

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
April 25, 2019**

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

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

I	9:00 A.M.	SDAB-D-19-059	Convert a Garden Suite to a detached Garage. (Removal of Garden Suite on second floor) 117 - Windermere Crescent NW Project No.: 304223416-001
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II	10:30 A.M.	SDAB-D-19-060	Construct exterior alterations to a Public Education Services site (Landscaping revision of Ecole Joseph-Moreau Junior High School) 9735 - 75 Avenue NW Project No.: 262704257-020
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III	1:30 P.M.	SDAB-D-19-057	Construct an Accessory Building (rear detached Garage, 7.32 metres by 10.97 metres) 11040 - 110 Street NW Project No.: 277958649-001
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NOTE: *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-19-059

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 304223416-001

APPLICATION TO: Convert a Garden Suite to a detached Garage (Removal of Garden Suite on second floor)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 20, 2019

DATE OF APPEAL: April 1, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 117 - Windermere Crescent NW

LEGAL DESCRIPTION: Plan 8021695 Blk 6 Lot 5

ZONE: RR-Rural Residential Zone

OVERLAY: N/A

STATUTORY PLAN: Windermere Area Structure Plan
Windermere Neighbouring Structure Plan

Grounds for Appeal

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

I would like to respectfully appeal the Development Officer’s refusal of my Development Permit to convert the originally proposed Accessory Building with Garden Suite into a Detached Garage.

BACKGROUND

The Garage was originally built in 2011 by my Father-in-law under a previously issued Development and Building Permit to erect an Accessory Building with a Garden Suite. At that time, his plan was to build a roughly 8,500 sq. ft house on the property as well however that house was never started. As the economy changed, work on the garage slowed and eventually stopped. After some time, the City of Edmonton cancelled the building permit for the garage and as such it

was never completed. The interior is completely unfinished as shown in the photos taken in January 2019.

PROPOSED PLANS The property is currently owned by my wife's parents and we are in the process of purchasing the property in order to build a house on the land. We do not wish to have a garden suite in the garage. Due to changes in building and energy codes since 2011, finishing the garage with a garden suite would require substantial additional cost and changes to the building.

When the building was constructed, it was built as per the approved drawings by the City of Edmonton and the height was within the bylaws for Garden Suites at the time. I do understand that according to current City Bylaws, the building is considered Over Height by 1.4 m as a Detached Garage but is within height guidelines as a Garden Suite.

The height issue seems to be more of a technicality in this particular case rather than, for example, out of concern for the community or nearby neighbors. I think the case could easily be made that in fact, the building at its current height without a garden suite, is arguably better for the neighbors and community than the same building at its current with a garden suite. I respectfully request that my Development Permit be allowed to proceed due to the reasons

<i>General Matters</i>

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 clauses (a.4) and (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 240.2(5), **Single Detached Housing** is a **Permitted Use** in the **(RR) Rural Residential Zone**.

Under section 6.1, **Accessory** means “when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.”

Under section 6.1, **Garage** means “an Accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.”

Section 240.1 states that the **General Purpose** of the **(RR) Rural Residential Zone** is:

to provide for Single Detached Residential development of a permanent nature in a rural setting, generally without the provision of the full range of urban utility services. The RR Zone is intended to regulate rural residential development within existing rural residential subdivisions that existed prior to the passage of this Bylaw, and is not intended to facilitate future rural residential development and subdivision, which is contrary to the Municipal Development Plan.

<i>Height</i>

Section 50.3(3) states an Accessory building or structure shall not exceed 4.3 metres in Height.

Development Officer’s Determination


An Accessory Building or Structure shall not exceed 4.3 m (14.1 ft) nor one storey in Height. (Reference Section 50.3(2)) [unedited]

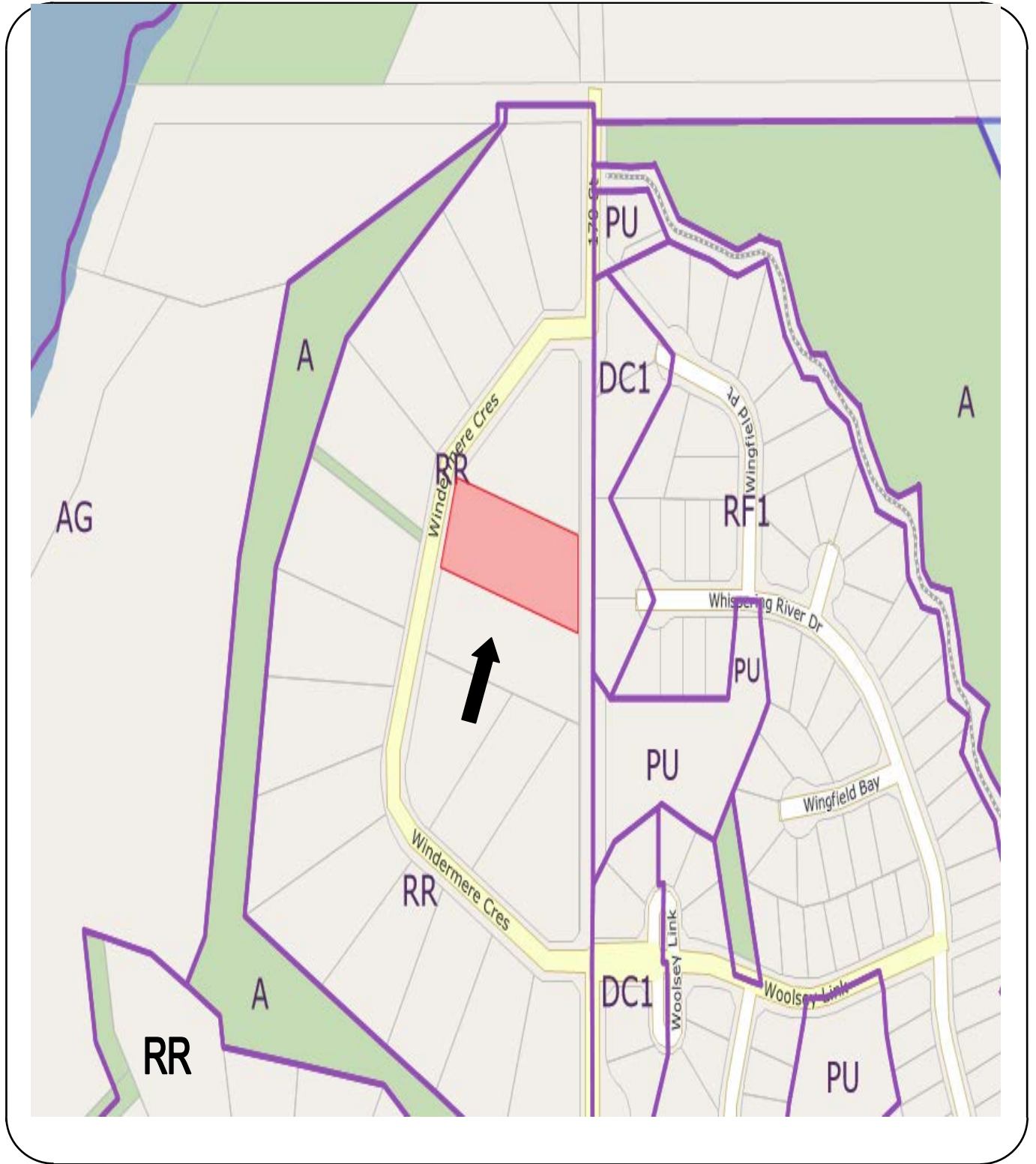
Proposed Height: 5.7 m

Exceeds by: 1.4 m

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.

	Project Number: 304223416-001 Application Date: FEB 05, 2019 Printed: March 20, 2019 at 10:25 AM Page: 1 of 1																														
<h2 style="margin: 0;">Application for Accessory Building Permit</h2>																															
This document is a Development Permit Decision for the development application described below.																															
Applicant	Property Address(es) and Legal Description(s) 117 - WINDERMERE CRESCENT NW Plan 8021695 Blk 6 Lot 5 Location(s) of Work Entryway: 117 - WINDERMERE CRESCENT NW Building: 117 - WINDERMERE CRESCENT NW																														
Scope of Application To convert a Garden Suite to a detached Garage. (Removal of Garden Suite on second floor)																															
Permit Details																															
Class Of Permit: Stat. Plan Overlay/Annex Area:	Site Area (sq. m.): 5143.66																														
I/We certify that the above noted details are correct. Applicant signature: _____																															
Development Application Decision Refused Issue Date: Mar 20, 2019 Development Authority: FOLKMAN, JEREMY Reason for Refusal An Accessory Building or Structure shall not exceed 4.3 m (14.1 ft) nor one storey in Height. (Reference Section 50.3(2)) Proposed Height: 5.7 m Exceeds by: 1.4 m Rights of Appeal 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.																															
Building Permit Decision Refused																															
Fees <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.50</td> <td style="text-align: right;">\$4.50</td> <td>05636232</td> <td>Feb 05, 2019</td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$118.00</td> <td style="text-align: right;">\$118.00</td> <td>05636232</td> <td>Feb 05, 2019</td> </tr> <tr> <td>Building Permit Fee (Accessory Building)</td> <td style="text-align: right;">\$110.00</td> <td style="text-align: right;">\$110.00</td> <td>05636232</td> <td>Feb 05, 2019</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$232.50</td> <td style="text-align: right; border-top: 1px solid black;">\$232.50</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Safety Codes Fee	\$4.50	\$4.50	05636232	Feb 05, 2019	Development Application Fee	\$118.00	\$118.00	05636232	Feb 05, 2019	Building Permit Fee (Accessory Building)	\$110.00	\$110.00	05636232	Feb 05, 2019	Total GST Amount:	\$0.00				Totals for Permit:	\$232.50	\$232.50		
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THIS IS NOT A PERMIT																															



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-059



ITEM II: 10:30 A.M.

FILE: SDAB-D-19-060

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

APPELLANT:

APPLICATION NO.: 262704257-020

APPLICATION TO: Construct exterior alterations to a Public Education Services site (Landscaping revision of Ecole Joseph-Moreau Junior High School)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: March 12, 2019

DATE OF APPEAL: March 27, 2019

NOTIFICATION PERIOD: March 19, 2019 through April 9, 2019

RESPONDENT: Stantec Architecture Ltd.

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9735 - 75 Avenue NW

LEGAL DESCRIPTION: Plan 1721326 Blk A Lot A

ZONE: US-Urban Services Zone

OVERLAY: N/A

STATUTORY PLAN: Ritchie Area Redevelopment Plan

Grounds for Appeal

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

The landscape plan called for 152 trees. They are now proposing 49 trees. Also the shrubs are being reduced from 253 to 76.

This equates a 67% reduction in landscaping. We live directly across from the school site and we would like a landscaping buffer so we don't have to look directly onto an extensive parking lot. With the construction of the

School and parking lot on the north side of the property along 75 Ave. All residents on 75 Ave including myself have lost their green space. We request to see the landscaping plans.

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 clauses (a.4) and (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*:

Section 510.2(54) states a **Public Education Service** is a **Permitted Use** in the **(US) Urban Services Zone**.

Under Section 7.8 (11), **Public Education Service** means:

development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same Site. This Use includes public and separate schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This Use does not include Private Education Services and Commercial Schools.

Section 510.1 states that the **General Purpose** of the **(US) Urban Services Zone** is to provide for publicly and privately owned facilities of an institutional or community service nature.

Landscaping

Section 55.3(1)(b) states for new development consisting of Residential-Related Use Classes, Commercial Use Classes, Industrial Use Classes, Basic Services Use Classes, and Community, Educational, Recreational and Cultural Service Use Classes, the number of trees and shrubs provided shall be determined on the basis of the following:

- i. one tree for each 25 square metres and one shrub for each 15 square metres of Setback;
- ii. one tree for each 20 square metres and one shrub for each 10 square metres of parking area islands, as determined by subsection 54.2(3); and
- iii. in no case shall there be less than one tree per parking area island.

Development Officer's Determination

1) Landscaping - The site provides 49 trees and 76 shrubs, instead of 152 trees and 253 shrubs. (Section 55.3(1)(b))


Notes: Development Officer calculates the Landscape Requirement based on the development boundary (front setback along 75 Ave and side setback 98 Street), instead of 4 side property lines.

Total number of required trees is reduced from 152 trees to 38 trees.

Total number of required shrubs is reduced from 253 shrubs to 63 shrubs.

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.

	Project Number: 262704257-020 Application Date: OCT 29, 2018 Printed: March 27, 2019 at 3:04 PM Page: 1 of 3		
Major Development Permit			
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.			
Applicant STANTEC ARCHITECTURE LTD 400, 10220 - 103 AVENUE NW EDMONTON, ALBERTA CANADA T5J 0K4	Property Address(es) and Legal Description(s) 9735 - 75 AVENUE NW Plan 1721326 Blk A Lot A Specific Address(es) Entryway: 9735 - 75 AVENUE NW Building: 9735 - 75 AVENUE NW		
Scope of Permit To construct exterior alterations to a Public Education Services site (Landscaping revision of Ecole Joseph-Moreau Junior High School).			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.): </td> <td style="width: 50%; border: none; vertical-align: top;"> Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Permit Decision Approved Issue Date: Mar 12, 2019 Development Authority: LI, CINDY			



Project Number: **262704257-020**
Application Date: OCT 29, 2018
Printed: March 27, 2019 at 3:04 PM
Page: 2 of 3

Major Development Permit

Subject to the Following Conditions

LANDSCAPE CONDITIONS:

1. Landscaping shall be in accordance with the approved landscaping plan and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer.
2. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.
3. Landscaping shall be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Officer.

DEVELOPMENT CONDITIONS:

- 1) Exterior lighting shall be developed to provide a safe lit environment in accordance with Sections 51 and 58 and to the satisfaction of the Development Officer.
- 2) All access locations and curb crossings shall require the approval of Transportation Services. (Reference Section 53(1))

NOTES :

- 1) The Development Permit shall NOT be valid unless and until the conditions of approval, save those of a continuing nature, have been fulfilled; and no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in subsection 21.1 (Ref. Section 17.1).
- 2) This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.
- 3) Signs require separate Development Applications.
- 4) A Building Permit is required for any construction or change in use of a building. For a building permit, and prior to the Plans Examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre for further information.
- 5) The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this 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.
- 6) An approved Development Permit means that the proposed development has been reviewed only against the provisions of the Edmonton Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the ERCB Directive 079, the Edmonton Safety Codes Permit Bylaw or any caveats, covenants or easements that might be attached to the Site.

Variiances

- 1) Landscaping - The site provides 49 trees and 76 shrubs, instead of 152 trees and 253 shrubs. (Section 55.3(1)(b))

Notes: Development Officer calculates the Landscape Requirement based on the development boundary (front setback along 75 Ave and side setback 98 Street), instead of 4 side property lines.

Total number of required trees is reduced from 152 trees to 38 trees.
Total number of required shrubs is reduced from 253 shrubs to 63 shrubs.



Project Number: **262704257-020**
Application Date: OCT 29, 2018
Printed: March 27, 2019 at 3:04 PM
Page: 3 of 3

Major Development Permit

Rights of Appeal

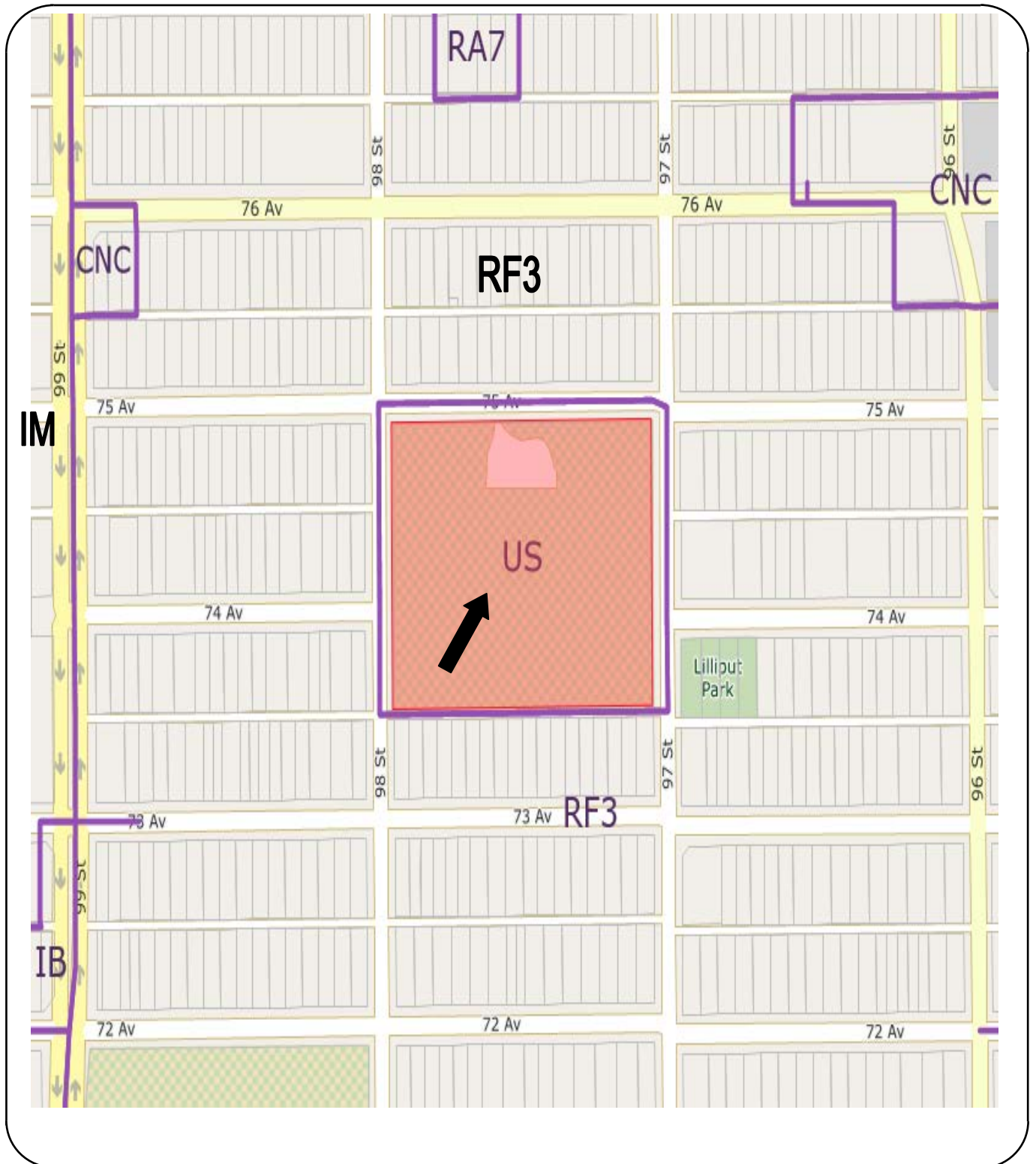
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Notice Period Begins: Mar 19, 2019

Ends: Apr 09, 2019

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$362.00	\$362.00	05465868	Nov 09, 2018
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$362.00</u>	<u>\$362.00</u>		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-060



N

ITEM III: 1:30 P.M.

FILE: SDAB-D-19-057

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 277958649-001

APPLICATION TO: Construct an Accessory Building (rear detached Garage, 7.32 metres by 10.97 metres)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 8, 2019

DATE OF APPEAL: March 28, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11040 - 110 Street NW

LEGAL DESCRIPTION: Plan 2109HW Blk 12A Lot 24

ZONE: RF1-Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: Central McDougall / Queen Mary Park Area Redevelopment Plan

Grounds for Appeal

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

We would like to build a two storey garage to have the upper floor as office space. We want to build up because we want to maximize yard space as we have a large garden and orchard. This type of build has been completed in our neighborhood already as the residence behind us has a two storey garage in place with a workshop/storage on top. We have collected signatures of the surrounding neighbors as they have indicated they approve of this design.

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
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Appeals

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Hearing and Decision

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

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- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
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licence and distances between those premises and other premises;

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

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 110.2(7), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under section 6.1, **Accessory** means “when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.”

Under section 6.1, **Garage** means “an Accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.”

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is:

to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Garden Suites, Semi-detached Housing and Duplex Housing.

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

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

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

<i>Height</i>

Section 50.3(3) states an Accessory building or structure shall not exceed 4.3 metres in Height.

Section 52.2(c) states where the maximum Height as determined by Section 52.1 is measured to the midpoint, the ridge line of the roof shall not extend more than 1.5 metres above the maximum permitted building Height of the Zone or overlay, or in the case of a Garden Suite the maximum permitted building Height in accordance with Section 87 of this Bylaw.

Development Officer's Determination

1. A Building shall not exceed 4.3m in Height (Reference Section 50.3(3)).

Proposed Height: 7.4m

Exceeds by: 3.1m


2. A Building roof ridge line shall not extend more than 1.5m above the permitted building Height of 4.3m (Reference Section 52.2(c)).

Maximum ridge Height: 5.8m (1.5m + 4.3m)

Proposed exceeds by: 2.3m (8.1m)

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.

	Project Number: 277958649-001 Application Date: MAR 26, 2018 Printed: March 29, 2019 at 9:00 AM Page: 1 of 2																				
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Accessory Building Development and Building Permit</h3>																					
This document is a record of a Development Permit and/or Building 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, Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, Alberta Building Code and City of Edmonton Bylaw 15894 Safety Codes Permit Bylaw.																					
Applicant	Property Address(es) and Legal Description(s) 11040 - 110 STREET NW Plan 2109HW Blk 12A Lot 24																				
Scope of Application To construct an Accessory Building (rear detached Garage, 7.32m x 10.97m).																					
Permit Details																					
Building Area (sq. ft.): Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay	Class of Permit: Class A Type of Accessory Building: Detached Garage (010)																				
I/We certify that the above noted details are correct. Applicant signature: _____																					
Development Application Decision Refused Issue Date: Mar 08, 2019 Development Authority: BAUER, KERRY Reasons for Refusal <ol style="list-style-type: none"> 1. A Building shall not exceed 4.3m in Height (Reference Section 50.3(3)). Proposed Height: 7.4m Exceeds by: 3.1m 2. A Building roof ridge line shall not extend more than 1.5m above the permitted building Height of 4.3m (Reference Section 52.2 (c)). Maximum ridge Height: 5.8m (1.5m + 4.3m) Proposed exceeds by: 2.3m (8.1m) Rights of Appeal 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.																					
Fees <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 15%;">Fee Amount</th> <th style="width: 15%;">Amount Paid</th> <th style="width: 10%;">Receipt #</th> <th style="width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Building Permit Fee</td> <td style="text-align: right;">\$108.00</td> <td style="text-align: right;">\$108.00</td> <td style="text-align: right;">04897947</td> <td style="text-align: right;">Mar 26, 2018</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.50</td> <td style="text-align: right;">\$4.50</td> <td style="text-align: right;">04897947</td> <td style="text-align: right;">Mar 26, 2018</td> </tr> <tr> <td>Dev. Application Fee</td> <td style="text-align: right;">\$116.00</td> <td style="text-align: right;">\$116.00</td> <td style="text-align: right;">04897947</td> <td style="text-align: right;">Mar 26, 2018</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Building Permit Fee	\$108.00	\$108.00	04897947	Mar 26, 2018	Safety Codes Fee	\$4.50	\$4.50	04897947	Mar 26, 2018	Dev. Application Fee	\$116.00	\$116.00	04897947	Mar 26, 2018
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THIS IS NOT A PERMIT																					



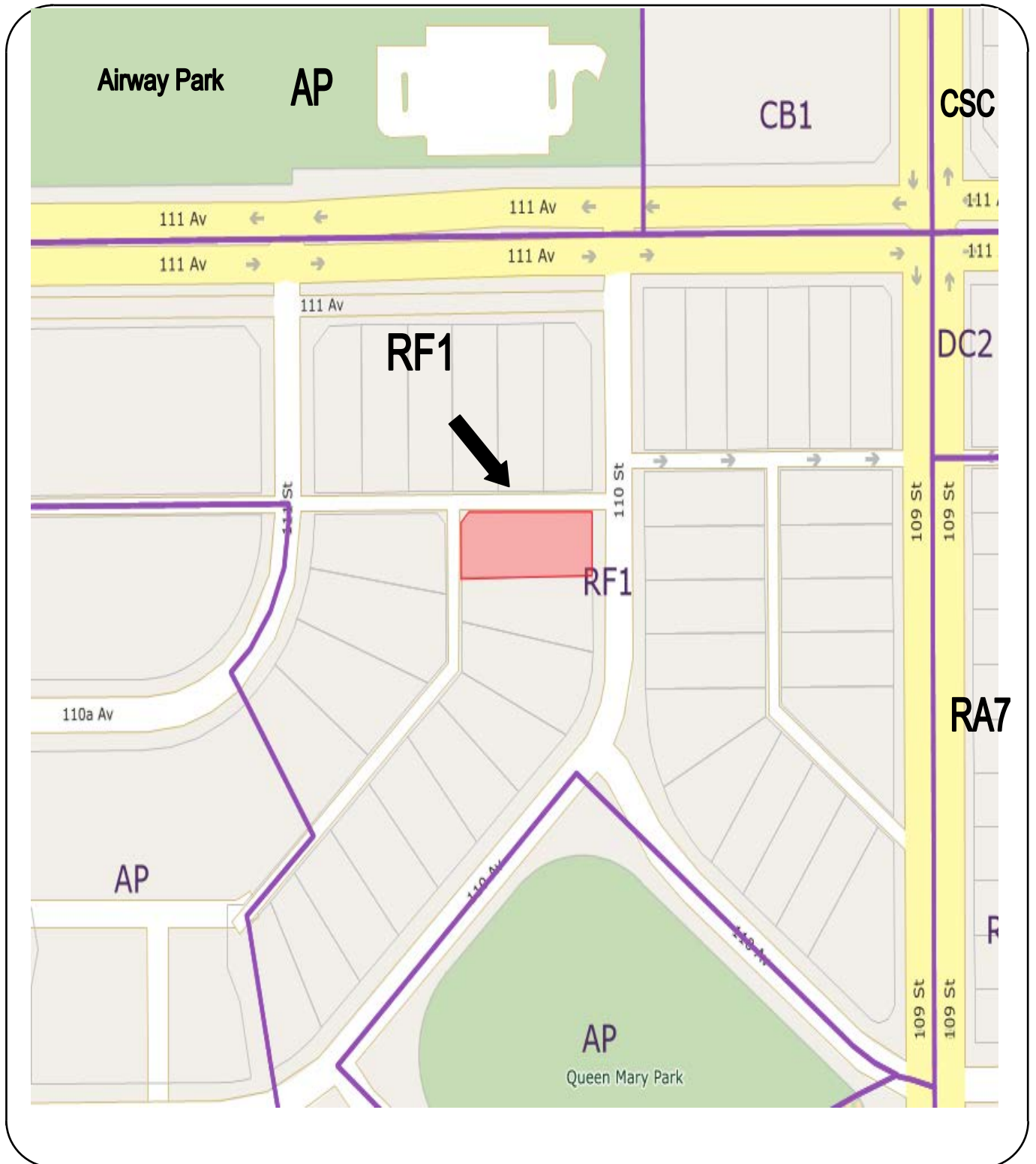
Project Number: **277958649-001**
Application Date: MAR 26, 2018
Printed: March 29, 2019 at 9:00 AM
Page: 2 of 2

Application for Accessory Building Development and Building Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Total GST Amount:	\$0.00			
Totals for Permit:	\$228.50	\$228.50		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-057



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