

SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA

Thursday, 9:00 A.M.
September 17, 2026

Virtual Hearings

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
Virtual Hearings

TO BE RAISED

I 9:00 A.M. SDAB-D-26-191 Leave as built a Residential Use building in the
form of a Row House (Side Setback at 1.1m)

8045 - CEDRIC MAH ROAD NW
Project No.: 658218634-002

TO BE RAISED

II 10:30 A.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

III 1:30 P.M. SDAB-D-26-245 Install (1) Fascia Sign limited to On-premises
Advertising

303, 4363 - 167 AVENUE NW, 4303C - 167
AVENUE NW
Project No.: 667950524-002

TO BE RAISED

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-191

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 658218634-002

APPLICATION TO: Leave as built a Residential Use building in the form of a Row House (Side Setback at 1.1m)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 30, 2026

DATE OF APPEAL: July 17, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 8045 - CEDRIC MAH ROAD NW

LEGAL DESCRIPTION: Plan 2120299 Blk 6 Lot 29

ZONE: BRH - Blatchford Row Housing Zone

OVERLAY: N/A

STATUTORY PLAN: City Centre Area Redevelopment Plan

DISTRICT PLAN: North Central District Plan

Grounds for Appeal

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

Please see documents submitted to SDAB.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on July 29, 2026:

“That the appeal hearing be postponed to September 15, 16, 17 or 18, 2026 .”

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

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

or

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

Hearing and Decision

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

...

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

...

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

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

General Provisions from the Zoning Bylaw 20001:

Section 3.42.2.2 provides the following with respect to Permitted Uses in the **BRH - Blatchford Row Housing Zone**:

2.2. Residential, limited to:

...

2.2.3. Row Housing

...

2.2.5. Secondary Suite

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

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

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

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

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

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

a Dwelling that is subordinate to, and located within, a building in the form of Single Detached Housing, Semi-detached Housing, Row Housing, or Backyard Housing. A Secondary Suite is not a principal

Dwelling. A Secondary Suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A Secondary Suite has less Floor Area than the principal Dwelling. A Secondary Suite is not separated from the principal Dwelling by a condominium conversion or subdivision.

Under section 8.20, **Dwelling** means:

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

Section 3.42.1 states that the **Purpose** of the **BRH - Blatchford Row Housing Zone** is:

To allow for medium density street oriented Row Housing and Multi-unit Housing in the form of stacked row housing, which are developed in a manner characteristic of urban settings, including but not limited to smaller Yards, greater Height, and Dwellings with individual access at ground level.

Section 3.42 - Site and Building Regulations

Section 3.42.5 states:

5.2. Development must comply with Table 5.2:

Site and Setback Regulations

Subsection	Regulation	Value
5.2.7	Minimum Setback	1.2 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

Side Setback - The minimum northeast Setback is 1.2m (Subsection 3.42.5.2.7).

Proposed: 1.1m

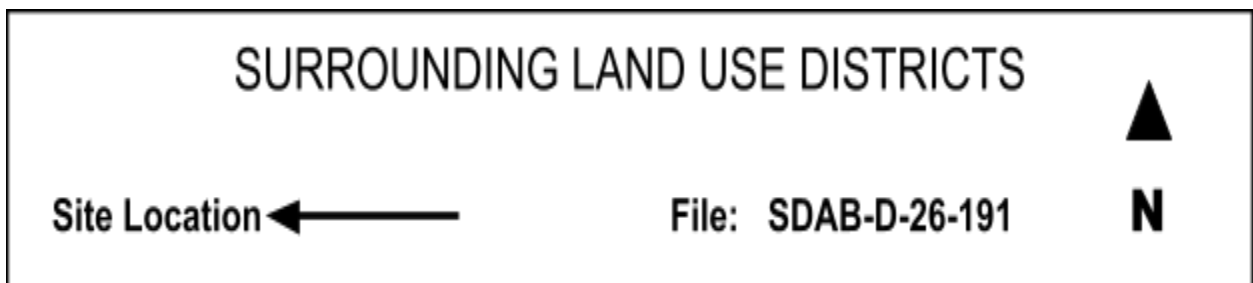
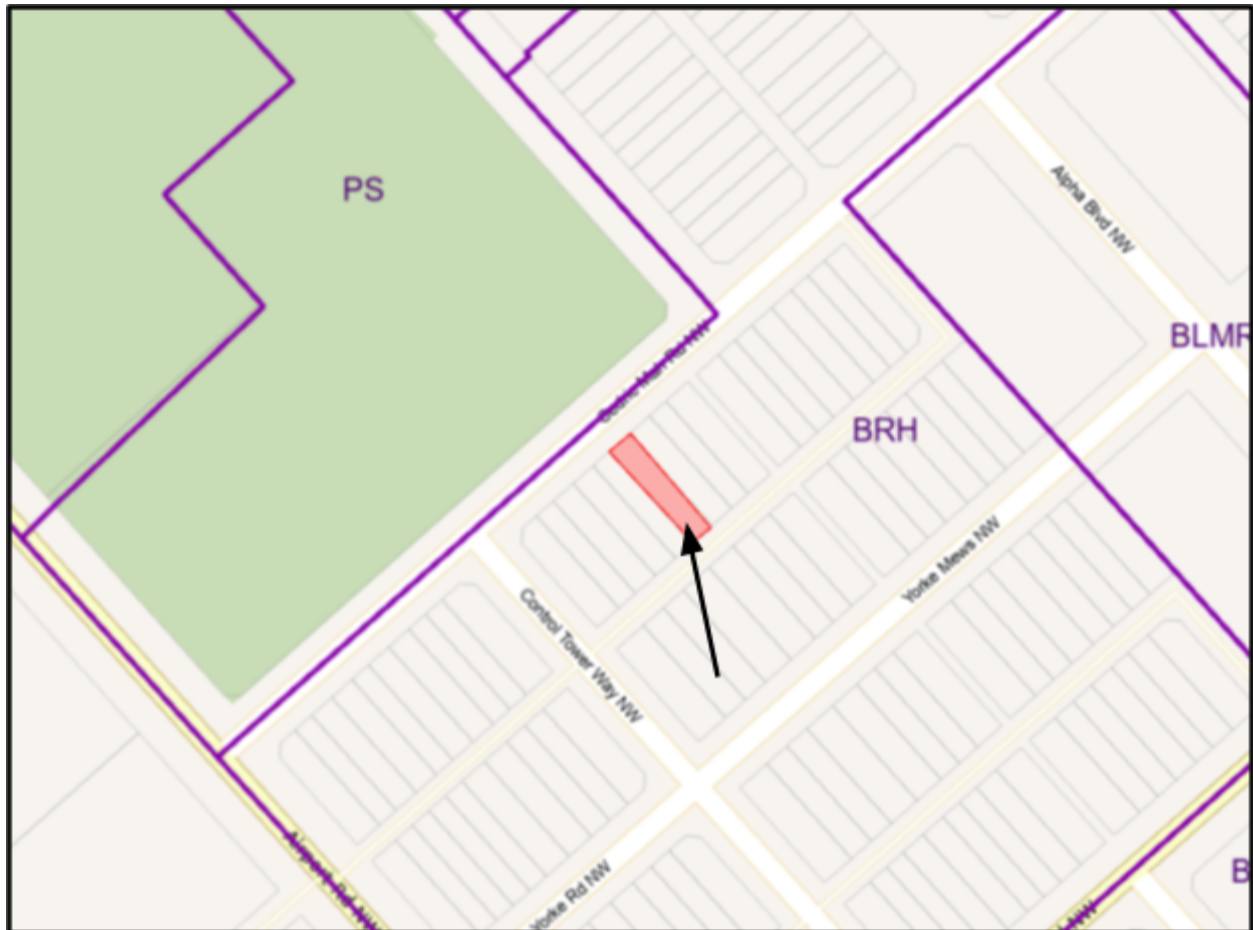
Deficient by: 0.1m

[unedited]

Notice to Applicant/Appellant

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

		Application for Development Permit		Project Number: 658218634-002 Application Date: MAY 13, 2026 Printed: June 30, 2026 at 3:23 PM 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) 8045 - CEDRIC MAH ROAD NW Plan 2120299 Blk 6 Lot 29																							
		Specific Address(es) Suite: 8045 - CEDRIC MAH ROAD NW Entryway: 8045 - CEDRIC MAH ROAD NW Building: 8045 - CEDRIC MAH ROAD NW																							
Scope of Application To leave as built a Residential Use building in the form of a Row House (Side Setback at 1.1m).																									
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THIS IS NOT A PERMIT																									
PC702003																									



TO BE RAISED

ITEM II: 10:30 A.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: Direct Development Control Provision (DC1 (12356 - Sites C and E - Single Detached Residential))

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 dwelling.

The elevator shaft is to be constructed majority of it in place of existing balcony 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 minimize the size of the elevator shaft.

The development is a life style improvement for our client.

Our client is physically handicapped.

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

Thank You

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board ("SDAB") made and passed the following motion on August 19, 2026:

"That the appeal hearing be postponed to September 15, 16, 17, or 18, 2026."

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

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

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

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

or

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

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

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 Regulations*, 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.

<i>DC1 12356 - Sites C and E - Single Detached Residential Development Criteria</i>

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

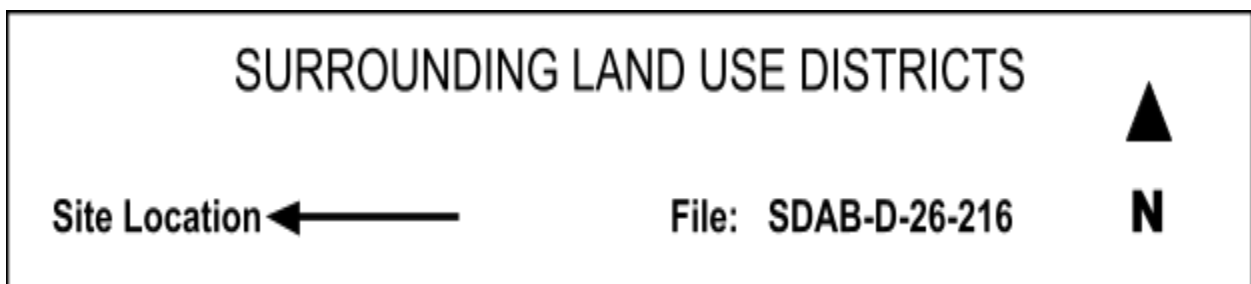
Deficient by: 0.55m

[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.

		Project Number: 657761121-002 Application Date: MAY 10, 2026 Printed: July 29, 2026 at 9:57 AM Page: 1 of 1																					
Application for Addition Permit																							
This document is a Development Permit Decision for the development application described below.																							
Applicant Project Name: ELEVATOR SHAFT		Property Address(es) and Legal Description(s) 9907 - 89 STREET NW Plan 0124657 Blk 7 Lot 10																					
Scope of Application To construct an addition to an existing Residential Use building in the form of a Single Detached House (elevator shaft).																							
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Development Category: Discretionary Development Site Area (sq. m.): 349.8 </td> <td style="width: 50%;"> Overlay: Statutory Plan: </td> </tr> </table>				Development Category: Discretionary Development Site Area (sq. m.): 349.8	Overlay: Statutory Plan:																		
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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 <table border="0" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$415.00</td> <td style="text-align: right;">\$415.00</td> <td style="text-align: right;">076831000007587</td> <td style="text-align: right;">May 10, 2026</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$415.00</td> <td style="text-align: right; border-top: 1px solid black;">\$415.00</td> <td></td> <td></td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$415.00	\$415.00	076831000007587	May 10, 2026	Total GST Amount:	\$0.00				Totals for Permit:	\$415.00	\$415.00		
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THIS IS NOT A PERMIT																							
P0702003																							



ITEM III: 1:30 P.M.

FILE: SDAB-D-26-245

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 667950524-002

APPLICATION TO: Install (1) Fascia Sign limited to On-premises Advertising

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: August 17, 2026

DATE OF APPEAL: August 20, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 303, 4363 - 167 AVENUE NW, 4303C - 167 AVENUE
NW

LEGAL DESCRIPTION: Plan 2321186 Unit 110, Condo Common Area (Plan
1823461,1823198,1823199,2321186)

ZONE: CG - General Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Northeast District Plan

Grounds for Appeal

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

RE: Appeal of Development Permit Refusal Therapeutic Body Concepts
Signage
Project Number: 667950524-002
Property Address: 303, 4363 - 167 AVENUE NW
Applicant: Mega Signs

Date: August 20th 2026

To the Members of the Subdivision and Development Appeal Board:

We respectfully submit this appeal regarding the refusal of the development permit application for the proposed exterior illuminated fascia sign at the above-noted property.

We understand the reason for refusal relates specifically to the number of fascia signs permitted above the second storey on the north faade. The decision references Subsection 6.90.6.5.2 and the exception under Subsection 6.8 of the Zoning Bylaw. The decision notes that one fascia sign above the second storey on this faade was previously approved under Sign Permit 662982280-002, and that the proposed sign therefore exceeds the permitted number by one.

Grounds for Appeal

The proposed sign is an on-premises identification sign intended solely to identify the business operating at the subject property. It does not provide off-premises advertising and is not intended to advertise unrelated businesses, products or services.

The proposed sign is an exterior illuminated fascia sign and has been designed as part of the building's overall signage and architectural presentation. Its purpose is to provide clear identification of the business from the surrounding public approaches and to assist customers in locating the premises.

We recognize that the Zoning Bylaw establishes a limit on the number of fascia signs that may be located above the second storey. However, we respectfully submit that the additional sign represents a limited and site-specific variance. The request is for one additional fascia sign only, and does not seek a broader increase in signage throughout the property.

The proposed sign is also limited in its function and visual impact. It is intended solely for identification of the business, and its illumination is intended to provide visibility of the sign without creating an unreasonable impact on surrounding properties or the public realm.

The north faade and the configuration of the building make business identification from the surrounding approaches particularly important. The proposed sign would provide additional identification of the business on this faade while maintaining a coordinated appearance with the existing signage.

We respectfully submit that permitting the additional sign would not result in an unreasonable adverse impact on neighbouring properties, pedestrian

safety, traffic safety, or the character of the surrounding area. The request is limited to the subject faade and to the specific sign identified in the application.

Request to the Board

For the reasons outlined above, we respectfully request that the Subdivision and Development Appeal Board:

Allow the appeal of the refused development permit;
Grant the required variance to permit one additional fascia sign above the second storey on the north faade; and
Direct that the development permit/sign permit be approved subject to any reasonable conditions the Board considers appropriate.

We respectfully ask the Board to consider the limited nature of the variance, the identification-only purpose of the sign, its relationship to the existing building and signage, and the absence of unreasonable impacts on surrounding properties.

We appreciate the Board's consideration of this appeal and are prepared to provide any additional drawings, photographs, sign specifications, site information, or other documentation that may assist the Board in its review.

Respectfully submitted,

Nidhi Oberoi
Mega Signs

<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.

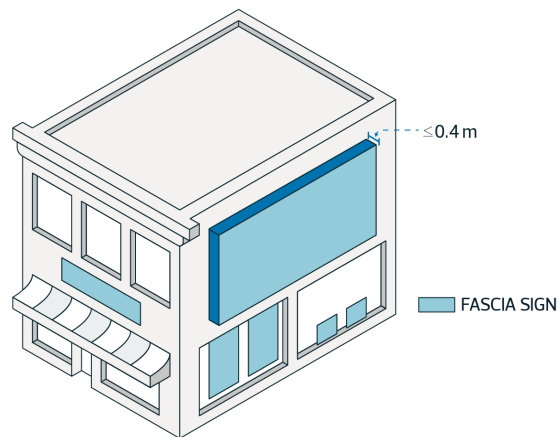
General Provisions from the Zoning Bylaw 20001:

Under section 2.100.2.31, a **Fascia Sign** is a **Permitted Use** in the **CG - General Commercial Zone**.

Under section 8.10, a **Fascia Sign** means:

a Wall Sign or a Window Sign that does not contain Digital Copy.

Typical examples include: business identification signs, window signs, billboards, posters, or Mural Signs.



Under section 8.10, a **On-premises Advertising** means “Copy that relates only to a business, activity or organization that has a Development Permit to operate on the Site where the Sign is located.”

Section 2.100.3.18 states “Sign Uses must comply with Section 6.90.”

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.

6.90.5 - Specific Regulations for General Commercial Zones

Section 6.90.6.5 states:

- 6.5. No portion of a Fascia Sign may be located:
 - 6.5.1. above the eavline or roofline on a building with 1 or 2 Storeys; or
 - 6.5.2. above the second Storey on a building with greater than 2 Storeys.

...

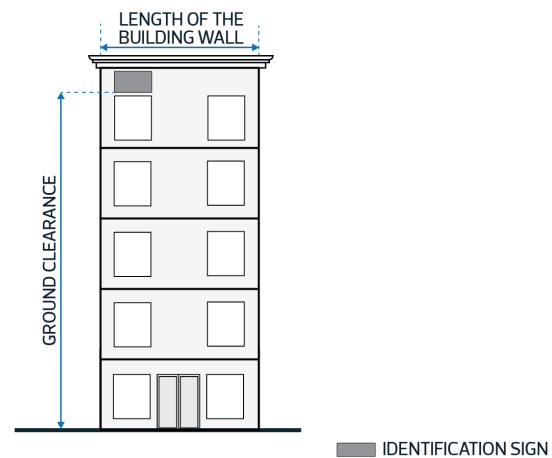
6.8. Despite Subsection 6.5.2, 1 Fascia Sign per Facade may be located above the second Storey if:

6.8.1. the Fascia Sign contains only On-premises Advertising;

6.8.2. the Fascia Sign is an Identification Sign; and

6.8.3. the Sign Area is less than or equal to 2.5% of the area formed by multiplying the clearance of the Sign from ground level by the length of the building wall.

Diagram for Subsection 6.8.3



Development Planner's Determination

1) Subsection 6.90.6.5.2: No portion of a Fascia Sign may be located above the second Storey on a building with greater than 2 Storeys.

6.8. Despite Subsection 6.5.2, 1 Fascia Sign per Facade may be located above the second Storey if:

6.8.1. the Fascia Sign contains only On-premises Advertising;

6.8.2. the Fascia Sign is an Identification Sign; and

6.8.3. the Sign Area is less than or equal to 2.5% of the area formed by multiplying the clearance of the Sign from ground level by the length of the building wall.

The proposed sign exceeds the maximum number of signs allowed above the second storey on this facade of the building, as a Sign Permit for 662982280-002 was previously approved above the second Storey.

[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: 667950524-002 Application Date: JUL 28, 2026 Printed: August 17, 2026 at 12:54 PM Page: 1 of 2	
Application for Sign Permit			
This document is a Development Permit Decision for the development application described below.			
Applicant		Property Address(es) and Legal Description(s) 303, 4363 - 167 AVENUE NW Plan 2321186 Unit 110 4303C - 167 AVENUE NW Condo Common Area (Plan 1823461, 1823198, 1823199, 2321186)	
		Location(s) of Work Suite: 303, 4363 - 167 AVENUE NW Entryway: 4363 - 167 AVENUE NW Building: 4351 - 167 AVENUE NW	
Scope of Application To install (1) Fascia Sign limited to On-premises Advertising (THERAPEUTIC BODY CONCEPTS)			
Details			
ASA Sticker No./Name of Engineer: Development Category:		Construction Value: 6000 Expiry Date:	
Development Application Decision Refused Issue Date: Aug 17, 2026 Development Authority: NOORMAN, BRENDA Reason for Refusal 1) Subsection 6.90.6.5.2: No portion of a Fascia Sign may be located above the second Storey on a building with greater than 2 Storeys. 6.8.Despite Subsection 6.5.2, 1 Fascia Sign per Facade may be located above the second Storey if: 6.8.1.the Fascia Sign contains only On-premises Advertising; 6.8.2.the Fascia Sign is an Identification Sign; and 6.8.3.the Sign Area is less than or equal to 2.5% of the area formed by multiplying the clearance of the Sign from ground level by the length of the building wall. The proposed sign exceeds the maximum number of signs allowed above the second storey on this facade of the building, as a Sign Permit for 662982280-002 was previously approved above the second Storey. 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 #
Sign Development Application Fee	\$195.00	\$195.00	028110000020285
Total GST Amount:	\$0.00		
Totals for Permit:	\$195.00	\$195.00	
THIS IS NOT A PERMIT			
P0702003			

	Application for Sign Permit	Project Number: 667950524-002 Application Date: JUL 28, 2026 Printed: August 17, 2026 at 12:54 PM Page: 2 of 2
THIS IS NOT A PERMIT P0702003		

