

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
November 1, 2017**

**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-17-201

To cease the General Contractor Use including all components of the business and remove all related materials by October 23, 2017

751 - 167 Avenue NW  
Project No.: 117126002-001

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II 11:00 A.M. SDAB-D-17-202

To construct front and rear additions to a Single Detached House (Unenclosed Front Porch 1.52 metres by 2.63 metres, dining room extension 1.07 metres by 7.06 metres, rear attached Garage 7.01 metres by 8.56 metres, breezeway 6.40 metres by 12.12 metres), rear uncovered deck 4.27 metres by 9.93 metres, interior alterations on main floor, and Basement development (Not to be used as an additional Dwelling)

7712 - 139 Street NW  
Project No.: 257580508-001

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**NOTE:** *Unless otherwise stated, all references to “section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-17-201

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 117126002-001

ORDER TO: Cease the General Contractor Use including all components of the business and remove all related materials by October 23, 2017

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: September 25, 2017

DATE OF APPEAL: October 6, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 751 - 167 Avenue NW

LEGAL DESCRIPTION: Plan 5216AP Blk 14

ZONE: (AG) Agricultural Zone

OVERLAY: N/A

STATUTORY PLAN: Horse Hill Area Structure Plan

***Grounds for Appeal***

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

Property is zoned Agricultural zoning and we are using for personal use only.

***General Matters***

**Appeal Information:**

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

### **Stop order**

**645(1)** Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval,

the development authority may act under subsection (2).

**(2)** If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

**(3)** A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

### **Permit**

**683** Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

### **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*:**

Under sections 610.2 and 610.3 **General Contractor Services** is **neither** a Permitted Use **nor** a Discretionary Use in the (AG) Agricultural Zone.

Under Section 7.4(23), **General Contractor Services** means:

General Contractor Services means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be Accessory to the principal General Contractor Services Use only. This Use does not include Professional, Financial and Office Support Services.

Section 610.1 states that the **General Purpose** of the (AG) **Agricultural Zone** is “to conserve agricultural and rural Uses.”

***Approval Required for Development***

**Section 5 states:**

**5.1 No Person:**

1. shall commence, or cause or allow to be commenced, a Development without a development Permit therefor issued under the provisions of Section 12 of this Bylaw; or
2. shall carry on, or cause or allow to be carried on a development without a Development Permit therefor issued under Section 12 of this Bylaw.

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

<b>SDAB Number</b>	<b>Application</b>	<b>DECISION</b>
<b>SDAB-D-02-326</b>	Operate a Major Home Based Business (Selling Top Soil).	March 21, 2003; that the appeal be ALLOWED and the DEVELOPMENT GRANTED and the deficiency in minimum site area of 30.3 hectares be permitted, subject to conditions.

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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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Sustainable Development | City of Edmonton  
Development Services Branch  
Development and Zoning Services  
Development Compliance and Inquiries Unit

5th Floor, Edmonton Tower  
10111 104 Avenue NW  
Edmonton, AB T5J 0J4  
Canada  
[edmonton.ca/developmentcompliance](http://edmonton.ca/developmentcompliance)



September 25, 2017

Our File: 117126002-001

**MUNICIPAL GOVERNMENT ACT ORDER**

Dear Sir/Madam:

A check with Land Titles Office discloses that you are the registered owner(s) of the property located at 751 - 167 AVENUE NW, legally described as Plan 5216AP Blk 14.

This Property was inspected by Development Compliance Officer Justin Young, on September 22, 2017. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 624 of the Municipal Government Act.

**ZONING BYLAW INFRACTION:**

This property is zoned AG (Agricultural Zone) in accordance with Section 610 of the Edmonton Zoning Bylaw. Our investigation revealed that a General Contractor Use has been developed.

The City of Edmonton has not issued a Development Permit to develop a General Contractor Use, which is contrary to Section 5.1 of Edmonton Zoning Bylaw 12800, and Section 683 of the Municipal Government Act.

Section 5.1 of Edmonton Zoning Bylaw states:

Requirement for a Development Permit

1. No person shall commence, or cause or allow to be commenced, a development without a Development Permit issued in accordance with Section 12 of this Bylaw.
2. No person shall carry on, or cause or allow to be carried on a development without a Development Permit issued in accordance with Section 12 of this Bylaw.



General Contractor Use means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, YOU ARE HEREBY ORDERED TO:

CEASE THE GENERAL CONTRACTOR USE INCLUDING ALL COMPONENTS OF THE BUSINESS AND REMOVE ALL RELATED MATERIALS BY OCTOBER 23, 2017.

CONSEQUENCES FOR NON-COMPLIANCE:

In the event that a person fails to comply with an Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter on the land and take any action necessary to carry out the Order. Section 553(1)(h.1) of the Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to subsection (2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

The property will be inspected on October 24, 2017 to determine compliance with this Order.

Failure to comply will result in action as described in Section 646.

YOU ARE HEREBY NOTIFIED THAT IF YOU DO NOT:

CEASE THE GENERAL CONTRACTOR USE INCLUDING ALL COMPONENTS OF THE BUSINESS AND REMOVE ALL RELATED MATERIALS BY OCTOBER 23, 2017,

the City may carry out the Order by entering onto the land and performing remedial actions pursuant to Section 646, and all the costs and expenses in doing so will be added to the tax roll pursuant to Section 553(1)(h.1) of the Municipal Government Act R.S.A. 2000.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, R.S.A. 2000, c.M-26.1, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

If you have any questions in regards to this matter, please contact the writer at 780-496-2687.

Regards,

Justin Young  
Development and Zoning  
Development Services  
Phone Number: 780-496-2687  
Email Address: Justin.Young-Sponga@edmonton.ca

**Adding  
Amounts  
Owing to tax  
roll**

- 553(1)** A council may add the following amounts to the tax roll of a parcel of land:
- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;
  - (b) unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel;
  - (c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;
  - (d), (e) repealed 1999 c11 s35;
  - (f) costs associated with tax recovery proceedings related to the parcel;
  - (g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel;
  - (g.1) if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel;
  - (h) unpaid costs awarded by a composite assessment review board under section 468.1 or the Municipal Government Board under section 501, if the composite assessment review board or the Municipal Government Board has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Municipal Government Board was related to the parcel;
  - (h.1) the expenses and costs of carrying out an order under section 646;
  - (i) any other amount that may be added to the tax roll under an enactment.

**Stop order**

- 645(1)** Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with
- (a) this Part or a land use bylaw or regulations under this Part, or
  - (b) a development permit or subdivision approval,
- the development authority may act under subsection (2).
- (2)** If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to
- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
  - (b) demolish, remove or replace the development, or
  - (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval, within the time set out in the notice.
- (3)** A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

**Enforcement of  
stop order**

- 646(1)** If a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.
- (2)** A municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order.

- (3)** If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.
- Permit**
- 683** Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.
- Grounds for appeal**
- 685(1)** If a development authority
- (a) fails or refuses to issue a development permit to a person,
  - (b) issues a development permit subject to conditions, or
  - (c) issues an order under section 645,
- the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.
- (2)** In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.
- (3)** Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted.
- 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
    - (ii) if no decision is made with respect to the application within the 40-day period or within any extension under section 684, the date the period or extension expires,
- or
- (b) in the case of an appeal made by a person referred to in section 685(2), after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.
- (2)** The subdivision and development appeal board must hold an appeal hearing within 30 days after receipt of a notice of appeal.
- (3)** The subdivision and development appeal board must give at least 5 days? notice in writing of the hearing
- (a) to the appellant,
  - (b) to the development authority whose order, decision or development permit is the subject of the appeal, and
  - (c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.
- (4)** The subdivision and development appeal board must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including
- (a) the application for the development permit, the decision and the notice of appeal, or
  - (b) the order under section 645.
- (5)** In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-17-201



ITEM II: 11:00 A.M.

FILE: SDAB-D-17-202

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 257580508-001

APPLICATION TO: Construct front and rear additions to a Single Detached House (Unenclosed Front Porch 1.52 metres by 2.63 metres, dining room extension 1.07 metres by 7.06 metres, rear attached Garage 7.01 metres by 8.56 metres, breezeway 6.40 metres by 12.12 metres), rear uncovered deck 4.27 metres by 9.93 metres, interior alterations on main floor, and Basement development (Not to be used as an additional Dwelling).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 3, 2017

DATE OF APPEAL: October 3, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7712 - 139 Street NW

LEGAL DESCRIPTION: Plan 630MC Blk 33 Lot 8

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

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***Grounds for Appeal***

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

We have an existing attached Garage that would be extended adding in a living area (breezeway), and moving garage closer to the back. The side yard Setback is over subdivided lot requirements.

**General Matters**

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.

**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 75percent 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.

**Development Officer's Determination**

**1. Addition to a non-conforming building: The rear addition of living space and attached garage, adds to the non-conformity of the existing non-conforming building. (Section 11.3.1) [unedited]**

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

Under section 110.2(4), **Single Detached Housing** is a **Permitted Use** in the (RF1) Single Detached Residential Zone.

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

development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use in a Zone, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

Section 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.

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, and Garden Suites, as well as Semi-detached Housing and Duplex Housing under certain conditions.

***Rear attached Garage***

Section 814.3(19) of the Mature Neighbourhood Overlay states "Rear attached Garages shall not be allowed."



**Development Officer’s Determination**

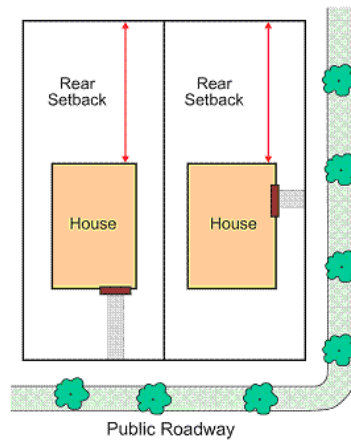
**2. A rear attached garage is not permitted on an interior lot in the Mature Neighbourhood Overlay. (Section 814.3.19) [unedited]**

***Rear Setback***

Section 814.3(4) of the Mature Neighbourhood Overlay states “The minimum Rear Setback shall be 40% of Site Depth.”

Under section 6.1(90), **Rear Setback** means:

the distance that a development or a specified portion of it, must be set back from a Rear Lot Line. A Rear Setback is not a Rear Yard, Amenity Space or Separation Space.



**Development Officer’s Determination**

**3. Deficient rear setback: The distance from the principal building to the rear property is 0.8m instead of 15.82m. (Section 814.3.4) [unedited]**

***Side Setback***

Section 814.3(3)(c) states:

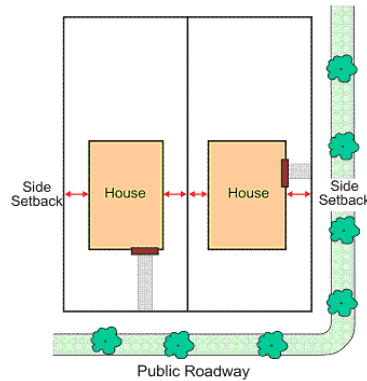
where a Site Width is 18.3 m or wider:

- i. Side Setbacks shall total 20% of the Site Width but shall not be required to exceed 6.0 m in total;

- ii. the minimum interior Side Setback shall be 2.0 m, except if the requirements of the underlying Zone are greater, the underlying Zone requirements shall apply; and
- iii. ...

Under section 6.1(99), **Side Setback** means:

the distance that a development or a specified portion of it, must be set back from a Side Lot Line. A Side Setback is not a Side Yard, Amenity Space or Separation Space.



#### **Development Officer's Determination**

**4. Deficient Side setback: The distance from the principal building to the right side property line is 1.66m instead of 2.0m (Section 814.3.3.c) [unedited]**

#### ***Community Consultation***

Section 814.5(1) of the Mature Neighbourhood Overlay states the following with respect to **Proposed Variances**:

When the Development Officer receives a Development Permit Application for a new principal building, new Garage Suite, or new Garden Suite that does not comply with any regulation contained within this Overlay, or receives a Development Permit for alterations to an existing structure that require a variance to Section 814.3(1), 814.3(3), 814.3(5) and 814.3(9) of this Overlay:

- a. the Development Officer shall send notice, to the recipient parties specified in Table 814.5(2), to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;

- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been sent, unless the Development Officer receives feedback from the specified affected parties in accordance with Table 814.5(2); and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit Application in accordance with Sections 11.2 and 11.3.

Section 814.5(2) of the Mature Neighbourhood Overlay states:


<b>Tier #</b>	<b>Recipient Parties</b>	<b>Affected Parties</b>	<b>Regulation of this Overlay to be Varied</b>
Tier 2	The municipal address and assessed owners of the land Abutting the Site, directly adjacent across a Lane from the Site of the proposed development and the President of each Community League	The assessed owners of the land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development	814.3(4) – Rear Setback 814.3(19) – Rear Attached Garage
Tier 3	The municipal address and assessed owners of the land Abutting the Site of the proposed development and the President of each Community League	The assessed owners of the land Abutting the Site of the proposed development	814.3(3) – Side Setbacks


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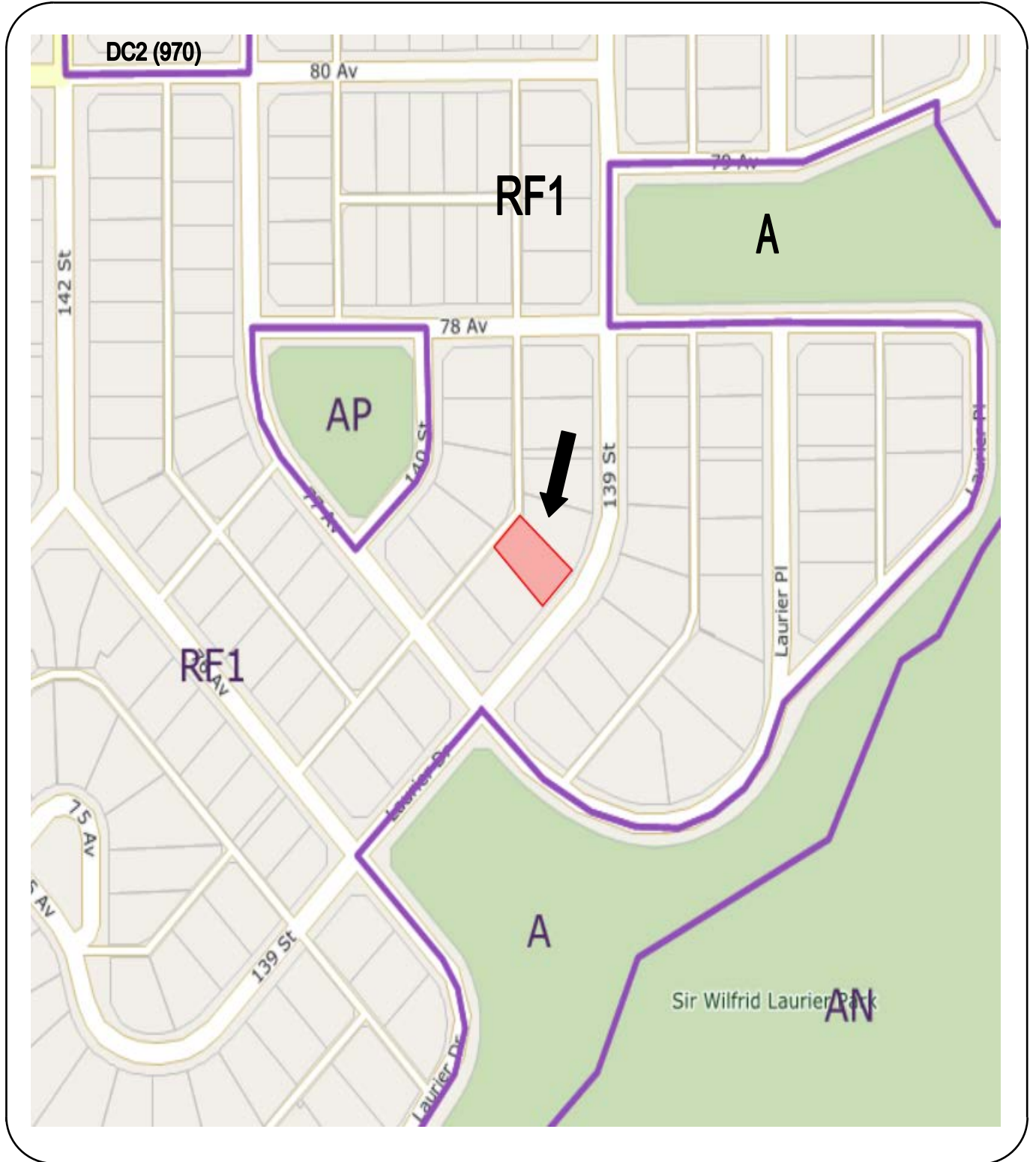
Notice to Applicant/Appellant

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>257580508-001</b> Application Date: JUL 18, 2017 Printed: October 4, 2017 at 8:16 AM 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.			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 7712 - 139 STREET NW Plan 630MC Blk 33 Lot 8  <b>Specific Address(es)</b> Suite: 7712 - 139 STREET NW Entryway: 7712 - 139 STREET NW Building: 7712 - 139 STREET NW		
<b>Scope of Application</b> To construct front and rear additions to a Single Detached House (Unenclosed Front Porch 1.52m x 2.63m, dining room extension 1.07m x 7.06m, rear attached Garage 7.01m x 8.56m, breezeway 6.40m x 12.12m), rear uncovered deck 4.27m x 9.93m, interior alterations on main floor, and Basement development (Not to be used as an additional Dwelling).			
<b>Permit Details</b> <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: House Addition                      Secondary Suite Included?: N                 </td> <td style="width: 50%; border: none;">                     Class of Permit:                      Lot Grading Needed?: N                      New Sewer Service Required: N                      Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay                 </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: House Addition Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: House Addition Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay		
I/We certify that the above noted details are correct.  Applicant signature: _____			
<b>Development Application Decision</b> Refused  <b>Reason for Refusal</b> <ol style="list-style-type: none"> <li>1. Addition to a non-conforming building: The rear addition of living space and attached garage, adds to the non-conformity of the existing non-conforming building. (Section 11.3.1)</li> <li>2. A rear attached garage is not permitted on an interior lot in the Mature Neighbourhood Overlay. (Section 814.3.19)</li> <li>3. Deficient rear setback: The distance from the principal building to the rear property is 0.8m instead of 15.82m. (Section 814.3.4)</li> <li>4. Deficient Side setback: The distance from the principal building to the right side property line is 1.66m instead of 2.0m (Section 814.3.3.c)</li> </ol>			
<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.			
<b>Issue Date:</b> Oct 03, 2017 <b>Development Authority:</b> WATTS, STACY <b>Signature:</b> _____			
<b>THIS IS NOT A PERMIT</b>			

	<b>Application for Minor Development Permit</b>			Project Number: <b>257580508-001</b> Application Date: JUL 18, 2017 Printed: October 4, 2017 at 8:16 AM Page: 2 of 2
<b>Fees</b>				
	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee	\$409.00	\$409.00	04299661	Jul 18, 2017
Total GST Amount:	\$0.00	_____		
Totals for Permit:	\$409.00	\$409.00		
<b>THIS IS NOT A PERMIT</b>				



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-17-202

