

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Thursday, 9:00 A.M.  
October 10, 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-19-174

To continue the Use of an approved Cannabis Retail Sales

10117 - 82 Avenue NW  
Project No.: 286758265-005

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II 10:30 A.M. SDAB-D-19-175

To install one (1) Freestanding General Advertising Sign with an electronic Changeable Copy panel containing on-premises and off-premises Advertising (including digital and static panels 6.1 metres by 13.5 metres facing East)(Condominium Corporation 9122259)

17503C - 100 Avenue NW  
Project No.: 311293064-001

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**TO BE RAISED**

III 1:30 P.M. SDAB-D-19-147

**WITHDRAWN**

To construct a three storey addition to an existing Minor Impact Utility Services Use building (Street Railway Substation No. 600), and to change the Use to a mixed Use Commercial building to the basement floor - Specialty Food Services; main floor - one Restaurant and one General Retail Store; second floor - General Retail Stores; third floor - one Bar and Neighbourhood Pub with 54.1 square metres of Public Space and two Professional, Financial and Office Support Services Uses); and to construct exterior alterations on the Site (upgrading the concrete paving, adding benches and seating).

10643 - 124 Street NW  
Project No.: 309196698-001

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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-19-174

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 286758265-005

APPLICATION TO: Continue the Use of an approved Cannabis Retail Sales.

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 5, 2019

DATE OF APPEAL: September 12, 2019

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10117 - 82 Avenue NW

LEGAL DESCRIPTION: Plan I Blk 60 Lot 9

ZONE: (CB2) General Business Zone

OVERLAY: Main Streets Overlay

STATUTORY PLAN: Strathcona Area Redevelopment Plan

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***Grounds for Appeal***

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

We are solicitors for 2113883 Alberta Ltd., whose application for a permit to continue the use of an approved Cannabis Retail Sales use at the above captioned site was refused on September 5, 2019. On behalf of our client, we appeal the referenced refusal on the grounds that:

- The proposed Cannabis Retail Sales Use was previously approved by the SDAB (SDAB-D-18-199);
- The proposed Cannabis Retail Sales Use is a Permitted Use at the subject site and is appropriate at the subject location;

- The proposed Cannabis Retail Sales Use will not have an adverse effect on the use, enjoyment and value of neighboring properties nor the amenities of the neighbourhood;
- The refusal of our client's permit application is based on the Development Authority's inability to vary a regulation pursuant to section 70 of the *Edmonton Zoning Bylaw* and not on valid planning considerations; and
- Such further and other grounds as may be presented at the hearing of the within appeal.

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

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

**Grounds for Appeal**

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

- (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 340.2(6), **Cannabis Retail Sales** is a **Permitted Use** in the **(CB2) General Business Zone**.

Under section 7.4(9), **Cannabis Retail Sales** means:

development used for the retail sale of Cannabis that is authorized by provincial or federal legislation. This Use may include retail sales of Cannabis accessories. This Use does not include Cannabis Production and Distribution.

Under section 6.1, **Cannabis** means:

a cannabis plant and anything referred to in subsection (a) of this definition but does not include anything referred to in subsection (b) of this definition:

- a. Cannabis includes:
  - i. any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than a part of the plant referred to in subsection (b) of this definition.
  - ii. any substance or mixture of substances that contains or has on it any part of such a plant;
  - iii. any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- b. Notwithstanding subsection (a) of this definition, Cannabis does not include:
  - i. a non-viable seed of a cannabis plant;
  - ii. a mature stalk, without any leaf, flower, seed or branch, of such plant;
  - iii. fibre derived from a stalk referred in subsection (b)(ii) of this definition; and
  - iv. the root or any part of the root of such a plant.

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 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.

***Section 70 – Cannabis Retail Sales***

1. **Any Cannabis Retail Sales shall not be located less than 200 m from any other Cannabis Retail Sales. For the purposes of this subsection only:**

- a. **the 200 m separation distance shall be measured from the closest point of the Cannabis Retail Sales Use to the closest point of any other approved Cannabis Retail Sales Use;**
  - b. A Development Officer shall not grant a variance to reduce the separation distance by more than 20 m in compliance with Section 11; and
  - c. The issuance of a Development Permit which contains a variance to separation distance as described in 70(1)(b) shall be issued as a Class B Discretionary Development.
2. Any Site containing Cannabis Retail Sales shall not be located less than:
- a. 200 m from any Site being used for a public library, at the time of the application for the Development Permit for the Cannabis Retail Sales; and
  - b. 100 m from any Site being used for Community Recreation Services Use, a community recreation facility or as public lands at the time of application for the Development Permit for the Cannabis Retail Sales.
3. For the purposes of subsection 2:
- a. separation distances 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 “public library” is limited to the collection of literary, artistic, musical and similar reference materials and learning resources in the form of books, electronic files, computers, manuscripts, recordings and films for public use, and does not include private libraries, museums or art galleries.
  - c. the term “community recreation facilities” means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities, as per the Municipal Government Act; and
  - d. the term "public lands" is limited to Sites zoned AP, and Sites zoned A.
4. Subsection 105(3) of the Gaming, Liquor and Cannabis *Regulation*, is expressly varied by the following:
- a. any Site containing a Cannabis Retail Sales shall not be located less than:

***Public or private education***

- i. 200 m from a Site being used for public or private education, at the time of the application for the Development Permit for the Cannabis Retail Sales;

***Provincial health care facility***

- ii. 100 m from a Site being used for a provincial health care facility at the time of the application for the Development Permit for the Cannabis Retail Sales; and

***School reserve or municipal and school reserve***

- iii. 100 m from a Site designated as school reserve or municipal and school reserve at the time of the application for the Development Permit for the Cannabis Retail Sales.

***Measurement of Separation Distances***

- b. For the purposes of this subsection, separation distances 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.

***Sites Greater than Two Hectares***

- c. For Sites that are greater than 2.0 ha in size and zoned either CSC or DC2, that do not contain a public library at the time of application for the Development Permit for the Cannabis Retail Sales:
  - i. Subsection 70(2), and 70(4)(a) shall not apply; and
  - ii. the distances referred to in Subsection 105(3) of the *Gaming, Liquor and Cannabis Regulation* shall be expressly varied to 0 m.
- d. For the purposes of subsection 70(4)(a)(i), the term "public or private education" means a school as defined in subsection (1)(y)(i) and (1)(y)(ii) of the *School Act (as amended from time to time)*.

5. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 70(2), 70(3)(a) or 70(4).

**Design Requirements**

6. Cannabis Retail Sales shall include design elements that readily allow for natural surveillance to promote a safe urban environment, where applicable and to the satisfaction of the Development Officer, including the following requirements:



- a. customer access to the store is limited to a storefront that is visible from the street other than a Lane, or a shopping centre parking lot, or mall access that allows visibility from the interior of the mall into the store;
- b. the exterior of all stores shall have ample transparency from the street;
- c. Any outdoor lighting shall be designed to ensure a well-lit environment for pedestrians and illumination of the property; and
- d. Landscaping shall be low-growing shrubs or deciduous trees with a high canopy at maturity to maintain natural surveillance.

**Development Officer’s Determination**

**The proposed Cannabis Retail Store does not comply with the minimum setback requirement from an approved Cannabis Retail Sales location (Section 70.1):**

**Required Setback: 200 m  
 Proposed Setback: 47 m from 10130 82 Avenue NW  
 Deficient by 153 m**


**Under Sections 70.1(b) and 70.4 of the Zoning Bylaw, the Development Officer is prohibited from granting a variance to the minimum setback to allow for the proposed Cannabis Retail Store.  
 [unedited]**

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

<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-18-199	To change the use from a Health Services to a Cannabis Retail Sales and construct Interior Alterations	December 14, 2018; The appeal is <b>ALLOWED</b> and the decision of the Development Authority is <b>REVOKED</b> . The development is <b>GRANTED</b> as applied for to the Development Authority, subject to <b>CONDITIONS</b> .

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.

	<h2 style="margin: 0;">Application for Major Development Permit</h2>	Project Number: <b>286758265-005</b> Application Date: AUG 22, 2019 Printed: September 5, 2019 at 12:40 PM Page: 1 of 2		
This document is a Development Permit Decision for the development application described below.				
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 10117 - 82 AVENUE NW Plan I Blk 60 Lot 9			
	<b>Specific Address(es)</b> Suite: 10123 - 82 AVENUE NW Entryway: 10123 - 82 AVENUE NW Building: 10117 - 82 AVENUE NW			
<b>Scope of Application</b> To continue the Use of an approved Cannabis Retail Sales.				
<b>Permit Details</b>				
Class of Permit: Gross Floor Area (sq.m.): New Sewer Service Required: Site Area (sq. m.):	Contact Person: Lot Grading Needed?: N NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Main Street Overlay			
I/We certify that the above noted details are correct.  Applicant signature: _____				
<b>Development Application Decision</b> Refused  <b>Issue Date:</b> Sep 05, 2019 <b>Development Authority:</b> Chow, Stephen  <b>Reason for Refusal</b> The proposed Cannabis Retail Store does not comply with the minimum setback requirement from an approved Cannabis Retail Sales location (Section 70.1):  Required Setback: 200 m Proposed Setback: 47 m from 10130 82 Avenue NW Deficient by 153 m  Under Sections 70.1(b) and 70.4 of the Zoning Bylaw, the Development Officer is prohibited from granting a variance to the minimum setback to allow for the proposed Cannabis Retail Store.  <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>				
	Fee Amount	Amount Paid	Receipt #	Date Paid
Major Dev. Application Fee	\$0.00			
<b>THIS IS NOT A PERMIT</b>				



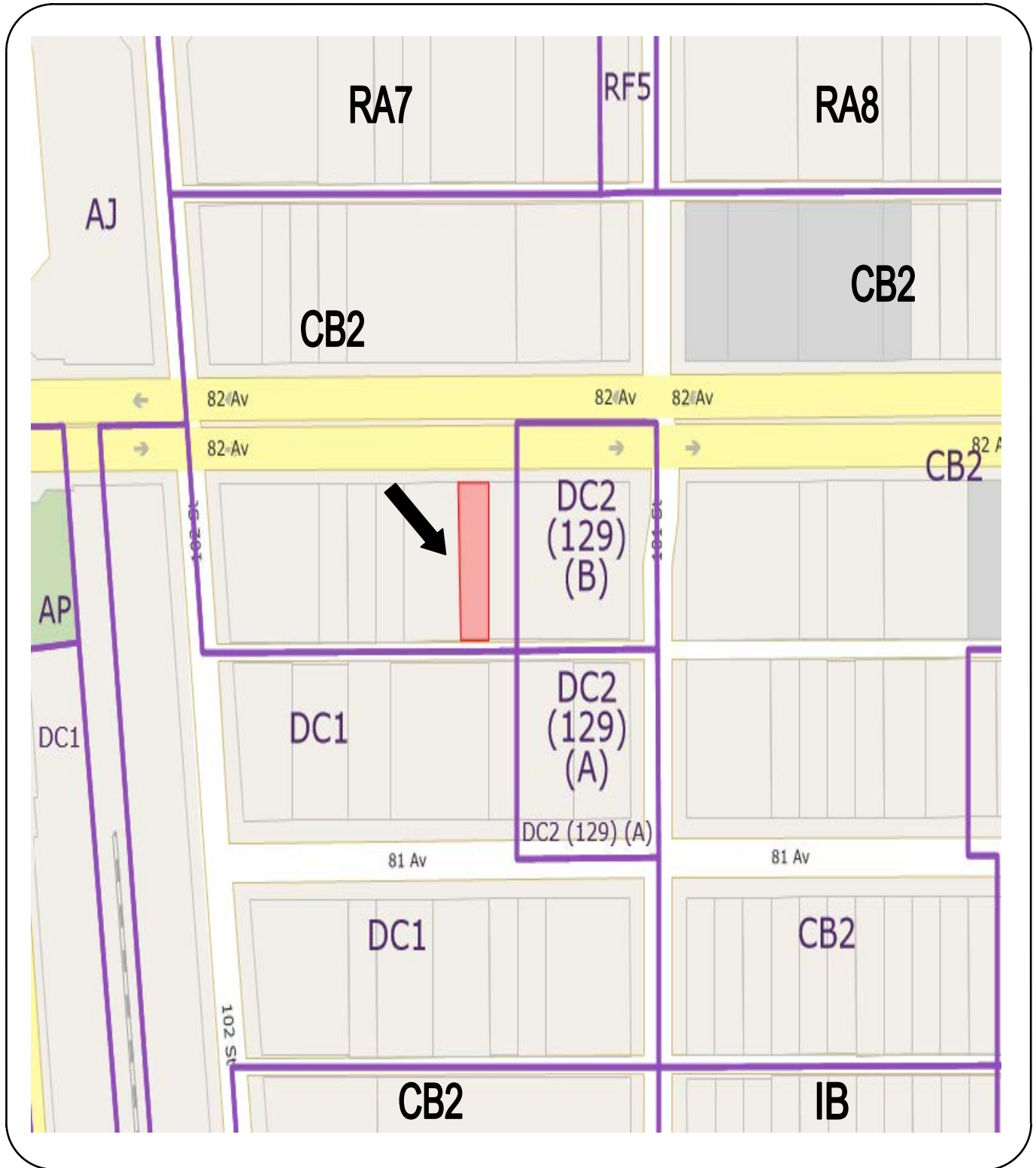
## Application for Major Development Permit

Project Number: **286758265-005**  
Application Date: AUG 22, 2019  
Printed: September 5, 2019 at 12:40 PM  
Page: 2 of 2

**Fees**

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$0.00</u>	<u>\$0.00</u>		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-19-174



ITEM II: 10:30 A.M.

FILE: SDAB-D-19-175

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 311293064-001

APPLICATION TO: Install one (1) Freestanding General Advertising Sign with an electronic Changeable Copy panel containing on-premises and off-premises Advertising (including digital and static panels 6.1metres by 13.5 metres facing East)(Condominium Corporation 9122259).

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: September 6, 2019

DATE OF APPEAL: September 12, 2019

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

LEGAL DESCRIPTION: Condo Common Area (Plan 9122259)

ZONE: DC2.208 Site Specific Development Control Provision

OVERLAY: N/A

STATUTORY PLAN: Place La Rue Neighbourhood Area Structure Plan

***Grounds for Appeal***

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

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 Development Officer failed to follow the directions of City Council as set out in:
  - (a) The Edmonton Zoning Bylaw, section DC2.208.4(i) which section states that signs shall be allowed in the Zone in accordance with stated provisions from the Edmonton Land Use Bylaw:
  - (b) The Edmonton Land Use Bylaw, section 79E.1(1)(c) which section states that On-premise Business Identification signs shall be allowed in the Zone;
  - (c) The Edmonton Land Use Bylaw, section 79E.1(1)(f) which section states Freestanding General Advertising Signs shall be allowed in the Zone; and
  - (d) The Edmonton Land Use Bylaw, sections 14.3(1) and (2) which sections states that Freestanding On-premise Identification or Business Identification Signs and Freestanding General Advertising Signs are to be considered as Permitted Uses.
2. The Board has determined on numerous occasions that what is now called a Freestanding Off-Premise Minor Digital Sign under the current Zoning Bylaw is that which was previously called a Freestanding General Advertising Sign. In so finding, the Board has observed, *inter alia*, that: *“Nothing in the Land Use Bylaw prohibits poster panels from being comprised of a media which displays static digital images.”*
3. As indicated in previous Board decisions and as is borne out in both the Land Use Bylaw and the Zoning Bylaw, “Changeable Copy” is not digital copy of the sort associated with Minor Digital Signs (as that term is found in the Edmonton Zoning Bylaw), and the proposed sign does not contain “Changeable Copy”. Accordingly, the Development Officer further failed to follow the directions of Council by applying the “Changeable Copy” restrictions from the Land Use Bylaw to those portions of the Proposed Sign which are to function as a General Advertising Sign contrary to the provisions of section 9.2(8) of the Land Use Bylaw.
4. The Appellants commissioned a Sign Safety Assessment (June 10, 2019) and, on July 10, 2019, Subdivision Planning (Transportation) advised: *“The Sign Safety Assessment has reviewed crash history, traffic volumes, roadway speed, existing and expected driver workload, the relative complexity of the geometry and concluded that a traffic safety concern will not be anticipated with the installation of a minor digital sign at the proposed location as shown in the DS\_311293064-001. Subdivision Planning accepts the conclusions of the report and therefore does not object the installation of the proposed sign.”*
5. To the extent any variances are required (and none are anticipated), the governing DC Bylaw provides: *“The Development Officer may grant relaxations to the regulations contained in sections 50 through 79 of the*

Land use Bylaw and the provisions of this District if, in his opinion, such a variance would be in keeping with the General Purpose of the District and would not adversely affect the amenities, use and enjoyment of neighbouring properties.”

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

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

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

**Grounds for Appeal**

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

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

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

**Appeals**

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

- (a) in the case of an appeal made by a person referred to in section 685(1)
  - (i) with respect to an application for a development permit,
    - (A) within 21 days after the date on which the written decision is given under section 642, [...]

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

- (a) ...
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the

directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

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

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

...

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

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

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

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

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

To establish a Site Specific Development Control District to accommodate a limited range of general commercial-highway corridor uses, with site specific development regulations that will ensure compatibility with future surrounding land uses and the alignment of existing and proposed roadways adjacent to the site, and ensure a high standard of appearance appropriate to the site's location on a major entrance route to the City.



Section DC2.208.4.i states:

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

Section DC2.208.4.k states:

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

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

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

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

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

The developments included in this Class are those Permitted Uses where the regulations of this Bylaw are more complex and where the development application must be reviewed to determine its compliance with this Bylaw, or where conditions of approval or agreements to ensure compliance are considered necessary. The Development Officer shall issue a permit, with or without conditions for the development of Permitted Uses after reviewing the application and the submission requirements of this Class to ensure compliance with the regulations of this Bylaw. This Class shall include all Permitted Use developments, including those affected by an Overlay, except those identified in Class O or Class A

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

- 1) Canopy, Undercanopy, Facia, Freestanding and Projecting On-premise Identification or Business Identification Signs including or not including the use of manual animation, running lights,

scintillating lights, manual changeable copy and time and temperature displays;

- 2) Facia and Freestanding General Advertising Signs; except that where such signs are to be erected in the CNC, CSC, IB or AGI Districts, or within the civic centre area defined in Sign Schedule 79G, they shall be a Class C development;
- 3) **Deleted;** and
- 4) any minor development within a Direct Control District, which, in the opinion of the Development Officer, is similar to other developments listed under subsection 14.3.

...

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

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

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

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

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

- a) comprehensive Sign Design Plans, as defined in Section 79.6 of this Bylaw;
- b) electronically controlled Changeable Copy Signs, other than those used only for time and temperature displays;
- c) Facia and Freestanding General Advertising Signs within the CNC, CSC, IB and AGI Land Use Districts, and within the civic centre area defined in Sign Schedule 79G;

- d) **Deleted;**
  - e) Roof Signs;
  - f) signs painted on exterior building walls;
  - g) **Deleted;** and
  - h) any other sign that is not deemed a Class O, Class A or Class B development.
- ...

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

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

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

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

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

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

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

a permanent On-premise Sign or portion of such a sign on which copy can be readily changed manually through the utilization of attachable characters, or automatically through the electronic switching of lamp banks or illuminated tubes. Changeable Copy Signs include mechanically controlled time and temperature displays.

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

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

a sign which directs attention to a business, activity, product, service or entertainment which cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on

the premises where the sign is displayed and general advertising has a similar meaning. Typical General Advertising Signs includes Billboards and Junior Panels as defined in this Bylaw.

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

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

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

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

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

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

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

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

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

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

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

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

**Section 79.2, Prohibited Signs**

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

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

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

Section 59.2, General Provisions states:

- 1. No Sign shall be erected, operated, used or maintained that:
  - a. due to its position, shape, colour, format or illumination obstructs the view of, or shall be confused with, an official traffic Sign, signal or device, as determined by the Development Officer in consultation with the Transportation Services;
  - b. displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles; and
  - c. uses spot or reflector lights directed at on-coming traffic or displays travelling or flashing messages that create a hazard to traffic on a public roadway from which the Sign is visible.
- 2. Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located such that the Sign does not obscure a driver decision

point. The Development Officer and Transportation Services shall be satisfied that each Copy Area:

- a. does not physically obstruct the sightlines or view of a traffic control device or traffic control signal for oncoming vehicle traffic;
- b. is not located in the field of view near or past the traffic control device or traffic control signal in the sightlines of oncoming vehicle traffic;
- c. is not located in the field of view near or past other traffic conflict points such as intersections, merge points, exit ramps, or curved roadways; and
- d. illumination does not compete with or dull the contrast of the traffic control device or traffic control signal for oncoming vehicle traffic.

<i>Development Officer's Determination</i>
--

**1) Minor Digital On-Premises Off Premise Signs are not allowed in the DC2.208 Zone (Reference DC2.208.3, Schedule 79E of the Edmonton Land Use Bylaw 5996 office consolidation No.9, Dec 31, 1991))**

**The proposed development is determined to be equivalent to a Freestanding General Advertising Sign with an electronic Changeable Copy panel.**

**2) General Advertising Signs shall be purposely designed to display painted bulletins, poster panels or vinyl backlite panels. (Reference Section 79.8(1)(a))**

**The Development Officer has determined that the proposed Sign does not meet this regulation because it is not designed to display painted bulletins, poster panels or vinyl backlite panels.**

**3) General Advertising Signs may be illuminated provided that the lighting is concealed or shielded to minimize glare. (Reference Section 79.8(1)(e))**

**Based on the development not meeting refusal condition 2 above, the Development Officer determines that the proposed Sign lighting is not concealed or shielded to minimize glare.**

**4) Changeable Copy Signs means a permanent on-premises sign or portion of such a sign on which copy can be readily changed manually through the utilization of attachable characters, or automatically through the electronic switching of lamp banks or illuminated tubes. Changeable copy signs included mechanically controlled time and temperature displays. (Reference Section 9.2(4))**

**The definition for Changeable Copy Signs allows for on-premises advertising. In the Sign Schedule for 79E, Section 79E.1(1)(c) lists on-premises changeable copy. The proposed changeable copy portion of the sign is for on-premises and off-premises advertising and does not comply with this section.**

**5) In consultation with Subdivision Planning, concerns were expressed regarding the location of the proposed sign. The proposed sign is adjacent to a pedestrian crossing on 99A Avenue and may draw the drivers' attention away from crossing pedestrians. Subdivision Planning does not support the proposed location. (Reference Section 59.2(1) and (2)).**

**The Development Officer in consultation with Subdivision Planning, supports the Subdivision Planning concerns regarding the pedestrian crossing, and does not support the proposed sign location.**

[unedited]

<i>Previous Subdivision and Development Appeal Board Decision</i>
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<b>Application Number</b>	<b>Description</b>	<b>Decision</b>
SDAB-D-06-232	Construct an addition to a General Retail building (retail bays)	November 24, 2006; the appeal be ALLOWED and the DEVELOPMENT GRANTED and the deficiency of five parking spaces be permitted, subject to the conditions.

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Notice to Applicant/Appellant

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

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	<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	Project Number: <b>311293064-001</b> Application Date: APR 16, 2019 Printed: September 6, 2019 at 11:12 AM Page: 1 of 2
This document is a Development Permit Decision for the development application described below.		
<b>Applicant</b>	<b>Property Address(es) and Legal Description(s)</b> 17503C - 100 AVENUE NW Condo Common Area (Plan 9122259)	
	<b>Location(s) of Work</b> Suite: 17507 - 100 AVENUE NW Entryway: 17507 - 100 AVENUE NW Building: 17503 - 100 AVENUE NW	
<b>Scope of Application</b> To install (1) Freestanding General Advertising Sign with an electronic Changeable Copy panel containing on-premises and off-premises Advertising (incl. digital and static panels 6.1m x 13.5m facing E)(Condominium Corporation 9122259).		
<b>Permit Details</b>		
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> Sep 06, 2019 <b>Development Authority:</b> NOORMAN, BRENDA		
<b>THIS IS NOT A PERMIT</b>		





Project Number: **311293064-001**  
 Application Date: APR 16, 2019  
 Printed: September 6, 2019 at 11:12 AM  
 Page: 2 of 2

## Application for Sign Combo Permit

**Reason for Refusal**

1) Minor Digital On-Premises Off Premise Signs are not allowed in the DC2.208 Zone (Reference DC2.208.3, Schedule 79E of the Edmonton Land Use Bylaw 5996 office consolidation No.9, Dec 31, 1991))

The proposed development is determined to be equivalent to a Freestanding General Advertising Sign with an electronic Changeable Copy panel.

2) General Advertising Signs shall be purposely designed to display painted bulletins, poster panels or vinyl backlite panels. (Reference Section 79.8(1)(a))

The Development Officer has determined that the proposed Sign does not meet this regulation because it is not designed to display painted bulletins, poster panels or vinyl backlite panels.

3) General Advertising Signs may be illuminated provided that the lighting is concealed or shielded to minimize glare. (Reference Section 79.8(1)(e))

Based on the development not meeting refusal condition 2 above, the Development Officer determines that the proposed Sign lighting is not concealed or shielded to minimize glare.

4) Changeable Copy Signs means a permanent on-premises sign or portion of such a sign on which copy can be readily changed manually through the utilization of attachable characters, or automatically through the electronic switching of lamp banks or illuminated tubes. Changeable copy signs included mechanically controlled time and temperature displays. (Reference Section 9.2(4))

The definition for Changeable Copy Signs allows for on-premises advertising. In the Sign Schedule for 79E, Section 79E.1(1)(c) lists on-premises changeable copy. The proposed changeable copy portion of the sign is for on-premises and off-premises advertising and does not comply with this section.

5) In consultation with Subdivision Planning, concerns were expressed regarding the location of the proposed sign. The proposed sign is adjacent to a pedestrian crossing on 99A Avenue and may draw the drivers' attention away from crossing pedestrians. Subdivision Planning does not support the proposed location. (Reference Section 59.2(1) and (2)).

The Development Officer in consultation with Subdivision Planning, supports the Subdivision Planning concerns regarding the pedestrian crossing, and does not support the proposed sign location.

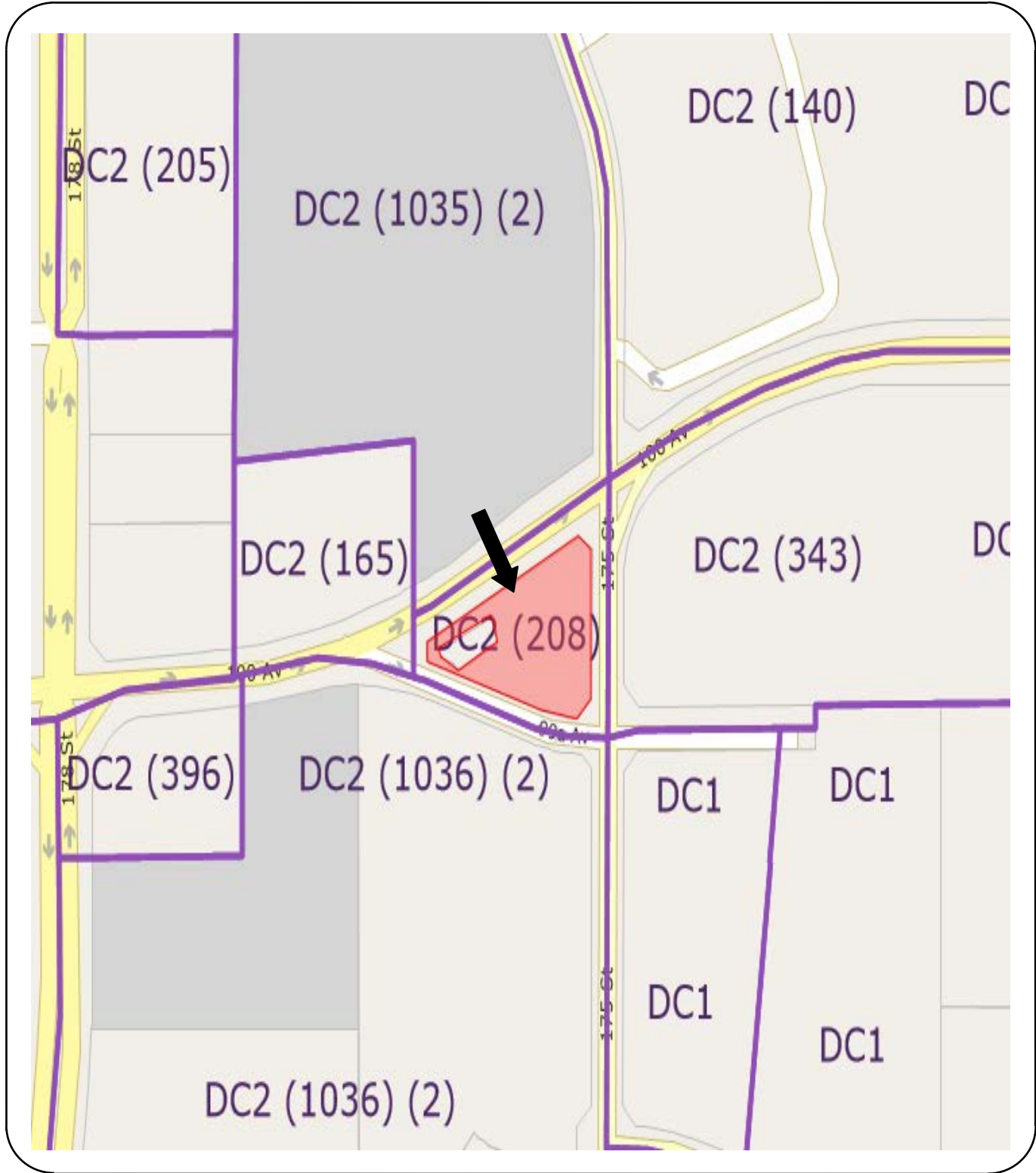
**Rights of Appeal**

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	05795714	Apr 23, 2019
Sign Building Permit Fee	\$1,057.00	\$1,057.00	05795714	Apr 23, 2019
Sign Dev Appl Fee - Digital Signs	\$458.00	\$458.00	05795714	Apr 23, 2019
Total GST Amount:	\$0.00			
Totals for Permit:	\$1,557.28	\$1,557.28		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-19-175



**TO BE RAISED**  
**ITEM III: 1:30 P.M.**

FILE: SDAB-D-19-147

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

APPELLANT:

APPLICATION NO.: 309196698-001

APPLICATION TO: Construct a three storey addition to an existing Minor Impact Utility Services Use building (Street Railway Substation No. 600), and to change the Use to a mixed Use Commercial building to the basement floor - Specialty Food Services; main floor - one Restaurant and one General Retail Store; second floor - General Retail Stores; third floor - one Bar and Neighbourhood Pub with 54.1 square metres of Public Space and two Professional, Financial and Office Support Services Uses); and to construct exterior alterations on the Site (upgrading the concrete paving, adding benches and seating).

WITHDRAWN

DECISION OF THE DEVELOPMENT AUTHORITY: Approved with conditions

DECISION DATE: July 19, 2019

DATE OF APPEAL: August 14, 2019

NOTIFICATION PERIOD: July 25, 2019 through August 15, 2019

RESPONDENT: Hodgson Schilf Evans Architects Inc.

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 10643 - 124 Street NW

LEGAL DESCRIPTION: Plan RN22 Blk 24 Lot 2

ZONE: DC1 Direct Development Control Provision (Charter Bylaw 18885)

OVERLAY: N/A

STATUTORY PLAN: West Ingle Area Redevelopment Plan



***Grounds for Appeal***

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

The development's effect on my property regarding the potential for increased snow loading on the roof of my property.

And please consider Item 12 under Development Permit "Advisement".

***General Matters***

**Appeal Information:**

**The Subdivision and Development Appeal Board made and passed the following motion on September 18, 2019:**

**That the appeal hearing be postponed to the afternoon of October 10, 2019, at the verbal request of 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.

**(2)** In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

**Appeals**

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

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

- (i) with respect to an application for a development permit,
  - (A) within 21 days after the date on which the written decision is given under section 642, or
  - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

- (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
- (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

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

- (a) ...
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

**General Provisions from DC1 Direct Development Control Provision (Charter Bylaw 18885):**

Under section 3.a, **Bars and Neighbourhood Pubs** is a **listed Use** in the **DC1 Direct Development Control Provision**.

Under section 3.i, **General Retail Stores** is a **listed Use** in the **DC1 Direct Development Control Provision**.

Under section 3.s, **Professional, Financial and Office Support Services** is a **listed Use** in the **DC1 Direct Development Control Provision**.

Under section 3.t, **Restaurants** is a **listed Use** in the **DC1 Direct Development Control Provision**.

Under section 3.u, **Specialty Food Services** is a **listed Use** in the **DC1 Direct Development Control Provision**.

Section 1 states that the **General Purpose** of the **DC1 Direct Development Control Provision** is “To accommodate the retention and adaptive reuse of the historic Street Railway Substation No. 600 building and the development of a new low-rise building with a limited range of commercial uses.”

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

Under section 7.4(6), **Bars and Neighbourhood Pubs** means:

development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the Site. This Use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical Uses include neighbourhood pubs, bars, and cocktail lounges. This Use does not include Cannabis Lounges.

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, Liquor Stores, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.

Under section 7.4(43), **Professional, Financial and Office Support Services** means:

development primarily used for the provision of professional, management, administrative, consulting, and financial services, but does not include Health Services or Government Services. Typical Uses include: the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial Uses.

Under section 7.4(46), **Restaurants** means:

development where the primary purpose of the facility is the sale of prepared foods and beverages to the public, for consumption within the premises or off the Site. Minors are never prohibited from any portion of the establishment at any time during the hours of operation. This Use typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family restaurants.

Under section 7.4(48), **Specialty Food Services** means:

development where limited types of prepared foods and beverages, excluding alcoholic beverages, are offered for sale to the public, for consumption within the premises or off the Site. This Use typically relies primarily on walk-in clientele, and includes coffee, donut, bagel or sandwich shops, ice cream parlours, and dessert shops.

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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: **309196698-001**  
 Application Date: MAR 25, 2019  
 Printed: August 14, 2019 at 2:19 PM  
 Page: 1 of 5

## 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>	<p><b>Property Address(es) and Legal Description(s)</b>                  10643 - 124 STREET NW                  Plan RN22 Blk 24 Lot 2</p> <p><b>Specific Address(es)</b></p> <p>Suite: 100, 10643 - 124 STREET NW                  Suite: 10641 - 124 STREET NW                  Suite: 10645 - 124 STREET NW                  Suite: 10647 - 124 STREET NW                  Suite: 201, 10643 - 124 STREET NW                  Suite: 202, 10643 - 124 STREET NW                  Suite: 203, 10643 - 124 STREET NW                  Suite: 301, 10643 - 124 STREET NW                  Suite: 302, 10643 - 124 STREET NW                  Suite: 303, 10643 - 124 STREET NW                  Entryway: 10641 - 124 STREET NW                  Entryway: 10643 - 124 STREET NW                  Entryway: 10645 - 124 STREET NW                  Entryway: 10647 - 124 STREET NW                  Building: 10643 - 124 STREET NW</p>
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**Scope of Permit**  
 To construct a three storey addition to an existing Minor Impact Utility Services Use building (Street Railway Substation No. 600), and to change the Use to a mixed Use Commercial building to the basement floor - Specialty Food Services; main floor - one Restaurant and one General Retail Store; second floor - General Retail Stores; third floor - one Bar and Neighbourhood Pub with 54.1 m2 of Public Space and two Professional, Financial and Office Support Services Uses); and to construct exterior alterations on the Site (upgrading the concrete paving, adding benches and seating).

<p><b>Permit Details</b></p> <p>Class of Permit: Class B                  Gross Floor Area (sq.m.): 902                  New Sewer Service Required: Y                  Site Area (sq. m.): 673</p>	<p>Contact Person:                  Lot Grading Needed?: Y                  NumberOfMainFloorDwellings:                  Stat. Plan Overlay/Annex Area: Main Street Overlay</p>
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I/We certify that the above noted details are correct.  
 Applicant signature: \_\_\_\_\_

**Development Permit Decision**  
 Approved  
**Issue Date:** Jul 19, 2019    **Development Authority:** LOUIE, CINDY  
**Subject to the Following Conditions**  
 PRIOR TO THE RELEASE OF DRAWINGS FOR BUILDING PERMIT REVIEW, the applicant or property owner shall:





Project Number: **309196698-001**  
 Application Date: MAR 25, 2019  
 Printed: August 14, 2019 at 2:19 PM  
 Page: 2 of 5

## Major Development Permit

1. Pay a Sanitary Sewer Trunk Fund fee of \$560.16. All assessments are based upon information currently available to the City. The SSTF 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.

2. Pay a Development Permit Inspection fee of \$518.00.

3. Pay a Lot Grading Fee of \$236.00.

4. Crime Prevention Through Environmental Design (CPTED) principles shall be incorporated with the development of the Site to provide a safe environment in accordance with the guidelines and principles established in the Design Guide for the Safer City. The applicant shall submit a CPTED assessment.

5. The off-street parking, loading and unloading (including aisles or driveways) shall be hardsurfaced, curbed, drained and maintained in accordance to Section 54.6

6. Exterior lighting shall be developed to provide a safe lit environment in accordance with Sections 51 and 58 and to the satisfaction of the Development Officer.

7. 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 of the Edmonton Zoning Bylaw 12800.)

8. Landscaping shall be in accordance to the approved landscape plan, Section 55 and to the satisfaction of the Development Officer.

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

10. Bicycle Parking facilities shall be located in a safe, secure, and easily accessible manner. (Section: DC1, Westmount (Charter Bylaw 18885), Section (5)(c))

11. The Restaurant shall not prohibit minors from any portion of the establishment at any time during the hours of operation. (Reference Section 7.4(46))

12. All outdoor trash collection areas shall be located and screened to the satisfaction of the Development Officer in accordance with Sections 55(4) & (5).

13. A minimum of 70% of the at-grade linear frontage towards the pedestrian oriented connection to shall consist of transparent glazing. (Section: DC1, Westmount (Charter Bylaw 18885), Section (7)(b)(ii))

14. Building materials must be durable, high quality and appropriate for the development. (Section: DC1, Westmount (Charter Bylaw 18885), Section (7)(d))

15. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building, to the satisfaction of the Development Officer. (Section: DC1, Westmount (Charter Bylaw 18885), Section (7)(e))

16. Subdivision Planning provide the following conditions:

a. 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) 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



Project Number: **309196698-001**  
Application Date: MAR 25, 2019  
Printed: August 14, 2019 at 2:19 PM  
Page: 3 of 5

## Major Development Permit

at the expense of the owner/applicant.

b. There is an existing boulevard tree adjacent to the site that must be protected during construction, as shown on the Enclosure. Prior to construction, the owner/applicant must contact to arrange for hoarding and/or root cutting. All costs shall be borne by the owner/applicant. Please contact Bonnie Fermanuik at City Operations, Parks and Roads Services (780-496-4960).

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/oscam-permit-request.aspx](https://www.edmonton.ca/business_economy/licences_permits/oscam-permit-request.aspx) and,  
<https://www.edmonton.ca/documents/ConstructionSafety.pdf>

d. Any alley, sidewalk or boulevard 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. The proposed sign shall be constructed entirely within private property. No portion of the sign shall encroach over/into road right-of-way, as shown on Enclosure.



Project Number: **309196698-001**  
 Application Date: MAR 25, 2019  
 Printed: August 14, 2019 at 2:19 PM  
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## Major Development Permit

### Subject to the Following Advise ments

Subdivision Planning provide the following advise ments:

1. The proposed access from the site to the alley is acceptable to Subdivision Planning.
2. A minimum of 3 off-street parking stalls have been provided, as included in the DC1, Bylaw 18611.
3. The pedestrian connection between 124 Street to the adjacent north-south alley, as shown on the Enclosure, is acceptable to Subdivision planning.
4. The location of the screened waste enclosure, as shown on the Enclosure, is acceptable to Subdivision Planning.

### NOTES:

5. A Building Permit is Required for any construction or change in use of a building. For a building permit, and prior to the Plans Examination review, you require construction drawings and the payment of fees. Please contact the 311 Call Centre for further information.
6. This Development Permit is not a Business Licence. A separate application must be made for a Business Licence.
7. This Development Permit is NOT valid until the Notification Period expires in accordance to Section 21.1. (Reference Section 17.1)
8. 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.
9. A Comprehensive Sign Design Plan was submitted. Signs require separate Development Applications.
10. The applicant/owner is responsible for ensuring that the proposed development does not encroach on or impair the operation of any existing hydrants and/or valves that are located either in the boulevard, sidewalk, or the street. If a conflict exists then it will be responsibility of the applicant/owner to rectify the problem by:
  - 1)redesign of the proposed development followed by a resubmission for approval to the City or.
  - 2)relocation of the utility which is to be done by the City staff at the sole expense of the applicant/owner.
 For further information, please contact the Drainage Branch of the Asset Management and Public Works Department at 780-496-5460.
11. 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.
12. Council relayed a concern from the property owner to the immediate north that all Safety Codes approvals recognize the impact of possible snow loads, if the development under Bylaw 18885 ever occurs. Contact Safety Codes to discuss and provide plans of how to mitigate snow loads at Building Permit application stage.

### 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:** Jul 25, 2019

**Ends:** Aug 15, 2019

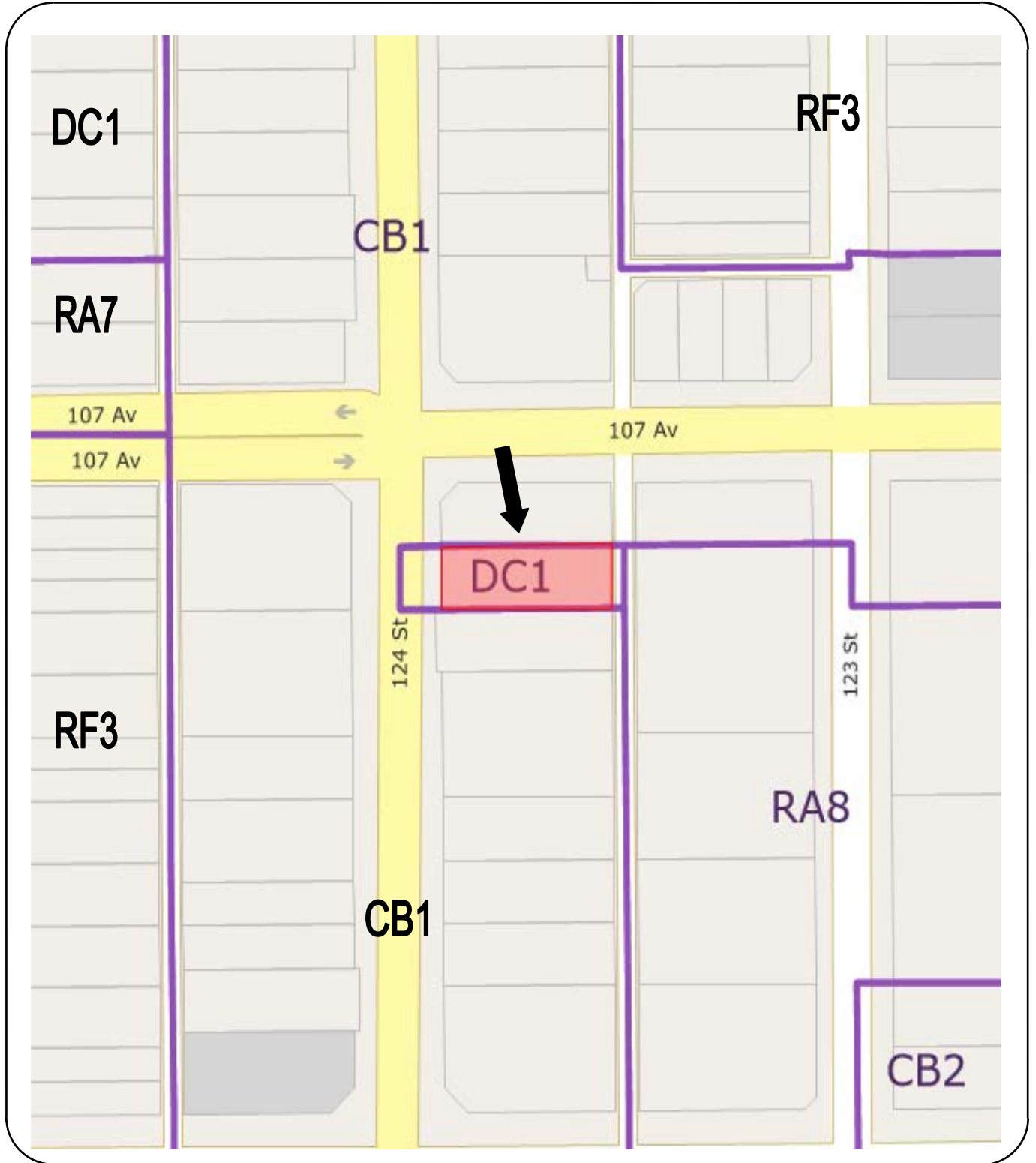


Project Number: **309196698-001**  
Application Date: MAR 25, 2019  
Printed: August 14, 2019 at 2:19 PM  
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## Major Development Permit

### Fees

	<b>Fee Amount</b>	<b>Amount Paid</b>	<b>Receipt #</b>	<b>Date Paid</b>
Dev. Application Fee for GFA	\$490.00	\$392.00	05736076	Mar 25, 2019
Major Dev. Application Fee	\$963.00	\$963.00	05736076	Mar 25, 2019
Development Permit Inspection Fee	\$518.00			
Sanitary Sewer Trunk Fund 2012+	\$560.16			
Lot Grading Fee	\$236.00			
Total GST Amount:	\$0.00			
Totals for Permit:	<u>\$2,767.16</u>	<u>\$1,355.00</u>		
(\$1,412.16 outstanding)				



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-19-147

