

MINUTES of the **Subdivision & Development Appeal Board** held on **Thursday, January 5, 2012 at 4:00 p.m.** in Council Chambers with the following in attendance:

MEMBERS:	L. Cutforth	Chairman
	V. Chester	Member at Large
	R. Stein	Member at Large
	T. Wickersham	Alderman
ABSENT:	A. Haesler	Member at Large
	J. Mauro	Alderman
	T. Nicholson	Member at Large
	R. Parker	Alderman
OTHERS:	J. Price	Development Officer
	D. Sarsfield	Acting Secretary to the Board

V. Chester

THAT the minutes of the Subdivision and Development Appeal Board held on October 27, 2011 and December 1, 2011 be approved as presented.

-----CARRIED

SDAB HEARING 2011-08

Appellants: Lance LePage and Amelia Danielson

To establish an 1176.8m² (12,667 sq ft) amusement facility and a request for a 28 off-street parking stall waiver at 443 – 10 Street North

Land Use District: I-B (Business Industrial)

The Hearing was initiated on December 22, 2011 and adjourned until Thursday, January 5, 2012 at 4:00 P.M. This was done because the Hearing Venue was closed due to a sump pump malfunction and resulting odour.

There were no objections when the Chairman asked if anyone present had a lawful reason why any particular member(s) of the Board should not hear this appeal.

Development Officer's Presentation:

Jason Price, Development Officer, stated that an application was received on October 25, 2011 for the establishment of an 1176.8m² (12,667 sq ft) amusement facility at 443 – 10 Street North. This would include go cart track, arcade, kiddie rides, jungle gym, prize booth, concession area, and party rooms. It will require 59 off-street parking stalls. The application was considered by the Municipal Planning Commission on November 22, 2011. The parking plan presented at the Municipal Planning Commission would require a waiver of 28 off-street parking stalls. The Commission did conditionally approve the application, allowing for the parking waiver.

Jason Price advised that building previously housed Ducan Industries. It is now currently occupied by several businesses: Martial Arts Studio, Dance Studio, Sign Shop, Building Trade and Contractors, and Automotive Shop.

Drawings of the site and revised parking plan were presented at the Subdivision and Development Appeal Board Hearing. Based on the new parking plan, no off-street parking waiver was required.

Vehicular access to the business will be from the southwest corner. It was noted that the eastern portion of the property was zoned residential.

There were no Appellants present at the Hearing.

Applicant's Presentation:

Stacey Davidson, Applicant, stated the following:

- The go cart operation will be inside the building
- Up to five go carts will be able to operate at one time
- Only neighbouring business that is open on weekends is Gas King
- Building has been cleaned up
- Parking plan has been revised so that there was no need for any parking waiver
- Go carts produce zero noise as they are electrically powered and produce no emissions
- Go carts will not be built on site
- Approached Boyd Thomas, Manager of Aboriginal Housing Society, to show him the development plans
- Property is gated

There were no further presentations.

Discussion:

The Board addressed the following issues during question period:

- Total size of building
- Amount of space to be occupied by amusement facility compared to the existing businesses in the building
- Parking stall requirements for the existing and proposed businesses
- Access to the property
- Process to obtain access from 5th Avenue North
- Condition of the parking lot
- Occupancy requirement for the building
- Zoning of neighbouring properties
- Hours of operation for the business

Final Rebuttal:

The Applicant was given the opportunity to present a rebuttal. Stacey Davidson advised that he had approached all neighbouring businesses in order to inform them of his development proposal.

Decision:

IN THE MATTER OF the Municipal Government Act

AND IN THE MATTER OF an Appeal made to the Subdivision and Development Appeal Board with respect to:

**Appellants: Lance LePage
Amelia Danielson**

To establish an 1176.8m² (12,667 sq ft) amusement facility and a request for a 28 off-street parking stall waiver at 443 – 10 Street North.

AND UPON HEARING from the Development Officer, the Applicants, and other interested parties,

AND UPON CONSIDERING the relevant provisions of the Municipal Government Act, the Municipal Development Plan, the Land Use By-law, any applicable Statutory Plans, and the circumstances and merits of this case, the decision of the Subdivision and Development Appeal Board is as follows and for the following reasons:

V. CHESTER/L. CUTFORTH/R. STEIN/T. WICKERSHAM

DECISION: The Appeal is **DENIED** and the decision of the Municipal Planning Commission regarding Development Application DEV03760 on November 23, 2011 to establish an 1176.8m² (12,667 sq ft) amusement facility at 443 – 10 Street North is hereby confirmed..

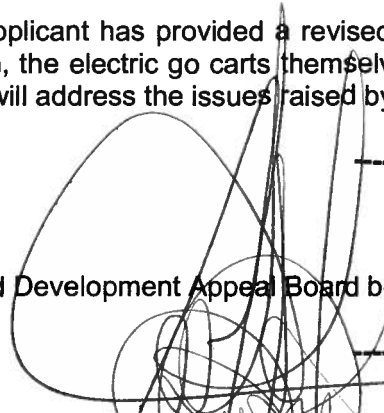
REASONS FOR DECISION:

It is the opinion of the Board that the Applicant has provided a revised parking plan that does not require a parking waiver. In addition, the electric go carts themselves will not produce any noise. The Board is satisfied that these will address the issues raised by the Appellants.

R. Stein


THAT this meeting of the Subdivision and Development Appeal Board be adjourned.

-----CARRIED



-----CARRIED

CHAIRMAN



ACTING SECRETARY TO THE BOARD