



**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

**DATE: Wednesday, March 29, 2017
TIME: 6:00 p.m.
PLACE: Council Chambers
FILE: B02**

AGENDA

1. Adoption of Agenda

2. Radius Notifications

3. Appeals

a) **19 Riviere Terrace – Appellant – Shayne Bannerman – Reidbuilt Homes Ltd.**

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to construct a new single family detached bungalow with attached garage, attached deck and basement development.

4. Adjournment

DENIED

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#11-2017

Re: Lot 10, Block 4, Plan 122 4845 - known municipally as 19 Riviere Terrace, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to construct a new single family detached bungalow with attached garage, attached deck and basement development.

The Appellant had no objection to the members of this Board hearing and deciding this Appeal.

The Board considered the Development Officer's written report and heard from the Development Officer who stated that:

1. Section 8.20(12) of the Land Use Bylaw (LUB) states that a maximum lot coverage on an R1 lot is 40%.
2. This house is proposed with a lot coverage of 43.58%.
3. In accordance with Section 3.14(2)(a) of the LUB the Development Officer cannot vary lot coverage.
4. Variance required – 3.58% or 13.76 Square meters or 148 Square feet. A 12' x 12' room is 144 square feet.
5. The overage is not due to a covered deck.
6. The Development Officer requested that should the Board decide in favour of the Appellant that following conditions be applied to the decision:
 - 1) Approval is for a single detached house, attached garage and uncovered rear deck. A variance has been granted to allow the proposed 43.58% lot coverage by the Subdivision and Development Appeal Board.
 - 2) The deck as approved shall remain uncovered and unenclosed. Either of these two actions will increase the lot coverage which is not permitted.
 - 3) No portion of a fireplace chase or cantilevered wall section shall project more than 0.6m into the required side yard.
 - 4) The finished floor of the main level shall not be located more than 2.0m above finished grade.
 - 5) The dwelling shall be constructed in accordance with the approved site plan.
 - 6) The dwelling height shall not exceed 11.0m.
 - 7) The exterior finishes must be completed within two (2) years of the date of the Development Permit.

- 8) The landscaping shall be completed within two (2) years of the date of Development Permit approval.
- 9) Future deck development shall be subject to a separate Development Permit application.
- 10) The basement development shall not be used as a separate dwelling unit.
- 11) Any proposed changes in design, elevation or site plan configuration shall first be submitted for review by the Development Officer and any such changes shall not be undertaken until written authorization is provided by the Development Officer.

The Board heard from the Appellant who stated that:

1. Building bungalow as requested by clients;
2. Felt the scale of the home was similar to adjacent homes and would add value and diversity to neighbourhood;
3. Felt the overage "was acceptable".

The Board also considered/reviewed the following

Signed form letters supplied by the appellant from adjacent neighbors and homeowners outside of radius of notification zone in support of variance.

Denied:


The Subdivision and Development Appeal Board of the City of St. Albert hereby denies the Appeal to construct a new single family detached bungalow with attached garage, attached deck and basement development located at 19 Riviere Terrace.

The Board makes its decision for the following reasons:

1. The Board concludes that (in accordance with section 687(3)(d) of the *Municipal Government Act*) the variance will unduly interfere with the amenities of the neighbourhood, and/or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land because:

The Appellant failed to demonstrate to the satisfaction of the Board that the variance requested would not unduly interfere with or affect the use, enjoyment or value of the neighboring parcels of lands. The variance requested by the Appellant would increase the occupied area of the home by 10% and would create a large visual impact in the backyard on neighboring homes that was not addressed or discussed at the Hearing.

The Applicant is responsible for complying with all applicable federal, provincial and municipal enactment and any other applicable law and for obtaining all applicable permits, licenses and approvals. Building permits must be obtained from the Building Inspector who can be contacted at 780-459-1655


Chair _____ Date April 9, 2017