

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
February 17, 2016**

**Hearing Room No. 2  
Churchill Building,  
10019 - 103 Avenue NW,  
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
HEARING ROOM NO. 2**

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I 9:00 A.M. SDAB-D-16-050

To install (1) Fascia On-premises Sign  
(Boardwalk)

2 - Michener Park NW  
Project No.: 182588015-001

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II 10:30 A.M. SDAB-D-16-051

To demolish (2) Freestanding Off-premises  
Signs and install (1) Freestanding Minor Digital  
Off-premises Sign

7903 - Argyll Road NW, 7903C - Argyll Road  
NW  
Project No.: 184816703-001

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**NOTE:** *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-16-050

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.:	182588015-001
ADDRESS OF APPELLANT:	2 - Michener Park NW
APPLICATION TO:	Install (1) Fascia On-premises Sign (Boardwalk)
DECISION OF THE DEVELOPMENT AUTHORITY:	Approved
DECISION DATE:	January 6, 2016
DATE OF APPEAL:	January 21, 2016
MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY:	2 - Michener Park NW
LEGAL DESCRIPTION:	Plan 9624107 Lot 2
ZONE:	AJ Alternative Jurisdiction Zone
OVERLAY:	None
STATUTORY PLANS IN EFFECT:	None

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<b><i>Grounds for Appeal</i></b>
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The Appellant provided the following reasons for appealing the decision of the Development Authority:

We would like to appeal to have the larger proposed sign.

Here is our rationale:

The sign that will be installed on the building will be visible from the south side, specifically for the traffic going N on 119 Street. Adjacent to the building is parking area belonging to the U of A, with no residences in sight.

On the west side, there is a small access street used by anyone who wants to access the building. Between the 119 Street and the building there is a small green belt belonging to the City where there

is a few trees. On the W side of 119 Street, there is a sidewalk, a few trees/bushes and several garages facing the street. The closest home is probably around 100 to 150 m away from the building.

The problem we have is getting the customers, deliveries, various services getting to the building by using the access road. In many instances, while driving on 119 Street, it is hard to see the existing signage, due to the layout of the building.

Also, there is some confusion between the current address 12020 - 49 Street and the old address format still used by some: 2 Michener park. [unedited]

<i>General Matters</i>
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**Appeal Information:**

The *Municipal Government Act*, RSA 2000, c M-26 states the following:

**Grounds for Appeal**

**685(1)** If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

**Appeals**

**686(1)** A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
  - (i) the date on which the person is notified of the order or decision or the issuance of the development permit,

The decision of the Development Officer is dated January 6, 2016. The Notice of Appeal was filed on January 21, 2016.

**General Provisions from the *Edmonton Zoning Bylaw*:**

Pursuant to Section 560.1, the **General Purpose** of the **AJ Alternative Jurisdiction Zone** is to

... provide for lands that do not require a Development Permit when operating under the jurisdiction of federal legislation, provincial

jurisdiction or the *Constitution Act*, and to prescribe land uses and regulations for those lands if the legal status of these lands change and they become subject to this Bylaw.

Pursuant to Section 560.3, **Discretionary Uses** are “all Uses listed in the most restrictive Zone adjacent to the Site.”

Section 560.4 reads (in part) as follows:

**560.4 Development Regulations for Permitted and Discretionary Uses**

1. ...
2. If for any reason (including a change in use, ownership or legislation) lands to which this Zone applies become subject to this Bylaw, the most restrictive Zone on the adjacent lands shall apply. Any development shall be considered a Class B Discretionary Development.
3. ...
4. Signs shall comply with regulations found in Schedule 59H.

**Development Officer’s Determination:**

Variances

1. Discretionary Use - Fascia On-premises Sign is approved as a Discretionary Use (Section 560.4(2)). [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. Bylaw No. 11136 requires that a verbal announcement of the Board’s decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the Municipal Government Act.


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Project Number: 182588015-001  
Application Date: NOV 17, 2015  
Printed: February 12, 2016 at 9:35 AM  
Page: 1 of 2

### Application for Sign Combo Permit

This document is a record of a Development Permit and/or Building 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, Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, Alberta Building Code 2006 and City of Edmonton Bylaw 15894 Safety Codes Permit

<b>Applicant</b>  PERMIT SOLUTIONS INC 	<b>Property Address(es) and Legal Description(s)</b> 2 - MICHENER PARK NW Plan 9624107 Lot 2
	<b>Location(s) of Work</b> Entryway: 2 - MICHENER PARK NW

**Scope of Application**  
To install (1) Fascia On-premises Sign (Boardwalk)

<b>Permit Details</b>	
Class of Permit: Class A Expiry Date:  Num. Temp., Fascia or Temporary Signs: 1 Sign Permit Label No. : 5716	Construction Value: 2200 Num. of Freestanding, Projecting or Roof Signs: 0 Number of Additional Signs:  Sign Type: Fascia On-Premises Sign

I/We certify that the above noted details are correct.

Applicant signature: \_\_\_\_\_

**Development Permit Decision**  
Approved

**Subject to the Following Conditions**

- 1) The proposed Fascia On-premises Sign shall comply in accordance to the approved plans submitted.
- 2) The intensity of exposed bulbs on a Sign, excluding Digital Signs, shall not exceed 1100 lumens. (Reference Section 59.2(4))

Advisements:

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 (Reference Section 5.2).

**Variances**

1. Discretionary Use - Fascia On-premises Sign is approved as a Discretionary Use (Section 560.4(2)).

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

**Issue Date:** Feb 11, 2016    **Development Authority:** ADAMS, PAUL    **Signature:** \_\_\_\_\_  
**Notice Period Begins:** Feb 18, 2016    **Ends:** Mar 02, 2016

**THIS IS NOT A PERMIT**



Project Number: **182588015-001**  
Application Date: NOV 17, 2015  
Printed: February 12, 2016 at 9:35 AM  
Page: 2 of 2

## Application for Sign Combo Permit

### Building Permit Decision

No decision has yet been made.

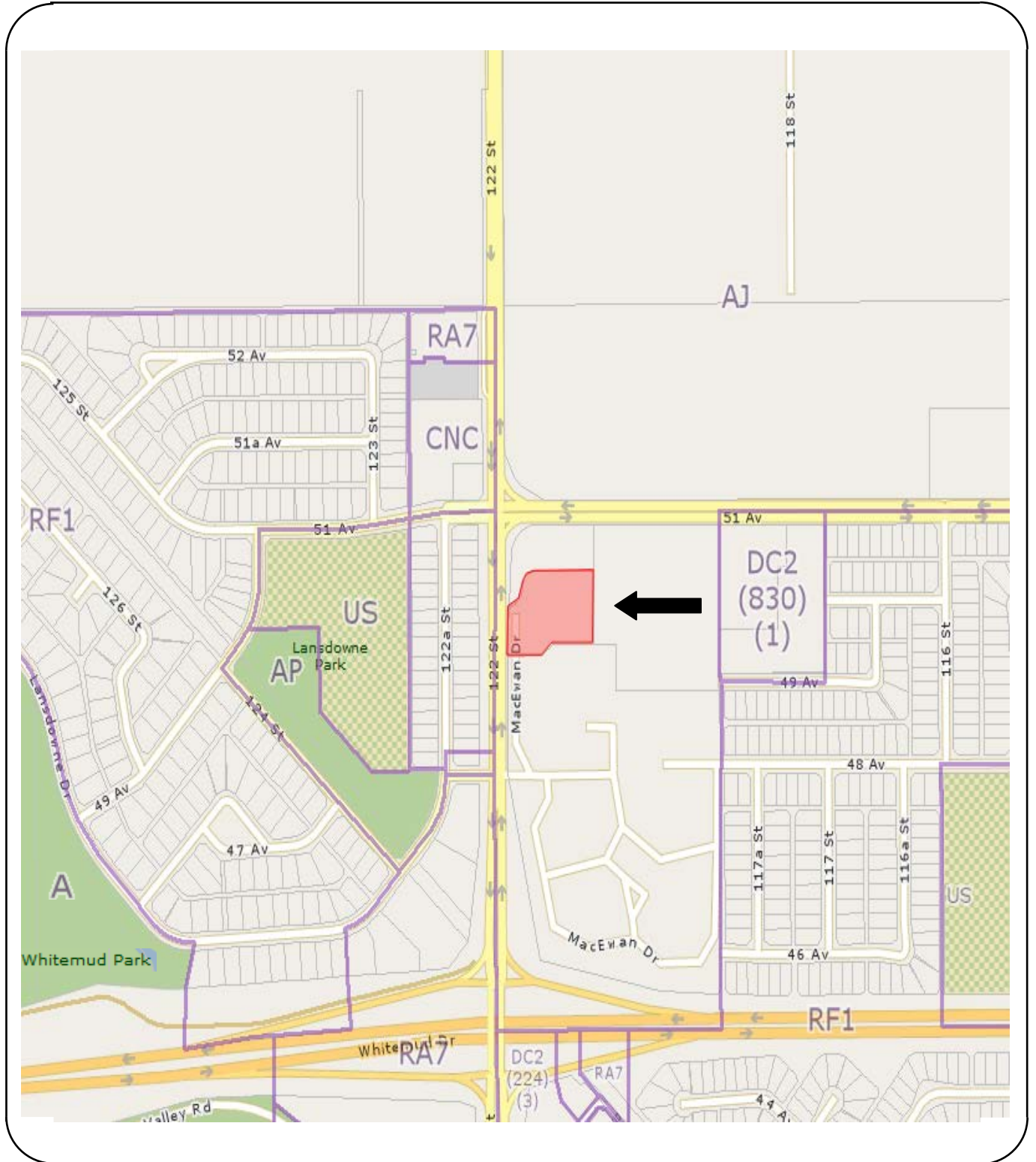
Issue Date: Jan 18, 2016 Safety Codes Officer: MAY, STEVEN

Signature: \_\_\_\_\_

### Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$5.84	\$5.84	02897951	Nov 17, 2015
Sign Building Permit Fee	\$146.00	\$146.00	02897951	Nov 17, 2015
Sign Development Application Fee	\$85.00	\$85.00	02897951	Nov 17, 2015
Total GST Amount:	\$0.00			
Totals for Permit:	\$236.84	\$236.84		

THIS IS NOT A PERMIT



### SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-050





ITEM II: 10:30 A.M.

FILE: SDAB-D-16-051

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 184816703-001

ADDRESS OF APPELLANT: 7903 - Argyll Road NW, 7903C - Argyll Road NW

APPLICATION TO: Demolish (2) Freestanding Off-premises Signs and install (1) Freestanding Minor Digital Off-premises Sign

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 18, 2016

DATE OF APPEAL: January 26, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7903 - Argyll Road NW, 7903C - Argyll Road NW

LEGAL DESCRIPTION: Plan 1323218 Unit 7, Condo Common Area (Plan 1323218)

ZONE: IB Industrial Business Zone

OVERLAY: None

STATUTORY PLANS IN EFFECT: None

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***Grounds for Appeal***

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

I act on behalf of Outfront Media Canada LP, which wishes to appeal the above development permit refusal. The grounds of appeal are as follows:

1. The proposed sign is a discretionary use in the Industrial Business (IB) Zone and complies with all applicable development regulations in the IB Zone.
2. The proposed sign will replace an existing freestanding sign. As part of the application, a second freestanding sign on the site will be

demolished. As such, the overall number of signs on the site will be reduced.

3. The proposed sign is appropriate at this location and will not, in any manner, detract from or diminish the character of the neighbourhood or the surrounding built environment.

4. Such further and other grounds as may be raised at the hearing of the appeal. [unedited]

***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,
- (d)

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

**Appeals**

**686(1)** A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

- (a) in the case of an appeal made by a person referred to in section 685(1), after
  - (i) the date on which the person is notified of the order or decision or the issuance of the development permit,

The decision of the Development Officer is dated January 18, 2016. The Notice of Appeal was filed on January 26, 2016.

**General Provisions from the *Edmonton Zoning Bylaw*:**

Pursuant to Section 400.1, the **General Purpose** of the **IB Industrial Business Zone** is to:

...provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent non-Industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.

Pursuant to Section 400.3(38), **Minor Digital Off-premises Signs** are a **Discretionary Use** in the **IB Industrial Business Zone**.

Pursuant to Section 7.9(6), “**Minor Digital Off-premises Signs**” means:

Any Sign that is remotely changed on or off Site and has a Message Duration greater than or equal to 6 seconds. Minor Digital Off-premises Signs incorporate a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components. The Copy on such Sign directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

***Sign Illumination Shall not Project onto Residential Properties***

Section 59.2(3) provides as follows:

Minor Digital Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use Class, shall not face an abutting or adjacent Residential-Related Use Class, and shall not face the Extended Medical Treatment Services Use Class to the satisfaction of the Development Officer.

**Development Officer’s Determination:**

**Reason for Refusal**

1) Minor Digital Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use Class, shall not face an abutting or adjacent Residential-Related Use Class, and shall not face the Extended Medical Treatment Services Use Class to the satisfaction of the Development Officer (Reference Section 59.2(3)).

The proposed Freestanding Minor Digital Off-Premises Sign faces the front yards of the nearby single detached dwellings across from Argyll Road. The illumination from the Minor Digital Sign will unduly interfere with the enjoyment of the residents of the single detached houses identified contrary to Section 59.2(3) [unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the Municipal Government Act.

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Project Number: **184816703-001**  
 Application Date: DEC 18, 2015  
 Printed: February 12, 2016 at 10:21 AM  
 Page: 1 of 2

## Application for Sign Combo Permit

This document is a Development Permit Decision for the development application described below.

<b>Applicant</b>  OUTFRONT MEDIA 	<b>Property Address(es) and Legal Description(s)</b> 7903C - ARGYLL ROAD NW Condo Common Area (Plan 1323218) 7903 - ARGYLL ROAD NW Plan 1323218 Unit 7  <b>Location(s) of Work</b> Entryway: 7903 - ARGYLL ROAD NW Building: 7903 - ARGYLL ROAD NW
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**Scope of Application**

To demolish (2) Freestanding off Premises Signs and install (1) Freestanding Minor Digital Off-Premises Sign

**Permit Details**

Class of Permit: Expiry Date:  Num. Temp., Fasica or Temporary Signs: 0 Sign Permit Label No. :	Construction Value: 100000 Num. of Freestanding, Projecting or Roof Signs: 0 Number of Additional Signs:  Sign Type: Minor Digital Off-premises Sign
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I/We certify that the above noted details are correct.

Applicant signature: \_\_\_\_\_

**Development Application Decision**

Refused

**Reason for Refusal**

1) Minor Digital Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use Class, shall not face an abutting or adjacent Residential-Related Use Class, and shall not face the Extended Medical Treatment Services Use Class to the satisfaction of the Development Officer (Reference Section 59.2(3)).

The proposed Freestanding Minor Digital Off-Premises Sign faces the front yards of the nearby single detached dwellings across from Argyll Road. The illumination from the Minor Digital Sign will unduly interfere with the enjoyment of the residents of the single detached houses identified contrary to Section 59.2(3)

**Rights of Appeal**

The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.

**Issue Date:** Jan 18, 2016      **Development Authority:** AHUJA, SACHIN      **Signature:** \_\_\_\_\_

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$39.20	\$39.20	02985334	Jan 04, 2016
Sign Building Permit Fee	\$980.00	\$980.00	02985334	Jan 04, 2016

**THIS IS NOT A PERMIT**



Project Number: **184816703-001**  
Application Date: DEC 18, 2015  
Printed: February 12, 2016 at 10:21 AM  
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## Application for Sign Combo Permit

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Sign Dev Appl Fee - Digital Signs	\$416.00	\$416.00	02985334	Jan 04, 2016
Total GST Amount:	<u>\$0.00</u>	<u>          </u>		
Totals for Permit:	\$1,435.20	\$1,435.20		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-16-051



**BUSINESS LAID OVER**

SDAB-D-15-285	An appeal to convert an existing Single Detached House into a Child Care Services Use Building (60 Children, 2- 12-18 months, 6 – 19 months-3 yrs, 32 – 3-4.5 yrs, 20 – above 4.5 yrs) and to construct interior and exterior alterations <b><i>March 2 or 3, 2016</i></b>
SDAB-D-15-247	An appeal to change the use of "Building E" from Professional, Financial and Office Support Services to General Retail Stores and to construct interior and exterior alterations (increase building size and change dimensions, revision to parking layout and Drive-thru). <b><i>March 9 or 10, 2016</i></b>
SDAB-D-16-049	An appeal to develop a Parking Area Accessory to an existing Apartment House. <b><i>March 9 or 10, 2016</i></b>
SDAB-D-16-501	An appeal to demolish an existing building. <b><i>March 30 or 31, 2016</i></b>

**APPEAL HEARINGS TO BE SCHEDULED**

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