

**SUBDIVISION**  
**AND**  
**DEVELOPMENT APPEAL BOARD**  
**AGENDA**

**Wednesday, 9:00 A.M.**  
**April 1, 2026**

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

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

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I 9:00 A.M. SDAB-D-26-069

To construct exterior alterations to a Single Detached House (Driveway extension, 4.5 m x 11.6 m), existing without permits

107 - Cairns Bay NW  
Project No.: 449089690-002

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II 10:00 A.M. SDAB-D-26-070

To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, a Basement development (unit 1, NOT to be used as an additional dwelling), and to develop 3 Secondary Suites in the Basements (units 2, 3, & 4)

3611 - 61 Street NW  
Project No.: 637297426-002

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

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 449089690-002

APPLICATION TO: Construct exterior alterations to a Single Detached House (Driveway extension, 4.5 m x 11.6 m), existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: February 19, 2026

DATE OF APPEAL: March 9, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 107 - Cairns Bay NW

LEGAL DESCRIPTION: Plan 9926408 Blk 51 Lot 2

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN(S): Carlton Neighbourhood Structure Plan  
Palisades Area Structure Plan

DISTRICT PLAN: Northwest District Plan

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***Grounds for Appeal***

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

The grounds for this appeal are pursuant to s.685(1)(a) of the Municipal Government Act, RSA 2000, c M-26 (the "MGA"), and this appeal is made to the SDAB pursuant to s.685(2.1)(b) of the MGA. We invite the SDAB to grant this appeal allowing the Driveway Extension to remain on

the basis of the authority granted to the SDAB by ss.687(3)(d)(i)(B) and 687(3)(d)(ii) of the MGA, which states that:

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

*... (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 ...*

*(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.*

The owners of the Property, as noted on the attached Land Title Certificate (see Schedule "A"), are Nancy Lai and Siu Lung Lai (the "Homeowners"). In 2018, the Homeowners hired the services of a contractor engaged in the kind of work that the Homeowners wished to have completed (the "Contractor"), to construct the Driveway Extension.

The Homeowners have advised that, during discussions with the Contractor, the intended dimensions of the Driveway Extension were a point of consideration.

The Homeowners' original intention for the Driveway Extension was something larger than that which was ultimately built. The Homeowners report that they were dissuaded by the Contractor from pursuing those originally intended dimensions as the Contractor believed that those dimensions would not be permissible in the applicable land use.

The Homeowners relied upon the Contractor's advice and adjusted their expectations to have a smaller Driveway Extension completed. The Homeowners were led to understand that this smaller set of dimensions for the Driveway Extension would not only be permissible in the land 2 use but would be small enough so as to not actually require a Development Permit be issued to be compliant.

When the Homeowners contracted for and authorized the construction of the Driveway Extension on the Property, their intention was that the construction be compliant with the relevant land use, and they believed that it was. Unfortunately, their belief was mistaken, and their reliance was misplaced.

For several years following the construction of the Driveway Extension, the Homeowners used and enjoyed it, oblivious to any land use bylaw infraction.

The Homeowners are unaware of any complaints related to the Driveway Extension being made by any of their neighbours to the Development Authority and have not had any of their neighbours complain to them directly about the Driveway Extension.

Four years after the work was done, a Violation Notice (File: 447748130-001) dated September 22, 2022 (the “Violation Notice”), was delivered to the Homeowners. The Violation Notice indicates that “An inspection of the above noted property by this Department revealed that a Hard Surface Driveway Extension has been developed for which, according to our records, no Development Permit has been issued.” The Homeowners have no knowledge as to what led to such an inspection being carried out on behalf of the Development Authority

After receiving the Violation Notice, the Homeowners submitted an application for a Development Permit in the hopes of remedying the noted infraction. This application was refused, and leads now to this appeal to the SDAB.

While the fact that no one complains about a thing doesn’t make that thing permissible in general, in the case of an appeal to the SDAB, one of the grounds available to the SDAB to render a decision that allows an otherwise non-permissible development to remain is bolstered by the fact that no one complains about it.

Specifically, this authority is granted to the SDAB by ss.687(3)(d)(i)(B) and 687(3)(d)(ii) of the MGA, quoted earlier in this text.

To support the position that the continued existence of the Driveway Extension would not “materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land”, the Homeowners point to the fact that the work was done in 2018, and there was never a complaint related to it, to the knowledge of the Homeowners.

Again, the Homeowners were not even aware of the possibility of a land use infraction until the delivery of the Violation Notice in 2022.

In addition, the Homeowners have solicited letters of support from neighbours, echoing the language of the relevant portions of the MGA, copies of which are included with this SDAB appeal submission (see Schedule “B”).

The Homeowners have also advised that within the neighbourhood of the Property, there are a number of other residences that have driveways with similar dimensions or proportions, whether 3 by having been enlarged or otherwise. This suggests that the Driveway Extension is representative of the local character of the neighbourhood in the context of development like the Driveway Extension. For ease of reference, images taken from ArcGIS

mapping have been included with this appeal showing examples of similar driveway proportions in the immediate vicinity of the Property (see Schedule “C”)

The Property is zoned RS. In the Zoning Bylaw 20001 for the City of Edmonton, the “Purpose” of the RS zone, at 2.10 RS, is stated to be “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.” We have included an image from the City of Edmonton SLIM Maps tool illustrating the noted zoning associated with the Property with this submission (see Schedule “D”). We invite the SDAB to confirm that the Driveway Extension is consistent with the uses available in the RS zone, which contemplates a number of residential housing types, including multi-unit, and generally allows for driveways.

In conclusion, we submit that the Homeowners relied upon the expertise and experience of a Contractor in having the Driveway Extension constructed. They believed that they were in compliance with the applicable land use as a result. Years after construction, they were put on notice, by way of the Violation Notice, that the Driveway Extension was not compliant, and they began taking steps to address that. Those steps have proceeded through the refusal of their development permit application to this appeal of that refusal to the SDAB, and the Homeowners respectfully request that the SDAB use the power available to it to allow the Driveway Extension to remain as it is because it does not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed development conforms with the use prescribed for that land in the land use bylaw.

<i>General Matters</i>
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**Appeal Information:**

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

**Grounds for Appeal**

**685(1)** If a development authority

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

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

...

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

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

### **Appeals**

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

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

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

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

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

or

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

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

### **Hearing and Decision**

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

...

- (a.1) must comply with any applicable land use policies;
  - (a.2) subject to section 638, must comply with any applicable statutory plans;
  - (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;
  - (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
  - ...
  - (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
  - (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
    - (i) the proposed development would not
      - (A) unduly interfere with the amenities of the neighbourhood, or
      - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

**General Provisions from the *Zoning Bylaw 20001*:**

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

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

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

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

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

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

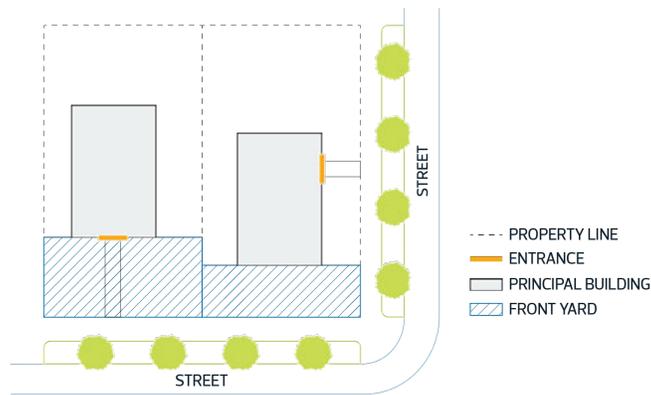
Under section 8.20, **Driveway** means:

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



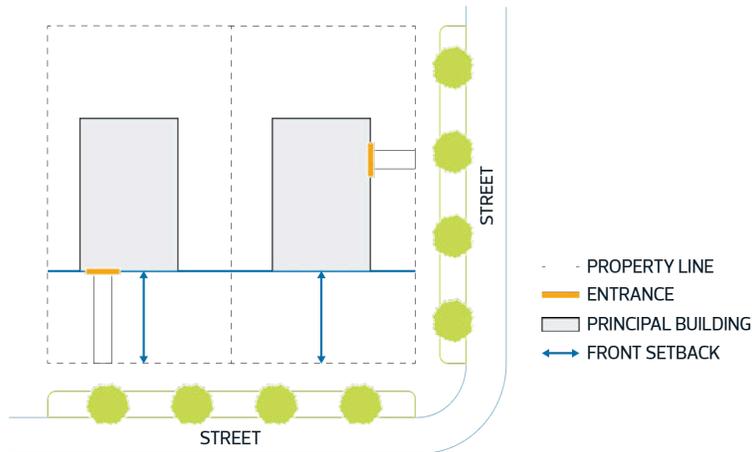
Under section 8.20, **Front Yard** means:

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



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

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



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

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

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

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

commercial development are permitted to provide services to local residents.

***Site Circulation and Parking Regulations for Small Scale Residential Development***

Section 5.80.2.1 states:

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

**Site Circulation**

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

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

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

**Driveways**

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

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

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

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

2.1.5.1.1 Where 1 or more Pathways Abut and run parallel to a Driveway that leads to a Garage or Parking Area with 1 vehicle parking space, the

combined maximum width of the Driveway and Abutting Pathways is 4.3 m.

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

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

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

**2.1.6.1. a Front Yard;**

2.1.6.2. a Flanking Side Yard; or

2.1.6.3 a Flanking Side Setback.

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

**Development Planner's Determination**

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

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

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

**Maximum width: 7.2 m**

**Proposed: 11.7 m**

**Exceeds by: 4.5 m**

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

**Proposed: Driveway extension is located within the Front Yard.**

[unedited]

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Notice to Applicant/Appellant

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

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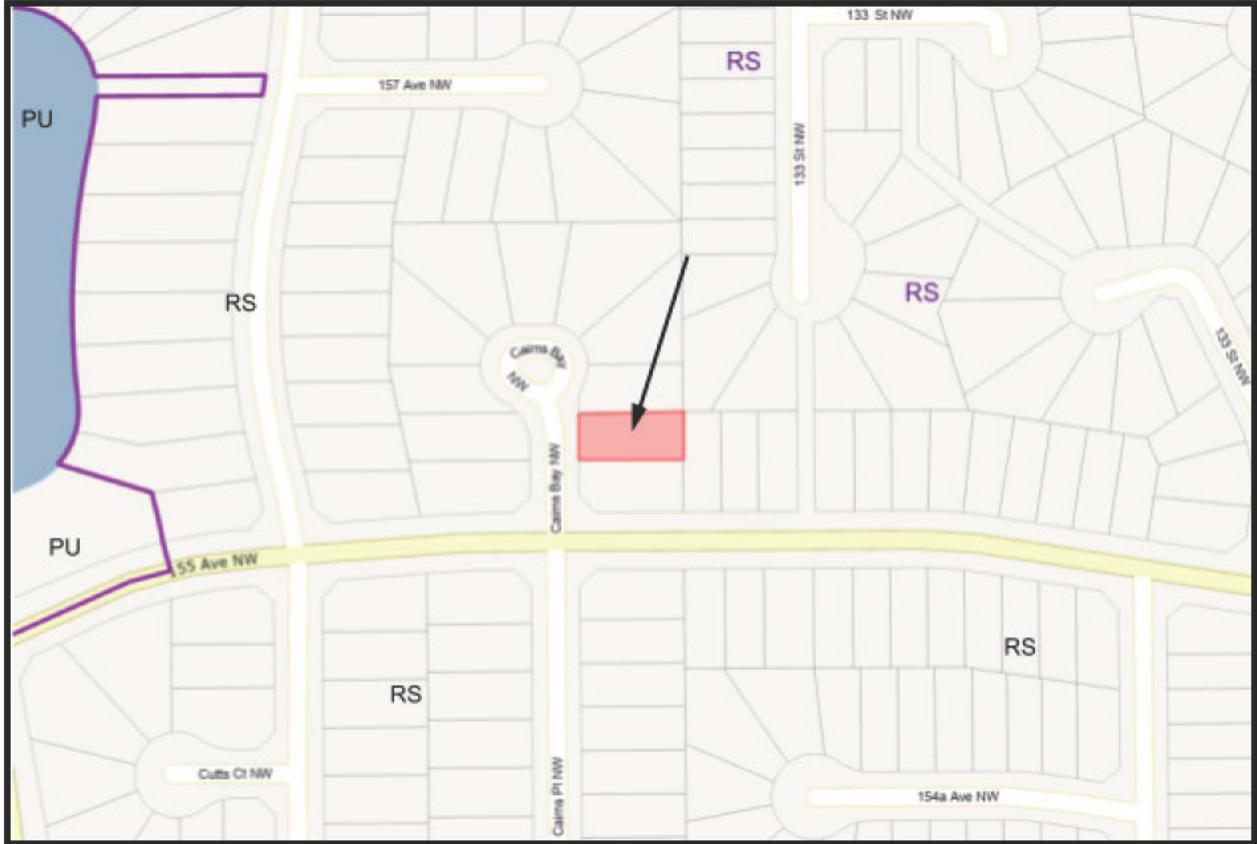
	<h2 style="margin: 0;">Application for Driveway Extension Permit</h2>	Project Number: <b>449089690-002</b> Application Date: OCT 03, 2022 Printed: February 19, 2026 at 11:14 AM Page: 1 of 2																				
This document is a Development Permit Decision for the development application described below.																						
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 107 - CAIRNS BAY NW Plan 9926408 Blk 51 Lot 2																					
<b>Scope of Application</b> To construct exterior alterations to a Single Detached House (Driveway extension, 4.5 m x 11.6 m), existing without permits.																						
<b>Details</b>																						
Development Category: Site Area (sq. m.): 610.52	Overlay: Statutory Plan:																					
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Feb 19, 2026 <b>Development Authority:</b> FOLKMAN, JEREMY  <b>Reason for Refusal</b> <ol style="list-style-type: none"> <li>1. Driveway - A Driveway must lead directly from the Street or Alley to the Garage or Parking Area. (Subsection 5.80.2.1.4.)                      Proposed: Driveway extension does not lead to the Garage.</li> <li>2. Driveway Width - The maximum Driveway width is equal to the width of the Garage. (Subsection 5.80.2.1.5.2.)                      Maximum width: 7.2 m                      Proposed: 11.7 m                      Exceeds by: 4.5 m</li> <li>3. Parking Spaces - Vehicle parking spaces, other than those located on a Driveway or Parking Area, must not be located within a Front Yard (Subsection 5.80.2.1.6.1.).                      Proposed: Driveway extension is located within the Front Yard.</li> </ol> <b>Rights of Appeal</b> 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.																						
<b>Building Permit Decision</b> No decision has yet been made.																						
<b>Fees</b> <table style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; font-size: small;">Fee Amount</th> <th style="text-align: right; font-size: small;">Amount Paid</th> <th style="text-align: right; font-size: small;">Receipt #</th> <th style="text-align: right; font-size: small;">Date Paid</th> </tr> </thead> <tbody> <tr> <td style="font-size: x-small;">Development Application Fee</td> <td style="text-align: right; font-size: x-small;">\$180.00</td> <td style="text-align: right; font-size: x-small;">\$180.00</td> <td style="text-align: right; font-size: x-small;">323172003385001</td> <td style="text-align: right; font-size: x-small;">Oct 03, 2022</td> </tr> <tr> <td style="font-size: x-small;">Total GST Amount:</td> <td style="text-align: right; font-size: x-small;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="font-size: x-small;">Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black; font-size: x-small;">\$180.00</td> <td style="text-align: right; border-top: 1px solid black; font-size: x-small;">\$180.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$180.00	\$180.00	323172003385001	Oct 03, 2022	Total GST Amount:	\$0.00				Totals for Permit:	\$180.00	\$180.00		
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THIS IS NOT A PERMIT																						
P0702003																						



## Application for Driveway Extension Permit

Project Number: **449089690-002**  
Application Date: OCT 03, 2022  
Printed: February 19, 2026 at 11:14 AM  
Page: 2 of 2

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

**Site Location** ←                      **File: SDAB-D-26-069**                      ▲  
**N**

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 637297426-002

APPLICATION TO: Construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, a Basement development (unit 1, NOT to be used as an additional dwelling), and to develop 3 Secondary Suites in the Basements (units 2, 3, & 4)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: February 13, 2026

DATE OF APPEAL: March 4, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3611 - 61 Street NW

LEGAL DESCRIPTION: Plan 7721467 Blk 21 Lot 1

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

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***Grounds for Appeal***

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

I own and live at 6032 - 37 Avenue which is located 90 metres from the proposed 4 row house with secondary suites 1t 3611 - 61 Street. My household and several other households in the near vicinity object to the proposed development and we are appealing the Development Permit for the reasons listed below:

1.The proposed row house with secondary suites will have a direct impact on the surrounding properties access to the community mailbox, access to the back alley, access to street parking, and an increase in traffic on a residential road.

2.The neighbour at 3607 - 61 Street is located directly adjacent to the proposed row house with secondary suites and experiences drainage issues onto their property from the current house sitting on 3611 - 61 Street. The architectural drawings shared by Skydeck Builders does not indicate any work will be done on the grading of the property to correct elevation issues between 3611 - 61 Street and 3607 - 61 Street. They have said the landscaping and drainage plans are being finalized as of February 25, 2026. A larger building with less landscaping space could lead to worse drainage issues for neighbour at 3607 - 62 Street and onto the back alley. The neighbour at 3607 - 61 Street made the development authority individual with the City of Edmonton (who approved the development permit) aware of the drainage issues but was told he will need to deal with the developer and their contractor himself to address drainage issues. The Zoning Board gives the Development Officer authority to require information about drainage impact of proposed builds. If the individual in development authority was made aware of a drainage issue they should have had a qualified expert assess the drainage impact of the proposed row house with secondary suites prior to approving the Development Permit.

3.The construction timeline of the proposed row house with secondary suits will directly overlap with the planned sidewalk replacement project for our area this summer. Having 2 major construction projects on our street may mean we have non-uniform sidewalks, or one of the construction projects could delay the completion of other construction projects, putting further inconvenience on the residents in the area.

4.Further information relating to the above and other items may be raised at the hearing of the appeal.

<i>General Matters</i>
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**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;

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- (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.

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Notice to Applicant/Appellant

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

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	Project Number: <b>637297426-002</b> Application Date: NOV 18, 2025 Printed: February 13, 2026 at 11:26 AM Page: 1 of 7																														
<h2 style="margin: 0;">Development Permit</h2>																															
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.																															
<b>Applicant</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2"><b>Property Address(es) and Legal Description(s)</b></td> </tr> <tr> <td colspan="2" style="text-align: center;">3611 - 61 STREET NW Plan 7721467 Blk 21 Lot 1</td> </tr> <tr> <td colspan="2"><b>Specific Address(es)</b></td> </tr> <tr> <td>Suite:</td> <td>3611 - 61 STREET NW</td> </tr> <tr> <td>Suite:</td> <td>3613 - 61 STREET NW</td> </tr> <tr> <td>Suite:</td> <td>3615 - 61 STREET NW</td> </tr> <tr> <td>Suite:</td> <td>3617 - 61 STREET NW</td> </tr> <tr> <td>Suite:</td> <td>BSMT, 3611 - 61 STREET NW</td> </tr> <tr> <td>Suite:</td> <td>BSMT, 3615 - 61 STREET NW</td> </tr> <tr> <td>Suite:</td> <td>BSMT, 3617 - 61 STREET NW</td> </tr> <tr> <td>Entryway:</td> <td>3611 - 61 STREET NW</td> </tr> <tr> <td>Entryway:</td> <td>3613 - 61 STREET NW</td> </tr> <tr> <td>Entryway:</td> <td>3615 - 61 STREET NW</td> </tr> <tr> <td>Entryway:</td> <td>3617 - 61 STREET NW</td> </tr> <tr> <td>Building:</td> <td>3611 - 61 STREET NW</td> </tr> </table>	<b>Property Address(es) and Legal Description(s)</b>		3611 - 61 STREET NW Plan 7721467 Blk 21 Lot 1		<b>Specific Address(es)</b>		Suite:	3611 - 61 STREET NW	Suite:	3613 - 61 STREET NW	Suite:	3615 - 61 STREET NW	Suite:	3617 - 61 STREET NW	Suite:	BSMT, 3611 - 61 STREET NW	Suite:	BSMT, 3615 - 61 STREET NW	Suite:	BSMT, 3617 - 61 STREET NW	Entryway:	3611 - 61 STREET NW	Entryway:	3613 - 61 STREET NW	Entryway:	3615 - 61 STREET NW	Entryway:	3617 - 61 STREET NW	Building:	3611 - 61 STREET NW
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To construct a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, a Basement development (unit 1, NOT to be used as an additional dwelling), and to develop 3 Secondary Suites in the Basements (units 2, 3, & 4).																															
<b>Details</b>																															
1. Titled Lot Zoning: R5 3. Overlay:  5. Stannary Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 4 4. Number of Secondary Suite Dwelling Units to Construct: 3 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development																														
<b>Development Permit Decision</b>																															
Approved <b>Issue Date:</b> Feb 13, 2026 <b>Development Authority:</b> SELTZ, AARON																															
<b>Subject to the Following Conditions</b>																															
Zoning Conditions: This Development Permit authorizes the construction of a Residential Use building in the form of a 4 Dwelling Row House with unenclosed front porches, a Basement development (unit 1, NOT to be used as an additional dwelling), and to develop 3 Secondary Suites in the Basements (units 2, 3, & 4).  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.																															
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## Development Permit

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 m<sup>2</sup>, 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).

Provided parking spaces must include wheel stops to prevent vehicle overhang where adjacent to Streets, Pathways, sidewalks, required Landscaped areas, and other similar features, that must be a minimum 0.1 m in Height and located 0.6 m from the front of the parking space (Subsection 5.80.5.1.2).

Parking Spaces must be Hard Surfaced where vehicle access is provided from a Street or an Alley (Subsection 5.80.5.7).

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).

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

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

The proposed basement development(s) must NOT be used as an additional Dwelling. An additional Dwelling requires a new Development Permit application.

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 8.20).

### 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 the 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

## Development Permit

### 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 8%.
2. 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.
3. There is an existing power box along 61 Street adjacent to the site. The proposed sidewalk connection must maintain a minimum clearance of 0.5 m from the power box. Should relocation of the power box be required, all costs associated with relocation must be borne by the owner/applicant. The owner/applicant should contact EPCOR Electricity at [ces@epcor.com](mailto:ces@epcor.com) for more information.
4. 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://utilitiesafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; [www.digshaw.ca](http://www.digshaw.ca)) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removal shall be at the expense of the owner/applicant.
5. 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](https://www.edmonton.ca/business_economy/oscam-permit-request.aspx)
6. Any alley, sidewalk or boulevard, shared use path 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. 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](mailto: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 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).

## Development Permit

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](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](http://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](mailto: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](https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading)

### EPCOR Advisements:

1. The site is currently serviced by a 20 mm copper water service (S44191) located 7.9 m north of the south property line of Lot 1 off of 61 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 37 Avenue or along 61 Street 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.drainage@epcor.com](mailto:wass.drainage@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](http://www.epcor.com/ca/en/ab/edmonton/operations/service-connections.html).

## Development Permit

5. For information on service abandonments contact EPCOR Infill Water and Sewer Servicing (IWASS) at [wass.drainage@epcor.com](mailto:wass.drainage@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](mailto: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 (April 2021).
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](mailto:schileen@epcor.com).

### Fire Rescue Services Advisements:

Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal, however, we have the following advisements for your implementation and information:

Travel distance from the emergency access route to each principal entrance must not exceed 45m.

[https://www.edmonton.ca/sites/default/files/public-files/B19-04\\_Small\\_Building\\_Access\\_Policy.pdf?cb=1737101329](https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329)

Emergency access path widths must be a minimum of 0.9m and the path must be of a hard surface and accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered.

[https://www.edmonton.ca/sites/default/files/public-files/B19-04\\_Small\\_Building\\_Access\\_Policy.pdf?cb=1737101329](https://www.edmonton.ca/sites/default/files/public-files/B19-04_Small_Building_Access_Policy.pdf?cb=1737101329)

The fire safety plan required for construction and demolition sites in accordance with Article 2.8.1.1. of Division B shall be provided to the fire department as the authority having jurisdiction. Edmonton Fire Rescue Services may review your plan prior to a site visit and/or at the initial construction site safety inspection upon commencement of construction.

Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan



Project Number: **637297426-002**  
 Application Date: NOV 18, 2025  
 Printed: February 13, 2026 at 11:26 AM  
 Page: 7 of 7

## Development Permit

**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**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee	\$1,020.00	\$1,020.00	09180J001001951	Nov 21, 2025
Lot Grading Fee	\$490.00	\$490.00	09180J001001951	Nov 21, 2025
Development Permit Inspection Fee	\$560.00	\$560.00	09180J001001951	Nov 21, 2025
Total GST Amount:	\$0.00			
<b>Totals for Permit:</b>	<b>\$2,070.00</b>	<b>\$2,070.00</b>		

## Development Permit

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>

To meet the requirements of the National Fire Code - 2023 Alberta Edition, Sentence 5.6.1.2.(1), protection of adjacent properties during construction must be considered.

Reference: NFC(2023-AE) 5.6.1.2 Protection of Adjacent Building

1) Protection shall be provided for adjacent buildings or facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations.

[https://www.edmonton.ca/programs\\_services/fire\\_rescue/fire-safety-plan-construction-sites](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>

Kind regards,

Matthew McKellar

FSCO Group B, Level II

Please send ALL FRS DP review inquiries to [cmsfpts@edmonton.ca](mailto:cmsfpts@edmonton.ca)

Waste Services Advisements:

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

Waste Services has reviewed the proposed plan "PLOT PLAN" dated 06/11/25 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.

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 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 7 dwellings, allowing it to receive Curbside Collection. Each unit will be charged the waste utility rate. The City will provide a total of 11 carts: 7 × 240 L for garbage and 1 × 120 L and 3 × 240 L for food scraps.



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**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-26-070

▲  
**N**