

EXHIBIT LIST

File Number	Appellant
SDAB 2023-002	Chris Kuzak

Legal Description	Civic Address
Lot 1, Block 1, Plan 852 1969	1 Saprae Crescent, Fort McMurray, Alberta

Exhibit #	Description	Filing Date
	Subject Area Map	2023-03-28
1.	Notice of Appeal (4 pages)	2023-03-24
2.	Appellant's Evidence Disclosure	2023-04-25
3.	Respondent's Evidence Disclosure (Planner's Report)	2023-04-27

SUBJECT PROPERTY MAP

Notification

1 of 41



Subject
Survey Parcels

Adjacent Owners
within 120m

1 Saprae Crescent, Fort McMurray
Lot 1, Block 1, Plan 8521969



Map Produced for the Community
Development Planning Branch
TICK90246_ADJ_PROPERTY_OWNER_LIST
28 Mar 2023



Wood Buffalo
TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE OF APPEAL

RECEIVED

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

MAR 24 2022

Subdivision & Development
Appeal Board

SDAB 2023-002

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot 1 Block 1 Plan 8521969 ATS

Civic Address

1 Saphne Cres

Development Permit Number or type of Order

2023-DP-00035

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)

Chris Suzalc

Agent's Name (if applicable)

Contact Name (if different) and position held

Mailing Address

City/Town

Province

Postal Code

FOIP section 17(1)

FOIP section 17(1)

FOIP section 17(1)

Telephone Number (Daytime)

Alternate Telephone Number

Email Address

FOIP section 17(1)

FOIP section 17(1)

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

Development Permit

- ☐ Approval
☐ Condition of Approval
☒ Refusal

Subdivision Application

- ☐ Approval
☐ Condition of Approval
☐ Refusal

Notice of Order

- ☐ Notice of Order

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

☐ I/We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 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.

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

Accessing Building size is changing in new Bylaw
Current size Does not Fit with Location or Needs of Residents

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

Date

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 section 17(1)

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@mwbc.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 Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer –SDAB, 7th Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4; or call 780.788.2222

For Office Use Only

Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:
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¹ Agent – A person who acts for a Property Owner, Applicant, Appellant, and/or Affected/Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.

**DEVELOPMENT PERMIT: #2023-DP-00035 REFUSAL****DATE: March 8, 2023****APPLICANT: Chris Kozak****LEGAL DESCRIPTION: Lot 1, Block 1, Plan 852 1969****PARCEL AREA: 10,027.65m² = 1 Hectares****DEVELOPMENT REFUSED: Accessory Building (297.68m²)****This development was REFUSED by the Development Officer for the following reason(s):**

As per the following sections in the Bylaw No. 18/004, a Bylaw of the Regional Municipality of Wood Buffalo to Amend Land Use Bylaw No 99/059:

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 m², 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 m².

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 m². Alternatively, the applicant may consider applying for an addition to the Single Detached House with the proposed size.

DATE OF DECISION: March 8, 2023**DATE NOTICE OF DECISION ADVERTISED: March 16, 2023**

Development Officer



REGIONAL MUNICIPALITY
OF WOOD BUFFALO

DEVELOPMENT PERMIT: #2023-DP-00035

March 8, 2023

Christopher Daniel Kozak

FOIP section 17(1)

Attention: Chris Kozak

Dear Chris Kozak ,

**RE: DEVELOPMENT DECISION: Accessory Building (297.68m²)
Lot 1, 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

Attachments:

Development Permit #2023-DP-00035 REFUSAL
Notice of Appeal Application



REGIONAL MUNICIPALITY
OF WOOD BUFFALO

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, 4th 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



CHRIS KOZAK

1 SAPRAE CRES

Informational package for land use bylaw appeal hearing

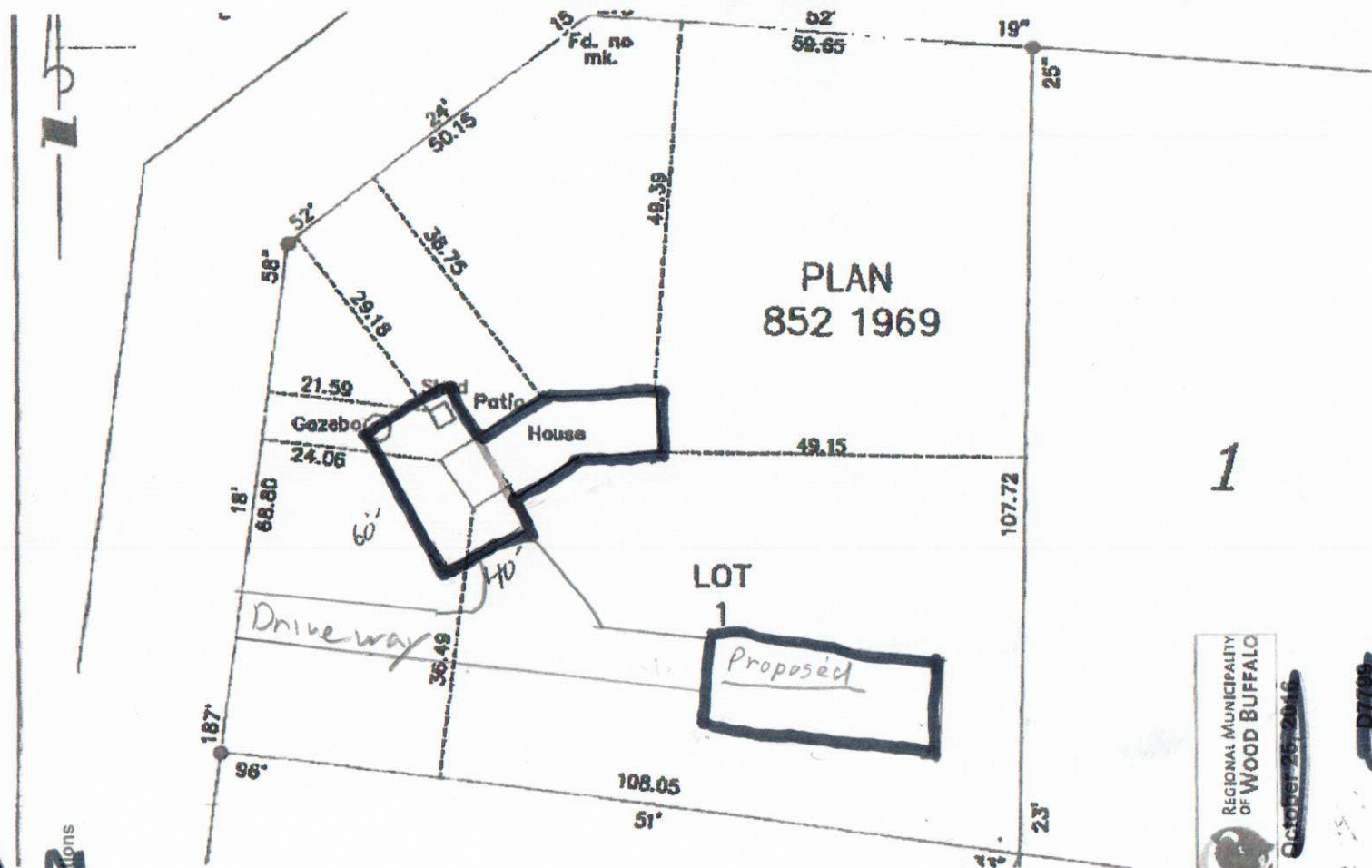
PG1- lot plan

2-google maps view of lot and adjacent properties

3-letter of support from adjacent properties

4,5 rough drawings of proposed building

6 example picture from builder of front of building (not exactly to my plan)



D-8342

Michael Aloscious

See Attached Permit Conditions



October 25, 2016

Examined by

Damen McGilivray

See Attached Permit Conditions

Google Maps

MAP 1



Imagery ©2023 Airbus, CNES / Airbus, Maxar Technologies, Regional Municipality of Wood Buffalo, Map data ©2023 20 m

16 April 2023

Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray Alberta T9H 2K4

To: Subdivision and Development Appeal Board

Re: SDAB 2023-002
Development Permit for Accessory Building
1 Sapræ Crescent, Fort Mc Murray, Alberta T9H 5B4

Landowner, Christopher Kozak, is appealing the Regional Municipality of Wood Buffalo Planning and Development Department decision on Development Permit #2023-DP-00035 for the construction an accessory building. The accessory building as described in the development permit is a permanent wood framed, cold storage structure with dimensions of 40' wide x 80' long.

The current Land Use Bylaw 21/003 Part 5 General Regulations Section 1.2(b), i. states:

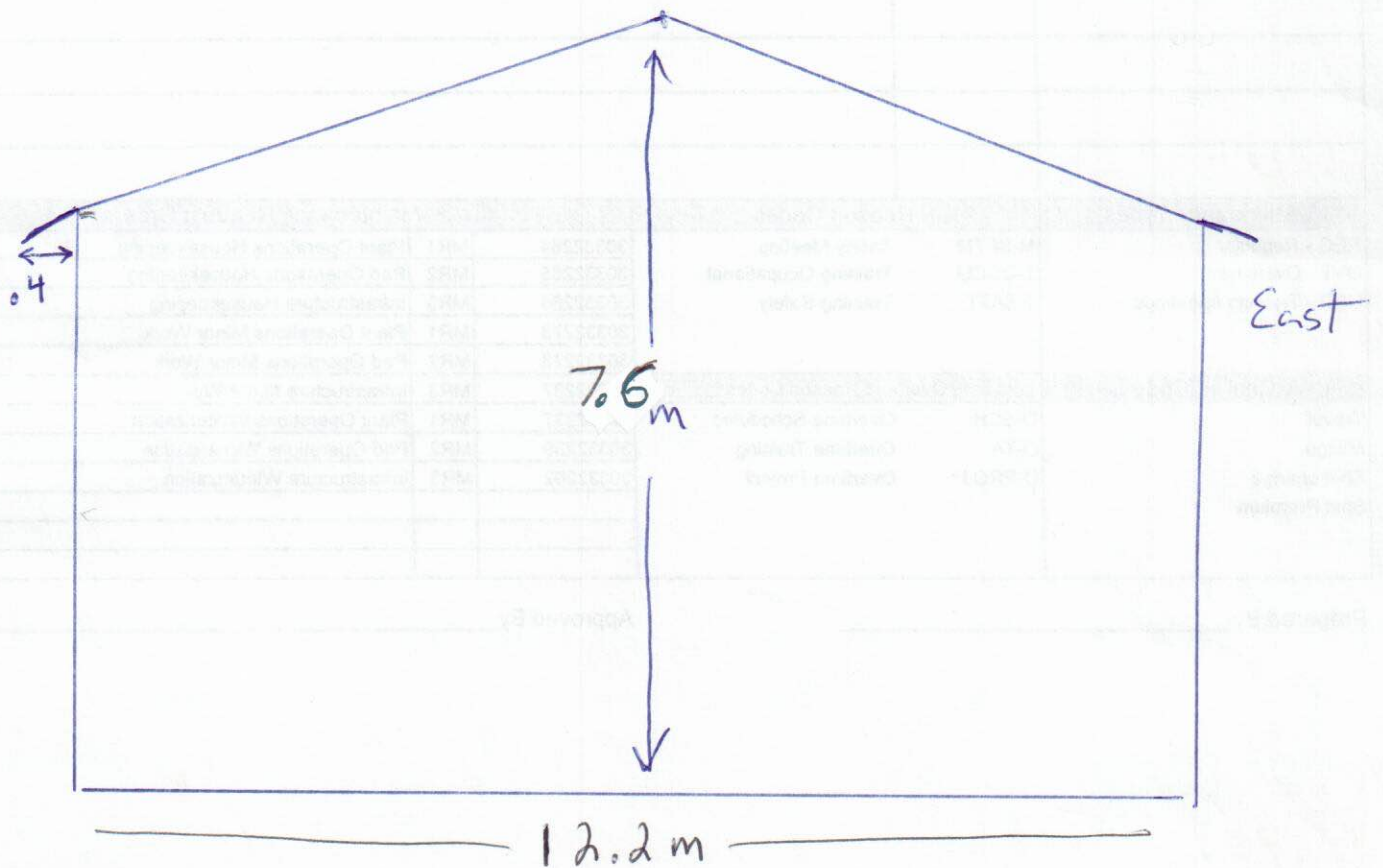
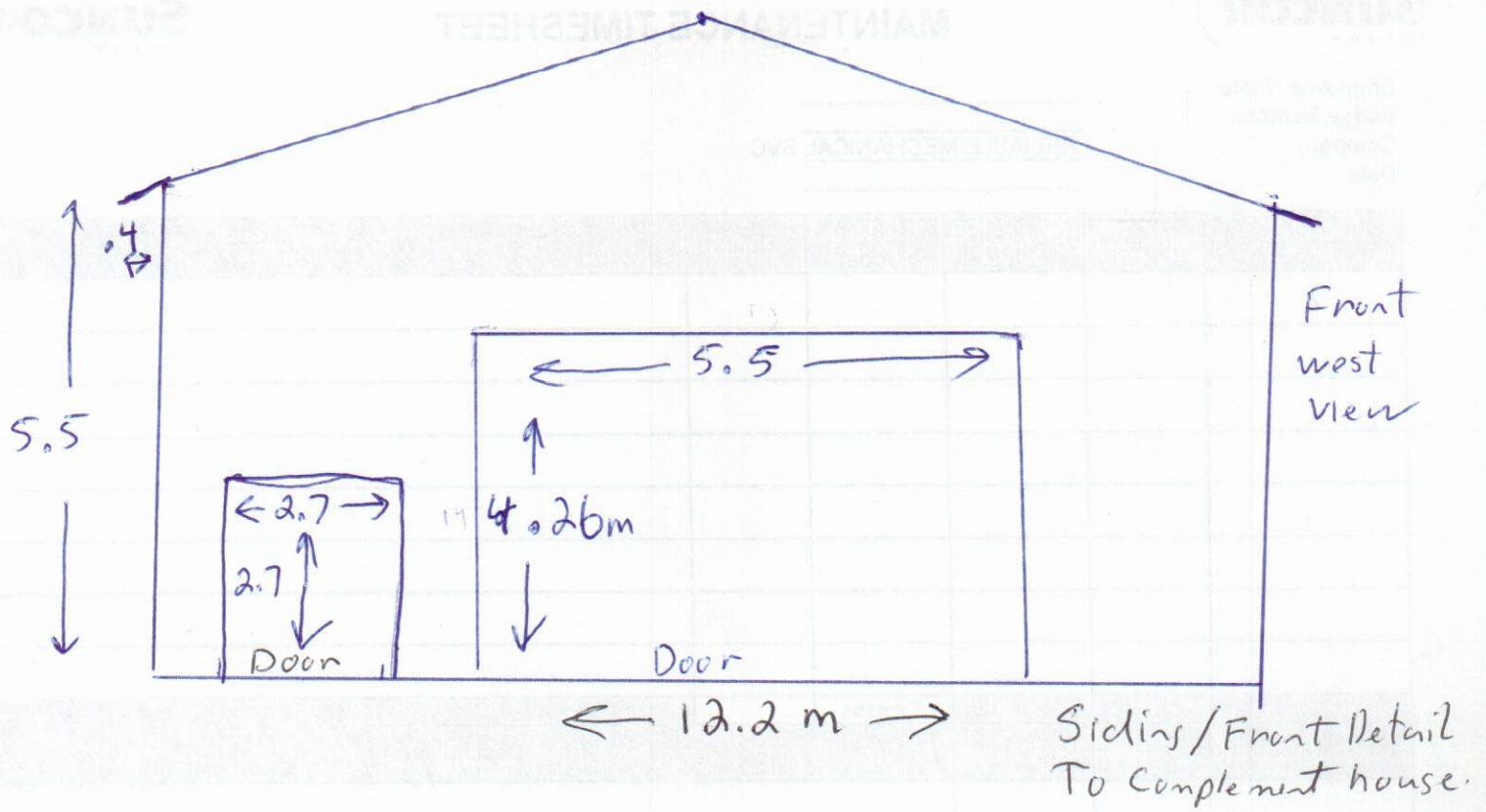
- 1.2 In a residential district, the maximum lot coverage for all accessory buildings on a lot shall be:
- (b) in all other residential districts fifteen percent (15%) of the lot area to a maximum of:
 - i. 250 sq m for parcels under 2.0ha

The proposed structure exceeds the current square footage as described in Section 1.2 of the current bylaw.

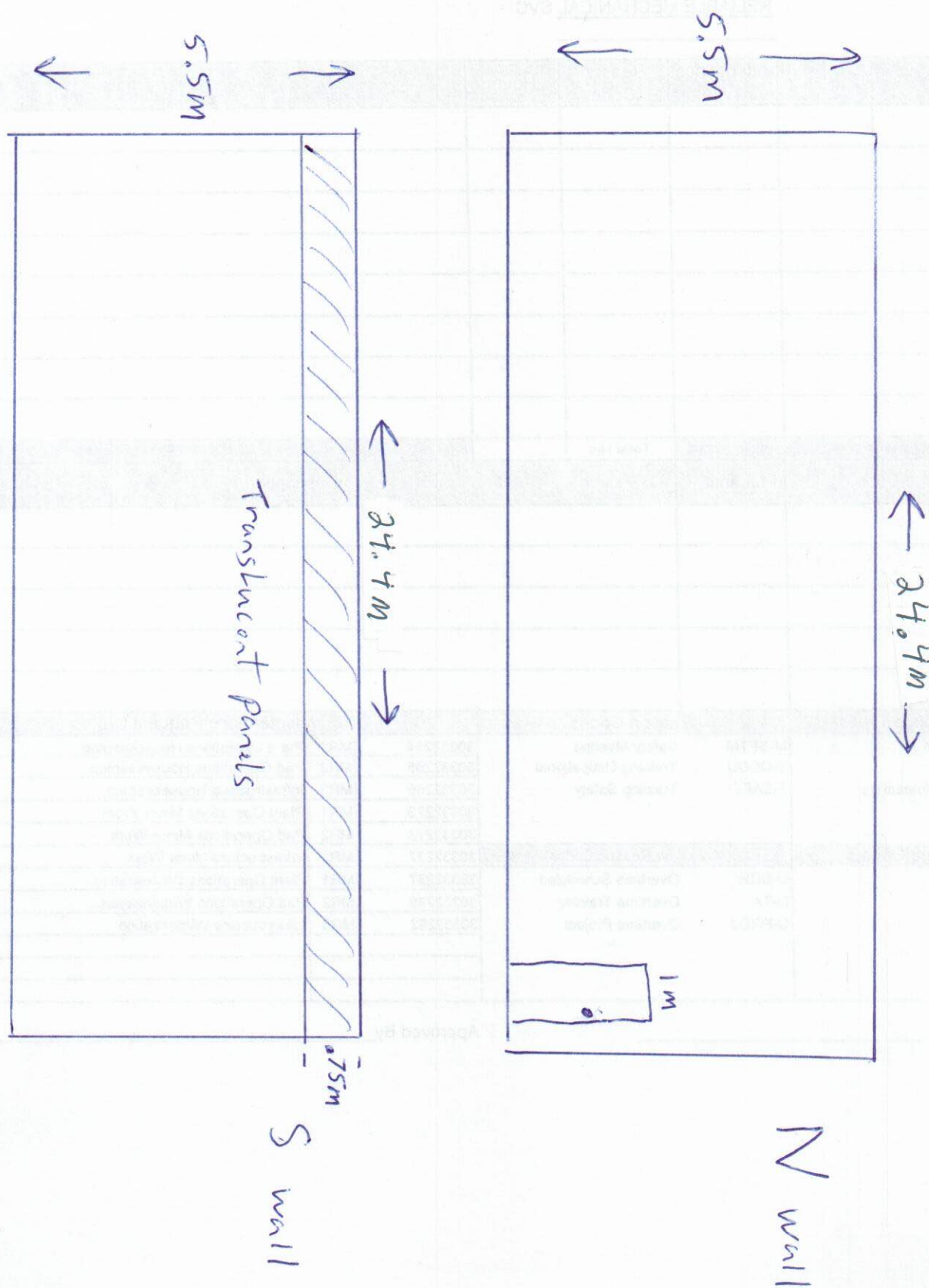
Christopher Kozak has completed an on-site review of the proposed structure with the landowners who could potentially be impacted by approval of a deviation from the current land use bylaw. The onsite review identified several benefits the structure would provide including a visual and sound barrier between the two bordering properties, as the natural forest buffer zone between the properties was lost in the 2016 wildfire.

All landowners who have signed this letter have no objections to the proposed accessory building.

Name	Address	Signature	Date
Sean and Melanie Reddy	FOIP section 17(1)		April 23/23
Calvin and Aleah Laxton			April 24/23
Alwin and Jeannette Reinders			23 April /23
Brian and Melanie Ference			24 April /23



Pole Shed type Construction
 Detail Drawings to Be made for Building permit after approval



Pic 1

12 of 41



REPORT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD SDAB
2023-002 FILE

Planning and Development Department Report
Subdivision and Development Appeal Board SDAB 2023- 002

File: 2023-002

Appellant(s): Christopher Daniel Kozak

Subject: Refusal of Development Permit 2023-DP-00035

Development: Accessory Building (297.68m²)

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

Civic Address: 1 Sapræ Crescent, Fort McMurray, AB T9H 5B4

Land Use Designation: SE – Suburban Estate Residential District

Development Permit Application: February 15, 2023

Development Permit Refusal: March 8, 2023

Appeal Application Date: March 24, 2023

Introduction

1. This appeal stems from the refusal of Development Permit 2023-DP-00035, an application for an "accessory building" (297.68m²) at 1 Sapræ Crescent (the "Application"), legally described as Lot 1, Block 1, Plan 852 1969 (the "Subject Property"; **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 to consider the appeal.
3. The Refusal of Development Permit 2023-DP-00035 was advertised in the newspaper (**Attachment 8**).

Chronology

4. On February 15, 2023 the Development Authority received the Application for an accessory building (24.4m x 12.2m) (**Attachment 3.1**).
5. On February 21, 2023 the Development Officer, Elias Biolley-Villalobos was assigned the Development Permit 2023-DP-00035 application (**Attachment 5, page 22**).

REPORT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD SDAB 2023-002
FILE 2023-DP-00035

6. On February 23, 2023 the property owner, Christopher Daniel Kozak was informed that the proposed accessory building did not confirm to the Land Use Bylaw (**Attachment 5, page 21**).
7. On March 1, 2023 the property owner, Christopher Daniel Kozak acknowledged receipt of the email communication regarding the proposed accessory building (297.68m²) (**Attachment 5, page 20**).
8. On March 8, 2023 the Development Authority refused the Application, because the proposed accessory building (297.68m²) does not conform to Section 50.7(b) (**Attachment 6, page 24**) (Land Use Bylaw No 99/059 at 50.7(b) [*Land Use Bylaw*]).
9. On March 16, 2023 a Public Notice was advertised in Fort McMurray Today notifying the community of appeals to be filed by April 6, 2023 (**Attachment 8**).
10. On April 13, 2023 a Site Inspection was conducted from the public right of way to confirm the aerial image (**Attachment 9, page 29**).

Discussion

11. The Subject Property is in the SE – Suburban Estate Residential District (the "District").
12. 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*]).
13. Accessory buildings are classified as a "permitted use" in the District (*Land Use Bylaw* No 99/059 at 104.2(a) [*Land Use Bylaw*]).
14. Section 102.5 (d)(i) of the *Land Use Bylaw* state the minimum lot area shall be 1.0 hectare.
15. 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 140.0m², whichever is less, for parcels under 2.0 hectares".
16. The Subject Property lot area is 10,027.65m², which is approximately 1.0 hectare (**Attachment 3.6**).
17. The maximum site coverage for accessory buildings available to the subject property is 140m², because it is less than twelve percent (12%) of the lot area which would be 1,203.32m².
18. 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 (2%) of the maximum lot coverage for accessory buildings".
19. The Development Authority has the ability to allow a variance to the lot coverage for accessory buildings to a maximum of 142.8m².

20. The Development Authority has no ability to approve a variance of up to one hundred and twelve percent (112%) to accommodate the proposed accessory building (297.68m²).
21. The Land Use Bylaw limits the site coverage of accessory buildings on rural residential lots to ensure that accessory buildings remain subordinate to the principle building or use. Limiting the site coverage of the accessory buildings ensure that accessory buildings remain subordinate in area and extent to the residential dwelling.
22. The proposed accessory building (297.68m²) meets the accessory building setback distances and height restriction (**Attachment 3.3 and 3.5**) (Land Use Bylaw No 99/059 at 50.5 and 50.6(c) [*Land Use Bylaw*]).
23. The Development Authority approved an addition of 12.44m by 18.29m (227.53m²) to the Single Detached Dwelling (2013-DP-00426) (**Attachment 2**).
24. The Development Authority has confirmed all Development Permits have been issued and remain valid with the exception of an accessory building (approximately 55m²) located at the south-west corner without a Development Permit (**Attachment 9**).
25. The Development Authority advised that an addition to the Single Detached Dwelling with the proposed size of 297.68m², may be considered (**Attachment 6**).
26. The purpose of the District is to provide for multi-lot (more than 3) residential development in the form of Single Detached Dwellings (Land Use Bylaw No 99/059 at 104.1 [*Land Use Bylaw*]).
27. The Development Authority is of the view that the proposed development does not conform with the size prescribed by in the Land Use Bylaw, as the variance would impact the ability of the District to maintain its character.

Attachments

1. Subject Property Map
2. Subject Property Map showing Development Permit history and sizes
3. Development Permit Application
 1. Application
 2. Abandoned Well
 3. Building Plan
 4. Descriptive Letter
 5. Site Plan
 6. Land Title Certificate
4. Review Form - Accessory Building
5. Email communication
6. Development Permit Refusal
7. Notice of Appeal application
8. Advertised Public Notice
9. Site Inspection

REPORT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD SDAB 2021-004
FILE 2021-DP-00345

Prepared
by:

FOIP section 17(1)

April 27,
2023

Elias Biolley-Villalobos
Planner I, Planning and Development

FOIP section 17(1)

Assisted by:

April 27,
2023

Lee-Anne Kumka
Supervisor, Planning and Development

Presented
to:

Regional Municipality of Wood Buffalo
Subdivision and Development Appeal Board



 Subject Parcel (1 Hectare +/-)

 Survey Parcels

N

1 cm = 7 m



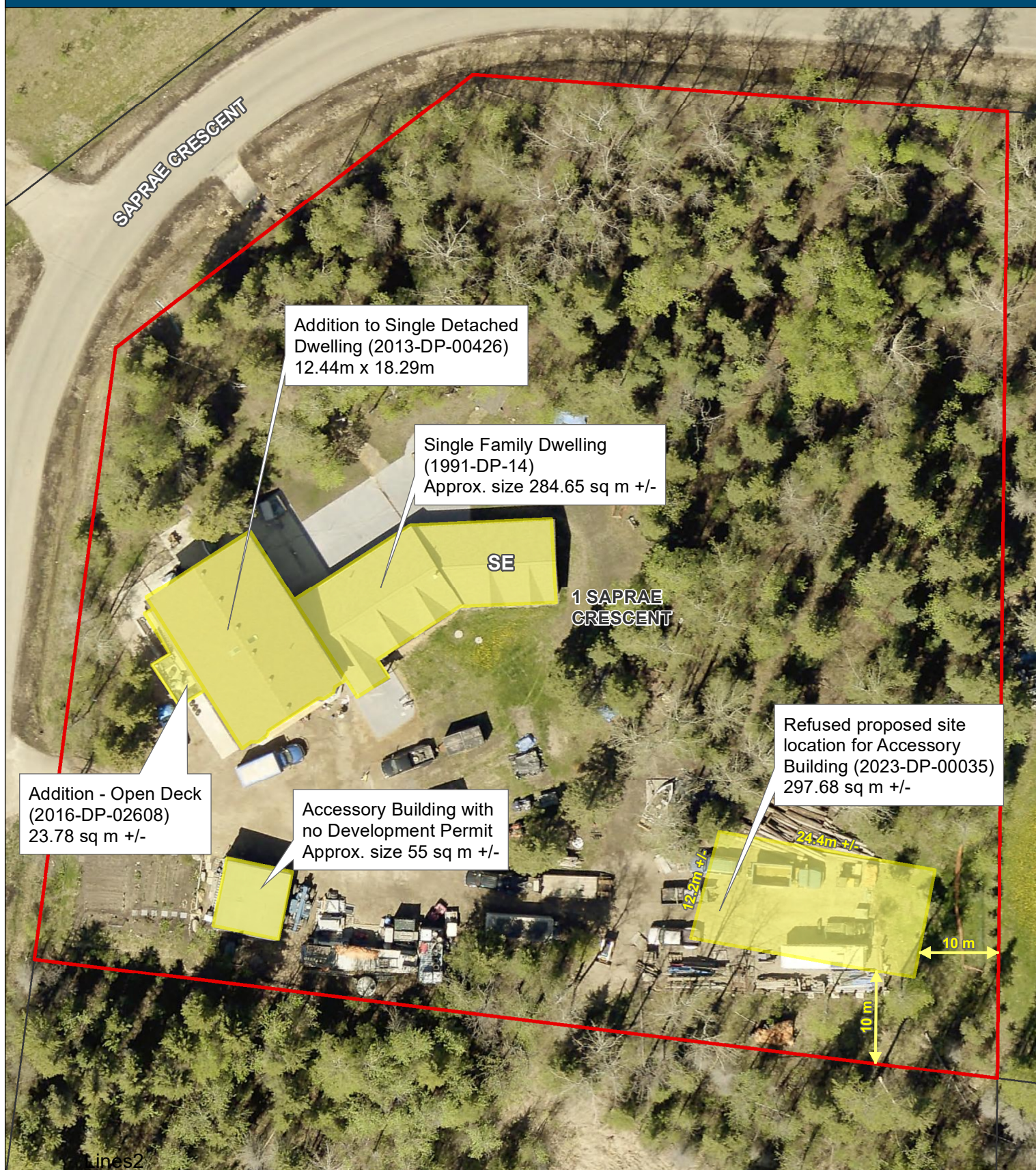
Map Produced by the Geographic Information
System Group on 21 Apr 2023
TICK91500

SUBJECT AREA MAP

Lot 1, Block 1, Plan 8521969

18 of 41

Attachment 2



Subject Parcel (1 Hectare +/-)

Survey Parcels

N
1 cm = 6 m



Map Produced by the Geographic Information
System Group on 21 Apr 2023
TICK91500_2

Page 6



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

19 of 41

Attachment 3.1

Development Permit Application Form

OFFICE USE ONLY
DP # 2023-DP-00035
Fee: \$100.00
Receipt No: 3773854 (VS)

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: Chris Iszak
Mailing Address: FOIP section 17(1)
Daytime Phone: FOIP section 17(1) Alternate: _____ Postal Code: FOIP section 17(1)
Email Address: FOIP section 17(1) Fax: _____
Registered Owner(s): SAME AS ABOVE.
Mailing Address: _____
Daytime Phone: _____ Alternate: _____ Postal Code: _____
Email Address: _____

☐ Property Information

Legal Land Description¹: Lot: 1 Block: 1 Plan: 8521969
Alberta Township Grid System: LSD _____ Sec 27 TWP 88 Range 8 W4M
Civic Address: 1 Saprae Cres
Project Description: Detached Cold Storage Building
Has development commenced? ☐ Yes ☒ No
Existing Use of Land or Building: Parking pad
Size of Proposed Development (m²): 297.6 m²
Estimated Construction Start Date: June 2023 End Date: Aug 2023
Estimated Construction Cost: \$55,000

¹ 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 0M1

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

T: 780-799-8695 F: 780-743-7874 E: current.planning@rmwb.ca

☒ Detailed Property Information

Lot Area: 2.4a Building Area²: 297.6m²
 Accessory Coverage³: - Site Coverage⁴: 390m²
 Building Type: Storage Shed Number of Storeys: 1

☐ Credit Card Information

Credit Card #: _____ Card Type: _____
 Card Holders Name: _____ Expiry Date: _____

☒ Registered Owner (or person acting on the registered owner's behalf)

I, Chris Kuzala hereby certify that

☒ I am the registered owner, or

☐ I am the agent authorized to act on behalf of the registered owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

FOIP section 17(1)

Signature

Date

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.

² Total includes attached garages, cantilevers, decks, porches, and/or verandas

³ If applicable, note the area of the shed or detached garage

⁴ The percentage of the lot area covered by proposed and existing structures

Attachment 3.2



Abandoned Well Map

Base Data provided by: Government of Alberta

Author XXX

Printing Date: 3/2/2021

Date Date (if applicable)

Legend

- Abandoned Well (Large Scale)
- Revised Well Location (Large Scale)
- Revised Location Pointer
- Road Paved
- Road Gravel
- Road Other
- Driveway
- Winter Road or Truck Trail
- Unimproved or Unclassified Road
- Rail Line
- Rail Line

The Alberta Energy Regulator (AER) has not verified and makes no representation or warranty as to the accuracy, completeness, or reliability of any information or data in this document or that it will be suitable for any particular purpose or use. The AER is not responsible for any inaccuracies, errors or omissions in the information or data and is not liable for any direct or indirect losses arising out of any use of this information. For additional information about the limitations and restrictions applicable to this document, please refer to the AER Copyright & Disclaimer webpage: <http://www.aer.ca/copyright-disclaimer>.

Scale: 9,027.98

0.14 Kilometers 0

Projection and Datum:

WGS84 Web Mercator Auxiliary Sph

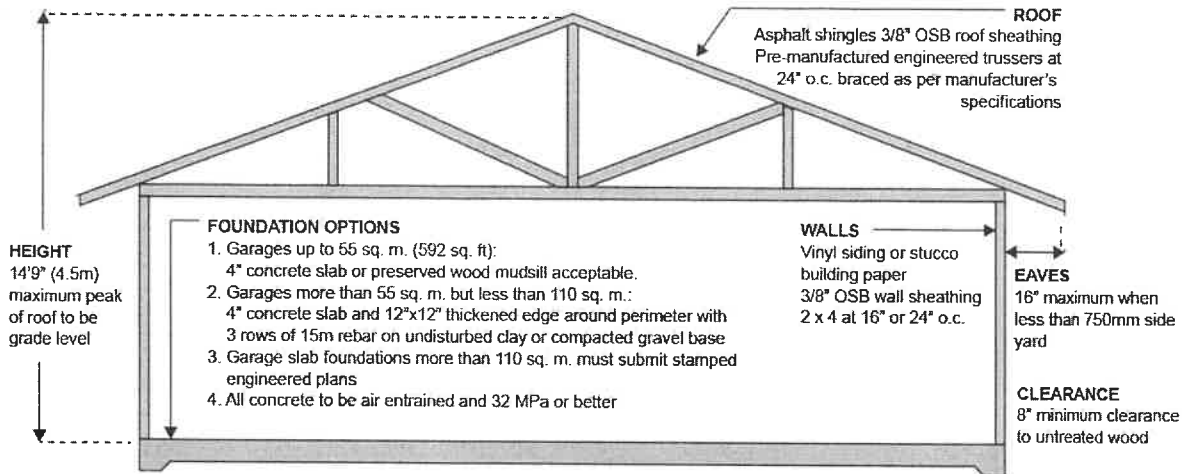




REGIONAL MUNICIPALITY OF WOOD BUFFALO

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Attachment 3.3



Accessory Building Specifications

Name: _____ DP # _____
Civic Address: _____ 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): metal

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: _____
Depth: _____ # of Plys: _____
☐ Built Up ☐ Engineered

Garage Door Size: _____

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)



REGIONAL MUNICIPALITY OF WOOD BUFFALO

Planning & Development Department

Regional Municipality of Wood Buffalo

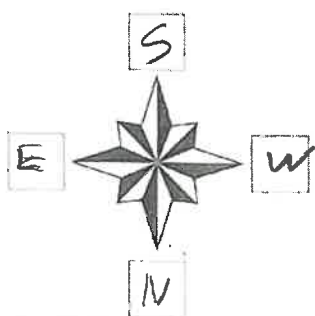
Office: 309 Powder Drive, Fort McMurray, AB T9K 0M3

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

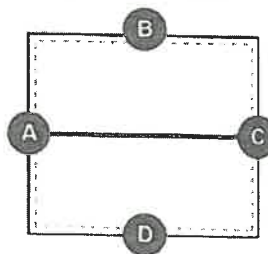
T: 780-799-8695 F: 780-743-7874 E: current.planning@rmwb.ca

Key Map

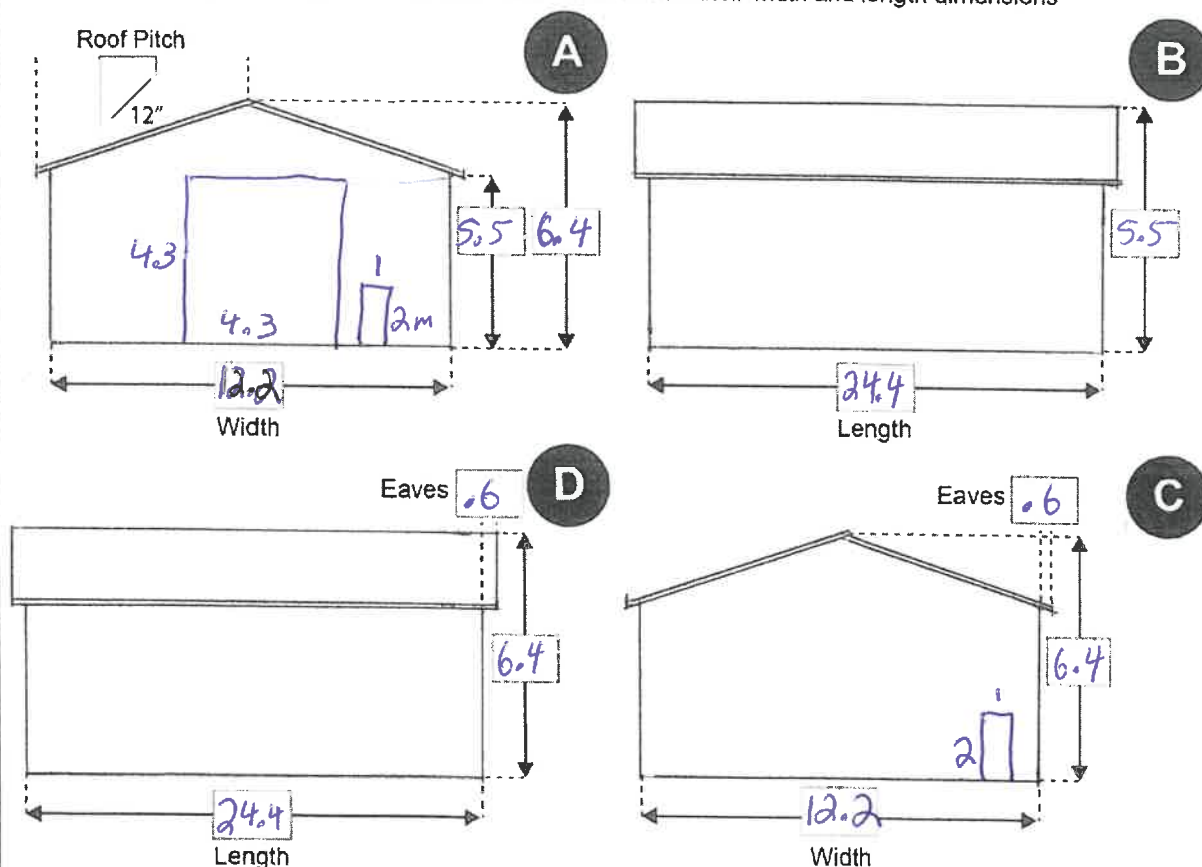
☐ Please indicate North on the north arrow relative to the site plan view



Site Plan View



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



Accessory Building Specifications

Name: Chris Kozak

DP # _____

Civic Address: 1 Sagrue Cres

Legal Address: 1-1-8521969

Sec 27 Twp 88 R 8

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.

Attachment 3.4

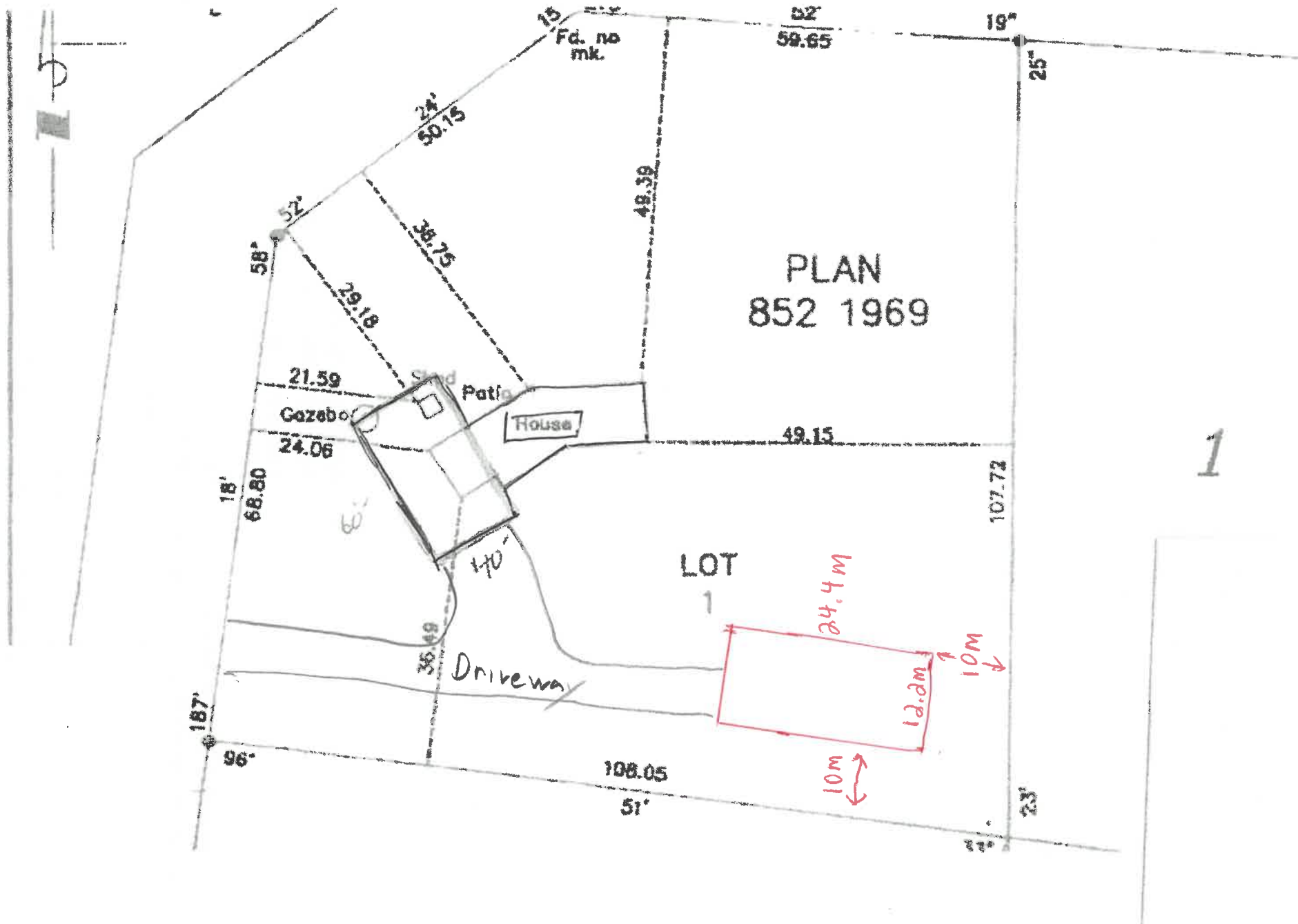
Proposed Building at 1 Saprae cres

The proposed building will we a gravel floor cold storage, used for Rv, boat, yard equipment etc.

its location would be set back in the yard as to be as inconspicuse as possible . the siding facing the yard/road would have siding matching that of the house and the other sides a similar colour steel.

Our neibours have been consulted and all are in favour of the project and are willing to provide statements

Chris Kozak





LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0010 984 813	8521969;1;1	132 158 024

LEGAL DESCRIPTION

PLAN 8521969

BLOCK 1

LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 1 HECTARES (2.48 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 4;8;88;27;NE

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 062 337 337

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
132 158 024	03/06/2013	TRANSFER OF LAND	\$764,000	\$764,000

OWNERS

CHRISTOPHER DANIEL KOZAK
OF 1 SAPRAE CRESCENT, R.R. 1
FORT MCMURRAY
ALBERTA T9H 5B4

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
762 011 893	21/01/1976	ZONING REGULATIONS BY - HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS REPRESENTED BY DEPARTMENT OF TRANSPORT
852 229 561	22/10/1985	RESTRICTIVE COVENANT
132 158 025	03/06/2013	MORTGAGE MORTGAGEE - THE TORONTO DOMINION BANK. 500 EDMONTON CITY CENTRE EAST

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

132 158 024

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

EDMONTON
ALBERTA T5J5E8
ORIGINAL PRINCIPAL AMOUNT: \$604,000

162 000 789 04/01/2016 MORTGAGE
MORTGAGEE - THE BANK OF NOVA SCOTIA.
9541 FRANKLIN AVENUE
FORT MCMURRAY
ALBERTA T9H3Z7
ORIGINAL PRINCIPAL AMOUNT: \$100,000

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 16 DAY OF
FEBRUARY, 2023 AT 11:30 A.M.

ORDER NUMBER: 46516930

CUSTOMER FILE NUMBER:



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).



2023-DP- 00035

ZONING: SE - Suburban Estate Residential District

CIVIC ADDRESS: 1 Sapræ Crescent, Fort McMurray, T9H 5B4, AB

LOT : 1

BLOCK: 1

PLAN: 852 1969

APPLICANT/CONTACT: FOIP section 17(1)

> FOIP section 7(1)

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

2013-DP-00426- Addition (12.44m x 18.29m) to Single Detached Dwelling
 2016-DP-00071- Home Business (Reliable Mechanical Services Ltd.)
 2016-DP-02608- Addition (Open Deck 23.78m²) to Single Detached Dwelling
 2017-DP-01536- Home Business (Reliable Mechanical Services Ltd.)

Area = 10,027.65m² = 1 Hectares

BUILDING TYPE

- ☒ DETACHED GARAGE ☐ SHED
☐ GAZEBO ☐ SEACAN

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

BUILDING INFORMATION

PRINCIPAL BUILDING HEIGHT (max. 10m)		m
ACCESSORY BUILDING HEIGHT (max. 4.6m)	6.40	m
PRINCIPAL BUILDING AREA (Incl. Att. Garage & Veranda)	581.26	m²
DECK (over 0.6m in height)	35.82	m²
ACCESSORY BUILDING AREA (60m² or 12%)	297.68	m²
TOTAL LOT COVERAGE	914.76	m²
LOT AREA	10027.65	m²
TOTAL LOT COVERAGE (max. 45%)	9.12	%
TOTAL LANDSCAPE COVERAGE (min. 30%)		%

RIGHT OF WAYS & EASEMENTS

☐ RIGHT OF WAY RESTRICTIONS☐ EASEMENTS

WHERE : SELECT SELECT
 WHERE : SELECT SELECT
 WHERE : SELECT SELECT

VARIANCE PART OF PERMIT ?

☐ YES ☐ NO VARIANCE # :

FOR:

Amount %

SETBACKS

PROPOSED

HOUSE / GARAGE / DECK (1.0m)		m
REAR YARD (1.0m)	10.00	m
SIDE YARD INT. (1.0m)	10.00	m
SIDE YARD EXT. (1.0m)		m
***Sheds less than 2.0m in height can be to the property line.		
***RMH-2 District has different rules governing accessory buildings		
EXEMPTIONS :	SELECT	m
	SELECT	
NOTES:		

LEVIES

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

ADVERTISEMENT

☐ ADVERTISEMENT REQUIRED

DATE :

ADDITIONAL COMMENTS

Section 50.6(c) 7.0m in all country residential and hamlet districts on lots 0.405 hectares or larger
 Section 50.7(b) in all other residential districts, 12% of the lot area or 140.0m², whichever is less, for parcels under 2.0 hectares.
 Lot Area 10,027.65m² x 12% = 1,203.32m²

From: [Elias Biolley-Villalobos](#)
To: **FOIP**
Subject: Development Permit Refusal - 2023-DP-00035 - 1 Saprae Crescent
Date: Wednesday, March 15, 2023 9:52:00 AM
Attachments: [2023-DP-00035_1-Saprae-Crescent_Development-Permit_Refusal.pdf](#)
[image001.png](#)

Good morning Chris,

It's been a week since I issued the Development Permit Refusal on March 8th. I have not been notified of an appeal from the SDAB. Should you intend to appeal my decision you have 21 days from March 8th.

Thank you kindly.

Elias Biolley-Villalobos, BURPI

Planner, Planning & Development
Regional Municipality of Wood Buffalo
e: DerbeElias.BiolleyVillalobos@RMWB.ca



309 Powder Drive, Fort McMurray, AB T9K 0M3

From: Lee-Anne Kumka <Lee-Anne.Kumka@rmwb.ca>
Sent: Wednesday, March 8, 2023 4:30 PM
To: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>
Subject: RE: Accessory Building - 2023-DP-00035 - 1 Saprae Crescent

Thanks

Lee-Anne Kumka
Supervisor, Community Development Planning
T: 780-793-1056 M: lee-anne.kumka@rmwb.ca | rmwb.ca

From: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>
Sent: March 8, 2023 4:30 PM
To: Lee-Anne Kumka <Lee-Anne.Kumka@rmwb.ca>
Subject: RE: Accessory Building - 2023-DP-00035 - 1 Saprae Crescent

Sorry about that, here it is.

From: Lee-Anne Kumka <Lee-Anne.Kumka@rmwb.ca>
Sent: Wednesday, March 8, 2023 4:28 PM
To: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>

Subject: RE: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

The review form that you did

Lee-Anne Kumka
Supervisor, Community Development Planning
T: 780-793-1056 M: lee-anne.kumka@rmwb.ca | rmwb.ca

From: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>
Sent: March 8, 2023 4:19 PM
To: Lee-Anne Kumka <Lee-Anne.Kumka@rmwb.ca>
Subject: RE: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

Pardon me, Lee-Anne. What is a bylaw check sheet?

Cheers
Elias

From: Lee-Anne Kumka <Lee-Anne.Kumka@rmwb.ca>
Sent: Wednesday, March 8, 2023 3:59 PM
To: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>
Subject: FW: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

Can you send me the Bylaw check sheet you completed for this application?

Thanks

Lee-Anne Kumka
Supervisor, Community Development Planning
T: 780-793-1056 M: lee-anne.kumka@rmwb.ca | rmwb.ca

From: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>
Sent: March 8, 2023 1:55 PM
To: **FOIP section 17(1)**
Cc: Carolyn Bailey <Carolynn.Bailey@rmwb.ca>
Subject: RE: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

Dear Chris,

This email is a notification of the decision by the Development Authority to refuse the Development Permit application of an Accessory Building at 1 Sapræ Crescent.

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

You can consider applying for an addition to the Single Detached House with your proposed size to

rectify the refusal reason.

We respectfully request that you review and acknowledge the receipt of this decision. The decision may be appealed within 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, Planning & Development

Regional Municipality of Wood Buffalo

e: DerbeElias.BiolleyVillalobos@RMWB.ca



309 Powder Drive, Fort McMurray, AB T9K 0M3

From: Elias Biolley-Villalobos

Sent: Wednesday, March 8, 2023 1:06 PM

To: FOIP section 17(1)

Subject: RE: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

Thank you for your response.

Should you want the right to appeal, I can officially Refuse your Development Permit, and you can appeal via the Subdivision and Development Appeal Board (SDAB).

Please confirm, and I will forward this document to you.

Cheers,

Elias Biolley-Villalobos, BURPI

Planner, Planning & Development

Regional Municipality of Wood Buffalo

e: DerbeElias.BiolleyVillalobos@RMWB.ca



309 Powder Drive, Fort McMurray, AB T9K 0M3

From: FOIP section 17(1)

Sent: Wednesday, March 8, 2023 12:03 PM

To: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>

Subject: Re: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

External Message - Please be cautious when opening links or attachments in email

Having the structure attached to the house is not an option

I have forwarded this to my councillor to start the appeal process

Sent from my iPhone

On Mar 8, 2023, at 9:55 AM, Elias Biolley-Villalobos
<DerbeElias.BiolleyVillalobos@rmwb.ca> wrote:

Hi Chris,

Please advise on how you would like to proceed.

Cheers

Elias Biolley-Villalobos, BURPI

Planner, Planning & Development

Regional Municipality of Wood Buffalo

e: DerbeElias.BiolleyVillalobos@RMWB.ca

<image001.png>

309 Powder Drive, Fort McMurray, AB T9K 0M3

From: Chris Kozak <[FOIP section 17(1)]>

Sent: Wednesday, March 1, 2023 7:51 AM

To: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>

Subject: Re: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

External Message - Please be cautious when opening links or attachments in email

I have received the email

On Feb 27, 2023, at 9:54 AM, Elias Biolley-Villalobos
<DerbeElias.BiolleyVillalobos@rmwb.ca> wrote:

Good morning,

Please acknowledge receipt of the email below.

Thank you.

Elias Biolley-Villalobos, BURPI

Planner, Planning & Development

Regional Municipality of Wood Buffalo

e: DerbeElias.BiolleyVillalobos@RMWB.ca

<image001.png>

309 Powder Drive, Fort McMurray, AB T9K 0M3

From: Elias Biolley-Villalobos

Sent: Thursday, February 23, 2023 3:41 PM

To: **FOIP section 17(1)**

Subject: Accessory Building - 2023-DP-00035 - 1 Sapræ Crescent

Subject Property

Civic Address: 1 Sapræ Crescent, Fort McMurray

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

Land District: SE – Suburban Estate Residential District

Parcel Area: 10,027.65m² = 1 Hectares

Proposed Accessory Bldg. : **297.68m²**

Hello Chris,

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 m².

Alternatively, you can apply for an addition to the Single Detached House with your proposed size.

Please advise what step you would like to take.

Land Use Bylaw:

Section 50. Accessory Buildings and Uses

Section 50.7(b) in all other residential districts, 12% of the lot area or 140.0m², whichever is less, for parcels under 2.0 hectares.

Thank you kindly.

Elias Biolley-Villalobos, BURPI

Planner, Planning & Development

Regional Municipality of Wood Buffalo

e: DerbeElias.BiolleyVillalobos@RMWB.ca

<image001.png>

309 Powder Drive, Fort McMurray, AB T9K 0M3

From: Selina Xiaoyan Chen <Selina.Chen@rmwb.ca>
Sent: Tuesday, February 21, 2023 12:29 PM
To: Elias Biolley-Villalobos <DerbeElias.BiolleyVillalobos@rmwb.ca>
Subject: 2023-DP-00035

Hi Elias,

2023-DP-00035 was assigned to you.

Thanks,
Selina
Selina Chen, M.A., RPP, MCIP
Supervisor
Community Development Planning
T: 780-793-1091 | rmwb.ca

DEVELOPMENT PERMIT: #2023-DP-00035

March 8, 2023

Christopher Daniel Kozak

FOIP section 17(1)

Attention: Chris Kozak

Dear Chris Kozak ,

**RE: DEVELOPMENT DECISION: Accessory Building (297.68m²)
Lot 1, 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

Attachments:

Development Permit #2023-DP-00035 REFUSAL
Notice of Appeal Application

**DEVELOPMENT PERMIT: #2023-DP-00035 REFUSAL****DATE: March 8, 2023****APPLICANT: Chris Kozak****LEGAL DESCRIPTION: Lot 1, Block 1, Plan 852 1969****PARCEL AREA: 10,027.65m² = 1 Hectares****DEVELOPMENT REFUSED: Accessory Building (297.68m²)****This development was REFUSED by the Development Officer for the following reason(s):**

As per the following sections in the Bylaw No. 18/004, a Bylaw of the Regional Municipality of Wood Buffalo to Amend Land Use Bylaw No 99/059:

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 m², 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 m².

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 m². Alternatively, the applicant may consider applying for an addition to the Single Detached House with the proposed size.

DATE OF DECISION: March 8, 2023**DATE NOTICE OF DECISION ADVERTISED: March 16, 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, 4th 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 **RECEIVED**

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

MAR 24 2022

Subdivision & Development
Appeal Board

SDAB 2023-002

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot 1 Block 1 Plan 8521969 ATS

Civic Address

1 Saprae Cres

Development Permit Number or type of Order

2023-OP-00035

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)

Chris Suzalc

Agent's Name (if applicable)

Contact Name (if different) and position held

Mailing Address

FOIP

City/Town

FOIP section 17(1)

Province

Postal Code

Phone Number (Daytime)

Alternate Telephone Number

Email Address

FOIP section 17(1)

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

☐ Condition of Approval

☒ Refusal

☐ Approval

☐ Condition of Approval

☐ Refusal

☐ Notice of Order

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

☐ I/We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 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.

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

Accessing Building size is changing in new Bylaw
Current size Does not Fit with Location or Needs of Residents

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

Date

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 section 17(1)

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@mwbc.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 Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer –SDAB, 7th Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4; or call 780.788.2222

For Office Use Only

Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:
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¹ Agent – A person who acts for a Property Owner, Applicant, Appellant, 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**

DATE OF NOTICE: MARCH 16, 2023
APPEAL TO BE FILED BY:
APRIL 6, 2023

**THE FOLLOWING DEVELOPMENT PERMITS
WERE REFUSED:**

**2023-DP-00035 ACCESSORY BUILDING
(297.68M SQ.)
LOT 1 BLOCK 1 PLAN 852 1969**

**FOR INFORMATION ON THE APPEAL PROCESS PLEASE CONTACT THE
CLERK OF THE APPEAL BOARD:
T: 780 743 7001 F: 780 743 7028 EMAIL SDAB@RMWB.CA**



SITE INSPECTION FORM

Date: Thursday, April 13, 2023 **Time:** 10:30 AM

Officer(s): Elias Biolley-Villalobos, Planner I & Jesse Tjepkema, Planner I

Reason for Inspection: Confirmation site conditions.

Applicant/Contact: Christopher Daniel Kozak < FOIP section 17(1) >

Civic Address: 1 Saprae Crescent, Fort McMurray, AB

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

Permit #: Refused 2023-DP-00035 – Accessory Building (297.68m²)

Observations: From the street, the observation of an existing accessory building (no development permit) and up to four commercial vehicles.

Include Photos, if taken:

Revised March 3, 2021



Photo 1: Facing East from Sapræ Crescent.



Photo 2: Facing East from Sapræ Crescent.



Photo 3: Facing East from Sapræ Crescent observing the accessory building.