

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
May 22, 2019**

**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-19-068	Install (1) Minor Digital On-premises Off-premises Freestanding Sign (PATTISON   PUBLIC AUTO BODY)  5811 - 104 Street NW Project No.: 305540617-001
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II	10:30 A.M.	SDAB-D-19-069	Construct a 3 Storey General Retail Store Addition (388m <sup>2</sup> , facing the lane), an outdoor amenity area (facing 82 Avenue), and exterior alterations to an existing Commercial Use building (facade improvement on south elevation)  10762 - 82 Avenue NW Project No.: 288495856-002
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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-19-068

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 305540617-001

APPLICATION TO: Install (1) Minor Digital On-premises Off-premises Freestanding Sign (PATTISON | PUBLIC AUTO BODY)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 25, 2019

DATE OF APPEAL: April 29, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 5811 - 104 Street NW

LEGAL DESCRIPTION: Plan 5740AI Blk 85 Lots 1-5

ZONE: IM Medium Industrial Zone

OVERLAY: N/A

STATUTORY PLAN: N/A

***Grounds for Appeal***

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

We are solicitors for Pattison Outdoor Advertising, the Applicant in the above noted matter. Our clients' Development Permit Application has been refused. On behalf of our clients, we hereby appeal the refusal on the following grounds:

1. The subject sign complies with the Calgary Trail Land Use Study insofar as it was approved as a replacement for an older style billboard sign.
2. The Calgary Trail Land Use Study is not a statutory plan within the meaning of the Municipal Government Act.

3. The subject sign is appropriately located, meets all of the requirements of the Zoning Bylaw and has existed without complaint since its initial approval.
4. Such further and other reasons as may be presented at the hearing of this appeal.

<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, [...]

**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*:**

Section 420.1 states that 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.

Under section 420.3(14), **Minor Digital On-premises Off-premises Signs** is a **Discretionary Use** in the (IM) Medium Industrial 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.

<i>Calgary Trail Land Use Study</i>
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Section 3.5(b)(ii) of the Calgary Trail Land Use Study provides, in part:

- b) **Greater attention shall be given to improving the location, siting, Signage comprehensibility and design of signage in the corridor by:**
  - i) promoting within the business community the voluntary replacement of older advertising signage;
  - ii) **discouraging the use of portable signs and free-standing billboards; and**
  - iii) improving directional signage to major facilities such as hospitals, University, Downtown, and Government Centre.

Through information received in the business survey and through visual inspection of the corridor, advertising signage, particularly older signage, is perceived by many to be unattractive. A proliferation of portable signs occurring in the corridor also has some negative impact. Signage catering to the tourist was seen to be deficient or poorly located in the area. Signs identifying the locations of local civic attractions, the locations of major facilities and the locations of tourist facilities such as hotels, motels, restaurants and service stations could be upgraded. Signage identifying the entrance to the city and the location of the Tourist Information Centre was considered a high priority.

Some directional and roadway signage is confusing or not quickly understandable, particularly in areas where U-turn movements to the opposite leg of the couplet are identified, or where access to businesses is via service roads. The ease and safety of east-west movement across the Trail needs to be improved also.

North of 51 Avenue N.W., there is a need to introduce better roadway signage identifying which avenues are through avenues permitting U-turns in order to travel the opposite direction on the couplet. The existing signs are too small and too close to these avenues to be read and reacted to in time.

South of 55 Avenue N.W., much of the newer development in this area is accessed from service roads. Road signs indicating access points to these service roads are necessary, especially given the difficulty of doubling back if an access ramp is missed. Improved signage can be incorporated very effectively in new construction in the southern parts of the corridor.

**Development Officer's Reason for Refusal**

The proposed sign is located within the Calgary Trail Land Use Study. Section 3.4(b)(ii) of the Calgary Trail Land Use Study states that greater attention shall be given to improving the location, siting, signage comprehensibility and design of signage in the corridor by discouraging the use of portable signs and free-standing billboards (billboards are considered Off-premises signs).


The proposed Minor Digital On-premises Off-premises Freestanding Sign is contrary to Section 3.4(b)(ii) of the Calgary Trail Land Use Study.

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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>305540617-001</b> Application Date: FEB 22, 2019 Printed: April 29, 2019 at 1:38 PM 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> <div style="background-color: black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100%; height: 20px;"></div>	<b>Property Address(es) and Legal Description(s)</b> 5811 - 104 STREET NW Plan 5740AI Blk 85 Lots 1-5					
<b>Scope of Application</b> To install (1) Minor Digital On-premises Off-premises Freestanding Sign (PATTISON   PUBLIC AUTO BODY).						
<b>Permit Details</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                     ASA Sticker No./Name of Engineer:                      Construction Value: 100000                 </td> <td style="width: 50%; border: none;">                     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:					
Fascia Off-premises Sign: 0 Fascia On-premises Sign: 0 Roof Off-premises Sign: 0 Roof On-premises Sign: 0 Minor Digital On-premises Sign: 0 Minor Digital Off-premises Sign: 0 Minor Digital On/Off-premises Sign: 1	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0					
I/We certify that the above noted details are correct. Applicant signature: _____						
<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Apr 25, 2019 <b>Development Authority:</b> MERCIER, KELSEY  <b>Reason for Refusal</b> The proposed sign is located within the Calgary Trail Land Use Study. Section 3.4(b)(ii) of the Calgary Trail Land Use Study states that greater attention shall be given to improving the location, siting, signage comprehensibility and design of signage in the corridor by discouraging the use of portable signs and free-standing billboards (billboards are considered Off-premises signs).  The proposed Minor Digital On-premises Off-premises Freestanding Sign is contrary to Section 3.4(b)(ii) of the Calgary Trail Land Use Study.  <b>Rights of Appeal</b> 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.						
<b>Fees</b> <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 10%;">Fee Amount</th> <th style="width: 10%;">Amount Paid</th> <th style="width: 10%;">Receipt #</th> <th style="width: 10%;">Date Paid</th> </tr> </thead> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid
	Fee Amount	Amount Paid	Receipt #	Date Paid		
<b>THIS IS NOT A PERMIT</b>						





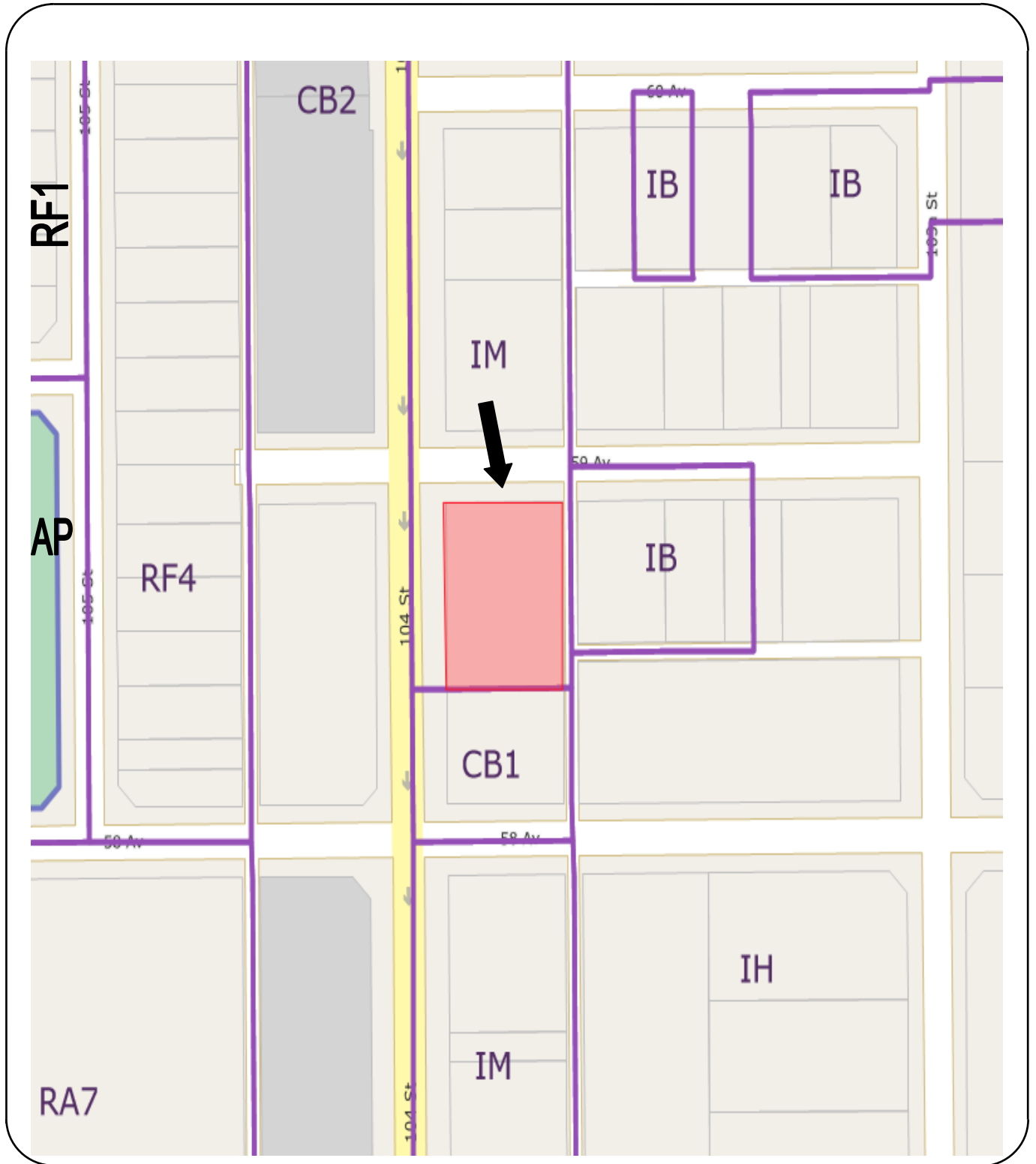
## Application for Sign Combo Permit

Project Number: **305540617-001**  
Application Date: FEB 22, 2019  
Printed: April 29, 2019 at 1:38 PM  
Page: 2 of 2

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Safety Codes Fee	\$42.28	\$42.28	05680474	Feb 28, 2019
Sign Building Permit Fee	\$1,057.00	\$1,057.00	05680474	Feb 28, 2019
Sign Dev Appl Fee - Digital Signs	\$458.00	\$458.00	05680474	Feb 28, 2019
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$1,557.28</u>	<u>\$1,557.28</u>		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location 

File: SDAB-D-19-068



ITEM II: 10:30 A.M.

FILE: SDAB-D-19-069

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

APPELLANT:

APPLICATION NO.: 288495856-002

APPLICATION TO: Construct a 3 Storey General Retail Store Addition (388m2, facing the lane), an outdoor amenity area (facing 82 Avenue), and exterior alterations to an existing Commercial Use building (facade improvement on south elevation)

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: March 4, 2019

DATE OF APPEAL: April 27, 2019

NOTIFICATION PERIOD: Mar 12, 2019 through Apr 2, 2019

RESPONDENT:

ADDRESS OF RESPONDENT: 10762 - 82 Avenue NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10762 - 82 Avenue NW

LEGAL DESCRIPTION: Plan RN4 Blk 132 Lot 16

ZONE: CB2 General Business Zone

OVERLAY: Whyte Avenue Commercial Overlay  
Main Streets Overlay

STATUTORY PLAN: Strathcona Area Redevelopment Plan

***Grounds for Appeal***

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

I am appealing the parking variance granted for the proposed development. The current and proposed development should have 14 parking stalls under current zoning/bylaws yet a variance was issued to allow one stall and a shortened loading zone stall. We feel this variance is too severe and will cause significant impacts to nearby residences, businesses and the operation of the current tenants. In speaking with the city development officer we were informed the variance was issued based on public transit, street parking and bike lanes in the area. We feel this is in error as the current parking is used for business operations-loading, deliveries, repairs etc not guest or private parking. Not to have this parking will negatively impact adjacent businesses and residents as delivery vehicles will need to block the alley and adjacent lots to accommodate deliveries. We agree there is room for a variance from 14 spots without causing resident and business impact however the variance granted is far too severe. A minimum of four parking stalls are required to accommodate the delivery trucks. Additionally after hours we and one of the other tenants allow our female staff to park there as there is no ETS service at 3:30am and thus a security issue. I have the email correspondence from when I first contacted the city (on March 27) in regards to this issue should it be required.

<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(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) ...

(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.

Section 20 of the *Edmonton Zoning Bylaw* sets out the requirements for Notification of Development Permit Decisions. Section 20.3 provides as follows:

**20.3 Class B Discretionary Development**

1. Within seven days of the issuance of a Development Permit for a Class B Discretionary Development, the Development Officer shall dispatch a written notice by ordinary mail to all relevant parties listed below that are wholly or partially within 60.0 m of the boundaries of the Site which is the subject of the Development Permit:
  - a. each assessed owner of the Site or a part of the Site of the development;
  - b. each assessed owner of land;
  - c. the President of each Community League; and
  - d. the Executive Director of each Business Improvement Area.
2. The notice shall describe the development and state the decision of the Development Officer, and the right of appeal therefrom.
3. Within 10 days of the issuance of a Development Permit for Class B Discretionary Development, the Development Officer shall cause to be published in a daily newspaper circulating within the City, a notice describing the development and stating their decision, and the right to appeal therefrom.
4. Where, in the opinion of the Development Officer, a proposed development is likely to affect other owners of land beyond 60.0 m, the Development Officer shall notify owners of land at such additional distance and direction from the Site as, in the opinion of the Development Officer, may experience any impact attributable to the development.

**Relevant Dates**

Decision Issued:	March 4, 2019
Mailing Notice:	March 7, 2019
Newspaper Notice:	March 12 to April 2, 2019
Appeal Filed:	April 27, 2019

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

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

Section 340.1 states that the **General Purpose** of the **(CB2) General Business Zone** is “to provide for businesses that require large Sites and a location with good visibility and accessibility along, or adjacent to, major public roadways.”

Section 820.1 states that the **General Purpose** of the **Whyte Avenue Commercial Overlay** is

to prohibit new Bars and Neighbourhood Pubs, and Nightclubs; and to prohibit the expansion of existing Bars and Neighbourhood Pubs, and Nightclubs, while providing opportunities for Breweries, Wineries and Distilleries in the Whyte Avenue Commercial Area.

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

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

Under section 340.2(12), **General Retail Stores** is a **Permitted Use** in the (CB2) General Business Zone.

Under section 7.4(24), **General Retail Stores** means:

development used for the retail or consignment sale of new goods or merchandise within an enclosed building, not including the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or goods sold wholesale. Accessory Uses may include the assembly or repair of products sold on Site, or minor public services such as postal services or pharmacies. This Use does not include Aircraft Sales/Rentals, Automotive and Minor Recreation Vehicle Sales/Rentals, Cannabis Retail Sales, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Garden Centres, Pawn Stores, Major Alcohol Sales, Minor Alcohol Sales, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.

***Required Off-Street Vehicular Accessory Parking***

Schedule 1(C)(8) of Section 54.2 provides as follows:

<b>Schedule 1(C) Transit Oriented Development and Main Streets Overlay</b>	
<b>Use of Building or Site</b>	<b>Minimum or Maximum Number of Parking Spaces Required</b>
<b>Non-Residential and non-Residential-Related Uses</b>	

<p>Area of application</p>	<p>Where the following Uses are outside of the boundary of 54.2 Schedule 1(B) but are located within:</p> <ul style="list-style-type: none"> <li>· 200 metres of an existing LRT station or a future LRT station with the most recent version of a Council-approved Concept Plan;</li> <li>· 200 metres of an existing Transit Centre or a future Transit Centre with the most recent version of a Council-approved Concept Plan;</li> <li>· 150 metres of a Transit Avenue; or</li> <li>· the boundaries shown in the Main Streets Overlay, Section 819.2,</li> </ul> <p style="text-align: center;">the minimum and maximum parking requirements shown below shall apply.</p> <p>For the purpose of Schedule 1(C), measurements shall be made from the nearest point of the LRT station, Transit Centre, or Transit Avenue to the Site Boundary where the Use(s) are to be located. Where a LRT station or Transit Centre exists in concept only, the radius shall be measured from the centre of the proposed location on the concept diagrams, or of the nearest roadway intersection at the discretion of the Development Officer.</p>
<p>8. All other non-residential Uses</p>	<p>1 parking space per 100.0 m<sup>2</sup> of Floor Area</p>

**Development Officer’s Determination**

1. Parking - The site has 1 parking stalls, instead of 14 (Section 54 and Schedule 1(C))

***Off-Street Vehicular Loading Facilities***

Section 54.4(3)(a) states:

Each off-street loading space shall be of adequate size and accessibility to accommodate the vehicles expected to load and unload. Each required loading space shall be a minimum of 3.0 m in width, a minimum of 9.0 m in length and maintain a minimum overhead clearance of 4.0 m, unless larger dimensions are required, having regard to the type of vehicle loading and unloading without projecting into a public roadway.



Schedule 3(1) of section 54.4 provides as follows:

**Schedule 3 - Loading Spaces Requirement**

<b>Use of Building or Site</b>	<b>Total Floor Area of Building</b>	<b>Minimum Number of Loading Spaces Required</b>
2. Any development within the Residential-Related, Basic Services or Community, Educational, Recreational and Cultural Service Use Classes and Professional, Financial and Office Support Services, excluding Limited Group Homes	Up to 2 800 m <sup>2</sup>  Each additional 2 800 m <sup>2</sup> or fraction thereof	1  1 additional

**Development Officer’s Determination**

2. Loading - Only 1 Loading Space at 3.0m x 5.5m has been provided, instead of 2 loading spaces at 3.0m x 9.0m. (Reference Sections 54.4(1)(3)(a) 54.4 Schedule 3(1))

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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: 288495856-002  
Application Date: AUG 17, 2018  
Printed: April 29, 2019 at 8:12 AM  
Page: 1 of 4

### 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> [Redacted]	<b>Property Address(es) and Legal Description(s)</b> 10762 - 82 AVENUE NW Plan RN4 Blk 132 Lot 16
	<b>Specific Address(es)</b> Suite: REAR1, 10762 - 82 AVENUE NW Suite: REAR2, 10762 - 82 AVENUE NW Suite: REAR3, 10762 - 82 AVENUE NW Entryway: REAR1, 10762 - 82 AVENUE NW Entryway: REAR2, 10762 - 82 AVENUE NW Entryway: REAR3, 10762 - 82 AVENUE NW Building: 10762 - 82 AVENUE NW

**Scope of Permit**  
To construct a 3 Storey General Retail Store Addition (388m2, facing the lane), an outdoor amenity area (facing 82 Avenue), and exterior alterations to an existing Commercial Use building (facade improvement on south elevation)

<b>Permit Details</b>	
Class of Permit: Class B Gross Floor Area (sq.m.): 387.58 New Sewer Service Required: Y Site Area (sq. m.): 405	Contact Person: Lot Grading Needed?: Y NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Main Street Overlay

I/We certify that the above noted details are correct.  
Applicant signature: \_\_\_\_\_

**Development Permit Decision**  
Approved  
**Issue Date:** Mar 04, 2019 **Development Authority:** ADAMS, PAUL



Project Number: **288495856-002**  
 Application Date: AUG 17, 2018  
 Printed: April 29, 2019 at 8:12 AM  
 Page: 2 of 4

## Major Development Permit

### Subject to the Following Conditions

1. The third floor is approved as a General Retail Store as shown on the drawings. The proposed outdoor amenity area on the roof shall be accessory to the General Retail store only. The third floor shall not be used as a Restaurant or Specialty Food Service, without consideration of a separate development permit application. The applicant is advised that there shall be no new Bars and Neighbourhood Pubs, and Nightclubs; and to prohibit the expansion of existing Bars and Neighbourhood Pubs, and Nightclubs, in accordance to Section 820 of the Zoning Bylaw.
2. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Lot Grading Fee of \$232.00.
3. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Sanitary Sewer Trunk Charge fee of \$329.18. All assessments are based upon information currently available to the City. The SSTC charges are quoted for the calendar year in which the development permit is granted. The final applicable rate is subject to change based on the year in which the payment is collected by the City of Edmonton.
4. An Encroachment Agreement exists for the existing canopy along 82 Avenue. The owner/applicant must enter into a new Encroachment Agreement with the City for the proposed canopy as shown on Enclosure I of the Subdivision Planning response. The owner/applicant must email [encroachmentagreements@edmonton.ca](mailto:encroachmentagreements@edmonton.ca) for information on the agreement.
  - A. The existing door that is shown on Enclosure II Subdivision Planning response is encroaching into road right-of-way. The owner/applicant must enter into an Encroachment Agreement with the City for the door. The owner/applicant must email [encroachmentagreements@edmonton.ca](mailto:encroachmentagreements@edmonton.ca) for information on the agreement.
  - B. Garbage enclosures must be located entirely within private property and gates and/or doors of the garbage enclosure must not open or encroach into road right-of-way, as shown on Enclosure III Subdivision Planning response.
  - C. Any hoarding or construction taking place on road right-of-way requires an OSCAM (On-Street Construction and Maintenance) permit. OSCAM permit applications require Transportation Management Plan (TMP) information. The TMP must include:
    - the start/finish date of project;
    - accommodation of pedestrians and vehicles during construction;
    - confirmation of lay down area within legal road right of way if required;
    - and to confirm if crossing the sidewalk and/or boulevard is required to temporarily access the site.
 It should be noted that the hoarding must not damage boulevard trees. The owner or Prime Contractor must apply for an OSCAM online at:  
[https://www.edmonton.ca/business\\_economy/licences\\_permits/oscaml-permit-request.aspx](https://www.edmonton.ca/business_economy/licences_permits/oscaml-permit-request.aspx) and,  
<https://www.edmonton.ca/documents/ConstructionSafety.pdf>.
  - D. Any alley damage occurring as a result of construction traffic must be restored to the satisfaction of Development Inspections, as per Section 15.5(f) of the Zoning Bylaw. All expenses incurred for repair are to be borne by the owner.
  - E. There may be utilities within road right-of-way not specified that must be considered during construction. The owner/applicant is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Alberta One-Call (1-800-242-3447) and Shaw Cable (1-866-344-7429; [www.digshaw.ca](http://www.digshaw.ca)) should be contacted at least two weeks prior to the work beginning to have utilities located. Any costs associated with relocations and/or removals shall be at the expense of the owner/applicant.
  - F. All access locations and curb crossings shall have the approval of Transportation Services. (Reference Section 53.1)
5. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the building or Use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind. (Reference Section 54.1.1.c)
6. The off-street parking, loading and unloading (including aisles or driveways) shall be hardsurfaced, curbed, drained and



Project Number: **288495856-002**  
 Application Date: AUG 17, 2018  
 Printed: April 29, 2019 at 8:12 AM  
 Page: 3 of 4

## Major Development Permit

maintained in accordance to Section 54.6.

7. Bicycle parking shall be provided in accordance to Section 54.3 and to the satisfaction of the Development Officer.

8. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices. (Reference Section 51)

9. A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction. (Reference Section 819.3.23)

10. Prior to the approval of any Signs the applicant shall apply for and complete a Comprehensive Sign Design Plan (See Development Permit #288495856-006). (Reference Section 819.3.27)

### ADVISEMENTS:

a. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)

b. This Development Permit is NOT a Business Licence. A separate application must be made for a Business Licence. Please contact the 311 Call Centre (780-442-5311) for further information.

c. Signs require separate Development Applications.

d. 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 (780-442-5311) for further information.

e. The City of Edmonton does not conduct independent environmental checks of land within the City. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of Edmonton, in issuing this Development Permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on the property.

f. 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)

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

### Variances

1. Parking - The site has 1 parking stalls, instead of 14 (Section 54 and Schedule 1(C))

2. Loading - Only 1 Loading Space at 3.0m x 5.5m has been provided, instead of 2 loading spaces at 3.0m x 9.0m. (Reference Sections 54.4(1)(3)(a) 54.4 Schedule 3(1))

### 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:** Mar 12, 2019

**Ends:** Apr 02, 2019

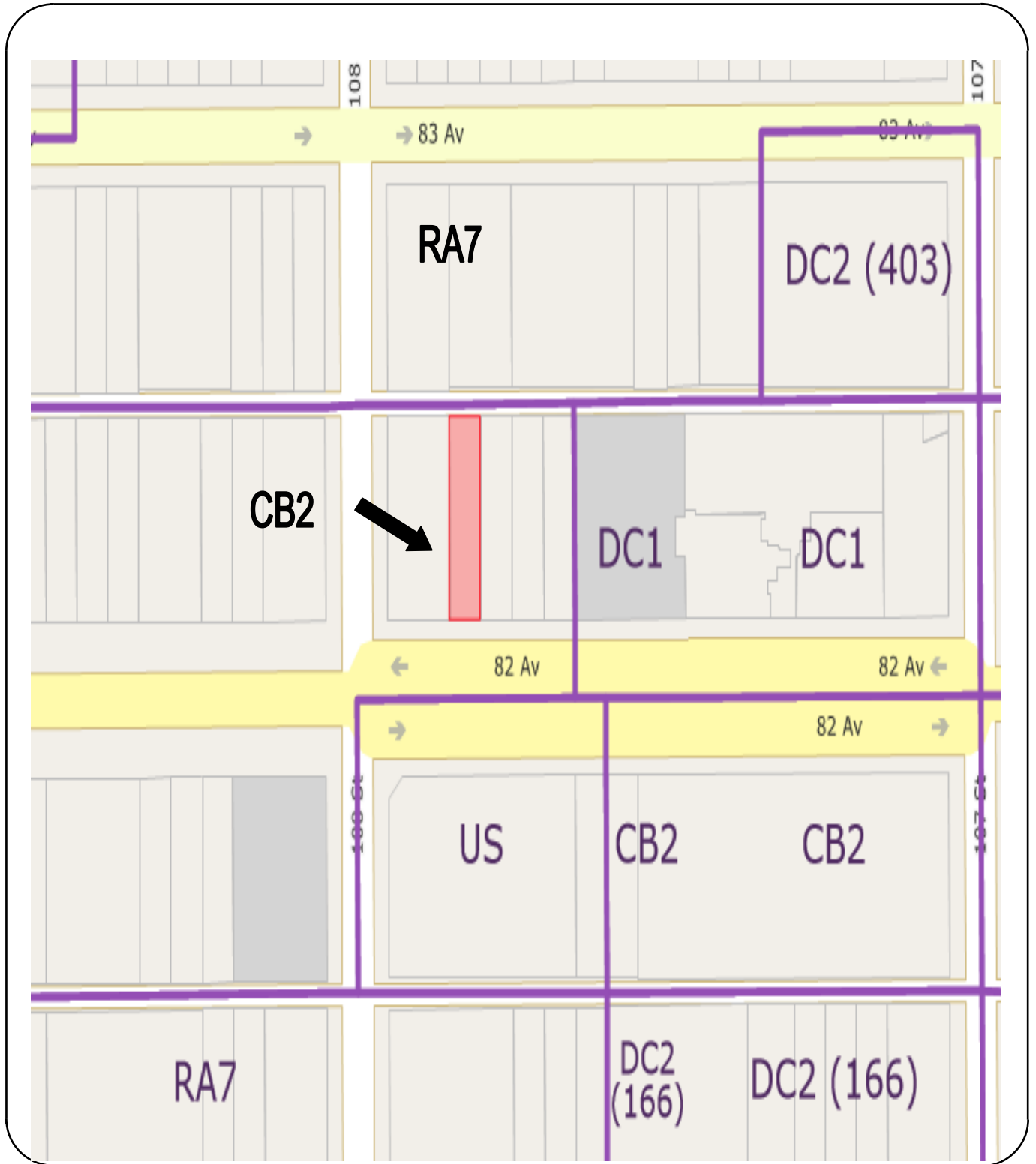


Project Number: **288495856-002**  
Application Date: AUG 17, 2018  
Printed: April 29, 2019 at 8:12 AM  
Page: 4 of 4

## Major Development Permit

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Major Dev. Application Fee	\$948.00	\$948.00	05267143	Aug 17, 2018
Development Permit Inspection Fee	\$510.00	\$510.00	05267143	Aug 17, 2018
Sanitary Sewer Trunk Fund 2012+	\$329.18			
Lot Grading Fee	\$232.00			
Total GST Amount:	\$0.00			
Totals for Permit:	\$2,019.18	\$1,458.00		
(\$561.18 outstanding)				



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-19-069



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