



**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD**

DATE: Wednesday, January 3, 2018

TIME: 6:00 p.m.

PLACE: Council Chambers

FILE: B02

AGENDA

1. Adoption of Agenda

2. Radius Notifications

3. Appeals

a) 113 Joyal Way – Appellant – Daytona Homes

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit application to constructed a new single family development with attached garage.

4. Adjournment

ALLOWED WITH CONDITIONS

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB# 1-2018

Re: Lot 55, Block 7, Plan 172 2655- known municipally as 113 Joyal Way, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to construct a new single-detached house with attached garage.

The Appellant did not attend the hearing for this Appeal.

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

The house, which is the first home under construction in this neighbourhood, will back onto a green space / future school yard. The house meets all other minimum building setback requirements at this time and no rear deck has been proposed for the property.

The Board did not hear from the Appellant as they did not attend the hearing.

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to construct a new single-detached house located at 113 Joyal Way.

The development is approved, in spite of the appellant's absence from the hearing, with the following conditions and notes:

Conditions:

- 1) Development Permit approval is issued for the construction of a single-detached dwelling with attached garage, issued in accordance with the provisions of Land Use Bylaw 9/2005.
- 2) No portion of a fireplace chase or cantilevered section including eaves shall project more than 0.6 Metre into a required side yard.
- 3) The finished floor of the main level shall not be located more than 2.0 m above the finished grade.
- 4) The dwelling shall be constructed in accordance with approved site plan.
- 5) The dwelling height shall not exceed 11.0m.
- 6) The lot coverage shall not exceed 41.27%.

- 7) Any proposed changes in design, elevation or site plan configuration shall first be submitted for review by the Development Officer and any such changes shall not be undertaken until written authorization is provided by the Development Officer.
- 8) The exterior finishes must be completed within two (2) years of the date of the development permit.
- 9) Future deck and basement development shall be subject to a separate development permit application.
- 10) The landscaping shall be completed within two (2) years of the date of development permit approval.

Notes:

- a) A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with the conditions of any covenant, caveat, easement or other instrument affecting the building or land.
- b) The applicant shall be responsible for compliance with all applicable Federal, Provincial and Municipal laws, regulations and standards, as well as ensuring compliance with, and be responsible for obtaining, all applicable permits, licenses and approvals, at its own expense.
- c) All construction must conform to the relevant requirements of the Alberta Building Code, the City of St. Albert municipal engineering standards and all applicable codes, laws, regulations and standards.
- d) The City of St. Albert does not conduct independent environmental checks of land within the city. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of St. Albert, in issuing this development permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on or within the property.
- e) The city property on or adjacent to development including, but not limited to; the existing sidewalk, curb and boulevard features shall be protected from damage throughout the construction process. Damage caused by the owner, builder, tradesman or suppliers shall be repaired to the satisfaction of the City of St. Albert Engineering Services. An inspection of the existing site conditions must be completed by city staff prior to commencement of the work. All snow and debris shall be removed from the sidewalk areas for the inspection. If necessary, a city

representative will contact the applicant and request the site be cleared for inspection, prior to demolition and commencement of construction.

- f) An on-street construction permit is required for any construction taking place on City property including but not limited to driveway construction. Contact Engineering Services at 780-459-1654 to obtain the permit.

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 lot coverage of 41.7% for the single-detached house 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 structure backs onto a green space and will have limited impact to surrounding properties. As it is the first home on the block, no objections were received by the city or the board.

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

January 9, 2018

Date