

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
CITY OF ST. ALBERT**

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HEARING DATE: February 4, 2026
FILE NO.: LEG00988

Notice of Decision of Subdivision and Development Appeal Board

INTRODUCTION

- [1] On January 12, 2026, the Development Authority of the City of St. Albert (the "Development Authority") Refused to issue a development permit for a Group Home located at 18 Gareth Place and legally described as PLAN 1321423; BLOCK 1; LOT 99 (the "Lands"). The applicant for the Development Permit was LO-SE-CA Foundation (the "Applicant").
- [2] Carmen Horpestad, on behalf of LO-SE-CA Foundation, filed an Appeal from the Development Permit refusal on January 13, 2026.
- [3] The Subdivision and Development Appeal Board (the "Board") held the appeal hearing on February 4, 2026 in an in-person hearing.

PRELIMINARY MATTERS

A. Board Members

- [4] The Chair confirmed from all parties in attendance that there was no opposition to the composition of the Board hearing the appeal. No one in attendance objected to the members of the Board hearing the appeal.
- [5] The Chair confirmed that everyone in attendance had the full hearing package prepared for the hearing.
- [6] There was no request for an adjournment of the hearing.
- [7] There were no objections to the proposed hearing process.

B. Exhibits

[8]

(A) An email sent on February 3, 2026 by Robyn Jacobsen opposing the appeal.

(B) An Email sent on February 4, 2026 by Doreen Dragon opposing the appeal.

(C) The Appellant's submission with a photo of the front of 18 Gareth Place was provided by Carmen Horpestad the Appellant in this appeal. The photo was circulated within the Board and entered as an exhibit (see paragraphs 28 and 29).

(D) An email from a neighbour of 18 Gareth Place introduced by Molly and Johanna Wreakes as part of their presentation.

DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

[9] The Board **ALLOWS** the appeal and **REVOKES** the decision of the Development Authority with the following conditions:

Permit Conditions:

1. The Subdivision and Development Appeal Board approves a Development Permit authorizing a Group Home within the Low Density Residential (LDR) District in accordance with section 5.2 of the City of St. Albert Land Use Bylaw 18/2024.
2. This approval authorizes a Group Home with 0 dedicated parking stalls, whereas Section 4.3(10) of Land Use Bylaw 18/2024 requires 3 parking stalls be provided.
 - a. Required number of parking stalls: 3
 - b. Number of available parking stalls: 0
 - c. Variance required: 3 parking stalls.
3. The maximum number of residents in the Group Home shall be in accordance with the submitted plans. An increase in residents is subject to separate Development Permit approval.
4. The residential character of the development shall be primary, with the occupants living together as a single housekeeping group and using cooking facilities shared in common.
5. The development shall be operated in accordance with the stamped, approved plan(s).
6. Any proposed changes (e.g. addition of employees, addition of residents) shall first be submitted for review by the Development Authority and any such changes shall not be undertaken until written authorization is provided by the Development Authority.

Permit 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.

SUMMARY OF HEARING

[10] The following is a brief summary of the oral and written evidence and arguments submitted to the Board. At the beginning of the hearing, the Board indicated that it had reviewed all the written materials and submissions filed in advance of the hearing.

[11] The Development Officer provided the factual background of the decision to refuse the Development Permit application. This decision was based in a lack of on-site parking available at 18 Gareth Place. The appellant stated the Development Permit for 18 Gareth Place was sought in order to correct a lack of a development authorization for this address and the next-door

address of 17 Gareth Place. This situation was discovered in an audit of the documentation for 17 and 18 Gareth Place

Development Authority

[12] The Development Officer, Melanie Smith, stated that on December 9th, 2025, the Development Authority approved application DP073820 to convert the main floor of 17 Gareth Place (Gareth C) into a Group Home for one (1) individual and one (1) staff member during the maximum working shift. As required by Land Use Bylaw 18/2024, two (2) parking stalls were provided in tandem for this use.

[13] On January 7, 2026, the Development Authority approved application DP07393 to convert the lower floor of 17 Gareth Place (Gareth A) into a Group Home for one (1) individual and one (1) staff member during the maximum working shift. As required by Land Use Bylaw 18/2024, two (2) parking stalls were provided in tandem for this use.

[14] On January 12, 2026, the Development Authority refused application DP073896 for a Group Home at 18 Gareth Place (Gareth B) for three (3) individuals and two (2) staff members during the maximum working shift because the number of parking stalls required in accordance with Land Use Bylaw 18/2024, Section 4.3(10), exceeds the number of parking stalls available on the lot.

[15] The development permit applications for Gareth A, B, and C stated that "the individuals are unable to drive and will never be able to drive, so the only people parking there will be the staff".

[16] The Development Officer stated that as the development permits all related to 17 and 18 Gareth Place, a duplex style structure with one owner being the Lo-Se-Ca Foundation, they were treated as a group of Development Permit applications.

[17] The Development Officer stated the St. Albert Land Use Bylaw 18/2024 defines a Group Home as "a development consisting of the use of a residential dwelling for care and supervision of occupants. A group home is intended to provide room and Board for occupants requiring specialized or personal care, guidance, or supervision. The residential character of the development shall be primary, with the occupants living together as a single housekeeping group and using cooking facilities that they share. This does not include transitional accommodation". As such, the Development Authority required three (3) separate applications for the three (3) separate Group Homes as each is self-contained with a kitchen, bathroom, and sleeping unit(s), and the occupants do not live together in a single housekeeping group.

[18] The Development Authority assessed the intensity of use on the property with respect to having three Group Homes on a single lot. Section 3.58(1) allows a maximum of eight (8) residents within a single Group Home. The proposed development proposes five (5) individuals within three (3) separate Group Homes. The Development Officer stated the Development Authority has no concerns regarding the intensity of use.

[19] With respect to parking at these three (3) Group Homes; the Development Officer stated that Section 4.3(10) of Land Use Bylaw 18/2024 requires that Group Homes must

provide a minimum of one (1) on-site parking stall per three (3) sleeping units and one (1) parking stall per employee required during the maximum working shift.

[20] The development permit application for 18 Gareth Place indicated that three (3) individuals will occupy 18 Gareth Place (Gareth B), and two (2) employees are required during the maximum working shift. As such, three (3) parking stalls are required for 18 Gareth Place (Gareth B). In accordance with Land Use Bylaw 18/2024, all Group Home approvals on the property together require seven (7) on-site parking stalls.

[21] The Development Officer stated that the lot design of 17 and 18 Gareth Place and Land Use Bylaw regulations, support only four (4) on-site parking stalls that may be counted towards parking minimums. Section 4.9(2) of Land Use Bylaw 18/2024 states that no more than two (2) of the required parking stalls can be designed in tandem per dwelling unit for the stalls to be counted towards the total required parking. At the time of this appeal, two (2) parking stalls are designated to DP073931 (lower floor of 17 Gareth Place / Gareth A) and two (2) parking stalls are designated to DP072820 (main floor of 17 Gareth Place / Gareth C). This leaves zero (0) parking stalls available for 18 Gareth Place or Gareth B.

[22] The Development Officer stated that the variance to the parking regulations exceeds the capacity of the Development Officer to approve as per Section 2.15(1). Apart from the parking regulations, the Group Home otherwise complies with the regulations of the Land Use Bylaw.

[23] The Development Officer further stated that they were aware that none of the five (5) residents have a driver's license, are not capable of obtaining a driver's license, and none of them own or drive a vehicle. Additionally, the Development Officer stated she was unable to locate any parking complaints associated to 17 and 18 Gareth Place.

[24] In response to a question from the Board, the Development Officer stated she was aware of the fact that the Group Home at 18 Gareth Place was operating.

Applicant/Appellant

[25] The Appellant/Applicant is the Lo-Se-Ca Foundation (Lo-Se-Ca) and was represented by Carmen Horpestad, the CEO of the Lo-Se-Ca Foundation. She stated that Lo-Se-Ca has been in operation since 1993 providing Group Home type accommodations for 150 clients in St. Albert. Horpestad was very candid and stated that the Group Home at 18 Gareth Place has been in operation since 2012 and has housed 3 ladies for many years. Horpestad became aware of a lack of documented approvals for 17 and 18 Gareth Place late in 2025 and sought to correct the situation with retroactive approvals. Horpestad stated Lo-Se-Ca was successful for both Group Homes at 17 Gareth Place, and unsuccessful in their application for a development permit for 18 Gareth Place, hence this appeal.

[26] Horpestad requested that the Board grant a variance in the parking requirements for 18 Gareth Place of 100% or zero (0) parking spots.

Affected Persons

[27] The Board received email correspondence from 2 people who were notified of the appeal. In all, thirty (30) notices were sent to addresses on Gareth Place.

[28] Robyn Jacobsen sent an email on February 3, 2026, objecting to the development at 18 Gareth Place. Jacobsen is concerned about the parking situation on Gareth Place and feels 18 Gareth Place will further complicate an already bad parking situation. Jacobsen noted in their email that as of the evening of February 3 that one of the vehicles parked at 18 Gareth Place was parked blocking the sidewalk.

[29] Doreen Dragon sent an email on February 4, 2026 objecting to the development of 18 Gareth Place. In her email Dragon reported she once witnessed a disturbing confrontation between a worker at 18 Gareth Place and an area resident over parking. She further stated that she has seen the RCMP at the location in the past.

[30] Sisters Molly and Johanna Wreakes provided an in-person presentation to the Board. They spoke of a close family member (sister) who has been a long-term resident at 18 Gareth Place (since 2015). They spoke about the exceptional care their family member has received in this facility and the potential struggle this person would endure should they have to relocate on account of an unsuccessful appeal. They support granting this appeal.

FINDINGS OF FACT

[31] The Lands are legally described as PLAN 1321423; BLOCK 1; LOT 99.

[32] The Appeal was filed on January 13, 2026.

[33] The Applicant is an affected person.

[34] Those who spoke in favour of the appeal are affected people.

[35] Those who spoke against the appeal are affected people.

[36] The group homes at 17 and 18 Gareth Place have been in operation since 2012 without the requisite development approvals.

[37] The Lo-Se-Ca Foundation and appellant Horpestad discovered this lack of development approvals in late 2025 and began the process to obtain them.

[38] None of the client residents at 17 and 18 Gareth Place own or operate vehicles.

[39] On-street parking is a significant issue on Gareth Place.

[40] The driveway on the south side of 18 Gareth Place is very long, running the length of the property and would allow for numerous vehicles to park in tandem and off the street.

[41] There is a fire hydrant in front of 17 and 18 Gareth Place further restricting on-street parking.

ISSUES TO BE DETERMINED

[42] The Board believes the single issue to be determined is the impact this development will have on on-street parking.

REASONS

[43] The Board takes note that of the 7 parking stalls required under the Land Use Bylaw, the requirements for parking places for the resident clients are in effect not needed as none of the client residents owns or drives a vehicle or ever will. This removes the requirements for 3 parking places.

[44] The Board noted that opposing emails from Doreen Dragon and Robyn Jacobsen spoke about on-street parking issues and their concern that granting this appeal would somehow negatively impact the on-street parking situation. The Board believes on-street parking will not be affected in any way by granting this appeal. The long driveway on the south side of 18 Gareth Place will allow for numerous vehicles to park in tandem, keeping them off the on-street parking area.

[45] The submissions of Joanna and Molly Wreakes were informative in that they confirmed that the Group Home has been in operation since at least 2015, when their family member started living there and that in their view, the Lo-Se-Ca Foundation provides a valuable service for the community.

[46] The Board believes this variance and voiding of tandem parking at 18 Gareth Place will not impact or materially affect the neighboring properties and will mitigate the on-street parking situation by providing on-site parking.

Jurisdiction

[47] The Board's jurisdiction is found in s. 687(3) of the MGA.

687(3) In determining an appeal, the subdivision and development appeal board

...

- (a.1) must comply with any applicable land use policies;*
- (a.2) subject to section 638, must comply with any applicable statutory plans;*
- (a.3) subject to clause (a.4) and (d), must comply with any land use bylaw in effect;*
- (a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;*
- (b) must have regard to but is not bound by the subdivision and development regulations;*
- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;*

- (d) *may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,*
- (i) *the proposed development would not*
 - (A) *unduly interfere with the amenities of the neighbourhood, or*
 - (B) *materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,*
 - and*
 - (ii) *the proposed development conforms with the use prescribed for that land or building in the land use bylaw.*

[48] In making this decision, the Board has examined the provisions of the MDP and the LUB and has considered the oral and written submissions made by and on behalf of those who provided evidence including the Development Authority.

Conclusion

[49] For the above reasons, the Board grants a variance of zero (0) parking places or 100 % of the three (3) parking places in the requirements for on-site parking at 18 Gareth Place. The Board further directs that the prohibition against tandem parking is voided at 18 Gareth Place.

Issued this 9th day of February, 2026 for the City of St. Albert Subdivision and Development Appeal Board.



Bill Newton, Chair
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

This decision may be appealed to the Court of Appeal of Alberta on a question of law or jurisdiction, pursuant to s. 688 of the Municipal Government Act, RSA 2000, c M-26.

APPENDIX "A"
BOARD MEMBERS

MEMBERS

1. Christian Benson – Vice Chair
2. Marcel LeBlanc
3. Feinan Long
4. Bill Newton - Chair
5. Garry Rorke

APPENDIX "B"
REPRESENTATIONS

PERSONS APPEARING

1. Carmen Horpestad (Appellant)
2. Joanna and Molly Wreakes (Affected Party)
3. Melanie Smith (Development Officer)
4. Renee McDonald (SDAB Clerk)

APPENDIX "C"
DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

Agenda Package			
	Description	Date	Pages
1.	Agenda	February 4, 2026	1 - 2
2.	Development Officer Report & Presentation	February 4, 2026	5 – 22
3.	Appellant Submission	February 4, 2026	23 - 24
4.	Development Permit Decision	February 4, 2026	25 - 26
5.	Radius Map & Labels	February 4, 2026	27 - 30

Exhibits			
	Description	Date	Exhibit
1.	Affected Party Submission	February 3, 2026	A
2.	Affected Party Submission	February 4, 2026	B
3.	Appellant Submission	February 4, 2026	C
4.	Affected Party Submission	February 4, 2026	D

[REDACTED]

From: Robyn Jacobsen [REDACTED]
Sent: Tuesday, February 3, 2026 5:17 PM
To: SDAB Submissions
Subject: Appeal against decision of the Development Officer dated January 12, 2026

Categories: [REDACTED]

External Email: Use caution with links and attachments.

Re: PLAN: 1321423; BLOCK 1; LOT: 99-18 Gareth Pl, ST Albert, Alberta

To the Development Officer,

I am a resident of Gareth Place and would like to submit comments regarding the proposed development at 18 Gareth Place, specifically related to parking availability and impacts on our cul-de-sac.

Parking is already a significant and ongoing issue on our street. Gareth Place is a small cul-de-sac with limited on-street parking, and it is currently insufficient to meet the needs of existing residents. For example, some neighbours regularly park in front of other homes, including in front of my own, because there is simply no available space near their properties. This is not an occasional issue, but a persistent one.

In addition, based on direct observation this evening, the existing driveway at 18 Gareth Place does not appear capable of accommodating additional vehicles. The final vehicle parked on the driveway tonight is extending beyond the driveway and fully obstructing the sidewalk. This suggests that even the current parking arrangement on the site exceeds the physical capacity of the driveway and encroaches into the public right-of-way.

Given these existing conditions, I am concerned that approving a development that requires three on-site parking spaces will further worsen an already strained parking situation. This would negatively impact neighbouring residents, pedestrian access, and overall safety on the cul-de-sac.

For these reasons, I support the original refusal of the development permit on the basis of inadequate on-site parking and request that these practical, on-the-ground parking constraints be carefully considered in the appeal decision.

Thank you for the opportunity to provide comments.

Sincerely,
Robyn Jacobsen

[REDACTED]

From: Doreen Dragon [REDACTED]
Sent: Wednesday, February 4, 2026 10:47 AM
To: SDAB Submissions
Subject: PLAN: 1321423:BLOCK 1;LOT: 99-18 Gareth Place

External Email: Use caution with links and attachments.

Comment : re refusal of a group home development permit. I AGREE WITH THE REFUSAL.
There have been previous group homes in the same place several years ago.

At the time I witnessed a disturbing confrontation between a group home worker and a neighbor arguing about parking. Both were standing in the middle of the road screaming offensive language at each other.

I also noticed the RCMP at the location more than once. But do not know the circumstances involved.

I have nothing against group homes. I know someone who resides in one.

Sincerely,
Doreen Dragon



Gareth B Driveway (18 Gareth Place)

- Fits 4 vehicles and
there is still extra
space



From: Molly Wreakes [REDACTED]
Sent: Wednesday, February 4, 2026 6:50 PM
To: SDAB Submissions
Subject: Fwd: Tandem Parking at 18 Gareth Pl.

Categories: [REDACTED]

External Email: Use caution with links and attachments.

----- Forwarded message -----

From: Rusty [REDACTED]
Date: Wed, Feb 4, 2026 at 9:39 AM
Subject: Tandem Parking at 18 Gareth Pl.
To: [REDACTED]

Good morning Molly,

Thank you for the conversation. As has been the practice for many years, I have no issue with the shared driveway, including vehicles from 18 Gareth using the 19 Gareth driveway to access tandem parking at 18, provided the 19 Gareth driveway is not blocked.

As mentioned, please refrain from making U-turns at the end of the driveway, as this damages the thin pavement. It is preferable to pull in and back out (or vice versa) rather than turning around.

Otherwise, there are no concerns as long as the 19 Gareth driveway remains clear.

Peace.

Rusty Gardiner
Resident at 19 Gareth Pl.

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