

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Friday, 9:00 A.M.
August 21, 2026

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

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

I 9:00 A.M. SDAB-D-26-206

To construct a mixed-use commercial building (CRU - B, including an Indoor Sales and Service and a Child Care Service for up to 350 children, DESROCHERS VILLAGE SHOPPING CENTRE)

3803 - HERITAGE VALLEY TRAIL SW
Project No.: 652129612-002

II 10:30 A.M. SDAB-D-26-207

To construct a Residential Use building in the form of a Single Detached House with a front attached Garage, unenclosed front porch, balcony, fireplace, Basement development (NOT to be used as an additional Dwelling), to develop a Secondary Suite in a portion of the Basement, and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

14620 - 85 AVENUE NW
Project No.: 650113261-002

III 1:30 P.M. SDAB-D-26-208

To construct exterior alterations to a Residential Use building (pathway extension, 5.4 m x 1.2 m)

3394 - CUTLER CRESCENT SW
Project No.: 653997509-002

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-206

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 652129612-002

APPLICATION TO: Construct a mixed-use commercial building (CRU - B, including an Indoor Sales and Service and a Child Care Service for up to 350 children, DESROCHERS VILLAGE SHOPPING CENTRE)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: July 8, 2026

DATE OF APPEAL: July 24, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 3803 - HERITAGE VALLEY TRAIL SW

LEGAL DESCRIPTION: Plan 2620172 Blk 25 Lot 28

ZONE: CG - General Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: Desrochers Neighbourhood Area Structure Plan

DISTRICT PLAN: Southwest District Plan

<i>Grounds for Appeal</i>

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

Re: Development Permit Notice for 3803 Heritage Valley Trail SW, Plan 2620172, Block 25, Lot 28

Proposed Development: Mixed-Use Commercial Building Including Child Care Service for up to 350 Children

We are the owners and residents of 3004 Dixon Landing SW in the Desrochers community, where we operate a licensed home-based Child Care Program. After more than two years of effort and significant financial investment, we were finally able to open our Child Care Program on July 2, 2026. The permitting process and construction took over 2 years, during which we continued to carry the financial burden of maintaining both the Child Care property and our family residence without any income from the Child Care operation. Since I am just a salaried employee and not a business person with limited income, this has placed our family and organization under severe financial strain, and we have yet to start recovering from these challenges.

We are deeply concerned about the proposed development of a 350-child capacity Child Care facility located approximately 50 meters from our Child Care program. As a small, community-based non-profit organization (certificate of incorporation is attached for your reference), we do not have the financial resources, marketing capacity, or economies of scale that a large commercial or franchise-operated Child Care Centre would likely possess.

The establishment of such a large facility in such close proximity would have a significant impact on the viability of our newly established program. Given the substantial size difference between the two operations, we fear that our small non-profit Child Care program may not be able to compete and could face closure within a short period of time. This would not only affect our organization but also the families who have chosen our program because of its small, home-like, community-focused environment.

We respectfully request that the Board consider our circumstances and the potential impact of this development on existing small Child Care providers in the area when making its decision.

Thank you for your time and consideration of our concerns.

<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 2.100.2.8, an **Indoor Sales and Service** is a **Permitted Use** in the **CG - General Commercial Zone**.

Under section 2.100.2.20, a **Child Care Service** is a **Permitted Use** in the **CG - General Commercial Zone**.

Under section 8.10, an **Indoor Sales and Service** means:

a development where a business offers sales and services such as retail, personal service, or commercial school activities inside a building.

Typical examples include: animal clinics, art studios, commercial schools, hair salons, indoor markets, pharmacies, retail stores, tailor shops, and tattoo parlours.

Under section 8.10, a **Child Care Service** means:

a development that provides temporary care and supervision of children. This Use includes facility-based early learning and child care programs. This Use does not include a Home Based Business operating as Home Based Child Care.

Typical examples include: daycares, out-of-school care, and preschools.

Section 2.100.1 states that the **Purpose** of the **CG - General Commercial Zone** is:

To allow for a variety of commercial businesses that range from low impact commercial and office activities with limited opportunities for Residential Uses, to higher impact activities including larger shopping centres and malls in areas generally outside of the Nodes and Corridors, as directed by Statutory Plans.

Section 5.60 - Landscaping

Section 2.60.4.5 states

Trees and shrubs within Landscaped islands and along Pathways within Surface Parking Lots as specified in Section 5.80 must be well suited to survive in high-traffic areas and comply with Table 4.5:

Table 4.5. Minimum Trees and Shrubs

Subsection	Measure	Minimum Tree and Shrub Requirements
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Per Landscaped Island		
4.5.3.	Landscaped islands greater than 22.0 m2	2 trees and 4 shrubs up to 22.0 m2; and 1 tree and 2 shrubs for each additional 22.0 m2

Development Planner's Determination

1. There is 1 tree in the landscaped parking island greater than 22.0 sq.m., instead of 3 (Subsection 5.60.4.5.3).

[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: 652129612-002 Application Date: MAR 26, 2026 Printed: July 20, 2026 at 3:47 PM Page: 1 of 9	
		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) 3803 - HERITAGE VALLEY TRAIL SW Plan 2620172 Blk 25 Lot 28	
		Specific Address(es) Suite: 3841 - HERITAGE VALLEY TRAIL SW Suite: 3845 - HERITAGE VALLEY TRAIL SW Suite: UTIL, 3849 - HERITAGE VALLEY TRAIL SW Entryway: 3841 - HERITAGE VALLEY TRAIL SW Entryway: 3845 - HERITAGE VALLEY TRAIL SW Entryway: UTIL, 3849 - HERITAGE VALLEY TRAIL SW Building: 3841 - HERITAGE VALLEY TRAIL SW	
Scope of Permit To construct a mixed-use commercial building (CRU - B, including an Indoor Sales and Service and a Child Care Service for up to 350 children, DESROCHERS VILLAGE SHOPPING CENTRE).			
Details			
Development Category: Discretionary Development Lot Grading Needed?: Y NumberOfMainFloorDwellings: Site Area (sq. m.):		Gross Floor Area (sq.m.): 1054.92 New Sewer Service Required: N/A Overlay: Statutory Plan: Desrochers NASP Consolidation	
Development Permit Decision Approved Issue Date: Jul 08, 2026 Development Authority: XU, HAILEE			
Subject to the Following Conditions This Development Permit authorizes the construction of a mixed-use commercial building (CRU - B, including an Indoor Sales and Service and a Child Care Service for up to 350 children, DESROCHERS VILLAGE SHOPPING CENTRE). Zoning Conditions: 1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay the Fees as follows: a. a Lot Grading Fee of \$500, and b. a Development Permit Inspection Fee of \$575.00. 2. The development must be constructed in accordance with the approved plans. Any revisions to the approved plans require a separate Development Permit application. 3. This Development Permit is NOT valid until the notification period expires (Subsection 7.160.1.3 and Section 7.170). 4. This Development Permit is NOT valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled (Subsection 7.190.2.1.1) 5. On Corner Sites, the Facade design and materials must wrap around the side of the building to provide a consistent profile facing both Streets (Subsection 2.100.5.4).			
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6. Main entrances must be level with, or have sloped doorway thresholds to, Abutting Pathways and public sidewalks (Subsection 2.100.5.5). 7. A maximum of 10% of Ground Floor windows along Facades with a main entrance facing Streets or Parking Areas interior to the Site may be covered by non-transparent material. The remainder must be clear, untinted and free from obstruction (Subsection 2.100.6.1.2). 8. Landscaping must be arranged to ensure clear sightlines into Ground Floor storefronts that are visible from a Street (Subsection 2.100.6.1.3). 9. Surface Parking Lots and loading, waste collection, storage, service and display areas must not be located within a required Setback (Subsection 2.100.6.2). 10. Loading, waste collection, and storage areas must not be located between a building and a Street (Subsection 2.100.6.3). 11. Outdoor play spaces for Child Care Services must be located a minimum of 2.0 m away from mechanical equipment and exhaust systems (Subsection 6.40.3.2). 12. On-Site outdoor play spaces for Child Care Services at ground level must be Fenced on all sides and all gates must be self-latching (Subsection 6.40.3.3). 13. Passenger pick-up and drop-off spaces for the Child Care Service must not be located more than 100 m from the entrance used by the Child Care Service (Subsection 5.80.6.10.1). 14. Passenger pick-up and drop-off spaces for the Child Care Service must contain signage indicating a maximum duration of 30 minutes or less (Subsection 5.80.6.10.2). 15. Waste collection areas, open storage areas, and outdoor service areas, including loading, unloading, or vehicle service areas, must be screened from view from Abutting Streets with a Landscape Buffer that has a minimum Height of 1.8 m (Subsection 5.60.4.7). 16. Pathways connecting the main building entrances to adjacent sidewalks must be a minimum width of 1.8 m (Subsection 5.80.3.1.2). 17. Pathways crossing over Drive Aisles in Parking Areas must include pavement markings and crossing Signs. A curb ramp must be provided where a raised Pathway crosses a Drive Aisle (Subsection 5.80.3.1.6). 18. Provided parking spaces must include wheel stops to prevent vehicle overhang where adjacent to Streets, Pathways, sidewalks, required Landscaped areas, and other similar features, that must be a minimum 0.1 m in Height and located 0.6 m from the front of the parking space (Subsection 5.80.5.1.2). 19. Surface Parking Lot, and loading spaces must be Hard Surfaced where vehicle access is provided from a Street or an Alley (Subsection 5.80.5.7). 20. Surface Parking Lot must be designed to include stormwater drainage facilities or provide stormwater retention or detention facilities, where applicable (Subsection 5.80.4.1.2). 21. Loading spaces must be provided in accordance with Subsection 5.80.7, and Bike Parking must be provided in accordance with Subsection 5.80.8. 22. Barrier-free parking spaces must be constructed and identified in compliance with the applicable building code (Subsection 5.80.6.5).	
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23. The development must promote a safe urban environment through the inclusion of design elements such as natural surveillance, clear sightlines and wayfinding, appropriately lit outdoor spaces in compliance with Subsection 3 of Section 5.120, avoidance of entrapment spots and blind corners, clearly defined Pathways and building access points (Subsection 5.110.1.1).

24. All mechanical equipment, except for Solar Collectors, must be concealed by screening in a manner compatible with the architectural character of the building or by incorporating it within the building (Subsection 5.120.1.1.2).

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

Landscaping Conditions:

26. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, in accordance with Section 5.60 the applicant or property owner must provide a guaranteed security for \$40,444.34 to ensure 100% of the minimum landscaping is provided and maintained for two growing seasons. The Landscape Security may take the following forms:

- Cheque
- Irrevocable letter of credit
- Development bond

Please contact dplandscaping@edmonton.ca to submit the required Landscape Security.

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

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

29. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner (Section 5.60.9). To request a landscape inspection, visit www.edmonton.ca/landscapeinspectionrequest.

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

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

32. Applicants MUST adhere to the following:

a. 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.

b. In the event that tree removal or relocation is required on City of Edmonton land, including road right-of-way, all costs associated with the removal or relocation will be borne by the owner/applicant as per the City of Edmonton Corporate Tree Management Policy (C456C). City of Edmonton Forestry will schedule and carry out any and all required tree work. Contact Urban Forestry at City Operations, Parks and Roads Services (311) a minimum of 4 weeks prior to construction, to remove and/or relocate the trees.

- The City of Edmonton Public Tree Bylaw

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

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- Apply for the Public Tree Permit https://www.edmonton.ca/treep permit Transportation Conditions: 33. Access from the site to Desrochers Boulevard SW was approved under a Developer Initiated Agreement SA52733. Any modification to the approved accesses requires the review and approval of Subdivision and Development Coordination. 34. Access from the site to Heritage Valley Trail SW was approved under Heritage Valley Trail SW (41 Avenue to 141 Street) arterial improvements Agreement SA53368. Any modification to the approved access requires the review and approval of Subdivision and Development Coordination. 35. Permanent objects including concrete steps, ramps, retaining walls, railings, fencing, planters, curbs, 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. 36. A Public Tree Permit is required for any boulevard trees within 5 meters of the site; trees must be protected during construction as per the Public Tree Bylaw 18825. If tree damage occurs, all tree related costs will be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value on full or partial tree loss as well as all operational and administrative fees. The owner/applicant must contact City Operations, Parks and Roads Services at citytrees@edmonton.ca to arrange any clearance pruning or root cutting prior to construction. 37. 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://utilitysafety.ca/wheres-the-line/submit-a-locate-request/) (1-800-242-3447) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removal shall be at the expense of the owner/applicant. 38. Any sidewalk, shared use path, boulevard or curb damage occurring as a result of construction traffic and/or construction activity 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. 39. 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; and d. to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site. It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at: https://www.edmonton.ca/business_economy/oscam-permit-request.aspx EPCOR Conditions: 40. There are 3 existing fire hydrants (H25558, H25559 and H24506) located along the southwest side of Desrochers Boulevard adjacent to the northeast property line of the subject site. This hydrant must be protected during construction as per Drawing WA-004-004 of the City of Edmonton Design and Construction Standards Volume 4 (Dec 2024) and access to the hydrant must not be impeded for firefighting purposes. Excavation cannot occur closer than 3m from back of hydrant in order to prevent compromising the existing thrust block. Contact EPCOR Water Asset Protection at waterdassetprotection@epcor.com prior to commencing excavation and set up an on-site meeting to confirm the requirements to protect both the water infrastructure and the integrity of the excavation. 41. Any party proposing construction involving ground disturbance to a depth exceeding 2m within 5m of the boundary of lands or	
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Development Permit

rights-of-way (ROW) containing EPCOR Water facilities is required to enter into a Facility Proximity Agreement with EWSI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 19626 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.

Subject to the Following Advisements

Zoning Advisements:

1. Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.
2. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.
3. An issued Development Permit means that the proposed development has been reviewed against the provisions of the Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act, the Historical Resource Act or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).
4. Any proposed change from the original issued Development Permit is subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.
5. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.
6. 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 lot must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to lot.grading@edmonton.ca for review and approval.
7. Signs require separate Development Permit applications.

Transportation Advisements:

8. The potential pedestrian crossing between the subject site and the Walmart site was not contemplated on the Walmart site plan. Revisions to the Walmart site would be necessary to accommodate this pedestrian crossing.
9. There should be an additional sidewalk connection from the overall site to the city sidewalk on Desrochers Boulevard SW with future development.

Drainage Services Advisements:

10. Development Assessments

APPLICABLE ASSESSMENTS

a. Permanent Area Contribution (PAC)

Storm and Sanitary PACs are not applicable since the property have been paid under SA53248 - Desrochers Stage 23A.

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b. Expansion Assessment (EA) - Expansion Assessment charge is being paused the end of the June 2026.(exact date to be determined by the SSSF Oversight Committee); therefore EA is deferred for this Development Permit. - EA may apply at the time of the future application of subdivision, development permit or servicing connection application. c. Arterial Roadway Assessment (ARA) - Arterial Roadway Assessment are not applicable since the property have been paid under SA53248 - Desrochers Stage 23A. d. Sanitary Sewer Trunk Charge (SSTC) - SSTC is applicable to the lot in question; however, SSTC charges will be paused until the end of the June 2026. (exact date to be determined by the SSSF Oversight Committee); therefore SSTC is deferred for this Development Permit. - SSTC may apply at the time of the future application of subdivision, development permit or servicing connection application. - For information purposes, the following SSTC rates are for 2026. SSTC rate depends on the type of development: i. Industrial / Commercial / Institution: \$8,818 per hectare ii. One or two Dwelling Residential (no secondary, garden or garage suite): \$1,764 per dwelling iii. Two Dwellings Residential (one secondary, garden or garage suite): \$1,764 per dwelling; for secondary garden or garage suite \$781 iv. Multi-Family Residential: \$1,259 per dwelling - The SSTC charge should be paid when the development permit application is made or when a sanitary services connection is applied. - Any sewer main extensions required to service the site and any onsite servicing requirements are in addition to the above noted PAC and SSTC assessments and will be at the developer's cost. - Please note that the SSTC rates are subject to adjustment at the end of the year. The final SSTC is based on the prevailing rate at the time the applicant/owner makes payment. 11. Additional Notes a. The drainage assessments provided in this response are preliminary and for the purpose of information and discussion only. The assessment is made based on information currently available to our Department. Should such information changes in the future, a new assessment may be made. b. Confirmation of the exact amount for the applicable drainage assessments will be made when an application for a subdivision, development permit, or sewer service connection is received. c. In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage. d. More information about the above charges can be found on the City of Edmonton's website: - Permanent Area Contributions https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx - Sanitary Servicing Strategy Expansion Assessment https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx - Arterial Roadway Assessment https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx - Sanitary Sewer Trunk Charge https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx	
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EPCOR Advisements:

12. The site is currently serviced by a 200 mm PVC water service (S139134) located 72 m northwest of the southeast property line of Lot 28 off of Desrochers Boulevard. 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.

13. 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.

14. 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.

a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.

15. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444.

16. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWSinspections@epcor.com or 780-412-3850.

17. 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.

18. 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.

19. 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).

20. applicant/owner will be responsible for all costs related to any modifications or additions to the existing municipal water infrastructure required by this application.

21. 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.

Fire Rescue Services Advisements:

22. Ensure provisions for firefighting are in accordance with:

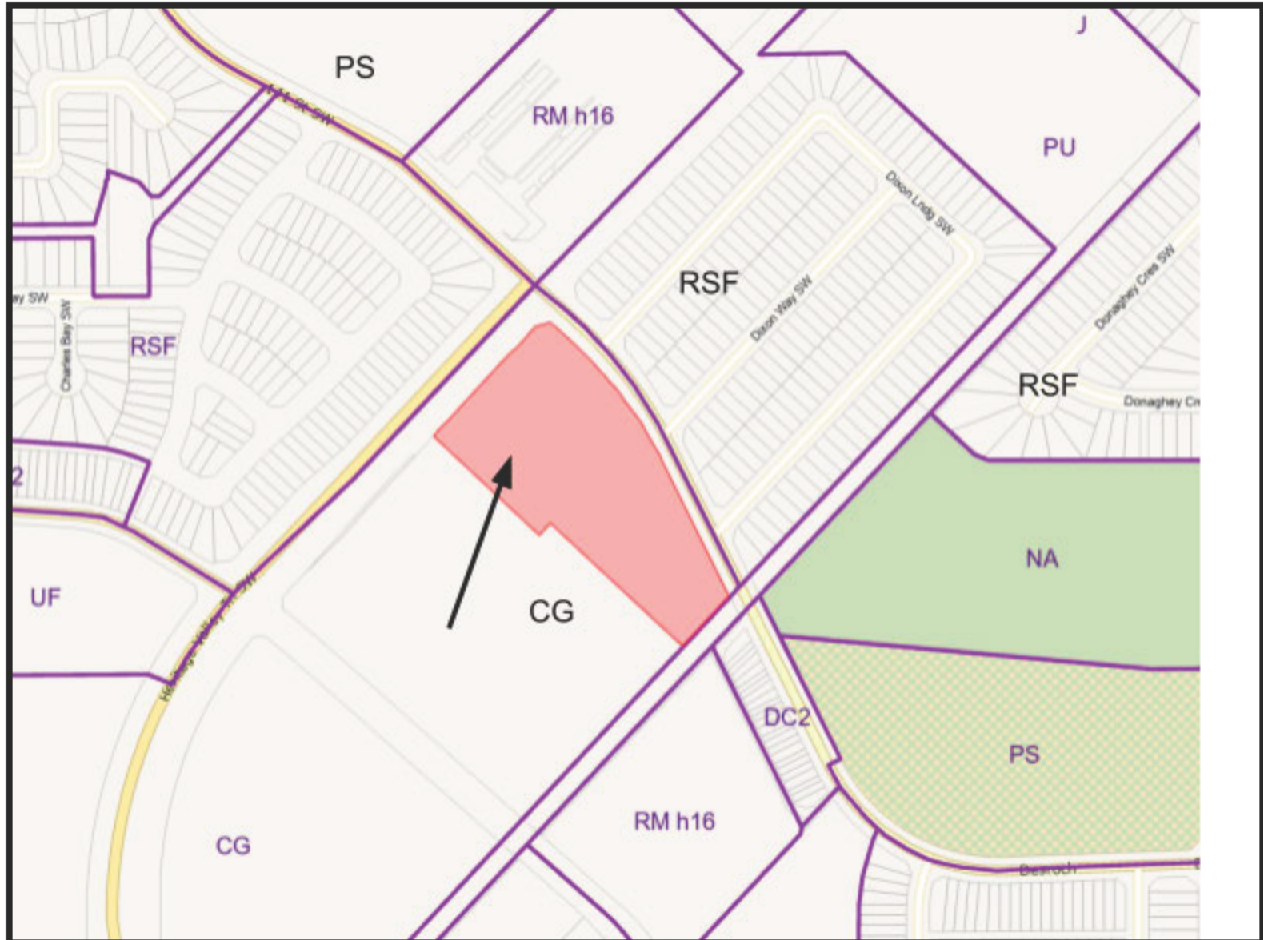
- NBC(AE-2023), Div. B, 3.2.5 Provisions for Firefighting
- City of Edmonton, Design and Construction Standard Volume 2: Complete Streets.
- City of Edmonton, Design and Construction Standard Volume 4: Water (owned and operated by EPCOR Water).

23. Review and comply to Section 5.6 of NFC(AE) 2023, Construction and Demolition Sites including but not limited to:

A fire safety plan conforming to Section 2.8 of the National Fire Code (Alberta Edition - 2023) shall be prepared, kept on site, and made available to a Fire Safety Codes Officer upon request.

	Project Number: 652129612-002 Application Date: MAR 26, 2026 Printed: July 20, 2026 at 3:47 PM Page: 8 of 9																														
Development Permit																															
Reference: NFC(2023-AE) 5.6.1.3.(1) Fire Safety Plan "A fire safety plan conforming to Section 2.8. shall be prepared" Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction. You can locate a copy of the FSP guide for your reference here: https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=1692102771 24. 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. https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-plan-construction-sites 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" Reference: Protection of Adjacent Building- STANDATA - Joint fire/building code interpretation: Measures to mitigate fire spread to adjacent buildings 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 Industrial Risk Assessment Advisements: 25. The site is located immediately next to a pipeline corridor that runs south. This corridor contains: - An operating crude oil pipeline (Pembina Pipeline Corporation License #315-17) - An operating natural gas pipeline (ATCO Gas And Pipelines Ltd. License #102-54) 26. A risk assessment report on file (Bercha, 2020) indicates that there is a minimum of 5 m separation distance required for Child Care Services. The proposed child care building meets this setback requirement.																															
Variances 1. There is 1 tree in the landscaped parking island greater than 22.0 sq.m., instead of 3 (Subsection 5.60.4.5.3).																															
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	Project Number: 652129612-002 Application Date: MAR 26, 2026 Printed: July 20, 2026 at 3:47 PM Page: 9 of 9			
Development Permit				
Fees				
	Fee Amount	Amount Paid	Receipt #	Date Paid
Total GST Amount:	\$0.00			
Totals for Permit:	\$3,265.90	\$3,265.90		
P0702003				



ITEM II: 10:30 A.M.

FILE: SDAB-D-26-207

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 650113261-002

APPLICATION TO: Construct a Residential Use building in the form of a Single Detached House with a front attached Garage, unenclosed front porch, balcony, fireplace, Basement development (NOT to be used as an additional Dwelling), to develop a Secondary Suite in a portion of the Basement, and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage)

DECISION OF THE

DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: July 10, 2026

DATE OF APPEAL: July 23, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY:

14620 - 85 AVENUE NW

LEGAL DESCRIPTION:

Plan 1884KS Blk 3 Lot 18

ZONE:

RS - Small Scale Residential Zone

OVERLAY:

N/A

STATUTORY PLAN:

N/A

DISTRICT PLAN:

Jasper Place District Plan

<i>Grounds for Appeal</i>

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

Subject: Appeal Development Permit File #650113261-002

I wish to file an appeal regarding Development Permit File #650113261-002.

While I support the redevelopment of 1462085 Avenue and have no objection to demolishing the existing home or constructing a new residence, I respectfully object to the proposed front-facing attached garage.

Laurier Heights is one of Edmonton's finest post-war neighbourhoods. Developed primarily during the 1940s and 1950s, it is distinguished by mature tree-lined streets, generous setbacks, rear-lane access, detached garages, and homes that engage with the public realm rather than prioritize the automobile. These characteristics create the unique identity that residents value and continue to make Laurier Heights one of Edmonton's most beautiful mature communities.

The proposed front-facing attached garage is fundamentally inconsistent with this established pattern of development.

Unlike detached rear garages, front-attached garages place the automobile at the visual centre of a property. Instead of landscaping, front entrances and windows defining the streetscape, the dominant feature becomes a garage door and driveway. While this design became common in suburban developments during the 1980s and 1990s, it does not reflect the planning principles upon which Laurier Heights was built.

Across North America, municipalities have increasingly recognized that garage-dominated streets reduce walkability, weaken neighbourhood character, diminish pedestrian appeal, and erode the quality of the public realm. Many cities now encourage rear garages, laneway housing, recessed garages, or design standards that reduce the visual dominance of garage doors because of their long-term impact on neighbourhood quality.

This application represents more than the design of a single home. Planning decisions establish precedents. Once a design feature is approved, future applicants may cite that approval, gradually altering the character of an entire street. Incremental changes accumulate over time, and once the original streetscape has been lost, it cannot realistically be restored.

The City of Edmonton has long recognized the importance of context-sensitive redevelopment. The Mature Neighbourhood Overlay states that its purpose is to regulate residential development while

"responding to the context of surrounding development and maintaining the pedestrian-oriented design of the streetscape."
This proposal does not achieve those objectives.

Every home on this portion of the block currently uses a detached garage to the rear of the property. The proposed development would introduce the only front-facing attached garage on this streetscape, making it inconsistent with the established development pattern. Rather than reinforcing the existing character of Laurier Heights, it introduces a suburban design element that belongs to a different era of neighbourhood planning.

Front-attached garages also require wider driveways, reduce landscaped frontage, increase potential pedestrian conflict points, and shift the visual focus of the streetscape away from people and toward vehicles. These may appear to be small changes individually, but collectively they erode the qualities that make Laurier Heights exceptional.

I fully support redevelopment that enhances our neighbourhood. However, redevelopment should respect the established context and preserve the pedestrian-oriented streetscape that has characterized Laurier Heights for more than seventy years.

For these reasons, I respectfully request that the proposed front-facing attached garage not be approved and that any redevelopment of this property be designed in a manner that better reflects the established architectural character of Laurier Heights.

<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, **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.

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.

<i>Parking, Loading and Access</i>

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

Development Planner’s Determination

Vehicle access - Vehicle access is from the street instead of the Alley (Subsection 2.10.6.1).

[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: 650113261-002 Application Date: MAR 11, 2026 Printed: July 23, 2026 at 2:00 PM Page: 1 of 4	
		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) 14620 - 85 AVENUE NW Plan 1884KS Blk 3 Lot 18	
		Specific Address(es) Suite: 14620 - 85 AVENUE NW Suite: BSMT, 14620 - 85 AVENUE NW Entryway: 14620 - 85 AVENUE NW Building: 14620 - 85 AVENUE NW	
Scope of Permit To construct a Residential Use building in the form of a Single Detached House with a front attached Garage, unenclosed front porch, balcony, fireplace, Basement development (NOT to be used as an additional Dwelling), to develop a Secondary Suite in a portion of the Basement, and to demolish a Residential Use building (Single Detached House) and an Accessory building (detached Garage).			
Details			
1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping		2. Number of Principal Dwelling Units To Construct: 1 4. Number of Secondary Suite Dwelling Units to Construct: 1 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Discretionary Development	
Development Permit Decision Approved Issue Date: Jul 10, 2026 Development Authority: OLTUZEN, JORDYN			
Subject to the Following Conditions Zoning Conditions: This Development Permit is NOT valid until the notification period expires (Subsection 7.160.1.3). This Development Permit authorizes the construction of a Residential Use building in the form of a Single Detached House with a front attached Garage, unenclosed front porch, balcony, fireplace, Basement development (NOT to be used as an additional Dwelling), a Secondary Suite in a portion of the Basement, and the demolition of an existing Residential Use building (Single Detached House) and Accessory building (detached Garage). The development must be constructed in accordance with the approved drawings. WITHIN 14 DAYS OF THE END OF THE NOTIFICATION PERIOD WITH NO APPEAL and prior to any demolition or construction activity, the applicant must post on-site a Development Permit notification Sign (Subsection 7.160.2.2). PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the variance fee of \$156.25 must be paid. The development must be demolished in accordance with the approved drawings. A Building Permit (for demolition) is required prior to demolition of the existing building. Immediately upon demolition of the building, the Site must be cleared of all debris.			
P0702003			

	Project Number: 650113261-002 Application Date: MAR. 11, 2026 Printed: July 23, 2026 at 2:00 PM Page: 2 of 4
Development Permit	
Landscaping must be installed and maintained in accordance with Section 5.60. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2). Pathway(s) connecting the main entrance of the Dwelling directly to an Abutting sidewalk or to a Driveway must be a minimum unobstructed width of 0.9 m (Subsection 5.80.2.1.1). 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.). If the unenclosed steps are oriented away from the Interior Side Line and have a landing less than or equal to 1.5 m², a minimum distance of 0.15 m must be maintained from the Interior Side Lot line and the unenclosed steps (Subsection 2.10.4.8.2.) The proposed basement development(s) must NOT be used as an additional Dwelling. An additional Dwelling requires a new Development Permit application. 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 8.20). This Development Permit will be revoked if the conditions of this permit are not met. The Secondary Suite must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20). A Hard Surfaced Pathway connecting the main entrance of the Secondary Suite directly to an Abutting sidewalk or to a Driveway is required, which must be a minimum width of 0.9 m (Subsection 5.80.2.1.1). The Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20). The Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20). Transportation Conditions: Subdivision and Development Coordination has reviewed the subject development application. Should this application be approved by the Development Officer or successfully appealed to the Subdivision and Development Appeal Board, we require the following: SUBDIVISION PLANNING (TRANSPORTATION) - CONDITIONS: 1. The proposed approximate 9.4 m driveway access to 85 Avenue is acceptable to Subdivision and Development Coordination and must be constructed to the City of Edmonton Complete Streets Design and Construction Standards. 2. The existing approximate 3.8 m wide private driveway access to 85 Avenue located approximately 0.7 m from the west property line, must be removed from back of the existing sidewalk with restoration of the grassed boulevard to the south property line within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards. 3. The existing connector sidewalk to the City sidewalk on 85 Avenue must be removed and restored with grassed boulevard to the south property line within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards. 4. 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. 5. 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	
P0702003	

Development Permit

specified by the utility companies. Utility Safety Partners (Online: <https://utilitypartners.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.

6. Any alley, sidewalk or boulevard damage occurring as a result of construction traffic and/or construction activity 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.

7. 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

Subject to the Following Advisements

Zoning Advisements:

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

Any future deck enclosure or cover requires a separate development and building permit approval.

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.

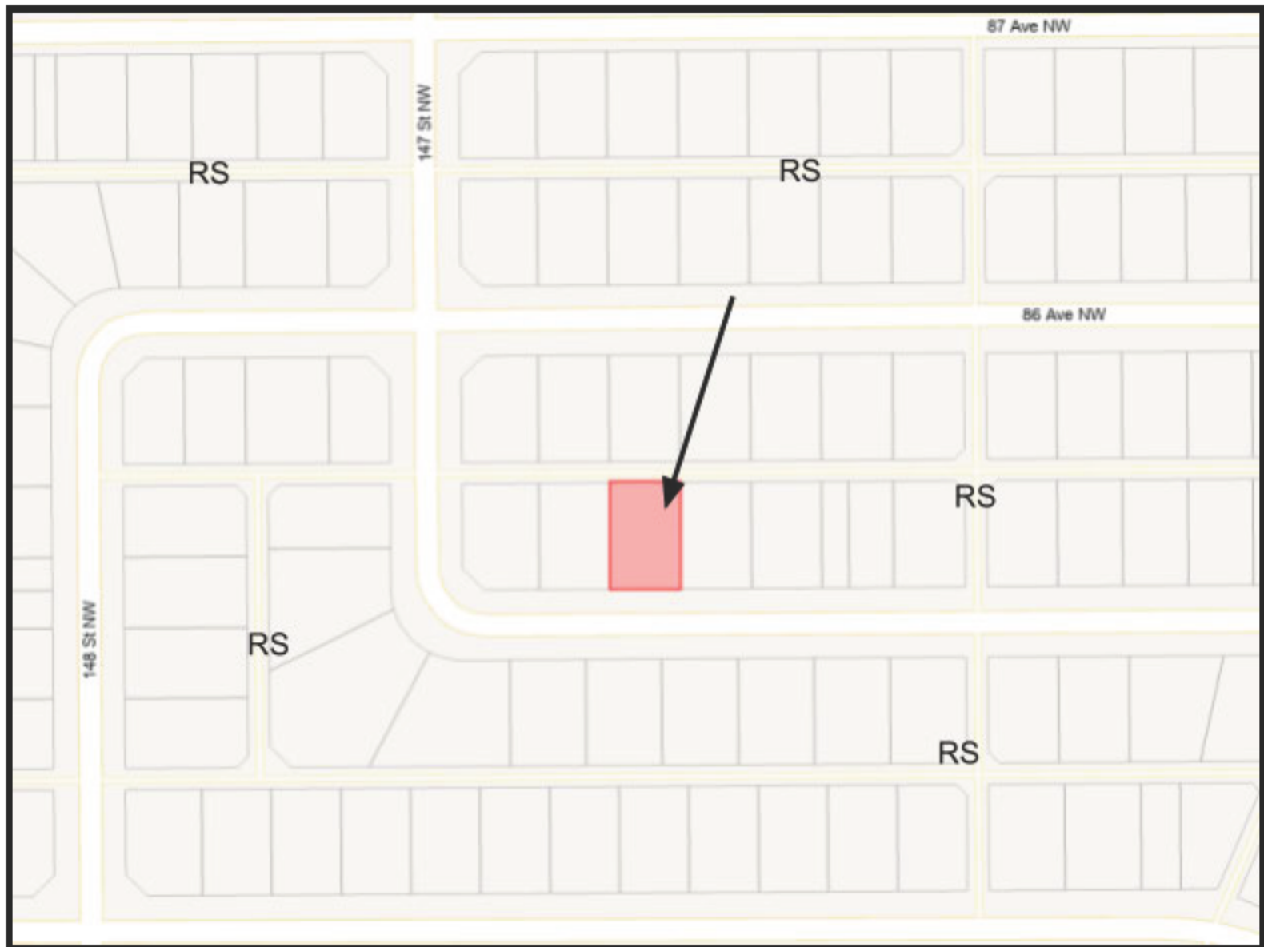
City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage.

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

Variances

Vehicle access - Vehicle access is from the street instead of the Alley (Subsection 2.10.6.1).

	Project Number: 650113261-002 Application Date: MAR 11, 2026 Printed: July 23, 2026 at 2:00 PM Page: 4 of 4																														
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P0702003																															



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-207

N ▲

ITEM III: 1:30 P.M.FILE: SDAB-D-26-208AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 653997509-002

APPLICATION TO: Construct exterior alterations to a Residential Use
building (pathway extension, 5.4 m x 1.2 m)DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions**DECISION DATE: June 24, 2026****DATE OF APPEAL: July 22, 2026**

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 3394 - CUTLER CRESCENT SW

LEGAL DESCRIPTION: Plan 1320325 Blk 3 Lot 72

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN: Chappelle Neighbourhood Area Structure Plan

DISTRICT PLAN: Southwest District Plan

<i>Grounds for Appeal</i>

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

1. TIMELY FILING & LACK OF STATUTORY NOTICE:

I am the directly affected adjacent property owner (3392 Cutler Crescent SW). Written notification of Development Permit 653997509-002 was first

provided to me via email on July 22, 2026. Prior to July 22, 2026, I was provided no statutory written notice of the permit application, decision, or appeal window. This appeal is submitted within 21 days of receiving actual notice under Section 686 of the Municipal Government Act. All email correspondence demonstrating the timeline of notice is attached as evidence.

2. OVERWIDTH DRIVEWAY & CLASS B VARIANCE VIOLATION:

The as-built concrete alteration functions as a front-yard driveway extension that exceeds the maximum allowable width of the garage, violating Section 4.3 of the Edmonton Zoning Bylaw. Because an overwidth driveway extension exceeds standard regulations, it legally requires a variance under a Class B Development Permit.

3. IMPROPER RECLASSIFICATION TO BYPASS NOTICE:

The Development Authority issued a permit by reclassifying the unpermitted overwidth driveway extension as a "pathway extension (5.4 m x 1.2 m)." Reclassifying an as-built overwidth driveway as a pathway to process it without mandatory neighbour notification constitutes a procedural error and denies adjacent landowners their statutory right to appeal a variance.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued

by a development authority may appeal the decision in accordance with subsection (2.1).

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

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

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

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

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

...

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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

Under section 8.20, **Driveway** means:

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



Under section 8.20, **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:

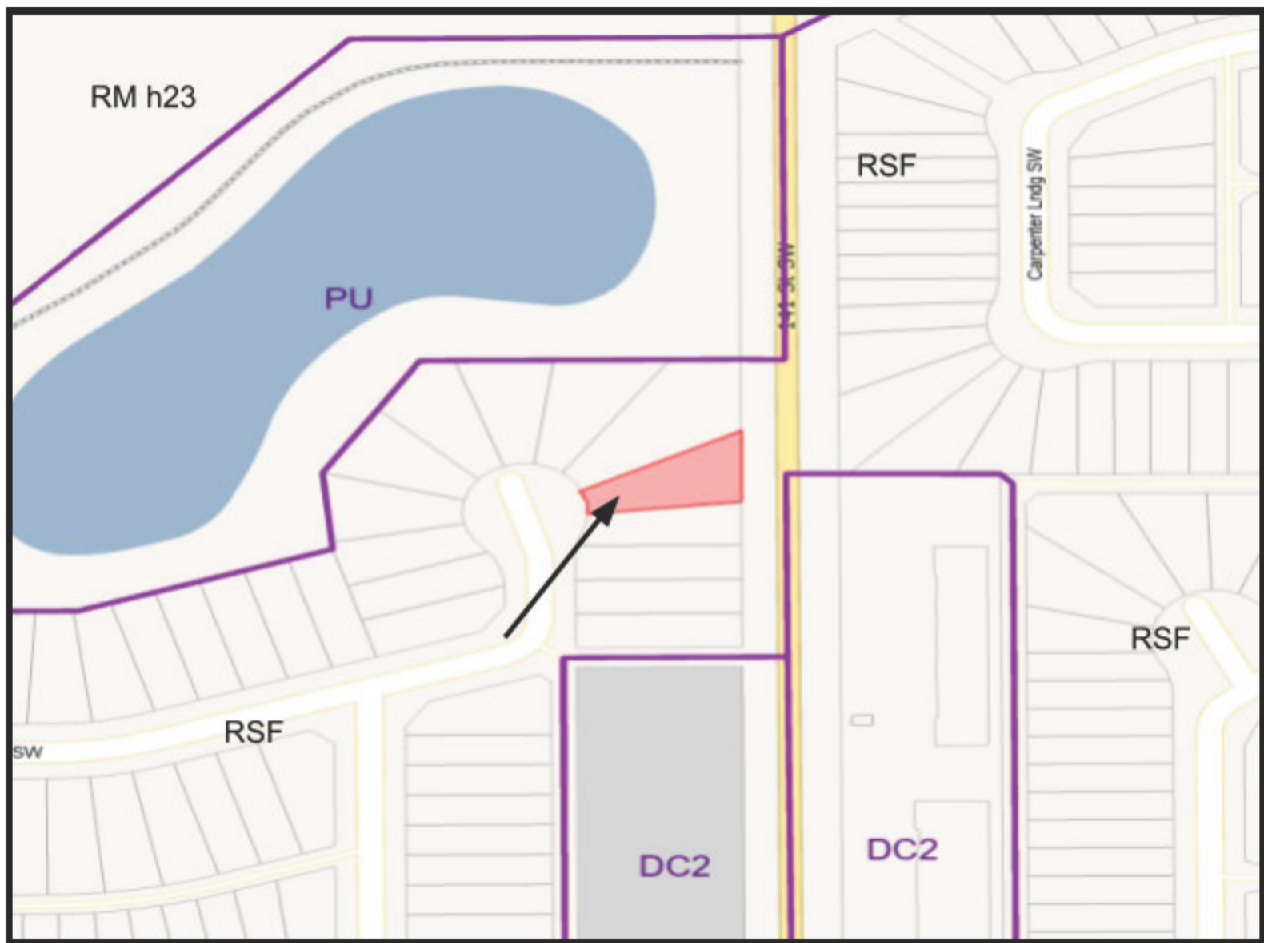
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. This Zone has site and building regulations that provide additional development flexibility in appropriate contexts, such as new neighbourhoods and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

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: 653997509-002 Application Date: APR 13, 2026 Printed: June 24, 2026 at 3:14 PM Page: 1 of 2			
	Driveway Extension 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) 3394 - CUTLER CRESCENT SW Plan 1320325 Blk 3 Lot 72			
Scope of Permit To construct exterior alterations to a Residential Use building (pathway extension, 5.4 m x 1.2 m).				
Details <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Permitted Development Site Area (sq. m.): 554.59 </td> <td style="width: 50%;"> Overlay: Statutory Plan: </td> </tr> </table>			Development Category: Permitted Development Site Area (sq. m.): 554.59	Overlay: Statutory Plan:
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Development Permit Decision Approved Issue Date: Jun 24, 2026 Development Authority: DEIGHTON, ROAN Subject to the Following Conditions This Development Permit authorizes the construction of exterior alterations to a Residential Use building (pathway extension, 5.4 m x 1.2 m). The development must be constructed in accordance with the approved drawings. ADVISEMENTS Unless otherwise stated, all above references to "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. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information. 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				
P0702003				

	Project Number: 653997509-002 Application Date: APR 13, 2026 Printed: June 24, 2026 at 3:14 PM Page: 2 of 2																				
Driveway Extension Permit																					
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.																					
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.																					
Building Permit Decision No decision has yet been made.																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Fees</th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$195.00</td> <td style="text-align: right;">\$195.00</td> <td>924352000009701</td> <td>Apr 13, 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>		Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$195.00	\$195.00	924352000009701	Apr 13, 2026	Total GST Amount:	\$0.00				Totals for Permit:	\$195.00	\$195.00		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-208



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