

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
March 6, 2025**

**Hearing Room No. 2  
Churchill Building, 10019 - 103 Avenue NW, Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**  
**HEARING ROOM NO. 2**

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I 9:00 A.M. SDAB-D-25-023

To operate a Child Care Service with up to 90 children, and to construct interior alterations

9505 - 63 Avenue NW  
Project No.: 539170967-002

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**WITHDRAWN**

II 10:30 A.M. SDAB-D-25-025

To construct four additions to a Minor Industrial, Vehicle Support Service, and Outdoor Sales and Service building, existing without permits (Covered Area (42.10m x 6.15m), Covered Area (8.70m x 12.19m), Quonset (41.15m x 11.62m), Attached Shelter (1.20m x 8.49m)), and an Accessory building (Seacan, 2.42m x 12.19m)

7719 - 44A Street NW  
Project No.: 510077541-002

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III 1:30 P.M. SDAB-D-25-026

To construct a Residential Use building in the form of a Semi-detached House with unenclosed front porches, front attached Garages, fireplaces and to develop Secondary Suites in the Basements

6407 - 15 Avenue NW  
Project No.: 542779284-002

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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-25-023AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 539170967-002

APPLICATION TO: To operate a Child Care Service with up to 90 children, and to construct interior alterations

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 27, 2025

DATE OF APPEAL: February 10, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 9505 - 63 Avenue NW

LEGAL DESCRIPTION: Plan 6228HW Blk 4 Lot 16

ZONE: BE - Business Employment Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

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***Grounds for Appeal***

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

This proposed daycare facility's address is 9511 63 Ave, the zoning of this property is Business Employment (BE), Child care service is PERMITTED USE in BE zone. Only one daycare is in this area and there is a huge demand of daycare facility

When the residents in this area know that the client wants to open a daycare here, they are all very happy and welcome the new daycare, the client has received a long waiting list and the support letters.

We submitted the DP application on Nov 8, 2024, the city officer reviewed and accepted the application on Nov 18. Knowing that there is Minor Industrial Use (an equipment retail and rental shop) next to this property, the city initials an Industrial Risk Assessment, and is completed with no issue or objection on Dec 31, 2024.

After that we have continue worked with the city officer and provided the lighting plan, the existing HVAC and exhausts locations & distance to playground, the neighbour building's existing solid concrete block wall condition... as requested by the officer, we have tried the best to provide all the info and there is no issue that doesn't meet the code requirement.

However after all these communication and efforts, we surprisingly received an email from the officer that he will have to refuse our application.

The City's Development Officer refused this DP application for the following reasons:

1) Subsection 6.40.1.1 - At the time a Development Permit application is submitted, a Child Care Service must not be located in a building bay Abutting a Minor Industrial Use.

PROPOSED: The proposed Child Care Service is located in a building bay which abuts a Minor Industrial Use (9515-63 Avenue).

2) Subsection 7.100.5.3 - The Development Planner must be satisfied that the proposed development complies with the Municipal Development Plan, any other applicable Statutory Plan, and the Purpose of the Zone.

PROPOSED: In the opinion of the Development Planner, the proposed variance is not in keeping with:

a) the Purpose of the BE Zone (Subsection 2.120.1) - "To allow for light industrial and a variety of small commercial businesses with a higher standard of design that carry out their operations in a manner where no Nuisance is created or apparent outside an enclosed building", and

b) the Southeast District Plan - Map 4 of the District Plan ("Land Use Concept to 1.25 Million") indicates that the subject property is to be used for Commercial/Industrial Employment".

Child Care Services is a Community Use in the Zoning Bylaw, and not a Commercial or Industrial Use.

We have done our research and notice that actually there are quite a few existing daycare facilities are opened right next to the industrial building or industrial land, including but not limited to below list:

1. Mighty Learners Daycare & OSC @ 11108 120 St NW, Edmonton AB
2. Little Champs Daycare & OSC @ 8170 50 St. NW, Edmonton AB
3. Tiny Hands Daycare Learning Academy @ 8307 Argyll Rd NW, Edmonton AB

We had sent thes existing daycare facilities next to industrial building to the officer and asked why they were approved but ours is refused, the officer advises that each application is reviewed on a case by case basis, and also suggests we can submit an appeal application to SDAB.

After reviewing with client, we decide to appeal this refusal decision. The reasons that we want to appeal are:

1. Child care service is PERMITTED USE in BE zone.
2. There is a huge demand for daycare facility in this area, with only one existing daycare, the waiting list is over a year. Many residents are anxiously waiting for a new daycare so they can send the kids to without a long wait.
3. Thought there is Minor Industrial Use in adjacent lot, it is just an equipment sale and rental business, with simple maintenance. They don't manufacture or run any equipment in the building, it is just like a retail store. Also the side wall of that building is solid concrete block wall without any opening to our property.
4. There have been a few daycare facilities opened next to industrial use in Edmonton, and there is no concern or problem brought up by the parents or anyone else.

The city officer is aware and understand all these, but he just can't approve it due to the bylaw's child care services requirement, and advises us to appeal the decision thru SDAB.

#### ***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 2.120.2.18, a **Child Care Service** is a **Permitted Use** in the **BE - Business Employment Zone**.

Under section 8.10, a **Child Care Service** means:

Child Care Service means a development that provides temporary care and supervision of children. This Use includes facility-based early

learning and child care programs. This Use does not include a Home Based Business operating as Home Based Child Care.

Typical examples include: daycares, out-of-school care, and preschools.

Section 2.120.1 states that the **Purpose of the BE - Business Employment Zone** is:

To allow for light industrial and a variety of small commercial businesses with a higher standard of design that carry out their operations in a manner where no Nuisance is created or apparent outside an enclosed building. This Zone is intended to be compatible with any Abutting non-industrial Zone, while also serving as a transition Zone to buffer medium and heavy industrial Zones. This Zone is generally located on the periphery of industrial areas, Abutting Arterial and Collector Roads, or along mass transit routes.

#### ***6.40 Child Care Services***

Section 6.40.1 states:

At the time a Development Permit application is submitted, a Child Care Service must:

1.1. not be located in a building bay Abutting a Minor Industrial Use;

#### ***7.100 Authority and Responsibility of the Development Planner***

Section 7.100.5 states:

5.3. In addition to the criteria listed in Subsection 5.2, the Development Planner must also be satisfied that the proposed development:

5.3.1. complies with the Municipal Development Plan and any other applicable Statutory Plan;

5.3.2. conforms to the Purpose of the Zone and any applicable Overlay; and

5.3.3. is consistent with sound land use planning principles.

#### **Development Planner's Determination**

**1) Subsection 6.40.1.1 - At the time a Development Permit application is submitted, a Child Care Service must not be located in a building bay Abutting a Minor Industrial Use.**

**PROPOSED:** The proposed Child Care Service is located in a building bay which abuts a Minor Industrial Use (9515-63 Avenue).

**2) Subsection 7.100.5.3 - The Development Planner must be satisfied that the proposed development complies with the Municipal Development Plan, any other applicable Statutory Plan, and the Purpose of the Zone.**

**PROPOSED:** In the opinion of the Development Planner, the proposed variance is not in keeping with:

- a) the Purpose of the BE Zone (Subsection 2.120.1) - “To allow for light industrial and a variety of small commercial businesses with a higher standard of design that carry out their operations in a manner where no Nuisance is created or apparent outside an enclosed building”, and**
- b) the Southeast District Plan - Map 4 of the District Plan (“Land Use Concept to 1.25 Million”) indicates that the subject property is to be used for “Commercial/Industrial Employment”.**

**Child Care Services is a Community Use in the Zoning Bylaw, and not a Commercial or Industrial Use.**

[unedited]

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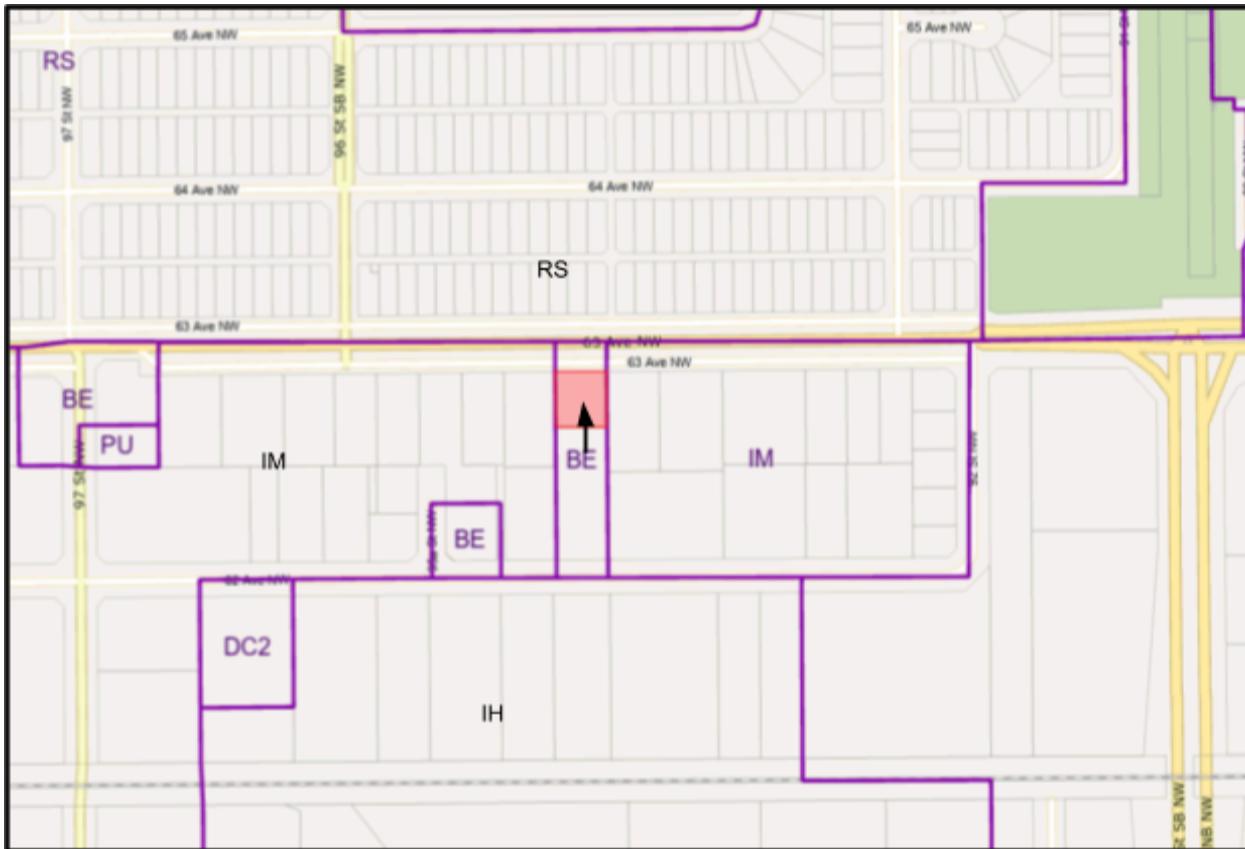
**Notice to Applicant/Appellant**

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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Edmonton	Project Number: <b>539170967-002</b> Application Date: NOV 08, 2024 Printed: January 27, 2025 at 12:50 PM Page: 1 of 2								
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Major Development Permit</h3>									
<p>This document is a Development Permit Decision for the development application described below.</p>									
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 9505 - 63 AVENUE NW Plan 6228HW Blk 4 Lot 16								
	<b>Specific Address(es)</b> Suite: 1, 9511 - 63 AVENUE NW Suite: 201, 9511 - 63 AVENUE NW Suite: 202, 9511 - 63 AVENUE NW Entryway: 9511 - 63 AVENUE NW Building: 9509 - 63 AVENUE NW								
<b>Scope of Application</b> To operate a Child Care Service with up to 90 children, and to construct interior alterations.									
<b>Details</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Development Category:</td> <td style="width: 50%; padding: 5px;">Gross Floor Area (sq.m.):</td> </tr> <tr> <td>Lot Grading Needed?: N/A</td> <td>New Sewer Service Required:</td> </tr> <tr> <td>Number of Main Floor Dwellings:</td> <td>Overlay:</td> </tr> <tr> <td>Site Area (sq. m.):</td> <td>Statutory Plan:</td> </tr> </table>		Development Category:	Gross Floor Area (sq.m.):	Lot Grading Needed?: N/A	New Sewer Service Required:	Number of Main Floor Dwellings:	Overlay:	Site Area (sq. m.):	Statutory Plan:
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Lot Grading Needed?: N/A	New Sewer Service Required:								
Number of Main Floor Dwellings:	Overlay:								
Site Area (sq. m.):	Statutory Plan:								
<b>Development Application Decision</b> Refused									
<b>Issue Date:</b> Jan 27, 2025 <b>Development Authority:</b> WELCH, IMAI									
<b>Reason for Refusal</b> 1) Subsection 6.40.1.1 - At the time a Development Permit application is submitted, a Child Care Service must not be located in a building bay Abutting a Minor Industrial Use.  PROPOSED: The proposed Child Care Service is located in a building bay which abuts a Minor Industrial Use (9511-63 Avenue).									
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<b>THIS IS NOT A PERMIT</b>									

	<p>Project Number: <b>539170967-002</b> Application Date: NOV 08, 2024 Printed: January 27, 2025 at 12:50 PM Page: 2 of 2</p>																				
<h2 style="text-align: center;">Application for Major Development Permit</h2>																					
<b>Rights of Appeal</b> 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.																					
<b>Fees</b> <table><thead><tr><th></th><th>Fee Amount</th><th>Amount Paid</th><th>Receipt #</th><th>Date Paid</th></tr></thead><tbody><tr><td>Major Dev. Application Fee</td><td>\$400.00</td><td>\$400.00</td><td>230791001001508</td><td>Nov 21, 2024</td></tr><tr><td>Total GST Amount:</td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td>Totals for Permit:</td><td>\$400.00</td><td>\$400.00</td><td></td><td></td></tr></tbody></table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$400.00	\$400.00	230791001001508	Nov 21, 2024	Total GST Amount:	\$0.00				Totals for Permit:	\$400.00	\$400.00		
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## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-023

▲ N

**WITHDRAWN**ITEM II: 10:30 A.M.FILE: SDAB-D-25-025AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 510077541-002

APPLICATION TO: To construct four additions to a Minor Industrial, Vehicle Support Service, and Outdoor Sales and Service building, existing without permits (Covered Area (42.10m x 6.15m), Covered Area (8.70m x 12.19m), Quonset (41.15m x 11.62m), Attached Shelter (1.20m x 8.49m)), and an Accessory building (Seacan, 2.42m x 12.19m)

DECISION OF THE

DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: February 4, 2025

DATE OF APPEAL: February 11, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 7719 - 44A Street NW

LEGAL DESCRIPTION: Plan 7520086 Blk 5 Lot 3

ZONE: IM - Medium Industrial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

***Grounds for Appeal***

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

I would like to appeal the condition of the development permit stating applicant/owner must enter into a servicing agreement to pay the development assessments. The current owner purchased this property in 2018, however, the main building was built by others in 1980 and the building additions for which the development permit is for, was permitted previously but the City stated they were not and now are forcing a new development permit for structures that have existed on the property for over 28 years.

### ***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 2.130.2.4, a **Minor Industrial Use** is a **Permitted Use** in the **IM - Medium Industrial Zone**.

Under section 2.130.2.9, an **Outdoor Sales and Service** is a **Permitted Use** in the **IM - Medium Industrial Zone**.

Under section 2.130.2.10, a **Vehicle Support Service** is a **Permitted Use** in the **IM - Medium Industrial Zone**.

Under section 8.10, **Minor Industrial** means:

a development used primarily for 1 or more of the following activities:

- processing raw materials;
- manufacturing, cleaning, servicing, repairing or testing materials, goods and equipment;
- handling, storing, or shipping equipment, goods, and materials;
- training, research and development laboratories; or
- distributing and selling materials, goods and equipment to institutions and industrial and commercial businesses.

Any resulting Nuisance is less impactful than those permitted under the Major Industrial Use.

Typical examples include: auto body repair and paint shops, Cannabis Production and Distribution, commercial recycling depots, contractor and construction services, equipment or vehicle repair and storage facilities, laboratories, landscaping centres, limo service, materials storage,

research facilities, taxi service, truck yard, vehicle (truck, aircraft, mobile homes, etc.) and equipment sales and rentals, and warehouses.

Under section 8.10, an **Outdoor Sales and Service** means:

a development where sales and service activities take place primarily outdoors. This may include outdoor storage or display. These activities may create minor Nuisances.

Typical examples include: automotive and minor recreation vehicle (with a gross vehicle weight rating (GVWR) of less than 4600 kg) sales and rentals, and plant nurseries.

Under section 8.10, a **Vehicles Sales and Service** means:

a development where the primary activity is vehicle servicing operations for the repair, maintenance, or fuelling of automobiles and other vehicles with a gross vehicle weight rating (GVWR) of less than 4,600 kg.

Typical examples include: fuel stations, car washes, and vehicle repair shops, such as transmission, muffler, tire, automotive glass, and upholstery shops. This Use does not include auto body repair and paint shops.

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 2.130.1 states that the **Purpose of the IM - Medium Industrial Zone** is:

To allow for light to medium industrial developments that may carry out a portion of their operation outdoors or require outdoor storage areas, with limited supporting commercial businesses. Any Nuisance conditions associated with such developments are minimal. This Zone is intended to be used as a transition Zone to buffer between light industrial and heavy industrial Zones and is generally located on the interior of industrial areas Abutting Collector and Local Roads and separated from non-industrial Zones.

#### ***Section 7.150 - Conditions Attached to Development Permits***

1. The Development Planner may only impose conditions on the approval of a Permitted Development if the ability to do so is specified in this Bylaw. Nothing in this Section prevents a Development Planner from

identifying on the Development Permit the Sections of this Bylaw with which the development must comply.

2. If an applicant applies for a Development Permit for a structure or a Use that is identified in this Bylaw as, or intended to be, temporary, the Development Planner may impose conditions limiting the duration of the validity of the Development Permit. The Development Planner may exercise this ability to add conditions to Permitted Uses and Discretionary Uses.
3. The Development Planner may, with respect to a Discretionary Development, or a development in a Direct Control Zone, impose such conditions as they consider appropriate, having regard for the Municipal Development Plan, applicable Statutory Plans, and the regulations of this Bylaw.
4. The Development Planner may, as a condition of issuing a Development Permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicle and pedestrian access, or any of them, including payment of the costs of installation or constructing any such utility or facility by the applicant.
5. The Development Planner may, as a condition of issuing a Development Permit, require that an applicant enter into an agreement to do all or any of the following:
  - 5.1. to construct, or pay for the construction of, a public roadway required to give access to the development;
  - 5.2. to construct, or pay for the construction of:
    - 5.2.1. a pedestrian walkway system to serve the development; or
    - 5.2.2. pedestrian walkways that connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves, or are proposed to serve, an adjacent development, or both;
  - 5.3. to specify the location and number of vehicle and pedestrian access points to Sites from public roadways;
  - 5.4. to install, or pay for the installation of, utilities that are necessary to serve the development;
  - 5.5. to construct, or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or
  - 5.6. to protect, repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard

landscaping, and tree planting that may be damaged or destroyed, or otherwise harmed by development or building operations upon the Site.

6. The Development Planner may, as a condition of issuing a Development Permit, require that an applicant enter into an agreement in a form satisfactory to the City, to pay an off-site levy or redevelopment levy, or both, imposed by a bylaw in compliance with the Municipal Government Act.
7. If an applicant applies for a Development Permit for a structure that encroaches on City owned property, the Development Planner may impose conditions requiring the applicant to mitigate the impact of the encroachment, including compensation, indemnities, insurance, and a duty to remove the encroaching structure when notified by the City.
  - 7.1. If the Development Planner does not impose conditions on an encroaching structure, this must not be interpreted as granting the applicant a right to encroach and the applicant may require a separate encroachment agreement.
8. The Development Planner may require an agreement entered into as specified in Subsections 4 and 5 to be registered on the current title for the Site at the Alberta Land Titles Office.
9. The Development Planner may, as a condition of issuing a Development Permit, require that an applicant post a minimum of 1 Development Permit notification Sign on-Site in compliance with Subsection 2 of Section 7.160.

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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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Edmonton	Project Number: <b>510077541-002</b> Application Date: <b>MAY 14, 2024</b> Printed: <b>February 4, 2025 at 4:13 PM</b> Page: <b>1 of 5</b>								
<b>Major Development Permit</b>									
<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> 7719 - 44A STREET NW Plan 7520086 Blk 5 Lot 3								
<b>Specific Address(es)</b> Suite: 7719 - 44A STREET NW Entryway: 7719 - 44A STREET NW Building: 7719 - 44A STREET NW									
<b>Scope of Permit</b> To construct four additions to a Minor Industrial, Vehicle Support Service, and Outdoor Sales and Service building, existing without permits (Covered Area (42.10m x 6.15m), Covered Area (8.70m x 12.19m), Quonset (41.15m x 11.62m), Attached Shelter (1.20m x 8.49m)), and an Accessory building (Seacan, 2.42m x 12.19m).									
<b>Details</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Development Category: Permitted Development</td> <td style="width: 50%; padding: 2px;">Gross Floor Area (sq.m.):</td> </tr> <tr> <td>Lot Grading Needed?: Y</td> <td>New Sewer Service Required: N/A</td> </tr> <tr> <td>Number of Main Floor Dwellings:</td> <td>Overlay:</td> </tr> <tr> <td>Site Area (sq. m.):</td> <td>Statutory Plan:</td> </tr> </table>		Development Category: Permitted Development	Gross Floor Area (sq.m.):	Lot Grading Needed?: Y	New Sewer Service Required: N/A	Number of Main Floor Dwellings:	Overlay:	Site Area (sq. m.):	Statutory Plan:
Development Category: Permitted Development	Gross Floor Area (sq.m.):								
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Number of Main Floor Dwellings:	Overlay:								
Site Area (sq. m.):	Statutory Plan:								
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Feb 04, 2025 <b>Development Authority:</b> TIN, KRISTOPHER									
<b>Subject to the Following Conditions</b> <p>Zoning Conditions:</p> <ol style="list-style-type: none"> <li>1. This Development Permit authorizes the construction of four additions to a Minor Industrial, Vehicle Support Service, and Outdoor Sales and Service building, existing without permits (Covered Area (42.10m x 6.15m), Covered Area (8.70m x 12.19m), Quonset (41.15m x 11.62m), Attached Shelter (1.20m x 8.49m)), and an Accessory building (Seacan, 2.42m x 12.19m).</li> <li>2. The development must be constructed in accordance with the approved plans. Any revisions to the approved plans require a separate Development Permit application.</li> <li>3. The Development Permit is not valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled (Subsection 7.190.2.1.1).</li> <li>4. All mechanical equipment, except for Solar Collectors, must be concealed by screening in a manner compatible with the architectural character of the building or by incorporating it within the building (Subsection 5.120.1.1.2).</li> <li>5. 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>6. The maximum Floor Area for any indoor display, office, technical or administrative support areas or retail sale operations is 33% of the total Floor Area of the building(s) devoted to a Minor Industrial Use (Subsection 2.130.3.2.1).</li> <li>7. Fences that contain, or are constructed of, hazardous materials such as barbed wire, are not permitted (Subsection 5.120.1.1.5).</li> </ol>									



Project Number: **510077541-002**  
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## Major Development Permit

8. All developments must include the following design elements to promote a safe urban environment by providing natural surveillance, clear sightlines and wayfinding: Outdoor spaces must be appropriately-lit; Entrapment spots and blind corners must be avoided or sufficiently mitigated; Pathways and building access points, where provided, must be clearly defined; Developments must provide clear signage, or other wayfinding techniques, where applicable.

### Drainage Conditions

### Development Assessments

Prior to the release of drawings for Building Permit review, the applicant/owner must enter into a servicing agreement to pay the development assessments listed below. The applicant/owner should contact Steve Jensen at 780-944-0851, upon issuance of the Development Permit, and when he/she is ready to initiate the servicing agreement and make payment. The following is for information purposes, and the rates shown are for the year 2024. The final payment amounts will be based on the prevailing rates at the time the applicant/owner pays and enters into a servicing agreement.

The assessment area is 0.4786ha. The assessment area is obtained from the City's information computer program called POSSE.

Under the Industrial Infrastructure Cost Sharing Program (City Policy C592), the City contributes a portion of its municipal property tax revenue from the area towards reducing the cost of development assessments on landowners. As a result, landowners in this area benefit from reductions to some development assessment rates, as shown below:

### Development Assessment Rate

#### Permanent Area Contributions

Mill Creek / Fulton Creek Onsite (Regional) Storm Basin 412 \$35467/ha

Mill Creek/Fulton Creek Offsite Storm Conveyance Component\$4421/ha

### Sanitary Servicing Strategy Expansion Assessment (EA)

EA charge is being paused until December 31, 2024; therefore EA is deferred for this development permit application.25,186/ha\*  
 (deferred)

(\* ) EA may apply at the time of the future application of subdivision, development permit or servicing connection application.

There may also be additional payments required in the form of overexpenditures (which would be recoverable), boundary conditions, Boundary assessment and oversizing payments which can only be determined at the time the applicant/owner is ready to enter into a servicing agreement and make payment.

Payment should be made at the Edmonton Service Centre, 2nd Floor, 10111 – 104 Avenue NW.

### Sanitary Sewer Trunk Charge (SSTC)

SSTC is applicable to the lot in question; however SSTC charges are being paused until December 31, 2024; therefore SSTC is deferred for this development permit application.

SSTC may apply at the time of the future application of subdivision, development permit or servicing connection application.

For information purposes, the following SSTC rates are for the year 2024. SSTC rate depends on the type of development:

1 – Industrial / Commercial / Institution: \$8,818 per hectare

2 – One or two Dwelling Residential (no secondary, garden or garage suite): \$1,764 per dwelling

3 – Two Dwellings Residential (one secondary, garden or garage suite): \$1,764 per dwelling

for secondary garden or garage suite \$781

4 – Multi-Family Residential: \$1,259 per dwelling



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## Major Development Permit

The SSTC charge should be paid when the development permit application is made or when a sanitary services connection is applied.

Any sewer main extensions required to service the site and any onsite servicing requirements are in addition to the above noted PAC and SSTC assessments and will be at the developer's cost.

Please note that the SSTC rates are subject to adjustment at the end of the year. The final SSTC is based on the prevailing rate at the time the applicant/owner makes payment.

### Additional Notes

The drainage assessments provided in this response are preliminary and for the purpose of information and discussion only. The assessment is made based on information currently available to our Department. Should such information changes in the future, a new assessment may be made.

Confirmation of the exact amount for the applicable drainage assessments will be made when an application for a subdivision, development permit, or sewer service connection is received.

In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage.

More information about the above charges can be found on the City of Edmonton's website:

#### Permanent Area Contributions

[https://www.edmonton.ca/city\\_government/utilities/permanent-area-contributions.aspx](https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx)

#### Sanitary Servicing Strategy Expansion Assessment

[https://www.edmonton.ca/city\\_government/utilities/expansion-assessment-charge-ea.aspx](https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx)

#### Arterial Roadway Assessment

[https://www.edmonton.ca/projects\\_plans/roads/design\\_planning/arterial-roadway-assessments.aspx](https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx)

#### Sanitary Sewer Trunk Charge

[https://www.edmonton.ca/city\\_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx](https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx)

### Transportation Conditions:

1 - Access from the site to 44A Street and 78 Avenue exists. Any modification to the existing accesses requires the review and approval of Subdivision and Development Coordination.

2 - There is a portion of the existing fence that encroaches onto the road right-of-way (city boulevard) at the southeast corner of the intersection of 44A Street and 78 Avenue. The owner/applicant must relocate this portion of the fence within private property OR obtain an Encroachment Agreement. Should the owner/applicant choose to obtain an Encroachment Agreement, please contact [encroachmentagreements@edmonton.ca](mailto:encroachmentagreements@edmonton.ca) for further information.

### Subject to the Following Advisements

#### Zoning Advisements:

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

2. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about



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## Major Development Permit

the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.

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

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

5. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.

6. All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see [https://www.edmonton.ca/residential\\_neighbourhoods/gardens\\_lawns\\_trees/public-tree-permit](https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit). All new installations, above and below ground, within 5m of a City tree require forestry consultation.

7. 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.

8. City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage. A site mechanical plan stamped by a professional engineer showing water and sewer services, stormwater management calculations and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit [epcor.com/newconnection](http://epcor.com/newconnection) and click 'ONLINE APPLICATION' for instructions on the plan submission process. The lot must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to [lot.grading@edmonton.ca](mailto:lot.grading@edmonton.ca) for review and approval.

9. Signs require separate Development Permit application(s).

10. This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.

### Fire Rescue Services Advisements:

Ensure Emergency Access Routes are designed in accordance with the National Building Code -2023 Alberta Edition and the City of Edmonton's Complete Street Design and Construction Standards. Complete Streets Design and Construction Standards [https://www.edmonton.ca/sites/default/files/public-files/assets/PDF/COE-IM-GUIDE-0011\\_DSOPEGPWP.pdf?cb=1655835149](https://www.edmonton.ca/sites/default/files/public-files/assets/PDF/COE-IM-GUIDE-0011_DSOPEGPWP.pdf?cb=1655835149)

#### Reference: NBC(2019-AE) 3.2.5.6. Access Route Design

- 1) A portion of a roadway or yard provided as a required access route for fire department use shall
  - a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory
  - b) have a centreline radius not less than 12m,
  - c) have an overhead clearance not less than 5 m,
  - d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15m,
  - e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other



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## Major Development Permit

material designed to permit accessibility under all climatic conditions,  
 f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and  
 g) be connected with a public thoroughfare.

A permit is required for all flammable and/or combustible liquid storage tanks, above or below ground, prior to any installation, removal or alteration. This includes but not limited to generators, fire pumps and used oil.

All inquiries regarding tank installation requirements can be directed to [fueltankinquiries@edmonton.ca](mailto:fueltankinquiries@edmonton.ca)

An application for permit can be submitted at: [https://www.edmonton.ca/programs\\_services/fire\\_rescue/fuel-tank-permits.aspx](https://www.edmonton.ca/programs_services/fire_rescue/fuel-tank-permits.aspx)

### Transportation Advisements:

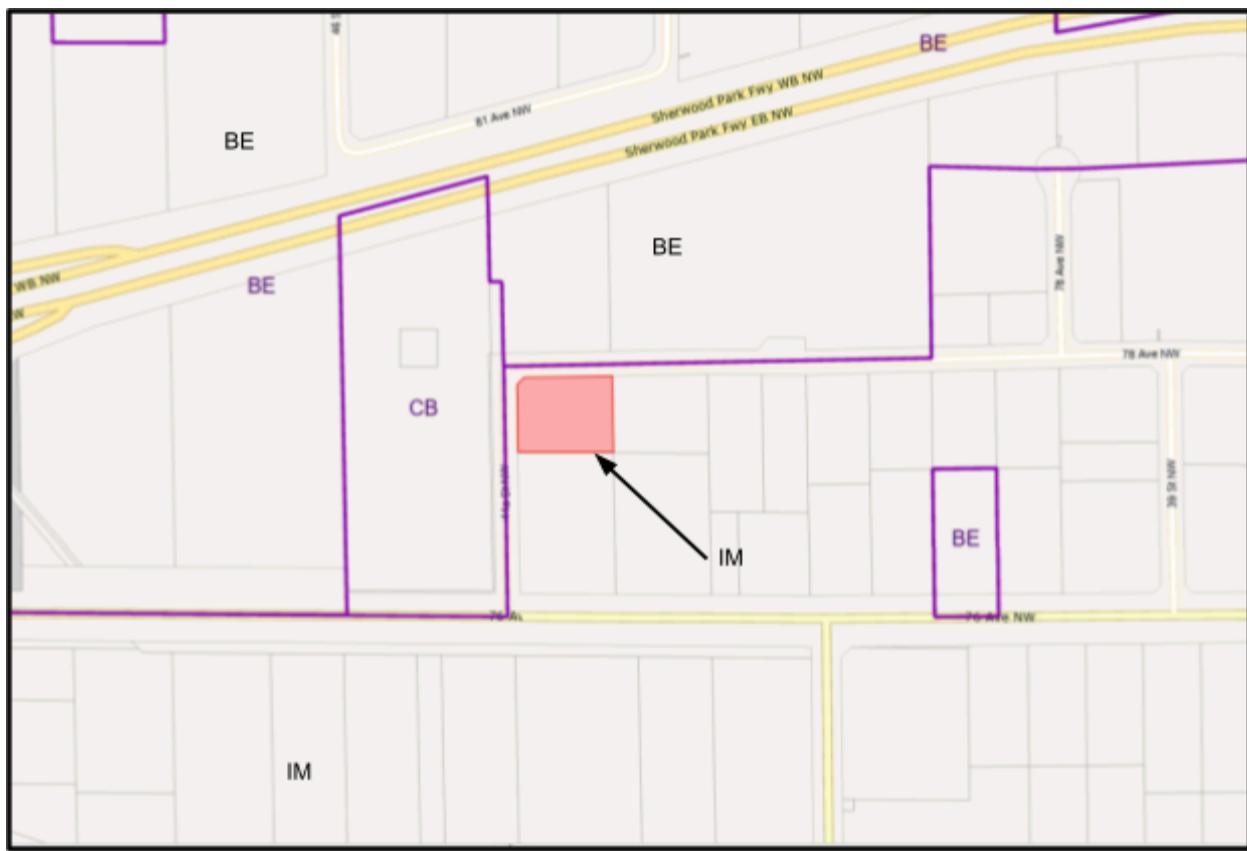
- Upon future development of the subject property, Subdivision and Development Coordination may require the access to 44A Street to be upgraded to meet current City of Edmonton standards. All costs associated with the upgrades shall be borne by the owner/applicant.

### Rights of Appeal

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

### Fees

	Fee	Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee		\$480.00	\$480.00	08936886	Jun 03, 2024
Major Dev. Application Fee		\$1,170.00	\$1,170.00	08936886	Jun 03, 2024
Development Permit Inspection Fee		\$550.00	\$550.00	08936886	Jun 03, 2024
Total GST Amount:		\$0.00			
Totals for Permit:		\$2,200.00	\$2,200.00		



## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-025



N

ITEM III: 1:30 P.M.FILE: SDAB-D-25-026AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 542779284-002

APPLICATION TO: Construct a Residential Use building in the form of a Semi-detached House with unenclosed front porches, front attached Garages, fireplaces and to develop Secondary Suites in the Basements

DECISION OF THE

DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: January 28, 2025

DATE OF APPEAL: February 5, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 6407 - 15 Avenue NW

LEGAL DESCRIPTION: Plan 7721184 Blk 19 Lot 4

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Millwoods and Meadows 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:

Dear Members of the Subdivision and Development Appeal Board (SDAB),

I have serious concerns regarding the approved variance allowing a front attached garage to occupy 72% of the total front wall length, in contrast to the zoning bylaw requirement of 60% (Section 2.10.6.3). This variance creates several potential negative impacts that I respectfully urge the Board to reconsider.

#### 1. Neighborhood Character and Aesthetic Impact

The Sakaw neighbourhood is characterized by homes that maintain balanced architectural designs, fostering a cohesive and visually appealing streetscape. Allowing an oversized front-attached garage disrupts this balance by dominating the faade of the structure. When multiple properties adopt similar variances, the streetscape becomes garage-heavy, giving a stark, utilitarian feel that diminishes the residential charm and livability of the area.

Preserving the bylaws 60% limit protects the design harmony and ensures that garages do not overshadow key architectural features like porches, windows, and entryways that make the neighborhood inviting.

#### 2. Impact on Property Values

A shift toward oversized garages in front facades may negatively affect the value of neighboring properties. Homebuyers often seek neighborhoods with visually appealing and well-maintained streetscapes. When houses emphasize garages over front entrances, the aesthetic appeal diminishes, potentially reducing demand for surrounding properties.

In contrast, adherence to the bylaw standard ensures homes are designed with an appropriate balance, which can sustain or enhance property values.

#### 3. Increased Safety Risks and Reduced Pedestrian Experience

Large front-attached garages often result in reduced visibility and compromised pedestrian safety. Driveways for these garages can create larger blind spots, especially when garage doors and vehicles obstruct views of sidewalks. This is a concern in a residential area where children, seniors, and other pedestrians frequently use the walkways.

Additionally, with garages dominating the frontage, entryways become less visible, which may decrease neighborhood walkability and casual social interactions between neighbors. Over time, this could erode the community-oriented atmosphere that Sakaw has long valued.

#### 4. Precedent and Overdevelopment

By approving this variance, the City risks setting a precedent that may encourage further deviations from zoning bylaws across the neighborhood. As more homeowners seek similar approvals, the cumulative effect can

lead to gradual overdevelopment that undermines the very purpose of zoning regulationsto protect the character and sustainability of the community.

Zoning bylaws exist to provide a consistent standard for development. Granting excessive variances undermines this consistency and may create tension among residents who expect fair and equitable application of the rules.

### 5. Alternatives and Solutions

I respectfully request that the Board require the applicant to adhere to the bylaw limit of 60% front wall length for the attached garage. This will ensure the development respects community standards and minimizes the adverse impacts outlined above. Alternatively, modifications to the proposed design, such as relocating or reducing the garage size, should be explored to achieve compliance without jeopardizing the integrity of the project.

In conclusion, I urge the Subdivision and Development Appeal Board to carefully consider the concerns of the local community regarding this variance. Approving the oversized garage risks long-term negative consequences for the neighborhoods character, property values, safety, and cohesion. I trust that the Board will act in the best interest of maintaining the balance between responsible development and preserving the identity and livability of the Sakaw community.

Thank you for your time and attention to this matter. I look forward to your thoughtful consideration of this appeal.

## ***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, **Semi-detached Housing** means:

a building that contains 2 principal Dwellings that share, in whole or in part, a common vertical party wall. Each Dwelling has individual, separate and direct access to ground level. This does not include Duplex 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.

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.

***RS - Small Scale Residential Zone - General Regulations***

Section 2.10.6.3 states:

Where permitted, the maximum Garage door width for a front attached Garage is 60% of the total length of the front building wall.

Under section 8.20, **Garage** means “an Accessory building, or part of a principal building, designed and used primarily to store vehicles and includes carports. A Garage does not contain a Drive Aisle.”

**Development Planner’s Determination**

**Attached Garage - The front attached garage is allowed to be 72% of the total length of the front building wall, instead of 60% (Subsection 2.10.6.3.).**

[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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Edmonton	Project Number: <b>542779284-002</b> Application Date: NOV 22, 2024 Printed: January 28, 2025 at 11:34 AM Page: 1 of 4								
<b>Minor Development Permit</b>									
<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> 6407 - 15 AVENUE NW Plan 7721184 Blk 19 Lot 4								
<b>Specific Address(es)</b>	Suite: 6407 - 15 AVENUE NW Suite: 6409 - 15 AVENUE NW Suite: BSMT, 6407 - 15 AVENUE NW Suite: BSMT, 6409 - 15 AVENUE NW Entryway: 6407 - 15 AVENUE NW Entryway: 6409 - 15 AVENUE NW Building: 6407 - 15 AVENUE NW								
<b>Scope of Permit</b> <p>To construct a Residential Use building in the form of a Semi-detached House with unenclosed front porches, front attached Garages, fireplaces and to develop Secondary Suites in the Basements.</p>									
<b>Details</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">1. Titled Lot Zoning: RS</td> <td style="width: 50%;">2. Number of Principal Dwelling Units To Construct: 2</td> </tr> <tr> <td>3. Overlay:</td> <td>4. Number of Secondary Suite Dwelling Units to Construct: 2</td> </tr> <tr> <td>5. Statutory Plan:</td> <td>6. Backyard Housing or Secondary Suite Included?: Yes</td> </tr> <tr> <td>7. Neighbourhood Classification: Redeveloping</td> <td>8. Development Category / Class of Permit: Discretionary Development</td> </tr> </table>		1. Titled Lot Zoning: RS	2. Number of Principal Dwelling Units To Construct: 2	3. Overlay:	4. Number of Secondary Suite Dwelling Units to Construct: 2	5. Statutory Plan:	6. Backyard Housing or Secondary Suite Included?: Yes	7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit: Discretionary Development
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5. Statutory Plan:	6. Backyard Housing or Secondary Suite Included?: Yes								
7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit: Discretionary Development								
<b>Development Permit Decision</b> <p>Approved</p> <p><b>Issue Date:</b> Jan 28, 2025      <b>Development Authority:</b> ZHANG, LAILAI</p>									
<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 (Subsection 7.160.1.3).</li> <li>2) This Development Permit authorizes the construction of a Residential Use building in the form of a Semi-detached House with unenclosed front porches, front attached Garages, fireplaces and to develop 2 Secondary Suites in the Basements.</li> <li>3) The development must be constructed in accordance with the approved drawings.</li> <li>4) WITHIN 14 DAYS OF THE END OF THE NOTIFICATION PERIOD WITH NO APPEAL and prior to any demolition or construction activity, the applicant must post on-site a Development Permit notification Sign (Subsection 7.160.2.2).</li> <li>5) Landscaping must be installed and maintained in accordance with Section 5.60.</li> <li>6) A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).</li> <li>7) Pathway(s) connecting the main entrance of the Dwelling directly to an Abutting sidewalk or to a Driveway must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).</li> <li>8) The existing Driveway off 15 Avenue must be removed in accordance with Curb Fill Permit 542779284-007 (Subsection</li> </ol>									



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## Minor Development Permit

2.10.6.1).

- 9) The Secondary Suites must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20).
- 10) A Hard Surfaced Pathway connecting the main entrance of the Secondary Suite directly to an Abutting sidewalk or to a Driveway is required, which must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).
- 11) The Secondary Suites must have less Floor Area than the principal Dwelling (Section 8.20).
- 12) The Secondary Suites must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).

### TRANSPORTATION CONDITIONS:

- 1) The proposed approximate 11.6m shared driveway access to 15 Avenue located approximately 2.1m from the east property line, is acceptable to Subdivision Planning and must be constructed to the City of Edmonton Complete Streets Design and Construction Standards.

The balance of the existing driveway located adjacent to the west property line must be removed from the back of the existing sidewalk and restored with grassed boulevard to the north property line within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

The existing curbing along 15 Avenue is roll face and should allow for the drivers to "jump the curb" to access the driveway, should the applicant/owner wish to cut the curb in the future, a curb crossing permit will be required.

The owner/applicant must obtain a Permit to construct the driveway within road right-of-way OR to construct a private crossing and to also fill in the existing access, available from Development Services, [developmentpermits@edmonton.ca](mailto:developmentpermits@edmonton.ca).

- 2) Onsite sidewalks must be developed as accessible and hard-surfaced and must connect the building entrances, including the secondary suites, to the public sidewalk to meet Section 5.80 of Zoning Bylaw 20001.
- 3) Permanent objects including concrete steps, 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.
- 4) There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Utility Safety Partners (Online: <https://utilitiesafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; [www.digshaw.ca](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 removals shall be at the expense of the owner/applicant.
- 5) Any alley, sidewalk, and/or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Subsection 7.150.5.6 of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner. The applicant is responsible to contact Trevor Singbeil of Development Inspections at 780-496-7019 for an onsite inspection 72 hours prior to and following construction of the access.
- 6) Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:
  - a. the start/finish date of project;
  - b. accommodation of pedestrians and vehicles during construction;
  - c. confirmation of lay down area within legal road right of way if required;
  - d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.
 It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM



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## Minor Development Permit

online at:  
[https://www.edmonton.ca/business\\_economy/oscam-permit-request.aspx](https://www.edmonton.ca/business_economy/oscam-permit-request.aspx)

### ADVISEMENTS:

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 further information.

All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see [https://www.edmonton.ca/residential\\_neighbourhoods/gardens\\_lawns\\_trees/public-tree-permit](https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit). All new installations, above and below ground, within 5m of a City tree require forestry consultation.

In the event that tree removal or relocation is required on City of Edmonton land, including road right-of-way, all costs associated with the removal or relocation will be borne by the owner/applicant as per the City of Edmonton Corporate Tree Management Policy (C456C). City of Edmonton Forestry will schedule and carry out any and all required tree work. Contact Urban Forestry at City Operations, Parks and Roads Services (311) a minimum of 4 weeks prior to construction, to remove and/or relocate the trees.

City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage.

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

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

Subdivision Planning understands the site was recently subdivided (LDA24-0400) and approved on November 14, 2024.

### Variances

Attached Garage - The front attached garage is allowed to be 72% of the total length of the front building wall, instead of 60% (Subsection 2.10.6.3.).

### Rights of Appeal

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

Fees	Fee Amount	Amount Paid	Receipt #	Date Paid

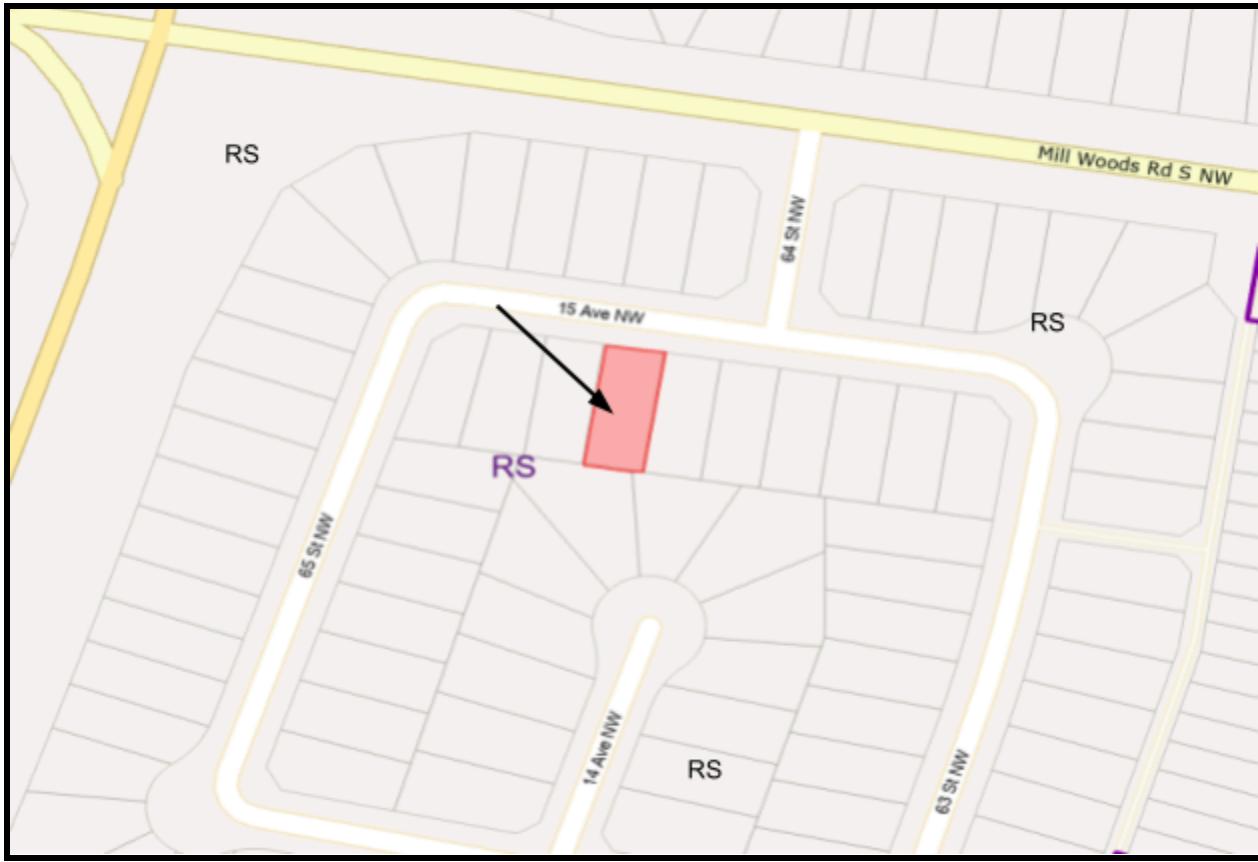
Edmonton

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**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee	\$600.00	\$600.00	033243001001242	Dec 04, 2024
Lot Grading Fee	\$310.00	\$310.00	033243001001242	Dec 04, 2024
Variance Fee	\$150.00	\$150.00	09389074	Jan 23, 2025
Total GST Amount:	\$0.00			
Totals for Permit:	<hr/> \$1,060.00	<hr/> \$1,060.00		



**SURROUNDING LAND USE DISTRICTS**

**Site Location** ←

**File: SDAB-D-25-026**

▲ N