

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.

March 27, 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-25-033 To construct a Residential Use building in the form of Backyard House (main floor Garage, 5.49m x 6.71m, second floor Backyard House, 5.49m x 7.92m)

2541 - Price Way SW
Project No.: 488717014-002

TO BE RAISED

II 10:30 A.M. SDAB-D-25-041 To construct exterior alterations to a Residential Use building in the form of a Single Detached House (add projecting feature wall to front entrance)

8727 - Strathearn Crescent NW
Project No.: 528239184-012

III 1:30 P.M. SDAB-D-25-042 To demolish a Single Detached House and accessory buildings, and construct an Indoor Self Storage building (reference DP 482304465-002)

21211 - 100 Avenue NW
Project No.: 536889393-002

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-25-033

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 488717014-002

APPLICATION TO: construct a Residential Use building in the form of
Backyard House (main floor Garage, 5.49m x 6.71m,
second floor Backyard House, 5.49m x 7.92m)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 29, 2025

DATE OF APPEAL: February 19, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 2541 - Price Way SW

LEGAL DESCRIPTION: Plan 1720738 Blk 11 Lot 27

ZONE: PLD - Paisley Low Density Zone

OVERLAY: N/A

STATUTORY PLAN: Paisley Neighbourhood Structure Plan

DISTRICT PLAN: Southwest District Plan

Grounds for Appeal

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

To Whom It May Concern,

As per the last conclusion on our Architectural project, we would like to address the following points:

The side setbacks are deficient. The required side setbacks for a Backyard House are 1.2m from each Lot Line. Currently, the side setbacks are 0.6m and 0.7m for the right and left respectively (Section 6.10.1.7).

The eaves are currently too close to the lot lines. A minimum distance of 0.45m from the lot line is required for a Backyard House, and eaves may project a maximum of 0.6m into a required projection. Therefore, in revisions to comply with a 1.2m setback, eaves may project a maximum of 0.6m (Section 5.90.1).

We would like to request a variance for the following reasons:

The width of the current development is 18 feet. After accounting for the staircase, we are left with only about 13 feet 9 inches, which does not provide sufficient living space and restricts the garage to one car only. With a growing family and prices raised for living, maintaining the 18-foot living space is essential for us. This is especially important as we have a newcomer from Ukraine living with us and are planning to grow our family in the near future.

Considering that on the next street, similar projects have been completed with a smaller distance between the garden suites.

For your review:

2712 Price Link on the left 28 inches;
G 1009 Price Link on the left 30 inches

Given the circumstances outlined above, we kindly request the variance to maintain the proposed development with setbacks of 0.6m and 0.7m for the right and left respectively, and to keep the distance for the eaves as indicated in the proposed architectural drawings.

Thank you for considering our request.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on February 27, 2025:

“That the appeal hearing be postponed to March 27, 2025 at the request of the Appellant.”

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 3.151.2.2.1, **Residential, limited to: Backyard Housing** is a **Permitted Use** in the **PLD - Paisley Low Density Zone**.

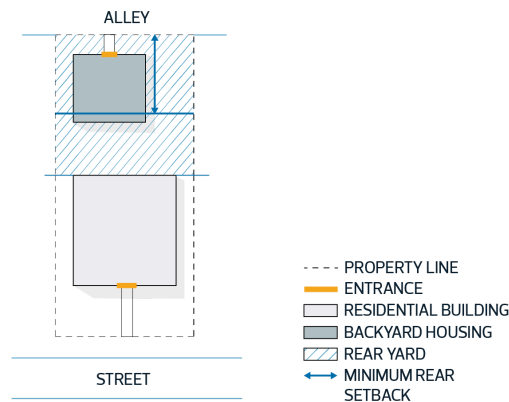
Under section 8.10, a **Residential Use** means:

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, **Backyard Housing** means:

a building containing 1 or more Dwellings, that is located wholly within the Rear Yard, and partially or wholly within the Rear Setback of the applicable Zone, of a Residential Site.



Under section 8.20, **Semi-detached Housing** means:

a building that contains 2 principal Dwellings that share, in whole or in part, a common vertical party wall. Each Dwelling has individual, separate and direct access to ground level. This does not include Duplex Housing.

Section 3.151.1 states that the **Purpose** of the **PLD - Paisley Low Density Zone** is:

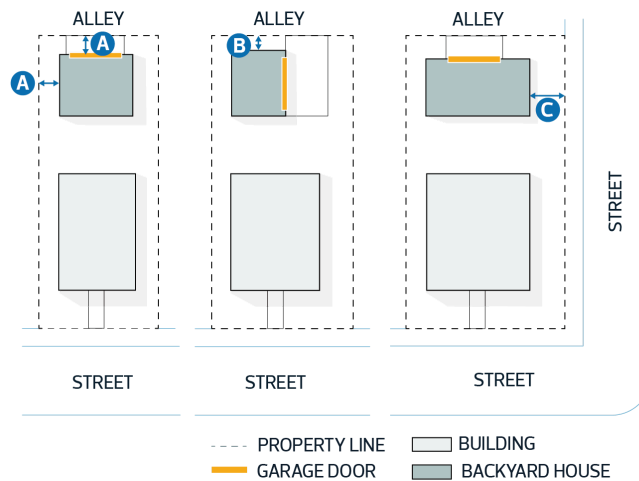
To allow for low density housing with the opportunity for Zero Lot Line Development, Reverse Housing, and Row Housing, in compliance with the design objectives in the Paisley Neighbourhood Area Structure Plan.

Backyard Housing

Section 6.10.1 states Backyard Housing must comply with Table 1:

Table 1. Building Regulations			
Subsection	Regulation	Value	Symbol
Height			
1.1	Maximum Height	6.8 m	-
Setbacks			
1.7	Minimum Setback	1.2	A

Diagram for Subsections 1.7, 1.8 and 1.9



Section 6.10 states:

All Facades must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, and provide visual interest. Design techniques or features may include: variations in rooflines; vertical or horizontal building wall projection or recessions; visual breaks of building Facades into smaller sections; features such as windows, balconies, or porches;

using a combination of finishing materials; or other similar techniques or features.

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, **Facade** means “any exterior outward face of a building measured from corner to corner.”

Under section 8.20, **Height** means:

a vertical distance between 2 points.

Where described as a Modifier in a regulation, this is represented as the letter “h” and a number on the Zoning Map.

Under section 8.20, **Setback** means:

the distance that a development, or a specified portion of a development, must be from a Lot line. A Setback is not a Yard. A Setback only applies to development on or above ground level.

Development Planner’s Determination

1) The maximum height of a Backyard House is 6.8 m. (Reference Section 6.10.1.1)

Proposed: 7.0 m

Deficient by: 0.2 m

2) The minimum Side Yards shall be 1.2 m. (Reference Section 6.10.1.7)

Proposed: 0.6 m

Deficient by: 0.6 m


3) All Facades must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, and provide visual interest. Design techniques or features may include: variations in rooflines; vertical or horizontal building wall projection or recessions; visual breaks of building Facades into smaller sections; features such as windows, balconies, or porches; using a combination of finishing materials; or other similar techniques or features. (Reference Section 6.10.7)


Proposed: does not have any articulation on all four elevations

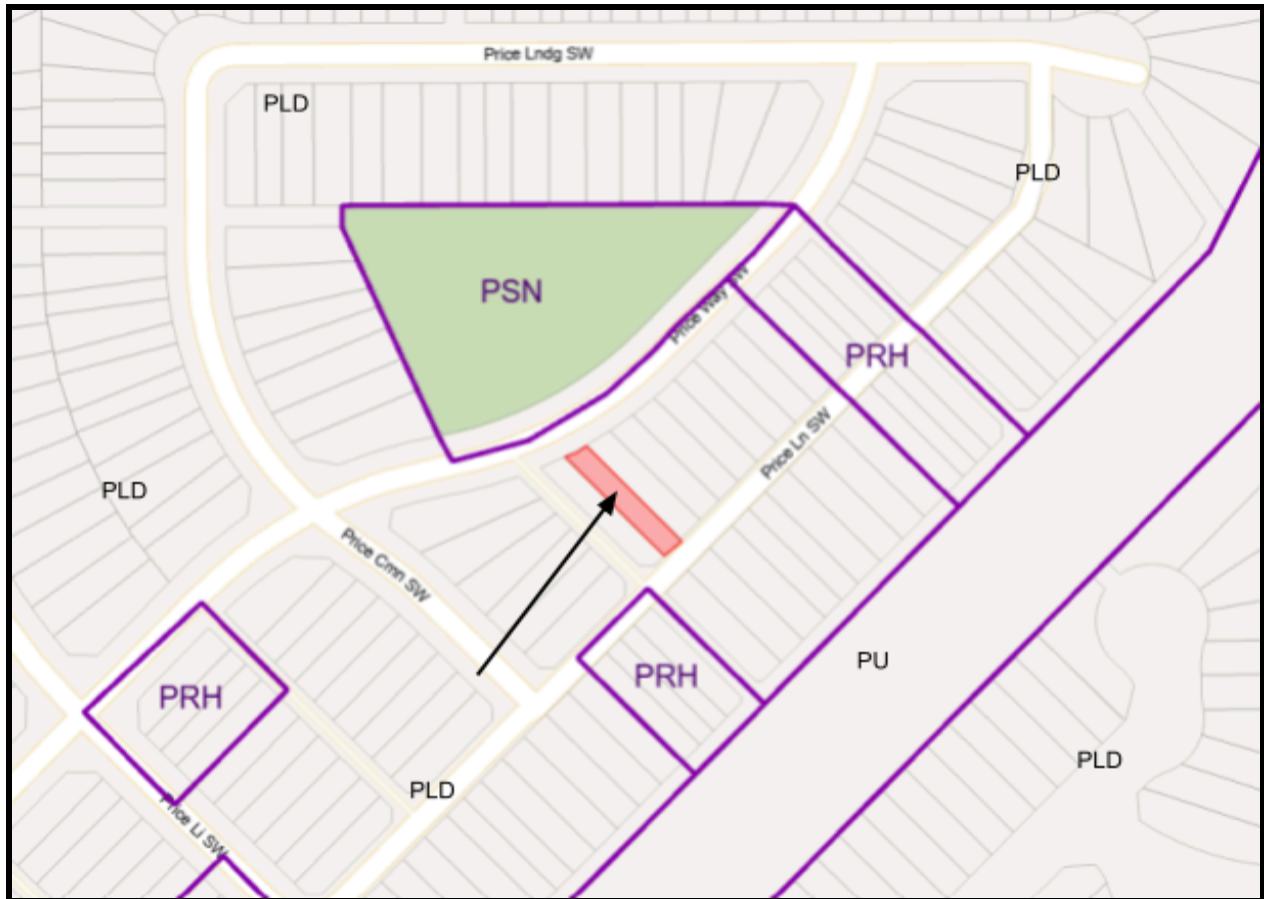
[unedited]

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: 488717014-002 Application Date: OCT 19, 2023 Printed: January 29, 2025 at 2:14 PM Page: 1 of 2			
		Application for Minor Development Permit			
This document is a Development Permit Decision for the development application described below.					
Applicant		Property Address(es) and Legal Description(s) 2541 - PRICE WAY SW Plan 1720738 Blk 11 Lot 27			
		Specific Address(es) Suite: 2541G - PRICE WAY SW Entryway: 2541G - PRICE WAY SW Building: 2541G - PRICE WAY SW			
Scope of Application To construct a Residential Use building in the form of Backyard House (main floor Garage, 5.49m x 6.71m, second floor Backyard House, 5.49m x 7.92m).					
Details <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> 1. Titled Lot Zoning: PLD 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Developing </td> <td style="width: 50%;"> 2. Number of Principal Dwelling Units To Construct: 0 4. Number of Secondary Suite Dwelling Units to Construct: 1 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: </td> </tr> </table>				1. Titled Lot Zoning: PLD 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Developing	2. Number of Principal Dwelling Units To Construct: 0 4. Number of Secondary Suite Dwelling Units to Construct: 1 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit:
1. Titled Lot Zoning: PLD 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Developing	2. Number of Principal Dwelling Units To Construct: 0 4. Number of Secondary Suite Dwelling Units to Construct: 1 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit:				
Development Application Decision Refused Issue Date: Jan 29, 2025 Development Authority: SAHL, RAMANJYOT Reason for Refusal 1) The maximum height of a Backyard House is 6.8 m. (Reference Section 6.10.1.1) Proposed: 7.0 m Deficient by: 0.2 m 2) The minimum Side Yards shall be 1.2 m. (Reference Section 6.10.1.7) Proposed: 0.6 m Deficient by: 0.6 m 3) All Facades must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, and provide visual interest. Design techniques or features may include: variations in rooflines; vertical or horizontal building wall projection or recessions; visual breaks of building Facades into smaller sections; features such as windows, balconies, or porches; using a combination of finishing materials; or other similar techniques or features. (Reference Section 6.10.7) Proposed: does not have any articulation on all four elevations Rights of Appeal 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.					
Fees					
THIS IS NOT A PERMIT					

	Application for Minor Development Permit				Project Number: 488717014-002 Application Date: OCT 19, 2023 Printed: January 29, 2025 at 2:14 PM Page: 2 of 2
Fees					
	Fee Amount	Amount Paid	Receipt #	Date Paid	
Lot Grading Fee	\$155.00	\$155.00	00968E001001093	Feb 17, 2024	
Dev. Application Fee	\$515.00	\$515.00	03450E001001462	Feb 05, 2024	
Sanitary Sewer Trunk Fund (Secondary/Backyard House)	\$781.00	\$781.00	03450E001001462	Feb 05, 2024	
Total GST Amount:	\$0.00				
Totals for Permit:	\$1,451.00	\$1,451.00			
THIS IS NOT A PERMIT					



TO BE RAISED

ITEM II: 10:30 A.M.

FILE: SDAB-D-25-041

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 528239184-012

APPLICATION TO: construct exterior alterations to a Residential Use building
in the form of a Single Detached House (add projecting
feature wall to front entrance)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: January 23, 2025

DATE OF APPEAL: February 13, 2025

RESPONDENT: Marchand Construction

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 8727 - Strathearn Crescent NW

LEGAL DESCRIPTION: Plan 2421861 Blk 9 Lot 14B

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 zoning bylaw states that the distance from the building (at 8727 Strathearn Crescent NW) to the property line along Strathearn Crescent needs to be 3.9 meters (subsection 5.90.1). The builder has built what they refer to as a feature wall a further .9 meters closer to the property line along Strathearn Crescent, in contravention of the bylaw.

The grounds of the appeal are:

1) the builder was aware of the bylaws and has contravened them to the prejudice of the neighbor (us) in that by extending the feature wall by .9 meters the neighbor's view to the northwest (river valley) has been significantly reduced thereby resulting in both a loss of enjoyment of the neighbor's (our) property and a decrease in value of the neighbor's (our) property. Their feature wall provides no utility to their building whatsoever.

(2) the new bylaws allow the building to be closer to the City sidewalk than current houses in the neighbourhood are presently. The offending .9 meters make the building that much closer to the City sidewalk, making the new building very much out of character with the other residences in the neighbourhood.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board ("SDAB") made and passed the following motion on February 18, 2025:

"That the appeal hearing be scheduled on March 26 or 27, 2025 at the request of the Appellant"

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, **Single Detached Housing** means “a building that contains 1 principal Dwelling and has direct access to ground level.”

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

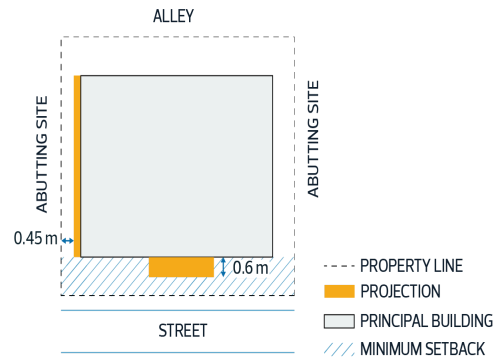
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

5.90 Projection into Setbacks

Eaves and similar features

1. Eaves, shade projections, chimneys, sills, and other similar architectural features may project a maximum of 0.6 m into a required Setback, [...]

Diagrams for Subsection 1

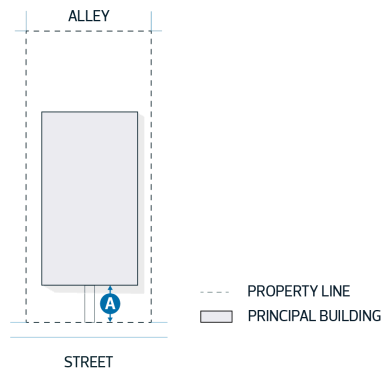


Front Setback

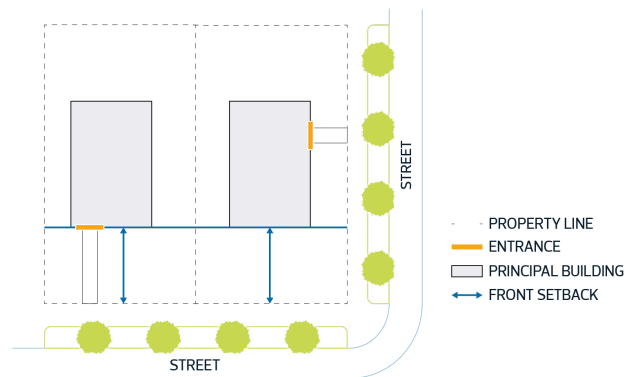
Section 2.10(4.3) of the **RS - Small Scale Residential Zone** states Setbacks must comply with Table 4.3:

Subsection	Regulation	Value	Symbol
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4.3.1	Minimum Front Setback	4.5 m	A
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Diagram for Subsection 4.3.1

Under section 8.20, **Front Setback** means “the distance that a development or a specified portion of a development, must be from a Front Lot Line. A Front Setback is not a Front Yard.”




Development Planner's Determination


Projection - The distance from the feature wall to the property line along Strathearn Crescent (front lot line) is 3.0m, instead of 3.9m (Subsection 5.90.1).

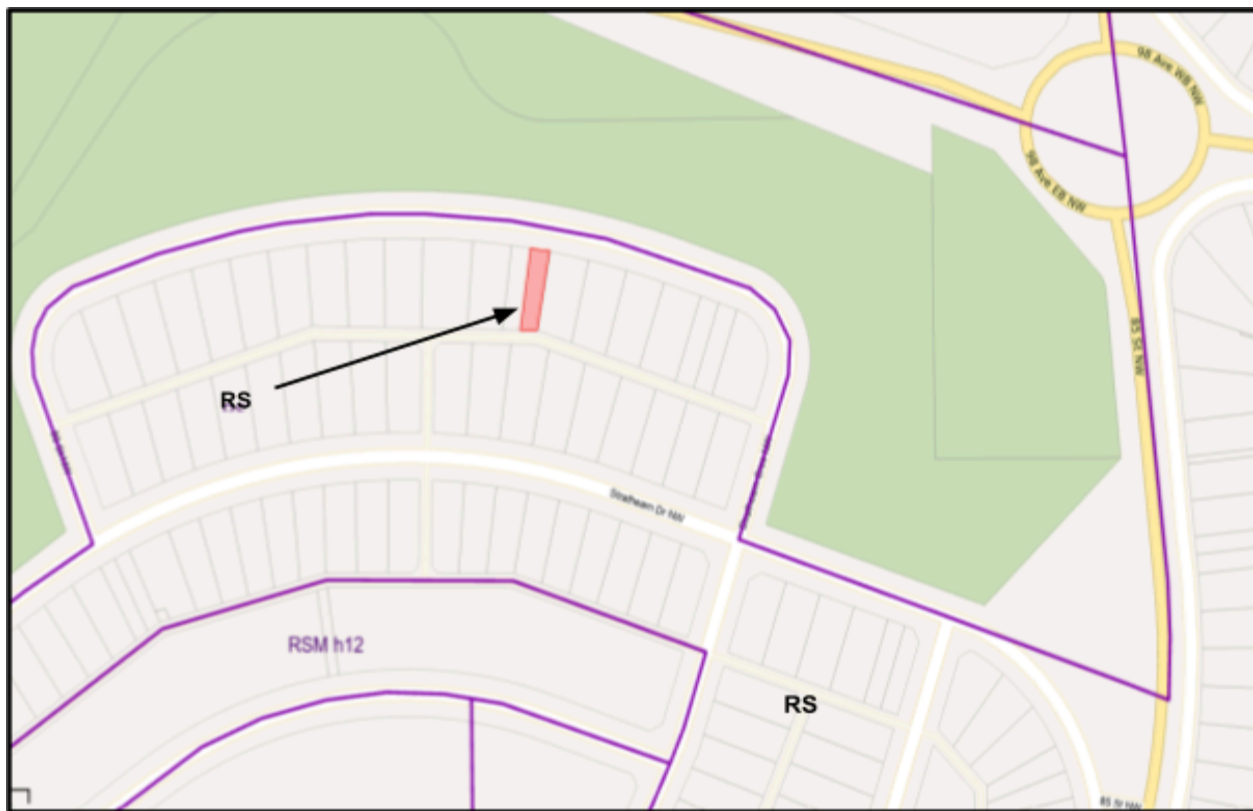
[unedited]

Notice to Applicant/Appellant

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

	Project Number: 528239184-012 Application Date: JAN 14, 2025 Printed: January 23, 2025 at 2:28 PM Page: 1 of 2		
<h2>Alterations Permit</h2>			
<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) 8727 - STRATHEARN CRESCENT NW Plan 2421861 Blk 9 Lot 14B		
Scope of Permit To construct exterior alterations to a Residential Use building in the form of a Single Detached House (add projecting feature wall to front entrance).			
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Discretionary Development Site Area (sq. m.): 303.7 </td> <td style="width: 50%;"> Overlay: Statutory Plan: </td> </tr> </table>		Development Category: Discretionary Development Site Area (sq. m.): 303.7	Overlay: Statutory Plan:
Development Category: Discretionary Development Site Area (sq. m.): 303.7	Overlay: Statutory Plan:		
Development Permit Decision Approved Issue Date: Jan 23, 2025 Development Authority: FLYNN, CATHAL Subject to the Following Conditions This Development Permit is NOT valid until the notification period expires as specified Section 7.190. This Development Permit authorizes exterior alterations to a Residential Use building in the form of a Single Detached House (add projecting feature wall to front entrance). The development must be constructed in accordance with the approved drawings. Immediately upon completion of the addition / exterior alterations, the Site must be cleared of all debris. As far as reasonably practicable, the design and use of exterior finishing materials used must be similar to, or better than, the standard of surrounding development (Subsection 5.120.1.1.1). ADVISEMENTS: Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw. 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, the Historical Resource Act or any covenants, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1). Any proposed change from the original issued Development Permit may be 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. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.			

	Project Number: 528239184-012 Application Date: JAN 14, 2025 Printed: January 23, 2025 at 2:28 PM Page: 2 of 2																									
<h2 style="margin: 0;">Alterations Permit</h2>																										
<p>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.</p> <p>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.</p> <p>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.</p> <p>The site 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.</p> <p>For more information on Lot Grading requirements, plans and inspections refer to the website: https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading</p> <p>Variances Projection - The distance from the feature wall to the property line along Strathearn Crescent (front lot line) is 3.0m, instead of 3.9m (Subsection 5.90.1).</p> <p>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.</p> <p>Notice Period Begins: Jan 30, 2025 Ends: Feb 20, 2025</p>																										
<p>Building Permit Decision No decision has yet been made.</p>																										
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-041

N ▲

ITEM III: 1:30 P.M.FILE: SDAB-D-25-042AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 536889393-002

APPLICATION TO: demolish a Single Detached House and accessory buildings, and construct an Indoor Self Storage building (reference DP 482304465-002)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: February 11, 2025

DATE OF APPEAL: February 26, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 21211 - 100 Avenue NW

LEGAL DESCRIPTION: Plan 5496HW Lot 19

ZONE: BE - Business Employment Zone

OVERLAY: N/A

STATUTORY PLAN: Lewis Farms Business Employment Neighbourhood
Structure Plan

DISTRICT PLAN: West Henday District Plan

<i>Grounds for Appeal</i>

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

Access Property Development Inc. (APD) would like to formally appeal the approved Major Development Permit for 21211 – 100 Avenue NW that was issued on Tuesday, February 11, 2025. Our appeal is limited to

Transportation Conditions 1A, 1B, and 1C. We are appealing for the following reasons:

1. The City of Edmonton has failed to provide design details

- The City notes a 20m ROW – The survey has this existing ROW as only 18.75m wide. Note, the minimum width for a Modified Urban to Rural Road from the Complete Streets Design and Construction Standards Sept 2018 is 27.5m
- Unclear where the north-south dividing line is between the rural and urban road conditions. The Urban/Rural Hybrid is biased towards the south, while the existing peak of the road is currently down the center of the ROW. The change in road location and elevation would need to be accounted for in the design and will impact drainage and drivability.
- No geotechnical reports have been provided, which is a concern given the amount of loamy soil in the area
- No hydrology reports or civil reports on how the rural condition on the northside would be able to accommodate the increased waterflows associated with the change in road slope from the middle
- Unclear how our site (southside) would drain if the drainage ditch is removed
- Unclear how the new urban section would tie into (i) the western intersection or (ii) the existing eastern road profile
- No fixed-point elevations were provided to guide the redesign. What portions of the road would rise, be lowered, etc.? This will impact tie-ins on the subject site and at all entrances along the north and south sides

2. Safety

- The rebuilding of a road should not be undertaken in a piecemeal fashion over an indeterminate period of time. Imagine a scenario where the road goes between new and old conditions multiple times within a 500m to 1 kilometre stretch? This would be illogical and would not be safe. This is the likely outcome under Edmonton's current approach since this is a built-out area where largescale, sequential redevelopment is unlikely.
- Is signage adequate or would speed humps be required? We don't have enough input from the City of Edmonton on how these design elements would be incorporated.
- Does not account for the future design of the adjacent roads. A piecemeal design will impact safety and maintenance.

3. Cost and time

- Municipal
 - Changing the road profile now will mean ripping up the new road when municipal services are added in the area. This would be a waste of municipal resources and would be disruptive to businesses in the area.

- Transportation has alternate methods to carry out the Bylaw noted road upgrades. These are: Owner Agreement, Developer funded, a Local Improvement Levy, or Boundary Assessment as listed in the Bylaw.
- Applicant
 - The City hasn't provided us with any comfort on the costs to undertake this work. Without details, it is impossible for us to commit to delivering a hypothetical road, placing the project and future road upgrades in jeopardy.
 - The City hasn't provided any timelines for the redesign work. It is likely that the time required to design and rebuild the road is far longer than the time required to undertake our proposed onsite expansion
 - We are willing to contribute our fair share of rebuilding the road if it is undertaken in a comprehensive manner. This would save time and money
 - Not reasonable that we pay the entire cost of a new road cross-section for both sides of the road. No one is going to advance development on the opposite side of 100th Avenue within the next 7 years once when they realize the additional financial burden they will be subject to by the City.

4. Authority

- Who is driving the bus on this redesign and rebuild process? Who are we to decide how other landowners access their property? We build self-storage on private property not roads on public lands, especially without design specs / standards or templates.
- Who are we to decide what a public road looks like and how it influences broader network considerations?

For Transportation Condition B and C, we appeal that the Conditions to remove the culverts and request the language be updated to read that "the culverts will be replaced and widened".

We look forward to the opportunity to present our case and discuss these conditions further. Should you require any additional information or have any questions, please feel free to contact us.

<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 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 2.120.2.2, **Indoor Self Storage** is a **Permitted Use** in the **BE - Business Employment Zone**.

Under section 8.10, an **Indoor Self Storage** means “a development where personal items and goods are stored in buildings with separate compartments and each compartment has its own access.”

Section 2.120.1 states that the **Purpose** of the **BE - Business Employment Zone** is:

To allow for light industrial and a variety of small commercial businesses with a higher standard of design that carry out their operations in a manner where no Nuisance is created or apparent outside an enclosed building. This Zone is intended to be compatible with any Abutting non-industrial Zone, while also serving as a transition Zone to buffer medium and heavy industrial Zones. This Zone is generally located on the periphery of industrial areas, Abutting Arterial and Collector Roads, or along mass transit routes.

<i>Section 7.150 - Conditions Attached to Development Permits</i>
--

1. The Development Planner may only impose conditions on the approval of a Permitted Development if the ability to do so is specified in this Bylaw. Nothing in this Section prevents a Development Planner from identifying on the Development Permit the Sections of this Bylaw with which the development must comply.
2. If an applicant applies for a Development Permit for a structure or a Use that is identified in this Bylaw as, or intended to be, temporary, the Development Planner may impose conditions limiting the duration of the validity of the Development Permit. The Development Planner may exercise this ability to add conditions to Permitted Uses and Discretionary Uses.
3. The Development Planner may, with respect to a Discretionary Development, or a development in a Direct Control Zone, impose such conditions as they consider appropriate, having regard for the Municipal Development Plan, applicable Statutory Plans, and the regulations of this Bylaw.
4. The Development Planner may, as a condition of issuing a Development Permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicle and pedestrian


access, or any of them, including payment of the costs of installation or constructing any such utility or facility by the applicant.

5. The Development Planner may, as a condition of issuing a Development Permit, require that an applicant enter into an agreement to do all or any of the following:
 - 5.1. to construct, or pay for the construction of, a public roadway required to give access to the development;
 - 5.2. to construct, or pay for the construction of:
 - 5.2.1. a pedestrian walkway system to serve the development;
or
 - 5.2.2. pedestrian walkways that connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves, or are proposed to serve, an adjacent development, or both;
 - 5.3. to specify the location and number of vehicle and pedestrian access points to Sites from public roadways;
 - 5.4. to install, or pay for the installation of, utilities that are necessary to serve the development;
 - 5.5. to construct, or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or
 - 5.6. to protect, repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard landscaping, and tree planting that may be damaged or destroyed, or otherwise harmed by development or building operations upon the Site.
6. The Development Planner may, as a condition of issuing a Development Permit, require that an applicant enter into an agreement in a form satisfactory to the City, to pay an off-site levy or redevelopment levy, or both, imposed by a bylaw in compliance with the Municipal Government Act.
7. If an applicant applies for a Development Permit for a structure that encroaches on City owned property, the Development Planner may impose conditions requiring the applicant to mitigate the impact of the encroachment, including compensation, indemnities, insurance, and a duty to remove the encroaching structure when notified by the City.
 - 7.1. If the Development Planner does not impose conditions on an encroaching structure, this must not be interpreted as granting the applicant a right to encroach and the applicant may require a separate encroachment agreement.

8. The Development Planner may require an agreement entered into as specified in Subsections 4 and 5 to be registered on the current title for the Site at the Alberta Land Titles Office.
9. The Development Planner may, as a condition of issuing a Development Permit, require that an applicant post a minimum of 1 Development Permit notification Sign on-Site in compliance with Subsection 2 of Section 7.160.

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: 536889393-002 Application Date: OCT 25, 2024 Printed: February 11, 2025 at 2:25 PM Page: 1 of 7			
		<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 Zoning Bylaw as amended.					
Applicant		Property Address(es) and Legal Description(s) 21211 - 100 AVENUE NW Plan 5496HW Lot 19			
		Specific Address(es) Suite: 21211 - 100 AVENUE NW Entryway: 21211 - 100 AVENUE NW Building: 21211 - 100 AVENUE NW			
Scope of Permit To demolish a Single Detached House and accessory buildings, and construct an Indoor Self Storage building (reference DP 482304465-002).					
Details <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Permitted Development Lot Grading Needed?: Y NumberOfMainFloorDwellings: Site Area (sq. m): </td> <td style="width: 50%;"> Gross Floor Area (sq.m): 1919.38 New Sewer Service Required: N Overlay: Statutory Plan: Lewis Farm ASP Consolidation </td> </tr> </table>				Development Category: Permitted Development Lot Grading Needed?: Y NumberOfMainFloorDwellings: Site Area (sq. m):	Gross Floor Area (sq.m): 1919.38 New Sewer Service Required: N Overlay: Statutory Plan: Lewis Farm ASP Consolidation
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Development Permit Decision Approved Issue Date: Feb 11, 2025 Development Authority: TODD, ADAM Subject to the Following Conditions: Zoning Conditions: 1. This Development Permit authorizes the demolition of a Single Detached House and accessory buildings, and to construct an Indoor Self Storage building (reference DP 482304465-002). 2. The development must be constructed in accordance with the approved plans. Any revisions to the approved plans require a separate Development Permit application. 3. The Development Permit is not valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled (Subsection 7.190.2.1.1). 4. A Building Permit (for demolition) is required prior to demolition of the existing building. 5. Immediately upon demolition of the building, the Site must be cleared of all debris. 6. All mechanical and electrical equipment, transformers, ducts, cooling towers, materials handling equipment or other similar exposed projections must be screened from view from Abutting Streets and Sites in non-industrial Zones (Subsection 2.120.5.2). 7. A maximum of 10% of Ground Floor windows facing a Street or Surface Parking Lot may be covered by non-transparent material. The remainder must be clear, untinted and free from obstruction (Subsection 2.120.5.3.2). 8. Landscaping must be arranged to ensure clear sightlines into Ground Floor storefronts that are visible from a Street (Subsection 2.120.5.3.3). 9. Surface Parking Lots, and loading, waste collection, storage, service, and display areas must not be located within a Setback (Subsection 2.120.5.4).					

Major Development Permit

10. Loading, waste collection, storage, and service areas must not be located between a Building and a Street and must be screened from view from Abutting Streets and Abutting Sites in non-industrial Zones using methods such as Landscaping, Fencing, or other similar measures (Subsection 2.120.5.8).

11. 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).

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 100 Avenue roadway, from 213 Street to the east edge of the parcel, and construction of 100 Avenue to an approved hybrid roadway cross-section, with the north side of the roadway to a rural standard and the south side to an urban standard with a sidewalk, street lighting, etc. within the existing 20m right-of-way, from 213 Street to the east edge of the parcel;
- b) Removal of the existing approximately 5.2 m wide culvert crossing access on the south side of 100 Avenue, located approximately 24.0 m from the west property line;
- c) Removal of the existing approximately 7.5 m wide culvert crossing access on the south side of 100 Avenue, located approximately 62 m from the west property line;
- d) Construction of a 10.0 m commercial crossing access on the south side of 100 Avenue, located approximately 27.5 m from the west property line;
- e) Construction of a 12.0m commercial crossing access on the south side of 100 Avenue, located approximately 54.5 m from the west property line; and,
- f) Construction of a 1.8m wide sidewalk connector, from the on-site north/south sidewalk to the sidewalk within road right-of-way to be constructed with the 100 Avenue upgrade, located approximately 48 m from the west property line.

Please email development.coordination@edmonton.ca to initiate the required Agreement. Following this, any further questions regarding this Agreement may be directed to Steve Jensen (780-944-0851) of the Development Servicing Agreements Unit.

The Agreement will require a deposit to act as security for this Agreement.

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.

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. Permanent objects including concrete steps, railings, planters, fencing, gate, 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.
- 3. All backing maneuvers must be accommodated on-site. Subdivision and Development Coordination will not permit the backing up of vehicles onto or off of a public roadway.
- 4. 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

Major Development Permit

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.

5. 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:

- a. the start/finish date of project;
- b. accommodation of pedestrians and vehicles during construction;
- c. confirmation of lay down area within legal road right of way if required;
- d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.

It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at:

https://www.edmonton.ca/business_economy/oscam-permit-request.aspx

6. 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 are to be borne by the owner. 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 within City road right-of-way.

Drainage Services Conditions:

This identifies the drainage assessments applicable to the property located at 21221 - 100 Avenue NW_Plan 5496HW Lot 19: Lewis Farms Industrial).

Applicable Assessments:

1. Permanent Area Contribution (PAC):

The PACs must be paid by entering into a servicing agreement PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW. Sustainable Development will prepare the agreement. The applicant/owner should contact Steve Jenson at 780-944-0851, upon issuance of the Development Permit when he/she is ready to initiate the servicing agreement and make payment. The assessment area is 1.2993 ha. The assessment area is obtained from the City's information computer program called POSSE. The following is for information purposes and the rates are in the year 2024. The final PAC amounts will be based on the prevailing rates at the time the applicant/owner pays and enters into a servicing agreement with the City.

Development Assessment / Rate


Normandeau Gardens Onsite Storm (2024 Rate) / \$166,143/ha
 Stewart Green & Normandeau Gardens Storm Outlet (2024 Rate) / \$3,823/ha
 Lewis Farms North Connecting Sewer Offsite Storm (2024 Rate) / \$21,672/ha
 Stewart Green & Normandeau Gardens Onsite Sanitary (2024 Rate) / \$27,473/ha
 Normandeau Gardens Oversized Outfall pipe to Stewart Green (2024 Rate) / \$19,893/ha
 Arterial Roadway Assessment (ARA); Lewis Farms (2024 Rate) / \$257,416/ha
 Signal (2024 Rate) / \$30,791/ha

Sanitary Servicing Strategy Expansion Assessment (EA) (WESS): E.A. charges are being paused until December 31, 2024; therefore EA is deferred for this development permit.

There may also be PAC over-expenditure, boundary condition & oversizing payment which can only be determined when the applicant/owner is ready to enter into a servicing agreement.

2. Sanitary Sewer Trunk Charge (SSTC)

SSTC applies to the lot in question; however, SSTC charges are being paused until December 31, 2024; therefore SSTC is deferred for this development permit application DP#536889393-002. SSTC may apply at the time of the future application of subdivision, development permit, or servicing connection application.

	Project Number: 536889393-002 Application Date: OCT 25, 2024 Printed: February 11, 2025 at 2:25 PM Page: 4 of 7
<h2>Major Development Permit</h2>	
<p>For information purposes, the following SSTC rates are for the year 2024. SSTC rate depends on the type of development:</p> <ul style="list-style-type: none"> - Industrial / Commercial / Institution: \$8,818 per hectare - One or two Dwelling Residential (no secondary, garden, or garage suite): \$1,764 per dwelling - Two Dwellings Residential (one secondary, garden, or garage suite): \$1,764 per dwelling for secondary garden or garage suite \$781 - Multi-Family Residential: \$1,259 per dwelling 	
<p>The SSTC charge should be paid when the development permit application is made or when a sanitary services connection is applied. Any sewer main extensions required to service the site and any onsite servicing requirements are in addition to the above-noted PAC and SSTC assessments and will be at the developer's cost. Please note that the SSTC rates are subject to adjustment at the end of the year. The final SSTC is based on the prevailing rate when the applicant/owner makes a payment.</p>	
<p>Additional Notes: The above assessment is made based on information currently available to our department. Should such information change in the future, a new assessment may be made. In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage. More information about the above charges can be found on the City of Edmonton's website:</p>	
<p>Permanent Area Contributions: https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx</p>	
<p>Sanitary Servicing Strategy Expansion Assessment: https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx</p>	
<p>Arterial Roadway Assessment: https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx</p>	
<p>Sanitary Sewer Trunk Charge: https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx</p>	
<p>Landscaping Conditions:</p> <ol style="list-style-type: none"> 1. Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner. 2. Any change to an approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed. 3. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner. 4. A Landscape Security must be provided to the City of Edmonton at the time of initial Landscape Inspection, to the satisfaction of the Development Planner. The initial Landscape Inspection must be requested within 14 days of the Landscape installation being completed (www.edmonton.ca/landscapeinspectionrequest). 5. 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 Planner must be collected. The Landscape Security must be retained for a period of 24 months from the date of the initial Landscape Inspection. 6. Sites that are not completed or are not compliant with approved Landscape Plans at the initial Landscape Inspection must, 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 Planner. 	
<p>Applicants MUST adhere to the following:</p>	
<p>7. 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</p>	

Edmonton

Project Number: **536889393-002**
 Application Date: OCT 25, 2024
 Printed: February 11, 2025 at 2:25 PM
 Page: 5 of 7

Major Development Permit

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.

8. 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.

The City of Edmonton Public Tree Bylaw: <https://www.edmonton.ca/sites/default/files/public-files/assets/Bylaws/BL18825.pdf?cb=1634287158>

Apply for the Public Tree Permit : <https://www.edmonton.ca/treep permit>


Subject to the Following Advisements


Zoning Advisements:

1. This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.
2. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.
3. Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.
4. 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.
5. An issued Development Permit means that the proposed development has been reviewed against the provisions of the Zoning 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, the Historical Resource Act or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).
6. 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.
7. Signs require separate Development Permit application(s).
8. 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 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.

EPCOR Advisements:

1. EPCOR does not have any water mains adjacent to the property. Consequently, a municipal water service for the site is currently not available and we cannot provide piped fire flow requirements for the proposed development at this time.

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<h2>Major Development Permit</h2>	
<p>2. To obtain municipal water servicing to the subject site, offsite water main installation would be required at the applicant's expense. To pursue this option the applicant may contact EPCOR Water at BoundaryConditions@epcor.com to discuss servicing options.</p>	
<p>3. All future development must meet the standard of water supply under the City of Edmonton Design and Construction Standards to the satisfaction of EPCOR Water, Director of Water Distribution and Transmission.</p>	
<p>4. According to City of Edmonton Design and Construction Standards Volume 4 (April 2021), the required fire flow is 300 L/s and the maximum allowable spacing between fire hydrants is 90m for the zoning. The closest hydrant to the subject site is approximately 505 m away and due to the lack of water mains adjacent to the property along 100 Avenue or along 213 Street, municipal fire protection is not currently available adjacent to the site. This does not meet municipal requirements.</p>	
<p>5. 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.</p>	
<p>6. 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.</p>	
<p>Fire Rescue Services Advisements: Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal however, has the following advisements for your implementation and information.</p>	
<p>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</p>	
<p>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).</p>	
<p>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).</p>	
<p>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</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(2023-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 that an all-weather access road is constructed prior to construction.</p>	
<p>Reference: NFC(2023-AE) 5.6.1.4. Access for Firefighting</p>	
<p>4) Access routes for fire department vehicles shall be provided and maintained to construction and demolition sites.</p>	
<p>Ensure that emergency access route/fire lane signage is posted as per the NFC(2023-AE) 2.5.1.5 (2)</p>	
<p>Reference: 2.5.1.5. Maintenance of Fire Department Access</p>	
<p>2) Vehicles shall not be parked to obstruct access by fire department vehicles and signs shall be posted prohibiting such parking.</p>	

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<p>Partial Occupancy Conditions as per the NFC(2023-AE) 5.6.1.12. For additional information please see: Occupancy of Buildings Under Construction STANDATA – https://open.alberta.ca/dataset/19a79320-afad-49ac-8cfb-70278c9daf1f/resource/e083a4d3-1bca-40b0-b15f-a4b67d716dfa/download/ma-standata-bulletin-joint-fire-building-19-fcb-005-bcb-004.pdf Ensure exits are not obstructed during construction of an occupied building.</p> <p>Ensure that the fire alarm and/or sprinkler system are integrated with existing systems. If systems require a shut down that exceeds 2 hours, a fire watch is required. Fire Watch Requirements - Safety Codes Council https://ebs.safetycodes.ab.ca/documents/webdocs/PI/safety-tips_fire-watch-requirements.pdf</p> <p>Please send ALL FRS DP review inquiries to cmsfpts@edmonton.ca</p>																																				
<p>Rights of Appeal</p> <p>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.</p>																																				
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