

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Tuesday, 9:00 A.M.

July 14, 2026

River Valley Room

City Hall, 1 Sir Winston Churchill Square NW

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

TO BE RAISED

I 9:00 A.M. SDAB-D-26-149

Construct an addition to a Residential Use building in the form of a Semi-detached house (side by side dwellings) (Unheated sunroom, 7.3m x 3.1m, existing without a permit)

9341 - 173 STREET NW
Project No.: 630363695-002

TO BE RAISED

II 10:15 A.M. SDAB-D-26-164

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to:

1. Cease parking and remove all vehicles from the unpermitted Hardsurfacing immediately, and refrain from using the Hardsurfacing as a Parking Area

AND

2. Acquire a Development Permit for the Exterior Alterations (Hardsurfaced Driveway Extension, Hardsurfacing in the front/side/rear yard) before May 8, 2026.

OR

3. Demolish and remove the Exterior Alterations (Hardsurfaced Driveway Extension) , clear the site of demolition materials, and install permeable landscaping materials before May 8, 2026.

661 - SILVER BERRY ROAD NW
Project No.: 507760718-001

TO BE RAISED

III 1:30 P.M. SDAB-D-26-137

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

5725 - 115 STREET NW
Project No.: 652262227-002

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

TO BE RAISED

ITEM I: 9:00 A.M.

FILE: SDAB-D-26-149

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 630363695-002

APPLICATION TO: Construct an addition to a Residential Use building in the form of a Semi-detached house (side by side dwellings) (Unheated sunroom, 7.3m x 3.1m, existing without a permit)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: October 28, 2025

DATE OF APPEAL: May 31, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9341 - 173 STREET NW

LEGAL DESCRIPTION: Plan 7922118 Blk 27 Lot 27A

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: West Edmonton District Plan

Grounds for Appeal

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

These residences are each a half duplex. The permit that was issued for 9341-173 Street for a sunroom is based on the premise that the wall that is adjoining in the area of the sunroom is a party wall. However, it is not, it is an exterior wall. This wall does not have the same properties as the party wall where the two home adjoin. There is significant noise problems, as well as we believe safety and building code infractions. In addition, the sunroom covers that side of our soffit and we cannot access. Initially the owners of 9341-173 Street had attached our roofs together without permission. Since getting the permit, they have removed the joint and added some sort of makeshift drainage system under of roof. I am uploading photos of a similar home with no sunroom which demonstrates the exterior wall, soffit etc., as well as a photo of our home with the sunroom attached.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on June 4, 2026

“That the appeal hearing be scheduled either the first or second week in July.”

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

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

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

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

or

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

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

Hearing and Decision

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

...

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

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

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

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

...

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

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

(i) the proposed development would not

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

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

and

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

General Provisions from the *Zoning Bylaw 20001*:

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

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

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

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

Under section 8.20, **Semi-detached Housing** means:

a building that contains 2 principal Dwellings that share, in whole or in part, a common vertical party wall. Each Dwelling has individual, separate and direct access to ground level. This does not include Duplex Housing.





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

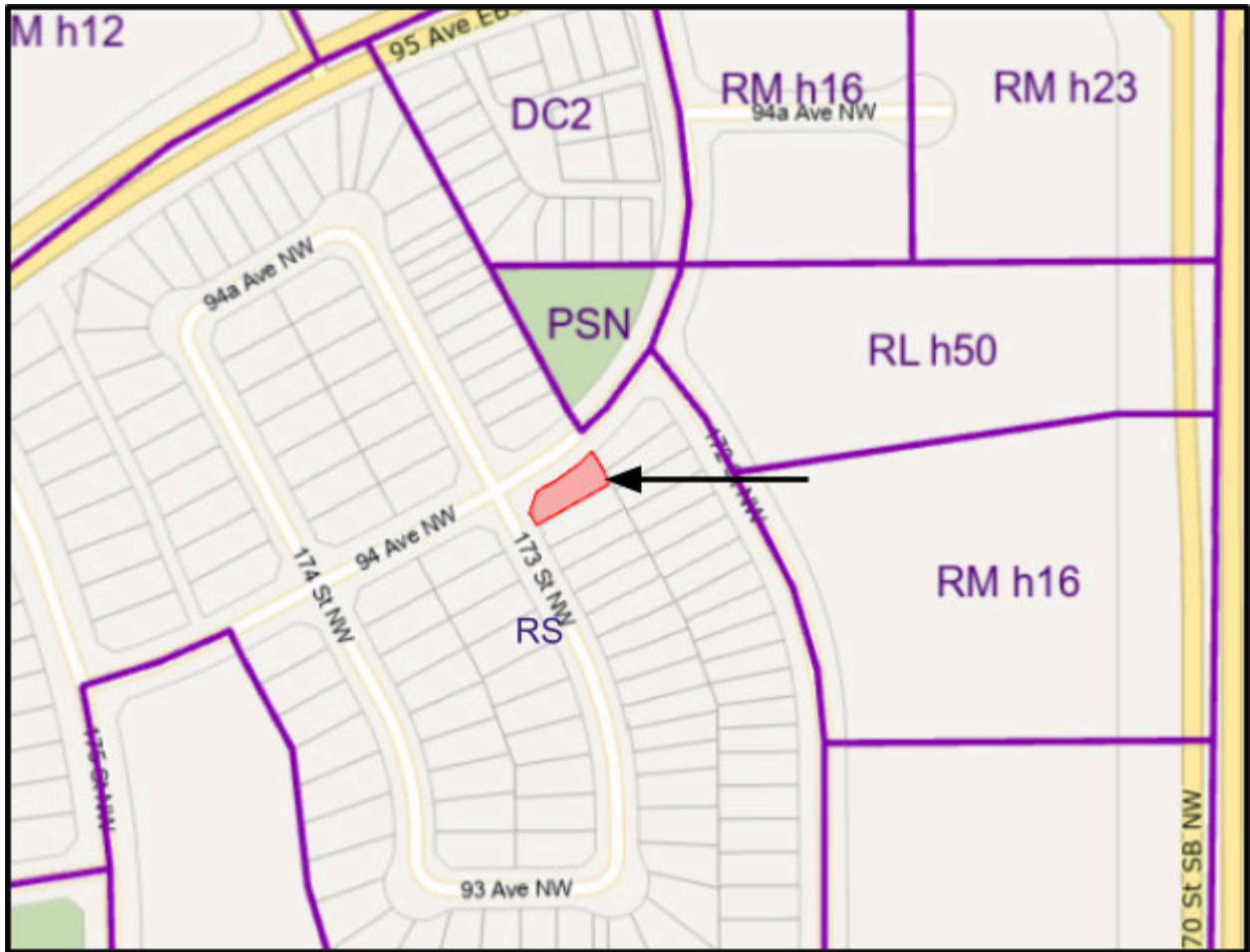
To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Notice to Applicant/Appellant

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

	Project Number: 630363695-002 Application Date: OCT 03, 2025 Printed: October 28, 2025 at 3:18 PM Page: 1 of 2												
<h2>Addition Permit</h2>													
<p>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.</p>													
Applicant	<table border="1"> <tr> <td colspan="2" data-bbox="829 443 1232 468">Property Address(es) and Legal Description(s)</td> </tr> <tr> <td colspan="2" data-bbox="862 470 1149 520"> 9341 - 173 STREET NW Plan 7922118 Blk 27 Lot 27A </td> </tr> <tr> <td colspan="2" data-bbox="829 533 1008 558">Location(s) of Work</td> </tr> <tr> <td data-bbox="824 562 873 583">Suite:</td> <td data-bbox="959 562 1166 583">9341 - 173 STREET NW</td> </tr> <tr> <td data-bbox="824 594 911 615">Entryway:</td> <td data-bbox="959 594 1166 615">9341 - 173 STREET NW</td> </tr> <tr> <td data-bbox="824 625 906 646">Building:</td> <td data-bbox="959 625 1166 646">9341 - 173 STREET NW</td> </tr> </table>	Property Address(es) and Legal Description(s)		9341 - 173 STREET NW Plan 7922118 Blk 27 Lot 27A		Location(s) of Work		Suite:	9341 - 173 STREET NW	Entryway:	9341 - 173 STREET NW	Building:	9341 - 173 STREET NW
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Scope of Permit To construct an addition to a Residential Use building in the form of a Semi-detached house (side by side dwellings) (Unheated sunroom, 7.3m x 3.1m, existing without a permit).													
Details <table border="1"> <tr> <td data-bbox="289 821 607 869"> Development Category: Permitted Development Site Area (sq. m.): 433.05 </td> <td data-bbox="824 821 922 869"> Overlay: Statutory Plan: </td> </tr> </table>		Development Category: Permitted Development Site Area (sq. m.): 433.05	Overlay: Statutory Plan:										
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Development Permit Decision Approved Issue Date: Oct 28, 2025 Development Authority: OLTHUIZEN, JORDYN Subject to the Following Conditions This Development Permit authorizes the construction of an addition to a Residential Use building in the form of a Semi-detached house (side by side dwellings) (Unheated sunroom, 7.3m x 3.1m, existing without a permit). The development must be constructed in accordance with the approved drawings. Immediately upon completion of the addition, the Site must be cleared of all debris. As far as reasonably practicable, the design and use of exterior finishing materials used must be similar to, or better than, the standard of surrounding development (Subsection 5.120.1.1.1). General Advisements Any future deck enclosure or cover requires a separate development and building permit approval. Unless otherwise stated, all above references to "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). 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.													
P0702003													

	Project Number: 630363695-002 Application Date: OCT 03, 2025 Printed: October 28, 2025 at 3:18 PM Page: 2 of 2																														
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<p>A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.</p> <p>All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit. All new installations, above and below ground, within 5m of a City tree require forestry consultation.</p> <p>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.</p> <p>City of Edmonton Drainage Bylaw 18093 requires the site to maintain surface grades and elevations adjacent to buildings in such a way that water drains away from buildings, is contained on the subject site, and directed towards a City right-of-way.</p> <p>For more information on Lot Grading requirements, plans and inspections refer to the website: https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading</p> <p>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.</p>																															
<p>Building Permit Decision No decision has yet been made.</p>																															
<p>Fees</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$15.20</td> <td style="text-align: right;">\$15.20</td> <td>003967001001770</td> <td>Oct 03, 2025</td> </tr> <tr> <td>Development Application Fee</td> <td style="text-align: right;">\$410.00</td> <td style="text-align: right;">\$410.00</td> <td>003764001001762</td> <td>Oct 03, 2025</td> </tr> <tr> <td>Building Permit Fee (Construction Value)</td> <td style="text-align: right;">\$380.00</td> <td style="text-align: right;">\$380.00</td> <td>003967001001770</td> <td>Oct 03, 2025</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$805.20</td> <td style="text-align: right; border-top: 1px solid black;">\$805.20</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Safety Codes Fee	\$15.20	\$15.20	003967001001770	Oct 03, 2025	Development Application Fee	\$410.00	\$410.00	003764001001762	Oct 03, 2025	Building Permit Fee (Construction Value)	\$380.00	\$380.00	003967001001770	Oct 03, 2025	Total GST Amount:	\$0.00				Totals for Permit:	\$805.20	\$805.20		
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SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-149

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N

TO BE RAISED

ITEM II: 10:15 A.M.

FILE: SDAB-D-26-164

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT COMPLIANCE OFFICER

APPELLANT:

APPLICATION NO.: 507760718-001

ORDER: Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to:

1. Cease parking and remove all vehicles from the unpermitted Hardsurfacing immediately, and refrain from using the Hardsurfacing as a Parking Area

AND

2. Acquire a Development Permit for the Exterior Alterations (Hardsurfaced Driveway Extension, Hardsurfacing in the front/side/rear yard) before May 8, 2026.

OR

3. Demolish and remove the Exterior Alterations (Hardsurfaced Driveway Extension) , clear the site of demolition materials, and install permeable landscaping materials before May 8, 2026.

DECISION OF THE DEVELOPMENT AUTHORITY: Order Issued

DECISION DATE: April 28, 2026

DATE OF APPEAL: May 1, 2026

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 661 - SILVER BERRY ROAD NW

LEGAL DESCRIPTION: Plan 0622516 Blk 13 Lot 26

ZONE: RSF - Small Scale Flex Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Mill Woods and Meadows District Plan

Grounds for Appeal

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

To Whom It May Concern,

I am appealing the decision to refuse my driveway extension permit. I acknowledge that I completed the work before receiving approval. I recognize this was an error and apologize for the oversight.

The driveway was extended for practical and safety reasons. The extension allows us to park entirely on our property, improving safety and reducing street congestion.

When the work was completed, I ensured it was done properly, using suitable materials and paying attention to grading and drainage, so that there would be no impact on the surrounding areas. I did not intend to ignore City regulations. I genuinely misunderstood that a permit was required for this type of work. As soon as I became aware, I took steps to apply and try to correct the situation.

I have made every effort to ensure that the driveway extension aligns with the character and appearance of the neighborhood. The design and materials were chosen to match existing structures and maintain visual consistency. This included the extension, which is not affecting the neighbours, does not interfere with the drainage systems, and helps us avoid any safety hazards for traffic.

I want to be clear that I'm willing to fully cooperate with the City. I'm open to having the work inspected and making any necessary adjustments. This appeal is not an attempt to avoid responsibility, but rather a request for an opportunity to correct the situation without unnecessary hardship.

I respectfully ask for your consideration and the opportunity to resolve this without having to remove the extended driveway. It is safe, functional, and in line with the neighborhood. If there are ways to bring the extension into compliance through adjustment rather than removal, I would appreciate the opportunity to comply with those options.

I respectfully ask for your understanding and consideration of this situation. I am committed to working with the City to resolve this matter so it can meet all requirements while minimizing unnecessary hardship.

Thank you for taking the time to review my appeal. I appreciate your understanding and consideration.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on May 5, 2026:

“That the appeal hearing be scheduled for a date to be determined in July 2026.”

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

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval,

the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(3) A person who receives a notice referred to in subsection (2) may appeal the order in the notice in accordance with section 685.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,

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

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

or

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

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

Hearing and Decision

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

...

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

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

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

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

...

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

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

- (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Zoning Bylaw 20001:

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

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

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

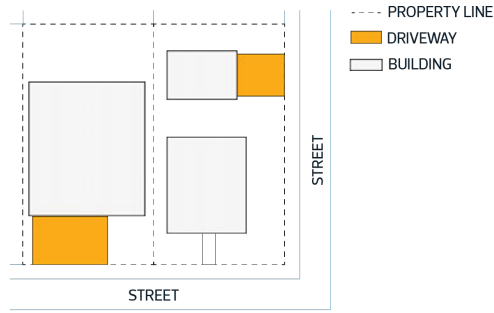
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

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

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

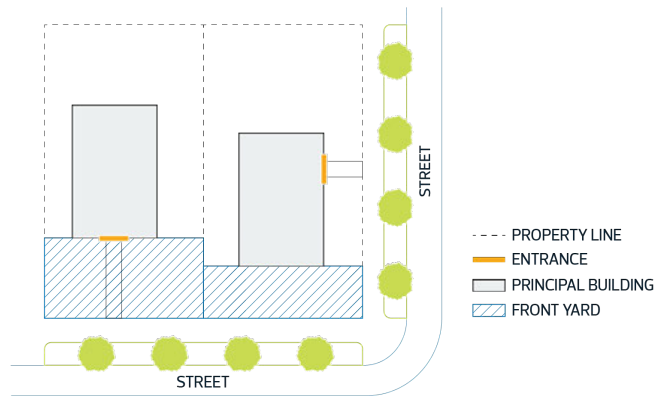
Under section 8.20, **Driveway** means:

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



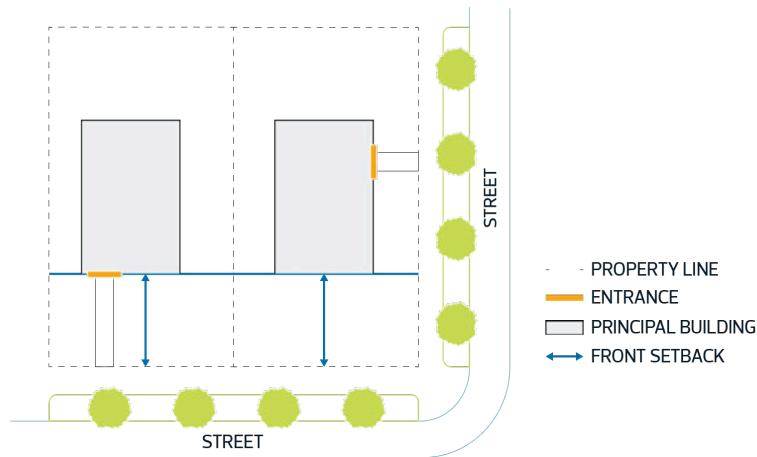
Under section 8.20, **Front Yard** means:

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



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

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



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

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

Under section 8.20, **Hard Surfaced** means “ground that is covered with a durable, dust-free material constructed of permeable or Impermeable Material. Typical examples include concrete, asphalt, pavers, or similar material.”

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

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

7.110 Approvals Required and Development

Section 7.110.1 states:

1.1. No person may:

1.1.1. undertake, or cause or allow to be undertaken, a development; or

- 1.1.2. carry on, or cause or allow to be carried on, a development, without a Development Permit issued under this Section.

<i>7.200 Inspections, Enforcement and Penalties</i>
--

- 2.1. It is an offence for any person to:
 - 2.1.1. contravene; or
 - 2.1.2. cause, permit or undertake a contravention of; or any provisions of this Bylaw.
 - 2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of, any provisions of this Bylaw.

- 2.2. Without restricting the generality of Subsection 2.1, if a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:
 - 2.2.1. construct or allow a building or structure;
 - 2.2.2. make or allow an addition or alteration to a building or structure;
 - 2.2.3. commence or allow a Use or change of intensity of Use; or
 - 2.2.4. place or allow the placement of a Sign on land, or on a building or structure.

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.



City of Edmonton
Development Services Branch
Development Approvals & Inspections Section
Development Compliance & Inquiries Unit

10111 - 104 Ave NW
Edmonton, AB T5J 0J4
Canada
edmonton.ca/developmentcompliance



March 25, 2026

Our File: 507760718-001

MUNICIPAL GOVERNMENT ACT ORDER

To Whom it May Concern:

An Alberta Land Titles search identifies you as the registered owner(s) of the property located at 661 Silver Berry Road NW in Edmonton, Alberta, legally described as Plan 0622516 Blk 13 Lot 26.

This Property was inspected by Development Compliance Officer Justin Wagenaar, on March 20, 2026. City of Edmonton Development Compliance Officers have the authority to conduct site inspections and exercise development powers under Section 542 of the Municipal Government Act.

ZONING BYLAW INFRACTION:

This property is zoned RSF (Small Scale Flex Residential Zone) in accordance with Section 2.10 of Edmonton Zoning Bylaw 20001. Our investigation revealed that Exterior Alterations Hardsurfaced Driveway Extension has been developed without a Development Permit.

The City of Edmonton has not issued a Development Permit to develop Exterior Alterations or an extension to a driveway which is contrary to Subsection 7.110.1 of the Edmonton Zoning Bylaw 20001, and Section 683 of the Municipal Government Act.

Subsection 7.110.1 of Edmonton Zoning Bylaw 20001 states:

Approval Required for Development

1.1. No person may: 1.1.1. undertake, or cause or allow to be undertaken, a development; or 1.1.2. carry on, or cause or allow to be carried on, a development, without a Development Permit issued under this Section.

Section 7.200 of Edmonton Zoning Bylaw 20001 states:

General Offences

2.1. It is an **offence** for any person to:

2.1.1. contravene; or

2.1.2. cause, permit or undertake a contravention of; or

2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of, any provisions of this Bylaw.



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2.2. Without restricting the generality of Subsection 2.1, if a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an **offence** for any person to:

- 2.2.1. **construct or allow a building or structure;**
- 2.2.2. make or allow an addition or alteration to a building or structure;
- 2.2.3. **commence or allow a Use or change of intensity of Use;** or
- 2.2.4. place or allow the placement of a Sign on land, or on a building or structure.

Hard Surfaced means ground that is covered with a durable, dust-free material constructed of permeable or Impermeable Material. Typical examples include concrete, asphalt, pavers, or similar material.

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.

ORDER:

Pursuant to Section 645 of the Municipal Government Act, RSA 2000, c M-26, you are hereby ordered to:

1. Cease parking and remove all vehicles from the unpermitted Hardsurfacing immediately, and refrain from using the Hardsurfacing as a Parking Area

AND

2. Acquire a Development Permit for the Exterior Alterations (Hardsurfaced Driveway Extension, Hardsurfacing in the front/side/rear yard) before May 8, 2026.

OR

3. Demolish and remove the Exterior Alterations (Hardsurfaced Driveway Extension) , clear the site of demolition materials, and install permeable landscaping materials before **May 8, 2026.**

CONSEQUENCES FOR NON-COMPLIANCE:

The property will be inspected after **May 8, 2026** to determine compliance with this Order.

In the event that a person fails to comply with this Order issued under Section 645, Section 646 of the Municipal Government Act authorizes the City to enter the land and take any action necessary to carry out the Order. This includes the City entering the land and towing



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any vehicle(s) parked on the unpermitted Hardsurfacing. Seized vehicles may be towed to the Police Seized Vehicle Lot at the owners' expense. Section 646 authorizes the City to register a caveat under the Land Titles Act.

Section 553(1)(h.1) of the Municipal Government Act provides that the costs and expenses of carrying out an order may be added to the tax roll of the property and Section 566(1), subject to 566(2), a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

Affected persons may appeal this Order by filing within **21 calendar days** to the Subdivision and Development Appeal Board. Visit the website at <https://sdab.edmonton.ca> or call 780-496-6079 for more information on how to file an appeal.

Following are Sections 553, 645, 646, 683, 685 and 686 of the Municipal Government Act, RSA 2000, c M-26, which provides you with the right to appeal this Order and enables the City to add all costs associated with this action to the tax roll of the property.

PERMIT APPLICATIONS:

You can make a permit application online at selfserve.edmonton.ca.

For more information related to obtaining a Development Permit, we suggest you consult a technical advisor at:

Email: developmentpermits@edmonton.ca

Phone: 780-442-5054

If you have any questions in regards to this matter, please contact the writer at 780-221-7291.

Regards,
Justin Wagenaar
Development Compliance Officer
780-221-7291
justin.wagenaar@edmonton.ca



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Adding amounts owing to tax roll

553(1) A council may add the following amounts to the tax roll of a parcel of land:

- (a) unpaid costs referred to in section 35(4) or 39(2) relating to service connections of a municipal public utility that are owing by the owner of the parcel;
- (b) unpaid charges referred to in section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel;
- (c) unpaid expenses and costs referred to in section 549(3), if the parcel's owner contravened the enactment or bylaw and the contravention occurred on all or a part of the parcel;
- (d), (e) repealed 1999 c11 s35; (f) costs associated with tax recovery proceedings related to the parcel;
- (g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel;
- (g.1) if the municipality has passed a bylaw requiring the owner or occupant of a parcel to keep the sidewalks adjacent to the parcel clear of snow and ice, unpaid expenses and costs incurred by the municipality for removing the snow and ice in respect of the parcel;
- (h) unpaid costs awarded by a composite assessment review board under section 468.1 or the Land and Property Rights Tribunal under section 501, if the composite assessment review board or the Land and Property Rights Tribunal has awarded costs against the owner of the parcel in favour of the municipality and the matter before the composite assessment review board or the Land and Property Rights Tribunal was related to the parcel;
 - (h.1) the expenses and costs of carrying out an order under section 646;
 - (i) any other amount that may be added to the tax roll under an enactment.

(2) Subject to section 659, when an amount is added to the tax roll of a parcel of land under subsection (1), the amount

- (a) is deemed for all purposes to be a tax imposed under Division 2 of Part 10 from the date it was added to the tax roll, and
- (b) forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

Stop order

645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
 - (b) a development permit or subdivision approval,
- the development authority may act under subsection (2).



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(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or

- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

(2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.

(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with section 685.

Enforcement of stop order

646(1) If a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.

(2) A municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order.

(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the order has been complied with.

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

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).

(1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.

(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



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with subsection (2.1).

(2.1) An appeal referred to in subsection (1) or (2) may be made

(a) to the Land and Property Rights Tribunal

(i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application

(A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,
(B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,

(C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or

(D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Parks,

or

(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii), or

(b) in all other cases, to the subdivision and development appeal board.

(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).

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

(a) is made by a council, there is no appeal to the subdivision and development appeal board, or

(b) is made by a development authority, the appeal 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.

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



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(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.

(1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

(a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or

(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board 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.

(2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

(a) to the appellant,

(b) to the development authority whose order, decision or development permit is the subject of the appeal, and

(c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

(a) the application for the development permit, the decision and the notice of appeal, or (b) the order under section 645.

(4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

(5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.



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Subdivision and Development Appeal Board

File your appeal online at:

<https://sdab.edmonton.ca>

The Subdivision and Development Appeal Board (SDAB) hears appeals from people who have been affected by a decision of the Development Authority under the Zoning Bylaw and the Subdivision Authority under the Subdivision Authority Bylaw. The board is appointed by City Council and consists of citizens living in the city of Edmonton.

The SDAB normally meets every Wednesday and Thursday. If required, the Board may set additional dates for hearings.

Once you have met requirements and filed a proper appeal, this Board presides over your hearing.

The SDAB is an independent, quasi-judicial body established by City Council, and its decisions are final and cannot be overturned unless the board makes an error in some aspect of law or jurisdiction.

Agendas listing appeals and hearing times scheduled for that day are posted in the hearing waiting area. Hearings do not start before the time listed on the schedule.

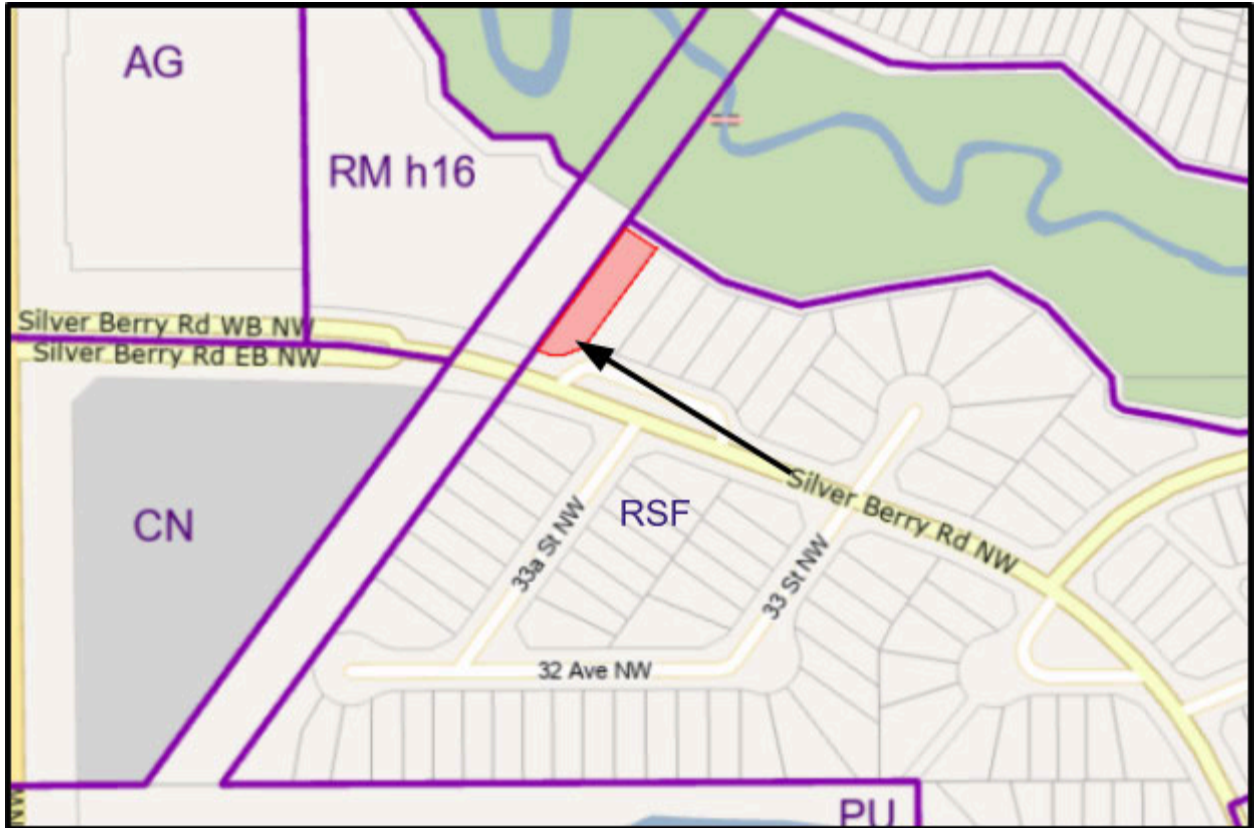
For more information:

Subdivision and Development Appeal Board

Telephone 780-496-6079

Fax 780-577-3537

Email sdab@edmonton.ca



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-164 ▲
N

TO BE RAISED

ITEM III: 1:30 P.M.

FILE: SDAB-D-26-137

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 652262227-002

APPLICATION TO: Construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: May 6, 2026

DATE OF APPEAL: May 11, 2026

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5725 - 115 STREET NW

LEGAL DESCRIPTION: Plan 2420817 Blk 12 Lot 2A

ZONE: RS - Small Scale Residential 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, Ildikó and Stefan Grossmann, are the registered owners of 11423 – 58 Avenue NW, directly north of 5725 – 115 Street NW. Our side yard is our

primary rear-yard amenity area and directly interfaces with the proposed Backyard Housing on the subject site.

We are appealing the approval of this development permit based on material and cumulative interference with the use and enjoyment of our property, as prohibited under section 7.100.5.2 of Zoning Bylaw 20001 and section 687(3)(d) of the Municipal Government Act.

1. Misinterpretation and misapplication of the Backyard Housing height rules

- The Development Authority misinterpreted the height regulations by applying the standard 6.8 m "alley-based" height (Zoning Bylaw 20001 Section 6.10.1.1) to an atypical, unbuffered perpendicular interface.
- Under the purposive interpretation standards set by the Supreme Court in *Rizzo and Montréal*, the 4.3 m height cap in Section 6.10.1.2 must apply here because there is no physical buffer (alley or separation) between the massing and the adjacent low-scale amenity area.
- The "abutting alley" in this configuration is located on a different edge of the parcel and provides zero relief to the impacted neighbour; treating it as a license for extra height defeats the bylaw's protective intent.

The misapplication of the law here is not a matter of intent, but a failure of administrative methodology, by applying standard rules to a non-standard lot configuration.

The Development Authority has treated a Backyard House with a maximum height of 6.8 m under section 6.10.1.1 of the Zoning Bylaw as automatically acceptable on this site because the rear lot line backs onto an alley. In our submission, applying this 1 standard rule to a non-standard lot configuration is a misinterpretation and misapplication of the height provisions in the specific circumstances of this lot.

Our property lies directly north of the subject site, with a perpendicular, zero-buffer interface: our side yard functions as the effective rear interface to the Backyard House. In substance, we experience the proposed Backyard House as if the rear lot line directly abutted our yard without an alley buffer, facing the full garage-plus-two-storey massing and its shadow directly along our primary amenity space. The Backyard Housing rationale materials make clear that the lower 4.3 m height exists to protect situations where Backyard Housing is likely to be adjacent to other small-scale residential sites, and that higher height limits are intended for conditions where the massing has less effect, such as when it faces alleys, non-residential sites or large-scale residential development.

By treating the presence of an alley on paper as enough to apply the maximum 6.8 m height, without considering how this particular perpendicular configuration actually functions on the ground, the

Development Authority has interpreted section 6.10.1.1 in a way that defeats its protective purpose for small-scale neighbours like us.

We are submitting that the “alley” reference in the Backyard Housing rules must operate as a genuine functional buffer that reduces the perception of massing in a neighbour’s central field of vision, not simply as a geological or technical label on a survey plan. Read purposively, the higher 6.8 m height is only justified where that alley actually performs a buffering role between the Backyard House and adjacent small-scale residential yards, which does not occur in our perpendicular, zero-buffer configuration. That is a misinterpretation and misapplication of the bylaw within the meaning of section 685(3) of the Municipal Government Act, which gives this Board jurisdiction over a permitted-use development where the land-use bylaw has been misinterpreted or misapplied.

2. Application of the mandatory negative-effects test under section 687(3)(d) MGA

The Development Authority and the previous SDAB decision erred by treating bylaw compliance as an automatic entitlement that displaces provincial law.

The Alberta Court of Appeal confirmed in *Newcastle Centre GP Ltd. v Edmonton* that s. 687(3)(d) is a distinct, mandatory inquiry. Even for a permitted use, the Board must be satisfied that the development will not materially interfere with the use and enjoyment of neighbouring parcels.

This permit ignores the cumulative massing of an over-length primary house and a total 7.5 high backyard house, which together create a 26 m continuous wall that near-total overshadowing of our rear-yard food-producing garden and amenity area, significantly increasing overlooking into our yard, and creates a pronounced sense of enclosure and visual pressure from the continuous wall of massing.

Section 687(3)(d) of the MGA requires that, in determining an appeal, the Board must be satisfied that the development “would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.”

3. Abuse of Process and the "Mootness Race."

- This permit was applied for while the exact legal interpretation of the height rule was (and remains) under active review by the Alberta Court of Appeal (File No. 2603-0073AC).
- The use of Subsection 7.180.3.1 to operationalize a contested legal interpretation before the Court can speak is a strategic attempt to achieve "construction mootness" and frustrate the Rule of Law.
- We understand that this Board must determine this new permit on its own merits.

We respectfully ask the Board to:

1. Find that the Development Authority misinterpreted and misapplied the Backyard Housing height provisions by treating the 6.8 m maximum standard as automatically acceptable in this unique perpendicular, zero-buffer configuration.

2. In any event, apply the mandatory section 687(3)(d) negative-effects test to the proposed Backyard House at 6.8 m height on this site, having regard to the cumulative massing, overshadowing and privacy impacts on our property, and, as per section 7.100.1.2, find that this site is not suitable for the full scope of development proposed. We request that the Board maintain the protective intent of the bylaw to reduce the impacts of massing and either:

- impose a 4.3 m height restriction as a necessary condition; or
- revoke the permit.

We will provide supporting documentation and evidence separately as part of the appeal process.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (“SDAB”) made and passed the following motion on June 16, 2026:

“That the appeal be scheduled for a rehearing on July 14, 2026.”

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

Grounds for Appeal

685(1) If a development authority

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

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

...

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

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

Appeals

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

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

Hearing and Decision

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

...

- (a.1) must comply with any applicable land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;

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

General Provisions from the Zoning Bylaw 20001:

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

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

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

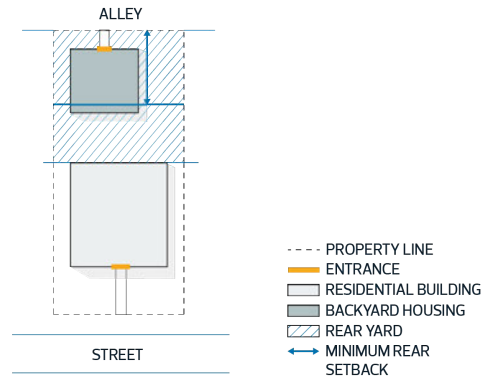
This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Single Detached Housing** means:

a building that contains 1 principal Dwelling and has direct access to ground level.

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

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



Under section 8.20, **Dwelling** means:

a self-contained unit consisting of 1 or more rooms used as a bedroom, bathroom, living room, and kitchen. The Dwelling is not intended to be moveable, does not have a visible towing apparatus or visible undercarriage, must be on a foundation, and connected to utilities.

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

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


Previous Subdivision and Development Appeal Board Decision


Application Number	Description	Decision
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<p>SDAB-D-26-040</p>	<p>To construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage).</p>	<p>March 11, 2026; The appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is REFUSED.</p> <p>Court of Appeal of Alberta: 2603-0073AC</p>
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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.

	Project Number: 65226227-002 Application Date: MAR 27, 2026 Printed: May 6, 2026 at 3:38 PM Page: 1 of 3
<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.	
Applicant	Property Address(es) and Legal Description(s) 5725 - 115 STREET NW Plan 2420817 Blk 12 Lot 2A Specific Address(es) Suite: 5725G - 115 STREET NW Entryway: 5725G - 115 STREET NW Building: 5725G - 115 STREET NW
Scope of Permit To construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage).	
Details	
1. Titled Lot Zoning: R5 3. Overlay: 5. Statutory Plan: 7. Neighbourhood Classification: Redeveloping	2. Number of Principal Dwelling Units To Construct: 0 4. Number of Secondary Suite Dwelling Units to Construct: 1 6. Backyard Housing or Secondary Suite Included?: Yes 8. Development Category / Class of Permit: Permitted Development
Development Permit Decision	
Approved Issue Date: May 06, 2026 Development Authority: POTTER, CHRISTINA	
Subject to the Following Conditions	
Zoning Conditions: This Development Permit authorizes the construction of a Residential Use building in the form of a Backyard House (1 Dwelling with Garage). 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). 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 Backyard Housing directly to an Abutting sidewalk or to a Driveway must be provided and must be a minimum width of 0.9 m (Subsection 5.80.2.1.1). Facades facing an Alley must have outdoor lighting that complies with Section 5.120 (Subsection 6.10.12). Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade, and focus light away from surrounding Sites to minimize Nuisance; generally be directed downwards, except where directed towards the Site or architectural features located on the Site; be designed to provide an appropriately-lit environment at building entrances, outdoor Amenity Areas, parking facilities, and Pathways; and not interfere with the function of traffic control devices (Subsection 5.120.3). Backyard Housing must not be subdivided from other principal Dwellings on a Site or be part of a Bare Land Condominium	
PG702003	

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<h2>Development Permit</h2>	
<p>(Subsection 6.10.5).</p>	
<p>Subject to the Following Advisements</p>	
<p>Zoning Advisements:</p>	
<p>Unless otherwise stated, all above references to "subsection numbers" refer to the authority under the Zoning Bylaw.</p>	
<p>The Driveway must maintain a minimum clearance of 1.5 m from the service pedestal and all other surface utilities. The applicant or property owner is responsible for the location of all underground and above ground utilities and maintaining the required clearance as specified by the utility companies. Alberta One-Call, Shaw, and Telus should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with the relocation or removal of the service pedestal must be at the expense of the applicant or property owner.</p>	
<p>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).</p>	
<p>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.</p>	
<p>All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit. All new installations, above and below ground, within 5m of a City tree require forestry consultation.</p>	
<p>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.</p>	
<p>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.</p>	
<p>The site must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to lot.grading@edmonton.ca for review and approval. For more information on Lot Grading requirements, plans and inspections refer to the website: https://www.edmonton.ca/residential_neighbourhoods/residential-lot-grading</p>	
<p>Waste Services Advisements:</p>	
<p>Waste Services has reviewed the proposed plan "PLOT PLAN" dated 3/26/26 and has no concerns to identify during this review.</p>	
<p>This review follows Waste Services' current standards and practices and will expire when the Development Permit expires.</p>	
<p>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.</p>	
<p>Additional information about waste service at your proposed development:</p>	
<p>Waste Services Bylaw 20363 notes that as a residential property, your development must receive waste collection from the City of Edmonton. Refer to Developer Standards for Residential Waste Collection for developments receiving residential collection.</p>	
<p>P0702003</p>	



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 Application Date: MAR 27, 2026
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Development Permit

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.

This property with 2 dwellings would receive Curbside Collection. The City will provide each dwelling with two carts, for a total of 4 carts, one for garbage and one for food scraps. Each unit will be charged the waste utility rate. Residents would be required to use their own 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.

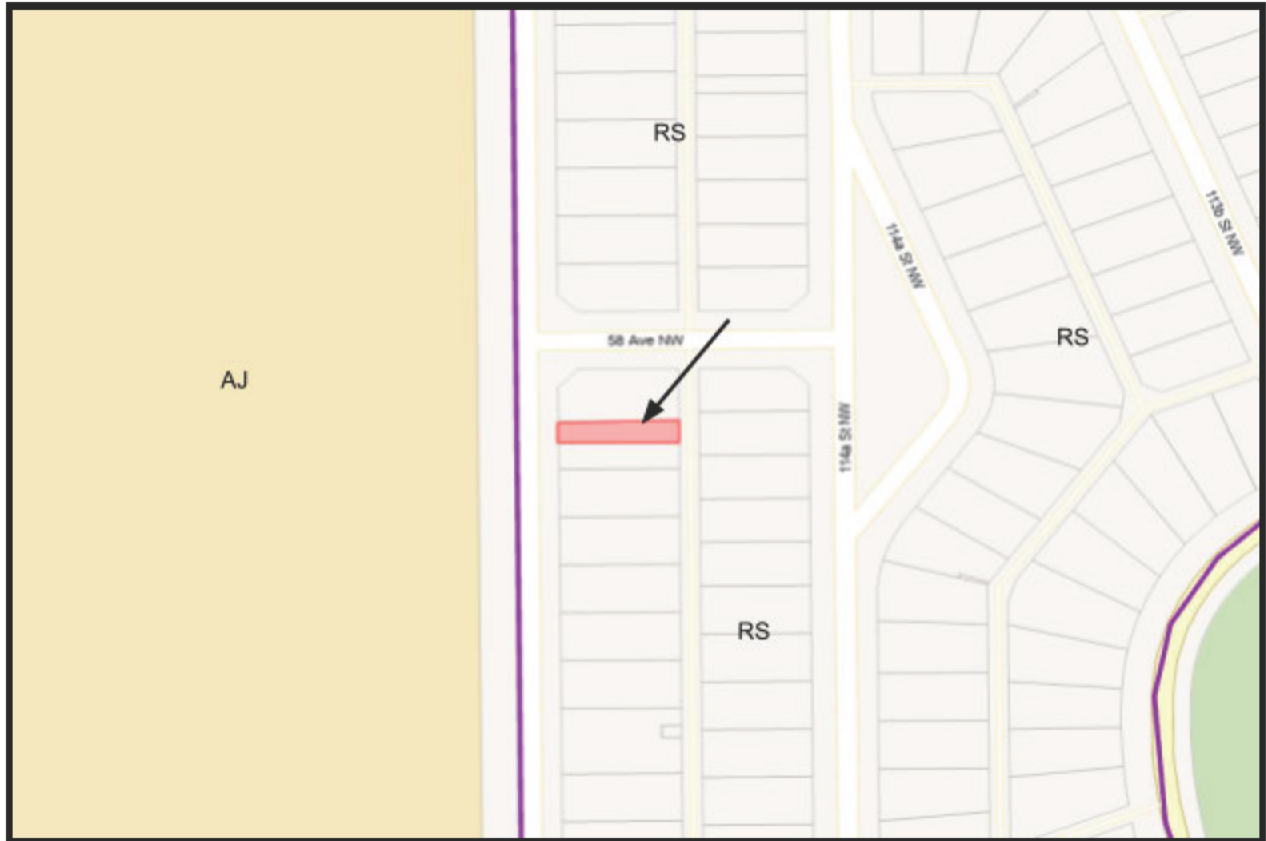
For developments with rear lanes, waste will only be collected from the rear lane for all dwellings in the development. It is the responsibility of the owner to ensure all residents have access to the rear lane for waste set out.

Rights of Appeal

This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$625.00	\$625.00	776921000020314	Mar 27, 2026
Lot Grading Fee	\$160.00	\$160.00	776921000020314	Mar 27, 2026
Total GST Amount:	\$0.00			
Totals for Permit:	\$785.00	\$785.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-26-137



N