

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

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

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

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3

I 9:00 A.M. SDAB-D-25-151 To construct exterior alterations to a Residential Use building (Driveway extension, 2.44m x 7.98m), existing without permits

6411 - 174 Avenue NW
Project No.: 626792836-002

II 10:00 A.M. SDAB-D-25-152 To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed front porches (NOT to be used as a Lodging House)

6542 - 112A Street NW
Project No.: 587964445-002

TO BE RAISED

III 2:00 P.M. SDAB-D-25-153 Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options before October 20, 2025:

1. ACQUIRE a Development Permit for the Secondary Suite.
OR
2. DECOMMISSION the Secondary Suite. This includes:
 - Removing all locking mechanisms between the main floor and basement to create free flow access between floors.
 - Removing the stove, 220 volt outlet and 220 breaker from the electrical panel associated with the Secondary Suite.
 - Removing any cooking facilities (including 120 volt appliances) associated with the Secondary Suite.

11602 - 93 Street NW
Project No.: 592911419-001

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-25-151AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 626792836-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 2.44m x 7.98m), existing without permits

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 1, 2025

DATE OF APPEAL: October 11, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 6411 - 174 Avenue NW

LEGAL DESCRIPTION: Plan 1520589 Blk 15 Lot 1

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S):
McConachie Neighbourhood Structure Plan
Pilot Sound Area Structure Plan

DISTRICT PLAN: Northeast District Plan

Grounds for Appeal

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

I am appealing the City of Edmonton's refusal of my development permit application regarding my driveway, referenced under Section 7.110.1 of Zoning Bylaw 20001. I respectfully request that the Board overturn this refusal, or alternatively, grant a variance, based on the following grounds:

1. The Driveway Was Approved and Depicted in 2015

My home was built in 2015, and I hold a City-stamped and signed Real Property Report (RPR) issued at that time.

The RPR clearly depicts the driveway as constructed, and the City issued a compliance stamp after reviewing the full site plan.

If the driveway had been non-compliant in 2015, it was the City's responsibility to note this before issuing certification. By stamping the RPR, the City implicitly accepted the driveway in its current form.

2. Reliance and Good Faith as a Subsequent Owner

I purchased the home in 2019 as the second owner. To a reasonable homeowner, a City-stamped compliance certificate means the property as shown including the driveway was lawful.

It is not reasonable to expect a subsequent purchaser to distinguish between structural compliance and site surface rules, particularly when the City itself certified the property.

3. Legal Non-Conforming Rights Under the Municipal Government Act

Section 643 of Alberta's Municipal Government Act provides that a development that was lawfully constructed and compliant at the time of approval is considered legal non-conforming, even if bylaws later change.

The driveway existed, was accepted by the City in 2015, and should therefore be recognized as legal non-conforming today.

4. Unnecessary Hardship and Lack of Public Harm

Requiring demolition of the driveway would cause undue financial hardship and penalize me for relying on the City's own certification.

The driveway has existed in its current form since 2015 without causing issues related to safety, drainage, or neighbourhood character.

A retroactive permit or variance would address any technical compliance concerns without forcing unnecessary removal of an established, City-reviewed feature.

Requested Relief

On these grounds, I respectfully request that the SDAB:

1. Overturn the Development Officers refusal of my permit;
2. Recognize the driveway as a legal non-conforming use under the MGA; or
3. Grant a variance permitting the driveway to remain as constructed.

I am prepared to submit the following supporting evidence

The 2015 City-stamped Real Property Report;

The Violation Notice and Permit Refusal Letter;

Proof of property purchase in 2019;

Photographs confirming the driveway has not changed since 2015.

General Matters**Appeal Information:**

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

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

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

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

...

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

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

Appeals

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

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

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

or

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

Hearing and Decision

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

...

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

...

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

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

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

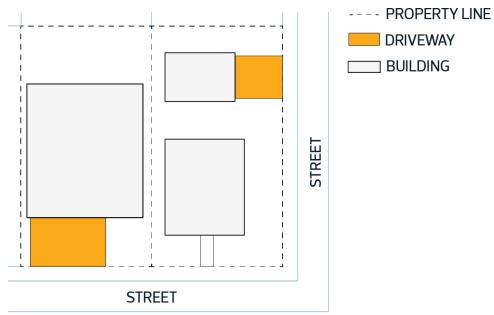
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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

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

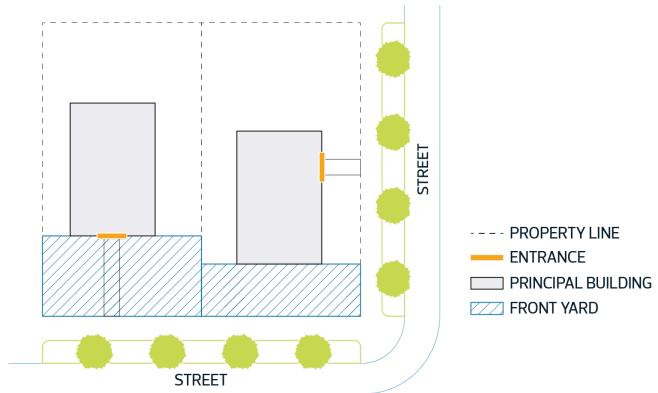
Under section 8.20, **Driveway** means:

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.



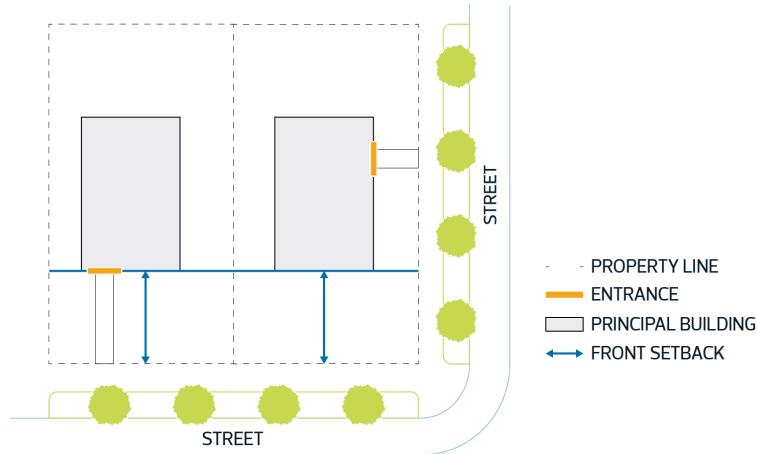
Under section 8.20, **Front Yard** means:

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. Subsection 5.80.2.1.3

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

Proposed: The Driveway extension does not lead directly to the Garage.

2. Subsection 5.80.2.1.4.2.1

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

Proposed: Driveway width is 9.2 m instead of 6.8 m (width of Garage).

3. Subsection 5.80.2.1.5.1

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

Proposed: The Driveway extension is within the Front Yard.

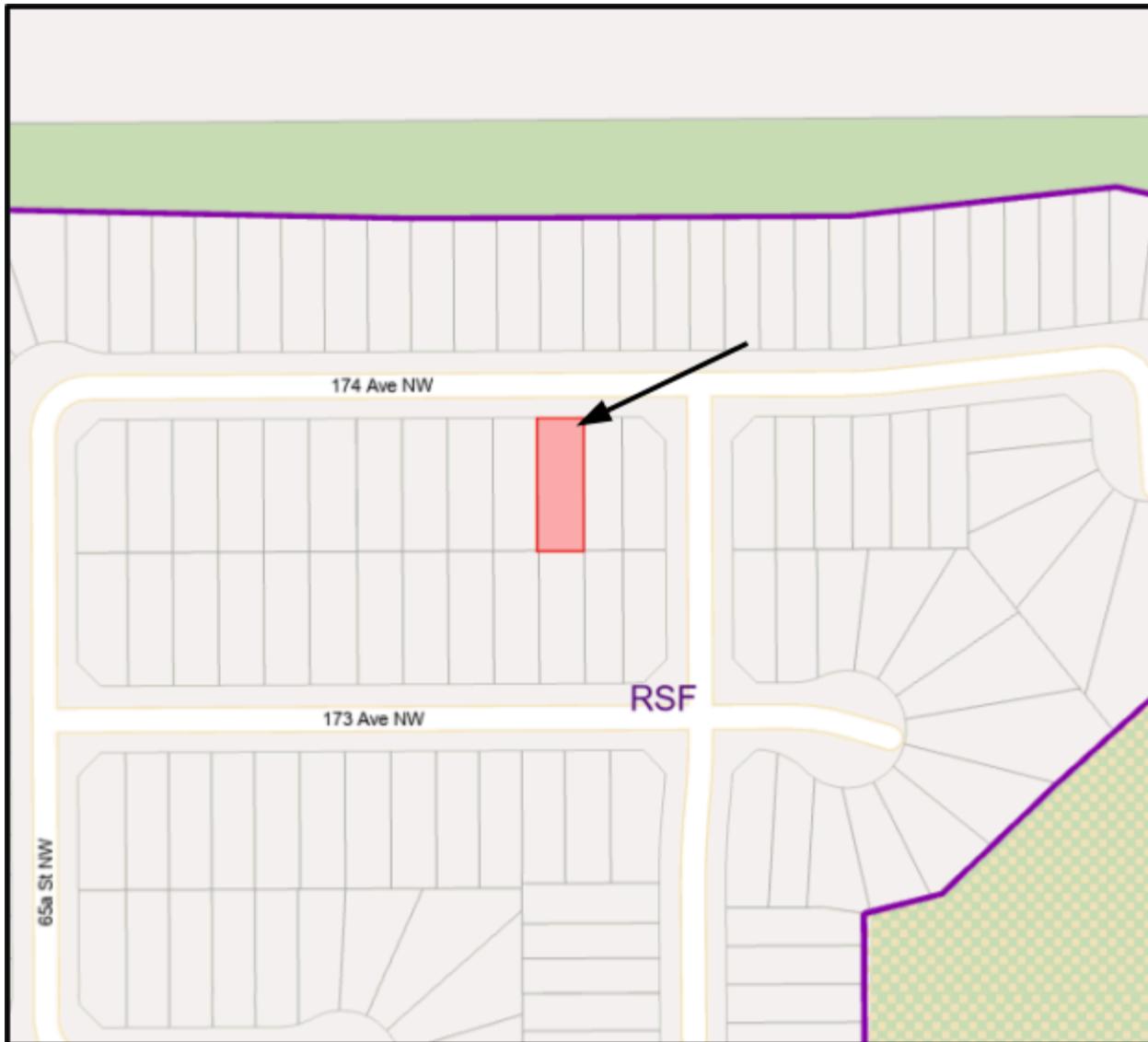
[unedited]

Notice to Applicant/Appellant

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

		Project Number: 626792836-002 Application Date: AUG 24, 2025 Printed: October 1, 2025 at 1:58 PM Page: 1 of 2		
<h2>Application for</h2> <h3>Driveway Extension Permit</h3>				
<p>This document is a Development Permit Decision for the development application described below.</p>				
Applicant	Property Address(es) and Legal Description(s) 6411 - 174 AVENUE NW Plan 1520589 Blk 15 Lot 1			
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension, 2.44m x 7.98m), existing without permits.				
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Development Category: Site Area (sq. m.): 393.23</td> <td style="width: 50%;">Overlay: Statutory Plan:</td> </tr> </table>			Development Category: Site Area (sq. m.): 393.23	Overlay: Statutory Plan:
Development Category: Site Area (sq. m.): 393.23	Overlay: Statutory Plan:			
Development Application Decision Refused Issue Date: Oct 01, 2025 Development Authority: HETHERINGTON, FIONA				
Reason for Refusal 1. Subsection 5.80.2.1.3 Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. Proposed: The Driveway extension does not lead directly to the Garage.				
2. Subsection 5.80.2.1.4.2.1 Driveway Width - Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. Proposed: Driveway width is 9.2 m instead of 6.8 m (width of Garage).				
3. Subsection 5.80.2.1.5.1 Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard. Proposed: The Driveway extension is within 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.				
THIS IS NOT A PERMIT				
<small>PG702003</small>				

	Project Number: 626792836-002 Application Date: AUG 24, 2025 Printed: October 1, 2025 at 1:58 PM Page: 2 of 2																							
Application for Driveway Extension Permit																								
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left; padding: 5px;">Fees</th><th style="text-align: center; padding: 5px;">Fee Amount</th><th style="text-align: center; padding: 5px;">Amount Paid</th><th style="text-align: center; padding: 5px;">Receipt #</th><th style="text-align: center; padding: 5px;">Date Paid</th></tr></thead><tbody><tr><td style="padding: 5px;">Development Application Fee</td><td style="text-align: center; padding: 5px;">\$190.00</td><td style="text-align: center; padding: 5px;">\$190.00</td><td style="text-align: center; padding: 5px;">03074I001001227</td><td style="text-align: center; padding: 5px;">Aug 24, 2025</td></tr><tr><td style="padding: 5px;">Total GST Amount:</td><td style="text-align: center; padding: 5px;">\$0.00</td><td></td><td></td><td></td></tr><tr><td style="padding: 5px;">Totals for Permit:</td><td style="text-align: center; padding: 5px;"><u>\$190.00</u></td><td style="text-align: center; padding: 5px;"><u>\$190.00</u></td><td></td><td></td></tr></tbody></table>					Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$190.00	\$190.00	03074I001001227	Aug 24, 2025	Total GST Amount:	\$0.00				Totals for Permit:	<u>\$190.00</u>	<u>\$190.00</u>		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-151



N

ITEM II: 10:00 A.M.FILE: SDAB-D-25-152APPEALS FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT NO.1:

APPELLANT NO.2:

APPLICATION NO.: 587964445-002

APPLICATION TO: To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed front porches (NOT to be used as a Lodging House)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: September 26, 2025

DATE OF APPEAL(S): October 11 and October 15, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 6542 - 112A Street NW

LEGAL DESCRIPTION: Plan 2503HW Blk 10 Lot 4

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

Grounds for Appeal

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

Appellant No. 1 - T. Bergen

I am appealing the approved development permit at 6542 112A Street NW. The development is described as a residential use building in the form of a "4 dwelling row house with 4 secondary suites". The grounds for my appeal is that the development will materially interfere with and affect the use, enjoyment and value of my property, as well as other properties on the street and that the decision made by the City of Edmonton's Development Authority to approve this permit failed to take into account relevant planning criteria that is noted in the Subdivision & Development Appeal Board information resources (including proposed use, sun-shadowing, streetscape, compatibility, pedestrian and vehicular traffic, parking, and noise). Despite the approved permit indicating that the building is not to be used as lodging housing, the building design indicates the longer-term use will be for a 24 bedroom lodging/rooming housing and not row housing. For instance, rather than having shared living space, the upstairs units contain bedrooms with affixed bathrooms and a shared kitchen without a shared living space. Families or roommates are unlikely to want to live in a unit without shared living space which suggests the targeted clientele more are transient, short-term renters. The property is currently being rented out by the room on a nightly basis for \$40 to various tenants that come and go (based on what some tenants have told me), resulting in the property becoming increasingly derelict and increased garbage in the alley. This further indicates the intended use of the future building is likely not row housing but shorter-term lodging/rooming housing, which is what the new building has been designed for. There is no parking despite having a building design anticipating a minimum 24 residents, which will impact parking up and down the street not only due to this significant increase in residents on the property but also visitors. A minimum 24 resident building will also increase vehicle traffic and noise on a residential street drastically due to both residents and visitor cars and increased activity. Additionally, the existing property has 1 bathroom however the approved build would have 20 bathrooms along with increased laundry. The building design will also impact streetscape and fails to conform to basic compatibility with the street. For the immediate neighbouring properties such as mine, the building will create sun-shadowing effects particularly in my front and back yards which will ruin my gardens. All of the above factors are noted as being relevant planning and development concerns in information resources published by the Subdivision and Development Appeal Board and will therefore materially interfere with and affect the use and enjoyment of my property. Significantly, a study from January 2024 to September 2025 has revealed that properties within a 50 meter radius of new multi-unit developments in Edmonton experienced an average loss of 7.4% in value. This means my property value will drop by \$40K to \$50K minimum, assuming my lot has a tear down value despite over \$200K in renovations over the past few years and that a 24 bedroom building generates the same losses to neighbouring properties as smaller scale

multi-unit developments - which is unlikely. This means this development will materially interfere with the value of my property. Accordingly, I am requesting the board overturn the approved development permit that will materially interfere with and affect the use, enjoyment and value of my property as demonstrated by it failing to take into account the relevant planning criteria that is noted in the Subdivision & Development Appeal Board information resources.

Appellant No. 2 - K. Hawkesworth

I seek the following relief:

- a) for the Development Permit for the Property to be withdrawn and/or cancelled, and
- b) for the owner/developer of the Property to be required to redesign the interior plans for the Property to, in fact, comply with the City of Edmonton (the "City") Zoning Bylaw (the "Zoning Bylaw") before submitting a new development permit application clearly compliant with the Zoning Bylaw in force at that time.

The issues, discussed below, are:

- 1) The Development Permit has been issued in error;
- 2) The plans for this Property do not, in fact, support the description stated in the Development Permit as a "4 Dwelling Row House with 4 Secondary Suites" (the "Dwelling");
- 3) Instead, the interior design plans for the Dwelling (the "Design") directly facilitate, with no further modifications, a non permitted use, being that of one or more Lodging Houses which do not comply with the Zoning Bylaw;
- 4) The condition placed on the Development Permit that the Property not be used as a Lodging House is not and cannot be an effective restriction, in either the short or long term; and
- 5) Approving such a Design would be a damaging precedent-setting situation for our block and neighbourhood.

On September 26, 2025, the City of Edmonton approved the owner's application to "construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed front porches (NOT to be used as a Lodging House)" (the "Dwelling").

However, the Design contemplates 24 Sleeping Units, 16 of which have attached full bathrooms and another 8 with 1 full bathroom per 2 bedrooms, 8 shared kitchens and minimal shared living areas. Therefore, the Design clearly evidences the Dwelling to be distinctly purpose-built as one or more Lodging Houses, not in compliance with the Zoning Bylaw for this Small Residential Zone.

- Subsection 3.2.2 of Section 2.10 of the Zoning Bylaw specifically limits the number of Lodging House Sleeping Units to 8 per site.
- In addition, I note that the City's Congregate Living Information Guide found at [https://www.gov.edmonton.ab.ca/public-files/assets/document?path=PDF/Congregate Living Information guide.pdf](https://www.gov.edmonton.ab.ca/public-files/assets/document?path=PDF/Congregate%20Living%20Information%20guide.pdf) indicates that Lodging Houses are not permitted in buildings with Secondary Suites.

Simply adding to the Development Permit a condition that the Dwelling is NOT to be used as a Lodging House is not sufficient to override the characterization of the Dwelling as a Lodging House. That is, the stated permit condition is in direct contradiction to the Design submitted and therefore the issuance of the Development Permit must be considered to be in error.

Once the Dwelling is built, it is unreasonable to believe that such a condition cannot be easily disregarded or subject to abuse. Even if an owner of the property, current or future, is not motivated to do so, tenants who wish to sublet parts of this property may be so motivated or be unaware of this permit condition. The need for surveillance and enforcement, in perpetuity, of such a condition is an unfair burden on both the neighbours and the City. Even if the terms of the Development Permit allow it to be automatically cancelled for breach, any such breach can only occur after the Dwelling is in built form so that cancellation of the permit is too little too late. Dealing with a built non-compliant property at that point will be more costly and problematic than if a potential breach is prevented now.

Further, to allow a de facto Lodging House or roommate focused development of 24 Sleeping Units vastly over-populates a single residential lot with many consequences, some of which are:

- The Property is located just over a block away from an elementary school. In this community, responsible infill favours quality living space for families, not reflected in the Design and Dwelling.
- Instead, this Design typically attracts temporary short-term tenants thereby interfering with the amenities of this neighbourhood, such as the school.
- This use of the Property obviously materially interferes with and affects the use, enjoyment and value of neighbouring homes of this older mature neighbourhood.
- Even the consequences of street parking for potentially 24 or more adult residents of one 48-foot-wide lot are out of scale for this residential street.

The precedent this sets for this block and community is therefore damaging and not within the spirit and intent of responsible infill.

I note that I have not yet had the opportunity review all elements of the Design, Dwelling and Property. I may need to provide an update to this appeal application after such review can occur.

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).

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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

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

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

or

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

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

Hearing and Decision

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

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

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

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

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

...

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

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

(i) the proposed development would not

(A) unduly interfere with the amenities of the neighbourhood, or

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

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

Under section 8.20, **Row Housing** means:

a building that contains 3 or more principal Dwellings joined in whole or in part at the side, the rear, or the side and the rear, with none of the principal Dwellings being placed over another. Each principal Dwelling has separate, individual, and direct access to ground level.

Under section 8.20, **Secondary Suite** means:

a Dwelling that is subordinate to, and located within, a building in the form of Single Detached Housing, Semi-detached Housing, Row Housing, or Backyard Housing. A Secondary Suite is not a principal Dwelling. A Secondary Suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A Secondary Suite has less Floor Area than the principal Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

Under section 8.20, **Dwelling** means:

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

Section 2.10.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

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

Notice to Applicant/Appellant

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

	<p>Project Number: 587964445-002 Application Date: APR 17, 2025 Printed: September 26, 2025 at 6:52 AM Page: 1 of 9</p> <h2 style="text-align: center;">Development Permit</h2> <p>This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> Applicant </td> <td> Property Address(es) and Legal Description(s) 6542 - 112A STREET NW Plan 2503HW Blk 10 Lot 4 </td> </tr> <tr> <td></td> <td> Specific Address(es) Suite: 1, 6542 - 112A STREET NW Suite: 2, 6542 - 112A STREET NW Suite: 3, 6542 - 112A STREET NW Suite: 4, 6542 - 112A STREET NW Suite: BSMT1, 6542 - 112A STREET NW Suite: BSMT2, 6542 - 112A STREET NW Suite: BSMT3, 6542 - 112A STREET NW Suite: BSMT4, 6542 - 112A STREET NW Entryway: 1, 6542 - 112A STREET NW Entryway: 2, 6542 - 112A STREET NW Entryway: 3, 6542 - 112A STREET NW Entryway: 4, 6542 - 112A STREET NW Building: 1, 6542 - 112A STREET NW </td> </tr> <tr> <td colspan="2"> Scope of Permit To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed front porches (NOT to be used as a Lodging House). </td> </tr> <tr> <td colspan="2"> Details <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">1. 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3. Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner.
4. Any change to the approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed.
5. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.
6. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).
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).
8. The Secondary Suite must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20).
9. A Hard Surfaced Pathway connecting the main entrance of the Secondary Suite directly to an Abutting sidewalk is required, which must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).
10. The Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20).
11. The Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).
12. Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)
13. 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).
14. The development must not be used as a Lodging House. A Lodging House means a building, or part of a building, containing 4 or more Sleeping Units that are rented out individually.
15. This Development Permit shall be revoked if the conditions of this permit are not met.

Transportation Conditions:

1. Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination. This area within the alley road right-of-way must not exceed a slope of 8%.
2. A Public Tree Permit will be required for any boulevard trees within 5 meters of the site; trees must be protected during construction as per the Public Tree Bylaw 18825. If tree damage occurs, all tree related costs will be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value on full or partial tree loss as well as all operational and administrative fees. The owner/applicant must contact City Operations, Parks and Roads Services at citytrees@edmonton.ca to arrange any clearance pruning or root cutting prior to construction.
3. There is an existing retaining wall located along the south property line that appears to encroach on road right-of-way. This encroachment must be removed and restored to a grassed boulevard within right-of-way to the City of Edmonton Complete Streets



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Design and Construction Standards.

Further to above; 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://utilitysafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.

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

6. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:
 the start/finish date of project;
 a. accommodation of pedestrians and vehicles during construction;
 b. confirmation of lay down area within legal road right of way if required;
 c. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.
 d. It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at:
https://www.edmonton.ca/business_economy/oscam-permit-request.aspx

EPCOR Conditions:

1. Any party proposing construction involving ground disturbance to a depth exceeding 2m within 5m of the boundary of lands or rights-of-way (ROW) containing EPCOR Water facilities is required to enter into a Facility Proximity Agreement with EWSI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 19626 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.

Fire Rescue Services Conditions:

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

A fire safety plan, accepted in writing by the fire department and the authority having jurisdiction, shall be prepared for the site. Edmonton Fire Rescue Services will review your plan at the initial site visit upon commencement of construction.
 Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan

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

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

You can locate a copy of the FSP guide for your reference here:
<https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=1692102771>

Ensure that the hydrant(s) servicing the site are fully functional prior to construction and remain accessible and unobstructed during



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construction.

Reference: NFC(2023-AE) 5.6.3.6. Hydrant Access

- 1) Hydrants on construction, alteration, or demolition site shall
 - a) be clearly marked with a sign,
 - b) be accessible, and
 - c) have an unobstructed clearance of not less than 2 m at all times.

NBC (2023-AE) 9.10.20.3. Fire Department Access to Building

- 1) Access for fire department equipment shall be provided to each building by means of a street, private roadway or yard.
- 2) Where access to a building as required in Sentence (1) is provided by means of a roadway or yard, the design and location of such roadway or yard shall take into account connection with public thoroughfares, weight of firefighting equipment, width of roadway, radius of curves, overhead clearance, location of fire hydrants, location of fire department connections and vehicular parking.

Edmonton Fire Rescue Services Access Guidelines specify that the unobstructed travel path (measured from a fire department vehicle to the entry of the building/unit) must be a minimum 0.9m of clear width (gates must be non-locking) and no greater than 45m in distance.

https://www.edmonton.ca/sites/default/files/public-files/assets/PDF/B19-04_Small_Building_Access_Policy.pdf?cb=1632115800

The path must be of a hard surface such as a sidewalk that is accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered.

During Construction

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

https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const

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

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

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

Protection of Adjacent Buildings During Construction and Demolition

<https://open.alberta.ca/dataset/4ac126d2-ccb2-455d-b215-7bcb75827924/resource/27dc6f1b-2bbe-451b-8a3f-618013413608/download/ma-standata-interpretation-fire-building-19-fci-005-19-bci-016.pdf>

Kind regards,

Matthew McKellar

FSCO Group B, Level II

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

Subject to the Following Advisements

Zoning Advisements:

- a) Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw.
- b) 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).
- c) 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.



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

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

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

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

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

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

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

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

Drainage Services Advisements:

DP#587964445-002 To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed front porches. File No.51-013-109-085 (Parkallen)

To: Kathy Zeng
 Development Services, Urban Form & Corporate Strategic Development

The Development Servicing Agreements unit of City Planning has no objection to the captioned Development Permit for the property located at 6542 - 112A STREET NW(Plan 2503HW Blk 10 Lot 4;Parkallen), subject to the following conditions:

CONDITIONS

Development Assessments

APPLICABLE ASSESSMENTS

Permanent Area Contribution (PAC)

Storm and Sanitary PACs are not applicable since the property is not within any active PAC basin.

Expansion Assessment (EA)

Expansion Assessment charge is being paused during the end of the year 2025(exact date to be determined by the SSSF Oversight Committee); therefore EA is deferred for this DP.

EA may apply at the time of the future application of subdivision, development



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permit or servicing connection application.

Arterial Roadway Assessment (ARA)

Arterial Roadway Assessment is not applicable since the property is outside the current ARA Catchment Area.

Sanitary Sewer Trunk Charge (SSTC)

SSTC is applicable to the lot in question; however, SSTC charges will be paused during the end of the year 2025 (exact date to be determined by the SSSF Oversight Committee); therefore SSTC is deferred for this DP.

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 2025. 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

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

Sanitary Servicing Strategy Expansion Assessment

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

Sanitary Sewer Trunk Charge

https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx

EPCOR Advisements:

1. The site is currently serviced by a 20 mm water service (S10496) located 11.2 north of the south property line of Lot 4 off of 112A Street. If this service will not be utilized for the planned development, it must be abandoned back to the water main prior to



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any on-site excavation. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site including demolition, excavation or grading for direction on the correct process to follow to have the service isolated and meter removed.

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

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

3. A new water service may be constructed for this lot directly off EPCOR's 200 mm water main along the 112A Street adjacent to the subject site.

4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass.drainage@epcor.com or at 780-496-5444. EPCOR Strongly encourages all applicants to contact IWASS early in development planning to learn about site specific minimum requirements for onsite water and/or sewer servicing.

4a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.

5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass.drainage@epcor.com or at 780-496-5444.

6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWInspections@epcor.com or 780-412-3850.

7. The applicant must submit bacteriological test results to EPCOR Water Dispatch and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-4500 for more information on how to provide the test results. EPCOR Water Dispatch can provide information on the tie-in and commissioning procedure.

8. In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA005-11b for permitted water service configurations.

9. Development engineering drawings including landscaping and hardscaping must meet Volume 1 (Table of Minimum Offsets) and Volume 4 (April 2021) of the City of Edmonton Design and Construction Standards.

10. Dimensions must be provided as part of the engineering drawing submission package where a tree or shrub bed is installed within 5.0m of a valve, hydrant or curb cock, as per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (April 2021).

11. The applicant/owner will be responsible for all costs related to any modifications or additions to the existing municipal water infrastructure required by this application.

12. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.

13. The advisements and conditions provided in this response are firm and cannot be altered.

Should you require any additional information, please contact Sarah Chileen at schileen@epcor.com.



Project Number: **587964445-002**
 Application Date: APR 17, 2025
 Printed: September 26, 2025 at 6:52 AM
 Page: 8 of 9

Development Permit

Waste Management Advisements:
 21 MAY 2025

Job# 587964445-002

Hello,

Thank you for the opportunity to provide feedback on this project.

Waste Services has reviewed the proposed plan: PLOT PLAN dated 2025-03-25 and has no concerns to identify during this review.

This review is based on Waste Services' current standards and practices and expires with the expiry of the Development Permit.

Adding any number of additional dwellings beyond what is indicated in this letter may result in changes to your waste collection. Waste Services reserves the right to adjust the collection method, location, or frequency to ensure safe and efficient service.

Additional information about waste service at your proposed development:

Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton.

To help in planning and designing your development, please refer to Bylaw 20363 to review clauses related to:
 Access to containers and removal of obstructions.

Container set out, and

The responsibility for wear and tear or damages.

The green cart equivalency program and an exemption to reduce the spacing required to 0.5m between carts while maintaining 1.0 m spacing between carts and any other objects such as vehicles, fences, etc. for this development has been approved for this proposed development with 8 dwellings, allowing it to receive Curbside Collection. The City will provide a total of 12 carts; 8 x 240L for garbage and 4 x 240L for food scraps. Please note:

Residents would be required to share their food scraps carts.

Residents will be required to set out garbage and food scraps carts on collection day as per the set-out instructions.

Residents would use blue bags for recycling.

A minimum of 7.5 m unobstructed overhead space is required above the collection area to allow proper servicing of the containers. For developments with rear lanes, waste will only be collected from the rear lane for all dwellings in the development. It is the responsibility of the applicant or owner to ensure residents have access to the rear lane for waste set out.

If you require any further clarifications, please contact us.

Sincerely,
 Susen Das
 Development Planning Assessor

Rights of Appeal

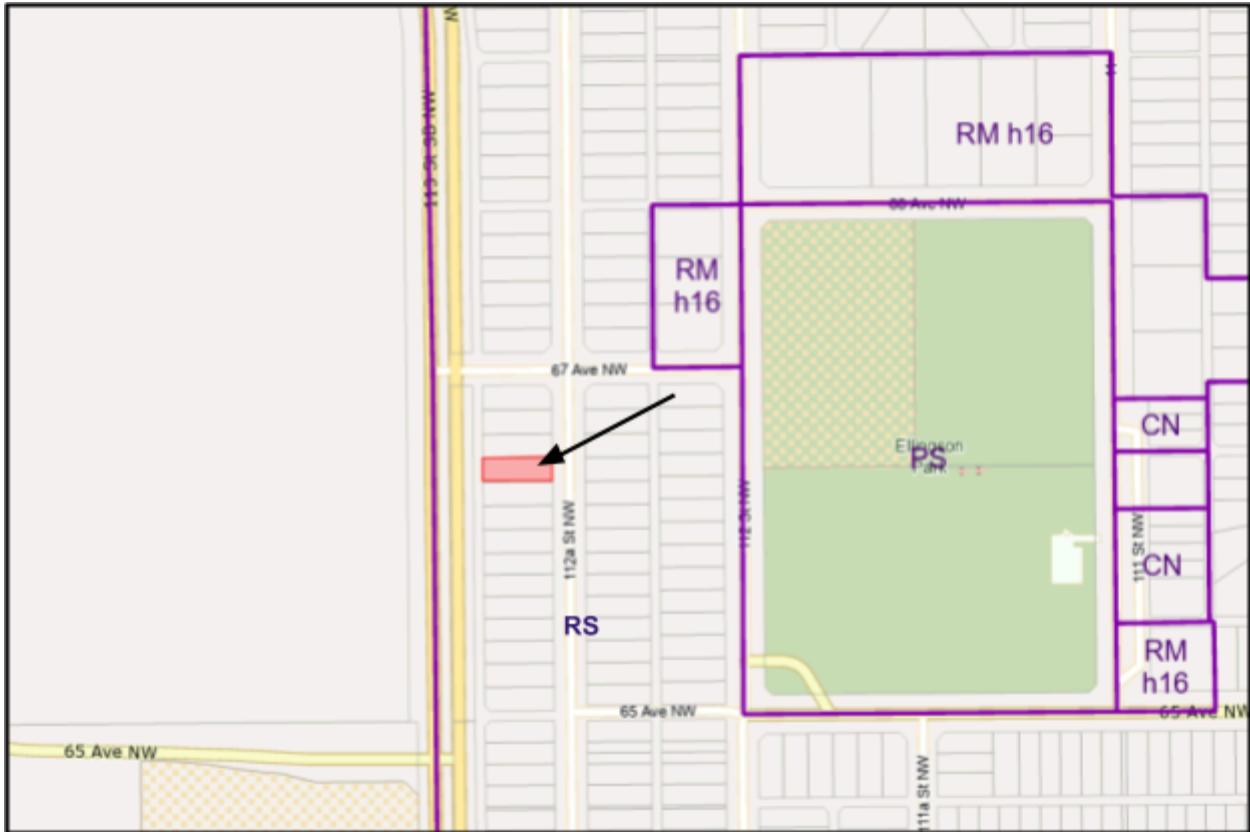
This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$1,020.00	\$1,020.00	09527177	Apr 22, 2025
Lot Grading Fee	\$490.00	\$490.00	09527177	Apr 22, 2025
Development Permit Inspection Fee	\$580.00	\$580.00	09527177	Apr 22, 2025

P0702003

	Project Number: 587964445-002 Application Date: APR 17, 2025 Printed: September 26, 2025 at 6:52 AM Page: 9 of 9															
Development Permit																
<table border="1"><thead><tr><th>Fees</th><th>Fee Amount</th><th>Amount Paid</th><th>Receipt #</th><th>Date Paid</th></tr></thead><tbody><tr><td>Total GST Amount:</td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td>Totals for Permit:</td><td>\$2,070.00</td><td>\$2,070.00</td><td></td><td></td></tr></tbody></table>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Total GST Amount:	\$0.00				Totals for Permit:	\$2,070.00	\$2,070.00		
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Total GST Amount:	\$0.00															
Totals for Permit:	\$2,070.00	\$2,070.00														
P0702003																



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-152



N

TO BE RAISED

ITEM III: 2:00 P.M.

FILE: SDAB-D-25-153

**AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE
OFFICER**

APPELLANT:

APPLICATION NO.: 592911419-001

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options before October 20, 2025:

1. ACQUIRE a Development Permit for the Secondary Suite.
OR
2. DECOMMISSION the Secondary Suite. This includes:
 - Removing all locking mechanisms between the main floor and basement to create free flow access between floors.
 - Removing the stove, 220 volt outlet and 220 breaker from the electrical panel associated with the Secondary Suite.
 - Removing any cooking facilities (including 120 volt appliances) associated with the Secondary Suite.
 - Schedule a decommission inspection by contacting the investigating Development Compliance Officer by phone at 780-686-2128 or email at regan.catena@edmonton.ca.

DECISION OF THE
DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: September 17, 2025

DATE OF APPEAL: October 2, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 11602 - 93 Street NW

LEGAL DESCRIPTION: Plan RN43 Blk 35 Lot 30

ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	North Central District Plan

<i>Grounds for Appeal</i>

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

The house was built in 1948. The basement suite was "as is" when I purchased the house 25 years ago. As the finishes (hardwood floors, arches, wood finishes) are the same as the main floor, I believe that basement was finished when the house was built.

It is my intention to decommission the suite when the current tenant vacates. He has been diagnosed with dementia and has been approved for and is on a waitlist with the Greater Edmonton Foundation for a lodge placement. Decommissioning his home at this time would cause undue hardship for him as he struggles with changes in routine, consistent with his diagnosis.

As the course of deterioration is unpredictable, and wandering is one of the characteristics as dementia progresses, I am reluctant to remove the door locks between my residence and his, related to my own safety.

Thank you for your consideration.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board ("SDAB") made and passed the following motion on October 8, 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:

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(3) A person who receives a notice referred to in subsection (2) may appeal the order in the notice in accordance with section 685.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or

(c) issues an order under section 645,

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

...

(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, **Secondary Suite** means:

a Dwelling that is subordinate to, and located within, a building in the form of Single Detached Housing, Semi-detached Housing, Row Housing, or Backyard Housing. A Secondary Suite is not a principal Dwelling. A Secondary Suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A Secondary Suite has less Floor Area than the principal Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

Under section 8.20, **Dwelling**, means:

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

Section 2.10.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

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

7.110 Approvals Required and Development

Section 7.110.1 states:

1.1. No person may:

1.1.1. undertake, or cause or allow to be undertaken, a development; or

- 1.1.2. carry on, or cause or allow to be carried on, a development, without a Development Permit issued under this Section.

7.200 Inspections, Enforcement and Penalties

- 2.1. It is an offence for any person to:
 - 2.1.1. contravene; or
 - 2.1.2. cause, allow or permit a contravention of, any provisions of this Bylaw.
- 2.2. If a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:
 - 2.2.1. construct a building or structure;
 - 2.2.2. make an addition or alteration to a building or structure;
 - 2.2.3. commence or undertake a Use or change of intensity of Use; or
 - 2.2.4. place a Sign on land, or on a building or structure.
- 2.3. It is an offence for any person to undertake development in contravention of a Development Permit, including any conditions of approval.

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.



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

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September 17, 2025

Our File: 592911419-001

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir / Madam:

An Albertan Land Titles search identifies you as the registered owner(s) of the property located at **11602 - 93 STREET NW** in Edmonton, Alberta, legally described as Plan RN43 Blk 35 Lot 30.

This property was inspected by Development Compliance Officer Regan CATENA on September 16, 2025. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 of the Municipal Government Act.

ZONING BYLAW INFRACTION:

This property is zoned RS (Small Scale Residential Zone) in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001. **Our investigation revealed that a Secondary Suite has been developed in the basement without a Development Permit.**

The City of Edmonton has not issued a Development Permit to develop a Secondary Suite which is contrary to Subsection 7.110.1 of the Edmonton Zoning Bylaw 20001, and Section 683 of the Municipal Government Act.

Subsection 7.110.1 of Edmonton Zoning Bylaw states:

Approval Required for Development

1.1. No person may:

1.1.1. undertake, or cause or allow to be undertaken, a development; or

1.1.2. carry on, or cause or allow to be carried on, a development, without a Development Permit issued under this Section.

Subsection 7.200.2.2 of Edmonton Zoning Bylaw 20001 states:

2.2. If a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:

2.2.1. construct a building or structure;



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- 2.2.2. make an addition or alteration to a building or structure;
- 2.2.3. commence or undertake a Use or change of intensity of Use; or
- 2.2.4. place a Sign on land, or on a building or structure.

Secondary Suite means a Dwelling that is subordinate to, and located within, a building in the form of Single Detached Housing, Semi-detached Housing or Row Housing. A Secondary Suite is not a principal Dwelling. A Secondary Suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A Secondary Suite has less Floor Area than the principal Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

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

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options **before October 20, 2025**:

1. ACQUIRE a Development Permit for the Secondary Suite.

OR

2. DECOMMISSION the Secondary Suite. This includes:

- Removing all locking mechanisms between the main floor and basement to create free flow access between floors.
- Removing the stove, 220 volt outlet and 220 breaker from the electrical panel associated with the Secondary Suite.
- Removing any cooking facilities (including 120 volt appliances) associated with the Secondary Suite.
- Schedule a decommission inspection by contacting the investigating Development Compliance Officer by phone at 780-686-2128 or email at regan.catena@edmonton.ca.

CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected **after October 20, 2025** to determine compliance with this Order.



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In the event that a person fails to comply with this Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter the land and take any action necessary to carry out the Order. Section 646 authorizes the City to register a caveat under the Land Titles Act.

Section 553(1)(h.1) of the Municipal Government Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to 566(2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Affected persons may appeal this Order by filing within **21 calendar days** to the Subdivision and Development Appeal Board. Visit the website at <https://sdab.edmonton.ca> or call 780-496-6079 for more information on how to file an appeal.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, RSA 2000, c M-26, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

PERMIT APPLICATIONS:

You can make a permit application online at selfserve.edmonton.ca.

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

Email: developmentpermits@edmonton.ca
Phone: 780-442-5054

If you have any questions in regards to this matter, please contact the writer.

Regards,

Regan Catena
Development Compliance Officer
780-686-2128
regan.catena@edmonton.ca

Adding amounts owing to tax roll

553(1) A council may add the following amounts to the tax roll of a parcel of land:

- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;
- (b) unpaid charges referred to in section 42 for a municipal utility service provided to the



parcel by a municipal public utility that are owing by the owner of the parcel;

(c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;

(d), (e) repealed 1999 c11 s35; (f) costs associated with tax recovery proceedings related to the parcel;

(g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel;

(g.1) if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel;

(h) unpaid costs awarded by a composite assessment review board under section 468.1 or the Land and Property Rights Tribunal under section 501, if the composite assessment review board or the Land and Property Rights Tribunal has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Land and Property Rights Tribunal was related to the parcel;

(h.1) the expenses and costs of carrying out an order under section 646;

(i) any other amount that may be added to the tax roll under an enactment.

(2) Subject to section 659, when an amount is added to the tax roll of a parcel of land under subsection (1), the amount

(a) is deemed for all purposes to be a tax imposed under Division 2 of Part 10 from the date it was added to the tax roll, and

(b) forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

(a) this Part or a land use bylaw or regulations under this Part, or

(b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

(a) stop the development or use of the land or building in whole or in part as directed by the



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notice,
(b) demolish, remove or replace the development, or
(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,
within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

Enforcement of stop order

646(1) If a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.

(2) A municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order.

(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

Grounds for appeal

685(1) If a development authority

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

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

(1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.

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

(2.1) An appeal referred to in subsection (1) or (2) may be made



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(a) to the Land and Property Rights Tribunal

(i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application

(A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,
(B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,

(C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or

(D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Parks,

or

(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii), or

(b) in all other cases, to the subdivision and development appeal board.

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

(4) Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

(a) is made by a council, there is no appeal to the subdivision and development appeal board, or

(b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

Appeals

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

(a) in the case of an appeal made by a person referred to in section 685(1)

(i) with respect to an application for a development permit,

(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



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

or

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

(1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

(a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or

(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

(a) to the appellant,

(b) to the development authority whose order, decision or development permit is the subject of the appeal, and

(c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

(a) the application for the development permit, the decision and the notice of appeal, or (b) the order under section 645.

(4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

(5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.



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Subdivision and Development Appeal Board

File your appeal online at: <https://sdab.edmonton.ca>

The Subdivision and Development Appeal Board (SDAB) hears appeals from people who have been affected by a decision of the Development Authority under the Zoning Bylaw and the Subdivision Authority under the Subdivision Authority Bylaw. The board is appointed by City Council and consists of citizens living in the city of Edmonton.

The SDAB normally meets every Wednesday and Thursday in the Churchill Building. If required, the Board may set additional dates for hearings.

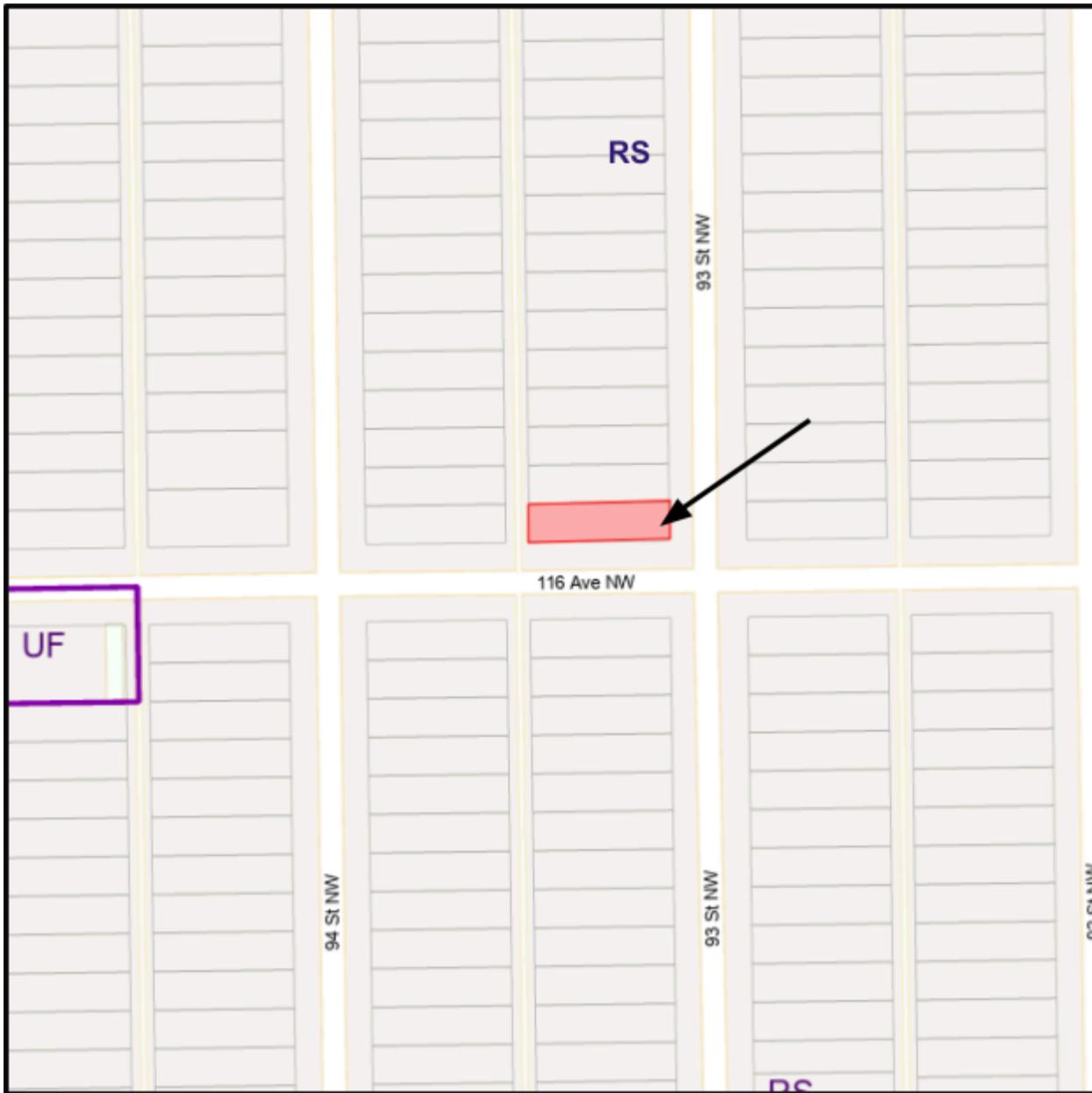
Once you have met requirements and filed a proper appeal, this Board presides over your hearing.

The SDAB is an independent, quasi-judicial body established by City Council, and its decisions are final and cannot be overturned unless the board makes an error in some aspect of law or jurisdiction.

Agendas listing appeals and hearing times scheduled for that day are posted in the hearing waiting area. Hearings do not start before the time listed on the schedule.

For more information: Subdivision and Development Appeal Board

Telephone 780-496-6079 Fax 780-577-3537 Email sdab@edmonton.ca



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-153



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