

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Tuesday, 9:00 A.M.
September 28, 2021

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

I 9:00 A.M. SDAB-D-21-159

To operate a Major Home Based Business with storage of two enclosed trailers on driveway and business related indoor storage (YK ELECTRICAL SERVICES INC.) Expires Aug. 6, 2026

260 - Woodvale Road West NW
Project No.: 395158577-001

II 10:30 A.M. SDAB-D-21-160

To construct a Rapid Drive Through Vehicle Service building (Automatic and Wand Wash Car Wash, Great White Car and Truck Wash)

10004 - 169 Street NW
Project No.: 395328159-002

III 1:30 P.M. SDAB-D-21-161

Postponed to October 13, 2021

To construct two Multi-unit Housing buildings (one has 81 Dwellings, the other has 83 Dwellings - total of 164 Dwellings), with a common underground parkade and an Accessory waste / recycling collection building.

14005 - 28 Avenue SW
Project No.: 392659497-002

NOTE: *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-21-159

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 395158577-001

APPLICATION TO: Operate a Major Home Based Business with storage of two enclosed trailers on driveway and business related indoor storage (YK ELECTRICAL SERVICES INC.) Expires Aug. 6, 2026

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: August 6, 2021

DATE OF APPEAL: September 2, 2021

NOTIFICATION PERIOD: August 12, 2021 through September 2, 2021

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 260 - Woodvale Road West NW

LEGAL DESCRIPTION: Plan 7721467 Blk 27 Lot 60

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:

Line of sight issue. Fire danger.

<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 the decision in accordance with subsection (2.1).

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 board hearing the appeal referred to in subsection (1)

...

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

Under section 7.3(6), **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 Home Based Child Care and 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.

Outdoor Storage

Section 75.5 states:

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.

Development Officer's Determination

Outdoor storage - Permit the storage of two enclosed trailers associated with the business (Section 75.5).

[unedited]


Major Home Based Business


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 may have more than two Sleeping Units. Cooking facilities shall not be located within the Sleeping Units;
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; and
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.

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: 395158577-001 Application Date: MAY 10, 2021 Printed: August 9, 2021 at 9:43 AM Page: 1 of 3		
<h2>Home Occupation</h2>			
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) 260 - WOODVALE ROAD WEST NW Plan 7721467 Blk 27 Lot 60 Specific Address(es) Suite: 260 - WOODVALE ROAD WEST NW Entryway: 260 - WOODVALE ROAD WEST NW Building: 260 - WOODVALE ROAD WEST NW		
Scope of Permit To Operate a Major Home Based Business with storage of 2 enclosed trailers on driveway and business related indoor storage (YK ELECTRICAL SERVICES INC.) Expires Aug. 6, 2026.			
Permit Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> # of business related visits/day: Administration Office Only?: Y Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: Y </td> <td style="width: 50%; vertical-align: top;"> # of vehicles at one time: Business has Trailers or Equipment?: Y Description of Business: electrical business for residential and commercial Expiry Date: 2026-08-06 00:00:00 </td> </tr> </table>		# of business related visits/day: Administration Office Only?: Y Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: Y	# of vehicles at one time: Business has Trailers or Equipment?: Y Description of Business: electrical business for residential and commercial Expiry Date: 2026-08-06 00:00:00
# of business related visits/day: Administration Office Only?: Y Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: Y	# of vehicles at one time: Business has Trailers or Equipment?: Y Description of Business: electrical business for residential and commercial Expiry Date: 2026-08-06 00:00:00		
Development Permit Decision Approved Issue Date: Aug 06, 2021 Development Authority: FOLKMAN, JEREMY			

	Project Number: 395158577-001 Application Date: MAY 10, 2021 Printed: August 9, 2021 at 9:43 AM Page: 2 of 3
<h2>Home Occupation</h2>	
<p>Subject to the Following Conditions</p>	
<p>Unless otherwise stated, all references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw #12800, as amended.</p>	
<ol style="list-style-type: none"> 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(6)). 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. The site shall not be used as a daily rendezvous for employees or business partners. 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. Fabrications of business related materials are prohibited. 10. All commercial and industrial equipment, including but not limited to Bobcats, are not permitted at the site. The equipment shall be stored at an approved storage facility. 11. All commercial, industrial and overweight vehicles shall be parked at an approved storage facility. The Development Permit may be revoked if any commercial, industrial and overweight vehicles are parked or stored at the residential site. 12. One or more enclosed or empty non-enclosed trailer with less than 4500kg gross vehicle weight shall be parked at an approved storage facility, unless a variance has been granted for an enclosed or empty non-enclosed trailer for this Major Home Based Business. 13. 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. 14. This Development Permit may be cancelled at any time if the Home Based Business as stated in the Permit Details changes (Section 17.2). 15. 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 Aug. 6, 2026. 	
<p>Notes:</p>	
<ol style="list-style-type: none"> 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. 	



Project Number: **395158577-001**
 Application Date: MAY 10, 2021
 Printed: August 9, 2021 at 9:43 AM
 Page: 3 of 3

Home Occupation

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).

Variances

Outdoor storage - Allow the storage of two enclosed trailers associated with the business (Section 75.5).

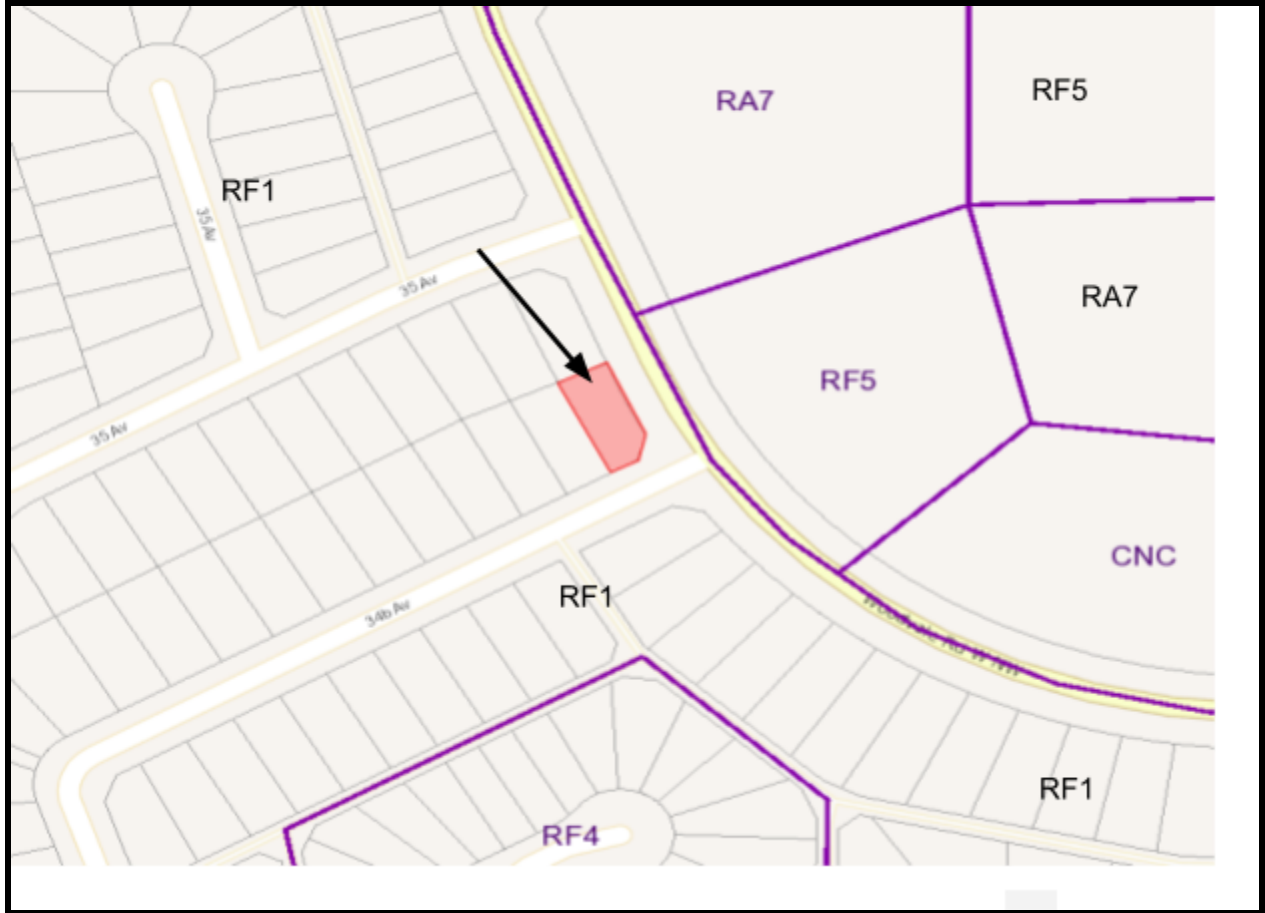
Rights of Appeal

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: Aug 12, 2021 **Ends:** Sep 02, 2021

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$327.00	\$327.00	1208110613010010	Jul 05, 2021
Total GST Amount:	\$0.00			
Totals for Permit:	\$327.00	\$327.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-21-159

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N

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 395328159-002

APPLICATION TO: Construct a Rapid Drive Through Vehicle Service building (Automatic and Wand Wash Car Wash, Great White Car and Truck Wash)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: August 11, 2021

DATE OF APPEAL: August 31, 2021

NOTIFICATION PERIOD: August 17, 2021 through September 7, 2021

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10004 - 169 Street NW

LEGAL DESCRIPTION: Plan 0626302 Blk 39 Lot 21

ZONE: (CB2) General Business Zone

OVERLAY: Major Commercial Corridors Overlay

STATUTORY PLAN: Jasper Place Area Redevelopment Plan

Grounds for Appeal

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

My name is Maisoon Osman and I am the owner of the blue sky car wash located on 16815-stony plain road NW. We are very concerned about the financial survival of our Car wash business if this New car wash development allowed on the same block .There is already tow car wash excited on the same street and allowing a third one will lead to business closure and financial hardship.

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 the decision in accordance with subsection (2.1).

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 board hearing the appeal referred to in subsection (1)

...

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

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

(a.3) subject to clause (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 340.3(25), **Rapid Drive-through Vehicle Services** is a **Discretionary Use** in the **(CB2) General Business Zone**.

Under section 7.4(43), **Rapid Drive-through Vehicle Services** means:

development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within their vehicle or waits on the premises. Typical Uses include automatic or coin operated car washes (including self-service car wash), rapid lubrication shops, or specialty repair establishments. This Use does not include automated teller machines.

Section 340.1 states that the **General Purpose** of the **(CB2) General Business Zone** is:

to provide for businesses that require large Sites and a location with good visibility and accessibility along, or adjacent to, major public roadways. This zone also accommodates limited Residential-related uses

Section 813.1 states that the **General Purpose** of the **Major Commercial Corridors Overlay** is “to ensure that development along Major Commercial Corridors is visually attractive and that due consideration is given to pedestrian and traffic safety.”

Discretionary Use

Development Officer’s Determination

1) 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.

[unedited]

Major Commercial Corridors Overlay - Setback

Section 813.4(6)(a) states:

Setbacks with a minimum Width of 7.5 m shall be provided adjacent to Major Arterial Roads within the Major Commercial Corridors and adjacent Arterial Roads that directly intersect such Major Arterial Roads. However, the Development Officer may use variance power to reduce this Setback requirement to a minimum Width of 4.5 m, provided that:

- i. the average Width of the Setback is not less than 6.0 m; and
- ii. this Setback width relaxation is required to allow for a more efficient utilization of the Site and the relaxation shall result in an articulation of the Setback width that shall enhance the overall appearance of the 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.”

Development Officer’s Determination

2) Setback: The Setback along 100 Ave. NW is 4.7m instead of 7.5m. Note, the average Setback is greater than 6.0m: the total length of the frontage is 55.8m, with ~25.8m of frontage less than 6.0m. (Section 813.4.6.a)

[unedited]

Vehicular - Oriented Uses

Section 72.2(5)(b)(i)(A) states:

Queuing Space shall be provided as follows:

b. for Rapid Drive-through Vehicle Services a minimum of five in-bound and three out-bound queuing spaces shall be provided for each service bay, except in the case of:

- i. a complete service car wash or a multi-bay single entrance self-service car wash the number of required queuing spaces shall be as follows:

A. a minimum of five in-bound to a maximum of ten queuing spaces for facilities with up to ten

bays, and a minimum of one out-bound queuing space shall be provided;

...

Development Officer's Determination

3) Queuing Spaces: The proposed Rapid Drive-through Vehicle Services has 14 and 12 inbound queuing spaces instead of maximum up to 10 spaces for complete service car wash or a multi-bay single entrance self-service car respectively (Section 72.2.5.b.i.A)

[unedited]

Vehicle Parking Design

Section 340.4(4) states "A minimum Setback of 6.0 m shall be required where the Rear or Side Lot Line of the Site Abuts the Lot line of a residential Zone."

Section 54.4(2) states "Vehicle Parking spaces shall not be located within a Front Setback or a Side Setback Abutting the flanking public roadway, other than a Lane."


Development Officer's Determination


4) Use of Setback: A portion of the vehicular parking spaces (vacuum spaces) at the southeast corner of the Site is located within the required Setback (Section 340.4.4 and Section 54.4.2)


[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: 395328159-002 Application Date: MAY 10, 2021 Printed: August 11, 2021 at 12:05 PM Page: 1 of 6		
<h2>Major Development Permit</h2>			
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) 10004 - 169 STREET NW Plan 0626302 Blk: 39 Lot 21 Specific Address(es) Entryway: 10004 - 169 STREET NW Building: 10004 - 169 STREET NW		
Scope of Permit To construct a Rapid Drive Through Vehicle Service building (Automatic and Wand Wash Car Wash, Great White Car and Truck Wash).			
Permit Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Class of Permit: Class B Gross Floor Area (sq. m.): 1074 New Sewer Service Required: N/A Site Area (sq. m.): 5918 </td> <td style="width: 50%;"> Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Major Commercial Corridor </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq. m.): 1074 New Sewer Service Required: N/A Site Area (sq. m.): 5918	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Major Commercial Corridor
Class of Permit: Class B Gross Floor Area (sq. m.): 1074 New Sewer Service Required: N/A Site Area (sq. m.): 5918	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Major Commercial Corridor		
Development Permit Decision Approved Issue Date: Aug 11, 2021 Development Authority: BUCCINO, SAMANTHA Subject to the Following Conditions: Zoning Conditions: 1) This Development Permit authorizes the development of a Rapid Drive Through Vehicle Service building (Automatic and Wand Wash Car Wash, Great White Car and Truck Wash). The development shall be constructed in accordance with the stamped and approved drawings. Any revisions to the approved plans requires a separate Development Permit application. 2) The Development Permit shall not be valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled. (Section 17.1(1)(a)) 3) PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW: The existing Agreement SA51331, between the City of Edmonton and 1116934 Alberta Ltd., must be amended to include the revised municipal improvements under this development permit and remove the municipal improvements that are no longer applicable as follows: The following surface improvements must be added to the agreement: i) Removal of the existing commercial crossing and steps on the north side of 100 Avenue, approximately 4 m from the west property line, and reconstruction of the monowalk and restoration of the boulevard; ii) Construction of a 5 m exit-only curb return access, including curb ramps, to 169 Street located 12.9 m from the south property line; iii) Construction of a 7.5 m curb return access, including curb ramps, to 169 Street located 20.3 m from the north property line; iv) Construction of a curb ramp on the northwest corner of the intersection of 169 Street and 100 Avenue; v) Restoration of the 100 Avenue boulevard to grass from the back of the sidewalk to the property line;			

	Project Number: 395328159-002 Application Date: MAY 10, 2021 Printed: August 11, 2021 at 12:05 PM Page: 2 of 6
<h2>Major Development Permit</h2>	
<p>vi) Modification of the existing catchbasin frame and cover to accommodate the proposed 7.5m curb return access as required; and</p> <p>vii) Storm and Sanitary improvements identified during the engineering drawing process.</p>	
<p>The following surface improvements must be removed from the Agreement:</p>	
<p>i) Construction of a 5.0 m exit-only curb return access, including curb ramps, located 15.73 m from the south property line;</p> <p>ii) Construction of a 9.0 m curb return access, including curb ramps, located 2.58 m from the north property line; and</p> <p>iii) Modification of the existing catchbasin frame and cover to accommodate the proposed 9m curb return access.</p>	
<p>The Amended Agreement must be signed PRIOR to the release of the drawings for Building Permit review. Please contact Esther Anderson of Development Servicing Agreements at 780-944-7773 or development.coordination@edmonton.ca to initiate the required Amending Agreement.</p>	
<p>Engineering Drawings are required for the Agreement. The owner is required to have a Civil Engineer submit stamped engineering drawings for approval by the City of Edmonton.</p>	
<p>This Amended Agreement will require an adjustment to the Security Deposit associated with SA51331 to cover 100% of construction costs of the municipal improvements to be constructed. However, based on the City's "GUIDELINES FOR ESTABLISHING SECURITY IN SERVICING AGREEMENT" the percentage/amount of security may be adjusted based upon the owner's previous development history with the City.</p>	
<p>The applicant must contact Trevor Singbeil of Development Inspections at 780-496-7019 72 hours prior to removal or construction within City road right-of-way.</p>	
<p>4) Signs require separate Development Permit applications. NOTE: Notwithstanding any other provisions of the Zoning Bylaw, individual business identification signs located on the facades of buildings, shall be similar in proportion, construction materials and placement. The Sign shall be designed and located so as to ensure that the signage does not detract from the overall appearance of the development and is not obtrusive, having regard to the scale of the buildings on the Site and to the distance of the building Setback. (Section 813.4(13))</p>	
<p>5) The Development Permit shall not be valid unless and until the time for filing a notice of appeal to the Subdivision and Development Appeal Board as specified in subsection 21(1) of the Zoning Bylaw and the Municipal Government Act has passed. (Section 17.1(1)(b))</p>	
<p>6) All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or shall be concealed by incorporating it within the building roof. (Section 813.4(2))</p>	
<p>7) 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>8) All on-site services for power, telephone and C.A.T.V. shall be underground. Underground power services shall also be provided for Signs requiring such services. (Section 813.4(12))</p>	
<p>EPCOR Conditions: 9) Multiple services are providing service to the subject site. A Caveat of Restrictive Covenant for Check Valve Installation must be registered on title where more than one service is provided to a single lot. Check valves must be installed and maintained at the applicant's expense where looping of the water main back to the public system is planned or exists. Please contact waterlandadmin@epcor.com to initiate the restrictive covenant process. The process can take up to 4 weeks.</p>	
<p>10) To meet the requirements of City of Edmonton Design and Construction Standards Volume 4 (Water), the applicant/owner is required to construct one new hydrant on 169 Street NW more or less as shown in the attachment (DP395328159-002_EPCOR Water Enclosure) at their expense. This work can be undertaken either under a City of Edmonton Servicing Agreement</p>	

	<p>Project Number: 395328159-002 Application Date: MAY 10, 2021 Printed: August 11, 2021 at 12:05 PM Page: 3 of 6</p>
<h2>Major Development Permit</h2>	
<p>(Development.Coordination@edmonton.ca) or under EPCOR Water Services Inc.'s New Water Distribution Mains capital program (WaterDTInfrastructure@epcor.com).</p>	
<p>IFPA Results: Upgrades to municipal fire protection infrastructure are not required to support this application.</p>	
<p>11) 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 17698 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.</p>	
<p>Landscaping Conditions:</p>	
<p>12) Landscaping shall be in accordance with the approved Landscape Plan, and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer.</p>	
<p>13) Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.</p>	
<p>14) 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.</p>	
<p>15) 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).</p>	
<p>16) 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.</p>	
<p>17) 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.</p>	
<p>Transportation Conditions:</p>	
<p>18) 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 removal shall be at the expense of the owner/applicant. (To be included in all responses where there may be work within road right-of-way.)</p>	
<p>19) 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:</p>	
<p>https://www.edmonton.ca/business_economy/oscam-permit-request.aspx</p>	
<p>20) Any alley, sidewalk, and/or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Section 15.5(f) of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.</p>	

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<h2>Major Development Permit</h2>	
<p>The applicant is responsible to contact Trevor Singbeil of Development Inspections at 780-496-7019 for an onsite inspection 72 hours prior to and following construction of the access.</p>	
<p>Subject to the Following Advisements</p>	
<p>Zoning Advisements:</p>	
<p>1) 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.</p>	
<p>2) This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.</p>	
<p>3) The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.</p>	
<p>4) 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 subsection 5.2)</p>	
<p>5) Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800 as amended</p>	
<p>Transportation Advisements:</p>	
<p>6) The proposed 7.5 m access to the alley west of 169 Street located approximately 19.9 m from the north property line is acceptable to Subdivision Planning.</p>	
<p>7) The proposed concrete sidewalk connectors to 100 Avenue and 169 Street are acceptable to Subdivision Planning.</p>	
<p>8) It is recommended that pavement markings and signage be provided at all pedestrian crossings onsite.</p>	
<p>9) It is recommended that the median adjacent to alley be designed to withstand impact from errant vehicles. Visible object markers, such as WA-36 signs or bollards, installed within private property are recommended.</p>	
<p>EPCOR Advisements:</p>	
<p>10) The site is currently serviced by two (2) services:</p>	
<p>10a. one (1) 150mm asbestos cement (AC) service located at 16.1m north of the south property line of Lot 21 off of an existing 200mm AC water main on 100 Avenue NW; and</p>	
<p>10b. one (1) 150mm PVC service located at 59.0m north of the south property line of Lot 21 off of an existing 200mm AC water main on 169 Street NW.</p>	
<p>The applicant is to contact EPCOR's Water Meter Inspector 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.</p>	
<p>11) For information on service abandonments and the provisioning of a new water service contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass.drainage@epcor.com or at 780-496-5444.</p>	
<p>12) 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 780-412-4500 for more information on how to provide the test results. EPCOR Water Dispatch can provide information on the tie-in and commissioning procedure.</p>	

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<h2>Major Development Permit</h2>	
<p>13) There is a deficiency in hydrant spacing (distance between on-street fire hydrants) adjacent to the property. According to City of Edmonton Design and Construction Standards Volume 4 (Water), the maximum allowable spacing between fire hydrants is 90m for the zoning. The hydrant spacing along 100 Avenue NW; however, the hydrant spacing along 169 Street NW is approximately 159m (actual spacing) which does not meet the municipal hydrant spacing requirement.</p>	
<p>14) EPCOR water must review and accept all proposed water infrastructure upgrade designs.</p>	
<p>15) Edmonton Fire Rescue Services' (EFRS), Fire Protection Engineer may be able to perform an Infill Fire Protection Assessment (IFPA) at development permit application to potentially alter or lessen on-street fire protection infrastructure upgrades assuming certain criteria are met. The applicant may request that the Development Officer initiate this review.</p>	
<p>16) No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.</p>	
<p>17) The advisements and conditions provided in this response are firm and cannot be altered.</p>	
<p>Should you require any additional information, please contact Myra Cruz at MCruz@epcor.com.</p>	
<p>Fire Rescue Services Advisements:</p>	
<p>18) Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal however, has the following advice for your implementation and information.</p>	
<p>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.</p>	
<p>Construction Site Fire Safety Plan Template</p>	
<p>https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx</p>	
<p>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).</p>	
<p>If you have any questions please contact Technical Services at cmsfpts@edmonton.ca.</p>	
<p>Reference: NFC(2019-AE) 5.6.1.3. Fire Safety Plan</p>	
<p>Ensure that the hydrant(s) servicing the site are fully functional prior to construction and remain accessible and unobstructed during construction.</p>	
<p>Reference: NFC(2019-AE) 5.6.3.6. Hydrant Access</p>	
<p>1) Hydrants on construction, alteration, or demolition site shall</p>	
<p>a) be clearly marked with a sign,</p>	
<p>b) be accessible, and</p>	
<p>c) have an unobstructed clearance of not less than 2 m at all times.</p>	
<p>Ensure Emergency Access Routes are designed in accordance with the National Building Code -2019 Alberta Edition and the City of Edmonton's Complete Street Design and Construction Standards. Complete Streets Design and Construction Standards</p>	
<p>https://www.edmonton.ca/city_government/city_vision_and_strategic_plan/complete-streets.aspx</p>	
<p>Reference: NBC(2019-AE) 3.2.5.6. Access Route Design</p>	
<p>1) A portion of a roadway or yard provided as a required access route for fire department use shall</p>	
<p>a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory</p>	
<p>b) have a centreline radius not less than 12m,</p>	
<p>c) have an overhead clearance not less than 5 m,</p>	
<p>d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15m,</p>	
<p>e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other</p>	
<p>material designed to permit accessibility under all climatic conditions,</p>	
<p>f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and</p>	
<p>g) be connected with a public thoroughfare.</p>	



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Major Development Permit

Ensure that the travel distance (not radius) from principal entrance to fire hydrant does not exceed 90 meters (non-sprinklered building)

Reference: NBC(2019-AE) 3.2.5.5. Location of Access Routes

- 2) Access routes shall be provided to a building so that
 - b) for a building not provided with a fire department connection, a fire department pumper vehicle can be located so that the length of the access route from a hydrant to the vehicle plus the unobstructed path of travel for the firefighter from the vehicle to the building is not more than 90m, and
 - c) the unobstructed path of travel for the firefighter from the vehicle to the building is not more than 45m.

Ensure that the protection of adjacent properties has been provided in accordance with Edmonton Fire Rescue Services Adjacent Property Protection Guidelines and NFC(2019-AE) 5.6.1.2.

For additional information please see: Adjacent Property Protection https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx

Variations

- 1) 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.
- 2) Setback: The Setback along 100 Ave. NW is 4.7m instead of 7.5m. Note, the average Setback is greater than 6.0m: the total length of the frontage is 55.8m, with ~25.8m of frontage less than 6.0m. (Section 813.4.6.a)
- 3) Queuing Spaces: The proposed Rapid Drive-through Vehicle Services has 14 and 12 inbound queuing spaces instead of maximum up to 10 spaces for complete service car wash or a multi-bay single entrance self-service car respectively (Section 72.2.5.b.i.A)
- 4) Use of Setback: A portion of the vehicular parking spaces (vacuum spaces) at the southeast corner of the Site is located within the required Setback (Section 340.4.4 and Section 54.4.2)

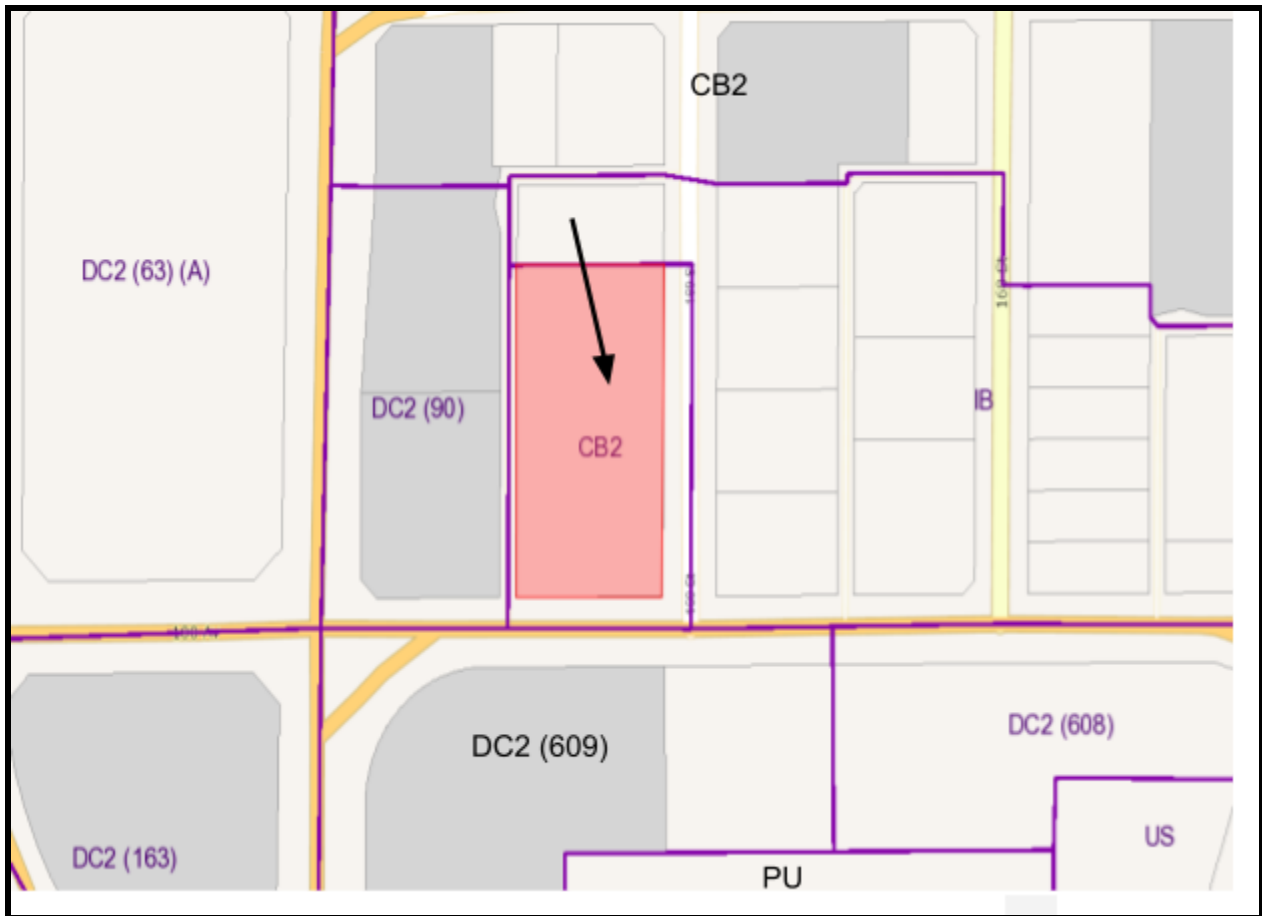
Rights of Appeal

This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Notice Period Begins: Aug 17, 2021 **Ends:** Sep 07, 2021

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	\$240.00	\$240.00	07037480	May 20, 2021
Dev. Application Fee for GFA	\$660.00	\$660.00	07037480	May 20, 2021
Major Dev. Application Fee	\$1,080.00	\$1,080.00	07037480	May 20, 2021
Development Permit Inspection Fee	\$528.00	\$528.00	07037480	May 20, 2021
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,508.00	\$2,508.00		



SURROUNDING LAND USE DISTRICTS

Site Location ← **File: SDAB-D-21-160** ▲
N