

SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA

Wednesday, 9:00 A.M.
July 14, 2021

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

I 9:00 A.M. SDAB-D-21-500

Order to remove all commercial vehicles, loaded or unloaded, having a maximum gross vehicle weight (G.V.W.R.) exceeding 4600 kg, and take any actions or remove any other items that are in contravention of the City of Edmonton Zoning Bylaw 12800 before June 17, 2021

10173 - 144 Street NW
Project No.: 391436346-003

II 10:30 A.M. SDAB-D-21-108

Order to remove any business related materials including appliances and Seacan from the property and refrain from any further storage associated with the business by June 29, 2021, OR Acquire a Development Permit that reflects the current development on the site before June 29, 2021

13020 - 128 Street NW
Project No.: 284100601-003

III 1:30 P.M. SDAB-D-21-109

Construct a 159 Dwelling Multi-unit Housing (apartment) building with underground parkade (Garneau Park)

11041 - 86 Avenue NW
Project No.: 370375510-002

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-21-500

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT:

APPLICATION NO.: 391436346-003

ORDER TO: Remove all commercial vehicles, loaded or unloaded, having a maximum gross vehicle weight (G.V.W.R.) exceeding 4600 kg, and take any actions or remove any other items that are in contravention of the City of Edmonton Zoning Bylaw 12800 before June 17, 2021

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: May 21, 2021

DATE OF APPEAL: June 14, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10173 - 144 Street NW

LEGAL DESCRIPTION: Plan 1653Z Blk C Lots 22-23

ZONE: (RF3) Small Scale Infill Development Zone

OVERLAY: Main Streets Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

A company under the name of Spruce Permaculture Landscaping Ltd held a business license with the City of Edmonton in regards to 10173 144 ST

(the property). Time is needed to comply with the large list of orders given. Most of the items on the property belong to the company and will be cleaned up. The commercial vehicle is a low flat deck truck, is parked on a solid base and is not posing a risk or hazard, it has been parked and used on/off for 3 years. Along with the items and supplies (wood) which have been used on/off they have been there for 2 years. We do ecostation runs on the regular and recycle as much as we can. Just this past weekend I took in 2 loads of brush from the property to help clean up and comply.

<i>General Matters</i>

Appeal Information:

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

Stop order

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

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

the development authority may act under subsection (2).

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

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

within the time set out in the notice.

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

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

Permit

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

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

or

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

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

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Section 140.1 states that the **General Purpose** of **(RF3) Small Scale Infill Development Zone** is “to provide for a mix of small scale housing.”

Section 819.1 states that the **General Purpose** of the **Main Streets Overlay** is:

to encourage and strengthen the pedestrian-oriented character of Edmonton’s main street commercial areas that are located in proximity to residential and transit-oriented areas, by providing visual interest, transparent storefront displays, and amenities for pedestrians.

Section 45(1)(a) states:

No person shall keep in any part of a Site in any Residential Zone:

- a. any commercial vehicle, loaded or unloaded, having a maximum gross vehicle weight (G.V.W.R.) exceeding 4 600 kg.

Notice to Applicant/Appellant

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

Citizen Services
Community Standards and Neighbourhoods

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

edmonton.ca



Date: May 21, 2021

Reference/File No: 391436346-003

ORDER

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

TO:

RE: Municipal Address: 10173 144 STREET NW, Edmonton, AB

Legal Description: Plan 1653Z Blk C Lots 22-23

Tax Roll Number: 2076750

(hereinafter referred to as "the property")

As a result of an inspection of the property on May 21, 2021:

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

45(1)(a) No person shall keep in any part of a Site in any Residential Zone: any commercial vehicle, loaded or unloaded, having a maximum gross vehicle weight (G.V.W.R.) exceeding 4600 kg.

THEREFORE YOU ARE ORDERED TO:

Remove all commercial vehicles, loaded or unloaded, having a maximum gross vehicle weight (G.V.W.R.) exceeding 4600 kg, and take any actions or remove any other items that are in contravention of the City of Edmonton Zoning Bylaw 12800.

YOU MUST COMPLY WITH THIS ORDER BEFORE: June 17, 2021.

Officer: Marko EMEO #110 Telephone: 780-496-3970

Complaints and Investigations
Community Standards Branch

OFFENCE FOR NON-COMPLIANCE:

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

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

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

[Include the following provision if the City intends to carry out the order. Otherwise delete.]

ADDITIONAL CONSEQUENCES FOR NON-COMPLIANCE:

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

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

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

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

PROCEDURE FOR STARTING AN APPEAL OF THE ORDER

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

Pursuant to section 686(1) of the Act an appeal to the Subdivision and Development Appeal Board is commenced by filing a notice of the appeal, containing reasons, with the board within 21 days after the date on which the person is notified of the order under section 645.

Requests for review must be received by:

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

Telephone: (780) 496-6079
Fax: (780) 577-3537

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

ITEM II: 10:30 A.M.

FILE: SDAB-D-21-108

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT:

APPLICATION NO.: 284100601-003

ORDER TO: Remove any business related materials including appliances and Seacan from the property and refrain from any further storage associated with the business by June 29, 2021, OR Acquire a Development Permit that reflects the current development on the site before June 29, 2021

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: June 10, 2021

DATE OF APPEAL: June 17, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 13020 - 128 Street NW

LEGAL DESCRIPTION: Plan 2488KS Blk 78 Lot 7

ZONE: (RF4) Semi-Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

1. Before we set up the seacan in our back yard, we called 311 and been told we don't need a permit as long as it's in the back yard and inside our own property;
2. We had badly flood in our house basement, all the furniture and appliance in the basement had to be stored there;
3. Before and after we set up the seacan we asked our neighbour especially those ones around our house if the seacan make them uncomfortable and influence their property, no one complain;

<i>General Matters</i>

Appeal Information:

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

Stop order

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

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

the development authority may act under subsection (2).

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

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

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required

by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

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

Permit

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

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

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 150.3(4), a **Major Home Based Business** is a **Discretionary Use** in the **(RF4) Semi-Detached Residential Zone**.

Under section 7.3(6), **Major Home Based Business** means:

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

Section 150.1 states that the **General Purpose** of **(RF4) Semi-Detached Residential Zone** is “to provide a zone primarily for Semi-detached Housing and Duplex Housing.”

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

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

Section 75.5 of the **Major Home Based Business** regulations states “there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings.”

Section 15 provides regulations with respect to **Conditions Attached to Development Permit**

Section 5.1 states:

5.1 Requirement for a Development Permit

1. No person shall commence, or cause or allow to be commenced, a development without a Development Permit issued in accordance with Section 12 of this Bylaw.
2. No person shall carry on, or cause or allow to be carried on a development without a Development Permit issued in accordance with Section 12 of this Bylaw.

Section 23.1(3) states “It is an offence for any person to undertake development in contravention of an approved 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 and Zoning Services
Development Compliance & Inquiries

5th Floor
10111 - 104 Ave NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



June 1, 2021

Our File: 284100601-003

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir/Madam:

An Alberta Land Titles search identifies you as the registered owner(s) of the property located at 13020 - 128 STREET NW in Edmonton, Alberta, legally described as Plan 2488KS Block 78, Lot 7 Blk 3.

This Property was inspected by Development Compliance Officer Justin Hogberg, on May 28, 2021. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 and 624 of the Municipal Government Act.

ZONING BYLAW INFRACTION:

This property is zoned (RF4) Semi-detached Residential Zone in accordance with Section 150 of Edmonton Zoning Bylaw 12800. Our investigation revealed a Home Based Business (Administration Office and Work Space for an Appliance Repair Business - Assad Appliances) has not been developed in accordance with Development Permit No. 284100601-001 issued on July 6, 2018.

Specifically,

Condition 6 states: There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).

Condition 8 states: The business use must maintain the privacy and enjoyment of adjacent residences and the characteristic of the neighborhood

Outdoor storage of business related materials including appliances and Seacan were observed on the property. This is in contravention of Section 15 of Edmonton Zoning Bylaw 12800.

Section 23.1.3 of Edmonton Zoning Bylaw 12800: It is an offence for any person to undertake development in contravention of an approved Development Permit, including any conditions of approval.

City of Edmonton
Development and Zoning Services
Development Compliance & Inquiries

5th Floor
10111 - 104 Ave NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



ORDER:

Pursuant to Section 645 of the Municipal Government Act, R.S.A. 2000, you are hereby ordered to:

1. Remove any business related materials including appliances and Seacan from the property and refrain from any further storage associated with the business by June 29, 2021.

OR

2. Acquire a Development Permit that reflects the current development on the site before June 29, 2021.

CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected after June 29, 2021 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.

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 the prescribed time 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, R.S.A. 2000, c.M-26.1, 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.

City of Edmonton
Development and Zoning Services
Development Compliance & Inquiries

5th Floor
10111 - 104 Ave NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



Regards,

Justin Hogberg
Development Compliance Officer
780-405-0062
justin.hogberg@edmonton.ca

**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 Municipal Government Board under section 501, if the composite assessment review board or the Municipal Government Board 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 Municipal Government Board;
 - (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.

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	<p>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.</p> <p>(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.</p> <p>(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.</p>
Permit	<p>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.</p>
Grounds for appeal	<p>685(1) If a development authority</p> <ul style="list-style-type: none"> (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, <p>the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.</p> <p>(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.</p> <p>(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).</p> <p>(4) Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district</p> <ul style="list-style-type: none"> (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	<p>686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board</p> <ul style="list-style-type: none"> (a) in the case of an appeal made by a person referred to in section 685(1) <ul style="list-style-type: none"> (i) with respect to an application for a development permit, <ul style="list-style-type: none"> (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, <p>or</p> <ul style="list-style-type: none"> (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.
- (2)** The subdivision and development appeal board must hold an appeal hearing within 30 days after receipt of a notice of appeal.
- (3)** The subdivision and development appeal board 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 subdivision and development appeal board 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.

ITEM III: 1:30 P.M.

FILE: SDAB-D-21-109

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 370375510-002

APPLICATION TO: Construct a 159 Dwelling Multi-unit Housing (apartment) building with underground parkade (Garneau Park)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: May 20, 2021

DATE OF APPEAL: June 14, 2021

NOTIFICATION PERIOD: May 27, 2021 through June 17, 2021

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11041 - 86 Avenue NW

LEGAL DESCRIPTION: Plan 2121144 Blk 164 Lot 33

ZONE: DC2.1154 - Site Specific Development Control Provision (Charter Bylaw 19463)

OVERLAY: N/A

STATUTORY PLAN: Garneau Area Redevelopment Plan

Grounds for Appeal

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

Since this is a Site Specific Development Permit, it is my understanding there would be hardly any variance. DC2 zoning are custom written after mutual agreement between the City and the developer. As a result, by default variance is non-existence. Secondly, the process of appealing in DC zones or other standard zones is to identify any error or omissions on the part of following the due process by the officers. I believe, the authority(ies) have followed the due diligence and as there is little to no grounds to make an appeal. With respect to this development, I being adjacent land owner have numerous concerns about this project before, during and after the construction is complete. The biggest concern is, since this is a mid-rise residential building with underground levels of parkade. A massive amount of land, soil density will have to be excavated and disturbed. How will this affect the stability of my land, foundation and existing building. Sometimes, the effect appear in future.

There is no mention of any requirement on the part of the developer to come in to an agreement with the adjacent land owner to resolve any or all concerns as a result of this project at all stage(s) of construction.

However, the developer has approached myself to enter in to an agreement titled "Shoring and Crane Swing Agreement". I have not signed off and currently seeking professional advise from an Architect Firm, Lawyer Firm and Structural Engineering Firm.

I have concerns with the following sections of the DC2 zoning provision.

- 1) DC2.1154.5 Section 8 (b), Section 10, 11
- 2) DC2.1151.10 Section 4 (c) (No mention of adjacent neighbour).

Lastly, as much as I want to support this development and smooth progress of the construction. I would appreciate, if my reasonable and relevant concerns are addressed to my satisfaction.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

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

Appeals

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

(a) in the case of an appeal made by a person referred to in section 685(1)

(i) with respect to an application for a development permit,

(A) within 21 days after the date on which the written decision is given under section 642, or

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

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

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

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

(a) ...

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

General Provisions from the DC2.1154 Site Specific Development Control Provision (Charter Bylaw 19643) (“DC2”):

Under section DC2.1154.3.1, **Multi-unit Housing** is a **Listed Use** in the **DC2**.

Section DC2.1154.1 states that the **General Purpose** of the **DC2** is:

To facilitate the development of a mid-rise residential building with a variety of Dwelling types, including street-oriented Dwellings at ground level adjacent to 86 Avenue NW.

General Provisions from the Edmonton Zoning Bylaw:

Under section 7.2(4), **Multi-unit Housing** means:

means development that consists of:

- a. three or more principal Dwellings arranged in any configuration and in any number of buildings;

or

- b. any number of Dwellings developed in conjunction with a Commercial Use where allowed in the Zone.

DC2 Site Specific Development Control Provision

Development Officer’s Determination


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


Note: The development complies with all development regulations in the Edmonton Zoning Bylaw 12800.

[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.

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<h2>Major Development Permit</h2>			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.			
Applicant	Property Address(es) and Legal Description(s) 11041 - 86 AVENUE NW Plan 2121144 Blk 164 Lot 33 Specific Address(es) Entryway: 11041 - 86 AVENUE NW Building: 11041 - 86 AVENUE NW		
Scope of Permit To construct a 159 Dwelling Multi-unit Housing (apartment) building with underground parkade (Garneau Park).			
Permit Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Class of Permit: Class B Gross Floor Area (sq.m.): 12378.41 New Sewer Service Required: Y Site Area (sq. m.): 3239.49 </td> <td style="width: 50%;"> Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwelling: 24 Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): 12378.41 New Sewer Service Required: Y Site Area (sq. m.): 3239.49	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwelling: 24 Stat. Plan Overlay/Annex Area: (none)
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Development Permit Decision Approved Issue Date: May 20, 2021 Development Authority: YEUNG, KENNETH Subject to the Following Conditions Zoning Conditions: This Development Permit is not valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1) WITHIN 14 DAYS OF THE END OF THE NOTIFICATION PERIOD with NO APPEAL and prior to any demolition or construction activity, the applicant must post on-site a development permit notification sign (Section 20.6). 1. This Development Permit authorizes the development of a 159 Dwelling Multi-unit Housing (apartment) building with underground parkade (Garneau Park). 2. The development shall be constructed in accordance with the stamped and approved drawings. 3. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians, to accentuate building elements, and to highlight the development at night time and in winter months. Exterior lighting associated with the development shall be designed to minimize impact on any adjacent property (Bylaw 19463, DC2.1154.6.11). 4. All mechanical equipment, including roof mechanical units and Underground Parkade intake/exhaust vents shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building. Ground level vents shall be oriented away from adjacent Sites or on-Site amenity areas (Bylaw 19463, DC2.1154.6.12). 5. Bicycle parking shall be provided in accordance with DC2.1154.7 (Bylaw 19463). 6. The storm and sanitary drainage systems required to service the development, including off-site improvements and on-site stormwater management, shall be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Officer in consultation with City Planning (drainage). Such improvements are to be constructed at the owner's cost (Bylaw 19463, DC2.1154.10.5).			

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<h2>Major Development Permit</h2>	
<p>7. Exterior lighting shall be developed to provide a safe lit environment in accordance with Sections 51 and 58 and to the satisfaction of the Development Officer.</p> <p>8. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices. (Section 51).</p> <p>9. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$1,632.00.</p> <p>10. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Charge fee of \$1,246.00 per Dwelling (total of \$198,114.00). The SSTC charge is quoted at year 2021 rate. A credit will be given for the existing 9 Dwellings at the rate of \$1,746/dwelling (total of \$15,714.00). The applicant or property owner shall pay a total SSTC fee in the amount of \$182,400.00 (based on 2021 rates) for the full development. Please contact Private Development, Drainage Services, at 780-496-5665 for further details regarding the fee. The final SSTC is based on the prevailing rate at the time the applicant/owner makes payment at the 2nd Floor, Edmonton Tower, 10111 104 Avenue NW, Edmonton AB T5J 0J4.</p>	
<p>Landscaping Conditions:</p> <p>1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$528.00 (this can be paid by phone with a credit card - 780-442-5054).</p> <p>2. Landscaping shall be in accordance with the approved Landscape Plan, and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer.</p> <p>3. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.</p> <p>4. Landscaping shall be installed within 18 months of receiving the Final Occupancy Permit. Landscaping shall be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Officer.</p> <p>5. A Landscape Security shall be provided to the City of Edmonton at the time of initial Landscape Inspection, to the satisfaction of the Development Officer. The initial Landscape Inspection shall be requested within 14 days of the Landscape installation being completed (www.edmonton.ca/landscapeinspectionrequest).</p> <p>6. Upon determination that landscaping has been installed in compliance with the approved Landscape Plan, 20% of the full Landscape Security value as determined by the Development Officer shall be collected. The Landscape Security shall be retained for a period of 24 months from the date of the initial Landscape Inspection.</p> <p>7. Sites that are not completed or are not compliant with approved Landscape Plans at the initial Landscape Inspection shall, in addition, be required to submit a Security for incomplete work; up to the full value of the Landscape Security, as determined by the Development Officer.</p>	
<p>EPCOR Conditions:</p> <p>1. The proposed development appears to be contained on nine separately titled lots (Lots 19-20, 21A, 21B and 22-26). Servicing from one lot to another is not permitted under City of Edmonton bylaws. The lots must be consolidated prior to commencing construction.</p> <p>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 17698 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by</p>	

Major Development Permit

contacting waterlandadmin@epcor.com.

3. There is a new hydrant (H27031) located on the west property line of Lot 25. This hydrant must be protected during construction and access to the hydrant must not be impeded for fire fighting purposes. Excavation cannot occur closer than 3m from back of hydrant in order to prevent compromising the existing thrustblock. Contact EPCOR Water Asset Protection at waterdtassetprotection@epcor.com prior to commencing excavation and set up an on-site meeting to confirm the requirements to protect both the Water infrastructure and the integrity of the excavation.

Urban Forestry Conditions:

All tree removals will be at the cost of the project, including asset values and operational removal costs, as per the Corporate Tree Management Policy (C456C). Forestry will schedule and carry out all required tree work for any City of Edmonton trees that may be related to or impacted by this proposed project. It will be required of the project to notify the surrounding community of any tree removal that results from the development.

Forestry will not support the removal of large limbs or major structural roots if a significant portion of that tree is conditionally affected or lost because of the construction of the building (i.e. greater than 30% of its entire existing canopy or root zone). Tree removal conditions can apply as above, should this occur.

Upon approval of the plan and prior to construction or lay-down area acceptance a site meeting with Forestry will be required to review construction plans and tree protection plans (CoE Tree Protection Specifications) for existing City of Edmonton trees within 5 meters of any construction. This meeting will need to be scheduled a minimum 4 weeks in advance of the construction start date. If tree damage occurs, compensation or value will be enforced and shall be covered by the project.

Transportation Conditions:

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

- a. Reconstruction of the east-west alley, between 110 Street and 111 Street, to a commercial alley standard, for an approximate length of 170 m, including reconstruction of the alley crossings to 110 Street and 111 Street;
- b. Installation of signage and pavement markings along 110 Street and 111 Street at the alley crossings to optimize the safe and efficient movement of cyclists along the bike lanes, to the satisfaction of City Operations; and
- c. Relocation/modification of any existing utilities and installation of any new utilities.

The Agreement must be signed PRIOR to the release of the drawings for Building Permit review. Please email development.coordination@edmonton.ca to initiate the required Agreement. Following this, any further questions regarding this Agreement may be directed to Ho Li (780-944-0851) of the Development Servicing Agreements Unit.

-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 Annie Duong (780-442-0251) 72 hours prior to removal or construction within City road right-of-way.

2. There are existing boulevard trees adjacent to the site on 86 Avenue and in proximity to the alley crossings on 110 and 111 Street that must be protected during construction. No hardscaping shall be constructed around the existing trees. All costs associated with tree protection, root cutting, and/or hoarding shall be borne by the owner/applicant. An Arborist Report must be submitted as part of the application that indicates a Tree Protection Plan to be implemented prior to and during construction. A site meeting with Urban Forestry will be required to review construction plans and tree protection plans (CoE Tree Protection Specifications) for existing City of Edmonton trees within 5 meters of any construction. The proponent must contact Kirsten Mortensen with Urban Forestry at kirsten.mortensen@edmonton.ca 4 weeks prior to construction in order to arrange for hoarding and/or root cutting and to arrange for exploratory air spading. This air spading is to ensure that no structural roots will be damaged during construction of the access and will be monitored by an Urban Forester. Post construction water for the tree may also be required, at the discretion of the

Major Development Permit

Urban Forester, and all associated costs will be borne by the proponent as per the Corporate Tree Management Policy (C456C).

Urban Forestry will schedule and carry out all required tree work for any City of Edmonton trees that may be related to or impacted by this proposed project. It will be required of the project to notify the surrounding community of any tree removal that results from the development. Urban Forestry will not support the removal of large limbs or major structural roots if a significant portion of that tree is conditionally affected or lost because of the construction of the building (i.e. greater than 30% of its entire existing canopy or root zone).

3. The proposed concrete sidewalk connections to the public sidewalk including the connection for the main site entrance along 86 Avenue are acceptable and must meet City of Edmonton Complete Streets and Design Standards. Any proposed gate swings must swing into the site and are not permitted to swing into the road right-of-way.

4. Vehicular access and egress is provided to the alley. The proposed underground parkade ramp at 6.4 m wide, which is at grade at the property line and has a maximum slope of 10% for approximately 7.1 m inside the property line, is acceptable to Subdivision Planning. Any changes to the parkade ramp slope, width or alley access must be reviewed and approved by Subdivision Planning. Any parking access card devices must be located on site, a minimum of 3.0 m inside the property line.

5. Retaining walls bordering the underground parkade ramp must not exceed a height of 0.3 m at the property line and no portion of the wall may encroach onto road right-of-way. No door swings are permitted to encroach into the road right-of-way.

6. "No Parking" and loading signage must be provided in the garbage/loading area. All signs must be located on private property.

7. There are existing power poles in the alley. Should relocation of the pole/guy-wire be required, all costs associated with relocation must be borne by the owner/applicant. The applicant should contact EPCOR Customer Engineering at ces@epcor.com for more information.

8. Permanent objects, including but not limited to accessible ramps, concrete steps, gate swings, and railings must NOT encroach into or over/under road right-of-way.

9. There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Alberta One-Call (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removal shall be at the expense of the owner/applicant.

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

12. 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:
 start/finish date of project;
 the accommodation of pedestrians and vehicles during construction;
 confirmation of lay down area within legal road right of way if required;
 and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.
 It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at

https://www.edmonton.ca/business_economy/oscaml-permit-request.aspx and
https://www.edmonton.ca/business_economy/documents/PDF/ConstructionSafety.pdf

Waste Management Conditions:

This is a residential property and therefore falls under the City of Edmonton bylaw 18590, requiring the waste and recycle services are provided by the City of Edmonton.

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This site with 159 units would receive approximately 40 cubic yards of garbage service and 20 cubic yards of recycle service per week for the residential units.

The waste storage room needs to be adequately sized for the approx. five 4 cubic yard wheeled garbage bins and three 4 cubic yard wheeled recycle bins required to service the residential units. The frequency for pickup with these amounts of bins would be 2 times per week for garbage and recycle.

The commercial units will be required to go with a private waste removal companies and separate waste loading areas will need to be considered for the commercial component which is not mandated for City provided service. This will also require additional bins to be sited in the waste storage area. If this is not possible, the retail component will be required to use City provided services at City determined rates.

If the loading area is situated over an underground parkade, a letter from an engineering firm stating that the area will be able to withstand the weight of the collection vehicle during loading activities will be required.

Subject to the Following Advisements

Zoning Advisements:


1. Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.
2. An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the Site.
3. A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.
4. Signs require separate Development Applications.


EPCOR Advisements:

1. The site is currently serviced by nine services off of a water main on 86 Avenue NW:
 - 11023 86 Avenue NW (S5068) 20mm copper @ 62.28m WWPL of 110 ST
 - 11027 86 Avenue NW (S4977) 20mm copper @ 83.52m WWPL of 110 ST
 - 11031 86 Avenue NW (S1043) 20mm copper @ 85.95 WWPL of 110 ST
 - 11033 86 Avenue NW (S998) 20mm LEAD @ 65.84m EEPL of 111 ST
 - 11037 86 Avenue NW (S3723) 20mm LEAD @ 57.1m EEPL of 111 ST
 - 11039 86 Avenue NW (S54137) 20mm copper @ 46.33m EEPL of 111 ST
 - 11041 86 Avenue NW (S54136) 20mm copper @ 45.42m EEPL of 111 ST
 - 11043 86 Avenue NW (S3827) 20mm copper @ 37.49m EEPL of 111 ST
 - 11045 86 Avenue NW (S3446) 20mm LEAD @ 22.56m EEPL of 111 ST

The applicant is to contact customer services at 780-412-4000 a minimum of four weeks prior to commencing any work on the site, including demolition, excavation, or grading for direction on the correct process to follow to have the service isolated and meter removed.

2. A new water service may be constructed for this lot directly off EPCOR's water main along 86 Avenue NW.
3. Lead and camalloy services cannot be used to service new development. The existing service must be abandoned and replaced, at the developer expense. Please contact wass.drainage@epcor.com for more information.

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<h2>Major Development Permit</h2>	
<p>4. For information on service abandonments and the provisioning of a new water service contact EPCOR Infill Water and Sewer Servicing at wass.drainage@epcor.com or at 780-496-5444.</p>	
<p>5. Multiple services may be required to provide service to the subject site. A Caveat of Restrictive Covenant for Check Valve Installation must be registered on title. Where looping of the water main back to the public system is planned/exists check valves must be installed and maintained at the owner/applicant's expense. Please contact waterlandadmin@epcor.com for more information on the restrictive covenant.</p>	
<p>6. The existing services are 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.</p>	
<p>7. Prior to the turning on the water service, the applicant must submit bacteriological test results to EPCOR Water Dispatch, and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-6800 for more information on how to provide the test results. Water Dispatch can provide information on the tie-in and commissioning procedure.</p>	
<p>8. 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 onsite water distribution design.</p>	
<p>9. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.</p>	
<p>10. The advisements and conditions provided in this response are firm and cannot be altered.</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 advice for your implementation and information.</p>	
<p>Prior to the commencement of construction, alteration or demolition operations, a fire safety plan, accepted in writing by the fire department and the authority having jurisdiction, shall be prepared for the site. Construction Site Fire Safety Plan Template: https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx</p>	
<p>A formal submission of your Fire Safety Plan will be required for a Building Permit to be issued (please do not forward your Fire Safety Plan at this time). If you have any questions please contact Technical Services at cmsfpts@edmonton.ca. Reference: NFC(2019-AE) 5.6.1.3. Fire Safety Plan</p>	
<p>Ensure that the hydrant(s) servicing the site are fully functional prior to construction.</p>	
<p>Ensure that the building's Sprinkler Fire Department Connection is located in accordance with NBC(2019-AE) 3.2.5.15, and that the travel distance (not radius) from Fire Department Connection to fire hydrant does not exceed 45m. Reference: NBC(2019-AE) 3.2.5.15. Fire Department Connections 2) The fire department connection for an automatic sprinkler system shall be located so that the distance from the fire department connection to a hydrant is not more than 45 m and is unobstructed. 3) The fire department connection referred to in Sentences (1) and (2) shall be located no closer than 3 m and no further than 15 m from the principal entrance to the building.</p>	
<p>Ensure that the protection of adjacent properties has been provided in accordance with EFRS Adjacent Property Protection Guidelines and NFC(2019-AE) 5.6.1.2. This information has been included for your information and implementation during the construction of this project. For additional information please see: https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const.aspx</p>	

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<h2 style="margin: 0;">Major Development Permit</h2>																																														
<p>Transportation Advisements:</p> <p>1. The applicant should coordinate the signage and markings required for the bike lane in the vicinity of the alley crossings on 110 and 111 Streets with Andrew Siggelkow at andrew.siggelkow@edmonton.ca of City Operations.</p> <p>2. Residential Sales Trailers require a separate development permit. Construction trailers must be located on private property or within the hoarded area.</p> <p>Variations You are receiving this notice because a Development Permit has been issued on a Direct Control Zone, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.</p> <p>Note: The development complies with all development regulations in the Edmonton Zoning Bylaw 12800.</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: May 27, 2021 Ends: Jun 17, 2021</p>																																														
<p>Fees</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 15%;">Fee Amount</th> <th style="text-align: right; width: 15%;">Amount Paid</th> <th style="text-align: left; width: 10%;">Receipt #</th> <th style="text-align: left; width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$864.00</td> <td style="text-align: right;">\$864.00</td> <td>06888963</td> <td>Aug 21, 2020</td> </tr> <tr> <td>Lot Grading Fee</td> <td style="text-align: right;">\$1,632.00</td> <td style="text-align: right;">\$1,632.00</td> <td>06888963</td> <td>Aug 21, 2020</td> </tr> <tr> <td>Development Permit Inspection Fee</td> <td style="text-align: right;">\$528.00</td> <td style="text-align: right;">\$528.00</td> <td>06888963</td> <td>Aug 21, 2020</td> </tr> <tr> <td>Dev. Application Fee # of dwelling units</td> <td style="text-align: right;">\$11,935.00</td> <td style="text-align: right;">\$11,935.00</td> <td>06888963</td> <td>Aug 21, 2020</td> </tr> <tr> <td>Sanitary Sewer Trunk Fund 2012+</td> <td style="text-align: right;">\$182,400.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$197,359.00</td> <td style="text-align: right; border-top: 1px solid black;">\$14,959.00</td> <td></td> <td></td> </tr> <tr> <td colspan="5">(\$182,400.00 outstanding)</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$864.00	\$864.00	06888963	Aug 21, 2020	Lot Grading Fee	\$1,632.00	\$1,632.00	06888963	Aug 21, 2020	Development Permit Inspection Fee	\$528.00	\$528.00	06888963	Aug 21, 2020	Dev. Application Fee # of dwelling units	\$11,935.00	\$11,935.00	06888963	Aug 21, 2020	Sanitary Sewer Trunk Fund 2012+	\$182,400.00				Total GST Amount:	\$0.00				Totals for Permit:	\$197,359.00	\$14,959.00			(\$182,400.00 outstanding)				
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