

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
March 12, 2025**

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

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3

I 9:00 A.M. SDAB-D-25-027

To construct an Accessory building (detached Garage, 5.9m x 12.2m)

11036 - 122 Street NW
Project No.: 548736497-002

II 10:30 A.M. SDAB-D-25-028

To construct an Accessory building (Mutual detached Garage, 9.60m x 5.87m)

11012 - 132 Street NW
Project No.: 541344236-002

III 1:00 P.M. SDAB-D-25-029

To construct exterior alterations to a Residential Use building (Driveway extension)

4748 - 154 Avenue NW
Project No.: 550392250-002

IV 2:00 P.M. SDAB-D-25-030

To construct exterior alterations to a Residential Use building (Driveway extension and parking pad, 8.0m x 6.7m), existing without permits

8610 - 161 Street NW
Project No.: 543750345-002

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-25-027AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 548736497-002

APPLICATION TO: Construct an Accessory building (detached Garage, 5.9m x 12.2m)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 12, 2025

DATE OF APPEAL: February 14, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 11036 - 122 Street NW

LEGAL DESCRIPTION: Plan RN39B Blk 44 Lot 7

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

<i>Grounds for Appeal</i>

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

We are writing to request a variance (3.3% over site coverage, but still 30% soft landscaping) to allow for the construction of a 4-car garage at 11036-122 Str.

During the initial design phase, there was uncertainty about the feasibility of a 4-car garage. Based on feedback from the City of Edmonton Waste

Services, our original design included a 3-car garage to ensure compliance with waste bin requirements, as we were informed that a 4-car garage would not be approved.

Over the subsequent months, we collaborated with Waste Services to determine the optimal garage and waste bin configurations. At that time, Waste Services instructed us that only a 3-car garage would be permitted. However, later in the process, we were informed of an alternative design that would allow for a 4-car garage while still providing ample space for garbage bins. This design includes larger waste bins and a fenced enclosure for proper waste storage.

Since our original intent was to provide a 4-car garage to accommodate tenant needs and reduce the number of vehicles parked on the street, we are requesting a variance to allow this design. The 4-car garage is the preferred solution, as it meets tenant preferences while still maintaining sufficient space for waste management.

We believe this design achieves a balance between tenant satisfaction and compliance with waste service requirements. We appreciate your consideration of this request and are happy to provide any additional information or work collaboratively to address any concerns.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

(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, **Multi-unit Housing** means a building that contains:

- a. 1 or more Dwellings combined with at least 1 Use other than Residential or Home Based Business; or

b. any number of Dwellings that do not conform to any other definition in the Zoning Bylaw.

Typical examples include stacked row housing, apartments, and housing in a mixed-use building.

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 8.10, **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 8.10, **Dwelling** means:

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

Under section 8.20, **Accessory** means “a Use, building or structure that is naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same Lot or Site.”

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.

Site Coverage

Section 2.10.4.1.7 states:

4.1. Development must comply with Table 4.1:

Table 4.1 Site and Building Regulations			
Subsection	Regulation	Value	Symbol
Site Coverage			
4.1.7	Maximum Site Coverage	45%	-

Under section 8.20, **Site Coverage** means:

the total horizontal area on a Site:

- a. covered by buildings and structures that are 1.8 m or more in Height above Grade; or
- b. covered by a Parkade that is 1.0 m or more in Height above Grade.

This definition includes cantilevers, but does not include steps, eaves, cornices, or other similar projections.

Development Planner's Determination

Site Coverage: The maximum total Site Coverage shall not exceed 45% or 294.9 m². (Reference Section 2.10.4.1.7)

Proposed: 48.3% or 316.17 m²

Exceeds: 3.3% or 21.3 m²

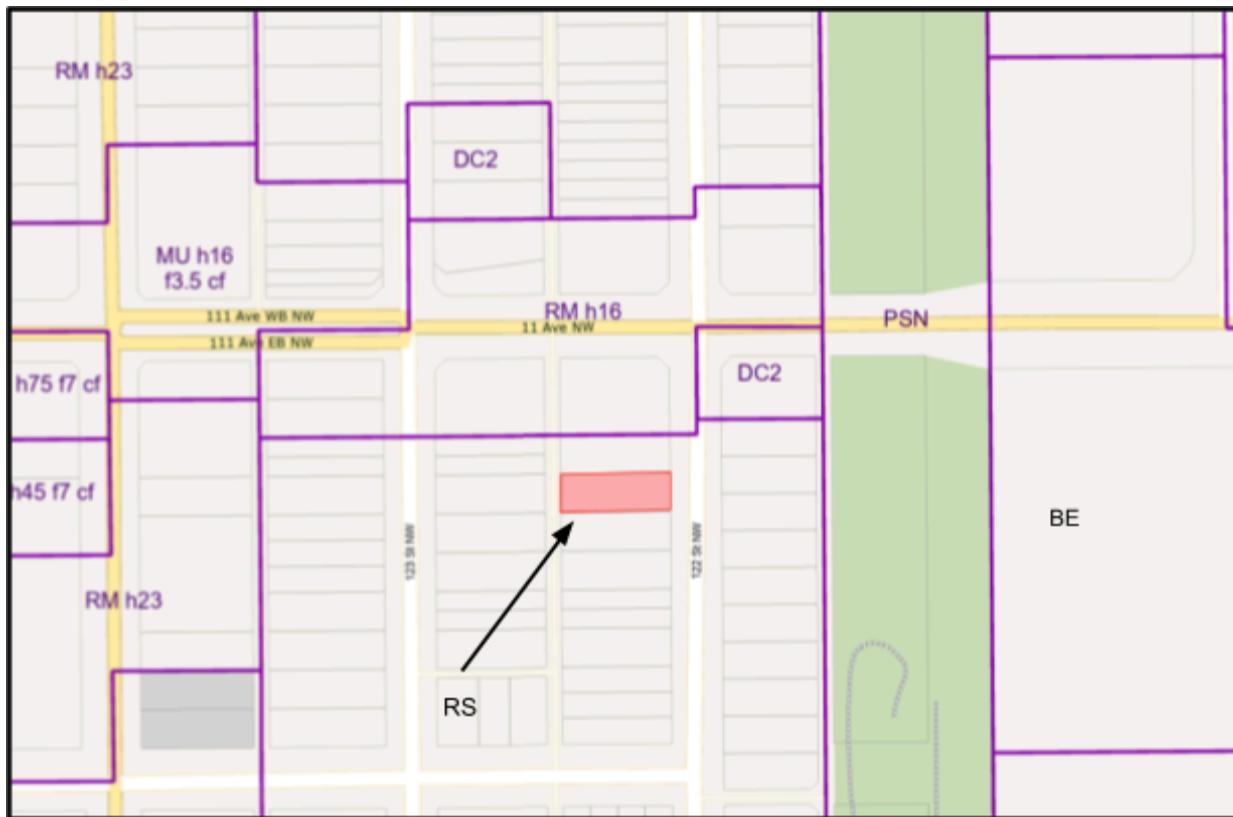
[unedited]

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: 548736497-002 Application Date: DEC 18, 2024 Printed: February 12, 2025 at 11:54 AM Page: 1 of 2																									
Application for Accessory Building Permit																											
This document is a Development Permit Decision for the development application described below.																											
Applicant		Property Address(es) and Legal Description(s) 11036 - 122 STREET NW Plan RN39B Blk 44 Lot 7																									
		Location(s) of Work Suite: 1, 11036 - 122 STREET NW Suite: 2, 11036 - 122 STREET NW Suite: 3, 11036 - 122 STREET NW Suite: 4, 11036 - 122 STREET NW Entryway: 1, 11036 - 122 STREET NW Entryway: 2, 11036 - 122 STREET NW Entryway: 3, 11036 - 122 STREET NW Entryway: 4, 11036 - 122 STREET NW Building: 1, 11036 - 122 STREET NW																									
Scope of Application To construct an Accessory building (detached Garage, 5.9m x 12.2m).																											
Details <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Development Category: Discretionary Development</td> <td style="width: 50%;">Overlay:</td> </tr> <tr> <td>Site Area (sq. m.): 655.23</td> <td>Statutory Plan:</td> </tr> </table>				Development Category: Discretionary Development	Overlay:	Site Area (sq. m.): 655.23	Statutory Plan:																				
Development Category: Discretionary Development	Overlay:																										
Site Area (sq. m.): 655.23	Statutory Plan:																										
Development Application Decision Refused Issue Date: Feb 12, 2025 Development Authority: BAUER, KERRY																											
Reason for Refusal Site Coverage: The maximum total Site Coverage shall not exceed 45% or 294.9 m ² . (Reference Section 2.10.4.1.7) Proposed: 48.3% or 316.17 m ² Exceeds: 3.3% or 21.3 m ²																											
Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																											
Building Permit Decision No decision has yet been made.																											
Fees <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Fee</th> <th>Amount</th> <th>Amount Paid</th> <th>Receipt #</th> <th>Date Paid</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td></td> <td>\$4.00</td> <td>\$4.00</td> <td>097650001001916</td> <td>Dec 18, 2024</td> </tr> <tr> <td>Development Application Fee</td> <td></td> <td>\$140.00</td> <td>\$140.00</td> <td>097650001001916</td> <td>Dec 18, 2024</td> </tr> <tr> <td>Building Permit Fee (Accessory Building)</td> <td></td> <td>\$115.00</td> <td>\$115.00</td> <td>097650001001916</td> <td>Dec 18, 2024</td> </tr> </tbody> </table>					Fee	Amount	Amount Paid	Receipt #	Date Paid	Safety Codes Fee		\$4.00	\$4.00	097650001001916	Dec 18, 2024	Development Application Fee		\$140.00	\$140.00	097650001001916	Dec 18, 2024	Building Permit Fee (Accessory Building)		\$115.00	\$115.00	097650001001916	Dec 18, 2024
	Fee	Amount	Amount Paid	Receipt #	Date Paid																						
Safety Codes Fee		\$4.00	\$4.00	097650001001916	Dec 18, 2024																						
Development Application Fee		\$140.00	\$140.00	097650001001916	Dec 18, 2024																						
Building Permit Fee (Accessory Building)		\$115.00	\$115.00	097650001001916	Dec 18, 2024																						
THIS IS NOT A PERMIT																											

Edmonton	Project Number: 548736497-002 Application Date: DEC 18, 2024 Printed: February 12, 2025 at 11:54 AM Page: 2 of 2															
Application for Accessory Building Permit																
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left; padding: 5px;">Fees</th><th style="text-align: center; padding: 5px;">Fee Amount</th><th style="text-align: center; padding: 5px;">Amount Paid</th><th style="text-align: center; padding: 5px;">Receipt #</th><th style="text-align: center; padding: 5px;">Date Paid</th></tr></thead><tbody><tr><td style="padding: 5px;">Total GST Amount:</td><td style="text-align: center; padding: 5px;">\$0.00</td><td></td><td></td><td></td></tr><tr><td style="padding: 5px;">Totals for Permit:</td><td style="text-align: center; padding: 5px;"><u>\$259.60</u></td><td style="text-align: center; padding: 5px;"><u>\$259.60</u></td><td></td><td></td></tr></tbody></table>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Total GST Amount:	\$0.00				Totals for Permit:	<u>\$259.60</u>	<u>\$259.60</u>		
Fees	Fee Amount	Amount Paid	Receipt #	Date Paid												
Total GST Amount:	\$0.00															
Totals for Permit:	<u>\$259.60</u>	<u>\$259.60</u>														
THIS IS NOT A PERMIT																



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-027



N

ITEM II: 10:30 A.M.FILE: SDAB-D-25-028AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 541344236-002

APPLICATION TO: Construct an Accessory building (Mutual detached Garage, 9.60m x 5.87m)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 7, 2025

DATE OF APPEAL: February 14, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 11012 - 132 Street NW

LEGAL DESCRIPTION: Plan 3402HW Blk 29 Lot 3

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

Grounds for Appeal

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

We are writing to formally request a variance to allow for the construction of a 3-car garage at 11012-132 St. The proposed development slightly exceeds site coverage by 3.3% and falls short of the soft landscaping requirement by 5%. We are requesting approval for a variance permitting

25% soft landscaping and the proposed site coverage to accommodate our client's revised garage design.

At the beginning of the application process, there was uncertainty regarding the City's regulations for garages on interior lots. As the City worked to determine the appropriate balance between garage space and waste bin storage, our projects experienced significant delays. To keep the development moving forward, we initially advised our client to plan for a garage pad while prioritizing approval for the 4-plex building.

At this time, we believe a 3-car garage is the best fit for this lot, providing both sufficient parking and adequate garbage storage. As shown on the plot plan, we have incorporated additional concrete to ensure that garbage bins are stored on a solid surface. While this results in a reduction of soft landscaping, it offers a practical and durable solution for waste management.

We appreciate your consideration of this request.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

(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, **Multi-unit Housing** means a building that contains:

- a. 1 or more Dwellings combined with at least 1 Use other than Residential or Home Based Business; or
- b. any number of Dwellings that do not conform to any other definition in the Zoning Bylaw.

Typical examples include stacked row housing, apartments, and housing in a mixed-use building.

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 8.10, **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 8.10, **Dwelling** means:

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

Under section 8.20, **Accessory** means “a Use, building or structure that is naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same Lot or Site.”

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.

Site Coverage

Section 2.10.4.1.7 states:

4.1. Development must comply with Table 4.1:

Table 4.1 Site and Building Regulations			
Subsection	Regulation	Value	Symbol
Site Coverage			
4.1.7	Maximum Site Coverage	45%	-

Under section 8.20, **Site Coverage** means:

the total horizontal area on a Site:

- a. covered by buildings and structures that are 1.8 m or more in Height above Grade; or
- b. covered by a Parkade that is 1.0 m or more in Height above Grade.

This definition includes cantilevers, but does not include steps, eaves, cornices, or other similar projections.

Site Circulation and Parking Regulations for Small Scale Residential Development

Section 5.60.3.2 states: A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided for:

- 3.2.1. all development within the RS and RSF Zones;
- 3.2.2. any Single Detached Housing, Duplex Housing, or Semi-detached Housing development; and
- 3.2.3. any Row Housing, Multi-unit Housing or Cluster Housing development up to 8 Dwellings in a residential Zone with a maximum Height of 12.0 m or less.

Under section 8.20, **Soft Landscaping** means:

Landscape materials that allow water infiltration and absorption into the ground to reduce stormwater runoff and to be capable of supporting living plants, such as trees, shrubs, flowers, grass, or other perennial ground cover. This does not include materials that prevent water infiltration or materials such as artificial turf, decking, bricks, and pavers.

Under section 8.20, **Landscaping** means:

the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:

- a. soft landscaping elements such as trees, shrubs, plants, lawns, gardens, and ornamental plantings;
- b. decorative Hard Surfacing elements in the form of patios, Pathways, and paths consisting of materials such as bricks, pavers, shale, crushed rock, or other suitable materials, excluding monolithic concrete and asphalt; and
- c. architectural elements such as decorative Fencing, walls, and sculpture.

Landscaping does not include decorative Hard Surfacing used for, or contained within, Parking Areas, Driveways, or vehicle access areas.

Development Planner's Determination

- 1. The maximum Site coverage should not exceed 45% in total.
(Subsection 2.10.4.1.7)**
 - Proposed total site coverage: 48% (exclusive the porches area)
 - exceeded by 3 %.
- 2. The minimum required soft landscaping area shall be 30%.
(Subsection 5.60.3.2)**
 - Proposed 25%
 - Deficient by 5%

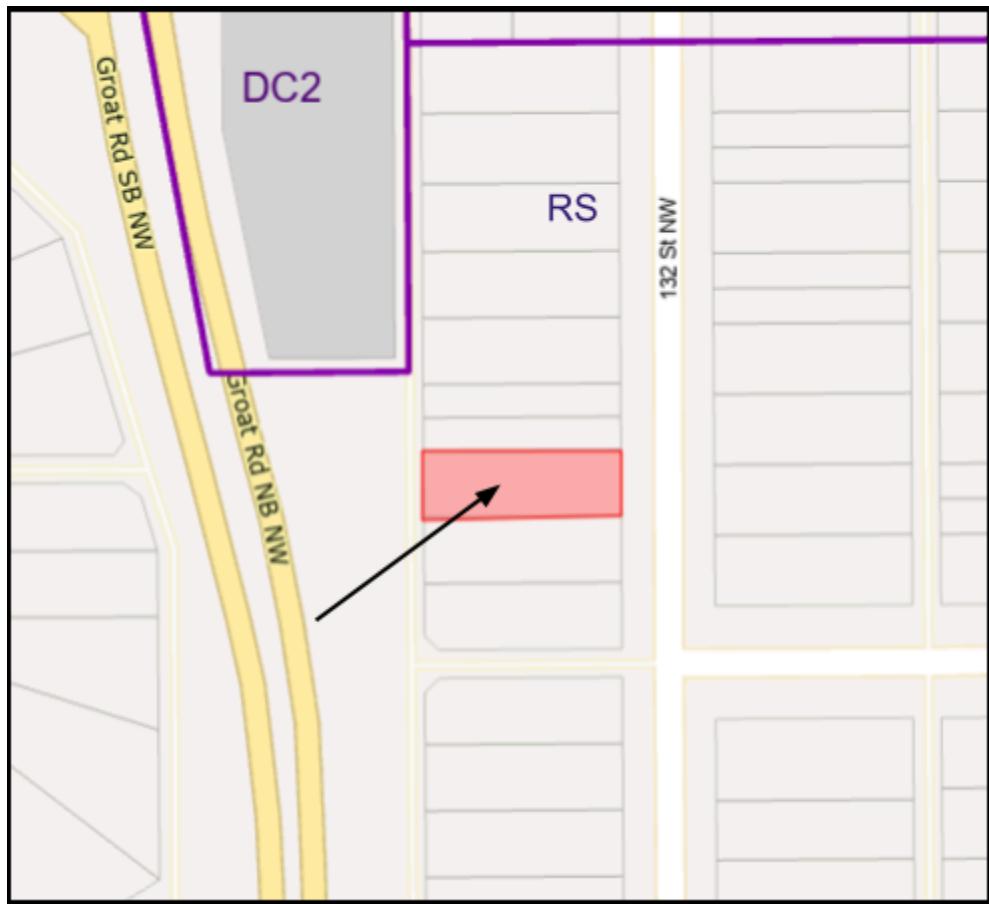
[unedited]

Notice to Applicant/Appellant

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

Edmonton	Project Number: 541344236-002 Application Date: NOV 18, 2024 Printed: February 7, 2025 at 1:06 PM Page: 1 of 2												
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Accessory Building Permit</h3>													
<p>This document is a Development Permit Decision for the development application described below.</p>													
<p>Applicant</p>	<p>Property Address(es) and Legal Description(s) 11012 - 132 STREET NW Plan 3402HW Blk 29 Lot 3</p>												
<p>Location(s) of Work</p>	<p>Suite: 1, 11012 - 132 STREET NW Suite: 2, 11012 - 132 STREET NW Suite: 3, 11012 - 132 STREET NW Suite: 4, 11012 - 132 STREET NW Entryway: 1, 11012 - 132 STREET NW Entryway: 2, 11012 - 132 STREET NW Entryway: 3, 11012 - 132 STREET NW Entryway: 4, 11012 - 132 STREET NW Building: 1, 11012 - 132 STREET NW</p>												
<p>Scope of Application To construct an Accessory building (Mutual detached Garage, 9.60m x 5.87m).</p>													
<p>Details</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Development Category: Discretionary Development Site Area (sq. m.): 611.43 </td> <td style="width: 50%; padding: 5px;"> Overlay: Statuary Plan: </td> </tr> </table>		Development Category: Discretionary Development Site Area (sq. m.): 611.43	Overlay: Statuary Plan:										
Development Category: Discretionary Development Site Area (sq. m.): 611.43	Overlay: Statuary Plan:												
<p>Development Application Decision Refused</p>													
<p>Issue Date: Feb 07, 2025 Development Authority: LAI, ECHO</p>													
<p>Reason for Refusal</p> <ol style="list-style-type: none"> 1. The maximum Site coverage should not exceed 45% in total. (Subsection 2.10.4.1.7) <ul style="list-style-type: none"> - Proposed total site coverage: 48% (exclusive the porches area) - exceeded by 3 %. 2. The minimum required soft landscaping area shall be 30%. (Subsection 5.60.3.2) <ul style="list-style-type: none"> - Proposed 25% - Deficient by 5% 													
<p>Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.</p>													
<p>Building Permit Decision No decision has yet been made.</p>													
<p>Fees</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;">Fee Amount</th> <th style="width: 25%; text-align: center;">Amount Paid</th> <th style="width: 25%; text-align: center;">Receipt #</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td style="text-align: center;">\$4.60</td> <td style="text-align: center;">\$4.60</td> <td style="text-align: center;">089878001001794</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: center;">Date Paid Nov 18, 2024</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Safety Codes Fee	\$4.60	\$4.60	089878001001794				Date Paid Nov 18, 2024
	Fee Amount	Amount Paid	Receipt #										
Safety Codes Fee	\$4.60	\$4.60	089878001001794										
			Date Paid Nov 18, 2024										
<p>THIS IS NOT A PERMIT</p>													

	Project Number: 541344236-002 Application Date: NOV 18, 2024 Printed: February 7, 2025 at 1:06 PM Page: 2 of 2																																	
Application for Accessory Building Permit																																		
<table border="1"><thead><tr><th>Fees</th><th>Fee</th><th>Amount</th><th>Paid</th><th>Receipt #</th><th>Date Paid</th></tr></thead><tbody><tr><td>Development Application Fee</td><td>\$140.00</td><td>\$140.00</td><td></td><td>069678001001794</td><td>Nov 18, 2024</td></tr><tr><td>Building Permit Fee (Accessory Building)</td><td>\$115.00</td><td>\$115.00</td><td></td><td>069678001001794</td><td>Nov 18, 2024</td></tr><tr><td>Total GST Amount:</td><td></td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td>Totals for Permit:</td><td></td><td>\$259.60</td><td></td><td>\$259.60</td><td></td></tr></tbody></table>					Fees	Fee	Amount	Paid	Receipt #	Date Paid	Development Application Fee	\$140.00	\$140.00		069678001001794	Nov 18, 2024	Building Permit Fee (Accessory Building)	\$115.00	\$115.00		069678001001794	Nov 18, 2024	Total GST Amount:		\$0.00				Totals for Permit:		\$259.60		\$259.60	
Fees	Fee	Amount	Paid	Receipt #	Date Paid																													
Development Application Fee	\$140.00	\$140.00		069678001001794	Nov 18, 2024																													
Building Permit Fee (Accessory Building)	\$115.00	\$115.00		069678001001794	Nov 18, 2024																													
Total GST Amount:		\$0.00																																
Totals for Permit:		\$259.60		\$259.60																														
THIS IS NOT A PERMIT																																		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-028



N

ITEM III: 1:00 P.M.FILE: SDAB-D-25-029AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 550392250-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 6, 2025

DATE OF APPEAL: February 12, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 4748 - 154 Avenue NW

LEGAL DESCRIPTION: Plan 0523043 Blk 20 Lot 23

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Northeast District Plan

<i>Grounds for Appeal</i>

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

I acknowledge that the proposed driveway extension extends approximately 1 meter beyond the side of the garage. This extension is intended to provide functional access to the new side entryway while also ensuring adequate space to maneuver waste collection carts for curbside pickup.

The proposed extension is not wide enough to accommodate an additional vehicle, thereby maintaining the maximum allowable parking capacity of two vehicles as per the current design."

This keeps it professional, clear, and concise. Let me know if you'd like any refinements!

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

(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 2.20.2.2, a **Residential Use** is a **Permitted Use** in the **RSF - Small Scale Flex Residential Zone**.

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

Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.

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

Under section 8.20, **Single Detached Housing** means “a building that contains 1 principal Dwelling and has direct access to ground level.”

Under section 8.20, **Accessory** means “a Use, building or structure that is naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same Lot or Site.”

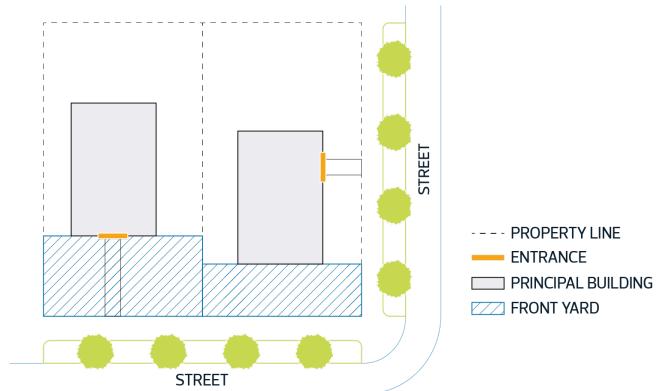
Under section 8.20, **Driveway** means:

means an area that provides vehicle access to the Garage or Parking Area of a small scale Residential development from a Street, Alley, or private roadway. A Driveway does not include a Pathway.



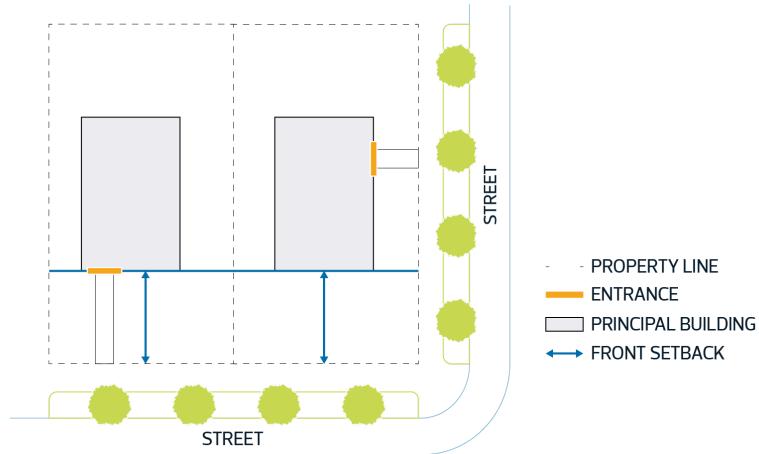
Under section 8.20, **Front Yard** means:

means the portion of a Site Abutting the Front Lot Line extending across the full width of the Site, between the Front Lot Line and the nearest wall of the principal building, not including projections.



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

means the distance that a development or a specified portion of a development, must be from a Front Lot Line. A Front Setback is not a Front Yard.”



Under section 8.20, **Parking Area** means “means an area that is used for vehicle parking. A Parking Area has 1 or more parking spaces and includes a parking pad, but does not include Street parking, a vehicle access, a Driveway, or a Drive Aisle.”

Under section 8.20, **Pathway** means “a Hard Surfaced path of travel that is located on private property that cannot be used for motor vehicles.”

Section 2.20.1 states that the **Purpose of the RSF - Small Scale Flex 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. This Zone has site and building regulations that provide additional development flexibility in appropriate contexts, such as new neighbourhoods and large undeveloped areas. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Site Circulation and Parking Regulations for Small Scale Residential Development

Section 5.80.2.1 states:

Single Detached Housing, Duplex Housing, Semi-detached Housing, Backyard Housing, and Row Housing, and Multi-unit Housing with 8 Dwellings or less must comply with the following:

Site Circulation

2.1.1 1 or more Pathways with a minimum unobstructed width of 0.9 m must be provided from all main entrances of principal

Dwellings directly to an Abutting sidewalk or to a Driveway, except that:

2.1.1.1 A handrail on 1 side is permitted to project a maximum of 0.1 m into the Pathway.

Driveways

2.1.2. Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.

2.1.3. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area.

2.1.4 A Driveway provided from a Street must comply with the following:

2.1.4.1 Where a Garage or Parking Area has 1 vehicle parking space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less, except:

2.1.4.1.1 Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 1 vehicle parking space, the combined maximum width of the Driveway and Abutting Pathways is 4.3 m.

2.1.4.2. Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less, except:

2.1.4.2.1. Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less.

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

2.1.5.1. a Front Yard;

2.1.5.2. a Flanking Side Yard; or

2.1.5.3 a Flanking Side Setback.

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

Development Planner's Determination

1) Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3.)

Proposed: Driveway extensions do not lead to Garage.

2) Driveway Width - Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Subsection 5.80.2.1.4.2.1.)

Proposed: Driveway width is 6.8 m instead of 5.8 m.

3) Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard. (Subsection 5.80.2.1.5.1.)

Proposed: Driveway extension(s) are within the Front Yard

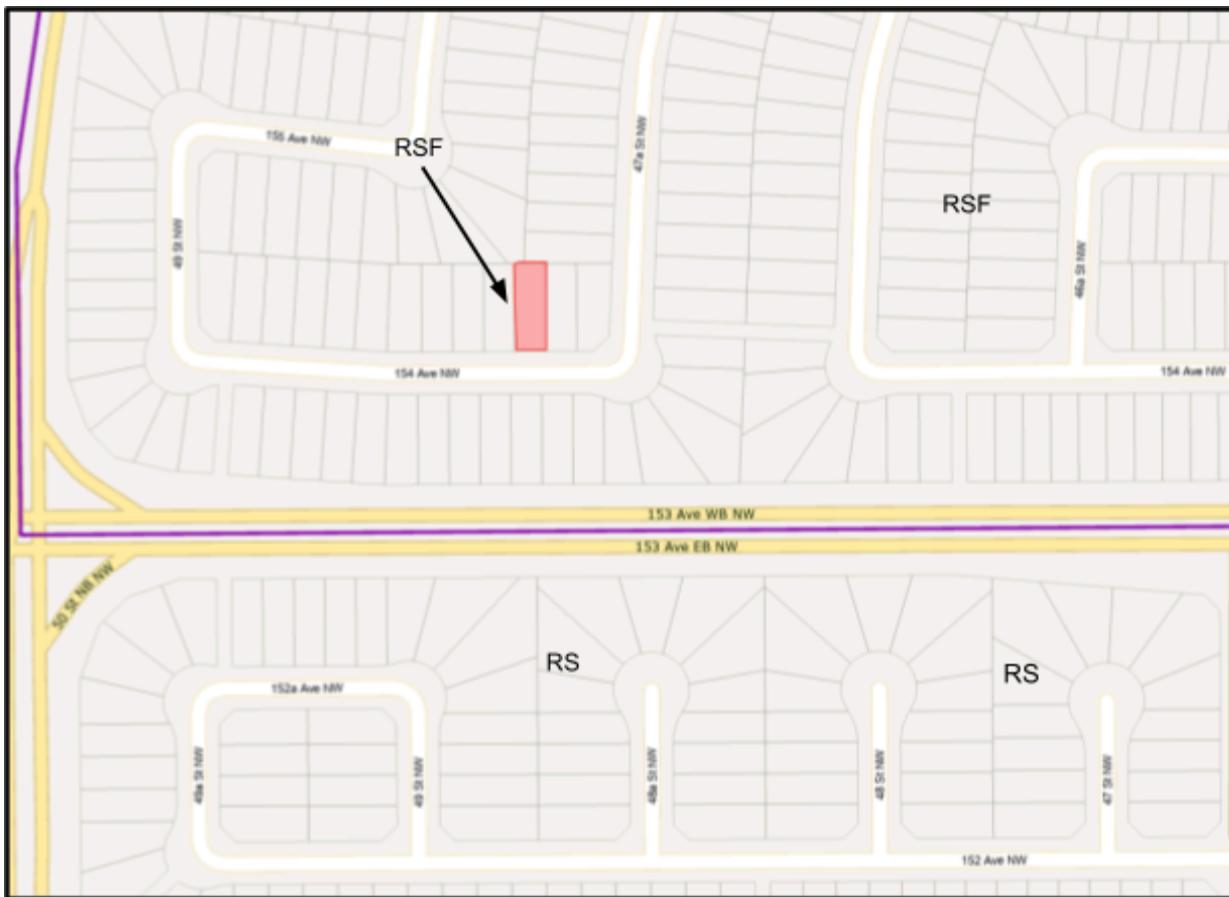
[unedited]

Notice to Applicant/Appellant

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

Edmonton	Project Number: 550392250-002 Application Date: DEC 17, 2024 Printed: February 6, 2025 at 3:18 PM Page: 1 of 2										
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Driveway Extension Permit</h3>											
<p>This document is a Development Permit Decision for the development application described below.</p>											
Applicant	Property Address(es) and Legal Description(s) 4748 - 154 AVENUE NW Plan 0523043 Blk 20 Lot 23										
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension).											
Details <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Development Category: Site Area (sq. m.): 428.88 </td> <td style="width: 50%; padding: 5px;"> Overlay: Zoning Plan: </td> </tr> </table>		Development Category: Site Area (sq. m.): 428.88	Overlay: Zoning Plan:								
Development Category: Site Area (sq. m.): 428.88	Overlay: Zoning Plan:										
Development Application Decision Refused											
Issue Date: Feb 06, 2025 Development Authority: HETHERINGTON, FIONA											
Reason for Refusal <p>1) Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3.) Proposed: Driveway extensions do not lead to Garage.</p> <p>2) Driveway Width - Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Subsection 5.80.2.1.4.2.1.) Proposed: Driveway width is 6.8 m instead of 5.8 m.</p> <p>3) Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard. (Subsection 5.80.2.1.5.1.) Proposed: Driveway extension(s) are within the Front Yard</p>											
Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.											
Building Permit Decision No decision has yet been made.											
Fees <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 20%; text-align: center;">Fee Amount</th> <th style="width: 20%; text-align: center;">Amount Paid</th> <th style="width: 20%; text-align: center;">Receipt #</th> <th style="width: 10%; text-align: center;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: center;">\$185.00</td> <td style="text-align: center;">\$185.00</td> <td style="text-align: center;">040209001001707</td> <td style="text-align: center;">Dec 17, 2024</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$185.00	\$185.00	040209001001707	Dec 17, 2024
	Fee Amount	Amount Paid	Receipt #	Date Paid							
Development Application Fee	\$185.00	\$185.00	040209001001707	Dec 17, 2024							
THIS IS NOT A PERMIT											

Edmonton	Project Number: 550392250-002 Application Date: DEC 17, 2024 Printed: February 6, 2025 at 3:18 PM Page: 2 of 2																		
Application for Driveway Extension Permit																			
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left; padding: 5px;">Fees</th><th style="text-align: center; padding: 5px;">Fee Amount</th><th style="text-align: center; padding: 5px;">Amount Paid</th><th style="text-align: center; padding: 5px;">Receipt #</th><th style="text-align: center; padding: 5px;">Date Paid</th></tr></thead><tbody><tr><td style="padding: 5px;">Total GST Amount:</td><td style="text-align: center; padding: 5px;">\$0.00</td><td></td><td></td><td></td></tr><tr><td style="padding: 5px;">Totals for Permit:</td><td style="text-align: center; padding: 5px;"><u>\$185.00</u></td><td style="text-align: center; padding: 5px;"><u>\$185.00</u></td><td></td><td></td></tr></tbody></table>					Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Total GST Amount:	\$0.00				Totals for Permit:	<u>\$185.00</u>	<u>\$185.00</u>		
Fees	Fee Amount	Amount Paid	Receipt #	Date Paid															
Total GST Amount:	\$0.00																		
Totals for Permit:	<u>\$185.00</u>	<u>\$185.00</u>																	
THIS IS NOT A PERMIT																			



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-029



N

ITEM IV: 2:00 P.M.FILE: SDAB-D-25-030AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 543750345-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension and parking pad, 8.0m x 6.7m), existing without permits

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 29, 2025

DATE OF APPEAL: February 14, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 8610 - 161 Street NW

LEGAL DESCRIPTION: Plan 582MC Blk 19 Lot 68

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Jasper Place District Plan

Grounds for Appeal

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

I feel that this decision was not made fairly as there are multiple properties in the area that have their whole front yard paved and are parking on it. I am willing to make modifications to get approval

General Matters**Appeal Information:**

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

Grounds for Appeal**685(1)** If a development authority

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

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

...

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

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

Appeals

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

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

that period under section 684, within 21 days after the date the period or extension expires,

or

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

Hearing and Decision

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

...

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

...

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

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.

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

Under section 8.20, **Single Detached Housing** means “a building that contains 1 principal Dwelling and has direct access to ground level.”

Under section 8.20, **Accessory** means “a Use, building or structure that is naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same Lot or Site.”

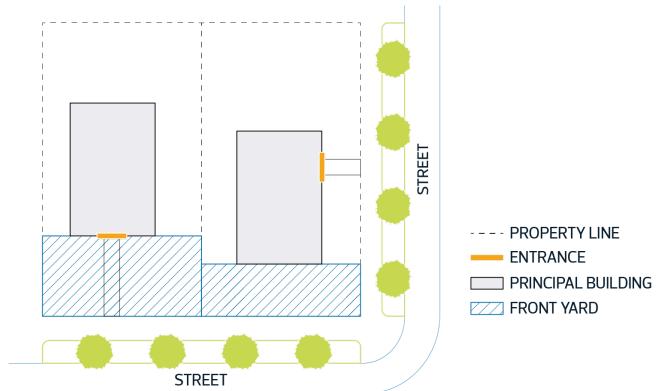
Under section 8.20, **Driveway** means:

means an area that provides vehicle access to the Garage or Parking Area of a small scale Residential development from a Street, Alley, or private roadway. A Driveway does not include a Pathway.



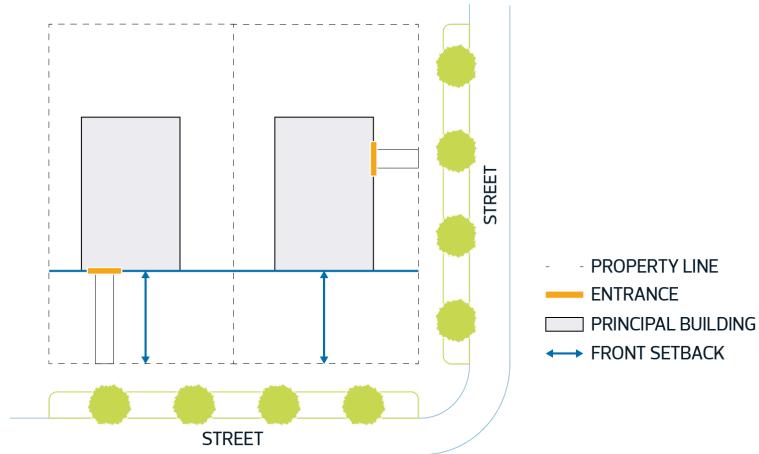
Under section 8.20, **Front Yard** means:

means the portion of a Site Abutting the Front Lot Line extending across the full width of the Site, between the Front Lot Line and the nearest wall of the principal building, not including projections.



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

means the distance that a development or a specified portion of a development, must be from a Front Lot Line. A Front Setback is not a Front Yard.”



Under section 8.20, **Parking Area** means “means an area that is used for vehicle parking. A Parking Area has 1 or more parking spaces and includes a parking pad, but does not include Street parking, a vehicle access, a Driveway, or a Drive Aisle.”

Under section 8.20, **Pathway** means “a Hard Surfaced path of travel that is located on private property that cannot be used for motor vehicles.”

Section 2.20.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

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

Site Circulation and Parking Regulations for Small Scale Residential Development

Section 5.80.2.1 states:

Single Detached Housing, Duplex Housing, Semi-detached Housing, Backyard Housing, and Row Housing, and Multi-unit Housing with 8 Dwellings or less must comply with the following:

Site Circulation

2.1.1 1 or more Pathways with a minimum unobstructed width of 0.9 m must be provided from all main entrances of principal Dwellings directly to an Abutting sidewalk or to a Driveway, except that:

2.1.1.1 A handrail on 1 side is permitted to project a maximum of 0.1 m into the Pathway.

Driveways

2.1.2. Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.

2.1.3. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area.

2.1.4. A Driveway provided from a Street must comply with the following:

2.1.4.1 Where a Garage or Parking Area has 1 vehicle parking space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less, except:

2.1.4.1.1 Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 1 vehicle parking space, the combined maximum width of the Driveway and Abutting Pathways is 4.3 m.

2.1.4.2. Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less, except:

2.1.4.2.1. Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less.

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

2.1.5.1. a Front Yard;

2.1.5.2. a Flanking Side Yard; or

2.1.5.3 a Flanking Side Setback.

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

RS Zone - Parking, Loading, and Access

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

Access to Sites

Section 5.80.1.1 states “All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning.”

Development Planner’s Determination

1) The Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.3)

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

2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Section 5.80.2.1.4.2)

Proposed: The driveway width is 14.6 m. The Garage width is 6.2 m.

3) Vehicle Parking spaces shall not be located within a Flanking Side Yard, other than those located on a Driveway. (Section 5.80.2.1.5.2)

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

4) Vehicle access must be from an Alley where a Site Abuts an Alley. (Section 2.10.6.1)

Proposed: The driveway provides access from 161 Street.

5) All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning. (Section 5.80.1.1)

Proposed: Transportation object to the proposed access.

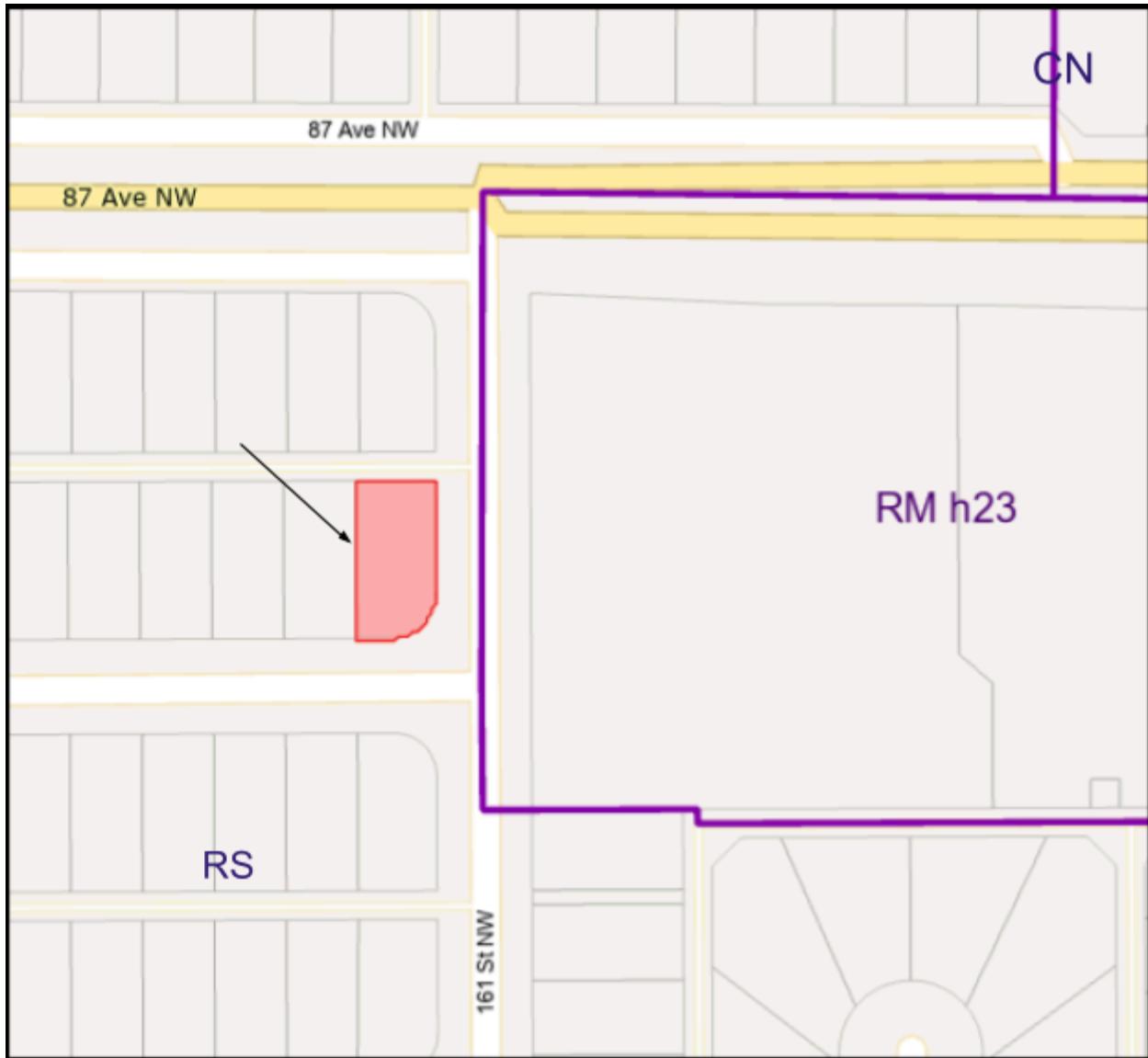
[unedited]

Notice to Applicant/Appellant

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

Edmonton	Project Number: 543750345-002 Application Date: DEC 08, 2024 Printed: January 29, 2025 at 3:09 PM Page: 1 of 2		
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Driveway Extension Permit</h3>			
<p>This document is a Development Permit Decision for the development application described below.</p>			
Applicant	Property Address(es) and Legal Description(s) 8610 - 161 STREET NW Plan 582MC Blk 19 Lot 68		
Location(s) of Work Suite: 8610 - 161 STREET NW Entryway: 8610 - 161 STREET NW Building: 8610 - 161 STREET NW			
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension and parking pad, 8.0m x 6.7m), existing without permits.			
Details <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Development Category: Discretionary Development Site Area (sq. m.): 554.06 </td> <td style="width: 50%; padding: 5px;"> Overlay: Statutory Plan: </td> </tr> </table>		Development Category: Discretionary Development Site Area (sq. m.): 554.06	Overlay: Statutory Plan:
Development Category: Discretionary Development Site Area (sq. m.): 554.06	Overlay: Statutory Plan:		
Development Application Decision Refused			
Issue Date: Jan 29, 2025 Development Authority: ZHANG, LAILAI			
Reason for Refusal <p>1) The Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.3)</p> <p>Proposed: The driveway does not lead directly from the Street to the garage.</p> <p>2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Section 5.80.2.1.4.2)</p> <p>Proposed: The driveway width is 14.6 m. The Garage width is 6.2 m.</p> <p>3) Vehicle Parking spaces shall not be located within a Flanking Side Yard, other than those located on a Driveway. (Section 5.80.2.1.5.2)</p> <p>Proposed: The additional concrete provides vehicle parking space in the flanking side yard.</p> <p>4) Vehicle access must be from an Alley where a Site Abuts an Alley. (Section 2.10.6.1)</p> <p>Proposed: The driveway provides access from 161 Street.</p> <p>5) All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning. (Section 5.80.1.1)</p> <p>Proposed: Transportation object to the proposed access.</p>			
THIS IS NOT A PERMIT			

Edmonton	Project Number: 543750345-002 Application Date: DEC 08, 2024 Printed: January 29, 2025 at 3:09 PM Page: 2 of 2																														
<h2>Application for</h2> <h3>Driveway Extension Permit</h3>																															
Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																															
Building Permit Decision No decision has yet been made.																															
Fees <table><thead><tr><th></th><th>Fee</th><th>Amount</th><th>Amount Paid</th><th>Receipt #</th><th>Date Paid</th></tr></thead><tbody><tr><td>Existing Without Permit Dev Application Penalty Fee</td><td></td><td>\$185.00</td><td>\$185.00</td><td>004411001001305</td><td>Dec 13, 2024</td></tr><tr><td>Development Application Fee</td><td></td><td>\$185.00</td><td>\$185.00</td><td>008361001001403</td><td>Dec 08, 2024</td></tr><tr><td>Total GST Amount:</td><td></td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td>Totals for Permit:</td><td></td><td>\$370.00</td><td>\$370.00</td><td></td><td></td></tr></tbody></table>			Fee	Amount	Amount Paid	Receipt #	Date Paid	Existing Without Permit Dev Application Penalty Fee		\$185.00	\$185.00	004411001001305	Dec 13, 2024	Development Application Fee		\$185.00	\$185.00	008361001001403	Dec 08, 2024	Total GST Amount:		\$0.00				Totals for Permit:		\$370.00	\$370.00		
	Fee	Amount	Amount Paid	Receipt #	Date Paid																										
Existing Without Permit Dev Application Penalty Fee		\$185.00	\$185.00	004411001001305	Dec 13, 2024																										
Development Application Fee		\$185.00	\$185.00	008361001001403	Dec 08, 2024																										
Total GST Amount:		\$0.00																													
Totals for Permit:		\$370.00	\$370.00																												
THIS IS NOT A PERMIT																															



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-030



N