

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Tuesday, 9:00 A.M.  
June 30, 2020**

**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 SDAB-D-20-070

Install a Minor Digital On-premises Off-premises Freestanding Sign (4.9m x 6.1m, incl digital panel 3m x 6.1m facing N) (PATTISON | TOOR HOLDINGS INC).

9440 - 149 Street NW  
Project No.: 357134408-001

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II SDAB-D-20-083

Install a Freestanding On-premises Sign (WANG'S HOLDINGS | BELL)

17547 - 100 AVENUE NW,  
17503C - 100 AVENUE NW  
Project No.: 359413028-001

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III SDAB-D-20-084

Operate a Major Home Based Business (Short Term Rental - WHITEMUD HILLS BED AND BREAKFAST), expires MAY 16, 2025

47 - Cormack Crescent NW  
Project No.: 352513042-001

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IV SDAB-D-20-085

Install (2) Roof Off-premises Signs (4.3m x 14.6m facing N; and 3m x 6.1m facing S) (PATTISON | GARNEAU THEATRE - Quality Property Developments Inc.)

8708 - 109 Street NW  
Project No.: 091623051-003

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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

FILE: SDAB-D-20-070

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 357134408-001

APPLICATION TO: Install a Minor Digital On-premises Off-premises Freestanding Sign (4.9m x 6.1m, including digital panel 3m x 6.1m facing N) (PATTISON | TOOR HOLDINGS INC).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 30, 2020

DATE OF APPEAL: May 19, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9440 - 149 Street NW

LEGAL DESCRIPTION: Plan 5710AF Blk 68 Lot 3

ZONE: CB1-Low Intensity Business Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

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*Grounds for Appeal*

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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. The proposed sign is set back from and faces away from the residential site to the south in accordance with the requirements of the Zoning Bylaw.
2. The proposed sign is located on a busy, commercial thoroughfare at a 100% commercial intersection.

3. The proposed landscaping treatment will be further enhanced in preparation of the hearing.
4. Such further and other reasons as may be presented at the hearing of this appeal.

<i>General Matters</i>
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**The appeal hearing for the above noted development was scheduled on Tuesday, June 30, 2020 at the written request of the Appellant and with the consent of the Development Officer.**

**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(44), a **Minor Digital On-premises Off-premises Signs** is a **Discretionary Use** in the **(CB1) Low Intensity Business Zone**.

Under section 7.9(7), **Minor Digital On-premises Off-premises Signs** means:

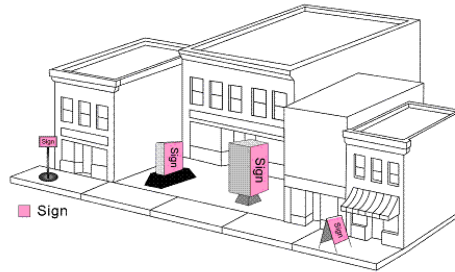
a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays On-premises Advertising and/or Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

Under section 6.2, **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:

a Sign supported independently of a building.



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

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

Section 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 59 – General Sign Provisions**

Section 59.2(6) states:

For all Sign Applications, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development. The Development Officer shall refuse any Sign Application that may adversely impact the amenities or character of the Zone.

Section 59.2(7) states:

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

#### **Development Officer's Determination**

1) For all Sign Applications, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development. The Development Officer shall refuse any Sign Application that may adversely impact the amenities or character of the Zone. (Reference Section 59.2(6)).

The proposed sign is insensitive, and not in scale with the land use and surrounding development. The large scale of the sign dominates the site, and is located in front of an apartment building (to the south) adversely impacting the amenities and character of the Zone, by significantly obstructing the sight lines from the windows of the building. (Reference Section 59.2(6) and 330.1)).

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

The proposed sign is in close proximity to the residential apartment building to the south. In the opinion of the Development Officer, the sign will adversely impact the surrounding built environment by obstructing the light and sight lines from multiple residential units on the first, second and third floors of the neighboring apartment building located to the south.

The applicant proposed landscaping behind the sign to mitigate the impact of the sign, and while landscaping is always beneficial to a site, it is the opinion of the Development Officer in consultation with the landscape technician that insufficient screening has been provided. Only deciduous trees have been provided, meaning the sign will not be screened for the majority of the year (cold weather months). Furthermore, a 75mm caliper tree will not have substantial height to provide any interruption of view for the rear of the sign from the abutting apartment building. It could take years before it reaches maturity.

***Previous Subdivision and Development Appeal Board Decisions***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-19-142	To install a Freestanding Minor Digital On-premises Off-premises Sign (4.9m x 6.1m, incl digital panel 3m x 6.1m facing N) (PATTISON - TOOR HOLDINGS INC.).	April 20, 2020; Appeal withdrawn


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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.

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	<p><b>Application for Sign Combo Permit</b></p>		<p>Project Number: <b>357134408-001</b>          Application Date: MAR 09, 2020          Printed: April 30, 2020 at 2:19 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>PATTISON OUTDOOR ADVERTISING          10707 - 178 STREET NW          EDMONTON, ALBERTA CANADA T5S 1J6</p>	<p><b>Property Address(es) and Legal Description(s)</b></p> <p>9440 - 149 STREET NW          Plan 5710AF Blk 68 Lot 3</p>			
<p><b>Scope of Application</b></p> <p>To install a Minor Digital On-premises Off-premises Freestanding Sign (4.9m x 6.1m, incl digital panel 3m x 6.1m facing N) (PATTISON   TOOR HOLDINGS INC).</p>				
<p><b>Permit Details</b></p> <table border="1" style="width: 100%;"> <tr> <td data-bbox="253 810 803 863">                 ASA Sticker No./Name of Engineer:                  Construction Value: 100000             </td> <td data-bbox="803 810 1388 863">                 Class of Permit:                  Expiry Date:             </td> </tr> </table>			ASA Sticker No./Name of Engineer: Construction Value: 100000	Class of Permit: Expiry Date:
ASA Sticker No./Name of Engineer: Construction Value: 100000	Class of Permit: Expiry Date:			
<p>Fascia Off-premises Sign: 0                  Fascia On-premises Sign: 0                  Roof Off-premises Sign: 0                  Roof On-premises Sign: 0                  Minor Digital On-premises Sign: 0                  Minor Digital Off-premises Sign: 0                  Minor Digital On/Off-premises Sign: 1</p>	<p>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</p>			
<p><b>Development Application Decision</b></p> <p>Refused</p> <p><b>Issue Date:</b> Apr 30, 2020 <b>Development Authority:</b> NOORMAN, BRENDA</p>				
<p><b>THIS IS NOT A PERMIT</b></p>				



Project Number: **357134408-001**  
 Application Date: MAR 09, 2020  
 Printed: April 30, 2020 at 2:19 PM  
 Page: 2 of 2

## Application for Sign Combo Permit

**Reason for Refusal**

1) For all Sign Applications, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development. The Development Officer shall refuse any Sign Application that may adversely impact the amenities or character of the Zone. (Reference Section 59.2(6)).

The proposed sign is insensitive, and not in scale with the land use and surrounding development. The large scale of the sign dominates the site, and is located in front of an apartment building (to the south) adversely impacting the amenities and character of the Zone, by significantly obstructing the sight lines from the windows of the building. (Reference Section 59.2(6) and 330.1)).

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

The proposed sign is in close proximity to the residential apartment building to the south. In the opinion of the Development Officer, the sign will adversely impact the surrounding built environment by obstructing the light and sight lines from multiple residential units on the first, second and third floors of the neighboring apartment building located to the south.

The applicant proposed landscaping behind the sign to mitigate the impact of the sign, and while landscaping is always beneficial to a site, it is the opinion of the Development Officer in consultation with the landscape technician that insufficient screening has been provided. Only deciduous trees have been provided, meaning the sign will not be screened for the majority of the year (cold weather months). Furthermore, a 75mm caliper tree will not have substantial height to provide any interruption of view for the rear of the sign from the abutting apartment building. It could take years before it reaches maturity.

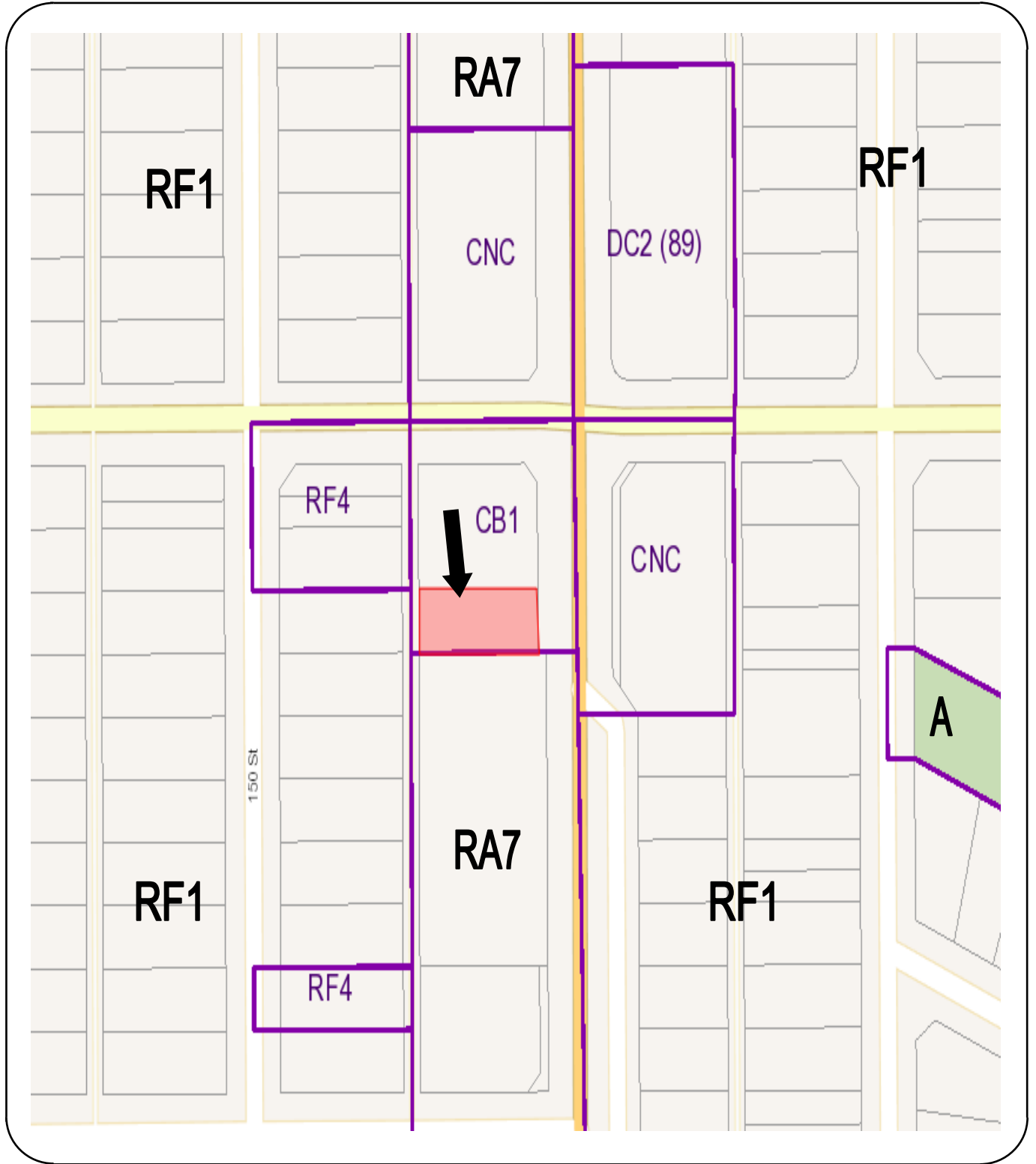
**Rights of Appeal**

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
Sign Dev Appl Fee - Digital Signs	\$467.00	\$467.00	06471151	Mar 10, 2020
Safety Codes Fee	\$43.08	\$43.08	06471151	Mar 10, 2020
Sign Building Permit Fee	\$1,077.00	\$1,077.00	06471151	Mar 10, 2020
Total GST Amount:	\$0.00			
<b>Totals for Permit:</b>	<b>\$1,587.08</b>	<b>\$1,587.08</b>		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-070



ITEM II

FILE: SDAB-D-20-083

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANTS:

APPLICATION NO.: 359413028-001

APPLICATION TO: Install a Freestanding On-premises Sign  
(WANG'S HOLDINGS | BELL)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved

**DECISION DATE: April 17, 2020**

**DATE OF APPEALS: June 2, 2020**

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 17547 - 100 Avenue NW,  
17503C - 100 Avenue NW

LEGAL DESCRIPTION: Plan 9122259 Unit 1, Condo Common Area (Plan 9122259)

ZONE: DC2.208 Site Specific Development Control Provision

OVERLAY: N/A

STATUTORY PLAN: Place La Rue Neighbourhood Area Structure Plan

Grounds for Appeal

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

Appellant No. 1: Pattison Outdoor Advertising:  
The Development Officer failed to follow the directions of Council.

The Application was incomplete, inaccurate or both.

The subject Sign is lot located in accordance with the requirements of the Land Use Bylaw (5996).

Such further and other reasons as may be presented at the hearing of our appeal.

Appellant No. 2: Willis Law:

The Owners: Condominium Plan No. 912 2259 (the "Corporation") is responsible for all Common Property within the condominium parcel. The location of the proposed sign is on the Corporations' Common Property (not Unit 1). The Corporation did not approve the Permit Application. The propose sign conflicts with another sign already approved for the site.

<b><i>General Matters</i></b>
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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, [...]

**685(4)** Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

- (a) ...
- (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.

Section 2 of the *Edmonton Zoning Bylaw* concerning Repeal, Enactment and Transition Procedures states the following:

2.4 Subject only to the provisions in the *Municipal Government Act* respecting legal non-conforming Uses and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the Effective Date onward. In particular, no application for a Development Permit shall be evaluated under the procedural or substantive provisions of the previous Land Use Bylaw after the Effective Date, even if the application was received before the Effective Date.

...

2.6 Any Direct Control Districts that were in effect immediately prior to the Effective date are hereby deemed to continue in full force and effect and are hereby incorporated into Part IV of this Bylaw.

2.7 Unless there is an explicit statement to the contrary in a Direct Control District or Provision, any reference in a Direct Control District or Direct Control Provision to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District or Provision.

At the time of the creation of the subject Direct Control Site, the *City of Edmonton Land Use Bylaw 5996* was in effect. An Alberta Court of Appeal decision in *Parkdale-Cromdale Community League Association v. Edmonton (City)*, 2007 ABCA 309 concluded that section 2.7 of the *Edmonton Zoning Bylaw* only applies if there is an express cross-reference in a Direct Control Bylaw passed before 2001 to a provision of the old *Land Use Bylaw*. In the absence of an express reference in the Direct Control Bylaw to the *Land Use Bylaw 5996*, it does not prevail over section 2.4 of the *Edmonton Zoning Bylaw*.

**General Provisions from the DC2.208 Site Specific Development Control Provision ("DC2.208"):**

Section DC2.208.1 states that the **General Purpose** of DC2.208 is:

To establish a Site Specific Development Control District to accommodate a limited range of general commercial-highway corridor uses, with site specific development regulations that will ensure compatibility with future surrounding land uses and the alignment of

existing and proposed roadways adjacent to the site, and ensure a high standard of appearance appropriate to the site's location on a major entrance route to the City.

Section DC2.208.4.i states:

Signs shall be allowed in this District as provided for in Schedule 79E and in accordance with the General Development Regulations of Sections 59 to 79 inclusive of the Land Use Bylaw.

Section DC2.208.4.j states:

Development in this District shall be evaluated with respect to compliance with the General Development Regulations of Section 5079 inclusive of the Land Use Bylaw.

Section DC2.208.4.k states:

The Development Officer may grant relaxations to the regulations contained in Sections 50 through 79 of the Land Use Bylaw and the provisions of this District if, in his opinion, such a variance would be in keeping with the General Purpose of the District and would not adversely affect the amenities, use, and enjoyment of neighbouring properties.

**General Provisions from the *Edmonton Land Use Bylaw 5996*:**

Section 14, **Development Classes**, states that the following classes of development are hereby established:

- 1) Class O - No Development Permit Required;
- 2) Class A - Minor Permitted Use;
- 3) Class B - Permitted Use;
- 4) Class C - Discretionary Use; and
- 5) Class D - Design Review.

Section 14.3, **Class B – Permitted Use**, states:

The developments included in this Class are those Permitted Uses where the regulations of this Bylaw are more complex and where the development application must be reviewed to determine its compliance with this Bylaw, or where conditions of approval or agreements to ensure compliance are considered necessary. The Development Officer shall issue a permit, with or without conditions for the development of Permitted Uses after reviewing the application and the submission requirements of this Class to ensure compliance with the regulations of

this Bylaw. This Class shall include all Permitted Use developments, including those affected by an Overlay, except those identified in Class O or Class A

Class B shall also include the following sign uses and development:

- 1) Canopy, Undercanopy, Facia, Freestanding and Projecting On-premise Identification or Business Identification Signs including or not including the use of manual animation, running lights, scintillating lights, manual changeable copy and time and temperature displays;
- 2) Facia and Freestanding General Advertising Signs; except that where such signs are to be erected in the CNC, CSC, IB or AGI Districts, or within the civic centre area defined in Sign Schedule 79G, they shall be a Class C development;
- 3) **Deleted;** and
- 4) any minor development within a Direct Control District, which, in the opinion of the Development Officer, is similar to other developments listed under subsection 14.3.

...

Section 14.4, **Class C – Discretionary Use**, states:

The developments in this Class are those involving the exercise of discretion by the Development Officer. Upon receipt of an application in its final form for development within this Class, the Development Officer shall examine the application to determine its conformity with the regulations of this Bylaw and the provisions of any applicable Statutory Plan. The Development Officer, using discretion, may refuse or approve, permanently or for a limited time period, with or without conditions, an application for development within this Class. This Class shall include:

- 1) all Discretionary Use developments; and
- 2) all major developments within Direct Control Districts except those defined as Class D.

Class C shall also apply to the parking or storage of any large Recreational Vehicle in a Residential District, where such parking or storage does not fully comply with the regulations of Section 55 of this Bylaw, but where the Development Officer may wish to exercise discretion to relax such regulations.

Class C shall also include the following sign uses and developments:



- a) comprehensive Sign Design Plans, as defined in Section 79.6 of this Bylaw;
  - b) electronically controlled Changeable Copy Signs, other than those used only for time and temperature displays;
  - c) Facia and Freestanding General Advertising Signs within the CNC, CSC, IB and AGI Land Use Districts, and within the civic centre area defined in Sign Schedule 79G;
  - d) **Deleted;**
  - e) Roof Signs;
  - f) signs painted on exterior building walls;
  - g) **Deleted;** and
  - h) any other sign that is not deemed a Class O, Class A or Class B development.
- ...

Under section 9.2(2), **Animated Sign** means:

any sign or portion of a sign having moving parts or electronically controlled colour changes which depict action or give motion to the sign. Animated Sign does not include Flashing Signs, Rotating Signs, signs with accessory running lights or flashing lights, or electronically controlled Changeable Copy Signs such as those showing time and temperature displays.

Under section 9.2(4)(b), **Billboard** means:

a General Advertising Sign that has a sign area of more than 3.75 m<sup>2</sup> (40.35 sq. ft.). The display copy of the sign can be printed on a translucent vinyl sheet or painted on a number of plywood or light steel sections which are locked into a frame to form a single sign face;

Under section 9.2(6), **Business Identification Sign** means:

a sign identifying the name, dealer, franchise association, primary function, product or service of the commercial activity conducted on the premises, and may include local advertising and changeable copy.

Under section 9.2(8), **Changeable Copy Sign** means:

a permanent On-premise Sign or portion of such a sign on which copy can be readily changed manually through the utilization of attachable

characters, or automatically through the electronic switching of lamp banks or illuminated tubes. Changeable Copy Signs include mechanically controlled time and temperature displays.

Under Section 9.2(15), **Freestanding Sign** means “any sign supported independently of a building and permanently fixed to the ground.”

Under Section 9.2(16), **General Advertising Sign** means:

a sign which directs attention to a business, activity, product, service or entertainment which cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises where the sign is displayed and general advertising has a similar meaning. Typical General Advertising Signs includes Billboards and Junior Panels as defined in this Bylaw.

Under Section 9.2(21), **Local Advertising Sign** means:

a sign or portion of a sign on which the copy refers only to products or merchandise produced, offered for sale or obtainable at the premises on which the sign is displayed and which are related to the principal function of such premises, and local advertising has a similar meaning.

Under Section 9.2(25), **On-premise Sign** means:

a sign identifying or advertising a business, activity, service or product located on the premises where the sign is erected. On-premise Signs includes signs erected on a site to provide warning or direction to persons entering upon the site.

***Schedule 79E of the Edmonton Land Use Study 5996***

Schedule 79E.1(1) states the following Signs shall be allowed, subject to the Sign Regulations of this Schedule:

- a) ...
- b) ...
- c) Awning, Canopy, Under-canopy, Fascia, Freestanding, Projecting and Window, On-premise Business Identification Signs and On-premise Changeable Copy and Local Advertising Signs;
- d) ...
- e) ...
- f) Fascia and Freestanding General Advertising Signs;

- g) ...
- h) ...

***Section 79.8 of the Edmonton Land Use Bylaw 5996***

**Section 79.8, General Regulations for General Advertising Signs**

This Section contains the general regulations with which the various types of General Advertising Signs must comply, subject to any exception or additional regulations specific in a Sign Schedule.

- (1) General Provisions, the following regulations shall apply to all General Advertising Signs.
  - a) General Advertising Signs shall be purposely designed to display painted bulletins, poster panels or vinyl backlite panels.
  - ...
  - e) General Advertising Signs may be illuminated provided that the lighting is concealed or shielded to minimize glare.

***Section 79.2 of the Edmonton Land Use Bylaw 5996***

**Section 79.2, Prohibited Signs**

No Sign shall be erected, operated, used or maintained which:

- a) due to its position, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic Sign, signal or device, as determined by the Development Officer in consultation with the City Engineer;
- ...

***Section 59.2 of the Edmonton Zoning Bylaw 12800***

Section 59.2, General Provisions states:

- 1. No Sign shall be erected, operated, used or maintained that:
  - a. due to its position, shape, colour, format or illumination obstructs the view of, or shall be confused with, an official traffic Sign,

- signal or device, as determined by the Development Officer in consultation with the Transportation Services;
  - b. displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles; and
  - c. uses spot or reflector lights directed at on-coming traffic or displays travelling or flashing messages that create a hazard to traffic on a public roadway from which the Sign is visible.
2. Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located such that the Sign does not obscure a driver decision point. The Development Officer and Transportation Services shall be satisfied that each Copy Area:
- a. does not physically obstruct the sightlines or view of a traffic control device or traffic control signal for oncoming vehicle traffic;
  - b. is not located in the field of view near or past the traffic control device or traffic control signal in the sightlines of oncoming vehicle traffic;
  - c. is not located in the field of view near or past other traffic conflict points such as intersections, merge points, exit ramps, or curved roadways; and
  - d. illumination does not compete with or dull the contrast of the traffic control device or traffic control signal for oncoming vehicle traffic.

***Previous Subdivision and Development Appeal Board Decision***

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-19-175	To install (1) Freestanding General Advertising Sign with an electronic Changeable Copy panel containing on-premises and off-premises Advertising (incl. digital and static panels 6.1m x 13.5m facing E)(Condominium Corporation 9122259).	December 11, 2019; 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 CONDITIONS.


SDAB-D-06-232	Construct an addition to a General Retail building (retail bays)	November 24, 2006; the appeal be ALLOWED and the DEVELOPMENT GRANTED and the deficiency of five parking spaces be permitted, subject to the conditions.
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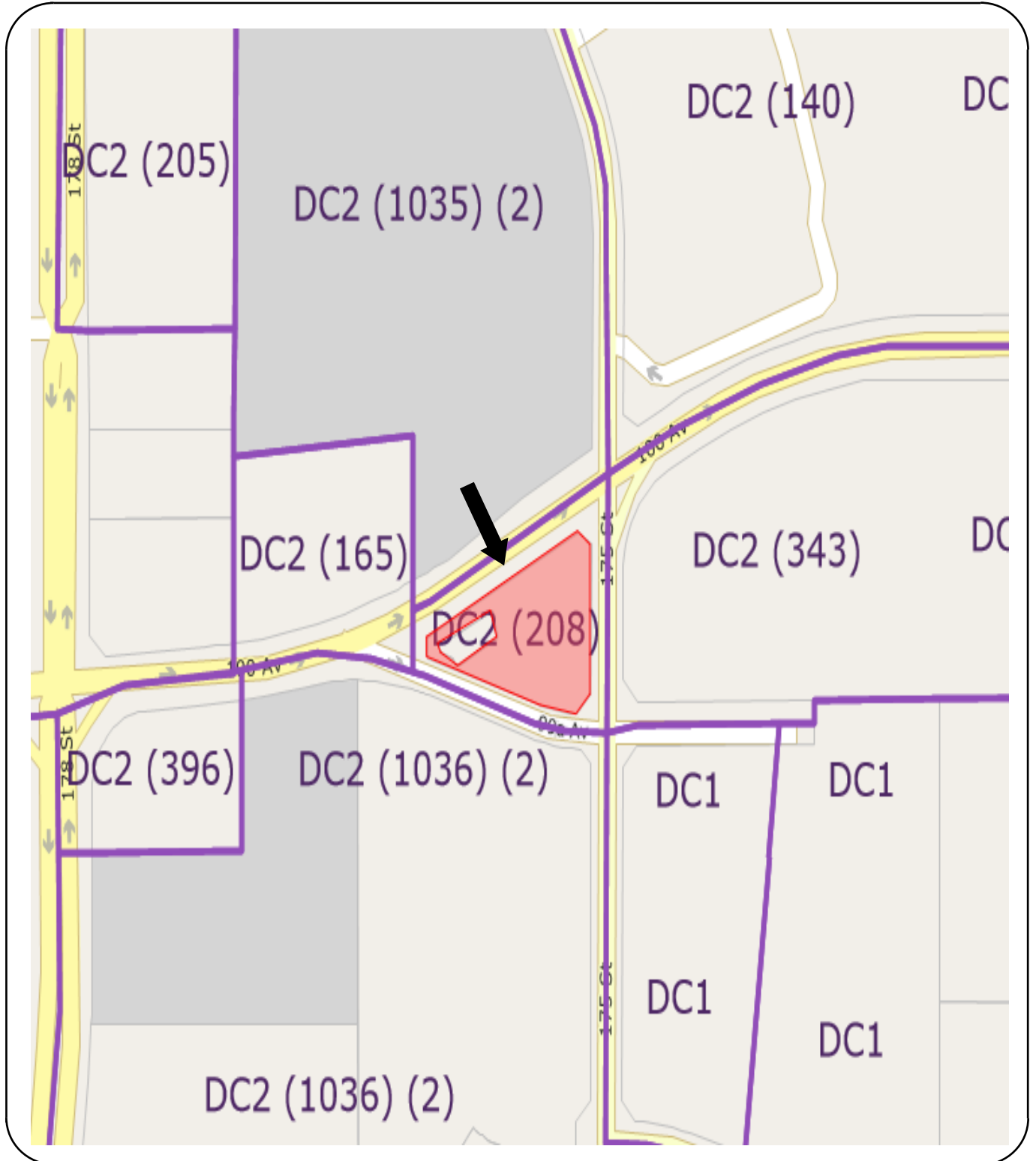
Notice to Applicant/Appellant

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.

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	Project Number: <b>359413028-001</b> Application Date: APR 07, 2020 Printed: June 2, 2020 at 2:42 PM Page: 1 of 2		
<h2>Sign Combo Permit</h2>			
<p>This document is a record of a Development Permit and/or Building Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit, of the Edmonton Zoning Bylaw 12800 as amended, Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, Alberta Building Code and City of Edmonton Bylaw 15894 Safety Codes Permit Bylaw.</p>			
<b>Applicant</b>  GENERAL SIGNS & SERVICE LTD. Care of: BRIAN WONG 12163 - 68 STREET EDMONTON, ALBERTA CANADA T5B 1P9	<b>Property Address(es) and Legal Description(s)</b>  17547 - 100 AVENUE NW Plan 9122259 Unit 1  17503C - 100 AVENUE NW Condo Common Area (Plan 9122259)		
<b>Scope of Permit</b> To install a Freestanding On-premises Sign (WANG'S HOLDINGS   BELL).			
<b>Permit Details</b>  <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">                             ASA Sticker No./Name of Engineer: 8070                              Construction Value: 3000                         </td> <td style="width: 50%;">                             Class of Permit: Class B                              Expiry Date:                         </td> </tr> </table>		ASA Sticker No./Name of Engineer: 8070 Construction Value: 3000	Class of Permit: Class B Expiry Date:
ASA Sticker No./Name of Engineer: 8070 Construction Value: 3000	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: 0 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 1 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0		
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> Apr 17, 2020 <b>Development Authority:</b> NOORMAN, BRENDA  <b>Subject to the Following Conditions</b> 1. The proposed Sign shall comply in accordance with the approved plans submitted.  2. The intensity of exposed bulbs on a Sign, excluding Digital Signs, shall not exceed 1100 lumens (Reference Section 59.2(4)).  <b>ADVISEMENTS:</b> 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 including, but not limited to, the Municipal Government Act, the Safety Codes Act or any caveats, restrictive covenants or easements that might be attached to the Site. (Reference Section 5.2).  2) All tenants intending to advertise on the approved Freestanding On-premises Sign must obtain a Sign Combo Permit for the panel prior to advertising.  <b>Rights of Appeal</b> This approval is subject to the right of appeal as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.			

	<p>Project Number: <b>359413028-001</b> Application Date: APR 07, 2020 Printed: June 2, 2020 at 2:42 PM Page: 2 of 2</p> <h2 style="text-align: center;">Sign Combo Permit</h2>																														
<p><b>Building Permit Decision</b> Issued <b>Issue Date:</b> May 12, 2020 <b>Safety Codes Officer:</b> ACHESON, MICHAEL</p>																															
<p><b>Fees</b></p> <table border="1"><thead><tr><th></th><th><b>Fee Amount</b></th><th><b>Amount Paid</b></th><th><b>Receipt #</b></th><th><b>Date Paid</b></th></tr></thead><tbody><tr><td>Sign Building Permit Fee</td><td>\$181.00</td><td>\$181.00</td><td>06492688</td><td>Apr 07, 2020</td></tr><tr><td>Safety Codes Fee</td><td>\$6.44</td><td>\$6.44</td><td>06492688</td><td>Apr 07, 2020</td></tr><tr><td>Sign Development Application Fee</td><td>\$287.00</td><td>\$287.00</td><td>06492688</td><td>Apr 07, 2020</td></tr><tr><td>Total GST Amount:</td><td>\$0.00</td><td></td><td></td><td></td></tr><tr><td><b>Totals for Permit:</b></td><td><u>\$454.44</u></td><td><u>\$454.44</u></td><td></td><td></td></tr></tbody></table>			<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>	Sign Building Permit Fee	\$181.00	\$181.00	06492688	Apr 07, 2020	Safety Codes Fee	\$6.44	\$6.44	06492688	Apr 07, 2020	Sign Development Application Fee	\$287.00	\$287.00	06492688	Apr 07, 2020	Total GST Amount:	\$0.00				<b>Totals for Permit:</b>	<u>\$454.44</u>	<u>\$454.44</u>		
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**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-083





ITEM III

FILE: SDAB-D-20-084

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

APPELLANT:

APPLICATION NO.: 352513042-001

APPLICATION TO: Operate a Major Home Based Business (Short Term Rental - Whitemud Hills Bed And Breakfast), expires May 16, 2025

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: May 11, 2020

DATES OF APPEAL: June 4, 2020 and June 8, 2020

NOTIFICATION PERIOD: May 19, 2020 through June 9, 2020

RESPONDENT:

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 47 - Cormack Crescent NW

LEGAL DESCRIPTION: Plan 9021645 Blk 136 Lot 35

ZONE: RF1-Single Detached Residential Zone

OVERLAY: N/A

STATUTORY PLAN: Carter Crest Neighbourhood Structure Plan  
Riverbend Area Structure Plan

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*Grounds for Appeal*

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

Appellant No 1:

Thank you for the opportunity to appeal this development. My family has lived in the crescent for 8 years and we have small children. This home has previously been used as a rental for Air B&B and there were numerous issues with large fast moving trucks speeding down a residential crescent. This is a lovely, calm, quiet

family crescent and there is only one entrance and one exit, that is one of the reasons we bought here, there would be no concerns for traffic from people that do not live in the neighborhood as there simply would be no reason too be in our crescent, other than as a member of the community or an invited guest. We have significant concerns over the added traffic in our small crescent. in addition there are already large trucks parking in front of that house again so we must assume the bed and breakfast is up and running and they they have again chosen to rent to people who must work at a construction site nearby as there are two large trucks with flags and equipment on them in front of the house. These do not belong to the residents of the home. This is in addition to the vehicles of the residents themselves, all four vehicles usually end up parked on the street which leaves no room for actual residents vehicles. We strongly implore you to help us keep our neighborhood a neighborhood and not a dangerous thoroughfare for vehicles that don't have vested interest our community. Please help us keep our children safe and our community a residential community.

Appellant No. 2:

This appeal is being submitted jointly by neighbouring households. The households who have pledged their support and wish to be named as part of the appeal have been included as follows:

- Within the 60 metre notification zone, there are 12 households who are jointly opposed to the decision to approve the Whitemud Hills Bed and Breakfast. A full list of households with signatures has been provided in Schedule A.
- Outside the 60 metre notification zone, there are 51 households within the Carter Crest Community who have asked to be included as supporters of this appeal. A full list of households with signatures is in Schedule B. The majority of these supporters reside in Cormack Crescent.
- Schedule C provides a map overview of the unique cul-de-sac nature of Cormack Crescent and a summary of the opposition to this appeal.

Individual impact statements by household are included in Appendix A. Additional support for this appeal may be sent to the SDAB citing our appeal number. (Full appeal statement on-file – 20 pages long).

<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 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 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 110.3(4), a **Major Home Based Business** is a **Discretionary Use** in the **(RF1) Single Detached 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.

Under section 6.1, **Bed and Breakfast Operation** means “a Dwelling where temporary sleeping accommodations, with or without meals, are provided for remuneration to members of the public.”

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.

***Discretionary Use***


**You are receiving this notice because a Discretionary Use Development Permit has been issued, pursuant to Sections 12.4 and 20.3 of the *Edmonton Zoning Bylaw*. The proposed development complies with the Zoning Bylaw and there are no variances to development regulations. [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.

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	Project Number: <b>352513042-001</b> Application Date: JAN 17, 2020 Printed: June 4, 2020 at 9:37 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.			
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 47 - CORMACK CRESCENT NW Plan 9021645 Blk 136 Lot 35  <b>Specific Address(es)</b> Suite: BSMT, 47 - CORMACK CRESCENT NW Entryway: 47 - CORMACK CRESCENT NW Building: 47 - CORMACK CRESCENT NW		
<b>Scope of Permit</b> To operate a Major Home Based Business (Short Term Rental - WHITEMUD HILLS BED AND BREAKFAST), expires MAY 16, 2025.			
<b>Permit Details</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">                     # of business related visits/day: 4                      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: Providing short term rental for 2 Sleeping Units in home. All business related parking to be accommodated on site.                      Expiry Date: 2025-05-16 00:00:00                 </td> </tr> </table>		# of business related visits/day: 4 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: Providing short term rental for 2 Sleeping Units in home. All business related parking to be accommodated on site. Expiry Date: 2025-05-16 00:00:00
# of business related visits/day: 4 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: Providing short term rental for 2 Sleeping Units in home. All business related parking to be accommodated on site. Expiry Date: 2025-05-16 00:00:00		
<b>Development Permit Decision</b> Approved <b>Issue Date:</b> May 11, 2020 <b>Development Authority:</b> WINGET, MARK			



Project Number: **352513042-001**  
 Application Date: JAN 17, 2020  
 Printed: June 4, 2020 at 9:37 AM  
 Page: 2 of 3

## 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. There shall be no outdoor business activities, or outdoor storage of material or equipment associated with the business (Section 75.5).
7. The number of temporary sleeping accommodations on-site shall not exceed two. Cooking facilities are prohibited within temporary sleeping accommodations (Section 75.7).
8. No offensive noise, odour, vibration, smoke, litter, heat or other objectionable effect shall be produced.
9. The business use must maintain the privacy and enjoyment of adjacent residences and the characteristic of the neighborhood.
10. 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.
11. This Development Permit may be cancelled at any time if the Home Based Business as stated in the Permit Details changes (Section 17.2).
12. 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 \*\*\*\*MAY 16, 2025\*\*\*\*.

### 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.
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).

### Variances

You are receiving this notice because a Discretionary Use Development Permit has been issued, pursuant to Sections 12.4 and 20.3 of the Edmonton Zoning Bylaw. The proposed development complies with the Zoning Bylaw and there are no variances to development regulations.



Project Number: **352513042-001**  
Application Date: JAN 17, 2020  
Printed: June 4, 2020 at 9:37 AM  
Page: 3 of 3

## Home Occupation

### 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.

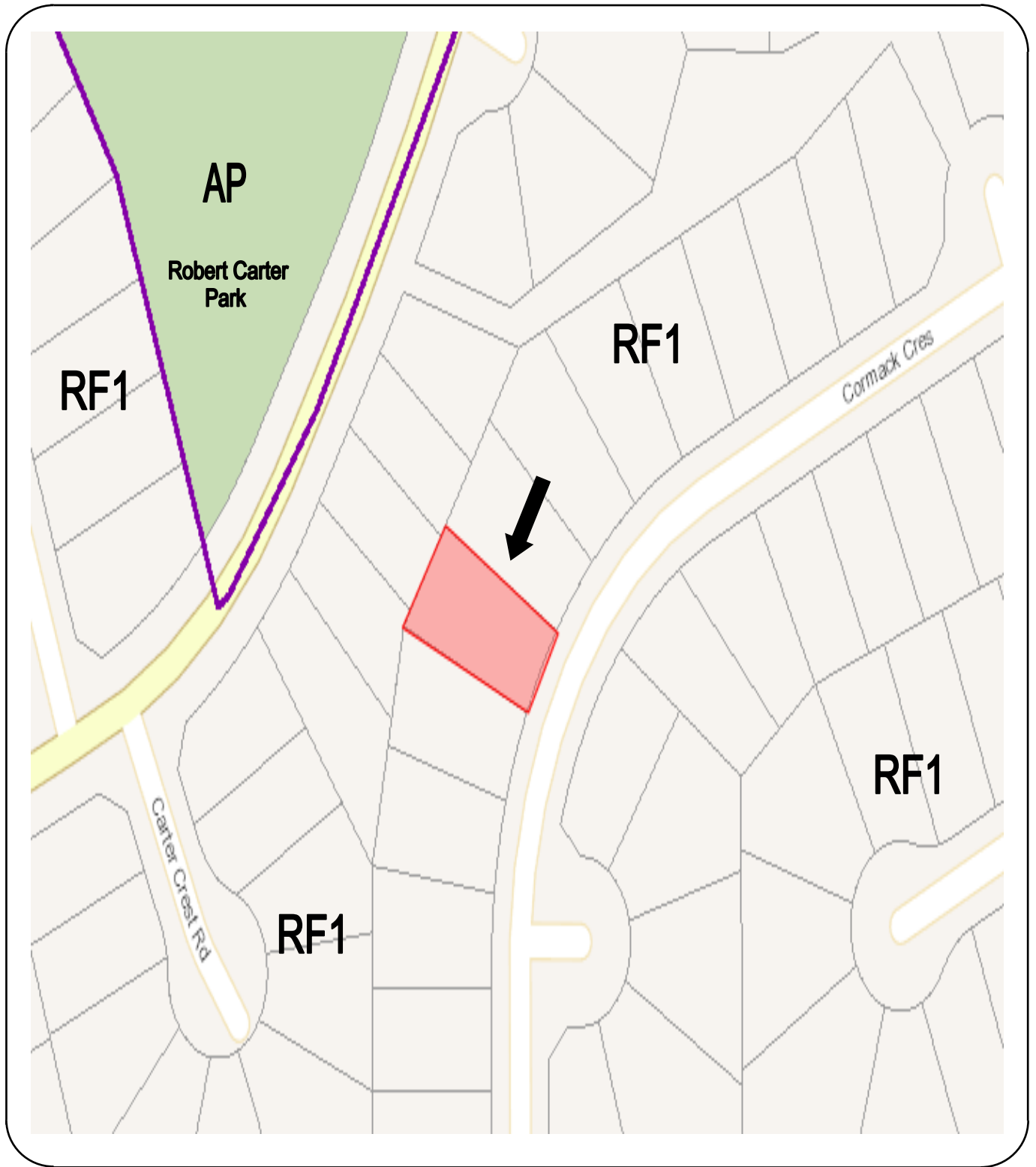
**Notice Period Begins:** May 19, 2020

**Ends:** Jun 09, 2020

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee	\$327.00	\$327.00	06437979	Feb 21, 2020
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$327.00</u>	<u>\$327.00</u>		





**SURROUNDING LAND USE DISTRICTS**

Site Location 

File: SDAB-D-20-084



ITEM IV

FILE: SDAB-D-20-085

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 091623051-003

APPLICATION TO: Install (2) Roof Off-premises Signs (4.3m x 14.6m facing N; and 3m x 6.1m facing S) (PATTISON | GARNEAU THEATRE - Quality Property Developments Inc.)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: June 8, 2020

DATE OF APPEAL: June 8, 2020

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 8708 - 109 Street NW

LEGAL DESCRIPTION: Plan 782AT Blk 148 Lots E,F,G,H

ZONE: CB1-Low Intensity Business Zone

OVERLAY: Main Streets Overlay

STATUTORY PLAN: 109 Street Corridor Area Redevelopment Plan

**Postponement Request**

*Grounds for Appeal*

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

The subject signs have existed lawfully for some time with no complaint.

The subject signs are consistent with the historic nature of the Building and its historic use and development.

Such further and other reasons as may be presented at the hearing of the appeal.

***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,

- (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;

- (e) 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

- (C) unduly interfere with the amenities of the neighbourhood, or

- (D) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

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

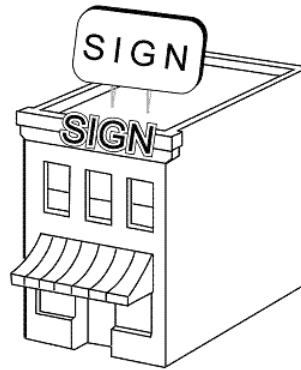
**General Provisions from the *Edmonton Zoning Bylaw*:**

Under section 330.3(45), a **Roof Off-premises Signs** is a **Discretionary Use** in the **(CB1) Low Intensity Business Zone**

Under section 7.9(11), **Roof Off-premises Signs** means:

means a Roof Sign, which is a Permanent Sign, and displays Off-premises Advertising.

Under section 6.2, **Roof Signs** means a Sign erected upon, against, or above a roof, or on top of or above, the parapet of a building.



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

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

Section 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 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.”

***109 Street Corridor Area Redevelopment Plan (ARP)***

**3.2.3.5 Signage must be of a scale and type that respects the compact, pedestrian-oriented character of the District and related to local businesses. Billboards, roof-top, digital and off-premise signage of any type will not be permitted.**

**Development Officer’s Determination**

1) Section 3.2.3.5 Policy Directives, Land Use and Density for the Mixed-Use Commercial District of the 109 Street Corridor Area Redevelopment Plan (ARP) states: Signage must be of a scale and type that respects the compact, pedestrian-oriented character of the District and related to local businesses. Billboards, roof-top, digital and off-premise signage of any type will not be permitted.

The proposed signs are Roof Off-premises Signs, and are not permitted under Section 3.2.3.5 of the 109 Street Corridor Area Redevelopment Plan. As a Council-approved City of Edmonton bylaw, the 109 Street Corridor ARP provides direction with respect to planning and development activity proposed within the planning area. All activities must be consistent with the ARP vision, guiding principles and policies (Reference Section 1.6).

***Main Streets Overlay***

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...

**Development Officer’s Determination**

2) Section 819 Main Streets Overlay: The proposed development is for two Roof Off-premises Signs, listed as a Discretionary Uses within the CB1 Low Intensity Business Zone (Section 330). The site is located within the Main Streets Overlay, where development shall comply with Section 819 of the Edmonton Zoning Bylaw.

819.5(2) - Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw.

The proposed signs do not meet the intent of Section 819.5(2), in that they do not complement the pedestrian-oriented commercial environment. Specifically:

- a) the size of the proposed Roof Off-premises Signs is not in proportion to human scale, nor are they located in a position that is designed for view by pedestrians. Human-scale means signs that are conducive to being used and interpreted while walking, typically at just above eye level;

b) The size and scale of the Roof Off-premises Signs are vehicle oriented and focused primarily to be legible and read while in a moving vehicle, rather than walking on the adjacent sidewalk.

**Section 59 – General Sign Provisions**

Section 59E.3(8)(a) states the maximum Sign Area of a Roof Off-premises Sign shall be 20 m<sup>2</sup>.

Section 59E.3(8)(e) states any Roof Off-premises Sign shall be located 30.0 m from the property line of a Residential Zone.

Section 59E.3(8)(f) 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:

<b>Proposed Sign Area</b>	<b>Minimum separation distance from Signs with Digital Copy greater than 8.0 m<sup>2</sup> or other Off-premises Signs</b>
Greater than 8.0m <sup>2</sup> to less than 20 m <sup>2</sup>	100m
20m <sup>2</sup> to 40m <sup>2</sup>	200m
Greater than 40 m <sup>2</sup>	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) Section 59E.3(8)(a): The maximum Sign Area of a Roof Off-premises Sign shall be 20 m<sup>2</sup>;

Proposed: North facing Sign: 4.3 m x 14.6 m = 62.8 m<sup>2</sup>  
Exceeds by: 42.8 m<sup>2</sup>

4) Section 59E.3(8)(e): Any Roof Off-premises Sign shall be located 30.0 m from the property line of a Residential Zone.

Proposed: approximately 27.1 m to property line of RA7 Zone  
Deficient by: 2.9 m

5) Section 59E.3(8)(f): The proposed Signs shall be separated from Signs with Digital Copy, or Off-premises Signs, less than 20 m<sup>2</sup> in Sign Area by 100 m; and over 40 m<sup>2</sup> in Sign Area, by 300 m. There are two Roof Off-premises Signs located on the same site, the north facing sign requires a separation of 300 m. The separation shall be applied from the location of the larger Off-premises Sign or Sign with Digital Copy.

Required Separation from North facing Sign (Sign Area 62.8 m<sup>2</sup>): 300 m

Proposed Separation to South facing Sign on same site: 18.3 m  
Deficient by: 281.7 m


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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.

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	Project Number: <b>91623051-003</b> Application Date: MAY 20, 2020 Printed: June 8, 2020 at 12:40 PM Page: 1 of 3				
<h2>Application for Sign Combo Permit</h2>					
This document is a Development Permit Decision for the development application described below.					
<b>Applicant</b>  PATTISON OUTDOOR ADVERTISING 10707 - 178 STREET NW EDMONTON, ALBERTA CANADA T5S 1J6	<b>Property Address(es) and Legal Description(s)</b>  8708 - 109 STREET NW Plan 782AT Blk 148 Lots E,F,G,H				
<b>Scope of Application</b> To install (2) Roof Off-premises Signs (4.3m x 14.6m facing N; and 3m x 6.1m facing S) (PATTISON   GARNEAU THEATRE - Quality Property Developments Inc.)					
<b>Permit Details</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="250 810 808 863">                     ASA Sticker No./Name of Engineer:                      Construction Value: 0                 </td> <td data-bbox="815 810 1421 863">                     Class of Permit:                      Expiry Date:                 </td> </tr> <tr> <td data-bbox="250 898 808 1100">                     Fascia Off-premises Sign: 0                      Fascia On-premises Sign: 0                      Roof Off-premises Sign: 2                      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 data-bbox="815 898 1421 1100">                     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>		ASA Sticker No./Name of Engineer: Construction Value: 0	Class of Permit: Expiry Date:	Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 2 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
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<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Jun 01, 2020 <b>Development Authority:</b> NOORMAN, BRENDA					
<b>THIS IS NOT A PERMIT</b>					



## Application for Sign Combo Permit

Project Number: **91623051-003**  
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### Reason for Refusal

1) Section 3.2.3.5 Policy Directives, Land Use and Density for the Mixed-Use Commercial District of the 109 Street Corridor Area Redevelopment Plan (ARP) states: Signage must be of a scale and type that respects the compact, pedestrian-oriented character of the District and related to local businesses. Billboards, roof-top, digital and off-premise signage of any type will not be permitted.

The proposed signs are Roof Off-premises Signs, and are not permitted under Section 3.2.3.5 of the 109 Street Corridor Area Redevelopment Plan. As a Council-approved City of Edmonton bylaw, the 109 Street Corridor ARP provides direction with respect to planning and development activity proposed within the planning area. All activities must be consistent with the ARP vision, guiding principles and policies (Reference Section 1.6).

2) Section 819 Main Streets Overlay: The proposed development is for two Roof Off-premises Signs, listed as a Discretionary Uses within the CB1 Low Intensity Business Zone (Section 330). The site is located within the Main Streets Overlay, where development shall comply with Section 819 of the Edmonton Zoning Bylaw.

819.5(2) - Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw.

The proposed signs do not meet the intent of Section 819.5(2), in that they do not complement the pedestrian-oriented commercial environment. Specifically:

a) the size of the proposed Roof Off-premises Signs is not in proportion to human scale, nor are they located in a position that is designed for view by pedestrians. Human-scale means signs that are conducive to being used and interpreted while walking, typically at just above eye level;

b) The size and scale of the Roof Off-premises Signs are vehicle oriented and focused primarily to be legible and read while in a moving vehicle, rather than walking on the adjacent sidewalk.

3) Section 59E.3(8)(a): The maximum Sign Area of a Roof Off-premises Sign shall be 20 m<sup>2</sup>;

Proposed: North facing Sign: 4.3 m x 14.6 m = 62.8 m<sup>2</sup>  
 Exceeds by: 42.8 m<sup>2</sup>

4) Section 59E.3(8)(e): Any Roof Off-premises Sign shall be located 30.0 m from the property line of a Residential Zone.

Proposed: approximately 27.1 m to property line of RA7 Zone  
 Deficient by: 2.9 m

5) Section 59E.3(8)(f): The proposed Signs shall be separated from Signs with Digital Copy, or Off-premises Signs, less than 20 m<sup>2</sup> in Sign Area by 100 m; and over 40 m<sup>2</sup> in Sign Area, by 300 m. There are two Roof Off-premises Signs located on the same site, the north facing sign requires a separation of 300 m. The separation shall be applied from the location of the larger Off-premises Sign or Sign with Digital Copy.

Required Separation from North facing Sign (Sign Area 62.8 m<sup>2</sup>): 300 m  
 Proposed Separation to South facing Sign on same site: 18.3 m  
 Deficient by: 281.7 m

### 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.

**THIS IS NOT A PERMIT**



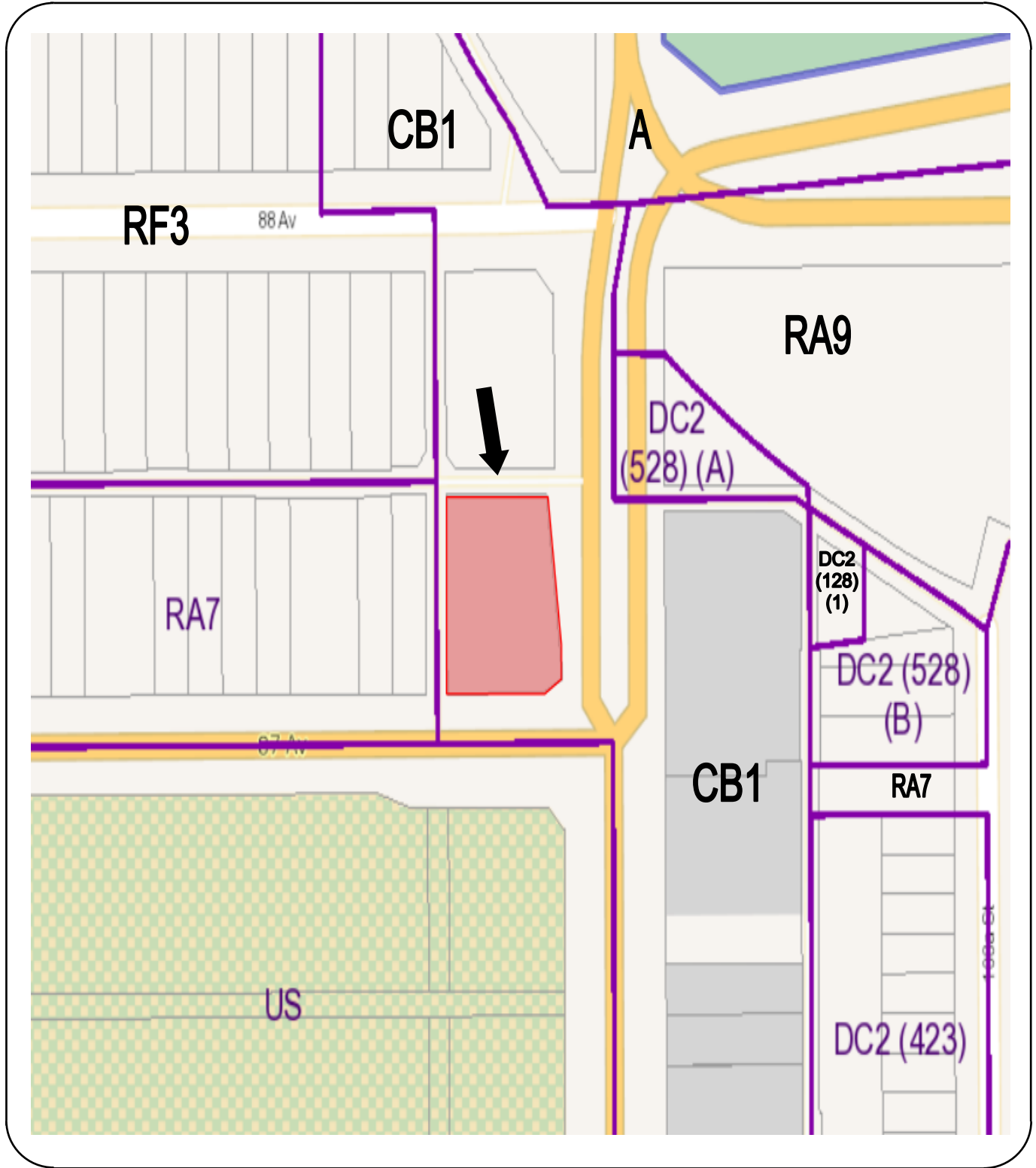
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## Application for Sign Combo Permit

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Sign Development Application Fee	\$574.00	\$574.00	06544355	May 25, 2020
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$574.00	\$574.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-20-085

