

**SUBDIVISION**

**AND**

**DEVELOPMENT APPEAL BOARD**

**AGENDA**

**Thursday, 9:00 A.M.**  
**October 23, 2025**

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

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

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I      9:00 A.M.      SDAB-D-25-145

Erect a fence @ 2.6m in Height in the Rear Yard  
and Flanking Side Yard

11347 - 35 Avenue NW  
Project No.: 624364446-002

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II      11:00 A.M.      SDAB-D-25-146

Construct exterior alterations and interior  
alterations to a Residential Use building in the  
form of a Row House (exterior doors relocation,  
basement windows changes and Basement floor  
layout changes)

11935 - 128 Street NW  
Project No.: 527024086-015

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-25-145

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 624364446-002

APPLICATION TO: Erect a fence @ 2.6m in Height in the Rear Yard and  
Flanking Side Yard

DECISION OF THE  
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: September 2, 2025

DATE OF APPEAL: September 29, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 11347 - 35 Avenue NW

LEGAL DESCRIPTION: Plan 7521271 Blk 83 Lot 1

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Whitemud District Plan

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| <b><i>Grounds for Appeal</i></b> |
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The Appellant provided the following reasons for appealing the decision of the Development Authority:

I am writing on behalf of myself, my family and concerned residents of the Greenfield community to formally appeal the recent approval of a

development permit allowing the construction of a 2.5-meter fence at the above noted address, an increase from the existing 2.0-meter structure.

We strongly oppose this development for the following reasons:

1. Visual Impact and Community Character

The proposed fence height is unsightly and incompatible with the established aesthetic of our neighborhood. Greenfield has no precedent for fences of this height, and such a structure would disrupt the visual harmony of our streetscape. Our community values openness and cohesion, and a 2.5-meter barrier undermines that spirit.

2. Privacy Concerns

This property already features multiple video surveillance cameras and high-intensity spotlights that remain active throughout the night. These devices shine directly onto the public avenue and our neighbors yards, creating a sense of constant monitoring and discomfort for residents and passersby. The addition of an even taller fence only amplifies this feeling of intrusion and isolation.

3. Negative Impact on Daily Life

Many of us drive past this property daily, and the proposed development would serve as a constant visual reminder of a structure that feels defensive and out of place. It sets a troubling precedent for future developments that may further erode the welcoming nature of our neighborhood.

4. Lack of Justification

There has been no compelling rationale provided for why a fence of this height is necessary. Security concerns, if cited, are already addressed through existing surveillance and lighting. The increase appears excessive and unjustified.

We respectfully request that the development permit be reconsidered and revoked. We urge the board to uphold the standards and values that make Greenfield a desirable and cohesive community.

Thank you for your attention to this matter.

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| <b><i>General Matters</i></b> |
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**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)

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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:

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

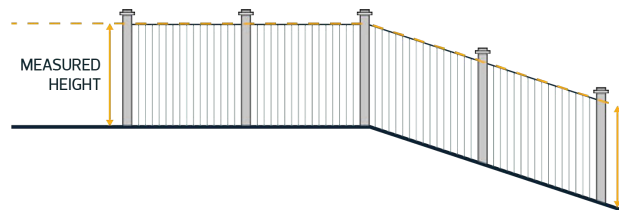
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

### ***Fence Height***

Section 5.100.2.1 states:

The Height of a Fence is measured from the highest point along the portion of a Fence, excluding structural posts, to the finished ground surface directly beneath the Fence at that point.

**Diagram for Subsection 2.1**

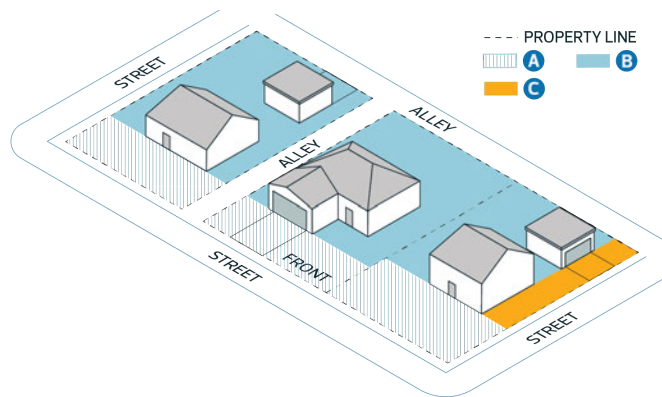


Section 5.100.2.2 states:

**Maximum Fence Height must comply with Table 2.2:**

### Table 2.2 Fence Height Regulations

| Subsection | Regulation                        | Value | Symbol |
|------------|-----------------------------------|-------|--------|
| 2.2.1.     | Maximum Height in Front Yard      | 1.3 m | A      |
| 2.2.2.     | Maximum Height in all other Yards | 2.0 m | B      |



Section 5.100.2.3 states:

Despite Subsection 6.1.1 of Section 7.100, to provide additional screening from Nuisances from Abutting Sites or Streets, the Development Planner may vary the Height of a Fence, or a portion of a Fence, in compliance with the following:

- 2.3.1. Where the maximum Height of a Fence is 1.3 m, it may be varied up to a maximum Height of 2.0 m.
- 2.3.2. Where the maximum Height of a Fence is 2.0 m, it may be varied up to a maximum Height of 2.6 m.

Under section 8.20, **Accessory** means “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.”

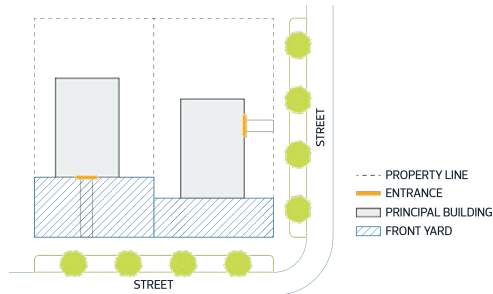
Under section 8.20, **Fence** means “Fence means a structure that is constructed at ground level and used to prevent or restrict passage, mark a boundary, or provide visual screening, noise reduction, or Landscaping. A Fence is not a Privacy Screen.”



Under section 8.20, **Height** means “a vertical distance between 2 points. Where described as a Modifier in a regulation, this is represented as the letter “h” and a number on the Zoning Map.”

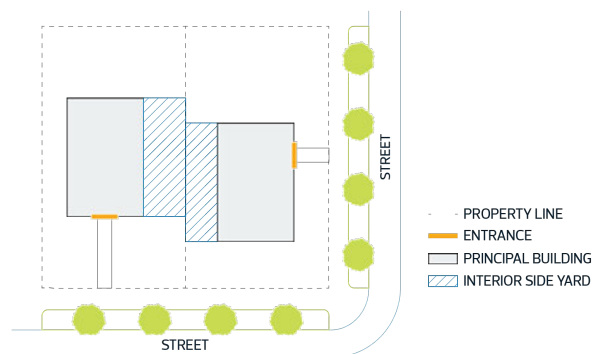
Under section 8.20, **Front Yard** means:

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.



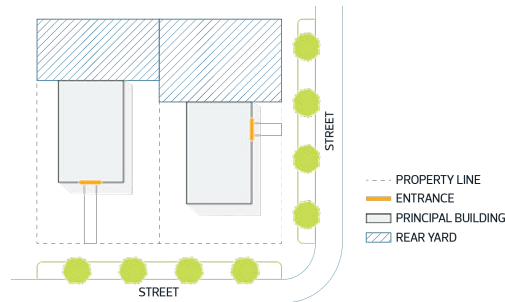
Under section 8.20, **Interior Side Yard** means:

the portion of a Site Abutting an Interior Side Lot Line, extending between the Front Yard and the Rear Yard, and located between the Interior Side Lot Line and the nearest wall of the principal building, not including projections.



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

the portion of a Site Abutting the Rear Lot Line, extending across the full width of the Site, and located between the Rear Lot Line and the nearest wall of the principal building, not including projections or Backyard Housing.



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

**Fence Height- The Fence in the flanking side yard and rear yard is 2.6m high, instead of 2.0m (Subsection 5.100.2.2.2).**


[unedited]


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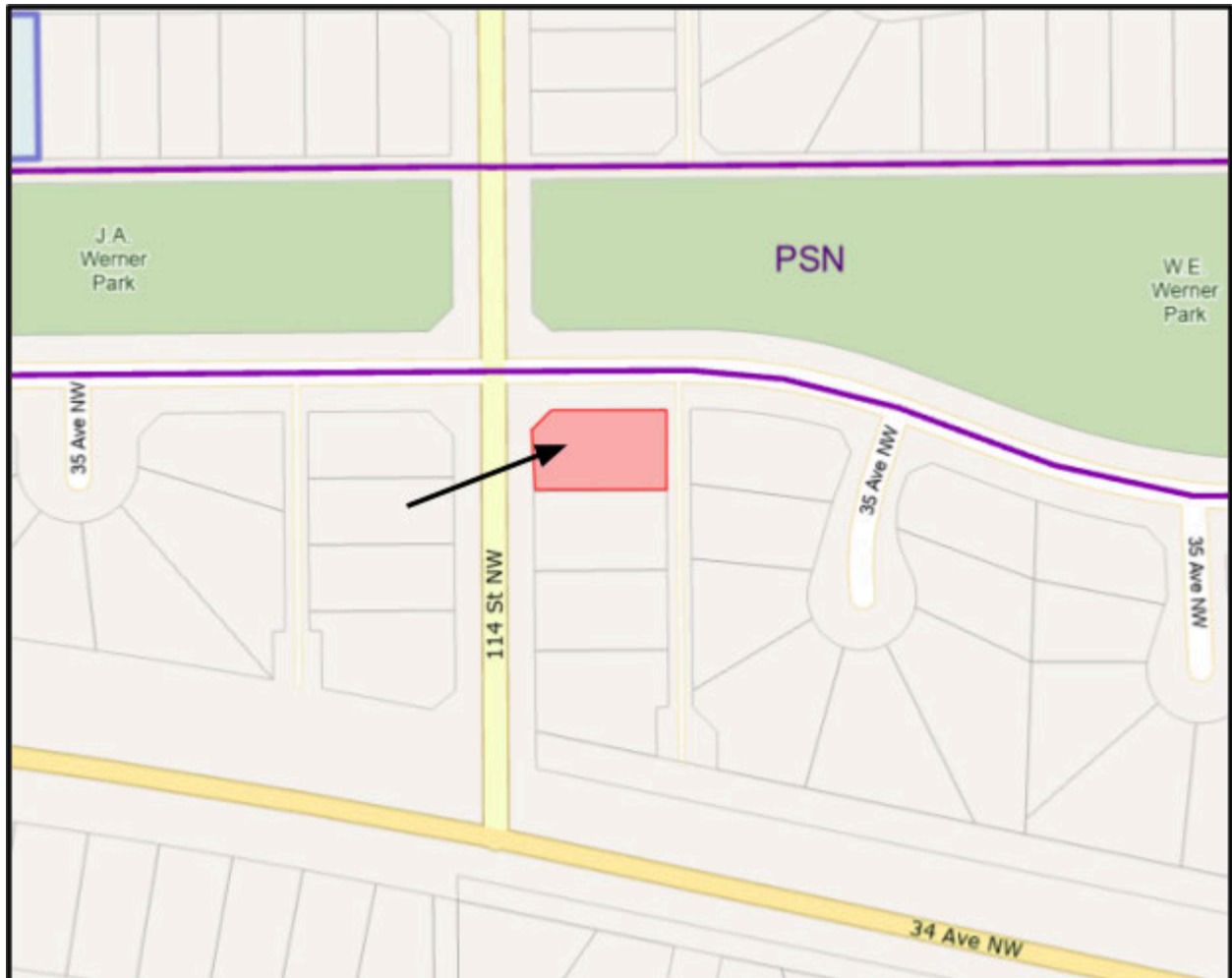
### **Notice to Applicant/Appellant**

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

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|   |  | Project Number: <b>624364446-002</b><br>Application Date: AUG 03, 2025<br>Printed: September 2, 2025 at 11:37 AM<br>Page: 1 of 2 |  |
| <h2>Overheight Fence Permit</h2>   |  |  |  |
| 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.   |  |  |  |
| <b>Applicant</b>   |  | <b>Property Address(es) and Legal Description(s)</b><br>11347 - 35 AVENUE NW<br>Plan 7521271 Blk 83 Lot 1                        |  |
|  |  | <b>Location(s) of Work</b><br>Suite: 11347 - 35 AVENUE NW<br>Entryway: 11347 - 35 AVENUE NW<br>Building: 11347 - 35 AVENUE NW    |  |
| <b>Scope of Permit</b><br>To erect a fence @ 2.6m in Height in the Rear Yard and Flanking Side Yard.   |  |  |  |
| <b>Details</b>   |  |  |  |
| Development Category: Discretionary Development<br>Site Area (sq. m.): 670.63  |  | Overlay:<br>Statutory Plan:  |  |
| <b>Development Permit Decision</b><br>Approved<br><b>Issue Date:</b> Sep 02, 2025 <b>Development Authority:</b> OLTHUIZEN, JORDYN  |  |  |  |
| <b>Subject to the Following Conditions</b><br>This Development Permit is NOT valid until the notification period expires as specified Section 7.190.<br>This Development Permit authorizes the construction of a fence @ 2.6m in Height in the Rear Yard and Flanking Side Yard.<br>The development must be constructed in accordance with the approved drawings.<br>The fence must be installed entirely on the subject property.<br>The fence must not impede any sightlines for vehicular or pedestrian traffic.<br>Immediately upon completion of the addition, the Site must be cleared of all debris.<br>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).<br>Fences that contain, or are constructed of, hazardous materials such as barbed wire, are not permitted (Subsection 5.120.1.1.5).<br>Fences that contain or are constructed of hazardous materials, such as barbed wire, or which have sharp pickets extending above the top rail, are not permitted (Subsection 2.260.3.10).<br><br><b>General Advisements</b><br>Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw.<br>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 |  |  |  |
| P0702003   |  |  |  |

|    | <b>Project Number: 624364446-002</b><br>Application Date: AUG 03, 2025<br>Printed: September 2, 2025 at 11:37 AM<br>Page: 2 of 2 |             |                 |              |           |           |                             |          |          |                 |              |                   |        |  |  |  |                    |          |          |  |  |
|---|--|-------------|-----------------|--------------|-----------|-----------|-----------------------------|----------|----------|-----------------|--------------|-------------------|--------|--|--|--|--------------------|----------|----------|--|--|
| <h2 style="margin: 0;">Overheight Fence Permit</h2>   |  |             |                 |              |           |           |                             |          |          |                 |              |                   |        |  |  |  |                    |          |          |  |  |
| <p>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 <a href="https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit">https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit</a>. 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: <a href="https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading">https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading</a></p> <p><b>Variances</b><br/>         Fence Height- The Fence in the flanking side yard and rear yard is 2.6m high, instead of 2.0m (Subsection 5.100.2.2.2).</p> <p><b>Rights of Appeal</b><br/>         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><b>Building Permit Decision</b><br/>         No decision has yet been made.</p>  |  |             |                 |              |           |           |                             |          |          |                 |              |                   |        |  |  |  |                    |          |          |  |  |
| <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>Development Application Fee</td> <td style="text-align: right;">\$190.00</td> <td style="text-align: right;">\$190.00</td> <td style="text-align: right;">057581001001922</td> <td style="text-align: right;">Aug 03, 2025</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;">\$190.00</td> <td style="text-align: right;">\$190.00</td> <td></td> <td></td> </tr> </tbody> </table>  |  | Fees        | Fee Amount      | Amount Paid  | Receipt # | Date Paid | Development Application Fee | \$190.00 | \$190.00 | 057581001001922 | Aug 03, 2025 | Total GST Amount: | \$0.00 |  |  |  | Totals for Permit: | \$190.00 | \$190.00 |  |  |
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| Development Application Fee   | \$190.00   | \$190.00    | 057581001001922 | Aug 03, 2025 |           |           |                             |          |          |                 |              |                   |        |  |  |  |                    |          |          |  |  |
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|   |  |             |                 |              |           |           |                             |          |          |                 |              |                   |        |  |  |  |                    |          |          |  |  |
| <small>P0702003</small>   |  |             |                 |              |           |           |                             |          |          |                 |              |                   |        |  |  |  |                    |          |          |  |  |



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-25-145

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**N**

ITEM II: 11:00 A.M.

FILE: SDAB-D-25-146

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 527024086-015

APPLICATION TO: Construct exterior alterations and interior alterations to a Residential Use building in the form of a Row House (exterior doors relocation, basement windows changes and Basement floor layout changes)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: September 3, 2025

DATE OF APPEAL: September 29, 2025

RESPONDENT:

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 11935 - 128 Street NW

LEGAL DESCRIPTION: Plan 4068HW Blk 1 Lot 20

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

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***Grounds for Appeal***

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

I am appealing the decision of the development authority to allow the a discretionary development which no longer conforms to the current bylaw (side setbacks) for the following reasons:

- 1) It does not conform with the city's own current bylaw and best practices.
- 2) Negative impact to several trees which are located just inside of our property line next to the proposed development.
- 3) It further negatively impacts our property/quality of life.
- 4) Impedes our on ability to develop/resale value of home.
- 5) Impacts to foundation, structural integrity of home.

I will go into more detail now for each of them.

1) It says it your own development permit notice that the "Row house no longer conforms to the current zoning rules which may have changed since it was originally constructed." Specifically, the side setbacks no longer conform to bylaw. These laws are the most up to date and they must have been passed with good reason and after consultation with the public. The Row House has no been constructed as states in the letter and now is the time to follow the most current and up to date best practices and follow the rules as determined by the city itself.

2) If the setbacks no longer conform to the current bylaw which I believe to be 1.2 meters this will directly impact the trees in our yard. We have several young elm trees growing close to, but on our side of the property line. By allowing the development which does not conform to the 1.2m/current bylaw you will directly be impacting these trees. The root system will be more heavily impacted as, the blocking of the sun will be magnified stunting grow or killing tree and side of the building will be so close it will invite future conflict in terms of proximity of tree to house and trimming of branches as it continues to grow.

3) There will already be a massive building the length of the property line 2.5-3 stories high entirely blotting out the sun and negatively impacting our privacy. By allowing this development these issues will be exacerbated. Its increased proximity will make it that much taller in practice.

4) By allowing the development that much closer this directly harms our own ability to develop our property just as the proposed developer is. If it encroaches within the side setback of the current bylaw this makes our property less desirable/functional for redevelopment. If they build right up to the line, this is stop us/make it more difficult to develop our own property in like manner in the future. This makes our property more difficult to sell and decreases the potential resale value of our home.

5) If the side back is allowed to encroach beyond what is spelled out in bylaw/1.5m then this will negatively impact my home directly. By allowing them to build closer they will need to excavate closer, compact

closer and operate heavy machinery including compacting devices whose waves impact will directly be felt. My home was constructed in 1952 and its side set back bylaw is in place in part to ensure that these impacts are somewhat mitigated. By allowing them closer, cracked foundations settling and other unknown dangers are increased significantly.

For the reasons previously outlined I implore the SDAB to heed my appeal and reverse course by not allowing the development permit to proceed with this discretionary development at 11935 128th St.

Thank you for taking the time to consider my appeal and I look forward to your decision.

|                               |
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| <b><i>General Matters</i></b> |
|-------------------------------|

**Appeal Information:**

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**Grounds for Appeal**

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**Appeals**



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#### **Hearing and Decision**

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- (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.

**Non-conforming use and non-conforming buildings**

**643(1)** If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

**(2)** A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

**(3)** A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

**(4)** A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

**(5)** A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

- (a) to make it a conforming building,

- (b) for routine maintenance of the building, if the development authority considers it necessary, or
- (c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

**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.

#### ***Non-conforming building***

Section 7.100.4.2 states “The Development Planner may approve a Development Permit application, with or without conditions, for an enlargement, alteration or addition to a non-conforming building by granting a variance in compliance with Subsections 5 and 6.”

#### ***Side Setbacks***

Section 2.10.4.3. states:

4.3. Setbacks must comply with Table 4.3:

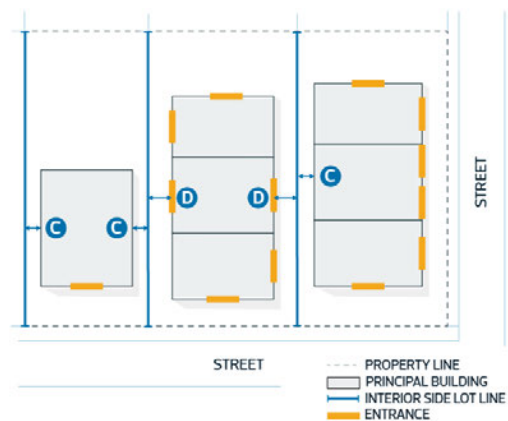
**Table 4.3. Setback Regulations**

#### **Side Setbacks**

| <b>Subsection</b> | <b>Regulation</b>             | <b>Value</b> | <b>Symbol</b> |
|-------------------|-------------------------------|--------------|---------------|
| <b>4.3.3</b>      | Minimum Interior Side Setback | 1.2 m        | <b>C</b>      |

**Unless the following applies:**

| Subsection | Regulation  | Value | Symbol   |
|------------|---|-------|----------|
| 4.3.4      | Minimum Interior Side Setback for Row Housing and Multi-unit Housing where an entrance is located on the side of the building along an Interior Side Lot Line | 1.9 m | <b>D</b> |

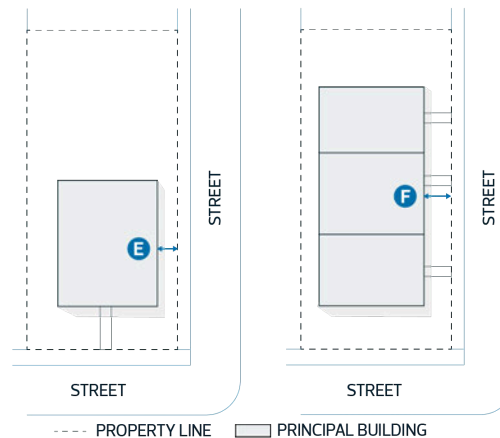
**Diagram for Subsections 4.3.3 and 4.3.4**

| Subsection | Regulation                    | Value | Symbol   |
|------------|-------------------------------|-------|----------|
| 4.3.5      | Minimum Flanking Side Setback | 1.2 m | <b>E</b> |

**Unless the following applies:**

| Subsection | Regulation  | Value | Symbol   |
|------------|---|-------|----------|
| 4.3.6      | Minimum Flanking Side Setback when a main entrance of | 2.0 m | <b>F</b> |

|  |   |  |  |
|--|---|--|--|
|  | a principal Dwelling faces a Flanking Side Lot Line |  |  |
|--|---|--|--|

**Diagram for Subsections 4.3.5 and 4.3.6****Development Planner's Determination**

**Non-conforming Building - This Row House no longer conforms to current zoning rules, which may have changed since it was originally constructed (Subsection 7.100.4.2).**

**NOTE: Side setbacks no longer conform to the current bylaw.**

[unedited]

|   |
|---|
| <b><i>Previous Subdivision and Development Appeal Board Decisions</i></b> |
|---|

| Application Number | Description  | Decision   |
|--------------------|--|--|
| SDAB-D-25-037      | To construct an Accessory building (Mutual detached Garage, 5.79m x 12.49m). | April 1, 2025; The Appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED, as applied for to the Development Authority, subject to conditions. |

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Notice to Applicant/Appellant


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

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|   |                             |   |  |   |                             |
|---|-----------------------------|---|--|---|-----------------------------|
|    |                             | Project Number: <b>527024086-015</b><br>Application Date: AUG 27, 2025<br>Printed: September 3, 2025 at 2:02 PM<br>Page: 1 of 3   |  |   |                             |
| <h2>Home Improvement Permit</h2>  |                             |   |  |   |                             |
| 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.  |                             |   |  |   |                             |
| <b>Applicant</b><br><br><b>Project Name:</b><br>11935 128 str (Aurora Sherbrooke 2.0)   |                             | <b>Property Address(es) and Legal Description(s)</b><br>11935 - 128 STREET NW<br>Plan 4068HW Blk 1 Lot 20<br><b>Location(s) of Work</b><br>Suite: 1, 11935 - 128 STREET NW<br>Suite: 2, 11935 - 128 STREET NW<br>Suite: 3, 11935 - 128 STREET NW<br>Suite: 4, 11935 - 128 STREET NW<br>Suite: BSMT1, 11935 - 128 STREET NW<br>Suite: BSMT2, 11935 - 128 STREET NW<br>Suite: BSMT3, 11935 - 128 STREET NW<br>Suite: BSMT4, 11935 - 128 STREET NW<br>Entryway: 1, 11935 - 128 STREET NW<br>Entryway: 2, 11935 - 128 STREET NW<br>Entryway: 3, 11935 - 128 STREET NW<br>Entryway: 4, 11935 - 128 STREET NW<br>Building: 1, 11935 - 128 STREET NW |  |   |                             |
| <b>Scope of Permit</b><br>To construct exterior alterations and interior alterations to a Residential Use building in the form of a Row House (exterior doors relocation, basement windows changes and Basement floor layout changes).  |                             |   |  |   |                             |
| <b>Details</b><br><table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Discretionary Development<br/> Site Area (sq. m.): 662.81 </td> <td style="width: 50%;"> Overlay:<br/> Statutory Plan: </td> </tr> </table>   |                             |   |  | Development Category: Discretionary Development<br>Site Area (sq. m.): 662.81 | Overlay:<br>Statutory Plan: |
| Development Category: Discretionary Development<br>Site Area (sq. m.): 662.81   | Overlay:<br>Statutory Plan: |   |  |   |                             |
| <b>Development Permit Decision</b><br>Approved<br><b>Issue Date:</b> Sep 03, 2025 <b>Development Authority:</b> LAI, ECHO<br><b>Subject to the Following Conditions</b><br>This Development Permit is NOT valid until the notification period expires as specified Section 7.190.<br>This Development Permit authorizes the construction of exterior and interior alterations to a Residential Use building in the form of a Row House (exterior doors relocation, basement windows changes, and Basement floor layout changes).<br>The development must be constructed in accordance with the approved drawings.<br>Immediately upon completion of the exterior alterations, the Site must be cleared of all debris.<br>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).<br><b>Advisements:</b> |                             |   |  |   |                             |
| PS0702003   |                             |   |  |   |                             |



|    | Project Number: <b>527024086-015</b><br>Application Date: AUG 27, 2025<br>Printed: September 3, 2025 at 2:02 PM<br>Page: 2 of 3 |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
|---|---|-------------|-----------------|--------------|-----------|-----------------------------|----------|----------|-----------------|--------------|--------------|----------|----------|-----------------|--------------|-------------------|--------------------|------------------|------------------|
| <h2>Home Improvement Permit</h2>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <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 <a href="https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit">https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit</a>. 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:<br/><a href="https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading">https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading</a></p>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p>Signs require separate Development Permit application(s).</p>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p><b>Variances</b></p>   |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p>Non-conforming Building - This Row House no longer conforms to current zoning rules, which may have changed since it was originally constructed (Subsection 7.100.4.2).</p>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p>NOTE: Side setbacks no longer conform to the current bylaw.</p>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p><b>Rights of Appeal</b></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><b>Notice Period Begins:</b> Sep 09, 2025      <b>Ends:</b> Sep 30, 2025</p>   |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p><b>Building Permit Not Applicable</b></p>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p>For DP only</p>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <p><b>Fees</b></p>  |   |             |                 |              |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| <table border="1"> <thead> <tr> <th></th> <th>Fee Amount</th> <th>Amount Paid</th> <th>Receipt #</th> <th>Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td>\$410.00</td> <td>\$410.00</td> <td>096648001001872</td> <td>Aug 28, 2025</td> </tr> <tr> <td>Variance Fee</td> <td>\$102.50</td> <td>\$102.50</td> <td>096648001001872</td> <td>Aug 28, 2025</td> </tr> </tbody> </table>  |   | Fee Amount  | Amount Paid     | Receipt #    | Date Paid | Development Application Fee | \$410.00 | \$410.00 | 096648001001872 | Aug 28, 2025 | Variance Fee | \$102.50 | \$102.50 | 096648001001872 | Aug 28, 2025 | <b>Fee Amount</b> | <b>Amount Paid</b> | <b>Receipt #</b> | <b>Date Paid</b> |
|   | Fee Amount  | Amount Paid | Receipt #       | Date Paid    |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| Development Application Fee   | \$410.00  | \$410.00    | 096648001001872 | Aug 28, 2025 |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
| Variance Fee  | \$102.50  | \$102.50    | 096648001001872 | Aug 28, 2025 |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
|   | \$410.00  | \$410.00    | 096648001001872 | Aug 28, 2025 |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |
|   | \$102.50  | \$102.50    | 096648001001872 | Aug 28, 2025 |           |                             |          |          |                 |              |              |          |          |                 |              |                   |                    |                  |                  |



Project Number: **527024086-015**

Application Date: AUG 27, 2025

Printed: September 3, 2025 at 2:02 PM

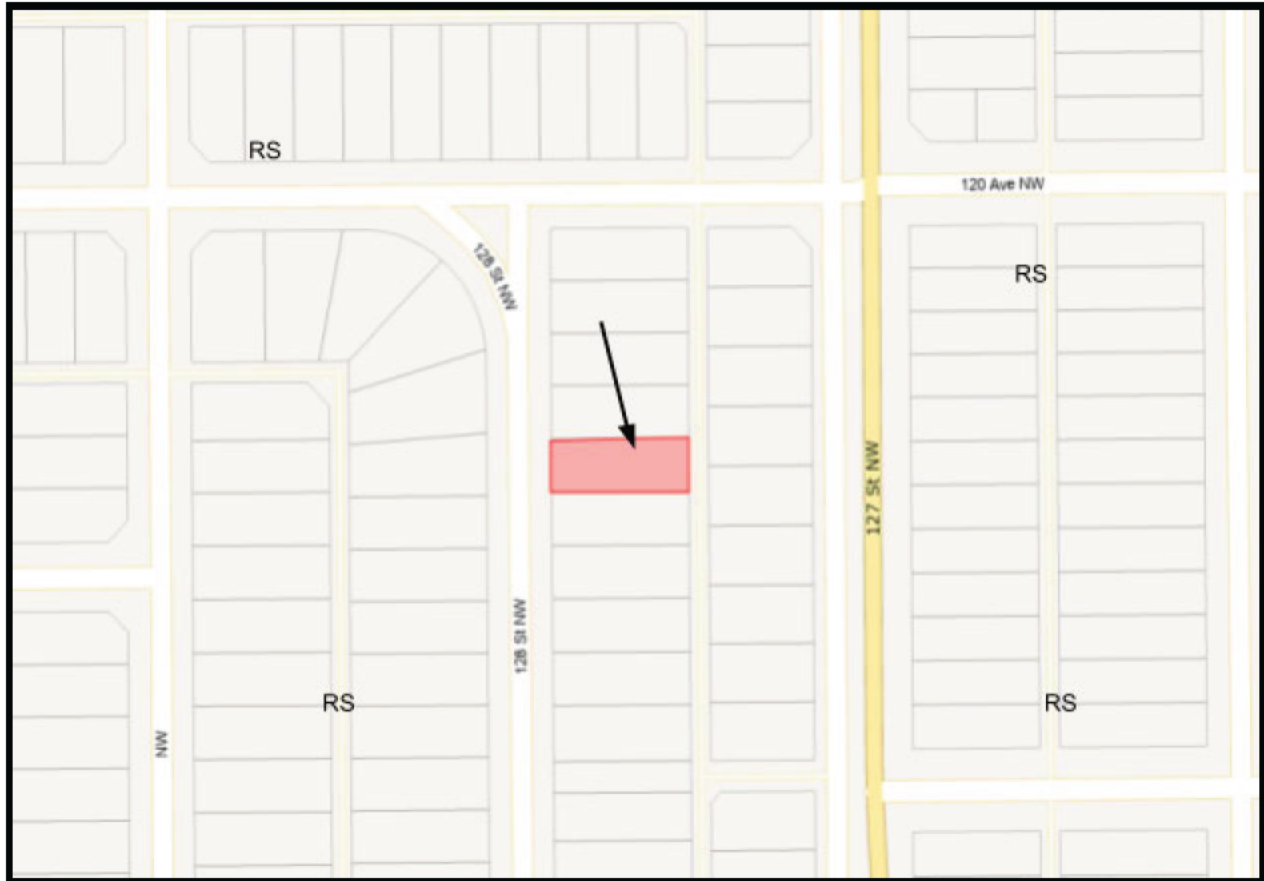
Page: 3 of 3

# Home Improvement Permit

Fees

|                    | Fee Amount | Amount Paid | Receipt # | Date Paid |
|--------------------|------------|-------------|-----------|-----------|
| Total GST Amount:  | \$0.00     |             |           |           |
| Totals for Permit: | \$512.50   | \$512.50    |           |           |

P0702003



**SURROUNDING LAND USE DISTRICTS**

**Site Location** ←

**File: SDAB-D-25-146**

**N** ▲