

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

**Wednesday, 9:00 A.M.**  
**September 2, 2020**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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I     9:00 A.M.     SDAB-D-20-112     Construct a Single Detached House with front attached Garage, balcony, Basement development (NOT to be used as an additional Dwelling), fireplace, solar photovoltaic system, uncovered deck and walkout Basement and to demolish an existing Single Detached House and Accessory building (shed)

10026 - 91 Avenue NW  
Project No.: 341131668-001

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II    10:30 A.M.     SDAB-D-20-113     Construct a rear addition to a Semi-detached House (sunroom, 3.57m x 3.05m)

11644 - 15 Avenue NW  
Project No.: 364834521-002

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-20-112

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 341131668-001

APPLICATION TO: Construct a Single Detached House with front attached Garage, balcony, Basement development (NOT to be used as an additional Dwelling), fireplace, solar photovoltaic system, uncovered deck and walkout Basement and to demolish an existing Single Detached House and Accessory building (shed)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 29, 2020

DATE OF APPEAL: August 4, 2020

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 10026 - 91 Avenue NW

LEGAL DESCRIPTION: Plan 8057R Blk 3 Lot 8

ZONE: (RF2) Low Density Infill Zone

OVERLAY(S): Mature Neighbourhood Overlay  
North Saskatchewan River Valley and Ravine System  
Protection Overlay

STATUTORY PLAN: Strathcona Area Redevelopment Plan

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***Grounds for Appeal***

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

### Front Driveway Variance

The alley behind the property is not easily navigated. It is a dirt surface, seldom used and very steep. Snow in winter and rain and vegetation overgrowth in the other seasons make it impassable at times. Adrian Hook from the Transportation Department said..." The East West alley is unpaved and does not have a rating. The East West alley does not appear to be constructed to current City of Edmonton standards. There is currently no funding for the upgrade of these alleys."

Our lot has a 10 ft. elevation rise from the back alley to where our basement will be and a 19 ft. rise to our main floor. The number of stairs that we would need to go up and down, with most being outdoors, just to access our garage, makes a rear garage unfeasible.

We have provided the City with extremely detailed drawings for the sightline analysis of our driveway. Transportation has approved our driveway should the SDAB grant our appeal.

Of the 18 properties on our street 11 have front driveways.

### Rear Setback Variance

Because a rear garage is unfeasible, we will not be having a rear garage. As per SDAB ruling 15-223 "...the reason for the 40% rear setback requirement is to ensure future developments comply with parking requirements, to allow secondary structures, and to ensure sufficient private amenity space. As in that case and ours with no rear garage "...the need for the 40% Rear Setback is mitigated". Transportation has expressed concerns with increases beyond 10% in the slope of our front driveway. Any movement, of our house, toward the front of the lot increases the slope of our driveway. It would be advantageous for us to move our house even further back on our property (we have room based on Front Setback) as it would decrease the slope of our driveway. However, we don't want to for our neighbour's sake, and are applying for the minimum amount of variance that will work. Despite the fact that our site coverage is less than the maximum allowed, even if we were to move our house forward as far the Front Setback would allow, we would still be deficient in the Rear Setback. In other words, despite not having maximum site coverage, it is impossible to situate our house anywhere on our lot, without a setback deficiency. The only neighbour that our Rear Setback directly impacts is our neighbour directly beside us to the East. However, their house already sits approximately 10 ft. further back than ours will. Also, our second neighbour to our West has a Rear Setback further than what our house will be as well.

### Overlay/Geotechnical

The property exists in the Lavigne area. Previously there have been 23 development applications approved in this area since 1985 with the most recent being last year SDAB-D-19-065. This most recent ruling was for our neighbour's

property closest to our property to the West. We are aware, as property owners, of this ancient landslide and accept the risk associated with it. Thurber engineering was hired to do a slope stability/setback study on the property. Provided their recommendations are followed regarding site development, they do not see an issue with slope stability.

#### In General

The house is over 100 years old and has ended its life cycle. Our block is very unique and does not fit in with the Mature Neighbourhood Overlay Plan well. Currently all parking for our property is on the street and our new home will have 3 internal parking spaces as well as allowing room on the driveway. This will obviously decrease the number of vehicles that park on the street. There is a failing retaining wall on the West side of the property that exists between our and the City's property. We will replace this retaining wall at considerable cost to us. This will not only benefit the local stability of our property but all other properties along this slope. Further, the new retaining wall will greatly improve the esthetics in this area. At 750 sq. ft. the existing house does not meet the City's Residential Infill guidelines of 1. " to provide additional housing opportunities that allow seniors to age in place" 2. " Make homes available for families" We have revised our initial plans in consideration of our most direct neighbour and more recently following the neighbourhood consultation eliminated both height and cantilever variances. Even though SDAB has previously allowed height variances to accommodate 10 ft. ceilings (Rulings SDAB-D-19-154 and SDAB-D-19-156) following our neighbourhood consultation we revised our house plans to remove the height variance. We would love to have 9 or 10 ft. ceilings but will have 8 ft. ones instead and go without a height variance.

The upper stories of our house are stepped back both at the front and back thereby decreasing the visual impact and massing of our house.

Our lot slopes from East down to West an average of 1.41M from one side of our lot to the other. When we calculated our grade, and therefore our height, an average was required to be used of 2 points on the East and 2 points on the West. In reference to our direct neighbours, we are 0.7M lower than we otherwise would be compared to our neighbour to the East. Although we could have argued that using an average in this case should not be applicable, as we do not actually have a close neighbour to the West, as we abut City Parkland, we chose not to in order to minimize the impact to our closest neighbour (our direct East neighbour). Regardless, it should be noted that our house is lower by 0.7M than it would be if our lot was flat when compared to our East neighbour. This reduces the height and massing of our house relative to theirs. The importance of this is our East neighbour is our only direct neighbour.

***General Matters***

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

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

**Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,
    - (A) within 21 days after the date on which the written decision is given under section 642, or
    - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
  - or
  - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

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

**Hearing and Decision**

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

...

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

...

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

and

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

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

Under section 120.2(7), **Single Detached Housing** is a **Permitted Use** in the **(RF2) Low Density Infill Zone**.

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

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

Section 120.1 states that the **General Purpose** of the **(RF2) Low Density Infill Zone** is “to allow for Single Detached Housing, infill on narrow lots, Semi-detached Housing, Duplex Housing, Secondary Suites and Garden Suites..”

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

to regulate residential development in Edmonton’s mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations.

Section 811.1 states that the **General Purpose** of the **North Saskatchewan River Valley and Ravine System Protection Overlay** is “to provide a development Setback from the North Saskatchewan River Valley and Ravine System.”

***Rear Setback***

Section 814.3(4) states “The minimum Rear Setback shall be 40% of Site Depth, [...]”

Section 44.3(b) states:

The following features may project into a required Setback [...]:

- b) Platform Structures provided such projections do not exceed 2.0 m into any other Setbacks or Separation Spaces with a depth of at least 4.0 m.

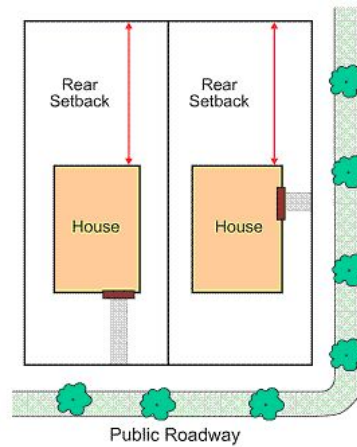
Under section 6.1, **Platform Structure** means:



an elevated structure intended for use as outdoor Amenity Area that may project and/or be recessed from the wall of a building, may be surrounded by guardrails, parapet walls or similar features. Common examples include: balconies, raised terraces and decks. This definition does not include a Rooftop Terrace.

Under section 6.1, **Rear Setback** means:

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



**Development Officers Determination**

**Reduced Rear Setback - The distance from the house to the rear property line is 11.6m (29% of site depth) instead of 16.1m (40% of site depth) (Section 814.3.4).**

[unedited]

**Projection - The distance from the rear balcony to the rear property line is 10.9m, instead of 14.1m (Section 44.3).**

[unedited]

***Driveway Access***

Section 814.3(17) states “Where the Site Abuts a Lane, vehicular access shall be from the Lane and no existing vehicular access from a public roadway other than a Lane shall be permitted to continue.”

**Development Officers Determination**

**Driveway - The driveway is located off of 91 Avenue NW (front) instead of the alley (Section 814.3.17).**

[unedited]

***North Saskatchewan River Valley and Ravine System Protection Overlay***

Section 811.3(1) states “All developments shall maintain a minimum 7.5 m Setback from the North Saskatchewan River Valley and Ravine System, as shown on Appendix I to this Overlay.”

Section 811.3(3) states:

Any development permit application on a Site that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System, as shown in Appendix I to this Overlay, shall be accompanied by a report prepared by a registered Professional Engineer, and as set out in subsection 14.1 of this Bylaw, and that also details:

- a. the minimum Setback for structures on the Site; and
- b. any development conditions for the property required to prolong the stability of the bank.

The Development Officer shall seek the advice of Transportation Services with respect to these applications and may approve the conditions or refuse such applications accordingly.

**Development Officers Determination**

**Overlay - This building is located within the 7.5m setback of the North Saskatchewan River Valley and Ravine System. Integrated Infrastructure Services, previously known as Transportation Services, does not support this development proposal (Section 811.3.1 and Section 811.3.3).**

[unedited]

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

Section 814.5(1) states:

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

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

Section 814.5(2) states:


Tier #	Recipient Parties	Affected Parties	Regulation of this Overlay Proposed to be Varied
Tier 1	The municipal address and assessed owners of the land wholly or partially located within a distance of <u>60.0 m</u> of the Site of the proposed development and the President of each Community League	The assessed owners of the land wholly or partially located within a distance of <u>60.0 m</u> of the Site of the proposed development and the President of each Community League	814.3(17) - Driveway Access
Tier 2	The municipal address and assessed owners of the land Abutting the Site, directly adjacent across a Lane from the Site of the proposed development and the President of each Community League	The assessed owners of the land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development	814.3(4) – Rear Setback

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Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

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	Project Number: <b>341131668-001</b> Application Date: SEP 16, 2019 Printed: July 29, 2020 at 11:50 AM Page: 1 of 2																				
<h2 style="margin: 0;">Application for Minor Development Permit</h2>																					
This document is a Development Permit Decision for the development application described below.																					
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 10026 - 91 AVENUE NW Plan 8057R Blk 3 Lot 8  <b>Specific Address(es)</b> Entryway: 10026 - 91 AVENUE NW Building: 10026 - 91 AVENUE NW																				
<b>Scope of Application</b> To construct a Single Detached House with front attached Garage, balcony, Basement development (NOT to be used as an additional Dwelling), fireplace, solar photovoltaic system, uncovered deck and walkout Basement and to demolish an existing Single Detached House and Accessory building (shed).																					
<b>Permit Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;">                     # of Dwelling Units Add/Remove: 0                      # of Secondary Suite Dwelling Units To Construct:                      Client File Reference Number:                      Minor Dev. Application Fee: Single Detached House                      Secondary Suite Included?: N                 </td> <td style="width: 50%; border: none; vertical-align: top;">                     # of Primary Dwelling Units To Construct: 1                      Class of Permit: Class B                      Lot Grading Needed?:                      New Sewer Service Required: N                      Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay                 </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Single Detached House Secondary Suite Included?: N	# of Primary Dwelling Units To Construct: 1 Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: N Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay																		
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<b>Development Application Decision</b> Refused  <b>Issue Date:</b> <b>Development Authority:</b> YEUNG, KENNETH  <b>Reason for Refusal</b> Reduced Rear Setback - The distance from the house to the rear property line is 11.6m (29% of site depth) instead of 16.1m (40% of site depth) (Section 814.3.4).  Projection - The distance from the rear balcony to the rear property line is 10.9m, instead of 14.1m (Section 44.3).  Driveway - The driveway is located off of 91 Avenue NW (front) instead of the alley (Section 814.3.17).  Overlay - This building is located within the 7.5m setback of the North Saskatchewan River Valley and Ravine System. Integrated Infrastructure Services, previously known as Transportation Services, does not support this development proposal (Section 811.3.1 and Section 811.3.3).  <b>Rights of Appeal</b> The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.																					
<b>Fees</b> <table style="width: 100%; border: none; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Dev. Application Fee</td> <td style="text-align: right;">\$493.00</td> <td style="text-align: right;">\$493.00</td> <td style="text-align: right;">06173558</td> <td style="text-align: right;">Sep 27, 2019</td> </tr> <tr> <td>Development Permit Inspection Fee</td> <td style="text-align: right;">\$207.00</td> <td style="text-align: right;">\$207.00</td> <td style="text-align: right;">06173558</td> <td style="text-align: right;">Sep 27, 2019</td> </tr> <tr> <td>Lot Grading Fee</td> <td style="text-align: right;">\$145.00</td> <td style="text-align: right;">\$145.00</td> <td style="text-align: right;">06173558</td> <td style="text-align: right;">Sep 27, 2019</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$493.00	\$493.00	06173558	Sep 27, 2019	Development Permit Inspection Fee	\$207.00	\$207.00	06173558	Sep 27, 2019	Lot Grading Fee	\$145.00	\$145.00	06173558	Sep 27, 2019
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<b>THIS IS NOT A PERMIT</b>																					



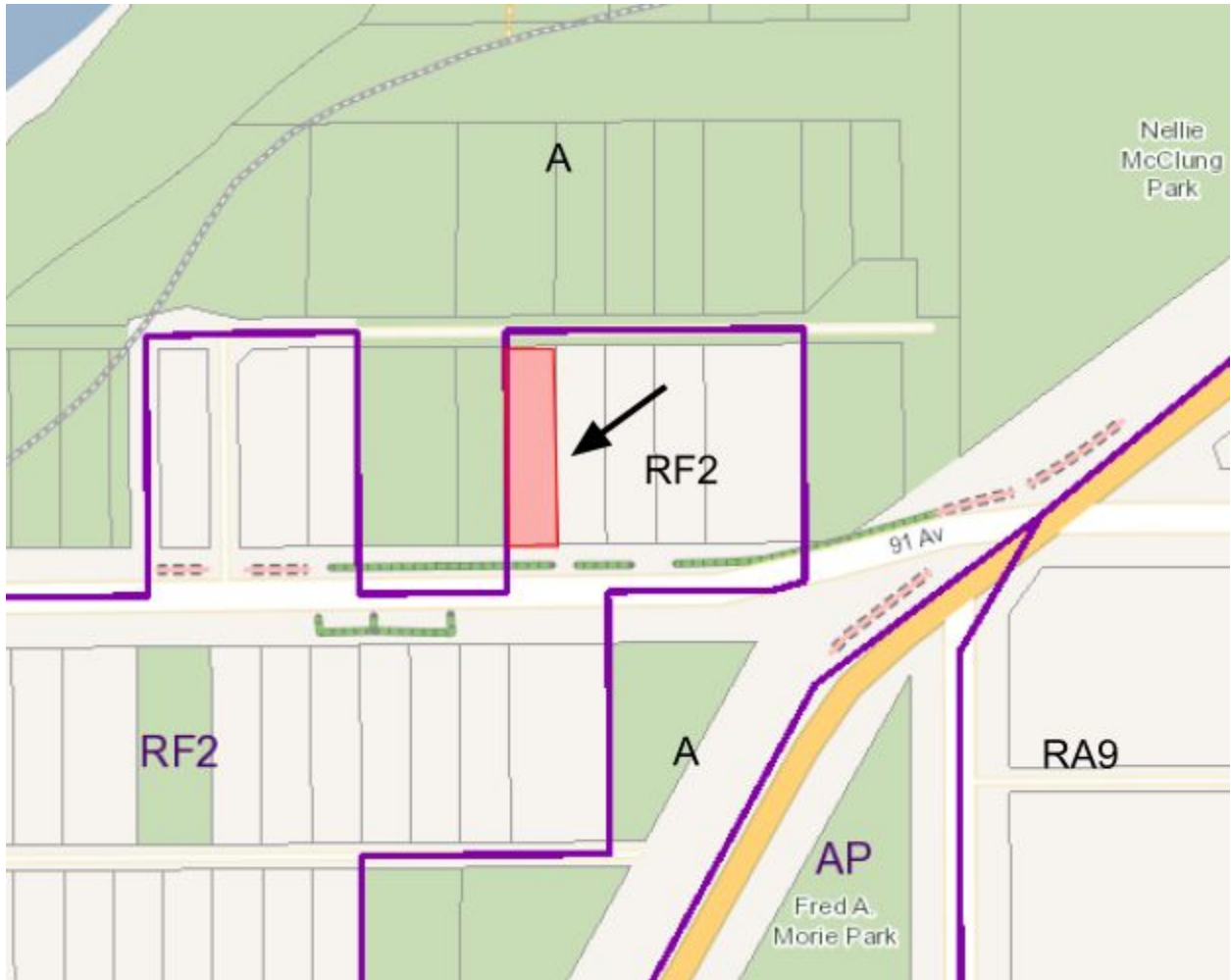
Project Number: **341131668-001**  
Application Date: SEP 16, 2019  
Printed: July 29, 2020 at 11:50 AM  
Page: 2 of 2

## Application for Minor Development Permit

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$845.00</u>	<u>\$845.00</u>		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

▲  
**N**

File: SDAB-D-20-112

ITEM II: 10:30 A.M.

FILE: SDAB-D-20-113

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 364834521-002

APPLICATION TO: Construct a rear addition to a Semi-detached House  
(sunroom, 3.57m x 3.05m)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: July 24, 2020

DATE OF APPEAL: August 5, 2020

NOTIFICATION PERIOD: July 30, 2020 through August 20, 2020

RESPONDENT:

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 11644 - 15 Avenue NW

LEGAL DESCRIPTION: Plan 9826122 Unit 21, Plan 9826122 Unit 21

ZONE: (RF5) Row Housing Zone

OVERLAY: N/A

STATUTORY PLAN: Twin Brooks Neighbourhood Area Structure Plan

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***Grounds for Appeal***

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



I strongly feel this would have a negative impact on the resale of my property due to the Reduced Rear Setback (Section 160.4.8 of Zoning Bylaw 12800) and the Non-Conforming Building (Section 11.3.2 of Zoning Bylaw 12800). When I purchased this property in 2007, it was for the open green space that divided the condos in our complex (Parkview Estates I) and the neighboring condo complex (Parkview Estates II). It doesn't benefit my way of living to look out my window or sit on my deck and stare at an additional building that's encroaching on my property.

Thank you for time and consideration in this matter.

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

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

**Grounds for Appeal**

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

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

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

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

**Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,
    - (A) within 21 days after the date on which the written decision is given under section 642, or

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

or

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

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

### **Hearing and Decision**

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

...

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

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

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

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

...

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

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

(i) the proposed development would not

- (A) unduly interfere with the amenities of the neighbourhood, or
- (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

**Non-conforming use and non-conforming buildings**

**643(1)** If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

**(2)** A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

**(3)** A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

**(4)** A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

**(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except**

- (a) to make it a conforming building,**
- (b) for routine maintenance of the building, if the development authority considers it necessary, or**
- (c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.**

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

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

Under section 160.3(8), **Semi-detached Housing** is a **Discretionary Use** in the **(RF5) Row Housing Zone**.

Under section 7.2(7), **Semi-detached Housing** means:

development consisting of a building containing two principal Dwellings joined in whole or in part at the side or rear with neither of those Dwellings being placed over another in whole or in part. Each principal Dwelling has separate, individual, and direct access to ground level. 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 Duplexes.

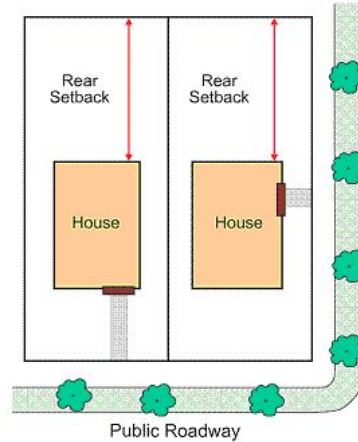
Section 160.1 states that the **General Purpose** of the **(RF5) Row Housing Zone** is “to provide for ground oriented housing.”

***Rear Setback***

Section 160.4(8) states “The minimum Rear Setback shall be 7.5 m [...]”

Under section 6.1, **Rear Setback** means:

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



**Development Officer's Determination**

**Reduced Rear Setback - The distance from the house to the rear property line (abutting 11654 - 15 Avenue NW) is 4.5m instead of 7.5m (Section 160.4.8).. [unedited]**

***Non-conforming buildings***

**Development Officer's Determination**


**Non-Conforming Building - This house no longer conforms to current zoning rules, which may have changed since it was originally constructed (Section 11.3.2). [unedited]**

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**Notice to Applicant/Appellant**

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

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	Project Number: <b>364834521-002</b> Application Date: JUN 12, 2020 Printed: July 24, 2020 at 11:00 AM Page: 1 of 2					
	<h2 style="margin: 0;">Addition Permit</h2>					
<p>This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.</p>						
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 11644 - 15 AVENUE NW Plan 9826122 Unit 21 11644 - 15 AVENUE NW Plan 9826122 Unit 21					
	<b>Location(s) of Work</b> Suite: 11644 - 15 AVENUE NW Entryway: 11644 - 15 AVENUE NW Building: 11644 - 15 AVENUE NW					
<b>Scope of Permit</b> To construct a rear addition to a Semi-detached House (sunroom, 3.57m x 3.05m).						
<b>Permit Details</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Class Of Permit: Class B</td> <td style="width: 50%;">Site Area (sq. m.): 321.92</td> </tr> <tr> <td>Stat. Plan Overlay/Annex Area: (none)</td> <td></td> </tr> </table>			Class Of Permit: Class B	Site Area (sq. m.): 321.92	Stat. Plan Overlay/Annex Area: (none)	
Class Of Permit: Class B	Site Area (sq. m.): 321.92					
Stat. Plan Overlay/Annex Area: (none)						
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> <b>Development Authority:</b> ZHOU, ROWLEY <b>Subject to the Following Conditions</b> This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21 (Section 17.1). This Development Permit authorizes the development of a rear addition to a Semi-detached House (sunroom, 3.57 m x 3.05 m). The development shall be constructed in accordance with the stamped and approved drawings. Immediately upon completion of the addition, the site shall be cleared of all debris. As far as reasonably practicable, the design and use of exterior finishing materials used shall be similar to, or better than, the standard of surrounding development (Section 57.3.1). <b>ADVISEMENTS:</b> An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the Site (Section 5.2). Any proposed change from the original approved drawings is subject to a revision/re-examination fee. The fee will be determined by the reviewing officer based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.						



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## Addition Permit

**Variations**

Reduced Rear Setback - The distance from the house to the rear property line (abutting 11654 - 15 Avenue NW) is 4.5m instead of 7.5m (Section 160.4.8).

Non-Conforming Building - This house no longer conforms to current zoning rules, which may have changed since it was originally constructed (Section 11.3.2).

**Rights of Appeal**

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

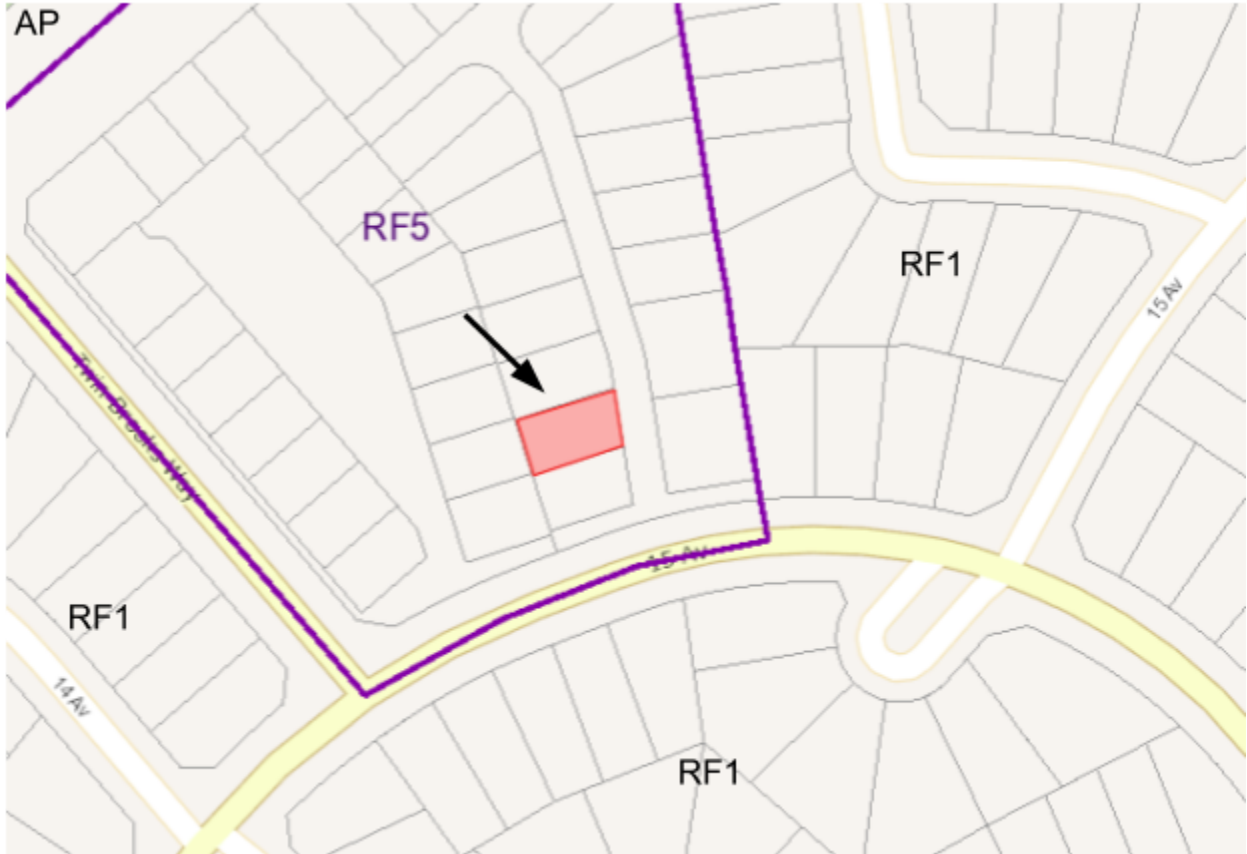
**Notice Period Begins:** Jul 30, 2020      **Ends:** Aug 20, 2020

**Building Permit Decision**

No decision has yet been made.

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Safety Codes Fee	\$11.04	\$11.04	9658770835010010	Jun 12, 2020
Development Application Fee	\$433.00	\$433.00	9658770835010010	Jun 12, 2020
Building Permit Fee (Construction Value)	\$276.00	\$276.00	9658770835010010	Jun 12, 2020
Total GST Amount:	\$0.00			
Totals for Permit:	\$720.04	\$720.04		



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-113

▲  
**N**