

SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA

Thursday, 9:00 A.M.
August 6, 2026

VIRTUAL HEARINGS

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
VIRTUAL HEARINGS**

I 9:00 A.M. SDAB-D-26-183

Construct exterior alterations to a Single Detached House (Driveway extension, right 2.4 m x 7.6 m), existing without permits

4016 - 8 STREET NW
Project No.: 485600908-002

TO BE RAISED

II 10:15 A.M. SDAB-D-26-184

Construct exterior alterations to a Residential Use building (additional Driveway, new garage door)

39 - WESTBROOK DRIVE NW
Project No.: 656966240-002

III 1:30 P.M. SDAB-D-26-188

Change the use of an Indoor Sales and Service use to Liquor Store

3210 - 118 AVENUE NW
Project No.: 663137465-002

NOTE: *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-183

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 485600908-002

APPLICATION TO: Construct exterior alterations to a Single Detached House
(Driveway extension, right 2.4 m x 7.6 m), existing
without permits

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 29, 2026

DATE OF APPEAL: July 9, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 4016 - 8 STREET NW

LEGAL DESCRIPTION: Plan 1224110 Blk 1 Lot 29

ZONE: RSF - Small Scale Flex Residential

OVERLAY: N/A

STATUTORY PLAN: Maple Neighbourhood Structure Plan
The Meadows Area Structure Plan

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:

The purpose of the driveway extension is to improve the functionality and safety of my property while also helping reduce on-street parking congestion in the neighborhood. The additional driveway space allows

vehicles to be parked entirely on my property instead of along the roadway, helping keep the street clearer for residents and visitors.

The driveway extension has been completed in a manner that complements the existing property and maintains a clean, well-kept appearance. It is used solely for residential purposes and does not negatively impact the surrounding neighborhood.

I have also spoken with the neighboring property owners who are directly affected by the driveway extension, and they have expressed that they have no objections to it. They understand the benefits of reducing street parking and improving access to the property. In addition, I have obtained written letters of support from my neighbors, which are included with this appeal for your consideration.

I respectfully ask the City to consider the practical benefits of the driveway extension, including:

- Reducing on-street parking congestion.
- Improving safe and convenient access to the property.
- Keeping vehicles fully on private property rather than on the roadway.
- Maintaining the residential character of the neighborhood.
- Having the support of the neighboring property owners most directly affected by the driveway extension.

I respectfully ask that the City also take into consideration the fact that the driveway extension has the support of my neighbors, who are the individuals most directly impacted by it.

I appreciate your time and consideration of this appeal. I respectfully request that my appeal be approved. I would be happy to provide any additional information or answer any questions if required.

Thank you for your consideration.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or

(c) issues an order under section 645,

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

...

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

- ...
- (a.1) must comply with any applicable land use policies;
 - (a.2) subject to section 638, must comply with any applicable statutory plans;
 - (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;
 - (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- ...
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
 - (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Zoning Bylaw 20001*:

Under section 2.20.2.2, 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.”

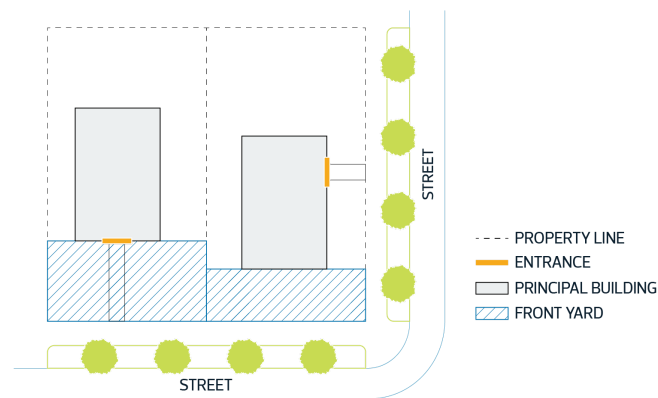
Under section 8.20, **Driveway** means:

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.



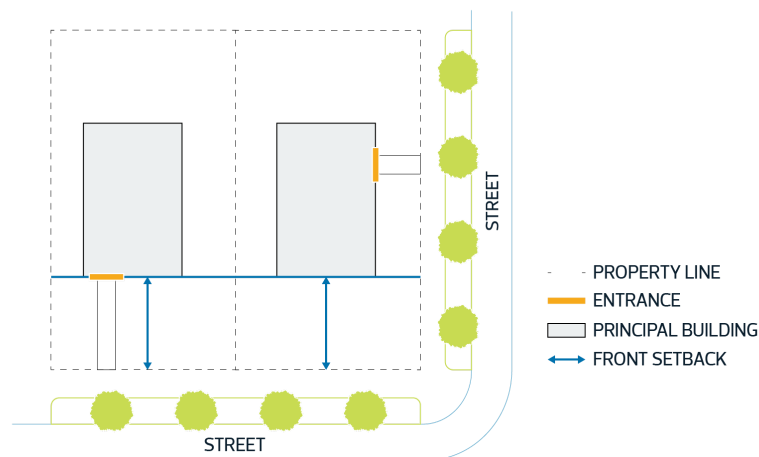
Under section 8.20, **Front Yard** means:

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.

<i>Site Circulation and Parking Regulations for Small Scale Residential Development</i>
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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 extension does not lead to the Garage.

2. Driveway Width - The maximum Driveway width is equal to the width of the Garage. (Subsection 5.80.2.1.5.2.)

Maximum width: 9.2 m

Proposed: 11.6 m

Exceeds by: 2.4 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 extension is located within the Front Yard.

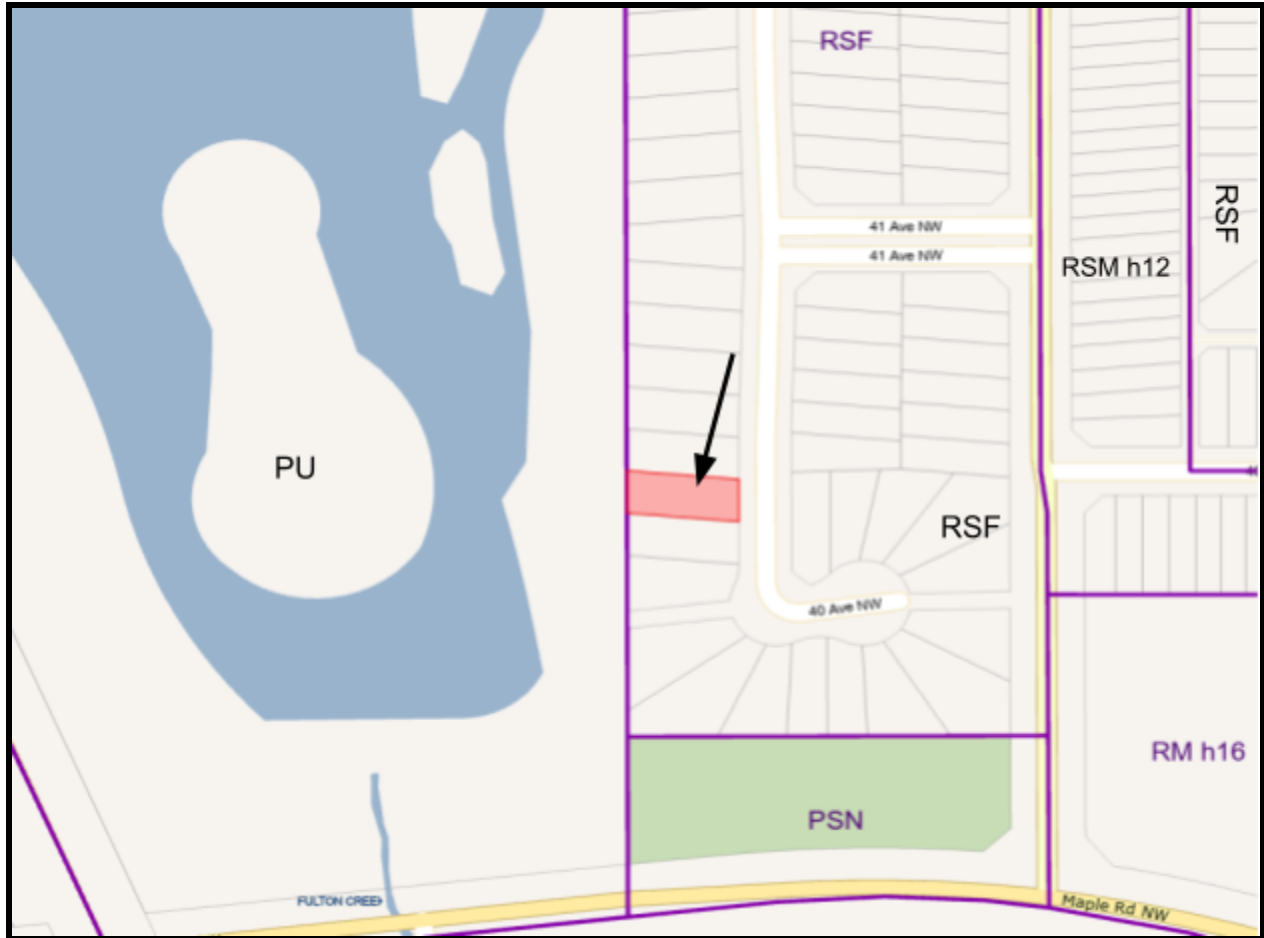
[unedited]

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.

		Project Number: 485600908-002 Application Date: DEC 06, 2023 Printed: June 29, 2026 at 11:41 AM Page: 1 of 2	
Application for Driveway Extension Permit			
This document is a Development Permit Decision for the development application described below.			
Applicant		Property Address(es) and Legal Description(s) 4016 - 8 STREET NW Plan 1224110 Blk 1 Lot 29	
Scope of Application To construct exterior alterations to a Single Detached House (Driveway extension, right 2.4 m x 7.6 m), existing without permits.			
Details			
Development Category: Site Area (sq. m.): 534.63		Overlay: Statutory Plan:	
Development Application Decision Refused Issue Date: Jun 29, 2026 Development Authority: FOLKMAN, JEREMY 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 extension does not lead to the Garage. 2. Driveway Width - The maximum Driveway width is equal to the width of the Garage. (Subsection 5.80.2.1.5.2.) Maximum width: 9.2 m Proposed: 11.6 m Exceeds by: 2.4 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 extension is 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			
	Fee Amount	Amount Paid	Receipt #
Development Application Fee	\$180.00	\$180.00	010221001001494
Total GST Amount:	\$0.00		
Totals for Permit:	\$180.00	\$180.00	
THIS IS NOT A PERMIT			
P0702003			

	Project Number: 485600908-002 Application Date: DEC 06, 2023 Printed: June 29, 2026 at 11:41 AM Page: 2 of 2 Application for Driveway Extension Permit
THIS IS NOT A PERMIT P0702003	



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-183

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TO BE RAISED

ITEM II: 10:15 A.M.

FILE: SDAB-D-26-184

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 656966240-002

APPLICATION TO: Construct exterior alterations to a Residential Use building (additional Driveway, new garage door)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 29, 2026

DATE OF APPEAL: July 2, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 39 - WESTBROOK DRIVE NW

LEGAL DESCRIPTION: Plan 4160MC Blk 1 Lot 19

ZONE: RS - Small Scale Residential Zone

OVERLAY: North Saskatchewan River Valley and Ravine System
Protection Overlay

STATUTORY PLAN: North Saskatchewan River Valley Area Redevelopment
Plan

DISTRICT PLAN: Whitemud District Plan

<i>Grounds for Appeal</i>

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

We are appealing the refusal of our Application for Driveway Extension Permit. The proposed development would provide additional storage space for a recreational vehicle without materially impacting the amenities, use,

or enjoyment of neighbouring properties. The variance requested, relating to the number of driveways, is minor in nature and does not detract from the character of the area. In accordance with Section 687(3)(d) of the Municipal Government Act, the proposed development conforms to the use prescribed for the land and would not unduly interfere with the amenities of the neighbourhood or the use, enjoyment, or value of neighbouring parcels.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on July 8, 2026:

“That the appeal hearing be scheduled on August 5 or 6, 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;

...

- (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.

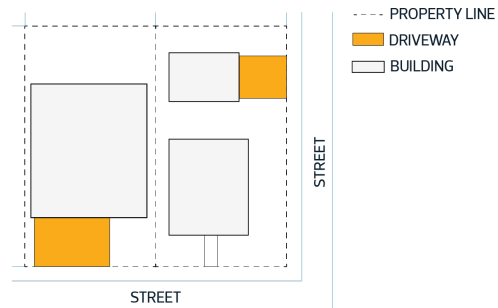
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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.”

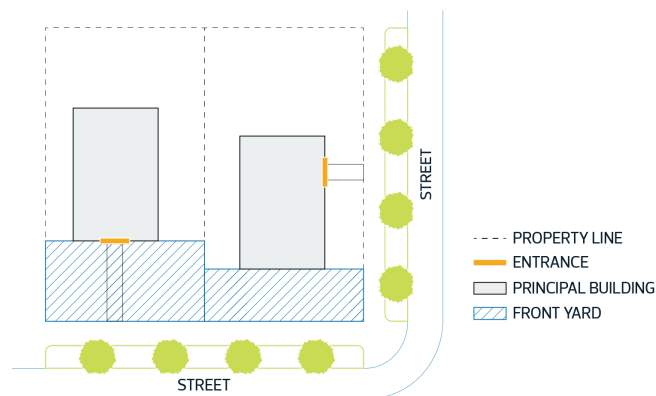
Under section 8.20, **Driveway** means:

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.



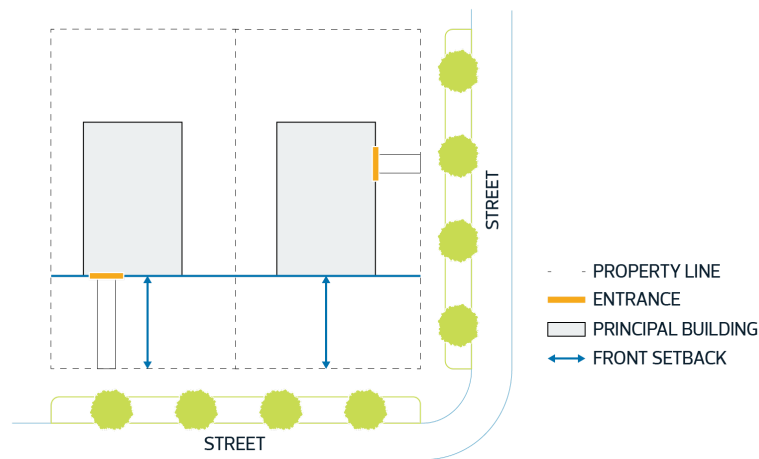
Under section 8.20, **Front Yard** means:

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.

Section 2.260.1 states that the **Purpose** of the **RVO - North Saskatchewan River Valley and Ravine System Protection Overlay** is:

To provide a development Setback from the North Saskatchewan River Valley and Ravine System and mitigate the risks associated with top-of-bank landslides, erosions, and other environmental hazards.

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

Number of Driveways - Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling. (Subsection 5.80.2.1.3)

Proposed: Two total Driveways with Street access.

[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: 656966240-002 Application Date: MAY 05, 2026 Printed: June 29, 2026 at 4:40 PM Page: 1 of 1																					
Application for Driveway Extension Permit																							
This document is a Development Permit Decision for the development application described below.																							
Applicant Project Name: 39 Westbrook Dr. rev.		Property Address(es) and Legal Description(s) 39 - WESTBROOK DRIVE NW Plan 4160MC Blk 1 Lot 19																					
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Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Discretionary Development Site Area (sq. m.): 1971.76 </td> <td style="width: 50%;"> Overlay: Statutory Plan: </td> </tr> </table>				Development Category: Discretionary Development Site Area (sq. m.): 1971.76	Overlay: Statutory Plan:																		
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Development Application Decision Refused Issue Date: Jun 29, 2026 Development Authority: SMITH, BRADLEY2 Reason for Refusal Number of Driveways - Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling. (Subsection 5.80.2.1.3) Proposed: Two total Driveways with Street access. Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																							
Building Permit Decision No decision has yet been made.																							
Fees <table border="0" style="width: 100%;"> <thead> <tr> <th></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$195.00</td> <td style="text-align: right;">\$195.00</td> <td style="text-align: right;">062308000004131</td> <td style="text-align: right;">May 05, 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>Totals for Permit:</td> <td style="text-align: right;">\$195.00</td> <td style="text-align: right;">\$195.00</td> <td></td> <td></td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$195.00	\$195.00	062308000004131	May 05, 2026	Total GST Amount:	\$0.00				Totals for Permit:	\$195.00	\$195.00		
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THIS IS NOT A PERMIT																							
PG702003																							



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-184



ITEM III: 1:30 P.M.

FILE: SDAB-D-26-188

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 663137465-002

APPLICATION TO: Change the use of an Indoor Sales and Service use to
Liquor Store

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 6, 2026

DATE OF APPEAL: July 9, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 3210 - 118 AVENUE NW

LEGAL DESCRIPTION: Plan 5624RS Blk 12 Lot 2

ZONE: MU - Mixed Use Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: North Central District Plan

Grounds for Appeal

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

To appeal a refused development permit

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

or

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

Hearing and Decision

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

...

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

...

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

and

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

General Provisions from the Zoning Bylaw 20001:

Under section 2.80.2.12, a **Liquor Store** is a **Permitted Use** in the **MU - Mixed Use Zone**.

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

Section 2.80.3.10 states “Liquor Stores must comply with Section 6.70.”

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

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

Section 6.70 - Liquor Stores

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

Table 1. Minimum Separation Distance

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

2. For the purposes of Subsection 1, when measuring separation distances:
 - 2.1 from Site to Site, the distance is measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and not Zone boundaries; and
 - 2.2 from store to store, the distance is measured from the closest point of the Liquor Store to the closest point of another Liquor Store.

Diagram for Subsection 2

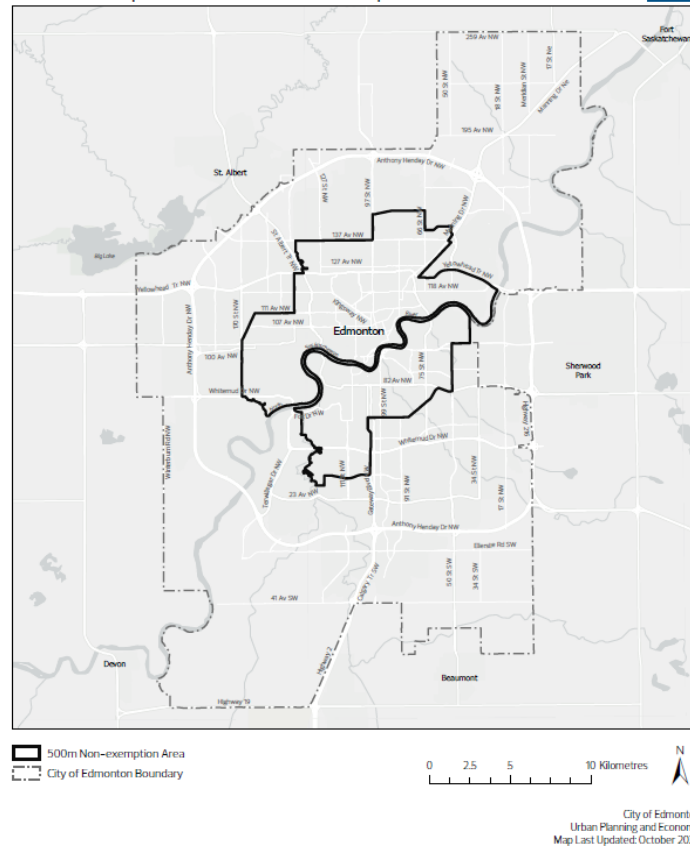


3. Despite Subsection 1.1, the minimum separation distance required between Liquor Stores does not apply to Sites located outside of the boundary shown in Appendix I, if:
 - 3.1 at least 1 Liquor Store is located on a Site greater than or equal to 2.5 ha that is Zoned CG, CB, MU, or Direct Control; and
 - 3.2 the Liquor Stores are located on separate Sites.
4. Despite Subsections 1.2 and 1.3, the minimum separation distance required between a Liquor Store and Schools, or between a Liquor Store and the PS, PSN, or A Zones, does not apply where the Liquor Store is located on a Site that is greater than 2.0 ha in size and zoned either MU, CG, or Direct Control.
5. **No variance to Subsection 1 is permitted**, except that, at the discretion of the Development Planner, the minimum separation distance to another Liquor Store may be varied to accommodate the temporary relocation of an approved Liquor Store within 500 m of its original location, where:

- 5.1 the temporary location is not within 500 m of any other Liquor Store with a valid Development Permit;
- 5.2 the Floor Area of the temporary location is not more than 50.0 m² larger than the total Floor Area of the original Liquor Store;
- 5.3 the Development Permit is issued for a duration of 5 years or less; and
- 5.4 the Development Permit expires upon the relocation of the existing approved Liquor Store back to its original location.

Appendix I

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



Development Planner's Determination

1. The proposed Liquor Store does not comply with the minimum separation distance requirement from other approved Liquor Stores (Subsection 6.70.1.1):

3404 - 118 Avenue NW (055286648-001):

Required Separation Distance: 500m

Proposed Separation Distance: 107m

Deficient by 393m

11708 - 34 Street NW (000106001-001):

Required Separation Distance: 500m

Proposed Separation Distance: 256m

Deficient by 244m

Note: Under Subsection 6.70.5 of the Zoning Bylaw, the Development Officer is prohibited from granting the necessary variances to allow for the proposed Liquor Store.

[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.

		Application for Development Permit		Project Number: 663137465-002 Application Date: JUN 18, 2026 Printed: July 6, 2026 at 12:56 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) 3210 - 118 AVENUE NW Plan 5624RS Blk 12 Lot 2													
		Specific Address(es) Suite: 11845 - 34 STREET NW Entryway: 11845 - 34 STREET NW Building: 11845 - 34 STREET NW													
Scope of Application To change the use of an Indoor Sales and Service use to Liquor Store.															
Details <table border="1" style="width: 100%;"> <tr> <td> Development Category: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Site Area (sq. m.): </td> <td> Gross Floor Area (sq.m.): New Sewer Service Required: Overlay: Statutory Plan: </td> </tr> </table>						Development Category: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Site Area (sq. m.):	Gross Floor Area (sq.m.): New Sewer Service Required: Overlay: Statutory Plan:								
Development Category: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Site Area (sq. m.):	Gross Floor Area (sq.m.): New Sewer Service Required: Overlay: Statutory Plan:														
Development Application Decision Refused Issue Date: Jul 06, 2026 Development Authority: TODD, ADAM Reason for Refusal 1. The proposed Liquor Store does not comply with the minimum separation distance requirement from other approved Liquor Stores (Subsection 6.70.1.1): 3404 - 118 Avenue NW (055286648-001): Required Separation Distance: 500m Proposed Separation Distance: 107m Deficient by 393m 11708 - 34 Street NW (000106001-001): Required Separation Distance: 500m Proposed Separation Distance: 256m Deficient by 244m Note: Under Subsection 6.70.5 of the Zoning Bylaw, the Development Officer is prohibited from granting the necessary variances to allow for the proposed Liquor Store. 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.															
Fees <table border="1" style="width: 100%;"> <thead> <tr> <th></th> <th>Fee Amount</th> <th>Amount Paid</th> <th>Receipt #</th> <th>Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td>\$415.00</td> <td>\$415.00</td> <td>008833000000517</td> <td>Jun 30, 2026</td> </tr> </tbody> </table>							Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$415.00	\$415.00	008833000000517	Jun 30, 2026
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Major Dev. Application Fee	\$415.00	\$415.00	008833000000517	Jun 30, 2026											
THIS IS NOT A PERMIT															
PG702003															

	Application for Development Permit				Project Number: 663137465-002 Application Date: JUN 18, 2026 Printed: July 6, 2026 at 12:56 PM Page: 2 of 2
Fees					
	Fee Amount	Amount Paid	Receipt #	Date Paid	
Total GST Amount:	\$0.00				
Totals for Permit:	\$415.00	\$415.00			
THIS IS NOT A PERMIT					
P0702003					

