

**SUBDIVISION**

**AND**

**DEVELOPMENT APPEAL BOARD**

**AGENDA**

**Thursday, 9:00 A.M.**  
**July 24, 2025**

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

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

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**TO BE RAISED**

I      9:00 A.M.      SDAB-D-25-103

To demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

7814 - Buena Vista Road NW  
Project No.: 602159385-002

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II      10:30 A.M.      SDAB-D-25-104

**ORDER:**

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

1. Acquire a Development Permit for the Secondary Suite before July 13, 2025.

OR

2. Decommission the Secondary Suite before July 13, 2025. This includes:

- Remove all locking mechanisms between the upper and lower living areas to create free flow access between floors.
- Remove the stove and 220 volt outlet and 220 breaker from electrical panel associated with each suite.
- Remove any other cooking facilities (including 120 volt appliances) associated with the Secondary Suite.
- No more than 3 Sleeping Units in the Dwelling may be keyed and/or lockable.
- Please schedule a decommission inspection by contacting the investigating Development Compliance Officer by phone at 780-496-3970 or email at [marko.skendzic@edmonton.ca](mailto:marko.skendzic@edmonton.ca)

6208 - 105 Street NW  
Project No.: 478404988-001

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III 1:30 P.M. SDAB-D-25-105

To convert an existing Hotel to a Residential Use  
(17 Dwellings of Supportive Housing)

4403 - 118 Avenue NW  
Project No.: 597319908-002

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-25-103

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 602159385-002

APPLICATION TO: To demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: June 11, 2025

DATE OF APPEAL: June 23, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 7814 - Buena Vista Road NW

LEGAL DESCRIPTION: Plan 450MC Blk 30 Lot 9

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Jasper Place District Plan

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***Grounds for Appeal***

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

Demolition will result in tree loss and no information has been provided as to steps being taken to preserve trees

Demolition could impact on site stability and should not proceed without a geotechnical report to confirm that surrounding properties will not be negatively impacted  
Such further and other reasons as may be presented at the hearing of the within appeal.

<b><i>General Matters</i></b>
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**The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on June 25, 2025:**

**“That the appeal hearing be scheduled on July 24, 2025.”**

**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:**

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.

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**Notice to Applicant/Appellant**

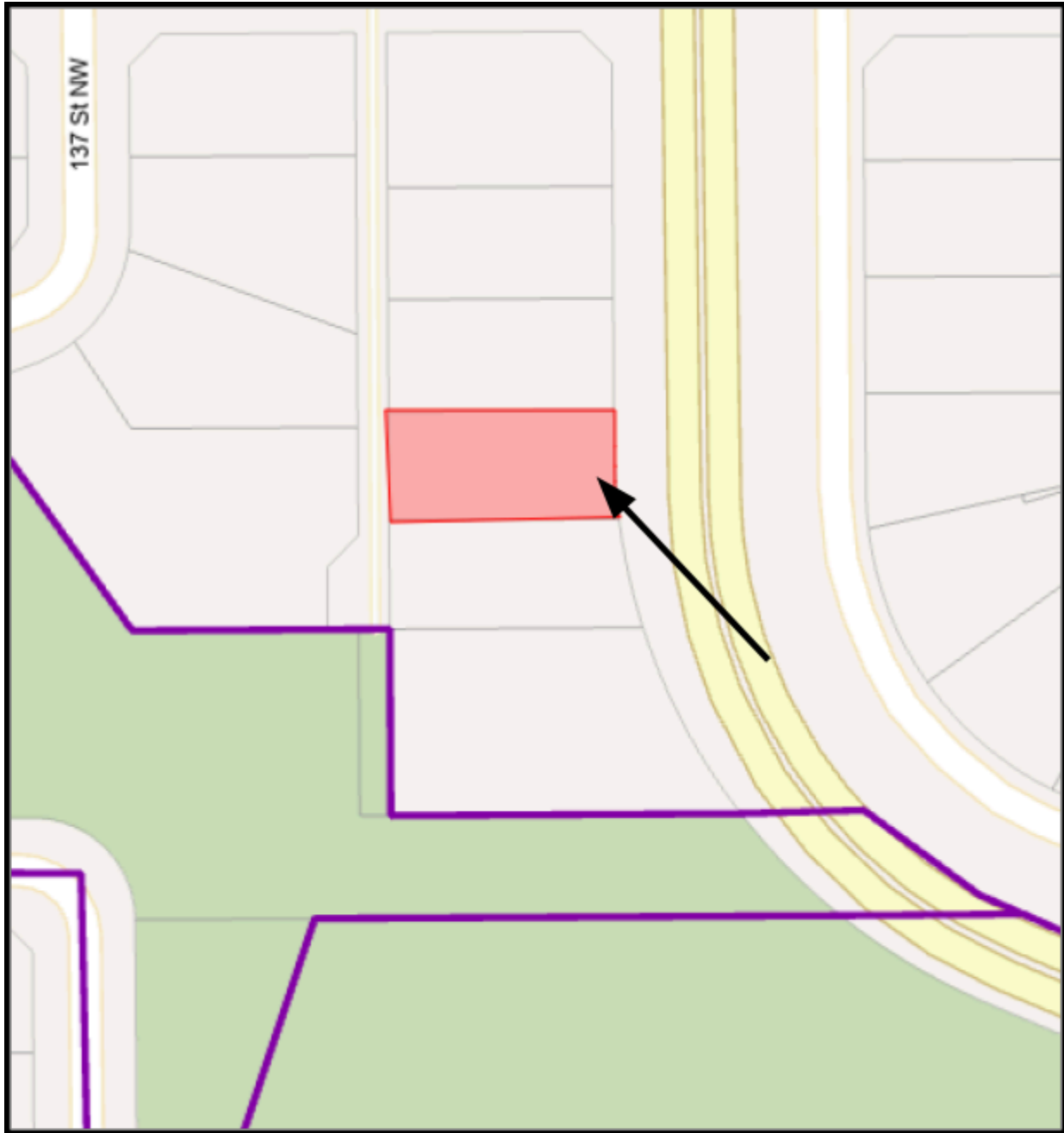
Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

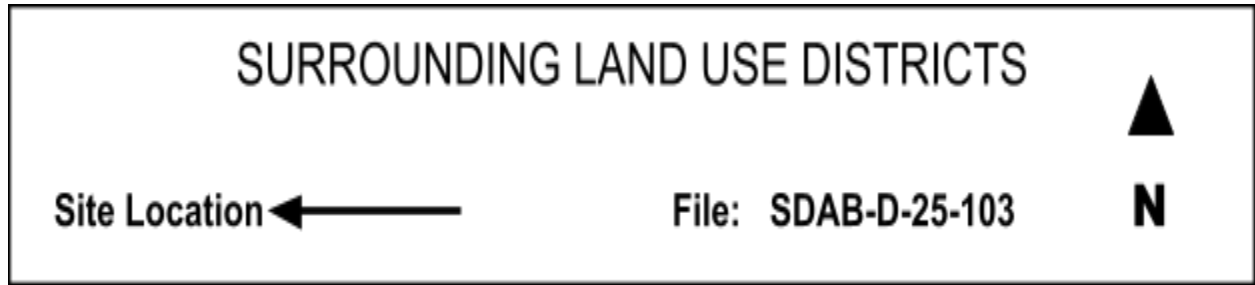
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	Project Number: <b>602159385-002</b> Application Date: JUN 02, 2025 Printed: June 11, 2025 at 9:28 AM Page: 1 of 2				
<h2>Demolition Permit</h2>					
<p>This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.</p>					
<b>Applicant</b>	<table border="1"> <tr> <td colspan="2" data-bbox="818 457 1386 548"> <b>Property Address(es) and Legal Description(s)</b>            7814 - BUENA VISTA ROAD NW            Plan 450MC Blk 30 Lot 9         </td></tr> <tr> <td colspan="2" data-bbox="818 548 1386 688"> <b>Location(s) of Work</b>            Suite: 7814 - BUENA VISTA ROAD NW            Entryway: 7814 - BUENA VISTA ROAD NW            Building: 7814 - BUENA VISTA ROAD NW         </td></tr> </table>	<b>Property Address(es) and Legal Description(s)</b> 7814 - BUENA VISTA ROAD NW Plan 450MC Blk 30 Lot 9		<b>Location(s) of Work</b> Suite: 7814 - BUENA VISTA ROAD NW Entryway: 7814 - BUENA VISTA ROAD NW Building: 7814 - BUENA VISTA ROAD NW	
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<b>Location(s) of Work</b> Suite: 7814 - BUENA VISTA ROAD NW Entryway: 7814 - BUENA VISTA ROAD NW Building: 7814 - BUENA VISTA ROAD NW					
<b>Scope of Permit</b> To demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage).					
<b>Details</b> <table border="1"> <tr> <td data-bbox="266 846 589 894">           Development Category: Permitted Development            Site Area (sq. m.): 946.91         </td><td data-bbox="818 846 915 894">           Overlay:            Statutory Plan:         </td></tr> </table>		Development Category: Permitted Development Site Area (sq. m.): 946.91	Overlay: Statutory Plan:		
Development Category: Permitted Development Site Area (sq. m.): 946.91	Overlay: Statutory Plan:				
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Jun 11, 2025 <b>Development Authority:</b> <b>Subject to the Following Conditions</b> This Development Permit authorizes the demolition of a Residential Use building (Single Detached House) and an Accessory building (detached Garage). The development must be demolished in accordance with the approved drawings. A Building Permit (for demolition) is required prior to demolition of the existing building. Immediately upon demolition of the building, the Site must be cleared of all debris. WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a Development Permit Notification Sign (Subsection 7.160.2.2). <b>Advisements</b> Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw. An issued Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act, the Historical Resource Act or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1). Any proposed change from the original issued Development Permit may be subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for					
P0702003					



	<div style="text-align: right;"> <b>Project Number: 602159385-002</b>          Application Date: JUN 02, 2025          Printed: June 11, 2025 at 9:28 AM          Page: 2 of 2       </div>																														
<h2 style="margin: 0;">Demolition Permit</h2>																															
<p>further information.</p> <p>All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see <a href="https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit">https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit</a>. All new installations, above and below ground, within 5m of a City tree require forestry consultation.</p> <p>In the event that tree removal or relocation is required on City of Edmonton land, including road right-of-way, all costs associated with the removal or relocation will be borne by the owner/applicant as per the City of Edmonton Corporate Tree Management Policy (C456C). City of Edmonton Forestry will schedule and carry out any and all required tree work. Contact Urban Forestry at City Operations, Parks and Roads Services (311) a minimum of 4 weeks prior to construction, to remove and/or relocate the trees.</p> <p>City of Edmonton Drainage Bylaw 18093 requires the site to maintain surface grades and elevations adjacent to buildings in such a way that water drains away from buildings, is contained on the subject site, and directed towards a City right-of-way.</p> <p>For more information on Lot Grading requirements, plans and inspections refer to the website:  <a href="https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading">https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading</a></p> <p>A curb fill permit will be required upon the development of this site for the removal of the vehicular access off of Buena Vista Road EB NW.</p> <p><b>Rights of Appeal</b></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>																															
<p><b>Building Permit Decision</b></p> <p>No decision has yet been made.</p>																															
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; font-weight: normal;">Fees</th> <th style="text-align: right; font-weight: normal;">Fee Amount</th> <th style="text-align: right; font-weight: normal;">Amount Paid</th> <th style="text-align: left; font-weight: normal;">Receipt #</th> <th style="text-align: left; font-weight: normal;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.80</td> <td style="text-align: right;">\$4.80</td> <td>05039G001001334</td> <td>Jun 02, 2025</td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$100.00</td> <td style="text-align: right;">\$100.00</td> <td>05039G001001334</td> <td>Jun 02, 2025</td> </tr> <tr> <td>Building Permit Fee (Demolition)</td> <td style="text-align: right;">\$120.00</td> <td style="text-align: right;">\$120.00</td> <td>05039G001001334</td> <td>Jun 02, 2025</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$224.80</td> <td style="text-align: right; border-top: 1px solid black;">\$224.80</td> <td></td> <td></td> </tr> </tbody> </table>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Safety Codes Fee	\$4.80	\$4.80	05039G001001334	Jun 02, 2025	Development Application Fee	\$100.00	\$100.00	05039G001001334	Jun 02, 2025	Building Permit Fee (Demolition)	\$120.00	\$120.00	05039G001001334	Jun 02, 2025	Total GST Amount:	\$0.00				Totals for Permit:	\$224.80	\$224.80		
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<small>P0702003</small>																															





ITEM II: 10:30 A.M.

FILE: SDAB-D-25-104

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE  
OFFICER

APPELLANT:

APPLICATION NO.: 478404988-001

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

1. Acquire a Development Permit for the Secondary Suite before July 13, 2025.

OR

2. Decommission the Secondary Suite before July 13, 2025. This includes:
  - Remove all locking mechanisms between the upper and lower living areas to create free flow access between floors.
  - Remove the stove and 220 volt outlet and 220 breaker from electrical panel associated with each suite.
  - Remove any other cooking facilities (including 120 volt appliances) associated with the Secondary Suite.
  - No more than 3 Sleeping Units in the Dwelling may be keyed and/or lockable.
  - Please schedule a decommission inspection by contacting the investigating Development Compliance Officer by phone at 780-496-3970 or email at marko.skendzic@edmonton.ca

DECISION OF THE  
DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: June 10, 2025

DATE OF APPEAL: June 27, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 6208 - 105 Street NW

LEGAL DESCRIPTION: Plan 4976KS Blk 36 Lot 28

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

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<b><i>Grounds for Appeal</i></b>
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The Appellant provided the following reasons for appealing the decision of the Development Authority:

Conditions of the Development Approval

o We are appealing the requirement of 2 furnaces vs 1 furnace for the Development Permit, of a Pre-existing Secondary House, built in 1960.

We are submitting this Application of Appeal early, not to miss the twenty-one day Appeal deadline. We will be also be applying for the Development Permit on the order to allow us to complete the application for the Development Permit, within the deadline date, of thirty-one days.

The reason for our Appeal Application is regarding our house, constructed in 1960, which had a Pre-Existing Secondary Suite. The house at 6208-105 St NW, is 1196 sq feet, both upper and lower levels, were developed at the same time, according to the original home owner. Our Appeal requests for, The City of Edmonton, to make an exception, approving one furnace, rather than two furnaces, with all other safety requirements completed.

1. Pre-Existing Secondary Suites in Allendale with one furnace, approved by the City of Edmonton Pre-existing Secondary Suites in the Allendale district have received approval in the past, from the City of Edmonton, with only one furnace, supplying heat to both suites, while all other safety requirement were met, within the Development Permit. The City of Edmonton has set a precedent, within this by-law. Therefore, we are asking that, The City of Edmonton, make an exception allowing one furnace, with all other requirement met and completed, for the Pre-existing “Secondary Suite” Development Permit. (Attachment #1)

2. Housing Shortages and Housing Affordability in Edmonton The City of Edmonton, has made it very clear that there is a housing shortage. The affordability problem, for low-income people has increased, making it difficult to find housing in Edmonton. In-fil housing is not a quick solution versus “Secondary Suites.” In-fil housing is costly and

unaffordable to most people within a lower income bracket, especially within our economic crisis. The strict restrictions, are a huge contributing factor, to the housing problem and homelessness. So, therefore these people will live in any rooms, in any house, they find appropriate, less expensive and unmaintained. The expectation of two furnaces in a 1196 sq ft., main and secondary suite dwelling is unreasonable, but all other requirement will be met and completed.

3. Article of Pre-Existing Secondary Suite in the Allendale District The City of Edmonton lessened some of the strict requirements, for Pre-existing Secondary Suites built prior to December 31, 2006. Outlined by the Alberta Government, titled "Secondary Suite Standards" Page 4, # 7, states "For Pre-existing secondary suites, the use of a single heating and ventilation system to serve both the main dwelling and the secondary suite may be acceptable under the Alberta Fire Code. We are asking for the approval for one furnace, with all other requirement completed. (Attachments #2, #3)

4. Alberta Fire Code and Alberta Building Code I have inquired and discussed, with the Alberta Fire Code Agent, regarding the requirement of a second furnace, for a Pre-Existing Secondary Suite. They reviewed, both the Alberta Fire Safety Code and the Alberta Building Code, Subsection 2014, page 15, in Article 2.14 and 2.16 and informed me that one furnace is permissible, with all the other safety requirements completed, including a Development Permit.

5. Request for One Furnace Approval for a Pre-existing Secondary Suite, with all other requirements met, as per the Development Permit. We will be applying for a Development Permit Application, for the Pre-existing Secondary Suite, in the stated time-frame. We will adhere to all other requirements. Should there be any additional suggestions of improvement, regarding Fire Protection or Smoke Protection, please advise.

<b><i>General Matters</i></b>
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**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).

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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;
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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, **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.

### ***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.

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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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City of Edmonton  
Development Services Branch  
Development Approvals & Inspections Section  
Development Compliance & Inquiries Unit

10111 - 104 Ave NW  
Edmonton, AB T5J 0J4  
Canada  
[edmonton.ca/developmentcompliance](http://edmonton.ca/developmentcompliance)



June 10, 2025

Our File: 478404988-001

## **MUNICIPAL GOVERNMENT ACT ORDER**

Dear Sir/Madam:

An Albertan Land Titles search identifies you as the registered owner(s) of the property located at 6208 105 Street NW in Edmonton, Alberta, legally described as Plan 4976KS Blk 36 Lot 28.

This property was inspected by Development Compliance Officer Marko Skendzic, on June 6, 2025. 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 RS (Small Scale Residential Zone) in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001. Our investigation revealed a Secondary Suite located in the basement has been developed without a Development Permit.

The City of Edmonton has not issued a Development Permit to develop a Secondary Suite 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 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.

Subsection 7.200.2.2 of Edmonton Zoning Bylaw 20001 states:



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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.

**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.

**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.

#### **ORDER:**

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

1. Acquire a Development Permit for the Secondary Suite before July 13, 2025.

#### **OR**

2. Decommission the Secondary Suite before July 13, 2025. This includes:

- Remove all locking mechanisms between the upper and lower living areas to create free flow access between floors.
- Remove the stove and 220 volt outlet and 220 breaker from electrical panel associated with each suite.
- Remove any other cooking facilities (including 120 volt appliances) associated with the Secondary Suite.
- No more than 3 Sleeping Units in the Dwelling may be keyed and/or lockable.
- Please schedule a decommission inspection by contacting the investigating Development Compliance Officer by phone at 780-496-3970 or email at [marko.skendzic@edmonton.ca](mailto:marko.skendzic@edmonton.ca)



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### **CONSEQUENCES FOR NON-COMPLIANCE:**

The property will be inspected after July 13, 2025, 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.

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.



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**PERMIT APPLICATIONS:**

You can make a permit application online at [selfserve.edmonton.ca](http://selfserve.edmonton.ca).

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

Email: [developmentpermits@edmonton.ca](mailto:developmentpermits@edmonton.ca)

Phone: 780-442-5054

If you have any questions in regards to this matter, please contact the writer at 780-496-3970.

Regards,

Marko Skendzic  
Development Compliance Officer  
780-496-3970  
[marko.skendzic@edmonton.ca](mailto:marko.skendzic@edmonton.ca)



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### 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,





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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,



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(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.



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## 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.

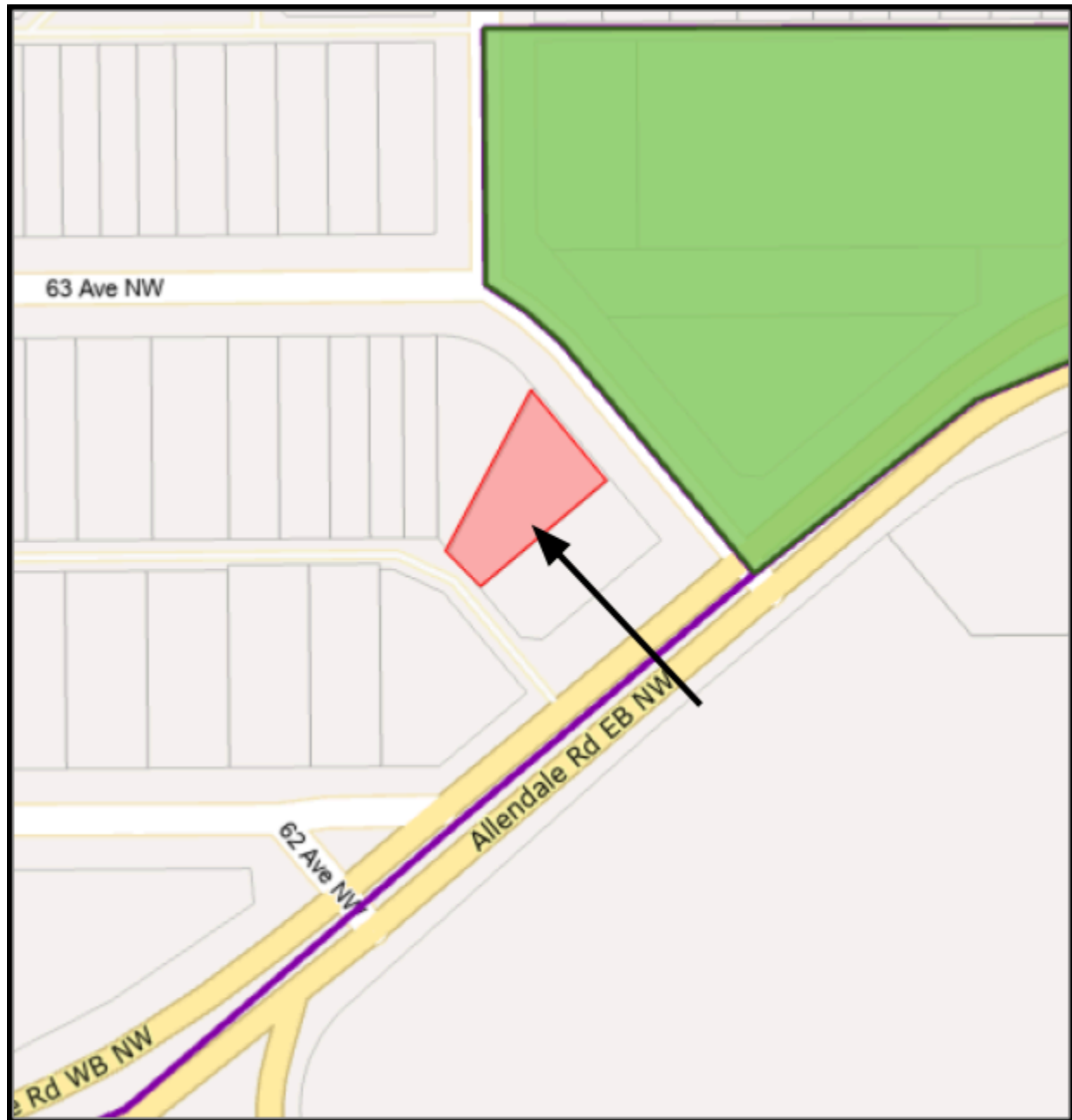
**For more information:**

### **Subdivision and Development Appeal Board**

**Telephone** 780-496-6079

**Fax** 780-577-3537

**Email** [sdab@edmonton.ca](mailto:sdab@edmonton.ca)



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-25-104

▲  
**N**

ITEM III: 1:30 P.M.

FILE: SDAB-D-25-105

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 597319908-002

APPLICATION TO: To convert an existing Hotel to a Residential Use (17 Dwellings of Supportive Housing)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: May 29, 2025

DATE OF APPEAL: June 26, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 4403 - 118 Avenue NW

LEGAL DESCRIPTION: Plan 7242AH Blk 3 Lots 20-22

ZONE: MU - Mixed Use Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: North Central District Plan

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<i>Grounds for Appeal</i>
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The Appellant provided the following reasons for appealing the decision of the Development Authority:

I am writing on behalf of the board of the Beverly Business Association, representing over 140 businesses in the Beverly Business Improvement

Area, in response to the development permit approval at 4403 118 Avenue. This permit approves the conversion of an existing hotel to residential use for the purpose of developing 17 units of Supportive Housing. We are writing to firmly oppose this development being allowed to go forward.

The intention of this development is to operate social housing for people escaping addictions. The purpose of a Business Improvement Area is to create a vibrant, robust business area and community. The Beverly Business Association exists for the growth, development, and longevity of the Beverly business district. As such, we strongly feel that a supportive housing project for persons escaping addiction will directly and significantly damage the important work that our association is undertaking to revitalize 118 Avenue.

The Beverly Business Association has worked hard to grow and strengthen the business strip, establishing key beautification projects, flagship events, and strategic partnerships that have activated 118 Avenue, made it safer and more walkable. A supportive housing project in this location will do precisely the opposite, making our street less safe, less walkable, and less attractive to the public, as well as to future investors. We have seen similar projects come into our district before and have catastrophic effects on our community and its businesses, some of which are no longer operating as a direct result of the impact of other supportive housing projects. We are a City of Edmonton designated Business Improvement Area, and everything that comes into our business district should explicitly serve our noble purpose of improving the business area.

Further to this, our Business Improvement Area's businesses are all levied, paying an additional taxation toward the ongoing revitalization of our business district. Our businesses all pay into the growth of our business area, and the proposed supportive housing project would be non-levied as a residential space, meaning the conversion from a hotel to residential use would actually negatively impact the amount of levy collected and thus directly damage the funds put toward our revitalization efforts.

In summary, the Beverly Business Association and its board, representing all businesses within the Beverly Business Improvement Area, strongly opposes the supportive housing project at 4403 118 Avenue. The Native Counselling Services of Alberta should not be allowed to operate this program in our Business Improvement Area, and we recommend that they seek a space that is not within a City-designated Business Improvement Area. This project cannot be allowed to proceed in this location. If you have any questions, please feel free to contact me through the contact information listed below. Thank you,



**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 2.80.2.2.1, **Residential, limited to:**

- 2.2.1. Lodging House**
- 2.2.2. Multi-unit Housing**
- 2.2.3. Row Housing**
- 2.2.4. Secondary Suite**
- 2.2.5. Supportive Housing**

is a **Permitted Use** in the **MU - Mixed Use 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, **Supportive Housing** means:

a building, or part of a building, containing 1 or more Sleeping Units or Dwellings that provide accommodations and on-Site or off-Site social, physical, or mental health supports to ensure an individual's daily needs are met.

Section 2.80.1 states that the **Purpose** of the **MU - Mixed Use Zone** is:

To allow for varying scales of mixed use development that enables the growth and development anticipated in the Nodes and Corridors as directed by statutory plans. This Zone allows for a range of Uses and supports housing, recreation, commerce, and employment opportunities. Site and building design in this Zone promotes development that enhances the public realm and publicly accessible amenities to create vibrant, walkable destinations at a scale inviting to pedestrians.

<b><i>Non-Residential Uses</i></b>
------------------------------------

Section 2.80.3.1 states:

On Sites with the Commercial Frontage Modifier, all Ground Floor building Frontages adjacent to a Street must consist of non-Residential Uses oriented towards the adjacent Street, except as identified in Subsection 3.4.2.

**Development Planner's Determination**

**1) Ground Floor Residential Use on a Site with a Commercial Frontage Modifier - A ground floor Residential Use is proposed facing 118 Avenue and 44 Street instead of a ground floor non-Residential Use facing the streets (Subsection 2.80.3.1).**

[unedited]

***Setback***

Section 5.80.8.7 states:

A minimum of 85% to a maximum of 90% of all required Bike Parking Spaces for Multi-unit Housing, Supportive Housing, Lodging Houses, and Offices specified in Table 8.5 must be Long Term Bike Parking.

Section 5.80.8.5 states:

8.5. The minimum number of Bike Parking Spaces must comply with Table 8.5:

<b>Table 8.5. Minimum Number of Bike Parking Spaces</b>		
<b>Subsection</b>	<b>Use</b>	<b>Minimum Number of Bike Parking Spaces</b>
<b>8.5.3</b>	Multi-unit Housing, Supportive Housing, or Lodging House, with 9 or more Dwellings or Sleeping Units	1.0 space per Dwelling or per 3 Sleeping Units, whichever is greater

**Development Planner's Determination**

**2) Long Term Bicycle Parking - there are zero Long Term Bicycle Parking Spaces instead of a minimum of 14 Spaces (Subsection 5.80.8.7). NOTE: All the required Bicycle Parking Spaces (17 spaces) are being provided as Short Term Spaces.**


[unedited]

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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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	Project Number: <b>597319908-002</b> Application Date: MAY 13, 2025 Printed: May 29, 2025 at 10:55 AM Page: 1 of 3		
<h2>Major 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>			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 4403 - 118 AVENUE NW Plan 7242AH Blk 3 Lots 20-22  <b>Specific Address(es)</b> Entryway: 4403 - 118 AVENUE NW Building: 4403 - 118 AVENUE NW		
<b>Scope of Permit</b> To convert an existing Hotel to a Residential Use (17 Dwellings of Supportive Housing).			
<b>Details</b>  <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">           Development Category: Discretionary Development            Lot Grading Needed?: N            NumberOfMainFloorDwellings:            Site Area (sq. m.):         </td> <td style="width: 50%;">           Gross Floor Area (sq. m.):            New Sewer Service Required: N            Overlay:            Statutory Plan:         </td> </tr> </table>		Development Category: Discretionary Development Lot Grading Needed?: N NumberOfMainFloorDwellings: Site Area (sq. m.):	Gross Floor Area (sq. m.): New Sewer Service Required: N Overlay: Statutory Plan:
Development Category: Discretionary Development Lot Grading Needed?: N NumberOfMainFloorDwellings: Site Area (sq. m.):	Gross Floor Area (sq. m.): New Sewer Service Required: N Overlay: Statutory Plan:		
<b>Development Permit Decision</b> Approved  <b>Issue Date:</b> May 29, 2025 <b>Development Authority:</b> BACON, KIRK  <b>Subject to the Following Conditions</b> <ol style="list-style-type: none"> <li>1) This Development Permit is NOT valid until the notification period expires as specified Section 7.190.</li> <li>2) This Development Permit authorizes the conversion of an existing Hotel to a Residential Use (17 Dwellings of Supportive Housing). The development shall be constructed in accordance with the stamped and approved drawings.</li> <li>3) 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).</li> <li>4) Waste collection areas, open storage areas, and outdoor service areas, including loading, unloading, or vehicle service areas, must be screened from view from Abutting Streets with a Landscape Buffer that has a minimum Height of 1.8m (Subsection 5.60.4.7).</li> <li>5) The Bicycle parking must be provided in accordance with Subsection 5.80.8. A minimum of 2 of the proposed 18 bicycle parking spaces shall be Inclusive Spaces (1.1m x 3.0m).</li> <li>6) The design of the proposed fencing must be to the satisfaction of the Development Planner, and must use materials similar to, or better than, the standard of surrounding developments (Subsection 5.120.1.1.1). The applicant shall submit final details of the proposed fencing along 118 Avenue and 44 Street to the satisfaction of the Development Planner.</li> <li>7) PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the variance fee of \$102.50 must be paid.</li> </ol>			
P0702003			



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## Major Development Permit

### Transportation:

8) Site access is to be to the adjacent east/west alley only. There are existing accesses to 118 Avenue and 44 Street. Given the intended use for the site, these roadway accesses must be physically closed to traffic through continuous perimeter fencing but the access aprons may remain in place as-is with this development. Removal of the existing accesses to 118 Avenue and 44 Street will be required in the future with further development/redevelopment of the site.

The alley access does not require a crossing permit. Any modification to the alley access requires the review and approval of Subdivision and Development Coordination.

9) This area is part of the ongoing alley renewal project in Beverly Heights with construction planned for 2026. The adjacent east-west alley will be reconstructed to a commercial standard. The applicant must contact Clinton Mah with Integrated Infrastructure Services at [clinton.mah@edmonton.ca](mailto:clinton.mah@edmonton.ca) to coordinate construction and/or to obtain more information about the alley renewal project. Website: [https://www.edmonton.ca/transportation/on\\_your\\_streets/alley-renewal.aspx](https://www.edmonton.ca/transportation/on_your_streets/alley-renewal.aspx). Email: [buildinggreatneighbourhoods@edmonton.ca](mailto:buildinggreatneighbourhoods@edmonton.ca)

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

11) 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](mailto:citytrees@edmonton.ca) to arrange any clearance pruning or root cutting prior to construction.

12) Any alley, sidewalk or boulevard, shared use path 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.

### Subject to the Following Advisements


- 1) Signs require separate Development Applications.
- 2) A Building Permit is Required for any construction or change in use of a building. For a building permit, and prior to the Plans Examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre for further information.
- 3) 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 or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).

### Transportation:

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

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

- a. the start/finish date of project;

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<p>b. accommodation of pedestrians and vehicles during construction;          c. confirmation of lay down area within legal road right of way if required; and          d. to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.          It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at:  <a href="https://www.edmonton.ca/business_economy/oscam-permit-request.aspx">https://www.edmonton.ca/business_economy/oscam-permit-request.aspx</a></p> <p>Fire Rescue Services:          6) If plans change and construction is required, a construction site fire safety plan must be created.</p> <p>The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction.          Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan          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:  <a href="https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=169210277">https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=169210277</a></p> <p>7) Please send ALL FRS DP review inquiries to <a href="mailto:cmsfpts@edmonton.ca">cmsfpts@edmonton.ca</a></p> <p>Waste Management:          8) This property is identified as non-residential. Commercial units must have their own waste containers, separate storage area, and must be serviced by a private waste collection company.</p> <p><b>Variances</b>          1) Ground Floor Residential Use on a Site with a Commercial Frontage Modifier - A ground floor Residential Use is proposed facing 118 Avenue and 44 Street instead of a ground floor non-Residential Use facing the streets (Subsection 2.80.3.1).          2) Long Term Bicycle Parking - there are zero Long Term Bicycle Parking Spaces instead of a minimum of 14 Spaces (Subsection 5.80.8.7). NOTE: All the required Bicycle Parking Spaces (17 spaces) are being provided as Short Term Spaces.</p> <p><b>Rights of Appeal</b>          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.  <b>Notice Period Begins:</b> Jun 05, 2025      <b>Ends:</b> Jun 26, 2025</p>																															
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