

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.
November 25, 2021

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

I 9:00 A.M. SDAB-D-21-191

To construct an Accessory Building (detached Garage (12.19 metres by 30.48 metres)).

22080 - 118A Avenue NW
Project No.: 396558810-002

II 10:30 A.M. SDAB-D-21-182

To construct exterior alterations to an existing Accessory building (reduce the size of the detached Garage), existing without permits

7626 - 118 Street NW
Project No.: 409476407-001

III 1:30 P.M. SDAB-D-21-190

To leave as built an Accessory Building (detached Garage, 6.01 metres by 7.38 metres)

3016 - Arthurs Crescent SW
Project No.: 398317745-002

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-21-191

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 396558810-002

APPLICATION TO: Construct an Accessory Building (detached Garage (12.19 metres by 30.48 metres))

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 2, 2021

DATE OF APPEAL: November 2, 2021

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 22080 - 118A Avenue NW

LEGAL DESCRIPTION: Plan 6472KS Lot A

ZONE: (RR) Rural Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S): Big Lake Area Structure Plan
Yellowhead Corridor Area Structure Plan
Kinglet Gardens Neighbourhood Structure Plan

Grounds for Appeal

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

This permit was refused because it encroached on the height restrictions. The maximum building height for an accessory structure is 4.3 meters and our proposed garage is 5.9 meters. We wish to dispute this restriction and continue with the 5.9 meter garage as this is an acreage lot that is

surrounded by high trees. There are no neighbours that will be disturbed by this. The neighbouring acreage lot also has a high garage on their lot.

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 the decision in accordance with subsection (2.1).

Appeals

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

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

or

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

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (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 240.2(5), **Single Detached Housing** is a **Permitted Use** in the **(RR) Rural Residential Zone**.

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

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

Section 240.1 states that the **General Purpose** of the **(RR) Rural Residential Zone** is “to regulate rural residential uses that existed prior to February 9, 2021. Any subdivision of lands zoned Rural Residential is strictly prohibited.”

Height

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

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

Development Officers Determination

1) An Accessory building or structure shall not exceed 4.3 m in Height. (Section 50.3.3)

Proposed: The Height of the garage is 5.9m.

[unedited]

Roof Ridge Line

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 1.7

m 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

2) 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 1.7 m above the maximum permitted building Height of the Zone or overlay. (Section 52.2.c)

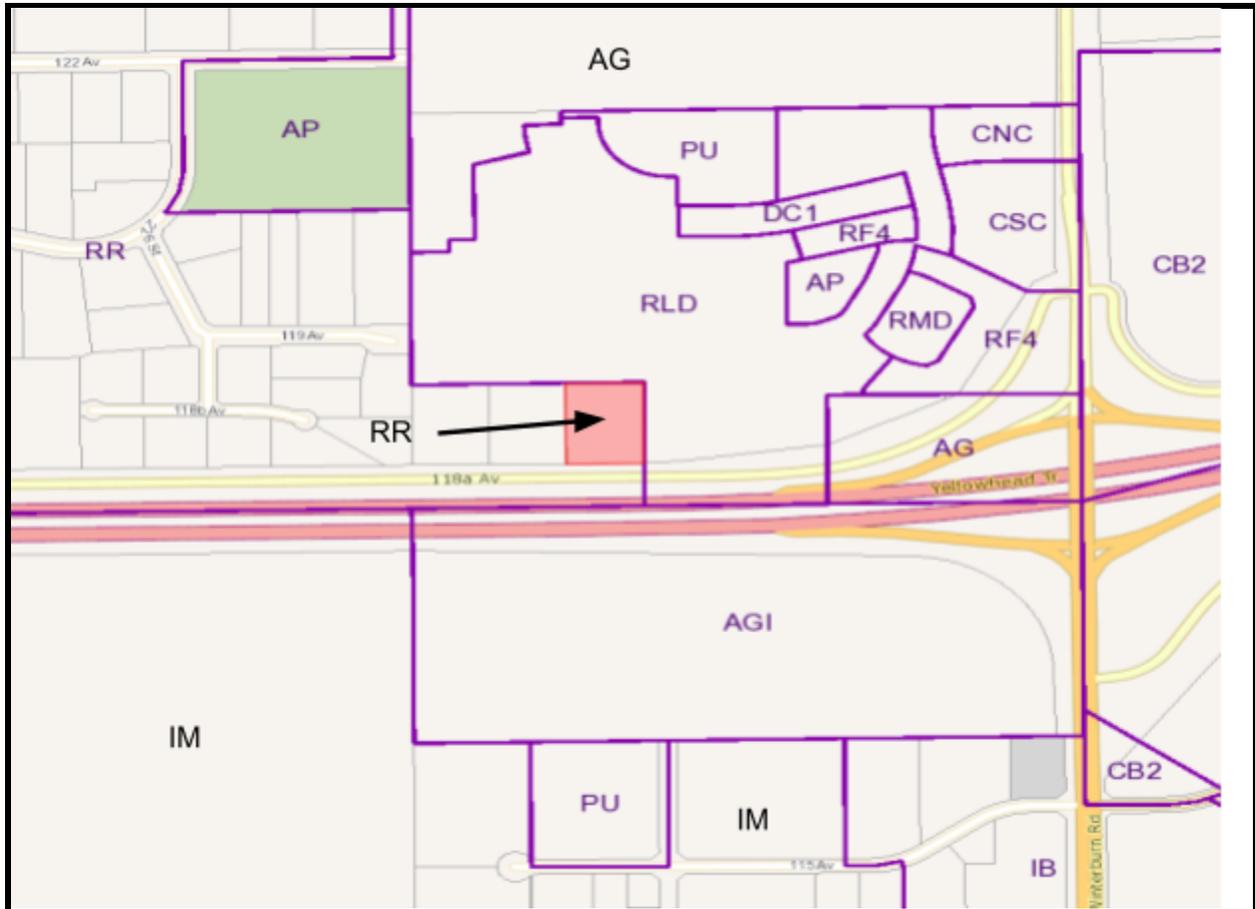
Proposed: The ridge line of the roof extends 2.9m above the maximum permitted building Height of the garage.

[unedited]

Notice to Applicant/Appellant

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

	Project Number: 396558810-002 Application Date: MAY 19, 2021 Printed: November 2, 2021 at 3:13 PM Page: 1 of 1																														
<h2 style="margin: 0;">Application for Accessory Building Permit</h2>																															
This document is a Development Permit Decision for the development application described below.																															
Applicant 	Property Address(es) and Legal Description(s) 22080 - 118A AVENUE NW Plan 6472KS Lot A Location(s) of Work Suite: 22080 - 118A AVENUE NW Entryway: 22080 - 118A AVENUE NW Building: 22080 - 118A AVENUE NW																														
Scope of Application To construct an Accessory Building (detached Garage (12.19m x 30.48m)).																															
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="border: none;">Class Of Permit: Stat. Plan Overlay/Annex Area:</td> <td style="border: none; text-align: right;">Site Area (sq. m): 11874.49</td> </tr> </table>		Class Of Permit: Stat. Plan Overlay/Annex Area:	Site Area (sq. m): 11874.49																												
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Development Application Decision Refused Issue Date: Nov 02, 2021 Development Authority: WINGET, MARK Reason for Refusal 1) An Accessory building or structure shall not exceed 4.3 m in Height. (Section 50.3.3) Proposed: The Height of the garage is 5.9m. 2) 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 1.7 m above the maximum permitted building Height of the Zone or overlay. (Section 52.2.c) Proposed: The ridge line of the roof extends 2.9m above the maximum permitted building Height of the garage. Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																															
Building Permit Decision No decision has yet been made.																															
Fees <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$120.00</td> <td style="text-align: right;">\$120.00</td> <td>10126103049G001</td> <td>May 19, 2021</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.50</td> <td style="text-align: right;">\$4.50</td> <td>10126103049G001</td> <td>May 19, 2021</td> </tr> <tr> <td>Building Permit Fee (Accessory Building)</td> <td style="text-align: right;">\$112.00</td> <td style="text-align: right;">\$112.00</td> <td>10126103049G001</td> <td>May 19, 2021</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$236.50</td> <td style="text-align: right; border-top: 1px solid black;">\$236.50</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$120.00	\$120.00	10126103049G001	May 19, 2021	Safety Codes Fee	\$4.50	\$4.50	10126103049G001	May 19, 2021	Building Permit Fee (Accessory Building)	\$112.00	\$112.00	10126103049G001	May 19, 2021	Total GST Amount:	\$0.00				Totals for Permit:	\$236.50	\$236.50		
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THIS IS NOT A PERMIT																															



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-21-191

▲
N

ITEM II: 10:30 A.M.

FILE: SDAB-D-21-182

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 409476407-001

APPLICATION TO: Construct exterior alterations to an existing Accessory building (reduce the size of the detached Garage), existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: September 24, 2021

DATE OF APPEAL: October 18, 2021

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7626 - 118 Street NW

LEGAL DESCRIPTION: Plan 2831HW Blk 4 Lot 14

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: McKernan/Belgravia Station Area Redevelopment Plan

Grounds for Appeal

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

We, the occupants/owners of 7630 118 STREET NW, contest the awarding of a permit (409476407-001) to our neighbours at 7626 118 STREET NW to alter the non-conforming structure along the east side of their property,

and abutting along the west side of our property. The building is a front (south) facing garage that is non-conforming because it is too close to the property line. Access to this garage is via a front driveway that ENCROACHES upon our property by about 1m.

Note: Please refer to the file to review the more detailed reasons for appeal.

<i>General Matters</i>

Appeal Information:

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

Definitions

616 In this Part

“non-conforming building” means a building

- (i) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- (ii) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;

Non-conforming use and non-conforming buildings

643(1) If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

(2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

(3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

(4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

(a) to make it a conforming building,

(b) for routine maintenance of the building, if the development authority considers it necessary, or

(c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

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 the decision in accordance with subsection (2.1).

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

(a.1) must comply with the land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (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 110.2(7), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

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

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

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is “to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Garden Suites, Semi-detached Housing and Duplex Housing.”

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

to regulate residential development in Edmonton’s mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering

input from affected parties on the impact of a proposed variance to the Overlay regulations.

Non-conforming Building

Section 11.3(2) of the Edmonton Zoning Bylaw states the Development Officer may approve, with or without conditions as a Class B Discretionary Development, an enlargement, alteration or addition to a non-conforming building if the non-conforming building complies with the Uses prescribed for that land in this Bylaw and the proposed development would not, in their opinion:

- a. unduly interfere with the amenities of the neighbourhood; or
- b. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

Development Officers Determination

Non-Conforming Building - This existing detached garage no longer conforms to current zoning rules, which may have changed since it was originally constructed (Section 11.3.2).

[unedited]

Notice to Applicant/Appellant

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

	Project Number: 409476407-001 Application Date: SEP 24, 2021 Printed: September 24, 2021 at 3:21 PM Page: 1 of 2		
<h2 style="margin: 0;">Minor Development Permit</h2>			
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.			
Applicant 	Property Address(es) and Legal Description(s) 7626 - 118 STREET NW Plan 2831HW Blk 4 Lot 14		
Scope of Permit To construct exterior alterations to an existing Accessory building (reduce the size of the detached Garage), existing without permits.			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> # of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N </td> <td style="width: 50%; border: none; vertical-align: top;"> # of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	# of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
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Development Permit Decision Approved Issue Date: Sep 24, 2021 Development Authority: YEUNG, KENNETH Subject to the Following Conditions This Development Permit authorizes the development of exterior alterations to an existing Accessory building (reduce the size of the detached Garage), existing without permits. The development shall be constructed in accordance with the stamped and approved drawings. Immediately upon completion of the exterior alterations, the site shall be cleared of all debris. As far as reasonably practicable, the design and use of exterior finishing materials used shall be similar to, or better than, the standard of surrounding development (Section 57.3.1). ADVISEMENTS: An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments 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 Site (Section 5.2). Any proposed change from the original approved drawings is subject to a revision/re-examination fee. The fee will be determined by the reviewing officer based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.			



Project Number: **409476407-001**
Application Date: SEP 24, 2021
Printed: September 24, 2021 at 3:21 PM
Page: 2 of 2

Minor Development Permit

Variances

Non-Conforming Building - This existing detached garage no longer conforms to current zoning rules, which may have changed since it was originally constructed (Section 11.3.2).

Rights of Appeal

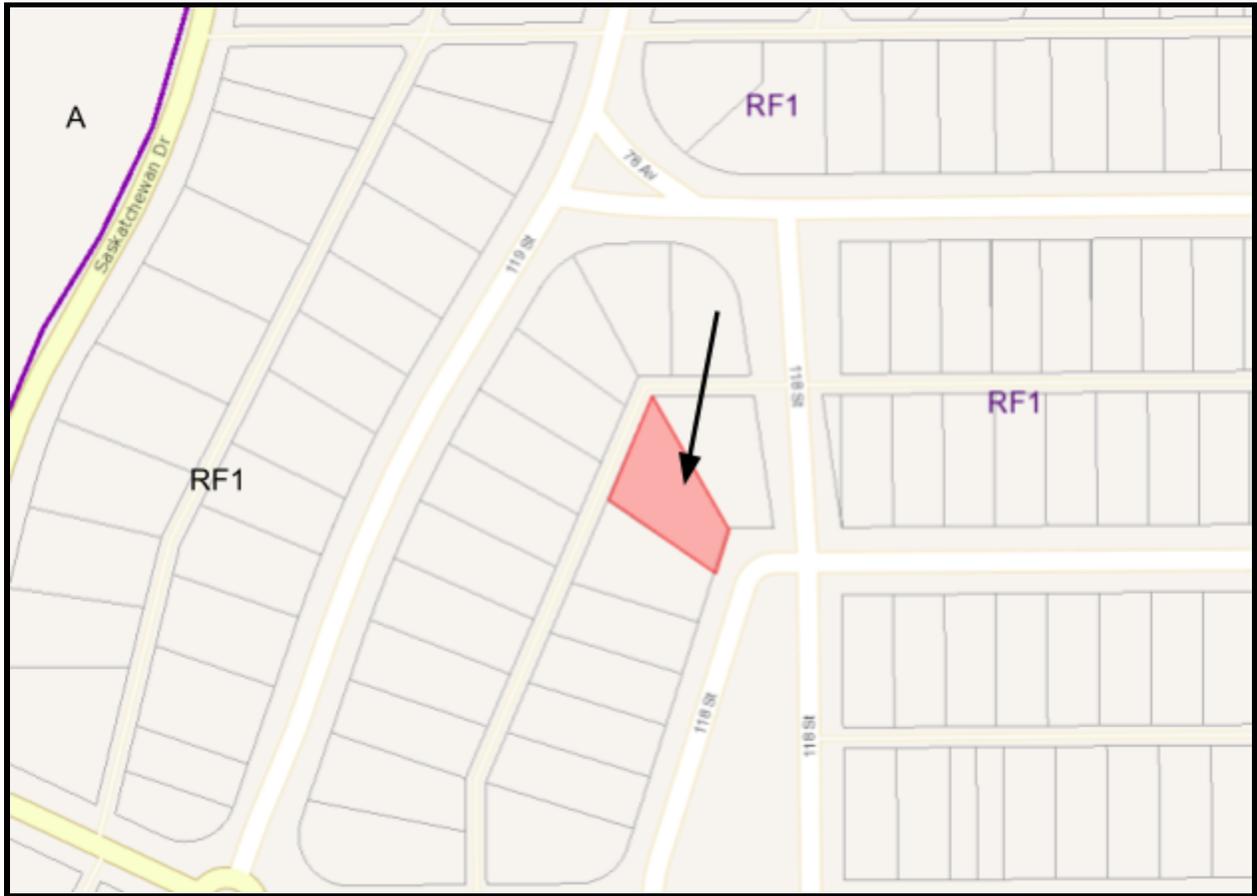
This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Notice Period Begins: Sep 30, 2021

Ends: Oct 21, 2021

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$0.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$0.00	\$0.00		



SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-21-182 ▲
N

ITEM III: 1:30 P.M.

FILE: SDAB-D-21-190

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 398317745-002

APPLICATION TO: Leave as built an Accessory Building (detached Garage, 6.01 metres by 7.38 metres)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 15, 2021

DATE OF APPEAL: November 1, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3016 - Arthurs Crescent SW

LEGAL DESCRIPTION: Plan 1220529 Blk 9 Lot 32

ZONE: DC1 - Direct Development Control Provision (Bylaw 17410)

OVERLAY: N/A

STATUTORY PLAN: Allard Neighbourhood Area Structure Plan

Grounds for Appeal

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

The garage eaves were built a bit larger than intended. Though larger they do not negatively effect the adjacent land owners or their enjoyment of said land.

<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.

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(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 the decision in accordance with subsection (2.1).

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 DCI Direct Development Control Provision (Bylaw 17410) ("DCI"):

Under section 2.d, **Single Detached Housing** is a **Listed Use** in the **DC1**.

Section 1 states that the **General Purpose** of the **DC1** is:

to provide the opportunity for more efficient utilization of suburban areas through increased density of Single Detached Housing and by eliminating the requirement of one Side Setback per lot.

DC1 Development Regulations

Section 3.b states: Except as expressly modified in Subsection 3(d) herein, the development regulations specified in the RPL Zone of this Bylaw shall regulate development of Single Detached Housing with rear detached Garage in this Zone.

Section 3.d.viii.B states:

- viii. One Side Setback may be reduced to zero metres where:
 - A. the other Side Setback is a minimum 1.5m;
 - B. the owner of the Site proposed for development and the owner of the adjacent Site register, against both titles, a minimum 1.5 m private maintenance easement that provides:

1. a 0.30 m eave encroachment easement with the requirement that the eaves shall not be closer than 0.90 m to the eaves on the adjacent building;
2. a 0.60 m footing encroachment easement; and
3. contemplates sufficient access for maintenance;

Development Officer's Determination

The maximum distance from the Accessory Building eave line into a 1.5m encroachment shall be 0.30 m (DC1.17410.3.c.viii.b.i).

Proposed: 0.41m

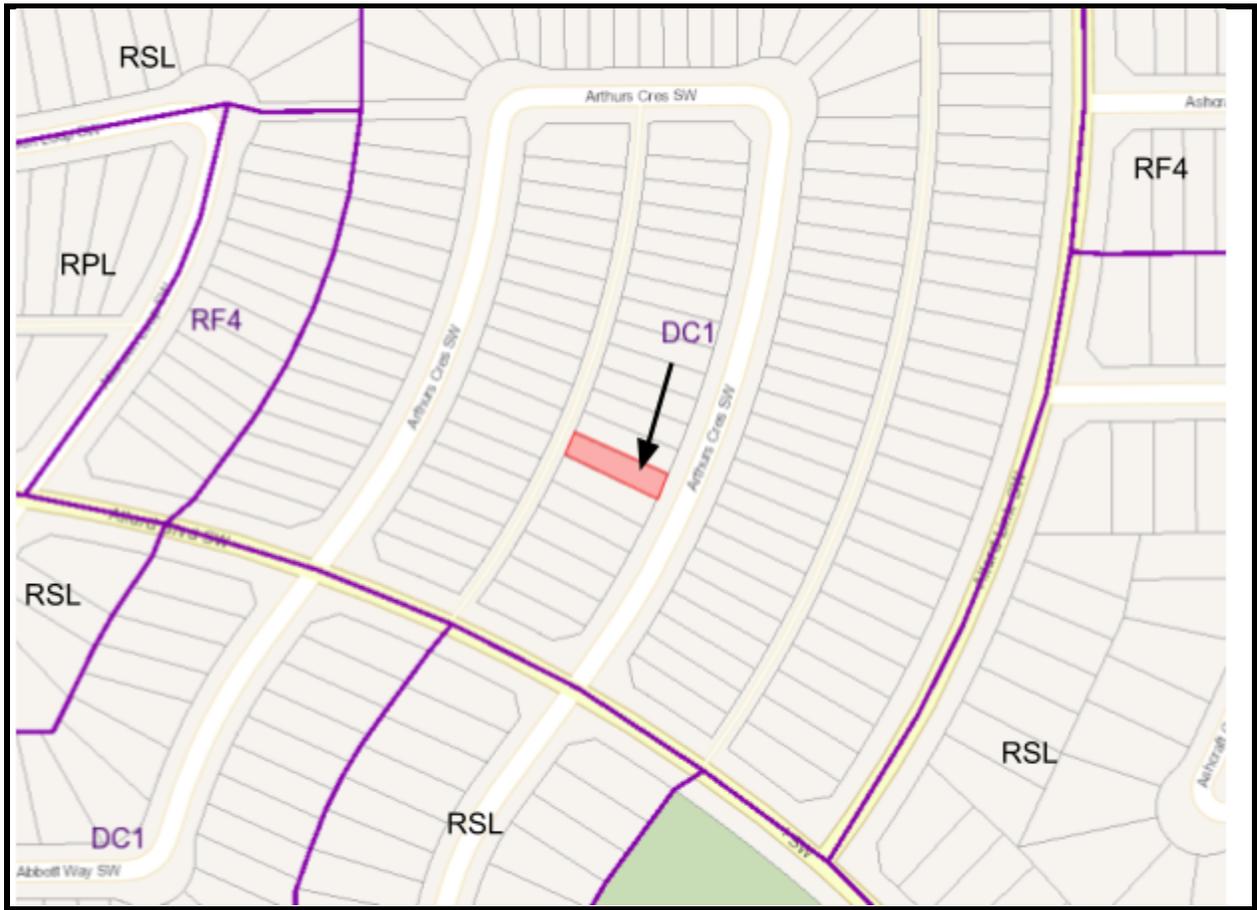
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[unedited]

Notice to Applicant/Appellant

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

	<h2 style="margin: 0;">Application for Minor Development Permit</h2>	Project Number: 398317745-002 Application Date: SEP 01, 2021 Printed: November 3, 2021 at 8:32 AM Page: 1 of 1																				
This document is a Development Permit Decision for the development application described below.																						
Applicant GEODETIC SURVEYS & ENGINEERING LTD 	Property Address(es) and Legal Description(s) 3016 - ARTHURS CRESCENT SW Plan 1220529 Blk 9 Lot 32																					
Scope of Application To leave as built an Accessory Building (detached Garage, 6.01m x 7.38m).																						
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> # of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Leave as Built (Accessory Bldg.) Secondary Suite Included?: N </td> <td style="width: 50%; border: none; vertical-align: top;"> # of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: </td> </tr> </table>			# of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Leave as Built (Accessory Bldg.) Secondary Suite Included?: N	# of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area:																		
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Development Application Decision Refused Issue Date: Oct 15, 2021 Development Authority: SAHL, RAMANJYOT Reason for Refusal The maximum distance from the Accessory Building eave line into a 1.5m encroachment shall be 0.30 m (DC1.17410.3.c.viii.b.i). Proposed: 0.41m Deficient By: 0.11m Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																						
Fees <table style="width: 100%; border: none; margin-top: 10px;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"></th> <th style="text-align: right; border-bottom: 1px solid black;">Fee Amount</th> <th style="text-align: right; border-bottom: 1px solid black;">Amount Paid</th> <th style="text-align: left; border-bottom: 1px solid black;">Receipt #</th> <th style="text-align: left; border-bottom: 1px solid black;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Dev. Application Fee</td> <td style="text-align: right;">\$114.00</td> <td style="text-align: right;">\$114.00</td> <td>07226534</td> <td>Sep 01, 2021</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td style="text-align: right; border-top: 1px solid black;"></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black; border-bottom: 3px double black;">\$114.00</td> <td style="text-align: right; border-top: 1px solid black; border-bottom: 3px double black;">\$114.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$114.00	\$114.00	07226534	Sep 01, 2021	Total GST Amount:	\$0.00				Totals for Permit:	\$114.00	\$114.00		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-21-190

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