



Decision of Town of Taber Subdivision and Development Appeal Board

A – 4900 50 St. Taber, AB T1G 1T1
Phone: (403) 223 5500 Fax: (403) 223 5530

Hearing Date: November 29, 2017

Decision Date: December 11, 2017

Development Permit Application File No.: DP17-108

Members Present:

Debbie Sargeant, Chair
Joanne Sorensen
Dave McKee

Member(s) Absent:

Ray Untereiner
Ben Koersen

Regarding:

Development Permit Application No. 17-108

Jasminder (Neil) Ratol (Registered Landowner: 1210901 Alberta Ltd.)
5306 49 Avenue
Lots B & 4, Block 9, Plan 5638L

Appeal Filed By (Appellant(s)):

Ron Remfert and Tod Pickerell

Background

On November 29, 2017, the Subdivision and Development Appeal Board heard the appeal against a decision of the Town of Taber's Development Officer to grant approval of Development Permit Application 17-108 (Retail Liquor Store, Discretionary Use, Downtown District (DT)).

Findings of Fact

The Subdivision and Development Appeal Board considered presentations from several parties as well as photographs and diagrams, all summarized in the minutes of the hearing. The main facts were as follows:

- 1) The subject property is within the Downtown District (DT) of The Land Use Bylaw 14-2016.



- 2) The Notice of Decision issued by the Development Officer referred to the Permitting of a Retail Liquor Store, which is a Discretionary Use in the Downtown District (DT).
- 3) As an adjacent business owner, the Appellant expressed concerns about his perception of traffic congestion and parking problems already occurring on 49th Avenue.
- 4) The previous use of the building was a Permitted Use under Land Use Bylaw 14-2016, being Retail Store.
- 5) The Appellant expressed concerns with increased traffic and parking demands going forward if the change in use from Retail Store to Retail Liquor Store was permitted.

Reason for Decision

The Board based its decision on the following factors:

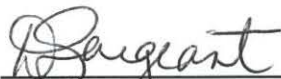
- 1) Development Permit 17-108, Retail Liquor Store, Discretionary Use, Downtown District (DT) meets the requirements of the Town of Taber Land Use Bylaw 14-2016, Parking Requirements Section 2.4.6.15.
- 2) The previous occupant of the building was a Retail Store; the Subdivision and Development Appeal Board believes this change of use will create a similar parking demand to that of the previous use.
- 3) The Applicant will be using public parking areas and the onsite loading area associated with the previous use of the building, as it continues to be available to the new user.

Decision

Having considered the information provided both orally and in written form at the November 29, 2017 Public Hearing, the Subdivision and Development Appeal Board of the Town of Taber denies the appeal against the Notice of Decision on Development Permit Application No. 17-108.

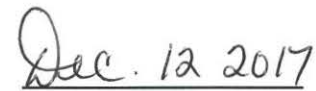
The Board upholds as follows:

The issuance of Development Permit No. 17-108, Retail Liquor Store, Discretionary Use, Downtown District (DT) with all stated conditions from October 18th, 2017.



Debbie Sargeant, Chair

SUBDIVISION AND DEVELOPMENT APPEAL BOARD



DATE



SDAB-DP17-108

Application No. DP17-108

An **appeal** against the decision of the Development Authority to issue Development Permit No. 17-108 is **denied** at 5306 49 Avenue (Lots B & 4, Block 9, Plan 5638L).

