

MINUTES OF THE REGULAR MEETING OF THE SUBDIVISION & DEVELOPMENT APPEAL BOARD OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON FRIDAY, AUGUST 28, 2015, AT 1:30 PM.

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**Chairperson**

Untereiner, Ray

**Members**

Murphy, Brad  
Ross-Giroux, Laura  
Sparks, Randy

**Absent**

Sargeant, Debbie

**Chief Administrative Officer**

Birch, Greg

**Staff**

Armfelt, Cory  
Belanger, Lorraine  
Van Ham, Kerry

**CALL TO ORDER**

Chair Untereiner called the Subdivision and Development Appeal Board Meeting to Order at 1:40 PM.

Chair Untereiner noted that this Hearing had originally been scheduled for August 18, 2015, but due to the lack of quorum, it was re-scheduled for today, August 28, 2015.

**ADOPTION OF THE AGENDA**

Chair Untereiner inquired if there were any additions or deletions to the Agenda, and advised that there were none.

4/2015

Meeting Date  
8/28/2015

**ADOPTION OF THE AGENDA – CONT'D**

RES.4/2015 MOVED by Councillor Ross-Giroux that the Subdivision and Development Appeal Board adopts the Agenda as presented.

CARRIED UNANIMOUSLY

**ADOPTION OF THE MINUTES**

**A) Minutes Subdivision and Development Appeal Board Meeting:  
March 26, 2015**

RES.5/2015 MOVED by B. Murphy that the Subdivision and Development Appeal Board adopts the minutes of the Meeting of the Subdivision and Development Appeal Board held on March 26, 2015, as presented.

CARRIED UNANIMOUSLY

**PURPOSE OF HEARING**

**A) Notice of Decision DP 15-067, 4809 64 AV, Taber, AB,  
PTN SE 7-10-16-W4**

Chair Untereiner and G. Birch described the purpose of the hearing involving the decision of the Development Authority (Municipal Planning Commission) to issue a development permit for a church at 4809 64 Avenue. Mr. Birch stated that the Town had received an appeal against two of the conditions (No. 9 and No. 11) of the development permit. G. Birch summarized the property location, and the Land Use Bylaw regulations that applied to the application.

**INTRODUCTION OF THE BOARD MEMBERS**

The Board Members introduced themselves and the Chair inquired if there was any objection to the members of the Board by the appellants.

There were no objections.

5/2015

Meeting Date  
8/28/2015

TJB

## APPELLANT'S PRESENTATION

John Neufeld and Abe Froese, representing the Reinland Church, reviewed the correspondence and conditions that were provided by the Town.

Mr. Neufeld and Mr. Froese reviewed the reasons for the appeal of condition No. 9, which states that the building be rotated 45 degrees to the south east, as follows:

- 1) The congregation would prefer that the building be located squarely on the land so as to easily identify the North, South, East and West areas of the building. They have indicated a strong discontent with the concept of rotating the building to match the neighbouring church.
- 2) Placing the building on the land at a 45 degree angle is an inefficient use of the land area. If the building is placed squarely on the land, there would be a better area that could be used for parking and possibly the future expansion of the building that would involve a gymnasium on the back of the building.

Mr. Neufeld and Mr. Froese reviewed the reasons for the appeal of condition No. 11, which states that the NE (50<sup>th</sup> Street) access be developed as an emergency access only with suitable traffic control implemented such as knockdown bollard or a similar device, as follows:

- 1) Traffic flow to and from the parking lot will be more efficient with an access to the parking lot connected to 50<sup>th</sup> Street. If all traffic entering and exiting the parking lot must use an access via 64<sup>th</sup> Avenue, the two-way, east-west stop sign on 64<sup>th</sup> Avenue at the intersection of 50<sup>th</sup> Street will cause traffic to back up significantly because all users leaving the building travelling north, south or east will have to travel through a stop sign. The ability to depart north or south via 50<sup>th</sup> Street would alleviate any backup significantly.

6/2015

Meeting Date  
8/28/2015

703

## APPELLANT'S PRESENTATION – CONT'D

- 2) The cost of construction and maintenance of an emergency-only approach to 50<sup>th</sup> Street is not feasible. Constructing an extra emergency access will be an extra cost. A traffic control device such as a knockdown bollard may be subjected to abuse or vandalism and may likely pose ongoing maintenance costs. Mr. Froese stated that they would rather have full access, as opposed to just emergency access.
- 3) Mr. Neufeld stated that it might be better to have a four way stop at the intersection.

Chair Untereiner inquired if the Board had any questions.

The Board had no questions at this time.

Chair Untereiner inquired if there was anyone else present to speak as an appellant.

Mr. John Heibert, Bishop of Reinland Church, stated that he was in agreement with what both Mr. Neufeld and Mr. Froese presented. He added that if the building was to be rotated 45 degrees to the south east, there would be a broader area to trench water around the building and more landscaping would be required.

Mr. Aaron Giebrecht, representative of the Reinland Church, stated that he was in agreement with what the other parties stated; he had nothing to add.

Chair Untereiner inquired if the Board had any questions.

The Board had no questions at this time.

Chair Untereiner inquired if there was anyone else present to speak as an appellant.

There was no one else present to speak as an appellant.

7/2015

Meeting Date  
8/28/2015

TLS

## **PUBLIC COMMENTS IN SUPPORT OF APPELLANT**

Chair Untereiner inquired if there was anyone present to speak in support of the Appellant.

There was none.

## **DEVELOPMENT AUTHORITY PRESENTATION**

Speaking to the Appellant's objections, C. Armfelt, representing the Development Authority (Municipal Planning Commission) stated that condition No. 9 was placed on the Development Permit by the MPC due to the following reasons:

- 1) The prominence of the intersection.
- 2) Balancing the architectural design and layout of the church on the east side of 50<sup>th</sup> Street.
- 3) Common design practice.
- 4) The attractiveness the layout could bring to the intersection and the prominence the church would give the intersection.

Speaking to the Appellant's objections to condition No. 11, Mr. Armfelt stated that he had an email from G. Scherer, Director of Engineering and Public Works which indicates the following:

- 1) If there are a lot of vehicles coming out of the church and there is unfettered access onto 50<sup>th</sup> Street, a backing up of cars would occur on 64<sup>th</sup> Avenue, which is a main arterial through Town at the 50<sup>th</sup> Street stop signs. This would result in a need for stop signs on 50<sup>th</sup> Street.
- 2) 64<sup>th</sup> Avenue has more accesses than 50<sup>th</sup> Street, north of 64<sup>th</sup> Avenue, therefore, to allow an unplanned access onto 50<sup>th</sup> Street would not be responsible planning.

Mr. Armfelt also stated that:

- 1) The proposal does not meet with the Northwest Residential Area Structure Plan.

8/2015

Meeting Date  
8/28/2015

## DEVELOPMENT AUTHORITY PRESENTATION – CONT'D

- 2) From a traffic operations perspective the MPC would rather have cars queue in the parking lot or elsewhere rather than on 50<sup>th</sup> Street or 64<sup>th</sup> Avenue.
- 3) Authorizing the requested access has not been planned and not yet gone through a proper planning process to analyze.
- 4) There are barriers to traffic safety with allowing full time access onto 50<sup>th</sup> Street.

Mr. Armfelt also stated that the pre-emptive introduction of a full 4-way stop intersection at 50<sup>th</sup> Street and 64<sup>th</sup> Avenue is why the Planning and Economic Development Department or the Engineering and Public Works Department are not in agreement with the proposal. There are ample intersections planned that work better from a traffic queuing distance on 64<sup>th</sup> Avenue.

Chair Untereiner inquired if the Board had any questions.

Councillor Ross-Giroux asked if the aesthetics regarding condition No. 9 could be addressed by having the building situated north-south, and having a sign at a 45 degree angle on the corner.

C. Armfelt stated that would be an option.

Councillor Ross-Giroux then asked if traffic exiting the church once a week was an interference, as opposed to when there's a funeral or a tournament and more vehicles utilize the roadway.

C. Armfelt stated that when vehicles are travelling to the cemetery or ball diamonds, the safest way to get there is having no accesses on 50<sup>th</sup> Street. If you introduce an access, you're increasing the opportunity for an accident.

B. Murphy questioned the access points onto 64<sup>th</sup> Avenue on the photograph provided.

C. Armfelt stated that upon development of the church, there would be a new access. The existing access is not constructed to take 200 vehicles across it and would have to be improved for this proposal.

9/2015

Meeting Date  
8/28/2015

123

## **DEVELOPMENT AUTHORITY PRESENTATION – CONT'D**

Councillor Ross-Giroux asked if potentially, in the future, access to the north could be provided to the church.

C. Armfelt stated that it would be on the church property to the north, and it would intersect north a future east-west Avenue that would intersect 50<sup>th</sup> Street. This would be an ideal situation if they wanted to have more than one access, additional to the one onto 64<sup>th</sup> Avenue. It would then be part of a properly planned neighbourhood.

Chair Untereiner inquired if the Board had any other questions.

The Board had no further questions at this time.

## **PUBLIC COMMENTS IN SUPPORT OF DEVELOPMENT AUTHORITY**

G. Birch stated that a letter was received on August 13, 2015 in support of the Development Authority (Municipal Planning Commission) from Hink Urano, an adjacent land owner, which stated the following:

- 1) Section 9: The concept of the angel of the building will blend with the other church building across the road. I have no objection to this.
- 2) Section 11: I would like to see a driveway on 64<sup>th</sup> Avenue only. Not on 64<sup>th</sup> and 50<sup>th</sup> Avenue.

Chair Untereiner inquired if the Board had any other questions.

Councillor Ross-Giroux asked the Appellants what the anticipated traffic would be going in and out of the building.

John Neufeld stated that there are church services on Sundays. There are other activities in the evenings, such as youth groups, that take place from November until Easter. In the summer there are not a lot of activities during the week.

Councillor Ross-Giroux asked the Appellants how many vehicles are anticipated on any given Sunday.

10/2015

Meeting Date  
8/28/2015

## **DEVELOPMENT AUTHORITY PRESENTATION – CONT'D**

John Neufeld stated that there would be between 100 and 200 vehicles.

Chair Untereiner inquired if the Board had any other questions.

The Board had no questions at this time.

## **DEVELOPMENT AUTHORITY FINAL COMMENTS AND SUMMATION**

Chair Untereiner asked for a final summation from the Appellants.

John Neufeld stated that if the proposed driveway onto 50th Street, which is still in the planning stage, would be lined up with the driveway across the street. The church could eventually work with Fortis to have the required pole removed. The church is also willing to move the driveway onto 64th Avenue further west to line up with 49<sup>th</sup> Street. If they use the other driveway onto 64th Avenue that is existing, it might assist to back off even more traffic.

Chair Untereiner asked if the Appellants had any further comments.

The Appellants had no further comments.

Chair Untereiner asked if all parties believed that they had a fair and impartial hearing.

All parties stated that they felt they had a fair and impartial hearing.

## **CLOSED SESSION**

RES.6/2015 MOVED by B. Murphy that the Subdivision and Development Appeal Board (S/DAB) moves into Closed Session to discuss items subject to MGA Section 197.2.

CARRIED UNANIMOUSLY AT 2:23 PM

11/2015

Meeting Date  
8/28/2015



**OPEN SESSION**

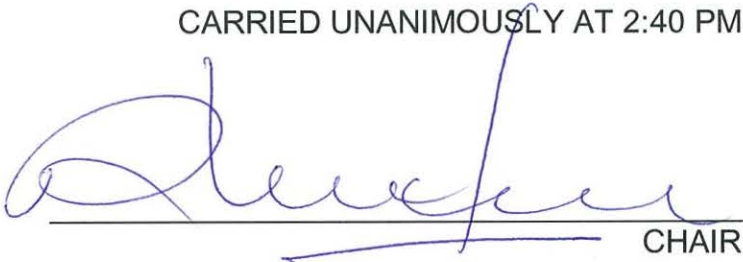
RES.7/2015 MOVED by Councillor Ross-Giroux that the Subdivision and Development Appeal Board (S/DAB) reconvenes into Open Session.

CARRIED UNANIMOUSLY AT 2:40 PM

**CLOSE OF MEETING**

RES.8/2015 MOVED by B. Murphy that the Public Meeting and Hearing of the Subdivision and Development Appeal Board (S/DAB) is hereby closed.

CARRIED UNANIMOUSLY AT 2:40 PM

  
CHAIR

  
CHIEF ADMINISTRATIVE OFFICER