

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

Board Order No. SDAB 2026-01

File No. DP2025-12-15

Appeal By: John and Marie Walsh

Appeal Against: Development Authority of Summer Village of Ghost Lake

Hearing Date: March 14th 2026

Decision Date: April 8th, 2026

Board Members: Shane Handsma, Chair
Kyla Mumby

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 January 26, 2026. In this decision the Development Authority refused a development permit application, file no. DP2025-12-15, for an Accessory Building (C-Can). The notice of appeal was filed by the applicants of the refused development permit application.

[2] The subject parcel is 206 Summer Village of Ghost Lake (Lot 2, Block 6, Plan 6490EL)

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 the existing accessory building (C-Can) may be allowed to remain on the Lands, in general accordance with the submitted application, Site Plan, drawings, as amended and includes:
 - I. The minimum side yard setback from the west-facing property line shall be relaxed from **1.50 m** to **0.33 m**

BACKGROUND

[5] On January 26th, 2026, 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 **4.7.2 (a)**
2. Section **9.5.4 (b)**
3. Section **9.6.1(b)(i)**

SUMMARY OF EVIDENCE

[6] The Board heard verbal submissions from:

John Walsh (Appellant)

[7] The board received two (2) 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)

[10] Recommendation to the Board regarding development permit conditions, if the appeal is allowed

Appellant/Owner Submissions

[11] 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 Photos
4. Presentation Slides
5. Additional Supporting Documentation
6. Letters of support from adjacent landowners

FINDINGS & REASONS FOR DECISION

[12] 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*.

[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] The Development Authority's letter of refusal cites contraventions of sections of the Land Use Bylaw (4.7.2 (a) & 9.6.1 (b)(i)). However, upon hearing the appellant's presentation, and reviewing the provided material, the Board has determined that the above-noted policies are being satisfied by the subject development, and that the Development Authority's noted contraventions of these policies is not applicable.

[15] 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.

[16] The Board acknowledges that several landowners expressed concerns regarding the establishment of precedence in the community. However, the Board notes that this decision was based on the evidence provided at the hearing, and that such appeals are addressed on a case-by-case basis.

[17] 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

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