

SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA

Thursday, 9:00 A.M.
January 8, 2026

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

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3**

TO BE RAISED

I 9:00 A.M. SDAB-D-26-001

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites in the Basements

12227 - 128 Street NW
Project No.: 618561279-002

TO BE RAISED

II 1:30 P.M. SDAB-D-26-002

To operate a Special Event (Food Truck and trailer in parking lot), operating until November 5, 2026

2304 - 23 Avenue NW
Project No.: 633134776-002

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-26-001

APPEALS FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT NO. 1:

APPELLANT NO. 2:

APPLICATION NO.: 618561279-002

APPLICATION TO: Construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites in the Basements

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: November 14, 2025

DATE OF APPEAL(S): December 2, 2025 and December 3, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 12227 - 128 Street NW

LEGAL DESCRIPTION: Plan 4068HW Blk 5 Lot 23

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

<i>Grounds for Appeal</i>

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

APPELLANT NO. 1

I wish to appeal the development of the proposed 8 unit dwelling at 12227-128 St NW due to the already increased density of the surrounding homes, the effect on adjacent privacy, the impact on parking, traffic, privacy, noise, and garbage pick up.

If there are 8 units, there will need to be 16 bins (all spaced one meter apart) including space for recycling. The local effect on parking is undeniable, and there is another 8 unit development just north of St. Pius school. Where are all these people going to park? The development to the north of me has 4 units and there are 6 vehicles associated with that property. Would it be unreasonable to expect at least 12-15 cars to be associated with this development? How will this affect St. Pius? Has a traffic impact assessment or study been completed given the other development just north of the school?

I'm not opposed to multiple units, but 8 units, not on a corner lot, with multiple units in very close proximity, clearly shows a city planning team with utter disregard for the practical usage of this proposed development.

I also saw the developer place the development sign in the ground and take pictures to prove to the city it was done, then immediately remove it to prevent the local residents from know what is happening. Hopefully not a taste of things to come.

APPELLANT NO. 2

I am appealing because this development, at this size and in this location, will interfere with the enjoyment of my home and the overall livability of our block. It impacts sunlight, privacy, parking, safety, and the day-to-day use of my property. Under MGA s.687(3)(d), I believe it will interfere with both the amenities of the neighbourhood and my use and enjoyment of my home.

1. Loss of sunlight and privacy to my home

The side of my home has large windows on both floors. My upper-floor windows are completely exposed to the side yard and rely on that space for natural light and openness. With an eight-unit, two-storey building placed very close to my property line, these windows will look directly at a tall wall. This will block sunlight, remove any sky view, darken that entire side of my home, and take away the openness I currently have. Even though my main-floor windows are partly fenced, the upper windows will lose all their

natural light and privacy. This will have a serious impact on how I use and enjoy my home every day.

2. Parking on this block is already full

Our street is directly across from St. Pius School. The school side is a no-parking and no-stopping zone, and the rules are tightly enforced. All parking is forced onto my side of the street, and the block is already over capacity. It is common for residents to park far away from their own homes. Daniel received a ticket simply for parking in front of our house, parked properly. With eight more units and only four garages, many more vehicles will spill onto the street, which cannot handle any additional demand. This will make parking and traffic circulation worse and interfere with how the neighbourhood already functions.

3. The block is already at its limit for density

Our block already contains several high-density forms: my home has a basement suite and garage suite, the house next to me has both as well, and there is also a fourplex on this block. Many households here have two or three vehicles. The City's goal of increased density has already been met on this street. Adding eight more units in the middle of the block, right beside homes with side windows and directly across from a school, overwhelms what this area can reasonably handle.

4. School-zone traffic and safety concerns

St. Pius creates heavy daily congestion. Parents, staff, and buses use this block constantly. Vehicles circle the street searching for space, and illegal stopping already occurs because of the lack of room. Sightlines are reduced and the area is busy with children. Adding eight more households on this exact stretch will make these issues worse and reduce the safety and enjoyment of the neighbourhood.

5. Lack of proper notice

The development notice sign was not properly posted. It was put up briefly, photographed, and removed right away. I never saw the sign, and I only learned about the permit because I contacted the City myself. This left me with almost no time to review the plans or speak to the planner before the appeal deadline. I have filed a complaint regarding this. While this may not change the permit on its own, it is important context for why I did not have full information before filing this appeal.

Relief requested

I am asking the Board to revoke the development permit. If the Board does not revoke it entirely, I ask for meaningful changes to be made to reduce the

impact on my home and the neighbourhood. This may include reducing the number of units, increasing the setback beside my windows, providing more on-site parking, or altering the building's massing

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board made and passed the following motion on December 3, 2025:

“That the appeal hearing be scheduled for January 7 or January 8, 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: 618561279-002 Application Date: JUL 14, 2025 Printed: November 14, 2025 at 12:46 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) 12227 - 128 STREET NW Plan 4068HW Blk 5 Lot 23			
		Specific Address(es) Suite: 1, 12227 - 128 STREET NW Suite: 2, 12227 - 128 STREET NW Suite: 3, 12227 - 128 STREET NW Suite: 4, 12227 - 128 STREET NW Suite: BSMT1, 12227 - 128 STREET NW Suite: BSMT2, 12227 - 128 STREET NW Suite: BSMT3, 12227 - 128 STREET NW Suite: BSMT4, 12227 - 128 STREET NW Entryway: 1, 12227 - 128 STREET NW Entryway: 2, 12227 - 128 STREET NW Entryway: 3, 12227 - 128 STREET NW Entryway: 4, 12227 - 128 STREET NW Building: 1, 12227 - 128 STREET NW			
Scope of Permit To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites in the Basements.					
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> 1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping </td> <td style="width: 50%;"> 2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 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: 4 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: Nov 14, 2025 Development Authority: ANGELES, JOSELITO Subject to the Following Conditions <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> GENERAL CONDITIONS: This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites in the Basements. The development must be constructed in accordance with the approved drawings. WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a </div>					
P0702003					

Development Permit

Development Permit Notification Sign (Subsection 7.160.2.2).

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

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

Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)

Vehicular access from 128 Street is not permitted. The existing Driveway off 128 Street must be removed in accordance with Curb Fill Permit 618561279-006 (Subsection 2.10.6.1).

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).

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

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

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

SUBDIVISION PLANNING (TRANSPORTATION) - CONDITIONS:

1. The existing approximate 3 m wide private crossing to 128 Street located adjacent to the north property line, must be removed with reconstruction of the curb, gutter, sidewalk and restoration of the grassed boulevard (excluding existing sidewalk) within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

The owner/applicant must obtain a Permit to remove and fill in the access, available from Development Services, developmentpermits@edmonton.ca

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

3. There is an existing wooden power pole with street light and guy wires adjacent to the site that may interfere with access to the proposed on-site parking stalls / garages. The applicant is responsible to contact EPCOR Electricity at ces@epcor.com about the conflict and to resolve the issue as required. The applicant is responsible for all costs associated with any required mitigative action (including but not limited to: removal / relocation / modification) associated with the conflict.

Should it be determined that the existing wood power pole with streetlight requires relocation, there is a separate process required in order to relocate the streetlight.

Development Permit

All costs associated with permanent street light installations, relocations, removals or any other related work on street light infrastructure, including street light infrastructure on wood poles, is the responsibility of the developer. An independent lighting submission is required for review and approval in eplan, and post construction documentation is required for review and approval in eplan. To Initiate the Engineering Drawing review process and Servicing Agreement process, please contact Development.Coordination@Edmonton.ca. Refer to the City of Edmonton Road and Walkway Lighting Design Manual for plan submission requirements and post construction documentation requirements.

For further information regarding the streetlight relocation process, please contact Shawn Jacobs at shawn.jacobs@edmonton.ca.

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

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

6. There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Utility Safety Partners (Online: <https://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 removals shall be at the expense of the owner/applicant.

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

8. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:

- 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;
 - d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.
- It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at: https://www.edmonton.ca/business_economy/oscam-permit-request.aspx

FILL IN - CONDITIONS:

1. The existing approximate 3 m wide private crossing to 128 Street located adjacent to the north property line, must be removed with reconstruction of the curb, gutter, sidewalk and restoration of the grassed boulevard (excluding existing sidewalk) within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

The applicant must contact Trevor Singbeil of Development Inspections at 780-496-7019 for inspection 72 hours prior to and following removal of the driveway access.

2. 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.

Development Permit

3. Permanent objects including steps, railings, retaining walls, 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.

4. There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Utility Safety Partners (Online: <https://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 removals shall be at the expense of the owner/applicant.

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

6. 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:

- 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;
- d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.

It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at: https://www.edmonton.ca/business_economy/oscam-permit-request.aspx

EPCOR WATER SERVICES CONDITIONS:

1. The IFPA (Infill Fire Protection Assessment) review has determined that Fire Protection for the proposed development for this site is adequate. No upgrade is required.

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 EWSI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 19626 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.

Subject to the Following Advisements

GENERAL ADVISEMENTS:

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

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

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

Development Permit

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.

A site mechanical plan stamped by a professional engineer showing water and sewer services, stormwater management calculations and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit epcor.com/newconnection and click 'ONLINE APPLICATION' for instructions on the plan submission process.

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

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

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

Signs require separate Development Permit application(s).

SUBDIVISION PLANNING (TRANSPORTATION) - ADVISEMENTS:

1. If Waste Services have concerns with the site submission as it relates to carts/bins, then any revisions to the design of the parking/waste area must be recirculated to Subdivision and Development Coordination. This may result in further changes to the site plan or additional conditions.
2. The proposed onsite hard surfaced driveway connecting the garage entrances and the paved alley will not allow for vehicles to park behind the garage without overhanging onto the alley. If additional on-site parking is desired within the driveway, a minimum 5.5 m stall length is required for perpendicular parking within private property. Vehicles parking within legal road right-of-way may result in enforcement measures

FIRE RESCUE SERVICES ADVISEMENTS:

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

The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a



Project Number: **618561279-002**
 Application Date: JUL 14, 2025
 Printed: November 14, 2025 at 12:46 PM
 Page: 6 of 8

Development Permit

site visit and/or at the initial construction site safety inspection upon commencement of construction.

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

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

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

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

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

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

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

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

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

Measures to mitigate fire spread to adjacent buildings

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

Kind regards,

Kelly Willis

FSCO Group B, Level II

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

EPCOR WATER SERVICES ADVISEMENTS:


1. The site is currently serviced by a 20 mm copper water service (N28243) located 7 m south of the north property line of Lot 23 off of the lane east of 128 Street. If this service will not be used for the planned development, it must be abandoned back to the water main prior to any on-site excavation. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site including demolition, excavation or grading for direction on the correct process to follow to have the service isolated and meter removed.


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

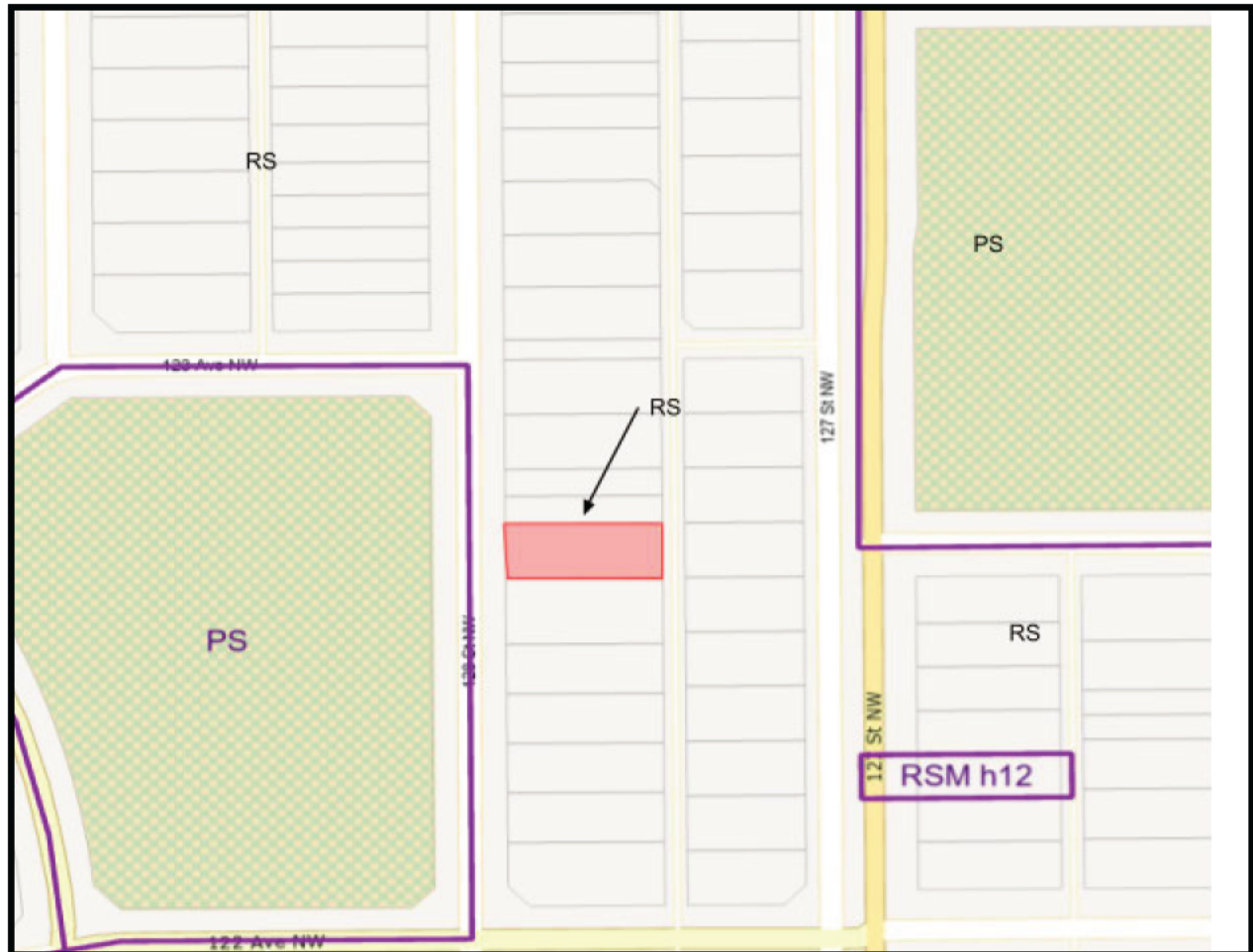
2. EPCOR Water Services Inc. does not review on-site servicing. It is the applicant's responsibility to obtain the services of a professional to complete on-site water distribution design and to ensure the supply will meet plumbing code and supply requirements.

3. A new water service may be constructed for this lot directly off EPCOR's 200 mm water main along the lane east of 128 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@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.

	Project Number: 618561279-002 Application Date: JUL 14, 2025 Printed: November 14, 2025 at 12:46 PM Page: 7 of 8
<h2>Development Permit</h2>	
<p>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.</p> <p>5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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). NOTE: The IFPA (Infill Fire Protection Assessment) review has determined that Fire Protection for the proposed development for this site is adequate. No upgrade is required.</p> <p>10. 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.</p> <p>11. Dimensions must be provided as part of the engineering drawing submission package where a tree or shrub bed is installed within 5.0m of a valve, hydrant or curb cock, as per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (April 2021).</p> <p>12. 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.</p> <p>13. 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.</p> <p>14. The advisements and conditions provided in this response are firm and cannot be altered.</p> <p>Should you require any additional information, please contact Sarah Chileen at schileen@epcor.com.</p>	
<p>WASTE MANAGEMENT SERVICES ADVISEMENTS:</p>	
<p>Waste Services has reviewed the proposed plan "PLOT PLAN" dated September 30, 2025 and has no concerns to identify during this review.</p>	
<p>This review follows Waste Services' current standards and practices and will expire when the Development Permit expires.</p>	
<p>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>P0702003</p>	

	Project Number: 618561279-002 Application Date: JUL 14, 2025 Printed: November 14, 2025 at 12:46 PM Page: 8 of 8																														
<h2 style="margin: 0;">Development Permit</h2>																															
<p>Additional information about waste service at your proposed development:</p> <p>Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton.</p> <p>To help in planning and designing your development, please refer to Bylaw 20363 to review clauses related to:</p> <p>Access to containers and removal of obstructions.</p> <p>Container set out, and</p> <p>The responsibility for wear and tear or damages.</p> <p>The green cart equivalency program and 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. The City will provide a total of 12 carts: 8 × 240 L for garbage and 4 × 240 L for food scraps.</p> <p>Please note:</p> <p>Residents would be required to share their food scraps carts.</p> <p>Residents will be required to set out garbage and food scraps carts on collection day as per the set-out instructions.</p> <p>Residents would use blue bags for recycling.</p> <p>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>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>If you require any further clarifications, please contact us.</p> <p style="margin-top: 20px;">Sincerely, Abdullah Elsherif Development Planning Assessor</p> <p>Rights of Appeal</p> <p>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-26-001

▲
N

TO BE RAISED

ITEM II: 1:30 P.M.

FILE: SDAB-D-26-002

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 633134776-002

APPLICATION TO: Operate a Special Event (Food Truck and trailer in parking lot), operating until November 5, 2026

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: November 5, 2025

DATE OF APPEAL: December 4, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 2304 - 23 Avenue NW

LEGAL DESCRIPTION: Plan 0424871 Blk 23 Lot 105

ZONE: CG - General Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: The Meadows Area Structure Plan

DISTRICT PLAN: Mill Woods and Meadows District Plan

Grounds for Appeal

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

The tenants collectively submit this petition under the principles of:

- **Section 687(3) of the Municipal Government Act**, which authorizes appeals on the basis that a development unduly interferes with the amenities of the neighbourhood or materially interferes with the use, enjoyment, or value of neighbouring properties.
- **The Edmonton Zoning Bylaw**, which requires that discretionary uses must be compatible with adjacent developments and must not cause unsafe conditions, excessive nuisance, or unreasonable hardship to surrounding tenants.
- **Fair and equitable use of shared commercial property**, ensuring that no tenant is subjected to unforeseen financial burdens, safety risks, or operational disadvantages not disclosed at the time of leasing.

1. This development was not included in the original site plan or our lease agreement

When we signed our lease, this food-truck/trailer operation was not shown in any drawings, site plans, or supporting documents. Our lease agreement did not indicate that such a development would be introduced adjacent to our premises. This change significantly alters the use, appearance, and environment of the property, directly affecting our business operations.

2. Significant health and safety hazards due to improper use of utilities

We have observed that this development is accessing electrical lines, water, and other utility services in an unsafe and non-standard manner. This raises serious concerns regarding public safety, fire hazards, and liability for all tenants in the complex.

3. Increased common utility costs unfairly passed to existing tenants

Because utilities appear to be drawn from shared sources, our business will face significantly increased common utility charges without any benefit to us. This is unreasonable and places financial burdens on tenants who are paying substantially higher rent for the location.

4. Inequity in rent and use of site amenities

Our business pays premium rent for this site. The newly approved development pays far less yet receives access to the same customer traffic, parking lot exposure, and neighbourhood visibility. This is an unfair competitive advantage created by the approval of this discretionary development.

5. This use does not reflect a typical "special event" permit

A "special event" use is normally short-term, such as:

- Seasonal events (1-2 months in summer), or
- Short-duration events (3-7 days) like holiday markets, festivals, or community celebrations.

Operating a food truck/trailer for up to two years does not match the normal definition or intent of a "special event" use.

6. Negative impact on neighbourhood safety and business environment

Since this development began operating, we have experienced a noticeable change in visitor behaviour around the area. Individuals who appear intoxicated, suspicious, or disruptive have been observed at all hours of the day and night, as the truck operates 24 hours a day. This activity has had a harmful impact on our business, on our customers' sense of safety, and on the general environment of the neighbourhood.

7. Break-in incident after commencement of the development

Following the opening of this development, our premises experienced a break-in. While we cannot definitively prove a direct connection, the timing is concerning, and the influx of unfamiliar or disruptive individuals raises legitimate safety concerns.

Based on these principles, the tenants assert that the approved development:

- 1. Creates material and unreasonable interference with existing businesses** due to increased nuisance, late-night activity, disruptive behavior, and degradation of the commercial environment.
- 2. Introduces documented safety and security risks**, including suspicious late-night presence, increased foot traffic from non-customers, and a break-in incident that occurred shortly after the development commenced operation.
- 3. Imposes financial burdens on tenants not contemplated in their leases**, including increased common utility expenses resulting from the development drawing from shared electrical and water systems.
- 4. Exceeds the intended scope of a discretionary "special event use,"** which is meant to be short-duration and temporary-not a two-year commercial operation masquerading as an event.
- 5. Contradicts expectations established in the original leasing documents**, site plans, drawings, and communications from property management, none of which disclosed or anticipated this type of development.
- 6. Impacts the value, enjoyment, and functionality of neighbouring commercial premises**, which falls within the explicit statutory grounds for appeal.

For these reasons, the tenants collectively request that the SDAB:

Revoke or set aside Development Permit #633134776-002, or

Impose strict conditions ensuring compliance, safety, appropriate duration, and fair cost allocation.

TENANT PETITION SIGNATURE PAGE

Opposing Development Permit #633134776-002 (2304-23 Ave NW, Edmonton, AB)

We, the undersigned tenants of the commercial complex near 23 Ave and 23 street NW, Edmonton, hereby state our formal objection to the above-referenced development permit. By signing below, we affirm that this development:

- Creates unsafe conditions,
- Interferes with the operation, enjoyment, and economic viability of our businesses,
- Was not disclosed to tenants at the time of lease signing,
- Introduces unfair financial burdens,
- Fails to align with the intended and reasonable definition of "special event use," and
- Is incompatible with the surrounding commercial environment.

We therefore support an appeal requesting that the SDAB revoke or amend **the approval to prevent further harm to tenants and the neighbourhood.**

<i>General Matters</i>

The Subdivision and Development Appeal Board made and passed the following motion on December 5, 2025:

“That the appeal hearing be scheduled on January 8, 2026.”

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 2.100.2.25, a **Special Event** is a **Permitted Use** in the **CG - General Commercial Zone**.

Under section 8.10, a **Special Event** means:

Special Event means a development where temporary activities occur in an indoor or outdoor space for a limited amount of time.

Typical examples include: carnivals, circuses, festivals, markets, and pop-up events.

Section 2.100.3.13, states “**Special Events must comply with Section 6.100.**”

Section 2.100.1 states that the **Purpose** of the **CG - General Commercial Zone** is:

To allow for a variety of commercial businesses that range from low impact commercial and office activities with limited opportunities for Residential Uses, to higher impact activities including larger shopping centres and malls in areas generally outside of the Nodes and Corridors, as directed by Statutory Plans.

<i>Section 6.100 of the Zoning Bylaw 20001 - Special Events</i>
--

6.100 Special Events

1. Special Events, including set-up and take-down, can occur for a maximum of 45 consecutive days, except for Special Events specified in Subsection 6.9 of Section 7.120.
2. Special Events for the purpose of seasonal plant sales Accessory to a non-Residential Use can occur for a maximum of 125 consecutive days.
3. Outdoor lighting for Special Events must comply with Subsection 3 of Section 5.120.
4. Outdoor waste collection areas for Special Events must be screened from view from Abutting Streets and Sites.
5. Despite Section 5.10, temporary structures built for Special Events:
 - 5.1. must not exceed the maximum Height of the Zone;
 - 5.2. do not count toward the calculation of Site Coverage or Floor Area Ratio requirements of the Zone; and
 - 5.3. must comply with minimum Setbacks of the Zone where Abutting a residential Zone, except for Sites within the Downtown Special Area.
6. After a Special Event, all event structures and materials must be removed from the Site and the Site must be returned to its original condition.

7. Where provided, Signs associated with a Special Event are limited to Temporary Signs and Signs with an existing Development Permit and must:
 - 7.1. not contain Digital Copy, except for Signs with an existing Development Permit that allow for Digital Copy; and
 - 7.2. be located on the same Site as the Special Event for no longer than the duration of the Special Event.
8. The Development Planner may consider a variance to Subsections 1 and 2, if the Development Planner is satisfied that the Special Event is compatible with the surrounding area and any other Uses located on or Abutting the Site. The Development Planner must consider:
 - 8.1. where the Special Event is located on the Site;
 - 8.2. the location, size and Height of temporary structures and Signs;
 - 8.3. whether the location and occurrence of a Nuisance will negatively affect nearby Residential Uses;
 - 8.4. screening and buffering; and
 - 8.5. hours of operation.


Development Planner's Determination


This Special Event will occur for a maximum of 366 consecutive days, instead of 45 days (Section 6.100 Subsection 1).

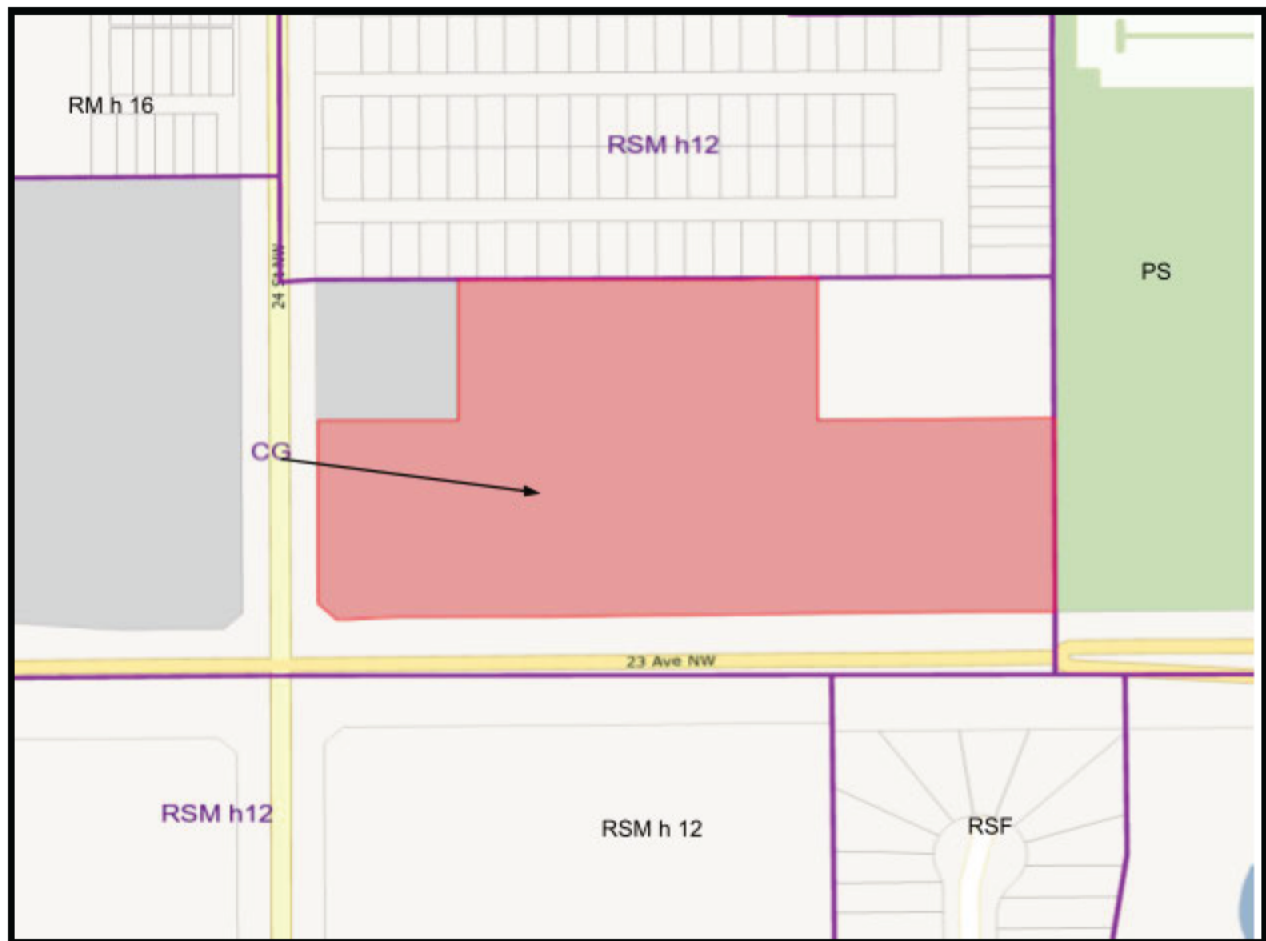
[unedited]

Notice to Applicant/Appellant

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

		Project Number: 633134776-002 Application Date: OCT 15, 2025 Printed: November 5, 2025 at 3:20 PM Page: 1 of 2	
<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) 2304 - 23 AVENUE NW Plan 0424871 Blk 23 Lot 105	
Scope of Permit To operate a Special Event (Food Truck and trailer in parking lot), operating until November 5, 2026			
Details			
Development Category: Discretionary Development Lot Grading Needed?: N NumberOfMainFloorDwellings: Site Area (sq. m.): 23469.65		Gross Floor Area (sq.m.): New Sewer Service Required: N Overlay: Statutory Plan:	
Development Permit Decision Approved Issue Date: Nov 05, 2025 Development Authority: LIANG, BENNY Subject to the Following Conditions Zoning Conditions: 1. This Development Permit authorizes the operation of a Special Event (Food Truck and trailer in parking lot), operating until November 5, 2026. The development must be constructed in accordance with the approved plans. Any revisions to the approved plans require a separate Development Permit application. The Development Permit is not valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled (Section 7.190 Subsection 2.1.1). 2. This Development Permit is NOT valid until the notification period expires (Section 7.160 Subsection 1.3 and Section 7.170). 3. Outdoor lighting for this Special Event must comply with Subsection 3 of Section 5.120 (Section 6.100 Subsection 3). 4. Outdoor waste collection areas for this Special Event must be screened from view from Abutting Streets and Sites (Section 6.100 Subsection 4). 5. After this Special Event ends on November 5, 2026, all event structures and materials must be removed from the Site and the Site must be returned to its original condition (Section 6.100 Subsection 6). 6. The food truck and trailer shall be placed on the site in accordance with the approved Site Plan. Subject to the Following Advisements Zoning Advisements: 1. Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.			
P0702003			

	<div style="text-align: right;"> Project Number: 633134776-002 Application Date: OCT 15, 2025 Printed: November 5, 2025 at 3:20 PM Page: 2 of 2 </div>																				
<h2 style="margin: 0;">Development Permit</h2>																					
<p>2. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.</p> <p>3. An issued Development Permit means that the proposed development has been reviewed against the provisions of the Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act, the Historical Resource Act or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).</p> <p>4. Any proposed change from the original issued Development Permit is subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.</p> <p>5. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.</p> <p>6. Signs require separate Development Permits. Signs must comply with Section 6.100 Subsection 7 of the Zoning Bylaw.</p> <p>7. This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.</p> <p>Variances This Special Event will occur for a maximum of 366 consecutive days, instead of 45 days (Section 6.100 Subsection 1).</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> <p>Notice Period Begins: Nov 13, 2025 Ends: Dec 04, 2025</p>																					
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SURROUNDING LAND USE DISTRICTS

Site Location ← **File: SDAB-D-26-002** **N** ▲