

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Wednesday, 9:00 A.M.
November 5, 2025

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

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

TO BE RAISED

I	9:00 A.M.	SDAB-D-25-148	Pattison Outdoor Advertising
			To install (1) Minor Digital Sign (4.9m x 6.1m facing N) in the form of a Ground Sign (PATTISON OUTDOOR ADVERTISING)
			9440 - 149 Street NW Project No.: 617100578-002

TO BE RAISED

II	10:30 A.M.	SDAB-D-25-149	To construct exterior alterations to a Residential Use building (Driveway extension, 5.8m x 13.9m)
			17095 - 114 Street NW Project No.: 513322009-002

TO BE RAISED

III	1:30 P.M.	SDAB-D-25-150	To construct exterior alterations to a Residential Use building (Front Yard parking pad, (8.2m x 4.3m)
			140 - Kiniski Crescent NW Project No.: 570223838-002

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

TO BE RAISED

ITEM I: 9:00 A.M.

FILE: SDAB-D-25-148

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT: Pattison Outdoor Advertising

APPLICATION NO.: 617100578-002

APPLICATION TO: Install (1) Minor Digital Sign (4.9m x 6.1m facing N) in the form of a Ground Sign (PATTISON OUTDOOR ADVERTISING)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 22, 2025

DATE OF APPEAL: September 25, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 9440 - 149 Street NW

LEGAL DESCRIPTION: Plan 5710AF Blk 68 Lot 3

ZONE: CN - Neighbourhood Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Jasper Place District Plan

<i>Grounds for Appeal</i>

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

As Solicitors for PATTISON OUTDOOR ADVERTISING, we hereby appeal the refusal in this matter on the bases that:

- > The proposed development comprises a Permitted Use that qualifies for any required variances under the "negative effects" tests as set out in the Municipal Government Act;
- > The Development Authority misapplied the provisions of Subsection 6.90.3.16.3 of the Zoning Bylaw;
- > The Development Authority failed to properly consider the provisions of Subsections 2.90.3.20.1 and 2.90.3.21 of the Zoning Bylaw in light of interpretive guides and earlier decisions of the Board relative thereto; and
- > Such further and other reasons as may be provided on the hearing of this matter.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board ("SDAB") made and passed the following motion on October 2, 2025:

"Due to the Canada Post strike, the appeal hearing is scheduled for a future date to be determined."

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 2.90.2.30, a **Minor Digital Sign** is a **Permitted Uses** in the **CN - Neighbourhood Convenience Zone**:

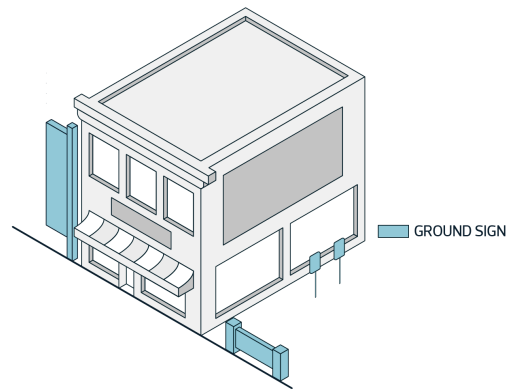
Under section 8.10, a **Minor Digital Sign** means:

a Ground Sign or Wall Sign, generally used for short-term advertising, that contains Digital Copy where the Message Duration is 6 seconds or more, and does not include moving effects, message transition effects, video images, or animation.

Typical examples include: digital billboards, digital posters, and junior panels.

Under section 8.10, a **Ground Sign** means:

a Sign supported independently of a building.



Section 2.90.3.22 states “Signs must comply with Section 6.90.”

Section 2.90.1 states that the **Purpose** of the **CN - Neighbourhood Convenience Zone** is:

To allow for small scale activity centres to support Local Nodes, as directed by statutory plans, that become community focal points for commercial businesses, services, social gathering and limited Residential Uses that are integrated with the neighbourhood. These activity centres can accommodate both vehicle-oriented and pedestrian oriented developments.

6.90 Signs

Section 6.90.3.16 states the following with respect to **Separation Distance Regulations**:

To minimize Sign proliferation, the following regulations apply:

...

3.16.3. Signs with a Digital Copy area greater than 8.0 m² and Signs with Off-premises Advertising, must be separated from a Sign with a Digital Copy area greater than 8.0 m² or a Sign with Off-premises Advertising in compliance with Table 3.16.3:

Table 3.16.3. Separation Distance

Subsection	Sign Area	Minimum separation distance
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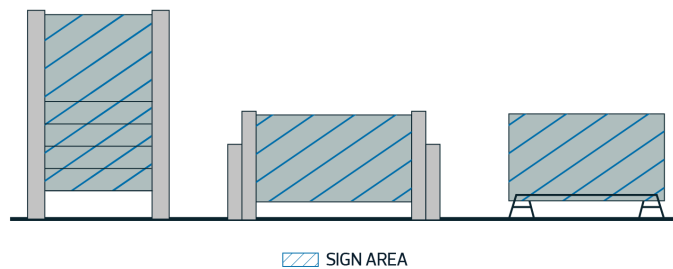
3.16.3.1	Less than 20.0 m ²	100 m
3.16.3.2	20.0 m ² to 40.0 m ²	200 m
3.16.3.3	Greater than 40.0 m ²	300 m

Under section 8.20, **Digital Copy** means:

the portion of a Sign that contains Copy that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to manually or mechanically replace the Sign face or its components.

Under section 8.20, **Sign Area** means:

the entire area of the Sign on which Copy is intended to be placed. In the case of a double-faced or multi-faced Sign, only half of the area of each face of the Sign used to display advertising Copy must be used in calculating the total Sign Area.



Section 6.90.5.23 and 24 states the following with respect to **Minor Digital Signs**:

...

5.23. Minor Digital Signs and Major Digital Signs must be located on Sites greater than or equal to 1 ha.

5.24. The maximum Height of Minor Digital Signs and Major Digital Signs is 6.0 m.

...

5.27. Minor Digital Signs and Major Digital Signs in the form of a Ground Sign must comply with the following:

...

5.27.2. The maximum Digital Copy area is 10.0 m².

5.27.3. The maximum Sign Area is 20.0 m².

...

Under section 8.20, **Height** means:

a vertical distance between 2 points.

Where described as a Modifier in a regulation, this is represented as the letter “h” and a number on the Zoning Map.

Development Planner’s Determination

1) Subsection 6.90.3.16.3: The proposed sign requires separation from other signs with Off-premises Advertising in compliance with Table 3.16.3.

The proposed Sign Area is 29.9m² requiring a separation distance of 200m from the Freestanding Sign with Off-premises Advertising approved at 9508-149 Street NW. (Ref SDAB-D-25-063/541791045-002)

Deficient by: 71m

2) Subsection 6.90.5.23: Minor Digital Signs must be located on Sites greater than or equal to 1 ha.

PROPOSED: 671.290 m² (0.07ha)

Deficient by 0.93ha

3) Subsection 6.90.5.24: The maximum Height of Minor Digital Signs and Major Digital Signs is 6.0 m.

PROPOSED: 8.0m

Deficient by: 2.0m

4) Subsection 6.90.5.27.2: Minor Digital Signs in the form of a Ground Sign must comply with the following:

The maximum Digital Copy area is 10.0 m².

PROPOSED: 6.1m x 3.0m = 18.3m²

Exceeds by: 8.3m²

5) Subsection 6.90.5.27.3: Minor Digital Signs in the form of a Ground Sign must comply with the following:

The maximum Sign Area is 20.0 m².

PROPOSED: Sign Area: 4.9m x 6.1m = 29.9m²

Exceeds by: 9.9m²


[unedited]


Previous Subdivision and Development Appeal Board Decisions

Application Number	Description	Decision
SDAB-D-20-070	To install a Minor Digital On-premises Off-premises Freestanding Sign (4.9m x 6.1m, incl digital panel 3m x 6.1m facing N) (PATTISON TOOR HOLDINGS INC).	July 10, 2020; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED as applied for to the Development Authority, subject to CONDITIONS.
SDAB-D-19-142	To install a Freestanding Minor Digital On-premises Off-premises Sign (4.9m x 6.1m, incl digital panel 3m x 6.1m facing N) (PATTISON - TOOR HOLDINGS INC.).	April 20, 2020; Withdrawn.

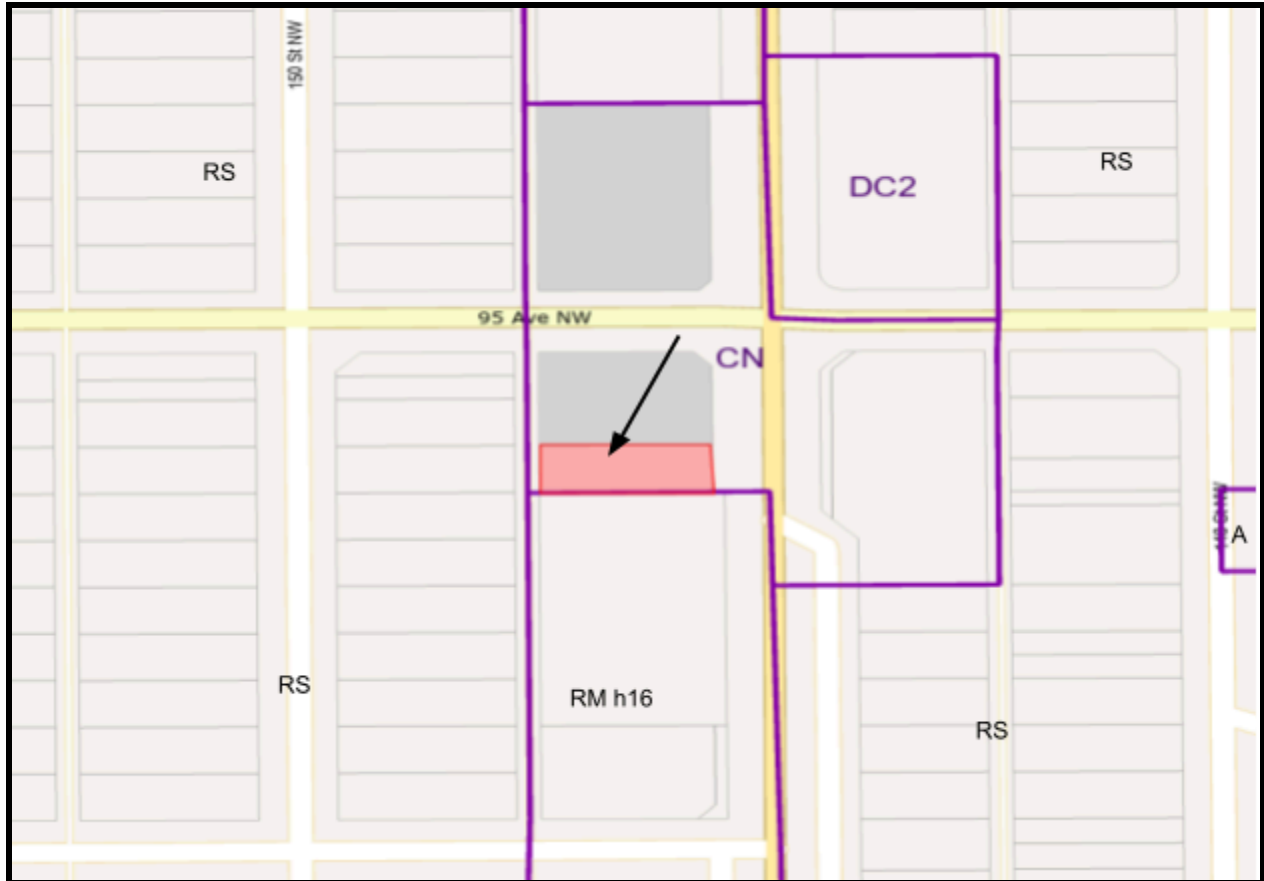
Notice to Applicant/Appellant

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.

	<h2>Application for Sign Permit</h2>		Project Number: 617100578-002 Application Date: JUL 09, 2025 Printed: September 22, 2025 at 4:22 PM Page: 1 of 2
This document is a Development Permit Decision for the development application described below.			
Applicant	Property Address(es) and Legal Description(s)		
	9440 - 149 STREET NW Plan 5710AF Blk 68 Lot 3		
	Location(s) of Work		
	Suite: 9440 - 149 STREET NW		
	Entryway: 9440 - 149 STREET NW		
	Building: 9440 - 149 STREET NW		
Scope of Application			
To install (1) Minor Digital Sign (4.9m x 6.1m facing N) in the form of a Ground Sign (PATTISON OUTDOOR ADVERTISING)			
Details			
ASA Sticker No./Name of Engineer: Development Category: Discretionary Development		Construction Value: 100000 Expiry Date:	
Development Application Decision			
Refused			
Issue Date: Sep 22, 2025 Development Authority: NOORMAN, BRENDA			
Reason for Refusal			
1) Subsection 6.90.3.16.3: The proposed sign requires separation from other signs with Off-premises Advertising in compliance with Table 3.16.3.			
The proposed Sign Area is 29.9m ² requiring a separation distance of 200m from the Freestanding Sign with Off-premises Advertising approved at 9508-149 Street NW. (Ref SDAB-D-25-063/541791045-002) Deficient by: 71m			
2) Subsection 6.90.5.23: Minor Digital Signs must be located on Sites greater than or equal to 1 ha. PROPOSED: 671.290 m ² (0.07ha) Deficient by: 0.93ha			
3) Subsection 6.90.5.24: The maximum Height of Minor Digital Signs and Major Digital Signs is 6.0 m. PROPOSED: 8.0m Deficient by: 2.0m			
4) Subsection 6.90.5.27.2: Minor Digital Signs in the form of a Ground Sign must comply with the following: The maximum Digital Copy area is 10.0 m ² . PROPOSED: 6.1m x 3.0m = 18.3m ² Exceeds by: 8.3m ²			
5) Subsection 6.90.5.27.3: Minor Digital Signs in the form of a Ground Sign must comply with the following: The maximum Sign Area is 20.0 m ² . PROPOSED: Sign Area: 4.9m x 6.1m = 29.9m ² Exceeds by: 9.9m ²			
THIS IS NOT A PERMIT			
P0702003			

	<h2>Application for Sign Permit</h2>	Project Number: 617100578-002 Application Date: JUL 09, 2025 Printed: September 22, 2025 at 4:22 PM Page: 2 of 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.																											
Fees <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>Sign Development Application Fee - Digital Signs</td><td>\$940.00</td><td>\$940.00</td><td>06619J001001334</td><td>Jul 09, 2025</td></tr><tr><td>Variance Fee</td><td>\$235.00</td><td>\$235.00</td><td>01796J001001508</td><td>Aug 05, 2025</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>\$1,175.00</td><td>\$1,175.00</td><td></td><td></td></tr></tbody></table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Development Application Fee - Digital Signs	\$940.00	\$940.00	06619J001001334	Jul 09, 2025	Variance Fee	\$235.00	\$235.00	01796J001001508	Aug 05, 2025	Total GST Amount:	\$0.00				Totals for Permit:	\$1,175.00	\$1,175.00		
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P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-25-148 **N**

TO BE RAISED

ITEM II: 10:30 A.M.

FILE: SDAB-D-25-149

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 513322009-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 5.8m x 13.9m)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 1, 2025

DATE OF APPEAL: October 1, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 17095 - 114 Street NW

LEGAL DESCRIPTION: Plan 9123311 Blk 70 Lot 15

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S): Canossa Neighbourhood Structure Plan
Castle Downs Extension Area Structure Plan

DISTRICT PLAN: Northwest District Plan

<i>Grounds for Appeal</i>

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

Appeal a refused development permit application

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on October 2, 2025:

“Due to the Canada Post strike, the appeal hearing is scheduled for a future date to be determined.”

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

Grounds for Appeal

685(1) If a development authority

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

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

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,

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

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

or

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

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

Hearing and Decision

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

...

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

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

(c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

- (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Zoning Bylaw 20001:

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

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

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

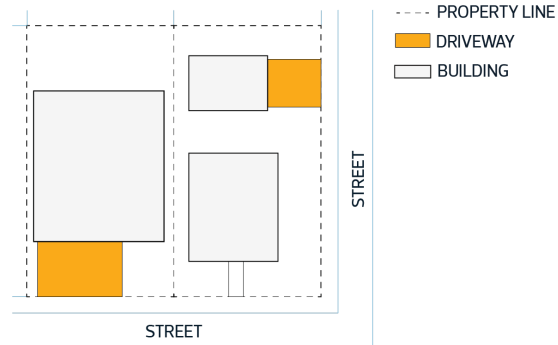
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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

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

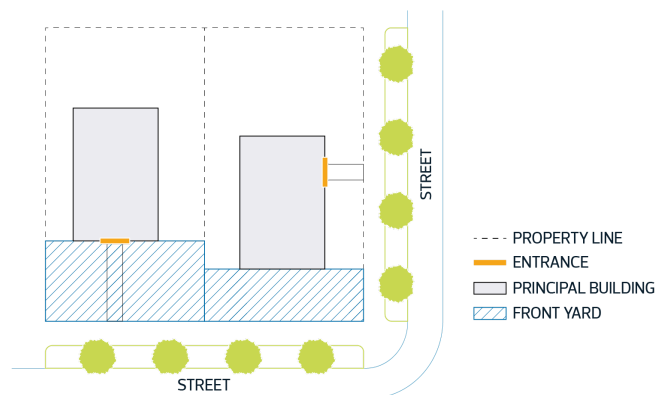
Under section 8.20, **Driveway** means:

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



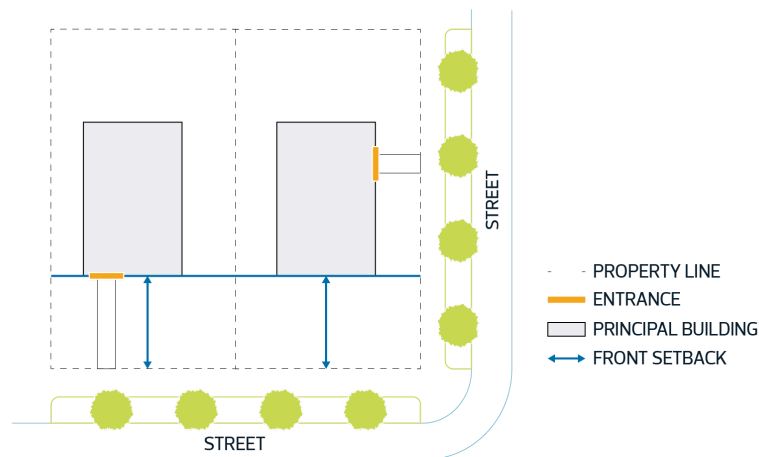
Under section 8.20, **Front Yard** means:

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



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

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



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

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

Section 2.20.1 states that the **Purpose** of the **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) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3)

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

2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the driveway shall have a maximum width of 7.4m, or the width of the Garage or Parking Area, whichever is less. (Subsection 5.80.2.1.4.2)

Proposed: The driveway is 11.9 m wide.

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

[unedited]


Previous Subdivision and Development Appeal Board Decisions

Application Number	Description	Decision
SDAB-D-23-137	To construct exterior alterations to a Single Detached House (Driveway extension, 6.10m x 12.5m), existing without permits.	September 27, 2023; No jurisdiction

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: 513322009-002 Application Date: MAY 21, 2024 Printed: October 1, 2025 at 1:25 PM Page: 1 of 2					
<h2>Application for Driveway Extension Permit</h2>							
This document is a Development Permit Decision for the development application described below.							
Applicant Project Name: Driveway extension		Property Address(es) and Legal Description(s) 17095 - 114 STREET NW Plan 9123311 Blk 70 Lot 15 Location(s) of Work Suite: 17095 - 114 STREET NW Entryway: 17095 - 114 STREET NW Building: 17095 - 114 STREET NW					
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension, 5.8m x 13.9m).							
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Site Area (sq. m.): 631.12 </td> <td style="width: 50%;"> Overlay: Statutory Plan: </td> </tr> </table>				Development Category: Site Area (sq. m.): 631.12	Overlay: Statutory Plan:		
Development Category: Site Area (sq. m.): 631.12	Overlay: Statutory Plan:						
Development Application Decision Refused Issue Date: Oct 01, 2025 Development Authority: WINGET, MARK Reason for Refusal 1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3) Proposed: The driveway does not lead directly from the roadway to the garage. 2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the driveway shall have a maximum width of 7.4m, or the width of the Garage or Parking Area, whichever is less. (Subsection 5.80.2.1.4.2) Proposed: The driveway is 11.9 m wide. 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: The additional concrete provides vehicle parking space in the front yard. Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.							
Building Permit Decision No decision has yet been made.							
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Fee Amount	Amount Paid	Receipt #	Date Paid				
THIS IS NOT A PERMIT							
P0762003							



Project Number: **513322009-002**

Application Date: MAY 21, 2024

Printed: October 1, 2025 at 1:25 PM

Page: 2 of 2

Application for

Driveway Extension Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Application Fee	\$185.00	\$185.00	08900384	May 21, 2024
Total GST Amount:	\$0.00			
Totals for Permit:	\$185.00	\$185.00		

THIS IS NOT A PERMIT

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-25-149 **N**

TO BE RAISED

ITEM III: 1:30 P.M.

FILE: SDAB-D-25-150

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 570223838-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Front Yard parking pad, (8.2m x 4.3m)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 16, 2025

DATE OF APPEAL: September 24, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 140 - Kiniski Crescent NW

LEGAL DESCRIPTION: Plan 8121673 Blk 36 Lot 81

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

Grounds for Appeal

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

We are requesting approval for the proposed parking pad due to the following reasons:

1. Limited parking availability: Our property has limited front road space due to the fire hydrant and other neighbors parking along the streets as well as our existing driveway pad is small and does not adequately accommodate our vehicles.
2. Vehicle size constraints: 3/4 ton truck barely fits on the current driveway pad. this makes it difficult to safely and practically use the space for regular parking needs.
4. Need for additional vehicle accommodation: With multiple vehicles that do not fit in the garage, we are seeking to utilize a parking pad to provide necessary additional parking space for our seasonal trailer and would help reduce congestion on the road and ensure vehicles are parked safely on the property rather than in unsuitable areas.
5. If approved we will gladly cement the proposed section to follow bylaw.
6. There are 4 houses total with cemented front parking pads that have alley entrance and exit access down the road from us.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on October 2, 2025:

“Due to the Canada Post strike, the appeal hearing is scheduled for a future date to be determined.”

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.

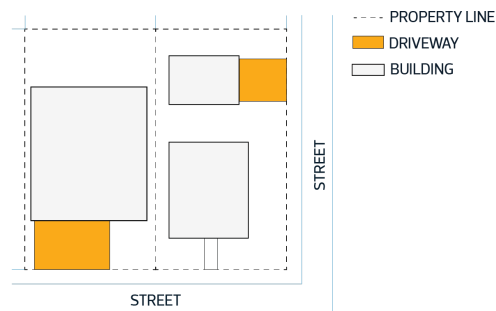
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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.”

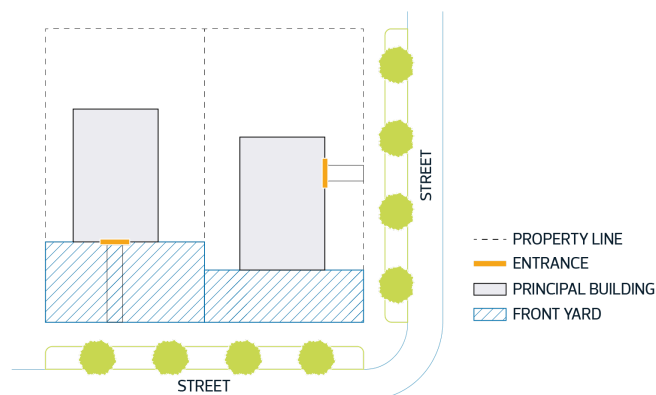
Under section 8.20, **Driveway** means:

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



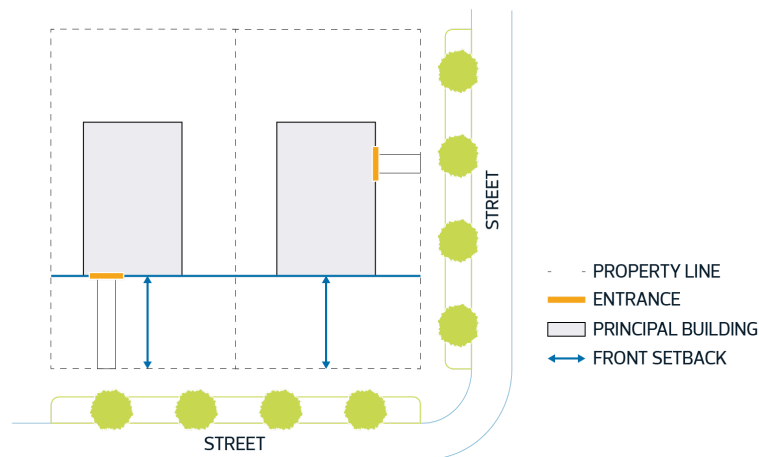
Under section 8.20, **Front Yard** means:

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



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

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



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

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

Section 2.20.1 states that the **Purpose** of the **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.

RSF Zone - General Regulations

Section 2.20.6.1 states the following with respect to **Parking and Access**:

Where a Site Abuts an Alley at the Rear Lot Line, vehicle access must be from the Alley, [...]

Development Planner’s Determination

1. Vehicular Access - Where a Site Abuts an Alley at the Rear Lot Line, vehicle access must be from the Alley (Subsection 2.20.6.1).

Proposed: Vehicular access off of Kiniski Crescent (front).

[unedited]

<i>Site Circulation and Parking Regulations for Small Scale Residential Development</i>
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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


2. Vehicular Parking - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.5.1).

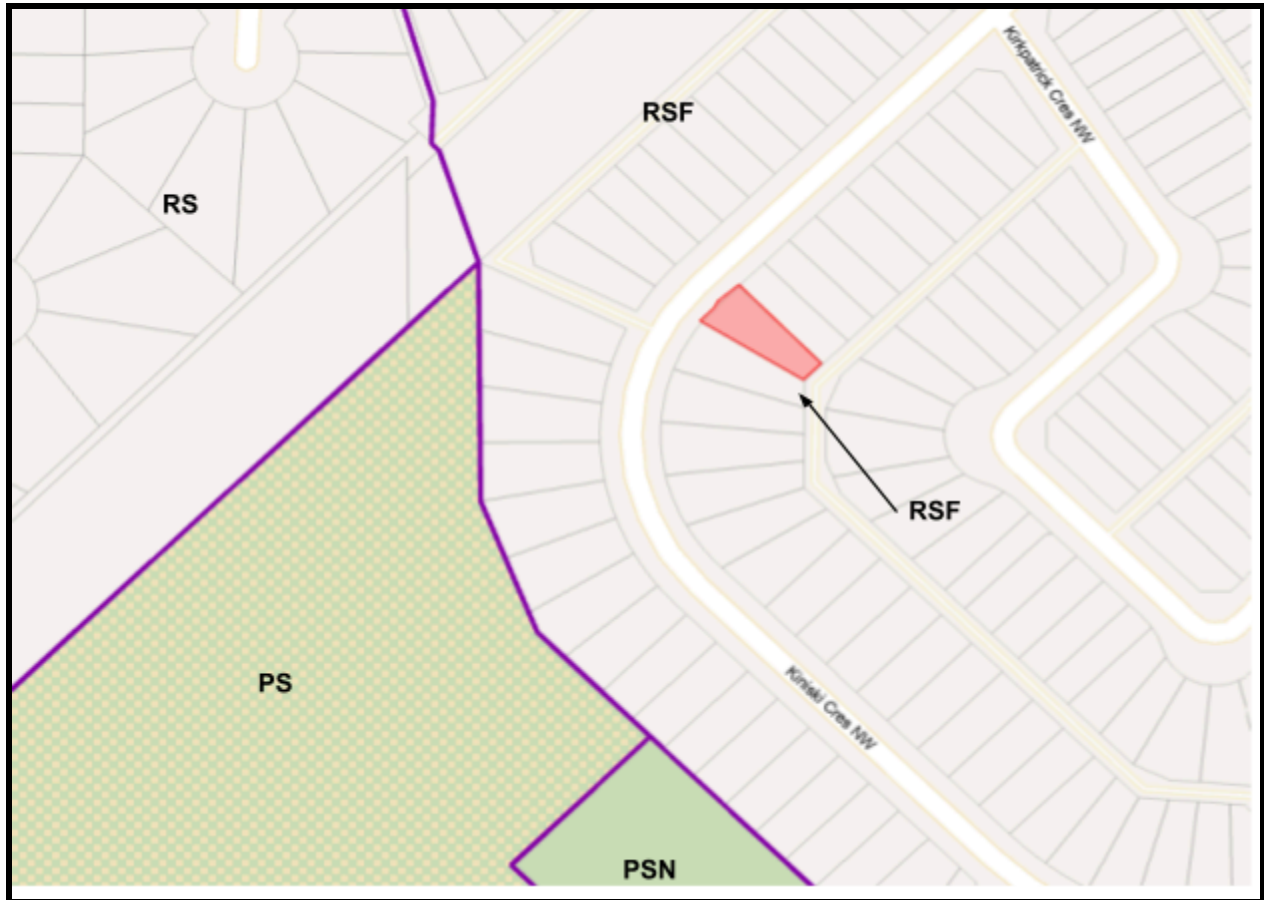
Proposed: Vehicular parking in the Front Yard.

[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.

		Application for Driveway Extension Permit		Project Number: 570223838-002 Application Date: AUG 12, 2025 Printed: September 16, 2025 at 1:28 PM Page: 1 of 1																					
		This document is a Development Permit Decision for the development application described below.																							
Applicant Project Name: Front Parking Pad		Property Address(es) and Legal Description(s) 140 - KINISKI CRESCENT NW Plan 8121673 Blk 36 Lot 81																							
		Location(s) of Work Suite: 140 - KINISKI CRESCENT NW Entryway: 140 - KINISKI CRESCENT NW Building: 140 - KINISKI CRESCENT NW																							
Scope of Application To construct exterior alterations to a Residential Use building (Front Yard parking pad, (8.2m x 4.3m)).																									
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SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-25-150 **N**