

SUBDIVISION AND DEVELOPMENT APPEAL BOARD A G E N D A

DATE: January 14, 2026
TIME: 6:30 p.m.
LOCATION: Council Chambers
3rd Floor, 315 Jespersen Avenue

1. Call to Order
6:30 p.m.
2. Appeal Hearing - PLDPR202501225

Appellants/Applicants:

Harman Kandola
Jaskaran Sandhu

Against the against the refusal of Development Permit PLDPR202501225 to construct an as-built rear uncovered deck, measuring 1.27 m in height and 3.37 m x 4.40 m in size, resulting in a total site coverage of 51.5%, which exceeds the maximum permitted 50% site coverage within the R1-Mixed Low to Medium Density Residential District, at 5 Sydwyck Circle (Plan 2422030; Block 1; Lot 42). The Development Permit Application was refused on December 1, 2025.

3. Adjournment

City of Spruce Grove Subdivision and Development Appeal Board

Appeal Number: PLDPR202501225

Appellants/Applicants: Harman Kandola and Jaskaran Sandhu on behalf of Victory Homes

Civic Address	Legal Description
5 Sydwych Circle	Plan 2422030; Block 1; Lot 42

Exhibit List

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EXHIBIT 1

DEVELOPMENT PERMIT No. PLDPR202501225

TIMELINES

Development Permit Application Received	November 19, 2025
Development Permit Application Decision Issued	December 1, 2025
Notice of Appeal Received	December 12, 2025
Development Permit Appeal Period Expiry Date	December 22, 2025
Notice of Hearing Sent to Appellants/Applicants	December 17, 2025
Notice of Hearing Sent to Adjacent Property Owners	December 18, 2025
Notice of Hearing Advertised on City's Website	December 22, 2025
Notice of Hearing Advertised in Newspaper	January 2, 2026
Subdivision and Development Appeal Board Hearing	January 14, 2026

EXHIBIT 2

Planning Application

project number: PLDP202501225 master project: 5 Sydwyc Cir - Deck type: Development Permit - Residential status: Waiting for Appeal date entered: 11/19/2025

primary contact: VICTORY HOMES LTD, Address:1665 91 ST SW, Phone:(780) 395-9191 primary location: 5 SYDWYCK CIR

Planning Application Details

department: Planning Department project lead: Anshu Gupta jurisdiction: City of Spruce Grove site area (gross ha):

name: To construct a deck location description: 2422030;1;42

proposed use: Other number of lots:

appeal deadline date: 12/22/2025 advertised date: decision deadline: 01/03/2026 type of decision (dp only): Permitted

date submitted: 11/19/2025 date application deemed complete: 11/24/2025 expiration date: date closed: entered by: Web Registered

comments: To construct a deck

public notice summary:

inspector notes: total estimated valuation: \$0.00

I acknowledge that I have read and understood the Terms and Conditions as set out in the document provided in the link below. I am aware that by clicking the "Do you agree" button below, I am freely and voluntarily agreeing to those terms and conditions. ☒ do you agree?

Application Types + Add Application Type

Type: Accessory Building / Structure - Deck status: Waiting for Appeal status date: 12/01/2025 approval track: Administrative

description: To construct a deck

estimated valuation: \$0.00 development existing or commenced: ☐

☒ 0 impact fees ☐ add calculation

Work Item	Unit	Quantity	Amount	Total	Credit
Residential AFG					
number of units (required)		1			
height		0.58			
total area m2				9.59	

adjusted valuation: (total of non credit * assess %) minus total of credit: \$0.00

Associations Submittals Fees Contacts Hearings Activities Locations

[Generate Fees and Submittals](#)

Locations + Add Location

Description	Type	Status	Property Alert	Primary	Display
5 SYDWYCK CIR	Address	Active	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2422030;1;42	Property	Active	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Temporary Location

[Add Related Parcels, Addresses and Owners](#) [Show Map](#)

Contacts + Add Contact

Description	Type	Contact Alert	Primary	Portal
LANDREX INC., Address:206 SUMMIT CENTRE, Phone:(780) 458-5263	Property Owner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VICTORY HOMES LTD, Address:1665 91 ST SW, Phone:(780) 395-9191	Applicant	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICTORY HOMES LTD, Address:1665 91 ST SW, Phone:(780) 395-9191	Owner Builder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[Update Owner](#)

EXHIBIT 3



315 Jespersen Avenue
Spruce Grove, AB T7X 3E8

Phone: (780) 962-7582
Fax: (780) 962-1062

Business Hours
8:30 a.m. - 4:30 p.m. (Mon - Fri)

Notice of Application Refusal

Application: **PLDPR202501225**

Date: December 01, 2025

VICTORY HOMES LTD
1665 91 ST SW
Edmonton, AB T6X 0W8

Project Information


Civic Address: 5 SYDWYCK CIR;
Legal: 2422030;1;42
Project: To construct a deck

The application for the above noted development permit has been refused.

REASONS FOR REFUSAL:

The as-built rear uncovered deck, measuring 1.27 m in height and 3.37 m x 4.40 m in size, results in a total site coverage of 51.5%, which exceeds the maximum permitted 50% site coverage within the R1-Mixed Low to Medium Density Residential District.

In accordance with Section 14(3), the Development Authority cannot grant a variance to the regulations governing maximum site coverage.


Anshu Gupta
Development Officer

APPEAL PERIOD EXPIRY DATE: December 22, 2025

Important Notices

✍ If you wish to appeal the decision of the Development Officer, a completed form along with the appeal fee can be submitted in the following manner:

In person	By mail
City Hall 315 Jespersen Avenue Spruce Grove, AB	Clerk of the Subdivision and Development Appeal Board c/o City Clerk's Office City of Spruce Grove 315 Jespersen Avenue Spruce Grove, Alberta T7X 3E8

The request for appeal shall be submitted within the appeal expiry date.

EXHIBIT 4



315 Jespersen Ave, Spruce Grove, AB
Phone: 780-962-2611

M-F: 8:30 a.m. – 4:30 p.m.

NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development or Subdivision Application No.: PLDPR202501225	Appeal of the <input type="checkbox"/> Approval <input type="checkbox"/> Conditional approval <input checked="" type="checkbox"/> Refusal	<input checked="" type="checkbox"/> Representing group <input type="checkbox"/> List of names attached
Stop Order Dated: _____		

APPELLANT – REQUIRED			
Appellant Name: Victory Homes Ltd.		Home Phone No.:	Work Phone No.: 780-395-9191
Mailing address: 1665 91 St SW	City: Edmonton	Province: AB	Postal Code: T6X 0C8
Signature: <i>Harman Kandola</i>	Date: December 12 2025		
Email	permit@victoryhomescanada.com		

APPELLANT'S REPRESENTATIVE			
Appellant Name: Tidal Law LLP		Home Phone No.:	Work Phone No.: (825) 540-6077
Mailing address: 6520 36 St NE Unit # 1155	City: Calgary	Province: AB	Postal Code: T3J 4C8
Email	jsandhu@tidallaw.ca		

ADDRESS OF SUBJECT SITE – REQUIRED		
Suite:	Street Address: 5	Street Name: Sydney Circle
Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian / Lot 42 / Block 1 / Plan 242 2030 /		

REASON FOR APPEAL - REQUIRED
See attachment for reason for appeal.

OFFICE USE ONLY		
Appeal Period Expiry Date: December 22, 2025	Date Appeal Received: December 12, 2025	Receipt No.: 2384778

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer an appeal to the Subdivision and Development Appeal Board. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.

SCHEDULE “A”

Reason for Appeal

DP# PLDPR202500402

The appeal is submitted because the site coverage exceeds the maximum permitted 50% by 1.1%, which is solely the result of the uncovered deck having a height greater than 0.6 m, thereby triggering its inclusion in site coverage calculations for RPR Compliance. A minor variance of 1.1% is therefore requested.

Under Land Use Bylaw C-824-12, Section 14, the Development Authority may grant a variance where it does not interfere with neighbourhood amenities, nor materially impact the use, enjoyment, or value of adjacent properties. The requested variance meets these requirements for the following reasons:

1. No Neighbourhood Impact

- The uncovered deck's minor excess height does not affect sightlines, privacy, or the use and enjoyment of neighbouring parcels.
- The variance does not alter the character of the R1 – Mixed Low to Medium Density Residential District.

2. Minimal and Technical in Nature

- The 1.1% overage is minimal and strictly the result of the deck being marginally above 0.6 m.
- All other aspects of the development comply with the intent of the bylaw and do not create any adverse effects.

3. Compliance With All Other Requirements

- The applicant has demonstrated full compliance with The City of Spruce Grove in all other land use regulations, inspections, and safety requirements.

4. Avoidance of Undue Hardship

- Denial of the variance would create unnecessary financial hardship for the applicant, including avoidable reconstruction costs on an otherwise compliant project.
- The current owners would also be negatively affected by delays or disruptions.

5. Conforms With Planning Intent

- The variance maintains the intent of the R1 district by preserving neighbourhood consistency and ensuring no material impact to adjacent properties.

6. Reference to Schedule A – Comparable Deck Examples

- To support this appeal, the Applicant has included **Schedule “B”**, which provides visual examples of other properties within the surrounding neighbourhood that have similar uncovered deck configurations. These comparable properties illustrate that the subject deck is consistent with existing development patterns and does not negatively impact neighbourhood character, privacy, or property values. The visual references further demonstrate that the requested 1.1% variance is minor and in keeping with the built form commonly found in the area.

The Applicant requests that the Subdivision and Development Appeal Board approve a 1.1% variance for the RPR, as the excess is minor in nature, does not interfere with neighbourhood amenities or neighbouring properties, complies with all other City of Spruce Grove land use, inspection, and safety requirements, and its refusal would create unnecessary hardship for both the applicant and the homeowners.

SCHEDULE "B"

1. 5 Sydwyck Circle



2. 11 Sydwyck Circle



3. 28 Sydwyck Circle



EXHIBIT 5

December 18, 2025

City Clerk's Office

[Name/Address]

Dear [Name]:

RE: NOTICE OF HEARING – SUBDIVISION AND DEVELOPMENT APPEAL BOARD
Development Permit PLDPR202501225, Plan 2422030, Block 1, Lot 42, 5 Sydwyck Circle

An appeal has been filed on the refusal of Development Permit PLDPR202501225 to construct an as-built rear uncovered deck, measuring 1.27 m in height and 3.37 m x 4.40 m in size, resulting in a total site coverage of 51.5%, which exceeds the maximum permitted 50% site coverage within the R1-Mixed Low to Medium Density Residential District, at 5 Sydwyck Circle. The Development Permit Application was refused on December 1, 2025.

The Subdivision and Development Appeal Board (SDAB) will hold an appeal hearing as follows:

DATE: Wednesday, January 14, 2026

TIME: 6:30 p.m.

LOCATION: Council Chambers, Third Floor, City Hall
315 Jespersen Avenue, Spruce Grove

When an appeal is filed with the Subdivision and Development Appeal Board (SDAB), all persons who own property within 30 meters of the development are notified of the hearing by way of this letter. In addition, the applicant of the development permit, and the person(s) who filed the appeal will also receive a copy of this letter.

Persons mentioned above and affected by this development have the right to submit a written, verbal, and/or visual submission to the Board. When making a submission, keep in mind that in accordance with the legislation that governs the SDAB, the Board can only consider relevant planning matters when rendering its decision. For more information about the Board, Appeal and Hearing process, visit sprucegrove.org/SDAB.


If you wish to submit written material to the Board for inclusion in the hearing agenda package, it should be received by the Clerk by **Wednesday, January 7, 2026, at 12 noon** by email at cityclerk@sprucegrove.org, or by mail to SDAB Clerk, 315 Jespersen Avenue, Spruce Grove, AB, T7X 3E8. Visuals such as PowerPoint presentations, photos, or graphics are considered written submissions. If you are unable to meet this submission deadline, please bring 10 copies of the materials to the hearing and it will be distributed at the start of the hearing. Any written and/or visual material received will be made available to the public.

We will be pleased to answer any questions you may have regarding the appeal and can also provide information or advice on Board procedures and how to make presentations to the Board. A helpful Information Guide is available at sprucegrove.org/SDABAppeal. Please feel free to contact me at 780-962-7634 ext. 342 should you have any questions.

Yours truly,

Laura Hall
Clerk, Subdivision and Development Appeal Board
Email: lhall@sprucegrove.org
Phone: 780-962-7634 ext. 342

5 Sydwyck Circle

Notification letters sent to properties marked with 

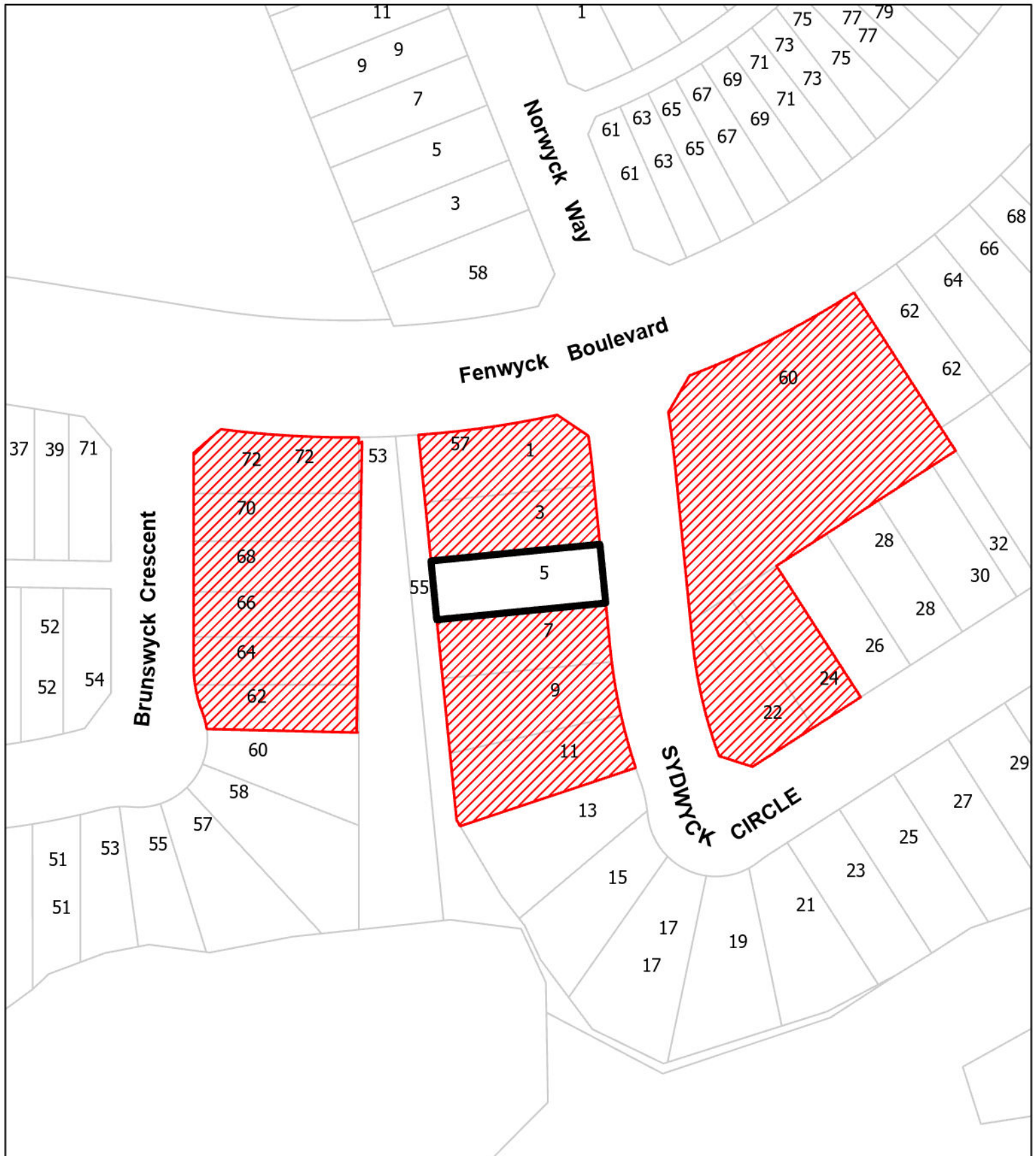


EXHIBIT 6

PAGE REMOVED

Information has been removed to be consistent with Section 20
of the *Access to Information Act*.

EXHIBIT 7

5 Sydwyck Circle

Site Plan

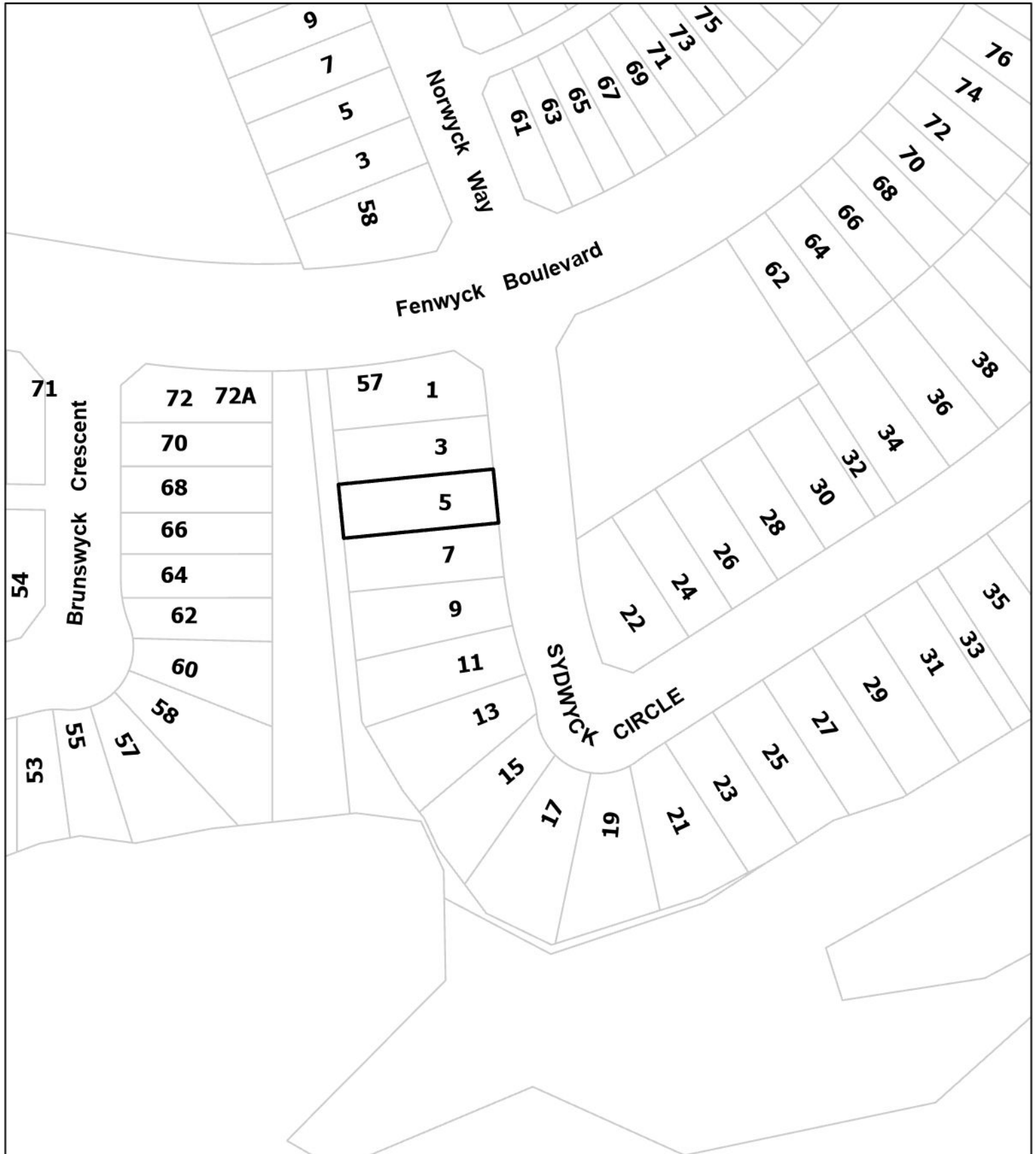


Scale: 1:1,200

EXHIBIT 8

5 Sydwyck Circle

Subject Site



Scale: 1:1,200

EXHIBIT 9



File No: 242-2030-1-42

Date of Report: December 22, 2025

Date of Hearing: January 14, 2026

Subject: An appeal against the development permit refusal for the as-built rear uncovered deck at 5 Sydwyck Circle (Plan 2422030; Block 1; Lot 42).

I. BACKGROUND INFORMATION

On May 01, 2025, the Development Authority conditionally approved Development Permit No. PLDPR202500402 for a single detached dwelling with an attached garage.

On November 05, 2025, the Planning & Development Department received an application for a Compliance Certificate of a Real Property Report.

On November 10, 2025, the Development Authority issued a Compliance Review Letter to the applicant, notifying that the as-built rear uncovered deck measuring 3.37 m by 4.40 m and 1.27 m in height required a development permit.

On November 19, 2025, the applicant submitted a development permit application in response to the Compliance Review Letter for an as-built rear uncovered deck measuring 3.37 m by 4.40 m and 1.27 m in height.

On December 01, 2025, the Development Authority refused Development Permit No. PLDPR202501225 for the as-built rear uncovered deck measuring 3.37 m by 4.40 m and 1.27 m in height, with an appeal period expiry date of December 22, 2025.

On December 12, 2025, the applicant filed an appeal regarding the decision on Development Permit No. PLDPR202501225 to the Subdivision and Development Appeal Board.

The following is a summary of information relevant to the application:

Development Permit No.: PLDPR202501225

Date of Decision: December 01, 2025

Date of Appeal Received: December 12, 2025

Municipal Development Plan: Land Use Designation: Residential

Area Structure Plan: East Pioneer

Land Use Bylaw Relevant Sections: Section 7 - Definitions

Section 11 - Where a Development Permit is Not Required

Section 14 - Variances

Section 115 - R1 - Mixed Low to Medium Density Residential District

Land Use District: R1 - Mixed Low to Medium Density Residential District

Legal Land Description: Plan 242 2030; Block 1; Lot 42

Municipal Address: **5 Sydwyck Circle**

Type of Development: As-built rear uncovered deck measuring 3.37 m by 4.40 m and 1.27 m in height

II. LAND USE BYLAW C-824-12 AND INFORMATION RELATING TO THE APPEAL

Section 7 defines a 'Deck' and a 'Site Coverage'.

A 'Deck' is defined as

"An unenclosed platform or series of platforms with direct access to the ground. A Deck may be attached to a Dwelling. A Deck is deemed to be accessory to the Principal Building on the Site."

A 'Site Coverage' is defined as

"The combined area of all Buildings or structures on a site measured at the approved Grade and expressed as a percentage of the total Site area. Site coverage shall not include any allowed Projections, Hard Surfacing, or Decks that are less than 0.6 m above Grade."

Section 11 specifies the circumstances under which a development permit is not required. The regulation under this section that applies to this appeal is as follows:

"(1)(e) Decks, patios and stairways that do not exceed 0.6 m in height."

Section 14 regulates variances. The regulation under this section that applies to this appeal is as follows:

"(3) Notwithstanding Sections 14(1) and 14(2), the Development Officer shall not grant a variance from the regulations prescribing Site Coverage, or Density. Subject to Sections 14(1) and 14(2), the Development Officer may grant a variance from the regulations prescribing Height up to 10% of the maximum prescribed Height."

Section 115 regulates development on lands zoned as R1- Mixed Low to Medium Density Residential District. The regulation under this section that applies to this appeal is as follows:

"(2) Development Regulations- Site Coverage (Maximum), which allows for 50% and 57% for Street Oriented Row Housing; this shall only apply to internal Dwelling units with no Side Yard. In cases where the garage is not an integral part of the principal dwelling, the Dwelling shall not exceed 40% coverage at 57%."

III. STAFF COMMENTS

In accordance with Section 7- Site Coverage, a deck that is more than **0.6 m** above grade must be included in the site coverage calculation. As per Section 11(1)(e), a deck less than 0.6 m above grade does not require a development permit. The subject deck is greater than 0.6m above grade, so a development permit is required. Section 115(2) allows to have a maximum site coverage of **50%**.

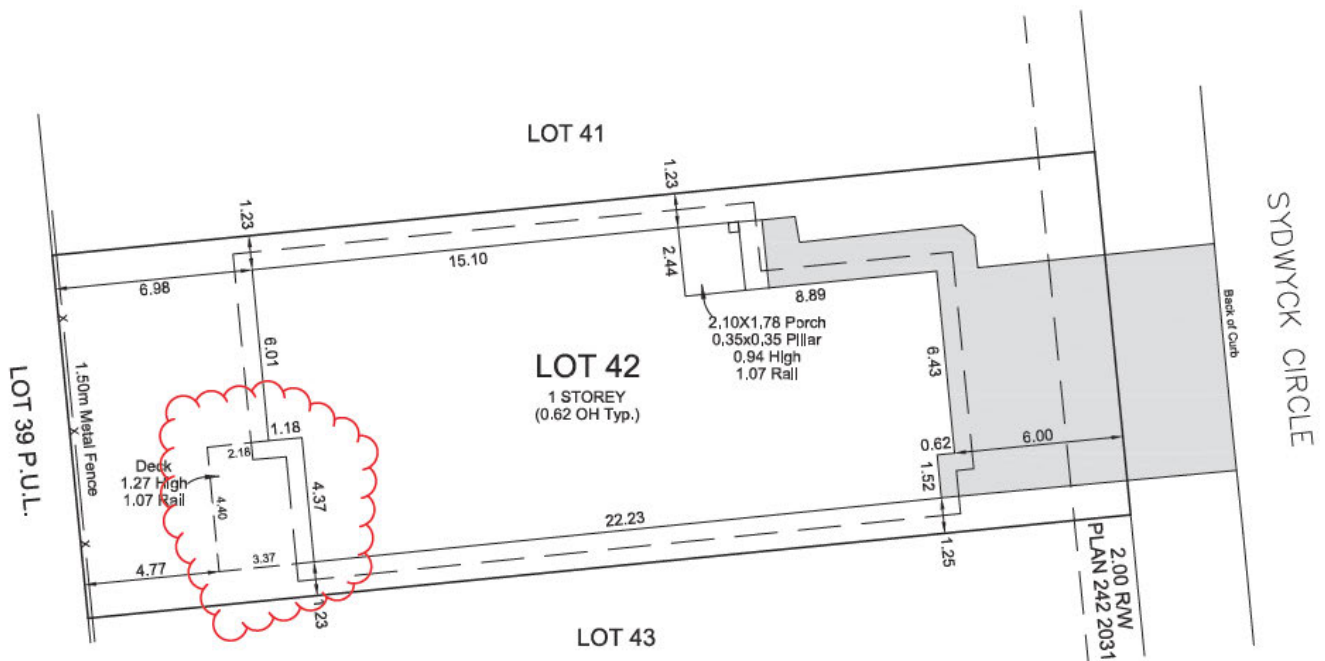
The subject lot is zoned as R1 - Mixed Low to Medium Density Residential District. The as-built rear uncovered deck, measuring **1.27 m** in height and 3.37 m by 4.40 m in size (as shown below), results in a total site coverage of **51.5%**. This exceeds the maximum permitted site coverage of **50%** by **1.5%** within the R1 - Mixed Low to Medium Density Residential District and does not meet the regulation set out under Section 115(2) (as specified above) of Land Use Bylaw C-824-12.



Site photo showing as-built rear uncovered deck, measuring 1.27 m in height and 3.37 m by 4.40 m in size

Source: City of Spruce Grove

The snapshot of the Real Property Report (as shown below) is one of the submittals of the application for Development Permit No. PLDPR202501225. The snapshot illustrates the dimensions and the location of the subject deck.



Snapshot of Real Property Report showing as-built rear uncovered deck,
measuring 1.27 m in height and 3.37 m by 4.40 m in size
Source: Development Permit Application Submittal

Further, Land Use Bylaw Section 14(3) does **not** allow a variance for regulations governing the maximum Site Coverage. Accordingly, the Development Authority refused Development Permit No. PLDPR202501225 for the as-built rear uncovered deck, measuring 1.27 m in height and 3.37 m by 4.40 m in size pursuant to Section 14(3) of the Land Use Bylaw C-824-12.