SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Wednesday, 9:00 A.M.
August 26, 2026

Virtual Hearings

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
VIRTUAL HEARINGS

I	9:00 A.M.	SDAB-D-26-213	Construct an Accessory building (Frame and Fabric Structure, 9.1m x 21.3m) existing without permits 4810 - 127 STREET SW Project No.: 655800354-002
II	9:00 A.M.	SDAB-D-26-214	Construct an Accessory building (Frame and Fabric Structure, 9.1m x 12.1m) existing without permits 4810 - 127 STREET SW Project No.: 655997642-002
III	10:30 A.M.	SDAB-D-26-215	Change the use of an Indoor Sales and Service to a Cannabis Retail Store, and construct interior alterations 15277 - CASTLE DOWNS ROAD NW Project No.: 665886377-002
IV **POSTPONED**	1:30 P.M.	SDAB-D-26-216	Construct an addition to an existing Residential Use building in the form of a Single Detached House (elevator shaft) 9907 - 89 STREET NW Project No.: 657761121-002

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

ITEM I: 9:00 A.M. FILE: SDAB-D-26-213

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	655800354-002
APPLICATION TO:	Construct an Accessory building (Frame and Fabric Structure, 9.1m x 21.3m) existing without permits
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	July 22, 2026
DATE OF APPEAL:	July 28, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	4810 - 127 STREET SW
LEGAL DESCRIPTION:	Plan 8720925 Lot 1
ZONE:	AES - Agricultural Edmonton South Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Rabbit Hill District Plan

Grounds for Appeal

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

> Our property is located within an Agricultural zoning district, where the storage and use of equipment necessary for maintaining rural land is a normal and expected part of the property's use. We reside on a three-acre acreage that requires ongoing maintenance throughout the year, including lawn care, gardening, snow removal, driveway maintenance, and general

property upkeep. As a result, we require adequate storage for tractors, implements, lawn and garden equipment, trailers, tools, and other machinery used to maintain the property.

In addition to our residence, I own and operate 32 acres of agricultural land located just down the road from our home. This land is used to grow fruits, vegetables, and other crops. The storage tents are an important part of supporting this agricultural operation, providing sheltered space to store harvested produce as well as equipment and supplies used in planting, cultivating, and harvesting. The covered storage helps protect produce from exposure to rain, hail, excessive heat, and other weather conditions that could reduce its quality or result in spoilage before it is transported or processed.

The storage tents also provide practical and cost-effective protection for valuable equipment against the elements. Our area experiences severe weather, including strong winds, hail, heavy rainfall that can lead to localized flooding, and significant snowfall. Storing equipment under cover helps prevent weather-related damage, extends the service life of valuable equipment, reduces maintenance costs, and protects our investment.

In addition to storing tools, equipment, tractors, and harvested agricultural products, the storage tents are also used to store recreational vehicles when they are not in use, protecting them from weather damage and keeping the property organized.

The tents are consistent with the rural and agricultural character of the surrounding area, where accessory structures and covered storage are common. They are used solely to support the maintenance of our property and our agricultural activities and are not associated with any industrial use or activities that would adversely affect the surrounding area.

The storage tent located along the north property line has not created any issues for the adjacent landowner. Our neighbour has expressed no objection to its location or presence, demonstrating that it has had no adverse impact on neighbouring properties.

For these reasons, we respectfully request that the appeal be approved. The storage tents serve a practical and necessary purpose in supporting both the maintenance of our acreage and our agricultural operation. They are compatible with the intended use of agricultural land, have not negatively affected neighbouring properties, and allow us to safely protect valuable equipment, harvested crops, and other property from the elements.

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:*

Section 3.61.2, states the following with respect to **Permitted Uses**::

2.1. Accessory Building ≤ 120.0 m2 (1,292 ft2)

Section 3.61.3, states the following with respect to **Discretionary Uses**::

3.1. Accessory Building > 120.0 m2 (1,292 ft2)

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."

Section 3.61.1 states that the **Purpose** of the **AES - Agricultural Edmonton South Zone** is:

> To allow for larger Agricultural Operations and limited higher intensity agricultural activities on smaller Lots, while at the same time providing for limited residential and other Uses having a secondary role to agriculture. New Residential Lots created after passage of this Bylaw shall only be created to subdivide a farmstead from a previously unsubdivided quarter section, and shall be no larger than 2.0 ha (4.9 ac).

Section 5.10 - Accessory Uses, Buildings and Structures

Section 5.10.9 states:

> Unless otherwise specified in this Bylaw, Accessory buildings or structures located in residential Zones must comply with Table 9:

Table 9 Accessory Building or Structures Regulations

Subsection	Regulation	Value	Symbol
9.1.	**Maximum Height**	**4.3 m**	**-**

Under section 8.20, **Height** means "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."

Section 3.61 - Site and Building Regulations

Section 3.61.5.3 states:

Minimum Building Setbacks Shall be in compliance with Table 5.3:

Table 5.3: Minimum Building Setback Requirements

Subsection	From the property line adjacent to:	Principal Building	Accessory Building
5.3.4.	**Other Lot - Side**	**7.5 m**	**7.5 m**

Under section 8.20, **Setback** means "the distance that a development, or a specified portion of a development, must be from a Lot line. A Setback is not a Yard. A Setback only applies to development on or above ground level."

Development Planner's Determination

1. Exceeds maximum Height - The maximum Height of an Accessory structure is 4.3m. (Subsection 5.10.9.1).
Proposed: 5.2m
Over Height: 0.9m

2. Insufficient Side Setback - The minimum Side setback for an Accessory building from another Lot is 7.5m (Subsection 3.61.5.3.4).
Proposed: 4.0m
Deficient: 3.5m

[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.

Edmonton

Project Number: **655800354-002**
Application Date: APR 27, 2026
Printed: July 22, 2026 at 2:42 PM
Page: 1 of 2

Application for
Accessory Building Permit

This document is a Development Permit Decision for the development application described below.

Applicant

Property Address(es) and Legal Description(s)
4810 - 127 STREET SW
Plan 8720925 Lot 1

Location(s) of Work
Suite: 4810 - 127 STREET SW
Entryway: 4810 - 127 STREET SW
Building: 4810 - 127 STREET SW

Project Name:
#2 Quonset

Scope of Application
To construct an Accessory building (Frame and Fabric Structure, 9.1m x 21.3m) existing without permits.

Details

Development Category: Discretionary Development
Site Area (sq. m.): 13641.66
Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Jul 22, 2026 **Development Authority:** SMITH, BRADLEY2

Reason for Refusal

1. Exceeds maximum Height - The maximum Height of an Accessory structure is 4.3m. (Subsection 5.10.9.1).
Proposed: 5.2m
Over Height: 0.9m

2. Insufficient Side Setback - The minimum Side setback for an Accessory building from another Lot is 7.5m (Subsection 3.61.5.3.4).
Proposed: 4.0m
Deficient: 3.5m

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
Safety Codes Fee	$4.80	$4.80	000321000018935	Apr 27, 2026
Building Permit Fee (Accessory Building)	$120.00	$120.00	000321000018935	Apr 27, 2026
Development Application Fee	$145.00	$145.00	000321000018935	Apr 27, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$269.80	$269.80		

THIS IS NOT A PERMIT

P0702003

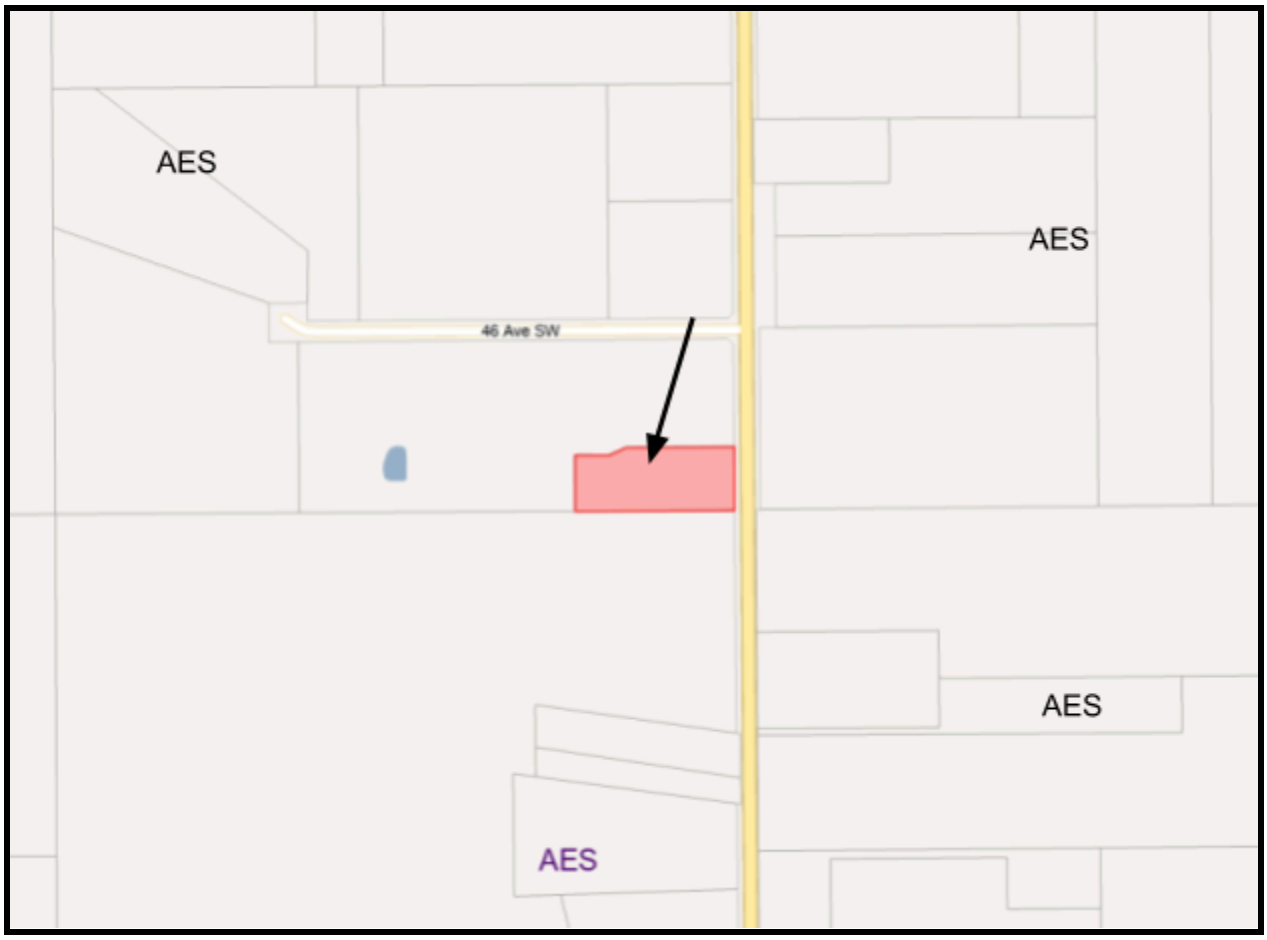
Edmonton

Application for
Accessory Building Permit

Project Number: **655800354-002**
Application Date: APR 27, 2026
Printed: July 22, 2026 at 2:42 PM
Page: 2 of 2

THIS IS NOT A PERMIT

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-213

N

ITEM II: 9:00 A.M. FILE: SDAB-D-26-214

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	655997642-002
APPLICATION TO:	Construct an Accessory building (Frame and Fabric Structure, 9.1m x 12.1m) existing without permits
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	July 22, 2026
DATE OF APPEAL:	July 28, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	4810 - 127 STREET SW
LEGAL DESCRIPTION:	Plan 8720925 Lot 1
ZONE:	AES - Agricultural Edmonton South Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Rabbit Hill District Plan

Grounds for Appeal

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

> For the reason for refusal concerning Building Separation, the re-measured distance between the accessary building and quonset is actually 0.85m, not 0.3m as it was written in the development application by mistake. This is deficient only by 4cm, which is very small distance. Please refer to the uploaded documents for proof of these measurements.

Our property is located within an Agricultural zoning district, where the storage and use of equipment necessary for maintaining rural land is a normal and expected part of the property's use. We reside on a three-acre acreage that requires ongoing maintenance throughout the year, including lawn care, gardening, snow removal, driveway maintenance, and general property upkeep. As a result, we require adequate storage for tractors, implements, lawn and garden equipment, trailers, tools, and other machinery used to maintain the property.

In addition to our residence, I own and operate 32 acres of agricultural land located just down the road from our home. This land is used to grow fruits, vegetables, and other crops. The storage tents are an important part of supporting this agricultural operation, providing sheltered space to store harvested produce as well as equipment and supplies used in planting, cultivating, and harvesting. The covered storage helps protect produce from exposure to rain, hail, excessive heat, and other weather conditions that could reduce its quality or result in spoilage before it is transported or processed.

The storage tents also provide practical and cost-effective protection for valuable equipment against the elements. Our area experiences severe weather, including strong winds, hail, heavy rainfall that can lead to localized flooding, and significant snowfall. Storing equipment under cover helps prevent weather-related damage, extends the service life of valuable equipment, reduces maintenance costs, and protects our investment.

In addition to storing tools, equipment, tractors, and harvested agricultural products, the storage tents are also used to store recreational vehicles when they are not in use, protecting them from weather damage and keeping the property organized.

The tents are consistent with the rural and agricultural character of the surrounding area, where accessory structures and covered storage are common. They are used solely to support the maintenance of our property and our agricultural activities and are not associated with any industrial use or activities that would adversely affect the surrounding area.

The storage tent located along the north property line has not created any issues for the adjacent landowner. Our neighbour has expressed no objection to its location or presence, demonstrating that it has had no adverse impact on neighbouring properties.

For these reasons, we respectfully request that the appeal be approved. The storage tents serve a practical and necessary purpose in supporting both the maintenance of our acreage and our agricultural operation. They are compatible with the intended use of agricultural land, have not negatively

affected neighbouring properties, and allow us to safely protect valuable equipment, harvested crops, and other property from the elements.

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:*

Section 3.61.2, states the following with respect to **Permitted Uses**::

2.1. Accessory Building ≤ 120.0 m2 (1,292 ft2)

Section 3.61.3, states the following with respect to **Discretionary Uses**::

3.1. Accessory Building > 120.0 m2 (1,292 ft2)

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."

Section 3.61.1 states that the **Purpose** of the **AES - Agricultural Edmonton South Zone** is:

> To allow for larger Agricultural Operations and limited higher intensity agricultural activities on smaller Lots, while at the same time providing for limited residential and other Uses having a secondary role to agriculture. New Residential Lots created after passage of this Bylaw shall only be created to subdivide a farmstead from a previously unsubdivided quarter section, and shall be no larger than 2.0 ha (4.9 ac).

Section 5.10 - Accessory Uses, Buildings and Structures

Section 5.10.9 states:

> Unless otherwise specified in this Bylaw, Accessory buildings or structures located in residential Zones must comply with Table 9:

Table 9 Accessory Building or Structures Regulations

Subsection	Regulation	Value	Symbol
9.1.	**Maximum Height**	**4.3 m**	**-**

Accessory Building Location

Subsection	Regulation	Value	Symbol
9.10.	**Minimum distance between an Accessory building and any other building on the same Site**	**0.9 m**	**-**

Under section 8.20, **Height** means "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."

Development Planner's Determination

1. Exceeds maximum Height - The maximum Height of an Accessory structure is 4.3m. (Subsection 5.10.9.1).
Proposed: 5.2m
Over Height: 0.9m

2. Building Separation - The minimum distance between an Accessory building and any other building on the same Site is 0.9m (Subsection 5.10.9.10).
Proposed: 0.3m
Deficient: 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.

Edmonton

Project Number: **655997642-002**
Application Date: APR 27, 2026
Printed: July 22, 2026 at 2:35 PM
Page: 1 of 2

Application for Accessory Building Permit

This document is a Development Permit Decision for the development application described below.

Applicant

Property Address(es) and Legal Description(s)
4810 - 127 STREET SW
Plan 8720925 Lot 1

Location(s) of Work
Suite: 4810 - 127 STREET SW
Entryway: 4810 - 127 STREET SW
Building: 4810 - 127 STREET SW

Project Name:
#3 quonset

Scope of Application
To construct an Accessory building (Frame and Fabric Structure, 9.1m x 12.1m) existing without permits.

Details

Development Category: Discretionary Development
Site Area (sq. m.): 13641.66
Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Jul 22, 2026 **Development Authority:** SMITH, BRADLEY2

Reason for Refusal

1. Exceeds maximum Height - The maximum Height of an Accessory structure is 4.3m. (Subsection 5.10.9.1).
Proposed: 5.2m
Over Height: 0.9m

2. Building Separation - The minimum distance between an Accessory building and any other building on the same Site is 0.9m (Subsection 5.10.9.10).
Proposed: 0.3m
Deficient: 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 Decision
No decision has yet been made.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	$4.80	$4.80	04044I000018917	Apr 27, 2026
Development Application Fee	$145.00	$145.00	04044I000018917	Apr 27, 2026
Building Permit Fee (Accessory Building)	$120.00	$120.00	04044I000018917	Apr 27, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$269.80	$269.80		

THIS IS NOT A PERMIT

P0702003

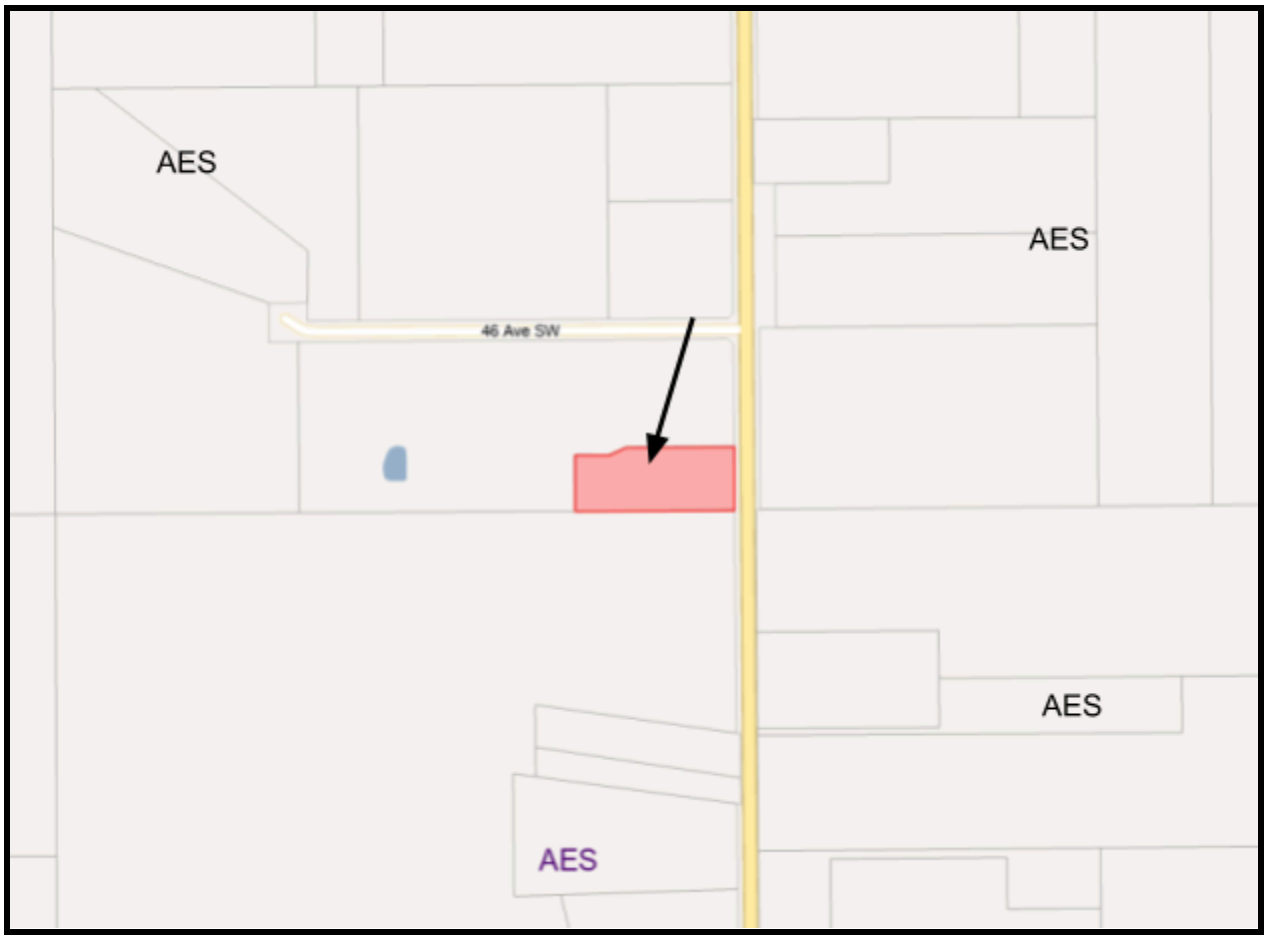
Edmonton

Application for
Accessory Building Permit

Project Number: **655997642-002**
Application Date: APR 27, 2026
Printed: July 22, 2026 at 2:35 PM
Page: 2 of 2

THIS IS NOT A PERMIT

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-214

N

ITEM III: 10:30 A.M. FILE: SDAB-D-26-215

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	665886377-002
APPLICATION TO:	Change the use of an Indoor Sales and Service to a Cannabis Retail Store, and construct interior alterations
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	July 30, 2026
DATE OF APPEAL:	July 31, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	15277 - CASTLE DOWNS ROAD NW
LEGAL DESCRIPTION:	NW-29-53-24-4
ZONE:	MU - Mixed Use Zone
OVERLAY:	N/A
STATUTORY PLAN:	Griesbach Neighbourhood Area Structure Plan
DISTRICT PLAN:	Northwest District Plan

Grounds for Appeal

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

> The Applicant respectfully appeals the refusal of Development Permit Application No. 665886377-002 and requests that the Subdivision and Development Appeal Board grant the required variances and approve the proposed Cannabis Retail Store.

The proposed development is a Permitted Use within the applicable zoning district. The refusal relates solely to separation distance requirements from the Edmonton Public Library, the Castle Downs Recreation Centre, and adjacent PS-zoned lands.
The Applicant acknowledges that the Development Authority correctly applied the Edmonton Zoning Bylaw using the prescribed site-to-site measurement methodology. However, the Applicant respectfully submits that, having regard to section 687(3)(d) of the Municipal Government Act, the requested variances may properly be granted because the proposed development would not unduly interfere with the amenities of the neighbourhood nor materially interfere with the use, enjoyment or value of neighbouring properties.

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

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

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

or

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

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

Hearing and Decision

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

…

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

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

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

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

…

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

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

(i) the proposed development would not

(A) unduly interfere with the amenities of the neighbourhood, or

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the *Zoning Bylaw 20001:*

Under section 2.80.2.5, a **Cannabis Retail Store** is a **Permitted Use** in the **MU - Mixed Use Zone**.

Under section 8.10, a **Cannabis Retail Store** means:

> a development where a business sells Cannabis to be consumed off-Site as permitted by Provincial or Federal legislation. This may include sales of Cannabis accessories. This Use does not include Cannabis Production and Distribution.

Under section 2.80.3.7 states "Cannabis Retail Stores must comply with Section 6.30."

Under section 8.20, **Site** means "an area of land consisting of 1 or more Abutting Lots."

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

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

vibrant, walkable destinations at a scale inviting to pedestrians.

Cannabis Retail Stores

Section 6.30 states the following with respect to **Cannabis Retail Stores**:

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

Table 1. Minimum Separation Distance

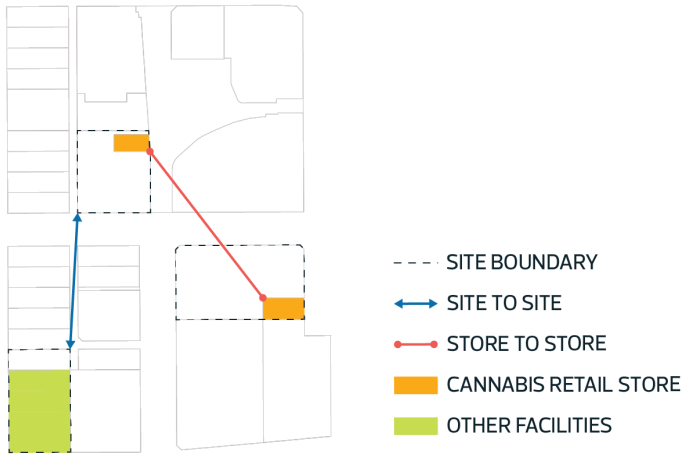
Subsection	**From approved or existing:**	**200 m (from store to store)**	**200m (from Site to Site)**	**100 m (from Site to Site**
1.1.	Cannabis Retail Stores	x		
1.2.	**Libraries**		**x**	
1.3.	Schools		x	
1.4.	**Community recreation facilities**			**x**
1.5.	Provincial Health Care Facilities			x
1.6.	Sites designated as School Reserves			**x**
1.7.	Sites designated as Municipal and School Reserves			x
	From Sites zoned:			
1.8.	**PS, PSN, or A**			**x**

2. For the purposes of Subsection 1, when measuring separation distances:

   2.1. from Site to Site, the distance is measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and not Zone boundaries; and

   2.2. from store to store, the distance is measured from the closest point of the Cannabis Retail Store to the closest point of another Cannabis Retail Store.

Diagram for Subsection 2



3. For the purposes of Subsection 1:

   3.1. the term "School" means a school as defined in subsection 1(1)(x)(i) to (iv) and (vi) of the Education Act;

   3.2. the term “community recreation facilities” means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities, as defined by the Municipal Government Act; and

   3.3. the term “Provincial Health Care Facility” means a provincial health care facility as defined in Subsection 105(1)(e) of the Gaming, Liquor and Cannabis Regulation.

4. The Development Planner may vary the minimum separation distance in Subsection 1.1 by up to 20.0 m. No other variance to Subsection 1 is permitted.

5. For Sites greater than 2.0 ha that are Zoned CG, CB, MU, or a Direct Control Zone, and do not contain a Library at the time a Development Permit application for a Cannabis Retail Store is submitted:

   5.1. Subsection 1.1 does not apply; and

   5.2. the distances specified in Section 105(3) of the Gaming, Liquor and Cannabis Regulation are expressly varied to 0 m.

6. Section 105(3) of the Gaming, Liquor and Cannabis Regulation is expressly varied by Subsections 1.3, 1.5, 1.6, 1.7, 2, and 5.2.

Development Planner's Determination

1) Subsection 6.30.1.2: The minimum separation distance between the proposed Cannabis Retail Store use and a Library is 200m (from site to site).

There is an Edmonton Public Library (Castle Downs) 46m from the site with the proposed Cannabis Retail Store use.

Required separation distance: 200m
Deficient by 154m

2) Subsection 6.30.1.4: The minimum separation distance between the proposed Cannabis Retail Store use and from a community recreation facility is 100m (from site to site).

There is a community recreation facility (Castle Downs) 92m from the site with the proposed Cannabis Retail Store use:

Required separation distance: 100m
Deficient by 8m

3) Subsection 6.30.1.8: The minimum separation distance between the proposed Cannabis Retail Store use and from sites zoned PS, PSN or A is 100m (from site to site).

There is a site zoned PS 92m from the site with the proposed Cannabis Retail Store use:

Required separation distance: 100m
Deficient by 8m

[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.

Edmonton

Application for Development Permit

Project Number: **665886377-002**
Application Date: JUL 11, 2026
Printed: July 30, 2026 at 1:50 PM
Page: 1 of 2

This document is a Development Permit Decision for the development application described below.

Applicant

Property Address(es) and Legal Description(s)
15277 - CASTLE DOWNS ROAD NW
NW-29-53-24-4

Specific Address(es)
Suite: 128, 15277 - CASTLE DOWNS ROAD NW
Entryway: 15277 - CASTLE DOWNS ROAD NW
Building: 15277 - CASTLE DOWNS ROAD NW

Scope of Application
To change the use of an Indoor Sales and Service to a Cannabis Retail Store, and construct interior alterations.

Details

Development Category:	Gross Floor Area (sq.m.):
Lot Grading Needed?: N	New Sewer Service Required:
NumberOfMainFloorDwellings:	Overlay:
Site Area (sq. m.):	Statutory Plan:

Development Application Decision
Refused

Issue Date: Jul 30, 2026 **Development Authority:** PIORKOWSKI, THERESA

Reason for Refusal

1) Subsection 6.30.1.2: The minimum separation distance between the proposed Cannabis Retail Store use and a Library is 200m (from site to site).

There is an Edmonton Public Library (Castle Downs) 46m from the site with the proposed Cannabis Retail Store use.

Required separation distance: 200m
Deficient by 154m

2) Subsection 6.30.1.4: The minimum separation distance between the proposed Cannabis Retail Store use and from a community recreation facility is 100m (from site to site).

There is a community recreation facility (Castle Downs) 92m from the site with the proposed Cannabis Retail Store use:

Required separation distance: 100m
Deficient by 8m

3) Subsection 6.30.1.8: The minimum separation distance between the proposed Cannabis Retail Store use and from sites zoned PS, PSN or A is 100m (from site to site).

There is a site zoned PS 92m from the site with the proposed Cannabis Retail Store use:

Required separation distance: 100m
Deficient by 8m

THIS IS NOT A PERMIT

P0702003

Edmonton

Application for Development Permit

Project Number: **665886377-002**
Application Date: JUL 11, 2026
Printed: July 30, 2026 at 1:50 PM
Page: 2 of 2

Rights of Appeal

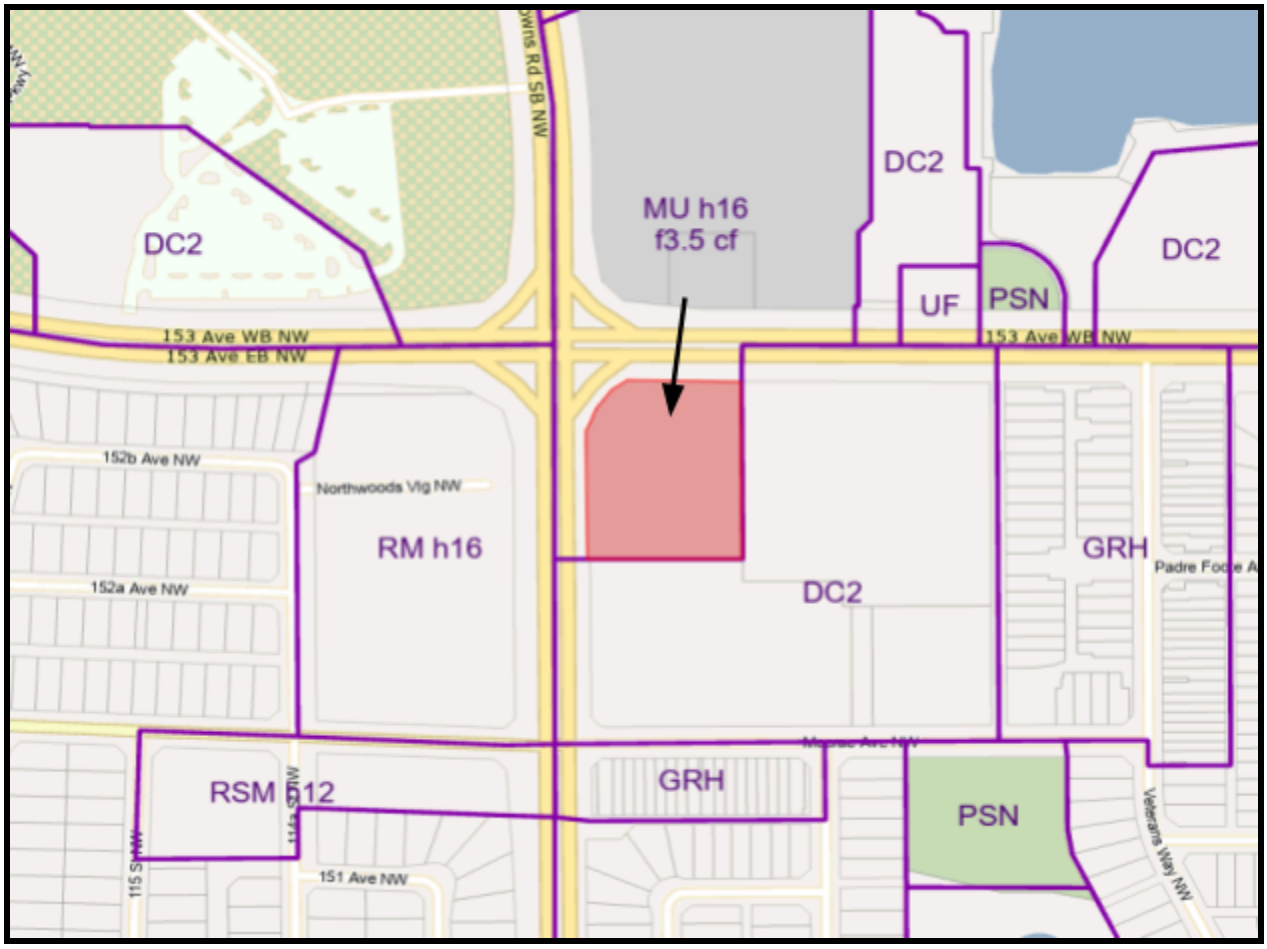
The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26,
Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	$415.00	$415.00	01354G000012076	Jul 16, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$415.00	$415.00		

THIS IS NOT A PERMIT

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-215

N

ITEM IV: 1:30 P.M. FILE: SDAB-D-26-216

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	657761121-002
APPLICATION TO:	Construct an addition to an existing Residential Use building in the form of a Single Detached House (elevator shaft)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	July 29, 2026
DATE OF APPEAL:	July 29, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	9907 - 89 STREET NW
LEGAL DESCRIPTION:	Plan 0124657 Blk 7 Lot 10
ZONE:	DC1 - Direct Development Control Provision (12356)
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Central District Plan

Grounds for Appeal

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

> Side Setback - The minimum right side setback is 1.4m (Subsection DC1 12356 (Site C and E) 4.1.b).
> Proposed: 0.85m
> Deficient by: 0.55m

Please be advised that the permit is for an addition of an elevator shaft to existing dewlling.
The elevator shaft is to be constructed majority of it in place of existing belcony space. There is protrusion of about 11 1/2 " from existing side of the home.
The client has selected the most compact design elevator to minimized the size of the elevator shaft.
The develpment is a life style improvement for our client.
Our client is physically handicap.

I would like to as for variance on our permit application for approval.

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.

685(4) Despite subsections (1), (2), (2.1) and (3), if a decision with respect to a development permit application in respect of a direct control district

(a) …

(b) is made by a development authority, the appeal may only be made to the subdivision and development appeal board and is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

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;

…

Zoning Bylaw 20001 - Part 7 - Administrative and Interpretative Clauses

Section 7.10, *Repeal, Enactment and Transition Procedures*, states the following:

1. Edmonton Zoning Bylaw 12800, as amended, is repealed.

2. The regulations of this Bylaw come into effect on January 1, 2024 (the "effective date").

3. The regulations of this Bylaw apply from the effective date onward:

   3.1 subject to the regulations for non-conforming Uses as outlined in the Municipal Government Act; and

   3.2 despite the effect it might have on rights, vested or otherwise.

4. Regulations for zoning, land use, or development in any other Bylaw must not apply to any part of the city described in this Bylaw except as otherwise provided for in this Bylaw.

5. Development Permit applications must be evaluated under the regulations of this Bylaw as of the effective date, even if the application was received before this date.

6. Any Direct Control Zone regulations that were in effect immediately prior to the effective date of this Bylaw will continue to be in full force and effect and are hereby incorporated into Part 4 of this Bylaw.

Section 7.20.4, *General Rules of Interpretation - Direct Control Zones and Existing Development Permits*, states the following:

4.1. For the purpose of any Direct Control Zone passed on or before December 31, 2023:

4.1.1. the definitions of the listed Uses in the Direct Control Zone must be interpreted in compliance with either Land Use Bylaw 5996 as it appeared on June 13, 2001, or Zoning Bylaw 12800 as it appeared on December 31, 2023, whichever is applicable;

4.1.2. where the Direct Control Zone references a specific Section or Subsection of a land use bylaw, that reference is interpreted to be to the specific Section or Subsection of the land use bylaw that was in effect on the date on which the Direct Control Zone was approved by Council; and

4.1.3. where the Direct Control Zone references a specific Zone or Overlay of a land use bylaw, that reference is interpreted to be to the specific Zone or Overlay of the land use bylaw that was in effect on December 31, 2023.

4.2. For the purpose of any Direct Control Zone passed on or after January 1, 2024:

4.2.1 where the Direct Control Zone references a specific Section or Subsection of a land use bylaw, that reference is interpreted to be to the specific Section or Subsection of the land use bylaw that was in effect on the date on which the Direct Control Zone was approved by Council; and

4.2.2. where the Direct Control Zone references a specific Zone or Overlay of a land use bylaw, that reference is interpreted to be to the specific Zone or Overlay of the land use bylaw that was in effect on the date of decision for the Development Permit application.

4.3. Where there is a discrepancy between this Bylaw and any previous land use bylaw, the existing Direct Control Zone must not be interpreted to provide any additional rights than are otherwise contemplated in the Direct Control Zone.

…

4.4. For the purpose of any Development Permit issued on or before December 31, 2023, the Use identified in the permit is interpreted to have the same Use definition as set out in the applicable previous land use bylaw on the date on which the Development Permit was issued.

…

4.6. For all Direct Control Zones created prior to August 24, 1998, that contain Single Detached Housing, Semi-detached Housing, Duplex Housing or Secondary Suite as a listed Use:

4.6.1. the maximum number of Single Detached Housing Dwellings per Lot is 1;

4.6.2. the maximum number of Semi-detached Housing or Duplex Housing Dwellings per Site is 2; and

4.6.3. the maximum number of Secondary Suites per principal Dwelling is 1, unless specifically noted otherwise in the Direct Control Zone.

Section 7.40, *Application of General and Specific Development Regulations*, states the following:

1. General Development Regulations

1.1 The General Development Regulations in Part 5 apply to all developments on all Sites. These regulations take precedence except where the regulations of a Zone, Direct Control Zone, Special Area, or Overlay specifically exclude or modify these regulations with respect to any development.

2. Specific Development Regulations

2.1 The Specific Development Regulations in Part 6 apply to specific developments on all Sites. These regulations take precedence except where the regulations of a Zone, Direct Control Zone, Special Area, or Overlay specifically exclude or modify these regulations with respect to any development.

Section 7.80, *Application of Direct Control Zones*, states the following:

5.1 Unless specifically excluded or modified by a regulation of a Direct Control Zone, all regulations in the Zoning Bylaw apply to development in a Direct Control Zone. Site plans and building elevations cannot exclude or modify regulations of the Zoning Bylaw.

Section 7.100, *Authority and Responsibility of the Development Planner, Variance to Regulation*s, states the following:

4.3 A variance must not be granted for a Development Permit application within a Direct Control Zone except where the ability to grant a variance is specified:

4.3.1. within the Direct Control Zone;

4.3.2. within an applicable regulation of a previous land use bylaw where such regulation has been referred to in the Direct Control Zone; or

4.3.3. within an applicable regulation of this Bylaw.

4.4. In the case of a conflict between Subsection 4.3 and the applicable Direct Control Zone, the Development Planner must comply with the provisions of the applicable Direct Control Zone.

General Provisions from the *DC1 12356 - Direct Development Control District (Sites C and E - Single Detached Residential) ("DC1")*:

Under section 3.a, **Single Detached Housing** is a **Listed Use** in the **DC1.**

Section 1 states that the **General Purpose** of the **DC1** is:

> To provide a Direct Development Control District to accommodate the development of a variety of low density single detached residential dwellings with site specific development controls designed to ensure that the proposed development is integrated into the existing and future residential development both within the J.B. Little site and the entire Riverdale Neighbourhood.

DC1 12356 - Sites C and E - Single Detached Residential Development Criteria

Section 4.1 states:

> Development in this District shall comply with Section 130.4 and 130.5 of the Zoning Bylaw except that:
>
> a. …
>
> b. the minimum side yard shall be 1.2 m for dwellings up to 7.5 m in height, 1.4 m for dwellings between 7.5 m and 8.0 m in height, 1.6 m for dwellings between 8.0 m and 8.5 m in height, 1.8 m for dwellings between 8.5 m and 9.0 m in height and 2.0 m for dwellings above 9.0 m in height.

Development Planner's Determination

Side Setback - The minimum right side setback is 1.4m (Subsection DC1 12356 (Site C and E) 4.1.b).
Proposed: 0.85m
Deficient by: 0.55m

[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.

Edmonton

Application for Addition Permit

Project Number: **657761121-002**
Application Date: MAY 10, 2026
Printed: July 29, 2026 at 9:57 AM
Page: 1 of 1

This document is a Development Permit Decision for the development application described below.

Applicant

Property Address(es) and Legal Description(s)
9907 - 89 STREET NW
Plan 0124657 Blk 7 Lot 10

Project Name:
ELEVATOR SHAFT

Scope of Application
To construct an addition to an existing Residential Use building in the form of a Single Detached House (elevator shaft).

Details

Development Category: Discretionary Development
Site Area (sq. m.): 349.8
Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Jul 29, 2026 **Development Authority:** ZENG, KATHY

Reason for Refusal
Side Setback - The minimum right side setback is 1.4m (Subsection DC1 12356 (Site C and E) 4.1.b).
Proposed: 0.85m
Deficient by: 0.55m

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	$415.00	$415.00	07683I000007587	May 10, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$415.00	$415.00		

THIS IS NOT A PERMIT

P0702003

SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-216

N