



**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

DATE: **Wednesday, May 24, 2017**
TIME: **6:00 p.m.**
PLACE: **Council Chambers**
FILE: **B02**

AGENDA

1. Adoption of Agenda

2. Radius Notifications

3. Appeals

a) Units 1 – 18, 30 Ironwood Point – Appellant – Daryl Empson, Condo Association President (Plan 922-2991)

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to leave all decks as built and replace decks on units 12, 13, 14, 17 & 18.

b) 590 St. Albert Trail – Appellant – Ken Rochat, Big Sky Media on behalf of Royal Stone Holdings

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to install a dual sided billboard sign with electronic message sign component.

4. Adjournment

ALLOWED WITH CONDITIONS

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#13-2017

Re: Units 1-18, Plan 922 2991 - known municipally as Units 1 – 18, 30 Ironwood Point, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to leave all rear decks as built and replace decks on Units 12, 13, 14, 17 and 18.

The Appellant had no objection to the members of this Board hearing and deciding this Appeal.

The Board considered the Development Officer's written report and heard from the Development Officer who stated that:

1. This property is located within a medium-density residential (R3) District.
2. Within the R3 district, accessory developments are a Discretionary Use.
3. As per Section 8.6(1)(c), a deck up to 1.5m in height must be located as least 3m from the property line.
4. As per Section 8.6(3), a deck over 1.5m in height must be located 5m from the property line. As built, the decks are located at various distances from the property line, short of the minimum setbacks required.
5. The variance required to the majority of the setbacks exceed the capacity of
6. the Development Officer to approve (Section 3.14.3).
7. The conventional condominium development was built around 1992. There are 18 units located on a single lot.
8. The City has no record of decks having been approved with the original development permit.
9. The lack of permits was discovered as a result of the Condo Board's application to rebuild five (5) of the 18 decks.
10. It was determined that the best course forward was for the applicant to apply for a development permit to address all of the existing decks, as the 18 units are located on a single lot.

30 Ironwood Point - Decks						
Unit #	Deck Height	Rear Yard Setback (Min. Req'd)	Rear Yard Setback (As Built)	Variance Req'd (rear yard setback)	Deck Depth	Deck Width
1	0.43	3.00	1.92	1.08 (36%)	3.05	4.88
2	0.62	3.00	1.92	1.08 (36%)	3.05	4.88
3	0.70	3.00	1.87	1.13 (38%)	3.05	4.88
4	1.80	n/a (internal)	n/a	n/a	3.05	4.88
5	2.73	n/a (internal)	n/a	n/a	3.05	4.88
6	2.70	n/a (internal)	n/a	n/a	3.05	4.88
7	2.62	5.00	2.92	2.08 (42%)	3.05	4.88
8	2.72	5.00	4.57	0.43 (9%)	3.05	4.88
9	2.67	5.00	4.57	0.43 (9%)	3.05	4.88
10	2.69	5.00	4.54	0.46 (9%)	3.05	4.88
11	2.73	5.00	4.54	0.46 (9%)	3.05	4.88
12*	2.75	5.00	4.54	0.46 (9%)	3.05	4.88
13*	2.70	5.00	1.37	3.63 (73%)	3.05	6.10
14*	2.73	5.00	1.37	3.63 (73%)	3.05	4.88
15	2.73	5.00	1.37	3.63 (73%)	3.05	4.88
16	2.73	5.00	1.42	3.58 (72%)	3.05	10.06
17*	2.73	5.00	1.42	3.58 (72%)	3.05	4.88
18*	2.76	5.00	1.42	3.58 (72%)	3.05	4.88
(All measurements are in metres and decimals thereof)						
* - Decks to be rebuilt						

11. The majority of the variance amounts exceed the capacity of the Development Officer to approve.
12. The Development Officer requested that should the Board grant the Appeal, that the following conditions be applied to the permit.
 - 1) The decks shall be constructed in accordance with approved plans.
 - 2) Any proposed changes in design, elevation or site plan configuration shall first be submitted for review by the Development Officer and any such changes shall not be undertaken until written authorization is provided by the Development Officer.
 - 3) Future deck development shall be subject to a separate development permit application.
 - 4) The decks, as approved, shall remain uncovered and unenclosed.

NOTES:

- a) A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out

development in accordance with the conditions of any covenant, caveat, easement or other instrument affecting the building or land.

- b) The applicant shall be responsible for compliance with all applicable Federal, Provincial and Municipal laws, regulations and standards, as well as ensuring compliance with, and be responsible for obtaining, all applicable permits, licenses and approvals, at its own expense.
- c) All construction must conform to the relevant requirements of the Alberta Building Code, the City of St. Albert municipal engineering standards and all applicable codes, laws, regulations and standards.
- d) The City of St. Albert 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 St. Albert, 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 or within the property.

The Board heard from the Appellant who stated that:

Mr. Harry Gaffney, Director on the Condo Board, submitted:

- 1. 6 units had chimney chances that started to deteriorate and needed to be replaced and repaired. The design is such that the decks needed to be torn down to accomplish the work.
- 2. The Board deemed it cost effective to replace all aging decks at the same time.
- 3. They were unaware of any infractions with respect to setbacks.
- 4. All conditions as proposed by the Development Officer are acceptable to the Condo Board.

The Board also considered/reviewed the following

No objections to the appeal were received by the Board. No one from the gallery wished to speak against the appeal.

The Board finds the following:

The Board finds in favor of the Appellant.

Allowed with conditions:

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to leave all rear decks as built and replace decks on Units 12, 13, 14, 17 and 18 located at 1-18, 30 Ironwood Point.

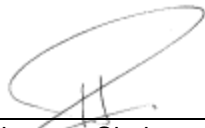
The development is approved with the following conditions:

- 1) The decks shall be constructed in accordance with approved plans.
- 2) Any proposed changes in design, elevation or site plan configuration shall first be submitted for review by the Development Officer and any such changes shall not be undertaken until written authorization is provided by the Development Officer.
- 3) Future deck development shall be subject to a separate development permit application.
- 4) The decks, as approved, shall remain uncovered and unenclosed.

The Board makes its decision for the following reasons:

1. The Board concludes that (in accordance with section 687(3)(d) of the *Municipal Government Act*) the variance will not unduly interfere with the amenities of the neighbourhood, and/or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land based on the following because:
 - a. The structure is located adjacent to a municipal reserve and therefore ample separation distance exists between the proposed structures and the most affected property;
 - b. There were no objections from any of the other neighbours.
2. The proposed development conforms with the use prescribed for the land within the Land Use Bylaw.

The Applicant is responsible for complying with all applicable federal, provincial and municipal enactment and any other applicable law and for obtaining all applicable permits, licenses and approvals. Building permits must be obtained from the Building Inspector who can be contacted at 780-459-1655



Dana Popadynetz - Chair

June 6th, 2017

Date

ALLOWED WITH CONDITIONS

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#14-2017

Re: Lot 10A, Block 30, Plan 882 0333 - known municipally as 590 St. Albert Trail, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to construct a dual-sided billboard sign with electronic message sign component.

The Appellant had no objection to the members of this Board hearing and deciding this Appeal.

The Board considered the Development Officer's written report and heard from the Development Officer who stated that:

1. The proposed sign combines two (2) sign types identified within Section C.6 of Land Use Bylaw 9/2005, being a Billboard and an Electronic Message Sign.
2. When a sign fits within two or more sign categories, the sign must then comply with all regulations applicable to each category.
3. The proposed location of the sign is within the Corridor Commercial (CC) District.
4. Within this Land Use District, Billboard Signs and Electronic Message Signs are identified as Discretionary Uses.
5. An Electronic Message Sign is *not* a Video Sign and therefore, limited to text only copy.
6. Proposed Discretionary Use Review

An application for a discretionary use is applicable to review and "testing" under the appropriate section(s) of the Land Use Bylaw. The Development Officer may review an application for a discretionary use based on the merits of the proposal, including but not limited to the appropriateness of the development within that land use district, the potential impacts that the development may have on the site and surrounding properties, and any other factors that are considered of value.

In exercising discretion, pursuant to Section 3.14(1)(a) and 3.14(2)(c), the Development Officer considered the general purpose and intent of the appropriate land use district, and determined that the proposal affects the conformance of the

structure with municipal, provincial or federal regulations. Therefore, a development permit refusal decision was issued.

7. Setback Variance to PS

As per Section C.6(5)(b)(v), a Billboard must be located a minimum of 100m from an R1, P, PS or IF district. As proposed, the sign would be located ± 60 m from the PS district to the west. The separation distance is measured from the closest point of the proposed billboard sign to the adjacent property line of the PS Public Service land use, and not from structure to structure.

A setback variance of approximately 40m (40%) to the PS district is required. The variance required to the setback-exceeds the capacity of the Development Officer to allow (Section 3.14.3). The Development Branch did not support the requested variance.

Regarding the letter provided from the adjacent landowner (Salvation Army), it should be noted that the purpose for requesting a letter was for information gathering, similar to the requirement of the City's Neighbouring Properties Consultation Form, when there is potential for any off-site impact of a proposed development for a discretionary use.

The letter received from the applicant was dated *prior* to subsequent revisions of the sign's placement and structural design, which the adjacent landowner may not have seen. Additionally, any variance to the PS setback is taking into consideration the enjoyment of neighbouring properties with the possibility of a different tenant or land owner in the future that may not agree with the location of a billboard sign with electronic message sign copy.

8. Location from roadway intersection

The proposed location of the sign is at the southwest corner of the St. Albert Trail and Giroux Road intersection. This location has been ranked the highest in collision frequency for the past four years (2013-2016) by Engineering Services.

As per Section C.6(5)(b)(iv), a Billboard must be located a **minimum** of 30.5m from a roadway intersection. Other factors such as safety, topography, sightlines etc. may require a larger setback from a roadway intersection.

Although the proposed sign location distance of ± 58 m exceeds the minimum setback from an intersection, the sign falls within the 122m prohibited area, as determined by Engineering Services, using the Transportation Association of Canada (TAC) Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines (2015) and Geometric Design Guide for Canadian Roads (1999).

Based on the analysis completed, the proposed sign location is not supported by the City's Transportation Branch nor Development Services. Driver & pedestrian safety is a foremost consideration when determining possible impacts the sign development would impose on the neighbouring properties and to residents who travel through the intersection.

9. The Development Officer reiterated the following for the Board:

1. The sign is considered as both a Billboard and an Electronic Message Sign.
2. The sign is required to meet the Land Use Bylaw regulations of both sign types.
3. The sign is determined to be a Discretionary Use.
4. The sign does not comply with the setback requirement from a PS Land Use District
5. The Transportation Branch of the City of St. Albert does not approve or recommend the proposed location of the sign.
6. A setback of 30.5m from a roadway intersection is a minimum distance only.
7. Municipal Enforcement Service of the City of St. Albert provided comment that the sign appears to be a potential distraction to users of the highway.

10. The Development Officer requested that should the Board grant the Appeal that the following conditions and notes be applied to the permit:

1. Approval is for ONE dual sided billboard only with an electronic message sign component area.
2. The total sign area shall not exceed 18.58 sq.m. (200 sq. ft.)
3. The electronic message component of the billboard shall display TEXT ONLY. It shall NOT incorporate or display any images, pictures, figures or video (animated or otherwise).
4. The proposed billboard shall be located a minimum 3.0m within the property boundaries from all outermost edges of the sign (not just the post). It is the responsibility of the applicant to establish the exact location of all property lines.
5. The proposed billboard shall be located a minimum of 25.0m from any freestanding sign.
6. The proposed billboard shall be located a minimum 30.5m from the intersection to all outermost edges of the sign (not just the post).

7. The sign permit is valid for a period of five (5) years. Re-assessment and a new permit application will be required in order for the sign to remain as originally approved. Should the sign permit not be re-issued, the owner of the sign has six (6) months from the date of expiry to remove the sign.
8. The proposed billboard shall not exceed 8.0m in height, measured at right angles from the highest point of the sign or sign structure to the existing grade directly below.
9. The billboard shall be located in accordance with the approved site plan.
10. The back of the billboard shall be enclosed and shall be finished with materials that are consistent with the finishing of the front of the sign, to the satisfaction of the Development Officer.
11. The brightness of the installed billboard must be equipped with an ambient light sensor, in accordance with the following:
 - a) The ambient light sensor shall automatically adjust the brightness level of the copy area based on ambient light conditions; and
 - b) Brightness levels of the electronic message sign display shall not exceed 0.3 foot-candles above ambient light conditions when measured from the digital display face at its maximum brightness
12. The changeable copy of the electronic message portion shall remain visible for a minimum of 6 seconds (consecutively). Transitions must be instantaneous.
13. Transitions between each electronic message copy shall not involve any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects;
14. The billboard shall not display nor be illuminated with a flashing light source.
15. The billboard shall advertise third-party advertising only. No on site business advertising is permitted.
16.
 - a) Should the Development Officer at any time, determine that the sign face contributes to safety concerns, the owner/applicant will be informed accordingly. Upon being informed, the owner must immediately address the safety concerns identified by either removing the sign, de-energizing the sign, changing the message conveyed on the sign, and/or addressing the concern in another manner acceptable to the Development Officer.
 - b) The owner must provide a written statement of the actions taken to mitigate a safety concern identified by the Development Officer within 30 days of having received the notification of the concern. Any failure by the owner to remedy the situation to the satisfaction of the Development Officer, will result in the requirement to immediately remove or de-energize the sign.
17. The proposed billboard shall not impede or block safe traffic sight-lines to the satisfaction of the Development Officer.

18. The billboard shall not be constructed nor located such that it interferes with the safe or orderly movement of pedestrian, motor vehicles or the sightlines under this or any other Bylaw.
19. The proposed billboard shall not obstruct the view of, or be confused with an official traffic sign, signal or device, as determined by the Development Officer in consultation with Engineering Services.
20. Encroachment of the sign over any utility rights-of-way shall be subject to the approval of applicable approving authorities.
21. The billboard shall be located entirely on the subject lot and shall not project or encroach onto City property or rights-of-way.
22. Underground power is to be supplied to the proposed sign at the responsibility and cost of the applicant.
23. Wiring and conduits for an electrical sign must be concealed from view to the satisfaction of the Development Officer.
24. It is the responsibility of the applicant to ensure the billboard is constructed and installed in accordance with the requirements of the Alberta Building Code and/or proper engineering standards.
25. It is the responsibility of the applicant to obtain the consent of the property owner for the location of the sign.
26. Any proposed changes in design, elevation or site plan configuration shall first be submitted for review by the Development Officer and any such changes shall not be undertaken until written authorization is provided by the Development Officer.
27. The sign owner shall provide a name and telephone contact information of a person having access to the technology controls for the sign, who can be contacted 24 hours a day in the event that the sign malfunctions.
28. Failing to comply with the conditions of the development permit approval shall render this permit invalid.

NOTES:

1. A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with the conditions of any covenant, caveat, easement or other instrument affecting the building or land.
2. The applicant shall be responsible for compliance with all applicable Federal, Provincial and Municipal laws, regulations and standards, as well as ensuring

compliance with, and be responsible for obtaining, all applicable permits, licenses and approvals, at its own expense.

3. All construction must conform to the relevant requirements of the Alberta Building Code, the City of St. Albert municipal engineering standards and all applicable codes, laws, regulations and standards.
4. The City of St. Albert 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 St. Albert, 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 or within the property.
5. The city property on or adjacent to development including, but not limited to; the existing sidewalk, curb and boulevard features shall be protected from damage throughout the construction process. Damage caused by the owner, builder, tradesman or suppliers shall be repaired to the satisfaction of the City of St. Albert Engineering Services. An inspection of the existing site conditions must be completed by city staff prior to commencement of the work. All snow and debris shall be removed from the sidewalk areas for the inspection. If necessary, a city representative will contact the applicant and request the site be cleared for inspection, prior to demolition and commencement of construction.
6. An on street construction permit is required for any construction taking place on City property including but not limited to driveway construction. Contact Engineering Services at 780-459-1654 to obtain the permit.

The Board heard from the Appellant who stated that:

Mr. Brendan Carr, Solicitor, on behalf of the Appellant submitted:

Two Primary Issues for the rejection of the application:

1. Setback from Public Space (PS)
 - a. The concern raised by the DOP is that the sign is 60 meters from the adjacent PS district to the west occupied by the Salvation Army.
 - b. The Salvation Army has, however, by way of letter confirmed that they have no objection to installation of this particular sign.
 - c. The City previously approved a billboard sign at this same location based on prior approval of the Salvation Army.
 - d. The presence of the CIBC building blocks the sign lines to the Salvation Army. Therefore, this sign will in no way be observable from the Salvation Army of affect current or future ownership or enjoyment of the property.
2. Safety Issues / TAC
 - a. The expert, Janelle Willis, states that there is no danger posed by the installation of the sign and that the sign does comply with TAC.
 - b. She stated that the City has performed a linear review which did not include entire TAC study methods.

- c. The City's own sign at Hebert and St. Albert Trail is only 14m from the intersection. A similar sign at Villeneuve Road and St. Albert Trail is also closer at 57M from the intersection, but is just 15M to the roadway. The proposed sign is further than both the previously mentioned signs and is further than the proposed regulations.

The Board also considered/reviewed the following

Letters in support of this appeal received from:

1. Chad Jenkins – Owner / Franchisee, Tim Hortons
2. Tony Viverios – General Manager, Riverside Honda
3. Dave Ridd – Owner, St. Albert Source for Sports
4. Stan Livingstone – Owner, Innovations Music
5. Kesar Singh – Vice President, Vision Travel Solutions.
6. Greg Penno – Owner, Mr. Pets

The Board finds the following:

The Appellant has provided sufficient evidence to the Board that in approving this appeal the digital sign will not negatively affect with traffic safety or the use/enjoyment of the neighbouring PS land. The Board finds in favor of the Appellant.

Allowed with conditions:

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to construct a dual-sided billboard sign with electronic message sign component located at 590 St. Albert Trail.

The development is approved with the following conditions:

1. Approval is for ONE dual sided billboard only with an electronic message sign component area.
2. The total sign area shall not exceed 18.58 sq.m. (200 sq. ft.)
3. The electronic message component of the billboard shall display TEXT ONLY. It shall NOT incorporate or display any images, pictures, figures or video (animated or otherwise).
4. The proposed billboard shall be located a minimum 3.0m within the property boundaries from all outermost edges of the sign (not just the post). It is the responsibility of the applicant to establish the exact location of all property lines.
5. The proposed billboard shall be located a minimum of 25.0m from any freestanding sign.
6. The proposed billboard shall be located a minimum 30.5m from the intersection to all outermost edges of the sign (not just the post).

7. The sign permit is valid for a period of five (5) years. Re-assessment and a new permit application will be required in order for the sign to remain as originally approved. Should the sign permit not be re-issued, the owner of the sign has six (6) months from the date of expiry to remove the sign.
8. The proposed billboard shall not exceed 8.0m in height, measured at right angles from the highest point of the sign or sign structure to the existing grade directly below.
9. The billboard shall be located in accordance with the approved site plan.
10. The back of the billboard shall be enclosed and shall be finished with materials that are consistent with the finishing of the front of the sign, to the satisfaction of the Development Officer.
11. The brightness of the installed billboard must be equipped with an ambient light sensor, in accordance with the following:
 - a) The ambient light sensor shall automatically adjust the brightness level of the copy area based on ambient light conditions; and
 - b) Brightness levels of the electronic message sign display shall not exceed 0.3 foot-candles above ambient light conditions when measured from the digital display face at its maximum brightness
12. The changeable copy of the electronic message portion shall remain visible for a minimum of 6 seconds (consecutively). Transitions must be instantaneous.
13. Transitions between each electronic message copy shall not involve any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects;
14. The billboard shall not display nor be illuminated with a flashing light source.
15. The billboard shall advertise third-party advertising only. No on site business advertising is permitted.
16. a) Should the Development Officer at any time, determine that the sign face contributes to safety concerns, the owner/applicant will be informed accordingly. Upon being informed, the owner must immediately address the safety concerns identified by either removing the sign, de-energizing the sign, changing the message conveyed on the sign, and/or addressing the concern in another manner acceptable to the Development Officer.
 - b) The owner must provide a written statement of the actions taken to mitigate a safety concern identified by the Development Officer within 30 days of having received the notification of the concern. Any failure by the owner to remedy the situation to the satisfaction of the Development Officer, will result in the requirement to immediately remove or de-energize the sign.

17. The proposed billboard shall not impede or block safe traffic sight-lines to the satisfaction of the Development Officer.
18. The billboard shall not be constructed nor located such that it interferes with the safe or orderly movement of pedestrian, motor vehicles or the sightlines under this or any other Bylaw.
19. The proposed billboard shall not obstruct the view of, or be confused with an official traffic sign, signal or device, as determined by the Development Officer in consultation with Engineering Services.
20. Encroachment of the sign over any utility rights-of-way shall be subject to the approval of applicable approving authorities.
21. The billboard shall be located entirely on the subject lot and shall not project or encroach onto City property or rights-of-way.
22. Underground power is to be supplied to the proposed sign at the responsibility and cost of the applicant.
23. Wiring and conduits for an electrical sign must be concealed from view to the satisfaction of the Development Officer.
24. It is the responsibility of the applicant to ensure the billboard is constructed and installed in accordance with the requirements of the Alberta Building Code and/or proper engineering standards.
25. It is the responsibility of the applicant to obtain the consent of the property owner for the location of the sign.
26. Any proposed changes in design, elevation or site plan configuration shall first be submitted for review by the Development Officer and any such changes shall not be undertaken until written authorization is provided by the Development Officer.
27. The sign owner shall provide a name and telephone contact information of a person having access to the technology controls for the sign, who can be contacted 24 hours a day in the event that the sign malfunctions.
28. Failing to comply with the conditions of the development permit approval shall render this permit invalid.

NOTES:

1. A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with the conditions of any covenant, caveat, easement or other instrument affecting the building or land.

2. The applicant shall be responsible for compliance with all applicable Federal, Provincial and Municipal laws, regulations and standards, as well as ensuring compliance with, and be responsible for obtaining, all applicable permits, licenses and approvals, at its own expense.
3. All construction must conform to the relevant requirements of the Alberta Building Code, the City of St. Albert municipal engineering standards and all applicable codes, laws, regulations and standards.
4. The City of St. Albert 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 St. Albert, 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 or within the property.
5. The city property on or adjacent to development including, but not limited to; the existing sidewalk, curb and boulevard features shall be protected from damage throughout the construction process. Damage caused by the owner, builder, tradesman or suppliers shall be repaired to the satisfaction of the City of St. Albert Engineering Services. An inspection of the existing site conditions must be completed by city staff prior to commencement of the work. All snow and debris shall be removed from the sidewalk areas for the inspection. If necessary, a city representative will contact the applicant and request the site be cleared for inspection, prior to demolition and commencement of construction.
6. An on street construction permit is required for any construction taking place on City property including but not limited to driveway construction. Contact Engineering Services at 780-459-1654 to obtain the permit.

The Board makes its decision for the following reasons:

1. The Board concludes that (in accordance with section 687(3)(d) of the *Municipal Government Act*) the variance will not unduly interfere with the amenities of the neighbourhood, and/or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land based on the following because:
 - a. The most affected neighbour was consulted and advised they have no issue with the variance by way of letter.
 - b. The Appellant provided evidence satisfactory to the Board that the variance will not pose a safety risk.
2. The proposed development conforms with the use prescribed for the land within the Land Use Bylaw.

The Applicant is responsible for complying with all applicable federal, provincial and municipal enactment and any other applicable law and for obtaining all applicable permits, licenses and approvals. Building permits must be obtained from the Building Inspector who can be contacted at 780-459-1655



June 6th, 2017

Dana Popadynetz - Chair

Date