NOTICE OF DECISION
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
CITY OF SPRUCE GROVE

Pursuant to Part 4 of the City of Spruce Grove Land Use Bylaw C-824-12 (the "Land Use Bylaw"), as amended, and Part 17, Division 10 of the *Municipal Government Act*, RSA 2000, cM-26, as amended.

DATE OF DECISION: October 22, 2026

IN THE MATTER OF: An appeal by Blaydon Dibben on behalf of Cranston Homes Ltd. against the following four applications:

1. Refusal of Development Permit PLDPR202600527 to construct one unit of four unit row house with detached garage, and secondary suite within a R1-Mixed Low to Medium Density Residential District, located at 33 Patterson Gate (Plan 2522489; Block 113; Lot 17).

2. Refusal of Development Permit PLDPR202600528 to construct one unit of four unit row house with detached garage, and secondary suite within a R1-Mixed Low to Medium Density Residential District, located at 35 Patterson Gate (Plan 2522489; Block 113; Lot 18).

3. Refusal of Development Permit PLDPR202600529 to construct one unit of four unit row house with detached garage, and secondary suite within a R1-Mixed Low to Medium Density Residential District, located at 37 Patterson Gate (Plan 2522489; Block 113; Lot 19).

4. Refusal of Development Permit PLDPR202600530 to construct one unit of four unit row house with detached garage, and secondary suite within a R1-Mixed Low to Medium Density Residential District, located at 39 Patterson Gate (Plan 2522489; Block 113; Lot 20).

DATE OF HEARING: September 9, 2026 with supplemental written submissions received from the Development Authority and the Appellant.

SUMMARY OF THE HEARING:

[1] Notice of the appeal was given to all interested parties in accordance with the Land Use Bylaw and the requirements of the *Municipal Government Act* and a hearing was held at 315 Jespersen Avenue, 3rd Floor, on September 9, 2026. Following the hearing, the Board re-opened the hearing to obtain written submissions from the Development Authority and the Appellant in regard to the application and impacts of s. 115(1)(a) and (b) on the appeal. Following receipt of those written submissions, the Board closed the hearing and has issued its written decision in accordance with the *Municipal Government Act.*

[2] The following members of the Subdivision and Development Appeal Board were in attendance throughout the hearing:

- Glenn Jensen, Vice-Chair
- Liam McGrath
- Keith Schultz
- Pere Bekederemo

[3] Lindsay O'Mara served as Clerk to the Board for the hearing.

[4] At the beginning of the hearing, the Board Clerk advised that there was a preliminary matter about the nature of the hearing given that there were four appeals filed, which were in relation to properties immediately adjacent to one another and for each of the four units of the proposed residential use. The Clerk recommended that the Board hear all four hearings concurrently, with the Board hearing all four appeals as a combined hearing. A combined hearing would efficiently address multiple interconnected planning appeals involving the same development or related developments at the same time. The Board would still hear evidence related to each of the four properties as outlined in the Exhibit List, but the hearing would not have to start and stop for each appeal. The Board would issue one Notice of Decision that applies to all four appeals.

[5] Neither the Development Authority nor Appellant objected to the holding of a combined hearing for all four appeals and the Board directed that there would be one combined hearing for all four appeals.

[6] The following persons were in attendance at the hearing of the appeal and made oral submissions that were considered by the Board:

- Anshu Gupta, Development Officer (Development Authority)
- Brad McMurdo, Director of Planning and Development (Development Authority)
- Blaydon Dibben, Representative of Cranston Homes Ltd. (Appellant)
- Neet Dhaliwal, Owner of Cranston Homes Ltd. (Appellant)

[7] The Board received and considered written submissions from the following:

- Development Officer's Report
- Development Officer's PowerPoint Presentation
- Appellant's Submission Presentation
- Development Officer's Supplementary Submissions
- Appellant's Supplementary Submissions

[8] The Board marked the following documents as exhibits in the hearing. There were no objections to them being marked as exhibits.

Exhibit #	Description
1.	Timelines
Appeal Number PLDPR202600527 – 33 Patterson Gate	
2.	Development Permit Application
3.	Development Permit Decision
4.	Notice of Appeal
5.	Notice of Hearing
6.	Adjacent Property Owner Map & List (Confidential)
7.	Subject Site Plan (Map)
8.	Subject Site Plan (Showing Adjacent Property Owners)
9.	Development Authority's Report
10.	Appellant Submission
11.	Appellant Supplemental Submission #1
12.	Development Authority's Supplemental Report
13.	Appellant Supplemental Submission #2
Appeal Number PLDPR202600528 – 35 Patterson Gate	
14.	Development Permit Application
15.	Development Permit Decision
16.	Notice of Appeal
17.	Notice of Hearing
18.	Adjacent Property Owner Map & List (Confidential)
19.	Subject Site Plan (Map)
20.	Subject Site Plan (Showing Adjacent Property Owners)
21.	Development Authority's Report
22.	Appellant Submission
23.	Appellant Supplemental Submission #1
24.	Development Authority's Supplemental Report

25.	Appellant Supplemental Submission #2
Appeal Number PLDPR202600529 – 37 Patterson Gate	
26.	Development Permit Application
27.	Development Permit Decision
28.	Notice of Appeal
29.	Notice of Hearing
30.	Adjacent Property Owner Map & List (Confidential)
31.	Subject Site Plan (Map)
32.	Subject Site Plan (Showing Adjacent Property Owners)
33.	Development Authority's Report
34.	Appellant Submission
35.	Appellant Supplemental Submission #1
36.	Development Authority's Supplemental Report
37.	Appellant Supplemental Submission #2
Appeal Number PLDPR202600530 – 39 Patterson Gate	
38.	Development Permit Application
39.	Development Permit Decision
40.	Notice of Appeal
41.	Notice of Hearing
42.	Adjacent Property Owner Map & List (Confidential)
43.	Subject Site Plan (Map)
44.	Subject Site Plan (Showing Adjacent Property Owners)
45.	Development Authority's Report
46.	Appellant Submission
47.	Appellant Supplemental Submission #1
48.	Development Authority's Supplemental Report
49.	Appellant Supplemental Submission #2

[9] The representative for the appellant, Blaydon Dibben submitted printed graphics proposing to show that rear-yard shadowing is not unique regardless of dwelling type and that 2 waste and 1 organics bin would be within the required waste frontage. The document was marked as Exhibits 11, 23, 35 and 47.

[10] At the conclusion of the oral hearing, all those who provided evidence at the hearing indicated that they had a fair opportunity to present their evidence and argument.

SUMMARY OF EVIDENCE

Development Authority

[11] The Development Authority received a development permit applications to construct one unit of four unit Row House with a detached garage and a secondary suite located on property municipally described as 33, 35, 37, 39 Patterson Gate and legally described as Plan 2522489; Block 113; Lot 17, Plan 2522489; Block 113; Lot 18, Plan 2522489; Block 113; Lot 19 and Plan 2522489; Block 113; Lot 20 respectively.

[12] The Development Authority refused the applications on July 28, 2026.

[13] During the Development Authority's review of the applications, the Development Authority compared the proposed development against the provisions of the R1 – Mixed Low to Medium Density Residential District. The Development Authority circulated the development permit application to various City departments for review, including Engineering and Public Works.

[14] The Development Authority indicated that s. 7(1) of the Land Use Bylaw defines a Secondary Suite as a "Development consisting of a Dwelling located within, and Accessory to, a structure in which the Principle Use is Single Detached Dwelling or other residential use a defined in the general purpose of a District".

[15] Section 115(1) which establishes the General Purpose of R1 – Mixed Low to Medium Density Residential District, does not permit a secondary suite within any principal use other than single detached dwelling.

[16] The Property is districted R1 – Mixed Low to Medium Density Residential District, and the proposed principal use is row housing. Row housing is not identified as a principal use that may contain a secondary suite under the applicable district provisions. Therefore, a secondary suite is neither a permitted nor discretionary use.

[17] The Development Authority noted it has never approved a secondary suite in a row housing development in this district. Secondary suites are only approved in single-detached dwelling districts or in rowing housing in Direct Control Districts specifically zoned for that type of development to allow servicing infrastructure be built that is specifically designed to handle the increased density.

[18] The Development Authority advised that as of 2025 there are 94 approved secondary suites in the Prescott neighbourhood, with 54 in single-detached dwellings in the R1 District and 40 specifically in row housing in the Direct Control District.

[19] The Development Authority indicated that the development did not comply with s. 687(3)(d)(i) of the *Municipal Government Act* in that it would unduly interfere with

the amenities of the neighbourhood and materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

[20] The Development Authority noted that the development would result in the garage being shifted internally toward the rear yard to accommodate extra required parking space resulting in the reduction of the rear yard area, which commonly functions as a private outdoor amenity space for residents.

[21] The Development Authority also noted that the site density adversely impacts operational requirements for waste collection and snow storage as a result of overdevelopment with regard to the Property's dimensions. Waste carts require 1 metre spacing between carts and since standard protocol for a dwelling with a secondary suite would result in 2 waste carts and 2 organic carts there would not be enough frontage per dwelling to accommodate all 4 carts. An additional 2 metres of lot width must be reserved for snow storage.

[22] The Development Authority advised that the increased density would result in heightened vehicle activities and on-street parking pressures. They advised there would also be a higher demand and pressure on the local water and sanitary infrastructure networks.

[23] The Development Authority indicated that the Municipal Development Plan supports "gentle density" through secondary suites. However, this policy direction is specifically conditional on infrastructure capacity. They further indicated that gentle density can be achieved through the addition of secondary suites in single detached dwellings.

[24] The Development Authority advised that Council has approved secondary suites in row housing in specific Direct Control Districts, and if Council intended to allow secondary suites in rowing housing in the R1 District, they would have directed amendments to the Land Use Bylaw accordingly.

[25] The Development Authority advised that there was an amendment to the Land Use Bylaw on July 6, 2026, which prohibited secondary suites on collector roads. Council supported this amendment due to operational issues that result from secondary suites on these roads.

[26] In response to questions from the Board, the Development Authority stated:

(a) the number of secondary suites in the R1 District is 54 and in Direct Control District is 40 in the Prescott Neighbourhood;

(b) secondary suites are discretionary in the R1 District for single detached dwellings. Secondary suites in row housing does not conform to the general purpose of the district;

(c) Direct Control Districts establish planned density where servicing infrastructure to handle increased densities are planned for;

(d) if there was unplanned density added to the R1 District, the City would have to revisit infrastructure plans as the impact of unchecked density would be significant;

(e) the secondary suites would be in all four units of the rowing housing, not in just one unit;

(f) as in many most municipalities there are illegal secondary suites in most neighbourhoods.

[27] In relation to the question of the application of s. 115(1)(a) and (b) of the Land Use Bylaw, the Development Authority noted that on July 6, 2026, City Council adopted amendments to the Land Use Bylaw so that in the Mixed Low to Medium Density Residential District, the amendments would support Single Detached Dwellings, Semi-Detached Dwellings and Duplexes. From the date of the amendment, applications for Row Housing, Street-Oriented, up to four units would be allowed if an application for a subdivision approval for this use was made to the Subdivision Authority and deemed complete no later than November 1, 2026. A provision was included to ensure existing Row Housing, Street-Oriented, up to four units can be reconstructed if destroyed under the existing R1 District as outlined in the *Municipal Government Act*. Since the lots associated with the appeals were registered on November 22, 2025, Row Housing, Street Oriented, up to four units is still considered a discretionary use in the R1 District.

Appellant

[28] Blaydon Dibben, representative for the appellant Cranston Homes Ltd. provided two written submissions and one oral submission, in addition to supplemental submissions as requested by the Board in response to the question of the impact and application of s. 115(1)(a) and (b).

[29] Mr. Dibben contended that secondary suites and row housing are both explicitly contemplated as a discretionary use in the R1 district and that secondary suites are not contemplated nor excluded within any specific principal use.

[30] He indicated that s. 7(1) of the Land Use Bylaw, secondary suite is defined as "…a structure in which the Principal Use is Single Detached Dwelling or other residential use as defined in the general purpose of a District" and emphasized the wording "or other residential use" stating that the proposed principal use, row housing, constitutes "other residential use".

[31] He stated that low to medium density types are explicitly defined in the general purpose of the R1 District under s. 115(1) of the Land Use Bylaw and that the

refusal to accommodate a range of low to medium density dwelling types is contrary to this section of the Land Use Bylaw.

[32] He indicated that the secondary suites will be in the basement of the dwelling and therefore it does not change the built form.

[33] He stated that there will be 4 parking stalls per lot and also street parking to accommodate additional parking. He contended that parking would not be an issue.

[34] Mr. Dibben advised that the City's non-statutory plans such as the Housing Needs Assessment and Housing Strategy support varied housing types, densities, and affordability.

[35] Mr. Dibben referenced Exhibits 11, 23, 35 and 47 which showed satellite imagery in the Fenwyck neighbourhood and indicated that the shadowing of single-detached or duplex dwellings was the same as would occur with the proposed development. Also, referencing the flip side of Exhibits 11, 23, 35 and 47 showing wording from the City's website and graphics of bin placement, he stated that the City's website indicates that waste bins are optional for a primary owner to order for a secondary suite. He contended that only one organics cart would be needed because the primary owner and secondary suite resident would share the same yard and therefore only need one organics cart. This would mean only 3 carts would be needed per lot, which could fit on frontage and would mitigate operational impacts of 4 carts.

[36] He contended that impacts on local water and sanitary systems would be no different than single detached dwellings as given their size they could have just as many occupants as row housing with secondary suites.

[37] He stated that amendments to the Land Use Bylaw on July 6, 2026, only explicitly restrict secondary suites in row housing when dwellings front onto collector roads. The proposed developments do not front a collector road.

[38] Mr. Dibben indicated that the servicing of secondary suites is no different in Direct Control or R1 Districts.

[39] The owner of Cranston Homes Ltd., Neet Dhaliwal added that they are trying to meet the demand and affordability needs of the City through this type of development.

[40] In response to questions from the Board, the Appellant stated:

(a) Cranston Homes Ltd. has secondary suites in row housing in the Direct Control District in the Prescott neighbourhood;

(b) the Direct Control District are in blocks throughout the Prescott neighbourhood; some of boundaries are next to the R1 District; and

(c) it would be very squeezed on the frontage if the primary owner requested both an additional waste bin and organics bin resulting in 4 bins.

[41] In relation to the question of the application of s. 115(1)(a) and (b) of the Land Use Bylaw, the Appellant agreed with the submissions of the Development Authority on this point.

RELEVANT LEGISLATION

[42] The Board considered the following sections of the Land Use Bylaw and the *Municipal Government Act* in its decision:

- Land Use Bylaw Section 7 - Definitions
- Land Use Bylaw Section 115(1) - R1 – Mixed Low to Medium Density Residential District
- *Municipal Government Act* Section 687(3)(d)(i)

DECISION

[43] Having considered all relevant planning evidence presented at the hearing, the arguments made and the circumstances and merits of each application and the appeals and having regard for the relevant provisions of Municipal Government Act, any applicable statutory plans, the Subdivision and Development Regulation and the Land Use Bylaw, this appeal is granted in part.

Development Permit No. PLDPR202600527, PLDPR202600528, PLDPR202600529 and PLDPR202600530 are varied.

Development Permit No. PLDPR202600527 authorizes the Appellant to construct one unit of a four unit row house with detached garage subject to the conditions attached as Appendix “A”.

Development Permit No. PLDPR202600528 authorizes the Appellant to construct one unit of a four unit row house with detached garage subject to the conditions attached as Appendix “B”.

Development Permit No. PLDPR202600529 authorizes the Appellant to construct one unit of a four unit row house with detached garage subject to the conditions attached as Appendix “C”.

Development Permit No. PLDPR202600530 authorizes the Appellant to construct one unit of a four unit row house with detached garage subject to the conditions attached as Appendix “D”.

REASONS:

[44] The Board's jurisdiction is found in s. 687(3) of the *Municipal Government Act.*

[45] The ultimate question on the appeal is whether to confirm, revoke or vary the decision of the Development Authority for each of the four appeals. In order to make that decision, the Board must determine in respect of each of the appeals:

(a) What are the uses being sought?
(b) Does the Land Use Bylaw authorize the uses within the district? And if so, as what type of use (permitted or discretionary)?
(c) If the uses are authorized within the district, are the uses permitted or discretionary and are discretionary uses compatible with neighbouring uses?
(d) Do the uses comply with the applicable statutory plans?

[46] In making its decision, the Board considered all relevant planning evidence, including written and oral presentations, the arguments made and the circumstances and merits of the application and the appeal, and had regard for the relevant provisions of *Municipal Government Act*, any applicable statutory plans, the Subdivision and Development Regulation and the Land Use Bylaw.

[47] As noted, all of the evidence provided by both the Development Authority and the Appellant applied to each property in question: 33, 35, 37 and 39 Patterson Gate. As a result, the Board issues one decision which applies to all four of the properties.

[48] There was no dispute between the parties that the lands are R1 – Mixed Low to Medium Density Residential District (the "R1 District"), as further described in s. 115 of the Land Use Bylaw.

What are the uses being sought?

[49] Each development permit application was "to construct one unit of a four unit row house with detached garage, and secondary suite". The Board notes that this means that there are three uses which are being sought:

(a) A detached garage;
(b) A row house; and
(c) A secondary suite.

Does the Land Use Bylaw authorize the uses within the district? And if so, as what type of use (permitted or discretionary)?

[50] Section 115(1) of the Land Use Bylaw lists "accessory building" as a permitted use. Section 7 of the Land Use Bylaw defines Accessory Building as:

> ACCESSORY BUILDING
> A Building separate from and subordinate to the Principal Building and the Use of which is incidental to the Use of the Principal Building. An Accessory Building is located on the same Site as the Principal Building, but they are not attached by a roof and floor or Foundation.

[51] Having regard for the definition, the Board finds that a detached garage is an Accessory Building as defined in the Land Use Bylaw and as noted in s. 115(1), Accessory Buildings are permitted uses within the R1 District. Since an Accessory Building is a permitted use, the Development Authority must issue a development permit for that use. On appeal, the Board's discretion is limited by s. 685(3), which prevents the Board from granting an appeal unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted. In this case, there was no argument about the detached garages. As a result, the Board finds it as a fact that the use is permitted.

[52] The second use sought for each appeal is one unit of a four unit row house. Section 115(1) of the Land Use Bylaw lists as a discretionary use "Row Housing, Street Oriented, up to four units, but only in accordance with Sections 1(a) and(b) of this District".

[53] Section 115(1)(a) and (b) of the Land Use Bylaw state:

> *(a) Row Housing, Street Oriented, up to four units shall be a Discretionary Use for a Site only in the following circumstances:*
>
> *(i) An application for subdivision approval for the Use on the Site is approved on or before November 1, 2026, or;*
>
> *(ii) An application for subdivision approval for the Use is made to the Subdivision Authority and deemed complete, on or before November 1, 2026, and approved.*
>
> *(b) Notwithstanding the 'Non-Conforming Use and Non-Conforming Buildings' section of the Municipal Government Act, and the 'Non-Conforming Uses and Buildings' section of the Land Use Bylaw, Row Housing, Street Oriented, up to four units shall be a Discretionary Use for a Site as set out in Section 115 (1) if a Development Permit was issued for the Use in accordance with subsection (a) above, and the Building constructed under the authority of the Development Permit is damaged or destroyed.*

[54] The Board sought further submissions from the Development Authority and the Appellant in relation to the applicability and impact of this section on the appeal. The submissions of the Development Authority, which were agreed to by the Appellant, were that the amendments to the Land Use Bylaw were approved to for the purpose of supporting Single Detached Dwellings, Semi-Detached Dwellings and Duplexes in the R1 District. The evidence was that applications for Row Housing, Street-Oriented, up to four units would be allowed if an application for a subdivision approval for this use was made to the Subdivision Authority and deemed complete no later than November 1, 2026. Because the lots associated with the appeals were registered on November 22, 2025, Row Housing, Street Oriented, up to four units is still considered a discretionary use in the R1 District.

[55] The Board accepts the submissions of the parties in relation to Row Housing, Street Oriented. The uncontested facts are that the lots in question were created before November 1, 2025 and that there are four units sought. On this basis, the Board finds that Row Housing, Street Oriented is a discretionary use in the R1 District.

[56] In relation to Secondary Suite, the Board notes that s. 115(1) of the Land Use Bylaw lists Secondary Suite as a discretionary use. The position of the Development Authority was that the R1 District does not explicitly contemplate or permit a Secondary Suite within a Principal Use other than a Single Detached Dwelling and as a result, the use is neither permitted nor discretionary. By contrast, the position of the Appellant was that Secondary Suites are explicitly contemplated as a discretionary use in the District.

[57] The Board has reviewed the definition of Secondary Suite:

> *SECONDARY SUITE*
> *Development consisting of a Dwelling located within, and Accessory to, a structure in which the Principal Use is Single Detached Dwelling or other residential use as defined in the general purpose of a District. A Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the Principal Dwelling within the structure. A Secondary Suite also has an entrance separate from the entrance to the Principal Building, either from a common indoor landing or directly from the side or rear of the structure. This Use Class includes the Development or conversion of basement space or above-grade space to a separate Dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. This Use Class does not include Garage Suite and Garden Suite.*

[58] The Development Authority's position is that the definition limits Secondary Suites to Single Detached Dwellings.

[59] The Board notes that the definition of Secondary Suite provides that Secondary Suites may be located within a structure:

(a) In which the Principal Use is a Single Detached Dwelling; or
(b) In which the Principal Use is an "other residential use as defined in the general purpose of a District".

[60] The general purpose of the R1 District is:

> *(1) GENERAL PURPOSE*
> *The purpose of this District is to accommodate a range of low to medium density Dwelling types along each block face in order to provide flexibility in the design and Development of the neighbourhood. The District is intended to emphasize complementary relationships of Development with the Street and with each other.*

[61] In examining the general purpose, the Board notes that the purpose of the R1 District is to accommodate a range of low to medium density dwellings. The Board notes that the allowable uses within the district include Single Detached Dwellings, Semi-Detached Dwellings, Duplexes (as permitted uses) as well as Manufactured Homes and Row Housing (as discretionary uses). The Board is of the view that Row Housing, Street Oriented is a residential use because it supports individuals living in it. As such, it falls within the definition of Secondary Suite. As a result, the Board concludes that Secondary Suite is a discretionary use within the R1 District.

If the uses are authorized within the district, are the uses permitted or discretionary and are discretionary uses compatible with neighbouring uses?

[62] The Board has determined the nature of the three proposed uses. The Board must now evaluate whether those uses should be approved.

[63] In relation to the detached garage, the Board has found that this use is an Accessory Building, which is a permitted use within the R1 District. Due to s. 685(3) of the *Municipal Government Act,* no appeal lies unless a relaxation, variance or misinterpretation of the Land Use Bylaw has been established. There was no evidence presented to the Board about any relaxation, variance, or misinterpretation of the Land Use Bylaw. In the absence of any such evidence, the Board finds that this use is permitted, and no relaxation, variance or misinterpretation of the Land Use Bylaw occurred and the Board approves this use.

[64] In relation to the Row Housing, Street Oriented, the Board has found that this use is a discretionary use in the R1 District. Since the use is discretionary, the Board

must determine whether the use is compatible with neighbouring uses.[1] The Board notes that Row Housing, Street Oriented is a form of residential dwelling. There was no evidence before the Board that this residential housing form would cause impacts to neighbouring Single Detached Dwellings. Given the general purpose of the R1 District – to accommodate a range of housing types, the Board finds that Row Housing, Street Oriented is compatible with the neighbouring residential uses. All of these housing forms are to support residential. The fact that the building form is slightly different than that of a Single Detached Dwelling, or a Semi-Detached Dwelling or a Duplex does not make them incompatible.

[65] In relation to Secondary Suites, the Board has found that this use is discretionary within the R1 District. Since the use is discretionary, the Board must determine whether the use is compatible with neighbouring uses.[2]

[66] The Board did hear evidence about the potential incompatibility of the Secondary Suites. The Development Authority provided evidence about the number of approved Secondary Suites within the Prescott neighborhood. With the rapid growth in Secondary Suites, narrow lot housing and the flexible districting (row housing up to four units can be considered low density), the density in newer areas is much higher than projected in the ASP. The land use statistics are not an accurate reflection of density in the newer areas, and the servicing concept and road network for the ASP are based on lower densities. The Development Authority also presented evidence about the need to reorient the rear garage to accommodate the extra required parking space, resulting in a reduction in outdoor amenity space. There was also evidence about the number of garbage and recycling receptacles which would be required for all of the units. The Development Authority stated that an estimated additional 2.0 m of lot width must be reserved for on-site snow staging. The site width is insufficient to accommodate these combined operational requirements, creating severe waste set-out conflicts, lane encroachment, and adverse amenity impacts on neighboring parcels of land and the impact on winter snow storage.

[67] The Appellant noted that the Secondary Suites comply with the Collector Road exclusion found in s. 75.8 of the Land Use Bylaw. The Appellant noted that the parking requirements would be met on site, and that there is on street parking due to the presence of a rear lane access to the properties.

[68] Having weighed the evidence, the Board has concluded that the Secondary Suites are not compatible with neighbouring uses. Accommodating secondary suites within all four row housing units would increase site density beyond what was

[1] Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board), 2009 ABCA 261 (CanLII), at para 14. Burnco Rock Products Ltd. v. Rockyview (Municipal District No. 44), 2000 ABCA 129 (CanLII), at para 13.

[2] Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board), 2009 ABCA 261 (CanLII), at para 14. Burnco Rock Products Ltd. v. Rockyview (Municipal District No. 44), 2000 ABCA 129 (CanLII), at para 13.

anticipated for the R1 District. The Board accepts the Development Authority's evidence that the additional density would reduce private rear yard amenity space due to the need to accommodate additional parking and garage placement. The Board finds that reduced outdoor amenity areas diminish the livability of the development and are inconsistent with the intended residential character of the area, resulting in incompatibility of Secondary Suites.

[69] The Board accepts the Development Authority's evidence regarding operational impacts. The Board is satisfied that the proposed density creates concerns related to waste collection, frontage limitations for waste and organics carts, and snow storage requirements. While the Appellant argued that fewer carts may be required in practice, the Board finds that the City's operational review must be based on the maximum servicing requirements that may result from the development and not on assumptions regarding future resident behaviour

[70] The Board also accepts the evidence that additional dwelling units would increase vehicle activity, parking demand, and pressure on municipal servicing infrastructure. The evidence demonstrated that approved secondary suites within the Prescott neighbourhood have generally been accommodated either through single detached dwellings in the R1 District or in row housing through specifically planned Direct Control Districts where infrastructure and servicing considerations were addressed in advance. The Board finds that the proposed development represents an unplanned increase in density that could have significant adverse operational impacts.

[71] The Board acknowledges the Appellant's submissions regarding housing affordability and housing choice. However, the Board finds that such policy objectives must be balanced against the requirements of the Land Use Bylaw and the planning considerations specific to the site. The evidence established that support for increased density through secondary suites is dependent upon appropriate infrastructure capacity and planning context. The Board is not satisfied that those conditions have been demonstrated in this case and as a result finds that the Secondary Suites are incompatible with neighbouring uses.

[72] The Board is prepared to approve the detached garages and Row Housing, Street Oriented.

[73] The Board notes that the Development Authority has included proposed conditions at pages 44, 96, 147 and 198 of the Agenda Package. The Board finds it appropriate to impose these conditions upon the development permits to ensure that the proposed developments meet City standards.

Do the uses comply with the applicable statutory plans?

[74] The Board must consider whether the proposed developments comply with the applicable statutory plans.

[75] The Development Authority noted that City's Municipal Development Plan Section 3.4.1.1 (Principle 1) and Section 3.4.1.4 support "gentle density" through Secondary Suites, but that this policy direction is specifically conditional on infrastructure capacity and specifies that housing density must be further refined through the Area Structure Plan (ASP) and the Land Use Bylaw. Section 5.1 of the Pioneer Lands Area Structure Plan (Bylaw C-686-08) outlines 'Development Goals' to create a compact, diverse, and connected community, identifying Secondary Suite within low-density housing areas as a mechanism to achieve these goals, but subject to the precise statutory density classifications in the ASP. The Appellant argued that the proposed development was compatible with the MDP and complied with policies pertaining to housing type variety, affordability and density: 4.1.29, 4.2.1, 4.2.8, 4.2.9, 4.2.10, 4.2.15, 4.3.9 and with the ASP in the objectives and intent to create housing affordability through density policies: 5.1, 5.2.1, 5.3.1.

[76] Since the Board has concluded that the Secondary Suites are not compatible with the neighbouring uses, the Board does not need to consider whether Secondary Suites (in this case) comply with the statutory plans. In relation to the Row Housing, Street Oriented and the detached garages (Accessory Building), the Board notes that the policies in both applicable statutory plans are to provide for housing, and housing type variety. The Board is of the view that having row housing and garages complies with the statutory plans.

Dated at the City of Spruce Grove in the Province of Alberta, October 22, 2026

Original signed by Lindsay O'Mara

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Lindsay O'Mara, Clerk, on behalf of
Glenn Jensen, Chair
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE:

If you wish to appeal this decision, you must follow the procedure prescribed in Section 688 of the *Municipal Government Act*. An appeal lies to the Court of Appeal on a question of law or jurisdiction with respect to a decision of the Subdivision and Development Appeal Board. An application for leave to appeal must be filed and served within 30 days after the issue of the decision sought to be appealed.

Appendix "A"

CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMIT NO. PLDPR202600527

1. The detached garage man door shall not be bucked into any required extra height concrete curb.

2. A parking area shall be provided at the rear of the property, with access from the lane. Required parking stalls must be provided on-site and may not be on a public road.

3. The vehicle doors of the detached garage shall be located facing the laneway.

4. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway.

5. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).

6. Driveways must maintain a minimum clearance of 300 mm from all side yard property lines.

7. That the staggered portions of the dwelling unit and detached garage that are located on a zero lot line will require a maintenance easement agreement as those portions would not be included under a party wall agreement. Therefore, a party wall agreement including a maintenance easement agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall and maintenance easement agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

8. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.

9. A Real Property Report from an Alberta Land Surveyor shall be filed with the City Development Officer prior to occupancy. Please upload to City View.

10. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.

11. The eaves shall not project more than 0.6 m over the required side yard setback, 1.5 m over the required front yard setback and 1.2 m over the required rear yard setback.

12. The detached garage shall not exceed one storey, or 4.5m (14.8ft) in height when measured from the building grade to the top of the roof.

13. A drainage easement shall be prepared, to the satisfaction of the Development Officer, and registered on the servient lot to allow for cross lot drainage. Proof of registration of the easement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

14. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.

15. A party wall agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The party wall agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

16. The stair shown on the construction drawings to access the dwelling on the side shall project no more into the required side yard setback than 0.6 m from the side property line.

Appendix "B"

CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMIT NO. PLDPR202600528

1. The detached garage man door shall not be bucked into any required extra height concrete curb.

2. A parking area shall be provided at the rear of the property, with access from the lane. Required parking stalls must be provided on-site and may not be on a public road.

3. The vehicle doors of the detached garage shall be located facing the laneway.

4. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway.

5. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).

6. Driveways must maintain a minimum clearance of 300 mm from all side yard property lines.

7. That the staggered portions of the dwelling unit and detached garage that are located on a zero lot line will require a maintenance easement agreement as those portions would not be included under a party wall agreement. Therefore, a party wall agreement including a maintenance easement agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall and maintenance easement agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

8. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.

9. A Real Property Report from an Alberta Land Surveyor shall be filed with the City Development Officer prior to occupancy. Please upload to City View.

10. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.

11. The eaves shall not project more than 0.6 m over the required side yard setback, 1.5 m over the required front yard setback and 1.2 m over the required rear yard setback.

12. The detached garage shall not exceed one storey, or 4.5m (14.8ft) in height when measured from the building grade to the top of the roof.

13. A drainage easement shall be prepared, to the satisfaction of the Development Officer, and registered on the servient lot to allow for cross lot drainage. Proof of registration of the easement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

14. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.

15. A party wall agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The party wall agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

16. The stair shown on the construction drawings to access the dwelling on the side shall project no more into the required side yard setback than 0.6 m from the side property line.

Appendix "C"

CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMIT NO. PLDPR202600529

1. The detached garage man door shall not be bucked into any required extra height concrete curb.

2. A parking area shall be provided at the rear of the property, with access from the lane. Required parking stalls must be provided on-site and may not be on a public road.

3. The vehicle doors of the detached garage shall be located facing the laneway.

4. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway.

5. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).

6. Driveways must maintain a minimum clearance of 300 mm from all side yard property lines.

7. That the staggered portions of the dwelling unit and detached garage that are located on a zero lot line will require a maintenance easement agreement as those portions would not be included under a party wall agreement. Therefore, a party wall agreement including a maintenance easement agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall and maintenance easement agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

8. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.

9. A Real Property Report from an Alberta Land Surveyor shall be filed with the City Development Officer prior to occupancy. Please upload to City View.

10. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.

11. The eaves shall not project more than 0.6 m over the required side yard setback, 1.5 m over the required front yard setback and 1.2 m over the required rear yard setback.

12. The detached garage shall not exceed one storey, or 4.5m (14.8ft) in height when measured from the building grade to the top of the roof.

13. A drainage easement shall be prepared, to the satisfaction of the Development Officer, and registered on the servient lot to allow for cross lot drainage. Proof of registration of the easement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

14. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.

15. A party wall agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The party wall agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

16. The stair shown on the construction drawings to access the dwelling on the side shall project no more into the required side yard setback than 0.6 m from the side property line.

Appendix "D"

CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMIT NO. PLDPR202600530

1. The detached garage man door shall not be bucked into any required extra height concrete curb.

2. A parking area shall be provided at the rear of the property, with access from the lane. Required parking stalls must be provided on-site and may not be on a public road.

3. The vehicle doors of the detached garage shall be located facing the laneway.

4. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway.

5. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).

6. Driveways must maintain a minimum clearance of 300 mm from all side yard property lines.

7. That the staggered portions of the dwelling unit and detached garage that are located on a zero lot line will require a maintenance easement agreement as those portions would not be included under a party wall agreement. Therefore, a party wall agreement including a maintenance easement agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall and maintenance easement agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

8. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.

9. A Real Property Report from an Alberta Land Surveyor shall be filed with the City Development Officer prior to occupancy. Please upload to City View.

10. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.

11. The eaves shall not project more than 0.6 m over the required side yard setback, 1.5 m over the required front yard setback and 1.2 m over the required rear yard setback.

12. The detached garage shall not exceed one storey, or 4.5m (14.8ft) in height when measured from the building grade to the top of the roof.

13. A drainage easement shall be prepared, to the satisfaction of the Development Officer, and registered on the servient lot to allow for cross lot drainage. Proof of registration of the easement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

14. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.

15. A party wall agreement is required for Owners of adjoining units, to the satisfaction of the Development Officer, and registered as a party wall agreement on the servient lot to address matters such as encroachment by either party, maintenance and repair, and rebuilding. The party wall agreement is required for all buildings and proof of registration of the agreement shall be provided to the Development Officer prior to occupancy of the dwelling unit.

16. The stair shown on the construction drawings to access the dwelling on the side shall project no more into the required side yard setback than 0.6 m from the side property line.