



**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

DATE: Wednesday, Sept. 11, 2019
TIME: 6:00 p.m.
PLACE: Council Chambers
FILE: B02

AGENDA

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

a) 25 Glenmore Crescent

The Appellant is appealing the decision of the Development Officer in refusing a development permit application to construct a carport in the front yard.

- 4. Adjournment**

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB #24-2019

Re: Lot 45, Block 2, Plan 5480KS - known municipally as 25 Glenmore Crescent, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to construct a carport in the front yard.

The Appellant had no objection to the members of this Board hearing and deciding this Appeal. Also, none of the Board Members had to recuse themselves as a result of a conflict.

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

The Appellant is appealing the decision of the Development Officer in refusing a development permit application to construct a carport in a front yard. The property is in the low-density R1 land use district and a carport is a permitted use in the district. Attached carports are considered part of the dwelling and must comply with the location requirements. The proposed carport does not meet the required front yard setback. The carport does comply with the side yard setback requirements.

The carport is required to be located a minimum of 6.0m from the front property line. The carport is proposed with a 3.66m front yard setback. The variance required of 2.44m or 40% exceeds the Development Officer's capacity to grant.

The Board heard from the Appellant who stated that:

The Appellant was represented by her neighbor, Rick Martinoski (permission letter from Appellant marked as Exhibit #1). Mr. Martinoski indicated that the Appellant and her husband are seniors in their 80s. The Appellant's husband has mobility issues. They have hired people to clear their driveway and want to stay in their residence as long as possible. They want to construct a carport to give their car some protection from the weather, and to improve their ability to access their vehicle.

The carport would extend 18 feet from the house and be 12 feet wide. There was also a further 12 feet clearance to the property line and an additional 8 feet to the public sidewalk with sufficient setback from the house. Mr. Martinoski also provided photographs of two other houses in the neighbourhood showing their garage/carport setback for comparison purposes. These setbacks were less.

Mr. Martinoski provided photographs of other properties (marked as Exhibits #2 and #3).

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 carport in the front yard.

The development is approved with the following conditions:

1. The carport shall be located as per the stamped approved site plan.
2. Any changes in design, elevation, or location shall be submitted for approval.
3. The carport shall remain unenclosed.
4. Exterior finishes of the carport shall match or compliment the existing dwelling and shall be completed within (2) two years of the date of the development permit approval.

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 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, and there were no objections from any of the other 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.

Chair



Date

SEPTEMBER 16/2019