

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.
May 6, 2021

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

I 9:00 A.M. SDAB-D-21-070

To construct a two-Storey Garden Suite (main floor Garage 7.32 metres by 14.63 metres, second floor Garden Suite 7.32 metres by 7.32 metres) and Basement development (NOT to be used as an additional Dwelling) with Water Retention Structure (swimming pool, 7.92 metres by 4.11 metres)

13039 - 113 Street NW
Project No.: 377022735-002

II 10:30 A.M. SDAB-D-21-071

To construct 98 Dwellings of Multi-unit Housing (Apartment)

722 - 43A Avenue NW
Project No.: 384790388-002

NOTE: *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-21-070

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 377022735-002

APPLICATION TO: Construct a two-Storey Garden Suite (main floor Garage 7.32 metres by 14.63 metres, second floor Garden Suite 7.32 metres by 7.32 metres) and Basement development (NOT to be used as an additional Dwelling) with Water Retention Structure (swimming pool, 7.92 metres by 4.11 metres)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 7, 2021

DATE OF APPEAL: April 12, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 13039 - 113 Street NW

LEGAL DESCRIPTION: Plan 6234KS Blk 3 Lots 60-61

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

The Appellant seeks to demonstrate that the proposed development conforms with the uses prescribed in the applicable zone, and will not interfere with the amenities, use, enjoyment or value of neighbouring

parcels of land, in accordance with Section 654(2) of the *Municipal Government Act*. The appellant will present support in writing from neighbouring landowners to support this appeal.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

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

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 110.2(2), a **Garden Suite** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under section 7.2(2), **Garden Suite** means:

an Accessory building containing a Dwelling which is located separate from the principal Use which is Single Detached Housing, Semi-detached Housing, or Multi-unit Housing in the form of row housing. This Use includes Mobile Homes that conform to Section 78 of this Bylaw. This Use does not include Secondary Suites.

Under section 6.1, **Accessory** means:

when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.

Under section 6.1, **Water Retention Structure** means:

a structure designed to retain a large volume of water, a minimum of 0.378 cubic meters. This definition includes structures commonly referred to as swimming pools, skating rinks, ornamental ponds, hot tubs, whirlpools and spas, provided the minimum volume of water is met.

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is “to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Garden Suites, Semi-detached Housing and Duplex Housing.”

Section 814.1 states that the **General Purpose** of the **Mature Neighbourhood Overlay** is:

to regulate residential development in Edmonton’s mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations.

Site Coverage

Section 110.4(6)(a) states: the maximum Site Coverage shall be as follows:

	Principal Dwelling/building	Accessory building	Principal building with attached Garage	Total Site Coverage
Single Detached Housing - Site greater than 300 m ²	28%	12%	40%	40%

Section 87.4(a)(i)(B) states “the total maximum Site Coverage of other Accessory buildings and any Parking Area within the Garden Suite shall not exceed 12%.”

Under section 6.1, **Site Coverage** means:

the total horizontal area of all buildings or structures on a Site which are located at or higher than 1.8 m above Grade, including Accessory buildings or Structures, calculated by perpendicular projection onto a horizontal plane from one point located at an infinite distance above all buildings and structures on the Site. This definition shall not include:

- a. steps, eaves, cornices, and similar projections;
- b. driveways, aisles and parking lots unless they are part of a Parking Garage which extends 1.0 m or more above Grade; or
- c. unenclosed inner and outer courts, terraces and patios where these are less than 1.8 m above Grade.

Development Officer’s Determination

1. Site Coverage - The maximum total site coverage is 40%, with an additional 2% allowed for a garden suite (Section 87.4.a.i and Section 110.6.6.a).

Proposed: 45%

Exceeds by 3%

2. Site Coverage - The total maximum site coverage of other accessory buildings and any parking area within the garden suite is 12% (Section 87.4.a.i.2).

Proposed: 16%
Exceeds by 4%

Floor Area

Section 87.3(b) states “the maximum total Floor Area for a Garden Suite shall be 130 m².”

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

3. Floor Area - The maximum total floor area for a garden suite is 130 m² (Section 87.3.b).
Proposed: 150 m²
Exceeds by 20 m²

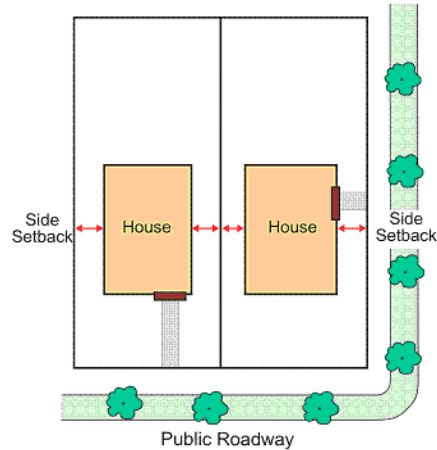
Side Setback

Section 814.3(3)(b) states “where a Site Width is greater than 12.0 m and less than 18.3 m, the Side Setback requirements of the underlying Zone shall apply.”

Section 110.4(10)(a) states “Side Setbacks shall total at least 20% of the Site Width, with a minimum Side Setback of 1.2 m on each side.”

Under section 6.1, **Side Setback** means:

the distance that a development or a specified portion of it, must be set back from a Side Lot Line. A Side Setback is not a Side Yard, Amenity Space or Separation Space.



Under section 6.1, **Site Width** means “the horizontal distance between the side boundaries of the Site measured at a distance from the Front Lot Line equal to the required Front Setback for the Zone.”

Development Officer’s Determination

4. Side Setback - The minimum right side setback is 1.2m (Section 110.4.10.a).

Proposed: 1.1m

Deficient by 0.1m

5. Side Setback - The minimum left side setback is 1.2m (Section 110.4.10.a).

Proposed: 1.1m

Deficient by 0.1m

5. Reduced Side Setback - The side setbacks must total at least 20% of the site width (3.4m) (Section 110.4.10.a and Section 814.3.3.b).

Proposed: 13% or 2.1m

Deficient by 7% or 1.3m

Community Consultation

Section 814.5(1) states the following with respect to Proposed Variances:

When the Development Officer receives a Development Permit Application for a new principal building, or a new Garden Suite that does not comply with any regulation contained within this Overlay, or receives a Development Permit for alterations to an existing structure that require

a variance to Section 814.3(1), 814.3(3), 814.3(5) and 814.3(9) of this Overlay:


- a. the Development Officer shall send notice, to the recipient parties specified in Table 814.5(2), to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;
- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been sent, unless the Development Officer receives feedback from the specified affected parties in accordance with Table 814.5(2); and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit Application in accordance with Sections 11.3 and 11.4.

Section 814.5(2) states:

Tier #	Recipient Parties	Affected Parties	Regulation of this Overlay to be Varied
Tier 3	The municipal address and assessed owners of the land Abutting the Site of the proposed development and the President of each Community League	The assessed owners of the land Abutting the Site of the proposed development	814.3(3) – Side Setbacks

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>Application for Minor Development Permit</p>		<p>Project Number: 377022735-002 Application Date: OCT 30, 2020 Printed: April 12, 2021 at 10:50 AM Page: 1 of 2</p>	
<p>This document is a Development Permit Decision for the development application described below.</p>				
<p>Applicant</p>	<p>Property Address(es) and Legal Description(s) 13039 - 113 STREET NW Plan 6234KS Blk 3 Lots 60-61</p> <p>Specific Address(es) Suite: 13039G - 113 STREET NW Entryway: 13039G - 113 STREET NW Building: 13039G - 113 STREET NW</p>			
<p>Scope of Application To construct a two-Storey Garden Suite (main floor Garage 7.32m x 14.63m, second floor Garden Suite 7.32m x 7.32m) and Basement development (NOT to be used as an additional Dwelling) with Water Retention Structure (swimming pool, 7.92m x 4.11m).</p>				
<p>Permit Details</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p># of Dwelling Units Add/Remove: 1 # of Secondary Suite Dwelling Units To Construct: 1 Client File Reference Number: Minor Dev. Application Fee: Garden Suite Secondary Suite Included?: Y</p> </td> <td style="width: 50%; vertical-align: top;"> <p># of Primary Dwelling Units To Construct: 0 Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: Y Stat. Plan Overlay/Asses Area: Mature Neighbourhood Overlay</p> </td> </tr> </table>			<p># of Dwelling Units Add/Remove: 1 # of Secondary Suite Dwelling Units To Construct: 1 Client File Reference Number: Minor Dev. Application Fee: Garden Suite Secondary Suite Included?: Y</p>	<p># of Primary Dwelling Units To Construct: 0 Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: Y Stat. Plan Overlay/Asses Area: Mature Neighbourhood Overlay</p>
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<p>Development Application Decision Refused Issue Date: Apr 07, 2021 Development Authority: NICHOLAS, CAROLYN</p>				
<p>THIS IS NOT A PERMIT</p>				



Project Number: **377022735-002**
 Application Date: OCT 30, 2020
 Printed: April 12, 2021 at 10:50 AM
 Page: 2 of 2

Application for Minor Development Permit

Reason for Refusal

1. Site Coverage - The maximum total site coverage is 40%, with an additional 2% allowed for a garden suite (Section 87.4.a.i and Section 110.6.6.a).
 Proposed: 45%
 Exceeds by 3%

2. Site Coverage - The total maximum site coverage of other accessory buildings and any parking area within the garden suite is 12% (Section 87.4.a.i.2).
 Proposed: 16%
 Exceeds by 4%

3. Floor Area - The maximum total floor area for a garden suite is 130 m² (Section 87.3.b).
 Proposed: 150 m²
 Exceeds by 20 m²

4. Side Setback - The minimum right side setback is 1.2m (Section 110.4.10.a).
 Proposed: 1.1m
 Deficient by 0.1m

5. Side Setback - The minimum left side setback is 1.2m (Section 110.4.10.a).
 Proposed: 1.1m
 Deficient by 0.1m

5. Reduced Side Setback - The side setbacks must total at least 20% of the site width (3.4m) (Section 110.4.10.a and Section 814.3.3.b).
 Proposed: 13% or 2.1m
 Deficient by 7% or 1.3m

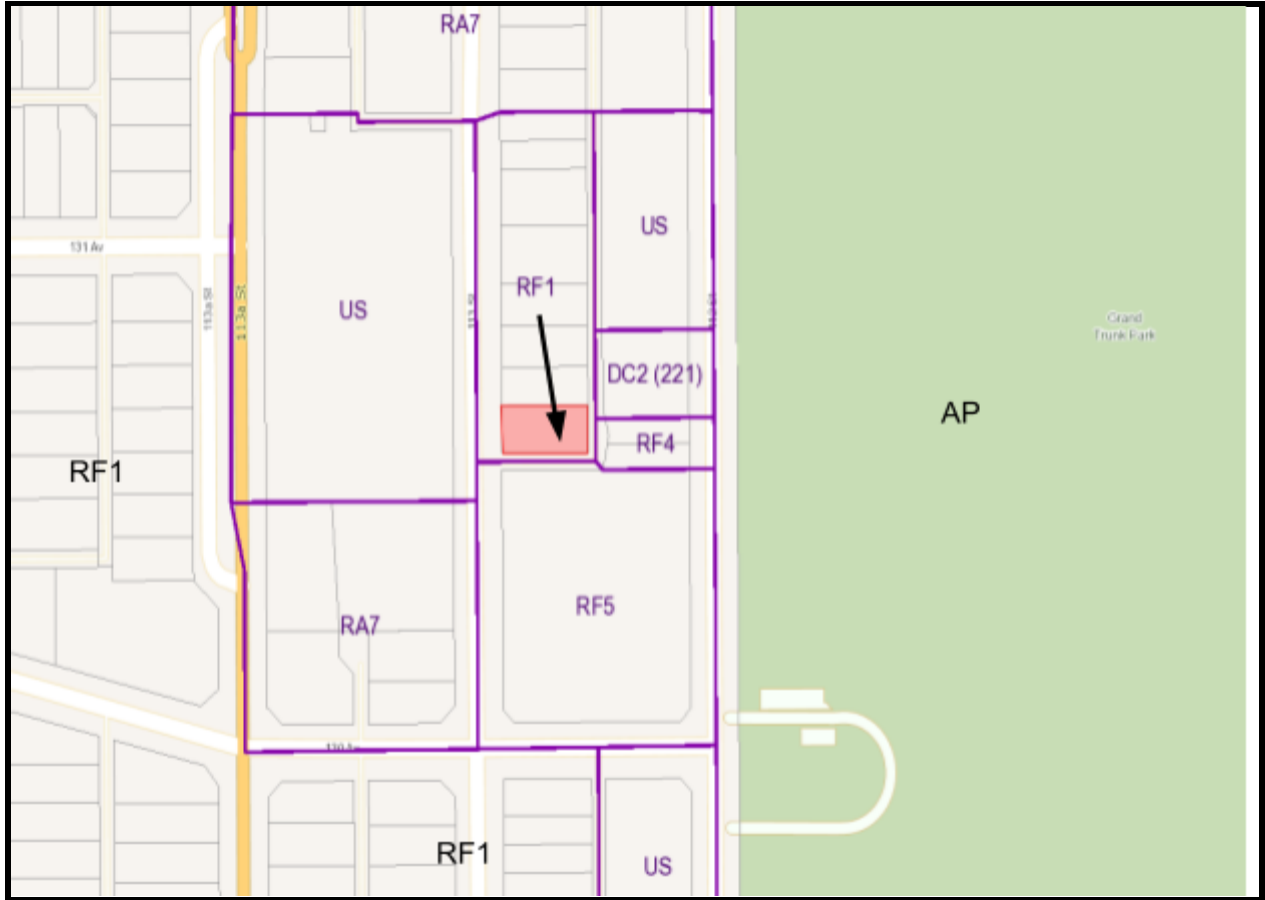
Rights of Appeal

The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Sanitary Sewer Trunk Fund (Secondary/Garden Suite)	\$758.00	\$758.00	019278270878001	Oct 30, 2020
Development Permit Inspection Fee	\$211.00	\$211.00	019278270878001	Oct 30, 2020
Dev. Application Fee	\$293.00	\$293.00	019278270878001	Oct 30, 2020
Total GST Amount:	\$0.00			
Totals for Permit:	\$1,262.00	\$1,262.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-21-070

▲
N

ITEM II: 10:30 A.M.

FILE: SDAB-D-21-071

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 384790388-002

APPLICATION TO: Construct 98 Dwellings of Multi-unit Housing
(Apartment)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: March 26, 2021

DATE OF APPEAL: April 8, 2021

NOTIFICATION PERIOD: April 1, 2021 through April 22, 2021

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 722 - 43A Avenue NW

LEGAL DESCRIPTION: Plan 1523661 Blk 11 Lot 2

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: N/A

STATUTORY PLAN(S): Maple Neighbourhood Structure Plan
The Meadows Area Structure Plan

Grounds for Appeal

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

I would like to appeal the decision of the approval for the development of 98 dwellings of multi-unit housing (apartments) because they are too close to my property line affecting my privacy and risk of fire. we are already having problems with having a train that has already delayed fire firers into the neighbourhood and its totally unacceptable to have that many units so close with out having a proper safe and fast access to fire figthers, not to mention that that project was not in the development map from dream developments when we purchase our property

<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,

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

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

(b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

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

...

(a.1) must comply with the land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

(c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

(i) the proposed development would not

- (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 210.2(8), a **Multi-unit Housing** is a **Permitted Use** in the **(RA7) Low Rise Apartment Zone**.

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

that consists of:

- a. three or more principal Dwellings arranged in any configuration and in any number of buildings;
- or
- b. any number of Dwellings developed in conjunction with a Commercial Use where allowed in the Zone.

Section 120.1 states that the **General Purpose** of the **(RA7) Low Rise Apartment Zone** is “to provide a Zone for low rise Multi-unit Housing.”

<i>Vehicular Access</i>

Section 210.4(8) states “Where the Site Abuts a Lane, vehicular access shall be from the Lane.”

Development Officer’s Determination

Access- Vehicular access is from 43A Avenue instead of the Lane (Section 210.4.8)

Parking

Section 210.4(10) states “Surface parking is not permitted to be located between any building and a public roadway, other than a Lane.”

Development Officer’s Determination

Parking- Surface parking is located between the proposed apartment and 43A Avenue, instead of other location (Section 210.4.8)

Bicycle Parking


Section 54.5(1)(a) states “For Residential Uses that are part of a Multi-unit Project Development, and for Multi-Unit Housing, the minimum number of Bicycle Parking spaces shall be one Bicycle Parking space per two Dwellings.”

Development Officer’s Determination

Bicycle Parking- The site has 16 Bicycle Parking spaces, instead of 49 (Section 54.5.1.a)

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.

	Project Number: 384790388-002 Application Date: JAN 26, 2021 Printed: April 12, 2021 at 12:47 PM Page: 1 of 6		
<h2>Major Development Permit</h2>			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.			
Applicant	Property Address(es) and Legal Description(s) 722 - 43A AVENUE NW Plan 1523661 Blk 11 Lot 2		
Scope of Permit To construct 98 Dwellings of Multi-unit Housing (Apartment).			
Permit Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Class of Permit: Class B Gross Floor Area (sq. m.): 8995.44 New Sewer Service Required: Y Site Area (sq. m.): 8515.12 </td> <td style="width: 50%;"> Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 23 Stat Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq. m.): 8995.44 New Sewer Service Required: Y Site Area (sq. m.): 8515.12	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 23 Stat Plan Overlay/Annex Area: (none)
Class of Permit: Class B Gross Floor Area (sq. m.): 8995.44 New Sewer Service Required: Y Site Area (sq. m.): 8515.12	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 23 Stat Plan Overlay/Annex Area: (none)		
Development Permit Decision Approved Issue Date: Mar 26, 2021 Development Authority: ANGELES, JOSELITO Subject to the Following Conditions This Development Permit authorizes the proposed development of 98 Dwellings of Multi-unit Housing (Apartment). The Site shall be developed in accordance with the stamped, signed, and conditionally approved drawings. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21. (Reference Section 17.1) PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$122,108.00 (2021 rate is \$1,246.00/Dwelling). 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. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$1,620.00. Where outdoor lights are provided, the light fixtures shall be arranged, installed, and maintained to deflect, shade, and focus light away from Abutting Sites or adjacent land Uses in order not to cause a nuisance. Outdoor lights shall not interfere with the effectiveness of any traffic control device (Reference Section 51). Soil above underground parking facilities shall be of sufficient depth to accommodate required landscaping, including trees, shrubs, flower beds, grass, and ground cover. (Reference Section 210.4.15) Landscaping shall be in accordance with the approved Landscape Plan, and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.			



Project Number: **384790388-002**
 Application Date: JAN 26, 2021
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 Page: 2 of 6

Major Development Permit

Landscaping shall be installed within 18 months of receiving the Final Occupancy Permit. Landscaping shall be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Officer.

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

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

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

Underground Parking shall comply with Section 54.7 of the Edmonton Zoning Bylaw.

TRANSPORTATION CONDITIONS:

1. The owner must enter into an Agreement with the City for the following improvements:

a. Construction of an 9.0 m commercial crossing access to 43A Avenue located approximately 8.0 m from the west property line;

The Agreement must be signed PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW. Please email development.coordination@edmonton.ca to initiate the required Agreement. Following this, any further questions regarding this Agreement may be directed to Esther Anderson (780-944-7773) of the Development Servicing Agreements Unit.

Also:

- Engineering Drawings are not required for the Agreement. However, construction must meet the City of Edmonton Complete Street Design and Construction Standards.
- This Agreement will require a deposit to act as security on this Agreement. The City requires a Security Deposit in the amount of \$10,000.00 to cover 100% of construction costs. However, based on the City's "GUIDELINES FOR ESTABLISHING SECURITY IN SERVICING AGREEMENT" the amount may be adjusted based upon the owner's previous development history with the City.
- The applicant must contact Annie Duong (780-442-0251) 72 hours prior to removal or construction within City road right-of-way.


2. 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.

3. 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/oscam-permit-request.aspx and

	<p>Project Number: 384790388-002 Application Date: JAN 26, 2021 Printed: April 12, 2021 at 12:47 PM Page: 3 of 6</p>
<h2>Major Development Permit</h2>	
<p>https://www.edmonton.ca/business_economy/documents/PDF/ConstructionSafety.pdf</p> <p>4. Any alley, sidewalk or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Section 15.5(f) of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.</p> <p>EPCOR WATER CONDITIONS:</p> <p>Any party proposing construction involving ground disturbance to a depth exceeding 2m within 5m of the boundary of lands or rights-of-way (ROW) containing EPCOR Water facilities is required to enter into a Facility Proximity Agreement with EWSI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 17698 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.</p> <p>Subject to the Following Advisements</p> <p>An approved Development Permit means that the proposed development has been reviewed only against the provisions of the Edmonton Zoning Bylaw. It 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.</p> <p>Any proposed change from the original approved drawings is subject to a revision/re-examination fee. The fee will be determined by the reviewing officer based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.</p> <p>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.</p> <p>Signs require separate Development Applications.</p> <p>NOTE: 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.</p> <p>TRANSPORTATION ADVISEMENT:</p> <p>1. The proposed connector walkway to tie into the existing City sidewalk on the north side of 43A Avenue is acceptable to Subdivision Planning.</p> <p>FIRE RESCUE SERVICES ADVISEMENT:</p> <p>Prior to the commencement of construction, alteration or demolition operations, a fire safety plan, accepted in writing by the fire department and the authority having jurisdiction, shall be prepared for the site. Construction Site Fire Safety Plan Template A formal submission of your Fire Safety Plan will be required for a Building Permit to be issued (please do not forward your Fire Safety Plan at this time). If you have any questions please contact Technical Services at cmsfpts@edmonton.ca. Reference: NFC(2019-AE) 5.6.1.3. Fire Safety Plan</p>	

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Ensure that the hydrant(s) servicing the site are fully functional prior to construction and remain accessible and unobstructed during construction.

Reference: NFC(2019-AE) 5.6.3.6. Hydrant Access

- 1) Hydrants on construction, alteration, or demolition site shall
 - a) be clearly marked with a sign,
 - b) be accessible, and
 - c) have an unobstructed clearance of not less than 2 m at all times.

Ensure Emergency Access Routes are designed in accordance with the National Building Code -2019 Alberta Edition and the City of Edmonton's Complete Street Design and Construction Standards. Complete Streets Design and Construction Standards

Reference: NBC(2019-AE) 3.2.5.6. Access Route Design

- 1) A portion of a roadway or yard provided as a required access route for fire department use shall
 - a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory
 - b) have a centreline radius not less than 12m,
 - c) have an overhead clearance not less than 5 m,
 - d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15m,
 - e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,
 - f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and
 - g) be connected with a public thoroughfare.

Ensure that the building's Sprinkler Fire Department Connection is located in accordance with NBC(2019-AE) 3.2.5.15, and that the travel distance (not radius) from Fire Department Connection to fire hydrant does not exceed 45m.

Reference: NBC(2019-AE) 3.2.5.15. Fire Department Connections

- 2) The fire department connection for an automatic sprinkler system shall be located so that the distance from the fire department connection to a hydrant is not more than 45 m and is unobstructed.
- 3) The fire department connection referred to in Sentences (1) and (2) shall be located no closer than 3 m and no further than 15 m from the principal entrance to the building.

Ensure that the Fire Alarm Annunciator panel is located in close proximity to the building entrance that faces a street or emergency access route.

Reference: NBC(2019-AE) 3.2.4.8 Annunciator and Zone Indication

- 1) The Fire Alarm Annunciator Panel shall be installed in close proximity to a building entrance that faces a street or an access route for fire department vehicles.

Ensure that the protection of adjacent properties has been provided in accordance with Edmonton Fire Rescue Services Adjacent Property Protection Guidelines and NFC(2019-AE) 5.6.1.2.

For additional information please see: Adjacent Property Protection

EPCOR WATER ADVISEMENT:

1. The site is currently serviced by a 300mm PVC service (S114565), located approximately 18.5m west of the east property line of lot 2 on 433A Avenue. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site, including demolition, excavation, or grading for direction on the correct process to follow to have the service isolated and meter removed.

2. For information on Service abandonments, and the provisioning of a new water service contact EPCOR Infill Water and Sewer Servicing at wass.drainage@epcor.com or at 780-496-5444.

3. The applicant must submit bacteriological test results to EPCOR Water Dispatch, and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-4500 for more information on how to provide the test results. Water Dispatch

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can provide information on the tie-in and commissioning procedure.

4. EPCOR Water Services, Inc. does not review on-site servicing. It is the applicant's responsibility to obtain the services of a professional to complete onsite water distribution design.

5. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at MInspectors@epcor.com or 780-412-4000.

6. The configuration and depth of the site means that on-street fire protection will be unable to provide coverage over the complete site area. The applicant is advised to contact Fire Rescue Services for additional on-site fire protection requirements.

7. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.

8. The advisements and conditions provided in this response are firm and cannot be altered.

WASTE MANAGEMENT ADVISEMENT:

This is a residential property and therefore falls under the City of Edmonton bylaw 18590, requiring the waste and recycle services are provided by the City of Edmonton.

This site with 98 units would receive approximately 24.5 cubic yards of garbage service and 12.5 cubic yards of recycle service per week for the residential units.

The waste storage enclosure needs to be adequately sized for the approx. two 6 cubic yard non-wheeled garbage bins and two 6 cubic yard non-wheeled recycle bins required to service the residential units. The frequency for pickup with these amounts of bins would be 2 times per week for garbage and 1 time per week for recycle

Other issues to include:

- transition from waste storage room to service area must be smooth (no lip) and at grade
- unobstructed overhead space (min. 23') to allow the waste bins to be tipped in the service area
- reinforced tip area (tip pad 10') to prevent wheel hollows forming from collection activities
- snow removal on a daily basis in winter months to prevent snow and ice accumulations that can prevent movement of the bins in winter months.
- using a commercial grade asphalt in the drive areas of the waste vehicle to reduce the impact caused by the waste vehicle when servicing a site. A link is provided to the City of Edmonton Complete Streets Design and Construction Standards. https://www.edmonton.ca/city_government/documents/PDF/CompleteStreets_DesignStandards_Sept2018.pdf

DRAINAGE ASSESSMENT ADVISEMENT:

1. Permanent Area Contribution (PAC)
 - Storm and Sanitary PACs have been paid as part of Maple Stage 5 project under Servicing Agreement No. DS-1917.
2. Expansion Assessment (EA)
 - Expansion Assessment has been paid as part of Maple Stage 5 project under Servicing Agreement No. DS-1917.
3. Arterial Roadway Assessment (ARA)
 - Arterial Roadway Assessment has been paid as part of Maple Stage 5 project under Servicing Agreement No. DS-1917.

Additional Notes

- The above assessment is made based on information currently available to our Department. Should such information change in the



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future, a new assessment may be made.
 •In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage.
 •More information about the above charges can be found on the City of Edmonton's website:
 oPermanent Area Contributions
https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx
 oSanitary Servicing Strategy Expansion Assessment
https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx
 oArterial Roadway Assessment
https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx
 oSanitary Sewer Trunk Charge
https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx

Variances

- Access- Vehicular access is from 43A Avenue instead of the Lane (Section 210.4.8)
- Parking- Surface parking is located between the proposed apartment and 43A Avenue, instead of other location (Section 210.4.8)
- Bicycle Parking- The site has 16 Bicycle Parking spaces, instead of 49 (Section 54.5.1.a)

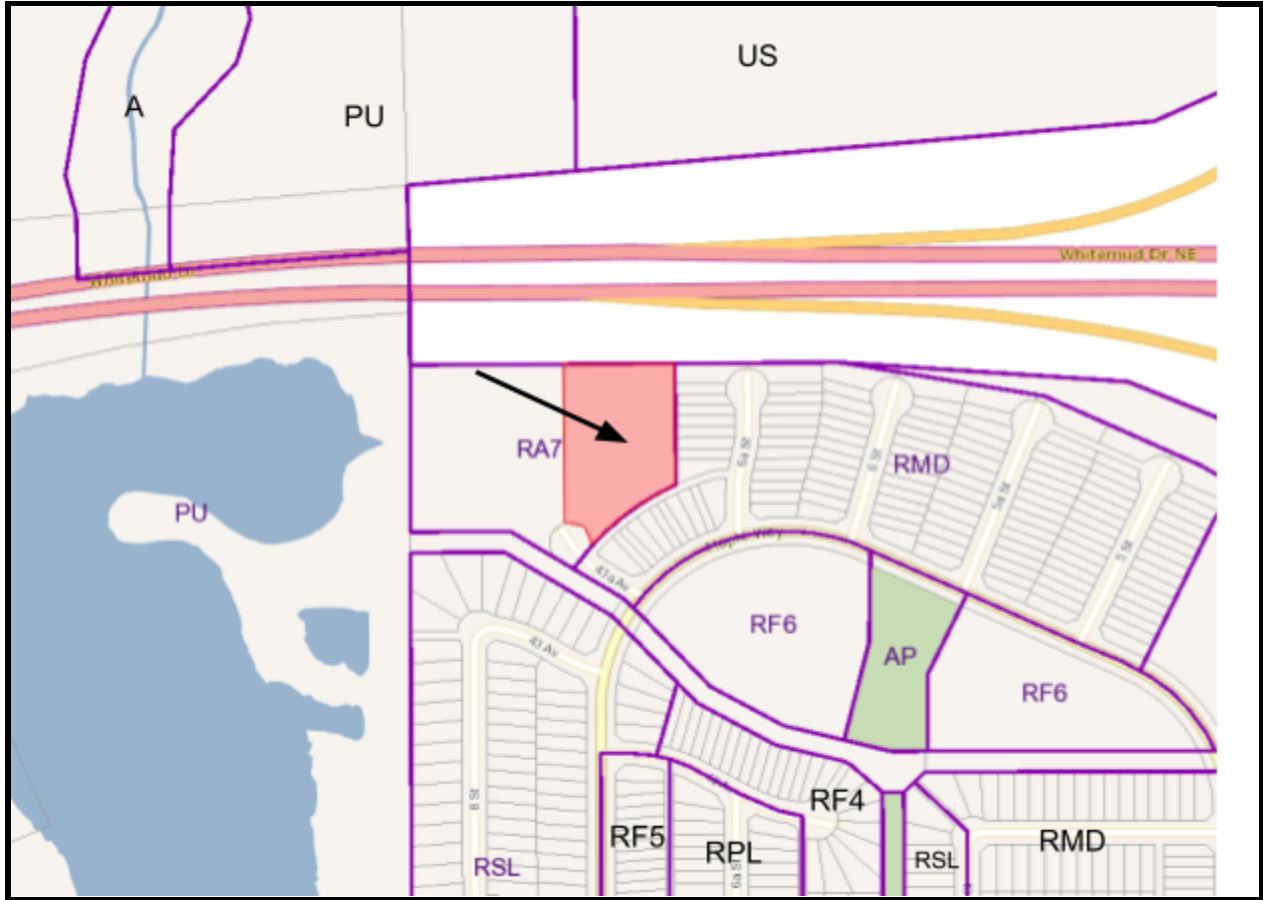
Rights of Appeal

This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Notice Period Begins: Apr 01, 2021 **Ends:** Apr 22, 2021

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Permit Inspection Fee	\$528.00	\$528.00	071520210204000	Feb 04, 2021
Sanitary Sewer Trunk Fund 2012+	\$122,108.00	\$122,108.00	071520210329000	Mar 29, 2021
Dev. Application Fee # of dwelling units	\$7,238.00	\$7,238.00	071520210204000	Feb 04, 2021
Major Dev. Application Fee	\$864.00	\$864.00	071520210204000	Feb 04, 2021
Lot Grading Fee	\$1,620.00	\$1,620.00	071520210329000	Mar 29, 2021
Total GST Amount:	\$0.00			
Totals for Permit:	\$132,358.00	\$132,358.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

▲
N

File: SDAB-D-21-071