

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
May 15, 2025**

**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-25-065

Amend Comprehensive Sign Design Plan  
(520988655-002) for (COOK COUNTY  
SALOON)

10309 - 81 Avenue NW  
Project No.: 549129598-002

---

II      10:30 A.M.      SDAB-D-25-067

Construct a Residential Use building in the form  
of a Backyard House (1 Dwelling with Garage)  
with rear balcony

9704 - 89 Avenue NW  
Project No.: 565859280-002

---

III      1:30 P.M.      SDAB-D-25-066

Convert a Residential Use building in the form of  
a Single Detached House with rear attached  
garage into a Child Care Service for up to 52 and  
to construct exterior alterations (as required)  
Beverly Bites Daycare Ltd.

3804 - 114 Avenue NW  
Project No.: 532780733-002

---

---

**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-25-065AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 549129598-002

APPLICATION TO: Amend Comprehensive Sign Design Plan  
(520988655-002) for (COOK COUNTY SALOON)DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 7, 2025

DATE OF APPEAL: April 17, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 10309 - 81 Avenue NW

LEGAL DESCRIPTION: Plan I Blk 50 Lots 13-26,OT

ZONE: MU - Mixed Use Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

---

<i>Grounds for Appeal</i>
---------------------------

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

Zoning Bylaw 20001 Subsection 280.1 states the Purpose of this Zone is to allow for Uses which support and promote growth and development through recreation, commerce, and employment opportunities as directed by the Statutory Plan. The Old Strathcona District is regarded as an important focal point for entertainment and cultural activities and venues,

including unique local businesses. Cook County has played a consistently significant role in these goals Visions being realized since 1981. The redevelopment of the original Cook County site to incorporate the former Von's premises represents a commitment by the owners to a significant reinvestment in the future of this community. The overall new signage program, comprised of already approved new building signage, along with the addition of the proposed Minor Digital Sign, is crucial to the continued viability and success of Cook County. The proposed Minor Digital Sign, its proposed location on site, were very deliberate choices made by Cook County owners to have no undue impact on the use, enjoyment, nor value of adjacent properties. We believe this proposed Digital Sign is wholly consistent with the Purpose envisioned in EZB 20001 280.1 and therefore would like to respectfully ask this Board to allow this Appeal.

### ***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 the decision in accordance with subsection (2.1).

...

**(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 the decision in accordance with subsection (2.1).

**(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 or the application for the development permit was deemed to be refused under section 683.1(8).

#### **Appeals**

**686(1)** A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal

(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 board hearing the appeal referred to in subsection (1)

...

(a.1) must comply with any applicable land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (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 Zoning Bylaw 20001:**

Under section 2.80.2, the following **Sign Uses** are **Permitted Uses** in the **MU - Mixed Use Zone**:

- 2.30. ...
- 2.31. Freestanding Sign**
- 2.32. Major Digital Sign**
- 2.33. Minor Digital Sign**
- 2.34. ...
- 2.35. Projecting Sign**

Section 2.80.3.22 states “Signs must comply with Section 6.90.”

Under section 8.10, a **Freestanding Sign** means:

a Ground Sign that does not contain Digital Copy.

Typical examples include: pylon signs, monument signs, billboards, posters, and neighbourhood identification signs.

Under section 8.10, a **Major Digital Sign** means:

a Ground Sign or Wall Sign, generally used for short-term advertising, that contains Digital Copy and may include static images, moving effects, message transition effects, video images, or animation.

Typical examples include: digital billboards, digital posters, and junior panels.

Under section 8.10, a **Minor Digital Sign** means:

a Ground Sign or Wall Sign, generally used for short-term advertising, that contains Digital Copy where the Message Duration is 6 seconds or more, and does not include moving effects, message transition effects, video images, or animation.

Typical examples include: digital billboards, digital posters, and junior panels.

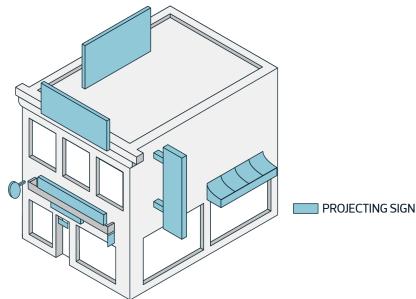
Under section 8.10, a **Projecting Sign** means:

a Sign that projects:

- more than 0.4 m from a building Facade;
- below or above a canopy, awning, or architectural feature; or
- above the eaveline or roofline.

It does not contain Digital Copy.

Typical examples include: blade, canopy, and roof signs.



Section 2.80.1 states that the **Purpose of the MU - Mixed Use Zone** is:

To allow for varying scales of mixed use development that enables the growth and development anticipated in the Nodes and Corridors as directed by statutory plans. This Zone allows for a range of Uses and supports housing, recreation, commerce, and employment opportunities. Site and building design in this Zone promotes development that enhances the public realm and publicly accessible amenities to create vibrant, walkable destinations at a scale inviting to pedestrians.

**6.90 Signs**

Section 6.90.5 states the following with respect to **Specific Regulations for Mixed Use Zones**:

...

**5.3. No more than 4 total of the following Signs may be permitted on a Site:**

- 5.3.1. Freestanding Signs;**
- 5.3.2. Projecting Signs in the form of a Roof Sign;**
- 5.3.3. Major Digital Signs; and**
- 5.3.4. Minor Digital Signs.**

...

**5.22. Where a Projecting Sign is in the form of a Roof Sign:**

**5.22.1. it must be located on a Site greater than 2 ha;**

**5.23. Minor Digital Signs and Major Digital Signs must be located on Sites greater than or equal to 1 ha.**

**5.24. The maximum Height of Minor Digital Signs and Major Digital Signs is 6.0 m.**

...

Under section 8.20, **Height** means:

a vertical distance between 2 points.

Where described as a Modifier in a regulation, this is represented as the letter "h" and a number on the Zoning Map.

**Development Planner's Determination**

**1) Part 6, Subsection 6.90.5.24. The maximum Height of Minor Digital Signs and Major Digital Signs is 6.0 m.**

**PROPOSED: 8m:**

**Exceeds by: 2m**

**Reference Part 7, Responsibilities 7.100.6.1.1 Limitation of Variance, the Development Planner must not vary Height.**

**Zoning Bylaw 20001, Passed by Council on October 23, 2023, effective January 1, 2024.**

**2) Part 6, Subsection 6.90.5.3. No more than 4 total of the following Signs may be permitted on a Site:**

**5.3.1. Freestanding Signs; (1 existing - southeast corner of site)**

**5.3.2. Projecting Signs in the form of a Roof Sign; (3 approved in DP 560320015-002)**

**5.3.3. Major Digital Signs; and**

**5.3.4. Minor Digital Signs. (1 proposed)**

**TOTAL: 5 Signs**

**Exceeds by: 1 Sign**

**3) Part 6, Subsection 6.90.5.22. Where a Projecting Sign is in the form of a Roof Sign:**

**5.22.1. it must be located on a Site greater than 2 ha;**

**PROPOSED: 0.6 ha**

**Site Deficient by: 1.4 ha**

**4) Part 6, Subsection 6.90.5.23. Minor Digital Signs and Major Digital Signs must be located on Sites greater than or equal to 1 ha.**

**PROPOSED: 0.6 ha**

**Site Deficient by: 0.4 ha**

[unedited]

---

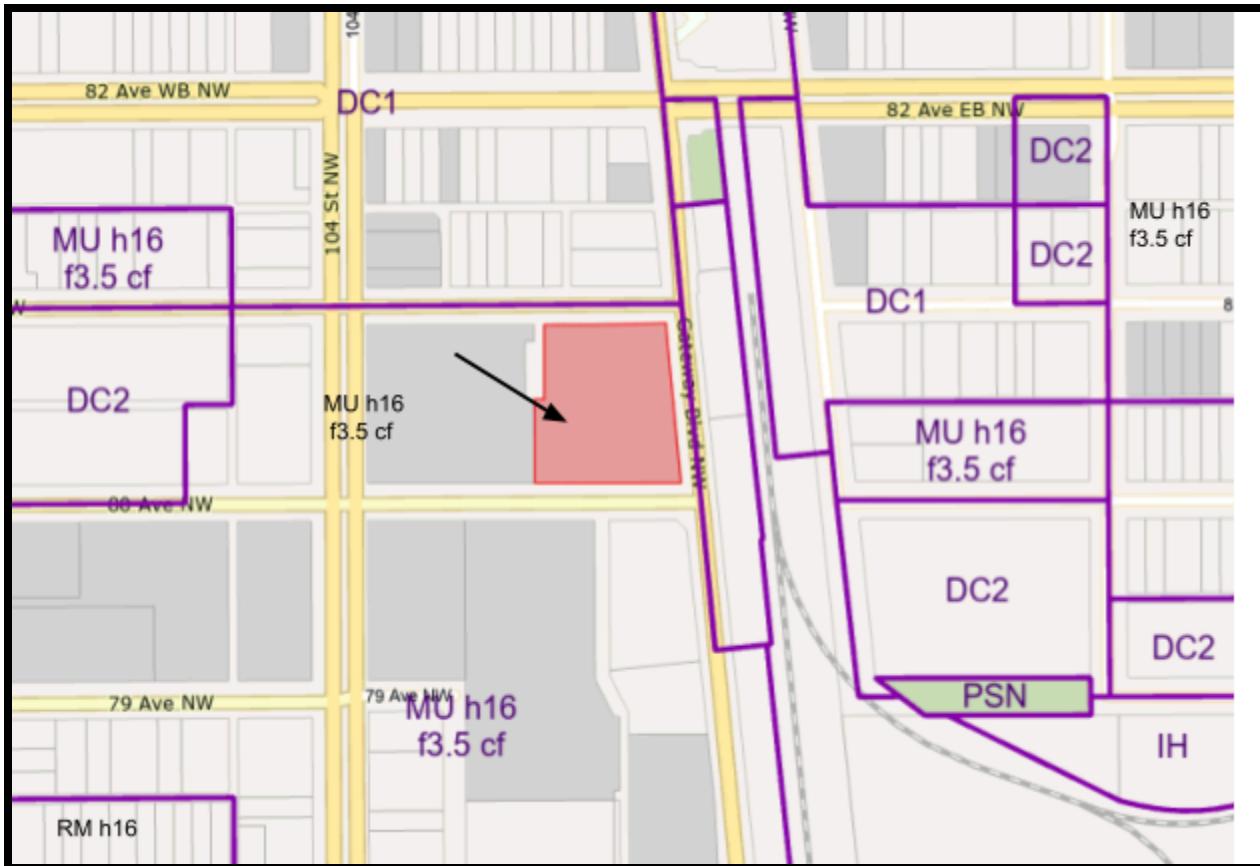
**Notice to Applicant/Appellant**

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.

---

Edmonton	Project Number: <b>549129598-002</b> Application Date: DEC 12, 2024 Printed: April 7, 2025 at 8:40 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for</h2> <h3 style="margin: 0;">Sign Permit</h3>			
<p>This document is a Development Permit Decision for the development application described below.</p>			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 10309 - 81 AVENUE NW Plan I Blk 50 Lots 13-26,OT		
	<b>Location(s) of Work</b> Suite: 8010 - GATEWAY BOULEVARD NW Entryway: 8010 - GATEWAY BOULEVARD NW Building: 10309 - 81 AVENUE NW		
<b>Scope of Application</b> To amend Comprehensive Sign Design Plan (520988655-002) for (COOK COUNTY SALOON).			
<b>Details</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">           ASA Sticker No./Name of Engineer:            Development Category: Discretionary Development         </td> <td style="width: 50%; padding: 5px;">           Construction Value: 0            Expiry Date:         </td> </tr> </table>		ASA Sticker No./Name of Engineer: Development Category: Discretionary Development	Construction Value: 0 Expiry Date:
ASA Sticker No./Name of Engineer: Development Category: Discretionary Development	Construction Value: 0 Expiry Date:		
<b>Development Application Decision</b> Refused			
<b>Issue Date:</b> Apr 07, 2025 <b>Development Authority:</b> NOORMAN, BRENDA			
<b>Reason for Refusal</b> <p>1) Part 6, Subsection 6.90.5.24. The maximum Height of Minor Digital Signs and Major Digital Signs is 6.0 m.          PROPOSED: 8m:          Exceeds by: 2m</p> <p>Reference Part 7, Responsibilities 7.100.6.1.1 Limitation of Variance, the Development Planner must not vary Height.          Zoning Bylaw 20001, Passed by Council on October 23, 2023, effective January 1, 2024.</p> <p>2) Part 6, Subsection 6.90.5.3.No more than 4 total of the following Signs may be permitted on a Site:          5.3.1.Freestanding Signs; (1 existing - southeast corner of site)          5.3.2.Projecting Signs in the form of a Roof Sign; (3 approved in DP 560320015-002)          5.3.3.Major Digital Signs; and          5.3.4.Minor Digital Signs. (1 proposed)          TOTAL: 5 Signs          Exceeds by: 1 Sign</p> <p>3) Part 6, Subsection 6.90.5.22.Where a Projecting Sign is in the form of a Roof Sign:          5.22.1. it must be located on a Site greater than 2 ha;          PROPOSED: 0.6 ha          Site Deficient by: 1.4 ha</p> <p>4) Part 6, Subsection 6.90.5.23.Minor Digital Signs and Major Digital Signs must be located on Sites greater than or equal to 1 ha.          PROPOSED: 0.6 ha          Site Deficient by: 0.4 ha</p>			
<b>THIS IS NOT A PERMIT</b>			

	Project Number: <b>549129598-002</b> Application Date: DEC 12, 2024 Printed: April 7, 2025 at 8:40 AM Page: 2 of 2																				
<h2 style="text-align: center;">Application for Sign Permit</h2>																					
<b>Rights of Appeal</b> THE Applicant has THE RIGHT OF appeal TO THE Subdivision AND Development Appeal Board (SDAB) WITHIN 21 days AFTER THE date ON which THE decision IS made AS outlined IN Chapter M-26, SECTION 683 THROUGH 689 OF THE Municipal Government Act.																					
<b>Fees</b> <table><thead><tr><th></th><th><b>Fee</b></th><th><b>Amount</b></th><th><b>Receipt #</b></th><th><b>Date Paid</b></th></tr></thead><tbody><tr><td>Comprehensive Design Fee</td><td>\$400.00</td><td>\$400.00</td><td>612433001001108</td><td>Dec 12, 2024</td></tr><tr><td>Total GST Amount:</td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td>Totals for Permit:</td><td>\$400.00</td><td>\$400.00</td><td></td><td></td></tr></tbody></table>			<b>Fee</b>	<b>Amount</b>	<b>Receipt #</b>	<b>Date Paid</b>	Comprehensive Design Fee	\$400.00	\$400.00	612433001001108	Dec 12, 2024	Total GST Amount:	\$0.00				Totals for Permit:	\$400.00	\$400.00		
	<b>Fee</b>	<b>Amount</b>	<b>Receipt #</b>	<b>Date Paid</b>																	
Comprehensive Design Fee	\$400.00	\$400.00	612433001001108	Dec 12, 2024																	
Total GST Amount:	\$0.00																				
Totals for Permit:	\$400.00	\$400.00																			
<b>THIS IS NOT A PERMIT</b>																					



## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-065



N

ITEM II: 10:30 A.M.FILE: SDAB-D-25-067AN APPEAL FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT:

APPLICATION NO.: 565859280-002

APPLICATION TO: Construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage) with rear balcony

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 14, 2025

DATE OF APPEAL: April 23, 2025

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 9704 - 89 Avenue NW

LEGAL DESCRIPTION: Plan 733AR Blk 120 Lot 20

ZONE: RS - Small Scale Residential Zone

OVERLAY: North Saskatchewan River Valley and Ravine System Protection Overlay

STATUTORY PLAN: N/A

DISTRICT PLAN: Scona District Plan

---

***Grounds for Appeal***

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

We're requesting a side setback and facade articulation variance for the above noted application. The Development Officer refused the application but provided no rationale on the negative effects associated with the

variances which would inform this Board's test. The City's entire argument is based on speculation regarding how negative effects may arise as a result of the variances being sought. However, these impacts are directly associated with the adjacent property owner who has provided written and signed support for the variances in question. Accordingly, we are of the opinion that this appeal is relatively straightforward. The proposed development satisfies the Board's MGA test. There are no impacts associated with the proposed development which will be demonstrated over the course of the appeal. The City has refused an application which was within their discretion to approve under the circumstance - but have elected not to for reasons which I believe they'll submit. However, we can demonstrate that the SDAB's test is met under these certain circumstances and the appeal ought to be allowed.

### ***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 the decision in accordance with subsection (2.1).

...

**(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 the decision in accordance with subsection (2.1).

**(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 or the application for the development permit was deemed to be refused under section 683.1(8).

#### **Appeals**

**686(1)** A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal

(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 board hearing the appeal referred to in subsection (1)

...

(a.1) must comply with any applicable land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (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 Zoning Bylaw 20001:**

Under section 2.10.2.2, a **Residential Use** is a **Permitted Use** in the **RS - Small Scale Residential Zone**.

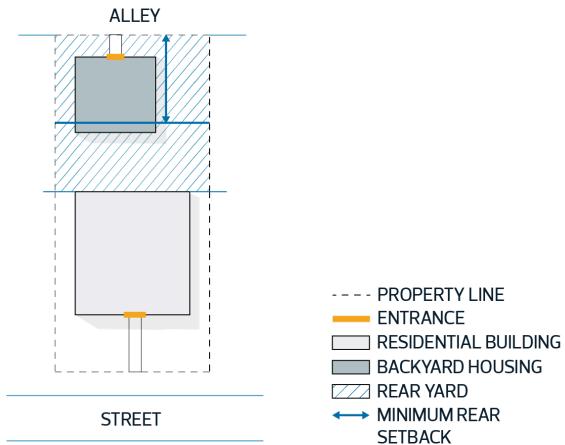
Under section 8.10, a **Residential Use** means:

a development where a building or part of a building is designed for people to live in. The building contains 1 or more Dwellings or 1 or more Sleeping Units.

This includes: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive Housing.

Under section 8.20, **Backyard Housing** means:

a building containing 1 or more Dwellings, that is located wholly within the Rear Yard, and partially or wholly within the Rear Setback of the applicable Zone, of a Residential Site.



Under section 8.20, **Single Detached Housing** means:

a building that contains 1 principal Dwelling and has direct access to ground level.

Section 2.10.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

Section 2.260.1 states that the **Purpose of the RVO - North Saskatchewan River Valley and Ravine System Protection Overlay** is:

To provide a development Setback from the North Saskatchewan River Valley and Ravine System and mitigate the risks associated with top-of-bank landslides, erosions, and other environmental hazards.

### ***Backyard Housing***

**Section 6.10.1 states Backyard Housing must comply with Table 1:**

**Table 1. Building Regulations**

Subsection	Regulation	Value	Symbol
<b>Setbacks</b>			

1.7	Minimum Setback	1.2 m	A
-----	-----------------	-------	---

Under section 8.20, **Setback** means:

the distance that a development, or a specified portion of a development, must be from a Lot line. A Setback is not a Yard. A Setback only applies to development on or above ground level.

**Development Planner's Determination**

**1. Side Setback - The minimum setback is 1.2m (Subsection 6.10.1.7).**

**Proposed: 0.9m abutting 9708 - 89 Avenue NW**

**Deficient by: 0.3m**

Section 6.10.7 states:

All Facades must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, and provide visual interest. Design techniques or features may include: variations in rooflines; vertical or horizontal building wall projection or recessions; visual breaks of building Facades into smaller sections; features such as windows, balconies, or porches; using a combination of finishing materials; or other similar techniques or features.

Under section 8.20, **Facade** means:

any exterior outward face of a building measured from corner to corner.

**Development Planner's Determination**

**2. Variation in Design - All Facades must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, and provide visual interest (Subsection 6.10.7).**

**Proposed: The west facade abutting 9708 - 89 Avenue NW is not articulated.**

[unedited]

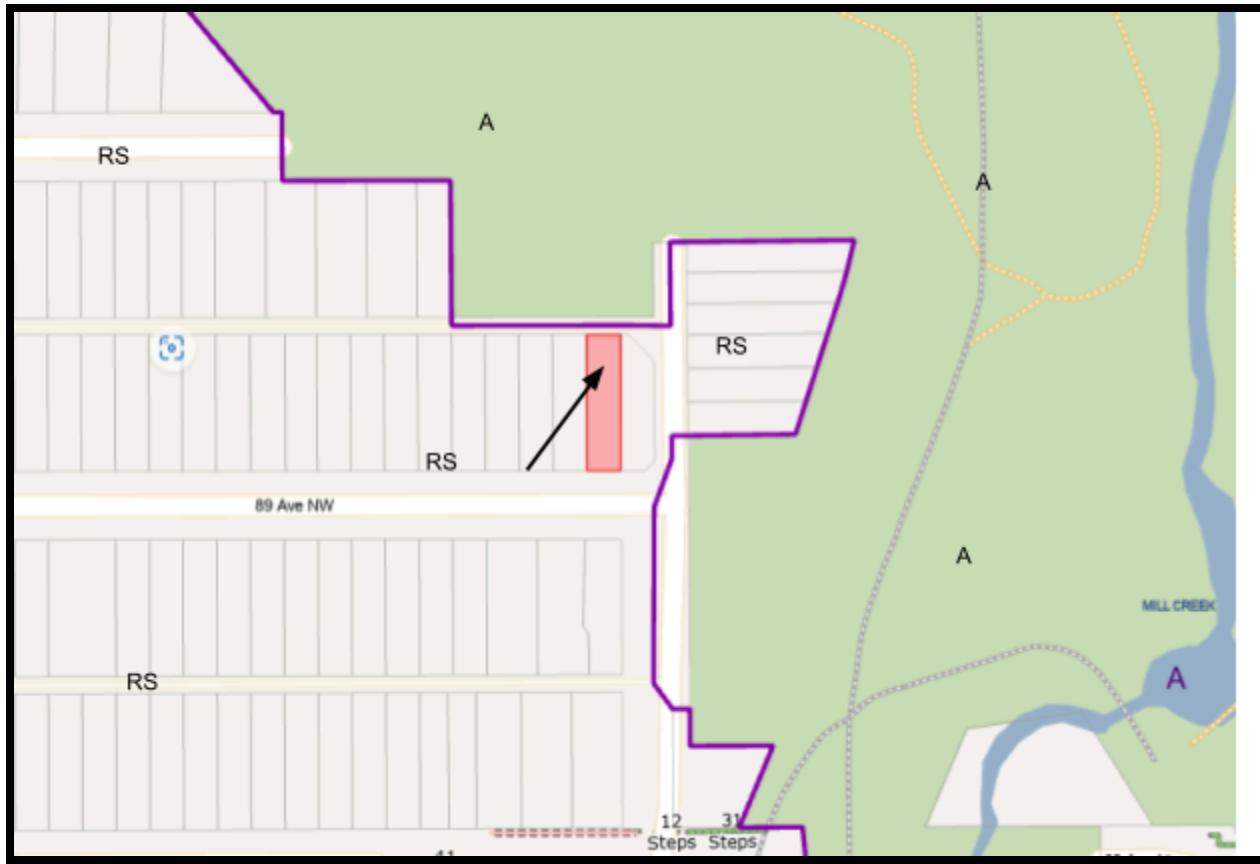
---

**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: <b>565859280-002</b> Application Date: FEB 09, 2025 Printed: April 14, 2025 at 2:13 PM Page: 1 of 1																										
<b>Application for</b> <b>Minor Development Permit</b>																												
This document is a Development Permit Decision for the development application described below.																												
<b>Applicant</b>		<b>Property Address(es) and Legal Description(s)</b> 9704 - 89 AVENUE NW Plan 733AR Blk 120 Lot 20																										
		<b>Specific Address(es)</b> Suite: 9704G - 89 AVENUE NW Entryway: 9704G - 89 AVENUE NW Building: 9704G - 89 AVENUE NW																										
<b>Scope of Application</b> To construct a Residential Use building in the form of a Backyard House (1 Dwelling with Garage) with rear balcony.																												
<b>Details</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">1. Titled Lot Zoning: RS</td> <td style="width: 50%;">2. Number of Principal Dwelling Units To Construct: 0</td> </tr> <tr> <td>3. Overlay:</td> <td>4. Number of Secondary Suite Dwelling Units to Construct: 1</td> </tr> <tr> <td>5. Statutory Plan:</td> <td>6. Backyard Housing or Secondary Suite Included?: Yes</td> </tr> <tr> <td>7. Neighbourhood Classification: Redeveloping</td> <td>8. Development Category / Class of Permit: Discretionary Development</td> </tr> </table>				1. Titled Lot Zoning: RS	2. Number of Principal Dwelling Units To Construct: 0	3. Overlay:	4. Number of Secondary Suite Dwelling Units to Construct: 1	5. Statutory Plan:	6. Backyard Housing or Secondary Suite Included?: Yes	7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit: Discretionary Development																	
1. Titled Lot Zoning: RS	2. Number of Principal Dwelling Units To Construct: 0																											
3. Overlay:	4. Number of Secondary Suite Dwelling Units to Construct: 1																											
5. Statutory Plan:	6. Backyard Housing or Secondary Suite Included?: Yes																											
7. Neighbourhood Classification: Redeveloping	8. Development Category / Class of Permit: Discretionary Development																											
<b>Development Application Decision</b> Refused <b>Issue Date:</b> Apr 14, 2025 <b>Development Authority:</b> ZHOU, ROWLEY																												
<b>Reason for Refusal</b> 1. Side Setback - The minimum setback is 1.2m (Subsection 6.10.1.7). Proposed: 0.9m abutting 9708 - 89 Avenue NW Deficient by: 0.3m  2. Variation in Design - All Facades must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, and provide visual interest (Subsection 6.10.7). Proposed: The west facade abutting 9708 - 89 Avenue NW is not articulated.																												
<b>Rights of Appeal</b> The Applicant has the right of appeal to the Subdivision and Development Appeal Board (SDAB) within 21 days after the date on which the decision is made as outlined in Chapter M-26. Section 683 through 689 of the Municipal Government Act.																												
<b>Fees</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Fee Amount</th> <th style="text-align: center;">Amount Paid</th> <th style="text-align: center;">Receipt #</th> <th style="text-align: center;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Dev. Application Fee</td> <td style="text-align: center;">\$815.00</td> <td style="text-align: center;">\$815.00</td> <td style="text-align: center;">05239G001001368</td> <td style="text-align: center;">Feb 09, 2025</td> </tr> <tr> <td>Lot Grading Fee</td> <td style="text-align: center;">\$160.00</td> <td style="text-align: center;">\$160.00</td> <td style="text-align: center;">05239G001001368</td> <td style="text-align: center;">Feb 09, 2025</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: center;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: center;">\$775.00</td> <td style="text-align: center;">\$775.00</td> <td></td> <td></td> </tr> </tbody> </table>					Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee	\$815.00	\$815.00	05239G001001368	Feb 09, 2025	Lot Grading Fee	\$160.00	\$160.00	05239G001001368	Feb 09, 2025	Total GST Amount:	\$0.00				Totals for Permit:	\$775.00	\$775.00		
	Fee Amount	Amount Paid	Receipt #	Date Paid																								
Dev. Application Fee	\$815.00	\$815.00	05239G001001368	Feb 09, 2025																								
Lot Grading Fee	\$160.00	\$160.00	05239G001001368	Feb 09, 2025																								
Total GST Amount:	\$0.00																											
Totals for Permit:	\$775.00	\$775.00																										
<b>THIS IS NOT A PERMIT</b>																												



## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-067



ITEM III: 1:30 P.M.

FILE: SDAB-D-25-066

APPEALS FROM THE DECISION OF THE DEVELOPMENT PLANNER

APPELLANT NO. 1:

APPELLANT NO. 2

APPLICATION NO.: 532780733-002

APPLICATION TO: Convert a Residential Use building in the form of a Single Detached House with rear attached garage into a Child Care Service for up to 52 and to construct exterior alterations (as required) Beverly Bites Daycare Ltd.

DECISION OF THE

DEVELOPMENT AUTHORITY: Approved with Conditions

DECISION DATE: April 3, 2025

DATES OF APPEAL(S): April 15, 2025 and April 29, 2025

RESPONDENT: BEVERLY BITES DAYCARE LTD

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 3804 - 114 Avenue W

LEGAL DESCRIPTION: Plan 2885KS Blk 9 Lot 1

ZONE: RS - Small Scale Residential Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

DISTRICT PLAN: North Central District Plan

---

<b><i>Grounds for Appeal</i></b>
----------------------------------

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

**APPELLANT NO.1**

I dont want a daycare next to my house. It shouldnt be allowed.

**APPELLANT NO. 2**

The house stated above is located on a busy corner. One corner has a quarter hourly bus route with a stop right beside the house. There is a school across the street and another on the next block. The yard is small and has no room for an outdoor play area. There is not enough room for staff parking, let alone parental pick up and drop off. The driveway, which opens to the alley and 114th ave is right beside the bus route. (See note above) One hundred fourteenth avenue is very busy. In the poor weather, there are parking restrictions due to snow and dirt removal.

**QUESTIONS:**

Has anyone from the SDAB physically come to look at the location rather than viewing Google Maps?

If a Development Planner visits the neighbourhood, it will be immediately obvious the property is not suitable for a Daycare Business.

Where will 52 children fit?

The home is small and run down. It is impossible to safely fit 52 children in the house.

How will the exterior of the building change?

The proposal does not state how the home will "construct exterior alterations (as required)" for the daycare.

Where will SUV's and trucks park?

Parking spot size can not be reduced. People in Edmonton drive large vehicles.

How will the school traffic flow be affected?

As a close neighbour, I would like answers to these questions.

I request that you study this proposal in detail, including a visit by at least 2 staff members to our neighbourhood. Some of our elder people have family or taxi's who need to park on the street. Some neighbours use wheelchairs. This neighbourhood is very unsuitable for a daycare. There are many daycares in the area. Perhaps the Beverly Bites Daycare Ltd can lease a few rooms in a school near by. This is a common use of extra school space.

I respectfully request the SDAB to reject the Development Permit application at 3804 114th avenue NW, Edmonton AB

***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 the decision in accordance with subsection (2.1).

...

**(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 the decision in accordance with subsection (2.1).

**(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 or the application for the development permit was deemed to be refused under section 683.1(8).

**Appeals**

**686(1)** A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal

- (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 board hearing the appeal referred to in subsection (1)

...

(a.1) must comply with any applicable land use policies;

(a.2) subject to section 638, must comply with any applicable statutory plans;

(a.3) subject to clause (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 Zoning Bylaw 20001:**

Under section 2.10.2.8, a **Child Care Service** is a **Permitted Use** in the **RS - Small Scale Residential Zone**.

Under section 8.10, a **Child Care Service** means:

Child Care Service means a development that provides temporary care and supervision of children. This Use includes facility-based early learning and child care programs. This Use does not include a Home Based Business operating as Home Based Child Care.

Typical examples include: daycares, out-of-school care, and preschools.

Section 2.10.1 states that the **Purpose of the RS - Small Scale Residential Zone** is:

To allow for a range of small scale Residential development up to 3 Storeys in Height, including detached, attached, and multi-unit Residential housing. Limited opportunities for community and commercial development are permitted to provide services to local residents.

#### ***Passenger pick-up and drop-off spaces for Child Care Services***

Section 5.80.6.10 states:

6.10. Passenger pick-up and drop-off spaces for Child Care Services must:

6.10.1. not be located more than 100 m from the entrance used by the Child Care Service;

6.10.2. contain signage indicating a maximum duration for parking of 30 minutes or less; and

6.10.3. comply with Table 6.10.3:

<b>Table 6.10.3. Minimum Passenger Pick-up and Drop-off Spaces for Child Care Services</b>		
<b>Subsection</b>	<b>Number of Children</b>	<b>Passenger Pick-up and Drop-off Spaces</b>
<b>6.10.3.1.</b>	Less than or equal to 10	2
<b>6.10.3.2.</b>	Each additional 10	1

6.11. Despite Table 6.10.3, passenger pick-up and drop-off spaces for Child Care Services are not required:

6.11.1. within the boundary of Appendix I, or the boundaries of the Capital City Downtown Plan; or

6.11.2. where Child Care Services are on the same Site as a School.

6.12. Despite Table 6.10.3, an on-Street loading zone may satisfy a portion of the required passenger pick-up and drop-off spaces without a variance, subject to the approval of the Development Planner in consultation with the City department responsible for transportation planning.

#### **Development Planner's Determination**

**1. Passenger pick-up and drop-off spaces: The project requires 6 passenger pick-up and drop-off parking spaces, proposed 2 Parking Spaces (5.80.6.10)**

[unedited]

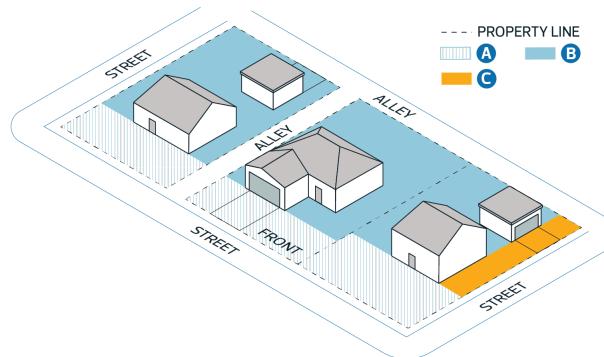
#### ***Fence Height - Zoning Bylaw 20001***

Section 5.100.2.2 states:

Maximum Fence Height must comply with Table 2.2:

<b>Subsection</b>	<b>Regulation</b>	<b>Value</b>	<b>Symbol</b>
<b>2.2.1</b>	Maximum Height in Front Yards	<u>1.3 m</u>	A

<b>2.2.3</b>	Maximum Height for the portion of the Fence between the Flanking Side Lot Line and the nearest wall of the principal building, not including projections, and extending from the Rear Lot Line to the Front Yard, on Corner Sites that provide vehicle access from the Flanking Street	<b><u>1.3 m</u></b>	<b>C</b>
--------------	--	---------------------	----------



Under section 8.20, **Accessory** means “Accessory means a Use, building or structure that is naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same Lot or Site.”

Under section 8.20, **Fence** means “Fence means a structure that is constructed at ground level and used to prevent or restrict passage, mark a boundary, or provide visual screening, noise reduction, or Landscaping. A Fence is not a Privacy Screen.”

Under section 8.20, **Height** means “a vertical distance between 2 points. Where described as a Modifier in a regulation, this is represented as the letter “h” and a number on the Zoning Map.”

Under section 8.20, **Front Yard** means “the portion of a Site Abutting the Front Lot Line extending across the full width of the Site, between the Front Lot Line and the nearest wall of the principal building, not including projection.”

### **Development Planner's Determination**

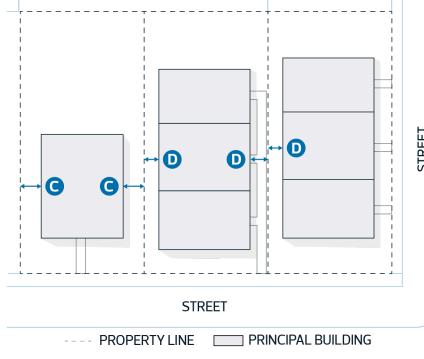
**2. Fence Height - The fence along 114 Avenue NW & 38 Street NW is 1.5m high, instead of 1.3 m (Subsection 5.100.2.2.1 and 5.100.2.2.3).**

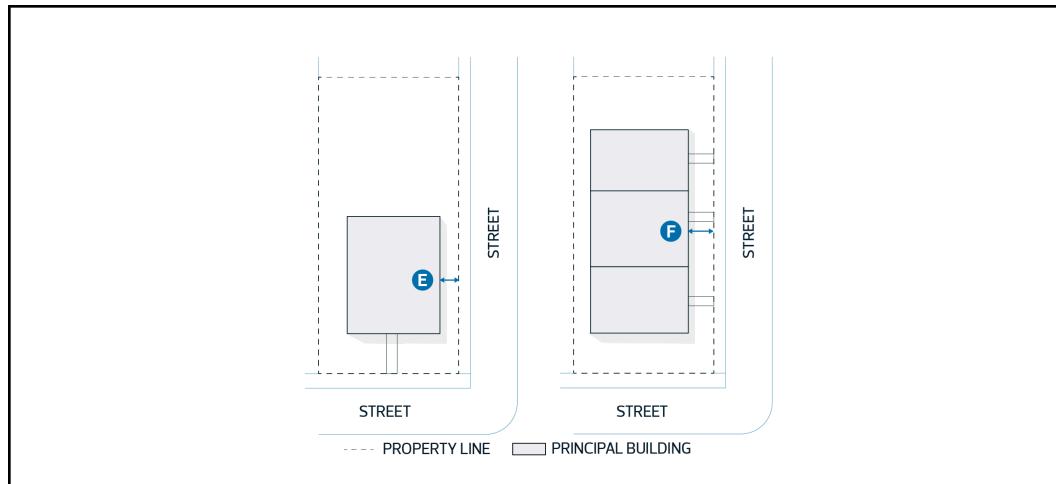
[unedited]

#### ***Parking Space - Setback***

Section 2.10.4 states:

4.3. Setbacks must comply with Table 4.3:

<b>Table 4.3 Setback Regulations</b>			
<b>Subsection</b>	<b>Regulation</b>	<b>Value</b>	<b>Symbol</b>
<b>Side Setbacks</b>			
4.3.3.	Minimum Interior Side Setback	<u>1.2 m</u>	C
<b>Diagram for Subsections 4.3.3 and 4.3.4</b>			
 <p>Diagram illustrating the side setbacks for Subsections 4.3.3 and 4.3.4. The building footprint is shown on a property line. Section C is on the left, and section D is on the right. Arrows indicate setbacks from the property line to the building sections. The building is labeled 'PRINCIPAL BUILDING' and the property line is labeled 'PROPERTY LINE'. The street is labeled 'STREET'.</p>			
4.3.5	Minimum Flanking Side Setback	<u>1.2 m</u>	E
<b>Diagram for Subsections 4.3.5 and 4.3.6</b>			



Under section 8.20, **Setback** means “the distance that a development, or a specified portion of a development, must be from a Lot line. A Setback is not a Yard. A Setback only applies to development on or above ground level.”

#### Development Planner's Determination

##### **3. Parking Space - The distance from one parking space along 114 Avenue NW is 0.75 m instead of a minimum of 1.2 m (Subsection 2.10.4.3.3)**

[unedited]

#### ***Previous Subdivision and Development Appeal Board Decision***

Application Number	Description	Decision
SDAB-D-07-122	To construct an addition to a Single Detached House (Enlarged Existing Rear Attached Garage) and to construct a Front Enclosed Porch (1.24m x 4.85m) Both Existing without permits.	<p>June 29, 2007; that the appeal be ALLOWED and the DEVELOPMENT GRANTED with the following variances:</p> <p>a) the excess of 0.09 metres (measured to the porch) in the front yard requirement, that being an average setback of the block face, and</p> <p>b) the deficiency of 11.59 metres in the minimum Rear Yard requirement, that</p>

		being 40 Percent of the Site Depth.
--	--	-------------------------------------

---

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.

---

Edmonton	Project Number: <b>532780733-002</b> Application Date: OCT 02, 2024 Printed: April 3, 2025 at 3:51 PM Page: 1 of 6		
<b>Major Development Permit</b>			
<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 Zoning Bylaw as amended.</p>			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 3804 - 114 AVENUE NW Plan 2885KS Blk 9 Lot 1		
<b>Specific Address(es)</b>	Suite: 3804 - 114 AVENUE NW Entryway: 3804 - 114 AVENUE NW Building: 3804 - 114 AVENUE NW		
<b>Scope of Permit</b> To convert a Residential Use building in the form of a Single Detached House with rear attached garage into a Child Care Service for up to 52 and to construct exterior alterations (as required) Beverly Bites Daycare Ltd			
<b>Details</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> Development Category: Discretionary Development  Lot Grading Needed?: Y  Number of Main Floor Dwellings:  Site Area (sq. m.): 612.43 </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> Gross Floor Area (sq. m.):  New Sewer Service Required: N  Overlay:  Statutory Plan: </td> </tr> </table>		Development Category: Discretionary Development Lot Grading Needed?: Y Number of Main Floor Dwellings: Site Area (sq. m.): 612.43	Gross Floor Area (sq. m.): New Sewer Service Required: N Overlay: Statutory Plan:
Development Category: Discretionary Development Lot Grading Needed?: Y Number of Main Floor Dwellings: Site Area (sq. m.): 612.43	Gross Floor Area (sq. m.): New Sewer Service Required: N Overlay: Statutory Plan:		
<b>Development Permit Decision</b> Approved Issue Date: Apr 03, 2025      Development Authority: BAUER, KERRY			
<b>Subject to the Following Conditions</b> Zoning Conditions: This Development Permit is NOT valid until the notification period expires (Subsection 7.160.1.3 and Section 7.170).			
1. This Development Permit authorizes the construction of a Single Detached House into a Child Care Service for up to 52 children and to construct exterior and interior alterations (converting the attached garage into floor area).			
2. The development must be constructed in accordance with the approved plans. Any revisions to the approved plans require a separate Development Permit application.			
3. The Development Permit is not valid unless and until any conditions of approval, except those of a continuing nature, have been fulfilled (Subsection 7.190.2.1.1).			
4. Landscaping must be installed in accordance with the approved Landscape Plan, and Section 5.60 of Zoning Bylaw 20001, to the satisfaction of the Development Planner.			
a) Any change to the approved Landscape Plan requires the approval of the Development Planner prior to the Landscaping being installed.			
b) Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.			
c) A minimum Soft Landscaped area equal to 30% of the total Lot area must be provided (Subsection 5.60.3.2).			



Project Number: **532780733-002**  
 Application Date: OCT 02, 2024  
 Printed: April 3, 2025 at 3:51 PM  
 Page: 2 of 6

## Major Development Permit

d) Landscaping must be installed within 12 months of receiving the Final Occupancy Permit. Landscaping must be maintained in a healthy condition for a minimum of 24 months after the landscaping has been installed, to the satisfaction of the Development Planner.

e) A Landscape Security must be provided to the City of Edmonton at the time of initial Landscape Inspection, to the satisfaction of the Development Planner. The initial Landscape Inspection must be requested within 14 days of the Landscape installation being completed ([www.edmonton.ca/landscapeinspectionrequest](http://www.edmonton.ca/landscapeinspectionrequest)).

f) Upon determination that landscaping has been installed in compliance with the approved Landscape Plan, 20% of the full Landscape Security value as determined by the Development Planner must be collected. The Landscape Security must be retained for a period of 24 months from the date of the initial Landscape Inspection.

g) Sites that are not completed or are not compliant with approved Landscape Plans at the initial Landscape Inspection must, in addition, be required to submit a Security for incomplete work; up to the full value of the Landscape Security, as determined by the Development Planner.

5. Pathways connecting the main building entrances to adjacent sidewalks must be a minimum width of 1.8 m (Subsection 5.80.3.1.2). All other Pathways must be a minimum of 0.9m wide.

6. Waste collection areas, open storage areas, and outdoor service areas, including loading, unloading, or vehicle service areas, must be screened from view from Abutting Streets with a Landscape Buffer that has a minimum Height of 1.8 m (Subsection 5.60.4.7).

7. On-Site outdoor play spaces for Child Care Services at ground level must be Fenced on all sides and all gates must be self-latching (Subsection 6.40.3.3).

8. On-Site outdoor play spaces for Child Care Services above ground level must have secure perimeter railings or walls with a minimum Height of 1.8 m (Subsection 6.40.3.4).

9. Passenger pick-up and drop-off spaces for Child Care Services must not be located more than 100 m from the entrance used by the Child Care Service (Subsection 5.80.6.10.1).

10. Passenger pick-up and drop-off spaces for Child Care Services must contain signage indicating a maximum duration of 30 minutes or less (Subsection 5.80.6.10.2).

11. Bike parking must be provided in accordance with Subsection 5.80.8.

12. The fence must be installed entirely on the subject property.

13. The fence must not impede any sightlines for vehicular or pedestrian traffic.

14. Immediately upon completion of the addition, the Site must be cleared of all debris.

15. As far as reasonably practicable, the design and use of exterior finishing materials used must be similar to, or better than, the standard of surrounding development (Subsection 5.120.1.1.1).

16. Fences that contain, or are constructed of, hazardous materials such as barbed wire, are not permitted (Subsection 5.120.1.1.5).

17. The applicant/owner must obtain a Curb Crossing Permit to 'fill-in' the existing flanking access. Please see 532780733-010 for conditions.

### Transportation Conditions:

1. The existing approximate 6.5 m wide private crossing to 114 Avenue located approximately 3.5 m from the west property line must be removed with reconstruction of the curb, gutter, and restoration of the grassed boulevard within the road right-of-way to the



Project Number: **532780733-002**  
 Application Date: OCT 02, 2024  
 Printed: April 3, 2025 at 3:51 PM  
 Page: 3 of 6

## Major Development Permit

City of Edmonton Complete Streets Design and Construction Standards.

The owner/applicant must obtain a Permit to remove the access, available from Development Services, [developmentpermits@edmonton.ca](mailto:developmentpermits@edmonton.ca).

2. Access is proposed to the alley and does not require a crossing permit. The area between the property line and the alley driving surface must be hard surfaced to the satisfaction of Subdivision and Development Coordination.
3. The proposed permanent planter boxes with shrubs must be entirely located within private property. Any other permanent objects including concrete steps, railings, etc. must NOT encroach into or over/under road right-of-way.
4. There may be utilities within the 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. Utility Safety Partners (Online: <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/>) (1-800-242-3447) and Shaw Cable (1-866-344-7429; [www.digshaw.ca](http://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.
5. Any alley, sidewalk and/or boulevard damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Subsection 7.150.5.6 of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner. The applicant is responsible to contact Trevor Singbeil of Development Inspections at 780-496-7019 for an onsite inspection 72 hours prior to and following construction of the access.
6. 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:
  - a. the start/finish date of the project;
  - b. accommodation of pedestrians and vehicles during construction;
  - c. confirmation of lay down area within legal road right of way if required;
  - d. 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/oscam-permit-request.aspx](https://www.edmonton.ca/business_economy/oscam-permit-request.aspx)

### Subject to the Following Advisements

Zoning Advisements:

1. Unless otherwise stated, all above references to "section numbers" or "subsection numbers" refer to the authority under the Zoning Bylaw.
2. 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.
3. An issued Development Permit means that the proposed development has been reviewed against the provisions of the Zoning 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, the Historical Resource Act or any caveats, restrictive covenants or easements that might be attached to the Site (Subsection 7.110.2.1).
4. Any proposed change from the original issued Development Permit is subject to a revision/re-examination fee. The fee will be determined by the reviewing planner based on the scope of the request and in accordance with current fee schedules. A review fee may be collected for each change request.
5. A Building Permit may be required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.

Edmonton

Project Number: **532780733-002**  
Application Date: OCT 02, 2024  
Printed: April 3, 2025 at 3:51 PM  
Page: 4 of 6

## Major Development Permit

6. All work within 5 metres of City of Edmonton trees or 10 metres of a City of Edmonton natural stand will require a Public Tree Permit in accordance with Bylaw 18825. For more information on tree protection and Public Tree Permits please see [https://www.edmonton.ca/residential\\_neighbourhoods/gardens\\_lawns\\_trees/public-tree-permit](https://www.edmonton.ca/residential_neighbourhoods/gardens_lawns_trees/public-tree-permit). All new installations, above and below ground, within 5m of a City tree require forestry consultation.

7. In the event that tree removal or relocation is required on City of Edmonton land, including road right-of-way, all costs associated with the removal or relocation will be borne by the owner/applicant as per the City of Edmonton Corporate Tree Management Policy (C456C). City of Edmonton Forestry will schedule and carry out any and all required tree work. Contact Urban Forestry at City Operations, Parks and Roads Services (311) a minimum of 4 weeks prior to construction, to remove and/or relocate the trees.

8. City of Edmonton Drainage Bylaw 18093 requires this site to obtain an approved lot grading plan prior to the construction of any buildings, additions to buildings, or alterations of surface drainage. A site mechanical plan stamped by a professional engineer showing water and sewer services, stormwater management calculations and the proposed lot grading design must be submitted to EPCOR Infill Water and Sewer Servicing for review. Following EPCOR's review, the grading plan is forwarded to Development Services for final review and approval. New plan submissions can be made via EPCOR's Builder and Developer web portal in My Account. Visit [epcor.com/newconnection](http://epcor.com/newconnection) and click 'ONLINE APPLICATION' for instructions on the plan submission process. The lot must be graded in accordance with its approved lot grading plan. Any proposed change from the original approved lot grading plan must be submitted to [lot.grading@edmonton.ca](mailto:lot.grading@edmonton.ca) for review and approval.

9. Signs require separate Development Permit application(s).

10. The City of Edmonton does not collect waste from non-Residential (Child Care Services) developments. The Child Care Service provider or property owner is responsible for managing their waste collections through the private commercial waste collection agencies. The business operator or property owner is advised to ensure that they have adequate waste disposal services to serve the development.

### Transportation Advisements:

1. Designated on-street drop off stalls are not supported with this Development Application.

### Fire Rescue Services Advisements:

Upon review of the noted development application, Edmonton Fire Rescue Services has no objections to this proposal however, has the following conditions for your implementation and information.

A fire safety plan, accepted in writing by the fire department and the authority having jurisdiction, shall be prepared for the site. Edmonton Fire Rescue Services will review your plan at the initial site visit upon commencement of construction.  
Reference: NFC(2023-AE) 5.6.1.3. Fire Safety Plan

Have the plan ready for review in-person at the first construction site safety inspection by a Fire Safety Codes Officer (Fire SCO). The applicant of a building permit declares that they are aware of the project team's responsibility to have an FSP prepared according to section 5.6 of the NFC(AE).

A Fire SCO may attend a site at any reasonable hour and will review the FSP. The owner or constructor must have the FSP in place and ready for review in accordance with section 5.6 of the NFC(AE).

You can locate a copy of the FSP guide for your reference here:  
<https://www.edmonton.ca/sites/default/files/public-files/FireSafetyPlanGuide.pdf?cb=1692102771>

Ensure that the hydrant(s) servicing the site are fully functional prior to construction and remain accessible and unobstructed during construction.

Reference: NFC(2023-AE) 5.6.3.6. Hydrant Access

1) Hydrants on construction, alteration, or demolition site shall



Project Number: **532780733-002**  
 Application Date: OCT 02, 2024  
 Printed: April 3, 2025 at 3:51 PM  
 Page: 5 of 6

## Major Development Permit

- a) be clearly marked with a sign,
- b) be accessible, and
- c) have an unobstructed clearance of not less than 2 m at all times.

NBC (2023-AE) 9.10.20.3. Fire Department Access to Building

- 1) Access for fire department equipment shall be provided to each building by means of a street, private roadway or yard.
- 2) Where access to a building as required in Sentence (1) is provided by means of a roadway or yard, the design and location of such roadway or yard shall take into account connection with public thoroughfares, weight of firefighting equipment, width of roadway, radius of curves, overhead clearance, location of fire hydrants, location of fire department connections and vehicular parking.

Edmonton Fire Rescue Services Access Guidelines specify that the unobstructed travel path (measured from a fire department vehicle to the entry of the building/unit) must be a minimum 0.9m of clear width (gates must be non-locking) and no greater than 45m. in distance.

[https://www.edmonton.ca/sites/default/files/public-files/assets/PDF/B19-04\\_Small\\_Building\\_Access\\_Policy.pdf?cb=1632115800](https://www.edmonton.ca/sites/default/files/public-files/assets/PDF/B19-04_Small_Building_Access_Policy.pdf?cb=1632115800)

The path must be of a hard surface such as a sidewalk that is accessible in all climate conditions. Soft surfaces such as grass or landscaped areas will not be considered.

During Construction

To meet the requirements of the National Fire Code — 2023 Alberta Edition, Sentence 5.6.1.2.(1), protection of adjacent properties during construction must be considered.

[https://www.edmonton.ca/programs\\_services/fire\\_rescue/fire-safety-planning-for-const](https://www.edmonton.ca/programs_services/fire_rescue/fire-safety-planning-for-const)

Reference: NFC (2023-AE) 5.6.1.2 Protection of Adjacent Building

- 1) Protection shall be provided for adjacent buildings or facilities that would be exposed to fire originating from buildings, parts of buildings, facilities and associated areas undergoing construction, alteration or demolition operations.

Reference: Protection of Adjacent Building- STANDATA - Joint fire/building code interpretation:

Protection of Adjacent Buildings During Construction and Demolition

<https://open.alberta.ca/dataset/4ac126d2-ccb2-455d-b215-7bcb75827924/resource/27dc6f1b-2bbe-451b-8a3f-618013413608/download/ma-standata-interpretation-fire-building-19-fci-005-19-bci-016.pdf>

Regards,

Neil Gwartney

FSCO Group B, Level II

Please send ALL FRS DP review inquiries to [cmsfpts@edmonton.ca](mailto:cmsfpts@edmonton.ca)

**Variances**

1. Passenger pick-up and drop-off spaces: The project requires 6 passenger pick-up and drop-off parking spaces, proposed 2 Parking Spaces (5.80.6.10)
2. Fence Height - The fence along 114 Avenue NW & 38 Street NW is 1.5m high, instead of 1.3 m (Subsection 5.100.2.2.1 and 5.100.2.2.3).
3. Parking Space - The distance from one parking space along 114 Avenue NW is 0.75 m instead of a minimum of 1.2 m (Subsection 2.10.4.3.3)

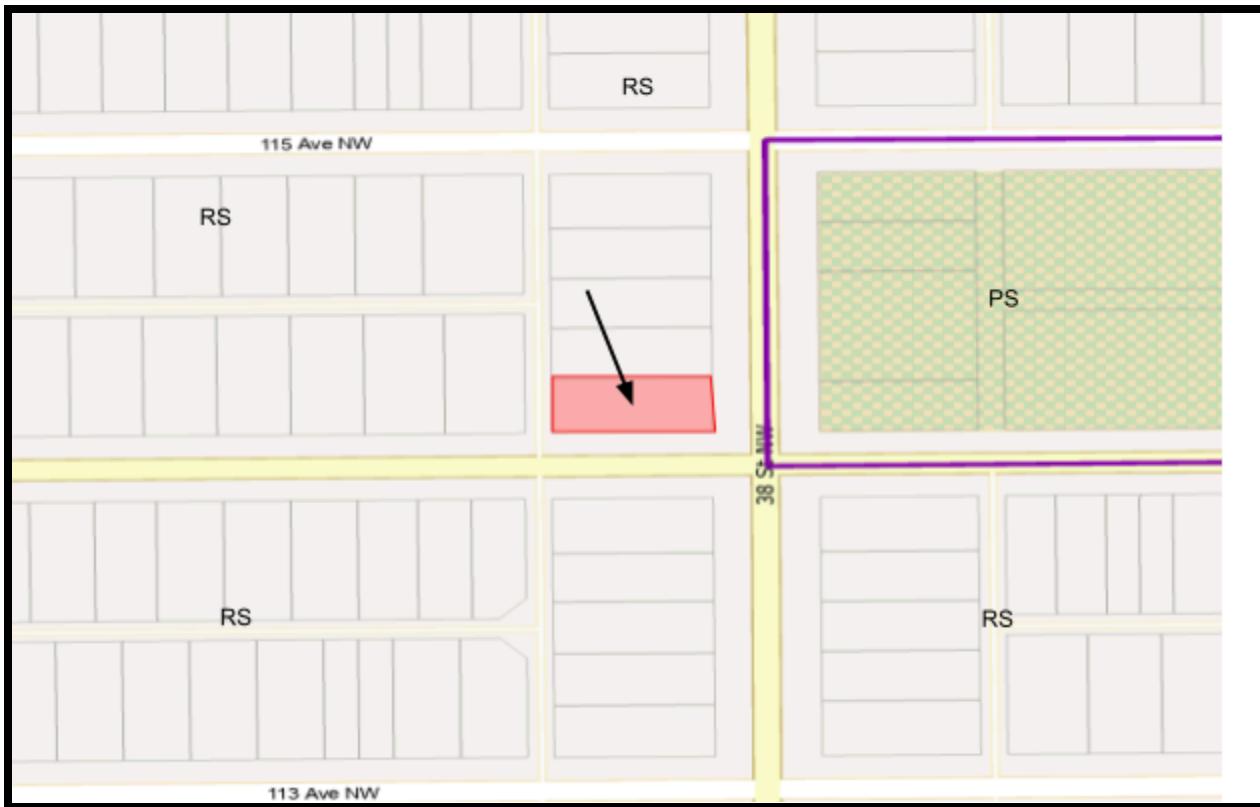
**Rights of Appeal**

This approval is subject to the right of appeal to the Subdivision and Development Appeal Board (SDAB) as outlined in Chapter M-26, Section 683 through 689 of the Municipal Government Act.

**Notice Period Begins:** Apr 10, 2025

**Ends:** May 01, 2025

Edmonton	Project Number: <b>532780733-002</b> Application Date: OCT 02, 2024 Printed: April 3, 2025 at 3:51 PM Page: 6 of 6																																						
<b>Major Development Permit</b>																																							
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left; padding: 5px;"><b>Fees</b></th><th style="text-align: center; padding: 5px;"><b>Fee</b></th><th style="text-align: center; padding: 5px;"><b>Amount</b></th><th style="text-align: center; padding: 5px;"><b>Amount Paid</b></th><th style="text-align: center; padding: 5px;"><b>Receipt #</b></th><th style="text-align: center; padding: 5px;"><b>Date Paid</b></th></tr></thead><tbody><tr><td style="padding: 5px;">Lot Grading Fee</td><td style="text-align: center; padding: 5px;">\$480.00</td><td style="text-align: center; padding: 5px;">\$480.00</td><td style="text-align: center; padding: 5px;">01846E001001407</td><td style="text-align: center; padding: 5px;">Nov 18, 2024</td></tr><tr><td style="padding: 5px;">Major Dev. Application Fee</td><td style="text-align: center; padding: 5px;">\$400.00</td><td style="text-align: center; padding: 5px;">\$400.00</td><td style="text-align: center; padding: 5px;">01846E001001407</td><td style="text-align: center; padding: 5px;">Nov 18, 2024</td></tr><tr><td style="padding: 5px;">Variance fee 25% of DP fee</td><td style="text-align: center; padding: 5px;">\$100.00</td><td style="text-align: center; padding: 5px;">\$100.00</td><td style="text-align: center; padding: 5px;">02529E001001028</td><td style="text-align: center; padding: 5px;">Mar 19, 2025</td></tr><tr><td style="padding: 5px;">Development Permit Inspection Fee</td><td style="text-align: center; padding: 5px;">\$560.00</td><td style="text-align: center; padding: 5px;">\$560.00</td><td style="text-align: center; padding: 5px;">01846E001001407</td><td style="text-align: center; padding: 5px;">Nov 18, 2024</td></tr><tr><td style="padding: 5px;">Total GST Amount:</td><td style="text-align: center; padding: 5px;">\$0.00</td><td></td><td></td><td></td><td></td></tr><tr><td style="padding: 5px;">Totals for Permit:</td><td style="text-align: center; padding: 5px;"><hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>\$1,530.00</td><td style="text-align: center; padding: 5px;"><hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>\$1,530.00</td><td></td><td></td><td></td></tr></tbody></table>		<b>Fees</b>	<b>Fee</b>	<b>Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>	Lot Grading Fee	\$480.00	\$480.00	01846E001001407	Nov 18, 2024	Major Dev. Application Fee	\$400.00	\$400.00	01846E001001407	Nov 18, 2024	Variance fee 25% of DP fee	\$100.00	\$100.00	02529E001001028	Mar 19, 2025	Development Permit Inspection Fee	\$560.00	\$560.00	01846E001001407	Nov 18, 2024	Total GST Amount:	\$0.00					Totals for Permit:	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> \$1,530.00	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> \$1,530.00			
<b>Fees</b>	<b>Fee</b>	<b>Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>																																		
Lot Grading Fee	\$480.00	\$480.00	01846E001001407	Nov 18, 2024																																			
Major Dev. Application Fee	\$400.00	\$400.00	01846E001001407	Nov 18, 2024																																			
Variance fee 25% of DP fee	\$100.00	\$100.00	02529E001001028	Mar 19, 2025																																			
Development Permit Inspection Fee	\$560.00	\$560.00	01846E001001407	Nov 18, 2024																																			
Total GST Amount:	\$0.00																																						
Totals for Permit:	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> \$1,530.00	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> \$1,530.00																																					



## SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-25-066

