



**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD**

**DATE: Wednesday, June 20, 2018**

**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) 1145 St. Albert Trail – Farhad Mortezaee (Farmor Architecture)**

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to construct alterations to an approved site plan parking layout for the Holiday Inn Express at 1145 St. Albert Trail.

**4. Adjournment**

## **ALLOWED WITH CONDITIONS**

### **CITY OF ST. ALBERT**

#### **SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#20-2018**

**Re: Lot 2, Block 1, Plan 172 0358 - known municipally as 1145 St. Albert Trail, St. Albert, AB.**

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to construct alterations to an approved site plan parking layout for the Holiday Inn Express at 1145 St. Albert Trail.

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. This lot is districted CC (Corridor Commercial) Land Use District in accordance with the Land Use Bylaw
2. The existing development permit, DP-2017-001936, issued for Phase 1 of construction on this lot for the Hotel (Holiday Inn Express), was approved with a stamped approved site plan indicating the location and design of the required parking for the hotel.
3. Section 6.13(5)(d) of Land Use Bylaw 9/2005 states that a 6.0m landscape buffer is required for a site adjacent to a residential use or district.
4. Directly east of this property is 130 Element Drive N, which is an R4 (Medium/High Density residential land use district.
5. A multi-family project has already been approved for this lot.
6. The Development Permit issued for Phase 1 for the hotel construction and associated site/parking had provided a variance to this buffer to the proposed 5.0m buffer shown on the stamped approved plans.
7. The new parking layout shows a further reduction to the required 6.0m buffer to the proposed 1.804m buffer. This requires a variance of 4.196m or 70%, which exceeds the variance capacity of the Development Officer to grant.
8. Section 6.13(5) speaks to the requirements for the landscape buffer in regard to tree types and maturity height.

9. This required buffer is significant to protect adjacent residential districts from commercial districts.
10. The Development Officer requested, that should the Board approve the reduction, that a condition of the Permit be that the Applicant must provide a minimum 2.0m high fence. If a higher fence is justified the Board can dictate the height over and above a 25% variance.
11. The R4 project had discussed constructing a fence between their site and this commercial property. Perhaps the two owners could discuss cost sharing and design alternatives for the shared site boundary. This would ensure that only one fence is constructed at a height the Board assigns and is uniform in style and design for the benefit of the residential owners.
12. The change to the parking layout will not negatively affect the required parking for the hotel.

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

1. He expressed thanks to Development Officer for assistance during the application process.
2. There has been lots of consultation with the City in order to maximize the capacity and layout for the property.
3. The reduction in buffer width along length of the property will provide better use of parking space and lot layout for both Phase I and Phase II of the development on site.
4. There would be no reduction in the vegetation planted on site and a buffer would be maintained between the site and adjacent residential properties.

**The Board finds the following:**

The Board encourages the Appellant to continue discussions with the City and the Development Officer. Additionally the Board also suggests that the Appellant meet with the owners of the adjacent R4 lot in order to discuss and come to a mutual agreement on the fencing to be installed along the entire length of the property between the two properties.

**Allowed with conditions:**

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the to construct alterations to an approved site plan parking layout for the Holiday Inn Express located at 1145 St. Albert Trail.


The development is approved with the following conditions:

1. The buffer may be reduced to 1.804m along the entire length of the property adjacent to the residential properties.
2. A solid fence, 10 feet (3.048m) in height, must be installed along the entire length of the property, between the property and the adjacent R4 property.

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 reduction in buffer width will ensure the site is used to its maximum capacity and the properties being developed on site. The installation of a solid 10 ft high fence along the entire length of the property, between this property and the adjacent R4 property will provide year round screening and reduce the impact of commercial development, noise and light on the residents living adjacent to the property.
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

June 28, 2018  
Date