

**SUMMER VILLAGE OF WHITE SANDS  
DEVELOPMENT PERMIT APPLICATION #706  
LAND USE BYLAW # 186-22**

**NOTICE OF DECISION**

**NAME:** Stephanie Kainz  
**ADDRESS:** 7267 Essex Way  
Sherwood Park, Ab T8H 0L3

**LEGAL DESCRIPTION OF DEVELOPMENT SITE:** Lot 1-3, Block 3, Plan 4117MC  
**CIVIC ADDRESS OF DEVELOPMENT SITE:** #12 – 3<sup>rd</sup> Street  
**DEVELOPMENT:** Site Work and Retaining Wall  
**DECISION:** Approved with conditions;

As described on the application for development, and plans submitted by the applicant(s). It refers only to work outlined above and is subject to the following condition(s) being met to the satisfaction of the Summer Village of White Sands.

1. These conditions include, but are not limited to minimum land use bylaw requirements:
  - 10.7 Any retaining wall over 1.2 m in height must be designed and inspected after construction by a professional engineer. The landowner shall provide to the municipality the design and inspection report, both bearing the seal and signature of a professional engineer.
  - 10.8 Any retaining wall over 1.2 m in height is subject to obtaining a building permit and complying with Alberta Building code provided the retaining wall is:
    - 10.8.1 Adjacent to Public Property
    - 10.8.2 Adjacent to an access to a building or
    - 10.8.3 On private property which is accessible to the public.
2. The applicant must provide the Summer Village of White Sands for their records a copy of the water act approval from Alberta Environment and Parks.
3. Safety Codes permits must be obtained prior to construction. Building permits can be obtained via the Summer Village Office (Phone 403.742.4717, located at #1 Hall Street, Rochon Sands, AB). Office hours are 8:30 a.m. to 4:30 p.m. Monday to Friday. Additional Safety Codes Permits may be obtained directly from the Safety Codes provider, IJD Inspections Ltd. Their phone number is 403.346.6533. Permits which may be required for this development include: BUILDING, PLUMBING, GAS, ELECTRICAL AND PRIVATE SEWAGE.
4. Compliance with the provisions of Land Use Bylaw # 186-22 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
5. The applicant is responsible for ensuring all development is outside of active utility right-of-ways;
6. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements.
7. Any excavation must not affect adjoining properties and cause minimal environmental disruption; and
8. Construction waste is to be hauled directly to the Stettler Regional Landfill.

**Should an appeal be made against this decision to the Subdivision & Development Appeal Board, the Development Permit shall cease to be effective.**

DATE OF DECISION: March 22, 2023

DATE OF ISSUE OF DEVELOPMENT PERMIT: April 12, 2023



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Leann Graham  
Development Officer

**SEE OVER FOR IMPORTANT NOTICES**

## **Development Appeals**

A decision or order of the Development Officer can be appealed.

### **Who Can Appeal?**

Development appeals may be filed by anyone who is affected by the decision of the Development Authority in relation to a development proposal. Appeals may not be filed for a permitted use unless the Development Authority has relaxed, varied or misinterpreted the Land Use Bylaw.

### **How to Appeal**

Anyone wishing to appeal must complete the Notice of Appeal form. The appeal must contain the following information:

- √ Legal land description and municipal address, if applicable, of the land proposed to be developed or subdivided;
- √ The reason for appeal including the issues in the decision or the conditions imposed in the approval that are subject to the appeal;
- √ Applications must be accompanied by the applicable fee.
- √ Notice of Appeal forms may be obtained during business hours from: Town of Stettler 4840 – 50 Street Box 280 Stettler, AB T0C 2L0 or by calling 403.742.8305. Office Hours are 8:30 a.m. to 4:30 p.m. Monday to Friday

### **What happens when an appeal is filed?**

Once an appeal is filed, a hearing will be arranged by the Board secretary. Written notice of the hearing will be provided to the following:

- √ The appellant;
- √ The Development Authority; and
- √ Adjacent landowners and any other person the Board considers to be affected.

### **Subdivision and Development Appeal Board Meeting Procedures**

- √ The Development Officer will make a presentation explaining what is proposed; where it is and the reasons for the decision.
- √ The appellant or his or her representative will make a verbal presentation explaining why the Board should support the appeal. If a number of people are appealing the same development, a spokesperson should be appointed.
- √ If letters supporting or opposing the appeal have been obtained from neighbours, the Chairman must be advised so that the letters can form part of the appeal record.
- √ Questions for clarification will be asked by the Board members.
- √ Persons supporting the appeal will be asked to speak followed by persons opposing the appeals.
- √ Final questions from the Board.
- √ Final comments from the Appellant.

### **Board Decisions**

The decision of the Board will be given verbally to anyone who telephones the Board secretary on the next business day following the hearing. The Board issues its decision to the appellant in writing with reasons within 15 days after the hearing. Anyone else who wants a written copy of the decisions must advise the Board secretary. Until the decision is issued in writing, it is not official and cannot be acted upon.

### **Further Recourse**

The Subdivision and Development Appeal Board is the final approving authority on subdivision and development appeals with the Summer Village of White Sands. If anyone affected feels the Board made a mistake of law or jurisdiction in making its decision, he or she should seek legal advice with regard to appealing the matter to the Court of Appeal of the Province of Alberta. Otherwise there is no further appeal.