



**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD**

DATE: **Wednesday, June 6, 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) 39 Woodlands Road – John Cuccaro**

The Appellant is appealing the decision of the Development Officer in refusing a Development Permit Application to leave two sheds as built.

- 4. Adjournment**

## **ALLOWED WITH CONDITIONS**

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

#### **SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#19-2018**

**Re: Lot 7, Block 3, Plan 7822624 - known municipally as 39 Woodlands Road, St. Albert, AB.**

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to leave a two (2) sheds 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:**

1. The property is located within a Low-Density (R1) residential district land use district. Within this district, accessory buildings are a permitted use.
2. One shed exists in the rear yard, while the second shed is in the side yard of the property.
3. A shed in a side yard is required to be located a minimum of 1.2m from the side property line and 1.5m from the dwelling.
4. The existing side yard shed meets the 1.2m side property setback but is located only 0.10m from the dwelling.
5. The required variance of 1.40m or 93% exceeds the variance capacity of the Development Officer to grant.
6. A shed in a rear yard is required to be located a minimum of 1.0m from side and rear property line.
7. The existing shed in the rear yard is located 0.52m from the side property line.
8. The variance required of 0.48 or 48% exceeds the variance capacity of the Development Officer to grant.
9. It should be noted that the existing rear shed encroaches onto a 3.0m utility right-of-way at the back of the property.
10. Engineering Services is aware of the encroachment and will require that a formal Encroachment Agreement be completed.

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

1. Both sheds have been in place for a number of years with no complaints from any neighbor.
2. The property has been sold and monies are being withheld until the compliance is in place.

**The Board also considered/reviewed the following**

1. A letter of support for the variance from Jessica Rasmussen living at 41 Woodlands Road.

**Allowed with conditions:**

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal to leave a two (2) sheds as built located at 39 Woodlands Road.

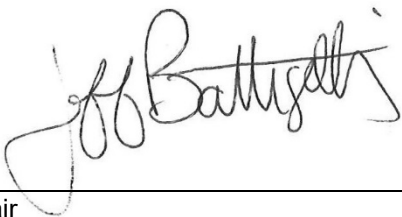
The development is approved with the following condition:

1. A formal Encroachment Agreement be completed and registered with the 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 variances 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 was consulted and advised they have no issue with the variances.
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 6, 2018  
Date