

Thursday, March 21, 2019  
10:00 am.



PLACE: ET 6 MR NW 06-127

## SUBDIVISION AUTHORITY MINUTES MEETING NO. 11

**PRESENT** Blair McDowell, Chief Subdivision Officer

**1. ADOPTION OF AGENDA**

**MOVED** Blair McDowell  
That the Subdivision Authority Agenda for the March 21, 2019 meeting be adopted.

**FOR THE MOTION** Blair McDowell **CARRIED**

**2. ADOPTION OF MINUTES**

**MOVED** Blair McDowell  
That the Subdivision Authority Minutes for the March 14, 2019 meeting be adopted.

**FOR THE MOTION** Blair McDowell **CARRIED**

**3. OLD BUSINESS**

**4. NEW BUSINESS**

1. LDA18-0430  
288224695-001 Tentative plan of subdivision to create one (1) additional single detached residential lot from Lot 1, Block 34, Plan 3094 KS, located south of 121 Avenue NW and east of 36 Street NW; **BEACON HEIGHTS**

**MOVED** Blair McDowell  
That the application for subdivision be Refused.

**FOR THE MOTION** Blair McDowell **CARRIED**

2. LDA18-0688  
275948150-001 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**

**MOVED** Blair McDowell  
That the application for subdivision be Refused.

**FOR THE MOTION** Blair McDowell **CARRIED**

3.	LDA19-0039 284946199-002	Tentative plan of subdivision to create one (1) single detached residential lot, from Lot 1A, Plan 932 0215, located south of 28 Avenue SW and east of 34 Street SW; <b>DECOTEAU</b>	
MOVED		Blair McDowell  That the application for subdivision be Refused.	
FOR THE MOTION		Blair McDowell	<b>CARRIED</b>
5.	<b>ADJOURNMENT</b>  The meeting adjourned at 10:05 a.m.		



March 21, 2019

File No. LDA18-0430

Joanna Owczarczyk  
665 - Abbottsfield Road NW  
Edmonton, AB T5W 4R4

ATTENTION: Joanna Owczarczyk

RE: Tentative plan of subdivision to create one (1) additional single detached residential lot from Lot 1, Block 34, Plan 3094 KS, located south of 121 Avenue NW and east of 36 Street NW; **BEACON HEIGHTS**

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**The Subdivision by Plan is REFUSED on March 21, 2019, for the following reasons:**

1. The proposed subdivision does not comply with the minimum Development Regulations identified in Section 110.4(1) of the City of Edmonton Zoning Bylaw 12800. The site is zoned (RF1) Single Detached Residential Zone. The minimum site depth identified in the RF1 Zone for permitted and discretionary uses is 30.0 metres. The site depth of both proposed Lots is 23.48 metres and is therefore deficient by 6.52 metres or 22%.
2. The proposed subdivision will create two non-conforming lots that do not meet development regulations in the City of Edmonton Zoning Bylaw 12800. Landowners wishing to further develop or redevelop their site will require a Development Permit variance due to the deficient site depth. This situation will create unnecessary hardship for existing and future landowners.
3. Access to proposed Lot 1A would not align with the general intent of the *Residential Infill Guidelines*, which "should respect the role of lanes not only as a primary vehicular access route but as a factor in maintaining the livability of neighbourhoods" (City of Edmonton Policy C551, General Principle #8).

Given the reluctance to orientate the subdivision to utilize the rear lane, site access to proposed Lot 1A must come from 121 Avenue NW or 36 Street NW.

Front driveways have negative impacts on the neighbourhood, including:

- a. Compromising pedestrian walkability and safety in a mature neighbourhood by increasing the interaction between private vehicle space and public pedestrian space along the sidewalk;
- b. Breaking up the streetscape by expanding the amount of hard surface along the boulevard. Landscaped boulevards help to demarcate the pedestrian realm from vehicular traffic;
- c. Decreasing public landscaping, specifically turf on boulevards; and

- d. Reducing the availability of on-street parking in a mature neighbourhood since vehicles cannot park in front of driveways.

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 Jennifer Vos at [jennifer.vos@edmonton.ca](mailto:jennifer.vos@edmonton.ca) or 780-508-9519.

Regards,

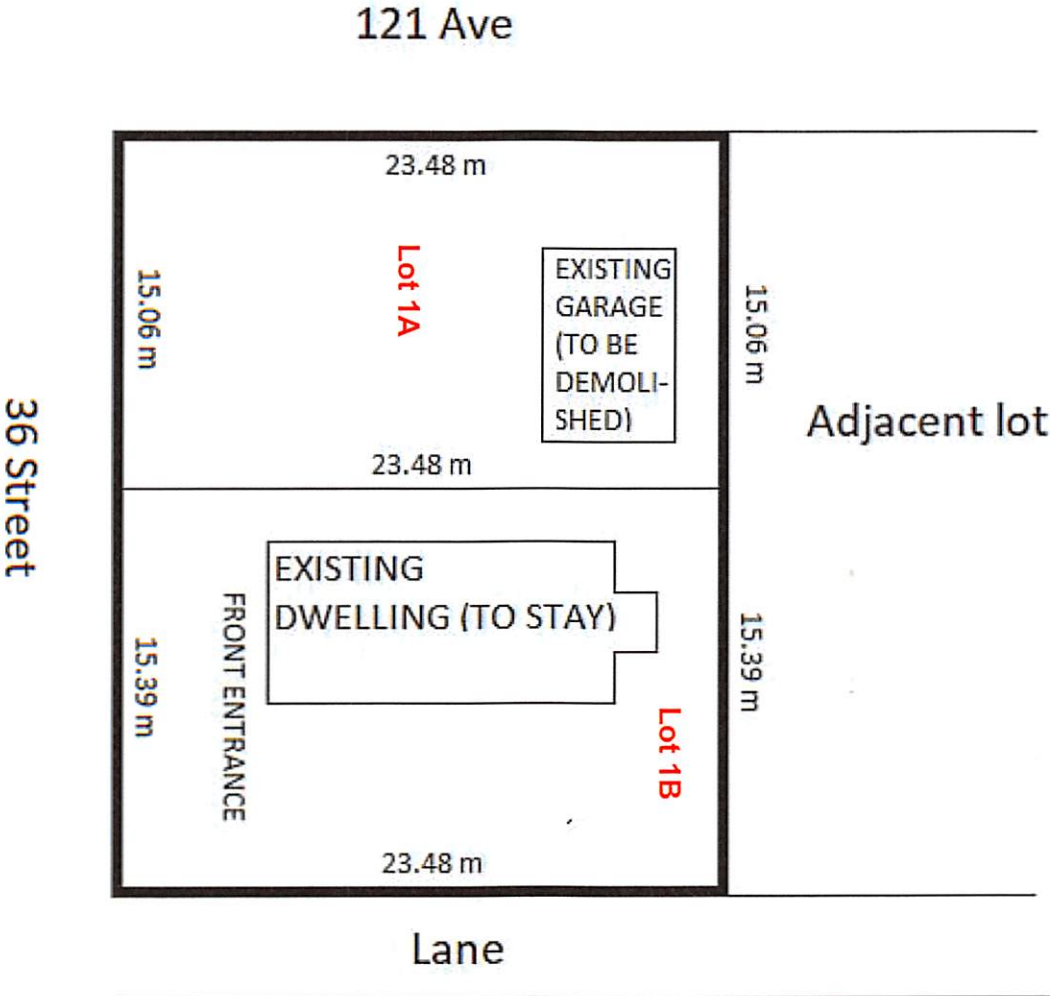


Blair McDowell  
Subdivision Authority

BM/jv/Posse #288224695-001

Enclosure

TENTATIVE PLAN



LEGAL DESCRIPTION

LOT 1  
BLOCK 34  
PLAN 3094KS



March 21, 2019

File No. LDA18-0688

Anil and Bernadette Fernando  
11304 9 Avenue NW  
Edmonton, AB T6J 6W4

ATTENTION: Bernadette Fernando

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 March 21, 2019 for the following reasons:**

1. The proposed subdivision does not comply with the minimum development regulation identified in Section 110.4(1)(c) of the City of Edmonton Zoning Bylaw 12800. The Site is zoned (RF1) Single Detached Residential Zone. The minimum Site Depth identified in the (RF1) Single Detached Residential Zone for Single Detached Housing is 30.0 metres. The Site Depth of the proposed east Lot is 27.69 metres, and is therefore deficient by 2.31 metres or approximately 9%.
2. The proposed east Lot has a Site Depth, and ultimately a Lot size, that is uncharacteristically small when compared to most surrounding properties. For example, Site Depths in this vicinity typically range from approximately 34.0 to 40.0 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 28.57 metres and a Site Area of 397 square metres, making it considerably smaller than other properties characteristic to the immediate area.
3. When the minimum development setbacks identified in Section 110.4 of the City of Edmonton Zoning Bylaw 12800 are applied to the proposed east Lot, the building envelope is relatively small. The minimum Front Setback identified in the (RF1) Single Detached Residential Zone for Single Detached Housing is 4.5 metres.

The minimum Side Setback identified in the (RF1) Single Detached Residential Zone for Single Detached Housing is 1.2 metres. This setback may change along the proposed Lot's south edge (9 Street NW), depending on details typically established at the Development Permit stage. The minimum setback can increase up to 4.5 metres, depending on the presence of a Garage and the development's orientation. 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.

The applicant's proposed building envelope does not comply with the minimum development regulation identified in Section 110.4(9) of the City of Edmonton Zoning Bylaw 12800 (see Enclosure II). The minimum Rear Setback identified in the (RF1) Single Detached Residential Zone

for Single Detached Housing is 7.5 metres, or 4.5 metres if the residence has an attached Garage and both face the flanking roadway (9 Avenue NW).

4. The proposed subdivision creates a non-conforming Lot that does not meet development regulations in the City of Edmonton Zoning Bylaw 12800. This situation creates unnecessary hardship for existing and future landowners. Property owners wishing to further develop or redevelop the proposed Site will require one or more Development Permit variances.
5. Given the absence of a Lane, the applicant proposes site access to the east Lot off of 9 Avenue NW (see Enclosure I). This vehicular access will interrupt an existing sidewalk and may require boulevard tree relocation. The neighbourhood has been designed so that no driveways front onto 9 Avenue NW, in order to accommodate the collector roadway's traffic volumes. Proposed access #1 is located along a curved portion of 9 Avenue NW and it is in close proximity to the 113 Street NW intersection. This access point's location creates concern about appropriate visibility and safety for the property's vehicles, approaching drivers, cyclists, and pedestrians. Proposed access #2 cannot be supported due to its immediate proximity to the 113 Street NW intersection, a marked pedestrian crosswalk, and a Canada Post community mailbox.
6. 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.

Enclosure I is a tentative plan of the proposed subdivision. Enclosure II is a modification to the tentative plan, it identifies a proposed building envelope.

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 Kristen Rutherford at [kristen.rutherford@edmonton.ca](mailto:kristen.rutherford@edmonton.ca) or 780-442-5047.

Regards,



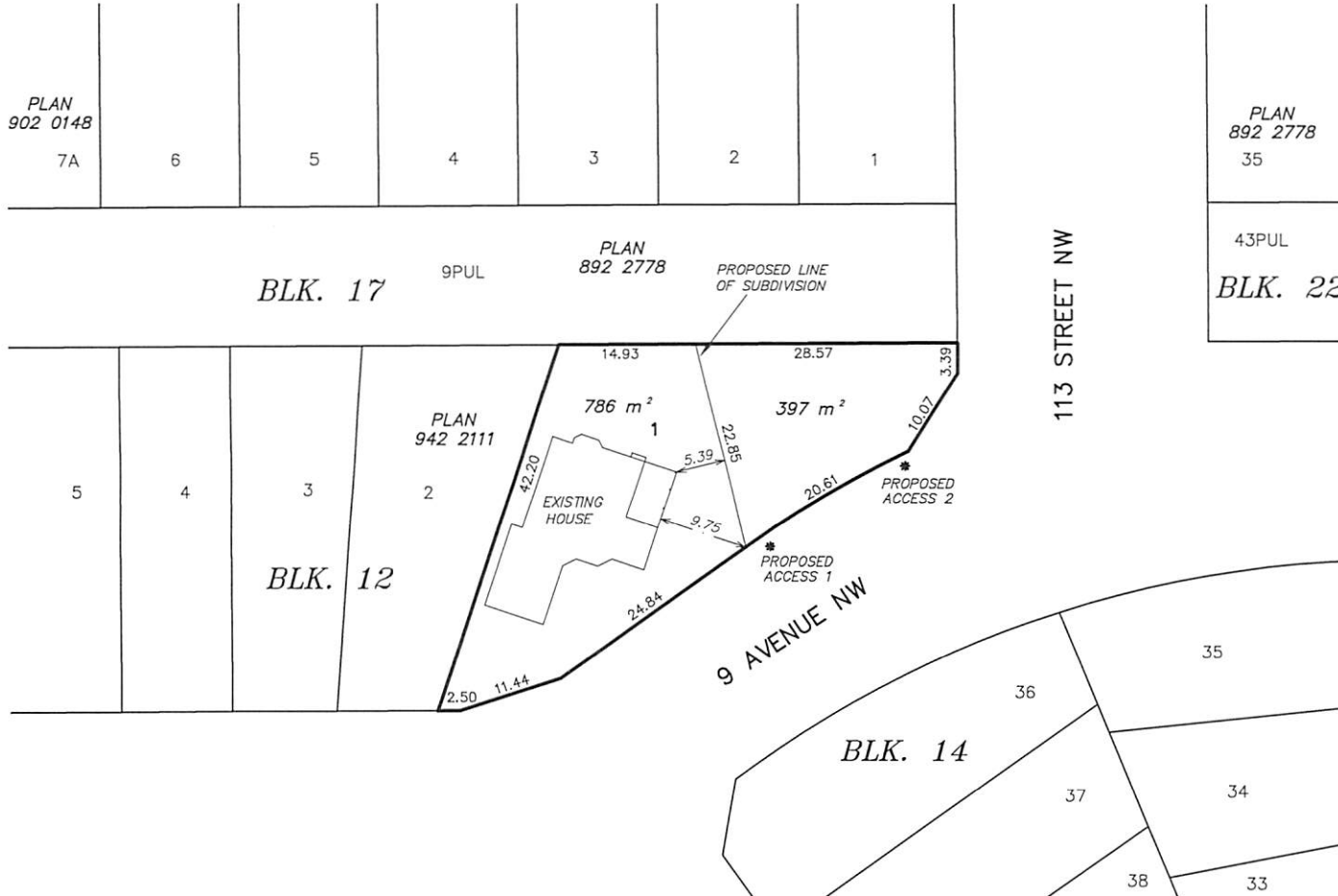
Blair McDowell  
Subdivision Authority

BM/kr/Posse #275948150-001

Enclosures



Stantec Geomatics Ltd.  
 10160-112th Street NW  
 Edmonton, Alberta, Canada  
 T5K 2L6  
 Tel. 780-917-7000  
 Fax. 780-917-7289  
 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  
 N.E 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  
 OCTOBER 2018

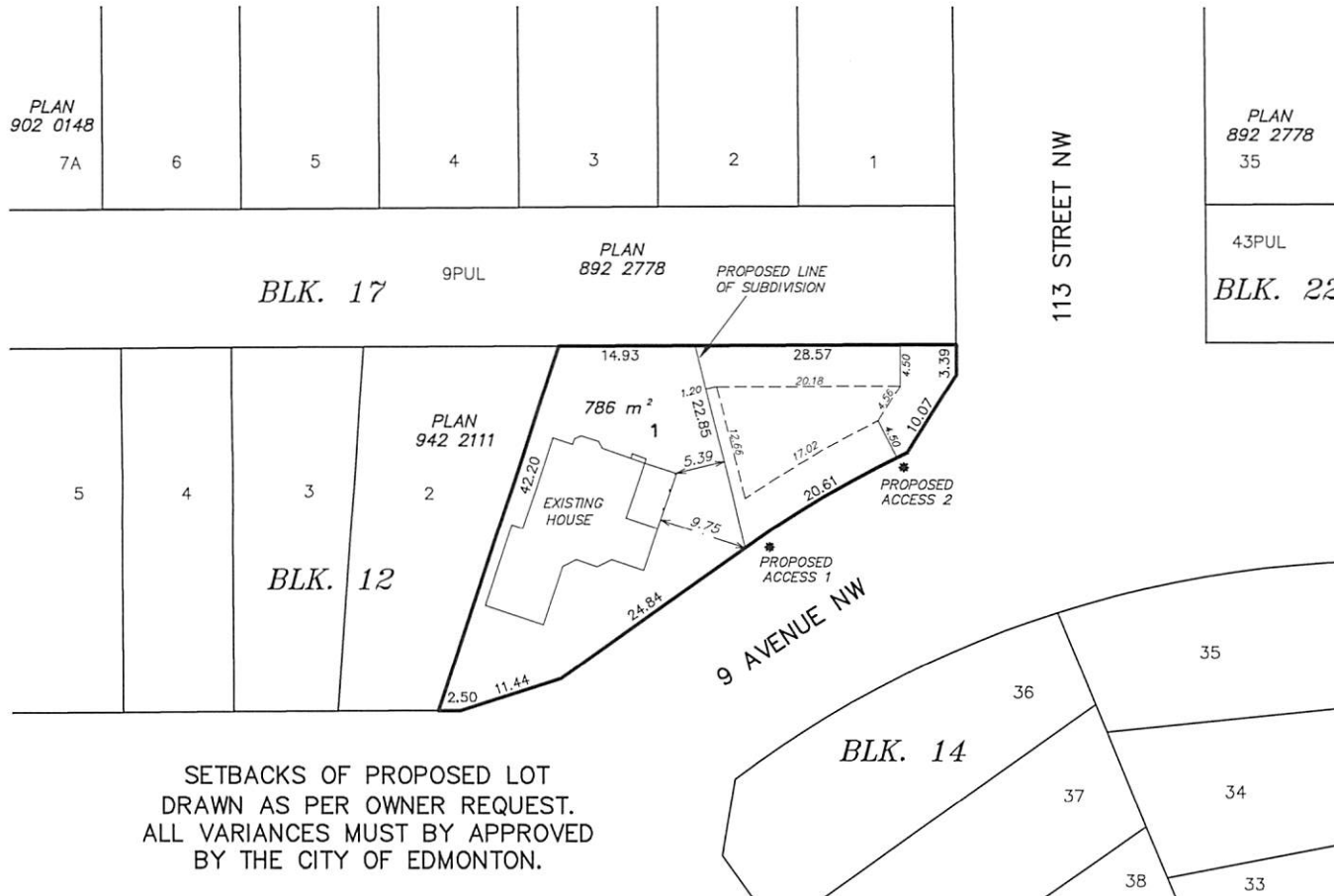
**NOTES**

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





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SETBACKS OF PROPOSED LOT  
 DRAWN AS PER OWNER REQUEST.  
 ALL VARIANCES MUST BY APPROVED  
 BY THE CITY OF EDMONTON.

**Copyright Reserved**

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**Client**

**BERNADETTE & ANIL FERNANDO**

**TENTATIVE PLAN SHOWING  
 PROPOSED SUBDIVISION**

OF  
 LOT 1, BLK 12 PLAN 942 2111  
 WITHIN  
 N.E 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

**NOTES**

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



Subdivision Authority

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

March 21, 2019

File No. LDA19-0039

Alfred Dohmann  
3333 - 28 Avenue SW  
Edmonton, AB T6X 1A5

ATTENTION: Alfred Dohmann

RE: Tentative plan of subdivision to create one (1) single detached residential lot, from Lot 1A, Plan 932 0215, located south of 28 Avenue SW and east of 34 Street SW; **DECOTEAU**

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**I The Subdivision by Plan is REFUSED on March 21, 2019, for the following reasons:**

1. The subdivision does not comply with section 3.4.2 of the Decoteau Area Structure Plan which states, "land use concept for Decoteau maintains the existing country residential development in the central portion of the plan area. The existing Country Residential land uses may remain in perpetuity unless it is the desire of the landowners to redevelop. Should any existing residential area be redeveloped in the future, an amendment to the Decoteau ASP will be required and will need to meet the Capital Region Board's density targets.;"
2. The subdivision contravenes policy 4.4.4 d. iii. of the Edmonton Metropolitan Growth Plan which states, "New country residential development in the Region shall only be considered if a member municipality's proposal meets all of the following criteria: the proposed country residential lots are: not less than 4.8 km (3.0 mi) from the boundary of an existing urban community in the metropolitan area." The proposed subdivision is within 4.8 km of the City of Edmonton boundary;
3. The subject lot is zoned as (RR) Rural Residential Zone and is therefore subject to the regulations of Section 240 of the Edmonton Zoning Bylaw 12800. The subdivision does not comply with section 240.1 of the Edmonton Zoning Bylaw 12800 which states, "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.;"
4. The proposed lot will contribute to the fragmentation of land in the Decoteau area, posing a barrier to economic redevelopment and wide-scale servicing of this area;
5. Access is not permitted from 34 Street because it is Transportation Standard Practice that single family residential developments can only access collectors or local roadways. New access to the arterial will not be approved, as it will ultimately have to be closed with the redevelopment of the area and the upgrade of the arterial roadway; and
6. Public fire protection is not provided in this location due to the 2.4 km distance from the nearest water source. Further densification in areas that do not meet City Standards for water infrastructure is not supported because there would be significant delays establishing firefighting operations at this location.

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 Marco Beraldo at marco.beraldo@edmonton.ca or 780-496-6092.

Regards,



Blair McDowell  
Subdivision Authority

BM/mb/Posse #284946199-002

**Lot 1A, Plan 932 0215**  
**N.W. 1/4 Sec.18-Twp.51-Rge.23-W4M**

APP18-0453 LDA file #

Dimensions in meters unless marked otherwise



3333-28 Avenue SW  
Alfred Dohmann 780-436-3131 [alfred@alkim.ca](mailto:alfred@alkim.ca)