

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Thursday, 9:00 A.M.
March 7, 2019**

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

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

I 9:00 A.M. SDAB-D-19-031

To change the use from Health Services to Child Care Services (80 Children) and to construct interior and exterior alterations (above grade outdoor play area, rear exterior stairway and removal of windows)

11024 - 127 Street NW
Project No.: 287881338-001

II 1:00 P.M. SDAB-D-19-032

To continue to operate a Childcare Service with 30 children, and modify the hours of operation from a before and after school, to all day (Reference DP 188667407-007 and Subdivision and Development Appeal Board file 18867407-010)

14804 - 78 Street NW
Project No.: 188667407-012

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-19-031

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

APPELLANT:

APPLICATION NO.: 287881338-001

APPLICATION TO: Change the use from Health Services to Child Care Services (80 Children) and to construct interior and exterior alterations (above grade outdoor play area, rear exterior stairway and removal of windows)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: January 16, 2019

DATE OF APPEAL: February 11, 2019

NOTIFICATION PERIOD: January 22, 2019 through February 12, 2019

RESPONDENT: Smartway Daycare Brokerage Inc.

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 11024 - 127 Street NW

LEGAL DESCRIPTION: Plan RN60 Blk 2 Lot 5

ZONE: (CB1) Low Intensity Business Zone

OVERLAY: N/A

STATUTORY PLAN: West Ingle Area Redevelopment Plan

Grounds for Appeal

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

I own the apartment building across the alley & slightly north. We have had parking issues in the apartment buildings parking spots, where

tenants have come home & someone has parked in there spot. It seems they know how long they can get away with it & leave before the tow truck can arrive. Tenants then have to park on the street & possibly carry items to their suite. This permit has only 40% of the recommended parking & no loading spots. 80 kids need a lot of vehicles & a lot of parking. I've owned the building over 21 years.

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.

(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 clauses (a.4) and (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 330.3(6), **Child Care Services** is a **Discretionary Use** in the **(CB1) Low Intensity Business Zone**.

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

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

Section 330.1 states that the **General Purpose** of **(CB1) Low Intensity Business Zone** is:

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.

Parking Spaces

Section 54.2, Schedule 1(A)(31), states Child Care Services requires the following minimum number of Parking Spaces:

- a) Passenger pick-up/drop-off spaces shall be provided at the rate of 2 pick-up/drop-off spaces for the first 10 children, plus 1 additional pick-up/drop-off space for every 10 additional children.
 - i) Passenger pick-up/drop-off spaces shall be designed with signs to reserve the parking spaces for Child Care Services pick-up/drop-off, to the satisfaction of the Development Officer.
 - ii) Passenger pick-up/drop-off space shall be located as close as possible to the main entrance used by the Child Care Service, and shall not be located further than 100 m from the main entrance used by the Child Care Service. The distance between the farthest parking space in the pick-up/drop-off area and the main entrance of the Child Care Service shall be measured along the shortest publicly accessible pedestrian route.
 - iii) An on-street loading zone shall satisfy a portion of the passenger pick-up/drop-off parking space requirement without a variance if the Development Officer, after consultation with Transportation Operations, is satisfied with the proposal.

- b) employee parking shall be provided at the rate of:
- i) 1 parking space per 100.0 m² of Floor Area; or
 - ii) 1 parking space per 360.0 m² of Floor Area where the Child Care Service is proposed within 400 m of an LRT Station, Transit Centre, Transit Avenue, or all Lots within the boundaries of the Oliver Area Redevelopment Plan, as adopted by Bylaw 11618, as amended, or all Lots within the boundaries of the Strathcona Area Redevelopment Plan, as adopted by Bylaw 11890, as amended; or
 - iii) Where the Child Care Service is for a dayhome/group family care providing care to 7 or more children within the residence of the child care provider, 1 parking space for each non-resident employee, in addition to the parking required for the principal Dwelling. Where a Front Yard Driveway provides access to a parking space that is not within the Front Yard, the Development Officer may consider this Driveway as the provision of a parking space that is in tandem.

Development Officer’s Determination

Parking - The site has 4 parking spaces, instead of 10 (Section 54.2 and Schedule 1) [unedited]

<i>Loading Spaces</i>

Section 54.4, Schedule 3, states the following:

Use of Building or Site	Total Floor Area of Building	Minimum Number of loading Spaces Required
1. Any development within the Commercial or Industrial Use Classes, excluding Professional, Financial and Office Support Services	Less than <u>465 m²</u> <u>465 m² to 2 300 m²</u> Each additional <u>2 300 m²</u> , or fraction thereof	1 2 1 additional
2. Any development within the Residential-Related, Basic Services or Community, Educational, Recreational and	Up to <u>2 800 m²</u> Each additional <u>2 800 m²</u> or fraction thereof	1 1 additional


Cultural Service Use Classes and Professional, Financial and Office Support Services, excluding Limited Group Homes		
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Development Officer's Determination

Loading Space - The site has 0 loading spaces, instead of 1 (Section 54.2 and Schedule 3) [unedited]

Notice to Applicant/Appellant

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

	Project Number: 287881338-001 Application Date: JUL 18, 2018 Printed: January 22, 2019 at 9:34 AM Page: 1 of 3		
Major Development Permit			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.			
Applicant	Property Address(es) and Legal Description(s) 11024 - 127 STREET NW Plan RN60 Blk 2 Lot 5 Specific Address(es) Suite: 11024 - 127 STREET NW Entryway: 11024 - 127 STREET NW Building: 11024 - 127 STREET NW		
Scope of Permit To change the use from Health Services to Child Care Services (80 Children) and to construct interior and exterior alterations (above grade outdoor play area, rear exterior stairway and removal of windows)			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.): 550.92 </td> <td style="width: 50%; border: none;"> Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: (none) </td> </tr> </table>		Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.): 550.92	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: (none)
Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.): 550.92	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: 0 Stat. Plan Overlay/Annex Area: (none)		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Permit Decision Approved Issue Date: Jan 16, 2019 Development Authority: KIM, JENNIFER			



Project Number: **287881338-001**
 Application Date: JUL 18, 2018
 Printed: January 22, 2019 at 9:34 AM
 Page: 2 of 3

Major Development Permit

Subject to the Following Conditions

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

1) All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the building or Use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind. (Reference Section 54.1.c)

2) Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices. (Reference Section 51)

3) Where outdoor play space is provided above ground level it shall be Fenced (a minimum 1.83m high) on all sides and all gates shall be self-latching.

4) Subdivision Planning has reviewed the above noted development application and has the following comments:

1.The proposed external stairwell, as shown on Enclosure I must be within private property. No objects are permitted to encroach onto, over or under road right-of-way.

2.There may be utilities within road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Alberta One-Call (1-800-242-3447) and Shaw Cable (1-866-344-7429; www.digshaw.ca) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.

3.There are existing boulevard trees adjacent to the site that must be protected during the proposed exterior construction. Prior to construction, the owner/applicant must contact to arrange for hoarding and/or root cutting. All costs shall be borne by the owner/applicant. Please contact Bonnie Fermanuik at City Operations, Parks and Roads Services (780-496-4960).

4.Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:

- the start/finish date of project;
- accommodation of pedestrian connectivity during all phases of construction for access to the adjacent roadways and intersections;
- confirmation of lay down area within legal road right of way if required;
- and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.

It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at:

https://www.edmonton.ca/business_economy/licences_permits/oscam-permit-request.aspx

and,

<https://www.edmonton.ca/documents/ConstructionSafety.pdf>

5.Any alley, sidewalk or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Section 15.5(f) of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.

ADVISEMENTS:

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.

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

3) Signs require separate Development Applications.



Project Number: **287881338-001**
 Application Date: JUL 18, 2018
 Printed: January 22, 2019 at 9:34 AM
 Page: 3 of 3

Major Development Permit

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 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).

SUBDIVISION PLANNING ADVISEMENTS:

1.The applicant provided a parking justification, which is attached as Enclosure II. It indicates that maximum parking is currently available on-site as the building is vacant. The justification further indicates there will be 6 to 10 employees working in shifts for the proposed use. Hours of operation are 7 am to 5:30 pm with drop-off and pick-up from 7 am to 10 am and 3:30 pm to 5:30 pm.

2.Subdivision Planning has consulted with Parking Services and they have concerns with this development application based on the proposed on-site parking deficiency of 6 parking stalls (provided 4 stalls; required 10 stalls). Although drop-off stalls are provided on-site, staff parking is not provided. As a result, for 8 or more hours during the day there would likely be overflow parking in the adjacent residential area along 127 Street. 127 Street in a one-way operation northbound adjacent to the site and on-street parking is permitted.

However, on-street parking cannot be relied upon as it is not always available as an alternative parking option. Available on-street parking diminishes as a result of parking variances being granted with development permit approvals and neighbourhood parking programs being implemented. The consequences of a lack of on-street parking results in an ongoing management issue for the City to establish parking availability on public road right of way through restrictive measures impacting all users in the area.

3.There is an existing bike lane adjacent to the site on 127 Street.

Variances

Parking - The site has 4 parking spaces, instead of 10 (Section 54.2 and Schedule 1)

Loading Space - The site has 0 loading spaces, instead of 1 (Section 54.2 and Schedule 3)

Rights of Appeal

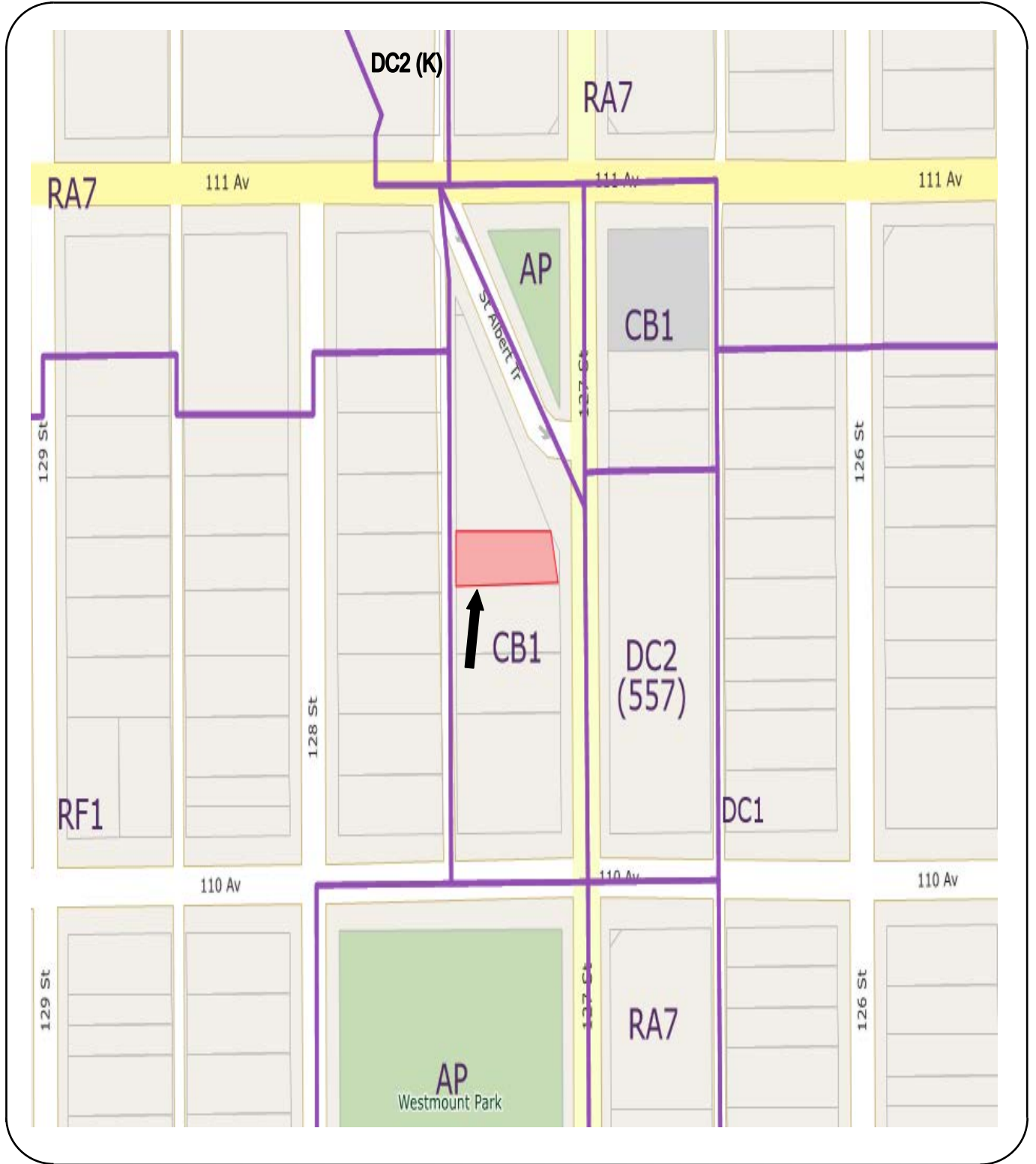
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

Notice Period Begins:Jan 22, 2019

Ends: Feb 12, 2019

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$326.00	\$326.00	05251591	Aug 10, 2018
NSF SERVICE CHARGE	\$10.00	\$10.00	05585954	Jan 11, 2019
NSF AMOUNT	\$326.00	\$326.00	05585954	Jan 11, 2019
Total GST Amount:	\$0.00			
Totals for Permit:	\$662.00	\$662.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-19-031



ITEM II: 1:00 P.M.

FILE: SDAB-D-19-032

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 188667407-012

APPLICATION TO: Continue to operate a Childcare Service with 30 children, and modify the hours of operation from a before and after school, to all day (Reference DP 188667407-007 and Subdivision and Development Appeal Board file 18867407-010)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 29, 2019

DATE OF APPEAL: January 30, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 14804 - 78 Street NW

LEGAL DESCRIPTION: Plan 6143NY Blk 23 Lot 9

ZONE: (RF1) Single Detached Residential 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:

The Development authority did not evaluate the impact of the application appropriately.

The proposed childcare changes will not create any incremental impact to the neighbourhood.

Any additional material will be submitted to the SDAB prior to the appeal hearing.

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,

- (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, [...]

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 clauses (a.4) and (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 110.3(1), **Child Care Services** is a **Discretionary Use** in **(RF1) Single Detached Residential Zone**.

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

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

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is:

to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Garden Suites, Semi-detached Housing and Duplex Housing.

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

to regulate residential development in Edmonton’s mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations.

Discretionary Use

Development Officer’s Determination

1. Child Care Services is a Discretionary Use in the RF1 Zone. (Reference Section 110.3.1 & 11.1.e). The purpose of this Zone is to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Semi-detached Housing and Duplex Housing under certain conditions (reference Section 110.1).

In the opinion of the Development Officer, the conversion of a Single Detached house to a Child Care Service with 30 children proposed is excessive, and not in keeping with the general purpose of the RF1 Zone. Notwithstanding the Subdivision and Development Appeal Board decision on July 7/ 2016 (File #SDAB-D-16-133, File#SDAB-D-08-032), it is the opinion of the Development Officer that the proposed development will still adversely impact adjacent development, materially interfere with or affect the use, enjoyment or value of neighbouring properties. [unedited]

Conditions

Development Officer’s Determination

2. This application does not comply with existing conditions put in place by the Subdivision & Development Appeal Board (SDAB), SDAB-D-18-032, February 26, 2018.

The request for all day care, is contrary to the SDAB approval regarding age of children and care only being offered Before and After School. [unedited]

Previous Subdivision and Development Appeal Board Decisions

Application Number	Description	Decision
SDAB-D-18-032	To increase the number of children in an existing Child Care Service (23 to 30 Children). (Tots 2 Kids)	<p>February 26, 2018; The appeal is ALLOWED and the decision of the Development Authority is REVOKED.</p> <p>The development is GRANTED as applied for to the Development Authority, subject to the following CONDITIONS:</p> <ol style="list-style-type: none"> 1. The children must be elementary school-aged children, from kindergarten to grade six. 2. The business shall be run as a before/after-school care service only. 3. The hours of operation shall be from 7:00 a.m. to 6:30 p.m., Monday to Friday. 4. The outdoor place space shall be fenced on all sides and all gates shall be selflatching. (Reference Section 80.3.a) 5. All outdoor trash collection areas shall be located and screened to the satisfaction of the Development Officer in accordance with Sections 55.4 & 5. 6. 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)


		<p>7. 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) SDAB-D-18-032 7 February 26, 2018</p> <p>8. The off-street parking, loading and unloading (including aisles or driveways) shall be hardsurfaced, curbed, drained and maintained in accordance with Section 54.6.</p>
<p>SDAB-D-16-133</p>	<p>To change the use of a Single Detached House to a Child Care Service and to construct interior alterations.</p>	<p>July 7, 2016;</p> <p>The appeal is ALLOWED and the decision of the Development Authority is REVOKED.</p> <p>The development is GRANTED, subject to the following CONDITIONS:</p> <ol style="list-style-type: none"> 1) The development shall have no more than 23 children. 2) The children must be elementary school-aged children, from kindergarten to grade six. 3) The business shall be run as a before/after-school care service only.

		<p>4) The hours of operation shall be from 7:00 a.m. to 6:30 p.m., Monday to Friday.</p> <p>5) The outdoor play space shall be fenced on all sides and all gates shall be self-latching. Reference Section 80(3)(a)</p> <p>6) All outdoor trash collection areas shall be located and screened to the satisfaction of the Development Officer in accordance with Sections 55(4) & (5).</p> <p>7) 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</p> <p>In granting the development, the following variances to the <i>Edmonton Zoning Bylaw</i> are allowed:</p> <p>1) Section 54.1(2)(f) and Section 54.2(1)(2)(e)(ii) are varied to permit tandem parking in the flanking side yard.</p> <p>2) Schedule 1(A)(33)(a) of Section 54 with respect to pick-up/drop-off loading zone requirements is waived.</p> <p>3) Schedule 1(A)(33)(b) of Section 54 with respect to employee parking space is varied to permit a deficiency of 4 employee parking spaces. A total of 3 on-site employee parking spaces shall be</p>
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		permitted. 4) Schedule 2(1) of Section 54.3 with respect to Bicycle Parking is waived. 5) Schedule 3(2) of Section 54.4 with respect to Loading Space is waived.
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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.

	Project Number: 188667407-012 Application Date: DEC 13, 2018 Printed: January 30, 2019 at 2:57 PM Page: 1 of 2
<h2>Application for Major Development Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant	Property Address(es) and Legal Description(s)
	14804 - 78 STREET NW Plan 6143NY Blk 23 Lot 9
	Specific Address(es)
	Suite: 14804 - 78 STREET NW
	Entryway: 14804 - 78 STREET NW
	Building: 14804 - 78 STREET NW
Scope of Application	
To continue to operate a Childcare Service with 30 children, and modify the hours of operation from a before and after school, to all day (Reference DP 188667407-007 and Subdivision and Development Appeal Board file 18867407-010).	
Permit Details	
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: Mature Neighbourhood Overlay
I/We certify that the above noted details are correct.	
Applicant signature: _____	
Development Application Decision	
Refused	
Issue Date: Jan 29, 2019 Development Authority: MORAN, MICHLYN	
Reason for Refusal	
1. Child Care Services is a Discretionary Use in the RF1 Zone. (Reference Section 110.3.1 & 11.1.e). The purpose of this Zone is to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Semi-detached Housing and Duplex Housing under certain conditions (reference Section 110.1).	
In the opinion of the Development Officer, the conversion of a Single Detached house to a Child Care Service with 30 children proposed is excessive, and not in keeping with the general purpose of the RF1 Zone. Notwithstanding the Subdivision and Development Appeal Board decision on July 7/ 2016 (File #SDAB-D-16-133, File#SDAB-D-08-032), it is the opinion of the Development Officer that the proposed development will still adversely impact adjacent development, materially interfere with or affect the use, enjoyment or value of neighbouring properties.	
2. This application does not comply with existing conditions put in place by the Subdivision & Development Appeal Board (SDAB) , SDAB-D-18-032, February 26, 2018.	
The request for all day care, is contrary to the SDAB approval regarding age of children and care only being offered Before and After School.	
Rights of Appeal	
The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.	
THIS IS NOT A PERMIT	



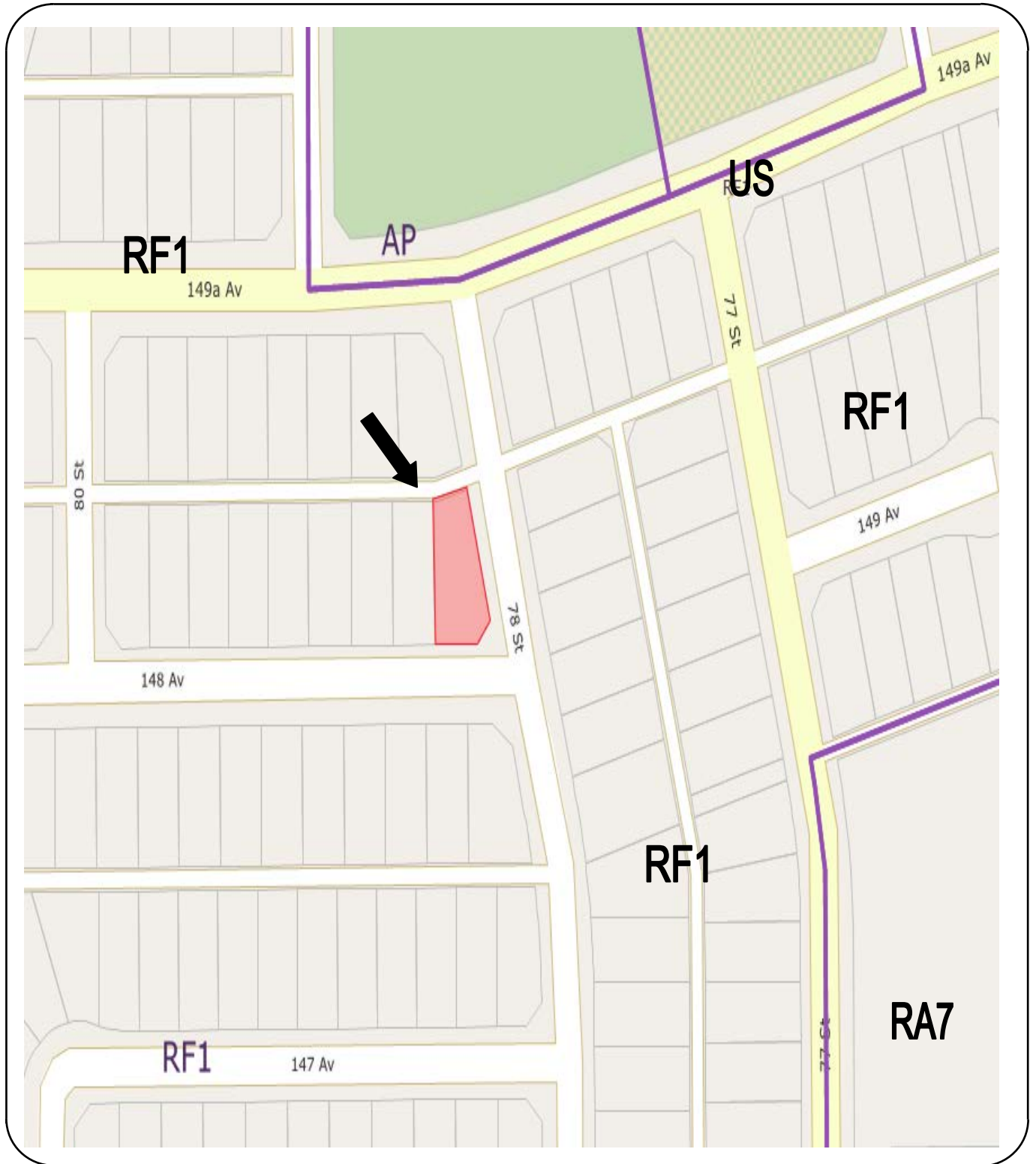
Application for Major Development Permit

Project Number: **188667407-012**
Application Date: DEC 13, 2018
Printed: January 30, 2019 at 2:57 PM
Page: 2 of 2

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$326.00	\$326.00	05531429	Dec 13, 2018
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$326.00</u>	<u>\$326.00</u>		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location



File: SDAB-D-19-032



N