

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
SUMMER VILLAGE OF GHOST LAKE**

Board Order No. SDAB 2025-02

File No. DP2025-09-03

Appeal By: Schmidt, Brent

Appeal Against: Development Authority of Summer Village of Ghost Lake

Hearing Date: October 28th, 2025

Decision Date: November 12th, 2025

Board Members: Hakon Neustaedter, Chair
Renee Clements

DEVELOPMENT APPEAL DECISION

INTRODUCTION

[1] This is an appeal to the Summer Village of Ghost Lake Subdivision and Development Appeal Board (the Board) against a decision of the Summer Village of Ghost Lake Development Authority, which was issued on September 24th, 2025. In this decision the Development Authority refused a development permit application, file no. DP2025-09-03, for a “New Home Construction with a Detached Garage”. The notice of appeal was filed by the applicants of the refused development permit application.

[2] The subject parcel is 312 Summer Village of Ghost Lake (Lot 17, Block 5, Plan 121 2382)

DECISION

[3] The appeal is allowed, and the decision of the Development Authority is revoked. A development permit is conditionally approved subject to the following conditions.

Description:

1. That construction of a New Home with a Detached Garage may commence on the Lands, in general accordance with the submitted application, Site Plan, drawings, as amended and includes:
 - I. The maximum ground floor area of the proposed dwelling shall be relaxed from **235.0 sq. m. (2,529.52 sq. ft.)** to **246.8 sq. m. (2647.92 sq. ft.)**
 - II. That the maximum building height of the proposed dwelling shall be relaxed from **5.50 m (18.04 ft)** to **8.03 m (26.34 ft)**.
 - III. That the maximum building height of the proposed accessory building shall be relaxed from **4.30 m (14.11 ft)** to **8.42 m (27.63 ft)**.
 - IV. That a minimum separation distance of **3.00 m (9.80 ft)** between the proposed dwelling and accessory building must be established.

BACKGROUND

- [4] On September 3rd, 2025, Brent Schmidt submitted a development permit application for the construction of a New Home and a Detached Garage.
- [5] On September 24th, the Development Authority refused the development permit application, citing the following contraventions of the Summer Village of Ghost Lake's land use bylaw (Bylaw #195):
1. Sections **9.6.3 (a) & 9.6.3 (b)**
 2. Section **8.5.3**

SUMMARY OF EVIDENCE

- [6] The Board heard verbal submissions from:
1. Walsh, John and MJ – owners of the subject parcel
- [7] The board received six (6) letters in support of the appeal
- [8] The board received no letters in opposition of the appeal

Development Authority's Submissions

- [9] Letter from the Development Authority stating the reasons for refusal and citing the relevant contraventions of the Summer Village of Ghost Lake's land use bylaw (Bylaw #195)

Appellant/Owner Submissions

- [10] The Appellants submitted the following documents to the Board:
1. Letter of Appeal
 2. Construction drawings and diagrams of proposed development, including elevation drawings, floor plan (s), and a Site Plan
 3. Site renderings
 4. Presentation Slides
 5. Photographs
 6. Additional Supporting Documentation
 7. Letters of support from adjacent landowners

FINDINGS & REASONS FOR DECISION

- [11] The Board finds it has the authority to make a decision on this matter pursuant to section 687(3)(s) of the *Municipal Government Act*.
- [12] Single Detached Dwellings are listed as a permitted use in the R-1 (Residential Single-Detached) land use district of the Land Use Bylaw, pursuant to section 9.2.0
- [13] Accessory Buildings are listed as a discretionary use in the R-1 (Residential Single-Detached) land use district of the Land Use Bylaw, pursuant to section 9.3.1.

- [14] Based on the proposed screening of the building through the existing trees, the topographical challenges of the subject land, and the letters of supports from adjacent landowners, the proposed height of the development is unlikely to negatively impact the neighboring properties.
- [15] Given the above findings and pursuant to section 687(3)(d) of the *Municipal Government Act*, the Board finds that the requested variance to the height of the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

CONCLUSION

- [16] The appeal is allowed, and the decision of the Development Authority is revoked.