SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Tuesday, 9:00 A.M.
September 29, 2026

Virtual Hearings

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
VIRTUAL HEARINGS

I 9:00 A.M. SDAB-D-26-249

Construct exterior alterations to a Residential Use building (Driveway extension, 10.07m x 3.29m)

13335 - 155 AVENUE NW
Project No.: 668234038-002

II 10:00 A.M. SDAB-D-26-250

Construct a Residential Use building in the form Semi-Detached House with unenclosed front por rear covered decks (0.9m x 1.5m), and Secondary S in the basements and main floors

13555 - 124A AVENUE NW
Project No.: 656574983-002

WITHDRAWN

III 1:30 P.M. SDAB-D-26-254

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete the following by September 4, 2026:
You must comply with Edmonton Zoning Bylaw and all conditions of Development Permit No. 410475450-002 / Curb Crossing Permit 410475450-006.
1. Remove the existing private access, approximately 4.3 m wide to 149 Street located approximately 3.1 m from the north property line,with the curb and gutter reconstructed and the boulevard restored to grass within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.
OR
2. Acquire a Development Permit that reflects the current development on the site by September 4, 2026.

10718 - 149 STREET NW
Project No.: 410475450-011

ITEM I: 9:00 A.M. FILE: SDAB-D-26-249

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	668234038-002
APPLICATION TO:	Construct exterior alterations to a Residential Use building (Driveway extension, 10.07m x 3.29m)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	August 28, 2026
DATE OF APPEAL:	September 3, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	13335 - 155 AVENUE NW
LEGAL DESCRIPTION:	Plan 9721568 Blk 4 Lot 104
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Northwest District Plan

Grounds for Appeal

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

> I understand the City of Edmonton's concerns regarding the existing driveway configuration, including that portions of the hard surfacing extend beyond the garage, providing space for an additional vehicle to park beside the primary driveway. I understand that this does not fully comply with the City's current requirements. I am respectfully asking, however,

that the Board consider whether an exception can be made based on the particular circumstances of our property and our family's long-term needs.

The original Development Permit application was initiated when we arranged for the concrete work to be completed. Unfortunately, the application had been cancelled, and the concrete work proceeded without the permit being finalized. I understand that the work should not have proceeded without the required approval, and I am now making every effort to resolve the matter appropriately.

Since receiving the City of Edmonton’s order, we have taken action to address the concerns. We have completely ceased parking on the extended driveway, paid the $1000 fine we received as required, and, in addition, removed a portion of the hard surfacing that was specifically identified as a concern and replaced it with grass. We made this change in good faith and to demonstrate our willingness to cooperate with the City and make reasonable changes to the property.

We are asking that the remaining driveway extension be permitted to remain.

The additional paved area provides practical space for an additional household vehicle and allows a vehicle to park beside the primary driveway. We understand that the City considers this additional parking area to be part of the concern. However, the space is used for ordinary residential purposes and provides meaningful practical value to our family.

I am now in my 60s. Although my wife and I are currently healthy, mobile and independent, we recognize that our needs will naturally change as we get older. We would like to remain in our home for as long as possible and continue using our property safely and independently as we age.

The additional paved area near the front of the home provides flexibility that may become increasingly important in the future. It allows vehicles to be parked closer to the home. It provides additional space for family members to assist us with transportation, carry groceries and other items, or help us enter and exit vehicles as our mobility becomes more limited with age.

We are not suggesting that the additional area is medically necessary at present. Rather, we are asking that consideration be given to the reasonable long-term needs of an aging household and the benefit of aging in place without having to make further changes to the property later.

We also believe it is important that the existing configuration be considered in the context of its actual impact on the surrounding properties. We have spoken with some of our neighbours about the driveway and have their signed support for our request to retain the existing extension, with no

concerns about its continued presence. We have prepared signatures and contact information from these neighbours in support of our appeal.

We recognize that the City of Edmonton has regulations regarding driveway extensions and front-yard parking, and we respect the responsibility to enforce them. We are not asking the Board to disregard those regulations. We ask that the Board consider the particular circumstances of our property and determine if we could allow the existing driveway extension to remain.

We have already demonstrated our willingness to address the City's concerns by removing and replacing the portion of hard surfacing that we were able to modify. We would appreciate the opportunity to retain the remaining extension, which provides useful space for our household today and will provide increasing practical value as we age.

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

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

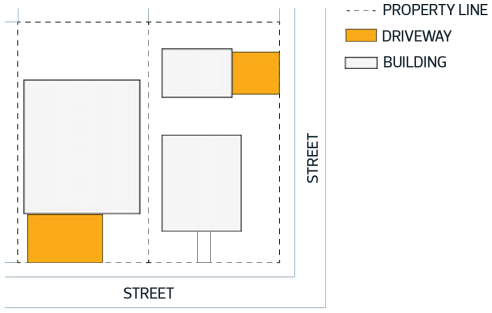
> Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.
>
> This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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

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

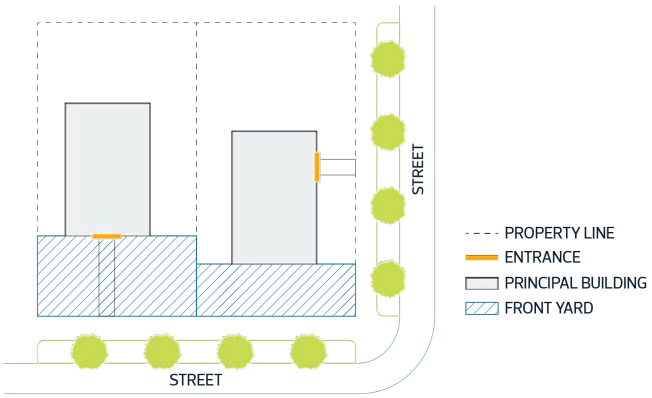
Under section 8.20, **Driveway** means:

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



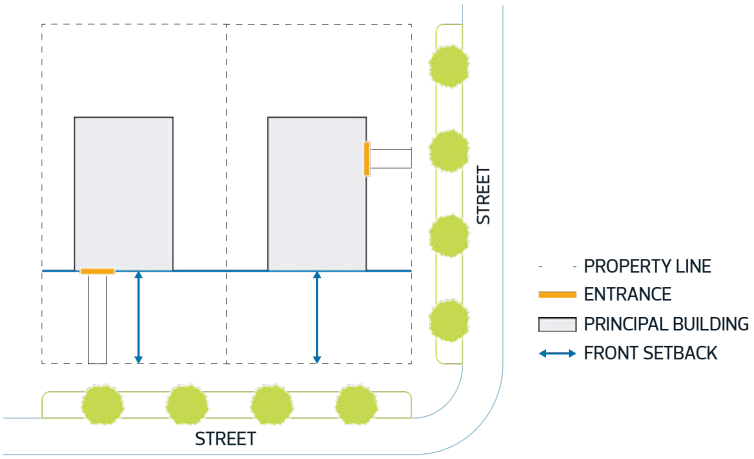
Under section 8.20, **Front Yard** means:

> the portion of a Site Abutting the Front Lot Line extending across the full width of the Site, between the Front Lot Line and the nearest wall of the principal building, not including projections.



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

> the distance that a development or a specified portion of a development, must be from a Front Lot Line. A Front Setback is not a Front Yard.



Under section 8.20, **Parking Area** means "an area that is used for vehicle parking. A Parking Area has 1 or more parking spaces and includes a parking pad, but does not include Street parking, a vehicle access, a Driveway, or a Drive Aisle."

Under section 8.20, **Pathway** means "a Hard Surfaced path of travel that is located on private property that cannot be used for motor vehicles."

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

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

Site Circulation and Parking Regulations for Small Scale Residential Development

Section 5.80.2.1 states:

Single Detached Housing, Duplex Housing, Semi-detached Housing, Backyard Housing, and Row Housing, and Multi-unit Housing with 8 Dwellings or less must comply with the following:

Site Circulation

2.1.1 1 or more Pathways with a minimum unobstructed width of 0.9 m must be provided from all main entrances of principal Dwellings directly to an Abutting sidewalk or to a Driveway, except that:

2.1.1.1 A handrail on 1 side is permitted to project a maximum of 0.1 m into the Pathway.

2.1.2 For Multi-unit Housing, Row Housing and Cluster Housing a Pathway with a minimum unobstructed width of 0.9 m must connect main entrances of Dwellings to shared waste collection areas and Parking Areas, where provided.

Driveways

2.1.3. Where vehicle access is permitted from a Street, a maximum of 1 Driveway with Street access is permitted for each ground-oriented principal Dwelling.

2.1.4. A Driveway must lead directly from the Street or Alley to the Garage or Parking Area.

2.1.5 A Driveway provided from a Street must comply with the following:

2.1.5.1 Where a Garage or Parking Area has 1 vehicle parking space, the maximum Driveway width is 4.3 m, or the width of the Garage or Parking Area, whichever is less, except:

2.1.5.1.1 Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 1 vehicle parking space, the combined maximum width of the Driveway and Abutting Pathways is 4.3 m.

2.1.5.2. Where a Garage or Parking Area has 2 or more vehicle parking spaces, the maximum Driveway width is equal to the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less, except:

2.1.5.2.1. Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 2 or more vehicle parking spaces, the combined maximum width of the Driveway and Abutting Pathways is the width of the Garage or Parking Area, or the number of side-by-side vehicle parking spaces multiplied by 3.7 m, whichever is less.

2.1.6. Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within:

2.1.6.1. a Front Yard;

2.1.6.2. a Flanking Side Yard; or

2.1.6.3 a Flanking Side Setback.

2.1.7. For Zero Lot Line Development, a Parking Area must not encroach on the easement area.

Development Planner's Determination

1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3.)

Proposed: The Driveway extension does not lead to the Garage.

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

Maximum width: 6.13m
Proposed: 9.42m
Exceeds by: 3.29m

3. Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Section 5.80.2.1.6.1)

Proposed: The additional concrete provides vehicle parking space in the front yard.

[unedited]

Notice to Applicant/Appellant

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

Edmonton

Project Number: **668234038-002**
Application Date: AUG 14, 2026
Printed: August 28, 2026 at 1:10 PM
Page: 1 of 2

Application for
Driveway Extension Permit

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

Applicant

Property Address(es) and Legal Description(s)
13335 - 155 AVENUE NW
Plan 9721568 Blk 4 Lot 104

Scope of Application
To construct exterior alterations to a Residential Use building (Driveway extension, 10.07m x 3.29m).

Details

Development Category: Discretionary Development
Site Area (sq. m.): 604.75

Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Aug 28, 2026 **Development Authority:** IKENAGA, MIKOTO

Reason for Refusal

1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.3.)

Proposed: The Driveway extension does not lead to the Garage.

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

Maximum width: 6.13m
Proposed: 9.42m
Exceeds by: 3.29m

3. Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Section 5.80.2.1.6.1)

Proposed: The additional concrete provides vehicle parking space in the front yard.

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

Building Permit Decision
No decision has yet been made.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Application Fee	$195.00	$195.00	083382000009816	Aug 14, 2026

THIS IS NOT A PERMIT

P0702003

Edmonton

Application for
Driveway Extension Permit

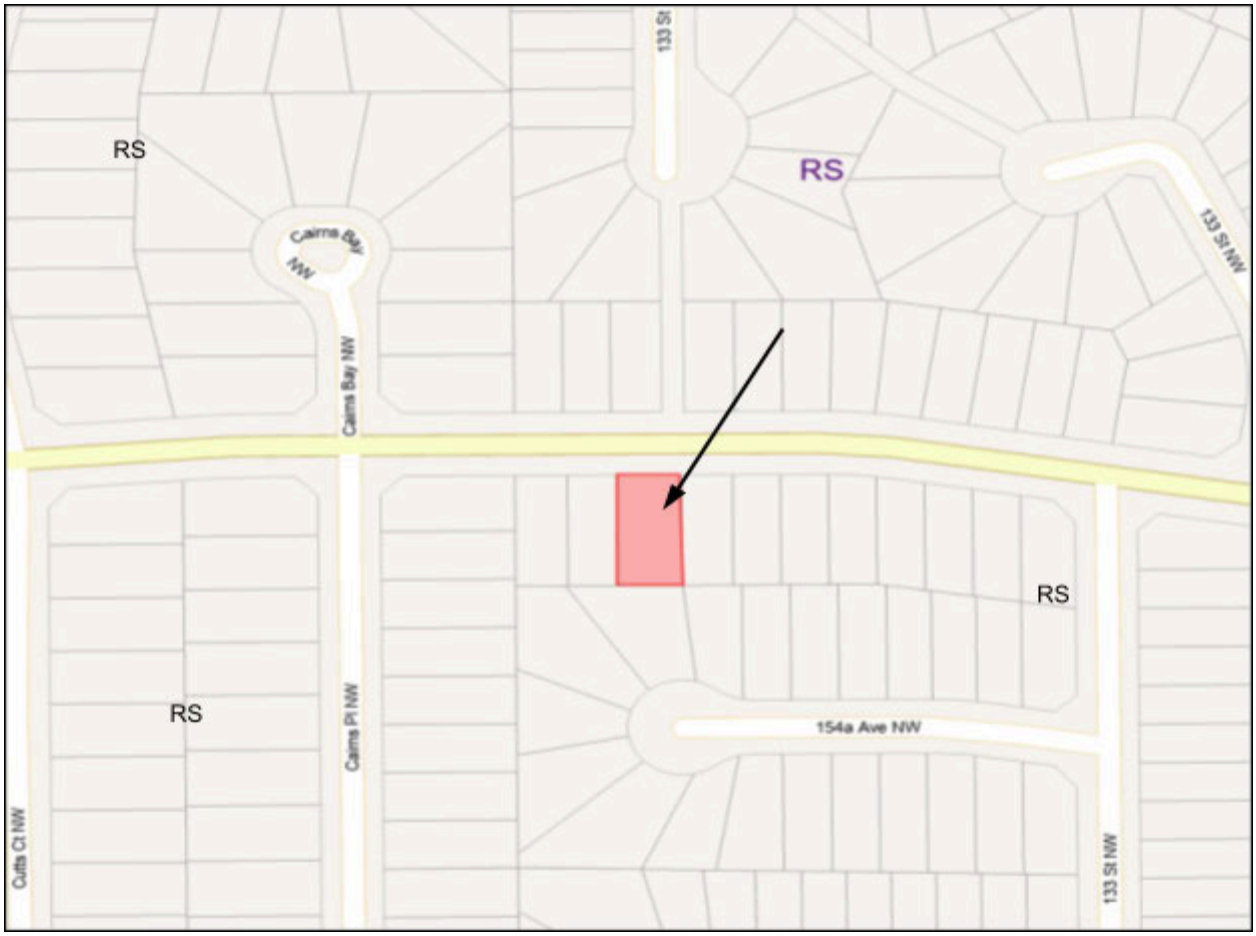
Project Number: **668234038-002**
Application Date: AUG 14, 2026
Printed: August 28, 2026 at 1:10 PM
Page: 2 of 2

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Total GST Amount:	$0.00			
Totals for Permit:	$195.00	$195.00		

THIS IS NOT A PERMIT

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-249

N

ITEM II: 10:00 A.M. FILE: SDAB-D-26-250

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	656574983-002
APPLICATION TO:	Construct a Residential Use building in the form of a Semi-Detached House with unenclosed front porches, rear covered decks (0.9m x 1.5m), and Secondary Suites in the basements and main floors
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	August 27, 2026
DATE OF APPEAL:	September 2, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	13555 - 124A AVENUE NW
LEGAL DESCRIPTION:	Plan 2621635 Blk 9 Lot 25B
ZONE:	RS - Small Scale Residential Zone
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:

> We are appealing the refusal of the development permit for 13555 124A Ave on the basis that the development would not materially impact the amenities, use, or enjoyment of neighbouring properties. The variance requested, relating to the midpoint height and height to peak of the

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

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

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

> a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.
>
> This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Semi-detached Housing** means:

> a building that contains 2 principal Dwellings that share, in whole or in part, a common vertical party wall. Each Dwelling has individual, separate and direct access to ground level. This does not include Duplex Housing.

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

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

Under section 8.20, **Dwelling** means:

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

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

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

RS Zone - Site and Building Regulations

Section 2.10.4.1 states Development must comply with Table 4.1:

Table 4.1. Site and Building Regulations

Subsection	Regulation	Value	Symbol
Height			
4.1.6.	Maximum Height	9.5 m	**-**

Under section 8.20, **Height** means:

> a vertical distance between 2 points.
>
> Where described as a Modifier in a regulation, this is represented as the letter “h” and a number on the Zoning Map.

5.70 - Measuring Height and Grade

Section 5.70.1.7 states “The top of a roof is permitted to extend a maximum of 1.7 m above the maximum Height permitted in the applicable Zone.”

Development Planner’s Determination

> **Midpoint Height - The maximum height is 9.5m (Subsection 2.10.4.1.6).**
> **Proposed: 10.4m**
> **Exceeds by: 0.9m**
>
> **Height to Peak - The top of a roof is permitted to extend a maximum of 1.7 m above the maximum Height of 9.5m (Subsection 5.70.1.7).**
> **Maximum: 11.2m**
> **Proposed: 11.7m**
> **Exceeds by: 0.5m**
>
> [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: **656574983-002**
Application Date: MAY 01, 2026
Printed: August 27, 2026 at 2:01 PM
Page: 1 of 2

Application for Development Permit

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

Applicant

Property Address(es) and Legal Description(s)
13555 - 124A AVENUE NW
Plan 2621635 Blk 9 Lot 25B

Specific Address(es)

Suite:	1, 13555 - 124A AVENUE NW
Suite:	2, 13555 - 124A AVENUE NW
Suite:	MNFL1, 13555 - 124A AVENUE NW
Suite:	MNFL2, 13555 - 124A AVENUE NW
Entryway:	1, 13555 - 124A AVENUE NW
Entryway:	2, 13555 - 124A AVENUE NW
Building:	1, 13555 - 124A AVENUE NW

Scope of Application

To construct a Residential Use building in the form of a Semi-Detached House with unenclosed front porches, rear covered decks (0.9m x 1.5m), and Secondary Suites in the basements and main floors.

Details

1. Titled Lot Zoning:
2. Number of Principal Dwelling Units To Construct: 2
3. Overlay:
4. Number of Secondary Suite Dwelling Units to Construct: 2
5. Statutory Plan:
6. Backyard Housing or Secondary Suite Included?: Yes
7. Neighbourhood Classification: Redeveloping
8. Development Category / Class of Permit: Discretionary Development

Development Application Decision

Refused

Issue Date: Aug 27, 2026 **Development Authority:** SMITH, BRADLEY2

Reason for Refusal

Midpoint Height - The maximum height is 9.5m (Subsection 2.10.4.1.6).
Proposed: 10.4m
Exceeds by: 0.9m

Height to Peak - The top of a roof is permitted to extend a maximum of 1.7 m above the maximum Height of 9.5m (Subsection 5.70.1.7).
Maximum: 11.2m
Proposed: 11.7m
Exceeds by: 0.5m

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.

Fees

THIS IS NOT A PERMIT

P0702003

Edmonton

Application for Development Permit

Project Number: **656574983-002**
Application Date: MAY 01, 2026
Printed: August 27, 2026 at 2:01 PM
Page: 2 of 2

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	$625.00	$625.00	06355J000002997	May 04, 2026
Lot Grading Fee	$320.00	$320.00	06355J000002997	May 04, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$945.00	$945.00		

THIS IS NOT A PERMIT

P0702003

SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-250

N

WITHDRAWN

ITEM III: 1:30 P.M. FILE: SDAB-D-26-254

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT AUTHORITY

APPELLANT:	
APPLICATION NO.:	410475450-011
ORDER TO:	Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete the following by September 4, 2026: You must comply with Edmonton Zoning Bylaw and all conditions of Development Permit No. 410475450-002 / Curb Crossing Permit 410475450-006. 1. Remove the existing private access, approximately 4.3 m wide to 149 Street located approximately 3.1 m from the north property line,with the curb and gutter reconstructed and the boulevard restored to grass within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards. OR 2. Acquire a Development Permit that reflects the current development on the site by September 4, 2026.
DECISION OF THE DEVELOPMENT AUTHORITY:	Order Issued
DECISION DATE:	**August 6, 2026**
DATE OF APPEAL:	**September 2, 2026**
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	10718 - 149 STREET NW
LEGAL DESCRIPTION:	Plan 2022688 Blk 67 Lot 17B
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Jasper Place District Plan

Grounds for Appeal

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

Extension Required To Fill In The Residential Crossing

General Matters

Appeal Information:

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

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

(a) this Part or a land use bylaw or regulations under this Part, or

(b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

(a) stop the development or use of the land or building in whole or in part as directed by the notice,

(b) demolish, remove or replace the development, or

(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(3) A person who receives a notice referred to in subsection (2) may appeal the order in the notice in accordance with section 685.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

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 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.

7.200 Inspections, Enforcement and Penalties

2.1. It is an offence for any person to:

2.1.1. contravene; or
2.1.2. cause, permit or undertake a contravention of; or
any provisions of this Bylaw.
2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of, any provisions of this Bylaw.

2.2. Without restricting the generality of Subsection 2.1, if a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:

2.2.1. construct or allow a building or structure;
2.2.2. make or allow an addition or alteration to a building or structure;
2.2.3. commence or allow a Use or change of intensity of Use; or
2.2.4. place or allow the placement of a Sign on land, or on a building or structure.

2.3. Without restricting the generality of Subsection 2.1, it is an offence for any person to undertake a development or allow a development in contravention of a Development Permit, including any conditions of approval.

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.

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August 6, 2026 Our File: 410475450-011

MUNICIPAL GOVERNMENT ACT ORDER

Dear Sir:

An Alberta Land Titles search identifies you as the registered owner of the property located at 10718 149 STREET NW in Edmonton, Alberta, legally described as Plan 2022688 Blk 67 Lot 17B.

This Property was inspected by Development Compliance Officer Jordana Hoblak, on July 28, 2026. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 of the Municipal Government Act.

ZONING BYLAW INFRACTION:

This property is zoned RS (Small Scale Residential Zone) in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001. **Our investigation revealed the Principal building on the site has not been developed in accordance with Development Permit No. 410475450-002 (To construct a Single Detached House with Unenclosed Front Porch, and rear uncovered deck (3.05m x 3.05m))issued on December 15, 2021.**

Specifically conditions:

The development shall be constructed in accordance with the stamped and approved drawings.

Dev. Permit Condition # No. 410475450-002 - No vehicular access from 149 Avenue shall be permitted. The existing driveway and access off of 149 Avenue NW must be removed (Section 814.3.17).

The existing private access, approximately 4.3 m wide to 149 Street located approximately 3.1 m from the north property line, must be removed, the curb and gutter reconstructed and the boulevard restored to grass within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

NOTE: Curb Crossing Permit 410475450-006 (To fill in a residential crossing) has a condition that states the following: The existing private access, approximately 4.3 m wide to 149 Street located approximately 3.1 m from the north property line, must be

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removed, the curb and gutter reconstructed and the boulevard restored to grass within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards

The existing front curb access to 149 Street still remains and has not been removed and reconstructed.

This is in contravention of Section 7.150 of Edmonton Zoning Bylaw 20001.

Section 7.200 of Edmonton Zoning Bylaw 20001 states:
General Offences
2.1. It is an **offence** for any person to:
2.1.1. contravene; or
2.1.2. cause, permit or undertake a contravention of; or
2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of, any provisions of this Bylaw.

Subsection 7.200.2.3 of Edmonton Zoning Bylaw 20001 states:
Without restricting the generality of Subsection 2.1, it is an **offence** for any person to undertake a development or allow a development in contravention of a Development Permit, including any conditions of approval.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to complete the following **by September 4, 2026:**

You must comply with Edmonton Zoning Bylaw and all conditions of Development Permit No. 410475450-002 / Curb Crossing Permit 410475450-006.

1. Remove the existing private access, approximately 4.3 m wide to 149 Street located approximately 3.1 m from the north property line,with the curb and gutter reconstructed and the boulevard restored to grass within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

OR

2. Acquire a Development Permit that reflects the current development on the site **by September 4, 2026.**

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CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected after **September 4, 2026** to determine compliance with this Order.

In the event that a person fails to comply with this Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter the land and take any action necessary to carry out the Order. Section 646 authorizes the City to register a caveat under the Land Titles Act.

Section 553(1)(h.1) of the Municipal Government Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to 566(2), a person who is found guilty of an offence under this Act is liable to a fine of not more than $10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Affected persons may appeal this Order by filing within **21 calendar days** to the Subdivision and Development Appeal Board. Visit the website at https://sdab.edmonton.ca or call 780-496-6079 for more information on how to file an appeal.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, RSA 2000, c M-26, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

PERMIT APPLICATIONS:

You can make a permit application online at selfserve.edmonton.ca.

For more information related to obtaining a Development Permit, we suggest you consult a technical advisor at:
Email: developmentpermits@edmonton.ca
Phone: 780-442-5054

If you have any questions in regards to this matter, please contact the writer at 587-989-9365

Regards,

Jordana Hoblak
Development Compliance Officer
587-989-9365
jordana.hoblak@edmonton.ca

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Adding amounts owing to tax roll

553(1) A council may add the following amounts to the tax roll of a parcel of land:

(a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;

(b) unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel;

(c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;

(d), (e) repealed 1999 c11 s35; (f) costs associated with tax recovery proceedings related to the parcel;

(g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and

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Development Compliance Unit

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costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel;

(g.1) if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel;

(h) unpaid costs awarded by a composite assessment review board under section 468.1 or the Land and Property Rights Tribunal under section 501, if the composite assessment review board or the Land and Property Rights Tribunal has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Land and Property Rights Tribunal was related to the parcel;

(h.1) the expenses and costs of carrying out an order under section 646;

(i) any other amount that may be added to the tax roll under an enactment.

(2) Subject to section 659, when an amount is added to the tax roll of a parcel of land under subsection (1), the amount

(a) is deemed for all purposes to be a tax imposed under Division 2 of Part 10 from the date it was added to the tax roll, and

(b) forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

(a) this Part or a land use bylaw or regulations under this Part, or

(b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

(a) stop the development or use of the land or building in whole or in part as directed by the notice,
(b) demolish, remove or replace the development, or

(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

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(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

Enforcement of stop order

646(1) If a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.

(2) A municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order.

(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

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).

(1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.

(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).

(2.1) An appeal referred to in subsection (1) or (2) may be made

(a) to the Land and Property Rights Tribunal

(i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application

(A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,

(B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,

(C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or

(D) is the subject of a licence, permit, approval or other authorization granted by the

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Minister of Environment and Parks,

or

(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii), or

(b) in all other cases, to the subdivision and development appeal board.

(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).

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

(a) is made by a council, there is no appeal to the subdivision and development appeal board, or

(b) is made by a development authority, the appeal 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.

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.

(1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

(a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or

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(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board 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.

(2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

(a) to the appellant,

(b) to the development authority whose order, decision or development permit is the subject of the appeal, and

(c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

(a) the application for the development permit, the decision and the notice of appeal, or (b)

the order under section 645.

(4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

(5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.

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Subdivision and Development Appeal Board

File your appeal online at:

https://sdab.edmonton.ca

The Subdivision and Development Appeal Board (SDAB) hears appeals from people who have been affected by a decision of the Development Authority under the Zoning Bylaw and the Subdivision Authority under the Subdivision Authority Bylaw. The board is appointed by City Council and consists of citizens living in the city of Edmonton.

The SDAB normally meets every Wednesday and Thursday. If required, the Board may set additional dates for hearings.

Once you have met requirements and filed a proper appeal, this Board presides over your hearing.

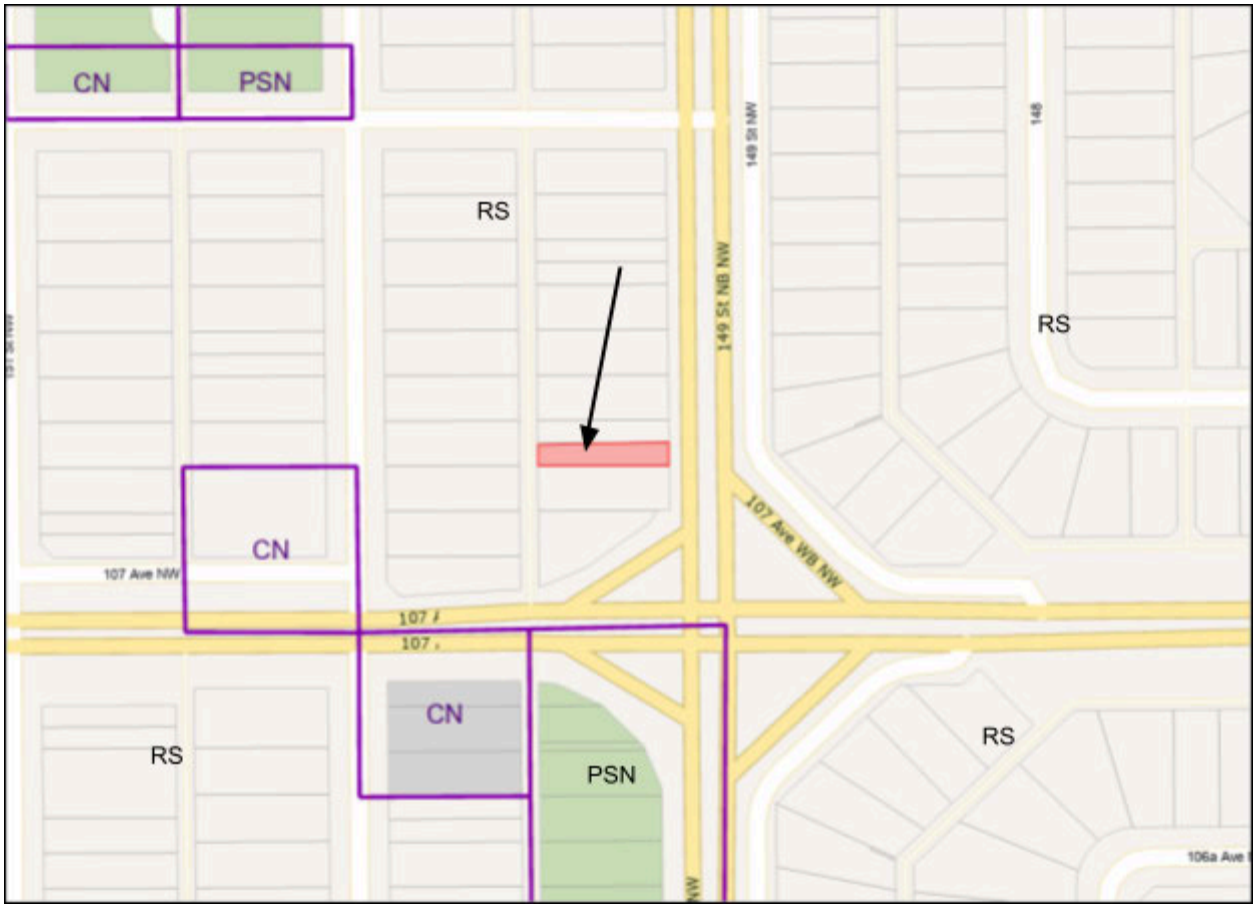
The SDAB is an independent, quasi-judicial body established by City Council, and its decisions are final and cannot be overturned unless the board makes an error in some aspect of law or jurisdiction.

Agendas listing appeals and hearing times scheduled for that day are posted in the hearing waiting area. Hearings do not start before the time listed on the schedule.

For more information:

Subdivision and Development Appeal Board

Telephone 780-496-6079 **Fax** 780-577-3537 **Email** sdab@edmonton.ca



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-254

N