

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

**Wednesday, 9:00 A.M.**  
**April 22, 2026**

**Virtual Hearings**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD VIRTUAL  
HEARINGS**

---

I	9:00 A.M.	SDAB-D-26-087	To construct exterior alterations to a Residential Use building (Driveway extension, 1.6m x 7.0m)  6529 - 172 Avenue NW Project No.: 635235392-002
<hr/>			
II	10:00 A.M.	SDAB-D-26-088	To change the use of a Food and Drink Service to a Liquor Store, and construct interior alterations  301 / 315 - Woodvale Road West NW Project No.: 649916340-002
<hr/>			
III	11:00 A.M.	SDAB-D-26-089	To install (1) Fascia Sign limited to On-premises Advertising (ITALIAN CENTRE SHOP   Warehouse)  9511 - 109 Avenue NW Project No.: 644006540-002
<hr/>			
IV	1:30 P.M.	SDAB-D-26-090	Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, [...] are hereby ordered to complete the following actions by July 31, 2026: 1. Acquire a Curb Crossing Permit from the Transportation Department to remove an existing residential Curb Crossing. 2. Remove the vehicle access from 77 Avenue NW and restore the boulevard following any requirements or conditions included with the Curb Crossing Permit.  8727 / 8729 - 77 Avenue NW Project No.: 472609212-001

---

**NOTE:** *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-087

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 635235392-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 1.6m x 7.0m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 10, 2026

DATE OF APPEAL: March 28, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 6529 - 172 Avenue NW

LEGAL DESCRIPTION: Plan 1520589 Blk 13 Lot 9

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S): McConachie 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:

In my opinion, the driveway extension adheres to the intent of the local by-laws and does not breach any by-laws. For my property and its neighborhood, the intent of the local by-laws regarding driveway extension is to prevent “paved-over” yards, ensure proper stormwater drainage, and

maintain neighborhood aesthetics.” “Paved-over” yard (excessive hardsurfacing) = when a homeowner covers the majority of their front or side yard with impermeable materials like concrete or asphalt (...).”

**Paved-over yards:** In my case, I did not cover the majority of the front yard, nor did I cover the side yard. There is no excessive concrete. I only added 1.60 m to the existing driveway. I did not add any concrete to the side yard. I did not transform the entire front yard into a paved area. For the driveway extension work, the job was done by a paving professional contractor whose business (in my understanding) was to do driveway extensions. I recognize that I misunderstood the permitting requirements and received wrong information about extending driveways requirements. Nonetheless, the finished job looks clean; the material used blends seamlessly with the existing driveway in front of the garage; the general look is appealing; the front entrance looks good, clean and professional.

**Proper stormwater drainage:** Since I moved to that place in early 2017, the neighborhood has never experienced any drainage problem in front of my house nor in the close neighborhood. The driveway extension has never affected the water drainage, traffic visibility or utilities.

**Maintaining neighborhood aesthetics:** In my opinion, the driveway that I have added does not negatively affect any neighborhood aesthetics or character; it does not breach the harmony of the neighborhood, mostly since some houses on the same street have also extended their driveways. Some neighbors have added colorful lights to the roofings, others have added turfs both upfront and in their backyards; everything looks good and in harmony. The front yard of my house was not fully converted into parking lots. To add to the aesthetics of the neighborhood I have even planted a tree in front of the house, a tree that is conform to the standards allowed.

**What drove me to extend the driveway:**

As I have indicated before, the decision to extend my driveway was motivated by the need to manage (avoid) the risk of being hit again by the City of Edmonton truck collecting the garbage/recycling bins, and by the need to provide more walking space to the side walk. When the Truck damaged my daughter’s car, I did not sue the City because the damage was not too big, and I assumed that the truck driver did not do hit our car with a bad intention. It was an unintentional move since the street was icy and slippery in the curve. We took the car to the garage; the damaged part was replaced; matter closed until I received five years later a notice from the City that the driveway extension I had done was illegal. I now think that it was not so smart from my side to let the incident go without reporting it (or seeking damage). I would like to ask the SDAB to use that incident as an extenuating circumstance and allow a minor variance to the local by-laws in terms of driveway extension. On a different note, the City of Edmonton,

or the SDAB, has allowed in the past a close neighbour, the occupant of 6521 172 AVE NW, to keep their driveway extension. Circumstances are however different from mine, because their driveway extension was already present when they took ownership of the house.

When I received the 1st notice letter from the City of Edmonton, I ignored it and did not follow up as I was suspecting that scammers were pretending to be the City of Edmonton workers and were looking to scam me. I did not follow-up until I received an email I think in October 2025. My apology for that.

I would like to reiterate the fact that the extension was built as a walkway only, to provide safer access beside the driveway, mostly in winter, and to prevent slipping hazards, mud and yard damage, and to minimize hazards for pedestrians. I remember that back in 2020 or slightly before, we were complaining about the product that was being used to de-ice roads and streets, a calcium-chloride based product that was eventually not used thereafter. There is a winter when roads were so iced and slippery that we were relying on taxis to do our grocery shopping. Another example: in one single half-day I observed seven collisions in my neighbourhood on one single street, seven. It was so frustrating that one day, I asked a political member who was doing door-to-door solicitations for Party-Elections if members of the sitting committee in charge of sanding roads were not owners of some car insurance companies who were looking to benefit more from the maximum possible of car collisions. On a different occasion, we went three weeks straight without any de-icing or snow blowing in the area. When finally a truck showed up, it was de-icing “stones” of frozen ice. Those iced “stones” were left on the sidewalk all over the street; pedestrians were literally walking through the middle of the street as walkways were covered with iced-rocks. I remember that I took pictures and shared them with relatives living in Quebec-City and we were comparing two cities’ services in terms of taking care of roads/streets during the winter months. That is where the idea of extending my driveway came from.

The paragraphs above demonstrate that the driveway extension on my property fully adheres to the intent of the local by-laws. For all the reasons mentioned, I respectfully ask the Board to approve the existing work. If you allow the driveway extension to remain as is, I promise and give you my guarantees that it will not be used as a parking spot.

<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.

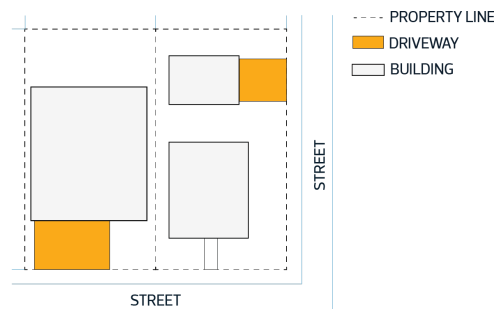
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Semi-detached Housing** means “a building that contains 2 principal Dwellings that share, in whole or in part, a common vertical party wall. Each Dwelling has individual, separate and direct access to ground level. This does not include Duplex Housing.”

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

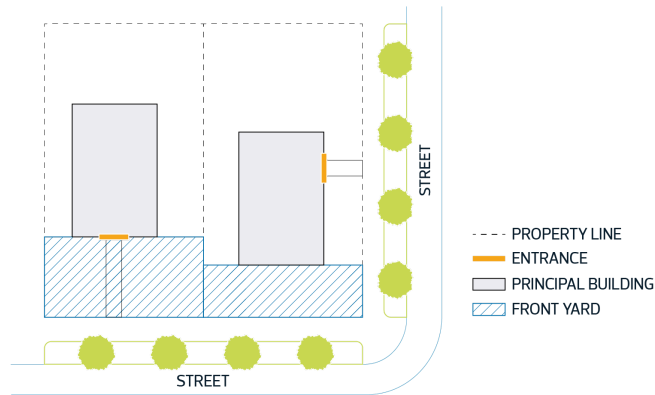
Under section 8.20, **Driveway** means:

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.



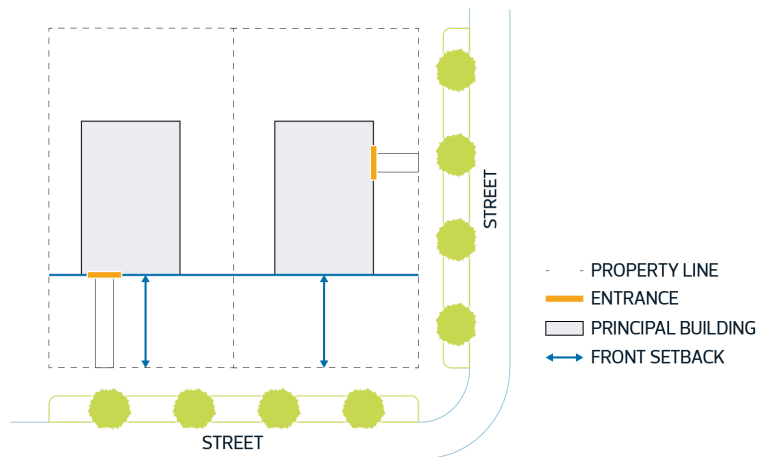
Under section 8.20, **Front Yard** means:

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.

***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 1 vehicle space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less. (Section 5.80.2.1.5.1)**

**Proposed: 5.3 m  
Garage Width: 3.66 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.

---

	Project Number: <b>635235392-002</b> Application Date: OCT 31, 2025 Printed: March 10, 2026 at 8:24 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.														
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 6529 - 172 AVENUE NW Plan 1520589 Blk 13 Lot 9													
	<b>Location(s) of Work</b> Suite: 6529 - 172 AVENUE NW Entryway: 6529 - 172 AVENUE NW Building: 6527 - 172 AVENUE NW													
<b>Scope of Application</b> To construct exterior alterations to a Residential Use building (Driveway extension, 1.6m x 7.0m).														
<b>Details</b>														
Development Category: Site Area (sq. m.): 248.28	Overlay: Statutory Plan:													
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Mar 10, 2026 <b>Development Authority:</b> SAHL, RAMANJYOT <b>Reason for Refusal</b> 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 1 vehicle space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less. (Section 5.80.2.1.5.1) Proposed: 5.3 m Garage Width: 3.66 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. <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 border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 15%;">Fee Amount</th> <th style="width: 15%;">Amount Paid</th> <th style="width: 15%;">Receipt #</th> <th style="width: 25%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td>\$190.00</td> <td>\$190.00</td> <td>200893001001452</td> <td>Oct 31, 2025</td> </tr> </tbody> </table>						Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$190.00	\$190.00	200893001001452	Oct 31, 2025
	Fee Amount	Amount Paid	Receipt #	Date Paid										
Development Application Fee	\$190.00	\$190.00	200893001001452	Oct 31, 2025										
<b>THIS IS NOT A PERMIT</b>														
P0702003														



## Application for Driveway Extension Permit

Project Number: **635235392-002**  
Application Date: OCT 31, 2025  
Printed: March 10, 2026 at 8:24 AM  
Page: 2 of 2

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Total GST Amount:	\$0.00			
Totals for Permit:	\$190.00	\$190.00		

**THIS IS NOT A PERMIT**



AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 649916340-002

APPLICATION TO: Change the use of a Food and Drink Service to a Liquor Store, and construct interior alterations.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 27, 2026

DATE OF APPEAL: March 30, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 301 / 315 - Woodvale Road West NW

LEGAL DESCRIPTION: Plan 1025441 Unit 6, Condo Common Area (Plan 1025441)

ZONE: CN - Neighbourhood Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

---

***Grounds for Appeal***

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

To appeal a refused development permit.

***General Matters***

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

...

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

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

**Appeals**

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

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

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

**Hearing and Decision**

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

...

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

...

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

and

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

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

Under section 2.90.2.9, a **Liquor Store** is a **Permitted Use** in the **CN - Neighbourhood Convenience Zone**.

Under section 8.10, **Liquor Store** means “a development where the primary purpose is to sell alcoholic drinks and other related products for off-Site consumption.”

Section 2.90.3.8 states “Liquor Stores must comply with Section 6.70.”

Section 2.90.1 states that the **Purpose** of the **CN - Neighbourhood Convenience Zone** is:

To allow for small scale activity centres to support Local Nodes, as directed by Statutory Plans, that become community focal points for commercial businesses, services, social gathering and limited Residential Uses that are integrated with the neighbourhood. These activity centres can accommodate both vehicle-oriented and pedestrian oriented developments.

***Section 6.70 - Liquor Stores***

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

**Table 1. Minimum Separation Distance**

Subsection	From approved or existing:	500 m (store to store)	100 m ( <u>Site</u> to <u>Site</u> )
1.1.	<u>Liquor Stores</u>	x	
1.2.	<b>Schools, limited to primary and secondary</b>		x
	From <u>Sites</u> <u>Zoned:</u>		

1.3.	<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 Liquor Store to the closest point of another Liquor Store.

**Diagram for Subsection 2**



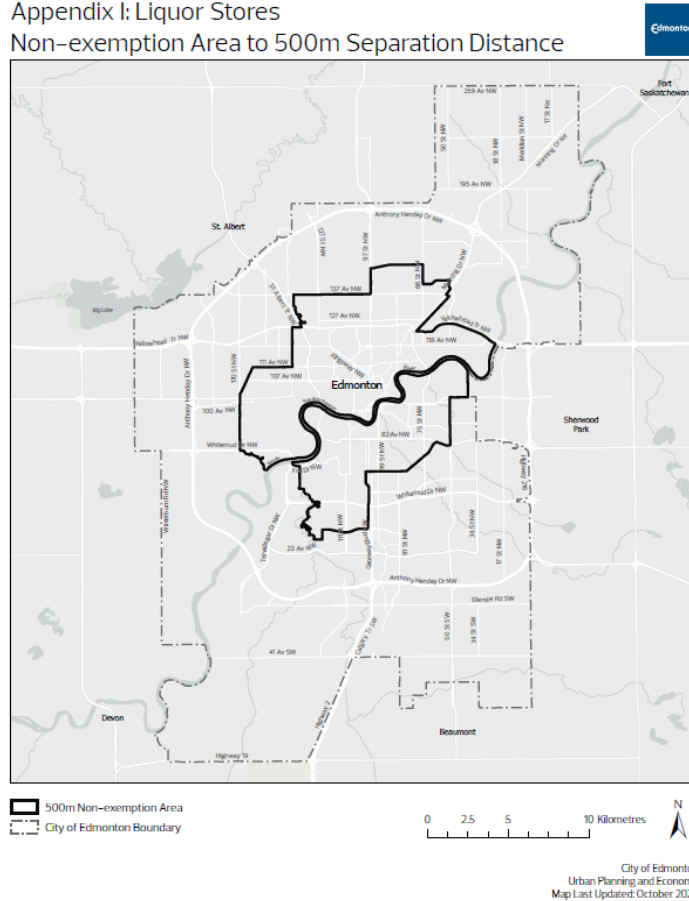
3. Despite Subsection 1.1, the minimum separation distance required between Liquor Stores does not apply to Sites located outside of the boundary shown in Appendix I, if:
  - 3.1 at least 1 Liquor Store is located on a Site greater than or equal to 2.5 ha that is Zoned CG, CB, MU, or Direct Control; and
  - 3.2 the Liquor Stores are located on separate Sites.
4. Despite Subsections 1.2 and 1.3, the minimum separation distance required between a Liquor Store and Schools, or between a Liquor Store and the PS, PSN, or A Zones, does not apply where the Liquor Store is located on a Site that is greater than 2.0 ha in size and zoned either MU, CG, or Direct Control.
5. No variance to Subsection 1 is permitted, except that, at the discretion of the Development Planner, the minimum separation distance to another

Liquor Store may be varied to accommodate the temporary relocation of an approved Liquor Store within 500 m of its original location, where:

- 5.1 the temporary location is not within 500 m of any other Liquor Store with a valid Development Permit;
- 5.2 the Floor Area of the temporary location is not more than 50.0 m<sup>2</sup> larger than the total Floor Area of the original Liquor Store;
- 5.3 the Development Permit is issued for a duration of 5 years or less; and
- 5.4 the Development Permit expires upon the relocation of the existing approved Liquor Store back to its original location.

### Appendix I

Appendix I: Liquor Stores  
Non-exemption Area to 500m Separation Distance



### Development Planner's Determination

**1) Liquor Stores must be located on sites that are at least 100m from sites zoned PS or being used for a School (Ref.: S. 6.70.1):**

**Required minimum separation distance: 100m**

**Proposed separation distance: 57m**

**Deficient by: 43m**

**Under S. 6.70.5 of the Zoning Bylaw, the Development Planner does not have the authority to grant the variances required to allow for the proposed development.**

[unedited]

<i>Previous Subdivision and Development Appeal Board Decision</i>
---


Application Number	Description	Decision
SDAB-D-25-174	To change the use of a Food and Drink Service to a Cannabis Retail Store, and construct interior alterations.	December 15, 2025; The appeal is DENIED and the decision of the Development Authority is CONFIRMED. The development is REFUSED.

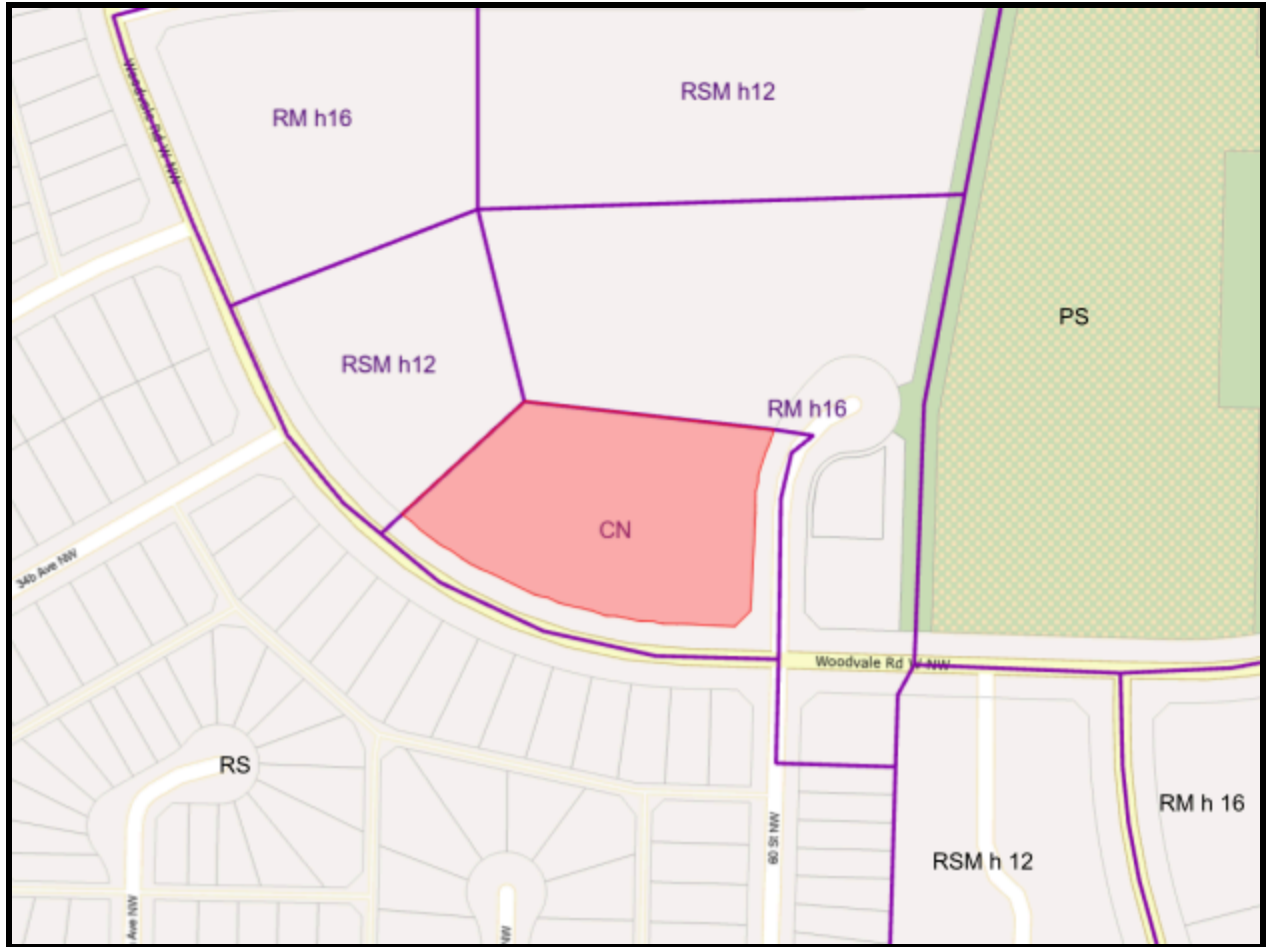
---

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 Development Permit</h2>	Project Number: <b>649916340-002</b> Application Date: MAR 10, 2026 Printed: March 27, 2026 at 5:45 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> 315 - WOODVALE ROAD WEST NW Plan 1025441 Unit 6 301 - WOODVALE ROAD WEST NW Condo Common Area (Plan 1025441)																					
	<b>Specific Address(es)</b> Suite: 315 - WOODVALE ROAD WEST NW Entryway: 315 - WOODVALE ROAD WEST NW Building: 301 - WOODVALE ROAD WEST NW																					
<b>Scope of Application</b> To change the use of a Food and Drink Service to a Liquor Store, and construct interior alterations.																						
<b>Details</b>																						
Development Category: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Site Area (sq. m.):	Gross Floor Area (sq. m.): New Sewer Service Required: Overlay: Statutory Plan:																					
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Mar 27, 2026 <b>Development Authority:</b> WELCH, IMAI  <b>Reason for Refusal</b> 1) Liquor Stores must be located on sites that are at least 100m from sites zoned PS or being used for a School (Ref.: S. 6.70.1):  Required minimum separation distance: 100m Proposed separation distance: 57m Deficient by: 43m  Under S. 6.70.5 of the Zoning Bylaw, the Development Planner does not have the authority to grant the variances required to allow for the proposed development.																						
<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>Fees</b> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 15%;">Fee Amount</th> <th style="text-align: right; width: 15%;">Amount Paid</th> <th style="text-align: left; width: 10%;">Receipt #</th> <th style="text-align: left; width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$415.00</td> <td style="text-align: right;">\$415.00</td> <td>002268000012971</td> <td>Mar 18, 2026</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>\$415.00</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$415.00</b></td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$415.00	\$415.00	002268000012971	Mar 18, 2026	Total GST Amount:	\$0.00				<b>Totals for Permit:</b>	<b>\$415.00</b>	<b>\$415.00</b>		
	Fee Amount	Amount Paid	Receipt #	Date Paid																		
Major Dev. Application Fee	\$415.00	\$415.00	002268000012971	Mar 18, 2026																		
Total GST Amount:	\$0.00																					
<b>Totals for Permit:</b>	<b>\$415.00</b>	<b>\$415.00</b>																				
THIS IS NOT A PERMIT																						
P0702003																						



**SURROUNDING LAND USE DISTRICTS**

Site Location ←      File: SDAB-D-26-088      ▲  
N

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 644006540-002

APPLICATION TO: Install (1) Fascia Sign limited to On-premises Advertising  
(ITALIAN CENTRE SHOP | Warehouse)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 19, 2026

DATE OF APPEAL: March 30, 2026

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 9511 - 109 Avenue NW

LEGAL DESCRIPTION: Plan 2421860 Blk 29 Lot 10A

ZONE: DC 20974- Direct Control Zone (Bylaw 20974 - Schedule  
D)

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

---

***Grounds for Appeal***

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

The refusal appears to be based on the size of the proposed sign as it would apply to a front facade installation facing adjacent residential properties. However, this is not the location being proposed.

Our application is specifically for a sign to be installed on the side of the building, facing the alley and oriented directly toward our own store. The sign will not face any residential homes or neighbouring buildings. As such, the original concern regarding impact on residential properties is not applicable in this case.

***General Matters***

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

...

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

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

**Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,

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

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

or

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

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

**685(4)** Despite subsections (1), (2), (2.1) and (3), if a decision with respect to a development permit application in respect of a direct control district

(a) ...

(b) is made by a development authority, the appeal may only be made to the subdivision and development appeal board and 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.

### **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;

...

***Zoning Bylaw 20001 - Part 7 - Administrative and Interpretative Clauses***

**Section 7.10, *Repeal, Enactment and Transition Procedures*, states the following:**

1. Edmonton Zoning Bylaw 12800, as amended, is repealed.
2. The regulations of this Bylaw come into effect on January 1, 2024 (the "effective date").
3. The regulations of this Bylaw apply from the effective date onward:
  - 3.1 subject to the regulations for non-conforming Uses as outlined in the Municipal Government Act; and
  - 3.2 despite the effect it might have on rights, vested or otherwise.
4. Regulations for zoning, land use, or development in any other Bylaw must not apply to any part of the city described in this Bylaw except as otherwise provided for in this Bylaw.
5. Development Permit applications must be evaluated under the regulations of this Bylaw as of the effective date, even if the application was received before this date.
6. Any Direct Control Zone regulations that were in effect immediately prior to the effective date of this Bylaw will continue to be in full force and effect and are hereby incorporated into Part 4 of this Bylaw.

**Section 7.20.4, *General Rules of Interpretation - Direct Control Zones and Existing Development Permits*, states the following:**

- 4.1. For the purpose of any Direct Control Zone passed on or before December 31, 2023:
  - 4.1.1. the definitions of the listed Uses in the Direct Control Zone must be interpreted in compliance with either Land Use Bylaw 5996 as it appeared on June 13, 2001, or Zoning Bylaw 12800 as it appeared on December 31, 2023, whichever is applicable;
  - 4.1.2. where the Direct Control Zone references a specific Section or Subsection of a land use bylaw, that reference is interpreted to be to the

specific Section or Subsection of the land use bylaw that was in effect on the date on which the Direct Control Zone was approved by Council; and

4.1.3. where the Direct Control Zone references a specific Zone or Overlay of a land use bylaw, that reference is interpreted to be to the specific Zone or Overlay of the land use bylaw that was in effect on December 31, 2023.

4.2. For the purpose of any Direct Control Zone passed on or after January 1, 2024:

4.2.1 where the Direct Control Zone references a specific Section or Subsection of a land use bylaw, that reference is interpreted to be to the specific Section or Subsection of the land use bylaw that was in effect on the date on which the Direct Control Zone was approved by Council; and

4.2.2. where the Direct Control Zone references a specific Zone or Overlay of a land use bylaw, that reference is interpreted to be to the specific Zone or Overlay of the land use bylaw that was in effect on the date of decision for the Development Permit application.

4.3. Where there is a discrepancy between this Bylaw and any previous land use bylaw, the existing Direct Control Zone must not be interpreted to provide any additional rights than are otherwise contemplated in the Direct Control Zone.

4.4. For the purpose of any Development Permit issued on or before December 31, 2023, the Use identified in the permit is interpreted to have the same Use definition as set out in the applicable previous land use bylaw on the date on which the Development Permit was issued.

...

4.6. For all Direct Control Zones created prior to August 24, 1998, that contain Single Detached Housing, Semi-detached Housing, Duplex Housing or Secondary Suite as a listed Use:

4.6.1. the maximum number of Single Detached Housing Dwellings per Lot is 1;

4.6.2. the maximum number of Semi-detached Housing or Duplex Housing Dwellings per Site is 2; and

4.6.3. the maximum number of Secondary Suites per principal Dwelling is 1,

unless specifically noted otherwise in the Direct Control Zone.

**Section 7.40, *Application of General and Specific Development Regulations*, states the following:**

1. General Development Regulations

1.1 The General Development Regulations in Part 5 apply to all developments on all Sites. These regulations take precedence except where the regulations of a Zone, Direct Control Zone, Special Area, or Overlay specifically exclude or modify these regulations with respect to any development.

2. Specific Development Regulations

2.1 The Specific Development Regulations in Part 6 apply to specific developments on all Sites. These regulations take precedence except where the regulations of a Zone, Direct Control Zone, Special Area, or Overlay specifically exclude or modify these regulations with respect to any development.

**Section 7.80, *Application of Direct Control Zones*, states the following:**

5.1 Unless specifically excluded or modified by a regulation of a Direct Control Zone, all regulations in the Zoning Bylaw apply to development in a Direct Control Zone. Site plans and building elevations cannot exclude or modify regulations of the Zoning Bylaw.

**Section 7.100, *Authority and Responsibility of the Development Planner, Variance to Regulations*, states the following:**

4.3 A variance must not be granted for a Development Permit application within a Direct Control Zone except where the ability to grant a variance is specified:

4.3.1. within the Direct Control Zone;

4.3.2. within an applicable regulation of a previous land use bylaw where such regulation has been referred to in the Direct Control Zone; or

4.3.3. within an applicable regulation of this Bylaw.

4.4. In the case of a conflict between Subsection 4.3 and the applicable Direct Control Zone, the Development Planner must comply with the provisions of the applicable Direct Control Zone.

**General Provisions from the DC 20974 - Direct Control Zone (Bylaw 20974 - Schedule D) ("DC")**

Under section 3.8, a **Fascia Sign** is a **Listed Use** in the DC.

Section 1.1 states that the **Purpose** of the DC is:

To accommodate warehousing, office, and limited commercial uses within a structure that provides a sensitive interface with the Street and where no Nuisance is created.

Section 4.7 states “Fascia Signs, Freestanding Signs, and Projecting Signs are limited to On-premises Advertising.”

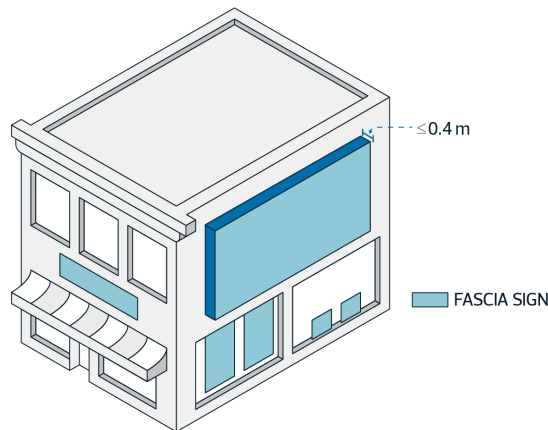
Section 4.8 states “Signs must comply with Section 6.90 of the Zoning Bylaw, including Subsection 4 of Section 6.90.”

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

Under Section 8.10, **Fascia Sign** means:

a Wall Sign or a Window Sign that does not contain Digital Copy.

Typical examples include: business identification signs, window signs, billboards, posters, or Mural Signs.



Under section 8.20, **On-premises Advertising** means “Copy that relates only to a business, activity or organization that has a Development Permit to operate on the Site where the Sign is located.”

**6.90 - Signs**

Section 6.90.4 states the following:

4.4. Fascia Signs may be illuminated, except that:

- 4.4.1. illumination is limited to External Illumination only; and
- 4.4.2. Fascia Signs for Home Based Businesses must not be illuminated.
- 4.5. The top of a Fascia Sign must not extend above the Ground Floor.
- 4.6. The maximum Sign Area for Fascia Signs is:
  - 4.6.1. 3.0 m<sup>2</sup> for Fascia Signs other than for a Home Based Business; and
  - 4.6.2. 1.0 m<sup>2</sup> for Fascia Signs for a Home Based Business.

Under section 8.20, **External Illumination** means “an external light source directed to illuminate the exterior surface of a Sign.”

Under section 8.20, **Ground Floor** means “the first Storey.”

Under section 8.20, **Sign Area** means:

the entire area of the Sign on which Copy is intended to be placed. In the case of a double-faced or multi-faced Sign, only half of the area of each face of the Sign used to display advertising Copy must be used in calculating the total Sign Area.

#### **Development Planner’s Determination**

**1) The proposed sign does not comply with the following regulations in DC 20974 which states DC 20974.4.8: Signs must comply with Section 6.90 of the Zoning Bylaw, including Subsection 4 of Section 6.90.**

**Subsection 6.90.4.4. Fascia Signs may be illuminated, except that:**

**4.4.1. illumination is limited to External Illumination only**

**Proposed: The sign is internally illuminated.**

**Subsection 6.90.4.5. The top of a Fascia Sign must not extend above the Ground Floor.**

**Proposed: The sign extends above the Ground Floor.**

**Subsection 6.90.4.6. The maximum Sign Area for Fascia Signs is:**

**4.6.1. 3.0 m<sup>2</sup> for Fascia Signs other than for a Home Based Business**

**Proposed: 2.7m x 4.7m = 12.7m<sup>2</sup>**

**Exceeds by: 9.7m<sup>2</sup>**

[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>Application for Sign Permit</h2>			Project Number: <b>644006540-002</b> Application Date: JAN 19, 2026 Printed: March 19, 2026 at 3:46 PM Page: 1 of 2														
This document is a Development Permit Decision for the development application described below.																		
<b>Applicant</b>	<table border="1"> <tr> <td colspan="3" data-bbox="836 430 1372 514"> <b>Property Address(es) and Legal Description(s)</b>            9511 - 109 AVENUE NW            Plan 2421860 Blk 29 Lot 10A         </td> </tr> <tr> <td colspan="3" data-bbox="836 520 1372 546"> <b>Location(s) of Work</b> </td> </tr> <tr> <td data-bbox="836 552 950 577">Suite:</td> <td colspan="2" data-bbox="966 552 1372 577">9511 - 109 AVENUE NW</td> </tr> <tr> <td data-bbox="836 583 950 609">Entryway:</td> <td colspan="2" data-bbox="966 583 1372 609">9511 - 109 AVENUE NW</td> </tr> <tr> <td data-bbox="836 615 950 640">Building:</td> <td colspan="2" data-bbox="966 615 1372 640">9511 - 109 AVENUE NW</td> </tr> </table>			<b>Property Address(es) and Legal Description(s)</b> 9511 - 109 AVENUE NW Plan 2421860 Blk 29 Lot 10A			<b>Location(s) of Work</b>			Suite:	9511 - 109 AVENUE NW		Entryway:	9511 - 109 AVENUE NW		Building:	9511 - 109 AVENUE NW	
<b>Property Address(es) and Legal Description(s)</b> 9511 - 109 AVENUE NW Plan 2421860 Blk 29 Lot 10A																		
<b>Location(s) of Work</b>																		
Suite:	9511 - 109 AVENUE NW																	
Entryway:	9511 - 109 AVENUE NW																	
Building:	9511 - 109 AVENUE NW																	
<b>Scope of Application</b> To install (1) Fascia Sign limited to On-premises Advertising (ITALIAN CENTRE SHOP   Warehouse)																		
<b>Details</b> <table border="1" style="width: 100%;"> <tr> <td data-bbox="300 777 803 840">           ASA Sticker No./Name of Engineer: 2399 on behalf of Shida Sign Media Group            Development Category:         </td> <td data-bbox="828 777 1372 840">           Construction Value: 20900            Expiry Date:         </td> </tr> </table>				ASA Sticker No./Name of Engineer: 2399 on behalf of Shida Sign Media Group Development Category:	Construction Value: 20900 Expiry Date:													
ASA Sticker No./Name of Engineer: 2399 on behalf of Shida Sign Media Group Development Category:	Construction Value: 20900 Expiry Date:																	
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Mar 19, 2026 <b>Development Authority:</b> NOORMAN, BRENDA <b>Reason for Refusal</b> 1) The proposed sign does not comply with the following regulations in DC 20974 which states DC 20974.4.8: Signs must comply with Section 6.90 of the Zoning Bylaw, including Subsection 4 of Section 6.90.  Subsection 6.90.4.4.Fascia Signs may be illuminated, except that: 4.4.1.illumination is limited to External Illumination only Proposed: The sign is internally illuminated.  Subsection 6.90.4.5.The top of a Fascia Sign must not extend above the Ground Floor. Proposed: The sign extends above the Ground Floor.  Subsection 6.90.4.6.The maximum Sign Area for Fascia Signs is: 4.6.1.3.0 m2 for Fascia Signs other than for a Home Based Business Proposed: 2.7m x 4.7m = 12.7m2 Exceeds by: 9.7m2  <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>Fees</b> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th></th> <th>Fee Amount</th> <th>Amount Paid</th> <th>Receipt #</th> <th>Date Paid</th> </tr> </thead> <tbody> <tr> <td>Sign Development Application Fee</td> <td>\$195.00</td> <td>\$195.00</td> <td>060616000011383</td> <td>Jan 19, 2026</td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Development Application Fee	\$195.00	\$195.00	060616000011383	Jan 19, 2026					
	Fee Amount	Amount Paid	Receipt #	Date Paid														
Sign Development Application Fee	\$195.00	\$195.00	060616000011383	Jan 19, 2026														
<b>THIS IS NOT A PERMIT</b>																		
PO702003																		



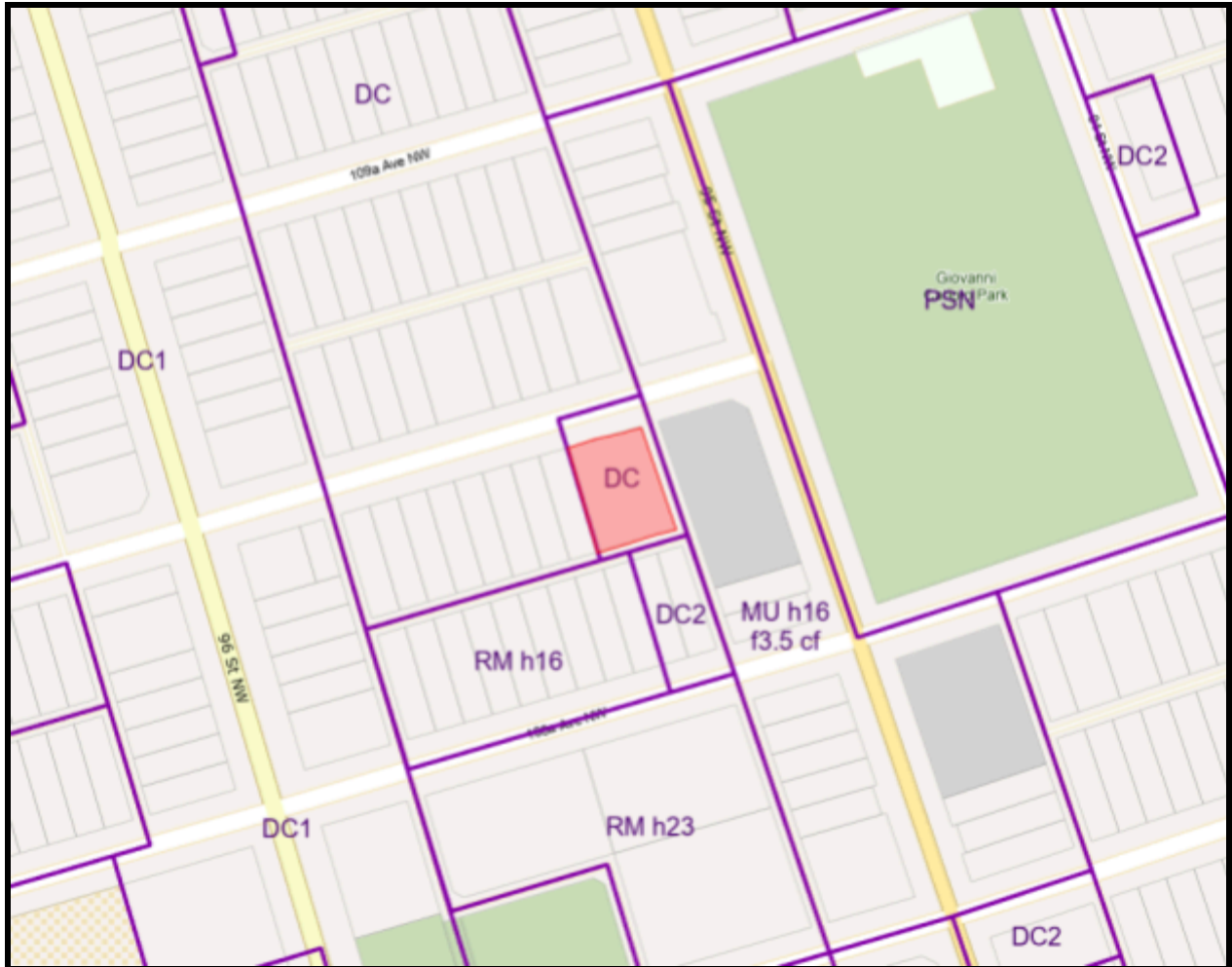
# Application for Sign Permit

Project Number: **644006540-002**  
Application Date: JAN 19, 2026  
Printed: March 19, 2026 at 3:46 PM  
Page: 2 of 2

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Total GST Amount:	\$0.00			
Totals for Permit:	\$195.00	\$195.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←      File: SDAB-D-26-089      ▲  
N

ITEM IV: 1:30 P.M.

FILE: SDAB-D-26-090

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT:

APPLICATION NO.: 472609212-001

ORDER: Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, [...] are hereby ordered to complete the following actions by July 31, 2026:

1. Acquire a Curb Crossing Permit from the Transportation Department to remove an existing residential Curb Crossing.
2. Remove the vehicle access from 77 Avenue NW and restore the boulevard following any requirements or conditions included with the Curb Crossing Permit.

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: March 24, 2026

DATE OF APPEAL: March 24, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 8727 / 8729 - 77 Avenue NW

LEGAL DESCRIPTION: Plan 1389HW Blk 2 Lot 25, Plan 1621565 Blk 2 Lot 37, Plan 1621565 Blk 2 Lot 38

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

---

<b><i>Grounds for Appeal</i></b>
----------------------------------

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

Grizzly Homes (the Builder of the development) applied for the permit to remove road access to the property on November 20, 2015 when the development was under construction, but did not initiate or complete the work prior to selling it. As Grizzly Homes is no longer operating the City claims that the current property owners are responsible for completing this work at their expense.

The current property owners disagree because according to the same "Municipal Government Act Order" "Existing front access to 77 Avenue NW shall be removed prior to the issuance of an Occupancy Certificate for the development", but the City issued the Occupancy Certificate on June 24, 2016 without verifying that the road access was removed.

The current property owners believe the City was in error when it issued the Occupancy Certificate and that therefore it is the City's responsibility to pay for the removal of road access in order to bring the property into compliance with the City's bylaws."

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

**Appeal Information:**

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, **Semi-detached Housing** means:

a building that contains 2 principal Dwellings that share, in whole or in part, a common vertical party wall. Each Dwelling has individual, separate and direct access to ground level. This does not include Duplex Housing.

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.

### ***7.190 Validity and Suspension of the a Development Permit***

- 2.1. A Development Permit issued by the Development Planner is not valid until:
  - 2.1.1. any conditions of approval, except those of a continuing nature, have been fulfilled; and
  - 2.1.2. the time for filing a notice of appeal to the Subdivision and Development Appeal Board or any other applicable appeal board as specified in Section 7.170 has passed.

### ***7.200 Inspections, Enforcement and Penalties***

- 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 issue its 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](http://edmonton.ca/developmentcompliance)



March 12, 2026

Our File: 472609212-001

**MUNICIPAL GOVERNMENT ACT ORDER**

Dear Sir / Madam:

An Alberta Land Titles search identifies you as the registered owner(s) of the properties located at 8727 - 77 AVENUE NW & 8729 - 77 AVENUE NW in Edmonton, Alberta, legally described as Plan 1621565 Blk 2 Lots 37-38 in Edmonton Alberta (collectively described as "the Site").

The Site was inspected by Development Compliance Officer Brendan Bolstad on January 21, 2026. 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. These properties are zoned RS - Small Scale Residential Zone in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001.

**ZONING BYLAW INFRACTION:**

On November 20, 2015, Development permit 180741614-001 was approved to develop a Semi-detached House with front verandas, rear uncovered deck (7.32m x 3.05m) and Basement developments at the Site, subject to conditions. Our investigation revealed that the following condition of approval has not been fulfilled:

*Regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists. Existing front access to 77 Avenue NW shall be removed prior to the issuance of an Occupancy Certificate for the development.*



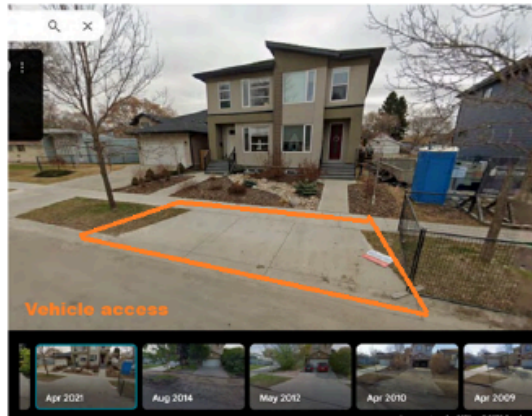
City of Edmonton  
 Development Services Branch  
 Development Approvals & Inspections Section  
 Development Compliance & Inquiries Unit

10111 - 104 Ave NW  
 Edmonton, AB T5J 0J4  
 Canada

[edmonton.ca/developmentcompliance](http://edmonton.ca/developmentcompliance)



Historical photograph of the vehicle access on 77 Avenue NW:



Our Site inspection confirmed that the vehicle access on 77 Avenue NW has not been removed, despite the Occupancy Certificate for the house being issued and the building being occupied by residents.

Section 7.200.2.1 of Edmonton Zoning Bylaw 20001 states:

**General Offences**

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

Subsection 7.200.2.3 of Edmonton Zoning Bylaw 20001 states:

- 2.3 Without restricting the generality of Subsection 2.1, it is an **offence** for any person to undertake a development or allow a development in contravention of a Development Permit, including any conditions of approval.

Subsection 7.190.2.1 of Edmonton Zoning Bylaw 20001 states:

- 2.1 A Development Permit issued by the Development Planner is not valid until:
  - 2.1.1. **any conditions of approval, except those of a continuing nature, have been fulfilled; and**
  - 2.1.2. the time for filing a notice of appeal to the Subdivision and Development Appeal Board or any other applicable appeal board as specified in Section 7.170 has passed.



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](http://edmonton.ca/developmentcompliance)



**ORDER:**

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, DONALD F MOAR, LIZA M BIALY, MARWA KHEMIR and WAEL BOURBIA are hereby ordered to complete the following actions by **July 31, 2026**:

1. Acquire a Curb Crossing Permit from the Transportation Department to remove an existing residential Curb Crossing.
2. Remove the vehicle access from 77 Avenue NW and restore the boulevard following any requirements or conditions included with the Curb Crossing Permit.

**CONSEQUENCES FOR NON-COMPLIANCE:**

The property will be inspected after **July 31, 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.

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.

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

Regards,

Brendan Bolstad  
Development Compliance Officer  
780-405-6284  
[brendan.bolstad@edmonton.ca](mailto:brendan.bolstad@edmonton.ca)



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](http://edmonton.ca/developmentcompliance)



### 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 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).



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](http://edmonton.ca/developmentcompliance)



(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 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.



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](http://edmonton.ca/developmentcompliance)



**(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 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



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](http://edmonton.ca/developmentcompliance)



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

(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.



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](https://edmonton.ca/developmentcompliance)



## 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](mailto:sdab@edmonton.ca)

