

**SUBDIVISION**

**AND**

**DEVELOPMENT APPEAL BOARD**

**AGENDA**

**Thursday, 9:00 A.M.**

**April 24, 2025**

**Hearing Room: River Valley Room**  
**City Hall, 1 Sir Winston Churchill Square NW, Edmonton**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**  
**HEARING ROOM: River Valley Room**

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**TO BE RAISED**

I      9:00 A.M.      SDAB-D-25-055

To construct 4 Minor Industrial Use buildings (Quonset - 13.1m x 18.4m; Storage Building -16.8m x 7.9m; two Office Trailers - 12.2m x 2.4m & 6.1m x 2.6m), a Fire Suppression Tank Enclosure area, and to operate a Minor Industrial Use site (shipping container storage, outdoor storage of equipment in fenced bays, and concrete crushing area (1.16ha)), existing without permits

10831 - 231 Street NW  
Project No.: 487693804-002

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II      1:30 P.M.      SDAB-D-25-056

To construct an Accessory building (mutual 4 car detached Garage, 5.87m x 12.19m)

10927 - 132 Street NW  
Project No.: 575416271-002

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

**TO BE RAISED**

ITEM I: 9:00 A.M.

FILE: SDAB-D-25-055

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 487693804-002

APPLICATION TO: To construct 4 Minor Industrial Use buildings (Quonset - 13.1m x 18.4m; Storage Building -16.8m x 7.9m; two Office Trailers - 12.2m x 2.4m & 6.1m x 2.6m), a Fire Suppression Tank Enclosure area, and to operate a Minor Industrial Use site (shipping container storage, outdoor storage of equipment in fenced bays, and concrete crushing area (1.16ha)), existing without permits

DECISION OF THE  
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: February 20, 2025

DATE OF APPEAL: March 20, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 10831 - 231 Street NW

LEGAL DESCRIPTION: Plan 0627961 Blk 1 Lot 6

ZONE: IM - Medium Industrial Zone

OVERLAY: N/A

STATUTORY PLAN: Winterburn Industrial Area Structure Plan

DISTRICT PLAN: West Henday District Plan

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<i>Grounds for Appeal</i>
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The Appellant provided the following reasons for appealing the decision of the Development Authority:

APPENDIX "A" Westview Village is a mobile home community that has existed in its current location since the 70s. It was expanded between 1999 and 2001 and has been part of the west end in this location for decades. It has 1059 sites on which are situated the same number of manufactured homes that house seniors, families, couples and individuals of all ages. It is a longstanding, preexisting residential use. It is located adjacent to, just east of the lands for which a development permit (with variances) has been granted. Of course, Westview residents have been living with the nuisances generated by activities on these lands for some time and complained vigorously to the City. The City's stop order (for non-compliance with the Zoning Bylaw) is what prompted the development permit application. The reason for this appeal is that the nuisance impacts that are being generated by this development (and will continue to be generated if this development permit is not overturned) are not properly managed by the conditions of this permit. Given that there is an existing residential use adjacent to this development, the nuisances generated by this development should not be permitted to extend beyond the property boundary of the development, and if they can't be prevented from extending beyond the property boundary of the development, those uses should not be permitted so near a residential development. The Appellant notes it has received eighty one (81) letters of opposition to this development from its residents. These will be provided before the appeal is heard. The variances granted by the development officer do away with screening and other protections that were put in place in the zoning bylaw to screen adjacent non-industrial users and traffic from the nuisance effects of having a minor industrial use next door. The Appellant also believes that the landscape and screening is not sufficient protection from a use such as concrete crushing, which generates fine dust and noise that will pass thru and over such screening. If crushing concrete that is from 1980 or older, some of the dust could contain asbestos since asbestos was used in manufacture of some concretes prior to 1980. It is believed that only an enclosure with dust capture and noise reduction provisions, or significant separation of at least 600 meters would sufficiently mitigate the impacts of such an operation. The variance allows the permit holder to do away with more than 50% of the trees required for screening and approximately 90% of the shrubbery, based partly on eliminating the landscape/screening for a significant length of the south boundary. This removes nearly all of the screening that is intended to protect adjacent users from the visual impacts of industrial development. The extent to which the developer has proposed to limit the screening materials is excessive and will subject the nearby residents to the visual impacts of this industrial use, not to mention the noise, and other nuisance impacts that will extend beyond the property boundary. It is suggested that the landscape materials eliminated along a significant length of the south boundary be added to the east and near south

boundary of the development, so as to increase mitigation of visual impact and some noise impact. We do not believe, however, - 2 - that even this increased density of landscape materials will reduce the dust or noise to any discernable degree. The Appellant requests that its appeal be granted and the development be refused. Alternatively, the Appellant requests that the Developer be required to comply with all requirements for development with no variances; specifically (i) comply with the minimum tree and shrub requirements and all other applicable screening requirements and (ii) locate any concrete crushing facility or operations as far from the eastern portion of the property as possible, while complying with setback requirements.

<b><i>General Matters</i></b>
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**Appeal Information:**

**The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on March 26, 2025:**

**“That the appeal hearing be scheduled on April 24, 2025 at the request of Legal Counsel for the Appellant”**

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 2.130.2.4, a **Minor Industrial Use** is a **Permitted Use** in the **IM - Medium Industrial Zone**.

Under section 8.10, **Minor Industrial** means:

a development used primarily for 1 or more of the following activities:

- processing raw materials;
- manufacturing, cleaning, servicing, repairing or testing materials, goods and equipment;
- handling, storing, or shipping equipment, goods, and materials;
- training, research and development laboratories; or
- distributing and selling materials, goods and equipment to institutions and industrial and commercial businesses.

Any resulting Nuisance is less impactful than those permitted under the Major Industrial Use.

Typical examples include: auto body repair and paint shops, Cannabis Production and Distribution, commercial recycling depots, contractor and construction services, equipment or vehicle repair and storage facilities, laboratories, landscaping centres, limo service, materials storage, research facilities, taxi service, truck yard, vehicle (truck, aircraft, mobile homes, etc.) and equipment sales and rentals, and warehouses.

Under section 8.20, **Accessory** means “a Use, building or structure that is naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same Lot or Site.”

Section 2.130.1 states that the **Purpose** of the **IM - Medium Industrial Zone** is:

To allow for light to medium industrial developments that may carry out a portion of their operation outdoors or require outdoor storage areas, with limited supporting commercial businesses. Any Nuisance conditions associated with such developments are minimal. This Zone is intended to be used as a transition Zone to buffer between light industrial and heavy industrial Zones and is generally located on the interior of industrial areas Abutting Collector and Local Roads and separated from non-industrial Zones.

#### ***Parking, Loading, and Storage***

Section 2.130.5.2 states:

Storage, waste collection and service areas must not be located between a principal building and a Street, and must be screened from view from Streets and from Abutting Sites, [...]

#### **Development Planner’s Determination**

**1. Section 2.130.5.2 - Storage, waste collection and service areas must not be located between a principal building and a Street, and must be screened from view from Streets and from Abutting**  
**Proposed: Storage and service areas are located between the principle building and the street (231 Street NW)**

[unedited]

#### ***Landscaping***

Section 5.60.1 states the **Purpose** of **Landscaping** is:



To ensure a baseline standard of Landscaping for development, from the initial placement of the Landscaping through to its maturity, and to help support more livable and attractive development, encourage environmental stewardship, and to contribute to Edmonton's urban forest, biodiversity, and The City Plan's climate resiliency goals.

Section 5.60.4.1 states:

Trees and shrubs for all development not regulated in Subsection 3.1 must comply with Table 4.1:

<b>Table 4.1. Minimum Trees and Shrubs</b>		
<b>Subsection</b>	<b>Measure</b>	<b>Minimum Tree and Shrub Requirements</b>
<b>All development, excluding development:</b> <ul style="list-style-type: none"> <li>- regulated in Subsection 3.1 and Backyard Housing;</li> <li>- on a Site in the AG, AJ, FD, PS, or PSN Zone; or</li> <li>- on a Site in a River Valley Special Area Zone</li> </ul>		
4.1.1.	Total Setback area, calculated based on the Setbacks at ground level	1 tree and 2 shrubs per 30.0 m <sup>2</sup>

#### **Development Planner's Determination**

##### **2. Section 5.60.4.1.1 - Minimum Tree and Shrub Requirements**

**Proposed: 83 trees & 36 Shrubs**

**Required: 175 trees & 350 Shrubs**

**Deficient: 92 trees & 314 Shrubs**

[unedited]

#### ***Parking, Waste Collection, Storage and Service Areas***

Section 5.60.4.7 states:

Waste collection areas, open storage areas, and outdoor service areas, including loading, unloading, or vehicle service areas, must be screened from view from Abutting non-industrial Zones, Streets, and light rail

transit lines with a Landscape Buffer that has a minimum Height of 1.8 m.

**Development Planner's Determination**

**3. Section 5.60.4.7 - Waste collection areas, open storage areas, and outdoor service areas, including loading, unloading, or vehicle service areas, must be screened from view from Abutting non-industrial Zones, Streets, and light rail transit lines with a Landscape Buffer that has a minimum Height of 1.8 m**

**Proposed - A portion of the proposed outdoor service and open storage areas are not screened from the lot zoned Future Urban Development (FD) south of the subject property.**

[unedited]

***Previous Subdivision and Development Appeal Board Decisions***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
<b>File No. SDAB-D-19-015/Project No. 286337282-001</b>	<b><u>Correction to the Decision of the Subdivision and Development Appeal Board</u></b>	<p>February 27, 2019; On February 21, 2019, the Subdivision and Development Appeal Board ("SDAB") issued a decision on the above referenced matter with the following Condition 5, at paragraph 99:</p> <p>5. The minimum vegetated screening buffer, as indicated on the diagram noted as Appendix "A" to this decision shall be comprised of a 2.4 metre high trees spaced at a minimum distance of 4.5 metres.</p> <p><b>Please note that Condition 5, at paragraph 99, has been revised as follows:</b></p> <p><b>5. The minimum vegetated screening buffer, as indicated on the diagram noted as Appendix "A" to</b></p>

		<b>this decision, shall be comprised of 2.4 metre high trees.</b>
SDAB-D-19-015	To construct two General Industrial Use buildings and to construct exterior alterations (vehicular access and retention pond) and to operate a General Industrial Use (temporary seacan storage).	<p>February 21, 2019; The appeal is <b>ALLOWED IN PART</b> and the decision of the Development Authority is <b>VARIED</b>. The development is <b>GRANTED</b> as approved by the Development Authority with the following additional conditions:</p> <ol style="list-style-type: none"> <li>1. There shall be no noise-generating business-related activity after 7:00 p.m on any day of the week. This condition is in addition to those noise control provisions contained in City Of Edmonton Bylaw 14600 Community Standards Bylaw.</li> <li>2. Container storage must be located within the area denoted by a dashed line as set out on the stamped approved Site Plan, C-102.</li> <li>3. The original 165 metre vegetated buffer proposed at the east property line of the subject Site shall be relocated to the south property line in accordance with the diagram noted as Appendix "A" to this decision.</li> <li>4. Frequency of planting at this south boundary shall be one tree per 4.5 metres in accordance with the diagram noted as Appendix "A" to this decision.</li> </ol>


		<p>5. The minimum vegetated screening buffer, as indicated on the diagram noted as Appendix "A" to this decision, shall be comprised of a 2.4 metre high trees spaced at a minimum distance of 4.5 metres.</p> <p>6. Screening along the east property line of the subject Site shall be erected where indicated on the diagram noted as Appendix "A" to this decision and must consist of:</p> <p>a) Vinyl privacy strips to be installed in the existing chain link fence; OR</p> <p>b) A new 1.8 metre tall chain link fence shall be installed with vinyl privacy strips</p> <p>[100] In granting the development, the following variance to the Edmonton Zoning Bylaw 12800 is allowed:</p> <p>1) The proportion of deciduous to coniferous trees and shrubs is 0:100, instead of 50:50 per section 55.3(c).</p>
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Notice to Applicant/Appellant

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

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		Project Number: <b>487693804-002</b> Application Date: OCT 10, 2023 Printed: February 20, 2025 at 1:31 PM Page: 1 of 9	
		<h2>Major Development Permit</h2>	
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.			
<b>Applicant</b>		<b>Property Address(es) and Legal Description(s)</b> 10831 - 231 STREET NW Plan 0627961 Blk 1 Lot 6	
		<b>Specific Address(es)</b> Suite: 10831 - 231 STREET NW Entryway: 10831 - 231 STREET NW Building: 10831 - 231 STREET NW	
<b>Scope of Permit</b> To construct 4 Minor Industrial Use buildings (Quonset - 13.1m x 18.4m; Storage Building - 16.8m x 7.9m; two Office Trailers - 12.2m x 2.4m & 6.1m x 2.6m), a Fire Suppression Tank Enclosure area, and to operate a Minor Industrial Use site (shipping container storage, outdoor storage of equipment in fenced bays, and concrete crushing area (1.16ha)), existing without permits.			
<b>Details</b>			
Development Category: Discretionary Development Lot Grading Needed?: Y NumberOfMainFloorDwellings: Site Area (sq. m.): 52037.4		Gross Floor Area (sq. m.): New Sewer Service Required: Overlay: Statutory Plan:	
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Feb 20, 2025 <b>Development Authority:</b> LAMONT, KAILEY			
<b>Subject to the Following Conditions</b>			
1. This Development Permit authorizes the construction of 4 Minor Industrial Use buildings (Quonset - 13.1m x 18.4m; Storage Building - 16.8m x 7.9m; two Office Trailers - 12.2m x 2.4m & 6.1m x 2.6m), a Fire Suppression Tank Enclosure area, and to operate a Minor Industrial Use site (shipping container storage, outdoor storage of equipment in fenced bays, and concrete crushing area (1.16ha)), existing without permits.			
2. The development must be constructed in accordance with the approved plans. Any revisions to the approved plans require a separate Development Permit application.			
3. The Development Permit is not valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled (Subsection 7.190.2.1.1).			
4. This Development Permit is NOT valid until the notification period expires (Subsection 7.160.1.3 and Section 7.170).			
5. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner must pay a Lot Grading Fee of \$2,393.72.			
6. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the variance fee of \$286.25 must be paid.			
<b>DRAINAGE SERVICES CONDITIONS:</b> Development Assessments 1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant/owner must enter into a servicing agreement to pay the development assessments listed below. The applicant/owner should contact Steve Jensen at 780-944-0851, upon issuance of the Development Permit, and when he/she is ready to initiate the servicing agreement and make payment.			

Project Number: **487693804-002**

Application Date: OCT 10, 2023

Printed: February 20, 2025 at 1:31 PM

Page: 2 of 9

## Major Development Permit

The following is for information purposes, and the rates shown are for the year indicated. The final payment amounts will be based on the prevailing rates at the time the applicant/owner pays and enters into a servicing agreement.

The assessment area is 1.208ha. The assessment area is obtained from the City's information computer program called POSSE.

Under the Industrial Infrastructure Cost Sharing Program (City Policy C592), the City contributes a portion of its municipal property tax revenue from the area towards reducing the cost of development assessments on landowners. As a result, landowners in this area benefit from reductions to some development assessment rates, as shown below:

### Development AssessmentRate

#### Permanent Area Contributions

Winterburn Industrial Onsite Sanitary South \$12911/ha

Winterburn Industrial Onsite Storm South \$138126/ha

Winterburn Industrial AMP \$138/ha

Master Drainage Study \$43/ha

Winterburn Industrial offsite Storm \$5634/ha

Sanitary Servicing Strategy Expansion Assessment (EA)

EA charge is being paused until December 31, 2024; therefore EA is deferred for this development permit application. 25,186/ha\* (deferred)

Arterial Roadway Assessment (ARA) - Winterburn

Arterial Roadway Assessment (ARA-Core) \$59338/ha

Arterial Roadway Assessment (ARA-Traffic Signals and Pedestrian Flashers Rate) \$2599/ha

(\*) EA may apply at the time of the future application of subdivision, development permit or servicing connection application.

There may also be additional payments required in the form of overexpenditures (which would be recoverable), boundary conditions, Boundary assessment and oversizing payments which can only be determined at the time the applicant/owner is ready to enter into a servicing agreement and make payment.

Payment should be made at the Edmonton Service Centre, 2nd Floor, 10111 – 104 Avenue NW.

### Sanitary Sewer Trunk Charge (SSTC)

SSTC is applicable to the lot in question; however SSTC charges are being paused until December 31, 2024; therefore SSTC is deferred for this development permit application.

SSTC may apply at the time of the future application of subdivision, development permit or servicing connection application.

For information purposes, the following SSTC rates are for the year 2024. 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 application is made or when a sanitary services connection is applied.

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 at the time the applicant/owner makes payment.

### Additional Notes

- The drainage assessments provided in this response are preliminary and for the purpose of information and discussion only. The assessment is made based on information currently available to our Department. Should such information - changes in the future, a

## Major Development Permit

new assessment may be made.

- Confirmation of the exact amount for the applicable drainage assessments will be made when an application for a subdivision, development permit, or sewer service connection is received.
- 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](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](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](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](https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx)

### EPCOR CONDITIONS:

1. 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](mailto:waterlandadmin@epcor.com).

### LANDSCAPING CONDITIONS:

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Development Permit Inspection Fee of \$540.00 (this can be paid by phone with a credit card - 780-442-5054).
2. Landscaping shall be in accordance with the approved Landscape Plan, and Section 55 of the Zoning Bylaw, to the satisfaction of the Development Officer.
3. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.
4. Landscaping shall be installed within 18 months of receiving the Final Occupancy Permit. Landscaping shall be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Officer.
5. A Landscape Security shall be provided to the City of Edmonton at the time of initial Landscape Inspection, to the satisfaction of the Development Officer. The initial Landscape Inspection shall be requested within 14 days of the Landscape installation being completed ([www.edmonton.ca/landscapeinspectionrequest](http://www.edmonton.ca/landscapeinspectionrequest)).
6. Upon determination that landscaping has been installed in compliance with the approved Landscape Plan, 20% of the full Landscape Security value as determined by the Development Officer shall be collected. The Landscape Security shall be retained for a period of 24 months from the date of the initial Landscape Inspection.
7. Sites that are not completed or are not compliant with approved Landscape Plans at the initial Landscape Inspection shall, in addition, be required to submit a Security for incomplete work; up to the full value of the Landscape Security, as determined by the Development Officer.
8. Applicants MUST adhere to the following:  
 The City of Edmonton Public Tree Bylaw - <https://www.edmonton.ca/sites/default/files/public-files/assets/Bylaws/BL18825.pdf?cb=1634287158>  
 Apply for the Public Tree Permit - [https://www.edmonton.ca/residential\\_neighbourhoods/gardens\\_lawns\\_trees/public-tree-permit#:~:text=A%20Public%20Tree%20Permit%20will,\(paved%20or%20granular%20 surface\).](https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit#:~:text=A%20Public%20Tree%20Permit%20will,(paved%20or%20granular%20 surface).)

### OIL AND GAS CONDITIONS:

1. ATCO Gas and Pipelines requires application to be made for approval of any development within 30m of our high pressure facilities (ID: 1670-8). Application can be submitted to [crossings@atco.com](mailto:crossings@atco.com) and must be accompanied by detailed drawings.





Project Number: **487693804-002**  
 Application Date: OCT 10, 2023  
 Printed: February 20, 2025 at 1:31 PM  
 Page: 4 of 9

## Major Development Permit

contact: Vicki Porter, Sr. Admin Coordinator, Engineering Ops  
 Gas Transmission, ATCO Pipelines and Liquids GBU  
 Email: vicki.porter@atco.com

### TRANSPORTATION CONDITIONS:

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the owner must enter into an Agreement with the City for the following improvements:

- a.) Removal of the existing north access to 231 Street and reconstruction of a 13.75 m culvert crossing access to 231 Street, located approximately 37.6 m from the north property line, to current City of Edmonton Complete Streets Design and Construction Standards, including hard surfacing of asphalt to the property line;
- b.) Removal of the existing south access to 231 Street and reconstruction of a 11.5 m culvert crossing access to 231 Street, located approximately 0.5 m from the south property line, to current City of Edmonton Complete Streets Design and Construction Standards, including hard surfacing of asphalt to the property line.

Please email [development.coordination@edmonton.ca](mailto:development.coordination@edmonton.ca) to initiate the required Agreement. Following this, any further questions regarding this Agreement may be directed to Esther Anderson (780-944-7773) of the Development Servicing Agreements Unit.

- This Agreement will require a deposit to act as security on this Agreement. The City requires a Security Deposit in the amount of \$104,000.00 to cover 100% of construction costs and 30 % for Engineering Drawing approval. However, based on the City's "GUIDELINES FOR ESTABLISHING SECURITY IN SERVICING AGREEMENT" the amount may be adjusted based upon the owner's previous development history with the City.

- Engineering Drawings are required for the Agreement. The owner is required to have a Civil Engineer submit stamped engineering drawings for approval by the City of Edmonton.

- The applicant must contact Trevor Singbeil of Development Inspections at 780-496-7019 to arrange for a pre-construction meeting, 72 hours prior to removal or construction within City road right-of-way.

2. There is an existing guy-wire for a power pole in the vicinity of the proposed south 11.5 m culvert crossing access to 231 Street that must be removed/relocated. The guy-wire must maintain a minimum clearance of 1.5 m from the edge of access. Also, there are power poles located on both sides of the north access that may require removal/relocation. The power poles must maintain a minimum clearance of 1.5 m from the edge of the access. The applicant must contact EPCOR Customer Engineering at [ces@epcor.com](mailto:ces@epcor.com) for more information regarding removal/relocation of the guy-wire and power poles and to coordinate the work. All costs associated with the guy-wire and power pole removals/relocations must be borne by the owner/applicant.

3. Subdivision and Development Coordination will not permit a graveled access/drive aisle to a paved roadway. Both accesses/drive aisles must be hard surfaced with asphalt from the edge of the asphalt of 231 Street to a minimum distance of 10 m into the site. The submitted site plans illustrate both accesses/drive aisles hard surfaced with asphalt from the edge of 231 Street into the site that exceed the minimum distance of 10 m, which is acceptable to Subdivision and Development Coordination.

4. Permanent objects including concrete steps, ramps, railings, fencing, 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.

5. There may be utilities within 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](http://www.digshaw.ca)) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removal shall be at the expense of the owner/applicant. (To be included in all responses where there may be work within road right-of-way.)

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;



## Major Development Permit

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](https://www.edmonton.ca/business_economy/oscam-permit-request.aspx)

7. Any boulevard/ditch 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.

### ZONING CONDITIONS:

1. Surface Parking Lots and loading, storage, waste collection, service and display areas must not be located within a required Setback (Subsection 2.130.5.1).
2. Storage, waste collection and service areas must not be located between a principal building and a Street, and must be screened from view from Streets and from Abutting Sites (Subsection 2.130.5.2).
3. Landscaping must be installed and maintained in accordance with Section 5.60.
4. Waste collection areas, open storage areas, and outdoor service areas, including loading, unloading, or vehicle service areas, must be screened from view from Abutting Streets with a Landscape Buffer that has a minimum Height of 1.8 m (Subsection 5.60.4.7).
5. All mechanical equipment, except for Solar Collectors, must be concealed by screening in a manner compatible with the architectural character of the building or by incorporating it within the building (Subsection 5.120.1.1.2).
6. 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).
7. Fences that contain, or are constructed of, hazardous materials such as barbed wire, are not permitted (Subsection 5.120.1.1.5).

### Subject to the Following Advisements

#### EPCOR ADVISEMENTS:

1. Our records indicate that EPCOR does not have any water mains adjacent to the property. Consequently, a municipal water service for the site is currently not available and we cannot provide piped fire flow requirements for the proposed development at this time.
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.
3. All future development must meet the standard of water supply under the City of Edmonton Design and Construction Standards to the satisfaction of EPCOR Water, Director of Water Distribution and Transmission.
4. The closest hydrant to the subject site is approximately 2.3km away and due to the lack of water mains adjacent to the property along 231 Street NW, municipal fire protection is not currently available. This does not meet municipal requirements. Edmonton Fire Rescue Services Engineering must be contacted to assess if Fire Protection of this site is adequate via Infill Fire Protection Assessment (IFPA).
5. 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.
6. As per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (April 2021), dimensions must be provided as

## Major Development Permit

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.

7. 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.
8. 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.
9. 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](mailto:schileen@epcor.com).

### FIRE RESCUE SERVICES ADVISEMENTS:

1. The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be accepted in writing by the fire department and the authority having jurisdiction. Edmonton Fire Rescue Services will review your plan at the initial construction site safety inspection upon commencement of construction.

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

2. 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).

3. 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/public-files/FireSafetyPlanGuide.pdf?cb=1692102771>

4. If there are no municipal hydrants in proximity to the development, provisions for an adequate supply of water for firefighting must be provided.

Reference: NFC(2019-AE) 5.6.3.5 Water Supply

An adequate water supply for firefighting shall be provided as soon as combustible construction materials arrive on the site.

5. Ensure that an all-weather access road is constructed prior to construction.

Reference: NFC(2019-AE) 5.6.1.4. Access for Firefighting

4) Access routes for fire department vehicles shall be provided and maintained to construction and demolition sites.

6. Please send ALL FRS DP review inquiries to [cmsfpts@edmonton.ca](mailto:cmsfpts@edmonton.ca)

### INDUSTRIAL RISK ASSESSMENT ADVISEMENTS:

A rail line is located along the northern edge of the site, and a pipeline (ATCO Gas and Pipelines Ltd., license #1670-8) runs through the eastern portion of the site. The pipeline is 328 metres from the nearest building on the site. Neither the railway or the pipeline represent a hazard.

### TRANSPORTATION ADVISEMENTS:

1. There is an approved 231 Street Concept Plan for the widening of 231 Street to a four (4) - lane divided arterial roadway adjacent to the site. The approved Concept Plan limits future access to the site to Right-In/Right-Out Only accesses. It should also be noted that the design and location of the site accesses may be reviewed upon reconstruction or widening of 231 Street. Also, a portion of land is required from this parcel to accommodate the future widening. Further to this, this project is unfunded, therefore the timing of construction is unknown at this time. For further information you may contact Matthew Ivany at [Matthew.Ivany@edmonton.ca](mailto:Matthew.Ivany@edmonton.ca) with Integrated Infrastructure Services, City of Edmonton.

### ATCO GAS AND PIPELINE ADVISEMENTS

ATCO Gas requires that a suitable alignment be provided within the boulevards of all arterial and major roads for the ATCO Gas

## Major Development Permit

feeder mains.

There are existing ATCO Gas facilities in the area. Drainage for any of ATCO Gas above ground appurtenances must be maintained. If it should be necessary to lower, relocate or make any alterations to the existing facilities and/or appurtenances due to this project, please contact ATCO Gas Distribution Engineer Karan Gill ([karan.gill1@atco.com](mailto:karan.gill1@atco.com)) to enable an adequate and timely response by ATCO Gas. Note all alteration costs will be borne by the developer / owner.

It appears the existing service line crosses a proposed property line. The owner / developer must contact ATCO Gas Distribution Engineer Karan Gill ([karan.gill1@atco.com](mailto:karan.gill1@atco.com)) to ensure a right-of-way is registered over that portion of service line, or to arrange for a service alteration. Note all survey/alteration costs will be borne by the owner / developer.

If commercial gas service is required, the owner / developer should contact ATCO Gas Service Application team at [GasApplicationsEdmonton@atco.com](mailto:GasApplicationsEdmonton@atco.com) at their earliest convenience to discuss the service contract, gas load requirements, timing details and any associated costs. To avoid delays a minimum 4-month notice is recommended. ATCO Gas will require a detailed site plan and mechanical drawings with the gas load breakdown in order to design and size the gas service. Note, each lot/unit is to have a separate service line.

Due to this proposal, a gas main upgrade may be required to the existing distribution system. It is required that the owner/developer contact ATCO Gas Engineer Ryan Fong ([Ryan.Fong@atco.com](mailto:Ryan.Fong@atco.com), (780)-203-1458)

Due to the expansion/addition, the existing service size, meter space, and main size will need to be reviewed by ATCO Gas. It is recommended that the owner contact ATCO Gas Service Application team at [GasApplicationsEdmonton@atco.com](mailto:GasApplicationsEdmonton@atco.com) at their earliest convenience with their existing and future gas load and pressure requirements to enable adequate lead time to review if a service or main upgrade is required, the associated costs, and if necessary, proceed with design and installation process.

Please contact Alberta One-Call at 1-800-242-3447 to have the gas lines located at least 48 hours prior to excavation.

Deep Utilities: Maintain a minimum of 0.3m vertical clearance and a 2.0m horizontal clearance between ATCO Gas distribution gas lines and your facilities. All Other Facilities: Maintain a minimum of 0.3m vertical clearance and a 1.0m horizontal clearance between ATCO Gas distribution gas lines and your facilities. Above Ground Facilities: Maintain a 1.5m horizontal clearance between ATCO Gas's distribution gas lines and your above ground facilities. If deviations are required, please contact Karan Gill ([karan.gill1@atco.com](mailto:karan.gill1@atco.com))

There are abandoned ATCO Gas facilities in the work area. Please contact Dan Callicott (780)-995-1893 to confirm status of the gas lines at least 48 hours prior to excavation

Please confirm land COT (Certificate of Title) regarding if ATCO has current ROW (right of way) registered. If ATCO has registered ROW, please disregard the comment "If right of way is required". If ATCO does not have registered ROW, disregard "For existing rights-of-way in proposed area." Recommended to send out another circulation to ATCO with land title attached

Contact Karan Gill for alterations, Ryan Fong for new developments and Larron Northwest for other inquiries

If you have any questions or concerns regarding this reply, please contact Larron Northwest ([larron.northwest@atco.com](mailto:larron.northwest@atco.com))

### ZONING ADVISEMENTS:

1. Unless otherwise stated, all references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.

2. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.

3. An issued Development Permit means that the proposed development has been reviewed against the provisions of the Zoning



## Major Development Permit

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).

4. Any proposed change from the original issued Development Permit is 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.

5. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.

6. 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](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.

7. 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.

8. 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](http://epcor.com/newconnection) and click 'ONLINE APPLICATION' for instructions on the plan submission process. The lot 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](mailto:lot.grading@edmonton.ca) for review and approval.

9. Signs require separate Development Permit application(s).

10. This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.

### Variances

1. Section 2.130.5.2 - Storage, waste collection and service areas must not be located between a principal building and a Street, and must be screened from view from Streets and from Abutting  
 Proposed: Storage and service areas are located between the principle building and the street (231 Street NW)

2. Section 5.60.4.1.1 - Minimum Tree and Shrub Requirements


Proposed: 83 trees & 36 Shrubs

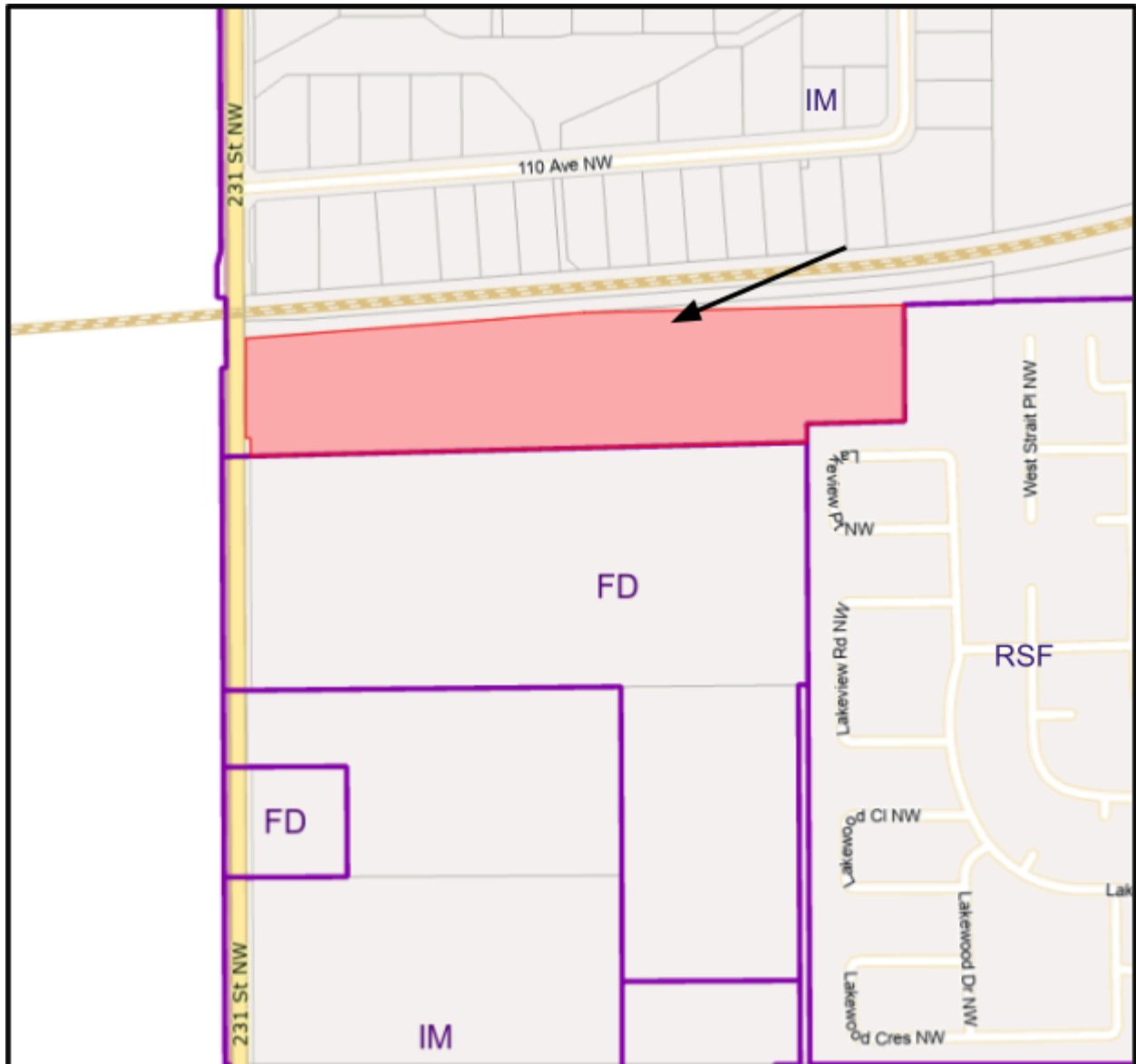
Required: 175 trees & 350 Shrubs

Deficient: 92 trees & 314 Shrubs

3. Section 5.60.4.7 - Waste collection areas, open storage areas, and outdoor service areas, including loading, unloading, or vehicle service areas, must be screened from view from Abutting non-industrial Zones, Streets, and light rail transit lines with a Landscape Buffer that has a minimum Height of 1.8 m

Proposed - A portion of the proposed outdoor service and open storage areas are not screened from the lot zoned Future Urban Development (FD) south of the subject property.

	Project Number: <b>487693804-002</b> Application Date: OCT 10, 2023 Printed: February 20, 2025 at 1:31 PM Page: 9 of 9																																											
<h2>Major Development Permit</h2>																																												
<p><b>Rights of Appeal</b>          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.  <b>Notice Period Begins:</b> Feb 27, 2025      <b>Ends:</b> Mar 20, 2025</p>																																												
<table border="1"> <thead> <tr> <th data-bbox="224 552 527 577">Fees</th> <th data-bbox="544 583 673 609">Fee Amount</th> <th data-bbox="714 583 836 609">Amount Paid</th> <th data-bbox="901 583 998 609">Receipt #</th> <th data-bbox="1079 583 1177 609">Date Paid</th> </tr> </thead> <tbody> <tr> <td data-bbox="259 615 381 636">Lot Grading Fee</td> <td data-bbox="609 615 657 636">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td data-bbox="259 640 430 661">Variance Request Fee</td> <td data-bbox="592 640 657 661">\$286.25</td> <td></td> <td></td> <td></td> </tr> <tr> <td data-bbox="259 665 462 686">Major Dev. Application Fee</td> <td data-bbox="576 665 657 686">\$1,145.00</td> <td data-bbox="755 665 836 686">\$1,145.00</td> <td data-bbox="852 665 998 686">47949600461G001</td> <td data-bbox="1079 665 1177 686">Nov 01, 2023</td> </tr> <tr> <td data-bbox="259 690 527 711">Development Permit Inspection Fee</td> <td data-bbox="609 690 657 711">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td data-bbox="259 716 397 737">Total GST Amount:</td> <td data-bbox="609 716 657 737">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td data-bbox="259 741 381 762">Totals for Permit:</td> <td data-bbox="576 741 657 762">\$1,431.25</td> <td data-bbox="755 741 836 762">\$1,145.00</td> <td></td> <td></td> </tr> <tr> <td colspan="5" data-bbox="259 766 422 787">(\$286.25 outstanding)</td></tr> </tbody> </table>					Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Lot Grading Fee	\$0.00				Variance Request Fee	\$286.25				Major Dev. Application Fee	\$1,145.00	\$1,145.00	47949600461G001	Nov 01, 2023	Development Permit Inspection Fee	\$0.00				Total GST Amount:	\$0.00				Totals for Permit:	\$1,431.25	\$1,145.00			(\$286.25 outstanding)				
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## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-055



N

ITEM II: 1:30 P.M.FILE: SDAB-D-25-056AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 575416271-002

APPLICATION TO: To construct an Accessory building (mutual 4 car detached Garage, 5.87m x 12.19m)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 28, 2025

DATE OF APPEAL: March 31, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 10927 - 132 Street NW

LEGAL DESCRIPTION: Plan 3402HW Blk 32 Lot 14

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

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***Grounds for Appeal***

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

To the City of Edmonton Appeals Board,  
We are requesting approval to build a 4-car garage instead of a 3-car garage for our already approved 4-plex development. Our primary reasons for this request are to provide adequate parking for residents and to minimize street parking congestion in the neighborhood. By ensuring each unit has a designated parking space, we can reduce the number of vehicles

parked on the street, improving accessibility and maintaining a well-organized streetscape.

We acknowledge that this modification results in a slight exceedance of the allowable limits for site coverage and soft landscaping. However, we believe the benefits of additional off-street parking outweigh the minor variance. The proposed garage will enhance the functionality of the development while maintaining an aesthetically cohesive and responsible design.

We appreciate your time and consideration and look forward to your support in approving this request.

Thanks,  
Andrew

<b><i>General Matters</i></b>
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**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, **Multi-unit Housing** means a building that contains:

- a. 1 or more Dwellings combined with at least 1 Use other than Residential or Home Based Business; or
- b. any number of Dwellings that do not conform to any other definition in the Zoning Bylaw.

Typical examples include stacked row housing, apartments, and housing in a mixed-use building.

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 8.10, **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 8.10, **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.

Under section 8.20, **Accessory** means “a Use, building or structure that is naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same Lot or Site.”

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.

<b><i>Site Coverage</i></b>
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Section 2.10.4.1.7 states:

4.1. Development must comply with Table 4.1:

Table 4.1 Site and Building Regulations			
Subsection	Regulation	Value	Symbol

Site Coverage			
4.1.7	Maximum Site Coverage	45%	-

Under section 8.20, **Site Coverage** means:

the total horizontal area on a Site:

- a. covered by buildings and structures that are 1.8 m or more in Height above Grade; or
- b. covered by a Parkade that is 1.0 m or more in Height above Grade.

This definition includes cantilevers, but does not include steps, eaves, cornices, or other similar projections.

***Site Circulation and Parking Regulations for Small Scale Residential Development***

Section 5.60.3.2 states: A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided for:

- 3.2.1. all development within the RS and RSF Zones;
- 3.2.2. any Single Detached Housing, Duplex Housing, or Semi-detached Housing development; and
- 3.2.3. any Row Housing, Multi-unit Housing or Cluster Housing development up to 8 Dwellings in a residential Zone with a maximum Height of 12.0 m or less.

Under section 8.20, **Soft Landscaping** means:

Landscape materials that allow water infiltration and absorption into the ground to reduce stormwater runoff and to be capable of supporting living plants, such as trees, shrubs, flowers, grass, or other perennial ground cover. This does not include materials that prevent water infiltration or materials such as artificial turf, decking, bricks, and pavers.

Under section 8.20, **Landscaping** means:

the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:

- a. soft landscaping elements such as trees, shrubs, plants, lawns, gardens, and ornamental plantings;

- b. decorative Hard Surfacing elements in the form of patios, Pathways, and paths consisting of materials such as bricks, pavers, shale, crushed rock, or other suitable materials, excluding monolithic concrete and asphalt; and
- c. architectural elements such as decorative Fencing, walls, and sculpture.

Landscaping does not include decorative Hard Surfacing used for, or contained within, Parking Areas, Driveways, or vehicle access areas.

**Development Planner's Determination**

**1. The maximum Site Coverage must be 45%. (Reference Section 2.10.4.1.7)**

**- Required Maximum Site Coverage Area: 45% (or 287.12sm) of Site Area**

**- Proposed Row House: 230.38sm or 36.11%**

**- Proposed Det Garage: 71.56sm or 11.21%**

**- TOTAL Proposed: 305.94sm or 47.95%**

**- This exceeded the required maximum Site Coverage Area by 18.82sm or 2.95%.**

**2. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided for all development within the RS. (Reference Section 5.60.3.2.1)**

**- The required Soft Landscaping coverage is a minimum of 30% (or 191.4sm) of the Site Area.**

**- Proposed: 159.1sm or 24.94%.**

**- The proposed Soft Landscaping area is deficient by 32sm or 5.06%.**


[unedited]


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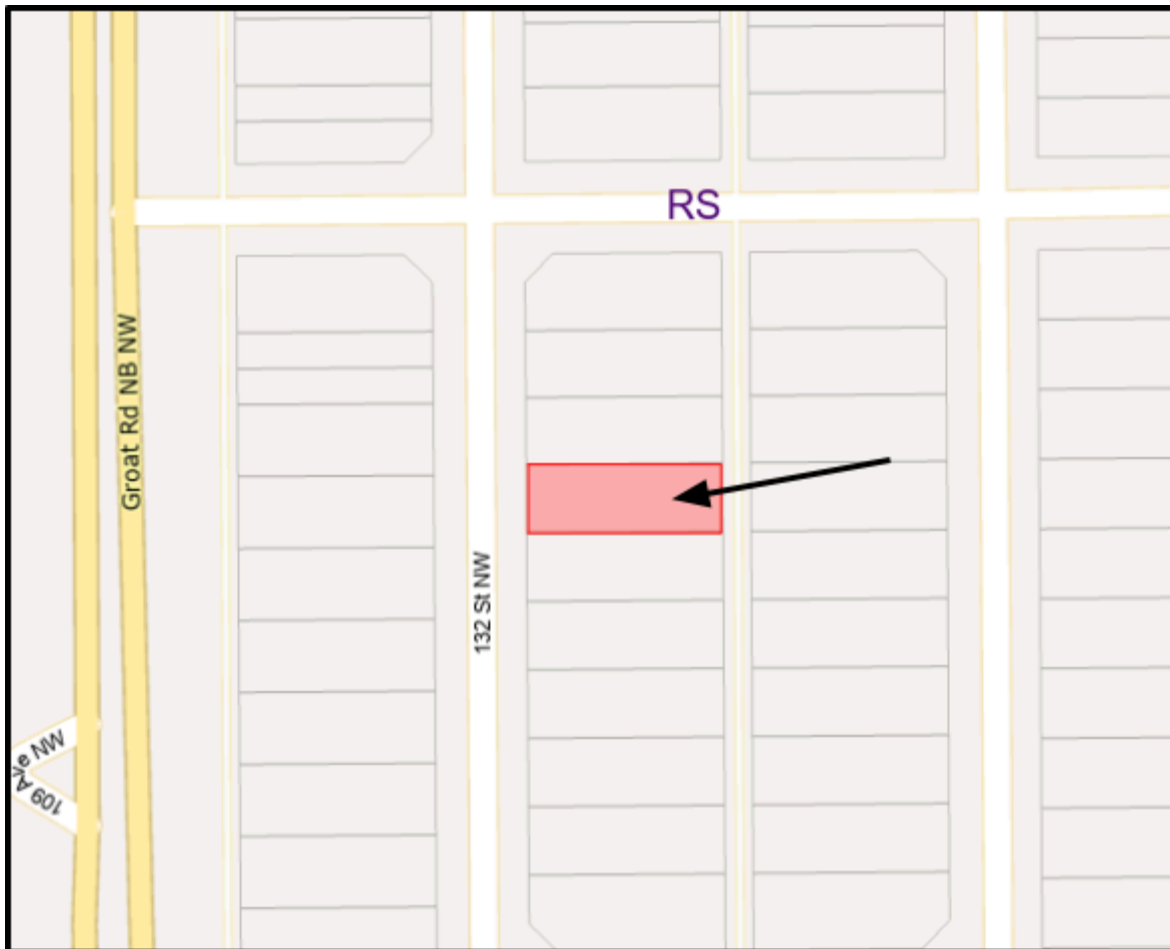
**Notice to Applicant/Appellant**

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

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	<h2 style="margin: 0;">Application for Accessory Building Permit</h2>		Project Number: <b>575416271-002</b> Application Date: MAR 12, 2025 Printed: March 28, 2025 at 3:10 PM Page: 1 of 2
	This document is a Development Permit Decision for the development application described below.		
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 10927 - 132 STREET NW Plan 3402HW Blk 32 Lot 14		
	<b>Location(s) of Work</b> Suite: 1, 10927 - 132 STREET NW Suite: 2, 10927 - 132 STREET NW Suite: 3, 10927 - 132 STREET NW Suite: 4, 10927 - 132 STREET NW Entryway: 1, 10927 - 132 STREET NW Entryway: 2, 10927 - 132 STREET NW Entryway: 3, 10927 - 132 STREET NW Entryway: 4, 10927 - 132 STREET NW Building: 1, 10927 - 132 STREET NW		
<b>Scope of Application</b> To construct an Accessory building (mutual 4 car detached Garage, 5.87m x 12.19m).			
<b>Details</b>			
Development Category: Site Area (sq. m.): 638.04	Overlay: Statutory Plan:		
<b>Development Application Decision</b>			
Refused			
<b>Issue Date:</b> Mar 28, 2025 <b>Development Authority:</b> ANGELES, JOSELITO			
<b>Reason for Refusal</b>			
<ol style="list-style-type: none"> <li>1. The maximum Site Coverage must be 45%. (Reference Section 2.10.4.1.7)           <ul style="list-style-type: none"> <li>- Required Maximum Site Coverage Area: 45% (or 287.12sm) of Site Area</li> <li>- Proposed Row House: 230.38sm or 36.11%</li> <li>- Proposed Det Garage: 71.56sm or 11.21%</li> <li>- TOTAL Proposed: 305.94sm or 47.95%</li> <li>- This exceeded the required maximum Site Coverage Area by 18.82sm or 2.95%.</li> </ul> </li> <li>2. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided for all development within the RS. (Reference Section 5.60.3.2.1)           <ul style="list-style-type: none"> <li>- The required Soft Landscaping coverage is a minimum of 30% (or 191.4sm) of the Site Area.</li> <li>- Proposed: 159.1sm or 24.94%.</li> <li>- The proposed Soft Landscaping area is deficient by 32sm or 5.06%.</li> </ul> </li> </ol>			
<b>Rights of Appeal</b>			
The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.			
<b>THIS IS NOT A PERMIT</b>			

		<b>Project Number: 575416271-002</b> Application Date: MAR 12, 2025 Printed: March 28, 2025 at 3:10 PM Page: 1 of 2			
<h2 style="margin: 0;">Application for Accessory Building Permit</h2>					
This document is a Development Permit Decision for the development application described below.					
<b>Applicant</b>  FRANKEN HOMES LTD 53107 - RR214 ARDROSSAN, ALBERTA, T8E2E2		<b>Property Address(es) and Legal Description(s)</b> 10927 - 132 STREET NW Plan 3402HW Blk 32 Lot 14			
<b>Project Name:</b> 4 car garage only (10927-132 str - Andrew)		<b>Location(s) of Work</b> Suite: 1, 10927 - 132 STREET NW Suite: 2, 10927 - 132 STREET NW Suite: 3, 10927 - 132 STREET NW Suite: 4, 10927 - 132 STREET NW Entryway: 1, 10927 - 132 STREET NW Entryway: 2, 10927 - 132 STREET NW Entryway: 3, 10927 - 132 STREET NW Entryway: 4, 10927 - 132 STREET NW Building: 1, 10927 - 132 STREET NW			
<b>Scope of Application</b> To construct an Accessory building (mutual 4 car detached Garage, 5.87m x 12.19m).					
<b>Details</b>  <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">           Development Category:            Site Area (sq. m.): 638.04         </td> <td style="width: 50%;">           Overlay:            Statutory Plan:         </td> </tr> </table>				Development Category: Site Area (sq. m.): 638.04	Overlay: Statutory Plan:
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<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Mar 28, 2025 <b>Development Authority:</b> ANGELES, JOSELITO  <b>Reason for Refusal</b>  <ol style="list-style-type: none"> <li>1. The maximum Site Coverage must be 45%. (Reference Section 2.10.4.1.7)             <ul style="list-style-type: none"> <li>- Required Maximum Site Coverage Area: 45% (or 287.12sm) of Site Area</li> <li>- Proposed Row House: 230.38sm or 36.11%</li> <li>- Proposed Det Garage: 71.56sm or 11.21%</li> <li>- TOTAL Proposed: 305.94sm or 47.95%</li> <li>- This exceeded the required maximum Site Coverage Area by 18.82sm or 2.95%.</li> </ul> </li> <li>2. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided for all development within the RS. (Reference Section 5.60.3.2.1)             <ul style="list-style-type: none"> <li>- The required Soft Landscaping coverage is a minimum of 30% (or 191.4sm) of the Site Area.</li> <li>- Proposed: 159.1sm or 24.94%.</li> <li>- The proposed Soft Landscaping area is deficient by 32sm or 5.06%.</li> </ul> </li> </ol> <b>Rights of Appeal</b> The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.					
<b>THIS IS NOT A PERMIT</b>					



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-25-056

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