

NOTICE OF DECISION

Subdivision and Development Appeal Board

November 8, 2017

Rob Applegate
135 Grand Avenue
Norglenwold, AB T4S 1S5

Dear Mr. Applegate:

RE: Stop Order at 135 Grand Avenue

In accordance with Subsection 687(2) of the Municipal Government Act, wherein the Subdivision and Development Appeal Board (SDAB) must give its decision in writing together with reasons for the decision within 15 days of concluding the hearing, the following serves as notification.

Finding of Fact:

Upon hearing and considering the representations and the evidence of the parties concerned the Subdivision and Development Appeal Board is satisfied that the Stop Order was property issued in accordance with:

Part Two of the Land Use Bylaw #208/13: 2.2:

All development undertaken in the municipality requires an approved Development Permit prior to commencement, except:

- (1) Amended by Bylaw #225/16: The carrying out of works of improvement, maintenance, repairs or renovation to any, but not limited to, building, deck, and/or driveway provided that such works do not include structural alterations, additions, or drainage alterations and that the works comply with the regulations of this Land Use Bylaw;*

Part Three of the Land Use Bylaw #208/13: 3.1 Vehicles, 3(1):

(a) The maximum width of a driveway shall be 10 m (32.8 ft.). Driveway width shall be measured within the carriageway; and

(c) Amended by Bylaw #225/16: In residential districts, the number of driveways shall be limited to not more than one (1) driveway on a property with less than or equal to 40 m (131.23 ft.) and not more than two (2) driveways for properties with more than 40 m (131.23 ft.) of frontage.

Part Four of the Land Use Bylaw #208/13: Shoreline Residential District – Site Development (1:

(c) Maximum parcel coverage: fifty (50) percent.

Municipal Government Act, Section 645 (2) and Part Two, Section 2.10 Contravention and Enforcement of the Land Use Bylaw #208/13:

The development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

(a) stop the development or use of the land or building in whole or in part as directed by the notice,

(b) demolish, remove or replace the development, or

(c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval,

within the time set out in the notice.

By doing so, the Subdivision and Development Appeal Board denies the appeal with a caveat to extend the date of compliance to June 30, 2018.

Decision of SDAB:

It is the unanimous decision of the Subdivision and Development Appeal Board that the decision of the Development Officer to place a stop order on Lot 18, Block B, Plan 5108EO, being 135 Grand Avenue, be upheld with compliance prior to June 30, 2018.

Sincerely,

SUMMER VILLAGE OF NORGLNWOLD

Jeff Ludwig
Chair
Subdivision and Development
Appeal Board