SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Wednesday, 9:00 A.M. October 25, 2017

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

SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING ROOM NO. 3

| Ι | 9:00 A.M. | SDAB-D-17-196 | Comply with an Order to decommission the Dwellings in the Basement on both sides of the Semi-detached House on or before November 1 2017 |
|-----|------------|---------------|--|
| | | | 10020/22 - 153 Street NW Project No.: 084287777-003 |
| II | 10:30 A.M. | SDAB-D-17-197 | Construct a Single Detached House with Unenclosed Front Porch , Front Partially Covered deck (4.29 metres by 1.78 metres), rea uncovered deck (1.22 metres by 3.23 metres), Fireplace and Basement development (NOT to be used as additional dwelling) and to demolish a Single Detached House |
| | | | 10925 - 126 Street NW Project No.: 246313184-001 |
| III | 1:30 P.M. | SDAB-D-17-198 | Change the use of a Professional, Financial and Office Support Service and Automotive and Minor Recreation Vehicle Sales/Rentals building to a Religious Assembly (Minor) and to construct exterior alterations (new vestibule) |
| | | | 12320 - Mount Lawn Road NW Project No.: 259441393-001 |

| <u>ITEM I: 9:00 A.</u> | <u>M.</u> | FILE: SDAB-D-17-196 | |
|------------------------|---|--|--|
| | AN APPEAL FROM THE DECISION OF TH | N OF THE DEVELOPMENT OFFICER | |
| | APPELLANT: | | |
| | APPLICATION NO.: | 084287777-003 | |
| | APPLICATION TO: | Comply with an Order to decommission the Dwellings in the Basement on both sides of the Semi-detached House on or before November 1, 2017 | |
| | DECISION OF THE DEVELOPMENT AUTHORITY: | Order Issued | |
| | DECISION DATE: | September 19, 2017 | |
| | DATE OF APPEAL: | October 2, 2017 | |
| | MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: | 10020/22 - 153 Street NW | |
| | LEGAL DESCRIPTION: | Condo Common Area (Plan 0823629), Units 1-2 | |
| | ZONE: | RA7-Low Rise Apartment Zone | |
| | OVERLAY: | Medium Scale Residential Infill Overlay | |
| | STATUTORY PLAN: | N/A | |
| | | | |

Grounds for Appeal

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

We have a Development Permit Application in progress. This Municipal Govt. Act Order should not have been issued.

General Matters

Appeal Information:

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

Stop order

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

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

the development authority may act under subsection (2).

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

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

within the time set out in the notice.

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

Permit

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

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or

(c) issues an order under section 645,

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

Appeals

- 686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,
 - (a) in the case of an appeal made by a person referred to in section 685(1), after

(i) the date on which the person is notified of the order or decision or the issuance of the development permit, or ...

Hearing and decision

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

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;
- •••
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
 - and
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Edmonton Zoning Bylaw:

Section 5.1, Requirement for a Development Permit, states the following:

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

Under Section 210.3(13), Semi-detached Housing is a Discretionary Use in the RA7 Low Rise Apartment Zone.

Under Section 7.2(7), **Semi-detached Housing** means development consisting of a building containing only two Dwellings joined in whole or in part at the side or rear with no Dwelling being placed over another in whole or in part. Each Dwelling has separate, individual, and direct access to Grade. This type of development is designed and

constructed as two Dwellings at the time of initial construction of the building. This Use does not include Secondary Suites or Duplexes.

Under Section 210.3(12), a Secondary Suite is a Discretionary Use in the RA7 Low Rise Apartment Zone.

Under Section 7.2(6), **Secondary Suite** means development consisting of a Dwelling located within, and Accessory to, a structure in which the principal use is **Single Detached Housing**. A Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal Dwelling within the structure. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the side or rear of the structure. This Use Class includes the Development or Conversion of Basement space or above Grade space to a separate Dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. This Use Class does not include Apartment Housing, Duplex Housing, Garden Suites, Semidetached Housing, Lodging Houses, Blatchford Lane Suites, Blatchford Accessory Suites, or Blatchford Townhousing.

Under Section 210.3(14), Single Detached Housing is a Discretionary Use in the RA7 Low Rise Apartment Zone.

Under Section 7.2(8), **Single Detached Housing** means development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use in a Zone, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

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.

Section 210.1 states the **General Purpose** of the **RA7 Low Rise Apartment Zone** is to provide a Zone for Low Rise Apartments.

Section 823.1 states 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.

| Application Number | Description | Decision |
|--------------------|--|---|
| SDAB-D-15-066 | To convert an existing Semi-Detached House into a 4 Dwelling Apartment (existing without permits). | April 16, 2015; that the appeal be DENIED and the decision of refusa by the Developmen Authority CONFIRMED |

Previous Subdivision and Development Appeal Board Decision

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*.

Sustainable Development | City of Edmonton Development Services Branch Development and Zoning Services Development Compliance and Inquiries Unit 5th Floor, Edmonton Tower 10111 104 Avenue NW Edmonton, AB T51 0J4 Canada edmonton.ca/developmentcompliance

Edmonton

September 19, 2017

Our File: 084287777-003

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir/Madam:

A check with the Land Titles Office discloses that you are the registered owners of the property located at 10020 & 10022 - 153 STREET NW, legally described as Plan 0823629 Units 1-2. This property is zoned RA7 (Low Rise Apartment Zone) in accordance with Section 210 of the Edmonton Zoning Bylaw. The general purpose of this zone is to provide a Zone for Low Rise Apartments.

The current Development Permit for the property, project number 71345842-005 issued on November 15, 2007 authorizes the construction of a Semi-detached house. "Semi detached Housing means development consisting of a building containing only two Dwellings joined in whole or in part at the side or rear with no Dwelling being placed over another in whole or in part. Each Dwelling has separate, individual, and direct access to Grade. This type of development is designed and constructed as two Dwellings at the time of initial construction of the building. This Use Class does not include Secondary Suites or Duplexes."

On February 9, 2015 project number 084287777-004 to convert an existing Semi-Detached House into a 4 Dwelling Apartment (existing without permits) was refused. This refusal was upheld by the Subdivision and Development Appeal Board on February 19, 2015.

ZONING BYLAW INFRACTION:

On September 14, 2017 Development Compliance Officer Brendan Bolstad from the City of Edmonton having Authority to exercise development powers under Section 542 of the Municipal Government Act R.S.A. 2000, conducted an interior land-use inspection of the building on the property noted above.

Our investigation revealed that additional Dwelling units have been developed at Basement level on both sides of the Semi-detached house. This is a contravention of the development permit conditions, which state that the basement development not be used as additional Dwellings. This constitutes an offence pursuant to Section 23.1(3) of the Edmonton Zoning Bylaw 12800.

(continued on next page)

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ORDER:

Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000, YOU ARE HEREBY ORDERED TO:

Decommission the Dwellings in the Basement on both sides of the Semi-detached House. To decommission you must:

-- Remove the keyed lock separation between the upstairs and downstairs floors;

-- Remove all cooking facilities from the Basement on both sides of the building. Specifically, remove the stoves and any other cooking facilities such as hot plates, cook tops, toaster ovens, pressure cookers or similar units;

-- Remove the 220 Volt electrical outlets which attach to the stoves, the 220 volt breakers from the electrical panels associated to the outlets, and all associated electrical wiring from the outlets to panels;

--Reduce the occupancy of the building to a single Household for each side of the Semi-detached house. The definition of a Household, and other applicable definitions have been included with this Order.

The property will be inspected to determine compliance with this Order. You may contact our office at 780-944-1420 to schedule a decommissioning inspection once the required actions have been completed.

This Order is to be complied with on or before November 1, 2017.

CONSEQUENCES FOR NON-COMPLIANCE:

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

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

| Adding | 553(1) | A council may add the following amounts to the tax roll of a parcel of land: |
|---------------------------------|----------|---|
| Amounts Owing to tax roll | (a) | unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel; |
| | (b) | unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel; |
| | (c) | unpaid expenses and costs referred to in section 549(3), if the parcel?s owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel; |
| | (d), (e) | repealed 1999 c11 s35; |
| | (f) | costs associated with tax recovery proceedings related to the parcel; |
| | (g) | if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel; |
| | (g.1) | if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel; |
| | (h) | unpaid costs awarded by a composite assessment review board under section 468.1 or the Municipal Government Board under section 501, if the composite assessment review board or the Municipal Government Board has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Municipal Government Board was related to the parcel; |
| | (h.1) | the expenses and costs of carrying out an order under section 646; |
| | (i) | any other amount that may be added to the tax roll under an enactment. |
| Stop order | 645(1) | Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with |
| | (a) | this Part or a land use bylaw or regulations under this Part, or |
| | (b) | a development permit or subdivision approval, |
| | the dev | elopment authority may act under subsection (2). |
| | OWI | ubsection (1) applies, the development authority may, by written notice, order the ner, the person in possession of the land or building or the person responsible for 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. |
| | | erson who receives a notice referred to in subsection (2) may appeal to the division and development appeal board in accordance with section 685. |
| Enforcement of stop order | 646(1) | If a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order. |
| | refe | nunicipality may register a caveat under the Land Titles Act in respect of an order erred to in subsection (1) against the certificate of title for the land that is the ject of the order. |

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





File: SDAB-D-17-196

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Hearing Date: Wednesday, October 25, 2017 ITEM II: 10:30 A.M.

FILE: SDAB-D-17-197

10914 – 125 Street

246313184-001

Approved

September 8, 2017

September 27, 2017

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

APPELLANT:

ADDRESS OF APPELLANT:

APPLICATION NO .:

APPLICATION TO:

Construct a Single Detached House with Unenclosed Front Porch, Front Partially Covered deck (4.29 metres by 1.78 metres), rear uncovered deck (1.22 metres by 3.23 metres), Fireplace and Basement development (NOT to be used as additional dwelling) and to demolish a Single Detached House

DECISION OF THE DEVELOPMENT AUTHORITY:

DECISION DATE:

DATE OF APPEAL:

NOTIFICATION PERIOD:

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:

LEGAL DESCRIPTION:

ZONE:

OVERLAY:

STATUTORY PLAN:

10925 - 126 Street NW

Plan RN39B Blk 59 Lot 18

Stylelab Developments Inc.

DC1-Direct Development Control Provision

Sept. 14, 2017 through Sept. 28, 2017

N/A

West Ingle Area Redevelopment Plan

Grounds for Appeal

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

The proposed development is in the heart of the Westmount Heritage Area, which is one of only a few historic neighbourhoods left in the City of Edmonton. Residents of this area are currently working with the City of Edmonton Planning and Development to make voluntary architectural guidelines mandatory in order to preserve the historic nature of our neighbourhood. The builder of the proposed development builds houses in an ultra-modern style which will destroy the aesthetic appeal of the Westmount Heritage Area. There are thousands of places where houses like this can be built in Edmonton. We are asking that the Development Permit be deferred until Planning and Development have finished their work on the architectural controls. Allowing this development to proceed will cause irreparable damage to the Westmount Heritage Area.

General Matters

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

Grounds for appeal

685(1) If a development authority

(a) fails or refuses to issue a development permit to a person,

(b) issues a development permit subject to conditions, or

(c) issues an order under section 645, the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

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

(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.

Designation of direct control districts

641(4) Despite section 685, if a decision with respect to a development permit application in respect of a direct control district

- •••
- (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.

Section 2 of the *Edmonton Zoning Bylaw* concerning Repeal, Enactment and Transition Procedures states the following:

- 2.4 Subject only to the provisions in the *Municipal Government Act* respecting legal non-conforming Uses and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the Effective Date onward. In particular, no application for a Development Permit shall be evaluated under the procedural or substantive provisions of the previous Land Use Bylaw after the Effective Date, even if the application was received before the Effective Date.
- 2.6 Any Direct Control Districts that were in effect immediately prior to the Effective date are hereby deemed to continue in full force and effect and are hereby incorporated into Part IV of this Bylaw.
- 2.7 Unless there is an explicit statement to the contrary in a Direct Control District or Provision, any reference in a Direct Control District or Direct Control Provision to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District or Provision.

At the time of the creation of the subject DC site, the *City of Edmonton Land Use Bylaw 5996* was in effect. A Court of Appeal decision in *Parkdale-Cromdale Community League Association* v. *Edmonton (City)*, 2007 ABCA 309 concluded that section 2.7 of the *Edmonton Zoning Bylaw* (which states that any specific reference in a Direct Control Provision to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District) only applies if there is an express cross-reference in a Direct Control bylaw passed before 2001 to a provision of the old *Land Use Bylaw*. In the absence of an express reference in the Direct Control Bylaw to the *Land Use Bylaw 5996*, it does not prevail over section 2.4 of the *Edmonton Zoning Bylaw* (which states the Edmonton Zoning Bylaw shall prevail).

General Provisions:

Section 1 of the DC1 (Direct Development Control) District For The Westmount Architectural Heritage Area states the **General Purpose** is to establish a Direct Control District for single detached residential development and associated uses, as found under the RF1 (Single Detached Residential) District, in the Westmount Architectural Heritage Area so as to continue the tradition of heritage and community as originally conceived in the subdivision and architecture of the Area. The District is based on the RF1 Regulations but with additional Development Criteria and accompanying voluntary Architectural Guidelines, as written and developed by residents of the Area, that are intended to preserve the Area's unique historical streetscape and architectural features, reflecting the character, location and proportions of existing structures from the early 1900s in the Area, including: Boulevards with mature trees; continuous sidewalks; rear lane access to on-site parking; verandahs; and other features as originally conceived in subdivision plans and architectural designs of the early 1900s.

Section 3 of the DC1 (Direct Development Control) District For The Westmount Architectural Heritage Area states the following:

3. Uses

The following uses are prescribed for lands designated DC1 pursuant to Section 710.3 of the Land Use Bylaw.

•••

. . .

a. Single Detached Housing

Under Section 10.1(7) of the *Land Use Bylaw*, **Single Detached Housing** means development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use Class in a District, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use Class includes Mobile Homes which conform to Section 89 of this Bylaw.

Under Section 7.2(8) of the *Edmonton Zoning Bylaw*, **Single Detached Housing** means development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use in a Zone, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use includes Mobile Homes which conform to Section 78 of this Bylaw.

The DC1 (Direct Development Control) District For The Westmount Architectural Heritage Area states the following:

4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a) The regulations of the RF1 District shall apply, except where superseded by the development criteria contained herein.
- • •
- (g) For those development applications involving the architectural treatment of new construction and additions to existing development, the Development Officer shall make the development applicants aware of the voluntary Architectural Guidelines as developed and written by the Westmount Architectural Heritage Area Residents Association, outlined in Section 5.

5. Architectural Guidelines

The following Architectural Guidelines, as developed and written by the Westmount Architectural Heritage Area Residents Association, are intended to assist development applicants with the architectural treatment of new construction and additions to existing developments proposed in the Area. Adherence to these Guidelines on the part of the applicants is voluntary. The Guidelines are in keeping with Policy 1 of the West-Ingle Area Redevelopment Plan, which states in part that: "Property-owners in this area are encouraged to renovate or rebuild in the architectural styles which characterized WestIngle between 1912 and 1925". The Guidelines are as follows:

(i) double hung or multi-pane windows should be not wider than 0.9 metres (3.0 feet) and not taller than 1.8 metres (6.0 feet) with transparent glazing as opposed to translucent or glass block;

(ii) consistent exterior finishes, cladding materials and architectural treatments are used on all sides of the building;

(iii) exterior cladding is wood-type or shingle-type siding or a combination of the two and is horizontally oriented with a maximum exposed board height of 13.0 centimetres. (5.0 inches);

(iv) the principal roof of the house has a slope of 5:12 (38 degrees) or greater. Gables or dormers on the front West Ingle ARP Consolidation 76 elevation are encouraged,

(v) roofed but not enclosed front verandahs with flooring, columns, guard rails of wood construction, and piers of wood, brick or stone construction are included,

(vi) if the front porch is two stories in height there should be an eave at the single story level;

(vii) front entry lighting and front yard lighting is sufficient to light the front yard at night; and,

(viii) any further Guidelines as prepared by the Westmount Architectural Heritage Area Residents Association and submitted to the Development Officer for the information of development applicants in the Area.

Development Officer's Determination:

There is no variance for the proposed Single Detached House.

Reasons for notifications:

The proposed development is located in a Direct Control zone. All developments in Direct Control zones need notifications in accordance with subsections 12.4 and 20.2 of the Edmonton Zoning Bylaw 12800.

[Section 12.4(1), Class B Discretionary Development, of the *Edmonton Zoning Bylaw* states this class includes all developments for which applications are required and are for a Discretionary Use or require a variance to any of the regulations of this Bylaw. This class of Development Permit also includes all applications on Sites designated Direct Control not noted in Section 12.3.]

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*.

| | plication for Page: 1 of |
|--|--|
| House Develop | ment and Building Permit |
| - This document is a record of a Development Permit and/or E described below, subject to the limitations and conditions of | Building Permit application, and a record of the decision for the undertaking this permit, of the Edmonton Zoning Bylaw 12800 as amended, Safety Codes Building Code 2006 and City of Edmonton Bylaw 15894 Safety Codes Permit |
| Applicant | Property Address(es) and Legal Description(s) 10925 - 126 STREET NW |
| | Plan RN39B Blk 59 Lot 18 |
| | Location(s) of Work |
| | Entryway: 10925 - 126 STREET NW |
| | d Front Porch , Front Partially Covered deck (4.29m x 1.78m), rear uncovered opment (NOT to be used as additional dwelling) and to demolish a Single |
| | |
| Affected Floor Area (sq. ft.): 2739 | Building Height to Midpoint (m): 8.15 |
| Class of Permit: | Dwelling Type: Single Detached House |
| Front Yard (m): | Home Design Type: |
| Rear Yard (m): 20.24 | Secondary Suite Included ?: N |
| Side Yard, left (m): 1.35 | Side Yard, right (m): 1.35 |
| Site Area (sq. m.): 557.7 | Site Depth (m): 45.72 |
| Site Width (m): 12.19 | Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay |
| I/We certify that the above noted details are correct. | |
| Applicant signature: | |
| Development Permit Decision Approved | |
| | |

| | | | | Project Number: 24 Application Date: | 6313184-00 APR 25, 20 |
|--|---|---|---|---|--------------------------|
| Equonton | | | | Printed: September 2 | 7, 2017 at 9:14 A |
| - | 1 | Application fo | r | Page: | 2 0 |
| | House Devel | opment and I | Building F | Permit | |
| Subject to the Following NOTE: This Develop | | lid until the Notification P | eriod expires in ac | cordance to Section 21.1. (S | Section 17.1) |
| The development shal | ll be constructed in acco | ordance with the stamped a | and approved drav | vings. | |
| WITHIN 14 DAYS O construction activity, | F THE END OF THE the applicant must post | NOTIFICATION PERIO on-site a development per | D with NO APPEA mit notification si | AL and prior to any demoliti gn (Section 20.2) | on or |
| Landscaping shall be | installed and maintaine | d in accordance with Secti | on 55. | | |
| ADVISEMENTS: | | | | | |
| | | | | ineered approved lot gradin ading inspection inquiries. | g plans for th |
| Unless otherwise state | ed, all above references | to "section numbers" refe | r to the authority u | ander the Edmonton Zoning | Bylaw 12800 |
| does not remove oblig | gations to conform with | other legislation, bylaws | or land title instrur | ed against the provisions of nents including, but not limi easements that might be att | ted to, the |
| A Building Permit is r information. | equired for any constru | action or change in use of a | a building. Please | contact the 311 Call Centre : | for further |
| | pment is located in a Di | rect Control zone. All dev f the Edmonton Zoning By | | ct Control zones need notific | cations in |
| Rights of Appeal | et to the right of appeal | as outlined in Chapter 24 | Section 692 throu | igh 680 of the Municipal Co | vernment |
| | ct to the right of appeal | as outlined in Chapter 24 | , Section 683 throu | agh 689 of the Municipal Go | overnment |
| This approval is subject Amendment Act. | | as outlined in Chapter 24 | | ngh 689 of the Municipal Go ature: | overnment |
| This approval is subject Amendment Act. | Development Authority | - | | | overnment |
| This approval is subject Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins Building Permit Decision | Development Authority s:Sep 14, 2017 | r: ANGELES, JOSELITO | | | vernment |
| This approval is subject Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins | Development Authority s:Sep 14, 2017 | r: ANGELES, JOSELITO | | | overnment |
| This approval is subject Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins Building Permit Decision No decision has yet been to | Development Authority s:Sep 14, 2017 | r: ANGELES, JOSELITO | | | overnment |
| This approval is subje Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins Building Permit Decision No decision has yet been to rees | Development Authority s:Sep 14, 2017 made. Fee Amount | r: ANGELES, JOSELITO Ends:Sep 28, 2017 Amount Paid | | ature: Date Paid | overnment |
| This approval is subje Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins Building Permit Decision No decision has yet been to Safety Codes Fee | Development Authority s:Sep 14, 2017 made. | r: ANGELES, JOSELITO Ends:Sep 28, 2017 | Sign | ature: | overnment |
| This approval is subje Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins Building Permit Decision No decision has yet been 1 Sees Safety Codes Fee Electrical Fees (House) | Development Authority s:Sep 14, 2017 made. Fee Amount \$94.12 \$317.00 | r: ANGELES, JOSELITO Ends:Sep 28, 2017 Amount Paid \$94.12 \$317.00 | Sign Receipt # 04073579 04073579 | ature: Date Paid Apr 25, 2017 Apr 25, 2017 | overnment |
| This approval is subject Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins Building Permit Decision No decision has yet been to Fees Safety Codes Fee Electrical Fees (House) Electrical Fee (Service) | Development Authority s:Sep 14, 2017 made. Fee Amount \$94.12 \$317.00 \$79.00 | r: ANGELES, JOSELITO Ends:Sep 28, 2017 Amount Paid \$94.12 \$317.00 \$79.00 | Sign Receipt # 04073579 04073579 04073579 | Date Paid Apr 25, 2017 Apr 25, 2017 Apr 25, 2017 | overnment |
| This approval is subject Amendment Act. Issue Date: Sep 08, 2017 D Notice Period Begins Building Permit Decision No decision has yet been to Fees Safety Codes Fee Electrical Fees (House) Electrical Fee (Service) Lot Grading Fee | Development Authority s:Sep 14, 2017 made. Fee Amount \$94.12 \$317.00 \$79.00 \$140.00 | r: ANGELES, JOSELITO Ends:Sep 28, 2017 Amount Paid \$94.12 \$317.00 \$79.00 \$140.00 | Sign Receipt # 04073579 04073579 04073579 04073579 04073579 | Date Paid Apr 25, 2017 Apr 25, 2017 Apr 25, 2017 Apr 25, 2017 Apr 25, 2017 | overnment |
| This approval is subjected Amendment Act. Issue Date: Sep 08, 2017 December 2017 Dece | Development Authority s:Sep 14, 2017 made. Fee Amount \$94.12 \$317.00 \$79.00 \$140.00 \$72.60 | r: ANGELES, JOSELITO Ends:Sep 28, 2017 Amount Paid \$94.12 \$317.00 \$79.00 \$140.00 \$72.60 | Sign Receipt # 04073579 04073579 04073579 04073579 04073579 04073579 | Date Paid Apr 25, 2017 Apr 25, 2017 | vernment |
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| This approval is subjected Amendment Act. Issue Date: Sep 08, 2017 Discussion Decision Decis | Development Authority s:Sep 14, 2017 made. Fee Amount \$94.12 \$317.00 \$79.00 \$140.00 \$72.60 | r: ANGELES, JOSELITO Ends:Sep 28, 2017 Amount Paid \$94.12 \$317.00 \$79.00 \$140.00 \$72.60 | Sign Receipt # 04073579 04073579 04073579 04073579 04073579 04073579 | Date Paid Apr 25, 2017 Apr 25, 2017 | vemment |

| | 4 | Application | for | Application Dat | ber: 246313184-001 e: APR 25, 2017 ptember 27, 2017 at 9:14 AM 3 of 3 |
|--|---------------------------------|------------------------|---------------------------|---------------------------|--|
| | House Devel | | | Permit | |
| Fees | | 1 | 0 | | |
| Electrical Safety Codes Fee Total GST Amount: | Fee Amount \$17.18 \$0.00 | Amount Paid \$17.18 | Receipt # 04073579 | Date Paid Apr 25, 2017 | |
| Totals for Permit: | \$3,072.90 | \$3,072.90 | | | |
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| | | THIS IS NOT A PEI | RMIT | | |





Hearing Date: Wednesday, October 25, 2017 ITEM III: 1:30 P.M.

FILE: SDAB-D-17-198

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

APPELLANT:

ADDRESS OF APPELLANT:

APPLICATION NO .:

APPLICATION TO:

12325 Mount Lawn Road NW

259441393-001

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

DECISION OF THE DEVELOPMENT AUTHORITY:

DECISION DATE:

DATE OF APPEAL:

NOTIFICATION PERIOD:

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:

LEGAL DESCRIPTION:

ZONE:

OVERLAY:

STATUTORY PLAN:

September 11, 2017

Approved

October 3, 2017

Sept. 19, 2017 through Oct. 3, 2017

Maltby & Prins Architects

12320 - Mount Lawn Road NW

Plan 0222822 Blk J Lot 3

IB-Industrial Business Zone

N/A

Yellowhead Corridor Area Structure Plan

Grounds for Appeal

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

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

430 (IH) Heavy Industrial Zone

430.1 General Purpose

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

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

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

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

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

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

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

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

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

(a) Zoning Bylaw No. 12800;

(b) Land Use Bylaw 5996;

(c) Subdivision and Development Regulation (AR 43/2002); and

(d) The Yellowhead Corridor Area Structure Plan, Bylaw 7044, as amended, including but not limited to 2.1.3, 3.2.2(iv), 3.2.3(i) & (ii), 3.2.5(ii), and 5.3.7. It is also clear from 7.1.1 that pedestrian and traffic generating uses such as Religious Assembly should be expressly discouraged.

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

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

General Matters

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

Grounds for appeal

685(1) If a development authority

(a)fails or refuses to issue a development permit to a person,

(b)issues a development permit subject to conditions, or

(c) issues an order under section 645, the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board. (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 400.1 state that the **General Purpose** of the **IB Industrial Business Zone** is to provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.

Discretionary Use

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

Under section 7.8(14), **Religious Assembly** means development used for worship and related religious, philanthropic or social activities and includes Accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. Typical Uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This Use does not include Private Education Services, Public Education Services, and Commercial Schools, even as Accessory Uses.

Development Officer's Determination:

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

Religious Assembly

71. Religious Assembly

A Religious Assembly shall comply with the following special provisions:

- 1. the minimum Frontage shall be 30.0 metres and the minimum Site area shall be 930 square metres;
- 2. where a manse, rectory, parsonage or other building for a minister's residence is to be erected on the same Site as the Religious Assembly, the minimum Site area shall be 1 300 square metres;

- 3. where the a Religious Assembly is to be developed on a Site that is within 60.0 metres of a Site zoned to allow a Single Detached Dwelling as a Permitted Use, the following regulations shall apply:
 - a. the maximum Site area shall be 4 000 square metres;
 - b. the maximum total Site Coverage shall not exceed 40 percent;
 - c. a minimum building Setback of 4.5 metres shall be required along a Side Yard flanking an abutting Site Zoned Residential;
 - d. a minimum building Setback of 7.5 metres along a Rear Yard shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone or is not separated from it by a public roadway more than 10.0 metres wide;
 - e. a minimum building Setback of 6.0 metres shall be required along a Front Yard separated by a public roadway not wider than 20.0 metres from any Site zoned residential. Where the roadway is wider than 20.0 metres, the Front Setback applicable in the relevant Zone shall apply;
 - f. vehicular access to on-site parking and loading spaces shall be provided from an abutting arterial or collector roadway, except that the Development Officer may allow access from a public roadway including a Lane in accordance with the following guidelines:
 - i. access may be allowed from a local roadway that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other Sites abutting the roadway and shall not direct excess traffic onto a local roadway;
 - ii. access may be allowed from a Lane that does not abut another Site zoned to allow a Single Detached Dwelling as a Permitted Use, provided such access shall not interfere with access to other abutting Sites and shall not direct excess traffic onto a local residential roadway; and
 - iii. access to a maximum of five parking spaces may be allowed from a Lane that abuts a Site zoned to allow a Single Detached Dwelling as a Permitted Use.
- 4. Where a Religious Assembly is a Discretionary Use, the Development Officer may impose conditions intended to reduce the perceived mass of the structure through techniques including, but not limited to, increased Setbacks, articulation of elevations and rooflines, and the colour of finishing materials.

Parking

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

| Location | Minor | | | |
|--|--|--|--|--|
| Central Core Neighbourhoods, excluding the Downtown Special Area | <u>1720 m²</u> of Floor Area or less: No minimum parking requirement | | | |
| Mature Neighbourhoods, excluding the Central Core Neighbourhoods | $\frac{1400 \text{ m}^2}{1 \text{ parking space per } \frac{45.0 \text{ m}^2}{1 \text{ parking space per } \frac{45.0 \text{ m}^2}{1 \text{ parking space per } \frac{45.0 \text{ m}^2}{1 \text{ parking space per } \frac{1000 \text{ m}^2}{1 parking space $ | | | |
| Established Neighbourhoods | $\frac{2500 \text{ m}^2}{1 \text{ parking space per } \frac{27.0 \text{ m}^2}{27.0 \text{ m}^2}}$ | | | |
| Industrial Neighbourhoods | $\frac{2570 \text{ m}^2}{1 \text{ parking space per } \frac{33.0 \text{ m}^2}{1 \text{ m}^2}}$ | | | |
| Developing, Planned and Future Neighbourhoods, and Urban Growth areas. | $\frac{3760 \text{ m}^2}{1 \text{ parking space per } \frac{14.0 \text{ m}^2}{1 \text{ m}^2}}$ | | | |
| Locations are as identified in Edmonton's The Way We Grow: Municipal Development Plan, Bylaw 15100, Maps. | | | | |

Previous Subdivision and Development Appeal Board Decisions

| Application Number | Description | Decision |
|--------------------|--|--|
| SDAB-D-17-060 | To install (1) freestanding Minor Digital On-premises Off-premises Sign (2 digital panels 3.1 metres by 6.1 metres facing NE/SW) replaces DP: 163889410-001/2 (MEDIA CITY ADS - MOBILE INSURANCE). | May 5, 2017; Permit cancelled |
| SDABD-D-015-057 | To install a Freestanding Minor Digital On-premises Off-premises Sign (2 faces north/south) (OUTFRONT MEDIA). | April 2, 2015; That the appeal be Denied and the Decision of Approval of the Development Authority be Upheld with a variance granted to the required separation |

| | distance between the proposed Sign and another Digital Sign (27 square metres in area), from 200 metres to 190 metres (Reference Section 59F.3 (6)(e)) subject to conditions: |
|--|--|
|--|--|

Notice to Applicant/Appellant

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

| | Project Number: 259441393-001 Application Date: AUG 10, 2017 Printed: October 4, 2017 at 7:53 AM Page: 1 of 50 |
|--|--|
| Major Develo | pment Permit |
| This document is a record of a Development Permit application, and a r the limitations and conditions of this permit, of the Edmonton Zoning B | |
| Applicant | Property Address(es) and Legal Description(s) 12320 - MOUNT LAWN ROAD NW Plan 0222822 Blk J Lot 3 Specific Address(es) Suite: 12320 - MOUNT LAWN ROAD NW Entryway: 12320 - MOUNT LAWN ROAD NW Building: 12320 - MOUNT LAWN ROAD NW |
| Scope of Permit To change the use of a Professional, Financial and Office Support Sales/Rentals building to a Religious Assembly (Minor) and to co | |
| Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq.m.): IWe certify that the above noted details are correct. Applicant signature: Development Permit Decision Approved | Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none) |
| The permit holder is advised to read the reverse fo | r important information concerning this decision. |

| | | | Project Number: 259441393-001 Application Date: AUG 10, 2017 Printed: October 4, 2017 at 7:53 AM Page: 2 of 3 |
|---|---|---|---|
| Majo | r Developme | nt Permit | |
| Subject to the Following Conditions 1) This Development Permit is NOT valid un 17.1). | ntil the Notification Perio | d expires in accorda | ance to Section 21.1. (Reference Section |
| Exterior lighting shall be developed to pro- satisfaction of the Development Officer. | ovide a safe lit environme | ent in accordance wi | th Sections 51 and 58 and to the |
| Any outdoor lighting for any development adjoining properties, or interfere with the eff Zoning Bylaw 12800). | | | |
| NOTES: | | | |
| An approved Development Permit means Edmonton Zoning Bylaw. It does not remove the Municipal Government Act, the ERCB D easements that might be attached to the Site. | e obligations to conform Directive 079, the Edmont | with other legislation | n, bylaws or land title instruments such as |
| 2) The Development Permit shall not be vali been fulfilled; and no notice of appeal from s within the time period specified in subsection | such approval has been se | erved on the Subdivi | |
| 3) Signs require separate Development Appl | ications. | | |
| 4) The City of Edmonton does not conduct in the suitability of this property for any purpos this Development Permit, makes no represen as to the presence or absence of any environment. | e, you should conduct yo tations and offers no war | our own tests and rev ranties as to the suit | views. The City of Edmonton, in issuing |
| A Building Permit is required for any con- Examination review, you require construction information. | | | |
| 6) This Development Permit is not a Busines | ss Licence. A separate ap | plication must be m | ade for a Business Licence. |
| Variances Discretionary Use - The Religious Assembly Rights of Appeal This approval is subject to the right of appeal | | | |
| Amendment Act. | | | |
| Issue Date: Sep 11, 2017 Development Authorit | y: WELCH, IMAI | Sign | ature: |
| Notice Period Begins:Sep 19, 2017 | Ends:Oct 03, 2017 | | |
| Fees Fee Amount Major Dev. Application Fee \$500.00 | Amount Paid \$500.00 | Receipt # 04361606 | Date Paid Aug 10, 2017 |
| The permit holder is advised to rea | d the reverse for impor | tant information co | oncerning this decision. |

| | | | | Project Number: 259441393 Application Date: AUG 10 Printed: October 4, 2017 at 7: Page: | , 2017 | | | |
|--|------------|-------------|-----------|--|--------|--|--|--|
| Major Development Permit | | | | | | | | |
| Fees | Fee Amount | Amount Paid | Receipt # | Date Paid | | | | |
| Development Permit Inspection Fee Total GST Amount: | \$0.00 | | | | | | | |
| Totals for Permit: (overpaid by \$500.00 | \$0.00 | \$500.00 | | | | | | |
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| The permit holder is advised to read the reverse for important information concerning this decision. | | | | | | | | |



Site Location

File: SDAB-D-17-198

N N