



Expedited Infill Review Process: Terms and Conditions of Participation

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1. Overview

This document outlines the terms and conditions for participating in the Expedited Infill Review Process. It serves as the basis for understanding parameters for participation in the process both by City staff and Participants.

These terms and conditions will remain in effect for the duration of the Expedited Infill Pilot and may be subject to change. To participate in the Expedited Infill Review Process, Participants are required to read and understand this document and sign the Participant Acknowledgement Form.

2. Eligibility Criteria

To participate in the Expedited Infill Review Process, Participants must adhere to the following eligibility criteria:

- Participation in the Expedited Infill Review Process is limited to individuals who have successfully completed the Builder Education Program.

Note: The Builder Education Program is open to all interested participants and is not limited to infill builders and/or developers.



- Participation in the Expedited Infill Review Process is provided at an individual level, not at a company level.
- There is no minimum volume of Development Permit applications required to be submitted to participate in the Expedited Infill Review Process.
- Participants must have an eServices Self Serve account and submit Development Permit applications via selfserve.edmonton.ca. Development Permit applications submitted in person and by mail are excluded from the Expedited Infill Review Process.
- By submitting Development Permit applications through the Expedited Infill Review Process, participants accept their responsibilities as outlined within the *Participant Acknowledgement Form*.

3. Development Parameters

Participants are responsible to build in accordance with the Edmonton Zoning Bylaw 12800.

Inclusions

The Expedited Infill Review Process is **limited to Class A applications only** for the following dwelling types:

- Single Detached House
- Single Detached House with Secondary Suite
- Semi-detached House

The following additional permits may be applied for concurrently:

- Building Permit
- Footing and Foundation Permit
- Demolition Permit
- Detached Garage Permit

Note: Expedited timelines are limited to Development Permits only. Any additional permits will be subject to standard review process timelines.



To qualify for the Expedited Infill Review Process, Development Permit applications must:

- be located within RF1, RF2, RF3, and RF4 zones only
- be located within the Mature Neighbourhood Overlay (MNO)
- be on registered lots
- not require additional circulations, with the exception of Addressing circulations only for a Development Permit application for a single-detached house with secondary suite (if required)

Note: These qualifications may change during the course of the pilot.

Exclusions

Development Permit applications which require additional circulations will be excluded from the Expedited Infill Review Process. Additional circulations are required where:

- the subject site is located within or abutting the North Saskatchewan River Valley and Ravine System Protection Overlay and where circulation to the City's Geotechnical Engineer is required
- the subject site contains a dwelling that is designated as a Municipal Historic Resource or Provincial Historic Resource, and/or is listed on the Inventory of Historic Resources in Edmonton
- a 1.5m driveway clearance around any surface utility (ie. power pole, anchor, etc.) cannot be provided
- new access onto a public roadway, other than a lane, is required

Note: These qualifications may change during the course of the pilot.

4. Compliance Mechanism

Participants in the Expedited Infill Review Process will be subject to the terms and conditions of the Expedited Infill Compliance Mechanism, outlined in Appendix A.



5. Participant Acknowledgment Form

By submitting Development Permit applications through the Expedited Infill Pilot each Participant agrees to and acknowledges:

1. The Participant acknowledges that they understand the terms and conditions of participation of the Expedited Infill Pilot, including
 - a. Participant eligibility criteria
 - b. development parameters, including the requirements of the Edmonton Zoning Bylaw 12800 as they apply to the Expedited Infill Pilot
 - c. the terms and conditions of the Expedited Infill Compliance Mechanism
2. Each application shall include all documents and information required to be submitted to the City and be free of any errors, omissions and misrepresentations, whether willful or accidental.
3. The individual acknowledges that applications submitted is being relied on in the development permit approval by the City.
4. If any application is found to contain errors, omissions or misrepresentations which were relied on in approving the Application, the City, in its sole discretion, may determine that the corresponding development permit is invalid pursuant to Section 13 of City of Edmonton Bylaw 12800 (the “Zoning Bylaw”) and may require the cessation of any work pursuant to the development permit.
5. If any application is found to contain errors, omissions or misrepresentations, the City, in its sole discretion, may terminate the authority of the individual to expedite the review of any and all future applications.
6. Each application shall comply with all sections of the Zoning Bylaw which govern the application, and without limiting the foregoing, each application shall only be submitted if categorized as a “Class A” permit as defined by the Zoning Bylaw.
7. The Participant agrees to indemnify and hold harmless the City of Edmonton and its employees against any and all claims, causes of action, debt, damages and/or losses, demands of every nature and kind at law or in equity or under any statute, legislation, or bylaw brought against the City of Edmonton relating to the expedited review of an application under the Expedited Infill Pilot and/or action taken under the Expedited Infill Compliance Mechanism.
8. The Participant releases the City of Edmonton, its employees, and those for whom it is at law responsible, any and all claims, causes of action, debt,



damages and/or losses, demands of every nature and kind at law or in equity or under any statute, legislation, or bylaw, the Participant now has or may in the future have, by reason of or arising directly or indirectly out of the City's exercise of its rights under the Expedited Infill Compliance Mechanism.

Participant Signature

Date (dd/mm/yyyy)

Participant Name

The personal information collected for the purpose of acquiring a permit is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy Act (Alberta). It will be used to enter your application into the Expedited Infill Review Process. If you have questions or concerns about the collection, use, disclosure or destruction of the personal information collected on this form, please contact Service Advisor, 2nd Floor, Edmonton Tower, 10111 104 Avenue, Edmonton, AB, T5J 0J4, 780-442-5054.



Appendix A: Expedited Infill Compliance Mechanism

1. Definitions

Participants refers to applicants who have successfully completed the Program and are applying for development permit applications under the Process.

Process Administrators refers to two Planners from the Strategic Initiatives team and one Development Officer from the Residential Approvals team who administer the Process.

2. Purpose

The purpose of the compliance mechanism is two-fold, to ensure that Participants in the Expedited Infill Program:

- A) Submit complete development permit applications and;
- B) Conduct construction-related activities in a manner that is safe and in accordance with municipal and provincial requirements and other legal requirements for development.

The compliance mechanism will operate using a cumulative points-based system, in which Participants, upon failing to submit a complete development permit application or receiving issuance of a ticket, violation notice/notice to comply, or Municipal Government Act order for included construction-related offences, will accumulate points.

Reaching or exceeding a total of 30 points over the course of their participation in the Process will constitute a Participant ineligible to continue to participate in the Process and receive expedited review timelines until successful steps for re-entry have been completed.

A full breakdown of infractions included within the compliance mechanism and their point values will be explained in greater detail below and may be found below in Attachment 1.

A) Development Permit Applications: 10 Points

Participants are required to submit complete applications for development permits to be eligible to participate in the Process and receive expedited review timelines.



A development permit application¹ may be deemed incomplete by a Development Officer if additional information is required to complete a technical review of the application or if there are errors contained within the application.

A Development Officer may deem an application incomplete if:

- Fees have not been paid
- [Application requirements](#) for development permits are not met, including the provision of all required plans, maps, drawings, and other documents
- There are inconsistencies between submitted documents and/or application forms
- Documents are submitted using improper formats

Each incomplete development permit application that is received through the Expedited Infill Program will be recorded by Process Administrators and 10 points will be added to the Participants cumulative points total.

B) Construction-related Activities: Severity-based Point Assignments

Participants are required to conduct construction-related activities on active work sites² in a manner that is safe and in accordance with all municipal and provincial requirements for development.

Several construction infractions have been assigned point values according to the following measures of severity:

- Potential to cause reasonable harm, injury, or death to members of the public, contractors and site visitors, and/or future occupants
- Potential to create lasting and/or irreversible impacts to surrounding private properties and/or public property including damage to City infrastructure including City-owned trees
- Potential for the activity to generate impacts to the use and enjoyment of public and private spaces, including the potential to generate privacy concerns for neighbouring properties

Upon issuance of a ticket, violation notice/notice to comply, or Municipal Government Act order for any of the included offences, the construction infraction will be recorded by Process Administrators and the corresponding points value will be added to the Participants cumulative points total.



For the purpose of the Expedited Infill Program, tickets or Municipal Government Act orders under appeal will still be recorded and considered by Process Administrators as contributing to a Participants cumulative point score, regardless if they are sustained by the Courts.

3. Monitoring and Enforcement

Process Administrators will be responsible for monitoring and enforcement of the compliance mechanism. Process Administrators will regularly monitor Participants to identify and record whether incomplete applications have been submitted and/or whether a Participant has received any tickets, violation notices/notices to comply, or Municipal Government Act orders for any active infill construction site for which they are the applicant on file.

The compliance mechanism for each Participant will come into effect upon the date by which the Participant submits their first development permit application through the Process. Any incomplete applications previously submitted by the Participant, and/or any tickets, violation notices/notices to comply, or Municipal Government Act orders received by the Participant prior to this date will not be considered within the compliance mechanism.

Participants will be notified via e-mail warning by Process Administrators when they reach 20 points. Participants will be notified via e-mail by Process Administrators when they reach or exceed 30 points and become ineligible to participate in the Process and ineligible to receive expedited review timelines. Removal of the Participant from the Process will be effective immediately upon reaching or exceeding the threshold of 30 points. Any subsequent development permit applications submitted by the Participant will not receive expedited review timelines but can still be received and reviewed via the regular development approvals process.

At any point, irrespective of their cumulative points total, Participants who are found to have undertaken development without a development permit will be subject to automatic removal from the Process.

The compliance mechanism will remain in effect for the entirety of the Expedited Infill Pilot.



4. Re-entry

Participants wishing to re-enter the Process upon removal must successfully retake all courses offered by IDEA within the education Program. As per the discretion of IDEA, Participants will be required to pay all relevant course fees.

¹ For the purpose of this compliance mechanism, only development permit applications which are submitted through the Expedited Infill Process will be considered.

² For the purpose of this compliance mechanism, construction infractions on all sites under which the Participant has been issued a development permit, including those not submitted through the Expedited Infill Process, will be considered.

Attachment 1

Infraction	Score	Enforcement	Rationale
<p>Development without a permit Includes development of any kind that occurs without a valid permit.</p>	Automatic Removal	Safety Codes Compliance + Infill Compliance Team	Any development that occurs without a permit is illegal and circumvents the entire permitting process altogether.
<p>Submission of an incomplete Development Permit application Includes any Development Permit application that is deemed incomplete at the discretion of the Development Officer for any reason.</p>	10 Points	Development Approvals	Failure to submit a complete application results in additional information required by Development Officers in order to complete their review, negatively impacting expedited timelines.
<p>Damage to City tree Includes damage and/or requirement of removal of any City-owned tree as a result of construction and/or demolition activities.</p>	10 Points	Infill Compliance Team	City trees are valued assets and assigned a monetary value. Removal and replacement of damaged City tree requires high costs for remediation.
<p>Materials stored outside of site boundaries Includes any materials related to construction and/or demolition activities which are located outside of site boundaries, including construction debris, materials, and/or equipment.</p>	8 Points	Safety Codes Compliance	Materials which are stored outside of site boundaries may pose a risk to public health and safety, as there is the potential for public injury.
<p>Nuisance construction Includes any construction and/or demolition related activities which demonstrate a severe disregard for the subject site and/or adjacent properties.</p>	8 Points	Infill Compliance Team	Nuisance construction may generate severe impacts for on-site workers and adjacent properties, but may also generate far-reaching impacts in the larger community.
<p>Increase to finished floor elevation Includes any increases to finished floor elevation which result in the height of the finished structure exceeding the approved height as per the Development Permit.</p>	7 Points	Development Permit Inspections	Increases in finished floor elevation, and ultimately the height of the finished structure, may negatively impact use and enjoyment of abutting properties and is potentially very costly to remediate.
<p>Failure to obtain a required Temporary Crossing Permit Includes failure to obtain a valid Temporary Crossing Permit for any construction and/or demolition activities which require crossing a City boulevard.</p>	7 Points	Infill Compliance Team	Construction activities which require boulevard crossings has the potential to cause severe damage to public infrastructure as well as impacts to adjacent neighbours abutting infrastructure.
<p>Failure to fill a curb crossing Includes the failure to remove and/or close a pre-existing vehicular access within the front yard or flanking yard.</p>	6 Points	Development Permit Inspections	Failure to remove and or close a pre-existing vehicular access may be very costly to remediate. This cost is transferred to the property owner if not completed by builder.
<p>Occupying road right-of-way Includes any construction related debris, materials, or equipment that is left on road right-of-way.</p>	5 Points	Infill Compliance Team	Longstanding occupation of road right-of-way, including the storage of materials, may cause damage to City infrastructure and impedes the use and enjoyment of the infrastructure by the general public.
<p>Addition of windows in the side yard and/or increases to approved window size Includes the addition of windows and/or increases to the window sizes such that windows that not in accordance with the approved and stamped plans .</p>	5 Points	Development Permit Inspections	Additions of windows in the side yard and/or increases to the approved window size may generate privacy concerns for abutting neighbours.
<p>Failure to post a Development Permit notification signs Includes failure to post required Development Permit notification signs within 14 days of the issuance of a Development Permit.</p>	4 Points	Development Permit Inspections + Infill Compliance Team	DP Notice signs are required to provide information about the development and encourage communication between builders and neighbours. Without proper signage, more inquiries are received via 311 as opposed to the builders directly.
<p>Failure to frost window upon occupancy Includes the failure to frost all required windows upon occupancy of the subject dwelling in accordance with the approved and stamped plans.</p>	4 Points	Development Permit Inspections	Failure to frost a window upon occupancy may generate privacy concerns for abutting neighbours.
<p>Materials on roadway and/or tracking Includes construction-related materials that have been left and/or tracked onto the roadway such as mud.</p>	3 Points	Infill Compliance Team	Materials on roadways such as dirt, debris, and mud, may cause safety concerns such as slips, trips, and falls.
<p>Highway obstruction Includes any obstruction of a highway, as defined in the <i>City of Edmonton Traffic Bylaw 5990</i> as a result of construction and/or demolition related activities. This includes sidewalks, streets, roads, avenues, and lanes, whether publicly or privately owned, that are obstructed by construction debris, materials, and/or equipment.</p>	3 Points	Infill Compliance Team	Highway obstructions may generate safety concerns depending upon the nature of the obstruction and also impedes the use of the roadway by the general public.

Severity Score Meets or Exceeds 30 points: Removal	
	Extreme: Automatic Removal
	High: 8 - 10 Points
	Medium: 5 - 7 Points
	Low: 3 - 4 Points

Out of Scope
<p>Illegal activity enforced by Edmonton Police Services Example: Trespassing</p> <p>OH&S Regulations enforced by Government of Alberta Example: Procedures for asbestos abatement</p> <p>Private property damage and other civil disputes Example: Damage of neighbouring property</p>