City of Beaumont
Subdivision and Development Appeal Board Agenda

August 11, 2025
5:00 p.m.
City Hall, Council Chambers

Pages

1. CALL TO ORDER (HEARING SDAB FILE 25-07)

2. INTRODUCTIONS

   2.1 Board Chair

   2.2 Board Members

   2.3 SDAB Legal Counsel

   2.4 SDAB Administrative Staff

3. ADOPTION OF THE AGENDA

4. INTRODUCTION OF THE PARTIES

   4.1 Development Authority

   4.2 Appellant

5. OBJECTIONS TO THE BOARD

6. HEARING PROCESS

   6.1 Development Authority Presentation

   6.2 Appellant Presentation

   6.3 Presentations from Affected Persons Supporting the Appeal

   6.4 Presentations from Affected Persons Opposing the Appeal

   6.5 Development Officer's Closing Remarks

BEAUMONT

NOTICE OF APPEAL
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

In accordance with Sections 678 and 686 of the *Municipal Government Act* and the City of Beaumont Bylaw, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated timeframe and each Notice of Appeal must be accompanied by the legislated fee. For filling instructions and fee payment options, see revere side of form.

Development Permit (Check one box only)		Subdivision Application (Check one box only)		Notice of Order	
Approval	☐	Approval	☐	Stop Order	☐
Conditions of Approval	☐	Conditions of Approval	☐		
Refusal	☑	Refusal	☐		

SECTION 1 - MUNICIPAL ADDRESS OF SITE UNDER APPEAL	
Municipal Address of Site Under Appeal	5010 – 49 St. Beaumont, AB.
Application File #	D-2025-41
Date Appeal Application Received	

SECTION 2 – APPELLANT INFORMATION		
Appellant Name	Sam Bilsky	
Agent Name (if applicable)	Alisha Ingram	
Address		
Telephone	Residential # [redacted]	Business #
Email (for notification purpose)	[redacted] @	

Sections 678 and 686 of the *Municipal Government Act* requires that written Notice of Appeal must contain specific reasons for the appeal.

SECTION 3 – REASONS FOR APPEAL

I do hereby appeal the decision of the Development Authority/Subdivision for the following reasons (attach separate page if required):

See attached.

SECTION 4 – PAYMENT (In accordance to Fees & Charges Bylaw, as amended)							
Cheque	☐	Money Order	☐	Cash	☐	Debit	☐

SEC[redacted]

I certi[redacted]te to the best of my knowledge and acknowledge my authorization of the inform

SIG[redacted] DATE: July 22/25.

The p[redacted]d under the authority of the City of Beaumont SDAB Bylaw and the *Munic*[redacted]nce with the FOIP Act (Section 33(c)), for the purpose of handling develo[redacted]y provisions of the FOIP Act. If you have questions about the collection, contact the FOIP Coordinator at the City of Beaumont, 5600 – 49 Street, Beaumont, Alberta T4X 1A1, or Phone 929-8782.

NOTE: This information will form part of the file available to the public.

FOR OFFICE USE ONLY			
Fee Paid Yes ☐ No ☐	SDAB Appeal Number	Hearing Date	Date Received Stamp

RECEIVED
JUL 22 2025
CITY OF BEAUMONT

(1) Being that my property is so close to down town when ever there are any special events in the down town core the over flow parking spills onto our street making it impossible to find parking on the street.

(2) There are several properties with front and back parking spots. Literally the neighbors on either side of my property, plus many others.
There is a president that has been established in the neighborhood that I feel would be unfair to me, to impose a restriction that may be something that could apply to a new subdivision that is not right next to a City centre.
The president that has been set is that a front and rear approach is acceptable.

(3) With the fact that our location is literally right down town and traffic can be excessive. It would be much safer being able to pull into my own driveway to unload groceries and children verses doing it on a busy public street.

(4) Thanks for your consideration in this matter.

[redacted]

BEAUMONT
Subdivision and Development
APPEAL BOARD

Notice of Hearing

File: 0111-S01-SDAB-25-07

APPELLANT
Sam Bilsky

APPLICANT
Sam Bilsky

RESPONDENT
Aleshia Ingram , Development Officer
5600 49 Street, Beaumont, AB T4X 1A1
development@beaumont.ab.ca

July 24th, 2025

Appeal # SDAB-25-07

Proposed Development:	**Secondary Access:** *Front Driveway 12.8m x 7.32m (24' x 42')*
Legal Description:	Plan 8445ET, Block 1, Lot 22
Municipal Address:	5010 49 Street, Beaumont, Alberta
Land Use District:	Mature Neighbourhood
Permit Application No:	D-2025-41

To Whom It May Concern:

This correspondence serves as your notice that the Subdivision and Development Appeal Board (SDAB) will hold a hearing in response to an appeal of a decision of the Development Authority to refuse a proposed development for a secondary access for a property located at 5010 49 Street, Beaumont.

The SDAB will hold the hearing as follows:

DATE:	Monday, August 11th, 2025
TIME:	5:00 pm
LOCATION:	City Hall Council Chambers, 5600 – 49 Street, Beaumont

You or any person acting on your behalf may present verbal, visual, or written submissions to the SDAB at the hearing.

If you wish to submit visual or written material to the SDAB, please email your submissions to the clerk at legislative@beaumont.ab.ca no later than **end of day on August 5th, 2025**. All materials submitted will be included in the hearing package and will be distributed to the hearing participants in advance of the hearing.

The hearing materials will also be made available for public inspection by appointment during regular business hours (8:30 am to noon and 1pm to 4:30 pm, Monday to Friday) at the City Administration Building (5600 49 Street, Beaumont) beginning on August 7th, 2025. Please contact the clerk at legislative@beaumont.ab.ca to arrange an appointment.

BEAUMONT
Subdivision
and Development
APPEAL BOARD

Important Information:

1. Any visual or written material received by the clerk in advance of the hearing will form part of the public record and will be made available for public inspection pursuant to section 686(4) of the *Municipal Government Act*, RSA 2000, c M-26;

2. While the clerk of the SDAB will accept visual or written material in advance of the hearing, the decision on what materials will be considered by the SDAB remains with the SDAB; and

3. Depending on the complexity and volume of the materials submitted, there may be requests for adjournments which the SDAB would consider on a case-by-case basis.

If you have questions, please contact the clerk at legislative@beaumont.ab.ca or call the City Hall main line at 780-929-8782.

Respectfully,

[redacted]

Rebecca Plachy,
Acting Clerk, Subdivision and Development Appeal Board

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING
SDAB-25-07
August 11, 2025

DEVELOPMENT **AUTHORITY'S** REPORT

Permit Number:	D-2025-41
Decision:	Refused
Subject Property:	5010 49 Street 8445ET, Block 1, Lot 22
Land Use District:	Mature Neighbourhood (MN) District
Subject Site Description:	The site is located within the Centre-Ville neighbourhood, and fronts onto 49 Street, a local road that connects south to arterial 50 Avenue and north to 52 Avenue. The property is generally rectangular in shape and has lane access from the rear.
Existing Development:	One storey dwelling unit with a detached garage (7.82m x 13.92m) accessed from the lane, and an existing rear parking pad
Proposed Development:	Secondary Access for front driveway (12.8m x 7.32m)

Introduction

This submission is made by the City of Beaumont Development Authority (DA) in response to the appeal of the DA's decision with respect to a Development Permit application for a Secondary Access for a front driveway (12.8m x 7.32m) that was refused on the basis of not conforming with the Municipality's Statutory Documents and not meeting the Land Use Bylaw (LUB) provisions in the Mature Neighbourhood (MN) District.

The purpose of this submission is to provide information regarding the application for the development permit and to explain the land use considerations underlying the Decision.

Application

An application for secondary access for a front driveway was received on May 9, 2025 with payment processed on May 30, 2025. (Exhibit 3).

The application was submitted by Sam Bilsky, the owner of 5010 49 Street.

Consideration of the Development Permit Application

The proposed secondary access was evaluated under Section 3.5.10.d.i. of the LUB, which requires prior approval by the DA and was determined to be a discretionary use.

The application provided for a site plan drawing which showed the existing uses onsite that include a rear access from the lane. The proposed new driveway would be located within the frontage and be 7.32m wide by 12.8m long, which would allow at least 2 additional vehicles.

A site inspection was completed on June 17, 2025. The review confirmed that all residential properties along both sides of 49 Street have lane access. Five properties in the immediate area have front driveways, three of which have municipal approval to provide access to rear detached garages and two of which are considered legal non-conforming as they were developed prior to the adoption of Bylaw 944-19. While some properties do have front driveways leading to garages, these differ from this application, which proposes a front driveway with no connection to the detached garage.

The application was circulated to the city's Engineering department. Their review raised concerns related to access standards, infrastructure consistency, and lack of justification concluding that the proposed driveway should not be supported (Exhibit 5).

Municipal Government Act (MGA) – Exercise of Discretion by the Development Authority
Section 640(6) of the Municipal Government Act states that a Land Use Bylaw may authorize a development authority to decide on an application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority,

(a) the proposed development would not
(i) unduly interfere with the amenities of the neighbourhood, or
(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

In this case, the application was found to be non-compliant with Section 3.5.10.d.ii of the LUB, which states that "where a site is adjacent to a lane, all vehicular access shall be from the lane unless authorized by the Municipality." The proposed development applied to add a secondary front driveway, resulting in access from the public street rather than from the rear lane.

While the LUB does permit the DA to authorize an alternative form of access, the discretionary provision was not exercised in this case. It was determined that allowing front driveway access would unduly interfere with the amenities of the neighbourhood, particularly with respect to pedestrian safety and comfort along the public sidewalk. Allowing additional front access driveways in mature neighbourhoods can compromise walkability by introducing vehicle-pedestrian conflict points and negatively impact the character of the streetscape.

Furthermore, while a 'driveway' is not explicitly listed under Section 3.5.2. (Uses) of the LUB, the discretionary nature of this application arises from both the interpretation of access regulations and the broader authority granted to the DA under the MGA.

Section 642(4) of the Municipal Government Act also states that if a development authority refuses an application for a development permit, the development authority must issue to the applicant a notice, in the form and manner provided for in the land use bylaw, that the application has been refused and provide the reasons for the refusal.

In accordance with this provision, the DA issued a formal Notice of Decision to the applicant upon refusal of the development permit. The notice, delivered via email, clearly communicated that the application had been refused and outlined the specific reasons for the decision (Exhibit 4). This process aligns with the requirements set out in the MGA for providing a decision within the required timeframe and notification of the decision.

Land Use Bylaw and Development Regulations

The following LUB sections were reviewed against this permit application and include how the DA determined non-compliance.

- Section 5.4.4.j:
    - *The Development Authority shall not approve an application for a [discretionary] Development Permit that is not in conformity with the Municipality's Statutory Documents*.
    - The DA determined that the proposed development is not in conformity with the City's Municipal Development Plan, Our Complete Community, Section 7.2.4, which states:
        - Design of yards in Existing Residential and Future Residential areas shall limit the amount of impervious material coverage in order to protect the stormwater management system and enhance our public realm.
    - The DA determined that the proposed development is not in conformity with the City's Our Centre-Ville Area Redevelopment Plan, Section 5.4.2.3, which states:
        - Parking for low density residential developments may be provided from the front street if no alleys are provided.

- Section 3.5.10:
    - *Requires that one (1) on-site parking stall shall be required per dwelling unit.*
    - The DA determined that existing parking accommodation within the property consists of a double detached garage and two (2), to possibly four (4) driveway parking stalls, and that the addition of another 93.70m2 of hard surfacing within the frontage would be excessive.

- Section 3.5.10.b.ii:
    - *Parking lots shall not be located in the principal frontage.*
      The DA determined that the proposed parking area is located within the principal frontage of the property. However, the proposed development appears to function as a driveway that is accessory to the dwelling, and not as a 'parking lot', as defined in the LUB: "A parking area which is located on an area of land and is not accessory to a particular use or development".
      The LUB does not define driveway, creating some ambiguity in interpretation. However, this section provides regulatory direction, encouraging parking to be located at the rear where possible, rather than as a strict prohibition on front yard driveways.

- Section 3.5.10.d.ii:
    - *Where the site is adjacent to a lane, the lane will be used for all vehicular access unless otherwise authorized by the Municipality.*
    - The DA determined that the proposed parking area is accessed from the public roadway (front street) rather than the rear lane, which is not permitted unless explicitly approved

by the Municipality. It is noted that the existing on-site parking–comprising four (4) to six (6) stalls located on the rear parking pad and within the rear yard garage–already utiilitizes the rear lane for vehicular access.

Issuance of **the Development Authority's Decision**

Based on the above considerations and determinations, on July 2, 2025, the DA refused secondary access for a front driveway as a discretionary use in the Mature Neighborhood (MN) District at 5010 49 Street in accordance with the LUB.

The Development Authority has exercised its discretion to deny the request for additional access, including the proposed crossing over the public sidewalk and boulevard, which are municipally owned lands.

Conclusion

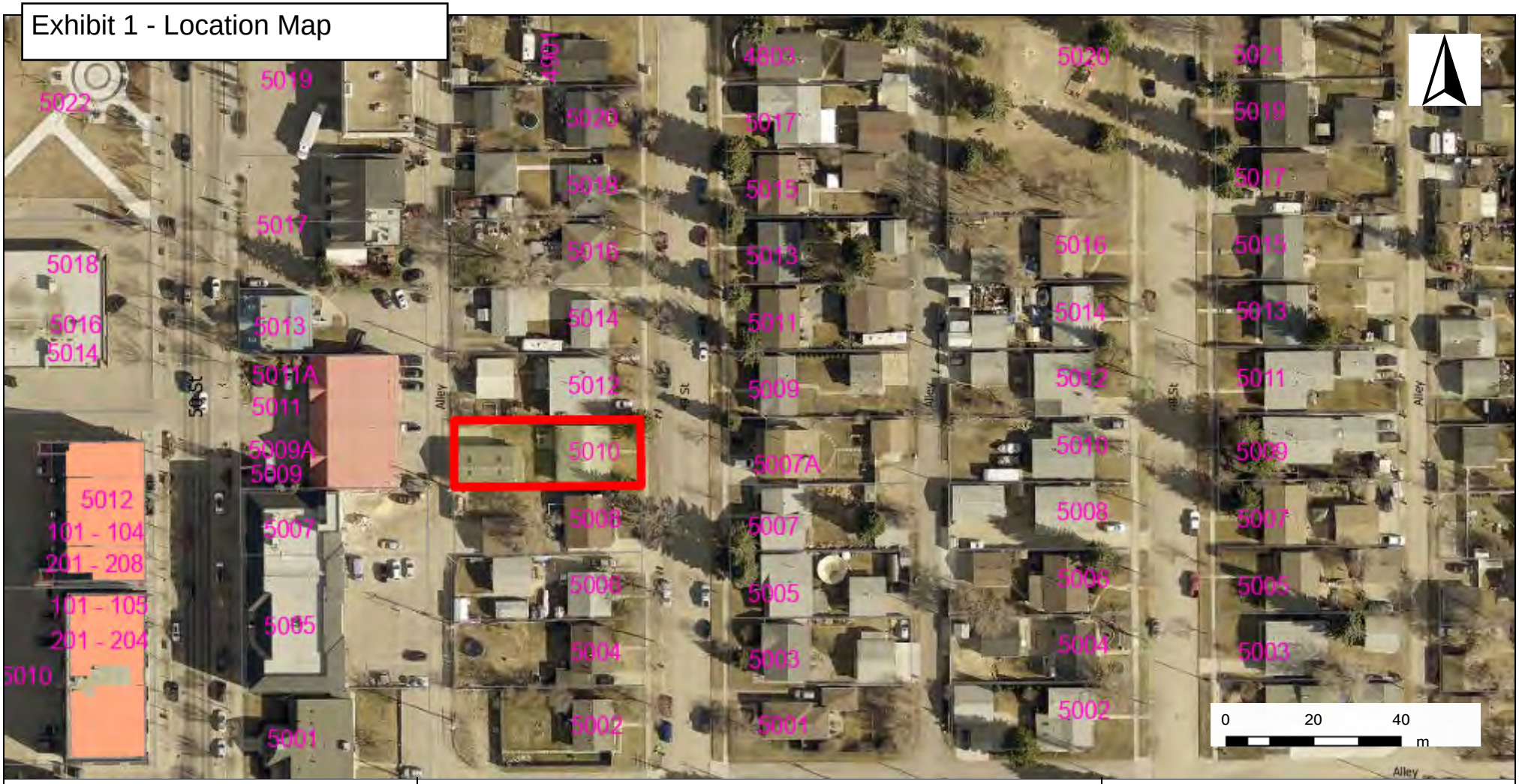
The application for a secondary access for a front driveway, considered under the Mature Neighbourhood (MN) District was refused by the DA. While Section 640(6) of the Municipal Government Act grants the DA discretion to approve a development that does not fully comply with the LUB, this discretion was not exercised in this instance. This application was refused for the following reason(s):

1. The proposed development is not in conformity with the Municipality's Statutory Documents (Municipal Development Plan, Our Complete Communities and Ofur Centre-Ville Area Redevelopment Plan)
2. The proposed development is located within the principal frontage, which is contrary to the Land Use Bylaw.
3. The proposed parking area is in addition to lane access that has a parking pad and an accessory structure for parking vehicles. This is not permitted in the Land Use Bylaw.
4. There is sufficient parking available onsite which allows for 4 to 6 parking stalls.

Exhibits:

1. Location Map
2. Zoning Regulations
3. Development Permit Application
4. Notice of Decision #D-2025-41
5. Email Correspondence

Exhibit 1 - Location Map



BEAUMONT

City of Beaumont
5600 49 Street
Beaumont, AB
T4X 1A1

Location Map

5010 49 ST

Application No.	Mapped By:	Checked By:
SDAB-25-07	Aleshia Ingram	Katrina Tarnawsky

Numeric Scale	Date
1: 1291	Tuesday, July 29, 2025

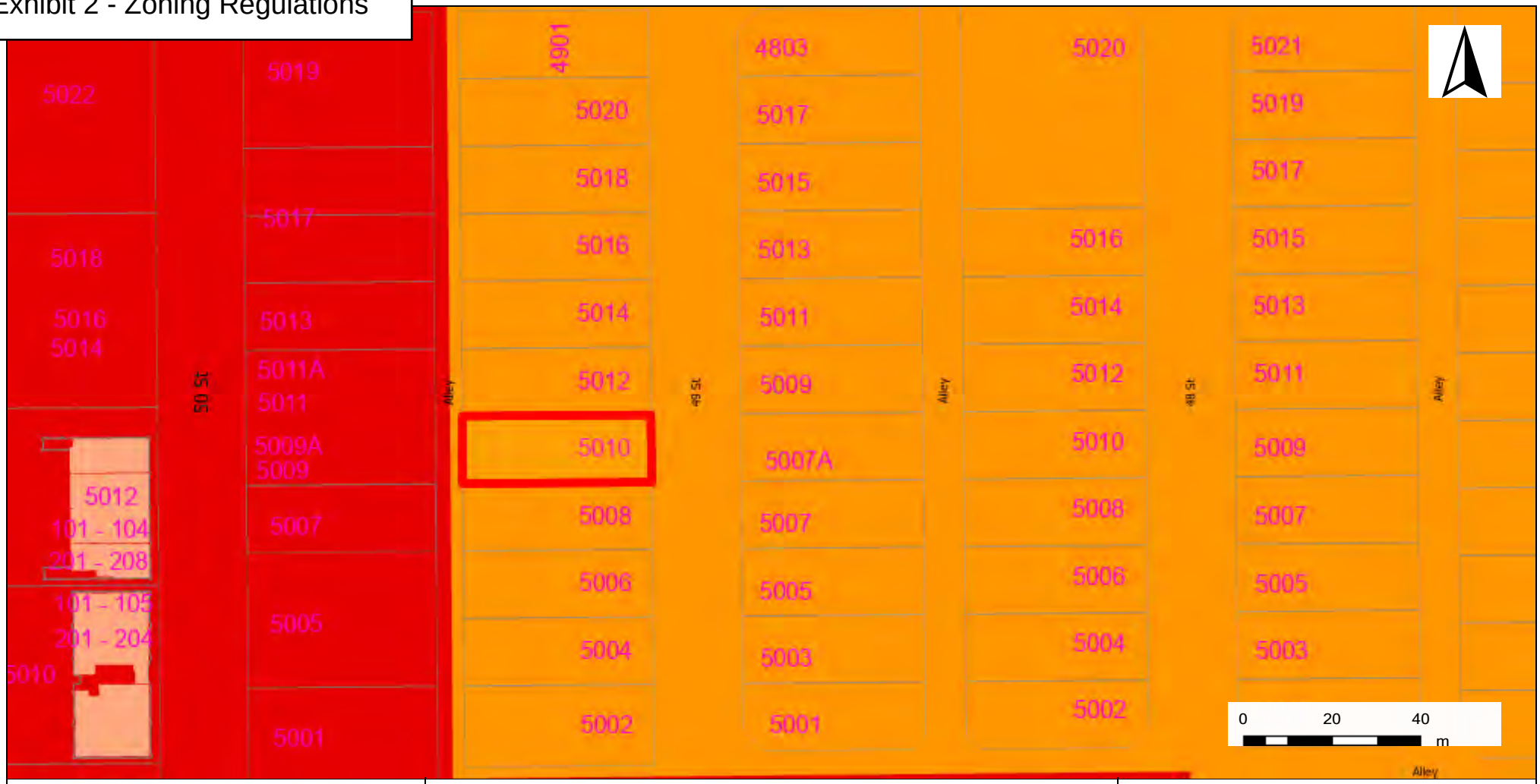
Projected Coordinate System
CANADA NAD 83-3TM 114

Legend

Location:

Registered Parcels

Exhibit 2 - Zoning Regulations



BEAUMONT

City of Beaumont
5600 49 Street
Beaumont, AB
T4X 1A1

Zoning Map

5010 49 ST

Application No.	Mapped By:	Checked By:
SDAB-25-07	Aleshia Ingram	Katrina Tarnawsky

Numeric Scale	Date
1: 1291	Tuesday, July 29, 2025

Projected Coordinate System
CANADA NAD 83-3TM 114

Legend

Location:

Registered Parcels

5.4 DEVELOPMENT AUTHORITY

5.4.1 The Municipality's Chief Administrative Officer is the Development Authority, with powers and duties as set out in *Our Zoning Blueprint* and may delegate in writing any or all of these powers and duties specified to a designated officer or employee of the Municipality.

5.4.2 A designated officer may in writing be given the ability to further delegate any or all of the powers and duties they themselves have been given.

5.4.3 The Development Authority shall administer and enforce *Our Zoning Blueprint* and decide upon all development permit applications, except those in direct control districts where Council is identified as the Development Authority.

5.4.4 The Development Authority:

a) Shall keep, and maintain for inspection by the public during office hours, a copy of *Our Zoning Blueprint* and all amendments thereto and ensure that copies are available to the public at reasonable charge;

b) Shall maintain an up-to-date version of *Our Zoning Blueprint* on the Municipality's website;

c) Shall keep a register of all development permit applications including the decisions rendered on them and the reasons therefor for a minimum period of 7 years.

d) Shall make available for inspection by the public during office hours and post on the Municipality's website a list of all decisions for development permits;

e) May require the applicant to post a notice on the site of an application for a development permit to request comments from persons who may be affected, prior to rendering a decision;

f) Shall consider and decide on applications for development permits within 40 days of the application being deemed complete or within such time as may be agreed to, in writing, by the applicant;

g) Shall approve all development permit applications for a "permitted use" with or without conditions, if the application conforms in all respects to the provisions of *Our Zoning Blueprint*;

h) Shall make a decision on a development permit application for a "discretionary use," whereby the Development Authority may:

i. Approve the application; or

ii. Approve the application subject to conditions and restrictions considered appropriate or necessary; or

iii. Refuse the application.

i) Shall not approve any development permit application for the use of land or a building not listed as a "permitted use" or "discretionary use" in the district in which the building or land is situated;

j) Shall not approve an application for a development permit that is not in conformity with the Municipality's Statutory Plans.

k) Shall issue orders, where appointed, with regard to contravention of the *Municipal Government Act* and enforcing regulations, bylaws, or permit conditions;

l) Shall sign and issue all valid development permits, certificates of compliance, notices of decisions, and notices.

5.5 VARIANCE POWERS

5.5.1 Notwithstanding any other section of *Our Zoning Blueprint*, the Subdivision Authority or Development Authority may allow a Variance of any or all of the requirements of *Our Zoning Blueprint*, where at the discretion of the Subdivision Authority or Development Authority, the subdivision or development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of the neighbouring parcels of land and the use proposed is allowed by *Our Zoning Blueprint*.

5.5.2 A variance may be refused for any encroachment on a lot line or easement that is not permitted in *Our Zoning Blueprint*.

5.5.3 All requests for a variance shall be accompanied by a variance request form from the applicant clearly stating the reasons for the variance and outlining the applicable criteria identified in Section 5.5.1.

5.5.4 If a variance is granted pursuant to this section, the Subdivision Authority or Development Authority shall specify its nature in the subdivision or development permit approval.

5.5.5 In granting a variance, the Subdivision Authority or Development Authority may request written acceptance of the proposed variance from affected landowners.

		lot. A permit is required for a fence exceeding 1.0 m in height on a secondary frontage.	

3.5.10 Parking, Access & Loading Standards

a) MINIMUM PARKING STANDARDS			
i.	Agriculture Uses	Agriculture – General	-
		Agriculture – Intensive	-
		Agriculture – Urban	-
		Cannabis Production and Processing	-
		Medical Cannabis Production	-
ii.	Residential Uses	Dwelling Unit(s)	
		Mobile Home	1 stall per unit over 75 m^2
		Temporary Dwelling Unit(s)	
iii.	Lodging Uses	Bed & Breakfast	1 stall per unit or bedroom
		Campground	-
		Hotel / Motel	1 stall per unit or bedroom
iv.	Business Uses	Arts & Crafts	1 stall per business
		Home Based Business – Major	
		Home Based Business – Minor	-
		Office	1 stall per 100 m^2 of lot coverage
v.	Commercial Uses	Adult Entertainment	1 stall per 100 m^2 of lot coverage
		Drive Through Facility	
		Entertainment Establishment	
		Gas Station	
		Golf Course	
		Kennel	

a) MINIMUM PARKING STANDARDS		
	Private Utility	-
	Sign	-
	Temporary Development	-

b) PARKING STANDARDS		
i.	Development Standards	Any parking area having four or more parking stalls that are visible from an adjoining site, or from a thoroughfare other than a lane, shall have perimeter planting. The location, length, thickness and height of such perimeter planting at maturity shall, in conjunction with a change in grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining site and enhance the view of the parking area from any adjacent thoroughfare.
ii.	Pedestrian Network Design	Parking lots shall be designed to efficiently, comfortably, and safely direct pedestrians from parking areas and entrance features. Walking areas shall be a minimum of 2 m wide, be well marked, be separated by grade from driving or parking areas, and be integrated with landscaping. Parking lots shall not be located in the principle frontage.
iii.	Parking Location	All parking stalls shall be provided on-site except where, at the discretion of the Development Authority, street parking may be accommodated. Street parking can be considered where the curb frontage is a minimum of 6.m per stall excluding access locations and appropriate safety distances. Where contiguous curb frontage space is available, street parking may be considered part of the minimum parking requirements as per Section 3.5.10 (a).
iv.	Shared Parking	Where multiple buildings or uses are located on a site, parking minimums in Section 3.5.10 (a) may be reduced to the satisfaction of the Municipality.

c) BICYCLE PARKING STANDARDS		
iii.	Bicycle Parking Location	All bicycle parking structures shall be located within 10m of a public entrance, but shall not impede pedestrian circulation or access to a building.
iv.	Bicycle Parking Access	Where a change in grade occurs in the bicycle parking network, ramps or similar structures shall be used to access all bicycle parking structures.

d) ACCESS STANDARDS		
i.	Number of Accesses	All lots require a minimum of 1 access to the site from a legal and physical public roadway and shall be approved by the Municipality. Additional accesses shall have prior approval from the Development Authority.
ii.	Lane Access	Where the site is adjacent to a lane, the lane will be used for all vehicular access unless otherwise authorized by the Municipality, such as where a front attached garage frontage type is used with a lane.
iii.	Shared Access	Shared access between 2 or more adjacent lots may be considered to provide more effective access arrangements, to reduce curb cuts, and / or to reduce any negative impact on the public realm.

e) LOADING STANDARDS		
i.	Development Standards	All non-residential uses shall provide sufficient space and access for loading vehicles to the satisfaction of the Development Authority.
ii.	Clearance	All loading areas shall provide a minimum of 5.3 m vertical clearance from grade.
iii.	Loading Space Size	All loading space shall be at least 4 m wide and 8 m long.
iv.	Access	Access shall be from a public road, a lane, or a clearly defined traffic aisle, and shall not obstruct patron / emergency vehicle circulation.
v.	Location	Loading areas shall be located to the side or rear of a lot.

BEAUMONT

Residential Permit Application
Combined Development & Building Permit

Planning & Development
5600 - 49 Street
Beaumont, AB T4X 1A1
780-929-8782
development@beaumont.ab.ca

May 9, 2025 — Received

May 30, 2025 — Paid

Note: You may apply for a Building Permit and/or a Development Permit with this one combo application. Electrical, Plumbing, and Gas Permits each have their own application forms.

Property Information

Street Address: 5010 – 49 St.

Plan: 8445 ET Block: 1 Lot: 22

Applicant and Property Owner Information

Applicant/Contractor Name: Sam Bilsky

Mailing Address: [redacted]

Town: [redacted] Postal Code: [redacted]

Phone: [redacted] Cell Phone:

Email (required): [redacted]

Is the Applicant also the Registered Owner? ☒ Yes *(Do not fill out below)* ☐ No *(Fill out below – written authorization from registered owner required)*

Owner Name:

Mailing Address: Same as above

Town: Postal Code:

Phone: Cell Phone:

Email *(required)*:

Proposed Development

Construction Value: *(Approximate cost of material & labour)* $ 7,000

I am applying for a: ☐ Development Permit AND/OR ☐ Building Permit

Check one of the following:

- ☒ ~~Uncovered Deck~~ SQ FT:
- ☐ Hot Tub SQ FT:
- ☐ Accessory Building (Other than Garage) SQ FT:
- ☐ Covered Deck SQ FT:
- ☐ Corner Lot Fence**
- ☐ Accessory Building (Detached Garage) SQ FT:
- ☒ Other: Front driveway
- ☐ Basement Development* SQ FT:
- ☐ Additional Dwelling Unit SQ FT:
- Number of Bedrooms in Dwelling:
- ☐ Home Based Business*** ☐ Major ☐ Minor
- Business Name:

Has work on the above indicated item already commenced? ☐ Yes ☒ No

* No Development Permit required ** No Building Permit required *** Business License also required, Building Permit may be required

OFFICE USE ONLY

Permit Number: D-2025-41

Mail ☐ Pick-up ☐

☐ Authorization or ID Received

Land Use District: MN

Tax Roll: 000071

☐ Permitted Use
☐ Permitted Use w/ Variance
☐ Discretionary Use

Fees	Receipt #: 332990
Development Permit:	50.00
Building Permit:	
Safety Code Council:	
Electrical Permit:	
SCC Electrical:	
Plumbing Permit:	
SCC Plumbing:	
Gas Permit:	
SCC Gas:	
Business License:	
Contractors License:	
Variance:	
Notification Fee:	
GST:	
Other:	
Total Fees:	50.00

Applicant Authorization

1. I am the owner/agent with the consent and authority of the owner that is the subject matter of this permit application.
2. I hereby give my consent to allow any authorized person pursuant to the Municipal Government Act Section 542 the right to enter the land and/or building(s) with respect to this application only.
3. I understand this is only an application and does not constitute approval to commence construction.
4. I declare that the information contained in this application is correct and true to the best of my knowledge.
5. I declare that I will notify the Development Authority of any proposed changes to the plans submitted with this application.
6. I consent to receiving notifications & correspondence regarding this application via email to the address provided on this application. I agree ☑
7. **By checking the "I agree" box above, you agree and authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature.**

Electronic Signature: [redacted] Date: May 5/25

OFFICE USE ONLY

Development Permit

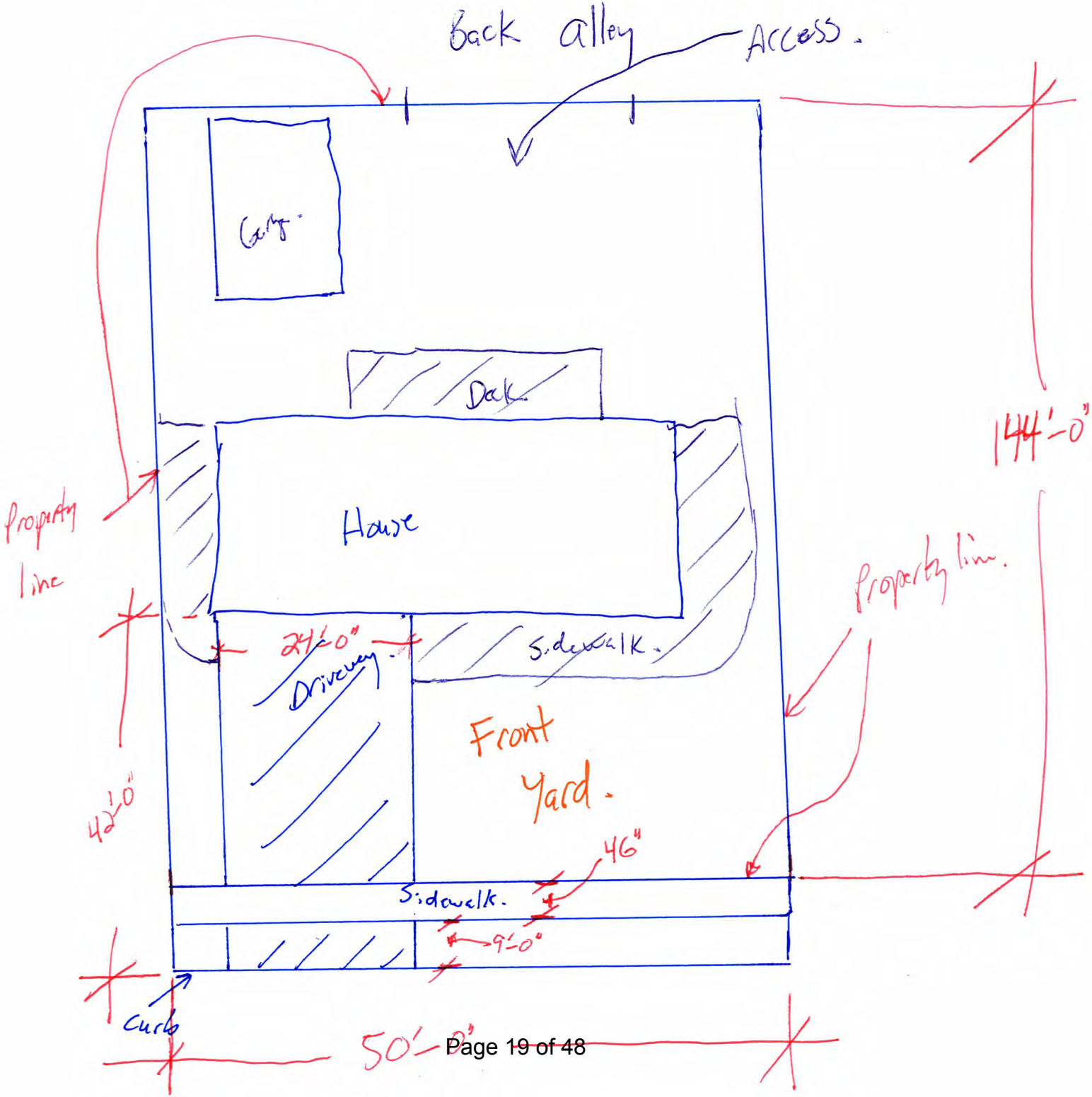
Date Deemed Complete: Date of Decision: (See attached Notice of Decision)

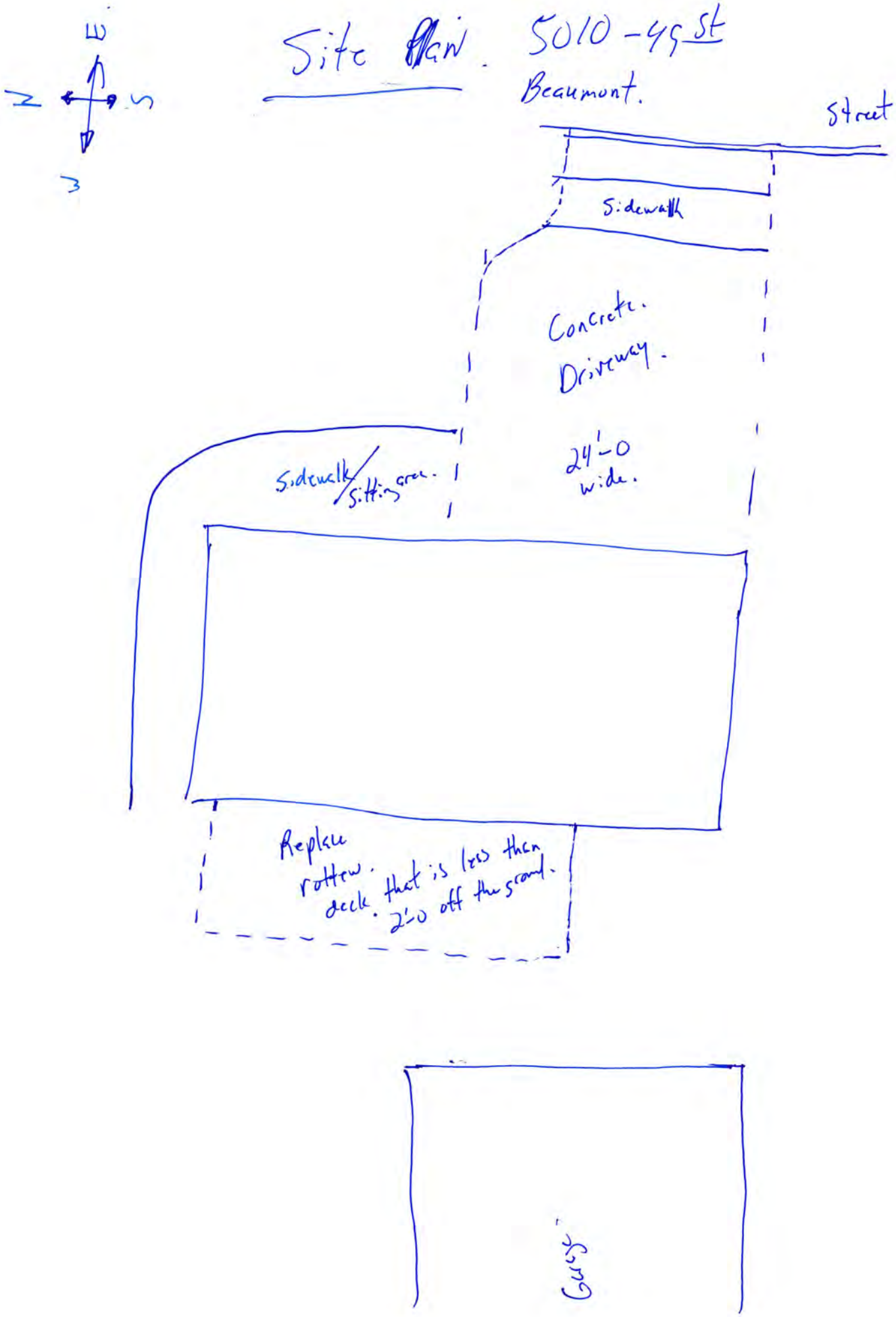
Building Permit

See Attached Report

Safety Codes Officer: Designation No. Date:

The personal information requested on this form is being collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected will be used for the purpose of permit review and inspection processes and may be communicated to relevant City Business Units, utility providers, and Alberta Health Services. It may also be used to conduct ongoing evaluations of services received from City Business Units. The name of the applicant and the nature of the permit will be available to the public. If you have any questions about the collection or use of your personal information, contact the City of Beaumont's FOIP Coordinator at 5600-49th Street, Beaumont, Alberta, T4X 1A1 or 780.929.8782.


Back alley
Access.
Garage
Deck
House
Property line
24'-0"
Driveway
Sidewalk.
Front
Yard.
42'-0"
144'-0"
Property line.
46"
Sidewalk.
9'-0"
Curb
50'-0"


W
N
S
E
Site Plan. 5010 - 45 St
Beaumont.
Street
Sidewalk
Concrete.
Driveway.
24'-0
wide.
Sidewalk/
Sitting area.
Replace
rotten.
deck that is less than
2'-0 off the ground.
Curb

City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit
Notice of Decision

Date of Decision: July 2, 2025

Sam Bilsky
49037 Range Road 230
Leduc County, AB T0B 3M3

Proposed Development: **Secondary Access**: *Front Driveway 12.8m x 7.32m (24' x 42')*
Legal Description: Plan 8445ET, Block 1, Lot 22
Municipal Address: 5010 49 Street, Beaumont, AB
Land Use District: Mature Neighbourhood
Permit Application No: D-2025-41
Tax Roll: 000071

Development Permit Status: Refused

Development Permit Conditions

The development noted above is considered a Discretionary Use within the Mature Neighbourhood District and has been **refused** by the Development Authority for the following reasons: Be sure to review all the documentation included with this permit.

1. The City of Beaumont Land Use Bylaw 944-19, Section 5.4.4(j), states:

   The Development Authority shall not approve an application for a [discretionary] *Development Permit that is not in conformity with the Municipality's Statutory Documents.*

   The Development Authority has determined that the proposed development is not in conformity with the City's Municipal Development Plan, *Our Complete Community*, Section 7.2.4, which states:

   Design of yards in Existing Residential and Future Residential areas shall limit the amount of impervious material coverage in order to protect the stormwater management system and enhance our public realm.

   The Development Authority has determined that the proposed development is not in conformity with the City's *Our Centre-Ville Area Redevelopment Plan*, Section 5.4.2.3, which states:

   Parking for low density residential developments may be provided from the front street if no alleys are provided.

2. The proposed development does not comply with Section 3.5.10.b.ii of Land Use Bylaw 944-19, which states that:
   "Parking lots shall not be located in the principal frontage."
   The Development Authority has determined that the proposed parking area is located within the principal frontage of the property, contrary to this regulation.

City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit
Notice of Decision

Date of Decision: July 2, 2025 **Permit Number: D-2025-41**

3. The proposed development does not comply with Section 3.5.10.d.ii of Land Use Bylaw 944-19, which states that:
   "Where the site is adjacent to a lane, the lane will be used for all vehicular access unless otherwise authorized by the Municipality."
   The proposed parking area is accessed from the public roadway (front street) rather than the rear lane, which is not permitted unless explicitly approved by the Municipality.

4. *Land Use Bylaw 944-19, Section 3.5.10*, requires that one (1) on-site parking stall shall be required per dwelling unit. It has been determined that existing parking accommodation within the property consists of a double, detached garage and two (2), to possibly four (4) driveway parking stalls, and that the addition of another 93.70m*2* of hard surfacing within the frontage would be excessive.

Permit Notification Information

In accordance with the City of Beaumont Land Use Bylaw 944-19, notice regarding this Development Permit has been published on our website, only.

For more information regarding this Development Permit, its conditions, or the Land Use Bylaw, contact the Development Authority who made the decision on this permit:

[redacted]
Aleshia Ingram
Planner II
780-340-0342
Aleshia.Ingram@beaumont.ab.ca

Appeal Information

Any Development Permit may be appealed to the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal if the permit was:
a) issued for a permitted use with a variance, or for a discretionary use, or
b) issued with conditions, or
c) refused.

An appeal may be filed by:
a) the person applying for the permit, and/or
b) any person affected by the issuance of the permit.

City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit
Notice of Decision

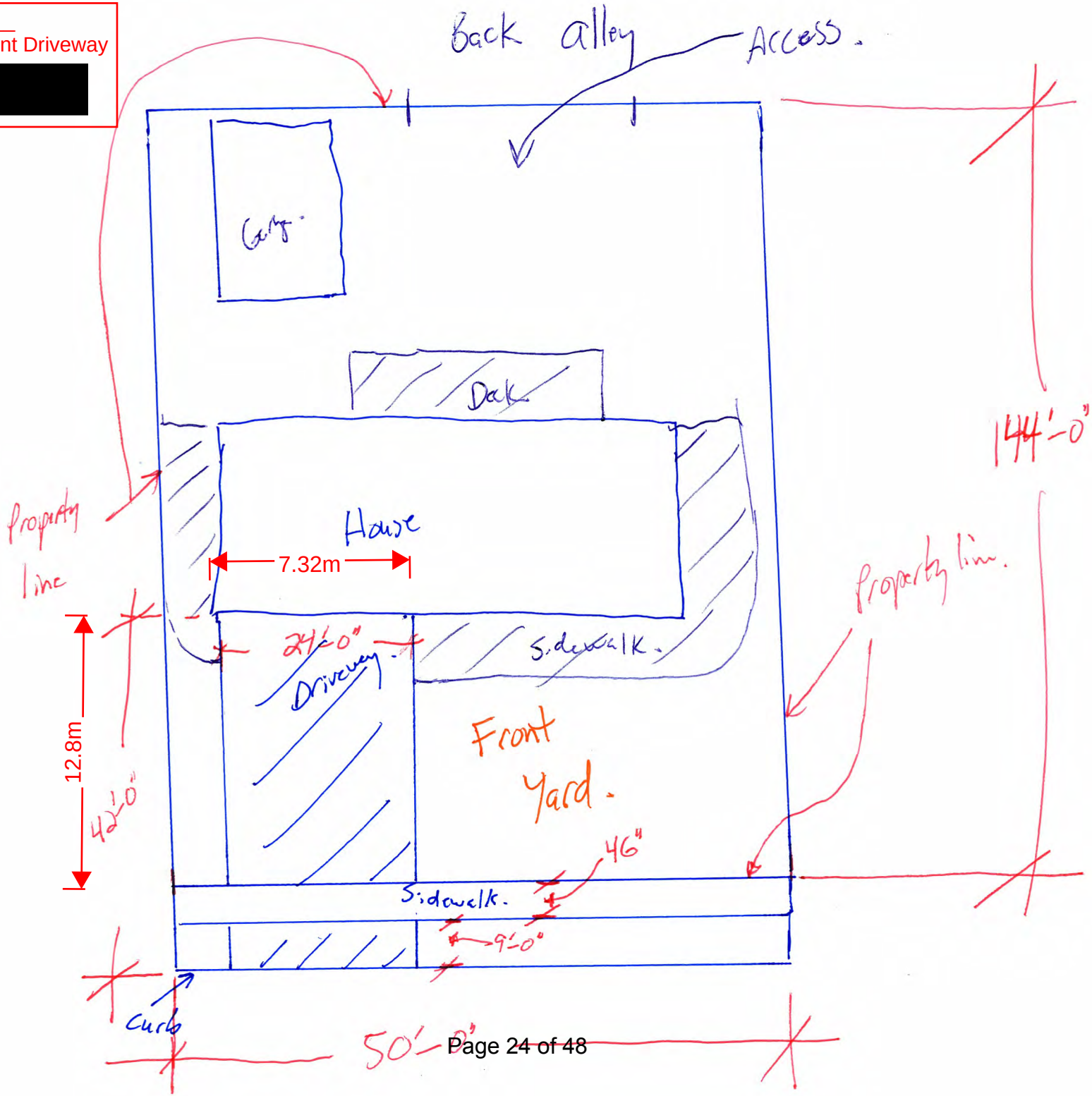
Date of Decision: July 2, 2025 **Permit Number: D-2025-41**

As the person applying for the permit, you may appeal the decision of the Development Authority regarding the permit or any conditions placed on the permit (as listed above) within 21 days after the date on which the decision is made.

Notice of Decision:	July 2, 2025
Appeal deadline:	July 23, 2025
Permit active (if no appeals filed)**:**	July 24, 2025

Please be advised that an appeal may be submitted in accordance with Section 685 of the Municipal Government Act with the Subdivision and Development Appeal Board within 21 days of the written decision. To file an appeal or to get information on the appeal process you must contact the Secretary of the SDAB directly at 780-929-8782 or at legislative@beaumont.ab.ca. Appeals must be filed no later than 4:30 p.m. on the date indicated above. Please visit our website for more details at www.beaumont.ab.ca

REFUSED July 2, 2025
For Secondary Access: Front Driveway
[redacted]



REFUSED July 2, 2025
For Secondary Access: Front Driveway
[redacted]

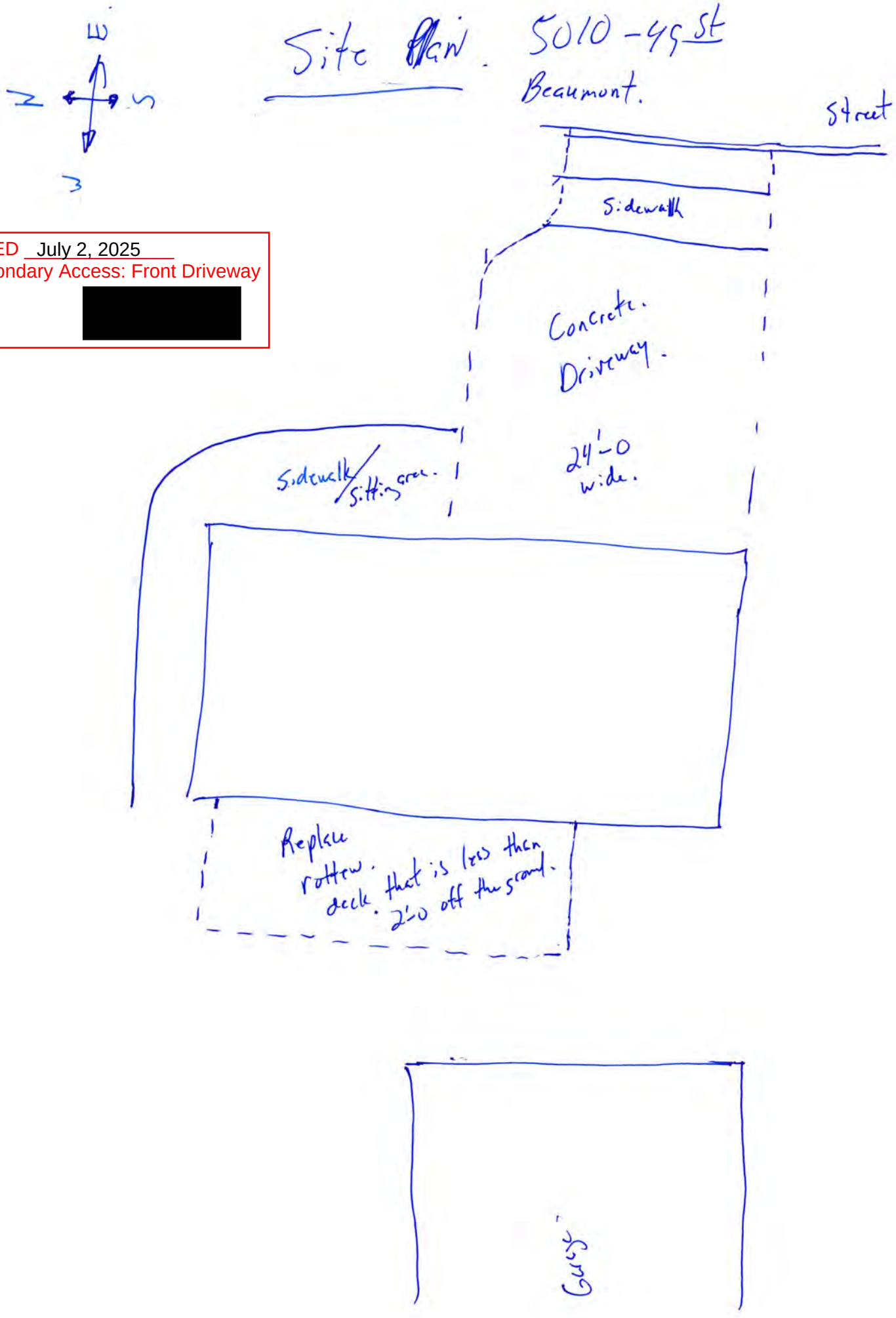


Exhibit 5 - Email Correspondence

Aleshia Ingram

From: Aleshia Ingram
Sent: Wednesday, July 2, 2025 11:39 AM
To: Sam B
Subject: 5010 49 Street, Beaumont
Attachments: D-2025-41 Notice of Decision.pdf

Hello,

Please, see attached Notice of Decision regarding your development permit application for a secondary access: front driveway on the above noted property.

Thank you,

Aleshia Ingram *(she/her)*
Planner II, Development Services
T: 780-340-0342

BEAUMONT
5600 49 Street, Beaumont, AB T4X 1A1
beaumont.ab.ca

The information transmitted is intended only for the addressee and may contain confidential material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you receive this in error, please contact the sender and delete or destroy this message and any copies.

Aleshia Ingram

From: Aleshia Ingram
Sent: Friday, June 20, 2025 1:56 PM
To: Sam B
Subject: 5010 49 Street, Beaumont
Attachments: D-2025-41 Deemed Complete.pdf

Hello,

Please see a Deemed Complete Notification regarding your development permit application for a secondary access located at the front on the above noted property. Review of this application has now commenced.

Thank you,

Aleshia Ingram
Planner II, Development Services
T: 780-340-0342

BEAUMONT
5600 49 Street, Beaumont, AB T4X 1A1
beaumont.ab.ca

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City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit Application
Deemed Complete Notification

June 20, 2025

Sam Bilsky
49037 Range Road 230
Leduc County, AB T0B 3M3

Proposed Development:	Secondary Access: *Front Driveway 12.8m x 7.32m (42' x 24')*
Legal Description:	Plan 8445ET, Block 1, Lot 22
Municipal Address:	5010 49 Street, Beaumont, AB
Land Use District:	Mature Neighbourhood
Permit Number:	D-2025-41
Tax Roll:	000071
Date Received:	May 30, 2025

Please be advised that your Development Permit Application has been deemed complete.

Review of this application has now commenced. The Municipality has 40 days from the date of this notice to make a decision on your development permit application. If a decision is not rendered within the 40 days, you may consider this application refused and an appeal may be submitted to the Subdivision and Development Appeal Board. Alternatively, the Development Officer may request an extension should additional time be required for review.

Regards

[redacted]
Aleshia Ingram
City of Beaumont
780-929-3329
development@beaumont.ab.ca

Aleshia Ingram

From: Aleshia Ingram
Sent: Wednesday, July 2, 2025 11:42 AM
To: Engineering
Cc: Bryce Piacentini
Subject: RE: 5010 49 Street - Proposed Secondary Access
Attachments: D-2025-41 Notice of Decision.pdf

Hello,

As a follow up to this permit application, I have refused for the following reasons listed in the attachment.

Thank you,

Aleshia Ingram *(she/her)*
Planner II, Development Services
T: 780-340-0342

BEAUMONT
5600 49 Street, Beaumont, AB T4X 1A1
beaumont.ab.ca

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From: Aleshia Ingram
Sent: Friday, June 20, 2025 2:03 PM
To: Engineering <Engineering@beaumont.ab.ca>
Cc: Bryce Piacentini <Bryce.Piacentini@Beaumont.ab.ca>
Subject: RE: 5010 49 Street - Proposed Secondary Access

Hi Parth,

Thank you for your response and for outlining the rationale behind Engineering's recommendation.

I have spoken with the applicant to advise that, based on the review and comments received, I am not likely to support the proposed secondary front access. The applicant has indicated that they may pursue an appeal of the decision.

Should any further clarification or information be required as the file progresses, I will be in touch.
Thank you again for your assistance.

Aleshia Ingram
Planner II, Development Services
T: 780-340-0342

5600 49 Street, Beaumont, AB T4X 1A1
beaumont.ab.ca

The information transmitted is intended only for the addressee and may contain confidential material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you receive this in error, please contact the sender and delete or destroy this message and any copies.

From: Engineering <Engineering@beaumont.ab.ca>
Sent: Monday, June 9, 2025 1:30 PM
To: Aleshia Ingram <Aleshia.ingram@beaumont.ab.ca>
Cc: Engineering <Engineering@beaumont.ab.ca>; Bryce Piacentini <Bryce.Piacentini@Beaumont.ab.ca>
Subject: RE: 5010 49 Street - Proposed Secondary Access

Hi Aleshia,

The property currently seems to have a garage located on the West site at rear alley, with existing lane access.

This application contradicts the rule City is applying for new development areas where a lane is available, vehicular access must be constructed exclusively from the lane.

They are some homes on this street that has a front driveway leading but it provides access to the rear garage. But this is not he case for the Some homes on this street have front driveways that lead to rear garages, but this is not the situation for the proposed home. A variance might have been considered under different circumstances. Essentially, the proposed driveway indicates an on-site parking space that does not provide direct access to the garage. The request for a driveway leading to a residential dwelling is uncommon.

Constructing this driveway would also disrupt the uniformity of access for homes utilizing rear lane access and may compromise the existing infrastructure, as there is insufficient justification for permitting a driveway to the house instead of the garage.

Engineering does not recommend permitting a driveway pad in the front yard.

Let me know if you have any questions.

Thanks,

Parth

From: Aleshia Ingram <Aleshia.ingram@beaumont.ab.ca>
Sent: June 3, 2025 1:33 PM
To: Engineering <Engineering@beaumont.ab.ca>
Subject: 5010 49 Street - Proposed Secondary Access

Hello,

We have received a development permit application for a secondary access at 5010 49 Street. The property owner is proposing to construct a 24 ft wide front driveway from the street, in addition to the existing rear driveway. A copy of the submitted application is attached for your reference.

Upon review, I noted that the proposed driveway location overlaps with existing services. Based on a quick measurement, the CC valve appears to be located approximately 22.4 feet from the south property line. Therefore, it is highly likely that the proposed 24 ft wide driveway would encroach upon these services.

Could you please review the application and advise whether Engineering would support this proposal? If support is possible, are there any conditions/advisements that should be included as part of the approval?

Please provide any comments by **June 6th**.
Thank you,

Aleshia Ingram
Planner II, Development Services
T: 780-340-0342

BEAUMONT
5600 49 Street, Beaumont, AB T4X 1A1
beaumont.ab.ca

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Sam Bilsky

From: Development <Development@beaumont.ab.ca>
Sent: May 23, 2025 3:39 PM
To: Sam Bilsky
Subject: RE: driveway
Attachments: IMG_0002.pdf; IMG_0001.pdf

Good afternoon Sam,

Please add the following to the site map:
- The length and width of the full lot — 50'-0" wide X 144' long.
- Please mark the location of the front yard –
- Please indicate the location of the rear lane
- Add the length of the driveway (only includes width currently).

Kind regards,

Nicole Sampson
Permit Services Coordinator
P: 780-670-8942
BEAUMONT
5600 49 Street, Beaumont, AB, T4X 1A1

From: Sam Bilsky <SBilsky@fcmi.net>
Sent: Friday, May 9, 2025 12:45 PM
To: Development <Development@beaumont.ab.ca>
Subject: driveway

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi

Please see attached .

Thanks
Sam Bilsky

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Development Authority Presentation

August 11, 2025

Proposed Development

Development Permit No. D-2025-41
Secondary Access for Front Driveway
5010 49 Street

Application

Subject Property

Existing Front Accesses on the Block

5004 – access to detached garage, no rear lane access

5006 – access to detached garage, no rear lane access

5008 – additional access developed prior to adoption of Bylaw 944-19, non-conforming use

5014 - access to detached garage, no rear lane access

5007A - additional access developed prior to adoption of Bylaw 944-19, non-conforming use

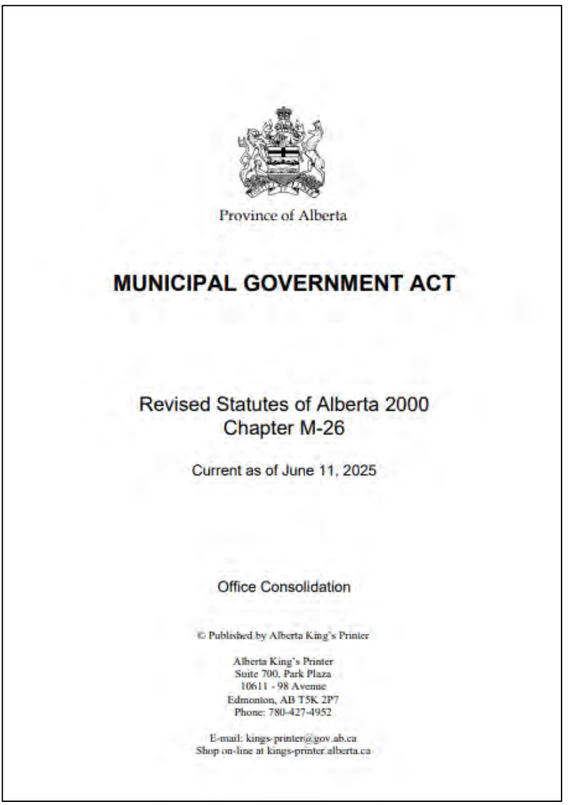
Remaining 17 lots, rear access only.

Driveway and Access Evaluated through a Development Permit

Section 3.5.10.d.ii of the Land Use Bylaw “where a site is adjacent to a lane, all vehicular access shall be from the lane unless authorized by the Municipality.

- Initial authorization granted by the Municipality at subdivision approval, if applicable.
- Driveway location and size reviewed as part of development permits with associated uses (new home, additional dwelling unit, etc.)
- Expansion or development of an additional driveway/access reviewed through a development permit.

Development Authority Review: Municipal Government Act



Province of Alberta

MUNICIPAL GOVERNMENT ACT

Revised Statutes of Alberta 2000
Chapter M-26

Current as of June 11, 2025

Office Consolidation

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Section 640(6) – Discretionary Decisions by DA

A Development Authority may approve a non-compliant or non-conforming development if:

- It does not unduly interfere with neighbourhood amenities
- It does not materially affect the use, enjoyment, or value of nearby properties
- It conforms to the prescribed use in the Land Use Bylaw

Section 642(4) – Development Permit Refusal

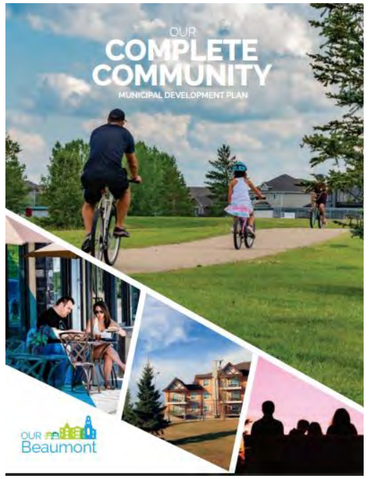
If a development permit is refused, the Development Authority must:

- Provide written notice to the applicant
- Follow the format outlined in the Land Use Bylaw
- Include clear reasons for the refusal

Development Authority Review: Land Use Bylaw

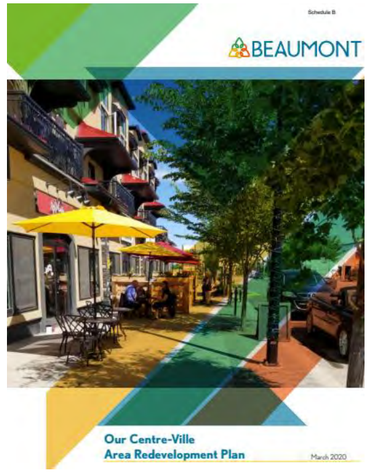
5.4.4 The Development Authority:

j) Shall not approve an application for a development permit that is not in conformity with the Municipality's Statutory Plans.



Section 7.2.4

Design of yards in Existing Residential and Future Residential areas shall limit the amount of impervious material coverage in order to protect the stormwater management system and enhance our public realm.



Section 5.4.2.3

Parking for low density residential developments may be provided from the front street if no alleys are provided.

Development Authority Review: Land Use Bylaw

Section 3.5.10

a) MINIMUM PARKING STANDARDS			
i.	Agriculture Uses	Agriculture – General	-
		Agriculture – Intensive	-
		Agriculture – Urban	-
		Cannabis Production and Processing	-
		Medical Cannabis Production	-
ii.	Residential Uses	Dwelling Unit(s)	
		Mobile Home	1 stall per unit over 75 m^2
		Temporary Dwelling Unit(s)	

Development Authority Review: Land Use Bylaw

Section 3.5.10.b.ii:

ii.	Pedestrian Network Design	Parking lots shall be designed to efficiently, comfortably, and safely direct pedestrians from parking areas and entrance features. Walking areas shall be a minimum of 2 m wide, be well marked, be separated by grade from driving or parking areas, and be integrated with landscaping. Parking lots shall not be located in the principle frontage.

Section 6

Parking Lot	a parking area which is located on an area of land and is not accessory to a particular use or development.

Section 3.5.10.d.ii.:

d)	ACCESS STANDARDS	
i.	Number of Accesses	All lots require a minimum of 1 access to the site from a legal and physical public roadway and shall be approved by the Municipality. Additional accesses shall have prior approval from the Development Authority.
ii.	Lane Access	Where the site is adjacent to a lane, the lane will be used for all vehicular access unless otherwise authorized by the Municipality, such as where a front attached garage frontage type is used with a lane.

Presentation Summary

- The proposed Development is:
  - a Discretionary Use in the Mature Neighbourhood District
  - not in conformity with the Municipality's Statutory Documents
  - located within the principal frontage, which is contrary to the LUB
  - in addition to lane access that has a parking pad and an accessory structure for parking vehicles.
  - There is sufficient parking available onsite which allows for 2 to 4 parking stalls.

Therefore, the Development Authority has refused the permit.

Questions?

(1) Being that my property is so close to down town when ever there are any special events in the down town core the over flow parking spills onto our street making it impossible to find parking on the street.

(2) There are several properties with front and back parking spots. Literally the neighbors on either side of my property, plus many others.
There is a president that has been established in the neighborhood that I feel would be unfair to me, to impose a restriction that may be something that could apply to a new subdivision that is not right next to a City centre.
The president that has been set is that a front and rear approach is acceptable.

(3) With the fact that our location is literally right down town and traffic can be excessive. It would be much safer being able to pull into my own driveway to unload groceries and children verses doing it on a busy public street.

(4) Thanks for your consideration in this matter.

[redacted]

From: Sam B <[redacted]
Sent: Tuesday, August 5, 2025 1:46 PM
To: Legislative <Legislative@beaumont.ab.ca>
Cc: Legislative <Legislative@beaumont.ab.ca>
Subject: Re: NOTICE OF HEARING: SDAB Hearing 25-07

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Hi
In addition to my previous statements I would add that the houses on either side of my property have both front and back access and parking .
One of the houses has a front attached car port and a back yard garage which would suggest that it definitely was approved by the city for a front approach and rear garage .
I am not asking for two garages just a parking spot in front .
Thank you for your consideration in this matter .
Sam Bilsky
Sent from my iPhone

Outlook

permit 2025-41 refusal

From Anne Berreth [redacted] >
Date Tue 8/5/2025 1:46 PM
To Legislative <Legislative@beaumont.ab.ca>

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I totally agree with the refusal of allowing a secondary front driveway access to 5010-49 st. They have ample parking on front street in front of their home and the back of their lot via back alley access.
Thank you
Anne Berreth
[redacted]
Beaumont Ab