

**MINUTES OF THE MEETING OF THE SUBDIVISION
AND DEVELOPMENT APPEAL BOARD**

THURSDAY, MAY 10, 2012 @ 7:00 p.m.

PRESENT: Members:	B. Hawrelak, D. Kilpatrick, V. Lutz, P. Monteith, E. Reimer, G. Shipley
Planning Consultant	K. Snyder
Development Officer	B. Stehr
Recording Secretary	S. Simon
Municipal Manager	D. Wolanski
Appellant	Bruce Valk, Valk Construction Brian Lesmeister, BJL Mechanics

1. CALL TO ORDER

Municipal 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

P. Monteith nominated V. Lutz to be Chairman, seconded by B. Hawrelak. V. Lutz accepted and assumed control of the appeal hearing.

**3. Appeal of Development Application 12-DP-026
Lot 4, Block 3, Plan 7911064 (217 Saskatchewan Drive NE)
Proposed Addition Exceeds Maximum Height in Land Use Bylaw**

Chairman V. Lutz asked B. Valk, if he had any objection to any board members hearing the appeal. B. Valk advised he had no objections to any of the board members.

a. PRESENTATION OF APPELLANT

B. Valk and B. Lesmeister addressed the Board and advised that BJL Mechanics repairs oilfield equipment and they would like to add onto the existing building and install a crane inside to assist with engine repairs. In order to install the crane they require the building to be constructed higher than the 8.5 m maximum height allowed in the I-1 (Light Industrial District). At the present time they have to hire someone with a crane to offload the equipment outside and then they roll it in on pipes, which is a safety concern for them. B. Valk presented the Board with a drawing showing the beam design for the crane, indicating the ceiling height they are asking for is 26' 6" as the crane height is 25' 11".

The original building was constructed in 2005. They constructed the building to meet the maximum allowed height and didn't realize a crane would not fit.

D. Kilpatrick commented on the design and construction and that by continuing on with the existing roof line it would make the building higher and questioned if they had considered other options or configurations. Discussion ensued. B. Valk confirmed that it is not a pre-engineered metal building and would be wood

construction as is the original building. Further that the crane structure is independent of the building and height is needed throughout the building not just at the peak. Further discussion ensued with regard to the construction of the building.

b. PRESENTATION OF DEVELOPMENT OFFICER

Further to the Development Officer's Report dated April 24, 2012, the Development Officer confirmed that B. Valk submitted an application for an addition to the existing machine shop at 217 Saskatchewan Drive on April 16, 2012. He advised that the application was refused because the proposed height of the structure of 10.94 m exceeded the maximum allowed height in I-1 (Light Industrial District) of 8.5m. Subsequently the applicant appealed the decision.

c. PRESENTATION OF MUNICIPAL PLANNING COMMISSION CHAIRMAN

No one was in attendance.

d. PRESENTATION OF PLANNING CONSULTANT

K. Snyder, Planning Consultant provided the Board with some background information. He advised the surrounding land uses are I-1 (Light Industrial), I-2 (Heavy Industrial) and H (Horticultural). He noted the I-1 building height restriction is a carryover from the previous Land Use Bylaw. K. Snyder indicated that the potential rationale for difference in maximum heights between I-1(8.5m) and I-2 (11m) is possibly due to the proximity to the highway for aesthetics or imaging purposes. It could also be an indirect way to control the intensity of the area between two districts.

He commented that generally the buildings in the immediate area appear to match the 8.5 m height even though they are in the I-2 District.

He advised the proposed addition is located at the rear of the building and that the building height of 11 m in an industrial area is not unreasonable. He would not anticipate any negative consequences for adjacent land owners or for the Town as a result of allowing the proposed development. K. Snyder recommends the decision of the Development Officer be overturned and the request for the over height structure be granted.

e. PRESENTATION OF ANYONE SERVED NOTICE OF HEARING

D. Wolanski, Municipal Manager was in attendance and referenced comments from the Development Officer report that he had had conversations with staff and the Town's Planning Consultant with regard to the maximum building heights for the various districts. There had been questions as to the reasoning for maximum heights and the variations between districts. He advised he will be bringing it forward for discussion and review with Council as there appears to be some inconsistencies in the Land Use bylaw as it relates to maximum heights, noting that maximum heights vary from 4 stories, 3 stories, 12 m, 11 m, 8.5 m, 6.5 m etc. Council will ultimately determine if any changes are required. However, he commented that he had no major concerns with the proposed development from an administrative point of view.

B. Hawrelak questioned what the insurance requirements are and what height restrictions there are for firefighting and suggested this should be a consideration when deciding on maximum building heights. D. Wolanski indicated the Redciff Fire Department would have no issues responding to a fire for the proposed development. Again D. Wolanski advised he would be bringing forward the maximum heights for consideration as there are some inconsistencies. D. Kilpatrick indicated the maximum height for the fire department is three stories and was surprised that there were 4 story maximum heights in the Land Use Bylaw. It was noted that Fire code would regulate if such things as sprinklers were required to be installed in buildings.

f. **PRESENTATION OF ANYONE CLAIMING TO BE AFFECTED**

No one was in attendance.

g. **REBUTTAL OF APPLICANT**

B. Lesmeister commented that some of his neighbors had questioned him on what he is proposing to develop which he explained; no one expressed any concerns to him.

B. Valk questioned other buildings in the area being allowed to be maximum 11m. D. Kilpatrick clarified that in the I-2 district the maximum height allowed is 11 m and in I-1 it is 8.5m.

B. Hawrelak questioned if they have considered an alternate roof approach. B. Valk confirmed they had but the proposed design is more aesthetically pleasing. Further that even if they were to change the roof to a flat roof they would be over the maximum height allowed. This was the preferable design.

B. Hawrelak expressed concern with wood construction and questioned if they had considered the fire rating. He was advised that everything is metal cladding which decreases the fire rating.

h. **OTHER**

No further comments.

i. **RECESS**

P. Monteith moved the Board to recess at 7:22 p.m. and the Board met in camera.

K. Snyder, B. Stehr, D. Wolanski, B. Valk and B. Lesmeister left the room at 7:22 p.m.

j. **DECISION**

G. Shipley moved that the appeal against the decision of the Development Officer, to refuse to issue a permit for an addition to mechanic shop with a variance of the maximum height to 10.54 m, be upheld and that the decision of the Development Officer be reversed. Further that a development permit for BJJ Mechanics (Owner) / Valk Construction Ltd (Applicant) for an addition to a

mechanics shop with a variance to the maximum height to 10.54m as submitted be approved.

Further the Board advised the reasons for its decision is that

1. From the frontal elevation the eave height remains unchanged with the proposed construction recessed to the rear of the property the additional height is visually diminished.
2. The proposed addition is aesthetically pleasing and is consistent with industrial uses of the surrounding area.

The Board reconvened at 7:35 p.m.

K. Snyder, B. Stehr, D. Wolanski, B. Valk and B. Lesmeister rejoined the meeting at 7:35 p.m.

Chairman V. Lutz advised the applicant of the Board's decision and reasoning.

Recording Secretary advised the applicant that a letter stating the decision of the Board would be forthcoming.

4. **ADJOURNMENT**

D. Kilpatrick moved the meeting be adjourned at 7:38 p.m.



Chairman



S. Simon, Recording Secretary