

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
June 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-17-099 Operate a Major Home Based Business.
(furniture company, NO OUTDOOR
STORAGE - ZEBRA CUSTOM
FURNITURE), expires April 24, 2022.

10303 - 80 Street NW
Project No.: 000411946-005

II 10:30 A.M. SDAB-D-17-074 Change the Use from Restaurant to Major
Alcohol Sales Use and to construct interior
alterations

2304 - 23 Avenue NW
Project No.: 169004150-014

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-17-099

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 000411946-005

APPLICATION TO: Operate a Major Home Based Business. (furniture company, NO OUTDOOR STORAGE - ZEBRA CUSTOM FURNITURE), expires April 24, 2022.

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: April 24, 2017

DATE OF APPEAL: May 3, 2017

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10303 - 80 Street NW

LEGAL DESCRIPTION: Plan 4893HW Blk 31 Lot 3

ZONE: (RF3) Small Scale Infill Development Zone

OVERLAY: Mature Neighbourhood Overlay

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 a condition on my permit. I have been operating my business in this location with city business licence for the past 22 years and I wish to retain the right to keep parking my small cube van in my driveway or street (it has been parked in my driveway for the past 13 years) and nobody ever made a complaint or mention anything to me about it. To me it seems very unfair that I cannot park in this neighbourhood when I can count about a dozen oversize commercial vehicles within a kilometre radius from me.

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

...

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 140.3(7), a **Major Home Based Business** is a **Discretionary Use** in the (RF3) Small Scale Infill Development Zone.

Under section 7.3(7), **Major Home Based Business** means:

development consisting of the use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses such businesses may generate more than one business associated visit per day. The business use must be secondary to the residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use Class includes Bed and Breakfast Operations but does not include General Retail Sales.

Section 140.1 states that the **General Purpose** of the **(RF3) Small Scale Infill Development Zone** is

to provide for Single Detached Housing and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to buildings containing up to four Dwellings, and including Secondary Suites under certain conditions.

Section 814.1 states that the **General Purpose** of the **Mature Neighbourhood Overlay** is:

to ensure that new low density development in Edmonton's mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants and neighbouring affected parties when a development proposes to vary the Overlay regulations.

Development Officer's Determination:

Discretionary Use - Major Home Based Business is approved as a Discretionary Use (Section 140.3.7). [unedited].

Parking

Section 54.2, Schedule 1(A)(3) states **Single Detached Housing** requires 1 parking space per 2 Sleeping Units in addition to the parking requirements for primary Dwelling.

Section 54.2, Schedule 1(A)(8) states a **Major Home Based Business** requires 1 parking space in addition to parking required for primary Dwelling.

Section 54.2(4)(a)(i) states (in part) that each required off-street parking space shall be a minimum of 2.6 metres width with a minimum clear length of 5.5 metres exclusive of access drives or aisles, ramps, columns.

Development Officer's Determination:

Parking - The site has 0 parking spaces, instead of 3 (Section 52.2 and Schedule 1).

NOTE: Driveway parking spaces are 5.3m in length, instead of 5.5m. [unedited].

Development Officer Conditions

The business owner must live at the site. The business use must be secondary to the residential use of the building and shall not change the residential character of the Dwelling or Accessory Building (Section 7.3(7)).

There shall be no exterior display or advertisement other than an identification plaque or sign a maximum of 20 centimetres (8 inches) x 30.5 centimetres (12 inches) in size located on the dwelling (Section 75.1).

The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located (Section 75.3).

Non-resident employees shall not be allowed.

The site shall not be used as a daily rendezvous for employees or business partners.

The site shall not be used by employees or business partners as a parking or storage location.

Maximum business associated visits shall not exceed 2 per week.

Client visit must be by-appointment only and appointments shall not overlap.

Hours of operation must be between 9:00AM to 6:00PM on Weekdays and Saturdays.

There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).

No person shall keep in any part of a Site in any Residential Zone any commercial vehicle, loaded or unloaded, of a maximum gross vehicle weight (G.V.W.) exceeding 4 500 kg. (Reference Section 45.1(a)) All commercial, industrial and overweight vehicles shall be parked at an approved storage facility. The Development Permit may be revoked if any commercial, industrial and overweight vehicles are parked or stored at the residential site.

[Section 45(2) states for the purpose of subsection 45(1) a commercial vehicle means a vehicle that: (a) is intended or designed for commercial purposes; or (b) is used for commercial purposes.]

No offensive noise, odour, vibration, smoke, litter, heat or other objectionable effect shall be produced.

The business use must maintain the privacy and enjoyment of adjacent residences and the characteristic of the neighbourhood.

All parking for the Dwelling and Home Based Business must be accommodated on site unless a parking variance has been granted for this Major Home Based Business.

Any expansion of the business such as an increase in customers, addition of employees, or additional equipment requires that a new Development Permit shall be obtained.

This Development Permit may be cancelled at any time if the Home Based Business as stated in the Permit Details changes (Section 17.2).

This approval is for a 5 year period from the date of this decision. This Development Permit expires on April 24, 2022. Should the business continue to locate at this location, an extension of Development Permit must be approved prior to April 24, 2022.

<i>Previous SDAB Decisions</i>

SDAB Number	Application	DECISION
DAB/95-192	To operate a Major Home Occupation (Furniture Making)	August 31, 1995; Approved with conditions

DAB/95-176	To construct an accessory building (8.53 metres by 9.14 metres detached garage) and to demolish existing garage	August 31, 1995; Approved with conditions
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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*.



Project Number: **411946-005**
 Application Date: MAR 03, 2017
 Printed: April 24, 2017 at 4:04 PM
 Page: 1 of 3

Home Occupation

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) 10303 - 80 STREET NW Plan 4893HW Blk 31 Lot 3
	Specific Address(es) Suite: MNFL, 10303 - 80 STREET NW Entryway: 10303 - 80 STREET NW Building: 10303 - 80 STREET NW

Scope of Permit
 To operate a Major Home Based Business. (furniture company, NO OUTDOOR STORAGE - ZEBRA CUSTOM FURNITURE), expires April 24, 2022.

Permit Details	
# of business related visits/day: 0 Administration Office Only?: N Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: N	# of vehicles at one time: 1 Business has Trailers or Equipment?: N Description of Business: Fabricating furniture and cabinets Expiry Date: 2022-04-24 00:00:00

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: **411946-005**
 Application Date: MAR 03, 2017
 Printed: April 24, 2017 at 4:04 PM
 Page: 2 of 3

Home Occupation

Subject to the Following Conditions

NOTE: This Development Permit is NOT valid until the Notification Period expires in accordance with Section 21.1. (Section 17.1)

Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.

The business owner must live at the site. The business use must be secondary to the residential use of the building and shall not change the residential character of the Dwelling or Accessory Building (Section 7.3(7)).

There shall be no exterior display or advertisement other than an identification plaque or sign a maximum of 20 cm (8") x 30.5 cm (12") in size located on the dwelling (Section 75.1).

The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located (Section 75.3).

Non-resident employees shall not be allowed.

The site shall not be used as a daily rendezvous for employees or business partners.

The site shall not be used by employees or business partners as a parking or storage location.

Maximum business associated visits shall not exceed 2 per week.

Client visit must be by-appointment only and appointments shall not overlap.

Hours of operation must be between 9:00AM to 6:00PM on Weekdays and Saturdays.

There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).

No person shall keep in any part of a Site in any Residential Zone any commercial vehicle, loaded or unloaded, of a maximum gross vehicle weight (G.V.W.) exceeding 4 500 kg. (Reference Section 45.1(a)) All commercial, industrial and overweight vehicles shall be parked at an approved storage facility. The Development Permit may be revoked if any commercial, industrial and overweight vehicles are parked or stored at the residential site.

No offensive noise, odour, vibration, smoke, litter, heat or other objectionable effect shall be produced.

The business use must maintain the privacy and enjoyment of adjacent residences and the characteristic of the neighbourhood.

All parking for the Dwelling and Home Based Business must be accommodated on site unless a parking variance has been granted for this Major Home Based Business.

Any expansion of the business such as an increase in customers, addition of employees, or additional equipment requires that a new Development Permit shall be obtained.

This Development Permit may be cancelled at any time if the Home Based Business as stated in the Permit Details changes (Section 17.2).

This approval is for a 5 year period from the date of this decision. This Development Permit expires on April 24, 2022. Should the business continue to locate at this location, an extension of Development Permit must be approved prior to April 24, 2022.

NOTES:

Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.

An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not constitute a guarantee or warranty of any kind, and does not constitute a statement of fact or opinion, and is not intended to be a contract.

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



Project Number: **411946-005**
 Application Date: MAR 03, 2017
 Printed: April 24, 2017 at 4:04 PM
 Page: 3 of 3

Home Occupation

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.

A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.

Variations

Discretionary Use - Major Home Based Business is approved as a Discretionary Use (Section 140.3.7).

Parking - The site has 0 parking spaces, instead of 3 (Section 52.2 and Schedule 1).

NOTE: Driveway parking spaces are 5.3m in length, instead of 5.5m.

Rights of Appeal

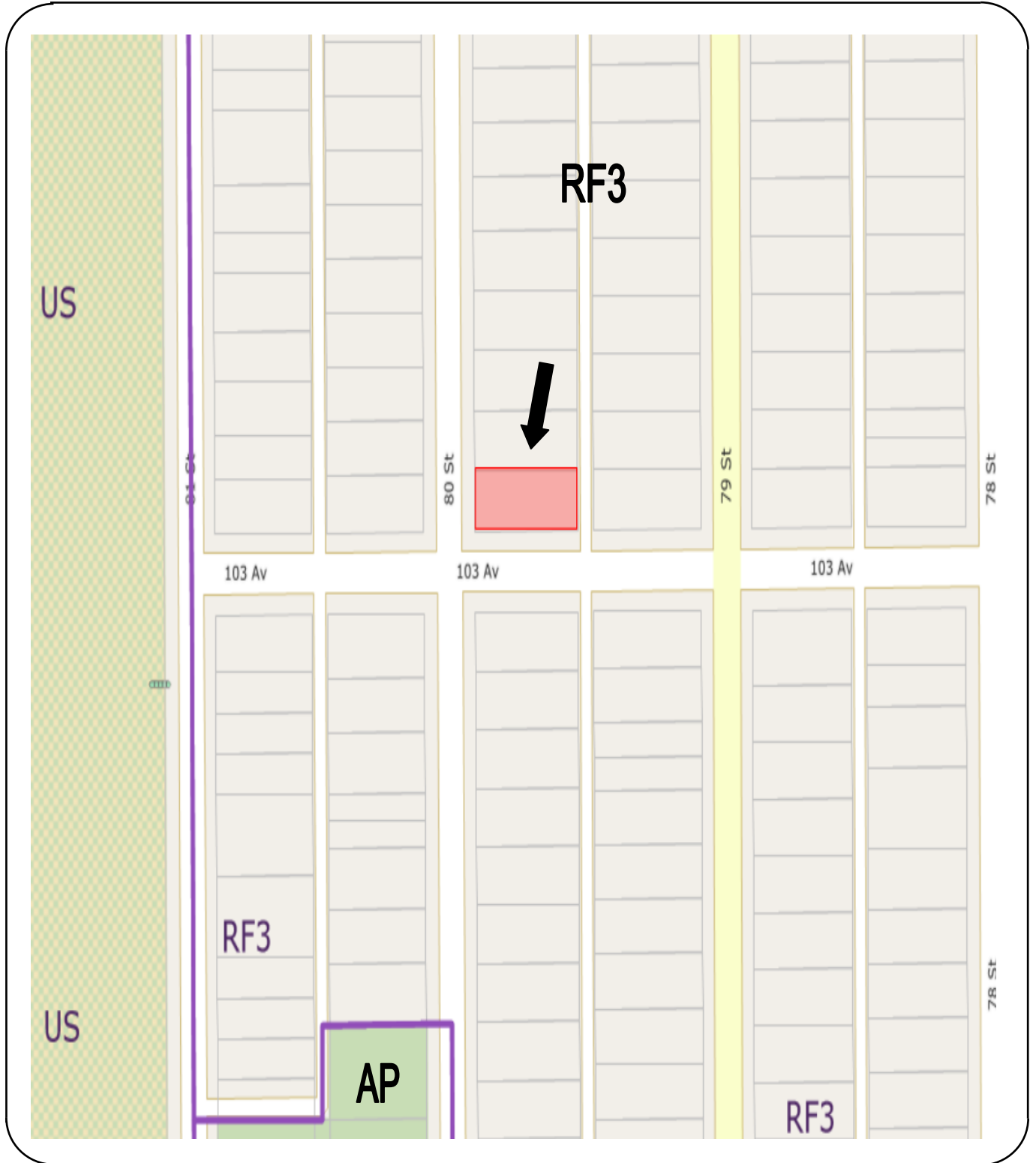
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Apr 24, 2017 Development Authority: YEUNG, KENNETH Signature: _____
 Notice Period Begins: Apr 27, 2017 Ends: May 11, 2017

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$309.00	\$309.00	03959426	Mar 03, 2017
Total GST Amount:	\$0.00			
Totals for Permit:	\$309.00	\$309.00		

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-099



ITEM II: 10:30 A.M.

FILE: SDAB-D-17-074

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

APPELLANT:

APPLICATION NO.: 169004150-014

APPLICATION TO: Change the Use from Restaurant to Major
Alcohol Sales Use and to construct
interior alterations

DECISION OF THE
DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: March 29, 2017

DATE OF APPEAL: April 3, 2017

RESPONDENT: Mill Creek Shopping Centre Ltd.

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 2304 - 23 Avenue NW

LEGAL DESCRIPTION: Plan 0424871 Blk 23 Lot 105

ZONE: (CSC) Shopping Centre Zone

OVERLAY: N/A

STATUTORY PLANS: Silver Berry Neighbourhood Structure
Plan

The Meadows Area Structure Plan

Grounds for Appeal

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

The Appellant respectfully appeals the decision of the Development Officer approving the development permit at 2304 - 23 Avenue NW (Plan 0424871, Blk 23, Lot 105) on the following grounds:

(a) The Development Officer failed to consider or properly interpret s. 85 of the *Edmonton Zoning Bylaw*, and other related planning documents.

(b) The Development Officer failed to properly consider the relevant facts and apply them to the consideration and interpretation of both the Municipal Government Act and the Edmonton Zoning Bylaw (and other related planning documents).

(c) Such further and other reasons as may be presented at the hearing of this matter.

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board made and passed the following motion:

“That SDAB-D-17-074 be tabled to June 1, 2017 at the written request of Legal Counsel for the Respondent and in agreement with Legal Counsel for the Appellant and Sustainable Development.”

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.

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted.

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(12), **Major Alcohol Sales, on a Site of 2 hectares or larger**, is a **Permitted Use** in the (CSC) Shopping Centre Zone.

Under section 7.4(28), **Major Alcohol Sales** means:

development used for the retail sales of any and all types of alcoholic beverages to the public where the Floor Area for the individual business premises is greater than 275 square metres. This Use may include retail sales of related products such as soft drinks and snack foods.

Section 320.1 states 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>Section 85 - Major Alcohol Sales</i>
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1. Any Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 500 metres from any other Major Alcohol Sales or Minor Alcohol Sales.
2. Notwithstanding subsection 85(1), a Major Alcohol Sales or Minor Alcohol Sales may be located less than 500 metres from any other Major Alcohol Sales or Minor Alcohol Sales if all the following regulations are met:
 - a. the Major Alcohol Sales or Minor Alcohol Sales are located on separate Sites;
 - b. the Major Alcohol Sales or Minor Alcohol Sales are located outside the boundary shown in Appendix 1 to Section 85; and
 - c. at least one of the Major Alcohol Sales or Minor Alcohol Sales is located on a Site greater than 2.5 ha in size that is zoned CSCa, UVCa, GVC, TC-C, DC1, DC2, CSC, CB1, CB2, CHY, CO or CB3.
3. For the purposes of Section 85, the 500 metres separation distance shall be measured from the closest point of the Major Alcohol Sales or Minor Alcohol Sales Use to the closest point of any other approved Major Alcohol Sales or Minor Alcohol Sales Use.
4. Any Site containing a Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 100 metres from any Site being used for community or recreation activities, public or private education, or public lands at the time of the application for the Development Permit for the Major Alcohol Sales or Minor Alcohol Sales. Sites that are greater than 2.0 hectares in size and zoned either CSC or DC2, are exempt from this restriction. For the purposes of this subsection only:


- a. the 100 metres separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
 - b. the term "community or recreation activities" is limited to Community Recreation Services, as defined in subsection 7.8(1) of this Bylaw, which includes community league buildings and facilities, and children's playgrounds and play areas. This term does not include arenas or other public assembly Uses, Child Care Services, Public Libraries and Cultural Exhibits, or Religious Assembly;
 - c. the term "public or private education facilities" is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other Commercial Schools; and
 - d. the term "public lands" is limited to Sites zoned AP, and active recreation areas in the North Saskatchewan River Valley and Ravine System, as shown in Appendix I of Section 811 of this Bylaw, that are zoned A; it does not include passive areas in the North Saskatchewan River Valley and Ravine System, as shown in Appendix I of Section 811 of this Bylaw and other areas zoned A.
5. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 85(4).
 6. Notwithstanding Section 11 of this Bylaw, a Development Officer shall only grant a variance to subsection 85(1) or subsection 85(2) as outlined in subsections 85(7), 85(8) and 85(9).
 7. When the Development Officer receives an application for a Development Permit that is for the purpose of accommodating the temporary relocation of an approved Major Alcohol Sales or Minor Alcohol Sales within 500 m of its original location, a variance to subsection 85(1) or subsection 85(2) may be granted where:
 - a. the application for the Development Permit is for a Temporary Development, in order to limit the introduction of an additional Major Alcohol Sales or Minor Alcohol Sales within 500 metres of the original approved Development Permit;
 - b. the temporary location for any Major Alcohol Sales or Minor Alcohol Sales is not within 500 metres of any legally conforming Major Alcohol Sales or Minor Alcohol Sales;

- c. the application for a Development Permit will not result in a total Floor Area for a Major Alcohol Sales or Minor Alcohol Sales that is 10.0 percent greater than the Floor Area of the existing approved Major Alcohol Sales or Minor Alcohol Sales, to a maximum increase of 50 square metres; and
 - d. the application for a Development Permit will not result in a change of Use from Minor Alcohol Sales to Major Alcohol Sales.
 8. When a Development Officer receives an application for a Development Permit that is for the purpose of accommodating the reversion of an existing approved Major Alcohol Sales or Minor Alcohol Sales back to its original location on a Site, a variance of subsection 85(1) or subsection 85(2) may only be granted where the application for the reversion is submitted to the Development Officer within 5 years of the date of vacating the original location and the application will not result in a total Floor Area that is greater than the original approved Major Alcohol Sales or Minor Alcohol Sales. and
 9. The issuance of a Development Permit which contains a variance pursuant to subsection 85(7) shall be issued as a Temporary Development for a duration of up to 5 years or less, to be determined by the Development Officer.
 10. The Development Officer may require lighting, signage or screening measures that ensure the proposed development is compatible with adjacent or nearby Residential Uses or Commercial Uses.
 11. The Development Officer may require that a Traffic Impact Study be conducted for Major Alcohol Sales prior to the issuance of a Development Permit, if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. The Traffic Impact Study shall be prepared to the satisfaction of the Development Officer, in consultation with Transportation Services.
 12. The Development Officer shall consider Crime Prevention Through Environmental Design criteria by ensuring:
 - a. the exterior of all stores have ample transparency from the street to allow natural surveillance;
 - b. exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society of North America;
 - c. Landscaping be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;

- d. no customer parking is located behind a building and that all Parking Areas in front of the building be well-lit; and
- e. customer access to the store is limited to a store front that is visible from the street, other than a Lane, shopping centre parking lot or a mall access that allows visibility from the interior.

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: 169004150-014 Application Date: MAR 10, 2017 Printed: March 29, 2017 at 12:35 PM Page: 1 of 2		
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) 2304 - 23 AVENUE NW Plan 0424871 Blk 23 Lot 105 Specific Address(es) Suite: 2330 - 23 AVENUE NW Entryway: 2330 - 23 AVENUE NW Building: 2330 - 23 AVENUE NW		
Scope of Permit To change the Use from Restaurant to Major Alcohol Sales Use and to construct interior alterations			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Class of Permit: Class A Gross Floor Area (sq.m.): 330.5 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 A Gross Floor Area (sq.m.): 330.5 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 A Gross Floor Area (sq.m.): 330.5 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 Permit Decision Approved			
The permit holder is advised to read the reverse for important information concerning this decision.			



Project Number: **169004150-014**
 Application Date: MAR 10, 2017
 Printed: March 29, 2017 at 12:35 PM
 Page: 2 of 2

Major Development Permit

Subject to the Following Conditions

- 1) 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)
- 2) The exterior of all stores have ample transparency from the street to allow natural surveillance (Reference Section 85.12)
- 3) Exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society of North America (Reference Section 85.12)
- 4) Landscaping be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance (Reference Section 85.12)
- 5) No customer parking is located behind a building and that all Parking Areas in front of the building be well-lit (Reference Section 85.12)
- 6) Customer access to the store is limited to a store front that is visible from the street, other than a Lane, shopping centre parking lot or a mall access that allows visibility from the interior (Reference Section 85.12)

DEVELOPMENT SERVICES ADVISEMENTS:

- 1) This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.
- 2) Signs require separate Development Applications.
- 3) 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.
- 4) 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.
- 5) 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

Rights of Appeal

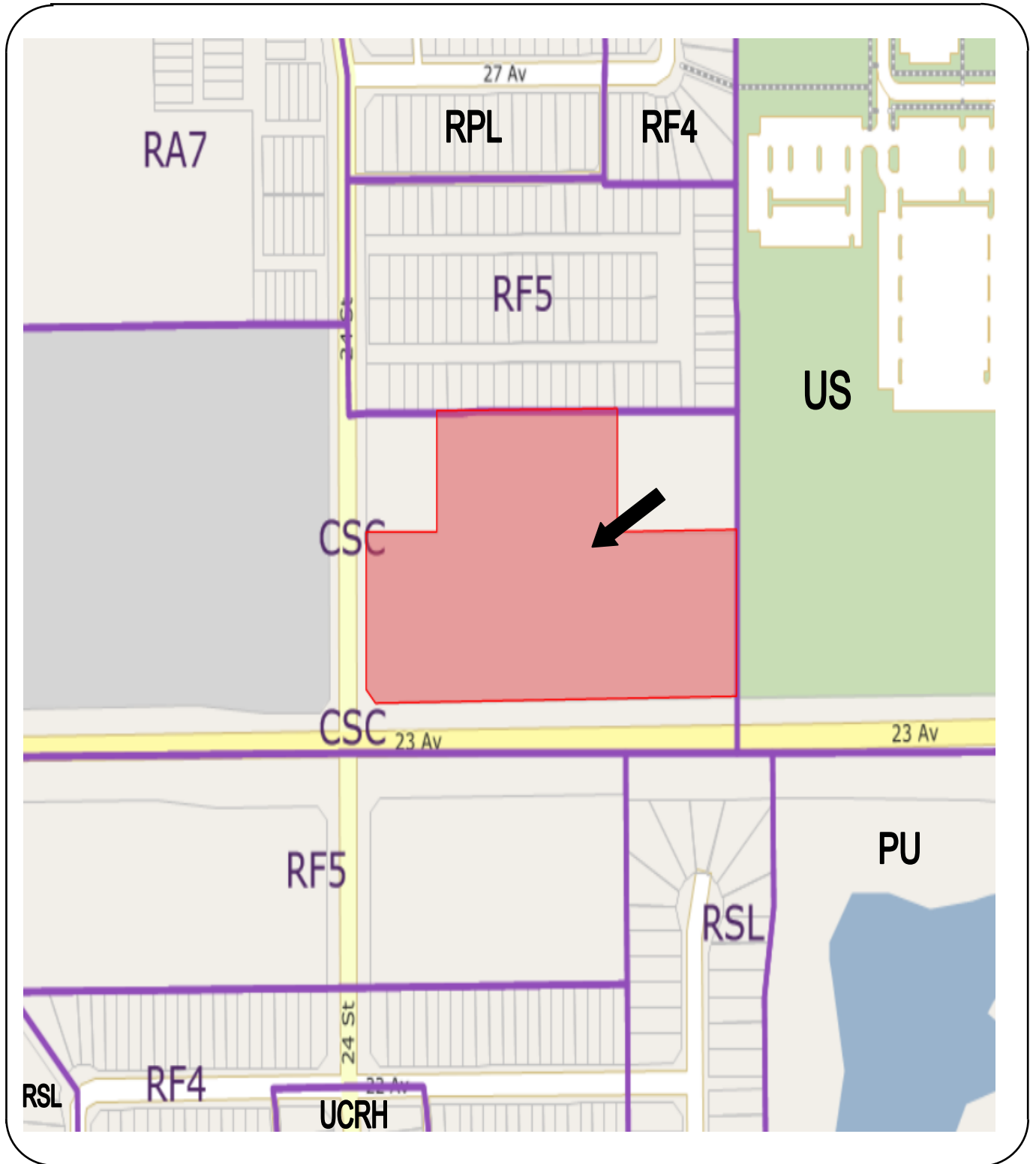
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Issue Date: Mar 29, 2017 **Development Authority:** CHAN, CALVIN **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$271.00	\$271.00	03972208	Mar 10, 2017
Total GST Amount:	\$0.00	_____		
Totals for Permit:	\$271.00	\$271.00		

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-17-074

