

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
November 23, 2016**

**Hearing Room No. 2  
Churchill Building,  
10019 - 103 Avenue NW,  
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
HEARING ROOM NO. 2**

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I 9:00 A.M. SDAB-D-16-296 Change the Use of a Personal Service Shop to a Specialty Food Service (Public Space 44.12 square metres - JASMINE BELLE CAFE)  
8702 - 118 Avenue NW  
Project No.: 228096013-001

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II 10:30 A.M. SDAB-D-16-297 Construct a 2 Storey Accessory Building (Garage Suite on second floor, Garage on main floor, 10.36 metres by 6.81 metres), existing without permits  
11623 - 73 Avenue NW  
Project No.: 116341262-007

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III 1:30 P.M. SDAB-D-16-267 Gordon Foster VS. Eden Tesfastion  
Change the Use from Warehouse Sales to Restaurants (170 seats) and to construct interior alterations  
11807 - 105 Avenue NW  
Project No.: 224601991-001

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**WITHDRAWN**

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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-16-296

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 228096013-001

APPLICATION TO: Change the Use of a Personal Service Shop to a Specialty Food Service (Public Space 44.12 square metres - JASMINE BELLE CAFE)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 19, 2016

DATE OF APPEAL: October 31, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 8702 - 118 Avenue NW

LEGAL DESCRIPTION: Plan 873EO Blk 5 Lot 14

ZONE: CB2-General Business Zone

OVERLAY: Alberta Avenue Pedestrian Commercial Shopping Street Overlay

STATUTORY PLAN: Alberta Avenue / Eastwood Area Redevelopment Plan

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*Grounds for Appeal*

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

Due to parking decision was denied (lack of). Other restaurant in the area has no provided parking, only city. Our coffee shop is directed to walking clients more than driving.

***General Matters***

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

**Appeals**

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

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

...

**Hearing and Decision**

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

...

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

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

**General Provisions from the *Edmonton Zoning Bylaw*:**

Section 340.2(25) states a **Specialty Food Services, for less than 100 occupants and 120 square metres of Public Space**, is a **Permitted Use** in the **CB2 General Business Zone**.

Under Section 7.4(47), **Specialty Food Services** means development where limited types of prepared foods and beverages, excluding alcoholic beverages, are offered for sale to the public, for consumption within the premises or off the Site. This Use Class typically relies primarily on walk-in clientele, and includes coffee, donut, bagel or sandwich shops, ice cream parlours, and dessert shops.

Section 340.1 states the **General Purpose** of the **CB2 General Business Zone** is to provide for businesses that require large Sites and a location with good visibility and accessibility along, or adjacent to, major public roadways.

Section 821.1 states the **General Purpose** of the **Alberta Avenue Pedestrian Commercial Shopping Street Overlay** is to facilitate development of a pedestrian-oriented character to commercial and mixed use developments along 118 Avenue, between 76 and 105 Streets, in close proximity to residential areas, in accordance with the Avenue Initiative Revitalization Strategy and Plans in effect for this area of the City.

***Parking***

Section 821.3(7)(b) states the minimum number of off-street parking spaces required shall be in accordance with the provisions of Section 54, Schedule 1 of this Bylaw, except that for Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, and Nightclubs, parking shall be provided on the basis of one parking space per 4.8 square metres of Public Space.

Section 54.1.1.b.ii states where any building or Use undergoes a change of Use, intensity of Use or capacity and the change results in an increase in the parking requirements, the off-street parking, including parking for the disabled and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or Use as modified in use.

Under Section 6.1(82), **Public Space** means space that is part of an establishment, which is open to the public and not restricted to only employees. This definition does not include kitchens, administrative offices, food or drink preparation areas.

**Development Officer's Determination**

Required: 27 spaces  
Proposed: 0 space  
Deficient by: 27 spaces

NOTES: Previous Development Permit (000092433-001) had granted a variance in 1992 (reduced the parking requirement from 4 stalls to 0 stall).

***Community Consultation***

Section 821.3(25) of the Alberta Avenue Pedestrian Commercial Shopping Street Overlay states where an application for a Development Permit 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 and the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;
  - 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 as part of the Development Application.

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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. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

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	Project Number: <b>228096013-001</b> Application Date: AUG 11, 2016 Printed: October 31, 2016 at 1:34 PM 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.		
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 8702 - 118 AVENUE NW Plan 873EO Blk 5 Lot 14  <b>Specific Address(es)</b> Suite: 8702 - 118 AVENUE NW Entryway: 8702 - 118 AVENUE NW Building: 8702 - 118 AVENUE NW <span style="float: right; margin-left: 20px;">CB2</span>	
<b>Scope of Application</b> To change the Use of a Personal Service Shop to a Specialty Food Service (Public Space 44.12 sqm - JASMINE BELLE CAFE).		
<b>Permit Details</b>		
Class of Permit: Gross Floor Area (sq.m.): 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>Reason for Refusal</b> 1) Where any building or Use undergoes a change of Use, intensity of Use or capacity and the change results in an increase in the parking requirements, the off-street parking, including parking for the disabled and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or Use as modified in use (reference Section 54.1.1.b.ii)  Required: 27 spaces Proposed: 0 space Deficient by: 27 spaces  NOTES: Previous Development Permit (000092433-001) had granted a variance in 1992 (reduced the parking requirement from 4 stalls to 0 stall).  <b>Rights of Appeal</b> 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: Oct 19, 2016	Development Authority: LI, CINDY	Signature: _____
<b>THIS IS NOT A PERMIT</b>		





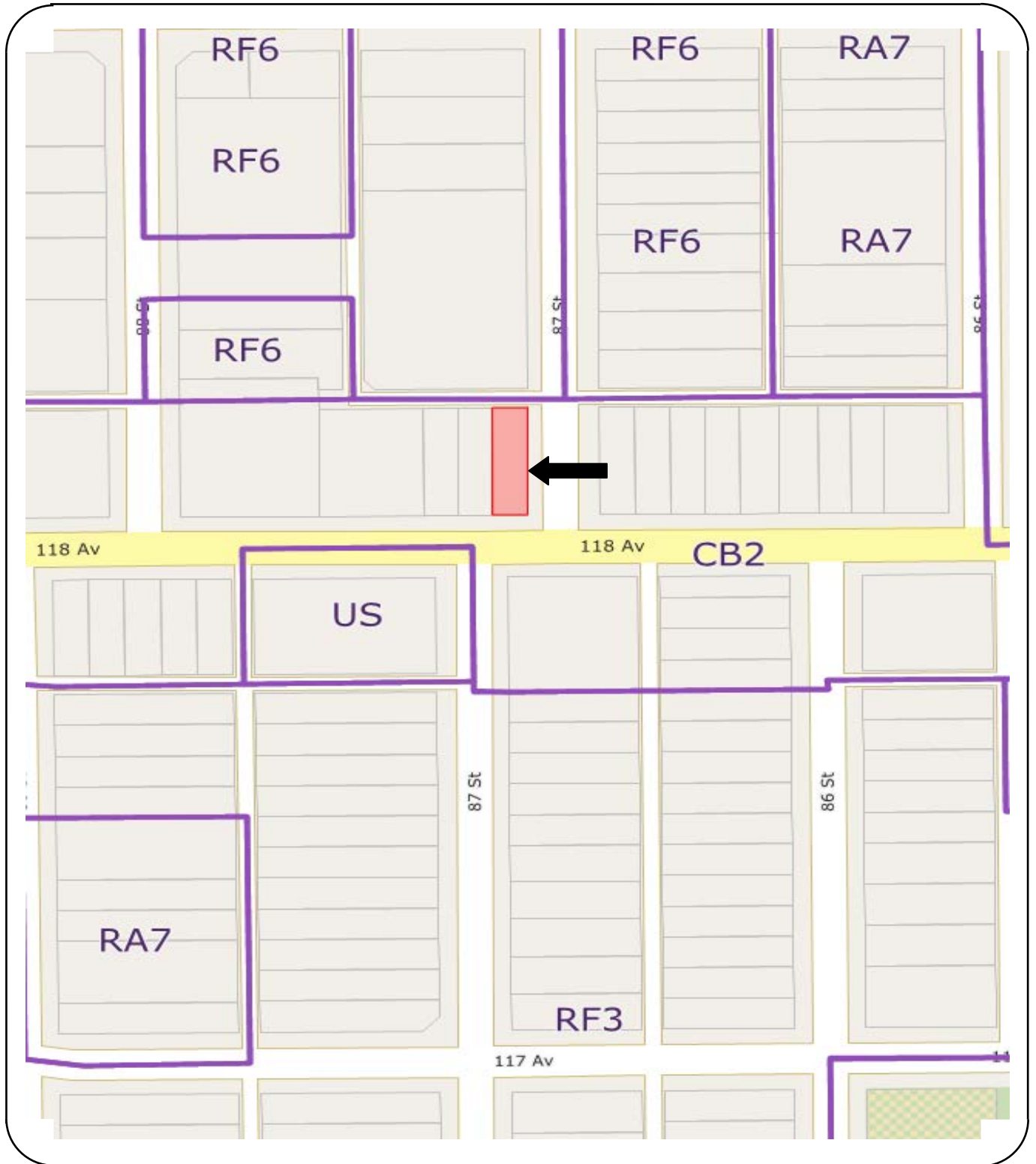
## Application for Major Development Permit

Project Number: **228096013-001**  
Application Date: AUG 11, 2016  
Printed: October 31, 2016 at 1:34 PM  
Page: 2 of 2

### Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$260.00	\$260.00	03523295	Aug 15, 2016
Total GST Amount:	<u>\$0.00</u>	<u>          </u>		
Totals for Permit:	\$260.00	\$260.00		

THIS IS NOT A PERMIT



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-16-296



ITEM II: 10:30 A.M.

FILE: SDAB-D-16-297

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 116341262-007

APPLICATION TO: Construct a 2 Storey Accessory Building (Garage Suite on second floor, Garage on main floor, 10.36 metres by 6.81 metres), existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 7, 2016

DATE OF APPEAL: October 20, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11623 - 73 Avenue NW

LEGAL DESCRIPTION: Plan 2938HW Blk 10 Lots 29-30

ZONE: RF1-Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: McKernan/Belgravia Station Area Redevelopment Plan

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*Grounds for Appeal*

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

Please be advised that Permit Masters will be representing the property owner on the appeal of the above Development Permit. An application was submitted and subsequently refused for a 2 storey Accessory Building located at 11623 73 Avenue NW in the community of Belgravia.

The reasons for refusal outlined several Bylaw relaxations required. However, all the relaxations required are minor in nature and do not create any negative impacts.

***General Matters***

**Appeal Information:**

**Grounds for Appeal**

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

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

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

**Appeals**

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

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

...

**Hearing and Decision**

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

...

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

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

**General Provisions from the *Edmonton Zoning Bylaw*:**

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

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

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

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

***Discretionary Use***

Under section 110.3(3), a **Garage Suite** is a **Discretionary Use** in the RF1 Single Detached Residential Zone.

Under section 7.2(3), **Garage Suite** means:

an Accessory Dwelling located above a detached Garage (above Grade); or a single-storey Accessory Dwelling attached to the side or rear of, a detached Garage (at Grade). A Garage Suite is Accessory to a building in which the principal Use is Single Detached Housing. A Garage Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of

the principal Dwelling located on the Site. A Garage Suite has an entrance separate from the vehicle entrance to the detached Garage, either from a common indoor landing or directly from the exterior of the structure. This Use Class does not include Garden Suites, Secondary Suites, Blatchford Lane Suites, or Blatchford Accessory Suites.

Section 87.14 states where Garage Suites or Garden Suites are Discretionary within the applicable Zone, the Development Officer may exercise discretion in considering a Garage Suite having regard to:

- a. compatibility of the Use with the siting, geodetic elevations, Height, roof slopes and building types and materials characteristic of surrounding low density ground-oriented housing and development;
- b. the effect on the privacy of adjacent properties;
- c. the policies and guidelines for Garage Suites and Garden Suites contained in a Statutory Plan for the area.

**Development Officer’s Determination:**

Section 110.3.3: A Garage Suites is a Discretionary Use in the (RF1) Single Detached Residential Zone.

<b><i>Height</i></b>
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Section 87.2(a) states the maximum Height shall be as follows: Garage containing a Garage Suite (above Grade):

- i. 6.5 metres or up to 1.5 metres greater than the Height of the principal Dwelling as constructed at the time of the Development Permit Application, whichever is the lesser, where the building containing the Garage Suite has a roof slope of 4/12 (18.4 degree) or greater.
- ii. 5.5 metres or up to 1.5 metres greater than the Height of the principal Dwelling as constructed at the time of the Development Permit Application, whichever is the lesser, where the building containing the Garage Suite has a roof slope of less than 4/12 (18.4 degree).

**Development Officer’s Determination:**

Maximum permitted Height: 5.5 metres  
Proposed Height: 6.19 metres  
[Excess]: 0.69 metres

***Floor Area***

Section 87.3 states the following:

the maximum Floor Area shall be:

- a. 60 square metres for a Garage Suite (above Grade).
- b. ...
- c. notwithstanding (a) and (b) above, the maximum Floor Area may be increased by up to 7.5 square metres, only where this additional floor area comprises the area of a Platform Structure associated with the Garage Suite or Garden Suite.

Under section 6.1(35), **Floor Area** means “the total Floor Area of the building or structure, contained within the outside surface of the exterior and Basement walls, provided that in the case of a wall containing windows, the glazing line of windows may be used.”

**Development Officer’s Determination:**

Maximum permitted Floor Area: 60 square metres  
Proposed: 62.25 square metres  
[Excess]: 2.25 square metres

Maximum permitted Floor Area with balcony: 67.5 square metres  
Proposed second floor balcony: 8.36 square metres  
Proposed total Floor Area: 70.61 square metres  
[Excess]: 3.11 square metres

***Distance between Garage Suite and Principal Building***

Section 87.7 states the minimum distance between a detached Garage containing a Garage Suite, and a Garden Suite and the principal Dwelling on the same Site, shall be 4 metres.

**Development Officer’s Determination:**

Required distance between the house and Garage: 4.0 metres  
Proposed: 2.7 metres  
Deficiency: 1.3 metres

***Distance between Garage and Principal Building***

Section 814.3(22) states a principal building shall be separated from a rear detached Garage by a minimum of 3.0 metres.

**Development Officer's Determination:**

Required distance between the house and Garage: 3.0 metres

Proposed: 2.2 metres

Deficiency: 0.8 metres

***Platform Structure***

Section 87.10 states Platform Structures, including balconies, shall be allowed as part of a Garage Suite developed above a detached Garage only where the balcony faces the lane or a flanking roadway.

Under Section 6.1(75), **Platform Structures** means a raised structure on which people can stand, that projects from the wall of a building, may be surrounded by guardrails, parapet walls or similar features, and is intended for use as an Amenity Area. Common examples include: balconies, raised terraces and decks. This definition does not include a Rooftop Terrace.

**Development Officer's Determination:**

Proposed: Balcony faces towards Principal Dwelling not lane.

***Vehicular Parking Dimensions and Configuration***

Section 54.2(4)(a)(vi) states aisles shall be a minimum of 7.0 metres wide for 90° parking, 5.5 metres wide for 60° parking, and 3.6 metres wide for 45° parking and parallel parking.

**Development Officer's Determination:**

Required drive aisle width: 7.0 metres

Proposed: 5.66 metres

Deficiency: 1.34 metres

***Community Consultation***

Section 814.3(24) states when a Development Permit application is made and the Development Officer determines that the proposed development does not comply with the regulations contained in this Overlay:



- a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 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.

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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. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

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Project Number: **116341262-007**  
 Application Date: MAR 17, 2016  
 Printed: October 21, 2016 at 9:51 AM  
 Page: 1 of 3

## 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 Bylaw.

<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 11623 - 73 AVENUE NW Plan 2938HW Blk 10 Lots 29-30
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**Scope of Application**  
 To construct a 2 Storey Accessory Building (Garage Suite on second floor, Garage on main floor, 10.36m x 6.81m), existing without permits.

<b>Permit Details</b>	
Affected Floor Area (sq. ft.): 669 Class of Permit: (none) Front Yard (m): Rear Yard (m): .85 Side Yard, left (m): 10.52 Site Area (sq. m.): 809.5 Site Width (m): 18.26	Building Height to Midpoint (m): Dwelling Type: Garage Suite Home Design Type: Secondary Suite Included?: N Side Yard, right (m): 5.66 Site Depth (m): 34.77 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay

I/We certify that the above noted details are correct.  
 Applicant signature: \_\_\_\_\_

**Development Application Decision**  
 Refused

**THIS IS NOT A PERMIT**



Project Number: **116341262-007**  
 Application Date: MAR 17, 2016  
 Printed: October 21, 2016 at 9:51 AM  
 Page: 2 of 3

## Application for House Development and Building Permit

### Reason for Refusal

1. Section 87.2: the maximum Height shall be 5.5 m or up to 1.5m greater than the Height of the principal Dwelling as constructed at the time of the Development Permit Application, whichever is the lesser, where the building containing the Garage Suite has a roof slope of less than 4/12 (18.4°).

Maximum permitted Height: 5.5m  
 Proposed Height: 6.19m  
 Deficiency: 0.69m

2. Section 87.3(a): the maximum Floor Area shall be 60 m<sup>2</sup> for a Garage Suite (above Grade).

Maximum permitted Floor Area: 60m<sup>2</sup>  
 Proposed: 62.25m<sup>2</sup>  
 Deficiency: 2.25m<sup>2</sup>

3. Section 87.3(c): the maximum Floor Area may be increased by up to 7.5 m<sup>2</sup>, only where this additional floor area comprises the area of a Platform Structure associated with the Garage Suite or Garden Suite.

Maximum permitted Floor Area with balcony: 67.5m<sup>2</sup>  
 Proposed second floor balcony: 8.36m<sup>2</sup>  
 Proposed total Floor Area: 70.61m<sup>2</sup>  
 Deficiency: 3.11m<sup>2</sup>

4. Section 87.7: the minimum distance between a detached Garage containing a Garage Suite, and a Garden Suite and the principal Dwelling on the same Site, shall be 4 m.

Required distance between the house and Garage: 4.0m  
 Proposed: 2.7m  
 Deficiency: 1.3m

5. Section 87.10: Platform Structures, including balconies, shall be allowed as part of a Garage Suite developed above a detached Garage only where the balcony faces the lane or a flanking roadway.

Proposed: Balcony faces towards Principal Dwelling not lane.

6. Section 54.2: Vehicular Parking Dimensions and Configuration - aisles shall be a minimum of 7.0 m wide for 90° parking, 5.5 m wide for 60° parking, and 3.6 m wide for 45° parking and parallel parking.

Required drive aisle width: 7.0m  
 Proposed: 5.66m  
 Deficiency: 1.34m

7. Section 814.3.22: A principal building shall be separated from a rear detached Garage by a minimum of 3.0 m.

Required distance between the house and Garage: 3.0m  
 Proposed: 2.2m  
 Deficiency: 0.8m

**THIS IS NOT A PERMIT**



Project Number: **116341262-007**  
 Application Date: MAR 17, 2016  
 Printed: October 21, 2016 at 9:51 AM  
 Page: 3 of 3

## Application for House Development and Building Permit

8. Section 110.3.3: A Garage Suites is a Discretionary Use in the (RF1) Single Detached Residential Zone.

**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:** Oct 07, 2016    **Development Authority:** ROBINSON, GEORGE    **Signature:** \_\_\_\_\_

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Safety Codes Fee	\$41.72	\$41.72	03401726	Jun 29, 2016
Electrical Fees (House)	\$218.00	\$218.00	03401726	Jun 29, 2016
Electrical Fee (Service)	\$77.00	\$77.00	03401726	Jun 29, 2016
Sanitary Sewer Trunk Fund	\$693.00	\$693.00	03401726	Jun 29, 2016
Building Permit Fee	\$1,661.50	\$1,661.50	03401726	Jun 29, 2016
Water Usage Fee	\$25.41	\$25.41	03401726	Jun 29, 2016
Electrical Safety Codes Fee	\$13.22	\$13.22	03401726	Jun 29, 2016
Lot Grading Fee	\$0.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,729.85	\$2,729.85		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-16-297



ITEM III: 1:30 P.M.

FILE: SDAB-D-16-267

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

APPELLANT:

APPLICATION NO.: 224601991-001

ADDRESS OF APPELLANT: 219, 11915 - 106 Avenue NW

APPLICATION TO: Change the Use from Warehouse Sales to Restaurants (170 seats) and to construct interior alterations

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: September 26, 2016

DATE OF APPEAL: October 3, 2016

RESPONDENT:

ADDRESS OF RESPONDENT: 80 - 115 Avenue NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11807 - 105 Avenue NW

LEGAL DESCRIPTION: Plan 9220996 Blk B Lot 9C

ZONE: DC2 (743) Site Specific Development Control Provision

OVERLAY: N/A

STATUTORY PLAN: Central McDougall/Queen Mary Park Area Redevelopment Plan

**WITHDRAWN**



***BUSINESS LAID OVER***

SDAB-D-16-273	An appeal by <u>Olga Hagodnik</u> to construct an addition (3.33m x 7.39m carport) to a Single Detached House, existing without permits. <b><i>November 30 or December 1, 2016</i></b>
SDAB-D-16-293	An appeal by <u>Pattison Outdoor Advertising</u> to install (1) Freestanding Off-premises Sign (3.0m x 6.1m facing North) (PATTISON) <b><i>December 1, 2016</i></b>
SDAB-D-16-144	An appeal by <u>Anna Bashir</u> to erect a Privacy Screen 8ft in height along the Southwest portion of the property, along a Required Side Yard. <b><i>December 7, 2016</i></b>
SDAB-D-16-263	An appeal by <u>Alexander Tilley</u> to erect a fence higher than 1.2 m in a Side Yard abutting a public roadway other than a lane. <b><i>December 7 or 8, 2016</i></b>
SDAB-D-16-293	An appeal by <u>Vishal Aggarwal</u> to change the Use of a General retail Store to a Major Alcohol Sales. <b><i>January 11, 2017</i></b>
SDAB-D-16-294	An appeal by <u>Wigalo Holdings Ltd.</u> to comply with a Stop Order to CEASE the Non-Accessory Parking, REMOVE all meters, signage, and material related to parking and REFRAIN from allowing Non-Accessory Parking. This Order is to be complied with on or before September 28, 2016. <b><i>January 18 or 19, 2017</i></b>
SDAB-D-16-295	An appeal by <u>Wigalo Holdings Ltd.</u> to comply with a Stop Order to CEASE the Non-Accessory Parking, REMOVE all meters, signage, and material related to parking and REFRAIN from allowing Non-Accessory Parking. This Order is to be complied with on or before September 28, 2016. <b><i>January 18 or 19, 2017</i></b>
SDAB-S-14-001	An appeal by <u>Stantec Consulting Ltd.</u> to create 78 Single Detached residential lots, 36 Semi-detached residential lots, 31 Row Housing lots and three (3) Public Utility lots from SE 13-51-25-4 <b><i>January 25, 2017</i></b>
SDAB-D-16-144	An appeal by <u>Kiewit Energy Canada Corp</u> construct 6 Accessory General Industrial Use buildings - existing without permits (Kiewit Energy Canada Corp - 3 lunchroom buildings, 2 office buildings, and 1 office/lunch building) <b><i>February 2017</i></b>

***APPEAL HEARINGS TO BE SCHEDULED***

228839673-001	An appeal by <u>C. Jorritsma</u> to park a Recreational Vehicle in the Front Yard of a Single Detached House. <b><i>December 7 or 8, 2016</i></b>
182548244-007	An appeal by <u>D. and T. Nekolaichuk</u> to construct an Accessory Building (Shed, 3.20 m x 3.12 m), existing without permits. <b><i>December 7 or 8, 2016</i></b>

**APPEAL HEARINGS TO BE SCHEDULED - Continued**

182548244-007	An appeal by <u>Stephanie Chan VS Deborah &amp; Terence Nikolaichuk</u> to construct an Accessory Building (Shed, 3.20 metres by 3.12 metres), existing without permits <b><i>December 7 or 8, 2016</i></b>
128010578-001	An appeal by <u>Jeffrey Jirsch VS Anna Bashir</u> to erect a Privacy Screen 8ft in height along the Southwest portion of the property, along a Required Side Yard <b><i>December 7 or 8, 2016</i></b>