

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
October 30, 2019**

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

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

I	10:30 A.M.	SDAB-D-19-185	Operate a Major Home Based Business (VERA'S MASSAGE - Registered massage therapy, no more than 5 client visits per day), expires September 26, 2024. 11415 - 137 Avenue NW Project No.: 339982319-001
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II	1:30 P.M.	SDAB-D-19-186	Construct a 4 Dwelling Multi-unit Housing 7926 - 106 Street NW Project No.: 304538606-008
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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: 10:30 A.M.

FILE: SDAB-D-19-185

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

APPELLANT:

APPLICATION NO.: 339982319-001

APPLICATION TO: Operate a Major Home Based Business (VERA'S MASSAGE - Registered massage therapy, no more than 5 client visits per day), expires September 26, 2024.

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: September 26, 2019

DATE OF APPEAL: October 7, 2019

NOTIFICATION PERIOD: October 3, 2019 through October 24, 2019

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11415 - 137 Avenue NW

LEGAL DESCRIPTION: Plan 2987MC Blk 27 Lot 33

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

Community neighbourhood. Senior and families reduced parking. Most body massage turn into Body Rub.

It should be in a strip mall not residential. Children and seniors live in good community not to be disrupted by this type of affair.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

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

or

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

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

Hearing and Decision

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

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to 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 110.3(4), **Major Home Based Business** is a **Discretionary Use** within the **(RF1) Single Detached Residential Zone**.

Under section 7.3(7), **Major Home Based Business** means:

development consisting of the Use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses that may generate more than one business associated visit per day. The business Use must be secondary to the Residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use includes Bed and Breakfast Operations but does not include General Retail Sales, Cannabis Retail Sales or Cannabis Production and Distribution.

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is:

to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Garden Suites, Semi-detached Housing and Duplex Housing.

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

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

Under section 75 a **Major Home Based Business** shall comply with the following regulations:

1. there shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling;
2. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;
3. the Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located;
4. the number of non-resident employees or business partners working on-site shall not exceed two at any one time;

5. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings;
6. the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings;
7. a Bed and Breakfast Operation, operating as a Major Home Based Business shall have a maximum of two Sleeping Units. Cooking facilities shall not be located within the Sleeping Units. In addition to any other parking requirements of this Bylaw, one additional parking space shall be provided for each Sleeping Unit;
8. in addition to the information requirements of subsection 13.1 of this Bylaw, each application for a Development Permit for the Use Major Home Based Business shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for parking, and where any materials or equipment associated with the business use are to be stored;
9. the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area; and
10. a Major Home Based Business shall not be allowed within the same principal Dwelling containing a Secondary Suite or within the same Site containing a Garden Suite and an associated principal Dwelling, unless the Home Based Business is a Bed and Breakfast Operation and the Secondary Suite or the Garden Suite is an integral part of the Bed and Breakfast Operation.

<i>Discretionary Use</i>

Development Officer's Determination

Note: The proposed development complies with the Zoning Bylaw and there are no variances to development regulations.

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.



Project Number: **339982319-001**
 Application Date: SEP 03, 2019
 Printed: September 26, 2019 at 4:46 PM
 Page: 1 of 3

Home Occupation

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) 11415 - 137 AVENUE NW Plan 2987MC Blk 27 Lot 33
	Specific Address(es) Suite: 11415 - 137 AVENUE NW Entryway: 11415 - 137 AVENUE NW Building: 11415 - 137 AVENUE NW

Scope of Permit
 To operate a Major Home Based Business (VERA'S MASSAGE - Registered massage therapy, no more than 5 client visits per day), expires September 26, 2024.

Permit Details	
# of businesss related visits/day: 6 Administration Office Only?: N Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: N	# of vehicles at one time: 1 Business has Trailers or Equipment?: N Description of Business: Massage therapy Expiry Date: 2024-09-26 00:00:00

I/We certify that the above noted details are correct.
 Applicant signature: _____

Development Permit Decision
 Approved
Issue Date: Sep 26, 2019 **Development Authority:** PAYNE, KYLE



Project Number: 339982319-001
Application Date: SEP 03, 2019
Printed: September 26, 2019 at 4:46 PM
Page: 2 of 3

Home Occupation

Subject to the Following Conditions

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

1. The business owner must live at the site. The business use must be secondary to the residential use of the building and shall not change the residential character of the Dwelling or Accessory Building (Section 7.3(7)).
2. There shall be no exterior display or advertisement other than an identification plaque or sign a maximum of 20 cm (8") x 30.5 cm (12") in size located on the dwelling (Section 75.1).
3. The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located (Section 75.3).
4. If non-resident employees or business partners are working on-site, the maximum number shall not exceed the number applied for with this application.
5. If there are visits associated with the business the number shall not exceed the number applied for with this application.
6. Clients visit must be by-appointment only and appointments shall not overlap.
7. There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).
8. No offensive noise, odour, vibration, smoke, litter, heat or other objectionable effect shall be produced.
9. The business use must maintain the privacy and enjoyment of adjacent residences and the characteristic of the neighborhood.
10. All parking for the Dwelling and Home Based Business must be accommodated on site unless a parking variance has been granted for this Major Home Based Business.
11. This Development Permit may be cancelled at any time if the Home Based Business as stated in the Permit Details changes (Section 17.2).
12. Hours of operation shall be between 8:00am and 9:00pm on weekdays.
13. This approval is for a 5 year period from the date of this decision. A new Development Permit must be obtained to continue to operate the business from this location. This Development Permit expires on September 26, 2024.

Notes:

1. 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 such as the Municipal Government Act, the Edmonton Building Permit Bylaw or any caveats, covenants or easements that might be attached to the Site (Section 5.2).
2. This Development Permit is not a Business License.
3. Subject to the right of appeal. The permit is not valid until the required Notification Period expires (date noted below in accordance with Section 21.1 and 17.1).



Project Number: **339982319-001**
 Application Date: SEP 03, 2019
 Printed: September 26, 2019 at 4:46 PM
 Page: 3 of 3

Home Occupation

Variations

You are receiving this notice because a Discretionary Use Development Permit has been issued, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.

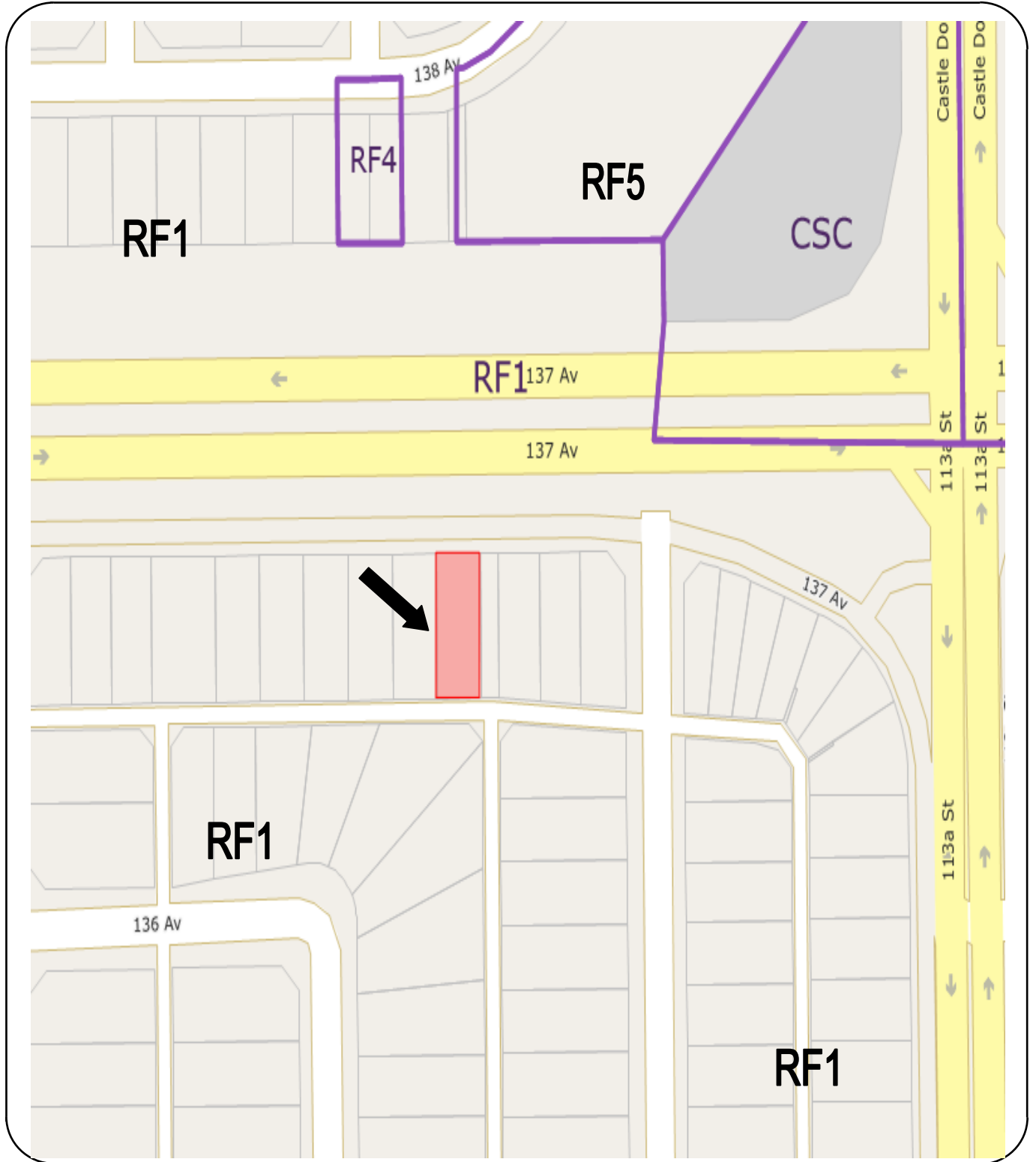
Note: The proposed development complies with the Zoning Bylaw and there are no variations to development regulations.

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.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$321.00	\$321.00	06111761	Sep 03, 2019
Total GST Amount:	\$0.00			
Totals for Permit:	\$321.00	\$321.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-185



ITEM II: 1:30 P.M.

FILE: SDAB-D-19-186

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

APPELLANT:

APPLICATION NO.: 304538606-008

APPLICATION TO: Construct a 4 Dwelling Multi-unit Housing

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: September 19, 2019

DATE OF APPEAL: October 3, 2019

NOTIFICATION PERIOD: September 26, 2019 through October 17, 2019

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7926 - 106 Street NW

LEGAL DESCRIPTION: Plan 0820251 Blk 46 Lot 35

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: N/A

STATUTORY PLAN: Garneau Area Redevelopment Plan

Grounds for Appeal

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

I'd like to put in an appeal to the permit, which I was never notified about at 7926 106 st, next door. I have not seen a copy of what their blueprints are or a copy of what it's to look like.

1. My concern is I don't know what the side variance means, if its closer than required it is a problem for my brick foundation and the wood exterior walls of 120 year old cedar. The side to 80 Ave needs to maintained as well, as no other development is close to that roadway, and it interferes with site lines near our busy intersection with four way bicycle lanes and three way traffic.
2. Second the front variance will hide my home, which is a 1902 heritage home (not designated yet). It is the oldest wood grand home in the city, so you can see my concern. The community will also be concerned that they would be hiding the home behind a large back wall. It would place my home in a tunnel, between 7926 walls and 7918 future developments.
3. I assume they want to face their property to 80 Ave. This will bring their back wall to my home, and because they are in our subdivision they should face 106 St. So the other concern I have is if the front entrance should be still 106 st. My home and the north (7926) lot and my south lot (7918) are a subdivision on their own, so any development must match the neighboring home (7922) to some degree.
4. The other concern I have is my home is RF3 and as so the development is to adhere with heritage home and neighboring home rules (be it infill or whatever) to maintain the character of the neighboring properties.
5. The other concern is the parking. They are the only home with a driveway to 80 Ave, and to make it four driveways is unacceptable, especially as their vehicles will back into a bicycle lane. As well, the driveways totally interfere with 80 Ave parking for the entire side length of their lot. The relaxation of 6 parking stalls is also unacceptable. There is a shortage of parking in the area due to the proximity to Whyte Ave, and to relax this is ridiculous.
6. The height of the building is also of a concern, as it will be taller than our home, hiding our side views. I assume it will also be close to the back. I don't know if back yard allowances need to apply, but I assume that our center home will be totally hidden by this giant development.

I spoke to Benny Liang and I understood that I was supposed to get notice, before it was approved. Not get an appeal notice.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
 - or
 - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

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

...

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

- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to 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.”

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

Front Setback

Section 210.4(4) states:

The minimum Front Setback shall be 4.5 m., except:

- a. Where the Site is located within the boundaries of the Mature Neighbourhood Overlay and Abuts a Site zoned to allow Single Detached Housing as a Permitted Use, the minimum Front Setback shall be 6.0 m, or 1.5 m less than the average Front Setback on Abutting Lots, whichever is less. Where an Abutting Lot is vacant, the vacant Lot shall be deemed to have a Front Setback of the next Abutting Lot; or
- b. where the Site is located within the boundaries of the Main Streets Overlay, does not Abut a Site zoned to allow Single Detached Housing as a Permitted Use, and the proposed development includes Commercial Uses at ground level, the minimum Front Setback shall be 1.0 m and the maximum Front Setback shall be 3.0 m.

Development Officer's Determination

Reduced Front Setback - The distance from the building to the property line along 106 Street (front lot line) is 3.8m instead of 4.5m (Section 210.4(4)). [unedited]

Landscaping

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 0.6m (210.4(11)) [unedited]

Parking

Section 54.2, Schedule 1(A)(1) states the following with respect to the Minimum Number of Parking Spaces Required for Multi-unit Housing:

Dwelling Size	Minimum
Studio	1
1 Bedroom Dwelling	1
2 Bedroom Dwelling	1.5
3 or more Bedroom Dwelling	1.7

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 spaces shall 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.

Development Officer’s Determination

Parking - The site has 4 parking spaces, instead of 6 (Section 54.2 and Schedule 1(1)) [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.



Project Number: **304538606-008**
 Application Date: JUN 21, 2019
 Printed: September 19, 2019 at 11:55 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) 7926 - 106 STREET NW Plan 0820251 Blk 46 Lot 35 Specific Address(es) Entryway: 7926 - 106 STREET NW Building: 7926 - 106 STREET NW
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Scope of Permit
 To construct a 4 Dwelling Multi-unit Housing

Permit Details Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 404.16	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 2 Stat. Plan Overlay/Annex Area: (none)
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I/We certify that the above noted details are correct.
 Applicant signature: _____

Development Permit Decision
 Approved
Issue Date: Sep 19, 2019 **Development Authority:**BAUER, KERRY

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).

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).

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall submit a Landscaping Plan in accordance with Section 55 of the Zoning Bylaw and to the satisfaction of the Development Officer.
2. 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.
3. 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.
4. The off-street parking, loading and unloading (including aisles or driveways) shall be hardsurfaced, curbed, drained and maintained in accordance to Section 54(6).
5. All access locations and curb crossings shall have the approval of Subdivision Planning (Transportation) prior to the start of construction. Reference Section 53(1)
6. The proposed easterly 6.4 m driveway access to 80 Avenue between the back of the roll faced curb and the property line, located



Project Number: **304538606-008**
 Application Date: JUN 21, 2019
 Printed: September 19, 2019 at 11:55 AM
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Major Development Permit

approximately 4.1 m from the east property line, is acceptable to Subdivision Planning and must be constructed to City of Edmonton Complete Streets Design and Construction Standards, as shown on the Enclosure.

7. The proposed westerly 3.0 m driveway access to 80 Avenue between the back of the roll faced curb and the property line, located approximately 0.8 m from the west property line, is acceptable to Subdivision Planning and must be constructed to City of Edmonton Complete Streets Design and Construction Standards, as shown on the Enclosure.

8. The existing gravel access to 80 Avenue located near the west property line must be removed and the boulevard restored.

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

- a) construction of a 6.4 m driveway access to 80 Avenue between the back of the roll faced curb and the property line, located approximately 4.1 m from the east property line;
- b) construction of a 3.0 m driveway access to 80 Avenue between the back of the roll faced curb and the property line, located approximately 0.8 m from the west property line; and
- c) remove the existing gravel access to 80 Avenue located near the west property line and restore the boulevard.

The Agreement must be signed PRIOR to the release of the drawings for Building Permit review.

Please email development.coordination@edmonton.ca to initiate the required Agreement.

Following this, any further questions regarding this Agreement may be directed to Esther Anderson (780-944-7773) of the Development Servicing Agreements Unit.

Also:

- Engineering Drawings are not required for the Agreement. However, construction must meet the City of Edmonton Complete Street Design and Construction Standards.
- This Agreement will require a deposit to act as security on this Agreement. The City requires a Letter of Credit in the amount of \$13,000.00 to cover 100% of construction costs. However, based on the City's "GUIDELINES FOR ESTABLISHING SECURITY IN SERVICING AGREEMENT" the amount may be adjusted based upon the owner's previous development history with the City.
- The applicant must contact Annie Duong (780-442-0251) 72 hours prior to removal or construction within City road right-of-way.

10. Any proposed gate must not swing out over road right-of-way. It must either swing into the property or slide along the fence. No objects are permitted to encroach onto, over or under road right-of-way.

11. Bollards must be installed within private property between the proposed 3.0 m driveway access and the proposed fence for private Amenity Area "C" to prevent vehicles from driving over the boulevard, as shown on the Enclosure.

12. There is an existing power pole in the vicinity of the proposed 3.0 m access to 80 Avenue, as shown on the Enclosure. The access must maintain a minimum clearance of 1.0 m from the edge of the power pole. The applicant should contact EPCOR Customer Engineering (ces@epcor.com) for more information. Should relocation of the pole be required, all costs associated with relocation must be borne by the owner/applicant.

13. 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.

14. There are existing boulevard trees adjacent to the proposed accesses that must be protected during construction. A minimum clearance of 3.5 m must be maintained between the proposed access (including excavation area) and the trunk of the tree. A City Operations, Parks and Roads Services representative must be present during construction of the access. The owner/applicant must contact City Operations, Parks and Roads Service (citytrees@edmonton.ca) prior to construction. The costs for any required hoarding and/or root-cutting shall be borne by the owner/applicant.

15. There are existing boulevard trees adjacent to the site that must be protected during construction. Prior to construction, the owner/applicant must contact City Operations, Parks and Roads Services (citytrees@edmonton.ca) to arrange for hoarding and/or root cutting. All costs shall be borne by the owner/applicant.



Project Number: **304538606-008**
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Major Development Permit

16. 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.

17. 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 and
<https://www.edmonton.ca/development/ConstructionSafety.pdf>

18. Any sidewalk or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Section 15.5(f) of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.

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

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

21. 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.

22. 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).

23. 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.

24. 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.

Advisement

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

2. The proposed connector sidewalks (2 total) from the north property line of the subject site to tie into the City sidewalk on the south side of 80 Avenue, and the proposed connector sidewalk from the east property line of the subject site to tie into the City sidewalk on the west side of 106 Street, as shown on the Enclosure, are acceptable to Subdivision Planning.

3. This neighbourhood was constructed with roll faced curb. Due to the limits of excavation and hard surfacing near the existing boulevard trees it is expected that the existing roll faced curb will not be altered for access to the site.

4. Parking Services has no objection to the deficiency of 2 parking stalls (6 required, 4 provided).

5. Signs require separate Development Applications.



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Major Development Permit

6. 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.

7. 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

Reduced Front Setback - The distance from the building to the property line along 106 Street (front lot line) is 3.8m instead of 4.5m (Section 210.4(4)).

Landscaping buffer - A minimum of 1.5m soft landscaping buffer is required within the Side Setback, proposed 0.6m (210.4(11))

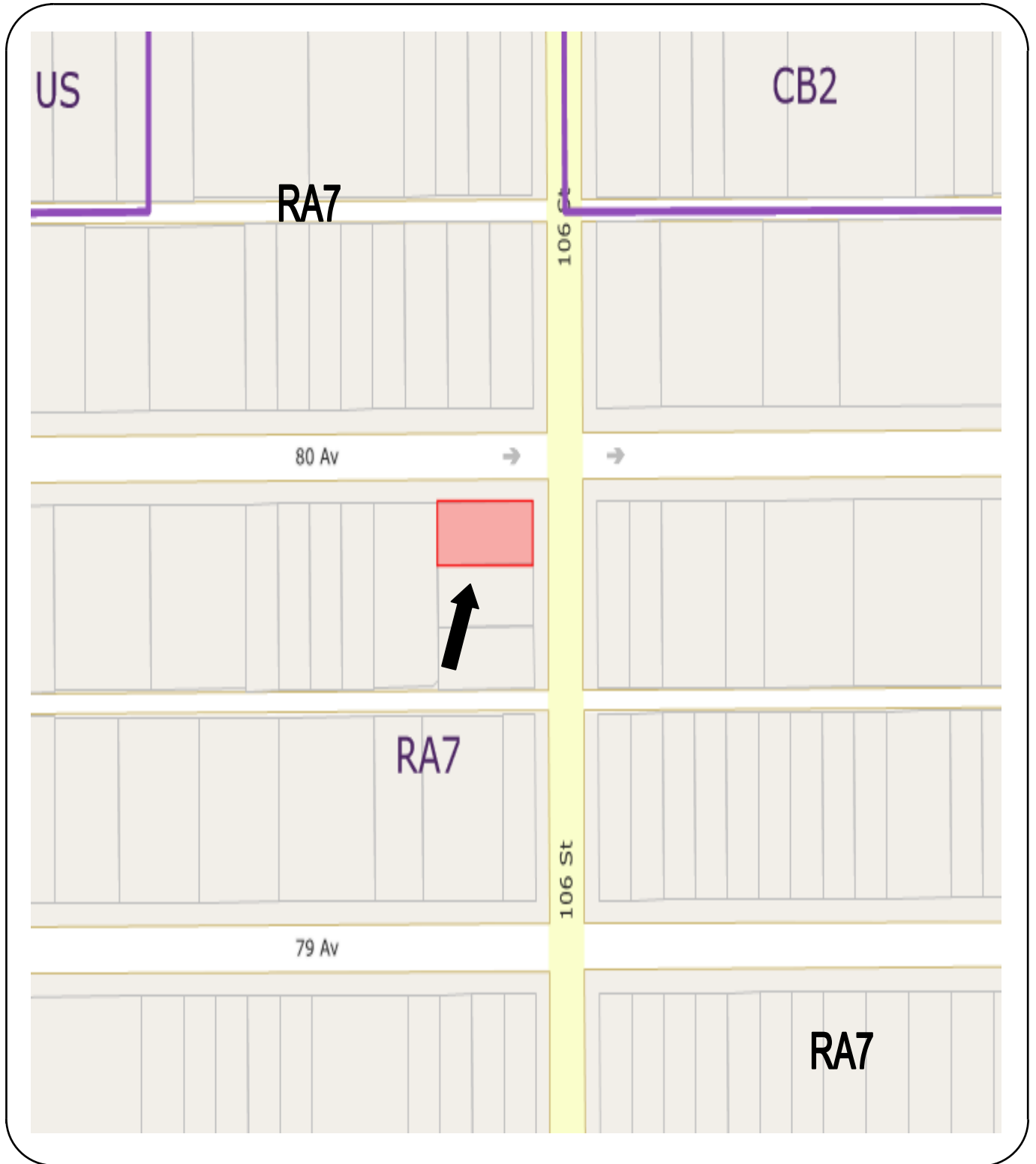
Parking - The site has 4 parking spaces, instead of 6 (Section 54.2 and Schedule 1(1))

Rights of Appeal

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

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	\$62.00	\$62.00	05991527	Jul 15, 2019
Major Dev. Application Fee	\$355.00	\$355.00	05991527	Jul 15, 2019
Sanitary Sewer Trunk Fund 2012+	(\$50.00)	(\$50.00)	05991527	Jul 15, 2019
Development Permit Inspection fee	\$311.00	\$311.00	05991527	Jul 15, 2019
Total GST Amount:	\$0.00			
Totals for Permit:	\$678.00	\$678.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-186

