

SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Thursday, 9:00 A.M.
July 15, 2021

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

I	9:00 A.M.	SDAB-D-21-107	City Ford Sales
			Install a Minor Digital On-premises Freestanding Sign ((1.8 m x 5.4 m) Facing North /South CITY FORD SALES)
			14750 - Mark Messier Trail NW Project No.: 377004560-003
II	10:30 A.M.	SDAB-D-21-110	Borden Lander Gervais LLP/Astral Out-Of-Home/Bill Co. Incorporated
			Install a Minor Digital Off-Premises Sign (2 digital panels 6.9m x 3.6m facing E/W) (BILL CO. INCORPORATED)
			10730 - 99 Street NW Project No.: 386465792-002
III	1:30 P.M.	SDAB-D-21-111	C. Boa
			Construct an Accessory Building (detached Garage, 7.87m x 9.14m) and to demolish existing Accessory building (detached Garage)
			9322 - 89 Street NW Project No.: 392604548-002
IV	2:30 P.M.	SDAB-D-21-090	K. Ricci VS. S. Reyes
TO BE RAISED			Operate a Major Home Based Business - General Contractor with 2 client visits per day (SB REYES CONTRACT). Expires Apr. 21, 2026
			731 - Secord Boulevard NW Project No.: 388493359-001

NOTE: *Unless otherwise stated, all references to "Section numbers" in this Agenda refer to the authority under the Edmonton Zoning Bylaw 12800.*

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT: City Ford Sales

APPLICATION NO.: 377004560-003

APPLICATION TO: Install a Minor Digital On-premises Freestanding Sign
((1.8 m x 5.4 m) Facing North /South | CITY FORD SALES)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 3, 2021

DATE OF APPEAL: June 16, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 14750 - Mark Messier Trail NW

LEGAL DESCRIPTION: Plan 8721894 Blk B Lot 3D

ZONE: (IB) Industrial Business Zone

OVERLAY: Major Commercial Corridors Overlay

STATUTORY PLAN: Mistatim Area Structure Plan

Grounds for Appeal

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

Sign is .6M in public space, sign has existed since 1993, and moving it at this time will create hardship for property owner.

Base of the sign is on private property, it is the upper portion, 6.5M off the ground, that encroaches.

Sign fully exists within the grass area of the city/property.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

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

...

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

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 400.3(43), a **Minor Digital On-premises Sign** is a **Discretionary Use** in the **(IB) Industrial Business Zone**.

Under section 7.9(8), **Minor Digital On-premises Signs** means:

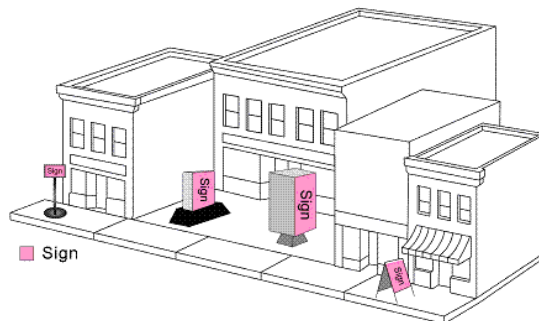
a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays On-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Under section 6.2, **Digital Copy** means:

the portion of a Sign that contains Copy that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to manually or mechanically replace the Sign face or its components.

Under section 6.2, a **Freestanding Sign** means:

means a Sign supported independently of a building.



Section 400.1 states that 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.

Section 813.1 states that the **General Purpose** of the **Major Commercial Corridors Overlay** is “to ensure that development along Major Commercial Corridors is visually attractive and that due consideration is given to pedestrian and traffic safety.”

Section 400.4(6) states “Signs shall comply with the regulations found in Schedule 59F.”

Sign Regulations - General Provisions

Schedule 59.2(12) states:

All Freestanding Signs, Temporary Signs, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of the Sign may project beyond the property lines unless otherwise specified in a Sign Schedule.

Development Officer’s Determination

1. All Minor Digital On-premises Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of the Sign may project beyond the property lines unless otherwise specified in a Sign Schedule.

Proposed: Sign encroaches 0.65 m onto the Mark Messier Trail road rights-of-way

City Operations has reviewed the documents and objects to the Encroachment Agreement.

[unedited]

Height

Schedule 59F.3(5)(a) states “that maximum Height shall be 8.0 m”

Under section 6.1, **Height Signs** means “the vertical distance measured from the finished ground surface directly under the Sign to the highest point of the Sign.”

Development Officer’s Determination

2. the maximum Height of a Minor Digital On-premises Sign shall be 8.0 m;

Proposed Height : 10.0 m

Exceeds by: 2.0 m

[unedited]

Separation Distance

Schedule 59F.3(5)(d) states:

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 8.0 m ² or Off-premises Signs
Greater than 8.0 m ² to less than 20 m ²	100 m
20 m ² to 40 m ²	200 m
Greater than 40 m ²	300 m

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

Development Officer’s Determination

3. Proposed Sign locations shall be separated from Signs containing Digital Copy greater than 8.0m² or Off-premises Signs, greater than 20m² by 200m, and Greater than 40 m² by 300m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

**Area of Existing ICEWORKS Sign (DP 221048720-001): 32 m²
 Location: 14626 - MARK MESSIER TRAIL NW
 Required Separation Distance: 200 m
 Proposed Separation Distance: 183 m
 Deficient by: 17 m**

**Area of Existing PATTISON Sign (DP 221048720-001): 62 m²
 Location: 15230 - MARK MESSIER TRAIL NW
 Required Separation Distance: 300 m
 Proposed Separation Distance: 280 m
 Deficient by: 20 m**

The Zoning Bylaw establishes the separation distances between digital signs and off-premises signs to prevent the proliferation of such signs.

[unedited]


Previous Subdivision and Development Appeal Board Decision


Application Number	Description	Decision
SDAB-D-10-124	Construct an On-premises Freestanding Sign (0.9 metres by 5.5 metres - City Ford and 1.8 metres by 5.5 metres - LED Electronic Message Centre)	<p>June 4, 2010; the appeal be ALLOWED and the DEVELOPMENT GRANTED and the deficiency of 10.28 metres in the minimum building Setback adjacent to the Major Arterial Roads and the intersecting Arterial Roads within the Major Commercial Corridors be permitted, subject to the following conditions:</p> <ol style="list-style-type: none"> 1.The frequency of the change in changeable copy shall be a minimum of 10 second intervals or such greater interval as may be set in future regulations of the Edmonton Zoning Bylaw. 2.The approval for the proposed sign shall be for a period of five (5) years. 3.The proposed sign shall be constructed entirely within private property. No portion of the sign shall encroach over/into road right-of-way. 4.The proposed sign shall not operate or employ any animation, motion picture projection, or holography. 5.The proposed sign shall not display lights resembling the flashing lights usually associated with danger or those used by emergency services vehicles. 6.That, should at any time, the Transportation Department determine that the sign face contribute to safety concerns, the owner/applicant must

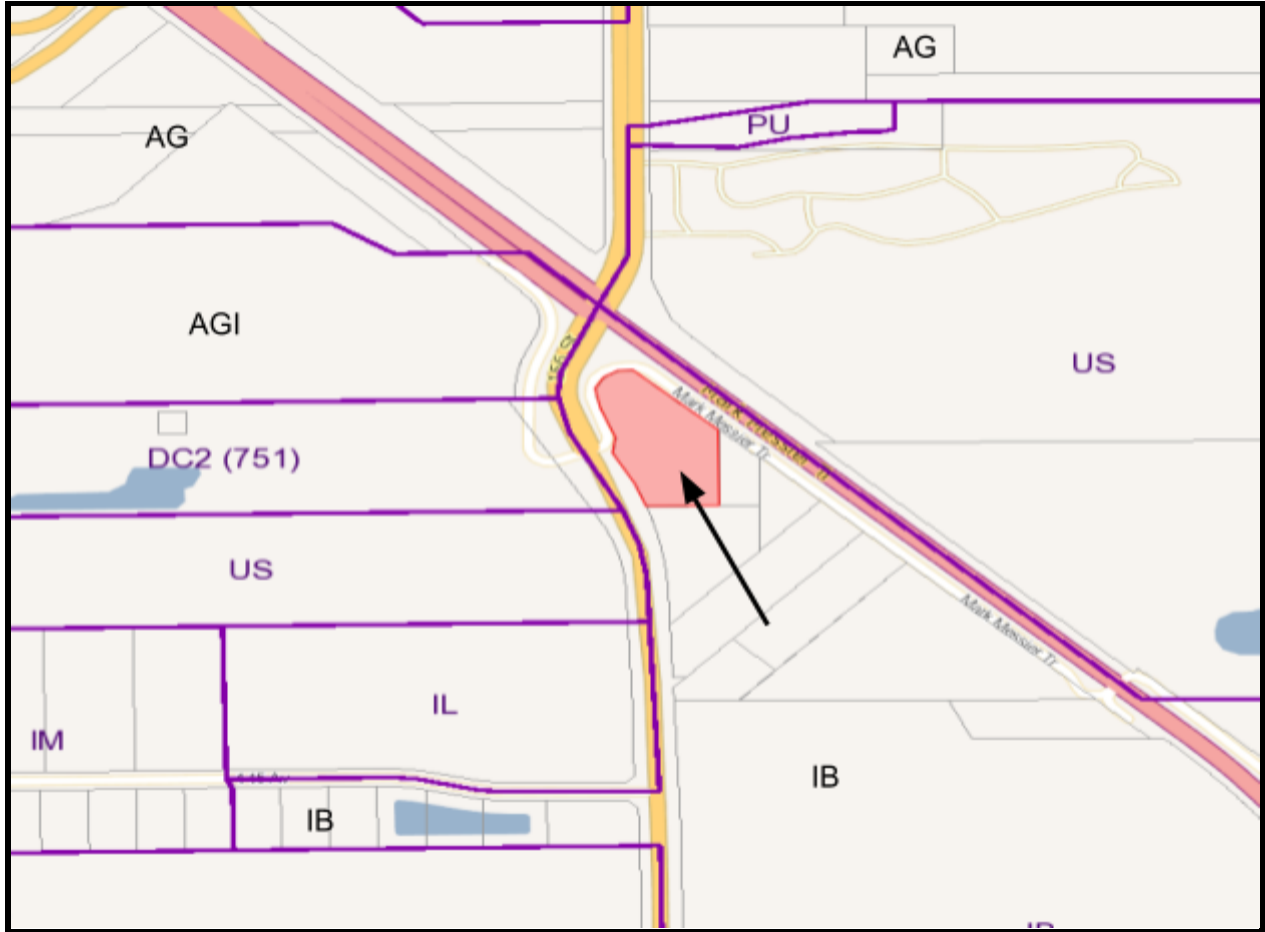
		<p>immediately address the safety concerns identified by removing the sign, de-energizing the sign, changing the message conveyed on the sign, and/or address the concern in another manner acceptable to the Transportation Department.</p> <p>7.The owner/applicant must provide a written statement of the actions taken to mitigate concerns identified by the Transportation Department within 30 days of the notification of the safety concern. Failure to provide corrective action will result in the requirement to immediately remove or de-energize the sign.</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.

	<h2>Application for Sign Permit</h2>	Project Number: 377004560-003 Application Date: APR. 09, 2021 Printed: June 3, 2021 at 4:14 PM 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) 14750 - MARK MESSIER TRAIL NW Plan 8721894 Blk B Lot 3D	
Scope of Application To install a Minor Digital On-premises Freestanding Sign ((1.8 m x 5.4 m) Facing North /South CITY FORD SALES)		
Permit Details		
ASA Sticker No./Name of Engineer: Construction Value: 0	Class of Permit: Class B 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: 2 Minor Digital Off-premises Sign: 0 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	
Development Application Decision Refused Issue Date: Jun 03, 2021 Development Authority: MERCIER, KELSEY		
THIS IS NOT A PERMIT		

	<h2 style="margin: 0;">Application for Sign Permit</h2>	Project Number: 377004560-003 Application Date: APR 09, 2021 Printed: June 3, 2021 at 4:14 PM Page: 2 of 2																				
<p>Reason for Refusal</p> <p>1. All Minor Digital On-premises Signs shall be located so that all portions of the Sign and its support structure are completely located within the property and no part of the Sign may project beyond the property lines unless otherwise specified in a Sign Schedule.</p> <p>Proposed: Sign encroaches 0.65 m onto the Mark Messier Trail road rights-of-way</p> <p>City Operations has reviewed the documents and objects to the Encroachment Agreement.</p> <p>2. the maximum Height of a Minor Digital On-premises Sign shall be 8.0 m; Proposed Height : 10.0 m Exceeds by: 2.0 m</p> <p>3. Proposed Sign locations shall be separated from Signs containing Digital Copy greater than 8.0m2 or Off-premises Signs, greater than 20m2 by 200m, and Greater than 40 m2 by 300m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.</p> <p>Area of Existing ICEWORKS Sign (DP 221048720-001): 32 m2 Location: 14626 - MARK MESSIER TRAIL NW Required Separation Distance: 200 m Proposed Separation Distance: 183 m Deficient by: 17 m</p> <p>Area of Existing PATTISON Sign (DP 221048720-001): 62 m2 Location: 15230 - MARK MESSIER TRAIL NW Required Separation Distance: 300 m Proposed Separation Distance: 280 m Deficient by: 20 m</p> <p>The Zoning Bylaw establishes the separation distances between digital signs and off-premises signs to prevent the proliferation of such signs.</p> <p>Rights of Appeal 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.</p>																						
<p>Fees</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 15%;">Fee Amount</th> <th style="text-align: right; width: 15%;">Amount Paid</th> <th style="text-align: left; width: 10%;">Receipt #</th> <th style="text-align: left; width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Sign Development Application Fee - Digital Signs</td> <td style="text-align: right;">\$1,800.00</td> <td style="text-align: right;">\$1,800.00</td> <td>06999001</td> <td>May 03, 2021</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$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;">\$1,800.00</td> <td style="text-align: right; border-top: 1px solid black;">\$1,800.00</td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Development Application Fee - Digital Signs	\$1,800.00	\$1,800.00	06999001	May 03, 2021	Total GST Amount:	\$0.00				Totals for Permit:	\$1,800.00	\$1,800.00		
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SURROUNDING LAND USE DISTRICTS

Site Location ← File: SDAB-D-21-107 ▲
N

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT: Borden Lander Gervais LLP/Astral Out-Of-Home/Bill Co. Incorporated

APPLICATION NO.: 386465792-002

APPLICATION TO: Install a Minor Digital Off-Premises Sign (2 digital panels 6.9m x 3.6m facing E/W) (BILL CO. INCORPORATED)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: May 28, 2021

DATE OF APPEAL: June 17, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10730 - 99 Street NW

LEGAL DESCRIPTION: Plan 5825NY Lot B

ZONE: (CB2) General Business Zone

OVERLAY: Main Streets Overlay

STATUTORY PLAN: Boyle Street / McCauley Area Redevelopment Plan

Grounds for Appeal

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

Attachment related to Edmonton Subdivision and Development Appeal Board (“SDAB”) Notice of Appeal by Astral Out-Of-Home, dated June 17, 2021, of the Development Authority’s refusal of Development Permit No. 386465792-002 (the “DP”), municipal address 10730 – 99 Street NW (Plan 5825NY, Lot B) (the “Subject Property”).

Grounds for appeal:

1. the application is for a Minor Digital Off-Premises Sign (2 digital panels 6.9m x 3.6m facing E/W) (the “Proposed Sign”);
2. a sign, including a digital sign, has existed in the location of the Proposed Sign for a number of years without incident (the “Sign Location”):
 - a. prior to 2013, a billboard existed in the Sign Location;
 - b. in 2013, a digital sign was approved in the Sign Location by the City of Edmonton (the “City”) for 5-year term;
 - c. on June 5, 2015, the SDAB approved a Freestanding Minor Digital Off-premises Sign (10.37m x 3.08m facing E/W) in this location for a 5-yr term in File No. SDAB-D-15-097 (the “Digital Sign”). The SDAB approved variances for the maximum allowable Height, Width, and Sign Area and noted that the Digital Sign was compatible with the surrounding commercial area;
 - d. in 2016, the City approved a new development permit for a revised Freestanding Minor Digital Off-premises Sign in the Sign Location (DP No. 180163072-001) (the “Previous Sign”), including a variance in the maximum allowable Sign Area.
 - e. the applicant, Astral Out-Of-Home (“Astral”), inadvertently did not renew the development permit for the Previous Sign on expiry of the 5-yr term on June 4, 2020;
 - f. on Feb 12, 2021, the City advised Astral that the development permit had expired and Astral immediately applied for the DP to continue operation of a Freestanding Minor Digital Off-Premises Sign in the Sign Location;
3. the variances requested will 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, including but not limited to for the following reasons:
 - a. the variances requested are consistent with variances approved for the Digital Sign, Previous Sign, and are comparable to variances approved for other signs in the surrounding area;
 - b. no material changes have occurred in the neighbourhood or on the surrounding properties since the approval of the Previous Sign;
 - c. the Sign Location is on the busy auto-oriented 107 A Avenue, not a walkable main street;

d. the Subject Property and the surrounding properties are primarily used for surface parking and back-of-house operations, with the pedestrian-oriented access and uses facing 101 Street or 98 Street. These pedestrian-oriented areas will not be materially impacted by the Proposed Sign;

e. the Proposed Sign is not in the sightline of the approved sign at 10720 - 101 Street NW (DP No. 392662549-002, permit date May 21, 2021) and vice versa;

f. the Roof-mounted Freestanding Minor Digital Off-Premises Sign at 10103 - 107 Avenue NW (the "Roof Sign") has existed since 2015 in harmony with the Previous Sign:

i. in 2015, the deficiency between the Digital Sign and the Roof Sign was waived, although the specific deficiency was not noted;

ii. in 2016, the City approved a variance to the deficiency between the Previous Sign and the Roof Sign, permitting a 140 metre separation instead of a 200 metre separation; iii. in March 2020, the SDAB approved:

1. a variance between the Roof Sign and the Previous Sign, permitting a 146 metre separation instead of a 200 metre separation;

2. a variance between this sign and the sign located at 10720 – 101 Street, permitting a 91.4 metre separation instead of a 100 metre separation; and

3. variances for the maximum Height of the Roof Sign and to allow a Roof mounted Minor Digital Off-premises Sign at this location.

4. apart from the variances noted, the Proposed Sign complies with the applicable statutory plans and the Edmonton Zoning Bylaw 12800.

Relief requested:

5. The Applicant requests that the SDAB REVOKE the refusal of the Development Authority and APPROVE the DP.

Agent Reasons for Appeal:

When viewed against the discretion afforded development officers by the Land Use Bylaw (at s. 11.3(1)(a)), it is the appellant's position that the sign's continued presence will not "unduly interfere with the amenities of the neighborhood; or materially interfere with or affect the use, enjoyment or value of neighboring properties" and therefore should be approved. Therefore, the appellant requests this Board exercise its authority to revoke the decision of the development officer and permit the Sign to remain with any conditions as are necessary or relevant.

Supporting reasons:

1. The property was purchased in 2013 and a billboard was already on the property.
2. Even prior, a sign has been on the property for a long period of time. Then and now the Use allows the proposed sign. The long term existence of a billboard sign on the property in its present format (i.e. size and height) supports a continuing variance.
3. Given the prior approvals, the Court of Appeal acknowledges that certainty and consistency in planning and development is important “because of the large sums of money that can be invested in reliance on development permits”. This is especially relevant as the appellant relies on the rent from the sign to offset property costs:
4. Moreover, prior panels of the SDAB have confirmed “the Sign is compatible with the surrounding area” [SDAB-D-15-097 p. 9 para 4] and in a 2020 decision [SDABD-20-023] dealing with a nearby sign identifies at para. 30 that “nothing has changed at this location over the past five years”.
5. Likewise, in respect of the nearby sign, that SDAB panel (like the one earlier hearing this sign’s appeal in 2015) confirms that the proximity of this sign with the one to the west “will not significantly impact the neighbourhood or neighbouring parcels of land” (para. 30 and at para. 33). Unquestionably, with the additional photographs that will be submitted, the surrounding area has not significantly changed since 1997, 2020, or since.
6. The sign’s impact to traffic has previously been confirmed to be none or at most “minimal” [SDAB-D-15-097 at p. 9 para 6].
7. And the appellant has not been contacted by the City, the community league or anyone else with complaints of the sign. Even more positive, the appellant has received comments from neighbors (e.g. Hiep Than Supermarket at 10718 98 St NW, etc.) that the sign does enhance safety in what can be described as a dark nonpedestrian area (as it is at the backs of nearby commercial venues and near parking facilities).

<p><i>General Matters</i></p>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
 - or
 - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

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

...

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

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 340.3(40), a **Minor Digital Off-premises Sign** is a **Discretionary Use** in the **(CB2) General Business ZOne**.

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

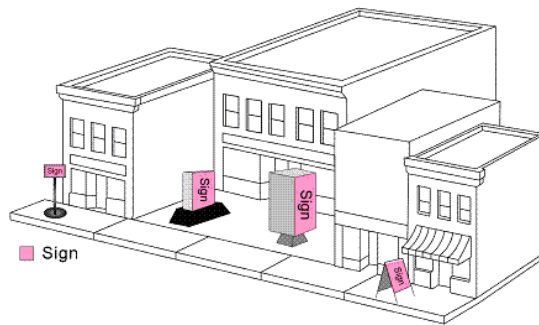
a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Under section 6.2, **Digital Copy** means:

the portion of a Sign that contains Copy that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to manually or mechanically replace the Sign face or its components.

Under section 6.2, a **Freestanding Sign** means:

means a Sign supported independently of a building.



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

to provide for businesses that require large Sites and a location with good visibility and accessibility along, or adjacent to, major public roadways. This zone also accommodates limited Residential-related uses

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

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

Height

Section 819.5(2)(a) states “the maximum Height of a Freestanding Sign shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign.”

Under section 6.1, **Height Signs** means “the vertical distance measured from the finished ground surface directly under the Sign to the highest point of the Sign.”

Development Officer’s Determination

1) 819.5(2)(a): The maximum Height of a Freestanding Sign shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign.

PROPOSED: 7.9m

Exceeds by: 1.9m

[unedited]

<i>Separation Distance</i>

Section 819.5(2) states “Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw, [...]”

Schedule 59E.3(5)(d) states:

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 8.0 m ² or Off-premises Signs
Greater than 8.0 m ² to less than 20 m ²	100 m
20 m ² to 40 m ²	200 m
Greater than 40 m ²	300 m

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

Development Officer’s Determination

2) Section 59E.3(5)(d): Proposed Sign locations shall be separated from Signs containing Digital Copy greater than 8.0m² or Off-premises Signs, greater than 20m² by 200m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

**i) Approved Sign: 392662549-002: Freestanding Off-premises Sign:
10720 - 101 STREET NW
REQUIRED SEPARATION: 200m
PROPOSED: ~134m**

Deficient by: 66m

**ii) Approved Sign: 348770384-001: Minor Digital Off-premises Sign
[Roof]: 10103 - 107 AVENUE NW
REQUIRED SEPARATION: 200m
PROPOSED: ~146m
Deficient by: 54m**

[unedited]

Sign Area

Schedule 59E.3(5)(c)(ii) states:

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;

Under section 6.2, **Sign Area** means:

the entire area of the Sign on which Copy is intended to be placed. In the case of double-faced or multi-faced Sign, only half of the area of each face of the Sign used to display advertising Copy shall be used in calculating the total Sign Area.

Development Officer's Determination

3) Section 59E.3(5)(c)(ii): The the maximum Area shall be 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;

**PROPOSED: 24.84m2
Exceeds by: 4.8m2**

[unedited]

Community Consultation

Section 819.5(3) states:

When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this section

of the Overlay the notification process outlined in subsection 819.4(15) shall apply.

Section 819.4(15) states:

When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this Overlay:

- a. the Development Officer shall send notice to the municipal address and assessed owners of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development, and the President of each affected Community League and each Business Improvement Area Association operating within the distance described above to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;
- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been mailed, unless the Development Officer receives feedback from all specified recipients; and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.3.


Previous Subdivision and Development Appeal Board Decision

Application Number	Description	Decision
SDAB-D-15-097	Extend the duration of a Freestanding Minor Digital Off-premises Sign (10.37m x 3.08m) double sided facing east/west	<p>June 5, 2015; The Appeal is ALLOWED and the decision of the Development Authority is REVOKED. The development is GRANTED as applied for to the Development Authority subject to the following conditions:</p> <p>1. This development permit expires on June 4, 2020.</p> <p>In granting the development the following variances to the</p>

		<p>Edmonton Zoning Bylaw are allowed:</p> <ol style="list-style-type: none">1. Pursuant to Section 819.3(13)(a), a variance of 2 metres was granted to the maximum allowable Height requirement of 6 metres.2. Pursuant to Schedule 59E.3(5)(b), a variance of 2.37 metres was granted to the maximum allowable Sign width requirement of 8 metres.3. Pursuant to Schedule 59E.3(5)(c)(ii), a variance of 11.94 metres square was granted to the maximum allowable Sign Area requirement of 20 square metres.
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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: 386465792-002 Application Date: FEB 12, 2021 Printed: June 17, 2021 at 12:02 PM Page: 1 of 2
<h2 style="margin: 0;">Application for Sign Permit</h2>	
This document is a Development Permit Decision for the development application described below.	
Applicant	Property Address(es) and Legal Description(s) 10730 - 99 STREET NW Plan 5825NY Lot B
Scope of Application To install a Minor Digital Off-Premises Sign (2 digital panels 6.9m x 3.6m facing E/W) (BILL CO. INCORPORATED).	
Permit Details	
ASA Sticker No./Name of Engineer: Construction Value: 150000	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: 2 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
Development Application Decision Refused Issue Date: May 28, 2021 Development Authority: NOORMAN, BRENDA	
THIS IS NOT A PERMIT	



Application for Sign Permit

Project Number: **386465792-002**
 Application Date: FEB 12, 2021
 Printed: June 17, 2021 at 12:02 PM
 Page: 2 of 2

Reason for Refusal

1) 819.5(2)(a): The maximum Height of a Freestanding Sign shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign.

PROPOSED: 7.9m
 Exceeds by: 1.9m

2) Section 59E.3(5)(d): Proposed Sign locations shall be separated from Signs containing Digital Copy greater than 8.0m² or Off-premises Signs, greater than 20m² by 200m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

i) Approved Sign: 392662549-002: Freestanding Off-premises Sign: 10720 - 101 STREET NW
 REQUIRED SEPARATION: 200m
 PROPOSED: ~134m
 Deficient by: 66m

ii) Approved Sign: 348770384-001: Minor Digital Off-premises Sign [Roof]: 10103 - 107 AVENUE NW
 REQUIRED SEPARATION: 200m
 PROPOSED: ~146m
 Deficient by: 54m

3) Section 59E.3(5)(c)(ii): The the maximum Area shall be 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;

PROPOSED: 24.84m²
 Exceeds by: 4.8m²

Rights of Appeal

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.

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Sign Development Application Fee - Digital Signs	\$1,800.00	\$1,800.00	077248043380001	Mar 25, 2021
Sign Development Application Fee	\$0.00	\$0.00	059619057316001	Mar 25, 2021
Existing Without Dev Permit Penalty Fee	\$1,800.00	\$1,800.00	085697060849001	Apr 15, 2021
Total GST Amount:	\$0.00			
Totals for Permit:	\$3,600.00	\$3,600.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ← **File: SDAB-D-21-110** ▲
N

ITEM III: 1:30 P.M.

FILE: SDAB-D-21-111

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT: C. Boa

APPLICATION NO.: 392604548-002

APPLICATION TO: Construct an Accessory Building (detached Garage, 7.87m x 9.14m) and to demolish existing Accessory building (detached Garage)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 17, 2021

DATE OF APPEAL: June 18, 2021

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9322 - 89 Street NW

LEGAL DESCRIPTION: Plan 1488HW Blk B Lot 15

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

We wish to appeal the decision of the Development Authority on this project as it conforms with all restrictions aside from the roof height which is exceeding the maximum allowable by 1.12' (.34m). We feel this is a negligible difference to the property and surrounding neighbourhood

We have considered redesign of the roof and have run in to issues. The Current roof design cannot be lowered as we have a "Shed" roof on one side

and "gable" roof on the high side of the garage. Lowering the roof system would "flatten" out the shed roof side to a pitch that would not be acceptable for Edmonton snow loads.....and the walls of the high side can not be lowered as we have just enough room for the garage door and Header material.

We hope the minimal difference and design challenge will help in granting us approval for this structure. Thank you.

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

Appeals

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

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

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

(b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not

- (A) unduly interfere with the amenities of the neighbourhood, or
- (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 110.2(7), **Single Detached Housing** is a **Permitted Use** in the **(RF1) Single Detached Residential Zone**.

Under section 6.1, **Accessory** means “when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.”

Under section 6.1, **Garage** means “an Accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.”

Section 110.1 states that the **General Purpose** of the **(RF1) Single Detached Residential Zone** is “to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Garden Suites, Semi-detached Housing and Duplex Housing.”

Section 814.1 states that the **General Purpose** of the **Mature Neighbourhood Overlay** is:

to regulate residential development in Edmonton’s mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations.

Height

Section 50.3(3) states “an Accessory building or structure shall not exceed 4.3 m in Height.”

Under section 6.1, **Height** means “a vertical distance between two points.”

Development Officers Determination

1. Midpoint Height - An Accessory building or structure shall not exceed 4.3 m in Height (Section 50.3.3).

Maximum: 4.3m


Proposed: 4.7m

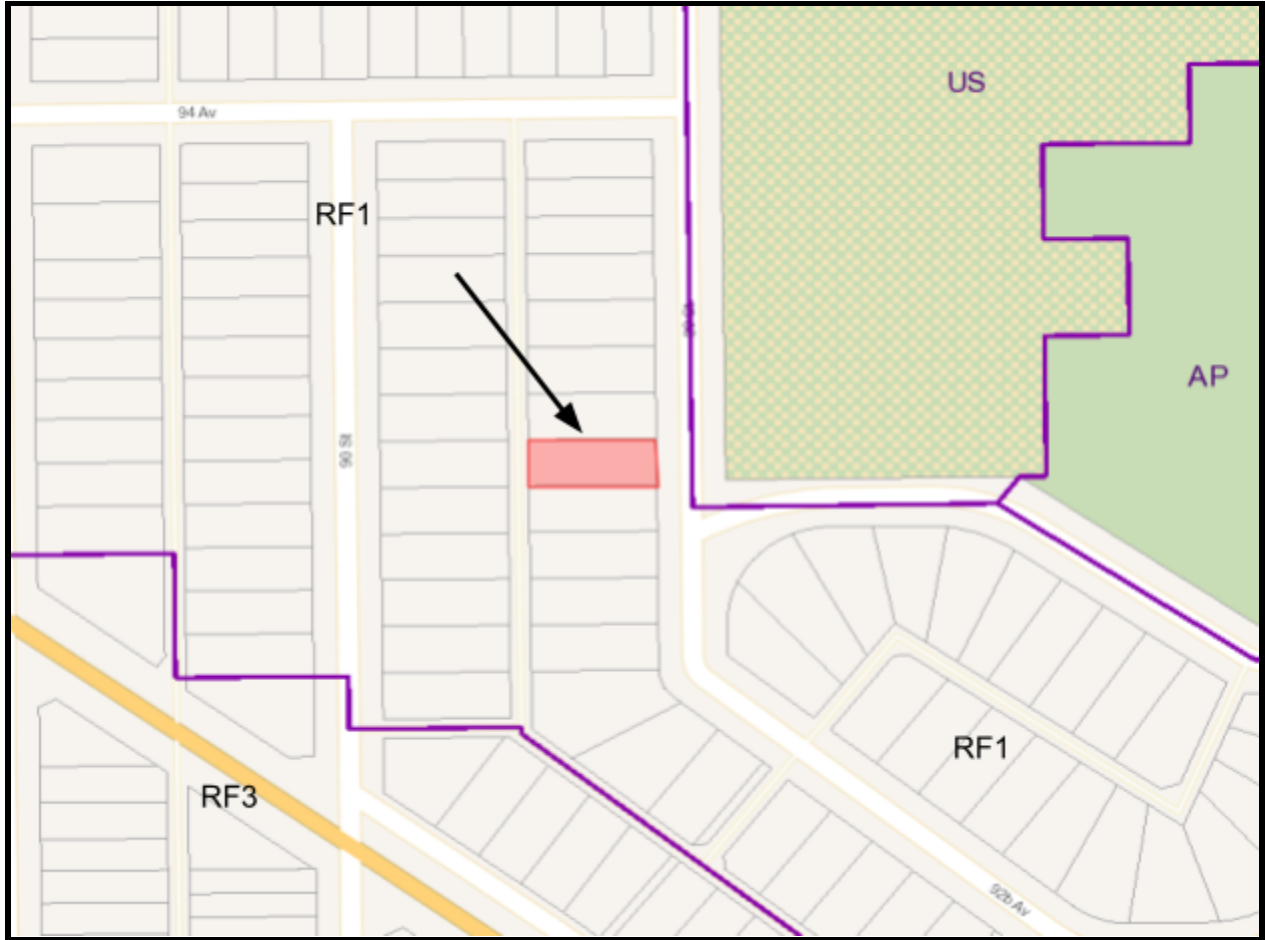
Exceeds by: 0.4m

[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: 392604548-002 Application Date: APR 18, 2021 Printed: June 17, 2021 at 9:00 AM Page: 1 of 1																																			
<h2 style="margin: 0;">Application for Home Improvement Permit</h2>																																				
This document is a Development Permit Decision for the development application described below.																																				
Applicant	Property Address(es) and Legal Description(s) 9322 - 89 STREET NW Plan 1488HW Blk B Lot 15 Location(s) of Work Suite: 9322 - 89 STREET NW Entryway: 9322 - 89 STREET NW Building: 9322 - 89 STREET NW																																			
Scope of Application To construct an Accessory Building (detached Garage, 7.87m x 9.14m) and to demolish existing Accessory building (detached Garage).																																				
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="border: none;"> Class Of Permit: Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay </td> <td style="border: none; vertical-align: top;"> Site Area (sq. m.): 545.78 </td> </tr> </table>		Class Of Permit: Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay	Site Area (sq. m.): 545.78																																	
Class Of Permit: Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay	Site Area (sq. m.): 545.78																																			
Development Application Decision Refused Issue Date: Jun 17, 2021 Development Authority: ZHOU, ROWLEY Reason for Refusal 1. Midpoint Height - An Accessory building or structure shall not exceed 4.3 m in Height (Section 50.3.3). Maximum: 4.3m Proposed: 4.7m Exceeds by: 0.4m Rights of Appeal 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.																																				
Building Permit Decision No decision has yet been made.																																				
Fees <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;"></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>Development Application Fee</td> <td style="text-align: right;">\$120.00</td> <td style="text-align: right;">\$120.00</td> <td>08720508089G001</td> <td>Apr 19, 2021</td> </tr> <tr> <td>Building Permit Fee (Accessory Building)</td> <td style="text-align: right;">\$112.00</td> <td style="text-align: right;">\$112.00</td> <td>08720508089G001</td> <td>Apr 19, 2021</td> </tr> <tr> <td>Building Permit Fee (Demolition)</td> <td style="text-align: right;">\$112.00</td> <td style="text-align: right;">\$112.00</td> <td>092587215421001</td> <td>Apr 29, 2021</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$8.98</td> <td style="text-align: right;">\$8.98</td> <td>092587215421001</td> <td>Apr 29, 2021</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;">\$352.96</td> <td style="text-align: right; border-top: 1px solid black;">\$352.96</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Development Application Fee	\$120.00	\$120.00	08720508089G001	Apr 19, 2021	Building Permit Fee (Accessory Building)	\$112.00	\$112.00	08720508089G001	Apr 19, 2021	Building Permit Fee (Demolition)	\$112.00	\$112.00	092587215421001	Apr 29, 2021	Safety Codes Fee	\$8.98	\$8.98	092587215421001	Apr 29, 2021	Total GST Amount:	\$0.00				Totals for Permit:	\$352.96	\$352.96		
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THIS IS NOT A PERMIT																																				



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-21-111

▲
N

TO BE RAISED

ITEM IV: 2:30 P.M.

FILE: SDAB-D-21-090

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT: K. Ricci

APPLICATION NO.: 388493359-001

APPLICATION TO: Operate a Major Home Based Business - General Contractor with 2 client visits per day (SB REYES CONTRUCT). Expires Apr. 21, 2026

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: April 21, 2021

DATE OF APPEAL: May 12, 2021

NOTIFICATION PERIOD: Apr 27, 2021 through May 18, 2021

RESPONDENT: S. Reyes

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 731 - Secord Boulevard NW

LEGAL DESCRIPTION: Plan 1422946 Blk 13 Lot 45

ZONE: (RPL) Planned Lot Residential Zone

OVERLAY: N/A

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

Grounds for Appeal

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

Have property owner call me direct 780-919-2893 KRIS RICCI to discuss resolution. This is a property i own and rent out to a young family. Homeowner of 731 Secord has refused to pay for half of the fence dividing our property. A business will only increase foot traffic, noise, AND DECREASE PRIVACY. I feel the only resolution is to pay the half to finish fence at an mutually agreed material. Also would need to be reimbursed the wood piles i have already paid for as well as install. Thanks

<i>General Matters</i>

Appeal Information:

The Subdivision and Development Appeal Board (the “Board”) made and passed the following motion on June 10, 2021:

“That the appeal hearing be rescheduled to July 14 or 15, 2021 at the verbal request of the Respondent and with the verbal consent 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.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

Appeals

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

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

- (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, or
 - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

Hearing and Decision

687(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)

...

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

...

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
 - and
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw*:

Under section 130.3(4), a **Major Home Based Business** is a **Discretionary Use** in the **(RPL) Planned Lot Residential Zone**.

Under section 7.3(7), **Major Home Based Business** means:

development consisting of the Use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses that may generate more than one business associated visit per day. The business Use must be secondary to the Residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use includes Bed and Breakfast Operations but does not include General Retail Sales, Cannabis Retail Sales or Cannabis Production and Distribution.

Section 130.1 states that the **General Purpose** of the **(RPL) Planned Lot Residential Zone** is:

to provide for small lot Single Detached Housing serviced by both a public roadway and a Lane, including Zero Lot Line Development and Reverse Housing forms, that provides the opportunity for the more efficient utilization of land in developing neighbourhoods, while maintaining the privacy and independence afforded by Single Detached Housing forms.

<i>Section 75 - Major Home Based Business</i>
--

A Major Home Based Business shall comply with the following regulations:

1. there shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling;
2. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;
3. the Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located;
4. the number of non-resident employees or business partners working on-site shall not exceed two at any one time;
5. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings;
6. the Major Home Based Business shall not change the principal character or external appearance of the Dwelling or Accessory buildings;
7. a Bed and Breakfast Operation, operating as a Major Home Based Business may have more than two Sleeping Units. Cooking facilities shall not be located within the Sleeping Units;
8. in addition to the information requirements of subsection 13.1 of this Bylaw, each application for a Development Permit for the Use Major Home Based Business shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for parking, and where any materials or equipment associated with the business use are to be stored; and
9. the Major Home Based Business shall not be allowed if, in the opinion of the Development Officer, such Use would be more appropriately located in a Commercial or Industrial Zone having regard for the overall compatibility of the Use with the residential character of the area.

Development Officer's Determination


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

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

[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: 388493359-001 Application Date: MAR 06, 2021 Printed: April 21, 2021 at 11:52 AM Page: 1 of 3		
<h2>Home Occupation</h2>			
This document is a record of a Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended.			
Applicant	Property Address(es) and Legal Description(s) 731 - SECORD BOULEVARD NW Plan 1422946 Blk 13 Lot 45		
Scope of Permit To operate a Major Home Based Business - General Contractor with 2 client visits per day (SB REYES CONTRACT). Expires Apr. 21, 2026.			
Permit Details <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> # of business related visits/day: 1 Administration Office Only?: Y Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?: </td> <td style="width: 50%; vertical-align: top;"> # of vehicles at one time: Business has Trailers or Equipment?: Description of Business: Administration office for contractor. Expiry Date: 2026-04-21 00:00:00 </td> </tr> </table>		# of business related visits/day: 1 Administration Office Only?: Y Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?:	# of vehicles at one time: Business has Trailers or Equipment?: Description of Business: Administration office for contractor. Expiry Date: 2026-04-21 00:00:00
# of business related visits/day: 1 Administration Office Only?: Y Class of Permit: Class B Do you live at the property?: Y Outdoor storage on site?:	# of vehicles at one time: Business has Trailers or Equipment?: Description of Business: Administration office for contractor. Expiry Date: 2026-04-21 00:00:00		
Development Permit Decision Approved Issue Date: Apr 21, 2021 Development Authority: FOLKMAN, JEREMY			

Home Occupation

Subject to the Following Conditions

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

1. The business owner must live at the site. The business use must be secondary to the residential use of the building and shall not change the residential character of the Dwelling or Accessory Building (Section 7.3(7)).
2. There shall be no exterior display or advertisement other than an identification plaque or sign a maximum of 20 cm (8") x 30.5 cm (12") in size located on the dwelling (Section 75.1).
3. The Major Home Based Business shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zone in which it is located (Section 75.3).
4. If non-resident employees or business partners are working on-site, the maximum number shall not exceed the number applied for with this application.
5. If there are visits associated with the business the number shall not exceed the number applied for with this application.
6. The site shall not be used as a daily rendezvous for employees or business partners.
7. There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).
8. No offensive noise, odour, vibration, smoke, litter, heat or other objectionable effect shall be produced.
9. Fabrications of business related materials are prohibited.
10. All commercial and industrial equipment, including but not limited to Bobcats, are not permitted at the site. The equipment shall be stored at an approved storage facility.
11. All commercial, industrial and overweight vehicles shall be parked at an approved storage facility. The Development Permit may be revoked if any commercial, industrial and overweight vehicles are parked or stored at the residential site.
12. One or more enclosed or empty non-enclosed trailer with less than 4500kg gross vehicle weight shall be parked at an approved storage facility, unless a variance has been granted for an enclosed or empty non-enclosed trailer for this Major Home Based Business.
13. All parking for the Dwelling and Home Based Business must be accommodated on site, unless a parking variance has been granted for this Major Home Based Business.
14. This Development Permit may be cancelled at any time if the Home Based Business as stated in the Permit Details changes (Section 17.2).
15. This approval is for a 5 year period from the date of this decision. A new Development Permit must be obtained to continue to operate the business from this location. This Development Permit expires on Apr. 21, 2026.

Notes:

1. An approved Development Permit means that the proposed development has been reviewed against the provisions of this bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the Edmonton Building Permit Bylaw or any caveats, covenants or easements that might be attached to the Site (Section 5.2).
2. This Development Permit is not a Business License.



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Home Occupation

3. Subject to the right of appeal. The permit is not valid until the required Notification Period expires (date noted below in accordance with Section 21.1 and 17.1).

Variations

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

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

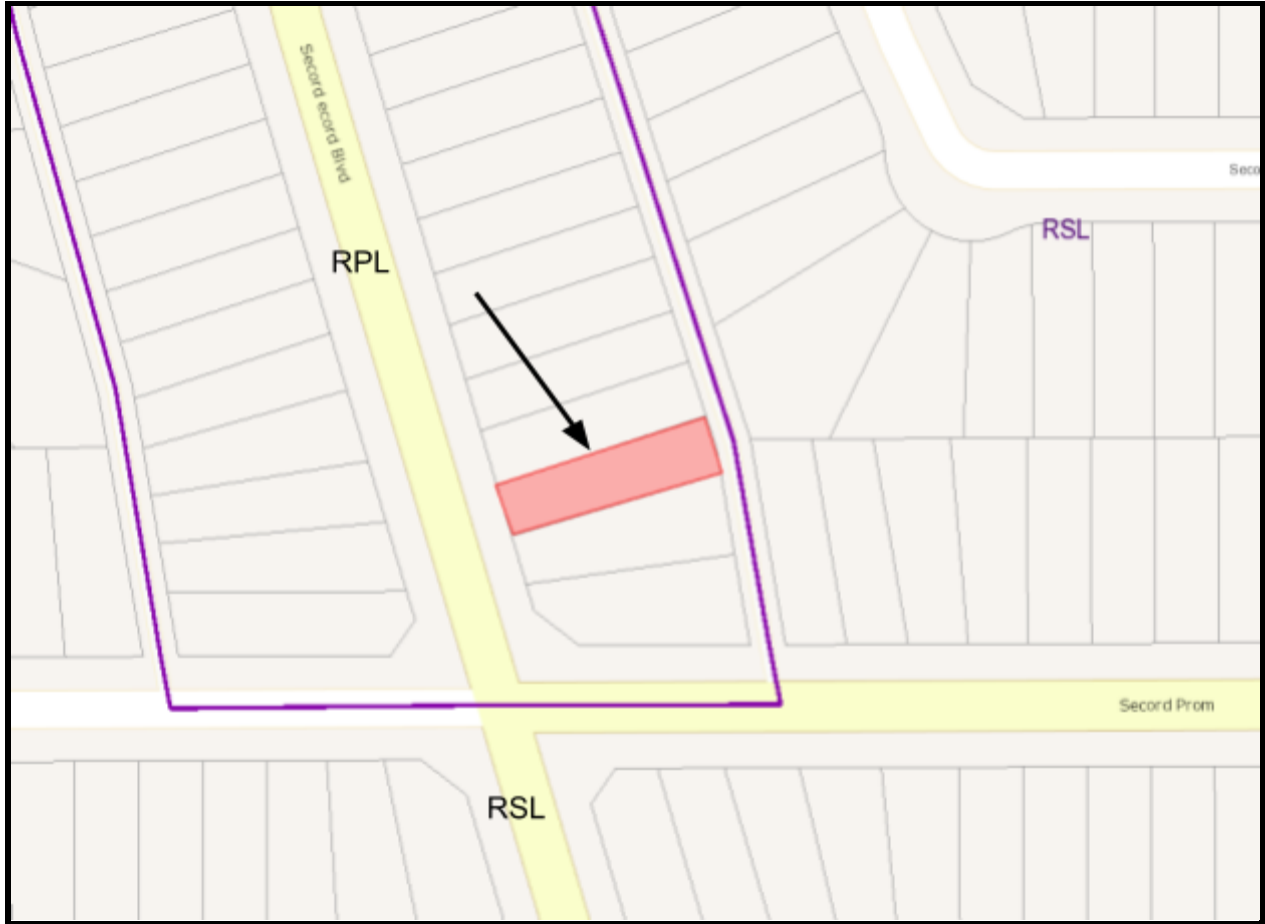
Rights of Appeal

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

Notice Period Begins: Apr 27, 2021 **Ends:** May 18, 2021

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Dev. Application Fee	\$327.00	\$327.00	06958848	Apr 06, 2021
Total GST Amount:	\$0.00			
Totals for Permit:	\$327.00	\$327.00		



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-21-090

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