

SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA

Thursday, 9:00 A.M.
January 28, 2021

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

TO BE RAISED

I 9:00 A.M. SDAB-D-21-019 Install a Fascia On-Premises Sign (BEYOND VISION (South Face))

14203 - 23 Avenue NW
Project No.: 379296536-002

II 10:30 A.M. SDAB-D-21-021 Install a Freestanding Off-Premises Sign (GO OUTDOOR ADVERTISING)

2303 - Gateway Boulevard NW
Project No.: 377939247-002

III 1:30 P.M. SDAB-D-21-020 Construct an Accessory Building (detached Garage 10.36m x 7.93m).

13915 - 104 Avenue NW
Project No.: 376333707-002

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

TO BE RAISED

ITEM I: 9:00 A.M.

FILE: SDAB-D-21-019

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 379296536-002

APPLICATION TO: Install a Fascia On-Premises Sign (BEYOND VISION
(South Face))

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: December 15, 2020

DATE OF APPEAL: December 24, 2020

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 14203 - 23 Avenue NW

LEGAL DESCRIPTION: Plan 0220792 Blk 70 Lot 89

ZONE: (CSC) Shopping Centre Zone

OVERLAY: N/A

STATUTORY PLAN: Terwillegar Towne Neighbourhood Area Structure Plan

Grounds for Appeal

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

At this location, Rabbit Hill Road traffic goes in a North-South direction. Our proposed sign faces North-bound Rabbit Hill Road traffic. However, the bylaw says a sign may only face the road, and not the direction of the traffic. We are appealing the refusal because we feel our sign location allows itself to be well seen by traffic, while having minimal impact on the surrounding neighborhood.

General Matters

Appeal Information:

On December 24, 2020, the Subdivision and Development Appeal Board made and passed the following motion:

“The hearing will be scheduled on January 28, 2021.”

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the 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;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

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

and

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

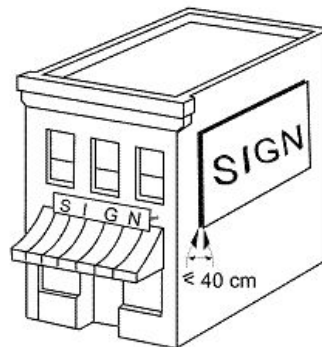
General Provisions from the *Edmonton Zoning Bylaw*:

Under section 320.2(28), a **Fascia On-premises Sign** is a **Permitted Use** in the **(CSC) Shopping Centre Zone**.

Under section 7.9(1), **Fascia On-premises Sign** means “Fascia Sign, which is a Permanent Sign, displays Off-premises Advertising and contains no Digital Copy.”

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

a Sign that is painted on or attached to an exterior building wall, or any other permitted structure, on which a two dimensional representation may be placed. Fascia Signs do not extend more than 40 cm out from the building wall or structure. Fascia Signs include banners or any other two dimensional medium.



Section 320.4(8) states “Signs shall comply with the regulations found in Schedule 59E.”

Section 320.1 states that the **General Purpose** of the **(CSC) Shopping Centre Zone** is:

to provide for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes.

Schedule 59E

Schedule 59E.2(1)(a) states “Fascia On-premises Signs shall only face a public roadway other than a Lane.”

Development Officers Determination

1. Section 59E.2(1)(a) Fascia On-premises Signs shall only face a public roadway other than a Lane;

Proposed Sign Faces adjacent lot 1084 - TORY ROAD NW (Public Utility Zone (PU)).


[unedited]

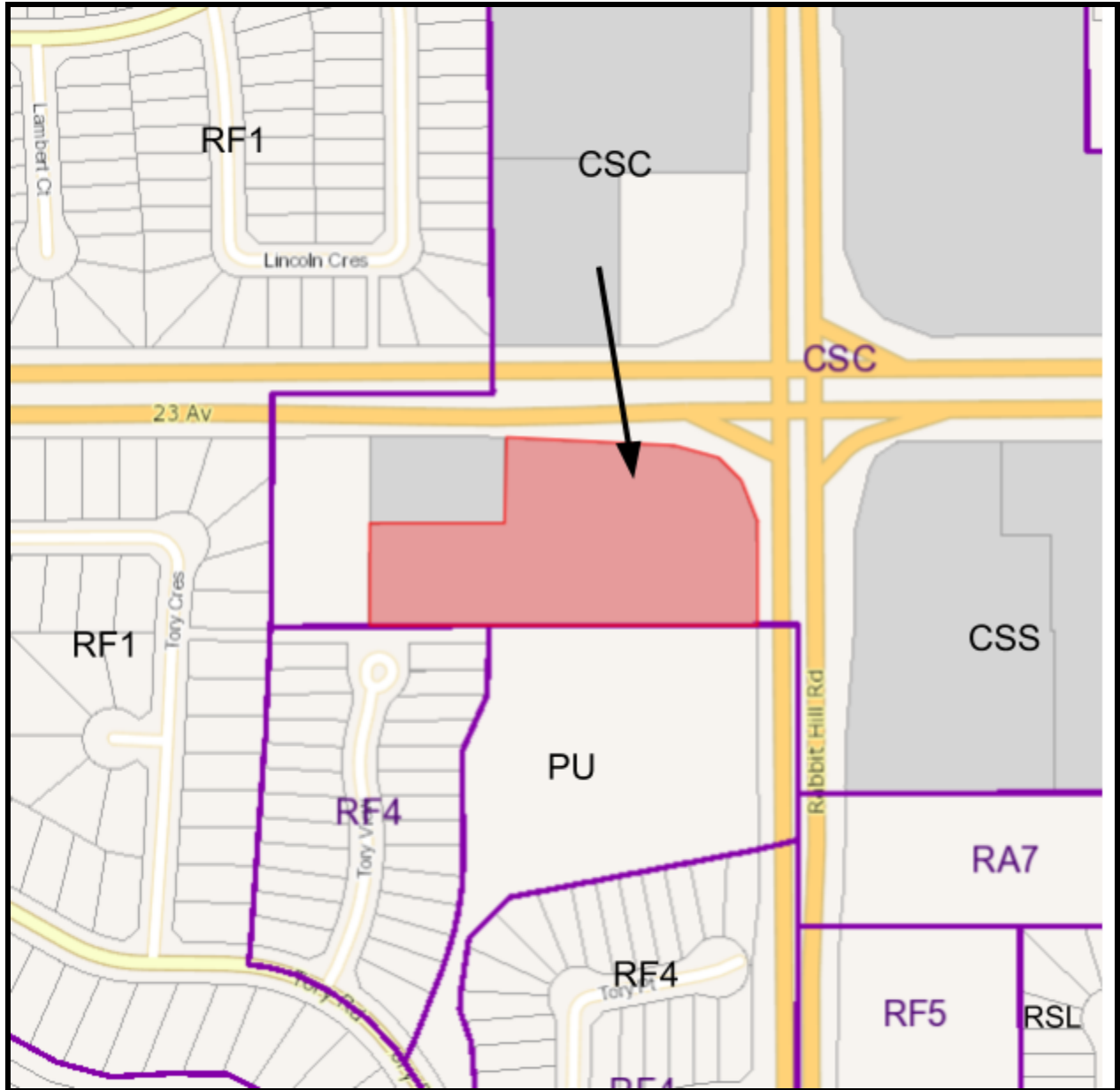
Previous Subdivision and Development Appeal Board Decisions

Application Number	Description	Decision
SDAB-D-19-103	Install one (1) Minor Digital On-premises Off-premises Freestanding Sign (PATTISON SHOPPES AT TERWILLEGAR)	July 16, 2019; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED as applied for to the Development Authority, subject to CONDITIONS and ADVISEMENTS.
SDAB-D-16-023	To install one Minor Digital Off-premises Sign.	The appeal is DENIED and the decision of the Development Authority is CONFIRMED (<i>The development was refused</i>)
SDAB-D-14-019	Construct a Freestanding Off-premises Minor Digital Sign	The appeal be DENIED and the decision of refusal by the Development Authority CONFIRMED

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

	<h2 style="margin: 0;">Application for Sign Permit</h2>	Project Number: 379296536-002 Application Date: NOV 26, 2020 Printed: December 15, 2020 at 4:23 PM Page: 1 of 1																				
This document is a Development Permit Decision for the development application described below.																						
Applicant	Property Address(es) and Legal Description(s) 14203 - 23 AVENUE NW Plan 0220792 Blk 70 Lot 89 Location(s) of Work Suite: 14215 - 23 AVENUE NW Entryway: 14215 - 23 AVENUE NW Building: 14211 - 23 AVENUE NW																					
Scope of Application To install a Fascia On-Premises Sign (BEYOND VISION (South Face)).																						
Permit Details																						
ASA Sticker No./Name of Engineer: 8480 Construction Value: 10000	Class of Permit: Class B Expiry Date:																					
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 1 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0																					
Development Application Decision Refused Issue Date: Dec 15, 2020 Development Authority: MERCIER, KELSEY Reason for Refusal 1. Section 59E.2(1)(a) Fascia On-premises Signs shall only face a public roadway other than a Lane; Proposed Sign Faces adjacent lot 1084 - TORY ROAD NW (Public Utility Zone (PU)). Rights of Appeal The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.																						
Fees <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 15%;">Fee Amount</th> <th style="text-align: right; width: 15%;">Amount Paid</th> <th style="text-align: left; width: 10%;">Receipt #</th> <th style="text-align: left; width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Sign Development Application Fee</td> <td style="text-align: right;">\$192.00</td> <td style="text-align: right;">\$192.00</td> <td>029267033364001</td> <td>Nov 26, 2020</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$192.00</td> <td style="text-align: right; border-top: 1px solid black;">\$192.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Development Application Fee	\$192.00	\$192.00	029267033364001	Nov 26, 2020	Total GST Amount:	\$0.00				Totals for Permit:	\$192.00	\$192.00		
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Totals for Permit:	\$192.00	\$192.00																				
THIS IS NOT A PERMIT																						



SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-21-019 ▲
N

ITEM II: 10:30 A.M.

FILE: SDAB-D-21-021

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 377939247-002

APPLICATION TO: Install a Freestanding Off-Premises Sign (GO OUTDOOR ADVERTISING)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: December 16, 2020

DATE OF APPEAL: December 31, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 2303 - Gateway Boulevard NW

LEGAL DESCRIPTION: Plan CE1 Blk RLY Lot 52

ZONE: (IB) Industrial Business Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

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

- 1) This is a renewal application of permit 174935500-001. The sign already exists and so, although the use within the IB zone is discretionary, it has already been allowed by the City and therefore allowing this application will not change the area either in appearance or general perception. As it has previously been approved, discretion has already been exercised in favour of approving the use.

2) This application meets all the requirements of the bylaw. No variances are requested.

3) The existing freestanding sign is 100% compatible with its surroundings and completely conforms to the existing development and nature of the area, which is both industrial and commercial.

4) Prior to the construction of the sign, there were no objections from any of the adjacent businesses. There are currently no businesses within 100m of the sign. The nearest ones have been contacted by our company and none have objected to its existence.

5) The only reason given for the refusal of this application is that: "It is located with the Calgary Trail Land Use Study" and "The proposed Freestanding Off-premises Sign is contrary to Section 3.4(b)(ii) of the Calgary Trail Land Use Study".

The Development Authority is well aware that the Calgary Trail Land Use Study is not a statutory plan within the definition of the MGA. Section 616(dd) of the MGA defines statutory plans as "an intermunicipal development plan, a municipal development plan, an area structure plan and an area redevelopment plan adopted by a municipality under Division 4". The Calgary Trail Land Use Study does not meet this definition.

Not only is it not a statutory plan within the meaning of the MGA, it is not a bylaw of the City of Edmonton either, being approved by a council resolution on September 11, 1984. Section 687(3) of the MGA sets out the documents that the SDAB must comply with. It does not list any document class that would include a document such as the Calgary Trail Land Use Study.

There have been dozens of Freestanding Off-premise sign applications within this corridor that have been approved since Council's September 11, 1984 resolution, by both the Development Authority and the SDAB. It is entirely appropriate for the SDAB to allow this one.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,

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

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

687(3) In determining an appeal, the 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;
 - (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
 - ...
 - (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
 - (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

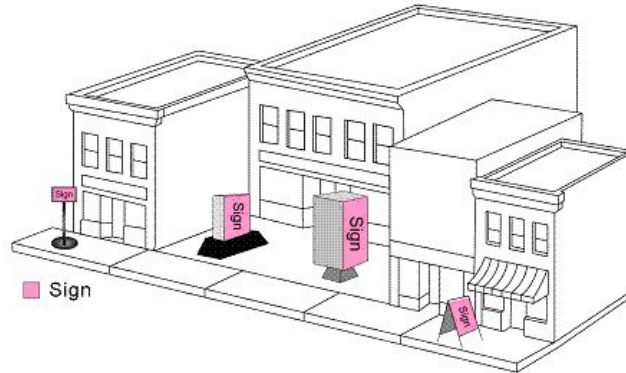
General Provisions from the *Edmonton Zoning Bylaw*:

Under section 400.3(40), a **Freestanding Off-premises Sign** is a **Discretionary Use** in the **(IB) Industrial Business Zone**.

Under section 7.9(3), **Freestanding Off-premises Sign** means “a Freestanding Sign, which is a Permanent Sign, displays Off-premises Advertising and contains no Digital Copy.”

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

a Sign supported independently of a building.



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

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

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

Calgary Trail Land Use Study

The *City of Edmonton Charter*, 2018 Regulation, Alta Reg 39/2018 states the following:

(31) In section 616 of the Act,

(e) clause (dd) is to be read as follows:

(dd) “statutory plan” means

- (i) an intermunicipal development plan,
- (ii) a municipal development plan,
- (iii) an area structure plan,

(iv) an area redevelopment plan, and

(v) an additional statutory plan under section 635.1

adopted by the City under Division 4;

Development Officers Determination

1. A freestanding Off-Premises Sign is listed as a Discretionary Use within the (IB) Industrial Business Zone. The sign is also located within the Calgary Trail Land Use Study adopted by Resolution of Council on September 11, 1984, with amendments in August 2015. Under the General Urban Design Policies of Section 3.4.b.ii of the Calgary Trail Land Use Study:

Greater attention shall be given to improving the location, siting, Signage comprehensibility and design of signage in the corridor by discouraging the use of portable signs and free-standing billboards.

The proposed Freestanding Off-premises Sign is contrary to Section 3.4(b)(ii) of the Calgary Trail Land Use Study.


[unedited]

Previous Subdivision and Development Appeal Board Decision

Application Number	Description	Decision
SDAB-D-15-242	Install (1) Freestanding Off-Premises Sign	November 27, 2015; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED as applied for to the Development Authority, subject to the following conditions: 1. The permit will be in effect for a period of five years (November 27, 2015, to November 26, 2020).

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

	<h2>Application for Sign Permit</h2>			Project Number: 377939247-002 Application Date: NOV 10, 2020 Printed: January 4, 2021 at 9:15 AM Page: 1 of 2
This document is a Development Permit Decision for the development application described below.				
Applicant	Property Address(es) and Legal Description(s) 2303 - GATEWAY BOULEVARD NW Plan CE1 Blk RLY Lot 52			
Scope of Application To install a Freestanding Off-Premises Sign (GO OUTDOOR ADVERTISING).				
Permit Details				
ASA Sticker No./Name of Engineer: Construction Value: 6000	Class of Permit: Class B Expiry Date:			
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 1 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0			
Development Application Decision				
Refused				
Issue Date: Dec 16, 2020 Development Authority: MERCIER, KELSEY				
Reason for Refusal				
1. A freestanding Off-Premises Sign is listed as a Discretionary Use within the (IB) Industrial Business Zone. The sign is also located within the Calgary Trail Land Use Study adopted by Resolution of Council on September 11, 1984, with amendments in August 2015. Under the General Urban Design Policies of Section 3.4.b.ii of the Calgary Trail Land Use Study:				
Greater attention shall be given to improving the location, siting, Signage comprehensibility and design of signage in the corridor by discouraging the use of portable signs and free-standing billboards.				
The proposed Freestanding Off-premises Sign is contrary to Section 3.4(b)(ii) of the Calgary Trail Land Use Study.				
Rights of Appeal				
The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.				
Fees				
	Fee Amount	Amount Paid	Receipt #	Date Paid
Sign Development Application Fee	\$287.00	\$287.00	023183180422001	Nov 10, 2020
THIS IS NOT A PERMIT				



Application for Sign Permit

Project Number: **377939247-002**
Application Date: NOV 10, 2020
Printed: January 4, 2021 at 9:15 AM
Page: 2 of 2

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$287.00</u>	<u>\$287.00</u>		

THIS IS NOT A PERMIT

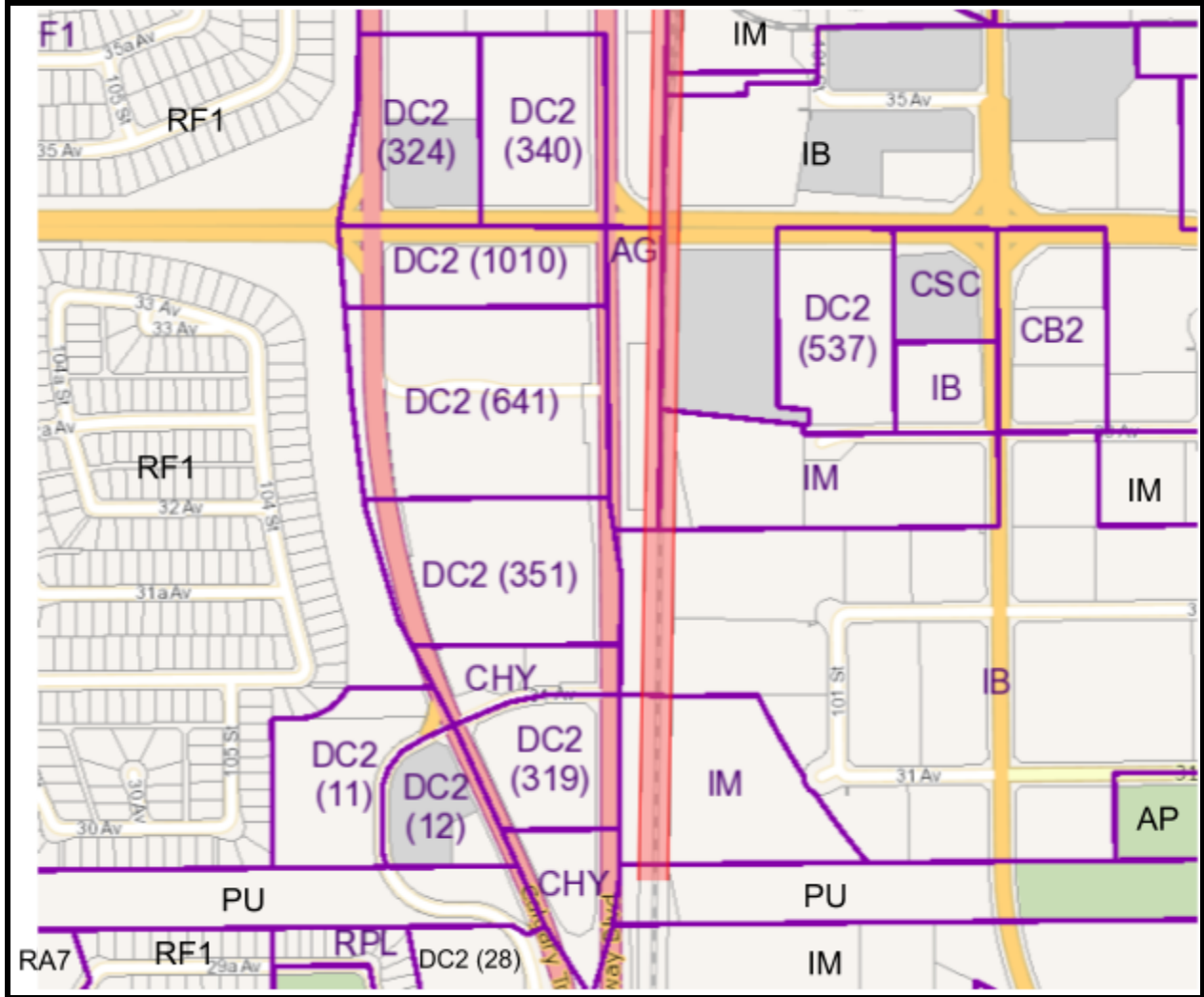


SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-21-021

▲
N



SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-21-021 ▲
N

ITEM III: 1:30 P.M.

FILE: SDAB-D-21-020

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 376333707-002

APPLICATION TO: Construct an Accessory Building (detached Garage
10.36m x 7.93m).

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: December 29, 2020

DATE OF APPEAL: December 30, 2020

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 13915 - 104 Avenue NW

LEGAL DESCRIPTION: Plan 3875P Blk 97 Lot 11

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:

My name is Owen Barry, and I am the owner/operator of FC Developments Inc. FC Developments has been hired by Jeremy and Karen Thiessen, to build their dream home, including garage on their existing corner lot. Jeremy and Karen have lived in the Glenora Neighborhood for 19 years and have formed many lasting relationships in the community. They look forward to spending many more years in the neighborhood they

and their children call home. We've received positive feedback on the design of their home from neighbors and as developers we are always mindful of ensuring that house and garage designs compliment the neighborhood aesthetics rather than compete. This home and garage are well suited to preserve the core attributes that make the street scape beautiful as it is and we believe the house and garage design compliment the neighbourhood aesthetic.

Jeremy and Karen would like to build a triple garage with a functional second floor studio space for their personal use. In order to do that, we are requesting a variance to the height of the structure. The application for the Accessory Building Permit was declined as it exceeds the maximum 4.3m height by 1.10m. The second floor area will be used by the homeowners as extra storage and a work out/recreation area for their family of 6. The space will be a large open area with some windows facing the alley on the north side of their home. The property across the alley from them has large spruce trees along the back, which allows for privacy and in speaking to the surrounding neighbors, Karen received no concerns or objections regarding the size of their proposed garage.

We appreciate your review and consideration of our application for the garage as set out in the drawings.

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

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

Hearing and Decision

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

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

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- (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(7), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under section 6.1, **Accessory** means “when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.”

Under section 6.1, **Garage** means “an Accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.”

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, Garden Suites, Semi-detached Housing and Duplex Housing.”

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

to regulate residential development in Edmonton’s mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the

streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations.

Height

Section 50.3(3) states “an Accessory building or structure shall not exceed 4.3 m in Height, [...]”

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

Development Officers Determination


**An Accessory Building or Structure shall not exceed 4.3m (14.1 ft)
(Reference Section 50.3(2))**

**Proposed Height: 5.40m
Exceeds by: 1.10m**

[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.

	<h2 style="margin: 0;">Application for Accessory Building Permit</h2>	Project Number: 376333707-002 Application Date: OCT 22, 2020 Printed: December 29, 2020 at 10:26 AM Page: 1 of 1																														
This document is a Development Permit Decision for the development application described below.																																
Applicant	Property Address(es) and Legal Description(s) 13915 - 104 AVENUE NW Plan 3875P Blk 97 Lot 11 Location(s) of Work Entryway: 13915 - 104 AVENUE NW Building: 13915 - 104 AVENUE NW																															
Scope of Application To construct an Accessory Building (detached Garage 10.36m x 7.93m).																																
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Class Of Permit: Stat. Plan Overlay/Annex Area: </td> <td style="width: 50%; border: none;"> Site Area (sq. m.): 650.81 </td> </tr> </table>			Class Of Permit: Stat. Plan Overlay/Annex Area:	Site Area (sq. m.): 650.81																												
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Development Application Decision Refused Issue Date: Dec 29, 2020 Development Authority: LANGILLE, BRANDON Reason for Refusal An Accessory Building or Structure shall not exceed 4.3m (14.1 ft) (Reference Section 50.3(2)) Proposed Height: 5.40m Exceeds by: 1.10m Rights of Appeal The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.																																
Building Permit Decision No decision has yet been made.																																
Fees <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.50</td> <td style="text-align: right;">\$4.50</td> <td>016100042241001</td> <td>Oct 22, 2020</td> </tr> <tr> <td>Building Permit Fee (Accessory Building)</td> <td style="text-align: right;">\$112.00</td> <td style="text-align: right;">\$112.00</td> <td>016100042241001</td> <td>Oct 22, 2020</td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$120.00</td> <td style="text-align: right;">\$120.00</td> <td>016100042241001</td> <td>Oct 22, 2020</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$236.50</td> <td style="text-align: right; border-top: 1px solid black;">\$236.50</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Safety Codes Fee	\$4.50	\$4.50	016100042241001	Oct 22, 2020	Building Permit Fee (Accessory Building)	\$112.00	\$112.00	016100042241001	Oct 22, 2020	Development Application Fee	\$120.00	\$120.00	016100042241001	Oct 22, 2020	Total GST Amount:	\$0.00				Totals for Permit:	\$236.50	\$236.50		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

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N

File: SDAB-D-21-020