

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
March 9, 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-17-050

To construct a Single Detached House with a front attached Garage, front veranda, front second storey balcony, rooftop deck, three rear covered balconies, rear covered patio, three fireplaces and a Basement Development (NOT to be used as an additional Dwelling)

10066 - 90 Avenue NW
Project No.: 227352371-003

II 1:00 P.M. SDAB-D-17-051

To change the Use from a General Retail Store Use to a Major Alcohol Sales Building

10020 - Jasper Avenue NW
Project No.: 180369757-011

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-17-050

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 227352371-003

APPLICATION TO: Construct a Single Detached House with a front attached Garage, front veranda, front second storey balcony, rooftop deck, three rear covered balconies, rear covered patio, three fireplaces and a Basement Development (NOT to be used as an additional Dwelling)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 8, 2017

DATE OF APPEAL: February 9, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10066 - 90 Avenue NW

LEGAL DESCRIPTION: Plan 8057R Blk 2 Lot 15

ZONE: RF2-Low Density Infill Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: Strathcona Area Redevelopment Plan

Grounds for Appeal

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

Disagreed with the Geotechnical Engineer's advice on the Geotechnical Report.

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 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 120.2(6), **Single Detached Housing** is a **Permitted Use** in the **RF2 Low Density Infill Zone**.

Under section 7.2(9), **Single Detached Housing** means:

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 in a Zone, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

Section 120.1 states that the **General Purpose** of the **RF2 Low Density Infill Zone** is:

...to retain Single Detached Housing, while allowing infill on narrow lots, including Secondary Suites 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.

Section 811.1 states the **General Purpose** of the **North Saskatchewan River Valley and Ravine System Protection Overlay** is:

to provide a development Setback from the North Saskatchewan River Valley and Ravine System.

Section 811.2.1 states the North Saskatchewan River Valley and Ravine System Protection Overlay applies to:

- a. all lands within the North Saskatchewan River Valley and Ravine System, as shown on Appendix I to this Overlay; and
- b. all lands within 7.5 metres of the North Saskatchewan River Valley and Ravine System as shown on Appendix I to this Overlay.

<i>Geotechnical</i>

Section 811.3.3 states any development permit application on a Site that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System, as shown in Appendix I to this Overlay, shall be accompanied by a report prepared by a registered Professional Engineer, and as set out in subsection 14.1 of this Bylaw, and that also details:

- a. the minimum Setback for structures on the Site; and
- b. any development conditions for the property required to prolong the stability of the bank.

The Development Officer shall seek the advice of Transportation Services with respect to these applications and may approve the conditions or refuse such applications accordingly.

Section 811.3.8 states the Development Officer, having regard to the detailed engineering study required in 811.3.3 or 811.3.4 and in consultation with Integrated Infrastructure Services, may apply conditions of approval to any Development Permit issued on a Site that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System, as shown in Appendix 1 to this Overlay, including but not limited to, any conditions required to minimize erosion and stabilize soil conditions as well as, when applicable, requirement to comply with subsection 811.3.7, or may refuse the application.

Development Officer's Determination:

The Development Officer shall seek the advice of Transportation Services with respect to any development permit application on a Site that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System, and may approve the conditions or refuse such applications accordingly (Section 811.3.3).

The Geotechnical Engineer of Transportation Services advises that this application "must be rejected".

Projection

Section 44.1.a states verandas, porches, eaves, shade projections, unenclosed steps, chimneys, belt courses, sills, together with any other architectural features which are of a similar character, may project into a required Setback or Separation Space, provided such projections do not exceed 0.6 metres in the case of Setbacks or Separation Spaces of 1.2 metres 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 metres above Grade.

Development Officer's Determination:

Verandas and porches may project into a required Setback, provided such projections do not exceed 0.6 metres (Section 44.1.a).

The rear covered porches are 14.4 metres from the rear lot line abutting the lane, instead of 15.5 metres.

Vehicular Access

Section 814.3.10 states regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists, and

- a. a Treed Landscaped Boulevard is present along the roadway adjacent to the property line;
- b. the Site Width is less than 15.5 metres; or
- c. fewer than 50 percent of principal Dwellings on the blockface have vehicular access from the front or flanking roadway.

Development Officer's Determination:

Regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists, and a Treed Landscaped Boulevard is present along the roadway adjacent to the property line; the Site Width is less than 15.5 metres; or fewer than 50 percent of principal Dwellings on the blockface have vehicular access from the front or flanking roadway (Section 814.3.10).

The Single Detached House proposes vehicular access from the front public roadway (90 Avenue NW), instead of the rear lane.

Rooftop Terraces

Section 61.1 states 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(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.

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.

Development Officer's Determination:

Rooftop Terraces shall have a minimum Stepback of 2.0 metres from any building Facade facing a Rear Lot Line and 2.0 metres from any building Facade facing a Side Lot Line (Section 61.1.a).

The Front Rooftop Terrace provides a 1.0 metres Stepback from the Side Facades. The Rear Rooftop Terrace provides a 1.0 metres Stepback from the Rear Building Facade and 1.0 metres Stepback from the Side building Facade.


<p><i>Community Consultation</i></p>

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 metres 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*.

	Project Number: 227352371-003 Application Date: AUG 02, 2016 Printed: February 17, 2017 at 11:20 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for House Development and Building 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 <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	Property Address(es) and Legal Description(s) 10066 - 90 AVENUE NW Plan 8057R Blk 2 Lot 15 Location(s) of Work Suite: 10066 - 90 AVENUE NW Entryway: 10066 - 90 AVENUE NW Building: 10066 - 90 AVENUE NW		
Scope of Application To construct a Single Detached House with a front attached Garage, front veranda, front second storey balcony, rooftop deck, three rear covered balconies, rear covered patio, three fireplaces and a Basement Development (NOT to be use as an additional dwelling).			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> Affected Floor Area (sq. ft.): 2373 Class of Permit: Class B Front Yard (m): 3 Rear Yard (m): 16.25 Side Yard, left (m): 1.29 Site Area (sq. m.): 405.18 Site Width (m): 10.05 </td> <td style="width: 50%; border: none; vertical-align: top;"> Building Height to Midpoint (m): 7.89 Dwelling Type: Single Detached House Home Design Type: Secondary Suite Included?: N Side Yard, right (m): 1.29 Site Depth (m): 40.29 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay </td> </tr> </table>		Affected Floor Area (sq. ft.): 2373 Class of Permit: Class B Front Yard (m): 3 Rear Yard (m): 16.25 Side Yard, left (m): 1.29 Site Area (sq. m.): 405.18 Site Width (m): 10.05	Building Height to Midpoint (m): 7.89 Dwelling Type: Single Detached House Home Design Type: Secondary Suite Included?: N Side Yard, right (m): 1.29 Site Depth (m): 40.29 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			
THIS IS NOT A PERMIT			



Project Number: **227352371-003**
 Application Date: AUG 02, 2016
 Printed: February 17, 2017 at 11:20 AM
 Page: 2 of 2

Application for House Development and Building Permit

Reason for Refusal

1. The Development Officer shall seek the advice of Transportation Services with respect to any development permit application on a Site that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine Ssystem, and may approve the conditions or refuse such applications accordingly (Section 811.3.3).

The Geotechnical Engineer of Transportation Services advises that this application "must be rejected".

2. Verandas and porches may project into a required Setback, provided such projections do not exceed 0.6 m (Section 44.1.a).

The rear covered porches are 14.4 m from the rear lot line abutting the lane, instead of 15.5 m.

3. Regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists, and a Treed Landscaped Boulevard is present along the roadway adjacent to the property line; the Site Width is less than 15.5 m; or fewer than 50% of principal Dwellings on the blockface have vehicular access from the front or flanking roadway (Section 814.3.10).

The Single Detached House proposes vehicular access from the front public roadway (90 Avenue NW), instead of the rear lane.

4. Rooftop Terraces shall have a minimum Stepback of 2.0 m from any building Facade facing a Rear Lot Line and 2.0 m from any building Facade facing a Side Lot Line (Section 61.1.a).

The Front Rooftop Terrace provides a 1.0 m Stepback from the Side Facades. The Rear Rooftop Terrace provides a 1.0 m Stepback from the Rear Building Facade and 1.0 m Stepback from the Side building Facade.

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.

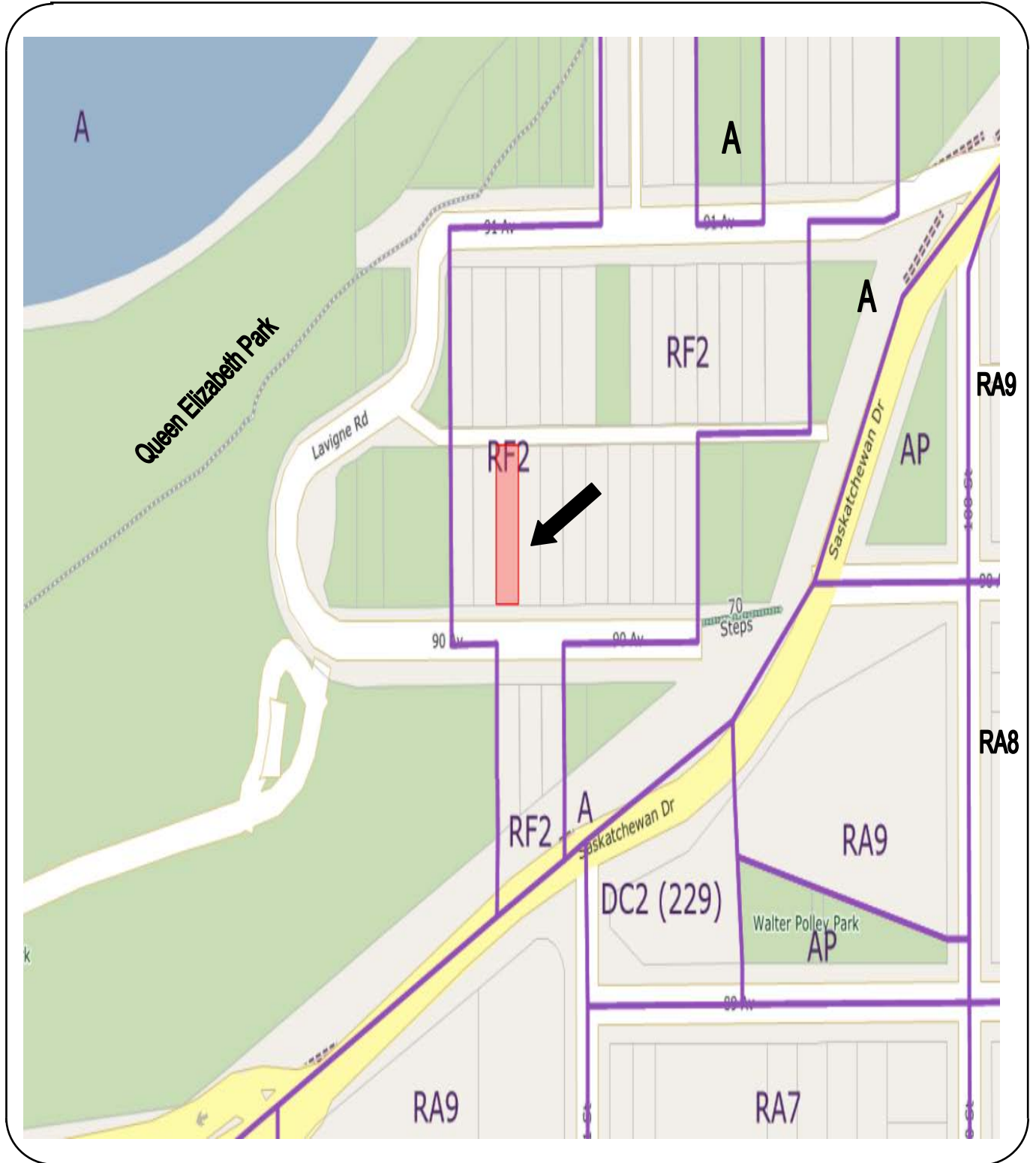
Issue Date: Feb 08, 2017 Development Authority: LIANG, BENNY

Signature: _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	\$135.00	\$135.00	03488166	Aug 02, 2016
Building Permit Fee	\$2,018.00	\$2,018.00	03488166	Aug 02, 2016
Electrical Fees (House)	\$298.00	\$298.00	03488166	Aug 02, 2016
Electrical Safety Codes Fee	\$16.42	\$16.42	03488166	Aug 02, 2016
Safety Codes Fee	\$80.72	\$80.72	03488166	Aug 02, 2016
Electrical Fee (Service)	\$77.00	\$77.00	03488166	Aug 02, 2016
Water Usage Fee	\$60.50	\$60.50	03488166	Aug 02, 2016
DP Notification Fee	\$0.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,685.64	\$2,685.64		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-050



ITEM II: 1:00 P.M.

FILE: SDAB-D-17-051

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 180369757-011

APPLICATION TO: Change the Use from a General Retail Store Use to a Major Alcohol Sales Building

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 1, 2017

DATE OF APPEAL: February 8, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10020 - Jasper Avenue NW

LEGAL DESCRIPTION: Condo Common Area (Plan 0425913, 1123267, 1621940)

ZONE: CCA-Core Commercial Arts Zone

OVERLAY: Special Area Downtown Overlay

STATUTORY PLAN: Capital City Downtown Plan

Grounds for Appeal

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

Our Development Permit to change the Use from General Retail Stores to Major Alcohol Sales Use has been refused. We would like to appeal the refusal on the following grounds:

- 1) The proposed development conforms with the use prescribed for CCA Core Commercial Arts Zone.
- 2) The proposed development will not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
- 3) The proposed development is sufficiently separated from the nearest similar development.

4) Distance measurements between sites are inaccurate. Instead of (208m, 245m, 469m) should be (262m, 328m and 516m) based on Google Map.

5) The proposed development supports City's visions. Jasper Avenue is Edmonton's Main Street. City wants downtown to be Transit Oriented, to be the Primary Destination for Visitors and to be the Senior Friendly Downtown environment. Population has grown from 5,130 people in 1996 to 11,000 people in 2009 and forecast to be 24,000 people by 2030.

6) Downtown as a Transit Oriented community, we will expect more walking than driving. Walking distance measurements are (400m, 550m, 550m) and may be a better measurement.

7) Existing liquor stores are specialty Wines and Spirits stores with limited business hours. The proposed development will be a conventional liquor store serving Wines, Spirits and Cold Beer and with regular liquor store hours of Monday to Saturday 10 am - 12 am and Sunday 11 am to 10 pm.

8) Existing liquor stores are not serving the south-east part of the City as well as nearby hotel visitors. The proposed development will fill the gap of the demand; or customers will need to drive to other parts of city which negate the City's effort for Downtown and for Jasper Avenue.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

(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, 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 910.5(2)(s), **Major Alcohol Sales** is a **Permitted Use** in the **CCA Core Commercial Arts Zone**.

Under section 7.4(28), **Major Alcohol Sales** means development used for the retail sales of any and all types of alcoholic beverages to the public where the Floor Area for the individual business premises is greater than 275 square metres. This Use may include retail sales of related products such as soft drinks and snack foods.

Section 910.5(1) states that the **General Purpose** of the **CCA Core Commercial Arts Zone** is to provide a Zone for a variety of high density and quality development that accommodates office, retail, service, institutional, residential, arts and entertainment Uses and meet the Use objectives for the Commercial Cultural Core. The intent is to further strengthen the Downtown's central area by providing continuous retail at Grade, enhancing arts and entertainment activities, accommodating Residential Uses and making the Core more pedestrian friendly.

<i>Location</i>

Section 85(1) states any Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 500 metres from any other Major Alcohol Sales or Minor Alcohol Sales.

Section 85(6) states notwithstanding Section 11 of this Bylaw, a Development Officer shall only grant a variance to subsection 85(1) or subsection 85(2) as outlined in subsections 85(7), 85(8) and 85(9).

Section 85(7) states when the Development Officer receives an application for a Development Permit that is for the purpose of accommodating the temporary relocation of an approved Major Alcohol Sales or Minor Alcohol Sales within 500 metres of its original location, a variance to subsection 85(1) or subsection 85(2) may be granted where:

- a. the application for the Development Permit is for a Temporary Development, in order to limit the introduction of an additional Major Alcohol Sales or Minor Alcohol Sales within 500 metres of the original approved Development Permit;
- b. the temporary location for any Major Alcohol Sales or Minor Alcohol Sales is not within 500 metres of any legally conforming Major Alcohol Sales or Minor Alcohol Sales;
- c. the application for a Development Permit will not result in a total Floor Area for a Major Alcohol Sales or Minor Alcohol Sales that is 10.0 percent greater than the Floor Area of the existing approved Major Alcohol Sales or Minor Alcohol Sales, to a maximum increase of 50 square metres; and
- d. the application for a Development Permit will not result in a change of Use from Minor Alcohol Sales to Major Alcohol Sales.

Section 85(8) states when a Development Officer receives an application for a Development Permit that is for the purpose of accommodating the reversion of an existing approved Major Alcohol Sales or Minor Alcohol Sales back to its original location on a Site, a variance of subsection 85(1) or subsection 85(2) may only be granted where the application for the reversion is submitted to the Development Officer within 5 years of the date of vacating the original location and the application will not result in a total Floor Area that is greater than the original approved Major Alcohol Sales or Minor Alcohol Sales.


Section 85(9) states the issuance of a Development Permit which contains a variance pursuant to subsection 85(7) shall be issued as a Temporary Development for a duration of up to 5 years or less, to be determined by the Development Officer.

Development Officer's Determination:

Justification for Refusal: The proposed liquor store is less than 500 metres from a number of existing Major/Minor Alcohol Sales Use developments (208 metres, 245 metres, 469 metres). The proposed liquor store does not meet any of the exclusion requirements in order to grant a variance, therefore there is clear direction one shall not be granted.

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: 180369757-011 Application Date: DEC 15, 2016 Printed: February 9, 2017 at 8:55 AM Page: 1 of 2
<h2 style="margin: 0;">Application for Major Development Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant <div style="border: 1px solid black; width: 100%; height: 50px;"></div>	Property Address(es) and Legal Description(s) 10020 - JASPER AVENUE NW Condo Common Area (Plan 0425913,1123267,1621940)
	Specific Address(es) Suite: 1C, 10020 - JASPER AVENUE NW Entryway: 10020 - JASPER AVENUE NW Building: 10024 - JASPER AVENUE NW
Scope of Application To change the Use from General Retail Stores Use and to Major Alcohol Sales Building.	
Permit Details	
Class of Permit: Gross Floor Area (sq.m.): 287.72 New Sewer Service Required: N Site Area (sq. m.): 1398.64	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: Downtown
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Application Decision Refused	
Reason for Refusal 1) Any Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 500 m from any other Major Alcohol Sales or Minor Alcohol Sales (Reference Section 85(1)). 2) Notwithstanding Section 11 of this Bylaw, a Development Officer shall only grant a variance to subsection 85(1) or subsection 85(2) as outlined in subsections 85(7), 85(8) and 85(9) (Reference Section 85(6)). Justification for Refusal: The proposed liquor store is less than 500m from a number of existing Major/Minor Alcohol Sales Use developments (208m, 245m, 469m). The proposed liquor stores does not meet any of the exclusion requirements in order to grant a variance, therefore there is clear direction one shall not be granted.	
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: Feb 01, 2017 Development Authority: CORMIER, LUKE Signature: _____	
THIS IS NOT A PERMIT	



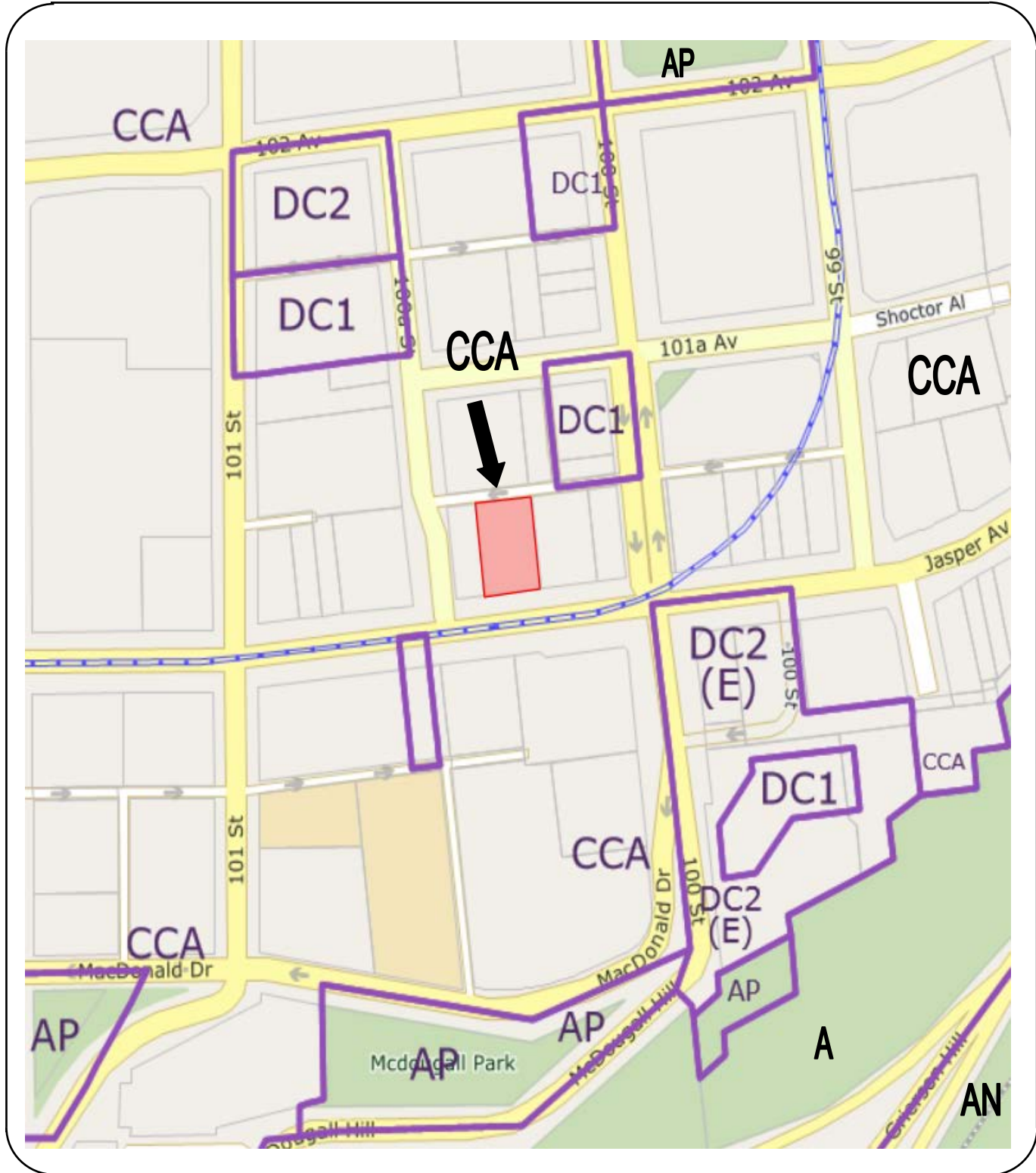
Project Number: **180369757-011**
Application Date: DEC 15, 2016
Printed: February 9, 2017 at 8:55 AM
Page: 2 of 2

Application for Major Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$260.00	\$260.00	03811464	Dec 15, 2016
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$260.00	\$260.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-051



