

**SUBDIVISION**  
**AND**  
**DEVELOPMENT APPEAL BOARD**  
**AGENDA**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**TO BE RAISED**

I 9:00 A.M. SDAB-D-20-038

Icewerx Consulting Inc.

Comply with an Order to immediately de-energize the Sign and keep it turned off 24 hours a day. The Sign must remain de-energized until one of the following options is completed (A or B):

A) Acquire a Development Permit to display the Minor Digital Off-premises Freestanding Sign.

OR

B) Dismantle and remove the Sign from the property. All parts of the Sign, including the support structure must be removed.

One of the options A or B must be completed before March 17, 2020

3530 - 91 Street NW  
Project No.: 304478275-002

II 11:00 A.M. SDAB-D-20-131

Jacardan Properties Inc.

Construct an Accessory Building (detached Garage (9.14m x 7.3m))

10003 - 148 Street NW  
Project No.: 364955227-004

III 1:30 P.M. SDAB-D-20-130

L. Adamkewicz VS. RIDDELL KURCZABA  
ARCHITECTURE

Construct 8 Dwellings of Multi-unit Housing (in the form of Stacked Row Housing) and 2 Dwellings of Paisley Laneway Housing (with Garage below)

2703 / 2705 / 2707 / 2709 - Price Link SW  
Project No.: 362950161-002

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IV 1:30 P.M. SDAB-D-20-129

L. Adamkewicz VS. RIDDELL KURCZABA  
ARCHITECTURE

Construct 8 Dwellings of Multi-unit Housing (in  
the form of Stacked Row Housing) and 2  
Dwellings of Paisley Laneway Housing (with  
Garage below)

2716 / 2718 / 2720 / 2722 - Price Link SW  
Project No.: 362950714-002

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

**TO BE RAISED**

ITEM I: 9:00 A.M.

FILE: SDAB-D-20-038

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT: Icewerx Consulting Inc.

APPLICATION NO.: 304478275-002

STOP ORDER TO: Comply with an Order to immediately de-energize the Sign and keep it turned off 24 hours a day. The Sign must remain de-energized until one of the following options is completed (A or B):

A) Acquire a Development Permit to display the Minor Digital Off-premises Freestanding Sign.

OR

B) Dismantle and remove the Sign from the property. All parts of the Sign, including the support structure must be removed.

One of the options A or B must be completed before March 17, 2020.

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: January 15, 2020

DATE OF APPEAL: January 29, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3530 - 91 Street NW

LEGAL DESCRIPTION: Plan 7921939 Blk 12 Lot 1

ZONE: (US) Urban Services Zone

OVERLAY: N/A

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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 are solicitors for Icewerx Consulting Inc. Our client appeals the Municipal Government Act Order issued by the City of Edmonton for these reasons: 1. The Municipal Government Act Order is improperly issued. 2. There is a valid development permit to operate the off premises digital sign currently located on the above noted property. 3. Such further and other reasons that may be raised during the hearing.

***General Matters***

**Appeal Information:**

**The Subdivision and Development Appeal Board made and passed the following motion on March 19, 2020:**

**“That the appeal hearing be scheduled for May 20 or 21, 2020 at the written request of the Appellant.”**

**The Subdivision and Development Appeal Board made and passed the following motion on April 22, 2020:**

**“That the appeal hearing be scheduled for September, 2020, at the written request of the Appellant.”**

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.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(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.

(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,

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

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

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

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

or

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

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

**Hearing and Decision**

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

...

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

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

(a.3) subject to clause (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
  - (i) the proposed development would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

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

Under section 510.3(25), a **Minor Digital Off-premises Sign** is a Discretionary Use in the **(US) Urban Services Zone**.

Under section 7.9(6), **Minor Digital Off-premises Sign** means:

a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Section 510.1 states that the **General Purpose** of the **(US) Urban Services Zone** is “to provide for publicly and privately owned facilities of an institutional or community service nature.”

<b><i>Enforcement and Penalties</i></b>
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Section 23.1(2) states:

If a Development Permit is required but has not been issued, or is not valid under this Bylaw, it is an offence for any person;



- a. to construct a building or structure;
- b. to make an addition or alteration thereto;
- c. to commence a Use or change of intensity of Use; or
- d. to place a Sign on land.

Section 23.1(18) states “Notwithstanding subsection 23.1(2), it is an offence to display a Freestanding Sign without a valid and approved Development Permit when a Development Permit is required.”

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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.

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City of Edmonton  
Development and Zoning Services  
Development Compliance & Inquiries

2nd Floor, Edmonton Tower  
10111 104 Avenue NW  
Edmonton, AB T5J 0J4  
Canada



[edmonton.ca/developmentcompliance](http://edmonton.ca/developmentcompliance)

January 15, 2020

Our File: 304478275-002

**MUNICIPAL GOVERNMENT ACT ORDER**

Dear Sir/Madam:

The property at 3530 - 91 Street NW, legally described as Plan 7921939 Blk 12 Lot 1 in Edmonton, Alberta was inspected by Development Compliance Officer Brendan Bolstad on December 24, 2019. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 and 624 of the Municipal Government Act.

This property is zoned US (Urban Services Zone) in accordance with Section 510 of Edmonton Zoning Bylaw 12800.

**ZONING BYLAW INFRACTION:**

Our investigation revealed that a Minor Digital Off-premises Freestanding Sign is displayed without a Development Permit. A photograph of the Sign has been included for your reference.

Section 23.1(18) of the Edmonton Zoning Bylaw 12800 states:

Notwithstanding subsection 23.1(2), it is an offence to display a Freestanding Sign without a valid and approved Development Permit when a Development Permit is required.

Minor Digital Off-premises Signs means a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation. This type of Sign is a Discretionary Use in the Urban Services Zone.

(continued on next page)

ORDER:

Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000, you are hereby ordered to:

Immediately de-energize the Sign and keep it turned off 24 hours a day. The Sign must remain de-energized until one of the following options is completed (A or B):

A) Acquire a Development Permit to display the Minor Digital Off-premises Freestanding Sign.

OR

B) Dismantle and remove the Sign from the property. All parts of the Sign, including the support structure must be removed.

One of the options A or B must be completed before March 17, 2020.

CONSEQUENCES FOR NON-COMPLIANCE:

In the event that a person fails to comply with this Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter the land and take any action necessary to carry out the Order. Section 646 authorizes the City to register a caveat under the Land Titles Act.

Section 553(1)(h.1) of the Municipal Government 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 566(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.

Affected persons may appeal this Order by filing within 21 days to the Subdivision and Development Appeal Board. Visit the website at <https://sdab.edmonton.ca> or call 780-496-6079 for more information on how to file an appeal.

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 780-442-7190.

Regards,



Brendan Bolstad  
Development and Zoning  
Development Services  
Phone Number: 780-442-7190  
Email Address: [Brendan.Bolstad@edmonton.ca](mailto:Brendan.Bolstad@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
  - (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.
- (2.1)** A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.
- (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.

<b>Enforcement of stop order</b>	<p><b>646(1)</b> 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.</p> <p>(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.</p> <p>(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.</p>
<b>Permit</b>	<p><b>683</b> 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.</p>
<b>Grounds for appeal</b>	<p><b>685(1)</b> If a development authority</p> <ul style="list-style-type: none"> <li>(a) fails or refuses to issue a development permit to a person,</li> <li>(b) issues a development permit subject to conditions, or</li> <li>(c) issues an order under section 645,</li> </ul> <p>the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.</p> <p>(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.</p> <p>(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 or the application for the development permit was deemed to be refused under section 683.1(8).</p> <p>(4) Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district</p> <ul style="list-style-type: none"> <li>(a) is made by a council, there is no appeal to the subdivision and development appeal board, or</li> <li>(b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.</li> </ul>
<b>Appeals</b>	<p><b>686(1)</b> A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board</p> <ul style="list-style-type: none"> <li>(a) in the case of an appeal made by a person referred to in section 685(1) <ul style="list-style-type: none"> <li>(i) with respect to an application for a development permit, <ul style="list-style-type: none"> <li>(A) within 21 days after the date on which the written decision is given under section 642, or</li> <li>(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,</li> </ul> </li> </ul> </li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(ii) with respect to an order under section 645, within 21 days after the date on which the order is made,</li> </ul>

or

- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.
- (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.
- (4.1)** Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).
- (5)** In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.



ITEM II: 11:00 A.M.

FILE: SDAB-D-20-131

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT: Jacardan Properties Inc.

APPLICATION NO.: 364955227-004

APPLICATION TO: Construct an Accessory Building (detached Garage (9.14m x 7.3m))

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: September 1, 2020

DATE OF APPEAL: September 4, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10003 - 148 StreetNW

LEGAL DESCRIPTION: Plan 4590W Blk 82 Lot 11

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:

June 14, 2020 permit application was submitted for a rear detached garage with workspace above. The owner is a floral designer and the loft area would be used as workspace.

To accommodate parking with workspace above & keep within the 14.3' max height restriction the parking pad would be partially below grade requiring a sloped driveway off the back lane. Research on recommended slopes across Canada was done. Maximum recommended slope was found



to be 25% although information specific to Edmonton even within City documents could not be found. City of Edmonton Building Department was therefore contacted directly and property owner was told that "there is no enforceable bylaw regulating driveway slope for residential projects". Drawings were therefore submitted indicating a 24.9' driveway with a 20% slope.

Two months later a Development Officer advised that although a 7' variance could be obtained for the 24.9' drive and 24' deep garage, Transportation would not approve a 20% driveway slope. Having been previously told by a Building Officer that there was no enforceable bylaw, both Development & Transportation were asked to supply written information in this regard but none was ever received. The 12% slope requirement created the following issues:

- a) building up would require a height variance which the City said they could not approve;
- b) building beyond the allowable 41' within which a garage must be contained required a variance and even if such a variance was considered the owner would need to build 69' into the property to accommodate a 45' driveway and 24' garage to achieve the 12% slope required by Transportation which also would not be approved;
- c) building two separate accessory buildings (one for parking and one for workspace) would use more than the allowable 12% site coverage to attain the square footage needed which as well would not be approved;

Upon advice of the Development Officer and to keep within all required bylaws the parking pad was raised to only 2' below grade to achieve the required 12% slope resulting in a 17' driveway. This keeps the garage within the required 41' of the rear property as well as within the maximum height restriction of 14.3' and an appeal to the height condition on the development permit is being submitted.

Adhering to all bylaws and regulations has left 13' of ceiling height to be used for both the parking and workspace areas (6 1/2' ceiling height in each which is not feasible).

For the above reasons we are requesting a 36" height variance for our project. The 17' height would still keep us within the range of height maximum allowed in other City zones as well as below the 20' garage suite height maximum allowed in the zone in which the owner is building. This will allow the property owner to utilize an attic workspace above the parking area in the garage.

To further indicate that this height variance would not take away from the appearance of the neighborhood the owner advises that his is a corner lot and there are several other garage structures, as close as across the back alley and down the back lane, that are above the 17' height that he is

requesting. The owner notes that these rear detached garages in the neighbourhood as well as on the same block comply with Height regulations, but are more impactful on other properties, as they are typically located closer to the rear lane and therefore have a more dominating appearance than his would. By having parking partially below grade the owner maintains that he is creating the least possible impact even with the proposed height variance which is still well below the allowable in the neighborhood.

As a long time resident of the neighborhood since 1992 the owner has spoken with several adjacent property owners who are all in agreement with the proposed project being very familiar with other projects that the owner has built in the neighborhood over the past 28 years.

<i>General Matters</i>
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**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

**(2)** In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal 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,

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,

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

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

or

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

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

#### **Hearing and Decision**

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

...

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

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

(a.3) subject to clause (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

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

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

- (i) the proposed development would not
  - (A) unduly interfere with the amenities of the neighbourhood, or
  - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

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

Under section 110.2(6), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under section 6.1, **Accessory** means:

when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.

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

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

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

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


to encourage and strengthen the pedestrian-oriented character of Edmonton’s main street commercial areas that are located in proximity to residential and transit-oriented areas, by providing visual interest, transparent storefront displays, and amenities for pedestrians.


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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.

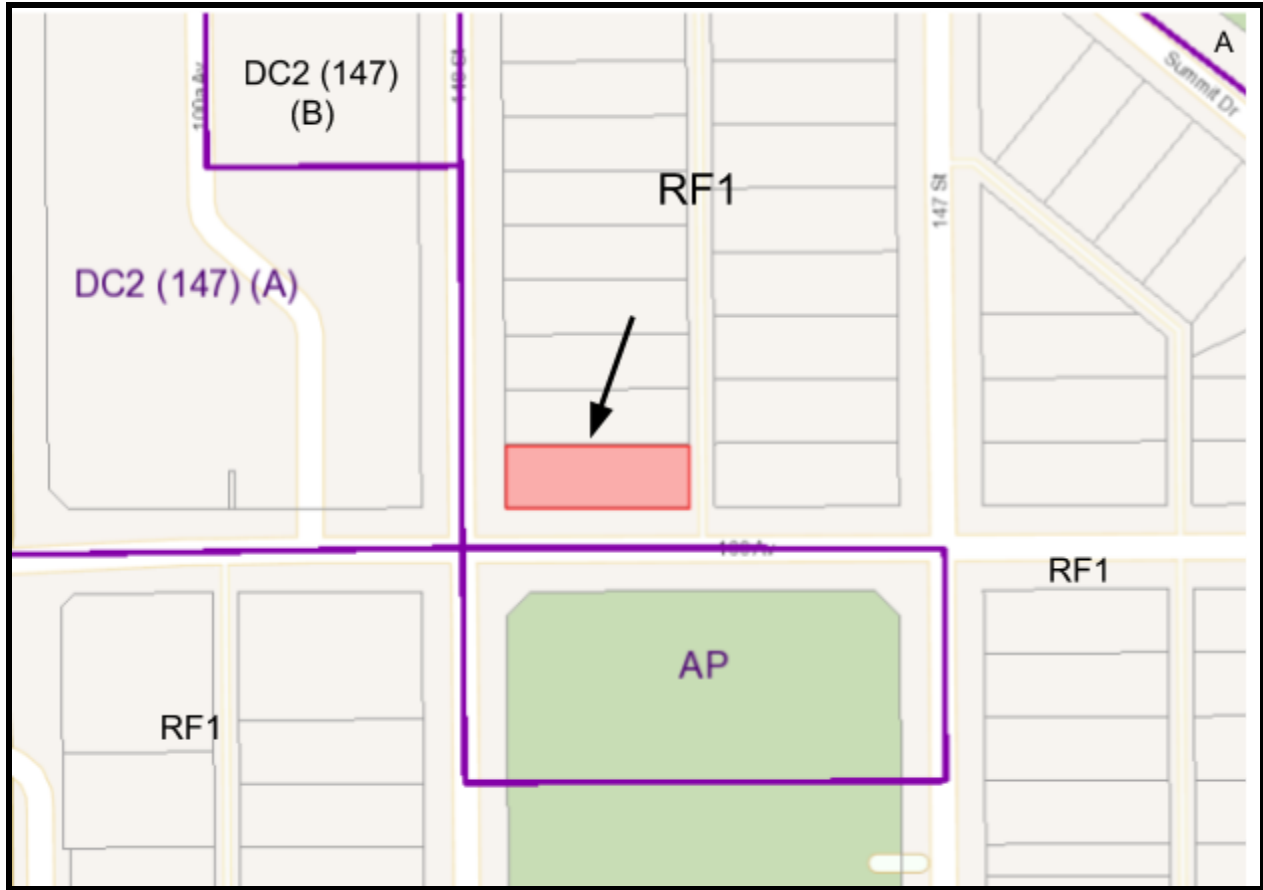
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	Project Number: <b>364955227-004</b> Application Date: AUG 26, 2020 Printed: September 1, 2020 at 9:21 PM Page: 1 of 3		
<h2>Accessory Building Permit</h2>			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.			
<b>Applicant</b>	<table border="1"> <tr> <td data-bbox="813 443 1378 527"> <b>Property Address(es) and Legal Description(s)</b>                      10003 - 148 STREET NW                      Plan 4590W Blk 82 Lot 11                 </td> </tr> <tr> <td data-bbox="813 533 1378 653"> <b>Location(s) of Work</b>                      Suite: 10003 - 148 STREET NW                      Entryway: 10003 - 148 STREET NW                      Building: 10003 - 148 STREET NW                 </td> </tr> </table>	<b>Property Address(es) and Legal Description(s)</b> 10003 - 148 STREET NW Plan 4590W Blk 82 Lot 11	<b>Location(s) of Work</b> Suite: 10003 - 148 STREET NW Entryway: 10003 - 148 STREET NW Building: 10003 - 148 STREET NW
<b>Property Address(es) and Legal Description(s)</b> 10003 - 148 STREET NW Plan 4590W Blk 82 Lot 11			
<b>Location(s) of Work</b> Suite: 10003 - 148 STREET NW Entryway: 10003 - 148 STREET NW Building: 10003 - 148 STREET NW			
<b>Scope of Permit</b> To construct an Accessory Building (detached Garage (9.14m x 7.3m)).			
<b>Permit Details</b> <table border="1" style="width: 100%;"> <tr> <td data-bbox="282 785 808 835">                     Class Of Permit: Class A                      Stat. Plan Overlay/Annex Area:                 </td> <td data-bbox="813 785 1378 835">                     Site Area (sq. m.): 672.39                 </td> </tr> </table>		Class Of Permit: Class A Stat. Plan Overlay/Annex Area:	Site Area (sq. m.): 672.39
Class Of Permit: Class A Stat. Plan Overlay/Annex Area:	Site Area (sq. m.): 672.39		
<b>Development Permit Decision</b> Approved Issue Date: Sep 01, 2020 Development Authority: HETHERINGTON, FIONA			

	Project Number: <b>364955227-004</b> Application Date: AUG 26, 2020 Printed: September 1, 2020 at 9:21 PM Page: 2 of 3
<h2>Accessory Building Permit</h2>	
<p><b>Subject to the Following Conditions</b>  This Development Permit authorizes the development of an Accessory Building (drive-under detached Garage with workshop above (9.14m x 7.3m)).</p>	
<p>The development shall be constructed in accordance with the stamped and approved drawings.</p>	
<p>An Accessory building or structure shall not exceed 4.3m in Height (Section 50.3.3 and 52.1).</p>	
<p>Eave projections shall not exceed 0.46m into required Setbacks or Separations spaces less than 1.2m (Section 44.1.c.ii).</p>	
<p><b>ADVISEMENTS:</b></p>	
<p>An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the Site (Section 5.2).</p>	
<p>Any proposed change from the original approved drawings is subject to a revision/re-examination fee. The fee will be determined by the reviewing officer based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.</p>	
<p>Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.</p>	
<p>A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.</p>	
<p><b>SUBDIVISION PLANNING CONDITIONS:</b></p>	
<p>1. The proposed access to the alley is acceptable to Subdivision Planning and a curb crossing permit is not required. However, the underground driveway ramp must not exceed a slope of 12% for a minimum distance of 5 m inside the property line and the ramp must be at grade at the property line and no portion of the proposed sloped driveway will be permitted within legal road right-of-way. The applicant is responsible to contact Loli Fernandez of Development Inspections at 780-944-7683 for inspection 72 hours prior to and following construction of the access.</p>	
<p>2. Any proposed retaining walls bordering the driveway must not exceed a height of 0.3 m for a distance of 3 m from the property line and no portion of the wall may encroach onto road right-of-way. Heated driveways are not permitted within road right-of-way.</p>	
<p>3. Access is existing to 100 Avenue. Any modification to the existing access requires the review and approval of Subdivision Planning.</p>	
<p>4. There may be utilities within road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Alberta One-Call (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.</p>	
<p>5. Any alley, boulevard or sidewalk damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Section 15.5(f) of the Zoning Bylaw. The alley and boulevard will be inspected by Development Inspections prior to construction, and again once construction is complete. All expenses incurred for repair are to be borne by the owner.</p>	
<p>6. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:</p> <ol style="list-style-type: none"> <li>the start/finish date of project;</li> </ol>	

	Project Number: <b>364955227-004</b> Application Date: AUG 26, 2020 Printed: September 1, 2020 at 9:21 PM Page: 3 of 3																														
<h2 style="margin: 0;">Accessory Building Permit</h2>																															
<p>b. accommodation of pedestrians and vehicles during construction;                  c. confirmation of lay down area within legal road right of way if required;                  d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.</p> <p>It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at: <a href="https://www.edmonton.ca/business_economy/oscam-permit-request.aspx">https://www.edmonton.ca/business_economy/oscam-permit-request.aspx</a> and <a href="https://www.edmonton.ca/business_economy/documents/PDF/ConstructionSafety.pdf">https://www.edmonton.ca/business_economy/documents/PDF/ConstructionSafety.pdf</a></p>																															
<p><b>Rights of Appeal</b>                  This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.</p>																															
<p><b>Building Permit Decision</b>                  No decision has yet been made.</p>																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Fees</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>Safety Codes Fee</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Building Permit Fee (Accessory Building)</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td></td> <td></td> </tr> </tbody> </table>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Safety Codes Fee	\$0.00				Development Application Fee	\$0.00				Building Permit Fee (Accessory Building)	\$0.00				Total GST Amount:	\$0.00				Totals for Permit:	\$0.00	\$0.00		
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**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-131

▲  
**N**

ITEM III: 1:30 P.M.

FILE: SDAB-D-20-130

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT: L. Adamkewicz

APPLICATION NO.: 362950161-002

APPLICATION TO: Construct 8 Dwellings of Multi-unit Housing (in the form of Stacked Row Housing) and 2 Dwellings of Paisley Laneway Housing (with Garage below)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: August 19, 2020

DATE OF APPEAL: September 3, 2020

NOTIFICATION PERIOD: August 25, 2020 through September 15, 2020

RESPONDENT: RIDDELL KURCZABA ARCHITECTURE

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 2703 / 2705 / 2707 / 2709 - Price Link SW

LEGAL DESCRIPTION: Plan 1720738 Blk 12 Lots 16, 17, 18 and 19

ZONE: (HVRH) Special Area Heritage Valley Row Housing Zone

OVERLAY: N/A

STATUTORY PLAN: Paisley Neighbourhood Area Structure Plan

---

***Grounds for Appeal***

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

Our streets are already congested as is why would you think that this would be better for our area. Our street is already a 0 lot line we simply do not have the space for condos or town house of the sort call it what you want, but the bottom line is there is NO ROOM. we were told this street would have houses, not these tall mult housing units that are going to damage to our property value. There are already houses that are trying to sell beside the units already being built and they are obviously having difficulty. as for the units that will have the garages underneath, they will be taller then our homes and will be looking into our living area. I do not need other people staring into my sons room!!! the reason our homes also do not have windows on the sides is so we are not starting directly into one anothers homes. this negates that principle. 20 extra units on our small quiet street means 40 extra vehicles that we DO NOT have the space nor the parking to accommodate.

<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.

**(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,

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

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

or

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

**Hearing and Decision**

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

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

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

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

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

Under section 981.3(c), **Multi-unit Housing** is a **Permitted Use** in the **(HVRH) Special Area Heritage Valley Row Housing Zone**.

Under section 7.2(4), **Multi-unit Housing** means:

development that consists of three or more principal Dwellings arranged in any configuration and in any number of buildings. This Use does not include Blatchford Townhousing or Blatchford Stacked Row Housing.

Section 981.1 states that the **General Purpose** of the **(HVRH) Special Area Heritage Valley Row Housing Zone** is:

To provide for medium density housing with the opportunity for Row Housing, Multi-unit Housing, and Paisley Laneway housing, in accordance with the design objectives in the Paisley Neighbourhood Area Structure Plan.

***Tandem Parking***

Section 54.1(5)(c)(iii) states:

All provided Vehicle Parking space and loading spaces shall conform to the following minimum dimensions:

Vehicle Parking space type	Length	Width (no obstructions)	Width with obstruction on one side (including tow or more car garages)	Width with obstruction on both sides (including on car garage)	Vertical Clearance	Special Consideration
Tandem Spaces	A) 11.0 m	B) 2.6 m	C) 2.7 m	D) 3.0 m	E) 2.1 m	F) Vehicle Parking spaces may only be provided as Tandem Parking if: <ul style="list-style-type: none"> <li>• the Tandem Parking is not used for visitor Vehicle Parking;</li> <li>• both Tandem Parking spaces are developed to provide Vehicle Parking for the same Dwelling; and</li> <li>• the Tandem Parking does not block access to any other Vehicle Parking space.</li> </ul>

**Development Officer’s Determination**

**Tandem Parking- Tandem parking is allowed for 2 different Dwellings instead of the same Dwelling. (Section 54.1.5.c.iii)**


[unedited]

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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.

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	Project Number: <b>362950161-002</b> Application Date: MAY 21, 2020 Printed: September 4, 2020 at 8:48 AM Page: 1 of 3
	<h2>Major Development Permit</h2>
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.	
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 2709 - PRICE LINK SW Plan 1720738 Blk 12 Lot 16 2707 - PRICE LINK SW Plan 1720738 Blk 12 Lot 17 2705 - PRICE LINK SW Plan 1720738 Blk 12 Lot 18 2703 - PRICE LINK SW Plan 1720738 Blk 12 Lot 19
	<b>Specific Address(es)</b> Suite: 2703 - PRICE LINK SW Suite: 2703G - PRICE LINK SW Suite: 2705 - PRICE LINK SW Suite: 2707 - PRICE LINK SW Suite: 2709 - PRICE LINK SW Suite: 2709G - PRICE LINK SW Suite: 2FL, 2703 - PRICE LINK SW Suite: 2FL, 2705 - PRICE LINK SW Suite: 2FL, 2707 - PRICE LINK SW Suite: 2FL, 2709 - PRICE LINK SW Entryway: 2703 - PRICE LINK SW Entryway: 2703G - PRICE LINK SW Entryway: 2705 - PRICE LINK SW Entryway: 2707 - PRICE LINK SW Entryway: 2709 - PRICE LINK SW Entryway: 2709G - PRICE LINK SW Entryway: 2FL, 2703 - PRICE LINK SW Entryway: 2FL, 2705 - PRICE LINK SW Entryway: 2FL, 2707 - PRICE LINK SW Entryway: 2FL, 2709 - PRICE LINK SW Building: 2703 - PRICE LINK SW Building: 2703G - PRICE LINK SW
<b>Scope of Permit</b> To construct 8 Dwellings of Multi-unit Housing (in the form of Stacked Row Housing) and 2 Dwellings of Paisley Laneway Housing (with Garage below).	
<b>Permit Details</b> Class of Permit: Class B   Contact Person:	



	Project Number: <b>362950161-002</b> Application Date: MAY 21, 2020 Printed: September 4, 2020 at 8:48 AM Page: 2 of 3
<h2 style="margin: 0;">Major Development Permit</h2>	
<b>Permit Details</b>	
Gross Floor Area (sq.m.): 965.64 New Sewer Service Required: Y Site Area (sq. m.): 936	Lot Grading Needed?: Y NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
<b>Development Permit Decision</b>	
Approved <b>Issue Date:</b> Aug 19, 2020 <b>Development Authority:</b> ANGELES, JOSELITO	
<b>Subject to the Following Conditions</b>	
This Development Permit authorizes the proposed development of 8 Dwellings of Multi-unit Housing (in the form of Stacked Row Housing) and 2 Dwellings of Paisley Laneway Housing (with Garage below).	
The Site shall be developed in accordance with the stamped, signed, and conditionally approved drawings.	
Hardsurfaced parking pads shall include an underground electrical power connection with outlet on a post 1.0 m in height, located within 1.0 m of the parking pad. (Reference Section 981.5.q)	
All roof leaders from the Dwelling are connected to the individual storm sewer service for each Lot. (Reference Section 981.5.t)	
Maintenance and/or drainage and utility easement(s) may be required between Abutting properties and/or through private Yards of one or more Dwellings to ensure adequate access for property, drainage and utility maintenance. (Reference Section 981.5.u)	
The Amenity Area shall be permanently retained as open space. (Reference Section 981.5.x)	
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)	
The applicant or property owner shall pay a Sanitary Sewer Trunk Charge fee of \$11,292.00. The SSTC charge is quoted at year 2020 rate. Please contact Private Development, Drainage Services, at 780-496-5665 for further details regarding the fee. However, the final SSTC is based on the prevailing rate at the time the applicant/owner makes payment at the 2nd Floor, Edmonton Tower, 10111 104 Avenue NW, Edmonton AB T5J 0J4.	
PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$472.00.	
Landscaping shall be in accordance with the approved Landscape Plan, and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer.	
Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.	
Landscaping shall be installed within 18 months of receiving the Final Occupancy Permit. Landscaping shall be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Officer.	
A Landscape Security shall be provided to the City of Edmonton at the time of initial Landscape Inspection, to the satisfaction of the Development Officer. The initial Landscape Inspection shall be requested within 14 days of the Landscape installation being completed ( <a href="http://www.edmonton.ca/landscapeinspectionrequest">www.edmonton.ca/landscapeinspectionrequest</a> ).	
Upon determination that landscaping has been installed in compliance with the approved Landscape Plan, 20% of the full Landscape Security value as determined by the Development Officer shall be collected. The Landscape Security shall be retained	



Project Number: **362950161-002**  
 Application Date: MAY 21, 2020  
 Printed: September 4, 2020 at 8:48 AM  
 Page: 3 of 3

## Major Development Permit

for a period of 24 months from the date of the initial Landscape Inspection.

Sites that are not completed or are not compliant with approved Landscape Plans at the initial Landscape Inspection shall, in addition, be required to submit a Security for incomplete work; up to the full value of the Landscape Security, as determined by the Development Officer.

**ADVISEMENTS:**

Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.

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.

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.

Waste Services recommends storing each of the residential cans in waste enclosure until collection days. On collection days, the resident and/or property manager will be responsible to move the cans to the lane for service.

Signs require separate Development Applications.

**NOTE:** 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.

**Variances**

Tandem Parking- Tandem parking is allowed for 2 different Dwellings instead of the same Dwelling. (Section 54.1.5.c.iii)

**Rights of Appeal**

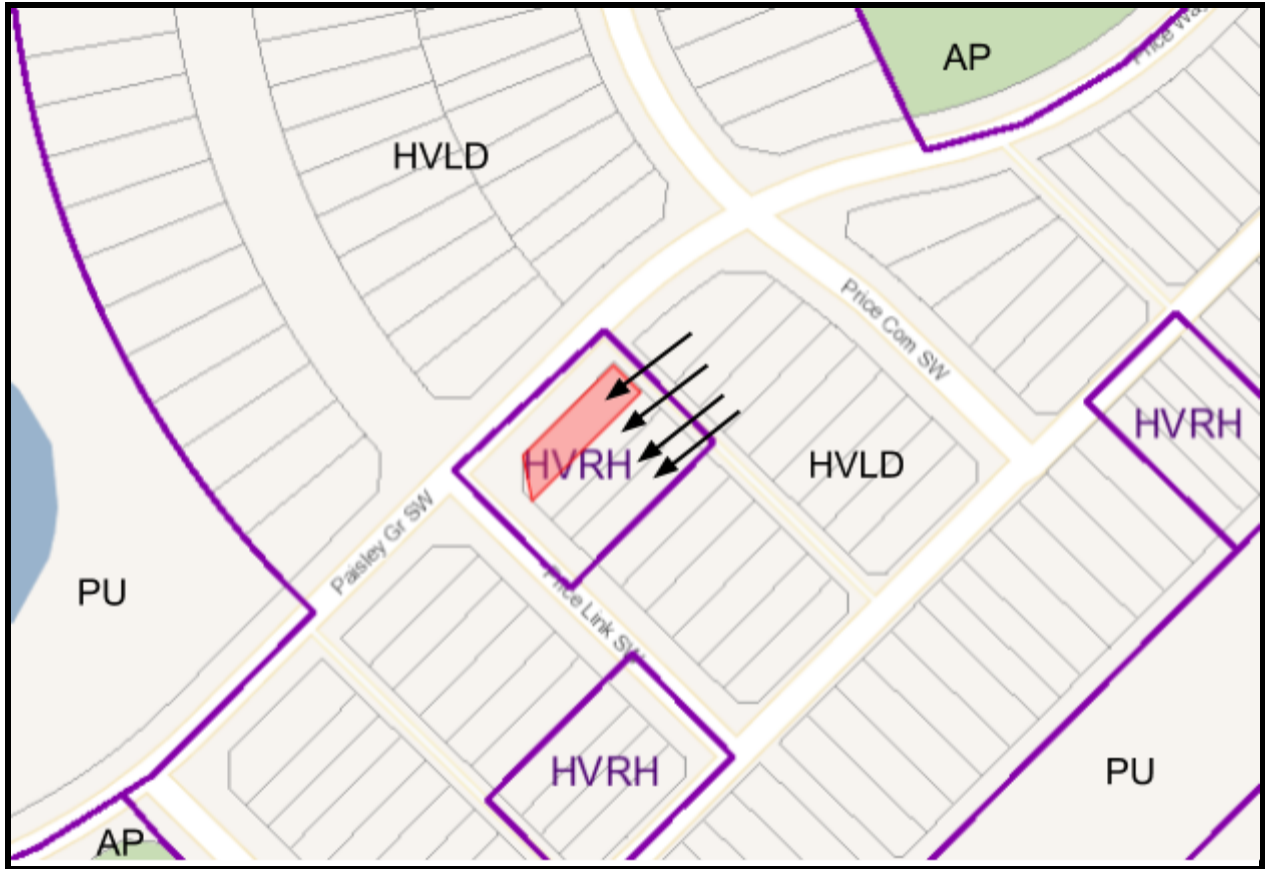
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

**Notice Period Begins:** Aug 25, 2020

**Ends:** Sep 15, 2020

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee # of dwelling units	\$462.00	\$462.00	06569904,0655474	Jun 17, 2020
Development Permit Inspection Fee	\$528.00	\$528.00	06554747	Jun 03, 2020
Major Dev. Application Fee	\$864.00	\$864.00	06554747	Jun 03, 2020
Lot Grading Fee	\$472.00			
Sanitary Sewer Trunk Fund 2012+	\$11,292.00			
Total GST Amount:	\$0.00			
<b>Totals for Permit:</b>	<b>\$13,618.00</b>	<b>\$1,854.00</b>		
(\$11,764.00 outstanding)				



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-130

▲  
**N**

ITEM IV: 1:30 P.M.

FILE: SDAB-D-20-129

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT: L. Adamkewicz

APPLICATION NO.: 362950714-002

APPLICATION TO: Construct 8 Dwellings of Multi-unit Housing (in the form of Stacked Row Housing) and 2 Dwellings of Paisley Laneway Housing (with Garage below)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: August 19, 2020

DATE OF APPEAL: September 3, 2020

NOTIFICATION PERIOD: August 25, 2020 through September 15, 2020

RESPONDENT: RIDDELL KURCZABA ARCHITECTURE

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 2716 / 2718 / 2720 / 2722 - Price Link SW

LEGAL DESCRIPTION: Plan 1720738 Blk 13 Lots 7, 8, 9, and 10

ZONE: (HVRH) Special Area Heritage Valley Row Housing Zone

OVERLAY: N/A

STATUTORY PLAN: Paisley Neighbourhood Area Structure Plan

---

***Grounds for Appeal***

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

Our streets are already congested as is why would you think that this would be better for our area. Our street is already a 0 lot line we simply do not have the space for condos or town house of the sort call it what you want, but the bottom line is there is NO ROOM. we were told this street would have houses, not these tall mult housing units that are going to damage to our property value. There are already houses that are trying to sell beside the units already being built and they are obviously having difficulty. as for the units that will have the garages underneath, they will be taller then our homes and will be looking into our living area. I do not need other people staring into my sons room!!! the reason our homes also do not have windows on the sides is so we are not starting directly into one anothers homes. this negates that principle. 20 extra units on our small quiet street means 40 extra vehicles that we DO NOT have the space nor the parking to accommodate.

<i>General Matters</i>
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**Appeal Information:**

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**Grounds for Appeal**

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**Hearing and Decision**

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

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

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

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Under section 7.2(4), **Multi-unit Housing** means:

development that consists of three or more principal Dwellings arranged in any configuration and in any number of buildings. This Use does not include Blatchford Townhousing or Blatchford Stacked Row Housing.

Section 981.1 states that the **General Purpose** of the **(HVRH) Special Area Heritage Valley Row Housing Zone** is:

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***Tandem Parking***

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Vehicle Parking space type	Length	Width (no obstructions)	Width with obstruction on one side (including tow or more car garages)	Width with obstruction on both sides (including on car garage)	Vertical Clearance	Special Consideration
Tandem Spaces	A) 11.0 m	B) 2.6 m	C) 2.7 m	D) 3.0 m	E) 2.1 m	<p>F) Vehicle Parking spaces may only be provided as Tandem Parking if:</p> <ul style="list-style-type: none"> <li>• the Tandem Parking is not used for visitor Vehicle Parking;</li> <li>• both Tandem Parking spaces are developed to provide Vehicle Parking for the same Dwelling; and</li> <li>• the Tandem Parking does not block access to any other Vehicle Parking space.</li> </ul>

**Development Officer’s Determination**



**Tandem Parking- Tandem parking is allowed for 2 different Dwellings instead of the same Dwelling. (Section 54.1.5.c.iii)**


[unedited]


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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.

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	Project Number: <b>362950714-002</b> Application Date: MAY 21, 2020 Printed: September 4, 2020 at 8:08 AM Page: 1 of 3
	<h2>Major Development Permit</h2>
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.	
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 2716 - PRICE LINK SW Plan 1720738 Blk 13 Lot 7 2718 - PRICE LINK SW Plan 1720738 Blk 13 Lot 8 2720 - PRICE LINK SW Plan 1720738 Blk 13 Lot 9 2722 - PRICE LINK SW Plan 1720738 Blk 13 Lot 10
	<b>Specific Address(es)</b> Suite: 2716 - PRICE LINK SW Suite: 2716G - PRICE LINK SW Suite: 2718 - PRICE LINK SW Suite: 2720 - PRICE LINK SW Suite: 2722 - PRICE LINK SW Suite: 2722G - PRICE LINK SW Suite: 2FL, 2716 - PRICE LINK SW Suite: 2FL, 2718 - PRICE LINK SW Suite: 2FL, 2720 - PRICE LINK SW Suite: 2FL, 2722 - PRICE LINK SW Entryway: 2716 - PRICE LINK SW Entryway: 2716G - PRICE LINK SW Entryway: 2718 - PRICE LINK SW Entryway: 2720 - PRICE LINK SW Entryway: 2722 - PRICE LINK SW Entryway: 2722G - PRICE LINK SW Entryway: 2FL, 2716 - PRICE LINK SW Entryway: 2FL, 2718 - PRICE LINK SW Entryway: 2FL, 2720 - PRICE LINK SW Entryway: 2FL, 2722 - PRICE LINK SW Building: 2716 - PRICE LINK SW Building: 2716G - PRICE LINK SW
<b>Scope of Permit</b> To construct 8 Dwellings of Multi-unit Housing (in the form of Stacked Row Housing) and 2 Dwellings of Paisley Laneway Housing (with Garage below).	
<b>Permit Details</b> Class of Permit: Class B   Contact Person:	

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<h2 style="margin: 0;">Major Development Permit</h2>	
<b>Permit Details</b>	
Gross Floor Area (sq. m.): 965.64 New Sewer Service Required: Y Site Area (sq. m.): 938.69	Lot Grading Needed?: Y NumberOfMainFloorDwellings: 4 Stat. Plan Overlay/Annex Area: (none)
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Aug 19, 2020 <b>Development Authority:</b> ANGELES, JOSELITO <b>Subject to the Following Conditions</b> This Development Permit authorizes the proposed development of 8 Dwellings of Multi-unit Housing (in the form of Stacked Row Housing) and 2 Dwellings of Paisley Laneway Housing (with Garage below).  The Site shall be developed in accordance with the stamped, signed, and conditionally approved drawings.  Hardsurfaced parking pads shall include an underground electrical power connection with outlet on a post 1.0 m in height, located within 1.0 m of the parking pad. (Reference Section 981.5.q)  All roof leaders from the Dwelling are connected to the individual storm sewer service for each Lot. (Reference Section 981.5.t)  Maintenance and/or drainage and utility easement(s) may be required between Abutting properties and/or through private Yards of one or more Dwellings to ensure adequate access for property, drainage and utility maintenance. (Reference Section 981.5.u)  The Amenity Area shall be permanently retained as open space. (Reference Section 981.5.x)  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)  The applicant or property owner shall pay a Sanitary Sewer Trunk Charge fee of \$11,292.00. The SSTC charge is quoted at year 2020 rate. Please contact Private Development, Drainage Services, at 780-496-5665 for further details regarding the fee. However, the final SSTC is based on the prevailing rate at the time the applicant/owner makes payment at the 2nd Floor, Edmonton Tower, 10111 104 Avenue NW, Edmonton AB T5J 0J4.  PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$472.00.  Landscaping shall be in accordance with the approved Landscape Plan, and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer.  Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.  Landscaping shall be installed within 18 months of receiving the Final Occupancy Permit. Landscaping shall be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Officer.  A Landscape Security shall be provided to the City of Edmonton at the time of initial Landscape Inspection, to the satisfaction of the Development Officer. The initial Landscape Inspection shall be requested within 14 days of the Landscape installation being completed ( <a href="http://www.edmonton.ca/landscapeinspectionrequest">www.edmonton.ca/landscapeinspectionrequest</a> ).  Upon determination that landscaping has been installed in compliance with the approved Landscape Plan, 20% of the full Landscape Security value as determined by the Development Officer shall be collected. The Landscape Security shall be retained	

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<p>for a period of 24 months from the date of the initial Landscape Inspection.</p> <p>Sites that are not completed or are not compliant with approved Landscape Plans at the initial Landscape Inspection shall, in addition, be required to submit a Security for incomplete work; up to the full value of the Landscape Security, as determined by the Development Officer.</p> <p><b>ADVISEMENTS:</b></p> <p>Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.</p> <p>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.</p> <p>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.</p> <p>Waste Services recommends storing each of the residential cans in waste enclosure until collection days. On collection days, the resident and/or property manager will be responsible to move the cans to the lane for service.</p> <p>Signs require separate Development Applications.</p> <p><b>NOTE:</b> 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.</p> <p><b>Variances</b>                  Tandem Parking- Tandem parking is allowed for 2 different Dwellings instead of the same Dwelling. (Section 54.1.5.c.iii)</p> <p><b>Rights of Appeal</b>                  This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.</p> <p><b>Notice Period Begins:</b> Aug 25, 2020      <b>Ends:</b> Sep 15, 2020</p>																																													
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	<table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Fee Amount</th> <th style="text-align: left;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$864.00</td> <td style="text-align: right;">\$864.00</td> <td style="text-align: right;">06554758</td> <td style="text-align: right;">Jun 03, 2020</td> </tr> <tr> <td>Dev. Application Fee # of dwelling units</td> <td style="text-align: right;">\$462.00</td> <td style="text-align: right;">\$462.00</td> <td style="text-align: right;">06569903,0655475</td> <td style="text-align: right;">Jun 17, 2020</td> </tr> <tr> <td>Development Permit Inspection Fee</td> <td style="text-align: right;">\$528.00</td> <td style="text-align: right;">\$528.00</td> <td style="text-align: right;">06554758</td> <td style="text-align: right;">Jun 03, 2020</td> </tr> <tr> <td>Sanitary Sewer Trunk Fund 2012+</td> <td style="text-align: right;">\$11,292.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Lot Grading Fee</td> <td style="text-align: right;">\$472.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td><b>Totals for Permit:</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$13,618.00</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$1,854.00</b></td> <td></td> <td></td> </tr> <tr> <td colspan="5">(\$11,764.00 outstanding)</td> </tr> </tbody> </table>	Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$864.00	\$864.00	06554758	Jun 03, 2020	Dev. Application Fee # of dwelling units	\$462.00	\$462.00	06569903,0655475	Jun 17, 2020	Development Permit Inspection Fee	\$528.00	\$528.00	06554758	Jun 03, 2020	Sanitary Sewer Trunk Fund 2012+	\$11,292.00				Lot Grading Fee	\$472.00				Total GST Amount:	\$0.00				<b>Totals for Permit:</b>	<b>\$13,618.00</b>	<b>\$1,854.00</b>			(\$11,764.00 outstanding)				
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