

NOTICE OF DECISION

Subdivision and Development Appeal Board

December 12, 2018

Dear Resident:

RE: Development Application for construction of deck at 359 Last Chance Way

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 Board find the facts in the matter to be as follows:

1. Development occurred without a development permit.
2. Proposed deck encroaches into the municipal reserve.
3. Land located below the top of escarpment/bank shall remain in its natural state, as per the Land Use Bylaw.
4. Oxford Dictionary definition of a shed: "*a simple roofed structure used for garden storage, to shelter animals, or as a workshop.*" Attached deck on shed gives the illusion of boat house/guest house which is not a permitted use in the Land Use Bylaw.

Decision of SDAB:

The Subdivision and Development Appeal Board uphold the decision made by the Municipal Planning Commission and deny the application for a deck attached to the shed for the following reasons:

1. The deck was constructed prior to obtaining a development permit.
2. The deck encroaches on the municipal reserve.
3. The addition of the deck to the shed gives the illusion of boat house/guest house which is not permitted in the Land Use Bylaw.

Respectfully,

SUMMER VILLAGE OF NORGLLENWOLD

Teri Musseau
Secretary
Subdivision and Development Appeal Board