
CALGARY SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Citation: 2018 CGYSDAB 25

Case Name: SDAB2018-0025 (Re)

File No: DP2018-0458

Appeal by: David Turner

Appeal against: Development Authority of The City of Calgary

Hearing dates: June 28, 2018
July 19, 2018

Decision date: August 14, 2018

Board members: Bill Chomik, Chair and Presiding Officer
Sean MacLean, Decision-Writer
Bob Merchant
Michelle Pink
Katherine Wagner

DECISION

Description of Application:

1 The appeal before the Subdivision and Development Appeal Board was brought by David Turner.

2 On May 10, 2018, the Development Authority approved the application of Designhaus Studio for a new multi-residential development (1 building) and accessory residential building (garage) at 55 28 Ave SW in the community of Erlton. The property is owned by Kamil Laljim, Ali Tejpar, and Zahra Tejpar and has a land use designation of Multi-Residential – Contextual Grade-Oriented with a density modifier of 72 units per hectare (M-CG d72). The proposed development is a discretionary development within the district.

Procedural History:

3 The hearing commenced on June 28, 2018 with consideration of procedural issues. The Board adjourned the hearing to July 19, 2018 with the consent of all parties, and the hearing concluded on that date.

Decision:

4 The appeal is allowed in part and the decision of the Development Authority is varied. A development permit shall be issued with the following additional conditions:

- 2A To the satisfaction of the Development Authority, amend the Landscaping Plan (A2) so that a minimum of 36% of the parcel is covered by landscaping.
- 2B To the satisfaction of the Development Authority, amend the Rooftop Terrace Plans (A6) to indicate the installation of a continuous artificial hedge over the width of the terrace to a minimum height of 1,500 millimetres above the terrace level that will be maintained for the life of the development.
- 2C To the satisfaction of the Development Authority, provide amended plans to provide screening from the rear doors of Unit 4. Screening may take the form of one of the following:
- planting that obscures the view from Unit 4's first-storey rear doors to the neighbouring property to the east, with a minimum height of 1,500 millimetres above the finished floor of the first storey of Unit 4; or
 - a privacy screen attached to the landing guardrail that obscures the view from Unit 4's first-storey rear doors to the neighbouring property to the east, with a minimum height of 1,500 millimetres above the finished floor of the first storey of Unit 4; or

- permanently obscured glass on the entire window area of Unit 4's first-storey rear doors.

Appearances:

5 The Board received submissions from:

- a) Ken Melanson for the Development Authority
- b) David Turner (51 28 Ave SW), appellant, and Dave Gowryluk, a realtor providing submissions in support of Mr. Turner
- c) William Fischer, Chair of the Erlton Community Association Planning and Development Committee, in favour of the appeal
- d) Bill and Carol Hern (50 28 Ave SW) and Darko and Natasa Stanic (49 28 Ave SW) in favour of the appeal
- e) Rick Grol, agent for the owners and applicant
- f) Rob Kieboom for the applicant
- g) Kamil Laljim and Ali Tejpar, owners of the subject property
- h) Patrick Bruton (2703 Erlton St SW), Janeil Funk (76 34 Ave SW), Gary Kreuzer (owner of 69 31 Ave SW), Matt and Amber Patterson (56 31 Ave SW), and Chad Smith (owner of 61, 63, 65, 67 30 Ave SW) opposed to the appeal

Background and Summary of Evidence:*Submissions of the Development Authority*

6 The proposed development consists of a fourplex with a detached garage for use by all four units, on a parcel at the corner of 28 Avenue SW and Erlton Street SW. The M-CG zoning is the least-dense zoning of all of the multi-residential districts, and is intended to be located around low-density residential properties to provide a transition to denser areas. The parcel also falls within the Inner City as defined in the *Municipal Development Plan* (The City of Calgary, August 2017) (the "MDP"). Ken Melanson for the Development Authority argued that the development is supported by subsections 2.1.1(c), 2.2.2(b), 2.2.4(a), (b)(i), 2.2.5(b), (c), 2.3.1(a), (b), 2.3.2(c), 2.4.2(c), 3.5.1(a), (b), (c), and 3.5.2(b) of the MDP.

7 Mr. Melanson submitted that the Erlton Area Redevelopment Plan (The City of Calgary, June 2014) (the "ARP") encourages compatible infill development (s 2.1.2.1).

The ARP identifies the subject parcel as part of the Low-Density Residential area, which provides guidelines that correspond to the RM-2 zoning in Land Use Bylaw 2P80 (the bylaw in force at the time), which supports multi-residential development. Mr. Melanson stated that RM-2 was transitioned to M-CG as part of Land Use Bylaw 1P2007 (the "LUB"). Mr. Melanson also submitted that the ARP is not a set of rules, but a set of policies recognizing each application is to be examined on its own merits to determine if it meets the intent of the policy.

8 Mr. Melanson stated that the proposed development is within 600 metres of the Erlton LRT station and therefore could be considered a Transit-Oriented Development ("TOD"). Mr. Melanson also stated that the ARP does not recognize the TOD nature of the area and that the community has been changing over time. However, the Development Authority did take these into consideration as part of its review of section 35 of the LUB.

9 Mr. Melanson stated that the highest point of the proposed development is 11.21 metres, well below the 12.00-metre maximum. He argued that this is to provide a sensitive transition to the existing surrounding development, while creating a modest increase in height and density compared to the surrounding area.

10 The Development Authority relaxed subsections 550(6), (7) and portions of sections 551 and 553, allowing parts of the west setback area to remain unlandscaped and allowing for 25.83% landscaping coverage instead of the minimum 36%. A portion of the landscaped area, approximately 11.3%, does not identify the materials to be used in the approved plans. The unidentified 11.3% is included in the Development Authority's relaxation to the landscaping requirement.

11 Mr. Melanson noted that the development provides five more trees and 13 more shrubs than required. While the plans do not indicate what materials will be used to cover 11.3% of the parcel, Mr. Melanson believes it to be the applicant's intent to place sod on these areas; then the relaxations of sections 550(6), 551 and 553 would be eliminated.

12 The development does not provide the one visitor parking stall required by the LUB. The Development Authority supported a relaxation in this regard because of the unique topography of the site, the bicycle racks provided within the side yard setback along Erlton Street, as well as the parcel's proximity to the Erlton LRT station and Regional Pathway.

13 The relaxation to the west setback was supported by the Development Authority as the architectural columns are the portion of the fourplex that encroach into the setback. In addition the garage setback requires a relaxation due to the space required to accommodate the parking requirement. The Development Authority supported the relaxation as both the fourplex and garage require similar relaxations and the fourplex is a sufficient distance from the east property line to provide a rear yard amenity space.

14 There are an additional two relaxations to permit a corner of the garage to exceed the maximum height by 1.7 metres (attributed to the downward south-north slope of the

parcel) and the internal wall height by 0.59 metres. Mr. Melanson stated that, due to the grade in the area, relaxations to the garage height are common along this lane.

15 Regarding massing, Mr. Melanson stated that the fourplex was positioned closer to Erlton Street to reduce the impact on low-density residential development to the east. Amenity spaces are stepped down to match the slope of the parcel. The fourplex fits comfortably within the building envelope, and the relaxation to garage height is inevitable due to the slope of the parcel and Erlton Street more generally.

16 Mr. Melanson submitted that there is no right to sunlight and protection from shadows in the MDP, ARP or LUB. Mr. Melanson further stated that winter shadow studies should be disregarded since the sun is at its lowest point at this time of year and causes large shadows to be cast from any type of development. Mr. Melanson stated that the Development Authority used its discretion to minimize the impact of shadowing to neighbouring parcels. He further clarified that by relaxing the setback requirements for the main residential development towards Erlton Street, shadowing on Mr. Turner's property was minimized. Mr. Melanson also stated that existing buildings currently cast shadows on Mr. Turner's property and the proposed development will only shadow the appellant's lands in the afternoon during the summer.

17 Regarding privacy, Mr. Melanson stated there are existing privacy issues from adjacent developments to the south and the east. Regarding the proposed development Mr. Melanson argued that the placement of windows minimizes overlooking from the upper levels of the building. Mr. Melanson argued that the development respects the appellant's privacy by minimizing the size and number of windows on the east elevation. There are also few windows on the west elevation of the appellant's house, and one of the windows is a "glass block" window. The rooftop terraces are oriented toward Erlton Street and screened with frosted glass to provide privacy to parcels to the east.

18 Mr. Melanson observed that Mr. Turner's property causes overlooking issues for other properties, and Mr. and Mrs. Stanic's property already poses privacy issues for Mr. Turner's property. Should the Board decide to amend the Development Permit to further address privacy, Mr. Melanson suggested that additional vegetation by the unit 4 landing would be more appropriate than relocating the unit 4 landing itself, as this could lead to issues with the Alberta Building Code.

19 Regarding parking, Mr. Melanson stated that he observed no significant parking issues during his site visits. He referred to a map outlining parking availability and restrictions around the parcel. The requirement for one visitor parking stall was relaxed by the Development Authority due to the proximity to the Erlton LRT station and the provision of bicycle parking, which is not required for developments under 20 units.

20 Mr. Melanson stated that of all the multi-family land use districts in the LUB this parcel is designated M-CG, the lowest-density multi-family land use district. He further stated that the M-CG district is designed for small-scale multi-family development and is intended to be adjacent to low-density residential.

21 In closing, Mr. Melanson expressed the view that the development meets the tests set out in LUB sections 35 and 36.

Submissions of the appellant and Dave Gowryluk

22 The appellant David Turner argued that the development does not meet the tests set out in sections 35 and 36 of the LUB. In particular, he stated there is no evidence that the Development Authority considered sound planning principles or the impact of the development on neighbouring properties.

23 Mr. Turner submitted that the east elevation presents too much massing, at 11 metres in height with no articulation. The development extends north-south along 87% of the parcel with only a 6-foot gap between the fourplex and the garage. Mr. Turner further stated that the garage was located directly on the property line. Mr. Turner also argued that the massing of the proposed development created an undesired canyon feel in his backyard.

24 Mr. Turner submitted that the rear landing of Unit 2 is 1.61 metres above grade and provides views into his dining room and kitchen window. The rear landing of Unit 3 is 1.77 metres above grade and provides views into his living-room window. The rear landing of Unit 4 is 1.76 metres above grade and provides views into the south window of his living room and his yard. The garage landing is also elevated 1.11 metres above grade, providing views into his south living-room window and backyard. Mr. Turner argued that the overlooking into his property created a significant invasion of his privacy.

25 Mr. Turner argued the development shadows his rear yard for most of the year, as demonstrated by the applicant's shadow studies. Mr. Turner stated that during the summer months his rear yard will be significantly shadowed, the primary time of year he utilizes it. Mr. Turner was not concerned with shadowing during the month of March as he does not typically utilize his rear yard during this time of the year.

26 Mr. Turner argued that it is a reasonable expectation that residents have access to privacy and sunlight as well as protection from undue massing.

27 Dave Gowryluk, in his capacity as a residential realtor, submitted that the shadowing and impingement on privacy posed by the development would reduce the value of Mr. Turner's house by approximately 10%.

Submissions of the Erlton Community Association

28 William Fischer presented on behalf of the Erlton Community Association. He submitted that there is no evidence that the Development Authority considered the relevant statutory plans or policies, namely the MDP and ARP, as it is required to do by subsections 687(3)(a.1) and (a.2) of the *Municipal Government Act*, RSA 2000, c M-26 (the "MGA"). Specifically, he referenced subsections 2.2.5(a) and 2.3.2(c) of the MDP, which encourage sensitive infill development, and sections 1.3.2, 2.1.1, and 2.1.2.1 of the ARP.

29 Mr. Fischer added that the Development Authority is required to take into account the compatibility and impact of the proposed development, specifically with respect to adjacent development and the neighbourhood. Mr. Fischer also stated that the Development Authority is required to consider sound planning principles in its evaluation of the proposed development.

30 Mr. Fischer argued that invading privacy, casting a shadow, and presenting a long, tall, unarticulated wall to an existing outdoor amenity space is material to the compatibility of the development with adjacent development.

31 Mr. Fischer submitted that the proposed development maximizes the footprint of the development so much that relaxations are required. He argued the design is not compatible with the surrounding properties nor the neighbourhood and that the development is too much development for too little land.

32 Mr. Fischer submitted that the parking relaxation is inappropriate as one cannot assume that all visitors will arrive by bike, LRT or on foot simply due to the parcel's location near different transit options. There is no parking on Erlton Street, resident-only parking on 28 Avenue, and a hydrant on 28 Avenue that restricts parking.

33 In response to the argument that one does not have a statutory right to sunlight, Mr. Fischer argued that one nonetheless has a reasonable expectation to sunlight.

34 Mr. Fischer submitted that the garage encroaches on the contextual setback by 0.83 metres, in contravention of subsection 563(1)(b) of the LUB. This bylaw relaxation is not noted on the Development Authority's bylaw check. He emphasized that the Development Authority did not approve of the applicant's initial application, instead preferring a triplex rather than a fourplex.

35 Mr. Fischer argued that the setback relaxations disrupt the visual continuity, consistency, and general rhythm of front yards. He submitted that front yards of developments provide a visual amenity to the street between the front of a building and the public sidewalk. As the subject parcel is a corner parcel, he submitted that the relaxations do not provided a consistence streetscape along Erlton Street.

Submissions of affected persons in favour of the appeal

36 Bill and Carol Hern (50 28 Ave SW) argued that the parking relaxation is inappropriate as it is difficult to find parking in the area, even with a permit, at all times of the year, not only during events such as the Calgary Stampede. Mrs. Hern submitted that they occasionally park in the rear lane due to a lack of available onstreet parking. They submitted that one needs a vehicle in Calgary; transit is not always a viable option, and the slope of Erlton Street discourages biking, particularly in inclement weather. The HERNs also stated that the parcel should be developed with something of a more appropriate size and scale, which would be compatible with the streetscape.

37 Darko and Natasa Stanic (49 28 Ave SW) similarly objected to the parking relaxation, and argued that the development is overbearing, out of scale, and out of character with the smaller, single-family dwellings in the area. They argued that people entering and exiting the garage would see into their living room. Although Mr. and Mrs. Stanic and Mr. Turner can also see each other due to a shared garage landing, Mrs. Stanic further stated that she and Mr. Turner do not have any objection the overlooking of each other's properties. Mrs. Stanic submitted that Unit 4's terrace would also overlook their rear yard and deprive both their property and Mr. Turner of sunlight and privacy.

Submissions of affected persons opposed to the appeal

38 Patrick Bruton (2703 Erlton St SW) supports the proposed development even though the fourplex would face his house and provide sightlines into his backyard, his living room, and his master bedroom. He submitted that overlooking is inevitable in the inner city, and the relaxation to the garage height is appropriate because of the slopes in the area. He considers the development a good fit for the parcel, which has remained undeveloped since he moved into the area five years ago. It would help to revitalize and densify the area.

39 Mr. Bruton stated that there is ample parking around the development, with three bus stops located within three blocks of the parcel and the Erlton LRT station is nearby. He often uses a bike for transportation, and noted the proximity of a bike path. He acknowledged that parking may be scarce during events such as the Calgary Stampede, however this is expected due to the nature of the neighbourhood.

40 Janeil Funk (76 34 Ave SW) stated that she approved of the development's modern design, rooftop terraces, and bicycle storage. She stated that the applicant was mindful of neighbours' privacy, as evidenced by the two-storey design with rooftop shrubbery and minimal windows on the east façade of the fourplex.

41 Gary Kreuzer (owner of 69 31 Ave SW and principal of Liberty Street Developments Ltd.) considers the development a positive step toward revitalizing the community. He submitted the relaxations granted by the Development Authority are minor, the design responds well to the topography, and the fourplex does not exceed the maximum permissible height under the LUB.

42 Matt and Amber Patterson (56 31 Ave SW) expressed appreciation for the development's thoughtful design. They stated that parking concerns are minimal, and shadowing and some infringement of privacy are to be expected in the inner city.

43 Chad Smith (owner of 61, 63, 65, 67 30 Ave SW) supported the parking relaxation in light of the parcel's proximity to various transit options and the provision of extra bicycle storage onsite. He approves of the modern design and would like to see the parcel developed.

Submissions of Rick Grol, agent for the owners and applicant

44 Mr. Grol submitted a parking assessment dated July 10, 2018 prepared by Justin Barrett, P.Eng, PTOE of JCB Engineering. According to the parking assessment a survey of the neighbourhood was conducted on June 28, 2018. The study concluded that there is adequate onstreet parking and a relaxation of one visitor parking stall will not negatively impact the adjacent transportation network and will not impact the availability of parking for the surrounding residents and their visitors. Mr. Grol further argued that while parking may be more restricted during events in the surrounding area, such as the Calgary Stampede, this is a function of the location of Erlton.

45 Mr. Grol provided photographs of the surrounding streets and argued that there is a sufficient amount of parking in the area. Mr. Grol stated that he has personally visited the area several times and observed a significant number of onstreet parking spaces available.

46 Mr. Grol argued that the subject parcel is in a TOD neighbourhood. Therefore, a single-stall parking relaxation is appropriate, particularly in light of the extra bicycle racks included for visitors to the development.

47 Mr. Grol submitted that the subject parcel is difficult to develop due to the slope; relaxations to the LUB are inevitable. However, some LUB relaxations were eliminated through the development permit process. Mr. Grol questioned whether any of the remaining relaxations actually have a negative impact on any adjacent properties.

48 Mr. Grol emphasized that the parcel is zoned as M-CG, which is intended for multi-family residential developments near low-density residential development. He argued that the M-CG provides a transition of density and aligns with the MDP's objectives to encourage density near transit hubs. Mr. Grol further argued that both the MDP and ARP encourage a variety of housing options, which the proposed development provides.

49 Mr. Grol stated that the relaxations to the setback from the west property line move the proposed development away from Mr. Turner's property to reduce privacy concerns and the setbacks of the proposed garage and proposed main building do not negatively impact the neighbourhood. Furthermore Mr. Grol stated that the garage height relaxation is due to the significant slope of the property and is common in the area.

50 Regarding massing, Mr. Grol remarked that other developments in Erlton are taller and present more massing than the proposed development. Each of the four units of the fourplex step down to conform to the slope and minimize massing in that way.

51 Regarding shadowing, Mr. Grol submitted that no one has a right to sunlight under Alberta law and that most of the shadowing Mr. Turner would experience already comes from his own existing garage.

52 Regarding privacy, Mr. Grol stated that the rear landings for each of the units are not large enough to function as amenity spaces and are for accessing the amenity space

at grade. He also argued that the rooftop patios are recessed from Mr. Turner's property to minimize overlooking.

53 Mr. Grol also argued that there are few windows on the proposed development's east façade, and two of the windows on Mr. Turner's west façade are transom windows. Mr. Grol argued that this provides is little opportunity for direct privacy infringement between Unit 4 of the proposed development and Mr. Turner's house.

54 In response to the argument that there is overlooking from the garage landing, Mr. Grol argued that in an inner-city neighbourhood mutual overlooking of properties is common. Mr. Grol submitted that there is currently existing mutual overlooking between Mr. Turner's property and numerous others in the area.

55 In conclusion, Mr. Grol emphasized that the fourplex does not exceed the height maximum allowed by the LUB. All of the relaxations meet the test set out in section 36 of the LUB.

Submissions of the owners, Kamil Laljim and Ali Tejpar

56 Kamil Laljim and Ali Tejpar believe that the development would contribute positively to the neighbourhood by incorporating rooftop terraces with opaque glass and artificial shrubbery for privacy, providing more trees and shrubs than required by the LUB, and encouraging the use of transit and biking as a mode of transportation.

57 They submitted they intentionally did not pursue a three-storey, five-unit development, even though they could have, in an effort to be sensitive to neighbours. They positioned the entire development closer to Erlton Street. They noted that Mr. Turner's property is partially shadowed even without any development on the subject parcel.

Submissions of Rob Kieboom, for the applicant

58 Rob Kieboom submitted that while the development required some relaxations, the proposed development underdevelops the parcel.

59 Mr. Kieboom submitted that the development presents a comparable amount of massing as a number of other properties built in Erlton since 2000. These developments also bear similarities in terms of architectural style, and demonstrate a transition toward more contemporary developments in Erlton. Mr. Kieboom highlighted a number of specific examples of such developments with the use of photographs.

60 Regarding shadowing, Mr. Kieboom stated that the garage roof slope was reversed from the original design so that the highest point is at the rear lane. This was done to better conform to the slope of the parcel and respects Mr. Turner's property. Due to the slope of the parcel, Mr. Kieboom submitted that the garage height relaxation could not be entirely eliminated.

61 Mr. Kieboom also submitted that Mr. Turner's property already experiences shadowing.

62 Regarding privacy, Mr. Kieboom mentioned that a 3-metre-tall spruce tree will be planted near the garage, as shown on the plans in the applicant's Additional Submissions, and that this will provide year-round screening around the garage with respect to the adjacent properties.

63 Mr. Kieboom presented a rendering of Mr. Turner's house's west façade superimposed on the development's east façade, showing the lack of alignment of Mr. Turner's windows and the glass doors on the development, and illustrating that there are no first-storey windows on the proposed development's east façade. He also identified that there are no windows on Unit 4's second storey to prevent direct overlooking into Mr. Turner's property.

64 Regarding overlooking from the rear landings of each unit, Mr. Kieboom submitted that the landings are primarily for accessing the open space at grade and are not large enough to serve as true amenity spaces, creating minimal infringement of Mr. Turner's privacy.

65 Mr. Kieboom also submitted that the rooftop terraces have privacy screening in the form of hedges that prevent direct overlooking to parcels east of the proposed development.

66 Mr. Kieboom addressed the lack of notation on certain areas of the decision-rendered plans, advising that these areas are intended to be landscaped. With the newly-annotated plans presented in the applicant's Additional Submissions, there would no longer be a need for any landscaping-related relaxations of the LUB.

67 Mr. Kieboom argued that the development adds density near a transit hub and enhances the available housing options in Erlton, in terms of size, form, and affordability. He argued that Figure 12 of the ARP shows a design which is similar to the applicant's, and the proposed development is suitable to the parcel.

Reasons:

68 The Board reviewed all evidence and arguments, written and oral, submitted by the parties and will focus on key evidence and arguments in outlining its reasons.

69 The Board finds that the community of Erlton may have restricted parking during major events that take place in the surrounding area, such as Calgary Stampede. The Board finds that this is part of the nature of the community of Erlton.

70 The Board finds that the proposed development is in keeping with the goals of the MDP and ARP for the area.

71 The Board agrees that the subject parcel and surrounding area are located on a significant slope. Due to the slope the Board finds that the relaxations as they relate to the garage height are common for the neighbourhood and do not unduly impact the appellant.

72 The Board notes that the proposed development is two storeys in height and steps down with the grade of the parcel. The Board finds that this minimizes the overshadowing and massing toward neighbouring properties and does not unduly impact neighbouring properties.

73 The Board finds that the proposed development provides adequate parking for the residential units and visitors of future residents. The provision of bicycle parking and the proximity to the Erlton LRT station provides sufficient access for future visitors. The Board therefore finds that the relaxation to the visitor parking requirement does not negatively impact the surrounding community.

74 The Board agrees that front yards of developments provide a visual amenity to the street between the front of a building and the public sidewalk. The Board finds that the similar setback of the garage and dwelling units from Erlton Street provides a consistent frontage to the street and the related setback relaxations do not materially interfere with or affect the use and enjoyment of neighbouring parcels.

75 The Board finds that limiting the rooftop patio to a portion of the roof reduced the potential of overlooking to properties to the east. This is further mitigated through the provision of all-season privacy screen on the east side of the rooftop patio. (As such, the Board has included a condition of approval that the hedge screen on the rooftop patios be artificial and maintained for the life of the development).

76 The Board finds that there is a potential for undue overlooking of Mr. Turner's property from the rear door of Unit 4 of the proposed development. To mitigate the overlooking from Unit 4, the Board has included a condition that the applicant provide amended plans to provide screening; this may take the form of obscured glass, planting, or a privacy screen with a minimum height of 1,500 millimetres from the finished floor of the first storey of Unit 4. The Board finds this requirement mitigates privacy concerns from Unit 4 eastward into the neighbouring property.

77 The Board finds that the decision-rendered plans did not indicate the landscape treatment for a significant portion of the property. However, the Board also accepts that these areas will be planted with soft landscaping. (As such the Board has included, as a condition of approval, that a landscape plan be submitted that identifies a minimum of 36% of the parcel as landscaping).

78 Accordingly, pursuant to subsection 687(3)(d) of the MGA, the Board finds that the proposed development and consequent relaxations would not unduly interfere with the amenities of the community, or materially interfere with or affect the use and enjoyment of neighbouring parcels of land.

Conclusion:

79 For the reasons set out above, the appeal is allowed in part and the decision of the Development Authority is varied. A development permit shall be issued with the above additional conditions.

Sean MacLean, Panel Member and Decision Writer
Subdivision and Development Appeal Board

Bill Chomik, Chair and Presiding Officer
Subdivision and Development Appeal Board

Issued on this 14th day of August, 2018

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