

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
April 9, 2025**

**Hearing Room No. 2  
Churchill Building, 10019 - 103 Avenue NW, Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**  
**HEARING ROOM NO. 2**

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I 9:00 A.M. SDAB-D-25-048

To install a Projecting Sign in the form of a Roof Sign (Digital Copy 6.10 m x 3.05 m | Facing Southeast) (Pattison Outdoor Advertising)

9904 - 82 Avenue NW  
Project No.: 550388725-002

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**TO BE RAISED**

II 10:30 A.M. SDAB-D-25-049

Cease the storage of, and remove all related industrial vehicles, equipment, and materials, and commercial equipment and materials associated with the Home Based Business from the site

3723 - Alexander Crescent SW  
Project No.: 508259975-001

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III 1:30 P.M. SDAB-D-25-050

To construct an Accessory building (Mutual detached Garage, 5.87m x 12.19m)

11007 - 132 Street NW  
Project No.: 541345191-002

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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.*

ITEM I: 9:00 A.M.FILE: SDAB-D-25-048AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 550388725-002

APPLICATION TO: Install a Projecting Sign in the form of a Roof Sign  
(Digital Copy 6.10 m x 3.05 m | Facing Southeast)  
(Pattison Outdoor Advertising)DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 13, 2025

DATE OF APPEAL: March 17, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 9904 - 82 Avenue NW

LEGAL DESCRIPTION: Plan I Blk 71 Lots 14-15

ZONE: MU - Mixed Use Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

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*Grounds for Appeal*

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

>The subject Sign use comprises aspects of two or more Uses available in the Zone, and will likely be classified as a Discretionary Use. We are fine with that.

>The Subject Sign has been reviewed and approved by the Board on two previous occasions, and nothing has changed in the area and no complaints have been received.

> Such further and other reasons as may be presented at the hearing of this appeal.

### ***General Matters***

#### **Appeal Information:**

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

#### **Grounds for Appeal**

##### **685(1) If a development authority**

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

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

...

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

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

#### **Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)

- (i) with respect to an application for a development permit,
  - (A) within 21 days after the date on which the written decision is given under section 642, or
  - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
- or
- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

### **Hearing and Decision**

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

...

- (a.1) must comply with any applicable land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- ...
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

(i) the proposed development would not

(A) unduly interfere with the amenities of the neighbourhood, or

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

**General Provisions from the Zoning Bylaw 20001:**

Under section 2.80.2.35, a **Projecting Sign** is a **Permitted Use** in the **MU - Mixed Use Zone**.

Under section 2.80.2.33, a **Minor Digital Sign** is a **Permitted Use** in the **MU - Mixed Use Zone**.

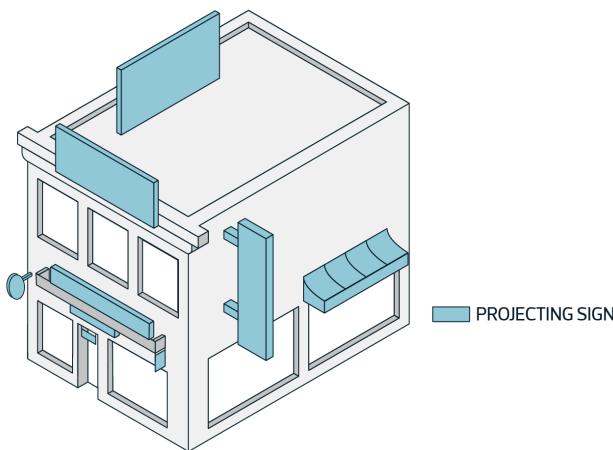
Under section 8.10, a **Projecting Sign** means:

a Sign that projects:

- more than 0.4 m from a building Facade;
- below or above a canopy, awning, or architectural feature; or
- above the eaveline or roofline.

It does not contain Digital Copy.

Typical examples include: blade, canopy, and roof signs.



Under section 8.10, a **Minor Digital Sign** means:

a Ground Sign or Wall Sign, generally used for short-term advertising, that contains Digital Copy where the Message Duration is 6 seconds or more, and does not include moving effects, message transition effects, video images, or animation.

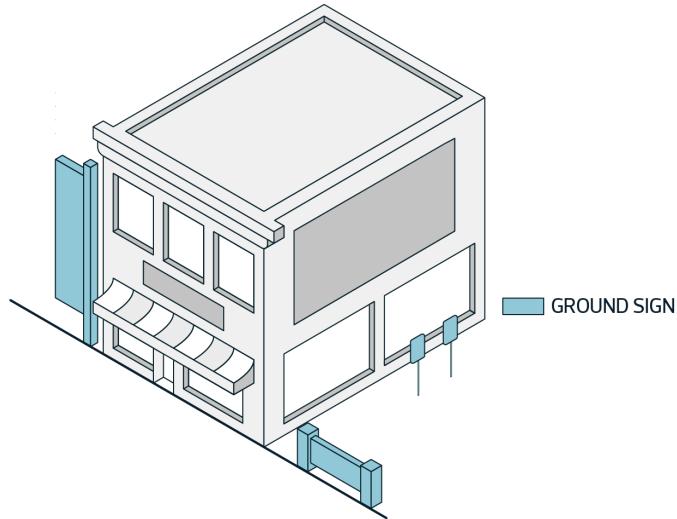
Typical examples include: digital billboards, digital posters, and junior panels.

Under section 8.20, **Digital Copy** means:

the portion of a Sign that contains Copy that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to manually or mechanically replace the Sign face or its components.

Under section 8.20, a **Ground Sign** means:

a Sign supported independently of a building.



Under section 8.20, **Roof Sign** means “a Sign installed against, on, or above a roof, or on or above the parapet of a building.”

Under section 8.20, **Wall Sign** means:

a Sign that is located on a building wall for the purpose of being viewed from the outside. Wall Signs do not project further than 0.4 m from the building wall, or extend beyond the eaveline or roofline, or beyond the horizontal limits of the wall.

Section 2.80.3.22 states “Signs must comply with Section 6.90.”

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

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

#### **7.20 General Rules of Interpretation**

Section 7.20.3 states the following with respect to **Use Definitions Regulations**:

3.1. Uses, as set out in Section 8.10, are grouped according to common functional or physical impact characteristics.

3.2. Use definitions are used to define the range of Uses that are Permitted Uses or Discretionary Uses within the Zones of this Bylaw.

3.3. When interpreting the Use definitions as set out in Section 8.10:

3.3.1. the typical examples that may be listed in the definitions are not intended to be exclusive or restrictive;

3.3.2. where specific purposes or activities do not conform to any Use definition or generally conform to the wording of 2 or more Use definitions, the Development Planner may deem the purposes or activities to conform to a Use they consider to be the most appropriate. In this situation, despite any other Section of this Bylaw, the Use is always considered a Discretionary Use, whether or not the Use is listed as a Permitted Use or Discretionary Use within the applicable Zone; and

3.3.3. the headings such as “Residential Uses” or “Commercial Uses” do not mean that the Uses listed under these headings are allowed only in residential or commercial Zones of this Bylaw. The list of Uses within each Zone determines the types of activities allowed within each Zone.

Under section 8.10, **Use** means “the purposes or activities for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.”

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

**Effective January 2024, Bylaw 20001 came into effect including amendments to the Sign Use Classes and Definitions.**

**The Development Planner determines that the proposed development is a Projecting Sign Use. A Projecting Sign includes Roof Signs (Section 8.10).**

**The proposed Projecting Sign is refused for the following reasons:**

**1. Section 8.10. The Projecting Sign contains Digital Copy. Digital copy is not permitted as part of a Projecting Sign in accordance to the Use definition.**

[unedited]

***Specific Regulations for Mixed Use Zones***

Section 6.90.5.22 states:

Where a Projecting Sign is in the form of a Roof Sign:

5.22.1. it must be located on a Site greater than 2 ha;

**Development Planner's Determination**

**2. Subsection 6.90.5.22.1. Where a Projecting Sign is in the form of a Roof Sign it must be located on a Site greater than 2 ha;**  
**Site is: 0.6 ha**  
**Deficient by: 1.4 ha**

[unedited]

***Separation Distance Regulations***

Section 6.90.3.16 states:

To minimize Sign proliferation, the following regulations apply:

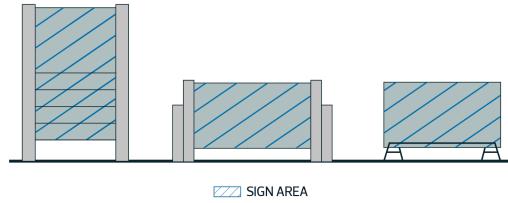
3.16.3. Signs with a Digital Copy area greater than 8.0 m<sup>2</sup> and Signs with Off-premises Advertising, must be separated from a Sign with a Digital Copy area greater than 8.0 m<sup>2</sup> or a Sign with Off-premises Advertising in compliance with Table 3.16.3:

**Table 3.16.3. Separation Distance**

Subsection	Sign Area	Minimum separation distance
3.16.3.1	Less than 20.0 m <sup>2</sup>	100 m
3.16.3.2	20.0 m <sup>2</sup> to 40.0 m <sup>2</sup>	200 m
3.16.3.3	Greater than 40.0 m <sup>2</sup>	300 m

Under section 8.20, **Sign Area** means:

The entire area of the Sign on which Copy is intended to be placed. In the case of a double-faced or multi-faced Sign, only half of the area of each face of the Sign used to display advertising Copy must be used in calculating the total Sign Area.



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

**3. Subsection 3.16.3. Signs with a Digital Copy area greater than 8.0 m<sup>2</sup> and Signs with Off-premises Advertising, must be separated from a Sign with a Digital Copy area greater than 8.0 m<sup>2</sup> or a Sign with Off-premises Advertising in compliance with Table 3.16.3**  
**Requires 100 m Separation**  
**Existing Sign: 84 m Separation**  
**440394295-004 To install (1) Freestanding Off-Premises Sign (2.9m x 6m facing E)(OUTFRONT). ( Expires Aug 26, 2027)**  
**Deficient By: 16 m**

[unedited]

### ***Development Planner's Notes***

#### **Notes:**

**Section 8.10 - Projecting Sign means a Sign that projects more than 0.4 m from a building Facade; below or above a canopy, awning, or architectural feature; or above the eaveline or roofline. It does not contain Digital Copy.**

**Typical examples include: blade, canopy, and roof signs.**

**Section 8.20 - Roof Sign means a Sign installed against, on, or above a roof, or on or above the parapet of a building.**

[unedited]

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

Application Number	Description	Decision
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SDAB-D-19-211	To install (1) Minor Digital Off-premises Roof Sign (PATTISON   KEN CHOW PHOTOGRAPHY).	December 12, 2019; 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: <ol style="list-style-type: none"><li>1. The permit will expire on December 12, 2024.</li><li>2. The proposed Minor Digital Off-premises Roof Sign shall comply with the approved plans submitted.</li><li>3. Ambient light monitors shall automatically adjust the brightness level of the Copy Area based on ambient light conditions. Brightness levels shall not exceed 0.3 footcandles above ambient light conditions when measured from the Sign face at its maximum brightness, between sunset and sunrise, at those times determined by the Sunrise/ Sunset calculator from the National Research Council of Canada; (Reference Section 59.2(5)(a))</li><li>4. Brightness level of the Sign shall not exceed 400 nits when measured from the sign face at its maximum brightness, between sunset and sunrise, at those times determined by the Sunrise/Sunset calculator from the national research Council of Canada; (Reference Section</li></ol>
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		<p>59.2(5)(b))</p> <p>5. The Minor Digital Off-premises Roof Sign shall have a Message Duration greater than or equal to 6 seconds. (Reference Section 59)</p> <p>6. All Freestanding Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of the Sign may project beyond the property lines unless otherwise specified in a Sign Schedule. (Reference Section 59.2(12))</p> <p>7. The following conditions, in consultation with the Transportation Department (Subdivision Planning), shall apply to the proposed Minor Digital Off-premises Sign, in accordance to Section 59.2(11):</p> <p>a. That, should at any time, City Operations determine that the sign face contributes to safety concerns, the owner/applicant must immediately address the safety concerns identified by removing the sign, de-energizing the sign, changing the message conveyed on the sign, and or address the concern in</p>
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		<p>another manner acceptable to City Operations.</p> <p>b. That the owner/applicant must provide a written statement of the actions taken to mitigate concerns identified by City Operations within 30 days of the notification of the safety concern. Failure to provide corrective action will result in the requirement to immediately remove or de-energize the sign.</p> <p>c. The proposed sign shall be constructed entirely within private property. No portion of the sign shall encroach over/into road right-of-way.</p> <p>[19] In granting the development, the following variance to the Edmonton Zoning Bylaw is Allowed:</p> <p>1. The requirement that the Minor Digital Off-premises Sign shall not be Roof Signs, Projecting Signs or Temporary Signs as per Section 59.2(15) is waived.</p>
SDAB-D-14-272	To demolish the existing Freestanding Off-Premises Sign (North of building) and install (1) roof mounted Minor Digital Off-premises Sign.	November 7, 2014; that the appeal be ALLOWED and the DEVELOPMENT GRANTED and the deficiency of 3.57 metres in the minimum required 30 metre separation distance from the property line of a Residential Zone to the north, as per Schedule 59F.3(4)(e) be permitted and the requirement of Section

		<p>59.2(15) that Minor Digital Off-premises Signs shall not be Roof Signs, be waived, subject to the following conditions:</p> <ol style="list-style-type: none"><li>1. The approval is based on the revised plans submitted and reviewed by the Board on November 5, 2014.</li><li>2. The Appellant shall remove the existing Off-premises Signs owned by the Appellant north on the subject Site and southeast of the subject Site located at 8223 -99 Street, as outlined on the submitted Site Plan.</li><li>3. That the frequency of change in the Static Digital display cannot be less than 6 seconds with a 2 second transition (hold time).</li><li>4. That each Static Digital display shall contain a single advertising copy and that split screen advertising is not permitted.</li><li>5. The Digital Sign is approved for five years and will expire on November 7, 2019.</li><li>6. Due to its position, shape, colour, format or illumination, the proposed Digital Sign shall not obstruct the view of, or be confused with an official traffic sign, signal or device, as determined by the Development Authority in consultation with the City</li></ol>
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		<p>Engineer.</p> <p>7. The proposed Digital Sign shall not display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles.</p> <p>8. The proposed Digital Sign shall not operate or employ any stereo option or motion picture projection, or use holography.</p> <p>9. The proposed Sign shall be constructed entirely within private property. No portion of the Sign shall encroach over/into road right-of-way.</p> <p>10. The brightness of the proposed Digital Sign shall be adjustable and controlled relative to ambient light, to the satisfaction of Transportation Services.</p> <p>11. That should at any time, Transportation Services determine that the sign face contributes to safety concerns, the owner/applicant must immediately address the safety concerns identified by removing the sign, de-energizing the sign, changing the message conveyed on the sign, and/or addressing the concern in another manner acceptable to Transportation Services.</p> <p>12. That the owner/applicant must provide a written</p>
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		statement of the actions taken to mitigate a safety concern identified by Transportation Services within 30 days of the notification of the concern. Failure to provide corrective action will result in the requirement to immediately remove or de-energize the sign.
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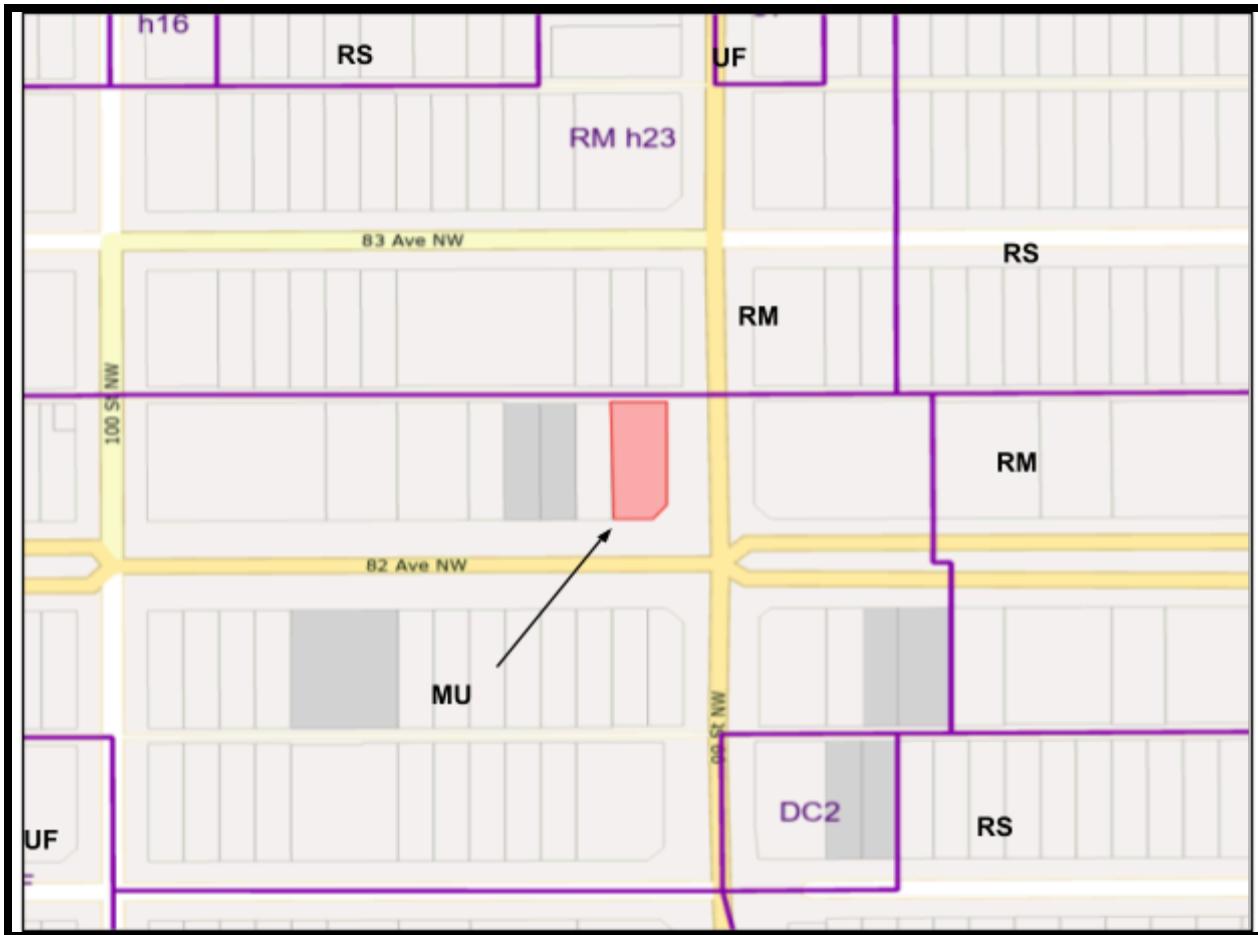
Notice to Applicant/Appellant

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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Edmonton	Project Number: <b>550388725-002</b> Application Date: DEC 17, 2024 Printed: March 13, 2025 at 3:07 PM Page: 1 of 2				
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Sign Permit</h3>					
<p>This document is a Development Permit Decision for the development application described below.</p>					
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 9904 - 82 AVENUE NW Plan I Blk 71 Lots 14-15				
<b>Scope of Application</b> To install a Projecting Sign in the form of a Roof Sign (Digital Copy 6.10 m x 3.05 m   Facing SE) (Pattison Outdoor Advertising).					
<b>Details</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">ASA Sticker No./Name of Engineer:</td> <td style="width: 50%;">Construction Value: 100000</td> </tr> <tr> <td>Development Category: Discretionary Development</td> <td>Expiry Date:</td> </tr> </table>		ASA Sticker No./Name of Engineer:	Construction Value: 100000	Development Category: Discretionary Development	Expiry Date:
ASA Sticker No./Name of Engineer:	Construction Value: 100000				
Development Category: Discretionary Development	Expiry Date:				
<b>Development Application Decision</b> Refused					
<b>Issue Date:</b> Mar 13, 2025 <b>Development Authority:</b> MERCIER, KELSEY					
<b>Reason for Refusal</b> <p>Effective January 2024, Bylaw 20001 came into effect including amendments to the Sign Use Classes and Definitions.</p> <p>The Development Planner determines that the proposed development is a Projecting Sign Use. A Projecting Sign includes Roof Signs (Section 8.10).</p> <p>The proposed Projecting Sign is refused for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Section 8.10. The Projecting Sign contains Digital Copy. Digital copy is not permitted as part of a Projecting Sign in accordance to the Use definition.</li> <li>2. Subsection 6.90.5.22.1. Where a Projecting Sign is in the form of a Roof Sign it must be located on a Site greater than 2 ha; Site is: 0.6 ha Deficient by: 1.4 ha</li> <li>3. Subsection 3.16.3. Signs with a Digital Copy area greater than 8.0 m<sup>2</sup> and Signs with Off-premises Advertising, must be separated from a Sign with a Digital Copy area greater than 8.0 m<sup>2</sup> or a Sign with Off-premises Advertising in compliance with Table 3.16.3 Requires 100 m Separation Existing Sign: 84 m Separation 440394295-004 To install (1) Freestanding Off-Premises Sign (2.9m x 6m facing E)(OUTFRONT). (Expires Aug 26, 2027) Deficient By: 16 m</li> </ol> <p>Notes:          Section 8.10 - Projecting Sign means a Sign that projects more than 0.4 m from a building Facade; below or above a canopy, awning, or architectural feature; or above the eaveline or roofline. It does not contain Digital Copy.          Typical examples include: blade, canopy, and roof signs.</p> <p>Section 8.20 - Roof Sign means a Sign installed against, on, or above a roof, or on or above the parapet of a building.</p>					
<b>THIS IS NOT A PERMIT</b>					

Edmonton	Project Number: <b>550388725-002</b> Application Date: DEC 17, 2024 Printed: March 13, 2025 at 3:07 PM Page: 2 of 2																														
<h2>Application for</h2> <h3>Sign Permit</h3>																															
<p><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.</p>																															
<p><b>Fees</b></p> <table><thead><tr><th></th><th><b>Fee</b></th><th><b>Amount</b></th><th><b>Amount Paid</b></th><th><b>Receipt #</b></th><th><b>Date Paid</b></th></tr></thead><tbody><tr><td>Sign Development Application Fee - Digital Signs</td><td></td><td>\$920.00</td><td>\$920.00</td><td>00017J001001688</td><td>Dec 17, 2024</td></tr><tr><td>Variance Fee</td><td></td><td>\$230.00</td><td>\$230.00</td><td>04095J001001647</td><td>Feb 27, 2025</td></tr><tr><td>Total GST Amount:</td><td></td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td>Totals for Permit:</td><td></td><td>\$1,150.00</td><td>\$1,150.00</td><td></td><td></td></tr></tbody></table>			<b>Fee</b>	<b>Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>	Sign Development Application Fee - Digital Signs		\$920.00	\$920.00	00017J001001688	Dec 17, 2024	Variance Fee		\$230.00	\$230.00	04095J001001647	Feb 27, 2025	Total GST Amount:		\$0.00				Totals for Permit:		\$1,150.00	\$1,150.00		
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<b>THIS IS NOT A PERMIT</b>																															



## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-048



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**TO BE RAISED**ITEM II: 10:30 A.M.FILE: SDAB-D-25-049**AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE  
OFFICER**

APPELLANT:

APPLICATION NO.: 508259975-001

ORDER TO: Cease the storage of, and remove all related industrial vehicles, equipment, and materials, and commercial equipment and materials associated with the Home Based Business from the site

DECISION OF THE  
DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: January 23, 2025

DATE OF APPEAL: February 12, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 3723 - Alexander Crescent SW

LEGAL DESCRIPTION: Plan 1026054 Blk 2 Lot 11

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southwest District Plan

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***Grounds for Appeal***

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

## TO WHOMSOEVER IT MAY CONCERN

Hi, I am Sukhjeet Singh, the owner of 3723 Alexander Cres SW Edmonton. In the last week of January, I received an act order (508259975-001) regarding a trailer stored on my driveway.

I left for India on November 28, as my mother was admitted to the ICU. Unfortunately, she passed away on December 3, 2024, and I came back on January 15 after taking care of customs and rituals and spending time with my father. In my absence, my friend Gurpreet Singh parked this trailer in my driveway as my company needed to return a skid steer at CDR Rentals, due in the first week of December. He is a long-haul truck driver and does not have much time, so in a hurry after returning the skid steer he parked the trailer in my driveway.

I didnt know it was against the bylaw to park a trailer on my driveway FYI, all other vehicles and trailers belonging to my landscaping business were/are already parked at my storage at Whitemud Creek RV storage (16815 41 Ave SW, Edmonton, AB T6Y 0H9)

The day I received the notice I had moved my trailer to my storage already

I am going back to India again with my wife and 2 of my kids to meet my father on February 18 and returning on April 2. I request you, please forgive me this time and I assure you it will never happen in the future or if you want to set a hearing date please have it scheduled after the first week of April when I will be back in Canada. I am attaching all my tickets for your reference

<b><i>General Matters</i></b>
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**The Subdivision and Development Appeal Board made and passed the following motion on February 26, 2025:**

**“That the appeal hearing be scheduled on April 9, 2025 or April 10, 2025 at the request of the Appellant.”**

**Appeal Information:**

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

**Stop order**

**645(1)** Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

(a) this Part or a land use bylaw or regulations under this Part, or  
(b) a development permit or subdivision approval,  
the development authority may act under subsection (2).

**(2)** If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

(a) stop the development or use of the land or building in whole or in part as directed by the notice,  
(b) demolish, remove or replace the development, or  
(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,  
within the time set out in the notice.

**(2.1)** A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

**(3)** A person who receives a notice referred to in subsection (2) may appeal the order in the notice in accordance with section 685.

### **Permit**

**683** Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

### **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*:**

**A Home Based Business is a Permitted Use in the RSF - Small Scale Flex Residential Zone (Section 2.20.2).**

Under section 8.10, a **Home Based Business** means:

Home Based Business means a development where a business is operated primarily inside a Dwelling or an Accessory building by a resident of that Dwelling. A Residential Use is the primary development on the Site and the business activity is secondary. This Use includes Home Based Child Care. This Use does not include activities similar to

those offered as Bars, Body Rub Centres, Cannabis Retail Stores, Liquor Stores, or nightclubs.

Section 2.20.3.1 states Home Based Businesses must comply with Section 6.60.

Section 6.60.6 states Industrial vehicles, equipment, and materials, and commercial equipment and materials are not permitted to be stored outdoors on a Site that contains a Home Based Business.

Section 2.20.1 states that the **Purpose of the RSF - Small Scale Flex Residential Zone:**

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. This Zone has site and building regulations that provide additional development flexibility in appropriate contexts, such as new neighbourhoods and large undeveloped areas. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Section 7.110.1 states:

1.1. No person may:

- 1.1.1. undertake, or cause or allow to be undertaken, a development; or
- 1.1.2. carry on, or cause or allow to be carried on, a development,

without a Development Permit issued under this Section.

Section 200.2.1 states:

2.1. It is an offence for any person to:

- 2.1.1. contravene; or
- 2.1.2. cause, allow or permit a contravention of, any provisions of this Bylaw.

Section 7.200.2.2 states:

2.2. If a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:

- 2.2.1. construct a building or structure;
- 2.2.2. make an addition or alteration to a building or structure;

2.2.3. commence or undertake a Use or change of intensity of Use; or

2.2.4. place a Sign on land, or on a building or structure.

---

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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February 25, 2025

Our File: 508259975-001

## **MUNICIPAL GOVERNMENT ACT ORDER**

Dear Sir/Madam:

An Alberta Land Titles search identifies you as the registered owner of the property located at 3723 - ALEXANDER CRESCENT SW in Edmonton, Alberta, legally described as Plan 1026054 Blk 2 Lot 11.

This Property was inspected by Development Compliance Officer MEGHAN MCANALLY, on January 20, 2025. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 of the Municipal Government Act.

### **ZONING BYLAW INFRACTION:**

This property is zoned RSF (Small Scale Flex Residential Zone) in accordance with Section 2.20 of Edmonton Zoning Bylaw 20001. Our investigation revealed that the storage of commercial equipment (flatbed trailer) is occurring at the property. This is in contravention of Section 6.60.6. of Edmonton Zoning Bylaw 20001. A photograph will be provided for your reference.

Subsection 6.60.6. of Edmonton Zoning Bylaw 20001 states:

**6. Industrial vehicles, equipment, and materials, and commercial equipment and materials are not permitted to be stored outdoors on a Site that contains a Home Based Business.**

Subsection 7.200.2.1 of Edmonton Zoning Bylaw 2001 states:

- 2.1. It is an offence for any person to:
  - 2.1.1. contravene; or
  - 2.1.2. cause, allow or permit a contravention of, any provisions of this Bylaw.

### **Home Based Business:**

Home Based Business means a development where a business is operated primarily inside a Dwelling or an Accessory building by a resident of that Dwelling. A Residential Use is the primary development on the Site and the business activity is secondary. This Use Includes



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Home Based Child Care. This Use does not include activities similar to those offered as Bars, Body Rub Centres, Cannabis Retail Stores, Liquor Stores, or nightclubs.

**ORDER:**

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to cease the storage of, and remove all related industrial vehicles, equipment, and materials, and commercial equipment and materials associated with the Home Based Business from the site **before March 24, 2025.**

**CONSEQUENCES FOR NON-COMPLIANCE:**

The property will be inspected after **March 24, 2025** to determine compliance with this Order.

In the event that a person fails to comply with this Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter the land and take any action necessary to carry out the Order. Section 646 authorizes the City to register a caveat under the Land Titles Act.

Section 553(1)(h.1) of the Municipal Government Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to 566(2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Affected persons may appeal this Order by filing within **21 calendar days** to the Subdivision and Development Appeal Board. Visit the website at <https://sdab.edmonton.ca> or call 780-496-6079 for more information on how to file an appeal.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, RSA 2000, c M-26, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

If you have any questions in regards to this matter, please contact the writer at 780-690-3340.



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Regards,

A handwritten signature in black ink that reads 'Meghan McAnally'.

Meghan McAnally  
Development Compliance Officer  
780-690-3340  
[meghan.mcanally@edmonton.ca](mailto:meghan.mcanally@edmonton.ca)





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#### Adding amounts owing to tax roll

**553(1)** A council may add the following amounts to the tax roll of a parcel of land:

- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;
- (b) unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel;
- (c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;
- (d), (e) repealed 1999 c11 s35; (f) costs associated with tax recovery proceedings related to the parcel;
- (g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel;
- (g.1) if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel;
- (h) unpaid costs awarded by a composite assessment review board under section 468.1 or the Land and Property Rights Tribunal under section 501, if the composite assessment review board or the Land and Property Rights Tribunal has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Land and Property Rights Tribunal was related to the parcel;
- (h.1) the expenses and costs of carrying out an order under section 646;
- (i) any other amount that may be added to the tax roll under an enactment.

**(2)** Subject to section 659, when an amount is added to the tax roll of a parcel of land under subsection (1), the amount

- (a) is deemed for all purposes to be a tax imposed under Division 2 of Part 10 from the date it was added to the tax roll, and
- (b) forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

#### Stop order

**645(1)** Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval,



the development authority may act under subsection (2).

**(2)** If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

**(2.1)** A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

**(3)** A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

#### Enforcement of stop order

**646(1)** If a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.

**(2)** A municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order.

**(3)** If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.

#### Permit

**683** Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

#### 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).

**(1.1)** A decision of a development authority must state whether an appeal lies to a subdivision and



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development appeal board or to the Land and Property Rights Tribunal.

**(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).

**(2.1)** An appeal referred to in subsection (1) or (2) may be made

(a) to the Land and Property Rights Tribunal

(i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application

(A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,  
(B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,

(C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or

(D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Parks,

or

(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii), or

(b) in all other cases, to the subdivision and development appeal board.

**(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).

**(4)** Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

(a) is made by a council, there is no appeal to the subdivision and development appeal board, or

(b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

## 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,



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- (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.

**(1.1)** Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

- (a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or
- (b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board 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.

**(2)** The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

**(3)** The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

- (a) to the appellant,
- (b) to the development authority whose order, decision or development permit is the subject of the appeal, and
- (c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

**(4)** The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

- (a) the application for the development permit, the decision and the notice of appeal, or (b) the order under section 645.

**(4.1)** Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section



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683.1(8).

**(5)** In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.



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## Subdivision and Development Appeal Board

**File your appeal online at:**

**<https://sdab.edmonton.ca>**

The Subdivision and Development Appeal Board (SDAB) hears appeals from people who have been affected by a decision of the Development Authority under the Zoning Bylaw and the Subdivision Authority under the Subdivision Authority Bylaw. The board is appointed by City Council and consists of citizens living in the city of Edmonton.

The SDAB normally meets every Wednesday and Thursday. If required, the Board may set additional dates for hearings.

Once you have met requirements and filed a proper appeal, this Board presides over your hearing.

The SDAB is an independent, quasi-judicial body established by City Council, and its decisions are final and cannot be overturned unless the board makes an error in some aspect of law or jurisdiction.

Agendas listing appeals and hearing times scheduled for that day are posted in the hearing waiting area. Hearings do not start before the time listed on the schedule.

### **For more information:**

**Subdivision and Development Appeal Board**

**Telephone** 780-496-6079

**Fax** 780-577-3537

**Email** [sdab@edmonton.ca](mailto:sdab@edmonton.ca)



## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-049



N

ITEM III: 1:30 P.M.FILE: SDAB-D-25-050AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 541345191-002

APPLICATION TO: Construct an Accessory building (Mutual detached Garage, 5.87m x 12.19m)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 13, 2025

DATE OF APPEAL: March 13, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 11007 - 132 Street NW

LEGAL DESCRIPTION: Plan RN60 Blk 22 Lot 19

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central 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:

I am submitting this appeal regarding the approval of a 4-car garage on a 50-foot-wide lot that was initially designed to accommodate waste collection through a specific garbage area with a designated concrete driveway for truck access. As there was uncertainty on how waste collection was going to be arranged, we decided to leave a 4-car garage

pad and decide later on what the City would allow or not allow. At this time we didn't know if a 4-car garage was allowed. However, since the City has revised its waste collection approach to utilize 12 larger garbage bins, the original truck access requirements are no longer necessary. This design revision has created an opportunity to maintain the originally planned 4-car garage while ensuring proper garbage bin storage and enhancing neighborhood functionality. The proposed garage offers several key benefits:

1. **Improved Parking for Neighbors and Tenants** – A 4-car garage will help alleviate the ongoing street parking congestion, benefiting not only the tenants but also neighboring residents.
2. **Efficient Waste Collection** – The new waste system storage aligns with the City's updated waste management plan
3. **Better Land Utilization** – The revised plan ensures all garbage bins are stored properly within the lot boundaries, avoiding clutter and maintaining a clean streetscape.

The previous requirement for truck access was a primary constraint in limiting the garage size. With the removal of this requirement, allowing a 4-car garage is a logical solution that supports both the City's waste management goals and the parking needs of the community.

I kindly request that this appeal be reviewed favorably, considering the significant benefits to tenants, neighbors, and overall neighborhood parking. I appreciate your time and consideration and look forward to discussing this further..

### ***General Matters***

#### **Appeal Information:**

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

#### **Grounds for Appeal**

##### **685(1) If a development authority**

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

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

...

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

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

### **Appeals**

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

(a) in the case of an appeal made by a person referred to in section 685(1)

(i) with respect to an application for a development permit,

(A) within 21 days after the date on which the written decision is given under section 642, or

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

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

### **Hearing and Decision**

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

...

(a.1) must comply with any applicable land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

(c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

(i) the proposed development would not

(A) unduly interfere with the amenities of the neighbourhood, or

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

#### **General Provisions from the Zoning Bylaw 20001:**

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

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

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

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

Under section 8.20, **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 8.20, **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>
-----------------------------

Section 2.10.4.1.7 states:

4.1. Development must comply with Table 4.1:

<b>Table 4.1 Site and Building Regulations</b>			
<b>Subsection</b>	<b>Regulation</b>	<b>Value</b>	<b>Symbol</b>
<b>Site Coverage</b>			
<b>4.1.7</b>	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.

### ***Soft Landscaping***

Section 5.60.3.2 states:

3.2 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.

**Development Planner's Determination**

**1. Total Site Coverage - The maximum Site coverage is 45% in total. (Subsection 2.10.4.1.7)**

- Proposed total site coverage: 48% (exclusive porches/deck area)
- Exceeded by 3 %.

**2. Soft Landscaping Area - The minimum required soft landscaping area is 30%. (Subsection 5.60.3.2)**

- Proposed 29%
- Deficient by 1%

[unedited]

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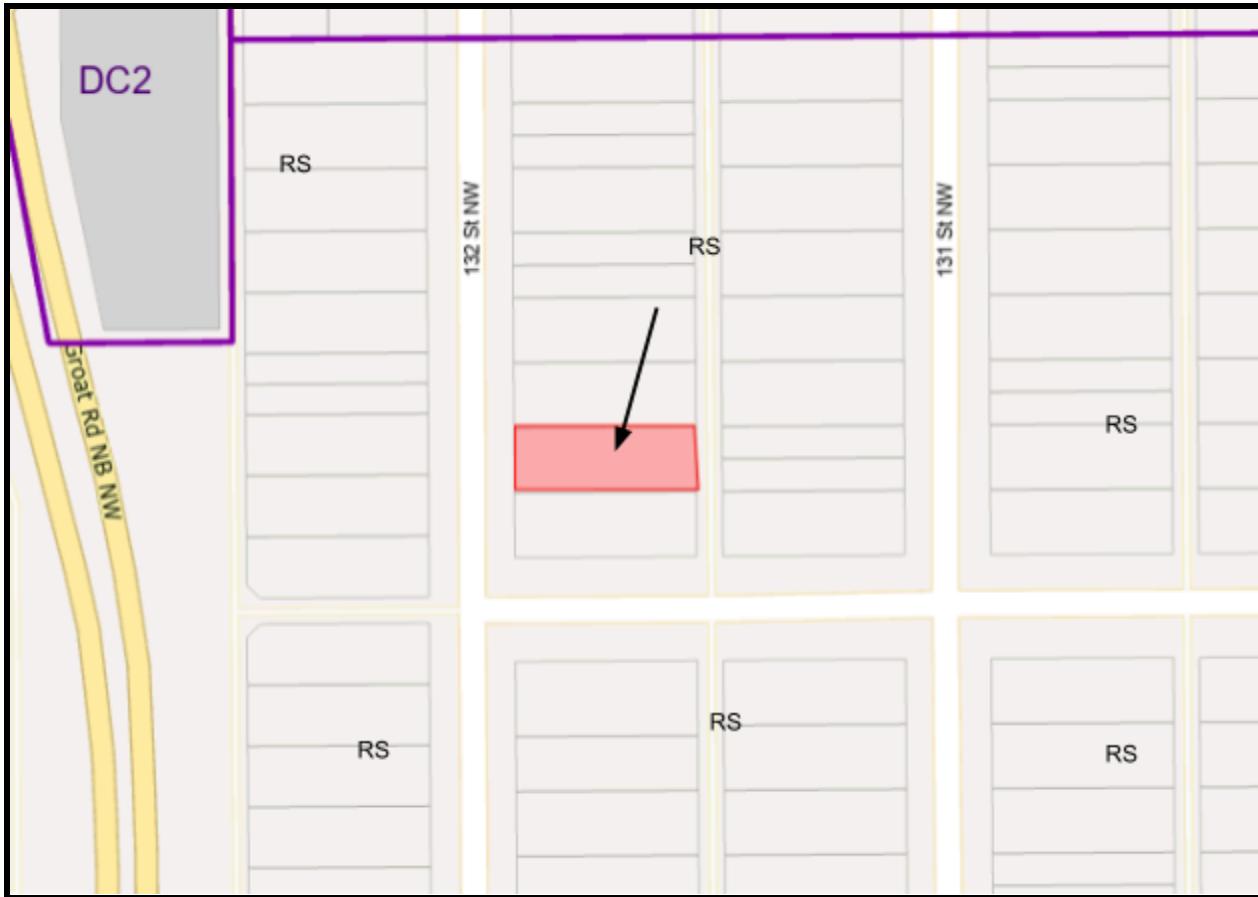
**Notice to Applicant/Appellant**

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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		Project Number: <b>541345191-002</b> Application Date: NOV 19, 2024 Printed: March 13, 2025 at 12:19 PM Page: 1 of 2													
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Accessory Building Permit</h3>															
<p>This document is a Development Permit Decision for the development application described below.</p>															
<b>Applicant</b>  <b>Project Name:</b> 11007-132 str (4-car garage - Westmount)		<b>Property Address(es) and Legal Description(s)</b> 11007 - 132 STREET NW Plan RN60 Blk 22 Lot 19													
<b>Location(s) of Work</b> Suite: 1, 11007 - 132 STREET NW Suite: 2, 11007 - 132 STREET NW Suite: 3, 11007 - 132 STREET NW Suite: 4, 11007 - 132 STREET NW Entryway: 1, 11007 - 132 STREET NW Entryway: 2, 11007 - 132 STREET NW Entryway: 3, 11007 - 132 STREET NW Entryway: 4, 11007 - 132 STREET NW Building: 1, 11007 - 132 STREET NW															
<b>Scope of Application</b> To construct an Accessory building (Mutual detached Garage, 5.87m x 12.19m).															
<b>Details</b>  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Development Category: Discretionary Development</td> <td style="width: 50%;">Overlay:</td> </tr> <tr> <td>Site Area (sq. m.): 649.81</td> <td>Statutory Plan:</td> </tr> </table>				Development Category: Discretionary Development	Overlay:	Site Area (sq. m.): 649.81	Statutory Plan:								
Development Category: Discretionary Development	Overlay:														
Site Area (sq. m.): 649.81	Statutory Plan:														
<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Mar 13, 2025 <b>Development Authority:</b> LAI, ECHO															
<b>Reason for Refusal</b> <ol style="list-style-type: none"> <li>1. Total Site Coverage - The maximum Site coverage is 45% in total. (Subsection 2.10.4.1.7)           <ul style="list-style-type: none"> <li>- Proposed total site coverage: 48% (exclusive porches/deck area)</li> <li>- Exceeded by 3 %.</li> </ul> </li>   <li>2. Soft Landscaping Area - The minimum required soft landscaping area is 30%. (Subsection 5.60.3.2)           <ul style="list-style-type: none"> <li>- Proposed 29%</li> <li>- Deficient by 1%</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>Building Permit Decision</b> No decision has yet been made.															
<b>Fees</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;">Fee Amount</th> <th style="width: 25%; text-align: center;">Amount Paid</th> <th style="width: 25%; text-align: center;">Receipt #</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td style="text-align: center;">\$4.00</td> <td style="text-align: center;">\$4.00</td> <td style="text-align: center;">06982001001020</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: center;">Date Paid Nov 19, 2024</td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Safety Codes Fee	\$4.00	\$4.00	06982001001020				Date Paid Nov 19, 2024
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<b>THIS IS NOT A PERMIT</b>															

Edmonton	Project Number: <b>541345191-002</b> Application Date: NOV 19, 2024 Printed: March 13, 2025 at 12:19 PM Page: 2 of 2			
<b>Application for</b> <b>Accessory Building Permit</b>				
<b>Fees</b>				
	<b>Fee</b>	<b>Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>
Development Application Fee	\$140.00	\$140.00	089826001001020	Nov 19, 2024
Building Permit Fee (Accessory Building)	\$115.00	\$115.00	089826001001020	Nov 19, 2024
Total GST Amount:	\$0.00			
Totals for Permit:	<hr/> \$259.60	<hr/> \$259.60		
<b>THIS IS NOT A PERMIT</b>				



### SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-050

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