SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.
October 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-26-257

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and to develop 4 Secondary Suites in the Basements

13011 - 109 AVENUE NW
Project No.: 643351391-002

II 9:00 A.M. SDAB-D-26-258

To construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage)

13011 - 109 AVENUE NW
Project No.: 652271048-002

ITEM I: 9:00 A.M. FILE: SDAB-D-26-257

APPEALS FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT NO. 1:
APPELLANT NO. 2:
APPELLANT NO. 3:
APPELLANT NO. 4:
APPELLANT NO. 5:
APPELLANT NO. 6:

APPLICATION NO.:	643351391-002
APPLICATION TO:	Construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and to develop 4 Secondary Suites in the Basements
DECISION OF THE DEVELOPMENT AUTHORITY:	Approved with Conditions
DECISION DATE:	September 2, 2026
DATE OF APPEAL(S):	September 9, 14, 15, 21, 22, and 24 2026
RESPONDENT:	
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	13011 - 109 AVENUE NW
LEGAL DESCRIPTION:	Plan 4312HW Blk 28 Lot 51
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Central District Plan

Grounds for Appeal

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

APPELLANT NO. 1:

- Improper site drainage and water management considerations
- Improper walkways and unobstructed unit access (included hard./soft scaping landscaping considerations)
- Improper water management for pumps
- improper garbage bin storage and access. Includes concerns on primacy screen and orientation
- Improper space consideration for garbage and recycling bins
- Lack of ornamentation on exterior elevations including high visibility walls and windows

APPELLANT NO. 2:

1. Inadequate room and facilities to handle garbage, recycling and bluebag pickup. a. Improper garbage bin storage and access. b. Improper space consideration for garbage and recycling bins
2. Inadequate facilities (space allotment) to handle snow removal from back entrances. This poses a severe safety hazard (slips, falls, etc.) as well as a severe hazard in case of a fire.
3. Inadequate room between window wells and stairs in back entrances.
4. No consideration given to massing effects of cars (parking) in a neighborhood where there is already insufficient street parking.
5. Removal (clearcutting) of mature trees with inadequate landscaping to replace. Mature trees are a large part of the reason that people flock to this popular neighborhood.
6. Damage that will occur to the roots of mature spruce trees at back of property but on neighboring lot. This will result in damage, when the trees are knocked down due to winds, to power lines and/or neighboring garage suite.
7. Pooling of water during rain storms (often complete flooding to prevent egress/ingress) of streets and alleys in this neighborhood is common. When this happens, there is absolutely no room for more cars on the street.

8. MOST IMPORTANTLY: A complete lack of attempt to being a responsible owner and good neighbour: this includes – not returning phone calls or emails; City of Edmonton note on front door indicating review to determine if “Property is dangerous to public safety”; not mowing lawns; not shoveling snow (the sidewalk along the property was unwalkable during winter months); continuously open (or broken) doors and windows allowing ingress wildlife, pets and to those less fortunate who are looking for a place to shelter.

All of the above point to a complete lack of compatibility for the type of building (and owner) that has made the Westmount community the fantastic neighborhood it is. This owner is completely irresponsible and makes no attempt to be otherwise. It can only be assumed that this lack of responsibility will continue as the development continues unless some changes are made and rules are put in place to enforce behavior.

APPELLANT NO. 3:

We are the residents of 10893 131 Street NW, located directly adjacent to the proposed development at 13011 109 Avenue NW along the south lot line. As immediately affected neighbors sharing a direct property line, we are appealing this permit due to unresolved issues with the site plan detailed below:

1. Mature Tree Protection along Shared Property Line

- There are multiple mature trees alongside the shared property line. An independent arborist report confirms that their root zones extend onto the main lot of the development and face notable risk during primary site excavation. To prevent root damage, tree destabilization, and the loss of essential privacy canopy between the properties, a comprehensive Tree Protection Plan should be required prior to any planned demolition or excavation.

2. Discrepancies in Waste Management Plan

- The submitted architectural drawings depict 120 L green bins, whereas the approved permit specifies four 240 L bins and one 120 L bin, demonstrating a discrepancy in the plans for the waste management area. The current layout restricts functional access for residents to reach the bins in the back row, and the fence screening shown on landscape plans are not included in the garage suite drawings, creating confusion over how the waste area will be integrated alongside the outdoor staircase.
- The allocated linear space for the driveway cannot reasonably accommodate 14 individual waste and green matter containers even with the reduced spacing exemption of 0.5 meters between carts. Crowding 14 bins into this area alongside recycling will make collection for City waste trucks virtually impossible and will likely obstruct the public alleyway.

3. Unclear Details for Water Runoff and Drainage Management

- The plan lacks necessary detail regarding stormwater management, surface drainage pathways, and splash pad areas. Unclear drainage specifications create a risk of surface runoff and water pooling being directed toward the adjacent private property line and public sidewalks.

4. Retaining Wall Design and Structural Stability Concerns

- The proposed details for the retaining wall are overly vague, leaving material selection (either wood or cement) and the final height and length to be determined on site. Given the scale of excavation and development, retaining wall specifications should be determined in advance to prevent erosion and structural instability along the shared property line.

5. Flawed Landscape Plan & Impractical Site Layout

- The proposed planting of two larger trees along the shared fence fails to account for the established canopy and root zone of an existing larger apple tree on our property line, suggesting a lack of on-site evaluation.
- Positioning four tables, a fire pit feature, and new trees within the shared yard space creates an overcrowded layout that compromises functional use and setback clearance.
- Spacing between the main building rear entrances and basement window wells is minimal and restricts a functional walkway space and safe movement around the site. Additionally, using mulch instead of a hard-surface walkway along this route makes moving between the main building, garage, and alleyway impractical. This creates a notable issue during winter months given snow removal on mulch is not practical and prevents safe year-round access.

Note: Further written notes and expert arborist report will be submitted prior to the written submission deadline

APPELLANT NO. 4

I am writing to appeal one aspect of the approved development at 13011 – 109 Avenue NW related to waste collection and access from the rear lane.

I want to start by saying that I am supportive of infill and increased housing density in our neighbourhood. My concern is not with the number of dwellings or the overall development. It is simply with how the waste collection plan will work alongside access to the garage.

Waste collection and garage access
The Waste Services approval calls for 14 carts: nine 240 L garbage carts, four 240 L food scrap carts, and one 120 L food-scrap cart. The carts can be placed 0.5 m apart for collection at the rear lane.

Based on the approved cart sizes and spacing, the 14 carts require approximately 15.94 m when placed side-by-side:

$$13 \times 0.69\ \text{m} + 1 \times 0.47\ \text{m} + 13 \times 0.50\ \text{m} = 15.94\ \text{m}$$

The property has 16.69 m of frontage along the lane, and the garage is accessed from this same frontage.

I have attached a diagram because I think it shows my concern more clearly than I can describe it. I used the approved site plan as the base and added the 14 carts to scale, including the approved 0.5 m spacing. I centred them along the 16.69 m property frontage simply to illustrate how much space they require. I am not suggesting that this is the only possible way the carts could be arranged.

What I am having trouble understanding is where the 14 carts can be placed for collection while still allowing vehicles to access the garage.

There are a couple of other practical considerations as well. The 15.94 m calculation does not include blue-bag recycling, which will also need to be placed at the lane. There is also an existing power pole beside this part of the property that may affect where carts can be safely placed for mechanical collection.

This seems relevant to Section 5.120(4.1) of the Edmonton Zoning Bylaw, which addresses waste collection for residential development and includes requirements for adequate and safe collection access. Section 5.120(4.1.3.2) specifically refers to minimizing obstruction of alleys, driveways and site accesses.

Winter conditions

I also wanted to provide a little context about the lane itself. I live two doors down and have seen how it functions through many Edmonton winters. Snow builds up along the sides of the lane, grading creates windrows between properties and the travelled portion, and the available space gets narrower as winter goes on. Deep ruts also tend to develop around the north entrance to the lane, beside this property.

This isn't a separate reason for my appeal. I mention it because there is already very little extra space in the collection arrangement on paper, and in the Winter that space will sometimes be even more limited.

This past winter provided some examples of these kinds of challenges. The City acknowledged in January that garbage trucks were having difficulty reaching some residential properties because of the snow.

https://globalnews.ca/news/11612179/edmonton-snow-january-2026/

My concern really comes down to the numbers shown in the attached diagram. The approved collection arrangement requires about 15.94 m of a 16.69 m lane frontage for the carts alone, while that same frontage also provides access to the garage.

There may be a workable way to arrange everything on collection day that I'm not seeing. I would simply like the Board to consider how the

approved waste collection arrangement is intended to work while maintaining access to the garage, and whether that arrangement meets the requirements of Section 5.120 of the Zoning Bylaw.

APPELLANT NO. 5

- Inadequate room and facilities to handle garbage, recycling, and blue bag pickup. No access to the garage with the current setup. Not enough room to allow for sorting on site.
- Inadequate facilities (space allotment) to handle snow removal from back entrances. This poses a severe safety hazard (slips, falls, etc.) as well as a severe hazard in case of a fire.
- Damage that will occur to the roots of mature spruce trees at the back of the property but on the neighboring lot. This will result in damage, when the trees are knocked down due to winds, to power lines and/or neighboring garage suite.
- Drainage management is inadequate.
- Stormwater management for this neighbourhood is not adequate.

Additional and more in-depth reasoning can be presented during the appeal hearing

APPELLANT NO. 6:

• Insufficient space and facilities have been allocated to adequately accommodate garbage, recycling, and blue bag collection requirements.
• The proposed plans do not provide appropriate storage or access arrangements for waste collection bins.
• The amount of space designated for garbage and recycling bins appears inadequate for the needs of the development.
• There is insufficient space provided for snow storage and removal near the rear entrances. This creates significant safety concerns, including increased risks of slips and falls, and may impede emergency access in the event of a fire or other emergency.
• The clearance between the window wells and rear entrance stairways is inadequate and may create safety and maintenance concerns.
• The development does not appear to adequately address the impact of additional vehicle parking in an area that already experiences limited on-street parking availability.
• The removal of mature trees from the property, without a meaningful landscaping replacement plan, is concerning. The established tree canopy is a defining feature of the neighborhood and contributes significantly to its character and appeal.
• Construction activities may negatively affect the root systems of mature spruce trees located on adjacent properties. Damage to these trees could compromise their stability, potentially leading to fallen trees that could impact power lines, neighboring structures, or garage suites.

• Street and alley flooding during heavy rainfall is a recurring issue in the area, often restricting access and movement. During such events, on-street parking capacity is further reduced, making the accommodation of additional vehicles particularly problematic.
• **Most importantly**, there are significant concerns regarding the property owner's demonstrated lack of responsibility and commitment to being a good neighbor. Examples include:
  - Failure to respond to phone calls and emails.
  - A City of Edmonton notice posted on the property indicating a review to determine whether the property poses a public safety risk.
  - Failure to maintain the property, including mowing lawns and clearing snow.
  - Sidewalks adjacent to the property becoming inaccessible during winter months due to lack of snow removal.
  - Doors and windows being left open, unsecured, or in disrepair, allowing access by wildlife, domestic animals, and individuals seeking shelter.

These ongoing issues raise serious concerns about the compatibility of both the proposed development and its ownership with the standards of care and community stewardship that have helped make the Westmount neighborhood such a desirable place to live. The owner's pattern of neglect suggests that similar concerns may persist throughout the development process unless appropriate conditions, oversight mechanisms, and enforcement measures are implemented.

General Matters

Appeal Information:

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

Grounds for Appeal
685(1) If a development authority

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

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

(c) issues an order under section 645,

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

…

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

…

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

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

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

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

…

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

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

(i) the proposed development would not

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

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

and

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

General Provisions from the *Zoning Bylaw 20001:*

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

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

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

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

Under section 8.20, **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: **643351391-002**
Application Date: JAN 13, 2026
Printed: September 2, 2026 at 12:48 PM
Page: 1 of 9

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)
13011 - 109 AVENUE NW
Plan 4312HW Blk 28 Lot 51

Specific Address(es)

Suite:	13011 - 109 AVENUE NW
Suite:	13013 - 109 AVENUE NW
Suite:	13015 - 109 AVENUE NW
Suite:	13017 - 109 AVENUE NW
Suite:	BSMT, 13011 - 109 AVENUE NW
Suite:	BSMT, 13013 - 109 AVENUE NW
Suite:	BSMT, 13015 - 109 AVENUE NW
Suite:	BSMT, 13017 - 109 AVENUE NW
Entryway:	13011 - 109 AVENUE NW
Entryway:	13013 - 109 AVENUE NW
Entryway:	13015 - 109 AVENUE NW
Entryway:	13017 - 109 AVENUE NW
Building:	13011 - 109 AVENUE NW

Scope of Permit

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and to develop 4 Secondary Suites in the Basements.

Details

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

Development Permit Decision

Approved

Issue Date: Sep 02, 2026 **Development Authority:** CHAN, MANDY

Subject to the Following Conditions

Zoning Conditions:

1. This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, and to develop 4 Secondary Suites in the Basements.

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

Development Permit Notification Sign (Subsection 7.160.2.2).

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 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. Vehicular access from 131 Street NW is not permitted (Subsection 2.10.6.1).

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. The 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 the 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. The Secondary Suite must have less Floor Area than the principal Dwelling (Section 8.20).

14. The Secondary Suite must not be separated from the principal Dwelling by a condominium conversion or subdivision (Section 8.20).

15. Sliding patio doors must not serve as the main entrance of a Dwelling (Subsection 2.10.5.9).

16. Outdoor Common Amenity Area(s) must include seating and lighting, and must be accessible by all residents of the site (Subsection 5.20.6).

17. 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.

18. 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

Development Permit

installed.

3. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a 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 and must not exceed a slope of 8%.

2. There is an existing sidewalk connection within the boulevard to the existing house on the site. The sidewalk connections from the back of the City sidewalk to the property line must be removed with the redevelopment of the site and restored to the City of Edmonton Landscaping Standards.

3. Permanent objects including concrete steps, ramps, retaining walls, railings, fencing, 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.

4. A Public Tree Permit will be required for any boulevard trees within 5 meters of the site; trees must be protected during construction as per the Public Tree Bylaw 18825. If tree damage occurs, all tree related costs will be covered by the proponent as per the Corporate Tree Management Policy (C456C). This includes compensation for tree value on full or partial tree loss as well as all operational and administrative fees. The owner/applicant must contact City Operations, Parks and Roads Services at citytrees@edmonton.ca to arrange any clearance pruning or root cutting prior to construction.

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) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removal shall be at the expense of the owner/applicant.

6. 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; and
d. 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

7. 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.

EPCOR Conditions:

1. There is an existing hydrant (H1923) located on the southeast corner of 131 Street and 109 Avenue. This hydrant must be protected during construction as per Drawing WA-004-004 of the City of Edmonton Design and Construction Standards Volume 4 (Dec 2024) and access to the hydrant must not be impeded for firefighting purposes. Excavation cannot occur closer than 3m from back of hydrant in order to prevent compromising the existing thrust block. Contact EPCOR Water Asset Protection at waterdtassetprotection@epcor.com prior to commencing excavation and set up an on-site meeting to confirm the requirements to protect both the water infrastructure and the integrity of the excavation.

Development Permit

2. 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 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.

For more information on Lot Grading requirements, plans and inspections refer to the website:
https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading

9. Signs require separate Development Permit application(s).

10. The Driveway must maintain a minimum clearance of 1.5 m from the service pedestal and all other surface utilities. The applicant or property owner is responsible for the location of all underground and above ground utilities and maintaining the required clearance as specified by the utility companies. Alberta One-Call, Shaw, and Telus should be contacted at least two weeks

Development Permit

prior to the work beginning to have utilities located. Any costs associated with the relocation or removal of the service pedestal must be at the expense of the applicant or property owner.

11. The proposed onsite hard surfaced driveway connecting the garage entrances/parking pad and the paved alley/roadway will not allow for vehicles to park behind the garage without overhanging onto the alley/roadway. If additional on-site parking is desired within the driveway, a minimum 5.5 m stall length is required for perpendicular parking within private property. Vehicles parking within legal alley/ road right-of-way may result in enforcement measures.

Transportation Advisements:

1. The proposed driveway length of 1.5 m from the garage face to the property line will not allow for perpendicular parking on the driveway pad. The land owner is advised that any potential vehicles parking perpendicular on the driveway must not overhang onto City road right-of-way resulting in an obstruction within the alley. Non-compliance of this issue may result in enforcement measures.

2. If Waste Services have concerns with the site submission as it relates to carts/bins, then any revisions to the design of the parking/waste area must be recirculated to Subdivision and Development Coordination. This may result in further changes to the site plan or additional conditions.

3. The applicant is advised that parking will not be permitted within the garbage/limestone surface area. Vehicles parked within this area are considered not compliant and may result in enforcement measures.

Drainage Services Advisements:

The Development Servicing Agreements unit of City Planning has no objection to the captioned Development Permit for the property located at 13011 - 109 AVENUE NW(Plan 4312HW Blk 28 Lot 51;Westmount), subject to the following conditions:

APPLICABLE ASSESSMENTS
CONDITIONS

Development Assessments

APPLICABLE ASSESSMENTS
Permanent Area Contribution (PAC)
Storm and Sanitary PACs are not applicable since the property is not within any active PAC basin.

Expansion Assessment (EA)
Expansion Assessment charge is being paused the end of the June 2026.(exact date to be determined by the SSSF Oversight Committee); therefore EAis deferred for this DP.
EA may apply at the time of the future application of subdivision, development
permit or servicing connection application.

Arterial Roadway Assessment (ARA)
Arterial Roadway Assessment are not applicable since the property is not within any active PAC basin.

Sanitary Sewer Trunk Charge (SSTC)
SSTC is applicable to the lot in question; however, SSTC charges will be paused until the end of the June 2026. (exact date to be determined by the SSSF Oversight Committee); therefore SSTC is deferred for this DP.
SSTC may apply at the time of the future application of subdivision, development permit or servicing connection application.

For information purposes, the following SSTC rates are for 2026. SSTC rate depends on the type of development:
1 – Industrial / Commercial / Institution: $8,818 per hectare

Development Permit

2 – One or two Dwelling Residential (no secondary, garden or garage suite): $1,764 per dwelling
3 – Two Dwellings Residential (one secondary, garden or garage suite): $1,764 per dwelling
for secondary garden or garage suite $781
4 – Multi-Family Residential: $1,259 per dwelling

The SSTC charge should be paid when the development permit application is made or when a sanitary services connection is applied.

Any sewer main extensions required to service the site and any onsite servicing requirements are in addition to the above noted PAC and SSTC assessments and will be at the developer's cost.

Please note that the SSTC rates are subject to adjustment at the end of the year. The final SSTC is based on the prevailing rate at the time the applicant/owner makes payment.

Additional Notes
The drainage assessments provided in this response are preliminary and for the purpose of information and discussion only. The assessment is made based on information currently available to our Department. Should such information changes in the future, a new assessment may be made.
Confirmation of the exact amount for the applicable drainage assessments will be made when an application for a subdivision, development permit, or sewer service connection is received.
In addition to the above items, the applicant/owner may need to pay for the installation cost of sewer services to the property line. For details, please contact EPCOR Drainage.
More information about the above charges can be found on the City of Edmonton's website:
Permanent Area Contributions
https://www.edmonton.ca/city_government/utilities/permanent-area-contributions.aspx
Sanitary Servicing Strategy Expansion Assessment
https://www.edmonton.ca/city_government/utilities/expansion-assessment-charge-ea.aspx
Arterial Roadway Assessment
https://www.edmonton.ca/projects_plans/roads/design_planning/arterial-roadway-assessments.aspx
Sanitary Sewer Trunk Charge
https://www.edmonton.ca/city_government/utilities/sanitary-sewer-trunk-charge-sstc.aspx

EPCOR Advisements:

1. The site is currently serviced by a 20 mm copper water service (N29300) located 11 m south of the south property line of 109 Avenue off of the lane west of 130 Street. 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 200 mm water main along the lane west of 130 Street or directly off EPCOR's 300 mm water main along 109 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

Development Permit

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.

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:

1) 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

2) 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

3) 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

Development Permit

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

4) 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
"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

5) 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.

Kind regards,
Kelly Willis
FSCO Group B, Level II

Please send ALL FRS DP review inquiries to cmsfpts@edmonton.ca

Waste Services Advisements:
Hello,

Thank you for the opportunity to provide feedback on this project.

Waste Services has reviewed the proposed plan "PLOT PLAN" dated April 2, 2026 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.

Project Number: **643351391-002**
Application Date: JAN 13, 2026
Printed: September 2, 2026 at 12:48 PM
Page: 9 of 9

Development Permit

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 9 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 14 carts: 9 x 240 L for garbage and 1 x 120 L 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.
Residents would use blue bags for recycling.

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.

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.

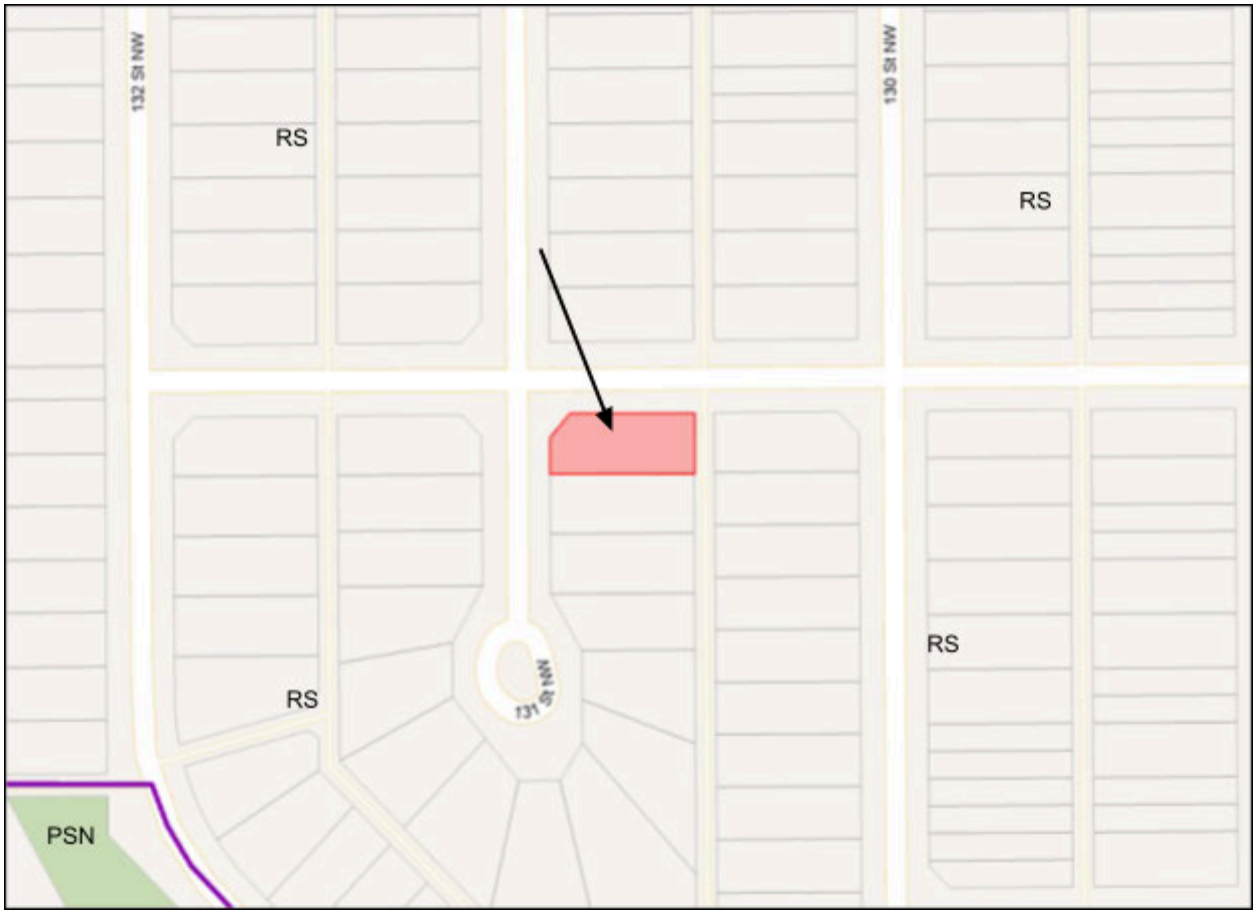
If you require any further clarifications, please contact us.

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	694421000019442	Mar 26, 2026
Lot Grading Fee	$500.00	$500.00	694421000019442	Mar 26, 2026
Development Permit Inspection Fee	$575.00	$575.00	694421000019442	Mar 26, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$2,115.00	$2,115.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-257

N

ITEM II: 9:00 A.M. FILE: SDAB-D-26-258

APPEALS FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT NO. 1:
APPELLANT NO. 2:
APPELLANT NO. 3
APPELLANT NO. 4:

APPLICATION NO.:	652271048-002
APPLICATION TO:	Construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage)
DECISION OF THE DEVELOPMENT AUTHORITY:	Approved with Conditions
DECISION DATE:	September 2, 2026
DATE OF APPEAL(S):	September 9, 14, 15, and 22, 2026
RESPONDENT:	
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	13011 - 109 AVENUE NW
LEGAL DESCRIPTION:	Plan 4312HW Blk 28 Lot 51
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Central District Plan

Grounds for Appeal

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

APPELLANT NO. 1:

- Improper site drainage and water management considerations
- Improper walkways and unobstructed unit access (included hard./soft scaping landscaping considerations)
- Improper water management for pumps
- improper garbage bin storage and access. Includes concerns on primacy screen and orientation
- Improper space consideration for garbage and recycling bins
- Lack of ornamentation on exterior elevations including high visibility walls and windows

APPELLANT NO. 2:

1. Inadequate room and facilities to handle garbage, recycling and bluebag pickup. a. Improper garbage bin storage and access. b. Improper space consideration for garbage and recycling bins
2. Inadequate facilities (space allotment) to handle snow removal from back entrances. This poses a severe safety hazard (slips, falls, etc.) as well as a severe hazard in case of a fire.
3. Inadequate room between window wells and stairs in back entrances.
4. No consideration given to massing effects of cars (parking) in a neighborhood where there is already insufficient street parking.
5. Removal (clearcutting) of mature trees with inadequate landscaping to replace. Mature trees are a large part of the reason that people flock to this popular neighborhood.
6. Damage that will occur to the roots of mature spruce trees at back of property but on neighboring lot. This will result in damage, when the trees are knocked down due to winds, to power lines and/or neighboring garage suite.
7. Pooling of water during rain storms (often complete flooding to prevent egress/ingress) of streets and alleys in this neighborhood is common. When this happens, there is absolutely no room for more cars on the street.

8. MOST IMPORTANTLY: A complete lack of attempt to being a responsible owner and good neighbour: this includes – not returning phone calls or emails; City of Edmonton note on front door indicating review to determine if “Property is dangerous to public safety”; not mowing lawns; not shoveling snow (the sidewalk along the property was unwalkable during winter months); continuously open (or broken) doors and windows allowing ingress wildlife, pets and to those less fortunate who are looking for a place to shelter.

   All of the above point to a complete lack of compatibility for the type of building (and owner) that has made the Westmount community the

fantastic neighborhood it is. This owner is completely irresponsible and makes no attempt to be otherwise. It can only be assumed that this lack of responsibility will continue as the development continues unless some changes are made and rules are put in place to enforce behavior.

APPELLANT NO. 3:

We are the residents of 10893 131 Street NW, located directly adjacent to the proposed development at 13011 109 Avenue NW along the south lot line. As immediately affected neighbors sharing a direct property line, we are appealing this permit due to unresolved issues with the site plan detailed below:

1. Mature Tree Protection along Shared Property Line

- There are multiple mature trees alongside the shared property line. An independent arborist report confirms that their root zones extend onto the main lot of the development and face notable risk during primary site excavation. To prevent root damage, tree destabilization, and the loss of essential privacy canopy between the properties, a comprehensive Tree Protection Plan should be required prior to any planned demolition or excavation.

2. Discrepancies in Waste Management Plan

- The submitted architectural drawings depict 120 L green bins, whereas the approved permit specifies four 240 L bins and one 120 L bin, demonstrating a discrepancy in the plans for the waste management area. The current layout restricts functional access for residents to reach the bins in the back row, and the fence screening shown on landscape plans are not included in the garage suite drawings, creating confusion over how the waste area will be integrated alongside the outdoor staircase.
- The allocated linear space for the driveway cannot reasonably accommodate 14 individual waste and green matter containers even with the reduced spacing exemption of 0.5 meters between carts. Crowding 14 bins into this area alongside recycling will make collection for City waste trucks virtually impossible and will likely obstruct the public alleyway.

3. Unclear Details for Water Runoff and Drainage Management

- The plan lacks necessary detail regarding stormwater management, surface drainage pathways, and splash pad areas. Unclear drainage specifications create a risk of surface runoff and water pooling being directed toward the adjacent private property line and public sidewalks.

4. Retaining Wall Design and Structural Stability Concerns

- The proposed details for the retaining wall are overly vague, leaving material selection (either wood or cement) and the final height and length to be determined on site. Given the scale of excavation and development, retaining wall specifications should be determined in advance to prevent erosion and structural instability along the shared property line.

5. Flawed Landscape Plan & Impractical Site Layout

- The proposed planting of two larger trees along the shared fence fails to account for the established canopy and root zone of an existing larger apple tree on our property line, suggesting a lack of on-site evaluation.
- Positioning four tables, a fire pit feature, and new trees within the shared yard space creates an overcrowded layout that compromises functional use and setback clearance.
- Spacing between the main building rear entrances and basement window wells is minimal and restricts a functional walkway space and safe movement around the site. Additionally, using mulch instead of a hard-surface walkway along this route makes moving between the main building, garage, and alleyway impractical. This creates a notable issue during winter months given snow removal on mulch is not practical and prevents safe year-round access.

Note: Further written notes and expert arborist report will be submitted prior to the written submission deadline

APPELLANT NO. 4

- Inadequate room and facilities to handle garbage, recycling, and blue bag pickup. No access to the garage with the current setup. Not enough room to allow for sorting on site.
- Inadequate facilities (space allotment) to handle snow removal from back entrances. This poses a severe safety hazard (slips, falls, etc.) as well as a severe hazard in case of a fire.
- Damage that will occur to the roots of mature spruce trees at the back of the property but on the neighboring lot. This will result in damage, when the trees are knocked down due to winds, to power lines and/or neighboring garage suite.
- Drainage management is inadequate.
- Stormwater management for this neighbourhood is not adequate.

Additional and more in-depth reasoning can be presented during the appeal hearing.

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

(c) issues an order under section 645,

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

…

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

…

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

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

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

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

…

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

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

(i) the proposed development would not

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

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

and

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

General Provisions from the *Zoning Bylaw 20001:*

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

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

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

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

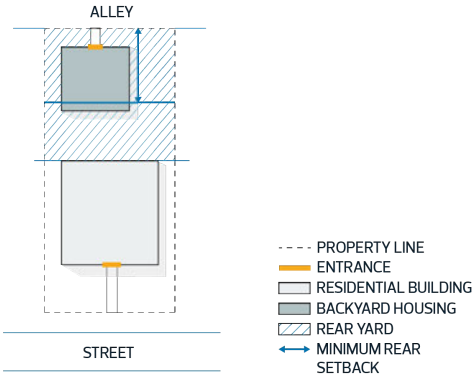
> a building that contains 3 or more principal Dwellings joined in whole or in part at the side, the rear, or the side and the rear, with none of the principal Dwellings being placed over another. Each principal Dwelling has separate, individual, and direct access to ground level.

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, **Backyard Housing** means:

> a building containing 1 or more Dwellings, that is located wholly within the Rear Yard, and partially or wholly within the Rear Setback of the applicable Zone, of a Residential Site.



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.

Edmonton

Project Number: **652271048-002**
Application Date: MAR 27, 2026
Printed: September 2, 2026 at 1:08 PM
Page: 1 of 4

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)
13011 - 109 AVENUE NW
Plan 4312HW Blk 28 Lot 51

Specific Address(es)
Suite: 13009G - 109 AVENUE NW
Entryway: 13009G - 109 AVENUE NW
Building: 13009G - 109 AVENUE NW

Scope of Permit
To construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage).

Details

1. Titled Lot Zoning: RS
2. Number of Principal Dwelling Units To Construct: 0
3. Overlay:
4. Number of Secondary Suite Dwelling Units to Construct: 1
5. Statutory Plan:
6. Backyard Housing or Secondary Suite Included?: Yes
7. Neighbourhood Classification: Redeveloping
8. Development Category / Class of Permit: Permitted Development

Development Permit Decision
Approved

Issue Date: Sep 02, 2026 **Development Authority:** CHAN, MANDY

Subject to the Following Conditions

Zoning Conditions:

1. This Development Permit authorizes the construction of a Residential Use building in the form of a Backyard House (1 Dwelling with Garage).

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 TWO on-site Development Permit Notification Sign (Subsection 7.160.2.2).

4. A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).

5. Pathway(s) connecting the main entrance of the Backyard Housing directly to an Abutting sidewalk or to a Driveway must be provided and must be a minimum width of 0.9 m (Subsection 5.80.2.1.1).

6. Facades facing an Alley must have outdoor lighting that complies with Section 5.120 (Subsection 6.10.12).

7. 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).

Edmonton

Project Number: **652271048-002**
Application Date: MAR 27, 2026
Printed: September 2, 2026 at 1:08 PM
Page: 2 of 4

Development Permit

8. Backyard Housing must not be subdivided from other principal Dwellings on a Site or be part of a Bare Land Condominium (Subsection 6.10.5).

9. 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 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)

10. The minimum length of a Parking Space is 5.5m. Parking is not permitted on a Driveway less than 5.5m in length (Subsection 5.80.5.1.3.1).

Subject to the Following Advisements

Zoning Advisements:

1. Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw.

2. The Driveway must maintain a minimum clearance of 1.5 m from the service pedestal and all other surface utilities. The applicant or property owner is responsible for the location of all underground and above ground utilities and maintaining the required clearance as specified by the utility companies. Alberta One-Call, Shaw, and Telus should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with the relocation or removal of the service pedestal must be at the expense of the applicant or property owner.

3. The proposed onsite hard surfaced driveway connecting the garage entrances/parking pad and the paved alley/roadway will not allow for vehicles to park behind the garage without overhanging onto the alley/roadway. If additional on-site parking is desired within the driveway, a minimum 5.5 m stall length is required for perpendicular parking within private property. Vehicles parking within legal alley/ road right-of-way may result in enforcement measures.

4. 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).

5. 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.

6. 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.

7. 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.

8. 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.

9. 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. For more information on Lot Grading requirements, plans and inspections refer to the website: https://www.edmonton.ca/residential_neighbourhoods/residential-lot-

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grading

10. The Minimum Approach Distance (MAD) report completed by EPCOR defines the minimum clearance required for existing power line(s). It is the sole responsibility of the applicant to ensure that the proposed development conforms to all requirements outlined in the MAD report. You may contact Epcor Power at 780-412-3128 or ces@epcor.com for more information.

EPCOR Power Advisements:

The Minimum Approach Distance (MAD) is the final report outlining the calculations for the horizontal displacement (swing) and vertical displacement (sag) of the 15,000 V primary wire to allow the Customer to calculate clearances to the proposed development in accordance with all applicable codes and standards.

The Customer is required to ensure compliance to AEUC and CSA for safe Minimum Approach Distances (MAD) and minimum design clearances between existing wire and building.

Occupational Health and Safety requirements including but not limited to Alberta Electric Utility Code (AEUC) Table 1 shall be adhered to for the Safe Limit of Approach for Worker Safety for the entire lifecycle of the structure, including during construction, usage, and on-going maintenance. The constructability, future access, and maintenance of the structure should be considered in the design of the structure. If adequate clearance(s) for access are not provided, individuals or equipment standing on top of or accessing via the side of a compliant structure may themselves contravene safe MAD. If access within MAD is required, supervision by EDTI and/or line protection/isolation is required. All costs will be charged to the customer.

The Minimum Approach Distance (MAD) report does not negate the requirement for an onsite consult. Contact EDTI Power Emergencies (780-412-4500) to complete a Safety Codes Consult prior to commencing work within 7 meters of a power line. Refer to section 3.10.1 of the EPCOR Customer Connection Guide for additional information on Minimum Approach Distance (MAD).

You may contact Epcor Power at 780-412-3128 or ces@epcor.com for more information.

Waste Services Advisements:

Thank you for the opportunity to provide feedback on this project.

Waste Services has reviewed the proposed plan "PLOT PLAN" dated April 2, 2026 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

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development with 9 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 14 carts: 9 x 240 L for garbage and 1 x 120 L 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.
Residents would use blue bags for recycling.

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.

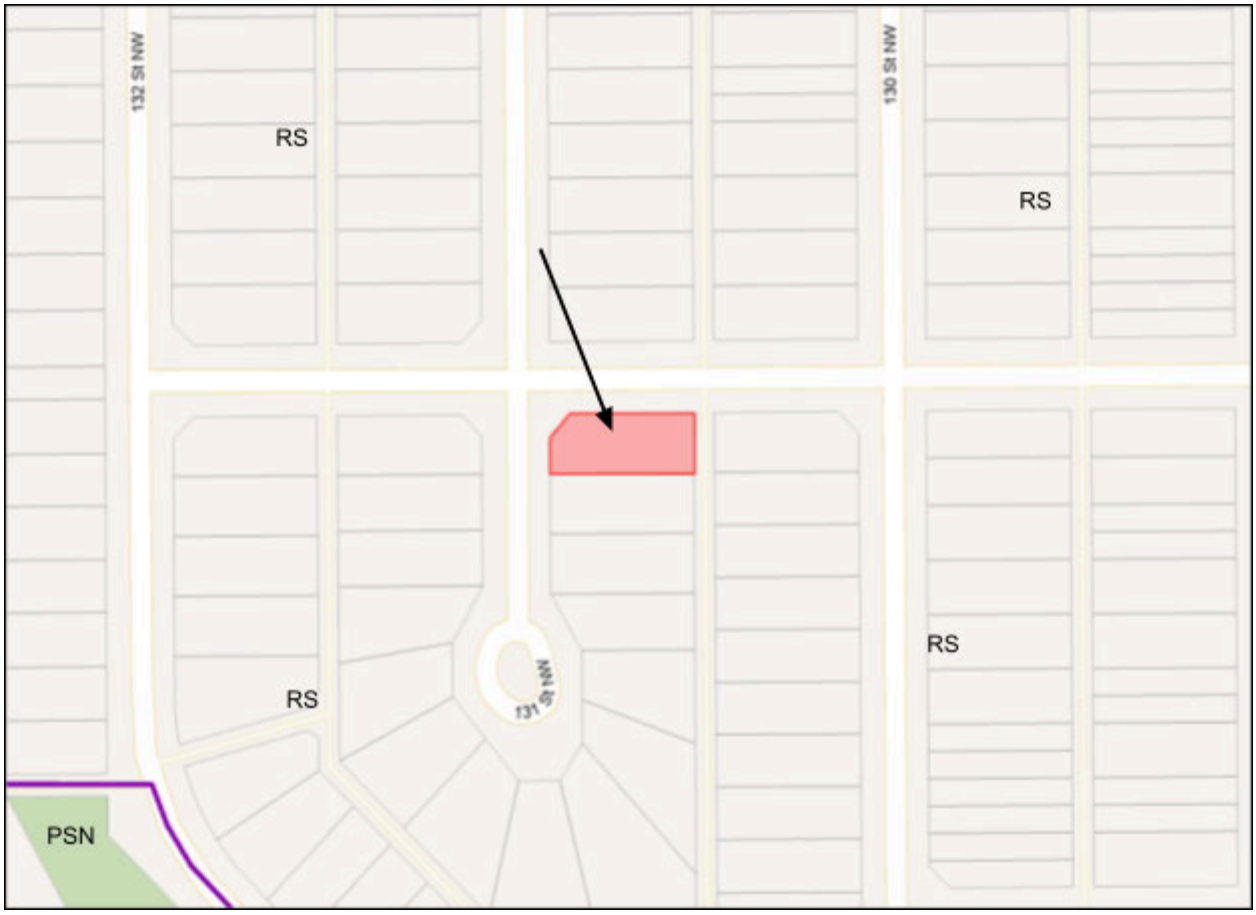
If you require any further clarifications, please contact us.

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	$625.00	$625.00	663977000020307	Mar 27, 2026
Lot Grading Fee	$160.00	$160.00	663977000020307	Mar 27, 2026
Total GST Amount:	$0.00			
Totals for Permit:	$785.00	$785.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-258

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