



LLOYDMINSTER

SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)

AGENDA

Date: Wednesday, June 21, 2023

Time: 9:30 am

Location: Council Chambers, City of Lloydminster
4420 50 Avenue Lloydminster, AB

1. Call to Order

2. Chair Introduction

3. Introductions

3.1. SDAB Board

3.2. SDAB Administrative Staff

4. Approval of Agenda dated June 21, 2023

Recommendation:

That the Agenda dated June 21, 2023 be approved.

5. Approval of Previous Minutes dated June 29, 2022

Recommendation:

That the Subdivision and Development Appeal Board minutes of the previous hearing dated June 29, 2022 be approved.

6. Introduction of SDAB Hearing No. SDAB-01-23-3380

APPEAL TO BE HEARD:	Development Permit Refusal
Municipal Address:	#3 2803 50 Avenue, Lloydminster Saskatchewan
Zoning:	C2 Highway Corridor Commercial
Legal Description:	Lot 8 Block 3 Plan 101862323
Permit No.	20230205
Appellant Name:	Tanya Sandluck, Agent on behalf of The Co-Operators

7. Introduction of Appellant

8. Objections to Board

9. Hearing Process

10. Hearing of Appeal

10.1. Presentation of Subdivision/Development Authority

10.1.1. Questions by the Board

10.1.2. Presentation of Potential Conditions of Approval



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10.2. Presentation of the Appellant

10.2.1. Questions by the Board

10.3. Presentation of Affected Parties in Favour of the Appeal

10.4. Presentation of Affected Parties Opposed to the Appeal

10.5. Rebuttal (to new evidence only) of the Appellant

10.6. Read into Record Additional Information (if required)

11. Brief Recess

12. SDAB Reconvenes

12.1. Board questions

13. Summaries

13.1. Subdivision/Development Authority Final Comments

13.2. Appellants Final Comments

14. Close of Hearing

The Board's decision will be made within fifteen (15) days upon conclusion of the Hearing and those affected will be notified of the decision and reasons for it by mail.

15. SDAB goes In Camera

Recommendation:

That the June 21, 2023 Subdivision and Development Appeal Board hearing go into a closed session at ____ AM/PM.

Recommendation:

That the June 21, 2023 Subdivision and Development Appeal Board hearing resume open session at ____ AM/PM.

16. Adjournment

Recommendation:

That the June 21, 2023 Subdivision and Development Appeal Board hearing be adjourned at ____ AM/PM.



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**SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)
MINUTES**

Wednesday, June 29, 2022 10:00 AM

**City of Lloydminster Council Chambers
4420 – 50 Avenue
Lloydminster, AB**

SDAB Members Present:	Bernal Ulsifer, Chair Joe Rooks, Board Member Dean Segberg, Board Member Larry McConnell, Board Member
SDAB Support Present:	Doug Rodwell, SDAB Clerk Samantha Shibley-Hornby, Recording Secretary
City Staff Present:	Natasha Pidkowa, Manager, Planning
Appellant Present:	Ecoplast Solutions – Katlyn Wilkinson

1. Call to Order 10:00 AM

Chair, Bernal Ulsifer called the June 29, 2022, Subdivision and Development Appeal Board Hearing to order at 10:00 AM.

2. Chair Introduction

SDAB Chair, Bernal Ulsifer introduced himself to those in attendance.

3. Introductions

3.1 All members of the SDAB introduced themselves.

3.2 All members of Administration introduced themselves.

4. Approval of Agenda dated June 29, 2022

Dean Segberg moved that the SDAB Agenda dated June 29, 2022, be adopted as presented. Seconded by Joe Rooks.

CARRIED

5. Approval of Previous Minutes from June 3, 2022, Hearing

Larry McConnell moved that the SDAB minutes dated June 3, 2022, be approved as circulated. Seconded by Dean Segberg.

CARRIED

6. Introduction of SDAB Hearing No. SDAB-05-22-0286

APPEAL TO BE HEARD:	Development Permit Refusal
Municipal Address:	4634 – 45 Street Lloydminster, Saskatchewan
Zoning:	R2 Semi - detached Residential
Legal Description:	Lot 35-36, Block 23, Plan B1127
Permit No.	20220286
Appellant Name:	Ecoplast Solutions – Jean-Marc Dentremont

7. Introduction of Appellant

Ecoplast Solutions Represented by Katlyn Wilkinson.

8. Objections to Board

The Appellant had no objections to the members of the Board who were in attendance.

No objections were brought forward by audience members of the SDAB Board members who were in attendance for the hearing.

9. Introduction of Developing Authority

Natasha Pidkowa, Manager, Planning

The Board asked for clarification of the civic address. Natasha Pidkowa confirmed the address confirmed the address is 4634 - 45 Street and the map reflecting 4636- 45 Street is incorrect. The GSI team will be consulted for updating the civic address in due course.

10. Hearing Process

Chair, Bernal Ulsifer provided an overview of the Hearing process. No concerns were brought forward by audience members regarding the process of the Hearing.

11. Hearing of Appeal

11.1 Presentation of Developing Authority

Natasha Pidkowa, Manager, Planning presented on behalf of the City of Lloydminster.

Presentation attached in the agenda.

Questions by the Board

No questions from the board.

Presentation of Potential Conditions

If approved, Section 4 and 5 of the Land Use Bylaw would still apply and there would be no other conditions.

11.2 Presentation of the Appellant

Katlyn Wilkinson presented on behalf of Ecoplast Solutions.
Presentation attached in the agenda.

Question of the Board

No questions from the board.

11.3 Presentation of Affected Parties in favour of the appeal

None.

11.4 Presentation of Affected Parties opposed to the appeal

None.

11.5 Appellant rebuttal to respond to new evidence only

None.

12. Brief Recess

Chair Bernal Ulsifer called a brief recess at 10:12 AM.
Moved by Dean Segberg. Seconded by Larry McConnell.

CARRIED

13. SDAB Reconvenes

The SDAB Hearing reconvened at 10:15 AM.

12.1 Board Questions

No questions from the board.

14. Summaries

13.1 Developing Authority’s Final Comments

No closing comments.

13.2 Appellant’s Final comments

No closing comments.

15. Close of Hearing

The Chair concluded the hearing at 10:16 AM.

Chair, Bernal Ulsifer verbally confirmed that the Board had reached a decision and indicated that the written decision would be forwarded within fifteen (15) days of the Hearing. Those affected will be notified of the decision and reasons for it by mail.

16. Adjournment

Joe Rooks moved that the June 29, 2022, Subdivision and Development Appeal Board hearing be adjourned at 10:16 AM. Seconded by Dean Segberg.

CARRIED

SDAB Chair

SDAB Clerk

DRAFT

Subdivision and Development Appeal Board

Application to Appeal



LLOYDMINSTER

Submission Date	Date: <input type="text" value="June 6, 2023"/>		OFFICE USE ONLY	
APPEAL PROPERTY INFORMATION	Municipal Address: <input type="text" value="#3 - 2803 50 Ave, Lloydminster, SK"/>	RECEIVED DATE: <input type="text" value="2023-06-06"/>		
	Municipal Tax Roll #: <input type="text" value="12021530000"/> Zoning: <input type="text" value="C2"/>	SDAB APPEAL # <input type="text" value="SDAB-01-23-3380"/>		
	Legal Description: Lot: <input type="text" value="8"/> Block: <input type="text" value="3"/>	APPLICATION #: <input type="text" value="23-3380"/>		
	Legal Plan: <input type="text" value="101862323"/>	PERMIT #: <input type="text"/>		
	Permit Number Being Appealed: <input type="text" value="20230205"/>	PERMIT FEE: <input type="text"/>		
APPELLANT INFORMATION	Appellant Name: <input type="text" value="Tanya Sandluck, Agent on behalf of The Co-Operators"/>		RECEIPT #: <input type="text" value="77926"/>	
	Address: <input type="text" value="5201 67 Ave"/>		APPEAL HEARING DATE: <input type="text"/>	
	<input type="text" value="Lloydminster"/>	Postal Code: <input type="text" value="T9V 3N6"/>	DECISION ISSUED DATE: <input type="text"/>	
	Phone: <input type="text" value="780-818-9659"/>		APPEAL GRANTED: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Email: <input type="text" value="tsandluck@on-sitesign.com"/>		CONDITIONS ON APPEAL: <input type="checkbox"/> Yes <input type="checkbox"/> No	
APPEAL AGAINST <small>Each appeal requires an application</small>	<input checked="" type="checkbox"/> Development Permit <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal		<input type="checkbox"/> Subdivision Application <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	
	<input type="checkbox"/> Notice of Contravention <input type="checkbox"/> Stop Order			
REASONS FOR APPEAL <small>(Sections 678 and 686 of the Municipal Government Act (MGA) require that written Notice of Appeal must contain specific reasons for the appeal.)</small>	I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons (Attach separate page if required): Please see information package provided under separate cover <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 5px; text-align: center;">  Signature of Appellant / Agent </div> <div style="border: 1px solid black; padding: 5px; text-align: center;"> June 6, 2023 Date of Signature </div> </div>			
APPEAL BOARD DECISION	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>			

Collection and Use of Personal Information: The personal information being collected on this form is for the purposes of processing and acting upon this application in accordance with the Municipal Government Act, and is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act (FOIP). The City will not share your personal information for purposes outside of those stated without your permission in writing, unless there is a specific exemption stated in the Municipal Government Act.

IMPORTANT NOTICE: THIS APPLICATION **DOES NOT PERMIT YOU TO COMMENCE CONSTRUCTION** UNTIL SUCH TIME A DEVELOPMENT PERMIT HAS BEEN ISSUED BY THE DEVELOPMENT AUTHORITY AND ALL OTHER PERMITS (IF REQUIRED) ARE APPROVED. IF A DECISION HAS NOT BEEN ISSUED WITHIN 40 DAYS OF THE DATE THE APPLICATION IS DEEMED COMPLETE, YOU HAVE THE RIGHT TO FILE AN APPEAL TO THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD. APPEALS TO THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD CAN ALSO BE FILED IN REGARDS TO PERMIT REFUSALS AND/OR CONDITIONS WITHIN 21 DAYS OF A DECISION.



LLOYDMINSTER

owner(s) Harty Developments Ltd
 contact name Mark Harty
 contact address PO Box 246 Stn Main Lloydminster SK S9V 0Y2
 contact phone 780 871 3535
 contact email marksarty@hotmail.com

City of Lloydminster
 Planning Department
 4420 50 Avenue,
 Lloydminster, Alberta T9V 0W2
 Email: permits@lloydminster.ca

To Whom It May Concern,

With regards to #3 2803 50 Ave Lloydminster SK
property address

Please be advised that I, Harty Developments Ltd am:
full name

(select one)

- the owner of the above mentioned property, and that I authorize
- an officer or director of the owner(s) of the above mentioned property, and that I am authorized by that owner to authorize

Jason Ardor & Associates Ltd and/or its OnSite Sign Group
agent or company name applicant, consultant, contractor (if applicable)

to apply for any and all _____
permit type

for the above mentioned property.

I further agree to immediately notify The City of Lloydminster, in writing, of any changes regarding the above information.

May 15, 2023
date signed

MARK HARTY
signature of owner

[Signature]
name of owner (printed)

FOIP DISCLAIMER: Collection and Use of Personal Information:
 The personal information being collected on this form is for the purposes of processing and acting upon this application in accordance with the Municipal Government Act and is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act (FOIP). The City will not share your personal information for purposes outside of those stated without your permission in writing, unless there is a specific exemption stated in the Municipal Government Act.

AFFIDAVIT VERIFYING CORPORATE SIGNING AUTHORITY

I, Mark Harty, of Lloydminster, in the Province of Saskatchewan, MAKE OATH AND SAY THAT:

1. I am owner/president of Harty Developments Ltd.
2. I am authorized by the corporation to execute the instrument without affixing a corporate seal.

Sworn before me at Lloydminster,)
in the Province of Saskatchewan)
this 15 day of May, 2023.)
Sydney Lake)
A Commissioner for Oaths in and for)
Saskatchewan NOTARY PUBLIC)
)
)





RE: Development Permit Appeal
Application #23-3380
The Co-Operators
2803 50 Ave
Lot 8, Block 3, Plan 101862323
C/O Jason Arden

Dear Appeal Board Members,

We ask that you please review our recent application for relocation of the freestanding pylon structure located at The Co-Operators at the above referenced address.

Earlier this year, Mr. Jason Arden had approached our team and requested a review of the foundations for an existing freestanding pylon sign he owns and maintains. Upon site review, we do not believe the sign itself is unsafe, however to avoid further concern or deterioration of the footings, we have proposed to install two (2) new screw piles approx. 3 feet North of the current footings and to move the sign onto these new attachment points.

Upon reviewing the scope with Planning and Development to secure the proper permits for approval of the scope, we were advised the updated land use bylaw (5-2016) now requires a minimum clearance of .75m from the Property Line for any freestanding signs. The sign was permitted back when initially installed but would now need to adhere to the new requirements if moved. Seems we cannot move the sign back from the Property Line due to an easement registered on the title. See map provided in the appendices at the end of this package for reference.

Due to non-compliance, our regular permit application has been denied. We respectfully request a further review by the Appeal board in hopes we may secure your consent to waive the set back requirement and be granted permission to relocate the sign within the available area.

All pertinent data to support and showcase our plan follow on the next pages.

I thank you for your time, attention and consideration on this matter.

Tanya Sandluck
Sr. Project Manager
On-Site Sign Group Inc.
780-818-9659
tsandluck@on-sitesign.com



Date: June 6, 2023

APPENDIX A
SITE PLAN SHOWING PYLON LOCATION AND EASEMENT AREA



APPENDIX B
CURRENT SIGN LOCATION, SIZE AND CONDITION OF FOOTINGS





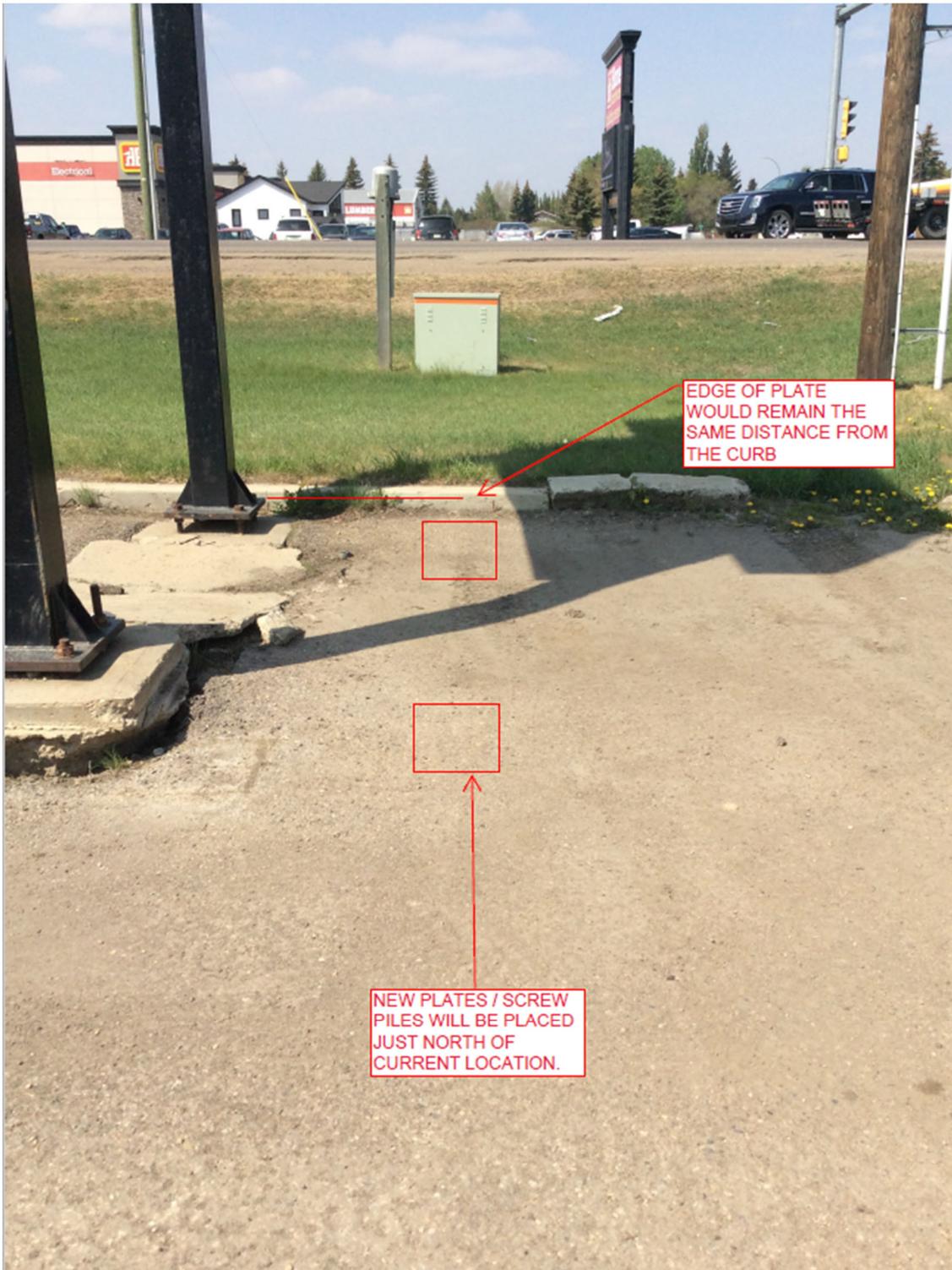






- A. APPROX. DISTANCE FROM EDGE OF TOP BOX TO OVERHEAD LINES: 15'**
- B. OVERALL HEIGHT OF PYLON: 20'-1 3/4"**
- C. POLE SIZE BOTH WAYS: 8" x 8"**
- D. BETWEEN POLE MEASURE: 97 1/2"**
- E. HEIGHT x LENGTH x DEPTH OF CULLIGAN BOX: 4' x 8' x 15" WITH FRAMES**
- F. HEIGHT x LENGTH x DEPTH OF UPPER CO-OPERATORS BOX: 168 5/8" x 61 3/4" x 15"**
- G. CLEARANCE FROM GRADE TO UNDERSIDE OF CULLIGAN BOX: 9'-2 1/2"**

APPENDIX C
PROPOSED RELOCATION AND SCREW PILE DETAILS

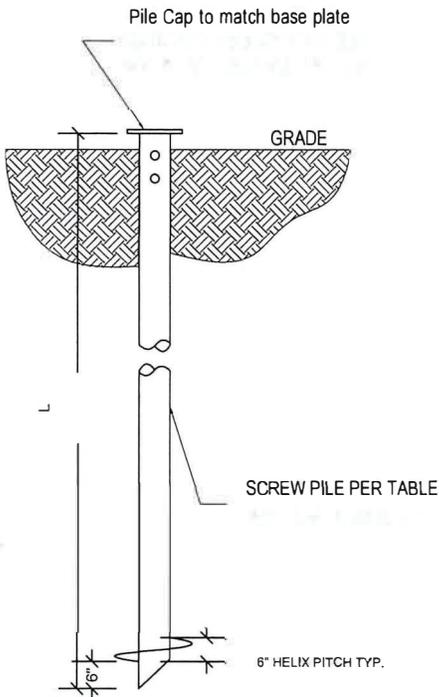


SCREW PILE CERTIFICATE	PROJECT NUMBER:
	Cooperators, Lloydminster
CLIENT:	
On Site Sign Group	
DATE	June 5, 2023



SCREW PILE SPECIFICATIONS:

1. Shaft Steel to meet the requirements of ASTM A252, Grade 3 with minimum Yield Strength of 300 MPa (45ksi) [Includes J55 and H40 Grade of Pipe].
2. Material used for pile shall be new or good reclaimed pipe or new API well casing. Where reclaimed pipe is used, prior approval and inspection of material are required by the Owner.
3. Helix plate steel and pile cap steel to meet the requirements of CSA G40.21 or 44W with a minimum Yield Strength of 300 MPa (45ksi).
4. All welding to meet CSA W59 requirements. Pile splice weld, if required, shall be full penetration weld. Welding electrode shall be low Hydrogen type E7011. Contractor shall ensure compatibility of welding electrodes with pile and cap plate materials.
5. Outside diameter of Helix plate to be as shown on the screw pile detail/table.
6. Pile shall be placed to the following tolerances:
 - a- Not more than 2% of length out of plumb
 - b- Not more than 51mm (2") off center.
 Where Pile deviate from the above tolerances, the condition of the foundation shall be assessed by Allied Consultants Engineering Inc.
7. Pile shall be open ended steel pipe as specified above with size as shown on the detail. Pile shall be installed continuously without interruption to the required depth. In no case shall the pile embedment depth be less than the length indicated. If "Practical Refusal" is not achieved at the required embedment depth, then the pile depth is to be increased by 500mm (20") increments until "Practical Refusal" is achieved.
8. "Practical Refusal" is defined as being met if the Installation Torque is equal or greater than the value shown on the screw pile table. Installation Torque shall be determined by stopping the pile installation then slowly increasing the Hydraulic Pressure (Applied Torque) until the pile starts to rotate. The point at which the pile starts to rotate is the Installation Torque. The Hydraulic Pressure is to be recorded and converted to a Torque value.
9. The Contractor shall maintain installation records for each pile showing: Date, Time, Length, Helix size, Hydraulic Pressure, Final Torque and remarks.
10. Where doubt exists as to the type of soil present, a test pile shall be installed to determine the type and depth of the soil profile.
11. Field confirm the location of underground services, pipes, electrical cables or structures prior to piles installation.
12. Contractor shall excavate around piles sufficiently to accommodate the pile cap plate welding.



SCREW PILE TABLE					
DIA. (inch)	LENGTH L(ft)	HELIX DIA. (inch)	WALL THICKNESS	INSTALLATION TORQUE	ULTIMATE BEARING CAPACITY
8 3/4"	15'	22"	.5"	15,490 ft/lbs	205.908KN (46,290lbs)

SOIL PARAMETERS & ADDITIONAL NOTES:

1. Soil Undrained Shear Strength = 75 kPa (1566psf), Typical for Stiff Clay.
2. Screw pile design based on 4'-0" Frost depth.
3. Screw pile manufactured and installed by " Wells Rental and Venture Corp. "
4. Helix plate thickness as per manufacturer recommendation, but not less than 1/2".

June 12, 2023



RE: Notice of Hearing – Subdivision and Development Appeal Board

Dear Sir/Madam:

Please be advised that an appeal has been filed with respect to 2803 - 50 Avenue, Lloydminster, Saskatchewan.

When an appeal is filed with the Subdivision and Development Appeal Board (SDAB), all persons who own property within 30 meters of the development are notified of the hearing by way of letter. In addition, the owner of the business, the applicant of the development permit, and the person(s) who filed the appeal will also receive a copy of this letter.

The Subdivision and Development Appeal Board (SDAB) will hold a Public Hearing as follows:

DATE: Wednesday, June 21, 2023
TIME: 10:00 AM
LOCATION: Council Chambers, City of Lloydminster City Hall
4420 – 50 Avenue
Lloydminster, Alberta

Persons affected by this development have the right to present a written, verbal and/or visual submission to the Board. When making a presentation, keep in mind that in accordance with the legislation that governs the SDAB, the Board can only consider relevant planning matters when rendering its decision. It is recommended that you limit your presentation to five minutes.

If you wish to submit written material to the Board, it should be delivered to the Clerk of the SDAB no later than 1:00 PM on June 16, 2023. If you are unable to meet this submission deadline, please bring 10 copies of the materials to the hearing and it will be distributed at the start of the hearing. Any written and/or visual material received will be made available to the public.

Please contact our office at 780-875-6184 extension 8329 if you have any questions.

Yours truly,

Doug Rodwell
Clerk, Subdivision Development Appeal Board

Sign Permit Application

Application for Sign Permit



LLOYDMINSTER

Submission Date	Date: <u>April 26, 2023</u>	Application Submission Deemed Complete Date: _____
PROJECT	Municipal Address: <u>2803 50 Ave, Lloydminster, SK</u> Municipal Tax Roll #: <u>12021530000</u> Zoning: <u>C2</u> Legal Description: Lot: <u>8</u> Block: <u>3</u> Legal Plan: <u>101862323</u>	OFFICE USE ONLY
APPLICANT/OWNER INFORMATION	Applicant Name: <u>ON-SITE SIGN GROUP INC.</u> Address: <u>2803 50 Ave, Lloydminster, SK</u> Postal Code: <u>S9V 2A8</u> Phone: <u>780-818-9659</u> Email: <u>tsandluck@on-sitesign.com</u> Is Property owner same as above? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If property owner is not the same as applicant AUTHORIZATION FORM is required)	APPLICATION #: <u>23-3380</u> PERMIT #: <u>20230205</u> PERMIT FEE: <u>510.00</u> RECEIPT #: <u>76047</u> MOTION #: _____ APPROVED BY: _____ REFUSED BY: <u>Amy Moore</u> ISSUE DATE: <u>May 16, 2023</u> EXPIRY DATE: _____
SIGN INFORMATION	Type of Sign: <input checked="" type="checkbox"/> Permitted Use <input type="checkbox"/> Discretionary Use <input type="checkbox"/> Fascia <input checked="" type="checkbox"/> Free Standing <input type="checkbox"/> Billboard <input type="checkbox"/> Digital <input type="checkbox"/> Awning/Canopy <input type="checkbox"/> Fence <input type="checkbox"/> Projecting <input type="checkbox"/> Portable/Temporary <input type="checkbox"/> Other: _____ Sign Postage Dates: Sign Installation Date: <u>Once approvals in place - May 2023</u> Sign Removal Date: <u>Once approvals in place - May 2023</u>	
DECLARATION	I hereby declare <input type="checkbox"/> I am <input checked="" type="checkbox"/> I represent the owner of the property on which the work identified in this application will be conducted in accordance to the plans submitted, and upon approval will adhere to the conditions/terms of Land Use Bylaw 5-2016. I/We will notify the Development Authority of any proposed changes to the plans submitted with this application. Note: By typing your name into the signature box below (or by signing a printed version of this application), you agree that all information submitted on this form is true and accurate. _____ <u>April 26, 2023</u> Signature of Registered Owner / Agent Date of Application	
DECISION (OFFICE USE ONLY)	<u>Application does not meet LUB regulations and is therefore Refused</u> _____ <u>May 16, 2023</u> Development Officer Date	

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IMPORTANT NOTICE: THIS APPLICATION DOES NOT PERMIT YOU TO COMMENCE CONSTRUCTION UNTIL SUCH TIME A DEVELOPMENT PERMIT HAS BEEN ISSUED BY THE DEVELOPMENT AUTHORITY AND ALL OTHER PERMITS (IF REQUIRED) ARE APPROVED. IF A DECISION HAS NOT BEEN ISSUED WITHIN 40 DAYS OF THE DATE THE APPLICATION IS DEEMED COMPLETE, YOU HAVE THE RIGHT TO FILE AN APPEAL TO THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD. APPEALS TO THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD CAN ALSO BE FILED IN REGARDS TO PERMIT REFUSALS AND/OR CONDITIONS WITHIN 21 DAYS OF A DECISION.

APPEAL STATEMENT - DEVELOPMENT OFFICER

APPLICATION: Freestanding Sign Relocation

**DECISION OF THE
DEVELOPMENT OFFICER:** Refused

REGISTERED OWNER: Harty Development Ltd.

APPELLANT/APPLICANT: On-Site Sign Group Inc.

DECISION DATE: May 16, 2023

NOTIFICATION PERIOD: May 16, 2023 – June 7, 2023

DATE OF APPEAL HEARING: **June 21, 2023**

CIVIC ADDRESS: 2803 – 50 Avenue
LEGAL DESCRIPTION: Lot 8, Block 3, Plan 101862323
DISTRICT: C2 – Highway Corridor Commercial
STATUTORY PLAN: Land Use Bylaw

DEVELOPMENT OFFICER’S DECISION: Schedule “A”

Application is **REFUSED** for a Freestanding Sign to be relocated at **2803 –50 Avenue** as applied for on May 4, 2023, based on the following:

1. Replacing and/or relocating the sign at the proposed location identified on site plan will not conform to the regulations within Land Use Bylaw 5-2016, which requires the sign to be a minimum of 0.75 m from the property line and not on, under or over any portion of a right-of-way.

DEVELOPMENT OFFICER’S APPEAL STATEMENT

BACKGROUND:

On May 4, 2023, an application was deemed complete by the Planning Department for a Freestanding Sign to be relocated on a site known as 2803-50 Avenue. The reasoning for the proposed relocation was due to structural concerns with the piles of existing Freestanding Sign.

During the review, it was noted that the new location proposed for the sign did not meet the regulations, within Land Use Bylaw 5-2016.

The Land Use Bylaw as per Section 4.20.17 (iii), states that the minimum setback to any portion of a Freestanding Sign shall be 0.75 m from the property line. The current Freestanding sign touches the Property line to the west and abuts a registered easement on the east; and the proposed relocation of this sign is proposed to be the similar distances.

The Development Officer refused the application on May 16, 2023.

LAND USE BYLAW

The following excerpts from Land Use Bylaw 5-2016 attached as Schedule “B” to this Report:

Schedule “B”

- Land Use Bylaw 5-2016, Section 4.20.7 (vi.) – General Regulations for Signs
- Land Use Bylaw 5-2016, Section 4.20.17(iii.) – Freestanding Sign Regulations

FACTS TO THE BOARD:

All new Freestanding Sign applications are required to obtain a permit. In order to obtain permit approval, the proposed sign would need to meet the regulations within Land Use Bylaw 5-2016. Based on the site plan/aerial photos the proposed relocation would not meet setback requirements to be 0.75 metres from the property line without encroaching into the existing right-of-way, which it also not permitted.

Administration received the Development Permit Application and applicable fees on May 4, 2023.

Administration deemed the application complete on May 4, 2022.

The application was refused on May 16, 2023, with the Notice of Decision Refusal being sent to the Applicant via email on May 16, 2023. A copy of this Notice of Decision is attached as Schedule “A” to this report.

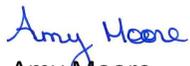
BOARD’S AUTHORITY AND DEVELOPMENT OFFICER’S SUBMISSIONS

The Board’s authority with respect to a development appeal is set out in s. 687(3)(c) and (d) of the *Municipal Government Act*:

- ⟨ ⟩ 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.

Respectfully Submitted,



Amy Moore
Development Officer, Planning
City of Lloydminster

Attachments:

Schedule "A" — Refused Notice of Decision — Freestanding Sign — DP # 20230205
Schedule "B" — Excerpts of Land Use Bylaw 5-2016 — Sections 4.20.7(vi.), 4.20.17(iii)

Schedule 'A'



NOTICE OF DECISION LAND USE BYLAW 5-2016

You, **Tanya Sandluck** representing **On-Site Sign Group Inc.** at **2803 50 Avenue, Lloydminster, SK, S9V 2A8** hereinafter referred to as the "Applicant", are hereby notified that your application for development as follows:

Application Number:	23-3380
Permit Number:	20230205 - Refused
Purpose:	Freestanding Sign Relocation
Involving:	2803- 50 Avenue (Lot 8, Block 3, Plan 101862323)
Authorized Agent:	Harty Developments Ltd.

Application is **REFUSED** for a Freestanding Sign to be re-located at **2803 -50 Avenue** as applied for on May 4, 2023, based on the following:

1. Replacing and/or relocating the sign at the proposed location identified on site plan will not conform to the regulations within Land Use Bylaw 5-2016, which requires the sign to be a minimum of 0.75 m from the property line and not on, under or over any portion of a right-of-way.

Although refused, this permit is subject to a twenty-one (21) day appeal period from the date of decision.

If you are not in agreement with this decision or conditions described herein, it may be appealed within twenty-one (21) days from the date of decision (as per Section 686 Development Permit Appeals: *Municipal Government Act*) by submitting a written notice and four hundred dollars (\$400.00) processing fee to the following:

City Hall - Office of the City Clerk
Attention - Secretary of the Subdivision and Development Appeal Board
4420 - 50 Avenue
Lloydminster, AB T9V 0W2

If you have any questions, or require any clarification, please contact the undersigned at (780) 874-3700 or by email at amoore@lloydminster.ca.

Date of Decision:	May 16, 2023
Date of Notice:	May 16, 2023

Sincerely,
City of Lloydminster

Amy Moore
Development Officer, Planning
Operations Centre

SCHEDULE "B" - Excerpts from Land Use Bylaw 5-2016

- iii. The Building face is defined by the lower and upper limits of the Building wall.
- iv. A Fascia Sign shall not extend above the eave line of any Building elevation
- v. A Fascia Sign exceeding a Height of 1.5 m and with a Sign Area greater than 10.0 m² shall be limited to individual letters or shapes. The letters or shapes shall be either fixed directly to the Building without a sign-backing panel or mounted by an architecturally compatible method.

4.20.16 Fence Signs

- i. Fence Signs shall comply with the provisions of this Bylaw related to Permanent Signs.
- ii. Each Sign shall be securely attached to the fence.
- iii. The maximum Sign Area shall be 1.1 m².
- iv. Where the Sign is attached to the body of the fence, the top edge of the Sign shall coincide with or be below the top edge of the fence.
- v. Where the Sign is attached to an entry feature of the fence such as an archway the Sign shall have a minimum clearance of 2.44 m, measured from the ground to the bottom edge of the Sign.

4.20.17 Freestanding Signs

- i. Freestanding Signs shall comply with the provisions of this Bylaw related to Permanent Signs and shall not contain Third Party Advertising.
- ii. In Commercial and Industrial Districts, the total Copy area of a Freestanding Sign shall not exceed 0.3 m² in area for each metre of street Frontage of the Site, to a maximum of 17.0 m². The Copy area of a Freestanding Sign face may be increased by a variance of no more than ten percent of the maximum allowable area for the Site only for the purposes of providing an area for changeable Copy or Digital Copy.
- iii. The minimum Setback to any portion of a Freestanding Sign shall be 0.75 m from the property line.
- iv. The maximum Sign Height of Freestanding Signs shall be:
 - a. 9.1 m in the C2 District, MA1 District, MA2 District and all Industrial Districts.
 - b. 4.5 m in the C1 District, C3 District C4 District and C5 District.

SCHEDULE "B" - Excerpts from Land Use Bylaw 5-2016

including but not limited to Signs on any Building within 30 m of the location of the proposed Sign; and Real Property Report to verify the location of an existing Building and improvements on the Site.

- iv. An application for a Development Permit for a Sign shall not be considered complete and final and received for processing by the City until the Development Officer determines that all the requirements of this Section have been satisfied.

4.20.7 General Regulations for Signs

- i. Except as provided in Section 4.20.7.ii. and Major Home Based Business regulations (Section 5.17.17), the maximum number of Temporary Signs and Permanent Signs per Site, excluding Signs listed in Section 4.20.5, shall be as follows: for Multi-Unit Residential Dwellings, one Permanent Sign per street access; for non-residential developments, one Permanent Sign for every 30 m of Frontage or fraction thereof and one Temporary Sign for every 50 m of Frontage or fraction thereof.
- ii. The Development Officer will determine the maximum number of Fascia and Directional Signs that will be allowed for each Development, which are not included in the total number of Signs allowed in Section 4.20.7.i.
- iii. Signage shall be integrated as part of the Building design and be complementary to the exterior finishes.
- iv. Signage shall be manufactured to the standards followed by a professional Sign manufacturer, have a painted finish, be neat and clean, and be maintained as such.
- v. A Sign shall not be erected, operated, used, or maintained if: its position, shape, colour, format, or illumination may be confused with an official traffic Sign, signal or device or other official Sign; or it displays flashing lights.
- vi. Signs shall not be placed so as to reduce the number of Parking Stalls or Loading Spaces or to obstruct the use of the Parking Facilities or loading areas required pursuant to an approved Development Permit.
- vii. Whenever a panel on a Multi-tenant Sign is removed, the property Owner shall replace it with a blank panel until such time as a new tenant requires it.
- viii. A person shall not: attach or hang an Auxiliary Sign or other material to, on, above, or below a Sign unless otherwise provided for in this Bylaw; attach to any Sign an extension or portable device other than Sign hangers shown on the plans for which the Development Permit is issued; or make alterations to any Sign in any way, unless otherwise provided for in this Bylaw, without first obtaining the required Development Permits.