

**MINUTES OF THE MEETING OF THE SUBDIVISION
AND DEVELOPMENT APPEAL BOARD
MONDAY, SEPTEMBER 15, 2014 at 7:00 p.m.**

PRESENT: Members: B. Hawrelak, D. Kilpatrick, V. Lutz,
P. Monteith, G. Shipley,

Development Officer B. Stehr
Planning Consultant J. Genge
Recording Secretary S. Simon

Appellants J. Piea, Peigan Properties Ltd.

Absent: C. Crozier

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

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

- 3. Appeal of Development Application 14-DP-069
Lot 41, Block A, Plan 0714576 (1502 Dirkson Dr. NE)
Appeal of reasons for denial of Development Permit Application**
- 1. No sideyard setback of 6.0 m where there is no rear lane**
 - 2. Parking requirements**
 - 3. UROW / Encroachment**

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

a) Presentation of Appellant

J. Piea provided a brief history of the site and development in the area. He commented that it used to be 6 lots but was subdivided to create 4 lots. He also noted that initially the Town intended to sell these lots as greenhouse lots. He discussed the drainage in the area and commented that no natural water flows to the utility right of way (UROW).

J. Piea proceeded to describe the proposed project to create 32 man caves for the purpose of storage of toys such as boats or the large RV's. They could also be used for workshops or small businesses.

J. Piea described the proposed design and how it encroaches onto the UROW and his proposed resolution to the encroachment.

 

J. Piea noted the design does not show parking. However, there would be two stalls per bay. It will be a condo style development and the condo association would be responsible for imposing conditions. He recognized that each unit would likely require a development permit for a change of use.

Discussion ensued with regard to proposed reduced rear setback and concerns with access for emergency services ie: fire department. Drainage and elevations were also discussed.

b) Presentation of Development Officer

The Development Officer referenced his report in the Agenda package and his discussions with J. Piea. He noted that a site drainage plan was submitted and was approved to the satisfaction of the Manager of Engineering. Further that there was discussion about having a separate secure lock box/room for utilities where the Fire Department and Public Services Department would have access for shut off purposes. The Development Officer commented that the location was not ideal being in the middle of the south side of the rear building.

c) Presentation of Municipal Planning Commission (MPC)

No one was in attendance.

d) Presentation of Planning Consultant

See attached presentation.

e) Presentation of anyone served notice of hearing

No one was in attendance.

f) Presentation of anyone claiming to be affected

No one in attendance.

g) Rebuttal of Appellant/Applicant

With reference to concerns from the Planning Consultant, J. Piea indicated that should the application be approved as presented, that he would provide the location of the garbage and lighting when requested. B. Hawrelak questioned if the developer would set up an agreement with the condo users to limit exterior storage. J. Piea indicated they would if it was a condition. Discussion ensued with regard to the proposed development.

h) Other

Nothing further.

i) Recess

G. Shipley moved to meet in camera at 7:40 p.m. – Carried.



The Appellant, Development Officer, and Planning Consultant left the meeting at 7:40 p.m.

j) Decision

B. Hawrelak moved that the appeal against the decision of the Development Officer to refuse to issue a permit for Development Permit Application 14-DP-069, Lot 41, Block A, Plan 0714576 (1502 Dirkson Dr. NE) for a multi-unit garage style complex be denied and the decision of the Development Officer be confirmed. - Carried.

Reasons for Decision

1. The rear utility right of way needs to be maintained and no structures built on it. Storm drainage needs to be there and the Town of Redcliff needs to have access to the UROW.
2. Insufficient parking plan provided. Further that there is insufficient space to provide parking in front of each unit while providing access to each unit.
3. The required 6 m unobstructed sideyard setback where there is no lane should be maintained for emergency access purposes. It was noted that this would be less of a concern if the UROW was maintained on the easterly side.

P. Monteith moved to return to regular session at 8:53 p.m.

The Appellant(s), Development Officer, and Planning Consultant returned to the meeting at 8:53 p.m.

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

4. ADJOURNMENT

B. Hawrelak moved the meeting be adjourned at 9:03 p.m.



Chairman



S. Simon, Recording Secretary