

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
August 13, 2025**

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

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3

TO BE RAISED

I 9:00 A.M. SDAB-D-25-089

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed side porches, develop 4 Secondary Suites in the Basements, and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

7803 - 77 Street NW
Project No.: 548751979-002

TO BE RAISED

II 10:30 A.M. SDAB-D-25-113

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, the following actions must be completed by August 31, 2025:

1. Complete a Municipal Improvement Servicing Agreement for reconstruction of the alley. The agreement must be arranged with the City of Edmonton Development Servicing Agreement Section.
2. Reconstruct the affected alley to the satisfaction of Development Inspections. All work must be overseen by an engineer.

10441 - 161 Street NW
Project No.: 485040720-018

III 1:30 P.M. SDAB-D-25-114

To construct a Residential Use building in the form of a 5 Dwelling Row House with unenclosed front porch, develop 5 Secondary Suites in the Basements, and to demolish a Residential Use building (Single Detached House) and Accessory building (detached Garage)

180 - Granlea Crescent NW
Project No.: 530515410-002

NOTE: *Unless otherwise stated, all references to "Section numbers" in this Agenda*

refer to the authority under the Edmonton Zoning Bylaw 12800.

TO BE RAISED

ITEM I: 9:00 A.M.

FILE: SDAB-D-25-089

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 548751979-002

APPLICATION TO: Construct a Residential Use building in the form of a four Dwelling Row House with unenclosed side porches, develop four Secondary Suites in the Basements, and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 2, 2025

DATE OF APPEAL: June 13, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 7803 - 77 Street NW

LEGAL DESCRIPTION: Plan 5997AE Blk 59 Lots 1-2

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

Grounds for Appeal

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

The rationale for the appeal, and corresponding precedent, is as follows:

1) The Deficiency of Site Area (1.85 sm) is Negligible

- a. The Deficiency represents 0.25% of the Site Area, which is negligible.
- b. This negligible variance is consistent with the opinion of and precedent of SDAB-D-25- 044,[19], which states that “the requested variance is minimal (0.096 units or 6 square metres short), representing less than a 1% deviation.”

2) The Site Width Can Accommodate the Additional Dwelling Unit

- a. All four (4) of the upper Dwellings have a dedicated parking space off the alley.
- b. All garbage/ compost bins for 8 units can be accommodated
- c. No additional variances are required.

3) Parking Availability

- a. On-street vehicle parking is unrestricted on both roadways adjacent to the Site (78 Avenue NW and 77 Street NW).
- b. Current and historical Google Streetview photos show no evidence of on-street parking being constrained

4) The Built Form Will Remain Consistent

- a. Under the development regulations applicable to the Site, the number of units within a building does not affect the built form, building size, or building location on the Site. The proposed development meets all required setbacks, maximum height, and maximum site coverage that apply regardless of unit count. The building massing would remain identical regardless of whether the building contains 7 or 8 Dwelling Units. Accordingly, there is no increase in impact of the development on neighbouring properties or the amenities of the neighbourhood. This is consistent with the precedent of SDAB-D-24- 075, [59], which states: “The development as proposed along with the Row Housing under construction complies with the Bylaw requirement for Total Site Coverage...” and, “...As such, the impact of the variance, if any, is internal to the subject Site and does not have an impact on neighbouring properties or the amenities of the neighbourhood.

- b. This is also consistent with the precedent of SDAB-D-24-073, [56], which state “The proposed (development) complies with all Bylaw requirements except for the minimum Site Area requirement... As the physical structure ...satisfies requirements for Height and Setback regardless of the number of housing units it contains, it does not trigger the negative effects test in regard to privacy and sun shadowing of adjacent properties.”
- c. Should development be restricted to 7 Dwelling Units within the same built form, one or more of the Dwelling Units could be expanded to include 3 or 4 bedrooms. This could generate the same number of residents and equivalent impact to a development with 8 Dwelling Units. This same consideration was reviewed by the Board in SDAB-D-25- 044,[20], which states that “adding the eighth unit would not necessarily increase the number of occupants [as] the unit configuration (four bedrooms vs. a three-bedroom and a one-bedroom) could accommodate different family sizes.”

5) Site Location

- a. The Site is located on the corner of a block. There are no density limits on corner sites.
- b. The site is within 800m of two separate LRT stations and 300m to bus stop with major bus routes along Whyte Avenue. c. This Site is well located for additional density and is supported by multi-modal transportation opportunities.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on June 30, 2025:

“That the appeal hearing be scheduled for July 16, 2025.”

The SDAB made and passed the following motion on July 22, 2025:

“SDAB-D-25-089 is postponed to August 13, 2025.”

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 the decision in accordance with subsection (2.1).

...

(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).

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

Appeals

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

- (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 any applicable 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 Zoning Bylaw 20001:

Under section 2.10.2.2, a **Residential Use** is a **Permitted Use** in the **RS - Small Scale Residential Zone**.

Under section 8.10, a **Residential Use** means:

a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.

This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Row Housing** means:

a building that contains 3 or more principal Dwellings joined in whole or in part at the side, the rear, or the side and the rear, with none of the principal Dwellings being placed over another. Each principal Dwelling has separate, individual, and direct access to ground level.

Under section 8.20, **Secondary Suite** means:

a Dwelling that is subordinate to, and located within, a building in the form of Single Detached Housing, Semi-detached Housing, Row Housing, or Backyard Housing. A Secondary Suite is not a principal Dwelling. A Secondary Suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A Secondary Suite has less Floor Area than the principal Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

Section 2.10.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

<i>Minimum Site area per Dwelling</i>
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Section 2.10.4.1.1 states:

4.1. Development must comply with Table 4.1:

Table 4.1 Site and Building Regulations

Subsection	Regulation	Value	Symbol
4.1.1	Minimum Site area per Dwelling	75.0 m2	-

Under section 8.20, **Dwelling** means:

a self-contained unit consisting of 1 or more rooms used as a bedroom, bathroom, living room, and kitchen. The Dwelling is not intended to be moveable, does not have a visible towing apparatus or visible undercarriage, must be on a foundation, and connected to utilities.

Under section 8.20, **Site** means “an area of land consisting of 1 or more Abutting Lots.”

Development Planner's Determination

Minimum Site area per Dwelling is 75.0 m2. (Reference Section 2.10.4.1.1)

Required Site Area for proposed 8 Dwellings: 600sm

Proposed/Existing Site Area: 598.15sm

Deficient by: 1.85sm

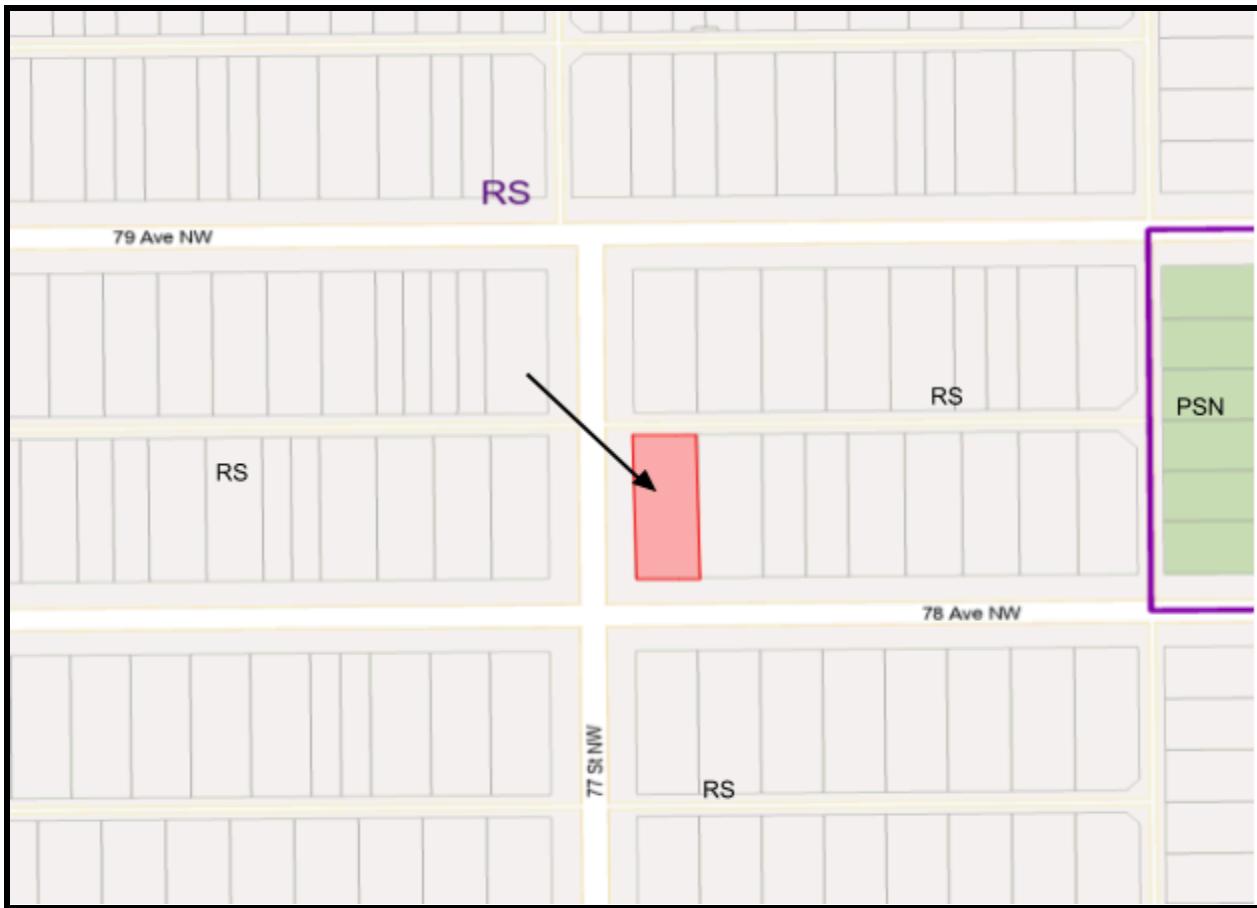
[unedited]

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: 548751979-002 Application Date: DEC 11, 2024 Printed: June 2, 2025 at 9:37 AM Page: 1 of 2								
<h2>Application for Minor Development Permit</h2>										
<p>This document is a Development Permit Decision for the development application described below.</p>										
Applicant		Property Address(es) and Legal Description(s) 7803 - 77 STREET NW Plan 5997AE Blk 59 Lots 1-2								
		Specific Address(es) Suite: 7803 - 77 STREET NW Suite: 7805 - 77 STREET NW Suite: 7807 - 77 STREET NW Suite: 7809 - 77 STREET NW Suite: BSMT, 7803 - 77 STREET NW Suite: BSMT, 7805 - 77 STREET NW Suite: BSMT, 7807 - 77 STREET NW Suite: BSMT, 7809 - 77 STREET NW Entryway: 7803 - 77 STREET NW Entryway: 7805 - 77 STREET NW Entryway: 7807 - 77 STREET NW Entryway: 7809 - 77 STREET NW Building: 7803 - 77 STREET NW								
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Details <table border="0"> <tr> <td>1. Titled Lot Zoning: RS</td> <td>2. Number of Principal Dwelling Units To Construct: 4</td> </tr> <tr> <td>3. Overlay:</td> <td>4. Number of Secondary Suite Dwelling Units to Construct: 4</td> </tr> <tr> <td>5. Statutory Plan:</td> <td>6. Backyard Housing or Secondary Suite Included?: Yes</td> </tr> <tr> <td>7. Neighbourhood Classification: Redeveloping</td> <td>8. Development Category / Class of Permit:</td> </tr> </table>			1. Titled Lot Zoning: RS	2. Number of Principal Dwelling Units To Construct: 4	3. Overlay:	4. Number of Secondary Suite Dwelling Units to Construct: 4	5. Statutory Plan:	6. Backyard Housing or Secondary Suite Included?: Yes	7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit:
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Development Application Decision Refused										
Issue Date: Jun 02, 2025 Development Authority: ANGELES, JOSELITO										
Reason for Refusal <p>Minimum Site area per Dwelling is 75.0 m². (Reference Section 2.10.4.1.1) Required Site Area for proposed 8 Dwellings: 600m² Proposed/Existing Site Area: 598.15m² Deficient by: 1.85m²</p>										
THIS IS NOT A PERMIT										
<small>P0702003</small>										

Edmonton	Project Number: 548751979-002 Application Date: DEC 11, 2024 Printed: June 2, 2025 at 9:37 AM Page: 2 of 2																								
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Minor Development Permit</h3>																									
<p>Rights of Appeal</p> <p>The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.</p>																									
<p>Fees</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;">Fee Amount</th> <th style="width: 25%; text-align: center;">Amount Paid</th> <th style="width: 25%; text-align: center;">Receipt #</th> </tr> </thead> <tbody> <tr> <td>Dev. Application Fee</td> <td style="text-align: center;">\$1,000.00</td> <td style="text-align: center;">\$1,000.00</td> <td style="text-align: center;">02548G001001574</td> </tr> <tr> <td>Lot Grading Fee</td> <td style="text-align: center;">\$480.00</td> <td style="text-align: center;">\$480.00</td> <td style="text-align: center;">02548G001001574</td> </tr> <tr> <td>Development Permit Inspection Fee</td> <td style="text-align: center;">\$550.00</td> <td style="text-align: center;">\$550.00</td> <td style="text-align: center;">02548G001001574</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: center;">\$0.00</td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: center;"><hr style="border: 0; border-top: 1px solid black; margin-bottom: 2px;"/>\$2,030.00</td> <td style="text-align: center;"><hr style="border: 0; border-top: 1px solid black; margin-bottom: 2px;"/>\$2,030.00</td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Dev. Application Fee	\$1,000.00	\$1,000.00	02548G001001574	Lot Grading Fee	\$480.00	\$480.00	02548G001001574	Development Permit Inspection Fee	\$550.00	\$550.00	02548G001001574	Total GST Amount:	\$0.00			Totals for Permit:	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 2px;"/> \$2,030.00	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 2px;"/> \$2,030.00	
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<small>P0702003</small>																									



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-089



N

TO BE RAISED

ITEM II: 10:30 A.M.

FILE: SDAB-D-25-113

**AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE
OFFICER**

APPELLANT:

APPLICATION NO.: 485040720-018

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, the following actions must be completed by August 31, 2025:

1. Complete a Municipal Improvement Servicing Agreement for reconstruction of the alley. The agreement must be arranged with the City of Edmonton Development Servicing Agreement Section.
2. Reconstruct the affected alley to the satisfaction of Development Inspections. All work must be overseen by an engineer.

DECISION OF THE

DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: June 10, 2025

DATE OF APPEAL: June 20, 2025

MUNICIPAL DESCRIPTION

OF SUBJECT PROPERTY: 10441 - 161 Street NW

LEGAL DESCRIPTION: Plan 4414KS Blk 12 Lot 10

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Jasper Place District Plan

Grounds for Appeal

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

On behalf of Franken Homes Ltd. and Project Infill Inc., I am writing to formally appeal the Municipal Government Act Order issued on June 10, 2025, regarding the alleged damage to the alley adjacent to 10441 – 161 Street NW, Edmonton (File #485040720-018).

We respectfully submit that the condition of the alley was already significantly deteriorated prior to the commencement of our construction activities. Visible signs of pre-existing damage—including potholes, rutting, and broken pavement—were evident before any construction vehicles accessed the site. Please refer to the attached photos documenting the alley's condition prior to development.

While we remain committed to responsible building practices and maintaining strong relationships with both the City and surrounding community, we believe it is unreasonable to place full responsibility for the alley's current condition on our development. In addition to our equipment, this alley has also been regularly used by heavy municipal service vehicles, such as garbage trucks, which have contributed to its ongoing degradation.

Given these circumstances, we respectfully request that the SDAB consider the alley's prior condition and the shared use by other heavy vehicles in determining the fairness of requiring a full reconstruction agreement.

General Matters

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on June 25, 2025:

“That the appeal hearing be scheduled on August 13 or 14, 2025.”

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 the order in the notice 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 the decision in accordance with subsection (2.1).

...

(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).

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

Appeals

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

(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 any applicable 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;

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(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 Zoning Bylaw 20001:

Under section 2.10.2.2, a **Residential Use** is a **Permitted Use** in the **RS - Small Scale Residential Zone**.

Under section 8.10, a **Residential Use** means:

a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.

This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Row Housing** means:

a building that contains 3 or more principal Dwellings joined in whole or in part at the side, the rear, or the side and the rear, with none of the principal Dwellings being placed over another. Each principal Dwelling has separate, individual, and direct access to ground level.

Under section 8.20, **Secondary Suite** means:

a Dwelling that is subordinate to, and located within, a building in the form of Single Detached Housing, Semi-detached Housing, Row Housing, or Backyard Housing. A Secondary Suite is not a principal Dwelling. A Secondary Suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A Secondary Suite has less Floor Area than the principal Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

Section 2.10.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

7.200 Inspections, Enforcement and Penalties

- 2.1. It is an offence for any person to:
 - 2.1.1. contravene; or
 - 2.1.2. cause, allow or permit a contravention of, any provisions of this Bylaw.
- 2.2. If a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:
 - 2.2.1. construct a building or structure;
 - 2.2.2. make an addition or alteration to a building or structure;
 - 2.2.3. commence or undertake a Use or change of intensity of Use; or
 - 2.2.4. place a Sign on land, or on a building or structure.
- 2.3. It is an offence for any person to undertake development in contravention of a Development Permit, including any conditions of approval.

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.



City of Edmonton
Development Services Branch
Development Approvals & Inspections Section
Development Compliance & Inquiries Unit

10111 - 104 Ave NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



June 10, 2025

Our File: 485040720-018

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir/Madam:

An Alberta Land Titles search identifies PROJECT INFILL INC as the registered owner(s) of the property located at 10441 - 161 STREET NW in Edmonton, Alberta, legally described as Plan 4414KS Blk 12 Lot 10.

This Property was inspected by Development Compliance Officer Brendan Bolstad on May 27, 2025. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 of the Municipal Government Act. This property is zoned RS - Small Scale Residential Zone in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001.

ZONING BYLAW INFRACTION:

On January 12, 2024, Development Permit 485040720-002 was approved to:

Construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porch, rear uncovered deck (3.1x 3.1m), develop 4 Secondary Suites in the Basements, and to demolish a Residential Use building (Single Detached House and detached Garage).

Development Permit 485040720-002, applied for by Franken Homes Ltd, was approved subject to various conditions. Our investigation revealed that **construction traffic has resulted in damage to the alley adjacent to the property**, running from 161 Street NW to 105 Avenue NW.

Condition D.(5) of Development Permit 485040720-002 states: [Any alley, boulevard or sidewalk 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.](#)

[Subsection 7.200.2.3 of Edmonton Zoning Bylaw 20001 states:](#)

2.3 It is an **offence** for any person to undertake development in contravention of a Development Permit, including any conditions of approval.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, FRANKEN HOMES LTD and PROJECT INFILL INC are hereby ordered to complete the following actions by **August 31, 2025:**

1. Complete a Municipal Improvement Servicing Agreement for reconstruction of the alley. The agreement must be arranged with the City of Edmonton Development Servicing Agreement Section.
2. Reconstruct the affected alley to the satisfaction of Development Inspections. All work must be overseen by an engineer.

Contacts:

Please email esther.anderson@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. For questions regarding reconstruction requirements & limits of construction, call Trevor Singbeil at 780-496-7019 or email trevor.singbeil@edmonton.ca.

CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected after August 31, 2025 to determine compliance with this Order.

In the event that a person fails to comply with this Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter the land and take any action necessary to carry out the Order. Section 646 authorizes the City to register a caveat under the Land Titles Act.



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Development Approvals & Inspections Section
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Section 553(1)(h.1) of the Municipal Government Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to 566(2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Affected persons may appeal this Order by filing within **21 calendar days** to the Subdivision and Development Appeal Board. Visit the website at <https://sdab.edmonton.ca> or call 780-496-6079 for more information on how to file an appeal.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, RSA 2000, c M-26, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

If you have any questions in regards to this matter, please contact the writer.

Regards,

Brendan Bolstad
Development Compliance Officer
780-405-6284
brendan.bolstad@edmonton.ca



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Adding amounts owing to tax roll

553(1) A council may add the following amounts to the tax roll of a parcel of land:

- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;
- (b) unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel;
- (c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;
- (d), (e) repealed 1999 c11 s35; (f) costs associated with tax recovery proceedings related to the parcel;
- (g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel;
- (g.1) if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel;
- (h) unpaid costs awarded by a composite assessment review board under section 468.1 or the Land and Property Rights Tribunal under section 501, if the composite assessment review board or the Land and Property Rights Tribunal has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Land and Property Rights Tribunal was related to the parcel;
- (h.1) the expenses and costs of carrying out an order under section 646;
- (i) any other amount that may be added to the tax roll under an enactment.

(2) Subject to section 659, when an amount is added to the tax roll of a parcel of land under subsection (1), the 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.

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.

Enforcement of stop order

646(1) If a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.

(2) A municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order.

(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.

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 the decision in accordance with subsection (2.1).

(1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.



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(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).

(2.1) An appeal referred to in subsection (1) or (2) may be made

(a) to the Land and Property Rights Tribunal

(i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application

(A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,
(B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,

(C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or

(D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Parks,

or

(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii), or

(b) in all other cases, to the subdivision and development appeal board.

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

(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) is made by a council, there is no appeal to the subdivision and development appeal board, or

(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.

Appeals

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

(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



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(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.

(1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

(a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or

(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board 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.

(2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

(a) to the appellant,

(b) to the development authority whose order, decision or development permit is the subject of the appeal, and

(c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

(a) the application for the development permit, the decision and the notice of appeal, or (b) the order under section 645.

(4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

(5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.



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Subdivision and Development Appeal Board

File your appeal online at:

<https://sdab.edmonton.ca>

The Subdivision and Development Appeal Board (SDAB) hears appeals from people who have been affected by a decision of the Development Authority under the Zoning Bylaw and the Subdivision Authority under the Subdivision Authority Bylaw. The board is appointed by City Council and consists of citizens living in the city of Edmonton.

The SDAB normally meets every Wednesday and Thursday. If required, the Board may set additional dates for hearings.

Once you have met requirements and filed a proper appeal, this Board presides over your hearing.

The SDAB is an independent, quasi-judicial body established by City Council, and its decisions are final and cannot be overturned unless the board makes an error in some aspect of law or jurisdiction.

Agendas listing appeals and hearing times scheduled for that day are posted in the hearing waiting area. Hearings do not start before the time listed on the schedule.

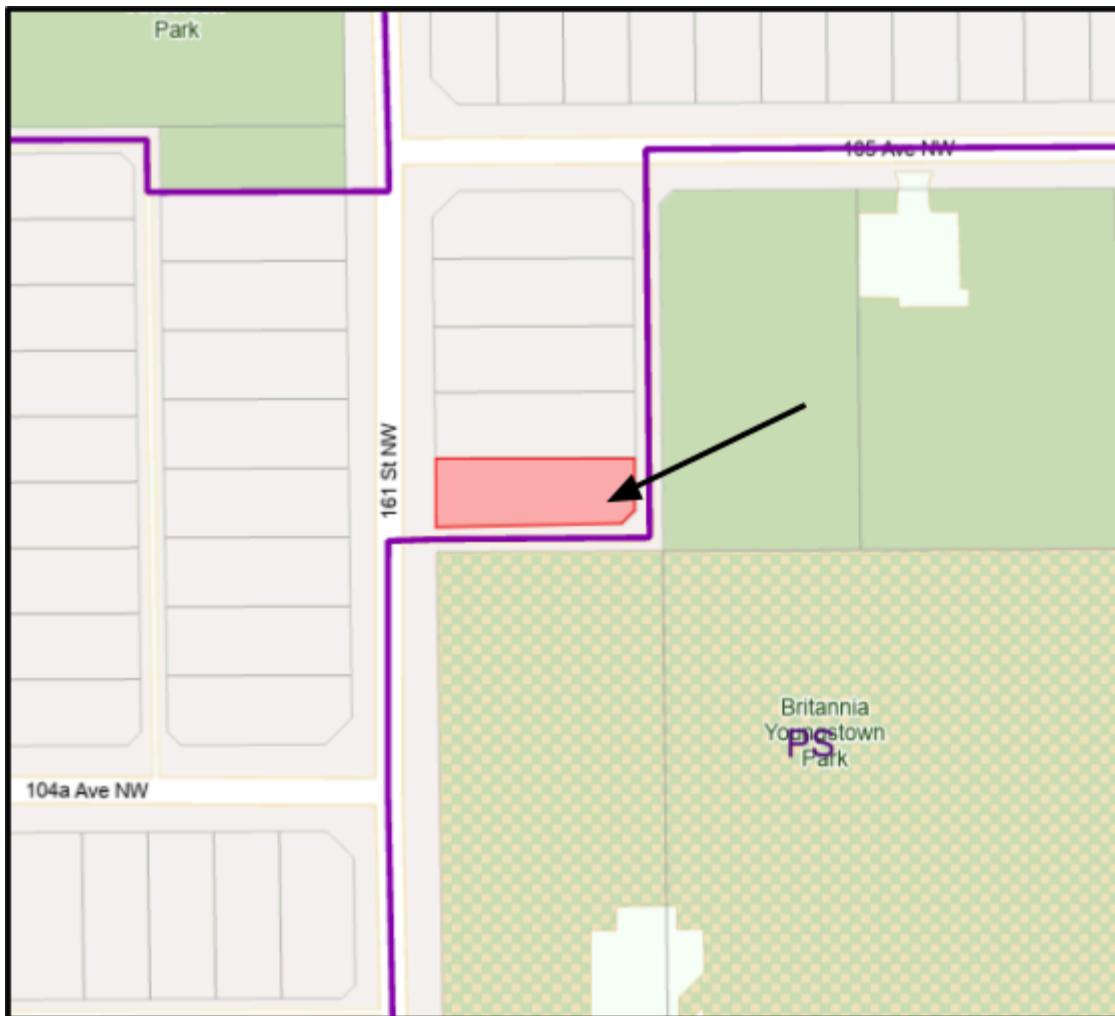
For more information:

Subdivision and Development Appeal Board

Telephone 780-496-6079

Fax 780-577-3537

Email sdab@edmonton.ca



ITEM III: 1:30 P.M.FILE: SDAB-D-25-114AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 530515410-002

APPLICATION TO: To construct a Residential Use building in the form of a 5 Dwelling Row House with unenclosed front porch, develop 5 Secondary Suites in the Basements, and to demolish a Residential Use building (Single Detached House) and Accessory building (detached Garage)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: June 25, 2025

DATE OF APPEAL: July 14, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 180 - Granlea Crescent NW

LEGAL DESCRIPTION: Plan 7721465 Blk 4 Lot 56

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

<i>Grounds for Appeal</i>

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

1. The Development Officer misinterpreted the provisions of the Edmonton Zoning Bylaw 20001 (the "ZB") by treating the Site as a "corner lot". The Site does not meet the definition of "corner lot".
2. As a result of the misinterpretation of the ZB, the Development Officer erroneously treated the proposed development as a "permitted development". The proposed development is not a "permitted development" as it exceeds the maximum allowable density for the Site.
3. The proposed development requires a variance to the maximum allowable density. The Development Officer did not have the authority to grant this variance and should have refused the Development Permit.
4. Alternatively, the test for granting a variance is not met as the proposed development will unduly affect the use, value and enjoyment of neighbouring properties, particularly with respect to parking and traffic impacts.
5. Subsequent to issuance of the Development Permit, the ZB was amended. The proposed development has not been fully evaluated with respect to the amendments to the ZB and may require additional variances.
6. The neighbourhood has a history of flooding and drainage issues. The ZB provides the Development Officer with the authority to require information regarding drainage impacts associated with the proposed development. The Development Officer failed to obtain this information. A report from a qualified expert assessing the drainage impacts of the proposed development should be required prior to approving the Development Permit.
7. Such further and other grounds as may be raised at the hearing of the appeal.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

the person applying for the permit or affected by the order under section 645 may appeal the decision in accordance with subsection (2.1).

...

(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).

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

Appeals

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

(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 any applicable 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 Zoning Bylaw 20001:

Under section 2.10.2.2, a **Residential Use** is a **Permitted Use** in the **RS - Small Scale Residential Zone**.

Under section 8.10, a **Residential Use** means:

a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.

This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Row Housing** means:

a building that contains 3 or more principal Dwellings joined in whole or in part at the side, the rear, or the side and the rear, with none of the principal Dwellings being placed over another. Each principal Dwelling has separate, individual, and direct access to ground level.

Under section 8.20, **Secondary Suite** means:

a Dwelling that is subordinate to, and located within, a building in the form of Single Detached Housing, Semi-detached Housing, Row Housing, or Backyard Housing. A Secondary Suite is not a principal Dwelling. A Secondary Suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A Secondary Suite has less Floor Area than the principal Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

Under section 8.20, **Dwelling** means:

a self-contained unit consisting of 1 or more rooms used as a bedroom, bathroom, living room, and kitchen. The Dwelling is not intended to be moveable, does not have a visible towing apparatus or visible undercarriage, must be on a foundation, and connected to utilities.

Section 2.10.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

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.

Edmonton	Project Number: 530515410-002 Application Date: SEP 17, 2024 Printed: June 25, 2025 at 3:19 PM Page: 1 of 8		
Major Development Permit			
<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 Zoning Bylaw as amended.</p>			
Applicant	Property Address(es) and Legal Description(s) 180 - GRANLEA CRESCENT NW Plan 7721465 Blk 4 Lot 56		
Specific Address(es)	Suite: 1, 180 - GRANLEA CRESCENT NW Suite: 2, 180 - GRANLEA CRESCENT NW Suite: 3, 180 - GRANLEA CRESCENT NW Suite: 4, 180 - GRANLEA CRESCENT NW Suite: 5, 180 - GRANLEA CRESCENT NW Suite: MNFL1, 180 - GRANLEA CRESCENT NW Suite: MNFL2, 180 - GRANLEA CRESCENT NW Suite: MNFL3, 180 - GRANLEA CRESCENT NW Suite: MNFL4, 180 - GRANLEA CRESCENT NW Suite: MNFL5, 180 - GRANLEA CRESCENT NW Entryway: 1, 180 - GRANLEA CRESCENT NW Entryway: 2, 180 - GRANLEA CRESCENT NW Entryway: 3, 180 - GRANLEA CRESCENT NW Entryway: 4, 180 - GRANLEA CRESCENT NW Entryway: 5, 180 - GRANLEA CRESCENT NW Building: 1, 180 - GRANLEA CRESCENT NW		
Scope of Permit <p>To construct a Residential Use building in the form of a 5 Dwelling Row House with unenclosed front porch, develop 5 Secondary Suites in the Basements, and to demolish a Residential Use building (Single Detached House) and Accessory building (detached Garage).</p>			
Details <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> Development Category: Permitted Development Lot Grading Needed: Y NumberOfMainFloorDwellings: 5 Site Area (sq. m.): 750.75 </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> Gross Floor Area (sq.m.): 1349.98 New Sewer Service Required: N Overlay: Statutory Plan: </td> </tr> </table>		Development Category: Permitted Development Lot Grading Needed: Y NumberOfMainFloorDwellings: 5 Site Area (sq. m.): 750.75	Gross Floor Area (sq.m.): 1349.98 New Sewer Service Required: N Overlay: Statutory Plan:
Development Category: Permitted Development Lot Grading Needed: Y NumberOfMainFloorDwellings: 5 Site Area (sq. m.): 750.75	Gross Floor Area (sq.m.): 1349.98 New Sewer Service Required: N Overlay: Statutory Plan:		
Development Permit Decision <p>Approved</p> <p>Issue Date: Jun 25, 2025 Development Authority: ZHOU, ROWLEY</p>			
Subject to the Following Conditions <p>A) Zoning Conditions</p> <p>1. This Development Permit authorizes the construction of a Residential Use building in the form of a 5 Dwelling Row House with unenclosed front porch, develop 5 Secondary Suites in the Basements, and to demolish a Residential Use building (Single Detached House) and Accessory building (detached Garage).</p> <p>2. The development must be constructed and demolished in accordance with the approved drawings.</p>			
<small>PG702003</small>			



Project Number: **530515410-002**
 Application Date: **SEP 17, 2024**
 Printed: **June 25, 2025 at 3:19 PM**
 Page: **2 of 8**

Major Development Permit

3. A Building Permit (for demolition) is required prior to demolition of the existing building.
4. Immediately upon demolition of the building, the Site must be cleared of all debris.
5. WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a Development Permit Notification Sign (Subsection 7.160.2.2).
6. Landscaping must be installed and maintained in accordance with Section 5.60.
7. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).
8. Pathway(s) connecting the main entrance of the principal Dwelling directly to an Abutting sidewalk or to a Driveway must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).
9. Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)
10. Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade, and focus light away from surrounding Sites to minimize Nuisance; generally be directed downwards, except where directed towards the Site or architectural features located on the Site; be designed to provide an appropriately-lit environment at building entrances, outdoor Amenity Areas, parking facilities, and Pathways; and not interfere with the function of traffic control devices (Subsection 5.120.3).
11. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the owner must enter into an Agreement with the City for the removal of the boulevard trees and the construction of the new driveways. 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.
12. The Secondary Suite must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20).
13. The Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20).
14. The Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).

B) Transportation Conditions:

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the owner must enter into an Agreement with the City for the following improvements:

- a) Removal of the existing approximate 5.8 m wide driveway access to Granlea Crescent, located approximately 18 m from the south property line, and restoration of the boulevard to grass;
- b) Construction of a 5.9 m driveway access to Granlea Crescent, located approximately 1.7 m from the north west property pin;
- c) Construction of a 5.9 m driveway access to Granlea Crescent, located approximately 12.7 m from the north west property pin;
- d) Construction of a 3.4 m driveway access to Granlea Crescent, located approximately 23.4 m from the north west property pin; and
- e) Removal 2 boulevard trees on Granlea Crescent and payment of tree compensation.



Project Number: **530515410-002**
 Application Date: SEP 17, 2024
 Printed: June 25, 2025 at 3:19 PM
 Page: 3 of 8

Major Development Permit

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 Security Deposit in the amount of \$18,000.00 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 Trevor Singbeil of Development Inspections at 780-496-7019 72 hours prior to removal or construction within City road right-of-way.

2. Further to Conditions 1b - 1d, all driveways must not exceed a maximum 8% grade within road right-of-way.
3. Onsite sidewalks must be developed as accessible and hard-surfaced and must connect the building entrances to the public sidewalk to meet Section 5.80 of Zoning Bylaw 20001. These sidewalks must not exceed a maximum 8% grade within road right-of-way.
4. Permanent objects including concrete steps, railings, planter boxes, retaining walls, fencing and gate swings etc. must NOT encroach into or over/under road right-of-way. Any proposed landscaping for the development must be provided entirely on private property and only grass is permitted to be planted within the boulevard.
5. The estimated cost as per Corporate Tree Management Policy C456C for the removal of the 2 trees at 180 Granlea Crescent is \$6,008.00. This estimate includes removal costs, stump grinding, asset value, administrative costs, and provisional hydrovac fees. Tree removal for the 2 trees will be completed by the City of Edmonton and will only proceed after the permit for the fiveplex is approved. All trees are to remain protected as per the Public Tree Bylaw 18825 until the related permit(s) are approved. Forestry will not proceed with tree removal preemptively. Please be advised that tree work is required to be initiated by the proponent a minimum of 4 weeks prior to construction by calling 311.

Prior to construction the project must apply for a Public Tree Permit for all trees on City of Edmonton property within 5m of the construction site or active haul route. These trees will require tree protection and possibly anti-compaction methods prior to construction as per Public Tree Bylaw 18825. For more information on City of Edmonton Tree Protection, please visit <https://www.edmonton.ca/treepermits>. If tree damage occurs, remediation or removal will be enforced and shall be covered by the proponent as per the Corporate Tree Management Policy (C456C) and Public Tree Bylaw 18825. This includes compensation for tree value on full or partial tree loss as well as operational and administrative fees.

If the project comes into conflict with tree roots 2 inches or greater in diameter during excavation, Urban Forestry must be notified for further consultation. Roots 2" or greater in diameter play an integral role in tree structure, stability as well as health, and the removal of them could have a negative impact on the tree. The significance of that impact will be determined by the Forester as well as if any compensation will be required from the proponent.

6. 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. Utility Safety Partners (Online: <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/>) (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.

7. 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.



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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/oscam-permit-request.aspx

8. Any sidewalk and/or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Subsection 7.150.5.6 of the Zoning Bylaw. All expenses incurred for repair shall be borne by the owner.

C) EPCOR Conditions:

1. Prior to the release of drawings for Building Permit review (except for Building Permits for demolition, excavation, or shoring), an Infill Fire Protection Assessment (IFPA) conducted by Edmonton Fire Rescue, Fire Protection Engineer, must be completed.

1a. The proposed development must comply with any requirements identified in the IFPA.

1b. Should the IFPA determine that upgrades to the municipal fire protection infrastructure are required, the owner must enter into a Servicing Agreement with the City for construction of those improvements or alternatively the owner can contact EPCOR to explore the option of having EPCOR complete the work at the owner's expense. The Servicing Agreement with the City or EPCOR must be entered into prior to the release of drawings for Building Permit review.

2. 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 19626 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.

Subject to the Following Advisements

A) Zoning Advisements:

1. Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw.

2. Any future deck enclosure or cover requires a separate development and building permit approval.

3. An issued 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 (Subsection 7.110.2.1).

4. Any proposed change from the original issued Development Permit is subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.

5. All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit. All new installations, above and below ground, within 5m of a City tree require forestry consultation.

6. In the event that tree removal or relocation is required on City of Edmonton land, including road right-of-way, all costs associated with the removal or relocation will be borne by the owner/applicant as per the City of Edmonton Corporate Tree Management Policy (C456C). City of Edmonton Forestry will schedule and carry out any and all required tree work. Contact Urban Forestry at City Operations, Parks and Roads Services (311) a minimum of 4 weeks prior to construction, to remove and/or relocate the trees.

7. City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage. A site mechanical plan stamped by a professional engineer



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showing water and sewer services, stormwater management calculations and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit epcor.com/newconnection and click 'ONLINE APPLICATION' for instructions on the plan submission process. The lot must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to lot.grading@edmonton.ca for review and approval.

8. Signs require separate Development Permit application(s).

B) EPCOR Advisements:

1. The site is currently serviced by a 20 mm copper water service (S44162) located 0.9 m west of the east property line of Lot 56 off of Granlea Crescent (Cul de Sac). If this service will not be utilized for the planned development, it must be abandoned back to the water main prior to any on-site excavation. 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.
- 1a. The existing service is not of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development.
2. EPCOR Water Services Inc. does not review on-site servicing. It is the applicant's responsibility to obtain the services of a professional to complete on-site water distribution design and to ensure the supply will meet plumbing code and supply requirements.
3. A new water service may be constructed for this lot directly off EPCOR's 150 mm water main along the Cul de Sac adjacent to the north property line of the subject site or directly off EPCOR's 250 mm water main along Granlea Crescent adjacent to the west property line of the subject site.
4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass.drainage@epcor.com or at 780-496-5444. EPCOR Strongly encourages all applicants to contact IWASS early in development planning to learn about site specific minimum requirements for onsite water and/or sewer servicing.
- 4a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.
5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass.drainage@epcor.com or at 780-496-5444.
6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWInspections@epcor.com or 780-412-3850.
7. 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.
8. In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA-005-11b for permitted water service configurations.
9. Due to the built-form in this development, verification that the Required Fire Flow of this development does not exceed the Available Fire Flow at this site is required to support this application. Edmonton Fire Rescue Services, Fire Protection Engineer must assess if Fire Protection of this site is adequate via an Infill Fire Protection Assessment (IFPA).

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10. In 2022 the Infill Fire Protection Program was initiated to fund water infrastructure upgrades required to meet municipal fire protection standards within core, mature and established neighbourhoods. The program will consider "'missing middle'" housing forms, mixed use and smaller scale commercial-only developments. EPCOR Water encourages interested applicants to go to the program website for more information and updates (www.epcor.com/ca/en/ab/edmonton/operations/service-connections/guides-checklists-forms/fire-protection-cost-share.html).

10a. Please note that being accepted for consideration in the program does not guarantee funding will be granted, as each application will be weighed against a set of criteria.

10b. An Infill Fire Protection Assessment (IFPA) is required to be considered for funding."

11. Development engineering drawings including landscaping and hardscaping must meet Volume 1 (Table of Minimum Offsets) and Volume 4 (April 2021) of the City of Edmonton Design and Construction Standards.

12. Dimensions must be provided as part of the engineering drawing submission package where a tree or shrub bed is installed within 5.0m of a valve, hydrant or curb cock, as per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (April 2021).

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

14. 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.

15. The advisements and conditions provided in this response are firm and cannot be altered.

C) Fire Rescue Services Advisements:

1. The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be accepted in writing by the fire department and the authority having jurisdiction. Edmonton Fire Rescue Services will review your plan at the initial construction site safety inspection upon commencement of construction.

Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan

2. Have the plan ready for review in-person at the first construction site safety inspection by a Fire Safety Codes Officer (Fire SCO). The applicant of a building permit declares that they are aware of the project team's responsibility to have an FSP prepared according to section 5.6 of the NFC(AE).

3. A Fire SCO may attend a site at any reasonable hour and will review the FSP. The owner or constructor must have the FSP in place and ready for review in accordance with section 5.6 of the NFC(AE).

4. You can locate a copy of the FSP guide for your reference here:

<https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=1692102771>

5. Ensure that the hydrant(s) servicing the site are fully functional prior to construction and remain accessible and unobstructed during construction.

Reference: NFC(2019-AE) 5.6.3.6. Hydrant Access

- 1) Hydrants on construction, alteration, or demolition site shall
 - a) be clearly marked with a sign,
 - b) be accessible, and
 - c) have an unobstructed clearance of not less than 2 m at all times.

6. To meet the requirements of the National Fire Code — 2019 Alberta Edition, Sentence 5.6.1.2.(1), protection of adjacent properties during construction must be considered.



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https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const

Reference: NFC(2019-AE) 5.6.1.2 Protection of Adjacent Building

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

Reference: Protection of Adjacent Building- STANDATA - Joint fire/building code interpretation:

Protection of Adjacent Buildings During Construction and Demolition

<https://open.alberta.ca/dataset/aa64d44e-6f21-474b-a86f-47bf24e40665/resource/26e961d0-b865-4cd8-b455-85b6eee2c246/download/ma-standata-joint-interpretation-19-fci-005-19-bci-016.pdf>

Ensure that the Fire Alarm Annunciator panel is located in close proximity to the building entrance that faces a street or emergency access route.

Reference: NBC(2019-AE) 3.2.4.8 Annunciator and Zone Indication

1) The Fire Alarm Annunciator Panel shall be installed in close proximity to a building entrance that faces a street or an access route for fire department vehicles.

D) Waste Management Advisements:

1. Adding any number of additional dwellings beyond what is indicated in this letter may result in changes to your waste collection. Waste Services reserves the right to adjust the collection method, location, or frequency to ensure safe and efficient service.

2. Additional information about waste service at your proposed development:

Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton.

To help in planning and designing your development, please refer to Bylaw 20363 to review clauses related to:
 Access to containers and removal of obstructions.

Container set out, and

The responsibility for wear and tear or damages.

3. This property with 10 dwellings would receive Curbside Collection. The City will provide each dwelling with two carts, for a total of 20 carts; one for garbage and one for food scraps. Residents would use blue bags for recycling.

E) Infill Fire Protection Assessment Conditions

1. In accordance with City of Edmonton Design and Construction Standard Volume 4: Water, municipal hydrants are to be located such that sufficient resources for firefighting are available for the proposed development. EPCOR Water has identified this file for further firefighting water supply review.

2. Applying the Fire Underwriters Survey Methodology, EFRS has calculated a required fire flow of 183 L/s for the development on site. Hydraulic modelling of the water network has indicated that the nearest hydrants (H8767, H8768 and H8674) have sufficient residual pressure to supply the required fire flow to fire apparatus staged in proximity to the site. As a result, the existing water infrastructure provides sufficient capacity and availability such that new hydrants or water mains would not provide any additional operational benefit to EFRS for this site.

3. In conclusion, the subject site is functionally compliant with the municipal standards for hydrant spacing and fire flows. Therefore, upgrades to existing municipal on-street fire protection infrastructure are not required to support this Development Permit application.

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.

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P0702003



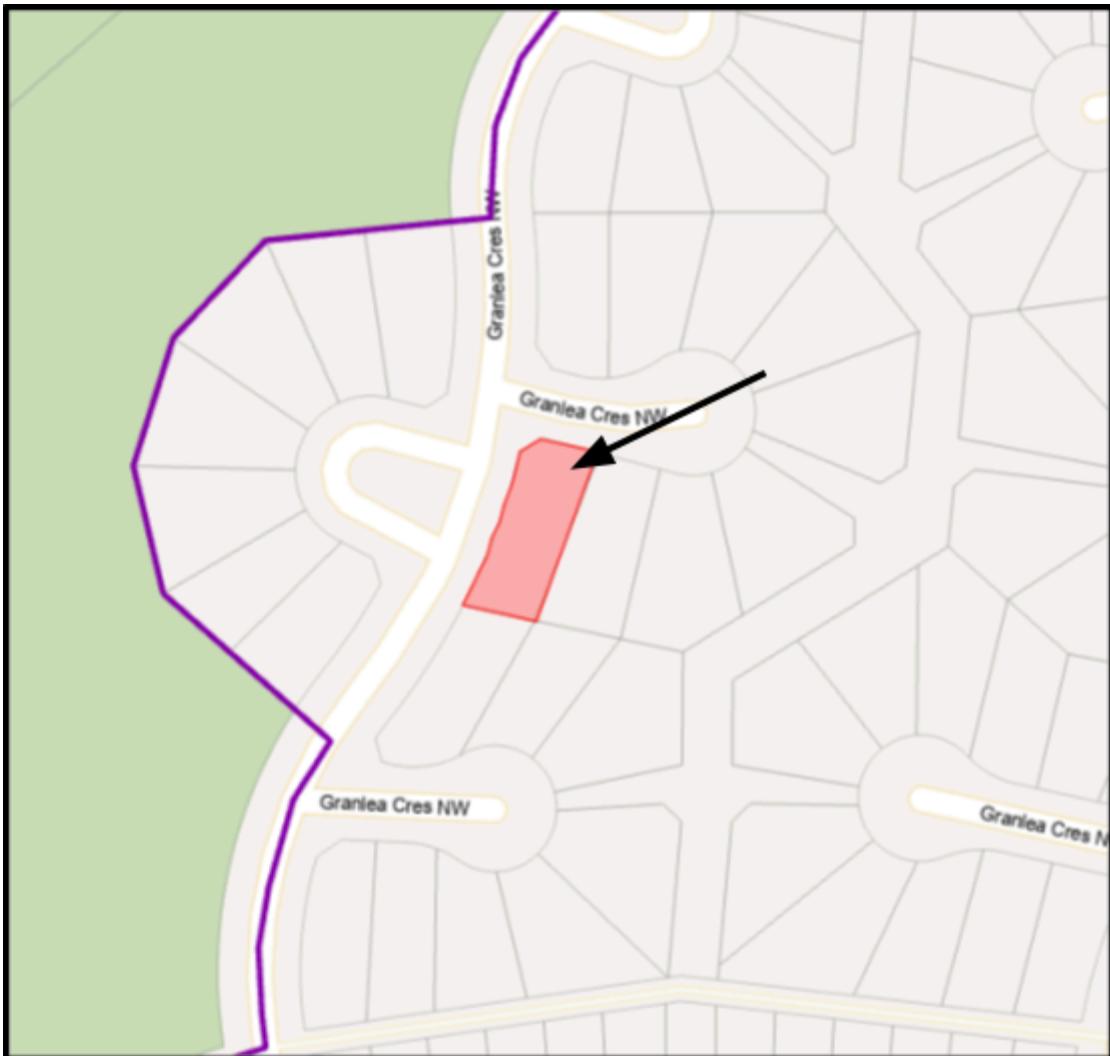
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Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	\$543.00	\$543.00	027774001001456	Nov 27, 2024
DP recirculation Fee	\$500.00	\$500.00	025254001001898	Apr 25, 2025
Major Dev. Application Fee	\$1,000.00	\$1,000.00	027774001001456	Nov 27, 2024
Development Permit Inspection Fee	\$550.00	\$550.00	027774001001456	Nov 27, 2024
Dev. Application Fee # of dwelling units	\$486.00	\$486.00	027774001001456	Nov 27, 2024
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$3,079.00</u>	<u>\$3,079.00</u>		

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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-114



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