

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
July 18, 2019**

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

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

---

I 9:00 A.M. SDAB-D-19-110

Construct an over-height Fence for a Religious Assembly, existing without Permits (maximum height 2.03 m)

16310 - 106 Avenue NW  
10610 - 163 Street NW  
10614 - 163 Street NW  
Project No.: 264872041-002

---

II 10:30 A.M. SDAB-D-19-108

Install (1) Freestanding Off-premises Sign (PATTISON | SPECTRUM 4 ENTERPRISES LTD.)

12425 - 118 Avenue NW  
Project No.: 314488677-001

---

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

ITEM I: 9:00 A.M.

FILE: SDAB-D-19-110

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 264872041-002

APPLICATION TO: Construct an over-height Fence for a Religious Assembly, existing without Permits (maximum height 2.03 m)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: May 31, 2019

DATE OF APPEAL: June 21, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 16310 - 106 Avenue NW  
10610 - 163 Street NW  
10614 - 163 Street NW

LEGAL DESCRIPTION: Plan 4746KS Blk 1 Lot 26,  
Plan 4746KS Blk 1 Lot 27,  
Plan 4746KS Blk 1 Lot 25,  
Plan 4746KS Blk 1 Lot 28

ZONE: (RF1) Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: Jasper Place Area Redevelopment Plan

***Grounds for Appeal***

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

I am filing an appeal on behalf of St. Virgin Mary Ethiopian Orthodox Tewahido Church regarding the development refusal forwarded by the city. The existing fence is built in accordance with but which exceeds the allowed maximum height of 1.2 meters under the Edmonton Zoning Bylaw 12800. The church requests the city to reconsider the decision due to the following reasons.

- It is a see-through mesh fence resembling the surrounding neighborhood, built for the sole purpose of security and safeguarding of children in the vicinity. The church also offers these children Bible study and other academic assistance on weekends. We believe our church plays a vital role in shaping the children in good behavior and academic excellence and in response, we request the city to reconsider their decision accordingly.

- The income of our church depends on the donation and offerings of our members and participants, we have spent a lot of our resources and money on constructing the fence. The demolition and reconstruction of the fence may cause some economic setbacks in the overall activity and progress of our church.

We hope the city accepts our appeal and changes its final decision.

---

<b><i>General Matters</i></b>
-------------------------------

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

**Appeals**

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

- (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 110.3(5), a **Religious Assembly** is a **Discretionary Use** in the **(RF1) Single Detached Residential Zone**.

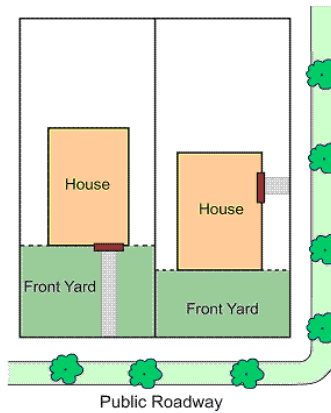
Under section 6.1, **Accessory** means “when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use or building, and located on the same lot or Site.

Under section 6.1, **Fence** means “a structure constructed at ground level, used to prevent or restrict passage, provide visual screening, noise attenuation, Landscaping, or to mark a boundary.”

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

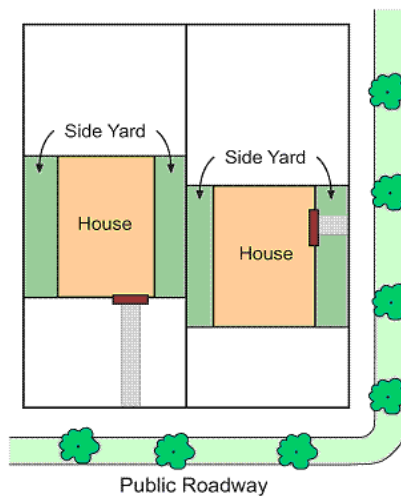
Under section 6.1, **Front Yard** means:

the portion of a Site abutting the Front Lot Line extending across the full width of the Site, situated between the Front Lot Line and the nearest wall of the principal building, not including projections.



Under section 6.1, **Side Yard** means:

that portion of a Site abutting a Side Lot Line extending from the Front Yard to the Rear Yard. The Side Yard is situated between the Side Lot Line and the nearest wall of principal building, not including projections.



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:

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.

***Fences, Walls, Gates, and Privacy Screening in Residential Zones***

Section 49.1 states the following with respect to *Fences, walls and gates*:

- a. The regulations contained within Section 49.1 of this Bylaw apply to:
  - i. the Height of the material used in the construction of a Fence, wall, or gate, such as but not limited to boards, panels, masonry, ornamental iron, and chain link, plus any additional elements used for screening, such as, but not limited to, lattice.
- b. Notwithstanding subsection 49(1)(a), the regulations for Fences, walls, and gates contained within this Section do not apply to the Height of the posts or other supporting material used to anchor the Fence, wall, or gate.
- c. The Height of a Fence, wall, or gate shall be measured from the general ground level 0.5 m back from the property line of the Site on which the Fence, wall, or gate is to be constructed.
- d. On an Interior Site, the Height of a Fence, wall, or gate shall not exceed:
  - i. 1.2 m for the portion of the Fence, wall, or gate constructed in the Front Yard, and
  - ii. 1.85 m in all other Yards.
- e. **On a Corner Site, the Height of a Fence, wall, or gate shall not exceed:**
  - i. **1.2 m for the portion of the Fence, wall, or gate constructed in the Front Yard,**

- ii. **1.2 m for the portion of the Fence, wall, or gate situated between the flanking Side Lot Line and the foremost side Façade of the principal structure, and extending from the Front Lot Line to the Rear Lot Line, and**
  - iii. 1.85 m in all other Yards.
- f. **In the case where the permitted Height of a Fence, wall, or gate is 1.2 m, the Development Officer may vary the Height of the Fence, wall, or gate to a maximum of 1.85 m, in order to provide additional screening from public roadways or incompatible adjacent Uses,**
- g. In the case where the permitted Height of a Fence, wall, or gate is 1.85 m, the Development Officer may vary the Height of the Fence, wall, or gate to a maximum of 2.44 m, in order to provide additional screening from public roadways or incompatible adjacent Uses,
- h. Notwithstanding subsection 49.1(f) and subsection 49.1(g) of this Bylaw, in the case of Double Fronting Sites, the Development Officer may grant a variance to allow a Fence, wall, or gate of up to 1.85 m in Height in one of the Front Yards, and allow a Fence, wall, or gate of up to 2.44 m in Height in the other Front Yard, having regard to the location of Fences, walls, and gates in the surrounding area and the requirement for screening.

**Development Officer's Determination**

**The subject site is zoned RF1 (Single Detached Residential) Zone.**

**1. Section 49.1(e)(i) - On a Corner Site, the Height of a Fence, wall, or gate shall not exceed 1.2 m for the portion of the Fence , wall, or gate constructed in the Front Yard.**

**Proposed height: 1.96 m  
Exceeds by: 0.76 m**

**2. Section 49.1(e)(ii) - On a Corner Site, the Height of a Fence, wall, or gate shall not exceed 1.2 m for the portion of the Fence, wall, or gate situated between the flanking Side Lot Line and the foremost side Façade of the principal structure, and extending from the Front Lot Line to the Rear Lot Line.**

**Proposed height: 1.78 m - 2.03 m  
Exceeds by: 0.83 m**

**3. Section 49.1(f) - In the case where the permitted Height of a Fence, wall, or gate is 1.2 m, the Development Officer may vary the Height of the Fence, wall, or gate to a maximum of 1.85 m, in order to provide additional screening from public roadways or incompatible adjacent Uses.**



**The Development Officer cannot exercise discretion above 1.85 m. The fence height is 1.78 m - 2.03 m. In addition, except as otherwise provided in this Bylaw, there shall be no variance from maximum Height regulations (Ref. Section 11.4.1(b))**

**NOTES:**


**a. All above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800 as amended. [unedited]**


---

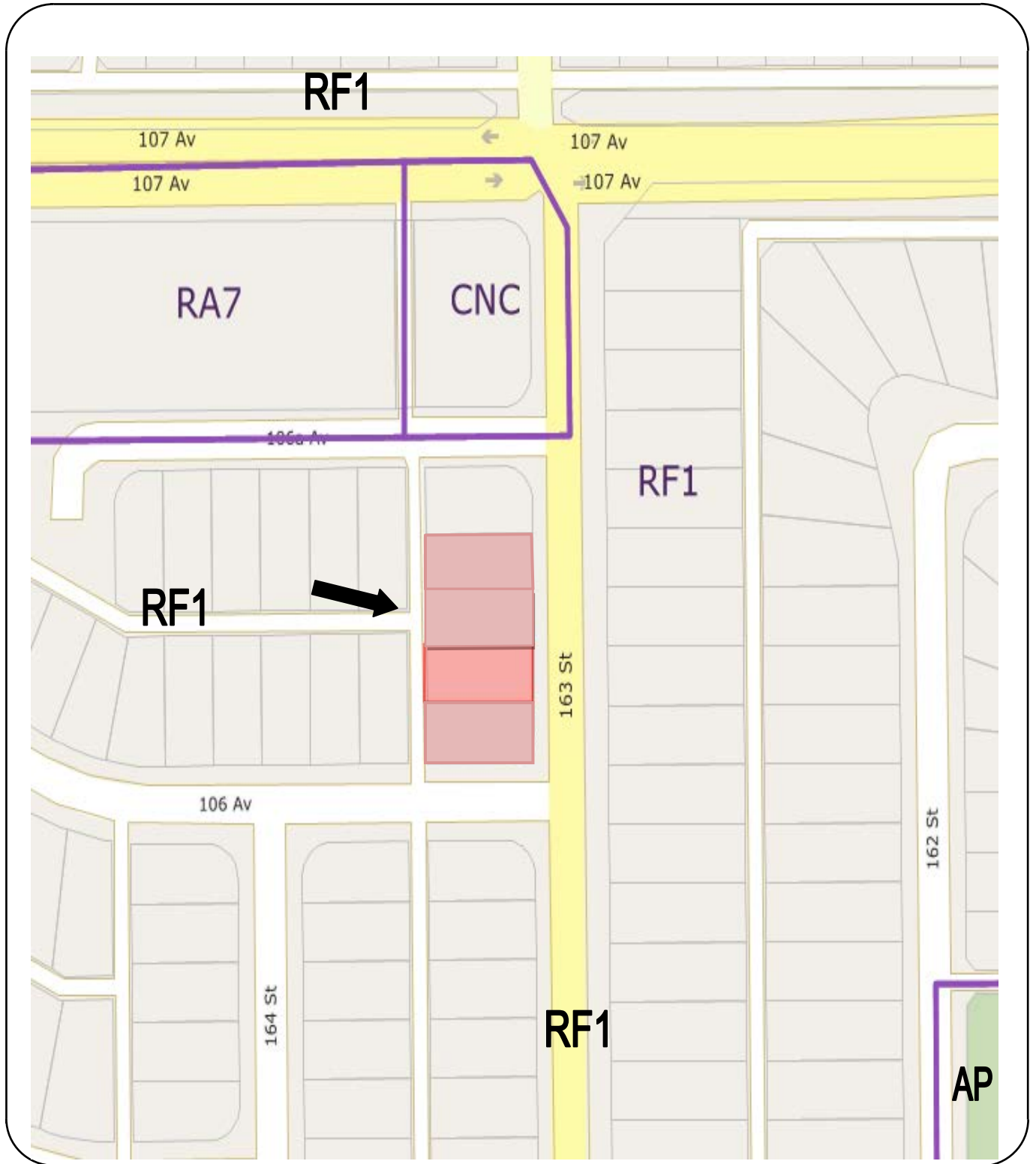
Notice to Applicant/Appellant

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.

---

	<h2 style="margin: 0;">Application for Major Development Permit</h2>	<p>Project Number: <b>264872041-002</b>                  Application Date: MAY 09, 2019                  Printed: June 21, 2019 at 3:51 PM                  Page: 1 of 2</p>		
<p>This document is a Development Permit Decision for the development application described below.</p>				
<p><b>Applicant</b></p>	<p><b>Property Address(es) and Legal Description(s)</b></p> <p>16310 - 106 AVENUE NW                  Plan 4746KS Blk 1 Lot 26</p> <p>10610 - 163 STREET NW                  Plan 4746KS Blk 1 Lot 27</p> <p>16310 - 106 AVENUE NW                  Plan 4746KS Blk 1 Lot 25</p> <p>10614 - 163 STREET NW                  Plan 4746KS Blk 1 Lot 28</p> <hr/> <p><b>Specific Address(es)</b></p> <p>Building: 16310 - 106 AVENUE NW</p>			
<p><b>Scope of Application</b></p> <p>To construct an over-height Fence for a Religious Assembly, existing without Permits (maximum height 2.03 m).</p>				
<p><b>Permit Details</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                 Class of Permit:                  Gross Floor Area (sq.m.):                  New Sewer Service Required: N                  Site Area (sq. m.):             </td> <td style="width: 50%; border: none;">                 Contact Person:                  Lot Grading Needed?: N                  NumberOfMainFloorDwellings:                  Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay             </td> </tr> </table>			Class of Permit: Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay
Class of Permit: Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay			
<p>I/We certify that the above noted details are correct.</p> <p>Applicant signature: _____</p>				
<p><b>Development Application Decision</b></p> <p>Refused</p> <p><b>Issue Date:</b> May 31, 2019 <b>Development Authority:</b> XU, HAILEE</p>				
<p><b>THIS IS NOT A PERMIT</b></p>				

	Project Number: <b>264872041-002</b> Application Date: MAY 09, 2019 Printed: June 21, 2019 at 3:51 PM Page: 2 of 2																				
<h2 style="margin: 0;">Application for Major Development Permit</h2>																					
<p><b>Reason for Refusal</b></p> <p>The subject site is zoned RF1 (Single Detached Residential) Zone.</p> <p>1. Section 49.1(e)(i) - On a Corner Site, the Height of a Fence, wall, or gate shall not exceed 1.2 m for the portion of the Fence , wall, or gate constructed in the Front Yard.</p> <p>Proposed height: 1.96 m Exceeds by: 0.76 m</p> <p>2. Section 49.1(e)(ii) - On a Corner Site, the Height of a Fence, wall, or gate shall not exceed 1.2 m for the portion of the Fence, wall, or gate situated between the flanking Side Lot Line and the foremost side Façade of the principal structure, and extending from the Front Lot Line to the Rear Lot Line.</p> <p>Proposed height: 1.78 m - 2.03 m Exceeds by: 0.83 m</p> <p>3. Section 49.1(f) - In the case where the permitted Height of a Fence, wall, or gate is 1.2 m, the Development Officer may vary the Height of the Fence, wall, or gate to a maximum of 1.85 m, in order to provide additional screening from public roadways or incompatible adjacent Uses.</p> <p>The Development Officer cannot exercise discretion above 1.85 m. The fence height is 1.78 m - 2.03 m. In addition, except as otherwise provided in this Bylaw, there shall be no variance from maximum Height regulations (Ref. Section 11.4.1(b))</p> <p>NOTES: a. All above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800 as amended.</p> <p><b>Rights of Appeal</b></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>																					
<p><b>Fees</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 15%; text-align: right;">Fee Amount</th> <th style="width: 15%; text-align: right;">Amount Paid</th> <th style="width: 15%; text-align: right;">Receipt #</th> <th style="width: 15%; text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$368.00</td> <td style="text-align: right;">\$368.00</td> <td style="text-align: right;">05836554</td> <td style="text-align: right;">May 09, 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;">\$368.00</td> <td style="text-align: right; border-top: 1px solid black;">\$368.00</td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$368.00	\$368.00	05836554	May 09, 2019	Total GST Amount:	\$0.00				Totals for Permit:	\$368.00	\$368.00		
	Fee Amount	Amount Paid	Receipt #	Date Paid																	
Major Dev. Application Fee	\$368.00	\$368.00	05836554	May 09, 2019																	
Total GST Amount:	\$0.00																				
Totals for Permit:	\$368.00	\$368.00																			
<p><b>THIS IS NOT A PERMIT</b></p>																					



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-19-110



AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 314488677-001

APPLICATION TO: Install (1) Freestanding Off-premises Sign  
(PATTISON | SPECTRUM 4  
ENTERPRISES LTD.)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 19, 2019

DATE OF APPEAL: June 24, 2019

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 12425 - 118 Avenue NW

LEGAL DESCRIPTION: Plan RN46 Blk 40 Lots 15-16

ZONE: (CB1) Low Intensity Business Zone

OVERLAY: Main Streets Overlay

STATUTORY PLAN: West Ingle Area Redevelopment Plan

---

***Grounds for Appeal***

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

As a representative of Pattison Outdoor Advertising, the Applicant in the above noted matter, and in consideration of the refusal of our Development Permit Application, I hereby appeal the refusal on the following grounds:

1. Freestanding Off-premises Signs are a Discretionary Use in the CB1 Zone.
2. The Freestanding Off-Premises structure in question has existed at 12425 118 Avenue going as far back as 1998. The most recent application is not to build a new structure, but to renew the existing one in the location where it was built, and has since remained for the

past twenty one years. The current structure has existed under the same conditions referenced in the refusal for this application.

3. To the extent any variance may be required, it is submitted that granting the same would be appropriate in the circumstances and that the proposed development would not unduly interfere with the amenities of the neighbourhood nor materially interfere with the use, enjoyment or value of neighbouring parcels of land.
4. Such further and other reasons as may be presented at the hearing of this appeal.

<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.

**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.

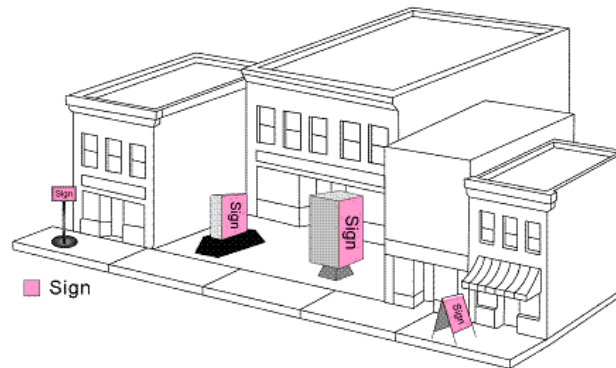
**General Provisions from the *Edmonton Zoning Bylaw*:**

Under section 330.3(40), **Freestanding Off-premises Signs** is a **Discretionary Use** in the **(CB1) Low Intensity Business Zone**.

Under section 7.9(3), **Freestanding Off-premises Signs** means “a Freestanding Sign, which is a Permanent Sign, displays Off-premises Advertising and contains no Digital Copy.”

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.

Section 819.5(2) states the following with respect to **Development Regulations for Signs**:

Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw, except that:

- a. the maximum Height of a Freestanding Sign shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign.
- b. Projecting Signs shall be located within 1.0 m of each individual business entrance of the building facing a public roadway other than a Lane.
- c. Notwithstanding Section 59E.2(2)(e), one additional projecting sign may be permitted per building for the purpose of advertising businesses that do not have access at ground level.
- d. Where regulations for a Sign Use do not appear within Schedule 59E, the Schedule applicable to the underlying Zone shall apply.



Section 330.1 states that the **General Purpose** of the **(CB1) Low Intensity Business Zone** is:

to provide for low intensity commercial, office and service uses located along arterial roadways that border residential areas. Development shall be sensitive and in scale with existing development along the commercial street and any surrounding residential neighbourhood.

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

**Maximum Height: 6.0 m**

**Proposed Height: 7.9 m**

**Exceeds By: 1.9 m**

**The proposed Freestanding Off-premises Sign is a Discretionary use and requires a variance to height contrary to Section 11.4(1)(b). [unedited]**

***Schedule 59E - Separation Distance***

Schedule 59E.3(2)(g) states:

proposed Sign locations shall be separated from Signs with Digital Copy greater than 8.0 m<sup>2</sup> or Off-premises Signs as follows:

Proposed Sign Area	Minimum separation distance from Signs with Digital Copy greater than <u>8.0 m<sup>2</sup></u> or Off-premises Signs
--------------------	--

less than <u>20 m<sup>2</sup></u>	<u>100m</u>
<u>20 m<sup>2</sup> to 40m<sup>2</sup></u>	<u>200m</u>
Greater than <u>40 m<sup>2</sup></u>	<u>300m</u>

**Development Officer’s Determination**

**2. Proposed Sign locations shall be separated from Digital Signs greater than 8.0m<sup>2</sup> or Off-premises Signs less than 20m<sup>2</sup> by 100m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location (Reference Section 59E.3(2)(g)).**

**Area of Existing PATTISON Sign (DP 000081586-002): 19 m<sup>2</sup>  
 Location: 11752 - 124 STREET NW  
 Required Separation Distance: 100 m  
 Proposed Separation Distance: 70 m  
 Deficient by: 30 m**

**The Zoning Bylaw establishes the separation distances between Off-premises Signs to prevent the proliferation of such signs. [unedited]**

***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**

**3. 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)).**

**Existing Freestanding On-premises Burger Baron Sign  
 Required Separation Distance: 45 m  
 Proposed Separation Distance: 22.3 m  
 Deficient by: 22.7 m**

**In the opinion of the Development Officer, the deficiency of separation distance between the Signs on Site results in proliferation, the Zoning Bylaw establishes the separation distances to prevent proliferation. [unedited]**

***Main Streets Overlay – Community Consultation***

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.

---

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: <b>314488677-001</b> Application Date: MAY 23, 2019 Printed: June 24, 2019 at 11:26 AM Page: 1 of 2
This document is a Development Permit Decision for the development application described below.		
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 12425 - 118 AVENUE NW Plan RN46 Blk 40 Lots 15-16	
<b>Scope of Application</b> To install (1) Freestanding Off-premises Sign (PATTISON   SPECTRUM 4 ENTERPRISES LTD.)		
<b>Permit Details</b>		
ASA Sticker No./Name of Engineer: Construction Value: 10000	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: 0	Freestanding Off-premises Sign: 1 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: _____		
<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Jun 19, 2019 <b>Development Authority:</b> MERCIER, KELSEY		
<b>THIS IS NOT A PERMIT</b>		



## Application for Sign Combo Permit

Project Number: **314488677-001**  
 Application Date: MAY 23, 2019  
 Printed: June 24, 2019 at 11:26 AM  
 Page: 2 of 2

**Reason for Refusal**

1. The maximum Height of a Freestanding Sign shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign (Reference Section 819.5(2)(a)).  
 Maximum Height: 6.0 m  
 Proposed Height: 7.9 m  
 Exceeds By: 1.9 m

The proposed Freestanding Off-premises Sign is a Discretionary use and requires a variance to height contrary to Section 11.4(1)(b)

2. Proposed Sign locations shall be separated from Digital Signs greater than 8.0m<sup>2</sup> or Off-premises Signs less than 20m<sup>2</sup> by 100m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location (Reference Section 59E.3(2)(g)).

Area of Existing PATTISON Sign (DP 000081586-002): 19 m<sup>2</sup>  
 Location: 11752 - 124 STREET NW  
 Required Separation Distance: 100 m  
 Proposed Separation Distance: 70 m  
 Deficient by: 30 m

The Zoning Bylaw establishes the separation distances between Off-premises Signs to prevent the proliferation of such signs.

3. 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)).

Existing Freestanding On-premises Burger Baron Sign  
 Required Separation Distance: 45 m  
 Proposed Separation Distance: 22.3 m  
 Deficient by: 22.7 m

In the opinion of the Development Officer, the deficiency of separation distance between the Signs on Site results in proliferation, the Zoning Bylaw establishes the separation distances to prevent proliferation.

**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	\$282.00	\$282.00	05884432	May 30, 2019
Sign Development Application Fee	\$282.00	\$282.00	05884432	May 30, 2019
Total GST Amount:	\$0.00			
Totals for Permit:	\$564.00	\$564.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-19-108

