

**SUMMER VILLAGE OF WHITE SANDS
DEVELOPMENT PERMIT APPLICATION #725
LAND USE BYLAW # 186-22**

NOTICE OF DECISION

NAME: Kris Noonan
ADDRESS: #17 – 1st Street
White Sands, AB
TOC 3B0

LEGAL DESCRIPTION OF DEVELOPMENT SITE: Lot 35, Block 1, Plan 4117MC

CIVIC ADDRESS OF DEVELOPMENT SITE: #17 – 1st Street

DEVELOPMENT: Attached Deck

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. The owner/applicant receives a side yard variance of 0.07 meters to accommodate the existing encroachment of the attached deck;
2. The owner/applicant receives a front yard variance of 1.93 meters to accommodate the proposed attached deck;
3. The owner/applicant must comply with all the provisions of the Summer Village of White Sands Land Use Bylaw #186-22;
4. The proposed development (Attached Deck) shall be located in accordance with the approved plan; any changes to this site plan must be approved by the Summer Village of White Sands;
5. The owner/applicant must ensure all parking spaces are contained on the same parcel as the building for which they are being provided;
6. The owner/applicant shall ensure the exposed underside of the attached deck is sheathed from the floor level to the ground level;
7. The owner/applicant is responsible for the cost and repair of any damage to public property or works located thereon that may occur as a result of undertaking work regulated by the Alberta Building Code;
8. These conditions include, but are not limited to minimum land use bylaw requirements:
 - a. Front Yard Setback of 9.0 m;
 - b. Side Yard Setback of 3.0 m for one and 1.5 m for the other;
 - c. Rear Yard Setback of 10.0 m;
 - d. Building Height not to exceed 7.75 m;
 - e. Minimum Floor Area of 70.0 m²;
 - f. Maximum Parcel Coverage of 30%.
9. The owner/applicant must obtain a building permit for this development following the mandatory 21 day appeal period
10. Safety Codes permits must be obtained prior to construction. Building permits can be obtained via the Summer Village Office (Phone 403.740.1572, located at #10, 19447 Hwy 12, County of Stettler, AB). Office hours are 9:00 a.m. to 4:00 p.m. Monday to Thursday. 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.
9. 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.

10. The applicant is responsible for ensuring all development is outside of active utility right-of-ways;
11. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements.
12. Any excavation must not affect adjoining properties and cause minimal environmental disruption; and
13. 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: April 29, 2024 (MPC)

DATE OF ISSUE OF DEVELOPMENT PERMIT: May 20, 2024



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 5031 – 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.