

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

File: 22040.3

March 9, 2026

APPELLANT: JAYMAN BUILT LTD
MUNICIPAL ADDRESS(S): 3 NECTAR WYND
LEGAL DESCRIPTION: LOT 8; BLK 6; PLAN 252 2510
LAND USE CLASSIFICATION: SMALL-LOT RESIDENTIAL (SLR)
DATE OF HEARING: MARCH 18, 2026
PROPOSED DEVELOPMENT: CONNECTING STRUCTURE BETWEEN TWO SHOWHOMES

Background

The appellant is appealing a refusal decision by the Development Authority for a Development Permit application to construct a connecting structure between this house and the adjacent house at 1 Nectar Wynd. The house is approved as a showhome under DP 074057

Development within the City is regulated by Land Use Bylaw 18/2024. Section 5.3 establishes the regulations for development within the Small-Lot Residential (SLR) District.

Side Yard Setback

Section 5.3(9)(b)(i) states that for lots less than 12.50m in width the required side yard setback is 1.25m. This lot is 9.92m wide therefore, the 1.25m setback is required. The connecting structure on this lot is proposed to be located 0.0m from the side property line.

Variance Authority

Section 2.15 of Land Use Bylaw 18/2024 addresses "Variances and Conditions."

- Section 2.15(1) states:

"Subject to the limitation on the discretion to approve a variance set out in Section (2) to (9) the Development Authority may approve a variance up to a maximum of 25% above any applicable measurement limit set out in this Bylaw if, in their opinion, the proposed development with the variance would not:

- (a) Unduly interfere with the amenities of the neighbourhood; or

- (b) Materially interfere with, or affect the use, enjoyment, or value of, neighbouring properties.”

The variance required of 1.25m or 100% exceeds the Development Authority's maximum variance capacity.

As such, the Development Authority has no authority to grant a variance to the required side yard setback.

In may interest the Board to note the following:

- The proposed structure is a temporary structure in place for the length of time of the showhome operation. When the showhome is to be converted to a single-detached house for sale and occupancy, the structure shall be removed and the garage wall finished to match the exterior finishes of the dwelling. A separate Development Permit is required at that time to convert the showhome to a single-detached house. That permit will be conditioned to require the removal of the connecting structure and the completion of exterior finishing.
- **If the Board supports the appeal, the following conditions & notes are requested:**

CONDITIONS:

- 1) Development Permit approval is issued for a side yard setback of 0.0m or 100% for the portion of a connecting structure located on 3 Nectar Wynd between this lot and 1 Nectar Wynd as long as the home is used as a showhome.
- 2) The connecting structure shall be removed when the showhome use ceases and the property is permitted as a single-detached house.

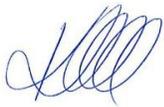
NOTES:

- a) 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 covenant, caveat, easement or other instrument affecting the building or land.
- b) The applicant shall be responsible for compliance with all applicable Federal, Provincial and Municipal laws, regulations and standards, as well as ensuring compliance with, and be responsible for obtaining, all applicable permits, licenses and approvals, at its own expense.
- c) All construction must conform to the relevant requirements of the Alberta Building Code, the City of St. Albert municipal engineering standards and all applicable codes, laws, regulations and standards.
- d) The City of St. Albert does not conduct independent environmental checks of land within the city. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of St. Albert, in issuing this development permit, makes no representations and offers no warranties as to the suitability of the property for any

purpose or as to the presence or absence of any environmental contaminants on or within the property.

e) The city property on or adjacent to development including but not limited to; the existing sidewalk, curb and boulevard features shall be protected from damage throughout the construction process. Damage caused by the owner, builder, tradesman or suppliers shall be repaired to the satisfaction of the City of St. Albert Engineering Services. An inspection of the existing site conditions must be completed by city staff prior to commencement of the work. All snow and debris shall be removed from the sidewalk areas for the inspection. If necessary, a city representative will contact the applicant and request the site be cleared for inspection, prior to demolition and commencement of construction.

f) An on-street construction permit is required for any construction taking place on City property including but not limited to driveway construction. Contact Engineering Services at 780-459-1654 to obtain the permit.



Kathleen Short
Development Officer II

Attachments:

- DP Refusal Decision
- Plot Plan
- House Plans