



**EDMONTON
TRIBUNALS**

*Subdivision &
Development
Appeal Board*

*10019 - 103 Avenue NW
Edmonton, AB T5J 0G9
P: 780-496-6079 F: 780-577-
3537
sdab@edmonton.ca
edmontonsdab.ca*

Date: November 3, 2017
Project Number: 259231987-001
File Number: SDAB-D-17-199

Notice of Decision

- [1] On October 26, 2017, the Subdivision and Development Appeal Board (the “Board”) heard an appeal that was filed on **October 2, 2017**. The appeal concerned the decision of the Development Authority, issued on September 27, 2017, to refuse the following development:

Construct an Accessory building (detached Garage, 7.31 metres by 9.14 metres)

- [2] The subject property is on Plan 1909HW Blk 15 Lot 13, located at 9818 - 159 Street NW, within the RF1 Single Detached Residential Zone. The Mature Neighbourhood Overlay and the Jasper Place Area Redevelopment Plan apply to the subject property.
- [3] The following documents were received prior to the hearing and form part of the record:
- Copy of the Development Permit application with attachments, proposed plans, and the refused Development Permit;
 - The Development Officer’s written submissions; and
 - The Appellant’s written submissions.

Preliminary Matters

- [4] At the outset of the appeal hearing, the Presiding Officer confirmed with the parties in attendance that there was no opposition to the composition of the panel.
- [5] The Presiding Officer outlined how the hearing would be conducted, including the order of appearance of parties, and no opposition was noted.
- [6] The appeal was filed on time, in accordance with Section 686 of the *Municipal Government Act*, RSA 2000, c M-26 (the “*Municipal Government Act*”).

Summary of Hearing*i) Position of the Appellant, Ms. Deane*

- [7] Ms. Deane does not own the property. Her client is the owner.
- [8] Her client previously made an application for a larger garage which was appealed to the Board in 2016 and refused.
- [9] The size of the proposed detached garage was reduced from the previous application and the direction of the door was changed.
- [10] There is a large family living in the house, which includes the property owner, his wife, his parents, and two adult children with spouses. All of the residents drive and have vehicles. There are people living in the Secondary Suite.
- [11] She referred to photographs in her submission showing vehicles that are parked in front of the house on the street. There is a school in the neighbourhood adding congestion to the area with vehicles coming in and out of the neighbourhood.
- [12] She referred to a photograph in her submission of a property one block south from the subject Site that has a front attached garage and a detached garage in the rear of the property. Her client would like to construct a detached garage similar to this property.
- [13] She completed a community consultation and received support from several neighbours and the local community league. She did not receive any opposition to the proposed development.
- [14] She stated that the detached garage will be used for parking. This area is known for vandalism and parking the vehicles in the garage will provide for security.
- [15] In response to questions by the Board, she acknowledged that the previous application showed the house had a Site Coverage of 37 percent. However, she stated that the Site Coverage of the existing house is 34 percent.
- [16] She reviewed the Development Permit application with the Development Officer and was of the understanding that the Site Coverage with the proposed garage would be 44 percent with a required variance of 4 percent, not 7 percent.
- [17] She believes the width of the proposed garage was reduced approximately two feet since the last application.
- [18] The tenants might use the garage to store tools used for personal use.
- [19] She told the property owner that the City's main concern will be regarding parking.
- [20] She believes that two vehicles could park in the detached garage.

- [21] The property owners and his family will use the proposed garage and the tenants will use the attached garage.
- [22] She confirmed that there are six adults living on the main floor of the house but she could not confirm how many people live in the basement suite but there are two bedrooms in the basement suite.
- [23] She confirmed that two vehicles can park on the front driveway.
- [24] She confirmed that the neighbour to the north of the subject Site does not have any concerns with the proposed development but did not get a signature from them in support of the proposed development. She did not receive any opposition from neighbouring property owners.
- [25] She reiterated that there is a large family living on the main floor and all drive vehicles. In her opinion, the neighbours will appreciate them parking in the garage rather than on the street.
- [26] There are several vehicles associated with the house so the family would like a second garage to accommodate their family and the tenants.
- [27] The previously approved addition to the house was to accommodate additional family members and the rental suite in the basement.
- [28] There are no children living at the subject Site so they do not need a large amenity space.
- [29] She could not confirm how many families live at the subject Site, however, they are related.
- [30] She was asked questions about a photo showing three doors at the rear of the house, all several feet above grade with only the middle one having stairs leading to it. She advised that one of the doors on the rear of the dwelling is to access the kitchen and one is to access a bedroom. She could not confirm if a deck is proposed at the rear of the dwelling but a deck or platform structure could be built in the future.
- [31] She stated that the property owners are her friends and they asked her to help them with the application process.
- [32] She could not confirm if the property owner owns other properties.

ii) Position of the Development Officer, Ms. Hetherington

- [33] Ms. Hetherington, the Development Officer, advised that the Appellant told her the detached garage will be used to store items for his rental properties such as couches, sinks, baseboards, in addition to a boat, ATV, and a lawnmower.

- [34] With regard to Site Coverage, she stated that the calculation was based on the Site Plan submitted for this application. The Site Coverage is 34 percent for the existing Single Detached House with front attached garage. In two previous applications, the Site Coverage for the existing Single Detached House with attached garage was 37 percent.
- [35] When a Development Permit application is reviewed, Development Officers make their determinations based on the information provided to them on the Site Plan submitted for that application. After she made the decision on the proposed development, she found the two previous Development Permit applications. One was the refused garage in 2016 and one was the addition to the house. These previous applications both showed the Site Coverage for the house being 37 percent. If the house was built to what was approved, the total Site Coverage with the proposed garage would be 47 percent.
- [36] The variance in the Rear Setback for the approved addition to the house was previously approved.
- [37] With regard to the photographs showing the doors on the rear of the dwelling, she stated that if a deck were built that would need to be included in the Site Coverage because the deck would be more than one metre above grade. A deck or platform structure would need to be flush with the railing for the basement stairs. She could not confirm if a building permit had been issued for the house addition. She stated that only two of the doors were shown on the approved plans for the house addition.
- [38] A proposed deck was not shown on the Site Plan submitted with this application and she could not confirm if there is an application for a deck.
- [39] She did not speak to the Appellant regarding the size of garage that could be constructed on the subject Site. However, even a standard garage 24 feet by 26 feet would probably be over the total Site Coverage.
- [40] She could not confirm what information was provided with the previous Development Permit application.
- [41] The 3 percent difference may be included with the three doors on the rear of the dwelling.
- [42] A deck could be built but it would need to be included in this Development Permit application since it would need to be included in the Site Area.

iii) Rebuttal of the Appellant

- [43] Ms. Deane did not have anything to add in rebuttal.
- [44] In response to questions by the Board, she stated that there is a small step down from the kitchen door at the rear of the dwelling. She was not aware of the door leading to a bedroom until today.

- [45] In her opinion, all decks and verandas should be included with the proposed plans to build a house. In her opinion, the Site Coverage should have included a platform or deck for the existing rear doors.
- [46] She does not believe the Site Coverage calculation included a deck, it probably just included the proposed garage.
- [47] After the first application for a detached garage was refused, the property owner made adjustments to the plans to reduce the size and orientation of the garage but he still would like an oversized garage as proposed.

Decision

- [48] The appeal is DENIED and the decision of the Development Authority is CONFIRMED. The development is REFUSED.

Reasons for Decision

- [49] The proposed detached garage is Accessory to a Permitted Use in the (RF1) Single Detached Residential Zone, meaning the proposed garage is itself a Permitted Use (Section 50.1(2) *Edmonton Zoning Bylaw*).
- [50] The only variance required for the proposed development relates to total Site Coverage. There was some question about the actual Site Coverage of the existing house on the property. Based on plans submitted for this application, the existing house with its attached garage covers 34 percent of the site. However, on the application to build the addition to the house in June 2016, the Site Coverage with the addition was 37 percent. In SDAB decision SDAB-D-01-254 it is clear that the development approved at that time included a large, above grade deck in the rear yard. Based on this, the Board concludes that the 37 percent Site Coverage included this rear deck.
- [51] The Board notes that a photo of the house as built shows that there are three doors at the rear of the house that are located several feet above grade. The middle door has stairs leading to it. The other two doors open onto empty space. The Board concludes that the rear deck approved in decision SDAB-D-01-254 has not yet been constructed. Because this rear deck has been approved, the Appellant could construct it at any time without the need to get another development permit. Accordingly, the Board is of the view that, in considering the instant application, it must make its decision on the basis that the Site Coverage of the house is 37 percent, not 34 percent. Accordingly, with the proposed detached garage, the total Site Coverage would be 47 percent.

- [52] The Board heard from the Development Officer that one of the doors on the rear on the existing house was not included in the original plans submitted for the rear addition, suggesting that an additional landing will be needed in the future. This will have the effect of increasing the total Site Coverage.
- [53] The Board acknowledges receipt of the community consultation conducted by the Appellant providing several signatures of support for the proposed development, including from the Glenwood Community League. The Board also acknowledges that there is a site about one block south of the proposed development that has both an attached garage and a detached garage.
- [54] However, the Board is of the view that the total Site Coverage of 47 percent with the proposed detached garage would be excessive. When the addition to the house was approved in 2016, it was close to the maximum allowable Site Coverage of 40 percent. A total Site Coverage of 47 percent would create a massing effect that would have an adverse effect on adjoining properties.
- [55] Further, the proposed detached garage on a site that has a house with an attached garage is uncharacteristic of the neighbourhood. Although there is a similar development about one block to the south, no evidence was submitted to the Board to show that that development is in excess of maximum total Site Coverage.
- [56] The Board also notes there is already sufficient onsite parking provided by the attached garage for both the Principal residence and Secondary Suite. Plus, as evident from photos submitted, there is now a large concrete pad in the rear yard to accommodate additional parking.
- [57] Based on the above, the Board is of the opinion the proposed development would materially interfere with or affect the use and enjoyment of neighbouring parcels of land.



Mr. M. Young, Presiding Officer
Subdivision and Development Appeal Board

Board Members in Attendance

Ms. P. Jones; Ms. S. LaPerle; Mr. A. Peterson; Mr. R. Hobson

CC: City of Edmonton, Sustainable Development, Attn: Attn: Ms. Hetherington / Mr. Wen

Important Information for the Applicant/Appellant

1. This decision may be appealed to the Alberta Court of Appeal on a question of law or jurisdiction under Section 688 of the *Municipal Government Act*, RSA 2000, c M-26. If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall operate to suspend the Development Permit.
2. When a decision on a Development Permit application has been rendered by the Subdivision and Development Appeal Board, the enforcement of that decision is carried out by the Sustainable Development Department, located on the 2nd Floor, Edmonton Tower, 10111 – 104 Avenue NW, Edmonton, AB T5J 0J4.



**EDMONTON
TRIBUNALS**

*Subdivision &
Development
Appeal Board*

*10019 - 103 Avenue NW
Edmonton, AB T5J 0G9
P: 780-496-6079 F: 780-577-
3537
sdab@edmonton.ca
edmontonsdab.ca*

Date: November 3, 2017
Project Number: 258181585-001
File Number: SDAB-D-17-200

Notice of Decision

- [7] On October 26, 2017, the Subdivision and Development Appeal Board (the “Board”) heard an appeal that was filed on **October 3, 2017**. The appeal concerned the decision of the Development Authority, issued on September 13, 2017, to approve the following development:

Convert a Single Detached House to a Lodging House (6 residents).

- [8] The subject property is on Plan I23A Blk 164 Lot 2, located at 11008 - 85 Avenue NW, within the (RF6) Medium Density Multiple Family Zone. The Medium Scale Residential Infill Overlay and the Garneau Area Redevelopment Plan apply to the subject property.
- [9] The following documents were received prior to the hearing and form part of the record:
- A copy of the Development Permit application with attachments, proposed plans, and the approved Development Permit;
 - The Development Officer’s written submission;
 - The Appellant’s written submissions;
 - The Respondent’s written submissions; and
 - A submission from an affected property owner in opposition to the proposed development.

Preliminary Matters

- [10] At the outset of the appeal hearing, the Presiding Officer confirmed with the parties in attendance that there was no opposition to the composition of the panel.
- [11] The Presiding Officer outlined how the hearing would be conducted, including the order of appearance of parties, and no opposition was noted.

[12] The appeal was filed on time, in accordance with section 686 of the *Municipal Government Act*, RSA 2000, c M-26.

Summary of Hearing

i) *Position of the Appellants, Ms. G. Wiebe, who was accompanied by Mr. L. Wiebe*

[13] Mr. and Mrs. Wiebe have lived in the neighbourhood for 27 years.

[14] They do not want to see the neighbourhood transition from a livable area to allowing Lodging Housing.

[15] They referred to a map to show medium and high density developments in the area. Higher density developments such as lodging housing, fraternities and multiple residential housing are an issue. There is more than one fraternity in the neighbourhood.

[16] There are several houses on their block with families and young children. Some families own the properties and some are rental properties.

[17] Parking is a concern in the area as parking is only allowed on one side of the street. Some individuals also rent parking spaces to non residents.

[18] In their opinion, there is no shortage of good affordable student housing in the neighbourhood.

[19] They indicated that the *Edmonton Zoning Bylaw* (the “*Bylaw*”) is clear and the regulations should be followed. The Presiding Officer asked the Appellants to specify which zoning regulations they felt were not complied with.

[20] Mr. and Mrs. Wiebe stated that there is an excess in the number of high density developments allowed in the neighbourhood.

[21] The Presiding Officer pointed out that Lodging Houses are a discretionary use in this Zone and that Section 96.2(b) of the *Bylaw* states that one of the Threshold Purposes relating to Special Residential Facilities, such as Lodging Houses, is to ensure that Special Residential Facilities are available in all neighbourhoods.

[22] Mr. and Mrs. Wiebe referred to their submission to show that the Appellants are advertising to rent out the parking onsite to people other than tenants. They felt there should be one parking spot for each of the six tenants. In their opinion, six residents in the Lodging House would be the same as six families living in a dwelling. The Board referred to Section 54.2 Schedule 1 which states that, for a Lodging House, the parking requirement is one space per two sleeping units, meaning that this Lodging House requires three onsite parking spaces.

- [23] Mr. Wiebe stated that if there are two families living in a Semi-detached House, they are required two on-site parking spaces. Therefore, if there are six residents living in the Lodging House there should be six on-site parking spaces.
- [24] Their main concern is parking in the area.

ii) Position of Affected Property Owners in Support of the Appellants

Ms. K. Bruce-Kavanagh

- [19] Ms. Bruce-Kavanaugh stated that, although she is a member of the Garneau Community League Planning Committee, she is speaking for herself.
- [20] She referred to Section 96.3 of the *Bylaw*, which limits the number of Special Residential Facilities—such as fraternities, sororities and Lodging Houses—in a neighbourhood. She felt the proposed development would contravene these regulations.
- [21] Section 96.3(b)(i) allows a maximum of two such facilities on a single block. The proposed development is located adjacent to a fraternity. It was not the intention of City Council that two such facilities should be located side by side. Also, there is another fraternity across the street.
- [22] She referred to TAB 2 of her submission to show photographs and a map of the houses along 85 Avenue.
- [23] She referred to Section 96.5 of the *Bylaw* that requires the Development Officer to maintain a register of all approved Special Residential Facilities. She questioned the accuracy of the register.
- [24] She referred to the Garneau Area Redevelopment Plan (the “ARP”), Schedule O which shows three fraternity houses along 85 Avenue. She stated that the third unit has not existed for many years. When questioned, she stated she was unaware of any such facilities that were currently in existence in the neighbourhood that were not shown.
- [25] The floor plans of the Lodging House show that there are six bedrooms which could accommodate two people in each room.
- [26] She referred to section 96(2)(c) of the *Bylaw* to show that the proposed Lodging House is in contravention of City Council’s direction regarding the concentration of special residential facilities. In her opinion, it is City Council’s intention that there can be two on a block only if they are separated by other houses.

iii) Position of the Development Officer, Mr. B. Langille

[27] The Development Authority provided a written submission and did not attend the hearing.

iv) Position of the Respondent, Ms. J. (Jacqueline) Goudreau, who was accompanied by Mr. P. Jarvis

[28] Ms. Goudreau purchased the subject property in 2009 and raised her family in the University area.

[29] Out of the six residents currently in the building, one student may have a vehicle. The residents are a combination of mature adults and students. The residents are quiet and do not disturb the neighbours.

[30] She has been renting one parking space on her property to someone in the neighbourhood for two years but they do not park there after 5:30 p.m. If the proposed development is approved, she will give that person notice that parking is no longer allowed.

[31] She referred to signatures in her submission to show support from neighbouring property owners for the proposed development.

[32] She has an arrangement with the fraternity next door that allows her tenants to park on their site as those parking spaces are usually empty.

[33] She referred to the Kijiji advertisement in the Appellant's submission. She stated that her son made the advertisement and he was unaware of the parking requirements under the *Bylaw*.

[34] Mr. Jarvis indicated that he does maintenance at the subject property and is involved with day to day operations of the Lodging House with Ms. J. (Joan) Goudreau, who manages the tenants.

[35] There is a small common area for the tenants so they are unable to have parties.

[36] Mr. Jarvis agreed that street parking can be an issue in the neighbourhood.

[37] They do not rent to friends of the tenants to control additional people wanting to visit the property.

[38] In response to questions by the Board, they stated that there will be a maximum of six tenants and they are prohibited from having roommates.

[39] The three parking spaces on the subject site will be available for those six tenants.

[40] There are two bedrooms in the basement but one is used for their office.

v) *Position of Affected Property Owners in Support of the Respondent*

Ms. J. (Joan) Goudreau

[41] Ms. Goudreau does not live in the neighbourhood but is the manager of the Lodging House.

[42] The Lodging House is well run and not over crowded.

[43] They have a specific process when selecting students to rent a room.

[44] In the summer months, they reduce the number of tenants to three.

[45] The number of tenants can vary but there have never been more than six tenants in the last five years.

[46] They have not received any complaints from neighbours.

[47] The property has been used as a Lodging House for about five years.

Ms. L. Macphail

[48] Ms. Macphail lives in an adjacent Sorority House.

[49] She is in support of the Lodging House and feels that it does not contravene the *Bylaw*.

[50] She agreed that parking is an issue in the area but individuals are able to obtain a street parking permit from the City.

[51] The Fraternity Houses in the area are quiet and do not have parties.

[52] She stated that out of 12 residents in her Sorority House, eight of them have vehicles. Seven residents park on the property and one resident has a parking permit and parks on the street.

[53] The sorority has meetings every Monday. Most members are on campus and either walk or take public transit to the meetings. Parking in the area is allowed after 6:00 p.m.

Mr. L. Hauer

- [54] Mr. Hauer resides southeast of the subject site outside the 60-metre notification radius but is within the Garneau neighbourhood.
- [55] He is in support of the proposed development.
- [56] He has a property and has rented four units to students for 17 years with no issues or complaints.
- [57] Parking is always an issue in the neighbourhood but tenants can use public transportation.
- [58] Any noise complaints could result in a breach of the tenant's contract.

vi) Rebuttal of the Appellants

- [59] Mr. Wiebe referred to the Development Officer's written submission and questioned some of the information in the submission, specifically policy G.1 of the ARP that states:
- Future residential development in Garneau will, **where possible** [emphasis added], provide for a mix of unit types as defined by size, amenity space, and access and Family Oriented Housing will be especially encouraged.
- [60] In his opinion, this is a Single Family Dwelling and a Lodging House contravenes this policy.

Decision

- [61] The appeal is **DENIED** and the decision of the Development Authority is **VARIED**. The development is **GRANTED** as approved by the Development Authority with the following additional conditions:
1. At any given time there shall be no more than six individuals residing in the Lodging House.
 2. At all times there must be three on-site parking spaces available for the use of the residents.

As well, the following condition is removed:

5. For the purpose of applying these regulations the Development Officer shall maintain a register of all approved Special Residential Facilities. The register shall include the address of the facility, maximum occupancy of the facility, and any other necessary information (Reference Section 96.5).

Reasons for Decision

- [62] The proposed development, a Lodging House, is a Discretionary Use in the (RF6) Medium Density Multiple Family Zone.
- [63] The Board is satisfied that the proposed development meets all of the regulations in the *Edmonton Zoning Bylaw* (the “Bylaw”) including the threshold requirements for Lodging Housing set out in Section 96. No variances are required.
- [64] Section 96.3(a) states that a maximum of three Special Residential Facilities (which include Fraternity and Sorority Housing and Lodging Houses) per 1000 persons shall be allowed in any neighbourhood. The Board accepts the Development Officer’s evidence that there could be up to 29 such facilities in this neighbourhood. He determined that there are only eight currently.
- [65] Although Ms. Bruce-Kavanagh felt the register of such facilities used by the Development Officer may not be accurate, she was unable to identify any such approved facilities in the neighbourhood that had not been included in the Development Officer’s calculations.
- [66] Section 96.3(b) states:
- b. When determining the threshold for the number of Special Residential Facilities by Use per block.
 - i. a maximum of 2 Special Residential Facilities shall be allowed on a single block in a residential Zone;
 - ii. a maximum block length of 150 m measured from the nearest intersection shall be used to determine this threshold.
- [67] There is only one other Special Residential Facility on the same block as the proposed development. It is located immediately next door to the east. Although Ms. Bruce-Kavanagh felt that the intent of Section 96(3)(b) was that such facilities should not be allowed side by side, this is not what the regulation states.

- [68] Ms. Bruce-Kavanagh was also of the view that the Fraternity House on 85 Avenue on the other side of 110 Street should also be included in determining the number of such facilities on this block. However, Section 96(3)(b)(ii) makes it clear that blocks do not extend across intersections. The Board is satisfied that the regulations set out in Section 96(3)(b) have been met.
- [69] The Board is also satisfied that the regulations set out in section 96(3)(c) have been met as there is only one Special Residential Facility on the opposite block face that has 12 residents, which is the maximum number of individuals allowed by the regulation.
- [70] With respect to the concerns raised with respect to parking, the Board is of view that by making it a condition that the proposed development requires three on-site parking spaces that are to be available at all times to the residents of the Lodging House, will alleviate any parking concerns related to this development.
- [71] Some of the property owners opposed to the proposed development referred to the Garneau Area Redevelopment Plan (the “ARP”) and its emphasis on family oriented housing. They were of the view that a Lodging House was not “family oriented”.
- [72] However, the ARP also states that a wide range of housing types should be provided (Policy G.1 (page 11) and Policy 1.6a (page 55)). The proposed development will meet this objective.
- [73] Further, the site is zoned RF6 Medium Density Multiple Family Zone where the general purpose is “to provide for medium density housing, where some units may not be at Grade” (Section 170.1 *Edmonton Zoning Bylaw*). In Sub-Area 1 of the ARP, where the site is located, the land uses encouraged are Row Housing and Stacked Row Housing. The physical constraints of the site do not allow for the land uses encouraged in the Zone and the ARP.
- [74] Given this situation, the Board is of the opinion that allowing the discretionary change of use to Lodging House, which does not require the existing structure to be demolished, is a reasonable way to fulfill the objectives of the ARP and the RF6 Zone.
- [75] The Board heard that the proposed development has been in operation as a Lodging House with six residents for approximately five years without a development permit. Apparently in that period of time that there have been no complaints related to its operation as a Lodging House. This indicates that the development is reasonably compatible with the surrounding neighbourhood.
- [76] Based on the above, the Board is of the opinion that the proposed development with the additional conditions should be approved.

[77] The Board removed the Development Officer's Condition 5 because that condition did not relate to something that was in the control of or the responsibility of the Respondent. Accordingly, the Development Officer was in error in putting this condition in the Development Permit.

A handwritten signature in blue ink, appearing to read "M. Young", with a large, sweeping flourish extending to the right.

Mr. M. Young, Presiding Officer
Subdivision and Development Appeal Board

Important Information for the Applicant/Appellant

3. This is not a Building Permit. A Building Permit must be obtained separately from the Sustainable Development Department, located on the 2nd Floor, Edmonton Tower, 10111 – 104 Avenue NW, Edmonton, AB T5J 0J4.
4. Obtaining a Development Permit does not relieve you from complying with:
 - a) the requirements of the *Edmonton Zoning Bylaw*, insofar as those requirements have not been relaxed or varied by a decision of the Subdivision and Development Appeal Board,
 - b) the requirements of the *Alberta Safety Codes Act*,
 - c) the *Alberta Regulation 204/207 – Safety Codes Act – Permit Regulation*,
 - d) the requirements of any other appropriate federal, provincial or municipal legislation,
 - e) the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
5. When an application for a Development Permit has been approved by the Subdivision and Development Appeal Board, it shall not be valid unless and until any conditions of approval, save those of a continuing nature, have been fulfilled.
6. A Development Permit will expire in accordance to the provisions of section 22 of the *Edmonton Zoning Bylaw, Bylaw 12800*, as amended.
7. This decision may be appealed to the Alberta Court of Appeal on a question of law or jurisdiction under section 688 of the *Municipal Government Act*, RSA 2000, c M-26. If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall operate to suspend the Development Permit.
8. When a decision on a Development Permit application has been rendered by the Subdivision and Development Appeal Board, the enforcement of that decision is carried out by the Sustainable Development Department, located on the 2nd Floor, Edmonton Tower, 10111 – 104 Avenue NW, Edmonton, AB T5J 0J4.

NOTE: The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the stability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, when issuing a development permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.



**EDMONTON
TRIBUNALS**

*Subdivision &
Development
Appeal Board*

*10019 – 103 Avenue NW
Edmonton, AB T5J 0G9
P: 780-496-6079 F: 780-577-
3537
sdab@edmonton.ca
edmontonsdab.ca*

SDAB-S-17-006

Application No. 168014476-001; LDA15-0099

An appeal by _____ to create 99 single detached residential lots, 168 semi-detached residential lots, two (2) Municipal Reserve (non-credit) lots, one (1) multiple family residential lot and three (3) Public Utility Lots, located at 3304 – 91 Street SW, was TABLED TO NOVEMBER 15, 2017.