

**SUBDIVISION**

**AND**

**DEVELOPMENT APPEAL BOARD**

**AGENDA**

**Thursday, 9:00 A.M.**  
**July 8, 2021**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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**TO BE RAISED**

I 9:00 A.M. SDAB-D-21-099

To change the Use from a General Retail Store to a Child Care Services Use for 42 Children and to construct interior and exterior alterations (new wooden fence separating car wash queuing lane)

5010 - 162 Avenue NW  
Project No.: 394044559-002

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II 11:00 A.M. SDAB-D-21-106

To change the Use from a General Retail Store to Child Care Services and construct interior alterations (maximum 45 children)

11460 - 112 Avenue NW  
Project No.: 390311536-002

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**NOTE:** *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

**TO BE RAISED**

ITEM I: 9:00 A.M.

FILE: SDAB-D-21-099

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 394044559-002

APPLICATION TO: Change the Use from a General Retail Store to a Child Care Services Use for 42 Children and to construct interior and exterior alterations (new wooden fence separating car wash queuing lane)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: May 25, 2021

DATE OF APPEAL: May 28, 2021

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): Hollick Kenyon Neighbourhood Structure Plan  
Pilot Sound Area Structure Plan

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***Grounds for Appeal***

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

We are appealing as we do not agree with the city's reasoning for denial, supplemental information will be provided prior to the hearing.

***General Matters***

**Appeal Information:**

**The Subdivision and Development Appeal Board (the “Board”) made and passed the following motion on June 3, 2021:**

**“That the appeal hearing be rescheduled to July 7 or 8, 2021 at the written request of the Appellant.”**

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,

- (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.

**Hearing and Decision**

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

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

...

- (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:

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."

<b><i>Section 80 - Child Care Services</i></b>
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A Child Care Service shall comply with the following:

1. Child Care Services Site Plan and Development Application Content:
  - a. In addition to the requirements of Section 13, every application for a Development Permit for a Child Care Services Use shall include a Site plan and floor plan that combined, includes all information required in the Child Care Services Checklist.
2. **Location requirements:**
  - a. **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:**

- i. Automotive and Equipment Repair Shops
    - ii. Fleet Services
    - iii. Funeral, Cremation and Internment Services
    - iv. General Industrial Uses
    - v. **Rapid Drive-through Vehicle Services, or**
    - vi. Vehicle and Equipment Sales/Rentals.
  - b. No portion of a Child Care Services Use, including the building, building bay or on-Site outdoor play space, where provided, shall be located on a Site or adjacent to a Site with an approved development permit for the following Uses:
    - i. Land Treatment
    - ii. Major Impact Utility Services, or
    - iii. Minor Impact Utility Services.
  - c. **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.**
  - d. **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.**
  - e. Where Child Care Services is proposed on a Site zoned (IB) Business Industrial Zone, (IL) Light Industrial Zone, or (EIB) Ellerslie Business Industrial Zone, it shall only be allowed if the Site development forms part of an office park development or commercial strip mall.
3. Playspace requirements
  - a. Where outdoor play space is provided at ground level it shall be allowed in any Yard. It shall be Fenced on all sides and all gates shall

be self-latching. Fencing shall not be required where outdoor play space is proposed to share existing play equipment on Sites zoned (US) Urban Services Zone or (AP) Public Parks Zone, or if an exemption is permitted by the Government of Alberta.

- b. Where outdoor play space is provided above the first level such as on a Rooftop Terrace, balcony, or similar, the following regulations shall apply:
  - i. Perimeter guard rails, or parapet walls, or a combination thereof that is at least 1.83 m in Height and provides a secure perimeter shall be installed and shall be consistent with the architectural materials and style of the building.
  - ii. Mechanical equipment and exhaust systems shall be designed to be integrated into the play space so the Development Officer is satisfied that it does not create adverse effects related to noise, fumes or safety, or shall be located a minimum of 2 m outside of the perimeter of the outdoor play space.

#### 4. Development in Residential Zones

- a. Where a Child Care Services Use is proposed in a building with a valid development permit for Multi-unit Housing or Row Housing, the Child Care Services shall not be part of a Dwelling.
- b. Where a Child Care Services Use is proposed as part of a Dwelling, or is proposed in a converted Single Detached Housing, the Use shall only be located:
  - i. on a Corner Lot; or
  - ii. on a Site Abutting a Site that is actively used for a Community, Educational, Recreational and Cultural Service Use Class; or
  - iii. Abutting a Site with zoning that lists Multi-unit Housing, General Retail Stores or Convenience Retail Stores as a permitted Use.
- c. A converted Dwelling shall not change the principal character or external appearance of the Dwelling in which it is located.
- d. If a new building is constructed for a Child Care Services Use, it shall retain the external appearance of a residential Dwelling, unless it is built as part of a development where the primary use



is a Religious Assembly Use.

5. Sign Requirements

- a. Signs shall conform to the regulations found in the Sign Schedule for the underlying zone.

**Development Officer's Determination**

**1. Section 80(2)(a)(v) 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.**

**Proposed: The Child Care Service and outdoor play space is directly abutting a Rapid Drive-through Vehicle Services Use, contrary to Section 80(2)(a)(v).**

**2. Section 80(2)(c). 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.**

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

**Proposed:38.9m**

**Deficient by: 11.1m**

**3. Section 80(2)(d). 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.**

**Proposed: In the opinion of the Development Officer, the location of the existing Rapid Drive-through Service with 9 service bays. and the queuing 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]

***Previous Subdivision and Development Appeal Board Decisions***


<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-19-177	To change the Use from a General Retail Store to a Child Care Service (Maximum 42 children) and to construct interior and exterior alterations (amend landscaping, new outdoor play space)	October 31, 2019; The appeal is DENIED and the decision of the Development Authority is CONFIRMED. The development is REFUSED.
SDAB-D-18-020	Change the Use from General Retail Stores to Child Care Services and to construct interior and exterior alterations (construct outdoor playspace, amend Landscaping) (maximum 62 children)	February 22, 2018; The appeal is DENIED and the decision of the Development Authority is CONFIRMED. The development is REFUSED.
SDAB-D-17-044	Change the Use from General Retail Stores to Child Care Services and to construct interior and exterior alterations (110 children)	March 16, 2017; The appeal is DENIED and the decision of the Development Authority is CONFIRMED. The development is REFUSED.

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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.

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	Project Number: <b>394044559-002</b> Application Date: APR 30, 2021 Printed: May 28, 2021 at 11:15 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for Major Development Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 5010 - 162 AVENUE NW Plan 1523990 Unit 2  <b>Specific Address(es)</b> Entryway: 5006 - 162 AVENUE NW Entryway: 5008 - 162 AVENUE NW Building: 5006 - 162 AVENUE NW		
<b>Scope of Application</b> To change the Use from a General Retail Store to a Child Care Services Use for 42 Children and to construct interior and exterior alterations (new wooden fence separating car wash queuing lane).			
<b>Permit Details</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">                     Class of Permit:                      Gross Floor Area (sq. m.):                      New Sewer Service Required:                      Site Area (sq. m.):                 </td> <td style="width: 50%;">                     Contact Person:                      Lot Grading Needed?: N                      NumberOfMainFloorDwellings:                      Stat. Plan Overlay/Annex Area: (none)                 </td> </tr> </table>		Class of Permit: Gross Floor Area (sq. m.): New Sewer Service Required: Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Gross Floor Area (sq. m.): New Sewer Service Required: Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)		
<b>Development Application Decision</b> Refused <b>Issue Date:</b> May 25, 2021 <b>Development Authority:</b> CHOW, STEPHEN  <b>Reason for Refusal</b> 1. Section 80(2)(a)(v) 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.  Proposed: The Child Care Service and outdoor play space is directly abutting a Rapid Drive-through Vehicle Services Use, contrary to Section 80(2)(a)(v).  2. Section 80(2)(c). 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.  Proposed: Child Care Service is within 50m of the closest gas bar building, the Gas Bar is located on the same Site, contrary to Section 80(2)(c). Proposed: 38.9m Deficient by: 11.1m  3. Section 80(2)(d). 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.  Proposed: In the opinion of the Development Officer, the location of the existing Rapid Drive-through Service with 9 service bays, and the queuing 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(2)(d).			
<b>THIS IS NOT A PERMIT</b>			



Project Number: **394044559-002**  
Application Date: APR 30, 2021  
Printed: May 28, 2021 at 11:15 AM  
Page: 2 of 2

## Application for Major Development Permit

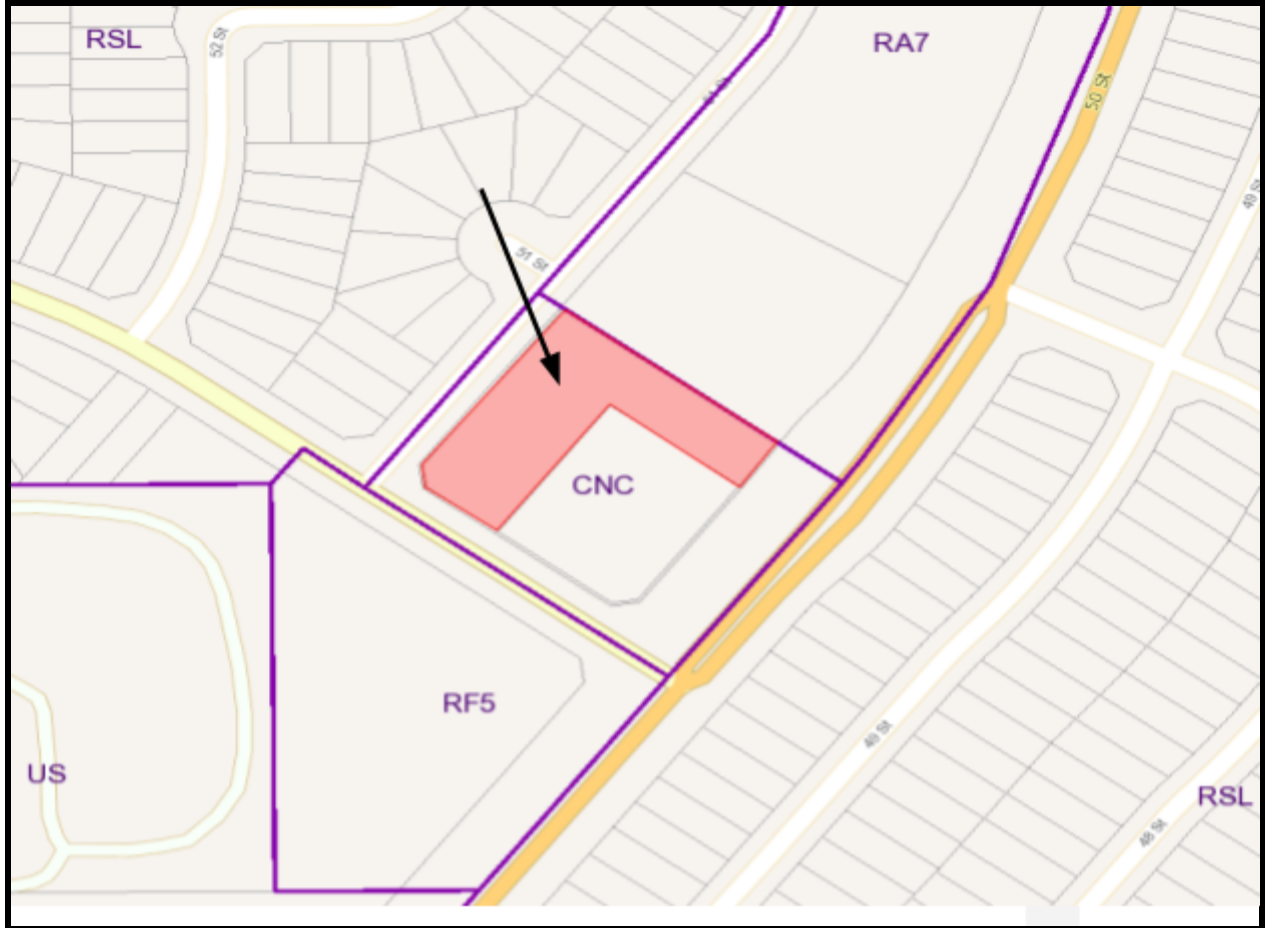
### Rights of Appeal

The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Major Dev. Application Fee	\$375.00	\$375.00	098579208086001	May 12, 2021
Total GST Amount:	\$0.00			
Totals for Permit:	\$375.00	\$375.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-21-099

▲  
**N**

ITEM II: 11:00 A.M.

FILE: SDAB-D-21-106

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 390311536-002

APPLICATION TO: Change the Use from a General Retail Store to Child Care Services and construct interior alterations (maximum 45 children)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: May 14, 2021

DATE OF APPEAL: June 10, 2021

NOTIFICATION PERIOD: May 20, 2021 through June 10, 2021

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11460 - 112 Avenue NW

LEGAL DESCRIPTION: Plan 5632HW Blk 15B Lot A

ZONE: (CNC) Neighbourhood Convenience Commercial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

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***Grounds for Appeal***

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

Due to traffic congestion and more individuals being present around the neighbourhood, the proposed Child Care Services would cause things to become too crowded within our 3 block radius especially during the Monday to Friday workdays. Our neighbourhood already has a lot of activity due to the busy roadways near us(111th ave., 114th str., Kingsway 118 ave..) and foot traffic to the Super Store Shopping complex and Kingsway Mall.

Street parking on 112 ave, and 114 str. in front of the proposed development site is currently a problem for residents in this area. The condo complex[DC2(615)] use street parking all day/night. Building @ 11468-112 ave. is a 4 plex which also needs to access street parking daily. Residential parking in front of homes in the area is constantly being used when the 3 existing businesses (Bankok Restaurant, Hair Salon & La Tienda De Pacito store) are open.

A Child Care Services with a maximum 45 children has the potential to bring a constant high volume of road and foot traffic to this small residential area.

In addition, the activity that can be expected from the clientele from other new businesses that set up in the approved convenience Commercial Zone for Lot A. Block 15B, Plan 5632HW will be significant.

The neighbourhood is not designed to accommodate high-density traffic demands therefore we should expect a limited type of commercial zone businesses to be approved for Lot A development.

For the safety and preservation of our residential neighbourhood the Child Care Services is not a compatible business for this area.

2 Additional Residents included in this appeal are:

O. & S. Mezzon and D. Strasdin

<i>General Matters</i>
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**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,

- (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.

**Hearing and Decision**

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

...

- (a.1) must comply with the land use policies;



- (a.2) subject to section 638, must comply with any applicable statutory plans;
  - (a.3) subject to clause (d), must comply with any land use bylaw in effect;
  - (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
  - ...
  - (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:

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."

***Discretionary Use***

**Development Officer's Determination**

**1. A Discretionary Use Development Permit for Child Care Services has been issued, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.**

**[unedited]**

***Section 80 - Child Care Services***

A Child Care Service shall comply with the following:

1. Child Care Services Site Plan and Development Application Content:
  - a. In addition to the requirements of Section 13, every application for a Development Permit for a Child Care Services Use shall include a Site plan and floor plan that combined, includes all information required in the Child Care Services Checklist.
2. Location requirements:
  - a. 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:
    - i. Automotive and Equipment Repair Shops
    - ii. Fleet Services
    - iii. Funeral, Cremation and Internment Services
    - iv. General Industrial Uses

- v. Rapid Drive-through Vehicle Services, or
  - vi. Vehicle and Equipment Sales/Rentals.
- b. No portion of a Child Care Services Use, including the building, building bay or on-Site outdoor play space, where provided, shall be located on a Site or adjacent to a Site with an approved development permit for the following Uses:
- i. Land Treatment
  - ii. Major Impact Utility Services, or
  - iii. Minor Impact Utility Services.
- c. 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.
- d. 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.
- e. Where Child Care Services is proposed on a Site zoned (IB) Business Industrial Zone, (IL) Light Industrial Zone, or (EIB) Ellerslie Business Industrial Zone, it shall only be allowed if the Site development forms part of an office park development or commercial strip mall.
3. Playspace requirements
- a. Where outdoor play space is provided at ground level it shall be allowed in any Yard. It shall be Fenced on all sides and all gates shall be self-latching. Fencing shall not be required where outdoor play space is proposed to share existing play equipment on Sites zoned (US) Urban Services Zone or (AP) Public Parks Zone, or if an exemption is permitted by the Government of Alberta.
  - b. Where outdoor play space is provided above the first level such as on a Rooftop Terrace, balcony, or similar, the following regulations shall apply:

- i. Perimeter guard rails, or parapet walls, or a combination thereof that is at least 1.83 m in Height and provides a secure perimeter shall be installed and shall be consistent with the architectural materials and style of the building.
- ii. Mechanical equipment and exhaust systems shall be designed to be integrated into the play space so the Development Officer is satisfied that it does not create adverse effects related to noise, fumes or safety, or shall be located a minimum of 2 m outside of the perimeter of the outdoor play space.

#### 4. Development in Residential Zones

- a. Where a Child Care Services Use is proposed in a building with a valid development permit for Multi-unit Housing or Row Housing, the Child Care Services shall not be part of a Dwelling.
- b. Where a Child Care Services Use is proposed as part of a Dwelling, or is proposed in a converted Single Detached Housing, the Use shall only be located:
  - i. on a Corner Lot; or
  - ii. on a Site Abutting a Site that is actively used for a Community, Educational, Recreational and Cultural Service Use Class; or
  - iii. Abutting a Site with zoning that lists Multi-unit Housing, General Retail Stores or Convenience Retail Stores as a permitted Use.
- c. A converted Dwelling shall not change the principal character or external appearance of the Dwelling in which it is located.
- d. If a new building is constructed for a Child Care Services Use, it shall retain the external appearance of a residential Dwelling, unless it is built as part of a development where the primary use is a Religious Assembly Use.


#### 5. Sign Requirements


- a. Signs shall conform to the regulations found in the Sign Schedule for the underlying zone.
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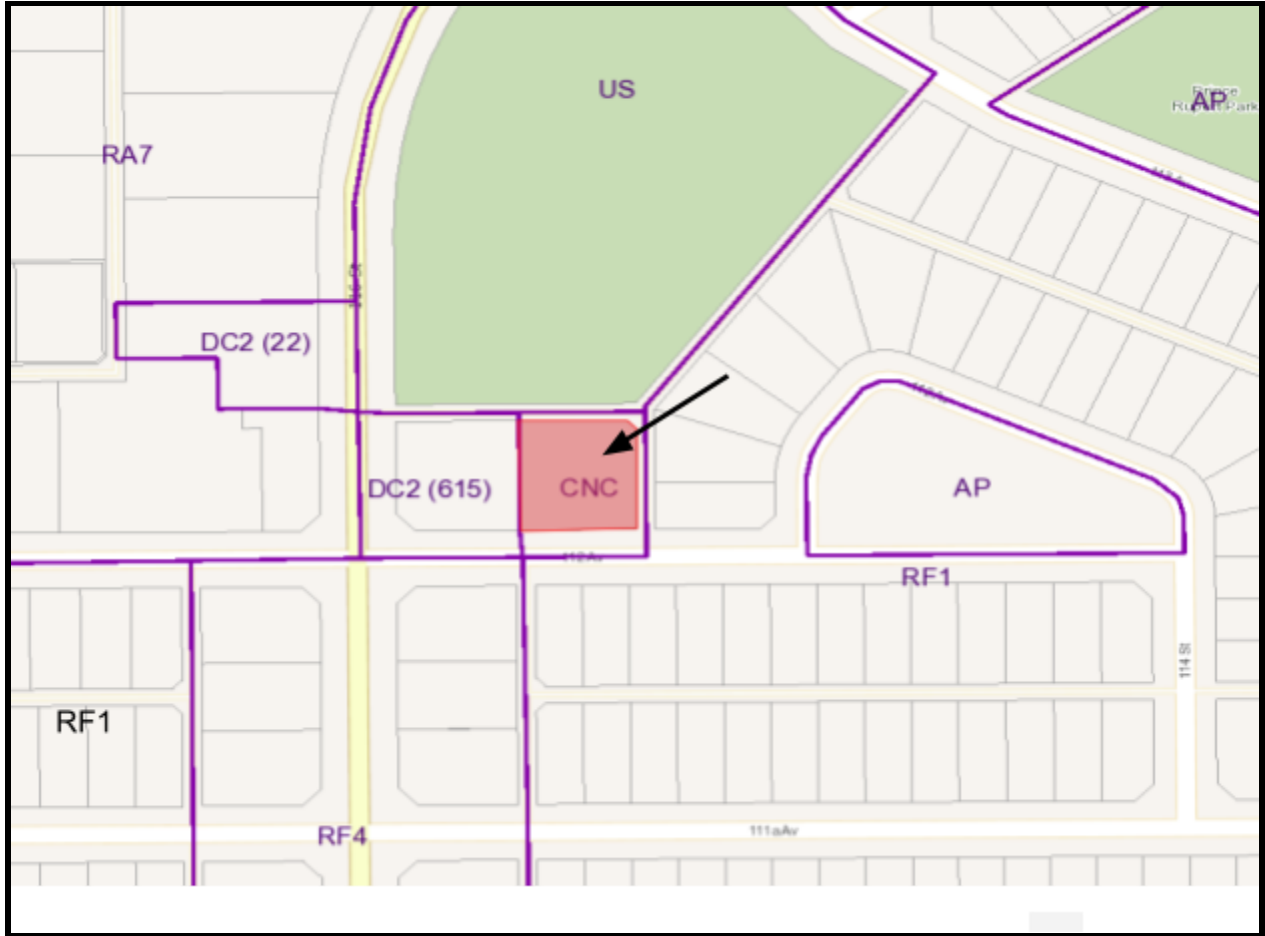
Notice to Applicant/Appellant

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.

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	Project Number: <b>390311536-002</b> Application Date: MAR 25, 2021 Printed: May 14, 2021 at 5:01 PM Page: 1 of 2		
<h2>Major Development Permit</h2>			
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>	<b>Property Address(es) and Legal Description(s)</b> 11460 - 112 AVENUE NW Plan 5632HW Blk 15B Lot A  <b>Specific Address(es)</b> Suite: 11468 - 112 AVENUE NW Entryway: 11468 - 112 AVENUE NW Building: 11460 - 112 AVENUE NW		
<b>Scope of Permit</b> To change the Use from a General Retail Store to Child Care Services and construct interior alterations (maximum 45 children).			
<b>Permit Details</b>  <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">                     Class of Permit: Class B                      Gross Floor Area (sq.m.):                      New Sewer Service Required:                      Site Area (sq. m.):                 </td> <td style="width: 50%;">                     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.): New Sewer Service Required: Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)
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<b>Development Permit Decision</b> Approved <b>Issue Date:</b> May 14, 2021 <b>Development Authority:</b> XU, HAILEE  <b>Subject to the Following Conditions</b> NOTE: This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)  <b>Zoning Conditions:</b> 1. The development shall be constructed in accordance with the stamped and approved drawings.  2. All provided Vehicle Parking and loading facilities shall be ensured a safe physical environment, and shall include adequate, safe and convenient entrances, exists, aisles and ramps, and loading of motor vehicles all in relation to buildings and entry points to buildings on the Site. (Reference Section 54.1.2)  3. Six (6) Passenger Drop-off Spaces shall be identified by sign for each passenger pick-up and drop-off spaces to indicate that the spaces are reserved for passenger pick-up and drop-off, and specify a maximum duration for a single visit. (Reference Section 54.7.3)  4. The provided outdoor play space shall be Fenced on all sides and all gates shall be self-latching.  5. 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)  6. Signs require separate Development Applications. More information about Signs can be found on the City of Edmonton's website: <a href="https://www.edmonton.ca/business_economy/signs.aspx">https://www.edmonton.ca/business_economy/signs.aspx</a>			

	Project Number: <b>390311536-002</b> Application Date: MAR 25, 2021 Printed: May 14, 2021 at 5:01 PM Page: 2 of 2																				
<h2 style="margin: 0;">Major Development Permit</h2>																					
<p><b>Subject to the Following Advisements</b></p> <p><b>Zoning Advisements:</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.</li> <li>3. 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.</li> <li>4. 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)</li> <li>5. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800 as amended.</li> </ol> <p><b>Variances</b></p> <ol style="list-style-type: none"> <li>1. A Discretionary Use Development Permit for Child Care Services has been issued, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.</li> </ol> <p><b>Rights of Appeal</b></p> <p>This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.</p> <p><b>Notice Period Begins:</b> May 20, 2021      <b>Ends:</b> Jun 10, 2021</p>																					
<p><b>Fees</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 15%; text-align: right;">Fee Amount</th> <th style="width: 15%; text-align: right;">Amount Paid</th> <th style="width: 15%; text-align: left;">Receipt #</th> <th style="width: 15%; text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$528.00</td> <td style="text-align: right;">\$528.00</td> <td style="text-align: left;">088858010148001</td> <td style="text-align: left;">Apr 17, 2021</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$528.00</td> <td style="text-align: right; border-top: 1px solid black;">\$528.00</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$528.00	\$528.00	088858010148001	Apr 17, 2021	Total GST Amount:	\$0.00				Totals for Permit:	\$528.00	\$528.00		
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**SURROUNDING LAND USE DISTRICTS**

Site Location ←      File: SDAB-D-21-106      ▲  
N