

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
November 22, 2017**

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

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

I 9:00 A.M. SDAB-D-17-228

Change the Use from General Retail to Minor Alcohol Sales (Unit-106,107) and to construct interior alterations.

6104 - 104 Street NW
Project No.: 156166562-018

TO BE RAISED

II 11:00 A.M. SDAB-D-17-189

WITHDRAWN

Construct two Commercial Use buildings (Building 1: Health Services in CRU's 101, 102, 201 - 203; General Retail in CRU's 103 - 108; P.F.O. in CRU's 111 - 115, 204, 205; Restaurant (119 sq.m. of Public Space) in CRU 109; Specialty Food Service (119 sq.m. of Public Space) in CRU 110; Building 2: P.F.O. in CRU 116-0, General Retail in CRU 117-0, Restaurant (88 sq.m. of Public Space) in CRU 118-0) with an underground parkade and demolish an existing building

5120 - 122 Street NW
Project No.: 246478239-001

TO BE RAISED

III 2:00 P.M. SDAB-D-17-198

Change the use of a Professional, Financial and Office Support Service and Automotive and Minor Recreation Vehicle Sales/Rentals building to a Religious Assembly (Minor) and to construct exterior alterations (new vestibule)

12320 - Mount Lawn Road NW
Project No.: 259441393-001

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-17-228

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 156166562-018

APPLICATION TO: Change the Use from General Retail to Minor Alcohol Sales (Unit-106,107) and to construct interior alterations.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 19, 2017

DATE OF APPEAL: October 20, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 6104 - 104 Street NW

LEGAL DESCRIPTION: Plan 4976KS Blk 40 Lots 3,OT

ZONE: (CO) Commercial Office Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

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

We are solicitors for Qualico Commercial and their architects, Hodgson Schilf Evans Architects, owners and applicants, respectively, in the above noted. Our client's application for a Development Permit has been refused. On behalf of our clients, we hereby appeal that refusal on the following grounds:

1. The proposed development is a Permitted Use in the (CO) Commercial Office Zone.

2. There is no operating Major or Minor Alcohol Sales Use within 500 metres of the proposed development and there has not been for some time.
3. The site of the proposed development is on the immediate periphery of the section 85 Non-Exemption Area; the lands to the immediate east are outside the Non-Exemption Area.
4. The proposed development is separated from a defunct cold beer store by at least 4 lanes of arterial level traffic.
5. The proposed development is to be located on the ground floor of a brand new commercial office complex.
6. The proposed development cannot and will not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
7. Such further and other reasons as may be presented at the hearing of this appeal.

<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.

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 section 360.2(6), **Minor Alcohol Sales** is a **Discretionary Use** in the (CO) Commercial Office Zone.

Under section 7.4(34), **Minor Alcohol Sales** means:

development used for the retail sale of any and all types of alcoholic beverages to the public. This Use may include retail sales of related products such as soft drinks and snack foods. The maximum Floor Area for this Use shall be no more than 275 m² per individual business premises.

Section 360.1 states that the **General Purpose** of the **(CO) Commercial Office Zone** is:

to provide for medium intensity office, commercial and residential development in the inner city, around Light Rail Transit station areas or other locations offering good accessibility by both private automobile and transit.

Section 85 - Major Alcohol Sales and Minor Alcohol Sales

1. Any Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 500 metres from any other Major Alcohol Sales or Minor Alcohol Sales.
2. Notwithstanding subsection 85(1), a Major Alcohol Sales or Minor Alcohol Sales may be located less than 500 metres from any other Major Alcohol Sales or Minor Alcohol Sales if all the following regulations are met:
 - a. the Major Alcohol Sales or Minor Alcohol Sales are located on separate Sites;
 - b. the Major Alcohol Sales or Minor Alcohol Sales are located outside the boundary shown in Appendix 1 to Section 85; and
 - c. at least one of the Major Alcohol Sales or Minor Alcohol Sales is located on a Site greater than 2.5 ha in size that is zoned CSCa, UVCa, GVC, TC-C, DC1, DC2, CSC, CB1, CB2, CHY, CO or CB3.
3. For the purposes of Section 85, the 500 metres separation distance shall be measured from the closest point of the Major Alcohol Sales or Minor Alcohol Sales Use to the closest point of any other approved Major Alcohol Sales or Minor Alcohol Sales Use.
4. Any Site containing a Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 100 metres from any Site being used for community or recreation activities, public or private education, or public lands at the time of the application for the Development Permit for the Major Alcohol Sales or Minor Alcohol Sales. Sites that are greater than 2.0 hectares in size and zoned either CSC or DC2, are exempt from this restriction. For the purposes of this subsection only:
 - a. the 100 metres separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;

- b. the term "community or recreation activities" is limited to Community Recreation Services, as defined in subsection 7.8(1) of this Bylaw, which includes community league buildings and facilities, and children's playgrounds and play areas. This term does not include arenas or other public assembly Uses, Child Care Services, Public Libraries and Cultural Exhibits, or Religious Assembly;
 - c. the term "public or private education facilities" is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other Commercial Schools; and
 - d. the term "public lands" is limited to Sites zoned AP, and active recreation areas in the North Saskatchewan River Valley and Ravine System, as shown in Appendix I of Section 811 of this Bylaw, that are zoned A; it does not include passive areas in the North Saskatchewan River Valley and Ravine System, as shown in Appendix I of Section 811 of this Bylaw and other areas zoned A.
5. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 85(4).
6. Notwithstanding Section 11 of this Bylaw, a Development Officer shall only grant a variance to subsection 85(1) or subsection 85(2) as outlined in subsections 85(7), 85(8) and 85(9).
7. When the Development Officer receives an application for a Development Permit that is for the purpose of accommodating the temporary relocation of an approved Major Alcohol Sales or Minor Alcohol Sales within 500 m of its original location, a variance to subsection 85(1) or subsection 85(2) may be granted where:
 - a. the application for the Development Permit is for a Temporary Development, in order to limit the introduction of an additional Major Alcohol Sales or Minor Alcohol Sales within 500 metres of the original approved Development Permit;
 - b. the temporary location for any Major Alcohol Sales or Minor Alcohol Sales is not within 500 metres of any legally conforming Major Alcohol Sales or Minor Alcohol Sales;
 - c. the application for a Development Permit will not result in a total Floor Area for a Major Alcohol Sales or Minor Alcohol Sales that is 10.0 percent greater than the Floor Area of the existing approved Major Alcohol Sales or Minor Alcohol Sales, to a maximum increase of 50 square metres; and

- d. the application for a Development Permit will not result in a change of Use from Minor Alcohol Sales to Major Alcohol Sales.
8. When a Development Officer receives an application for a Development Permit that is for the purpose of accommodating the reversion of an existing approved Major Alcohol Sales or Minor Alcohol Sales back to its original location on a Site, a variance of subsection 85(1) or subsection 85(2) may only be granted where the application for the reversion is submitted to the Development Officer within 5 years of the date of vacating the original location and the application will not result in a total Floor Area that is greater than the original approved Major Alcohol Sales or Minor Alcohol Sales. and
9. The issuance of a Development Permit which contains a variance pursuant to subsection 85(7) shall be issued as a Temporary Development for a duration of up to 5 years or less, to be determined by the Development Officer.
10. The Development Officer may require lighting, signage or screening measures that ensure the proposed development is compatible with adjacent or nearby Residential Uses or Commercial Uses.
11. The Development Officer may require that a Traffic Impact Study be conducted for Major Alcohol Sales prior to the issuance of a Development Permit, if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. The Traffic Impact Study shall be prepared to the satisfaction of the Development Officer, in consultation with Transportation Services.
12. The Development Officer shall consider Crime Prevention Through Environmental Design criteria by ensuring:
 - a. the exterior of all stores have ample transparency from the street to allow natural surveillance;
 - b. exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society of North America;
 - c. Landscaping be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;
 - d. no customer parking is located behind a building and that all Parking Areas in front of the building be well-lit; and

- e. customer access to the store is limited to a store front that is visible from the street, other than a Lane, shopping centre parking lot or a mall access that allows visibility from the interior.

Development Officer's Determination


1) Section 85(1) - Any Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 500 m from any other Major Alcohol Sales or Minor Alcohol Sales.

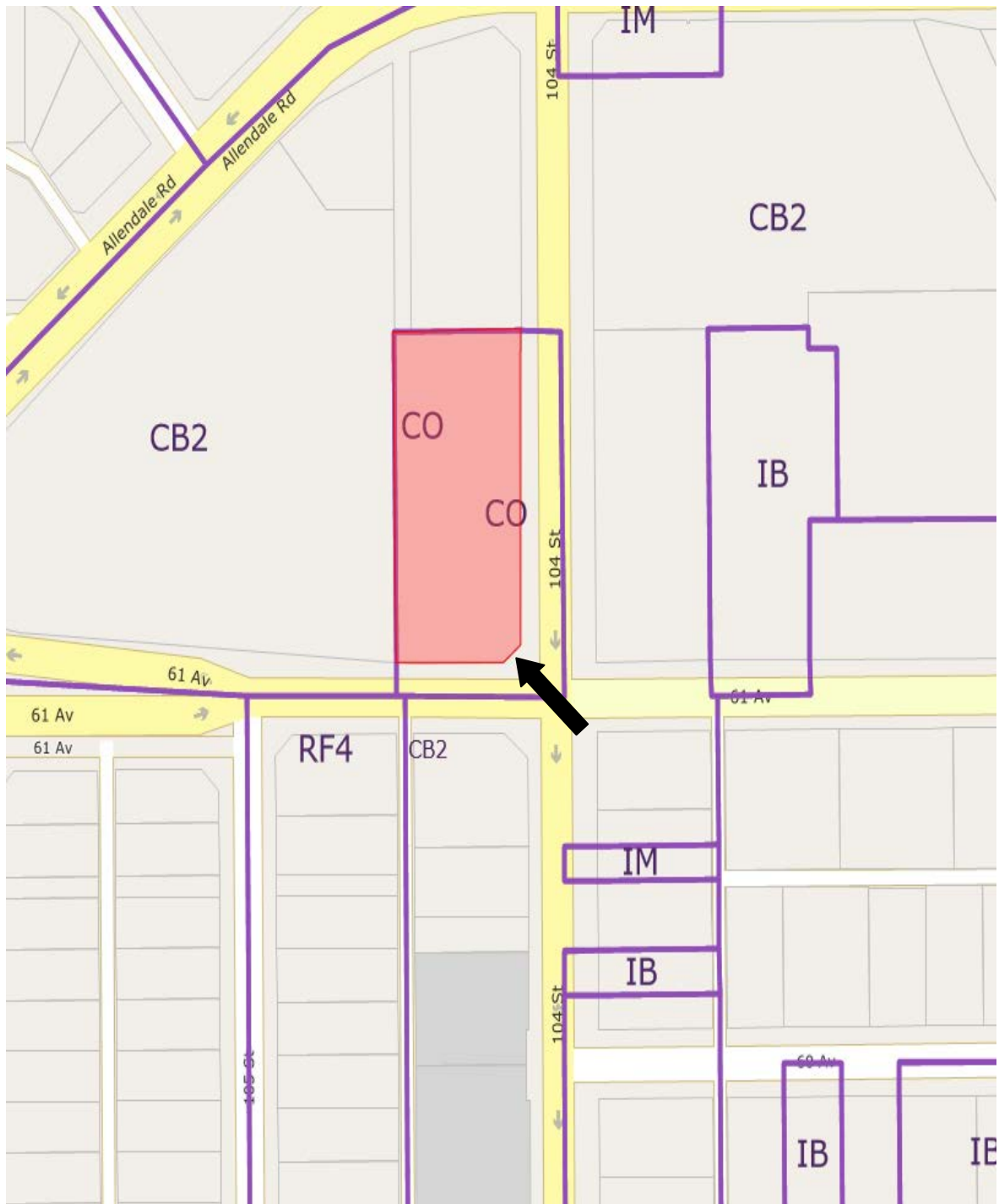
Proposed: 89.0m away from an existing Minor Alcohol Sales (6111-104 Street NW) location.

Deficient by: 411 m [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: 156166562-018 Application Date: AUG 15, 2017 Printed: October 23, 2017 at 8:37 AM Page: 1 of 1																				
<h2 style="margin: 0;">Application for Major Development Permit</h2>																					
This document is a Development Permit Decision for the development application described below.																					
Applicant	Property Address(es) and Legal Description(s) 6104 - 104 STREET NW Plan 4976KS Blk 40 Lots 3,OT Specific Address(es) Suite: 106, 6104 - 104 STREET NW Suite: 107, 6104 - 104 STREET NW Entryway: 6104 - 104 STREET NW Building: 6104 - 104 STREET NW																				
Scope of Application To change the use from General Retail to Minor Alcohol Sales (Unit-106,107) and to construct interior alterations.																					
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Class of Permit: Gross Floor Area (sq.m.): 274.4 New Sewer Service Required: N Site Area (sq. m.): </td> <td style="width: 50%; border: none;"> Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Gross Floor Area (sq.m.): 274.4 New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)																		
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I/We certify that the above noted details are correct. Applicant signature: _____																					
Development Application Decision Refused Reason for Refusal 1) Section 85(1) - Any Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 500 m from any other Major Alcohol Sales or Minor Alcohol Sales. Proposed: 89.0m away from an existing Minor Alcohol Sales (6111-104 Street NW) location. Deficient by: 411 m 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 19, 2017 Development Authority: SHAH, NIKHIL Signature: _____																					
Fees <table style="width: 100%; border: none;"> <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: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$271.00</td> <td style="text-align: right;">\$271.00</td> <td style="text-align: right;">04374084</td> <td style="text-align: right;">Aug 15, 2017</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;">\$271.00</td> <td style="text-align: right;">\$271.00</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$271.00	\$271.00	04374084	Aug 15, 2017	Total GST Amount:	\$0.00				Totals for Permit:	\$271.00	\$271.00		
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THIS IS NOT A PERMIT																					



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-117-228



TO BE RAISED
ITEM II: 11:00 A.M.

FILE: SDAB-D-17-189

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

APPELLANT:

APPLICATION NO.: 246478239-001

APPLICATION TO: Construct two Commercial Use buildings (Building 1: Health Services in CRU's 101, 102, 201 - 203; General Retail in CRU's 103 - 108; F.O. in CRU's 111 - 115, 204, 205; Restaurant (119 square metres of Public Space) in CRU 109; Specialty Food Service (119 square metres of Public Space) in CRU 110; Building 2: F.O. in CRU 116-0, General Retail in CRU 117-0, Restaurant (88 square metres of Public Space) in CRU 118-0) with an underground parkade and demolish an existing building

WITHDRAWN

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: September 12, 2017

NOTIFICATION PERIOD: September 19, 2017 through October 3, 2017

DATE OF APPEAL: September 26, 2017

RESPONDENT: Lenaco Homes Master Builder Inc.

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5120 - 122 Street NW

LEGAL DESCRIPTION: Plan 1800NY Blk 30 Lots 48, OT

ZONE: (CNC) Neighbourhood Convenience Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

TO BE RAISED
ITEM III: 2:00 P.M.

FILE: SDAB-D-17-198

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

APPELLANT:

APPLICATION NO.: 259441393-001

APPLICATION TO: Change the use of a Professional, Financial and Office Support Service and Automotive and Minor Recreation Vehicle Sales/Rentals building to a Religious Assembly (Minor) and to construct exterior alterations (new vestibule)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: September 11, 2017

DATE OF APPEAL: October 3, 2017

NOTIFICATION PERIOD: September 19, 2017 through October 3, 2017

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12320 - Mount Lawn Road NW

LEGAL DESCRIPTION: Plan 0222822 Blk J Lot 3

ZONE: (IB) Industrial Business Zone

OVERLAY: N/A

STATUTORY PLAN: Yellowhead Corridor Area Structure Plan

Grounds for Appeal

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

The proposed Discretionary Development for a Religious Assembly is adjacent to (<50 ft) to the North of our IH zoned property at 12325 Mount Lawn Road:

430 (IH) Heavy Industrial Zone

430.1 General Purpose

The purpose of this Zone is to provide for industrial Uses that, due to their appearance, noise, odour, risk of toxic emissions, or fire and explosion hazards are incompatible with residential, commercial, and other land Uses. This Zone should normally be located on the interior of industrial or agricultural areas, such that it does not interfere with the safety, Use, amenity or enjoyment of any surrounding Zones.

The location of the proposed Religious Assembly Discretionary Use in such close proximity will not only materially interfere with the Use of our IH property, grossly impair its Value and create enormous liabilities, but it will create an unacceptable health, safety and environmental risk to the men, women and children attending a Religious Assembly.

We are both shocked by what this Discretionary Development could mean to the Value and Use of ours and the neighboring Properties, as we are by the Development Authority's Discretionary decision to permit a Religious Assembly to be sited adjacent to Heavy and Medium Industrial zoned Parcels.

We have had significant historical issues with private vehicles overflowing from the parking lots of the subject Property and unlawfully parking on 124 Avenue, which has "No Exit". The unlawfully parked overflow vehicles would impede and sometimes prevent access for the 24/7 flow of heavy and commercial trucks entering and exiting the neighboring properties and ours. After months of our tenants having to call City Bylaw to ticket the overflow vehicles, the City erected permanent "No Parking" signs in November of 2013 to restore the unimpeded use of the "No Exit" Public Roadways servicing the properties in our "cul-de-sac".

There has never been street parking permitted on 124 Avenue or on the small section of Mount Lawn Road it is connected to (both roadways are single lane in both directions, except for the mouth of the intersection to Wayne Gretzky Drive where 124 Ave was expanded to accommodate a left turn lane). For clarity, the numerous permanent "No Parking" signs the City put up, and remain, were in response to the repeated overflow parking from the subject Property, which eventually subsided along with a Change in Use, sometime thereafter.

There is no overflow parking in proximity to the subject property, and any unlawful overflow parking on 124 Ave is an impediment to vehicular access, traffic and potential pedestrian safety.

We were advised by the Development Authority that in order to obtain additional information about the Discretionary Development Permit (in addition to what is provided on SLIM Maps and the parts of the subject Application that we were permitted to photograph at the offices of the DA), that we would have to file an appeal to do so. We have not been provided a copy, or an opportunity to photograph, the Development Authority's approved Permit that is now subject to this Appeal.

As a result, we must file this appeal without more specific and/or complete reasons.

In addition to the issues above, without limitation, the proposed Discretionary Development does not comply with:

- (a) Zoning Bylaw No. 12800;
- (b) Land Use Bylaw 5996;
- (c) Subdivision and Development Regulation (AR 43/2002); and
- (d) The Yellowhead Corridor Area Structure Plan, Bylaw 7044, as amended, including but not limited to 2.1.3, 3.2.2(iv), 3.2.3(i) & (ii), 3.2.5(ii), and 5.3.7. It is also clear from 7.1.1 that pedestrian and traffic generating uses such as Religious Assembly should be expressly discouraged.

The proposed Discretionary Development does not comply with the Land Use Bylaw, pursuant to Section 687(3)(d) of the Municipal Government Act. The proposed Discretionary Development must not “materially interfere with or affect the use, enjoyment or value of neighboring parcels of land”. In this case the proposed development does in fact materially interfere with the use and value of neighboring parcels.

For the above reasons, without limitation, we ask the SDAB to allow this appeal and rescind the approval for the proposed Discretionary Development.

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.

(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, 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.

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;

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(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 400.3(28), a **Religious Assembly**, excluding rectories, manses, dormitories, convents, monasteries and other residential buildings, is a **Discretionary Use** in the (IB) Industrial Business Zone.

Under section 7.8(14), **Religious Assembly** means:

development used for worship and related religious, philanthropic or social activities and includes Accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. Typical Uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This Use does not include Private Education Services, Public Education Services, and Commercial Schools, even as Accessory Uses.

Section 400.1 states that the **General Purpose** of the **IB Industrial Business Zone** is to:

provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.

Development Officer's Determination:

Discretionary Use - The Religious Assembly is approved as a Discretionary Use (Section 400.3).

Section 71 - Religious Assembly special provisions

A Religious Assembly shall comply with the following special provisions:

1. the minimum Frontage shall be 30.0 metres and the minimum Site area shall be 930 square metres;

2. where a manse, rectory, parsonage or other building for a minister's residence is to be erected on the same Site as the Religious Assembly, the minimum Site area shall be 1 300 square metres;
3. where the a Religious Assembly is to be developed on a Site that is within 60.0 metres of a Site zoned to allow a Single Detached Dwelling as a Permitted Use, the following regulations shall apply:
 - a. the maximum Site area shall be 4 000 square metres;
 - b. the maximum total Site Coverage shall not exceed 40 percent;
 - c. a minimum building Setback of 4.5 metres shall be required along a Side Yard flanking an abutting Site Zoned Residential;
 - d. a minimum building Setback of 7.5 metres along a Rear Yard shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone or is not separated from it by a public roadway more than 10.0 metres wide;
 - e. a minimum building Setback of 6.0 metres shall be required along a Front Yard separated by a public roadway not wider than 20.0 metres from any Site zoned residential. Where the roadway is wider than 20.0 metres, the Front Setback applicable in the relevant Zone shall apply;
 - f. vehicular access to on-site parking and loading spaces shall be provided from an abutting arterial or collector roadway, except that the Development Officer may allow access from a public roadway including a Lane in accordance with the following guidelines:
 - i. access may be allowed from a local roadway that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other Sites abutting the roadway and shall not direct excess traffic onto a local roadway;
 - ii. access may be allowed from a Lane that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other abutting Sites and shall not direct excess traffic onto a local residential roadway; and
 - iii. access to a maximum of five parking spaces may be allowed from a Lane that abuts a Site zoned to allow a Single Detached Dwelling as a Permitted Use.

4. Where a Religious Assembly is a Discretionary Use, the Development Officer may impose conditions intended to reduce the perceived mass of the structure through techniques including, but not limited to, increased Setbacks, articulation of elevations and rooflines, and the colour of finishing materials.

Parking

Section 54.2, Schedule 1(A)(44), states:

Location	Minor
Central Core Neighbourhoods, excluding the Downtown Special Area	<u>1720 m²</u> of Floor Area or less: No minimum parking requirement
Mature Neighbourhoods, excluding the Central Core Neighbourhoods	<u>1400 m²</u> of Floor Area or less: 1 parking space per <u>45.0 m²</u>
Established Neighbourhoods	<u>2500 m²</u> of Floor Area or less: 1 parking space per <u>27.0 m²</u>
Industrial Neighbourhoods	<u>2570 m²</u> of Floor Area or less: 1 parking space per <u>33.0 m²</u>
Developing, Planned and Future Neighbourhoods, and Urban Growth areas.	<u>3760 m²</u> of Floor Area or less: 1 parking space per <u>14.0 m²</u>
Locations are as identified in Edmonton's The Way We Grow: Municipal Development Plan, Bylaw 15100, Maps.	

Previous Subdivision and Development Appeal Board Decisions

Application Number	Description	Decision
SDAB-D-17-060	To install (1) freestanding Minor Digital On-premises Off-premises Sign (2 digital panels 3.1 metres by 6.1 metres facing NE/SW) replaces DP: 163889410-001/2 (MEDIA CITY ADS - MOBILE INSURANCE).	May 5, 2017; Permit cancelled
SDABD-D-015-057	To install a Freestanding Minor	April 2, 2015; That the appeal be Denied and

	Digital On-premises Off-premises Sign (2 faces north/south) (OUTFRONT MEDIA).	the Decision of Approval of the Development Authority be Upheld with a variance granted to the required separation distance between the proposed Sign and another Digital Sign (27 square metres in area), from 200 metres to 190 metres (Reference Section 59F.3 (6)(e)) 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*.



Project Number: 259441393-001
Application Date: AUG 10, 2017
Printed: October 4, 2017 at 7:53 AM
Page: 1 of 3

Major 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.

Applicant <div style="border: 1px solid black; width: 250px; height: 50px; margin: 10px auto;"></div>	Property Address(es) and Legal Description(s) 12320 - MOUNT LAWN ROAD NW Plan 0222822 Blk J Lot 3
	Specific Address(es) Suite: 12320 - MOUNT LAWN ROAD NW Entryway: 12320 - MOUNT LAWN ROAD NW Building: 12320 - MOUNT LAWN ROAD NW

Scope of Permit
 To change the use of a Professional, Financial and Office Support Service and Automotive and Minor Recreation Vehicle Sales/Rentals building to a Religious Assembly (Minor) and to construct exterior alterations (new vestibule).

Permit Details	
Class of Permit: Class B Gross Floor Area (sq m.): New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)

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

Development Permit Decision
 Approved

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



Project Number: 259441393-001
Application Date: AUG 10, 2017
Printed: October 4, 2017 at 7:53 AM
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Major Development Permit

Subject to the Following Conditions

- 1) This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1).
- 2) Exterior lighting shall be developed to provide a safe lit environment in accordance with Sections 51 and 58 and to the satisfaction of the Development Officer.
- 3) Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices. (Reference Section 51 of the Edmonton Zoning Bylaw 12800).

NOTES:

- 1) 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.
- 2) The Development Permit shall not be valid unless and until the conditions of approval, save those of a continuing nature, have been fulfilled; and no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in subsection 21.1 (Ref. Section 17.1).
- 3) Signs require separate Development Applications.
- 4) The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.
- 5) A Building Permit is required for any construction or change in use of a building. For a building permit, and prior to the Plans Examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre for further information.
- 6) This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.

Variances

Discretionary Use - The Religious Assembly is approved as a Discretionary Use (Section 400.3).

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.

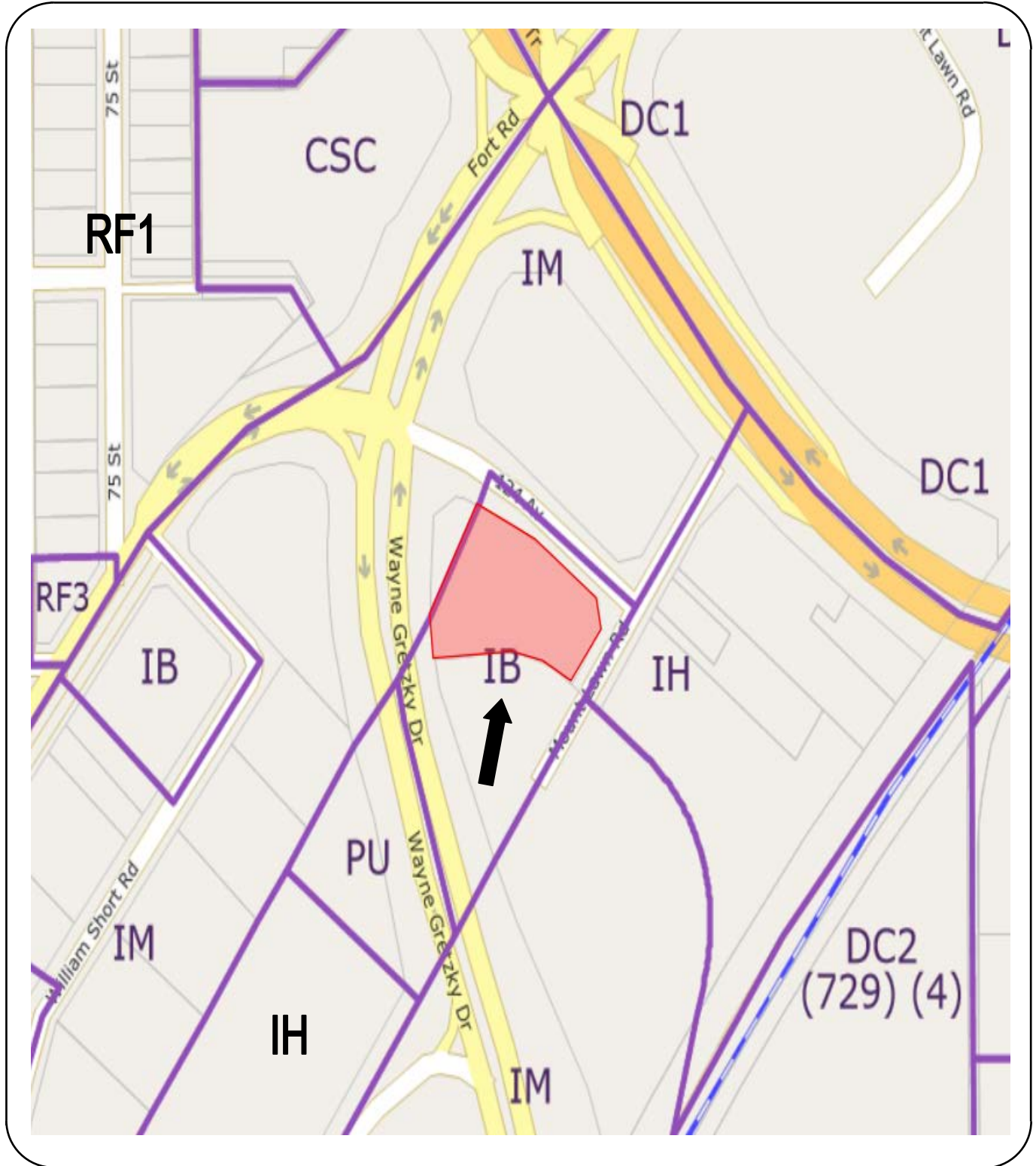
Issue Date: Sep 11, 2017 Development Authority: WELCH, IMAI
Notice Period Begins: Sep 19, 2017 Ends: Oct 03, 2017

Signature: _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$500.00	\$500.00	04361606	Aug 10, 2017

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-198

