

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Tuesday, 9:00 A.M.
September 8, 2026

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

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

I 9:00 A.M. SDAB-D-26-227

Construct exterior alterations (Driveway extension, right 1.2 m x 8.0 m)

6519 - 173 AVENUE NW
Project No.: 663511558-002

II 10:00 A.M. SDAB-D-26-228

Construct an addition (Adding to existing attached Garage) to a Residential Use building in the form of a Single Detached House

5904 - 110 STREET NW
Project No.: 657616119-002

III 11:00 A.M. SDAB-D-26-229

Extend a Surface Parking Lot onto 10702 - 107 Street NW (existing without permits)

10012 - 107 STREET NW, 10006 - 107 STREET NW, 10702 - 100 AVENUE NW
Project No.: 661807044-002

IV 1:30 P.M. SDAB-D-26-230

Construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed porches (8 Dwellings total)

11650 - 72 AVENUE NW
Project No.: 646603758-002

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-227

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 663511558-002

APPLICATION TO: Construct exterior alterations (Driveway extension, right 1.2 m x 8.0 m), existing without permits

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: August 5, 2026

DATE OF APPEAL: August 11, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 6519 - 173 AVENUE NW

LEGAL DESCRIPTION: Plan 1520589 Blk 14 Lot 26

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S): McConachie Neighbourhood Structure Plan
Pilot Sound Area Structure Plan

DISTRICT PLAN: Northeast District Plan

Grounds for Appeal

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

Dear Members of the Subdivision and Development Appeal Board:

I respectfully appeal the Development Authority's August 5, 2026 refusal of my application to retain the existing driveway extension at my home. I ask the Board to allow the appeal and approve the existing 1.2 m side

extension, or approve it subject to reasonable conditions that address any site-specific concern.

Why I am requesting the variance

I understand the City identified three concerns: the extension does not lead directly to the garage, the total driveway width is approximately 8.5 m compared with the stated 7.3 m maximum, and the extension is within the front yard. I am asking for a limited, site-specific variance to retain the existing extension because of the practical safety and accessibility benefits to my family and the limited impact on the surrounding area.

1. Family safety and accessibility. I have two young children: one is 3.5 years old and our second child was born July 2, 2026. We regularly use an infant carrier, stroller and child seats, which require room to open vehicle doors safely. My parents are also over 60 years old, and the additional hard-surfaced width makes it easier and safer to assist them when entering or exiting a vehicle.

2. Safer year-round access. The extra 1.2 m provides a stable area beside a parked vehicle instead of requiring family members to step onto grass, snowbanks, ice or uneven ground. In winter, when snow reduces usable space, this is especially helpful for a newborn, a small child and older family members.

3. Less need for street-side loading. Keeping loading and unloading on our own property reduces the need to handle children, a stroller, groceries or older passengers beside street traffic. The extension remains part of a normal residential property and is not intended for commercial activity or an intensified use.

4. Limited neighbourhood impact and good faith. The requested variance is modest. I respectfully submit that the existing extension can remain without unreasonable impact on neighbours or the residential character of the street. I am willing to address reasonable conditions relating to drainage, snow storage, sightlines, landscaping or other site matters. I am seeking proper approval in good faith and will provide photographs, measurements or neighbour comments if requested by the Board.

Requested decision

I respectfully request that the SDAB allow my appeal and permit the existing driveway extension to remain. The extension provides meaningful safety and accessibility benefits for my young children and older parents while remaining a limited residential alteration. I am prepared to accept reasonable conditions the Board considers appropriate.

Thank you for considering my appeal. I will attend the hearing and am prepared to answer questions and provide supporting information.

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

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

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

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

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

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

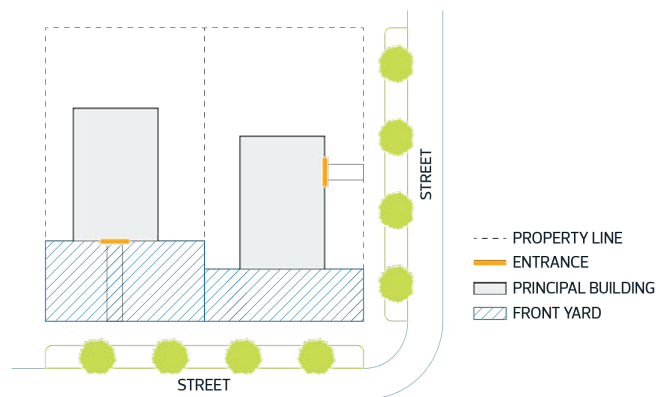
Under section 8.20, **Driveway** means:

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



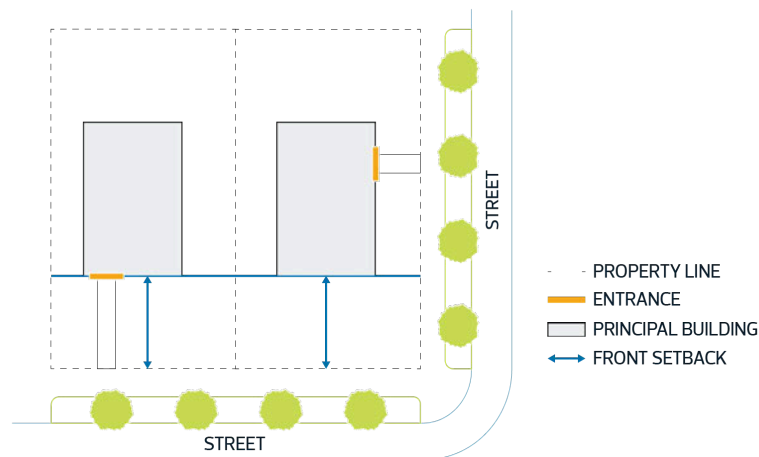
Under section 8.20, **Front Yard** means:

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:

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

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

Section 2.20.1 states that the **Purpose** of the **RSF - Small Scale Flex Residential Zone** is:

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

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 5.80.2.1.4.)

Proposed: 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: 7.3 m

Proposed: 8.5 m

Exceeds by: 1.2 m

3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard (Subsection 5.80.2.1.6.1.).

Proposed: Driveway extension is located within the Front Yard.

[unedited]

Previous Subdivision and Development Appeal Board Decision

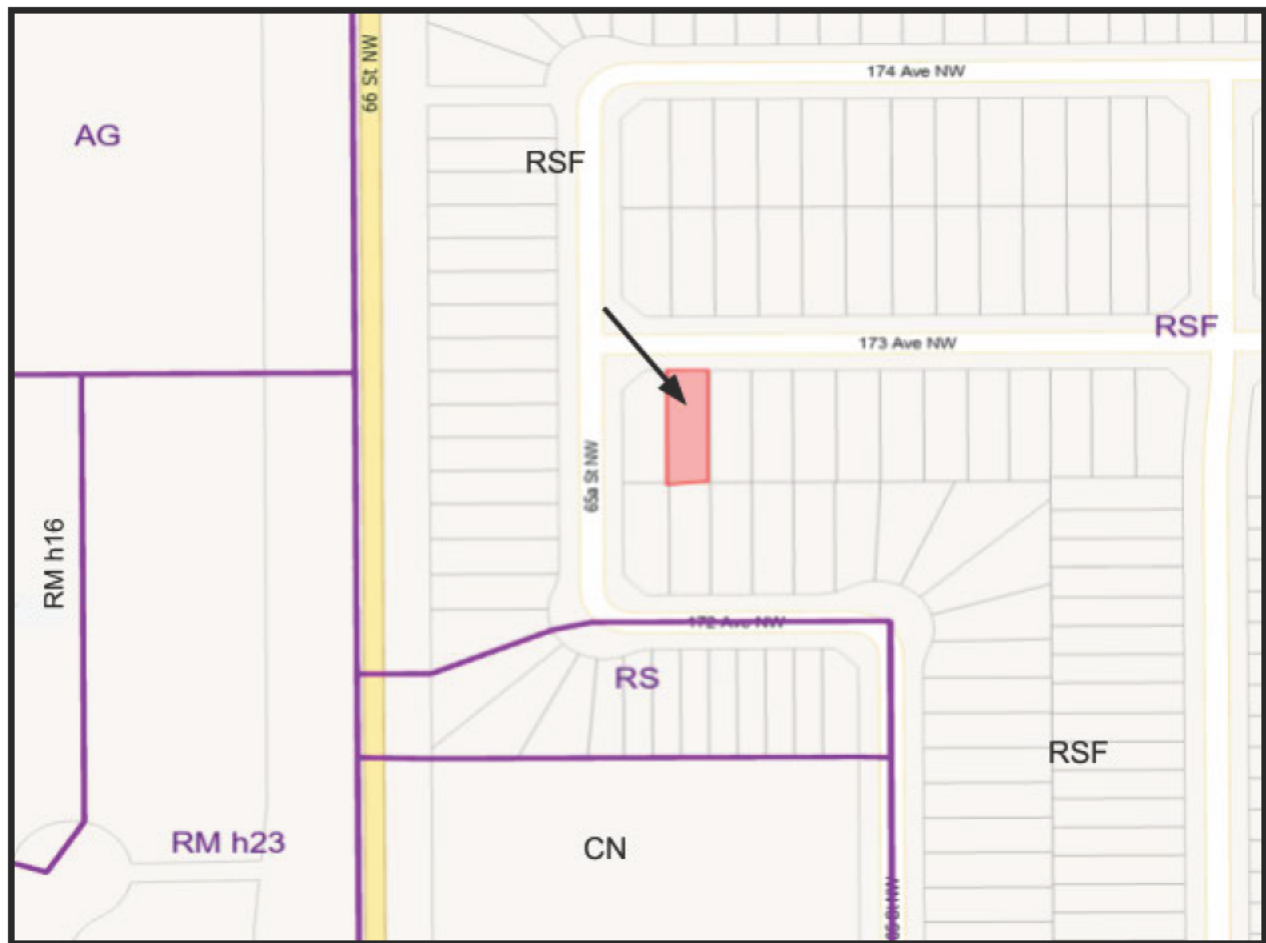
Application Number	Description	Decision
SDAB-D-26-009	To construct exterior alterations to a Residential Use building (Driveway extension, 1.20m x 5.60m).	January 30, 2026; The appeal was not filed in time in accordance with Section 686(1)(a)(i)(A) of the <i>Municipal Government Act</i> . Therefore, the Board cannot assume jurisdiction to hear this appeal.

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: 663511558-002 Application Date: JUN 23, 2026 Printed: August 5, 2026 at 9:16 AM Page: 1 of 2																					
Application for Driveway Extension Permit																							
This document is a Development Permit Decision for the development application described below.																							
Applicant Project Name: existing drive way extension permit		Property Address(es) and Legal Description(s) 6519 - 173 AVENUE NW Plan 1520589 Blk 14 Lot 26																					
Scope of Application To construct exterior alterations (Driveway extension, right 1.2 m x 8.0 m), existing without permits.																							
Details																							
Development Category: Site Area (sq. m.): 383.80		Overlay: Statutory Plan:																					
Development Application Decision Refused Issue Date: Aug 05, 2026 Development Authority: FOLKMAN, JEREMY Reason for Refusal 1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.4.) Proposed: 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: 7.3 m Proposed: 8.5 m Exceeds by: 1.2 m 3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard (Subsection 5.80.2.1.6.1.). Proposed: Driveway extension is located within 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 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$195.00</td> <td style="text-align: right;">\$195.00</td> <td>01487000020572</td> <td>Jun 23, 2026</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right;">\$195.00</td> <td style="text-align: right;">\$195.00</td> <td></td> <td></td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$195.00	\$195.00	01487000020572	Jun 23, 2026	Total GST Amount:	\$0.00				Totals for Permit:	\$195.00	\$195.00		
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Development Application Fee	\$195.00	\$195.00	01487000020572	Jun 23, 2026																			
Total GST Amount:	\$0.00																						
Totals for Permit:	\$195.00	\$195.00																					
THIS IS NOT A PERMIT																							
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	Application for Driveway Extension Permit	Project Number: 663511558-002 Application Date: JUN 23, 2026 Printed: August 5, 2026 at 9:16 AM Page: 2 of 2
THIS IS NOT A PERMIT		



SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-26-227 **N**

ITEM II: 10:00 A.M.

FILE: SDAB-D-26-228

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 657616119-002

APPLICATION TO: Construct an addition (Adding to existing attached Garage) to a Residential Use building in the form of a Single Detached House

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: August 7, 2026

DATE OF APPEAL: August 14, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 5904 - 110 STREET NW

LEGAL DESCRIPTION: Plan 239HW Blk 13 Lot 10

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

Grounds for Appeal

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

To whom it may concern,

This letter is in regards to the issues raised about the setback limits for project #657616119-001.

While the client initially hoped to extend the attached garage to the property line, the designer made it clear that this was not a possibility. Instead, the designer adjusted the plans to mirror the established setback standards for detached garages, maintaining a 2-foot setback from the side property line with a 6-inch overhang projection. The structure fully complies with all other applicable bylaws, including the maximum allowable garage door width and lot coverage. Furthermore, the interior dimensions adhere strictly to City parking requirements, which mandate a width of 2.7 meters for any parking space bounded by a wall on one side.

Alternative configurations, including a rear detached garage, were thoroughly evaluated during the planning phase, but ultimately rejected because they required an excessive amount of concrete. Choosing an attached design preserves the backyard, landscaping, and vegetation while preventing a heat island effect. Furthermore, this design improves community safety by moving parking off the street into a secure space, which serves the broader community interest by reducing street congestion.

We believe this design represents the most thoughtful and balanced solution to the client's needs while remaining highly respectful of neighbouring properties and local guidelines.

Thank you for your consideration of this variance request.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

...

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

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

- (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- ...
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
 - and
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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.

Side Setbacks

Section 2.10.4.3

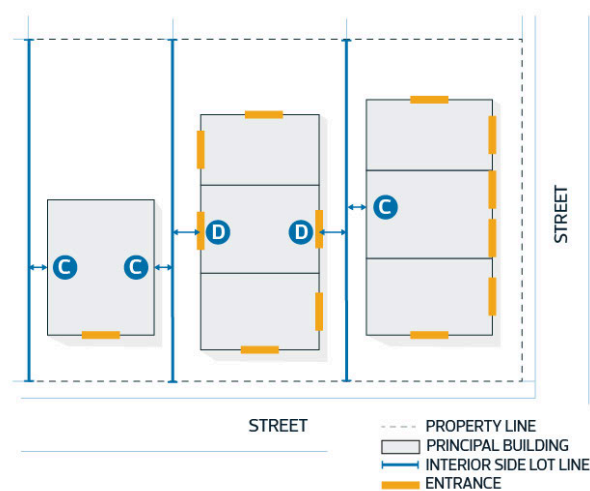
4.3. Setbacks must comply with Table 4.3:

Table 4.3 Setback Regulations

Side Setback

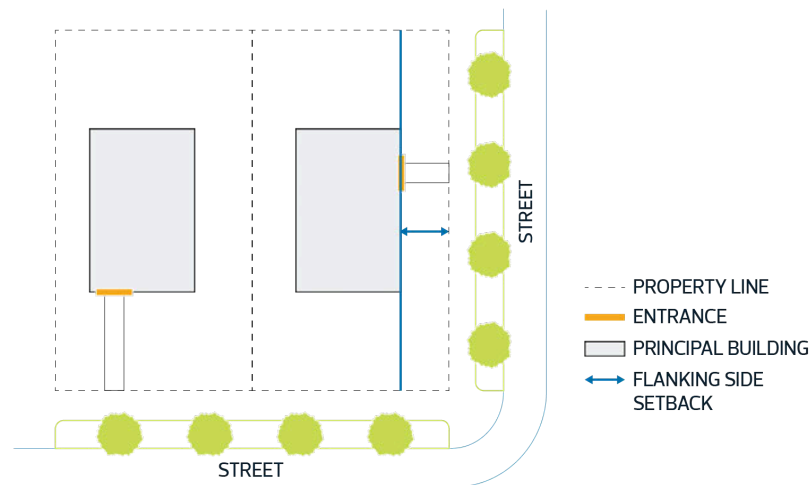
Subsection	Regulation	Value	Symbol
4.3.3.	Minimum Interior Side Setback	1.2 m	C

Diagram for Subsection 4.3.3



Under section 8.20, **Flanking Side Setback** means:

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



Development Planner's Determination

Side Setback - The minimum interior south side setback is 1.2 m (Subsection 2.10.4.3.3).

Proposed: 0.6 m

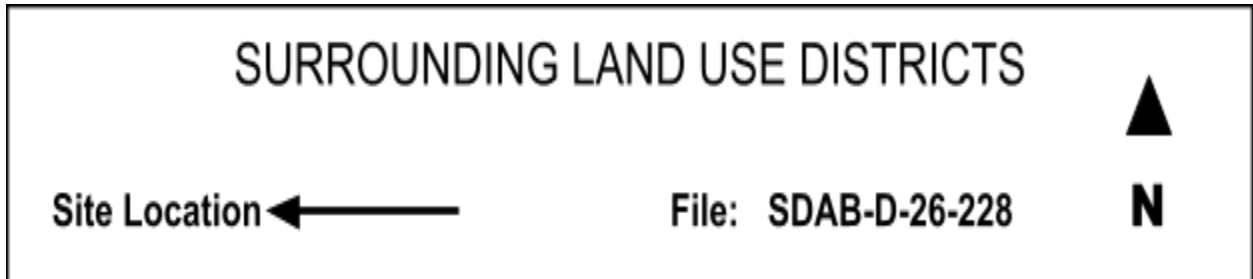
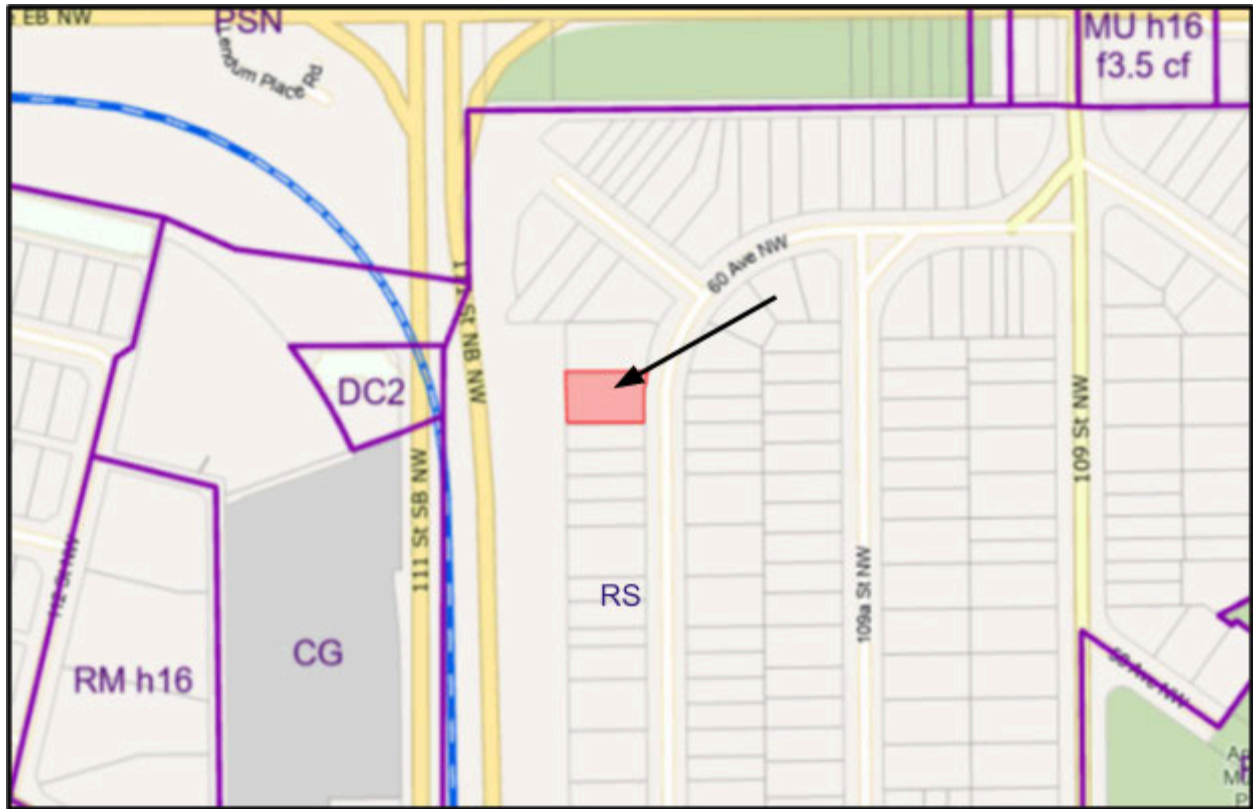
Deficient by: 0.6 m

[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: 657616119-002 Application Date: JUN 19, 2026 Printed: August 7, 2026 at 12:11 PM Page: 1 of 1		
Application for Addition Permit				
This document is a Development Permit Decision for the development application described below.				
Applicant		Property Address(es) and Legal Description(s) 5904 - 110 STREET NW Plan 239HW Blk 13 Lot 10		
Scope of Application To construct an addition (Adding to existing attached Garage) to a Residential Use building in the form of a Single Detached House.				
Details				
Development Category: Discretionary Development Site Area (sq. m.): 1037.53		Overlay: Statutory Plan:		
Development Application Decision Refused Issue Date: Aug 07, 2026 Development Authority: OLTHUIZEN, JORDYN Reason for Refusal Side Setback - The minimum interior south side setback is 1.2 m (Subsection 2.10.4.3.3). Proposed: 0.6 m Deficient by: 0.6 m Rights of Appeal The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.				
Building Permit Decision No decision has yet been made.				
Fees				
	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$84.00	\$84.00	087541000016713	Jun 19, 2026
Building Permit Fee (Construction Value)	\$2,100.00	\$2,100.00	087541000016713	Jun 19, 2026
Development Application Fee	\$415.00	\$415.00	087541000016713	Jun 19, 2026
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,599.00	\$2,599.00		
THIS IS NOT A PERMIT				
PG702003				



ITEM III: 11:00 A.M.

FILE: SDAB-D-26-229

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 661807044-002

APPLICATION TO: Extend a Surface Parking Lot onto 10702 - 107 Street NW
(existing without permits)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 21, 2026

DATE OF APPEAL: August 10, 2026

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 10012 - 107 STREET NW, 10006 - 107 STREET NW,
10702 - 100 AVENUE NW

LEGAL DESCRIPTION: Plan NB Blk 7 Lot 54, Plan NB Blk 7 Lot 55, Plan NB
Blk 7 Lot 56

ZONE: CMU - Commercial Mixed Use Zone

SPECIAL AREA: Downtown Special Area

STATUTORY PLAN: Capital City Downtown Plan

DISTRICT PLAN: Central District Plan

<i>Grounds for Appeal</i>

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

1. Appeal

Clarity Development Advisory appeals this refusal on behalf of ABC Benefits Corporation, the registered owner of the site, under Section 685(1) of the Municipal Government Act. This notice is filed within the 21 day

period set by Section 686(1). A letter authorizing Clarity to act as agent is attached.

2. Decision under appeal

The Development Authority refused the application on two grounds. First, the setback provided for the surface parking lot is 0 m instead of 4 m (Subsection 3.20.5.2.3.2). Second, 0 trees and shrubs are provided in the setback area instead of the required 11 trees and 22 shrubs (Subsection 5.60.4.1).

3. Grounds of appeal

The refusal applies the wrong regulations. This development is Centre City Temporary Parking, and both reasons for refusal rest on provisions that do not govern it. As well, the decision addresses only one portion of the site, the gravel surface parking lot, and does not account for the entire site submitted in the application, which also includes the paved parking area and the existing, City-approved community greenspace.

The site is comprised of a standalone gravel surface parking lot, a paved surface parking lot, and a community greenspace located within the Appendix I boundary. The parking is the principal Use on the site. The greenspace is an existing, City-approved community greenspace, permitted in 2018 as an accessory use for a ten-year term, and is not a separate principal Use of the site. The site was operating as a surface parking lot as of January 1, 2024, in the CMU (Commercial Mixed Use) Zone, a Downtown Special Area zone in which Centre City Temporary Parking is a permitted Use. It is the Use through which a standalone surface parking lot is provided for in this zone, so it is the framework under which the application had to be assessed. Because it is a permitted Use, the application had to be approved if it complied, or granted with a variance, rather than refused under provisions that do not apply to it. The application was prepared to the requirements of that Use, including hard surfacing, stormwater management, and barrier free parking, and a complete application was made within the program window, on June 23, 2026.

Section 6.120.1.2 provides that the general development regulations in Part 5 and the development regulations of the underlying Zone do not apply to Centre City Temporary Parking, except as noted in Section 6.120. Both reasons for refusal are based on provisions of that kind. Subsection 3.20.5.2.3.2 is a regulation of the underlying Downtown zone, and Subsection 5.60.4.1 is a Part 5 general landscaping regulation that Section 6.120.4.1 expressly does not carry into this Use.

Under Section 6.120, the setback abutting a Street is 2.0 m, not 4.0 m, and landscaping is governed by Subsection 6.120.4.3, which also gives the Development Planner discretion under Subsection 6.120.4.3.1 to approve a development that does not provide the minimum trees and shrubs where low impact development plantings are provided. The 4.0 m setback and the

11 trees and 22 shrubs cited in the refusal are calculated under provisions that do not apply. In any event, even if that provision applied, it is already satisfied in both number and purpose. Because the decision evaluated only the gravel parking lot and not the whole site as submitted, the landscaping already present on the site was not credited. The existing community greenspace provides 11 trees and 30+ shrubs, which meets or exceeds the 11 trees and 22 shrubs the City identified. More importantly, it delivers the softening of the parking edge and the streetscape and urban forest quality that the landscaping requirement is intended to achieve, particularly along the 107 Street frontage.

Measured against the correct 2.0 m standard, the variance at issue is a 2.0 m setback on two street frontages, the south property line abutting 100 Avenue and the east property line abutting 107 Street, where some stalls at the southeast meet the property line. Holding the parking within those setbacks would require pushing the parking into the community greenspace that ABC maintains on its own land. The proposed configuration instead keeps that publicly accessible open space mostly intact, removes an existing encroachment onto the public road allowance on the south side, and upgrades the lot from gravel to a hard surface with stormwater management. ABC devotes the east and northeast portion of its own land, along the 107 Street frontage, to this publicly accessible community greenspace, which already provides the improved landscaping and public realm quality that the setback and landscaping requirements are intended to achieve. The development does not unduly interfere with the amenities of the neighbourhood, does not materially interfere with or affect the use, enjoyment, or value of neighbouring parcels, and conforms with the use prescribed for the land, so it meets the test in Section 687(3)(d) of the Municipal Government Act.

4. Relief sought

Clarity asks the Board to allow the appeal and issue the Centre City Temporary Parking development permit, for which a complete application was made within the program window on June 23, 2026, with any variance necessary, using its powers under Section 687(3)(c) and (d) of the Municipal Government Act.

A full written submission will follow in accordance with the Board's deadline schedule.

<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.

Non-conforming use and non-conforming buildings

643(1) If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

(2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

(3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

(4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

- (a) to make it a conforming building,
- (b) for routine maintenance of the building, if the development authority considers it necessary, or
- (c) in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

General Provisions from the Zoning Bylaw 20001:

Section 3.22.2 and 3.22.3 provide **Permitted Uses** and **Discretionary Uses** in the **CMU - Commercial Mixed Use Zone**.

A **Park** is **neither** a Permitted Use **nor** a Discretionary Use in the **CMU - Commercial Mixed Use Zone**.

Under section 3.22.2.14 an **Office** is a **Permitted Use** in the **CMU - Commercial Mixed Use Zone**.

Under section 8.20, a **Park** means:

a development where land is publicly accessible and used for active or passive recreation. These may include facilities, playing fields, buildings and other structures that serve a recreational purpose of the park.

Typical examples include: open green space, pedestrian trails and paths, picnic grounds, plazas, sports fields, and associated structures such as band shells, ice rinks, outdoor pools, playgrounds, and spray parks.

Under section 8.20, **Office** means:

a development where the main activity is to provide professional, management, administrative, consulting, or financial services.

Typical examples include: offices for accountants, architects, financial institutions, employment or call centres, and real estate, law, and insurance firms.

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, a **Surface Parking Lot** means “an unenclosed area wholly at ground level that includes 1 or more Parking Areas and 1 or more Drive Aisles.”

Section 3.22.1 states that the **Purpose** of the **CMU - Commercial Mixed Use Zone** is:

To allow for development that accommodates a mix of predominantly commercial, office, institutional, and business Uses as a secondary office commercial area while emphasizing retail activities, entertainment and service Uses at ground level.

Section 3.20.1 states that the **Purpose** of the **Downtown Special Area** is:

To designate the Downtown area as a Special Area to achieve the objectives of the Capital City Downtown Plan.

Section 3.20 - Downtown Special Area - Downtown Wide Regulations

Section 3.20.5.1 states the following regulations apply to all the Downtown Special Area Zones.

Parking, Loading, Storage and Access

Section 3.20.5.2 states the following with respect to **Vehicle Parking**:

5.2.3. Surface Parking Lots must:

...

5.2.3.2. include a minimum 4.0 m Landscaped Setback from any property line Abutting a Street;

...

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.

Under section 8.20, **Landscaping** means:

the preservation or modification of the natural features of a Site through the placement or addition of any or a combination of the following:

- a. soft landscaping elements such as trees, shrubs, plants, lawns, gardens, and ornamental plantings;
- b. decorative Hard Surfacing elements in the form of patios, Pathways, and paths consisting of materials such as bricks, pavers, shale, crushed rock, or other suitable materials, excluding monolithic concrete and asphalt; and
- c. architectural elements such as decorative Fencing, walls, and sculpture.

Landscaping does not include decorative Hard Surfacing used for, or contained within, Parking Areas, Driveways, or vehicle access areas.

Development Planner's Determination

1) Setback: The provided Setback for the Surface Parking Lot is 0 m instead of 4 m (Subsection 3.20.5.2.3.2).

[unedited]

Section 5.60 - Landscaping for all Other Development

Section 5.60.4.1 states:

Trees and shrubs for all development not regulated in Subsection 3.1 must comply with Table 4.1:

Table 4.1. Minimum Trees and Shrubs

Subsection	Measure	Minimum Tree and Shrub Requirements
All development, excluding development: - regulated in Subsection 3.1 and Backyard Housing; - on a Site in the AG, AJ, FD, PS, or PSN Zone; or - on a Site in a River Valley Special Area Zone		
4.1.1.	Total Setback area, calculated based on the Setbacks at ground level	1 tree and 2 shrubs per 30.0 m²

Development Planner's Determination

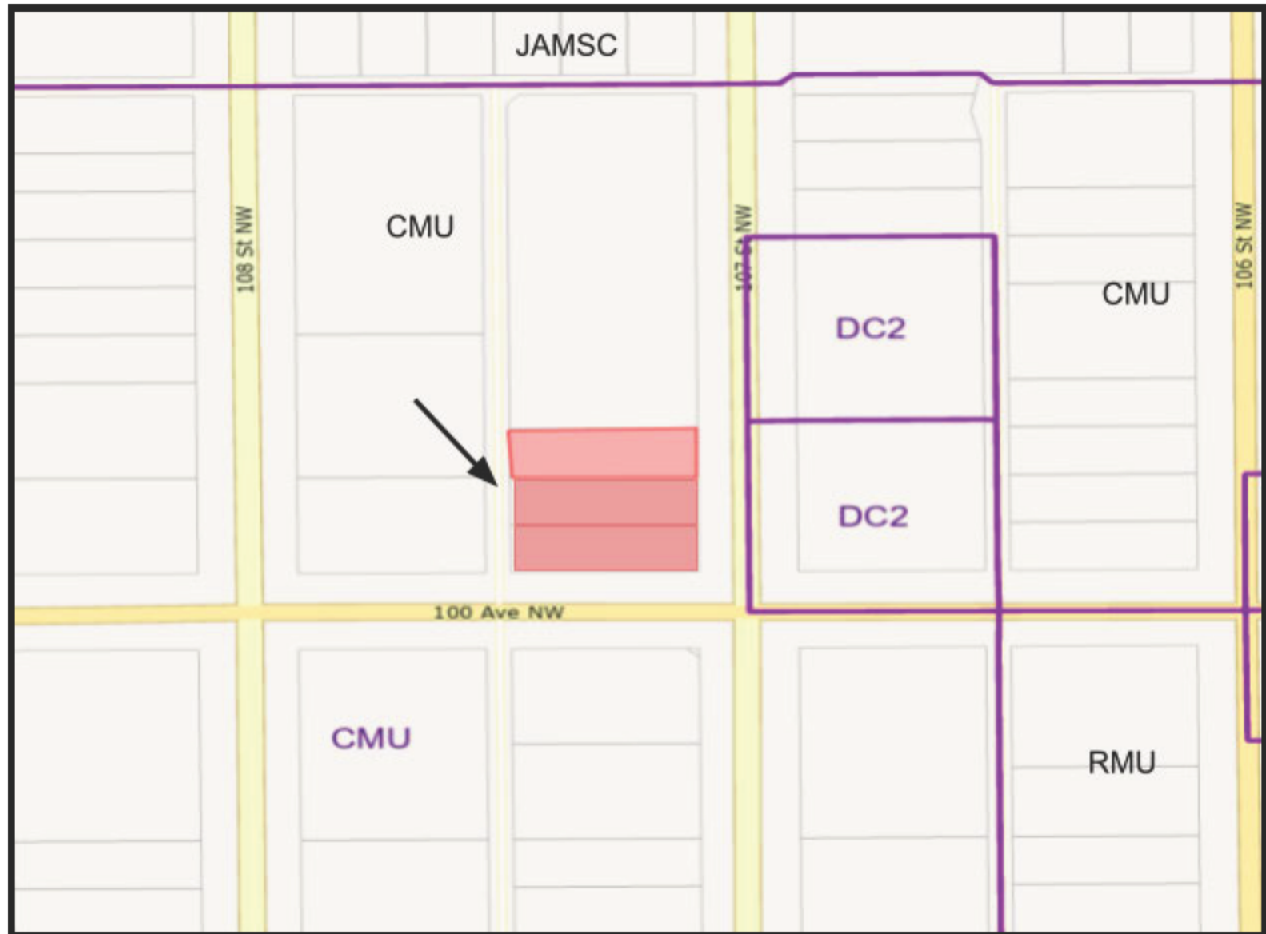
2) Landscaping: 0 trees and shrubs are provided in the Setback area of the Surface Parking Lot instead of the minimum required 11 trees and 22 shrubs (Subsection 5.60.4.1).

[unedited]

Notice to Applicant/Appellant

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

		Project Number: 661807044-002 Application Date: JUN 10, 2026 Printed: July 21, 2026 at 4:09 PM Page: 1 of 1																															
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) 10012 - 107 STREET NW Plan NB Blk 7 Lot 54 10006 - 107 STREET NW Plan NB Blk 7 Lot 55 10702 - 100 AVENUE NW Plan NB Blk 7 Lot 56																															
Scope of Application To extend a Surface Parking Lot onto 10702 - 107 Street NW (existing without permits), ABC Benefits Corporation																																	
Details																																	
Development Category: Lot Grading Needed?: Y NumberOfMainFloorDwellings: Site Area (sq. m.):		Gross Floor Area (sq. m.): New Sewer Service Required: Overlay: Statutory Plan:																															
Development Application Decision Refused Issue Date: Jul 21, 2026 Development Authority: BUCCINO, SAMANTHA Reason for Refusal 1) Setback: The provided Setback for the Surface Parking Lot is 0 m instead of 4 m (Subsection 3.20.5.2.3.2). 2) Landscaping: 0 trees and shrubs are provided in the Setback area of the Surface Parking Lot instead of the minimum required 11 trees and 22 shrubs (Subsection 5.60.4.1). 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 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Lot Grading Fee</td> <td style="text-align: right;">\$500.00</td> <td style="text-align: right;">\$500.00</td> <td>094295000019584</td> <td>Jun 23, 2026</td> </tr> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$960.00</td> <td style="text-align: right;">\$960.00</td> <td>094295000019584</td> <td>Jun 23, 2026</td> </tr> <tr> <td>Development Permit Inspection Fee</td> <td style="text-align: right;">\$575.00</td> <td style="text-align: right;">\$575.00</td> <td>094295000019584</td> <td>Jun 23, 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;">\$2,035.00</td> <td style="text-align: right; border-top: 1px solid black;">\$2,035.00</td> <td></td> <td></td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Lot Grading Fee	\$500.00	\$500.00	094295000019584	Jun 23, 2026	Major Dev. Application Fee	\$960.00	\$960.00	094295000019584	Jun 23, 2026	Development Permit Inspection Fee	\$575.00	\$575.00	094295000019584	Jun 23, 2026	Total GST Amount:	\$0.00				Totals for Permit:	\$2,035.00	\$2,035.00		
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THIS IS NOT A PERMIT																																	
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-229

▲
N

ITEM IV: 1:30 P.M.FILE: SDAB-D-26-230AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 646603758-002

APPLICATION TO: Construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed porches (8 Dwellings total)

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: July 31, 2026

DATE OF APPEAL: August 13, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 11650 - 72 AVENUE NW

LEGAL DESCRIPTION: Plan 2938HW Blk 10 Lot 48

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

Grounds for Appeal

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

On behalf of myself and my neighbours regarding this proposed development, we are concerned that there are possible zoning

bylaws/regulations that may have been misinterpreted or relaxed and therefore there may be compliance issues.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

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

or

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

Hearing and Decision

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

...

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

...

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

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

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

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

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

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

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

Under section 8.20, **Dwelling** means:

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

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

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

Notice to Applicant/Appellant

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

	Project Number: 646603758-002 Application Date: FEB 09, 2026 Printed: July 31, 2026 at 12:28 PM Page: 1 of 8			
	Development Permit			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Zoning Bylaw as amended.				
Applicant	Property Address(es) and Legal Description(s) 11650 - 72 AVENUE NW Plan 2938HW Blk 10 Lot 48			
	Specific Address(es) Suite: 1, 11650 - 72 AVENUE NW Suite: 2, 11650 - 72 AVENUE NW Suite: 3, 11650 - 72 AVENUE NW Suite: 4, 11650 - 72 AVENUE NW Suite: BSMT1, 11650 - 72 AVENUE NW Suite: BSMT2, 11650 - 72 AVENUE NW Suite: BSMT3, 11650 - 72 AVENUE NW Suite: BSMT4, 11650 - 72 AVENUE NW Entryway: 1, 11650 - 72 AVENUE NW Entryway: 2, 11650 - 72 AVENUE NW Entryway: 3, 11650 - 72 AVENUE NW Entryway: 4, 11650 - 72 AVENUE NW Building: 1, 11650 - 72 AVENUE NW			
Scope of Permit To construct a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed porches (8 Dwellings total).				
Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> 1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping </td> <td style="width: 50%; vertical-align: top;"> 2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development </td> </tr> </table>			1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 4 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development
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Development Permit Decision Approved Issue Date: Jul 31, 2026 Development Authority: WOOD, ANTHONY Subject to the Following Conditions Zoning Conditions: 1. This Development Permit authorizes the construction of a Residential Use building in the form of a Residential Use building in the form of a 4 Dwelling Row House with 4 Secondary Suites and unenclosed porches (8 Dwellings total). 2. The development must be constructed in accordance with the approved drawings. 3. WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a Development Permit Notification Sign (Subsection 7.160.2.2).				
P0702003				

	Project Number: 646603758-002 Application Date: FEB 09, 2026 Printed: July 31, 2026 at 12:28 PM Page: 2 of 8
Development Permit	
4. Landscaping must be installed and maintained in accordance with Section 5.60. 5. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2). 6. Pathway(s) connecting the main entrance of the Dwelling directly to an Abutting sidewalk or to a Driveway must be a minimum unobstructed width of 0.9 m (Subsection 5.80.2.1.1). 7. Unenclosed steps require a minimum setback of 0.6 m from Lot lines (Subsection 2.10.4.6.). If the unenclosed steps are oriented toward the Interior Side Lot Line, a minimum distance of 1.1 m must be maintained between the Interior Side Lot Line and the unenclosed steps (Subsection 2.10.4.8.1.). If the unenclosed steps are oriented away from the Interior Side Lot Line and have a landing less than or equal to 1.5 m², a minimum distance of 0.15 m must be maintained from the Interior Side Lot line and the unenclosed steps (Subsection 2.10.4.8.2.) 8. The Street-facing Facade of each Row Housing Dwelling must have clear glass windows covering a minimum of 15% of the Facade area above the basement (Subsection 2.10.5.6.2). 9. Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5) 10. Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade, and focus light away from surrounding Sites to minimize Nuisance; generally be directed downwards, except where directed towards the Site or architectural features located on the Site; be designed to provide an appropriately-lit environment at building entrances, outdoor Amenity Areas, parking facilities, and Pathways; and not interfere with the function of traffic control devices (Subsection 5.120.3). 11. A Secondary Suite must have a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building (Section 8.20). 12. A Hard Surfaced Pathway connecting the main entrance of a Secondary Suite directly to an Abutting sidewalk or to a Driveway is required, which must be a minimum width of 0.9 m (Subsection 5.80.2.1.1). 13. A Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20). 14. A Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20). 15. The development must not be used as a Lodging House. A Lodging House means a building, or part of a building, containing 4 or more Sleeping Units that are rented out individually. 16. Future inspections may occur to ensure the building is not operating as a Lodging House. 17. This Development Permit will be revoked if the conditions of this permit are not met. Landscaping Conditions: 1. Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner. 2. Any change to an approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed. 3. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a	
P0702003	



Project Number: **646603758-002**
 Application Date: FEB 09, 2026
 Printed: July 31, 2026 at 12:28 PM
 Page: 3 of 8

Development Permit

healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.

Transportation Conditions:

1. Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination. This area within the alley road right-of-way must not exceed a slope of 8%.
2. There is an existing wooden power pole with street light adjacent to the alley that may interfere with access to the proposed on-site parking stalls. The applicant is responsible to contact EPCOR Electricity at ces@epcor.com about the conflict and to resolve the issue as required. The applicant is responsible for all costs associated with any required mitigative action (including but not limited to: removal / relocation / modification) associated with the conflict.

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

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

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

3. There are existing boulevard trees adjacent to the site that must be protected. A minimum distance of 3 metres must be initiated and maintained from any existing tree in relation to the placement of any above-ground permanent structure, which includes ground disturbance for installation and sidewalk connectors. No new above-ground permanent structure shall be placed in such a way to limit a tree's structural root plate or the structural integrity of any tree that is existing within the intended construction work zone. All roots greater than 2 inches are required to be reported to Urban Forestry by calling 311.

Prior to construction, a Public Tree Permit is required for all work, including haul routes, within 5 meters of a boulevard/open space tree and 10 meters of a natural stand as per Public Tree Bylaw 18825. Trees will require physical tree protection fencing and possibly anti-compaction methods as part of the overall protection plan. For more information on City of Edmonton Tree Protection, please visit the Public Tree Permit Webpage. If tree damage occurs, all costs related to remedial tree work, including full tree removal, will be enforced and shall be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value as well as operational and administrative fees.

All costs associated with the removal, replacement, pruning, remediation or transplanting of trees shall be covered by the Proponent as per the Corporate Tree Management Policy (C456C). Forestry will schedule and carry out all required tree work involved with this project. Please contact 311 to be connected with Urban Forestry to arrange a meeting. Contact to Urban Forestry must be made a minimum 4 weeks in advance of the construction start date in order facilitate tree work.

4. Permanent objects including steps, railings, retaining walls, planters, etc. must NOT encroach into or over/under road right-of-way. Any proposed landscaping for the development must be provided entirely on private property.

5. There may be utilities within the road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Utility Safety Partners (Online: <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.

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6. Any alley, sidewalk or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Subsection 7.150.5.6 of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.

7. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:

- a. the start/finish date of project;
- b. accommodation of pedestrians and vehicles during construction;
- c. confirmation of lay down area within legal road right of way if required;
- d. and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.

It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at: https://www.edmonton.ca/business_economy/oscam-permit-request.aspx

EPCOR Conditions:

1. Any party proposing construction involving ground disturbance to a depth exceeding 2m within 5m of the boundary of lands or rights-of-way (ROW) containing EPCOR Water facilities is required to enter into a Facility Proximity Agreement with EWSI, prior to performing the ground disturbance. Additional information and requirements can be found in the City of Edmonton Bylaw 19626 (EPCOR Water Services and Wastewater Treatment). The process can take up to 4 weeks. More information can be requested by contacting waterlandadmin@epcor.com.

Subject to the Following Advisements

Zoning Advisements:

1. Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.
2. An issued Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act, the Historical Resource Act, or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).
3. Any proposed change from the original issued Development Permit may be subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.
4. All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit. All new installations, above and below ground, within 5m of a City tree require forestry consultation.
5. In the event that tree removal or relocation is required on City of Edmonton land, including road right-of-way, all costs associated with the removal or relocation will be borne by the owner/applicant as per the City of Edmonton Corporate Tree Management Policy (C456C). City of Edmonton Forestry will schedule and carry out any and all required tree work. Contact Urban Forestry at City Operations, Parks and Roads Services (311) a minimum of 4 weeks prior to construction, to remove and/or relocate the trees.
6. City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage.
7. A site mechanical plan stamped by a professional engineer showing water and sewer services, stormwater management calculations and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan

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submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit epcor.com/newconnection and click 'ONLINE APPLICATION' for instructions on the plan submission process.	
8. The site must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to lot.grading@edmonton.ca for review and approval.	
9. For more information on Lot Grading requirements, plans and inspections refer to the website: https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading	
10. Please be advised that if the grading plan review results in changes to your approved drawings to incorporate a Low Impact Development (LID) grading design, it is the owner/applicant's responsibility to inform the Urban Planning and Economy department. This notification is necessary to determine whether a new development permit is required.	
11. Signs require separate Development Permit application(s).	
Transportation Advisements:	
1. The applicant is advised that parking will not be permitted within the garbage surface area. Vehicles parked within this area are considered not compliant and may result in enforcement measures.	
EPCOR Advisements:	
1. The site is currently serviced by a 20 mm copper water service (S13232) located 4.6 m west of the east property line of Lot 48 off of the lane north of 72 Avenue. If this service will not be used for the planned development, it must be abandoned back to the water main prior to any on-site excavation. The applicant is to contact EPCOR's Water Meter Inspector at 780-412-4000 a minimum of four weeks prior to commencing any work on the site including demolition, excavation or grading for direction on the correct process to follow to have the service isolated and meter removed.	
1a. The existing service is not of sufficient size for the proposed development. The owner/applicant must review the total on-site water demands and service line capacity with a qualified engineer to determine the size of service required and ensure adequate water supply to the proposed development.	
2. EPCOR Water Services Inc. does not review on-site servicing. It is the applicant's responsibility to obtain the services of a professional to complete on-site water distribution design and to ensure the supply will meet plumbing code and supply requirements.	
3. A new water service may be constructed for this lot directly off EPCOR's 150 mm water main along the lane north of 72 Avenue adjacent to the subject site.	
4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444. EPCOR Strongly encourages all applicants to contact IWASS early in development planning to learn about site specific minimum requirements for on-site water and/or sewer servicing.	
4a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.	
5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444.	
6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWSinspections@epcor.com or 780-412-3850.	
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7. The applicant must submit bacteriological test results to EPCOR Water Dispatch and must have a water serviceman turn on the valve. Contact EPCOR Water Dispatch at 780-412-4500 for more information on how to provide the test results. EPCOR Water Dispatch can provide information on the tie-in and commissioning procedure. 8. In reference to City of Edmonton Bylaw 19626 (EPCOR Water Services Bylaw), a private service line must not cross from one separately titled property to another separately titled property even if these properties are owned by the same owner. Refer to the City of Edmonton Design and Construction Standards, Volume 4, Water Service Requirements drawings WA-005-11a and WA005-11b for permitted water service configurations. 9. Development engineering drawings including landscaping and hardscaping must meet Volume 1 (Table of Minimum Offsets) and Volume 4 (April 2021) of the City of Edmonton Design and Construction Standards. 10. Dimensions must be provided as part of the engineering drawing submission package where a tree or shrub bed is installed within 5.0m of a valve, hydrant or curb cock, as per 1.6.1.3 of City of Edmonton Design and Construction Standards Volume 4 (December 2024). 11. The applicant/owner will be responsible for all costs related to any modifications or additions to the existing municipal water infrastructure required by this application. 12. No contractor or private developer may operate any EPCOR valves and only an EPCOR employee or EPCOR authorized agent can remove, operate or maintain EPCOR infrastructure. 13. The advisements and conditions provided in this response are firm and cannot be altered. Should you require any additional information, please contact Sarah Chileen at schileen@epcor.com. Fire Rescue Services Advisements: Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal, however, we have the following advisements for your implementation and information: Travel distance from the emergency access route to each principal entrance must not exceed 45m. https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329 Emergency access path widths must be a minimum of 0.9m and the path must be of a hard surface and accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered. https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329 The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction. Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan Have the plan ready for review in-person at the first construction site safety inspection by a Fire Safety Codes Officer (Fire SCO). The applicant of a building permit declares that they are aware of the project team's responsibility to have an FSP prepared according to section 5.6 of the NFC(AE). A Fire SCO may attend a site at any reasonable hour and will review the FSP. The owner or constructor must have the FSP in place and ready for review in accordance with section 5.6 of the NFC(AE). You can locate a copy of the FSP guide for your reference here: https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=1692102771	
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	Project Number: 646603758-002 Application Date: FEB 09, 2026 Printed: July 31, 2026 at 12:28 PM Page: 7 of 8 Development Permit To meet the requirements of the National Fire Code - 2023 Alberta Edition, Sentence 5.6.1.2.(1), protection of adjacent properties during construction must be considered. Reference: NFC(2023-AE) 5.6.1.2 Protection of Adjacent Building 1) Protection shall be provided for adjacent buildings or facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations. https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-plan-construction-sites Reference: Protection of Adjacent Building- STANDATA - Joint fire/building code interpretation: Measures to mitigate fire spread to adjacent buildings https://open.alberta.ca/dataset/cb3d1662-1354-45c8-aab8-29b91f2a6c35/resource/699821b7-26ed-40ec-a5a0-6ba344cdc514/download/ma-standata-interpretation-building-23-bci-030-23-fci-012-2025-03.pdf.pdf All developments must comply with the firefighting water supply requirements within City of Edmonton Design and Construction Standard, Volume 4: Water. This item is reviewed by EPCOR Water, and any deficiencies will be conditioned accordingly. If this site is eligible for the Infill Fire Protection Assessment, EFRS Engineering will process the IFPA request from EPCOR Water. Please note that the scope of this assessment is limited to the on-street fire protection requirements within the municipal water standard (Volume 4) and does not directly address any regulatory requirements under the National Building Code- 2023 Alberta Edition. Please send ALL FRS DP review inquiries to cmsfpts@edmonton.ca Waste Services Advisements: Waste Services has reviewed the proposed plan "PLOT PLAN" dated 2026-02-20 and has no concerns to identify during this review. This review follows Waste Services' current standards and practices and will expire when the Development Permit expires. Adding any number of additional dwellings beyond what is indicated in this letter may result in changes to your waste collection. Waste Services reserves the right to adjust the collection method, location, or frequency to ensure safe and efficient service. Additional information about waste service at your proposed development: Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton. Refer to Developer Standards for Residential Waste Collection for developments receiving residential collection. To help in planning and designing your development, please refer to Bylaw 20363 to review clauses related to: - Access to containers and removal of obstructions, - Container set out, and - The responsibility for wear and tear or damages. The green cart equivalency program and an exemption to reduce the spacing required to 0.5 m between carts while maintaining 1.0 m spacing between carts and any other objects such as vehicles, fences, power poles, etc. has been approved for this proposed development with 8 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 12 carts: 8 x 240 L for garbage and 4 x 240 L for food scraps. Please note: - Residents would be required to share their food scraps carts, - Residents will be required to set out garbage and food scraps carts on collection day as per the set-out instructions, and - Residents would use blue bags for recycling.
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A minimum of 7.5 m unobstructed overhead space is required above the collection area to allow proper servicing of the containers.

If the locations of the transformer and switching cubicles do not exactly match the approved drawings, Waste Services must be advised and reserves the right to make changes to the approved plan to ensure waste can still be collected safely and efficiently.

If the waste enclosure or room is incomplete or does not match the approved drawings upon resident move-in, Waste Services reserves the right to select an alternate location for the waste containers to ensure safe and efficient waste collection. The alternate location may be in a parking stall, loading area, green space, etc.

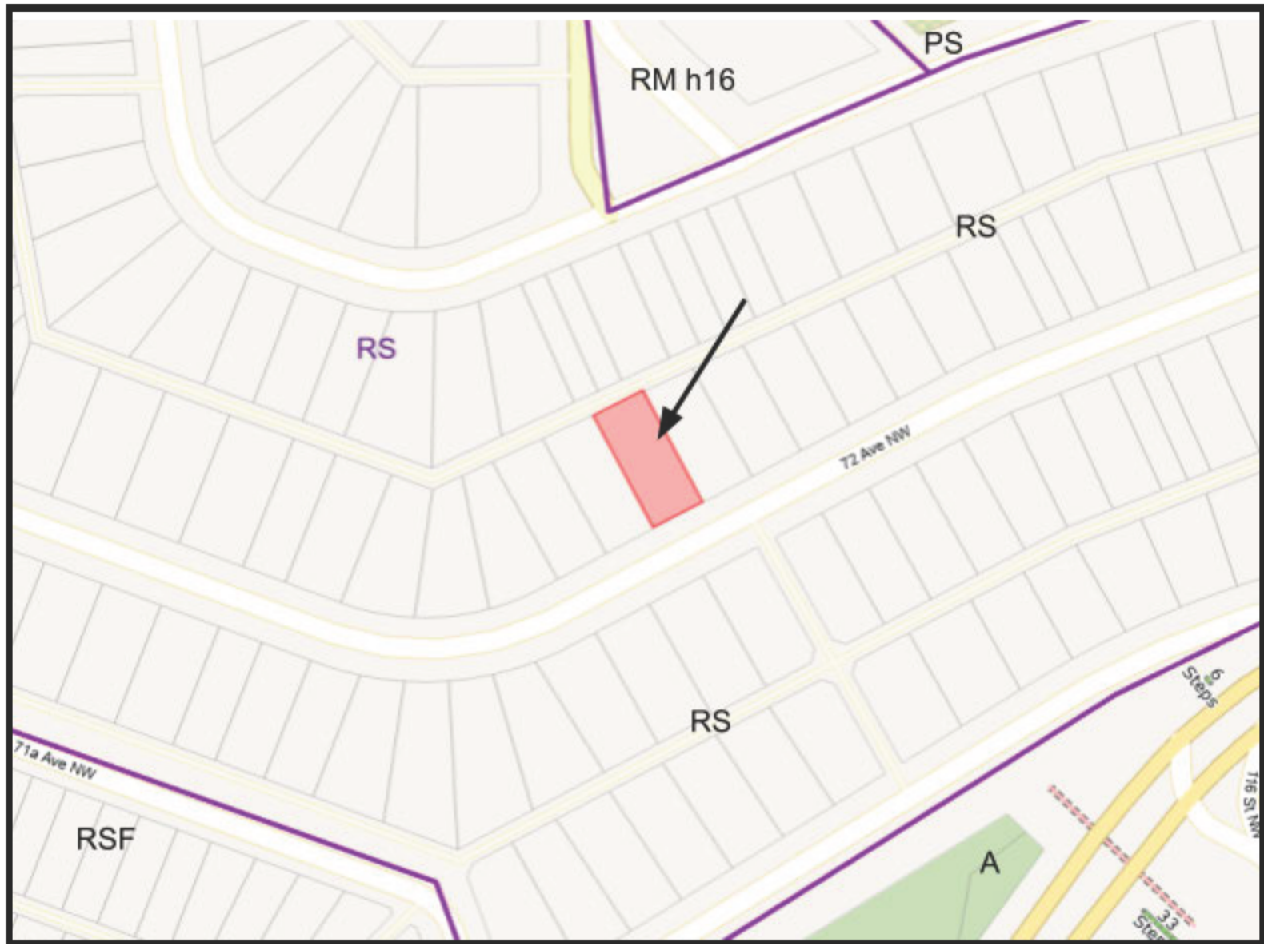
For developments with rear lanes, waste will only be collected from the rear lane for all dwellings in the development. It is the responsibility of the owner to ensure all residents have access to the rear lane for waste set out.

Rights of Appeal

This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$1,040.00	\$1,040.00	009662000005989	Feb 09, 2026
Lot Grading Fee	\$500.00	\$500.00	009662000005989	Feb 09, 2026
Development Permit Inspection Fee	\$575.00	\$575.00	009662000005989	Feb 09, 2026
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,115.00	\$2,115.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-230

N ▲