

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
May 11, 2016**

**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-16-117

To permit a Freestanding Off-Premises Sign,
existing without permits (Outfront Media).

8415 - 109 Street NW
Project No.: 184896183-001

II 10:30 A.M. SDAB-D-16-118

To construct a Semi-Detached House with front
verandas, covered decks (1.524m x 1.524m) and
Basement Developments (NOT to be used as
additional Dwellings)

11730 - 91 Street NW
Project No.: 188595235-001

III 1:00 P.M. SDAB-D-16-119

To construct 26 Dwellings of Apartment
Housing (1 building, 4 Storeys)

12804 - 66 Street NW
Project No.: 177067302-002

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-16-117

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 184896183-001

ADDRESS OF APPELLANT: 8415 - 109 Street NW

APPLICATION TO: Permit a Freestanding Off-Premises Sign, existing without permits (Outfront Media).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 6, 2016

DATE OF APPEAL: April 18, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 8415 - 109 Street NW

LEGAL DESCRIPTION: Plan N4000R Blk 178 Lots 16-20

ZONE: CB1 Low Intensity Business Zone

OVERLAY: Pedestrian Commercial Shopping Street Overlay

STATUTORY PLAN: 109 Street Corridor Area Redevelopment Plan

Grounds for Appeal

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

We wish to continue displaying advertising on a sign that was initially approved via development permit and erected in 1999. This sign has been in continuous use since then, but without a valid permit since June 28, 2001. We seek to enable our customers to continue advertising on this poster. In our opinion, this sign does not interfere with the amenities of the neighbourhood, nor does it materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land. [unedited]

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 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 Authority was dated April 6, 2016. The Notice of Appeal was filed on April 18, 2016.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 330.1 states that the **General Purpose** of the **CB1 Low Intensity Business Zone** is:

...to provide for low intensity commercial, office and service uses located along arterial roadways that border residential areas. Development shall be sensitive and in scale with existing development along the commercial street and any surrounding residential neighbourhood.

Under Section 330.3(39), **Freestanding Off-premises Signs** is a **Discretionary Use** in the CB1 Low Intensity Business Zone.

Section 7.9(3) states:

Freestanding Off-premises Signs means any Sign supported independent of a building, displaying Copy that directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

<i>Statutory Plan</i>

The 109 Street Corridor Area Redevelopment Plan, Bylaw 16242, as amended, was adopted by City Council on August 26, 2013.

Policy 3.2.3.5 of the 109 Street Corridor Area Redevelopment Plan states the following with respect to Land Use and Density:

Signage must be of a scale and type that respects the compact, pedestrian-oriented character of the District and related to local businesses. Billboards, roof-top, digital and off-premise signage of any type will not be permitted.

Section 687(3) of the *Municipal Government Act* states:

In determining an appeal, the subdivision and development appeal board

- (a) must act in accordance with any applicable ALSA regional plan;
- (a.1) *must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;*
- (b) must have regard to but is not bound by the subdivision and development regulations;
- (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. [emphasis added]*



Development Officer's Determination

The Development Officer referenced Policy 3.2.3.5 and made the following determination:

The proposed development is a Freestanding Off-premises sign, which is contrary to Section 3.2.3.5 of the 109 Street Corridor Area Redevelopment Plan. The proposed Freestanding Off-premises sign does not relate to local businesses and does not conform to the pedestrian oriented character of the district, contrary to the 109 Street Corridor Area Redevelopment Plan.

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: 184896183-001 Application Date: DEC 21, 2015 Printed: May 3, 2016 at 12:36 PM Page: 1 of 2
<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant 	Property Address(es) and Legal Description(s) 8415 - 109 STREET NW Plan N4000R Blk 178 Lots 16-20 Location(s) of Work Building: 8415 - 109 STREET NW
Scope of Application To permit a Freestanding Off-Premises Sign, existing without permits (Outfront Media).	
Permit Details	
ASA Sticker No./Name of Engineer: Construction Value: 10000	Class of Permit: Class A Expiry Date:
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Application Decision Refused Reason for Refusal 1) The proposed development is located within the 109 Street Corridor Area Redevelopment Plan, Bylaw 16242, August 2014. Section 3.2.3.5 states that, "Signage must be of a scale and type that respects the compact, pedestrian-oriented character of the District and related to local businesses. Billboards, roof-top, digital and off-premise signage of any type will not be permitted." The proposed development is a Freestanding Off-premises sign, which is contrary to Section 3.2.3.5 of the 109 Street Corridor Area Redevelopment Plan. The proposed Freestanding Off-premises sign does not relate to local businesses and does not conform to the pedestrian oriented character of the district, contrary to the 109 Street Corridor Area Redevelopment Plan. 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.	
Issue Date: Apr 06, 2016 Development Authority: FOLKMAN, JEREMY Signature: _____	
THIS IS NOT A PERMIT	



Project Number: **184896183-001**
Application Date: DEC 21, 2015
Printed: May 3, 2016 at 12:36 PM
Page: 2 of 2

Application for Sign Combo Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Existing Without Dev Permit Penalty Fee	\$255.00	\$255.00	02985353	Jan 04, 2016
Sign Development Application Fee	\$255.00	\$255.00	02985353	Jan 04, 2016
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$510.00	<u>\$510.00</u>		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-117



ITEM II: 10:30 A.M.

FILE: SDAB-D-16-118

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 188595235-001

ADDRESS OF APPELLANT: 11730 - 91 Street NW

APPLICATION TO: Construct a Semi-detached House with front verandas, covered decks (1.524m x 1.524m) and Basement Developments (NOT to be used as additional Dwellings)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 14, 2016

DATE OF APPEAL: April 19, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11730 - 91 Street NW

LEGAL DESCRIPTION: Plan 2256AD Blk 48 Lot 24

ZONE: RF3 Small Scale Infill Development 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:

Duplex fits neighbourhood character. Other lots in neighbourhood have a duplex on smaller size lots. [unedited]

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 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 Authority was dated April 14, 2016. The Notice of Appeal was filed on April 19, 2016.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 140.1 states that the **General Purpose** of the **RF3 Small Scale Infill Development Zone** is:

... to provide for Single Detached Housing and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to buildings containing up to four Dwellings, and including Secondary Suites under certain conditions.

Under Section 140.2(8), **Semi-detached Housing** is a **Permitted Use** in the RF3 Small Scale Infill Development Zone

Section 7.2(8) states:

Semi-detached Housing means development consisting of a building containing only two Dwellings joined in whole or in part at the side or rear with no Dwelling being placed over another in whole or in part. Each Dwelling has separate, individual, and direct access to Grade. This type of development is designed and constructed as two Dwellings at the time of initial construction of the building. This Use Class does not include Secondary Suites or Duplexes.

Minimum Site Area

Section 140.4(3)(a) states that “the minimum Site area shall be 442.2 m²” for Semi-detached Housing.

Development Officer’s Determination

The Development Officer referenced Section 140.4(3)(a) and made the following determination with respect to the minimum Site area:

Proposed: 367.641 sqm
 Deficient: 74.56 sqm [unedited]

Maximum Site Coverage

Section 140.4(10)(d) states:

10. Maximum Site Coverage shall be as follows:

	Principal Dwelling/ building	Accessory building	Principal building with attached Garage	Total Site Coverage
d. Semi-detached Housing - Site area less than 600 m ²	28%	14%	42%	42%

Section 6.1(94) states:

Site Coverage means the total horizontal area of all buildings or structures on a Site which are located at or higher than 1.0 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 1.0 m above Grade;

Development Officer's Determination

The Development Officer referenced Section 140.4(10)(d) and made the following determination with respect to the maximum Site Coverage:

Proposed: 109.1 sqm or 29.7%
Over by: 1.7% [unedited]

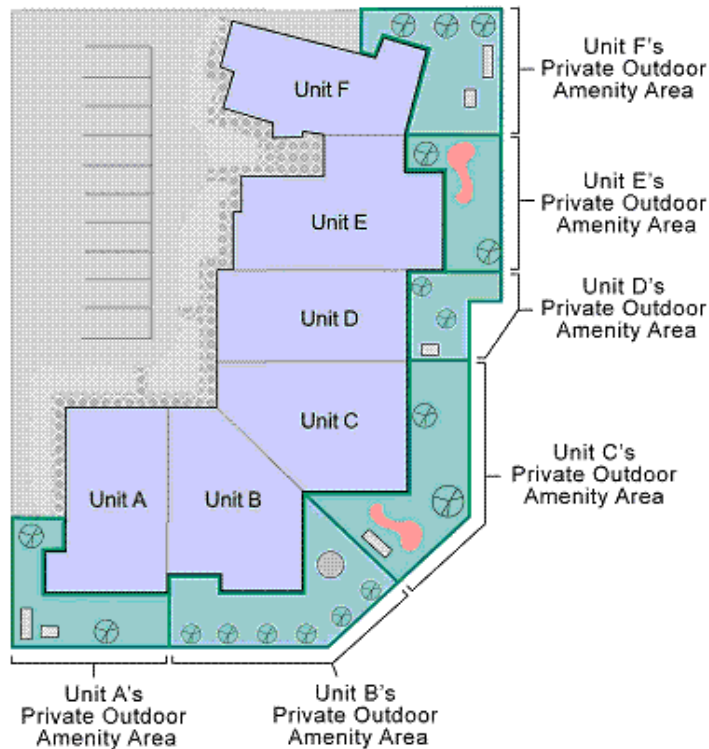
Private Outdoor Amenity Area

Section 47(5) states:

Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 4.0 m, except that if it is provided above the first Storey the minimum dimensions shall be 3.0 m.

Section 6.1(78) states:

Private Outdoor Amenity Area means required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular Dwelling and which is immediately adjacent to and directly accessible from the Dwelling it is to serve;





Development Officer's Determination

The Development Officer referenced Section 47(5) and made the following determination with respect to the minimum Site area:

Proposed: depth of amenity area in the rear = 3.16m
Deficient 0.84m [unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

	Project Number: 188595235-001 Application Date: MAR 14, 2016 Printed: May 4, 2016 at 3:41 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) 11730 - 91 STREET NW Plan 2256AD Blk 48 Lot 24 Specific Address(es) Entryway: 1, 11730 - 91 STREET NW Entryway: 2, 11730 - 91 STREET NW Building: 1, 11730 - 91 STREET NW		
Scope of Application To construct a Semi-Detached House with front verandas, covered decks (1.524m x 1.524m) and Basement Developments (NOT to be used as additional Dwellings).			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> # of Dwelling Units Add/Remove: 1 Client File Reference Number: Minor Dev. Application Fee: Semi-Detached House Secondary Suite Included?: N </td> <td style="width: 50%; border: none; vertical-align: top;"> Class of Permit: (none) Lot Grading Needed?: Y New Sewer Service Required: Y Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay </td> </tr> </table>		# of Dwelling Units Add/Remove: 1 Client File Reference Number: Minor Dev. Application Fee: Semi-Detached House Secondary Suite Included?: N	Class of Permit: (none) Lot Grading Needed?: Y New Sewer Service Required: Y Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
# of Dwelling Units Add/Remove: 1 Client File Reference Number: Minor Dev. Application Fee: Semi-Detached House Secondary Suite Included?: N	Class of Permit: (none) Lot Grading Needed?: Y New Sewer Service Required: Y Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Application Decision Refused Reason for Refusal <ol style="list-style-type: none"> 1.) Section 140.4.3.a: the minimum Site area shall be 442.2 m2 Proposed: 367.641 sqm Deficient: 74.56 sqm 2.) Section 140.4.10.d: Maximum Site Coverage for a Semi-detached House where the Site Area is less than 600sqm = 28% Proposed: 109.1 sqm or 29.7% Over by: 1.7% 3.) Section 47.5: Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 4.0 m, except that if it is provided above the first Storey the minimum dimensions shall be 3.0m. Proposed: depth of amenity area in the rear = 3.16m Deficient 0.84m <p>Based on the above, in the opinion of the Development Officer, the proposed development will unduly interfere with the amenities of the neighbourhood, and materially interfere with or affect the use, enjoyment or value of neighbouring property owners.</p> 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.			
Issue Date: Apr 14, 2016 Development Authority: HEIMDAHL, KENDALL Signature: _____			
THIS IS NOT A PERMIT			



Project Number: **188595235-001**
Application Date: MAR 14, 2016
Printed: May 4, 2016 at 3:41 PM
Page: 2 of 2

Application for Minor Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$456.00	\$456.00	03146546	Mar 22, 2016
Lot Grading Fee	\$135.00	\$135.00	03146546	Mar 22, 2016
Sanitary Sewer Trunk Fund	\$262.00	\$262.00	03146546	Mar 22, 2016
Total GST Amount:	\$0.00			
Totals for Permit:	\$853.00	\$853.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-118



ITEM III: 1:00 P.M.

FILE: SDAB-D-16-119

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

APPELLANT:

APPLICATION NO.: 177067302-002

ADDRESS OF APPELLANT: 6623 – 128 Avenue NW

APPLICATION TO: Construct 26 Dwellings of Apartment Housing (1 building, 4 Storeys)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: March 29, 2016

DATE OF APPEAL: April 19, 2016

RESPONDENT:

ADDRESS OF RESPONDENT: 12804 - 66 Street NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12804 - 66 Street NW

LEGAL DESCRIPTION: Plan 1525639 Blk 2 Lot 22

ZONE: RA8 Medium Rise Apartment Zone

OVERLAY: Medium Density Residential Overlay

STATUTORY PLAN: Belvedere Station Area Redevelopment Plan

Grounds for Appeal

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

Regarding the proposed development permit # 177067302-002, located at 6608 128 avenue NW. I represent the bare land condo located at 6617 - 6623 128 avenue NW. I own unit 6623.

The number of proposed parking stalls for this development is not sufficient or practical for this location. Street parking is prohibited on 66 street, 129 avenue and the alley directly behind the proposed

development. Many low income people still have at least one vehicle for their family, and there will need to be parking for visitors to the premises as well. This area already suffers from severe issues with parking. Many homes on this block only have one parking space but two vehicles which means the additional vehicles have to park on the street in front of the properties. There is a used car dealership on the corner of 128 avenue & 66 street (12730 66 street) which regularly takes up all the street parking with their vehicles for sale. The dealership has no on-site parking for customers, so customers have no choice but to park on 128 avenue putting additional strain on an already congested parking situation.

The intersection of 67 street and 128 avenue has pre-existing drainage issues which frequently cause the entire intersection to flood, which has resulted in significant property damages in recent years. Adding an apartment complex in this area with an additional 20+ families will put further stress on the already fragile city drainage system. The city needs to look into upgrading to the drainage system before any multi-housing development breaks ground, or at the very least the city's drainage system should be checked and a corresponding report obtained to ensure any new multi-home developments will not negatively affect the area's drainage and storm overflow.

This area already has several low income multi-unit housing developments. The addition of another low income housing complex stands to further reduce property values for the area. Statistically the crime rate increases in areas with high levels of low income housing. This area has historically experienced high crime rates. The addition of further low income housing will only add to the crime problems in this area regardless of the crime free housing program.

Also, there is a bar and liquor store located directly across the street from the proposed development, which may not be the best location for someone who is trying to keep clean and get back on their feet.

Overall, this area does not have the street parking to facilitate a multi-unit housing development without adequate parking on site, pre-existing drainage issues are prevalent in this area which need to be addressed first, and another low income housing development will only reduce property values and increase crime for an area already experiencing high crime rates. [unedited]

General Matters

Appeal Information:

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

Grounds for Appeal

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,

(a) ...

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

The decision of the Development Authority was dated March 29, 2015. The Notice of Appeal was filed on April 19, 2016.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 220.1 states that the **General Purpose** of the **RA8 Medium Rise Apartment Zone** is “to provide for Medium Rise Apartments.”

Under Section 220.2(1), **Apartment Housing** is a **Permitted Use** in the RA8 Medium Rise Apartment Zone.

Section 7.2(1) states:

Apartment Housing means development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other Residential Use Class.

Section 815.1(1) states that the **General Purpose** of the **Medium Density Residential Overlay** is “to accommodate the development of medium density housing in established areas of the City that is compatible, in mass and scale, with existing forms of lower and medium density development and that maintains the pedestrian-friendly character and streetscape of these established areas.”

Parking Variance

Section 54.2 Schedule 1 – Vehicular Parking Requirement provides the following:



Schedule 1(A) Areas outside of the Downtown Special Area					
Use of Building or Site	Minimum Number of Parking Spaces or Garage Spaces Required				
Residential and Residential-Related Uses					
1. Apartment Housing		Minimum	Maximum	TOD minimum	TOD maximum
	1 Bedroom Dwelling	1	N/A	0.8	1
	Visitor Parking	1 per 7 Dwellings	N/A	1 per 7 Dwellings	N/A
<p>Where such Uses contain three or more dwelling units (or where Semi-Detached Housing, Duplex Housing, or Apartment Housing consisting of fewer than three dwelling units, comprise part of a Multi-Unit Project Development) and are located within 400 metres of an existing LRT station or a future LRT station with a Council-approved Concept Plan, within 400 metres of an existing Transit Centre or a future Transit Centre with a Council-approved Concept Plan, or within 100 metres of a Transit Avenue, the following minimum parking requirements and maximum parking requirements shall apply.</p> <p>The visitor parking must be readily available to an entrance of the building and be clearly identified as visitor parking.</p> <p>The Development Officer may accept Tandem Parking spaces of a number that is equivalent to the total required parking minus the total number of Dwellings and minus visitor parking. Visitor parking spaces shall not be in tandem.</p>					

Development Officer’s Determination

The Development Officer referenced Schedule 1(A)(1) to Section 54.2 and granted the following variance to parking: “The site has 18 parking stalls, instead of 30”.

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: 177067302-002 Application Date: DEC 24, 2015 Printed: May 4, 2016 at 4:32 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) 12804 - 66 STREET NW Plan 1525639 Blk 2 Lot 22 Specific Address(es) Entryway: 12804 - 66 STREET NW Entryway: 6606 - 128 AVENUE NW Entryway: 6608 - 128 AVENUE NW Building: 12804 - 66 STREET NW		
Scope of Permit To construct 26 Dwellings of Apartment Housing (1 building, 4 storeys).			
Permit Details <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> Class of Permit: Class B Gross Floor Area (sq.m.): 1580 New Sewer Service Required: Y Site Area (sq. m.): 1206.29 </td> <td style="width: 50%; vertical-align: top;"> Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): 1580 New Sewer Service Required: Y Site Area (sq. m.): 1206.29	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
Class of Permit: Class B Gross Floor Area (sq.m.): 1580 New Sewer Service Required: Y Site Area (sq. m.): 1206.29	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay		
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: **177067302-002**
 Application Date: DEC 24, 2015
 Printed: May 4, 2016 at 4:32 PM
 Page: 2 of 4

Major Development Permit

Subject to the Following Conditions

This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21(1). Reference Section 17(1).

The proposed short parking stall shall be clearly signed as such. Reference Section 54.2.4.a(iii).

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

- 1) Access from the site to the one-way southbound alley is acceptable. Any modification to the access requires the review and approval of Transportation Development Engineering. Alley access does not require a crossing permit.
- 2) The proposed connector sidewalks (3 total) from the east property line of the subject site to tie into the City sidewalk on the west side of 66 Street, and the proposed connector sidewalks (3 total) from the south property line of the subject site to tie into the City sidewalk on the north side of 128 Avenue are acceptable to Transportation Planning and Engineering.
- 3) A barrier must be placed between the parking stalls and the alley.
- 4) A 2m x 4m x 200mm 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.
- 5) 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.
- 6) 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 Development 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 Section Advisements:

- 1) According to Section 54.2, Schedule 1 - Vehicular Parking of Edmonton Zoning Bylaw 12800, the site has an on-site parking deficiency of 12 parking stalls (proposed 18 stalls; required 30 stalls) of which 4 stalls are required for visitor parking and the remaining 14 stalls will be available for the residents. Homeward Trust is coordinating this development of new housing units to house individuals who have previously experienced homelessness and are trying to rebuild their lives. Homeward Trust has provided supporting documentation for a parking relaxation based on the utilization of parking stalls in comparison to 5 other multi-family units that are similar housing projects. All of the 5 sites monitored, had available parking stalls at any given time during the observation period. There is also on-street parking available along 128 Street, however no parking along 66 Street. As such, Transportation Planning and Engineering has no objection to the parking deficiency given this specific type of use.
- 2) There is an existing power pole with Telus facilities in the alley. Should relocation of the pole 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.
- 3) Any advertising signs for the development must be located entirely within private property.
- 4) There is existing transit service along 66 Street and 129 Avenue.
- 5) 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.
- 6) Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. 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/bylaws_licences/licences_permits/oscam-permit-request.aspx

Landscaping shall be in accordance to the approved landscape plan, Section 55 and to the satisfaction of the Development Officer. Additional details shall be provided for the proposed rooftop Amenity Area to the satisfaction of the Development Officer. The required additional details are:

- Plant material details - provide a plant legend indicated what is to be planted.
- Planter details - sizes, materials, insulation and watering details.
- Furniture details - details of any seating, tables, and so on.
- Lighting details - the rooftop Amenity Area is to be a safe lit environment, with no light spilling over into adjacent properties.

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



Project Number: **177067302-002**
 Application Date: DEC 24, 2015
 Printed: May 4, 2016 at 4:32 PM
 Page: 3 of 4

Major Development Permit

NOTE: The rooftop Amenity plan will form part of the approved landscape plan.

NOTE: It is strongly recommended that an alternate Tree species be used to replace the proposed swedish columnar aspens as these Trees are prone to Bronze Leaf Disease.

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

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$29,068.00 (based on 2016 rates). All assessments are based upon information currently available to the City. The SSTF charges are quoted for the calendar year in which the development permit is granted. The final applicable rate is subject to change based on the year in which the payment is collected by the City of Edmonton.

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Notification Fee of \$100.00.

The developer shall provide a minimum of 4 visitor parking stalls readily available to an entrance of the building to be served, and clearly identified as visitor parking to the satisfaction of the Development Officer. Reference Section 54.2.1(a), Schedule 1A(1).

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.

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

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

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

NOTES:

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

Variations

Parking - The site has 18 parking stalls, instead of 30 (Section 54.2, and Schedule 1.A.1)

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.

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



Project Number: **177067302-002**
 Application Date: DEC 24, 2015
 Printed: May 4, 2016 at 4:32 PM
 Page: 4 of 4

Major Development Permit

Issue Date: Mar 29, 2016 **Development Authority:** BACON, KIRK **Signature:** _____
Notice Period Begins: Apr 05, 2016 **Ends:** Apr 18, 2016

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	\$330.00	\$330.00	02984074	Jan 04, 2016
Major Dev. Application Fee	\$770.00	\$770.00	02984074	Jan 04, 2016
Dev. Application Fee # of dwelling units	\$1,496.00	\$1,496.00	02984074	Jan 04, 2016
Sanitary Sewer Trunk Fund 2012+	\$29,068.00	\$29,068.00	03227357	Apr 25, 2016
DP Notification Fee	\$100.00	\$100.00	03227357	Apr 25, 2016
Total GST Amount:	\$0.00			
Totals for Permit:	\$31,764.00	\$31,764.00		

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-119



BUSINESS LAID OVER

SDAB-D-16-062	An appeal to operate an Automotive/Minor Recreation Vehicle Sales/Rental and to relocate an existing mobile office (Peace Motors). <i>May 25 or 26, 2016</i>
SDAB-D-16-501	An appeal to demolish an existing building <i>May 25 or 26, 2016</i>
SDAB-D-16-114	An appeal to install 3 Fascia On-Premises Signs (Spasation), existing without permits. <i>June 1 or 2, 2016</i>

APPEAL HEARINGS TO BE SCHEDULED

172854843-001	An appeal to comply with a Stop Order to comply with all conditions of Development Permit No. 139511609-001 before April 1, 2016 or Cease the Use (Operation of Automotive and Minor Recreation Vehicle Sales/Rentals Use and any subsequent Use) before April 1, 2016 and remove all stored material and equipment associated with the Use; including vehicles, tires, and vehicle parts before April 1, 2016 <i>May 25, 2016</i>
175846220-001	An appeal to remove all advertising signs located on the building before April 2, 2016 or submit a complete Development Permit Application which reflects the current sign(s) installed on the building before April 1, 2016 <i>May 25, 2016</i>