

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
May 3, 2018**

**Hearing Room No. 3
Churchill Building,
10019 - 103 Avenue NW,
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3**

I	9:00 A.M.	SDAB-D-18-064	Install a hot tub in the Rear Yard of Single Detached House (2.22m in diameter) 9508 - 100A Street NW Project No.: 272597618-001
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II	10:30 A.M.	SDAB-D-18-065	Construct a 16 Dwelling Apartment House building 11723 - 101 Street NW Project No.: 154286546-011
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NOTE: *Unless otherwise stated, all references to “section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-18-064

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

APPELLANT:

APPLICATION NO.: 272597618-001

APPLICATION TO: Install a hot tub in the Rear Yard of Single Detached House (2.22m in diameter)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: January 23, 2018

DATE OF APPEAL: February 10, 2018

NOTIFICATION PERIOD: January 30, 2018 through February 20, 2018

RESPONDENT: Maple Rose Furigay

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9508 - 100A Street NW

LEGAL DESCRIPTION: Plan Q Blk 3 Lot 29

ZONE: (RF3) Small Scale Infill Development Zone

OVERLAY(S): North Saskatchewan River Valley and Ravine System Protection Overlay
Floodplain Protection Overlay
Mature Neighbourhood Overlay

STATUTORY PLAN: Rossdale Area Redevelopment Plan

Grounds for Appeal

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

My application for appeal is based on the criteria contained in Section 687 (3) (d) of the Municipal Government Act which reads as follows:

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

(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,

Specifically, I will show that the siting of the tub as it stands materially interferes with my use and enjoyment of my yard and home.

The specifics for appeal is based on Noise issues and the ability of the home owner to be able to address the issue.

- Attachment 1 shows a picture of the hot tub
- Recommended by the City of Edmonton By Law Officer in December of 2017 who stated to me that he recommended to the owner that he should look at a noise buffer for the hot tub.
- Stated by one of the residents of the property that they will develop a noise buffer “that will be so effective that we would not even know that the hot tub was there.”
- The owner of the house admitting on a number of occasions that he is unable to carry on telephone conversations in his garage when his hot tub is operating on its regular heating/circulating mode.

Noise issues:

- Operation of the hot tub during its systematic circulating/heating mode wakes us at various times during the night
- Not only is the noise loud but noise quality and tone are very nerve wrenching on the lower decibel tones. It has a high resonating quality.
- During the day it makes for working in the garage or being out in the yard very unpleasant
- **As per the attachment 1 picture the noise is channelled and contained between the two garages and houses and is not widely dispersed.**
- The owner and other residents of the house in question have stated that they too find the noise loud and thought that it was just the normal part of owning a hot tub.

Noise Containment

- Will the owner have enough space to build an effective buffer in its current location as the hot tub is butted up to their garage and approx. .3 of a meter from property line between the two houses.

With the hot tub already installed and operating what incentive does the owner have to implement a buffer as suggested by the By Law Officer? As an aside and as per attachment 3, the owner has yet to action a defective down spout that he said he would do immediately when identified over 1.5 years ago. The water continues to drain between the two houses and undermine the integrity of the grade between the two houses.

Alternative locations

Within the back yard of the owner there are locations (attachment 2) where the hot tub could be located that

- Would meet the .9 of meter location as set out by the City
- Would give the owner plenty of room to construct an effective noise buffer?
- It may take some effort but it well worth the resources to achieve an acceptable solution for all parties.

Proposed solutions

1. The board request the owner not to operate the hot tub in the current location until an effective noise buffer is built. This could be a 2-stage approach:
 - a. Interim – place buffer material placed on exterior of hot tub where the noise originates. This would help in a longer-term solution
 - b. Longer term – based on the interim solution would help in the design longer term solutions.
2. The board request the owner to relocate the hot tub either on his deck or build it into his deck. There is room (attachment 2). This would allow for more room for an effective noise buffer.

Proposed solutions would allow for the owner to retain hot tub and meet noise issues of neighbours and as well as their own.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board made and passed the following motion on February 14, 2018:

“That the appeal hearing regarding Project No. 272597618-001 be TABLED to March 21 or March 22, 2018.”

The Subdivision and Development Appeal Board made and passed the following motion on March 7, 2018:

“That the appeal hearing regarding Project No. 272597618-001 be TABLED to May 2 or 3, 2018. No conditions have been attached to the tabling”.

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 decision is made 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;

...

- (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(10), **Single Detached Housing** is a **Permitted Use** in the **(RF3) Small Scale Infill Development Zone**.

However, section 811.3(5) states:

Notwithstanding subsection 800.2.2.b, Water Retention Structures on a Site zoned residential that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System Protection Overlay, as shown in Appendix I to this Overlay, shall be a ***Class B Discretionary development*** [emphasis added].

Under section 6.1(124), **Water Retention Structures** means:

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

Section 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 under certain conditions, and including Secondary Suites and Garden Suites.

Section 811.1 states that the **General Purpose** of the **North Saskatchewan River Valley and Ravine System Protection Overlay** is “to provide a development Setback from the North Saskatchewan River Valley and Ravine System.”

Section 812.1 states that the **General Purpose** of the **(FPO) Floodplain Protection Overlay** is:

to provide for the safe and efficient use of lands which may be within the defined floodplains of the North Saskatchewan River and its tributaries within the City of Edmonton. The Overlay regulates building Height, the location and geodetic elevation of openings into buildings, the Use in portions of buildings, the design Grade of the Site, and Landscaping, to mitigate the potential negative effects of a flood event.

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.

Development Officer's Determination

Water Retention Structures on a Site zoned residential that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System Protection Overlay, shall be a Class B Discretionary development.(no variance)(Section 811.3.5)
[unedited].

Accessory Buildings

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

Definitions

616 In this Part,

- (a.1)** “building” includes anything constructed or placed on, in, over or under land, but does not include a highway or road or a bridge that forms part of a highway or road.

Under section 6.1(2), **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.

Section 12.2(1)(c) states “A Development Permit is not required for an Accessory building 10.0 m² or less in an area, provided it complies with the regulations of this Bylaw and is not a Hen Enclosure.”

Section 12.2(1)(n) states “A Development Permit is not required for minor structures, not exceeding 1.85 m in Height which are ancillary to Residential Uses, such as a barbecue, bird feeder, dog house, or lawn sculpture.”

Section 12.2(3) states:

Notwithstanding Section 12.2.1 of this Bylaw, a development permit shall be required for the following developments on all Sites zoned residential within the area of application of the North Saskatchewan River Valley and Ravine System Protection Overlay:

- a. any Accessory building or structure or the removal of any Accessory building or structure;
- b. Urban Gardens or Urban Outdoor Farms;
- c. cisterns, septic tanks, or other underground water and wastewater retention facilities; and

d. Water Retention Structures.

Section 50.3(5) states Accessory buildings and structures shall be located as follows:

...

- b. an Accessory building or structure shall be located not less than 0.9 m from the interior Side Lot Line, except where it is a mutual Garage erected on the common property line to the satisfaction of the Development Officer, or where a Garage is placed on the common property line in accordance with the provisions of the RPL Zone, or where the Accessory building does not exceed the permitted Fence Height.

...

- d. an Accessory building or structure shall be located not less than 0.9 m from a principal building and any other Accessory building or structure.

...

Previous Subdivision and Development Appeal Board Decision

Application Number	Description	Decision
SDAB-D-15-173	To operate a Major Home Based Business (Office in the home for a law office, maximum 3 visits: 2 clients appointments and 1 courier per week day).	June 19, 2015; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is REFUSED.

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: 272597618-001 Application Date: JAN 17, 2018 Printed: February 12, 2018 at 7:47 AM Page: 1 of 2
Minor 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) 9508 - 100A STREET NW Plan Q Blk 3 Lot 29 Specific Address(es) Entryway: 9508 - 100A STREET NW Building: 9508 - 100A STREET NW
Scope of Permit To install a hot tub in the Rear Yard of Single Detached House (2.22m in diameter).	
Permit Details	
# of Dwelling Units Add/Remove: 0 Client File Reference Number: Minor Dev. Application Fee: Hot Tub Secondary Suite Included?: N	Class of Permit: Class B Lot Grading Needed?: N New Sewer Service Required: N Stat. Plan Overlay/Annex Area: North Sask. River Valley/Ravine Sys.
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Permit Decision Approved Subject to the Following Conditions This Development Permit authorizes the installation of a hot tub (2.22m in Dim.) in the rear yard of a Single Detached House. The development shall be installed in accordance with the stamped and approved drawings. There shall be no, sprinklers or irrigation systems (above or underground,) or any discharge into or onto the ground from roof leaders, downspouts or sump pump discharge spouts. Advisements: An approved Development Permit means that the proposed development has been reviewed only against the provisions of the Edmonton Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the ERCB Directive 079, the Edmonton Safety Codes Permit Bylaw or any caveats, covenants or easements that might be attached to the Site. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800 Variances Water Retention Structures on a Site zoned residential that Abuts or is partially or wholly contained within the North Saskatchewan River Valley and Ravine System Protection Overlay, shall be a Class B Discretionary development.(no variance) Rights of Appeal This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.	
Issue Date: Jan 23, 2018 Development Authority: WATTS, STACY Signature: _____	



Project Number: **272597618-001**
Application Date: JAN 17, 2018
Printed: February 12, 2018 at 7:47 AM
Page: 2 of 2

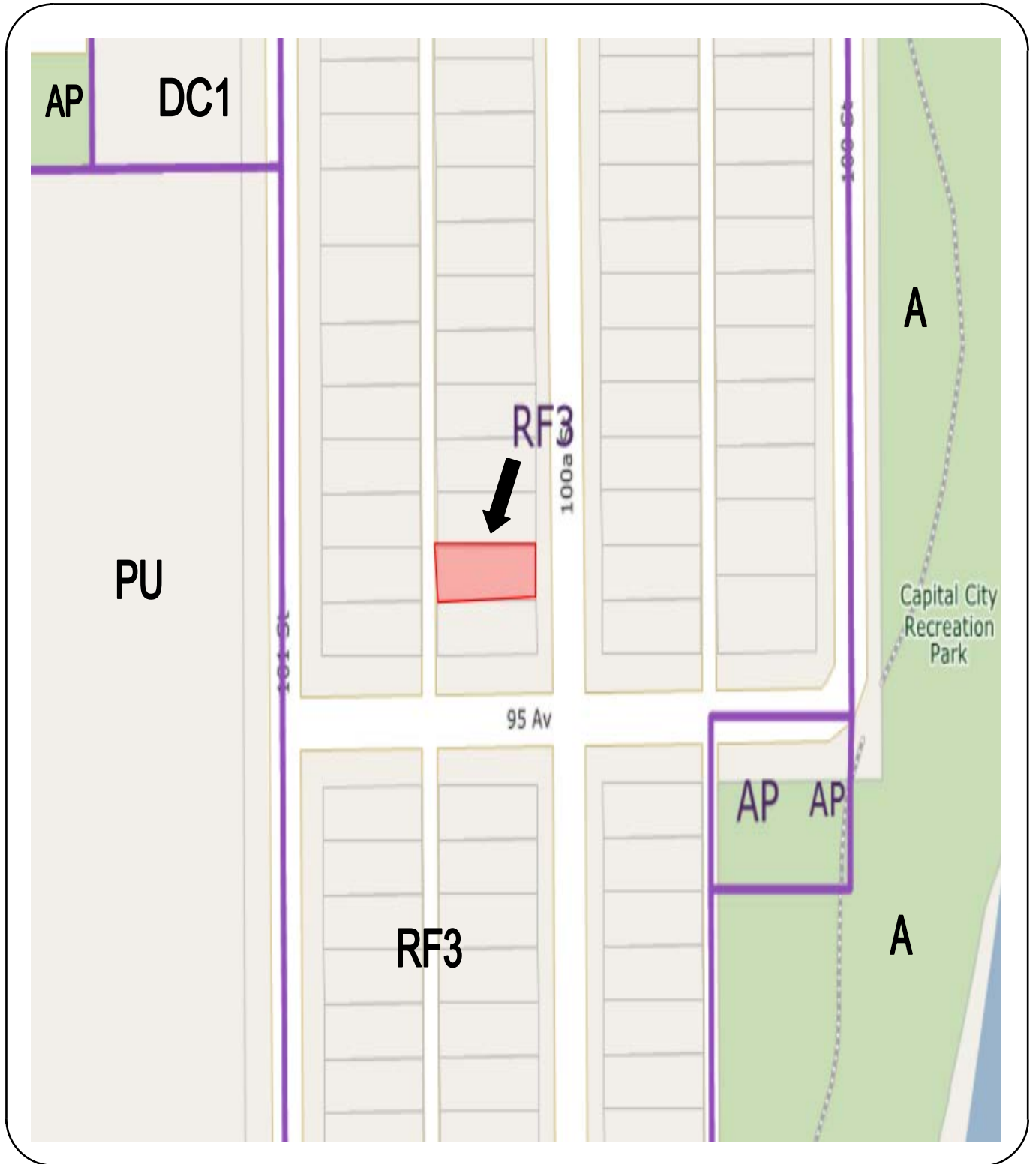
Minor Development Permit

Notice Period Begins: Jan 30, 2018

Ends: Feb 20, 2018

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$116.00	\$116.00	04748148	Jan 17, 2018
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$116.00</u>	<u>\$116.00</u>		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-064



ITEM II: 10:30 A.M.

FILE: SDAB-D-18-065

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

APPELLANT:

APPLICATION NO.: 154286546-011

APPLICATION TO: Construct a 16 Dwelling Apartment House building

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: March 14, 2018

DATE OF APPEAL: April 10, 2018

NOTIFICATION PERIOD: March 20, 2018 through April 10, 2018

RESPONDENT: RK Investments Ltd.

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11723 - 101 Street NW

LEGAL DESCRIPTION: Plan 1422318 Blk 7 Lot 6A

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

I would like to appeal the development permit and the variance applied for on this development permit, as my property located directly to the north (at 11729 101 St) of this development has been negatively affected and I believe with this new development, will continue to be negatively affected.

The isolation variance applied for on this development permit will cause a situation where my house is sandwiched between two large high

density housing units leaving my property too small to be developed as an RA7 zoned unit. I believe this will negatively impact the value of my property and an future ability to develop the property.

I also have many quality of life arguments for wanting to appeal this development permit (and the subsequent variance):

1. Since the two lots south of my property (the aforementioned development lots) were purchased from the previous owners, the current owners have had years of neglect for the property and the neighborhood. The empty lots have not been taken care of with garbage piling up and the lots becoming a dumping zone by many people.

2. When the developers tore down the previous houses, they left a large sink hole close to my property which has caused my property to start to slough off into the sink hole and is damaging my cement walkway and even after repeated requests, have done nothing to remedy the situation and am worried that their development will cause additional damage to my property.

3. When the developers tore down the homes that were previously located here, they tore down the fence separating the properties (and on my property line) and have made no attempt to replace the fence, even after multiple requests to do so.

4. The neighborhood/alleyway already has limited parking, with parking spilling over into the neighbors properties from the current apartments and 4 plex housing units and I feel that this new development will only exasperate the problem.

5. I feel that the building of the apartments will significantly decrease the available sunlight for my property.

6. I feel that there will be a significant privacy concerns with a multifloor building located close to my property.

I understand that all of these points are very subjective, but these developers have shown a history of neglect on their property, a history of negatively impacting the current residents of the neighborhood and I would hope that the development board would take these items as well as my quality of life concerns for my property into consideration for an appeal to this development permit.

Thank you for reviewing this appeal.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

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

...

- (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(1), **Apartment Housing** is a **Permitted Use** in the (RA7) Low Rise Apartment Zone.

Under section 7.2(1), **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.

Section 210.1 states that the **General Purpose** of the **(RA7) Low Rise Apartment Zone** is “To provide a Zone for Low Rise Apartments.”

Section 823.1 states that the **General Purpose** of the **Medium Scale Residential Infill Overlay** is:

to accommodate the development of medium-scale infill housing in Edmonton’s mature residential neighbourhoods in a manner that ensures compatibility with adjacent properties while maintaining or enhancing a pedestrian-friendly streetscape.

Isolation

Section 210.4(3) states “The minimum Site Area shall be 800 m2.”

Section 210.4(15) states:

Apartment Housing, Group Homes, Lodging Houses, Row Housing and Stacked Row Housing shall not isolate another Site within this Zone of less than 800 m2. The Development Officer may exercise discretion in those cases which would isolate another Site within this Zone of less than 800 m2, having regard to the location, age and nature of the Use or Uses on the Site that would be isolated.

Under section 6.1(62), **Isolation** means:

when used with reference to a Site, that the Site is so situated with respect to a proposed development, and abutting existing development, proposed development for which a Development Permit has been issued, public roadways and natural features, that such Site would not comply with the minimum requirements of this Bylaw. Isolate has a similar meaning.


Under section 6.1(102), **Site** means “an area of land consisting of one or more abutting Lots.”

Development Officer’s Determination

Isolation - the proposed development isolates the abutting Lot to the north. That is, development on this Site leaves a single RA7 Lot to the north which does not meet the minimum Site Area requirements of the RA7 Zone (Site Area is 429sq.m. instead of 800sq.m.). (Section 210.4.14) [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: 154286546-011 Application Date: DEC 20, 2017 Printed: April 10, 2018 at 7:24 AM 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) 11723 - 101 STREET NW Plan 1422318 Blk 7 Lot 6A Specific Address(es) Entryway: 11723 - 101 STREET NW Building: 11723 - 101 STREET NW		
Scope of Permit To construct a 16 Dwelling Apartment House building.			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 1286.41 </td> <td style="width: 50%; border: none; vertical-align: top;"> Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: Medium Scale Residential Infill Overlay </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 1286.41	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: Medium Scale Residential Infill Overlay
Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 1286.41	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: Medium Scale Residential Infill Overlay		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Permit Decision Approved			



Project Number: **154286546-011**
 Application Date: DEC 20, 2017
 Printed: April 10, 2018 at 7:24 AM
 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 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).

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

- 1) The proposed 7.5m access from the site to the adjacent north-south alley is acceptable. Any modification of this proposed access requires the review and approval of Subdivision Planning.
- 2) Two of the proposed stalls must be signed as visitor parking. Any modification to the proposed access requires the review and approval of Subdivision Planning.
- 3) Garbage enclosures must be located entirely within private property and gates and/or doors of the garbage enclosure must not open or encroach into road right-of-way.

Subdivision Planning (Transportation) Advisements:

- 1) The proposed fence placed between the parking stalls and the alley, is acceptable to Subdivision Planning to provide a barrier between the alley and the on-site parking stalls.
- 2) The proposed connector sidewalks (3 total) from the west property line of the subject site to tie into the City sidewalk on the east side of 101 Street, are acceptable to Subdivision Planning.
- 3) Residential Sales Trailers require a separate development permit. Construction trailers must be located on private property or within the hoarded area.
- 4) Transit stops are located along 118 Avenue and 101 Street.
- 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. 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/documents/ConstructionSafety.pdf>

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$500.00.

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

- Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.
- Landscaping shall be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Officer.
- A Guaranteed Landscaping Security shall be provided to the City of Edmonton at the time of Development Permit Inspection, to the satisfaction of the Development Officer.

NOTES:

- 1) Upon the first Development Permit Inspection and determination that landscape construction has been completed in compliance



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 Application Date: DEC 20, 2017
 Printed: April 10, 2018 at 7:24 AM
 Page: 3 of 4

Major Development Permit

with the approved Landscape Plan, 20% of the approved Guaranteed Landscape Security shall be collected and retained for a period of 24 months from the date of first Development Permit Inspection.

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

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$341.00.

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Fund fee of \$18,608.00 (based on 2018 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 2 visitor parking spaces 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 1C(1).

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

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.
 The ceiling of the covered rear parking area shall be white or other light colour to enhance the efficiency of the lighting.

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

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.

Variances

Isolation - the proposed development isolates the abutting Lot to the north. That is, development on this Site leaves a single RA7 Lot to the north which does not meet the minimum Site Area requirements of the RA7 Zone (Site Area is 429sq.m. instead of 800sq.m.). (Section 210.4.14)

Rights of Appeal

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

Issue Date: Mar 14, 2018 **Development Authority:** BACON, KIRK **Signature:** _____

Notice Period Begins: Mar 20, 2018 **Ends:** Apr 10, 2018

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$818.00	\$818.00	04700933	Dec 20, 2017

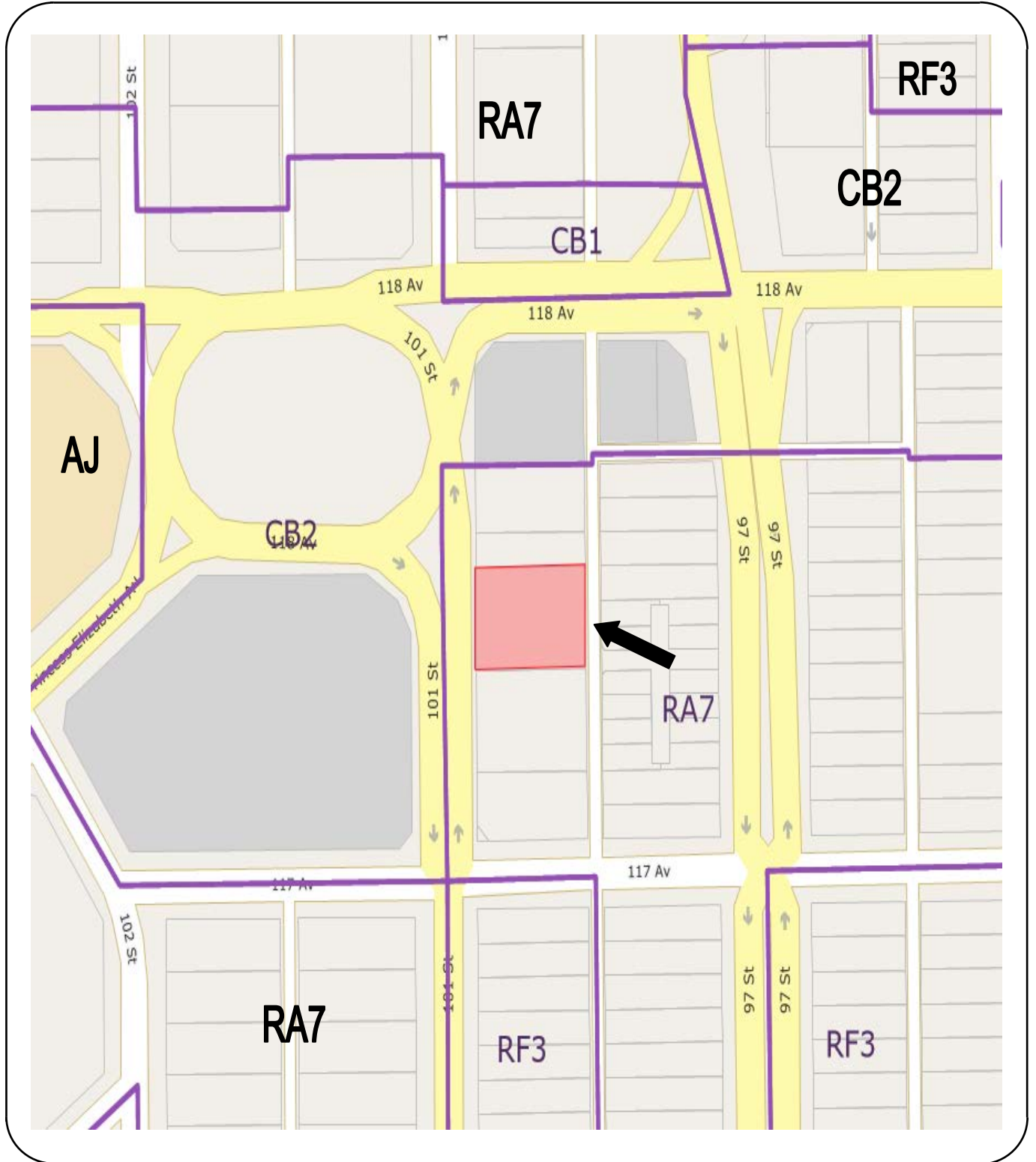


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Major Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee # of dwelling units	\$876.00	\$876.00	04700933	Dec 20, 2017
Development Permit Inspection Fee	\$500.00			
Sanitary Sewer Trunk Fund 2012+	\$18,608.00			
Lot Grading Fee	\$341.00			
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$21,143.00</u>	<u>\$1,694.00</u>		
(\$19,449.00 outstanding)				



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-18-065

