

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
November 18, 2015**

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

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

I	9:00 A.M.	SDAB-D-15-270	Construct an addition to a Single Detached House (Extending the front veranda 0.35m x 8.27m) existing without permits. 9040 - 92 Street NW Project No.: 176393028-002
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II	10:30 A.M.	SDAB-D-15-271	Change the Use of a General Retail Store to Minor Alcohol Sales (LIQUOR SHOPPE) 10611 Kingsway NW Project No.: 178546662-001
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III	1:30 P.M.	SDAB-D-15-272	Construct a Minor Digital On-Premises Freestanding Sign, 2 sided north/south facing (Air Liquide Canada Inc.) 7315 - 50 Street NW Project No.: 178074263-001
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NOTE: *Unless otherwise stated, all references to “Section numbers” refer to the authority under the Edmonton Zoning Bylaw 12800.*

ITEM I: 9:00 A.M.

FILE: SDAB-D-15-270

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

APPELLANT:

APPLICATION NO.: 176393028-002

ADDRESS OF APPELLANT: 9034 - 92 Street NW

APPLICATION TO: Construct an addition to a Single Detached House (Extending the front veranda 0.35m x 8.27m) existing without permits.

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with Notices

DECISION DATE: October 6, 2015

DATE OF APPEAL: October 26, 2015

NOTIFICATION PERIOD: Oct 13, 2015 through Oct 26, 2015

RESPONDENT: Zakscon Inc.

ADDRESS OF RESPONDENT: 9040 - 92 Street NW

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9040 - 92 Street NW

LEGAL DESCRIPTION: Plan 426HW Blk 6A Lot F

ZONE: RF3 Small Scale Infill Development Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

I wish to appeal this variance because the front deck of the house, which extends beyond what is allowed in Section 814.3(1), disrupts my view of the world from my kitchen and dining area.

Further, the house itself combined with the excessively long veranda greatly reduces the amount of light I get through the windows on that side of the house. I purchased this home knowing what the rules of the community were, and should have them respected. The length of the veranda increases the value of the property at 9040 - 92 Street at the expense of my own, and needs to be pulled back to regulatory limits. Had the developer consulted with me prior to breaking the rules, this could have been avoid, as we could have come to a mutually agreeable solution, based perhaps on the shape, or other common ground. As it is, the structure needs to be removed, and a full community consultation needs to take place. It is not acceptable to grant the builder forgiveness, when he did not ask for permission. Please do not let him create his value at my expense. [unedited]

<i>General Matters</i>

Appeal Information:

The decision of the Development Authority was appealed by an adjacent property owner.

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 within 14 days,

- (a) ...
- (b) in the case of an appeal made by a person referred to in section 685(2), after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

The decision of the Development Authority was dated October 6, 2015. The Notice of Appeal Period started on October 13, 2015 and expired on October 26, 2015. The Notice of Appeal was filed on October 26, 2015.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 140.1 states that the **General Purpose** of the **RF3 Small Scale Infill Development Zone** is:

...to provide for Single Detached Housing and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to buildings containing up to four Dwellings, and including Secondary Suites under certain conditions.

Under Section 140.2(9), **Single Detached Housing** is a **Permitted Use** in the RF3 Small Scale Infill Development Zone.

Section 814.1 states that the **General Purpose** of the **Mature Neighbourhood Overlay** is:

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

Variance: Minimum Front Setback

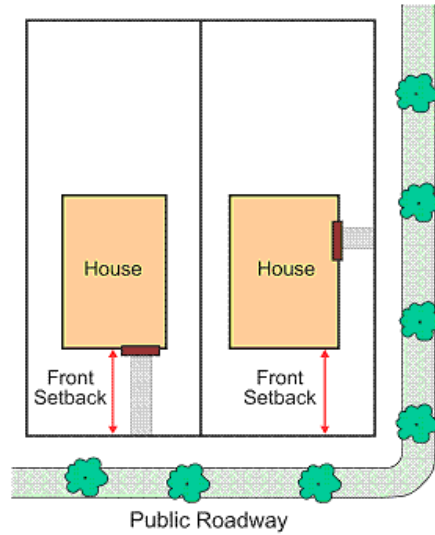
Section 814.3(1) states:

814.3 Development Regulations

1. The Front Setback shall be consistent within 1.5 m of the Front Setback on Abutting Lots and with the general context of the blockface. However, the Front Setback shall not be less than 3.0 m. Separation Space and Privacy Zone shall be reduced to accommodate the Front Setback requirement where a Principal Living Room Window faces directly onto a local public roadway, other than a Lane.

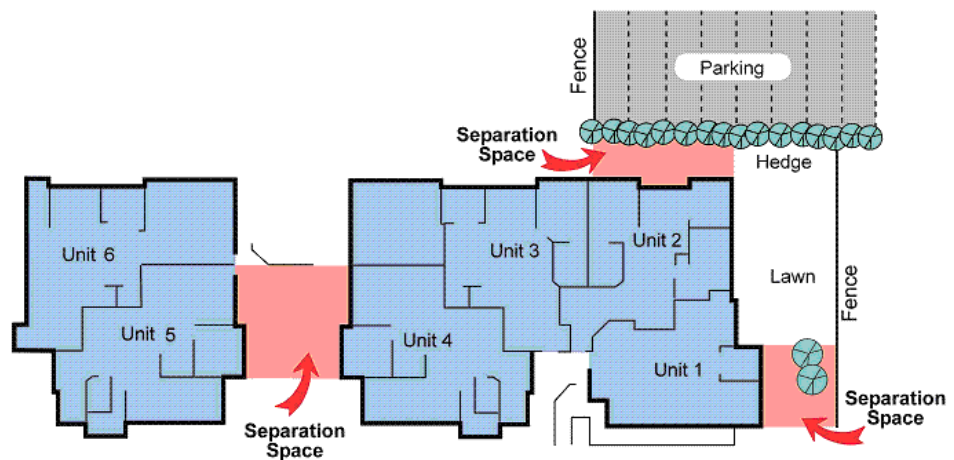
Section 6.1(39) states:

Front Setback means the distance that a development or a specified portion of it, must be set back from a Front Lot Line. A Front Setback is not a Front Yard, Amenity Space or Separation Space.



Section 6.1(87) states:

Separation Space means open space around Dwellings separating them from adjacent buildings or activities, and providing daylight, ventilation, and privacy. Separation Space is not a Yard;



Section 6.1(77) states:

Privacy Zone means an area within the minimum Separation Space which shall be free of buildings, public roadways, walkways, on-site roadways, communal parking areas and communal Amenity Areas.

Development Officer's Determination

1. Variance to Section 814.3(1) - relaxed the minimum front Setback from 5.76m to 5.23m [unedited]

Variance: Full Community Consultation

Section 814.3(24) states:

814.3 Development Regulations

...

24. When a Development Permit application is made and the Development Officer determines that the proposed development does not comply with the regulations contained in this Overlay:
 - a. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League;
 - b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;
 - c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
 - d. the applicant shall submit this documentation to the Development Officer no sooner than twenty-one calendar days after giving the information to all affected parties

Development Officer's Determination

2. Variance to Section 814.3(24) - relaxed the requirement to conduct full community consultation process. [unedited]

Notice to Applicant/Appellant


Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.



Project Number: **176393028-002**
Application Date: AUG 18, 2015
Printed: October 6, 2015 at 10:13 AM
Page: 1 of 3

Minor 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.

Applicant ZAKSCON INC 	Property Address(es) and Legal Description(s) 9040 - 92 STREET NW Plan 426HW Blk 6A Lot F
	Specific Address(es) Entryway: 9040 - 92 STREET NW Entryway: 9040 - 92 STREET NW Building: 9040 - 92 STREET NW Building: 9040 - 92 STREET NW

Scope of Permit
To construct an addition to a Single Detached House (Extending the front veranda 0.35m x 8.27m) existing without permits.

Permit Details	
# of Dwelling Units Add/Remove: Client File Reference Number: Minor Dev. Application Fee: Exterior Alterations (Res.) Secondary Suite Included?: N	Class of Permit: Class B Lot Grading Needed?: New Sewer Service Required: N Stat. Plan Overlay/Annex Area:

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

Development Permit Decision
Approved

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



Project Number: **176393028-002**
 Application Date: AUG 18, 2015
 Printed: October 6, 2015 at 10:13 AM
 Page: 2 of 3

Minor Development Permit

Subject to the Following Conditions

1. PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall pay a Notification Fee of \$40.
2. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)
3. This Development Permit authorizes the development of an addition to a Single Detached House (Extending the front veranda 0.35m x 8.27m) existing without permits. The development shall be constructed in accordance with the stamped and approved drawings.
4. Immediately upon completion of the exterior alterations, the site shall be cleared of all debris.
5. As far as reasonably practicable, the design and use of exterior finishing materials used shall be similar to, or better than, the standard of surrounding development.
6. Any future deck enclosure or cover requires a separate development and building permit approval.

NOTES:

- i. Unless otherwise stated, all above references to "section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.
- ii. An approved Development Permit means that the proposed development has been reviewed only against the provisions of the Edmonton Zoning Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the Municipal Government Act, the ERCB Directive 079, the Edmonton Safety Codes Permit Bylaw or any caveats, covenants or easements that might be attached to the Site.
- iii. A Building Permit is required for any construction or change in use of a building. Please contact the 311 Call Centre for further information.
- iv. The applicant is advised that there may be complications in obtaining a Development Permit for a future covered or uncovered deck because of excess in Site Coverage.

VariANCES

1. Variance to Section 814.3(1) - relaxed the minimum front Setback from 5.76m to 5.23m
2. Variance to Section 814.3(24) - relaxed the requirement to conduct full community consultation process.

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

Rights of Appeal

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

Issue Date: Oct 06, 2015 **Development Authority:** HAMILTON, FIONA **Signature:** _____
Notice Period Begins: Oct 13, 2015 **Ends:** Oct 26, 2015

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
DP Notification Fee	\$40.00			

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



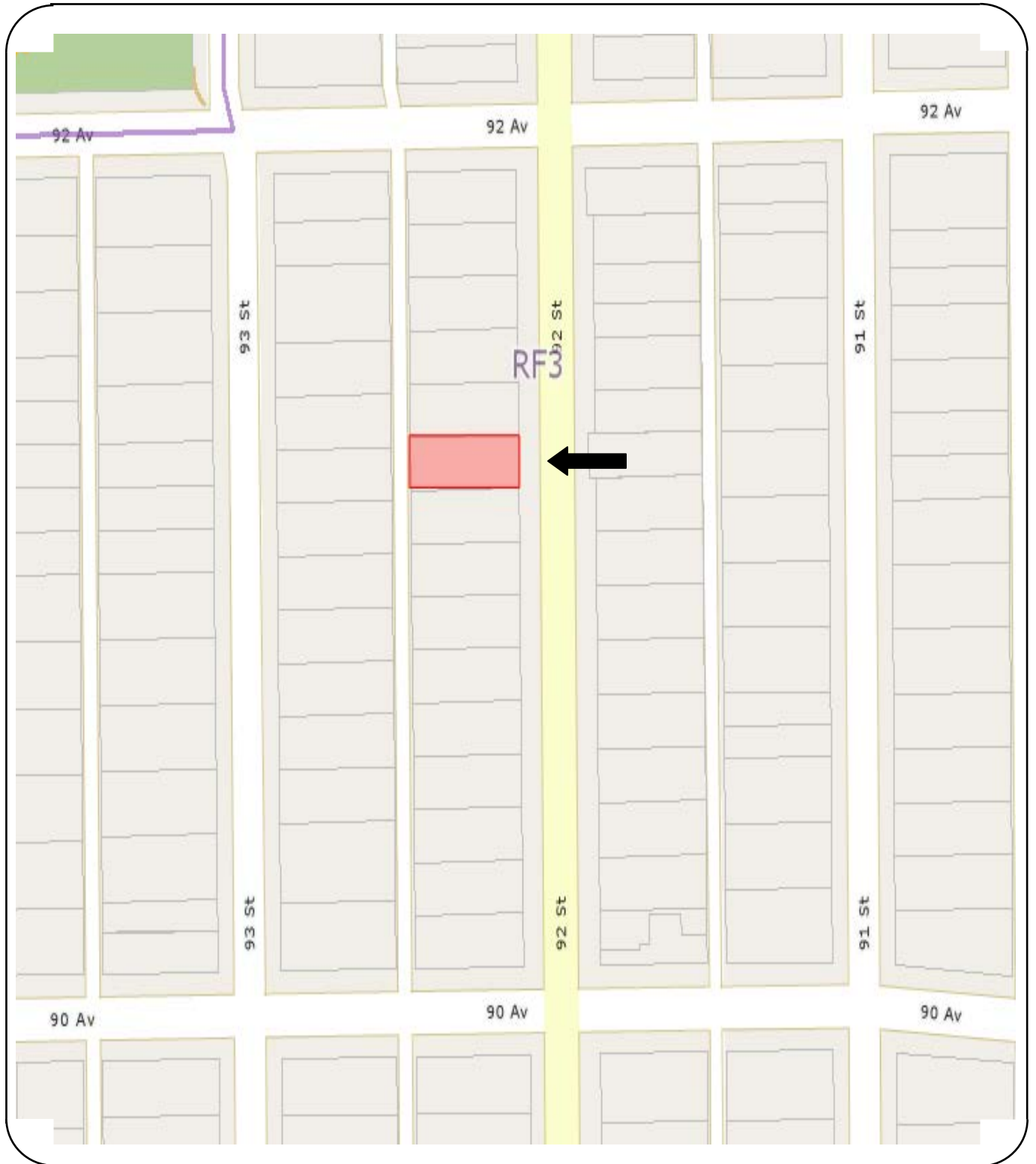
Project Number: **176393028-002**
Application Date: AUG 18, 2015
Printed: October 6, 2015 at 10:13 AM
Page: 3 of 3

Minor Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Existing Without Permit Penalty Fee	\$155.00	\$155.00	02678391	Aug 18, 2015
Dev. Application Fee	\$155.00	\$155.00	02678391	Aug 18, 2015
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$350.00	\$310.00		
(\$40.00 outstanding)				

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-270



ITEM II: 10:30 A.M.

FILE: SDAB-D-15-271

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 178546662-001

ADDRESS OF APPELLANT: 10611 Kingsway NW

APPLICATION TO: Change the Use of a General Retail Store to Minor Alcohol Sales (LIQUOR SHOPPE)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 14, 2015

DATE OF APPEAL: October 19, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10611 Kingsway NW

LEGAL DESCRIPTION: Plan 7923176 Blk 6 Lot A

ZONE: CB2 General Business Zone

OVERLAY: N/A

STATUTORY PLAN: Central McDougall / Queen Mary Park Area Redevelopment Plan

Grounds for Appeal

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

The Appellant respectfully appeals the decision of the development officer on the following grounds:

- (a) The proposed development represents an allowable use on the subject lands.
- (b) The provisions of s. 85 of the Edmonton Zoning Bylaw do not limit this Board's authority to approve the proposed development.
- (c) The "public park" (known as the Victoria Cross Memorial Park) is a passive park as it is not used for community or recreation activities. There are no playing fields, benches, sitting areas or an open-picnic area for the public to use.

(d) Furthermore, the proposed development is sufficiently separated from the "public park":

(i) The proposed development faces north-east. The "public park" is not visible from the proposed development and the proposed development is not visible from the "public park".

(ii) There are at least six (6) lanes of arterial roadway (111 Avenue NW) separating the proposed development and the "public park".

(iii) The proposed development is located in the community of Central McDougall, while the "public park" is located in the community of Prince Rupert.

(e) The existing liquor store at 105 Street and Kingsway NW is moving to 10611 Kingsway NW. There have been no issues with the existing development at 105 Street and Kingsway NW and the "public park." The existing development permit at 105 Street and Kingsway NW has been cancelled.

(f) The proposed development will not unduly interfere with the amenities of the neighbourhood nor materially interfere with or affect the use, enjoyment or value of neighbouring properties.

(g) Such further and other reasons as may be presented at the hearing of this matter.

[unedited]

<i>General Matters</i>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

- (a) in the case of an appeal made by a person referred to in section 685(1), after

- (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or
- ...

The decision of the Development Authority was dated October 14, 2015. The Notice of Appeal Period expired on October 28, 2015 and the Notice of Appeal was filed on October 19, 2015.

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.

Under Section 340.2(10), **General Retail Stores** is a **Permitted Use** in the CB2 General Business Zone.

Section 7.4(22) states:

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 Class does not include Aircraft Sales/Rentals, Automotive and Minor Recreation Vehicle Sales/Rentals, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Market Gardens, Pawn Stores, Major Alcohol Sales, Minor Alcohol Sales, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.

Under Section 340.3(18), **Minor Alcohol Sales** is a **Discretionary Use** in the CB2 General Business Zone.

Section 7.4(32) states:

Minor Alcohol Sales, means development used for the retail sale of any and all types of alcoholic beverages to the public. This Use Class may include retail sales of related products such as soft drinks and snack foods. The maximum Floor Area for this Use Class shall be no more than 275 m² per individual business premises.

Separation Distance from Public Parks

Section 85(6) states:

85. Major and Minor Alcohol Sales

Major and Minor Alcohol Sales shall comply with the following regulations:

...

6. *any Site containing Major or Minor Alcohol Sales Use Classes shall not be located closer than 100.0 m to any Site being actively used for community or recreation activities, public parks, or public or private education at the time of the application for the Development Permit for the Alcohol Sales Use Class. Sites that are greater than 2 ha in size and that are zoned either as CSC or as DC2, are exempted from this restriction. For the purposes of this subsection only: [emphasis added]*
 - a. the 100.0 m separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
 - b. the term "community or recreation activities" is limited to Community Recreation Services Uses, as defined in subsection 7.8(1) of this Bylaw, which includes community league buildings and facilities, and children's playgrounds and play areas. This term does not include arenas or other public assembly Uses, Child Care Services, Public Libraries and Cultural Exhibits or Religious Assembly;
 - c. the term "public or private education facilities" is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other commercial schools; and
 - d. *the term "public parks" is limited to park Sites zoned as AP [Public Parks] Zone, and active recreation areas in the river valley that are zoned as A [Metropolitan Recreation] Zone; it does not include passive river valley areas and other areas zoned as A Zone... [emphasis added]*

The *Edmonton Zoning Bylaw* does not define "active recreation areas", "passive recreation areas", or any variations of those terms.

Development Officer's Determination

- 1) Any Site containing Major or Minor Alcohol Sales Use Classes shall not be located closer than 100.0 m to any Site being actively used for

community or recreation activities, public parks, or public or private education at the time of the application for the Development Permit for the Alcohol Sales Use Class (reference Section 85(6)). The term "public parks" is limited to park Sites zoned as AP Zone (reference Section 85(6)(d)).

Required separation distance : 100.0m

Proposed separation distance : 85.6m

Deficient by: 14.4m

[unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.



Project Number: **178546662-001**
 Application Date: SEP 01, 2015
 Printed: October 14, 2015 at 2:17 PM
 Page: 1 of 2

Application for Major Development Permit

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

Applicant GARG, GAGAN 	Property Address(es) and Legal Description(s) 10611 - KINGSWAY NW Plan 7923176 Blk 6 Lot A Specific Address(es) Suite: 108, 10611 - KINGSWAY NW Entryway: 10611 - KINGSWAY NW Building: 10611 - KINGSWAY NW
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Scope of Application

To change the Use of a General Retail Store to Minor Alcohol Sales (LIQUOR SHOPPE)

Permit Details

Class of Permit: Class B
 Gross Floor Area (sq.m.):
 New Sewer Service Required: N
 Site Area (sq. m.):

Contact Person:
 Lot Grading Needed?: N
 NumberOfMainFloorDwellings: 0
 Stat. Plan Overlay/Annex Area: Queen Mary Park

I/We certify that the above noted details are correct.

Applicant signature: _____

Development Application Decision

Refused

Reason for Refusal

1) Any Site containing Major or Minor Alcohol Sales Use Classes shall not be located closer than 100.0 m to any Site being actively used for community or recreation activities, public parks, or public or private education at the time of the application for the Development Permit for the Alcohol Sales Use Class (reference Section 85(6)). The term "public parks" is limited to park Sites zoned as AP Zone (reference Section 85(6)(d)).

Required separation distance : 100.0m
 Proposed separation distance : 85.6m
 Deficient by: 14.4m

Rights of Appeal

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

Issue Date: Oct 14, 2015 **Development Authority:** SHAH, NIKHIL **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$316.00	\$316.00	02717585	Sep 01, 2015

THIS IS NOT A PERMIT



Project Number: **178546662-001**
Application Date: SEP 01, 2015
Printed: October 14, 2015 at 2:17 PM
Page: 2 of 2

Application for Major Development Permit

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
DP Notification Fee	\$100.00	\$100.00	02717585	Sep 01, 2015
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$416.00	\$416.00		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-271



ITEM III: 1:30 P.M.

FILE: SDAB-D-15-272

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 178074263-001

ADDRESS OF APPELLANT: 7315 - 50 Street NW

APPLICATION TO: Construct a Minor Digital On-Premises Freestanding Sign, 2 sided north/south facing (Air Liquide Canada Inc.)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 20, 2015

DATE OF APPEAL: October 23, 2015

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 7315 - 50 Street NW

LEGAL DESCRIPTION: Plan 2214HW Blk F Lot 3

ZONE: IB Industrial Business Zone

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

STATUTORY PLAN: N/A

Grounds for Appeal

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

We are requesting a larger variance between the free standing sign on the premises and the new Digital sign we would like to install. The lot is located at 7315 50 Street, it is 46.72 meters wide, there is an existing Standard non digital sign on site. The proposed site for the new digital sign is the far corner of the lot there is only 37 meters between the signs. I have asked the manager of Northland Air Hydraulics Ltd (neighbor) located at 7323 50 Street to see if we could place the sign on part of their lot as suggested by the City but they declined. The landlord of our building did not want us to add to the existing sign because it would change the aesthetics of his sign making it too large and

unappealing. This new sign is digital and would allow my company to adequately represent our services and products to the public. [unedited]

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

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

...

The decision of the Development Authority was dated October 20, 2015. The Notice of Appeal Period expired on November 3, 2015 and the Notice of Appeal was filed on October 23, 2015.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 400.1 states that the **General Purpose** of the **IB Industrial Business Zone** is:

... to provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.

Section 822.1 states that the **General Purpose** of the **Edmonton-Strathcona County Joint Planning Study Area Secondary, Garage and Garden Suites Overlay** (the "Overlay") is:

... to limit the expansion of Secondary Suites and to limit the creation of any Garage and Garden Suites within a portion of the Edmonton-Strathcona County Joint Planning Study Area to the Use opportunity that existed prior to the adoption of Bylaw 14750, in order to limit residential intensification in proximity to industrial uses until such time as more definitive criteria may be established to prescribe residential development within the Study Area, at which time this Overlay may be subject to amendment.

Bylaw 14750 was adopted by Council on December 12, 2007. The Bylaw amended the *Edmonton Zoning Bylaw* to implement the Overlay.

Section 7.9(8) defines **Minor Digital On-premises Signs** as follows:

... any Sign that is remotely changed on or off Site and has a Message Duration greater than or equal to 6 seconds. Minor Digital On-premises Signs incorporate a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components. The Copy on such Sign identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

Section 7.9(4) defines **Freestanding On-premises Signs** as “any Sign supported independent of a building, displaying Copy that identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.”

Section 6.2(5) defines **Digital Signs** as “any Sign that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components.”

<i>Separation Distance</i>

The *Edmonton Zoning Bylaw* states:

59F.2 Regulations for Permitted Signs

...

3. Freestanding On-premises Signs shall be subject to the following regulations:

...

c. Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Signs, or Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs or Minor Digital On-premises Off-premises Signs that is Freestanding Sign on the same Site. This excludes Digital Signs that are located on the same Freestanding Sign structure as the proposed Freestanding On-premises Sign;

Development Officer's Determination

1. Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Signs, or Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs or Minor Digital On-premises Off-premises Signs that is Freestanding Sign on the same Site. This excludes Digital Signs that are located on the same Freestanding Sign structure as the proposed Freestanding On-premises Sign. (Section 59F.2(3)(c))

Seperation between existing Freestanding On-premises sign and proposed Freestanding Minor Digital on-premises sign: 28.1 m
Deficient by: 16.9 m
[unedited]

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing. Bylaw No. 11136 requires that a verbal announcement of the Board's decision shall be made at the conclusion of the hearing of an appeal, but the verbal decision is not final nor binding on the Board until the decision has been given in writing in accordance with the *Municipal Government Act*.



Project Number: **178074263-001**
 Application Date: AUG 24, 2015
 Printed: November 10, 2015 at 3:49 PM
 Page: 1 of 2

Application for Sign Combo Permit

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

Applicant VERBALIZED LTD. 	Property Address(es) and Legal Description(s) 7315 - 50 STREET NW Plan 2214HW Blk F Lot 3
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Scope of Application
 To construct a Minor Digital On-Premises Freestanding Sign, 2 sided north/south facing (Air Liquide Canada Inc.)

Permit Details Class of Permit: Expiry Date: Num. Temp., Fasica or Temporary 0 Signs: Sign Permit Label No. :	Construction Value: 26250 Num. of Freestanding, Projecting or Roof 0 Signs: Number of Additional Signs: Sign Type: Minor Digital On-premise Sign
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I/We certify that the above noted details are correct.

Applicant signature: _____

Development Application Decision
 Refused

Reason for Refusal
 1. Freestanding On-premises Signs shall have a 45.0 m radial separation distance from any other Freestanding On-premises Signs, or Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs or Minor Digital On-premises Off-premises Signs that is Freestanding Sign on the same Site. This excludes Digital Signs that are located on the same Freestanding Sign structure as the proposed Freestanding On-premises Sign. (Section 59F.2(3)(c))

Separation between existing Freestanding On-premises sign and proposed Freestanding Minor Digital on-premises sign: 28.1 m
 Deficient by: 16.9 m

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

Issue Date: Oct 20, 2015 **Development Authority:** FOLKMAN, JEREMY **Signature:** _____

Fees	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$10.58	\$10.58	02692192	Aug 24, 2015
Sign Building Permit Fee	\$264.60	\$264.60	02692192	Aug 24, 2015

THIS IS NOT A PERMIT



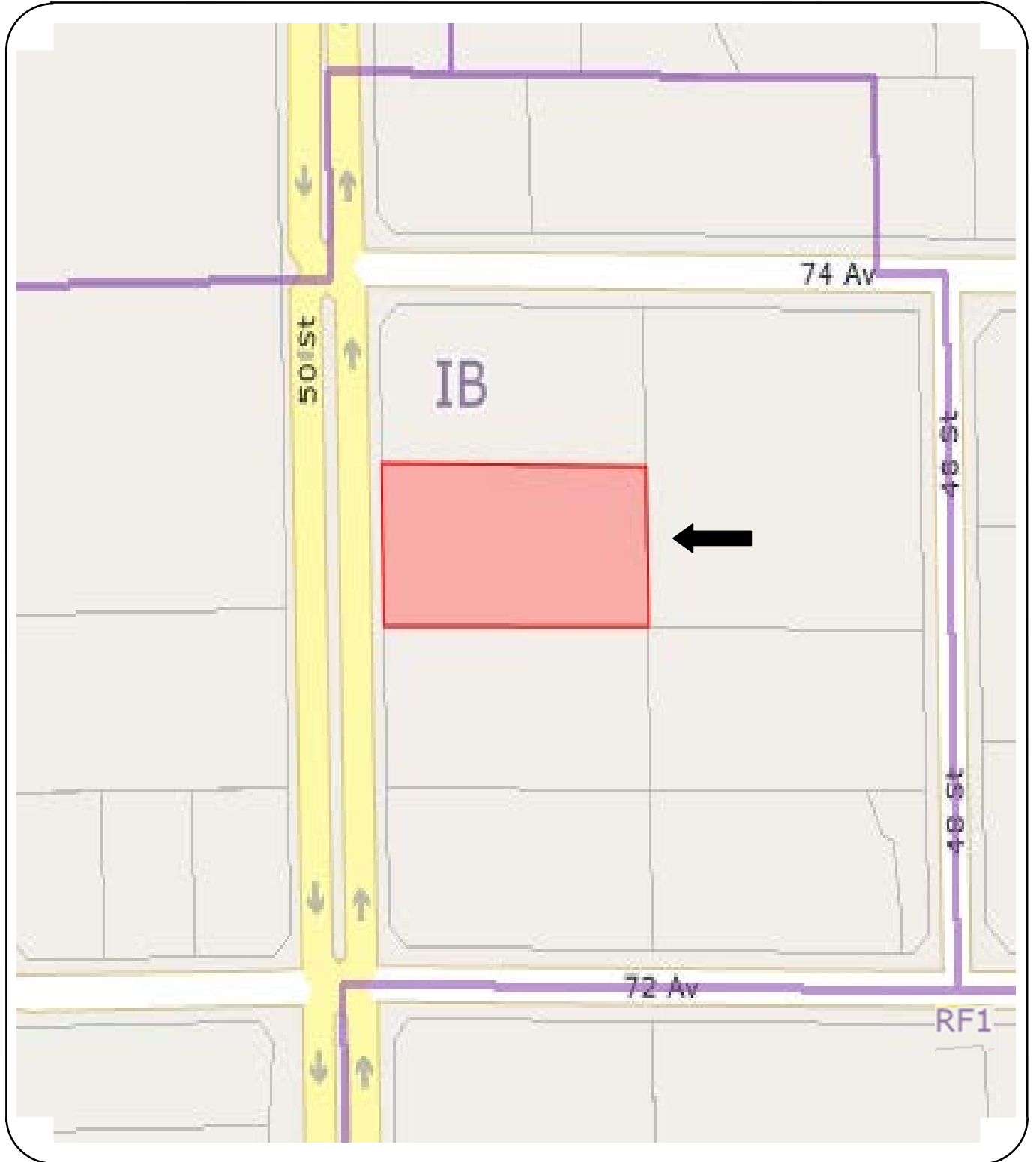
Application for Sign Combo Permit

Project Number: **178074263-001**
Application Date: AUG 24, 2015
Printed: November 10, 2015 at 3:49 PM
Page: 2 of 2

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Sign Dev Appl Fee - Digital Signs	\$416.00	\$416.00	02692192	Aug 24, 2015
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$691.18	\$691.18		

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-15-272



BUSINESS LAID OVER

SDAB-D-15-236 to 241	An appeal by <u>Ogilvie LLP</u> to comply with six Orders to acquire valid development permits by September 25, 2015 or cease the Use and demolish and remove all materials by September 25, 2015; and to comply with all conditions of development permit No. 149045660-001. <i>November 19, 2015</i>
SDAB-D-15-251	An appeal to construct a 2 storey Accessory Building (Garage Suite on 2nd floor, Garage on main floor; 10.06m x 9.14m) <i>November 26, 2015</i>
SDAB-D-15-252	An appeal by Southwest Muslim Community Centre change the Use from an Indoor Participant Recreation Service to a Religious Assembly with a capacity of 456 seats, and to construct interior alterations (SouthWest Muslim Community Centre) <i>November 25 or 26, 2015</i>
SDAB-D-15-247	An appeal by <u>Kennedy Agrios LLP VS. Eton-West Construction (Alta) Inc.</u> change the use of "Building E" from Professional, Financial and Office Support Services to General Retail Stores and to construct interior and exterior alterations (increase building size and change dimensions, revision to parking layout and Drive-thru). <i>March 9 or 10, 2016</i>

APPEAL HEARINGS TO BE SCHEDULED

145348619-005	An appeal by to construct an exterior alterations (Driveway extension, irregular shaped, 8.5m x 7m) to an existing Single Detached House. <i>November 26, 2015</i>
174864823-001	An appeal to convert a Single Detached House into a Limited Group Home (6 Residents). <i>December 10, 2015</i>
159269966-003	An appeal to construct an exterior alteration to an existing Single Detached House, (Driveway Extension 2.8m x 8.4m existing without permits). <i>January 21, 2016</i>