

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Friday, 9:00 A.M.
February 27, 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

I	9:00 A.M.	SDAB-D-26-039	To construct exterior alterations to a Residential Use building (Driveway extension, 1.5m x 6.0m), existing without permits. 16204 - 60 Street NW Project No.: 621302806-002
II	10:30 A.M.	SDAB-D-26-040	To construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage). 5725 - 115 Street NW Project No.: 629935996-002
III	1:30 P.M.	SDAB-D-26-042	Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to: Acquire a Development Permit for the demolition of the apartment/commercial building and Accessory building before February 25, 2026. 12103 - 66 Street NW Project No.: 553686103-005

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-26-039AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 621302806-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 1.5m x 6.0m), existing without permits.

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 27, 2026

DATE OF APPEAL: January 31, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 16204 - 60 Street NW

LEGAL DESCRIPTION: Plan 9221676 Blk 14 Lot 15

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: Pilot Sound Area Structure Plan

DISTRICT PLAN: Northeast District Plan

<i>Grounds for Appeal</i>

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

It is not possible for a vehicle to park in the front yard. The concrete patio has fixtures and railings which prevents any vehicle from parking. The addition requested is a walkway from the sidewalk to the front entrance (1.5m wide). The concrete was existing prior to the DP application

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).

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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:

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.

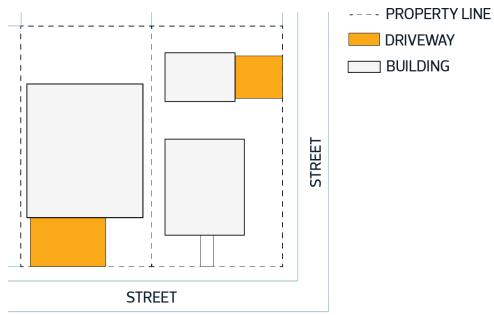
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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.”

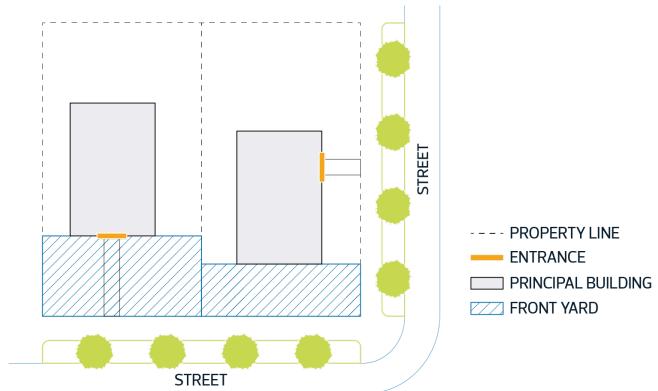
Under section 8.20, **Driveway** means:

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.



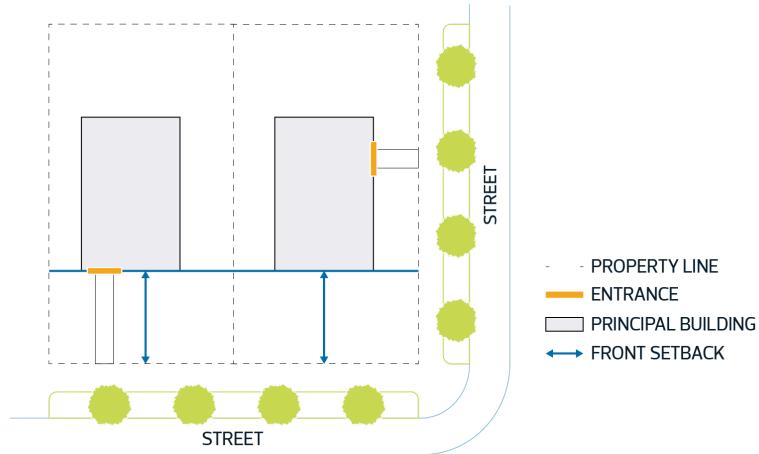
Under section 8.20, **Front Yard** means:

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:

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 “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 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.

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.
- 2.1.2 For Multi-unit Housing, Row Housing and Cluster Housing a Pathway with a minimum unobstructed width of 0.9 m must connect main entrances of Dwellings to shared waste collection areas and Parking Areas, where provided.

Driveways

- 2.1.3 Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.
- 2.1.4. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area.**
- 2.1.5 A Driveway provided from a Street must comply with the following:
 - 2.1.5.1 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:
 - 2.1.5.1.1 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.
 - 2.1.5.2. 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:**
 - 2.1.5.2.1. 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.

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

- 2.1.6.1. a Front Yard;**
- 2.1.6.2. a Flanking Side Yard; or
- 2.1.6.3 a Flanking Side Setback.

2.1.7. For Zero Lot Line Development, a Parking Area must not encroach on the easement area.

Development Planner's Determination

1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4)

Proposed: The driveway does not lead directly from the roadway to the garage.

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. (Section 5.80.2.1.5.2)

Proposed: The driveway is 7.62 m wide.

Garage Width: 6.10 m

3) Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Section 5.80.2.1.6.1)

Proposed: The additional concrete provides vehicle parking space in the front yard.

Previous Subdivision and Development Appeal Board Decision

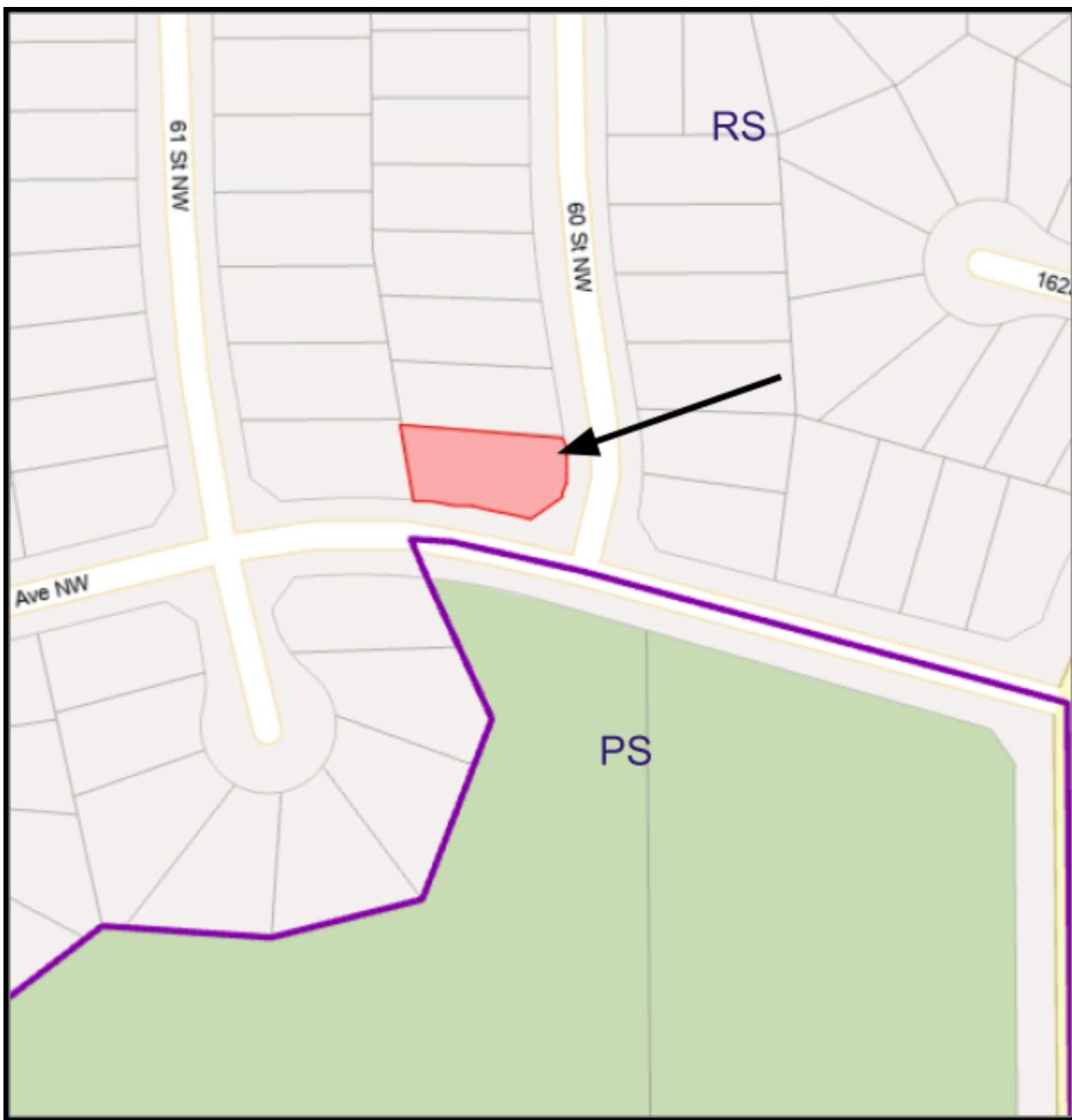
Application Number	Description	Decision
SDAB-D-23-128	To construct exterior alterations to a Single Detached House (Driveway extension), existing without permits.	September 22, 2023; The appeal is DENIED and the decision of the Development Authority is CONFIRMED . The development is REFUSED .

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.

Edmonton	Project Number: 621302806-002 Application Date: AUG 18, 2025 Printed: January 27, 2026 at 2:12 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) 16204 - 60 STREET NW Plan 9221676 Blk 14 Lot 15												
Project Name: Exterior alteration driveway extension to be used as a walkway	Location(s) of Work Suite: 16204 - 60 STREET NW Entryway: 16204 - 60 STREET NW Building: 16204 - 60 STREET NW												
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension, 1.5m x 6.0m), existing without permits.													
Details <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Development Category: Site Area (sq. m.): 586.27 </td> <td style="width: 50%; padding: 5px;"> Overlay: Statutory Plan: </td> </tr> </table>		Development Category: Site Area (sq. m.): 586.27	Overlay: Statutory Plan:										
Development Category: Site Area (sq. m.): 586.27	Overlay: Statutory Plan:												
Development Application Decision Refused Issue Date: Jan 27, 2026 Development Authority: SAHL, RAMANJYOT													
Reason for Refusal 1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4) Proposed: The driveway does not lead directly from the roadway to the garage. 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. (Section 5.80.2.1.5.2) Proposed: The driveway is 7.62 m wide. Garage Width: 6.10 m 3) Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Section 5.80.2.1.6.1) Proposed: The additional concrete provides vehicle parking space in the front yard.													
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;">01219E001001598</td> </tr> <tr> <td colspan="4" style="text-align: right; padding-top: 10px;"> THIS IS NOT A PERMIT </td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Development Application Fee	\$190.00	\$190.00	01219E001001598	THIS IS NOT A PERMIT			
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<small>P0702003</small>													

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P0702003																



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-039



N

ITEM II: 10:30 A.M.FILE: SDAB-D-26-040AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 629935996-002

APPLICATION TO: Construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: January 20, 2026

DATE OF APPEAL: February 3, 2026

RESPONDENT: Timber Haus Developments

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 5725 - 115 Street W

LEGAL DESCRIPTION: Plan 2420817 Blk 12 Lot 2A

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

Grounds for Appeal

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

We are appealing the approval of this development permit based on material and cumulative interference with the use and enjoyment of our property, as prohibited under Section 7.100.5.2 of Zoning Bylaw 20001 and Section 687(3)(d) of the Municipal Government Act.

1. Material Interference with Livelihood (The South-Side Solar Amenity/Garden): Our property is a north-facing bungalow where the south yard is the sole source of direct sunlight for a food-producing garden. The applicant has requested a variance to reduce the ground-level interior side setback from 1.2m to 0.8m. While the upper level is proposed at 1.2m, the 0.8m encroachment of the ground floor—combined with a significant building height (6.7m midpoint/~7m peak)—causes 'shadow creep' that permanently eliminates the solar access required for our food-producing garden. The developer has admitted in writing that his building will cast a shadow and this will be the biggest change that we will experience on our property, yet has failed to mitigate the design.
2. Cumulative Impact of Massing: Our lot is already significantly impacted by the existing 10.5 m principal building to the south. The addition of a second 6.7 m structure, shifted even closer to our property line via variance, creates a "continuous wall" of development. This cumulative massing exhausts the "shadow budget" of our property, moving from the suite's shadow into to the house's shadow directly with almost zero solar recovery time.
3. Irrelevance of Proposed Occupant (Use vs. User): Regarding the letters of support received by the applicant, we remind the Board that under established planning principles, the character of the user is irrelevant. Decisions must be based on the planning merits of the permanent physical "noun" (the building) and its impact on the neighborhood amenities, regardless of whether the current owner intends the suite for family use or rental.
4. Violation of Protective Intent and Unique Site Hardship: Considering our context to the immediate north of the development site, we request that the Board exercise its discretion to maintain the protective intent of Section 6.10.1.2 to "reduce the impacts of massing (pg. 22, City-of-Edmonton Backyard-Housing-How-To-Guide)" and apply the 4.3m height restriction as a necessary condition of the variance to ensure the backyard-housing massing remains visually subordinate, and respectful of our health, solar access, and use of our property. We contend that the material effects on the use and enjoyment of our abutting low-rise property by this development to our immediate south merit equivalent protection to the conditions set out in Section 6.10.1.2. The technicality of whether our shared boundary is labelled a "side" or "rear" line should not override the protective intent of the bylaw. As a corner lot, our "side yard" functions as our primary outdoor living space on the southeast corner and on the center south side and main entrance from the north side.

5. Technical Error in Height Interpretation (Section 6.10.1.2): The Development Planner erred in determining that the protective 4.3 m height limit does not apply. The Planner's written rationale states that no conventional zones have a maximum height of 12.0 m or less. This is mathematically incorrect. Under Section 2.10.4.1.6, the RS Zone has a maximum building height of 10.5 m. Because 10.5 m is numerically "12.0 m or less," the 4.3 m protective standard in Section 6.10.1.2 is the mandatory baseline where the development site abuts another site. Section 6.10.1.2 creates a protective threshold. Since the RS Zone height (10.5m) is below that 12.0m threshold, the 4.3m limit is not a suggestion—it is a regulatory requirement that the Planner failed to apply.

6. Request for Mitigation through Conditions: As per Section 7.100.1.2, we contend this site is not suitable for the full scope of development proposed. We request that the Board maintain the protective intent of the bylaw to "reduce the impacts of massing" and impose a 4.3 m height restriction as a necessary condition of the variance to ensure the structure remains visually subordinate and respectful of our health and solar access.

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,
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Hearing and Decision

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

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

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(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.

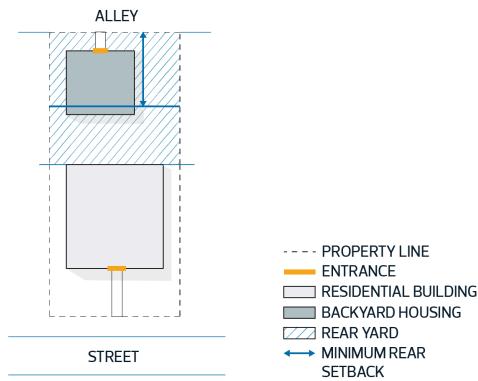
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Single Detached Housing** means:

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

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.

Backyard Housing - Setbacks

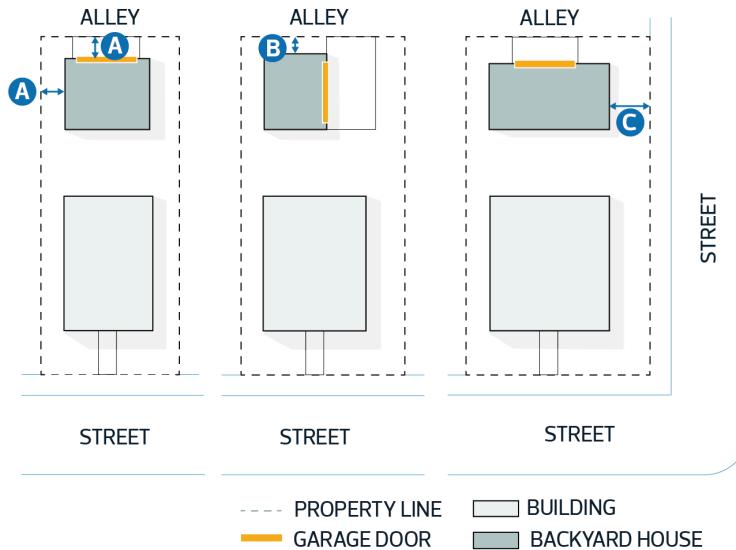
Section 6.10.1 states:

Backyard Housing must comply with Table 1:

Table 1. Building Regulations

Subsection	Regulation	Value	Symbol
Setbacks			
1.7	Minimum Setback	1.2	A

Diagram for Subsections 1.7, 1.8 and 1.9



Under section 8.20, **Setback** means “the distance that a development, or a specified portion of a development, must be from a Lot line. A Setback is not a Yard. A Setback only applies to development on or above ground level.”

Development Planner's Determination

Reduced North Side Setback - The distance from the Backyard House's ground floor to the side property line shared with 11423 - 58 AVENUE (north side) is 0.8 m, instead of 1.2 m (Subsection 6.10.1.7).

Reduced South Side Setback - The distance from the Backyard House's ground floor to the side property line shared with 5723- 115 STREET (south side) is 0.9 m, instead of 1.2 m (Subsection 6.10.1.7).

[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.

Edmonton	Project Number: 629935996-002 Application Date: SEP 18, 2025 Printed: January 20, 2026 at 3:50 PM Page: 1 of 3		
<h2 style="margin: 0;">Development Permit</h2>			
<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) 5725 - 115 STREET NW Plan 2420817 Blk 12 Lot 2A		
Specific Address(es)	Suite: 5725G - 115 STREET NW Entryway: 5725G - 115 STREET NW Building: 5725G - 115 STREET NW		
Scope of Permit To construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage).			
Details <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> 1. Titled Lot Zoning: RS 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> 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: Discretionary 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: Discretionary Development
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: Discretionary Development		
Development Permit Decision Approved			
Issue Date: Jan 20, 2026 Development Authority: POTTER, CHRISTINA			
Subject to the Following Conditions <p>Zoning Conditions: This Development Permit is NOT valid until the notification period expires (Subsection 7.160.1.3).</p> <p>This Development Permit authorizes the construction of a Residential Use building in the form of a Backyard House (1 Dwelling with Garage).</p> <p>The development must be constructed in accordance with the approved drawings.</p> <p>Landscaping must be installed and maintained in accordance with Section 5.60.</p> <p>A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).</p> <p>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).</p> <p>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.)</p>			
Subject to the Following Advisements <p>Zoning Advisements:</p>			
P0702003			



Project Number: **629935996-002**
 Application Date: SEP 18, 2025
 Printed: January 20, 2026 at 3:50 PM
 Page: 2 of 3

Development Permit

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

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

The Driveway must maintain a minimum clearance of 1.5 m from the service pedestal and all other surface utilities. The applicant or property owner is responsible for the location of all underground and above ground utilities and maintaining the required clearance as specified by the utility companies. Alberta One-Call, Shaw, and Telus should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with the relocation or removal of the service pedestal must be at the expense of the applicant or property owner.

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.

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.

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.

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.

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

Waste Services Advisements:

Thank you for the opportunity to provide feedback on this project.

Waste Services has reviewed the proposed plan "PLOT PLAN" dated 9/6/25 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.

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

This property with 2 dwellings would receive Curbside Collection.



Project Number: **629935996-002**
 Application Date: SEP 18, 2025
 Printed: January 20, 2026 at 3:50 PM
 Page: 3 of 3

Development Permit

The City will provide each dwelling with two carts, for a total of 4 carts, one for garbage and one for food scraps. Residents would be required to use their own 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.

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.

Variances

Reduced North Side Setback - The distance from the Backyard House's ground floor to the side property line shared with 11423 - 58 AVENUE (north side) is 0.8 m, instead of 1.2 m (Subsection 6.10.1.7).

Reduced South Side Setback - The distance from the Backyard House's ground floor to the side property line shared with 5723- 115 STREET (south side) is 0.9 m, instead of 1.2 m (Subsection 6.10.1.7).

Rights of Appeal

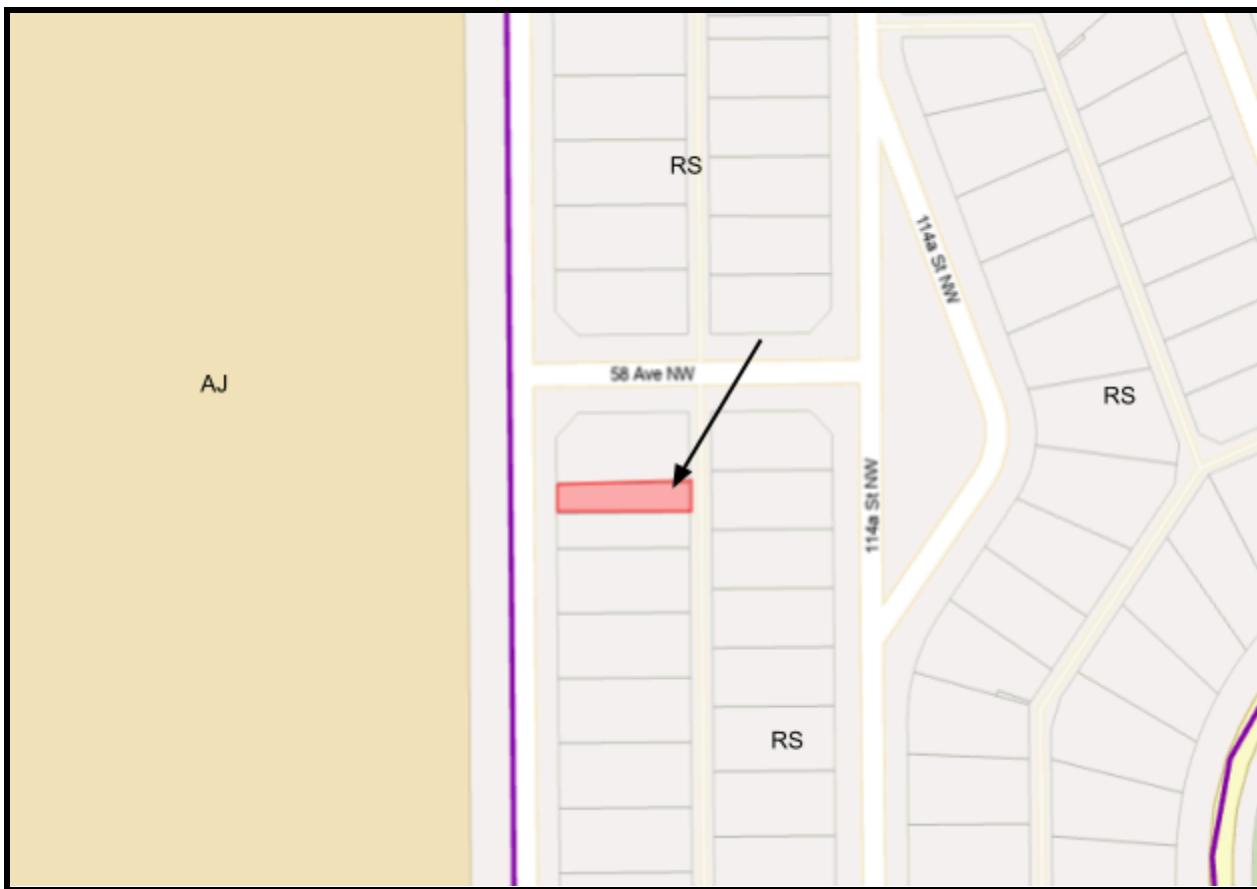
This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Notice Period Begins: Jan 27, 2026 **Ends:** Feb 17, 2026

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$615.00	\$615.00	123593001001791	Sep 18, 2025
Lot Grading Fee	\$180.00	\$180.00	123593001001791	Sep 18, 2025
Variance Fee	\$153.75	\$153.75		
Total GST Amount:	\$0.00			
Totals for Permit:	\$928.75	\$928.75		

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-040



N

ITEM III: 1:30 P.M.FILE: SDAB-D-26-042

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE
OFFICER

APPELLANT:

APPLICATION NO.: 553686103-005

ORDER: Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to:

Acquire a Development Permit for the demolition of the apartment/commercial building and Accessory building before February 25, 2026.

DECISION OF THE
DEVELOPMENT AUTHORITY:

DECISION DATE: January 21, 2026

DATE OF APPEAL: February 4, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 12103 - 66 Street NW

LEGAL DESCRIPTION: Plan 5819AA Blk 32 Lots 31-32

ZONE: RM - Medium Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: North Central District Plan

Grounds for Appeal

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

Made some changes under the City of Edmonton Authority by cleaning up a condemned site. They now expect us to do a change of zoning and use, which we do not wish to do at this time, due to different plans for this property in the future. Upon completion, the City of Edmonton has given us permission to rent or lease the site, as it is no longer condemned.

General Matters

Appeal Information:

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

Stop order

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

(a) this Part or a land use bylaw or regulations under this Part, or

(b) a development permit or subdivision approval,

the development authority may act under subsection (2).

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

(a) stop the development or use of the land or building in whole or in part as directed by the notice,

(b) demolish, remove or replace the development, or

(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

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

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

Permit

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

or

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

Hearing and Decision

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

...

- (a.1) must comply with any applicable land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

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

and

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

General Provisions from the *Zoning Bylaw 20001*:

Section 2.40.1 states that the **Purpose** of the **RM - Medium Scale Residential Zone** is:

To allow for multi-unit Residential development that ranges from approximately 4 to 8 Storeys and may be arranged in a variety of configurations. Single Detached Housing, Semi-detached Housing, and Duplex Housing are not intended in this Zone unless they form part of a larger multi-unit Residential development. Limited opportunities for community and commercial development are permitted to provide services to local residents.

7.110 Approvals Required and Development

Section 7.110.1 states:

1.1. No person may:

- 1.1.1. undertake, or cause or allow to be undertaken, a development; or
- 1.1.2. carry on, or cause or allow to be carried on, a development, without a Development Permit issued under this Section.

7.200 Inspections, Enforcement and Penalties

2.1. It is an offence for any person to:

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

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

- 2.2.1. construct a building or structure;
- 2.2.2. make an addition or alteration to a building or structure;
- 2.2.3. commence or undertake a Use or change of intensity of Use; or
- 2.2.4. place a Sign on land, or on a building or structure.

2.3. It is an offence for any person to undertake development in contravention of a Development Permit, including any conditions of approval.

Notice to Applicant/Appellant

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



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Development Approvals & Inspections Section
Development Compliance & Inquiries Unit

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January 21, 2026

Our File: 553686103-005

MUNICIPAL GOVERNMENT ACT ORDER:

An Alberta Land Titles search identifies you as the registered owner(s) of the property located at **12103-66 Street NW** in Edmonton, Alberta, legally described as Plan 5819AA Blk 32 Lots 31-32 .

This Property was inspected by Development Compliance Officer Vera Rokic, on January 14, 2026. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 of the Municipal Government Act.

ZONING BYLAW INFRACTION:

This property is zoned RM (Medium Scale Residential Zone) in accordance with Section 2.40 of Edmonton Zoning Bylaw 20001. **Our investigation revealed that demolition of the apartment/commercial building and Accessory building has occurred, according to our records of the City of Edmonton, no Development Permit has been issued.**

The City of Edmonton has not issued a Development Permit to demolish the building, which is contrary to Subsection 7.110.1 of the Edmonton Zoning Bylaw 20001, and Section 683 of the Municipal Government Act.

Subsection 7.110.1 of Edmonton Zoning Bylaw 20001 states:

Approval Required for Development

1.1. No person may: 1.1.1. undertake, or cause or allow to be undertaken, a development; or 1.1.2. carry on, or cause or allow to be carried on, a development, without a Development Permit issued under this Section.

Section 7.200 of Edmonton Zoning Bylaw 20001 states:

General Offences

2.1. It is an offence for any person to:

- 2.1.1. contravene; or
- 2.1.2. cause, permit or undertake a contravention of; or



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2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of any provisions of this Bylaw.

2.2. Without restricting the generality of Subsection 2.1, if a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an **offence** for any person to:

- 2.2.1. construct or allow a building or structure;
- 2.2.2. make or allow an addition or alteration to a building or structure;
- 2.2.3. commence or allow a Use or change of intensity of Use; or
- 2.2.4. place or allow the placement of a Sign on land, or on a building or structure.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to:

Acquire a Development Permit for the demolition of the apartment/commercial building and Accessory building before February 25, 2026.

CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected after February 25, 2026 to determine compliance with this Order.

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

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

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



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

PERMIT APPLICATIONS:

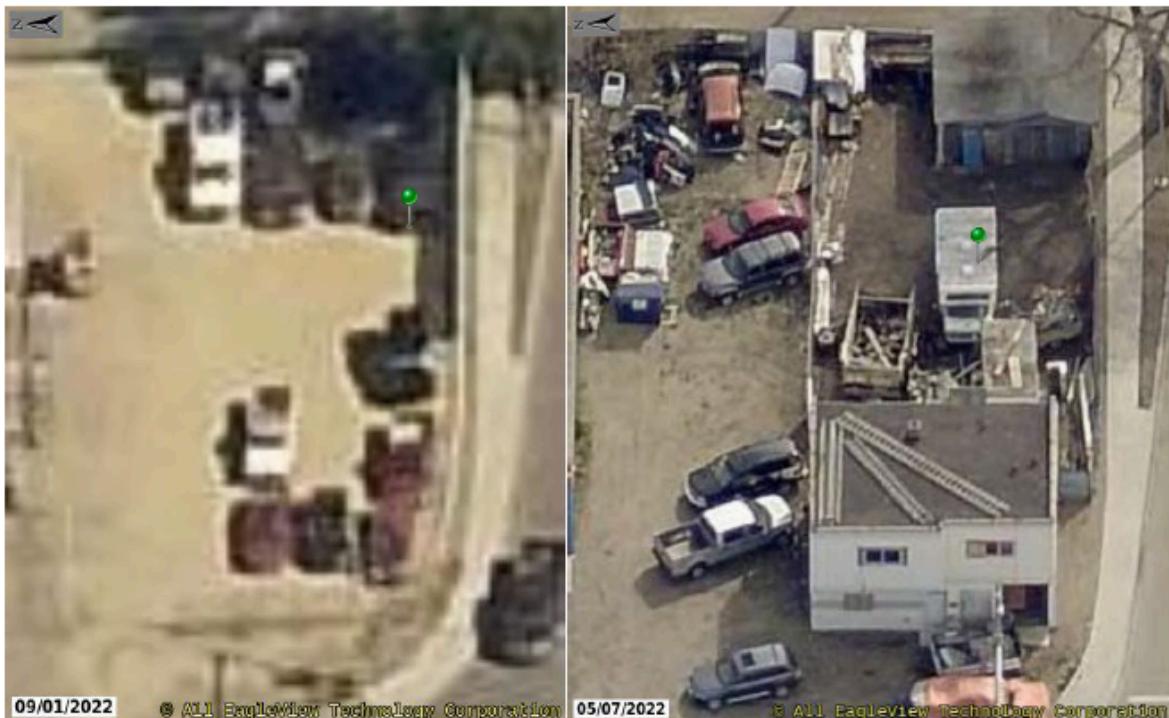
You can make a permit application online at selfserve.edmonton.ca.

For more information related to obtaining a Development Permit, we suggest you consult a technical advisor at:

Email: developmentpermits@edmonton.ca
Phone: 780-442-5054

If you have any questions in regards to this matter, please contact the writer at 780-446-6144

Vera Rokic
Development Compliance Officer
780-446-6144
vera.rokic@edmonton.ca





Adding amounts owing to tax roll

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

- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;
- (b) unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel;
- (c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;
- (d), (e) repealed 1999 c11 s35; (f) costs associated with tax recovery proceedings related to the parcel;
- (g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel;
- (g.1) if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel;
- (h) unpaid costs awarded by a composite assessment review board under section 468.1 or the Land and Property Rights Tribunal under section 501, if the composite assessment review board or the Land and Property Rights Tribunal has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Land and Property Rights Tribunal was related to the parcel;
 - (h.1) the expenses and costs of carrying out an order under section 646;
 - (i) any other amount that may be added to the tax roll under an enactment.
- (2) Subject to section 659, when an amount is added to the tax roll of a parcel of land under subsection (1), the amount
 - (a) is deemed for all purposes to be a tax imposed under Division 2 of Part 10 from the date it was added to the tax roll, and
 - (b) forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

Stop order

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

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



the development authority may act under subsection (2).

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

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

within the time set out in the notice.

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

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

Enforcement of stop order

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

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

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

Permit

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

Grounds for appeal

685(1) If a development authority

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

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

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



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

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

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

(a) to the Land and Property Rights Tribunal

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

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

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

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

or

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

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

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

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

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

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

Appeals

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

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

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



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

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

or

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

or

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

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

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

(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

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

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

(a) to the appellant,

(b) to the development authority whose order, decision or development permit is the subject of the appeal, and

(c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

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

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

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



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683.1(8).

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

Subdivision and Development Appeal Board

File your appeal online at:

<https://sdab.edmonton.ca>

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

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

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

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

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

For more information:

Subdivision and Development Appeal Board

Telephone 780-496-6079

Fax 780-577-3537

Email sdab@edmonton.ca

