

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
January 29, 2020**

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

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

TO BE RAISED

I 9:00 A.M. SDAB-D-20-002 Install (1) Freestanding Off-premises Sign
(TANG BISTRO | OUTFRONT MEDIA)
8715 - 109 Street NW

WITHDRAWN

Project No.: 327217651-001

TO BE RAISED

II 10:30 A.M. SDAB-D-20-004 Install (1) Freestanding Minor Digital Off-
Premises (OUTFRONT | FORT ROAD
VICTORY CHURCH)
13470 - Fort Road NW
Project No.: 145325409-004

III 1:30 P.M. SDAB-D-20-014 Install (1) Freestanding Minor Digital On-
premises Off-premises Sign (3.4m x 7.4m
facing SW) (ASTRAL - 1436086 ALBERTA
LTD)
2305 - Rabbit Hill Road NW
Project No.: 326330530-001

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

TO BE RAISED

ITEM II: 10:30 A.M.

FILE: SDAB-D-20-004

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 145325409-004

APPLICATION TO: Install (1) Freestanding Minor Digital Off-Premises (OUTFRONT | FORT ROAD VICTORY CHURCH)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 27, 2019

DATE OF APPEAL: December 17, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 13470 - Fort Road NW

LEGAL DESCRIPTION: Plan 0840206 Blk 13 Lot 50

ZONE: (US) Urban Services Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

Grounds for Appeal

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

The digital sign has existed for 5 years with no ill effects from surrounding residents or community. The sign has no back face and no backside light source so no light is projected backwards. Additionally there are trees located behind the sign face, further shielding residents from any light pollution.

The sign also provides support to the Church located on the property, in the form of free advertising of Church events and meals etc.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board made and passed the following motion on January 15, 2020:

"That the appeal hearing be scheduled for January 29, 2020 at the written request of the Appellant."

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, [...]

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;

- (a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- ...
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
 - and
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

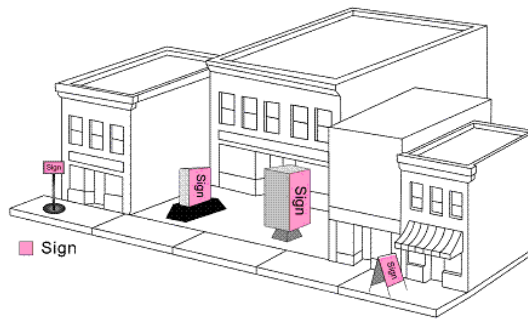
General Provisions from the *Edmonton Zoning Bylaw*:

Under section 510.3(25), a **Minor Digital Off-premises Sign** is a **Discretionary Use** in the **(US) Urban Services Zone**.

Under section 7.9(6), **Minor Digital Off-premises Signs** means:

a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Under section 6.2, **Freestanding Signs** “means a Sign supported independently of a building.”



Under section 6.2, **Off-Premise Sign** means:

any Sign displaying Copy that directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, service or entertainment provided on the premises or Site where the Sign is displayed.

Section 510.4 states:

1. The minimum Front Setback shall be 6.0 m.
2. The minimum Rear Setback shall be 7.5 m.
3. The minimum Side Setback shall be 4.5 m.

Under section 6.1, **Setback** means “the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space.”

Section 510.1 states that the **General Purpose** of the **(US) Urban Services Zone** is “to provide for publicly and privately owned facilities of an institutional or community service nature.”

Section 510.4(6) states “Signs shall comply with the regulations found in Schedule 59C.”

Schedule 59C

Schedule 59C.3(4) states the following with respect to Minor Digital On-premises Off-premises Signs and Minor Digital Off-premises Signs:

- a. the maximum Height shall be 8.0 m;
- b. the maximum Width shall be 8.0 m;
- c. **the maximum Area shall be:**

- i. 3.0 m², for proposed Signs that are Fascia Signs; or
 - ii. **8.0 m² for proposed Signs that are Freestanding signs. The maximum combined Area of Digital Sign Copy and any other type of Copy included on the same Sign face shall not exceed 20.0 m²;**
- d. proposed Sign locations shall be separated from Signs with Digital Copy greater than 8.0 m² or Off-premises Signs as follows:

Proposed Sign Area	Minimum separation distance from Signs with Digital Copy greater than <u>8.0 m²</u> or Off-premises Signs
Greater than <u>8.0 m²</u> to less than <u>20 m²</u>	<u>100 m</u>
<u>20 m²</u> to <u>40 m²</u>	<u>200 m</u>
Greater than <u>40 m²</u>	<u>300 m</u>

The separation shall be applied from the location of the larger Off-premises Sign or Sign with Digital Copy.

- e. the top of proposed Signs that are Fascia Signs shall not extend more than 30 cm above the building roof or parapet wall;
- f. proposed Signs that are Fascia Signs shall have structural elements concealed from view;
- g. proposed Signs that are Fascia Signs shall not extend more than 40 cm out from the wall or structure and shall not extend beyond the horizontal limits of the wall;
- h. proposed Signs that are Fascia Signs extending over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
- i. **proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback;** and
- j. an application for the renewal of a Sign with a lawful permit existing at the time of the passage of Bylaw 15892 will not be refused for the sole reason that it does not comply with all development regulations of this Bylaw. Application renewals shall demonstrate that the Sign meets the automatic light level controls outlined in Section 59.2(5) and traffic safety regulations in Section 59.2(2).

Development Officer's Determination

1. the maximum Area shall be 8.0 m² for proposed Signs that are Freestanding signs. The maximum combined Area of Digital Sign Copy and any other type of Copy included on the same Sign face shall not exceed 20 m² (Section 59C.3(4)(ii)).

**Proposed: 18.6 m² | Digital
Exceeds by: 10.6 m²**

2. Proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback (59C.3(4)(i)).

**Required: 6.0 m
Proposed: 4.53 m
Deficient By: 1.5 m**

General (Sign) Provisions

Section 59.2(7) states:

For all Sign Applications for Major Digital Sign, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs, the Development Officer shall review the application in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; proximity to residential development; driver decision points; and traffic conflict points. The Development Officer may require application revisions to mitigate the impact of a proposed Sign, and may refuse a permit that adversely impacts the built environment.

Development Officer's Determination

3. For all Sign Applications for Minor Digital Off-premises Signs, the Development Officer shall review the application in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; proximity to residential development; driver decision points; and traffic conflict points. The Development Officer may require application revisions to mitigate the impact of a proposed Sign, and may refuse a permit that adversely impacts the built environment (Section 59.2(7)).

The proposed Freestanding Minor Digital Off-premises sign is located 12.2 m from the existing Apartment Building (6.51 m from shared property line). In the opinion of the Development Officer, the

size and proximity of the Sign to the existing Multi-unit Housing will adversely impact the built environment.

Previous Subdivision and Development Appeal Board Decision


Application Number	Description	Decision
SDAB-D-14-197	Install a Freestanding Minor Digital Off-premises Sign	<p>August 7, 2014; that the appeal be ALLOWED and the DEVELOPMENT GRANTED subject to the following conditions:</p> <ol style="list-style-type: none"> 1. That the frequency of change in the Static Digital display cannot be less than 6 seconds with a 2 second transition (hold time). 2. That each Static Digital display shall contain a single advertising copy and that split screen advertising is not permitted. 3. The Minor Digital Off-premises Sign is approved for five years and will expire on August 7, 2019. 4. Due to its position, shape, colour, format or illumination, the proposed Minor Digital Off-premises Sign shall not obstruct the view of, or be confused with an official traffic sign, signal or device, as determined by the Development Officer in consultation with the City Engineer. 5. The proposed Minor Digital Off-premises Sign shall not display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles. 6. The proposed Minor Digital Off-premises Sign shall not operate or employ any stereo' option or motion


		<p>picture projection, or use holography.</p> <p>7. The proposed Minor Digital Off-premises Sign shall comply with the building Setback line of the area.</p> <p>8. The brightness of the proposed Minor Digital Off-premises Sign shall be adjustable and controlled relative to ambient light, to the satisfaction of Transportation Services.</p> <p>9. That should at any time, Transportation Services determine that the sign face contributes to safety concerns, the owner/applicant must immediately address the safety concerns identified by removing the sign, de-energizing the sign, changing the message conveyed on the sign, and/or addressing the concern in another manner acceptable to Transportation Services.</p> <p>10. That the owner/applicant must provide a written statement of the actions taken to mitigate a safety concern identified by Transportation Services within 30 days of the notification of the concern. Failure to provide corrective action will result in the requirement to immediately remove or de-energize the sign.</p> <p>11. The maximum allowable Height of the proposed Minor Digital Off-premises Sign shall not exceed 8.0 metres.</p> <p>12. That underground power be supplied to the proposed Minor Digital Off-premises Sign.</p>
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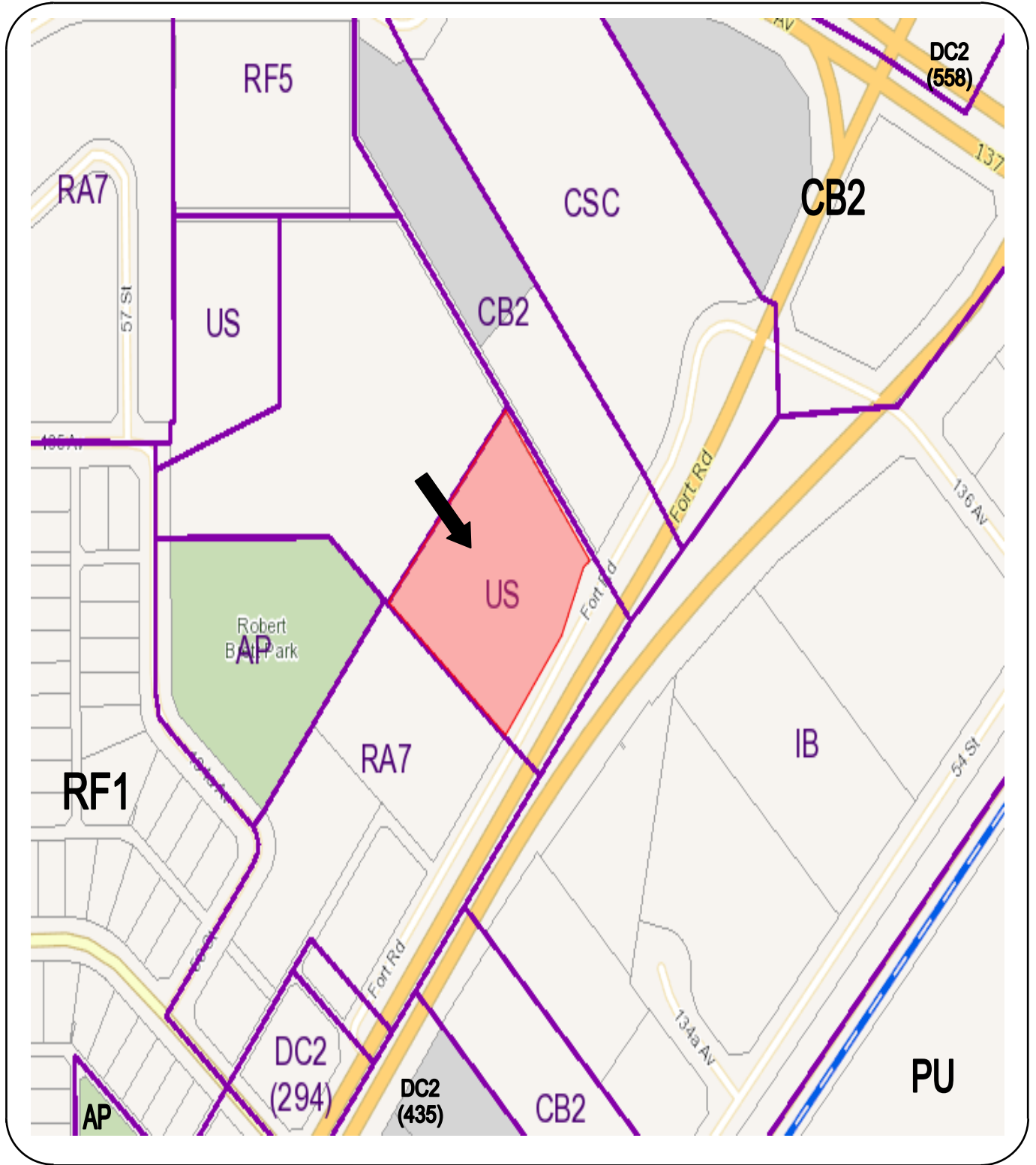
		<p>Advisements:</p> <ol style="list-style-type: none">1. Should the Applicant wish to display video or any form of moving images on the sign, a new development application for a Major Digital Sign will be required. At that time, Transportation Services will require a safety review of the sign prior to supporting the application.
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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.

	<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	Project Number: 145325409-004 Application Date: AUG 12, 2019 Printed: December 18, 2019 at 8:13 AM Page: 1 of 2
This document is a Development Permit Decision for the development application described below.		
Applicant	Property Address(es) and Legal Description(s) 13470 - FORT ROAD NW Plan 0840206 Blk 13 Lot 50	
Scope of Application To install (1) Freestanding Minor Digital Off-Premises (OUTFRONT FORT ROAD VICTORY CHURCH).		
Permit Details		
ASA Sticker No./Name of Engineer: Construction Value: 100000	Class of Permit: Expiry Date:	
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 1 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0	
I/We certify that the above noted details are correct. Applicant signature: _____		
Development Application Decision Refused Issue Date: Nov 27, 2019 Development Authority: MERCIER, KELSEY		
THIS IS NOT A PERMIT		

	<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	<p>Project Number: 145325409-004 Application Date: AUG 12, 2019 Printed: December 18, 2019 at 8:13 AM Page: 2 of 2</p>																				
<p>Reason for Refusal</p> <p>1. the maximum Area shall be 8.0 m2 for proposed Signs that are Freestanding signs. The maximum combined Area of Digital Sign Copy and any other type of Copy included on the same Sign face shall not exceed 20 m2 (Section 59C.3(4)(ii)).</p> <p>Proposed: 18.6 m2 Digital Exceeds by: 10.6 m2</p> <p>2. Proposed Signs with an Area greater than 8.0 m2 shall not be located within any Setback (59C.3(4)(i)).</p> <p>Required: 6.0 m Proposed: 4.53 m Deficient By: 1.5 m</p> <p>3. For all Sign Applications for Minor Digital Off-premises Signs, the Development Officer shall review the application in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; proximity to residential development; driver decision points; and traffic conflict points. The Development Officer may require application revisions to mitigate the impact of a proposed Sign, and may refuse a permit that adversely impacts the built environment (Section 59.2(7)).</p> <p>The proposed Freestanding Minor Digital Off-premises sign is located 12.2 m from the existing Apartment Building (6.51 m from shared property line). In the opinion of the Development Officer, the size and proximity of the Sign to the existing Multi-unit Housing will adversely impact the built environment.</p> <p>Rights of Appeal</p> <p>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.</p>																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Fees</th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: left;">Receipt #</th> <th style="text-align: left;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Sign Dev Appl Fee - Digital Signs</td> <td style="text-align: right;">\$458.00</td> <td style="text-align: right;">\$458.00</td> <td>06130242</td> <td>Sep 10, 2019</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;">\$458.00</td> <td style="text-align: right; border-top: 1px solid black;">\$458.00</td> <td></td> <td></td> </tr> </tbody> </table>			Fees	Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Dev Appl Fee - Digital Signs	\$458.00	\$458.00	06130242	Sep 10, 2019	Total GST Amount:	\$0.00				Totals for Permit:	\$458.00	\$458.00		
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<p>THIS IS NOT A PERMIT</p>																						



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-20-004



ITEM III: 1:30 P.M.

FILE: SDAB-D-20-014

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 326330530-001

APPLICATION TO: Install (1) Freestanding Minor Digital On-premises Off-premises Sign (3.4m x 7.4m facing SW) (ASTRAL - 1436086 ALBERTA LTD)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: November 15, 2019

DATE OF APPEAL: December 4, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 2305 - Rabbit Hill Road NW

LEGAL DESCRIPTION: Plan 0421742 Blk 165 Lot 100

ZONE: (CSC) Shopping Centre Zone

OVERLAY: N/A

STATUTORY PLAN: Hodgson Neighbourhood Area Structure Plan

Grounds for Appeal

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

The Development Permit Application 326330530-001 for the existing digital sign located at 2305 Rabbit Hill Road NW (« the Sign ») has been refused by the Development Authority. We appeal this refusal on the following grounds:

1. Radial separation distance (Section 59.2(21))

- a) The Sign does not require a variance for its distance from the « Terwillegar Heights Towne Square » sign, as implied by the refusal of the Development Authority (« *distance from existing Freestanding On-premises Sign: 0.5 m* »),

because the latter is not a « Freestanding » sign.

Indeed, the «Terwillegar Heights Towne Square » sign is an« Identification » and « Fascia » sign within the meaning set out in Section 6.2 of the zoning Bylaw 12800. The Board has come to this conclusion for a similar sign in its decision dated July 16, 2019 (SDAB-D-19-103)

2. Maximum area (Section 59E.3(5)(c))

- a) The Sign does require a variance because it exceeds the maximum allowed area by 5.2 m².
- b) A variance related to this provision was granted by the Board for the Sign in its decision dated September 7, 2012 (SDAB-D-12-183).
- c) At that time, the Transportation Services supported the proposed development and the Board concluded that the proposed sign « *will not create any traffic concerns in the area* » and « *would not unduly interfere with the amenities of the neighbourhood nor materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land* ».
- d) The Board also found in its reasons that « *based on the evidence provided, the effective viewing width of the sign (cord length) is 22 feet, which will ameliorate any effective increase in size that will be observed by potential viewers of the sign* ».

The sign is clearer than a smaller sign that would not require a variance in size because of the pixel density of the sign and the viewable distance to any part of the sign.

3. Distance from the Off-premise Sign / Sign with Digital Copy greater than 8.0 m2 at 14203 - 23 Avenue (Section 59E.3(5)(d))

- a) The Sign does require a variance because it is 110 metres away from the digital sign recently authorized in 2019 at 14203 – 23 Avenue (311652056-001).
- b) The exact same variance was requested for that digital sign (14203 – 23 Avenue) and granted by the Board in its decision dated July 16, 2019 (SDAB-D-19-103).
- c) The Sign is located at a major intersection that services four large shopping centres on each corner, in an area that is very commercial and not in close proximity to any residential development.
- d) It targets northbound traffic on Rabbit Hill Road and eastbound traffic on 23 Avenue while the digital sign recently authorized diagonally across the intersection at 14203 – 23 Avenue targets southbound traffic on Rabbit Hill Road and westbound traffic on 23 Avenue. Consequently, drivers will not be able to see both signs at the same time and the 200-metre separation distance is not necessary.

- e) It would be unfair to refuse to grant the same variance allowed to the recently authorized digital sign at 14203 – 23 Avenue (311652056-001) since the Sign was authorized and built first. Therefore, the variance allowed to this recently authorized digital sign shall not be prejudicial to the pre-existing Sign.

4. Required setback in CSC zone (Section 59E.3(5)(i) and 320.4(3))

- a) The Sign does require a variance because it is located 1.22 m from the property line while the required setback in CSC zone is 6.0 m.
- b) There is a large boulevard area between the Sign and the adjacent roadway, which significantly mitigates the impact of the required setback variance in this purely commercial area.
- c) The Sign was built at the same location as illustrated on site plan produced with the application #124483997-001 in 2012.
- d) Also, a similar variance was requested for the digital sign recently authorized in 2019 at 14203 – 23 Avenue and granted by the Board in its decision dated July 16, 2019 (SDAB-D-19-103).

5. Maximum number of signs on the Site (Section 59E.3(5)(j))

- a) The Development Authority considers the Sign does require a variance because of the other existing Freestanding On-premises signs on the Site. The maximum allowed number of signs is four. The Development Authority considers there are currently six signs on the Site, including the Sign.
- b) Two of these six existing signs seem to be small temporary signs. We can also presume from the first reason for refusal that the « Terwillegar Heights Towne Square » monument sign was counted as one when it should not have.
- c) The Site is a large shopping centre in a very commercial area that can absorb the current number of signs. Also, there is no other digital sign on it.
- d) A total of 5 signs was allowed for the shopping centre located diagonally across the intersection (SDAB-D-19-103).

In conclusion, the variances requested for the Sign, built in 2012, are very similar in nature to the ones analyzed and granted by the Board in its decision dated July 16, 2019 (SDAB-D-19-103) for the construction of a new digital sign. Consequently, granting them in the present case would be both rational and fair.

None of the required variances will have any impact on the use, enjoyment or value of neighbouring properties or on the amenities of the neighbourhood.

<i>General Matters</i>

Appeal Information:

The Board is advised that the appeal hearing was scheduled for January 29 or 30, 2020 at the request of the Appellant.

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
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Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

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- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* respecting the location of premises described in a cannabis

licence and distances between those premises and other premises;

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

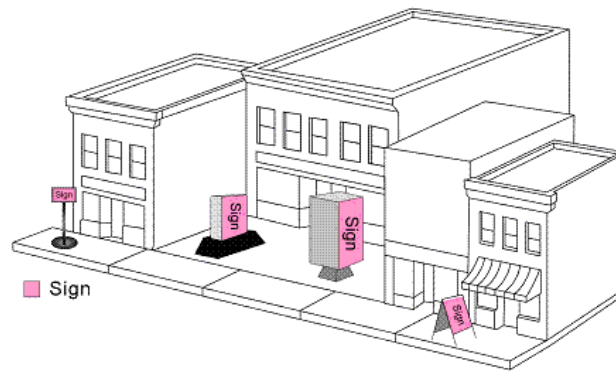
Under section 320.3(36), **Minor Digital On-premises Off-premises Signs** is a **Discretionary Use** in the **(CSC) Shopping Centre Zone**.

Under section 7.9(3), **Minor Digital On-premises Off-premises Signs** means:

a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays On-premises Advertising and/or Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Under section 6.2, **Freestanding Signs** means:

a Sign supported independently of a building.



Under section 6.2, **Off-Premise Signs** means:

any Sign displaying Copy that directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, service or entertainment provided on the premises or Site where the Sign is displayed.

Under section 6.2, **On-Premises Advertising** means “On-Premises Advertising means Copy that only directs attention to a business, activity, product, service, or entertainment produced, offered for sale, or obtainable on the Site where the Sign is displayed.”

Section 320.4(3) states “A minimum Setback of 6.0 m shall be required where a Site abuts a public roadway, other than a Lane, or the property line of a Site in a Residential Zone.”

Section 320.4(8) states: “Signs shall comply with the regulations found in Schedule 59E.”

Section 320.1 states that the **General Purpose** of the **(CSC) Shopping Centre Zone** is “to provide for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes.”

Section 59 – General Sign Provisions

Section 59.2(21) states:

Any Sign Use that is a Freestanding Sign shall have a minimum 45.0 m radial separation distance from any other Sign Use that is a Freestanding Sign on the same Site. This separation distance does not apply to different Sign Uses that are co-located on the same Freestanding Sign structure.

Development Officer’s Determination

1) Any Sign Use that is a Freestanding Sign shall have a minimum 45.0 m radial separation distance from any other Sign Use that is a Freestanding Sign on the same Site. This separation distance does not apply to different Sign Uses that are co-located on the same Freestanding Sign structure (Reference Section 59.2(21)):

**PROPOSED: distance from existing Freestanding On-premises Sign: 0.5m
 DEFICIENT BY: 44.5m**

Schedule 59E

Schedule 59E.3(5) states the following with respect to Minor Digital On-premises Off-premises Signs:

- a. the maximum Height shall be 8.0 m;
- b. the maximum Width shall be 8.0 m;
- c. **the maximum Area shall be:**
 - i. 20.0 m², to a maximum of 25% wall coverage for proposed Signs that are Fascia Signs; or
 - ii. **20.0 m² for proposed Signs that are Freestanding Signs. The maximum combined Area of Digital Sign Copy and any other type of Copy on the same Sign face shall not exceed 20.0 m²;**
- d. **proposed Sign locations shall be separated from Signs with Digital Copy greater than 8.0 m² or Off-premises Signs as follows:**

Proposed Sign Area	Minimum separation distance from Signs with Digital Copy greater than <u>8.0 m²</u> or Off-premises Signs
Greater than <u>8.0 m²</u> to less than <u>20 m²</u>	<u>100 m</u>
<u>20 m² to 40 m²</u>	<u>200 m</u>
Greater than <u>40 m²</u>	<u>300 m</u>

The separation shall be applied from the location of the larger Off-premises Sign or Sign with Digital Copy.

- e. the top of proposed Signs that are Fascia Signs shall not extend more than 30 cm above the building roof or parapet wall;
- f. proposed Signs that are Fascia Signs shall have structural elements concealed from view;
- g. proposed Signs that are Fascia Signs shall not extend more than 40 cm out from the wall or structure and shall not extend beyond the horizontal limits of the wall;
- h. proposed Signs that are Fascia Signs extending over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m; and
- i. proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback;**
- j. the maximum number of Freestanding On-premises Signs, Roof On-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital On-premises Off-premises Signs and Minor Digital Off-premises Signs on a Site shall be four;** and
- k. an application for the renewal of a Sign with a lawful permit existing at the time of the passage of Bylaw 15892 will not be refused for the sole reason that it does not comply with all development regulations of this Bylaw. Application renewals shall demonstrate that the Sign meets the automatic light level controls outlined in Section 59.2(5) and traffic safety regulations in Section 59.2(2).

Development Officer's Determination

2) the maximum Area shall be:

ii. 20 m² for proposed Signs that are Freestanding Signs. The maximum combined Area of Digital Sign Copy and any other type of Copy on the same Sign face shall not exceed 20 m² (Reference Section 59E.3(5)(c)):

PROPOSED: 3.4m x 7.4m = 25.2m²

EXCEEDS BY: 5.2m²

3) Proposed Sign locations with an area greater than 20m² shall be separated from Signs with Digital Copy greater than 8.0 m², or Off-premises Signs, by 200m (Reference Section 59E.3(5)(d)):

Proposed Sign Area: 25.2m²

Required Separation for signs 20m² to 40m² is 200m

PROPOSED: separation from sign located at 14203 - 23 Avenue (311652056-001): 110m

DEFICIENT BY: 90m

The separation shall be applied from the location of the larger Off-premises Sign or Sign with Digital Copy.

4) proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback;
Required Setback in CSC Zone: 6.0m (Reference Section 59E.3(5)(i)):

PROPOSED: 1.22m from SW property line
DEFICIENT BY: 4.78m

5) the maximum number of Freestanding On-premises Signs, Roof On-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital On-premises Off-premises Signs and Minor Digital Off-premises Signs on a Site shall be four. (Reference Section 59E.3(5)(j))

PROPOSED: (1) Minor Digital On-Off premises Sign (freestanding)
EXISTING: (5) Freestanding On-premises Signs
EXCEEDS BY: (2)

Previous Subdivision and Development Appeal Board Decision


Application Number	Description	Decision
SDAB-D-12-183	To construct (1) Off-Premises Minor Digital Freestanding Sign (3.44m x 7.4m Single Sided facing S/W)	September 12, 2012; that the appeal be ALLOWED and the DEVELOPMENT GRANTED and the excess of 5.46 square metres in the maximum allowable Sign Area of a Minor Digital Off-premises Sign be permitted, subject to the following conditions: 1. that the frequency of change in the static digital display cannot be less than 6 seconds with a 2 second transition (hold time); 2. that each static digital display shall contain a single advertising copy and that split screen advertising is not permitted; 3. the Minor Digital Off-

		<p>premises Sign is approved for five years and will expire on September 7, 2017;</p> <p>4. due to its position, shape, colour, format or illumination, the proposed Minor Digital Off-premises Sign shall not obstruct the view of, or be confused with an official traffic sign, signal or device, as determined by the Development Officer in consultation with the City Engineer;</p> <p>5. the proposed Minor Digital Off-premises Sign shall not display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;</p> <p>6. the proposed Minor Digital Off-premises Sign shall not operate or employ any stereo option or motion picture projection, or use holography;</p> <p>7. the proposed Minor Digital Off-premises Sign shall comply with the building setback line of the area;</p> <p>8. the brightness of the proposed Minor Digital Off-premises Sign shall be adjustable and controlled relative to ambient light, to the satisfaction of the Transportation Department;</p> <p>9. that should at any time, Transportation Services determine that the sign face contributes to safety concerns, the owner/applicant must immediately address the safety concerns identified by removing the sign, de-energizing the sign, changing the message conveyed on the sign, and/or addressing the</p>
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		<p>concern in another manner acceptable to Transportation Services;</p> <p>10. that the owner/applicant must provide a written statement of the actions taken to mitigate a safety concern identified by Transportation Services within 30 days of the notification of the concern. Failure to provide corrective action will result in the requirement to immediately remove or de-energize the sign;</p> <p>11. the maximum allowable height of the proposed Minor Digital Off-premises Sign shall not exceed 8.0 metres;</p> <p>12. that underground power be supplied to the proposed Minor Digital Off-premises Sign;</p> <p>Advisements:</p> <p>1. Should the Applicant wish to display video or any form of moving images on the sign, a new development application for a Major Digital Sign will be required. At that time, Transportation Services will require a safety review of the sign prior to supporting the application.</p>
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Notice to Applicant/Appellant

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

	Project Number: 326330530-001 Application Date: JUL 25, 2019 Printed: December 4, 2019 at 1:29 PM Page: 1 of 3
<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant	Property Address(es) and Legal Description(s) 2305 - RABBIT HILL ROAD NW Plan 0421742 Blk 165 Lot 100
Scope of Application To install (1) Freestanding Minor Digital On-premises Off-premises Sign (3.4m x 7.4m facing SW) (ASTRAL - 1436086 ALBERTA LTD.)	
Permit Details	
ASA Sticker No./Name of Engineer: Construction Value: 0	Class of Permit: Expiry Date:
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 1	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0
I/We certify that the above noted details are correct. Applicant signature: _____	
Development Application Decision Refused Issue Date: Nov 15, 2019 Development Authority: NOORMAN, BRENDA	
THIS IS NOT A PERMIT	



Project Number: **326330530-001**
 Application Date: JUL 25, 2019
 Printed: December 4, 2019 at 1:29 PM
 Page: 2 of 3

Application for Sign Combo Permit

Reason for Refusal

1) Any Sign Use that is a Freestanding Sign shall have a minimum 45.0 m radial separation distance from any other Sign Use that is a Freestanding Sign on the same Site. This separation distance does not apply to different Sign Uses that are co-located on the same Freestanding Sign structure (Reference Section 59.2(21)):

PROPOSED: distance from existing Freestanding On-premises Sign: 0.5m
 DEFICIENT BY: 44.5m

2) the maximum Area shall be:

ii. 20 m² for proposed Signs that are Freestanding Signs. The maximum combined Area of Digital Sign Copy and any other type of Copy on the same Sign face shall not exceed 20 m² (Reference Section 59E.3(5)(c)):

PROPOSED: 3.4m x 7.4m = 25.2m²
 EXCEEDS BY: 5.2m²

3) Proposed Sign locations with an area greater than 20m² shall be separated from Signs with Digital Copy greater than 8.0 m², or Off-premises Signs, by 200m (Reference Section 59E.3(5)(d)):

Proposed Sign Area: 25.2m²
 Required Separation for signs 20m² to 40m² is 200m

PROPOSED: separation from sign located at 14203 - 23 Avenue (311652056-001): 110m
 DEFICIENT BY: 90m

The separation shall be applied from the location of the larger Off-premises Sign or Sign with Digital Copy.

4) proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback;
 Required Setback in CSC Zone: 6.0m (Reference Section 59E.3(5)(i)):

PROPOSED: 1.22m from SW property line
 DEFICIENT BY: 4.78m

5) the maximum number of Freestanding On-premises Signs, Roof On-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital On-premises Off-premises Signs and Minor Digital Off-premises Signs on a Site shall be four. (Reference Section 59E.3(5)(j))

PROPOSED: (1) Minor Digital On-Off premises Sign (freestanding)
 EXISTING: (5) Freestanding On-premises Signs
 EXCEEDS BY: (2)

Rights of Appeal

The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Existing Without Dev Permit Penalty Fee	\$458.00	\$458.00	06196280	Oct 07, 2019
Sign Dev Appl Fee - Digital Signs	\$458.00	\$458.00	06196280	Oct 07, 2019

THIS IS NOT A PERMIT



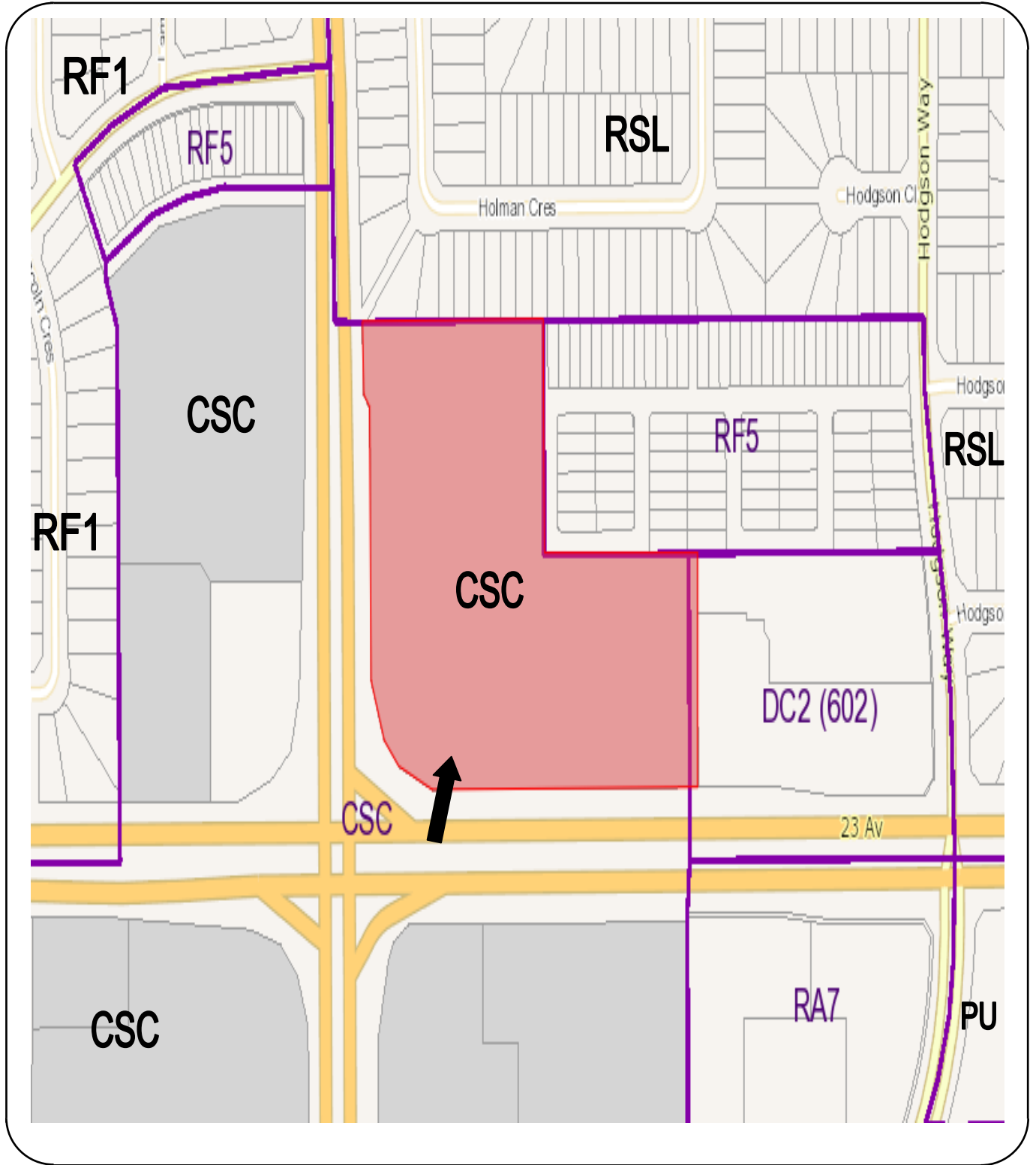
Application for Sign Combo Permit

Project Number: **326330530-001**
Application Date: JUL 25, 2019
Printed: December 4, 2019 at 1:29 PM
Page: 3 of 3

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Total GST Amount:	\$0.00			
Totals for Permit:	\$916.00	\$916.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-20-014

