

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Wednesday, 9:00 A.M.
October 22, 2025

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

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

WITHDRAWN

TO BE RAISED

I 9:00 A.M. SDAB-D-25-131

To demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

10615 - 130 Street NW
Project No.: 626191104-002

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

WITHDRAWN

ITEM I: 9:00 A.M.

FILE: SDAB-D-25-131

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 626191104-002

APPLICATION TO: Demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: August 20, 2025

DATE OF APPEAL: August 25, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 10615 - 130 Street NW

LEGAL DESCRIPTION: Plan 3875P Blk 52 Lot 11

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

Grounds for Appeal

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

I am filing this appeal for the following reasons:

- the builder proceeded with demolition prior to the permit being valid - the permit was issued on August 20, 2025 and the builder proceeded with demolition on August 24, 2025.

- I contacted the builder on August 23, 2025 to request information regarding the demolition permit, particularly as it related to asbestos abatement and the scope of the demolition permit. On August 24, 2025, I spoke with the Operations Manager at Glenora Homes Inc., who assured me that they would provide me with the requested information prior to demolition, and first thing on August 25, 2025. I was also assured by their contractor that the demolition would not be proceeding on August 24, 2025. Notwithstanding these representations and before I received any information regarding the permit, the builder proceeded to demolish the property at 6:15 pm on Sunday August 24, 2025.

- We have a valid appeal regarding the development of the subject property at 10615 - 130 Street NW (Appeal 595568832-002) (the "Appeal"). Part of our grounds of Appeal are the impact of the development on the urban forest (trees). My reasons for appealing the demolition permit are the same.

- By proceeding with the demolition in violation of their permit, the Builder has not only denied my right of appeal on the demolition permit, but is also intentionally impacting our appeal rights under the development permit Appeal.

- For the same reason, the Development Authority should not have granted the demolition permit as they failed to consider the impact of the demolition on my grounds of Appeal.

- I also intend to rely on further and other grounds as will be confirmed at the hearing of this appeal.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board ("SDAB") made and passed the following motion on August 28, 2025:

"That the appeal hearing be scheduled for October 22, 2025."

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:

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.

Demolition Exemptions

Section 7.120.1.1 states all development requires a Development Permit, except for those listed in Subsections 1.4 through 9.

Section 7.120.2.1 states:

Demolition of a building or structure where a Development Permit has been issued for a new development on the same Site, and the demolition of the existing building or structure is implicit in that Development Permit.


Previous Subdivision and Development Appeal Board Decision


Application Number	Description	Decision
SDAB-D-06-243	Construct an Accessory Building (Detached Garage 7.32 metres by 7.32 metres) and to demolish the existing Accessory Building (Detached Garage 4.34 metres by 6.78 metres)	<p>October 6, 2006; that the appeal be ALLOWED and the DEVELOPMENT GRANTED and the excess of 0.26 metres in the maximum allowable Height for an Accessory Building or Structure be permitted subject to the following conditions:</p> <ol style="list-style-type: none"> 1. eaves, including eavestroughing may project a maximum of 0.46 metres (1.5 feet) into required yards or separation spaces of less than 1.2 metres (four feet); 2. eavestroughing be installed and drainage to take


		<p>place entirely on subject property;</p> <p>3. exterior finish of the garage to be made compatible with that of the existing principal dwelling;</p> <p>4. the access to the garage shall be hardsurfaced. Hardsurfacing shall mean the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement capable of withstanding expected vehicle loads.</p>
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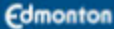
Notice to Applicant/Appellant

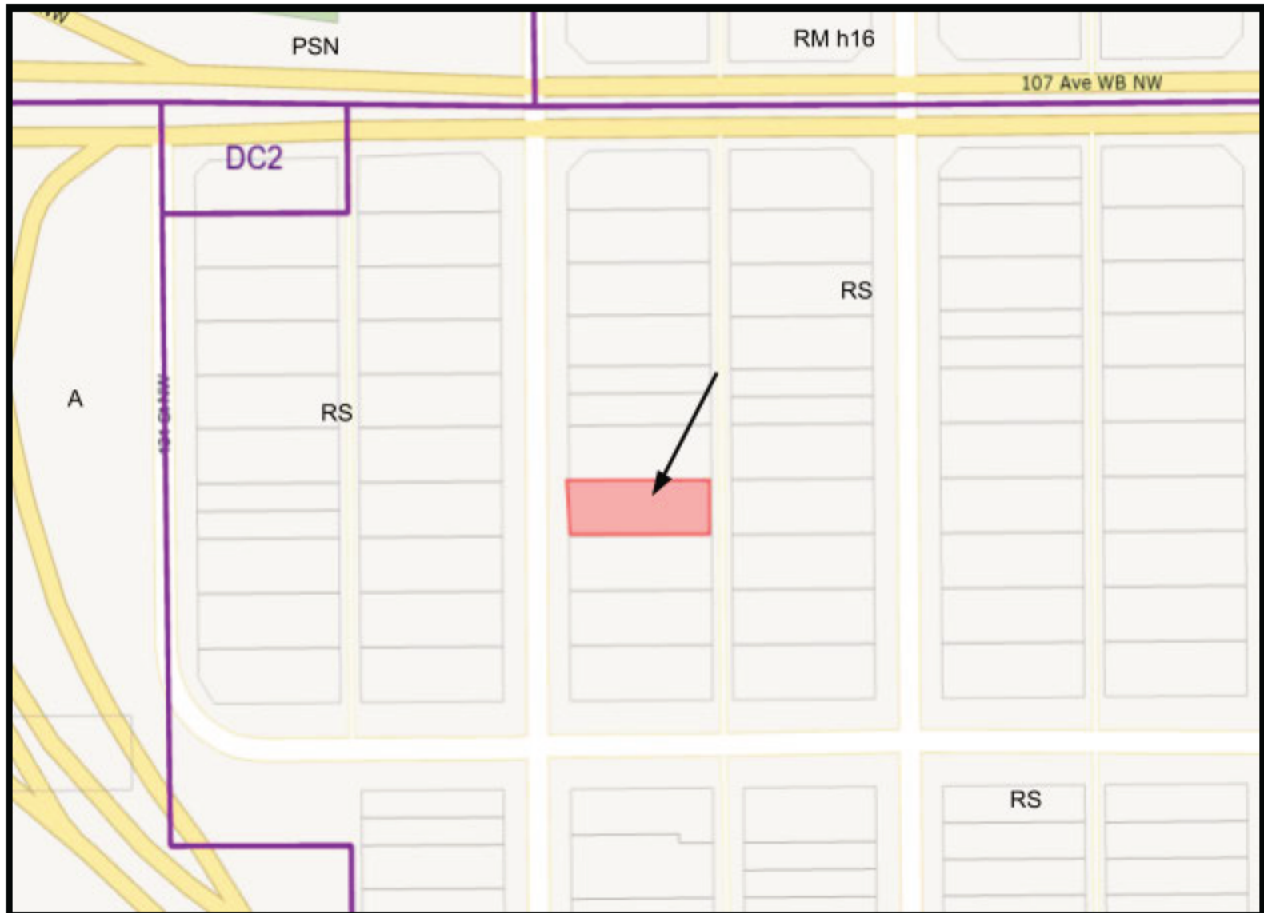
Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

	Project Number: 626191104-002 Application Date: AUG 19, 2025 Printed: August 20, 2025 at 11:50 AM Page: 1 of 4		
Demolition Permit			
This document is a record of a Development and/or Building 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 and issued pursuant to the Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, National Building Code - Alberta Edition and City of Edmonton Bylaw 15894 Safety Codes Permit Bylaw.			
Applicant Project Name: 10615 130 Street Single Residential Home Demolition	Property Address(es) and Legal Description(s) 10615 - 130 STREET NW Plan 3875P Blk 52 Lot 11 Location(s) of Work Suite: 1, 10615 - 130 STREET NW Suite: 10615 - 130 STREET NW Suite: 2, 10615 - 130 STREET NW Suite: 3, 10615 - 130 STREET NW Suite: 4, 10615 - 130 STREET NW Suite: 5, 10615 - 130 STREET NW Suite: 6, 10615 - 130 STREET NW Suite: 7, 10615 - 130 STREET NW Suite: 8, 10615 - 130 STREET NW Entryway: 1, 10615 - 130 STREET NW Entryway: 10615 - 130 STREET NW Entryway: 2, 10615 - 130 STREET NW Entryway: 3, 10615 - 130 STREET NW Entryway: 4, 10615 - 130 STREET NW Entryway: 5, 10615 - 130 STREET NW Entryway: 6, 10615 - 130 STREET NW Entryway: 7, 10615 - 130 STREET NW Entryway: 8, 10615 - 130 STREET NW Building: 1, 10615 - 130 STREET NW Building: 10615 - 130 STREET NW		
Scope of Permit To demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage).			
Details <table style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Permitted Development Site Area (sq. m.): 651.13 </td> <td style="width: 50%;"> Overlay: Secondary Plan: </td> </tr> </table>		Development Category: Permitted Development Site Area (sq. m.): 651.13	Overlay: Secondary Plan:
Development Category: Permitted Development Site Area (sq. m.): 651.13	Overlay: Secondary Plan:		
Development Permit Decision Approved Issue Date: Aug 20, 2025 Development Authority: KULYNYCH, TUYET			
Subject to the Following Conditions WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a Development Permit Notification Sign (Subsection 7.160.2.2).			

	Project Number: 626191104-002 Application Date: AUG 19, 2025 Printed: August 20, 2025 at 11:50 AM Page: 2 of 4
<h2>Demolition Permit</h2>	
<p>This Development Permit authorizes the demolition of a Residential Use building (Single Detached House) and an Accessory building (detached Garage).</p>	
<p>The development must be demolished in accordance with the approved drawings.</p>	
<p>A Building Permit (for demolition) is required prior to demolition of the existing building.</p>	
<p>Immediately upon demolition of the building, the Site must be cleared of all debris.</p>	
<p>General 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>	
<p>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.</p>	
<p>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.</p>	
<p>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.</p>	
<p>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.</p>	
<p>For more information on Lot Grading requirements, plans and inspections refer to the website: https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading</p>	
<p>Rights of Appeal</p>	
<p>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.</p>	
<p>Building Permit Decision</p>	
<p>Issued</p>	
<p>Issue Date: Aug 20, 2025 Permit Issuer: KULYNYCH, TUYET</p>	
<p>P0702003</p>	

	Project Number: 626191104-002 Application Date: AUG 19, 2025 Printed: August 20, 2025 at 11:50 AM Page: 3 of 4
	Demolition Permit
Conditions of Issuance	
P.E. 244091	
Permit issued for the demolition of a Residential Use building (Single Detached House) and an Accessory building (detached Garage).	
ATCO Disconnect Record #: 27235	
Asbestos Notice of Project #: OHS-2025-APNREF-046010 (STARTING FEB 1 2022)	
No new construction is permitted under this permit.	
-Provide minimum 48 hours advance notice by email to SCCompliance@edmonton.ca of the intended start date of the demolition project, including in the email: permit project number and address; and name, address and telephone number of: i) the constructor or other person responsible for the work, ii) any registered professional reviewing the work, and iii) any inspection or testing agency engaged to monitor the work.	
-Provide minimum 7 days advance written notice to owners and occupants of adjoining properties of the intended start date of the demolition. Proof of delivery of this notice must be available for review by the safety codes officer (inspector) at any reasonable time.	
-Demolition includes debris removal from the site without delay.	
-Gas, electricity, water, sewer and other site services must be managed as required by the utility or service provider.	
-A preliminary survey to assess potential effects of demolition activities on adjacent properties must consider the need for underpinning, shoring, bracing, or protection from noise, dust, weather, vibration, and impact. Proof of actions undertaken before demolition begins to mitigate any identified risks must be available for review by the safety codes officer (inspector) at any reasonable time.	
-The constructor shall ensure precautions are taken to safeguard the public, protect adjacent properties, and conduct demolition work safely. The public is anyone who is not engaged in work on the site. The constructor is responsible jointly and severally with the owner for work undertaken. The project owner is ultimately responsible for damage arising from work undertaken.	
-A strongly-constructed fence, boarding or barricade at least 1.8 m high must be set up around the site perimeter prior to starting demolition, with gate(s) locked closed when the site is not active.	
-Fencing and all demolition work must be located fully on the project site. Public land shall not be used for any purpose including laying down or storage of materials without prior written permission from the City of Edmonton.	
-In event asbestos is encountered after demolition begins, stop work on the site and consult Alberta Labour OHS requirements or dial 780 415 8690.	
-Immediate steps shall be taken to remedy any unsafe condition that arises in relation to the work, which condition shall be reported immediately to the owner and to the occupants of an affected property.	
-If a House Building Permit or Footing and Foundation Building Permit is issued at the time the demolition has concluded, construction of the new foundation may commence without delay under conditions of that separate permit. Where site space limitations preclude excavating per OHS requirements, a temporary support system (shoring) must be installed to contain the work within the site boundaries.	
-Where NO House Building Permit or Footing and Foundation Building Permit is issued at the time the demolition has concluded, the affected ground shall be levelled so precipitation will not accumulate or run onto adjacent properties.	
-MANDATORY FINAL INSPECTION is required in either case.	
-Mandatory inspections are listed in the "Inspections" tab of the project in selfserve.edmonton.ca . Request, cancel, or reschedule them there, or if necessary by calling 311 (780 442 5311).	
PG702003	

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<h2 style="margin: 0;">Demolition Permit</h2>																															
<p>-Review edmonton.ca/residentialinspections to learn how to prepare for your inspections by displaying the address, providing safe access and having the reviewed permit documents printed on site for reference by the inspector. Also learn when to request and what to expect during inspections.</p> <p>ADVISEMENTS:</p> <ol style="list-style-type: none"> 1. Review edmonton.ca/residentialinspections to learn how to prepare for your inspections by displaying the address, providing safe access and having the reviewed permit documents printed on site for reference by the inspector. Also read about when to request inspections and what to expect during inspections. 2. This building permit expires if the work to which it applies: <ul style="list-style-type: none"> - is not started within 90 days from the date of issue, - is abandoned for a period of 120 days, or - is not completed at the end of 2 years from the date of issue. If expired, a new permit must be obtained and fees paid before work is commenced, restarted or completed. Email BuildingIC@edmonton.ca for more guidance. 3. Disturbing the ground on your property can cause damage to a buried utility. ClickBeforeYouDig or call 1-800-242-3447 for no-charge buried utility line locates. 4. Work must comply with the requirements of the Safety Codes Act and its Regulations including the National Building Code (Alberta Edition), related regulations, and Edmonton Bylaw 15894. 5. Request permit revisions in "Summary" tab of the project at SelfServe.edmonton.ca 6. Review the Project Implementation Plan (PIP) Guide. A PIP is intended to help permit applicants, constructors and owners understand and fulfill their roles and responsibilities associated with a construction project to safeguard the health and safety of the public, adjacent properties and infrastructure. 																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Fees</th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$4.80</td> <td style="text-align: right;">\$4.80</td> <td></td> <td></td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$100.00</td> <td style="text-align: right;">\$100.00</td> <td></td> <td></td> </tr> <tr> <td>Building Permit Fee (Demolition)</td> <td style="text-align: right;">\$120.00</td> <td style="text-align: right;">\$120.00</td> <td></td> <td></td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$224.80</td> <td style="text-align: right; border-top: 1px solid black;">\$224.80</td> <td></td> <td></td> </tr> </tbody> </table>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Safety Codes Fee	\$4.80	\$4.80			Development Application Fee	\$100.00	\$100.00			Building Permit Fee (Demolition)	\$120.00	\$120.00			Total GST Amount:	\$0.00				Totals for Permit:	\$224.80	\$224.80		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-131

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N