

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

File: 6021.21

November 18, 2025

APPELLANT:	Jeff Kearn
MUNICIPAL ADDRESS:	21 Franklin Place, St. Albert
LEGAL DESCRIPTION:	Lot 64A, Block 22, Plan 7922017
PROPOSED DEVELOPMENT:	Leave Carport As Built with Variance to Setback
LAND USE CLASSIFICATION:	LDR
DATE OF HEARING:	November 26, 2025
DATE OF DEVELOPMENT PERMIT DECISION:	November 3, 2025
DATE APPEAL FILED:	November 12, 2025

The appellant is appealing the decision of the Development Officer in refusing a development permit application to leave the carport as built with a variance to the side yard setback.

Development Officer Review:

Attached carport requirements of Section 3.49(1)(b):

- An attached garage or attached carport must comply with the building setback requirements that apply to the principal building.

Required side yard setback: 1.25m

Actual side yard setback: 0.65m

Variance required: 0.6m (48%)

The variance required to the side yard setbacks exceed the capacity of the Development Officer to approve as per Section 2.15(1).

Should the Board grant the Appeal, administration requests that the conditions below be applied to the decision:

1. The Subdivision and Development Appeal Board approves a development permit to 'leave the attached carport as built with variance to the side yard setback'.
2. A variance is granted to allow the side yard setback for the attached carport to be 0.65m.
3. The attached carport shall remain, as located in accordance with the Real Property Report dated May 12, 2022.
4. The carport as approved shall remain as built and unenclosed. Any rebuild or alterations to the carport will require a new development permit to be applied for.
5. Any proposed changes in design, elevation or site plan configuration shall first be submitted for review by the Development Officer and any such changes shall not be undertaken until written authorization is provided by the Development Officer.

NOTES:

- a) A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with the conditions of any covenant, caveat, easement or other instrument affecting the building or land.
- b) The applicant shall be responsible for compliance with all applicable Federal, Provincial and Municipal laws, regulations and standards, as well as ensuring compliance with, and be responsible for obtaining, all applicable permits, licenses and approvals, at its own expense.
- c) All construction must conform to the relevant requirements of the Alberta Building Code, the City of St. Albert municipal engineering standards and all applicable codes, laws, regulations, and standards.
- d) The City of St. Albert does not conduct independent environmental checks of land within the city. If you are concerned about the suitability of this property for any purpose, you should conduct your own tests and reviews. The City of St. Albert, in issuing this development permit, makes no representations and offers no warranties as to the suitability of the property for any purpose or as to the presence or absence of any environmental contaminants on or within the property.
- e) The city property on or adjacent to development including, but not limited to; the existing sidewalk, curb and boulevard features shall be protected from damage throughout the construction process. Damage caused by the owner, builder, tradesman, or suppliers shall be repaired to the satisfaction of the City of St. Albert Engineering Services. An inspection of the existing site conditions must be completed by city staff prior to commencement of the work. All snow and debris shall be removed from the sidewalk areas for the inspection. If necessary, a city representative will contact the applicant and request the site be cleared for inspection, prior to demolition and commencement of construction.

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

Melanie Smith
Development Officer I

21 Franklin Place



