

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
October 8, 2025**

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

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 2

I 9:00 A.M. SDAB-D-25-135

To construct exterior alterations to a Residential Use building (Driveway extension, 1.83m x 8.00m), existing without permits

6511 - 173 Avenue NW
Project No.: 608717011-002

II 10:30 A.M. SDAB-D-25-136

To construct exterior alterations to an Accessory building (relocate detached garage and reduce percentage of soft landscaping)

14019 - 104 Avenue NW
Project No.: 618677894-002

III 1:30 P.M. SDAB-D-25-137

To construct a rear addition to a Residential Use building in the form of a Single Detached House (sunroom, 3.8m x 5.0m)

25 - Greenoch Crescent NW
Project No.: 608172099-002

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

ITEM I: 9:00 A.M.FILE: SDAB-D-25-135AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 608717011-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 1.83m x 8.00m), existing without permits

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 3, 2025

DATE OF APPEAL: September 12, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 6511 - 173 Avenue NW

LEGAL DESCRIPTION: Plan 1520589 Blk 14 Lot 28

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

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

DISTRICT PLAN: Northeast District Plan

Grounds for Appeal

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

Driveway was constructed in 2016 with the house construction by the builder. This also entailed on the compliance RPR certificate. This is not a new construction nor the driveway had been altered in any way since. There is concern with drainage as well there is still (1) street parking

between us and the neighbors. Our house is in-compliance with all other requirements (i.e. front and backyard landscaping).

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.

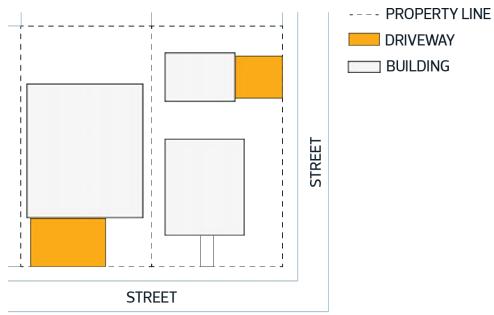
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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.”

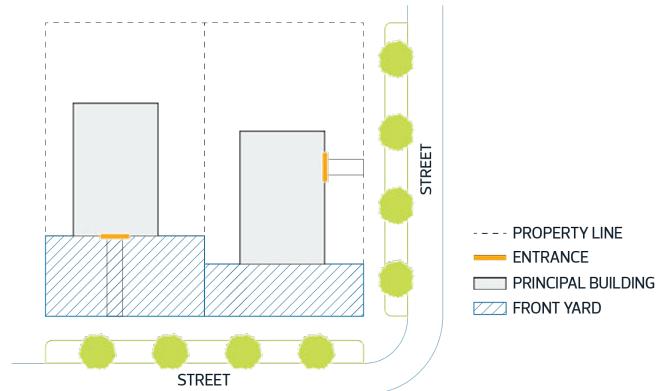
Under section 8.20, **Driveway** means:

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.



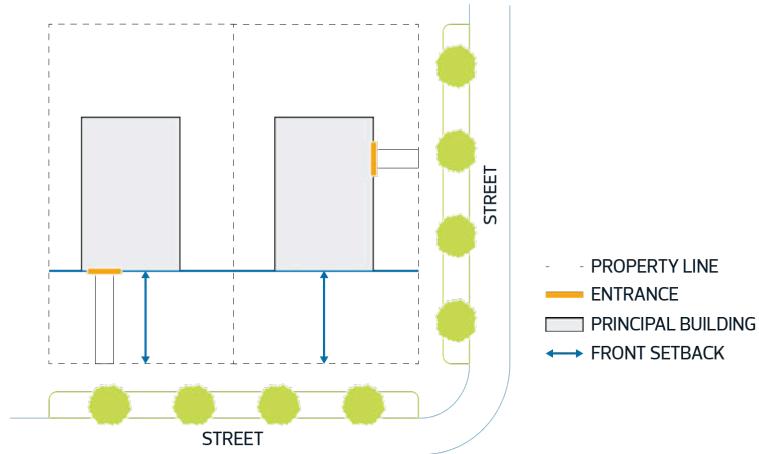
Under section 8.20, **Front Yard** means:

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

Proposed: Driveway extensions do not lead to Garage.

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

Proposed: Driveway width is 7.9 m instead of 6.1 m.

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

(Subsection 5.80.2.1.5.1.)

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

[unedited]

Notice to Applicant/Appellant

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

		Project Number: 608717011-002 Application Date: JUN 11, 2025 Printed: September 3, 2025 at 9:32 AM 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) 6511 - 173 AVENUE NW Plan 1520589 Blk 14 Lot 28											
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension, 1.83m x 8.00m), existing without permits.													
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Discretionary Development Site Area (sq. m.): 383.89 </td> <td style="width: 50%;"> Overlay: APO - Airport Protection Overlay Statutory Plan: </td> </tr> </table>				Development Category: Discretionary Development Site Area (sq. m.): 383.89	Overlay: APO - Airport Protection Overlay Statutory Plan:								
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Development Application Decision Refused Issue Date: Sep 03, 2025 Development Authority: HETHERINGTON, FIONA													
Reason for Refusal 1) Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3.) Proposed: Driveway extensions do not lead to Garage. 2) Driveway Width - Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Subsection 5.80.2.1.4.2.1.) Proposed: Driveway width is 7.9 m instead of 6.1 m. 3) Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard. (Subsection 5.80.2.1.5.1.) Proposed: Driveway extension(s) are within the Front Yard													
Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26. Section 683 through 689 of the Municipal Government Act.													
Building Permit Decision No decision has yet been made.													
Fees <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">Fee Amount</th> <th style="text-align: center;">Amount Paid</th> <th style="text-align: center;">Receipt #</th> <th style="text-align: center;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: center;">\$190.00</td> <td style="text-align: center;">\$190.00</td> <td style="text-align: center;">04514J001001797</td> <td style="text-align: center;">Jun 11, 2025</td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$190.00	\$190.00	04514J001001797	Jun 11, 2025
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THIS IS NOT A PERMIT P0702003													

Edmonton	Project Number: 608717011-002 Application Date: JUN 11, 2025 Printed: September 3, 2025 at 9:32 AM Page: 2 of 2															
Application for Driveway Extension Permit																
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-135



N

ITEM II: 10:30 A.M.FILE: SDAB-D-25-136AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 618677894-002

APPLICATION TO: Construct exterior alterations to an Accessory building
(relocate detached garage and reduce percentage of soft
landscaping)DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 10, 2025

DATE OF APPEAL: September 11, 2025

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 14019 - 104 Avenue NW

LEGAL DESCRIPTION: Plan 839HW Blk 98 Lot 5

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

<i>Grounds for Appeal</i>

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

City of Edmonton Development Appeal Board
Re: Appeal for Parking Variance 14019 104 Avenue change from 1.2m to
6.0m driveway skirt
Dear Members of the Board,

I am writing to respectfully request a variance regarding the parking requirements at my development located at 14019 104 Avenue. The property consists of 8 rental units, and the current plan provides only a 4-car garage. I am requesting approval for an additional 4 exterior parking stalls in the form of a concrete parking pad directly in front of the garage doors (6m from the garage to the back lane allowing 4 additional parking). I understand this variance would reduce the soft landscaping on the site from 30% to approximately 22%. While this is a modest reduction, the ability to provide additional parking is critical for the functionality and livability of the development. Without this variance, most tenants will have no choice but to park on the street, which would mean cars not only parked in front of my property, but also in front of neighbouring homes. This will inevitably congest the block and spill over to the adjacent streets north and south.

I have spoken with several neighbours on the street, and they have also expressed concerns about the number of vehicles that may end up parked along this block. After explaining my proposal, they understood and verbally supported the need for on-site solutions that would reduce cars on the street. My intention with this request is to not only support my tenants, but also to directly address the concerns of neighbours and maintain harmony in the community.

There are also two other 8-plexes with only 4-car garages nearby. Those projects did not appeal the parking requirements, and as a result, additional vehicles now spill onto the street. By contrast, I am bringing this appeal forward because I am not just thinking of my project, but also the broader community. My goal is to create a development that integrates well, lessens neighbourhood strain, and sets a positive example for responsible infill.

I also want to emphasize that I take landscaping very seriously. I already have detailed plans for attractive trees and landscaping features to significantly enhance the site, and I am happy to share those plans with the Board. Beyond this one parking-related request, I have followed all building bylaws and have not sought any other variances. This small variance is the only adjustment I am requesting, as I believe it is essential to strike a fair balance between compliance, tenant needs, and neighbourhood concerns.

I respectfully ask for your approval of this variance, as it will have a major positive impact on the neighbourhood by reducing street congestion, preventing parking conflicts, and helping this development fit more harmoniously into the community.

Thank you for your time and consideration. I sincerely appreciate your efforts in balancing the needs of both residents and developers, and I hope you will see the value this small but important variance brings to the area.

Respectfully,
Max Rose

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

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:

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

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.

Landscaping for Small Scale Residential Development

Section 5.60.3.2 provides the following with respect to **Minimum Soft Landscaping Area**:

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

3.2.1. all development within the RS and RSF Zones;

3.2.2. any Single Detached Housing, Duplex Housing, or Semi-detached Housing development; and

3.2.3. any Row Housing, Multi-unit Housing or Cluster Housing development up to 8 Dwellings in a residential Zone with a maximum Height of 12.0 m or less.

Under section 8.10, **Soft Landscaping** means:

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

Development Planner's Determination

1. The minimum Soft Landscaped area is 30% (209m²) of the lot.

(Reference Subsection 5.60.3.2)

Proposed: 22% (154m²)

Deficient by: 8% (55m²)

[unedited]

Notice to Applicant/Appellant

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

Edmonton	Project Number: 618677894-002 Application Date: JUL 15, 2025 Printed: September 10, 2025 at 4:19 PM Page: 1 of 2																		
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Home Improvement 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) 14019 - 104 AVENUE NW Plan 839HW Blk 98 Lot 5																		
Project Name: 14019-104 ave (move garage closer to 4-plex - already have an approved garage application)																			
Location(s) of Work Suite: 1, 14019 - 104 AVENUE NW Suite: 2, 14019 - 104 AVENUE NW Suite: 3, 14019 - 104 AVENUE NW Suite: 4, 14019 - 104 AVENUE NW Entryway: 1, 14019 - 104 AVENUE NW Entryway: 2, 14019 - 104 AVENUE NW Entryway: 3, 14019 - 104 AVENUE NW Entryway: 4, 14019 - 104 AVENUE NW Building: 1, 14019 - 104 AVENUE NW																			
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Details <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Development Category: Discretionary Development Site Area (sq. m.): 696.86 </td> <td style="width: 50%; padding: 5px;"> Overlay: Statutory Plan: </td> </tr> </table>		Development Category: Discretionary Development Site Area (sq. m.): 696.86	Overlay: Statutory Plan:																
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Issue Date: Sep 10, 2025 Development Authority: SELTZ, AARON																			
Reason for Refusal 1. The minimum Soft Landscaped area is 30% (209m ²) of the lot. (Reference Subsection 5.60.3.2) Proposed: 22% (154m ²) Deficient by: 8% (55m 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.																			
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Edmonton	Project Number: 618677894-002 Application Date: JUL 15, 2025 Printed: September 10, 2025 at 4:19 PM Page: 2 of 2																				
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ITEM III: 1:30 P.M.FILE: SDAB-D-25-137AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 608172099-002

APPLICATION TO: Construct a rear addition to a Residential Use building in the form of a Single Detached House (sunroom, 3.8m x 5.0m)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: August 21, 2025

DATE OF APPEAL: September 12, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 25 - Greenoch Crescent NW

LEGAL DESCRIPTION: Plan 7721465 Blk 2 Lot 54

ZONE: RS - Small Scale Residential Zone

OVERLAY: RVO - North Saskatchewan River Valley and Ravine Protection Overlay

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

<i>Grounds for Appeal</i>

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

Privacy and property value issues

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or

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

or

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

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

Hearing and Decision

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

...

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

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

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

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

...

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

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

(i) the proposed development would not

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

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

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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

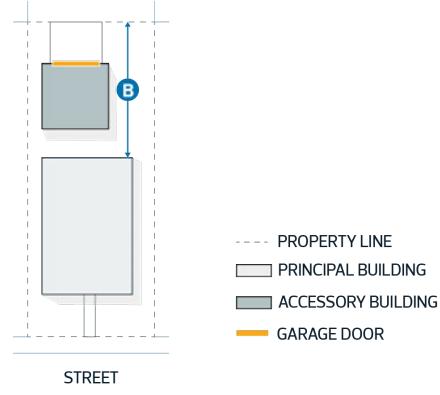
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Setbacks

Section 2.10.4.3 states Setbacks must comply with Table 4.3:

Table 4.3. Setback Regulations

Subsection	Regulation	Value	Symbol
Front Setbacks			
4.3.2.	Minimum Rear Setback	10.0 m	B

Diagram for Subsection 4.3.2.

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

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

Development Planner's Determination

Reduced Rear Setback - The distance from the house addition to the rear property line (abutting Greenoche Crescent NW) is 6.2m instead of 10.0m (Section 2.10.4.3.2).

[unedited]

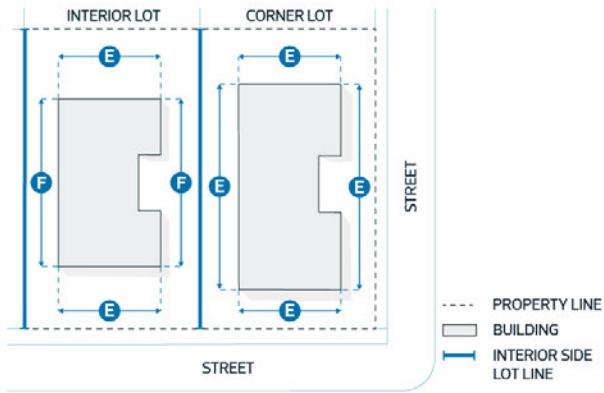
Site and Building Regulations

Section 2.10.4.1.8 states:

4.1. Development must comply with Table 4.1:

Table 4.1. Site and Building Regulations			
Subsection	Regulation	Value	Symbol

Building Length			
4.1.8	Maximum building	30.0 metres	E
Unless the following applies:			
4.1.9.	Maximum building length along an Interior Side Lot Line on an Interior Lot	50% of Site Depth or 25.0 m, whichever is less	F

Diagram for Subsections 4.1.8 and 4.1.9**Development Planner's Determination**

Building Length - The total length of the building is 19.7m (53% of the site depth) instead of a maximum of 18.8m (50% of the site depth) (Section 2.10.4.1.9)

[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.

	<p>Project Number: 608172099-002 Application Date: JUN 10, 2025 Printed: August 21, 2025 at 10:36 AM Page: 1 of 2</p>		
<h2>Addition 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>			
<p>Applicant</p>	<p>Property Address(es) and Legal Description(s) 25 - GREENOCH CRESCENT NW Plan 7721465 Blk 2 Lot 54</p>		
<p>Location(s) of Work</p>	<p>Suite: 25 - GREENOCH CRESCENT NW Entryway: 25 - GREENOCH CRESCENT NW Building: 25 - GREENOCH CRESCENT NW</p>		
<p>Scope of Permit To construct a rear addition to a Residential Use building in the form of a Single Detached House (sunroom, 3.8m x 5.0m).</p>			
<p>Details</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Development Category: Discretionary Development Site Area (sq. m.): 739.61 </td> <td style="width: 50%; padding: 5px;"> Overlay: Statuary Plan: </td> </tr> </table>		Development Category: Discretionary Development Site Area (sq. m.): 739.61	Overlay: Statuary Plan:
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<p>Development Permit Decision</p> <p>Approved</p> <p>Issue Date: Aug 21, 2025 Development Authority: HERRICK-BRUVER, STACY</p>			
<p>Subject to the Following Conditions</p> <p>This Development Permit authorizes the construction of a rear addition to a Residential Use building in the form of a Single Detached House (sunroom, 3.8m x 5.0m).</p> <p>The development must be constructed in accordance with the approved drawings.</p> <p>Immediately upon completion of the addition / exterior alterations, the Site must be cleared of all debris.</p> <p>As far as reasonably practicable, the design and use of exterior finishing materials used must be similar to, or better than, the standard of surrounding development (Subsection 5.120.1.1.1).</p> <p>This Development Permit is NOT valid until the notification period expires as specified Section 7.190.</p> <p>PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the variance fee of \$102.50 must be paid.</p> <p>ADVISEMENTS:</p> <p>Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw.</p> <p>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).</p> <p>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.</p>			
<small>P0702003</small>			



Project Number: **608172099-002**
 Application Date: JUN 10, 2025
 Printed: August 21, 2025 at 10:36 AM
 Page: 2 of 2

Addition Permit

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

City of Edmonton Drainage Bylaw 18093 requires the site to maintain surface grades and elevations adjacent to buildings in such a way that water drains away from buildings, is contained on the subject site, and directed towards a City right-of-way.

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

Variances

Reduced Rear Setback - The distance from the house addition to the rear property line (abutting Greenoch Crescent NW) is 6.2m instead of 10.0m (Section 2.10.4.3.2).

Building Length - The total length of the building is 19.7m (53% of the site depth) instead of a maximum of 18.8m (50% of the site depth) (Section 2.10.4.1.9)

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.

Notice Period Begins: Aug 28, 2025 **Ends:** Sep 18, 2025

Building Permit Decision

No decision has yet been made.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$15.20	\$15.20	624243001001925	Jun 10, 2025
Building Permit Fee (Construction Value)	\$380.00	\$380.00	624243001001925	Jun 10, 2025
Development Application Fee	\$410.00	\$410.00	624243001001925	Jun 10, 2025
Variance Fee	\$102.50			
Total GST Amount:	\$0.00			
Totals for Permit: (\$102.50 outstanding)	\$907.70	\$805.20		

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-137



N