

## EXHIBIT LIST

| File Number   | Appellant    |
|---------------|--------------|
| SDAB 2023-005 | Brent Bryska |

| Legal Description             | Civic Address                        |
|-------------------------------|--------------------------------------|
| Lot 93, Block 1, Plan 8521969 | 93 Community Lane, Fort McMurray, AB |

| Exhibit # | Description                                                 | Filing Date |
|-----------|-------------------------------------------------------------|-------------|
| P1.       | Appellant's Response – Merit Hearing Scheduling (1 page)    | 2023-08-31  |
| P2.       | Municipality's Response – Merit Hearing Scheduling (1 page) | 2023-09-01  |
| P3.       | Preliminary Board Decision (4 pages)                        | 2023-09-06  |
| 1.        | Subject Area Map (1 page)                                   | 2023-08-11  |
| 2.        | Notice of Appeal (5 pages)                                  | 2023-08-09  |
| 3.        | Planners Report (29 pages)                                  | 2023-10-05  |
|           |                                                             |             |
|           |                                                             |             |
|           |                                                             |             |
|           |                                                             |             |
|           |                                                             |             |
|           |                                                             |             |

## PRELIMINARY HEARING NOTICE OF DECISION

FILE NO. **SDAB 2023-005**

APPLICATION No.: **2023-DP-00253**

DEVELOPMENT: **Refusal – Development Permit Application for an  
Accessory Building (89 m<sup>2</sup>)**

LEGAL DESCRIPTION: **Lot 93 Block 1 Plan 852 1969**

CIVIC ADDRESS: **93 Community Lane, Fort McMurray, Alberta**

**IN THE MATTER OF AN APPEAL** filed with the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board (“the Board”) pursuant to Sections 685 and 686 of the *Municipal Government Act*, R.S.A 2000, c. M-26 (“the Municipal Government Act”), a Preliminary Hearing was held via Microsoft Teams on Wednesday, September 6, 2023.

### **PARTIES:**

Brent Bryska – Appellant  
Elias Biolley-Villalobos – Development Authority  
Lee-Anne Kumka – Development Authority

### **BEFORE:**

A. McKenzie, Chair  
D. Cleaver  
T. Morris

### **Administration:**

H. Fredeen, Clerk, Subdivision and Development Appeal Board

- [1] The Chair confirmed with the parties in attendance that there were no objections to the constitution of the Board or the process to be followed.

### **PRELIMINARY MATTERS**

- [2] The purpose of the hearing was to schedule the merit hearing and filing of evidence date. No submissions on the merits of the appeal were made by the parties.
- [3] The Clerk submitted a hearing date of October 12, 2023. for the Board’s consideration, based on feedback from the parties.

- [4] The Development Authority confirmed for the record that they were in agreement to a merit hearing date of October 12, 2023.
- [5] On the matter of filing of evidence, there were no objection from the parties regarding the Board's standard evidence disclosure deadline of seven (7) days before the merit hearing.

### **DECISION**

- [6] In accordance with section 686 of the *Municipal Government Act* the appeal hearing is scheduled for:

**Date: October 12, 2023**

**Location: In-Person, Council Chamber  
Jubilee Centre  
9909 Franklin Avenue  
Fort McMurray, AB**

**Time: Doors open at 5:30 p.m.,  
Hearing commences at 6:00 p.m.**

- [7] In accordance with section 629 of the *Municipal Government Act*, the Subdivision and Development Appeal Board may, while carrying out its powers, duties and responsibilities, accept any oral or written evidence. Any documentary or photographic evidence and a summary of testimonial evidence must be received by **4:00 p.m., Wednesday, October 4, 2023.**
- [8] In accordance with the requirements laid out in section 686(3) of the *Municipal Government Act* a notice of the hearing will be sent out to all parties. The Board confirms that all evidence can be submitted electronically via email, details of which will be outlined in the notice of hearing.

### **REASONS FOR THE DECISION**

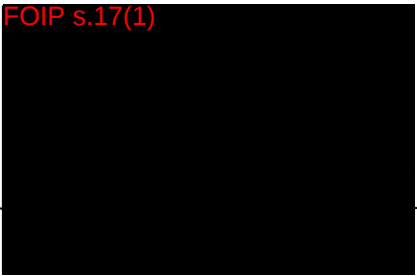
- [9] The Board is aware that it must commence a hearing within 30 days of the date of the appeal, and therefore, the Appeal hearing for SDAB 2023-005 is hereby opened and adjourned to October 12, 2023, which preserves the jurisdiction of the Board in relation to this appeal.
- [10] The purpose of the hearing was to schedule the merit hearing date and disclosure of evidence timelines, of which the Board has selected a date of October 12, 2023, for the merit hearing date and a date of October 4, 2023, as the evidence disclosure deadline date.

- 
- [11] The disclosure dates for the hearing are as set out above, which accord with the Board's standard practice of requiring disclosure in advance. It is at the discretion of the Board to accept any evidence filed beyond the date set out above.
- [12] The Board also clarifies that the members sitting during the preliminary hearing are not seized with the matter, since no information or submissions on the merits were heard by them.
- [13] It is so ordered.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 6<sup>th</sup> day of September 2023

CHAIR:

FOIP s.17(1)



---

DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

| <b>Exhibit #</b> | <b>Description</b>                                   | <b>Filing Date</b> |
|------------------|------------------------------------------------------|--------------------|
| P 1.             | Appellant's Response – Merit Hearing Dates (1 page)  | 2023-08-31         |
| P 2.             | Municipality Response - Merit Hearing dates (1 page) | 2023-09-01         |

## REPRESENTATIONS

PERSON APPEARINGCAPACITY

|    |          |                                                               |
|----|----------|---------------------------------------------------------------|
| 1. | E. Amayu | Development Authority - Regional Municipality of Wood Buffalo |
|----|----------|---------------------------------------------------------------|



Subject Area  
 Notification Property within 120m  
 Survey Parcels

## 93 Community Lane

### Lot 93 006 Block 1, Plan 8521969

Wood Buffalo  
TRIBUNALSSUBDIVISION AND DEVELOPMENT APPEAL BOARD  
NOTICE OF APPEAL

In accordance with Section 675 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw (9905), an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

## Section 1 - Property Information

Larger Land Description (i.e., Lot, Block, Plan or A15 1/4 Sec 24-16-04)

Lot: 93 Block: 1 Plan: 852/969 A15

City Address:

93 Community Lane

Development Permit Number or type of Order:

# 2023-DP-00253

## Section 2 - Appellant Information

**NB:** At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form.

Appellant Name (If the Appellant is a company, enter the complete legal name of the company):

Brent Brykman

Agent Name (if applicable):

Contact Name (if different) and position held:

Mailing Address:

City/Town:

Provincial / Postal Code:

FOIP section 17(1)

## Section 3 - Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

Development Permit

Subdivision Application

Notice of Order

☐ Approval

☐ Approval

☐ Notice of Order

☒ Condition of Approval

☐ Condition of Approval

☒ Refusal

☐ Refusal

☒ We are the Applicant or Land Owner of the subject property

☒ We are a person affected by an order, decision or development permit

## Section 4 - Reasons for Appeal

Section 675 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings or plans for clarification.

(We hereby appeal the decision of the Approval Authority for the following reason(s):

The accessory building combined with the house addition will all be one unit.

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

Date: Aug 8/23

FOIP

Signature of Appellant/Agent:

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner:

I/We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property as necessary for the purpose of this Appeal.

FOIP

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 2<sup>nd</sup> Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4  
Telephone: 780-743-7001 Email: sdab@rmwb.ca

## Protection of Privacy

The personal information you provide on this form is being collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy Act. The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeal Board. If you have any questions about the collection and use of the personal information contact the Legislative Office -SDAB, 2<sup>nd</sup> Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4 - or call 780-758-2222

## Final Office Use Only

| Appeal # | Fee | Appeal | Date Applicant Notified | Date Appellant Notified |
|----------|-----|--------|-------------------------|-------------------------|
|          |     | 007    |                         |                         |

<sup>1</sup> Agent - A person who acts for a Property Owner, Applicant, Appellee, and/or Affected Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.



REGIONAL MUNICIPALITY  
OF WOOD BUFFALO

**DEVELOPMENT PERMIT: #2023-DP-00253**

August 8, 2023  
Brent Bryksa  
93 Community Lane,  
Fort McMurray, AB T9H 5B4

**Attention: Brent Bryksa**

Dear Brent ,

**RE: DEVELOPMENT DECISION: Accessory Building (7.31m x 12.19m) = 89m<sup>2</sup>  
Lot 93, Block 1, Plan 852 1969**

Your application for a development permit at the location mentioned above has been **REFUSED** by the Development Officer. The reasons for the Refusal are outlined in the enclosed Development Permit Decision.

We respectfully request that you review and acknowledge the receipt of this decision within fourteen (14) days.

The decision may be appealed within twenty-one (21) days pursuant to the provisions of the Municipal Government Act, in accordance with the information below.

Should you require further information, please contact the undersigned.

Yours truly,

Elias Biolley-Villalobos  
Planner I  
Community Development Planning  
Regional Municipality of Wood Buffalo  
Tel: 780-743-1017  
Email: [DerbeElias.BiolleyVillalobos@rmwb.ca](mailto:DerbeElias.BiolleyVillalobos@rmwb.ca)

**Attachments:**

Development Permit #2023-DP-00253 REFUSAL  
Notice of Appeal Application

**008**



**IMPORTANT NOTE**

1. Under the Municipal Government Amendment Act, this decision may be appealed within twenty-one (21) days after the day of the decision being posted.
2. An appeal shall contain a statement of the grounds of appeal and shall be delivered personally or by registered mail to reach the Secretary of the Subdivision and Development Appeal Board, 7<sup>th</sup> Floor, 9909 Franklin Avenue, Fort McMurray, AB, T9H 2K4 within the prescribed period of twenty-one (21) days.
3. Upon delivery of a Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a required fee.

Having received the Notice of Decision, I understand and acknowledge the reason for Refusal, and further to this, I understand that I may have the Right of Appeal.

Aug. 8/23  
Date

FOIP  
s.17(1)

**009**



REGIONAL MUNICIPALITY  
OF WOOD BUFFALO

**DEVELOPMENT PERMIT: #2023-DP-00253 REFUSAL**

**DATE: August 8, 2023**

**APPLICANT: Brent Bryksa**

**LEGAL DESCRIPTION: Lot 93, Block 1, Plan 852 1969**

**PARCEL AREA: 8,060m<sup>2</sup> = 0.806 Hectares**

**DEVELOPMENT REFUSED: Accessory Building (89m<sup>2</sup>)**

**This development was REFUSED by the Development Officer for the following reason(s):**

As per the Land Use Bylaw No 99/059 of the Regional Municipality of Wood Buffalo:

50.7 In residential districts, the maximum site coverage for accessory buildings shall be:

50.7 (b) in all other residential districts, 12% of the lot area or 140.0 m<sup>2</sup>, whichever is less, for parcels under 2.0 hectares. For parcels 2.0 hectares and larger, the maximum site coverage of accessory buildings shall be 350.0 m<sup>2</sup>.

**The proposed accessory building size does not conform to the Land Use Bylaw. The maximum size available for parcels under 2.0 hectares is 140 m<sup>2</sup>.**

**DATE OF DECISION: August 8, 2023**

**DATE NOTICE OF DECISION ADVERTISED: August 17, 2023**

**010**

---

**Development Officer**

Photo of a similar place on Weiss Drive



## REPORT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD

---

**File:** 2023-005

**Appellants:** Brent Bryska, property owner

**Subject:** Refusal of Development Permit 2023-DP-00253

**Legal Description:** Lot 93, Block 1, Plan 852 1969

**Civic Address:** 93 Community Lane, Fort McMurray, AB T9H 5B4

**Land Use Designation:** SE – Suburban Estate Residential District

**Development Permit Application:** August 1, 2023

**Development Permit Refusal:** August 8, 2023

**Appeal Application Date:** August 9, 2023

---

### **Introduction**

1. This appeal stems from the *refusal of Development Permit 2023-DP-00253*, an application for an “accessory building” (89m<sup>2</sup>) at 93 Community Lane (Refused Development Permit 2023-DP-00253; Attachment 3), legally described as Lot 93, Block 1, Plan 852 1969 (Subject Property Map; Attachment 1).
2. The proposed use is within the authority of the Development Officer to approve. Therefore, it is also within the authority of the Subdivision and Development Appeal Board (SDAB) to consider the appeal.
3. The Refusal of Development Permit 2023-DP-00253 was advertised in the newspaper.

### **Chronology**

4. On August 1, 2023, the Development Authority received the Application for an accessory building (7.31m x 12.19m).
5. On August 3, 2023, the Development Authority began the property file and planning review.
6. On August 8, 2023, the Development Authority informed the property owner, Brent Bryksa, the proposed and existing accessory buildings would exceed the maximum allowable site coverage for accessory buildings on the subject property.
7. The Development Authority refused the application and recommended to appeal its decision to the SDAB.

### **Discussion**

8. Accessory buildings are defined as, “a building or use which is subordinate to, exclusively devoted to, and located on the same site as the principal building or use. Where a structure is attached to a principal building on a site by a roof, an open or enclosed structure, a floor

or foundation, or any structure below grade allowing access between the building and the structure, it is considered part of the principal building and shall meet all the requirements of that building". (Land Use Bylaw No 99/059 at Section 10 [*Land Use Bylaw*]).

9. The total area of accessory buildings is approximately 318.35m<sup>2</sup> (Review Form – Accessory Building; Attachment 6):
  - i. Accessory building known as treehouse is 13.40m<sup>2</sup>
  - ii. Accessory building known as Detached Garage is 106.95m<sup>2</sup>
  - iii. Proposed accessory building will be 89.00m<sup>2</sup>
  - iv. Accessory building known as two (2) Canadian Tire tents is 30m<sup>2</sup> (8 ft. x 20ft.)
  - v. Accessory building known as sheds is approximately 60.00m<sup>2</sup>
  - vi. Accessory building known as Quonset is approximately 19.00m<sup>2</sup>
10. The property owner, Brent Bryksa communicated that the sheds and Quonset would be removed to accommodate the proposed accessory building (89m<sup>2</sup>).
11. The property owner, Brent Bryksa confirmed that the Canadian Tire tents are not permanent structures and are movable.
12. The total area of the approved and proposed accessory buildings is 209.4m<sup>2</sup>.
  - i. Accessory building known as treehouse is 13.40m<sup>2</sup>
  - ii. Accessory building known as Detached Garage is 106.95m<sup>2</sup>
  - iii. Proposed accessory building will be 89.00m<sup>2</sup>
13. The property owner, Brent Bryksa communicated the proposed accessory building will have a breezeway connecting the Detached Garage (Email communication, page 2 of 6; Attachment 7).
14. The property owner, Brent Bryksa communicated the setback distances of the proposed accessory building (Email communication, page 2 of 6; Attachment 7) to the following structures:
  - i. Detached Garage is 1.52 meters (5 ft.)
  - ii. Manufactured Home is 6.40 meters (21 ft.)
15. The proposed accessory building will be 6.10 meters in height (20 ft.) (Application, page 4 of 5; Attachment 5).
16. The subject property is in the SE – Suburban Estate Residential District (the "District").
17. The subject property lot area is 0.806 hectares or 8,060m<sup>2</sup> (Certificate of Title; Attachment 2)
18. Accessory buildings are classified as a "permitted use" in the District (Land Use Bylaw No 99/059 at 104.2(a) [*Land Use Bylaw*]).
19. The proposed accessory building (89m<sup>2</sup>) meets the accessory building setback distances and height restriction (Land Use Bylaw No 99/059 at 50.5 and 50.6(c) [*Land Use Bylaw*]).
20. Section 50.7(b) of the *Land Use Bylaw* states that the "maximum site coverage for accessory buildings in all other residential districts, shall be 12% of the lot area or 140.0m<sup>2</sup>, whichever is less, for parcels under 2.0 hectares".

21. The maximum site coverage for accessory buildings available to the subject property is 140m<sup>2</sup>, because it is less than twelve percent (12%) of the lot area which is 967.2m<sup>2</sup>.
22. Section 28.4(c)(ii) of the Land Use Bylaw states that “the Development Authority may allow a variance to increase the permitted lot coverage by, up to two percent (2%) of the maximum lot coverage for accessory buildings”.
23. The Development Authority has the ability to allow a variance to the accessory buildings lot coverage to a maximum of 142.8m<sup>2</sup>.
24. In review of this development permit application, the Development Authority has no ability to approve a variance of approximately fifty percent (50%) or grant sixty-nine meters square (69m<sup>2</sup>) to accommodate the proposed accessory building (89m<sup>2</sup>).
25. The Development Authority has confirmed all Development Permits have been issued and remain valid except for the following:
  - i. Two (2) Canadian Tire tents (8 ft. x 20 ft.)
  - ii. Quonset
  - iii. Two (2) Sheds
26. The property owner, Brent Bryksa confirmed that the two (2) sheds and Quonset would be removed to locate the proposed accessory building (89m<sup>2</sup>) as per the Subject Area Map (the “Subject Property Map; Attachment 1).
27. The property owner, Brent Bryksa advised that the proposed accessory building is for residential personal enjoyment. Also, in the future he intends to add the proposed accessory building to the Manufactured Home (Notice of Appeal; Attachment 4). Thus, complying with the Land Use Bylaw regulations.

**Recommendation:**

28. The Development Authority recommends that the SDAB allow the appeal for a variance of approximately fifty percent (50%) or grant sixty-nine meters square (69m<sup>2</sup>) to accommodate the proposed accessory building (89m<sup>2</sup>); and the following conditions of approval:
  - i. Removal of the temporary Canadian Tire tents.
  - ii. A site plan meeting the minimum standards, which is prepared by an Alberta Land Surveyor and/or Engineering Firm, and shall provide the following information:
    - i. Breezeway dimensions and details indicating the connection to the existing Detached Garage (36 ft. x 32 ft.)
    - ii. All structures
    - iii. Set back distances to all structures and property boundaries.

**Rationale:**

29. The Development Authority is of the view that the proposed accessory building and future development conforms with the use of the Suburban Estate Residential District.

Section 104.1

The purpose of this district is to provide for multi-lot (more than 3) country residential development with specific development criteria for the Hamlet of Sapræ Creek.

30. The Development Authority is of the view that the proposed accessory building would not

result in the following:

- i. Unduly interfere with the amenities of the neighbourhood; and
- ii. Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

**Attachments:**

- 1. Subject Property Map
- 2. Certificate of Title
- 3. Refused Development Permit 2023-DP-00253
- 4. Notice of Appeal
- 5. Development Permit Application
- 6. Review Form – Accessory Building
- 7. Email communication



- Development Permit Approval
- Accessory Buildings without a Development Permit and to be Removed
- Area for the proposed Accessory Building - note it is not
- Subject Area: 0.806 hectares = 8.06m<sup>2</sup>
- Survey Parcels
- Roadways

**NOTE**  
Total Approved and Proposed  
Accessory Buildings area = 209.35m<sup>2</sup>



# LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0010 989 656        8521969;1;93                      092 464 168

## LEGAL DESCRIPTION

PLAN 8521969

BLOCK 1

LOT 93

EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 0.806 HECTARES (1.99 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 052 215 733

| -----               |            |                  |           |               |
|---------------------|------------|------------------|-----------|---------------|
| REGISTERED OWNER(S) |            |                  |           |               |
| REGISTRATION        | DATE (DMY) | DOCUMENT TYPE    | VALUE     | CONSIDERATION |
| -----               |            |                  |           |               |
| 092 464 168         | 29/12/2009 | TRANSFER OF LAND | \$772,500 | \$772,500     |

## OWNERS

BRENT BRYKSA  
OF 93 COMMUNITY LANE  
FORT MCMURRAY  
ALBERTA T9H 5B4  
(DATA UPDATED BY: 102062451)

## ENCUMBRANCES, LIENS & INTERESTS

| REGISTRATION |              |                                                                                                                  |
|--------------|--------------|------------------------------------------------------------------------------------------------------------------|
| NUMBER       | DATE (D/M/Y) | PARTICULARS                                                                                                      |
| -----        |              |                                                                                                                  |
| 762 011 893  | 21/01/1976   | ZONING REGULATIONS<br>BY - HER MAJESTY THE QUEEN IN RIGHT OF CANADA<br>AS REPRESENTED BY DEPARTMENT OF TRANSPORT |
| 852 229 566  | 22/10/1985   | RESTRICTIVE COVENANT                                                                                             |
| 872 042 173  | 27/02/1987   | ORDER<br>AFFECTS INSTRUMENT: 852229566<br>"CORRECTED AUGUST 10, 1989"                                            |

-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

# 092 464 168

REGISTRATION

NUMBER      DATE (D/M/Y)      PARTICULARS

-----

092 464 169      29/12/2009 MORTGAGE  
MORTGAGEE - ROYAL BANK OF CANADA.  
10 YORK MILLS ROAD  
3RD FLOOR  
TORONTO  
ONTARIO M2P0A2  
ORIGINAL PRINCIPAL AMOUNT: \$758,092  
(DATA UPDATED BY: TRANSFER OF MORTGAGE  
192303796)

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 1 DAY OF AUGUST,  
2023 AT 12:06 P.M.

ORDER NUMBER: 47943054

CUSTOMER FILE NUMBER: Planning



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

**DEVELOPMENT PERMIT: #2023-DP-00253**

August 8, 2023  
Brent Bryksa  
93 Community Lane,  
Fort McMurray, AB T9H 5B4

**Attention: Brent Bryksa**

Dear Brent ,

**RE: DEVELOPMENT DECISION: Accessory Building (7.31m x 12.19m) = 89m<sup>2</sup>  
Lot 93, Block 1, Plan 852 1969**

Your application for a development permit at the location mentioned above has been REFUSED by the Development Officer. The reasons for the Refusal are outlined in the enclosed Development Permit Decision.

We respectfully request that you review and acknowledge the receipt of this decision within fourteen (14) days.

The decision may be appealed within twenty-one (21) days pursuant to the provisions of the Municipal Government Act, in accordance with the information below.

Should you require further information, please contact the undersigned.

Yours truly,

Elias Biolley-Villalobos  
Planner I  
Community Development Planning  
Regional Municipality of Wood Buffalo  
Tel: 780-743-1017  
Email: [DerbeElias.BiolleyVillalobos@rmwb.ca](mailto:DerbeElias.BiolleyVillalobos@rmwb.ca)

**Attachments:**

Development Permit #2023-DP-00253 REFUSAL  
Notice of Appeal Application

**DEVELOPMENT PERMIT: #2023-DP-00253 REFUSAL**

**DATE: August 8, 2023**

**APPLICANT: Brent Bryksa**

**LEGAL DESCRIPTION: Lot 93, Block 1, Plan 852 1969**

**PARCEL AREA: 8,060m<sup>2</sup> = 0.806 Hectares**

**DEVELOPMENT REFUSED: Accessory Building (89m<sup>2</sup>)**

**This development was REFUSED by the Development Officer for the following reason(s):**

As per the Land Use Bylaw No 99/059 of the Regional Municipality of Wood Buffalo:

50.7 In residential districts, the maximum site coverage for accessory buildings shall be:

50.7 (b) in all other residential districts, 12% of the lot area or 140.0 m<sup>2</sup>, whichever is less, for parcels under 2.0 hectares. For parcels 2.0 hectares and larger, the maximum site coverage of accessory buildings shall be 350.0 m<sup>2</sup>.

**The proposed accessory building size does not conform to the Land Use Bylaw. The maximum size available for parcels under 2.0 hectares is 140 m<sup>2</sup>.**

**DATE OF DECISION: August 8, 2023**

**DATE NOTICE OF DECISION ADVERTISED: August 17, 2023**

---

**Development Officer**



**IMPORTANT NOTE**

1. Under the Municipal Government Amendment Act, this decision may be appealed within twenty-one (21) days after the day of the decision being posted.
2. An appeal shall contain a statement of the grounds of appeal and shall be delivered personally or by registered mail to reach the Secretary of the Subdivision and Development Appeal Board, 7<sup>th</sup> Floor, 9909 Franklin Avenue, Fort McMurray, AB, T9H 2K4 within the prescribed period of twenty-one (21) days.
3. Upon delivery of a Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a required fee.

**Having received the Notice of Decision, I understand and acknowledge the reason for Refusal, and further to this, I understand that I may have the Right of Appeal.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature



Wood Buffalo  
TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
NOTICE OF APPEAL

In accordance with Section 675 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw (99050), an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

**Section 1 - Property Information**

Larger Land Description (i.e., Lot, Block, Plan or A15 1/4 Sec 24-16-04)

Lot: 93 Block: 1 Plan: 852/969 A15

City Address

93 Community Lane

Development Permit Number or type of Order

# 2023-DP-00253

**Section 2 - Appellant Information**

**NB:** At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form.

Appellant Name (If the Appellant is a company, enter the complete legal name of the company)

Brent Brykman

Agent Name (if applicable)

Contact Name (if different) and position held

Mailing Address

City/Town

Provincial / Postal Code

**FOIP section 17(1)**

**Section 3 - Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal**

Development Permit

Subdivision Application

Notice of Order

☐ Approval

☐ Approval

☐ Notice of Order

☒ Condition of Approval

☐ Condition of Approval

☒ Refusal

☐ Refusal

☒ We are the Applicant or Land Owner of the subject property

☒ We are a person affected by an order, decision or development permit

**Section 4 - Reasons for Appeal**

Section 675 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings or plans for clarification.

(We hereby appeal the decision of the Approval Authority for the following reason(s):)

The accessory building combined with the house addition will all be one unit.

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

Date: Aug 8/23

**FOIP**

Signature of Appellant/Agent

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner:

I/We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property as necessary for the purpose of this Appeal.

**FOIP**

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 2<sup>nd</sup> Floor, Jubilee Center, 9609 Franklin Avenue, Fort McMurray AB T9H 2K4  
Telephone: 780-743-7001 Email: sdab@rmb.ca

**Protection of Privacy**

The personal information you provide on this form is being collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy Act. The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeal Board. If you have any questions about the collection and use of the personal information contact the Legislative Office -SDAB, 2<sup>nd</sup> Floor 9609 Franklin Avenue, Ft. McMurray AB T9H 2K4 or call 780-758-2222

**For Office Use Only**

| Appeal # | Fee | Appellant Signature | Date Applicant Notified | Date Appellant Notified |
|----------|-----|---------------------|-------------------------|-------------------------|
|----------|-----|---------------------|-------------------------|-------------------------|

**022**

<sup>1</sup> Agent - A person who acts for a Property Owner, Applicant, Appellee, and/or Affected Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.



REGIONAL MUNICIPALITY  
OF WOOD BUFFALO

**DEVELOPMENT PERMIT: #2023-DP-00253**

August 8, 2023  
Brent Bryksa  
93 Community Lane,  
Fort McMurray, AB T9H 5B4

**Attention: Brent Bryksa**

Dear Brent ,

**RE: DEVELOPMENT DECISION: Accessory Building (7.31m x 12.19m) = 89m<sup>2</sup>  
Lot 93, Block 1, Plan 852 1969**

Your application for a development permit at the location mentioned above has been **REFUSED** by the Development Officer. The reasons for the Refusal are outlined in the enclosed Development Permit Decision.

We respectfully request that you review and acknowledge the receipt of this decision within fourteen (14) days.

The decision may be appealed within twenty-one (21) days pursuant to the provisions of the Municipal Government Act, in accordance with the information below.

Should you require further information, please contact the undersigned.

Yours truly,

Elias Biolley-Villalobos  
Planner I  
Community Development Planning  
Regional Municipality of Wood Buffalo  
Tel: 780-743-1017  
Email: [DerbeElias.BiolleyVillalobos@rmwb.ca](mailto:DerbeElias.BiolleyVillalobos@rmwb.ca)

**Attachments:**

Development Permit #2023-DP-00253 REFUSAL  
Notice of Appeal Application

**023**



**IMPORTANT NOTE**

1. Under the Municipal Government Amendment Act, this decision may be appealed within twenty-one (21) days after the day of the decision being posted.
2. An appeal shall contain a statement of the grounds of appeal and shall be delivered personally or by registered mail to reach the Secretary of the Subdivision and Development Appeal Board, 7<sup>th</sup> Floor, 9909 Franklin Avenue, Fort McMurray, AB, T9H 2K4 within the prescribed period of twenty-one (21) days.
3. Upon delivery of a Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a required fee.

Having received the Notice of Decision, I understand and acknowledge the reason for Refusal, and further to this, I understand that I may have the Right of Appeal.

Aug. 8/23  
Date

FOIP  
s.17(1)

**024**



**DEVELOPMENT PERMIT: #2023-DP-00253 REFUSAL**

**DATE:** August 8, 2023

**APPLICANT:** Brent Bryksa

**LEGAL DESCRIPTION:** Lot 93, Block 1, Plan 852 1969

**PARCEL AREA:** 8,060m<sup>2</sup> = 0.806 Hectares

**DEVELOPMENT REFUSED:** Accessory Building (89m<sup>2</sup>)

**This development was REFUSED by the Development Officer for the following reason(s):**

As per the Land Use Bylaw No 99/059 of the Regional Municipality of Wood Buffalo:

50.7 In residential districts, the maximum site coverage for accessory buildings shall be:

50.7 (b) in all other residential districts, 12% of the lot area or 140.0 m<sup>2</sup>, whichever is less, for parcels under 2.0 hectares. For parcels 2.0 hectares and larger, the maximum site coverage of accessory buildings shall be 350.0 m<sup>2</sup>.

**The proposed accessory building size does not conform to the Land Use Bylaw. The maximum size available for parcels under 2.0 hectares is 140 m<sup>2</sup>.**

**DATE OF DECISION:** August 8, 2023

**DATE NOTICE OF DECISION ADVERTISED:** August 17, 2023

**025**

---

**Development Officer**



2023-DP-00253

ZONING: SE - Suburban Estate Residential District

CIVIC ADDRESS: 93 Community Lane, Fort McMurray, AB, T9H 5B4

LOT : 93

BLOCK: 1

PLAN: 852 1969

APPLICANT/CONTACT: Brent Bryksa &lt; brent\_bryksa@yahoo.ca &gt; 780-881-0709

PROPERTY COMPLIANT ☒ Y ☐ N

☒ REQUIRED DOCUMENTATION ☒ CERTIFICATE OF TITLE ☒ WILDFIRE OVERLAY AREA  
☐ LETTER OF AUTHORIZATION ☒ PROPERTY FILE REVIEW ☒ PICTOMETRY

|                                                                                            |                                                                                                                                                               |
|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposed Accessory Building 24 ft. 40 ft. (7.31m x 12.19m) = <b>89m<sup>2</sup></b>        | 2008-DP-2185 - Replacing Modular Home                                                                                                                         |
| Accessroy Building (Treehouse) 12 ft. x 12 ft. (3.66m x 3.66m) = <b>13.40m<sup>2</sup></b> | <b>Single Detached Dwelling</b> means a building containing one dwelling unit, including a modular home but does not include a manufactured home. (BL 04/012) |
| 2012-DP-00848 -Detached Garage 36 x 32 and Accessory Building 12 x 12                      |                                                                                                                                                               |
| 2010-DP-1052 - Accessory Buiding (Relocated Garage 10.9 x 9.2)                             | 2008-DP-0800 - " Manufactured Home"                                                                                                                           |

Total Accessory Buildings = **318.35m<sup>2</sup>**

- 1) Treehouse = 3.66m x 3.66m = **13.40m<sup>2</sup>**
- 2) Detached Garage = 10.97m x 9.75m = **106.95m<sup>2</sup>** *\*\*Breezeway connection\*\**
- 3) Proposed Accessory Building=7.31m x 12.19m = **89m<sup>2</sup>** *\*\*Breezeway connection.\*\**
- 4) Two (2) Canadian Tire tents (8ft. x 20 ft.) = **30m<sup>2</sup>**
- 5) Sheds approximately = **60m<sup>2</sup>**
- 6) Quonset approximately = **19m<sup>2</sup>**

**BUILDING TYPE**

- ☒ DETACHED GARAGE ☐ SHED
- ☐ GAZEBO ☐ SEACAN

- ☐ APPROVED PLANS ( SITE & 4 ELEVATIONS)
- ☐ DWELLING PLANS AGREE WITH PLOT PLAN

**RIGHT OF WAYS & EASEMENTS**

- ☐ RIGHT OF WAY RESTRICTIONS
- ☐ EASEMENTS

WHERE : **SELECT** **SIDE OF PROPERTY**WHERE : **SELECT** **FRONT OF PROPERTY**WHERE : **SELECT** **BACK OF PROPERTY****PART OF PERMIT ?**☐ YES ☐ NO VARIANCE # :

FOR:

Amount %

**LEVIES**OFFSITE LEVIES PAID ☐ YES ☐ NOLEVIES REQUIRED ☐ YES ☐ NO

| BUILDING INFORMATION                                  |                |                |
|-------------------------------------------------------|----------------|----------------|
| PRINCIPAL BUILDING HEIGHT (max. 10.0m)                |                | m              |
| ACCESSORY BUILDING HEIGHT (max. 4.6/7.0m)             | <b>6.10</b>    | m              |
| PRINCIPAL BUILDING AREA (Incl. Att. Garage & Veranda) | <b>144</b>     | m <sup>2</sup> |
| DECK (over 0.6m in height)                            | <b>37.17</b>   | m <sup>2</sup> |
| ACCESSORY BUILDING AREA (140m <sup>2</sup> or 12%)    | <b>318.35</b>  | m <sup>2</sup> |
| TOTAL LOT COVERAGE                                    | <b>499.52</b>  | m <sup>2</sup> |
| LOT AREA                                              | <b>8060.00</b> | m <sup>2</sup> |
| TOTAL LOT COVERAGE (max. 45%)                         | <b>6.20</b>    | %              |
| TOTAL LANDSCAPE COVERAGE (min. 30%)                   | 70             | %              |

| SETBACKS                       | PROPOSED       |
|--------------------------------|----------------|
| HOUSE / GARAGE / DECK (1.0m)   | <b>6.4</b> m   |
| REAR YARD (1.0m / 2.0m / 6.0m) | <b>40.00</b> m |
| SIDE YARD INT. (1.0m)          | <b>11.00</b> m |
| SIDE YARD EXT. (1.0m / 3.0m)   | m              |

\*\*\*Sheds less than 2.0m in height can be to the property line.

\*\*\*RMH-2 District has different rules governing accessory buildings

|              |               |   |
|--------------|---------------|---|
| EXEMPTIONS : | <b>SELECT</b> | m |
| NOTES:       |               |   |

**ADVERTISEMENT**

☐ ADVERTISEMENT REQUIRED

DATE :

**ADDITIONAL COMMENTS**



## REVIEWER

REVIEWED BY:

**Derbe Elias Biolley Villalobos**

DATE:

**Tuesday, August 8, 2023**

## Section 104.1

The purpose of this district is to provide for multi-lot (more than 3) country residential development with specific development criteria for the Hamlet of Saprae Creek

## Section 50. Accessory Buildings and Uses

50.5 Notwithstanding Section 50.4, in all urban and hamlet residential districts, an accessory building shall be set back a minimum of 1.0 m from the side and rear property lines in a rear yard

50.6 Maximum height restrictions for accessory buildings are as follows:

- (c) 7.0m in all country residential and hamlet districts on lots 0.405 hectares or larger

50.7 In residential districts, the maximum site coverage for accessory buildings shall be:

- (a) in all other residential districts, 12% of the lot area or 140m<sup>2</sup>, whichever is less, for parcels under 2.0 hectares.

50.11 An accessory building shall be located a minimum of 1.0m from the principal building on a lot.

50.12 An accessory building on a site in a residential district shall be similar to and complement the principal building in exterior material, colour and appearance. (BL 00/011)

**ACCESSORY BUILDING OR USE** means a building or use which is subordinate to, exclusively devoted to, and located on the same site as the principal building or use. Where a structure is attached to a principal building on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below grade allowing access between the building and the structure, it is considered part of the principal building and shall meet all the requirements of that building.

Section 20. Development Not Requiring a Development Permit (n) accessory buildings not exceeding 10.0 square m; (BL 00/011)

**28. Variance Authority (BL 02/081)**

## 28.1 Variance to Regulations

28.2 The Development Authority may, subject to Section 28.2, allow a variance and approve a development permit for a permitted or discretionary issue, with or without conditions, which does not comply with the regulations of this Bylaw provided that the Development Authority determines that:

- (a) the proposed variance would not result in a development that will:
  - (i) unduly interfere with the amenities of the neighbourhood;
  - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
  - (iii) A variance is a reasonable response to the physical characteristics of the lot which are not generally common to other lots in the immediate vicinity of the proposed use. **(BL 08/001)**
- (b) the proposed development conforms with the use prescribed for the land or building in this Bylaw;
- (c) the development would be consistent with the general purpose or character of the district; and
- (d) there are mechanisms to mitigate the effects on adjacent lots.

## 28.3 Limitation of Variance

28.4 In approving an application for the development permit pursuant to Section 28.1, the Development Authority shall adhere to the following:

- (a) The Development Authority may allow a variance in regard to front, side and rear yard setback requirements of up to fifty percent (50%) for existing or new principal or accessory buildings, decks and signs and up to one hundred percent (100%) for principal buildings existing on the site prior to adoption of Bylaw 99/059.





Soft Landscaping: approximately 5,635.85m²



< image 1 of 50 > 05/18/2022



Dates: All < image 1 of 123 > 05/31/2023





REGIONAL MUNICIPALITY  
OF WOOD BUFFALO

Planning & Development Department

Regional Municipality of Wood Buffalo

Office: 309 Powder Drive, Fort McMurray, AB T9K 0M1

Mailing: 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4

T: 780-799-8695 F: 780-743-7874 E: [current.planning@rmwb.ca](mailto:current.planning@rmwb.ca)

# Development Permit Application Form

OFFICE USE ONLY

DP # 2023-DP-00253

Fee: \$100.00

Receipt No: \_\_\_\_\_

This Application Form shall be **complete** and include an attached Development Permit Checklist. Please Note:

- **NO DEVELOPMENT** shall commence without a valid Development Permit. Any work started prior shall be subject to a double fee penalty and further enforcement actions;
- An **Administrative Fee** will be withheld for any refunds. Please note that all applicable permit refunds will be issued by cheque only; and,
- Submission of a duly signed application form authorizes the Development Officer to enter the property to carry out inspections necessary for this development.

I/We hereby make application under the provisions of the Land Use Bylaw 99/059 for a Development Permit.

PLEASE PRINT

## ☐ Applicant and Owner Information:

Applicant Name: Brent Bryka

Mailing Address: 93 Community Lane

Fort McMurray, Alta

Daytime Phone: FOIP s.17(1) Postal Code: T9H 5B4

Email Address: FOIP s.17(1) Fax: \_\_\_\_\_

Registered Owner(s): Brent Bryka

Mailing Address: 93 Community Lane

Fort McMurray, Alta

Daytime Phone: FOIP s.17(1) Postal Code: T9H 5B4

Email Address: FOIP s.17(1) Fax: \_\_\_\_\_

## ☐ Property Information

Legal Land Description<sup>1</sup>: Lot: 93 Block: 1 Plan: 0521969

Alberta Township Grid System: LSD SE Sec S25 TWP T88 Range R8 W4M

Civic Address: \_\_\_\_\_

Project Description: Build new detached garage

Has development commenced? ☐ Yes ☒ No

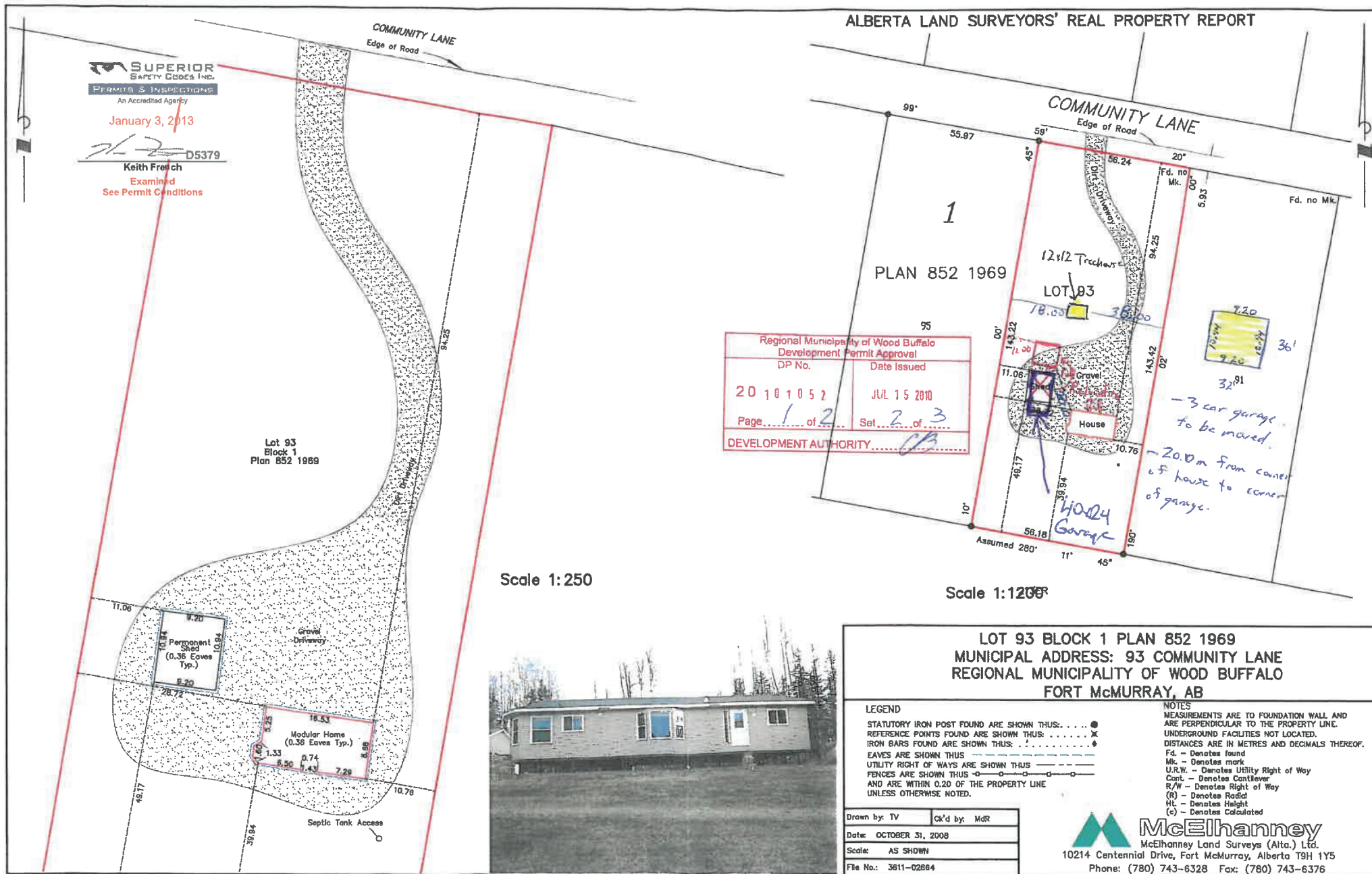
Existing Use of Land or Building: No

Size of Proposed Development (m<sup>2</sup>): 293 m<sup>2</sup> (960 ft<sup>2</sup>)

Estimated Construction Start Date: Aug 1/23 End Date: Aug 1/24

Estimated Construction Cost: \$25,000.

<sup>1</sup> Civic Address Translator: <http://internetapps.woodbuffalo.ab.ca/electronicpermitting/CivicTranslator.aspx>





# REGIONAL MUNICIPALITY OF WOOD BUFFALO

Planning & Development Department

Regional Municipality of Wood Buffalo

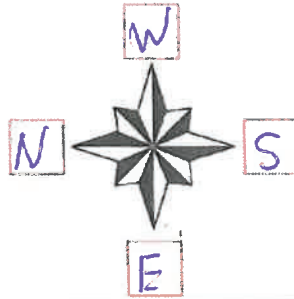
Office: 309 Powder Drive, Fort McMurray, AB T9K 0M3

Mailing: 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4

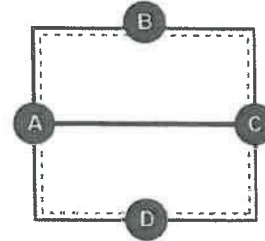
T: 780-799-8695 F: 780-743-7874 E: [current.planning@rmmwb.ca](mailto:current.planning@rmmwb.ca)

## Key Map

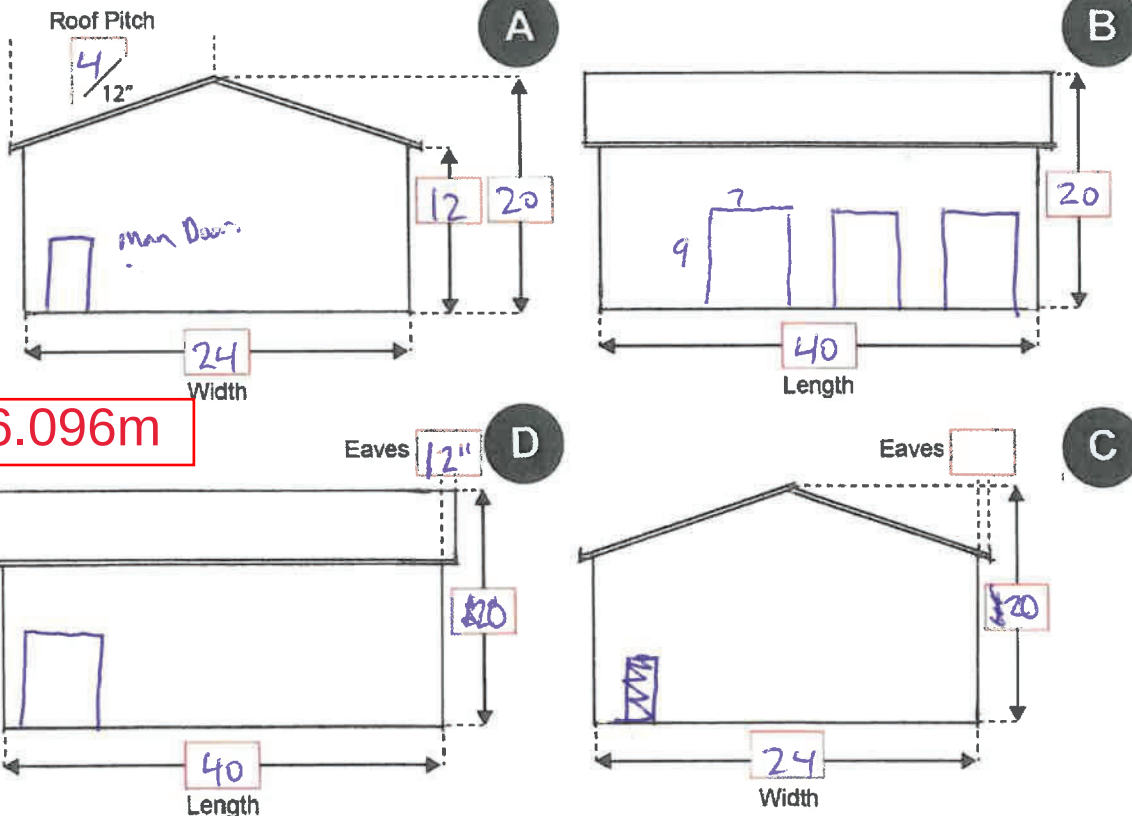
☐ Please indicate North on the north arrow relative to the site plan view



## Site Plan View



**Elevation View:** Please show all doors and windows with their width and length dimensions



## Accessory Building Specifications

Name: Brent Boyken

DP # 852 1969

Civic Address: 93 Community Lane

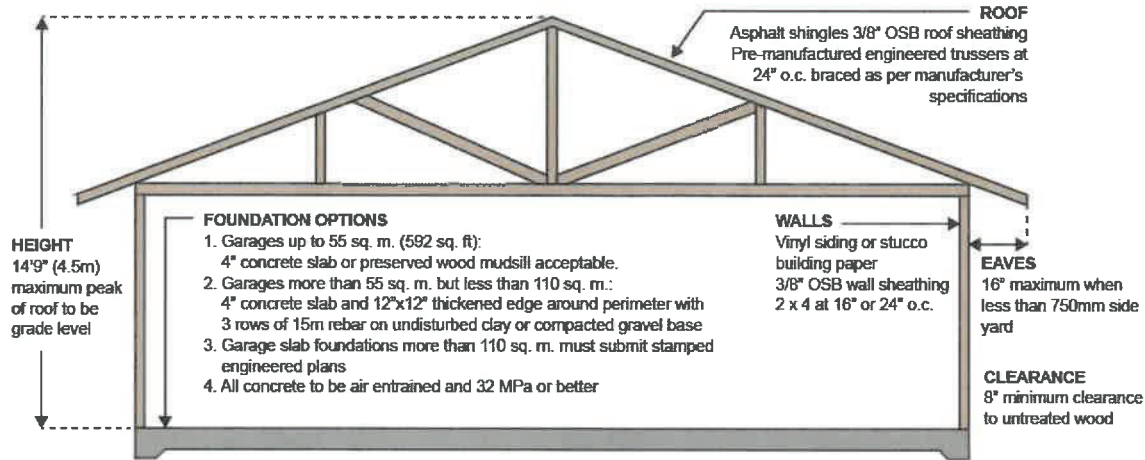
Legal Address:

The personal information on this form is collected under the authority of Section 33 (c) of the *Alberta Freedom of Information and Protection of Privacy Act*. The personal information will be used as contact information and to process your application. If you have any questions regarding the collection or use of this information contact the Supervisor, Support Services, Planning and Development, Timberlea Landing, 309 Powder Drive, T9K 0M3, or call (780) 793-1069.



## REGIONAL MUNICIPALITY OF WOOD BUFFALO

Planning & Development Department  
Regional Municipality of Wood Buffalo  
Office: 309 Powder Drive, Fort McMurray, AB T9K 0M3  
Mailing: 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4  
T: 780-799-8695 F: 780-743-7874 E: current.planning@rmwb.ca



### Accessory Building Specifications

Name: Brent Blyden DP # \_\_\_\_\_  
Civic Address: 93 Community Lane Legal Address: \_\_\_\_\_

#### Roofing Material

- ☒ Asphalt Shingles  
☐ Cedar, Pine Shakes/Shingles  
☐ Metal Roofing  
☐ Other (specify) \_\_\_\_\_

#### Roofing Sheathing

- ☐ Min. 3/8" OSB or plywood  
NOTE: OSB or plywood less than 1/2" requires H clips and bridge blocking  
☒ 1/2" OSB or plywood  
☐ Other (specify) \_\_\_\_\_

#### Roof Framing

- ☒ Pre-manufactured Engineered Truss  
☐ Stick Build Rafters (provide details)

#### Exterior Finish

- ☒ Vinyl Siding  
☐ Stucco  
☐ Metal Siding  
☐ Other (specify) \_\_\_\_\_

#### Foundation

- ☒ 4" Slab with Thickened Edges  
☐ Strip footing & 4' frost wall

#### Interior Development

NOTE: A separate permit is required for each of these items (if applicable)

- ☒ Electrical ☐ Gas  
☐ Plumbing ☐ Other (specify): \_\_\_\_\_

#### Wall Sheathing

- ☐ 3/8" OSB  
☐ 3/8" plywood  
☐ 1/2" plywood  
☒ 1/2" OSB  
☐ Other (specify): \_\_\_\_\_

#### Wall Framing

- ☐ 2 x 4 @ 16" o.c.  
☐ 2 x 4 @ 24" o.c.  
☒ 2 x 6 @ 16/24" o.c.  
☐ Insulated walls and ceilings

#### Garage Door Beam

Length: 9'  
Depth: 5 1/2" # of Plys: 3  
☐ Built Up ☐ Engineered

#### Garage Door Size:

4 x 9' x 7'

#### Please Note:

Windows cannot be placed in a wall that is closer than 4 feet to a neighbour's property.

If the roof framing members transfer roof loading to the overhead garage door beam, please specify the size of the garage door beam.

Garage door beams without roof loading must be minimum size 2 - 2 x 12 c/w a minimum of 3" bearing

Maximum size of detached garage on a slab thickening foundation is 110 sq. m. with truss span not exceeding 85m. Oversized garage will require review and approval by a Safety Codes Officer.

Walls to be secured to slab with 2.5mm anchor bolts at 2.4m on center maximum.

Cannot build over an underground gas line.

#### Direction of Trusses

- ☐ Trusses parallel to overhead door opening  
☒ Trusses perpendicular to overhead door opening  
☐ Other Foundation (details, engineering)

**From:** [Elias Biolley-Villalobos](#)  
**To:** [Brent Bryksa](#)  
**Subject:** RE: Accessory Building - 2023-DP-00253 - 93 Community Lane  
**Date:** Tuesday, August 8, 2023 12:22:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[2023-DP-00253\\_93-Community-Lane\\_Development-Permit\\_Refusal.pdf](#)

---

Subject Property

Civic Address: 93 Community Lane, Fort McMurray, AB T9H 5B4  
Legal Address: Lot 93, Block 1, Plan: 852 1969  
Land District: SE – Suburban Estate Residential District  
Area: 0.806 Hectares = 8,060m<sup>2</sup>

Hello Brent,

Per our telephone conversation, this email is to notify you of the decision by the Development Authority to refuse the Development Permit application for an Accessory Building at 93 Community Lane.

The Development Permit Decision and the appeal process details and timeframes are enclosed. The reasons for the refusal are outlined in the Development Permit Decision.

According to the Land Use Bylaw (99/059) Section 50.7(a), parcels under 2.0 hectares are permitted a maximum site coverage for accessory buildings 12% of the lot area or 140m<sup>2</sup>, whichever is less.

We respectfully request that you review and acknowledge the receipt of this decision. The decision may be appealed within twenty-one (21) days according to the provisions of the Municipal Government Act.

Should you require further information, please get in touch with the undersigned.

Thanks,



**Elias Biolley-Villalobos, BURPI**  
Planner I  
Community Development Planning

**T: 780-743-1017** | [rmwb.ca](http://rmwb.ca)  
Office: 309 Powder Drive  
Mailing: 9909 Franklin Avenue  
Fort McMurray | ᑭᓐᑭᓐᑭᓐᑭᓐ | Nistawâyâw | Elídlj Kué  
Alberta T9H 2K4

---

*STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.*

---

**From:** Brent Bryksa **FOIP s.17(1)**  
**Sent:** Tuesday, August 8, 2023 10:53 AM  
**To:** Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>  
**Subject:** RE: Accessory Building - 2023-DP-00253 - 93 Community Lane  
**External Message - Please be cautious when opening links or attachments in email**  
Hi Elias,

There is 5ft between the existing garage and the new garage. There is 21 feet from the corner of the house to the corner of New garage. Thanks, Brent.

[Sent from Yahoo Mail on Android](#)

On Tue., 8 Aug. 2023 at 10:41 a.m., Elias Biolley-Villalobos  
<[DerbeElias.BiolleyVillalobos@rmwb.ca](mailto:DerbeElias.BiolleyVillalobos@rmwb.ca)> wrote:

Hi Brent,

What will the setback distance be between:

1. The Detached Garage and the proposed Accessory building?
2. The proposed Accessory Building and the house?

Therefore, the Total Accessory Buildings coverages = 209.35m<sup>2</sup>

1. Treehouse = 3.66m x 3.66m = 13.40m<sup>2</sup>
2. Detached Garage = 10.97m x 9.75m = 106.95m<sup>2</sup> *\*\*breezeway connection\*\**
3. Proposed Accessory Building = 7.31m x 12.19m = 89m<sup>2</sup> *\*\*breezeway connection\*\**

Thank you kindly.

Elias

---

**From:** Brent Bryksa FOIP s.17(1)  
**Sent:** Tuesday, August 8, 2023 10:36 AM  
**To:** Elias Biolley-Villalobos <[DerbeElias.BiolleyVillalobos@rmwb.ca](mailto:DerbeElias.BiolleyVillalobos@rmwb.ca)>  
**Subject:** Re: Accessory Building - 2023-DP-00253 - 93 Community Lane

Good morning Elias, I moved the original 3 car garage to the spot outlined in red. I am wanting to build the 24x40 in the old spot and have a breezeway connecting the two garages. I built the 12x12 treehouse back in 2012 when I moved the 3 car garage. Hope this helps you. You can call me at 780 881 0709, thanks.

[Sent from Yahoo Mail on Android](#)

On Tue., 8 Aug. 2023 at 9:27 a.m., Elias Biolley-Villalobos

<[DerbeElias.BiolleyVillalobos@rmwb.ca](mailto:DerbeElias.BiolleyVillalobos@rmwb.ca)> wrote:

Subject Property

Civic Address: 93 Community Lane, Fort McMurray, AB T9H 5B4

Legal Address: Lot 93, Block 1, Plan: 852 1969

Land District: SE – Suburban Estate Residential District

Area: 0.806 Hectares = 8,060m<sup>2</sup>

Permitted Use: Accessory Building

Good day, Brent,

I am finalizing your Development Permit and would like to confirm the following:

1. Proposed Accessory Building 24 ft. 40 ft. (7.31m x 12.19m) = 89m<sup>2</sup>
2. The existing Accessory Building (Treehouse) 12 ft. x 12 ft. (3.66m x 3.66m) = 13.40m<sup>2</sup>
3. The site Plan indicates a “3 car garage to be removed” Which one is it? As per image below.



Thank you kindly.



**Elias Biolley-Villalobos, BURPI**

Planner I  
Community Development Planning

**T: 780-743-1017** | [rmwb.ca](http://rmwb.ca)

Office: 309 Powder Drive  
Mailing: 9909 Franklin Avenue





**Julie Sutton**

Permitting & Business Licensing/Special Events

Community Development Planning

M: 780-788-1590 / T: 780-793-1009 | [rmwb.ca](http://rmwb.ca)

Office: 309 Powder Drive

Mailing: 9909 Franklin Avenue

Fort McMurray | ᓂᓐᑕᓐᓴᓐᓴᓐ | Nistawâyâw | Elídlj Kué

Alberta T9H 2K4

---

**I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.**

*STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments.*