

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.
February 26, 2026

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

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM: River Valley Room

TO BE RAISED

I 9:00 A.M. SDAB-D-26-021

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, front balconies, fireplaces, develop 3 Secondary Suites in the Basements, and Basement development (NOT to be used as an additional Dwelling) (NOT to be used as a Lodging House).

3440 - 110 Street NW
Project No.: 564778827-002

II 9:00 A.M. SDAB-D-26-038

To construct a Residential Use building in the form of a Backyard House (1 Dwelling without Garage) and Basement development (NOT to be used as an additional dwelling).

3440 - 110 Street NW
Project No.: 637087821-002

III 1:30 P.M. SDAB-D-26-043

To construct a Residential Use building in the form of a Single Detached House with unenclosed front porch, front attached Garage, rear attached Garage, rear covered deck, Basement development (NOT to be used as an additional Dwelling), and to install a hot tub (2.4m x 2.4m) and pool (4.6m x 9.1m) in the Front Yard.

46 - St George's Crescent NW
Project No.: 620574909-002

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-26-021

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 564778827-002

APPLICATION TO: Construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, front balconies, fireplaces, develop 3 Secondary Suites in the Basements, and Basement development (NOT to be used as an additional Dwelling) (NOT to be used as a Lodging House).

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: December 18, 2025

DATE OF APPEAL: January 7, 2026

RESPONDENT: Njay Homes Ltd.

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 3440 - 110 Street NW

LEGAL DESCRIPTION: Plan 2734TR Blk 25 Lot 30

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Whitemud District Plan

<i>Grounds for Appeal</i>

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

Upon review of the proposed plans for this property, our community has identified multiple concerns and are wishing to submit an appeal to obtain further details:

1) Grading - As the area to the rear (west) of the property floods regularly in the spring, there are concerns about the grading of this property exacerbating this issue and the new volume of water transferring to adjacent homeowner properties and possibly residences. The sheer volume of the property, with 25+ bedrooms, fitting on a 50'X120' lot while still allowing for proper drainage is questioned.

2) Garbage - As the property has 12 large bins approved for this site, there are concerns about this volume being accommodated by the front street (as there is no back alley). The property development has not allowed for parking. With the 23 bedrooms (and possibly additional rooms and bins added for the proposed but not yet approved backyard property), there are concerns that with the number of cars needing street parking, there will not be room for these bins to be properly placed for waste removal. There are also concerns about the possible safety implications should residents of this property choose to place their bins in the driving section of the street (when and if there is no space available due to cars filling the street).

3) As the property is 3 stories high and no properties within the area are full 2 story properties (only 2 level splits), the aesthetics of the property do not fit within the neighbourhood and the property will stand out greatly and overshadow and overlook many of the adjacent properties. There is also an issue with the solar panels on the property to the north of this site no longer having access to sunlight and this investment and its work towards a greener future being nullified.

4) The property allows for 23 bedrooms in the main unit, which is more like an apartment building, than the 3 bedroom property it is replacing. With addition of 4 additional rooms labelled as "dens" in each of the main units and the potential of 4 additional units in the backyard residence, the sheer volume of possible residents gives cause for concern related to the water and waste/sewer disposal needs of the property, which the designs of our 50 year old infrastructure were not meant to accommodate.

5) As there is no back alley to this property, we question the suitability of an additional 2 story backyard house and the disturbance to the neighbours that the entire property will cause, given that access to all units will need to occur from the front of the property.

6) Given the limited clearance on the sides of the property (and particularly with winter snow), we are concerned about safe emergency access to the sides and rear units of the property, as access can only occur from the front street.

7) Given that there is no back alley to this property, but the site plans show an "adjacent roadway" to the rear of the property, we question the accuracy of the plan.

Given these concerns, we are wanting to do a full and independent review of this property and as part of this appeal, are requesting the following information:

- 1) The Development Permit (with the full conditions page)
- 2) The Site/Plot Plan (ALS signed)
- 3) The Foundation/Basement Plan
- 4) All Floor Plans
- 5) All Elevation Plans
- 6) The Landscaping Plan
- 7) Backyard Housing/Garage Plans

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board ("SDAB") made and passed the following motion on February 3, 2026:

"That the appeal hearing be postponed to February 26, 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, **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: 564778827-002 Application Date: FEB 05, 2025 Printed: December 18, 2025 at 3:52 PM Page: 1 of 8			
		<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) 3440 - 110 STREET NW Plan 2734TR Blk 25 Lot 30			
		Specific Address(es) Suite: 1, 3440 - 110 STREET NW Suite: 2, 3440 - 110 STREET NW Suite: 3, 3440 - 110 STREET NW Suite: 4, 3440 - 110 STREET NW Suite: BSMT1, 3440 - 110 STREET NW Suite: BSMT2, 3440 - 110 STREET NW Suite: BSMT3, 3440 - 110 STREET NW Entryway: 1, 3440 - 110 STREET NW Entryway: 2, 3440 - 110 STREET NW Entryway: 3, 3440 - 110 STREET NW Entryway: 4, 3440 - 110 STREET NW Building: 1, 3440 - 110 STREET NW			
Scope of Permit To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, front balconies, fireplaces, develop 3 Secondary Suites in the Basements, and Basement development (NOT to be used as an additional Dwelling) (NOT to be used as a Lodging House).					
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: 4 4. Number of Secondary Suite Dwelling Units to Construct: 3 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: 4 4. Number of Secondary Suite Dwelling Units to Construct: 3 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development
1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 3 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development				
Development Permit Decision Approved Issue Date: Dec 18, 2025 Development Authority: ZHOU, ROWLEY Subject to the Following Conditions A) Zoning Conditions: 1. This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, front balconies, fireplaces, develop 3 Secondary Suites in the Basements, and Basement development (NOT to be used as an additional Dwelling). 2. The development must be constructed in accordance with the approved drawings. 3. 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).					
P0702003					

Development Permit

4. Landscaping must be installed and maintained in accordance with Section 5.60.
5. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).
6. 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).
7. 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.).
8. The existing Driveway off 110 Street must be removed in accordance with Curb Fill Permit 564778827-010 (Subsection 2.10.6.1).
9. 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).
10. 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).
11. 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).
12. Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)
13. 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).
14. The Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20).
15. The Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).
16. The proposed basement development(s) must NOT be used as an additional Dwelling. An additional Dwelling requires a new Development Permit application.
17. 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).
18. 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.
19. There may be an inspection in the future to ensure that an illegal suite or lodging house has not been developed.
20. This Development Permit will be revoked if the conditions of this permit are not met.

	<div style="text-align: right;"> Project Number: 564778827-002 Application Date: FEB 05, 2025 Printed: December 18, 2025 at 3:52 PM Page: 3 of 8 </div> <div style="text-align: center; margin-top: 20px;"> <h2 style="margin: 0;">Development Permit</h2> </div>
<p>B) Landscaping Conditions:</p> <ol style="list-style-type: none"> 1. 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. 2. Any change to an approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed. 3. 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. <p>C) Transportation Conditions:</p> <ol style="list-style-type: none"> 1. The existing approximate 6.3 m wide private driveway access to 110 Street located at the north property line, must be removed from back of the existing sidewalk with restoration of the grassed boulevard to the east property line within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards. 2. Permanent objects including concrete steps, ramps, railings, fencing, planters, etc. must NOT encroach into or over/under road right-of-way. Any proposed landscaping for the development must be provided entirely on private property. 3. There are existing boulevard trees that must be protected. A minimum clearance of 2.5 m must be maintained from the existing boulevard trees. 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. 4. There may be utilities within road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Utility Safety Partners (Online: https://utilitiesafety.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 removal shall be at the expense of the owner/applicant. 5. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include: <ol style="list-style-type: none"> a. the start/finish date of project; b. accommodation of pedestrians and vehicles during construction; c. confirmation of lay down area within legal road right of way if required; and d. 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 6. Any alley, sidewalk 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. <p>D) EPCOR Conditions:</p> <ol style="list-style-type: none"> 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. <ol style="list-style-type: none"> 1a. The proposed development must comply with any requirements identified in the IFPA. 1b. Should the IFPA determine that upgrades to the municipal fire protection infrastructure are required, the owner must enter into a 	
<div style="border: 1px solid black; padding: 2px;">P0702003</div>	

	<div style="text-align: right;"> Project Number: 564778827-002 Application Date: FEB 05, 2025 Printed: December 18, 2025 at 3:52 PM Page: 4 of 8 </div> <div style="text-align: center; margin-top: 20px;"> <h2 style="margin: 0;">Development Permit</h2> </div> <hr/> <p>Servicing 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. 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 EWSE, 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>A) Zoning Advisements:</p> <ol style="list-style-type: none"> 1. Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw. 2. 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). 3. 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. 4. 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. 5. 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. 6. 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. 7. 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 8. Future inspections may occur to ensure the building is not operating as a Lodging House. <p>B) Transportation Advisements:</p> <ol style="list-style-type: none"> 1. Vehicular access will not be supported to 110 Street with this development. <p>C) EPCOR Advisements:</p> <ol style="list-style-type: none"> 1. The site is currently serviced by a 20 mm copper water service (S37984) located 8.8 m north of the south property line of Lot 30 off of 110 Street. If this service will not be utilized 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.
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Development Permit

- 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 200 mm water main along 110 Street adjacent to the subject site.
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 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 EWSinspections@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. Due to the built-form in this development, verification that the Required Fire Flow of this development does not exceed the Available Fire Flow at this site is required to support this application. Edmonton Fire Rescue Services, Fire Protection Engineer must assess if Fire Protection of this site is adequate via an 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



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Development Permit

(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.

D) Fire Rescue Services Advisements:

1. Travel distance from the emergency access route to each principal entrance must not exceed 45m.

https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329

2. Emergency access path widths must be a minimum of 0.9m and the path must be of a hard surface and accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered.

https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329

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

4. 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).

5. 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).

6. 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>

7. 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>

E) Waste Services Advisements:

1. 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.

	Project Number: 564778827-002 Application Date: FEB 05, 2025 Printed: December 18, 2025 at 3:52 PM Page: 7 of 8													
	<h2>Development Permit</h2>													
<p>2. Additional information about waste service at your proposed development:</p> <ul style="list-style-type: none"> - 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 with an exemption to reduce the spacing required to 0.5 m between carts 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 8 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 12 carts: 8 x 240 L for garbage and 4 x 240 L for food scraps. <p>Please note: Residents would be required to share their food scraps carts. 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.</p> <p>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.</p> <p>If the waste enclosure or room is incomplete or does not match the approved drawings upon resident move-in, Waste Services reserves the right to select an alternate location for the waste containers to ensure safe and efficient waste collection. The alternate location may be in a parking stall, loading area, green space, etc.</p> <p>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.</p> <p>F) Infill Fire Protection Assessment Advisements:</p> <ol style="list-style-type: none"> 1. In accordance with City of Edmonton Design and Construction Standard Volume 4: Water, municipal hydrants are to be located such that sufficient resources for firefighting are available for the proposed development. EPCOR Water has identified this file for further firefighting water supply review. 2. Applying the Fire Underwriters Survey Methodology, EFRS has calculated a required fire flow of 133 L/s for the development on site. Hydraulic modelling of the water network has indicated that the nearest hydrants (H7234 and H7233) have sufficient residual pressure to supply the required fire flow to fire apparatus staged in proximity to the site. As a result, the existing water infrastructure provides sufficient capacity and availability such that new hydrants or water mains would not provide any additional operational benefit to EFRS for this site. 3. In conclusion, the subject site is functionally compliant with the municipal standards for hydrant spacing and fire flows. Therefore, upgrades to existing municipal on-street fire protection infrastructure are not required to support this Development Permit application. <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="1"> <thead> <tr> <th data-bbox="219 1623 519 1648">Fees</th> <th data-bbox="537 1656 649 1677">Fee Amount</th> <th data-bbox="708 1656 828 1677">Amount Paid</th> <th data-bbox="902 1656 987 1677">Receipt #</th> <th data-bbox="1076 1656 1166 1677">Date Paid</th> </tr> </thead> <tbody> <tr> <td data-bbox="219 1703 519 1724">P0702003</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	P0702003				
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P0702003														



Project Number: **564778827-002**

Application Date: FEB 05, 2025

Printed: December 18, 2025 at 3:52 PM

Page: 8 of 8

Development Permit

Fees	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$1,020.00	\$1,020.00	01137I001001051V	Feb 12, 2025
Lot Grading Fee	\$490.00	\$490.00	01137I001001051V	Feb 12, 2025
Development Permit Inspection Fee	\$560.00	\$560.00	01137I001001051V	Feb 12, 2025
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,070.00	\$2,070.00		

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-021

▲
N

ITEM II: 9:00 A.M.FILE: SDAB-D-26-038AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 637087821-002

APPLICATION TO: Construct a Residential Use building in the form of a Backyard House (1 Dwelling without Garage) and Basement development (NOT to be used as an additional dwelling).

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: January 23, 2026

DATE OF APPEAL: February 1, 2026

RESPONDENT: Njay Homes Ltd.

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 3440 - 110 Street NW

LEGAL DESCRIPTION: Plan 2734TR Blk 25 Lot 30

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Whitemud District Plan

<i>Grounds for Appeal</i>

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

The main seven-plex on this property is under appeal and I believe this building should be included as part of the same appeal process. The initial building that was proposed for this property last year was an eight-plex (4 units and 4 basement suites). After the bylaw changes were made last year (before the developer was able to address issues with their permit), the main building was changed to a seven-plex (4 units and 3 basement suites) and the backyard house was added. Both these buildings should be treated as one development in my opinion and appealed as such.

<i>General Matters</i>

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.

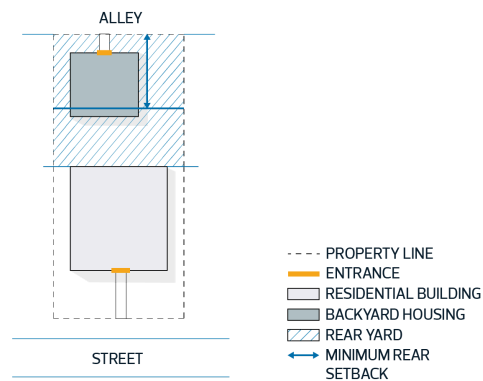
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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, **Backyard Housing** means:

a building containing 1 or more Dwellings, that is located wholly within the Rear Yard, and partially or wholly within the Rear Setback of the applicable Zone, of a Residential Site.



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: 637087821-002 Application Date: NOV 17, 2025 Printed: January 23, 2026 at 8:42 AM Page: 1 of 4			
		<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) 3440 - 110 STREET NW Plan 2734TR Blk 25 Lot 30			
		Specific Address(es) Suite: 3440G - 110 STREET NW Entryway: 3440G - 110 STREET NW Building: 3440G - 110 STREET NW			
Scope of Permit To construct a Residential Use building in the form of a Backyard House (1 Dwelling without Garage) and Basement development (NOT to be used as an additional dwelling).					
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> 1. Titled Lot Zoning: RS 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: 0 4. Number of Secondary Suite Dwelling Units To Construct: 1 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development </td> </tr> </table>				1. Titled Lot Zoning: RS 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 0 4. Number of Secondary Suite Dwelling Units To Construct: 1 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 23, 2026 Development Authority: ZHOU, ROWLEY					
Subject to the Following Conditions A) Zoning Conditions: 1. This Development Permit authorizes the construction of a Residential Use building in the form of a Backyard House (1 Dwelling without Garage) and Basement development (NOT to be used as an additional dwelling). 2. The development must be constructed in accordance with the approved drawings. 3. 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). 4. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2). 5. Pathway(s) connecting the main entrance of the Backyard Housing directly to an Abutting sidewalk or to a Driveway must be provided and must be a minimum width of 0.9 m (Subsection 5.80.2.1.1). 6. Facades facing an Alley must have outdoor lighting that complies with Section 5.120 (Subsection 6.10.12). 7. 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). 8. Backyard Housing must not be subdivided from other principal Dwellings on a Site or be part of a Bare Land Condominium					
P0702003					

Development Permit

(Subsection 6.10.5).

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

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

11. 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.

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

Subject to the Following Advisements

A) Zoning Advisements:

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

2. 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).

3. 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.

4. 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.

5. 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.

6. 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.

7. 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


8. Future inspections may occur to ensure the building is not operating as a Lodging House.


B) Fire Rescue Services Advisements:

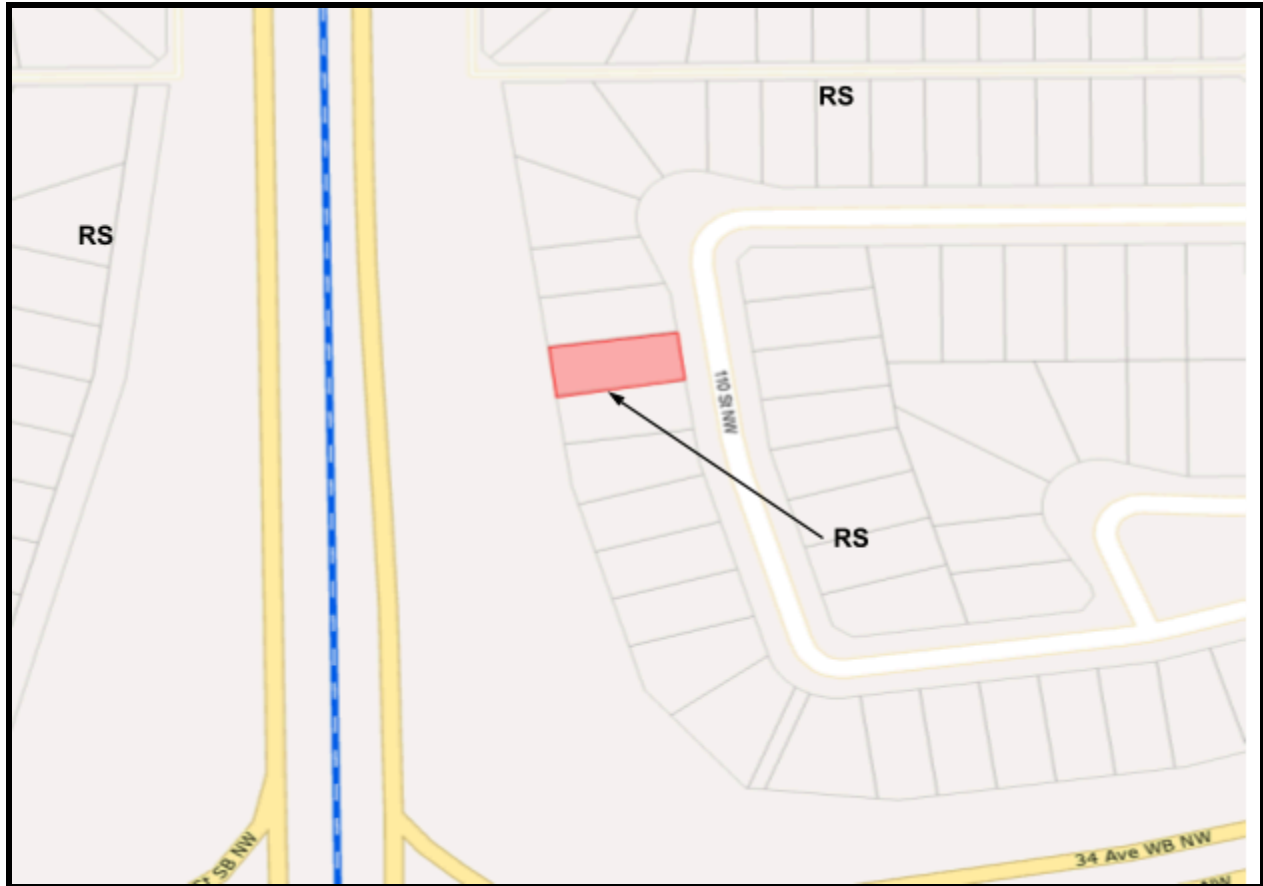
1. Travel distance from the emergency access route to each principal entrance must not exceed 45m.

https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329

2. Emergency access path widths must be a minimum of 0.9m and the path must be of a hard surface and accessible in all climate

	Project Number: 637087821-002 Application Date: NOV 17, 2025 Printed: January 23, 2026 at 8:42 AM Page: 3 of 4
<h2>Development Permit</h2>	
<p>conditions. Soft surfaces such as grass or landscaped areas will not be considered.</p> <p>https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329</p> <p>3. The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be 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.</p> <p>Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan</p> <p>4. 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).</p> <p>5. 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).</p> <p>6. 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</p> <p>7. 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.</p> <p>Reference: NFC(2023-AE) 5.6.1.2 Protection of Adjacent Building</p> <p>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. https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-plan-construction-sites</p> <p>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</p> <p>C) Waste Services Advisements:</p> <p>1. This review follows Waste Services' current standards and practices and will expire when the Development Permit expires.</p> <p>2. 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.</p> <p>3. 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.</p> <p>4. 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.</p> <p>5. The green cart equivalency program with an exemption to reduce the spacing required to 0.5 m between carts 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 8 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 12 carts: 8 x 240 L for garbage and 4 x 240 L for food scraps.</p>	
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	Project Number: 637087821-002 Application Date: NOV 17, 2025 Printed: January 23, 2026 at 8:42 AM Page: 4 of 4																									
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<p>Please note: Residents would be required to share their food scraps carts. 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.</p> <p>6. A minimum of 7.5 m unobstructed overhead space is required above the collection area to allow proper servicing of the containers.</p> <p>7. 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.</p> <p>8. If the waste enclosure or room is incomplete or does not match the approved drawings upon resident move-in, Waste Services reserves the right to select an alternate location for the waste containers to ensure safe and efficient waste collection. The alternate location may be in a parking stall, loading area, green space, etc.</p> <p>9. 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.</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>																										
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P0702003																										



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-038

▲
N

ITEM III: 1:30 P.M.FILE: SDAB-D-26-043AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 620574909-002

APPLICATION TO: Construct a Residential Use building in the form of a Single Detached House with unenclosed front porch, front attached Garage, rear attached Garage, rear covered deck, Basement development (NOT to be used as an additional Dwelling), and to install a hot tub (2.4m x 2.4m) and pool (4.6m x 9.1m) in the Front Yard.

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 4, 2026

DATE OF APPEAL: February 4, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 46 - St George's Crescent NW

LEGAL DESCRIPTION: Plan 2422677 Blk 136 Lot 24

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

<i>Grounds for Appeal</i>

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

We are appealing the refusal of the development permit for 46 St. George's Crescent on the basis that the development would not materially impact the amenities, use, or enjoyment of neighbouring properties.

The requested variances for rear setback, building length, vehicle access, and a rear attached garage are driven by site-specific constraints and a thoughtful design response that prioritizes safety, accessibility, and compatibility with the surrounding neighbourhood. The requested variances for the rear setback, building length, and a rear attached garage are primarily to accommodate the unusual site configuration and rear attached garage. The design of the rear attached garage was carefully considered to minimize impacts related to massing, shadowing, and privacy. The rear attached garage and breezeway are only one storey, and the massing of the entire building is broken up through varied architectural detailing, changes in materials, and articulated wall designs, ensuring the building does not present as a continuous or monolithic structure.

The development is consistent with the established development pattern in Glenora, where rear attached garages and front or flanking driveway accesses are common, and is supported by multiple neighbouring property owners, including both immediately abutting properties. The design incorporates high-quality materials, articulated massing, and complies with minimum front and side setbacks, site coverage and building height requirements.

For these reasons, we submit that the development conforms to the use prescribed for the land and would not unduly interfere with the amenities of the neighbourhood or the use, enjoyment, or value of neighbouring parcels, in accordance with Section 687(3)(d) of the Municipal Government Act.

<i>General Matters</i>

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
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...

(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, **Single Detached Housing** means:

a building that contains 1 principal Dwelling and has direct access to ground level.

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

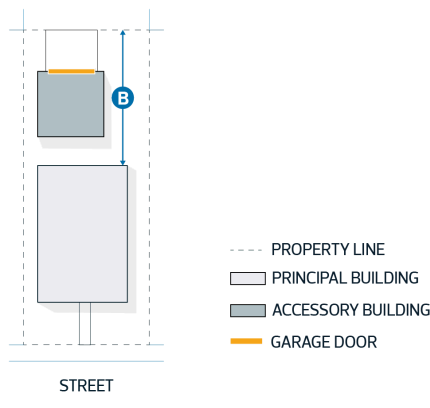
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

<i>RS - Small Scale Residential Zone - General Regulations</i>

Section 2.10.4.3.2 states:

Rear Setback

Subsection	Regulation	Value	Symbol
4.3.2	Minimum <u>Rear</u> <u>Setback</u>	<u>10.0 m</u>	B



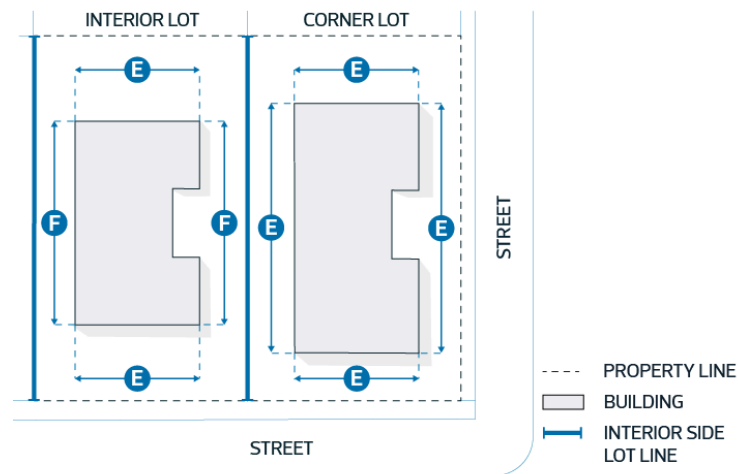
Section 2.10.4.1 states:

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



Section 2.10.6.1 states “Vehicle access must be from an Alley where a Site Abuts an Alley.”

Section 2.10.6.2 states “Rear attached Garages are not permitted.”

Development Planner’s Determination

1. Rear Setback - The minimum rear setback is 10.0m (Subsection 2.10.4.3.2).

Proposed: 5.0m

Deficient by: 5.0m

2. Building Length - 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 (Subsection 2.10.4.1.9).

Proposed: 28.1m (73% of Site Depth)

Deficient by: 13.2m (23% of Site Depth)

3. Vehicle Access - Vehicle access must be from an Alley where a Site Abuts an Alley (Subsection 2.10.6.1).

Proposed: Vehicle access is off of St. George's Crescent.


4. Attached Garage - Rear attached Garages are not permitted (Subsection 2.10.6.2).

Proposed: Rear garage is attached to the house.

[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.

	<h2>Application for Development Permit</h2>		Project Number: 620574909-002 Application Date: JUL 21, 2025 Printed: February 4, 2026 at 10:29 AM Page: 1 of 2
This document is a Development Permit Decision for the development application described below.			
Applicant	Property Address(es) and Legal Description(s) 46 - ST GEORGE'S CRESCENT NW Plan 2422677 Blk 136 Lot 24		
Scope of Application To construct a Residential Use building in the form of a Single Detached House with unenclosed front porch, front attached Garage, rear attached Garage, rear covered deck, Basement development (NOT to be used as an additional Dwelling), and to install a hot tub (2.4m x 2.4m) and pool (4.6m x 9.1m) in the Front Yard.			
Details			
1. Titled Lot Zoning: RS 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping		2. Number of Principal Dwelling Units To Construct: 1 4. Number of Secondary Suite Dwelling Units to Construct: 6. Backyard Housing or Secondary Suite Included?: No 8. Development Category / Class of Permit: Discretionary Development	
Development Application Decision			
Refused			
Issue Date: Feb 04, 2026 Development Authority: POTTER, CHRISTINA			
Reason for Refusal			
1. Rear Setback - The minimum rear setback is 10.0m (Subsection 2.10.4.3.2). Proposed: 5.0m Deficient by: 5.0m 2. Building Length - 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 (Subsection 2.10.4.1.9). Proposed: 28.1m (73% of Site Depth) Deficient by: 13.2m (23% of Site Depth) 3. Vehicle Access - Vehicle access must be from an Alley where a Site Abuts an Alley (Subsection 2.10.6.1). Proposed: Vehicle access is off of St. George's Crescent. 4. Attached Garage - Rear attached Garages are not permitted (Subsection 2.10.6.2). Proposed: Rear garage is attached to the house.			
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			
THIS IS NOT A PERMIT			
P0702003			



Application for Development Permit

Project Number: **620574909-002**
Application Date: JUL 21, 2025
Printed: February 4, 2026 at 10:29 AM
Page: 2 of 2

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$615.00	\$615.00	03676G001001968	Jul 31, 2025
Lot Grading Fee	\$160.00	\$160.00	03676G001001968	Jul 31, 2025
Total GST Amount:	\$0.00			
Totals for Permit:	\$775.00	\$775.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-043



N