

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
June 1, 2016**

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

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

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- |   |           |               |   |
|---|-----------|---------------|---|
| I | 9:00 A.M. | SDAB-D-16-137 | Increase the building Height of a General Industrial building.<br><br>1021 - Hayter Road NW<br>Project No.: 219871428-001 |
|---|-----------|---------------|---|
- 
- |    |            |               |   |
|----|------------|---------------|---|
| II | 10:30 A.M. | SDAB-D-16-138 | Leave as built 4 Dwellings of Row Housing (Interior Side Setback from 2.98 metres to 2.87 metres & Flanking Side Setback from 2.5 metres to 2.62 metres) and a mutual rear detached Garage (Interior Side Setback from 0.91 metres to 0.49 metres; Flanking Side Setback from 2.5 metres to 2.66 metres)<br><br>12421 - 115 Avenue NW<br>Project No.: 167566047-029 |
|----|------------|---------------|---|
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- |     |           |               |  |
|-----|-----------|---------------|--|
| III | 1:30 P.M. | SDAB-D-16-114 | Install 3 Fascia On-Premises Signs (Spasation), existing without permits<br><br>10358 - 82 Avenue NW<br>Project No.: 180111336-001 |
|-----|-----------|---------------|--|
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**NOTE:** *Unless otherwise stated, all references to "Section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-16-137

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 219871428-001

ADDRESS OF APPELLANT: 1021 - Hayter Road NW

APPLICATION TO: Increase the building Height of a General Industrial building.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 28, 2016

DATE OF APPEAL: May 4, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 1021 - Hayter Road NW

LEGAL DESCRIPTION: Plan 1220538 Blk 1 Lot 2

ZONE: IM-Medium Industrial Zone

OVERLAY: Edmonton-Strathcona County Joint Planning Study Area Secondary, Garage and Garden Suites Overlay

STATUTORY PLAN: Yellowhead Corridor Area Structure Plan

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*Grounds for Appeal*

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

We are requesting an appeal hearing to address the "Refusal decision" by the Development Board regarding project number 219871428-001, which defined a building height of 27.4 metres. While the area currently restricts building heights to 18 metres, we submitted an appeal for, and were granted approval for 23.4 metres on September 17, 2015 (Project No. 165900281-002, File Number SDAB-D-15-197).

While the proposed equipment and functionality have remained unchanged from our original design, a thorough review has determined that 23.4 metres will not be sufficient and that the actual constructability, operability and serviceability will all be negatively impacted without adding 1 metres to each floor. This would bring the total building height to 27.4 metres tall. As a result, we are requesting a further height variance.

I hope the Board will look favorably upon this request and grant us the approval to construct this new facility to the required height of 27.4 metres.

*General Matters*

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

**Appeals**

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

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

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

Section 420.1 states the **General Purpose** of the **IM Medium Industrial Zone** is to provide for manufacturing, processing, assembly, distribution, service and repair Uses that carry out a portion of their operation outdoors or require outdoor storage areas. Any nuisance associated with such Uses should not generally extend beyond the boundaries of the Site. This Zone should normally be applied on the interior of industrial areas adjacent to collector and local industrial public roadways such that Uses are separated from any adjacent residential areas by a higher quality Industrial or Commercial Zone.

Section 420.2(5) states a **General Industrial Use** is a **Permitted Use** in the **IM Medium Industrial Zone**.

Under Section 7.5(2), **General Industrial Uses** means development used principally for one or more of the following activities:

- a. the processing of raw materials;
- b. the making, manufacturing or assembling of semi-finished or finished goods, products or equipment;
- c. the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in Non-industrial Zones;
- d. the storage or transshipping of materials, goods and equipment;
- e. the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or
- f. the training of personnel in general industrial operations.

This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.

<i>Height</i>
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**Development Officer’s Determination**

Section 420.4(4) states the maximum building Height shall be 18.0 metres.

Proposed: 27.4 metres


Excessive by: 9.4 metres

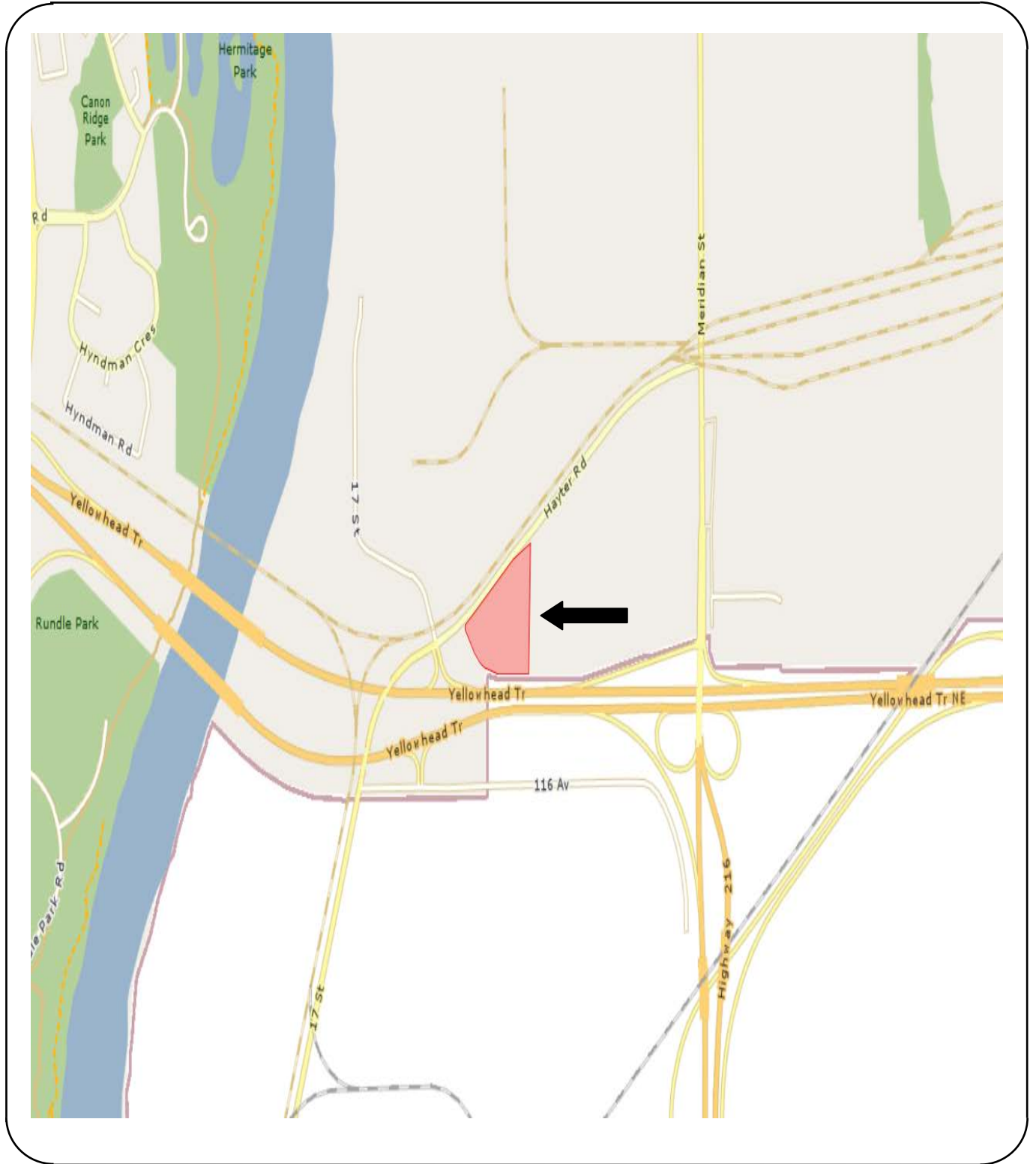
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Notice to Applicant/Appellant

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. Bylaw No. 11136 requires that a verbal announcement of the Board’s decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

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	Project Number: <b>219871428-001</b> Application Date: APR 19, 2016 Printed: May 4, 2016 at 2:17 PM Page: 1 of 1																														
<h2 style="margin: 0;">Application for Major Development Permit</h2>																															
This document is a Development Permit Decision for the development application described below.																															
<b>Applicant</b>  JACOBS ARCHITECTURE CANADA 10065 - JASPER AVENUE NW EDMONTON, ALBERTA CANADA T5V 3B1	<b>Property Address(es) and Legal Description(s)</b> 1021 - HAYTER ROAD NW Plan 1220538 Blk 1 Lot 2  <b>Specific Address(es)</b> Suite: 1021 - HAYTER ROAD NW Entryway: 1021 - HAYTER ROAD NW Building: 1021 - HAYTER ROAD NW																														
<b>Scope of Application</b> To increase the building Height of a General Industrial building.																															
<b>Permit Details</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border-right: 1px solid black; vertical-align: top;">                     Class of Permit:                      Gross Floor Area (sq.m.):                      New Sewer Service Required: N                      Site Area (sq. m.): 977                 </td> <td style="width: 50%; vertical-align: top;">                     Contact Person:                      Lot Grading Needed?: N                      NumberOfMainFloorDwellings:                      Stat. Plan Overlay/Annex Area: (none)                 </td> </tr> </table>		Class of Permit: Gross Floor Area (sq.m.): New Sewer Service Required: N Site Area (sq. m.): 977	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: (none)																												
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I/We certify that the above noted details are correct.  Applicant signature: _____																															
<b>Development Application Decision</b> Refused  <b>Reason for Refusal</b> The maximum building Height shall not exceed 18 m. [Reference Section 420.4(4)]  Proposed: 27.4 m Excessive by: 9.4 m  <b>Rights of Appeal</b> The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.																															
Issue Date: Apr 28, 2016      Development Authority: KOWAL, PAUL      Signature: _____																															
<b>Fees</b> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <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>Dev. Application Fee for GFA</td> <td style="text-align: right;">\$0.00</td> <td style="text-align: right;">\$3,420.00</td> <td>03214130</td> <td>Apr 19, 2016</td> </tr> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$893.00</td> <td style="text-align: right;">\$893.00</td> <td>03214130</td> <td>Apr 19, 2016</td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right; border-top: 1px solid black;">\$0.00</td> <td style="text-align: right; border-top: 1px solid black;"></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right;">\$893.00</td> <td style="text-align: right;">\$4,313.00</td> <td></td> <td></td> </tr> <tr> <td colspan="5" style="padding-left: 20px;">(overpaid by \$3,420.00)</td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Dev. Application Fee for GFA	\$0.00	\$3,420.00	03214130	Apr 19, 2016	Major Dev. Application Fee	\$893.00	\$893.00	03214130	Apr 19, 2016	Total GST Amount:	\$0.00				Totals for Permit:	\$893.00	\$4,313.00			(overpaid by \$3,420.00)				
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<b>THIS IS NOT A PERMIT</b>																															



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-16-137



ITEM II: 10:30 A.M.

FILE: SDAB-D-16-138

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER BY AN  
ADJACENT PROPERTY OWNER

APPELLANT:

APPLICATION NO.: 167566047-029

ADDRESS OF APPELLANT: 11427 - 125 Street NW

APPLICATION TO: Leave as built 4 Dwellings of Row  
Housing (Interior Side Setback from 2.98  
metres to 2.87 metres & Flanking Side  
Setback from 2.5 metres to 2.62 metres)  
and a mutual rear detached Garage  
(Interior Side Setback from 0.91 metres to  
0.49 metres; Flanking Side Setback from  
2.5 metres to 2.66 metres)

DECISION OF THE  
DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: April 21, 2016

DATE OF APPEAL: May 10, 2016

NOTIFICATION PERIOD: Apr 28, 2016 through May 11, 2016

RESPONDENT: Franken Holdings Ltd.

ADDRESS OF RESPONDENT: 11203 – 123 Street NW

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 12421 - 115 Avenue NW

LEGAL DESCRIPTION: Plan RN46 Blk 21 Lot 11

ZONE: RF3-Small Scale Infill Development Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: West Ingle Area Redevelopment Plan

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

Dear Subdivision and Development Appeal Board,

I am appealing the decision to allow variances to the building permit for the 4 plex at 12421-115 Ave. (plan RN46 Blk 21 Lot 11) City file # 167566047-029. I find that it is totally inappropriate that this proceeding is launched after the structures on the lot that do not meet the bylaw have already been built. This process shows a total lack of respect for the residents in the neighborhood. Now that the structures have been built and units have been sold, what does the City do? The new owners are burden with this fight, and the residents, who have had to complain multiple times about a horrible work site, have to put up with this while the developer gets away without consequence to repeat his/her behavior all over again. This does not seem to match the City Council's promises to deal developers who do not follow the rules and causing distress to the residents in the City neighborhoods.

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

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

**Grounds for Appeal**

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

- (d) fails or refuses to issue a development permit to a person,
- (e) issues a development permit subject to conditions, or
- (f) 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.

**685(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 within 14 days,

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

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

Section 140.2(5) states **Row Housing** is a **Permitted Use** in the **RF3 Small Scale Infill Development Zone**.

Under Section 7.2(6), **Row Housing** means development consisting of a building containing a row of three or more Dwellings joined in whole or in part at the side only with no Dwelling being placed over another in whole or in part. Individual Dwellings are separated from one another by a Party Wall. Each Dwelling has separate, individual, and direct access to Grade. This Use Class does not include Stacked Row Housing or Blatchford Townhousing.

Section 140.1 states the **General Purpose** of the **RF3 Small Scale Infill Development Zone** is to provide for Single Detached Housing and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to buildings containing up to four Dwellings, and including Secondary Suites under certain conditions.

Section 814.1 states the **General Purpose** of the **Mature Neighbourhood Overlay** is to ensure that new low density development in Edmonton's mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants and neighbouring affected parties when a development proposes to vary the Overlay regulations.

*Side Lot Line*

Section 50.3(4)(b) states an Accessory building or structure shall be located not less than 0.9 metres from the Side Lot Line, except where it is a mutual Garage erected on the common property line to the satisfaction of the Development Officer, or where a Garage is placed on the common property line in accordance with the provisions of the RPL Zone, or where the Accessory building does not exceed the permitted fence Height or in the case of Garage Suites, where the minimum Side Setback shall be in accordance with Section 87.

**The Accessory Building is located 0.49 metres from the Side Lot Line and a relaxation of 0.42 metres was granted.**

**Development Officer's Determination**

Reduced Side Setback - The minimum distance from the detached Garage to the property line shared with 11441 - 125 Street NW (side lot line) is 0.49 metres instead of 0.91 metres. (Section 50.3(4)(b)).

*Projections into Setbacks*

Section 44.1(b) states eaves or similar architectural features on Accessory buildings, may project into a required Setback or Separation Space, provided that such projections do not exceed 0.6 metres in the case of Setbacks or Separation Spaces of 1.2 metres or greater, and 0.46 metres for Setbacks or Separation Spaces of less than 1.2 metres.

**The eaves project 0.72 metres and a relaxation of 0.26 metres was granted.**

**Development Officer's Determination**

Projection - The maximum projection of eaves for detached Garage to the interior property line shared with 11441 - 125 Street NW (side lot line) is 0.72 metres instead of the 0.46 metres. (Section 44.1(b)).

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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. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.


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Project Number: 167566047-02  
Application Date: MAR 21, 2016  
Printed: May 10, 2016 at 12:07 PM  
Page: 1 of 1

### Major Development Permit

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.

<b>Applicant</b>  FRANKEN HOLDINGS LTD 	<b>Property Address(es) and Legal Description(s)</b> 12421 - 115 AVENUE NW Plan RN46 Blk 21 Lot 11 <span style="float: right;">RF3</span> <hr/> <b>Specific Address(es)</b> Building: 12421 - 115 AVENUE NW
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**Scope of Permit**  
To leave as built 4 Dwellings of Row Housing (Interior Side Setback from 2.98 m to 2.87 m & Flanking Side Setback from 2.5 m to 2.62 m) and a mutual rear detached Garage (Interior Side Setback from 0.91 m to 0.49 m; Flanking Side Setback from 2.5 m to 2.66 m).

<b>Permit Details</b>  Class of Permit: Class B 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: (none)
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I/We certify that the above noted details are correct.

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

**Development Permit Decision**  
Approved

The permit holder is advised to read the reverse for important information concerning this decision.



Project Number: **167566047-029**  
 Application Date: MAR 21, 2016  
 Printed: May 10, 2016 at 12:07 PM  
 Page: 2 of 2

## Major Development Permit

**Subject to the Following Conditions**

This Development Permit authorizes the development to leave as built 4 Dwellings of Row Housing (Interior Side Setback from 2.98 m to 2.87 m & Flanking Side Setback from 2.5 m to 2.62 m) and a mutual rear detached Garage (Interior Side Setback from 0.91 m to 0.49 m; Flanking Side Setback from 2.5 m to 2.66 m).

Note: A variance was granted for this Development Permit pursuant to Sections 11.3 and 11.4. Subject to the right of appeal the permit is NOT VALID until the required Notification Period expires (date noted below) in accordance with Sections 21.1 and 17.1.

Eave projections on the rear detached garage shall not exceed 0.46m into required yards or Separations spaces less than 1.2m. (Reference Section 44.1(b))

The driveway access must maintain a minimum clearance of 1.5m from the service pedestal and all other surface utilities.

PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the owner/applicant shall pay a Notification Fee of \$102. Payment can be made at the 5th Floor cashiers, Sustainable Development, 10250-101 Street NW.

**Advisements:**

1. An approved Development Permit means that the proposed development has been reviewed only against the provisions of the Edmonton Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the ERCB Directive 079, the Edmonton Safety Codes Permit Bylaw or any caveats, covenants or easements that might be attached to the Site. (Reference Section 5.2)
2. A Building Permit is required for any construction or change in use of a building. For a building permit, and prior to the Plans Examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre for further information.
3. Unless otherwise stated, all above references to section numbers refer to the authority under the Edmonton Zoning Bylaw 12800.

**Variations**

Reduced Side Setback - The minimum distance from the detached Garage to the property line shared with 11441 - 125 STREET NW (side lot line) is 0.49m instead of 0.91m. (Section 50.3(4)(b)).

Projection - The maximum projection of eaves for detached Garage to the interior property line shared with 11441 - 125 STREET NW (side lot line) is 0.72m instead of the 0.46m. (Section 44.1(b)).

**Rights of Appeal**

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

**Issue Date:** Apr 21, 2016    **Development Authority:** ANGELES, JOSELITO    **Signature:** \_\_\_\_\_  
**Notice Period Begins:** Apr 28, 2016    **Ends:** May 11, 2016

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
DP Notification Fee	\$102.00	\$102.00	03219307	Apr 21, 2016
Major Dev. Application Fee	\$357.00	\$357.00	03143512	Mar 21, 2016
Total GST Amount:	\$0.00			
<b>Totals for Permit:</b>	<b>\$459.00</b>	<b>\$459.00</b>		

**The permit holder is advised to read the reverse for important information concerning this decision.**



**SURROUNDING LAND USE DISTRICTS**

Site Location



File: SDAB-D-16-138



ITEM III: 1:30 P.M.

FILE: SDAB-D-16-114

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 180111336-001

ADDRESS OF APPELLANT: 10358 - 82 AVENUE NW

APPLICATION TO: Install 3 Fascia On-Premises Signs  
(Spasation), existing without permits

DECISION OF THE  
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 31, 2016

DATE OF APPEAL: April 8, 2016

MUNICIPAL DESCRIPTION  
OF SUBJECT PROPERTY: 10358 - 82 AVENUE NW

LEGAL DESCRIPTION: Plan I Blk 68 Lots 13-14

ZONE: DC1 Direct Development Control  
Provision (DC1 (999))

OVERLAY: Whyte Avenue Commercial Overlay

STATUTORY PLAN: Strathcona Area Redevelopment Plan

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*Grounds for Appeal*

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

Spasation entered into an agreement with My Design company to supply and install 3 signs. My design applied for and was granted a approval prior to the installation. My design also spoke with the Strathcona Business Association and the was granted approval. These three signs installed as same dimension as that was permitted for Bold Spa never changed anything except the wording. Had we not gotten approval these signs would not be installed. I really appreciate your understanding and co-operation!

*General Matters*

**Appeal Information:**

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

**Grounds for Appeal**

- 685(1)** If a development authority
- (a) fails or refuses to issue a development permit to a person,
  - (b) issues a development permit subject to conditions, or
  - (c) issues an order under section 645,
- the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

**Appeals**

- 686(1)** A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,
- (a) in the case of an appeal made by a person referred to in section 685(1), after
    - (i) the date on which the person is notified of the order or decision or the issuance of the development permit,

The Board is advised that the decision of approval by the Development Officer is dated March 31, 2016. The Notice of Appeal was filed on April 8, 2016.

The Subdivision and Development Appeal Board at a hearing on May 4, 2016, made and passed the following motion:

“That the hearing for SDAB-D-16-114 be tabled to June 1 or 2, 2016, at the request of the Appellant.”

**Direct Control Districts**

Section 641(4) of the *Municipal Government Act*, RSA 2000, c. M-26, states despite section 685, if a decision with respect to a development permit application in respect of a direct control district

- (a) is made by a council, there is no appeal to the subdivision and development appeal board, or
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority’s decision.



**The Board is advised that the subject site is within the DC1 Historical Commercial Direct Development Control District passed by City Council on July 6, 2015 under Bylaw No. 17279. The DC1 Historical Commercial Direct Development Control District is within the Strathcona Area Redevelopment Plan, Bylaw 11890 (as amended), adopted by City Council in December, 1998.**

DC1, Section 3, **Rationale**, states:

This Provision is intended to:

- a) apply detailed and sensitive control of development and redevelopment within the core historic commercial area of Strathcona;
- b) encourage a highly pedestrian, retail commercial environment with offices and others Uses on the upper floors;
- c) emphasize and retain the original, historic architectural and urban design characteristics of this area in future renovations and redevelopments; and
- d) provide detailed control over specific Sites, which are or may be in future designated as historic resources under the *Alberta Historical Resources Act*, in an area which is used for primarily commercial purposes.

DC1, Section 4(h), states a Fascia On-premise Sign is a Listed Use in the DC1 Zone.

DC1, Section 5(h), states all Development Permits relating to exterior alterations, signs, renovation to existing buildings or new construction within this area will be reviewed by the Development Officer in consultation with the Heritage Officer.

DC1, Section 5(r), **SIGNS**, states:

- i. Notwithstanding the Sign Use Classes listed in Section 4 of this Provision, other types of Signs may be permitted at the discretion of the Development Officer in consultation with the Heritage Officer if, in their opinion, such Signs would not diminish the historical nature of a building or the area. Section 59, Schedule "H" of the Zoning Bylaw shall apply to the installation of Signs within this Provision, unless altered as follows:
  - a)...
  - b)...
  - ...
- f) Fascia On -premises Signs:

**1. shall not extend more than 14.5 centimeters out from the wall nor beyond the horizontal limits of the wall;**

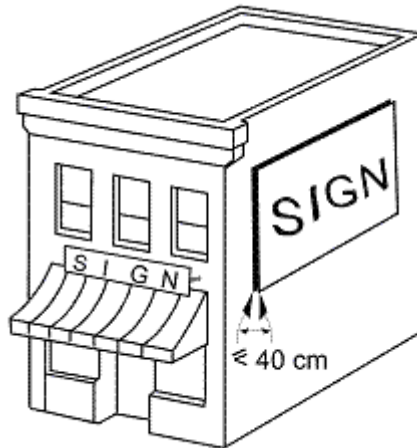
2. if illuminated, Signs shall be lit from an external source. Backlit or internally illuminated Fascia On - premises Signs are prohibited, except where only the lettering is backlit;
3. if feasible, Fascia On - premises Signs shall be located in the traditional locations as follows:
  4. Sign band above the display or transom windows;
  5. Sign band below upper cornice; and
  6. Sign band immediately above an awning
7. A Fascia On - Premises Sign shall not extend more than 14.5 centimetres beyond a building wall; and

**8. Fascia On - Premises Signs which consist only of a company Logogram, or an Identification Sign formed of individual letters, shall be allowed. Not more than one such Sign per business shall be allowed per building face and the Sign shall only be used to identify the tenants of the building.**

DC1, Section 5(s), states notwithstanding the development regulations of this Provision, the Development Officer, in consultation with the Heritage Officer, may vary any regulation within this Provision if, in their opinion, such variances would not diminish the historical nature of a building or the area.

Under Section 7.9(2) of the Edmonton Zoning Bylaw, **Fascia On - premises Signs** means any Sign painted on or attached to an exterior building wall, or any other permitted structure, on which a two dimensional representation may be placed. The Copy on such a Sign identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

Under Section 6.2(7) of the Edmonton Zoning Bylaw, **Fascia Signs** means any Sign painted on or attached to an exterior building wall, or any other permitted structure, on which a two dimensional representation may be placed, so that the Sign does not extend more than 40 centimeters out from the wall or structure nor beyond the horizontal limits of the wall. Fascia Signs may or may not be permanent. This definition includes banners or any other two dimensional medium.



***Sign Extension From Wall***

With respect to DC1 Direct Development Control Provisions, Section 5(r)(i)(f)(1) of the Strathcona Area Redevelopment Plan states:

f) Fascia On-premises Signs:

1. shall not extend more than 14.5 centimeters out from the wall nor beyond the horizontal limits of the wall;

**Development Officer’s Determination**

1. Fascia On-premises Signs shall not extend more than 14.5 centimeters out from the wall nor beyond the horizontal limits of the wall.  
(Strathcona Area Redevelopment Plan DC1 Section 5.r.(f)(1))

The applicant has not submitted information to determine compliance to Section 5.r.(f)(1)) of the Strathcona Area Redevelopment Plan. [unedited]

***Limitation of Signs per Building Face***

With respect to DC1 Direct Development Control Provisions, Section 5(r)(i)(f)(8) of the Strathcona Area Redevelopment Plan states:

f) Fascia On-premises Signs:

...

8. Fascia On-Premises Signs which consist only of a company Logogram, or an Identification Sign formed of individual letters, shall be allowed. Not more than one such Sign per business shall be allowed per building face and the Sign shall only be used to identify the tenants of the building.

**Development Officer's Determination**

2. Fascia On-Premises Signs which consist only of a company Logogram, or an Identification Sign formed of individual letters, shall be allowed. Not more than one such Sign per business shall be allowed per building face and the Sign shall only be used to identify the tenants of the building. (Strathcona Area Redevelopment Plan DC1 Section 5.r.(f)(8))



Proposed: Two Fascia On-premises Signs on the west elevation  
Exceeds by: One Fascia On-Premises Sign [unedited]

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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. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.

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	Project Number: <b>180111336-001</b> Application Date: SEP 30, 2015 Printed: April 8, 2016 at 11:50 AM Page: 1 of 2		
<h2 style="margin: 0;">Application for Sign Combo Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
<b>Applicant</b>  SPASATION SPA & SALON 	<b>Property Address(es) and Legal Description(s)</b> 10358 - 82 AVENUE NW Plan I Blk 68 Lots 13-14  <b>Location(s) of Work</b> Suite: 8211 - 104 STREET NW Entryway: 8211 - 104 STREET NW Building: 10358 - 82 AVENUE NW		
<b>Scope of Application</b> To install 3 Fascia On-Premises Signs (Spasation), existing without permits.			
<b>Permit Details</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                             ASA Sticker No./Name of Engineer: 5658                              Construction Value: 7950                         </td> <td style="width: 50%; border: none;">                             Class of Permit: Class A                              Expiry Date:                         </td> </tr> </table>		ASA Sticker No./Name of Engineer: 5658 Construction Value: 7950	Class of Permit: Class A Expiry Date:
ASA Sticker No./Name of Engineer: 5658 Construction Value: 7950	Class of Permit: Class A Expiry Date:		
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                             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                         </td> <td style="width: 50%; border: none;">                             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                         </td> </tr> </table>		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: 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
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: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0		
I/We certify that the above noted details are correct.  Applicant signature: _____			
<b>Development Application Decision</b> Refused  <b>Reason for Refusal</b> 1. Fascia On-premises Signs shall not extend more than 14.5 cm out from the wall nor beyond the horizontal limits of the wall. (Strathcona Area Redevelopment Plan DC1 Section 5.r.(f)(1))  The applicant has not submitted information to determine compliance to Section 5.r.(f)(1) of the Strathcona Area Redevelopment Plan.  2. Fascia On-Premises Signs which consist only of a company Logogram, or an Identification Sign formed of individual letters, shall be allowed. Not more than one such Sign per business shall be allowed per building face and the Sign shall only be used to identify the tenants of the building. (Strathcona Area Redevelopment Plan DC1 Section 5.r.(f)(8))  Proposed: Two Fascia On-premises Signs on the west elevation  Exceeds by: One Fascia On-Premises Sign			
<b>THIS IS NOT A PERMIT</b>			



Project Number: **18011336-001**  
Application Date: SEP 30, 2015  
Printed: April 8, 2016 at 11:50 AM  
Page: 2 of 2

## Application for Sign Combo Permit

### Rights of Appeal

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

**Issue Date:** Mar 31, 2016    **Development Authority:** FOLKMAN, JEREMY    **Signature:** \_\_\_\_\_

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Existing Without Dev Permit Penalty Fee	\$255.00	\$255.00	02787276	Sep 30, 2015
Safety Codes Fee	\$5.84	\$5.84	02787276	Sep 30, 2015
Sign Building Permit Fee	\$146.00	\$146.00	02787276	Sep 30, 2015
Existing Without Building Permit Penalty Fee	\$146.00	\$146.00	02787276	Sep 30, 2015
Sign Development Application Fee	\$255.00	\$255.00	02787276	Sep 30, 2015
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$807.84	<u>\$807.84</u>		

**THIS IS NOT A PERMIT**



### SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-114



## ***BUSINESS LAID OVER***

SDAB-D-16-120	An appeal by <u>The House Company</u> to construct a Single Detached House with attached Garage, veranda, fireplace, rear balcony (irregular shape, 4.25 m by 2.22 m) and basement development (NOT to be used as an additional Dwelling) <b><i>June 9, 2016</i></b>
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