

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
January 14, 2016**

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

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

I	9:00 A.M.	SDAB-D-16-023	Install one Minor Digital Off-premises Sign (Icewerx) 14203 - 23 Avenue NW Project No.: 171838918-001
<hr/>			
II	10:30 A.M.	SDAB-D-16-024	Construct (1) Freestanding On-premises Sign (Boardwalk) 3624 - 119 Street NW Project No.: 182792385-001
<hr/>			
III	1:00 P.M.	SDAB-D-16-025	Construct exterior and interior alterations to an Accessory Building (commercial kitchen) 7015 - 83 Street NW Project No.: 182599096-002
<hr/>			
IV	2:30 P.M.	SDAB-D-16-026	Construct a Single Detached House with a rear attached Garage, a front veranda, fireplace, Basement development (NOT to be used as an additional Dwelling). 11682 - 72 Avenue NW Project No.: 176013858-001
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NOTE: *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-16-023

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 171838918-001

ADDRESS OF APPELLANT: 14203 - 23 AVENUE NW

APPLICATION TO: Install one Minor Digital Off-premises Sign (Icewerx)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 5, 2015

DATE OF APPEAL: November 16, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 14203 - 23 AVENUE NW

LEGAL DESCRIPTION: Plan 0220792 Blk 70 Lot 89

ZONE: CSC Shopping Centre Zone

OVERLAY: Special Area Terwillegar

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:

- Separation distance between nearest digital is 112m. They face opposite directions.
- New Sign does not adversely affect surrounding development. There is considerable distance from current pylons on site.
- Fourth Sign currently is not a pylon, but the name of the center situated near the ground.
- Separation distance from all signs does not affect surrounding development. Closest Sign is deficient by only 5m. [unedited]

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,

General Provisions from the *Edmonton Zoning Bylaw*:

Pursuant to section 320.1, 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.

Under Section 320.3(33), **Minor Digital Off-premises Signs** is a **Discretionary Use** In the CSC Shopping Centre Zone.

Section 7.9(6) defines **Minor Digital Off-premises Signs** as

...any Sign that is remotely changed on or off Site and has a Message Duration greater than or equal to 6 seconds. Minor Digital Off-premises Signs incorporate a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components. The Copy on such Sign 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.

Separation Distance

Section 59E.3(6)(d) provides the following:

proposed Signs locations shall be separated from any other Digital Sign greater than 8.0 m² or Off-premises Sign as follows:

Proposed Sign Area	Minimum separation distance from Digital Signs greater than 8.0 m² or other Off-premises Sign
Greater than 8.0 m ² to less than 20 m ²	100 m
20 m ² to 40 m ²	200 m
Greater than 40 m ²	300 m

The separation shall be applied from the larger Off-premises Sign or Digital Sign location. The separation distance minimums may be decreased for Major Digital Signs that are oriented to pedestrians, are not visible to vehicle traffic, and contribute to the architectural theme of the area;

Development Officer’s Determination

Proposed separation distance from existing Minor Digital Off-premises Sign on Northeast corner of Rabbit Hill Road and 23 Ave.: 112 m.
 Deficient by: 88 m. [unedited]

Maximum number of Sign on a Site

Section 59E.3(6)(j) provides the following:

the maximum number of Freestanding On-premises Signs, Roof On-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital On-premises Off-premises Signs and Minor Digital Off-premises Signs on a Site shall be four.

Development Officer’s Determination

Existing: 4 freestanding signs existing on the property (3 pylon and 1 entryway)
 Proposed: 5 freestanding Signs
 Exceeds by: 1 freestanding sign [unedited]

Radial Separation Distance from other Signs

Section 59E.2(3)(e) provides the following:

Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Sign, Major Digital Sign, Minor Digital On-premises Sign, Minor Digital Off-premises Sign or Minor Digital On-premises Off-premises Sign that is a Freestanding Sign on the same Site. This excludes Digital Signs that are located on the same Freestanding Sign structure as the proposed Freestanding On-premises Sign;

Development Officer's Determination

Proposed separation distance from Freestanding On-premises (entryway) sign: 11m
Deficient by: 34 m

Proposed separation from Freestanding On-premises (pylon) sign: 40m
Deficient by: 5 m [unedited]

Board Officer's Comment

Section 59E.2(3)(e) is a regulation for Permitted Signs. The subject Sign is a Discretionary Sign.




Project Number: **171838918-001**
Application Date: MAY 01, 2015
Printed: November 5, 2015 at 9:55 AM
Page: 1 of 2

Application for Sign Combo Permit

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

Applicant

ICEWERX CONSULTING INC.


Property Address(es) and Legal Description(s)

14203 - 23 AVENUE NW
Plan 0220792 Blk 70 Lot 89

Scope of Application

To install one Minor Digital Off-premises Sign (Icewerx)

Permit Details

Class of Permit: Class B

Expiry Date:

Num. Temp., Fasica or Temporary 0

Signs:

Sign Permit Label No. :

Construction Value: 50000

Num. of Freestanding, Projecting or Roof 0
Signs:

Number of Additional Signs:

Sign Type: Minor Digital Off-premises Sign

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

Applicant signature: _____

Development Application Decision

Refused

THIS IS NOT A PERMIT



Project Number: **171838918-001**
 Application Date: MAY 01, 2015
 Printed: November 5, 2015 at 9:55 AM
 Page: 2 of 2

Application for Sign Combo Permit

Reason for Refusal

1) Proposed Sign locations shall be separated from any other Digital Sign greater than 8.0 m2 or Off-premises Sign. If the proposed Sign Area is greater than 20.0m2 to less than 40 m2 the minimum separation distance from Digital Signs greater than 8.0 m2 or other Off-premises Sign shall be 200m (Reference section 59E.3(6)(d)).

Proposed separation distance from existing Minor Digital Off-premises Sign on Northeast corner of Rabbit Hill Road and 23 Ave.: 112 m
 Deficient by: 88 m

2) The maximum number of Freestanding On-premises Signs, Roof On-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital On-premises Off-premises Signs and Minor Digital Off-premises Signs on a Site shall be four. (Reference Section 59E.3(6)(j))

Exsting: 4 freestanding signs existing on the property (3 pylon signs and 1 entryway).
 Proposed: 5 freestanding Signs
 Exceeds by: 1 freestanding sign

3) Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Sign, Major Digital Sign, Minor Digital On-premises Sign, Minor Digital Off-premises Sign or Minor Digital On-premises Off-premises Sign that is a Freestanding Sign on the same Site. This excludes Digital Signs that are located on the same Freestanding Sign structure as the proposed Freestanding On-premises Sign.(Reference section 59E.2(3)(e))

Proposed separation distance from Freestanding On-premises (entryway) sign: 11m
 Deficient by: 34 m

Proposed seperation from Freestanding On-premises (pylon) sign: 40m
 Deficient by: 5 m

4) The proposed Freestanding Off-Premise Minor Digital Sign is listed as a Discretionary use (Section 320.3(33)). In the opinion of the Development Officer, the sign will have a negative impact and unduly interfere with existing buildings on site, and as well as surrounding properties. The proposed development would also negatively impact the landscaped area on the northeast corner of the property.

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 05, 2015 **Development Authority:** AHUJA, SACHIN **Signature:** _____

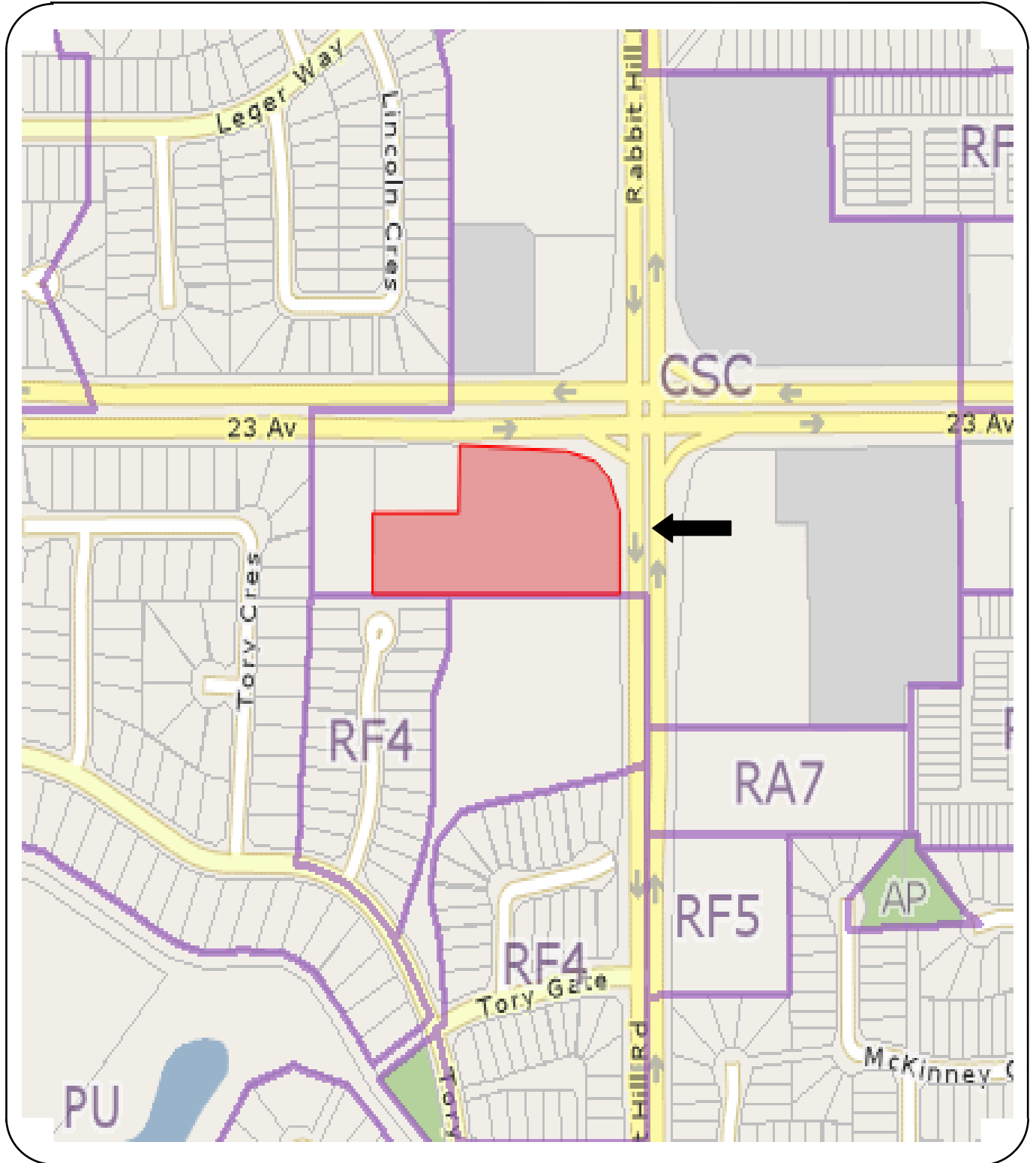
Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$19.60	\$14.90	02409363	May 07, 2015
Sign Building Permit Fee	\$490.00	\$372.40	02409363	May 07, 2015
Sign Development Application Fee	\$0.00	\$255.00	02409363	May 07, 2015
Sign Dev Appl Fee - Digital Signs	\$416.00			
DP Notification Fee	\$100.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$1,025.60	\$642.30		
(\$383.30 outstanding)				

THIS IS NOT A PERMIT

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*.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-023



ITEM II: 10:30 A.M.

FILE: SDAB-D-16-024

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER BY AN ADJACENT PROPERTY OWNER

APPELLANT:

APPLICATION NO.: 182792385-001

ADDRESS OF APPELLANT: 3632 - 118 Street NW

APPLICATION TO: Construct (1) Freestanding On-premises Sign (Boardwalk)

DECISION OF THE DEVELOPMENT AUTHORITY: Appr. with Notices

DECISION DATE: December 8, 2015

DATE OF APPEAL: December 17, 2015

RESPONDENT:

ADDRESS OF RESPONDENT: 3624 - 119 Street NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3624 - 119 Street NW

LEGAL DESCRIPTION: Plan 3227TR Blk 6 Lot 41B

ZONE: RA7 Low Rise Apartment Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

The current lit awning is too bright and faces my house. It can be seen right through my living room and 200 meters down 37th Avenue. Yes this degrades the value of my home and interferes with our quiet enjoyment of the home. A pylon sign (especially rotating) will make this situation much worse. Removal of lit awning and installing a shrouded fixed pylon may work.

The fee to appeal this is appalling when the notice came without such pylon clarity. I expect a full refund as well. Thank you [unedited]

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.

685(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 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,

General Provisions from the *Edmonton Zoning Bylaw*:

Pursuant to section 823.1, the **General Purpose** of the **Medium Scale Residential Infill Overlay** is:

...to accommodate the development of medium-scale infill housing in Edmonton's mature residential neighbourhoods in a manner that ensures compatibility with adjacent properties while maintaining or enhancing a pedestrian-friendly streetscape. [unedited]

Pursuant to section 210.1, the **General Purpose** of the **RA7 Low Rise Apartment Zone** is "to provide a Zone for Low Rise Apartments."

Under section 210.3(16), **Freestanding On-premises Signs** is a **Discretionary Use** in the RA7 Low Rise Apartment Zone.

Section 7.9(4) defines **Freestanding On-premises Signs** as:



...any Sign supported independent of a building, displaying Copy that identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

Decision of the Development Officer

The Class B Development Permit was issued without any variances and subject to certain conditions (see pages 14-15).

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: 182792385-001 Application Date: NOV 20, 2015 Printed: December 8, 2015 at 2:38 PM Page: 1 of 2		
<h2 style="margin: 0;">Application for Sign Combo Permit</h2>			
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 PERMIT SOLUTIONS INC 	Property Address(es) and Legal Description(s) 3624 - 119 STREET NW Plan 3227TR Blk 6 Lot 41B Location(s) of Work Entryway: 3624 - 119 STREET NW Building: 3624 - 119 STREET NW		
Scope of Application To construct (1) Freestanding On-premises Sign (Boardwalk)			
Permit Details <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 50%; vertical-align: top;"> Class of Permit: Class B Expiry Date: Num. Temp., Fascia or Temporary Signs: 0 Sign Permit Label No. : 5717 </td> <td style="width: 50%; vertical-align: top;"> Construction Value: 3800 Num. of Freestanding, Projecting or Roof Signs: 1 Number of Additional Signs: Sign Type: Freestanding On-Premises Sign </td> </tr> </table>		Class of Permit: Class B Expiry Date: Num. Temp., Fascia or Temporary Signs: 0 Sign Permit Label No. : 5717	Construction Value: 3800 Num. of Freestanding, Projecting or Roof Signs: 1 Number of Additional Signs: Sign Type: Freestanding On-Premises Sign
Class of Permit: Class B Expiry Date: Num. Temp., Fascia or Temporary Signs: 0 Sign Permit Label No. : 5717	Construction Value: 3800 Num. of Freestanding, Projecting or Roof Signs: 1 Number of Additional Signs: Sign Type: Freestanding On-Premises Sign		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Permit Decision Approved Subject to the Following Conditions <ol style="list-style-type: none"> 1) The proposed Freestanding On-premises Sign shall comply in accordance to the approved plans submitted. 2) The intensity of exposed bulbs on a Sign, excluding Digital Signs, shall not exceed 1100 lumens. (Reference Section 59.2(4)) Advisements: An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the Edmonton Building Permit Bylaw or any caveats, covenants or easements that might be attached to the Site (Reference Section 5.2). Variances Discretionary Use - Freestanding On-premises Sign is approved as a Discretionary Use (Section 210.3(16)). Rights of Appeal This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.			
Issue Date: Dec 08, 2015 Development Authority: ADAMS, PAUL Signature: _____ Notice Period Begins: Dec 15, 2015 Ends: Dec 28, 2015			
THIS IS NOT A PERMIT			



Application for Sign Combo Permit

Project Number: **182792385-001**
Application Date: NOV 20, 2015
Printed: December 8, 2015 at 2:38 PM
Page: 2 of 2

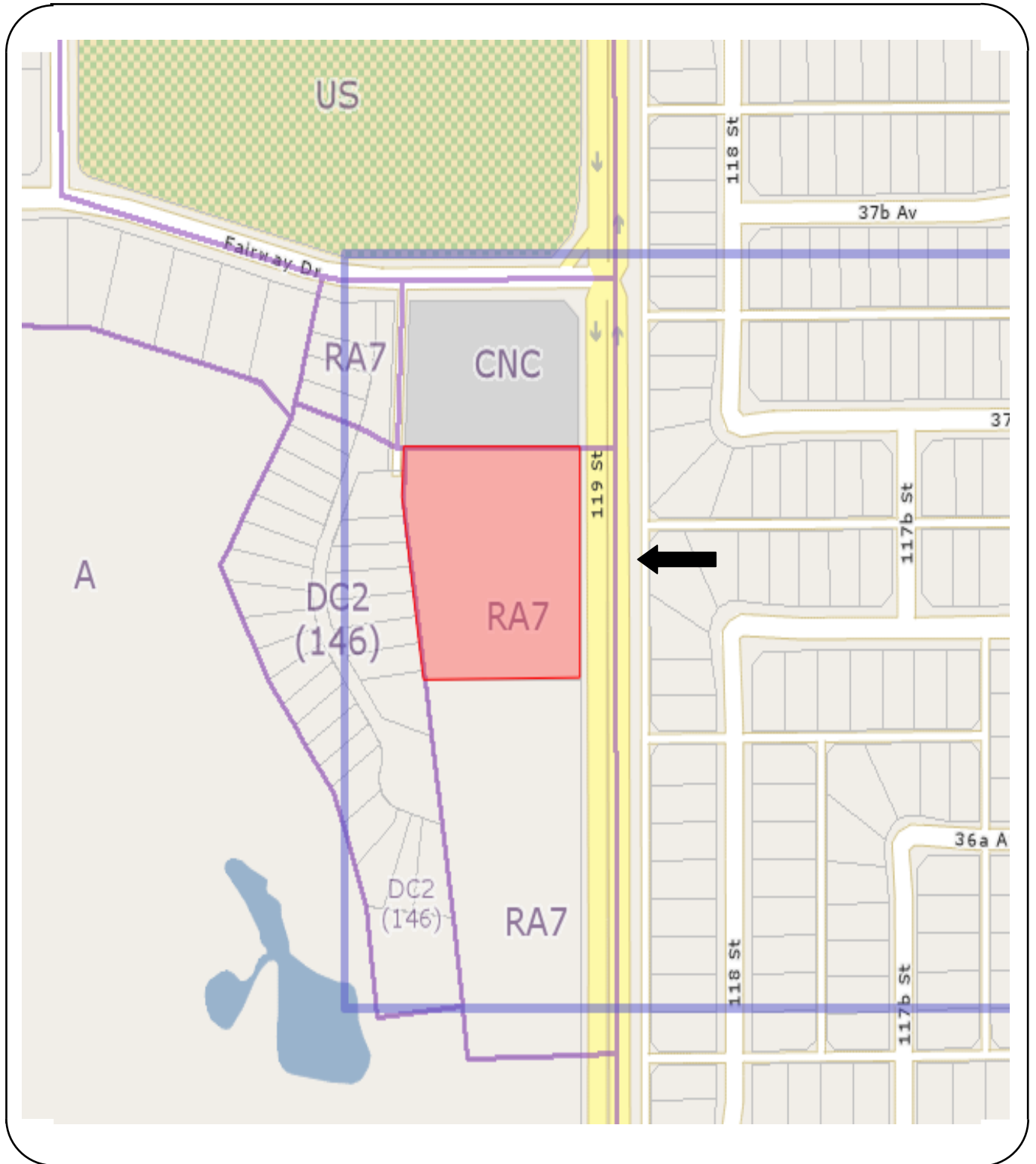
Building Permit Decision

No decision has yet been made.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$5.84	\$5.84	02906243	Nov 20, 2015
Sign Building Permit Fee	\$146.00	\$146.00	02906243	Nov 20, 2015
Sign Development Application Fee	\$255.00	\$255.00	02906243	Nov 20, 2015
DP Notification Fee	\$100.00	\$100.00		
Total GST Amount:	\$0.00			
Totals for Permit:	\$506.84	\$506.84		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-024



ITEM III: 1:00 P.M.

FILE: SDAB-D-16-025

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 182599096-002

ADDRESS OF APPELLANT: 7015 - 83 Street NW

APPLICATION TO: Construct exterior and interior alterations to an Accessory Building (commerical kitchen).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: December 15, 2015

DATE OF APPEAL: December 18, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7015 - 83 STREET NW

LEGAL DESCRIPTION: Plan 1014KS Blk 12 Lot 4

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:

We were licensed by the City of Edmonton for a minor home-based business for 2015 at 8315 - 73rd Av. Our business operates a Food Truck in the summer months. The neighbours found us to be non-disruptive and supported our home-based business. We have since moved 4 blocks away to live with our daughter at 7015 - 83rd St and have applied for a major home-based business which has subsequently been denied. We need to produce food ingredients in a home-based kitchen so that the Food Truck can operate efficiently. Our denied application was to subdivide the garage to handle basic food prep as opposed to applying for permission to convert a similar sized area in the basement of the house to do the same thing.

My wife and I are 67 years old and have to work given our recent bankruptcy. We note that bylaw 13138 permits food preparation from a residence. We are therefore appealing the City's decision.

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,

General Provisions from the *Edmonton Zoning Bylaw*:

Pursuant to section 814.1, 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.

Pursuant to section 110.1, 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.

<i>General Industrial Uses</i>

Section 7.5(2) provides the following:

General Industrial Uses means development used principally for one or more of the following activities:

- a. the processing of raw materials;
- b. the making, manufacturing or assembling of semi-finished or finished goods, products or equipment;
- c. the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in Non-industrial Zones;
- d. the storage or transshipping of materials, goods and equipment;
- e. the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or
- f. the training of personnel in general industrial operations.

This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.

Development Officer's Determination

This proposed use of the Accessory Building includes the processing of raw materials and the making, manufacturing or assembling of semi-finished or finished goods, products. The proposed use is deemed a General Industrial Use. General Industrial use is not a listed use within the RF1 Zone. [unedited]

<i>Alteration to a non-conforming building</i>

Section 11.3(3) provides the following:

the Development Officer may approve, with or without conditions as a Class B Development, an enlargement, alteration or addition to a legal non-conforming building if the non-conforming building complies with the uses prescribed for that land in this Bylaw and the proposed development would not, in his opinion:

- a. unduly interfere with the amenities of the neighbourhood;
- or



- b. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

Development Officer's Determination

The structure is a non-conforming building which if altered would unduly interfere with the amenities of the neighbourhood and materially interfere with or affect the use, enjoyment or value of neighbouring properties.

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: 182599096-002 Application Date: NOV 17, 2015 Printed: November 17, 2015 at 1:02 PM Page: 1 of 1																									
<h2 style="margin: 0;">Application for Minor Development Permit</h2>																										
This document is an application for a Development Permit for the development described below.																										
Applicant AVIS, JONATHAN 	Property Address(es) and Legal Description(s) 7015 - 83 STREET NW Plan 1014KS Blk 12 Lot 4 Specific Address(es) Suite: 7015 - 83 STREET NW Entryway: 7015 - 83 STREET NW Building: 7015 - 83 STREET NW																									
Scope of Application To construct exterior and interior alterations to an Accessory Building (commercial kitchen).																										
Permit Details <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 50%; padding: 5px;"> # 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%; padding: 5px;"> Class of Permit: Class A Lot Grading Needed?: New Sewer Service Required: Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay </td> </tr> </table> <p style="margin-top: 10px;">I/We certify that the above noted details are correct.</p> <p>Applicant signature: _____</p>		# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Class A Lot Grading Needed?: New Sewer Service Required: Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay																							
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Development Application Decision No decision has yet been made.																										
Fees <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 10%; text-align: right;">Fee Amount</th> <th style="width: 10%; text-align: right;">Amount Paid</th> <th style="width: 10%; text-align: center;">Receipt #</th> <th style="width: 10%; text-align: center;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Dev. Application Fee</td> <td style="text-align: right;">\$155.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right;">\$155.00</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td></td> <td></td> </tr> <tr> <td colspan="5">(\$155.00 outstanding)</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$155.00				Total GST Amount:	\$0.00				Totals for Permit:	\$155.00	\$0.00			(\$155.00 outstanding)				
	Fee Amount	Amount Paid	Receipt #	Date Paid																						
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(\$155.00 outstanding)																										
THIS IS NOT A PERMIT																										



SURROUNDING LAND USE DISTRICTS

Site Location



File: SDAB-D-16-025



N

ITEM IV: 2:30 P.M.

FILE: SDAB-D-16-026

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 176013858-001

ADDRESS OF APPELLANT: 11682 - 72 Avenue NW

APPLICATION TO: Construct a Single Detached House with a rear attached Garage, a front veranda, fireplace, Basement development (NOT to be used as an additional Dwelling).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 19, 2015

DATE OF APPEAL: December 1, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11682 - 72 Avenue NW

LEGAL DESCRIPTION: Plan 2938HW Blk 10 Lot 57

ZONE: RF1 Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: McKernan /Belgravia Station Area Redevelopment Plan

Grounds for Appeal

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

- Already a number of attached garages in this area.
- Home owner is concerned about security and safety. [unedited]

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,

General Provisions from the *Edmonton Zoning Bylaw*:

Pursuant to section 814.1, 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.

Pursuant to section 110.1, 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.

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

Minimum Rear Setback

Section 814.3(5) states that "the minimum Rear Setback shall be 40% of Site depth. Row Housing not oriented to a public roadway is exempt from this Overlay requirement".

Development Officer's Determination

The distance from the house to the rear property line is 9.57 m (22% of site depth) instead of 17.07 m (40% of site depth). [unedited]

Rear Attached Garages not allowed

Section 814.3(18) states that "Rear attached Garages shall not be allowed, except on Corner Sites where the Dwelling faces the flanking public roadway".

Development Officer's Determination

Proposed is a Rear attached garage on a site that is not a Corner Site. [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: **176013858-001**
 Application Date: JUL 16, 2015
 Printed: November 19, 2015 at 4:53 PM
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Application for House Development and Building Permit

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 ABINGTON HOMES LTD. 	Property Address(es) and Legal Description(s) 11682 - 72 AVENUE NW Plan 2938HW Blk 10 Lot 57 Location(s) of Work Suite: 11682 - 72 AVENUE NW Entryway: 11682 - 72 AVENUE NW Building: 11682 - 72 AVENUE NW
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Scope of Application
 To construct a Single detached House with a rear attached Garage, a front veranda, fireplace, Basement development (NOT to be used as an additional Dwelling).

Permit Details Affected Floor Area (sq. ft.): 3712 Class of Permit: (none) Front Yard (m): 7.7 Rear Yard (m): 9.57 Side Yard, left (m): 3.97 Site Area (sq. m.): 884.44 Site Width (m): 20.73	Building Height to Midpoint (m): 7.9 Dwelling Type: Single Detached House Home Design Type: Secondary Suite Included?: N Side Yard, right (m): 2.13 Site Depth (m): 42.67 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
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I/We certify that the above noted details are correct.
 Applicant signature: _____

Development Application Decision
 Refused
Reason for Refusal

1. Reduced Rear Setback - The distance from the house to the rear property line is 9.57 m (22% of site depth) instead of 17.07m (40% of site depth). (Section 814.3.5)
2. Proposed a Rear attached Garage, on a site that is not a Corner Site. (Section 814.3.18).

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 19, 2015 **Development Authority:** ROBINSON, GEORGE **Signature:** _____

Fees	Fee Amount	Amount Paid	Receipt #	Date Paid
Electrical Fee (Service)	\$75.00	\$75.00	02592807	Jul 16, 2015
Lot Grading Fee	\$135.00	\$135.00	02592807	Jul 16, 2015
Safety Codes Fee	\$122.24	\$122.24	02592807	Jul 16, 2015
Electrical Safety Codes Fee	\$17.62	\$17.62	02592807	Jul 16, 2015

THIS IS NOT A PERMIT



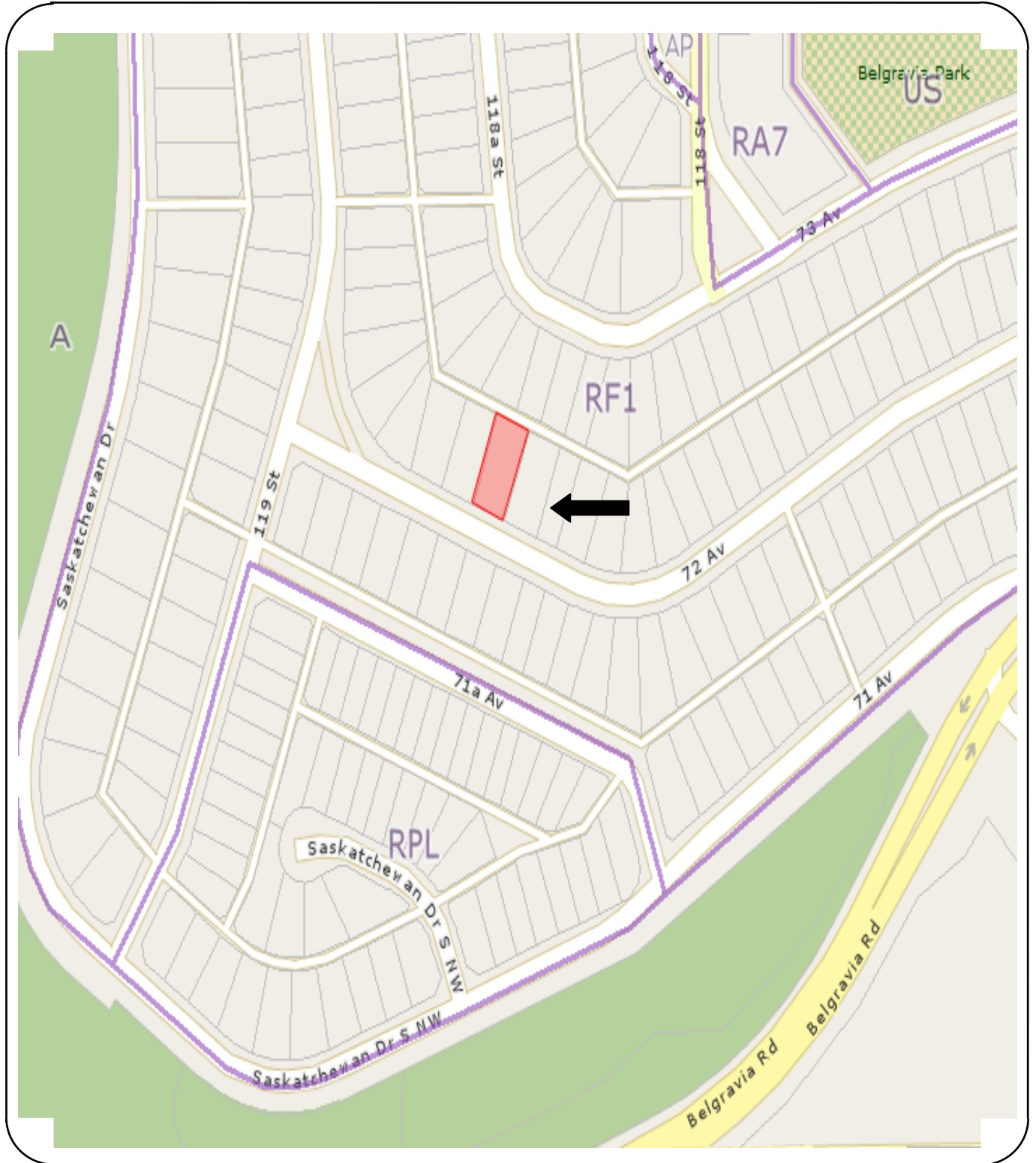
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Application for House Development and Building Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Water Usage Fee	\$96.80	\$96.80	02592807	Jul 16, 2015
Building Permit Fee	\$3,056.00	\$3,056.00	02592807	Jul 16, 2015
Electrical Fees (House)	\$328.00	\$328.00	02592807	Jul 16, 2015
Total GST Amount:	\$0.00			
Totals for Permit:	\$3,830.66	\$3,830.66		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location 

File: SDAB-D-16-026



BUSINESS LAID OVER

SDAB-D-15-247	An appeal by <u>Kennedy Agrios LLP VS. Eton-West Construction (Alta) Inc.</u> change the use of "Building E" from Professional, Financial and Office Support Services to General Retail Stores and to construct interior and exterior alterations (increase building size and change dimensions, revision to parking layout and Drive-thru). <i>March 9 or 10, 2016</i>
SDAB-D-15-238	An appeal by <u>Ogilvie LLP</u> to comply with an Order to acquire valid development permits by September 25, 2015 or cease the Use and demolish and remove all materials by September 25, 2015; and to comply with all conditions of development permit No. 149045660-001. <i>February 17 or 18, 2016</i>
SDAB-D-15-252	An appeal by <u>Southwest Muslim Community Centre</u> to change the se from an Indoor Participant Recreation Service to a Religious Assembly with a capacity of 456 seats, and to construct interior alterations (SouthWest Muslim Community Centre). <i>February 10 or 11, 2016</i>
SDAB-D-15-268	An appeal by <u>Ken Chen / Ogilvie LLP</u> to Leave as built a Single Detached House. <i>January 15, 2016</i>
SDAB-D-15-285	An appeal by <u>Sakaw Daycare</u> to convert an existing Single Detached House into a Child Care Services Use Building (60 Children, 2- 12-18 months, 6 – 19 months-3 yrs, 32 – 3-4.5 yrs, 20 – above 4.5 yrs) and to construct interior and exterior alterations <i>March 2 or 3, 2016</i>

APPEAL HEARINGS TO BE SCHEDULED

159269966-003	An appeal by <u>Anh Padmore</u> to construct an exterior alteration to an existing Singe Detached House, (Driveway Extension 2.8m x 8.4m existing without permits). <i>January 21, 2016</i>
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