

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.

March 12, 2026

River Valley Room

City Hall, 1 Sir Winston Churchill Square NW, Edmonton,

AB

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
River Valley Room

TO BE RAISED

I 9:00 A.M. SDAB-D-26-053

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options before January 12, 2026:

1. Acquire a Development Permit for the Residential Use: Multi-unit Housing (3 Dwellings total - 1 located on the main floor and 2 located in the basement) which reflects the current development.

OR

2. Revert the development back to Single Detached Housing with a Secondary Suite by decommissioning the Residential Use: Multi-Unit Housing (3 Dwellings - 1 located on the main floor and 2 located in the basement).

This will require you to complete the following actions:

A) Remove all physical separation between basement Dwellings to create free flow access in the Secondary Suite.

- Remove the entrance door, hinges & jamb between the third bedroom and living room.

B) Complete a decommission inspection. You may schedule a decommission inspection by contacting Jordana Hoblak by phone at 587-989-9365 or email at jordana.hoblak@edmonton.ca

10519 - 173 Avenue NW
Project No.: 533823325-007

TO BE RAISED

II 10:30 A.M. SDAB-D-26-041
WITHDRAWN

To construct an Accessory building (rear mutual detached Garage, 6.3m x 5.7m)

7807 - 93 Street NW
Project No.: 628526398-006

III 1:30 P.M. SDAB-D-26-054

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites (main floor and basement)

11804 - 74 Avenue NW
Project No.: 635550356-002

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

TO BE RAISED

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-053

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT:

APPLICATION NO.: 533823325-007

ORDER: Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options before January 12, 2026:

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2. Revert the development back to Single Detached Housing with a Secondary Suite by decommissioning the Residential Use: Multi-Unit Housing (3 Dwellings - 1 located on the main floor and 2 located in the basement).

This will require you to complete the following actions:

A) Remove all physical separation between basement Dwellings to create free flow access in the Secondary Suite.

- Remove the entrance door, hinges & jamb between the third bedroom and living room.

B) Complete a decommission inspection. You may schedule a decommission inspection by contacting Jordana Hoblak by phone at 587-989-9365 or email at jordana.hoblak@edmonton.ca

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: December 4, 2025

DATE OF APPEAL: December 24, 2025

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10519 - 173 Avenue NW

LEGAL DESCRIPTION:	Plan 7621804 Blk 1 Lot 238
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Northwest District Plan

Grounds for Appeal

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

1. Grounds for Appeal

I am appealing the order and ticket (58315891) in the amount of \$1,000, issued by the Development Compliance Officer, Jordana Hoblak, on December 4th, 2025, regarding the secondary suite development at 10519 173 Ave NW. This appeal is based on the fact that the secondary suite has three bedrooms, all integral to a single secondary suite, and there is no separate, illegal third suite. The key points of this appeal are based on the legal definitions and safety codes of the City of Edmonton Land Use Bylaw, the Alberta Building/Fire Codes, and the following grounds:

1. Background and Rationale of this Appeal

a. Approved Permits. The secondary suite was initially approved as a three-bedroom legal suite, subject to the necessary permits (development, building, electrical, plumbing, and gas). This prior approval is substantial evidence that the configuration was reviewed and deemed compliant with the relevant codes and bylaws at the time of construction/inspection.

b. Definition of a Suite vs. a Room. An entire secondary suite must be a self-contained dwelling unit that includes a principal kitchen, bathroom, sleeping, and living facilities. A single room, even with a privacy door, that shares the same kitchens and bathrooms facilities as the rest of the approved secondary suite is, by definition, a bedroom within that single suite, not a third, independent dwelling unit. The secondary suite layout and the number of bedrooms, bathrooms, and kitchens were approved by the city and were inspected accordingly; they were fully approved, and at no time has there been any intent or consideration to create, develop, or operate any of the bedrooms as an independent dwelling. Furthermore, the secondary suite lease expressly provides for a secondary suite with three

bedrooms, and at no time have any of the rooms in the secondary suite been intended to operate as an additional dwelling, as two separate dwellings, or to be leased independently.

c. Mechanical Room Access (Functional Necessity). The specific configuration, in which access to the mechanical room is through this particular bedroom, reflects a functional requirement of the building's design. This access point is necessary for the maintenance and safety of building systems (e.g., furnace, hot water) that serve the entire suite/building. The door is a functional part of the suite's internal layout, not a design feature intended to create a separate dwelling.

d. Subordinate to Principal Dwelling. The property application was limited to one secondary suite with three bedrooms, in addition to the principal dwelling. A single bedroom cannot function as a separate, third dwelling unit because it is part of the three-bedroom secondary suite approved, thereby ensuring that the entire structure contains only two dwelling units, as permitted by the bylaw. 1/4

e. Privacy Doors are a Standard Feature in Bedrooms. A door on a bedroom that provides privacy is a standard feature of residential design and, in itself, does not constitute the creation of a separate "suite" under the legal definition.

f. Secondary Suite Single Housekeeping Unit. The entire secondary suite functions as a single housekeeping unit, with all occupants having access to all areas and no one having exclusive possession of any part of the unit. The space does not have separate utility meters (power, water, gas).

2. Misinterpretation of the Edmonton Zoning Bylaw. Hoblak has applied a personal, biased interpretation of existing bylaws that extends beyond the legal text. The development in question is fully permitted and approved and complies with all applicable regulations, as evidenced by the permit application filed in October 2024, which was approved following full inspection in April 2025. Hoblak is misapplying the rules governing self-contained units, treating a bedroom/third room within an approved suite as a separate dwelling unit, primarily when the door serves suite access or separation rather than creating a new unit. Hoblak is focusing on minor details (such as a door) without considering the overall approved plan or the intent and scope of the original permit. Furthermore, Hoblak's flaw is labeling something as a "new development" when it was part of the original approved scope, thereby undermining the initial permit and misusing Bylaw 20001 under the pretext of an "unauthorized new development" to get access to the premises with the intent of fining the homeowner when permits and inspections were applied for, passed and compliance met, without any alterations made after the final inspection.

3. Lack of Factual Grounds. The alleged infraction is inaccurate. There is no evidentiary basis for the claim that the current development violates any city bylaw, as at no point are there "3 Dwellings total, 1 Located on the main floor and 2 located in the basement" as per Hoblak's claims, and that is her own perception and interpretation of the facts. There are only 2

developments, 1 main floor and 1 basement suite with 3 bedrooms as per the submitted permit application and drawings. Each bedroom has an access door in accordance with building code requirements and privacy requirements, and each bedroom has three egress windows, as set out in the secondary suite development permit. At least one door and window are required for privacy and to meet the definition of a bedroom. Smoke alarms are required in each bedroom and hallway, and interconnected smoke alarms are necessary for homes with secondary suites, pursuant to Alberta Health Services guidelines and the City of Edmonton Secondary Suite Final Inspection. At no time was there any direction or limitation that prohibited access to any bedroom. Hoblak's inspection, claim, and conclusions are made with prejudice and omit relevant information regarding the licenses in place and the secondary suite development layout.

4. Flaw in the "One Door" Logic and Considering it a "New Development without Permit" While the City of Edmonton Bylaw 20001 authorizes inspectors to enter properties for development compliance, the abuse of this authority to inspect a single door when no "new development" or significant change has occurred is the flaw. Inspectors need reasonable grounds to use bylaw statutes without abusing them. An issue regarding a door renders the analysis flawed if it ignores the intent and actual background of the three-bedroom secondary suite approved application, which passed complete city inspections with the layout, configuration, kitchens, and bathrooms, and at no time were there any additional developments, as misinterpreted by Noblak.

a. Defining "New Development". A new secondary suite requires DP and Building Permits for safety (fire separation, egress, ceiling height, smoke alarms). According to Noblak, she is finding a door to be an issue, and a door does not constitute a new development.

b. Pre-existing Suites. Many older suites might lack permits but are tolerated if they existed before stricter rules or meet basic safety. A door does not constitute a new development.

c. Abuse Potential. The inspector's reasoning is flawed if they assume that a door constitutes an illegal suite that would constitute a new, unauthorized dwelling.

5. Economic Costs of Civil Service Overreach. While effective bureaucracies can support growth, bloated or opaque systems that resist change and engage in rent-seeking behavior impose an additional tax on private investment, ultimately stifling economic growth.

a. Discouraged Investment. When property owners and small businesses face the risk of arbitrary code enforcement or fabricated infractions, they are less likely to invest in property renovations or operational expansion. This results in less local economic activity and reduces support for local businesses.

b. **Reduced Productivity.** Unnecessary regulations and administrative burdens force homeowners to expend time and money on counterproductive barriers imposed by the egos of public servants, rather than focusing on their core activities. This significantly reduces productivity and a business's ability to grow.

c. **Erosion of Trust and Certainty.** Discretionary power in non-transparent systems permits arbitrary findings, assessments, and decisions to proliferate, creating an unpredictable environment. The absence of a predictable, competitive investment environment further deters economic activity.

d. **Impact on Housing Affordability.** The added costs and time-consuming processes associated with excessive regulations and arbitrary non-compliances, along with the time required to defend such claims, contribute to higher housing prices, making homes less affordable and impeding the construction industry's ability to meet demand and to provide housing at affordable prices. These realities

6. **Economic Punishment, Reprisals, Illegalization, and Systemic Barriers to Homeownership.** This form of discrimination employs administrative hurdles and "unsuitable housing" policies to create barriers to persons with disabilities and health issues, as is the case with the homeowner. If a civil servant uses economic punishment (such as fines or permit denials) solely in response to asserting individual rights or questioning their interpretation, it may constitute a discriminatory reprisal. A bylaw interpretation is considered excessive (or unreasonable/ultra vires) when it exceeds the authority granted by the enabling statute, is prejudiced, demonstrates bad faith, or results in oppressive sanctions. Key indicators of an excessive bylaw interpretation include:

a. **Unreasonableness/Oppressiveness.** The interpretation leads to a result that is manifestly unjust, oppressive, or an "unreasonable exercise of delegated authority".

b. **Discrimination.** The interpretation treats one group within a class differently from another group without explicit authorization in the enabling legislation.

c. **Contradiction of Clear Wording.** An interpretation is excessive if it ignores the plain and obvious meaning of the words in the bylaw itself to push a desired "intent".

d. **Conflict with Other Bylaws.** An interpretation is problematic if it creates a conflict with other existing bylaws or makes another section of the bylaws absurd.

7. Reporting Officer Misconduct. Development Compliance Officers are expected to perform their duties professionally and in accordance with applicable law and municipal policy. Thus, I allege an abuse of power by Hoblak, specifically: misusing the bylaw's purpose to impose inaccurate findings to advance her bias and pursue punitive penalties; increasing city administrative costs to justify her work; and criminalizing rather than clarifying information with the homeowner. In addition, Development Compliance Officers entered the secondary suite premises without identifying themselves, without removing their shoes, which were covered in ice and snow, and without obtaining consent or authorization to photograph the personal property and the contents of the rooms, and with an arrogant and preeminence demeanor, showing their attitude to find and find anything to issue a fine. Therefore, I request an investigation into this matter.

a. Abuse of Power. The abuse of power and the misrepresentations by public service employees significantly hinder economic development by increasing costs, creating delays, and discouraging investment and renovation. When government administration is inefficient and non-transparent, it erodes trust, impedes local economic progress, and exacerbates challenges for small property owners.

b. Abuse of Discretion and Personal Bias. The inspection was not conducted impartially. The officer's findings appear to constitute a retaliatory response to a prior lawsuit filed by the homeowner against the City of Edmonton arising from negligent plumbing inspections in the same development, which resulted in a flood in the secondary suite and significant monetary losses to the homeowner, which is being handled at a civil level litigation.

c. Criminalization of Legal Development. The officer is attempting to penalize and criminalize an approved project by an unfounded extension of the city's bylaws, which constitutes an abuse of authority. Where a public service employee uses their position to exaggerate violations and apply punitive code interpretations against a specific person, it constitutes several recognized forms of racism and discrimination:

i. Institutional Discrimination. This occurs within institutions and systems of power when individuals carry out the dictates of a system that may be inherently biased or when they use "neutral" policies to produce racially inequitable outcomes. If a bureaucrat applies stricter interpretations of the code to you than to others, they are utilizing the institution's power to reinforce racial inequities.

ii. Systemic Discrimination. This is a broader pattern where cultural norms, unwritten policies, and entrenched practices result in unfair treatment and oppression of racialized people. In municipal planning, this often manifests as "remnants of discriminatory urban planning," in which zoning and

bylaws are used to maintain segregation or to create barriers for specific groups.

Relief Sought

I request that the SDAB:

- a. Revoke the order or decision in its entirety, specifically for the excessive \$1,000 fine that Hoblak imposed on the homeowner.

- b. Direct an independent review by a different officer, given the documented conflict of interest and bias.

- c. Have a dialogue and options about the “door issue” without jumping to erroneous conclusions and having a different approach in how to resolve the allegations when the secondary suite was approved with three bedrooms, two entrances, two bathrooms, and two kitchens, and inspection was successfully passed, meeting code without any inconveniences.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on January 7, 2026:

“That the appeal hearing be postponed to the end of March 2026.”

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

Stop order

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

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

the development authority may act under subsection (2).

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

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or

(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

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

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

Permit

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
 - or
 - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

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

...

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
 - and
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

Under section 8.20, **Multi-unit Housing** means:

a building that contains:

- a. 1 or more Dwellings combined with at least 1 Use other than Residential, Home Based Business, or Sign Uses; or
- b. any number of Dwellings that do not conform to any other definition in the Zoning Bylaw.

Typical examples include stacked row housing, apartments, and housing in a mixed-use building.

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, **Sleeping Unit** means:

a room in a residential building that is used for people to live, that is available through an accommodation agreement and is not self-contained. Sleeping Units have shared access to facilities such as cooking, dining, laundry, sanitary, or general living facilities in the same residential building. A Sleeping Unit provides accommodation for a maximum of 2 people.

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.

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.

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

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

7.110 Approvals Required and Development

Section 7.110.1 states:

1.1. No person may:

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

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

<i>7.200 Inspections, Enforcement and Penalties</i>
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- 2.1. It is an offence for any person to:
 - 2.1.1. contravene; or
 - 2.1.2. cause, allow or permit a contravention of, any provisions of this Bylaw.
- 2.2. If a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:
 - 2.2.1. construct a building or structure;
 - 2.2.2. make an addition or alteration to a building or structure;
 - 2.2.3. commence or undertake a Use or change of intensity of Use; or
 - 2.2.4. place a Sign on land, or on a building or structure.
- 2.3. It is an offence for any person to undertake development in contravention of a Development Permit, including any conditions of approval.

Notice to Applicant/Appellant

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



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

10111 - 104 Ave NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



December 4, 2025

Our File: 533823325-007

MUNICIPAL GOVERNMENT ACT ORDER

Dear Erwin:

An Alberta Land Titles search identifies you as the registered owner of the property located at 10519 173 Avenue NW in Edmonton, Alberta, legally described as Plan 7621804 Blk 1 Lot 238.

This Property was inspected by Development Compliance Officer Jordana Hoblak, on December 3, 2025. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 of the Municipal Government Act.

ZONING BYLAW INFRACTION:

This property is zoned RS (Small Scale Residential Zone) in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001. **Our investigation revealed a Residential Use: Multi-Unit Housing (3 Dwellings total - 1 located on the main floor and 2 located in the basement)** has been developed without a Development Permit.

The City of Edmonton has not issued a Development Permit to develop a Residential Use: Multi-Unit Housing which is contrary to Subsection 7.110.1 of the Edmonton Zoning Bylaw 20001, and Section 683 of the Municipal Government Act.

Subsection 7.110.1 of Edmonton Zoning Bylaw states:

Approval Required for Development

- 1.1. No person may:
 - 1.1.1. undertake, or cause or allow to be undertaken, a development;
 - or
 - 1.1.2. carry on, or cause or allow to be carried on, a development, without a Development Permit issued under this Section.

Subsection 7.200 of Edmonton Zoning Bylaw 20001 states:

General Offences

- 2.1. It is an **offence** for any person to:



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Development Approvals & Inspections Section
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- 2.1.1. contravene; or
- 2.1.2. cause, permit or undertake a contravention of; or
- 2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of, any provisions of this Bylaw.

2.2. Without restricting the generality of Subsection 2.1, if a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an **offence** for any person to:

- 2.2.1. construct or allow a building or structure;
- 2.2.2. make or allow an addition or alteration to a building or structure;
- 2.2.3. commence or allow a Use or change of intensity of Use;** or
- 2.2.4. place or allow the placement of a Sign on land, or on a building or structure.

Multi Unit Housing means a building that contains:

- a. 1 or more Dwellings combined with at least 1 Use other than Residential, Home Based Business, or Sign Uses; or
- b. Any number of Dwellings that do not conform to any other definition in the Zoning Bylaw.

Typical examples include stacked row housing, apartments, and housing in a mixed-use building.

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.

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.

Sleeping Unit means: a room in a residential building that is used for people to live, that is available through an accommodation agreement and is not self-contained. Sleeping Units have shared access to facilities such as cooking, dining, laundry, sanitary, or general living facilities in the same residential building. A Sleeping Unit provides accommodation for a maximum of 2 people.



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ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options before **January 12, 2026**:

1. Acquire a Development Permit for the Residential Use: Multi-unit Housing (3 Dwellings total - 1 located on the main floor and 2 located in the basement) which reflects the current development.

OR

2. Revert the development back to Single Detached Housing with a Secondary Suite by decommissioning the Residential Use: Multi-Unit Housing (3 Dwellings - 1 located on the main floor and 2 located in the basement). **This will require you to complete the following actions:**

A) Remove **all** physical separation between basement Dwellings to create free flow access in the Secondary Suite.

- Remove the entrance door, hinges & jamb between the third bedroom and living room.

B) Complete a decommission inspection. You may schedule a decommission inspection by contacting Jordana Hoblak by phone at 587-989-9365 or email at jordana.hoblak@edmonton.ca

CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected after **January 12, 2026** to determine compliance with this Order.

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

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



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

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

PERMIT APPLICATIONS:

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

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

Email: developmentpermits@edmonton.ca

Phone: 780-442-5054

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

Regards,

Jordana Hoblak
Development Compliance Officer
587-989-9365
jordana.hoblak@edmonton.ca

Adding amounts owing to tax roll

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

- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;
- (b) unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel;
- (c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;
- (d), (e) repealed 1999 c11 s35; (f) costs associated with tax recovery proceedings related to the parcel;
- (g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and



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expenses for extinguishing fires on the parcel;

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

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

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

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

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

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

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

Stop order

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

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

the development authority may act under subsection (2).

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

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or

(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

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

(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and



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development appeal board in accordance with section 685.

Enforcement of stop order

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

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

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

Permit

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

Grounds for appeal

685(1) If a development authority

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

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

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

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

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

- (a) to the Land and Property Rights Tribunal
 - (i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application
 - (A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,
 - (B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,
 - (C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or
 - (D) is the subject of a licence, permit, approval or other authorization granted by the



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Minister of Environment and Parks,

or

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

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

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

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

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

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

Appeals

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

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

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

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

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

or

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

or

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

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



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

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

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

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

(a) to the appellant,

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

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

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

(a) the application for the development permit, the decision and the notice of appeal, or (b)

the order under section 645.

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

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



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Subdivision and Development Appeal Board

File your appeal online at:

<https://sdab.edmonton.ca>

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

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

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

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

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

For more information:

Subdivision and Development Appeal Board

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

TO BE RAISED

WITHDRAWN

ITEM II: 10:30 A.M.

FILE: SDAB-D-26-041

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 628526398-006

APPLICATION TO: To construct an Accessory building (rear mutual detached Garage, 6.3m x 5.7m)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with COnditions

DECISION DATE: December 29, 2025

DATE OF APPEAL: February 3, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7807 - 93 Street NW

LEGAL DESCRIPTION: Plan 5178HW Blk 3 Lot 14

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

Grounds for Appeal

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

Reasons for Appeal

Garage Permit No. 628526398-006
7807 93 Street NW

I am appealing the Development Authority's decision to approve Garage Permit No. 628526398-006 on the basis that it is integral to, and cannot be meaningfully separated from, the approval of the associated house permit (628526398-002) for the same property.

The garage is not an ancillary or minor element in this development. Its location, footprint, height, and massing directly affect site coverage, spatial configuration, access, servicing, drainage, and the overall form and intensity of development on the lot. As such, the garage approval materially contributes to the same concerns raised in my appeal of the house permit.

In particular:

Site Coverage and Massing

The garage contributes to total site coverage and built form on the lot. Any assessment of whether the development complies with the Zoning Bylaws site coverage, setback, and spatial requirements necessarily depends on the combined footprint of the house and garage, rather than either structure in isolation.

Integrated Development Form

The house and garage together define the functional layout of the site, including vehicle access, hard surfacing, and building placement. Reviewing the garage separately risks understating the true scale and intensity of development approved.

Servicing, Drainage, and Access Impacts

The garage affects driveway configuration, impermeable surface area, drainage patterns, and servicing demands. These impacts overlap directly with the issues raised in the house appeal and must be assessed cumulatively.

Cumulative and Contextual Impacts

The garage forms part of a broader pattern of concurrent development occurring on immediately adjacent properties by the same builder. Evaluating the garage independently from the house, and independently from neighbouring approvals, risks fragmenting the analysis and obscuring cumulative impacts on adjacent properties and neighbourhood character.

For these reasons, I submit that the Development Authority's decision to approve the garage permit cannot be properly reviewed without reference to the house permit, and vice versa. The approvals function together as a

single development for the purposes of Zoning Bylaw compliance and impact assessment.

I respectfully request that the Subdivision and Development Appeal Board review whether:

the garage permit has been correctly assessed in conjunction with the associated house permit;

the combined development complies with the order, intent, and spirit of the Zoning Bylaw;

any variances or relaxations affecting the garage and house together were properly justified; and

the cumulative impacts of the full development on the site and surrounding properties were appropriately evaluated.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on February 12, 2026:

“The appeal was filed on time and postponed to March 12, 2026 to provide proper notification to property owners.”

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:

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, **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.

Notice to Applicant/Appellant

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



Project Number: **628526398-006**
 Application Date: SEP 12, 2025
 Printed: December 29, 2025 at 4:36 PM
 Page: 2 of 2

Accessory Building Permit

further information.

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

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

Rights of Appeal

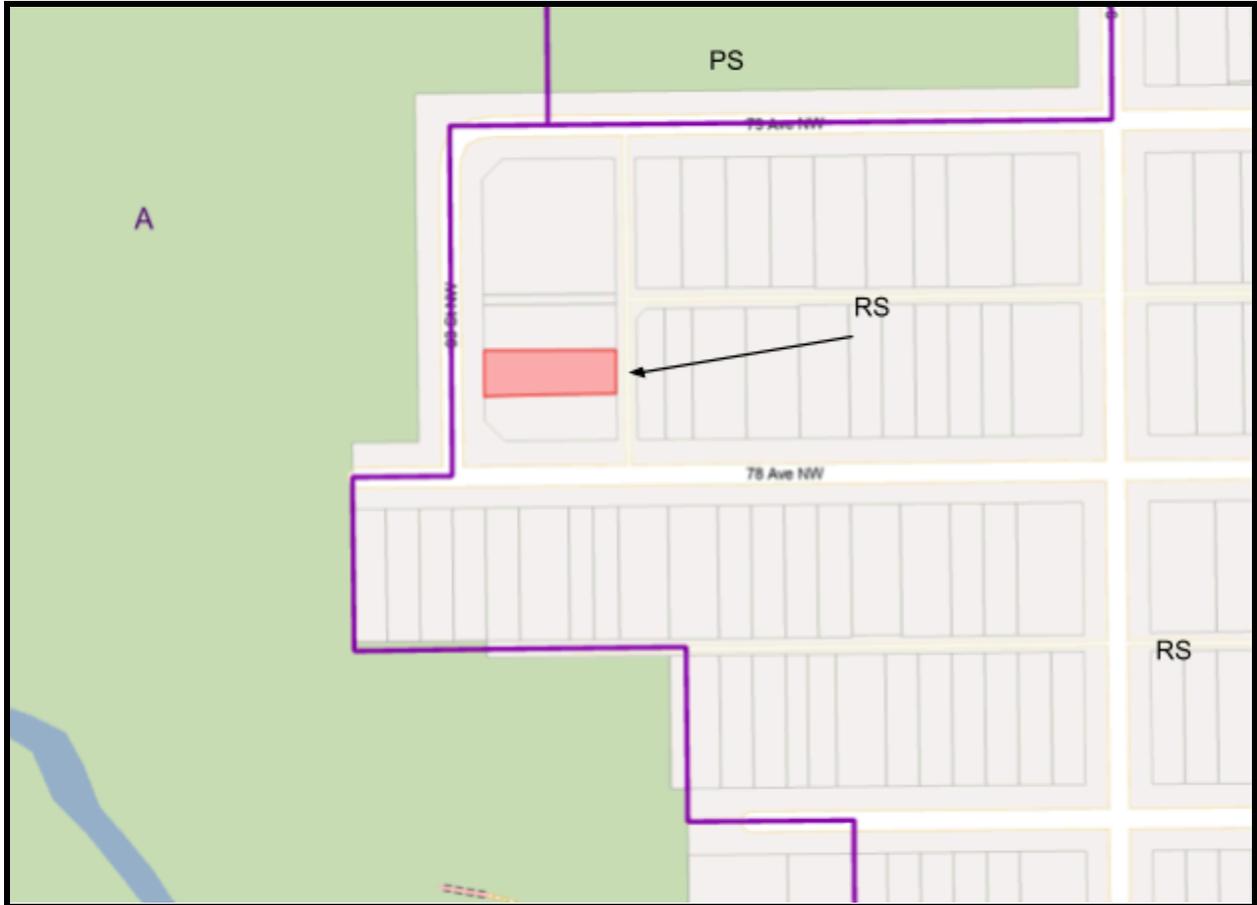
This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Building Permit Decision

No decision has yet been made.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$4.80	\$4.80	09806119	Sep 12, 2025
Development Application Fee	\$145.00	\$145.00	09806119	Sep 12, 2025
Building Permit Fee (Accessory Building)	\$120.00	\$120.00	09806119	Sep 12, 2025
Total GST Amount:	\$0.00			
Totals for Permit:	\$269.80	\$269.80		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-041

▲
N

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 635550356-002

APPLICATION TO: To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites (main floor and basement)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: February 5, 2026

DATE OF APPEAL: February 17, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11804 - 74 Avenue NW

LEGAL DESCRIPTION: Plan 2831HW Blk 8 Lot 12

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

Grounds for Appeal

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

The Development Officer misinterpreted the Zoning Bylaw by deciding that the proposed development complied with all of the development regulations in the Zoning Bylaw, when it does not.

The Development Officer granted a variance and the test for a variance was not met and will negatively affect the use, value and enjoyment of the neighbouring properties.

The Development Officer failed to apply and follow the terms and direction of the Scona District Plan, as amended.

<i>General Matters</i>

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:

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

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

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

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

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

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

Under section 8.20, **Dwelling** means:

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

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

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

Notice to Applicant/Appellant

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

	Project Number: 635550356-002 Application Date: NOV 04, 2025 Printed: February 5, 2026 at 3:10 PM Page: 1 of 7		
<h2>Development 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.			
Applicant	Property Address(es) and Legal Description(s) 11808 - 74 AVENUE NW Plan 2831HW Blk 8 Lot 12		
Scope of Permit To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites (main floor and basement), Total Dwellings: 8.			
Details <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> 1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping </td> <td style="width: 50%; vertical-align: top;"> 2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development </td> </tr> </table>		1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development
1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development		
Development Permit Decision Approved Issue Date: Feb 05, 2026 Development Authority: ZAZULA, NICKOLAS Subject to the Following Conditions Zoning Conditions: 1. This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches and 4 Secondary Suites (main floor and basement), Total Dwellings: 8. 2. The development must be constructed in accordance with the approved drawings. 3. 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). 4. Landscaping must be installed and maintained in accordance with Section 5.60. 5. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2). 6. Pathway(s) connecting the main entrance of the Dwelling directly to an Abutting sidewalk or to a Driveway must be a minimum unobstructed width of 0.9 m (Subsection 5.80.2.1.1). 7. Unenclosed steps require a minimum setback of 0.6 m from Lot lines (Subsection 2.10.4.6). If the unenclosed steps are oriented toward the Interior Side Lot Line, a minimum distance of 1.1 m must be maintained between the Interior Side Lot Line and the unenclosed steps (Subsection 2.10.4.8.1). If the unenclosed steps are oriented away from the Interior Side Line and have a landing less than or equal to 1.5 m ² , a minimum distance of 0.15 m must be maintained from the Interior Side Lot line and the unenclosed steps (Subsection 2.10.4.8.2). 8. The Street-facing Facade of each RowHousing Dwelling must have clear glass windows covering a minimum of 15% of the			
P0702003			

	Project Number: 635550356-002 Application Date: NOV 04, 2025 Printed: February 5, 2026 at 3:10 PM Page: 2 of 7
Development Permit	
<p>Facade area above the basement (Subsection 2.10.5.6.2).</p> <p>9. Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)</p> <p>10. Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade, and focus light away from surrounding Sites to minimize Nuisance; generally be directed downwards, except where directed towards the Site or architectural features located on the Site; be designed to provide an appropriately-lit environment at building entrances, outdoor Amenity Areas, parking facilities, and Pathways; and not interfere with the function of traffic control devices (Subsection 5.120.3).</p> <p>11. A Secondary Suite must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20).</p> <p>12. A Hard Surfaced Pathway connecting the main entrance of a Secondary Suite directly to an Abutting sidewalk or to a Driveway is required, which must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).</p> <p>13. A Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20).</p> <p>14. A Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).</p> <p>15. The development must not be used as a Lodging House. A Lodging House means a building, or part of a building, containing 4 or more Sleeping Units that are rented out individually.</p> <p>16. This Development Permit will be revoked if the conditions of this permit are not met.</p> <p>Landscaping Conditions:</p> <p>1. Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner.</p> <p>2. Any change to an approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed.</p> <p>3. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.</p> <p>Transportation Conditions:</p> <p>1. Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination. This area within the alley road right-of-way must not exceed a slope of 8%.</p> <p>2. Prior to construction, the owner/applicant must apply for a Public Tree Permit for all trees on City of Edmonton property within 5m of the construction site or active haul route. These trees will require tree protection and possibly anti-compaction methods prior to construction as per Public Tree Bylaw 18825. For more information on City of Edmonton Tree Protection, please visit https://www.edmonton.ca/treep permit If tree damage occurs, remediation or removal will be enforced and shall be covered by the proponent as per the Corporate Tree Management Policy (C456C) and Public Tree Bylaw 18825. This includes compensation for tree value on full or partial tree loss as well as operational and administrative fees. No excavation is permitted within 3 meters of this tree.</p> <p>3. Permanent objects including concrete steps, railings, planter boxes, retaining walls, fences and gate swings etc. must NOT</p>	
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encroach into or over/under road right-of-way. Any proposed landscaping for the development must be provided entirely on private property and only grass is permitted to be planted within the boulevard.

4. There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Utility Safety Partners (Online: <https://utilityafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removal shall be at the expense of the owner/applicant.

5. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:

- the start/finish date of project;
- accommodation of pedestrians and vehicles during construction;
- confirmation of lay down area within legal road right of way if required;
- and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.

It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at:

https://www.edmonton.ca/business_economy/oscam-permit-request.aspx

6. Any sidewalk, alley and/or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Subsection 7.150.5.6 of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.

EPCOR Conditions:

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

Subject to the Following Advisements

Zoning Advisements:

1. Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.
2. 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).
3. 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.
4. 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.
5. 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

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<p>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>6. City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage.</p> <p>7. A site mechanical plan stamped by a professional engineer showing water and sewer services, stormwater management calculations and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit epcor.com/newconnection and click 'ONLINE APPLICATION' for instructions on the plan submission process.</p> <p>8. The site must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to lot.grading@edmonton.ca for review and approval.</p> <p>9. 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>10. Signs require separate Development Permit application(s).</p> <p>Transportation Advisements:</p> <p>1. The proposed driveway length of 2.1m from the garage face to the property line will not allow for perpendicular parking on the driveway pad. The land owner is advised that any potential vehicles parking perpendicular on the driveway must not overhang onto City road right-of-way resulting in an obstruction within the alley. Non-compliance of this issue will result in enforcement measures.</p> <p>EPCOR Advisements:</p> <p>1. The site is currently serviced by a 20 mm copper water service (S12154) located 24.1 m west of the west property line of 118 Street off of the lane north of 74 Avenue. If this service will not be used for the planned development, it must be abandoned back to the water main prior to any on-site excavation. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site including demolition, excavation or grading for direction on the correct process to follow to have the service isolated and meter removed.</p> <p>1a. The existing service is not of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development.</p> <p>2. EPCOR Water Services Inc. does not review on-site servicing. It is the applicant's responsibility to obtain the services of a professional to complete on-site water distribution design and to ensure the supply will meet plumbing code and supply requirements.</p> <p>3. A new water service may be constructed for this lot directly off EPCOR's 200 mm water main along the lane north of 74 Avenue adjacent to the subject site.</p> <p>4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass.drainage@epcor.com or at 780-496-5444. EPCOR Strongly encourages all applicants to contact IWASS early in development planning to learn about site specific minimum requirements for on-site water and/or sewer servicing.</p> <p>4a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.</p>	
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- 5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass.drainage@epcor.com or at 780-496-5444.
- 6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWSinspections@epcor.com or 780-412-3850.
- 7. The applicant must submit bacteriological test results to EPCOR Water Dispatch and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-4500 for more information on how to provide the test results. EPCOR Water Dispatch can provide information on the tie-in and commissioning procedure.
- 8. In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA005-11b for permitted water service configurations.
- 9. Development engineering drawings including landscaping and hardscaping must meet Volume 1 (Table of Minimum Offsets) and Volume 4 (April 2021) of the City of Edmonton Design and Construction Standards.
- 10. Dimensions must be provided as part of the engineering drawing submission package where a tree or shrub bed is installed within 5.0m of a valve, hydrant or curb cock, as per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (April 2021).
- 11. The applicant/owner will be responsible for all costs related to any modifications or additions to the existing municipal water infrastructure required by this application.
- 12. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.
- 13. The advisements and conditions provided in this response are firm and cannot be altered.

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

Fire Rescue Services Advisements:

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

Travel distance from the emergency access route to each principal entrance must not exceed 45m.

https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329

Emergency access path widths must be a minimum of 0.9m and the path must be of a hard surface and accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered.

https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329

The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction.

Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan

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



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according to section 5.6 of the NFC(AE).

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

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

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

Reference: NFC(2023-AE) 5.6.1.2 Protection of Adjacent Building
1) Protection shall be provided for adjacent buildings or facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations.
https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-plan-construction-sites

Reference: Protection of Adjacent Building- STANDATA - Joint fire/building code interpretation:
Measures to mitigate fire spread to adjacent buildings
<https://open.alberta.ca/dataset/cb3d1662-1354-45c8-aab8-29b91f2a6c35/resource/699821b7-26ed-40ec-a5a0-6ba344cdc514/download/ma-standata-interpretation-building-23-bci-030-23-fci-012-2025-03.pdf.pdf>

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

Waste Services Advisements:
Waste Services has reviewed the proposed plan "PLOT PLAN" dated October 6, 2025 and has no concerns to identify during this review.

This review follows Waste Services' current standards and practices and will expire when the Development Permit expires.

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

Additional information about waste service at your proposed development:
Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton.

To help in planning and designing your development, please refer to Bylaw 20363 to review clauses related to:
Access to containers and removal of obstructions.
Container set out, and
The responsibility for wear and tear or damages.

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

Please note:
Residents would be required to share their food scraps carts.
Residents will be required to set out garbage and food scraps carts on collection day as per the set-out instructions.
Residents would use blue bags for recycling.

A minimum of 7.5 m unobstructed overhead space is required above the collection area to allow proper servicing of the containers.



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If the locations of the transformer and switching cubicles do not exactly match the approved drawings, Waste Services must be advised and reserves the right to make changes to the approved plan to ensure waste can still be collected safely and efficiently.

If the waste enclosure or room is incomplete or does not match the approved drawings upon resident move-in, Waste Services reserves the right to select an alternate location for the waste containers to ensure safe and efficient waste collection. The alternate location may be in a parking stall, loading area, green space, etc.

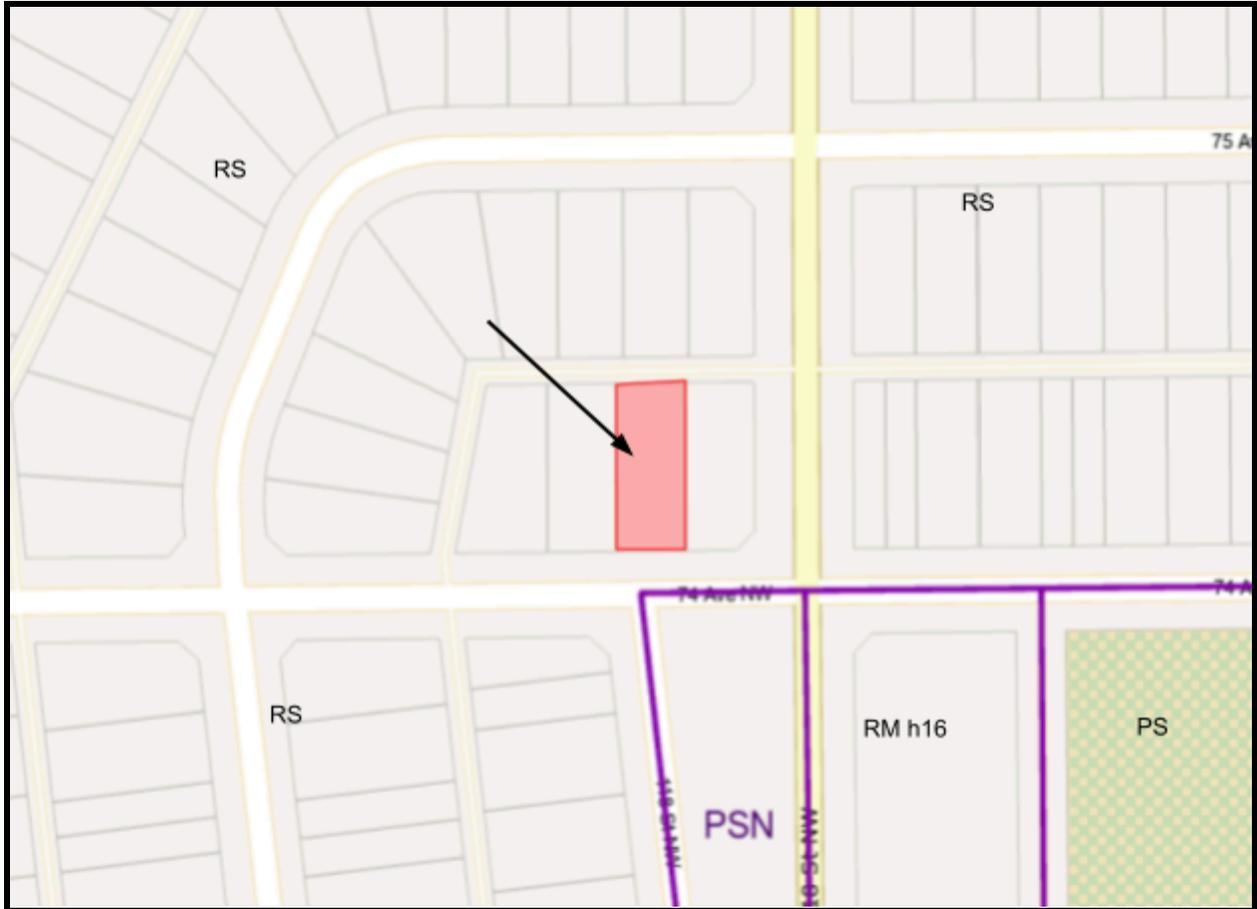
For developments with rear lanes, waste will only be collected from the rear lane for all dwellings in the development. It is the responsibility of the owner to ensure all residents have access to the rear lane for waste set out.

Rights of Appeal

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

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$1,020.00	\$1,020.00	071520251110000	Nov 10, 2025
Lot Grading Fee	\$490.00	\$490.00	071520251110000	Nov 10, 2025
Development Permit Inspection Fee	\$560.00	\$560.00	071520251110000	Nov 10, 2025
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,070.00	\$2,070.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-054

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N