

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
March 1, 2017**

**Hearing Room No. 2
Churchill Building,
10019 - 103 Avenue NW,
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 2**

I	9:00 A.M.	SDAB-D-17-044	Change the Use from General Retail Stores to Child Care Services and to construct interior and exterior alterations (110 children) 5010 - 162 Avenue NW Project No.: 239164375-001
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II	11:00 A.M.	SDAB-D-17-045	Change the Use of a General Retail Store to a Child Care Service (main floor, maximum 56 children), and to construct interior and exterior alterations (new entryway, play area) (Meadowlark Daycare) 8721 - 156 Street NW Project No.: 232628846-001
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NOTE: *Unless otherwise stated, all references to “section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-17-044

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 239164375-001

APPLICATION TO: Change the Use from General Retail Stores to Child Care Services and to construct interior and exterior alterations (110 children)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 31, 2017

DATE OF APPEAL: February 1, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5010 - 162 Avenue NW

LEGAL DESCRIPTION: Plan 1523990 Unit 2

ZONE: (CNC) Neighbourhood Convenience Commercial Zone

OVERLAY: N/A

STATUTORY PLAN(S): Pilot Sound Area Structure Plan
Hollick Kenyon Neighbourhood Structure Plan

Grounds for Appeal

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

The childcare was denied to due to close proximity of the rapid drive through use, the applicant has separated out HVAC, traffic flow patterns, and separated the two uses with 10" of concrete precast walls. The traffic for the rapid drive through use is separated by a building setback surrounded by bollards and massive steel columns. No cars drive toward the actual use to access rapid drive through use

Our proposed development exceed the 50m distance to the Gas pump area, the development officer is measuring to the canopy and based on the way the "crow flies" we have separated the proposed childcare use between two building. The city of Edmonton has granted many other child care facilities within the city next and even abutting gas bars. Similar to Sunny View Child Development Center & Out Of School Care and others

our proposed child care area is secured from all other traffic on the CNC site other than the queing for the car wash. Queing is not at high speeds but rather when cars wait to enter the site. Based on past experience queing is only utilized a few months out of the year. Only the entrance of the rapid drive through is located within this parking area dedicated to the childcare use

On site parking:

According to the zoning bylaw and our interpretation (city did not provide parking calc), according to our calcs we require 12 drop off stalls and 15 staff stalls. We have provided 14 stalls which abut and will be dedicated to the building and the childcare use, drop off stalls can be utilized along 51st which we have added a side walk connection similar to that decision of this board for APPLICATION NO.: 186484308-002 where the city allowed for 0 on site drop off stalls as the neighboring street can provide this. Similar to public schools in the area and surrounding Edmonton

The development office is referencing the outdoor play space area as a "service area", we plan on keeping the landscaping and fence the proposed area within a set back area next to a side road, and parking lot to a neighboring site. No impacts to adjacent residents

Further submissions will be made. [unedited].

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
 - (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or

...

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 310.3(3), **Child Care Services** is a **Discretionary Use** in the (CNC) Neighbourhood Convenience Commercial Zone.

Under section 7.8(2), **Child Care Services** means:

a development intended to provide care, educational activities and supervision for groups of seven or more children under 13 years of age during the day or evening, but does not generally include overnight accommodation. This Use typically includes daycare centres; out-of-school care centres; preschools; and dayhomes/group family care providing child care to seven or more children within the care provider's residence.

Section 310.1 states that the **General Purpose** of the (CNC) **Neighbourhood Convenience Commercial Zone** is:

to provide for convenience commercial and personal service uses, which are intended to serve the day-to-day needs of residents within residential neighbourhoods.

<i>Child Care Services Regulations</i>
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Location requirements

Section 80.2(a)(v) states:

No portion of a Child Care Services Use, including the building bay and on-Site outdoor play space, where provided, shall be located adjacent to a building bay with an approved development permit for the following Uses:

- v. Rapid Drive-through Vehicle Services.

Section 80.2(c) states:

No portion of a Child Care Services Use, including the building, building bay and on-Site outdoor play space, where provided, shall be located within 50 m of a Major Service Station, a Minor Service Station or a Gas Bar. This distance shall be measured from the closest pump island, fill pipes, vent pipes, or service station or gas bar building, to the Child Care Services Use.

Section 80.2(d) states:

Where Site conditions exist which may negatively impact the Child Care Services Use, including but not limited to trash collection areas, large parking lots, loading docks, rail lines, or arterial public roadways, the applicant shall design the building, entrances, playspaces, landscaping, and Fencing, or similar, to mitigate these conditions to the satisfaction of the Development Officer.

Development Officer's Determination:

1. No portion of a Child Care Services Use, including the building bay and on-Site outdoor play space, where provided, shall be located adjacent to a building bay with an approved development permit for Rapid Drive-through Vehicle Services. (Reference Section 80(2)(a)(v))

The Child Care Service is proposed directly abutting a Rapid Drive-through Vehicle Services Use, contrary to Section 80(2)(a)(v).

2. No portion of a Child Care Services Use, including the building, building bay and on-Site outdoor play space, where provided, shall be located within 50 m of a Major Service Station, a Minor Service Station or a Gas Bar. This distance shall be measured from the closest pump island, fill pipes, vent pipes, or service station or gas bar building, to the Child Care Services Use. (Reference Section 80(2)(c))

The Child Care Service is proposed within 50m of the closest gas bar building, the Gas Bar is located on the same Site, contrary to Section 80(2)(c).

3. Where Site conditions exist which may negatively impact the Child Care Services Use, including but not limited to trash collection areas, large parking lots, loading docks, rail lines, or arterial public roadways, the applicant shall design the building, entrances, playspaces, landscaping, and Fencing, or similar, to mitigate these conditions to the satisfaction of the Development Officer. (Reference Section 80(2)(d))

In the opinion of the Development Officer, the location of the existing Rapid Drive-through Service with 9 service bays. and the queing aisle directly adjacent to the Child Care Service, would compound and create a dangerous and negative impact on the Child Care Service, contrary to Section 80(20)(d). [unedited].

Parking Requirements

Section 54.1(1)(b)(ii) provides the following with respect to *Off-street Parking and Loading Regulations*:

1. Applicability and Exceptions
 - b. Notwithstanding the above, the regulations contained within this Section shall not apply to buildings or Uses existing at the time of the adoption of this Bylaw, except that:

- ii. where any building or Use undergoes a change of Use, intensity of Use or capacity and the change results in an increase in the parking requirements, the off-street parking, including parking for the disabled and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or Use as modified in use; [...].

Section 54.1(2)(h) states:

In the case of the multiple Use of a Site, the Development Officer shall calculate the vehicular parking, Bicycle Parking and total off-street loading requirement for each individual Use and the total shall be deemed to be the required vehicular parking, Bicycle Parking or off-street loading for the Site, unless the applicant can demonstrate that there is complementary use of the parking or loading facilities which would warrant a reduction in the requirements. Where such reduction is made, this shall be considered a variance and the Development Officer shall state the reduction and the reasons for it on the Development Permit.

Section 54.2, Schedule 1(A)(33) states:

Community, Educational, Recreational and Cultural Service Use Classes	Minimum Number of Parking Spaces or Garage Spaces Required
Child Care Services	a) Passenger pick-up/drop-off spaces shall be provided at the rate of 2 pick-up/drop-off spaces for the first 10 children, plus 1 additional pick-up/drop-off space for every 10 additional children. i) Passenger pick-up/drop-off spaces shall be designated with signs to reserve the parking spaces for Child Care Service pick-up/drop-off, to the satisfaction of the Development Officer. ii) Passenger pick-up/drop-off spaces shall be located as close as possible to the main entrance used by the Child Care Service, and shall not be located further than 100 m from the main entrance used by the Child Care Service. The distance between the farthest parking space in the

	<p>pickup/drop-off area and the main entrance of the Child Care Service shall be measured along the shortest publically accessible pedestrian route.</p> <p>iii) An on-street loading zone shall satisfy a portion of the passenger pick-up/drop-off parking space requirement without a variance if the Development Officer, after consultation with Transportation Operations, is satisfied with the proposal.</p> <p>b) employee parking shall be provided at the rate of:</p> <p>i) 1 parking space per 100.0 m2 of Floor Area; or</p> <p>ii) 1 parking space per 360.0 m2 of Floor Area where the Child Care Service is proposed within 400 m of an LRT Station, Transit Centre, Transit Avenue, or all Lots within the boundaries of the Oliver Area Redevelopment Plan, as adopted by Bylaw 11618, as amended, or all Lots within the boundaries of the Strathcona Area Redevelopment Plan, as adopted by Bylaw 11890, as amended; or</p> <p>iii) Where the Child Care Service is for a dayhome/group family care providing care to 7 or more children within the residence of the child care provider, 1 parking space for each non-resident employee, in addition to the parking required for the primary Dwelling. Where a Front Yard Driveway provides access to a parking space that is not within the Front Yard, the Development Officer may consider this Driveway as the provision of a parking space that is in tandem.</p>
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Development Officer's Determination:

4. On site parking shall comply with Section 54.2, Schedule 1 of the Zoning Bylaw.

Required: 57 spaces

Proposed: 32 spaces

Deficient by: 25 spaces [unedited].

(CNC) Neighbourhood Convenience Commercial Zone Development Regulations

Section 310.4(5) states "A minimum Setback of 4.5 m shall be required where a Site abuts a public roadway, other than a Lane."

Section 310.4(6) states "A minimum Setback of 3.0 m shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone."

Section 310.4(7) states:

No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites, public roadways or a LRT line in accordance with the provisions of Section 55.5 of this Bylaw. If the rear or sides of a Site are used for parking, an outdoor service display area or both, and abut a Residential Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.

Under section 6.1(95), **Setback** means "the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space."

Development Officer's Determination:

5. No outdoor service or display area shall be permitted within a Setback. (Reference Section 310.4(7))

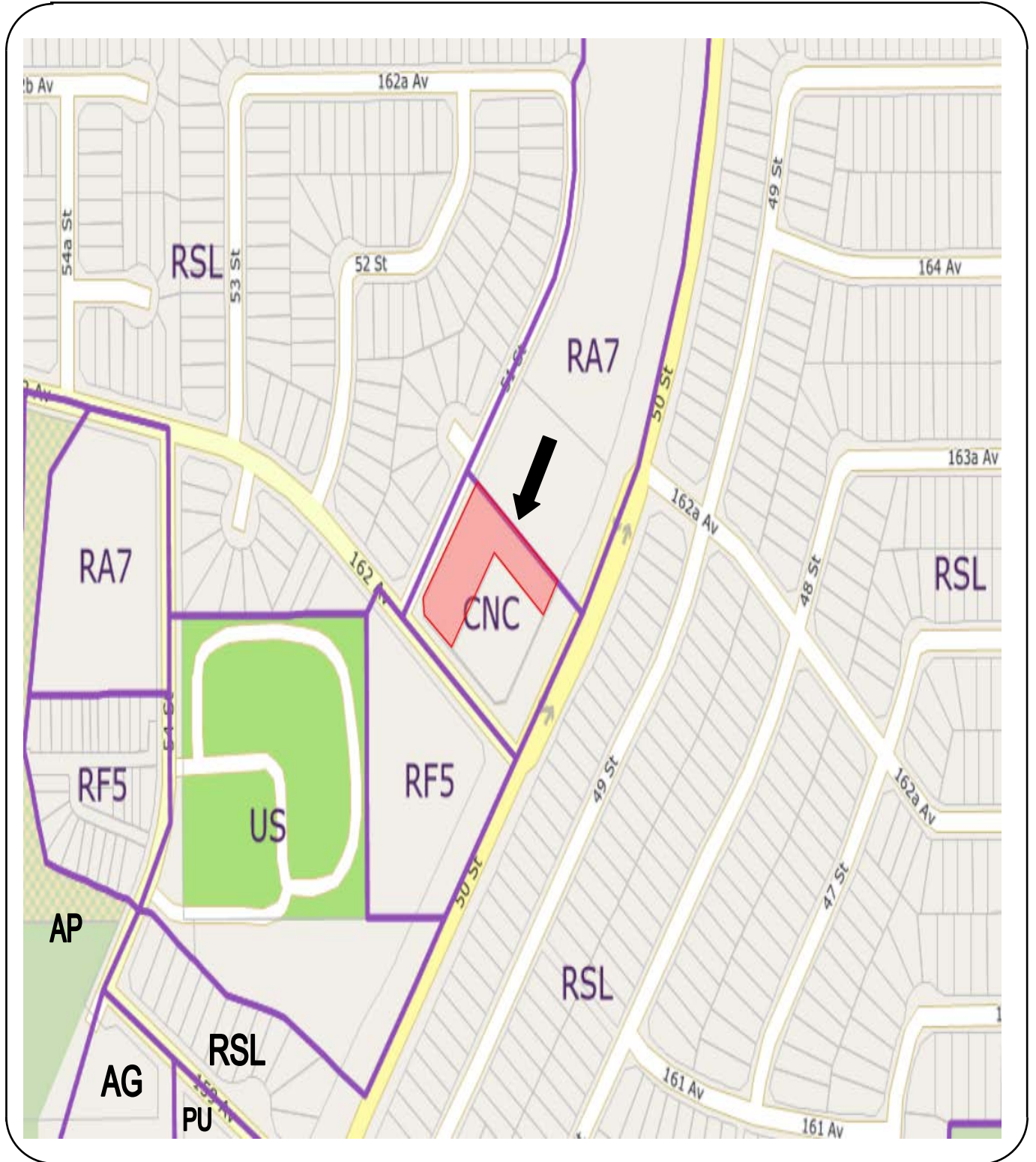
The proposed outdoor playspace (an outdoor service area) is located within two required setbacks, contrary to Section 310.4(7).

Advisements:

A. The proposed outdoor playspace includes required Landscaping as per Development Permit #187003360-001. Any development on the site must comply with the approved Landscaping Plan. [unedited].

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-044



ITEM II: 11:00 A.M.

FILE: SDAB-D-17-045

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER BY AN ADJACENT PROPERTY OWNER

APPELLANT:

APPLICATION NO.: 232628846-001

APPLICATION TO: Change the Use of a General Retail Store to a Child Care Service (main floor, maximum 56 children), and to construct interior and exterior alterations (new entryway, play area) (Meadowlark Daycare)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: January 12, 2017

NOTIFICATION PERIOD: January 19, 2017 to February 2, 2017

DATE OF APPEAL: February 1, 2017

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 8721 - 156 Street NW

LEGAL DESCRIPTION: Plan 2039AQ Blk 1 Lots 8-9

ZONE: (CSC) Shopping Centre Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

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

I wish to appeal this development permit based on errors in consideration of Sections:

80.2.a,c,d - in particular existing developments adjacent to the proposed development include a large busy lane way, rapid drive-through vehicle services, and close proximity to a service station.

11.4 - No unnecessary hardship was given or proven in granting the variance for this development.

11.3.1 - The zoning variance will most probably interfere with the use and enjoyment of my adjacent property. as a neighboring property owner for the past 11 plus years I have experienced constant and unrelenting conflicts with trespass parking stemming from the uses on the property in question. This additional high volume of vehicular traffic to the site will most assuredly intensify this conflict. Relaxing their parking requirements further will be detrimental to me.

13.5.3.g (v) - This site has no existing waste removal facilities. I have had previous conflicts with neighboring tenants from the property using my waste facilities. I anticipate that this will recur. Furthermore if the proposed development is to be required to have their own waste disposal this will further reduce the already woefully adequate parking space availability.

54.2(h) - The planner is required to calculate the total parking space requirement for all uses on the site and add them. I am confident after my discussion with the city planner for this proposal that the cumulative parking requirements are not being met. The upper floor tenant is a martial arts school with a large following. The second existing tenant is a religious assembly (church) with a significant congregation. (The city planner was not even aware of this existing use). The third proposed use is a large daycare with 56 child care spots and accompanying staff. The city planner was not able to accurately give me the total floor spaces for these three individual businesses nor was he able to give me the staffing requirements for the proposed space. Note: I will require this detailed information prior to the appeal.

54.2.32(a) - Daycare parking requirements are for 2 spaces for 1st 10 children and 1 space for each additional 10 children and 1 staff parking for every 117 sq. m. of floor space given that the development is within 400 meters of transit. by my calculation this is a requirement of at least 10 stalls. Note: street parking is not available on 156 street.

54.2.38 - Indoor participant recreation services (martial arts studio / school) parking requirements are for 1 parking stall for every 3.5 seats or 1 parking space per 3.3 sq. m. of floor space used by the patrons. I have a best guess estimate at least 6-8 required spaces.

54.2.45 - Religious assemblies require 1 space per 4 seats. If one estimates a small number of seats like 30, this would require an additional 8 seats at least.

To summarize, both logic and math do not support the further relaxation of parking requirements to support the approval of this development. Historically the property in question has had chronic parking deficiencies which has caused chronic and systemic conflicts which has limited the use and enjoyment of my neighboring property and caused financial hardship to myself.

I would ask that you give my appeal serious consideration.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

(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 to the subdivision and development appeal board.

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
 - (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or

...

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

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

...

- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;

...

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

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

- (i) the proposed development would not

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

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

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 320.2(3), **Child Care Services** is a **Permitted Use** in the (CSC) Shopping Centre Zone.

Under section 7.8(2), **Child Care Services** means:

a development intended to provide care, educational activities and supervision for groups of seven or more children under 13 years of age during the day or evening, but does not generally include overnight accommodation. This Use typically includes daycare centres; out-of-school care centres; preschools; and dayhomes/group family care providing child care to seven or more children within the care provider's residence.

Section 80 provides Special Land Use Provisions for Child Care Services.

Section 320.1 states that the **General Purpose** of the (CSC) **Shopping Centre Zone** is:

to provide for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes.

<i>Parking Requirements</i>

Section 54.1(1)(b)(ii) provides the following with respect to *Off-street Parking and Loading Regulations*:

1. Applicability and Exceptions
 - b. Notwithstanding the above, the regulations contained within this Section shall not apply to buildings or Uses existing at the time of the adoption of this Bylaw, except that:
 - ii. where any building or Use undergoes a change of Use, intensity of Use or capacity and the change results in an increase in the parking requirements, the off-street parking, including parking for the disabled and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or Use as modified in use; [...].

Section 54.1(2)(h) states:

In the case of the multiple Use of a Site, the Development Officer shall calculate the vehicular parking, Bicycle Parking and total off-street loading requirement for each individual Use and the total shall be deemed to be the required vehicular parking, Bicycle Parking or off-street loading for the Site, unless the applicant can demonstrate that there is complementary use of the parking or loading facilities which would warrant a reduction in the requirements. Where such reduction is made, this shall be considered a variance and the Development Officer shall state the reduction and the reasons for it on the Development Permit.

Section 54.2, Schedule 1(A)(33) states:

Community, Educational, Recreational and Cultural Service Use Classes	Minimum Number of Parking Spaces or Garage Spaces Required
Child Care Services	a) Passenger pick-up/drop-off spaces shall be provided at the rate of 2 pick-up/drop-off spaces for the first 10 children, plus 1

	<p>additional pick-up/drop-off space for every 10 additional children.</p> <p>i) Passenger pick-up/drop-off spaces shall be designated with signs to reserve the parking spaces for Child Care Service pick-up/drop-off, to the satisfaction of the Development Officer.</p> <p>ii) Passenger pick-up/drop-off spaces shall be located as close as possible to the main entrance used by the Child Care Service, and shall not be located further than 100 m from the main entrance used by the Child Care Service. The distance between the farthest parking space in the pickup/drop-off area and the main entrance of the Child Care Service shall be measured along the shortest publically accessible pedestrian route.</p> <p>iii) An on-street loading zone shall satisfy a portion of the passenger pick-up/drop-off parking space requirement without a variance if the Development Officer, after consultation with Transportation Operations, is satisfied with the proposal.</p> <p>b) employee parking shall be provided at the rate of:</p> <p>i) 1 parking space per 100.0 m² of Floor Area; or</p> <p>ii) 1 parking space per 360.0 m² of Floor Area where the Child Care Service is proposed within 400 m of an LRT Station, Transit Centre, Transit Avenue, or all Lots within the boundaries of the Oliver Area Redevelopment Plan, as adopted by Bylaw 11618, as amended, or all Lots within the boundaries of the Strathcona Area Redevelopment Plan, as adopted by Bylaw 11890, as amended; or</p> <p>iii) Where the Child Care Service is for a dayhome/group family care providing care to 7 or more children within the residence of the child care provider, 1 parking space for each non-resident</p>
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	employee, in addition to the parking required for the primary Dwelling. Where a Front Yard Driveway provides access to a parking space that is not within the Front Yard, the Development Officer may consider this Driveway as the provision of a parking space that is in tandem.
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Development Officer's Determination:

1. Parking - The Childcare Service requires 7 pick-up/drop-off parking spaces and 1 staff parking space, however the staff parking space has not been provided. Further the Site requires 11 parking spaces while only 7 have been provided, a deficiency of 4 parking spaces. (Reference Section 54.1.1.b.ii, & 54.2 Schedule 1(33)). [unedited].

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.



Project Number: **232628846-001**
 Application Date: OCT 13, 2016
 Printed: January 12, 2017 at 3:18 PM
 Page: 1 of 3

Major Development Permit

This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.

Applicant	Property Address(es) and Legal Description(s) 8721 - 156 STREET NW Plan 2039AQ Blk 1 Lots 8-9
	Specific Address(es) Suite: 201, 8721 - 156 STREET NW Entryway: 8721 - 156 STREET NW Building: 8721 - 156 STREET NW

Scope of Permit
 To change the use of a General Retail Store to a Child Care Service (main floor, Max. 56 children), and to construct interior and exterior alterations (new entryway, play area). (Meadowlark Daycare)

Permit Details	
Class of Permit: Class B Gross Floor Area (sq.m.): 277.96 New Sewer Service Required: N Site Area (sq. m.): 606.47	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: (none)

I/We certify that the above noted details are correct.
 Applicant signature: _____

Development Permit Decision
 Approved

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **232628846-001**
 Application Date: OCT 13, 2016
 Printed: January 12, 2017 at 3:18 PM
 Page: 2 of 3

Major Development Permit

Subject to the Following Conditions

1. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the building or Use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind. (Reference Section 54.1.1.c)
2. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices. (Reference Section 51)
3. Access from the site to 156 Street and the adjacent north south alley exists, as shown on Enclosure I. Any modification to the existing accesses requires the review and approval of Transportation Planning and Engineering.
4. Garbage enclosures must be located entirely within private property and doors of the garbage enclosure must not open or encroach into road right-of-way, as shown on Enclosure I.
5. Any alley, sidewalk or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Transportation Planning and Engineering, as per Section 15.5(f) of the Zoning Bylaw. The alley, sidewalks and boulevard will be inspected by Transportation Planning and Engineering prior to construction, and again once construction is complete. All expenses incurred for repair are to be borne by the owner.
6. All gate in the outdoor playspace shall be self latching. (Reference Section 80.3.a)
7. Concrete barriers or bollards shall be placed such that they protect the outdoor play area from the parking area and drive aisles. (Reference Section 80.2.d)

ADVISEMENTS:

- a. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)
- b. This Development Permit is NOT a Business Licence. A separate application must be made for a Business Licence. Please contact the 311 Call Centre (780-442-5311) for further information.
- c. Signs require separate Development Applications.
- d. A building permit is required for any construction or change in Use of a building. For a building permit, and prior to the plans examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre (780-442-5311) for further information.
- e. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.
- f. An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the Site. (Reference Section 5.2)
- g. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800 as amended.

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **232628846-001**
 Application Date: OCT 13, 2016
 Printed: January 12, 2017 at 3:18 PM
 Page: 3 of 3

Major Development Permit

VariANCES

1. Parking - The Childcare Service requires 7 pick-up/drop-off parking spaces and 1 staff parking space, however the staff parking space has not been provided. Further the Site requires 11 parking spaces while only 7 have been provided, a deficiency of 4 parking spaces. (Reference Section 54.1.1.b.ii, & 54.2 Schedule 1(33)).

Rights of Appeal

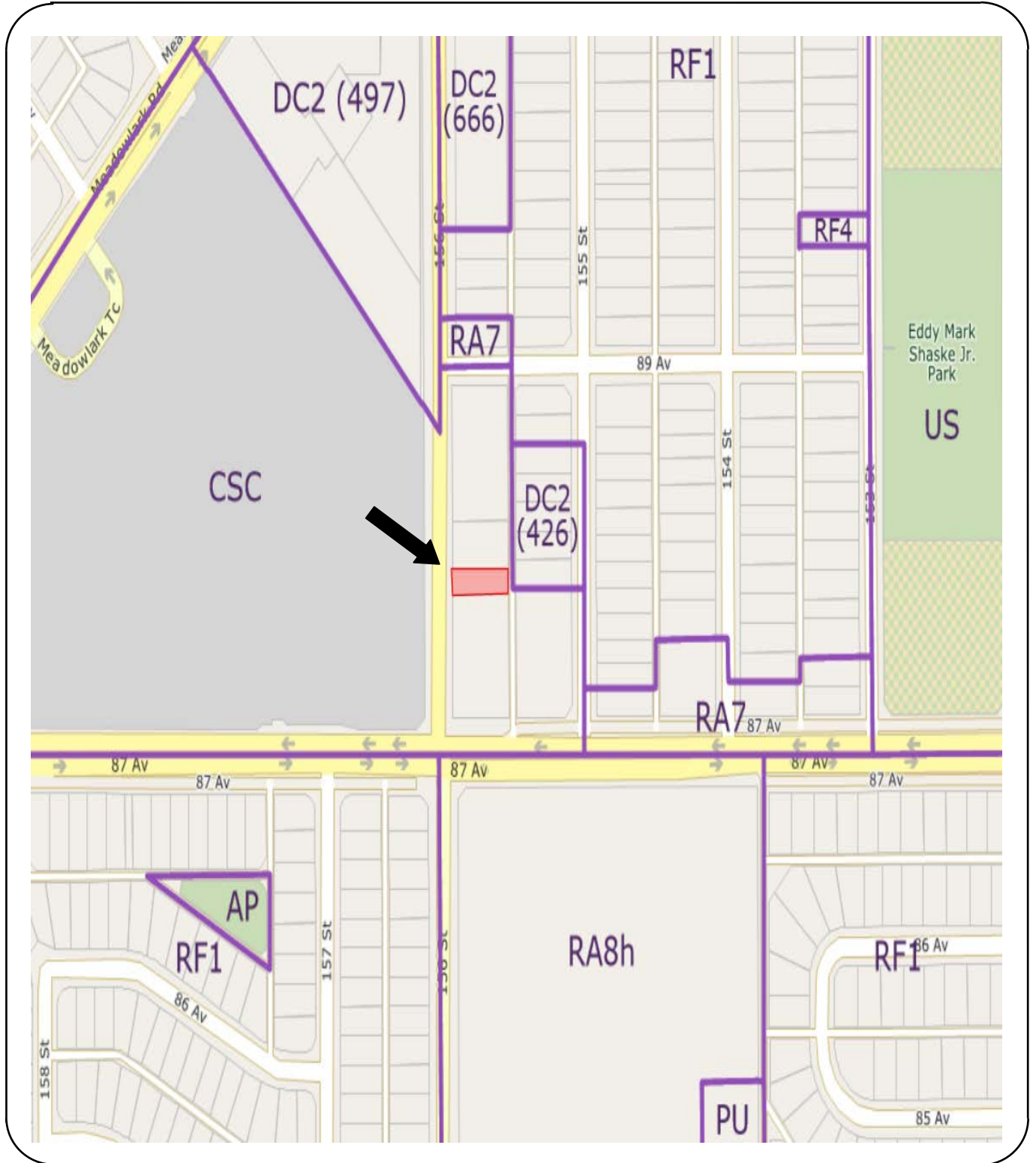
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Jan 12, 2017 **Development Authority:** ADAMS, PAUL **Signature:** _____
Notice Period Begins: Jan 19, 2017 **Ends:** Feb 02, 2017

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$306.00	\$306.00	03674929	Oct 13, 2016
DP Notification Fee	\$102.00	\$102.00		
Total GST Amount:	\$0.00			
Totals for Permit:	\$408.00	\$408.00		

The permit holder is advised to read the reverse for important information concerning this decision.



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-045

