

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

File: 6006.2

July 30, 2025

APPELLANT: Katie Thompson

MUNICIPAL ADDRESS(s): 2 Falcon Crescent

LEGAL DESCRIPTION: Lot 40, Blk 2, Plan 6049RS

LAND USE CLASSIFICATION: LDR

DATE OF HEARING: August 6, 2025

PROPOSED DEVELOPMENT: Second, Secondary Suite (Internal) – Micro Suite

The appellant is appealing the refusal of a development permit application for a Second, Secondary Suite (Internal) – Micro Suite within the existing single detached dwelling. The proposed secondary suite would be the second internal suite on the property, with a floor area of 29.31sq.m.

The application was refused for the following reasons:

- (1) Land Use Bylaw 18/2024, Section 3.69(5)(a) states that ‘Notwithstanding section (5), in the LDR district only, a maximum of two secondary suites are allowed on a lot with the dwelling (single detached), provided that one of the suites is contained within the principal dwelling.’

The intent of this Section is to allow one secondary suite within the principal dwelling, and, optionally one additional suite in the form of a garden suite or garage suite. A two (2) bedroom basement suite has already been permitted within this dwelling. The addition of a second internal suite would exceed the number of internal secondary suites permitted on a single property.

- (2) In accordance with Land Use Bylaw 18/2024, Section 3.69(8)(a), ‘The minimum area of a Secondary Suite (internal) shall not be less than 30.00sq.m.’

The proposed micro suite is 29.31sq.m. The proposed micro suite fails to meet the minimum required floor area for a self-contained dwelling unit.

The Development Authority does not support the appeal as it exceeds the internal secondary suite requirements in accordance with Land Use Bylaw 18/2024, Section 3.69(5)(a) and it does not meet the minimum required floor area for a self-contained dwelling unit, in accordance with Section 3.69(8)(a).

It may interest the Board to note the following:

There is an existing development permit issued for a two (2) bedroom basement suite for this property.

Main floor = 103.46 sq.m

Basement suite = 71.46 sq. m

Micro suite = 29.31 sq.m

Section 3.69(5)(a) of the Land Use Bylaw was introduced as part of the 2024 Land Use Bylaw update. The intent of this section to permit one internal secondary suite and one garden or garage suite on a lot within the Low Density Residential (LDR) district. The current wording of this Section has been identified as a housekeeping item and is scheduled for an amendment for clarity and will go before Council in 2026 for amendment.

The Development Branch stands behind the intent of the text in the Land Use Bylaw, and does not support the Appellant's interpretation of the Bylaw as allowing two internal suites on a single lot.

If the Board approves the appeal, the following conditions should be noted in the decision:

1. Development Permit approval is issued for the construction of a secondary suite (internal), micro suite, in accordance with the provisions of Land Use Bylaw 18/2024. The suite shall be permitted by the SDAB as the second internal suite in the principal dwelling with an area less than 30.0sq.m.
2. Parking shall be provided on-site as two stalls for the principal dwelling and as per the Land Use Bylaw 18/2024, Section 4.3(6)(b) one stall required when there are two secondary suites on a lot in the LDR district. Parking spaces shall be hard-surfaced and accessible by permanent vehicle access. No more than two of the required parking stalls can be designed in tandem per dwelling unit for the stalls to be counted towards the total required parking.
3. The development shall be constructed in accordance with the stamped, approved plan(s).
4. 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.
5. Future basement development shall be subject to a separate development permit application.

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.

A handwritten signature in black ink, appearing to read 'M. Smith', written over a horizontal line.

Melanie Smith
Development Officer I