

Garden Suites

Land Use Bylaw Requirements & Application Checklist

January 2025

Garden Suites

The City of St. Albert regulates Garden Suites in residential areas, as per Land Use Bylaw 18/2024, Section 3.69, "Secondary Suite (Garden)". Property owners who wish to build a garden suite are required to obtain a development permit. Only one garden suite is permitted on a lot with a single-detached house, semi-detached house, or duplex.

A garden suite must be located in a rear or side yard.

A garden suite is accessory to the principal dwelling, and contains cooking, washroom, living, and sleeping facilities which are separate from those of the principal dwelling on the site.

Consideration should be given to privacy for the suite, the principal dwelling unit, and dwelling unit(s) on adjacent properties through the placement of windows, decks, and balconies.

Bylaw Requirements

A garden suite must:

- Meet the side yard requirements for the principal building within the subject district.
- Not be more than 4.5 m in height from finished grade; or 4.0 m with a roof slope equal to or less than 2/12.
- Not exceed 75 sq. m. gross floor area.
- Not exceed the maximum allowable site coverage.
- Be architecturally compatible with the principal dwelling unit.
- Not be subdivided from the principal dwelling so as to create a separate legal title for the garden suite; and
- Not encroach over a utility right-of-way or easement.*

* A garden suite may be allowed to encroach onto a utility right-of-way or easement; however, all private utility companies must consent to the encroachment, and an encroachment agreement may be required and subject to a separate fee and review process.

Application Checklist

An application for a development permit will only be accepted once the application is deemed complete. A complete application includes the following:

- ❑ **Applicable fee.**
- ❑ **Completed development permit and building permit application forms.**
- ❑ **Owner's authorization form** (if the applicant is not the owner).
- ❑ **Certified copy of title and copies of any registered instruments that may affect development** (Caveats, Easements, Restrictive Covenants, etc.)
- ❑ **Two copies of a site plan, in metric, showing:**
  - The footprint of the dwelling with the proposed garden suite outlined.
  - All buildings, decks, and any other object that may be considered in the decision.

- Any utility rights-of-way or easements.
- All setback dimensions from the proposed structure to any property line and on-site principal building.
- Existing and proposed site grades, and any special topographical features or site conditions.

❑ **Elevation drawings that show:**

- An accurate depiction of the garden suite from each side including the type of exterior finishes, window and door openings, roof pitch and overall height from the lowest point of the finished grade to the highest point of the roof.

Please note that the Development Authority may require additional information to process your application.

Filing an Appeal

If your development permit application has been approved with a variance, the City must notify affected parties within a specified radius of the approval. Property owners affected by the decision have the right to appeal within 21 days of the receipt of the decision. A decision may also be appealed by the applicant if the Development Authority fails to issue a permit within 40 days, refuses the permit, or the applicant does not agree with the decision of the Development Authority.

Note: The information contained herein only applies to provisions as set out in the City of St. Albert Land Use Bylaw. Compliance with the Alberta Building Code is subject to a separate review process. It is the responsibility of the applicant to comply with any other regulation, code, or legislation not covered under the Land Use Bylaw.

Additional fees apply to file an appeal, encroachment agreements and building permit applications. The applicant does not have a right of appeal if the Development Authority fails to issue a Development Permit within 40 days if the applicant or owner has signed an extension agreement in accordance with section 684 of the **Municipal Government Act**.

For additional information or to apply, please contact:

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