



**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

DATE: **Wednesday, November 8, 2017**
TIME: **6:00 p.m.**
PLACE: **Council Chambers**
FILE: **B02**

AGENDA

1. Adoption of Agenda

2. Radius Notifications

3. Appeals

a) 35 Arbor Crescent – Appellant – Ruth Zaruk represented by Cheryl Thomas (Daughter)

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to leave a detached garage and shed as built.

b) 19/21 Rowland Crescent – Appellant – Bradley Hoskins, United Rentals

The Appellant is appealing Condition #4 of the approved Development Permit Application requiring the yard to be paved.

4. Adjournment

ALLOWED

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#27-2017

Re: Lot 125, Block 10, Plan 752 0179 - known municipally as 35 Arbor Crescent, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to leave a detached garage and shed as built.

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:

A detached garage is required to be located a minimum of 1.0m from side and rear property lines.

This garage is located 0.83m from the side property line and 0.56m from the rear property line.

The variance required of 0.17m or 17% is within the variance capacity of the Development Officer to grant. The other of 0.44m or 44% is not.

Section 8.2(c) of the Land Use Bylaw states that sheds located IN side yards shall be located a minimum of 1.5m from the dwelling and 1.2m from the side property.

This shed is located 0.0m from the dwelling and 0.18m from the side property line.

The variances required of 1.5m or 100% and 1.02m or 85% exceed the variance capacity of the Development Officer to grant.

The garage has been in existence since 1978.

The Board heard from the Appellant who stated that:

The Appellant was unable to attend the hearing, but requested the Board rule on the appeal in their absence.

The Board also considered/reviewed the following

1. The property backs onto the TUC.
2. No neighbours registered to speak for or against the appeal.

The Board finds the following:

With no objections from affected properties, the Board rules in favor of the Appellant.

Allowed:

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to leave a detached garage and shed as built located at 35 Arbor Crescent.

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 variances 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:
 - a. There were no objections from any of the neighbours.
2. The proposed development conforms with the use prescribed for the land within the Land Use Bylaw.

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



November 20, 2017

Dana Popadynetz - Chair

Date