SUBDIVISION

A N D

DEVELOPMENT APPEAL BOARD

AGENDA

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

<u>TO</u>	TO BE RAISED						
I	9:00 A.M.	SDAB-D-20-022	Install one (1) Minor Digital Off-premises Freestanding Sign (3.05 m x 6.10 m Facing West)(OUTFRONT MEDIA HARDWOOD PLAZA) and Remove (1) existing Freestanding Off-premises Sign (270902947-001)				
			11001C – Jasper Avenue NW Project No.: 301294069-001				
II	9:00 A.M.	SDAB-D-20-061	Install a Minor Digital On-premises Off- premises Freestanding Sign (Digital Facing East Static Facing West)(PATTISON IMPARK LOT).				
			11104 – Jasper Avenue NW Project No.: 348771629-001				

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

TO BE RAISED

<u>ITEM I: 9:00 A.M.</u> <u>FILE: SDAB-D-20-022</u>

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 301294069-001

APPLICATION TO: Install (1) Minor Digital Off-premises

Freestanding Sign (3.05 metres by 6.10 metres Facing West)(OUTFRONT MEDIA | HARDWOOD PLAZA) and Remove (1) existing Freestanding Off-

premises Sign (270902947-001)

DECISION OF THE

DEVELOPMENT AUTHORITY: Refused

DECISION DATE: January 10, 2020

DATE OF APPEAL: January 30, 2020

MUNICIPAL DESCRIPTION

OF SUBJECT PROPERTY: 11001C - Jasper Avenue NW

LEGAL DESCRIPTION: Condo Common Area (Plan 0120554)

ZONE: (CO) Commercial Office Zone

OVERLAY: Main Streets Overlay

STATUTORY PLAN: Oliver Area Redevelopment Plan

Grounds for Appeal

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

We feel that the sign will be built with such technology that it will not project any light into the 2 addresses that the Development officer expressed concern on. They will be within the protected region, of less than 1% brightness. And we are willing to provide solutions that will further reduce any potential issue.

General Matters

Appeal Information:

The Subdivision and Development Appeal Board made and passed the following motion on February 26, 2020:

"That the appeal hearing be scheduled for March 26, 2020 at the written request of the Appellant."

The Subdivision and Development Appeal Board ("SDAB" or "Board") made and passed the following motion on March 25, 2020:

"That the appeal hearing be postponed until May 27 or May 28, 2020 at the written request of Legal Counsel for the Appellant."

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

Grounds for Appeal

685(1) If a development authority

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

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

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 360.3(26), a **Minor Digital Off-premises Sign** is a **Discretionary Use** in the **(CO) Commercial Office Zone**.

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

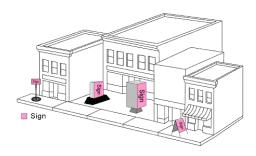
a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

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

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

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

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.

Under section 819.5(2) of the **Main Streets Overlay**, "Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw, except that:..."

Under section 360.1 the **General Purpose** of the **(CO) Commercial Office Zone** is "to provide for medium intensity office, commercial and residential development in the inner city, around Light Rail Transit station areas or other locations offering good accessibility by both private automobile and transit."

Under section 819.1, 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."

Sign Regulations

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.

Section 59.2(3) states:

major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use, shall not face an abutting or adjacent Residential-Related Use, and shall not face the Extended Medical Treatment Services Use to the satisfaction of the Development Officer.

Development Officers Determination

1. Section 59.2(7) - 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.

In the opinion of the Development Officer this Minor Digital Offpremises Sign is not in keeping with the streetscape improvements as outlined in the "Imagine Jasper Avenue" project that uses the Main Street sand Complete Streets Design and Construction Standards to inform the design parameters and to ensure a consistent approach to designing the City's main streets. The streetscape improvements along Jasper Avenue (109 Street to 124 Street) are slated for construction starting in 2020. 2. Section 59.2(3) - Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use, shall not face an abutting or adjacent Residential-Related Use, and shall not face the Extended Medical Treatment Services Use to the satisfaction of the Development Officer.

In the opinion of the Development Officer this Minor Digital Offpremises Sign location will allow illumination to project onto surrounding residential the premises of 10053 - 111 STREET NW Residential Assisted Living, and 11012 - JASPER AVENUE NW Apartments.

Development Regulations for Signs in the Main Streets Overlay

Section 819.5(2) states:

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

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

Section 819.5(3) states "When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this section of the Overlay the notification process outlined in subsection 819.4(15) shall apply."

Development Officers Determination

3. Section 819.5 - Signs shall complement the pedestrian-oriented commercial environment.

The portion of Jasper Avenue of the subject development permit application has been identified as a Primary Corridor in the published draft of the City Plan (Municipal Development Plan).

The vision for a Primary Corridor, and specifically for Jasper Avenue is to create a pedestrian oriented street that is harmoniously designed to accommodate various modes of transportation and a high standard of urban design, of which Digital Signs, especially Freestanding ones, would not be considered 'high standard'. It is the Development officers Opinion in consultation with the Urban Design Unit that this development does not meet the objectives outlined in Section 819.5(2) requiring Signs to 'complement the pedestrian-oriented commercial development'.

Community Consultation

Section 819.4(15) states:

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

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

Previous Subdivision and Development Appeal Board Decision

Application Number	Description	Decision
SDAB-D-09-190	Contruct an Off-premises Freestanding Sign (convert existing west face from static to digital – 6 metres x 3 metres	Appeal Withdrawn

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.



Application for Sign Combo Permit

Project Number: **301294069-001**Application Date: DEC 24, 2018

Printed: January 30, 2020 at 1:38 PM

Page: 1 of 2

This document is a Development Permit Decision for the development application described below.

Applicant Property Address(es) and Legal Description(s) 11001C - JASPER AVENUE NW Condo Common Area (Plan 0120554)

Scope of Application

To install (1) Minor Digital Off-premises Freestanding Sign (3.05 m x 6.10 m Facing West)(OUTFRONT MEDIA | HARDWOOD PLAZA) and Remove (1) existing Freestanding Off-premises Sign (270902947-001).

Permit Details

ASA Sticker No./Name of Engineer:	Class of Permit:			
Construction Value: 125000	Expiry Date:			
Fascia Off-premises Sign: 0	Freestanding Off-premises Sign: 0			
Fascia On-premises Sign: 0	Freestanding On-premises Sign: 0			
Roof Off-premises Sign: 0	Projecting Off-premises Sign: 0			
Roof On-premises Sign: 0	Projecting On-premises Sign: 0			
Minor Digital On-premises Sign: 0	Replacement Panel on Existing Sign: 0			
Minor Digital Off-premises Sign: 1	Comprehensive Sign Design: 0			
Minor Digital On/Off-premises Sign: 0	Major Digital Sign: 0			
I/We certify that the above noted details are correct.				
Applicant signature:				

Development Application Decision

Refused

Issue Date: Jan 10, 2020 Development Authority: MERCIER, KELSEY

THIS IS NOT A PERMIT



Application for Sign Combo Permit

Project Number: **301294069-001**Application Date: DEC 24, 2018

Printed: January 30, 2020 at 1:38 PM

Page: 2 of 2

Reason for Refusal

1. Section 59.2(7) - 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.

In the opinion of the Development Officer this Minor Digital Off-premises Sign is not in keeping with the streetscape improvements as outlined in the "Imagine Jasper Avenue" project that uses the Main Street sand Complete Streets Design and Construction Standards to inform the design parameters and to ensure a consistent approach to designing the City's main streets. The streetscape improvements along Jasper Avenue (109 Street to 124 Street) are slated for construction starting in 2020.

2. Section 59.2(3) - Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use, shall not face an abutting or adjacent Residential-Related Use, and shall not face the Extended Medical Treatment Services Use to the satisfaction of the Development Officer.

In the opinion of the Development Officer this Minor Digital Off-premises Sign location will allow illumination to project onto surrounding residential the premises of 10053 - 111 STREET NW Residential Assisted Living, and 11012 - JASPER AVENUE NW Apartments.

3. Section 819.5 - Signs shall complement the pedestrian-oriented commercial environment.

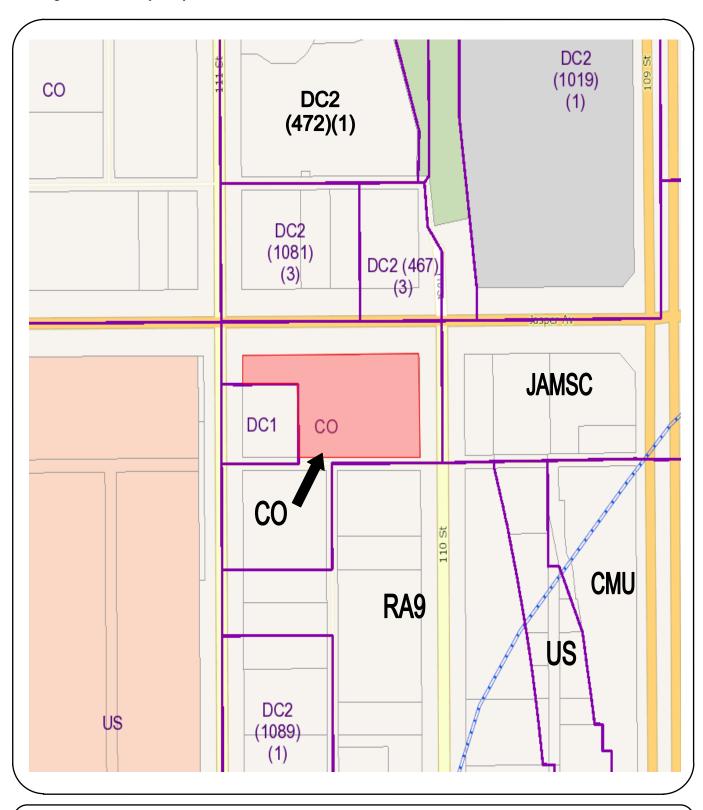
The portion of Jasper Avenue of the subject development permit application has been identified as a Primary Corridor in the published draft of the City Plan (Municipal Development Plan). The vision for a Primary Corridor, and specifically for Jasper Avenue is to create a pedestrian oriented street that is harmoniously designed to accommodate various modes of transportation and a high standard of urban design, of which Digital Signs, especially Freestanding ones, would not be considered 'high standard'. It is the Development officers Opinion in consultation with the Urban Design Unit that this development does not meet the objectives outlined in Section 819.5(2) requiring Signs to 'complement the pedestrian-oriented commercial development'.

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.

es					
	Fee Amount	Amount Paid	Receipt #	Date Paid	
Safety Codes Fee	\$52.00	\$52.00	05603815	Jan 22, 2019	
Sign Dev Appl Fee - Digital Signs	\$451.00	\$451.00	05603815	Jan 22, 2019	
Sign Building Permit Fee	\$1,300.00	\$1,300.00	05603815	Jan 22, 2019	
Total GST Amount:	\$0.00				
Totals for Permit:	\$1,803.00	\$1,803.00			

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location

File: SDAB-D-20-022

Ν

Hearing Date: Thursday, May 28, 2020

<u>ITEM II: 9:00 A.M.</u> <u>FILE: SDAB-D-20-061</u>

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 348771629-001

APPLICATION TO: Install a Minor Digital On-premises Off-

premises Freestanding Sign (Digital facing east Static facing west (Pattison/Impark

14

Lot)

DECISION OF THE

DEVELOPMENT AUTHORITY: Refused

DECISION DATE: March 31, 2020

DATE OF APPEAL: April 14, 2020

MUNICIPAL DESCRIPTION

OF SUBJECT PROPERTY: 11104 – Jasper Avenue NW.

LEGAL DESCRIPTION: Plan NB Blk 11 Lot 88.

ZONE: (CO) Commercial Office Zone.

OVERLAY: Main Streets Overlay

STATUTORY PLAN: Oliver Area Redevelopment Plan

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 is to be located in a surface parking lot and can, by law, only be approved for a limited time period.
- 2. The proponent is prepared to redesign the sign to have it be a single, digital face facing directly east. In the result, the only residential development it will face is the blank wall of the Jasper One Eleven building to the east.
- 3. There are no other Off-premises Signs within approximately 300 metres.

- 4. The variance in height is required to bring the sign structure above the existing parking lot and the sign at 8 metres will have no greater impact than will the sign at 6 metres in height.
- 5. Such further and other reasons as may be presented at the hearing of this 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

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 - (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 360.3(28), a **Minor Digital On-premises Off-premises Sign** is a **Discretionary Use** in the **(CO) Commercial Office Zone**.

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

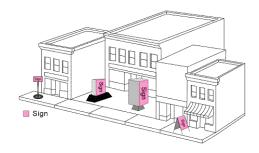
a Freestanding or Fascia Sign that contains Digital Copy, is a Permanent Sign, displays On-premises Advertising and/or Off-premises Advertising, and does not include moving effects, message transition effects, video images, or animation.

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.

Under section 6.2, **On-Premises Advertising** means "Copy that only directs attention to a business, activity, product, service, or entertainment produced, offered for sale, or obtainable on the Site where the Sign is displayed."

Under section 819.5(2) of the **Main Streets Overlay**, "Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw, except that:..."

Under section 360.1 the **General Purpose** of the **(CO) Commercial Office Zone** is "to provide for medium intensity office, commercial and residential development in the inner city, around Light Rail Transit station areas or other locations offering good accessibility by both private automobile and transit."

Under section 819.1, 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."

Sign Regulations

Section 59.2(7) states:

for all Sign Applications for Major Digital Sign, Minor Digital Onpremises 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.

Section 59.2(3) states:

major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use, shall not face an abutting or adjacent Residential-Related Use, and shall not face the Extended Medical Treatment Services Use to the satisfaction of the Development Officer.

Development Officers Determination

1. Section 59.2(7) - 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.

In the opinion of the Development Officer this Minor Digital Offpremises Sign is not in keeping with the streetscape improvements as outlined in the "Imagine Jasper Avenue" project that uses the Main Street sand Complete Streets Design and Construction Standards to inform the design parameters and to ensure a consistent approach to designing the City's main streets. The streetscape improvements along Jasper Avenue (109 Street to 124 Street) are slated for construction starting in 2020.

2. Section 59.2(3) - Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use, shall not face an abutting or adjacent Residential-Related Use, and shall not face the Extended Medical Treatment Services Use to the satisfaction of the Development Officer.

In the opinion of the Development Officer this Minor Digital Offpremises Sign location will allow illumination to project onto surrounding residential the premises of 11012 - JASPER AVENUE NW Apartments, 11001 - JASPER AVENUE NW Apartments, 10053 - 111 STREET NW Residential Assisted Living, and 11111 JASPER AVENUE NW Edmonton General Continuing Care.

Development Regulations for Signs in the Main Streets Overlay

Section 819.5(2) states:

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

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

Section 819.5(3) states "When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this section of the Overlay the notification process outlined in subsection 819.4(15) shall apply."

Development Officers Determination

3. Section 819.5 - Signs shall complement the pedestrian-oriented commercial environment.

The portion of Jasper Avenue of the subject development permit application has been identified as a Primary Corridor in the published draft of the City Plan (Municipal Development Plan). The vision for a Primary Corridor, and specifically for Jasper Avenue is to create a pedestrian oriented street that is harmoniously designed to accommodate various modes of transportation and a high standard of urban design, of which Digital Signs, especially Freestanding ones, would not be considered 'high standard'. It is the Development officers Opinion in consultation with the Urban Design Unit that this development does not meet the objectives outlined in

Section 819.5(2) requiring Signs to 'complement the pedestrianoriented commercial development'.

4. Section 819.5(1)(a) - the maximum Height of a Freestanding Sign shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign.

Proposed: 8.0 m Exceeds by: 2.0 m

ADVISEMENT (from the Development Officer)

ADVISEMENT

If the Subdivision Development Appeal Board overturns the Development Officers decision for SDAB-D-20-022, City File 301294069-001(REFUSAL) proposing a Minor Digital Off-premises Freestanding Sign at 11001C - JASPER AVENUE NW, the following should be considered as an additional reason for refusal.

1. Proposed Sign location shall be separated from Signs containing Digital Copy greater than 8.0m2 or Off-premises Signs, less than 20 m2 by 100m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

Area of OUTFRONT Sign (Application #301294069-001): 18.5 m2

Location: 11001C - JASPER AVENUE NW Required Separation Distance: 100 m Proposed Separation Distance: 70 m

Deficient by: 30m

Community Consultation

Section 819.4(15) states:

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

 the Development Officer shall send notice to the municipal address and assessed owners of land wholly or partly located within a distance of 60.0 metres of the Site of the proposed development, and the President of each affected Community League and each Business Improvement Area Association operating within the distance described above to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;

- 2. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been mailed, unless the Development Officer receives feedback from all specified recipients; and
- 3. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.3.

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.



Application for Sign Combo Permit

Project Number: **348771629-001**Application Date: DEC 02, 2019
Printed: April 14, 2020 at 11:50 AM
Page: 1 of 3

This document is a Development Permit Decision for the development application described below.

Applicant	Property Address(es) and Legal Description(s)		
	11104 - JASPER AVENUE NW		
	Plan NB Blk 11 Lot 88		
	11104 - JASPER AVENUE NW		
	Plan NB Blk 11 Lot 87		

Scope of Application

To install a Minor Digital On-premises Off-premises Freestanding Sign (Digital Facing East Static Facing West)(PATTISON | IMPARK LOT).

Permit Details

ASA Sticker No./Name of Engineer:	Class of Permit:
Construction Value: 100000	Expiry Date:
Fascia Off-premises Sign: 0	Freestanding Off-premises Sign: 0
Fascia On-premises Sign: 0	Freestanding On-premises Sign: 0
Roof Off-premises Sign: 0	Projecting Off-premises Sign: 0
Roof On-premises Sign: 0	Projecting On-premises Sign: 0
Minor Digital On-premises Sign: 0	Replacement Panel on Existing Sign: 0
Minor Digital Off-premises Sign: 0	Comprehensive Sign Design: 0
Minor Digital On/Off-premises Sign: 2	Major Digital Sign: 0

Development Application Decision

Refused

Issue Date: Mar 31, 2020 Development Authority: MERCIER, KELSEY

THIS IS NOT A PERMIT



Application for Sign Combo Permit

Project Number: **348771629-001**Application Date: DEC 02, 2019
Printed: April 14, 2020 at 11:50 AM
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Reason for Refusal

1. Section 59.2(7) - 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.

In the opinion of the Development Officer this Minor Digital Off-premises Sign is not in keeping with the streetscape improvements as outlined in the "Imagine Jasper Avenue" project that uses the Main Street sand Complete Streets Design and Construction Standards to inform the design parameters and to ensure a consistent approach to designing the City's main streets. The streetscape improvements along Jasper Avenue (109 Street to 124 Street) are slated for construction starting in 2020.

2. Section 59.2(3) - Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located or constructed such that Sign illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use, shall not face an abutting or adjacent Residential-Related Use, and shall not face the Extended Medical Treatment Services Use to the satisfaction of the Development Officer.

In the opinion of the Development Officer this Minor Digital Off-premises Sign location will allow illumination to project onto surrounding residential the premises of 11012 - JASPER AVENUE NW Apartments, 11001 - JASPER AVENUE NW Apartments, 10053 - 111 STREET NW Residential Assisted Living, and 11111 JASPER AVENUE NW Edmonton General Continuing Care.

Section 819.5 - Signs shall complement the pedestrian-oriented commercial environment.

The portion of Jasper Avenue of the subject development permit application has been identified as a Primary Corridor in the published draft of the City Plan (Municipal Development Plan). The vision for a Primary Corridor, and specifically for Jasper Avenue is to create a pedestrian oriented street that is harmoniously designed to accommodate various modes of transportation and a high standard of urban design, of which Digital Signs, especially Freestanding ones, would not be considered 'high standard'. It is the Development officers Opinion in consultation with the Urban Design Unit that this development does not meet the objectives outlined in Section 819.5(2) requiring Signs to 'complement the pedestrian-oriented commercial development'.

4. Section 819.5(1)(a) - the maximum Height of a Freestanding Sign shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign.

Proposed: 8.0 m Exceeds by: 2.0 m

ADVISEMENT

If the Subdivision Development Appeal Board overturns the Development Officers decision for SDAB-D-20-022, City File 301294069-001(REFUSAL) proposing a Minor Digital Off-premises Freestanding Sign at 11001C - JASPER AVENUE NW, the following should be considered as an additional reason for refusal.

1. Proposed Sign location shall be separated from Signs containing Digital Copy greater than 8.0m2 or Off-premises Signs, less than 20 m2 by 100m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

Area of OUTFRONT Sign (Application #301294069-001): 18.5 m2

Location: 11001C - JASPER AVENUE NW Required Separation Distance: 100 m Proposed Separation Distance: 70 m

Deficient by: 30m



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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	
Safety Codes Fee	\$42.28	\$42.28	06310418	Dec 02, 2019	
Sign Dev Appl Fee - Digital Signs	\$916.00	\$916.00	06310418	Dec 02, 2019	
Sign Building Permit Fee	\$1,057.00	\$1,057.00	06310418	Dec 02, 2019	
Total GST Amount:	\$0.00				
Totals for Permit:	\$2,015.28	\$2,015.28			

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