



Development Permit Decision

Application Number: DP073749
Land Use District: LDR
Property File Number: 6021.21

Municipal Address
21 FRANKLIN PL

Legal Description
PLAN 7922017;BLOCK 22;LOT 64A

Type: DP LEAVE AS BUILT
Proposed Use: LEAVE DECK AS BUILT WITH VARIANCE TO SET BACK

Applicant:
JEFF KEARL
EDMONTON, AB T5Z 3E9
16100-78 STREET

Owner of Land:
KEARL, SHARON GILBANK
21 FRANKLIN PL
ST ALBERT AB T8N 3P5

Decision:
REFUSED

Decision Made By:
MELANIE SMITH

Conditions

1. A Development Permit application to leave the front deck as built with a variance to the front and side yard setbacks is REFUSED. As built, the front deck fails to meet the required provisions of Section 3.51(4) of Land Use Bylaw 18/2024.

Deck Requirements of Section 3.51(4):

- A deck greater than 1.5m above finished grade must be located at least 5.0m from all property lines,

The deck is 1.55m in height.

Required front yard setback: 5.0m
Actual front yard setback: 2.9m
Variance required: 2.1m (42%)

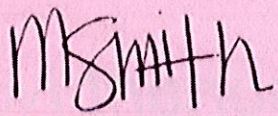
Required side yard setback: 5.0m
Actual side yard setback: 3.16m
Variance required: 1.84m (36.8%)

The variances required to the front and side yard setbacks exceed the capacity of the Development Officer to approve.

NOTE:

You may choose to appeal this Development Permit refusal to the Subdivision and Development Appeal Board within 21-days from the date on which you are notified of the decision. Please refer to the rear of this form for contact information for the Legislative Services Department.

Nov 03, 2025
Decision Date


Development Officer

Important Notices

1. This Development Permit DOES NOT take effect until:

- a) The date of its issue, if it is issued by Council with respect to a development in a Direct Control District;
- b) The expiration of the Appeal period, if it is issued by the Development Officer, unless an Appeal is made to the Subdivision and Development Appeal Board; or
- c) If an Appeal is made, the date the Appeal is finally determined and a written decision is issued.

2. Development Permit Deemed Refused

An application for a development permit is, at the option of the applicant, deemed to be refused if the decision of a development authority is not made within 40 days of receipt of the application unless the applicant has entered into an agreement with the development authority to extend the 40-day period.

3. Right of Appeal

For further information regarding the Appeal Process, please visit the City of St. Albert Website under Subdivision and Development Appeal Board, appealing a Decision page, to obtain the required forms and directions for filing your appeal. If you have further questions please email:
sdabsubmissions@stalbert.ca

4. This is NOT a Building Permit

The issuance of this Development Permit does not preclude the requirement for a Building Permit, which must be obtained separately. For information regarding Building Permits, please contact the *City of St. Albert Building Inspection Branch* at 780-459-1654.

5. Responsibility of Applicant/Developer (Check your Certificate of Title)

A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with the conditions of any caveat, easement or other instrument affecting the building or land.

6. Dial Before You Dig (Think Safety!)

If your development involves digging or excavation, please contact Utility Safety Partners (formerly *Alberta One-Call*) at 1-800-242-3447 before you start in order to locate any utility lines on your property.

7. Expiry of a Development Permit

A development permit ceases to be in effect if the development for which the permit is issued has not commenced within 24 months from the date of issuance; or The *development* for which the *Development Permit* is issued has commenced but no physical work to complete the *development* has occurred for a period of 12 months.



5 St. Anne Street
St. Albert, Alberta T8N 3Z9

Phone: 780-459-1642
Email: development@stalbert.ca