



**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD**

DATE: **Wednesday, November 22, 2017**  
TIME: **6:00 p.m.**  
PLACE: **Council Chambers**  
FILE: **B02**

## **AGENDA**

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**1. Adoption of Agenda**

**2. Radius Notifications**

**3. Appeals**

**a) 84 Enchanted Way – Appellant – Alves Construction Ltd. – Lisa Alves-Antunes**

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to construct a three-season sunroom and deck.

**b) 11 Grandville Avenue – Appellant – Shawn Terlson**

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to construct an addition to an existing dwelling.

**4. Adjournment**

## ALLOWED WITH CONDITIONS

### CITY OF ST. ALBERT

#### SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#29-2017

**Re: Lot 159, Block 7, Plan 132 5384 - known municipally as 84 Enchanted Way, St. Albert, AB.**

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to construct a three-season sunroom and deck on an existing single detached house.

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. When a sunroom is constructed it is considered a part of the dwelling and therefore must meet the setback requirements for the dwelling.
2. The sunroom is required to be located a minimum of 6.0m from the rear property line.
3. The sunroom is proposed with a rear setback of 4.819m.
4. The variance required of 1.18m or 19.68% is within the variance capacity of the Development Officer to grant.
5. Additionally, the maximum lot coverage on an R1 lot is 40%. With the addition of the sunroom the lot coverage would be 41.55%.
6. In accordance with Section 3.14(2) the Development Officer cannot vary lot coverage.
7. The Development Officer cannot refuse and approve items on the same permit therefore both items are before the Board for decision.

**The Board heard from the Appellant who stated that:**

1. The home is being built for a charity/lottery event and the builder is hoping to provide a unique home to create extra value and excitement for the event.
2. The home backs on to a walkway and will be in line with homes on either side of the dwelling being built.

**The Board also considered/reviewed the following**

Plans provided by the Appellant showing the sunroom elevation and details.

**The Board finds the following:**

**Allowed with conditions:**

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to construct a three-season sunroom and deck on an existing single detached house located at 84 Enchanted Way.

The development is approved with the following conditions:

- 1) The sunroom addition and deck shall be constructed in accordance with approved plans.
- 2) 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.
- 3) Elevations of the sunroom shall be submitted to the Planning and Development Department with the final appearance, exterior finishing materials and height to be approved by the Development Officer.
- 4) The exterior finishes of the sunroom shall match or complement the exterior finishes of the existing dwelling.
- 5) The exterior finishes must be completed within two (2) years of the date of the development permit.
- 6) Future deck development shall be subject to a separate development permit application.
- 7) The deck, as approved, shall remain uncovered and unenclosed.


**NOTES:**

- a) A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with the conditions of any covenant, caveat, easement or other instrument affecting the building or land.
- b) The applicant shall be responsible for compliance with all applicable Federal, Provincial and Municipal laws, regulations and standards, as well as ensuring compliance with, and be responsible for obtaining, all applicable permits, licenses and approvals, at its own expense.

- c) All construction must conform to the relevant requirements of the Alberta Building Code, the City of St. Albert municipal engineering standards and all applicable codes, laws, regulations and standards.
- d) The City of St. Albert does not conduct independent environmental checks of land within the city. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of St. Albert, in issuing this development permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on or within the property.

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 not 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 based on the following because:
  - 1. The structure backs onto a public walkway and therefore ample separation distance exists between the proposed structure and the most affected property;  
and
  - 2. No objections were heard from any of the other neighbours
- 2. The proposed development conforms with the use prescribed for the land within the Land Use Bylaw.



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Chair

November 26, 2017

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Date