

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
March 21, 2019**

**Hearing Room No. 2
Churchill Building,
10019 - 103 Avenue NW,
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 2**

I	9:00 A.M.	SDAB-D-19-039	Construct an extension to an existing Uncovered Deck (new size: 4.22 metres by 8.57 metres), existing without permits. 1746 – Tanager Close NW Project No.: 243625660-004
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TO BE RAISED

II	11:00 A.M.	SDAB-D-19-017	Change the use of 27 units of Apartment Housing (9-1 bedroom, and 18-2 bedroom Dwellings) to 48 units of Apartment Hotel, increase the height, and amend the floor layout (parking garage, 1-4 storeys), and to construct exterior and interior alterations (change the Building design, increase height, increase parking garage size) to an approved Building. 17104 - 90 Avenue NW Project No.: 266010257-006
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NOTE: *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-19-039

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 243625660-004

APPLICATION TO: Construct an extension to an existing Uncovered Deck (new size: 4.22 metres by 8.57 metres), existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 6, 2019

DATE OF APPEAL: February 26, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 1746 – Tanager Close NW

LEGAL DESCRIPTION: Plan 1620693 Blk 7 Lot 7

ZONE: RSL Residential Small Lot Zone

OVERLAY: North Saskatchewan River Valley and Ravine System Protection Overlay

STATUTORY PLAN: Big Lake Area Structure Plan
Starling Neighbourhood Structure Plan

Grounds for Appeal

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

The City did not evaluate the proper impacts associated with the Bylaws.
The Deck meets the intentions of the rules and regulations in place.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, [...]

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 clauses (a.4) and (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 115.2(5), **Single Detached Housing** is a **Permitted Use** in the **(RSL) Residential Small Lot Zone**.

Under Section 6.1, **Platform Structure** means an elevated structure intended for use as outdoor Amenity Area that may project and/or be recessed from the wall of a building, may be surrounded by guardrails, parapet walls or similar features. Common examples include: balconies, raised terraces and decks. This definition does not include a Rooftop Terrace.

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 and Garden Suites.

Section 811.1 states that the **General Purpose** of the **North Saskatchewan River Valley and Ravine System Protection Overlay** is:

to provide a development Setback from the North Saskatchewan River Valley and Ravine System.

North Saskatchewan River Valley and Ravine System Protection Overlay

Section 811.3(8) states the Development Officer, having regard to the detailed engineering study required in 811.3.3 or 811.3.4 and in consultation with Integrated Infrastructure Services, may apply conditions of approval to any Development Permit issued on a Site that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System, as shown in Appendix 1 to this Overlay, including but not limited to, any conditions required to minimize erosion and stabilize soil conditions as well as, when applicable, requirement to comply with subsection 811.3.7, or may refuse the application.


Development Officer's Determination

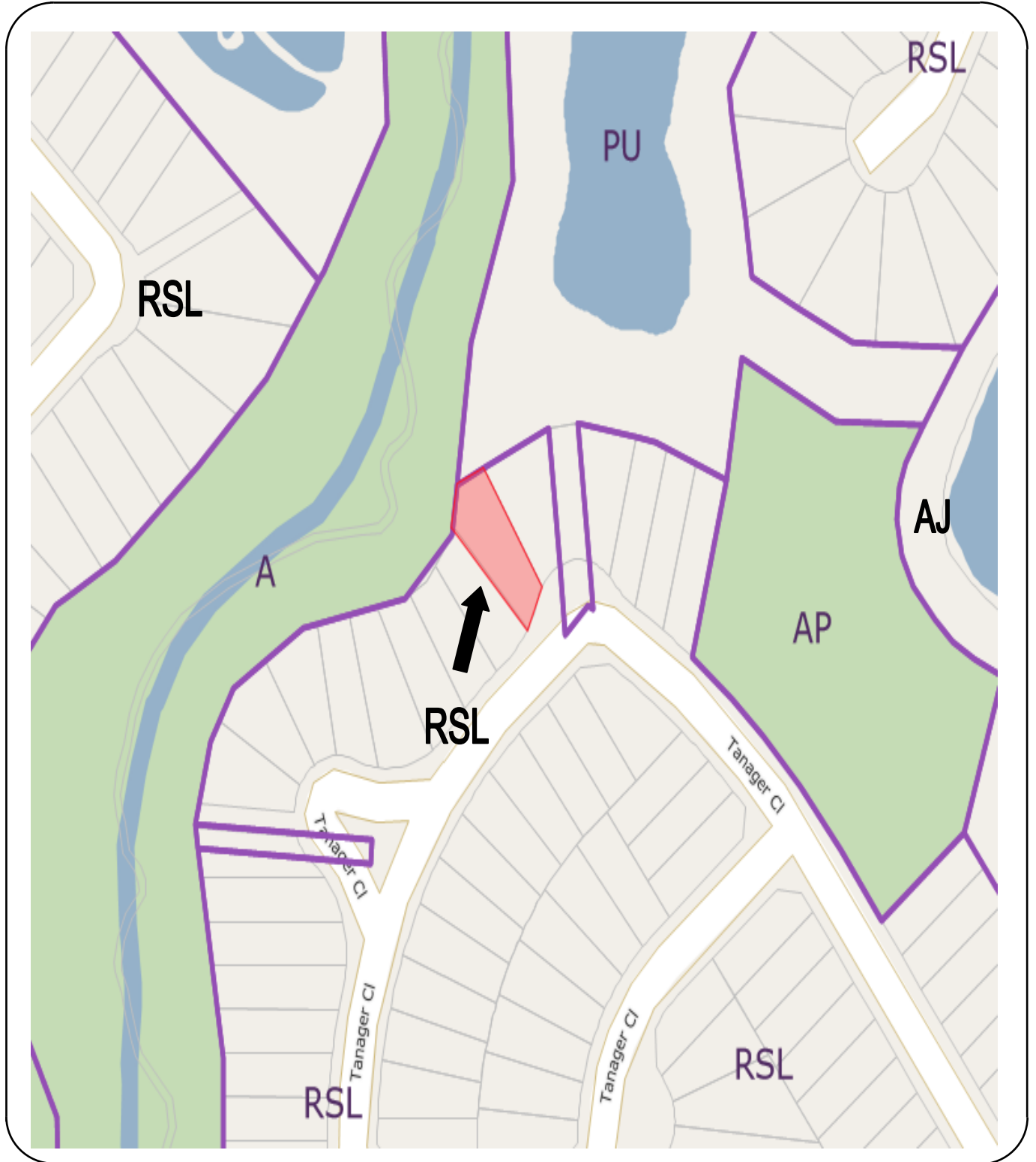
The Uncovered Rear Deck, existing without permits, falls under the North Saskatchewan River Valley and Ravine System Protection Overlay. The Overlay provides a development Setback to minimize erosion and stabilize soil conditions near the North Saskatchewan River Valley and Ravine System.

This development was refused due to a memorandum from Integrated Infrastructure Services advising that the development does not comply with the Overlay (811.3.8).

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.

	<h2 style="margin: 0;">Application for Minor Development Permit</h2>	Project Number: 243625660-004 Application Date: MAR 21, 2018 Printed: February 6, 2019 at 8:14 AM Page: 1 of 1																									
This document is a Development Permit Decision for the development application described below.																											
Applicant <div style="border: 1px solid black; height: 60px; width: 100%;"></div>	Property Address(es) and Legal Description(s) 1746 - TANAGER CLOSE NW Plan 1620693 Blk 7 Lot 7																										
Scope of Application To construct an extension to an existing Uncovered Deck (new size: 4.22m x 8.57m), existing without permits																											
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> # of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Deck (uncovered) Secondary Suite Included?: N </td> <td style="width: 50%; border: none;"> # of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>			# of Dwelling Units Add/Remove: 0 # of Secondary Suite Dwelling Units To Construct: Client File Reference Number: Minor Dev. Application Fee: Deck (uncovered) Secondary Suite Included?: N	# of Primary Dwelling Units To Construct: Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: N Stat. Plan Overlay/Annex Area: (none)																							
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I/We certify that the above noted details are correct. Applicant signature: _____																											
Development Application Decision Refused Issue Date: Feb 06, 2019 Development Authority: BAUER, KERRY Reason for Refusal The Uncovered Rear Deck, existing without permits, falls under the North Saskatchewan River Valley and Ravine System Protection Overlay. The Overlay provides a development Setback to minimize erosion and stabilize soil conditions near the North Saskatchewan River Valley and Ravine System. This development was refused due to a memorandum from Integrated Infrastructure Services advising that the development does not comply with the Overlay (811.3.8). Rights of Appeal 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.																											
Fees <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"></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;">\$116.00</td> <td style="text-align: right;">\$116.00</td> <td style="text-align: right;">04889578</td> <td style="text-align: right;">Mar 21, 2018</td> </tr> <tr> <td>Existing Without Permit Penalty Fee</td> <td style="text-align: right;">\$116.00</td> <td style="text-align: right;">\$116.00</td> <td style="text-align: right;">04889578</td> <td style="text-align: right;">Mar 21, 2018</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$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;">\$232.00</td> <td style="text-align: right; border-top: 1px solid black;">\$232.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$116.00	\$116.00	04889578	Mar 21, 2018	Existing Without Permit Penalty Fee	\$116.00	\$116.00	04889578	Mar 21, 2018	Total GST Amount:	\$0.00				Totals for Permit:	\$232.00	\$232.00		
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THIS IS NOT A PERMIT																											



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-039



TO BE RAISED
ITEM II: 11:00 A.M.

FILE: SDAB-D-19-017

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 266010257-006

APPLICATION TO: Change the use of 27 units of Apartment Housing (9-1 bedroom, and 18-2 bedroom Dwellings) to 48 units of Apartment Hotel, increase the height, and amend the floor layout (parking garage, 1-4 storeys), and to construct exterior and interior alterations (change the Building design, increase height, increase parking garage size) to an approved Building

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: December 20, 2018

DATE OF APPEAL: January 16, 2019

NOTIFICATION PERIOD: December 27, 2018 through January 17, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 17104 - 90 Avenue NW

LEGAL DESCRIPTION: Plan 8220508 Blk 30 Lot 9

ZONE: (CSC) Shopping Centre Zone

OVERLAY: N/A

STATUTORY PLAN: Summerlea Neighbourhood Area Structure Plan

Grounds for Appeal

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

The Major development Permit issued on December 20, 2018 provides that the owner must register an easement thru the adjacent west property for the provision of waste services. An alternate method of accessing the property for waste removal vehicles is entry from 90th Ave with a hammerhead turn to remove the garbage. If this method of access is used an easement through the adjacent west property is not required.

Alternatively, an additional access could be provided off of 90th Ave at the south west boundary of this property.

General Matters

The Subdivision and Development Appeal Board mad and passed the following motion on February 14, 2019:

“That the appeal hearing be postponed until March 21, 2019.”

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, [...]

(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 clauses (a.4) and (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 320.3(2), **Apartment Hotels** is a **Discretionary Use** in the (CSC) Shopping Centre Zone.

Under section 7.3(1), **Apartment Hotels** 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 320.2(9), **General Retail Stores** is a **Permitted Use** in the (CSC) Shopping Centre Zone.

Under section 7.4(24), **General Retail Stores** means:

development used for the retail or consignment sale of new goods or merchandise within an enclosed building, not including the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or goods sold wholesale. Accessory Uses may include the assembly or repair of products sold on Site, or minor public services such as postal services or pharmacies. This Use does not include Aircraft Sales/Rentals, Automotive and Minor Recreation Vehicle Sales/Rentals, Cannabis Retail Sales, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Garden Centres, Pawn Stores, Major Alcohol Sales, Minor Alcohol Sales, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.

Under section 6.1, **Parking Garage** means “an Accessory building or structure, or any portion of a principal building or structure, containing communal parking spaces used for vehicular parking or storage.”

Section 320.1 states that the **General Purpose** of the **(CSC) Shopping Centre Zone** is “to provide for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes.”

<i>Vehicular Parking Requirement</i>

Section 54.2, Schedule 1(A)(13) states:

Use of Building or Site	Minimum Number of Parking Spaces Required
Apartment Hotels	1 parking space per Dwelling, room, or suite

Section 54.2, Schedule 1(A)(12) states:

Any development within a Commercial Use not listed separately in this table, with a Floor Area of:	Minimum Number of Parking Spaces Required
a. less than <u>4 500 m²</u>	1 parking space per <u>40.0 m²</u> of Floor Area

Under section 6.1, **Dwelling** means:

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.

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

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

Development Officer’s Determination

1. Parking - The site has 75 parking spaces, instead of 81, a deficiency of 6 parking spaces. (Section 54.2 and Schedule 1(A))
[unedited]

Loading Spaces Requirement

Section 54.4, Schedule 3 provides the following with respect to Loading Spaces:

Use of Building or Site	Total Floor Area of Building	Minimum Number of loading Spaces Required
1. Any development within the Commercial or Industrial Use Classes, excluding Professional, Financial and Office Support Services	Less than <u>465 m²</u> <u>465 m² to 2 300 m²</u> Each additional <u>2 300 m²</u> , or fraction thereof	1 2 1 additional
2. Any development within the Residential-Related, Basic Services or Community, Educational, Recreational and Cultural Service Use Classes and Professional, Financial and Office Support Services, excluding Limited Group Homes	Up to <u>2 800 m²</u> Each additional <u>2 800 m²</u> or fraction thereof	1 1 additional

Development Officer’s Determination

2. Loading Space - There are 2 instead of 3 Loading Spaces. (Section 54.4.3). [unedited]

Discretionary Use


3. Discretionary Use - Apartment Hotels is approved as a Discretionary Use (Section 320.3.2). [unedited]

Previous Subdivision and Development Appeal Board Decision

Application Number	Description	Decision
SDAB-D-17-046	To install a Freestanding Minor Digital Off-premises Sign (6.1 m x 3 m -facing E/W).	March 17, 2017; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED as applied for to the Development Authority, subject to CONDITIONS.

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.

	<p>Project Number: 266010257-006 Application Date: OCT 11, 2018 Printed: January 17, 2019 at 11:03 AM Page: 1 of 4</p>		
<h2 style="margin: 0;">Major Development Permit</h2>			
<p>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.</p>			
<p>Applicant</p>	<p>Property Address(es) and Legal Description(s) 17104 - 90 AVENUE NW Plan 8220508 Blk 30 Lot 9</p> <p>Specific Address(es) Suite: 17128 - 90 AVENUE NW Entryway: 17104 - 90 AVENUE NW Entryway: 17108 - 90 AVENUE NW Entryway: 17112 - 90 AVENUE NW Entryway: 17116 - 90 AVENUE NW Entryway: 17120 - 90 AVENUE NW Entryway: 17128 - 90 AVENUE NW Building: 17104 - 90 AVENUE NW</p>		
<p>Scope of Permit To change the use of 27 units of Apartment Housing (9-1 bedroom, and 18-2 bedroom Dwellings) to 48 units of Apartment Hotel, increase the height, and amend the floor layout (parking garage, 1-4 storeys), and to construct exterior and interior alterations (change the Building design, increase height, increase parking garage size) to an approved Building.</p>			
<p>Permit Details</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Class of Permit: Class B Gross Floor Area (sq.m.): 220.5 New Sewer Service Required: Y Site Area (sq. m.): 4043.45 </td> <td style="width: 50%; border: none;"> Contact Person: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): 220.5 New Sewer Service Required: Y Site Area (sq. m.): 4043.45	Contact Person: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m.): 220.5 New Sewer Service Required: Y Site Area (sq. m.): 4043.45	Contact Person: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: (none)		
<p>I/We certify that the above noted details are correct.</p> <p>Applicant signature: _____</p>			
<p>Development Permit Decision Approved Issue Date: Dec 20, 2018 Development Authority: ADAMS, PAUL</p>			



Project Number: **266010257-006**
 Application Date: OCT 11, 2018
 Printed: January 17, 2019 at 11:03 AM
 Page: 2 of 4

Major Development Permit

Subject to the Following Conditions

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Charge fee of \$24423.00. All assessments are based upon information currently available to the City. The SSTC 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.

2. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW the owner must register an easement through the adjacent west property, as shown on Enclosure I, for the provision of waste services. The easement is required to accommodate waste services vehicles entering the site from the neighbouring west access. An unobstructed drive aisle connection must be maintained. The City of Edmonton will be a party to this easement, and the easement must stipulate that the owner may not discharge the easement without the express written consent of the City of Edmonton. The City's Law Branch will prepare the easement documents. The owner must contact Matthew Bennett of the City of Edmonton Law Branch (matthew.bennett2@edmonton.ca) to obtain a fillable form of the draft easement document, a sample of which is attached as Enclosure II. The owner must complete the easement document details and return the signed easement to the Law Branch. The City will review and execute the agreement, and the fully executed easement will then be returned to the owner who is required to register the easement on all affected Certificates of Title and provide proof of the easement registration to the Development Planner PRIOR to the release of the drawings for the Building Permit.

A) Access to the subject site from 90 Avenue exists, as shown on Enclosure I. Any modification to the existing access requires the review and approval of Subdivision Planning. No additional access will be permitted to 90 Avenue.

B) Pedestrian connections including applicable curb ramps must be provided on site from the building entrances to the public sidewalk, as shown on Enclosure I. The proposed sidewalk connection to the public sidewalk is acceptable to Subdivision Planning.

C) No objects are permitted to encroach onto, over or under road right-of-way, as shown on Enclosure I.

D) 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.

E) Garbage bins must be located so that all turning maneuvers for the waste management vehicles are accommodated on site. It will be the responsibility of property owner/management to keep the collection area clear at all times. We also recommend paint/signage to prevent or minimize the possibility of vehicle parking in this area.

F) 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:

https://www.edmonton.ca/business_economy/licences_permits/oscaml-permit-request.aspx

and,

<https://www.edmonton.ca/documents/ConstructionSafety.pdf>

G) Any 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.

3. The Site shall comply with the approved Landscaping Plan and Landscaping Conditions in Development Permit #266010257-



Project Number: **266010257-006**
 Application Date: OCT 11, 2018
 Printed: January 17, 2019 at 11:03 AM
 Page: 3 of 4

Major Development Permit

002.

4. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the building or Use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind. (Reference Section 54.1.1.c)

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

6. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within an approved Setback. (Reference 320.4.5)

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

8. 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)

9. Trash collection and loading areas shall be screened from view from any adjacent Sites and public roadways, to the satisfaction of the Development Officer. (Reference Section 320.4.5)

10. The attic space above the fourth storey shall only be used for mechanical or electrical equipment servicing the development, shall not be connected to the fourth storey by a stair case, and shall not be used in any way as operational space including but not limited to storage, dwellings, amenity space, or business floor area.

ADVISEMENTS:

a. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)

b. This Development Permit is NOT a Business Licence. A separate application must be made for a Business Licence. Please contact the 311 Call Centre (780-442-5311) for further information.

c. Signs require separate Development Applications.

d. 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 (780-442-5311) for further information.

e. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.

f. 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. (Reference Section 5.2)

g. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800 as amended.

h. Upon the first Development Permit Inspection and determination that landscape construction has been completed in compliance with the approved Landscape Plan, 20% of the approved Guaranteed Landscape Security shall be collected and retained for a period



Project Number: **266010257-006**
 Application Date: OCT 11, 2018
 Printed: January 17, 2019 at 11:03 AM
 Page: 4 of 4

Major Development Permit

of 24 months from the date of first Development Permit Inspection.

i. Sites that are not completed or are not compliant with approved Landscape Plans at the first Development Permit Inspection, shall be required to submit a Security for incomplete work, up to and including the full value of the approved Guaranteed Landscape Security value.

j. The applicant is advised that more than a 12% difference in the ramp slope may result in vehicles “bottoming out” at the break-over point.

VariANCES

1. Parking - The site has 75 parking spaces, instead of 81, a deficiency of 6 parking spaces. (Section 54.2 and Schedule 1(A))
2. Loading Space - There are 2 instead of 3 Loading Spaces. (Section 54.4.3).
3. Discretionary Use - Apartment Hotels is approved as a Discretionary Use (Section 320.3.2).

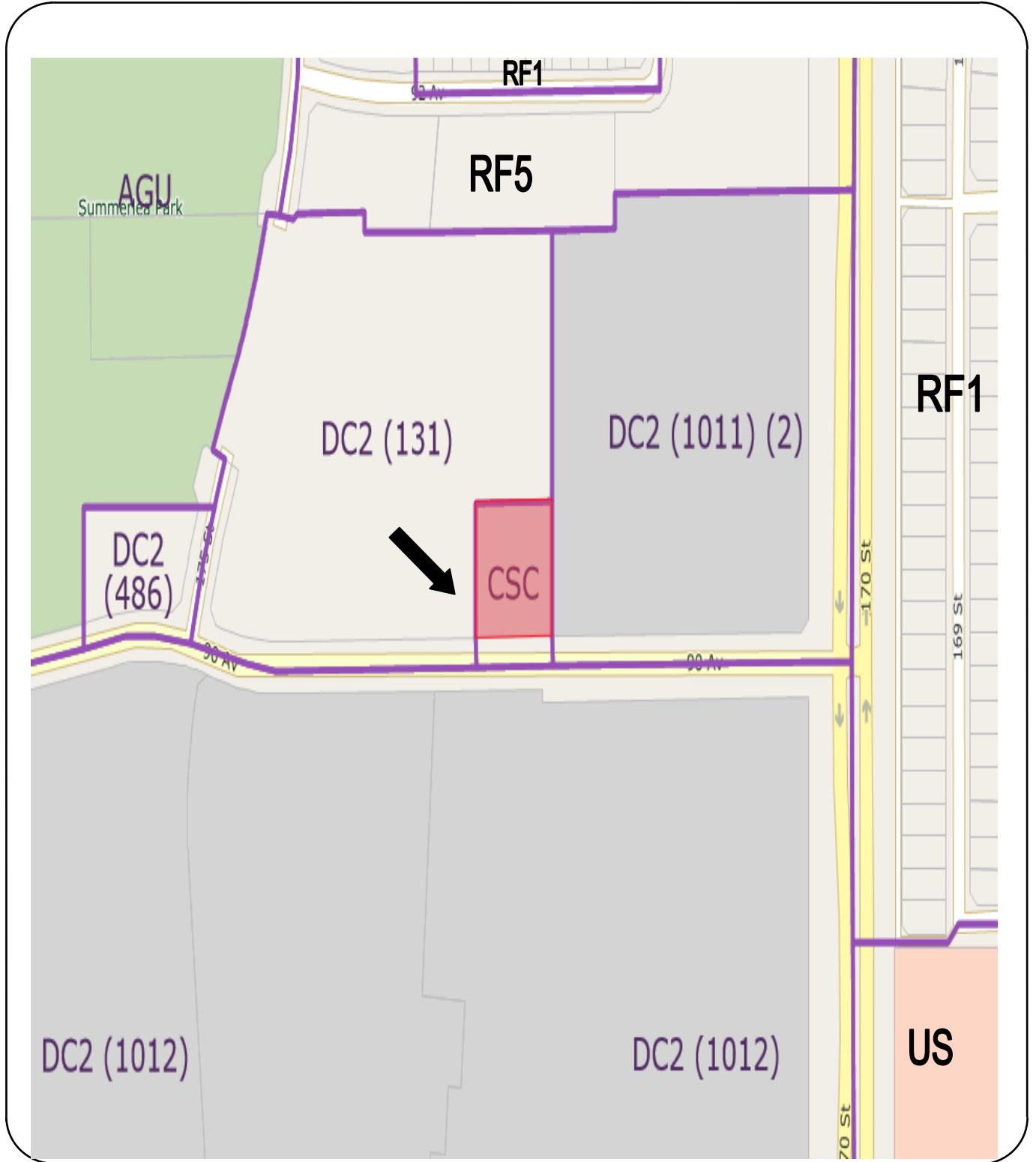
Rights of Appeal

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: Dec 27, 2018 **Ends:** Jan 17, 2019

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$948.00	\$948.00	05416911,0545329	Nov 01, 2018
Sanitary Sewer Trunk Fund 2012+	\$24,423.00			
Dev. Application Fee # of dwelling units	\$1,275.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$26,646.00	\$948.00		
(\$25,698.00 outstanding)				



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-017

