

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

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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I 9:00 A.M. SDAB-D-20-132

Change the Use from Semi-detached Housing to a Group Home (maximum 4 residents)

79 - Grand Meadow Crescent NW  
Project No.: 367659291-002

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II 1:30 P.M. SDAB-D-20-133

Construct a Single Detached House with a front attached Garage with a side access from the side Lane, Unenclosed Front Porch, front partially cover sundeck (2.13 metres by 3.32 metres), rear balcony, rear uncovered deck with outdoor kitchen (3.81 metres by 8.68 metres), fireplace and Basement Development (NOT to be used as an additional Dwelling)

10223 - 133 Street NW  
Project No.: 356149112-002

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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.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-20-132

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 367659291-002

APPLICATION TO: Change the Use from Semi-detached Housing to a Group Home (maximum 4 residents)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: August 21, 2020

DATE OF APPEAL: September 9, 2020

NOTIFICATION PERIOD: August 27, 2020 through September 17, 2020

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 79 - Grand Meadow Crescent NW

LEGAL DESCRIPTION: Plan 7721465 Blk 8 Lot 20

ZONE: (RF4) Semi-Detached Residential Zone

OVERLAY: N/A

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:

Regarding City File #367659291-002. I appeal this Development Permit for multiple valid reasons:

1) There are no services nearby to accommodate group home residents in this neighbourhood. That is part of the appeal to living in this neighbourhood; that it doesn't have high pedestrian/vehicular traffic due to lack of nearby services (gas stations/convenience stores/strip malls). Group homes should be closer to the services they require (mental health agencies, hospitals, police, special schools), and there is nothing nearby to accommodate that. This decision makes no sense;

2) This proposed group home would be right next door to multi-level housing and would be too disruptive and uncontrollably noisy for the many residents (versus a single family home) it would impact right next door to it;

3) For the many residents who work in the social service/mental health/law enforcement agencies nearby, this is bringing the issues right to their doorstep against their choosing. They would not have moved to a neighbourhood with a group home already in place. They then cannot get away from "work" and will now have to endure more social problems outside of their employment against their will;

4) It is a known fact that once group homes and half-way houses are set up in neighbourhoods that there is an increase in crime and nuisance activity. This will directly impact the property value of the neighbourhood, not to mention the LRT being built on 62 Street;

5) Unfortunately, the reality is that vulnerable people residing in group homes are targeted by unsavory people, and this will attract more problems to the area than what the tax-paying citizens agreed to pay for. A simple search on the EPS Neighbourhood Crime Mapping will indicate very few incidents in the last 60 days (2 exactly). There will be without a doubt more criminal activity taking place in less time if this group home is set up;

6) Most of the appeal to living in this neighbourhood is the adjacent golf course. This is quite desirable, as it elevates the status and quality of the neighbourhood. This quality of living cannot be maintained if group homes are suddenly popping up everywhere. Once one group home is in effect, more are sure to follow. This neighbourhood was not built with the intention to accommodate group homes or half-way houses, otherwise, more services to suit their needs would exist; Lastly,

7) Group homes bring with them a whole host of social problems. This will not bode well for potential home-buyers who would like to reside in the community. The last thing any community needs are slum landlords because nobody else will buy property and reside there because of the decreased value due to group homes and half-way houses.

It is my understanding that this 79 Grand Meadow Crescent has been in operation as a group home for two years, and this is the first time we're being notified about a development permit??? Pretty dodgy, City of Edmonton. As recent as 2018 there was a verified shooting where EPS Tactical Unit had to respond to this address. I personally had to rush back home after taking my dog for a morning walk worried I'd get caught in the crossfire. To have a group home at this address that engages in this kind of activity does not sit well with the neighbourhood who have very young families nearby.

<b><i>General Matters</i></b>
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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 150.3(2), **Group Homes** are a **Discretionary Use** in the **(RF4) Semi-detached Residential Zone**.

Under section 7.3(3), **Group Home**

means a building or part of a building used for Congregate Living for residents who have moderate and non-severe physical, cognitive or behavioral health issues and who require daily or frequent professional care and supervision to perform daily living tasks, improve wellness, achieve stable and harmonious tenancy, or to exit safely in case of an emergency event. This Use does not include Extended Medical Treatment Services, Detention and Correction Facilities, Fraternity and Sorority Housing, Limited Group Homes, and Lodging Houses.

Section 150.1 states that the **General Purpose** of the **(RF4) Semi-detached Residential Zone** “is to provide a zone primarily for Semi-detached Housing and Duplex Housing.”

**Development Officers Determination**

**You are receiving this notice because a Discretionary Use Development Permit has been issued, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.**

**Note: The proposed development complies with the Zoning Bylaw and there are no variances to development regulations.**

[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>367659291-002</b> Application Date: JUL 13, 2020 Printed: September 9, 2020 at 2:44 PM Page: 1 of 3		
<h2 style="margin: 0;">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> 79 - GRAND MEADOW CRESCENT NW Plan 7721465 Blk 8 Lot 20  <b>Specific Address(es)</b> Suite: 79 - GRAND MEADOW CRESCENT NW Entryway: 79 - GRAND MEADOW CRESCENT NW Building: 79 - GRAND MEADOW CRESCENT NW		
<b>Scope of Permit</b> To change the Use from Semi-detached Housing to a Group Home (maximum 4 residents)			
<b>Permit Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;">                             Class of Permit: Class B                              Gross Floor Area (sq.m.):                              New Sewer Service Required: Y                              Site Area (sq. m.): 401.01                         </td> <td style="width: 50%; border: none; vertical-align: top;">                             Contact Person:                              Lot Grading Needed?: N                              NumberOfBasementDwellings:                              Stat. Plan Overlay/Asses Area: (none)                         </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 401.01	Contact Person: Lot Grading Needed?: N NumberOfBasementDwellings: Stat. Plan Overlay/Asses Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 401.01	Contact Person: Lot Grading Needed?: N NumberOfBasementDwellings: Stat. Plan Overlay/Asses Area: (none)		
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Aug 21, 2020 <b>Development Authority:</b> ZHOU, ROWLEY  <b>Subject to the Following Conditions</b> A) Zoning Conditions: <ol style="list-style-type: none"> <li>1. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)</li> <li>2. This Development Permit authorizes the change of use from a Semi-detached Housing to a Group Home (maximum 4 residents)</li> <li>3. The development shall be constructed in accordance with the stamped and approved drawings</li> <li>4. No Major Home Based Business, Secondary Suite, Garden Suite or Garage Suite shall be permitted as part of a Lodging House development or on the Site of such development (Reference Section 76.7).</li> <li>5. The Basement development(s) shall NOT be used as an additional Dwelling.</li> <li>6. A Secondary Suite shall not be permitted in the Group Home.</li> <li>7. The entire house shall be converted to a Group Home (79 Grand Meadow Crescent NW).</li> <li>8. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$3424.00 (based on 2020 rates). All assessments are based upon information currently available to the City. The SSTF charges are quoted for the calendar year in which the development permit is granted. The final applicable rate is subject to change based on the year in which the payment is collected by the City of Edmonton.</li> </ol> B) Drainage Services Conditions:  This advisement identifies the drainage assessments applicable to the property located at 79 Grand Meadow Crescent NW (Plan 772			



Project Number: **367659291-002**  
Application Date: JUL 13, 2020  
Printed: September 9, 2020 at 2:44 PM  
Page: 2 of 3

## Major Development Permit

1465 Blk 8 Lot 20, Greenview).

### APPLICABLE ASSESSMENTS

1. Permanent Area Contribution (PAC)

- Storm and sanitary PACs are not applicable, since the property is not within any active PAC basins.

2. Expansion Assessment (EA)

- Expansion Assessment is not applicable, since the property is outside the current Expansion Assessment area.

3. Arterial Roadway Assessment (ARA)

- Arterial Roadway Assessment is not applicable, since the property is outside the current ARA Catchment Area.

4. Sanitary Sewer Trunk Charge (SSTC)

- SSTC is applicable to the property for 2 single-family dwellings at \$1,712/dwelling, which is based on our equivalency formula of 3 residents living units = One dwelling (4 resident living units / 3 [equivalency factor] = 2 single-family dwellings. The number of dwellings is based on the drawings submitted with the Application for Major Development Permit.

-For information purposes, the year 2020 rate is \$1,712/ single family dwelling. However, the final SSTC is based on the prevailing rate at the time the applicant/owner makes payment at 2nd Floor cashiers, Edmonton Service Centre, 10111 – 104 Avenue NW

### Additional Notes

- The above assessment is made based on information currently available to our Department. Should such information change in the future, a new assessment may be made.

- In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage.

-More information about the above charges can be found on the City of Edmonton's website:

•Permanent Area Contributions

[https://www.edmonton.ca/city\\_government/utilities/permanent-area-contributions.aspx](https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx)

•Sanitary Servicing Strategy Expansion Assessment

[https://www.edmonton.ca/city\\_government/utilities/expansion-assessment-charge-ea.aspx](https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx)

•Arterial Roadway Assessment

[https://www.edmonton.ca/projects\\_plans/roads/design\\_planning/arterial-roadway-assessments.aspx](https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx)

•Sanitary Sewer Trunk Charge

[https://www.edmonton.ca/city\\_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx](https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx)



Project Number: **367659291-002**  
 Application Date: JUL 13, 2020  
 Printed: September 9, 2020 at 2:44 PM  
 Page: 3 of 3

## Major Development Permit

**Subject to the Following Advisements**

A) Zoning Advisements:

1. Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.
2. Any proposed change from the original approved drawings is subject to a revision/re-examination fee. The fee will be determined by the reviewing officer based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.
3. 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. (Reference Section 5.2)
3. A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.

**Variations**

You are receiving this notice because a Discretionary Use Development Permit has been issued, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.

Note: The proposed development complies with the Zoning Bylaw and there are no variations to development regulations.

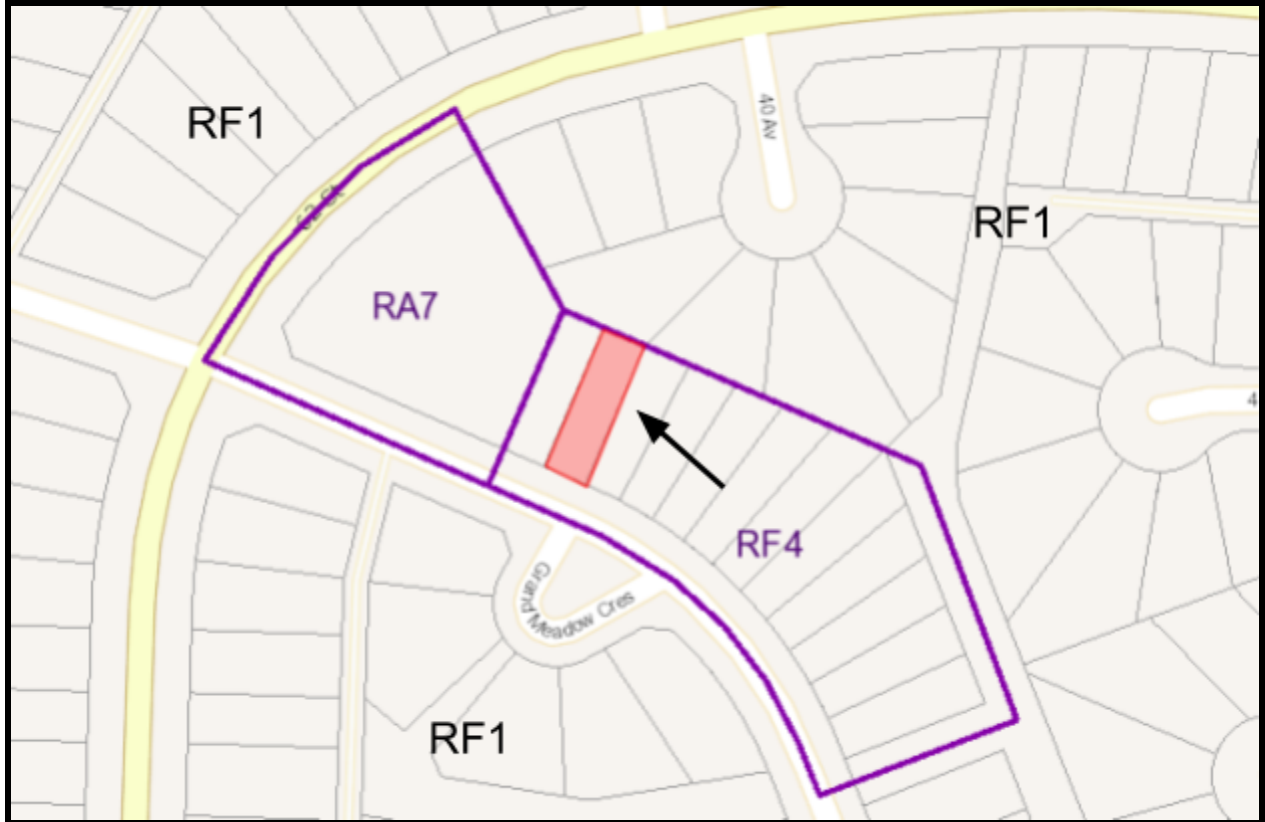
**Rights of Appeal**

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 27, 2020      **Ends:** Sep 17, 2020

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$286.00	\$286.00	981043285277001	Jul 22, 2020
Sanitary Sewer Trunk Fund 2012+	\$3,424.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$3,710.00	\$286.00		
( \$3,424.00 outstanding )				



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-132

▲  
**N**

ITEM II: 1:30 P.M.

FILE: SDAB-D-20-133

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 356149112-002

APPLICATION TO: Construct a Single Detached House with a front attached Garage with a side access from the side Lane, Unenclosed Front Porch, front partially cover sundeck (2.13 metres by 3.32 metres), rear balcony, rear uncovered deck with outdoor kitchen (3.81 metres by 8.68 metres), fireplace and Basement Development (NOT to be used as an additional Dwelling).

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: August 14, 2020

DATE OF APPEAL: September 10, 2020

NOTIFICATION PERIOD: August 20, 2020 through September 10, 2020

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10223 - 133 Street NW

LEGAL DESCRIPTION: Plan 2803AF Blk 115 Lot 9

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:

All 3 of the requested MNO variances were approved despite objections by at least 7 neighbours in the consultation area with abstentions from all but one of the remainder. The lack of approval from these property owners is significant. The clear intent of the MNO is: to regulate development in mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations" The MNO addresses the entirety of the neighbourhood and is paramount to the wants of an individual homeowner.

The Reduced Front Setback from 7.5 m vs 8.5 m should not have been approved. The demolished house was put on the Historic Inventory through the Glenora project which identified deep setbacks of homes to provide space for mature trees and front gardens to grow thus providing pedestrian oriented design and an historic streetscape. That streetscape would be irrevocably altered if the front setbacks are ignored. This case is particularly egregious as the front of the house will consist only of a garage.

The Reduced Rear Setback should not be approved. The variance to the MNO setback provides only a depth of 12.0m 28% rather than 17.1m 40%. This is an unreasonable variance. Two abutting properties are negatively impacted one with an old garage to be rebuilt and the other recently sold with space to be developed. By separating the proposed attached front garage to the rear the house could easily be situated forward without any need for a variance as there is access from both alleys. Across 133 St is a home with the same lot size with a rear garage and a very large yard.

The Front garage variance of the width to 7.2 m should not have been approved. The MNO states attached garages shall be developed in accordance with the following: 1.a Garage may protrude beyond the front or flanking wall of the principal building a distance that is characteristic of existing garages on the blockface. There are No existing front garages on the blockface therefore NO attached front garage should have been approved. Also 2 a Garage may have a max width that is characteristic of the width of existing attached Garages on the blockface. There are NO existing front attached garages on the blockface. No exemption should be approved to the width as there should be no front garage. The lot is 9201 sq ft with plenty of space/access for a rear garage. The need for a front garage stems from the proposed plan to have a garage deck allowing a partial view of Alexander Circle through an adjacent property. This view will be easily obstructed by the planting of a few trees by the adjacent neighbour.

Glenora is one of the few garden suburb planned neighbourhoods in Canada. Its attraction is the scale and setback of the homes. Yet, the developers wish to destroy the very thing that attracted them by building a home violating the character of the historic neighbourhood, the pedestrian oriented layout and the MNO. The City is currently supporting the DC Historical/Character Zoning project where the characteristics of Glenora are identified to include deep setbacks, front landscaping and lack of front decks. Given the recognized historical importance of Glenora the City should not grant an exemption to the MNO. The SDAB should overturn approval of this development. There are many options to develop a large modern home on a 9,201 sq ft property without contravening the MNO. The owners knew the lot size and restrictions before preparing their plans yet they chose to ignore these requirements and designed a house that does not fit the MNO. The MNO and guidelines were put into place for a reason. There is no reason they should be ignored in this circumstance AND every reason they should be observed!

<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(7), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under section 7.2(8), **Single Detached Housing** means:

development consisting of a building containing one principal Dwelling which is separate from any other principal Dwelling or building. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

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

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

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

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

***Front Setback***

Section 814.3(1) states the Front Setback shall be in accordance with the following:

- a. the minimum Front Setback shall be 20% of site depth or 1.5 m less than the average Front Setback on Abutting Lots, whichever is less. In no case shall the Front Setback be less than 3.0 m;
- b. the maximum Front Setback shall be 1.5 m greater than the average Front Setback on Abutting Lots; and
- c. where an Abutting Lot is vacant, the vacant Lot shall be deemed to have a Front Setback of the next Abutting Lot.

**Development Officers Determination**

**1. Reduced Front Setback - The distance from the house to the property line along 133 Street (front lot line) is 7.5m (17% of the site depth) instead of 8.5m (20% of the site depth). (Section 814.3.1)**

[unedited]

***Rear Setback***

Section 814.3(4) states (in part) that the minimum Rear Setback shall be 40 percent of Site Depth.

**Development Officers Determination**

**2. Reduced Rear Setback - The distance from the house to the rear property line is 12.0m (28% of the site depth), instead of 17.1m (40% of the site depth). (Section 814.3.4)**

[unedited]

***Garage Width***

Section 814.3(18)(b) states Attached Garages shall be developed in accordance with the following:

...

- b. a Garage may have a maximum width that is characteristic of the width of existing attached Garages on the blockface

...

**Development Officers Determination**

**3. Garage Width - The garage width is 7.2m. There are no other attached garages on the blockface. (Section 814.3.18(b))**

[unedited]

***Mature Neighbourhood Overlay - Community Consultation***

Section 814.5(1) states:

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

- a. the Development Officer shall send notice, to the recipient parties specified in Table 814.5(2), to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;
- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been sent, unless the Development Officer receives feedback from the specified affected parties in accordance with Table 814.5(2); and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit Application in accordance with Sections 11.3 and 11.4.

Section 814.5(2) states:

Tier #	Recipient Parties	Affected Parties	Regulation of this Overlay Proposed to be Varied



Tier 1	The municipal address and assessed owners of the land wholly or partially located within a distance of <u>60.0 m</u> of the Site of the proposed development and the President of each Community League	The assessed owners of the land wholly or partially located within a distance of <u>60.0 m</u> of the Site of the proposed development and the President of each Community League	814.3(1) – Front Setback  814.3(18) – Attached Garage
Tier 2	The municipal address and assessed owners of the land Abutting the Site, directly adjacent across a Lane from the Site of the proposed development and the President of each Community League	The assessed owners of the land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development	814.3(4) – Rear Setback

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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>356149112-002</b> Application Date: FEB 27, 2020 Printed: August 14, 2020 at 9:45 AM Page: 1 of 3		
<h2>Minor Development Permit</h2>			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.			
<b>Applicant</b> 	<b>Property Address(es) and Legal Description(s)</b> 10223 - 133 STREET NW Plan 2803AF Blk 115 Lot 9 <hr/> <b>Specific Address(es)</b> Entryway: 10223 - 133 STREET NW Building: 10223 - 133 STREET NW		
<b>Scope of Permit</b> To construct a Single Detached House with a front attached Garage with a side access from the side Lane, Unenclosed Front Porch, front partially cover sundeck (2.13m X 3.32m), rear balcony, rear uncovered deck with outdoor kitchen (3.81m x 8.68m), fireplace and Basement Development (NOT to be used as an additional Dwelling).			
<b>Permit Details</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">                     # of Dwelling Units Add/Remove: 0                      # of Secondary Suite Dwelling Units To Construct:                      Client File Reference Number:                      Minor Dev. Application Fee: Single Detached House                      Secondary Suite Included ? : N                 </td> <td style="width: 50%; vertical-align: top;">                     # of Primary Dwelling Units To Construct: 1                      Class of Permit: Class B                      Lot Grading Needed?: Y                      New Sewer Service Required: N                      Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay                 </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Single Detached House Secondary Suite Included ? : N	# of Primary Dwelling Units To Construct: 1 Class of Permit: Class B Lot Grading Needed?: Y New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
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<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Aug 14, 2020 <b>Development Authority:</b> LAI, ECHO <b>Subject to the Following Conditions</b> Subject to the right of appeal this Development Permit is NOT VALID until the required Notification Period expires (date noted below) in accordance with Sections 21.1 and 17.1.  This Development Permit authorizes the development of a Single Detached House with a front attached Garage with a side access from the side Lane, Unenclosed Front Porch, front partially cover sundeck (2.13m X 3.32m), rear balcony, rear uncovered deck with outdoor kitchen (3.81m x 8.68m), fireplace and Basement Development (NOT to be used as an additional Dwelling).  The development shall be constructed in accordance with the stamped and approved drawings  WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a development permit notification sign (Section 20.6)  The maximum Height shall not exceed 8.9 m in accordance with Section 52. (Section 814.3.5)  Frosted or translucent glass treatment shall be used on windows as required on the side elevations to minimize overlook into adjacent properties (Reference Section 814.3.8).  Platform Structures located within a Rear Yard or interior Side Yard, and greater than 1.0 m above the finished ground level, excluding any artificial embankment, shall provide Privacy Screening to prevent visual intrusion into Abutting properties. (Section 814.3.9)  Where the Site Abuts a Lane, vehicular access shall be from the Lane and no existing vehicular access from a public roadway other than a Lane shall be permitted to continue. (Section 814.3.17)			



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Any existing front access and/or Parking Area shall be removed. A residential curb fill permit shall be obtained from Transportation Services to remove any existing Driveway access on the Site.

Existing vegetation should be preserved and protected unless removal is demonstrated to be necessary or desirable to efficiently accommodate the proposed development. (Reference Section 55.6)

Landscaping shall be installed and maintained in accordance with Section 55. (Reference Section 55)

Except for the hard surfacing of Driveways and/or Parking Areas approved on the site plan for this application, the remainder of the site shall be landscaped in accordance with the regulations set out in Section 55 of the Zoning Bylaw 12800.

The proposed Basement development shall NOT be used as an additional Dwelling. An additional Dwelling shall require a new Development Permit application.

- Dwelling means a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is used permanently or semi-permanently as a residence for a single Household (Reference Section 6.1).

- Household means: one or more persons related by blood, adoption, foster care, marriage relationship; or a maximum of three unrelated persons; all living together as a single social and economic housekeeping group and using cooking facilities shared in common. For the purposes of this definition, two people living together in an adult interdependence relationship shall be deemed to be in a marriage relationship and each of the relatives of the parties to an adult interdependence relationship shall be considered to be related to the partners and to the other relatives thereof. One domestic worker or one boarder may be deemed the equivalent of a blood relative (Reference Section 6.1).

- i.) No lockable doors shall be installed that physically separates the main floor and basement.
- ii.) There may be an inspection in the future to ensure that no illegal suite has been developed.
- iii.) This development permit shall be revoked if the conditions of this permit are not met.

### ADVISEMENTS:

The applicant is advised to research the Land Title for this property and to be aware of any restrictions in the Restrictive Covenant. This approval does not imply consent for any structure that does not meet the requirements of the Restrictive Covenant.

A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.

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.

Lot grades must match the Edmonton Drainage Bylaw 18093 and/or comply with the Engineered approved lot grading plans for the area. Contact Lot Grading at 780-496-5576 or [lot.grading@edmonton.ca](mailto:lot.grading@edmonton.ca) for lot grading inspection inquiries.

Unless otherwise stated, all the 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 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.

The driveway access must maintain a minimum clearance of 1.5 m from the service pedestal and all other surface utilities. The



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applicant or property owner is responsible for the location of all underground and above ground utilities and maintaining the required clearance as specified by the utility companies. Alberta One-Call, Shaw, and Telus should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with the relocation or removal of the service pedestal shall be at the expense of the applicant or property owner.

**Variances**

1. Reduced Front Setback - The distance from the house to the property line along 133 Street (front lot line) is 7.5m (17% of the site depth) instead of 8.5m (20% of the site depth). (Section 814.3.1)
  
2. Reduced Rear Setback - The distance from the house to the rear property line is 12.0m (28% of the site depth), instead of 17.1m (40% of the site depth). (Section 814.3.4)
  
3. Garage Width - The garage width is 7.2m. There are no other attached garages on the blockface. (Section 814.3.18(b))

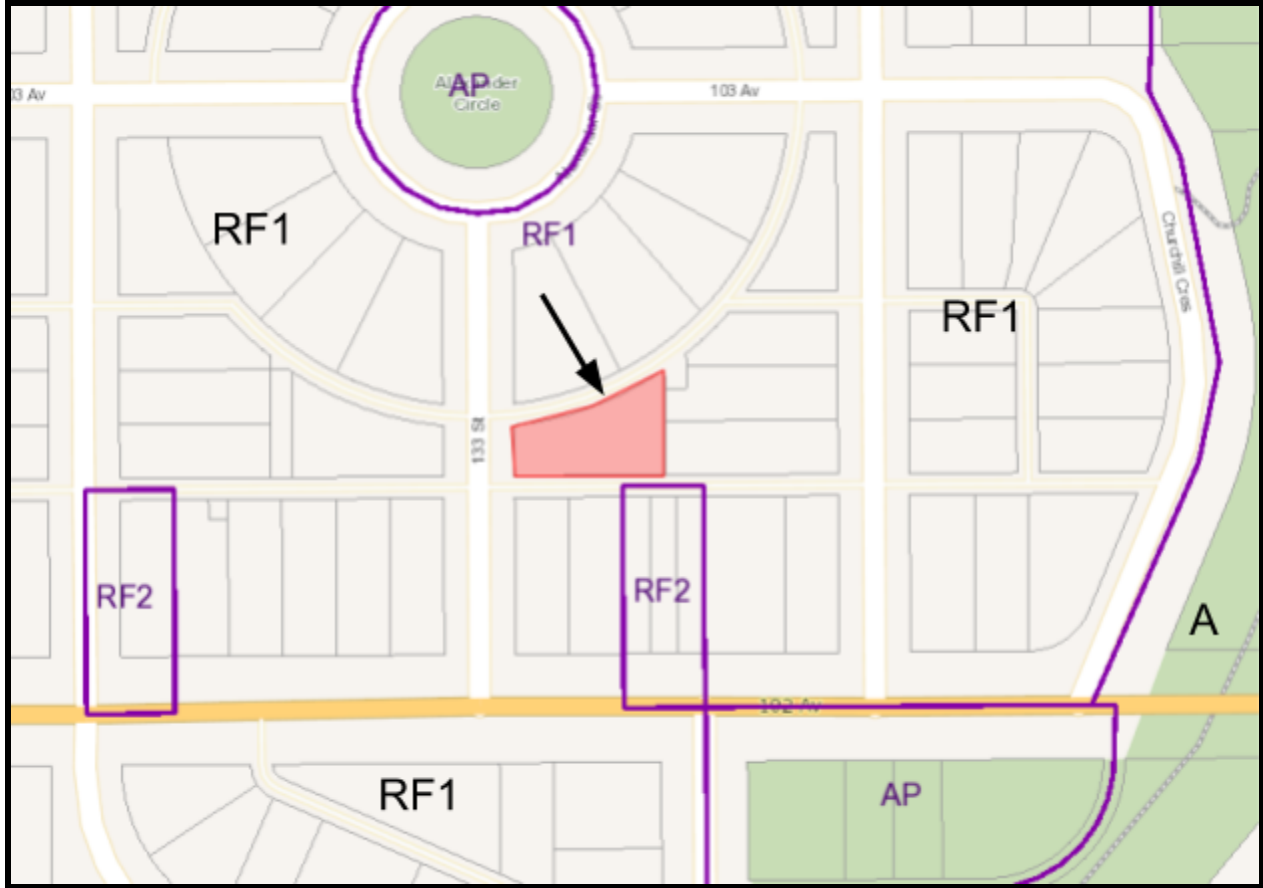
**Rights of Appeal**

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 20, 2020      **Ends:** Sep 10, 2020

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Permit Inspection Fee	\$211.00	\$211.00	941558006738001	Mar 31, 2020
Dev. Application Fee	\$502.00	\$502.00	941558006738001	Mar 31, 2020
Lot Grading Fee	\$148.00	\$148.00	941558006738001	Mar 31, 2020
Total GST Amount:	\$0.00			
<b>Totals for Permit:</b>	<b>\$861.00</b>	<b>\$861.00</b>		



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-133

▲  
**N**