

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.
August 13, 2026

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

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
River Valley Room, City Hall

I 9:00 A.M. SDAB-D-26-193

Erect a fence at 2.6m in Height in the Rear and
Side Yard

7220 - 92B AVENUE NW
Project No.: 660589446-002

II 10:30 A.M. SDAB-D-26-194

Erect a fence at 2.6m in Height in the Rear Yard
and Flanking Side Yard

11347 - 35 AVENUE NW
Project No.: 661686193-002

III 1:30 P.M. SDAB-D-26-195

Construct a Residential Use building in the form
of a 4 Dwelling Row House with 4 secondary
suites and unenclosed front porch

8935 - 117 STREET NW
Project No.: 655467231-002

ITEM I: 9:00 A.M.FILE: SDAB-D-26-193AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 660589446-002

APPLICATION TO: Erect a fence at 2.6m in Height in the Rear and Side Yard

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 26, 2026

DATE OF APPEAL: July 16, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 7220 - 92B AVENUE NW

LEGAL DESCRIPTION: Plan 6450KS Blk 25 Lot 35

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 am appealing the refusal of my application to increase my existing backyard fence from 2.0 metres to 2.6 metres. The purpose of this fence extension is simple: to provide my family and me with a reasonable level of privacy so we can comfortably enjoy our backyard.

Our yard is directly overlooked by the neighbouring property to the east. Windows on that property have clear sightlines into our yard, and security cameras face toward our property, including areas containing bedroom

windows and our hot tub. The additional fence height would allow us to use our backyard without feeling like we are being watched or recorded.

The proposed extension would not block sunlight, views, or access for any neighbouring property. If anything, it would only reduce a small amount of our own early morning sunlight. The fence extension along the shared property line would run the full length of the fence. I would also like to point out that this neighbour already has a permanent garage structure occupying approximately half of the shared fence line. While I do not know the specific basis of her objection, I believe this existing structure demonstrates that the proposed fence extension would not create any meaningful additional impact. The section where the additional privacy is most needed is the short 3–4 fence-post span between the house and garage, where there would be no detrimental effect on any person or structure.

I would also like the Board to know that the adjacent neighbour previously told us she had no objection to the fence provided we obtained the proper permit. I have a video recording confirming this statement. We followed the City's process, submitted a comprehensive application, paid the required fees, and made every effort to do things properly.

Unfortunately, that same neighbour later objected to the application. She also has a well-documented history of filing complaints and creating conflict with neighbours, including hundreds of pages of FOIP records involving repeated complaints, the vast majority of which have been frivolous. I raise this point not to criticize her personally, but because I do not believe a longstanding pattern of complaints should outweigh the actual merits of an otherwise reasonable application.

At the end of the day, this application is simply a request for an additional 60 centimetres of fence height in a rear yard. It does not change the use of the property, create safety concerns, block sunlight, or negatively affect surrounding homes. The primary result is that it gives our family a reasonable level of privacy in our own backyard. It would also improve the neighbour's privacy by preventing direct views between our properties, including into the rear bedroom windows of her home.

I respectfully ask the Board to consider the actual impacts of this proposal rather than relying solely on the fact that objections were received. Neighbour objections are an important part of the process, but they should be weighed against the real and measurable effects of the development. In this case, there is no meaningful impact on surrounding properties, while the benefit to our family's privacy and enjoyment of our home is substantial.

We are simply asking for the opportunity to enjoy our backyard without feeling exposed to neighbouring windows and cameras. I believe this is a reasonable request, and I respectfully ask the Board to allow this appeal and approve the development permit.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

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

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

or

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

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

Hearing and Decision

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

...

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

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

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

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

...

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

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

- (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

Under section 8.20, **Accessory** means “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.”

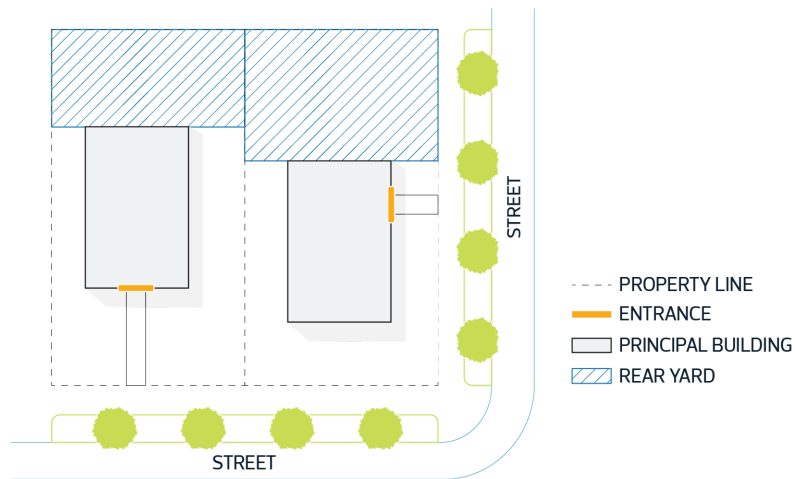
Under section 8.20, **Fence** means:

a structure that is constructed at ground level and used to prevent or restrict passage, mark a boundary, or provide visual screening, noise reduction, or Landscaping. A Fence is not a Privacy Screen.

Under section 8.20, **Height** means “a vertical distance between 2 points. Where described as a Modifier in a regulation, this is represented as the letter “h” and a number on the Zoning Map.”

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

the portion of a Site Abutting the Rear Lot Line, extending across the full width of the Site, and located between the Rear Lot Line and the nearest wall of the principal building, not including projections or Backyard Housing.



Section 2.10.1 states that the **Purpose** of the **RS - Small Scale Residential Zone** is:

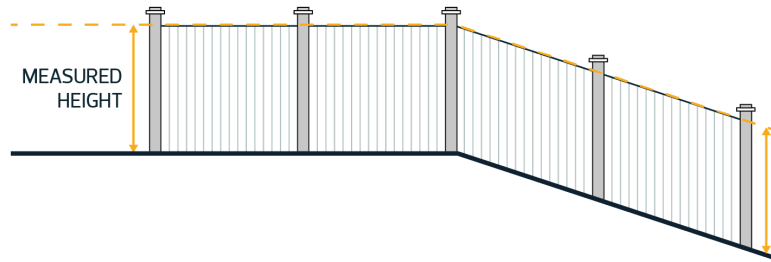
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Fence

Section 5.100.2.1 states:

The Height of a Fence is measured from the highest point along the portion of a Fence, excluding structural posts, to the finished ground surface directly beneath the Fence at that point.

Diagram for Subsection 2.1



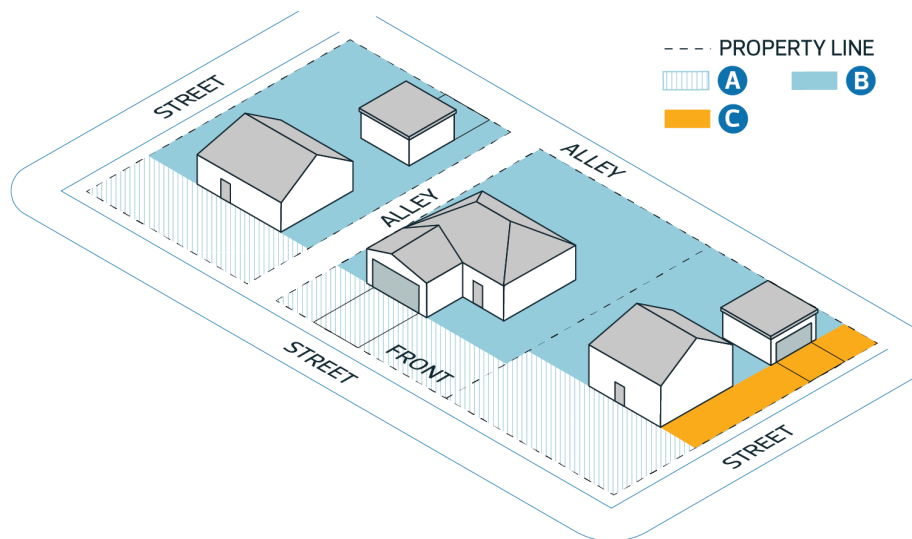
Section 5.100.2.2 states:

Maximum Fence Height must comply with Table 2.2:

Table 2.2. Fence Height Regulations

Subsection	Regulation	Value	Symbol
2.2.1.	Maximum Height in Front Yards	1.3 m	A
2.2.2.	Maximum Height in all other Yards	2.0 m	B

Diagram for Subsection 2.2



Section 5.100.2.3 states:

Despite Subsection 6.1.1 of Section 7.100, to provide additional screening from Nuisances from Abutting Sites or Streets, the Development Planner may vary the Height of a Fence, or a portion of a Fence, in compliance with the following:

2.3.1. Where the maximum Height of a Fence is 1.3 m, it may be varied up to a maximum Height of 2.0 m.

2.3.2. Where the maximum Height of a Fence is 2.0 m, it may be varied up to a maximum Height of 2.6 m.

Under section 8.20, **Nuisance** means:

the external impact caused by an activity that is reasonably likely to interfere with the use and enjoyment of an individual's property, due to:

- a. the frequency, time of day and day of the week the activity occurs;
- b. the proximity of the activity to neighbouring properties;
- c. the nature and use of the surrounding area; or
- d. the effects of the activity on the surrounding area.

Typical examples include emission of noise, smoke, dust, vapour, odour, heat, light, fumes, or unsightly or unsafe conditions, or use of toxic or hazardous materials.

Development Planner's Determination

Fence Height - The maximum Fence Height in the Rear and Side Yard is 2.0m (Subsection 5.100.2.2.2).

Proposed: 2.6m

Exceeds by: 0.6m

[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: 660589446-002 Application Date: JUN 01, 2026 Printed: June 26, 2026 at 9:02 AM Page: 1 of 1																					
Application for Overheight Fence Permit																							
This document is a Development Permit Decision for the development application described below.																							
Applicant Project Name: Fence Height Extension Privacy Screen		Property Address(es) and Legal Description(s) 7220 - 92B AVENUE NW Plan 6450KS Blk 25 Lot 35 Location(s) of Work Suite: 7220 - 92B AVENUE NW Entryway: 7220 - 92B AVENUE NW Building: 7220 - 92B AVENUE NW																					
Scope of Application To erect a fence at 2.6m in Height in the Rear and Side Yard.																							
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Discretionary Development Site Area (sq. m.): 656.37 </td> <td style="width: 50%;"> Overlay: Statutory Plan: </td> </tr> </table>				Development Category: Discretionary Development Site Area (sq. m.): 656.37	Overlay: Statutory Plan:																		
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Development Application Decision Refused Issue Date: Jun 26, 2026 Development Authority: OLTHUIZEN, JORDYN Reason for Refusal Fence Height - The maximum Fence Height in the Rear and Side Yard is 2.0m (Subsection 5.100.2.2.2). Proposed: 2.6m Exceeds by: 0.6m 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 Not Applicable Not required.																							
Fees <table border="0" style="width: 100%; margin-top: 10px;"> <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;">03176F000000460</td> <td style="text-align: right;">Jun 01, 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; border-top: 1px solid black;">\$195.00</td> <td style="text-align: right; border-top: 1px solid black;">\$195.00</td> <td></td> <td></td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$195.00	\$195.00	03176F000000460	Jun 01, 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-26-193



N

ITEM II: 10:30 A.M.FILE: SDAB-D-26-194AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 661686193-002

APPLICATION TO: Erect a fence at 2.6m in Height in the Rear Yard and
Flanking Side Yard was refused because The Fence must
not exceed 2.0m in HeightDECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 16, 2026

DATE OF APPEAL: July 16, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 11347 - 35 AVENUE NW

LEGAL DESCRIPTION: Plan 7521271 Blk 83 Lot 1

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Whitemud District Plan

<i>Grounds for Appeal</i>

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

Unlike the 2 houses on 34 Ave and 106 street, with solid wooden fences at least 8 feet tall,
Our proposed see-through metal fence does not affect view, does not affect local traffic

Please see attachments

We were not prepared to prove the neighbors were wrong at the Tribunal meeting in Oct 2025,

So our proposal was rejected by the Tribunal October 30, 2025

This reapplication is totally different: we have all the new information and new evidence at our hands. Now the new evidence shed light to our reapplication.

We are entitled to approval of Development Planner approval,
However, the Development Planner wrote to us, Its just how the process works. Since the SDAB overturned the last decision it wouldn't make sense for me to approve it so that's why it has to go this way this time. It is essentially the same thing though except it will be faster because you can appeal my decision right away and don't have to wait as long for the hearing.

This is the reason why we are guided to appeal the refusal of Development Permit Decision by

Please let us summarize our new evidence

In brief, those people who appealed only gave subjective remarks, no actual proof. Their houses in fact block views and one house has a giant structure in backyard.

#1 The appealant

has no precedent for fences of this height

Wrong: we had sent you photos of the 2 houses on 34 Ave and 106 street. (Just like our household, these 2 houses are both at corner lots). The fences are at least 8 feet tall, as indicated by the existence of the bus stop shelter.

comment Metal fence: industrial

Wrong: Please see the photos of different varieties of metal fences in residential houses in Greenfield

#2 household

misleading statement

- The view from our dining room, kitchen, deck and backyard will be negatively affected if this fence is taller than the current fence as we look out across the alley to the park and beyond. This fence will block this view and sense of peaceful nature

Please see photos of this house. We took the photo in the back lane,.

is on the right side of the photo. Where is the block of view?

This households view can be blocked by the huge tall trees and cottage at the shared fence of

Our house, no trees in backyard, is on the left side of photo. A see-through metal fence of additional about 2 feet has no impact on the view of household

Household stated the fences are meant to look more uniform

Wrong: who set this rule??

Please see attachment:,

1.solid cottage of : at least 3 to 4 feet above the fence.,

2.Giant tower of

3.Overheight strcture on top of fence 112 St , 37 Ave

3 Household misleading statement

Household stated All other fences in our community are around 1.8m

Incorrect. Please see photos of the 2 houses on 34 Ave and 106 street, which are at least 8 feet tall

Household also stated The north facing fence will block sunlight and can impact sunlight to my home, gardens, patio I just built, and my yard feel darker and unfriendly.

Wrong: Please see photo of this household having tall trees along the shared fence, blocking sunlight to its own house. Additional about 0.6 m see-through metal fence of our house will not affect this Household at all

4 re: Household misleading statement

household stated, "Obstructed view due to fence."

Wrong. Please see photos of this house, which is separated from our house by a back lane. There is no obstructed view at all: both houses are located independently of each other

Instead. this households broad, tall trees and solid cottage can block views of other houses.

<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,

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Hearing and Decision

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- (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
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and

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

General Provisions from the Zoning Bylaw 20001:

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

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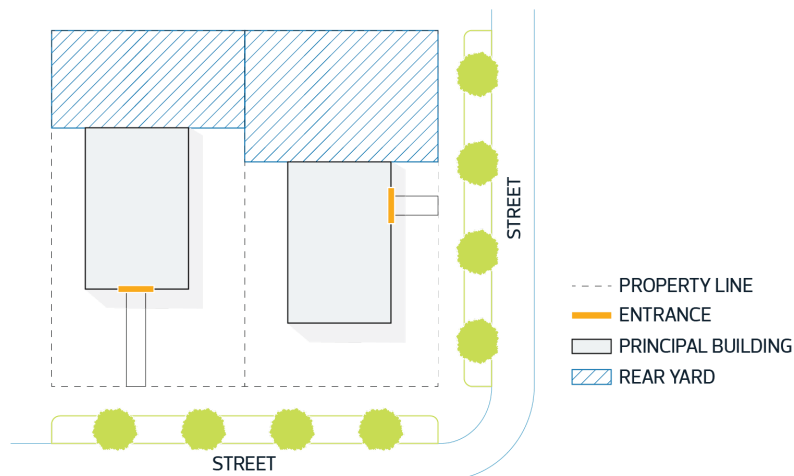
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the portion of a Site Abutting the Rear Lot Line, extending across the full width of the Site, and located between the Rear Lot Line and the nearest wall of the principal building, not including projections or Backyard Housing.



Section 2.10.1 states that the **Purpose** of the **RS - Small Scale Residential Zone** is:

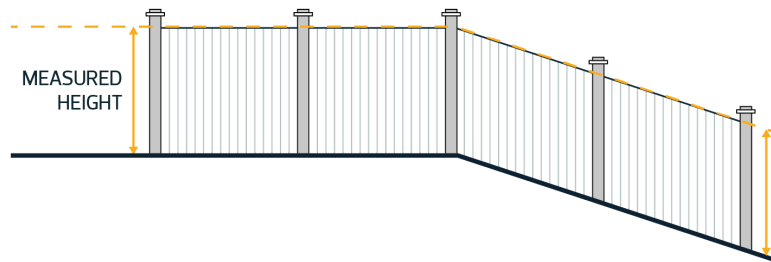
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Fence

Section 5.100.2.1 states:

The Height of a Fence is measured from the highest point along the portion of a Fence, excluding structural posts, to the finished ground surface directly beneath the Fence at that point.

Diagram for Subsection 2.1



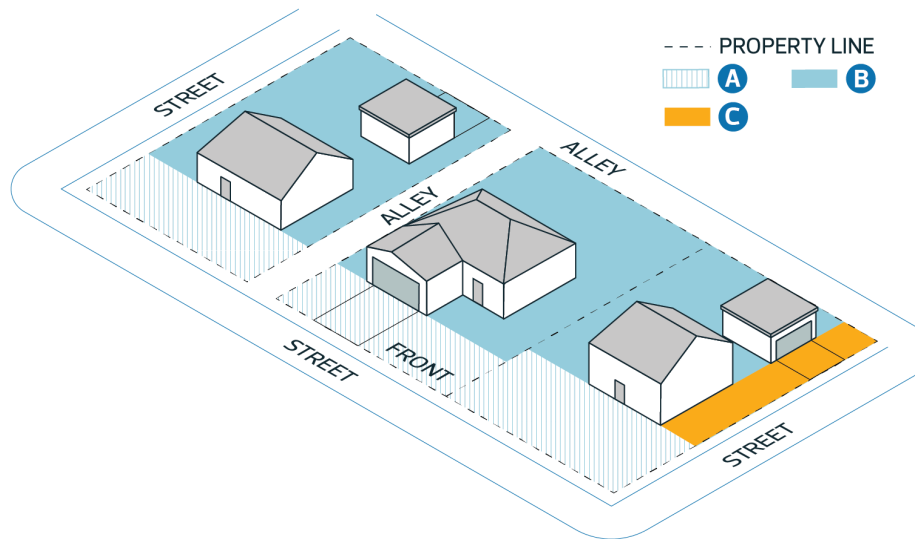
Section 5.100.2.2 states:

Maximum Fence Height must comply with Table 2.2:

Table 2.2. Fence Height Regulations

Subsection	Regulation	Value	Symbol
2.2.1.	Maximum Height in Front Yards	1.3 m	A
2.2.2.	Maximum Height in all other Yards	2.0 m	B

Diagram for Subsection 2.2



Section 5.100.2.3 states:

Despite Subsection 6.1.1 of Section 7.100, to provide additional screening from Nuisances from Abutting Sites or Streets, the Development Planner may vary the Height of a Fence, or a portion of a Fence, in compliance with the following:

2.3.1. Where the maximum Height of a Fence is 1.3 m, it may be varied up to a maximum Height of 2.0 m.

2.3.2. Where the maximum Height of a Fence is 2.0 m, it may be varied up to a maximum Height of 2.6 m.

Under section 8.20, **Nuisance** means:

the external impact caused by an activity that is reasonably likely to interfere with the use and enjoyment of an individual's property, due to:

- a. the frequency, time of day and day of the week the activity occurs;
- b. the proximity of the activity to neighbouring properties;
- c. the nature and use of the surrounding area; or
- d. the effects of the activity on the surrounding area.

Typical examples include emission of noise, smoke, dust, vapour, odour, heat, light, fumes, or unsightly or unsafe conditions, or use of toxic or

hazardous materials.

Development Planner's Determination

Fence Height - The Fence must not exceed 2.0m in Height (Subsection 5.100.2.2.2).

Required: 2.0 m

Proposed: 2.6 m

Deficient by: 0.6 m

[unedited]

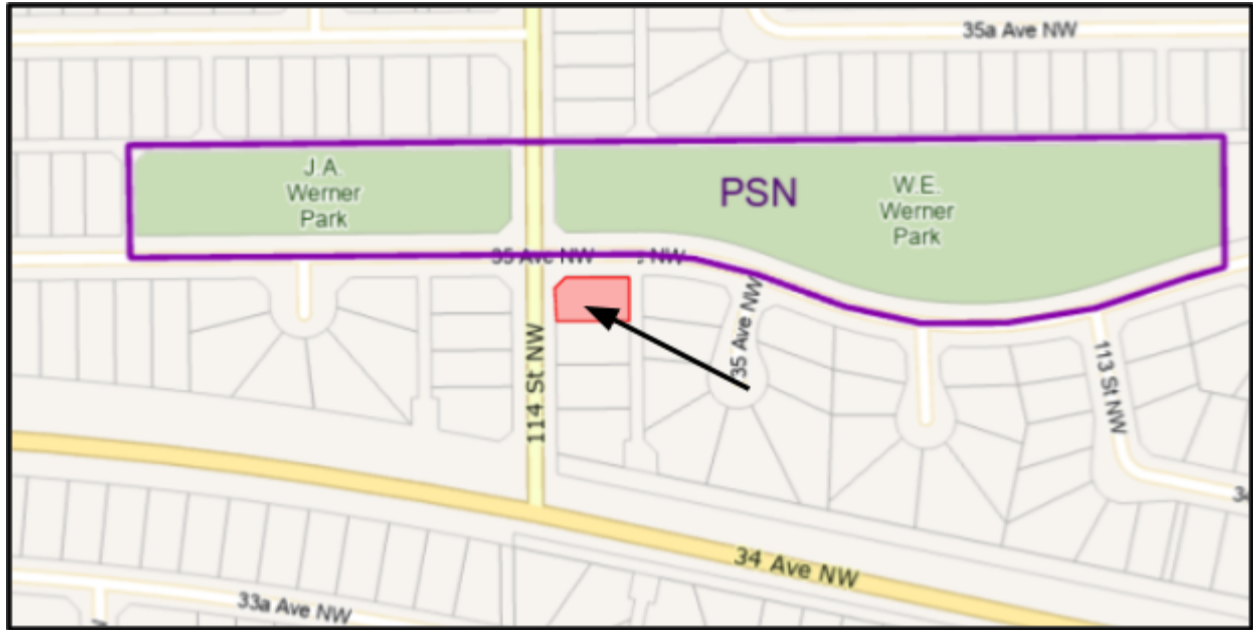
Previous Subdivision and Development Appeal Board Decision

Application Number	Description	Decision
SDAB-D-25-145	To erect a fence @ 2.6m in Height in the Rear Yard and Flanking Side Yard.	October 30, 2025; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is REFUSED.

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: 661686193-002 Application Date: JUN 09, 2026 Printed: July 16, 2026 at 12:10 PM Page: 1 of 1		
Application for Overheight Fence Permit				
This document is a Development Permit Decision for the development application described below.				
Applicant		Property Address(es) and Legal Description(s) 11347 - 35 AVENUE NW Plan 7521271 Blk 83 Lot 1		
		Location(s) of Work Suite: 11347 - 35 AVENUE NW Entryway: 11347 - 35 AVENUE NW Building: 11347 - 35 AVENUE NW		
Scope of Application To erect a fence at 2.6m in Height in the Rear Yard and Flanking Side Yard.				
Details				
Development Category: Discretionary Development Site Area (sq. m.): 670.63		Overlay: Statutory Plan:		
Development Application Decision Refused Issue Date: Jul 16, 2026 Development Authority: POTTER, CHRISTINA Reason for Refusal Fence Height - The Fence must not exceed 2.0m in Height (Subsection 5.100.2.2.2). Required: 2.0 m Proposed: 2.6 m Deficient by: 0.6 m 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 #	Date Paid
Development Application Fee	\$195.00	\$195.00	093281000008134	Jun 09, 2026
Total GST Amount:	\$0.00			
Totals for Permit:	\$195.00	\$195.00		
THIS IS NOT A PERMIT				
P0702003				



ITEM III: 1:30 P.M.

FILE: SDAB-D-26-195

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 655467231-002

APPLICATION TO: Construct a Residential Use building in the form of a 4 Dwelling Row House with 4 secondary suites and unenclosed front porch

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: June 19, 2026

DATE OF APPEAL: July 16, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 8935 - 117 STREET NW

LEGAL DESCRIPTION: Plan 1252AH Blk 27 Lot 12

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

<i>Grounds for Appeal</i>

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

The Development Authority erred in granting the development permit. The proposed development does not comply with the provisions of the Zoning

bylaw including but not restricted to site size, landscaping and building size.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or

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

or

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

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

Hearing and Decision

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

...

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
- (i) the proposed development would not

- (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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

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

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

Under section 8.20, **Dwelling** means:

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

Section 2.10.1 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.

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: 655467231-002 Application Date: APR 22, 2026 Printed: June 19, 2026 at 4:16 PM Page: 1 of 8	
		Development Permit	
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.			
Applicant		Property Address(es) and Legal Description(s) 8935 - 117 STREET NW Plan 1252AH Blk 27 Lot 12	
		Specific Address(es) Suite: 8935 - 117 STREET NW Suite: 8937 - 117 STREET NW Suite: 8939 - 117 STREET NW Suite: 8941 - 117 STREET NW Suite: MNFL, 8935 - 117 STREET NW Suite: MNFL, 8937 - 117 STREET NW Suite: MNFL, 8939 - 117 STREET NW Suite: MNFL, 8941 - 117 STREET NW Entryway: 8935 - 117 STREET NW Entryway: 8937 - 117 STREET NW Entryway: 8939 - 117 STREET NW Entryway: 8941 - 117 STREET NW Building: 8935 - 117 STREET NW	
Scope of Permit To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 secondary suites and unenclosed front porch.			
Details			
1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping		2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development	
Development Permit Decision Approved Issue Date: Jun 19, 2026 Development Authority: ANGELES, JOSELITO Subject to the Following Conditions GENERAL CONDITIONS: This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with 4 secondary suites and unenclosed front porch. The development must be constructed in accordance with the approved drawings. 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).			
P0702003			

Development Permit

Unenclosed steps require a minimum setback of 0.6 m from Lot lines (Subsection 2.10.4.6.). If the unenclosed steps are oriented toward the Interior Side Lot Line, a minimum distance of 1.1 m must be maintained between the Interior Side Lot Line and the unenclosed steps (Subsection 2.10.4.8.1.).

Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)

Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade, and focus light away from surrounding Sites to minimize Nuisance; generally be directed downwards, except where directed towards the Site or architectural features located on the Site; be designed to provide an appropriately-lit environment at building entrances, outdoor Amenity Areas, parking facilities, and Pathways; and not interfere with the function of traffic control devices (Subsection 5.120.3).

Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner.

Any change to the approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed.

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.

SUBDIVISION PLANNING (TRANSPORTATION) - CONDITIONS:

1. Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination. This area within the alley road right-of-way must not exceed a slope of 8%. All parking stalls perpendicular to the alley must be a minimum length of 5.5 m.
2. The existing connector sidewalk to the City sidewalk on 117 Street NW must be removed and restored with grassed boulevard to the west property line within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.
3. There is an existing wooden power pole with street light and transformer adjacent to the site that may interfere with access to the proposed on-site parking stalls / garages. The applicant is responsible to contact EPCOR Electricity at ces@epcor.com about the conflict and to resolve the issue as required. The applicant is responsible for all costs associated with any required mitigative action (including but not limited to: removal / relocation / modification) associated with the conflict.

Should it be determined that the existing wood power pole with streetlight requires relocation, there is a separate process required in order to relocate the streetlight.

All costs associated with permanent street light installations, relocations, removals or any other related work on street light infrastructure, including street light infrastructure on wood poles, is the responsibility of the developer. An independent lighting submission is required for review and approval in eplan, and post construction documentation is required for review and approval in eplan. To Initiate the Engineering Drawing review process and Servicing Agreement process, please contact Development.Coordination@Edmonton.ca. Refer to the City of Edmonton Road and Walkway Lighting Design Manual for plan submission requirements and post construction documentation requirements.

For further information regarding the streetlight relocation process, please contact Shawn Jacobs at shawn.jacobs@edmonton.ca.

4. There are existing boulevard trees that must be protected. Prior to construction, a Public Tree Permit is required for all work, including haul routes, within 5 meters of a boulevard/open space tree and 10 meters of a natural stand as per Public Tree Bylaw 18825. Trees will require physical tree protection fencing and anti-compaction methods as part of the overall protection plan. For

	Project Number: 655467231-002 Application Date: APR 22, 2026 Printed: June 19, 2026 at 4:16 PM Page: 3 of 8
Development Permit	
more information on City of Edmonton Tree Protection, please visit the Public Tree Permit Webpage. The owner/applicant must contact City Operations, Parks and Roads Services at citytrees@edmonton.ca to arrange any clearance pruning or root cutting prior to construction. If tree damage occurs, all costs related to remedial tree work, including full tree removal, will be enforced and shall be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value as well as operational and administrative fees. Anti-compaction must cover the entire access width between tree protection fencing and must be kept in good working condition. No excavation or disturbance is permitted within 3 meters of City of Edmonton trees without consultation from Urban Forestry. If the project comes into conflict with tree roots 2 inches or greater in diameter during excavation, Urban Forestry is required to be notified for further consultation. Roots 2" or greater in diameter play an integral role in tree structure, stability as well as health, and the removal of them could have a negative impact on the tree. The significance of that impact will be determined by the Forester as well as if any compensation will be required from the proponent. Please be advised that Elm trees have been identified within proximity to the proposed project. Elm pruning is prohibited from April 1 to September 30, annually to prevent the spread of Dutch Elm disease as per the Community Standards Bylaw 14600. All pruning requests for these trees should be made from October 1 and March 31. Any pruning requests outside of October 1st - March 31st are subject to the approval of an Elm pruning permit. Urban Forestry will not support the removal of large limbs if a significant portion of that tree is conditionally affected or lost because of the construction of the building (i.e. greater than 30% of its entire existing canopy or root zone). Please ensure that the proposed building footprint is reviewed in conjunction with the surrounding tree canopy to identify and mitigate these conflicts. All costs associated with the removal, replacement, pruning, remediation or transplanting of trees shall be covered by the Proponent as per the Corporate Tree Management Policy (C456C). Forestry will schedule and carry out all required tree work involved with this project. Please contact 311 to be connected with Urban Forestry to arrange a meeting. Contact to Urban Forestry must be made a minimum 4 weeks in advance of the construction start date in order facilitate tree work. All trees must be protected until removal plans are approved and being actively coordinated by the project with Urban Forestry. 5. Permanent objects including steps, railings, retaining walls, 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. 6. 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) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant. 7. 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. 8. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include: a. the start/finish date of project; b. accommodation of pedestrians and vehicles during construction; c. confirmation of lay down area within legal road right of way if required; d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site. It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at: https://www.edmonton.ca/business_economy/oscam-permit-request.aspx	
P0702003	



Project Number: **655467231-002**
 Application Date: APR 22, 2026
 Printed: June 19, 2026 at 4:16 PM
 Page: 4 of 8

Development Permit

EPCOR WATER SERVICES CONDITIONS:

1. The IFPA (Infill Fire Protection Assessment) review has determined that Fire Protection for the proposed development for this site is adequate. No upgrade is required.

2. 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 EW/SI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 19626 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.

Subject to the Following Adviseements

GENERAL ADVISEMENTS:

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

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

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

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

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.

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 and click 'ONLINE APPLICATION' for instructions on the plan submission process.

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

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

Please be advised that if the grading plan review results in changes to your approved drawings to incorporate a Low Impact

P0702003

	Project Number: 655467231-002 Application Date: APR 22, 2026 Printed: June 19, 2026 at 4:16 PM Page: 5 of 8
Development Permit	
Development (LID) grading design, it is the owner/applicant's responsibility to inform the Urban Planning and Economy department. This notification is necessary to determine whether a new development permit is required. Signs require separate Development Permit application(s). SUBDIVISION PLANNING (TRANSPORTATION) - ADVISEMENTS: 1.If Waste Services have concerns with the site submission as it relates to carts/bins, then any revisions to the design of the parking/waste area must be recirculated to Subdivision and Development Coordination. This may result in further changes to the site plan or additional conditions. FIRE RESCUE SERVICES ADVISEMENTS: Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal, however, we have the following advisements for your implementation and information: 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 2) Emergency access path widths must be a minimum of 0.9m and the path must be of a hard surface and accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered. https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329 3) The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction. Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan Have the plan ready for review in-person at the first construction site safety inspection by a Fire Safety Codes Officer (Fire SCO). The applicant of a building permit declares that they are aware of the project team's responsibility to have an FSP prepared according to section 5.6 of the NFC(AE). A Fire SCO may attend a site at any reasonable hour and will review the FSP. The owner or constructor must have the FSP in place and ready for review in accordance with section 5.6 of the NFC(AE). You can locate a copy of the FSP guide for your reference here: https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=1692102771 4) To meet the requirements of the National Fire Code - 2023 Alberta Edition, Sentence 5.6.1.2.(1), protection of adjacent properties during construction must be considered. Reference: NFC(2023-AE) 5.6.1.2 Protection of Adjacent Building "Protection shall be provided for adjacent buildings or facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations" https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-plan-construction-sites Reference: Protection of Adjacent Building- STANDATA - Joint fire/building code interpretation: Measures to mitigate fire spread to adjacent buildings	
P0702003	

	Project Number: 655467231-002 Application Date: APR 22, 2026 Printed: June 19, 2026 at 4:16 PM Page: 6 of 8
Development Permit	
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 5) All developments must comply with the firefighting water supply requirements within City of Edmonton Design and Construction Standard, Volume 4: Water. This item is reviewed by EPCOR Water, and any deficiencies will be conditioned accordingly. If this site is eligible for the Infill Fire Protection Assessment, EFRS Engineering will process the IFPA request from EPCOR Water. Please note that the scope of this assessment is limited to the on-street fire protection requirements within the municipal water standard (Volume 4) and does not directly address any regulatory requirements under the National Building Code- 2023 Alberta Edition. 6) If applicable, ensure provisions for firefighting are in accordance with: -NBC(AE-2023), Div. B, 3.2.5 Provisions for Firefighting -City of Edmonton, Design and Construction Standard Volume 2: Complete Streets. -City of Edmonton, Design and Construction Standard Volume 4: Water (owned and operated by EPCOR Water). Kind regards, Matthew McKellar FSCO Group B, Level II Please send ALL FRS DP review inquiries to cmsfpts@edmonton.ca EPCOR WATER SERVICES ADVISEMENTS: - The site is currently serviced by a 20 mm copper water service (S8268) located 12.8 m north of the south property line of Lot 12 off of the lane east of 117 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. 1a. The existing service is not of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development. 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 200 mm water main along the lane east of 117 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@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. 5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@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 P0702003	

	Project Number: 655467231-002 Application Date: APR 22, 2026 Printed: June 19, 2026 at 4:16 PM Page: 7 of 8
Development Permit	
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. In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA005-11b for permitted water service configurations. 9. Due to the built-form in this development, verification that the Required Fire Flow of this development does not exceed the Available Fire Flow at this site is required to support this application. Edmonton Fire Rescue Services, Fire Protection Engineer must assess if Fire Protection of this site is adequate via an Infill Fire Protection Assessment (IFPA). 10. The IFPA (Infill Fire Protection Assessment) review has determined that Fire Protection for the proposed development for this site is adequate. No upgrade is required. 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. 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 (December 2024). 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. 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. 15. The advisements and conditions provided in this response are firm and cannot be altered. Should you require any additional information, please contact Sarah Chileen at schileen@epcor.com.	
WASTE MANAGEMENT SERVICES ADVISEMENTS: Waste Services has reviewed the proposed plan "PLOT PLAN" dated 5/4/26 and has no concerns to identify during this review. This review follows Waste Services' current standards and practices and will expire when the Development Permit expires. Adding any number of additional dwellings beyond what is indicated in this letter may result in changes to your waste collection. Waste Services reserves the right to adjust the collection method, location, or frequency to ensure safe and efficient service. Additional information about waste service at your proposed development: Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton. Refer to Developer Standards for Residential Waste Collection for developments receiving residential collection. 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	
P0702003	

	Project Number: 655467231-002 Application Date: APR 22, 2026 Printed: June 19, 2026 at 4:16 PM Page: 8 of 8																														
Development Permit																															
The responsibility for wear and tear or damages. The green cart equivalency program and an exemption to reduce the spacing required to 0.5 m between carts 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 8 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 12 carts: 8 x 240 L for garbage and 4 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. 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. 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. Rights of Appeal This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.																															
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