



**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD**

**DATE: Wednesday, September 12, 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) 35 Parkwood Drive – Anita Fleming – Owner**

The Appellant is appealing the decision of the Development Officer in refusing a development permit application to leave a deck as built.

- 4. Adjournment**

ALLOWED

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB #34-2018

Re: Lot 11, Block 9, Plan 8521930 - known municipally as 35 Parkwood Drive, St. Albert, AB.

Regarding the appeal of a decision of the Development Officer in refusing a development permit application to leave a deck 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. A Development Permit application to leave a deck as-built is refused.
2. The deck shown on the Real Property Report for Compliance Certificate application is located 1.67m from the side property line whereas a 4.0m setback is required.
3. In 1986 the builder of the property received a variance from the Subdivision and Development Appeal Board approving a relaxation to the required setback to the proposed 2.643m proposed.
4. The file also shows notes that the deck was not to be constructed closer than that same setback.
5. The deck was built closer (1.67m) so this permit is required.
6. Unfortunately, the permit is refused as the variance required of 2.33m or 58.25% exceeds the variance capacity of the Development Officer to grant.

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

The original deck structure had the corner cut to ensure the setback was meet. However, when the deck was replaced, this information was not passed along to new builder.

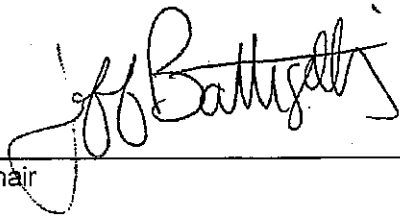
The house is currently being sold and the Real Property Report (RPR) identified the issue with the deck.

There is a hold back on the sale of the property as a result.

**Allowed:**

The Subdivision and Development Appeal Board of the City of St. Albert hereby grants the Appeal of the decision of the Development Officer in refusing a development permit application to leave a deck as built located at 35 Parkwood Drive.

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.



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September 24, 2018 \_\_\_\_\_  
Date

Chair