

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Monday, 9:00 A.M.
December 15, 2025**

**Hearing Room No. 3
Churchill Building, 10019 - 103 Avenue NW, Edmonton, AB**

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3

I	9:00 A.M.	SDAB-D-25-186	To construct exterior alterations to a Residential Use building (Driveway extension 0.6 m wide), existing without permits 6420 - 174 Avenue NW Project No.: 625008975-002
II	10:00 A.M.	SDAB-D-25-187	To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, balconies, rooftop patio, and 2 Secondary Suites (Units #1 &2) in the Basements and 2 Basement developments (Units #3 & 4 - NOT to be used as additional Dwellings) (total 6 Dwellings). 9132 - 116 Street NW Project No.: 604449858-002
III	1:30 P.M.	SDAB-D-25-185	To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites 7503 - 94 Avenue NW Project No.: 628378840-002

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

ITEM I: 9:00 A.M.FILE: SDAB-D-25-186AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 625008975-002

APPLICATION TO: To construct exterior alterations to a Residential Use building (Driveway extension 0.6 m wide), existing without permits

DECISION OF THE
DEVELOPMENT AUTHORITY: RefusedDECISION DATE: **November 4, 2025**DATE OF APPEAL: **November 27, 2025**MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 6420 - 174 Avenue NW

LEGAL DESCRIPTION: Plan 1520589 Blk 13 Lot 43

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S):
McConachie Neighbourhood Structure Plan
Pilot Sound Area Structure Plan

DISTRICT PLAN: Northeast District Plan

Grounds for Appeal

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

have 3 vehicles at this house and is tigh to back out of garage with 3rd vehicle on one side of driveway. Im only asking for 0.6 m extension

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 2.20.2.2, a **Residential Use** is a **Permitted Use** in the **RSF - Small Scale Flex Residential Zone**.

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

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, **Single Detached Housing** means “a building that contains 1 principal Dwelling and has direct access to ground level.”

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.”

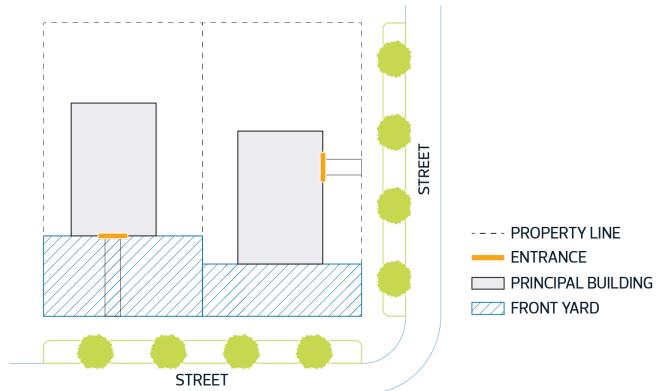
Under section 8.20, **Driveway** means:

means an area that provides vehicle access to the Garage or Parking Area of a small scale Residential development from a Street, Alley, or private roadway. A Driveway does not include a Pathway.



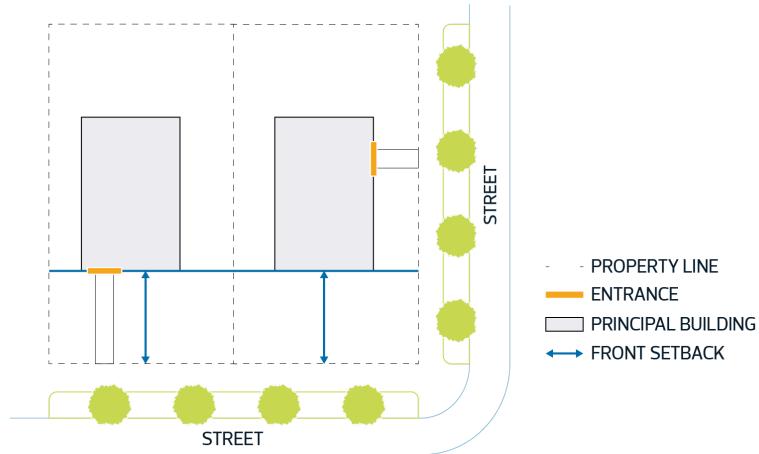
Under section 8.20, **Front Yard** means:

means the portion of a Site Abutting the Front Lot Line extending across the full width of the Site, between the Front Lot Line and the nearest wall of the principal building, not including projections.



Under section 8.20, **Front Setback** means:

means the distance that a development or a specified portion of a development, must be from a Front Lot Line. A Front Setback is not a Front Yard.”



Under section 8.20, **Parking Area** means “means an area that is used for vehicle parking. A Parking Area has 1 or more parking spaces and includes a parking pad, but does not include Street parking, a vehicle access, a Driveway, or a Drive Aisle.”

Under section 8.20, **Pathway** means “a Hard Surfaced path of travel that is located on private property that cannot be used for motor vehicles.”

Section 2.20.1 states that the **Purpose of the RSF - Small Scale Flex 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. 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.

Site Circulation and Parking Regulations for Small Scale Residential Development

Section 5.80.2.1 states:

Single Detached Housing, Duplex Housing, Semi-detached Housing, Backyard Housing, and Row Housing, and Multi-unit Housing with 8 Dwellings or less must comply with the following:

Site Circulation

2.1.1 1 or more Pathways with a minimum unobstructed width of 0.9 m must be provided from all main entrances of principal

Dwellings directly to an Abutting sidewalk or to a Driveway, except that:

2.1.1.1 A handrail on 1 side is permitted to project a maximum of 0.1 m into the Pathway.

Driveways

2.1.2. Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.

2.1.3. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area.

2.1.4 A Driveway provided from a Street must comply with the following:

2.1.4.1 Where a Garage or Parking Area has 1 vehicle parking space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less, except:

2.1.4.1.1 Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 1 vehicle parking space, the combined maximum width of the Driveway and Abutting Pathways is 4.3 m.

2.1.4.2. Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less, except:

2.1.4.2.1. Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less.

2.1.5. Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within:

2.1.5.1. a Front Yard;

- 2.1.5.2. a Flanking Side Yard; or
 - 2.1.5.3 a Flanking Side Setback.
- 2.1.6. For Zero Lot Line Development, a Parking Area must not encroach on the easement area.

Development Planner's Determination

- 1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3.)**
Proposed: The Driveway extension does not lead to the Garage.
- 2. Driveway Width - The maximum Driveway width is equal to the width of the Garage. (Subsection 5.80.2.1.4.2.)**
Maximum width: 7.3 m
Proposed: 7.9 m
Exceeds by: 0.6 m
- 3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard (Subsection 5.80.2.1.5.1.).**
Proposed: Driveway extension is located within the Front Yard.

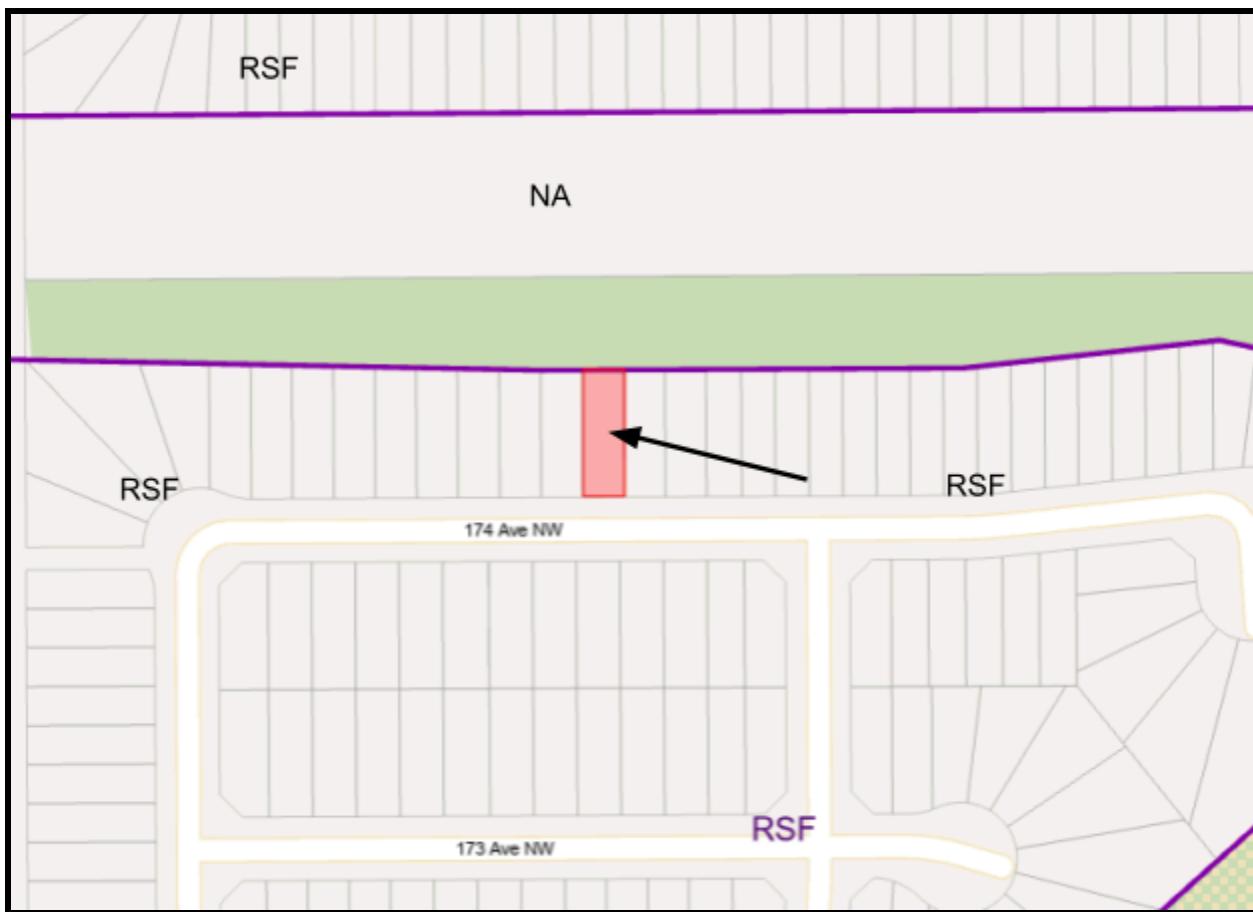
[unedited]

Notice to Applicant/Appellant

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

	Project Number: 625008975-002 Application Date: AUG 08, 2025 Printed: November 4, 2025 at 2:45 PM Page: 1 of 2																		
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Driveway Extension Permit</h3>																			
<p>This document is a Development Permit Decision for the development application described below.</p>																			
Applicant	Property Address(es) and Legal Description(s) 6420 - 174 AVENUE NW Plan 1520589 Blk 13 Lot 43																		
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension 0.6 m wide), existing without permits.																			
Details <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Development Category: Site Area (sq. m.): 372.65 </td> <td style="width: 50%; padding: 5px;"> Overlay: Statuary Plan: </td> </tr> </table>				Development Category: Site Area (sq. m.): 372.65	Overlay: Statuary Plan:														
Development Category: Site Area (sq. m.): 372.65	Overlay: Statuary Plan:																		
Development Application Decision Refused Issue Date: Nov 04, 2025 Development Authority: FOLKMAN, JEREMY																			
Reason for Refusal <p>1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3.) Proposed: The Driveway extension does not lead to the Garage.</p> <p>2. Driveway Width - The maximum Driveway width is equal to the width of the Garage. (Subsection 5.80.2.1.4.2.) Maximum width: 7.3 m Proposed: 7.9 m Exceeds by: 0.6 m</p> <p>3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard (Subsection 5.80.2.1.5.1.). Proposed: Driveway extension is located within the Front Yard.</p>																			
Rights of Appeal 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.																			
Building Permit Decision No decision has yet been made.																			
Fees <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>Development Application Fee</td> <td style="text-align: center;">\$190.00</td> <td style="text-align: center;">\$190.00</td> <td style="text-align: center;">01532E001001027</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: center;">\$0.00</td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: center;"><u>\$190.00</u></td> <td style="text-align: center;"><u>\$190.00</u></td> <td></td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Development Application Fee	\$190.00	\$190.00	01532E001001027	Total GST Amount:	\$0.00			Totals for Permit:	<u>\$190.00</u>	<u>\$190.00</u>	
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THIS IS NOT A PERMIT P0702003																			

Edmonton	Project Number: 625008975-002 Application Date: AUG 08, 2025 Printed: November 4, 2025 at 2:45 PM Page: 2 of 2
Application for Driveway Extension Permit	
THIS IS NOT A PERMIT	
P0702003	



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDABS-25-186



N

ITEM II: 10:00 A.M.FILE: SDAB-D-25-187AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 604449858-002

APPLICATION TO: To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, balconies, rooftop patio, and 2 Secondary Suites (Units #1 &2) in the Basements and 2 Basement developments (Units #3 & 4 - NOT to be used as additional Dwellings) (total 6 Dwellings)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: November 12, 2025

DATE OF APPEAL: November 30, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 9132 - 116 Street NW

LEGAL DESCRIPTION: Plan 1252AH Blk 28 Lot 9

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Sona District Plan

<i>Grounds for Appeal</i>

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

The Development Authority erred in granting the development permit. The proposed development does not comply with the provisions of the Zoning Bylaw including but not restricted to:

The description of the proposed development property calls it a 4 Dwelling Row house. The approval actually describes 8 units: a 4 dwelling row house with two secondary units in the basement and two basement developments that are NOT to be used as additional dwellings.

Why are the basement developments not considered secondary units? How would it be policed to ensure that they are not used as dwellings?

If the development in fact consists of 8 dwelling units then it should be classified as a Multi use Development and not a Row house.

A second permit for the property approves a Single Detached building in the rear of the property which adds a further Dwelling to the property making it in sum, a 7 Dwelling development

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued

by a development authority may appeal the decision in accordance with subsection (2.1).

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

...

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

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

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

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

...

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

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

(i) the proposed development would not

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

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

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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

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

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

Under section 8.20, **Dwelling** means:

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

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

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

Notice to Applicant/Appellant

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

		Project Number: 604449858-002 Application Date: MAY 31, 2025 Printed: November 12, 2025 at 6:57 AM Page: 1 of 9								
Development Permit										
<p>This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.</p>										
Applicant	Property Address(es) and Legal Description(s) 9134 - 116 STREET NW Plan 1252AH Blk 28 Lot 9									
Scope of Permit To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, balconies, rooftop patio, and 2 Secondary Suites (Units #1 &2) in the Basements and 2 Basement developments (Units #3 & 4 - NOT to be used as additional Dwellings) (total 6 Dwellings).										
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">1. Titled Lot Zoning: R5</td> <td style="width: 50%;">2. Number of Principal Dwelling Units To Construct: 4</td> </tr> <tr> <td>3. Overlay:</td> <td>4. Number of Secondary Suite Dwelling Units to Construct: 2</td> </tr> <tr> <td>5. Statutory Plan:</td> <td>6. Backyard Housing or Secondary Suite Included?: Yes</td> </tr> <tr> <td>7. Neighbourhood Classification: Redeveloping</td> <td>8. Development Category / Class of Permit: Permitted Development</td> </tr> </table>			1. Titled Lot Zoning: R5	2. Number of Principal Dwelling Units To Construct: 4	3. Overlay:	4. Number of Secondary Suite Dwelling Units to Construct: 2	5. Statutory Plan:	6. Backyard Housing or Secondary Suite Included?: Yes	7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit: Permitted Development
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7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit: Permitted Development									
Development Permit Decision Approved Issue Date: Nov 12, 2025 Development Authority: LAI, ECHO										
Subject to the Following Conditions 1. Zoning Conditions: <p>This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, balconies, rooftop patio, and 2 Secondary Suites (Units #1 &2) in the Basements and 2 Basement developments (Units #3 & 4 - NOT to be used as additional Dwellings) (total 6 Dwellings). The development must be constructed in accordance with the approved drawings.</p> <p>WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a Development Permit Notification Sign (Subsection 7.160.2.2).</p> <p>The street-facing facade of each row housing dwelling must have clear glass windows covering a minimum of 15% of the facade area above the basement (Subsection 2.10.5.6.2).</p> <p>Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)</p> <p>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).</p> <p>Provided parking spaces must include wheel stops to prevent vehicle overhang where adjacent to Streets, Pathways, sidewalks,</p>										
P0702003										



Project Number: **604449858-002**
 Application Date: MAY 31, 2025
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Development Permit

required Landscaped areas, and other similar features, that must be a minimum 0.1 m in Height and located 0.6 m from the front of the parking space (Subsection 5.80.5.1.2).

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

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

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

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

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

The applicant/owner must obtain a Curb Crossing Permit to 'fill-in' the existing flanking access.

Vehicular access from 93 Avenue is not permitted. The existing Driveway off 93 Avenue must be removed in accordance with Curb Fill Permit 629096837-006 (Subsection 2.10.6.1).

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

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

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

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

The proposed basement development(s) must NOT be used as an additional Dwelling. An additional Dwelling requires a new Development Permit application.

Dwelling means a self-contained unit consisting of 1 or more rooms used as a bedroom, bathroom, living room, and kitchen. The Dwelling is not intended to be moveable, does not have a visible towing apparatus or visible undercarriage, must be on a foundation, and connected to utilities (Section 8.20).

The development must not be used as a Lodging House. A Lodging House means a building, or part of a building, containing 4 or more Sleeping Units that are rented out individually.

This Development Permit will be revoked if the conditions of this permit are not met.

Prior to the release of drawings for Building Permit review (except for Building Permits for demolition, excavation, or shoring), an Infill Fire Protection Assessment (IFPA) conducted by Edmonton Fire Rescue, Fire Protection Engineer, must be completed.

The proposed development must comply with any requirements identified in the IFPA as per subsection 7.150.

Should the IFPA determine that upgrades to the municipal fire protection infrastructure are required, the owner must enter into a Servicing Agreement with the City for construction of those improvements. The Servicing Agreement must be entered into prior to the release of drawings for Building Permit review.



Project Number: **604449858-002**
 Application Date: MAY 31, 2025
 Printed: November 12, 2025 at 6:57 AM
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Development Permit

2. Landscaping Conditions:

Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner.

Any change to the approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed.

Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.

3. Transportation Conditions:

1). Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination. This area within the alley road right-of-way must not exceed a slope of 8%.

2). The existing sidewalk connection connecting to the city sidewalk adjacent to 116 Street must be removed, and the boulevard must be restored to grass within road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

3). There is an existing transit stop (#2948) located along 116 Street adjacent to the property that shall remain at the current location. The applicant must provide six weeks advance notification to copsetsplanningtechs@edmonton.ca to advise of any disruptions to transit service and/or to coordinate temporary closure of bus stop #2948 if required during construction.

4). There are existing boulevard trees adjacent to the proposed connector sidewalk that must be protected during construction. A minimum clearance of 3.6 m must be maintained between the connector sidewalk and the trunk of northerly boulevard tree and 4.2m must be maintained between the sidewalk connection and the trunk of southerly boulevard tree.

A Public Tree Permit will be required for any boulevard trees within 5 meters of the site; trees must be protected during construction as per the Public Tree Bylaw 18825. If tree damage occurs, all tree related costs will be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value on full or partial tree loss as well as all operational and administrative fees. The owner/applicant must contact City Operations, Parks and Roads Services at citytrees@edmonton.ca to arrange any clearance pruning or root cutting prior to construction.

5). Permanent objects including concrete steps, railings, planters, etc. must NOT encroach into or over/under road right-of-way. Any proposed landscaping for the development must be provided entirely on private property.

6). There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Utility Safety Partners (Online: <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.

7). Any alley, sidewalk and/or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Subsection 7.150.5.6 of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner. The applicant is responsible to contact Trevor Singbeil of Development Inspections at 780-496-7019 for an onsite inspection 72 hours prior to and following construction of the access.

8). Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance)



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permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:

- the start/finish date of project;
- accommodation of pedestrians and vehicles during construction;
- confirmation of lay down area within legal road right of way if required;
- 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

4. Drainage Services Conditions:

APPLICABLE ASSESSMENTS

1). Permanent Area Contribution (PAC)

- Storm and sanitary PACs are not applicable, since the property is not within any active PAC basin.

2). Expansion Assessment (EA)

- Expansion Assessment is not applicable since the property is outside the current Expansion Assessment area.

3). Arterial Roadway Assessment (ARA)

- Arterial Roadway Assessment is not applicable since the property is outside the current ARA Catchment Area.

4). Sanitary Sewer Trunk Charge (SSTC)

- SSTC applies to the lot in question; however, SSTC charges are being paused until December 31, 2025. Therefore, SSTC is deferred for this development permit application, DP#604449858-002.

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

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

1) Industrial / Commercial / Institution: \$8,818 per hectare

2) One or two Dwelling Residential (no secondary, garden, or garage suite): \$1,764 per dwelling

3) Two Dwellings Residential (one secondary, garden, or garage suite): \$1,764 per dwelling, for secondary garden or garage suite \$781

4) Multi-Family Residential: \$1,259 per dwelling

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

Any sewer main extensions required to service the site and any onsite servicing requirements are in addition to the above-noted PAC and SSTC assessments and will be at the developer's cost.

Please note that the SSTC rates are subject to adjustment at the end of the year. The final SSTC is based on the prevailing rate when the applicant/owner makes a payment.

Additional Notes:

- The above assessment is based on information currently available to our department. If such information changes, a new assessment may be made.

- In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage.

- More information about the above charges can be found on the City of Edmonton's website:

Permanent Area Contributions

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

Sanitary Servicing Strategy Expansion Assessment

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<h2 style="margin: 0;">Development Permit</h2>	
<p> https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx Arterial Roadway Assessment https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx Sanitary Sewer Trunk Charge https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx </p>	
<p>5. EPCOR Conditions:</p> <p>1). Prior to the release of drawings for Building Permit review (except for Building Permits for demolition, excavation, or shoring), an Infill Fire Protection Assessment (IFPA) conducted by Edmonton Fire Rescue, Fire Protection Engineer, must be completed.</p> <p>1a. The proposed development must comply with any requirements identified in the IFPA.</p> <p>1b. Agreement with the City for construction of those improvements or alternatively the owner can contact EPCOR to explore the option of having EPCOR complete the work at the owner's expense. The Servicing Agreement with the City or EPCOR must be entered into prior to the release of drawings for Building Permit review.</p> <p>2). There is a 150 mm cast iron water main 1.2 m west of the west property line of the subject site in the lane west of 116 Street. 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.</p>	
<p>Subject to the Following Advisements</p> <p>1. Zoning Advisements:</p> <p>Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.</p> <p>An issued Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act, the Historical Resource Act, or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).</p> <p>Any proposed change from the original issued Development Permit may be subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.</p> <p>All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit. All new installations, above and below ground, within 5m of a City tree require forestry consultation.</p> <p>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.</p> <p>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.</p> <p>A site mechanical plan stamped by a professional engineer showing water and sewer services, stormwater management calculations</p>	
<small>P0702003</small>	



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and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit epcor.com/newconnection and click 'ONLINE APPLICATION' for instructions on the plan submission process.

The site must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to lot.grading@edmonton.ca for review and approval.

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

Please be advised that if the grading plan review results in changes to your approved drawings to incorporate a Low Impact Development (LID) grading design, it is the owner/applicant's responsibility to inform the Urban Planning and Economy department. This notification is necessary to determine whether a new development permit is required.

Signs require separate Development Permit application(s).

2. Transportation Advisements:

1). The proposed driveway length of 3 m from the garage face to the property line will not allow for perpendicular parking on the driveway pad. The land owner is advised that any potential vehicles parking on the driveway must not overhang onto City road right-of-way resulting in an obstruction within the alley. Non-compliance of this issue may result in enforcement measures.

3. EPCOR Advisements:

1). The site is currently serviced by a 20 mm copper water service (S7512) located 26.5 m south of the south property line of 92 Avenue off of the lane west of 116 Street. If this service will not be used for the planned development, it must be abandoned back to the water main prior to any on-site excavation. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site including demolition, excavation or grading for direction on the correct process to follow to have the service isolated and meter removed.

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

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

3). A new water service may be constructed for this lot directly off EPCOR's 150 mm water main along lane west of 116 Street adjacent to the subject site.

3a. Connection to the 350 mm water transmission main on the east side of 116 Street will not be permitted.

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

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

5). For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at



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wass.drainage@epcor.com or at 780-496-5444.

- 6). For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWInspections@epcor.com or 780-412-3850.
- 7). The applicant must submit bacteriological test results to EPCOR Water Dispatch and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-4500 for more information on how to provide the test results. EPCOR Water Dispatch can provide information on the tie-in and commissioning procedure.
- 8). In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA005-11b for permitted water service configurations.
- 9). The water network capacity adjacent to the site is between 50 L/s and 100 L/s and the hydrant spacing adjacent to the site is 300 m. This does not meet the requirements based on the City of Edmonton Design and Construction Standards Volume 4 (December 2024). Edmonton Fire Rescue Services Engineering must be contacted to assess if Fire Protection of this site is adequate via Infill Fire Protection Assessment (IFPA).
- 10). In 2022 the Infill Fire Protection Program was initiated to fund water infrastructure upgrades required to meet municipal fire protection standards within core, mature and established neighbourhoods. The program will consider "missing middle" housing forms, mixed use and smaller scale commercial-only developments. EPCOR Water encourages interested applicants to go to the program website for more information and updates (www.epcor.com/ca/en/ab/edmonton/operations/service-connections/guides-checklists-forms/fire-protection-cost-share.html).
- 10a. Please note that being accepted for consideration in the program does not guarantee funding will be granted, as each application will be weighed against a set of criteria.
- 10b. An Infill Fire Protection Assessment (IFPA) is required to be considered for funding.
- 11). Development engineering drawings including landscaping and hardscaping must meet Volume 1 (Table of Minimum Offsets) and Volume 4 (April 2021) of the City of Edmonton Design and Construction Standards.
- 12). Dimensions must be provided as part of the engineering drawing submission package where a tree or shrub bed is installed within 5.0m of a valve, hydrant or curb cock, as per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (April 2021).
- 13). The applicant/owner will be responsible for all costs related to any modifications or additions to the existing municipal water infrastructure required by this application.
- 14). No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.
- 15). The advisements and conditions provided in this response are firm and cannot be altered.

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

4. Fire Rescue Services Advisements:

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

The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be



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provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction.

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

Have the plan ready for review in-person at the first construction site safety inspection by a Fire Safety Codes Officer (Fire SCO). The applicant of a building permit declares that they are aware of the project team's responsibility to have an FSP prepared according to section 5.6 of the NFC(AE).

A Fire SCO may attend a site at any reasonable hour and will review the FSP. The owner or constructor must have the FSP in place and ready for review in accordance with section 5.6 of the NFC(AE).

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

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

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

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

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

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

Measures to mitigate fire spread to adjacent buildings

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

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

5. Waste Management Advisements:

Waste Services has reviewed the proposed plan "Plot Plan" dated 10/2/25 and has no concerns to identify during this review.

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

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

Additional information about waste service at your proposed development:

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

To help in planning and designing your development, please refer to Bylaw 20363 to review clauses related to:

- Access to containers and removal of obstructions.
- Container set out, and
- The responsibility for wear and tear or damages.

The green cart equivalency program while maintaining 1.0 m spacing between carts and any other objects such as vehicles, fences, power poles, etc. has been approved for this proposed development with 6 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 9 carts: 6 x 240 L for garbage and 3 x 240 L for food scraps.

Please note:

Residents would be required to share their food scraps carts.



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Residents will be required to set out garbage and food scraps carts on collection day as per the set-out instructions. Residents would use blue bags for recycling.

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

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

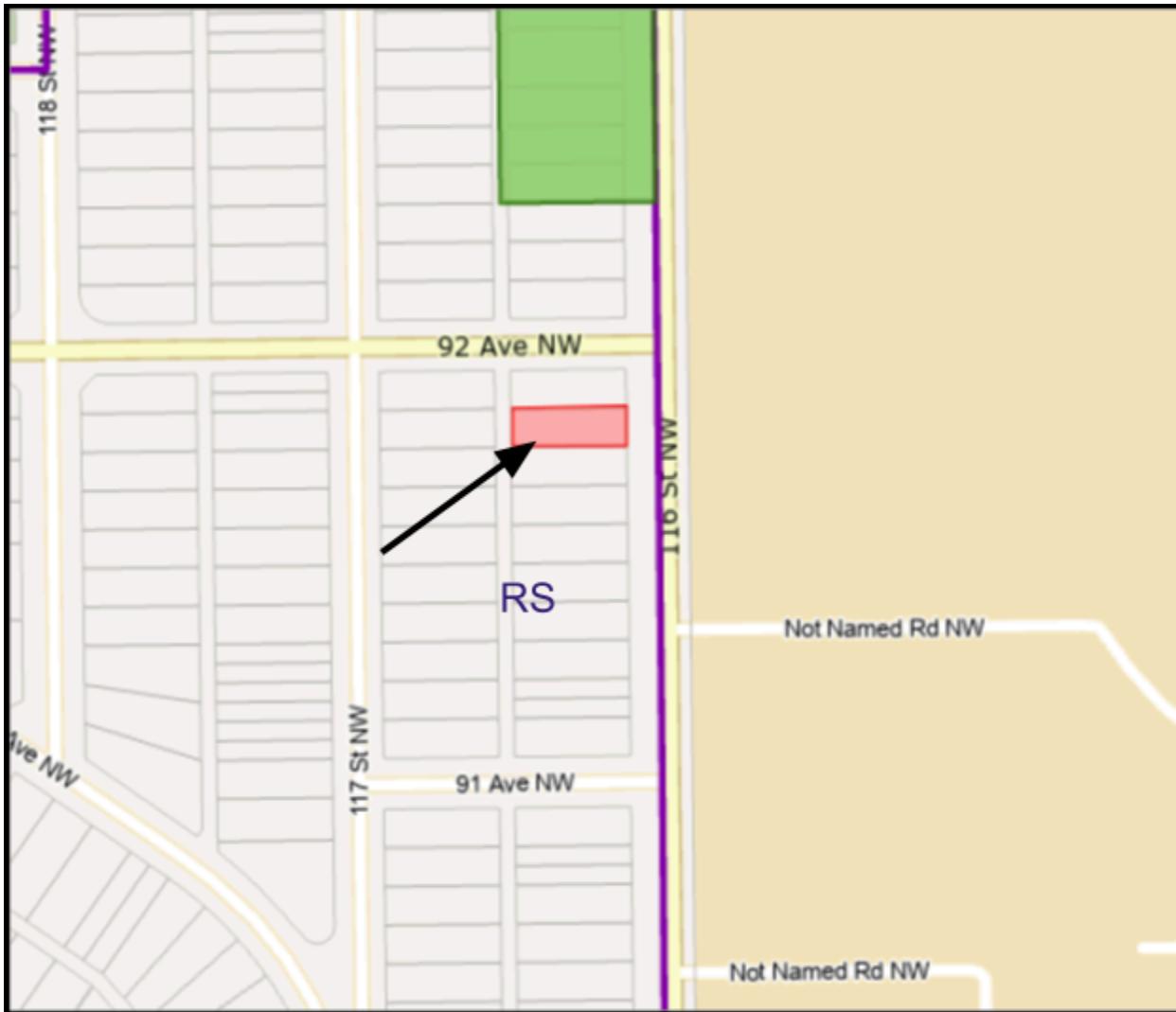
For developments with rear lanes, waste will only be collected from the rear lane for all dwellings in the development. It is the responsibility of the owner to ensure all residents have access to the rear lane for waste set out.

Rights of Appeal

This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Fees

	Fee	Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee		\$1,020.00	\$1,020.00	02468G001001748	Jun 19, 2025
Lot Grading Fee		\$490.00	\$490.00	02468G001001748	Jun 19, 2025
Development Permit Inspection Fee		\$560.00	\$560.00	02468G001001748	Jun 19, 2025
Total GST Amount:		\$0.00			
Totals for Permit:		\$2,070.00	\$2,070.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-187



N

ITEM III: 1:30 P.M.FILE: SDAB-D-25-185AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 628378840-002

APPLICATION TO: To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 26, 2025

DATE OF APPEAL: November 26, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 7503 - 94 Avenue NW

LEGAL DESCRIPTION: Plan 5184HW Blk 22 Lot 1

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

Grounds for Appeal

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

Dear Members of the Appeals Board,
We are writing to provide further context regarding the design of the proposed basement suites at 7503-94 Ave, specifically the inclusion of a second bedroom.

The bylaw is unclear on whether decks under 1.75 m in height are to be included in the calculation of building length. These decks should not be counted, as they do not contribute to shadowing, massing, or overbuilding, and the project remains within site coverage and soft landscaping allowances.

Why Decks Should Not Be Included in Building Length

No Shadowing Impact: At under 1.75 m, the decks do not create shadows that affect neighboring properties.

Amenity Space, Not Massing: They provide functional outdoor living space without increasing the enclosed mass of the building.

Partially Open Design: Space beneath the decks remains open to air and light, offering sheltered outdoor use without adding to the footprint.

Curb Appeal and Livability: Decks improve faade design and outdoor enjoyment for residents, supporting the bylaws intent to enhance neighborhood character.

Benefits of the Second Bedroom in Basement Suites

Improves livability and functionality for tenants.

Supports long-term rental stability, as one-bedroom basements tend to attract short-term renters and are less desirable from an investment perspective.

Natural Light and Basement Design

Traditional basement layouts often limit natural light, leaving spaces dark and less inviting, sometimes to the point of being nearly uninhabitable. Our extended basement design has been carefully considered to maximize natural light penetration, creating brighter, healthier, and more comfortable living spaces. In new housing, it is important to prioritize these design improvements that provide long-term benefits to tenants, ensuring spaces are both functional and appealing.

Variance Request Building Length

Maximum allowed: 18.7 m (50% of site depth).

Proposed: 21.3 m (exceeds by 2.6 m if decks are included).

Excluding decks under 1.75 m, the design complies with the bylaws intent to manage building bulk and shadowing.

Additional Considerations

Site coverage: 39.5% vs. 45.5% allowable.

Soft landscaping: 30.7%.

Builder: Franken Homes, a reputable builder with a strong track record in high-quality infill development.

We respectfully request approval of this variance to allow the proposed design, ensuring functional, attractive, and high-quality housing while remaining consistent with the intent of the bylaw.

Thank you for your consideration.

<i>General Matters</i>

<u>Appeal Information:</u>

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

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

...

- (a.1) must comply with any applicable land use policies;
 - (a.2) subject to section 638, must comply with any applicable statutory plans;
 - (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;
 - (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- ...
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
 - (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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

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

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

Under section 8.20, **Dwelling** means:

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

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

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit

Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Building Length

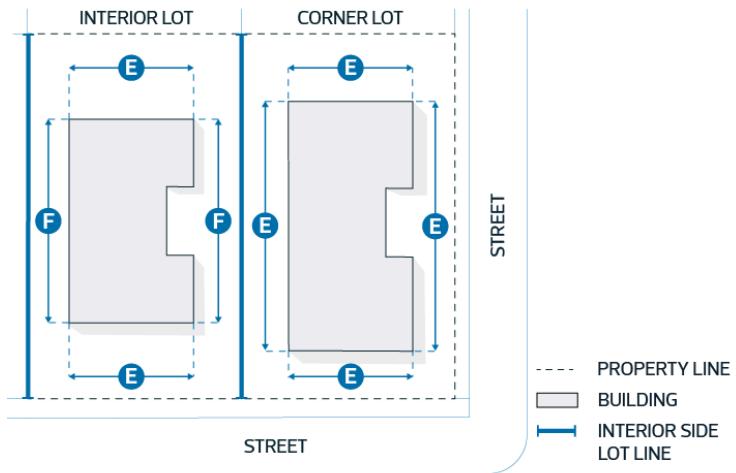
Section 2.10.4.1 states:

- 4.1. Development must comply with Table 4.1:

Table 4.1 Site and Building Regulations

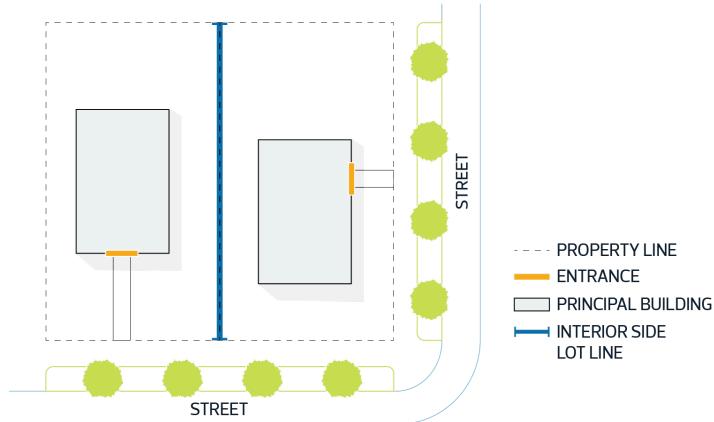
Subsection	Regulation	Value	Symbol
Building Length			
4.1.8.	Maximum building	30 m	E
Unless the following applies:			
4.1.9.	Maximum building length along an Interior Side Lot Line on an Interior Lot	50% of Site Depth or 25.0 m, whichever is less	F

Diagram for Subsections 4.1.8 and 4.1.9



Under section 8.20, **Interior Side Lot Line** means:

the Lot line other than a Front Lot Line, Flanking Side Lot Line or Rear Lot Line.



Development Planner's Determination

1) Building Length - the building length along the Interior Side Lot Line is 21.95 m instead of 18.31 m (Subsection 2.10.4.1.9).

Note: The maximum building length along an Interior Side Lot Line on an Interior Lot is 50% of Site Depth or 25.0 m, whichever is less.

- Site Depth is 36.61m
- 50% of Site Depth is 18.31 m
- Building length exceeds by 3.64 m

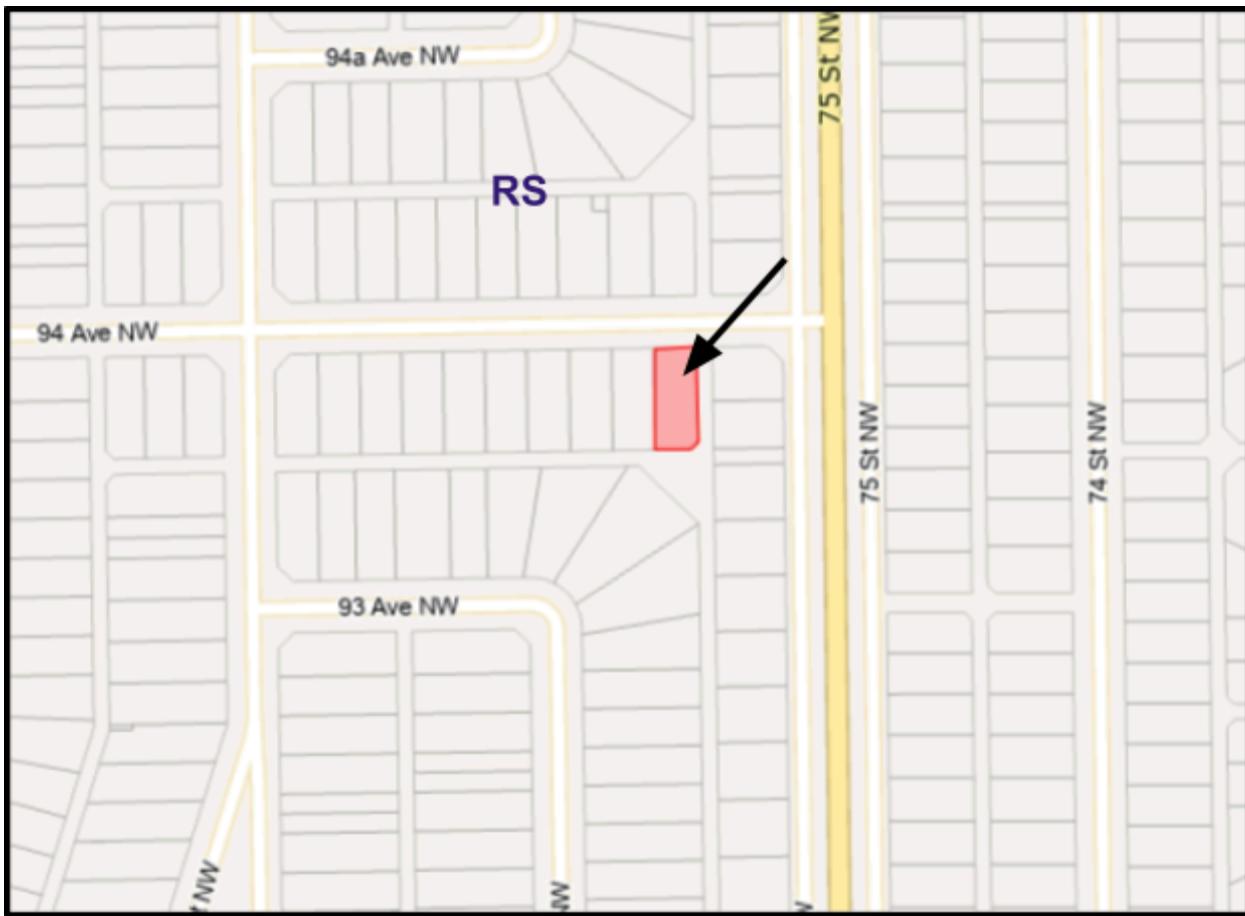
[unedited]

Notice to Applicant/Appellant

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

		Project Number: 628378840-002 Application Date: SEP 06, 2025 Printed: November 26, 2025 at 7:49 AM Page: 1 of 2								
<h2>Application for Development Permit</h2>										
<p>This document is a Development Permit Decision for the development application described below.</p>										
Applicant	Property Address(es) and Legal Description(s) 7503 - 94 AVENUE NW Plan 5184HW Blk 22 Lot 1									
	Specific Address(es) Suite: 1, 7503 - 94 AVENUE NW Suite: 2, 7503 - 94 AVENUE NW Suite: 3, 7503 - 94 AVENUE NW Suite: 4, 7503 - 94 AVENUE NW Suite: BSMT1, 7503 - 94 AVENUE NW Suite: BSMT2, 7503 - 94 AVENUE NW Suite: BSMT3, 7503 - 94 AVENUE NW Suite: BSMT4, 7503 - 94 AVENUE NW Entryway: 1, 7503 - 94 AVENUE NW Entryway: 2, 7503 - 94 AVENUE NW Entryway: 3, 7503 - 94 AVENUE NW Entryway: 4, 7503 - 94 AVENUE NW Building: 1, 7503 - 94 AVENUE NW									
Scope of Application To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites.										
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">1. Titled Lot Zoning: R5</td> <td style="width: 50%;">2. Number of Principal Dwelling Units To Construct: 4</td> </tr> <tr> <td>3. Overlay:</td> <td>4. Number of Secondary Suite Dwelling Units to Construct: 4</td> </tr> <tr> <td>5. Statutory Plan:</td> <td>6. Backyard Housing or Secondary Suite Included?: Yes</td> </tr> <tr> <td>7. Neighbourhood Classification: Redeveloping</td> <td>8. Development Category / Class of Permit: Discretionary Development</td> </tr> </table>			1. Titled Lot Zoning: R5	2. Number of Principal Dwelling Units To Construct: 4	3. Overlay:	4. Number of Secondary Suite Dwelling Units to Construct: 4	5. Statutory Plan:	6. Backyard Housing or Secondary Suite Included?: Yes	7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit: Discretionary Development
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Development Application Decision Refused										
Issue Date: Nov 26, 2025 Development Authority: BUCCINO, SAMANTHA										
Reason for Refusal 1) Building Length - the building length along the Interior Side Lot Line is 21.95 m instead of 18.31 m (Subsection 2.10.4.1.9). <p>Note: The maximum building length along an Interior Side Lot Line on an Interior Lot is 50% of Site Depth or 25.0 m, whichever is less.</p> <ul style="list-style-type: none"> - Site Depth is 36.61m - 50% of Site Depth is 18.31 m - Building length exceeds by 3.64 m 										
THIS IS NOT A PERMIT										
P0702003										

	Project Number: 628378840-002 Application Date: SEP 06, 2025 Printed: November 26, 2025 at 7:49 AM Page: 2 of 2																														
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Rights of Appeal 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.																															
Fees <table><thead><tr><th></th><th>Fee Amount</th><th>Amount Paid</th><th>Receipt #</th><th>Date Paid</th></tr></thead><tbody><tr><td>Dev. Application Fee</td><td>\$1,020.00</td><td>\$1,020.00</td><td>020278001001347</td><td>Sep 06, 2025</td></tr><tr><td>Lot Grading Fee</td><td>\$490.00</td><td>\$490.00</td><td>020278001001347</td><td>Sep 06, 2025</td></tr><tr><td>Development Permit Inspection Fee</td><td>\$560.00</td><td>\$560.00</td><td>020278001001347</td><td>Sep 06, 2025</td></tr><tr><td>Total GST Amount:</td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td>Totals for Permit:</td><td><u>\$2,070.00</u></td><td><u>\$2,070.00</u></td><td></td><td></td></tr></tbody></table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$1,020.00	\$1,020.00	020278001001347	Sep 06, 2025	Lot Grading Fee	\$490.00	\$490.00	020278001001347	Sep 06, 2025	Development Permit Inspection Fee	\$560.00	\$560.00	020278001001347	Sep 06, 2025	Total GST Amount:	\$0.00				Totals for Permit:	<u>\$2,070.00</u>	<u>\$2,070.00</u>		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-185

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