

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
August 2, 2017**

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

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

I	9:00 A.M.	SDAB-D-17-138	Operate a Major Home Based Business (Yoga Studio - MEI IYENEGGAR YOGA HOUSE) 5533 - 168A Avenue NW Project No.: 244696437-001
---	-----------	---------------	---

II	10:30 A.M.	SDAB-D-17-139	Construct an Apartment House building (16 Dwellings), with an underground parkade 11416 - 71 Avenue NW Project No.: 239430281-001
----	------------	---------------	---

NOTE: ***Unless otherwise stated, all references to “section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.***

ITEM I: 9:00 A.M.

FILE: SDAB-D-17-138

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 244696437-001

APPLICATION TO: Operate a Major Home Based Business
(Yoga studio - MEI IYENGEGAR YOGA HOUSE)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 14, 2017

DATE OF APPEAL: June 23, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5533 - 168A Avenue NW

LEGAL DESCRIPTION: Plan 0820126 Blk 1 Lot 30

ZONE: (RSL) Residential Small Lot Zone

OVERLAY: N/A

STATUTORY PLAN(S): Pilot Sound Area Structure Plan
McConachie Neighbourhood Structure Plan

Grounds for Appeal

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

I would like to appear before the Subdivision and Development Appeal Board to present my case after my application for a home based business to operate a health and wellness (Yoga) Studio has been denied by the Development Officer with the City of Edmonton.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board made and passed the following motion:

That this appeal be scheduled on August 2 or 3, 2017.

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 within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
 - (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or

...

Hearing and Decision

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

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

- (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 115.3(6), a **Major Home Based Business** is a **Discretionary Use** in the (RSL) Residential Small Lot Zone.

Under sections 115.2 and 115.3, **Indoor Participant Recreation Services** is **neither** a Permitted Use **nor** a Discretionary Use in the (RSL) Residential Small Lot Zone, respectively.

Under section 7.3(7), **Major Home Based Business** means:

development consisting of the Use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses that may generate more than one business associated visit per day. The business Use must be secondary to the Residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use includes Bed and Breakfast Operations but does not include General Retail Sales.

Under section 7.8(4), **Indoor Participant Recreation Services** means:

development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical Uses include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges, bowling alleys and racquet clubs.

Section 7 provides the following with respect to *Use Definitions*:

7.1 General

1. Uses, as set out in subsections 7.2 through 7.9 inclusive, are grouped according to common functional or physical impact characteristics.
2. Use definitions are used to define the range of Uses, which are Permitted Uses or Discretionary Uses, within the various Zones of this Bylaw.
3. The following guidelines shall be applied in interpreting the Use definitions:
 - a. the typical purposes or activities, which may be listed in the definitions, are not intended to be exclusive or restrictive;
 - b. where specific purposes or activities do not conform to any Use definition or generally conform to the wording of two or more Use definitions, the Development Officer may, at their discretion, deem that the purposes or activities conform to and are included in that Use which they consider to be the most appropriate. In such a case, the Use shall be considered a Discretionary Use, whether or not the Use is listed as a Permitted Use or Discretionary Use within the applicable Zone; and
 - c. the headings such as Residential Uses or Commercial Uses do not mean that the Uses listed under these headings are permitted only in Residential or Commercial Zones of this Bylaw. Reference must be made to the lists of Permitted Uses and Discretionary Uses within each Zone.

Under section 6.1(119), **Use** means:

the purposes or activities for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Section 115.1 states that the **General Purpose** of the **(RSL) Residential Small Lot Zone** is:

to provide for smaller lot Single Detached Housing with attached Garages in a suburban setting that provides the opportunity for the more efficient utilization of undeveloped suburban areas and includes the opportunity for Secondary Suites.

Appropriate Use

Section 11.1(1)(d) states:

the Development Officer shall receive all applications for development and shall review each Development Permit Application to ascertain its appropriate Use, and may require the applicant to apply for a different Use.

Development Officer's Determination

- Based on the description of the business, the business Use will not be secondary to the Residential Use of the building and will change the residential character of the Dwelling.

Major Home Based Business regulations

Section 75.3 states:

the Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located.

Development Officer's Determination

- The Business will generate 5-7 visits per day and 15-21 visits per week, which is pedestrian and vehicular traffic and parking in excess of what is characteristic of the RSL Zone.

Section 75.6 states:

the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings.

Development Officer's Determination

- The Business will change the principal character of the Dwelling with 5-7 overlapping visits within a 1.5 hour time period per day, and on-street parking by clients.

Section 75.9 states:

the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.

Development Officer's Determination

- In the opinion of the Development Officer, this Use would be more appropriately located in a Commercial Zone, as an Indoor Participant Recreation Service. An Indoor Participant Recreation Service is neither a Permitted nor Discretionary Use within the RSL Zone. (Reference Sections 115 and 7.8(4))

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. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.



Project Number: 244696437-001
Application Date: MAR 31, 2017
Printed: July 12, 2017 at 2:42 PM
Page: 1 of 2

Application for Home Occupation

This document is a Development Permit Decision for the development application described below.

Applicant	Property Address(es) and Legal Description(s) 5533 - 168A AVENUE NW Plan 0820126 Blk 1 Lot 30
------------------	--

Scope of Application
To operate a Minor Home Based Business (Yoga studio - MEI IYENEGAR YOGA HOUSE)


Permit Details	
# of business related visits/day: 0 Administration Office Only?: N Class of Permit: Do you live at the property?: Y Outdoor storage on site?: N	# of vehicles at one time: 7 Business has Trailers or Equipment?: N Description of Business: Yoga classes at home: 3 classes per week, with 5-7 students per class Expiry Date:

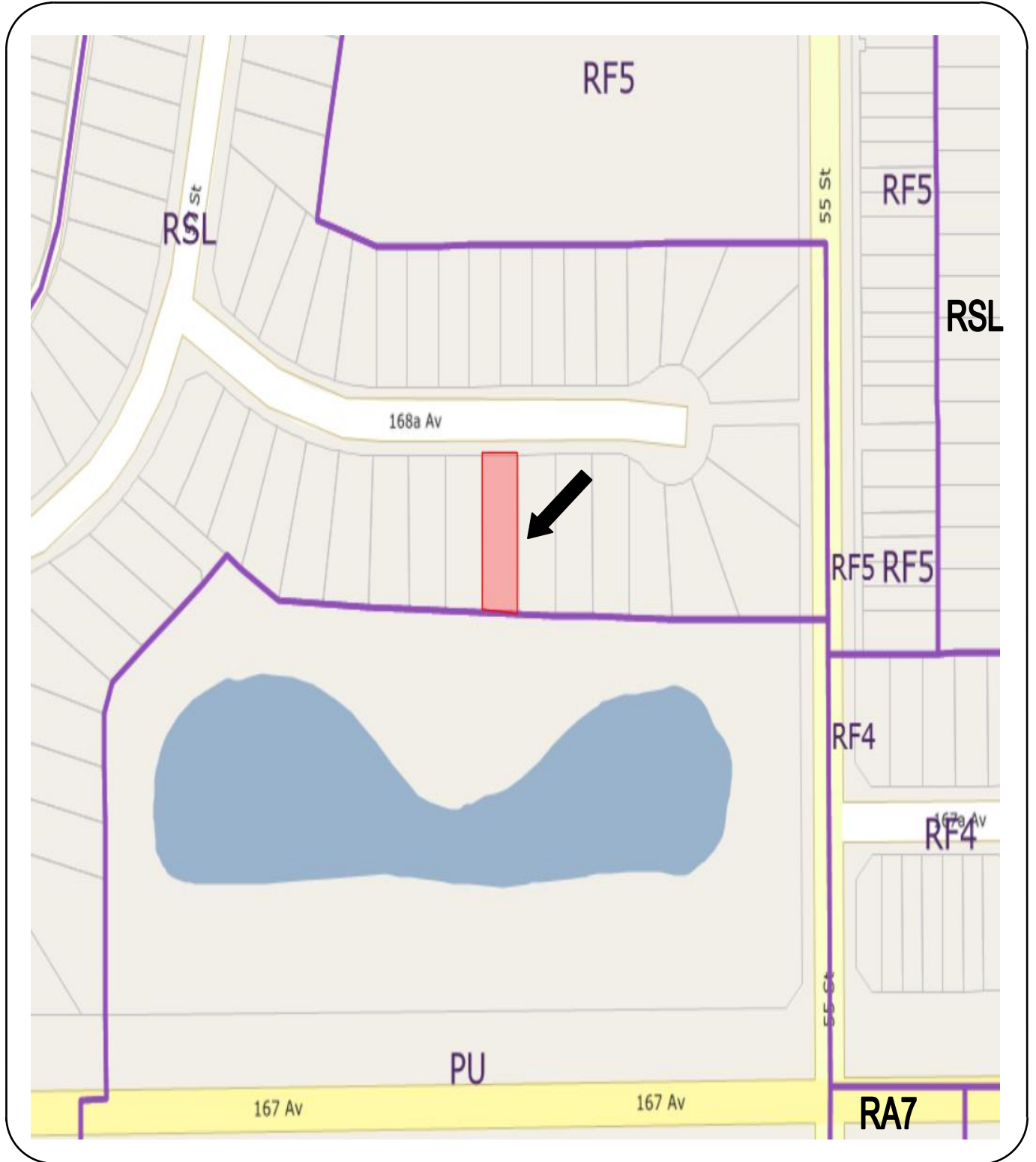
I/We certify that the above noted details are correct.

Applicant signature: _____

Development Application Decision
Refused

THIS IS NOT A PERMIT

	Project Number: 244696437-001 Application Date: MAR 31, 2017 Printed: July 12, 2017 at 2:42 PM Page: 2 of 2																									
<h2 style="margin: 0;">Application for Home Occupation</h2>																										
<p>Reason for Refusal</p> <p>It was determined it is appropriate to review this application against the regulations for Major Home Based Business, despite the application and scope of work. (Section 11.1)</p> <p>1. Section 75.3 - The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located.</p> <p style="margin-left: 20px;">- The Business will generate 5-7 visits per day and 15-21 visits per week, which is pedestrian and vehicular traffic and parking in excess of what is characteristic of the RSL Zone.</p> <p>2. Section 75.6 - The Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings.</p> <p style="margin-left: 20px;">- The Business will change the principal character of the Dwelling with 5-7 overlapping visits within a 1.5 hour time period per day, and on-street parking by clients.</p> <p>3. Section 7.3(7) - Major Home Based Business means development consisting of the Use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses that may generate more than one business associated visit per day. The business Use must be secondary to the Residential Use of the building and shall not change the residential character of the Dwelling or Accessory building.</p> <p style="margin-left: 20px;">- Based on the description of the business, the business Use will not be secondary to the Residential Use of the building and will change the residential character of the Dwelling.</p> <p>4. Section 75.9 - The Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.</p> <p style="margin-left: 20px;">- In the opinion of the Development Officer, this Use would be more appropriately located in a Commercial Zone, as an Indoor Participant Recreation Service. An Indoor Participant Recreation Service is neither a Permitted nor Discretionary Use within the RSL Zone. (Reference Sections 115 and 7.8(4))</p> <p>Rights of Appeal</p> <p>The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.</p>																										
<p>Issue Date: Jun 14, 2017 Development Authority: XIE, JASON Signature: _____</p>																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Fees</th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Dev. Application Fee</td> <td style="text-align: right;">\$0.00</td> <td style="text-align: right;">\$122.00</td> <td style="text-align: right;">04021445</td> <td style="text-align: right;">Mar 31, 2017</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td style="text-align: right; border-top: 1px solid black;"></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right;">\$0.00</td> <td style="text-align: right;">\$122.00</td> <td></td> <td></td> </tr> <tr> <td colspan="5" style="padding-left: 20px;">(overpaid by \$122.00)</td> </tr> </tbody> </table>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$0.00	\$122.00	04021445	Mar 31, 2017	Total GST Amount:	\$0.00				Totals for Permit:	\$0.00	\$122.00			(overpaid by \$122.00)				
Fees	Fee Amount	Amount Paid	Receipt #	Date Paid																						
Dev. Application Fee	\$0.00	\$122.00	04021445	Mar 31, 2017																						
Total GST Amount:	\$0.00																									
Totals for Permit:	\$0.00	\$122.00																								
(overpaid by \$122.00)																										
<p>THIS IS NOT A PERMIT</p>																										



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-138



ITEM II: 10:30 A.M.

FILE: SDAB-D-17-139

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

APPELLANT:

APPLICATION NO.: 239430281-001

APPLICATION TO: Construct an Apartment House building (16 Dwellings), with an underground parkade

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: June 15, 2017

NOTIFICATION PERIOD: June 22, 2017 through July 6, 2017

DATE OF APPEAL: July 7, 2017

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11416 - 71 Avenue NW

LEGAL DESCRIPTION: Plan 1623843 Blk 13 Lot 85

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLAN: McKernan / Belgravia Station Area Redevelopment Plan

Grounds for Appeal

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

The reason for my filing on July 7th, 2017 instead of July 6th, 2017 is do to a mail disruption in my area caused by community revitalization, Canada Post was not able to access my mailbox until this week as the sidewalks and roadways were not accessible, furthermore I left on Vacation June 29th and only returned at 2:00am July 7th,

This neighboring development will border my property, this 15 unit complex will create traffic disruption and chaos, access to and from my home to main corridors will be effected dramatically, the area as it is today cannot accommodate current traffic flow, adding 15 individual apartments will guarantee parking problems, unwanted noise will develop, despite an underground parkade development for residents, limited visitor parking will force parking in front of my home.

This development will obstruct my rear deck-third story views, in fact the 4 storey development will overlook into my property and therefore my privacy will be invaded, the developer has advised that these 15 units will become rental properties which will effect my property values and create unwanted noise disturbances.

Why is the City of Edmonton denying 3 floor residential single family dwellings but granting a 4 storey apartment complex. I strongly disagree with this development moving forward under its current development strategy and therefore seek an appeal hearing.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after

- (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or

...

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

The decision of the Development Officer is dated June 15, 2017. Notice of the development was published in the Edmonton Journal on June 22, 2017. The Notice of Appeal was filed on July 7, 2017.

Hearing and Decision

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

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

- (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 210.2(1), **Apartment Housing** is a **Permitted Use** in the (RA7) Low Rise Apartment Zone.

Under section 7.3(1), **Apartment Housing** means:

development consisting of Dwellings contained within a building or a part of a building having a principal common entrance, in which the Dwellings are not available for daily lease and there are cooking facilities within each Dwelling, the Dwellings are furnished including dishes and linen, and either maid service, telephone service, or desk service is provided. Apartment Hotels shall not contain Commercial Uses, unless such Uses are a Permitted or Discretionary Use in the Zone where the Apartment Hotel is located.

Under section 6.1(32), **Dwelling** means:

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 used permanently or semi-permanently as a residence for a single Household.

Section 823.1 states that the **General Purpose** of the **Medium Scale Residential Infill Overlay** is:

to accommodate the development of medium-scale infill housing in Edmonton's mature residential neighbourhoods in a manner that ensures compatibility with adjacent properties while maintaining or enhancing a pedestrian-friendly streetscape.

Section 210.1 states that the **General Purpose** of the **(RA7) Low Rise Apartment Zone** is "To provide a Zone for Low Rise Apartments."

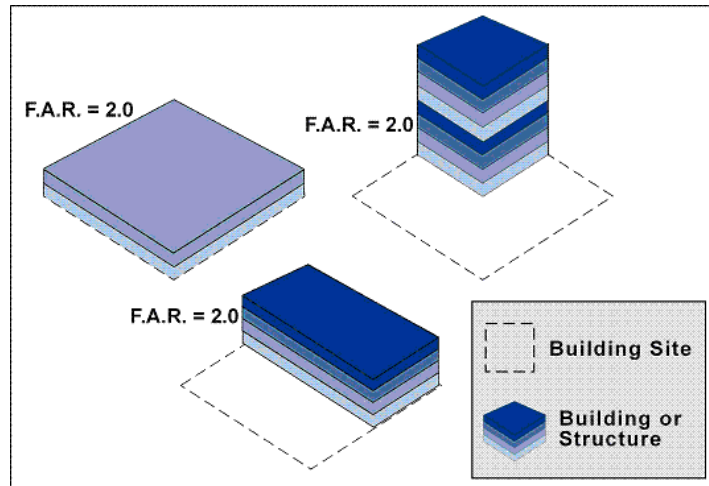
<i>Floor Area Ratio</i>

Section 210.4(5) states:

The maximum Floor Area Ratio shall be 1.3. The maximum Floor Area Ratio may be increased to 1.4 when underground parking is provided. In such a case, the application will be a Discretionary Development.

Under section 6.1(41), **Floor Area Ratio** means:

the numerical value of the Floor Area of the building or structure relative to the Site upon which it is located, excluding: (a) Basement areas used exclusively for storage or service to the building; (b) parking areas below Grade; (c) walkways required by the Development Officer; and (d) Floor Areas devoted exclusively to mechanical or electrical equipment servicing the development, divided by the area of the Site;



Development Officer’s Determination:

Floor Area Ratio - In accordance with Section 210.4(5) the maximum Floor Area Ratio is permitted to be increased from 1.3 to 1.4 when an underground parkade is provided. The proposed Floor Area Ratio for this Apartment House with an underground parkade is 1.4. Reference Section 210.4(5). [unedited]

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. Bylaw No. 11136 requires that a verbal announcement of the Board’s decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.



Project Number: **239430281-001**
 Application Date: JAN 18, 2017
 Printed: July 7, 2017 at 1:54 PM
 Page: 1 of 4

Major Development Permit

This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.

Applicant	Property Address(es) and Legal Description(s) 11416 - 71 AVENUE NW Plan 1623843 Blk 13 Lot 85
	Specific Address(es) Entryway: 11416 - 71 AVENUE NW Building: 11416 - 71 AVENUE NW

Scope of Permit
 To construct an Apartment House building (16 Dwellings), with an underground parkade.

Permit Details	
Class of Permit: Class B Gross Floor Area (sq.m.): 2654.06 New Sewer Service Required: Y Site Area (sq. m.): 1354.1	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 4 Stat. Plan Overlay/Annex Area: (none)

I/We certify that the above noted details are correct.
 Applicant signature: _____

Development Permit Decision
 Approved

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **239430281-001**
 Application Date: JAN 18, 2017
 Printed: July 7, 2017 at 1:54 PM
 Page: 2 of 4

Major Development Permit

Subject to the Following 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. Reference Section 20.5(2).

Any portion of the underground parkade that projects above grade shall be concealed through means such as extending the facade treatment or landscaping to the satisfaction of the Development Officer. Reference Section 823.3.2(i).

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant shall submit a detailed proposed grading plan to the satisfaction of the Development Officer.

All access locations and curb crossings shall have the approval of Transportation Planning and Engineering prior to the start of construction. Reference Section 53(1).

- 1) The proposed connector sidewalks (3 total) from the south property line of the subject site to tie into the City sidewalk on the north side of 71 Avenue are acceptable to Transportation Planning and Engineering.
- 2) The underground driveway ramp must not exceed a slope of 6% for a minimum distance of 4.5m inside the property line and the ramp must be at grade at the property line. The proposed ramp slope submitted by the applicant is acceptable to Transportation Planning and Engineering.
- 3) Any underground parking access card devices must be located on site, a minimum of 3m inside the property line.
- 4) The proposed retaining walls bordering the underground driveway/parkade ramp, must not exceed a height of 0.3m for a distance of 3m from the property line and no portion of the wall may encroach onto road right-of-way. Should the owner/applicant wish to increase this height, adequate sight line data must be provided to ensure vehicles can exit safely.
- 5) Guard rails located on the parkade retaining walls must not obstruct sight lines of vehicles exiting the parkade.
- 6) Heated driveways are not permitted within road right-of-way.
- 7) The owner/applicant is responsible to contact Annie Duong of Transportation Planning and Engineering at 780-496-1799 for inspection 48 hours prior to and following construction of the underground parkade ramp.
- 8) Any gate on the waste enclosure must not swing out over road right-of-way. No objects are permitted to encroach onto, over or under road right-of-way.
- 9) This development is proposed to be constructed in close proximity to the property lines. The owner/applicant must enter into an Encroachment Agreement with the City for any pilings, shoring & tie-backs to remain within road right-of-way. The owner/applicant must email sdencroachmentagreements@edmonton.ca for information on the agreement. The applicant is responsible to provide Development and Zoning Services with a plan identifying all existing utilities on road right-of-way within the affected area of the encroachment.
- 10) There is an existing power pole with Telus facilities in the alley that will interfere with access to a proposed parking stall. All costs associated with relocation must be borne by the owner/applicant. The applicant should contact Ron Hewitt (780-412-3128) of EPCOR Customer Engineering and Soon Chung (780-446-4913) of Telus for more information.
- 11) Any alley, sidewalk, or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Transportation Planning and Engineering, as per Section 15.5(f) of the Zoning Bylaw. The alley, sidewalks, and boulevard will be inspected by Transportation Planning and Engineering prior to construction, and again once construction is complete. All expenses incurred for repair are to be borne by the owner.

Transportation Planning and Engineering Advisements:

- 1) LRT has a tunnel located below 71 Avenue. No cranes or heavy loads may be placed directly over the tunnel. The construction of the parkade must not affect the LRT tunnel/facilities. For further information contact Chris Nelson, ETS, at 780-496-1959.
- 2) The concrete pad located at grade in front of the waste enclosure should extend to the edge of asphalt in the alley.
- 3) Residential Sales Trailers require a separate development permit. Construction trailers must be located on private property or within the hoarded area.
- 4) There may be utilities within 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) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **239430281-001**
 Application Date: JAN 18, 2017
 Printed: July 7, 2017 at 1:54 PM
 Page: 3 of 4

Major Development Permit

5) 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 online at:

:http://www.edmonton.ca/transportation/on_your_streets/on-street-construction-maintenance-permit.aspx

Landscaping shall be in accordance with the approved landscaping plan, Section 55 of the Zoning Bylaw and to the satisfaction of the Development Officer.

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$500.00.

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

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.

A Guaranteed Landscaping Security in the amount of \$147,309.52 shall be provided to the City of Edmonton at the time of Development Permit Inspection, to the satisfaction of the Development Officer.

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$455.00.

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$17,888.00 (based on 2017 rates). All assessments are based upon information currently available to the City. The SSTF charges are quoted for the calendar year in which the development permit is granted. The final applicable rate is subject to change based on the year in which the payment is collected by the City of Edmonton.

A 1.8m solid screen fence shall be installed along the west property line. (Reference Section 210.4.11.d). Any portion of this fence within the Front Yard abutting 71 Avenue shall not exceed a Height of 1.2m.

Bicycle parking shall be provided in accordance to Section 54.3 and to the satisfaction of the Development Officer.

Exterior lighting shall be developed to provide a safe lit environment in accordance with Sections 51 and 58 and to the satisfaction of the Development Officer.

The developer shall provide a minimum of 3 visitor parking spaces readily available to an entrance of the building to be served, and clearly identified as visitor parking to the satisfaction of the Development Officer. Reference Section 54.2(1)(a), Schedule 1A(1).

The off-street parking, loading and unloading (including aisles or driveways) shall be hardsurfaced, curbed, drained and maintained in accordance to Section 54(6).

All outdoor trash collection areas shall be located and screened to the satisfaction of the Development Officer in accordance with Sections 55(4) & (5).

Waste Management Advisements:

- 1) If the loading area is situated over an underground parkade, a letter from an engineering firm stating that the area will be able to withstand the weight of the collection vehicle during loading activities will be required.
- 2) An unobstructed overhead space (min. 23') is needed to allow the waste bins to be tipped in the service area.

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **239430281-001**
 Application Date: JAN 18, 2017
 Printed: July 7, 2017 at 1: 54 PM
 Page: 4 of 4

Major Development Permit

3) A reinforced tip area (tip apron 10') is needed to prevent wheel hollows forming from collection activities.

NOTES:

- 1) Signs require separate Development Applications.
- 2) A Building Permit is Required for any construction or change in use of a building. For a building permit, and prior to the Plans Examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre for further information.
- 3) This approval does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the ERCB Directive 079, the Edmonton Safety Codes Permit Bylaw or any caveats, covenants or easements that might be attached to the Site.

Variiances

Floor Area Ratio - In accordance with Section 210.4(5) the maximum Floor Area Ratio is permitted to be increased from 1.3 to 1.4 when an underground parkade is provided. The proposed Floor Area Ratio for this Apartment House with an underground parkade is 1.4. Reference Section 210.4(5).

Rights of Appeal

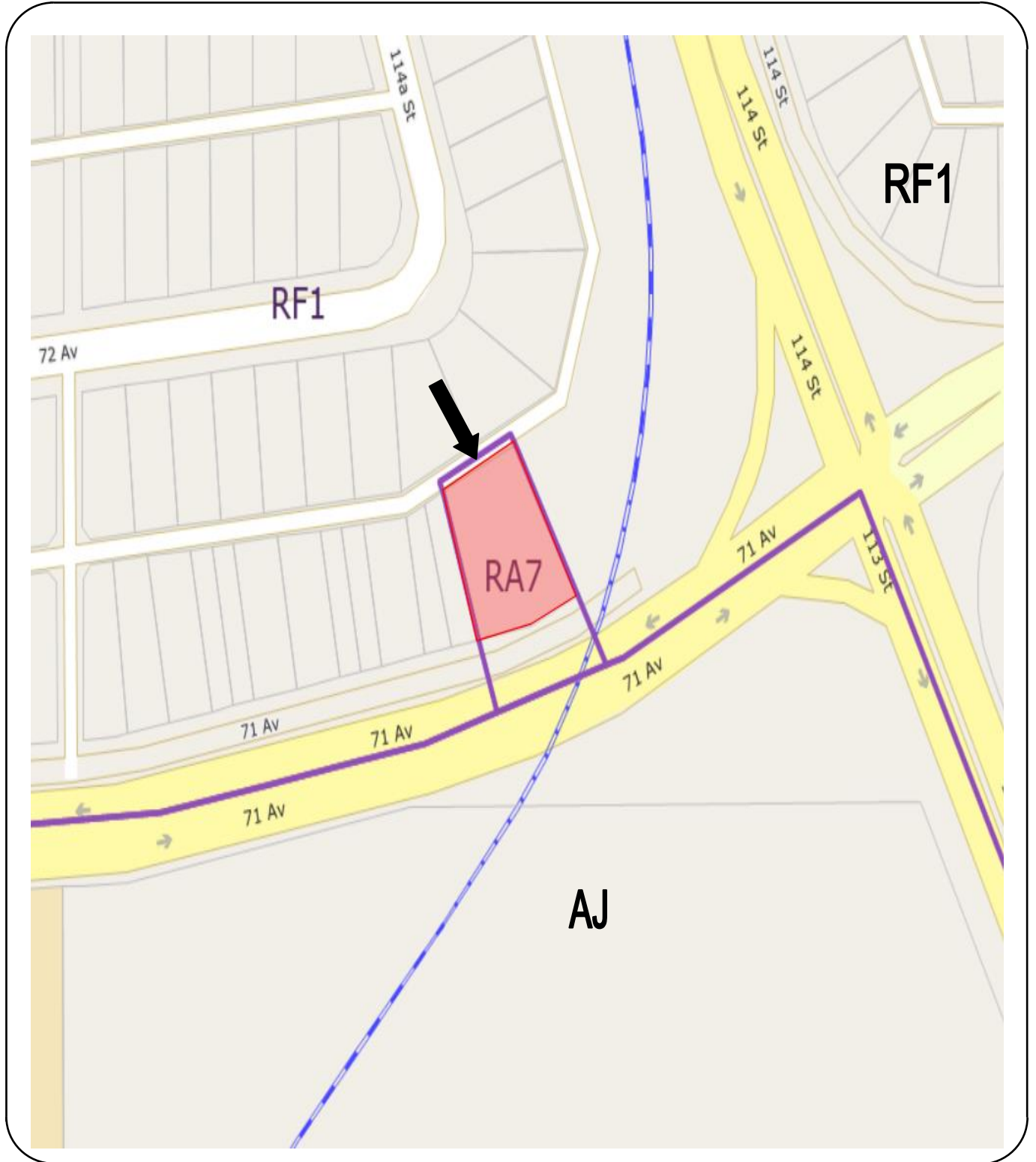
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Jun 15, 2017 **Development Authority:** BACON, KIRK **Signature:** _____
Notice Period Begins: Jun 22, 2017 **Ends:** Jul 06, 2017

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$818.00	\$818.00	03868413	Jan 18, 2017
Dev. Application Fee # of dwelling units	\$876.00	\$876.00	03868413	Jan 18, 2017
Sanitary Sewer Trunk Fund 2012+	\$17,888.00			
Development Permit Inspection Fee	\$500.00			
Lot Grading Fee	\$455.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$20,537.00	\$1,694.00		
(\$18,843.00 outstanding)				

The permit holder is advised to read the reverse for important information concerning this decision.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-139

