

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
October 8, 2015**

**Hearing Room No. 3  
Churchill Building,  
10019 - 103 Avenue NW,  
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
HEARING ROOM NO. 3**

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I	9:00 A.M.	SDAB-D-15-234	Change the Use from General Retail Stores (main floor) and Professional, Financial and Office Support Services (second floor) to Child Care Services (136 children, 9, 0-11 months/ 8, 12-18 months/ 18, 19 months-3 yrs/ 24, 3 yrs-4.5 yrs/ 32, 4.5 yrs-7 yrs & 45, school aged children) and to construct interior and exterior (on-site outdoor play area) alterations (Sector 17 Plaza Daycare)  1752 - 34 Avenue NW Project No.: 176545362-001
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II	1:00 P.M.	SDAB-D-15-235	Increase the number of children in an existing Child Care Services Use building from 23 to 38 (adding 15 school aged children in basement) (Panda Cub House Childcare)  16203 - 55 Street NW Project No.: 142819242-008
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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-15-234

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

APPELLANT:

APPLICATION NO.: 176545362-001

ADDRESS OF APPELLANT:

APPLICATION TO: Change the Use from General Retail Stores (main floor) and Professional, Financial and Office Support Services (second floor) to Child Care Services (136 children, 9, 0-11 months/ 8, 12-18 months/ 18, 19 months-3 yrs/ 24, 3 yrs-4.5 yrs/ 32, 4.5 yrs-7 yrs & 45, school aged children) and to construct interior and exterior (on-site outdoor play area) alterations (Sector 17 Plaza Daycare)

DECISION OF THE DEVELOPMENT AUTHORITY: Appr. with Notices

DECISION DATE: September 3, 2015

DATE OF APPEAL: September 10, 2015

NOTIFICATION PERIOD: Sep 3, 2015 through Sep 17, 2015

RESPONDENT:

ADDRESS OF RESPONDENT: 1752 - 34 AVENUE NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 1752 - 34 AVENUE NW

LEGAL DESCRIPTION: Plan 1125688 Blk 62 Lot 2B

ZONE: CNC Neighbourhood Convenience

OVERLAY: N/A

STATUTORY PLAN: The Meadows Area Structure Plan  
Wild Rose Neighbourhood Structure Plan

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***Grounds for Appeal***

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

I expected the original development to be a low noise development. At the last moment the development has proposed to change into what I am sure will be a high noise development. The condominium building that I live in is adjacent to the proposed development and I expect that having a large number of children using a playground right outside my apartment will result in a greatly diminished quality of life for me due to the loud noise that children make while at play. I live on the fourth floor and there is nothing to stop the sound from travelling from the adjacent property into my property. There has been construction going on outside my apartment for the last four years. I have put up with enough noise during that period to last me for a lifetime. I bought this condominium because I thought it would be a nice quiet place to live.  
[unedited].

***General Matters***

**Appeal Information:**

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

**Grounds for Appeal**

**685(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,

...

(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.

The Board is advised that the decision of approval by the Development Officer is dated September 3, 2015. The Notice of Appeal Period began September 3, 2015 and ended September 15, 2015 and the Notice of Appeal was filed on September 10, 2015.

**General Provisions from the *Edmonton Zoning Bylaw*:**

Under section 310.3(3), **Child Care Services** is a **Discretionary Use** in the CNC Neighbourhood Commercial Convenience 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 Class typically includes daycare centres; out-of-school care centres; preschools; and dayhomes (providing child care within the care provider's residence).

Section 330.1 states the following with respect to the **General Purpose** of the **CNC Neighbourhood Commercial Convenience Zone**:

... to provide for low intensity commercial, office and service uses located along arterial roadways that border residential areas. Development shall be sensitive and in scale with existing development along the commercial street and any surrounding residential neighbourhood.

***Outdoor Play Space Permitted in Setback***

Section 310.4(7) states the following with respect to Setbacks:

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 Light Rail Transit lines in accordance with the provisions of subsection 55.4 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.

**Variance Granted by DO:**

Variance granted to Sections 310.4(7) & 55 - To allow a portion of the outdoor play space to be located within the 3.0 m required Setback at the north-west corner of the Site and in accordance with the approved plans. Landscaping, as shown on the approved Landscape Plan, in the location of the on-site outdoor play area is deferred until such a time when the on-site outdoor play area is removed. [unedited]

***Parking***

Section 80(6) states the following with respect to parking:

parking shall be provided according to the regulations outlined in Schedule 1 to Section 54 of this Bylaw. In addition, drop-off parking shall be provided as follows:

- a. a separate on-site drop-off area shall be provided at the rate of 2 drop-off spaces for up to 10 children, plus 1 additional space for every 10 additional children;
- b. each drop-off space shall be a minimum of 2.6 m in width and a minimum of 5.5 m in length; and
- c. the drop-off area shall be located within 60.0 m from the main entrance of the Child Care Service facility;

Section 54.2, Schedule 1(31) provides the following parking requirements for Child Care Services:

1 parking space for the first 2 employees, plus 0.5 spaces per additional employee

Except:



- a. Dayhomes (providing care to 7 or more children within the residence of the child care provider):

1 parking space per non-resident employee, in addition to parking required for 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 second car parking space that is in tandem.

**Variance Granted by DO:**

Variance granted to Sections 80(6) & 54.2, Schedule 1 - The total number of on-site drop-off spaces for the development is reduced from 14 to 10. The overall number of vehicular parking spaces and on-site drop-off spaces is reduced from 91 to 88. [unedited]

	Project Number: <b>176545362-001</b> Application Date: JUL 27, 2015 Printed: October 2, 2015 at 11:05 AM Page: 1 of 4		
<b>Major Development Permit</b>			
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.			
<b>Applicant</b>  BRIAN ALLSOPP ARCHITECT LTD. 	<b>Property Address(es) and Legal Description(s)</b> 1752 - 34 AVENUE NW Plan 1125688 Blk 62 Lot 2B  <b>Specific Address(es)</b> Suite: 203, 1762 - 34 AVENUE NW Entryway: 1762 - 34 AVENUE NW Entryway: 1774 - 34 AVENUE NW Building: 1752 - 34 AVENUE NW		
<b>Scope of Permit</b> To change the Use from General Retail Stores (main floor) and Professional, Financial and Office Support Services (second floor) to Child Care Services (136 children, 9, 0-11 months/ 8, 12-18 months/ 18, 19 months-3 yrs/ 24, 3 yrs-4.5 yrs/ 32, 4.5 yrs-7 yrs & 45, school aged children) and to construct interior and exterior (on-site outdoor play area) alterations (Sector 17 Plaza Daycare)			
<b>Permit Details</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                             Class of Permit: Class B                              Gross Floor Area (sq.m): 613.47                              New Sewer Service Required: N                              Site Area (sq. m):                         </td> <td style="width: 50%; border: none;">                             Contact Person:                              Lot Grading Needed?: N                              NumberOfMainFloorDwellings:                              Stat. Plan Overlay/Annex Area: (none)                         </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m): 613.47 New Sewer Service Required: N Site Area (sq. m):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m): 613.47 New Sewer Service Required: N Site Area (sq. m):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)		
I/We certify that the above noted details are correct.  Applicant signature: _____			
<b>Development Permit Decision</b> Approved			
The permit holder is advised to read the reverse for important information concerning this decision.			



Project Number: **176545362-001**  
 Application Date: JUL 27, 2015  
 Printed: October 2, 2015 at 11:05 AM  
 Page: 2 of 4

## Major Development Permit

### Subject to the Following Conditions

#### Transportation Services Adviseements:

- According to Section 54.2, Schedule 1 - Vehicular Parking of Edmonton Zoning Bylaw 12800, the proposed change of use will result in an increased parking deficiency of 4 parking stalls for the unit (20 proposed stalls; 24 required stalls) and of an overall parking deficiency of 3 parking stalls for the entire site (proposed 88 stalls; required 91 stalls). Transportation Services does not object to the proposed parking deficiency of 3 stalls since there is additional on-street parking available along 34 Avenue and along Wildwood Way.

#### Fire Rescue Services Adviseements:

1. Partial Occupancy Conditions as per AFC 5.6.1.14. For additional information please see: Occupancy of Buildings Under Construction STANDATA -<http://www.municipalaffairs.alberta.ca/documents/ss/STANDATA/building/bcb/06BCB002.pdf>  
 Reference: 5.6.1.14. Fire Separations in Partly Occupied Buildings

1) Where part of a building continues to be occupied, the occupied part shall be separated from the part being demolished or constructed by a fire separation having a fire-resistance rating of not less than 1 h.

2. Ensure that the fire alarm and sprinkler system are integrated with existing systems if any.

3. Ensure that a Fire Safety Plan is prepared for this project. A formal submission of your Fire Safety Plan will be required for a Building Permit to be issued. If you have any questions at this time, please contact Captain Bruce Taylor at [cmsfpts@edmonton.ca](mailto:cmsfpts@edmonton.ca). For additional information please see: Fire Safety Plan STANDATA - <http://www.municipalaffairs.alberta.ca/documents/ss/standata/fire/fci/fci-09-03.pdf>

For additional information please contact our office.

#### Conditions:

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Notification Fee of \$100.00.

2. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)

3. 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 Light Rail Transit lines in accordance with the provisions of subsection 55.4 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. Reference Section 310.4(7)

4. Exterior lighting of the facility shall provide for a well lit environment. Reference Section 80(7)

5. Where on-site outdoor play space is provided, pursuant to the Provincial Child Care Licensing Regulation, noisy, noxious or hazardous adjacent Uses such as, but not limited to, loading/unloading areas, garbage bins, large parking lots, arterial roads, passenger drop-off areas, rail lines, Light Rail Transit lines or stormwater lakes should either be avoided or their effects mitigated through landscaping, buffering, fencing, or other means. Reference Section 80(8)(a)

6. Outdoor play space shall be securely enclosed on all sides. Reference Section 80(8)(c)

7. All outdoor trash collection areas shall be located and screened to the satisfaction of the Development Officer in accordance with Sections 55(4) & (5).

8. The applicant is advised of the approved crime prevention design guidelines contained in the Design Guide for a Safer City, such as the layout and design of buildings and associated parking and loading areas, yards and landscaped areas, to promote a

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





Project Number: 176545362-001  
Application Date: JUL 27, 2015  
Printed: October 2, 2015 at 11:05 AM  
Page: 3 of 4

## Major Development Permit

safe, well-lit physical environment. Reference Section 58

9. 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

10. 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)

11. Parking spaces for the disabled shall be provided in accordance with the Alberta Building Code in effect at the time of the Development Permit application, for which no discretion exists and be identified as parking spaces for the disabled through the use of appropriate signage, in accordance with Provincial standards. Reference Section 54.1(3)

12. Bicycle parking shall be provided in accordance to Section 54.3 and to the satisfaction of the Development Officer.

### NOTES:

a. Signs require separate Development Applications.

b. An approved Development Permit means that the proposed development has been reviewed only against the provisions of the Edmonton Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the ERCB Directive 079, the Edmonton Safety Codes Permit Bylaw or any caveats, covenants or easements that might be attached to the Site.

c. The Development Permit shall not be valid unless and until the conditions of approval, save those of a continuing nature, have been fulfilled; and no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in subsection 21.1 (Ref. Section 17.1).

d. 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.

e. 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 for further information.

f. This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.

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



Project Number: **176545362-001**  
 Application Date: JUL 27, 2015  
 Printed: October 2, 2015 at 11:05 AM  
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## Major Development Permit

**Variations**

Note: A variance was granted for this Development Permit pursuant to Sections 11.3 and 11.4. Subject to the right of appeal the permit is NOT VALID until the required Notification Period expires (date noted below) in accordance with Sections 21.1 and 17.1.

1. Variance granted to Sections 310.4(7) & 55 - To allow a portion of the outdoor play space to be located within the 3.0 m required Setback at the north-west corner of the Site and in accordance with the approved plans. Landscaping, as shown on the approved Landscape Plan, in the location of the on-site outdoor play area is deferred until such a time when the on-site outdoor play area is removed.

2. Variance granted to Sections 80(6) & 54.2, Schedule 1 - The total number of on-site drop-off spaces for the development is reduced from 14 to 10. The overall number of vehicular parking spaces and on-site drop-off spaces is reduced from 91 to 88.

**Rights of Appeal**

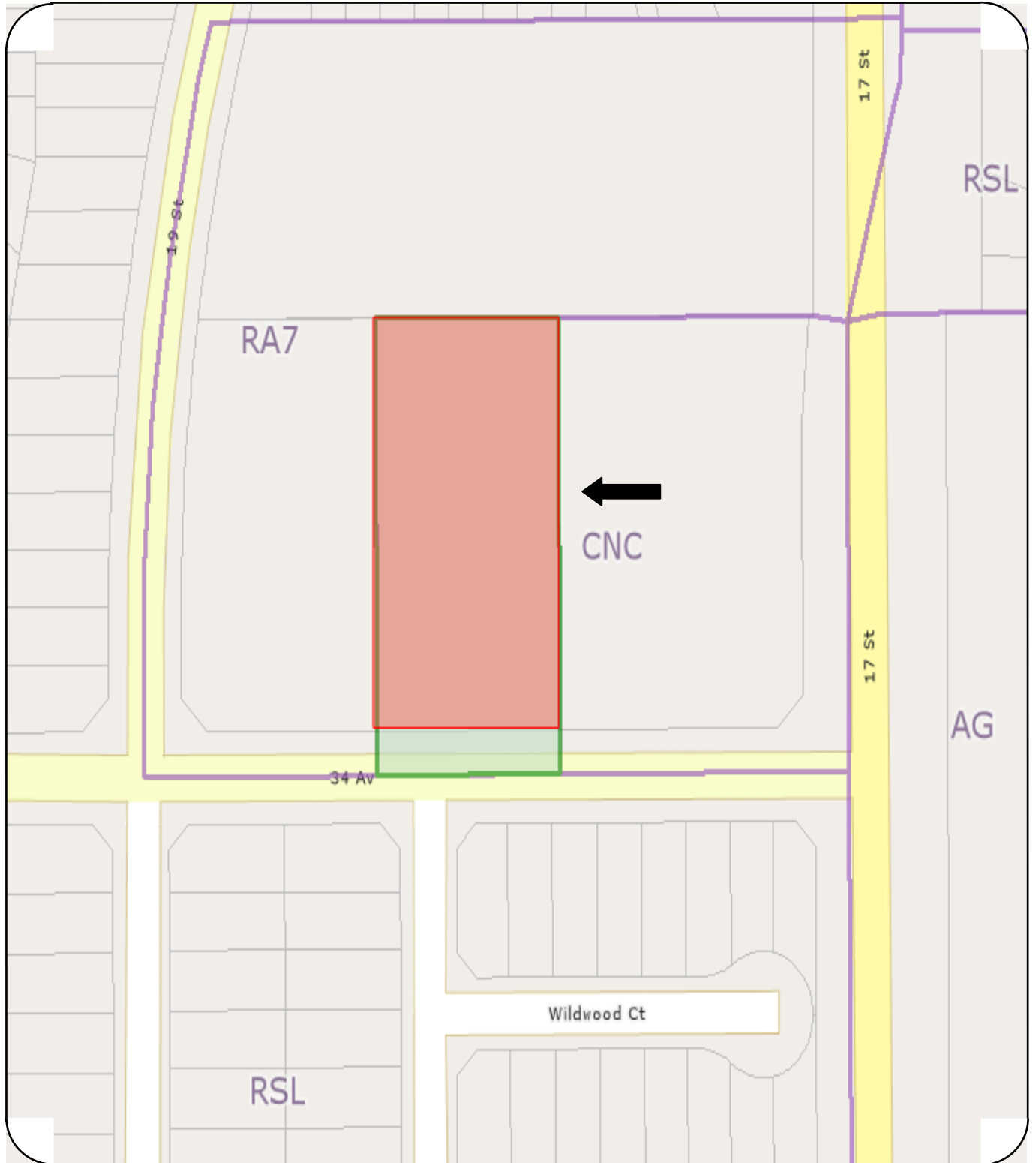
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Sep 03, 2015    Development Authority: PEACOCK, ERICA    Signature: \_\_\_\_\_  
 Notice Period Begins: Sep 10, 2015    Ends: Sep 23, 2015

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
DP Notification Fee	\$100.00	\$100.00	02722815	Sep 03, 2015
Major Dev. Application Fee	\$379.00	\$379.00	02618850	Jul 27, 2015
Total GST Amount:	\$0.00			
Totals for Permit:	\$479.00	\$479.00		

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



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-15-234



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NOTICE TO APPLICANT/APPELLANT

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

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ITEM II: 1:00 P.M.

FILE: SDAB-D-15-235

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 142819242-008

ADDRESS OF APPELLANT: 16203 - 55 STREET NW

APPLICATION TO: Increase the number of children in an existing Child Care Services Use building from 23 to 38 (adding 15 school aged children in basement) (Panda Cub House Childcare)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 10, 2015

DATE OF APPEAL: September 11, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 16203 - 55 STREET NW

LEGAL DESCRIPTION: Plan 0621532 Blk 58 Lot 52

ZONE: RSL-Residential Small Lot Zone

OVERLAY: N/A

STATUTORY PLAN: Hollick Kenyon NSP  
Pilot Sound ASP

***Grounds for Appeal***

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

I am appealing the refusal to add 15 school aged children because I wanted to help parents of the Hollick Kenyon community that their children goes to Donald Massey School to have a safe, caring and licensed place of care which we are, the Panda Cubhouse Childcare Centre. We need an Out~of~ School care placement for these children and we seek your understanding and approval.

***General Matters***

**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

...

The decision of refusal by the Development Officer is dated September 10, 2015. Fourteen days from the decision date is September 24, 2015 and the Notice of Appeal was filed on September 11, 2015.

**General Provisions from the *Edmonton Zoning Bylaw*:**

Under section 115.3(1), **Child Care Services** is a **Discretionary Use** in the RSL Residential Small Lot 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 Class typically includes daycare centres; out-of-school care centres; preschools; and dayhomes (providing child care within the care provider's residence).

Section 115.1 states the following with respect to the **General Purpose** of the **RSL Residential Small Lot Zone**:

... to provide for smaller lot Single Detached Housing with attached Garages in a suburban setting that provides the opportunity for the more efficient utilization of undeveloped suburban areas and includes the opportunity for Secondary Suites.

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***Drop-off Parking***

Section 80(6) states the following with respect to parking:

parking shall be provided according to the regulations outlined in Schedule 1 to Section 54 of this Bylaw. In addition, drop-off parking shall be provided as follows:

- a. a separate on-site drop-off area shall be provided at the rate of 2 drop-off spaces for up to 10 children, plus 1 additional space for every 10 additional children;
- b. each drop-off space shall be a minimum of 2.6 m in width and a minimum of 5.5 m in length; and
- c. the drop-off area shall be located within 60.0 m from the main entrance of the Child Care Service facility;

**Development Officer's Determination**

Required: 4 on-site drop-off spaces  
Proposed: 2 on-site drop-off spaces  
Deficient: 2 on-site drop-off spaces  
[unedited]

***Parking***

Section 54.2, Schedule 1(31) provides the following parking requirements for Child Care Services:

1 parking space for the first 2 employees, plus 0.5 spaces per additional employee

Except:

- a. Dayhomes (providing care to 7 or more children within the residence of the child care provider):

1 parking space per non-resident employee, in addition to parking required for 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 second car parking space that is in tandem.

**Development Officer’s Determination**

Required: 3  
Proposed: 2  
Deficient: 1

note: Transportation Services has concerns with this development based on the proposed on-site parking deficiency of 3 parking stalls (provided 4 stalls; required 7 stalls, 4 drop-off and 3 staff). We advise that parking on both sides of 162 Avenue is restricted from Monday to Friday between the hours of (8:00-9:00) and (13:30-15:30), and there is a seasonal parking restriction. There is also a bus stop on the north side of 162 Avenue located approximately 38 m east of 55 Street which will reduce the amount of available on street parking as shown on the Enclosure. In addition, parking on 55 Street is limited to the west side due to the front drive access of the homes along the east side of 55 Street. Required parking for this development should meet the requirements of the Zoning Bylaw.

***Tandem Parking***

Section 54.1(2)(f) states the following:

Unless otherwise specified in this Bylaw, no required parking spaces shall be provided as Tandem Parking.

**Development Officer’s Determination**

The proposed four parking spaces are provide in tandem (two in garage and two on parking pad). [unedited]

***Outdoor Play Space***

Section 80(8)(d) states the following:

In a Residential Zone, outdoor play space may be allowed in any Yard, providing it is designed to limit any interference with other Uses, or the peaceful enjoyment of the properties of nearby residents, through fencing, landscaping, buffering and the placement of fixed play equipment.



**Development Officer's Determination**


It is the opinion of the Development Officer that by increasing the number of children in this Child Care Services there will be an increase in activity within the existing on-site outdoor play area that may interfere with the peaceful enjoyment of the properties of nearby residents. [unedited]



Project Number: 142819242-008  
Application Date: AUG 07, 2015  
Printed: October 2, 2015 at 3:06 PM  
Page: 1 of 2

## Application for Major Development Permit

This document is a Development Permit Decision for the development application described below.

<b>Applicant</b>  PANDA CUB HOUSE CHILDCARE 	<b>Property Address(es) and Legal Description(s)</b> 16203 - 55 STREET NW Plan 0621532 Blk 58 Lot 52
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**Scope of Application**  
 To increase the number of children in an existing Child Care Services Use building from 23 to 38 (adding 15 school aged children in basement)  
 (Panda Cub House Childcare)

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

I/We certify that the above noted details are correct.

Applicant signature: \_\_\_\_\_

**Development Application Decision**  
Refused

**THIS IS NOT A PERMIT**



Project Number: **142819242-008**  
 Application Date: AUG 07, 2015  
 Printed: October 2, 2015 at 3:06 PM  
 Page: 2 of 2

## Application for Major Development Permit

**Reason for Refusal**

1. Section 80(6) - A separate on-site drop-off area shall be provided at the rate of 2 drop-off spaces for up to 10 children, plus 1 additional space for every 10 additional children.

Required: 4 on-site drop-off spaces  
 Proposed: 2 on-site drop-off spaces  
 Deficient: 2 on-site drop-off spaces

2. Section 54.2, Schedule 1(31) - Child Care Services require 1 parking space for the first 2 employees, plus 0.5 spaces per additional employee.

Required: 3  
 Proposed: 2  
 Deficient: 1

note: Transportation Services has concerns with this development based on the proposed on-site parking deficiency of 3 parking stalls (provided 4 stalls; required 7 stalls, 4 drop-off and 3 staff). We advise that parking on both sides of 162 Avenue is restricted from Monday to Friday between the hours of (8:00-9:00) and (13:30-15:30), and there is a seasonal parking restriction. There is also a bus stop on the north side of 162 Avenue located approximately 38 m east of 55 Street which will reduce the amount of available on street parking as shown on the Enclosure. In addition, parking on 55 Street is limited to the west side due to the front drive access of the homes along the east side of 55 Street. Required parking for this development should meet the requirements of the Zoning Bylaw.

3. Section 54.1(2)(f) - Unless otherwise specified in this Bylaw, no required parking spaces shall be provided as Tandem Parking.

- The proposed four parking spaces are provide in tandem (two in garage and two on parking pad).

4. Section 80(8)(d) - In a Residential Zone, outdoor play space may be allowed in any Yard, providing it is designed to limit any interference with other Uses, or the peaceful enjoyment of the properties of nearby residents, through fencing, landscaping, buffering and the placement of fixed play equipment.

- It is the opinion of the Development Officer that by increasing the number of children in this Child Care Services there will be an increase in activity within the existing on-site outdoor play area that may interfere with the peaceful enjoyment of the properties of nearby residents.

**Rights of Appeal**

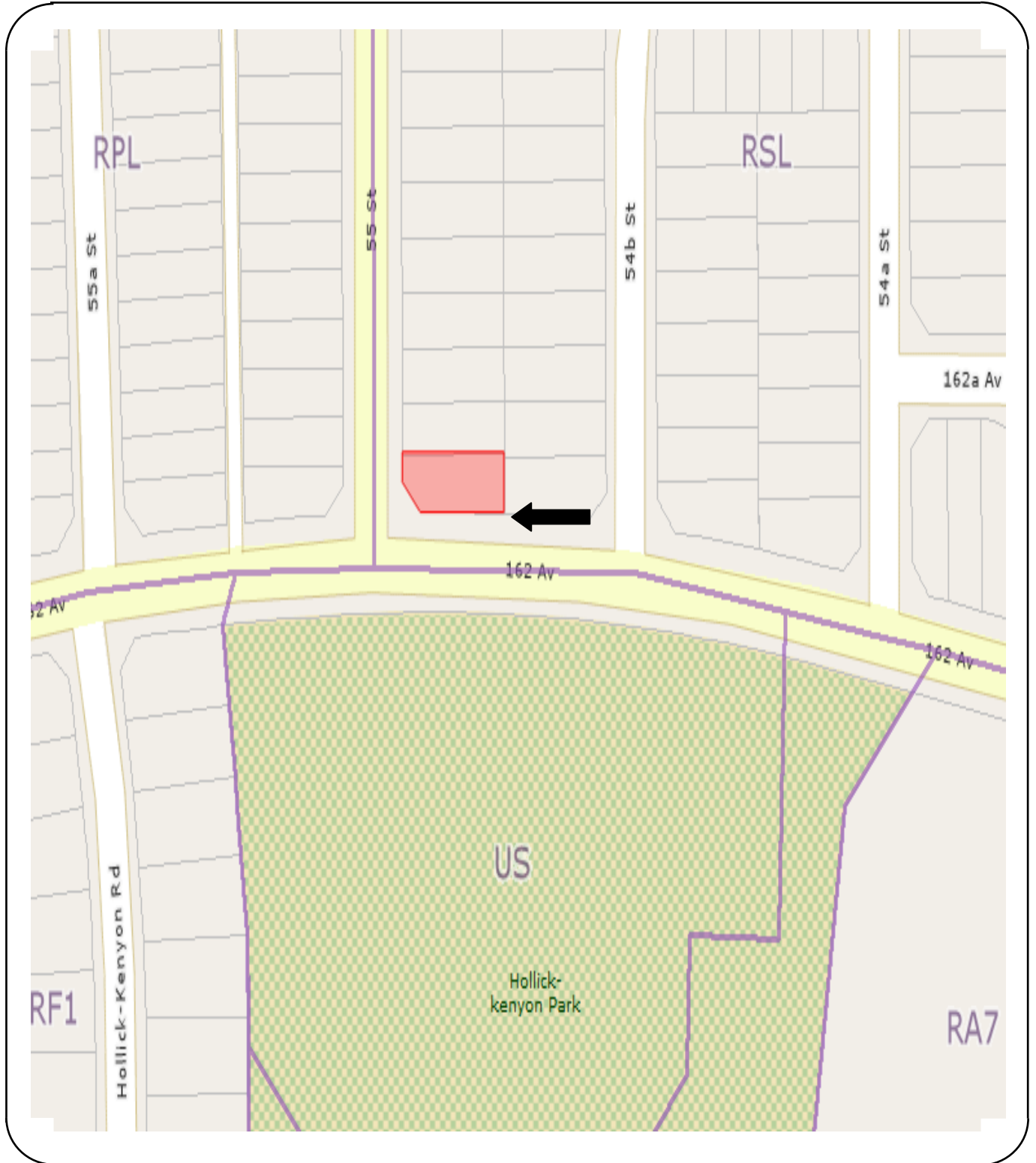
The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Sep 10, 2015    Development Authority: PEACOCK, ERICA    Signature: \_\_\_\_\_

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$379.00	\$379.00	02650351	Aug 07, 2015
Total GST Amount:	\$0.00			
Totals for Permit:	\$379.00	\$379.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-15-235



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*.

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**BUSINESS LAID OVER**

SDAB-D-15-211	An appeal by <u>Bigstone Health Commisson</u> to change the Use from Professional, Financial, and Office Support Services to General Retail Stores (main floor) and Health Services (2 <sup>nd</sup> floor), and construct additions, interior alterations, and exterior alterations <b><i>October 29, 2015</i></b>
SDAB-D-15-236 to 241	An appeal by <u>Ogilvie LLP</u> to comply with six Orders to acquire valid development permits by September 25, 2015 or cease the Use and demolish and remove all materials by September 25, 2015; and to comply with all conditions of development permit No. 149045660-001. <b><i>November 19, 2015</i></b>

**APPEAL HEARINGS TO BE SCHEDULED**

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