

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Tuesday, 9:00 A.M.

May 19, 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-26-112

To construct exterior alterations to Residential Use building (Driveway extensions on the left side (1.5m width) and right side (3.5m width), total width 11.1m), existing without permits

3408 - 19 STREET NW
Project No.: 384611465-002

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:

APPLICATION NO.: 384611465-002

APPLICATION TO: Construct exterior alterations to Residential Use building (Driveway extensions on the left side (1.5m width) and right side (3.5m width), total width 11.1m), existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 17, 2026

DATE OF APPEAL: April 25, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3408 - 19 STREET NW

LEGAL DESCRIPTION: Plan 0928811 Blk 59 Lot 72

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

Grounds for Appeal

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

Dear Board Members,

I am writing to formally appeal the refusal of our development permit application for the extension of our driveway and walkway at our residence.

The main reason for completing this extension is safety. During winter months, we have experienced multiple hit-and-run incidents, approximately three to five times, involving vehicles parked on the street in front of our home. Due to icy conditions, vehicles frequently lose control in this area, which makes street parking unsafe.

In addition, our driveway has a noticeable slope, which makes it difficult to use, especially considering our age. This creates an accessibility concern for both of us. Before the extension, we also did not have proper walkway access to the front entrance of our home.

The extension was completed to improve safe off-street parking, reduce the risk of further incidents, and provide a stable and accessible walkway to our front entrance. This was done out of necessity for safety and accessibility, not for convenience.

We respectfully ask the Board to consider the ongoing safety risks, the impact of winter conditions, and the accessibility challenges we face. We are willing to comply with any reasonable conditions or adjustments that may be required to meet City guidelines.

Thank you for taking the time to review our situation. We respectfully request that our appeal be approved.

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

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

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

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

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

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

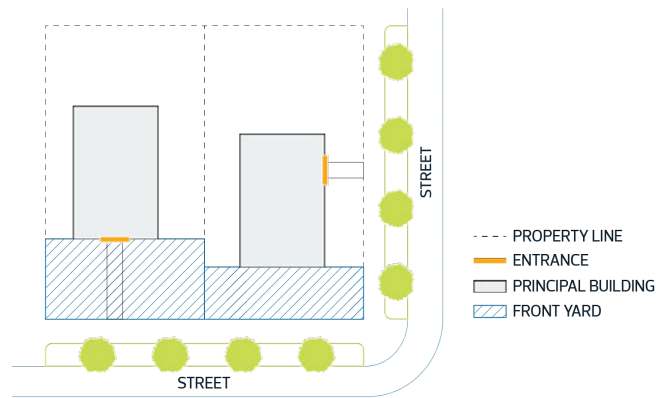
Under section 8.20, **Driveway** means:

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



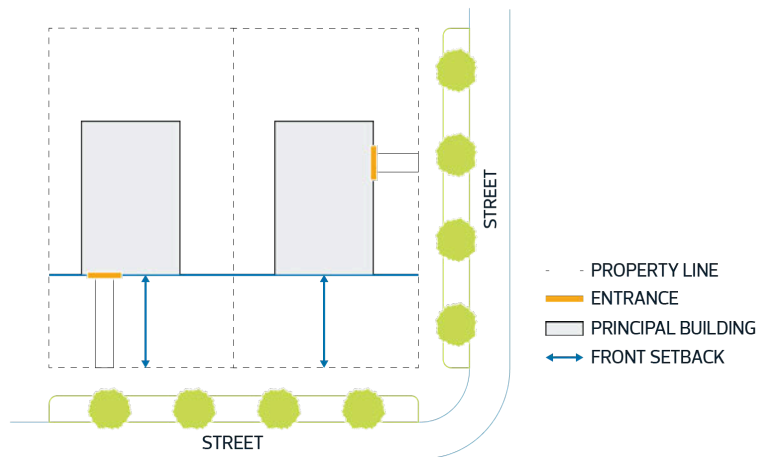
Under section 8.20, **Front Yard** means:

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



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

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



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

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

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

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

Site Circulation and Parking Regulations for Small Scale Residential Development

Section 5.80.2.1 states:

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

Site Circulation

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

Driveways

- 2.1.3. Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.
- 2.1.4. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area.**
- 2.1.5 A Driveway provided from a Street must comply with the following:
 - 2.1.5.1 Where a Garage or Parking Area has 1 vehicle parking space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less,

except:

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

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

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

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

2.1.6.1. a Front Yard;

2.1.6.2. a Flanking Side Yard; or

2.1.6.3 a Flanking Side Setback.

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

Development Planner's Determination

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

Proposed: Driveway extensions do not lead to the Garage.

2. Maximum Width - The maximum combined width of the Driveway and pathways that abut and run parallel to the Driveway (that leads to the Garage) is equal to the width of the Garage. (Subsection 5.80.2.1.5.2.1.)

Maximum width: 6.1 m

Proposed: 11.1 m
Exceeds by: 5.0 m


3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard (Subsection 5.80.2.1.6.1).

Proposed: Driveway extensions are located within 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: 384611465-002 Application Date: JAN 25, 2021 Printed: April 17, 2026 at 4:19 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) 3408 - 19 STREET NW Plan 0928811 Blk 59 Lot 72											
Scope of Application To construct exterior alterations to Residential Use building (Driveway extensions on the left side (1.5m width) and right side (3.5m width), total width 11.1m), existing without permits.												
Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Development Category: Discretionary Development Site Area (sq. m.): 473.1 </td> <td style="width: 50%; border: none;"> Overlay: Statutory Plan: </td> </tr> </table>			Development Category: Discretionary Development Site Area (sq. m.): 473.1	Overlay: Statutory Plan:								
Development Category: Discretionary Development Site Area (sq. m.): 473.1	Overlay: Statutory Plan:											
Development Application Decision Refused Issue Date: Apr 17, 2026 Development Authority: FAN, JESSICA Reason for Refusal 1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.4.) Proposed: Driveway extensions do not lead to the Garage. 2. Maximum Width - The maximum combined width of the Driveway and pathways that abut and run parallel to the Driveway (that leads to the Garage) is equal to the width of the Garage. (Subsection 5.80.2.1.5.2.1.) Maximum width: 6.1 m Proposed: 11.1 m Exceeds by: 5.0 m 3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard (Subsection 5.80.2.1.6.1.) Proposed: Driveway extensions are located within 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 style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left; font-weight: normal;">Existing Without Permit Dev Application Penalty Fee</th> <th style="text-align: right; font-weight: normal;">Fee Amount</th> <th style="text-align: right; font-weight: normal;">Amount Paid</th> <th style="text-align: right; font-weight: normal;">Receipt #</th> <th style="text-align: right; font-weight: normal;">Date Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: right;">\$176.00</td> <td style="text-align: right;">\$176.00</td> <td style="text-align: right;">089947001001189</td> <td style="text-align: right;">Sep 22, 2025</td> </tr> </tbody> </table>			Existing Without Permit Dev Application Penalty Fee	Fee Amount	Amount Paid	Receipt #	Date Paid		\$176.00	\$176.00	089947001001189	Sep 22, 2025
Existing Without Permit Dev Application Penalty Fee	Fee Amount	Amount Paid	Receipt #	Date Paid								
	\$176.00	\$176.00	089947001001189	Sep 22, 2025								
THIS IS NOT A PERMIT												
P0702003												



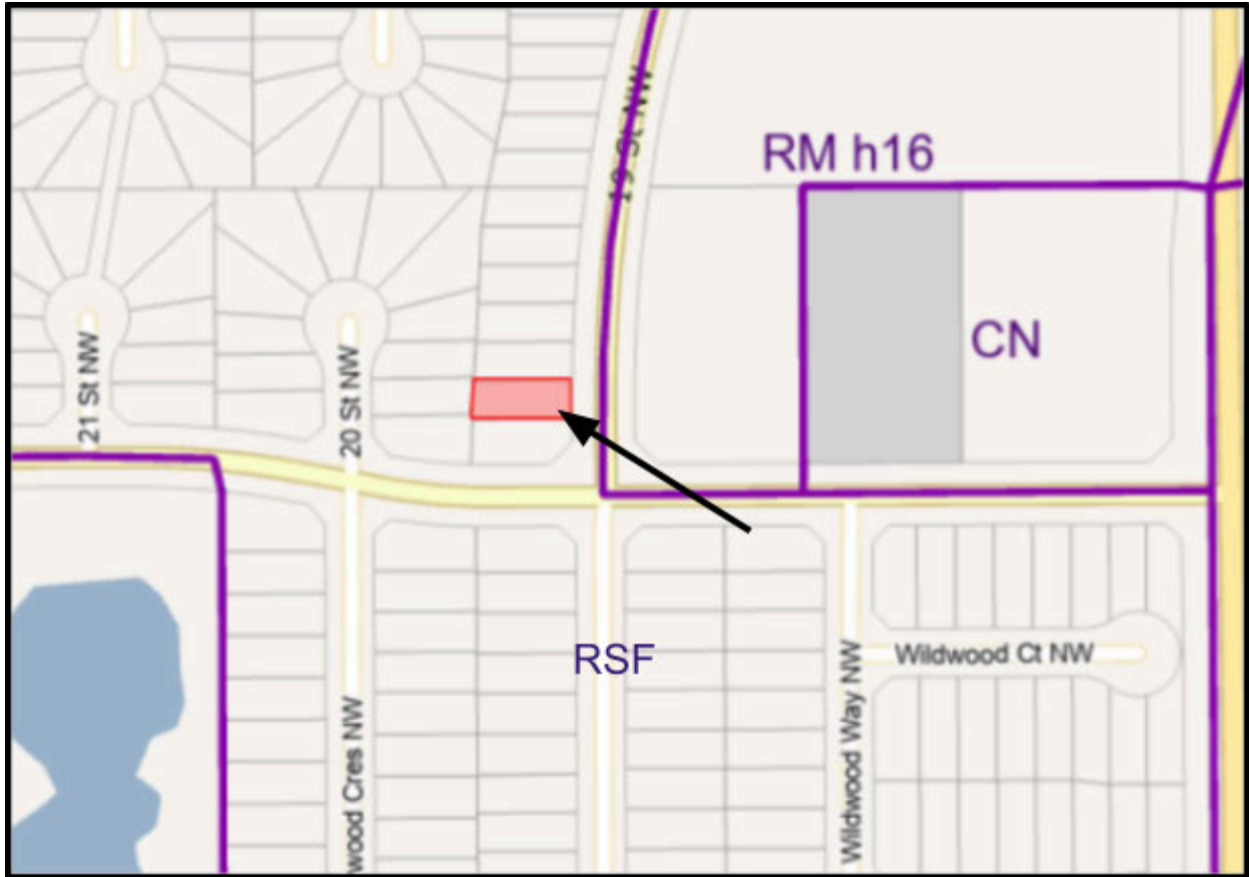
Application for Driveway Extension Permit

Project Number: **384611465-002**
Application Date: JAN 25, 2021
Printed: April 17, 2026 at 4:19 PM
Page: 2 of 2

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Application Fee	\$178.00	\$178.00	05236009838N001	Jan 25, 2021
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	<u>\$352.00</u>	<u>\$352.00</u>		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

▲
N

File: SDAB-D-26-112