

**SUBDIVISION  
AND  
DEVELOPMENT APPEAL BOARD  
AGENDA**

**Wednesday, 9:00 A.M.  
September 5, 2018**

**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-18-135	Add one additional Dwelling (Unit #209) to an existing Apartment House, (total of 48 Dwellings), existing without permit  3511 - 118 Avenue NW Project No.: 282470590-002
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II	10:30 A.M.	SDAB-D-18-136	Install (1) Minor Digital Off-premises Freestanding Sign (2 Digital panels V-shaped 3.1m x 6.1m facing NE/SW)(OUTFRONT MEDIA/SANDS HOTEL)  12340 – Fort Road NW Project No.: 273339892-001
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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-18-135

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 282470590-002

APPLICATION TO: Add one additional Dwelling (Unit #209) to an existing Apartment House, (total of 48 Dwellings), existing without permit

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: August 7, 2018

DATE OF APPEAL: August 13, 2018

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 3511 - 118 Avenue NW

LEGAL DESCRIPTION: Plan 4592NY Blk 6 Lot 1

ZONE: (RA7) Low Rise Apartment Zone

OVERLAY: Medium Scale Residential Infill Overlay

STATUTORY PLAN: N/A

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***Grounds for Appeal***

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

The unit we are requesting a DP for already exists. The property is a 48 unit apartment building. Only 47 of the units have a DP. The application was denied because of zoning. Only 42 units are aloud so the planning dep doesn't have the authority to grant a permit for the existing 48th unit. The property conforms with all other guidelines and the area is in need of more rental housing.

**General Matters**

**Appeal Information:**

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

**Grounds for Appeal**

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

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

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

**Appeals**

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

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

**Hearing and Decision**

**687(3)** In determining an appeal, the subdivision and development appeal board

...

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clause (d), must comply with any land use bylaw in effect;

...

- (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.

**Non-conforming use and non-conforming buildings**

**643(1)** If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

**(2)** A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.

**(3)** A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

**(4)** A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

**(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except**

- (a) to make it a conforming building,**

- (b) **for routine maintenance of the building, if the development authority considers it necessary, or**
- (c) **in accordance with a land use bylaw that provides minor variance powers to the development authority for the purposes of this section.**

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

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

Under section 210.2(1), **Apartment Housing** is a **Permitted Use** in the (RA7) Low Rise Apartment Zone.

Under section 7.2(1), **Apartment Housing** means:

development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other Residential Use.

Under section 6.1, **Dwelling** means:

a self contained unit comprised of one or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A Dwelling is used permanently or semi-permanently as a residence for a single Household.

Section 210.1 states that the **General Purpose** of the **(RA7) Low Rise Apartment Zone** is “To provide a Zone for Low Rise Apartments.”

Section 823.1 states that the **General Purpose** of the **Medium Scale Residential Infill Overlay** is:

to accommodate the development of medium-scale infill housing in Edmonton’s mature residential neighbourhoods in a manner that ensures compatibility with adjacent properties while maintaining or enhancing a pedestrian-friendly streetscape.

***Density***

Section 210.4(2) states “The maximum Density shall be 125 Dwellings/ha; [...]”

Under section 6.1, **Density** means “when used in reference to Residential and Residential-Related development, the number of Dwellings on a Site expressed as Dwellings per hectare.”

**Development Officer’s Determination**

**Density - Maximum density is 142 dwellings/ha instead of 125 dwellings/ha (Section 210.4.2).** [unedited]

***Amenity Area***

Section 210.4(11) states “Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”

Section 46.2 states “unless otherwise specified in this Bylaw, Amenity Area shall be provided in accordance with Table 46(2).”

Table 46(2) Amenity Area requirements:

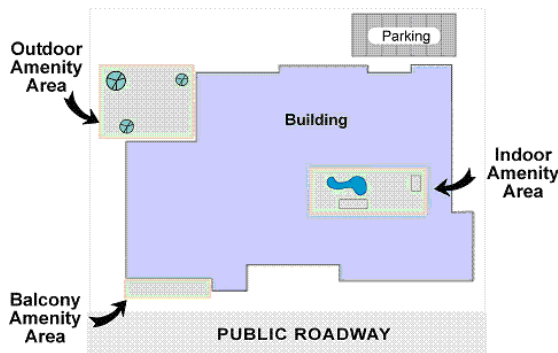
	Minimum Amenity Area provided on Site per Dwelling	Minimum percentage of total required Amenity Area provided on Site at ground level	Maximum percentage of total required Amenity Area provided on Site in a Yard abutting a public roadway other than a Lane at ground level
d. Apartment Housing	7.5 m2	0%	50%

Under section 6.1, **Amenity Area** means:

- a. with respect to Residential Uses, space outside a Dwelling or Sleeping Unit provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common, subject to the regulations of this Bylaw;

- b. with respect to non-Residential Uses, space provided for the active or passive recreation and enjoyment of the public, during the hours which the development is open to the public, which shall be owned and maintained by the owners of the development, subject to the regulations of this Bylaw; and
- c. with respect to both Residential and non-Residential Uses, may include indoor or outdoor space, Platform Structures, Rooftop Terraces, and Accessory structures.

The following is an example provided for illustrative purposes only:



**Development Officer’s Determination**

**Amenity Area - No amenity area is provided for the additional dwelling (Section 46.2.d). [unedited]**

*Non-conforming building*

**Development Officer’s Determination**

**NOTE:**

**- This existing apartment house no longer conforms to current zoning rules, which may have changed since it was originally constructed. [unedited]**


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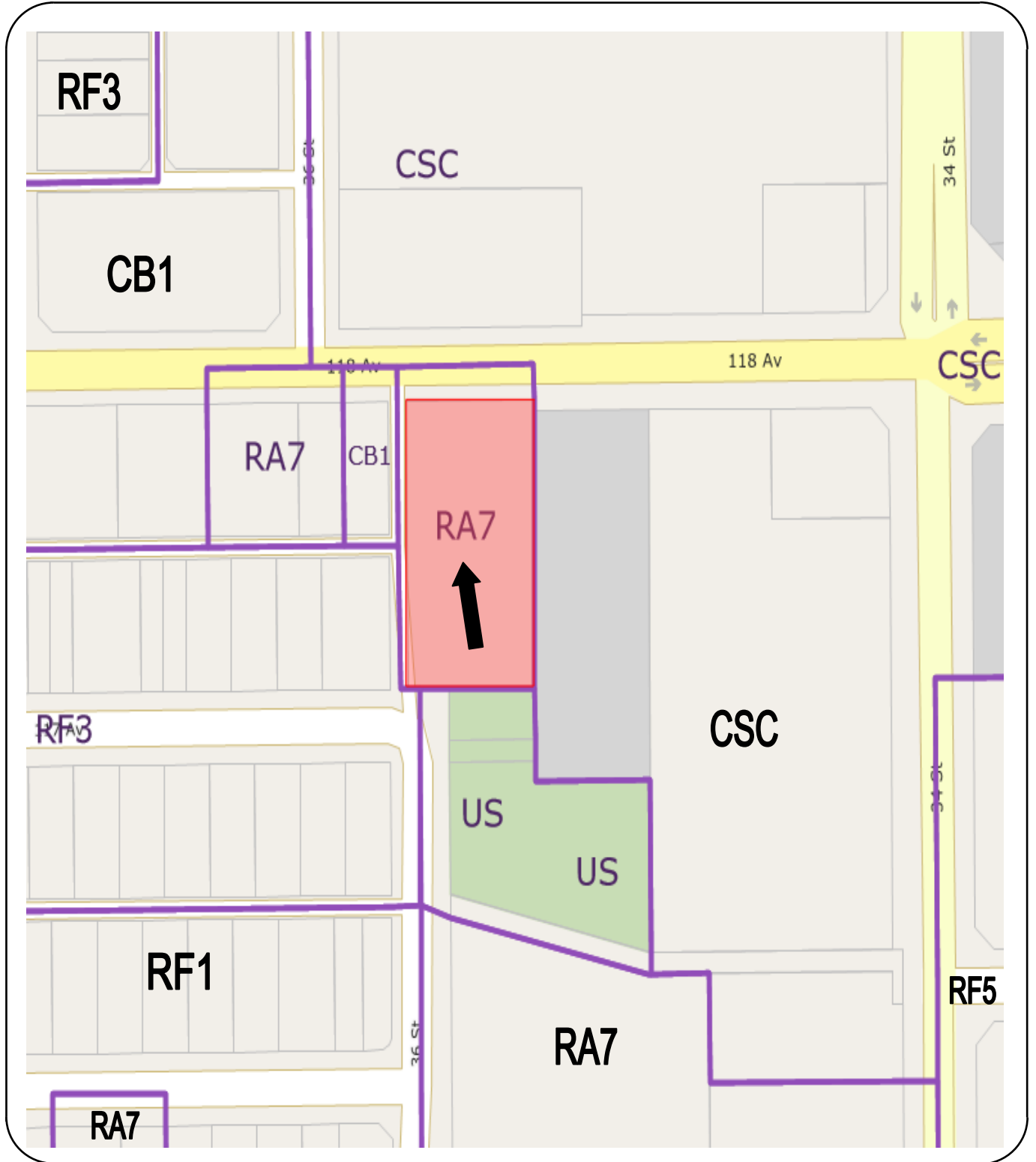
Notice to Applicant/Appellant

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

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	<h2 style="margin: 0;">Application for Major Development Permit</h2>	<p>Project Number: <b>282470590-002</b>                  Application Date: JUN 04, 2018                  Printed: August 14, 2018 at 9:05 AM                  Page: 1 of 1</p>																														
<p>This document is a Development Permit Decision for the development application described below.</p>																																
<p><b>Applicant</b></p>	<p><b>Property Address(es) and Legal Description(s)</b>                  3511 - 118 AVENUE NW                  Plan 4592NY Blk 6 Lot 1</p> <hr/> <p><b>Specific Address(es)</b>                  Suite: 209, 3511 - 118 AVENUE NW                  Entryway: 3511 - 118 AVENUE NW                  Building: 3511 - 118 AVENUE NW</p>																															
<p><b>Scope of Application</b>                  To add one additional Dwelling (Unit #209) to an existing Apartment House, (total of 48 Dwellings), existing without permit.</p>																																
<p><b>Permit Details</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                 Class of Permit: Class B                  Gross Floor Area (sq.m.):                  New Sewer Service Required: Y                  Site Area (sq. m.): 3389.18             </td> <td style="width: 50%; border: none;">                 Contact Person:                  Lot Grading Needed?: N/A                  NumberOfMainFloorDwellings:                  Stat. Plan Overlay/Annex Area: Medium Scale Residential Infill Overlay             </td> </tr> </table>			Class of Permit: Class B Gross Floor Area (sq.m.): New Sewer Service Required: Y Site Area (sq. m.): 3389.18	Contact Person: Lot Grading Needed?: N/A NumberOfMainFloorDwellings: Stat. Plan Overlay/Annex Area: Medium Scale Residential Infill Overlay																												
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<p>I/We certify that the above noted details are correct.                  Applicant signature: _____</p>																																
<p><b>Development Application Decision</b>                  Refused  <b>Issue Date:</b> Aug 07, 2018 <b>Development Authority:</b> YEUNG, KENNETH</p> <p><b>Reason for Refusal</b>                  Density - Maximum density is 142 dwellings/ha instead of 125 dwellings/ha (Section 210.4.2).                  Amenity Area - No amenity area is provided for the additional dwelling (Section 46.2.d).</p> <p>NOTE:                  - This existing apartment house no longer conforms to current zoning rules, which may have changed since it was originally constructed.</p> <p><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.</p>																																
<p><b>Fees</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right;">Fee Amount</th> <th style="text-align: right;">Amount Paid</th> <th style="text-align: right;">Receipt #</th> <th style="text-align: right;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Major Dev. Application Fee</td> <td style="text-align: right;">\$835.00</td> <td style="text-align: right;">\$835.00</td> <td style="text-align: right;">05076460</td> <td style="text-align: right;">Jun 04, 2018</td> </tr> <tr> <td>Sanitary Sewer Trunk Fund 2012+</td> <td style="text-align: right;">\$1,629.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total GST Amount:</td> <td style="text-align: right;">\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Totals for Permit:</td> <td style="text-align: right; border-top: 1px solid black;">\$2,464.00</td> <td style="text-align: right; border-top: 1px solid black;">\$835.00</td> <td></td> <td></td> </tr> <tr> <td>(\$1,629.00 outstanding)</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Fee Amount	Amount Paid	Receipt #	Date Paid	Major Dev. Application Fee	\$835.00	\$835.00	05076460	Jun 04, 2018	Sanitary Sewer Trunk Fund 2012+	\$1,629.00				Total GST Amount:	\$0.00				Totals for Permit:	\$2,464.00	\$835.00			(\$1,629.00 outstanding)				
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**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-18-135



ITEM II: 10:30 A.M.

FILE: SDAB-D-18-136

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 273339892-001

APPLICATION TO: Install (1) Minor Digital Off-premises Freestanding Sign (2 Digital panels V-shaped 3.1m x 6.1m facing NE/SW)(OUTFRONT MEDIA/SANDS HOTEL)

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: July 30, 2018

DATE OF APPEAL: August 8, 2018

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12340 – Fort Road NW

LEGAL DESCRIPTION: Plan 9525276 Blk 20 Lot 22

ZONE: (CSC) Shopping Centre Zone

OVERLAY: N/A

STATUTORY PLAN: Yellowhead Corridor Area Structure Plan

***Grounds for Appeal***

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

Sign was built in 2013, with no issues from City of Edmonton Development Authority. Surrounding area has not changed since sign was applied for and built. Sign is actually set back further from property line than was proposed.

<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
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**Appeals**

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- (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,
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**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;
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- (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*:**

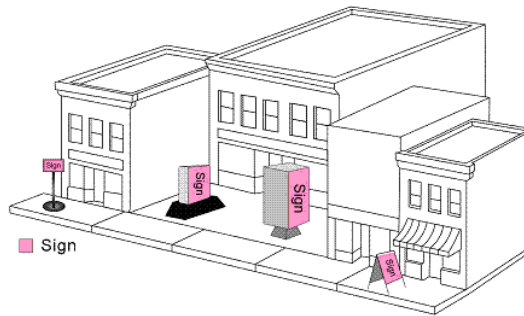
Under section 340.3(36), **Minor Digital Off-premises Signs** is a **Discretionary Use** in the (CSC) Shopping Centre Zone.

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

any Sign that is remotely changed on or off Site and has a Message Duration greater than or equal to 6 seconds. Minor Digital Off-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 directs attention to a business, activity, product, service or entertainment that cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises or Site where the Sign is displayed.

Under section 6.2, **Freestanding Signs** means:

any On-premises or Off-premises Sign supported independently of a building. The Sign may take the form of single or multiple icons, product or corporate symbol, may involve a three dimensional or volumetric representation, may have single or multiple faces and may or may not be permanently fixed to the ground;



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

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

Section 320.4(8) states “Signs shall comply with the regulations found in Schedule 59E.”

Section 320.1 states that the **General Purpose** of the **(CSC) Shopping Centre Zone** is “to provide for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes.”

### ***Schedule 59E***

Schedule 59E.3(5)(i) states “proposed Signs with an Area greater than 8.0 m<sup>2</sup> shall not be located within any Setback.”

Section 320.4(3) states “A minimum Setback of 6.0 m shall be required where a Site abuts a public roadway, other than a Lane, or the property line of a Site in a Residential Zone.”

Under section 6.1, **Setback** means “the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space.”

Under section 6.2, **Sign Area** means “the entire area of the Sign on which Copy is intended to be placed. In the case of double-faced or multi-faced Sign, only half of the area of each face of the Sign used to display advertising Copy shall be used in calculating the total Sign Area.”

### **Development Officer’s Determination**

- 1) **Proposed Signs with an Area greater than 8.0 m<sup>2</sup> shall not be located within any Setback (Reference Section 59E.3(5)(i)).**

**Required Setback: 6.0m**  
**Proposed Setback: 5.4m**  
**Deficient by 0.6m [unedited]**

***Sign Regulations – General Provisions***

Section 59.2 states the following with respect to General Provisions:

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.

**Development Officer's Determination**

**2) No Sign shall be erected, operated, used or maintained that 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. (Reference Section 59.2(1) and 59.2(2)).**

**The application was reviewed in consultation with Subdivision Planning (Transportation Services). Subdivision Planning reviewed the proposed sign application and OBJECTS to the proposed development. The proposed digital sign is within the 20 degree cone of vision for the left-turn signal for westbound Yellowhead Trail onto southbound Fort Road/Wayne Gretzky Drive. A digital sign in this location will backlight the traffic signal, increasing driver distraction and reducing traffic safety.**

**The Development Officer supports the comments from Subdivision Planning. [unedited]**

Section 59.2(7) states:

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

**Development Officer's Determination**

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

**The Development Officer consulted with Subdivision Planning (Transportation Services) and provided the applicant the opportunity to relocate the sign, however the applicant declined.**




**It is the opinion of the Development Officer that the applicant did not attempt to mitigate the impact of the sign as requested by Subdivision Planning. It is the opinion of the Development Officer that the sign will adversely impact the built environment. [unedited]**

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Notice to Applicant/Appellant

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

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	<h2 style="margin: 0;">Application for Sign Combo Permit</h2>	<p><b>Project Number: 273339892-001</b>                  Application Date: JAN 26, 2018                  Printed: August 8, 2018 at 2:59 PM                  Page: 1 of 2</p>		
<p>This document is a Development Permit Decision for the development application described below.</p>				
<p><b>Applicant</b></p>	<p><b>Property Address(es) and Legal Description(s)</b>                  12340 - FORT ROAD NW                  Plan 9525276 Blk 20 Lot 22</p> <p><b>Location(s) of Work</b>                  Suite: 12340 - FORT ROAD NW                  Entryway: 12340 - FORT ROAD NW                  Building: 12340 - FORT ROAD NW</p>			
<p><b>Scope of Application</b>                  To install (1) Minor Digital Off-premises Freestanding Sign (2 digital panels V-shaped 3.1m x 6.1m facing NE/SW)(OUTFRONT MEDIA/SANDS HOTEL).</p>				
<p><b>Permit Details</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                 ASA Sticker No./Name of Engineer:                  Construction Value: 150000             </td> <td style="width: 50%; border: none;">                 Class of Permit: Class B                  Expiry Date:             </td> </tr> </table>			ASA Sticker No./Name of Engineer: Construction Value: 150000	Class of Permit: Class B Expiry Date:
ASA Sticker No./Name of Engineer: Construction Value: 150000	Class of Permit: Class B Expiry Date:			
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">                 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: 2                  Minor Digital On/Off-premises Sign: 0             </td> <td style="width: 50%; border: none;">                 Freestanding Off-premises Sign: 0                  Freestanding On-premises Sign: 0                  Projecting Off-premises Sign: 0                  Projecting On-premises Sign: 0                  Replacement Panel on Existing Sign: 0                  Comprehensive Sign Design: 0                  Major Digital Sign: 0             </td> </tr> </table>			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: 2 Minor Digital On/Off-premises Sign: 0	Freestanding Off-premises Sign: 0 Freestanding On-premises Sign: 0 Projecting Off-premises Sign: 0 Projecting On-premises Sign: 0 Replacement Panel on Existing Sign: 0 Comprehensive Sign Design: 0 Major Digital Sign: 0
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<p>I/We certify that the above noted details are correct.</p> <p>Applicant signature: _____</p>				
<p><b>Development Application Decision</b>                  Refused  <b>Issue Date:</b> Jul 30, 2018    <b>Development Authority:</b> NOORMAN, BRENDA</p>				
<p><b>THIS IS NOT A PERMIT</b></p>				



## Application for Sign Combo Permit

Project Number: **273339892-001**  
 Application Date: JAN 26, 2018  
 Printed: August 8, 2018 at 2:59 PM  
 Page: 2 of 2

**Reason for Refusal**

1) Proposed Signs with an Area greater than 8.0 m2 shall not be located within any Setback (Reference Section 59E.3(5)(i)).  
 Required Setback: 6.0m  
 Proposed Setback: 5.4m  
 Deficient by 0.6m

2) No Sign shall be erected, operated, used or maintained that 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. (Reference Section 59.2(1) and 59.2(2)).

The application was reviewed in consultation with Subdivision Planning (Transportation Services). Subdivision Planning reviewed the proposed sign application and OBJECTS to the proposed development. The proposed digital sign is within the 20 degree cone of vision for the left-turn signal for westbound Yellowhead Trail onto southbound Fort Road/Wayne Gretzky Drive. A digital sign in this location will backlight the traffic signal, increasing driver distraction and reducing traffic safety.

The Development Officer supports the comments from Subdivision Planning.

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

The Development Officer consulted with Subdivision Planning (Transportation Services) and provided the applicant the opportunity to relocate the sign, however the applicant declined. It is the opinion of the Development Officer that the applicant did not attempt to mitigate the impact of the sign as requested by Subdivision Planning. It is the opinion of the Development Officer that the sign will adversely impact the built environment.

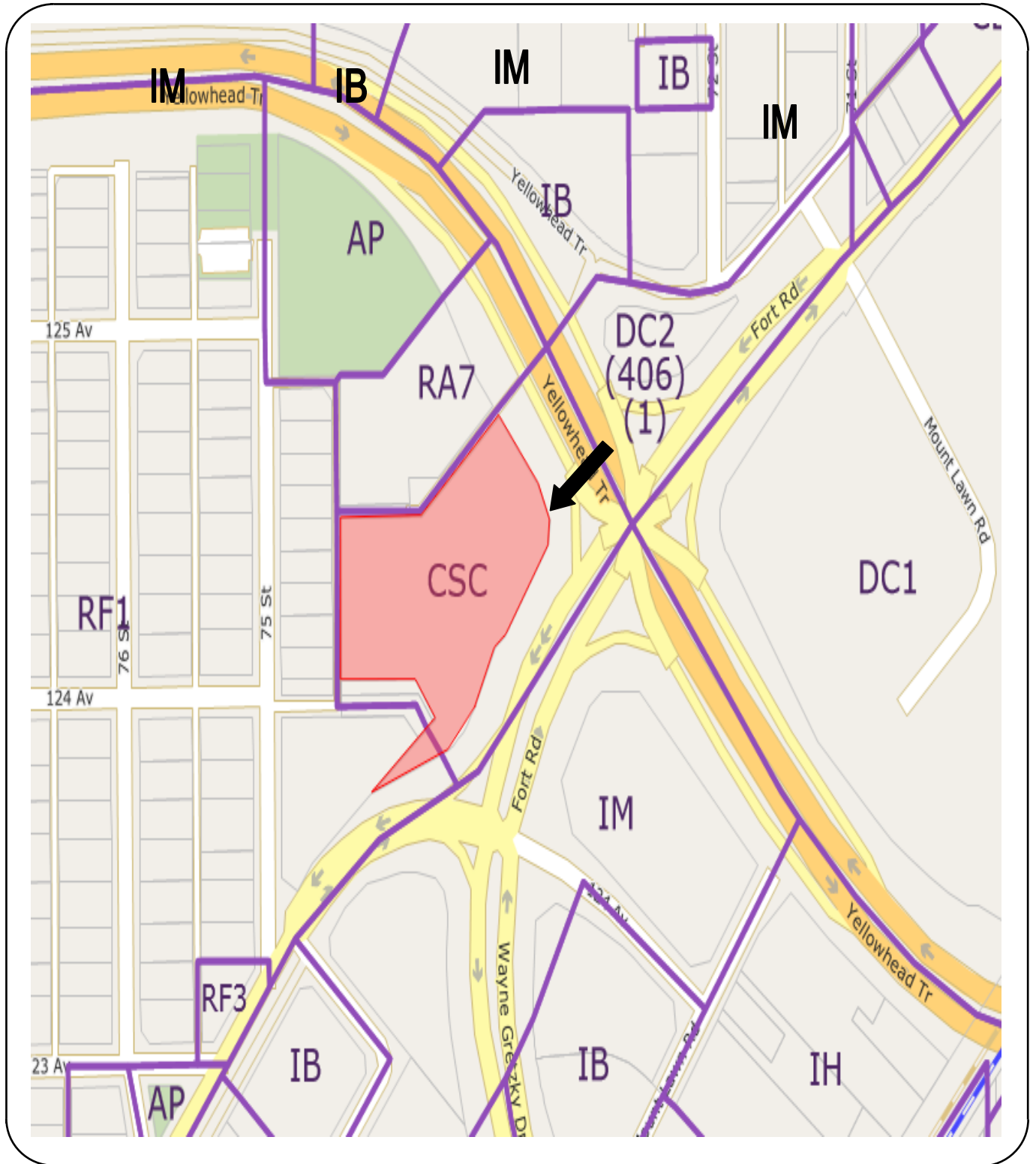
**Rights of Appeal**

The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.

**Fees**

	Fee Amount	Amount Paid	Receipt #	Date Paid
Sign Dev Appl Fee - Digital Signs	\$902.00	\$902.00	04797025	Feb 14, 2018
Total GST Amount:	\$0.00			
Totals for Permit:	\$902.00	\$902.00		

**THIS IS NOT A PERMIT**



**SURROUNDING LAND USE DISTRICTS**

Site Location ←

File: SDAB-D-18-136

