

## Hearing Materials

In-person Hearing - Council Chambers, 2nd Floor Red Deer City Hall  
Wednesday, March 18, 2026, commencing at 5:00 p.m.

- 1. Appeal Number SDAB 001 2026:** This appeal was filed in regard to the Proposed Merchandise Sales & Rentals, February 10, 2026 City of Red Deer Development Authority refusal of the Development Permit Application by the Appellant, 2714666 Alberta Ltd. The lands are zoned District Control Zone No. 28, located at 5237 54 Avenue.

On March 5, 2026, a Notice of Hearing was issued to the Appellant, the City Authority and the owners of 16 property addresses within 100 metres of the subject property. Fourteen mailing addresses are in Alberta, one mailing address is in British Columbia, and one mailing address is in Colorado.

Appeal Filed.....	page 3
Notice of Refusal from City Authority.....	page 9
Notice of Hearing to Parties.....	page 12
Notice of Hearing to Area Landowners.....	page 14
Proximity Address Report as of March 4, 2026.....	page 16
Proximity Address Map as of March 4, 2026.....	page 17

**Hearing Materials****Exhibit Listing**

<b>Appeal Number 0262 001 2026</b>		
<b>Hearing Date: March 18, 2026</b>		
<b>Exhibit No.</b>	<b>Description</b>	<b>No. of pages</b>
<b>A.1</b>	<b>Hearing Materials</b>	<b>14</b>
<b>B.1</b>	<b>City Authority Submission</b>	<b>51</b>

**Red Deer Subdivision & Development Appeal Board**

<b>Section 1: Appellant Information - this will be provided to the opposing parties to facilitate the exchange of information.</b>			
Name of Appellant 2714666 Alberta Ltd / Good Deals Red Deer		Agent Name (if applicable) Joe Hajas	
[Redacted]		Age [Redacted]	Province AB
Alternate Phone # [Redacted]		[Redacted]	

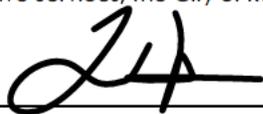
<b>Section 2: Site Information</b>	
Municipal Address of Site (Street Address, City, Province, Postal Code) 5237 54 Ave Red Deer, Alberta, T4N 5K5	Legal Description of Site (must be completed) 8420286;4;13
Development Permit Number or Subdivision Application Number (if applicable) DP088629	Date of Decision of Appropriate Authority (if applicable) Tuesday, February 10, 2026

<b>Section 3: Appeal (check <u>one box only</u> and attach a copy of the Decision, Notice or Order that is the subject of the appeal)</b>		
<b>Subdivision Application</b>	<b>Development Permit</b>	<b>Stop Order</b>
<input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal	<input type="checkbox"/> Stop Order

<b>Section 3: Reasons for Appeal</b>
You <u>must</u> include reason(s) you are appealing the decision of the Subdivision/Development Authority or a Stop Order.
Please see attached page
<small>(attach a separate page if required)</small>

<b>Section 4: Hearings (Hearings are scheduled within 30 days - please indicate any days that you are NOT available)</b>
I am not available on the following dates:

Personal information that is collected on this form will be used in processing your appeal and contacting you. Appeals are open to the public. This information is collected under the authority of the *Municipal Government Act* and is protected under the provisions of the *Protection of Privacy Act*. If you have any questions about the collection, use and protection of this information, please contact the Board Clerk, Legal & Legislative Services, The City of Red Deer, Box 5008, Red Deer, AB T4N 3T4 by email [appeals@reddeer.ca](mailto:appeals@reddeer.ca) or phone 403-342-8132.



Signature of Appellant/Agent

March 2nd, 2026

Date

**- OFFICE USE ONLY -**

<b>Appeal Fee</b>	<b>Appeal Information</b>	DATE RECEIVED STAMP
<input type="checkbox"/> \$75.00 (Appeal)	Appeal File #: _____	
<input type="checkbox"/> \$75.00 (Advertising - additional fee for subdivisions only - commercial/industrial)	Appeal Deadline: MM DD YYYY _____	
Amount Payable: _____	Hearing Date: MM DD YYYY _____	
Fee Processed: MM DD YYYY _____		

## Red Deer Subdivision & Development Appeal Board

### What can I appeal?

You can appeal a decision of the Municipal Planning Commission, the Development Authority, the Subdivision Authority, or a Stop Order if:

- Your application has been denied;
- Your application was approved with conditions unacceptable to you;
- You object to a Stop Order;
- You are a neighbor affected by an application that was approved; and/or
- Other reasons as may be permitted by law.

### What should the Notice to Appeal Form include?

As much information as possible so that the Subdivision and Development Appeal Board can understand what you are appealing and why you are appealing it, this includes: the date of issuance of the decision or the date of the Order; an explanation of your proposed development or the use you intend on the property; and/or a list of specific reasons why you feel your appeal should be granted. You will have opportunities to provide additional documents (e.g., site plans and elevations or a drawing of the site and buildings, including photographs) prior to the hearing.

### When is the filing deadline?

The Notice of Appeal must be received by the Subdivision and Development Appeal Board within twenty-one (21) days of the decision that you are appealing, as per the Municipal Government Act. Your Notice to Appeal Form must be accompanied by a non-refundable \$75.00 filing fee and may be subject to a further \$75.00 advertising fee for industrial and commercial applications. There is no charge for a person who is affected by the subdivision or development but does not have a legal or equitable claim in the site.

### How can I file an appeal?

You can file an appeal by submitting the completed Notice to Appeal Form and any additional information in one of the following ways:

**Email:** [appeals@reddeer.ca](mailto:appeals@reddeer.ca)

**Mail:** Clerk of Appeal Boards c/o Legal & Legislative Services  
Box 5008, Red Deer, AB T4N 3T4

**In-Person:** Clerk of Appeal Boards c/o Legal & Legislative Services  
City Hall, 4914 – 48 Avenue, Red Deer, AB T4N 3T3

### How can I pay the filing fee?

You can pay the filing fee over the phone, by mail or in-person.

**Phone:** Credit card with a Customer Service Representative from Payments at City of Red Deer

**Mail:** Cheque or money order (payable to the City of Red Deer) to:  
Clerk of Appeal Boards c/o Legal & Legislative Services  
Box 5008  
Red Deer, AB T4N 3T4

**In-Person:** At City Hall (4914 – 48 Avenue, Red Deer) by cash, cheque (payable to City of Red Deer), debit or credit card

### When will my appeal be heard by the Board?

The Board Clerk will schedule a Hearing date within 30 days from the date that you file your appeal and will notify you in writing of the date, time, and place of the Appeal Board Hearing. For development appeals, the Board Clerk will notify adjacent property owners within 100 meters of the subject property. For subdivision appeals, the Board Clerk will notify owners of adjacent property owners (as specified in *Municipal Government Act*).

### How do I submit hearing materials?

Both parties to the hearing will be asked to exchange their arguments (disclosure) within a reasonable timeframe. The purpose of disclosure is to assist the parties in preparing for the hearing and being aware of materials that will be presented. The timelines for disclosure will be outlined on the Notice of Hearing. You will be required to provide your pre-hearing disclosure to the opposing party and to the Subdivision and Development Appeal Board. Any additional information that is to be presented at the hearing must be provided with ten (10) copies which will be distributed to the Board Clerk, Panel members, and other parties present. All submissions at the hearing will be marked as exhibits and will become part of the public record.

For more information visit [www.reddeer.ca/tribunals](http://www.reddeer.ca/tribunals). If you require further information regarding filing deadlines and/or board procedures, please contact the Board Clerk at [appeals@reddeer.ca](mailto:appeals@reddeer.ca) or by phone at 403-342-8132.

### **Section 3 – Reasons for Appeal**

**Development Permit DP088629  
5237 – 54 Avenue, Red Deer**

**We are appealing the refusal of Development Permit DP088629 issued under Section 684(1) of the Municipal Government Act.**

**The Development Authority refused the application on the basis that the proposed use does not comply with parking requirements under Sections 3.230 and 3.240 of Zoning Bylaw 3357/2024, requiring 24 parking stalls where only 5 are provided on site.**

**We respectfully submit that the refusal does not appropriately consider the true nature of the proposed use, the historical context of the property, nor the practical effect of applying modern parking standards to a pre-existing warehouse building developed under earlier legislation.**

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#### **1. The Proposed Use Has Been Mischaracterized as Full Retail**

**The refusal calculates parking based on “Merchandise Sales and Rentals – 5.1 stalls per 93m<sup>2</sup> of Gross Floor Area,” treating the building as full retail.**

**However, our proposal is not traditional open retail.**

**The intended configuration is:**

- Approximately 6,000 sq. ft. main-floor showroom accessible to the public for browsing and higher-turnover goods.**
- Approximately 9,000 sq. ft. second floor used primarily for warehouse storage of large furniture and low-turnover goods.**
- Upper floor access is controlled and staff-supervised, not open browsing retail.**

**The building functions as a warehouse sales operation with ancillary retail showroom, not as 15,000 sq. ft. of unrestricted retail space.**

**Parking demand is driven primarily by publicly accessible showroom area — not total gross building area. Treating warehouse storage as retail floor area artificially inflates parking requirements beyond actual operational impact.**

**We are prepared to accept development conditions limiting public access to defined showroom space to formalize this distinction.**

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#### **2. Strict Application of Section 3.230 Results in Practical Sterilization of the Property**

**Section 3.230.1 requires additional parking when a change in site use increases parking requirements.**

**However, this building:**

- Was constructed with 5 parking stalls.
- Has historically operated as:
  - Warehouse
  - Motorcycle sales
  - Sporting goods retail
  - Place of worship

Many of these historical uses would not meet today's parking standards if assessed under current ratios.

Under the required rate of 5.1 stalls per 93m<sup>2</sup>, the building could effectively utilize only approximately 1,000 sq. ft. of its 18,000 sq. ft. total area before exceeding the 5-stall supply.

This renders the majority of the structure unusable.

The cumulative effect of Sections 3.230.1, 3.230.3, 3.230.4, and 3.230.7 is that no reasonable commercial use can comply — meaning the property is functionally sterilized.

The MGA does not intend for zoning regulations to deprive a landowner of all reasonable economic use of an existing building.

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### 3. The Parking Impact Is Lower Than Prior Uses

The most recent use of the building was as a place of worship, which typically involves concentrated gathering periods and peak occupancy.

Our proposed operation:

- Limits high-turnover retail to a defined main-floor showroom;
- Stores large, slow-moving furniture;
- Does not involve fixed service times or peak congregation periods;
- Distributes customer visits throughout the day.

The Development Authority did not assess the practical parking demand relative to previous occupancy patterns.

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### 4. Good Faith Efforts to Address Parking

We made substantial efforts to mitigate parking concerns:

- Attempted shared parking agreements with neighbouring businesses;
- Secured willingness from one adjacent property owner;

- Secured an agreement with another neighbouring business (not accepted due to landowner technicality);
- Proposed consideration of adjacent City-owned paved land currently used informally for parking.

The City declined consideration of the adjacent parcel due to potential future road development, despite no confirmed timeline or approved plan being presented.

Refusal based on speculative future infrastructure should not prevent reasonable present use of a constrained property.

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#### 5. Direct Control (DC28) Context

The property is governed under DC28, which planning staff indicated was intended to function as an extension of the downtown area, where parking availability is more limited and older building patterns exist.

Applying standard parking ratios designed for larger suburban parcels does not reflect the physical constraints or development pattern of this site.

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#### 6. Variance Authority

Under the Municipal Government Act, the Subdivision and Development Appeal Board has authority to grant variances where:

- The proposed development would not unduly interfere with neighbouring properties;
- It would not materially interfere with or affect the use, enjoyment, or value of neighbouring parcels;
- The development conforms with the prescribed use for the district.

Our proposal:

- Is consistent with the building's historical commercial function;
  - Does not intensify peak occupancy beyond prior operations;
  - Will not materially impact neighbouring businesses;
  - Represents adaptive reuse of an existing building rather than expansion.
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#### Relief Requested

We respectfully request that the Subdivision & Development Appeal Board:

1. Allow the appeal and approve Development Permit DP088629;

- 2. Grant a variance to the parking requirements recognizing:**
  - **The warehouse-dominant nature of the operation,**
  - **Controlled public access area,**
  - **Historical commercial use of the building,**
  - **Physical site constraints;**
- 3. Alternatively, approve the permit with conditions limiting public-access floor area.**

**2714666 ALBERTA LTD**  
5237 54 AVE  
RED DEER AB T4N 5K5

Tuesday, February 10, 2026

**City Permit Application #: DP088629**  
**Civic Address: 5237 54 AV**  
**Legal: 8420286;4;13**

**Proposed Merchandise Sales and Rentals**  
**Notice of Refusal – Development Permit Application**  
**Municipal Government Act (MGA) s. 683.1(9), s. 684(1), s. 685(1)(a) | Zoning Bylaw 3357/2024**

The City of Red Deer Development Authority has considered your Development Permit application and provides the following resolution:

**The Development Officer REFUSES the application submitted by the Applicant for a Development Permit on the Lands described above.**

**The application is Refused for the following reason(s):**

The Development Officer must determine whether the proposed development complies with all the relevant sections of The City of Red Deer Zoning Bylaw 3357/2024. The application was not compliant with the below regulation:

3.230.1 If changes are made to a Site use that requires increased Parking above what is currently provided, the additional Parking must be provided.

3.230.3 Unless otherwise determined by the Development Authority, Parking spaces must be on the Site.

3.230.4 Parking spaces on the Site must be provided for according to Table 3.240, unless otherwise stated, and any fractional number of required Parking stalls will be rounded down to the next whole number

3.230.7 Where a Building or Site, other than a Lease Bay Building or Shopping Centre, contains multiple uses, the minimum number of Parking spaces is the sum of the requirement for each use.

3.240 Required Parking Spaces Table:

- Merchandise Sales and Rentals 5.1 per 93.0m<sup>2</sup> of Gross Floor Area.

Requirement would be 24 parking stalls and applicant provided 5 onsite.

The operation of a Public Assembly is neither a Permitted nor Discretionary Use in The City of Red Deer Zoning Bylaw and as such a Development Permit cannot be processed for the use.

**Therefore**, the Development Authority has determined that the use proposed use does not comply with the requirements of the zoning bylaw, and the application is hereby refused in accordance with **Section 684(1)** of the **MGA**.

## **Right to Appeal**

When a Development Authority refuses a Development Permit, section 685 of the MGA allows the applicant, or a person affected by it, to appeal the decision. An appeal may be made to the Subdivision and Development Appeal Board (SDAB).

An appeal may be made by filing a written notice of appeal, stating the reasons for the appeal, within 21 days from the date the decision is made.

The appeal must be submitted to the SDAB clerk and must include the applicable appeal fee. Relevant portions of the MGA and the City of Red Deer *Tribunal Bylaw, 3680/2022 (Tribunal Bylaw)* are attached as "Schedule A" to this letter.

For appeal questions or to submit an appeal, contact:

SDAB Clerk  
**Legislative Services**  
City of Red Deer  
Box 5008, Red Deer, AB T4N 3T4  
legislativeservices@reddeer.ca  
403-342-8132

Issued By:



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Signature of Development Authority  
Jay Hallett  
Senior Development Officer  
City of Red Deer, Inspections & Licensing

## Schedule A - Legislation

MGA section 684(1) states:

*The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(b).*

MGA section 685 provides in part:

**(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 with subsection (2.1).*

MGA section 686 states in part:

**(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.*

Sections 42 to 44 of the Tribunal Bylaw state:

42. *Where there is a right to appeal to a board established pursuant to this bylaw, a person may commence an appeal by mailing or delivering a Notice of Appeal to the Designated Officer.*

43. *A Notice of Appeal must include the name and address of the person commencing the appeal, a copy of the notice or decision being appealed, the grounds for the appeal and the filing fee, deposit, or charge if required.*

44. *Notice of Appeal filing fees and charges are set out in Schedule B.*

Schedule B "Fees and Charges" of the bylaw specify the following with respect to appeals to the SDAB:

*\$75 at time of filing*

*Additional \$75 if required by the Board to be advertised*

*Where a person may be affected by a subdivision or development but does not have a legal or equitable claim in the site, or is not the agent of the person having such interest there is no fee*

March 5, 2026

APPELLANT

2714666 Alberta Ltd / Good Deals Red Deer

155 Malibou Road SW

[REDACTED] AB T2V 1X5

Email: joehajas@telus.net  
(paper copy to follow)CITY AUTHORITY

Inspections &amp; Licensing

3<sup>rd</sup> Floor, 4914 48 Avenue

Red Deer, AB T4N 3T4

Email: development@reddeer.ca  
(paper copy to follow)

To Whom it May Concern:

**RE: REVISED NOTICE OF HEARING**

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Further to our email correspondence and confirmation of receipt of appeal, the information for the Appeal Hearing is as follows:

<b>APPELLANT:</b>	<b>2714666 ALBERTA LTD / GOOD DEALS RED DEER</b>
<b>SUBJECT:</b>	<b>PROPOSED MERCHANDISE SALES AND RENTALS</b>
<b>SITE LOCATION:</b>	<b>5237 54 AVE RED DEER, ALBERTA</b>
<b>DATE OF HEARING:</b>	<b>WEDNESDAY, MARCH 18, 2026</b>
<b>TIME:</b>	<b>5:00 PM</b>
<b>LOCATION:</b>	<b>COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL, RED DEER</b>

The Board will hear arguments from you, and any other person who claims to be affected by the application. The general procedure for the Board is:

1. The Presiding Officer calls the hearing to order
2. The Presiding Officer asks the Clerk to introduce the appeal
3. The Presiding Officer introduces the members of the Board and asks for objections
4. The Board hears from the City Authority
5. The Board hears from the Appellant (person who filed the appeal)
6. The Board asks for comments from the public
7. The Board adjourns the hearing to deliberate and make a decision. The decision issued in writing within 15 days of the end of the hearing.

While written submission may be made at the hearing, it is recommended that you provide your initial written arguments in advance and in sufficient detail to allow the opposing Party to respond to the argument at the hearing. Please provide your written argument to the Board (care of the undersigned) **AND** the opposing Party (identified above) **no later than 12:00 p.m. (noon) on Monday, March 16, 2026.**

Red Deer Tribunals Phone: 403-342-8132 Email: Appeals@reddeer.ca

2<sup>nd</sup> Floor 4914 48 Avenue Box 5008

Red Deer, AB T4N 3T4



March 5, 2026

«Owner\_Name»  
«Owner\_Address1»  
«Owner\_Address2»

To Whom it May Concern:

**RE: NOTICE OF HEARING OF DEVELOPMENT APPEAL**

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This letter is to advise you that an appeal has been filed with the Red Deer Subdivision and Development Appeal Board. You are receiving this notice because our records indicate that you own property that is close to the address under appeal, and you may be affected.

<b>APPELLANT:</b>	<b>2714666 ALBERTA LTD / GOOD DEALS RED DEER</b>
<b>SUBJECT:</b>	<b>PROPOSED MERCHANDISE SALES AND RENTALS</b>
<b>SITE LOCATION:</b>	<b>5237 54 AVE RED DEER, ALBERTA</b>
<b>DATE OF HEARING:</b>	<b>WEDNESDAY, MARCH 18, 2026</b>
<b>TIME:</b>	<b>5:00 PM</b>
<b>LOCATION:</b>	<b>COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL, RED DEER</b>

If you are not able to attend and would like to give a written submission to the Board, please ensure delivery to this office (found below) by 1:00 p.m. on March 17, 2026. Please refer to appeal number #SDAB 001 2026.

The hearing is open to the public and the Board will provide an opportunity for any person who is affected by the matter under appeal to be heard.

All verbal and written submissions made to the Board, before or during the hearing, form part of the record of hearing and are public information. If you have any questions regarding the use of this information, please contact the Board Clerk at 403.342.8132 or visit [redeer.ca/SDAB](http://redeer.ca/SDAB).

Cordially,

Clerk of the Red Deer Tribunals  
Subdivision and Development Appeal Board

MAP OF AREA (100 meters)



Address Proximity - 100 metre - as of March 4, 2026

Owner Address1

5237 54 AVE  
3RD FLR, 4914 48 AV  
6021 57 AV

155 MALIBOU RD SW  
59 BANNERMAN CLOSE  
BOX 27093  
87-26540 HIGHWAY 11  
PO BOX 5008 STN POSTAL BOX CTR  
503-5208 53 AVE  
SITE 5 BOX 11 RR 4  
PO BOX 5008 STN POSTAL BOX CTR  
41 ALLARD CRES

3441 EAST HASTINGS ST  
5246 53 AVE  
200-371 CENTENNIAL PARKWAY  
5846 38 STREET CLOSE  
5215 54 AVE  
5230 53 AVE

Owner Address2

RED DEER AB T4N 5K5  
RED DEER AB T4N 3T4  
RED DEER AB T4N 4S8

CALGARY AB T2V 1X5  
RED DEER AB T4R 0L8  
RED DEER AB T4N 6X8  
RED DEER AB T4E 1A3  
RED DEER AB T4N 3T4  
RED DEER AB T4N 5K2  
LACOMBE AB T4L 2N4  
RED DEER AB T4N 3T4  
RED DEER AB T4R 3J2

VANCOUVER BC V5K 2A5  
RED DEER AB T4N 5K2  
LOUISVILL  
RED DEER AB T4N 0X8  
RED DEER AB T4N 5K5  
RED DEER AB T4N 5K2

Map of Area – 100 metres – as of March 4, 2026

