

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
October 12, 2017**

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

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

I	9:00 A.M.	SDAB-D-17-185	Install (1) Freestanding Minor Digital On-premises Off-premises Sign (2 Digital panels 6.1 metres by 3.0 metres facing North / South) (PATTISON-PARSONS CENTRE) and remove (1) existing Freestanding Minor Digital On-premises Off-premises Sign DP: 073174988-004. 2951 - Ellwood Drive SW Project No.: 246876876-001
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II	11:00 A.M.	SDAB-D-17-186	Construct 5 Dwellings of Apartment Housing 8523 - 106A Street NW Project No.: 188393939-005
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NOTE: *Unless otherwise stated, all references to “section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-17-185

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 246876876-001

APPLICATION TO: Install (1) Freestanding Minor Digital On-premises Off-premises Sign (2 Digital panels 6.1m x 3.0m facing North / South) (PATTISON-PARSONS CENTRE) and remove (1) existing Freestanding Minor Digital On-premises Off-premises Sign DP: 073174988-004.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 7, 2017

DATE OF APPEAL: September 19, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 2951 - Ellwood Drive SW

LEGAL DESCRIPTION: Plan 1024895 Unit 33

ZONE: EIB - Ellerslie Industrial Business Zone

OVERLAY: Special Area Ellerslie Industrial

STATUTORY PLAN: N/A

Grounds for Appeal

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

We are solicitors for Pattison Outdoor Advertising, the Applicant in the above noted matter. Our clients' Development Permit Application has been refused. On behalf of our clients, we hereby appeal the refusal on the following grounds:

1. Minor Digital On-premises Off-premises Signs are an available Use in the (EIB) Ellerslie Industrial Business Zone.

2. The subject condominium unit was approved at this specific location with full knowledge that a sign of this size would be located here. If any variances are required, they should respect the subdivision approval.
3. To the extent any variance may be required, it is submitted that granting the same would be appropriate in the circumstances and that the proposed development would not unduly interfere with the amenities of the neighbourhood nor materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
4. The City's Transportation Department has no objections to the proposed development of which we are aware.
5. Such further and other reasons as may be presented at the hearing of this appeal.

<i>General Matters</i>

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.

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted.

Appeals

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

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

...

or

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

Hearing and decision

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

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

- (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*:

Section 930.4(1) states the **General Purpose** of the **(EIB) Ellerslie Industrial Business Zone** is to provide for light industrial businesses and high technology development that carries out their operations such that no nuisance factor is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent Non-industrial Zone.

Section 930.4(3)(33) states a **Minor Digital On-premises Off-premises Sign** is a **Discretionary Use** in the **(EIB) Ellerslie Industrial Business Zone**.

Under Section 7.9(7), **Minor Digital On-premises Off-premises Signs** means any Sign that is remotely changed on or off Site and has a Message Duration greater than or equal to 6 seconds. Minor Digital On-premises Off-premises Signs incorporate a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components. The Copy on such Sign may include Copy from Minor Digital On-premises Signs and Minor Digital Off-premises Signs.

Section 930.4(4)(12) states Signs shall comply with the regulations found in Schedule 59J.

Section 900.2(5) states if unique Zones are to be created for use within the Special Area, the section in this Bylaw, establishing the Special Area must:

- a. specify a unique Zone name that shall not be confused with any conventional Zone;
- b. include a statement describing the General Purpose of the unique Zone;
- c. contain Permitted and Discretionary Uses;
- d. contain regulations pertaining to the Permitted and Discretionary Use opportunities;
and
- e. contain any additional regulations that may be deemed necessary, pertaining to Discretionary Use opportunities.

Section 900.4(1) states where the regulations of a conventional Zone are varied, those regulations of the Special Area shall be substituted for the specified regulations of the underlying Zone. Where there appears to be a conflict between the provisions of this Overlay and those of the underlying Zone, the Special Area Provisions shall take precedence and effect.

Development Officer's Determination

Minor Digital On-premises Off-premises Signs are a Discretionary Use (Reference Section 930.4(3)(33) in the (EIB) Ellerslie Industrial Business Zone, which references Sign Schedule 59J. Sign Schedule 59J does not address Minor Digital On-premises Off-premises Signs. The Development Authority has determined Sign Schedule 59F shall apply.

Setback

Section 930.4(4)(3) states a minimum Setback of 6.0 metres shall be required where any lot line of a Site abuts a public roadway, other than a Lane, abuts the property line of a Commercial Zone, a Residential Zone, a storm water management facility or the private open space corridor, as defined in the Ellerslie Area Structure Plan.

Development Officer’s Determination

A minimum Setback of 6.0 metres shall be required where any lot line of a Site abuts a public roadway, other than a Lane, abuts the property line of a Commercial Zone, a Residential Zone, a storm water management facility or the private open space corridor, as defined in the Ellerslie Area Structure Plan. (Reference Section 930.4(4)(3)).

Proposed Setback: 0.13 metres
 Deficient by: 5.87 metres

Setback

Section 59F.3(6)(j) states proposed Signs with an Area greater than 8.0 square metres shall not be located within any Setback.

Development Officer’s Determination

Proposed Signs with an Area greater than 8.0 square metres shall not be located within any Setback; (Reference Section 59F.3(6)(j)) Proposed Sign is 18.3 square metres

Proposed Sign Area (Digital Copy): 18.3 square metres
 Required Setback in EIB and IB Zones: 6.0 metres
 Proposed Setback: 0.13 metres
 Deficient by: 5.87 metres

Separation Distance

Section 59F.3(6)(e) states proposed Sign locations shall be separated from any other Digital Sign greater than 8.0 square metres or Off-premises Sign as follows:

Proposed Sign Area	Minimum separation distance from Digital Signs greater than 8.0 square metres or other Off-premises Sign
Greater than 8.0 square metres to less than 20 square metres	100 metres
20 square metres to 40 square metres	200 metres
Greater than 40 square metres	300 metres

The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

Development Officer’s Determination

Proposed Sign locations shall be separated from Digital Signs greater than 8.0 square metres or Off-premises Signs greater than 20 square metres by 200 metres. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

Area of Existing PATTISON Sign (DP: 127575465-001): 21 square metres

Location: 721 Parsons Road SW

Required Separation Distance: 200 metres

Proposed Separation Distance: approximately 175 metres

Deficient by: approximately 25 metres

Previous Subdivision and Development Appeal Board Decision

Application Number	Description	Decision
SDAB-D-17-028	To add a Bar and Neighbourhood Pub (82.9 square metres of public space) to an existing General Industrial Use and to construct interior alterations - (Town Square Brewing)	February 15, 2017; The appeal is DENIED and the decision of the Development Officer is CONFIRMED. The development is GRANTED as approved by the Development Authority.
SDAB-D-15-250	To change the digital panels of a Freestanding Minor Digital On-Premises Off-Premises Sign from [3.1 metres by 3.1 metres] to [6.1 metres x 3.1 metres] - increase to the sign and copy areas (PARSONS CENTRE).	November 12, 2015; The appeal is DENIED and the decision of the Development Authority is CONFIRMED. The development is REFUSED.

Notice to Applicant/Appellant

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

	Project Number: 246876876-001 Application Date: MAY 02, 2017 Printed: September 19, 2017 at 1:16 PM Page: 1 of 2
<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant <div style="border: 1px solid black; height: 50px; width: 100%;"></div>	Property Address(es) and Legal Description(s) 2951 - ELLWOOD DRIVE SW Plan 1024895 Unit 33 Location(s) of Work Entryway: 2951 - ELLWOOD DRIVE SW Building: 2951 - ELLWOOD DRIVE SW
Scope of Application To install (1) Freestanding Minor Digital On-premises Off-premises Sign (2 digital panels 6.1m x 3.0m facing N/S) (PATTISON-PARSONS CENTRE) and remove (1) existing Freestanding Minor Digital On-premises Off-premises Sign DP: 073174988-004.	
Permit Details	
ASA Sticker No./Name of Engineer: Construction Value: 100000	Class of Permit: Expiry Date:
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 2 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Application Decision Refused	
THIS IS NOT A PERMIT	



Project Number: **246876876-001**
 Application Date: MAY 02, 2017
 Printed: September 19, 2017 at 1:16 PM
 Page: 2 of 2

Application for Sign Combo Permit

Reason for Refusal

Minor Digital On-premises Off-premises Signs are a Discretionary Use (Reference Section 930.4(3)(33) in the (EIB) Ellerslie Industrial Business Zone, which references Sign Schedule 59J. Sign Schedule 59J does not address Minor Digital On-premises Off-premises Signs. The Development Authority has determined Sign Schedule 59F shall apply.

The reasons for refusal are as follows:

1) A minimum Setback of 6.0 m shall be required where any lot line of a Site abuts a public roadway, other than a Lane, abuts the property line of a Commercial Zone, a Residential Zone, a storm water management facility or the private open space corridor, as defined in the Ellerslie Area Structure Plan. (Reference Section 930.4(4)(3)).

Proposed Setback: 0.13 m

Deficient by: 5.87 m

2) Proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback; (Reference Section 59F.3(6)(j))

Proposed Sign is 18.3m²

Proposed Sign Area (Digital Copy): 18.3 m²

Required Setback in EIB and IB Zones: 6.0 m

Proposed Setback: 0.13 m

Deficient by: 5.87 m

3) Proposed Sign locations shall be separated from Digital Signs greater than 8.0m² or Off-premises Signs greater than 20m² by 200m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

Area of Existing PATTISON Sign (DP: 127575465-001): 21 m²

Location: 721 Parsons Road SW

Required Separation Distance: 200 m

Proposed Separation Distance: approximately 175 m

Deficient by: approximately 25 m

Rights of Appeal

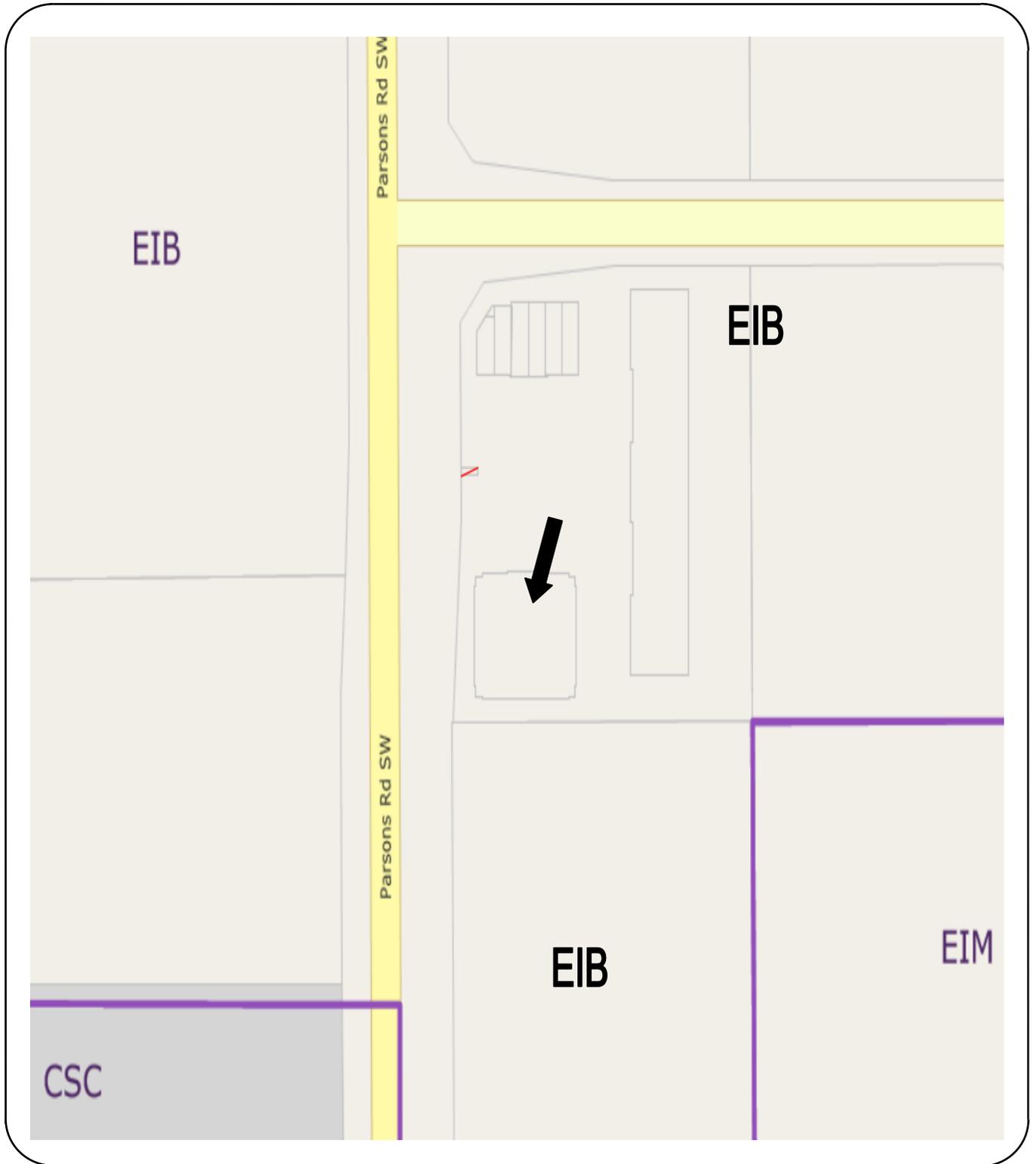
The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Sep 07, 2017 Development Authority: NOORMAN, BRENDA Signature: _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$40.00	\$40.00	04120109	May 12, 2017
Sign Dev Appl Fee - Digital Signs	\$884.00	\$884.00	04120109	May 12, 2017
Sign Building Permit Fee	\$1,000.00	\$1,000.00	04120109	May 12, 2017
Total GST Amount:	\$0.00			
Totals for Permit:	\$1,924.00	\$1,924.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-185



ITEM II: 11:00 A.M.

FILE: SDAB-D-17-186

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 188393939-005

APPLICATION TO: Construct 5 Dwellings of Apartment Housing

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: August 31, 2017

DATE OF APPEAL: September 19, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 8523 - 106A Street NW

LEGAL DESCRIPTION: Plan I12 Blk C Lot 24

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLAN: Garneau Area Redevelopment Plan

Grounds for Appeal

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

We are solicitors for FYZ River West Homes Ltd., the Applicant in the above noted matter. Our clients' development Permit application has been refused. On behalf of our clients, we hereby appeal the refusal on the following grounds:

1. The proposed development is a permitted use in the RA7 zone and consistent with the general purpose of the RA7 zone;
2. The proposed development is appropriate at the subject location;
3. The proposed development will not have any material adverse effect on the use, enjoyment and value of neighbouring properties or the amenities of the neighbourhood;

- 4. Such further and other reasons may be presented at the hearing of this appeal.

General Matters

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

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

...

The decision of the Development Officer is dated August 31, 2017 and the Notice of Appeal was filed on September 19, 2017.

Hearing and Decision

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

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

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

General Provisions from the *Edmonton Zoning Bylaw*:

It should be noted that the Medium Scale Residential Infill Overlay was amended under Bylaw 18083 and passed by City Council on August 28, 2017. This Bylaw came into effect September 1, 2017. The following provisions from the *Edmonton Zoning Bylaw* include the Bylaw 18083 amendments.

Under section 210.2(1), **Apartment Housing** is a **Permitted Use** in the (RA7) Low Rise Apartment Zone.

Under section 7.2(1), **Apartment Housing** means:

development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other Residential Use.

Under section 6.1(31), **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.

Section 823.1 states that the **General Purpose** of the **Medium Scale Residential Infill Overlay** is:

to accommodate the development of medium-scale infill housing in Edmonton's mature residential neighbourhoods in a manner that ensures compatibility with adjacent properties while maintaining or enhancing a pedestrian-friendly streetscape.

Site Requirements

Section 210.4(3) states "The minimum Site Area shall be 800 m²."

Development Officer's Determination

Section 210.4(2) - Minimum required Site Area is 800m², proposed is 404m² [unedited]

Section 210.4(4) states "The minimum Site Width shall be 20.0 m."

Development Officer's Determination

Section 210.4(3) - Minimum required Site Width is 20.0m, proposed is 10.06m. [unedited]

Building form

Section 823.4(1)(a) states "Principal buildings shall front onto a public roadway, other than a Lane."

Development Officer's Determination

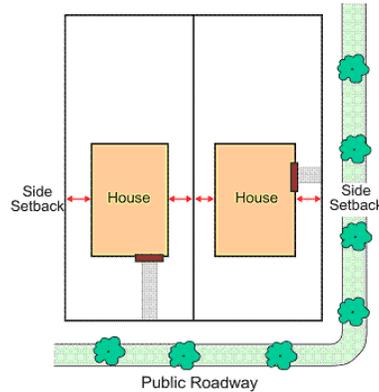
Section 823.3(1)(a) - Principal building does not front public roadway. [unedited]

Section 823.4(1)(d) states:

The minimum Side Setback shall be 3.0 m, except as provided in subsection 823.3(1)(e). Where the Side Yard abuts an arterial road, the minimum Side Setback shall be 4.5 m. Separation Space and Privacy Zone as outlined in Section 48 of this Bylaw shall be reduced to accommodate these Side Setback requirements, except where a Principal Living Room Window faces an interior Side Yard.

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

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



Development Officer’s Determination

Section 823.3(1)(d) - The minimum Side Setback is 3.0m, proposed is 1.98m. [unedited]

Building Design

Section 823.4(2)(a) states “All ground Storey Apartment Dwellings adjacent to a public roadway other than a Lane shall have a private exterior entrance that fronts onto the roadway. Sliding patio doors shall not serve as this entrance.”

Development Officer’s Determination

Section 823.3(2)(a) - All Ground Storey Apartment Dwellings are required to have a private exterior entrance. [unedited]

Section 823.4(2)(c) states:

Architectural treatment of all facades of the building shall create a unified building exterior. The building shall incorporate design elements to reduce the perceived mass and add architectural interest, including but not limited to:

- i. clear articulation of the façade, using a defined pattern of projections and recessions;
- ii. the use of a variety of exterior building cladding materials and colours; and

- iii. a prominent front entrance for Apartment Housing.

Under section 6.1(36), **Façade** means:

the exterior outward face of a building. Typically, the façade of interest is that surface that serves as the front of that building and faces a building's primary street. Buildings on the corner of two streets or a street and an alley present two public façades.

Development Officer's Determination

Section 823.3(2)(c)(i)&(iii) - The Development Officer is of the opinion that the proposed principal building, according to the submitted plans, does not have any massing or architectural articulation in the facades of any kind. [unedited]

<i>Amenity Area</i>

Section 823.4(3) states:

- a. A minimum Private Outdoor Amenity Area of 7.5 m² shall be provided for each Apartment Housing Dwelling except that for ground Storey Dwellings a minimum of 15.0 m² of Private Outdoor Amenity Area shall be provided.
- b. Notwithstanding Section 47 of this Bylaw, the Private Outdoor Amenity Area for Apartment Housing Dwellings shall have a minimum width and length of 2.0 m and may be located within a Front Setback provided that a minimum Setback of 1.0 m is maintained between the property line and the Private Outdoor Amenity Area.

...

Section 47 states the following with respect to *Private Outdoor Amenity Area*:

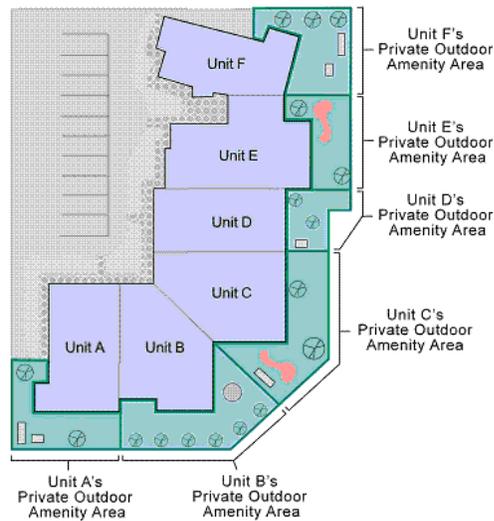
1. Where required in any Zone, a development shall provide Private Outdoor Amenity Area in accordance with the requirements of the Zone.
2. Private Outdoor Amenity Area shall be designed for the occupants of a specific Dwelling, and shall be provided immediately adjacent to, and with direct access from, the Dwelling it is to serve. It shall be landscaped and surfaced for convenient use for outdoor activities.
3. Private Outdoor Amenity Area shall be screened in a manner which prevents viewing into a part of it from any adjacent areas at a normal standing eye level.

When such screening would impair a beneficial outward and open orientation of view, and there is no adverse effect on the privacy of the Private Outdoor Amenity Area, the extent of screening may be reduced.

4. Private Outdoor Amenity Area may be provided above Grade, and may be located within any Yard other than a Front Yard.
5. Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 4.0 m, except that if it is provided above the first Storey the minimum dimensions shall be 3.0 m.
6. Private Outdoor Amenity Area may be located within a required Separation Space, but only if the Amenity Area is intended for the use of the Dwelling for which the Separation Space is provided.

Under section 6.1(86), **Private Outdoor Amenity Area** means:

required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular Dwelling and which is immediately adjacent to and directly accessible from the Dwelling it is to serve;



Development Officer's Determination

Section 823.3(3)(a) - 0 m² of Private Outdoor Amenity Area as defined in Section 47 is proposed. [unedited]

Community Consultation

Section 823.6 states the following with respect to *Proposed Variances*:

1. When the Development Officer determines that a Development Permit application for the construction of new Apartment Housing or new Stacked Row Housing does not comply with the regulations contained in this Overlay:
 - a. the Development Officer shall send notice to the Recipient Parties specified in Table 823.6(2) to solicit comments directly related to the 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 823.6(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 Section 11.2.

Tier Number	Recipient Parties:	Affected Parties:	Regulation proposed to be varied
Tier 1	The municipal address and assessed owners of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each applicable Community League	The municipal address and assessed owners of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each applicable Community League	823.4(1)(a) – Building orientation 823.4(2) – Building design
Tier 2	The municipal address and assessed owners of land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development and the President of each applicable Community League	The municipal address and assessed owners of land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development	823.4(1)(d) – Side setback 823.4(3) – Amenity Area

Parking

Section 54.2, Schedule 1(A)(1) provides the following with respect to the minimum number of parking spaces required for Apartment Housing:

Dwelling Size	Minimum
Studio	1
1 Bedroom Dwelling	1
2 Bedroom Dwelling	1.5
3 or more Bedroom Dwelling	1.7

Visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings, and 1 visitor parking space per 7 Dwellings thereafter. Visitor parking spaces shall be readily available to the primary building entrance for each multi-unit residential building on Site, and be clearly identified as visitor parking, to the satisfaction of the Development Officer.

Development Officer’s Determination

Section 54.2 - Schedule 1(A) - Required parking has been determined to be 5 Stalls, 3 are proposed. [unedited]

Previous Subdivision and Development Appeal Board Decisions

SDAB Number	Application	DECISION
SDAB-D-16-255	To construct an Apartment House (two stories, 5 dwellings).	November 3, 2016; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is REFUSED.

Notice to Applicant/Appellant

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

	Project Number: 188393939-005 Application Date: JUN 29, 2017 Printed: September 19, 2017 at 3:55 PM Page: 1 of 2
<h2 style="margin: 0;">Application for Major Development Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant	Property Address(es) and Legal Description(s) 8523 - 106A STREET NW Plan I12 Blk C Lot 24 Specific Address(es) Entryway: 8523 - 106A STREET NW Building: 8523 - 106A STREET NW
Scope of Application To construct 5 Dwellings of Apartment Housing.	
Permit Details	
Class of Permit: Gross Floor Area (sq.m.): 323 New Sewer Service Required: Y Site Area (sq. m.): 404.19	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: Garneau
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Application Decision Refused Reason for Refusal Section 210.4(2) - Minimum required Site Area is 800m ² , proposed is 404m ² Section 210.4(3) - Minimum required Site Width is 20.0m, proposed is 10.06m. Section 823.3(1)(a) - Principal building does not front public roadway. Section 823.3(1)(d) - The minimum Side Setback is 3.0m, proposed is 1.98m. Section 823.3(2)(a) - All Ground Storey Apartment Dwellings are required to have a private exterior entrance. Section 823.3(2)(c)(i)&(iii) - The Development Officer is of the opinion that the proposed principal building, according to the submitted plans, does not have any massing or architectural articulation in the facades of any kind. Section 823.3(3)(a) - 0 m ² of Private Outdoor Amenity Area as defined in Section 47 is proposed. Section 54.2 - Schedule 1(A) - Required parking has been determined to be 5 Stalls, 3 are proposed.	
Rights of Appeal The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.	
Issue Date: Aug 31, 2017 Development Authority: LEE, CHRISTIAN Signature: _____	
THIS IS NOT A PERMIT	



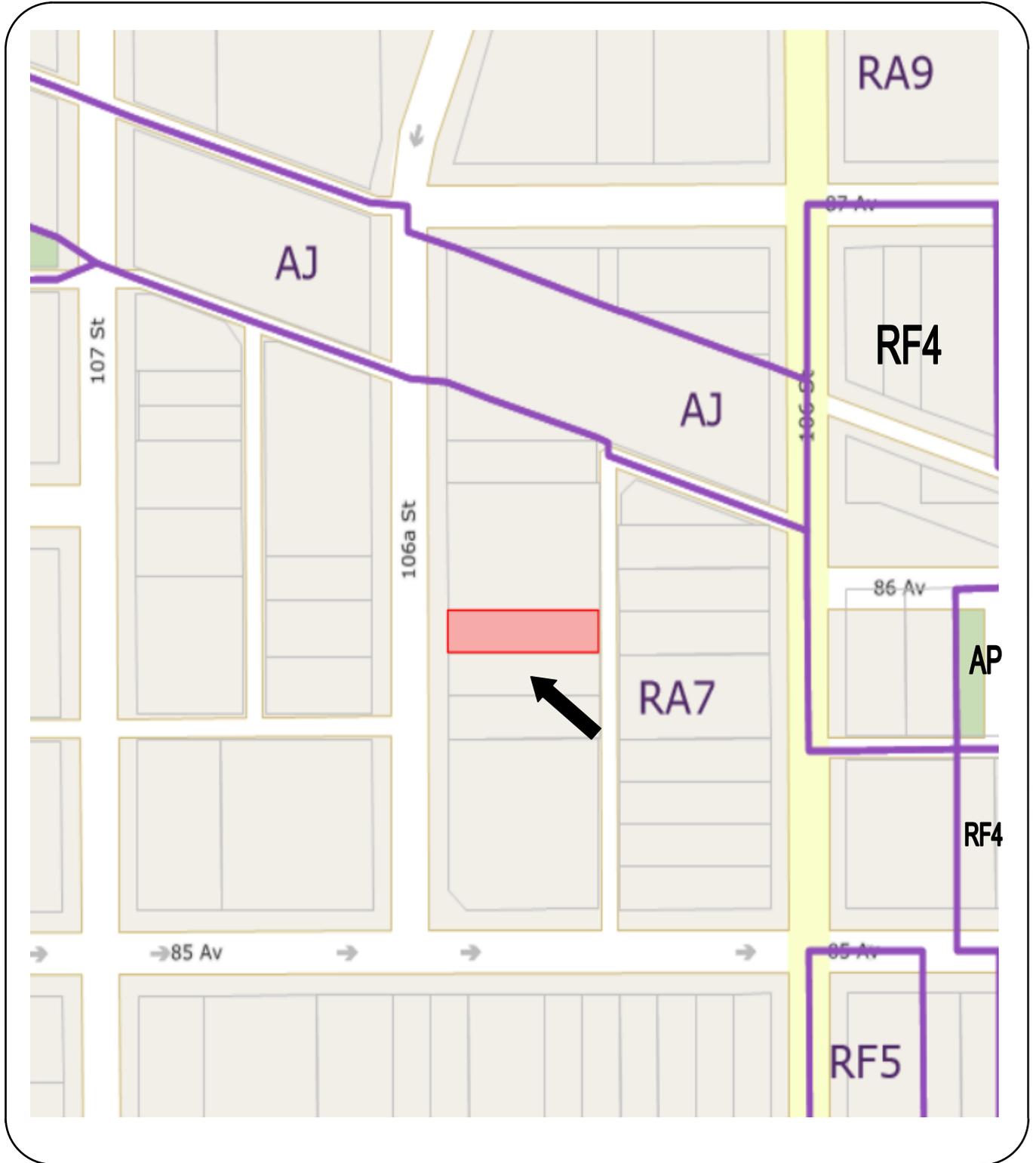
Project Number: **188393939-005**
Application Date: JUN 29, 2017
Printed: September 19, 2017 at 3:55 PM
Page: 2 of 2

Application for Major Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee # of dwelling units	\$73.00	\$73.00	04250632	Jun 29, 2017
Major Dev. Application Fee	\$818.00	\$818.00	04250632	Jun 29, 2017
Lot Grading Fee	\$341.00			
Sanitary Sewer Trunk Fund 2012+	\$5,590.00			
Development Permit Inspection Fee	\$500.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$7,322.00	\$891.00		
(\$6,431.00 outstanding)				

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-186

