1221538 Blk 4 Lot 1A.

This property is zoned DC2 (Site Specific Development Control Provision) in accordance with Section DC2.807 the Edmonton Zoning Bylaw. The general purpose of this zone is to accommodate a comprehensively planned, high quality, low and mid-rise apartment development designed with a pedestrian-friendly character and streetscape that is compatible in mass and scale with surrounding development.

ZONING BYLAW INFRACTION:

On October 19, 2017 Development Compliance Officer Kailey Lamont from the City of Edmonton having Authority to exercise development powers under Section 542 of the Municipal Government Act R.S.A. 2000 , conducted an inspection of the property noted above.

Our inspection revealed that Residential Sales Centre has been developed without a Development Permit on the SE corner of the property. The City of Edmonton has no record of issuing a development permit for a Residential Sales Centre, which is a contravention of Section 683 of the Municipal Government Act, R.S.A. 2000, c.M-26.1.

According to Section 7.3(9) of the Edmonton Zoning Bylaw 12800:
Residential Sales Centre means a permanent or temporary building or structure used for a limited period of time for the purpose of marketing residential land or buildings.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000, YOU ARE HEREBY ORDERED TO:

Remove the Residential Sales Centre from the property by February 7, 2018.

OR;

Obtain a Development Permits for the Residential Sales Centre. A complete application must be submitted by February 7, 2018.

The property will be inspected after February 7, 2018 to determine compliance with this Order.

CONSEQUENCES FOR NON-COMPLIANCE:

In the event that a person fails to comply with an Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter on the land and take any action necessary to carry out the Order. Section 553(1)(h.1) of the Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to subsection (2), a person who is found guilty of an offence under this Act is liable to a fine of not more that \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, R.S.A. 2000, c.M-26.1, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

If you have any questions in regards to this matter, please contact the writer at 780-442-7257.

Regards,



Kailey Lamont
Development and Zoning
Development Services
Phone Number: 780-442-7257
Email Address: Kailey.Lamont@edmonton.ca

City of Edmonton
Development and Zoning Services
Development Compliance & Inquiries

SDAB-D-18-025

5th Floor, Edmonton Tower
10111 104 Avenue NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



December 21, 2017

Our File: 187765571-005

1196885 ALBERTA LTD
423 - CALDWELL PLACE NW
EDMONTON AB T6M 2X3

1196885 ALBERTA LTD
P.O. BOX 56, SITE 14, R.R. 1
OKOTOKS, ALBERTA T1S 1A1

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir/Madam:

A check with Land Titles Office discloses that you are the registered owner(s) of the property located at 7730 - 101 AVENUE NW, legally described as Plan 1221538 Blk 4 Lot 1A. Note: For the purposes of this Order, the specific location of concern is the building addressed as: 7740 - 101 AVENUE NW.

This property is zoned DC2 (Site Specific Development Control Provision) in accordance with Section DC2.807 the Edmonton Zoning Bylaw. The general purpose of this zone is to accommodate a comprehensively planned, high quality, low and mid-rise apartment development designed with a pedestrian-friendly character and streetscape that is compatible in mass and scale with surrounding development.

ZONING BYLAW INFRACTION:

On October 19, 2017 Development Compliance Officer Kailey Lamont from the City of Edmonton having Authority to exercise development powers under Section 542 of the Municipal Government Act R.S.A. 2000, conducted an inspection of the property noted above.

Our inspection revealed that a 12 Unit (9 Suite and 3 Sleeping Units) Apartment/Lodging House has been developed without a Development permit. The City of Edmonton has no record of issuing a development permit for the Apartment/Lodging House, which is a contravention of Section 683 of the Municipal Government Act, R.S.A. 2000, c.M-26.1 .

The last approved Development Permit allowed for a 10 Unit Motel.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000, YOU ARE HEREBY ORDERED TO:

Cease the Apartment/Lodging House Use of the building at 7740 101 Avenue NW until the use of the building at 7740 101 Avenue NW conforms with an approved Development Permit. This

may require you to apply for and obtain a new Development Permit. Should you wish to obtain a Development Permit a complete application must be submitted by March 7, 2018.

CONSEQUENCES FOR NON-COMPLIANCE:

In the event that a person fails to comply with an Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter on the land and take any action necessary to carry out the Order. Section 553(1)(h.1) of the Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to subsection (2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, R.S.A. 2000, c.M-26.1, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

If you have any questions in regards to this matter, please contact the writer at 780-442-7257.

Regards,

Kailey Lamont
Development and Zoning
Development Services
Phone Number: 780-442-7257
Email Address: Kailey.Lamont@edmonton.ca

City of Edmonton
Development and Zoning Services
Development Compliance & Inquiries

SDAB-D-18-026

5th Floor, Edmonton Tower
10111 104 Avenue NW
Edmonton, AB T5J 0J4
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edmonton.ca/developmentcompliance



December 21, 2017

Our File: 187765571-007

1196885 ALBERTA LTD
423 - CALDWELL PLACE NW
EDMONTON AB T6M 2X3

1196885 ALBERTA LTD
P.O. BOX 56, SITE 14, R.R. 1
OKOTOKS, ALBERTA T1S 1A1

DC2

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir/Madam:

A check with Land Titles Office discloses that you are the registered owner(s) of the property located at 7730 - 101 AVENUE NW, legally described as Plan 1221538 Blk 4 Lot 1A.

This property is zoned DC2 (Site Specific Development Control Provision) in accordance with Section DC2.807 the Edmonton Zoning Bylaw. The general purpose of this zone is to accommodate a comprehensively planned, high quality, low and mid-rise apartment development designed with a pedestrian-friendly character and streetscape that is compatible in mass and scale with surrounding development.

ZONING BYLAW INFRACTION:

On October 19, 2017 Development Compliance Officer Kailey Lamont from the City of Edmonton having Authority to exercise development powers under Section 542 of the Municipal Government Act R.S.A. 2000 , conducted an inspection of the property noted above.

Our inspection revealed that Freestanding Off-premises Sign (Billboard sign) has been developed without permits on the southwest corner of the property. The City of Edmonton has no record of issuing a development permit for a Freestanding Off-premises Sign (Billboard sign), which is contrary to Section 683 of the Municipal Government Act, R.S.A. 2000, c.M-26.1.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000, YOU ARE HEREBY ORDERED TO:

1. Obtain a valid Development Permit for the Freestanding Off-premises Sign (Billboard sign). A complete application must be submitted by February 7, 2018.

OR:

2. Remove the Freestanding Off-premises Sign (Billboard sign) from the site by February 7, 2018.

The property will be inspected after February 7, 2018 to determine compliance with this Order.

CONSEQUENCES FOR NON-COMPLIANCE:

In the event that a person fails to comply with an Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter on the land and take any action necessary to carry out the Order. Section 553(1)(h.1) of the Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to subsection (2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, R.S.A. 2000, c.M-26.1, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

If you have any questions in regards to this matter, please contact the writer at 780-442-7257.

Regards,

Kailey Lamont
Development and Zoning
Development Services
Phone Number: 780-442-7257
Email Address: Kailey.Lamont@edmonton.ca

City of Edmonton
Development and Zoning Services
Development Compliance & Inquiries

5th Floor, Edmonton Tower
10111 104 Avenue NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



SDAB-D-18-027

December 21, 2017

Our File: 187765571-001

1196885 ALBERTA LTD
423 - CALDWELL PLACE NW
EDMONTON AB T6M 2X3

1196885 ALBERTA LTD
P.O. BOX 56, SITE 14, R.R. 1
OKOTOKS, ALBERTA T1S 1A1

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir/Madam:

A check with Land Titles Office discloses that you are the registered owner(s) of the property located at 7730 - 101 AVENUE NW, legally described as Plan 1221538 Blk 4 Lot 1A. Note: For the purposes of this Order, the specific location of concern is the building addressed as: 7730 - 101 AVENUE NW.

This property is zoned DC2 (Site Specific Development Control Provision) in accordance with Section DC2.807 the Edmonton Zoning Bylaw. The general purpose of this zone is to accommodate a comprehensively planned, high quality, low and mid-rise apartment development designed with a pedestrian-friendly character and streetscape that is compatible in mass and scale with surrounding development.

ZONING BYLAW INFRACTION:

On October 19, 2017 Development Compliance Officer Kailey Lamont from the City of Edmonton having Authority to exercise development powers under Section 542 of the Municipal Government Act R.S.A. 2000, conducted an inspection of the property noted above.

Our inspection revealed that a 13 Unit (10 Suites and 3 Sleeping Units) Apartment/Lodging House has been developed without a Development Permit. The City of Edmonton has no record of issuing a development permit for these Apartment/Lodging House, which is a contravention of Section 683 of the Municipal Government Act, R.S.A. 2000, c.M-26.1 .

The last approved Development Permit allowed for a 8 Unit Motel building with an office and living quarters addition.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000 , YOU ARE HEREBY ORDERED TO:

Cease the Apartment/Lodging House Use of the building at 7730 101 Avenue NW until the use

of the building at 7730 101 Avenue NW conforms with an approved Development Permit. This may require you to apply for and obtain a new Development Permit. Should you wish to obtain a Development Permit a complete application must be submitted by March 7, 2018.

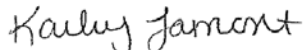
CONSEQUENCES FOR NON-COMPLIANCE:

In the event that a person fails to comply with an Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter on the land and take any action necessary to carry out the Order. Section 553(1)(h.1) of the Act provides that the costs and expenses of carrying out and order may be added to the tax roll of the property and Section 566(1), subject to subsection (2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

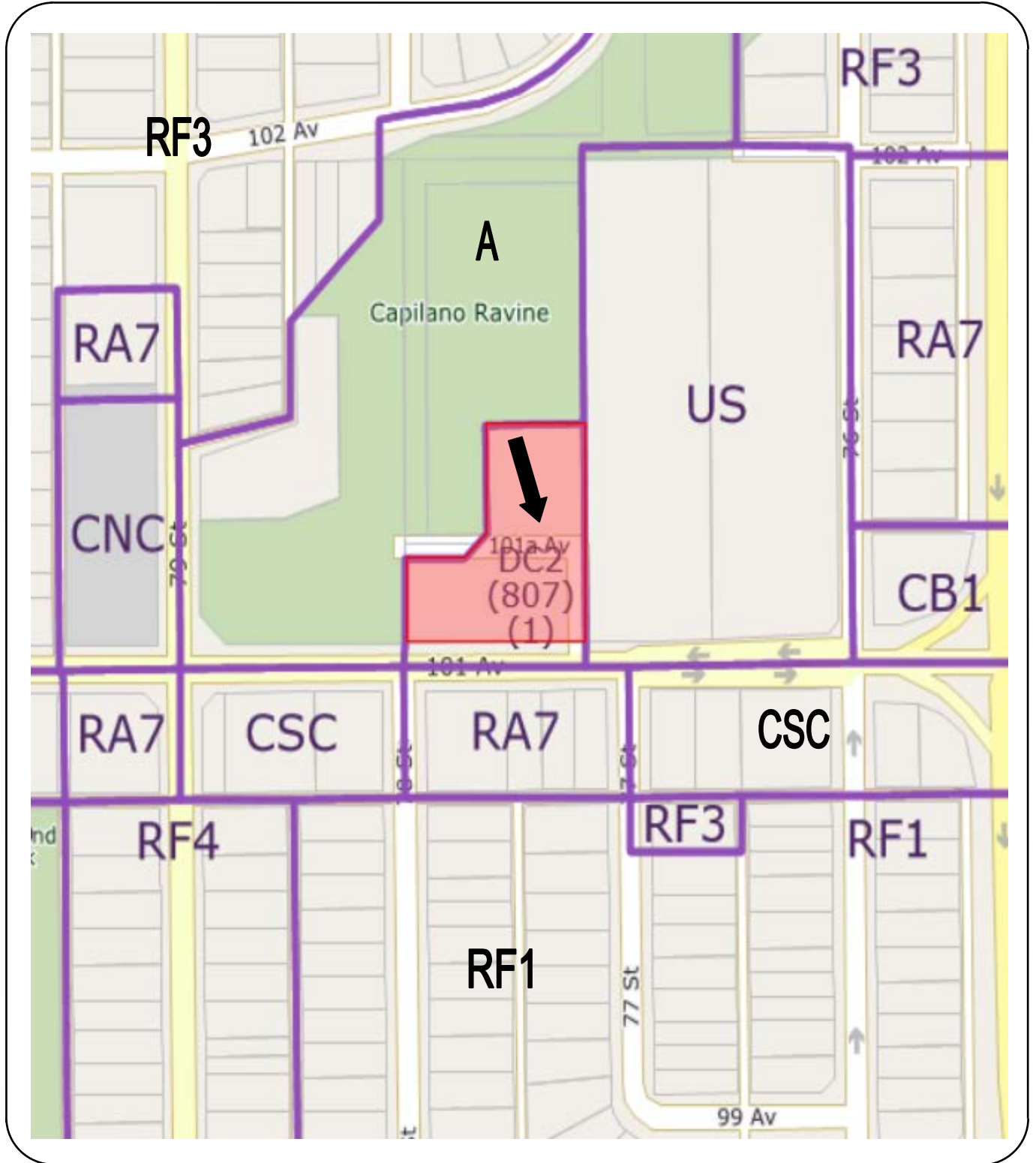
Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, R.S.A. 2000, c.M-26.1, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

If you have any questions in regards to this matter, please contact the writer at 780-442-7257.

Regards,



Kailey Lamont
Development and Zoning
Development Services
Phone Number: 780-442-7257
Email Address: Kailey.Lamont@edmonton.ca



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-024 / 025 / 026 / 027



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