

**SUBDIVISION**  
**AND**  
**DEVELOPMENT APPEAL BOARD**  
**AGENDA**

**Thursday, 9:00 A.M.**  
**April 16, 2026**

**Virtual Hearings**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
VIRTUAL HEARINGS**

---

I 9:00 A.M. SDAB-D-26-079

To construct exterior alterations to a Residential Use building (Driveway extension, 6.95m x 7.40m), existing without permits

17043 - 73 Street NW  
Project No.: 635663183-002

---

II 10:00 A.M. SDAB-D-26-080

To construct exterior alterations to a Residential Use building (Driveway extension, 2.7m x 6.5m and 1.2m x 8.0m), existing without permits

4828 - 168 Avenue NW  
Project No.: 528842623-002

---

III 11:00 A.M. SDAB-D-26-081

To construct an addition (Unheated sunroom existing without permits) to a Residential Use building in the form of a Single Detached House

1611 - Welbourn Cove NW  
Project No.: 632189326-002

---

IV 1:30 P.M. SDAB-D-26-082

To change the Use from an Indoor Sales and Service to a Cannabis Retail Store and to construct interior alterations

4211 - 106 Street NW  
Project No.: 646921012-002

---

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-079

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 635663183-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 6.95m x 7.40m), existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 4, 2026

DATE OF APPEAL: March 23, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 17043 - 73 Street NW

LEGAL DESCRIPTION: Plan 0725259 Blk 7 Lot 2

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S): Edmonton North Area Structure Plan  
Schonsee Neighbourhood Structure Plan

DISTRICT PLAN: Northeast District Plan

---

***Grounds for Appeal***

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

I am submitting this appeal on behalf of my parents, although I was the applicant for the permit.

This appeal arises from the specific conditions of our property and the surrounding street context, which we understand could not be fully considered by the Development Authority. This document explains those conditions and why we respectfully request that the driveway extension be allowed to remain, with amendments if necessary.

When our family moved into the home in 2010, the existing driveway and garage arrangement was adequate for two drivers; however, as our household's vehicle needs increased to three vehicles, the configuration became difficult to use safely and efficiently. This often resulted in either one vehicle being blocked or difficulty maneuvering vehicles in and out of the garage. Ultimately, we decided to keep all three vehicles on the driveway.

The situation is quite difficult for my older parents, who have issues with repeated stair use. Given that the positioning of our vehicles is not always consistent, a blocked vehicle requires multiple trips in and out of the house to retrieve keys, reposition vehicles, and then return the keys afterward. This is inconvenient, time-consuming, and creates a safety risk, especially in winter conditions.

We finalized our decision to proceed after my father slipped while rushing to move a vehicle blocking his own. Fortunately, the slip did not result in any serious injury, but it did reinforce our concern that the existing arrangement was a safety risk.

Before construction, we spoke with our neighbors, including those adjacent to us and others on our street, about their driveway extensions, and none had indicated that a driveway permit had been required. We also raised the issue with the contractor, who similarly advised that a permit was not needed. In light of the driveway extensions present in the area, we proceeded in the good-faith belief that the work was permissible.

Since installation, to our knowledge, the extension has not created issues in terms of drainage, snow placement, or the sidewalk. There is still a grassed area, which provides space for snow placement, helping keep more of the street clear during the winter.

On October 31, 2025, we received a citation regarding the extension. Soon after, we applied for a permit, believing that similar driveway extensions in the area may already have been approved. At the end of November 2025, however, the Development Authority advised that the proposal did not meet the applicable bylaw provisions and that our options were removal or appeal.

The Development Authority cited the following reasons for refusal:

1. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4)

Proposed: The driveway does not lead directly from the roadway to the garage.

2. Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Section 5.80.2.1.5.2)

Proposed: The driveway is 12.75 m wide.

3. Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard. (Section 5.80.2.1.6.1)

Proposed: The additional concrete provides vehicle parking space in the front yard.

As we understand the refusal, the cited bylaw provisions leave little room for an extension of this nature. However, our concern is that similar driveways appear throughout the neighborhood, including those installed after the bylaw change in late 2011. This, in turn, led us to believe the extension would be consistent with the area and capable of approval.

We believe it is fair to say that the extension is consistent with our neighborhood, given that driveway extensions appear on several nearby properties, including homes on our block. We also believe our proposal is not out of character or novel, and is very similar to other visible developments in the area.

To our knowledge, the extension has not generated concerns from adjacent neighbors or others on the street. We believe this reflects the fact that it is visually and functionally consistent with the surrounding area.

We acknowledge that the extension may reduce the effective space for one on-street parking position. However, we are willing to consider installing landscaping along the street edge, which is a common feature of our neighborhood, to narrow the driveway opening and improve its appearance.

For these reasons, we respectfully ask the Appeal Board to allow the driveway extension to remain, with any amendments the Board deems appropriate

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

**Appeal Information:**

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

**Grounds for Appeal**

**685(1)** If a development authority

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

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

...

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

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

**Appeals**

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

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

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

**Hearing and Decision**

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

...

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

...

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

and

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

**General Provisions from the Zoning Bylaw 20001:**

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

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

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

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

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

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

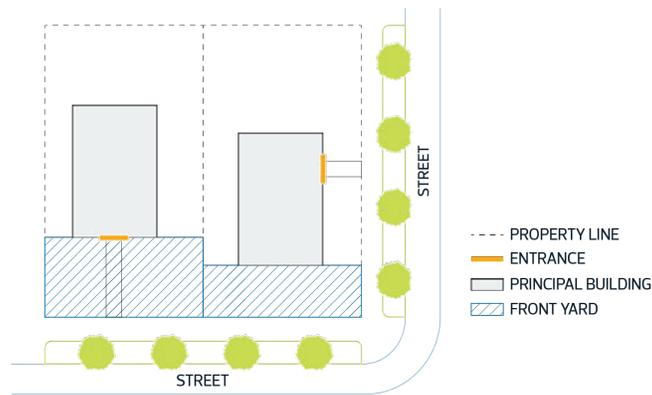
Under section 8.20, **Driveway** means:

an area that provides vehicle access to the Garage or Parking Area of a small scale Residential development from a Street, Alley, or private roadway. A Driveway does not include a Pathway.



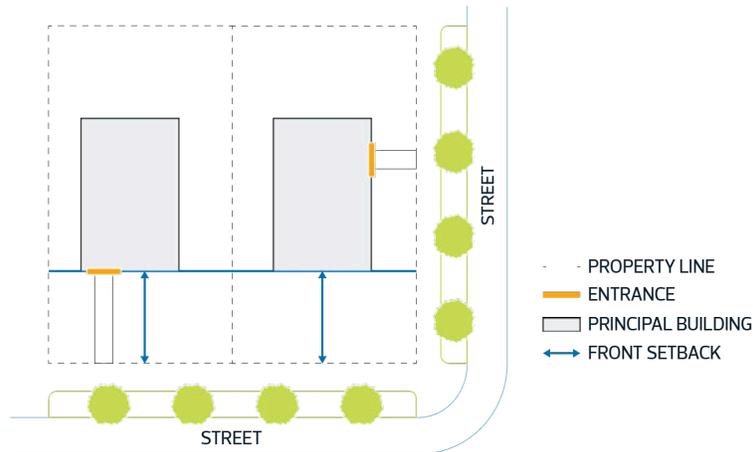
Under section 8.20, **Front Yard** means:

the portion of a Site Abutting the Front Lot Line extending across the full width of the Site, between the Front Lot Line and the nearest wall of the principal building, not including projections.



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

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



Under section 8.20, **Parking Area** means “an area that is used for vehicle parking. A Parking Area has 1 or more parking spaces and includes a parking pad, but does not include Street parking, a vehicle access, a Driveway, or a Drive Aisle.”

Under section 8.20, **Pathway** means “a Hard Surfaced path of travel that is located on private property that cannot be used for motor vehicles.”

Section 2.10.1 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.

***Access to Sites***

**Section 5.80.1.1 states:**

**All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning.**

***Site Circulation and Parking Regulations for Small Scale Residential Development***

Section 5.80.2.1 states:

Single Detached Housing, Duplex Housing, Semi-detached Housing, Backyard Housing, and Row Housing, and Multi-unit Housing with 8 Dwellings or less must comply with the following:

**Site Circulation**

2.1.1 1 or more Pathways with a minimum unobstructed width of 0.9 m must be provided from all main entrances of principal Dwellings directly to an Abutting sidewalk or to a Driveway, except that:

2.1.1.1 A handrail on 1 side is permitted to project a maximum of 0.1 m into the Pathway.

2.1.2 For Multi-unit Housing, Row Housing and Cluster Housing a Pathway with a minimum unobstructed width of 0.9 m must connect main entrances of Dwellings to shared waste collection areas and Parking Areas, where provided.

**Driveways**

2.1.3. Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.

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

2.1.5 A Driveway provided from a Street must comply with the following:

2.1.5.1 Where a Garage or Parking Area has 1 vehicle parking space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less, except:

2.1.5.1.1 Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 1 vehicle parking space, the combined maximum width of the Driveway and Abutting Pathways is 4.3 m.

**2.1.5.2. Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less, except:**

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

**2.1.6. Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within:**

**2.1.6.1. a Front Yard;**

2.1.6.2. a Flanking Side Yard; or

2.1.6.3 a Flanking Side Setback.

2.1.7. For Zero Lot Line Development, a Parking Area must not encroach on the easement area.

**Development Planner's Determination**

**1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4)**

**Proposed: The driveway does not lead directly from the roadway to the garage.**

**2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Section 5.80.2.1.5.2)**

**Proposed: The driveway is 12.75 m wide.**

**3) Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard. (Section 5.80.2.1.6.1)**

**Proposed: The additional concrete provides vehicle parking space in the front yard.**

**4) All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning. (Section 5.80.1.1)**

**Transportation does not approve of the driveway extension.**

[unedited]

---

Notice to Applicant/Appellant

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

---

	Project Number: <b>635663183-002</b> Application Date: NOV 04, 2025 Printed: March 4, 2026 at 10:14 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for Driveway Extension Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
<p><b>Applicant</b></p>    <p><b>Project Name:</b> 17043 73 ST Driveway Compliance</p>	<p><b>Property Address(es) and Legal Description(s)</b> 17043 - 73 STREET NW Plan 0725259 Blk 7 Lot 2</p>		
<p><b>Scope of Application</b> To construct exterior alterations to a Residential Use building (Driveway extension, 6.95m x 7.40m), existing without permits.</p>			
<p><b>Details</b></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">                     Development Category: Site Area (sq. m.): 520.57                 </td> <td style="width: 50%;">                     Overlay: Statutory Plan:                 </td> </tr> </table>		Development Category: Site Area (sq. m.): 520.57	Overlay: Statutory Plan:
Development Category: Site Area (sq. m.): 520.57	Overlay: Statutory Plan:		
<p><b>Development Application Decision</b> Refused</p> <p><b>Issue Date:</b> Mar 04, 2026    <b>Development Authority:</b> SAHL, RAMANJYOT</p> <p><b>Reason for Refusal</b></p> <ol style="list-style-type: none"> <li>1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4) Proposed: The driveway does not lead directly from the roadway to the garage.</li> <li>2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Section 5.80.2.1.5.2) Proposed: The driveway is 12.75 m wide.</li> <li>3) Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard. (Section 5.80.2.1.6.1) Proposed: The additional concrete provides vehicle parking space in the front yard.</li> <li>4) All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning. (Section 5.80.1.1) Transportation does not approve of the driveway extension.</li> </ol> <p><b>Rights of Appeal</b> The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.</p>			
<p><b>Building Permit Decision</b> No decision has yet been made.</p>			
<p><b>THIS IS NOT A PERMIT</b></p>			
<p>P0702003</p>			



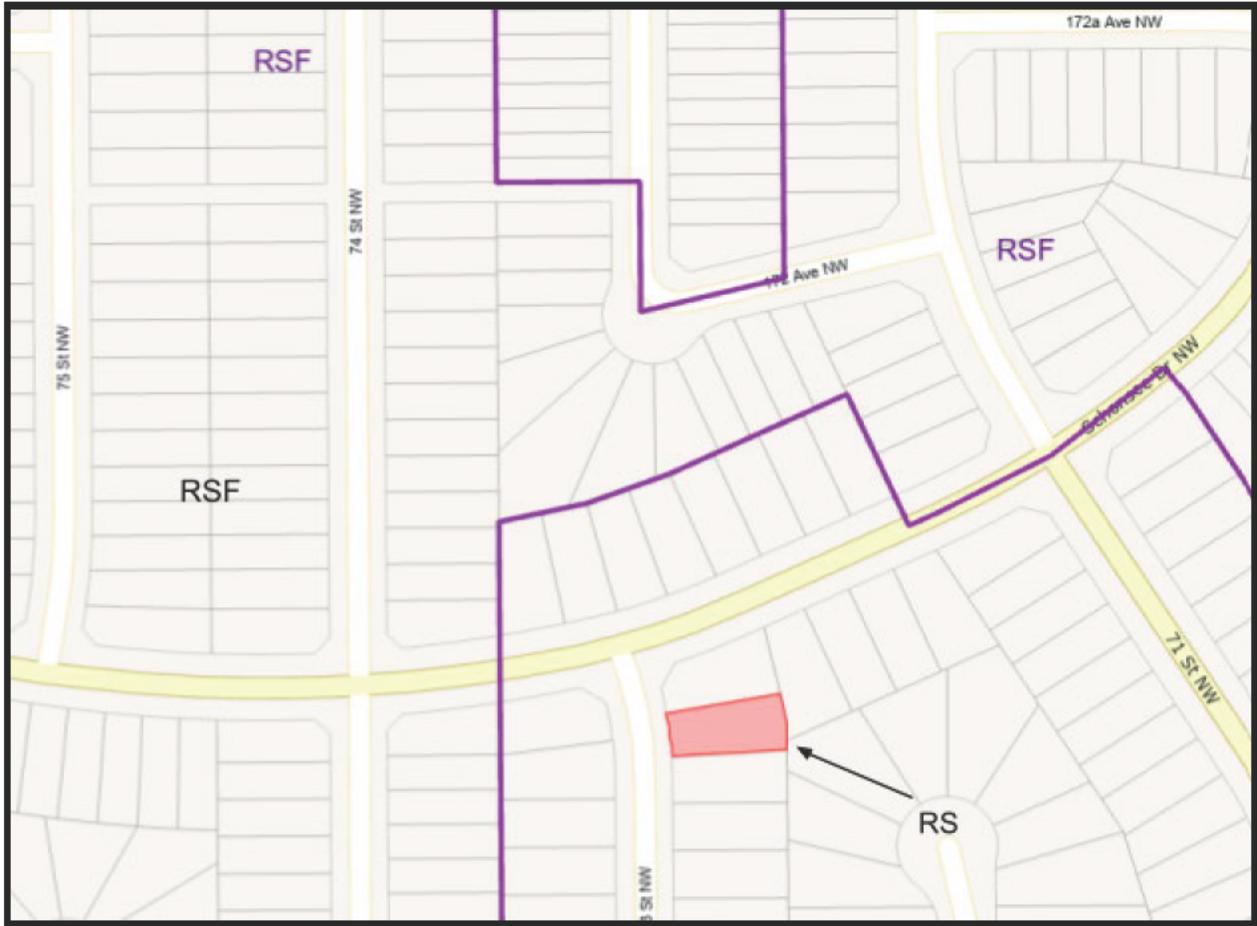
Project Number: **635663183-002**  
Application Date: NOV 04, 2025  
Printed: March 4, 2026 at 10:14 AM  
Page: 2 of 2

## Application for Driveway Extension Permit

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Existing Without Permit Dev Application Penalty Fee	\$190.00	\$190.00	82154J001001211	Nov 08, 2025
Development Application Fee	\$190.00	\$190.00	89303J001001987	Nov 04, 2025
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$380.00</u>	<u>\$380.00</u>		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

**Site Location** ←      **File: SDAB-D-26-079**      ▲  
**N**

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 528842623-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 2.7m x 6.5m and 1.2m x 8.0m), existing without permits.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 10, 2026

DATE OF APPEAL: March 24, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 4828 - 168 Avenue NW

LEGAL DESCRIPTION: Plan 2222464 Blk 17 Lot 19

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

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

DISTRICT PLAN: Northeast District Plan

---

***Grounds for Appeal***

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

I recently purchased a house 7 bedroom house for the purpose of renting out the basement. Only my children living upstairs because they are going into a college, we don't live in the house due to we work we only go home after 2 weeks of work for 4 days, so pretty much our children is alone. The

driveway is so narrow that can only fit 2 small car, my daughter and my renter tried to park into the street parking but they constantly received a note treat note asking to move their vehicle because they don't want them to park in front of their house also, They also come come to the house pounding into our door demanding to move their vehicle. My children and the other renter are not to block their driveway, i find people in our neighbourhood are very harsh and not friendly. We don't like confronting our neighbours because we are not always there to protect our children if something happens, So in order to avoid conflict with neighbours we decided to extend our driveway so 3 vehicle would fit into our driveway, we ask a permit from the city but it takes years before they respond. My kids are terrified to live in our house due to constant harassment so we decided to do it anyways. So we ask a company to extend our driveway last year. Which we find its helpful because we have no complaint and harassment received from our neighbours. Few weeks ago i received a letter from city stating they refuse the said permit i have explained to them my situation and encouraged me to appeal to your board for approval.

We still have to finish our landscaping this summer and plan to put a fake grass front which the walkway going to the house and the back.

We did not finish last year because we run out of budget and we prioritize the parking so our children are not terrified from the neighbours.

Please consider my purpose and approve my proposal

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

**Appeal Information:**

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

**Grounds for Appeal**

**685(1)** If a development authority

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

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

...

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

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

**Appeals**

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

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

**Hearing and Decision**

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

- ...
  - (a.1) must comply with any applicable land use policies;
  - (a.2) subject to section 638, must comply with any applicable statutory plans;

- (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- ...
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
  - (i) the proposed development would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
  - and
  - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

**General Provisions from the Zoning Bylaw 20001:**

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

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

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

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

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

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

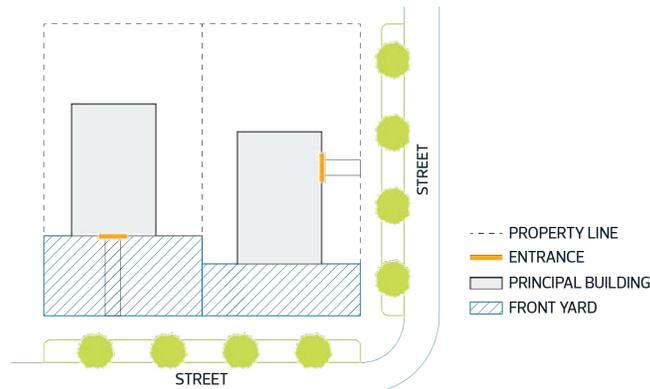
Under section 8.20, **Driveway** means:

means an area that provides vehicle access to the Garage or Parking Area of a small scale Residential development from a Street, Alley, or private roadway. A Driveway does not include a Pathway.



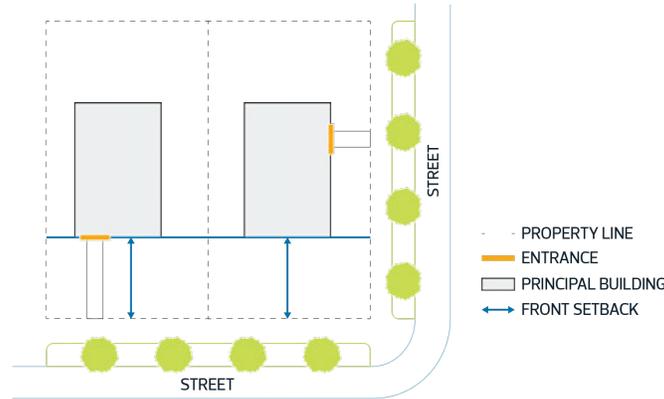
Under section 8.20, **Front Yard** means:

means the portion of a Site Abutting the Front Lot Line extending across the full width of the Site, between the Front Lot Line and the nearest wall of the principal building, not including projections.



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

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



Under section 8.20, **Parking Area** means “means an area that is used for vehicle parking. A Parking Area has 1 or more parking spaces and includes a parking pad, but does not include Street parking, a vehicle access, a Driveway, or a Drive Aisle.”

Under section 8.20, **Pathway** means “a Hard Surfaced path of travel that is located on private property that cannot be used for motor vehicles.”

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

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. This Zone has site and building regulations that provide additional development flexibility in appropriate contexts, such as new neighbourhoods and large undeveloped areas. Limited opportunities for community and commercial development are permitted to provide services to local residents.

***Site Circulation and Parking Regulations for Small Scale Residential Development***

Section 5.80.2.1 states:

Single Detached Housing, Duplex Housing, Semi-detached Housing, Backyard Housing, and Row Housing, and Multi-unit Housing with 8 Dwellings or less must comply with the following:

**Site Circulation**

- 2.1.1 1 or more Pathways with a minimum unobstructed width of 0.9 m must be provided from all main entrances of principal Dwellings directly to an Abutting sidewalk or to a Driveway, except that:
  - 2.1.1.1 A handrail on 1 side is permitted to project a maximum of 0.1 m into the Pathway.
- 2.1.2 For Multi-unit Housing, Row Housing and Cluster Housing a Pathway with a minimum unobstructed width of 0.9 m must connect main entrances of Dwellings to shared waste collection areas and Parking Areas, where provided.

### **Driveways**

- 2.1.3. Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.
- 2.1.4. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area.**
- 2.1.5 A Driveway provided from a Street must comply with the following:
  - 2.1.5.1 Where a Garage or Parking Area has 1 vehicle parking space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less, except:
    - 2.1.5.1.1 Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 1 vehicle parking space, the combined maximum width of the Driveway and Abutting Pathways is 4.3 m.
  - 2.1.5.2. Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less, except:**
    - 2.1.5.2.1. Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of

the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less.

**2.1.6. Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within:**

**2.1.6.1. a Front Yard;**

2.1.6.2. a Flanking Side Yard; or

2.1.6.3 a Flanking Side Setback.

2.1.7. For Zero Lot Line Development, a Parking Area must not encroach on the easement area.

**Development Planner's Determination**

**1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4)**

**Proposed: The driveway does not lead directly from the roadway to the garage.**

**2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Section 5.80.2.1.5.2)**

**Proposed: 9.79.**

**Garage Width: 5.79 m**

**3) Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Section 5.80.2.1.6.1)**

**Proposed: The additional concrete provides vehicle parking space in the front yard.**

[unedited]

---

**Notice to Applicant/Appellant**

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

---

	<p>Project Number: <b>528842623-002</b>                  Application Date: SEP 04, 2024                  Printed: March 10, 2026 at 2:55 PM                  Page: 1 of 2</p> <h2 style="text-align: center;">Application for Driveway Extension Permit</h2>						
<p>This document is a Development Permit Decision for the development application described below.</p>							
<p><b>Applicant</b></p>	<p><b>Property Address(es) and Legal Description(s)</b>                  4828 - 168 AVENUE NW                  Plan 2222464 Blk 17 Lot 19</p> <p><b>Location(s) of Work</b></p> <p>Suite: 4828 - 168 AVENUE NW                  Entryway: 4828 - 168 AVENUE NW                  Building: 4828 - 168 AVENUE NW</p>						
<p><b>Scope of Application</b>                  To construct exterior alterations to a Residential Use building (Driveway extension, 2.7m x 6.5m and 1.2m x 8.0m), existing without permits.</p>							
<p><b>Details</b></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">                 Development Category:                  Site Area (sq. m.): 332.74             </td> <td style="width: 50%;">                 Overlay:                  Statutory Plan:             </td> </tr> </table>				Development Category: Site Area (sq. m.): 332.74	Overlay: Statutory Plan:		
Development Category: Site Area (sq. m.): 332.74	Overlay: Statutory Plan:						
<p><b>Development Application Decision</b>                  Refused</p> <p><b>Issue Date:</b> Mar 10, 2026    <b>Development Authority:</b> SAHL, RAMANJYOT</p> <p><b>Reason for Refusal</b></p> <p>1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4)</p> <p>Proposed: The driveway does not lead directly from the roadway to the garage.</p> <p>2) Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less. (Section 5.80.2.1.5.2)</p> <p>Proposed: 9.79.                  Garage Width: 5.79 m</p> <p>3) Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Section 5.80.2.1.6.1)</p> <p>Proposed: The additional concrete provides vehicle parking space in the front yard.</p> <p><b>Rights of Appeal</b>                  The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.</p>							
<p><b>Building Permit Decision</b>                  No decision has yet been made.</p>							
<p><b>Fees</b></p> <table border="0" style="width: 100%; text-align: center;"> <tr> <td><b>Fee Amount</b></td> <td><b>Amount Paid</b></td> <td><b>Receipt #</b></td> <td><b>Date Paid</b></td> </tr> </table>				<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>				
<p><b>THIS IS NOT A PERMIT</b></p>							



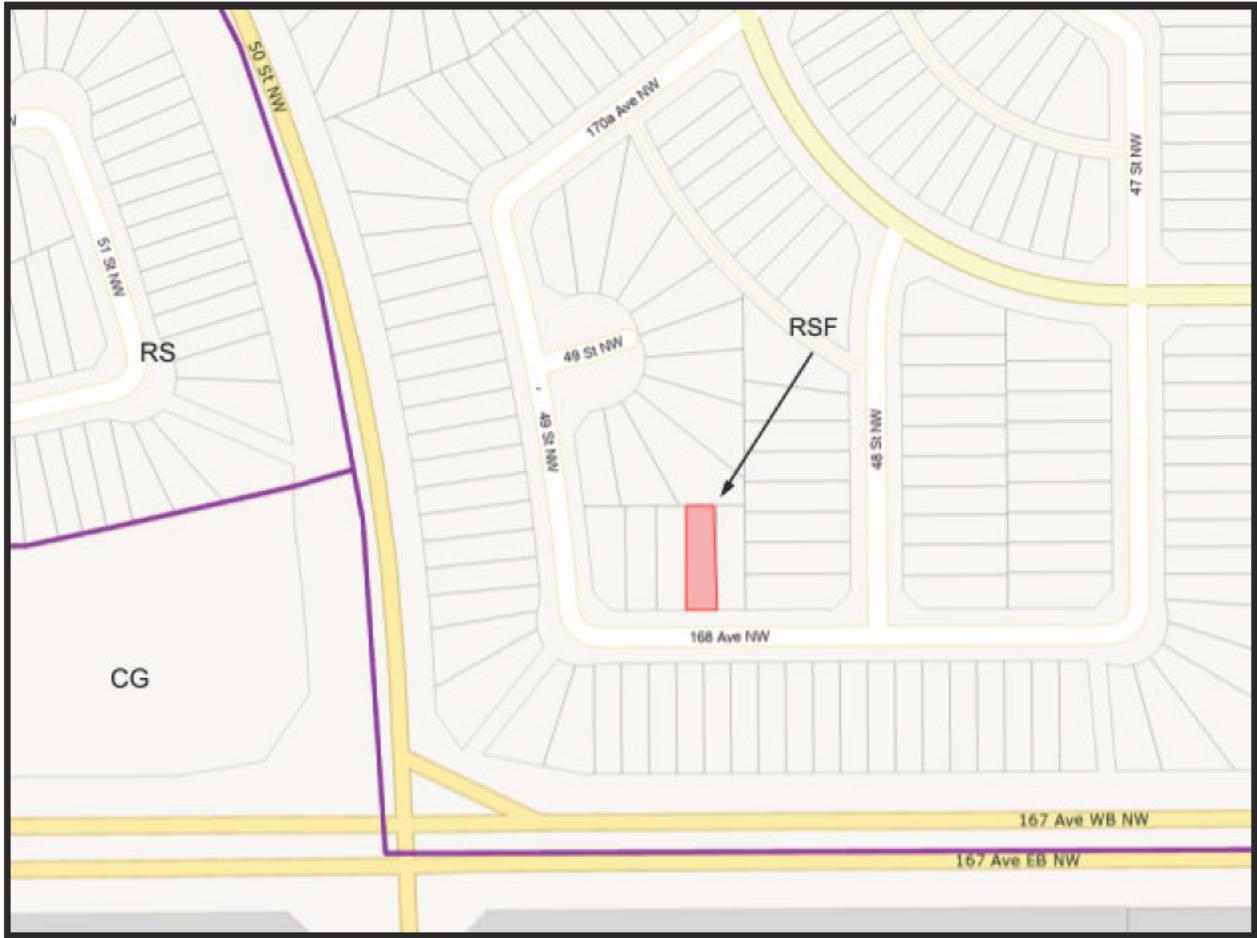
Project Number: **528842623-002**  
Application Date: SEP 04, 2024  
Printed: March 10, 2026 at 2:55 PM  
Page: 2 of 2

## Application for Driveway Extension Permit

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Development Application Fee	\$185.00	\$185.00	056631001001215	Sep 04, 2024
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$185.00</u>	<u>\$185.00</u>		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←      File: SDAB-D-26-080      ▲  
N

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 632189326-002

APPLICATION TO: Construct an addition (Unheated sunroom existing without permits) to a Residential Use building in the form of a Single Detached House

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 6, 2026

DATE OF APPEAL: March 24, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 1611 - Welbourn Cove NW

LEGAL DESCRIPTION: Plan 9323366 Blk 47 Lot 37

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: West Edmonton District Plan

***Grounds for Appeal***

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

I am submitting this letter in support of my application for a retroactive building permit for the existing sunroom located at 1611 Welbourne Cove. The structure was added without a permit due to a misunderstanding of the permitting requirements at the time of installation. Once I became aware

that a permit was required, I took immediate steps to correct the oversight and bring the project into full compliance.

The sunroom has been constructed safely, is structurally sound, and does not create any nuisance or negative impact on neighboring properties. In fact, all adjacent neighbors have reviewed the addition and expressed their full support. The sunroom is used solely as a personal living space enhancement and does not alter drainage patterns, property access, or community aesthetics.

I am committed to meeting all municipal standards and am fully prepared to provide any inspections, engineering reports, or documentation required to verify compliance. My goal is to ensure the structure meets or exceeds all applicable codes and to resolve this matter responsibly and transparently.

I respectfully request approval of the retroactive permit so that the sunroom can be formally recognized as compliant with municipal regulations. Thank you for your time and consideration.

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

**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, **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.

***Rear Setback***

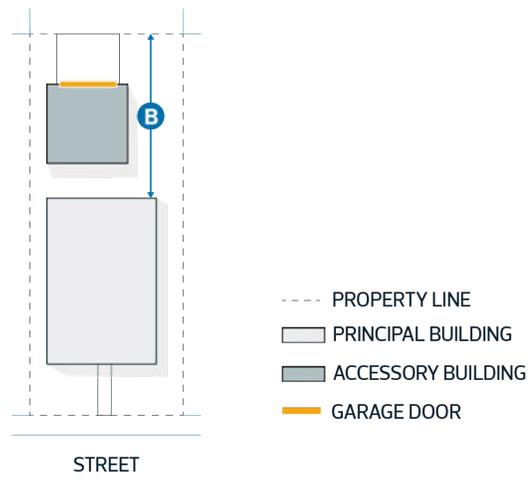
Section 2.10.4.3 states

4.3. Setbacks must comply with Table 4.3:

**Table 4.3 Setback Regulations**

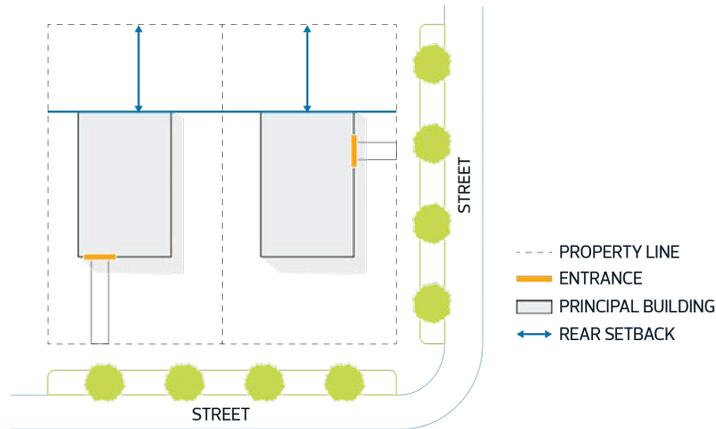
Subsection	Regulation	Value	Symbol
<b>Rear Setback</b>			
4.3.2	Minimum Rear Setback	10.0 m	<b>B</b>

**Diagram for Subsections 4.3.2**



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

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



**Development Planner’s Determination**

**Rear Setback - Minimum Rear Setback is 10.0 m (Subsection 2.10.4.3.2).**

**Proposed: 4.58 m**

**Exceeds by: 5.42 m**

[unedited]

---

**Notice to Applicant/Appellant**

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

---

	<h2 style="margin: 0;">Application for Home Improvement Permit</h2>	Project Number: <b>632189326-002</b> Application Date: NOV 18, 2025 Printed: March 6, 2026 at 4:08 PM Page: 1 of 1																																								
This document is a Development Permit Decision for the development application described below.																																										
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 1611 - WELBOURN COVE NW Plan 9323366 Blk: 47 Lot 37																																									
<b>Scope of Application</b> To construct an addition (Unheated sunroom existing without permits) to a Residential Use building in the form of a Single Detached House.																																										
<b>Details</b>																																										
Development Category: Discretionary Development Site Area (sq. m.): 445.56	Overlay: Statutory Plan:																																									
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Mar 06, 2026 <b>Development Authority:</b> FOLKMAN, JEREMY <b>Reason for Refusal</b> Rear Setback - Minimum Rear Setback is 10.0 m (Subsection 2.10.4.3.2). Proposed: 4.58 m Exceeds by: 5.42 m <b>Rights of Appeal</b> The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																																										
<b>Building Permit Decision</b> No decision has yet been made.																																										
<b>Fees</b> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; font-weight: normal;">Fee Amount</th> <th style="text-align: right; font-weight: normal;">Amount Paid</th> <th style="text-align: left; font-weight: normal;">Receipt #</th> <th style="text-align: left; font-weight: normal;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Building Permit Fee (Swimming Pool and Hot Tub)</td> <td style="text-align: right;">\$120.00</td> <td style="text-align: right;">\$120.00</td> <td>03892001001708</td> <td>Dec 10, 2025</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$9.80</td> <td style="text-align: right;">\$9.80</td> <td>03892001001708</td> <td>Dec 10, 2025</td> </tr> <tr> <td>Building Permit Fee (Construction Value)</td> <td style="text-align: right;">\$120.00</td> <td style="text-align: right;">\$120.00</td> <td>043992001001709</td> <td>Nov 18, 2025</td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$410.00</td> <td style="text-align: right;">\$410.00</td> <td>043992001001709</td> <td>Nov 18, 2025</td> </tr> <tr> <td>Variance Fee</td> <td style="text-align: right;">\$102.50</td> <td style="text-align: right;">\$102.50</td> <td>03892001001708</td> <td>Dec 10, 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><b>Totals for Permit:</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$762.10</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$762.10</b></td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Building Permit Fee (Swimming Pool and Hot Tub)	\$120.00	\$120.00	03892001001708	Dec 10, 2025	Safety Codes Fee	\$9.80	\$9.80	03892001001708	Dec 10, 2025	Building Permit Fee (Construction Value)	\$120.00	\$120.00	043992001001709	Nov 18, 2025	Development Application Fee	\$410.00	\$410.00	043992001001709	Nov 18, 2025	Variance Fee	\$102.50	\$102.50	03892001001708	Dec 10, 2025	Total GST Amount:	\$0.00				<b>Totals for Permit:</b>	<b>\$762.10</b>	<b>\$762.10</b>		
	Fee Amount	Amount Paid	Receipt #	Date Paid																																						
Building Permit Fee (Swimming Pool and Hot Tub)	\$120.00	\$120.00	03892001001708	Dec 10, 2025																																						
Safety Codes Fee	\$9.80	\$9.80	03892001001708	Dec 10, 2025																																						
Building Permit Fee (Construction Value)	\$120.00	\$120.00	043992001001709	Nov 18, 2025																																						
Development Application Fee	\$410.00	\$410.00	043992001001709	Nov 18, 2025																																						
Variance Fee	\$102.50	\$102.50	03892001001708	Dec 10, 2025																																						
Total GST Amount:	\$0.00																																									
<b>Totals for Permit:</b>	<b>\$762.10</b>	<b>\$762.10</b>																																								
THIS IS NOT A PERMIT																																										
P0702003																																										



**SURROUNDING LAND USE DISTRICTS**

Site Location ←      File: SDAB-D-26-081      ▲  
N

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 646921012-002

APPLICATION TO: Change the Use from an Indoor Sales and Service to a Cannabis Retail Store and to construct interior alterations

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 19, 2026

DATE OF APPEAL: March 24, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 4211 - 106 Street NW

LEGAL DESCRIPTION: Plan 8721793 Blk 37 Lot 2

ZONE: CG - General Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Whitemud District Plan

***Grounds for Appeal***

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

Please accept this letter as an expression of our intent to appeal the Development Permit decision (refusal) for DP 646921012-002. The purpose of this DP application was a change of use from Indoor Sales and Service to a Cannabis Retail Store and to construct interior alterations. The

property is zoned CG – General Commercial Zone, where a Cannabis Retail Store is listed as a Permitted Use.

The Development Officer (DO) refused this DP application based on three Zoning Bylaw deficiencies:

- S. 6.30.1.2: A Cannabis Retail Store site must be at least 200m from a Site containing a Library.
- S. 6.30.1.3: A Cannabis Retail Store site must be at least 200m from a Site containing a School.
- S. 6.30.1.8: A Cannabis Retail Store site must be at least 100m from a Site zoned PS.

The rationale for this Appeal is three-fold:

1. All three deficiencies are related to the presence of a library on site, if there was no library the permit would be permitted as of right.
2. Additional factors mitigate the impact of this deficiency, including practical travel distance, visibility, building orientation, and location of the Cannabis Retail Store within the Site.
3. The use, enjoyment and amenities of the neighbourhood will not be impacted by a Cannabis Retail Store being approved at the proposed location.

We look forward to the opportunity to make our case further through the process and at the hearing.

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

**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 2.100.2.3, a **Cannabis Retail Store** is a **Permitted Use** in the **CG - General Commercial Zone**.

Under section 8.10, a **Cannabis Retail Store** means:

a development where a business sells Cannabis to be consumed off-Site as permitted by Provincial or Federal legislation. This may include sales of Cannabis accessories. This Use does not include Cannabis Production and Distribution.

Under section 2.100.3.2 states “Cannabis Retail Stores must comply with Section 6.30.”

Under section 8.20, **Site** means “an area of land consisting of 1 or more Abutting Lots.”

Section 2.100.1 states that the **Purpose** of the **CG - General Commercial Zone** is:

To allow for a variety of commercial businesses that range from low impact commercial and office activities with limited opportunities for Residential Uses, to higher impact activities including larger shopping centres and malls in areas generally outside of the Nodes and Corridors, as directed by Statutory Plans.

***Cannabis Retail Stores***

Section 6.30 states the following with respect to **Cannabis Retail Stores**:

1. At the time a Development Permit application is submitted, a Cannabis Retail Store must be located to provide minimum separation distances in compliance with Table 1:

**Table 1. Minimum Separation Distance**

<b>Subsection</b>	<b>From approved or existing:</b>	<b>200 m (from store to store)</b>	<b>200m (from Site to Site)</b>	<b>100 m (from Site to Site)</b>
<b>1.1.</b>	Cannabis Retail Stores	x		
<b>1.2.</b>	<b>Libraries</b>		x	
<b>1.3.</b>	<b>Schools</b>		x	
<b>1.4.</b>	Community recreation facilities			x
<b>1.5.</b>	Provincial Health Care Facilities			x
<b>1.6.</b>	Sites designated as School Reserves			x
<b>1.7.</b>	Sites			x

	designated as Municipal and School Reserves			
	From Sites zoned:			
<b>1.8.</b>	<b>PS, PSN, or A</b>			<b>x</b>

2. For the purposes of Subsection 1, when measuring separation distances:

2.1. from Site to Site, the distance is measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and not Zone boundaries; and

2.2. from store to store, the distance is measured from the closest point of the Cannabis Retail Store to the closest point of another Cannabis Retail Store.

**Diagram for Subsection 2**



3. For the purposes of Subsection 1:

3.1. the term "School" means a school as defined in subsection 1(1)(x)(i) to (iv) and (vi) of the Education Act;

3.2. the term "community recreation facilities" means indoor municipal facilities used primarily by members of the public to participate in

recreational activities conducted at the facilities, as defined by the Municipal Government Act; and

3.3. the term “Provincial Health Care Facility” means a provincial health care facility as defined in Subsection 105(1)(e) of the Gaming, Liquor and Cannabis Regulation.

4. The Development Planner may vary the minimum separation distance in Subsection 1.1 by up to 20.0 m. No other variance to Subsection 1 is permitted.

5. For Sites greater than 2.0 ha that are Zoned CG, CB, MU, or a Direct Control Zone, and do not contain a Library at the time a Development Permit application for a Cannabis Retail Store is submitted:

5.1. Subsection 1.1 does not apply; and

5.2. the distances specified in Section 105(3) of the Gaming, Liquor and Cannabis Regulation are expressly varied to 0 m.

**6. Section 105(3) of the Gaming, Liquor and Cannabis Regulation is expressly varied by Subsections 1.3, 1.5, 1.6, 1.7, 2, and 5.2.**

<i><b>Gaming, Liquor and Cannabis Regulation</b></i>
--

Section **105** of the ***Gaming, Liquor and Cannabis Regulation*** provides the following with respect to *Restrictions on location of licensed premises — cannabis stores*

**(1)** In this section,

...

(f) “school” means a school as defined in section 1(1)(x)(i) to (iv) and (vi) of the Education Act.

...

**(2)** ...

**(3)** For the purposes of sections 640(7), 642(5) and 687(3) of the Municipal Government Act, a premises described in a cannabis store licence may not have any part of an exterior wall that is located within 100 metres of

(a) a provincial health care facility or a boundary of the parcel of land on which the facility is located,

(b) a building containing a school or a boundary of a parcel of land on which the building is located, or

(c) a boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the Municipal Government Act.

(4) Despite subsection (2)(a), on application by a municipality the board may, if the board considers it appropriate to do so, issue a cannabis store licence in respect of a premises that meets the requirements of subsection (3) but for which a new municipal development permit is not required under the Municipal Government Act.

(5) A municipality may, in a land use bylaw, expressly vary the distance set by subsection (3) and set a different distance that is applicable to one or more of the types of properties referred to in subsection (3)(a) to (c), and where a municipality has done so, subsection (3) does not apply to a premises to the extent the variation in the land use bylaw is applicable to it.

(6) On application by a municipality that has not by bylaw varied a distance set by subsection (3), the board may, in writing, if the board considers it appropriate to do so, vary the distance set by that subsection and set a different distance that is applicable to one or more of the types of properties referred to in subsection (3)(a) to (c) in relation to a specified premises that is the subject of a cannabis store licence application.

(7) ...

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

**1) Cannabis Retail Store Sites must be at least 200m from a Site containing a Library (Ref.: S. 6.30.1.2)**

**Required Minimum Separation Distance: 200m**

**Proposed Separation Distance: 0m (on same site as Whitemud Crossing EPL)**

**Deficient By: 200m**

**2) Cannabis Retail Store Sites must be at least 100m from a Site containing a School (Ref.: S. 6.30.1.3):**

**Required Minimum Separation Distance: 100m**

**Proposed Separation Distance:**

**50m from Rideau Park Public School (10605-42 Avenue),**

**181m from D.S. Mackenzie Public School (4020-106 Street).**

**Deficient By: 19m-150m**

**3) Cannabis Retail Store Sites must be at least 100m from a Site zoned PS (Ref.: S. 6.30.1.8)**

**Required Minimum Separation Distance: 100m**  
**Proposed Separation Distance: 50m from Rideau Park**  
**Deficient By: 150m**

**Under Sections 6.30.4 and 6.30.5 of the Zoning Bylaw, the Development Planner does not have the authority to grant the variances required to accommodate the proposed Cannabis Retail Store.**

[unedited]

---

Notice to Applicant/Appellant

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

---

	<p><b>Application for Development Permit</b></p>	<p>Project Number: <b>646921012-002</b>          Application Date: FEB 11, 2026          Printed: March 19, 2026 at 4:23 PM          Page: 1 of 2</p>		
<p>This document is a Development Permit Decision for the development application described below.</p>				
<p><b>Applicant</b></p>	<p><b>Property Address(es) and Legal Description(s)</b>          4211 - 106 STREET NW          Plan S721793 Blk 37 Lot 2</p> <p><b>Specific Address(es)</b></p> <p>Suite: 180, 4211 - 106 STREET NW          Entryway: 180, 4211 - 106 STREET NW          Building: 170, 4211 - 106 STREET NW</p>			
<p><b>Scope of Application</b>          To change the Use from an Indoor Sales and Service to a Cannabis Retail Store and to construct interior alterations.</p>				
<p><b>Details</b></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">                 Development Category:                  Lot Grading Needed?: N/A                  NumberOfMainFloorDwellings:                  Site Area (sq. m.):             </td> <td style="width: 50%;">                 Gross Floor Area (sq. m.):                  New Sewer Service Required:                  Overlay:                  Statutory Plan:             </td> </tr> </table>			Development Category: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Site Area (sq. m.):	Gross Floor Area (sq. m.): New Sewer Service Required: Overlay: Statutory Plan:
Development Category: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Site Area (sq. m.):	Gross Floor Area (sq. m.): New Sewer Service Required: Overlay: Statutory Plan:			
<p><b>Development Application Decision</b>          Refused  <b>Issue Date:</b> Mar 19, 2026    <b>Development Authority:</b> WELCH, IMAI</p> <p><b>Reason for Refusal</b></p> <p>1) Cannabis Retail Store Sites must be at least 200m from a Site containing a Library (Ref.: S. 6.30.1.2)</p> <p>Required Minimum Separation Distance: 200m          Proposed Separation Distance: 0m (on same site as Whitemud Crossing EPL)          Deficient By: 200m</p> <p>2) Cannabis Retail Store Sites must be at least 100m from a Site containing a School (Ref.: S. 6.30.1.3):</p> <p>Required Minimum Separation Distance: 100m          Proposed Separation Distance:          50m from Rideau Park Public School (10605-42 Avenue),          181m from D.S. Mackenzie Public School (4020-106 Street).</p> <p>Deficient By: 19m-150m</p> <p>3) Cannabis Retail Store Sites must be at least 100m from a Site zoned PS (Ref.: S. 6.30.1.8)</p> <p>Required Minimum Separation Distance: 100m          Proposed Separation Distance: 50m from Rideau Park          Deficient By: 150m</p> <p>Under Sections 6.30.4 and 6.30.5 of the Zoning Bylaw, the Development Planner does not have the authority to grant the variances required to accommodate the proposed Cannabis Retail Store.</p>				
<p><b>THIS IS NOT A PERMIT</b></p>				



Project Number: **646921012-002**  
Application Date: FEB 11, 2026  
Printed: March 19, 2026 at 4:23 PM  
Page: 2 of 2

## Application for Development Permit

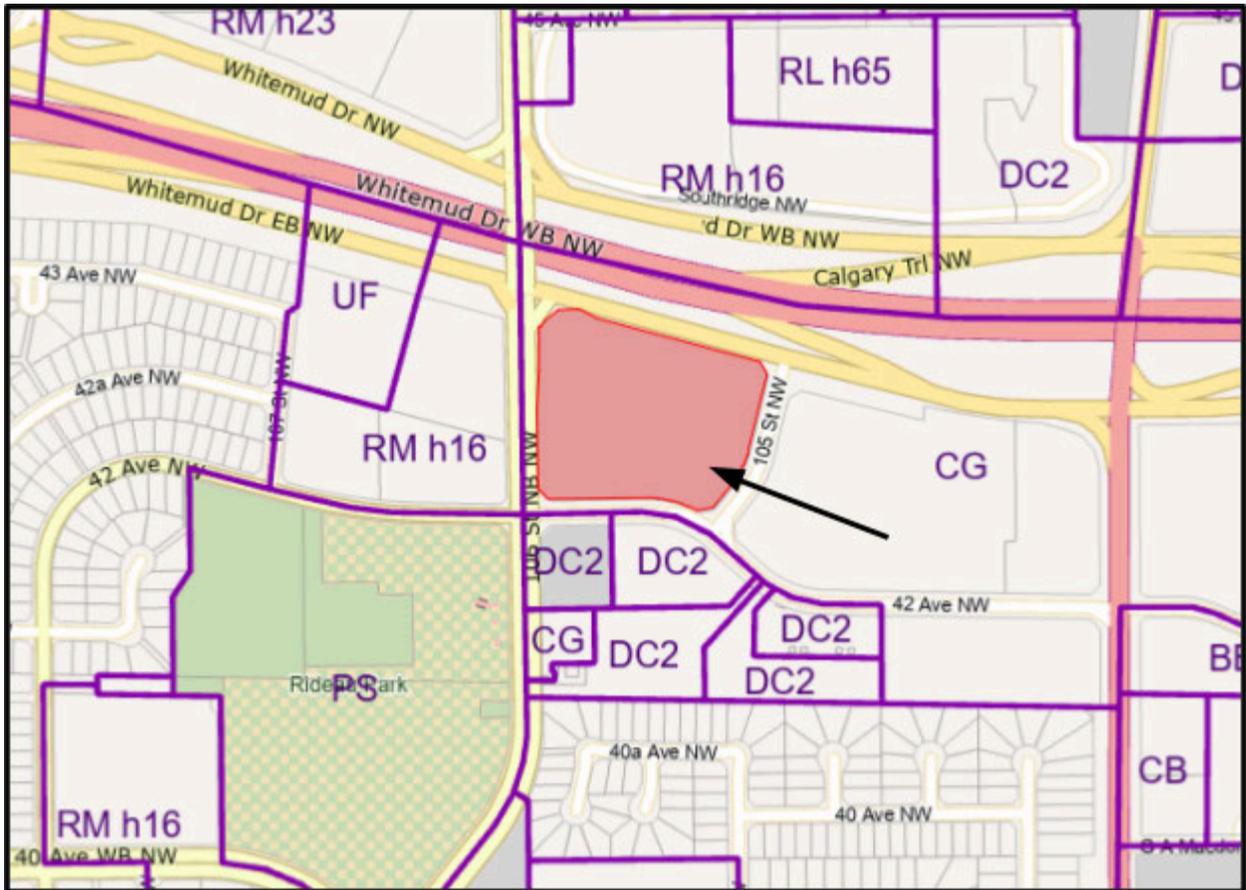
### Rights of Appeal

The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Major Dev. Application Fee	\$415.00	\$415.00	003804000001951	Mar 03, 2026
Total GST Amount:	\$0.00			
Totals for Permit:	\$415.00	\$415.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

**Site Location** ←                      **File: SDAB-D-26-082**                      ▲  
**N**