

Decks

Land Use Bylaw Requirements and Application Checklist

January 2025

Decks

The City of St. Albert regulates decks in residential areas, as per Land Use Bylaw 18/2024. Development permits are required for decks above 0.6 m (two feet) in height. Any deck, regardless of its height, shall be located in accordance with the requirements set out in the Land Use Bylaw.

Bylaw Requirements

For decks less than 0.6 m in height:

- A deck less than 0.6 m in height may be built to the side and rear property lines, with a 0.0 m setback.

For decks that are 0.6 m to 1.5 m in height:

- Must meet the required front yard setback of the home.
- Must be located at least 1.0 m from a side property line.
- Must be located at least 3.0 m from the rear property line, or 1.0 m from the rear property line when a rear property line is adjacent to a lane, public roadway, park, public utility lot, or municipal reserve.
- Please note that for semi-detached homes, or townhousing, a deck may be developed with a 0.0 m setback on the common property line.

For decks above 1.5 m in height:

- Must be located at least 5.0 m from all property lines, unless the Development Authority determines that a 5.0 m separation is not required due to site conditions; and the deck complies with the side yard setback requirements for the house.
- Is considered a discretionary use and is not deemed valid until all affected property owners have been notified and the appeal period has expired.
- The Development Authority may refuse the application, even though it complies with the regulations of the Land Use Bylaw.
- Must not encroach onto a utility right-of-way or easement.*

* A deck may be allowed to encroach onto a utility right-of-way; 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.

Please note that any deck which is covered or enclosed and attached to the home, must meet the minimum setback requirements of the dwelling.

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 form.**
- ❑ **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 deck outlined.
  - Any easements and applicable structures on the property.
  - Dimensions of the deck and setbacks to property lines.
- ❑ **Two copies of an elevation drawing that shows:**
  - The dimensioned height from grade to the deck floor.
  - Piles, supporting structures, beams, materials, railings, stairs, etc.

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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