

**SUBDIVISION**  
**AND**  
**DEVELOPMENT APPEAL BOARD**  
**AGENDA**

**Wednesday, 9:00 A.M.**  
**September 9, 2020**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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I     9:00 A.M.     SDAB-D-20-114

Change the use of part of a Recycling Depot to a Cannabis Retail Sales

4825 - 118 Avenue NW  
Project No.: 366558115-002

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II    1:30 P.M.     SDAB-D-20-117

Operate a Major Home Based Business (Esthetic services - VYS NAILS AND ESTHETICS).  
Expires July 23, 2025

1342 - Breckenridge Drive NW  
Project No.: 364813735-001

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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.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-20-114

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 366558115-002

APPLICATION TO: Change the use of part of a Recycling Depot to a Cannabis Retail Sales

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: August 7, 2020

DATE OF APPEAL: August 10, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 4825 - 118 Avenue NW

LEGAL DESCRIPTION: Plan 7242AH Blk 1 Lots 9-12

ZONE: (CB2) General Business Zone

OVERLAY: Main Streets Overlay

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:

I am writing on behalf of the owner of Beverly Bottle Depot, who is looking to repurpose additional space in the current recycle depot to open a retail cannabis store. Currently there is no retail cannabis store within 200 meters of the purposed location 4825-118 Avenue NW Edmonton, AB. There is currently an approved DP expiring early 2021 within 100 meters of the purposed location. This store has yet to have building permit

approvals and is not yet ready for construction. We believe that our development will rejuvenate an existing building on 118 Avenue. It will create jobs and access to cannabinoid products for the local community. It is our understanding the board has allowed developments of cannabis retail stores within 100 meters of each other in the past. We believe we are a strong candidate for this type of approval. We are looking to move quickly into building permit design drawings and construction once the development is approved. We believe our development aligns with the cities urban plan for this community as well as the cities vision for retail cannabis stores.

***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 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 340.2(6), **Cannabis Retail Sales** is a **Permitted Use** in the **(CB2) General Business Zone**.

Under section 7.4(9), **Cannabis Retail Sales** means:

development used for the retail sale of Cannabis that is authorized by provincial or federal legislation. This Use may include retail sales of Cannabis accessories. This Use does not include Cannabis Production and Distribution.

Under section 6.1, **Cannabis** means:

a cannabis plant and anything referred to in subsection (a) of this definition but does not include anything referred to in subsection (b) of this definition:

- a. Cannabis includes:
  - i. any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than a part of the plant referred to in subsection (b) of this definition.
  - ii. any substance or mixture of substances that contains or has on it any part of such a plant;
  - iii. any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

- b. Notwithstanding subsection (a) of this definition, Cannabis does not include:
  - i. a non-viable seed of a cannabis plant;
  - ii. a mature stalk, without any leaf, flower, seed or branch, of such plant;
  - iii. fibre derived from a stalk referred in subsection (b)(ii) of this definition; and
  - iv. the root or any part of the root of such a plant.

Under section 6.1, **Site** means “an area of land consisting of one or more abutting Lots.”

Section 340.1 states that the **General Purpose** of the **(CB2) General Business Zone** is:

to provide for businesses that require large Sites and a location with good visibility and accessibility along, or adjacent to, major public roadways.

Section 819.1 states that the **General Purpose** of the **Main Streets Overlay** is:

to encourage and strengthen the pedestrian-oriented character of Edmonton’s main street commercial areas that are located in proximity to residential and transit-oriented areas, by providing visual interest, transparent storefront displays, and amenities for pedestrians.

<p><b><i>Section 70 – Cannabis Retail Sales</i></b></p>
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- 1. Any Cannabis Retail Sales shall not be located less than 200 m from any other Cannabis Retail Sales. For the purposes of this subsection only:
  - a. the 200 m separation distance shall be measured from the closest point of the Cannabis Retail Sales Use to the closest point of any other approved Cannabis Retail Sales Use;
  - b. A Development Officer shall not grant a variance to reduce the separation distance by more than 20 m in compliance with Section 11; and

- c. The issuance of a Development Permit which contains a variance to separation distance as described in 70(1)(b) shall be issued as a Class B Discretionary Development.
  2. Any Site containing Cannabis Retail Sales shall not be located less than:
    - a. 200 m from any Site being used for a public library, at the time of the application for the Development Permit for the Cannabis Retail Sales; and
    - b. 100 m from any Site being used for Community Recreation Services Use, a community recreation facility or as public lands at the time of application for the Development Permit for the Cannabis Retail Sales.
  3. For the purposes of subsection 2:
    - a. separation distances 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 “public library” is limited to the collection of literary, artistic, musical and similar reference materials and learning resources in the form of books, electronic files, computers, manuscripts, recordings and films for public use, and does not include private libraries, museums or art galleries.
    - c. the term “community recreation facilities” means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities, as per the Municipal Government Act; and
    - d. the term "public lands" is limited to Sites zoned AP, and Sites zoned A.
  4. Subsection 105(3) of the Gaming, Liquor and Cannabis *Regulation*, is expressly varied by the following:
    - a. any Site containing a Cannabis Retail Sales shall not be located less than:

***Public or private education***

- i. 200 m from a Site being used for public or private education, at the time of the application for the Development Permit for the Cannabis Retail Sales;



***Provincial health care facility***

- ii. 100 m from a Site being used for a provincial health care facility at the time of the application for the Development Permit for the Cannabis Retail Sales; and

***School reserve or municipal and school reserve***

- iii. 100 m from a Site designated as school reserve or municipal and school reserve at the time of the application for the Development Permit for the Cannabis Retail Sales.

***Measurement of Separation Distances***

- b. For the purposes of this subsection, separation distances 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.

***Sites Greater than Two Hectares***

- c. For Sites that are greater than 2.0 ha in size and zoned either CSC or DC2, that do not contain a public library at the time of application for the Development Permit for the Cannabis Retail Sales:

- i. Subsection 70(2), and 70(4)(a) shall not apply; and
- ii. the distances referred to in Subsection 105(3) of the *Gaming, Liquor and Cannabis Regulation* shall be expressly varied to 0 m.

- d. For the purposes of subsection 70(4)(a)(i), the term "public or private education" means a school as defined in subsection (1)(y)(i) and (1)(y)(ii) of the *School Act (as amended from time to time)*.

- 5. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 70(2), 70(3)(a) or 70(4).

**Design Requirements**

- 6. Cannabis Retail Sales shall include design elements that readily allow for natural surveillance to promote a safe urban environment, where applicable and to the satisfaction of the Development Officer, including the following requirements:

- a. customer access to the store is limited to a storefront that is visible from the street other than a Lane, or a shopping centre parking lot, or mall access that allows visibility from the interior of the mall into the store;
- b. the exterior of all stores shall have ample transparency from the street;
- c. Any outdoor lighting shall be designed to ensure a well-lit environment for pedestrians and illumination of the property; and
- d. Landscaping shall be low-growing shrubs or deciduous trees with a high canopy at maturity to maintain natural surveillance.

**Development Officer's Determination**

**The proposed Cannabis Retail Store does not comply with the minimum setback requirement from an approved Cannabis Retail Sales (5015-118 Avenue) (Section 70.1):**

**Required Setback: 200 m**

**Proposed Setback: 113m**

**Deficient by 87m**

**Under Section 70.1 of the Zoning Bylaw, the Development Officer is prohibited from granting a variance to the minimum setback to allow for the proposed Cannabis Retail Store.**

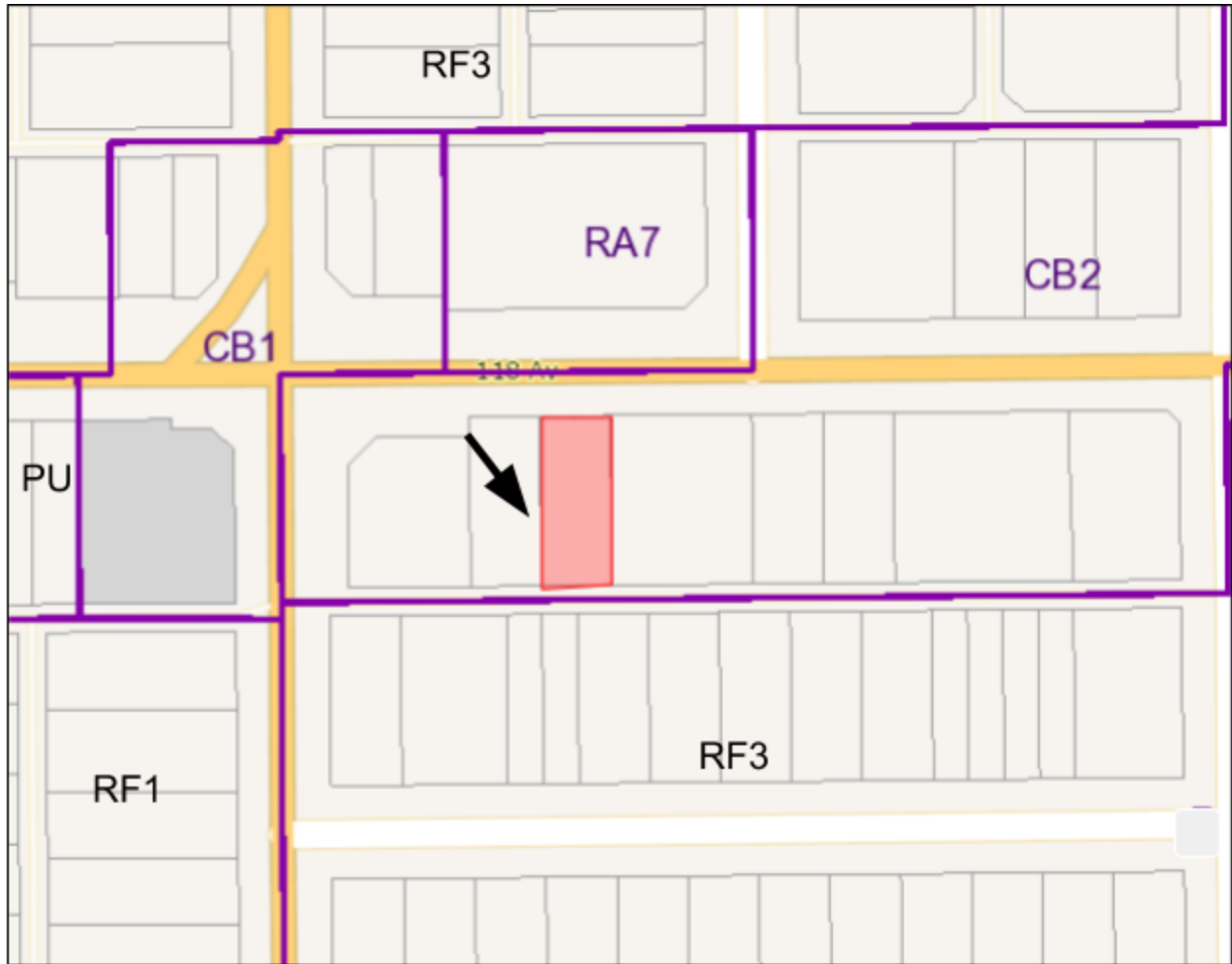
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**Notice to Applicant/Appellant**

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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	<h2 style="margin: 0;">Application for Major Development Permit</h2>	Project Number: <b>366558115-002</b> Application Date: JUN 30, 2020 Printed: August 7, 2020 at 4:12 PM Page: 1 of 1																				
This document is a Development Permit Decision for the development application described below.																						
<b>Applicant</b> <div style="background-color: black; width: 100%; height: 40px; margin-top: 5px;"></div>	<b>Property Address(es) and Legal Description(s)</b> 4825 - 118 AVENUE NW Plan 7242AH Blk 1 Lots 9-12																					
	<b>Specific Address(es)</b> Entryway: 4825 - 118 AVENUE NW Building: 4825 - 118 AVENUE NW																					
<b>Scope of Application</b> To change the use of part of a Recycling Depot to a Cannabis Retail Sales.																						
<b>Permit Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;">                     Class of Permit:                      Gross Floor Area (sq.m.):                      New Sewer Service Required:                      Site Area (sq. m.):                 </td> <td style="width: 50%; border: none; vertical-align: top;">                     Contact Person:                      Lot Grading Needed?: N                      NumberOfMainFloorDwellings:                      Stat. Plan Overlay/Annex Area: Main Street Overlay                 </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: Main Street Overlay																		
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<b>Development Application Decision</b> Refused <b>Issue Date:</b> <b>Development Authority:</b> WELCH, IMAI  <b>Reason for Refusal</b> The proposed Cannabis Retail Store does not comply with the minimum setback requirement from an approved Cannabis Retail Sales (5015-118 Avenue) (Section 70.1):  Required Setback: 200 m Proposed Setback: 113m Deficient by 87m  Under Section 70.1 of the Zoning Bylaw, the Development Officer is prohibited from granting a variance to the minimum setback to allow for the proposed Cannabis Retail Store.  <b>Rights of Appeal</b> 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.																						
<b>Fees</b> <table style="width: 100%; border: none; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: right; font-weight: normal;">Fee Amount</th> <th style="text-align: right; font-weight: normal;">Amount Paid</th> <th style="text-align: right; font-weight: normal;">Receipt #</th> <th style="text-align: right; font-weight: normal;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$5,600.00</td> <td style="text-align: right;">\$5,600.00</td> <td style="text-align: right;">071520200715000</td> <td style="text-align: right;">Jul 15, 2020</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$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;">\$5,600.00</td> <td style="text-align: right; border-top: 1px solid black;">\$5,600.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$5,600.00	\$5,600.00	071520200715000	Jul 15, 2020	Total GST Amount:	\$0.00				Totals for Permit:	\$5,600.00	\$5,600.00		
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<b>THIS IS NOT A PERMIT</b>																						



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-114

▲  
**N**

ITEM II: 1:30 P.M.

FILE: SDAB-D-20-117

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 364813735-001

APPLICATION TO: Operate a Major Home Based Business (Esthetic services - VYS NAILS AND ESTHETICS). Expires July 23, 2025

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: July 22, 2020

DATE OF APPEAL: August 14, 2020

NOTIFICATION PERIOD: July 28, 2020 through August 18, 2020

RESPONDENT: V. Nguyen

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 1342 - Breckenridge Drive NW

LEGAL DESCRIPTION: Plan 9925465 Blk 18 Lot 7

ZONE: (RSL) Residential Small Lot Zone

OVERLAY: N/A

STATUTORY PLAN(S): Breckenridge Greens Neighbourhood Structure Plan  
Lewis Farms Area Structure Plan

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***Grounds for Appeal***

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

I strongly oppose city file number 364813735- 001 development permit to notice for Vy's Nails and Esthetics.

This business is located in a small Crescent of 12 houses at the current time we have 31 vehicles within this crescent for people that pay taxes to live here. Adding additional vehicles coming in and out for 57 working hours a day is unacceptable we are not only increasing the traffic within our crescent but our community as a whole we are increasing exposure from people who would never who wouldn't normally be within our area making this a safety concern.

From the safety aspect these clients are coming in and out of the crescent all day long she does state that the hours are until 7 PM five nights a week that is not the case there have been numerous times for clients are in well past 7 PM numerous times as well there have been lineups for the business which these people then park within the crescent waiting for their turn therefore increasing traffic this is a family community with kids playing outside making it scary for them as people are driving in quickly being distracted on their phones looking for specific address is unacceptable and an accident waiting to happen.

She is being dishonest about the amount of clients that she sees, currently my understanding is the business is allowed 'up to five people a day' this is not being followed as she has numerous people throughout the day that are more than five open seven days a week.

This business is located in the garage of a two-story standard suburban home with zero ventilation we know that there's a client not only due to the amount of cars in the driveway/crescent but the garage door is open to provide proper ventilation due to the nature of the business. I have pictures that show this makeshift structure in the garage.

I do not understand from a health perspective how this was given a permit there aren't any windows there's no ventilation there cannot be running water to the location it is just a plywood box that was put up within a short amount of time and clients come through the garage side door of the house during this time of pandemic there are zero people wearing masks coming in and out staying for over an hour then not only coming into our community but going around to their communities.

I have not heard from my inquiries to 311, file number 8021613966, if there's been an actual visit to location before, during or after the permitting of this business to check for standards including health especially in this time of pandemic.

***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 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 115.3(4), a **Major Home Based Business** is a **Discretionary Use** in the **(RSL) Residential Small Lot 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 that 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 includes Bed and Breakfast Operations but does not include General Retail Sales, Cannabis Retail Sales or Cannabis Production and Distribution.

Section 115.1 states that the **General Purpose** of the **(RSL) Residential Small Lot Zone** is “for smaller lot Single Detached Housing with attached Garages in a suburban setting that provides the opportunity for the more efficient utilization of undeveloped suburban areas and includes the opportunity for Secondary Suites and Garden Suites.”

***Discretionary Use***

**Development Officer’s Determination**

**You are receiving this notice because a Discretionary Use Development Permit has been issued, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.**

**Note: The proposed development complies with the Bylaw, and there are no variances to the development regulations.**

***Major Home Based Business***

Under section 75 a **Major Home Based Business** shall comply with the following regulations:

1. there shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling;


2. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;
3. 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;
4. the number of non-resident employees or business partners working on-site shall not exceed two at any one time;
5. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings;
6. the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings;
7. a Bed and Breakfast Operation, operating as a Major Home Based Business shall have a maximum of two Sleeping Units. Cooking facilities shall not be located within the Sleeping Units. In addition to any other parking requirements of this Bylaw, one additional parking space shall be provided for each Sleeping Unit;
8. in addition to the information requirements of subsection 13.1 of this Bylaw, each application for a Development Permit for the Use Major Home Based Business shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for parking, and where any materials or equipment associated with the business use are to be stored; and
9. the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.
10. a Major Home Based Business shall not be allowed within the same principal Dwelling containing a Secondary Suite or within the same Site containing a Garden Suite and an associated principal Dwelling, unless the Home Based Business is a Bed and Breakfast Operation and the Secondary Suite or the Garden Suite is an integral part of the Bed and Breakfast Operation.

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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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	<p>Project Number: <b>364813735-001</b> Application Date: JUN 12, 2020 Printed: July 22, 2020 at 7:23 PM Page: 1 of 3</p>		
<h2>Home Occupation</h2>			
<p>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.</p>			
<p><b>Applicant</b></p> <div style="background-color: black; width: 100%; height: 40px;"></div>	<p><b>Property Address(es) and Legal Description(s)</b> 1342 - BRECKENRIDGE DRIVE NW Plan 9925465 Blk 18 Lot 7</p>		
<p><b>Scope of Permit</b> To operate a Major Home Based Business (Esthetic services - VY'S NAILS AND ESTHETICS). Expires July 23, 2025.</p>			
<p><b>Permit Details</b></p> <table border="0" style="width: 100%;"><tr><td style="width: 50%; vertical-align: top;"><p># of business related visits/day: 5 Administration Office Only?: N Class of Permit: Class B  Do you live at the property?: Y Outdoor storage on site?:</p></td><td style="width: 50%; vertical-align: top;"><p># of vehicles at one time: Business has Trailers or Equipment?: Description of Business: Esthetic services by appointment only Up to 5 client visits per day. Expiry Date: 2025-07-22 00:00:00</p></td></tr></table>		<p># of business related visits/day: 5 Administration Office Only?: N Class of Permit: Class B  Do you live at the property?: Y Outdoor storage on site?:</p>	<p># of vehicles at one time: Business has Trailers or Equipment?: Description of Business: Esthetic services by appointment only Up to 5 client visits per day. Expiry Date: 2025-07-22 00:00:00</p>
<p># of business related visits/day: 5 Administration Office Only?: N Class of Permit: Class B  Do you live at the property?: Y Outdoor storage on site?:</p>	<p># of vehicles at one time: Business has Trailers or Equipment?: Description of Business: Esthetic services by appointment only Up to 5 client visits per day. Expiry Date: 2025-07-22 00:00:00</p>		
<p><b>Development Permit Decision</b> Approved <b>Issue Date:</b> Jul 22, 2020    <b>Development Authority:</b> FOLKMAN, JEREMY</p>			

## Home Occupation

### Subject to the Following Conditions

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

1. 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)).
2. 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).
3. 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).
4. If non-resident employees or business partners are working on-site, the maximum number shall not exceed the number applied for with this application.
5. If there are visits associated with the business the number shall not exceed the number applied for with this application.
6. Clients visit must be by-appointment only and appointments shall not overlap.
7. There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).
8. No offensive noise, odour, vibration, smoke, litter, heat or other objectionable effect shall be produced.
9. The business use must maintain the privacy and enjoyment of adjacent residences and the characteristic of the neighborhood.
10. 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.
11. This Development Permit may be cancelled at any time if the Home Based Business as stated in the Permit Details changes (Section 17.2).
12. This approval is for a 5 year period from the date of this decision. A new Development Permit must be obtained to continue to operate the business from this location. This Development Permit expires on July 23, 2025.

### Notes:

1. 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 such as the Municipal Government Act, the Edmonton Building Permit Bylaw or any caveats, covenants or easements that might be attached to the Site (Section 5.2).
2. This Development Permit is not a Business License.
3. Subject to the right of appeal. The permit is not valid until the required Notification Period expires (date noted below in accordance with Section 21.1 and 17.1).

### Variances

You are receiving this notice because a Discretionary Use Development Permit has been issued, pursuant to Section 12.4 and 20.3 of the Edmonton Zoning Bylaw.

Note: The proposed development complies with the Bylaw, and there are no variances to the development regulations.



Project Number: **364813735-001**  
Application Date: JUN 12, 2020  
Printed: July 22, 2020 at 7:23 PM  
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## Home Occupation

### Rights of Appeal

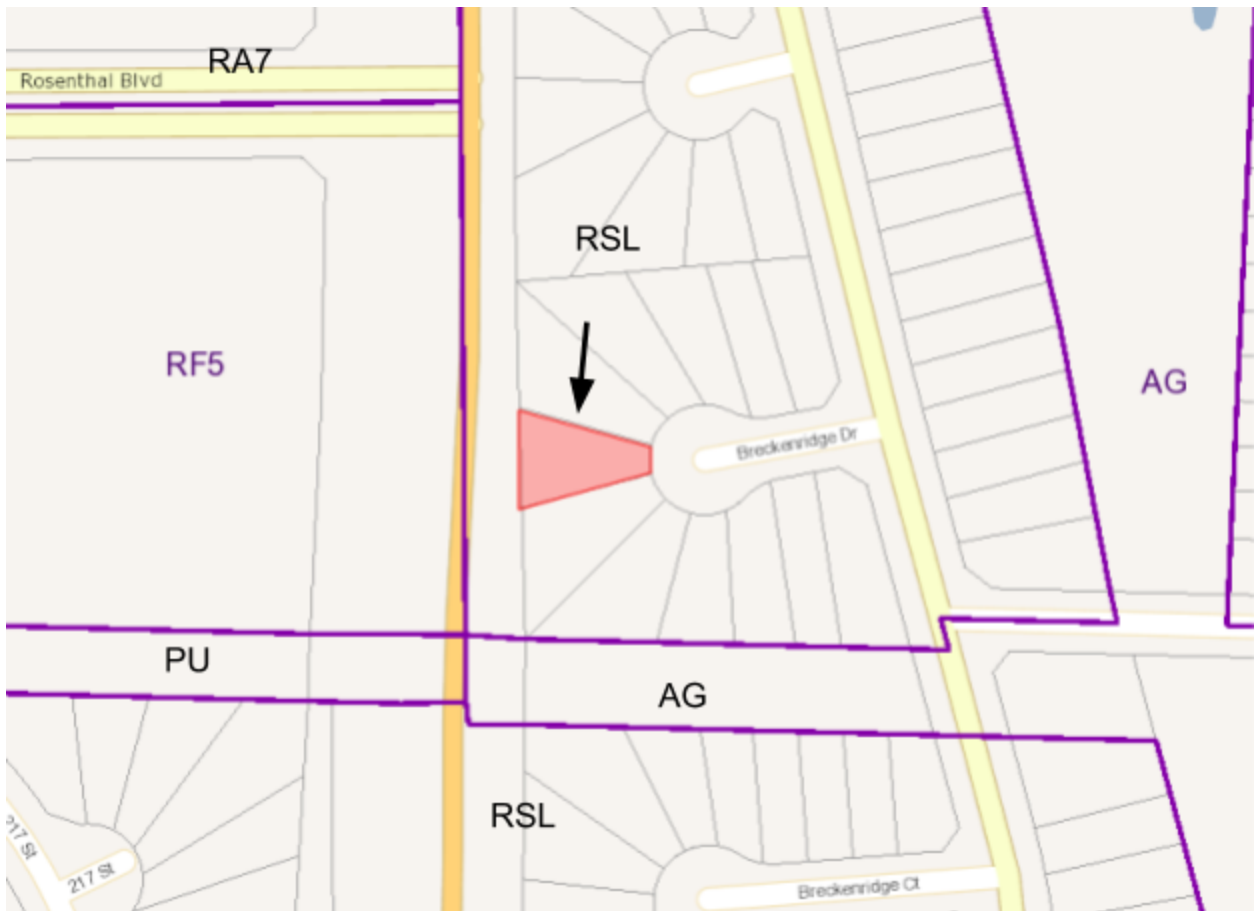
This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

**Notice Period Begins:** Jul 28, 2020

**Ends:** Aug 18, 2020

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee	\$327.00	\$327.00	9762560966510010	Jul 09, 2020
Total GST Amount:	\$0.00			
Totals for Permit:	\$327.00	\$327.00		



**SURROUNDING LAND USE DISTRICTS**

**Site Location** ←                      **File: SDAB-D-20-117**                      ▲  
**N**