

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

**Wednesday, 9:00 A.M.**  
**May 13, 2026**

**Virtual Hearings**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
VIRTUAL HEARINGS**

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I	9:00 A.M.	SDAB-D-26-109	Permit Masters  To construct interior and exterior alterations to Vehicle Support Service Use building (new overhead door on east elevation, existing without permits)  10620 - 98 STREET NW Project No.: 639824557-002
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**TO BE RAISED**

II	10:30 A.M.	SDAB-D-26-108	Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options before April 09, 2026: 1. Acquire a Development Permit for the Residential Use: Major Home Based Business. OR 2. Cease the Residential Use: Major Home Based Business and remove all related business materials (all outdoor storage of materials including but not limited to - business truck with flatbed trailer, skidsteer, picker truck, water holding tanks and piles of wood) and schedule a follow up inspection by contacting the investigating Development Compliance Officer Jordana Hoblak by phone at 587-989-9365 or email at <a href="mailto:jordana.hoblak@edmonton.ca">jordana.hoblak@edmonton.ca</a>  18920 - 122 AVENUE NW Project No.: 638164108-002
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**NOTE:**     *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT: Permit Masters

APPLICATION NO.: 639824557-002

APPLICATION TO: Construct interior and exterior alterations to Vehicle Support Service Use building (new overhead door on east elevation, existing without permits)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 31, 2026

DATE OF APPEAL: April 20, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10620 - 98 STREET NW

LEGAL DESCRIPTION: Plan NA Blk 11 Lots 5-6

ZONE: MU - Mixed Use Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Central District Plan

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***Grounds for Appeal***

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

Introduction and Historical Context: This appeal is filed in response to the refusal of a Development Permit 639824557-002 for the re-installation of an overhead door. The subject door is not a new addition to the buildings facade; rather, it is the restoration of an original architectural feature from

the 1980s. While a previous tenant temporarily covered the door in the early 2000s, the buildings design and the City's own infrastructure have consistently recognized this location as an access point. Notably, the City continues to maintain a curb cut directly in front of this door, infrastructure that was maintained and even upgraded by the City as recently as 2024/2025.

**Addressing Subsection 2.80.6.1: and Safety Concerns** The refusal cites concerns regarding vehicle and pedestrian conflict along 98 Street. We acknowledge the Development Planners mandate to minimize disruptions to pedestrian circulation. However, the refusal rests on the assumption that the door's primary function must be vehicular through-traffic.

While the property does maintain access via 99 Street, that access point does not serve the specific internal logistical needs of the unit in question. The 98 Street access is vital for the functional utility of the space, provided the safety concerns are mitigated.

**Proposed Mitigation and Compromise** To directly address the safety and "conflict" concerns raised by Subdivision Planning, the applicant is prepared to amend the application with the following significant concessions:

1.Reduction in Door Scale: The applicant is willing to install a smaller door assembly that is physically incapable of facilitating standard passenger vehicle ingress or egress.

2.Elimination of Vehicular Traffic: By reducing the width and/or height of the opening, the primary concern, regular vehicle movements across a wide pedestrian corridor, is eliminated.

3.Logistical Necessity: The proposed smaller door would be utilized strictly for the delivery and movement of heavy goods and equipment (e.g., engines, hoods, and bulky inventory) that cannot be safely or efficiently maneuvered through a standard pedestrian man-door.

**Planning Justification:** Under the modified proposal, the "disruption to vehicles and pedestrian circulation" is reduced to a negligible level, comparable to or less than standard commercial delivery activities found throughout the district.

The continued existence of the City-maintained curb cut suggests that the site has been deemed safe for intermittent mounting for decades. By restricting the door to equipment loading rather than vehicle parking/access, the applicant meets the intent of Subsection 2.80.6.1 by providing necessary commercial access in a way that prioritizes the pedestrian experience.

**Conclusion:** We request that the SDAB allow the appeal and grant the permit subject to a condition that the door be reduced in size to prevent vehicular access. This solution preserves the economic viability and functional utility of the commercial bay for the tenant while fully satisfying the City's safety and transportation objectives.

**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 2.80.2.17, a **Vehicle Support Service, limited to those existing prior to January 1, 2024** is a **Permitted Use** in the **MU - Mixed Use Zone**.

Under section 8.10, **Vehicle Support Service** means:

a development where the primary activity is vehicle servicing operations for the repair, maintenance, or fuelling of automobiles and other vehicles with a gross vehicle weight rating (GVWR) of less than 4,600 kg.

Typical examples include: fuel stations, car washes, and vehicle repair shops, such as transmission, muffler, tire, automotive glass, and upholstery shops. This Use does not include auto body repair and paint shops.

Section 2.80.1 states that the **Purpose** of the **MU - Mixed Use Zone** is:

To allow for varying scales of mixed use development that enables the growth and development anticipated in the Nodes and Corridors as directed by Statutory Plans. This Zone allows for a range of Uses and supports housing, recreation, commerce, and employment opportunities. Site and building design in this Zone promotes development that enhances the public realm and publicly accessible amenities to create vibrant, walkable destinations at a scale inviting to pedestrians.

***Parking, Loading, Storage and Access***

Section 2.80.6.1 states:

Vehicle access must be from an Abutting Alley. Where there is no Abutting Alley, vehicle access must:

6.1.1. be from a Flanking Street for Corner Sites;

6.1.2. be designed to minimize disruption to vehicle and pedestrian circulation; and

6.1.3. be designed to minimize impacts to existing trees and the streetscape,

to the satisfaction of the Development Planner in consultation with the City department responsible for transportation services.

**Development Planner's Determination**

**1. Subsection 2.80.6.1 - When there is no alley abutting a site, vehicle access must be designed to minimize disruption to vehicles and pedestrian circulation; to the satisfaction of the Development Planner in consultation with the City department responsible for transportation services (Subdivision Planning).**

**Subdivision Planning has reviewed the subject development application and objects to the proposed vehicle access from 98 Street to the overhead door. This objection is based on safety concerns regarding vehicle access through the door and vehicle movements across a wide pedestrian corridor along 98 Street, which poses a conflict with pedestrians. Furthermore, the property maintains vehicle access to 99 Street. This existing approved access point provides reasonable access and traffic flow for the commercial site without the use of the unpermitted overhead door.**


[unedited]

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Notice to Applicant/Appellant

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

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	<h2 style="margin: 0;">Application for Development Permit</h2>	Project Number: <b>639824557-002</b> Application Date: DEC 06, 2025 Printed: March 31, 2026 at 1:27 PM Page: 1 of 2																				
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> 10620 - 98 STREET NW Plan NA Blk 11 Lots 5-6  <b>Specific Address(es)</b> Suite: 10620 - 98 STREET NW Entryway: 10620 - 98 STREET NW Building: 10620 - 98 STREET NW																					
<b>Scope of Application</b> To construct interior and exterior alterations to Vehicle Support Service Use building (new overhead door on east elevation, existing without permits).																						
<b>Details</b>  <table style="width: 100%; font-size: x-small;"> <tr> <td style="width: 50%;">Development Category:</td> <td style="width: 50%;">Gross Floor Area (sq. m.):</td> </tr> <tr> <td>Lot Grading Needed?: N</td> <td>New Sewer Service Required:</td> </tr> <tr> <td>NumberOfMainFloorDwellings:</td> <td>Overlay:</td> </tr> <tr> <td>Site Area (sq. m.):</td> <td>Statutory Plan:</td> </tr> </table>			Development Category:	Gross Floor Area (sq. m.):	Lot Grading Needed?: N	New Sewer Service Required:	NumberOfMainFloorDwellings:	Overlay:	Site Area (sq. m.):	Statutory Plan:												
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<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Mar 31, 2026 <b>Development Authority:</b> TODD, ADAM  <b>Reason for Refusal</b>  1. Subsection 2.80.6.1 - When there is no alley abutting a site, vehicle access must be designed to minimize disruption to vehicles and pedestrian circulation; to the satisfaction of the Development Planner in consultation with the City department responsible for transportation services (Subdivision Planning).  Subdivision Planning has reviewed the subject development application and objects to the proposed vehicle access from 98 Street to the overhead door. This objection is based on safety concerns regarding vehicle access through the door and vehicle movements across a wide pedestrian corridor along 98 Street, which poses a conflict with pedestrians. Furthermore, the property maintains vehicle access to 99 Street. This existing approved access point provides reasonable access and traffic flow for the commercial site without the use of the unpermitted overhead door.  <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%; font-size: x-small;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$410.00</td> <td style="text-align: right;">\$410.00</td> <td style="text-align: right;">048589000019265</td> <td style="text-align: right;">Feb 27, 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>\$410.00</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$410.00</b></td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$410.00	\$410.00	048589000019265	Feb 27, 2026	Total GST Amount:	\$0.00				<b>Totals for Permit:</b>	<b>\$410.00</b>	<b>\$410.00</b>		
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THIS IS NOT A PERMIT																						
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# Application for Development Permit

Project Number: **639824557-002**  
Application Date: DEC 06, 2025  
Printed: March 31, 2026 at 1:27 PM  
Page: 2 of 2

**THIS IS NOT A PERMIT**



**TO BE RAISED**

ITEM II: 10:30 A.M.

FILE: SDAB-D-26-108

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT:

APPLICATION NO.: 638164108-002

ORDER TO: Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete one of the following options before April 09, 2026:

1. Acquire a Development Permit for the Residential Use: Major Home Based Business.

OR

2. Cease the Residential Use: Major Home Based Business and remove all related business materials (all outdoor storage of materials including but not limited to - business truck with flatbed trailer, skidsteer, picker truck, water holding tanks and piles of wood) and schedule a follow up inspection by contacting the investigating Development Compliance Officer Jordana Hoblak by phone at 587-989-9365 or email at [jordana.hoblak@edmonton.ca](mailto:jordana.hoblak@edmonton.ca)

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

**DECISION DATE: March 18, 2026**

**DATE OF APPEAL: April 10, 2026**

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 18920 - 122 AVENUE NW

LEGAL DESCRIPTION: Plan 9723099 Blk 4 Lot 6

ZONE: DC2.369 - Site Specific Development Control Provision

OVERLAY: N/A

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STATUTORY PLAN: N/A  
DISTRICT PLAN: Jasper Place District Plan

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***Grounds for Appeal***

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

It appears the basis of this enforcement is the assumption that a business—Wolfe Framing Inc.—is being operated from my residence. This is not accurate.

I would like to kindly share some more information for context. The property in question is my personal family home. My wife and three kids live here. We personally built this home, much of which I performed the work with my own hands over the course of two years. We intend this to be our forever home. I have no interest or intention of business taking place at this location. Our privacy is very important to us and keeping our work separate from our personal home is something I take seriously.

The business you reference in the fine – Wolfe Framing Inc - is a properly licenced business that employs over 30 full time employees. We have a full office and storage yard. My home is not suitable for any of my business dealings.

Please see further detailed reasons contained on the file.

***General Matters***

**Appeal Information:**

**The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on April 22, 2026:**

**“That the appeal hearing be postponed to May 13 or 15, 2026.”**

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

**Stop order**

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

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

(b) a development permit or subdivision approval,

the development authority may act under subsection (2).

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

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

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

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

within the time set out in the notice.

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

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

### **Permit**

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

### **Grounds for Appeal**

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

(a) fails or refuses to issue a development permit to a person,

(b) issues a development permit subject to conditions, or

(c) issues an order under section 645,

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

...

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

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

### **Appeals**

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

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

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

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

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

or

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

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

### **Hearing and Decision**

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

...

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

...

**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 DC2.369 - Site Specific Development Control Provision ("DC2"):**

Under section DC2.369.3.c, **Minor Home Occupation** is a **Listed Use** in the **DC2.369 - Site Specific Development Control Provision**.

Under section DC2.369.3.d, **Major Home Occupation** is a **Listed Use** in the **DC2.369 - Site Specific Development Control Provision**.

Section DC2.369.1 states that the **General Purpose** of the **DC2** is:

To establish a Site Specific Development Control District to accommodate rural residential development on lots a minimum of 0.4 ha in size, without the full range of piped urban utility services.

The proposed District provides an interim solution to fulfil City Council's directive that Mooncrest Park be designated as a residential development, recognizing the current rural unserviced nature of the area and the long term likelihood of neighbourhood area structure plans being prepared for the Mooncrest Park Subdivision and adjacent areas, as proposed in the Kinokamau Plains Servicing Concept Design Brief.

**General Provisions from the Edmonton Land Use Bylaw 5996:**

Under section 10.2(6), **Major Home Occupation** means:

development consisting of the use of an approved Dwelling or accessory building by a resident of that Dwelling for one or more business(es) which business(es) may generate more than one (1) business associated visit per day. The business use must be secondary to the residential use of the building and shall not change the residential character of the Dwelling and/or accessory building. The Dwelling may be used as a workplace by a non-resident. This Use Class includes Bed and Breakfast operations but does not include General Retail Sales or Professional Offices.

Under section 9.1(2), **Accessory** means:

when used to describe a use or building, a use or building naturally or normally incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site.

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

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.

***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, 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.

***Previous Subdivision and Development Appeal Board Decision***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-25-058	To construct two Accessory buildings (shed, 6.20m x 2.90m, and sea can, 5.96m x 2.4m).	May 12, 2025; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED as applied for to the Development Authority, subject to CONDITIONS and ADVISEMENTS.

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Notice to Applicant/Appellant

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

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March 18, 2026

Our File: 638164108-002

### **MUNICIPAL GOVERNMENT ACT ORDER**

Dear Sir/Madam:

An Alberta Land Titles search identifies you as the registered owners of the property located at 18920 122 Avenue NW in Edmonton, Alberta, legally described as Plan 9723099 Blk 4 Lot 6.

This Property was inspected by Development Compliance Officer Jordana Hobiak, on March 12, 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 Site Specific Development Control Provision in accordance with Section DC2 369 of Edmonton Zoning Bylaw 20001. **Our investigation revealed the development of a Residential use: Major Home Based Business "Wolfe Framing Inc." has been developed without a Development Permit.**

This Residential use: Major Home Based Business specifically involves the storage of materials associated with the business, including but not limited to;

- business truck with flatbed trailer
- skidsteer
- picker truck
- water holding tanks
- piles of wood

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



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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

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.

**DC2 369:** Mooncrest Park Subdivision - west of 184 Street and north of Yellowhead Trail Bylaw 10654 (November 8, 1994)

**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.

**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 one of the following options before **April 09, 2026:**

1. Acquire a Development Permit for the Residential Use: Major Home Based Business.

**OR**



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2. Cease the Residential Use: Major Home Based Business and remove all related business materials (all outdoor storage of materials including but not limited to - business truck with flatbed trailer, skidsteer, picker truck, water holding tanks and piles of wood) and schedule a follow up inspection by contacting the investigating Development Compliance Officer Jordana Hoblak by phone at 587-989-9365 or email at [jordana.hoblak@edmonton.ca](mailto:jordana.hoblak@edmonton.ca)

#### **CONSEQUENCES FOR NON-COMPLIANCE:**

The property will be inspected after **April 09, 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.

Regards,

Jordana Hoblak  
Development Compliance Officer  
587-989-9365  
[jordana.hoblak@edmonton.ca](mailto:jordana.hoblak@edmonton.ca)

#### **Adding amounts owing to tax roll**

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

- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;



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- (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).

(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



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- (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.

**(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



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(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 extension of that period under section 684, within 21 days after the date the period or extension expires,

or



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(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.



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## Subdivision and Development Appeal Board

**File your appeal online at:**

**<https://sdab.edmonton.ca>**

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

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

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

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

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

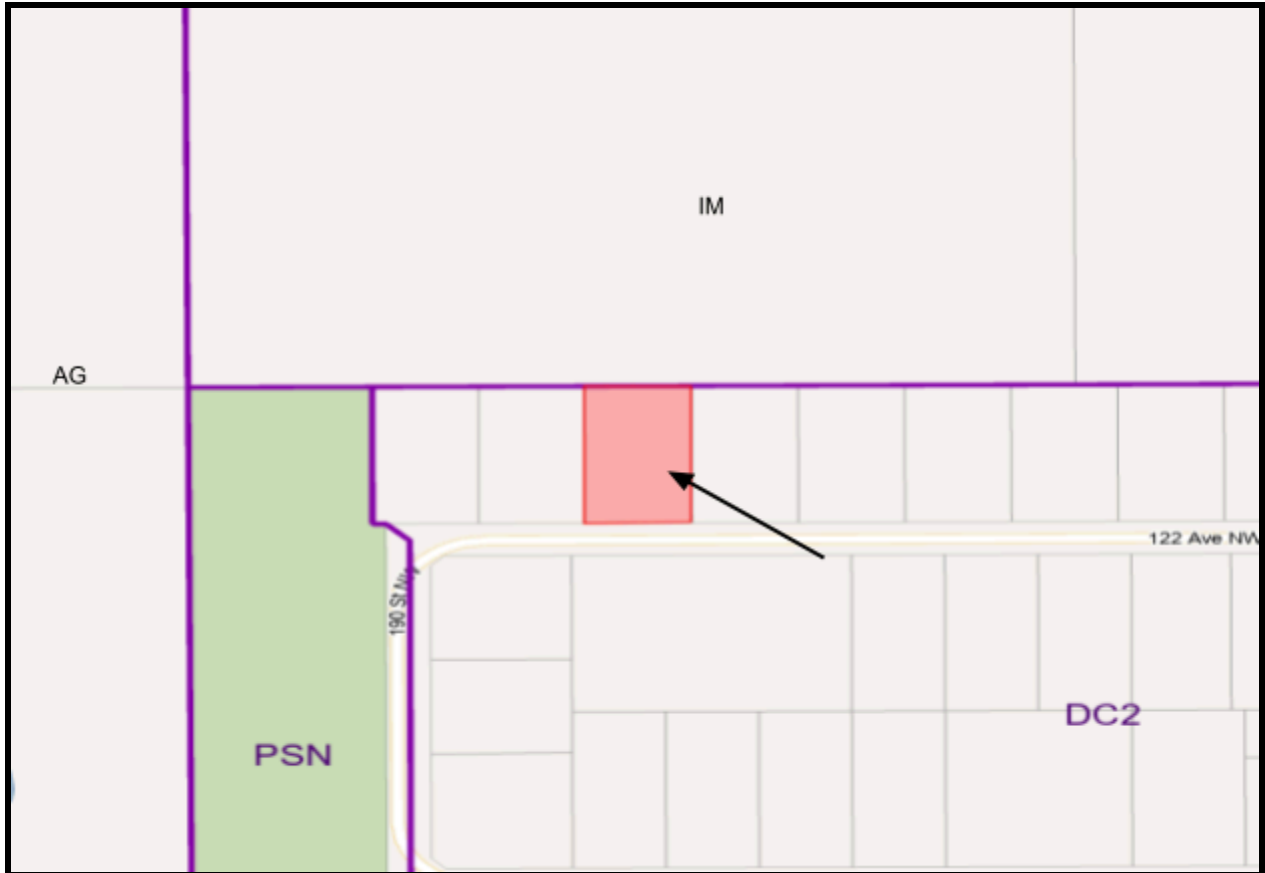
**For more information:**

### **Subdivision and Development Appeal Board**

**Telephone** 780-496-6079

**Fax** 780-577-3537

**Email** [sdab@edmonton.ca](mailto:sdab@edmonton.ca)



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

▲  
**N**

File: SDAB-D-26-108