

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

**Thursday, 9:00 A.M.**  
**October 29, 2020**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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**TO BE RAISED**

I 9:00 A.M. SDAB-D-20-054

Install two (2) Minor Digital Off-premises  
Freestanding Signs (ICEWORKS)

5116 - Gateway Boulevard NW  
Project No.: 343816388-001

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II 1:30 P.M. SDAB-D-20-143

Construct a 36 Dwelling Multi-unit Housing  
(apartment) building (Building A), and to  
demolish the existing Multi-unit Housing building

13803 - 109 Avenue NW  
Project No.: 364559440-002

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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.*

**TO BE RAISED**

ITEM I: 9:00 A.M.

FILE: SDAB-D-20-054

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 343816388-001

APPLICATION TO: Install two (2) Minor Digital Off-premises Freestanding Signs (ICEWORKS)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 23, 2020

DATE OF APPEAL: April 2, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5116 - Gateway Boulevard NW

LEGAL DESCRIPTION: Plan 6742MC Blk 94 Lot 1

ZONE: (CB2) General Business Zone

OVERLAY: Major Commercial Corridors Overlay

STATUTORY PLAN: N/A

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***Grounds for Appeal***

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

We are solicitors for Icewerx Consulting Inc. Our client appeals the refusal of the above noted development permit for these reasons:

1. A Minor Digital Off Premises Sign is a discretionary use in the CB2 General Business Zone.

2. The proposed signs are not inconsistent with the Calgary Trail Land Use Study.
3. The required variances do not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.
4. Such further and other reasons that may be raised during the hearing.

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

**The Subdivision and Development Appeal Board made and passed the following motion on April 22, 2020:**

**“That the appeal hearing be scheduled for a date to be determined in October, 2020 at the written request of Legal Counsel for the Appellant and with agreement from City Departments.”**

**The Subdivision and Development Appeal Board made and passed the following motion on May 7, 2020:**

**“That the appeal hearing be scheduled for a date to be determined in October, 2020 at the written request of Legal Counsel for the Appellant and with agreement from City Departments.”**

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 340.3(40), a **Minor Digital Off-premises Sign** is a **Discretionary Use** in the **(CB2) General Business Zone**.

Under section 7.9(6), **Minor Digital Off-premises Signs** means:

a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Under section 6.2, **Digital Copy** means:

the portion of a Sign that contains Copy that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to manually or mechanically replace the Sign face or its components.

Under section 6.2, a **Freestanding Sign** means “a Sign supported independently of a building.”

Section 340.4(9) states “Signs shall comply with the regulations found in Schedule 59F.”

Section 340.1 states that the **General Purpose** of the **(CB2) General Business Zone** is “to provide for businesses that require large Sites and a location with good visibility and accessibility along, or adjacent to, major public roadways.”

Section 813.1 states that the **General Purpose** of the **Major Commercial Corridors Overlay** is “to ensure that development along Major Commercial Corridors is visually attractive and that due consideration is given to pedestrian and traffic safety.”

***Sign Regulations - General Provisions***

Section 59.2(21) states:

Any Sign Use that is a Freestanding Sign shall have a minimum 45.0 m radial separation distance from any other Sign Use that is a Freestanding Sign on the same Site. This separation distance does not apply to different Sign Uses that are co-located on the same Freestanding Sign structure.

**Development Officers Determination**

**1. (Section 59.2(21) Any Sign Use that is a Freestanding Sign shall have a minimum 45.0 m radial separation distance from any other Sign Use that is a Freestanding Sign on the same Site. This separation distance does not apply to different Sign Uses that are co-located on the same Freestanding Sign structure**

**PROPOSED: East Sign 34 m From Existing Best Western Sign  
Deficient By: 11 m**

[unedited]

***Setback***

Schedule 59F.3(5)(j) states “proposed Signs with an Area greater than 8.0 m<sup>2</sup> shall not be located within any Setback.”

Section 340.4(3) states “A minimum Setback of 4.5 m shall be required where a Site abuts a public roadway, other than a Lane. Where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Setback shall be required.”

Under section 6.1, **Sign Area** means:

the entire area of the Sign on which Copy is intended to be placed. In the case of double-faced or multi-faced Sign, only half of the area of each face of the Sign used to display advertising Copy shall be used in calculating the total Sign Area.

Under section 6.1, **Setback** means “the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space.”

**Development Officers Determination**

**2. (Section 59F.3(6)(j)) proposed Signs with an Area greater than 8.0 m<sup>2</sup> shall not be located within any Setback;**

**Required West: 4.5 m**  
**PROPOSED WEST: 0.61 m**  
**Deficient West: 3.89 m**

**Required East: 4.5 m**  
**PROPOSED EAST: 0.9 m**  
**Deficient East: 3.6 m**

[unedited]

***Calgary Trail Land Use Study***

The *City of Edmonton Charter*, 2018 Regulation, Alta Reg 39/2018 states the following:

**(31) In section 616 of the Act,**

**(e) clause (dd) is to be read as follows:**

(dd) “statutory plan” means

- (i) an intermunicipal development plan,
- (ii) a municipal development plan,
- (iii) an area structure plan,
- (iv) an area redevelopment plan, and



(v) an additional statutory plan under section 635.1  
 adopted by the City under Division 4;

**Development Officers Determination**

**3. (Calgary Trail LUS Section 3.5(b)(ii) Greater attention shall be given to improving the location, siting, Signage comprehensibility and design of signage in the corridor by discouraging the use of portable signs and free-standing billboards (billboards are considered Off-premises signs).**

**PROPOSED: 2 Digital Billboards**

**The proposed Minor Digital Off-Premises Freestanding Signs are contrary to Section 3.4.b.ii of the Calgary Trail Land Use Study.**

[unedited]

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


<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-10-389	that the appeal be DENIED and the decision of the Development Authority CONFIRMED.	December 10, 2010; that the appeal be DENIED and the decision of the Development Authority CONFIRMED.


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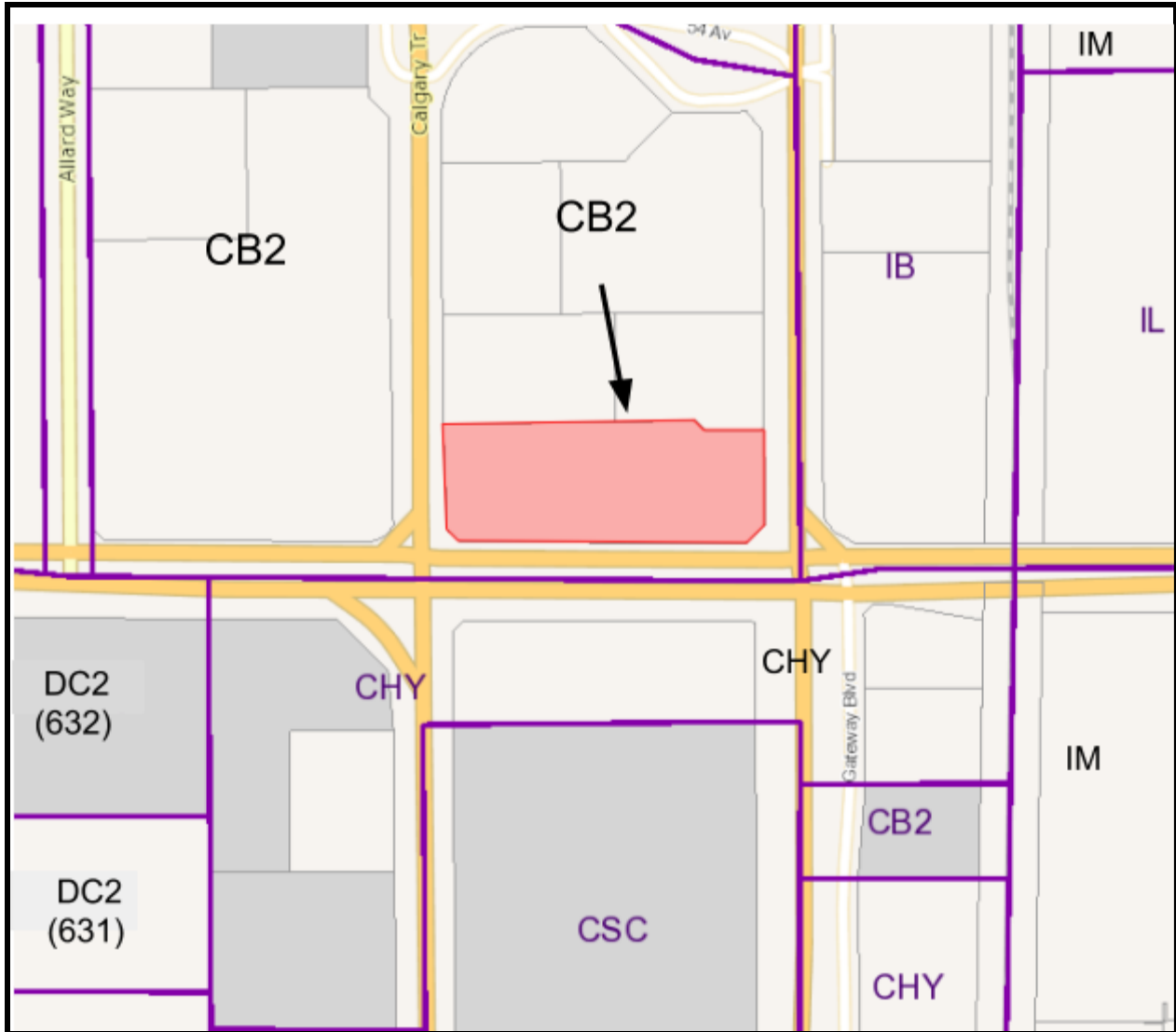
Notice to Applicant/Appellant

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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	<p><b>Application for Sign Combo Permit</b></p>	<p>Project Number: <b>343816388-001</b>          Application Date: OCT 15, 2019          Printed: April 3, 2020 at 3:06 PM          Page: 1 of 2</p>
<p>This document is a Development Permit Decision for the development application described below.</p>		
<p><b>Applicant</b></p>	<p><b>Property Address(es) and Legal Description(s)</b>          5116 - GATEWAY BOULEVARD NW          Plan 6742MC Blk 94 Lot 1</p>	
<p><b>Scope of Application</b>          To install (2) Minor Digital Off-premises Freestanding Signs (ICEWORKS).</p>		
<p><b>Permit Details</b></p>		
<p>ASA Sticker No./Name of Engineer:          Construction Value: 25000</p>	<p>Class of Permit:          Expiry Date:</p>	
<p>Fascia Off-premises Sign: 0          Fascia On-premises Sign: 0          Roof Off-premises Sign: 0          Roof On-premises Sign: 0          Minor Digital On-premises Sign: 0          Minor Digital Off-premises Sign: 3          Minor Digital On/Off-premises Sign: 0</p>	<p>Freestanding Off-premises Sign: 0          Freestanding On-premises Sign: 0          Projecting Off-premises Sign: 0          Projecting On-premises Sign: 0          Replacement Panel on Existing Sign: 0          Comprehensive Sign Design: 0          Major Digital Sign: 0</p>	
<p><b>Development Application Decision</b>          Refused  <b>Issue Date:</b> Mar 23, 2020 <b>Development Authority:</b> MERCIER, KELSEY</p>		
<p><b>THIS IS NOT A PERMIT</b></p>		

	<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	Project Number: <b>343816388-001</b> Application Date: OCT 15, 2019 Printed: April 3, 2020 at 3:06 PM Page: 2 of 2																														
<p><b>Reason for Refusal</b></p> <p>1. (Section 59.2(21) Any Sign Use that is a Freestanding Sign shall have a minimum 45.0 m radial separation distance from any other Sign Use that is a Freestanding Sign on the same Site. This separation distance does not apply to different Sign Uses that are co-located on the same Freestanding Sign structure</p> <p>PROPOSED: East Sign 34 m From Existing Best Western Sign                  Deficient By: 11 m</p> <p>2. (Section 59F.3(6)(j)) proposed Signs with an Area greater than 8.0 m<sup>2</sup> shall not be located within any Setback;</p> <p>Required West: 4.5 m                  PROPOSED WEST: 0.61 m                  Deficient West: 3.89 m</p> <p>Required East: 4.5 m                  PROPOSED EAST: 0.9 m                  Deficient East: 3.6 m</p> <p>3. (Calgary Trail LUS Section 3.5(b)(ii) Greater attention shall be given to improving the location, siting, Signage comprehensibility and design of signage in the corridor by discouraging the use of portable signs and free-standing billboards (billboards are considered Off-premises signs).</p> <p>PROPOSED: 2 Digital Billboards                  The proposed Minor Digital Off-Premises Freestanding Signs are contrary to Section 3.4.b.ii of the Calgary Trail Land Use Study.</p> <p><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.</p>																																
<p><b>Fees</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 15%;">Fee Amount</th> <th style="text-align: right; width: 15%;">Amount Paid</th> <th style="text-align: left; width: 10%;">Receipt #</th> <th style="text-align: left; width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Sign Building Permit Fee</td> <td style="text-align: right;">\$264.25</td> <td style="text-align: right;">\$264.25</td> <td>06267019</td> <td>Nov 07, 2019</td> </tr> <tr> <td>Sign Dev Appl Fee - Digital Signs</td> <td style="text-align: right;">\$1,374.00</td> <td style="text-align: right;">\$1,374.00</td> <td>06267019</td> <td>Nov 07, 2019</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$10.57</td> <td style="text-align: right;">\$10.57</td> <td>06267019</td> <td>Nov 07, 2019</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$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;">\$1,648.82</td> <td style="text-align: right; border-top: 1px solid black;">\$1,648.82</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Building Permit Fee	\$264.25	\$264.25	06267019	Nov 07, 2019	Sign Dev Appl Fee - Digital Signs	\$1,374.00	\$1,374.00	06267019	Nov 07, 2019	Safety Codes Fee	\$10.57	\$10.57	06267019	Nov 07, 2019	Total GST Amount:	\$0.00				Totals for Permit:	\$1,648.82	\$1,648.82		
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**SURROUNDING LAND USE DISTRICTS**

Site Location ←      File: SDAB-D-20-054      ▲  
N

ITEM II: 1:30 P.M.

FILE: SDAB-D-20-143

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT NO. 1:  
APPELLANT NO. 2:  
APPELLANT NO. 3:  
APPELLANT NO. 4:  
APPELLANT NO. 5:

APPLICATION NO.: 364559440-002

APPLICATION TO: Construct a 36 Dwelling Multi-unit Housing (apartment) building (Building A), and to demolish the existing Multi-unit Housing building

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: September 10, 2020

DATE OF APPEALS: September 30, October 1 and October 5, 2020

NOTIFICATION PERIOD: September 17, 2020 through October 8, 2020

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 13803 - 109 Avenue NW

LEGAL DESCRIPTION: Plan 3624HW Blk 7 Lot 41

ZONE: DC2.307 Site Specific Development Control Provision

OVERLAY: N/A

STATUTORY PLAN: N/A

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<b><i>Grounds for Appeal</i></b>
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The Appellant provided the following reasons for appealing the decision of the Development Authority:

**Appellant No. 1 (S. Woodford)**

I recently received a development notice for a row housing project across the street from me. While I am excited to see there are plans for this derelict, run down town home I am concerned about the number of units and the parking spaces that will be provided.

This space sits directly across from a school. It is also across the street from another proposed housing project that will bring approximately 18 more units (on a site that is currently 2 houses) also directly across the street from the school.

This will add approximately 34 new residences within a block of my house and increase the traffic dramatically in a small area, which is all within the school zone. The original development proposed 40 parking stalls which was amended to 18.

Most concerning to me is the lack of parking that will be made available, Specifically at the townhome development. I feel like this will severely impact my property value and the traffic directly on my street when there is not adequate parking available. Half a parking space per unit seems ridiculously inadequate to me. It will inevitably cause people to be driving up and down my quiet culdesac of a street filled with young families and young children looking for parking and parking in front of my house. As well as increased traffic on the street that the school sits on.

Additionally. This is the first of four planned developments all within 3 blocks of my house and all within the school zone which I can assume will all offer inadequate parking and bring the number of people looing for street parking to an unsustainable amount.

This notice was the first i've heard of this proposed plan. I'm surprised there wasn't more community consideration or notice given regarding this.

Also concerning is the fact that we live in a high risk flood zone. This amount of development combined with all the skinny houses and another new apartment building at 135 st and 109 ave will substantially increase the pressure on the sewer system in the neighborhood and no studies have been done to say that the sewer system can handle this increased load. The last residential sewer study for the neighborhood was done in 1993.

I've spoken with many neighbors that are also concerned regarding these issues.

**Appellant No. 2 (C. Monson)**

We oppose the variances (Design, Parking & Landscaping) for 13803 – 109 Avenue NW, Edmonton, Alberta as;

- Eighteen surface parking stalls decreases the green space on the south side of the apartment building and thus creates a less appealing vision.
- The design does not integrate with the existing mature neighbourhood.
- This does not offer architectural interest to reduce the perceived visual mass of a three story structure
- This does not offer visual interest and variation.
- There are safety issues with increased street parking and idling in proximity of an elementary school.
- When the DC2 zoning was approved it was stated “the roof will be sloped to establish a residential character with dormers and other architectural features to add visual interest to the development”. The variance requested does not enhance our neighbourhood.
- These are significant variances and should not be approved without a public open house

**Appellant No. 3 (C. McAfee)**

This property is one of 4 applications for development filed with the City concerning the North Glenora Patio Homes which encircle the school, community hall and park. The DC2 was granted in 1992, 27 years ago. It is important to view the development as a whole, not one by one. I have 2 major concerns:

1. sewer and drainage I am extremely concerned the existing sewer system cannot handle this increased density resulting in numerous flooded basements in the community. The sewer lines were installed in 1955 and have not been replaced. My parents built our house in 1958 and our family has resided there since then. We have never had flooding or sewer back up until August 30, 2013. A heavy rain occurred and the city storm sewer backed up and flooded the fully developed basement requiring a rebuild costing \$40,000. We installed a back flow valve. On July 17, 2019 a heavy rain occurred and the city storm sewer surged and flooded the basement again requiring a rebuild costing \$50,000. The development of these 4 properties of approx. 150 units, plus a 35 unit apartment at 10841 - 135 St. plus a proposed 16 until development at 109 Ave. and 138 St. increases the density by approx. 200 units. Can the city complete a drainage and sewer assessment to determine whether the existing sewer can handle this increased density when combined with the extreme rains and surges in the lines that have been occurring in the past few years? If the assessment

determines the sewer must be replaced can the development be delayed until the sewer is replaced?

2. parking The DC2 provided for 40 underground parking stalls for 36 units. The variance is for 18 surface stalls for 36 units. 18 units would not have parking stalls. If the other 3 patio home developments request similar variances it would result in 75 units not having parking stalls. This development is across the street from the elementary school. Parents drop off and pick up children. If there is no parking they will be stopping in the street which creates a safety issue for the children.

#### **Appellant No. 4 (North Glenora Community League)**

The community of North Glenora (NGCL) prides itself in being an inclusive and flexible mature neighborhood. The community has embraced densification and diversity in residential development. The NGCL does not oppose the redevelopment of the Glenora Patio Homes in principle. In fact, the properties are dilapidated and the community welcomes their rehabilitation. The NGCL is, however, challenging the transparency of processes around the granting of significant variances to a legacy DC2. DC2 307 is 27 years old; it was granted in 1993 covering all four properties that make up the Glenora Patio Homes. Site specific development criteria were designed to sensitively integrate and be compatible with the surrounding land uses and to achieve a high-quality development appropriate for these sites, interior to a mature neighbourhood (DC 307.1 General Purpose). Yet, several elements of the site-specific development criteria have been significantly changed. We challenge the transparency of these changes, and the processes that enable a developer to side-step community consultation due to a legacy DC2. We understand there is no “requirement” to consult outside the rezoning process, however in this instance, the significance of the variances and the time elapsed since the granting of the DC2 require a second look.

The NGCL also has concerns about the approach the developer and the City are taking by separating the four buildings during the development process, awarding development permits in stages, making it extremely difficult to view the development holistically, as planned in the original DC2. The Glenora Patio Homes are a multi-unit complex : Area A: Lot 41, Block 7, Plan 3624 HW; Area B: Lot 41, Block 5, Plan 3624 HW; Area C: Lots 16, 17 and 18, Block 1, Plan 3751 HW; and Area D: Lots 47, 48 and 49, Block 1, Plan 3751 HS. Under the current proposal, the total impact of the development is obscured. This development encircles the community’s central park, community hall, sports fields, playground and elementary school. (see included diagram) We believe it is only fair to view the development from a holistic perspective, as intended in the original DC2, enabling affected community members the ability to understand the overall implications of the development and its variances. The NGCL considers all



community members affected by this development as everyone in the community enjoys the public lands at its centre.

The North Glenora Community League is asking the SDAB to view the development as a whole, to understand that the development proposal has changed significantly since its inception in 1993, and to consider the lack of transparency that has occurred with several significant development variances. The variance process is not an adequate proxy for transparent community consultation and collaboration.

Elements on appeal:

The granting of significant variances to a legacy DC2 without consideration for additional community consultation and communication. As a general rule, there should be very little to no variance allowed in a DC2 Provision. [City of Edmonton, Planning Coordination Guide to Writing (DC2) Site Specific Development Control Provisions, July 2020, p.6]

The development officer did grant significant variances to the legacy DC2 in terms of its architectural design, parking and landscaping.

Parking – The notification of development letter issued by City Planning states: The site has 18 parking stalls, instead of 40 (Bylaw 10428 DC2.307.4(1)&(x)). Whereas, the legacy DC2 307.4 provides for underground parking at a rate of 1.5 stalls per 2 bdrm dwelling + 1 stall per 1 bdrm dwelling + 1 guest stall for every 7 dwellings. For Plan 3624HW Blk 7 Lot 41, the proposed dwelling contains 35 two bdrm units and one 1 bdrm unit. The City of Edmonton, in June 2020, enabled Open Option Parking. While Open Option Parking contributes to neighbourhood densification it also allows the developer latitude in determining the amount of parking they include. The complete lack of community consultation begs the question of how the developer has determined “the right amount” of parking for this development in North Glenora ([https://www.edmonton.ca/city\\_government/urban\\_planning\\_and\\_design/comprehensive-parking-review.aspx](https://www.edmonton.ca/city_government/urban_planning_and_design/comprehensive-parking-review.aspx)). Previous minimum parking requirements may have been removed but the result will have some impact, particularly when this is the first of four such developments in the heart of the neighbourhood.

Architectural Design – Significant changes were made to the architectural design of the building, moving from the original DC2 307 (see attachment) to a modern architecture structure with flat roof and alternative exterior façade (current design could only be viewed by community by virtual appointment, no copy permitted).

**Appellant No. 5 (I. Jager)**

This property is one of four applications for development filed with the City concerning the North Glenora Patio Homes which encircle the school, community hall and park. The DC2 was granted in 1992, 27 years ago. It is important to view the development as a whole, not one by one.

I have two major concerns.

One area of concern is the increased use of sewer and drainage. There will be more people using these systems from this building, and there are three more applications for development that have been filed for the patio homes. Will the systems be able to support these four developments?

Has a study been done to accurately determine if the sewer and drainage systems are more than adequate to sustain its use with so many more homes using it?

There is also a concern of parking. Many families have two vehicles. That would make a possibility of 72 vehicles from this one building needing a place to park. With only 18 parking stalls available, that leaves 54 vehicles with no permanent place to park. And this will be compounded with three extra developments needing parking places.

Most of the vehicles could be looking for places to park in the neighbourhood. That would mean a lot of vehicles would be congesting our roads.

With all those vehicles on our roads it would be difficult for emergency vehicles to drive to get to their destination. 138 Street, for example, is very narrow to start with and having vehicles on both sides of the road makes it difficult to navigate, especially in the winter. That would be dangerous for an emergency vehicle as well as the person(s) having the emergency.

Coronation Public School is across the road from this first building. Parents drive their children to school. If there are vehicles parked on all the roads, where will the parents be able to safely drop off their children? As well, there will be children walking to school. They will need to cross roads to get there. If they cannot see around the cars, they will have a difficult time crossing safely.

***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.

**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.

Section 2 of the *Edmonton Zoning Bylaw* concerning Repeal, Enactment and Transition Procedures states the following:

2.4 Subject only to the provisions in the Municipal Government Act respecting legal non-conforming Uses and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the Effective Date onward. In particular, no application for a Development Permit shall be evaluated under the procedural or substantive provisions of the previous Land Use Bylaw after the Effective Date, even if the application was received before the Effective Date.

...

2.6 Any Direct Control Districts that were in effect immediately prior to the Effective date are hereby deemed to continue in full force and effect and are hereby incorporated into Part IV of this Bylaw.

2.7 Unless there is an explicit statement to the contrary in a Direct Control District or Provision, any reference in a Direct Control District or Direct Control Provision to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District or Provision.

At the time of the creation of the subject Direct Control Site, the City of Edmonton Land Use Bylaw 5996 was in effect. An Alberta Court of Appeal decision in *Parkdale-Cromdale Community League Association v. Edmonton (City)*, 2007 ABCA 309 concluded that section 2.7 of the Edmonton Zoning Bylaw only applies if there is an express cross-reference in a Direct Control Bylaw passed before 2001 to a provision of the old Land Use Bylaw. In the absence of an express reference in the Direct Control Bylaw to the Land Use Bylaw 5996, it does not prevail over section 2.4 of the Edmonton Zoning Bylaw.

**General Provisions from the DC2.307 Site Specific Development Control Provision ("DC2"):**

Under DC2.307.3.a, **Apartment Housing** is a **Listed Use** in the **DC2**.

DC2.307.1 states that the **General Purpose** of the **DC2** is:

To establish a Site Specific Development Control District to accommodate medium density residential developments in the form of low rise apartments that may also include a limited range of residential-related uses, with site specific development criteria designed to sensitively integrate and be compatible with the surrounding land uses and to achieve a high quality development appropriate for these sites, interior to a mature neighbourhood.

DC2.307.4.x states:

The Development Officer may grant relaxation to Sections 5079 of the Land Use Bylaw and the provisions of this district, if in his opinion, such a variance would be in keeping with the general purpose of this District and would not affect the amenities, use and enjoyment of neighbouring properties.

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

Section 3.2(1)(o) states “For the purpose of any Development Permit or Direct Control Provision: Apartment Housing is deemed to be Multi-unit Housing.”

Under section 7.2(4), **Multi-unit Housing** means:

development that consists of three or more principal Dwellings arranged in any configuration and in any number of buildings. This Use does not include Blatchford Townhousing or Blatchford Stacked Row Housing.

<b><i>Design</i></b>
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DC2.307.4(h) states:

Developments in this District shall be designed in accordance with the following architectural guidelines, to the satisfaction of the Development Officer.

- i. The architectural styles of the buildings shall be substantially in accordance with the buildings' elevations, mass and rooflines illustrated in Appendix I appended to this District.
- ii. The roof will be sloped to establish a residential character with dormers and other architectural features to add visual interest to the development.
- iii. The roofing material of the buildings shall consist of cedar shakes, clay tiles, concrete shingles or products of a similar material to provide texture to the roof surface. Roofs hidden

from view, or behind parapet walls, may be clad with asphalt shingles or built up roofing material.

- iv. All exterior building facades must be clad with harmonious exterior finishes which are attractive in appearance, durable, of high quality, consistent with the character of the existing neighbourhood, and which shall include brick on all elevations to the height of a full storey at the main floor.
- v. The building elevations shall be designed and finished in a manner that minimize the perceived mass of the development when viewed from the street and neighbouring properties, and shall incorporate a partial roof at the line of the second floor to divide the building into a one storey base and two upper levels to reduce the perceived height of the building.

**Development Officer’s Determination**

**Design - The design of the building is different than the architectural guidelines in the DC2 Zone (DC2.307.4(h)&(x)).**

[unedited]

<b><i>Parking</i></b>
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DC2.307.4(l) states:

Off-street parking shall be provided in accordance with Sec. 66 of the Land Use Bylaw to the satisfaction of the Development Officer and the City Engineer and as follows:

- i. Resident parking shall be located wholly underground and shall be provided at a minimum of 1.0 stall per one bedroom dwelling unit, 1.5 stalls per two bedroom dwelling unit, and 1.75 stalls per three bedroom dwelling unit or larger; and
- ii. Of the total number of parking spaces required, 1 guest parking space for every 7 dwelling units shall be readily available and clearly identified as guest parking, to be located within the rear yard setback abutting the lane, in a centralized location as illustrated in Appendix I. Visitor parking will be screened from the development with a combination of landscaped berms and planting.

**Development Officer’s Determination**

**Parking - The site has 18 parking stalls, instead of 40 (Bylaw 10428 DC2.307.4(l)&(x)).**

[unedited]

<i>Landscaping</i>
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DC2.307.4(p)(q)(r) states:

- p. Landscaping within the required yards shall include planting of mature coniferous and deciduous trees and shrubs to act as a buffer and reduce the perceived massing of the residential buildings. Mature deciduous trees shall be a minimum of 8 cm caliper and mature coniferous trees shall be a minimum of 3 m in height. Notwithstanding these standards, landscaping within yards abutting lanes at the rear of each site shall incorporate an intermittent 1.2 m high solid screen fence along the property line, and mature deciduous trees a minimum of 10 cm caliper and mature coniferous trees with a minimum height of 4 m, interspersed with evergreen shrubs, to act as a buffer against adjacent residential developments.
- q. To ensure a high standard of appearance complementary to the buildings, and a sensitive transition to surrounding uses detailed landscaping plans for each Area shall be submitted to and approved by the Development Officer, prior to the approval of any building permits, with the exception of footings and foundations.
  - i. these plans shall be substantially in accordance with the planting requirements illustrated in Appendix I, and shall include details of any decorative pavement, planters, fence, seating, pedestrian and security lighting, existing and proposed trees and shrubs, their species and size and soil depth and special provisions to facilitate plant growth for the entire project.
  - ii. the existing mature trees on site shall not be moved unless it is absolutely necessary to accommodate a building or structure, in which case they may be moved to another location on site.
  - iii. no boulevard trees shall be removed or relocated without the approval of the Parks and Recreation Department.
- r. The Development Officer shall require, as a condition of approval, that the applicant provide an irrevocable letter of credit in the amount of 100% of the established landscaping costs for each Area, the conditions of the security being that:

- i. if the landscaping is not completed in accordance with the provisions of this District and the approved landscape plan(s) within one growing season after the completion of the development, then the amount fixed shall be paid to the City for its use absolutely; and
- ii. the Development Officer shall not release the letter of credit until an inspection of the site has demonstrated that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping project.

**Development Officer's Determination**

**Landscaping - The landscape plan is reviewed using Section 55 of the Edmonton Zoning Bylaw 12800 (DC2.307.4(p)(q)(r)&(x)).**

[unedited]

<p><b><i>Development Officer's Note</i></b></p>
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**Note: You are also receiving this notice because a Development Permit has been issued on a Direct Control Zone, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.**


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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>364559440-002</b> Application Date: JUN 09, 2020 Printed: September 23, 2020 at 11:01 AM Page: 1 of 7		
	<h2>Major Development Permit</h2>		
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.			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 13803 - 109 AVENUE NW Plan 3624HW Blk 7 Lot 41  <b>Specific Address(es)</b> Entryway: 13803 - 109 AVENUE NW Building: 13803 - 109 AVENUE NW		
<b>Scope of Permit</b> To construct a 36 Dwelling Multi-unit Housing (apartment) building (Building A), and to demolish the existing Multi-unit Housing building.			
<b>Permit Details</b>  <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">                     Class of Permit: Class B                      Gross Floor Area (sq.m.): 2943.82                      New Sewer Service Required: Y                      Site Area (sq.m.): 2845.83                 </td> <td style="width: 50%;">                     Contact Person:                      Lot Grading Needed?: Y                      NumberOfMainFloorDwellings: 12                      Stat. Plan Overlay/Arms Area: (none)                 </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): 2943.82 New Sewer Service Required: Y Site Area (sq.m.): 2845.83	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 12 Stat. Plan Overlay/Arms Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m.): 2943.82 New Sewer Service Required: Y Site Area (sq.m.): 2845.83	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 12 Stat. Plan Overlay/Arms Area: (none)		
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Sep 10, 2020 <b>Development Authority:</b> YEUNG, KENNETH  <b>Subject to the Following Conditions</b> Zoning Conditions: This Development Permit is not valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)  WITHIN 14 DAYS OF THE END OF THE NOTIFICATION PERIOD with NO APPEAL and prior to any demolition or construction activity, the applicant must post on-site a development permit notification sign (Section 20.6).  This Development Permit authorizes the development of a 36 Dwelling Multi-unit Housing (apartment housing) building (Building A).  The development shall be constructed in accordance with the stamped and approved drawings.  An approved building permit for demolition is required prior to starting the demolition.  Immediately upon demolition of the building, the site shall be cleared of all debris.  The site security and building lighting must be located and designed to ensure that the illumination is directed downward and does not project outward from the site (Reference Bylaw 10428 DC2.307.4.j).  All mechanical equipment located on the roof of any building shall be completely screened or incorporated into the attic space (Reference Bylaw 10428 DC2.307.4.k).  Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices. (Section 51).  All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building (Bylaw 18490).			

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PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$936.00.

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Charge fee of \$1,222.00 per Dwelling (total of \$43,992.00 with a credit of 14 existing Dwellings). The SSTC charge is quoted at year 2020 rate. Please contact Private Development, Drainage Services, at 780-496-5665 for further details regarding the fee. The final SSTC is based on the prevailing rate at the time the applicant/owner makes payment at the 2nd Floor, Edmonton Tower, 10111 104 Avenue NW, Edmonton AB T5J 0J4.

### Drainage Services Conditions:

This advisement identifies the development assessments applicable to the property located at 13803 - 109 Avenue NW (Plan 3624HW Blk 7 Lot 41; North Glenora).

### Sanitary Sewer Trunk Charge (SSTC)

Based on our records, this property was never assessed for SSTC.

- SSTC is applicable to the property for 36 multi-family dwellings at the rate of \$1,222/dwelling under the current DP#364559440-002. The number of dwellings is based on the drawings submitted with this Application for Major Development Permit.
- Payment should be made at the Edmonton Service Centre, 2nd Floor, 10111 - 104 Avenue NW.
- For information purposes, the 2020 rate is \$1,222/dwelling. However, the final SSTC is based on the prevailing rate at the time the applicant/owner makes payment.

### EPCOR Conditions:

Prior to the release of drawings for Building Permit review (except for Building Permits for demolition, excavation, or shoring), the owner shall enter into a Servicing Agreement with the City to meet the following standard of water supply under the City of Edmonton Design and Construction Standards:

1. The applicant is required to construct one new hydrant along 109 Avenue NW, more or less as shown in the attachment (DP364559440-002\_EPCOR Water Enclosure) at their expense. This work can be undertaken either under a servicing agreement or under EPCOR Water Services, Inc.'s New Water Distribution Mains capital program. For more information on the EPCOR New Water program, please contact EPCOR New Water at [waterdtinfrastructure@epcor.com](mailto:waterdtinfrastructure@epcor.com).
2. Any party proposing construction involving ground disturbance to a depth exceeding 2m within 5m of the boundary of lands or rights-of-way (ROW) containing EPCOR Water facilities is required to enter into a Facility Proximity Agreement with EWSI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 17698 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting [waterlandadmin@epcor.com](mailto:waterlandadmin@epcor.com).
3. There are existing hydrants (H1960 and H19620), located on 138 Street NW and 139 Street NW, south of 109 Avenue NW. These hydrants must be protected during construction and access to the hydrants must not be impeded for fire fighting purposes. Excavation cannot occur closer than 3m from back of the hydrants in order to prevent compromising the existing thrustblock. Contact EPCOR Water Asset Protection at [waterdtassetprotection@epcor.com](mailto:waterdtassetprotection@epcor.com) prior to commencing excavation and set up an on-site meeting to confirm the requirements to protect both the Water infrastructure and the integrity of the excavation.

### Landscaping Conditions:

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$528.00 (this can be paid by phone with a credit card - 780-442-5054).
2. Landscaping shall be in accordance with the approved Landscape Plan, and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer.

## Major Development Permit

3. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.

4. Landscaping shall be installed within 18 months of receiving the Final Occupancy Permit. 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.

5. A Landscape Security shall be provided to the City of Edmonton at the time of initial Landscape Inspection, to the satisfaction of the Development Officer. The initial Landscape Inspection shall be requested within 14 days of the Landscape installation being completed ([www.edmonton.ca/landscapeinspectionrequest](http://www.edmonton.ca/landscapeinspectionrequest)).

6. Upon determination that landscaping has been installed in compliance with the approved Landscape Plan, 20% of the full Landscape Security value as determined by the Development Officer shall be collected. The Landscape Security shall be retained for a period of 24 months from the date of the initial Landscape Inspection.

7. Sites that are not completed or are not compliant with approved Landscape Plans at the initial Landscape Inspection shall, in addition, be required to submit a Security for incomplete work; up to the full value of the Landscape Security, as determined by the Development Officer.


#### Transportation Conditions:

The site plan (DP01; Glenora Residences Building-A) dated June, 8, 2020 has been reviewed by Subdivision Planning (Transportation) and the following conditions are based on that plan. If the site plan (DP01) is revised, then Subdivision Planning (Transportation) requires a recirculation of the updated site plan for further review. Further to this, Subdivision Planning (Transportation) has the following additional conditions:

#### CONDITIONS:

1. All parking stalls perpendicular to the alley must be a minimum length of 5.5 m.
2. There are existing boulevard trees adjacent to the site that must be protected during construction. The owner will be required to contact [citytrees@edmonton.ca](mailto:citytrees@edmonton.ca) prior to construction to arrange for hoarding and/or root cutting for the existing boulevard trees. All costs shall be borne by the owner/applicant.
3. There are existing power poles in the alley that may interfere with access to proposed parking stalls. Should relocation of a power pole/guy wire be required, all costs associated with relocation must be borne by the owner/applicant.
4. There is a catch basin in the vicinity of the proposed parking in the alley.
5. There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Alberta One-Call (1-800-242-3447) and Shaw Cable (1-866-344-7429; [www.digshaw.ca](http://www.digshaw.ca)) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removal shall be at the expense of the owner/applicant.
6. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:
  - the start/finish date of project;
  - accommodation of pedestrians and vehicles during construction;
  - confirmation of lay down area within legal road right of way if required;
  - and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.

It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM

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<p>online at:</p> <p><a href="https://www.edmonton.ca/business_economy/oscam-permit-request.aspx">https://www.edmonton.ca/business_economy/oscam-permit-request.aspx</a> and  <a href="https://www.edmonton.ca/business_economy/documents/PDF/ConstructionSafety.pdf">https://www.edmonton.ca/business_economy/documents/PDF/ConstructionSafety.pdf</a></p> <p>7. Any alley, sidewalk or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Section 15.5(f) of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.</p> <p><b>Subject to the Following Advisements</b></p> <p><b>Zoning Advisements:</b>          Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.</p> <p>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.</p> <p>A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.</p> <p>Signs require separate Development Applications.</p> <p><b>Drainage Services Advisements:</b>          This advisement identifies the development assessments applicable to the property located at 13803 - 109 Avenue NW (Plan 3624HW Blk 7 Lot 41; North Glenora).</p> <p><b>APPLICABLE ASSESSMENTS</b></p> <ol style="list-style-type: none"> <li>1. Permanent Area Contribution (PAC)             <ul style="list-style-type: none"> <li>•Storm and Sanitary PACs are not applicable, since the property is not within any active PAC basin.</li> </ul> </li> <li>2. Expansion Assessment (EA)             <ul style="list-style-type: none"> <li>•Expansion Assessment is not applicable, since the property is outside the current Expansion Assessment Area.</li> </ul> </li> <li>3. Arterial Roadway Assessment (ARA)             <ul style="list-style-type: none"> <li>•Arterial Roadway Assessment is not applicable, since the property is outside the current ARA Catchment Area.</li> </ul> </li> </ol> <p><b>Additional Notes</b></p> <ul style="list-style-type: none"> <li>•The above assessment is made based on information currently available to our Department. Should such information change in the future, a new assessment may be made.</li> <li>•In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage.</li> <li>•More information about the above charges can be found on the City of Edmonton's website:             <ul style="list-style-type: none"> <li>oPermanent Area Contributions  <a href="https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx">https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx</a></li> <li>oSanitary Servicing Strategy Expansion Assessment  <a href="https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-aa.aspx">https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-aa.aspx</a></li> <li>oArterial Roadway Assessment  <a href="https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx">https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx</a></li> <li>oSanitary Sewer Trunk Charge  <a href="https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-ssc.aspx">https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-ssc.aspx</a></li> </ul> </li> </ul> <p><b>EPCOR Advisements:</b></p> <ol style="list-style-type: none"> <li>1. The site is currently serviced by a 40mm copper service located approximately 45.3m east of the west property line of Lot 41. The applicant is to contact customer services at 780-412-4000 a minimum of four weeks prior to commencing any work on the site,</li> </ol>	

## Major Development Permit

including demolition, excavation, or grading for direction on the correct process to follow to have the service isolated and meter removed.

2. A new water service may be constructed for this lot directly off EPCOR's water main along 109 Avenue NW.
3. For information on Service abandonments, and the provisioning of a new water service contact EPCOR Infill Water and Sewer Servicing at [wass.drainage@epcor.com](mailto:wass.drainage@epcor.com) or at 780-496-5444.
4. The existing service may not be of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development.
5. Prior to the turning on the water service, the applicant must submit bacteriological test results to EPCOR Water Dispatch, and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-6800 for more information on how to provide the test results. Water Dispatch can provide information on the tie-in and commissioning procedure.
6. There is a deficiency in on-street hydrant spacing (distance between fire hydrants) adjacent to the property. City of Edmonton Standards requires hydrant spacing of 90m for the proposed zoning. Hydrant spacing in the area is approximately 95m (actual spacing) and does not meet the spacing requirement.
7. Fire Rescue Services (FRS), Fire Protection Engineer may be able to perform an Infill Fire Protection Assessment (IFPA) at development permit application to alter or lessen on-street fire protection infrastructure upgrades, assuming certain criteria are met. The applicant may request that the City Planner initiate this review.
8. A new cost share pilot program has started up in 2020 which may assist in offsetting any required infrastructure upgrades for the water system. Information about the new Infill Cost Share Program can be found at [www.epcor.com/infill-cost-share](http://www.epcor.com/infill-cost-share).
9. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.
10. The advisements and conditions provided in this response are firm and cannot be altered.
11. The owner may wish to submit and request the review of an Infill Fire Protection Assessment (IFPA) report as a potential alternative to meeting the municipal infrastructure standards identified by EPCOR Water Services. The review of an IFPA report is a service provided by the City to determine whether any required infrastructure standards/upgrades may be relaxed, provided certain criteria are met. Any alternatives to the requirements of EPCOR Water Services identified by the IFPA report shall be to the satisfaction of the City Fire Protection Engineer.

### Fire Rescue Services Advisements:

Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal however, has the following advice for your implementation and information.

Prior to the commencement of construction, alteration or demolition operations, a fire safety plan, accepted in writing by the fire department and the authority having jurisdiction, shall be prepared for the site.

### Construction Site Fire Safety Plan Template:


[https://www.edmonton.ca/programs\\_services/fire\\_rescue/fire-safety-planning-for-const.aspx](https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx)

A formal submission of your Fire Safety Plan will be required for a Building Permit to be issued (please do not forward your Fire Safety Plan at this time).

If you have any questions please contact Technical Services at [cmsfpts@edmonton.ca](mailto:cmsfpts@edmonton.ca).

Reference: NFC(2019-AE) 5.6.1.3. Fire Safety Plan

Ensure that the hydrant(s) servicing the site are fully functional prior to construction.

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<p>Ensure that the building's Sprinkler Fire Department Connection is located in accordance with NBC(2019-AE) 3.2.5.15, and that the travel distance (not radius) from Fire Department Connection to fire hydrant does not exceed 45m.          Reference: NBC(2019-AE) 3.2.5.15. Fire Department Connections</p> <p>2) The fire department connection for an automatic sprinkler system shall be located so that the distance from the fire department connection to a hydrant is not more than 45 m and is unobstructed.</p> <p>3) The fire department connection referred to in Sentences (1) and (2) shall be located no closer than 3 m and no further than 15 m from the principal entrance to the building.</p> <p>Ensure that the protection of adjacent properties has been provided in accordance with EFRS Adjacent Property Protection Guidelines and NFC(2019-AE) 5.6.1.2. This information has been included for your information and implementation during the construction of this project. For additional information please see:  <a href="https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx">https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx</a></p> <p><b>Transportation Advisements:</b></p> <ol style="list-style-type: none"> <li>1. An alley access is proposed, alley access does not require a curb crossing permit.</li> <li>2. The connector sidewalks are acceptable to Subdivision Planning.</li> </ol> <p><b>Waste Management Advisements:</b>          This is a residential property and therefore falls under the City of Edmonton bylaw 18590, requiring the waste and recycle services are provided by the City of Edmonton.</p> <p>This site with 36 units would receive approximately 9 cubic yards of garbage service and 4.5 cubic yards of recycle service per week for the residential units.</p> <p>The waste storage room needs to be adequately sized for the approx. one 6 cubic yard non-wheeled garbage bins and one 6 cubic yard non-wheeled recycle bins required to service the residential units. The frequency for pickup with these amounts of bins would be 2 times per week for garbage and 1 time per week for recycle.</p> <p><b>Other issues to include:</b></p> <ul style="list-style-type: none"> <li>• transition from waste storage room to service area must be smooth (no lip) and at grade</li> <li>• unobstructed overhead space (min. 23') to allow the waste bins to be tipped in the service area</li> <li>• reinforced tip area (tip pad 10') to prevent wheel hollows forming from collection activities</li> <li>• snow removal on a daily basis in winter months to prevent snow and ice accumulations that can prevent movement of the bins in winter months.</li> <li>• using a commercial grade asphalt in the drive areas of the waste vehicle to reduce the impact caused by the waste vehicle when servicing a site. A link is provided to the City of Edmonton Complete Streets Design and Construction Standards.  <a href="https://www.edmonton.ca/city_government/documents/PDF/CompleteStreets_DesignStandards_Sept2018.pdf">https://www.edmonton.ca/city_government/documents/PDF/CompleteStreets_DesignStandards_Sept2018.pdf</a></li> </ul> <p><b>Variations</b></p> <p>Design - The design of the building is different than the architectural guidelines in the DC2 Zone (DC2.307.4(h)&amp;(x)).</p> <p>Parking - The site has 18 parking stalls, instead of 40 (Bylaw 10428 DC2.307.4(l)&amp;(x)).</p> <p>Landscaping - The landscape plan is reviewed using Section 55 of the Edmonton Zoning Bylaw 12800 (DC2.307.4(p)(q)(r)&amp;(x)).</p> <p><b>Note:</b> You are also receiving this notice because a Development Permit has been issued on a Direct Control Zone, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.</p>	



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## Major Development Permit

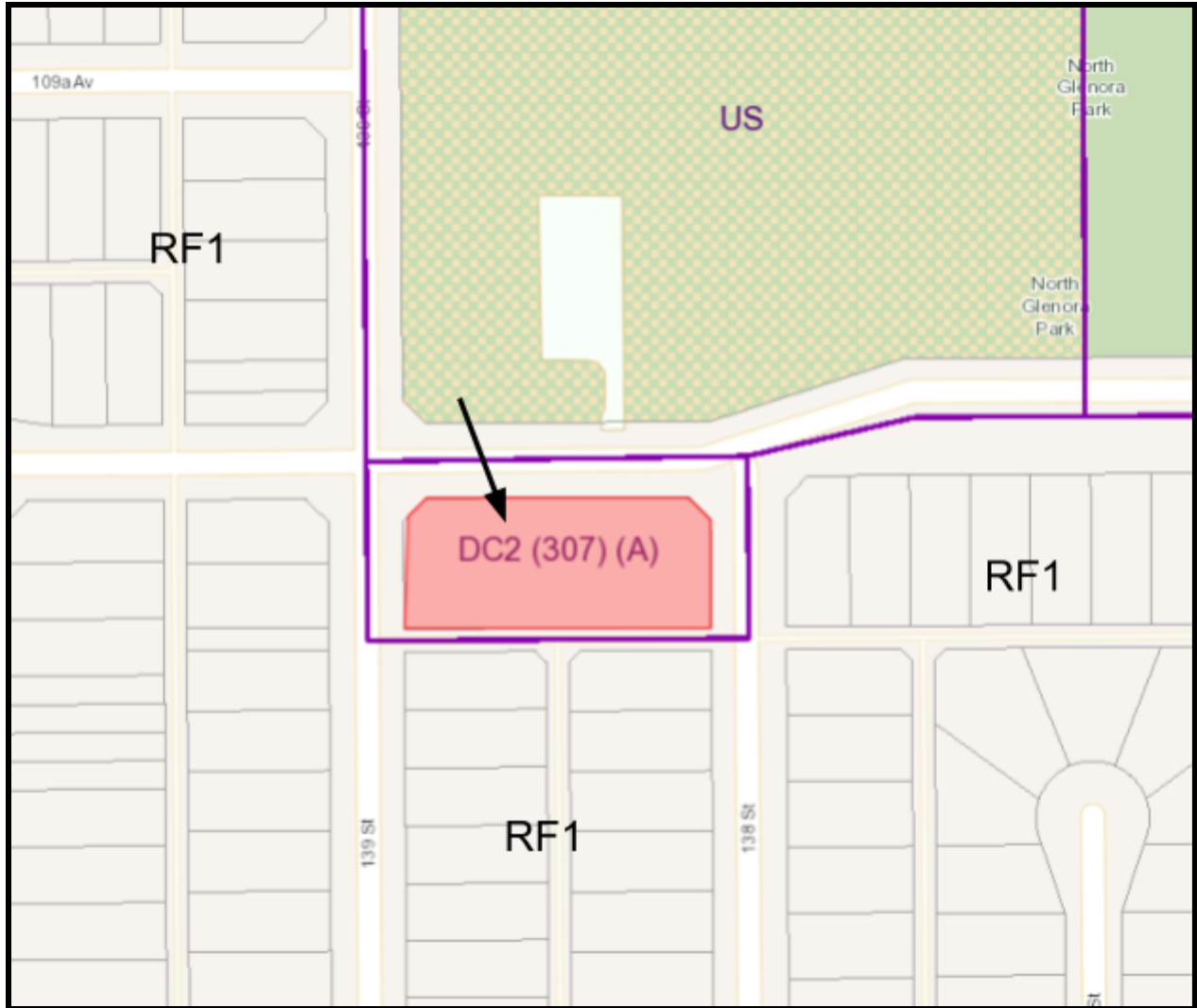
**Rights of Appeal**

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:** Sep 17, 2020      **Ends:** Oct 08, 2020

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee # of dwelling units	\$2,464.00	\$2,464.00	06505134	Jun 29, 2020
Major Dev. Application Fee	\$864.00	\$864.00	06505134	Jun 29, 2020
Lot Grading Fee	\$936.00	\$936.00	06505134	Jun 29, 2020
Development Permit Inspection Fee	\$528.00	\$528.00	06505134	Jun 29, 2020
Sanitary Sewer Trunk Fund 2012+	\$26,884.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$31,676.00	\$4,792.00		
(\$26,884.00 outstanding)				



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

▲  
**N**

File: SDAB-D-20-143