

**MINUTES OF THE MEETING OF THE SUBDIVISION
AND DEVELOPMENT APPEAL BOARD
THURSDAY, OCTOBER 15, 2015 at 7:00 p.m.**

PRESENT: Members: V. Lutz, B. Hawrelak, B. Christian, C. Crozier, D. Kilpatrick

Development Officer	B. Stehr
Planning Consultant	G. Smith
Recording Secretary	S. Simon

Appellant(s)	Appeal No. 1 Chad Steinkey
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	Appeal No. 2 Rob Craats - Encore Developments Ltd.
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ABSENT: G. Shipley

1. CALL TO ORDER

Recording Secretary called the appeal hearing to order at 7:00 p.m., confirmed there was a quorum present to hear this appeal; and opened nominations for Chairman.

2. ELECTION OF CHAIRMAN

V. Lutz nominated C. Crozier to be Chairman, seconded by D. Kilpatrick. C. Crozier accepted and assumed control of the appeal hearing.

**3. APPEAL NO. 1
Appeal of Development Application 15-DP-069
Lot 3 & 4, Block 49, Plan 1117V (119 - 6 Street SE)
Accessory Building - detached garage**

Chairman Crozier asked the appellant if he had any objection to any board members hearing the appeal. Chad Steinkey advised he had no objection to any member of the Subdivision and Development Appeal Board.

a) Presentation of Appellant

C. Steinkey began by stating that he does not completely object to the construction of the garage, but he has concerns that there is no retaining wall between the two lots. He indicated there are drainage concerns between his property and the one next door, and the addition of the garage and run off will add to the problem. He advised he spoke to local contractors about building a retaining wall and controlling the run off. The contractor's concern was that anything 3-4 feet from the wall makes it a safety concern for their employees because they have to excavate the land up to three feet to properly put in the forms, and push the dirt away and keep their crew safe. With that pad being within three to four feet from the property line, he is concerned with putting in the retaining wall in case something happens. Mr. Steinkey wants to make sure the development is constructed in the correct place. If the property line ends up being further into their yard, he does not expect them to tear up the pad that is already there.

He would be happy to work with them. His biggest concern is the water run-off. He has water damage in his basement from spring run-off and heavy rainfall. Mr. Steinkey has controlled it with sump pumps in the basement but if they do build the garage, he is very concerned that it will just add to more water problems in his house and on his property. The other safety concern is that because of the water run-off in the yard, the fence is starting to be pushed out and the boards are breaking and the nails are sticking out. The kids are starting to scrape their legs on the nails if he doesn't bend them over in time. Mr. Steinkey would like to have a few things worked out before the application is approved and the garage built.

b) Presentation of Development Officer (Report Attached)

The Development Officer referred to his report. The Development Officer accepted the application from Henry Leibel for the construction of a detached garage. The application as proposed meets the criteria of the Land Use Bylaw and was approved subject to the two week appeal period. Mr. Steinkey, adjacent landowner, subsequently appealed the decision.

B. Hawrelak questioned whether the position of the pad meets all the setback requirements? The Development Officer advised yes as per the supplied site plan.

B. Christian asked if there is a Real Property Report for this property to show the actual property lines. The Development Officer advised no but V. Leibel, owner of the subject property, stated she had a Real Property Report.

c) Presentation of Municipal Planning Commission (MPC)

No one was in attendance.

d) Presentation of Planning Consultant (Report Attached)

The Planning Consultant provided the following comments:

- The subject property of this appeal is consistent with the Residential policies of the Municipal Development Plan.
- The Subject property of this appeal is located in the R-1 Single Family Residential District. The Residential use meets the provisions of Section 101-Single Family Residential District in the Land Use Bylaw.
- The proposed accessory building meets the requirements of Section 40 Accessory Buildings.
- An accessory building or garage use would be consistent with the Residential Designation within the Municipal Development Plan.
- In respect of the Land Use Bylaw the proposed addition is in scale and forms with the existing residential development in the area and meets the requirements of Section 40 Accessory Buildings of the Land Use Bylaw.
- The existing grade appears to have been established many years previous to the development permit application for the accessory building/garage as evidenced by the well weathered fence.
- The appellant would need to show that the existing situation would be further negatively impacted by the construction of the new accessory building.

- This appears to be a civil matter between the applicant and appellant. Should they not come to an acceptable agreement they may wish to seek a remedy through the courts as a civil case.

In respect of the approval of this application, the proposed accessory building is a discretionary use - Development Officer, as submitted and meets the requirements of the Land Use Bylaw 1698/2011 including those pertaining to maximum building size, coverage and yard setbacks.

The Planning Consultant recommended that the Board uphold the Development Officer's decision.

B. Hawrelak asked how the Planning Consultant felt about Section 49(1) Drainage.

G. Smith advised that this Section is generally used when new construction is put into place. The lot itself hasn't had a previous structure on the property and given that the development authority hasn't requested for accessory buildings to provide grading plans etc.; this does not apply in this case. The drainage on the property has been well established for quite a number of years and if it was going to be an issue or has been an issue then the two property owners should have been working on it.

e) Presentation of anyone served notice of hearing

No one was in attendance.

f) Presentation of anyone claiming to be affected

Vicky Leibel stated her name and address being 801 - 3rd Street SE, Redcliff. She presented the Real Property Report and in response to Mr. Steinkey's concerns about the garage being built adjacent to his property she advised that they obtained the Real Property Report and it confirms that the pad is within the proper setbacks for the Town of Redcliff. In checking with the Town Office there was a permit taken out for the pad and in further checking with Park Enterprises about the thickness of the perimeter, she confirmed that because of the size of the pad there are no restrictions or code concerns.

With respect to Mr. Steinkey's concerns about the fence being pushed over about a foot, they checked the area where it was bent over the worst and they found only a couple of inches of dirt. The rest was deadfall, leaves, garbage etc. The fence doesn't look any better on the other two sides of the yard. The fence is old and rotten and should have been replaced years ago. She indicated it is Mr. Steinkey's fence and it is up to him to replace it. They feel that Mr. Steinkey wants the retaining wall and the elevation of their lot was established long before Mr. Steinkey's house was built. The addition was put onto the existing rear of their house in 1959 and the first record of Mr. Steinkey's property was 1962. The builder of Mr. Steinkey's home should have put up a retaining wall back then. There have been different owners over the years that should have looked at proper drainage for this lot as well. The concrete pad is still in excellent condition and has not moved over the years.

g) Rebuttal of Appellant/Applicant

C. Steinkey advised that he has tried to replace the fence and develop the yard. He has tried to talk to the neighbours but has had three "midnight" movers leave the property, which makes it difficult to coordinate any resolution. He questioned, how does he build a

fence with different elevations all around. Mr. Steinkey has no problem building a new fence but if the drainage is still an issue there is no point because the fence will be wasted.

He has contacted contractors to discuss a new fence and they have stated that if he builds a fence with no concrete retaining wall for drainage control, eventually the water will rot out the fence and push it over.

h) Other

Nothing further was discussed.

i) Recess

B. Hawrelak moved to meet in camera at 7:28 p.m. – Carried.

The Appellant, Development Officer, and Planning Consultant left the meeting at 7:28 p.m.

j) Decision

D. Kilpatrick moved that the appeal against the decision of the Development Officer to issue a permit for Development Permit Application 15-DP-069, Lots 3 & 4, Block 49, Plan 1117V (119 - 6th Street SE) for an accessory building, be denied and the decision of the Development Officer be confirmed.

Reasons for Decision

The Board advised the reasons for their decision are as follows:

1. The proposed development does not negatively affect the amenities of the neighbourhood;
2. The proposed development is a permitted use under the Land Use Bylaw;
3. The proposed development complies with the Land Use Bylaw with regard to size and setbacks.

- Carried.

The Appellant, Development Officer, and Planning Consultant returned to the meeting at 7:49 p.m.

Chairman Crozier advised the appellant of the decision and that the written decision would be forthcoming.

4. APPEAL NO. 2**Appeal of Development Application 15-DP-072****Lot 1, 2 & 35-39, Block 84, Plan 755AD (317 Broadway Avenue E)****Addition for existing building**

Chairman Crozier asked the appellant if he had any objection to any board members hearing the appeal. R. Craats advised he had no objection to any member of the Subdivision and Development Appeal Board.

B. Hawrelak recused himself from hearing Appeal No. 2 due to a conflict of interest and left the meeting at 7:55 p.m. As a result, D. Kilpatrick stepped down from the meeting to satisfy quorum requirements of having more Citizens at large than Council members.

a) Presentation of Appellant

R. Craats referred to the information laid out in the original application. His company is attempting to take the area currently occupied by a shipping container and replace it with a building with no heating, just electricity for lighting. The shipping container was originally intended to be temporary. There is currently six feet between the shipping container and the store wall and this is difficult for storage use as the storage is exposed to the outside elements and the public. There is also a temporary structure that covers part of the concrete to the West of the lot. This is a display area currently used for storage of Christmas decorations and seasonal products. Mr. Craats would like to remove that structure and cover the area with a "greenhouse" style structure. It will look nicer and the project would not really increase the size of the structure, just enclose the entire area. He reiterated that the structure would have electricity but no heat.

b) Presentation of Development Officer (Report Attached)

The Development Officer referenced his report and the concerns regarding the use in this matter. He noted he had a discussion with the Planning Consultant regarding the required parking provision for the additional space.

The Development Officer reiterated the reasons for the denial of the application being that the proposed development does not meet the parking requirements established in Section 68 of the Town of Redcliff's Land Use Bylaw.

C. Crozier asked if the current shipping container and additional six feet of space conform to the Land Use Bylaw? The Development Officer advised, No.

c) Presentation of Municipal Planning Commission (MPC)

No one was in attendance.

d) Presentation of Planning Consultant (Report Attached)

The Planning Consultant referred to his report. In respect of the refusal, when a building is enlarged, altered, or a change in the use occurs, provision shall be made for the additional parking spaces required under the parking provisions of the Land Use bylaw 1698/2011 to ensure adequate parking is available for their customers.

The subject property of this appeal is located in the C-2 Downtown Commercial District. The commercial use meets the provisions of Section 89-Downtown Commercial District except with regards to the provision of adequate on-site parking.

The appellant is proposing to eliminate movable storage in the form of a Sea Can and a temporary greenhouse tent structure with two permanent additions having an area of 1920 sq ft or 178.37 m². The proposed permanent additions of 178.37 m² to the existing building requires additional parking to be provided at the rate of 1 per 30m² for a total of 6 additional parking spaces. The planning rationale for the additional parking spaces is to provide adequate on-site parking for their customers reflecting the expansion of retail floor area at the ratio as outlined in the LUB Section 68 Parking and Loading Spaces.

Section 68(4)(a) of the LUB provides that where the applicant cannot meet the on-site parking requirements in lieu of providing off-street parking, an owner of land, subject to the approval of Council, pay to the municipality such amount of money on such terms as the Council considers reasonable in return for the equivalent public parking space to be provided by the municipality.

Section 68(4)(b) of the LUB further provides that should the Development Authority deem it advisable, it may accept payment in lieu for a deficiency in on-site parking spaces, up to a maximum of 50% of the required number.

In respect of the Municipal Development Plan, the proposed additions would be consistent with the Downtown Commercial policies within the Municipal Development Plan. The proposed addition of 1920 ft² (178.37 m²) to the existing building requires the provision of an additional 6 on-site parking spaces.

The site does not provide adequate area to provide any additional parking for the proposed additions.

In summation, it is a matter that you have an informal area of the property being used for retail warehouse properties, now being more formalized. Because it is being formalized with permanent structures, the Land Use Bylaw comes into effect with regards to parking. Further, the proposed development was considered as an addition and not as a greenhouse. The usage of greenhouse was incorrect.

The Planning Consultant recommendation is that the Board uphold the Development Officer's decision and not approve the Development Permit for the proposed extension to the existing store due to the inability to provide the additional on-site parking spaces. However, in the event that the SDAB does approve the Development Permit, the SDAB the following potential conditions were recommended:

1. The proposed additions to the existing building be the same size, height, design, materials and location as provided by the applicant for the Development Permit as submitted 15-DP-072.
2. Relocation of affected utility services to the satisfaction of all utility departments. Please be advised that relocation of services is at the applicant's expense. The Town has not confirmed utility locations and it shall be the responsibility of the applicant to ensure that the development does not interfere with the utilities, and utility right-of-way.

e) Presentation of anyone served notice of hearing
No one in attendance

f) Presentation of anyone claiming to be affected

John Piea, the owner of the building adjacent to the appellant, advised that he supports this application and he doesn't believe that the proposed development will affect the parking. There is no net difference between what is there now and what is proposed with respect to parking.

g) Rebuttal of Appellant/Applicant

The Appellant confirmed that nothing is changing. The parking as it is now is not enough when the store is busy. He further commented that his store is a major draw for the Redcliff area and a "hub" for people to come. That will not change and he wants to make the development better.

The project is a rigid storage area and the construction will be done properly with a professional Plastic Display Manufacturer, and will improve the street appeal and the appeal of the selling area.

h) Other

Nothing further was discussed.

i) Recess

V. Lutz moved to meet in camera at 8:15 p.m. – Carried.

The Appellant, Development Officer, and Planning Consultant left the meeting at 8:15 p.m.

j) Decision

B. Christian moved that the appeal against the decision of the Development Officer to refuse to issue a permit for Development Permit Application 15-DP-072, Lot 1, 2, 35-39, Block 84, Plan 755AD (317 Broadway Avenue E) for an addition to existing building, be upheld and the decision of the Development Officer be revoked.

Further that Development Permit Application 15-DP-072, Lot 1, 2, 35-39, Block 84, Plan 755AD (317 Broadway Avenue E) for an addition to existing building, be approved as presented with the following conditions:

1. The proposed additions to the existing building be the same size, height, design, materials and location as provided by the applicant for the Development Permit as submitted 15-DP-072.
2. Relocation of affected utility services to the satisfaction of all utility departments. Relocation of services is at the applicant's expense. The Town has not confirmed utility locations and it shall be the responsibility of the applicant to ensure that the development does not interfere with the utilities, and utility right-of-way.
3. No additional on-site parking is required.

- Carried.

Reasons for Decision

The Board advised the reasons for their decision are as follows:

1. There is adequate on street parking;
2. Two non-conforming structures will be removed;
3. The development will improve the aesthetics of the site;
4. The Board feels the usage of the term "greenhouse" is incorrect and should be considered "an addition to an existing building".

V. Lutz moved to return to regular session at 8:30 p.m. - Carried.

The Appellant, Development Officer, and Planning Consultant returned to the meeting at 8:30 p.m.

Chairman Crozier advised the appellant of the decision and that the written decision would be forthcoming.

5. ADJOURNMENT

V. Lutz moved the meeting be adjourned at 8:33 p.m.



C. Crozier, Chairman



S. Simon, Recording Secretary

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development Officer's Report

Date: September 22, 2015

Development Permit Application: **15-DP-069 Accessory Building – Detached Garage**
Applicant: **Chad Steinkey**
Owner: **Henry Leibel**
Property Address: **119 6 Street SE**
Legal Address: **Lot 3-4, Block 49, Plan 1117V**
Land Use: **R-1 Single Family Residential District**
Development Officer: **Brian Stehr**

Background:

On August 14, 2015 H. Leibel submitted a Development Permit Application for an Accessory Building - 12 x 32 detached garage at 119 6 Street SE.

As the Development Officer I reviewed the Development Permit Application in relation to the Land Use Bylaw and other statutory plans. Land Use Bylaw section 101(3) defines an Accessory Building as a Discretionary Use – Development Officer and as such is subject to a two (2) week appeal period from the date of being published in the local newspaper circulating within the municipality.

After reviewing the Application a letter was sent to H. Leibel informing him that his Application for an Accessory Building – detached garage had been approved with conditions subject to the appeal period. The notice appeared in the Cypress Courier/Commentator on September 8, 2015 (see attached).

Prior to reviewing the Application I received a call from the Appellant, C. Steinkey, inquiring if approval had been given to build a garage at the above noted location. During the conversation I informed C. Steinkey that no approval had yet been given to construct a detached garage at 119 6 Street SE. I also informed C. Steinkey that any approval was subject to an appeal period and that he, and an affected party, was able to appeal the decision of the Development Officer.

On September 21, 2015 C. Steinkey appealed the decision of the Development Officer to approve the construction of an accessory building with conditions at 119 6 Street SE.



TOWN OF REDCLIFF DEVELOPMENT PERMITS

NOTICE OF DECISION OF DEVELOPMENT OFFICER

Discretionary Uses:

Development

<u>Permit Application#</u>	<u>Details</u>
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15-DP-069	Lot 3-4, Block 48, Plan 1117V (119 6 Street SE)
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APPROVED: Detached Garage

A Development Permit for a Discretionary Use does not take effect until fourteen (14) days after the date of this notice provided that no Appeals have been registered with this office.

Persons claiming to be affected by a Development Permit for a Discretionary Use may appeal to the Subdivision and Development Appeal Board by submitting a \$100.00 fee, and written notice stating reasons for the Appeal to the Town Manager within fourteen (14) days after this notice is published.

**Brian Stehr
Development Officer**

Scheffer Andrew Ltd. Presentation Notes for Appeal of 15-DP-069

Presented by Gary Smith, RPP, MCIP
Senior Planner

Introduction

My name is Gary Smith; I am acting on behalf of the SDAB in the appeal of the refusal of Development Permit **15-DP-069**.

I have reviewed the documentation provided by the Town with regard to the appeal of the approval Development Permit application **15-DP-069**. I offer the following planning comments.

Background and Description of Development

- An application for a development permit was received by the Development Officer on August 21, 2015, from Henry Leibel for a 5.67 m2 Accessory Building- Garage located at 119 6 Street SE. The property is legally known as Lot 3-4, Block 49, Plan 1117V otherwise known as 119 6 Street SE is the subject of this appeal.
- On September 1, 2015 the Development Officer approved the development permit application since the garage is considered a discretionary use under the LUB.
- The notice of decision was published on September 8, 2015 in the various local presses.
- The Notice of Appeal was filed by Chad Steinkey on September 21, 2015 at the Town office listing the following concerns and questions on the impact on his property as the basis for the appeal:
 - Is the existing garage pad placed up to code, proper permits and building inspection done when placed 10 years ago?
 - Is it going to be safe in time to build the garage so close to the property line with a 2 foot height difference and no drainage or land retaining plan in place and their land falling on to my property by a foot already?
 - How will it be affected by excavation when a retaining wall will have to be placed in?
 - With no drainage will more land and water run into my yard and house causing more damage. How will they ensure me they can fix that problem and making sure the garage won't one day slide into my yard?
 - A Notice of Appeal was submitted to the Municipal Manager on September 21, 2015 by Chad Steinkey (the "appellant") citing the above 4 questions as reason for the appeal. Subsequently a Subdivision and Development Appeal Board Hearing is scheduled on October 15, 2015. The application was processed in accordance with the Municipal Government Act.

▪ **Basis for Original Decision**

In respect of the approval of 15-DP-069, the proposed accessory building plans as a discretionary use as submitted meet the requirements of the Land Use Bylaw 1698/2011 including those pertaining to maximum building size, coverage and yard setbacks.



Municipal Development Plan Considerations:

- The subject property of this appeal is consistent with the Residential policies of the Municipal Development Plan.

▪ **Land Use Bylaw Considerations:**

- The subject property of this appeal is located in the R-1 Single Family Residential District. The residential use meets the provisions of Section 101-Single Family Residential District.
- The proposed accessory building meets the requirements of Section 40 Accessory Buildings.

Summary and Conclusions:

In respect of the Municipal Development Plan:

- An accessory building or garage use would be consistent with the Residential Designation within the Municipal Development Plan.

In respect of the Land Use Bylaw:

- The proposed addition is in scale and forms with the existing residential development in the area and meets the requirements of Section 40 Accessory Buildings of the LUB.
- The existing grade appears to have been established many years previous to the development permit application for the accessory building/garage as evidenced by the well weathered fence.
- The appellant would need to show that the existing situation would be further negatively impacted by the construction of the new accessory building.
- This appears to be a civil matter between the applicant and appellant, should they not come to come to an acceptable agreement they may wish to seek a remedy through the courts as a civil case.

Recommendation:

My recommendation is that the Board uphold the Development Officer's decision.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development Officer's Report

Date: September 25, 2015

Development Permit Application:	15-DP-072 Addition for Existing Building
Applicant:	Encore Developments
Owner:	Encore Developments
Property Address:	317 Broadway Avenue E
Legal Address:	Lot 1-2 & 35-39, Block 84, Plan 755AD
Land Use:	C-2 Downtown Commercial District
Development Officer:	Brian Stehr

Background:

R. Craats and I had a pre application meeting to discuss his intent to replace the storage container and greenhouse with a permanent greenhouse addition at his business.

On September 4, 2015 Encore Developments submitted a Development Permit Application for an addition of a greenhouse structure.

Upon reviewing the Development Permit Application, concerns were raised in regards to defining the use of the proposed development. After a discussion with the Planning Consultant and myself, it was determined that the use of the proposed development should be defined as an addition to the existing business.

Development Permit Application 15-DP-72 was denied for the following reason(s):

1. The proposed development does not meet the parking requirements established in Section 68 of the Town of Redcliff's Land Use Bylaw.

On September 25, 2015 Encore Developments appealed the decision of the Development Officer.



Scheffer Andrew Ltd. Presentation Notes for Appeal of 15-DP-072

Presented by Gary Smith, RPP, MCIP
Senior Planner

Introduction

My name is Gary Smith; I am acting on behalf of the SDAB in the appeal of the refusal of Development Permit **15-DP-072**.

I have reviewed the documentation provided by the Town with regard to the appeal of the refusal of Development Permit application **15-DP-072**. I offer the following planning comments.

Background and Description of Development

- An application for a development permit was received by the Development Officer on September 4, 2015, from Encore Developments for two extensions totalling 178.37 m² to the existing Home Hardware building located at 317 Broadway Avenue E. The property is legally known as Lot 1, 2, 35-39, Block 84, Plan 755AD otherwise known as 317 Broadway Avenue E is the subject of this appeal.
- On September 14, 2015 the Development Officer denied the development permit application listing the reason for denial as:
 - The proposed development does not meet the parking requirements established in Section 68 of the Town of Redcliff's Land Use Bylaw.
 - A Notice of Appeal was submitted to the Municipal Manager on September 25, 2015 by Encore Developments Ltd (Rob Craats (the "appellant") citing the reason for denial as ground for the appeal. Subsequently a Subdivision and Development Appeal Board Hearing is scheduled on October 15, 2015. The application was processed in accordance with the Municipal Government Act.

Basis for Original Decision

In respect of the refusal, when a building is enlarged, altered, or a change in the use occurs, provision shall be made for the additional parking spaces required under the parking provisions of the Land Use Bylaw 1698/2011 to provide adequate parking is available for their customers.

Although, the moveable Sea Can and the temporary tents were used for storage, however

Municipal Development Plan Considerations:

- The subject property of this appeal is consistent with the Downtown Commercial policies of the Municipal Development Plan.

Land Use Bylaw Considerations:

- The subject property of this appeal is located in the C-2 Downtown Commercial District. The commercial use meets the provisions of Section 89-Downtown Commercial District except with regards to the provision of adequate on-site parking.
- The appellant is eliminating *movable storage* in the form of a Sea Can and a temporary greenhouse tent structure with two permanent additions having an area of 1920 sq ft or 178.37 m².



- The proposed permanent additions of 178.37 m² to the existing building requires additional parking to be provided at the rate of 1 per 30m² for a total an additional 6 parking spaces.
- The planning rationale for the additional parking spaces is to provide adequate on-site parking for their customers reflecting the expansion of retail floor area at the ratio as outlined in the LUB Section 68 Parking and Loading Spaces.
- Section 68 (4)(a) of the LUB provides that where the applicant cannot meet the on-site parking requirements in lieu of providing off-street parking , an owner of land, subject to the approval of Council, pay to the municipality such amount of money on such terms as the Council considers reasonable in return for the equivalent public parking space to be provided by the municipality.
- Section 68 4(b) of the LUB further provides that should the Development Authority deem it advisable, it may accept payment in lieu for a deficiency in on-site parking spaces, up to a maximum of 50% of the required number.

Summary and Conclusions:

In respect of the Municipal Development Plan:

The proposed additions would be consistent with the Downtown Commercial policies within the Municipal Development Plan.

In respect of the Land Use Bylaw:

The proposed additions of 1920 ft² (178.37 m²) to the existing building requires the provision of an additional 6 on-site parking spaces.

The site does not provide adequate area to provide any additional parking for the proposed additions.

Recommendation:

My recommendation is that the Board uphold the Development Officer's decision and not to approve the Development Permit for the proposed extension to the existing store due to the inability to provided the additional on-site parking spaces. However, in the event that the SDAB does approve the Development Permit, the SDAB may wish to consider the following potential conditions;

- The proposed additions to the existing building be the same size, height, design, materials and location as provided by the applicant for the Development Permit as submitted **15-DP-072**.
- Relocation of affected utility services to the satisfaction of all utility departments. Please be advised that relocation of services is at the applicant's expense. The Town has not confirmed utility locations and it shall be the responsibility of the applicant to ensure that the development does not interfere with the utilities, and utility right-of-way.