SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Wednesday, 9:00 A.M.
November 4, 2026

Hearing Room No. 3
Churchill Building, 10019 - 103 Avenue NW, Edmonton, AB

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 3

I	9:00 A.M.	SDAB-D-26-295	Construct exterior alterations (Remove existing driveway and construct a parking pad, 5.5m in length and 5.5m in width) 2629 - 129A AVENUE NW Project No.: 660685285-002
II	10:00 A.M.	SDAB-D-26-296	Construct exterior alterations to a Residential Use building (Driveway extension, 7.2m x 0.9m) 320 - 33 STREET SW Project No.: 673167289-002
III	11:00 A.M.	SDAB-D-26-297	Construct exterior alterations to a Residential Use building (Driveway extension, 6.8m x 1.5m) 16039 - 91 STREET NW Project No.: 672950095-002
IV	1:30 P.M.	SDAB-D-26-298	Construct Residential Use buildings in the form of a 4 Dwelling Row House with a Basement development (unit 3 only, NOT to be used as an additional Dwelling), and 3 Secondary Suites in the Basements (units 1,2, and 4); and a 2-Dwelling Backyard House, for a total of 9 Dwellings 13408 - 106 AVENUE NW Project No.: 666286050-002

NOTE: ***Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.***

ITEM I: 9:00 A.M. FILE: SDAB-D-26-295

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	660685285-002
APPLICATION TO:	Construct exterior alterations (Remove existing driveway and construct a parking pad, 5.5m in length and 5.5m in width)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	September 22, 2026
DATE OF APPEAL:	October 5, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	2629 - 129A AVENUE NW
LEGAL DESCRIPTION:	Plan 7720500 Blk 50 Lot 1
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Northeast District Plan

Grounds for Appeal

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

> My name is Melanie, and in May of this year I purchased my first home. As a new homeowner, I have plans to update, expand and improve my living space; one of these future home improvement plans is to build a garage in the backyard for my vehicle. Unfortunately, the current driveway I have on 129A ave is too narrow to gain access to the backyard via

vehicle. This driveway is also documented on the RPR as going over the property line into my neighbour's property.

With this permit, I plan to build a new driveway off Clairview road, leading into the backyard, to a future garage where I may store my vehicle during the harsh winter months. After the new driveway is built, the current driveway on 129A ave will be taken apart and removed.

In response to the Transportation (Subdivision Planning) statement that access is being granted only from the lowest road classification available, there are homes on Clairview road that currently have access from the collector road (Clairview Rd) rather than their local road. These also happen to be corner lots similar to mine (photos of map attached in document). From looking at the photos, I'm sure they ran into similar situations as mine.

The average width of a driveway for a single vehicle in Edmonton is 10-11.5 ft (3-3.5 m). The width I measured of my current driveway (129A ave), that is encroaching on my neighbours property, is 9.7 ft (< 3m). In the future when a new fence is built in its proper location, so as to not go over the property line, this would reduce the width of my current driveway space (129A ave) even more than it already is. The access from 129A ave (local road) does not provide me adequate space in width from my property line to my house, for a proper sized driveway, because of this, I would like to be granted vehicular access from the collector road (Clairview Rd).

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:

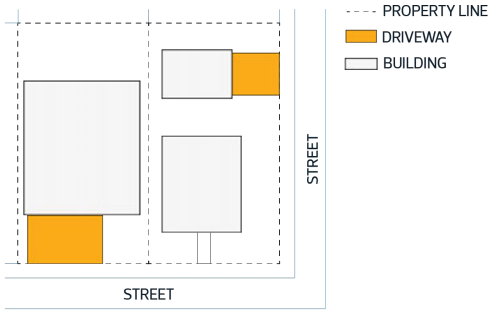
> Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.
>
> This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached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

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.

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

Site Access - All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning (Subsection 5.80.1.1).

Proposed: Transportation planning does not support the proposed vehicle access off Clareview Road NW.

[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: **660685285-002**
Application Date: JUN 03, 2026
Printed: September 22, 2026 at 8:56 AM
Page: 1 of 1

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)
2629 - 129A AVENUE NW
Plan 7720500 Blk 50 Lot 1

Location(s) of Work
Suite: 2629 - 129A AVENUE NW
Entryway: 2629 - 129A AVENUE NW
Building: 2629 - 129A AVENUE NW

Scope of Application
To construct exterior alterations (Remove existing driveway and construct a parking pad, 5.5m in length and 5.5m in width).

Details

Development Category: Discretionary Development
Site Area (sq. m.): 538.67
Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Sep 22, 2026 **Development Authority:** OLTHUIZEN, JORDYN

Reason for Refusal
Site Access - All vehicle access locations and curb crossings require the approval of the Development Planner in consultation with the City department responsible for transportation planning (Subsection 5.80.1.1).

Proposed: Transportation planning does not support the proposed vehicle access off Clareview Road NW.

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.

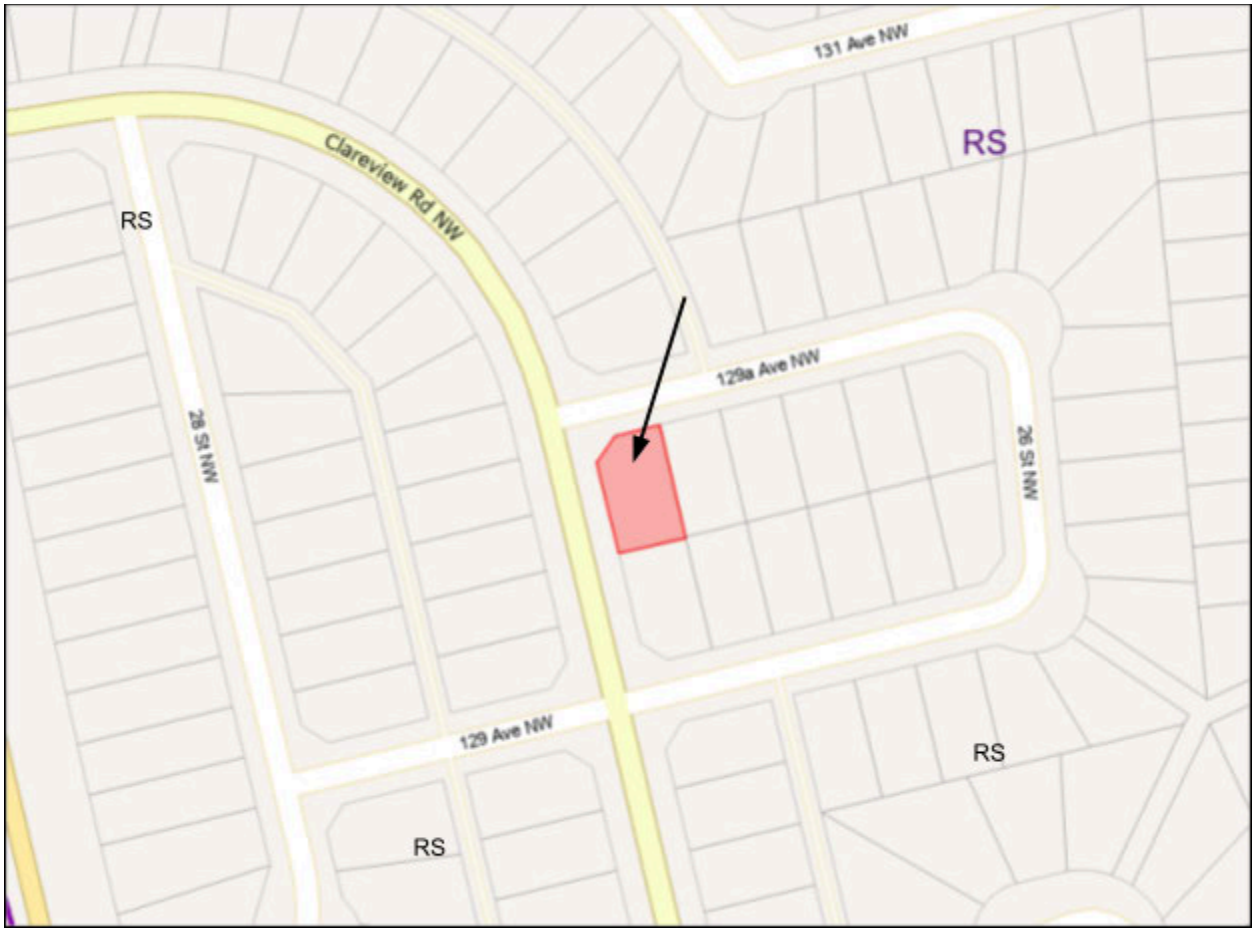
Building Permit Decision
No decision has yet been made.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Application Fee	$195.00	$195.00	015624000002813	Jun 03, 2026
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-26-295

N

ITEM II: 10:00 A.M. FILE: SDAB-D-26-296

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	673167289-002
APPLICATION TO:	Construct exterior alterations to a Residential Use building (Driveway extension, 7.2m x 0.9m)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	October 5, 2026
DATE OF APPEAL:	October 9, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	320 - 33 STREET SW
LEGAL DESCRIPTION:	Plan 2322337 Blk 3 Lot 5
ZONE:	RSF - Small Scale Flex Residential Zone
OVERLAY:	N/A
STATUTORY PLAN(S):	Alces Neighbourhood Structure Plan Decoteau Area Structure Plan
DISTRICT PLAN:	Ellerslie District Plan

Grounds for Appeal

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

> I request approval to extend my driveway to provide three on-site parking spaces without removing street parking. This would improve safe access for residents and licensed short-term rental guests, particularly in winter. I ask the Board to approve the proposal or, alternatively, the maximum portion permitted.

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

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

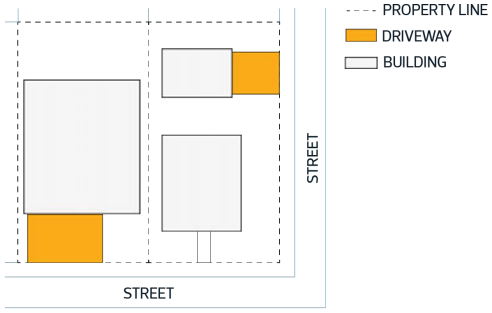
> Means a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.
>
> This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached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

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

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

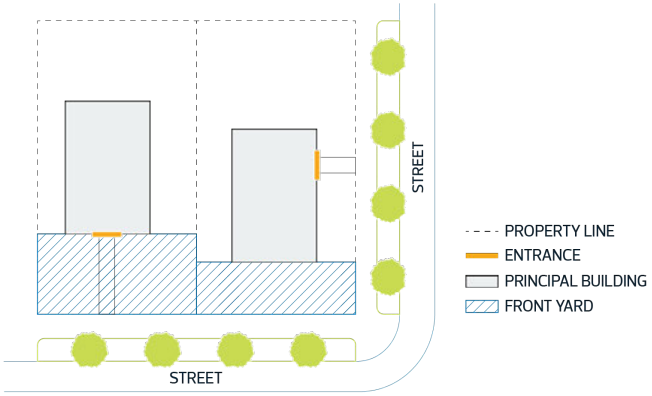
Under section 8.20, **Driveway** means:

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



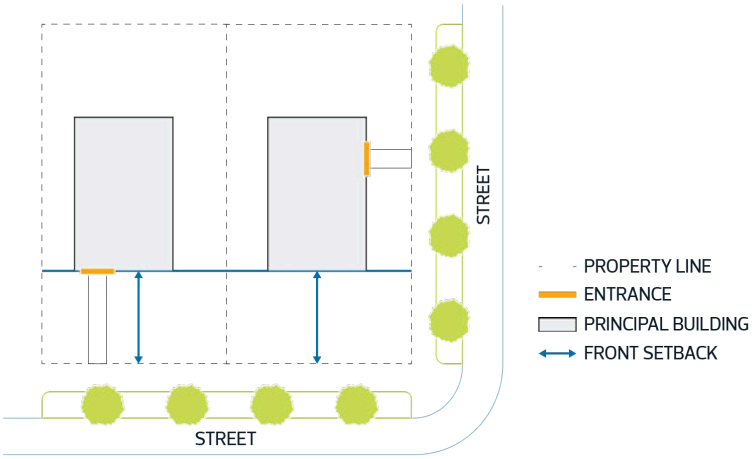
Under section 8.20, **Front Yard** means:

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



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

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



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

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

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

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

Site Circulation and Parking Regulations for Small Scale Residential Development

Section 5.80.2.1 states:

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

Site Circulation

2.1.1 1 or more Pathways with a minimum unobstructed width of 0.9 m must be provided from all main entrances of principal

Dwellings directly to an Abutting sidewalk or to a Driveway, except that:

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

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

Driveways

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

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

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

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

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

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

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

by 3.7 m, whichever is less.

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

2.1.6.1. a Front Yard;

2.1.6.2. a Flanking Side Yard; or

2.1.6.3 a Flanking Side Setback.

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

Development Planner's Determination

1) 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: 5.2 m
Proposed: 6.1 m
Exceeds by: 0.9 m

[unedited]

Notice to Applicant/Appellant

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

Project Number: **673167289-002**
Application Date: SEP 08, 2026
Printed: October 5, 2026 at 10:11 AM
Page: 1 of 1

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)
320 - 33 STREET SW
Plan 2322337 Blk 3 Lot 5

Location(s) of Work
Suite: 320 - 33 STREET SW
Entryway: 320 - 33 STREET SW
Building: 320 - 33 STREET SW

Project Name:
Drive way extension

Scope of Application
To construct exterior alterations to a Residential Use building (Driveway extension, 7.2m x 0.9m).

Details

Development Category: Discretionary Development
Site Area (sq. m.): 263.84
Overlay:
Statutory Plan:

Development Application Decision
Refused

Issue Date: Oct 05, 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: 5.2 m
Proposed: 6.1 m
Exceeds by: 0.9 m

Rights of Appeal

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

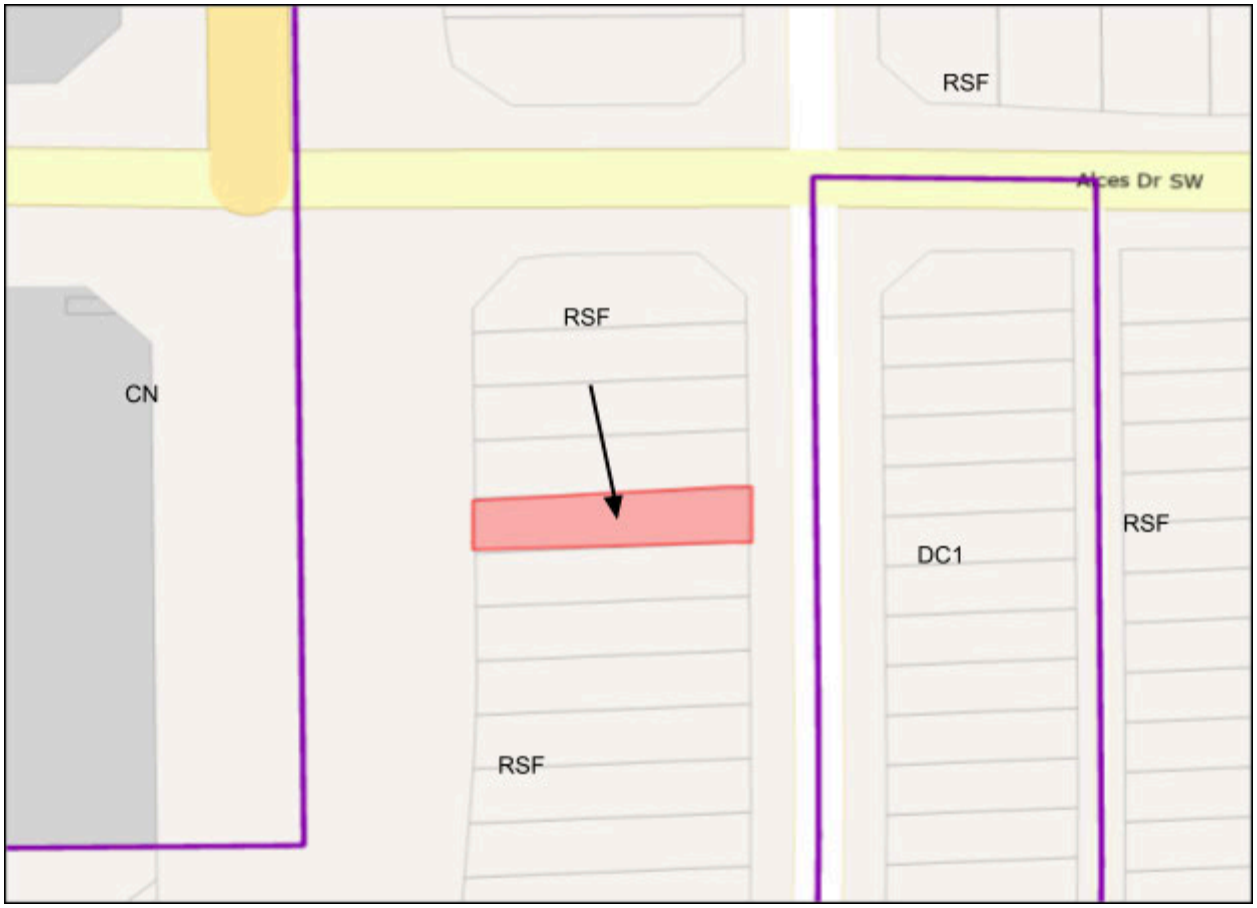
Building Permit Decision
No decision has yet been made.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Development Application Fee	$195.00	$195.00	058571000007103	Sep 08, 2026
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-26-296

N

ITEM III: 11:00 A.M. FILE: SDAB-D-26-297

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	672950095-002
APPLICATION TO:	Construct exterior alterations to a Residential Use building (Driveway extension, 6.8m x 1.5m)
DECISION OF THE DEVELOPMENT AUTHORITY:	Refused
DECISION DATE:	October 5, 2026
DATE OF APPEAL:	October 5, 2026
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	16039 - 91 STREET NW
LEGAL DESCRIPTION:	Plan 0120069 Blk 113 Lot 90
ZONE:	DC2.546 - Site Specific Development Control Provision
OVERLAY:	N/A
STATUTORY PLAN:	Eaux Claires Neighbourhood Structure Plan Edmonton North Area Structure Plan
DISTRICT PLAN:	Northwest District Plan

Grounds for Appeal

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

> Regarding the concern of removing one street parking spot. As its a corner house & intersection is closeby so nobody parks after our driveway due to parking limit from intersection.

And as our house & rear house faces the streets side so the 161 ave beside our houses has no house or driveway at all & fully available for parking throughout.
This particular spot is sitting useless. There is a lot of grass area which rpr is not showing properly. Beside the house on 161 Ave, between house & sidewalk there is grass area as well about 7 ft which is not visible on rpr.

The actual spot is very big, so I would kindly request if it can be reconsidered as it will not affect community due intersection parking limit, nobody parks here But it will help taking the WHEELCHAIR straight in even both the vehicles are parked on driveway so will be much easier for my mother.

We appreciate you a lot, if it can be re-considered & permission can be allowed please

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.

685(4) Despite subsections (1), (2), (2.1) and (3), if a decision with respect to a development permit application in respect of a direct control district

(a) …

(b) is made by a development authority, the appeal may only be made to the subdivision and development appeal board and is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

Hearing and Decision

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

…

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

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

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

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

…

Zoning Bylaw 20001 - Part 7 - Administrative and Interpretative Clauses

Section 7.10, *Repeal, Enactment and Transition Procedures*, states the following:

1. Edmonton Zoning Bylaw 12800, as amended, is repealed.

2. The regulations of this Bylaw come into effect on January 1, 2024 (the "effective date").

3. The regulations of this Bylaw apply from the effective date onward:

   3.1 subject to the regulations for non-conforming Uses as outlined in the Municipal Government Act; and

   3.2 despite the effect it might have on rights, vested or otherwise.

4. Regulations for zoning, land use, or development in any other Bylaw must not apply to any part of the city described in this Bylaw except as otherwise provided for in this Bylaw.

5. Development Permit applications must be evaluated under the regulations of this Bylaw as of the effective date, even if the application was received before this date.

6. Any Direct Control Zone regulations that were in effect immediately prior to the effective date of this Bylaw will continue to be in full force and effect and are hereby incorporated into Part 4 of this Bylaw.

Section 7.20.4, *General Rules of Interpretation - Direct Control Zones and Existing Development Permits*, states the following:

4.1. For the purpose of any Direct Control Zone passed on or before December 31, 2023:

4.1.1. the definitions of the listed Uses in the Direct Control Zone must be interpreted in compliance with either Land Use Bylaw 5996 as it appeared on June 13, 2001, or Zoning Bylaw 12800 as it appeared on December 31, 2023, whichever is applicable;

4.1.2. where the Direct Control Zone references a specific Section or Subsection of a land use bylaw, that reference is interpreted to be to the specific Section or Subsection of the land use bylaw that was in effect on the date on which the Direct Control Zone was approved by Council; and

4.1.3. where the Direct Control Zone references a specific Zone or Overlay of a land use bylaw, that reference is interpreted to be to the specific Zone or Overlay of the land use bylaw that was in effect on December 31, 2023.

4.2. For the purpose of any Direct Control Zone passed on or after January 1, 2024:

4.2.1 where the Direct Control Zone references a specific Section or Subsection of a land use bylaw, that reference is interpreted to be to the specific Section or Subsection of the land use bylaw that was in effect on the date on which the Direct Control Zone was approved by Council; and

4.2.2. where the Direct Control Zone references a specific Zone or Overlay of a land use bylaw, that reference is interpreted to be to the specific Zone or Overlay of the land use bylaw that was in effect on the date of decision for the Development Permit application.

4.3. Where there is a discrepancy between this Bylaw and any previous land use bylaw, the existing Direct Control Zone must not be interpreted to provide any additional rights than are otherwise contemplated in the Direct Control Zone.

…

4.4. For the purpose of any Development Permit issued on or before December 31, 2023, the Use identified in the permit is interpreted to have the same Use definition as set out in the applicable previous land use bylaw on the date on which the Development Permit was issued.

…

4.6. For all Direct Control Zones created prior to August 24, 1998, that contain Single Detached Housing, Semi-detached Housing, Duplex Housing or Secondary Suite as a listed Use:

4.6.1. the maximum number of Single Detached Housing Dwellings per Lot is 1;

4.6.2. the maximum number of Semi-detached Housing or Duplex Housing Dwellings per Site is 2; and

4.6.3. the maximum number of Secondary Suites per principal Dwelling is 1, unless specifically noted otherwise in the Direct Control Zone.

Section 7.40, *Application of General and Specific Development Regulations*, states the following:

1. General Development Regulations

1.1 The General Development Regulations in Part 5 apply to all developments on all Sites. These regulations take precedence except where the regulations of a Zone, Direct Control Zone, Special Area, or Overlay specifically exclude or modify these regulations with respect to any development.

2. Specific Development Regulations

2.1 The Specific Development Regulations in Part 6 apply to specific developments on all Sites. These regulations take precedence except where the regulations of a Zone, Direct Control Zone, Special Area, or Overlay specifically exclude or modify these regulations with respect to any development.

Section 7.80, *Application of Direct Control Zones*, states the following:

5.1 Unless specifically excluded or modified by a regulation of a Direct Control Zone, all regulations in the Zoning Bylaw apply to development in a Direct Control Zone. Site plans and building elevations cannot exclude or modify regulations of the Zoning Bylaw.

Section 7.100, *Authority and Responsibility of the Development Planner, Variance to Regulation*s, states the following:

4.3 A variance must not be granted for a Development Permit application within a Direct Control Zone except where the ability to grant a variance is specified:

4.3.1. within the Direct Control Zone;

4.3.2. within an applicable regulation of a previous land use bylaw where such regulation has been referred to in the Direct Control Zone; or

4.3.3. within an applicable regulation of this Bylaw.

> 4.4. In the case of a conflict between Subsection 4.3 and the applicable Direct Control Zone, the Development Planner must comply with the provisions of the applicable Direct Control Zone.

General Provisions from the DC2.546 - *Site Specific Development Control Provision (DC2)*

Under section 3.a, **Single Detached Housing** is a **Permitted Use** in the **DC2.**.

Section 1 states that the **General Purpose** of the **DC2** is:

> To establish a Site Specific Development Control District in accordance with the Eaux Claires Neighborhood Structure Plan to accommodate single and semi-detached residential development. The single detached use within this District shall comply with the standard RSL District while the semi-detached use shall be distinct from the RF4 District.

General Provisions from the *Zoning Bylaw 20001:*

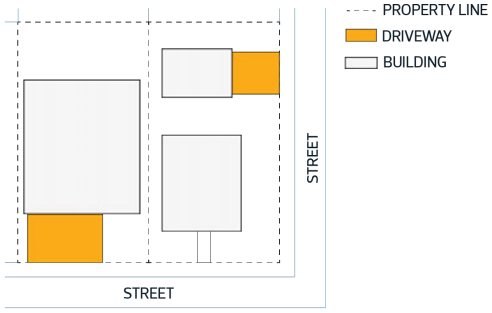
Under section 8.10, a **Residential Use** means:

> 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, **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."

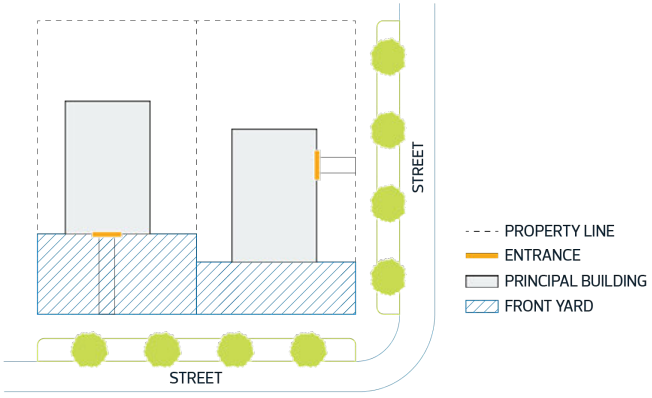
Under section 8.20, **Driveway** means:

> 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.



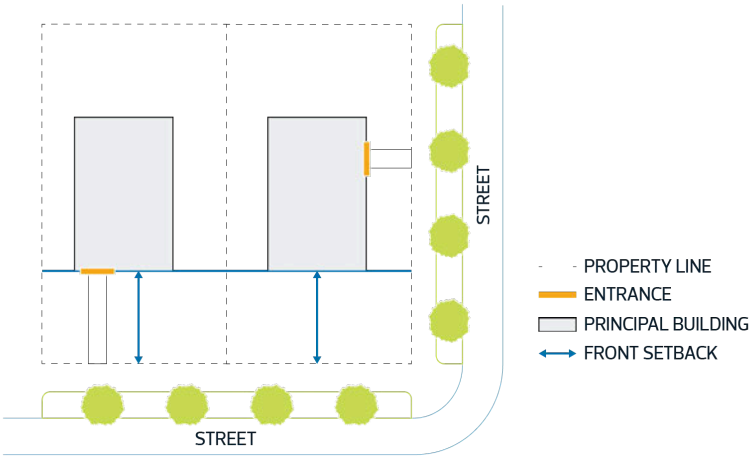
Under section 8.20, **Front Yard** means:

> 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: 7.6 m
Exceeds by: 1.5 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)

[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: **672950095-002**
Application Date: SEP 06, 2026
Printed: October 5, 2026 at 2:01 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)
16039 - 91 STREET NW
Plan 0120069 Blk 113 Lot 90

Project Name:
Driveway

Scope of Application
To construct exterior alterations to a Residential Use building (Driveway extension, 6.8m x 1.5m).

Details

Development Category: Discretionary Development
Site Area (sq. m.): 454.73

Overlay:
Statutory Plan: Eaux Claires NSP Consolidation

Development Application Decision
Refused

Issue Date: Oct 05, 2026 **Development Authority:** DEIGHTON, ROAN

Reason for Refusal
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: 7.6 m
Exceeds by: 1.5 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)

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	08370Z000005277	Sep 06, 2026

THIS IS NOT A PERMIT

P0702003

Edmonton

Project Number: **672950095-002**
Application Date: SEP 06, 2026
Printed: October 5, 2026 at 2:01 PM
Page: 2 of 2

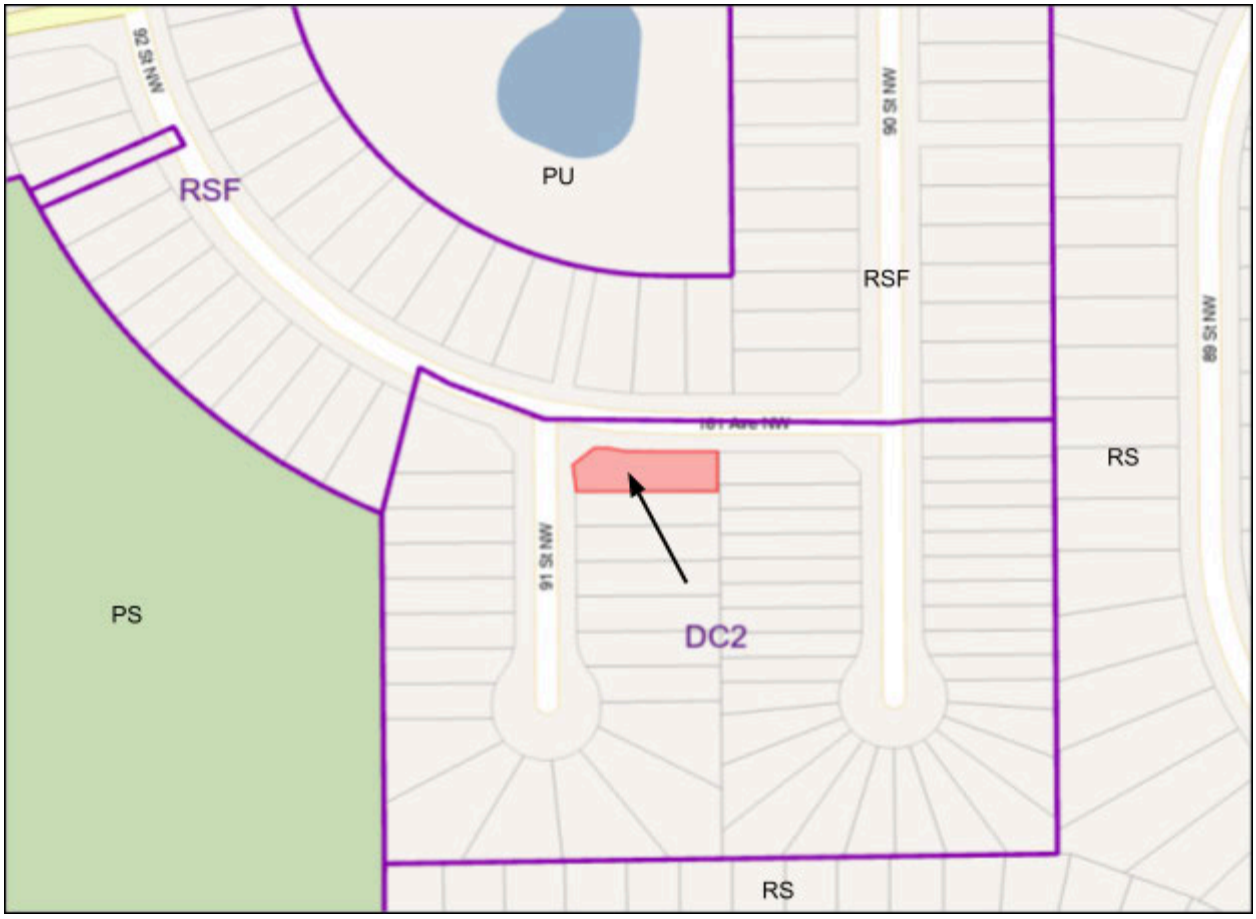
Application for
Driveway Extension Permit

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-26-297

N

ITEM IV: 1:30 P.M. FILE: SDAB-D-26-298

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:	
APPLICATION NO.:	666286050-002
APPLICATION TO:	Construct Residential Use buildings in the form of a 4 Dwelling Row House with a Basement development (unit 3 only, NOT to be used as an additional Dwelling), and 3 Secondary Suites in the Basements (units 1,2, and 4); and a 2-Dwelling Backyard House, for a total of 9 Dwellings
DECISION OF THE DEVELOPMENT AUTHORITY:	Approved with Conditions
DECISION DATE:	September 18, 2026
DATE OF APPEAL:	October 6, 2026
RESPONDENT:	
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	13408 - 106 AVENUE NW
LEGAL DESCRIPTION:	Plan 4677HW Blk 62A Lot 12
ZONE:	RS - Small Scale Residential Zone
OVERLAY:	N/A
STATUTORY PLAN:	N/A
DISTRICT PLAN:	Central District Plan

Grounds for Appeal

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

We are appealing the City of Edmonton's approval of Development Permit 666286050-002, which was issued September 18, 2026. The question we are raising to the SDAB is whether the approval of the Development Permit failed the following provisions of the City of Edmonton Bylaw 20001:
Subsection 7.190.2.4
Subsection 7.190.4.4
Subsection 7.190.6.1.6
Subsection 7.190.6.1.2
Subsection 7.190.1.1.3
Subsection 7.190.3.2
Or any other relevant provisions

From the online meeting with the development planner, the only design changes he noted when compared with the two separate Development Permit applications now before the Court of Appeal were a change in the direction of the stairs leading from the row house to the north and the removal of the cantilevers on the backyard house. There appeared to be no other design changes but we cannot determine this until we see the plans in more detail.

It should also be noted that as of Monday, October 5, 2026, there is no signage on the property indicating that Development Permit 666286050-002 has been issued.

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:

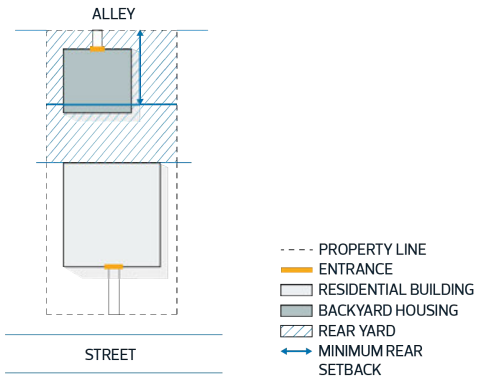
> a building that contains 3 or more principal Dwellings joined in whole or in part at the side, the rear, or the side and the rear, with none of the principal Dwellings being placed over another. Each principal Dwelling has separate, individual, and direct access to ground level.

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.

Previous Subdivision and Development Appeal Board Decisions

Application Number	Description	Decision
SDAB-D-26-058	To construct a Residential Use building in the form of a multi-unit Backyard House (2 Dwellings above Garage).	May 12, 2026; The appeal is **DENIED** and the decision of the Development Authority is **VARIED**. The development is **GRANTED** as applied for to the Development Authority, subject to **CONDITIONS** and a variance to Site Coverage. July 6, 2026; **Court of Appeal of Alberta (Harvey v Edmonton (City), 2026 ABCA 232)** **Permission to appeal granted.**
SDAB-D-26-046	To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, Basement development (unit 3, Not to be used as an additional dwelling), and to develop 3 Secondary Suites in the Basements (units 1,2, & 4 only); and to demolish an existing Single Detached House and Accessory building (rear detached Garage).	March 10, 2026; The appeal is **DENIED** and the decision of the Development Authority is **CONFIRMED**. The development is **GRANTED** as applied for to the Development Authority. July 6, 2026; **Court of Appeal of Alberta (Harvey v Edmonton (City), 2026 ABCA 232)** **Permission to appeal granted.**

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: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 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)
13408 - 106 AVENUE NW
Plan 4677HW Blk 62A Lot 12

Specific Address(es)

Suite:	13404G - 106 AVENUE NW
Suite:	13406G - 106 AVENUE NW
Suite:	13408 - 106 AVENUE NW
Suite:	13410 - 106 AVENUE NW
Suite:	13412 - 106 AVENUE NW
Suite:	13414 - 106 AVENUE NW
Suite:	BSMT, 13408 - 106 AVENUE NW
Suite:	BSMT, 13412 - 106 AVENUE NW
Suite:	BSMT, 13414 - 106 AVENUE NW
Entryway:	13404G - 106 AVENUE NW
Entryway:	13406G - 106 AVENUE NW
Entryway:	13408 - 106 AVENUE NW
Entryway:	13410 - 106 AVENUE NW
Entryway:	13412 - 106 AVENUE NW
Entryway:	13414 - 106 AVENUE NW
Building:	13404G - 106 AVENUE NW
Building:	13408 - 106 AVENUE NW

Scope of Permit

To construct Residential Use buildings in the form of a 4 Dwelling Row House with a Basement development (unit 3 only, NOT to be used as an additional Dwelling), and 3 Secondary Suites in the Basements (units 1,2, and 4); and a 2-Dwelling Backyard House, for a total of 9 Dwellings.

Details

Development Category: Permitted Development
Lot Grading Needed?: Y
NumberOfMainFloorDwellings: 4
Site Area (sq. m.): 697.96
Gross Floor Area (sq.m.): 540.06
New Sewer Service Required: N
Overlay:
Statutory Plan:

Development Permit Decision

Approved

Issue Date: Sep 18, 2026 **Development Authority:** SELTZ, AARON

Subject to the Following Conditions

Zoning Conditions:

This Development Permit authorizes the construction of Residential Use buildings in the form of a 4 Dwelling Row House with a Basement development (unit 3 only, NOT to be used as an additional Dwelling), and 3 Secondary Suites in the Basements (units 1,2, and 4); and a 2-Dwelling Backyard House, for a total of 9 Dwellings.

P0702003

Edmonton

Project Number: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 PM
Page: 2 of 9

Development Permit

The development must be constructed in accordance with the approved drawings.

WITHIN 14 DAYS OF APPROVAL, prior to any demolition or construction activity, the applicant must post on-site a Development Permit Notification Sign (Subsection 7.160.2.2).

Landscaping must be installed and maintained in accordance with Section 5.60.

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

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).

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.)

Screening must be provided for the waste collection area, to the satisfaction of the Development Planner (Subsection 5.120.4.1.5)

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).

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

The Secondary Suites must have separate entrances from the principal Dwellings, either from a common indoor landing or directly from outside the building (Section 8.20).

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).

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

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

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).

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

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).

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).

Development Permit

Landscaping Conditions:
1. Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner.

2. Any change to an approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed.

3. Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.

Transportation Conditions:

1. The existing concrete on the boulevard along 106 Avenue, located approximately at the east property line must be removed from back of the existing sidewalk with restoration of the grassed boulevard to the south property line within the road right-of-way to the City of Edmonton Complete Streets Design and Construction Standards.

2. 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 8%.

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 is 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 (https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/ OR 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:

Edmonton

Project Number: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 PM
Page: 4 of 9

Development Permit

1. There is a 200 mm PVC water main 1.2 m east of the east property line of Lot 12 in the lane east of 135 Street. 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:

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

An issued Development Permit means that the proposed development has been reviewed against the provisions of the Zoning 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).

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.

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.

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.

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.

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.

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

Drainage Services Advisements:

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

Edmonton

Project Number: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 PM
Page: 5 of 9

Development Permit

Expansion Assessment (EA)
Expansion Assessment charge is being paused until the end of Dec 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 Dec 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
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 (N28901) located 6.9 m north of the north property line of 106 Avenue off of the lane west of 134 Street. If this service will not be used for the planned development, it must be abandoned back to

Edmonton

Project Number: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 PM
Page: 6 of 9

Development Permit

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. 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 134 Street adjacent to the subject site.
3a. The 300 mm water main along 106 Avenue is within a 450 mm cast iron casing, connection to the 300 mm is not permitted.

4. For information on water and/or sewer servicing requirements, please contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444. EPCOR Strongly encourages all applicants to contact IWASS early in development planning to learn about site specific minimum requirements for on-site water and/or sewer servicing.

4a. For information and to apply for a new water service please go to www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html.

5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at wass@epcor.com or at 780-496-5444.

6. For information on metering and inquiries regarding meter settings please contact EPCOR's Water Meter Inspector at EWSinspections@epcor.com or 780-412-3850.

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.

Edmonton

Project Number: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 PM
Page: 7 of 9

Development Permit

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 NFC(AE-2023), Div.B, 2.8.1.1 of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction.

Reference: NFC(2023-AE), Div. B, 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 NFC(AE-2023), Div. B, Sentence 5.6.1.2.(1), protection of adjacent properties during construction must be considered.

Reference: NFC(2023-AE), Div. B, 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) If applicable, ensure provisions for firefighting are in accordance with:
-NBC(AE-2023), Div. B, 3.2.5 Provisions for Firefighting
-City of Edmonton, Design and Construction Standard Volume 2: Complete Streets.

Kind regards,
Ryan Bilton
FSCO Group B, Level II

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

Edmonton

Project Number: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 PM
Page: 8 of 9

Development Permit

Waste Services Advisements:

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

Waste Services has reviewed the proposed plan "PLOT PLAN" dated 7/10/26 and has no concerns to identify during this review.

This review follows Waste Services' current standards and practices and will expire when the Development Permit expires.

Adding any number of additional dwellings beyond what is indicated in this letter may result in changes to your waste collection. Waste Services reserves the right to adjust the collection method, location, or frequency to ensure safe and efficient service.

Additional information about waste service at your proposed development:
Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton.

Refer to Developer Standards for Residential Waste Collection for developments receiving residential collection.

To help in planning and designing your development, please refer to Bylaw 20363 to review clauses related to:
Access to containers and removal of obstructions.
Container set out, and
The responsibility for wear and tear or damages.

The green cart equivalency program and an exemption to reduce the spacing required to 0.5 m between carts while maintaining 1.0 m spacing between carts and any other objects such as vehicles, fences, power poles, etc. has been approved for this proposed development with 09 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
Lot Grading Fee	$500.00	$500.00	086805000004581	Aug 07, 2026
Major Dev. Application Fee	$1,040.00	$1,040.00	086805000004581	Aug 07, 2026
Development Permit Inspection Fee	$575.00	$575.00	086805000004581	Aug 07, 2026

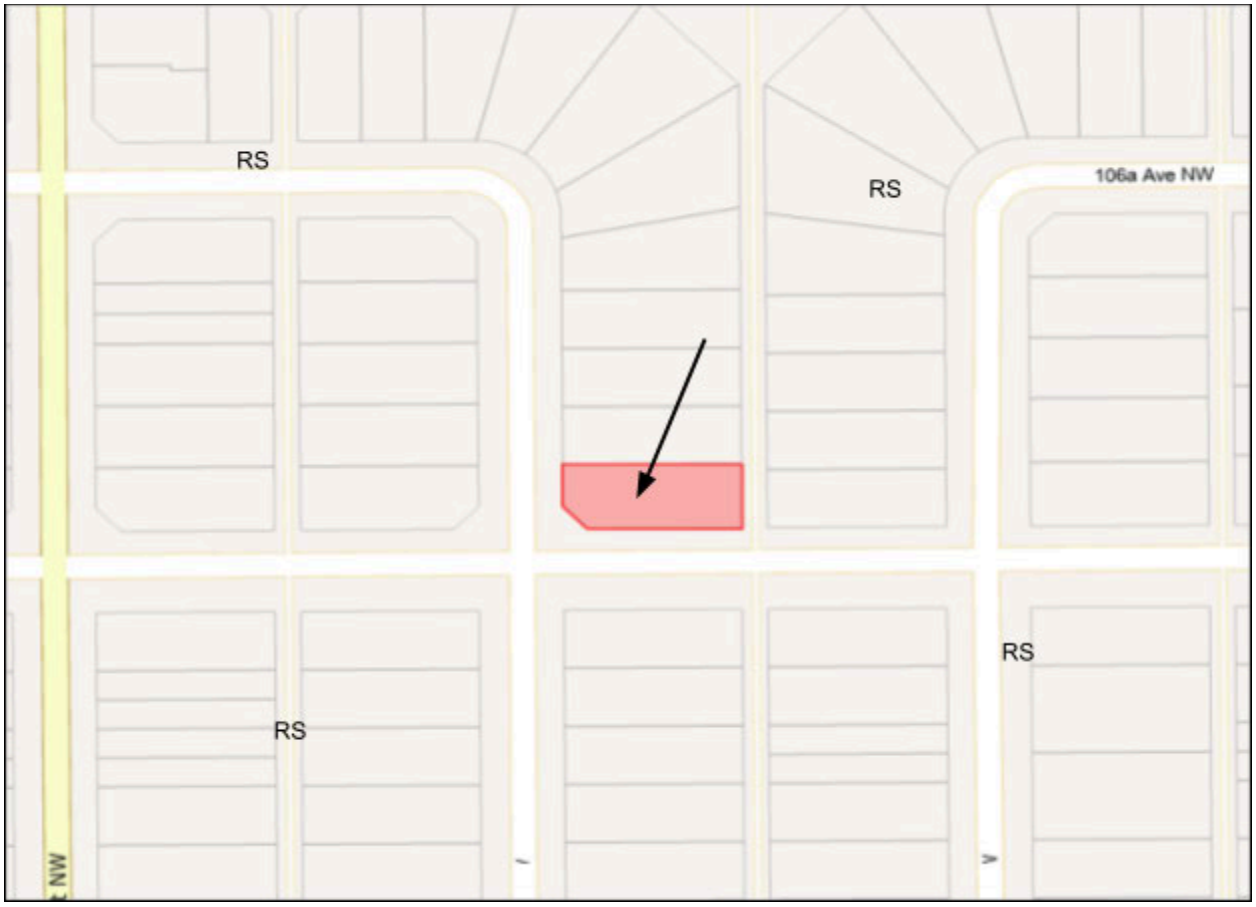
P0702003

Project Number: **666286050-002**
Application Date: JUL 14, 2026
Printed: September 22, 2026 at 2:51 PM
Page: 9 of 9

Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Total GST Amount:	$0.00			
Totals for Permit:	$2,115.00	$2,115.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-298

N