

**SUBDIVISION
AND
DEVELOPMENT APPEAL BOARD
AGENDA**

**Wednesday, 9:00 A.M.
June 1, 2016**

**Hearing Room No. 2
Churchill Building,
10019 - 103 Avenue NW,
Edmonton, AB**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING ROOM NO. 2**

I 9:00 A.M. SDAB-D-16-134

Construct an Accessory Building (Shed, 6.80m X 3.07m), existing without permits

12915 - 79 Street NW
Project No.: 093733262-006

II 10:30 A.M. SDAB-D-16-135

Install a Freestanding Minor Digital On-Premises Sign

9915 - 115 Street NW
Project No.: 218894748-001

III 1:30 P.M. SDAB-D-16-136

Extend the duration of a Freestanding Minor Digital Off-premises Sign (3.05m x 10.37m Single Sided Facing South)

7222 - 99 Street NW
Project No.: 127140622-004

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-16-134

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 093733262-006

ADDRESS OF APPELLANT: 12915 - 79 Street NW

APPLICATION TO: Construct an Accessory Building (Shed, 6.80m X 3.07m), existing without permits

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 27, 2016

DATE OF APPEAL: May 10, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 12915 - 79 Street NW

LEGAL DESCRIPTION: Plan 5964KS Blk 4 Lot 24

ZONE: RF1 Single Detached Residential Zone

OVERLAY: Mature Neighbourhood Overlay

STATUTORY PLAN: N/A

Grounds for Appeal

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

I would like to appeal the decision for the refusal of my development permit. I purchased a high quality portable canvas tent shed and erected it in my back yard. Unbeknownst to me a permit was required and I found this out after the shed was built. I have spoken to all of my neighbours and they do not have an issue with it being there. I specifically purchased this shed with a green coloured canvas exterior to blend in with the greenery in and around my yard. I am kindly asking that this building be allowed to remain as is. Thank you in advance.
[unedited]

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

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

The Board is advised that the decision of refusal by the Development Officer is dated April 27, 2016. The Notice of Appeal was filed on May 10, 2016.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 110.1 states that the **General Purpose** of the **RF1 Single Detached Residential Zone** is:

... to provide for Single Detached Housing while allowing other forms of small scale housing in the form of Secondary Suites, Semi-detached Housing and Duplex Housing under certain conditions.

Under Section 110.2(4), **Single Detached Housing** is a **Permitted Use** in the RF1 Single Detached Residential Zone

Section 6.1(2) states:

Accessory means, when used to describe a Use or building, a Use or building naturally or normally incidental, subordinate, and devoted to the principal Use, and located on the same lot or Site.

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

... to ensure that new low density development in Edmonton's mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the

streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants and neighbouring affected properties when a development proposes to vary the Overlay regulations.

Building Standards

Section 57.2(1) states:

In all non-industrial developments, the design and use of exterior finishing materials shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials shall be used that ensure that the standard of the proposed buildings and structures shall be similar to, or better than, the standard of surrounding development.

Development Officer's Determination

Section 57.2(1) In all non-industrial developments, the design and use of exterior finishing materials shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials shall be used that ensure that the standard of the proposed buildings and structures shall be similar to, or better than, the standard of surrounding development.

[unedited]

Notice to Applicant/Appellant

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



Project Number: **93733262-006**
 Application Date: MAR 29, 2016
 Printed: May 11, 2016 at 7:37 AM
 Page: 1 of 2

Application for Accessory Building Development and Building Permit

This document is a record of a Development Permit and/or Building 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, Safety Codes Act RSA 2000, Safety Codes Act Permit Regulation, Alberta Building Code 2006 and City of Edmonton Bylaw 15894 Safety Codes Permit

Applicant EVOY, SCOTT 	Property Address(es) and Legal Description(s) 12915 - 79 STREET NW Plan 5964KS Blk 4 Lot 24 Location(s) of Work Entryway: 12915 - 79 STREET NW Building: 12915 - 79 STREET NW
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Scope of Application
 To construct an Accessory Building (Shed, 6.80m X 3.07m), existing without permits.

Permit Details Building Area (sq. ft.): 224.71 Stat. Plan Overlay/Annex Area: Mature Neighbourhood Overlay	Class of Permit: Class A Type of Accessory Building: Shed (040)
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I/We certify that the above noted details are correct.
 Applicant signature: _____

Development Application Decision
 Refused

Reasons for Refusal
 Section 57.2(1) In all non-industrial developments, the design and use of exterior finishing materials shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials shall be used that ensure that the standard of the proposed buildings and structures shall be similar to, or better than, the standard of surrounding development. Does not meet Performance Standards.

Section 50.3 (4)(c) an Accessory building or structure shall be located not less than 0.9 m from a principal building and any other Accessory building or structure; Existing is 1.08m and required is 0.9m
 Separation space is deficient.

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

Issue Date: Apr 27, 2016 **Development Authority:** WATTS, STACY **Signature:** _____

Fees	Fee Amount	Amount Paid	Receipt #	Date Paid
Safety Codes Fee	\$4.50	\$4.50	03155693	Mar 29, 2016
Dev. Application Fee	\$108.00	\$108.00	03155693	Mar 29, 2016
Building Permit Fee	\$102.00	\$102.00	03155693	Mar 29, 2016
Existing Without Building Permit Penalty Fee	\$102.00	\$102.00	03155693	Mar 29, 2016

THIS IS NOT A PERMIT



Project Number: 93733262-006
Application Date: MAR 29, 2016
Printed: May 11, 2016 at 7:37 AM
Page: 2 of 2

Application for Accessory Building Development and Building Permit

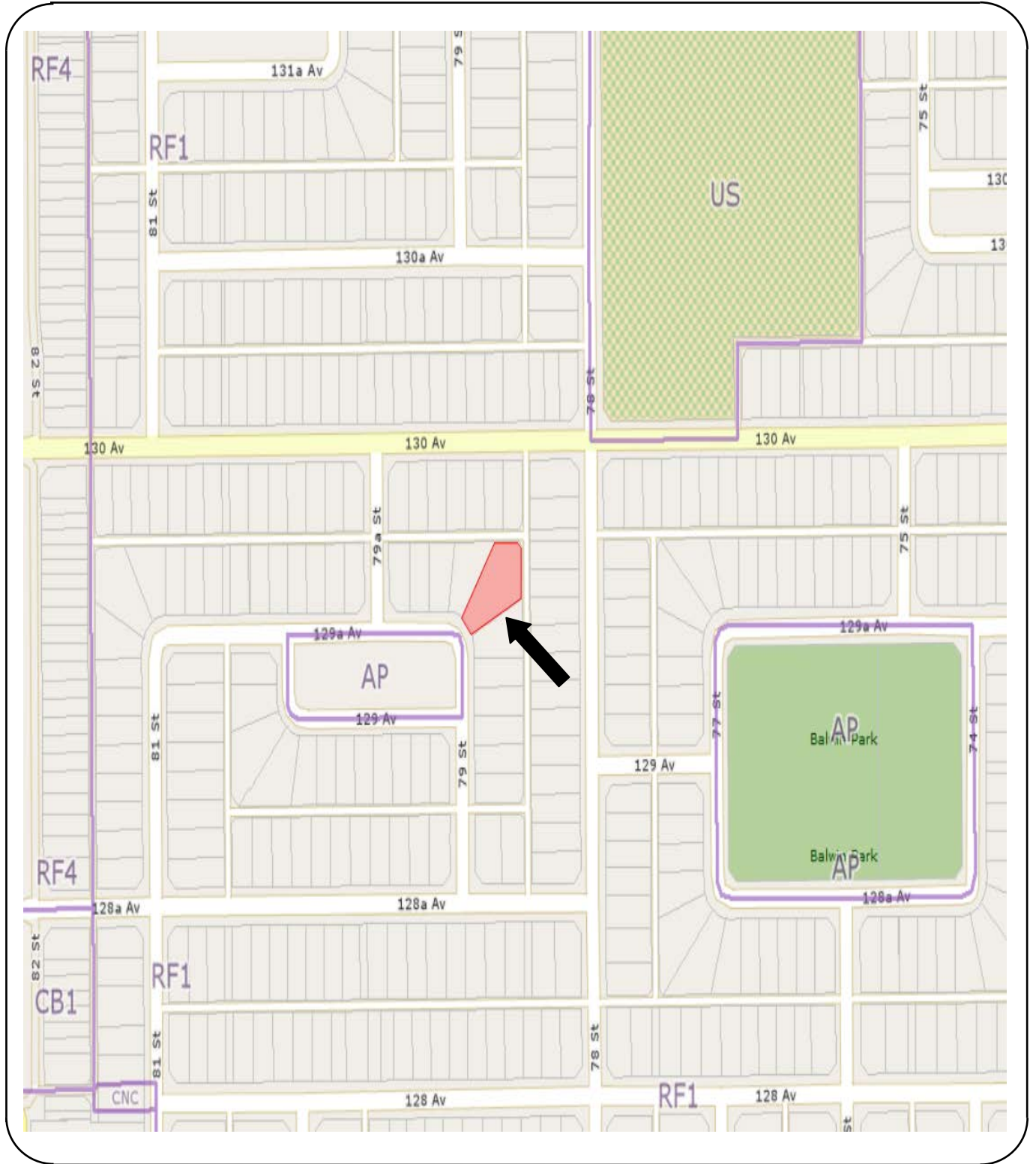
Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Existing Without Development Permit Penalty Fee	\$108.00	\$108.00	03155693	Mar 29, 2016
Total GST Amount:	\$0.00			
Totals for Permit:	\$424.50	\$424.50		

THIS IS NOT A PERMIT

Notice to Applicant/Appellant

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-134



ITEM II: 10:30 A.M.

FILE: SDAB-D-16-135

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 218894748-001

ADDRESS OF APPELLANT: 9915 - 115 Street NW

APPLICATION TO: Install a Freestanding Minor Digital On-premises Sign

DECISION OF THE DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 26, 2016

DATE OF APPEAL: May 10, 2016

MUNICIPAL DESCRIPTION OF SUBJECT PROPERTY: 9915 - 115 Street NW

LEGAL DESCRIPTION: Plan NB Blk 14 Lots 34-37

ZONE: RA9 High Rise Apartment Zone

OVERLAY: N/A

STATUTORY PLAN: Oliver Area Redevelopment Plan

Grounds for Appeal

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

The following are reasons for requesting a permit for the digital sign at Edgehill Apartments 9939-115st.

- 1: Vacancy rates are incredibly high in Edmonton so they require a cost effective way to generate inquires for the suites.
- 2: In the building next to the Edgehill where the sign is located the vacancy rate is at 10% this month. He is losing \$13000.00 / month. On top of this loss, taxes and expenses are going up annually. Since he has had the sign he has managed to rent three suites as a result of this effective way of advertising.
- 3: Other business on all four corners of the property display signs of various types and sizes.
- 4: The choice of script on the sign is not loud, bright and "in your face". It is subdued, and all it says is vacancy and the phone numbers and

display some features. Because of this there is little to no light pollution because of the small font and small amount of text.

5: The area may be zoned residential but every other residential building in the area has commercial space in it as does this one. Academy Place across the street is loaded with signage, as is the LaMarchand Mansion right across the street. These buildings are mixed residential with office and commercial space.

Because of the reasons outlined above he should be allowed signage, not only because his competitors have signage but also because the signage is a unobtrusive and cost effective way for him to advertise his suites and apartments.

[unedited]

<p><i>General Matters</i></p>

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

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

The Board is advised that the decision of refusal by the Development Officer is dated April 26, 2016. The Notice of Appeal was filed on May 10, 2016.

General Provisions from the *Edmonton Zoning Bylaw*:

Section 230.1 states that the **General Purpose** of the **RF9 High Rise Apartment Zone** is to “provide for High Rise Apartment buildings.”

Section 7.9(8) states:

Minor Digital On-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 On-premises Signs incorporate a technology

or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components. The Copy on such Sign identifies or advertises a business, activity, service or product located on the premises or Site where the Sign is displayed.

Not a Listed Use

Sections 230.2 and 230.3 state:

230.2 Permitted Uses

1. [Apartment Housing](#) on a Site of [1.0 ha](#) or less, that does not isolate another Site within this Zone of less than [800 m²](#)
2. [Group Homes](#), on a site that does not isolate another site within this Zone of less than [800 m²](#)
3. [Limited Group Homes](#)
4. [Lodging Houses](#), on a site that does not isolate another site within this Zone of less than [800 m²](#)
5. [Minor Home Based Business](#)
6. [Stacked Row Housing](#) including [Row Housing](#) but excluding [Semi-detached](#) and [Duplex Housing](#), on a Site of [1.0 ha](#) or less, which does not isolate another Site within this Zone of less than [800 m²](#)
7. [Urban Gardens](#)
8. [Fascia On-premises Signs](#)
9. [Projecting On-premises Signs](#)

230.3 Discretionary Uses

1. [Apartment Housing](#), on a Site larger than [1.0 ha](#)
2. [Apartment Hotels](#)
3. A Permitted Use listed in this Zone, the Site of which isolates another Site within this Zone of less than [800 m²](#)
4. [Child Care Services](#)
5. Conversion of [Single Detached](#), [Semi-detached](#) or [Duplex Dwellings](#) to [Professional, Financial and Office Support Services](#)
6. [Convenience Retail Stores](#)
7. [Fraternity and Sorority Housing](#)
8. [Garage Suites](#)
9. [Garden Suites](#)
10. [Health Services](#)



11. [Major Home Based Business](#)
12. [Personal Service Shops](#)
13. [Private Clubs](#)
14. [Professional, Financial and Office Support Services](#)
15. [Religious Assembly](#)
16. [Residential Sales Centre](#)
17. [Secondary Suites](#), where developed within a [Single Detached Housing](#) form
18. [Single Detached Housing](#), [Semi-detached](#) and [Duplex Housing](#)
19. [Specialty Food Services](#), for less than maximum seating of 40 occupants and 48 m^2 of Public Space, within developments containing 150 Dwellings or more
20. [Stacked Row Housing](#), including [Row Housing](#), on a Site larger than [1.0 ha](#)
21. [Urban Outdoor Farms](#)
22. [Freestanding On-premises Signs](#)
23. [Temporary On-premises Signs](#)

Development Officer's Determination

Minor Digital On-premises Sign is not a listed use in (RA9) High Rise Apartment Zone (Reference Section 230) [unedited]

Notice to Applicant/Appellant

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

	Project Number: 218894748-001 Application Date: APR 06, 2016 Printed: May 10, 2016 at 10:54 AM Page: 1 of 2															
<h2 style="margin: 0;">Application for Sign Combo Permit</h2>																
This document is a Development Permit Decision for the development application described below.																
Applicant LED PROS 	Property Address(es) and Legal Description(s) 9915 - 115 STREET NW Plan NB Blk 14 Lots 34-37															
Scope of Application To install a Freestanding Minor Digital On-Premises Sign																
Permit Details																
ASA Sticker No./Name of Engineer: Construction Value: 4620	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: 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															
I/We certify that the above noted details are correct. Applicant signature: _____																
Development Application Decision Refused Reason for Refusal Minor Digital On-premises Sign is not a listed use in (RA9) High Rise Apartment Zone (Reference Section 230) Rights of Appeal The Applicant has the right of appeal within 14 days of receiving notice of the Development Application Decision, as outlined in Chapter 24, Section 683 through 689 of the Municipal Government Amendment Act.																
Issue Date: Apr 26, 2016 Development Authority: AHUJA, SACHIN Signature: _____																
Fees <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 15%;">Fee Amount</th> <th style="width: 15%;">Amount Paid</th> <th style="width: 10%;">Receipt #</th> <th style="width: 10%;">Date Paid</th> </tr> </thead> <tbody> <tr> <td>Sign Dev Appl Fee - Digital Signs</td> <td style="text-align: right;">\$425.00</td> <td style="text-align: right;">\$425.00</td> <td style="text-align: right;">03182166</td> <td style="text-align: right;">Apr 06, 2016</td> </tr> <tr> <td>Safety Codes Fee</td> <td style="text-align: right;">\$5.96</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			Fee Amount	Amount Paid	Receipt #	Date Paid	Sign Dev Appl Fee - Digital Signs	\$425.00	\$425.00	03182166	Apr 06, 2016	Safety Codes Fee	\$5.96			
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Sign Dev Appl Fee - Digital Signs	\$425.00	\$425.00	03182166	Apr 06, 2016												
Safety Codes Fee	\$5.96															
THIS IS NOT A PERMIT																



Application for Sign Combo Permit

Project Number: **218894748-001**
Application Date: APR 06, 2016
Printed: May 10, 2016 at 10:54 AM
Page: 2 of 2

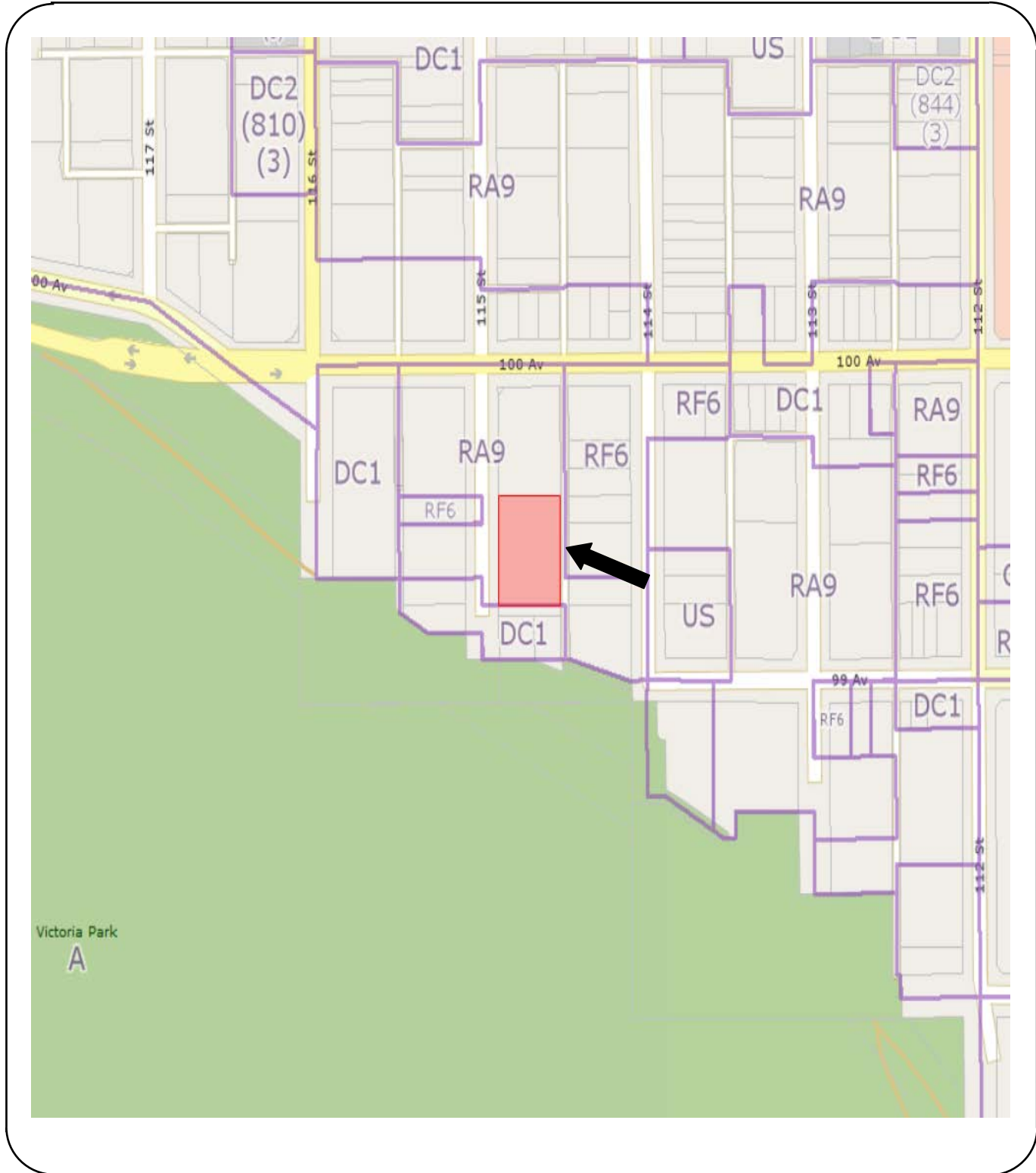
Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Sign Building Permit Fee	\$149.00			
Total GST Amount:	<u>\$0.00</u>			
Totals for Permit:	\$579.96	<u>\$425.00</u>		
(\$154.96 outstanding)				

THIS IS NOT A PERMIT

Notice to Applicant/Appellant

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-135



ITEM III: 1:30 P.M.

FILE: SDAB-D-16-136

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 127140622-004

ADDRESS OF APPELLANT: 7222 - 99 Street NW

APPLICATION TO: Extend the duration of a Freestanding
Minor Digital Off-premises Sign (3.05m x
10.37m Single Sided Facing South)

DECISION OF THE
DEVELOPMENT AUTHORITY: Refused

DECISION DATE: April 21, 2016

DATE OF APPEAL: May 4, 2016

MUNICIPAL DESCRIPTION
OF SUBJECT PROPERTY: 7222 - 99 Street NW

LEGAL DESCRIPTION: Plan 3860V Blk 10 Lot 15

ZONE: IB Industrial Business Zone

OVERLAY: N/A

STATUTORY PLAN: Strathcona Junction Area Redevelopment
Plan

Grounds for Appeal

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

My office is in receipt of the City of Edmonton refusal decision for our sign extension application numbered and dated: 127140622-004 and Feb 17, 2016 respectively. The decision was physically received on April 30, 2016. It is the purpose of this letter (and enclosed form and fee) to appeal the development officer's decision.

As we solicit advice from our tenant and with the potential that we shall require expert evidence in support of our appeal, we request that the appeal be accepted by the board as compliant to the timing requirements and adjourned sine die (i.e. to later date).

Reason for Appeal

As will be further elaborated upon at the hearing, the applicant/appellant takes the position that:

1. The sign does not negatively impact nearby landowners.
2. The sign does not negatively obscure a driver decision point.
3. Given the unusual orientation of the subject property (10.6 meters in width), that the setback requirement of 6 meters is a significant hardship for the landowner; and, relaxing this requirement will not unduly interfere with the amenities of the neighborhood, or materially interfere with or affect the use, enjoyment or value of neighboring parcels of land.
4. Consistent with prior panels of this esteemed board, the distance between required between signs by the development office (200 meters) does not (i) factor in the smaller size of the sign and (ii) that relaxing this requirement will not unduly interfere with the amenities of the neighborhood, or materially interfere with or affect the use, enjoyment or value of neighboring parcels of land. [unedited]

General Matters

Appeal Information:

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

Grounds for Appeal

685(1) If a development authority

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

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

Appeals

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

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

The Board is advised that the decision of refusal by the Development Officer is dated April 21, 2016. The Notice of Appeal was filed on May 4, 2016.

General Provisions from the *Edmonton Zoning Bylaw*:

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

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

Under Section 400.3(40), **Minor Digital Off-premises Signs** is a **Discretionary Use** in the IB Industrial Business Zone.

Section 7.9(6) states:

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.

<p><i>Position and Location of Sign</i></p>
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Section 59.2(3) states:

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

Development Officer's Determination

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

The proposed sign faces adjacent residential use class and sign illumination projects onto surrounding residential properties as they are within 30 m to 37m radius, contrary to Section 59.2(3) [unedited]

Driver Decision Point

Section 59.2(2)(c) states:

Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs shall be located such that the Sign does not obscure a driver decision point. The Development Officer and Transportation Services shall be satisfied that each Copy Area 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.

Development Officer's Determination

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 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. (Reference 59.2(2)(c)).

The Development Officer, in consultation with Transportation Department, does not support extending the duration for proposed Freestanding Minor Digital Off-premises sign, as it encroaches into the 20 degree cone associated with the intersection of 72 Avenue and 99 Street.

With respect to this location it is noted that 99 Street in this area is an arterial roadway that carries in the order of approximately 30,000 vehicles per day. The 99 Street / 72 Avenue intersection is an un-signalized intersection but is considered a legal crossing location for pedestrians wishing to cross 99 Street. There are northbound and southbound bus stops on 99 Street in the vicinity of 72 Avenue that are serviced at a 8 minute frequency during the peak hours. In addition, it is one of the intersections used to access the school and park sites associated with J.H. Picard and the Waldorf Independent School. [unedited]

Located within Setback

Section 59F.3(6)(j) states:

Proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback.

Development Officer's Determination

3) Proposed Signs with an Area greater than 8.0 m² shall not be located within any Setback (Reference Section 59F.3(6)(j))

Required Setback: 6m (Reference Section 400.4(3))

Proposed Setback: 1.2 m

Deficient by: 4.8 m [unedited]

Separation Distance

Section 59F.3(6)(e) states:

Proposed Sign locations shall be separated from any other Digital Sign greater than 8.0 m² or Off-premises Sign as follows:

Proposed Sign Area	Minimum separation distance from Digital Signs greater than <u>8.0 m²</u> or other Off-premises Sign
Greater than <u>8.0 m²</u> to less than <u>20 m²</u>	<u>100 m</u>
<u>20 m²</u> to <u>40 m²</u>	<u>200 m</u>
Greater than <u>40 m²</u>	<u>300 m</u>

The separation shall be applied from the larger Off-premises Sign or Digital Sign location.

Development Officer’s Determination



4) Proposed Sign locations shall be separated from any other Digital Sign greater than 8.0 m² or Off-premises Signs. If the proposed Sign Area is greater than 20.0m² to less than 40m² the minimum separation distance from Digital Signs greater than 8.0 m² or other Off-premises Sign shall be 200m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location. (Reference Section 59F.3(6)(e))

Proposed Separation Distance: 152 m

Deficient By: 48 m [unedited]

Notice to Applicant/Appellant

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	Project Number: 127140622-004 Application Date: FEB 17, 2016 Printed: May 4, 2016 at 2:12 PM Page: 1 of 3		
<h2 style="margin: 0;">Application for Sign Combo Permit</h2>			
This document is a Development Permit Decision for the development application described below.			
Applicant BILL CO. INCORPORATED 	Property Address(es) and Legal Description(s) 7222 - 99 STREET NW Plan 3860V Blk 10 Lot 15 Location(s) of Work Suite: 7222 - 99 STREET NW Entryway: 7222 - 99 STREET NW Building: 7222 - 99 STREET NW		
Scope of Application To extend the duration of a Freestanding Minor Digital Off-premises Sign (3.05m x 10.37m Single Sided Facing South)			
Permit Details <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> ASA Sticker No./Name of Engineer: Construction Value: 0 </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: 0	Class of Permit: Class B Expiry Date:
ASA Sticker No./Name of Engineer: Construction Value: 0	Class of Permit: Class B 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: 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		
I/We certify that the above noted details are correct. Applicant signature: _____			
Development Application Decision Refused			
THIS IS NOT A PERMIT			



Project Number: **127140622-004**
 Application Date: FEB 17, 2016
 Printed: May 4, 2016 at 2:12 PM
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Application for Sign Combo Permit

Reason for Refusal

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

The proposed sign faces adjacent residential use class and sign illumination projects onto surrounding residential properties as they are within 30 m to 37m radius, contrary to Section 59.2(3)

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 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. (Reference 59.2(2)(c)).

The Development Officer, in consultation with Transportation Department, does not support extending the duration for proposed Freestanding Minor Digital Off-premises sign, as it encroaches into the 20 degree cone associated with the intersection of 72 Avenue and 99 Street.

With respect to this location it is noted that 99 Street in this area is an arterial roadway that carries in the order of approximately 30,000 vehicles per day. The 99 Street / 72 Avenue intersection is an un-signalized intersection but is considered a legal crossing location for pedestrians wishing to cross 99 Street. There are northbound and southbound bus stops on 99 Street in the vicinity of 72 Avenue that are serviced at a 8 minute frequency during the peak hours. In addition, it is one of the intersections used to access the school and park sites associated with J.H. Picard and the Waldorf Independent School.

3) Proposed Signs with an Area greater than 8.0 m2 shall not be located within any Setback (Reference Section 59F.3(6)(j))

Required Setback: 6m (Reference Section 400.4(3))

Proposed Setback: 1.2 m

Deficient by: 4.8 m

4) Proposed Sign locations shall be separated from any other Digital Sign greater than 8.0 m2 or Off-premises Signs. If the proposed Sign Area is greater than 20.0m2 to less than 40m2 the minimum separation distance from Digital Signs greater than 8.0 m2 or other Off-premises Sign shall be 200m. The separation shall be applied from the larger Off-premises Sign or Digital Sign location. (Reference Section 59F.3(6)(e))

Proposed Separation Distance: 152 m

Deficient By: 48 m

Rights of Appeal

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

Issue Date: Apr 21, 2016 **Development Authority:** AHUJA, SACHIN **Signature:** _____

Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
DP Notification Fee	\$102.00	\$102.00	03073794	Feb 18, 2016

THIS IS NOT A PERMIT



Project Number: **127140622-004**
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Application for Sign Combo Permit

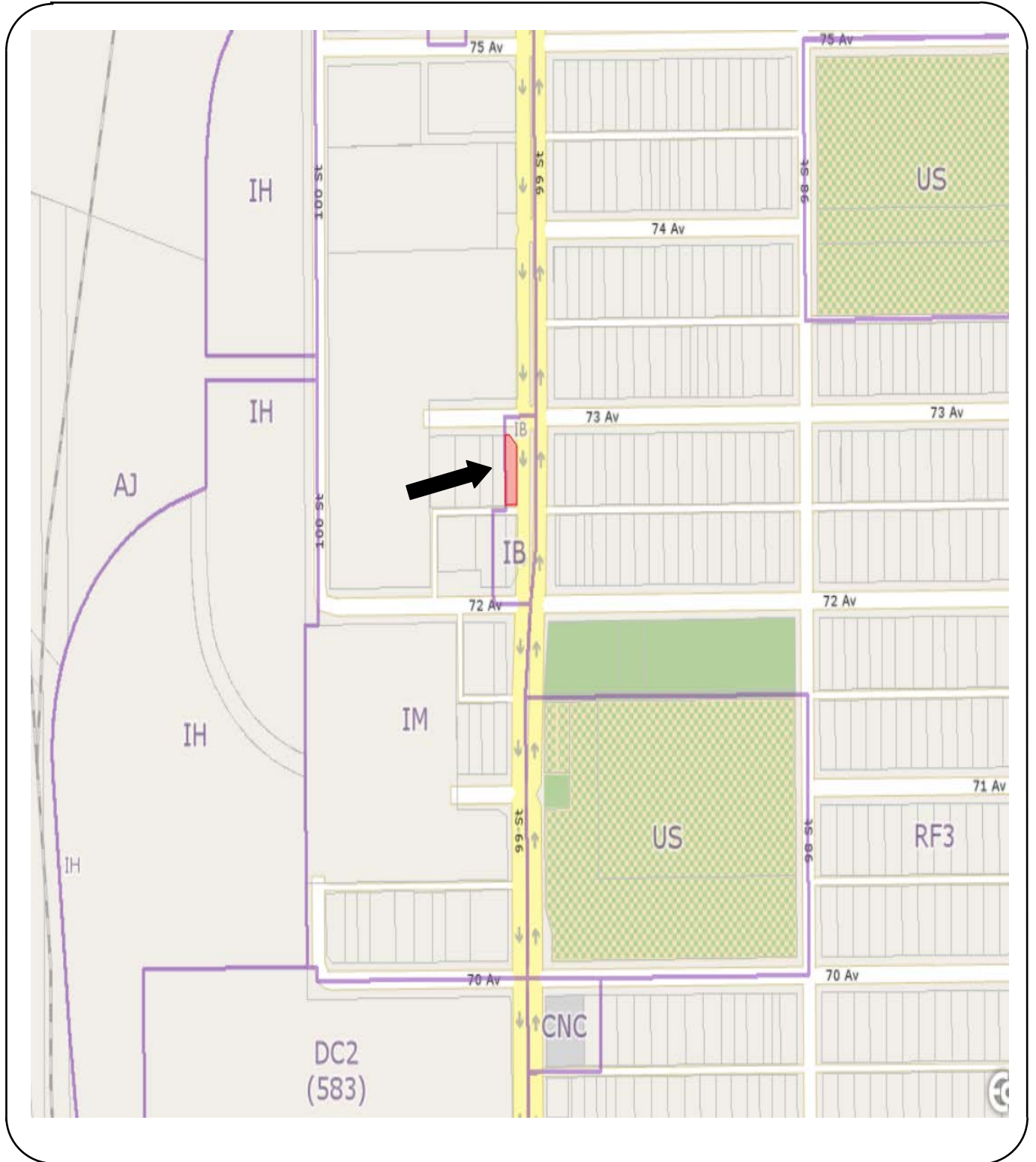
Fees

	Fee Amount	Amount Paid	Receipt #	Date Paid
Sign Dev Appl Fee - Digital Signs	\$425.00	\$425.00	03073794	Feb 18, 2016
Total GST Amount:	<u>\$0.00</u>	<u> </u>		
Totals for Permit:	\$527.00	\$527.00		

THIS IS NOT A PERMIT

Notice to Applicant/Appellant

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



SURROUNDING LAND USE DISTRICTS

Site Location ←

File: SDAB-D-16-136



N

BUSINESS LAID OVER

SDAB-D-16-120	An appeal to construct a Single Detached House with attached Garage, veranda, fireplace, rear balcony (irregular shape, 4.25 m by 2.22 m) and basement development (NOT to be used as an additional Dwelling) <i>June 9, 2016</i>
SDAB-D-16-133	An appeal to change the use of a Single Detached House to a Child Care Service and to construct interior alterations <i>June 22, 2016</i>

APPEAL HEARINGS TO BE SCHEDULED