



Lived experience beside an excavation failure

11163 73 AVE NW (Plan 2221044 Blk 9 Lot 2B); City of
Edmonton Job No. 467255507-002

Presented to the Urban
Planning Committee on July 12,
2023 by: Brendan Schiewe

New fence before excavation






Slumped excavation wall.
Slipped fence post piles.



Warped fence line.

Hole into excavation
Major soil erosion under sidewalk



Fence panel fell
into excavation



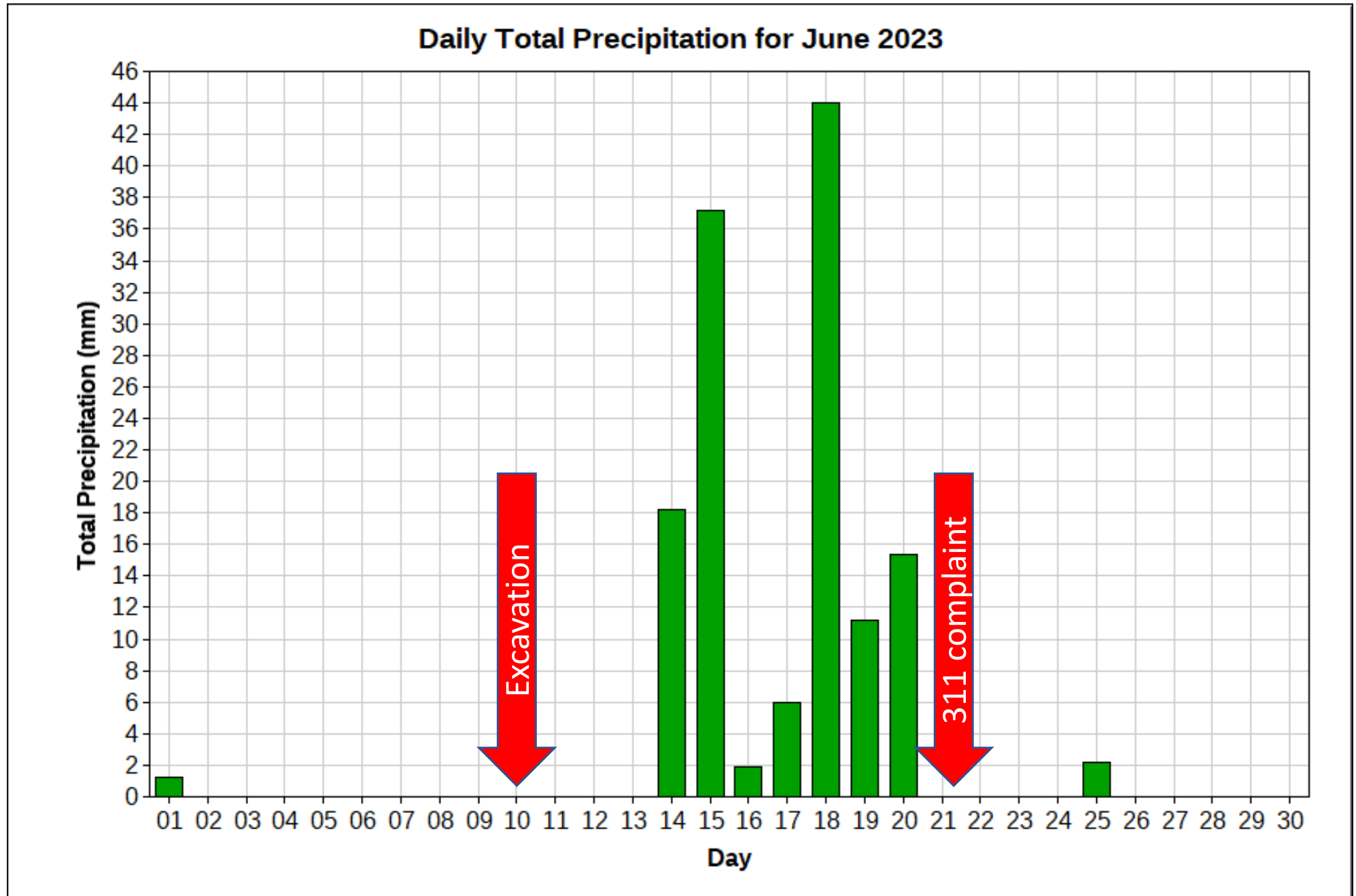
Failure at neighbouring
property

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property

Factors contributing to adjacent property damage:

- Excavation is for two skinny homes. This means that the required offset from the property line to the foundation is 1.2 metres as opposed to the typical 2 metre minimum.
- Accordingly the excavation is cut ~ 0.8 metres closer to the property line.
- The excavation was completed in advance of considerable precipitation.
- No requirement was in place for the builder to shore or otherwise protect the excavation.

Precipitation at Edmonton South Campus



Source: Environment and Climate Change Canada

(https://climate.weather.gc.ca/historical_data/search_historic_data_e.html)

Concerns as a homeowner

- After repeated inaction by the builder to rectify the situation in a timely manner, a complaint was made (ref. 8025029321) and a safety codes inspection took place.
- Safety concerns as large holes were created that posed a risk to my children aged 2 and 4.
- Ongoing damage to fence, drainage swale, loss of compaction under sidewalk. Potential for impact to foundation depending on ongoing erosion. Gas line under sidewalk.
- Difficult to repair to the original standard.
- Mechanisms for accountability are unclear and place a large burden on the affected homeowner.

Observations

- The June 20, 2023, Urban Planning and Economy report UPE01761 states that in 2022 approximately 94 per cent of property developments in Edmonton were developed without complaints or reports of non-compliance made to the City; less than six per cent of construction sites were found to be in violation of relevant regulations.
- BUT: inspections are only complaint driven.
- **Absence of evidence ≠ evidence of absence.**

CITY OF EDMONTON WILL:

- + Review all land development applications and building plans.
- + Ensure development permit applications comply with Edmonton's Zoning Bylaw.
- + Inspect projects to ensure construction is compliant with permit conditions and applicable safety standards.*
- + Enforce the rules and regulations surrounding development.

BUILDERS MUST:



- + Limit excavation and construction to within secure fencing inside the property line.



- + Keep sidewalks clean and clear of debris, garbage and materials.



- + Install official permit signage for the duration of construction.



- + Follow hours of construction:
Mon-Sat: 7am - 9pm,
Sun + Holidays: 9am - 7pm



- + Protect public property including curbs, trees and boulevards.



- + Direct all water run-off to the City's drainage system.

***Only pertains to excavation failure *if* there is a complaint.**

Observations (continued)

- There are disincentives for homeowners affected by adjacent excavation failures from lodging complaints with the City:
 - Maintaining positive working relationships with neighbours – especially at the beginning of a construction process.
 - Stop work orders DELAY work to address the underlying problem and increase the possibility of additional damage. Enforcement does not necessarily benefit the affected party.

Recommendations

- If there is a desire to vary from the recommendations advanced by the Residential Infill Working Group, perhaps consider a **risk stratified approach**.
- Where holes are dug closer to the property line (i.e., skinny homes):
 - Require a geotechnical report.
 - Require shoring (don't bet on an absence of rain).
 - Actively inspect the excavations (not just demand driven).
 - Put the cost of those inspections on the builder.
- **Improve data transparency.** The Infill Compliance Dashboard apparently provides near-real time data on enforcement activities, but there is no indication of location or builder available to the public: I have no idea if my neighbour's data is included in the dashboard. I have an interest in those data.