

**MINUTES OF THE MEETING OF THE SUBDIVISION
AND DEVELOPMENT APPEAL BOARD
TUESDAY, APRIL 10, 2018 at 7:00 p.m.**

PRESENT: Members: B. Christian, C. Crozier
G. Shipley, C. Storle, T. Read

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| Development Officer | B. Stehr |
| Director of Planning & Engineering | J. Johansen |
| Planning Intern | J. Zukowski |
| Planning Consultant | D. Fleming |
| Recording Secretary | S. Simon |

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| Appellant | R. Whitten, New Rock Developments Inc. |
| Owner | J. Stigter, Jamco Growers Ltd. |

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 Chairperson.

2. ELECTION OF CHAIRMAN

G. Shipley nominated C. Crozier to be Chairperson, seconded by B. Christian. C. Crozier accepted and assumed control of the appeal hearing.

**3. Appeal of Development Application 18-DP-003
Lot 42, Block 91, Plan 9411418 (15 – 3 Street NW, Redcliff)
(Multi-Unit Dwelling Complex)**

Chairperson Crozier asked the appellants if they had any objection to any board members hearing the appeal. R. Whitten, New Rock Developments Inc. advised he had no objection to any member of the Subdivision and Development Appeal Board.

a) Presentation of Appellant

R. Whitten, New Rock Developments addressed the Board, mentioning that J. Stigter, Jamco Growers Ltd. owner of the parcel in question had been unable to attend the Municipal Planning Commission when the development permit application was considered. He felt that he may not have explained the proposal well enough. However, the owner is in attendance at the hearing to provide a further description of the proposed development.

Jeff Stigter, Jamco Growers Ltd. explained the intent of the development and indicated that concerns primarily appear to relate to parking issues. He commented that it appears there was an assumption that the whole development would be used to house foreign workers but that is not the intent. One building would be used to house foreign workers for the business while the remaining smaller buildings of three bedroom, two bathroom units would likely be rented out. Commenting that at this time he does not know who would be renting the units. Another option for the other units would be for condominiumization and sale of the other units. He noted it is not feasible, mortgage wise, for them to provide it as all housing to foreign workers He commented they are interested in initiating a residential project and getting into real estate. He further

commented it was unfair for their development to be assessed parking units on the basis of number of bedrooms in the units versus just number of units per building. He indicated they recognize the density of the area and would be prepared to change or decrease the density of the units to create less density.

R. Whitten commented on the proposed development indicating it is for 10 multifamily dwelling units in five duplexes. The number of parking stalls proposed meets the requirements of the Land Use Bylaw. Further that the development is in line with other town planning documents and the zoning. The condition of approval states that one parking stall per bedroom be provided not the two per dwelling unit as per the Land Use Bylaw. He felt the development was being treated unfairly and he would like to see the parking condition amended to be agreeable to all to allow the project to move forward.

R. Whitten referenced the 13 conditions placed on the approval and indicated they primarily had concerns with the parking condition and the condition of provision of sidewalk to the north not adjacent to the property.

He noted that condminimizing the building is being contemplated and they have had discussions with the Planning & Engineering Department but no application has been submitted yet nor is it required to be (*Planning & Engineering post meeting note: he is correct on this point*). He further commented on the condo process.

R. Whitten commented that it is not the intention that the entire project be used to house workers for the greenhouse. He indicated four of the six units are set up with 6 bedrooms with kitchens that have two sets of appliances. The other 6 units have three bedrooms and one kitchen. He continued to speak to the parking requirements and commented the Land Use Bylaw is clear on the parking requirements and the requirement for additional parking based on bedroom count is unfair.

With reference to the requirement to provide garbage collection areas, he felt the matter could be met and resolved.

Discussion ensued with regard to the proposed development, possible changes and parking requirements. It was confirmed that Buildings 100 & 500 each contained units with kitchens having two stoves, two fridges and two sinks and that he owner did not have intentions of reducing those units to 1 set of appliances per kitchen.

b) Presentation of Planning & Engineering (Report Attached)

Development Officer referenced his report to the Municipal Planning Commission and the additional report from Planning and Engineering for the SDAB meeting provided in the information package. He noted Planning & Engineering concerns did not relate to density but more with the layout and description of how the property would be used.

The Development Officer commented they had received reports about the development to the south with regard to inadequate parking, which is why parking requirements on this development were being given further consideration.

The Development Officer agreed that agreement on the garbage collection areas could be reached and it did not appear to be an issue.

Planning & Engineering has concerns with the greenhouse to the north and the CO² Tank encroaching on the site and the need clean up the situation by subdividing them

from the site and consolidating them with the greenhouse site to the north bringing them into compliance the LUB as well as rezoning the property to the appropriate use.

Development Officer commented that engineered drawing were required due to the complexity of the development. Further that the design layout shows more of a work camp style and being constructed to house multiple people per unit which would require more vehicles and subsequently more parking.

c) Presentation of Municipal Planning Commission (MPC)

L. Leipert, representative from the MPC advised the MPC had reviewed the application and concurred with the concerns brought forward by the Planning & Engineering Department. The development was approved with conditions as per the recommendation of the Planning & Engineering Department.

d) Presentation of anyone served notice of hearing

None.

e) Presentation of anyone claiming to be affected

Director of Planning & Engineering commented there are future plans to rewrite the Land Use Bylaw and change the parking regulations.

f) Rebuttal of Appellant/Applicant

R. Whitten referenced the Development Officers comments with regard to the development to the south and explained the differences between the existing development and his proposed development.

g) Appeal Board Questions

None.

h) Other

Nothing further was discussed.

i) Recess

Chairperson Crozier called for a recess to meet in camera at 7:30 p.m.

The Appellant, Director of Planning & Engineering, Planning Specialist, Development Officer, Municipal Planning Commission representative and members of the gallery left the meeting at 7:30 p.m.

The Director of Planning & Engineering rejoined the meeting at 7:45 p.m., and left at 8:06 p.m.

j) Decision

G. Shipley moved the appeal against the decision of the Municipal Planning Commission to approve Development Permit Application 18-DP003 (Lot 42, Block 91, Plan 9411418 [15 – 3 Street NW] with conditions for a Multi-Unit Dwelling Complex be varied as follows:

Development Permit Application 18-DP-003 (Lot 42, Block 91, Plan 9411418 (15 – 3 Street NW, Redcliff) for a Multi-Unit Dwelling Complex is approved as presented with the following conditions:

1. Development Permit and Building Permit will be released when Applicant has entered into a Development Agreement with the Town of Redcliff.
2. The Applicant / owner shall enter into a Development Agreement which shall ensure the following condition(s) are met:
 - i. Applicant to subdivide that portion of the greenhouse and the CO2 tank that encroach onto Lot 42, Block 91, Plan 9411418 plus 1.5 m. Subdivision shall also include an extra 185 m² for greenhouse storage;
 - ii. Applicant shall then apply for an LUB amendment to rezone the subdivided lands to match the same zoning of Lot 41, Block 91, Plan 9411418 (25 3 Street NW);
 - iii. Applicant to consolidate subdivided portion with Lot 41, Block 91, Plan 9411418 (25 3 Street NW);
 - iv. Applicant to pay off-site levies based on the area of development at the current rates for area # 2;
 - v. Applicant to provide engineered drawings to the satisfaction of the Director of Planning & Engineering for the sanitary and water services;
 - vi. Applicant to provide drawings for the electrical and gas servicing to the satisfaction of the utility provider;
 - vii. Applicant to provide garbage collection areas that are to the satisfaction of the Development Officer;
 - viii. Design of approaches and entrances to be approved by the Director of Planning & Engineering and meet the Town of Redcliff's construction standards;
 - ix. Applicant to provide curb & gutter on the north side of the private roadway;
 - x. Applicant to extend the sidewalk on the east side of 4 street NW adjacent to the west property line;
 - xi. Applicant to provide on-site lighting. Lighting shall light up all parking areas and not negatively affect neighbouring properties to the satisfaction of the Development Authority;
 - xii. Applicant to provide a parking lot layout which shows a minimum of two (2) parking stall / unit for Buildings 200, 300 and 400. Buildings 100 and 500 shall be treated as four-plexes and will require 2 stalls / unit provided. A total of 28 parking stalls shall be provided. Parking stall size shall comply with the Land Use Bylaw. Removal of a building to meet parking requirement will not require reapplication. Parking lot plan to be to the satisfaction of Planning & Engineering;
 - xiii. Landscaping is completed as per the plan approved by the Development Officer.
 - xiv. Should any design specification of any of the buildings change or deviate from the application presented the applicant must reapply to the development authority.

- Carried.

Note: Conditions 2 (x) and (xii) were modified. Condition 2 (xiv) was added.

Reasons for Decision

The proposed development should be allowed as it is suitable and complies with the R3 Medium Density Residential District Zoning and Town Statutory Plans. However, parking was identified as a concern. Buildings 200, 300, and 400 appear to be traditional duplexes. Buildings 100 & 500 deviate from traditional duplexes and were considered as fourplexes. In being considered fourplexes the parking requirements for fourplexes were applied as per the Land Use Bylaw. Thus parking requirements were adjusted.

C. Storle moved that upon approval and signing of the minutes by the Chairperson that the Subdivision and Development Appeal Board Clerk prepare and sign on behalf of the Subdivision and Development Appeal Board the decision of the board. – Carried.

B. Christain moved to return to regular session at 8:52 p.m. – Carried.

The Appellant, Director of Planning & Engineering, Planning Specialist, Development Officer, Municipal Planning Commission representative and members of the gallery returned to the meeting at 8:52 p.m.

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

4. ADJOURNMENT

T. Read moved the meeting be adjourned at 8:56 p.m.



Chairperson



S. Simon, Recording Secretary