



**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD**

DATE: **Wednesday, September 27, 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) 26 Sable Crescent - Appellant – Eric Oddleifson - Oddleifson & Kaup**

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to leave an existing deck as built.

**4. Adjournment**

**ALLOWED**

**CITY OF ST. ALBERT**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#26-2017**

**Re: Lot 12, Block 8, Plan 4997KS - known municipally as 26 Sable Crescent, St. Albert, AB.**

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to leave a deck 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:**

1. In accordance with Section 8.6(1)(c) of Land Use Bylaw 9/2005, a deck is required to be located a minimum of 3.0m from a rear property line if it is under 1.5m in height.
2. This deck is 0.59m high but is located 1.46m from the rear property line.
3. The variance required of 1.54m or 51.3% exceeds the variance capacity of the Development Officer to grant.
4. The Development Officer indicated that if the Board approves the appeal the side yard setbacks of 0.92m and 0.99m shall be approved at the same time. 1.0m is required for a side yard setback for a deck.

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

1. The deck has been in place for 10 or more years with no issues arising from either neighbour.
2. The property backs onto a small pocket park.
3. The home has been sold and a holdback is in place until this matter is settled.

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

Two letters of support from neighbours indicating no issues with the deck and support for approval of the variance.

**The Board finds the following:**

**Allowed:**

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to leave a deck as built located at 26 Sable 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 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:
  - a) The most affected neighbours were consulted and provided letters of support.
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

  
Chair

September 28, 2017  
Date