

NOTICE OF DECISION

FILE NO. **SDAB 2026-005**

APPLICATION No.: **2025-DP-00129**

DEVELOPMENT: **Billboard Sign – Digital Copy**

LAND USE DESIGNATION: **BI – Business Industrial**

LEGAL DESCRIPTION: **Lot 3A, Block 1, Plan 0427034**

CIVIC ADDRESS: **560 Memorial Drive, Fort McMurray, Alberta**

IN THE MATTER OF AN APPEAL filed with the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board (“the Board”) pursuant to Sections 685 and 686 of the *Municipal Government Act*, R.S.A 2000, c. M-26 (“the Municipal Government Act”), the Appeal Hearing was held on Wednesday, May 13, 2026 via Microsoft Teams.

BETWEEN:

Jeromy Laporte (“the Appellant”)

-and-

The Regional Municipality of Wood Buffalo (“the Respondent”)

BEFORE:

A. McKenzie (Chair)
T. Salisbury
S. Schaffer
L. Yayechnick

Administration:

H. Fredeen, Clerk for the Subdivision and Development Appeal Board

MERIT HEARING

- [1] Following the introduction of the Board, the Chair confirmed with the parties in attendance that there were no objections to the constitution of the Board. No objections were raised.

Preliminary Matters

- [2] No preliminary matters were raised.

Summary of Hearing*Submission of the Respondent*

- [3] The Development Authority Supervisor began the proceedings with a verbal summary of their written report, highlighting specific points and facts within the report and outlining the planning considerations for which the decision was based.
- [4] The appeal stems from the refusal of Development Permit Application No. 2025-DP-00129, which sought approval to allow third-party advertising on an existing digital Free-standing Sign located at 560 Memorial Drive, within the BI – Business Industrial District. The Development Authority Supervisor advised that the proposed Billboard Sign constitutes discretionary use in this district. The existing Free-standing Sign was originally approved under Development Permit No. 2014-DP-00819 on January 19, 2015.
- [5] The Development Authority Supervisor advised that a condition of Development Permit No. 2014-DP-00819 requires the removal of any signage advertising a business, product, or service not conducted on the premises, thereby prohibiting third-party advertising under that approval.
- [6] The Development Authority Supervisor indicated that the Applicant is seeking to introduce third-party advertising; therefore, the Development Permit Application No. 2025-DP-00129 was assessed under the Billboard Sign provisions as it is the only sign that permits third-party advertising.
- [7] The Development Authority Supervisor indicated that the Development Permit application was circulated to relevant agencies, including Alberta Transportation, which indicated no objection to the application.
- [8] Following a full technical review, the application was refused on March 2, 2026, as it did not comply with the Land Use Bylaw 99/059 for the following reasons:
- i. Under Section 6.3.1 (Billboard Sign dimensions), the maximum permitted clearance is 2.7 metres; however, the proposed sign has a clearance of 4.57 metres, which exceeds this limit.

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- ii. Under Section 6.3.2 (Minimum Location Requirements), the proposed Billboard Sign does not meet the required setbacks of five metres from the roadway and 150 metres from another free-standing sign, as there is an existing free-standing sign located at 540 Memorial Drive.
- [9] The Development Authority Supervisor submitted that the Development Authority is unable to vary regulations related to Billboard Signs.
- [10] Section 8.8.1(h) of Land Use Bylaw 26/001 indicates that Billboard Signs are typically approved for a maximum period of five years. Should the Board consider approval in this instance, it may wish to impose a time-limited approval. This would require the Appellant to submit a new Development Permit application upon expiry, which could result in future appeals.
- [11] The Development Authority Supervisor recommended that the Subdivision and Development Appeal Board uphold the original decision of the Development Authority.
- [12] During questioning from the Board, the Development Authority Supervisor submitted the following:
- i. There is no history of complaints regarding the Sign.
 - ii. The proposed Billboard Sign was assessed under Land Use Bylaw No. 99/059; the Billboard Sign provisions are the same in the new Land Use Bylaw No. 26/001.
 - iii. The former Free-standing Sign complied with the Land Use Bylaw No. 99/059; however, third-party advertising matters arose later.

Submission of the Appellant

- [13] The Appellant advised that the proposed Billboard Sign would cost in excess of \$100,000. They further submitted that a five-year approval period would be impractical, as it would take approximately that length of time to recover the initial investment, leaving little to no opportunity to realize a profit. The Appellant also expressed concern that the proposed clearance of 2.7 metres is insufficient and could increase the likelihood of vandalism and could be a safety concern.
- [14] Development Permit Application No. 2025-DP-00129 requested approval for third-party advertising and was approved by the Subdivision and Development Appeal Board in 2014. The Appellant questioned the rationale for installing a Billboard Sign intended solely to advertise a business that is not owned by the property owner.

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- [15] The Appellant indicated that the current application is largely procedural in nature, arising from renewed enforcement efforts by the Regional Municipality of Wood Buffalo following a prolonged period during which similar signage was not actively regulated. The Appellant noted that Billboard Signs had previously been widespread and suggested that increased enforcement has now necessitated reapplication.
- [16] During questioning from the Board, the Appellant indicated that no complaints had been received regarding the proposed Billboard Sign.
- [17] Following questioning of the Board, the Development Authority Supervisor advised that the Municipality employs a complaint-based approach to enforcement. They further noted that, several years ago, the Municipality undertook a signage enforcement campaign across the urban service area, which prompted the Appellant to submit an application for the Billboard Sign in order to comply with the Land Use Bylaw.

Submission(s) of Affected Persons in Favor of the Appeal

- [18] No verbal or written submissions were received in support of the appeal.

Submission(s) of Affected Persons in Opposition to the Appeal

- [19] No verbal or written submissions were received in opposition to the appeal.

Closing Comments from the Respondent

- [20] The Development Authority Supervisor reiterated that it is outside of the Development Authority's ability to approve the Billboard Sign but noted that the Sign has existed for a number of years with third-party advertising without any known or reported negative impacts on neighboring properties or public safety.

Closing Comments from the Appellant

- [21] The Appellant noted that there have been no complaints received regarding the Sign.

Conclusion

- [22] Upon conclusion, the Chair asked the parties present, if they felt that the hearing was conducted in a fair manner. No issues were brought to the Board's attention.

Findings Of Fact

[23] The Board makes the following findings of fact:

- a. The Subject Property is located in the BI - Business Industrial District;
- b. The proposed development is a Billboard Sign;
- c. The use is a discretionary use.

Decision

[24] **It is the decision of the Subdivision and Development Appeal Board to UPHOLD the Appeal. The application for a Billboard Sign is APPROVED.**

Reasons for The Decision

[25] The Board notes that its jurisdiction is found within Section 687(3) of the *Municipal Government Act, RSA 2000, c.M-26 (the "Municipal Government Act")*. In making this decision, the Board has examined the provisions of the Land Use Bylaw and has considered the oral and written submissions by and on behalf of the Respondent, and the Appellant.

Affected Persons

[26] The Board finds that the Appellant is affected as they are the Applicant for the Development Permit and the Development Authority Supervisor is affected as they are representing the Development Officer who refused the permit.

Issues to be determined

The Board must determine:

- a. What is the use and is the use permitted or discretionary?
- b. Is the proposed use compatible with the neighbouring uses?
- c. If so, does the proposed use comply with the development regulations? If not, should the Board exercise its variance power under s. 687(3)(d) of the *Municipal Government Act*?

What is the use and is the use permitted or discretionary?

- [27] Based on the evidence before it, the Board determined that the proposed development is a Billboard Sign, which is classified as a discretionary use within the BI – Business Industrial District.

Is the proposed development compatible with the neighbouring uses?

- [28] The Board finds that there is no evidence to suggest that the proposed Billboard Sign is incompatible with surrounding or neighbouring uses.

If so, does the proposed use comply with the development regulations? If not, should the Board exercise its variance power under section 687(3)(d) of the Municipal Government Act?

- [29] The Board acknowledges that the proposed Billboard Sign does not comply with the development regulations regarding maximum permitted clearance and minimum required setbacks. Notwithstanding these deficiencies, the Board finds the submissions of both the Development Officer and the Appellant to be persuasive. In particular, the Board places significant weight on the absence of any recorded complaints during the period the sign has been in place, as well as the lack of evidence demonstrating any adverse impact on surrounding uses.

- [30] The Board also considered whether a five-year time limit should be applied to the Billboard Sign but decided against imposing such a restriction, noting that the Sign has already been in place for multiple years without any concerns.

- [31] The Board acknowledges that the reason the Applicant had to re-apply for the permit is because the existing permit did not allow third-party advertising. It is noted that third-party advertising is a discretionary use but was not cited as a reason for the refusal of this permit. The Board interprets this as the Development Officer had no concerns with third-party advertising and would likely approve if the issue of clearances were not present. The Board also is relying on the Land Use Bylaw section 8.8.1(c):

8.8.1(c) Third-party advertising is allowed

- [32] For the reasons above, the Board is exercising its variance powers under section 687(3)(d) of the *Municipal Government Act* to uphold the appeal and approve the permit.

- [33] The decision of the Subdivision and Development Appeal Board is final and binding on all parties, subject only to an appeal to the Alberta Court of Appeal under section 688 of the *Municipal Government Act*, RSA 2000, c. M-26, as amended.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 27th day
of May 2026.

ATIA 20(1)

CHAIR:


Alex McKenzie

APPENDIX "A"

DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

EXHIBIT NO.	ITEM	DATE FILED
	Subject Area Map	2026-03-03
1.	Notice of Appeal (5 pages)	2026-03-01
2.	Planner's Report (21 pages)	2026-05-08

APPENDIX "B"

REPRESENTATIONS

Person Appearing	Capacity
Jeromy Laporte	Appellant
Shailesh Makwana	Development Authority Supervisor
Phyllis Agyemang	Development Officer