



**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

DATE: **Wednesday, February 14, 2018**
TIME: **6:00 p.m.**
PLACE: **Council Chambers**
FILE: **B02**

AGENDA

1. **Adoption of Agenda**
3. **Radius Notifications**
4. **Appeals**

a) **37 Swallow Crescent – Appellant – Allan Damer - Solicitor**

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

b) **16 Birch Drive – Appellant – Alair Homes**

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit application to construct a new infill single detached house.

5. **Adjournment**

ALLOWED

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#03-2018

Re: Lot 37, Block 23, Plan 1545MC - known municipally as 37 Swallow 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 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:

The garage is only 0.74 m from the side property line and a minimum set back of 1 m is required. A variance of 26% is required which exceeds the variance capacity of the development officer (25%) to grant.

The Board heard from the Appellant who stated that:

The house is being sold. The garage was built in 1972 and there have been no known complaints regarding its location. The property line is not straight, and the garage was built parallel to the house not the property line.

The Board finds the following:

Allowed:

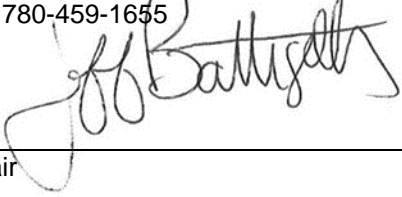
The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to leave a detached garage as-built located at 37 Swallow Crescent.

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:

Only a small portion of the structure encroaches into the required side property line. No objections have been received from other neighbors since the structure was built in 1972.

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



A handwritten signature in black ink, appearing to read "J. Battaglia", is written over a horizontal line. The signature is cursive and somewhat stylized.

Chair

February 16, 2018
Date

ALLOWED

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#04-2018

Re: Lot 39, 40 Block 2, Plan G1- known municipally as 16 Birch Drive, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to construct a new infill 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:

Schedule E lot coverage for LUB is based on neighboring homes and due to the size of the older homes, a lot coverage of 21% was calculated for this lot. All other guidelines for the development have been met.

The Board heard from the Appellant who stated that:

The low lot coverage was a result of the small size of the neighbouring homes. The new home being built will provide the owners with a home for the next 25 to 30 years. The home will be built within all other setbacks on the property. A number of neighbors have been consulted and have not indicated any issues with the new development. The old house has already been removed and the lot is currently fenced. The owner and builder are waiting for approval from the city to commence building.

The Board also considered/reviewed the following

The plans for the house.

Allowed:

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to construct a new infill single detached house located at 16 Birch Drive.

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:

The lot coverage is the result of LUB guidelines and calculation methods which limit lot coverage to be consistent with neighbouring homes. But with infill developments, the older homes tend to have lower lot coverages even though new lots are allowed up to 40% lot coverage. This home will revitalize this older neighbourhood and increase property values. It will also potentially increase lot coverages and allow for further development in the neighbourhood. There were no complaints made by neighbors when presented with the information by the builder.

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

February 16, 2018
Date