

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Friday, 9:00 A.M.

February 20, 2026

River Valley Room

City Hall, 1 Sir Winston Churchill Square NW

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
RIVER VALLEY ROOM**

TO BE RAISED

I 9:00 A.M. SDAB-D-26-035

To construct a Residential Use building in the form of a Semi-Detached House with unenclosed front porches, front balconies, rear uncovered decks (deck 1; irregular shape 3.20m x 3.73m, and Deck 2; irregular shape 3.22m x 3.73m), develop Secondary Suites in the Basements and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

9322 - 168 Street NW
Project No.: 637291152-002

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

TO BE RAISED**ITEM I: 9:00 A.M.****FILE: SDAB-D-26-035****APPEALS FROM THE DECISION OF THE DEVELOPMENT PLANNER**

APPELLANT 1:

APPELLANT 2:

APPELLANT 3:

APPELLANT 4:

APPLICATION NO.: 637291152-002

APPLICATION TO: To construct a Residential Use building in the form of a Semi-Detached House with unenclosed front porches, front balconies, rear uncovered decks (deck 1; irregular shape 3.20m x 3.73m, and Deck 2; irregular shape 3.22m x 3.73m), develop Secondary Suites in the Basements and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage).

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: January 15, 2026

DATE OF APPEAL(S): January 19 and 22, 2026

RESPONDENT: LABH Construction and Project Management Ltd.

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 9322 - 168 Street NW

LEGAL DESCRIPTION: Plan 6378MC Blk 20 Lot 7

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN:

Southeast District Plan

<i>Grounds for Appeal</i>

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

APPELLANT 1:

We currently live at 9324-168 Street NW. I just finished doing a \$120,000 exterior upgrade to our home last October that was planned for many years. The upgrade included a \$36,000 9.68 kW solar system that faces South and West on both of my structures. If a 2 story structure or two of them are built it will encroach on a good majority of our sunlight and our system will never ever pay off. I should note I have owned the property at 9324-168 Street for over 30 years now. We have gone through so much stress, pain and anguish from the 9322 property for that last 20 years as it has been deemed derelict for some time now, this it just topping it off. I plead that you take my request seriously, as our system has been fully commissioned and is fully operational. We are trying to do our part for the environment and create our renewable energy through microgeneration.

APPELLANT 2:

I am writing to appeal the proposed development at 9322 168st.. I am not against a bungalow style house as what is present, I am against the height and size of the structure being built. I would prefer if they were not rentals but sold as a family dwelling. Thanks for your time and look forward to hearing back from you.

APPELLANT 3:

I have concerns with the height of the building proposed blocking the enjoyment of the adjacent properties. Also with the number of units proposed in relation to parking, drainage in the sewer system and that the proposed house is a show home thus increasing the already VERY busy street traffic in this neighbourhood. There are over 400 vehicles driving past our house on any given day - this will just exacerbate the problem.

APPELLANT 4:

I am writing in regards to appealing the proposed development at 9322-168st NW in Edmonton Alberta (permit/project number 637291152-002). I am not against a bungalow style house like what is currently around the property. What I am against is the size, height and number of dwellings proposed to be built at the above address. Increased garbage issues. Increased traffic on an already busy street. Parking issues

with an increased number of dwellings/individuals. Increased noise from increased number of dwellings. Privacy issues for direct neighbours with height and length of structure. Issues with multi-tenants example more foot traffic. Crime watches decreases with the dwelling sticking out further than direct neighbour's cameras will be unable to capture video of crimes in progress. An increase of property taxes on long-term residents in our community with many seniors that are already on fixed incomes. Losing our communities existing aesthetics. The effects of construction to direct neighbouring properties and roads. I am ok with a bungalow style house with a basement suite.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on January 28, 2026:

“That the appeal hearing be scheduled for February 20, 2026.”

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

...

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

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

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

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
 - and
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Zoning Bylaw 20001:

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

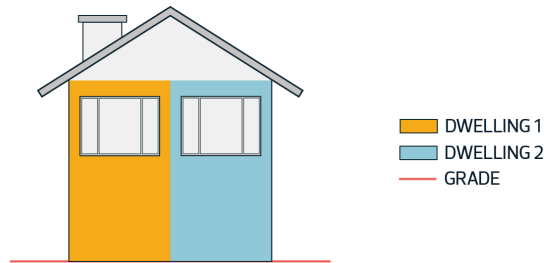
Under section 8.10, a **Residential Use** means:

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, **Semi-detached Housing** means:

a building that contains 2 principal Dwellings that share, in whole or in part, a common vertical party wall. Each Dwelling has individual, separate and direct access to ground level. This does not include Duplex Housing.



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: 637291152-002 Application Date: NOV 18, 2025 Printed: January 16, 2026 at 9:28 AM Page: 1 of 3			
		<h2>Development Permit</h2>			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.					
Applicant		Property Address(es) and Legal Description(s) 9322 - 168 STREET NW Plan: 6378MC Blk: 20 Lot 7			
		Specific Address(es) Suite: 1, 9322 - 168 STREET NW Suite: 2, 9322 - 168 STREET NW Suite: BSMT1, 9322 - 168 STREET NW Suite: BSMT2, 9322 - 168 STREET NW Entryway: 1, 9322 - 168 STREET NW Entryway: 2, 9322 - 168 STREET NW Building: 1, 9322 - 168 STREET NW			
Scope of Permit To construct a Residential Use building in the form of a Semi-Detached House with unenclosed front porches, front balconies, rear uncovered decks (deck 1; irregular shape 3.20m x 3.73m, and Deck 2; irregular shape 3.22m x 3.73m), develop Secondary Suites in the Basements and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage).					
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> 1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping </td> <td style="width: 50%; vertical-align: top;"> 2. Number of Principal Dwelling Units To Construct: 2 4. Number of Secondary Suite Dwelling Units to Construct: 2 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development </td> </tr> </table>				1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 2 4. Number of Secondary Suite Dwelling Units to Construct: 2 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development
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Development Permit Decision Approved Issue Date: Jan 15, 2026 Development Authority: TESSERA, HERAN Subject to the Following Conditions Zoning Conditions: This Development Permit authorizes the construction of a Residential Use building in the form of a Semi-Detached House with unenclosed front porches, front balconies, rear uncovered decks (deck 1; irregular shape 3.20m x 3.73m, and Deck 2; irregular shape 3.22m x 3.73m), develop Secondary Suites in the Basements and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage). The development must be constructed in accordance with the approved drawings. 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). 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).					
P0702003					

Development Permit

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

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

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

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

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

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

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

Subject to the Following Advisements

Zoning Advisements:

Any future deck enclosure or cover requires a separate development and building permit approval.

City of Edmonton Drainage Bylaw 18093 requires the site to 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

Unless otherwise stated, the driveway access must maintain a minimum clearance of 1.5m from the service pedestal and all other surface utilities.


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

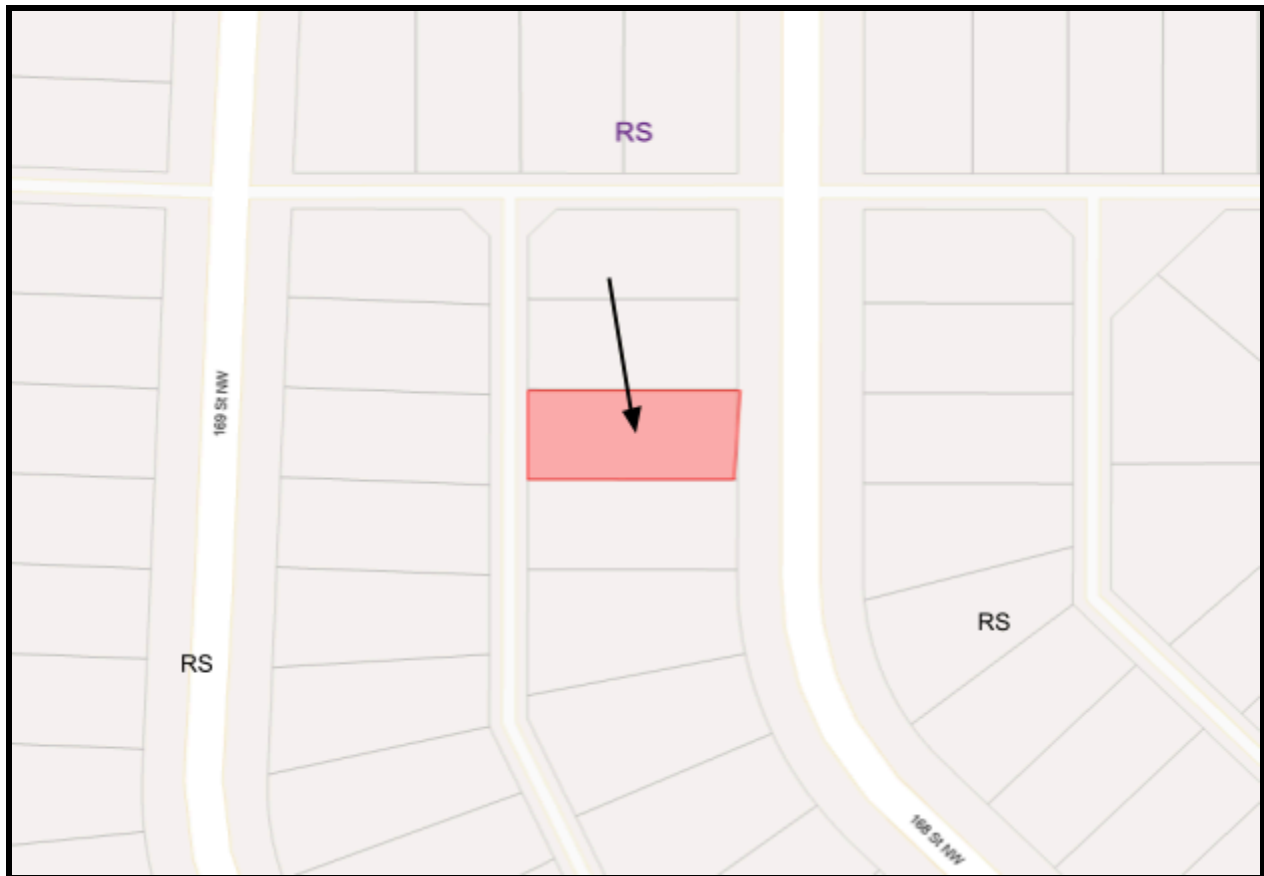
An issued Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act, the Historical Resource Act or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).

Any proposed change from the original issued Development Permit may be subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.

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

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

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<p>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>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.</p>																										
<table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Fees</th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Lot Grading Fee</td> <td style="text-align: right;">\$320.00</td> <td style="text-align: right;">\$320.00</td> <td style="text-align: right;">05320J001001758</td> <td style="text-align: right;">Nov 18, 2025</td> </tr> <tr> <td>Dev. Application Fee</td> <td style="text-align: right;">\$615.00</td> <td style="text-align: right;">\$615.00</td> <td style="text-align: right;">05320J001001758</td> <td style="text-align: right;">Nov 18, 2025</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black;">\$935.00</td> <td style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black;">\$935.00</td> <td></td> <td></td> </tr> </tbody> </table>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Lot Grading Fee	\$320.00	\$320.00	05320J001001758	Nov 18, 2025	Dev. Application Fee	\$615.00	\$615.00	05320J001001758	Nov 18, 2025	Total GST Amount:	\$0.00				Totals for Permit:	\$935.00	\$935.00		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-035

