MINUTES OF SUBDIVISION & DEVELOPMENT APPEAL BOARD MEETING

OF THE SUMMER VILLAGE OF WHITE SANDS

HELD ON April 25, 2014 AT 11:00 A.M.

**Present**: Christy Brennan. Chairperson

Richard Colley, Board Member

Rhonda Moravec, Board Member

Lorne Thurston, Councillor

Dave Dittrick, Development Officer

Greg Switenky, CAO

Graham Scott, Observer

Leann Graham, Secretary

Angela Alder, Observer

Erin and Jody Hood, Appellants

Public (0)

Chairperson C. Brennan called the meeting to order at 11:00 a.m.

1. **Agenda Additions/Approval**

Moved by R. Colley that the agenda be accepted as presented.

Additions:

MOTION CARRIED

Unanimous

2. **Adoption of August 31, 2011 Subdivision & Development Appeal Board Minutes**

Moved by R. Moravec that the Minutes of the August 31, 2011 Subdivision & Development Appeal Board Meeting be approved as presented.

MOTION CARRIED

Unanimous

3. **Appeal of Decision: Application for Development # 557 – Hood**

Development Officer D. Dittrick presented a verbal report on the proposed development/appeal.

The application was refused in accordance with Schedule B Section 1(2)(b) of the Land Use Bylaw which states “All buildings erected or placed on a parcel shall be constructed of new materials only”.

The site is located at #19 Makenzie Way. The applicants have been previously approved for “Use of RV as Living Accommodation”, which will expire August 22, 2014.

The site is bounded by:

* Makenzie Way (front/west setback);
* Municipal Reserve (rear/east setback);
* #17 Makenzie Way (side/south setback), containing a cottage constructed in 2009; and
* #21 Makenzie Way (side/north setback), containing an approved RV expiring in 2015.

D. Dittrick further explained the process and the right to an appeal the Development Officer’s Decision in accordance with the MGA.

J. Hood explained the proposed timeline for the move being this summer; he explained their understanding and respect for the Bylaw and the intent behind move in’s versus new built however requested an exemption in this instance due to the state of the house and the number of upgrades done in the past 4-5 years.

C. Brennen questioned the process for moving the home and the intention for any exterior damage done while moving. J. Hood explained that a professional moving company would move it and that it is their intention to repair any exterior damage upon arrival. Discussion ensued regarding measures to ensure that the Hood’s remedied any exterior damage or deficiencies.

R. Moravec questioned if the house could be moved in one or would it require to be moved in pieces, J. Hood explained that the house is only 7.8 meters wide and therefore can be moved in one piece. He further explained that they have consulted with professional movers regarding the process and further stated that they have thought this through.

J. Hood continued to state that the proposed detached garage would be of new construction, that there would be no trees cleared in front of the proposed location for the dwelling and that the dwelling would be placed on a new basement foundation.

R. Moravec questioned the timing of the dwelling in accordance with their RV permit expiration, J. Hood explained that the RV permit expires this year and that the intention was always to build however the opportunity for this how came up. He further stated that they never intended on a move in however with the state of this dwelling they decided to pursue it further.

Moved by Chairperson C. Brennan that the meeting move into an in-camera session with the Board and Secretary L. Graham present.

MOTION CARRIED

Unanimous at 11:50 a.m.

Moved Member R. Moravec by that the meeting return to an open session.

MOTION CARRIED

Unanimous at 12:20 p.m.

Moved by Member R. Colley that the Subdivision and Development Appeal Board:

Approve the application and that a development permit shall be issued subject to the following conditions:

1. The owner/applicant must provide the Summer Village of White Sands with security in the amount of $5,000 (to be held in trust) to ensure that all conditions listed have been met to the satisfaction of the Summer Village of White Sands.
2. The owner/applicant must have the dwelling exterior inspected upon installation by the Summer Village of White Sands Development Officer to note any exterior damage or deficiencies.
3. The owner/applicant will have one (1) year from the date of inspection to rectify all noted damages and deficiencies.
4. Upon completion of rectifying all noted damages and deficiencies, the owner/applicant must have the dwelling inspected by the Summer Village of White Sands Development Officer to ensure the work has been completed to the satisfaction of the Summer Village of White Sands.
5. Upon satisfaction of the Summer Village of White Sands that conditions have been met, funds held in trust will be released back to the owner/applicant.
6. The proposed development shall be located in accordance with the approved plan. The applicant must comply with all provisions of the Summer Village of White Sands Land Use Bylaw #71-98. These conditions include, but are not limited to minimum land use bylaw requirements:

a. Front Yard Setback of 7.5 m (Proposed > 7.5 m);

b. Side Yard Setback of 3.0 m (Proposed > 3.0 m);

c. Rear Yard Setback of 10.0 m (Proposed >10.0 m);

d. Building Height not to exceed 10.0 m (Proposed < 10.0 m average grade);

e. Minimum Floor Area of 70.0 m² (Proposed > 70.0 m²);

f. Maximum Parcel Coverage of 30% (Proposed =< 30%).

1. SAFETY CODES PERMITS must be obtained prior to construction. Building permits can be obtained via the Stettler Town Office (Phone 403.742.8305, located at 5031 – 50 Street, Stettler). 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 Services provider, IJD Inspections Ltd. Their phone number is 403.346.6533. Permits which may be required for this development include: BUILDING, PLUMBING, GAS AND ELECTRICAL.
2. Compliance with the provisions of Land Use Bylaw # 71-98 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
3. The applicant is responsible for ensuring all development is outside of active utility right-of-ways;
4. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements.
5. Any excavation must not affect adjoining properties and shall cause minimal environmental disruption; and
6. All construction waste must be hauled to the Stettler Regional Landfill and not the community bins.

MOTION CARRIED

Unanimous at 12:22 p.m.

The Subdivision and Development Appeal Board gave the following reasons for the decision:

1. The proposed dwelling does not unduly interfere with the amenities of the neighbourhood, or
2. Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
3. And the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

4. **Adjournment**:

Chairman C. Brennan declared the meeting adjourned at 12:24 p.m.

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Chairman

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Chief Administrative Officer