



LLOYDMINSTER SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

APPEAL TO BE HEARD:	Development Permit Refusal
Municipal Address:	4918 50 Avenue, Lloydminster, Alberta
Zoning:	C1 Central Commercial
Legal Description:	Lot PT19-20 Block 2 Plan LXXXVI
Permit No.	23-3701
Appellant Name:	Mike Cedro

A. INTRODUCTION

1. Planning received a Development Permit Application on August 20, 2023.

Administration deemed the application complete on August 25, 2023.

Administration reviewed application and noted the proposed use does not meet the minimum required drop-off spaces as per Section 5.8.

The application was refused on September 8, 2023, with the Notice of Decision being sent to the applicant on September 8, 2023.

The Appellant appealed the Development Permit Refusal.

B. PRELIMINARY MATTERS

2. Subdivision and Development Appeal Board (SDAB) members – the Chair asked the Appellant and other parties in attendance whether there were any objections to the SDAB members – there were no objections.
3. Hearing Process - the Chair reviewed the hearing process. The Chair asked the Appellant and other parties in attendance whether there were any objections to the hearing process. There were no objections.
4. The Appellant, Mike Cedro was not in attendance and the Clerk noted that notification was received that he would not be in attendance and the Appellant had noted that he was comfortable with the Board proceeding off his written submission.

C. SUMMARY OF HEARING

5. The SDAB Board heard from Manager, Planning, Natasha Pidkowa on behalf of the Development Authority, who read from the City's submission that was provided to the Board and did not expand further on the original submission.



6. The SDAB Board asked the Development Authority if they would have waived the requirement for drop off spaces if they had the capability. The City advised that the Development Authority stands by the decision rendered by the Development Officer.
7. The Appellant was not present to speak and the board was in possession of their submission. In the Appellant's submission they proposed staggered drop off and pick up times to be used to alleviate concerns over congestion.
8. Chris Parsons spoke in favour of the proposed development as an affected party on behalf of proposed operator of the childcare facility. No one else was in attendance who wished to speak to the appeal and there were no additional written submissions. Mr. Parsons provided a list of downtown businesses that had signed a notice in favor of the development. Mr. Parsons also noted that while a different use, the location had previously been a bank and a dance studio, both of which also seen high volumes of traffic.

D. DECISION

9. The SDAB Board allows the appeal and approves the Appellant's request to use off street parking for drop off and pick up.

E. REASON FOR DECISION

10. The SDAB considered the safety concerns surrounding using off street parking with no designated spaces during high traffic periods and while concerned about the risks, it was concluded that drop off and pickups could be done in a safe manner.
11. The SDAB assessed whether the increased traffic would be a benefit or a detriment to neighbouring businesses, in addition to if access to childcare in the vicinity would be of benefit to the downtown.
12. The SDAB contemplated the impact of the development and increased traffic on the adjacent landowners and considered the affect of Section 687(3)d of the *Municipal Government Act*. The SDAB determined that the development would not unduly interfere with: the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of the neighbouring parcels of land.
13. The request was not opposed by neighbouring residents. Based on Mr. Parson's submission, canvassed businesses appeared to be in favor and no parties other than the City attended the hearing to speak in opposition of the development.
14. Considering the foregoing, the SDAB is of the view that the development will not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.



DocuSigned by:

DOUG RODWELL

SDAB Clerk, Doug Rodwell
City of Lloydminster
Subdivision and Development Appeal
Board

DocuSigned by:

Bernal Ulsifer

Chair, Bernal Ulsifer
City of Lloydminster
Subdivision and Development Appeal
Board

IMPORTANT INFORMATION FOR APPELLANT

This decision may be appealed to the Alberta Court of Appeal on a question of law or jurisdiction under Section 688 of the *Municipal Government Act*, R.S.A. 2000, c. M26.