

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Monday, 9:00 A.M.

April 27, 2026

River Valley Room

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

AB

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
River Valley Room**

I	9:00 A.M.	SDAB-D-26-097	F. Sahagun
			<p>To construct exterior alterations to a Residential Use building (Driveway extension, 1.1m x 8.3m)</p> <p>17532 - 107 Street NW Project No.: 637900386-002</p>

II	10:00 A.M.	SDAB-D-26-098	D. Moch VS. A. Agrawal
			<p>To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and 4 Secondary Suites in the Basements</p> <p>379 - Kirkpatrick Crescent NW Project No.: 640758680-002</p>

III	1:30 P.M.	SDAB-D-26-099	J. Mcintaggart
		WITHDRAWN	<p>Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete the following by April 26, 2026:</p> <p>1) Acquire a Development Permit for the intensification of the existing Residential Use: Home Based Business.</p> <p>OR</p> <p>2) Cease the Residential Use: Home Based Business, buying, fixing, and selling of commercial/industrial vehicles, along with the on-site storage of related materials and equipment. Remove all related materials from the property.</p> <p>10961 - 141 Street NW Project No.: 300946828-004</p>

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-26-097

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT: F. Sahagun

APPLICATION NO.: 637900386-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (Driveway extension, 1.1m x 8.3m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 11, 2026

DATE OF APPEAL: April 1, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 17532 - 107 Street NW

LEGAL DESCRIPTION: Plan 0124303 Blk 85 Lot 1

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Northwest District Plan

Grounds for Appeal

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

To: Subdivision and Development Appeal Board (SDAB)
City of Edmonton

Re: Appeal of Development Permit Refusal Driveway Extension

Project Number: 637900386-002

Property: 17532 107 Street NW

Dear Members of the Board,

I am writing to formally appeal the refusal of my driveway extension application.

I respectfully submit that the proposed development meets the intent of the Zoning Bylaw and should be approved based on the following key considerations:

1. Safety Due to Busy Road Conditions

The property is located on a busy street, making it difficult and unsafe to maneuver vehicles using the existing driveway width. The proposed extension allows for safer entry and exit by reducing the need to reverse onto the roadway and improving turning space. This significantly enhances safety for both residents and passing traffic.

2. Access to the Backyard

Prior to the proposed extension, there was no practical pathway from the driveway to the backyard. The extension provides necessary access for movement of people, maintenance equipment, waste disposal units, and general use without damaging the lawn or landscaping. This improves the overall functionality of the property and is not intended solely for vehicle parking.

3. Functional Driveway Use (Not Front Yard Parking)

The extension functions as part of the driveway to support vehicle maneuvering and access. It is not intended to create a separate front yard parking area, but rather to improve usability and safety. Vehicles are not intended to be permanently parked in the extended area.

4. Reasonable Variance in Width

While the proposed width exceeds the standard allowance, the variance is justified due to safety concerns and the need for adequate maneuvering space given the conditions of the property. The extension remains compatible with the surrounding neighbourhood and does not negatively impact adjacent properties.

5. Minimal Impact on Neighbourhood

The proposed development does not adversely affect neighbouring properties, drainage, or pedestrian movement. The appearance remains consistent with residential character, and similar driveway configurations exist within the area.

Based on the above, I respectfully request that the Board reconsider the decision and approve the proposed driveway extension.

Thank you for your time and consideration.

Sincerely,
F. Sahagun

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

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

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

or

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

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

Hearing and Decision

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

...

(a.1) must comply with any applicable land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;

(a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

(c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

(d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

- (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the Zoning Bylaw 20001:

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

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

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.

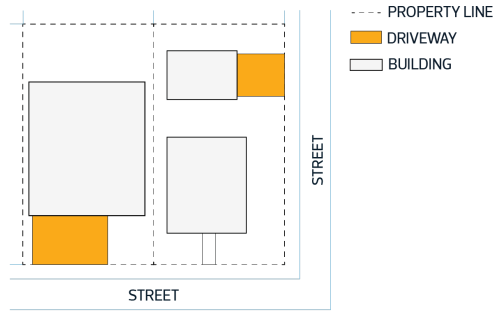
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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.”

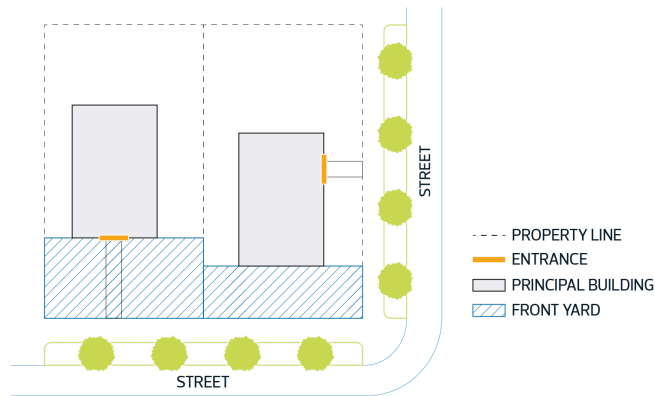
Under section 8.20, **Driveway** means:

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.



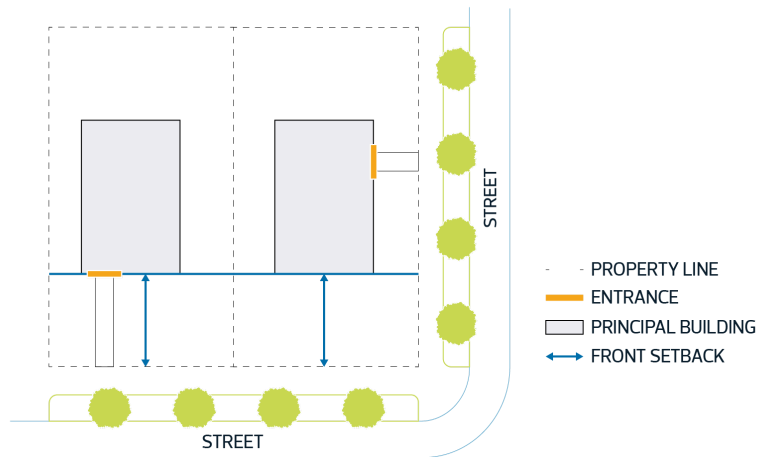
Under section 8.20, **Front Yard** means:

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.

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. Driveway Definition - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area (Subsection 5.80.2.1.3).

Proposed: Extension does not lead to garage or parking area.

2. Driveway Width - 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: (Subsection 5.80.2.1.4.2)

Required: Width of Garage Parking Area = 6.1m

Proposed: 8.7m


3. Vehicular Parking - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.5.1).

Proposed: Vehicular parking 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.

	<h2 style="margin: 0;">Application for Driveway Extension Permit</h2>			Project Number: 637900386-002 Application Date: NOV 24, 2025 Printed: March 11, 2026 at 3:20 PM Page: 1 of 2									
This document is a Development Permit Decision for the development application described below.													
Applicant	Property Address(es) and Legal Description(s) 17532 - 107 STREET NW Plan 0124303 Blk 85 Lot 1												
Scope of Application To construct exterior alterations to a Residential Use building (Driveway extension, 1.1m x 8.3m).													
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Site Area (sq. m.): 482.7 </td> <td style="width: 50%;"> Overlay: Statutory Plan: </td> </tr> </table>				Development Category: Site Area (sq. m.): 482.7	Overlay: Statutory Plan:								
Development Category: Site Area (sq. m.): 482.7	Overlay: Statutory Plan:												
Development Application Decision Refused Issue Date: Mar 11, 2026 Development Authority: SMITH, BRADLEY2 Reason for Refusal 1. Driveway Definition - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area (Subsection 5.80.2.1.3). Proposed: Extension does not lead to garage or parking area. 2. Driveway Width - 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: (Subsection 5.80.2.1.4.2) Required: Width of Garage Parking Area = 6.1m Proposed: 8.7m 3. Vehicular Parking - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.5.1). Proposed: Vehicular parking in the Front Yard. 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.													
Building Permit Decision No decision has yet been made.													
Fees <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">Fee Amount</th> <th style="text-align: center;">Amount Paid</th> <th style="text-align: center;">Receipt #</th> <th style="text-align: center;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: center;">\$190.00</td> <td style="text-align: center;">\$190.00</td> <td style="text-align: center;">07471E001001983</td> <td style="text-align: center;">Nov 24, 2025</td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$190.00	\$190.00	07471E001001983	Nov 24, 2025
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THIS IS NOT A PERMIT													



Application for Driveway Extension Permit

Project Number: **637900386-002**
Application Date: NOV 24, 2025
Printed: March 11, 2026 at 3:20 PM
Page: 2 of 2

Fees

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

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-097

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AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT: D. Moch

APPLICATION NO.: 640758680-002

APPLICATION TO: To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and 4 Secondary Suites in the Basements

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: February 26, 2026

DATE OF APPEAL: April 7, 2026

RESPONDENT: A. Agrawal

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 379 - Kirkpatrick Crescent NW

LEGAL DESCRIPTION: Plan 8121673 Blk 36 Lot 124

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

<i>Grounds for Appeal</i>

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

Please accept this email as my formal Notice of Appeal to meet the 21-day deadline. My grounds for appeal include concerns regarding:

1. Lot Size: The site appears to be under the 600 metres squared required for an 8-unit build.
2. Safety: Emergency vehicle access in a small cul-de-sac bulb.
3. Massing/Grade: The impact of a 10.5m building on a lower-elevation bungalow.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

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

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

Appeals

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

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

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

or

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

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

Hearing and Decision

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

...

- (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,
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 - 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:

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

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

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

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

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

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

Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

Under section 8.20, **Dwelling** means:


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

Section 2.20.1 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.

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: 640758680-002 Application Date: DEC 15, 2025 Printed: February 26, 2026 at 7:29 AM Page: 1 of 9																																
Development Permit																																	
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.																																	
Applicant	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Property Address(es) and Legal Description(s)</td> </tr> <tr> <td colspan="2" style="text-align: center;">379 - KIRKPATRICK CRESCENT NW Plan 8121673 Blk 36 Lot 124</td> </tr> <tr> <td colspan="2">Specific Address(es)</td> </tr> <tr> <td>Suite:</td> <td>1, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Suite:</td> <td>2, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Suite:</td> <td>3, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Suite:</td> <td>4, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Suite:</td> <td>BSMT1, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Suite:</td> <td>BSMT2, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Suite:</td> <td>BSMT3, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Suite:</td> <td>BSMT4, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Entryway:</td> <td>1, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Entryway:</td> <td>2, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Entryway:</td> <td>3, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Entryway:</td> <td>4, 379 - KIRKPATRICK CRESCENT NW</td> </tr> <tr> <td>Building:</td> <td>1, 379 - KIRKPATRICK CRESCENT NW</td> </tr> </table>	Property Address(es) and Legal Description(s)		379 - KIRKPATRICK CRESCENT NW Plan 8121673 Blk 36 Lot 124		Specific Address(es)		Suite:	1, 379 - KIRKPATRICK CRESCENT NW	Suite:	2, 379 - KIRKPATRICK CRESCENT NW	Suite:	3, 379 - KIRKPATRICK CRESCENT NW	Suite:	4, 379 - KIRKPATRICK CRESCENT NW	Suite:	BSMT1, 379 - KIRKPATRICK CRESCENT NW	Suite:	BSMT2, 379 - KIRKPATRICK CRESCENT NW	Suite:	BSMT3, 379 - KIRKPATRICK CRESCENT NW	Suite:	BSMT4, 379 - KIRKPATRICK CRESCENT NW	Entryway:	1, 379 - KIRKPATRICK CRESCENT NW	Entryway:	2, 379 - KIRKPATRICK CRESCENT NW	Entryway:	3, 379 - KIRKPATRICK CRESCENT NW	Entryway:	4, 379 - KIRKPATRICK CRESCENT NW	Building:	1, 379 - KIRKPATRICK CRESCENT NW
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1. Titled Lot Zoning: RSF 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development																																
Development Permit Decision																																	
Approved Issue Date: Feb 26, 2026 Development Authority: CHAN, MANDY																																	
Subject to the Following Conditions																																	
Zoning Conditions:																																	
1. This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and 4 Secondary Suites in the Basements.																																	
2. The development must be constructed in accordance with the approved permit.																																	
3. WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a																																	
P0702003																																	

Development Permit

Development Permit Notification Sign (Subsection 7.160.2.2).

4. Landscaping must be installed and maintained in accordance with Section 5.60.
5. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).
6. Pathway(s) connecting the main entrance of the Dwelling directly to an Abutting sidewalk or to a Driveway must be a minimum unobstructed width of 0.9 m (Subsection 5.80.2.1.1).
7. Vehicular access from Kirkpatrick Crescent NW is not permitted (Subsection 2.10.6.1).
8. Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)
9. Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade, and focus light away from surrounding Sites to minimize Nuisance; generally be directed downwards, except where directed towards the Site or architectural features located on the Site; be designed to provide an appropriately-lit environment at building entrances, outdoor Amenity Areas, parking facilities, and Pathways; and not interfere with the function of traffic control devices (Subsection 5.120.3).
10. Provided parking spaces must include wheel stops to prevent vehicle overhang where adjacent to Streets, Pathways, sidewalks, required Landscaped areas, and other similar features, that must be a minimum 0.1 m in Height and located 0.6 m from the front of the parking space (Subsection 5.80.5.1.2).
11. The minimum length of a Parking Space is 5.5m. Parking is not permitted on a Driveway less than 5.5m in length (Subsection 5.80.5.1.3.1).
12. Vehicle parking spaces, other than those located on a Driveway, must not be located within a Flanking Side Yard or a Flanking Side Setback (Subsection 5.80.2.1.6.2 and 5.80.2.1.6.3).
13. Parking Spaces must be Hard Surfaced where vehicle access is provided from a Street or an Alley (Subsection 5.80.5.7).
14. The Secondary Suite must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20).
15. A Hard Surfaced Pathway connecting the main entrance of the Secondary Suite directly to an Abutting sidewalk or to a Driveway is required, which must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).
16. The Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20).
17. The Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).

Landscaping Conditions:

1. Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner.
2. Any change to an approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed.
3. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.

Development Permit

Transportation Conditions:

1. Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination. This area within the alley road right-of-way must not exceed a slope of 8%.
2. The proposed 4" raised sidewalk along the northern property line to delineate and separate the onsite pedestrian sidewalk from the City road right-of-way (alley) is acceptable to Subdivision Planning. No portion of the fence may encroach into the alley.
3. The existing connector walk within the boulevard must be removed with the redevelopment of the site. Permanent objects including walkways, fences, steps, railings, planter boxes, etc. must NOT encroach into or over/under road right-of-way. Any proposed landscaping for the development must be provided entirely on private property and only grass is permitted to be planted within the boulevard.
4. There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Alberta One-Call (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.
5. Any alley, sidewalk and/or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Subsection 7.150.5.6 of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner. The applicant is responsible to contact Trevor Singbeil of Development Inspections at 780-496-7019 for an onsite inspection 72 hours prior to and following construction of the access.
6. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:
 - a. the start/finish date of the project;
 - b. accommodation of pedestrians and vehicles during construction;
 - c. confirmation of lay down area within legal road right of way if required;
 - d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.
 It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at:
https://www.edmonton.ca/business_economy/oscam-permit-request.aspx

EPCOR Conditions:

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

Subject to the Following Advisements

Zoning Advisements:

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

Development Permit

2. An issued Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act, the Historical Resource Act, or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).

3. Any proposed change from the original issued Development Permit may be subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.

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

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

6. City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage.

7. A site mechanical plan stamped by a professional engineer showing water and sewer services, stormwater management calculations and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit epcor.com/newconnection and click 'ONLINE APPLICATION' for instructions on the plan submission process.

8. The site must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to lot.grading@edmonton.ca for review and approval.

For more information on Lot Grading requirements, plans and inspections refer to the website:
https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading

9. Please be advised that if the grading plan review results in changes to your approved drawings to incorporate a Low Impact Development (LID) grading design, it is the owner/applicant's responsibility to inform the Urban Planning and Economy department. This notification is necessary to determine whether a new development permit is required.

10. Signs require separate Development Permit application(s).

Transportation Advisements:

1. The proposed onsite hard surfaced driveway connecting the parking pad and the paved alley will not allow for vehicles to park behind the parking pad without overhanging onto the alley. If additional on-site parking is desired within the driveway, a minimum 5.5 m stall length is required for perpendicular parking within private property. Vehicles parking within legal road right-of-way may result in enforcement measures.

2. Any changes to the waste/recycle area may require a review by Subdivision and Development Coordination to ensure there are no concerns with alley or access operation.

Drainage Services Advisements:



Project Number: **640758680-002**
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Development Permit

DP#640758680-002 To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and 4 Secondary Suites in the Basements. File No.51-013-109-242 (Kiniski Gardens)

To: Matthew Mckellar

The Development Servicing Agreements unit of City Planning has no objection to the captioned Development Permit for the property located at 379 - KIRKPATRICK CRESCENT NW(Plan 8121673 Blk 36 Lot 124;Kiniski Gardens), subject to the following conditions:

APPLICABLE ASSESSMENTS CONDITIONS

Development Assessments

APPLICABLE ASSESSMENTS

?Permanent Area Contribution (PAC)

Storm and Sanitary PACs are not applicable since the property have been paid under DS-23

?Expansion Assessment (EA)

Expansion Assessment charge is being paused the end of the June 2026.(exact date to be determined by the SSSF Oversight Committee); therefore EAs are deferred for this DP.

EA may apply at the time of the future application of subdivision, development permit or servicing connection application.

?Arterial Roadway Assessment (ARA)

Arterial Roadway Assessment are not applicable since the property is not within any active PAC basin.

?Sanitary Sewer Trunk Charge (SSTC)

SSTC is applicable to the lot in question; however, SSTC charges will be paused until the end of the June 2026. (exact date to be determined by the SSSF Oversight Committee); therefore SSTC is deferred for this DP.

SSTC may apply at the time of the future application of subdivision, development permit or servicing connection application.

For information purposes, the following SSTC rates are for 2026. SSTC rate depends on the type of development:

- 1 – Industrial / Commercial / Institution: \$8,818 per hectare
- 2 – One or two Dwelling Residential (no secondary, garden or garage suite): \$1,764 per dwelling
- 3 – Two Dwellings Residential (one secondary, garden or garage suite): \$1,764 per dwelling
for secondary garden or garage suite \$781
- 4 – Multi-Family Residential: \$1,259 per dwelling

The SSTC charge should be paid when the development permit application is made or when a sanitary services connection is applied.


Any sewer main extensions required to service the site and any onsite servicing requirements are in addition to the above noted PAC and SSTC assessments and will be at the developer's cost.

Please note that the SSTC rates are subject to adjustment at the end of the year. The final SSTC is based on the prevailing rate at the time the applicant/owner makes payment.

Additional Notes

The drainage assessments provided in this response are preliminary and for the purpose of information and discussion only. The assessment is made based on information currently available to our Department. Should such information changes in the future, a new assessment may be made.

Confirmation of the exact amount for the applicable drainage assessments will be made when an application for a subdivision, development permit, or sewer service connection is received.

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<h2>Development Permit</h2>	
<p>In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage.</p> <p>More information about the above charges can be found on the City of Edmonton's website:</p> <p>Permanent Area Contributions https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx</p> <p>Sanitary Servicing Strategy Expansion Assessment https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx</p> <p>Arterial Roadway Assessment https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx</p> <p>Sanitary Sewer Trunk Charge https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx</p>	
<p>EPCOR Advisements:</p>	
<p>1. The site is currently serviced by a 20 mm copper water service (S57460) located 1 m north of the south property line of Lot 124 off of Kirkpatrick Crescent. If this service will not be used for the planned development, it must be abandoned back to the water main prior to any on-site excavation. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site including demolition, excavation or grading for direction on the correct process to follow to have the service isolated and meter removed.</p>	
<p>1a. The existing service is not of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development.</p>	
<p>2. EPCOR Water Services Inc. does not review on-site servicing. It is the applicant's responsibility to obtain the services of a professional to complete on-site water distribution design and to ensure the supply will meet plumbing code and supply requirements.</p>	
<p>3. A new water service may be constructed for this lot directly off EPCOR's 150 mm water main along Kirkpatrick Crescent adjacent to the subject site.</p>	
<p>4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444. EPCOR Strongly encourages all applicants to contact IWASS early in development planning to learn about site specific minimum requirements for on-site water and/or sewer servicing.</p>	
<p>4a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.</p>	
<p>5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444.</p>	
<p>6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWSinspections@epcor.com or 780-412-3850.</p>	
<p>7. The applicant must submit bacteriological test results to EPCOR Water Dispatch and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-4500 for more information on how to provide the test results. EPCOR Water Dispatch can provide information on the tie-in and commissioning procedure.</p>	
<p>8. In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA005-11b for permitted water service configurations.</p>	
<p>P0702003</p>	

Development Permit

9. Development engineering drawings including landscaping and hardscaping must meet Volume 1 (Table of Minimum Offsets) and Volume 4 (April 2021) of the City of Edmonton Design and Construction Standards.

10. Dimensions must be provided as part of the engineering drawing submission package where a tree or shrub bed is installed within 5.0m of a valve, hydrant or curb cock, as per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (April 2021).

11. The applicant/owner will be responsible for all costs related to any modifications or additions to the existing municipal water infrastructure required by this application.

12. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure.

13. The advisements and conditions provided in this response are firm and cannot be altered.

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

Fire Rescue Services Advisements:

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

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

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

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

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

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

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

Have the plan ready for review in-person at the first construction site safety inspection by a Fire Safety Codes Officer (Fire SCO). The applicant of a building permit declares that they are aware of the project team's responsibility to have an FSP prepared according to section 5.6 of the NFC(AE).

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

You can locate a copy of the FSP guide for your reference here:

<https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=1692102771>

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

Reference: NFC(2023-AE) 5.6.1.2 Protection of Adjacent Building

1) Protection shall be provided for adjacent buildings or facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations.



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https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-plan-construction-sites

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

Kind regards,
Matthew McKellar
FSCO Group B, Level 11

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

Waste Services Adviseements:

Thank you for the opportunity to provide feedback on this project.

Waste Services has reviewed the proposed plan "PLOT PLAN" dated 10/12/25 and has no concerns to identify during this review.

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

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

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

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

This property with 8 dwellings would receive Curbside Collection. The City will provide each dwelling with two carts, for a total of 16 carts, one for garbage and one for food scraps. Each unit will be charged the waste utility rate. Residents would be required to use their own blue bags for recycling.

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

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

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

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

If you require any further clarifications, please contact us.



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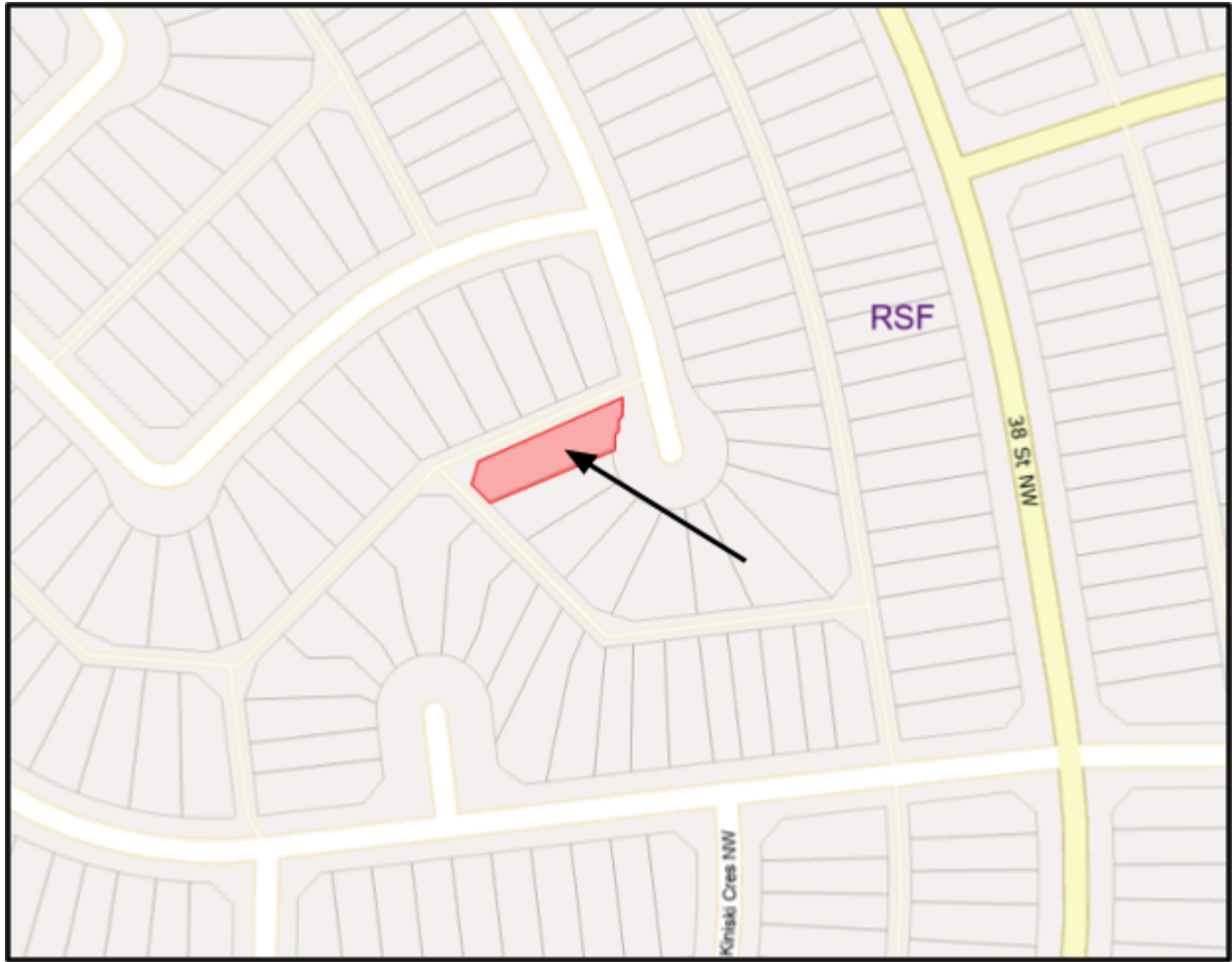
Development Permit

Rights of Appeal

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

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$1,020.00	\$1,020.00	10066990	Jan 06, 2026
Lot Grading Fee	\$490.00	\$490.00	10066990	Jan 06, 2026
Development Permit Inspection Fee	\$580.00	\$580.00	10066990	Jan 06, 2026
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$2,070.00</u>	<u>\$2,070.00</u>		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-098 **N** ▲

ITEM III: 1:30 P.M.

WITHDRAWN

FILE: SDAB-D-26-099

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT: J. McIntaggart

APPLICATION NO.: 300946828-004

ORDER: Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete the following by April 26, 2026:
1) Acquire a Development Permit for the intensification of the existing Residential Use: Home Based Business.
OR
2) Cease the Residential Use: Home Based Business, buying, fixing, and selling of commercial/industrial vehicles, along with the on-site storage of related materials and equipment. Remove all related materials from the property.

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: March 25, 2026

DATE OF APPEAL: April 1, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10961 - 141 Street NW

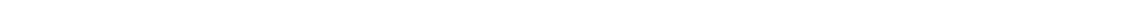
LEGAL DESCRIPTION: Plan 3624HW Blk 11 Lot 8

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan



Grounds for Appeal

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

I am on permanent disability I only have personal property in my yard and am not operating a business . I have invoices from shops for the work done on the backhoe It was purchased for an investment and personal use . The truck is a private vehical and the machine was moved all ready.

General Matters

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 2.10.2.1, a **Home Based Business** 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 8.10, **Home Based Business** means:

a development where a business is operated primarily inside a Dwelling or an Accessory building by a resident of that Dwelling. A Residential Use is the primary development on the Site and the business activity is secondary. This Use includes Home Based Child Care. This Use does not include activities similar to those offered as Bars, Body Rub Centres, Cannabis Retail Stores, Liquor Stores, or nightclubs.

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.

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.

Section 6.60 of the Zoning Bylaw 20001 - Home Based Businesses

Section 6.60 provides the following with respect to Home Based Business:

1. Home Based Businesses may occupy a total maximum Floor Area of 60.0 m² of Accessory buildings on the Site.
2. Any external appearance of a Home Based Business must be visually consistent with the principal Dwelling or Accessory building in which it operates, using techniques such as applying similar colours, materials, or architectural features.
3. The maximum number of non-resident employees or business partners working on-site at any one time is 2.
4. A maximum of 1 enclosed storage trailer occupying a maximum area of 5.5 m x 2.6 m is permitted to be stored outdoors for a Home Based Business.
 - 4.1. The trailer must not be stored in the Front Yard, except on a Driveway.
5. Commercial Vehicles operated by a Home Based Business are only permitted to park on Site in compliance with Subsection 5 of Section 5.120.
6. Industrial vehicles, equipment, and materials, and commercial equipment and materials are not permitted to be stored outdoors on a Site that contains a Home Based Business.
7. Outdoor speakers and amplification systems are not permitted for a Home Based Business.
8. Outdoor business activity is not permitted for a Home Based Business, except for Home Based Child Care.
9. Dangerous Goods in type or quantity that are not typically used for residential purposes are not permitted to be used or stored as part of a Home Based Business.

10. A Home Based Business must not create a Nuisance.
11. Signs for Home Based Businesses are limited to Fascia Signs and must comply with Section 6.90.
12. The Development Planner may impose conditions establishing the following on a Development Permit to mitigate potential Nuisances:
 - 12.1. any necessary mitigation measures described in Subsection 2 of Section 5.120;
 - 12.2. the hours of operation of a Home Based Business; and
 - 12.3. the number of people that may visit a Home Based Business concurrently.

Section 5.120 - Site Performance Standards

Section 5.120.2 states the following with regard to Nuisances:

- 2.1. Where a proposed non-Residential Use or Home Based Business may create a Nuisance, as determined at the time of the Development Permit application, mitigation measures to reduce any negative impacts must be provided to the satisfaction of the Development Planner, including:
 - 2.1.1. additional screening such as building walls, freestanding walls, berms, solid Fences, or Landscaping, to minimize visual Nuisances;
 - 2.1.2. additional features such as full cutoff lighting, building walls, freestanding walls, berms, solid Fences, or Landscaping, to minimize lighting Nuisances;
 - 2.1.3. structural soundproofing or limiting the use of outdoor speakers and amplification systems, to minimize noise Nuisances;
 - 2.1.4. ventilation systems or filters that treat emissions before being vented out of a building, to minimize odour or emission Nuisances; and
 - 2.1.5. other similar measures.
- 2.2. The Development Planner may impose conditions on a Development Permit to require the implementation of mitigation measures to ensure compliance with Subsection 2.1.

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.

7.200 Inspections, Enforcement and Penalties

- 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 any provisions of this Bylaw.
 - 2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of, any provisions of this Bylaw.
- 2.2. Without restricting the generality of Subsection 2.1, if a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:
 - 2.2.1. construct or allow a building or structure;
 - 2.2.2. make or allow an addition or alteration to a building or structure;
 - 2.2.3. commence or allow a Use or change of intensity of Use; or
 - 2.2.4. place or allow the placement of a Sign on land, or on a building or structure.

Notice to Applicant/Appellant

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



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March 25, 2026

Our File: 300946828-004

MUNICIPAL GOVERNMENT ACT ORDER

An Alberta Land Titles search identifies you as the registered owner(s) of the property located at 10961- 141 Street NW in Edmonton, Alberta, legally described as Plan 3624HW Blk 11 Lot 8.

This Property was inspected by Development Compliance Officer Cory Unreiner, on March 19, 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.

ZONING BYLAW INFRACTION:

This property is zoned RS (Small Scale Residential Zone) in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001. **Our investigation determined that the Residential Use has been intensified without a Development Permit, specifically through the operation of a Home Based Business. This business involves the buying, fixing, and selling of commercial/industrial vehicles, along with the on-site storage of related materials and equipment.**

The City of Edmonton has not issued a Development Permit to develop an intensification of the Residential Use: Home Based Business which is contrary to Subsection 7.110.1 of Edmonton Zoning Bylaw 20001, and Section 683 of the Municipal Government Act.

Subsection 7.110.1 of Edmonton Zoning Bylaw 20001 states:

Approval Required for Development

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

Section 7.200 of Edmonton Zoning Bylaw 20001 states:

General Offences

2.1. It is an **offence** for any person to:
2.1.1. contravene; or



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- 2.1.2. cause, permit or undertake a contravention of; or
- 2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of, any provisions of this Bylaw.

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

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

Section 6.60 of the Zoning Bylaw 20001 states;

1. Home Based Businesses may occupy a total maximum Floor Area of 60.0 m² of Accessory buildings on the Site.
2. Any external appearance of a Home Based Business must be visually consistent with the principal Dwelling or Accessory building in which it operates, using techniques such as applying similar colours, materials, or architectural features.
3. The maximum number of non-resident employees or business partners working on-Site at any one time is 2.
4. A maximum of 1 enclosed storage trailer occupying a maximum area of 5.5 m x 2.6 m is permitted to be stored outdoors for a Home Based Business.
6. Industrial vehicles, equipment, and materials, and commercial equipment and materials are not permitted to be stored outdoors on a Site that contains a Home Based Business
8. Outdoor business activity is not permitted for a Home Based Business, except for Home Based Child Care.
10. A Home Based Business must not create a Nuisance.
12. The Development Planner may impose conditions establishing the following on a Development Permit to mitigate potential Nuisances:
 - 12.1. any necessary mitigation measures described in Subsection 2 of Section 5.120;
 - 12.2. the hours of operation of a Home Based Business; and
 - 12.3. the number of people that may visit a Home Based Business concurrently.

Section 5.120 of the Edmonton Zoning Bylaw States:

Site Performance Standards

2. Nuisances

- 2.1. Where a proposed non-Residential Use or Home Based Business may create a Nuisance, as determined at the time of the Development Permit application, mitigation



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measures to reduce any negative impacts must be provided to the satisfaction of the Development Planner, including:

- 2.1.1. additional screening such as building walls, freestanding walls, berms, solid Fences, or Landscaping, to minimize visual Nuisances;
- 2.1.2. additional features such as full cutoff lighting, building walls, freestanding walls, berms, solid Fences, or Landscaping, to minimize lighting Nuisances;
- 2.1.3. structural soundproofing or limiting the use of outdoor speakers and amplification systems, to minimize noise Nuisances;
- 2.1.4. ventilation systems or filters that treat emissions before being vented out of a building, to minimize odour or emission Nuisances; and
- 2.1.5. other similar measures.

2.2. The Development Planner may impose conditions on a Development Permit to require the implementation of mitigation measures to ensure compliance with Subsection 2.1.

Home Based Business means: a development where a business is operated primarily inside a Dwelling or an Accessory building by a resident of that Dwelling. A Residential Use is the primary development on the Site and the business activity is secondary. This Use includes Home Based Child Care. This Use does not include activities similar to those offered as Bars, Body Rub Centres, Cannabis Retail Stores, Liquor Stores, or nightclubs.

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.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete the following by **April 26, 2026:**

- 1) Acquire a Development Permit for the intensification of the existing Residential Use: Home Based Business.

OR

- 2) Cease the Residential Use: Home Based Business, buying, fixing, and selling of commercial/industrial vehicles, along with the on-site storage of related materials and equipment. Remove all related materials from the property.



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CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected after **April 26, 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 at 780-868-8812

Regards,

Cory Unreiner
Development Compliance Officer
780-868-8812
cory.unreiner@edmonton.ca



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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;



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

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

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

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

Stop order

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

(a) this Part or a land use bylaw or regulations under this Part, or

(b) a development permit or subdivision approval,

the development authority may act under subsection (2).

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

(a) stop the development or use of the land or building in whole or in part as directed by the notice,

(b) demolish, remove or replace the development, or

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

within the time set out in the notice.

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

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



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

Permit

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

Grounds for appeal

685(1) If a development authority

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

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

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

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

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

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



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permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

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

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

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

Appeals

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

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

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

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

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

or

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

or

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

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

(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



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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.

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.



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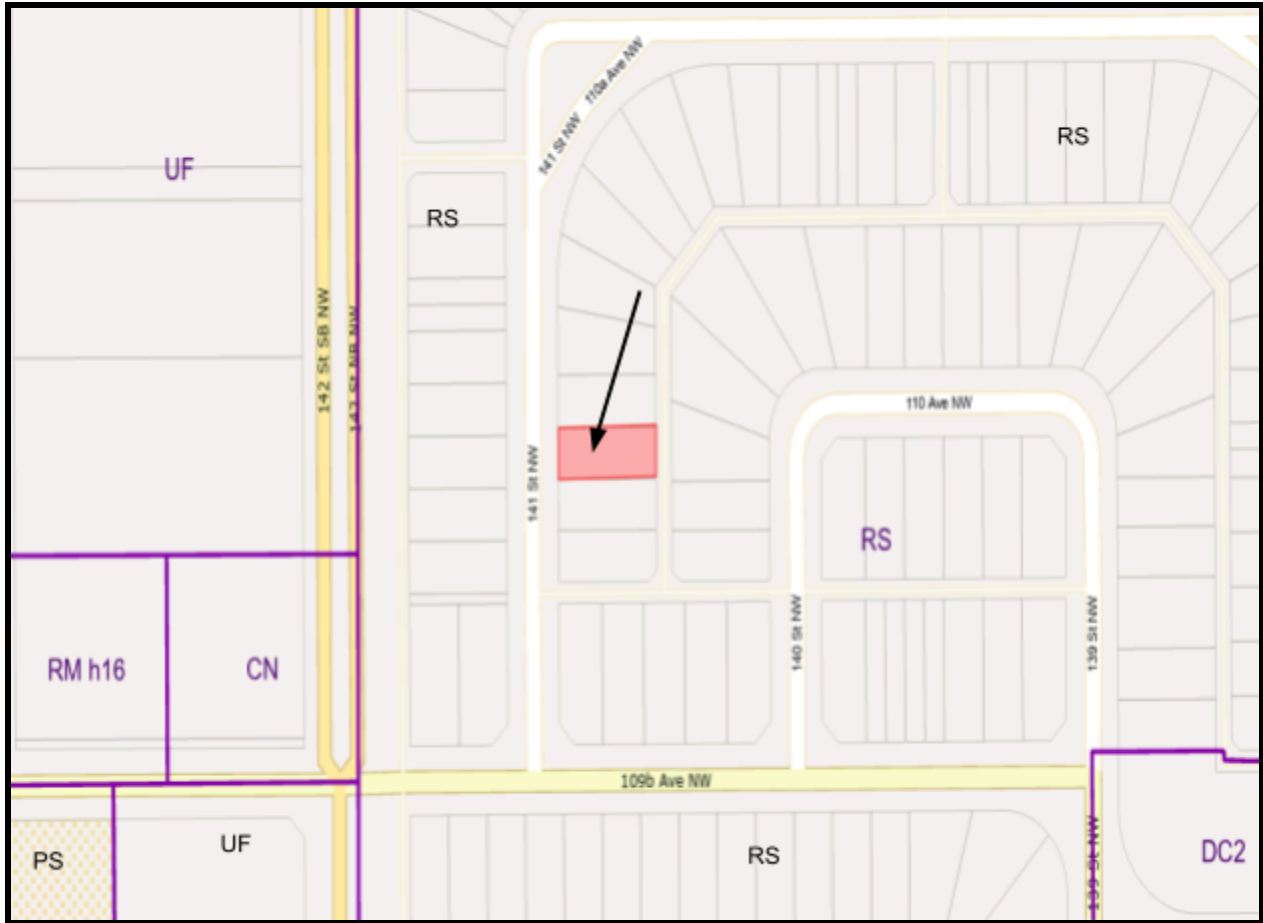
The SDAB is an independent, quasi-judicial body established by City Council, and its decisions are final and cannot be overturned unless the board makes an error in some aspect of law or jurisdiction.

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



SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-26-099 ▲
N