

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 10:00 A.M.  
February 6, 2020**

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

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

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|   |            |               |   |
|---|------------|---------------|---|
| I | 10:00 A.M. | SDAB-D-20-017 | Construct a Garden Suite<br>10977 - 125 Street NW<br>Project No.: 341208385-001 |
|---|------------|---------------|---|

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|    |           |               |  |
|----|-----------|---------------|--|
| II | 1:30 P.M. | SDAB-S-20-001 | Create one (1) additional residential lot<br>11304 - 9 Avenue NW<br>Project No.: 344109528-001 |
|----|-----------|---------------|--|

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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: 10:00 A.M.

FILE: SDAB-D-20-017

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 341208385-001

APPLICATION TO: Construct a Garden Suite

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 10, 2020

DATE OF APPEAL: January 10, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10977 - 125 Street NW

LEGAL DESCRIPTION: Plan RN39B Blk 51 Lot 16

ZONE: DC1 - Direct Development Control Provision (Bylaw 18934)

OVERLAY: N/A

STATUTORY PLAN: West Ingle Area Redevelopment Plan

***Grounds for Appeal***

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

Customer would like to increase the allowing height and area of the suite.

***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.

### **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, [...]

**685(4)** Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

- (a) ...
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

### **General Provisions from the *Edmonton Zoning Bylaw 12800*:**

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.”

Under section 7.2(2), **Garden Suite** means:

an Accessory building containing a Dwelling, which is located separate from the principal Use which is Single Detached Housing, and which may contain a Parking Area. A Garden Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of the principal Dwelling located on the Site. This Use includes Mobile Homes that conform to Section 78 of this Bylaw.

This Use does not include Secondary Suites, Blatchford Lane Suites, or Blatchford Accessory Suites.

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, **Dwelling** means:

1. a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is suitable for permanent residence for a single Household; or
2. a Sleeping Unit, for the purposes of calculating Density for Group Home or Lodging House Uses.

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.”

**General Provisions from the DC1 Direct Development Control Provision (Bylaw 18934) (“DC1”):**

Under section 3.k, **Single Detached Housing** is a **Listed Use** in the **DC1**.

Under section 3.b, a **Garden Suite** is a **Listed Use** in the **DC1**.

Section 1 states that the **General Purpose** of the **DC1** is:

To ensure that development is sensitively integrated with the historic context of the area and reinforces elements of the area’s character including the traditional pattern of single-detached development, urban design characteristics, and historic craftsman and foursquare architecture.

***Height – Garden Suite***

Under section 6.1, **Height** means “a vertical distance between two points.”

Under section 87.2(a), the maximum height shall be 6.5 m where the Garden Suite has a roof slope of 4/12 (18.4°) or greater.

Under section 52.2(c), in determining whether a development conforms to the maximum Height permissible in any Zone, the following regulations shall apply:

- c. 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. Building Height - The maximum Height shall be 6.5 m where the Garden Suite has a roof slope of 4/12 (18.4°) or greater. (Section 52 and Section 87.2.a)**

- **Proposed Height from average Grade to midpoint: 6.7m; exceeded by 0.2m.**
- **Proposed Height from average Grade to peak: 8.6m ; exceeded by 0.6m.**

***Floor Area – Garden Suite***

Under section 6.1, **Floor Area** means “the total Floor Area of the building or structure, contained within the outside surface of the exterior and Basement walls, provided that in the case of a wall containing windows, the glazing line of windows may be used.”

Section 87.3(b) states the maximum total Floor Area for a Garden Suite shall be 130 m2.

**Development Officer’s Determination**

**2. Floor Area - The maximum total Floor Area for a Garden Suite shall be 130 m2. (Section 87.3.b)**


- **Proposed total Floor Area 139m2 - 3.8m2 (stairway) = 135 m2**
- **Exceeded by 5 m2.**

***Previous Subdivision and Development Appeal Board Decision***

| <b>Application Number</b> | <b>Description</b>  | <b>Decision</b>   |
|---------------------------|---|---|
| SDAB-S-14-010             | Create one (1) additional Single Detached Residential Lot | September 19, 2014; that the appeal be ALLOWED and the SUBDIVISION GRANTED. |

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: <b>341208385-001</b><br>Application Date: SEP 17, 2019<br>Printed: January 10, 2020 at 11:33 AM<br>Page: 1 of 2   |   |   |
| <h2 style="margin: 0;">Application for<br/>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><br>10977 - 125 STREET NW<br>Plan RN39B Blk 51 Lot 16<br><br><b>Specific Address(es)</b><br>Suite: 10977G - 125 STREET NW<br>Entryway: 10977G - 125 STREET NW<br>Building: 10977G - 125 STREET NW |   |   |
| <b>Scope of Application</b><br>To construct a Garden Suite.   |   |   |   |
| <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: 1<br/>                     # of Secondary Suite Dwelling Units To Construct: 1<br/>                     Client File Reference Number:<br/>                     Minor Dev. Application Fee: Garden Suite<br/>                     Secondary Suite Included?: N                 </td> <td style="width: 50%; border: none; vertical-align: top;">                     # of Primary Dwelling Units To Construct:<br/>                     Class of Permit:<br/>                     Lot Grading Needed?: N<br/>                     New Sewer Service Required: Y<br/>                     Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay                 </td> </tr> </table>                        |   | # of Dwelling Units Add/Remove: 1<br># of Secondary Suite Dwelling Units To Construct: 1<br>Client File Reference Number:<br>Minor Dev. Application Fee: Garden Suite<br>Secondary Suite Included?: N | # of Primary Dwelling Units To Construct:<br>Class of Permit:<br>Lot Grading Needed?: N<br>New Sewer Service Required: Y<br>Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay |
| # of Dwelling Units Add/Remove: 1<br># of Secondary Suite Dwelling Units To Construct: 1<br>Client File Reference Number:<br>Minor Dev. Application Fee: Garden Suite<br>Secondary Suite Included?: N   | # of Primary Dwelling Units To Construct:<br>Class of Permit:<br>Lot Grading Needed?: N<br>New Sewer Service Required: Y<br>Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay   |   |   |
| I/We certify that the above noted details are correct.<br><br>Applicant signature: _____  |   |   |   |
| <b>Development Application Decision</b><br>Refused<br><br><b>Issue Date:</b> Jan 10, 2020 <b>Development Authority:</b> LAI, ECHO<br><br><b>Reason for Refusal</b> <ol style="list-style-type: none"> <li>1. Building Height - The maximum Height shall be 6.5 m where the Garden Suite has a roof slope of 4/12 (18.4°) or greater. (Section 52 and Section 87.2.a)                         <ul style="list-style-type: none"> <li>- Proposed Height from average Grade to midpoint: 6.7m; exceeded by 0.2m.</li> <li>- Proposed Height from average Grade to peak: 8.6m ; exceeded by 0.6m.</li> </ul> </li> <li>2. Floor Area - The maximum total Floor Area for a Garden Suite shall be 130 m2. (Section 87.3.b)                         <ul style="list-style-type: none"> <li>- Proposed total Floor Area 139m2 - 3.8m2 (stairway) = 135 m2</li> <li>- Exceeded by 5 m2.</li> </ul> </li> </ol> |   |   |   |
| <b>Rights of Appeal</b><br>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>   |   |   |   |
| <b>THIS IS NOT A PERMIT</b>   |   |   |   |



## Application for Minor Development Permit

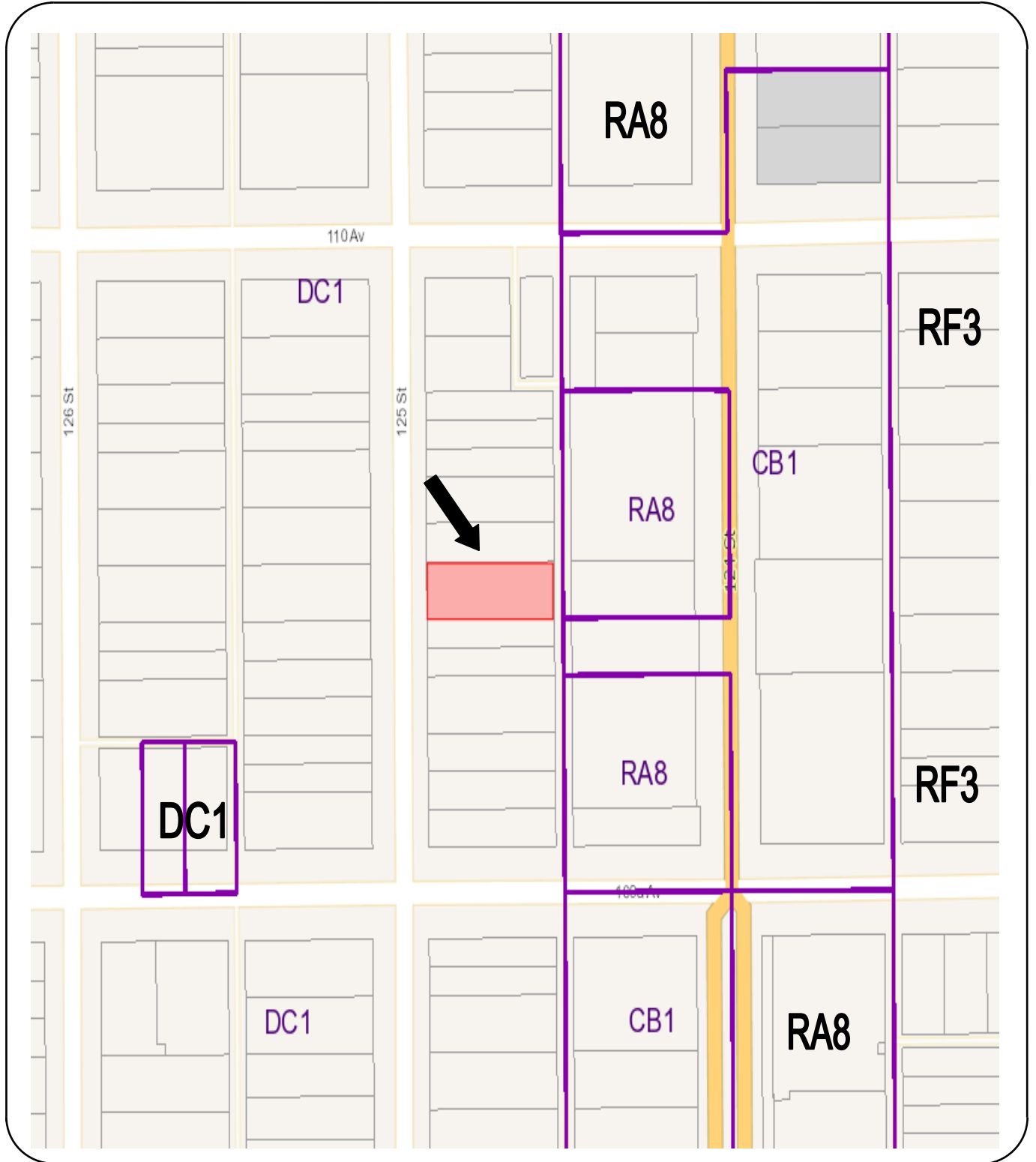
Project Number: **341208385-001**  
Application Date: SEP 17, 2019  
Printed: January 10, 2020 at 11:33 AM  
Page: 2 of 2

**Fees**

|   | <b>Fee Amount</b> | <b>Amount Paid</b> | <b>Receipt #</b> | <b>Date Paid</b> |
|---|-------------------|--------------------|------------------|------------------|
| Development Permit Inspection Fee                     | \$207.00          | \$207.00           | 877506441449001  | Sep 17, 2019     |
| Dev. Application Fee                                  | \$288.00          | \$288.00           | 877506441449001  | Sep 17, 2019     |
| Sanitary Sewer Trunk Fund<br>(Secondary/Garden Suite) | \$735.00          | \$735.00           | 877506441449001  | Sep 17, 2019     |
| Total GST Amount:                                     | \$0.00            |                    |                  |                  |
| Totals for Permit:                                    | <u>\$1,230.00</u> | <u>\$1,230.00</u>  |                  |                  |

**THIS IS NOT A PERMIT**





**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-017



ITEM II: 1:30 P.M.

FILE: SDAB-S-20-001

AN APPEAL FROM THE DECISION OF THE SUBDIVISION AUTHORITY

APPELLANT:

APPLICATION NO.: 344109528-001

APPLICATION TO: Create one (1) additional residential lot

DECISION OF THE  
SUBDIVISION AUTHORITY: Refused

DECISION DATE: December 19, 2019

DATE OF APPEAL: January 8, 2020

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 11304 - 9 Avenue NW

LEGAL DESCRIPTION: Plan 9422111 Blk 12 Lot 1

ZONE: (RF1) Single Detached Residential 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:

RE: Subdivision refusal Letter dated November 19, 2019 from Blair McDowell

Tentative plan of subdivision to create one additional single detached residential lot from Lot 1, block 12, plan 942 2111, located north of 9th Ave Northwest and west of 113th St. NW; TWIN BROOKS

In response to the 4 reasons provided for rejecting our request, we hereby argue with facts that the proposed subdivision does in fact align with the intent of the MDP Policy 5.2.1.1. In order to be objective in this regard, there are numerous facts pointing to this as we are indicating below:

1. In response to reason #1, we point back to the comments from Kristen Rutherford, Senior Planner for the city of Edmonton states after consultation with the Development officers, confirms the front lot line is along 113th Ave. With this fact established, the side lot lines are along 9th Avenue and the adjacent public utility lot. The proposed subdivision line is therefore the proposed property's rear lot line. Therefore, in terms of scale and lot depth, the established guidelines have been followed, where the plan has already submitted a depth of 30 meters & width of 7.9 meters, which is well within the MDP guidelines.
2. In response to reason #2, the proposed east lot size is in fact characteristic when compared to surrounding properties located in front, beside and behind the proposed lot. In the planner's review, the planner has only considered the immediate lots located to the West side, and not on any other side of the proposed lot. In considering all surrounding properties, for instance the ones on immediate south of 9th Avenue, the lot sizes range from 415 sq. meters – 600+ sq. meters, which puts our proposed lot size of 455 sq. meters well within the established guidelines of the Twin Brooks neighborhood and the municipal development plan for the area RF1 zone and it's established guidelines for Twin Brooks.
3. In response to reason #3, the same above stated facts apply once again. The scale of the proposed lot is in fact consistent with the surrounding properties. Also, the Front & Back setbacks identified in the RF1 zone single detached housing is 4.5 m and the proposed lot building pocket is in fact set back 4.5 m on all 3 sides. The only exception is the side line abutting the PUL set back 2 meters, where MDP guidelines only require a minimum of 1.2 meters for a single detached house with RF1 zoning. In addition, this also allows for a utility right-of-way.
4. In response to reason #4, site access off 9th Ave. NW is consistent with the properties that have site access on the 12th Ave. Both 9th and 12th Avenue are on the same exact City bus loop/route and should not be considered differently in the same neighborhood. When you consider the flow of transport, 12 Ave being busier with the school and the new townhouse complex. It is stated in the transportation standard practice that a single-family residential development can only access collectors or local roadways. This proposed site's access if off 9th Avenue, which is the collector roadway.

We strongly believe the subdivision authority representative has not been impartial in his statements and we request a review of the facts in this regard. Additionally, City planners will agree that the plan submitted to the Subdivision Authority is within their acceptable guidelines/parameters. As such, we are filing this appeal for consideration and for further.

***General Matters***

**Appeal Information:**

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

**Appeals**

**678(1)** The decision of a subdivision authority on an application for subdivision approval may be appealed

- (a) by the applicant for the approval,
- (b) by a Government department if the application is required by the subdivision and development regulations to be referred to that department,
- (c) by the council of the municipality in which the land to be subdivided is located if the council, a designated officer of the municipality or the municipal planning commission of the municipality is not the subdivision authority, or
- (d) by a school board with respect to
  - (i) the allocation of municipal reserve and school reserve or money in place of the reserve,
  - (ii) the location of school reserve allocated to it, or
  - (iii) the amount of school reserve or money in place of the reserve.

**(2)** An appeal under subsection (1) may be commenced by filing a notice of appeal within 14 days after receipt of the written decision of the subdivision authority or deemed refusal by the subdivision authority in accordance with section 681

- (a) with the Municipal Government Board
  - (i) if the land that is the subject of the application is within the Green Area as classified by the Minister responsible for the Public Lands Act,
  - (ii) if the land that is the subject of the application contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site, or

(iii) in any other circumstances described in the regulations under section 694(1)(h.2),

or

(b) in all other cases, with the subdivision and development appeal board.

**(2.1)** Despite subsection (2)(a), if the land that is the subject-matter of the appeal would have been in an area described in subsection (2)(a) except that the affected Government department agreed, in writing, to vary the distance under the subdivision and development regulations, the notice of appeal must be filed with the subdivision and development appeal board.

**(3)** For the purpose of subsection (2), the date of receipt of the decision is deemed to be 7 days from the date the decision is mailed.

**(4)** A notice of appeal under this section must contain

- (a) the legal description and municipal location, if applicable, of the land proposed to be subdivided, and
- (b) the reasons for appeal, including the issues in the decision or the conditions imposed in the approval that are the subject of the appeal.

**(5)** If the applicant files a notice of appeal within 14 days after receipt of the written decision or the deemed refusal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board.

#### **Hearing and decision**

**680(1)** The board hearing an appeal under section 678 is not required to hear from any person or entity other than

- (a) a person or entity that was notified pursuant to section 679(1), and
- (b) each owner of adjacent land to the land that is the subject of the appeal,

or a person acting on any of those persons' behalf.

**(1.1)** For the purposes of subsection (1), “adjacent land” and “owner” have the same meanings as in section 653.

- (2) In determining an appeal, the board hearing the appeal
- (a) must act in accordance with any applicable ALSA regional plan;
  - (a.1) must have regard to any statutory plan;
  - (b) must conform with the uses of land referred to in a land use bylaw;
  - (c) must be consistent with the land use policies;
  - (d) must have regard to but is not bound by the subdivision and development regulations;
  - (e) may confirm, revoke or vary the approval or decision or any condition imposed by the subdivision authority or make or substitute an approval, decision or condition of its own;
  - (f) may, in addition to the other powers it has, exercise the same power as a subdivision authority is permitted to exercise pursuant to this Part or the regulations or bylaws under this Part.

**Approval of application**

**654(1)** A subdivision authority must not approve an application for subdivision approval unless

- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
- (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
- (c) the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and
- (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.

**(1.1)** Repealed 2018 c11 s13.

(1.2) If the subdivision authority is of the opinion that there may be a conflict or inconsistency between statutory plans, section 638 applies in respect of the conflict or inconsistency.

(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

(a) the proposed subdivision would not

(i) unduly interfere with the amenities of the neighbourhood, or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

(3) A subdivision authority may approve or refuse an application for subdivision approval.

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

Section 110.4(1) states:

Site regulations for Single Detached Housing:

- a. the minimum Site area shall be 250.8 m<sup>2</sup>
- b. the minimum Site Width shall be 7.5 m; and
- c. the minimum Site depth shall be 30.0 m.

Section 110.4(8) states:

The minimum Front Setback shall be 4.5 m, except that:

- a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
- b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.

Section 110.4(9) states:

The minimum Rear Setback shall be 7.5 m, except on a Corner Site, where a primary Dwelling with an attached Garage faces the flanking public roadway, it may be reduced to 4.5 m.

Section 110.4(10) states Side Setbacks shall be established on the following basis:

- a. Side Setbacks shall total at least 20% of the Site Width, with a minimum Side Setback of 1.2 m on each side;
- b. where there is no Lane abutting the Site, one Side Setback shall be at least 3.0 m for vehicular access, unless there is an attached Garage or a Garage that is an integral part of a Dwelling;
- c. on a Corner Site where the building faces the Front Lot Line or the Side Lot Line, the minimum Side Setback abutting the flanking Side Lot Line shall be 20% of the Site Width, to a maximum of 4.5 m;
- d. on a Corner Site where the building faces the flanking Side Lot Line the minimum Side Setback abutting the flanking Side Lot Line shall be 4.5 m. If the Dwelling does not have an attached Garage also facing the flanking Side Lot Line, the minimum Side Setback may be reduced to 3.0 m, in order to increase the Private Outdoor Amenity Area in the interior Side Yard; and
- e. ...

Under section 6.1, **Site** means “an area of land consisting of one or more abutting Lots.”

Under section 6.1, **Site Depth** means “the distance between the mid-points of the Front Lot Line and the mid-points of the Rear Lot Line.”

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.

***Previous Subdivision and Development Appeal Board Decision***

| <b>Application Number</b> | <b>Description</b>  | <b>Decision</b>   |
|---------------------------|---|---|
| SDAB-S-19-002             | To keep the existing single detached house and to create 1 additional single detached residential lot | May 7, 2019; The appeal is DENIED and the decision of the Subdivision Authority is CONFIRMED. The subdivision is REFUSED. |





Subdivision Authority

7th Floor, Edmonton Tower  
10111 – 104 Avenue NW  
Edmonton, Alberta T5J 0J4

File No. LDA19-0467

RE: Tentative plan of subdivision to create one (1) additional single detached residential lot from Lot 1, Block 12, Plan 942 2111, located north of 9 Avenue NW and west of 113 Street NW; **TWIN BROOKS**

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**The Subdivision by Plan is REFUSED on December 19, 2019 for the following reasons:**

1. The proposed subdivision does not align with the intent of the City of Edmonton's Municipal Development Plan (MDP), *The Way We Grow*. This strategic growth plan supports redevelopment and residential infill that are both safe and sensitive to a community's character. For example, MDP Policy 5.2.1.1 directs development to fit with the existing and planned neighbourhood context. It is required to respect the scale, form, massing, style and materials of the neighbourhood.
2. The proposed east Lot's size is uncharacteristically small when compared to most surrounding properties. For example, Site Depths in this vicinity average 37.0 metres. Additionally, the ten residential Lots immediately west of the subject Site yield an average Site Area of 629.8 square metres. The proposed east Lot has a Site Depth of approximately 30.0 metres and a Site Area of 455.0 square metres, rendering it considerably deficient when compared with other properties in the area.
3. When the minimum setbacks identified in Section 110.4 of the City of Edmonton Zoning Bylaw 12800 are applied to the proposed east Lot, its building envelope limits development to a size that is out of scale and inconsistent with surrounding properties.

The minimum Front Setback identified in the (RF1) Single Detached Residential Zone for Single Detached Housing is 4.5 metres. The minimum Rear Setback for Single Detached Housing is 7.5 metres in the RF1 Zone. This setback may decrease to 4.5 metres, depending on the development's design and orientation, but these details are not confirmed until the Development Permit stage.

The minimum Side Setback identified in the (RF1) Single Detached Residential Zone for Single Detached Housing is 1.2 metres. This setback may increase up to 4.5 metres along the proposed east Lot's south edge (9 Street NW), depending on design details established at the subsequent Development Permit stage. Additionally, a utility right-of-way is registered on title for Lot 1, Block

12, Plan 942 2111. It prevents development within approximately 2.0 metres of the proposed Lot's north edge, which abuts a Public Utility Lot.

4. Due to the absence of a Lane, the applicant proposes Site access to the east Lot off of 9 Avenue NW. This vehicular access will interrupt an existing sidewalk and may require boulevard tree relocation. The Twin Brooks neighbourhood was designed so that no driveways front onto 9 Avenue NW, in order to accommodate the collector roadway's traffic volumes. The east Lot's proposed access is situated along a curved portion of 9 Avenue NW that is in close proximity to the 113 Street NW intersection and a crosswalk. Introducing an access at this location creates concerns about appropriate visibility and safety for the property's vehicles, approaching drivers, pedestrians, and cyclists.

Enclosure I is a tentative plan of the proposed subdivision.

Please be advised that an appeal may be lodged in accordance to Section 678 of the Municipal Government Act with the Subdivision and Development Appeal Board, 10019 - 103 Avenue NW, Edmonton Alberta, T5J 0G9, within 14 days from the date of the receipt of this decision. The date of receipt of the decision is deemed to be seven (7) days from the date the decision is mailed.

If you have further questions, please contact [subdivisions@edmonton.ca](mailto:subdivisions@edmonton.ca).

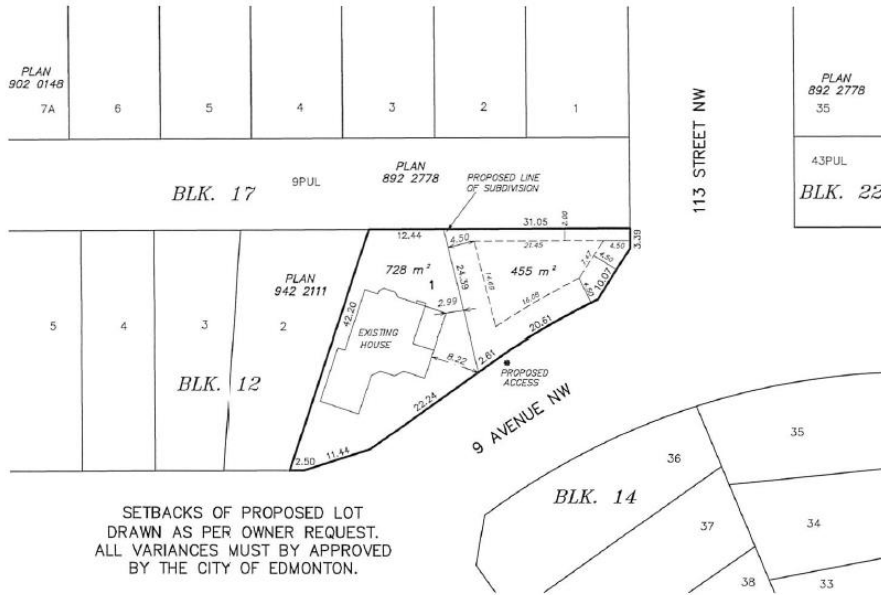
Regards,



Blair McDowell  
Subdivision Authority

BM/kr/Posse #344109528-001

Enclosure



**Stantec**  
Stantec Geomatics Ltd.  
16140-12th Street NW  
Edmonton, Alberta, Canada  
T5C 2L4  
Tel. 780-417-1000  
Fax. 780-417-1287  
www.stantec.com

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Client  
**BERNADETTE & ANIL FERNANDO**

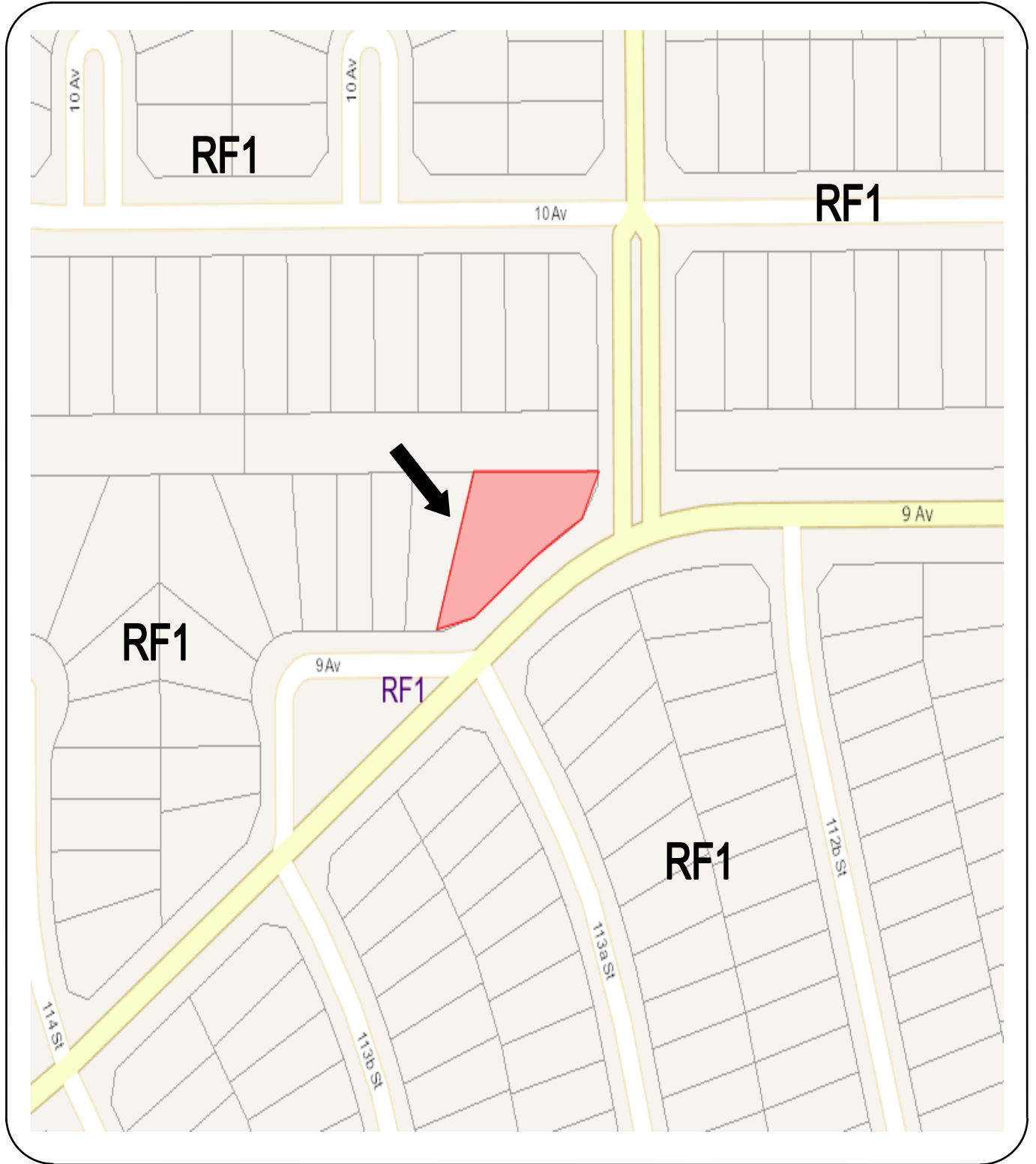
TENTATIVE PLAN SHOWING  
**PROPOSED SUBDIVISION**  
OF  
LOT 1, BLK 12 PLAN 942 2111  
WITHIN  
NE 1/4 SEC 30, TWP. 51, RGE. 24, W.4 MER.  
AND  
S.E 1/4 SEC 31, TWP. 51, RGE. 24, W.4 MER.

**TWIN BROOKS**

SCALE 1 : 500  
**NOVEMBER 2018**  
REV JANUARY 18, 2019  
REV MARCH 21, 2019  
REV JULY 31, 2019

**NOTES**

- All distances are expressed in metres and decimals thereof.
- Area referred to bounded thus Containing 0.118 Hectares, including 1 residential lot.



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-S-20-001

