SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.
October 15, 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-26-265	Construct exterior alterations to a Residential Use building (Driveway extensions, 0.66m x 8.40m and 2.10m x 7.58m) 40 - JEFFERSON ROAD NW Project No.: 668671100-002
II	10:00 A.M.	SDAB-D-26-266	Construct exterior alterations to a Residential Use building (Driveway extensions, right 7.4m x 2.1m) 13331 - 155 AVENUE NW Project No.: 670440185-002
III	11:00 A.M.	SDAB-D-26-268	Construct exterior alterations to a Residential Use building (Driveway extension, 6.4m x 2.0m and 4.3m x 2.1m) 3207 - 43 AVENUE NW Project No.: 666952440-002
IV	1:30 P.M.	SDAB-D-26-267	Construct exterior alterations to a Child Care Service, limited to increasing the vehicle access and Parking Area width (add 2 on-Site passenger pick-up and drop-off spaces) and modify Landscaping in the Front Yard, reference DP #517830693-002 and #667698252-002 3004 - DIXON LANDING SW Project No.: 670158324-002

ITEM I: 9:00 A.M. FILE: SDAB-D-26-265

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	668671100-002
APPLICATION TO:	Construct exterior alterations to a Residential Use building (Driveway extensions, 0.66m x 8.40m and 2.10m x 7.58m)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	September 4, 2026
DATE OF APPEAL:	September 15, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	40 - JEFFERSON ROAD NW
LEGAL DESCRIPTION:	Plan 9120273 Blk 16 Lot 43
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Millwoods and Meadows District Plan

Grounds for Appeal

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

> I am appealing the refusal of Development Permit No. 668671100-002 for the driveway extension at 40 Jefferson Road NW. I respectfully request that the Board reconsider the decision and the required variances.

I believe the proposed driveway extension is reasonable for the property and will improve the safety, accessibility, and practical use of the driveway, particularly during winter conditions. I also believe the extension does not have any impact on neighbouring properties and the surrounding area.

I respectfully request that the Board consider the specific circumstances of the property and approve the proposed development.

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:

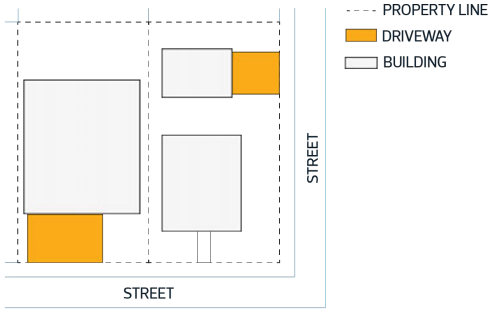
> Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.
>
> This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached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

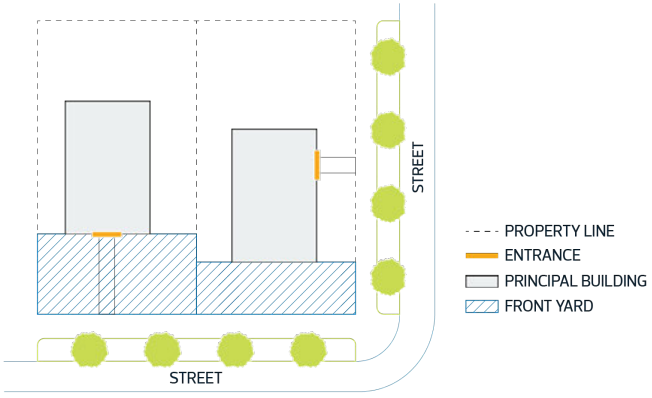
Under section 8.20, **Driveway** means:

> 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.



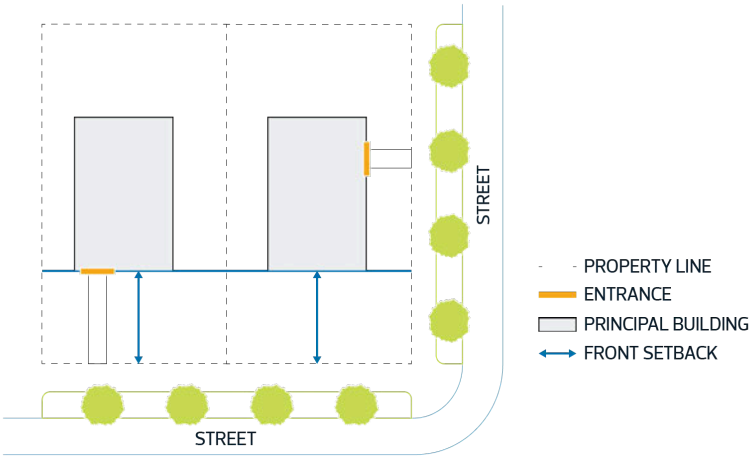
Under section 8.20, **Front Yard** means:

> 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. (Subsection 5.80.2.1.4)
Proposed: The Driveway does not lead directly to the Garage

2. Driveway Width - The maximum Width of a Driveway is the number of spaces multiplied by 3.7m (Subsection 5.80.2.1.5.2)
Required: 7.4m (2 x 3.7m)
Proposed: 8.6m
Exceeds by: 1.2m

3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.6.1)
Proposed: The extension creates additional 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: **668671100-002**
Application Date: AUG 03, 2026
Printed: September 4, 2026 at 3:36 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)
40 - JEFFERSON ROAD NW
Plan 9120273 Blk 16 Lot 43

Location(s) of Work
Suite: 40 - JEFFERSON ROAD NW
Entryway: 40 - JEFFERSON ROAD NW
Building: 40 - JEFFERSON ROAD NW

Project Name:

Scope of Application
To construct exterior alterations to a Residential Use building (Driveway extensions, 0.66m x 8.40m and 2.10m x 7.58m).

Details

Development Category: Discretionary Development
Site Area (sq. m.): 556.28
Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Sep 04, 2026 **Development Authority:** ZENG, KATHY

Reason for Refusal

1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage. (Subsection 5.80.2.1.4)
Proposed: The Driveway does not lead directly to the Garage

2. Driveway Width - The maximum Width of a Driveway is the number of spaces multiplied by 3.7m (Subsection 5.80.2.1.5.2)
Required: 7.4m (2 x 3.7m)
Proposed: 8.6m
Exceeds by: 1.2m

3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.6.1)
Proposed: The extension creates additional 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	013301000001349	Aug 03, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$195.00	$195.00		

THIS IS NOT A PERMIT

P0702003

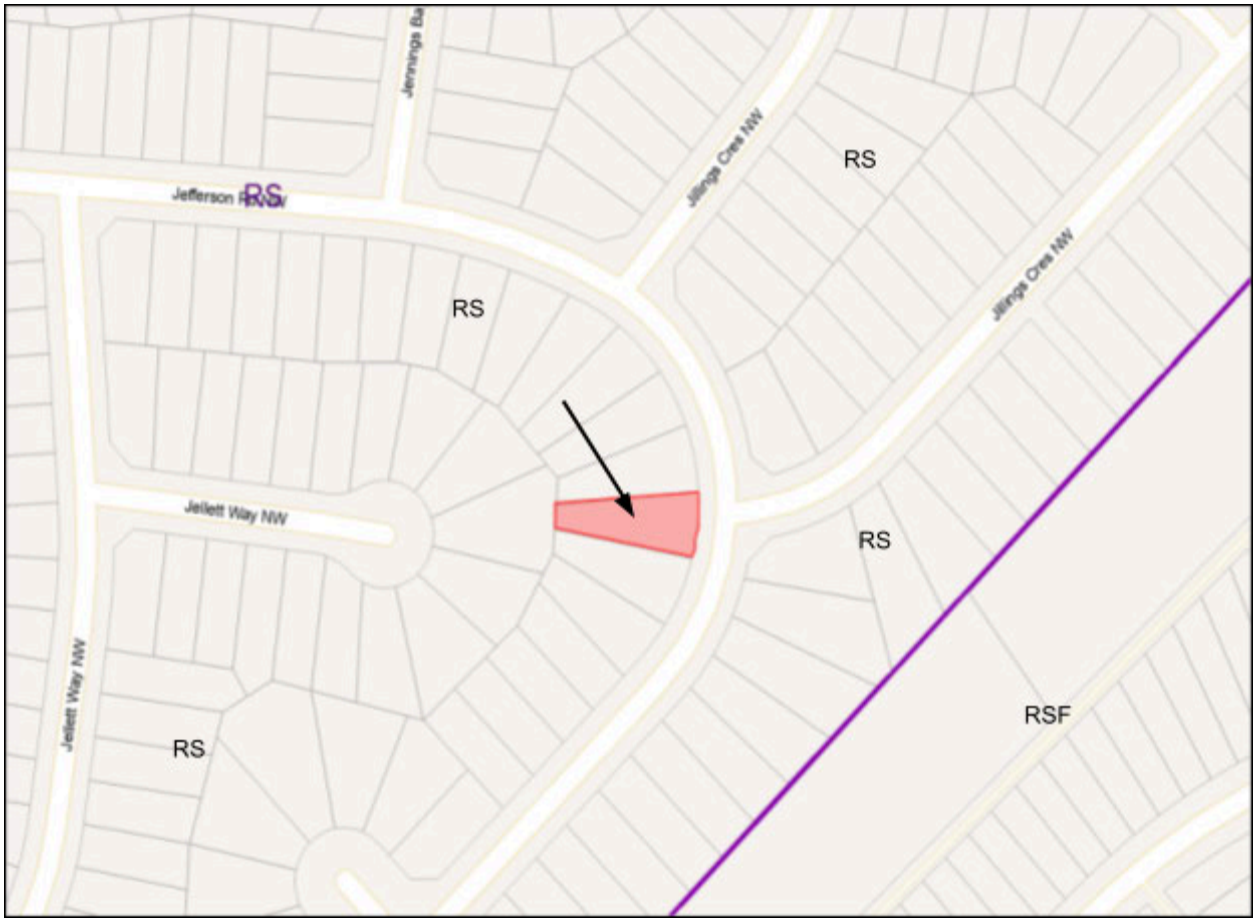
Edmonton

Application for
Driveway Extension Permit

Project Number: **668671100-002**
Application Date: AUG 03, 2026
Printed: September 4, 2026 at 3:36 PM
Page: 2 of 2

THIS IS NOT A PERMIT

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-265

N

ITEM II: 10:00 A.M. FILE: SDAB-D-26-266

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	670440185-002
APPLICATION TO:	Construct exterior alterations to a Residential Use building (Driveway extensions, right 7.4m x 2.1m)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	September 8, 2026
DATE OF APPEAL:	September 15, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	13331 - 155 AVENUE NW
LEGAL DESCRIPTION:	Plan 9721568 Blk 4 Lot 103
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 am appealing the refusal of the retroactive development permit for the front yard hard-surfaced walkway addition. I respectfully request that the Subdivision and Development Appeal Board (SDAB) grant a variance based on the following grounds:

1.No Material Impact on Neighbours: The hard-surfaced extension strictly maintains a full soft-landscaping grass buffer clear of the shared property line. This buffer ensures that all stormwater runoff is safely absorbed on-site, protecting local lot grading. 100% of my immediate and adjacent neighbours have reviewed the structure and signed formal statements confirming they have no objections and experience zero negative impact on their use, enjoyment, or property value. A no objection letter has been signed by each adjacent neighbor.

2.Alignment with Neighbourhood Character: The layout and scale of this walkway addition cleanly match the existing visual aesthetic of our block. Similar front-yard hard-surfacing expansions are common on our immediate streetscape, meaning this modification does not introduce an unusual or negative precedent.

3.Family Safety and Property Maintenance: The structure serves as a multi-functional hardscape border and passenger step-out. It is a necessary safety feature that provides a stable, level surface for young children to enter and exit our family vehicle safely, completely eliminating the risks of slipping on winter ice or mud. Furthermore, it serves as an area to clean and maintain vehicles. as well as a durable staging area for residential snow clearing and moving heavy yard maintenance equipment (lawnmowers and waste bins) toward the side yard.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

(a) fails or refuses to issue a development permit to a person,

(b) issues a development permit subject to conditions, or

(c) issues an order under section 645,

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

…

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

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

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

Appeals

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(a) 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)

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(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:

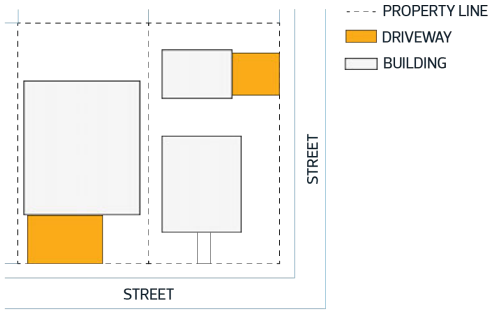
> Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.
>
> This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached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

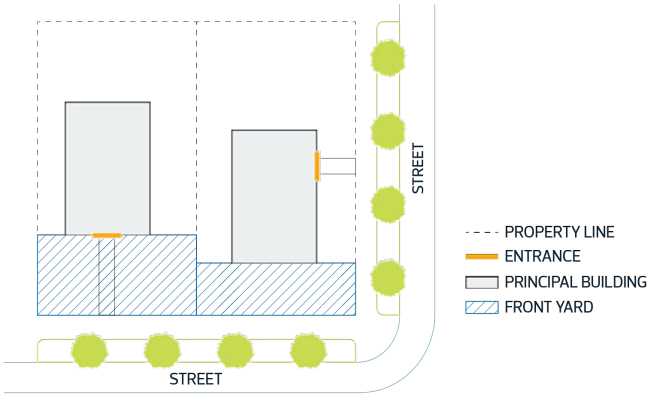
Under section 8.20, **Driveway** means:

> 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.



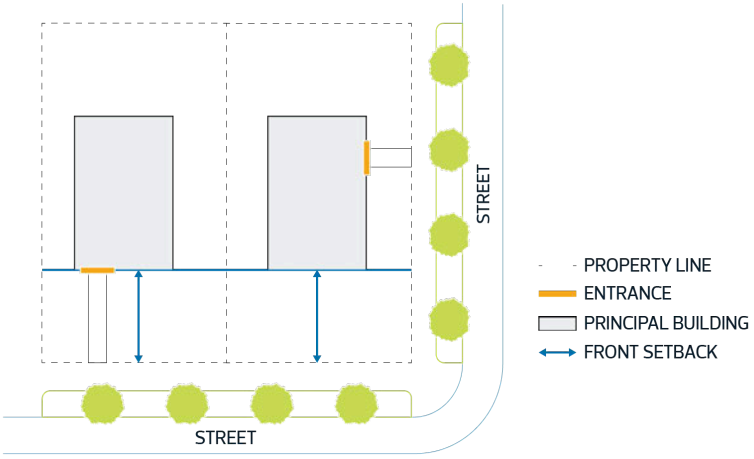
Under section 8.20, **Front Yard** means:

> 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) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4)

Proposed: The driveway does not lead directly from the roadway 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: 6.1 m
Proposed: 8.2 m
Exceeds by: 2.1 m

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: **670440185-002**
Application Date: AUG 17, 2026
Printed: September 8, 2026 at 10:25 AM
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)
13331 - 155 AVENUE NW
Plan 9721568 Blk 4 Lot 103

Project Name:
Walkway/driveway etension

Scope of Application
To construct exterior alterations to a Residential Use building (Driveway extensions, right 7.4m x 2.1m), existing without permits.

Details

Development Category: Discretionary Development
Site Area (sq. m.): 479.57

Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Sep 08, 2026 **Development Authority:** DEIGHTON, ROAN

Reason for Refusal

1) A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Section 5.80.2.1.4)

Proposed: The driveway does not lead directly from the roadway 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: 6.1 m
Proposed: 8.2 m
Exceeds by: 2.1 m

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	068939000011196	Aug 17, 2026

THIS IS NOT A PERMIT

P0702003

Edmonton

Project Number: **670440185-002**
Application Date: AUG 17, 2026
Printed: September 8, 2026 at 10:25 AM
Page: 2 of 2

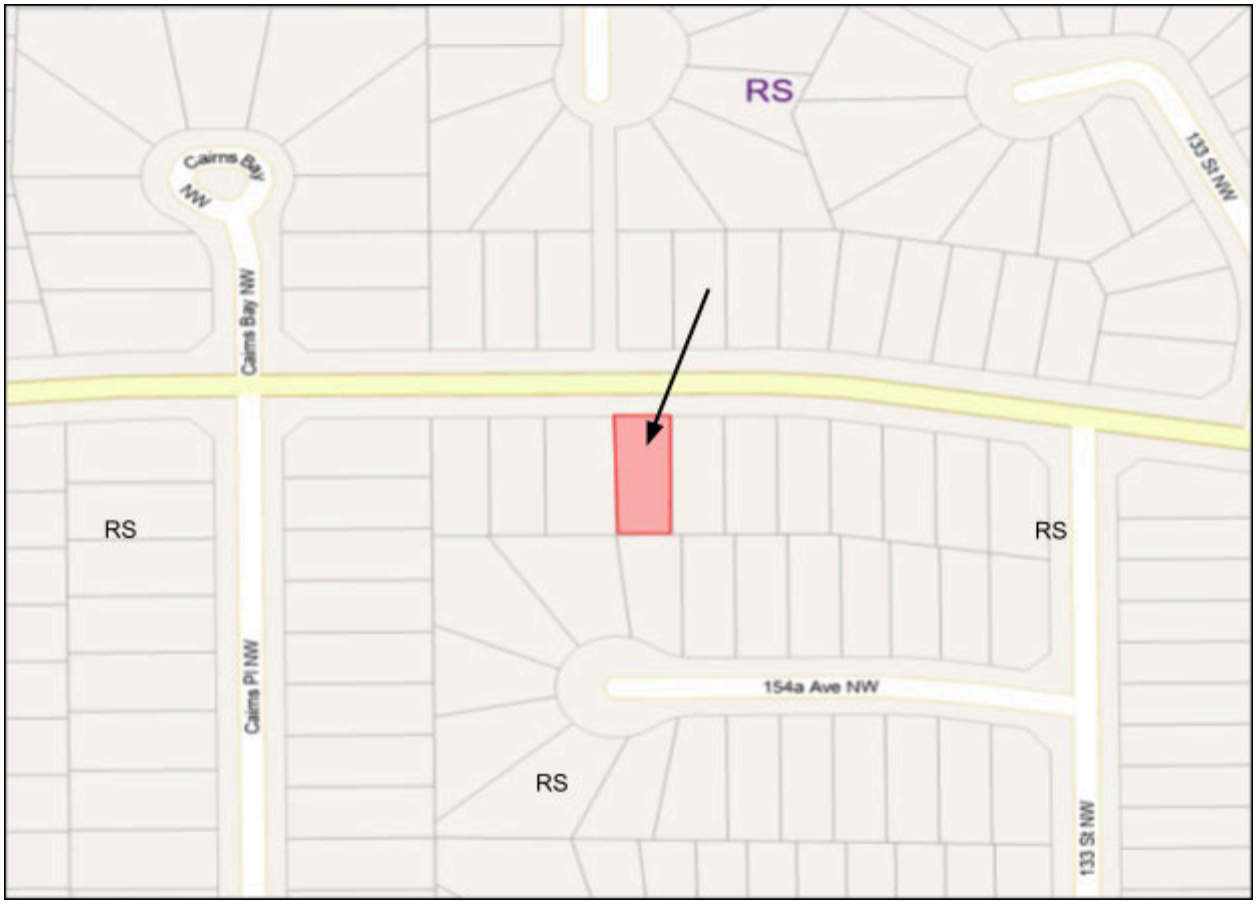
Application for
Driveway Extension Permit

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-26-266

N

ITEM III: 11:00 A.M. FILE: SDAB-D-26-268

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	666952440-002
APPLICATION TO:	Construct exterior alterations to a Residential Use building (Driveway extension, 6.4m x 2.0m and 4.3m x 2.1m)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	September 10, 2026
DATE OF APPEAL:	September 17, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	3207 - 43 AVENUE NW
LEGAL DESCRIPTION:	Plan 8421433 Blk 9 Lot 8A
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Mill Woods and Meadows District Plan

Grounds for Appeal

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

> We respectfully request that the City consider approving the driveway in its existing configuration through the appropriate Development Permit process, including any variance or discretionary consideration available to the Development Planner.

The driveway crossing between the roadway and the Citys sidewalk/access area remains in its original configuration and has not been widened or modified as part of the driveway extension. Accordingly, the existing arrangement has not created an additional vehicle access point or an additional curb crossing.

The hard-surfaced extensions adjacent to the driveway were undertaken in large part to provide improved wheelchair accessibility and sufficient space for a wheelchair-accessible van for a previous resident of the property. This was a functional accessibility improvement rather than an attempt to create an additional driveway or separate vehicle access.

The existing configuration has also been in place for more than 10 years and, to our knowledge, has operated throughout that period without creating any material adverse impact upon neighbouring properties. There have been no known issues involving interference with adjacent property owners, vehicle access, the public sidewalk, or the existing street access.

We recognize that the Citys current Zoning Bylaw regulates driveway width and that the City generally requires a permit to widen or alter an existing driveway. We would therefore like the City to consider the particular circumstances of this property rather than requiring removal of a long-standing and useful accessibility improvement.

In considering the application, we respectfully ask the City to take into account the following circumstances:

The existing street access/driveway crossing has not been widened or altered.

No second driveway or additional street access has been created.

The extension served an important accessibility purpose, including accommodating wheelchair access and wheelchair-enabled vehicles.

The existing configuration has been in place for more than 10 years without known adverse impacts on neighbouring properties.

Removal would eliminate a useful accessibility feature and require demolition of established concrete.

We are willing to work cooperatively with the City regarding drainage, landscaping, safety, site-plan requirements, or other reasonable conditions necessary to obtain approval.

We understand the Citys objectives concerning drainage, neighbourhood landscaping, street parking and appropriate driveway widths. We respectfully submit that the circumstances of this property warrant individualized consideration and that maintaining the existing configuration would be a reasonable outcome, particularly where the original street crossing remains unchanged and the additional hard surfacing has historically served an accessibility function.

Accordingly, we respectfully request that the Board:

1. Permit us to submit an application to legalize the driveway/hard-surfaced area in its current configuration;
2. Consider any variance or discretionary authority available to approve the existing condition; and
3. Consider the historical accessibility purpose and absence of demonstrated adverse impacts when reviewing the application.

We are prepared to provide photographs, measurements, historical information and any available information concerning the accessibility use of the property. We would also welcome an opportunity to meet with the Development Planner or Compliance Officer on site to review the circumstances before any requirement for demolition is pursued.

Our objective is to work cooperatively with the City to achieve compliance while preserving a long-standing, functional and accessibility-supporting improvement to the property.

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:

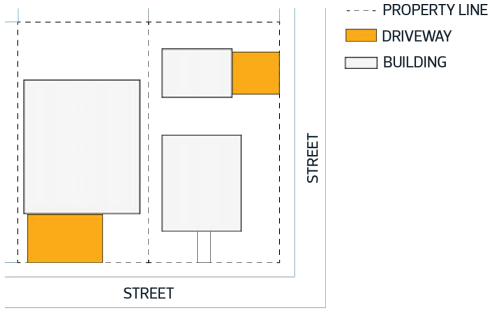
> Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.
>
> This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached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

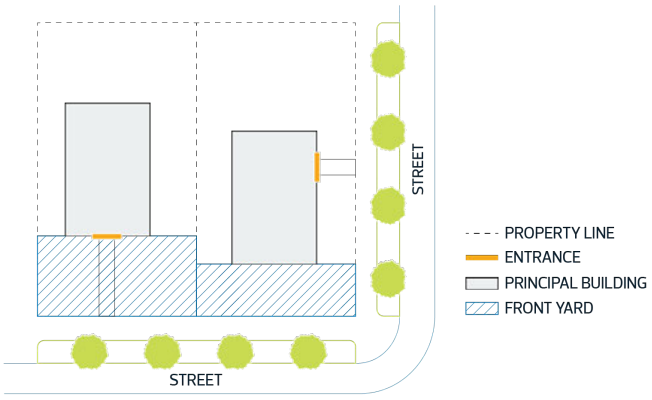
Under section 8.20, **Driveway** means:

> 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.



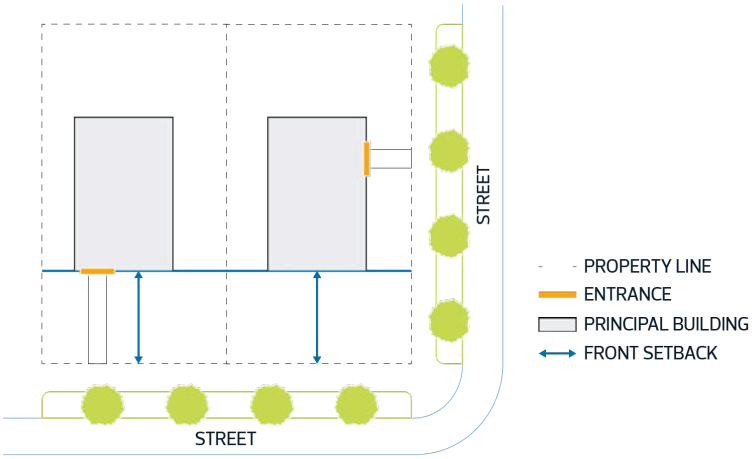
Under section 8.20, **Front Yard** means:

> 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 Width - The maximum Driveway width is 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. (Subsection 5.80.2.1.5.2)
Maximum: 6.1m (width of the garage)
Proposed: 9.2m
Exceeds: 3.1m

2. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area (Subsection 5.80.2.1.4).
Proposed: The driveway does not lead to the garage or to a parking area.

3. Driveway Location - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.6).
Proposed: Vehicle parking 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: **666952440-002**
Application Date: JUL 27, 2026
Printed: September 10, 2026 at 3:18 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)
3207 - 43 AVENUE NW
Plan 8421433 Blk 9 Lot 8A

Location(s) of Work
Suite: 3207 - 43 AVENUE NW
Entryway: 3207 - 43 AVENUE NW
Building: 3207 - 43 AVENUE NW

Scope of Application
To construct exterior alterations to a Residential Use building (Driveway extension, 6.4m x 2.0m and 4.3m x 2.1m).

Details

Development Category: Discretionary Development
Site Area (sq. m.): 521.59
Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Sep 10, 2026 **Development Authority:** WATSON, COLE

Reason for Refusal

1. Driveway Width - The maximum Driveway width is 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. (Subsection 5.80.2.1.5.2)
Maximum: 6.1m (width of the garage)
Proposed: 9.2m
Exceeds: 3.1m

2. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area (Subsection 5.80.2.1.4).
Proposed: The driveway does not lead to the garage or to a parking area.

3. Driveway Location - Vehicle parking spaces, other than those located on a Driveway, must not be located within a Front Yard (Subsection 5.80.2.1.6).
Proposed: Vehicle parking 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	03495Z000019007	Jul 27, 2026

THIS IS NOT A PERMIT

P0702003

Edmonton

Application for
Driveway Extension Permit

Project Number: **666952440-002**
Application Date: JUL 27, 2026
Printed: September 10, 2026 at 3:18 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-26-268

N

ITEM IV: 1:30 P.M. FILE: SDAB-D-26-267

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	670158324-002
APPLICATION TO:	Construct exterior alterations to a Child Care Service, limited to increasing the vehicle access and Parking Area width (add 2 on-Site passenger pick-up and drop-off spaces) and modify Landscaping in the Front Yard, reference DP #517830693-002 and #667698252-002
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	September 15, 2026
DATE OF APPEAL:	September 15, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	3004 - DIXON LANDING SW
LEGAL DESCRIPTION:	Plan 2320594 Blk 24 Lot 50
ZONE:	RSF - Small Scale Flex Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	Desrochers Neighbourhood Area Structure Plan
DISTRICT PLAN:	Southwest District Plan

Grounds for Appeal

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

I am the owner and resident of 3004 Dixon Landing SW in the Desrochers community, where my family operates a non-profit licensed home-based Child Care Program.

After more than two years of effort, City approvals, and significant financial investment, we were finally able to open our Child Care program on July 2, 2026. The permitting and construction process took over two years to complete. During this period, I continued to carry the financial burden of maintaining both the Child Care property and our family residence without generating any income from the Child Care operation.

Adequate parking is an important consideration for families seeking Child Care services. Currently, prospective families have expressed concerns regarding the limited parking availability and hesitant to enroll their children at our center, as the property only has two existing driveway parking stalls. Given the large size of the front yard, I submitted a development permit application to extend the driveway and add two additional parking spaces paying the fee of $915.00. But the City rejected my application without providing any reasons. I believe this modest improvement would significantly enhance accessibility, convenience, and safety for families accessing our non-profit Child Care program. A copy of the proposed layout is attached for reference.

As a homeowner, I currently pay nearly $18,000 per year in property taxes and continue to bear significant financial obligations associated with this property, including a monthly mortgage payment of nearly $4,000 for the whole life. In addition, I am responsible for approximately $3,000 per month in payments related to my home equity line of credit and business line of credit. Given these substantial financial commitments, I am very worried that I am unable to make a reasonable improvement to my own property that would support a valuable community service.

The proposed driveway extension would directly support the operation of a licensed Child Care program that serves local families and addresses the continuing need for Child Care spaces within our community.

For your reference, I have attached copies of the property tax notice, mortgage statement, and home/business line of credit statements, which demonstrate the significant financial investment associated with this property and business.

It would be much appreciated if you could please consider my request and provide approval for the driveway extension.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

(a) fails or refuses to issue a development permit to a person,

(b) issues a development permit subject to conditions, or

(c) issues an order under section 645,

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

…

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

…

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

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

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

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

…

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

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

(i) the proposed development would not

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

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

and

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

General Provisions from the *Zoning Bylaw 20001:*

Under section 2.20.2.8, a **Child Care Service** is a **Permitted Use** in the **RSF - Small Scale Flex Residential Zone**.

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

> a development that provides temporary care and supervision of children. This Use includes facility-based early learning and child care programs. This Use does not include a Home Based Business operating as Home Based Child Care.
>
> Typical examples include: daycares, out-of-school care, and preschools.

Section 2.20.1 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.

Access to Sites

Section 5.80.1.1 states:

> All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning.

Development Planner's Determination

> **1) Subsection 5.80.1.1 - the existing vehicle access must not be modified.**
>
> **The application was circulated to the City department responsible for transportation planning, who does not support the modification of the access.**
>
> [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: **670158324-002**
Application Date: AUG 14, 2026
Printed: September 15, 2026 at 4:00 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)
3004 - DIXON LANDING SW
Plan 2320594 Blk 24 Lot 50

Scope of Application

To construct exterior alterations to a Child Care Service, limited to increasing the vehicle access and Parking Area width (add 2 on-Site passenger pick-up and drop-off spaces) and modify Landscaping in the Front Yard, reference DP #517830693-002 and #667698252-002.

Details

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

Development Application Decision

Refused

Issue Date: Sep 15, 2026 **Development Authority:** BUCCINO, SAMANTHA

Reason for Refusal

1) Subsection 5.80.1.1 - the existing vehicle access must not be modified.

The application was circulated to the City department responsible for transportation planning, who does not support the modification of the access.

Rights of Appeal

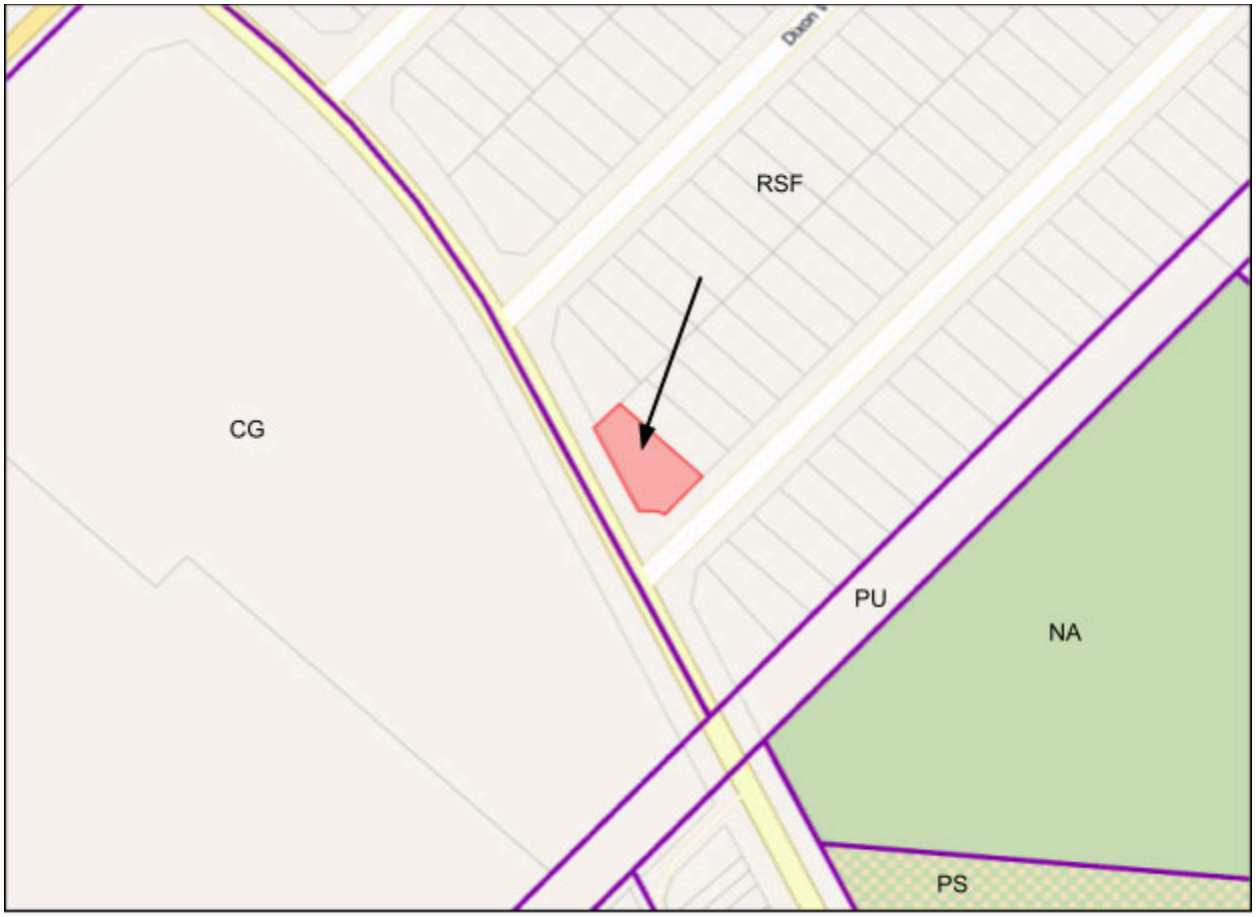
The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26,
Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Lot Grading Fee	$500.00	$500.00	05729G000018924	Aug 26, 2026
Major Dev. Application Fee	$415.00	$415.00	05729G000018924	Aug 26, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$915.00	$915.00		

THIS IS NOT A PERMIT

P0702003



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-267

N