

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
January 19, 2017**

**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-17-015

To construct a Single Detached House with a front veranda, a fireplace, Rooftop Terraces, and a rear uncovered deck (3.05 metres by 5.18 metres)

14229 - 91 Avenue NW
Project No.: 230281261-001

II 9:00 A.M. SDAB-D-17-016

To construct a Single Detached House with a front veranda, a fireplace, Rooftop Terraces, and a rear uncovered deck (3.05 metres by 6.10 metres)

14231 - 91 Avenue NW
Project No.: 230290122-001

TO BE RAISED

III 1:00 P.M. SDAB-D-16-316

To construct an addition and exterior alterations to an existing Religious Assembly (250-seat addition to 250-seat building and parking lot expansion) (Ethiopian Church)

11409 - 124 Street NW
Project No.: 220587701-001

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-17-015

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 230281261-001

APPLICATION TO: Construct a Single Detached House with a front veranda, a fireplace, Rooftop Terraces, and a rear uncovered deck (3.05 metres by 5.18 metres).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: December 22, 2016

DATE OF APPEAL: December 23, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 14229 - 91 Avenue NW

LEGAL DESCRIPTION: Plan 1624261 Blk 1 Lot 32B

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

Height:

The Development officer gave us two options to meet the height criteria. The first was an overall height not to exceed 10.1 M which we fulfilled. The second was to meet 8.6 M to the mid point of the roof. This was impossible to attain, given our low roof slope and building length. We have compared our building to several other homes approved and built in 2016 in Edmonton in Mature Neighbourhoods and they are all built to same bylaws and are as tall as our proposal.

Rooftop Terraces:

From the time we started the building design and subdivision process (almost 12 months ago) the bylaws have changed governing privacy of roof top terraces. We have two roof top terraces which we have taken extra measures to block sight lines to adjacent neighbours. We believe that our measures to block sight lines exceeds the required setbacks (.46m) asked for by the city.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
 - (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or

...

Hearing and Decision

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

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under Section 110.2(4), **Single Detached Housing** is a **Permitted Use** in the (RF1) Single Detached Residential Zone.

Under section 7.2(9), **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 Zone, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use Class includes Mobile Homes which conform to Section 78 of this Bylaw.

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is:

...to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Semi-detached Housing and Duplex Housing under certain conditions.

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

...to ensure that new low density development in Edmonton's mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants and neighbouring affected parties when a development proposes to vary the Overlay regulations.

Height

Section 814.3(13) states "the maximum Height shall not exceed 8.6 m, in accordance with Section 52."

Under section 6.1(50), **Height** means "a vertical distance between two points."

Development Officer's Determination

Height - The maximum height is 9.1m instead of 8.6m (Section 814.3.13). [unedited].

Rooftop Terraces

Section 61 states:

1. On a Site Abutting a Site zoned to allow Single Detached Housing as a Permitted Use, or a Site zoned RF5 Row Housing Zone, Rooftop Terraces and Privacy Screening, excluding vegetative screening constructed on a Rooftop Terrace, shall be developed in accordance with the following Stepback regulations:
 - a. On an Interior Site, the minimum Stepback shall be:
 - i. 1.0 m from any building Façade facing a Front Lot Line;
 - ii. 2.0 m from any building Façade facing a Rear Lot Line;
 - iii. 1.0 m from any building Façade facing a Side Lot Line, where the Site Width is less than 10.0 m; and
 - iv. 2.0 m from any building Façade facing a Side Lot Line, where the Site Width is 10.0 m or greater.

Under section 6.1(105), **Stepback** means "the horizontal distance a building façade is stepped back, on a horizontal plane, from the building façade immediately below it."

Under section 6.1(91), **Rooftop Terrace** means:

a raised surface on which people can stand, that is located on top of a roof or partially recessed within the roof structure of a building, does not project beyond any Façade of the Storey below, is surrounded by guardrails, parapet walls or similar feature, and is intended for use as an Amenity Area.

Development Officer's Determination

Rooftop Terrace - Stepbacks are not provided from the building facades facing the rear lot line and front lot line. 0.46m stepbacks are provided from the building facades facing the left and right side lot lines (Section 61.1.a). [unedited].

Community Consultation


Section 814.3(24) states:

When a Development Permit application is made and the Development Officer determines that the proposed development does not comply with the regulations contained in this Overlay:

- a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League;
- b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
- c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
- d. the applicant shall submit this documentation to the Development Officer no sooner than twenty-one calendar days after giving the information to all affected parties.

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*.

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Project Number: **230281261-001**
Application Date: SEP 09, 2016
Printed: December 22, 2016 at 10:33 AM
Page: 2 of 2

Application for House Development and Building Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	\$135.00	\$135.00	03592020	Sep 09, 2016
Safety Codes Fee	\$64.40	\$64.40	03592020	Sep 09, 2016
Total GST Amount:	\$0.00			
Totals for Permit:	\$3,777.27	\$3,777.27		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-015



ITEM II: 9:00 A.M.

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OVERLAY: Mature Neighbourhood Overlay

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Development Officer's Determination

Height - The maximum height is 9.2m instead of 8.6m (Section 814.3.13). [unedited].

Rooftop Terraces

Section 61 states:

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Development Officer’s Determination

Rooftop Terrace - Stepbacks are not provided from the building facades facing the rear lot line and front lot line. 0.46m stepbacks are provided from the building facades facing the left and right side lot lines (Section 61.1.a). [unedited].

Projection into Setbacks

Section 814.3(2) states “where the Site Width is less than 18.3 m, the Side Setback requirements of the underlying Residential Zone shall apply.”

Section 110.4(10)(a) states “Side Setbacks shall total at least 20% of the Site Width, with a minimum Side Setback of 1.2 m on each side.”

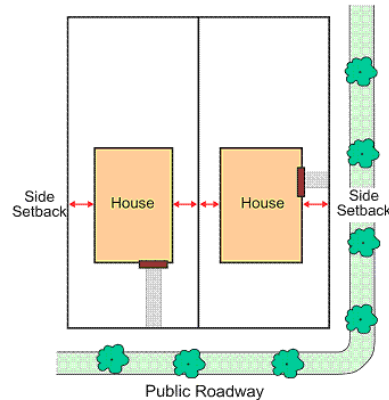
Section 44 states:

The following features may project into a required Setback or Separation Space as provided for below:

1. a) verandas, porches, eaves, shade projections, unenclosed steps, chimneys, belt courses, sills, together with any other architectural features which are of a similar character, provided such projections do not exceed 0.6 m in the case of Setbacks or Separation Spaces of 1.2 m or greater. Where unenclosed steps extend into Side Setbacks which are not used for vehicular access, such steps shall not exceed a Height of 1.0 m above Grade; and
- b) ...
2. a) windows, or cantilevered projections without windows, provided that such projections do not exceed 0.6 m in the case of Setbacks or Separation Spaces. In all cases, a minimum distance of 0.6 m from the property line to the outside wall of such projection and all other portions of a Dwelling, including eaves, shall be maintained; and
- b) ...

Under section 6.1(97), **Side Setback** means:

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



Development Officer's Determination

NOTE:

- The proposed right side cantilevered projection (0.61m x 2.13m) encroaches onto the City Right-of-Way. Prior to the release of drawings for Building Permit review, the owner/applicant must enter into an Encroachment Agreement with the City. Please contact 780-496-8487 for information on the agreement. [unedited].

Community Consultation


Section 814.3(24) states:

When a Development Permit application is made and the Development Officer determines that the proposed development does not comply with the regulations contained in this Overlay:

- a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League;
- b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
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	Project Number: 230290122-001 Application Date: SEP 09, 2016 Printed: December 22, 2016 at 11:01 AM Page: 1 of 2
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This document is a record of a Development Permit and/or Building Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended, Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, Alberta Building Code 2006 and City of Edmonton Bylaw 15894 Safety Codes Permit	
Applicant	Property Address(es) and Legal Description(s) 14231 - 91 AVENUE NW Plan 1624261 Blk 1 Lot 32A
	Location(s) of Work Entryway: 14231 - 91 AVENUE NW Building: 14231 - 91 AVENUE NW
Scope of Application To construct a Single Detached House with a front veranda, a fireplace, Rooftop Terraces, and a rear uncovered deck (3.05m x 6.10m). *Lot 32A	
Permit Details	
Affected Floor Area (sq. ft.): 2177 Class of Permit: Front Yard (m): 6.18 Rear Yard (m): 13.6 Side Yard, left (m): 1.25 Site Area (sq. m.): 458.97 Site Width (m): 13.71	Building Height to Midpoint (m): 9.19 Dwelling Type: Single Detached House Home Design Type: Secondary Suite Included?: N Side Yard, right (m): 6.33 Site Depth (m): 33.52 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Application Decision Refused	
Reason for Refusal Height - The maximum height is 9.2m instead of 8.6m (Section 814.3.13). Rooftop Terrace - Stepbacks are not provided from the building facades facing the rear lot line and front lot line. 0.46m stepbacks are provided from the building facades facing the left and right side lot lines (Section 61.1.a). NOTE: - The proposed right side cantilevered projection (0.61m x 2.13m) encroaches onto the City Right-of-Way. Prior to the release of drawings for Building Permit review, the owner/applicant must enter into an Encroachment Agreement with the City. Please contact 780-496-8487 for information on the agreement.	
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 22, 2016 Development Authority: YEUNG, KENNETH Signature: _____	
THIS IS NOT A PERMIT	



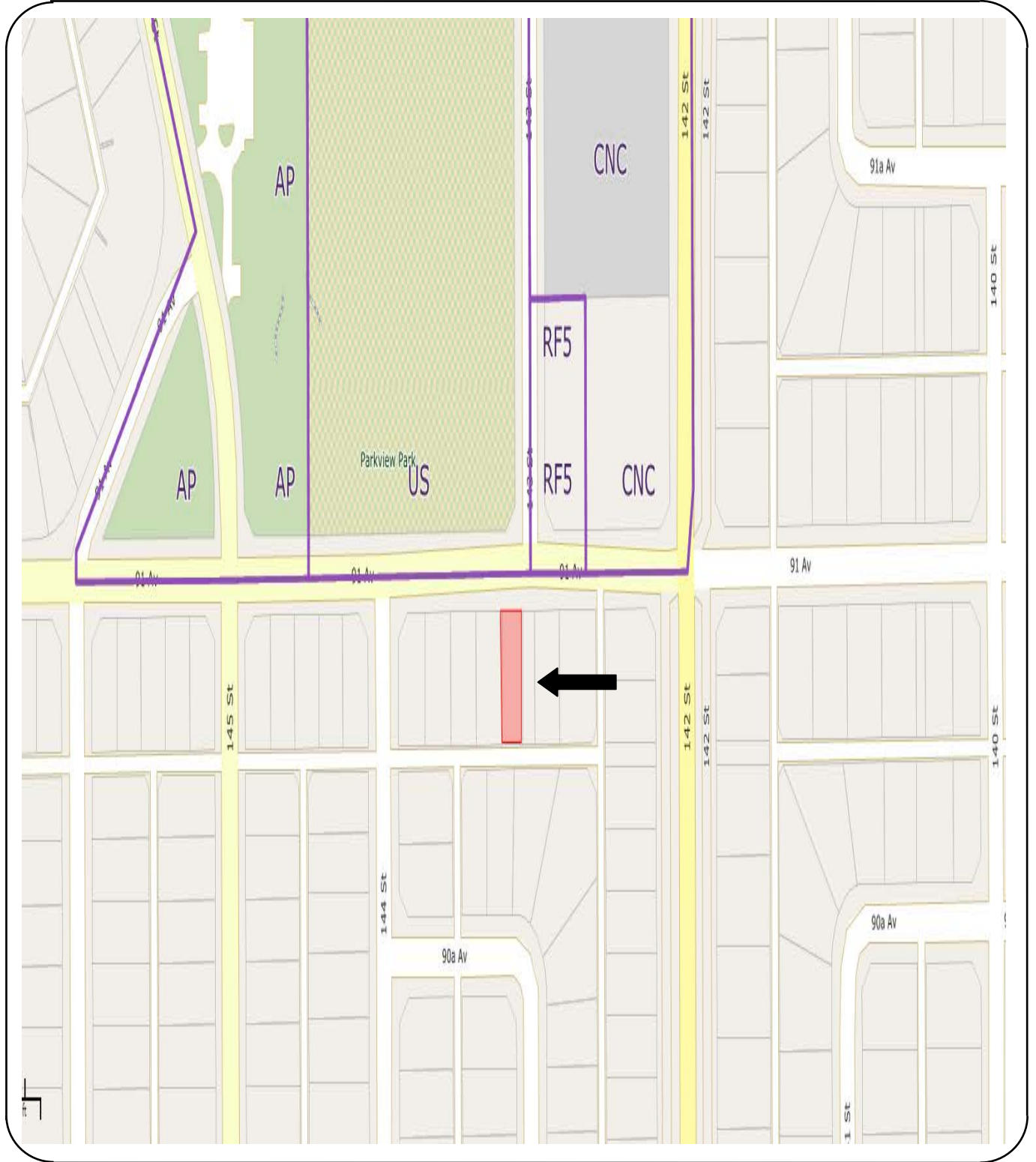
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Application for House Development and Building Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Electrical Fees (House)	\$287.00	\$287.00	03592021	Sep 09, 2016
Electrical Fee (Service)	\$77.00	\$77.00	03592021	Sep 09, 2016
Electrical Safety Codes Fee	\$15.98	\$15.98	03592021	Sep 09, 2016
Safety Codes Fee	\$75.32	\$75.32	03592021	Sep 09, 2016
Building Permit Fee	\$1,883.00	\$1,883.00	03592021	Sep 09, 2016
Lot Grading Fee	\$135.00	\$135.00	03592021	Sep 09, 2016
Water Usage Fee	\$54.45	\$54.45	03592021	Sep 09, 2016
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$2,527.75</u>	<u>\$2,527.75</u>		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-016



TO BE RAISED
ITEM III: 1:00 P.M.

FILE: SDAB-D-16-316

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 220587701-001

APPLICATION TO: Construct an addition and exterior alterations to an existing Religious Assembly (250-seat addition to 250-seat building and parking lot expansion) (Ethiopian Church)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 8, 2016

DATE OF APPEAL: November 21, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11409 - 124 Street NW

LEGAL DESCRIPTION: Plan RN46 Blk 22 Lots 17-20

ZONE: (CNC) Neighbourhood Convenience Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: West Ingle Area Redevelopment Plan

Grounds for Appeal

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

The reason for the appeal on the decision to refuse the development permit is to have the corrected information taken into considerations. During the permitting process it was a misunderstanding between my client and I about the number of people they are looking to grow to. Once I had been corrected by my client I had discussed the new numbers with the development officer and the new information was not taken into consideration in the end. Currently the church is operating with between 75-130 people attending church weekly, and they are currently out of space and do not have room for everyone to sit in the main assembly.

With the additional space it will also allow for growth with growing families within the parish.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board, at a hearing on December 7, 2016, made and passed the following motion with the consent of all parties:

“That the hearing for SDAB-D-16-316 be TABLED to a date to be determined in January, 2017 at the written request of the Appellant.”

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
 - (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or

...

Hearing and Decision

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

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 310.3(18), a **Religious Assembly** is a **Discretionary Use** in the (CNC) Neighbourhood Convenience Commercial Zone.

Under section 7.8(14), **Religious Assembly** means:

development used for worship and related religious, philanthropic or social activities and includes Accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. Typical Uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This Use Class does not include Private Education Services, Public Education Services, and Commercial Schools, even as Accessory Uses.

Section 310.1 states that the **General Purpose** of the (CNC) **Neighbourhood Convenience Commercial Zone** is:

...to provide for convenience commercial and personal service uses, which are intended to serve the day-to-day needs of residents within residential neighbourhoods.

Development Officer's Determination

5) The proposed development is listed as a Discretionary use within the CNC Zone. It is the Development Officer's opinion that the proposed intensification of the existing use, based on the above considerations, is not appropriate for the site, and is likely to create an undue and negative impact on surrounding properties and development. [unedited].

(CNC) Neighbourhood Convenience Commercial Zone Regulations

Section 310.4(7) states:

No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites, public roadways or a LRT line in accordance with the provisions of Section 55.5 of this Bylaw. If the rear or sides of a Site are used for parking, an outdoor service display area or both, and abut a Residential Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.

Under section 6.1(92), **Setback** means “the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space.”

Development Officer's Determination

1) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback (Section 310.4(7)):

Minimum required setback (124 Street): 4.5m

Proposed setback: 3.23m

Deficiency: 1.27m [unedited].

Vehicular Parking Requirement

Section 54.2, Schedule 1(A)(45) states a “Religious Assembly requires a minimum of 1 parking space per 4 seats.”

Development Officer’s Determination

2) Vehicular parking shall be provided in accordance with Section 54.2, Schedule 1 of the Zoning Bylaw:

Required parking: 125 spaces

Proposed parking: 36 spaces

Further, based on the Transportation Planning & Engineering (Sustainable Development) memorandum dated 18 October 2016, there are significant concerns regarding the potential impact of additional parking demands on nearby residential properties.

The proposed development includes the doubling of the existing development’s capacity while increasing the available parking by approximately 70%. [unedited].

Off-street Vehicular Loading Facilities

Section 54.4, Schedule 3(2) states:

Use of Building or Site	Total Floor Area of Building	Minimum Number of loading Spaces Required
Any development within the Residential-Related, Basic Services or Community, Educational, Recreational and Cultural Service Use Classes and Professional, Financial and Office Support Services, excluding Limited Group Homes	Up to <u>2 800 m²</u> Each additional <u>2 800 m²</u> or fraction thereof	1 1 additional

Under section 6.1(35), **Floor Area** means:

the total Floor Area of the building or structure, contained within the outside surface of the exterior and Basement walls, provided that in the case of a wall containing windows, the glazing line of windows may be used.

Development Officer's Determination

3) Loading spaces shall be provided in accordance with Section 54.4, Schedule 3 of the Zoning Bylaw:

Required loading spaces: 1
Proposed loading spaces: 0 [unedited].

Religious Assembly Regulations

Section 71.3 states:

where a Religious Assembly is to be developed on a Site that is within 60.0 m of a Site zoned to allow a Single Detached Dwelling as a Permitted Use, the following regulations shall apply:

...

- f. vehicular access to on-site parking and loading spaces shall be provided from an abutting arterial or collector roadway, except that the Development Officer may allow access from a public roadway including a Lane in accordance with the following guidelines:
 - i. access may be allowed from a local roadway that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other Sites abutting the roadway and shall not direct excess traffic onto a local roadway;
 - ii. access may be allowed from a Lane that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other abutting Sites and shall not direct excess traffic onto a local residential roadway; and
 - iii. access to a maximum of five parking spaces may be allowed from a Lane that abuts a Site zoned to allow a Single Detached Dwelling as a Permitted Use.


Development Officer's Determination

4) Vehicular access to on-site parking and loading spaces shall be provided from an abutting arterial or collector roadway (Section 71.3(f)):

The proposed access will be placed at the abutting lane, which abuts RF3-zoned properties. [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: 220587701-001 Application Date: APR 28, 2016 Printed: November 21, 2016 at 3:48 PM Page: 1 of 2
<h2>Application for Major Development Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant	Property Address(es) and Legal Description(s) 11409 - 124 STREET NW Plan RN46 Blk 22 Lots 17-20
	Specific Address(es) Suite: 11403 - 124 STREET NW Entryway: 11403 - 124 STREET NW Building: 11403 - 124 STREET NW
Scope of Application To construct an addition and exterior alterations to an existing Religious Assembly (250-seat addition to 250-seat building and parking lot expansion) (Ethiopian Church).	
Permit Details	
Class of Permit: Class B Gross Floor Area (sq.m.): 148.65 New Sewer Service Required: Y Site Area (sq. m.): 2691.6	Contact Person: Lot Grading Needed?: Y 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: **220587701-001**
 Application Date: APR 28, 2016
 Printed: November 21, 2016 at 3:48 PM
 Page: 2 of 2

Application for Major Development Permit

Reason for Refusal

1) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback (Section 310.4(7)):

Minimum required setback (124 Street): 4.5m
 Proposed setback: 3.23m
 Deficiency: 1.27m

2) Vehicular parking shall be provided in accordance with Section 54.2, Schedule 1 of the Zoning Bylaw:

Required parking: 125 spaces
 Proposed parking: 36 spaces

Further, based on the Transportation Planning & Engineering (Sustainable Development) memorandum dated 18 October 2016, there are significant concerns regarding the potential impact of additional parking demands on nearby residential properties. The proposed development includes the doubling of the existing development's capacity while increasing the available parking by approximately 70%.

3) Loading spaces shall be provided in accordance with Section 54.4, Schedule 3 of the Zoning Bylaw:

Required loading spaces: 1
 Proposed loading spaces: 0

4) Vehicular access to on-site parking and loading spaces shall be provided from an abutting arterial or collector roadway (Section 71.3(f)):

The proposed access will be placed at the abutting lane, which abuts RF3-zoned properties.

5) The proposed development is listed as a Discretionary use within the CNC Zone. It is the Development Officer's opinion that the proposed intensification of the existing use, based on the above considerations, is not appropriate for the site, and is likely to create an undue and negative impact on surrounding properties and development.

Rights of Appeal

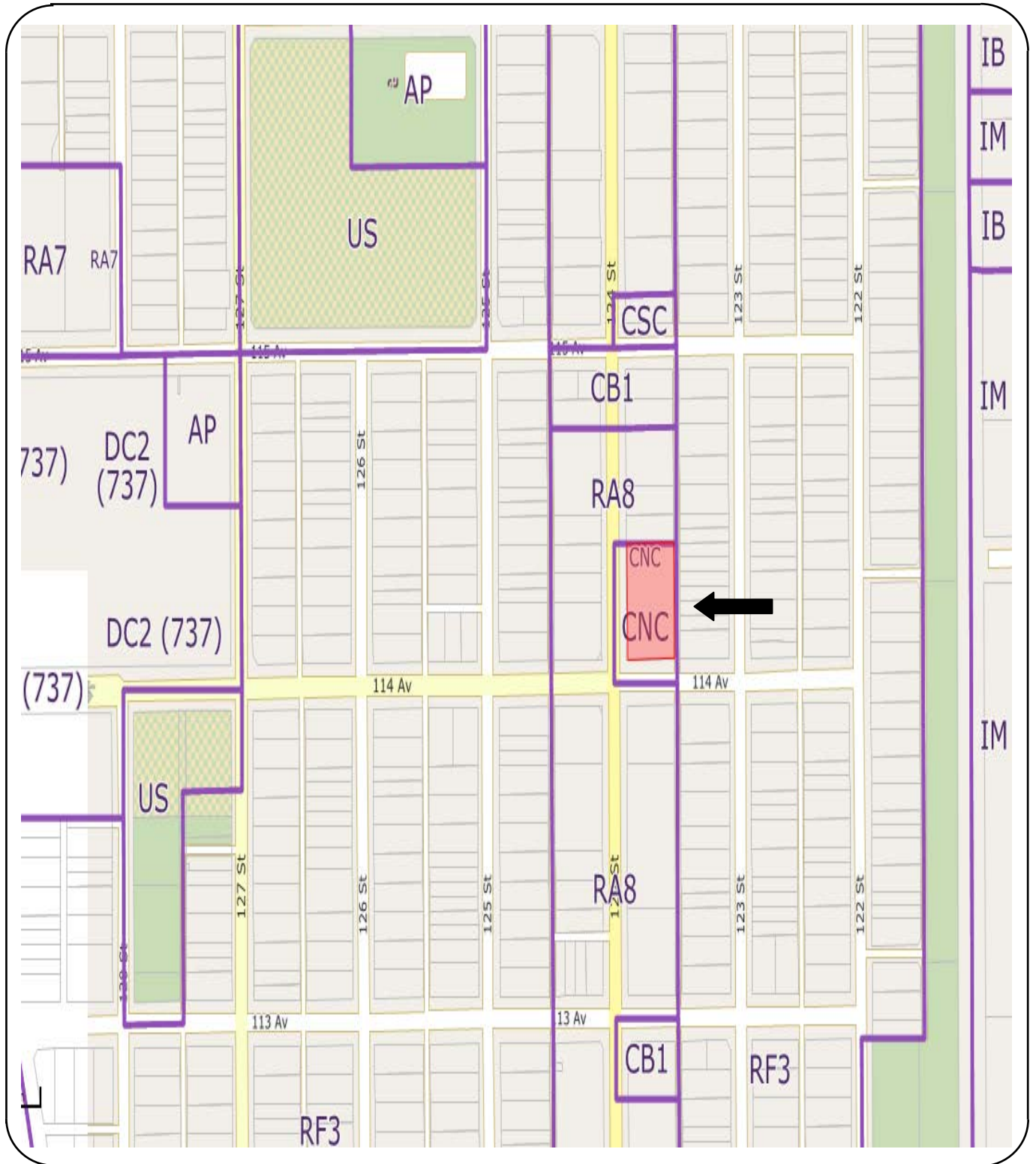
The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Nov 08, 2016 **Development Authority:** WELCH, IMAI **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	\$220.00	\$220.00	03239740	Apr 28, 2016
Major Dev. Application Fee	\$893.00	\$893.00	03239740	Apr 28, 2016
DP Notification Fee	\$102.00	\$102.00	03239740	Apr 28, 2016
Total GST Amount:	\$0.00			
Totals for Permit:	\$1,215.00	\$1,215.00		

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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-316



BUSINESS LAID OVER

SDAB-S-14-001	An appeal to create 78 Single Detached residential lots, 36 Semi-detached residential lots, 31 Row Housing lots and three (3) Public Utility lots from SE 13-51-25-4 <i>January 25, 2017</i>
SDAB-D-16-144	An appeal to construct 6 Accessory General Industrial Use buildings - existing without permits (Kiewit Energy Canada Corp - 3 lunchroom buildings, 2 office buildings, and 1 office/lunch building) <i>February 15, 2017</i>

APPEAL HEARINGS TO BE SCHEDULED

230469969-001	An appeal to install (1) freestanding Minor Digital Off-premises Sign (14.6m x 4.3m digital panel facing South, and static panel facing North); and to remove an existing Freestanding Off-premises Sign on 2920-101 Street, existing Freestanding Off-premises Signs on 2303 Gateway Boulevard NW, and existing Freestanding Off-premises Sign on 2950 Calgary Trail NW as shown on plans submitted. (PATTISON - KBR CANADA LTD.) <i>January 26, 2017</i>
152674334-001	An appeal to construct an Auctioneering Establishments building and operate an Auctioneering Establishment on the entire Site (including existing storage building and shed), and demolish an existing storage building (Osman Auction Inc.) <i>February 22, 2017</i>
223289173-005	An appeal to change the Use from a General Retail Store to a Child Care Service (part of the main floor), construct alterations to the building exterior (new doors and canopies and facade changes) and interior (create two Professional, Financial and Office Support Services tenant spaces on the second floor); Building 1. <i>March 2, 2017</i>