

**SUBDIVISION**

**AND**

**DEVELOPMENT APPEAL BOARD**

**AGENDA**

**Tuesday, 9:00 A.M.**  
**June 2, 2026**

**River Valley Room**  
**City Hall, 1 Sir Winston Churchill Square NW**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
RIVER VALLEY ROOM**

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I	9:00 A.M.	SDAB-D-26-132	To construct exterior alterations to a Residential Use building (parking pad in the Front Yard, 2.5m x 4.3m)
			9628 - AUSTIN O'BRIEN ROAD NW Project No.: 650925600-002

**TO BE RAISED**

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II	10:00 A.M.	SDAB-D-26-133	To construct a Residential Use building in the form of a multi-unit Backyard House (2 Dwellings with Garage)
			12016 - 124 STREET NW Project No.: 533800379-002

**TO BE RAISED**

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III	1:30 P.M.	SDAB-D-26-113	To construct a Residential Use development in the form of a Cluster Housing with 2 Row Houses (each Row Housing has 4 principal Dwellings, 3 Secondary Suites and 1 basement development). Total of 14 Dwellings
			5108 - 122 AVENUE NW Project No.: 637957774-002

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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:

APPLICATION NO.: 650925600-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (parking pad in the Front Yard, 2.5m x 4.3m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 17, 2026

DATE OF APPEAL: May 6, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9628 - AUSTIN O'BRIEN ROAD NW

LEGAL DESCRIPTION: Plan 6258KS Blk 9 Lot 33

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Southeast District Plan

***Grounds for Appeal***

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

I understand that the driveway should originally have been permitted prior to its construction in October 2013. I respectfully request that the SDAB consider allowing the existing driveway through a variance, as I believe it represents a reasonable use of the property given the site conditions and the minimal impact on the surrounding neighbourhood.

The existing driveway has been in place and operating since approximately October 2013 without apparent interference with pedestrian or vehicle access. To my knowledge, it has not generated concerns from neighbouring properties and has operated without apparent neighbourhood issues prior to the recent review associated with roadway and sidewalk redevelopment in the area.

The property is located directly across the street from Austin O'Brien Catholic High School. During school days and school-related events, there are periodic increases in traffic and onstreet parking demand in the area. The front driveway helps accommodate these conditions while preserving street parking that would otherwise be available to residents on the opposite side of the street.

I have also observed that the widened frontage adjacent to the driveway can help accommodate temporary traffic pressures during busy periods by allowing vehicles to pass more easily along the roadway. The existing driveway configuration has not appeared to negatively impact pedestrian movement, neighbourhood access, or overall traffic flow.

The width of the driveway is approximately 4.3 m, which is roughly equivalent to the space occupied by a single street parking stall and therefore represents a relatively minor change to the streetscape.

There are other properties on Austin O'Brien Road that appear to have front driveways while also maintaining rear garage access from the alley (for example, 5804 Austin O'Brien Road).

The driveway to the garage at the rear of the property, accessed from the alley, has an approximate grade of 15%, which represents a relatively steep slope for residential vehicle access and can present challenges during winter conditions. Because the driveway faces north-west, it receives limited sunlight during winter months, which contributes to snow and ice accumulation and can make access to the garage more difficult. These factors may also create accessibility challenges for individuals with mobility limitations during icy conditions. The front driveway therefore provides a safer and more practical access option during winter conditions.

The household typically has two vehicles. The front driveway provides sufficient space to accommodate both vehicles off the street during winter parking restrictions, snow clearing operations, and periods of increased parking demand near the school.

I have also obtained written support from the adjacent property owner indicating that they do not object to the existing driveway or a potential extension of the driveway further onto my property.

With respect to the refusal relating to parking space length, I am willing, if required as a condition of approval, to extend the driveway further onto my property in order to provide a parking space length compliant with the applicable bylaw requirements.

In my view, the existing driveway represents a minor variance that is reasonable given the site conditions and does not materially affect neighbouring properties. Allowing the variance would represent a practical and reasonable use of the property while maintaining compatibility with the surrounding neighbourhood.

<b><i>General Matters</i></b>
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**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.

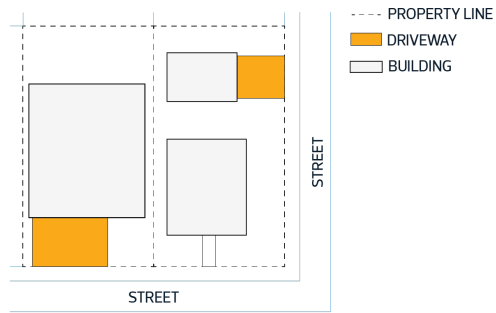
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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.”

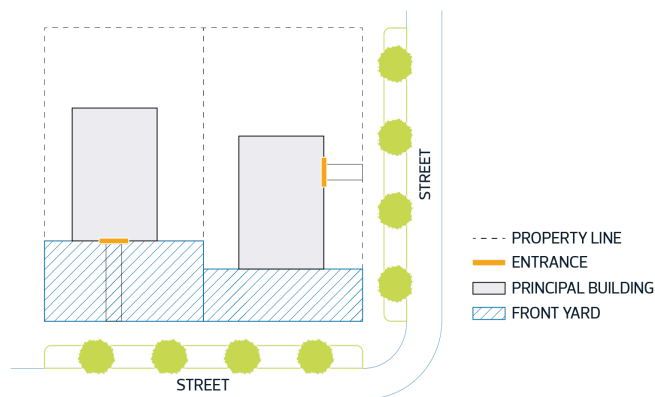
Under section 8.20, **Driveway** means:

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.



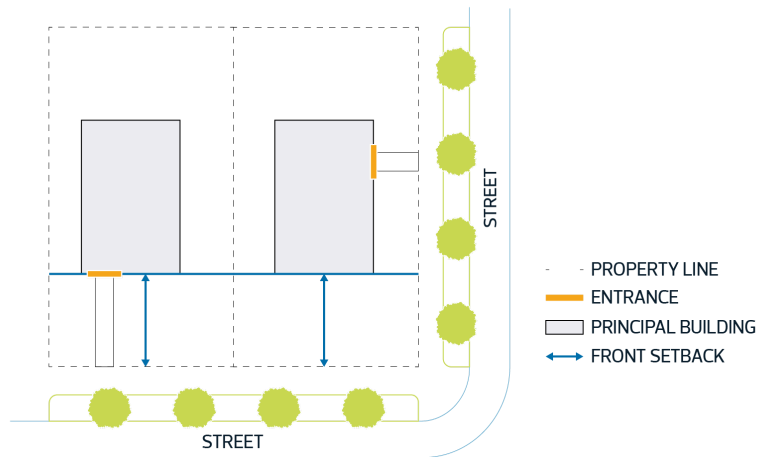
Under section 8.20, **Front Yard** means:

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.

***RS Zone - Parking, Loading, and Access***

Section 2.10.6.1 states “Vehicle access must be from an Alley where a Site Abuts an Alley.”

***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.

***Parking Space Regulations***

Section 5.80.5.1.3 states:

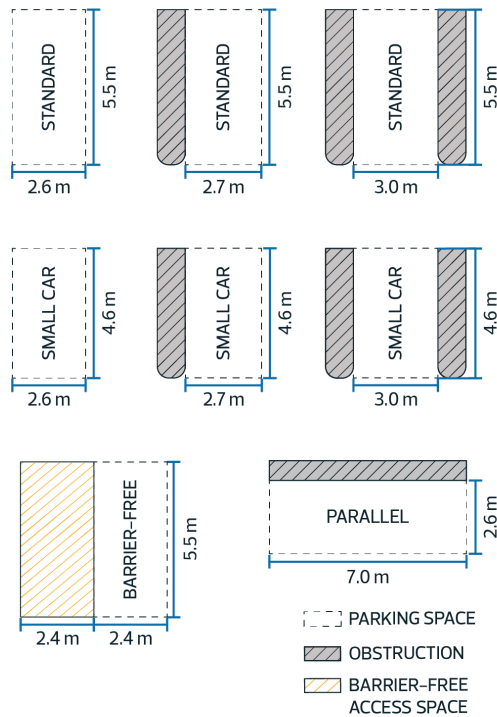
Provided parking spaces must:

comply with Table 5.1.3, measured to the nearest point of an obstruction where an obstruction is present:

**Table 5.1.3. Minimum Parking Space Design Requirements**

Subsection	Parking Space Type	Length	Width	Vertical Clearance	Width with Obstruction on 1 Side	Width with Obstruction on Each Side
5.1.3.1.	Standard	5.5 m	2.6 m	2.1 m	2.7 m	3.0 m

**Diagram for Table 5.1.3**



**Development Planner’s Determination**

**1. Access - Vehicle access must be from an Alley where a Site Abuts an Alley (Subsection 2.10.6.1).**

**Proposed: Vehicle access is along Austin O'Brien Road NW.**

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

**Proposed: The parking pad is located within the Front Yard.**

**3. Parking Space Design - Parking space must be a minimum length of 5.5m (Subsection 5.80.5.1.3.1).**


**Proposed: 2.5m**

**Deficient by: 3.0m**

[unedited]

**Notice to Applicant/Appellant**

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

	Project Number: <b>650925600-002</b> Application Date: MAR 17, 2026 Printed: April 17, 2026 at 4:12 PM Page: 1 of 1																				
<h2 style="margin: 0;">Application for Driveway Extension Permit</h2>																					
This document is a Development Permit Decision for the development application described below.																					
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 9628 - AUSTIN O'BRIEN ROAD NW Plan 6258KS Blk 9 Lot 33  <b>Location(s) of Work</b> Suite: 9628 - AUSTIN O'BRIEN ROAD NW Entryway: 9628 - AUSTIN O'BRIEN ROAD NW Building: 9628 - AUSTIN O'BRIEN ROAD NW																				
<b>Scope of Application</b> To construct exterior alterations to a Residential Use building (parking pad in the Front Yard, 2.5m x 4.3m).																					
<b>Details</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                     Development Category:                      Site Area (sq. m.): 510.81                 </td> <td style="width: 50%; border: none;">                     Overlay:                      Statutory Plan:                 </td> </tr> </table>		Development Category: Site Area (sq. m.): 510.81	Overlay: Statutory Plan:																		
Development Category: Site Area (sq. m.): 510.81	Overlay: Statutory Plan:																				
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Apr 17, 2026 <b>Development Authority:</b> POTTER, CHRISTINA  <b>Reason for Refusal</b> 1. Access - Vehicle access must be from an Alley where a Site Abuts an Alley (Subsection 2.10.6.1). Proposed: Vehicle access is along Austin O'Brien Road NW.  2. Parking - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.6.1). Proposed: The parking pad is located within the Front Yard.  3. Parking Space Design - Parking space must be a minimum length of 5.5m (Subsection 5.80.5.1.3.1). Proposed: 2.5m Deficient by: 3.0m  <b>Rights of Appeal</b> The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																					
<b>Building Permit Decision</b> No decision has yet been made.																					
<b>Fees</b> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$195.00</td> <td style="text-align: right;">\$195.00</td> <td>017493000011845</td> <td>Mar 17, 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>\$195.00</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$195.00</b></td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$195.00	\$195.00	017493000011845	Mar 17, 2026	Total GST Amount:	\$0.00				<b>Totals for Permit:</b>	<b>\$195.00</b>	<b>\$195.00</b>		
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<b>THIS IS NOT A PERMIT</b>																					
P0702003																					



**TO BE RAISED**

ITEM II: 10:00 A.M.

FILE: SDAB-D-26-133

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 533800379-002

APPLICATION TO: Construct a Residential Use building in the form of a multi-unit Backyard House (2 Dwellings with Garage)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 30, 2026

DATE OF APPEAL: May 2, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12016 - 124 STREET NW

LEGAL DESCRIPTION: Plan RN64 Blk 16 Lot 4

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:

- > The unique location of the property renders it, practically speaking, a Corner Lot.
- > The minor shortage in Site Area is more than accommodated by the adjacent Public Park.
- > The proposed development will add additional on site parking.

- > There is ample support from neighbouring owners.
- > Such further and other reasons as may be presented at the hearing of this appeal.

***General Matters***

**Appeal Information:**

**The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on May 5, 2026:**

**“That the appeal hearing be scheduled on June 2, 2026.”**

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;

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

- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
  - (i) the proposed development would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
  - and
  - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

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

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

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

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

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

Under section 8.20, **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.

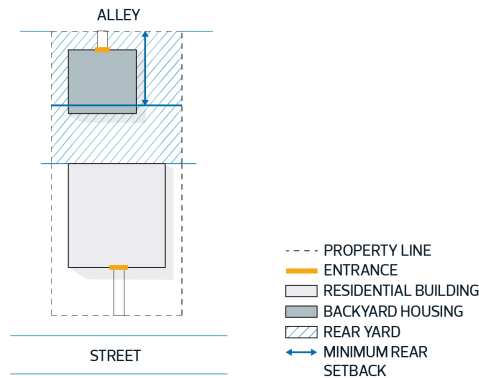
Under section 8.20, **Secondary Suite** means:

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, **Backyard Housing** means:

a building containing 1 or more Dwellings, that is located wholly within the Rear Yard, and partially or wholly within the Rear Setback of the applicable Zone, of a Residential Site.



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 2.10.1 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.

***RS - Small Scale Residential Zone - Site and Building Regulations***

Section 2.10.4 states the following with respect to **Site and Building Regulations**:

- 4.1. Development must comply with Table 4.1:

**Table 4.1 Site and Building Regulations**

Subsection	Regulation	Value	Symbol
<b>Site Dimensions</b>			
4.1.1.	Minimum Site area per Dwelling	75.0 m2	-

***RS - Small Scale Residential Zone - Additional Regulations for Specific Uses***

Section 2.10.3.2 states the following with respect to Residential:

3.2.1. The maximum number of Dwellings on an Interior Site is 8.

...

3.2.3. Backyard Housing must comply with Section 6.10.

**Development Planner’s Determination**

**1. Site Area - The minimum Site Area is 75m2 per Dwelling:**

**Required: 750m2**

**Proposed: 696m2**

**Deficiency: 54m2**

**2. Maximum Dwellings - The maximum number of Dwellings for an interior Lot is 8.**

**Required: 8 Dwellings**

**Proposed: 10**

**Exceeds by: 2 Dwellings**


[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>533800379-002</b> Application Date: OCT 07, 2024 Printed: April 30, 2026 at 4:45 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> 12016 - 124 STREET NW Plan RN64 Blk: 16 Lot 4  <b>Specific Address(es)</b> Suite: G1, 12016 - 124 STREET NW Suite: G2, 12016 - 124 STREET NW Entryway: G1, 12016 - 124 STREET NW Entryway: G2, 12016 - 124 STREET NW Building: G1, 12016 - 124 STREET NW																
<b>Scope of Application</b> To construct a Residential Use building in the form of a multi-unit Backyard House (2 Dwellings with Garage).																	
<b>Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;">                             1. Titled Lot Zoning: R5                              3. Overlay:                               5. Statutory Plan:                              7. Neighbourhood Classification: Redeveloping                         </td> <td style="width: 50%; border: none; vertical-align: top;">                             2. Number of Principal Dwelling Units To Construct: 0                              4. Number of Secondary Suite Dwelling Units to Construct: 2                              6. Backyard Housing or Secondary Suite Included?: Yes                              8. Development Category / Class of Permit: Discretionary Development                         </td> </tr> </table>			1. Titled Lot Zoning: R5 3. Overlay:  5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 0 4. Number of Secondary Suite Dwelling Units to Construct: 2 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Discretionary Development													
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<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Apr 30, 2026 <b>Development Authority:</b> SELTZ, AARON  <b>Reason for Refusal</b> 1. Site Area - The minimum Site Area is 75m <sup>2</sup> per Dwelling: Required: 750m <sup>2</sup> Proposed: 696m <sup>2</sup> Deficiency: 54m <sup>2</sup>  2. Maximum Dwellings - The maximum number of Dwellings for an interior Lot is 8. Required: 8 Dwellings Proposed: 10 Exceeds by: 2 Dwellings  <b>Rights of Appeal</b> The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																	
<b>Fees</b> <table style="width: 100%; border: none; margin-top: 10px;"> <thead> <tr> <th style="text-align: left; font-weight: normal;">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>Dev. Application Fee</td> <td style="text-align: right;">\$600.00</td> <td style="text-align: right;">\$600.00</td> <td style="text-align: right;">051922001001817</td> <td style="text-align: right;">Jan 12, 2025</td> </tr> <tr> <td>Lot Grading Fee</td> <td style="text-align: right;">\$310.00</td> <td style="text-align: right;">\$310.00</td> <td style="text-align: right;">051922001001817</td> <td style="text-align: right;">Jan 12, 2025</td> </tr> </tbody> </table>			Fee	Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$600.00	\$600.00	051922001001817	Jan 12, 2025	Lot Grading Fee	\$310.00	\$310.00	051922001001817	Jan 12, 2025
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THIS IS NOT A PERMIT																	
P0702003																	



# Application for Development Permit

Project Number: **533800379-002**  
Application Date: OCT 07, 2024  
Printed: April 30, 2026 at 4:45 PM  
Page: 2 of 2

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Total GST Amount:	\$0.00			
Totals for Permit:	\$910.00	\$910.00		

**THIS IS NOT A PERMIT**



**TO BE RAISED**

**ITEM III: 1:30 P.M.**

**FILE: SDAB-D-26-113**

**AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER**

APPELLANT:

APPLICATION NO.: 637957774-002

APPLICATION TO: Construct a Residential Use development in the form of a Cluster Housing with 2 Row Houses (each Row Housing has 4 principal Dwellings, 3 Secondary Suites and 1 basement development). Total of 14 Dwellings

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: April 2, 2026

DATE OF APPEAL: April 21, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5108 - 122 AVENUE NW

LEGAL DESCRIPTION: Plan 2645KS Blk 79 Lot 21, Plan 2645KS Blk 79 Lot 22

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: North Central District Plan

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***Grounds for Appeal***

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

I am an adjacent homeowner, and I strongly oppose the approved development permit planned for this site: cluster housing with 2 row houses (each row has 4 dwellings with 3 secondary suites) 14 dwellings! While I support infill developments, this development exceeds what these lots, this street, and the surrounding mature neighbourhood can sustain without significant negative impacts.

### 1. Over-Intensification Far Beyond the Area's Planned Capacity

These lots historically contained a single-family home. Replacing that modest home with 14 units creates a density level far beyond what the original subdivision, servicing, and street network were designed to support.

Newton already contains secondary suites and small infill homes, but this proposal crosses the threshold between gradual redevelopment and disproportionate intensification. This is especially significant because mature neighbourhoods have:

- Narrower lots
- Smaller rear lanes
- Older sewer and water systems
- Limited off-street parking opportunities
- Streets designed for the volume of the 1950s–60s, not modern multi-unit density This single project represents a dramatic and incompatible increase.

### 2. Parking, Traffic, and Street Function Impacts

Most family households now have 1- 2 vehicles. With 14 suites, the likely result is 14-28 vehicles added to a street that already struggles with:

- Limited curb space
- Existing basement suites
- Winter parking bans Snow ridges that reduce usable road width
- Mature boulevard trees limiting driveway expansion

### 3. Strain on Aging Municipal Infrastructure

Mature neighbourhoods like Newton were developed with mid-20th-century servicing standards, sized for single households per lot, not multi-unit developments. The cumulative pressure includes:

- Sewer capacity: Higher flows increase risk of sewer back-ups, especially during storm events.
- Water pressure: Additional units increase demand on small-diameter water lines. Stormwater drainage: Hard-surface increases reduce permeability and add load to an aging storm system.

- Electrical: Older neighbourhood transformers are not always built for multi-unit intensification.
- Road wear: More vehicles increase wear on already aging roads.

#### 4. Waste Generation, Bylaw Enforcement and Property Maintenance Issues

Higher-density rental properties statistically produce more waste, bulk items, and bylaws related concerns. This includes:

- Overflowing garbage and recycling
- Improper bin storage
- Mattresses, furniture, and bulk waste left in lanes
- Increased alley traffic and wear
- More calls to bylaw and police for noise or property maintenance issues
- The City often does not have the resources to respond rapidly, and the burden falls on neighbours.

#### 6. Neighbourhood Character, Stability, and Social Impacts

Research on mature neighbourhood redevelopment consistently shows that over intensification affects neighbourhood cohesion. Impacts include:

- Fewer owner-occupied homes
- Higher turnover rates
- Greater anonymity between residents
- Reduced neighbourhood safety
- Reduced long-term investment in property upkeep
- Loss of the mature residential feel that makes these neighbourhoods desirable

#### 7. Fire Safety and Emergency Response Considerations

More units and more vehicles mean more obstacles for emergency services. Narrower roadways due to parked vehicles can slow fire and EMS. Multi-unit structures require clear egress and accessible routes; when vehicles spill onto the street, these routes are compromised.

Newton is valued for its mature trees, quiet streets, and central location. Replacing one modest home with 14 separate households — without adequate parking, without proper setbacks, and without consideration for infrastructure limitations — risks permanently altering the character, safety, and livability of the block.

For these reasons, I respectfully request that the SDAB require that the development be reduced to a smaller scale that will revitalize the neighborhood rather than destroy it.

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

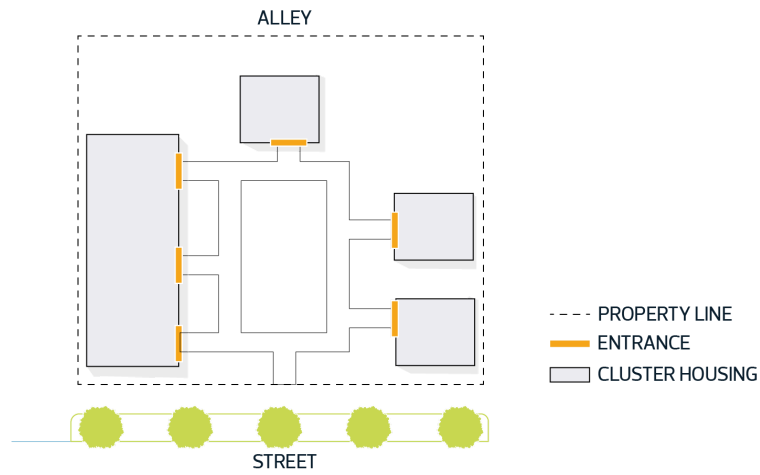
Under section 8.10, a **Residential Use** means:

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

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

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

a housing arrangement consisting of 2 or more principal residential buildings, other than Backyard Housing, on a Site that includes common property, such as communal Parking Areas, private roadways, Pathways, Amenity Areas, or maintenance areas that are shared.



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 2.10.1 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.


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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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	Project Number: <b>63795774-002</b> Application Date: NOV 24, 2025 Printed: April 14, 2026 at 9:19 AM Page: 1 of 10		
<b>Development Permit</b>			
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.			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 5108 - 122 AVENUE NW Plan 2645KS Blk: 79 Lot 21 5108 - 122 AVENUE NW Plan 2645KS Blk: 79 Lot 22  <b>Specific Address(es)</b> Suite: 12203 - 52 STREET NW Suite: 12205 - 52 STREET NW Suite: 12207 - 52 STREET NW Suite: 12209 - 52 STREET NW Suite: 5108 - 122 AVENUE NW Suite: 5110 - 122 AVENUE NW Suite: 5112 - 122 AVENUE NW Suite: 5114 - 122 AVENUE NW Suite: BSMT, 12203 - 52 STREET NW Suite: BSMT, 12207 - 52 STREET NW Suite: BSMT, 12209 - 52 STREET NW Suite: BSMT, 5108 - 122 AVENUE NW Suite: BSMT, 5110 - 122 AVENUE NW Suite: BSMT, 5114 - 122 AVENUE NW Entryway: 12203 - 52 STREET NW Entryway: 12205 - 52 STREET NW Entryway: 12207 - 52 STREET NW Entryway: 12209 - 52 STREET NW Entryway: 5108 - 122 AVENUE NW Entryway: 5110 - 122 AVENUE NW Entryway: 5112 - 122 AVENUE NW Entryway: 5114 - 122 AVENUE NW Building: 12203 - 52 STREET NW Building: 5108 - 122 AVENUE NW		
<b>Scope of Permit</b> To construct a Residential Use development in the form of a Cluster Housing with 2 Row Houses (each Row Housing has 4 principal Dwellings, 3 Secondary Suites and 1 basement development). Total of 14 Dwellings.			
<b>Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                     Development Category: Permitted Development                      Lot Grading Needed?: Y                      NumberOfMainFloorDwellings: 8                 </td> <td style="width: 50%; border: none;">                     Gross Floor Area (sq.m.): 1395                      New Sewer Service Required: N                      Overlay:                 </td> </tr> </table>		Development Category: Permitted Development Lot Grading Needed?: Y NumberOfMainFloorDwellings: 8	Gross Floor Area (sq.m.): 1395 New Sewer Service Required: N Overlay:
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P0702003			

	Project Number: <b>637957774-002</b> Application Date: NOV 24, 2025 Printed: April 14, 2026 at 9:19 AM Page: 2 of 10
<h2 style="margin: 0;">Development Permit</h2>	
<b>Details</b>	
Site Area (sq. m.): 1078.91	Statutory Plan:
<b>Development Permit Decision</b>	
Approved	
Issue Date: Apr 02, 2026      Development Authority: ANGELES, JOSELITO	
<b>Subject to the Following Conditions</b>	
GENERAL CONDITIONS:	
<p>This Development Permit authorizes the construction of a Residential Use development in the form of a Cluster Housing with 2 Row Houses (each Row Housing has 4 principal Dwellings, 3 Secondary Suites and 1 basement development). Total of 14 Dwellings.</p> <p>The development must be constructed in accordance with the approved plans. Any revisions to the approved plans require a separate Development Permit application.</p> <p>The Development Permit is not valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled (Subsection 7.190.2.1.1).</p> <p>WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a development permit notification sign (Subsection 7.160.2.2).</p> <p>All mechanical equipment, except for Solar Collectors, must be concealed by screening in a manner compatible with the architectural character of the building or by incorporating it within the building (Subsection 5.120.1.1.2).</p> <p>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. It must also generally be directed downwards, except where directed towards the Site or architectural features located on the Site. Outdoor lighting must be designed to provide an appropriately -lit environment at building entrances, outdoor Amenity Areas, parking facilities, and Pathways, and must not interfere with the function of traffic control devices (Subsection 5.120.3).</p> <p>Outdoor Common Amenity Area(s) must include seating and lighting, and must be accessible by all residents of the site (Subsection 5.20.6).</p>	
LANDSCAPING:	
<p>1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner must pay a Development Permit Inspection Fee of \$560.00 (this can be paid by phone with a credit card - 780-442-5054).</p> <p>2. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, in accordance with Section 5.60 the applicant or property owner must provide a guaranteed security for \$19,429.39 to ensure 100% of the minimum landscaping is provided and maintained for two growing seasons. The Landscape Security may take the following forms:                  Cheque                  Irrevocable letter of credit                  Development bond                  Please contact <a href="mailto:dplandscaping@edmonton.ca">dplandscaping@edmonton.ca</a> to submit the required Landscape Security.</p> <p>3. Landscaping must be installed in accordance with the approved Landscape Plan, Section 5.60, and to the satisfaction of the Development Planner.</p> <p>4. Any change to an approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being</p>	
P0702003	

## Development Permit

installed.

5. 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 (Section 5.60.9). To request a landscape inspection, visit [www.edmonton.ca/landscapeinspectionrequest](http://www.edmonton.ca/landscapeinspectionrequest).

6. If at the time of the first landscape inspection the required landscaping has been fully installed, up to 80% of the Landscape Security may be returned. 20% must be retained to ensure landscaping is maintained in a healthy condition for a minimum of 24 months (Section 5.60.10.3).

7. If the landscaping is not completed in accordance with the approved Landscape Plan(s) within one growing season after completion of the development, or if the landscaping is not well maintained and in a healthy condition for a minimum of 24 months after completion of the landscaping, the City may draw on the security for its use absolutely (Section 5.60.10.9).

Applicants MUST adhere to the following:

8. 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](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.

9. 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.

The City of Edmonton Public Tree Bylaw

<https://www.edmonton.ca/sites/default/files/public-files/assets/Bylaws/BL18825.pdf?cb=1634287158>

Apply for the Public Tree Permit

<https://www.edmonton.ca/treep permit>

### SUBDIVISION DEVELOPMENT (TRANSPORTATION) CONDITIONS:

1. The existing approximate 7.2 m private crossing to 122 Avenue located on the east property line, must be removed with reconstruction of the curb, gutter sidewalk, and restoration of the grassed boulevard within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

As this residential crossing is shared with the adjacent alley, the removal of the driveway access will result in the requirement for the construction of the alley flare on the west side of the adjacent north-south alley crossing to 122 Avenue. This alley flare must be constructed to meet the City of Edmonton Complete Streets Design and Construction Standards.

The owner/applicant must obtain a Permit to remove the access, available from Development Services, [developmentpermits@edmonton.ca](mailto:developmentpermits@edmonton.ca).

2. The existing connector walk with stairs along 122 Avenue in the road right of way must be removed with redevelopment of the site. Permanent objects including concrete steps, ramps, retaining walls, railings, fencing, planters, 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.

3. A Public Tree Permit will be required for any boulevard trees within 5 meters of the site; trees must be protected during construction as per the Public Tree Bylaw 18825. If tree damage occurs, all tree related costs will be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value on full or partial tree loss as well as

## Development Permit

all operational and administrative fees. The owner/applicant must contact City Operations, Parks and Roads Services at [citytrees@edmonton.ca](mailto:citytrees@edmonton.ca) to arrange any clearance pruning or root cutting prior to construction.

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. Utility Safety Partners (Online: <https://utilitiesafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; [www.digshaw.ca](http://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 removal shall be at the expense of the owner/applicant.

5. Any alley, sidewalk 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 [trevor.singbeil@edmonton.ca](mailto:trevor.singbeil@edmonton.ca) for an onsite inspection 72 hours prior to and following construction of the access. In Trevor's absence, please contact [developmentinspections@edmonton.ca](mailto:developmentinspections@edmonton.ca).

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:

- the start/finish date of project;
- accommodation of pedestrians and vehicles during construction;
- reconfirmation of lay down area within legal road right of way if required; 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](https://www.edmonton.ca/business_economy/oscam-permit-request.aspx)

### SUBDIVISION DEVELOPMENT FILL IN CONDITIONS:

1. The existing approximate 7.2 m private crossing to 122 Avenue located on the east property line, must be removed with reconstruction of the curb, gutter sidewalk, and restoration of the grassed boulevard within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

As this residential crossing is shared with the adjacent alley, the removal of the driveway access will result in the requirement for the construction of the alley flare on the west side of the adjacent north-south alley crossing to 122 Avenue. This alley flare must be constructed to meet the City of Edmonton Complete Streets Design and Construction Standards.

The applicant must contact Trevor Singbeil of Development Inspections at 780-496-7019 for inspection 72 hours prior to and following removal of the driveway access.

2. A Public Tree Permit will be required for any boulevard trees within 5 meters of the site; trees must be protected during construction as per the Public Tree Bylaw 18825. If tree damage occurs, all tree related costs will be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value on full or partial tree loss as well as all operational and administrative fees. The owner/applicant must contact City Operations, Parks and Roads Services at [citytrees@edmonton.ca](mailto:citytrees@edmonton.ca) to arrange any clearance pruning or root cutting prior to construction.

3. 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. Utility Safety Partners (Online: <https://utilitiesafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; [www.digshaw.ca](http://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 removal shall be at the expense of the owner/applicant.

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## Development Permit

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- a. the start/finish date of project;
- b. accommodation of pedestrians and vehicles during construction;
- c. confirmation of lay down area within legal road right of way if required; and
- d. 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](https://www.edmonton.ca/business_economy/oscam-permit-request.aspx)

### EPCOR WATER SERVICES CONDITIONS:

1. There is a 250 mm PVC water main 1.2 m east of the east property line of Lots 21 and 22 in the lane east of 52 Street adjacent to the subject site. 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](mailto:waterlandadmin@epcor.com).

### Subject to the Following Advisements

#### GENERAL ADVISEMENTS:

1. Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.
2. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.
3. An issued Development Permit means that the proposed development has been reviewed against the provisions of the Zoning 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).
4. Any proposed change from the original issued Development Permit is 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.
5. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.
6. 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](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.
7. In the event that tree removal or relocation is required on City of Edmonton land, including road right-of-way, all costs associated



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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.

8. 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. 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](http://epcor.com/newconnection) and click 'ONLINE APPLICATION' for instructions on the plan submission process. The lot 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](mailto:lot_grading@edmonton.ca) for review and approval.

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

### FIRE RESCUE SERVICES ADVISEMENTS:

Upon review of the noted development application, Edmonton Fire Rescue Services has the following advice for your implementation and information:

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

2) Emergency access path widths must be a minimum of 0.9 m 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](https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329)

3) A fire safety plan conforming to Section 2.8 of the Fire Code shall be prepared, kept on site, and made available to a Fire Safety Codes Officer upon request.

Reference: NFC(2023-AE) 5.6.1.3.(1) Fire Safety Plan  
 "A fire safety plan conforming to Section 2.8. shall be prepared"

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.

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>

4) To meet the requirements of the Fire Code, protection of adjacent properties during construction must be considered.

Reference: NFC(2023-AE) 5.6.1.2.(1) Protection of Adjacent Building

"Measures shall be taken to mitigate fire spread to adjacent buildings and facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations"

Reference: Protection of Adjacent Building- STANDATA - Joint fire/building code interpretation:

<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>



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## Development Permit

Kind regards,  
 Kelly Willis  
 FSCO Group B, Level 11  
 Please send ALL FRS DP review inquiries to [cmsfpts@edmonton.ca](mailto:cmsfpts@edmonton.ca)

### EPCOR WATER SERVICES ADVISEMENTS:

#### 1. Servicing for the two lots for the subject site:

1a. Lot 22, 5108 122 AVENUE NW is serviced by a 20 mm copper water service (N36355) located 9.4 m north of the north property line of 122 Avenue off of the lane east of 52 Street. 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.

1b. Lot 21, 12207 52 STREET NW is not currently serviced with water.

1c. 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.

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.

3. A new water service may be constructed for this lot directly off EPCOR's 250 mm water main along the lane east of 52 Street adjacent to the subject site.

4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at [wass.drainage@epcor.com](mailto:wass.drainage@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.


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](http://www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html).

5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at [wass.drainage@epcor.com](mailto:wass.drainage@epcor.com) or at 780-496-5444.

6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at [EWSinspections@epcor.com](mailto:EWSinspections@epcor.com) or 780-412-3850.

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.

8. The proposed development encompasses 2 separately titled lots (Lots 21 & 22). 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. Each lot must be provided with a separate and individual service, or the lots must be consolidated under one title. Serviced buildings must be contained within one lot and cross lot servicing will not be permitted.

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<p>9. It is our understanding that the lots will be consolidated. As such the development will have Multiple services providing service to the subject site. As per the City of Edmonton Design and Construction Standards Volume 4 (December 2024) Section 1.9.1.6.2, a Caveat of Restrictive Covenant for Check Valve Installation must be registered on title where more than one service is provided to a single lot. Check valves must be installed and maintained at the applicant's expense where looping of the water main back to the public system is planned or exists.</p> <p>9a. Please note that at consolidation if more than one service remains to the new lot the Caveat of Restrictive Covenant for Check Valve Installation will be conditioned. If only one service is planned for the new lot please provide that information at the time of consolidation.</p> <p>9b. If two or more services will be provided to the lot, please contact <a href="mailto:waterlandadmin@epcor.com">waterlandadmin@epcor.com</a> to initiate the restrictive covenant process.</p> <p>9c. Please include the following information in the "Caveat of Restrictive Covenant for Check Valve Installation" request email:</p> <ul style="list-style-type: none"> <li>- The Development Permit application number</li> <li>- The site address</li> <li>- The reason for the request (Caveat of Restrictive Covenant for Check Valve Installation)</li> <li>- Recent Land Title Certificate (no older than 7 days from the date of request)</li> </ul> <p>9d. It is the owner's/applicant's responsibility to ensure that the abovementioned information is provided at the time of request. Once this information is received, this process can take up to 4 weeks."          There is a 250 mm PVC water main 1.2 m east of the east property line of Lots 21 and 22 in the lane east of 52 Street adjacent to the subject site. 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 <a href="mailto:waterlandadmin@epcor.com">waterlandadmin@epcor.com</a>.</p> <p>10. An Infill Fire Protection Assessment (IFPA) is not required for this development with the lots as two separate, Small Scale Residential (RS) zoned lots, however, should there be rezoning of the site an IFPA may be required.</p> <p>11. 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.</p> <p>12. 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).</p> <p>13. 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.</p> <p>14. 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.</p> <p>15. The advisements and conditions provided in this response are firm and cannot be altered.</p> <p>Should you require any additional information, please contact Sarah Chileen at <a href="mailto:schileen@epcor.com">schileen@epcor.com</a>.</p>	
<p><b>WASTE MANAGEMENT SERVICES ADVISEMENTS:</b></p>	
<p>Waste Services has reviewed the proposed plan "PLOT PLAN" dated 24/11/25 and has no concerns to identify during this review.</p>	
<p>P0702003</p>	



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## Development Permit

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.

The green cart equivalency program while maintaining 1.0 m spacing between carts and any other objects such as vehicles, fences, power poles, etc. has been approved for this proposed development with 14 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 21 carts: 14 x 240 L for garbage and 7 x 240 L for food scraps.

Please note:

Residents would be required to share their food scraps carts.

Residents will be required to set out garbage and food scraps carts on collection day as per the set-out instructions.

Residents would use blue bags for recycling.

Due to the width of the development lot not being able to accommodate the space required for setting out carts for Curbside Service, the carts from this development will be collected from the rear lane as well as 122 Avenue NW. This will allow for the cart spacing requirements to be met, utilizing the Curbside Collection program. It is the responsibility of the applicant or owner to ensure residents have access to the rear lane for waste set out.

In order for Curbside Collection to occur off of 122 Avenue NW, appropriate 'no parking' signs need to be installed at the expense of the applicant. The applicant must contact Parks and Roads Services via [parkingassets@edmonton.ca](mailto:parkingassets@edmonton.ca) to arrange for signage installation. Waste carts for the property will not be delivered until Waste Services verifies that the 'no parking' signage has been properly installed.

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.

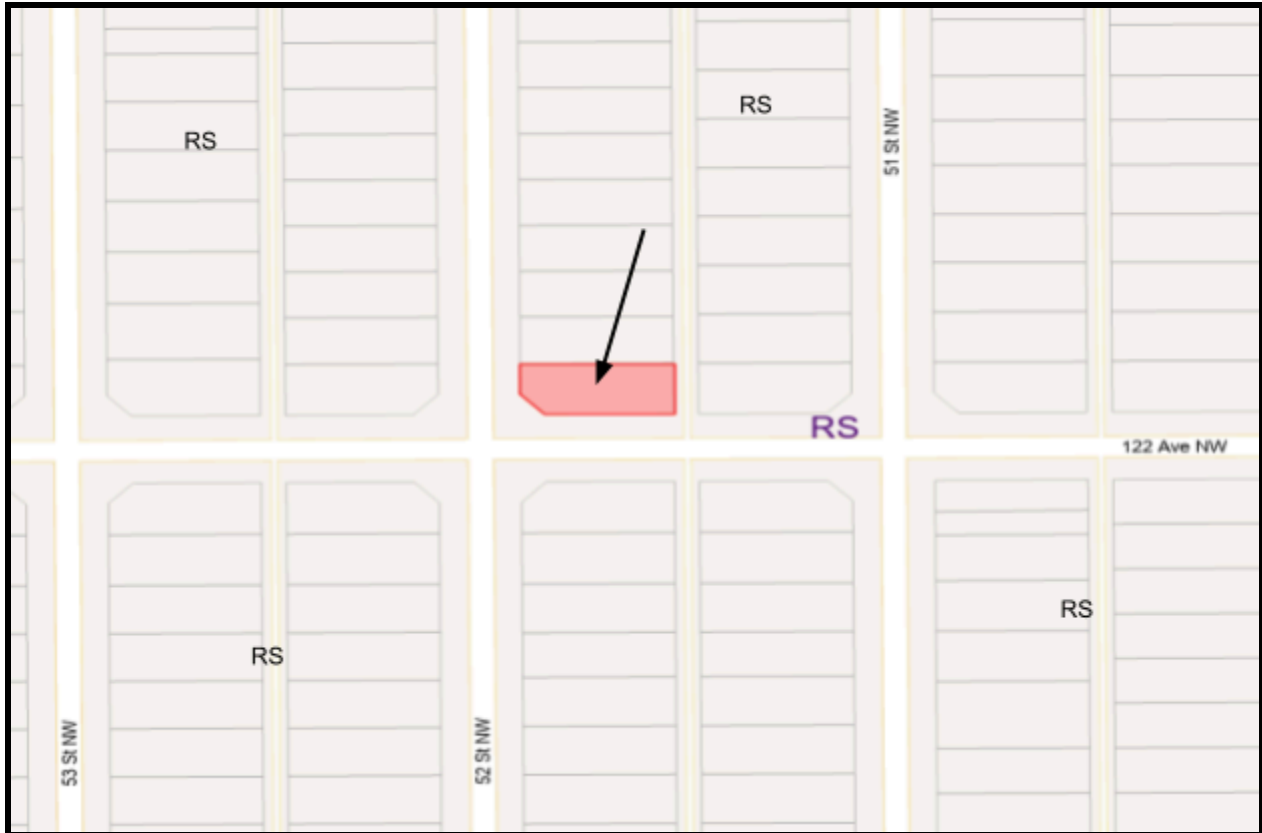
For developments with rear lanes, waste will only be collected from the rear lane for all dwellings in the development. It is the responsibility of the owner to ensure all residents have access to the rear lane for waste set out.

If you require any further clarifications, please contact us.

### LOT GRADING ADVISEMENT:

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.

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**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-26-113

▲  
**N**