

**MINUTES OF THE MEETING OF THE SUBDIVISION
AND DEVELOPMENT APPEAL BOARD
WEDNESDAY, FEBRUARY 4, 2015 at 7:00 p.m.**

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

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| Development Officer | B. Stehr |
| Planning Consultant | G. Smith |
| Recording Secretary | S. Simon |
| Executive Assistant | B. Andres |

Appellant Vicki Page & Business Partner

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

G. Shipley nominated Councillor Crozier to be Chairman, seconded by V. Lutz. Councillor Crozier accepted and assumed control of the appeal hearing.

**3. Appeal of Development Application 14-DP-097
Lot 24, Block 74, Plan 1117V (10 - 3 Street SE)
Appeal of reasons for denial of Development Permit Application
Inadequate parking as per Town of Redcliff's Land Use Bylaw**

Chairman Crozier asked the appellant(s) if he/she had any objection to any board members hearing the appeal. Vicki Page advised she had no objection to any member of the Subdivision and Development Appeal Board.

a) Presentation of Appellant

V. Page addressed the Board and advised she is appealing the denial of her Development Permit which was refused due to inadequate parking. She noted she has been in discussions with the Development Officer since September 2014 regarding this application. V. Page noted that B. Stehr had also been consulting with the Planning Consultant over this application. On November 12, 2014 she was advised how many parking stalls she would need to provide for parents and staff. V. Page later contacted the Development Officer with an amended number of staff she would have employed and noted that two of the staff live a block away and would not need to drive. V. Page indicated there would be 6 staff in the morning and 6 in the afternoon with a possible two hour overlap depending on how many children were attending that day. V. Page advised that the Development Officer had suggested an option to provide sufficient parking would be to consult with surrounding businesses to see if there could be an arrangement for shared parking. V. Page commented that there was quite a bit going back and forth trying to attain sufficient parking and acceptable documentation. She noted that she was not advised that anything would have to

be added to title and Vicki had to go back to the surrounding businesses two times, and would have to go back a third time if a Caveat registered to title was required. V. Page noted that she had already supplied two sets of letters and did not go back a third time. The Legion had stipulated that they would not provide shared parking if it was for staff parking, only for parents that would be picking up and dropping off. On December 2, 2014 the Development Officer advised that due to being unable to meet the requirements as per the Land Use Bylaw that the application was being refused.

V. Page advised that she took pictures of 3rd Street along the proposed business area at different times and felt that there was adequate parking.

V. Page asked for consideration of a variance to the parking requirements as she is short two parking stalls according to the Land Use Bylaw. V. Page confirmed that she was able to procure 16 stalls with various businesses for shared parking.

b) Presentation of Development Officer

The Development Officer referenced his report (report attached) and inquired if there were any questions. B. Hawrelak questioned if the only outstanding matter was the parking matter. The Development Officer confirmed all the other issues were resolvable.

c) Presentation of Municipal Planning Commission (MPC)

No one was in attendance.

d) Presentation of Planning Consultant

Recording Secretary distributed the written report prepared by the Planning Consultant (attached). The Planning Consultant briefly summarized the matter.

e) Presentation of anyone served notice of hearing

The owner of the building, Cornelio Wall, discussed having previous business on the said property and there had been no concerns with parking.

f) Presentation of anyone claiming to be affected

V. Page's business partner with the daycare stated that the daycare would bring more revenue to the community of Redcliff, bring more business and increased patronage to the other venues in the community.

g) Rebuttal of Appellant/Applicant

V. Page had no further comments.

h) Other

B. Hawrelak questioned the location of the shared parking and locations.

V. Page confirmed

4 parking stalls at Bill Duncan's business

3 parking stalls at Who's on 3rd

7 parking stalls at the Legion

2 parking stalls in the front of the proposed business

2 parking stalls at BB's (noted cannot share parking as per Dev. Officer)

V. Page commented that staff will park where directed and number of staff parking required is dependent on the number of daycare children attending. Further, that parents will only be dropping off and picking up their children.

i) Recess

V. Lutz moved to meet in camera at 7:26 p.m. – Carried.

The Appellant, Development Officer, and Planning Consultant left the meeting at 7:26 p.m.

j) Decision

G. Shipley moved that the appeal against the decision of the Development Officer to refuse to issue a permit for Development Permit Application 14-DP-097, Lot 24, Block 74, Plan 1117V (10 - 3 Street SE) for a Daycare business be upheld and the decision of the Development Officer be revoked. Further that Development Permit Application 14-DP-097, Lot 24, Block 74, Plan 1117V (10 - 3 Street SE) for a daycare business be approved with the following conditions:

1. Provision of 12 off-street shared parking stalls designated for employees.
2. Restrictive covenants be registered against the parcel on which the shared parking spaces, designated for all employees, are located stipulating the subject parcel(s), the number of parking spaces available, the length of the period of time for which the parking is to be maintained and that the required parking shall be maintained exclusively for the use or building for which it is required.
3. The restrictive covenant shall only be discharged if the use for which the parking space is required is discontinued for a period of six (6) months or more, or if the number of parking spaces is provided on another parcel in compliance with Section 68 of the LUB.

- Carried.

Reasons for Decision

To provide for sufficient long term parking of staff on private property and allow the street to be maintained for transient parking for the businesses in the area.

V. Lutz moved to return to regular session at 7:57 p.m.

The Appellant(s), Development Officer, and Planning Consultant returned to the meeting at 7:57 p.m.

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

4. **ADJOURNMENT**

Councillor Kilpatrick moved the meeting be adjourned at 8:00 p.m.



Chairman



S. Simon, Recording Secretary