



**EDMONTON  
TRIBUNALS**

*Subdivision &  
Development  
Appeal Board*

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Date: August 17, 2017  
Project Number: 244696437-001  
File Number: SDAB-D-17-138

**Notice of Decision**

- [1] On August 2, 2017, the Subdivision and Development Appeal Board heard an appeal that was filed on **June 23, 2017**. The appeal concerned the decision of the Development Authority, issued on June 14, 2017, to refuse the following development:

**To operate a Major Home Based Business (Yoga studio - MEI  
IYENGEGAR YOGA HOUSE).**

- [2] The subject property is on Plan 0820126 Blk 1 Lot 30, located at 5533 - 168A Avenue NW, within the (RSL) Residential Small Lot Zone. The McConachie Neighbourhood Structure Plan and the Pilot Sound Area Structure Plan apply to the subject property.
- [3] The following documents were received prior to the hearing and form part of the record:
- A copy of the Development Permit application with attachments, and the refused Development Permit;
  - The Development Officer's written submission;
  - The Appellant's written submissions; and
  - An on-line response in opposition to the proposed development.
- [4] The following exhibit was presented during the hearing and forms part of the record:
- Exhibit A – A map of the area by the Appellant.

**Preliminary Matters**

- [5] At the outset of the appeal hearing, the Presiding Officer confirmed with the parties in attendance that there was no opposition to the composition of the panel.
- [6] The Presiding Officer outlined how the hearing would be conducted, including the order of appearance of parties, and no opposition was noted.

[7] The appeal was filed on time, in accordance with section 686 of the *Municipal Government Act*, RSA 2000, c M-26.

### **Summary of Hearing**

#### *i) Position of the Appellant, Ms. M. Chua*

[8] The proposed business is small and will not change the character of the principal dwelling.

[9] The yoga classes will be located in the basement of the dwelling.

[10] The proposed business will not generate an excess of pedestrian and vehicular traffic or vehicular parking in the neighbourhood. Her clients will park along 55 Street or 167 Avenue and not within the 168A Avenue cul-de-sac. She referred to a map of the area, marked *Exhibit A*.

[11] There will be five to seven clients accessing the business at one time.

[12] There are four transit locations in the neighbourhood, should her clients wish to take public transit to her studio.

[13] She anticipates that many of the clients using the yoga studio will be residents of the neighbourhood. She offered three classes to the neighbours to show them the house and how the yoga studio is set up. Five neighbours came to the property and two attended classes.

[14] There are residents in the neighbourhood that host parties during the evening that can generate an excess in traffic, parking, and individuals in the area.

[15] She has support from all of the neighbouring property owners except for one property owner, who is opposed.

[16] She spoke to the Yoga Association of Alberta and they informed her that there are other yoga studios operating in the area but she did not receive information about those businesses.

[17] There are two Minor Home Based Businesses that are within 600 metres of her property. One of the businesses is a hair salon. The hair salon operates five days a week; Tuesday, Thursday and Friday from 10am to 8pm; Wednesday from 10:00 a.m. to 12:00 p.m.; and Saturday from 10:00 a.m. to 4:00 p.m. She did not have information on the hours of the other business in the area.

[18] The hair salon operates for more hours every week than will her business.

- [19] In response to questions by the Board, she stated that she plans to hold three classes per week at her yoga studio and would be willing to do so during the following time slots: on weekday evenings from 6:00 p.m. to 8:00 p.m.; and possibly a Sunday class from 1:30 p.m. or 2:00 p.m. for 1.5 to 2 hours, which may be more suitable for seniors to attend.
- [20] She does not intend to advertise or have any signage for the business. She intends to advertise her business through neighbourhood referrals.
- [21] She is agreeable to the conditions suggested by the Development Officer. However, if the proposed development is approved, she prefers that the permit is extended for more than one year. It is too strenuous to go through the application process every year.
- [22] With regard to the number of clients, she could not confirm the number of clients and this condition may need to be reworded.
- [23] The Home Based Business has been in operation for a few months. Clients access the Yoga Studio from the rear of the building. She clears the walkway to the back entrance in the winter. There is no sidewalk to the rear of the property but there is a concrete area along the side of the house that clients can walk on.
- [24] She referred to the Map No. 1 of her development permit application showing the area on 55 Street that her clients use for parking. She also referred to Map No. 3 showing McConachie Drive and 55 Street where her clients can park.
- [25] She expects a maximum of five clients per class, but sometimes seven.
- [26] She attempted to speak to the neighbour in opposition but was not successful in contacting them. However, that neighbour is concerned about traffic in the area, not parking.
- [27] Three vehicles can park side-by-side in her front driveway, but there is not enough room for tandem parking. There is a City sidewalk along the cul-de-sac.

*ii) Position of the Development Officer, Mr. J. Xie*

- [28] Mr. Xie provided the following with respect to questions from the Board:
- a. Mr. Xie recommends a one year condition if the proposed development is approved due to the overlapping of visits to the subject site.
  - b. He was not aware that the subject yoga studio was in operation. There were no known complaints of the business when he reviewed the development permit application in June.

- c. He was not aware of the Alberta Court of Appeal case, *Edmonton (City) v Edmonton (Subdivision and Development Appeal Board)*, 2017 ABCA 140 and did not consider the reasons in that case when deciding whether or not to approve the Appellant's Development Permit application.
- d. A Home Based Business should be secondary to the residential use of the Dwelling. A Major Home Based Business is required to have one parking space, and he interprets this provision as restricting the Business to having one customer visit at a time.
- e. A Home Based Business of this scale generates an excess in traffic and contemplates multiple, overlapping customer visits. The Appellant has four registered vehicles to the property. There is limited space on the driveway, which does not accommodate customer parking for five to seven people. Parking would have to be on the street.
- f. He could consider the availability of on-street parking; however, he interprets the *Edmonton Zoning Bylaw* as allowing Major Home Based Businesses to have no more than one customer visit at a time, because the *Zoning Bylaw* only requires one extra parking space for this Use.
- g. He does not believe parking restrictions attached to a Development Permit can be enforced if they allow for parking on the surrounding streets.
- h. He could not confirm if there are any other businesses in the area that operate classes out of their home.
- i. In his opinion, evening hours of operation will have more of a parking impact since residents will be coming home from work at that time.
- j. He does not believe a day home would have the same impact as a Home Based Business because parents drop off and pick up their children. They are only parked in the vicinity of the day home for a short period of time. Conversely, a yoga class can last for one to two hours.
- k. He referred to section 54.2(2)(a) of the *Zoning Bylaw* that states "for all residential developments, the required parking spaces shall be wholly provided on the same Site as the building." In his opinion, all parking should be accommodated on the subject Site.
- l. With regard to the condition that clients must be by appointment only and shall not overlap. He stated that this is a standard condition and if the Board approves the proposed development, multiple, overlapping visits should not be allowed. He stated that if there are two people in a class that would be considered two visits.

- m. He agreed that the proposed development meets the minimum on-site parking requirement for a Major Home Based Business and Principal Dwelling.

*The Board recessed for a short time to allow the Development Officer time to find additional information for the Board.*

- n. Upon reconvening he stated that he spoke to a senior colleague who stated that section 54.2(2)(a) would not need to be varied if the Board granted the appeal, because this regulation pertains to parking on private properties such as this.
- o. The Development Officer stated that some of the clients will not be parking on the driveway. He stated that section 54.2(2)(a) states that all parking shall be provided on the subject site. In his opinion, if the business is located in a residential area, there shall be one client visit at a time. The proposed business will have classes; therefore, it should be located in a commercial zone.
- p. The Board referred to the Development Officer's view that this development was an Indoor Participant Recreation Services Use, where parking is based on the square footage of the building. Mr. Xie indicated regardless of how large a Home Based Business is, it should be secondary to the principal Dwelling and should not take up more than half of the Dwelling. If there are five to seven visits at a time, the business would be more suitable in a Commercial Zone.
- q. The suggested one year condition is to re-evaluate the business if there are any impacts on the neighbourhood and allow neighbouring property owners to provide comments. The one year period allows the business to be fully functional and provides enough time to determine if there will be an impact on the neighbourhood.
- r. The suggested condition prohibiting outdoor storage is a standard condition and is not relevant to the proposed development.
- s. He could not point to any specific wording in the *Zoning Bylaw* that prohibits more than one client at a time for a Major Home Based Business.
- t. He agreed that this type of business could benefit for the community. However, it is difficult to determine if clients live in the area.

*iii) Rebuttal of the Appellant*

- [29] Ms. Chua referred to the parking justification that was submitted with her Development Permit application indicating the number of cars and the time periods they are parking along 55 Street, between McConachie Drive and 167 Avenue.

During the period of the parking justification study, she never observed more than four cars parked in this area at one time.

- [30] With regard to parking, she stated that people are in the neighbourhood for events and activities that will require parking as well.
- [31] If the proposed development is approved she would prefer that the permit extends for more than one year. The current permit process has taken 5 months already.
- [32] Her clients are quiet, it is not a large group, and the neighbours will not be negatively affected.
- [33] In response to questions by the Board, she stated that she is agreeable to any conditions imposed by the Board. She would like the hours to be Monday to Friday any time after 5:30 p.m. and as late at 8:00 p.m. to 8:30 p.m.; and on either day on the weekend from 1:30 p.m. to 3:30 p.m. She is agreeable to a maximum of three classes per week. A three hour window for classes will be more suitable.
- [34] She has lived at the property since 2010. The yoga studio has been operating for approximately eight months with no known complaints.

### **Decision**

- [35] The appeal is **ALLOWED** and the decision of the Development Authority is **REVOKED**. The development is **GRANTED** as applied for to the Development Authority, subject to the following **CONDITIONS**:

*Unless otherwise stated, all references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw #12800, as amended.*

1. The development is approved is for a period of five years and will expire on **August 17, 2022**.
2. There shall be a maximum of three classes per week, allowed Monday to Friday between 5:30 p.m. to 8:30 p.m.; and weekends between 1:30 p.m. to 4:30 p.m.
3. The business owner must live at the site. 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 (Section 7.3(7)).
4. There shall be no exterior display or advertisement other than an identification plaque or sign a maximum of 20 cm (8") x 30.5 cm (12") in size located on the dwelling (Section 75.1).

5. The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located (Section 75.3). There shall be no non-resident employees or business partners working on-site.
6. There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).
7. No offensive noise, odour, vibration, smoke, litter, heat or other objectionable effect shall be produced.
8. The business use must maintain the privacy and enjoyment of adjacent residences and the characteristic of the neighbourhood.
9. This Development Permit may be cancelled at any time if the Home Based Business as stated in the conditions changes (Section 17.2).

### **Reasons for Decision**

- [36] The proposed development, a Major Home Based Business, is a Discretionary Use in the (RSL) Residential Small Lot Zone.
- [37] When hearing an appeal of a Development Permit for a Major Home Based Business, the Alberta Court of Appeal has provided direction to the Board on what three elements must be satisfied:

The definition of the Major Home Based Business use class found in s. 7.3.7 of the *Zoning Bylaw* contains three central elements. First is the fundamental requirement that it involve “the use of an Approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses...”. Second, the business use must be secondary to the residential use of the building. Third, the business use must not change the residential character of the dwelling or accessory building.

*(Edmonton (City) v Edmonton (Subdivision and Development Appeal Board)*, 2017 ABCA 140 at paragraph 8.

- [38] The Board determined that the three elements identified by the Court of Appeal are satisfied in this case :
1. The principal Dwelling is occupied by the resident of the Major Home Based Business.
  2. The Major Home Based Business is Secondary to the residential Use.

- a. The majority of the space in the Dwelling is being used for residential Uses and only a portion of the basement is used as a Yoga Studio.
  - b. The Dwelling will be used for the business approximately nine hours per week.
3. The Major Home Based Business must not change the character of the Dwelling. In the opinion of the Development Officer, the number of overlapping client visits will change the residential Use of the building. The Board notes:
- a. There is nothing in the *Zoning Bylaw* prohibiting overlapping client visits.
  - b. Other Major Home Based businesses may have as many or more clients visiting during its hours of operation. The key difference for the proposed business is the client visits are clustered around three classes per week.
- [39] This case is distinguishable from facts before the Court of Appeal in *(Edmonton (City) v Edmonton (Subdivision and Development Appeal Board), 2017, ABCA 140*. In that case, the proposed business operations included significant storage of equipment outdoors. The Development Officer confirmed that he has no concerns regarding the outdoor storage of material or equipment by the Appellant in this case.
- [40] With respect to the Development Officer's concerns about traffic and parking, the Board is satisfied that those concerns are addressed, having regard for the following evidence:
- (a) The Appellant submitted that her clients were already using 55 Street NW for parking. She provided a parking justification, which supports her evidence that there is ample room for vehicles to park on 55 Street.
  - (b) The Appellant submitted that her clients are already accessing the premises from the adjoining park and walkway, including during the winter months. She has adopted a snow removal routine that ensures her clients can access her property from the rear during the winter months.
- [41] The Board acknowledges that this type of Major Home Based Business provides a walkable amenity to the neighbourhood.
- [42] The Appellant undertook efforts to provide information to her neighbours about the Major Home Based Business. The Appellant provided evidence of community consultation to the Board. The consultation reveals a significant level of support for this Development amongst those neighbours who will be most affected.



- [43] The Board determined that a five-year period for the Development Permit is more appropriate than the one-year period suggested by the Development Officer. The Board notes that the business has been in operation for approximately eight months with no known complaints. The condition limiting the hours of operation was agreed to by the Appellant and will mitigate traffic and pedestrian concerns.
- [44] Based on the above, the Board concludes that the proposed development to allow for a Discretionary Use with conditions is reasonably compatible with the neighbourhood.



Ms. A. Lund, Presiding Officer  
Subdivision and Development Appeal Board

**Important Information for the Applicant/Appellant**

1. This is not a Business Licence. A Business Licence Permit must be obtained separately from the Sustainable Development Department, located on the 2nd Floor, Edmonton Tower, 10111 – 104 Avenue NW, Edmonton, AB T5J 0J4.
2. Obtaining a Development Permit does not relieve you from complying with:
  - a) the requirements of the *Edmonton Zoning Bylaw*, insofar as those requirements have not been relaxed or varied by a decision of the Subdivision and Development Appeal Board,
  - b) the requirements of the *Alberta Safety Codes Act*,
  - c) the *Alberta Regulation 204/207 – Safety Codes Act – Permit Regulation*,
  - d) the requirements of any other appropriate federal, provincial or municipal legislation,
  - e) the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
3. When an application for a Development Permit has been approved by the Subdivision and Development Appeal Board, it shall not be valid unless and until any conditions of approval, save those of a continuing nature, have been fulfilled.
4. A Development Permit will expire in accordance to the provisions of section 22 of the *Edmonton Zoning Bylaw, Bylaw 12800*, as amended.
5. This decision may be appealed to the Alberta Court of Appeal on a question of law or jurisdiction under section 688 of the *Municipal Government Act*, RSA 2000, c M-26. If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall operate to suspend the Development Permit.
6. When a decision on a Development Permit application has been rendered by the Subdivision and Development Appeal Board, the enforcement of that decision is carried out by the Sustainable Development Department, located on the 2nd Floor, Edmonton Tower, 10111 – 104 Avenue NW, Edmonton, AB T5J 0J4.



Date: August 17, 2017  
Project Number: 239430281-001  
File Number: SDAB-D-17-139

### **Notice of Decision**

- [1] On August 2, 2017, the Subdivision and Development Appeal Board heard an appeal that was filed on **July 7, 2017**. The appeal concerned the decision of the Development Authority, issued on June 15, 2017, to approve the following development:

**To construct an Apartment House building (16 Dwellings), with an underground parkade.**

- [2] The subject property is on Plan 1623843 Blk 13 Lot 85, located at 11416 - 71 Avenue NW, within the (RA7) Low Rise Apartment Zone. The Medium Scale Residential Infill Overlay and the McKernan / Belgravia Station Area Redevelopment Plan apply to the subject property.
- [3] The following documents were received prior to the hearing and form part of the record:
- A copy of the Development Permit application with attachments, proposed plans, and the approved Development Permit;
  - The Development Officer's written submissions;
  - A submission from the property owner of the subject site; and
  - The Appellant's written submissions.

### **Preliminary Matters**

- [4] At the outset of the appeal hearing, the Presiding Officer, Ms. A. Lund recused herself from the panel as there was a conflict of interest with the Appellants.
- [5] Mr. V. Laberge replaced Ms. A. Lund as the Presiding Officer. The Presiding Officer confirmed with the parties in attendance that there was no opposition to the composition of the revised panel.
- [6] The Presiding Officer outlined how the hearing would be conducted, including the order of appearance of parties, and no opposition was noted.

[7] The Presiding Officer raised a jurisdictional issue regarding when the appeal was filed and explained to the Appellants that the Board is constrained by the 14-day limitation period prescribed by section 686(1)(b) of the *Municipal Government Act*, RSA 2000, c M-26 (the “*Municipal Government Act*”) which states:

A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

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

[8] The Presiding Officer indicated that the Board must therefore determine whether the appeal was filed within the 14-day limitation period. If the appeal was filed late, the Board has no authority to hear the development appeal.

### **Summary of Hearing**

*i) Position of the Appellants, Mr. L. Lumley and Ms. L. Rumley*

[9] The Appellants indicated that the Belgravia neighbourhood is under revitalization and road construction has caused a mail disruption, which is why the appeal was filed late.

[10] July 7, 2017 is when they received the mailed notice when they returned from their vacation. They sent an on-line appeal July 7, 2017.

[11] Mr. Lumley and Ms. Rumley provided the following with respect to questions from the Board:

- a. They were away on vacation June 29, 2017 to July 7, 2017.
- b. They were made aware that a development was going to happen so they waited for the mail to provide the decision. They did not receive mail prior to their vacation and nobody was checking their mail.
- c. They were unaware of a late filing issue until they received the notice in the mail.
- d. They do not have a subscription for the Edmonton Journal.
- e. With regard to the text messages submitted as evidence by the property owner of the subject site, they acknowledged they had concerns but waited to receive the letter in the mail.
- f. The construction began in May on their side of the street and they did not receive mail for up to three weeks (June 15 to July 7).

*ii) Position of the Development Officer, Mr. K. Bacon*

- [12] Mr. Bacon indicated that the notice was mailed to affected property owners June 19, 2017 and was published in the Edmonton Journal on June 22, 2017.
- [13] He cannot confirm if there is neighbourhood renewal in Belgravia but he is not sure how that affects the mail service.
- [14] He confirmed that he did not have any communication with the Appellants.

*iii) Position of the Respondent, Mr. C. Wong (the property owner of the subject site)*

- [15] Mr. Wong indicated that as a courtesy to Mr. Lumley, he contacted him June 20, 2017 by phone and by sending him text messages to advise him there was a conditional approval and subject to an appeal period. He referenced the record of the conversation he submitted as evidence.
- [16] In his opinion, Mr. Lumley had sufficient notice of the appeal timeline and deadline and hopes that it is adhered to.
- [17] He cannot speak to the mail disruption as he does not know the circumstances but he reiterated he advised Mr. Lumley as a courtesy so they were not caught off guard with the decision.
- [18] With respect to questions from the Board, Mr. Wong provided the following:
- a. He confirmed that he did not provide Mr. Lumley information about the appeal period as he did not have that specific information but he reiterated that they knew the notice was coming.
  - b. Mr. Lumley called him 9 days before he went on vacation, but he cannot recall the details or the dates of those phone calls.

*iv) Rebuttal of the Appellants, Mr. L. Lumley and Ms. L. Rumley*

- [19] With regard to the Development Officer's comments, the neighbourhood revitalization is widely publicized.
- [20] Mr. Lumley confirmed that he called Mr. Wong but they did not specifically talk about deadlines for appeal. They only let Mr. Wong know that they would be appealing the approval.

[21] With respect to a question from the Board on the June 19, 2017 decision being sent out, they stated that they did not received mail between June 20, 2017 and June 29, 2017.

### **Decision**

[22] The Board does not assume jurisdiction.

### **Reasons for Decision**

[23] Section 686(1)(b) of the *Municipal Government Act* states:

A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

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

[24] The Board heard evidence that the Notice of the decision was mailed June 19, 2017 and was advertised in the Edmonton Journal on June 22, 2017, pursuant to section 20.2 of the *Edmonton Zoning Bylaw*.

[25] In determining that the Board cannot assume jurisdiction, the Board finds that the Appellants received constructive notice of the development approval and were aware that a decision had been rendered by the Development Authority on June 20, 2017. The Board heard there were revitalization projects ongoing in the neighbourhood and the Board was told by the Appellants that mail delivery was impacted during this neighbourhood renewal. The Board makes no finding in this regard given that there was no specific evidence provided other than verbally that mail delivery was potentially suspended.

[26] The Board determined that there is an obligation on affected parties to seek further information. The Board concludes that the Appellants by way of text messaging and telephone conversations with the Respondent were aware that a decision of approval by the Development Authority was rendered. It was incumbent on them to inquire further as they knew or ought to have known that the mailed out Notice may arrive while they were on vacation.

[27] The Board heard that the Appellants are not subscribers to the Edmonton Journal and that they would not have seen the Notice in that newspaper. The decision of the Board is not based on the lack of the Appellants seeing the newspaper notice. Prior to their vacation they knew of the development and the decision of approval and they chose not to act.

[28] When hearing an appeal with respect to a late filing issue, the Alberta Court of Appeal in *Coventry Homes Inc. v. Beaumont (Town of) Subdivision and Development Appeal Board*, 2001 ABCA 49, has commented on section 686(1)(b) of the *Municipal Government Act* as follows:

[28] In our view, the object of s. 640(2)(d) and s. 686(1)(b) is to provide a mechanism to balance two somewhat competing interests: the interest of the developer to proceed with the development once approved and the interest of an affected party to contest an approved development.

[29] The balance is achieved by recognizing that an interested party should know of the development yet should have a limited window within which to contest it.

[30] Given that broad purpose, it is clear that the legislature could not have intended an unlimited time for appeal.

...

[34] In our view, it would be incompatible with the object of the MGA to allow an unlimited time for appeal in cases where it has been established that the affected party had notice of the development.

...

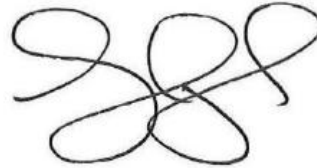
[36] Whether or not an affected party has sufficient notice to trigger the appeal period will depend upon the facts of each case. [...]

...

[39] The Dictionary of Canadian Law (2d ed.) contains the following definition of actual and constructive notice:

ACTUAL NOTICE. “. . . [A]ctual knowledge of the very fact required to be established, whereas constructive notice means knowledge of other facts which put a person on inquiry to discover the fact required to be established. The classic distinction, . . . , is that of Strong J. in *Rose v. Peterkin* (1885), 1885 CanLII 16 (SCC), 13 S.C.R. 677 at 694: ‘What such actual and direct notice is may well be ascertained very shortly by defining constructive notice, and then taking actual notice to be knowledge, not presumed as in the case of constructive notice, but shown to be actually brought home to the party to be charged with it, either by proof of his own admission or by the evidence of witnesses who are able to establish that the very fact, of which notice is to be established, not something which would have led to the discovery of the fact if an inquiry had been pursued, was brought to his knowledge.’” *Stoimenov v. Stoimenov* (1985), 1985 CanLII 2166 (ON CA), 35 R.P.R. 150 at 158, 44 R.F.L. (2d) 14, 7 O.A.C. 220 (C.A.).

- [29] The Board has determined that the Appellants received constructive notice on June 20, 2017 and therefore the last day to file an appeal was July 4, 2017. The appeal was filed July 7, 2017 and therefore beyond the prescribed timeline to file an appeal.
- [30] Accordingly, the Board finds the Appeal was filed beyond the 14 day period prescribed in section 686(1)(b) of the *Municipal Government Act*, RSA 2000, c M-26 and therefore does not assume jurisdiction.

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned above the printed name.

Mr. V. Laberge, Presiding Officer  
Subdivision and Development Appeal Board



**Important Information for the Applicant/Appellant**

1. This decision may be appealed to the Alberta Court of Appeal on a question of law or jurisdiction under section 688 of the *Municipal Government Act*, RSA 2000, c M-26.
2. When a decision on a Development Permit application has been rendered by the Subdivision and Development Appeal Board, the enforcement of that decision is carried out by the Sustainable Development Department, located on the 2nd Floor, Edmonton Tower, 10111 – 104 Avenue NW, Edmonton, AB T5J 0J4.