



**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

**DATE: Wednesday, April 24, 2019
TIME: 6:00 p.m.
PLACE: Council Chambers
FILE: B02**

AGENDA

- 1. Adoption of Agenda**
- 2. Radius Notifications**
- 3. Appeals**

a) 99A Grosvenor Boulevard

The Appellant is appealing the decision of the Development Officer in refusing a development permit application to construct a detached garage.

- 4. Adjournment**

ALLOWED WITH CONDITIONS

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB # 06-2019

Re: Lot 23, Block 8, Plan 1105MC - known municipally as 99A Grosvenor Boulevard, St. Albert, AB.

This Appeal relates to a decision of the Development Officer in refusing a development permit application to construct a detached garage.

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:

The Property is located within a Low-Density (R1) residential district. Within the district, a detached garage is a permitted use. Section 8.30(8) of Land Use Bylaw 9/2005 identifies that the maximum permissible lot coverage for a dwelling *and* accessory buildings is 42%. Based on the existing lot area of 349.89 sq. metres, the maximum lot coverage permissible is 146.95 sq. metres.

As proposed, the detached garage will increase the existing lot coverage by 49 sq. metres (528 sq. feet). With the addition of the detached garage, the new total lot coverage for this property will be approximately 164 sq. metres or 47%. Therefore, a variance of 17.05 sq. metres (5%) is required.

The Board heard from the Appellant who stated that:

The SDAB received materials at the beginning of the hearing from the Appellant that were forms that he had obtained from what appeared to be from owners of properties in the immediate area from his property. Because the materials were provided at the beginning of the hearing with no ability to confirm the identity of the parties referenced in the forms, the Board gave very little consideration to this material.

The Appellant made submissions about the proposed use of the garage and that it would increase the tax revenue from his property and would be a good addition to the neighbourhood.

The Board did receive some photographs of the Appellant's backyard, which appeared to show an area that had forms where the garage pad was to be poured and located.

The Board also considered/reviewed the following

The Board noted that it had no submissions from the most directly affected adjacent property. Furthermore, although little consideration was given to the material submitted by the Appellant from neighbours, the materials did appear to show that those surrounding neighbours that did sign the documents, and that they were not opposed to this development.

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 detached garage located at 99A Grosvenor Boulevard.

The development is approved with the following conditions:

- i. The detached garage shall be located and constructed as per the stamped, approved plan(s).
- ii. The exterior finishes of the garage shall match or complement the exterior finishes of the principal dwelling.
- iii. The exterior finishes must be completed within two (2) years of the date of the development permit.
- iv. No portion of the detached garage shall encroach onto the adjacent 2.44m Utility Right-of-Way (7252KS) without written comment(s) from the affected utility companies and the City of St. Albert being obtained.

The Board makes its decision for the following reasons:

1. The Board concluded that (in accordance with section 687(3)(d) of the Municipal Government Act) that the variance sought 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 neighbour did not raise any objection to the variance as no submission was received taking issue with the variance;
 - b. There were no objections from any of the other neighbours.

