

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
July 26, 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-17-133	Construct exterior alterations to a Single Detached House (Driveway extension 1.84m x 7.69m) 16505 - 132 Street NW Project No.: 254516284-001
---	-----------	---------------	---

II	10:30 A.M.	SDAB-D-17-134	Construct and operate a Temporary Shelter Services Use building and to demolish the existing building. (Herb Jamieson Centre - Hope Mission). 10014 - 105A Avenue NW Project No.: 243699586-001
----	------------	---------------	---

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-17-133

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 254516284-001

APPLICATION TO: Construct exterior alterations to a Single Detached House (Driveway extension 1.84m x 7.69m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 26, 2017

DATE OF APPEAL: June 29, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 16505 - 132 Street NW

LEGAL DESCRIPTION: Plan 1320980 Blk 21 Lot 28

ZONE: RF4 Semi-Detached Residential Zone

OVERLAY: N/A

STATUTORY PLAN: Oxford Neighbourhood Structure Plan
Palisades Area Structure Plan

Grounds for Appeal

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

We are a husband a wife with two kids, a 5 years old boy and a five months old baby girl. We live in a single garage attached duplex and have two cars, a SUV as a family car and a cross over for my wife to go to work.

Unfortunately, the SUV does not fit in the garage, and has to be parked outside, in order to avoid blocking my wife's car, who goes to work an hour and half earlier than me, I have to park the SUV on the street in front of my lawn.

The problem is that this spot (seen in the image) is now occupied almost 80% of the time due to the following reasons:

- the house next door has two families with three cars. They also have rented their basement and that's an extra car. In addition, their second is moving in and that's an extra two cars for him and his wife.
- the house next to my neighbor has three cars and a tenant in the basement with two cars including a large truck.
- the spot is occupied often by one of those cars or visitors who stay parked for two nights in the weekends.

This forces me to park my SUV across the street (which will not be an option once the house is built this year) or on the main street at 167 ave. this is posing a great hardship and danger when trying to manage crossing the street with my boy on the loose and carrying on a baby in a car seat plus the stuff we I am carrying like bags or groceries. This difficulty grows bigger in the winter months with the snow and the ice. There are occasions where my son slipped and fell, or we faced speedy cars turning the curb since our house is right there.

The amount of cars on the street is only expected to grow and this extension to my driveway will help us secure an easy and safe access to our house. Despite this extension, I will still have and maintain a nice green natural lawn and tree, with an intact walkway.

Note: I believe most of the houses in Oxford are single home dwellings with plenty of parking space. A lot of single garage owners in my neighborhood already added this extension which depicts hardship experienced by them as well. In fact, in my street there is a number of single homes who added this extra concrete because of the amount of cars on the street that needs parking.

<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.

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

...

The decision of the Development Officer is dated June 26, 2017. The Notice of Appeal was filed on June 29, 2017.

Determining an Appeal

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*:

Section 150.1 states that the **General Purpose** of the **RF4 Semi-detached Residential Zone** is “to provide a zone primarily for Semi-detached Housing and Duplex Housing.”

Under Section 150.2(6), **Single Detached Housing** is a **Permitted Use** in the RF4 Semi-detached Residential Zone.

Under Section 150.2(5), **Semi-detached Housing** is a **Permitted Use** in the RF4 Semi-detached Residential Zone.

Section 6.1(31) states:

Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area and does not include a Walkway.

Section 6.1(121) states: “**Walkway** means a path for pedestrian circulation that cannot be used for vehicular parking”.

Driveway Width and Driveway Must Lead to Garage/Parking Area

The Development Officer referenced subsections 54.1(4)(a) and (b), which provide as follows:

4. The Front Yard of any at Grade Dwelling in any Residential Zone, or in the case of a corner Site, either the Front Yard or the flanking Side Yard in any Residential Zone, may include a maximum of one Driveway. The Driveway shall:
 - a. lead directly from the roadway to the Garage or Parking Area;
 - b. for a Garage or Parking Area with one parking space, have a maximum width of 4.3 m, or the width of the Garage or Parking Area, whichever is the lesser;

Development Officer’s Determination

The Development Officer referenced subsections 54.1(4)(a) and (b), and provided the following reasons for refusal (see pages 1 and 2 of the Development Authority’s Written Submissions):

Reason for Refusal: The Driveway does not lead directly to a Garage or parking area. The proposed driveway width is 5.99m, exceed the

allowable by 1.83m. The 1.84m extension is considered part of the front yard and parking is not allowed in that area.

Proposed width of driveway plus extension: 5.99m

Maximum allowable width of driveway: 4.16m

Exceeds by: 1.83mm

Parking Space in Front Yard

The Development Officer referenced subsection 54.2(2)(e)(i), which states: “parking spaces shall not be located within a Front Yard”.

Development Officer’s Determination

The Development Officer provided the following reasons for refusal (see page 2 of the Development Authority’s Written Submissions):

Parking space is located in the front yard

Section 6.1(29) - Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area.

Section 6.1(119) - Walkway means a path for pedestrian circulation that cannot be used for vehicular parking. [Formatting and emphasis as per original.]

Development Officer’s Variance Powers

Section 11.3(1)(a) states: “a variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the Use, character, or situation of land or a building, which are not generally common to other land in the same Zone”.

Development Officer’s Determination



The Development Officer noted the following:

- Other than areas approved as a Driveway, the rest of the Front Yard should be suitably landscaped. Parking is on areas that should be suitably landscaped and takes away from a desirable curb appeal. On-street parking may also be affected by the extension.

- Given the above observations, the proposed development has no hardship or practical difficulty, and would unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring properties, in the opinion of the Development Officer.

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: 254516284-001 Application Date: JUN 15, 2017 Printed: July 14, 2017 at 3:20 PM Page: 1 of 2		
<h2 style="margin: 0;">Application for Minor Development Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
Applicant 	Property Address(es) and Legal Description(s) 16505 - 132 STREET NW Plan 1320980 Blk 21 Lot 28 Specific Address(es) Suite: 16505 - 132 STREET NW Entryway: 16505 - 132 STREET NW		
Scope of Application To construct exterior alterations to a Single Detached House (Driveway extension, 1.84m x 7.69m).			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> # of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N </td> <td style="width: 50%; border: none; vertical-align: top;"> Class of Permit: Lot Grading Needed?: New Sewer Service Required: N/A Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: New Sewer Service Required: N/A Stat. Plan Overlay/Annex Area: (none)
# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Lot Grading Needed?: New Sewer Service Required: N/A Stat. Plan Overlay/Annex Area: (none)		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Application Decision Refused Reason for Refusal Section 54.1.4.a, b The Front Yard of any at Grade Dwelling in any Residential Zone, or in the case of a corner Site, either the Front Yard or the flanking Side Yard in any Residential Zone, may include a maximum of one Driveway. The Driveway shall: a. lead directly from the roadway to the Garage or Parking Area; b. for a Garage or Parking Area with one parking space, have a maximum width of 4.3 m, or the width of the Garage or Parking Area, whichever is the lesser; Section 54.2.2.e.i Except as otherwise provided for in this Bylaw, parking spaces, not including Driveways, shall be located in accordance with the following: i. parking spaces shall not be located within a Front Yard; Section 11.3.1 A variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the Use, character, or situation of land or a building, which are not generally common to other land in the same Zone; Note: Section 6.1.119 Walkway means a path for pedestrian circulation that cannot be used for vehicular parking Section 6.1.29 Driveway means an area that provides access for vehicles from a public or private roadway to a Garage or Parking Area and does not include a Walkway.			
Rights of Appeal 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.			
THIS IS NOT A PERMIT			



Project Number: **254516284-001**
Application Date: JUN 15, 2017
Printed: July 14, 2017 at 3:20 PM
Page: 2 of 2

Application for Minor Development Permit

Issue Date: Jun 26, 2017 **Development Authority:** WATTS, STACY **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$166.00	\$166.00	04211266	Jun 15, 2017
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$166.00	<u>\$166.00</u>		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-133



ITEM II: 10:30 A.M.

FILE: SDAB-D-17-134

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

APPELLANT 1:

APPELLANT 2:

APPELLANT 3:

APPELLANT 4:

APPLICATION NO.: 243699586-001

APPLICATION TO: Construct and operate a Temporary Shelter Services Use building and to demolish the existing building. (Herb Jamieson Centre - Hope Mission).

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: June 9, 2017

DATE OF APPEAL (APPELLANT 1): June 28, 2017

DATE OF APPEAL (APPELLANTS 2-4): June 29, 2017

NOTIFICATION PERIOD: Jun 15, 2017 through Jun 29, 2017 (See page 4 of permit)

RESPONDENT: Brian Allsopp Architect Ltd.

ADDRESS OF RESPONDENT: 10014 - 105A Avenue NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10014 - 105A Avenue NW

LEGAL DESCRIPTION: Plan EF Lots 139-142

ZONE: US Urban Services Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLAN: Boyle Street / McCauley Area Redevelopment Plan

Grounds for Appeal

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

McCauley Community League:

The McCauley Community League is appealing this development permit based on the three variances granted by the development officer. In addition, this permit is being granted just as the City is initiating the Inner City Wellness Plan that is designed to provide a plan for the delivery of social services and supportive housing in the inner city and throughout Edmonton. Granting this permit undermines this important planning process which the mayor initiated, in part, at the request of the McCauley Community League.

Brenda Chao:

Affects community, surrounding business, less desirable area

Quinco Financial Inc.:

Quinco owns the following properties: 10550, 10560, 10572, 10576 - 101 Street and 10604, 10624, 10630, 10638-10646 - 101 Street and 10645 - 101 Street. These properties are all close by to the proposed development and will be affected by the permit. Quinco is meeting with the City for a proposed 43 M hotel at 10604 - 10636 - 101 Street and feels the proposed use would not be compatible, pedestrian traffic will not be desirable and will affect our ability to run a successful hotel.

Chinatown and Area Business Association:

Ratan Lawrence is filing on behalf of all the businesses close by Herb Jamieson. Concerns: Temporary beds during the winter. H. Jamieson will continue to use these beds? Where are they going to relocate all of their clients during construction? Many businesses did not receive a development permit notice.

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.

685(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,

...

(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*. [emphasis added]

The *Edmonton Zoning Bylaw 12800* provides as follows:

20. Notification of Issuance of Development Permits

20.2 Class B Development

1. Within seven days of the issuance of a Development Permit for a Class B Discretionary Development, the Development Officer shall dispatch a written notice by ordinary mail to all relevant parties listed below that are wholly or partially within 60.0 m of the boundaries of the Site which is the subject of the Development Permit:
 - a. each assessed owner of the Site or a part of the Site of the development;
 - b. each assessed owner of land;
 - c. the President of each Community League; and
 - d. the President of each Business Revitalization Zone.
2. The notice shall describe the development and state the decision of the Development Officer, and the right of appeal therefrom.
3. Within 10 days of the issuance of a Development Permit for Class B Discretionary Development, the Development Officer shall cause to be published in a daily newspaper circulating within the City, a notice describing the development and stating their decision, and the right to appeal therefrom.

4. Where, in the opinion of the Development Officer, a proposed development is likely to affect other owners of land beyond 60.0 m, the Development Officer shall notify owners of land at such additional distance and direction from the Site as, in the opinion of the Development Officer, may experience any impact attributable to the development.

The decision of the Development Officer is dated June 9, 2017. Notice of the development was published in the Edmonton Journal on June 15, 2017. The Notice of Appeal was filed on June 28, 2017 by Appellants 1 and 2, and June 29, 2017 by Appellants 3 and 4.

Determining an Appeal

The *Municipal Government Act* states the following:

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*:

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

Under Section 510.3(19), **Temporary Shelter Services** is a **Discretionary Use** in the US Urban Services Zone.

Section 7.3(10) states:

Temporary Shelter Services means development sponsored or supervised by a public authority or non-profit agency for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance for a short period of time. Typical Uses include hostels and overnight shelters.

Minimum Rear Setback

Section 510.4(2) states that “The minimum Rear Setback shall be 7.5 m.”

Development Officer’s Determination

1. Reduced Rear Setback - The distance from the proposed building to the rear property line to the west is zero (0) meters instead of 7.5 meters. (Section 510.4(2))

Maximum Building Height

Subsections 510.4(4) and (5) provide as follows:

4. The maximum building Height shall be 10.0 m.
5. Where, in the opinion of the Development Officer, it is unreasonable for a development to comply with clause (1), (2), (3) or (4) due to characteristics fundamental to the nature of the Use, the Development Officer may relax the conditions of clause (1), (2), (3) or (4), as required. In such cases, a Permitted Use shall become a Discretionary Use.

Development Officer’s Determination

2. Building Height - The Height of the proposed building is 13.3 meters instead of 10 meters, to accommodate a staircase access to the rooftop amenity space with trellis. (Section 510.4(4) and 510.4(5))

Landscaping

Subsection 55.3(1)(c) states:

- c. new trees and shrubs shall be provided on the following basis:
 - i. the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50;
 - ii. approximately 50% of required deciduous trees shall be minimum of 50 mm Caliper and approximately 50% shall be a minimum 70 mm Caliper;
 - iii. approximately 75% of required coniferous trees shall be a minimum of 2.5 m in Height and approximately 25% shall be a minimum of 3.5 m in Height; and
 - iv. minimum shrub size shall be 300 mm in Height for deciduous and a spread of 450 mm for coniferous;

Development Officer's Determination

The Development Officer referenced subsection 55.3(c)(i) and (iii), and determined that "The number and proportion of coniferous trees proposed is 0%, with deciduous trees proposed of 100%, instead of a 50:50 ratio on Site."

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: 243699586-001
Application Date: MAR 20, 2017
Printed: June 28, 2017 at 1:44 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) 10014 - 105A AVENUE NW Plan EF Lot 141 10014 - 105A AVENUE NW Plan EF Lot 142 10014 - 105A AVENUE NW Plan EF Lot 139 10014 - 105A AVENUE NW Plan EF Lot 140 Specific Address(es) Entryway: 10014 - 105A AVENUE NW Building: 10014 - 105A AVENUE NW
---	---

Scope of Permit
To construct and operate a Temporary Shelter Services Use building and to demolish the existing building. (Herb Jamieson Centre - Hope Mission).

Permit Details Class of Permit: Class B Gross Floor Area (sq.m.): 3267.9 New Sewer Service Required: Y Site Area (sq. m.): 2753.46	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: Boyle Street/McCauley
---	--

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: **243699586-001**
 Application Date: MAR 20, 2017
 Printed: June 28, 2017 at 1:44 PM
 Page: 2 of 4

Major Development Permit

Subject to the Following Conditions

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall provide the following:

1. A guaranteed security to ensure that landscaping is provided and maintained for two growing seasons. The Landscape Security may be held for two full years after the landscaping has been completed. This security may take the following forms:

- a) cash to a value equal to 100% of the established landscaping costs;
- or
- b) an irrevocable letter of credit having a value equivalent to 100% of the established landscaping costs.

Any letter of credit shall allow for partial draws. If the landscaping is not completed in accordance with the approved Landscape Plan(s) within one growing season after completion of the development or if the landscaping is not well maintained and in a healthy condition two growing seasons after completion of the landscaping, the City may draw on the security for its use absolutely. Reference Section 55.6

2. The applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$2,199.23. 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.

3. The applicant or property owner shall pay a Lot Grading Fee of \$227.00.

4. At no time shall the bed count exceed the existing occupancy of 400 in the proposed building.

5. The applicant/owner shall provide parking for People with Disabilities in accordance to Section 54.1(3) and to the satisfaction of the Development Officer.

6. The off-street parking, loading and unloading (including aisles or driveways) shall be hardsurfaced, curbed, drained and maintained in accordance to Section 54.6

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

8. The applicant shall comply with the requirements of Traffic Bylaw No. 5590 Part II (59) regarding boulevard landscaping. For information call the Parks Branch at 780-496-TREE.

9. Landscaping shall be in accordance to the approved landscape, Section 55 and to the satisfaction of the Development Officer.

10. 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.

11. 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. (Reference Section 51 of the Edmonton Zoning Bylaw 12800.)

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

Transportation Planning and Engineering provide the following conditions:

1. The existing 6 m commercial access to 100 Street, located approximately 14 m from the north property line as shown on Enclosure I, must be removed and the curb & gutter and sidewalk constructed and boulevard restored. The owner/applicant must obtain a permit to remove the access, available from the Development and Zoning Services Branch, 2nd Floor, 10111-104 Avenue.

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



Project Number: **243699586-001**
 Application Date: MAR 20, 2017
 Printed: June 28, 2017 at 1:44 PM
 Page: 3 of 4

Major Development Permit

2. Any underground parking access card devices must be located on site, a minimum of 3 m inside the property line, as shown on Enclosure I.

3. Garbage enclosures must be located entirely within private property and gates and/or doors of the garbage enclosure must not open or encroach into road right-of-way, as shown on Enclosure I. A 2 m x 4 m x 200 mm thick concrete pad must be constructed in front of the garbage bins on private property to provide an adequate base that will withstand the weight of the waste management vehicle when loading.

4. There is an existing power pole with Telus facilities in the alley that conflicts with the proposed garbage enclosure and must be relocated, as shown on Enclosure I. 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 Lillian Liu (587-985-8574) of Telus for more information.

5. There are additional existing power poles with Telus facilities in the alley that may interfere with access to a proposed parking stalls/access to the site, as shown on Enclosure I. Should relocation of the pole/guy-wire be required, 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 Lillian Liu (587-985-8574) of Telus for more information.

6. This development is proposed to be constructed up to the property line. The owner/applicant must enter into an Encroachment Agreement with the City for any overhead canopies, pilings, shoring, and tie-backs to remain within road right-of-way. The owner/applicant must send an email to sdencroachmentagreements@edmonton.ca for information on the agreement. The applicant must provide Development and Zoning Services with a plan identifying all existing utilities on road right-of-way within the affected area of the encroachment.

7. 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.

8. 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
- confirmation 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

9. 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 provide the following advisement:

1. The underground driveway ramp must not exceed a slope of 6% for a minimum distance of 4.5 m inside the property line and the ramp must be at grade at the property line. The proposed ramp slope submitted by the applicant, as shown on Enclosure II, is acceptable to Transportation Planning and Engineering.

NOTES:

A Building Permit is Required for any construction or change in use of a building. For a building permit, and prior to the Plans

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



Project Number: **243699586-001**
 Application Date: MAR 20, 2017
 Printed: June 28, 2017 at 1:44 PM
 Page: 4 of 4

Major Development Permit

Examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre for further information.

This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.

Signs require separate Development Applications.

The applicant/owner is responsible for ensuring that the proposed development does not encroach on or impair the operation of any existing hydrants and/or valves that are located either in the boulevard, sidewalk, or the street. If a conflict exists then it will be responsibility of the applicant/owner to rectify the problem by:

- 1) redesign of the proposed development followed by a resubmission for approval to the City or,
- 2) relocation of the utility which is to be done by the City staff at the sole expense of the applicant/owner.

For further information, please contact the Drainage Branch of the Asset Management and Public Works Department at 780-496-5460.

Variances

1. Reduced Rear Setback - The distance from the proposed building to the rear property line to the west is zero (0) meters instead of 7.5 meters. (Section 510.4(2))
2. Building Height - The Height of the proposed building is 13.3 meters instead of 10 meters, to accommodate a staircase access to the rooftop amenity space with trellis. (Section 510.4(4) and 510.4(5))
3. Landscaping - The number and proportion of coniferous trees proposed is 0%, with deciduous trees proposed of 100%, instead of a 50:50 ratio on Site. (Section 55.3(1)(c)(i)(iii))

Rights of Appeal

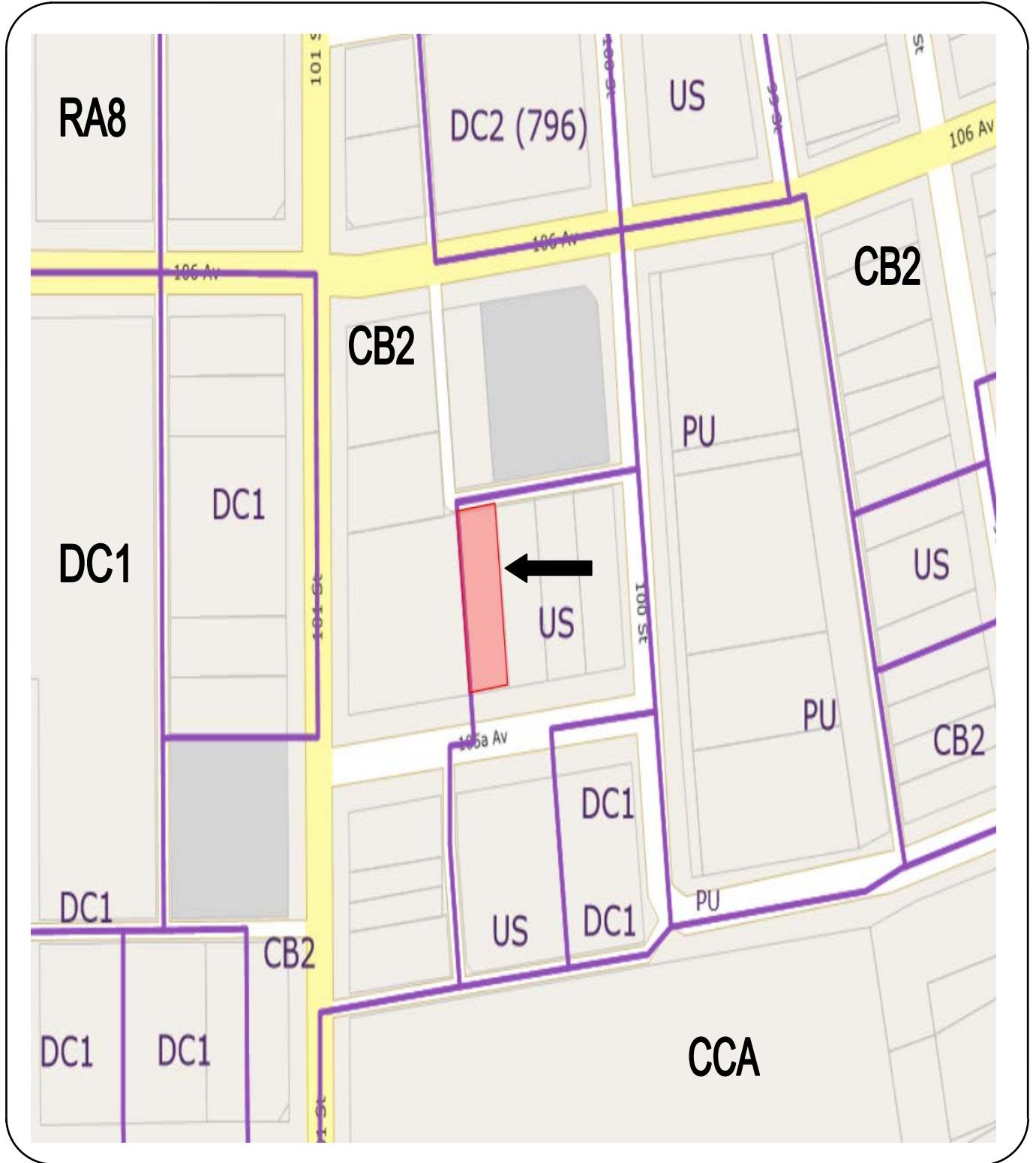
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Jun 09, 2017 **Development Authority:** LOUIE, CINDY **Signature:** _____
Notice Period Begins: Jun 15, 2017 **Ends:** Jun 29, 2017

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$929.00	\$929.00	03990154	Mar 20, 2017
Lot Grading Fee	\$227.00	\$227.00	03990154	Mar 20, 2017
Dev. Application Fee for GFA	\$2,632.00	\$2,632.00	04005634	Mar 27, 2017
Sanitary Sewer Trunk Fund 2012+	\$2,199.23			
Total GST Amount:	\$0.00			
Totals for Permit:	\$5,987.23	\$3,788.00		
(\$2,199.23 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-17-134



N