

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
September 4, 2019**

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

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

I	9:30 A.M.	SDAB-D-19-503	Remove and refrain from parking any vehicles and/or trailers in the required front yard area. 7716 – 141 Avenue NW Project No.: 323613678-001
<hr/>			
II	10:30 A.M.	SDAB-D-19-137	Construct exterior alterations to a Single Detached House (pergola, 3.04m x 7.5m) and to install a Hot Tub in the Side Yard (2.43m x 2.34m). 3452 - 86 Street NW Project No.: 315200466-001
<hr/>			
III	1:30 P.M.	SDAB-D-19-138	Construct an Apartment House building with 148 Dwellings and underground parkade. 10549 - 123 Street NW, 10543 - 123 Street NW Project No.: 305727341-002

NOTE: *Unless otherwise stated, all references to “section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:30 A.M.

FILE: SDAB-D-19-503

AN APPEAL FROM THE DECISION OF THE BYLAW ENFORCEMENT OFFICER

APPELLANT:

APPLICATION NO.: 323613678-001

ORDER TO: Remove and refrain from parking any vehicles and/or trailers in the required front yard area.

DECISION OF THE BYLAW ENFORCEMENT OFFICER: Order Issued

DECISION DATE: July 22, 2019

DATE OF APPEAL: August 8, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7716 – 141 Avenue NW

LEGAL DESCRIPTION: Plan 5088NY Blk 11 Lot 9

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:

I am requesting a review of the non-conformance of the trailer being parked on the property.

Bylaw #45-4 states that on a site with no rear lane, where vehicle access is available through the front setback or through the flanking side setback, large recreational vehicles shall be parked at a setback of at least 0.6 m from the interior edge of the sidewalk, or curb where no sidewalk is present.

Bylaw #45-7 states, in the front yard of any site in any residential zone or in the case of a corner site, in the front yard or flanking side yard in any residential zone; vehicles shall not be located on the landscaped portion of the yard. This trailer is parked on a RV pad made up of sidewalk blocks.

General Matters

Appeal Information:

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

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

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

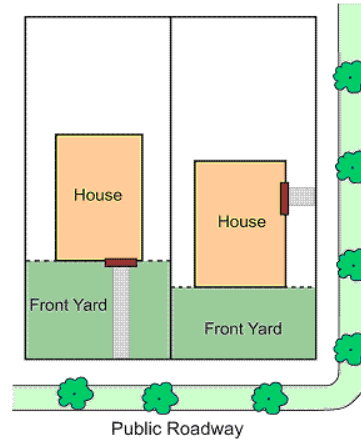
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 110.2(7), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

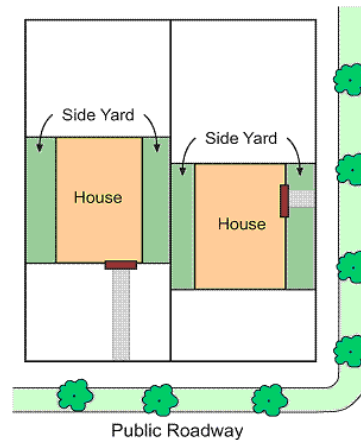
Under section 6.1, **Front Yard** means:

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, **Side Yard** means:

that portion of a Site abutting a Side Lot Line extending from the Front Yard to the Rear Yard. The Side Yard is situated between the Side Lot Line and the nearest wall of principal building, not including projections.



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.”

Section 110.1 states that the **General Purpose** of **(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.

<p><i>Objects Prohibited or Restricted in Residential Zones</i></p>
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Section 45.7 states:

In the Front Yard of any Site in any Residential Zone, or in the case of a corner Site, in the Front Yard or the flanking Side Yard in any Residential Zone:

- a. vehicles shall not be located on the landscaped portion of the Yard; and
- b. vehicles shall only be allowed on a Driveway or within an attached or detached Garage.

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.

Citizen Services
Community Standards and Neighbourhoods

City of Edmonton
2nd Floor, Edmonton Tower
10111 – 104 Avenue NW
Edmonton, AB T5J 0J4

edmonton.ca



Date: July 22, 2019

Reference/File No: 323613678-001

ORDER

(Issued Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000 c. M-26)

RE: Municipal Address: 7716 - 141 Avenue NW

Legal Description: Plan 5088NY Block 11 Lot 9

Tax Roll Number: 6699045

(hereinafter referred to as “the property”)

As a result of an inspection of the property on July 18, 2019:

I find that the use of the land is not in accordance with the City of Edmonton Zoning Bylaw (Bylaw 12800) as follows:

Section 45: Objects Prohibited or Restricted in Residential Zones

45. (7) In the Front Yard of any Site in any Residential Zone, or in the case of a corner Site, in the Front Yard or the flanking Side Yard in any Residential Zone:

- (a) vehicles shall not be located on the landscaped portion of the Yard; and
- (b) vehicles shall only be allowed on a Driveway or within an attached or detached Garage.

THEREFORE YOU ARE ORDERED TO:

Remove and refrain from parking any vehicles and/or trailers in the required front yard area.

YOU MUST COMPLY WITH THIS ORDER BEFORE: August 15, 2019

Officer: Darlene
Complaints and Investigations
Community Standards Branch

EMEO#23

Telephone: 780-496-5212

OFFENCE FOR NON-COMPLIANCE:

Pursuant to Section 557(a.3) of the Municipal Government Act (hereinafter referred to as the "Act") a person who contravenes or does not comply with an order under section 645 is guilty of an offence and liable to prosecution.

Pursuant to Section 566(1) of the Act a person who is guilty of an offence is liable,

- (a) to a fine of not more than \$10 000, or
 - (b) to imprisonment for not more than one year,
- or to both fine and imprisonment.

ADDITIONAL CONSEQUENCES FOR NON-COMPLIANCE:

Pursuant to Section 646(1) of the Act if a person fails or refuses to comply with an order under section 645 the municipality may, enter on the land or building and take any action necessary to carry out the order.

Pursuant to Section 553(1)(h.1) of the Act when an order is carried out under section 646(1) the expenses and costs incurred in carrying out the order may be placed on the tax roll of the property and that amount:

- a) is deemed for all purposes to be a tax imposed under Division 2 of Part 10 from the date it was added to the tax roll, and
- b) forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

If you fail to comply with the provisions of this order the City of Edmonton will, at its election, take action to enforce the order by taking whatever actions or measures are necessary to remedy the contravention of the bylaw or to prevent the re-occurrence, and all expenses of which will be placed on the tax roll of the property.

PROCEDURE FOR STARTING AN APPEAL OF THE ORDER

Pursuant to section 685(1) of the Act a person affected by an order under section 645 may appeal to the Subdivision and Development Appeal Board.

Pursuant to section 686(1) of the Act an appeal to the Subdivision and Development Appeal Board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days after the date on which the person is notified of the order under section 645.

Requests for review must be received by:

Subdivision and Development Appeal Board
Office of the City Clerk
10019 – 103 Avenue NW
Edmonton, AB T5J 0G9

Telephone: (780) 496-6079
Fax: (780) 496-8175

The Notice of Appeal must be accompanied by a cheque or money order in the sum of \$72.00 payable to the City of Edmonton or it is not considered complete and will not be processed. If you are delivering your notice of appeal in person you may pay with cash.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-503



ITEM II: 10:30 A.M.

FILE: SDAB-D-19-137

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

APPELLANT:

APPLICATION NO.: 315200466-001

APPLICATION TO: Construct exterior alterations to a Single Detached House (pergola, 3.04m x 7.5m) and to install a Hot Tub in the Side Yard (2.43m x 2.34m).

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: July 15, 2019

DATE OF APPEAL: August 12, 2019

NOTIFICATION PERIOD: July 23, 2019 through August 13, 2019

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3452 - 86 Street NW

LEGAL DESCRIPTION: Plan 6455RS Blk 6 Lot 14

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

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

Since they done the new patio and hot tub it cause us unnecessary basement flood. The water is not drain properly.

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 110.2(7), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential 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, **Setback** means “the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space.”

Section 110.1 states that the **General Purpose** of **(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.

Accessory Buildings in Residential Zones

Section 50.3(5) states:

Accessory buildings and structures shall be located as follows:

- a. ...
- b. an Accessory building or structure shall be located not less than 0.9 m from the interior Side Lot Line, [...]
- c. ...
- 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;

...

Development Officer’s Determination

Accessory Building Setback - The pergola post is 0.6m from the side property line shared with 308 Richfield Road instead of 0.9 m. (Section 50.3.5.b)

Accessory Building Setback - The pergola is 0.6m from the Principal Dwelling instead of 0.9 m. (Section 50.3.5.d)

Projection into Setbacks

Section 44.1 states:

The following features may project into a required Setback or Separation Space as provided for below:

...

c. Notwithstanding subsection 44.2(a) or 44.2(b):

i. ...


ii. eaves or similar architectural features on Accessory buildings, provided that such projections do not exceed 0.6 m in the case of Setbacks or Separation Spaces of 1.2 m or greater, and 0.46 m for Setbacks or Separation Spaces of less than 1.2 m.


Development Officer's Determination

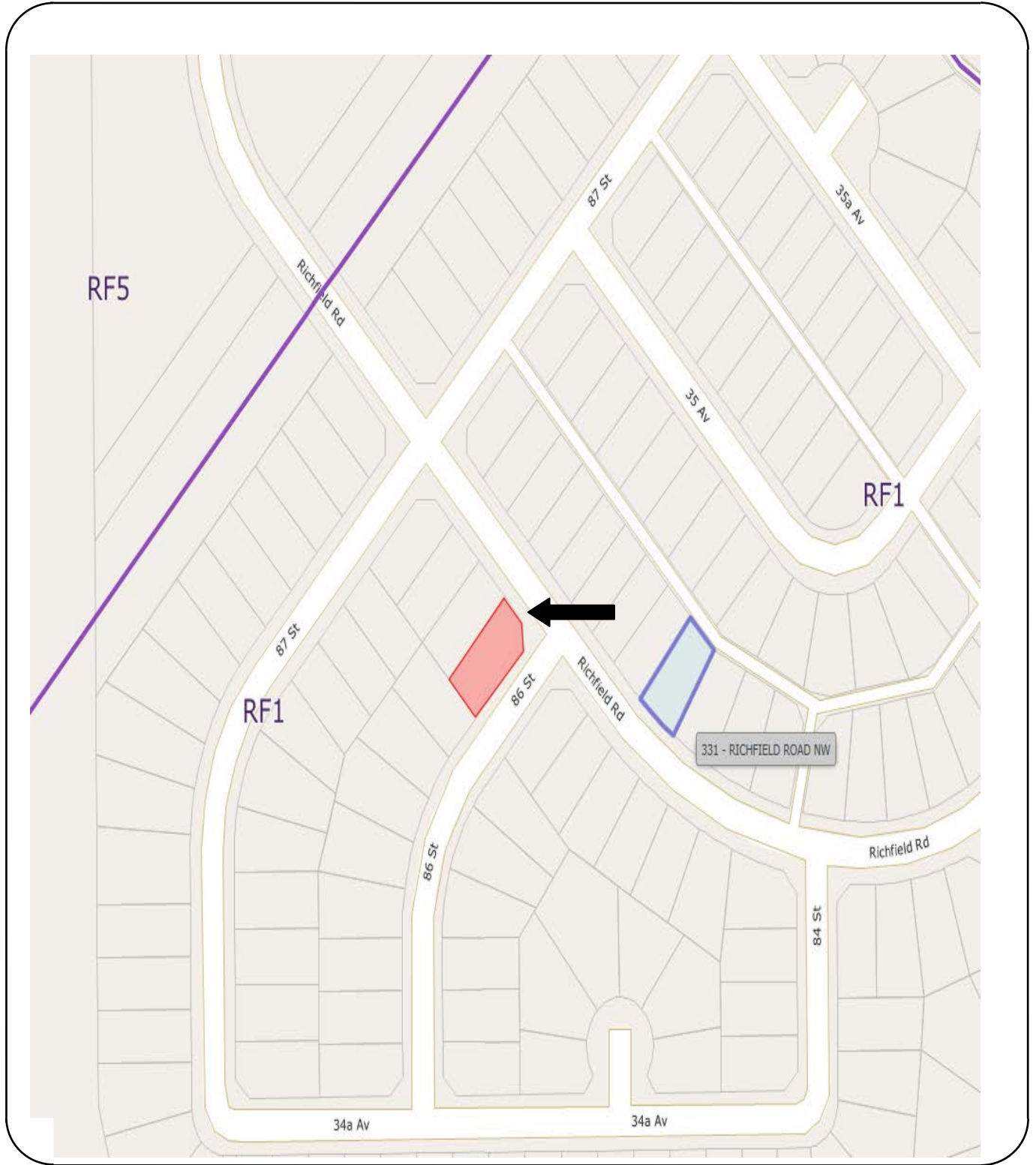
The pergola beams overhang is 0.20m from the side property line shared with 308 Richfield Road instead of 0.44 m. (Section 44.1.c.ii)

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: 315200466-001 Application Date: MAY 29, 2019 Printed: July 23, 2019 at 2:42 PM Page: 1 of 2				
Home Improvement Permit					
This document is a record of a Development and/or Building 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 and issued pursuant to the Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, Alberta Building Code and City of Edmonton Bylaw 15894 Safety Codes Permit Bylaw.					
Applicant	Property Address(es) and Legal Description(s) 3452 - 86 STREET NW Plan 6455RS Blk 6 Lot 14 Location(s) of Work Suite: 3452 - 86 STREET NW Entryway: 3452 - 86 STREET NW Building: 3452 - 86 STREET NW				
Scope of Permit To construct exterior alterations to a Single Detached House (pergola, 3.04m x 7.5m) and to install a Hot Tub in the Side Yard (2.43m x 2.34m).					
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Class Of Permit: Class B</td> <td style="width: 50%; border: none;">Site Area (sq. m.): 616.69</td> </tr> <tr> <td style="border: none;">Stat. Plan Overlay/Annex Area: (none)</td> <td style="border: none;"></td> </tr> </table>		Class Of Permit: Class B	Site Area (sq. m.): 616.69	Stat. Plan Overlay/Annex Area: (none)	
Class Of Permit: Class B	Site Area (sq. m.): 616.69				
Stat. Plan Overlay/Annex Area: (none)					
I/We certify that the above noted details are correct. Applicant signature: _____					
Development Permit Decision Approved Issue Date: Jul 15, 2019 Development Authority: HETHERINGTON, FIONA Subject to the Following Conditions This Development Permit authorizes the development of exterior alterations to a Single Detached House (freestanding pergola, 3.04m x 7.5m) and to install a Hot Tub in the Side Yard. The development shall be constructed in accordance with the stamped and approved drawings. ADVISEMENTS: 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) Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800. Variances Accessory Building Setback - The pergola post is 0.6m from the side property line shared with 308 Richfield Road instead of 0.9 m. (Section 50.3.5.b) The pergola beams overhang is 0.20m from the side property line shared with 308 Richfield Road instead of 0.44 m. (Section 44.1.c.ii) Accessory Building Setback - The pergola is 0.6m from the Principal Dwelling instead of 0.9 m. (Section 50.3.5.d)					

	Project Number: 315200466-001 Application Date: MAY 29, 2019 Printed: July 23, 2019 at 2:42 PM Page: 2 of 2																														
<h2 style="margin: 0;">Home Improvement Permit</h2>																															
<p>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.</p> <p style="text-align: center;"> Notice Period Begins: Jul 23, 2019 Ends: Aug 13, 2019 </p>																															
<p>Building Permit Decision Issued</p> <p>Issue Date: Jul 23, 2019 Safety Codes Officer: Acheson, Michael</p> <p>Conditions of Issuance P.E. Michael Acheson 123855 Permit issued subject to all notations on the stamped plans.</p> <p>Hot Tub: Hot Tub is required to have a structurally sound lockable cover. Conforming to ASTM 1346-91. The cover must be able to support the weight of an adult - and must be no more than 8' across the widest portion. Or the entire area of the hot tub or property be protected by a fence, building wall, or enclosure that is 6' high/non climbable and any openings in the fence are to be protected by a gate that is the same height as the fence. The gate must be equipped with a self-closing device that is complete with a self-latching device on the inside of the gate located not less than 1.5m above ground level and is capable of being locked.</p> <p>ADVISEMENTS: -Alberta One Call www.albertaonecall.com 1-800-242-3447 to request utility locate service. -Deviation from approved drawings/site plans may be made only with written approval of the permit issuing office. -Every building permit expires if the undertaking to which it applies is not started within 90 days from the date of issue of the permit or if abandoned for a period of 120 days. If expired, a new permit must be obtained and fees paid before work is commenced or restarted. -Work must comply with the requirements of Alberta Building Code (ABC), the Safety Codes Act and related regulations. -The owner is responsible for the repair of any damage to public property or works located on public property that may occur as a result of undertaking work regulated by ABC. All sidewalks, streets or other public property that have been damaged shall be restored to a safe condition. -An owner or constructor shall, upon request, provide written assurance from the person supervising construction that the work was in compliance with the requirements of ABC and any permits issued.</p>																															
<p>Fees</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 10%; text-align: right;">Fee Amount</th> <th style="width: 10%; text-align: right;">Amount Paid</th> <th style="width: 10%; text-align: left;">Receipt #</th> <th style="width: 10%; text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Building Permit Fee (Swimming Pool and Hot Tub)</td> <td style="text-align: right;">\$110.00</td> <td style="text-align: right;">\$110.00</td> <td>84147708017F001</td> <td>May 29, 2019</td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$173.00</td> <td style="text-align: right;">\$173.00</td> <td>850992025116001</td> <td>Jun 25, 2019</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.50</td> <td style="text-align: right;">\$4.50</td> <td>84147708017F001</td> <td>May 29, 2019</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$287.50</td> <td style="text-align: right; border-top: 1px solid black;">\$287.50</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Building Permit Fee (Swimming Pool and Hot Tub)	\$110.00	\$110.00	84147708017F001	May 29, 2019	Development Application Fee	\$173.00	\$173.00	850992025116001	Jun 25, 2019	Safety Codes Fee	\$4.50	\$4.50	84147708017F001	May 29, 2019	Total GST Amount:	\$0.00				Totals for Permit:	\$287.50	\$287.50		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-137



ITEM III: 1:30 P.M.

FILE: SDAB-D-19-138

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

APPELLANT:

APPLICATION NO.: 305727341-002

APPLICATION TO: Construct an Apartment House building with 148 Dwellings and underground parkade.

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: July 23, 2019

DATE OF APPEAL: August 11, 2019

NOTIFICATION PERIOD: July 30, 2019 through August 20, 2019

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10549 - 123 Street NW, 10543 - 123 Street NW

LEGAL DESCRIPTION: Plan RN22 Blk 8 Lots 1-3
Plan RN22 Blk 8 Lots 2-3

ZONE: DC1 Direct Development Control Provision (Bylaw 18099 – Area 4)

OVERLAY: N/A

STATUTORY PLAN: 104 Avenue Corridor Area
Redevelopment Plan

Grounds for Appeal

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

I would like to submit an appeal for the Development Permit Notice I received for the property at 10549 123 Street NW. I am an owner in the

adjacent building of High Street District Properties at 10523 123 Street NW.

This development would directly affect my property in value, enjoyment, and usability. There are several concerns that I would like to note with respect to a 148 dwelling apartment house being built on this property including parking, road maintenance, and use of our condo building.

As this neighbourhood includes a variety of commercial and residential properties, parking availability is already a concern with no additional options for monthly parking in the vicinity. I think it should be noted as well that a residential building is currently being built at 122 Street and 105 Avenue which will also greatly affect parking in this area. I do not believe the neighbourhood is able to support parking that is able to account for tenants with additional vehicles, visitors, and visitors to the neighboring businesses.

An additional concern would be the maintenance of roadways. I am unsure what side the proposed building would have their parkade entrance on but the alleyway already supports two residential buildings as well as the entrance for equipment to the Ironworkers' Union. This alleyway and its maintenance is of concern already (especially during winter) due to the amount of vehicles and equipment that enter and exit throughout the day. Rivets, ice build up and pot holes are an issue, and the addition of up to 148 additional vehicles entering and exiting through the alley would require the city to ensure additional maintenance of this area. In addition, the alley is quite narrow and with the amount of residential and commercial traffic already in place, additional traffic would create a cumbersome entrance/exit as the power poles located behind the Ironworkers' Union do not allow for enough space for vehicles to pass one another.

As an owner on the ground floor, I have concerns about increased motor vehicle traffic (and associated noise) as well as foot traffic (and associated noise) which would directly affect the enjoyment, value and safety of my unit.

I have discussed the matter of this development permit with other owners in my building who have voiced additional concerns; including those who are on the north side of the building and would be facing the proposed development. The proposed development would be situated quite close to our building, allowing for significantly reduced light to the balconies and windows on the northside of our building. With the proposed building being substantially taller than ours, this would cause a concern for all of the units on the north side of our building (as well as our rooftop balcony), blocking most natural light from entering the units.

Due to these reasons, combined with the same concerns noted for a building currently being built at 122 Street and 105 Avenue, I believe the proposed unit at 10549-123 Street NW would be detrimental to our

property value at High Street District Properties; for these reasons, I am appealing the development permit.

I know that for owners within our building that I have spoken with, there is a sense of disappointment that this property was rezoned as there was support for a commercial property in this lot. It is our hope the Subdivision and Development Appeal Board is able to consider our request for this appeal and deny the development permit for the 148-dwelling apartment house at 10549-123 Street NW. I would be happy to expand on my concerns through additional documentation, or an in-person hearing at your request.

As mentioned, I have discussed this matter with several other owners at High Street District Properties who are interested in providing their own documentation and reasoning to support this appeal as well. If you could please provide guidance on how these owners could submit their information that would be greatly appreciated.

<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.

685(4) Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

- (a) ...
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 3.b of Bylaw 18099 (Area 4), **Apartment Housing** is a **listed Use** in the **DC1 Direct Development Control Provision**.

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 1 of Bylaw 18099 (Area 4) states that the **General Purpose** of the **DC1 Direct Development Control Provision** is “The purpose of this Provision is to provide for an area of commercial office employment and residential development in support of the 120 Street station hub and 124 Street shopping area.”

Section 12.4 Class B Discretionary Development

Section 12.4(1) states:

This class includes all developments for which applications are required and are for a Discretionary Use or require a variance to any of the regulations of this Bylaw. This class of Development Permit also includes all applications on Sites designated Direct Control not noted in Section 12.3.

Development Officer’s Determination

You are receiving this notice because a Development Permit has been issued on a Direct Control Zone, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw. [unedited]

Schedule 1(C) – Parking - Transit Oriented Development

Section 5.rr of Bylaw 18099 (Area 4) states: “Vehicular and Bicycle Parking shall be provided in accordance with Section 54 of the Zoning Bylaw.”

Section 54.2, Schedule 1(C)(1) provides the following with respect to **Minimum or Maximum Number of Parking Spaces Required for Apartment Housing:**

In Core and Mature neighbourhoods, as identified in Edmonton’s Municipal Development Plan, Bylaw 15100, excluding the Downtown Special Area:		
Minimum and Maximum Parking Spaces per Dwelling size		
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


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.

Development Officer’s Determination

Parking - The site has 13 visitor parking stalls, instead of 15 (Section 54.2 and Schedule 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.

 <p style="text-align: center;">Major Development Permit</p>	<p>Project Number: 305727341-002 Application Date: MAY 17, 2019 Printed: August 12, 2019 at 7:58 AM Page: 1 of 7</p>		
<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>			
<p>Applicant</p>	<p>Property Address(es) and Legal Description(s) 10549 - 123 STREET NW Plan RN22 Blk 8 Lot 1 10543 - 123 STREET NW Plan RN22 Blk 8 Lots 2-3</p>		
<p>Scope of Permit To construct an Apartment House building with 148 Dwellings and underground parkade.</p>			
<p>Permit Details</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Class of Permit: Gross Floor Area (sq.m.): 10456 New Sewer Service Required: Y Site Area (sq. m.): 2091 </td> <td style="width: 50%;"> Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 7 Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Gross Floor Area (sq.m.): 10456 New Sewer Service Required: Y Site Area (sq. m.): 2091	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 7 Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Gross Floor Area (sq.m.): 10456 New Sewer Service Required: Y Site Area (sq. m.): 2091	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: 7 Stat. Plan Overlay/Annex Area: (none)		
<p>I/We certify that the above noted details are correct. Applicant signature: _____</p>			
<p>Development Permit Decision Approved</p> <p>Issue Date: Jul 23, 2019 Development Authority: YEUNG, KENNETH</p> <p>Subject to the Following Conditions</p> <p>This Development Permit is not valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)</p> <p>This Development Permit authorizes the development of an Apartment Housing building with 148 Dwellings.</p> <p>The development shall be constructed in accordance with the stamped and approved drawings.</p> <p>Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices. (Section 51).</p> <p>All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building (Bylaw 18490).</p> <p>PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Charge fee of \$1,186.00 per Dwelling. The SSTC charge is quoted at year 2019 rate. Please contact Private Development, Drainage Services, at 780-496-5665 for further details regarding the fee. The final SSTC is based on the prevailing rate at the time the applicant/owner makes payment at the 2nd Floor, Edmonton Tower, 10111 104 Avenue NW, Edmonton AB T5J 0J4.</p> <p>PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$642.00.</p> <p>LANDSCAPING CONDITIONS:</p>			
<p> </p>			



Project Number: **305727341-002**
 Application Date: MAY 17, 2019
 Printed: August 12, 2019 at 7:58 AM
 Page: 2 of 7

Major Development Permit

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$518.00 (this can be paid by phone with a credit card - 780-442-5054).

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

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

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

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

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

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

WASTE MANAGEMENT CONDITIONS:

This site with 148 units would receive approximately 37 cubic yards of garbage service and 18.5 cubic yards of recycle service per week for the residential units.

The waste storage room needs to be adequately sized for the approx. four 4 cubic yard wheeled garbage bins and two 4 cubic yard wheeled recycle bins required to service the residential units. The frequency for pickup with these amounts of bins would be 3 times per week for garbage and recycle.

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:

- a safety flap for the garbage chute to close the chute while bins are being swapped out/service
- bumper pads for the walls and/or doors to prevent damage from the movement of the bins
- 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

TRANSPORTATION CONDITIONS:

The existing commercial access to 106 Avenue located approximately 4 m from the east property line must be removed and the curb, gutter and sidewalk constructed and boulevard restored, as shown on Enclosure I.



Project Number: **305727341-002**
 Application Date: MAY 17, 2019
 Printed: August 12, 2019 at 7:58 AM
 Page: 3 of 7

Major Development Permit

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

a) removal of an existing commercial access to 106 Avenue located approximately 4 m from the east property line and reconstruction of curb, gutter and sidewalk, and restoration of 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 \$14,000.00 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 Loli Fernandez (780-944-7683) 72 hours prior to removal or construction within City road right-of-way.

The proposed 7 m access to the site from the alley, shown on Enclosure I, and the proposed ramp slope submitted by the applicant, shown on Enclosure II, are acceptable to Subdivision Planning. The driveway leading to the parkade must be at grade with unobstructed views of the proposed pedestrian walkways and marked crosswalk. Zebra paint line markings, signage and curb ramps are required at the proposed on-site marked crosswalk.

All parking stalls perpendicular to the alley must be a minimum length of 5.5 m.

The visitor parking stall located immediately south of the loading and garbage pick-up area, as shown on Enclosure I, must be removed. Access to this parking stall will interfere with the loading and garbage pick-up area.

The 'no parking' paint lines along 106 Avenue roadway as illustrated on Enclosure I, will not be permitted and must be removed from the site plan. There is on-street parking and a painted bike lane along this roadway adjacent to the site.

Permanent objects, including railings, concrete steps, bike racks, planters, door swings must NOT encroach into or over/under road right-of-way, as shown on Enclosure I. All required landscaping for the development must be provided on site.

Transformer locations must not interfere with sight lines from the parkade access or the parking stalls off the alley.

There are existing power poles along 106 Avenue and the alley. Should relocation of the poles be required, all costs associated with relocation must be borne by the owner/applicant. The applicant should contact Ron Hewitt (780-412-3128) of EPCOR Customer Engineering for more information.

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.

A 2 m x 4 m x 200 mm thick concrete pad must be constructed in front of the garbage bins on private property to provide an adequate base that will withstand the weight of the waste management vehicle when loading, as shown on Enclosure I.

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, as shown on Enclosure I.

Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance)



Project Number: **305727341-002**
 Application Date: MAY 17, 2019
 Printed: August 12, 2019 at 7:58 AM
 Page: 4 of 7

Major Development Permit

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/documents/PDF/ConstructionSafety.pdf>

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

TRANSPORTATION ADVISEMENT:

Given the proposed pedestrian crosswalk near the alley access, warning devices should be installed at the parkade entrance to alert pedestrians when a vehicle is exiting the proposed parkade.

The proposed sidewalk connections to the public sidewalk are acceptable to Subdivision Planning, as shown on Enclosure I.

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

Subdivision Planning has no objection to the proposed onsite tandem parking stalls.

The owner/applicant should contact Brian Murphy with Parking Services (780-944-0040) to discuss the possibility of parking restrictions along 106 Avenue.

Bicycle parking should meet the requirements of the Zoning Bylaw.

EPCOR WATER CONDITIONS:

Water service for the property must meet the standard of water supply under the City of Edmonton Design and Construction Standards to the satisfaction of EPCOR Water, Director of Water Distribution and Transmission.

The applicant/owner will be responsible for all related costs of any modifications or additions to the existing water infrastructure required by this application/proposal.

We require that the existing/future water services to the property be provided such that each revised lot is serviced with individual and separate water services provided directly to the lots from EPCOR's water main. In reference to our Terms of Service, water services cannot extend from one property to another. Any private service lines crossing the existing/proposed property lines must be identified and relocated at the owner's expense.

For information on Service abandonments, and the provisioning of a new water service contact EPCOR Drainage, Water and Sewer Servicing at wass.drainage@epcor.com.

Multiple services are providing service to the subject site. If more than one service is to be maintained a Caveat of Restrictive Covenant for Check Valve Installation must be registered on title. All unused services must be abandoned to the main by EPCOR. Please contact waterlandadmin@epcor.com for more information.

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.



Project Number: **305727341-002**
 Application Date: MAY 17, 2019
 Printed: August 12, 2019 at 7:58 AM
 Page: 5 of 7

Major Development Permit

Our records indicate the site is currently serviced by 3 services - Lot 1 has a 20mm lead service, located 7m south of the south property line of 106 Ave, Lot 2 has a 20mm copper service 29m south of the south property line of 106 Ave and Lot 3 has a 150mm cast iron service located 37.3m south of the south property line of 106 Ave all from the lane east of 123 St. 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.

A new service may be supplied from the existing 150mm cast iron main in the lane east of 123 St or from the existing 300 PVC water main on 123 St as shown in the attached drawing.

For information on Service abandonments, and the provisioning of a new water service contact EPCOR Drainage, Water and Sewer Servicing at wass.drainage@epcor.com.

Multiple services are providing service to the subject site. If more than one service is to be maintained a Caveat of Restrictive Covenant for Check Valve Installation must be registered on title. All unused services must be abandoned to the main by EPCOR. Please contact waterlandadmin@epcor.com for more information.

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.

There is a deficiency in on-street hydrant spacing adjacent to the property. City of Edmonton Standards requires hydrant spacing of 90m for the proposed zoning. Hydrant spacing in the area is approximately 120m and does not meet the spacing requirement. The applicant is required to construct a new fire hydrant at the corner of 106 Ave and 123 St 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.

The applicant is advised to confirm the hydrant requirement and location with Edmonton Fire Rescue Services fire protection engineer (Kael Griswold at 780-496-5425) and EPCOR Water Services Ltd. (David Mathew 780-412-772).

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.

The applicant/owner will be responsible for all costs associated with providing City standards of water supply including any changes to the existing water infrastructure required by this application.

These comments/conditions are a firm requirement of our support of this Development and will remain valid for two years from date of this reply.

FIRE RESCUE SERVICES CONDITIONS:

Upon review of the noted development, Edmonton Fire Rescue Services has no objections to this proposal, however, has the following advisements for your implementation and information.

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

A formal submission of your Fire Safety Plan will be required for a Building Permit to be issued (please do not forward your Fire Safety Plan at this time). If you have any questions at this time, please contact Technical Services at cmsfpts@edmonton.ca.
 Reference: 5.6.1.3. Fire Safety Plan



Project Number: **305727341-002**
 Application Date: MAY 17, 2019
 Printed: August 12, 2019 at 7:58 AM
 Page: 6 of 7

Major Development Permit

1) Except as required in Sentence (2), prior to the commencement of construction, alteration or demolition operations, a fire safety plan, accepted in writing by the fire department and the authority having jurisdiction, shall be prepared for the site and shall include...

If the building is sprinklered and equipped with a Sprinkler Fire Department Connection (FDC), ensure that the location of the FDC is not compromised by either the proposed addition or exterior alterations. The building's FDC (if any) shall be located in accordance with ABC 3.2.5.15.

Reference: ABC 3.2.5.15. Fire Department Connections

2) The fire department connection referred to in Sentences (1) and (2) shall be located no closer than 3 m and no further than 15 m from the principal entrance to the building.

Ensure that the hydrants identified on the site plan are fully functional prior to construction.

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.

Confirm that the Fire Alarm Annunciator panel is located in close proximity to the building entrance that faces a street or emergency access route. A remote Fire alarm panel will be required to be installed.

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.

Partial Occupancy Conditions as per AFC 5.6.1.12. For additional information please see:

Occupancy of Buildings Under Construction STANDATA –

<http://www.municipalaffairs.alberta.ca/documents/ss/STANDATA/building/bcb/06BCB002.pdf>

Reference: 5.6.1.12. Fire Separations in Partly Occupied Buildings

1) Where part of a building continues to be occupied, the occupied part shall be separated from the part being demolished or constructed by a fire separation having a fire-resistance rating of not less than 1 h.

Reference: 5.6.1.21.(3) Occupied Buildings

Required exits from the occupied area shall be maintained or alternate means of egress shall be provided.

DEVELOPMENT PERMIT ADVISEMENT:

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

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.

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

Signs require separate Development Applications.



Project Number: **305727341-002**
 Application Date: MAY 17, 2019
 Printed: August 12, 2019 at 7:58 AM
 Page: 7 of 7

Major Development Permit

Variations

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

Parking - The site has 13 visitor parking stalls, instead of 15 (Section 54.2 and Schedule 1).

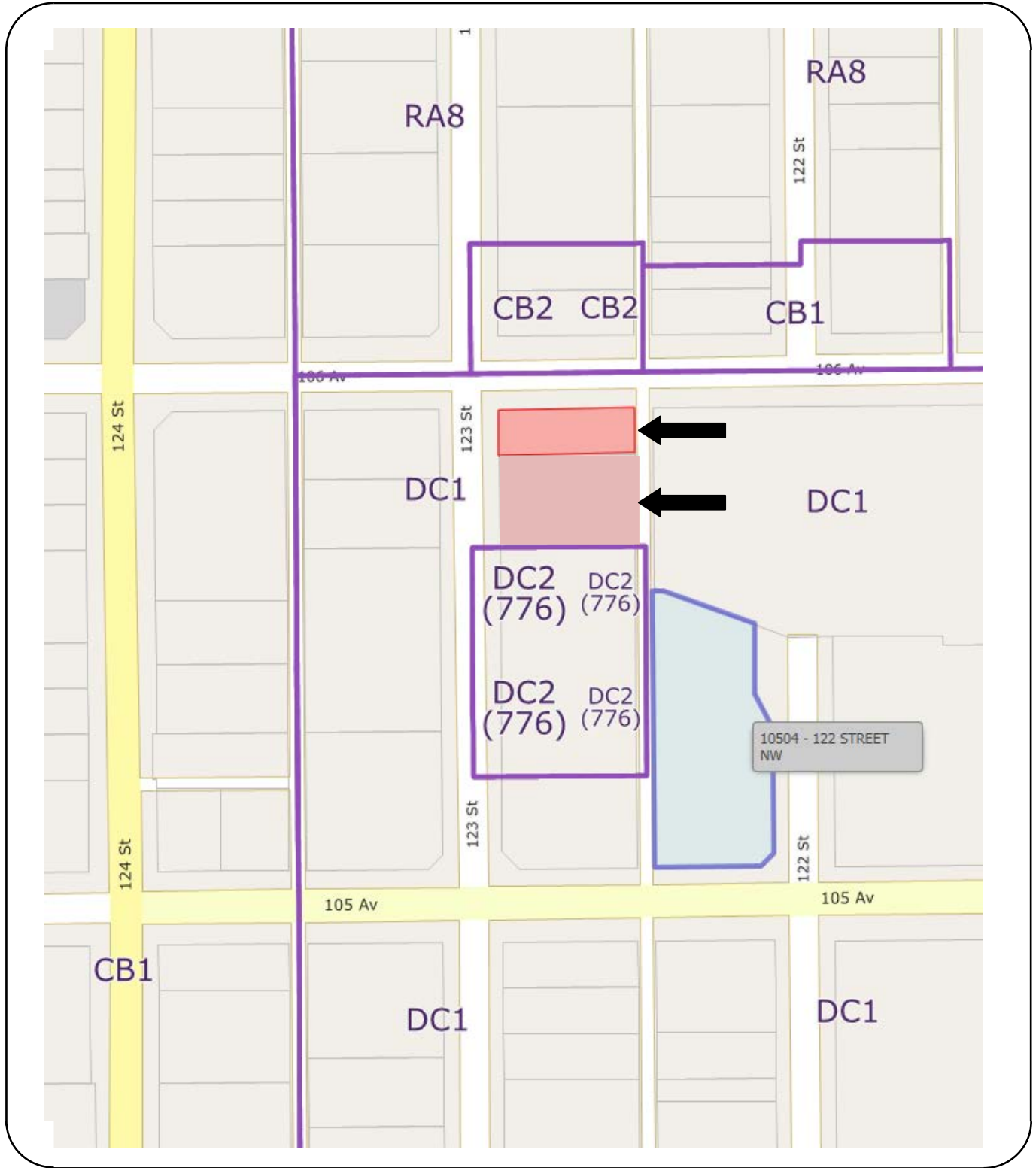
Rights of Appeal

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

Notice Period Begins: Jul 30, 2019 **Ends:** Aug 20, 2019

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$848.00	\$848.00	05863055	May 22, 2019
Development Permit Inspection Fee	\$1,036.00	\$518.00	05863055	May 22, 2019
Dev. Application Fee # of dwelling units	\$10,944.00	\$10,944.00	05863055	May 22, 2019
Sanitary Sewer Trunk Fund 2012+	\$175,528.00			
Lot Grading Fee	\$642.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$188,998.00	\$12,310.00		
(\$176,688.00 outstanding)				



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-138

