

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
May 21, 2020**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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I	9:00 A.M.	SDAB-D-20-057	Construct an Addition (Section 1B) to an Existing Multi-unit Housing (Increase from 166 to 192 Dwellings) and to Change the Use of a portion of the Multi Unit Housing to Child Care Services  12004 - 22 Avenue SW Project No.: 342318396-002
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II	9:00 A.M.	SDAB-D-20-058	Change the Use from General Industrial Uses to Funeral, Cremation and Interment Services (TRINITY FUNERAL HOME LTD)  5618 - 72 Street NW, 5614 - 72 Street NW, 7203C – Roper Road NW Project No.: 358173405-002
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III	9:00 A.M.	SDAB-D-20-059	Construct a 9 Dwelling Multi-unit Housing  11123 – Groat Road NW Project No.: 352231631-002
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IV	9:00 A.M.	SDAB-D-20-060	S. Korbut  Construct exterior alterations to a Single Detached House (to remove an attached garage, 3.1m x 6.26m, and Driveway extension, 3.10m x 10.64m), existing without permits, and to maintain the existing driveway access to 95A Street  12212 - 95A Street NW Project No.: 355976097-002
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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

FILE: SDAB-D-20-057

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

APPELLANT:

APPLICATION NO.: 342318396-002

APPLICATION TO: Construct an Addition (Section 1B) to an Existing Multi-unit Housing (Increase from 166 to 192 Dwellings) and to Change the Use of a portion of the Multi Unit Housing to Child Care Services

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: March 23, 2020

DATE OF APPEAL: April 20, 2020

NOTIFICATION PERIOD: March 31, 2020 through April 21, 2020

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12004 - 22 Avenue SW

LEGAL DESCRIPTION: Condo Common Area (Plan 1023525)

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: N/A

STATUTORY PLAN: Rutherford Neighbourhood Area Structure Plan

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***Grounds for Appeal***

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

I wish to appeal for the reason:

-Section 54 and Schedule 54.2(a)(C): The minimum of off street parking. 22 Ave is already full because of all the building all ready accepted by the city.

What would be left is 126 ST SW and the walking path beside our house giving direct access to the development.

Will increase traffic and parking in front of the emergency lane and our safety.

The minimum parking should be 159.6 parking from the city bylaw without the addition of the 26 more units. The 126 parking stalls would not adequately cover the parking requirement for 190 dwellings.

- What is the developers plan to make sure the occupants will park in there designated parking and not created more congestion.

- 210.4(10) surface parking is not permitted to be located between any building and public roadway

-11.2.2 determining compete development application

We will need to access the blue prints of the development and documents will be send at a later date for supporting our appeal

<i>General Matters</i>
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**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.

**Non-conforming use and non-conforming buildings**

**643(1)** If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

**(2)** A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

**(3)** A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

**(4)** A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

**(5)** A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

- (a) to make it a conforming building,

- (b) for routine maintenance of the building, if the development authority considers it necessary, or
- (c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

**General Provisions from the *Edmonton Zoning Bylaw*:**

Under section 210.2(9), **Multi-unit Housing** is a **Permitted Use** in the **(RA7) Low Rise Apartment Zone**.

Under section 210.2(1), **Child Care Services** is a **Permitted Use** in the **(RA7) Low Rise Apartment Zone**.

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

development that consists of three or more principal Dwellings arranged in any configuration and in any number of buildings. This Use does not include Blatchford Townhousing or Blatchford Stacked Row Housing.

Under section 7.8(2), **Child Care Services** means:

a development intended to provide care, educational activities and supervision for groups of seven or more children under 13 years of age during the day or evening, but does not generally include overnight accommodation. This Use typically includes daycare centres; out-of-school care centres; preschools; and dayhomes/group family care providing child care to seven or more children within the care provider's residence.

Under section 6.1, **Dwelling** means:

- a. a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is suitable for permanent residence for a single Household; or
- b. a Sleeping Unit, for the purposes of calculating Density for Group Home or Lodging House Uses.

Section 210.1 states that the **General Purpose** of the **(RA7) Low Rise Apartment Zone** is “To provide a Zone for low rise Multi-unit Housing.”

***Non-conforming building***

Section 210.4(5) states “Surface parking is not permitted to be located between any building and a public roadway, other than a Lane.”

Section 11.3(2) states:

The Development Officer may approve, with or without conditions as a Class B Discretionary Development, an enlargement, alteration or addition to a non-conforming building if the non-conforming building complies with the Uses prescribed for that land in this Bylaw and the proposed development would not, in their opinion:

- a. unduly interfere with the amenities of the neighbourhood; or
- b. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

**Development Officer’s Determination**

**Non-Conforming Building - This Multi-unit Housing no longer conforms to current zoning rules, which may have changed since it was originally constructed. This permit does not increase the non-conformity of the parking location. (Section 11.2.2 and 210.4(10)).**  
[unedited]

***Parking***

Section 54.2, Schedule 1(C) provides the following with respect to Transit Oriented Development:



<b>Schedule 1(C) Transit Oriented Development and Main Streets Overlay</b>			
<b>Use of Building or Site</b>	<b>Minimum or Maximum Number of Parking Spaces Required</b>		
<b>Residential and Residential-Related Uses</b>			
Area of application	<p>Where the following Uses are outside of the boundary of 54.2 Schedule 1(B) but are located within:</p> <ul style="list-style-type: none"> <li>• 600 metres of an existing LRT station, or a future LRT station with the most recent version of a Council-approved Concept Plan;</li> <li>• 600 metres of an existing Transit Centre, or a future Transit Centre with the most recent version of a Council-approved Concept Plan;</li> <li>• 150 metres of a Transit Avenue; or</li> <li>• the boundaries shown in the Main Streets Overlay Section 819.2,</li> </ul> <p>the minimum and maximum parking requirements shown below shall apply, except Schedule 1(A) shall apply for Residential and Residential-Related Uses not listed here.</p> <p>For the purpose of Schedule 1(C), measurements shall be made from the nearest point of the LRT station, Transit Centre, or Transit Avenue to the Site Boundary where the Use(s) are to be located. Where a LRT station or Transit Centre exists in concept only, the radius shall be measured from the centre of the proposed location on the concept diagrams, or of the nearest roadway intersection at the discretion of the Development Officer.</p>		
<p><i>Charter Bylaw 18967 August 26, 2019</i></p> <p><b>1. Multi-unit Housing</b></p>	<p>In Core and Mature neighbourhoods, as identified in Edmonton's Municipal Development Plan, Bylaw 15100, excluding the Downtown Special Area:</p>		
	<p>Minimum and Maximum Parking Spaces per Dwelling size</p>		
	Dwelling Size	Minimum	Maximum
	Studio	0.5	1.0
	1 Bedroom Dwelling	0.5	1.0
	2 Bedroom Dwelling	0.75	1.5
	3 or more Bedroom Dwelling	1.0	1.75
	<p>In all other neighbourhoods:</p>		
	<p>Minimum and Maximum Parking Spaces per Dwelling size</p>		
	Dwelling Size	Minimum	Maximum
Studio	0.7	1.0	
1 Bedroom Dwelling	0.8	1.0	
2 Bedroom Dwelling	1.0	1.5	
3 or more Bedroom Dwelling	1.25	1.75	
<p>Visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings, and 1 visitor parking space per 7 Dwellings thereafter. Visitor parking must be readily available to the primary building entrance for each multi-unit residential building on Site, and be clearly identified as visitor parking, to the satisfaction of the Development Officer.</p>			

**Development Officer’s Determination**

**Parking: The Site has 126 Parking Spaces, instead of 166 Parking Spaces for the Multi-unit Housing (Section 54 and Schedule 54.2(a)(C)).  
 Note: There is no variance to the Child Care Service or Visitor Parking requirements. [unedited]**

***Previous Subdivision and Development Appeal Board Decisions***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-16-233	To construct 2 Apartment House buildings (total of 166 Dwellings), with an underground parkade.	October 6, 2016; The appeal is DENIED and the decision of the Development Authority is CONFIRMED with the conditions imposed.
SDAB-D-14-140	Construct two Apartment House buildings (total of 166 Dwellings), with an underground parkade.	June 5, 2014; The appeal be DENIED and the Development Authority’s decision of Approval CONFIRMED.

**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.

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Project Number: **342318396-002**  
 Application Date: SEP 27, 2019  
 Printed: March 23, 2020 at 10:48 AM  
 Page: 1 of 12

## 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)
	12004 - 22 AVENUE SW Condo Common Area (Plan 1023525)
	<b>Specific Address(es)</b>
	Suite: 100, 12020 - 22 AVENUE SW
	Suite: 100, 12024 - 22 AVENUE SW
	Suite: 101, 12020 - 22 AVENUE SW
	Suite: 101, 12024 - 22 AVENUE SW
	Suite: 102, 12020 - 22 AVENUE SW
	Suite: 102, 12024 - 22 AVENUE SW
	Suite: 103, 12020 - 22 AVENUE SW
	Suite: 103, 12024 - 22 AVENUE SW
	Suite: 104, 12020 - 22 AVENUE SW
	Suite: 104, 12024 - 22 AVENUE SW
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	Suite: 113, 12024 - 22 AVENUE SW
	Suite: 114, 12020 - 22 AVENUE SW
	Suite: 114, 12024 - 22 AVENUE SW
	Suite: 115, 12020 - 22 AVENUE SW
	Suite: 115, 12024 - 22 AVENUE SW
	Suite: 116, 12020 - 22 AVENUE SW



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## Major Development Permit

### Specific Address(es)

- Suite: 116, 12024 - 22 AVENUE SW
- Suite: 117, 12024 - 22 AVENUE SW
- Suite: 118, 12024 - 22 AVENUE SW
- Suite: 119, 12024 - 22 AVENUE SW
- Suite: 120, 12024 - 22 AVENUE SW
- Suite: 121, 12024 - 22 AVENUE SW
- Suite: 122, 12024 - 22 AVENUE SW
- Suite: 123, 12024 - 22 AVENUE SW
- Suite: 124, 12024 - 22 AVENUE SW
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- Suite: 214, 12020 - 22 AVENUE SW
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- Suite: 215, 12020 - 22 AVENUE SW



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## Major Development Permit

### Specific Address(es)

- Suite: 215, 12024 - 22 AVENUE SW
- Suite: 216, 12020 - 22 AVENUE SW
- Suite: 216, 12024 - 22 AVENUE SW
- Suite: 217, 12020 - 22 AVENUE SW
- Suite: 217, 12024 - 22 AVENUE SW
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## Major Development Permit

### Specific Address(es)

- Suite: 313, 12024 - 22 AVENUE SW
- Suite: 314, 12020 - 22 AVENUE SW
- Suite: 314, 12024 - 22 AVENUE SW
- Suite: 315, 12020 - 22 AVENUE SW
- Suite: 315, 12024 - 22 AVENUE SW
- Suite: 316, 12020 - 22 AVENUE SW
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- Suite: 410, 12020 - 22 AVENUE SW
- Suite: 410, 12024 - 22 AVENUE SW
- Suite: 411, 12020 - 22 AVENUE SW



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## Major Development Permit

	<p style="text-align: center;"><b>Specific Address(es)</b></p> <p>Suite: 411, 12024 - 22 AVENUE SW                  Suite: 412, 12020 - 22 AVENUE SW                  Suite: 412, 12024 - 22 AVENUE SW                  Suite: 413, 12020 - 22 AVENUE SW                  Suite: 413, 12024 - 22 AVENUE SW                  Suite: 414, 12020 - 22 AVENUE SW                  Suite: 414, 12024 - 22 AVENUE SW                  Suite: 415, 12020 - 22 AVENUE SW                  Suite: 415, 12024 - 22 AVENUE SW                  Suite: 416, 12020 - 22 AVENUE SW                  Suite: 416, 12024 - 22 AVENUE SW                  Suite: 417, 12020 - 22 AVENUE SW                  Suite: 417, 12024 - 22 AVENUE SW                  Suite: 418, 12024 - 22 AVENUE SW                  Suite: 419, 12024 - 22 AVENUE SW                  Suite: 420, 12024 - 22 AVENUE SW                  Suite: 421, 12024 - 22 AVENUE SW                  Suite: 422, 12024 - 22 AVENUE SW                  Suite: 423, 12024 - 22 AVENUE SW                  Suite: 424, 12024 - 22 AVENUE SW                  Suite: 425, 12024 - 22 AVENUE SW                  Entryway: 12020 - 22 AVENUE SW                  Entryway: 12024 - 22 AVENUE SW                  Building: 12020 - 22 AVENUE SW                  Building: 12024 - 22 AVENUE SW</p>		
<p><b>Scope of Permit</b></p> <p>To Construct an Addition (Section 1B) to an Existing Multi-unit Housing (Increase from 166 to 192 Dwellings) and to Change the Use of a portion of the Multi Unit Housing to Child Care Services</p>			
<p><b>Permit Details</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                     Class of Permit: Class B                      Gross Floor Area (sq.m.):                      New Sewer Service Required: Y                      Site Area (sq. m.): 24297.85                 </td> <td style="width: 50%; border: none;">                     Contact Person:                      Lot Grading Needed?: Y                      NumberOfMainFloorDwellings:                      Stat. Plan Overlay/Annex Area: (none)                 </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 24297.85	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 24297.85	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)		
<p><b>Development Permit Decision</b></p> <p>Approved</p> <p><b>Issue Date:</b> Mar 23, 2020 <b>Development Authority:</b>BAUER, KERRY</p> <p><b>Subject to the Following Conditions</b></p> <p>Zoning Conditions:</p>			

## Major Development Permit

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

This Development permit authorizes the development of an Addition to an Existing Multi-unit Housing (Increase from 187 to 192 Dwellings) and to Change the Use of a portion of the Multi Unit Housing to Child Care Services.

NOTE: A landscape security was submitted on project 142969751-001 and will apply to this approval.

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

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

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

Where Bicycle Parking is not visibly located on site, directional signage shall be displayed indicating its location (Section 54.3.2(g)).

The developer shall provide a minimum of 24 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, Schedule 1A(1).

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

Soil above underground parking facilities shall be of sufficient depth to accommodate required landscaping, including trees, shrubs, flower beds, grass, and ground cover (section 210.4.15).

Mechanical equipment and exhaust systems shall be designed to be integrated into the play space so the Development Officer is satisfied that it does not create adverse effects related to noise, fumes or safety, or shall be located a minimum of 2 m outside of the perimeter of the outdoor play space (section 80.3(b)(ii)).

All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building to the satisfaction of the Development Officer.

Amenity Areas, at grade, shall be defined through a Fence or landscaped elements including but not limited to planters, hedges, hard and soft surface treatment, or raised structures (section 46.4).

Common Amenity Areas shall include furniture and fixtures that accommodate active or passive recreation, to the satisfaction of the Development Officer (section 46.11(c)).

Parking: Continuous raised or pre-cast curbing of not less than 100 mm in Height shall be provided adjacent to streets and required landscaped areas, 600 mm from the front of the parking stall. Concrete curb stops shall be placed to ensure that vehicles do not overhang boulevards, sidewalks, or required landscaped areas. (54.6.3(e)).

Drainage Services Conditions:  
Sanitary Sewer Trunk Charge (SSTC)

-SSTC is applicable to the property for 21 multi-family dwellings at the rate of \$1,186/dwelling and an assessable commercial area of 0.033 ha at \$8,311/ha under the current DP#342318396-002. The number of dwellings is based on the drawings submitted with this Application for Major Development Permit.





Project Number: **342318396-002**  
 Application Date: SEP 27, 2019  
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## Major Development Permit

-Payment should be made at the Edmonton Service Centre, 2nd Floor, 10111 – 104 Avenue NW.

-For information purposes, the 2019 rate is \$1,186/dwelling and \$8,311/ha respectively. However, the final SSTC is based on the prevailing rate at the time the applicant/owner makes payment.

### Additional Notes

a. The above assessment is made based on information currently available to our Department. Should such information change in the future, a new assessment may be made.

b. 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.

c. 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](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](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](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](https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx)

### Landscaping Conditions:

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$528.00 (this can be paid by phone with a credit card - 780-442-5054).

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

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

4. 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.

5. 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](http://www.edmonton.ca/landscapeinspectionrequest)).

6. 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.

7. 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.

### Transportation Conditions:

## Major Development Permit

1. The easterly access to the site from 22 Avenue SW exists. Any modification to the existing access requires the review and approval of Subdivision Planning.
2. The westerly 8.5 m access to the site from 22 Avenue SW was approved with Development Permit 142969751-001. Any modification to the approved access requires the review and approval of Subdivision Planning.
3. Retaining walls and ramps leading to the parkade must be located within private property and shall not encroach onto road right-of-way.
4. Fences must be located within private property and must not obstruct sight lines of vehicles entering and exiting the site.
5. Parallel parking is NOT permitted on the internal road system where the road width (carriageway) is less than 7.5 m. Both sides of the road must be signed "No Parking". A road width of less than 7.5 m will not accommodate parking and still allow emergency vehicle access.
6. There are existing boulevard trees adjacent to the site that must be protected during construction. Prior to construction, the owner/applicant must contact to arrange for hoarding and/or root cutting. All costs shall be borne by the owner/applicant. Please contact City Operations, Parks and Roads Services (citytrees@edmonton.ca) 4 weeks prior to the start of construction.
7. There may be utilities within road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Alberta One-Call (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.
8. All required landscaping for the development must be provided on site.
9. 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/oscam-permit-request.aspx](https://www.edmonton.ca/business_economy/licences_permits/oscam-permit-request.aspx) and  
<https://www.edmonton.ca/documents/PDF/ConstructionSafety.pdf>
10. Any sidewalk, shared use path, 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.
11. There are existing pipelines within the pipeline right-of-way immediately west of the subject site. Crossing agreements and proximity agreements are required for any construction over the pipelines, including sidewalk connections. The applicant is required to contact the pipeline companies to obtain all required agreements, and conform to all requirements of such agreements. All costs associated with construction over the pipelines and requirements of the pipeline agreements must be borne by the owner/applicant.

### Waste Management Conditions:

Information on some of the requirements below is available on our

[https://www.edmonton.ca/programs\\_services/documents/City\\_of\\_Edmonton\\_Waste\\_Storage\\_Requirements.pdf](https://www.edmonton.ca/programs_services/documents/City_of_Edmonton_Waste_Storage_Requirements.pdf)

## Major Development Permit

Please feel free to send a copy of the proposed building and location of the waste storage to ensure the City standards are met and the design will be functional for the waste pickup.

I have reviewed the site plan for this project and offer the following comments:

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

This site with 192 units would receive approximately 48 cubic yards of garbage service and 24 cubic yards of recycle service per week for the residential units.

The waste enclosure needs to be adequately sized for the approx. Three 6 cubic yard non-wheeled garbage bins and Two 6 cubic yard non-wheeled recycle bin required to service the residential units. The frequency for pickup with these amounts of bins would be 3 times per week for garbage and 2 times per week for recycle.

The commercial units have the option of being serviced by the City of Edmonton or with private waste removal companies. If the commercial units choose to go with private waste removal, separate waste loading areas will need to be considered for the commercial component which is not mandated for City provided service. This will also require additional bins to be sited in the waste storage area. If this is not possible, the retail component will be required to use City provided services at City determined rates.

The travel distance for the majority of the residents to the waste area is over double the 50m threshold. However, waste services understands the constraints of the waste area placement and will accept the proposed location.

**WASTE SERVICES STRONGLY RECOMMENDS NOT USING GATES. IF GATES ARE TO BE USED THEY MUST COMPLY WITH THE WASTE STORAGE REQUIREMENTS GUIDELINE ([link above](#))**

If the loading area is situated over an underground parkade, a letter from an engineering firm stating that the area will be able to withstand the weight of the collection vehicle during loading activities will be required.

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 apron 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](https://www.edmonton.ca/city_government/documents/PDF/CompleteStreets_DesignStandards_Sept2018.pdf)

Thank you for the opportunity to provide feedback on this project.

### Subject to the Following Advisements

Drainage Services Advisements:

This advisement identifies the development assessments applicable to the property located at 12004-22 Avenue SW (Condo Common Area (Plan 1023525; Rutherford).

#### 1. Permanent Area Contribution (PAC)

-Storm and Sanitary PACs have been paid as part of Rutherford Stage 30 project under Servicing Agreement No. DS-1188.

#### 2. Expansion Assessment (EA)



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## Major Development Permit

-Expansion Assessment has been paid as part of Rutherford Stage 30 project under Servicing Agreement No. DS-1188.

### 3. Arterial Roadway Assessment (ARA)

-Arterial Roadway Assessment has been paid as part of Rutherford Stage 30 project under Servicing Agreement No. DS-1188.

### 4. Sanitary Sewer Trunk Charge (SSTC)

Based on our records, SSTC was previously assessed and paid for 166 multi-family dwellings under DP#142969751-001.

#### Additional Notes

a. The above assessment is made based on information currently available to our Department. Should such information change in the future, a new assessment may be made.

b. 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.

c. 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](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](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](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](https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx)

#### Fire Rescue Services Advisements:

Edmonton Fire Rescue Services has no objections to this proposal however; there are a number of advisements.

#### Fire Safety Plan

Ensure that a Fire Safety Plan is prepared for this project, in accordance with the EFRS Construction Site Fire Safety Plan Template:

[https://www.edmonton.ca/programs\\_services/fire\\_rescue/fire-safety-planning-for-const.aspx](https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx)

Ensure Emergency Access Routes are designed according the Alberta Building Code.

Reference: ABC 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.

NOTE?Access routes 120m or greater require a second access.

#### Combined FDC and distance to hydrant

If the building is sprinklered, ensure that the building's Sprinkler Fire Department Connection is located in accordance with ABC 3.2.5.15, and that the travel distance (not radius) from Fire Department Connection to fire hydrant does not exceed 45m.



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## Major Development Permit

**Reference: ABC 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.

**Hydrants Functional**

Provide the location(s) of the fire hydrants in proximity to the development. Confirm that these hydrants are fully functional prior to construction.

**Access Road**

Ensure that an all-weather access road is constructed prior to construction.

**Reference: AFC 5.6.1.4. Access for Firefighting**

- 4) Access routes for fire department vehicles shall be provided and maintained to construction and demolition sites.

**Adjacent Property Protection**

Ensure that the protection of adjacent properties has been provided in accordance with EFRS Adjacent Property Protection Guidelines and AFC 5.6.1.2. This information has been included for your information and implementation during the construction of this project.

**Fire Route Signage**

Ensure that emergency access route/fire lane signage is posted as per the 2014 AFC 2.5.1.5 (3)

**Reference: 2.5.1.5. Maintenance of Fire Department Access**

- 3) Signs posted in conformance with Sentence (2) shall be permanently installed not more than 20 m apart and not more than 2.3 m above surrounding ground level to ensure that they are clearly visible to approaching vehicles.

If the building will be protected by a fire alarm system, 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: ABC 3.2.4.9 Annunciator and Zone Indication**

Regards,

Jesse Acott

FSCO Group B, Level II

cmsfpts@edmonton.ca

**Transportation Advisements:**

1. The proposed connector sidewalk from the south property line of the subject site to tie into the sidewalk on the north side of 22 Avenue SW, and the 2 connector sidewalks from the west property line to tie into the City shared use path are acceptable to Subdivision Planning.

2. Residential Sales Trailers require a separate development permit. Construction trailers must be located on private property or within the hoarded area.

3. Subdivision Planning responded to a previous Development Application #142969751-001 for this site on April 4, 2014. As a condition of this permit the property owner signed a Municipal Improvement Agreement (MIA) #E14.160 which included a Letter of Credit for the amount of \$18,000.00 for the offsite construction to accommodate the previous Development Application. This agreement is still in full effect for this site. At this time, the Construction Completion Certificate for the site access has not been achieved.

**Zoning Advisements:**

Signs require separate Development Permits.



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## Major Development Permit

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)

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.

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

A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.

**Variations**

Non-Conforming Building - This Multi-unit Housing no longer conforms to current zoning rules, which may have changed since it was originally constructed. This permit does not increase the non-conformity of the parking location. (Section 11.2.2 and 210.4(10) ).

Parking: The Site has 126 Parking Spaces, instead of 166 Parking Spaces for the Multi-unit Housing (Section 54 and Schedule 54.2 (a)(C)).

Note: There is no variance to the Child Care Service or Visitor Parking requirements.

**Rights of Appeal**

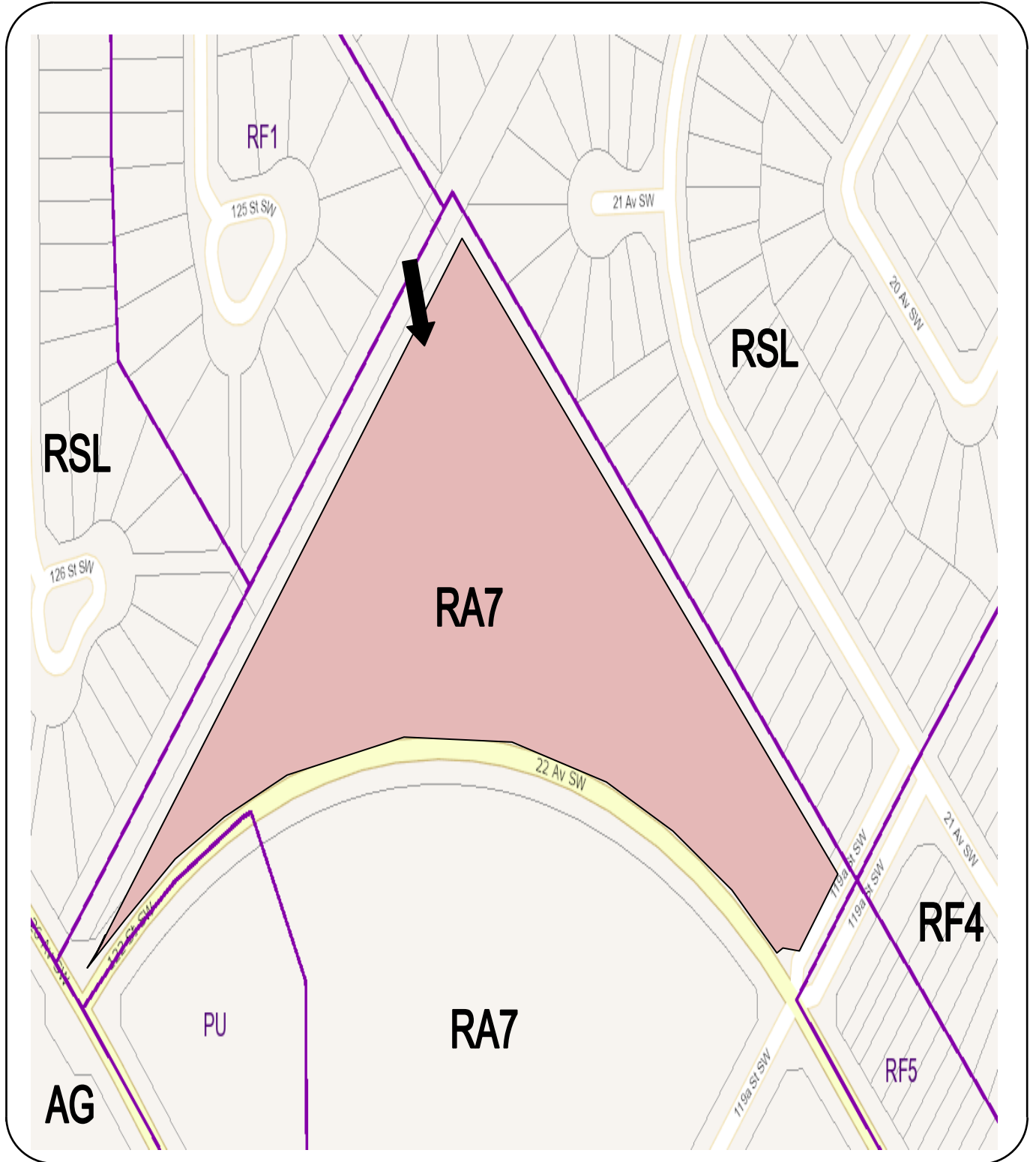
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

**Notice Period Begins:** Mar 31, 2020

**Ends:** Apr 21, 2020

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$1,887.00	\$1,887.00	8914700068610010	Oct 25, 2019
Dev. Application Fee # of dwelling units	\$1,672.00	\$1,672.00	8914700068610010	Oct 25, 2019
Development Permit Inspection Fee	\$518.00	\$518.00		
Sanitary Sewer Trunk Fund 2012+	\$31,110.26	\$31,110.26		
Lot Grading Fee	\$573.43	\$573.43		
Total GST Amount:	\$0.00			
Totals for Permit:	\$35,760.69	\$35,760.69		



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-057



ITEM II

FILE: SDAB-D-20-058

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 358173405-002

APPLICATION TO: Change the Use from General Industrial Uses to Funeral, Cremation and Interment Services (TRINITY FUNERAL HOME LTD)

DECISION OF THE DEVELOPMENT AUTHORITY:

DECISION DATE:

DATE OF APPEAL:

NOTIFICATION PERIOD:

RESPONDENT: Trinity Funeral Home Ltd.

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5618 - 72 Street NW, 5614 - 72 Street NW, 7203C – Roper Road NW

LEGAL DESCRIPTION: Plan 0224325 Unit 18, Plan 0224325 Unit 19, Condo Common Area (Plan 0224325)

**Development Permit Cancelled  
No Hearing**





ITEM III

FILE: SDAB-D-20-059

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

APPELLANT:

APPLICATION NO.: 352231631-002

APPLICATION TO: Construct a 9 Dwelling Multi-unit Housing

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: March 24, 2020

DATE OF APPEAL: April 21, 2020

NOTIFICATION PERIOD: March 31, 2020 through April 21, 2020

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11123 – Groat Road NW

LEGAL DESCRIPTION: Plan RN60 Blk 28 Lot 16

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: N/A

STATUTORY PLAN: West Ingle Area Redevelopment Plan

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***Grounds for Appeal***

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

1st Concern: Landscaping buffer

I do not approve of this variance and wish to provide an additional requirement to ensure the protection of my property and family.

My garage was built back in 1955 1.0m away from to our shared property line. This variance of allowing this new development to reduce its required minimum from 1.5m to 0.0m would now mean that instead of there being a 2.5m total buffer, there will only be 1.0m between

parked vehicles and my garage wall.

In order to protect my property, as well as, my family of four children (ranging from 3 years of age to 11) I wish for the developer, prior to any demolition of existing structures, to build at his full expense a 6 foot high complete privacy fence on the mutual property line going from the rear of the property extending to the front of the property and reducing down to a 4 foot high complete privacy fence where required by building permits.

I would request that this fence be built with 4x6 pressure treated posts cemented into the ground to a depth below the frost line along with composite fence boards to provide added “give” in the event that a tenants vehicle bumper collides with the fence.

It is important to mention that my youngest daughter has Down Syndrome and it is of paramount importance to have a solid and protective barrier between this soon to be construction site and then to be high density housing development. Her added needs due to her developmental delays and slower response time, must be considered and a temporary “construction” fencing would not create the safe environment all my children have the right to while enjoying our back yard.

#### 2nd Concern: Parking

I am aware that the requirements for minimum parking have been removed for Edmonton effective June 2020. This being said I do want you to understand the impact that these type of developments have not only on my property value, but also on my family’s right to a peaceful, safe living situation in and around our own property.

My grandfather built our house back in 1955. Nine years ago my family moved into this house and we have been raising our four children here ever since. When we moved in, our neighbour to our south was a law office and we had absolutely no issues with parking.

Over a year ago, that property was sold to a Chiropractic practice. When I received their development permit notice, I called the city to voice my concerns regarding their parking needs. I was assured that there would be no issues with parking, but that did not become our reality. On multiple occasion, I came home after work with my four children in the car and people parked on my driveway leaving me no where to park on my own property.

Things only got worse when this property was sold to the current owners listed on this development permit. The new owners had talked about building a multi-plex (likely a 6 unit). Since the unit to the south of us across the alley was an 8-plex with 6 parking stalls and we have had no issues with parking we thought a 6-plex would be fine.

Instead of the redevelopment, they re-installed all services to the abandoned house and proceeded to rent the property to a tenant who illegally ran a plumbing business out of the home. This caused a whole new level of issues. On top of the Chiropractic parking issue, we now had a neighbour with 5 commercial vans/trucks and 2 personal vehicles taking up all the parking in front of their property, as well as, our own home.

As owners, we have just as much right to the enjoyment of our property as anyone else on our street. Although I have no rights to alter the parking situation, I do wish to strongly voice my extreme concern and displeasure at the negative impact this will have on mine and my families use and enjoyment of our property.

<b><i>General Matters</i></b>
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**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 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 210.2(9), **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 three or more principal Dwellings arranged in any configuration and in any number of buildings. This Use does not include Blatchford Townhousing or Blatchford Stacked Row Housing.

Under section 6.1, **Dwelling** means:

- a. a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is suitable for permanent residence for a single Household; or
- b. a Sleeping Unit, for the purposes of calculating Density for Group Home or Lodging House Uses.

Section 210.1 states that the **General Purpose** of the **(RA7) Low Rise Apartment Zone** is “To provide a Zone for low rise Multi-unit Housing.”

<b><i>Landscaping</i></b>
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Section 210.4(11) states:

Parking, loading, storage, or trash collection may be permitted within the Side Setback, provided a minimum 1.5 m wide soft landscaping buffer is provided within the Setback and that all parking and service areas are screened from view from any Site zoned to allow Single Detached Housing as a Permitted Use.

**Development Officer’s Determination**

**Landscaping buffer - A minimum of 1.5m soft landscaping buffer is required within the Side Setback, proposed 0.0m (210.4(11)).**

[unedited]

***Parking***

Section 54.2, Schedule 1(C) provides the following with respect to Transit Oriented Development:

<b>Schedule 1(C) Transit Oriented Development and Main Streets Overlay</b>			
<b>Use of Building or Site</b>	<b>Minimum or Maximum Number of Parking Spaces Required</b>		
<b>Residential and Residential-Related Uses</b>			
Area of application	<p>Where the following Uses are outside of the boundary of 54.2 Schedule 1(B) but are located within:</p> <ul style="list-style-type: none"> <li>• 600 metres of an existing LRT station, or a future LRT station with the most recent version of a Council-approved Concept Plan;</li> <li>• 600 metres of an existing Transit Centre, or a future Transit Centre with the most recent version of a Council-approved Concept Plan;</li> <li>• 150 metres of a Transit Avenue; or</li> <li>• the boundaries shown in the Main Streets Overlay Section 819.2,</li> </ul> <p>the minimum and maximum parking requirements shown below shall apply, except Schedule 1(A) shall apply for Residential and Residential-Related Uses not listed here.</p> <p>For the purpose of Schedule 1(C), measurements shall be made from the nearest point of the LRT station, Transit Centre, or Transit Avenue to the Site Boundary where the Use(s) are to be located. Where a LRT station or Transit Centre exists in concept only, the radius shall be measured from the centre of the proposed location on the concept diagrams, or of the nearest roadway intersection at the discretion of the Development Officer.</p>		
<p><i>Charter Bylaw 18967 August 26, 2019</i></p> <p><b>1. Multi-unit Housing</b></p>	<p>In Core and Mature neighbourhoods, as identified in Edmonton’s Municipal Development Plan, Bylaw 15100, excluding the Downtown Special Area:</p>		
	<p>Minimum and Maximum Parking Spaces per Dwelling size</p>		
	Dwelling Size	Minimum	Maximum
	Studio	0.5	1.0
	1 Bedroom Dwelling	0.5	1.0
	2 Bedroom Dwelling	0.75	1.5
	3 or more Bedroom Dwelling	1.0	1.75
	<p>In all other neighbourhoods:</p>		
	<p>Minimum and Maximum Parking Spaces per Dwelling size</p>		
	Dwelling Size	Minimum	Maximum
Studio	0.7	1.0	
1 Bedroom Dwelling	0.8	1.0	
2 Bedroom Dwelling	1.0	1.5	
3 or more Bedroom Dwelling	1.25	1.75	
<p>Visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings, and 1 visitor parking space per 7 Dwellings thereafter. Visitor parking must be readily available to the primary building entrance for each multi-unit residential building on Site, and be clearly identified as visitor parking, to the satisfaction of the Development Officer.</p>			

**Development Officer's Determination**

**Parking - The site has 5 Parking Spaces, instead of 6 (Section 54.2 Schedule 1(c)(1)).**

**Note: This application meets the Visitor Parking requirements.**  
[unedited]


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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.

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	Project Number: <b>352231631-002</b> Application Date: JAN 14, 2020 Printed: April 23, 2020 at 8:05 AM Page: 1 of 7		
<h2>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>			
<b>Applicant</b>	<table border="1"> <tr> <td data-bbox="815 453 1414 546"> <b>Property Address(es) and Legal Description(s)</b>                      11123 - GROAT ROAD NW                      Plan RN60 Blk 28 Lot 16                 </td> </tr> <tr> <td data-bbox="815 546 1414 680"> <b>Specific Address(es)</b>                      Suite: 11123 - GROAT ROAD NW                      Entryway: 11123 - GROAT ROAD NW                      Building: 11123 - GROAT ROAD NW                 </td> </tr> </table>	<b>Property Address(es) and Legal Description(s)</b> 11123 - GROAT ROAD NW Plan RN60 Blk 28 Lot 16	<b>Specific Address(es)</b> Suite: 11123 - GROAT ROAD NW Entryway: 11123 - GROAT ROAD NW Building: 11123 - GROAT ROAD NW
<b>Property Address(es) and Legal Description(s)</b> 11123 - GROAT ROAD NW Plan RN60 Blk 28 Lot 16			
<b>Specific Address(es)</b> Suite: 11123 - GROAT ROAD NW Entryway: 11123 - GROAT ROAD NW Building: 11123 - GROAT ROAD NW			
<b>Scope of Permit</b> To construct a 9 Dwelling Multi-unit Housing			
<b>Permit Details</b> <table border="1"> <tr> <td data-bbox="256 814 808 926">                     Class of Permit: Class B                      Gross Floor Area (sq.m.): 747.96                      New Sewer Service Required: Y                      Site Area (sq. m.): 649.63                 </td> <td data-bbox="815 814 1414 926">                     Contact Person:                      Lot Grading Needed?: Y                      NumberOfMainFloorDwellings: 3                      Stat. Plan Overlay/Annex Area: (none)                 </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): 747.96 New Sewer Service Required: Y Site Area (sq. m.): 649.63	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 3 Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m.): 747.96 New Sewer Service Required: Y Site Area (sq. m.): 649.63	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 3 Stat. Plan Overlay/Annex Area: (none)		
<b>Development Permit Decision</b> Appealed to SDAB <b>Issue Date:</b> Mar 24, 2020 <b>Development Authority:</b> BAUER, KERRY <b>Subject to the Following Conditions</b> Zoning Conditions: This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21(1). Reference Section 17 (1).  This Development Permit authorizes the development 9 Dwelling Multi-unit Housing. The development shall be constructed in accordance with the stamped and approved drawings.  WITHIN 14 DAYS OF THE END OF THE NOTIFICATION PERIOD with NO APPEAL and prior to any demolition or construction activity, the applicant must post on-site a development permit notification sign (Section 20.5.2).  Frosted or opaque glass treatment shall be used on windows as required on the side elevation(s) to minimize overlook into adjacent properties.  PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$414.00.  PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$528.00.  PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$10,998.00 (based on 2020 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.  The developer shall provide a minimum of 1 visitor parking space 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, Schedule 1C(1).			



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## Major Development Permit

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

All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building to the satisfaction of the Development Officer.

Where Amenity Area is provided indoors as Common Amenity Area, it shall, to the satisfaction of the Development Officer. It shall include furniture and fixtures that accommodate active/ passive recreation (section 46.11).

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.

Drainage Services Conditions:  
 Sanitary Sewer Trunk Charge (SSTC)

Based on our records, this property was never assessed for SSTC.

-SSTC is applicable to the property for 9 multi-family dwellings at the rate of \$1,712/dwelling under the current DP#352231631-002. The number of dwellings is based on the drawings submitted with this Application for Major Development Permit.

-Payment should be made at the Edmonton Service Centre, 2nd Floor, 10111 – 104 Avenue NW.

-For information purposes, the 2020 rate is \$1,712/dwelling. However, the final SSTC is based on the prevailing rate at the time the applicant/owner makes payment.

EPCOR Conditions:

1. Prior to the turning on of the water service, 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 780-412-6800 for more information on how to provide the test results. For information on the tie-in and commissioning procedure, please contact [wtrdc@epcor.com](mailto:wtrdc@epcor.com).

2. The applicant is required to construct approximately 184m of new water main along Groat road and along 111 Ave with two new fire hydrants at their expense. This work can be undertaken either under a servicing agreement or under EPCOR Water Services, Inc.'s New Water Distribution Mains capital program. For more information on the program, please contact EPCOR New Water at [waterdtinfrastructure@epcor.com](mailto:waterdtinfrastructure@epcor.com).

2a) Note the required upgrades have been approved under the Infill Cost Share program.

3. A new water service must be constructed for this lot at the applicant's expense.

4. 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 15816 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting [waterlandadmin@epcor.com](mailto:waterlandadmin@epcor.com).

Landscaping Conditions:

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$528.00 (this can be paid by phone with a credit card - 780-442-5054).

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

## Major Development Permit

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

4. 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.

5. 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](http://www.edmonton.ca/landscapeinspectionrequest)).

6. 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.

7. 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.

### Transportation Conditions: CONDITIONS:

1. All required landscaping for the development must be provided on-site.

2. Garbage enclosures must be located entirely within private property and gates and/or doors of the garbage enclosure must not open or encroach into the road right-of-way.

3. A 200 mm thick concrete pad must be constructed between the edge of the alley asphalt and the back of the garbage enclosure to provide an adequate base that will withstand the weight of the waste management vehicle when loading.

4. There may be utilities within the 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](http://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 removal shall be at the expense of the owner/applicant.

5. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:

- start/finish date of project;
- the 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](https://www.edmonton.ca/business_economy/licences_permits/oscaml-permit-request.aspx) and,  
<https://www.edmonton.ca/documents/PDF/ConstructionSafety.pdf>

6. Any alley, sidewalk, and/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.

### Subject to the Following Advisements



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## Major Development Permit

### Drainage Services Advisements:

This advisement identifies the development assessments applicable to the property located at 11123 - Groat Road NW (Plan RN60 Blk 28 Lot 16; Inglewood).

### APPLICABLE ASSESSMENTS

#### 1. Permanent Area Contribution (PAC)

• Storm and sanitary PACs are not applicable, since the property is not within any active PAC basins.

#### 2. Expansion Assessment (EA)

• Expansion Assessment is not applicable, since the property is outside the current Expansion Assessment area.

### Additional Notes

a. The above assessment is made based on information currently available to our Department. Should such information change in the future, a new assessment may be made.

b. 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.

c. More information about the above charges can be found on the City of Edmonton's website:

#### o Permanent Area Contributions

[https://www.edmonton.ca/city\\_government/utilities/permanent-area-contributions.aspx](https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx)

#### o Sanitary Servicing Strategy Expansion Assessment

[https://www.edmonton.ca/city\\_government/utilities/expansion-assessment-charge-ea.aspx](https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx)

#### o Arterial Roadway Assessment

[https://www.edmonton.ca/projects\\_plans/roads/design\\_planning/arterial-roadway-assessments.aspx](https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx)

#### o Sanitary Sewer Trunk Charge

[https://www.edmonton.ca/city\\_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx](https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx)

### EPCOR Advisements:

1. The site is currently serviced by a 20mm copper service, located at 84.5m south of the south property line of 112 Ave in the lane east of Groat Road. The applicant is to contact customer services 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. The existing service is not of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development.

3. For information on Service abandonments, and the provisioning of a new water service contact EPCOR Drainage, Infill Water and Sewer Servicing at [wass.drainage@epcor.com](mailto:wass.drainage@epcor.com) or at 780-496-5444.

4. There is a deficiency in on-street hydrant spacing adjacent to the property. City of Edmonton Standards requires a maximum hydrant spacing of 90m for the proposed zoning. Hydrant spacing in the area is approximately 215m and does not meet the spacing requirement.

5. Hydraulic modelling of the area surrounding the development shows results that do not meet the requirements based on zoning as specified in Volume 4 of the City of Edmonton Design and Construction Standards.



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## Major Development Permit

6. 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.

### Fire Rescue Services Advisements:

#### Fire Safety Plan

Ensure that a Fire Safety Plan is prepared for this project, in accordance with the EFRS Construction Site Fire Safety Plan

#### Template:

[https://www.edmonton.ca/programs\\_services/fire\\_rescue/fire-safety-planning-for-const.aspx](https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx)

#### Hydrants Functional

Provide the location(s) of the fire hydrants in proximity to the development. Confirm that these hydrants are fully functional prior to construction.

#### Adjacent Property Protection

Ensure that the protection of adjacent properties has been provided in accordance with EFRS Adjacent Property Protection Guidelines and AFC 5.6.1.2. This information has been included for your information and implementation during the construction of this project. For additional information please see:

[https://www.edmonton.ca/programs\\_services/fire\\_rescue/adjacent-property-protection.aspx](https://www.edmonton.ca/programs_services/fire_rescue/adjacent-property-protection.aspx)

#### Reference: AFC 5.6.1.2 Protection of Adjacent Building

1) Protection shall be provided for adjacent buildings or facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations.

#### Fire Alarm

Ensure that the fire alarm and sprinkler system are integrated with existing systems, if any.

If the building will be protected by a fire alarm system, 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: ABC 3.2.4.9 Annunciator and Zone Indication

### Transportation Advisements:

#### ADVISEMENT:

1. The proposed connector sidewalk from the west property line of the subject site to tie into the City sidewalk on the east side of the Groat Road Service Road is acceptable to Subdivision Planning.

### Waste Management Advisements:

Information on some of the requirements below is available on our

[https://www.edmonton.ca/programs\\_services/documents/City\\_of\\_Edmonton\\_Waste\\_Storage\\_Requirements.pdf](https://www.edmonton.ca/programs_services/documents/City_of_Edmonton_Waste_Storage_Requirements.pdf)

Please feel free to send a copy of the proposed building and location of the waste storage to ensure the City standards are met and the design will be functional for the waste pickup.

I have reviewed the site plan for this project and offer the following comments:

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

This site with 9 units would receive approximately 2.25 cubic yards of garbage service and 1.25 cubic yards of recycle service per week for the residential units.



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The waste enclosure needs to be adequately sized for the approx. One 3 cubic yard non-wheeled garbage bin and One 2 cubic yard non-wheeled recycle bin required to service the residential units. The frequency for pickup with these amounts of bins would be 1 times per week for garbage and recycle. The maximum a bin enclosure can be orientated off the lane is 30 degrees. Anything over 30 degrees will prevent the collection vehicle from serving the waste enclosure.

Currently there is an overhead powerline servicing the existing property. There are concerns with this powerline as it may presents safety concerns to the collectors as they tip the bins. Waste services recommends that the overhead space be unobstructed to prevent any safety concerns.

Other issues to include:

- unobstructed overhead space (min. 23') to allow the waste bins to be tipped in the service area
- reinforced tip area (tip apron 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](https://www.edmonton.ca/city_government/documents/PDF/CompleteStreets_DesignStandards_Sept2018.pdf)

Thank you for the opportunity to provide feedback on this project.

Zoning Advisements:

- a) Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.
- b) 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)
- c) A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.
- d) Signs require separate Development Applications.

**Variiances**

Landscaping buffer - A minimum of 1.5m soft landscaping buffer is required within the Side Setback, proposed 0.0m (210.4(11)).

Parking - The site has 5 Parking Spaces, instead of 6 (Section 54.2 Schedule 1(c)(1)).  
 Note: This application meets the Visitor Parking requirements.

**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:** Mar 31, 2020      **Ends:** Apr 21, 2020

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid

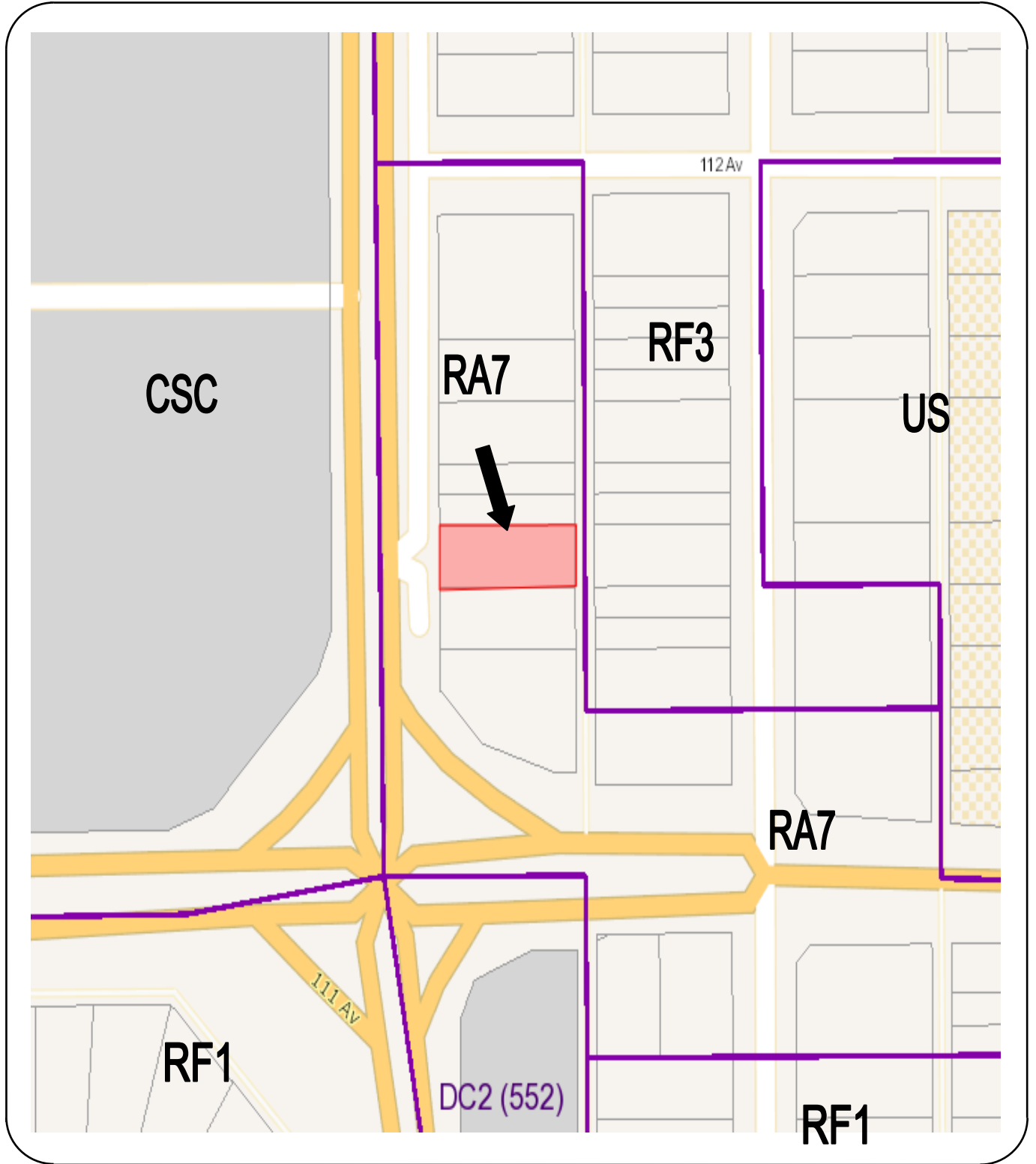


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## Major Development Permit

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Lot Grading Fee	\$414.00	\$414.00	06388794	Jan 23, 2020
Major Dev. Application Fee	\$864.00	\$864.00	06388794	Jan 23, 2020
Dev. Application Fee # of dwelling units	\$385.00	\$385.00	06388794	Jan 23, 2020
Development Permit Inspection Fee	\$528.00	\$528.00	06388794	Jan 23, 2020
Sanitary Sewer Trunk Fund 2012+	\$10,998.00			
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$13,189.00</u>	<u>\$2,191.00</u>		
(\$10,998.00 outstanding)				



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-059





ITEM IV

FILE: SDAB-D-20-060

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:	S. Korbut
APPLICATION NO.:	355976097-002
APPLICATION TO:	Construct exterior alterations to a Single Detached House (to remove an attached garage, 3.1m x 6.26m, and Driveway extension, 3.10m x 10.64m), existing without permits, and to maintain the existing driveway access to 95A Street
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	April 24, 2020
DATE OF APPEAL:	April 25, 2020
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	12212 - 95A Street NW
LEGAL DESCRIPTION:	Plan 4725S Blk 28 Lot 4
ZONE:	(RF3) Small Scale Infill Development Zone
OVERLAY:	Mature Neighbourhood Overlay
STATUTORY PLAN:	N/A

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***Grounds for Appeal***

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

I wish to appeal the refusal of my permit application because as a first time home buyer I whole heartedly believe that I did my due diligence to ensure that I was doing a project within the cities requirements. As a first time home owner I was under the assumption that most developments and major projects would require some sort of approval, however I was not entirely sure what that would entail. With that in mind I went to The City of Edmonton to start the permit and/or approval process to pour a new driveway.

Once I was there I explained in full detail the logistics of my plan and what I was proposing to pour for a driveway to a representative of The city of Edmonton (Robert - Senior Development Coordinator). At the time I brought my real property report as well as pictures that I took from the front curb of my house and also had him look up google images of the property via his computer. Upon him reviewing the report and all of the photos he advised me that I did not need a permit. He went on to explain that due to the fact that my new driveway would lead to legal and accessible parking, it already having remanence curb up access plus having an alleyway at the rear of my property that was fully accessible a permit was not required. I wasn't entirely sure what some of these reasons meant as far as your approval process goes but I was assured that I did not need a permit. With those results I took the expensive (but necessary) steps financially and logistically to make this project happen. The project itself cost me thousands of dollars (Approx. \$5000+), and it was one that I did not take lightly. The whole purpose of this project was to increase the property value, provide easy and accessible parking as I did not have a garage or enclosure for vehicles, and to pour a driveway that would stand the test of time so that if I ever wanted to sell my home in the future, the new owners would be satisfied with the development. I deliberately stopped the development adjacent to the back end of my house so that any future development plans would not be affected. I have a fairly decent size back yard and the rear access to my property leaves a lot of space for potential development projects in the future if I wanted to apply for any.

<i>General Matters</i>
------------------------

**Appeal Information:**

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

**Grounds for Appeal**

**685(1)** If a development authority

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

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

**Appeals**

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

- (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*:**

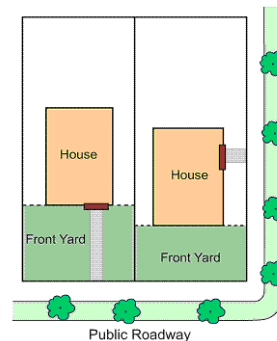
Under section 140.2(8), **Single Detached Housing** is a **Permitted Use** in the **(RF3) Small Scale Infill Development Zone**.

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

Under section 6.1, **Front Yard** means:

the portion of a Site abutting the Front Lot Line extending across the full width of the Site, situated between the Front Lot Line and the nearest wall of the principal building, not including projections.



Under section 6.1, **Garage** means “an Accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.”

Under section 6.1, **Parking Area** means “an area that is used for the parking of vehicles. A Parking Area is comprised of one or more parking spaces, and includes a parking pad, but does not include a Driveway.”

Under section 6.1, **Walkway** means “a path for pedestrian circulation that cannot be used for vehicular parking.”

Section 140.1 states that the **General Purpose** of **(RF3) Small Scale Infill Development Zone** is “to provide for a mix of small scale 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.

***Driveway Access***

Section 814.3(17) states “Where the Site Abuts a Lane, vehicular access shall be from the Lane and no existing vehicular access from a public roadway other than a Lane shall be permitted to continue.”

**Development Officer’s Determination**

**1) Driveway Access - The driveway is located off of 95A Street (front) instead of the Lane (Section 814.3.17).**

**Note: Where the Site Abuts a Lane, vehicular access shall be from the Lane and no existing vehicular access from a public roadway other than a Lane shall be permitted to continue. [unedited]**

***Location of Vehicular Parking Facilities***

Section 54.2(2) states:

...

e. Except as otherwise provided for in this Bylaw, parking spaces, not including Driveways, shall be located in accordance with the following:

i. parking spaces shall not be located within a Front Yard in a Residential Zone;

ii. ...

...

**Development Officer’s Determination**

**2) Parking Area or Parking space shall not be located within the Front Yard in a Residential Zone. (Section 54.2(2)(e)(i)). [unedited]**

***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:

<b>Tier #</b>	<b>Recipient Parties</b>	<b>Affected Parties</b>	<b>Regulation of this Overlay to be Varied</b>
Tier 1	The municipal address and assessed owners of the land wholly or partially located within a distance of <u>60.0 m</u> of the Site of the proposed development and the President of each Community League	The assessed owners of the land wholly or partially located within a distance of <u>60.0 m</u> of the Site of the proposed development and the President of each Community League	814.3(17) – Driveway Access

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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.

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Project Number: **355976097-002**  
 Application Date: FEB 26, 2020  
 Printed: April 24, 2020 at 4:34 PM  
 Page: 1 of 1

## Application for Driveway Extension Permit

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

<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 12212 - 95A STREET NW Plan 4725S Blk 28 Lot 4  <b>Location(s) of Work</b> Entryway: 12212 - 95A STREET NW Building: 12212 - 95A STREET NW
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**Scope of Application**  
 To construct exterior alterations to a Single Detached House (to remove an attached garage, 3.1m x 6.26m, and Driveway extension, 3.10m x 10.64m), existing without permits, and to maintain the existing driveway access to 95A Street.

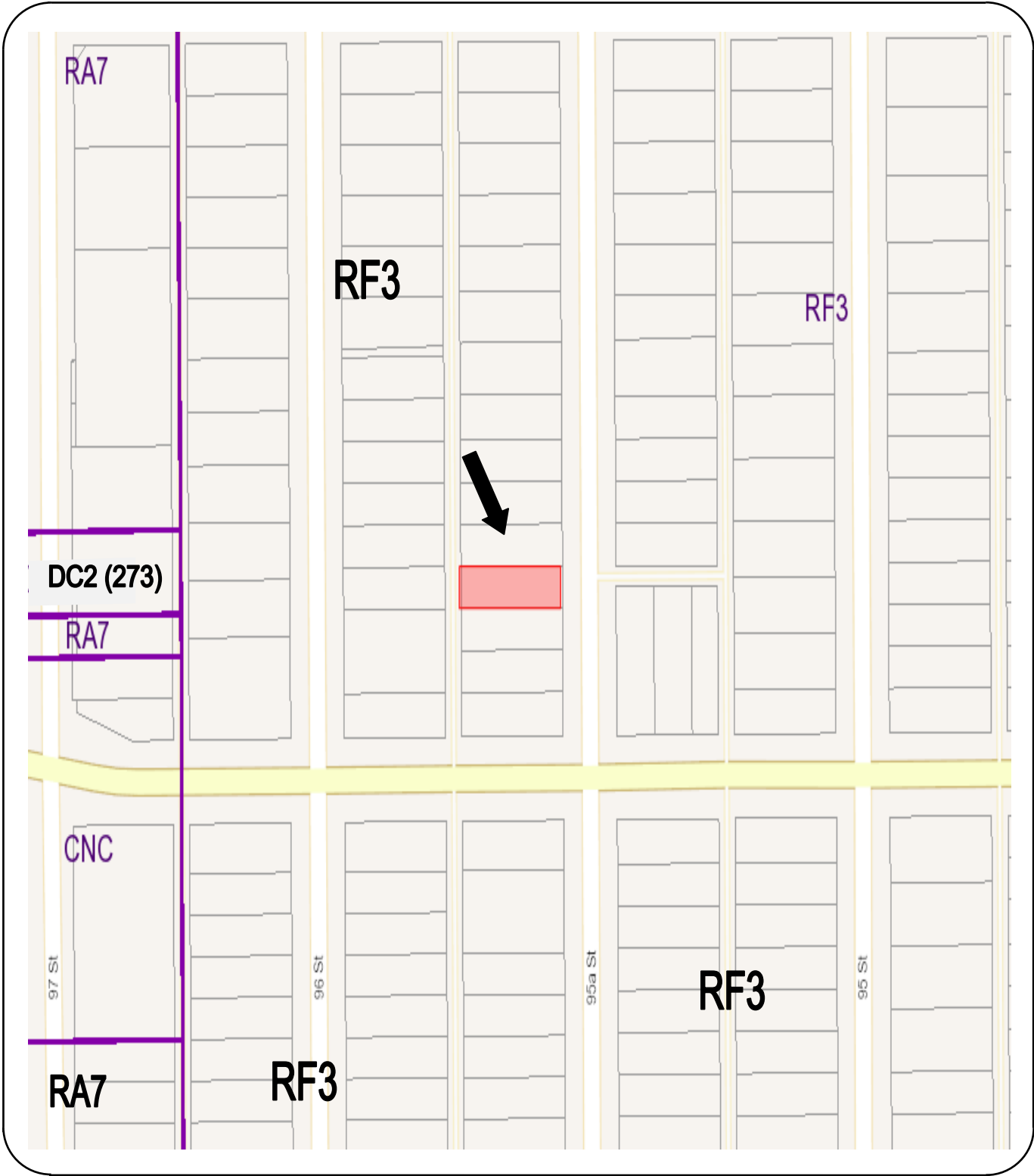
<b>Permit Details</b>  Class Of Permit: Class B Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay	Site Area (sq. m.): 383.31
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**Development Application Decision**  
 Refused  
**Issue Date:** Apr 24, 2020 **Development Authority:** LAI, ECHO  
**Reason for Refusal**  
 1) Driveway Access - The driveway is located off of 95A Street (front) instead of the Lane (Section 814.3.17).  
 Note: Where the Site Abuts a Lane, vehicular access shall be from the Lane and no existing vehicular access from a public roadway other than a Lane shall be permitted to continue.  
 2) Parking Area or Parking space shall not be located within the Front Yard in a Residential Zone. (Section 54.2(2)(e)(i))  
  
**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.

**Building Permit Decision**  
 Refused

<b>Fees</b>				
	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Development Application Fee	\$176.00	\$176.00	06447045	Feb 26, 2020
Total GST Amount:	\$0.00			
Totals for Permit:	\$176.00	\$176.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-060

