

**SUBDIVISION**

**AND**

**DEVELOPMENT APPEAL BOARD**

**AGENDA**

**Thursday, 9:00 A.M.**

**April 9, 2026**

**River Valley Room**

**City Hall, 1 Sir Winston Churchill Square NW, Edmonton,**

**AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**  
**River Valley Room**

-----  
I    9:00 A.M.      SDAB-D-26-076      To construct a Child Care Service Use building for  
up to 76 children

11603 - 48 Avenue NW  
Project No.: 604651381-002

-----  
II    1:30 P.M.      SDAB-D-26-077      To operate a Home Based Business (WULCON  
CONSTRUCTION LTD. - General  
Contractor/Landscaping Business)

9821 - 213 Street NW  
Project No.: 634566829-003

-----  
-----

**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.: 604651381-002

APPLICATION TO: To construct a Child Care Service Use building for up to 76 children

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 11, 2026

DATE OF APPEAL: March 11, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11603 - 48 Avenue NW

LEGAL DESCRIPTION: Plan 1821840 Blk 21 Lot 29

ZONE(S): (RS) Small Scale Residential Zone  
(PS) Parks and Services Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

***Grounds for Appeal***

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

We request that 4 stalls be approved instead of the required 8 stalls. We believe this variance will not negatively impact the neighbourhood for the following reasons:

Staggered Arrival/Departure:

- o Unlike a daycare, traffic is concentrated into short windows; our operational plan staggers drop-off times, this change will ensure that no more than 3-4 vehicles are on-site at any given time.
- o The daycare is very close to public transport and the elementary school, allowing for other ways to access the child care service.

Staffing:

- o Our planned staff members do not commute by personal vehicle, further reducing the demand for on-site stalls.

<i>General Matters</i>
------------------------

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

...

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

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

**Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,
    - (A) within 21 days after the date on which the written decision is given under section 642, or
    - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
  - or
  - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

**Hearing and Decision**

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

...

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

...

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

- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
  - (i) the proposed development would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
  - and
  - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

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

Under section 2.10.2.8, a **Child Care Service** is a **Permitted Use** in the **RS - Small Scale Residential Zone**.

Under section 2.180.2.1, a **Child Care Service** is a **Permitted Use** in the **PS - Parks and Services Zone**.

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

Child Care Service means a development that provides temporary care and supervision of children. This Use includes facility-based early learning and child care programs. This Use does not include a Home Based Business operating as Home Based Child Care.

Typical examples include: daycares, out-of-school care, and preschools.

Section 2.10.1 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.

Section 2.180.1 states that the **Purpose** of the **PS - Parks and Services Zone** is:

To allow for development on parkland that is intended to serve educational, recreational, and community needs at the city-wide, district, and neighbourhood level.

***Passenger pick-up and drop-off spaces for Child Care Services***

Section 5.80.6.10 states:

6.10. Passenger pick-up and drop-off spaces for Child Care Services must:

6.10.1. not be located more than 100 m from the entrance used by the Child Care Service;

6.10.2. contain signage indicating a maximum duration for parking of 30 minutes or less; and

6.10.3. comply with Table 6.10.3:

<b>Table 6.10.3. Minimum Passenger Pick-up and Drop-off Spaces for Child Care Services</b>		
<b>Subsection</b>	<b>Number of Children</b>	<b>Passenger Pick-up and Drop-off Spaces</b>
<b>6.10.3.1.</b>	Less than or equal to 10	2
<b>6.10.3.2.</b>	Each additional 10	1

6.11. Despite Table 6.10.3, passenger pick-up and drop-off spaces for Child Care Services are not required:

6.11.1. within the boundary of Appendix I, or the boundaries of the Capital City Downtown Plan; or

6.11.2. where Child Care Services are on the same Site as a School.

6.12. Despite Table 6.10.3, an on-Street loading zone may satisfy a portion of the required passenger pick-up and drop-off spaces without a variance, subject to the approval of the Development Planner in consultation with the City department responsible for transportation planning.

**Development Planner’s Determination**

**1. Pick-up and drop-off spaces - The Minimum Passenger Pick-up and Drop-off Spaces for Child Care Services for less than or equal to 10 children is 2 spaces, each additional 10 children requires 1 spaces (Subsection 6.10.3).**

**Required: 8 spaces**  
**Proposed: 4 spaces**  
**Deficient by: 4 spaces**

[unedited]

***PS - Parks and Services Zone - Site and Building Regulations***

Section 2.180.4.1.4 states:

4.1. Development must comply with Table 4.1:

<b>Table 4.1 Site and Building Regulations</b>			
<b>Subsection</b>	<b>Regulation</b>	<b>Value</b>	<b>Symbol</b>
<b>Setbacks</b>			
<b>4.1.4</b>	Minimum Setback Abutting a Site	<b><u>4.5 m</u></b>	<b>B</b>
<b>Diagram for Subsections 4.1.2 - 4.1.4</b>			

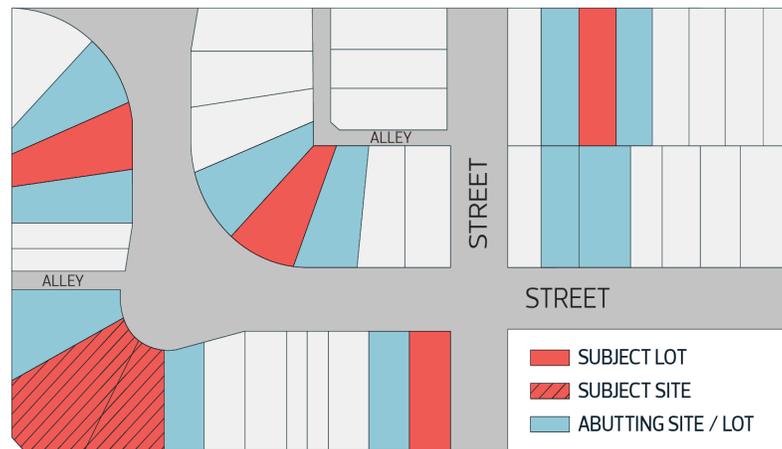
Under section 8.20, **Setback** means:

the distance that a development, or a specified portion of a development, must be from a Lot line. A Setback is not a Yard. A Setback only applies to development on or above ground level.

Under section 8.20, **Abut** means:

immediately contiguous to or physically touching.

When used in reference to a Lot or a Site, Abut means that the Lot or Site physically touches another Lot, Site, or piece of land, and shares a Lot line with it.



**Development Planner’s Determination**

**2. Side setback - The minimum setback abutting a site in the PS Zone is 4.5m (Subsection 2.180.4.1.4)**  
**Proposed: The parking area is 4.0m from the property line abutting 4716 - 115 Street**  
**Deficient by: 0.5m**

[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.

---

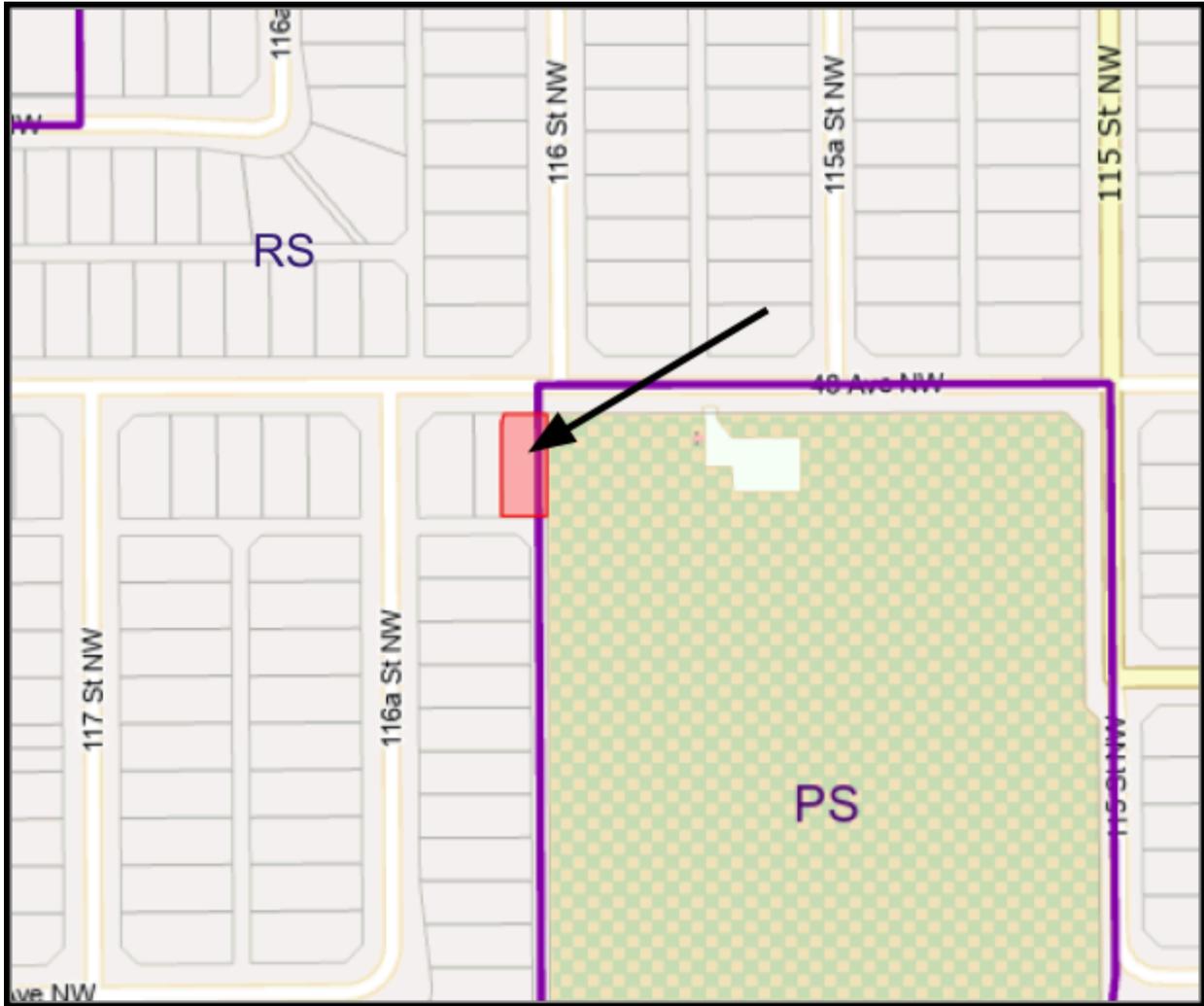
	<h2 style="margin: 0;">Application for Development Permit</h2>	Project Number: <b>604651381-002</b> Application Date: JUN 01, 2025 Printed: March 11, 2026 at 9:25 AM Page: 1 of 2																														
This document is a Development Permit Decision for the development application described below.																																
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 11603 - 48 AVENUE NW Plan 1S21S40 Blk 21 Lot 29																															
<b>Scope of Application</b> To construct a Child Care Service Use building for up to 76 children.																																
<b>Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;">                     Development Category: Discretionary Development                      Lot Grading Needed?: Y                      NumberOfMainFloorDwellings:                      Site Area (sq. m.): 571.82                 </td> <td style="width: 50%; border: none; vertical-align: top;">                     Gross Floor Area (sq.m.): 290.88                      New Sewer Service Required: N/A                      Overlay:                      Statutory Plan:                 </td> </tr> </table>			Development Category: Discretionary Development Lot Grading Needed?: Y NumberOfMainFloorDwellings: Site Area (sq. m.): 571.82	Gross Floor Area (sq.m.): 290.88 New Sewer Service Required: N/A Overlay: Statutory Plan:																												
Development Category: Discretionary Development Lot Grading Needed?: Y NumberOfMainFloorDwellings: Site Area (sq. m.): 571.82	Gross Floor Area (sq.m.): 290.88 New Sewer Service Required: N/A Overlay: Statutory Plan:																															
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Mar 11, 2026 <b>Development Authority:</b> ZHOU, ROWLEY  <b>Reason for Refusal</b> 1. Pick-up and drop-off spaces - The Minimum Passenger Pick-up and Drop-off Spaces for Child Care Services for less than or equal to 10 children is 2 spaces, each additional 10 children requires 1 spaces (Subsection 6.10.3). Required: 8 spaces Proposed: 4 spaces Deficient by: 4 spaces  2. Side setback - The minimum setback abutting a site in the PS Zone is 4.5m (Subsection 2.180.4.1.4) Proposed: The parking area is 4.0m from the property line abutting 4716 - 115 Street Deficient by: 0.5m  <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>Fees</b> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Lot Grading Fee</td> <td style="text-align: right;">\$490.00</td> <td style="text-align: right;">\$490.00</td> <td style="text-align: right;">024071001001260</td> <td style="text-align: right;">Jun 12, 2025</td> </tr> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$410.00</td> <td style="text-align: right;">\$410.00</td> <td style="text-align: right;">024071001001260</td> <td style="text-align: right;">Jun 12, 2025</td> </tr> <tr> <td>Development Permit Inspection Fee</td> <td style="text-align: right;">\$580.00</td> <td style="text-align: right;">\$580.00</td> <td style="text-align: right;">024071001001260</td> <td style="text-align: right;">Jun 12, 2025</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td><b>Totals for Permit:</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$1,460.00</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>\$1,460.00</b></td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Lot Grading Fee	\$490.00	\$490.00	024071001001260	Jun 12, 2025	Major Dev. Application Fee	\$410.00	\$410.00	024071001001260	Jun 12, 2025	Development Permit Inspection Fee	\$580.00	\$580.00	024071001001260	Jun 12, 2025	Total GST Amount:	\$0.00				<b>Totals for Permit:</b>	<b>\$1,460.00</b>	<b>\$1,460.00</b>		
	Fee Amount	Amount Paid	Receipt #	Date Paid																												
Lot Grading Fee	\$490.00	\$490.00	024071001001260	Jun 12, 2025																												
Major Dev. Application Fee	\$410.00	\$410.00	024071001001260	Jun 12, 2025																												
Development Permit Inspection Fee	\$580.00	\$580.00	024071001001260	Jun 12, 2025																												
Total GST Amount:	\$0.00																															
<b>Totals for Permit:</b>	<b>\$1,460.00</b>	<b>\$1,460.00</b>																														
<b>THIS IS NOT A PERMIT</b>																																
PG702503																																



# Application for Development Permit

Project Number: **604651381-002**  
Application Date: JUN 01, 2025  
Printed: March 11, 2026 at 9:25 AM  
Page: 2 of 2

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

▲  
**N**

File: SDAB-D-26-76

ITEM II: 1:30 P.M.

FILE: SDAB-D-26-077

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 634566829-003

APPLICATION TO: To operate a Home Based Business (WULCON CONSTRUCTION LTD. - General Contractor/Landscaping Business).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 17, 2026

DATE OF APPEAL: March 17, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9821 - 213 Street NW

LEGAL DESCRIPTION: Plan 5496HW Lot 22

ZONE: DC1 - Direct Development Control Provision (Charter Bylaw 19041 - Area B)

OVERLAY: N/A

STATUTORY PLAN(S): Lewis Farms Area Structure Plan  
Lewis Farms Business Employment Neighbourhood Structure Plan

DISTRICT PLAN: West Henday District Plan

---

***Grounds for Appeal***

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

This is a small home based landscaping business since 1984. We have fence so that truck is not visible from the road and we keep it tidy and private. Its our family source of income.

***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 Regulations*, 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 DC1 - Direct Development Control Provision (Charter Bylaw 19041) (“DC1”)**

Under section 3.28 (Area B), **Major Home Based Business** is a **Listed Use** in the DC1.

Under section 3.32 (Area B), **Minor Home Based Business** is a **Listed Use** in the **DC1**.

Section 1 states that the **General Purpose** of the **DC1** is:

To establish a Direct Development Control Provision to provide for a business employment area with a mix of commercial, business, and light industrial Uses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and are compatible with adjacent Residential, Commercial, Natural Area, and Urban Service Zones.

Area A is intended to limit the intensity and range of commercial, business, and light industrial Uses, as well as provide a buffer area for enhanced sensitivity to adjacent residential neighbourhoods. This Area allows and restricts the expansion of existing residential and specific non-residential Uses.

Area B is intended to allow for a greater level of intensity and range of commercial, business and light industrial Uses that are not immediately adjacent to residential neighbourhoods. This Area allows and restricts the expansion of existing residential and specific non-residential Uses.

Area C is intended to allow for low intensity commercial, office and service Uses located along the 215 Street arterial roadway. Development shall be sensitive and in scale with existing development along the commercial street and any surrounding residential neighbourhood.

**General Provisions from the *Edmonton Zoning Bylaw 12800*:**

Under section 7.3(6), **Major Home Based Business** means:

development consisting of the Use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses that may generate more than one business associated visit per day. The business Use must be secondary to the Residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use includes Home Based Child Care and Bed and Breakfast Operations but does not include General Retail Sales, Cannabis Retail Sales or Cannabis Production and Distribution.

Under section 7.3(7), **Minor Home Based Business** means:

development consisting of the Use of an approved Dwelling by a resident of that Dwelling for one or more businesses. The business Use must be secondary to the Residential Use of the building and no aspects of the business operations shall be detectable from outside the property. The

Dwelling shall not be used as a workplace for non-resident employees of the business. This Use includes Bed and Breakfast Operations but does not include General Retail Sales, Cannabis Retail Sales or Cannabis Production and Distribution.

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

Under section 8.10, **Home Based Business** means:

a development where a business is operated primarily inside a Dwelling or an Accessory building by a resident of that Dwelling. A Residential Use is the primary development on the Site and the business activity is secondary. This Use includes Home Based Child Care. This Use does not include activities similar to those offered as Bars, Body Rub Centres, Cannabis Retail Stores, Liquor Stores, or nightclubs.

**Section 6.60 of the Zoning Bylaw 20001 - Home Based Businesses**

**Section 6.60 provides the following with respect to Home Based Business:**

- 1. Home Based Businesses may occupy a total maximum Floor Area of 60.0 m<sup>2</sup> of Accessory buildings on the Site.**
2. Any external appearance of a Home Based Business must be visually consistent with the principal Dwelling or Accessory building in which it operates, using techniques such as applying similar colours, materials, or architectural features.
3. The maximum number of non-resident employees or business partners working on-site at any one time is 2.
- 4. A maximum of 1 enclosed storage trailer occupying a maximum area of 5.5 m x 2.6 m is permitted to be stored outdoors for a Home Based Business.**
  - 4.1. The trailer must not be stored in the Front Yard, except on a Driveway.
- 5. Commercial Vehicles operated by a Home Based Business are only permitted to park on Site in compliance with Subsection 5 of Section 5.120.**
- 6. Industrial vehicles, equipment, and materials, and commercial equipment and materials are not permitted to be stored outdoors on a Site that contains a Home Based Business.**

7. Outdoor speakers and amplification systems are not permitted for a Home Based Business.
8. **Outdoor business activity is not permitted for a Home Based Business, except for Home Based Child Care.**
9. Dangerous Goods in type or quantity that are not typically used for residential purposes are not permitted to be used or stored as part of a Home Based Business.
10. A Home Based Business must not create a Nuisance.
11. Signs for Home Based Businesses are limited to Fascia Signs and must comply with Section 6.90.
12. The Development Planner may impose conditions establishing the following on a Development Permit to mitigate potential Nuisances:
  - 12.1. any necessary mitigation measures described in Subsection 2 of Section 5.120;
  - 12.2. the hours of operation of a Home Based Business; and
  - 12.3. the number of people that may visit a Home Based Business concurrently.

<b><i>Section 5.120 - Site Performance Standards</i></b>
--

Section 5.120.5.1 states:

- 5.1. The following vehicles are not permitted to be parked on any part of a Site in a residential Zone:
  - 5.1.1. a Commercial Vehicle, loaded or unloaded, with a maximum gross vehicle weight rating (G.V.W.R.) greater than 4,600 kg; [...]

Under section 8.20, **Commercial Vehicles** means “a vehicle that is intended or designed for commercial purposes or is used for commercial purposes.”

**Development Planner’s Determination**

**Accessory Building Floor Area - The Home Based Business may occupy more than 60.0m<sup>2</sup> of Accessory buildings on the Site (Subsection 6.60.1).**

**Proposed: The business occupies 135.4m2 of Accessory building on site.**

**Outdoor Activity - Outdoor business activity is not permitted for a Home Based Business, except for Home Based Child Care (Subsection 6.60.8).**

**Proposed: Loading and unloading of landscaping material and equipment.**

**Outdoor Storage - Industrial vehicles, equipment, and materials, and commercial equipment and materials are not permitted to be stored outdoors on a Site that contains a Home Based Business. (Subsection 6.60.6.)**

**Proposed: Stockpiles of various landscaping material are stored outdoors on site.**

**Overweight Vehicle - Commercial Vehicles operated by a Home Based Business are only permitted to park on-site in compliance with Subsection 5 of Section 5.120 (Subsection 6.60.5).**

**A Commercial Vehicle, loaded or unloaded, with a maximum gross vehicle weight rating (G.V.W.R.) greater than 4,600 kg is not permitted to be parked on any part of a Site in a residential Zone (5.120.5.1.1).**

**Proposed: One Commercial Vehicle with a gross vehicle weight rating of 11,500kg is proposed to be parked on the site.**

**Trailer Storage - A maximum of 1 enclosed storage trailer occupying a maximum area of 5.5 m x 2.6 m is permitted to be stored outdoors for a Home Based Business.**

**Proposed: Two unenclosed trailers are stored in the rear yard.**

[unedited]

***Previous Subdivision and Development Appeal Board Decisions***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-12-269	Operate a Major Home Based Business (Administration office for construction company).	November 8, 2012; that the appeal be ALLOWED and the DEVELOPMENT GRANTED, subject to the following conditions:  1. This approval is for a five year period ONLY from

		<p>the date of this decision. A new Development Permit must be applied for by November 8, 2017 to continue to operate the business from this location.</p> <p>2. The one ton truck, bobcat and trailer and any other business related materials or equipment shall be stored behind the existing privacy fence that separates the Principal Dwelling from the remainder of the Site;</p> <p>3. There shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 centimeters by 30.5 centimetres in size located on the Dwelling;</p> <p>4. There shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;</p> <p>5. The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located;</p> <p>6. The number of non-resident employees or business partners working on-site shall not exceed two at any one time;</p> <p>7. The Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings.</p>
--	--	---

<p>SDAB-S-07-011</p>	<p>Application for Subdivision (Lewis Farms Industrial)</p>	<p>October 5, 2007; that the appeal be ALLOWED and the SUBDIVISION GRANTED and the deficiency of 0.35 hectares in the minimum Site Area requirement be permitted subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. that the owner shall enter into a Servicing Agreement with the City of Edmonton for the payment of Arterial Roadway Assessments.</li> <li>2. that the existing garage shall be either demolished or relocated prior to the endorsement of the final plan;</li> <li>3. that any outstanding property taxes be paid.</li> </ol>
----------------------	---	---

---

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: <b>634566829-003</b> Application Date: NOV 26, 2025 Printed: March 17, 2026 at 10:10 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for</h2> <h1 style="margin: 0;">Home Based Business Development Permit</h1>			
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> 9821 - 213 STREET NW Plan 5496HW Lot 22  <b>Specific Address(es)</b> Suite: 9821 - 213 STREET NW Entryway: 9821 - 213 STREET NW Building: 9821 - 213 STREET NW		
<b>Scope of Application</b> To operate a Home Based Business (WULCON CONSTRUCTION LTD. - General Contractor/Landscaping Business). 2 Visits per day. Operating in the Rear Yard and Accessory building. HouExpires in 5 years from approval date.			
<b>Details</b> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;">                     1. Titled Lot Zoning: DC, DC1                      3. Class of Permit: Discretionary Development                      5. Commercial or Industrial Vehicles?: Yes                      7. Trailers?: Yes                      9. Expiry Date:                 </td> <td style="vertical-align: top; width: 50%;">                     2. Business Related Visits?: Yes                      4. Number of business related visits: 2                      6. Employees working at the residence?: No                      8. Number of employees: 0                      10. Description of Business: General contractor/landscape business, working primarily away from this location. 2 business related visits per day by appointment only. 0 non-resident employees. Storage of 2 unenclosed trailers in the Rear Yard. 1 GMC5500 with a GVRW of 11,500kg parked in the Rear Yard. Storage of skid steer and other business related equipment in accessory building. Outdoor storage of construction material in rear yard.                 </td> </tr> </table>		1. Titled Lot Zoning: DC, DC1 3. Class of Permit: Discretionary Development 5. Commercial or Industrial Vehicles?: Yes 7. Trailers?: Yes 9. Expiry Date:	2. Business Related Visits?: Yes 4. Number of business related visits: 2 6. Employees working at the residence?: No 8. Number of employees: 0 10. Description of Business: General contractor/landscape business, working primarily away from this location. 2 business related visits per day by appointment only. 0 non-resident employees. Storage of 2 unenclosed trailers in the Rear Yard. 1 GMC5500 with a GVRW of 11,500kg parked in the Rear Yard. Storage of skid steer and other business related equipment in accessory building. Outdoor storage of construction material in rear yard.
1. Titled Lot Zoning: DC, DC1 3. Class of Permit: Discretionary Development 5. Commercial or Industrial Vehicles?: Yes 7. Trailers?: Yes 9. Expiry Date:	2. Business Related Visits?: Yes 4. Number of business related visits: 2 6. Employees working at the residence?: No 8. Number of employees: 0 10. Description of Business: General contractor/landscape business, working primarily away from this location. 2 business related visits per day by appointment only. 0 non-resident employees. Storage of 2 unenclosed trailers in the Rear Yard. 1 GMC5500 with a GVRW of 11,500kg parked in the Rear Yard. Storage of skid steer and other business related equipment in accessory building. Outdoor storage of construction material in rear yard.		
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Mar 17, 2026 <b>Development Authority:</b> SMITH, BRADLEY2  <b>Reason for Refusal</b> Accessory Building Floor Area - The Home Based Business may occupy more than 60.0m <sup>2</sup> of Accessory buildings on the Site (Subsection 6.60.1). Proposed: The business occupies 135.4m <sup>2</sup> of Accessory building on site.  Outdoor Activity - Outdoor business activity is not permitted for a Home Based Business, except for Home Based Child Care (Subsection 6.60.8). Proposed: Loading and unloading of landscaping material and equipment.  Outdoor Storage - Industrial vehicles, equipment, and materials, and commercial equipment and materials are not permitted to be stored outdoors on a Site that contains a Home Based Business. (Subsection 6.60.6.) Proposed: Stockpiles of various landscaping material are stored outdoors on site.  Overweight Vehicle - Commercial Vehicles operated by a Home Based Business are only permitted to park on-site in compliance with Subsection 5 of Section 5.120 (Subsection 6.60.5). A Commercial Vehicle, loaded or unloaded, with a maximum gross vehicle weight rating (G.V.W.R.) greater than 4,600 kg is not permitted to be parked on any part of a Site in a residential Zone (5.120.5.1.1).			
<b>THIS IS NOT A PERMIT</b>			



Project Number: **634566829-003**  
Application Date: NOV 26, 2025  
Printed: March 17, 2026 at 10:10 AM  
Page: 2 of 2

## Application for Home Based Business Development Permit

Proposed: One Commercial Vehicle with a gross vehicle weight rating of 11,500kg is proposed to be parked on the site.

Trailer Storage - A maximum of 1 enclosed storage trailer occupying a maximum area of 5.5 m x 2.6 m is permitted to be stored outdoors for a Home Based Business.

Proposed: Two unenclosed trailers are stored in the rear yard.

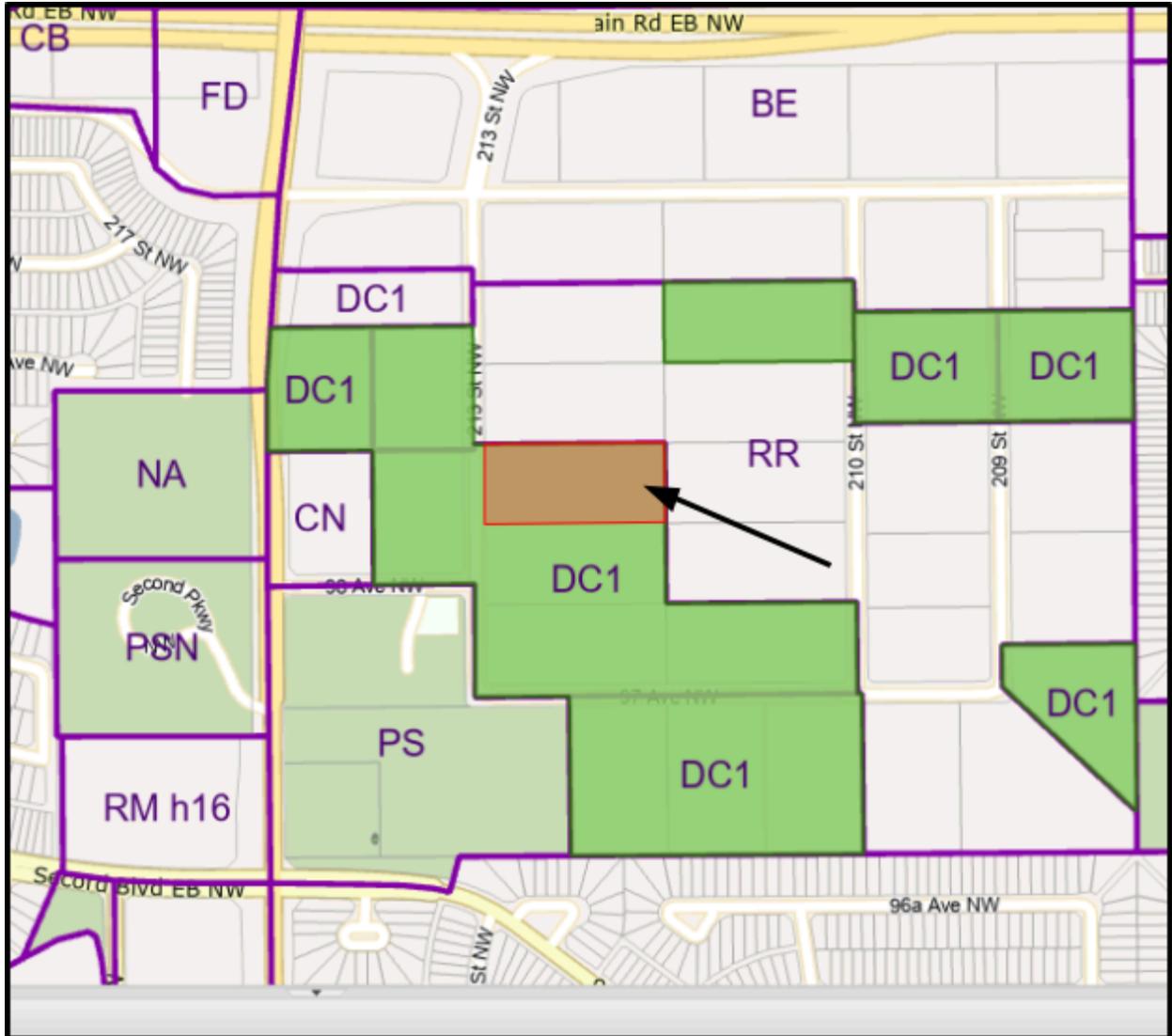
### Rights of Appeal

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

### Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$410.00	\$410.00	10090260	Jan 22, 2026
Total GST Amount:	\$0.00			
Totals for Permit:	\$410.00	\$410.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-26-077

▲  
**N**