

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
January 29, 2026**

**River Valley Room
Main Floor, City Hall, 1 Sir Winston Churchill Square**

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
RIVER VALLEY ROOM

I 9:00 A.M. SDAB-D-26-018

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed porches, Basement development (unit C, NOT to be used as an additional Dwelling), and to develop 3 Secondary Suites in the Basements (units A, B, and D); and to demolish an existing Single Detached House and Accessory building

7811 - 93 Street NW
Project No.: 628297645-002

TO BE RAISED

II 1:30 P.M. SDAB-D-26-019

To change the use of a Food and Drink Service to a Cannabis Retail Store, and construct interior alterations

8656 - 118 Avenue NW
Project No.: 637147917-002

NOTE: *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.FILE: SDAB-D-26-018AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 628297645-002

APPLICATION TO: Construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed porches, Basement development (unit C, NOT to be used as an additional Dwelling), and to develop 3 Secondary Suites in the Basements (units A, B, and D); and to demolish an existing Single Detached House and Accessory building.

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: December 12, 2025

DATE OF APPEAL: December 31, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 7811 - 93 Street NW

LEGAL DESCRIPTION: Plan 5178HW Blk 3 Lot 15

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

<i>Grounds for Appeal</i>

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

I am appealing the Development Authority's decision on the basis that the approval appears to have been granted in error and does not properly apply or interpret the Zoning Bylaw or associated regulations.

In particular, it appears that one or more variances or relaxations may have been issued without appropriate justification, and that the resulting form and density of development may conflict with the intended use class. This includes concerns regarding building configuration, infrastructure servicing, site drainage, waste collection/storage arrangements, and other impacts to adjacent properties.

The approval may also create adverse community impacts including but not limited to increased congestion and servicing demands that were not properly evaluated. As an affected neighbour, I require the opportunity to fully review the complete development file in order to understand these impacts and respond appropriately.

I request that the Subdivision and Development Appeal Board review whether:

The development has been correctly categorized under the Zoning Bylaw

Any variances/relaxations were properly justified and issued

The Development Authority appropriately assessed impacts on neighbouring properties and community infrastructure

Cumulative impacts of three adjacent development permits have been appropriately assessed and addressed to ensure they comply with the order and spirit of the bylaw and intended land use

- 7811 93 street NW - permit 628297645-002 (this appeal)
- 7807 93 street NW - permit 628526398-002 (still under development authority review)
- 9148 78 avenue NW - permit 629912782-002 (still under development authority review)

I will provide a further detailed written submission once full documentation and supporting materials are made available to me.

General Matters

Appeal Information:

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

Grounds for Appeal**685(1) If a development authority**

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

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

...

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal the decision in accordance with subsection (2.1).

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
 - or
 - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

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

Hearing and Decision

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

...

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

- (i) the proposed development would not

- (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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

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

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

Under section 8.20, **Dwelling** means:

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

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

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

Notice to Applicant/Appellant

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

		Project Number: 628297645-002 Application Date: SEP 05, 2025 Printed: December 18, 2025 at 4:07 PM Page: 1 of 9
Development Permit		
<p>This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.</p>		
Applicant	Property Address(es) and Legal Description(s) 7811 - 93 STREET NW Plan 5178HW Blk 3 Lot 15	
	Specific Address(es) Suite: 1, 7811 - 93 STREET NW Suite: 2, 7811 - 93 STREET NW Suite: 3, 7811 - 93 STREET NW Suite: 4, 7811 - 93 STREET NW Suite: BSMT1, 7811 - 93 STREET NW Suite: BSMT2, 7811 - 93 STREET NW Suite: BSMT3, 7811 - 93 STREET NW Entryway: 1, 7811 - 93 STREET NW Entryway: 2, 7811 - 93 STREET NW Entryway: 3, 7811 - 93 STREET NW Entryway: 4, 7811 - 93 STREET NW Building: 1, 7811 - 93 STREET NW	
Scope of Permit	To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed porches, Basement development (unit C, NOT to be used as an additional Dwelling), and to develop 3 Secondary Suites in the Basements (units A, B, and D); and to demolish an existing Single Detached House and Accessory building.	
Details	1. Titled Lot Zoning: RS 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	
	2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 3 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development	
Development Permit Decision	Approved	
Issue Date: Dec 12, 2025	Development Authority: SELTZ, AARON	
Subject to the Following Conditions <p>Zoning Conditions: This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed porches, Basement development (unit C, NOT to be used as an additional Dwelling), and to develop 3 Secondary Suites in the Basements (units A, B, and D); and to demolish an existing Single Detached House and Accessory building.</p> <p>The development must be constructed in accordance with the approved drawings.</p> <p>WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a Development Permit Notification Sign (Subsection 7.160.2.2).</p>		
P0702003		



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Landscaping must be installed and maintained in accordance with Section 5.60.

A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).

Pathway(s) connecting the main entrance of the Dwelling directly to an Abutting sidewalk or to a Driveway must be a minimum unobstructed width of 0.9 m (Subsection 5.80.2.1.1).

Unenclosed steps require a minimum setback of 0.6 m from Lot lines (Subsection 2.10.4.6.). If the unenclosed steps are oriented toward the Interior Side Lot Line, a minimum distance of 1.1 m must be maintained between the Interior Side Lot Line and the unenclosed steps (Subsection 2.10.4.8.1.). If the unenclosed steps are oriented away from the Interior Side Line and have a landing less than or equal to 1.5 m², a minimum distance of 0.15 m must be maintained from the Interior Side Lot line and the unenclosed steps (Subsection 2.10.4.8.2.)

Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)

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).

Parking Spaces must be Hard Surfaced where vehicle access is provided from a Street or an Alley (Subsection 5.80.5.7).

The Secondary Suite must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20).

A Hard Surfaced Pathway connecting the main entrance of the Secondary Suite directly to an Abutting sidewalk or to a Driveway is required, which must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).

The Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20).

The Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).

The development must be demolished in accordance with the approved drawings.

A Building Permit (for demolition) is required prior to demolition of the existing building.

Immediately upon demolition of the building, the Site must be cleared of all debris.

The fence must not exceed a height of 2.0m within the Front Yard.

Landscaping Conditions:

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.



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Transportation Conditions:

SUBDIVISION PLANNING - CONDITIONS:

1. Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination. This area within the alley road right-of-way must not exceed a slope of 8%.
2. A Public Tree Permit will be required for any boulevard trees within 5 meters of the site; trees must be protected during construction as per the Public Tree Bylaw 18825. If tree damage occurs, all tree related costs will be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value on full or partial tree loss as well as all operational and administrative fees. The owner/applicant must contact City Operations, Parks and Roads Services at citytrees@edmonton.ca to arrange any clearance pruning or root cutting prior to construction.
3. Permanent objects including concrete steps, railings, planters, 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.
4. 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. Utility Safety Partners (Online: <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.
5. Any alley, 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 of the access.
6. 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

Drainage Services Conditions:

This advice identifies the development assessments applicable to the property at 7811 - 93 Street NW, Plan 5178HW Blk 3, Lot 15, King Edward Park.

APPLICABLE ASSESSMENTS

1. Permanent Area Contribution (PAC)
 - Storm and sanitary PACs are not applicable, since the property is not within any active PAC basin.
2. Expansion Assessment (EA)
 - Expansion Assessment is not applicable since the property is outside the current Expansion Assessment area.
3. Arterial Roadway Assessment (ARA)
 - Arterial Roadway Assessment is not applicable since the property is outside the current ARA Catchment Area.
4. Sanitary Sewer Trunk Charge (SSTC)
 - SSTC applies to the lot in question; however, SSTC charges are being paused until December 31, 2025. Therefore, SSTC is deferred for this development permit application, DP#628297645-002.
 - SSTC may be applied for at the time of a future subdivision, development permit, or servicing connection application.



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For informational purposes, the following SSTC rates apply to the year 2025. SSTC rate depends on the type of development:

- 1 – Industrial / Commercial / Institution: \$8,818 per hectare
- 2 – One or two Dwelling Residential (no secondary, garden, or garage suite): \$1,764 per dwelling
- 3 – Two Dwellings Residential (one secondary, garden, or garage suite): \$1,764 per dwelling
for secondary garden or garage suite \$781
- 4 – Multi-Family Residential: \$1,259 per dwelling

The SSTC charge should be paid when the development permit or sanitary services connection application is made.

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.

Additional Notes

- The above assessment is based on information currently available to our department. If such information changes, 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:

Permanent Area Contributions

https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx

Sanitary Servicing Strategy Expansion Assessment

https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx

Arterial Roadway Assessment

https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx

Sanitary Sewer Trunk Charge

https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx

EPCOR Conditions:

1. Prior to the release of drawings for Building Permit review (except for Building Permits for demolition, excavation, or shoring), an Infill Fire Protection Assessment (IFPA) conducted by Edmonton Fire Rescue, Fire Protection Engineer, must be completed.
 - 1a. The proposed development must comply with any requirements identified in the IFPA.
- 1b. Should the IFPA determine that upgrades to the municipal fire protection infrastructure are required, the owner must enter into a Servicing Agreement with the City for construction of those improvements or alternatively the owner can contact EPCOR to explore the option of having EPCOR complete the work at the owner's expense. The Servicing Agreement with the City or EPCOR must be entered into prior to the release of drawings for Building Permit review.
2. There is an existing fire hydrant (H28686) located on the east side of 93 Street adjacent to the west property line of Lot 15 at the north end of the property. This hydrant must be protected during construction as per Drawing WA-004-004 of the City of Edmonton Design and Construction Standards Volume 4 (Dec 2024) and access to the hydrant must not be impeded for firefighting purposes. Excavation cannot occur closer than 3m from back of hydrant in order to prevent compromising the existing thrust block. Contact EPCOR Water Asset Protection at waterassetprotection@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.
3. Any party proposing construction involving ground disturbance to a depth exceeding 2m within 5m of the boundary of lands or rights-of-way (ROW) containing EPCOR Water facilities is required to enter into a Facility Proximity Agreement with EWSI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 19626 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.



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Subject to the Following Advisements

Zoning Advisements:

Unless otherwise stated, all above references to "section numbers" or "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 caveats, 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.

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.

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.

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 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.

For more information on Lot Grading requirements, plans and inspections refer to the website:
https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading

EPCOR Advisements:

1. The site is currently serviced by a 20 mm copper water service (S14897) located 4.9 m south of the north property line of Lot 15 off of the lane east of 93 Street. If this service will not be used for the planned development, it must be abandoned back to the water main prior to any on-site excavation. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site including demolition, excavation or grading for direction on the correct process to follow to have the service isolated and meter removed.

1a. The existing service is not of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development.

2. EPCOR Water Services Inc. does not review on-site servicing. It is the applicant's responsibility to obtain the services of a professional to complete on-site water distribution design and to ensure the supply will meet plumbing code and supply



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requirements.

3. A new water service may be constructed for this lot directly off EPCOR's 150 mm water main along the lane east of 93 Street or directly off EPCOR's 250 mm water main along 93 Street adjacent to the subject site.

4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444. EPCOR Strongly encourages all applicants to contact IWASS early in development planning to learn about site specific minimum requirements for onsite water and/or sewer servicing.

4a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.

5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444.

6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWInspections@epcor.com or 780-412-3850.

7. The applicant must submit bacteriological test results to EPCOR Water Dispatch and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-4500 for more information on how to provide the test results. EPCOR Water Dispatch can provide information on the tie-in and commissioning procedure.

8. In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA-005-11b for permitted water service configurations.

9. Due to the built-form in this development, verification that the Required Fire Flow of this development does not exceed the Available Fire Flow at this site is required to support this application. Edmonton Fire Rescue Services, Fire Protection Engineer must assess if Fire Protection of this site is adequate via an Infill Fire Protection Assessment (IFPA).

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

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

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

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

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

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

14. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.



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

Should you require any additional information, please contact Sarah Chileen at schileen@epcor.com.

Fire Rescue Services Advisements:

Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal, however, we have the following advisements for your implementation and information:

Travel distance from the emergency access route to each principal entrance must not exceed 45m.

https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329

Emergency access path widths must be a minimum of 0.9m and the path must be of a hard surface and accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered.

https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329

The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction.

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

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).

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).

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

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

To meet the requirements of the National Fire Code - 2023 Alberta Edition, Sentence 5.6.1.2.(1), protection of adjacent properties during construction must be considered.

Reference: NFC(2023-AE) 5.6.1.2 Protection of Adjacent Building

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

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

Measures to mitigate fire spread to adjacent buildings

<https://open.alberta.ca/dataset/cb3d1662-1354-45c8-aab8-29b91f2a6c35/resource/699821b7-26ed-40ec-a5a0-6ba344cdc514/download/ma-standata-interpretation-building-23-bci-030-23-fci-012-2025-03.pdf.pdf>

Kind regards,

Matthew McKellar

FSCO Group B, Level II

Please send ALL FRS DP review inquiries to cmsfpts@edmonton.ca



Project Number: **628297645-002**
 Application Date: SEP 05, 2025
 Printed: December 18, 2025 at 4:07 PM
 Page: 8 of 9

Development Permit

Waste Management Advisements:

Thank you for the opportunity to provide feedback on this project.

Waste Services has reviewed the proposed plan "PLOT PLAN" dated 2025-08-07 and has no concerns to identify during this review.

This review follows Waste Services' current standards and practices and will expire when the Development Permit expires.

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

Additional information about waste service at your proposed development:

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

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

Container set out, and

The responsibility for wear and tear or damages.

The green cart equivalency program with an exemption to reduce the spacing required to 0.5 m between carts while maintaining 1.0 m spacing between carts and any other objects such as vehicles, fences, power poles, etc. has been approved for this proposed development with 8 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 12 carts: 8 x 240 L for garbage and 4 x 240 L for food scraps.

Please note:

Residents would be required to share their food scraps carts.

Residents will be required to set out garbage and food scraps carts on collection day as per the set-out instructions.

Residents would use blue bags for recycling.

A minimum of 7.5 m unobstructed overhead space is required above the collection area to allow proper servicing of the containers.

If the locations of the transformer and switching cubicles do not exactly match the approved drawings, Waste Services must be advised and reserves the right to make changes to the approved plan to ensure waste can still be collected safely and efficiently.

For developments with rear lanes, waste will only be collected from the rear lane for all dwellings in the development. It is the responsibility of the owner to ensure all residents have access to the rear lane for waste set out.

If you require any further clarifications, please contact us.

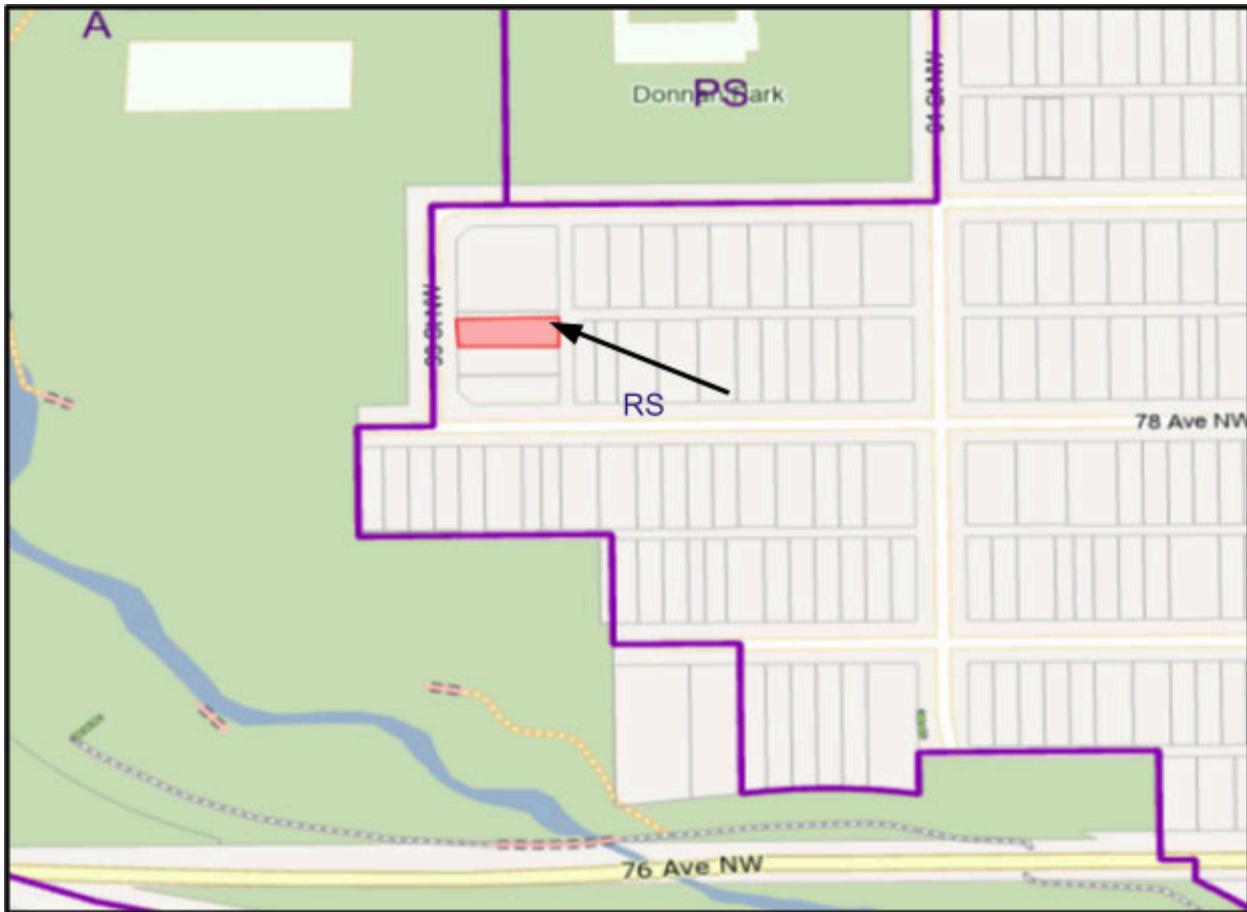
Rights of Appeal

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.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$1,020.00	\$1,020.00	09866083	Sep 12, 2025
Lot Grading Fee	\$490.00	\$490.00	09866083	Sep 12, 2025
Development Permit Inspection Fee	\$560.00	\$560.00	09866083	Sep 12, 2025
P0702003				

	Project Number: 628297645-002 Application Date: SEP 05, 2025 Printed: December 18, 2025 at 4:07 PM Page: 9 of 9			
Development Permit				
Fees				
	Fee Amount	Amount Paid	Receipt #	Date Paid
Total GST Amount:	\$0.00			
Totals for Permit:		\$2,070.00		
P0702003				



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-018



N

TO BE RAISEDITEM II: 1:30 P.M.FILE: SDAB-D-26-019**AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER**

APPELLANT:

APPLICATION NO.: 637147917-002

APPLICATION TO: Change the use of a Food and Drink Service to a Cannabis Retail Store, and construct interior alterations

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: December 17, 2025

DATE OF APPEAL: December 23, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 8656 - 118 Avenue NW

LEGAL DESCRIPTION: Plan 3062ET Blk 4 Lot 14

ZONE: MU - Mixed Use Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: North Central District Plan

Grounds for Appeal

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

Please accept this letter as an expression of our intent to appeal the Development Permit Decision (refusal) for DP 637147917-002. The

purpose of this DP application was to change the use of a Food and Drink Service to a Cannabis Retail Store and construct interior alterations. The property is zoned MU h16 f3.5 cf – Mixed Use Zone, and Cannabis Retail Store is a listed use.

The Development Officer (DO) refused this DP application based on one Zoning Bylaw deficiency:

- Section 6.30.1: A Site where a Cannabis Retail Store is located shall be at least 100m from a site zoned PSN.

The rationale for this Appeal is three-fold:

1. The deficiency is minor (2m or 2% of the required setback) in nature;
2. Other factors mitigate the impact of the deficiency, including visibility, location of the Cannabis Retail Store within the existing building and specific details of the PSN-zoned lands; and
3. The use, enjoyment and amenities of the neighbourhood will not be impacted by a Cannabis Retail Store being approved at the proposed location.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on December 24, 2025:

“That the appeal hearing be scheduled on January 29, 2026.”

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 2.80.2.5, a **Cannabis Retail Store** is a **Permitted Use** in the **MU - Mixed Use Zone**.

Under section 8.10, a **Cannabis Retail Store** means:

a development where a business sells Cannabis to be consumed off-Site as permitted by Provincial or Federal legislation. This may include sales of Cannabis accessories. This Use does not include Cannabis Production and Distribution.

Under section 2.80.3.7 states “Cannabis Retail Stores must comply with Section 6.30.”

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

Section 2.80.1 states that the **Purpose** of the MU - Mixed Use Zone is:

To allow for varying scales of mixed use development that enables the growth and development anticipated in the Nodes and Corridors as directed by statutory plans. This Zone allows for a range of Uses and supports housing, recreation, commerce, and employment opportunities. Site and building design in this Zone promotes development that enhances the public realm and publicly accessible amenities to create vibrant, walkable destinations at a scale inviting to pedestrians.

Cannabis Retail Stores

Section 6.30 states the following with respect to **Cannabis Retail Stores**:

- 1. At the time a Development Permit application is submitted, a Cannabis Retail Store must be located to provide minimum separation distances in compliance with Table 1:**

Table 1. Minimum Separation Distance

Subsection	From approved or existing:	200 m (from store to store)	200m (from Site to Site)	100 m (from Site to Site)
1.1.	Cannabis Retail Stores	x		
1.2.	Libraries		x	
1.3.	Schools		x	
1.4.	Community recreation facilities			x
1.5.	Provincial Health Care Facilities			x
1.6.	Sites designated as School Reserves			x
1.7.	Sites designated as			x

	Municipal and School Reserves			
	From Sites zoned:			
1.8.	PS, PSN, or A			x

2. For the purposes of Subsection 1, when measuring separation distances:
 - 2.1. from Site to Site, the distance is measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and not Zone boundaries; and
 - 2.2. from store to store, the distance is measured from the closest point of the Cannabis Retail Store to the closest point of another Cannabis Retail Store.

Diagram for Subsection 2



3. For the purposes of Subsection 1:
 - 3.1. the term "School" means a school as defined in subsection 1(1)(x)(i) to (iv) and (vi) of the Education Act;
 - 3.2. the term "community recreation facilities" means indoor municipal facilities used primarily by members of the public to participate in

recreational activities conducted at the facilities, as defined by the Municipal Government Act; and

3.3. the term “Provincial Health Care Facility” means a provincial health care facility as defined in Subsection 105(1)(e) of the Gaming, Liquor and Cannabis Regulation.

- 4. The Development Planner may vary the minimum separation distance in Subsection 1.1 by up to 20.0 m. No other variance to Subsection 1 is permitted.**
5. For Sites greater than 2.0 ha that are Zoned CG, CB, MU, or a Direct Control Zone, and do not contain a Library at the time a Development Permit application for a Cannabis Retail Store is submitted:
 - 5.1. Subsection 1.1 does not apply; and
 - 5.2. the distances specified in Section 105(3) of the Gaming, Liquor and Cannabis Regulation are expressly varied to 0 m.
6. Section 105(3) of the Gaming, Liquor and Cannabis Regulation is expressly varied by Subsections 1.3, 1.5, 1.6, 1.7, 2, and 5.2.

Development Planner’s Determination

A Site where a Cannabis Retail Store is located shall be at least 100m from a site zoned PSN (Ref.: S. 6.30.1):

Minimum required separation distance: 100m

Proposed separation distance: 98m

Deficient by: 2m

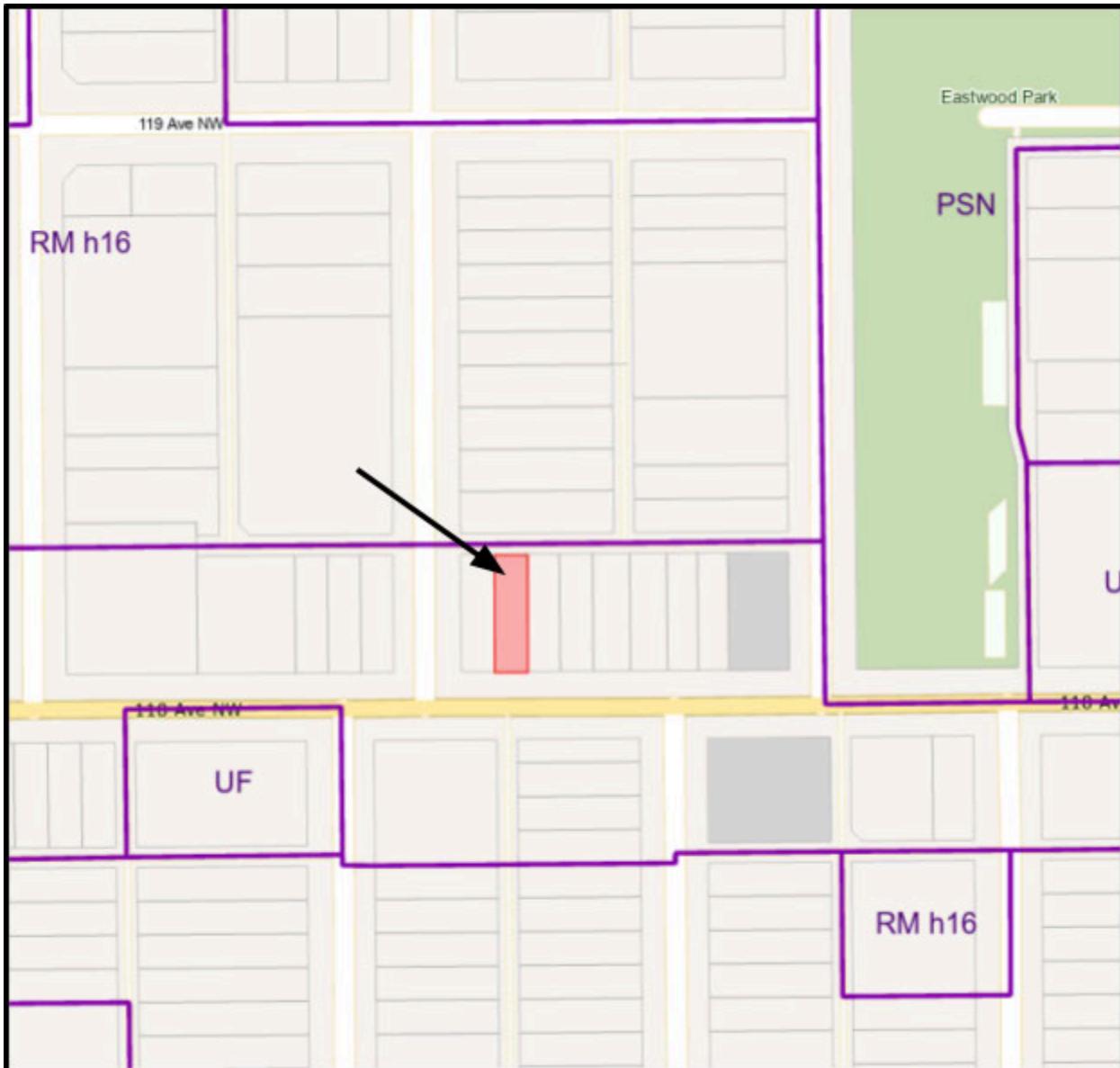
Under S. 6.30.4 of the Zoning Bylaw, the Development Planner is not permitted to grant the necessary variance to allow the development.

[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: 637147917-002 Application Date: NOV 17, 2025 Printed: December 17, 2025 at 4:41 PM Page: 1 of 1																					
<h2>Application for Development Permit</h2>																							
<p>This document is a Development Permit Decision for the development application described below.</p>																							
Applicant		Property Address(es) and Legal Description(s) 8656 - 118 AVENUE NW Plan 3062ET Blk 4 Lot 14																					
		Specific Address(es) Entryway: 8658 - 118 AVENUE NW Building: 8656 - 118 AVENUE NW																					
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THIS IS NOT A PERMIT P0702003																							



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-019



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