

SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA

Thursday, 9:00 A.M.
November 19, 2015

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

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

I	9:00 A.M.	SDAB-D-15-273	Construct a front addition (veranda, 1.10m x 2.82m) to a Single Detached House and interior alterations (main floor and second floor), existing without permits.
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10425 - 92 Street NW
Project No.: 175767569-001

BREAK: 10:15 A.M. TO 10:30 A.M.

II	10:30 A.M.	SDAB-D-15-274	Construct exterior alterations (Driveway Extension, 4.72m x 7.01m)
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230 - Lee Ridge Road NW
Project No.: 175038407-002

LUNCH BREAK: 12:00 NOON TO 1:00 P.M.

III	1:00 P.M.	SDAB-D-15-275	Construct exterior alterations (Driveway extension) to an existing Single Detached House
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1215 - Haliburton Close NW
Project No.: 175121786-001

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-15-273

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

APPELLANT:

APPLICATION NO.: 175767569-001

ADDRESS OF APPELLANT: 10431 – 92 Street NW

APPLICATION TO: Construct a front addition (veranda, 1.10m x 2.82m) to a Single Detached House and interior alterations (main floor and second floor), existing without permits.

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: October 13, 2015

DATE OF APPEAL: October 22, 2015

NOTIFICATION PERIOD: October 20, 2015 through November 2, 2015

RESPONDENT:

ADDRESS OF RESPONDENT: 10425 - 92 Street NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10425 - 92 Street NW

LEGAL DESCRIPTION: Plan RN37A Blk 2 Lot 13

ZONE: RA7 Low Rise Apartment Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLANS IN EFFECT: Boyle Street / McCauley Area Redevelopment Plan

Grounds for Appeal

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

Poured concrete on to my property and its 6 inches too high.

Obstructs my view of the street. [unedited]

General Matters

Appeal Information:

The decision of the Development Authority was appealed by the neighbouring property owner at 10431 – 92 Street.

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

Grounds for Appeal

- 685(1)** If a development authority
- (a) fails or refuses to issue a development permit to a person,
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under section 645,

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

685(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

Appeals

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

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

The Board is advised that the decision of approval by the Development Officer is dated October 13, 2015. The Notice of Appeal Period began October 20, 2015 and ended November 2, 2015. The Notice of Appeal was filed on October 22, 2015.

General Provisions from the *Edmonton Zoning Bylaw*:

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

Under Section 210.3(15) **Single Detached House** is a Discretionary Use in the (RA7) Low Rise Apartment Zone.

Additional Development Regulations for Discretionary Uses: Section 220.6(1) of the Edmonton Zoning Bylaw states that notwithstanding subsection 220.4, Single Detached, Semi-detached, and Duplex Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

Variance to Regulations

Section 11.3 states:

The Development Officer may approve, with or without conditions as a Class B Development, an application for development that does not comply with this Bylaw where:

1. the proposed development would not, in his opinion:
 - a. unduly interfere with the amenities of the neighbourhood; or
 - b. materially interfere with or affect the use, enjoyment or value of neighbouring properties.
2. the proposed development would, in his opinion, conform with the use prescribed for that land or building in this Bylaw; and
3. the Development Officer may approve, with or without conditions as a Class B Development, an enlargement, alteration or addition to a legal non-conforming building if the non-conforming building complies with the uses prescribed for that land in this Bylaw and the proposed development would not, in his opinion:
 - a. unduly interfere with the amenities of the neighbourhood; or
 - b. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

Side Setback

Section 140.4(8)(a) of the *Edmonton Zoning Bylaw* states that Side Setbacks shall be a minimum of 1.2 m on each side.

Development Officer's Determination

Relaxed the side setback from 1.2 to 0.04m. [unedited]

Site Coverage

Section 150.4(5) of the Edmonton Zoning Bylaw states that Maximum Site Coverage shall be as follows:

	Principal Dwelling/ building	Accessory building	Principal building with attached Garage	Total Site Coverage
a. Single Detached Housing – Site area 300 m2 or greater	28%	12%	40%	40%
b. Single Detached Housing – Site area less than 300 m2	28%	14%	42%	42%
c. Semi-detached and Duplex Housing – Site area 600 m2 or greater	28%	12%	40%	40%
d. Semi-detached and Duplex Housing – Site area less than 600 m2	32%	17%	45%	45%
e. All other Uses	28%	12%	40%	40%

Development Officer’s Determination

Relaxed the maximum site coverage for a principle dwelling from 28% to 40% [unedited]

Front Setback

Section 814.3(1) of the Edmonton Zoning Bylaw states as follows:

The Front Setback shall be consistent within 1.5 m of the Front Setback on Abutting Lots and with the general context of the blockface. However, the Front Setback shall not be less than 3.0 m. Separation Space and Privacy Zone shall be reduced to accommodate the Front Setback requirement where a Principal Living Room Window faces directly onto a local public roadway, other than a Lane.

Development Officer’s Determination

Relaxed the minimum front setback from 4.65m to 4.36m [unedited]

Community Consultation

Section 814.3(24) of the Edmonton Zoning Bylaw states as follows:

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 m 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

Development Officer's Determination

relaxed the requirement to complete a full community consultation.
[unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the Municipal Government Act.



Project Number: **175767569-001**
 Application Date: JUL 13, 2015
 Printed: October 13, 2015 at 3:30 PM
 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.

<p>Applicant</p> <p>ELIASON, STEVEN </p>	<p>Property Address(es) and Legal Description(s)</p> <p>10425 - 92 STREET NW Plan RN37A Blk 2 Lot 13</p> <hr/> <p>Specific Address(es)</p> <p>Suite: 10425 - 92 STREET NW Suite: 2FL, 10425 - 92 STREET NW Entryway: 10425 - 92 STREET NW Building: 10425 - 92 STREET NW</p>
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Scope of Permit
 To construct a front addition (veranda, 1.10m x 2.82m) to a Single Detached House and interior alterations (main floor and second floor), existing without permits.

<p>Permit Details</p> <p># of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: House Addition Secondary Suite Included?: N</p>	<p>Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay</p>
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I/We certify that the above noted details are correct.

Applicant signature: _____

Development Permit Decision
 Approved

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **175767569-001**
Application Date: JUL 13, 2015
Printed: October 13, 2015 at 3:30 PM
Page: 2 of 3

Minor Development Permit

Subject to the Following Conditions

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Notification Fee of \$40.
2. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)
3. This Development Permit authorizes the development of a front addition (1.10m x 2.74m) to a Single Detached House and interior alterations (main floor and second floor). The development shall be constructed in accordance with the stamped and approved drawings.
4. Immediately upon completion of the exterior alterations, the site shall be cleared of all debris.
5. 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.

Notes:

- i. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.
- ii. A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.
- iii. An approved Development Permit means that the proposed development has been reviewed only against the provisions of the Edmonton Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the ERCB Directive 079, the Edmonton Safety Codes Permit Bylaw or any caveats, covenants or easements that might be attached to the Site.

Variations

1. Variance to Section 150.8(a) - relaxed the side setback from 1.2 to 0.04m
2. Variance to Section 150.4(5) - relaxed the maximum site coverage for a principle dwelling from 28% to 40%
3. Variance to Section 814.3(1) - relaxed the minimum front setback from 4.65m to 4.36m
4. Variance to Section 814.3(24) - relaxed the requirement to complete a full community consultation

The proposed addition(veranda) is to an existing legal non-conforming building. All developments must be issued as Class B if an addition is to a legal non-conforming building. Notifications are required for Class B developments in accordance with subsections 12.4 and 20.1 of the Edmonton Zoning Bylaw 12800.

The existing House is non-conforming due to a deficiency in a Side Setback, Site coverage, Front and Rear Setbacks.

Note: A variance was granted for this Development Permit pursuant to Sections 11.3 and 11.4. Subject to the right of appeal the permit is NOT VALID until the required Notification Period expires (date noted below) in accordance with Sections 21.1 and 17.1.

Rights of Appeal

This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **175767569-001**
Application Date: JUL 13, 2015
Printed: October 13, 2015 at 3:30 PM
Page: 3 of 3

Minor Development Permit

Issue Date: Oct 13, 2015 **Development Authority:** HAMILTON, FIONA
Notice Period Begins: Oct 20, 2015 **Ends:** Nov 02, 2015

Signature: _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
DP Notification Fee	\$40.00			
Dev. Application Fee	\$385.00	\$385.00	02581681	Jul 13, 2015
Existing Without Permit Penalty Fee	\$385.00	\$385.00	02581681	Jul 13, 2015
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$810.00	<u>\$770.00</u>		
(\$40.00 outstanding)				

The permit holder is advised to read the reverse for important information concerning this decision.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-273



ITEM II: 10:30 A.M.

FILE: SDAB-D-15-274

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 175038407-002

ADDRESS OF APPELLANT: 230 - Lee Ridge Road NW

APPLICATION TO: Construct exterior alterations (Driveway Extension, 4.72m x 7.01m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 7, 2015

DATE OF APPEAL: October 22, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 230 - Lee Ridge Road NW

LEGAL DESCRIPTION: Plan 2544TR Blk 24 Lot 32

ZONE: RMH Mobile Home Zone

OVERLAY: None

STATUTORY PLANS IN EFFECT: None

Grounds for Appeal

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

- The driveway existed when I purchased the property over 10 years ago.
- No rear lane, narrow street
- Access on Lee Ridge Road is reduced when vehicles are parked on both sides of the road.
- Vehicles travel between 50 to 90 kms. on Lee Ridge Road
- Three blocks without any stop signs or speed bumps. [unedited]

General Matters

Appeal Information:

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

Grounds for Appeal

- 685(1)** If a development authority
- (a) fails or refuses to issue a development permit to a person,
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under section 645,

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

Appeals

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

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

The decision of the Development Authority is dated October 7, 2015. The Notice of Appeal Period expired on October 21, 2015. The Notice of Appeal was filed on October 22, 2015.

The Board is advised that Sustainable Development submitted a Canada Post registered mail delivery confirmation showing that “DR” received the decision from the Development Officer on October 9, 2015.

General Provisions from the *Edmonton Zoning Bylaw*:

Driveway Definition

Section 6.1(26) of the *Edmonton Zoning Bylaw* states:

Driveway means “an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area.”

Development Officer’s Determination

The proposed concrete area shall not be considered a Driveway. Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area. The proposed concrete extension at the front of the property does not lead to an overhead garage door or a parking area. [unedited]

Parking

Section 54.2(2)(e)(i) of the *Edmonton Zoning Bylaw* states:

parking spaces shall not be located within a Front Yard

Development Officer's Determination

The proposed concrete area is not part of the Driveway. No Parking area or parking spaces shall be located within the Front Yard. [unedited]

Landscaping

Section 55.4(1) of the *Edmonton Zoning Bylaw* states:

All open space including Front Yards, Rear Yards, Side Yards and Yards, at Grade Amenity Areas, Private Outdoor Amenity Areas, Setback areas and Separation Spaces shall be landscaped with trees, shrubs, flower beds, grass, ground cover or suitable decorative hardsurfacing, in accordance with the Landscape Plan submitted pursuant to subsection 55.3 and approved by the Development Officer. This requirement shall not apply to those areas designated for parking and circulation, which shall be landscaped in accordance with subsection 55.8 of this Bylaw. The Development Officer may require Landscaping of areas within a Site that are intended for future development if, in the opinion of the Development Officer, the lack of Landscaping creates a potential negative visual impact, given the visibility of these areas from adjacent properties and public roadways.

Section 55 of the *Edmonton Zoning Bylaw* defines landscaping as follows:

Landscaping means the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:



- a. soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
- b. decorative hardsurfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
- c. architectural elements such as decorative fencing, walls and sculpture;

Development Officer's Determination

The front yard shall be landscaped. [unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the Municipal Government Act.

	Project Number: 175038407-002 Application Date: AUG 26, 2015 Printed: November 10, 2015 at 3:47 PM Page: 1 of 2		
<h2 style="margin: 0;">Application for Minor Development Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
Applicant GILLRIE, ALLAN 	Property Address(es) and Legal Description(s) 230 - LEE RIDGE ROAD NW Plan 2544TR Blk 24 Lot 32 Specific Address(es) Suite: 230 - LEE RIDGE ROAD NW Entryway: 230 - LEE RIDGE ROAD NW Building: 230 - LEE RIDGE ROAD NW		
Scope of Application To construct exterior alterations (Driveway Extension, 4.72m x 7.01m)			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> # of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N </td> <td style="width: 50%; border: none;"> Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none)
# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none)		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Application Decision Refused Reason for Refusal 1. The proposed concrete area shall not be considered a Driveway. Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area. (Reference Section 6.1(26)) The proposed concrete extension at the front of the property does not lead to an overhead garage door or parking area. 2. The proposed concrete area is not part of the Driveway. No Parking Area or parking spaces shall be located within the Front Yard. (Reference Section 44.6 and Section 54.2(2)(e)(i)) 3. The Front Yard shall be landscaped. (Reference Section 55.4) Landscaping means the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following: (a) soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings; (b) decorative hardsurfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and (c) architectural elements such as decorative fencing, walls and sculpture. (Reference Section 6.1(55)) NOTES: 1. All Yards, visible from a public roadway other than a lane, shall be seeded or sodded within eighteen (18) consecutive months of the issuance of an Occupancy Certificate for the development. (Reference 55.2(4)(b)) 2. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.			
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.			
THIS IS NOT A PERMIT			



Project Number: **175038407-002**
Application Date: AUG 26, 2015
Printed: November 10, 2015 at 3:47 PM
Page: 2 of 2

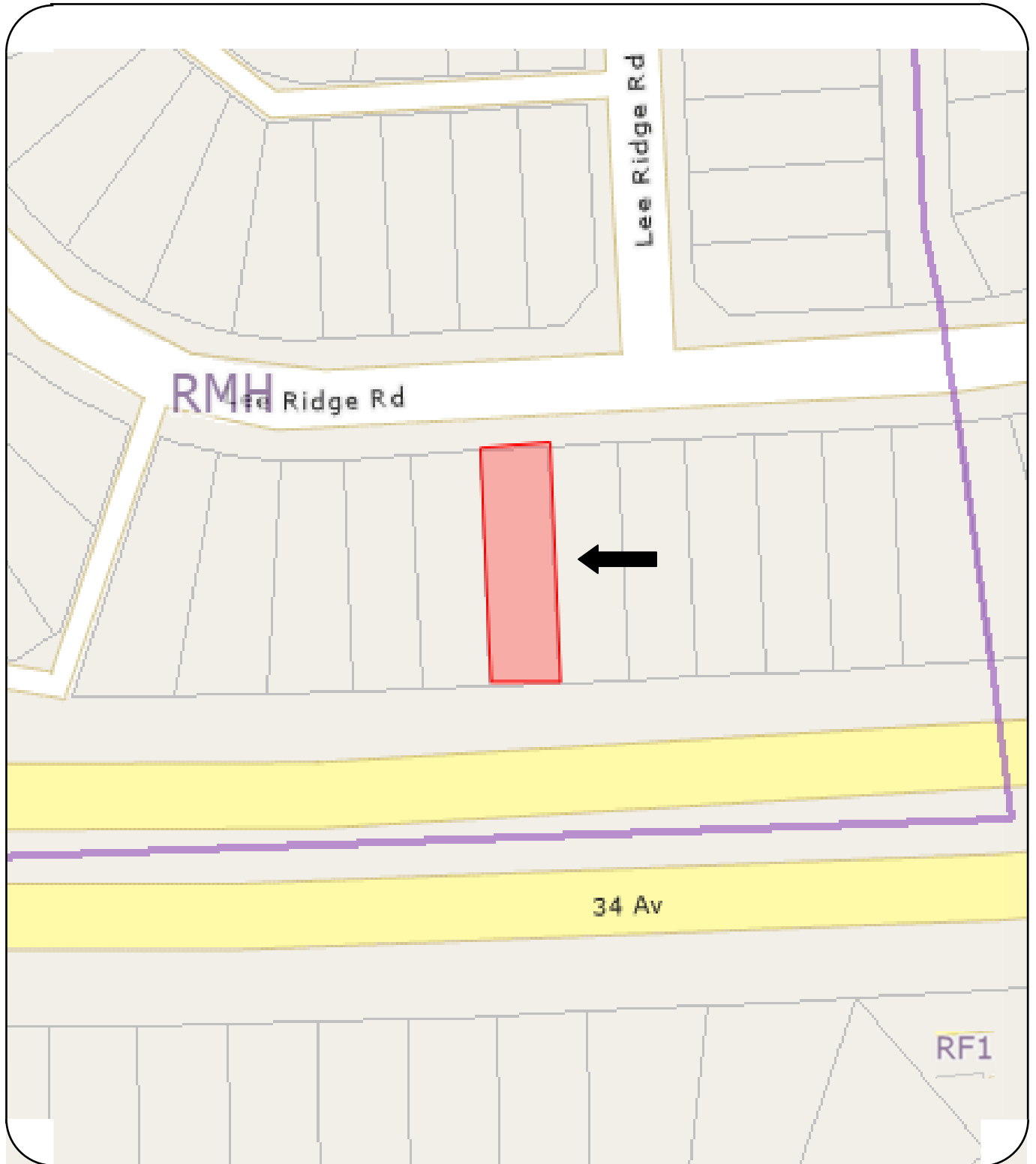
Application for Minor Development Permit

Issue Date: Oct 07, 2015 **Development Authority:** COOKE, STEPHEN **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$155.00	\$155.00	02699367	Aug 26, 2015
DP Notification Fee	\$40.00	\$40.00	02699367	Aug 26, 2015
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$195.00	<u>\$195.00</u>		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-274



ITEM III: 1:00 P.M.

FILE: SDAB-D-15-275

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 175121786-001

ADDRESS OF APPELLANT: 1215 - Haliburton Close NW

APPLICATION TO: Construct exterior alterations (Driveway extension) to an existing Single Detached House

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 7, 2015

DATE OF APPEAL: October 22, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 1215 - Haliburton Close NW

LEGAL DESCRIPTION: Plan 0124844 Blk 11 Lot 55

ZONE: RF1 Single Detached Residential Zone

OVERLAY: None

STATUTORY PLANS IN EFFECT: Haddow Neighbourhood Area Structure Plan

Grounds of Appeal

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

I read the document I received from registered mail. The post office parcel pickup slip was found in the yard when I was picking up leaves this past weekend so I am applying late my apologies.

I have photos of homes within 2 blocks that have the same development I wish to perform. The houses pictured have a similar look to my proposed plan. one home has the additional driveway on the opposite side of the drive where it aligns up with the garage edge and a window. I believe these homes had this larger driveway done when the home was built by the developer who I believe was Kimberly homes. Kimberly traditionally does a driveway the same

width as the garage. My home was built by Hillview Homes and they traditionally do a driveway slightly wider than the overhead door profile.
I also have pictures of 7 homes with the wider driveway. [unedited]

General Matters

Appeal Information:

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

Grounds for Appeal

- 685(1)** If a development authority
- (a) fails or refuses to issue a development permit to a person,
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under section 645,

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

Appeals

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

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

The decision of the Development Authority is dated October 7, 2015. The Notice of Appeal period expired on October 21, 2015. The Notice of Appeal was filed on October 22, 2015.

The Board is advised that Sustainable Development submitted a Canada Post registered mail delivery confirmation showing that "RICHTER" received the decision of the Development Officer on October 16, 2015.

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.

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

Driveway

Section 6.1(26) defines **Driveway** as “an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area.”

Development Officer’s Determination

The proposed concrete area shall not be considered a Driveway. Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area. (Reference Section 6.1(26)) The proposed concrete extension on the left side of the property does not lead to an overhead garage door or parking area. [unedited]

Parking

The *Edmonton Zoning Bylaw* states:

44. Projection into Setbacks and Separation Spaces

The following features may project into a required Setback or Separation Space as provided for below:

...

6. a Parking Area when comprised of parking spaces required under this Bylaw, provided that no Parking Area in any Zone shall be located within the Front Yard. This shall not prohibit the use of a Front Yard for Driveways;

54.2 Required Off-street Vehicular Accessory Parking

2. Location of Vehicular Parking Facilities

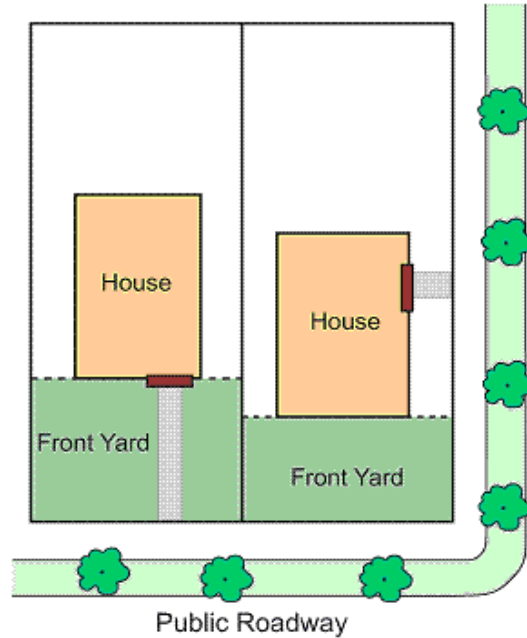
...

e. Except as otherwise provided for in this Bylaw, parking spaces, not including Driveways, that are required in accordance with the minimum standards of this Bylaw shall be located in accordance with the following:

i. parking spaces shall not be located within a Front Yard;

Section 6.1(40) states:

Front Yard means the portion of a Site abutting the Front Lot Line extending across the full width of the Site, situated between the Front Lot Line and the nearest wall of the principal building, not including projections.



Development Officer's Decision

The proposed concrete area is not part of the Driveway. No Parking Area or parking spaces shall be located within the Front Yard. (Reference Section 44.6 and Section 54.2(2(e)(i)) [unedited]

Landscaping

Section 55.1 states the following with respect to the **General Purpose** of the Landscaping regulations:

The intent of these Landscaping regulations is to contribute to a reasonable standard of liveability and appearance for developments, from the initial placement of the Landscaping through to its mature state, to provide a positive overall image for Edmonton and to encourage good environmental stewardship.

Section 6.1(55) defines **Landscaping** as follows:

Landscaping means the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:

- a. soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
- b. decorative hardsurfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
- c. architectural elements such as decorative fencing, walls and sculpture;

Development Officer's Determination:

3. The Front Yard shall be landscaped. (Section 55) Landscaping means the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:
- a) soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
 - b) decorative hardsurfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
 - c) architectural elements such as decorative fencing, walls and sculpture. (Section 6.1(55))

NOTES:

1. Landscaping condition attached to Development Permit # 013522028-001 for the Single Detached House approval has not been fulfilled.
2. All Yards, visible from a public roadway other than a lane, shall be seeded or sodded within eighteen (18) consecutive months of the issuance of an Occupancy Certificate for the development. (Reference 55.2(4)(b))
3. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800. [unedited]

Notice to Applicant/Appellant


Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the Municipal Government Act.



Project Number: 175121786-001
Application Date: JUN 30, 2015
Printed: November 13, 2015 at 10:11 AM
Page: 1 of 2

Application for Minor Development Permit

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

Applicant RICHTER, KELVIN 	Property Address(es) and Legal Description(s) 1215 - HALIBURTON CLOSE NW Plan 0124844 Blk 11 Lot 55
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Scope of Application

To construct exterior alterations (diveway extension) to an existing Single Detached House.

Permit Details

# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Class A Lot Grading Needed?: N New Sewer Service Required: N 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

Reason for Refusal

- The proposed concrete area shall not be considered a Driveway. Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area. (Reference Section 6.1(26)) The proposed concrete extension on the left side of the property does not lead to an overhead garage door or parking area.
- The proposed concrete area is not part of the Driveway. No Parking Area or parking spaces shall be located within the Front Yard. (Reference Section 44.6 and Section 54.2(2)(e)(i))
- The Front Yard shall be landscaped. (Reference Section 55.4) Landscaping means the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:
 - soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
 - decorative hardsurfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
 - architectural elements such as decorative fencing, walls and sculpture. (Reference Section 6.1(55))

NOTES:

- Landscaping condition attached to Development Permit # 013522028-001 for the Single Detached House approval has not been fulfilled.
- All Yards, visible from a public roadway other than a lane, shall be seeded or sodded within eighteen (18) consecutive months of the issuance of an Occupancy Certificate for the development. (Reference 55.2(4)(b))
- Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.

THIS IS NOT A PERMIT



Project Number: **175121786-001**
Application Date: JUN 30, 2015
Printed: November 13, 2015 at 10:11 AM
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Application for Minor Development Permit

Rights of Appeal

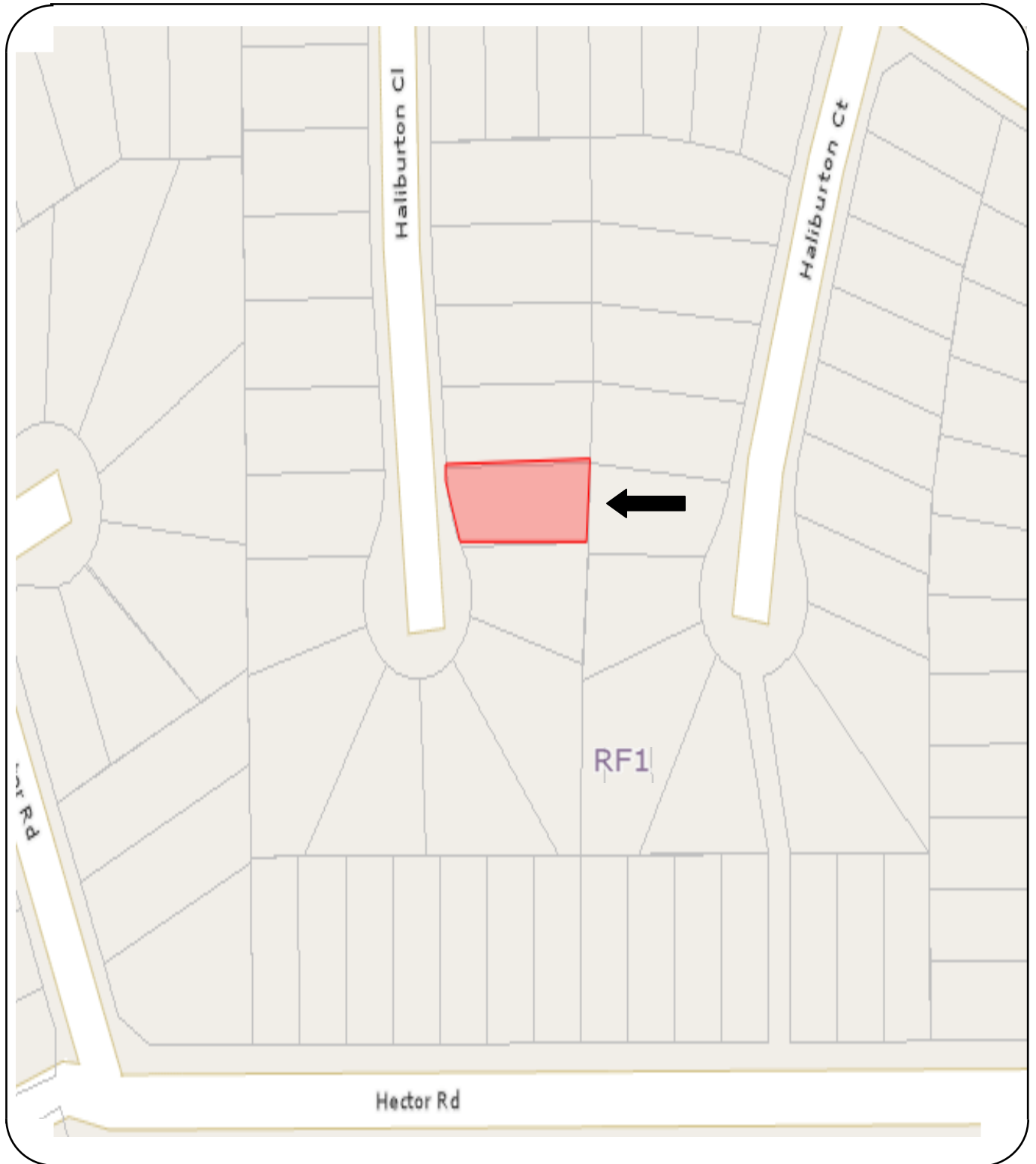
The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Oct 07, 2015 **Development Authority:** COOKE, STEPHEN **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$155.00	\$155.00	02674774	Aug 17, 2015
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$155.00	\$155.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-275



BUSINESS LAID OVER

SDAB-D-15-251	An appeal by <u>Lain & Janet Birchall; Roger/Denele Walsh; Karen Bilinske VS Homes By Anthony Developments</u> to construct a 2 storey Accessory Building (Garage Suite on 2nd floor, Garage on main floor; 10.06m x 9.14m) <i>November 26, 2015</i>
SDAB-D-15-252	An appeal by Southwest Muslim Community Centre change the Use from an Indoor Participant Recreation Service to a Religious Assembly with a capacity of 456 seats, and to construct interior alterations (SouthWest Muslim Community Centre) <i>November 25 or 26, 2015</i>
SDAB-D-15-247	An appeal by <u>Kennedy Agrios LLP VS. Eton-West Construction (Alta) Inc.</u> change the use of "Building E" from Professional, Financial and Office Support Services to General Retail Stores and to construct interior and exterior alterations (increase building size and change dimensions, revision to parking layout and Drive-thru). <i>March 9 or 10, 2016</i>

APPEAL HEARINGS TO BE SCHEDULED

145348619-005	An appeal by <u>Derek Potts</u> to construct an exterior alterations (Driveway extension, irregular shaped, 8.5m x 7m) to an existing Single Detached House. <i>November 26, 2015</i>
176994655-002	An appeal by <u>Permit Masters</u> to install a Freestanding On-premises Sign/Minor Digital On-premises Sign (LaZboy) <i>December 3, 2015</i>
174864823-001	An appeal by <u>Dean and Jade Gronemeyer VS Imelda Calapre</u> to convert a Single Detached House into a Limited Group Home (6 Residents). <i>December 10, 2015</i>
159269966-003	An appeal by <u>Anh Padmore</u> to construct an exterior alteration to an existing Single Detached House, (Driveway Extension 2.8m x 8.4m existing without permits). <i>January 21, 2016</i>