

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
May 23, 2019**

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

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

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I 9:00 A.M. SDAB-D-19-072

To construct exterior alterations (roof feature above Height) to an Apartment House building.

2129 - Casselman Link SW  
2129C - Casselman Link SW  
Project No.: 141173722-279

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II 10:30 A.M. SDAB-D-19-073

To change the Use from General Retail Stores to Child Care Services (36 Children).

7610 - 167 Avenue NW  
Project No.: 224518430-032

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III 1:30 P.M. SDAB-D-19-074

To construct a Duplex House with an Unenclosed Front Porch

11012 - 84 Avenue NW  
Project No.: 293187436-001

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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-19-072

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 141173722-279

APPLICATION TO: Construct exterior alterations (roof feature above Height) to an Apartment House building.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 15, 2019

DATE OF APPEAL: April 29, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 2129 - Casselman Link SW, 2129C - Casselman Link SW

LEGAL DESCRIPTION: Plan 1422087 Blk 10 Lot 63, Condo Common Area (Plan 1722875)

ZONE: RA7-Low Rise Apartment Zone

OVERLAY: N/A

STATUTORY PLAN: Callaghan Neighbourhood Area Structure Plan

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*Grounds for Appeal*

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

Over the last 25 years as an Architect in the City of Edmonton we (EFG Architects) would design /build apartment buildings which would have features that would go above the permitted roof "height". I will upload and bring samples showing some of these apartments with features that were approved in the past but now the City has determined they will no longer accept these features. This is the reverse of a City mandate of the Edmonton Design Committee (EDC) where they are trying to make a better looking building. By forcing us to delete these minor roof features only makes the building less attractive.

Only a very small portion of our feature roofs project past the permitted “height” as defined in the City Bylaw. These features add a better “look”, and a better sculpture to this building.

“Yes” - We can build the roof without these features but it’s a much better visual project with them. I advocate that the City should be trying to improve the “look” of our projects as opposed to imposing these height by-laws that have no flexibility.

With this latest exterior alteration permit request we have respected all facets of the “height” By-law with this RA7 zoned apartment with the exception of these roof features. We just simply want a better looking building for the community at large to look at.

<i>General Matters</i>
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**Appeal Information:**

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

**Grounds for Appeal**

**685(1)** If a development authority

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

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

**Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,
    - (A) within 21 days after the date on which the written decision is given under section 642, [...]

**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 clauses (a.4) and (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 210.2(1), **Apartment Housing** is a **Permitted Use** in the **(RA7) Low Rise Apartment Zone**.

Under Section 7.2(1), **Apartment Housing** means development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other Residential Use.

Section 210.1 states that the **General Purpose** of the **(RA7) Low Rise Apartment Zone** is to provide a Zone for Low Rise Apartments.

<b><i>Height</i></b>
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Section 210.4(5) states the maximum Height shall not exceed 14.5 metres for flat, mansard and gambrel roofs, or 16.0 metres for a roof type with a pitch of 4/12 (18.4 degrees) or greater, in accordance with Section 52.

Section 52.2(c) states where the maximum Height as determined by Section 52.1 is measured to the midpoint, the ridge line of the roof shall not extend more than 1.5 metres above the maximum permitted building Height of the Zone or overlay, or in the case of a Garden Suite the maximum permitted building Height in accordance with Section 87 of this Bylaw.

**Development Officer's Determination**

1. Height - The Apartment House shall not exceed a Height of 16.0m (Section 210.4.5)

Proposed Height: 16.9m

Proposed exceeds the Maximum Height by: 0.9m [unedited]

2. Height - The Apartment House roof ridge line shall not extend more than 1.5m above the permitted building Height of 16.0m (Section 52.2.c).

Maximum ridge height: 17.5m (16.0m + 1.5m)

Proposed ridge height: 19.3m

Proposed exceeds the maximum ridge height by: 1.8m [unedited]

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**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.

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Project Number: **141173722-279**  
 Application Date: MAR 15, 2019  
 Printed: April 15, 2019 at 11:10 AM  
 Page: 1 of 2

## Application for Major Development Permit

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

<b>Applicant</b> <div style="border: 1px solid black; height: 60px; width: 100%; margin-top: 10px;"></div>	<b>Property Address(es) and Legal Description(s)</b> 2129 - CASSELMAN LINK SW Plan 1422087 Blk 10 Lot 63 2129C - CASSELMAN LINK SW Condo Common Area (Plan 1722875)
<b>Specific Address(es)</b> Entryway: 2129 - CASSELMAN LINK SW Building: 2129 - CASSELMAN LINK SW	

**Scope of Application**  
 To construct exterior alterations (roof feature above Height) to an Apartment House building.

<b>Permit Details</b>  Class of Permit: Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.): 12308.82	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
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I/We certify that the above noted details are correct.

Applicant signature: \_\_\_\_\_

**Development Application Decision**  
 Refused

**Issue Date:** Apr 15, 2019    **Development Authority:** BACON, KIRK

**Reason for Refusal**

1. Height - The Apartment House shall not exceed a Height of 16.0m (Section 210.4.5)  
 Proposed Height: 16.9m  
 Proposed exceeds the Maximum Height by: 0.9m
  
2. Height - The Apartment House roof ridge line shall not extend more than 1.5m above the permitted building Height of 16.0m (Section 52.2.c).  
 Maximum ridge height: 17.5m (16.0m + 1.5m)  
 Proposed ridge height: 19.3m  
 Proposed exceeds the maximum ridge height by: 1.8m

**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.

<b>Fees</b>				
	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Major Dev. Application Fee	\$368.00	\$368.00	05708913	Mar 15, 2019

**THIS IS NOT A PERMIT**



## Application for Major Development Permit

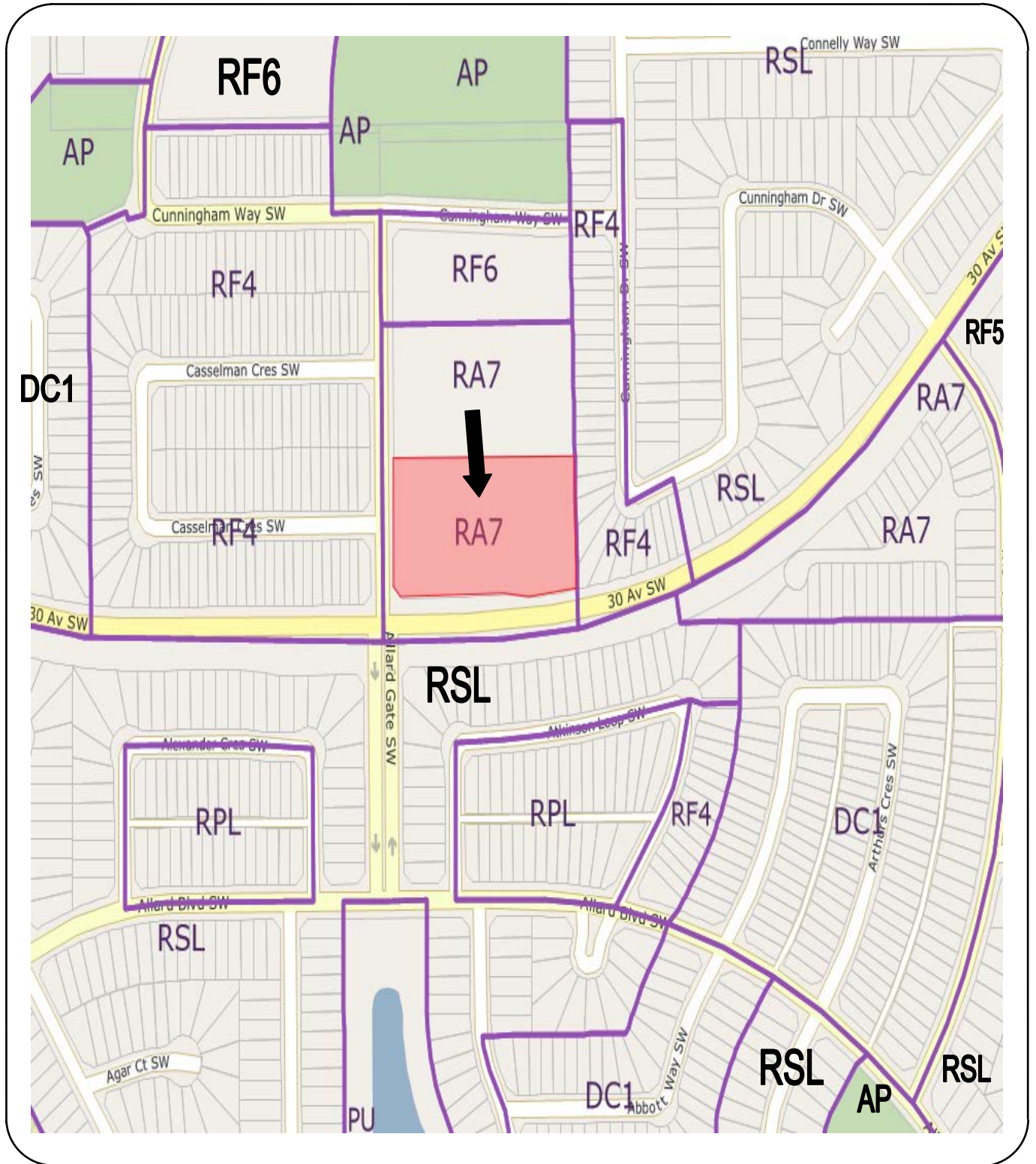
Project Number: **141173722-279**  
Application Date: MAR 15, 2019  
Printed: April 15, 2019 at 11:10 AM  
Page: 2 of 2

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$368.00</u>	<u>\$368.00</u>		

**THIS IS NOT A PERMIT**





### SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-072



ITEM II: 10:30 A.M.

FILE: SDAB-D-19-073

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 224518430-032

APPLICATION TO: Change the Use from General Retail Stores to Child Care Services (36 Children).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 23, 2019

DATE OF APPEAL: April 26, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7610 - 167 Avenue NW

LEGAL DESCRIPTION: Plan 1623424 Unit 2

ZONE: CNC - Neighbourhood Convenience Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: Edmonton North Area Structure Plan  
Schonsee Neighbourhood Structure Plan

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*Grounds for Appeal*

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

The appellant submits the main reason for refusal was that the childcare building is adjacent to the car wash. However the childcare facility is approximately 18 feet away from the child care facility. The child care facility is protected by 20 concrete filled steel bollards. Including bollards which will protect the pick up and drop off area

The pick up and drop off area is secluded from any gas station traffic, and directly next to the entrance of the facility

The play area will be secluded with a sound wall/fence which will prevent and noise travelling to any neighboring residential yards, including a grade difference as well.

<i>General Matters</i>
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**Appeal Information:**

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

**Grounds for Appeal**

**685(1)** If a development authority

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

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

**Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,
    - (A) within 21 days after the date on which the written decision is given under section 642, [...]

**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 clauses (a.4) and (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*:**

Section 330.1 states that the **General Purpose** of (CNC) **Neighbourhood Convenience Commercial Zone** is:

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

***Discretionary Use***

Under section 310.3(4), **Child Care Services** is a **Discretionary Use** in the (CNC) **Neighbourhood Convenience Commercial Zone**.

Under section 7.8(2), **Child Care Services** means:

a development intended to provide care, educational activities and supervision for groups of seven or more children under 13 years of age

during the day or evening, but does not generally include overnight accommodation. This Use typically includes daycare centres; out-of-school care centres; preschools; and dayhomes/group family care providing child care to seven or more children within the care provider's residence.

**Development Officer's Determination**

Advisement: This Major Development Permit application (Job #: 224518430-032) is similar to a previously refused application at the same address (Job #: 224518430-025) with the exception that the proposed number of children has been decreased from 78 to 32 children. The following reasons for refusal are the same as the previous reasons for refusal with exception that reason number 3 has been removed as it is no longer relevant due to the decreased number of children.

The proposed development, Child Care Services, is listed as a Discretionary Use in the Neighbourhood Convenience Commercial (CNC) Zone. Discretionary Uses means those uses of land, buildings or structures for which Permits may be issued only at the discretion of the Development Officer. In the opinion of the Development Officer, the proposed development is not a suitable use in the context of the site and is refused for the following reasons. [unedited]

***Location requirements***

Section 80.2 Location requirements:

- a. No portion of a Child Care Services Use, including the building bay and on-Site outdoor play space, where provided, shall be located adjacent to a building bay with an approved development permit for the following Uses:
  - v. Rapid Drive-through Vehicle Services

**Development Officer's Determination**

1. Section 80.2(a)(v) - No portion of a Child Care Services Use, including the building bay and on-Site outdoor play space, where provided, shall be located adjacent to a building bay with an approved development permit for Rapid Drive-through Vehicle Services.

Notwithstanding that the building for the proposed Child Care Service is not adjacent to the bay of the Rapid Drive-through Vehicle Services building, the drive aisle for the queuing spaces is adjacent to the building bay of the Child Care Service.

In the opinion of the Development Officer, the proximity of the drive aisle to the Child Care Service would create a greater safety concern than the building bay. [unedited]

***Parking Spaces***

Section 310.4(9) states Where Uses, that may in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, and where the Site containing such Uses is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: Landscaping; berming or screening, which may exceed the requirements of Section 55 of this Bylaw; noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting on to the proposed development; and any other measures as the Development Officer may deem appropriate.

**Development Officer's Determination**

2. Section 310.4(9) - Where Uses, that may in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, and where the Site containing such Uses is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated.


The location of the outdoor play space is immediately adjacent to the Rear Yards of existing Single Detached Houses. [unedited]

***Previous Subdivision and Development Appeal Board Decision***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-18-100	To change the Use from General Retail Stores to Child Care Services (78 Children).	August 2, 2018; The appeal is DENIED and the decision of the Development Authority is CONFIRMED. The development is REFUSED.

**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.

	Project Number: <b>224518430-032</b> Application Date: FEB 27, 2019 Printed: April 23, 2019 at 4:03 PM Page: 1 of 2		
<h2 style="margin: 0;">Application for Major Development Permit</h2>			
<p>This document is a Development Permit Decision for the development application described below.</p>			
<b>Applicant</b> <div style="border: 1px solid black; height: 40px; width: 100%; margin-top: 5px;"></div>	<b>Property Address(es) and Legal Description(s)</b> 7610 - 167 AVENUE NW Plan 1623424 Unit 2  <b>Specific Address(es)</b> Suite: 7630 - 167 AVENUE NW Entryway: 7630 - 167 AVENUE NW Building: 7630 - 167 AVENUE NW		
<b>Scope of Application</b> To change the Use from General Retail Stores to Child Care Services (36 Children).			
<b>Permit Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;">           Class of Permit:            Gross Floor Area (sq.m.): 371.6            New Sewer Service Required: N            Site Area (sq. m.):         </td> <td style="width: 50%; border: none; vertical-align: top;">           Contact Person:            Lot Grading Needed?: N            NumberOfMainFloorDwellings:            Stat. Plan Overlay/Annex Area: (none)         </td> </tr> </table>		Class of Permit: Gross Floor Area (sq.m.): 371.6 New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Gross Floor Area (sq.m.): 371.6 New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)		
I/We certify that the above noted details are correct.  Applicant signature: _____			
<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Apr 23, 2019 <b>Development Authority:</b> KENNEDY, CLARK			
<b>THIS IS NOT A PERMIT</b>			



Project Number: **224518430-032**  
 Application Date: FEB 27, 2019  
 Printed: April 23, 2019 at 4:03 PM  
 Page: 2 of 2

## Application for Major Development Permit

**Reason for Refusal**

Advisement: This Major Development Permit application (Job #: 224518430-032) is similar to a previously refused application at the same address (Job #: 224518430-025) with the exception that the proposed number of children has been decreased from 78 to 32 children. The following reasons for refusal are the same as the previous reasons for refusal with exception that reason number 3 has been removed as it is no longer relevant due to the decreased number of children.

The proposed development, Child Care Services, is listed as a Discretionary Use in the Neighbourhood Convenience Commercial (CNC) Zone. Discretionary Uses means those uses of land, buildings or structures for which Permits may be issued only at the discretion of the Development Officer. In the opinion of the Development Officer, the proposed development is not a suitable use in the context of the site and is refused for the following reasons:

1. Section 80.2(a)(v) - No portion of a Child Care Services Use, including the building bay and on-site outdoor play space, where provided, shall be located adjacent to a building bay with an approved development permit for Rapid Drive-through Vehicle Services.

Notwithstanding that the building for the proposed Child Care Service is not adjacent to the bay of the Rapid Drive-through Vehicle Services building, the drive aisle for the queuing spaces is adjacent to the building bay of the Child Care Service. In the opinion of the Development Officer, the proximity of the drive aisle to the Child Care Service would create a greater safety concern than the building bay.

2. Section 310.4(9) - Where Uses, that may in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, and where the Site containing such Uses is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated.

The location of the outdoor play space is immediately adjacent to the Rear Yards of existing Single Detached Houses.

**Rights of Appeal**

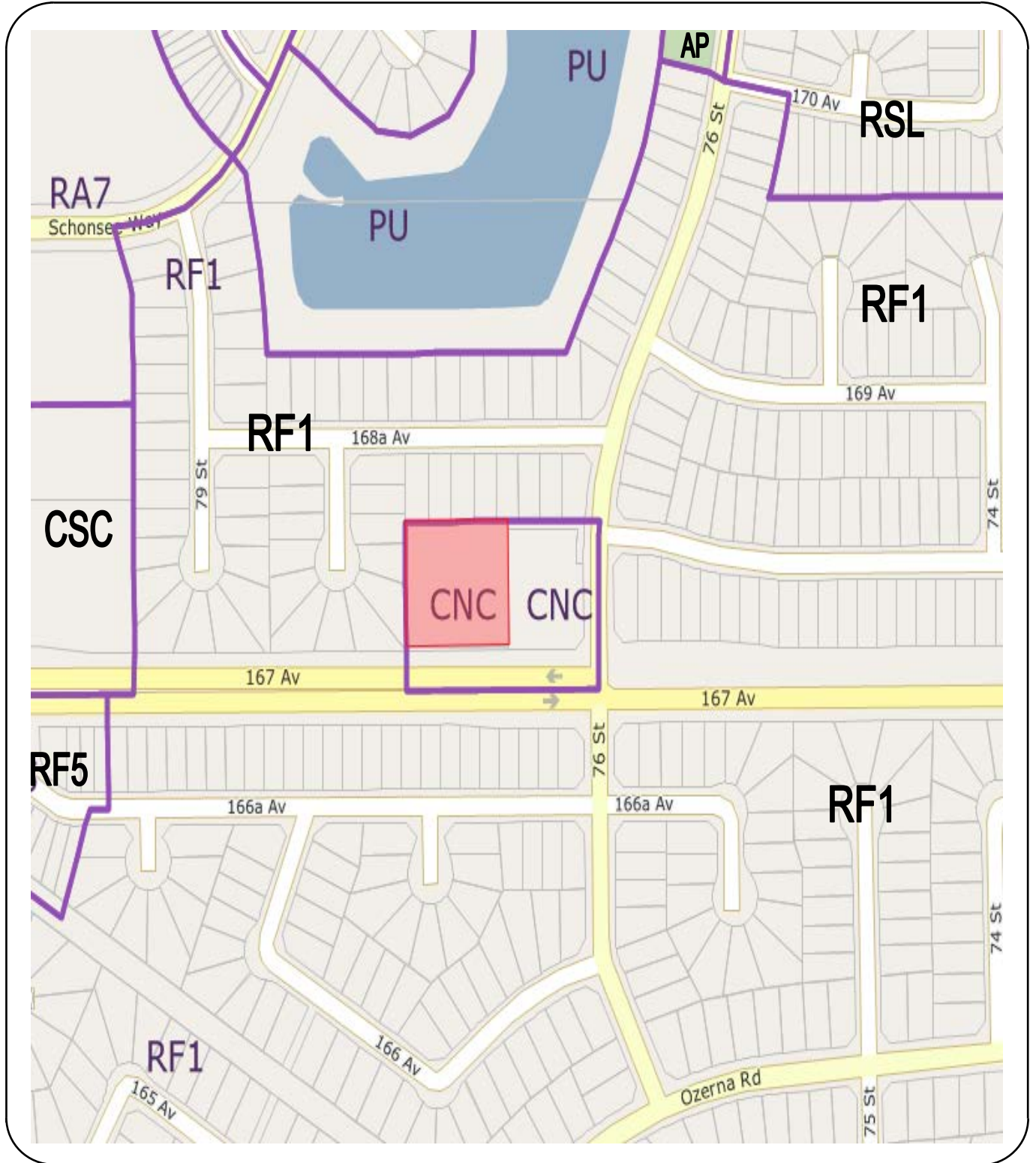
The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$331.00	\$331.00	05678690	Feb 27, 2019
Total GST Amount:	\$0.00			
Totals for Permit:	\$331.00	\$331.00		

**THIS IS NOT A PERMIT**





**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-19-073



ITEM III: 1:30 P.M.

FILE: SDAB-D-19-074

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER BY A COMMUNITY LEAGUE

APPELLANT:

APPLICATION NO.: 293187436-001

APPLICATION TO: Construct a Duplex House with an Unenclosed Front Porch

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: March 26, 2019

DATE OF APPEAL: April 18, 2019

NOTIFICATION PERIOD: March 26, 2019 through April 9, 2019

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11012 - 84 Avenue NW

LEGAL DESCRIPTION: Plan I23A Blk 161 Lot 3

ZONE: DC1-Direct Development Control Provision

OVERLAY: N/A

STATUTORY PLAN: Garneau Area Redevelopment Plan

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*Grounds for Appeal*

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

The development officer has indicated that the proposed development complies with the zoning bylaw and that there are no variances to the development regulations. This is incorrect in this direct control district and under The Garneau Area Redevelopment Plan.

*General Matters*

**The Subdivision and Development Appeal Board made and passed the following motion on April 24, 2019.**

**"That the appeal hearing be postponed to May 22 or May 23, 2019."**

**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.

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

**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.

**685(4)** Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

- (a) ...
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

**General Provisions from the DC1 (Bylaw 6221 –Sub Area 1) Direct Development Control Provision (“DC1”):**

Under Section **Uses**:

The following uses will be considered in this area:

...

(3) Duplex Housing where the side lot line of the site abuts a site in an Industrial, Commercial, Row Housing,, or Apartment District, or is not separated from it by a public roadway more than 10m (32.8 ft.) wide.

(4) Duplex Housing, other than those which are permitted.

...

The **Rationale** of the **DC1** is:

The Garneau Plan in Policy 1.1 identifies the subject area as a "Special Character Residential Area" contributing to the city as a whole a precinct of older detached

housing having interesting architectural detailing and variety in built form. This District is intended to encourage the retention and rehabilitation of existing structures while allowing for infill redevelopment. The regulations associated with this District are intended to ensure that all rehabilitation and redevelopment activities are sensitive to the existing character of both the built form and its relationship to existing streetscapes.

**Under Section Development Criteria:**

The following development criteria shall apply to developments within this District pursuant to Section 710.4 of the Land Use Bylaw.

1. The General Regulations and Special Land Use Provisions of the Land Use Bylaw.
2. The development regulations of the RF3 (Low Density Redevelopment) District, provided that the Development Officer may relax these regulations for individual applications, where such relaxations would assist in the achievement of the development criteria in Clauses 3, 4 and 5 below.
3. New developments or additions to existing buildings shall be compatible with the scale, massing and siting of adjacent buildings along the same street frontage.
4. The rehabilitation and renovation of existing buildings shall retain the original details of rooflines, doors and windows, trim, exterior finishing materials and similar architectural features to the greatest extent practical.
5. The design and appearance of new developments shall incorporate building details and finishing materials which are common to the domestic architecture of the turn of the century and early 1920's detached housing in the area.
6. Existing trees and vegetation shall be retained wherever possible and where removal for new construction is required, mature trees shall be planted to maintain the appearance of the streetscape.

**Under Section Additional Information Requirements:**

In addition to the information normally required for a development application under the Land Use Bylaw the Development Officer may also require such information required to explain how the proposed development meets the development criteria set out in (3) above and may include the following.

1. A narrative which includes a description of the architectural characteristics common in the immediate vicinity and how the application responds to these characteristics.
2. Streetscape elevations including adjacent properties.

**Development Officer's Determination**

You are receiving this notice because a Development Permit has been issued on a Direct Control Zone, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.

Note: The proposed development complies with the Zoning Bylaw, and there are no variances to the development regulations. [unedited]

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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.

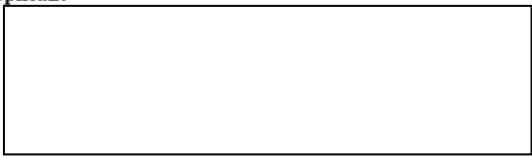
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Project Number: 293187436-001  
Application Date: SEP 20, 2018  
Printed: April 23, 2019 at 9:22 AM  
Page: 1 of 3

### Minor Development Permit

This document is a record of a Development 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.

<b>Applicant</b> 	<b>Property Address(es) and Legal Description(s)</b> 11012 - 84 AVENUE NW Plan I23A Blk 161 Lot 3
	<b>Specific Address(es)</b> Suite: 100, 11012 - 84 AVENUE NW Suite: 200, 11012 - 84 AVENUE NW Entryway: 11012 - 84 AVENUE NW Building: 11012 - 84 AVENUE NW

**Scope of Permit**  
To construct a Duplex House with an Unenclosed Front Porch.

<b>Permit Details</b>										
<table border="0"> <tr> <td># of Dwelling Units Add/Remove: 2</td> <td># of Primary Dwelling Units To Construct:</td> </tr> <tr> <td># of Secondary Suite Dwelling Units To Construct: 1</td> <td>Class of Permit: Class B</td> </tr> <tr> <td>Client File Reference Number:</td> <td>Lot Grading Needed?: Y</td> </tr> <tr> <td>Minor Dev. Application Fee: Duplex House</td> <td>New Sewer Service Required: Y</td> </tr> <tr> <td>Secondary Suite Included?: N</td> <td>Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay</td> </tr> </table>	# of Dwelling Units Add/Remove: 2	# of Primary Dwelling Units To Construct:	# of Secondary Suite Dwelling Units To Construct: 1	Class of Permit: Class B	Client File Reference Number:	Lot Grading Needed?: Y	Minor Dev. Application Fee: Duplex House	New Sewer Service Required: Y	Secondary Suite Included?: N	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 Permit Decision**  
Approved  
**Issue Date:** Mar 26, 2019 **Development Authority:** YEUNG, KENNETH



Project Number: **293187436-001**  
Application Date: SEP 20, 2018  
Printed: April 23, 2019 at 9:22 AM  
Page: 2 of 3

## Minor Development Permit

### Subject to the Following Conditions

This Development Permit is not valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$1,629.00/Dwelling (2019 rate). All assessments are based upon information currently available to the City. The SSTF charges are quoted for the calendar year in which the development permit is granted. The final applicable rate is subject to change based on the year in which the payment is collected by the City of Edmonton.

This Development Permit authorizes the development of a Duplex House with an Unenclosed Front Porch.

WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a development permit notification sign (Section 20.2)

The development shall be constructed in accordance with the stamped and approved drawings.

Landscaping shall be installed and maintained in accordance with Section 55.

The design and appearance of new developments shall incorporate building details and finishing materials which are common to the domestic architecture of the turn of the century and early 1920's detached housing in the area (Bylaw 6220).

Existing trees and vegetation shall be retained wherever possible and where removal for new construction is required, mature trees shall be planted to maintain the appearance of the streetscape (Bylaw 6220).

Frosted or opaque glass treatment shall be used on conflicting windows to minimize overlook into adjacent properties.

Dwelling means a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is used permanently or semi-permanently as a residence for a single Household.

Household means: (1) one or more persons related by blood, adoption, foster care, marriage relationship; or (2) a maximum of three unrelated persons; all living together as a single social and economic housekeeping group and using cooking facilities shared in common.

For the purposes of this definition, two people living together in an adult interdependence relationship shall be deemed to be in a marriage relationship and each of the relatives of the parties to an adult interdependence relationship shall be considered to be related to the partners and to the other relatives thereof. One domestic worker or one boarder may be deemed the equivalent of a blood relative.

### ADVISEMENT:

Any future deck development greater than 0.6m (2ft) in height will require development and building permit approvals.

Note that Secondary Suite Use Class is not a listed Use in this DC1 Zone (Bylaw 6220).


The driveway access must maintain a minimum clearance of 1.5m from the service pedestal and all other surface utilities.

Lot grades must match the Edmonton Drainage Bylaw 16200 and/or comply with the Engineered approved lot grading plans for the area. Contact Drainage Services at 780-496-5576 or [lot.grading@edmonton.ca](mailto:lot.grading@edmonton.ca) for lot grading inspection inquiries.

Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.

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 including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the



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<p><b>Site.</b></p> <p>A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.</p> <p><b>Variations</b></p> <p>You are receiving this notice because a Development Permit has been issued on a Direct Control Zone, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.</p> <p>Note: The proposed development complies with the Zoning Bylaw, and there are no variations to the development regulations.</p> <p><b>Rights of Appeal</b></p> <p>This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.</p> <p><b>Notice Period Begins:</b> Apr 02, 2019      <b>Ends:</b> Apr 23, 2019</p>																																									
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### SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-074

