

SUBDIVISION AND DEVELOPMENT APPEAL BOARD A G E N D A

DATE: Wednesday, September 9, 2026
TIME: 6:30 p.m.
LOCATION: Council Chambers
3rd Floor, 315 Jespersen Avenue

1. Call to Order
6:30 p.m.
2. Combined Appeal Hearing: PLDPR202600527
PLDPR202600528
PLDPR202600529
PLDPR202600530

Appellant/Applicant:

Blaydon Dibben
Cranston Homes Ltd.

1. Against the 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, legally described as Plan 2522489; Block 113; Lot 17. The Development Permit Application was refused on July 28, 2026.
 2. Against the 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, legally described as Plan 2522489; Block 113; Lot 18. The Development Permit Application was refused on July 28, 2026.
 3. Against the 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, legally described as Plan 2522489; Block 113; Lot 19. The Development Permit Application was refused on July 28, 2026.
 4. Against the 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, legally described as Plan 2522489; Block 113; Lot 20. The Development Permit Application was refused on July 28, 2026.
3. Adjournment

City of Spruce Grove Subdivision and Development Appeal Board

Appeal Numbers: PLDPR202600527
 PLDPR202600528
 PLDPR202600529
 PLDPR202600530
Appellant: Blaydon Dibben and Cranston Homes Limited

Appeal Number	Civic Address	Legal Description
PLDPR202600527	33 Patterson Gate	Plan 2522489; Block 113; Lot 17
PLDPR202600528	35 Patterson Gate	Plan 2522489; Block 113; Lot 18
PLDPR202600529	37 Patterson Gate	Plan 2522489; Block 113; Lot 19
PLDPR202600530	39 Patterson Gate	Plan 2522489; Block 113; Lot 20

Exhibit List

Exhibit #	Description	Page
1.	Timelines	5
Appeal Number PLDPR202600527 – 33 Patterson Gate		6
2.	Development Permit Application	8
3.	Development Permit Decision	10
4.	Notice of Appeal	13
5.	Notice of Hearing	15
6.	Adjacent Property Owner Map & List (Confidential)	18
7.	Subject Site Plan (Map)	21
8.	Subject Site Plan (Showing Adjacent Property Owners)	23
9.	Development Officer's Report	25
10.	Appellant Submission	46
Appeal Number PLDPR202600528 – 35 Patterson Gate		57
11.	Development Permit Application	59
12.	Development Permit Decision	62
13.	Notice of Appeal	65
14.	Notice of Hearing	67
15.	Adjacent Property Owner Map & List (Confidential)	70
16.	Subject Site Plan (Map)	73
17.	Subject Site Plan (Showing Adjacent Property Owners)	75
18.	Development Officer's Report	77
19.	Appellant Submission	98

Appeal Number PLDPR202600529 – 37 Patterson Gate		109
20.	Development Permit Application	111
21.	Development Permit Decision	113
22.	Notice of Appeal	116
23.	Notice of Hearing	118
24.	Adjacent Property Owner Map & List (Confidential)	121
25.	Subject Site Plan (Map)	124
26.	Subject Site Plan (Showing Adjacent Property Owners)	126
27.	Development Officer's Report	128
28.	Appellant Submission	149
Appeal Number PLDPR202600530 – 39 Patterson Gate		160
29.	Development Permit Application	162
30.	Development Permit Decision	164
31.	Notice of Appeal	167
32.	Notice of Hearing	169
33.	Adjacent Property Owner Map & List (Confidential)	172
34.	Subject Site Plan (Map)	175
35.	Subject Site Plan (Showing Adjacent Property Owners)	177
36.	Development Officer's Report	179
37.	Appellant Submission	200

EXHIBIT 1

DEVELOPMENT PERMIT #'S
PLDPR202600527
PLDPR202600528
PLDPR202600529
PLDPR202600530

TIMELINES

Development Permit Applications Received	May 26, 2026
Development Permit Application Decisions Issued	July 28, 2026
Development Permit Appeal Period Expiry Date	August 17, 2026
Notice of Appeals Received	August 13, 2026
Notice of Hearing Sent to Appellant	August 24, 2026
Notice of Hearing Sent to Adjacent Property Owners	August 24, 2026
Notice of Hearing Advertised on City's Website	August 28, 2026
Notice of Hearing Advertised in Newspaper	August 28, 2026
Subdivision and Development Appeal Board Hearing	September 9, 2026

PLDPR202600527
33 Patterson Gate

EXHIBIT 2

2 Application Types + Add Application Type							
Type	Status	Status Date	Approval Track				
Building	Waiting for Appeal	07/28/2026	Administrative				
Accessory Building / Structure - Detached Garage	Waiting for Appeal	07/28/2026	Administrative				
Generate Fees and Submittals							
2 Locations + Add Location							
Description	Type	Status	Property Alert	Primary	Display		
33 PATTERSON GATE	Address	Active		☒	☐		
2522489,113,17	Property	Active	Moderate	☐	☐		
Temporary Location							
Add Related Parcels, Addresses and Owners Show Map							
2 Contacts + Add Contact							
Description	Type	Contact Alert	Primary	Portal			
MDG PRESCOTT GP INC., Address:1005-10104 103 AVE NW	Property Owner		☐	☐			
CRANSTON HOMES LTD., Address:2316 - 27 AVENUE NW, Phone:(780) 863-3007	Applicant		☒	☐			

EXHIBIT 3



315 Jespersen Avenue
Spruce Grove, AB T7X 3E8

Phone: (780) 962-7582
Fax: (780) 962-1062

Business Hours
8:30 a.m. - 4:30 p.m. (Mon - Fri)

Notice of Application Refusal

Application: PLDPR202600527

Date: July 28, 2026

CRANSTON HOMES LTD.
207 - 6818 50 St NW
EDMONTON, AB T6B 2J8

Project Information

Civic Address: 33 PATTERSON GATE;
Legal: 2522489;113;17
Project: To construct one unit of a four unit row house with detached garage and secondary suite

The application for the above noted development permit has been refused.

REASONS FOR REFUSAL:

Non-compliance with the Statutory Definition of a Secondary Suite

Pursuant to Section 7(1) of Land Use Bylaw C-824-12, a **Secondary Suite** is defined as:

"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."

Section 115(1), which establishes the General Purpose of the **R1- Mixed Low to Medium Density Residential District**, does not explicitly contemplate or permit a **Secondary Suite** within any Principal Use other than a **Single Detached Dwelling**.

The subject 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, **Secondary Suite** is neither a Permitted nor a Discretionary Use on this site and cannot be approved under the current provisions of the Land Use Bylaw.

Section.20(1)

Anshu Gupta
Development Officer

APPEAL PERIOD EXPIRY DATE: August 17, 2026

Important Notices

 If you wish to appeal the decision of the Development Officer, a completed form along with the appeal fee can be submitted in the following manner:

In person	By mail
City Hall 315 Jespersen Avenue Spruce Grove, AB	Clerk of the Subdivision and Development Appeal Board c/o City Clerk's Office City of Spruce Grove 315 Jespersen Avenue Spruce Grove, Alberta T7X 3E8

The request for appeal shall be submitted within the appeal expiry date.

EXHIBIT 4



315 Jespersen Ave, Spruce Grove, AB

Phone: 780-962-2611

M-F: 8:30 a.m. – 4:30 p.m.

NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development or Subdivision Application No.:
PLDPR202600527

Stop Order Dated:

Appeal of the

- ☐ Approval
☐ Conditional approval
☒ Refusal

- ☒ Representing group
☐ List of names attached

APPELLANT – REQUIRED

Appellant Name:
CRANSTON HOMES LTD.

Home Phone No.:
780-263-3007

Work Phone No.:

Mailing address:
207 - 6818 50 St NW

City:
EDMONTON

Province:
AB

Postal Code:
T6B 2J8

Signature: Section.20(1)

Date:
08/06/2026

Email
mycranstonhomes@gmail.com

APPELLANT'S REPRESENTATIVE

Appellant Name:
BLAYDON DIBBEN

Home Phone No.:

Work Phone No.:
587-786-3506

Mailing address:
17413 - 107 Ave NW

City:
EDMONTON

Province:
AB

Postal Code:
T5S 1E5

Email
bdibben@selecteng.ca

ADDRESS OF SUBJECT SITE – REQUIRED

Suite: Street Address: Street Name:
33 PATTERSON GATE

Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian

LOT 17 / BLOCK 113 / PLAN 2522489 /

REASON FOR APPEAL - REQUIRED

The proposed development complies with all regulations for Secondary Suites under Section 75 of Land Use Bylaw C-824-12 and complies with Section 115 for the R1 - Mixed Low to Medium Density Residential District. Secondary Suites are a Discretionary Use under Section 115(1) and there are no regulations or conditions within the R1 district that restrict Secondary Suites from being a Discretionary Use in Row Housing. We have also received refusals for the three adjacent developments on this block and kindly request the SDAB consider hearing these appeals together, given that they involve the same appellant, same planning issues, and similar facts.

OFFICE USE ONLY

Appeal Period Expiry Date:
August 17, 2026

Date Appeal Received:
August 13, 2026

Receipt No.:

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer an appeal to the Subdivision and Development Appeal Board. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.

EXHIBIT 5



August 24, 2026

City Clerk's Office

[Name/Address]

Dear [Name]:

RE: NOTICE OF HEARING – SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board has received the following four (4) appeals:

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, legally described as Plan 2522489; Block 113; Lot 17. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 18. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 19. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 20. The Development Permit Application was refused on July 28, 2026.

The Subdivision and Development Appeal Board (SDAB) will hold an appeal hearing to hear all four (4) appeals as follows:

DATE: **Wednesday, September 9, 2026**
TIME: **6:30 p.m.**
LOCATION: **City Hall**
315 Jespersen Avenue, Spruce Grove
Council Chambers, 3rd Floor

When an appeal is filed with the Subdivision and Development Appeal Board (SDAB), all persons who own property within 30 meters of the development are notified of the hearing by way of this letter. In addition, the applicant of the development permit, and the person(s) who filed the appeal will also receive a copy of this letter.

Persons mentioned above and affected by this development have the right to submit a written, verbal, and/or visual submission to the Board. When making a submission, keep in mind that in accordance with the legislation that governs the SDAB, the Board can only consider relevant planning matters when rendering its decision. For more information about the Board, Appeal and Hearing process, visit sprucegrove.org/SDAB.

If you wish to submit written material to the Board for inclusion in the hearing agenda package, it should be received by the Clerk by **Wednesday, September 2, 2026, at 12 noon** by email at cityclerk@sprucegrove.org, or by mail to SDAB Clerk, 315 Jespersen Avenue, Spruce Grove, AB, T7X 3E8. Visuals such as PowerPoint presentations, photos, or graphics are considered written submissions. If you are unable to meet this submission deadline, please bring 10 copies of the materials to the hearing and it will be distributed at the start of the hearing. Any written and/or visual material received will be made available to the public.

We will be pleased to answer any questions you may have regarding the appeal and can also provide information or advice on Board procedures and how to make presentations to the Board. A helpful Information Guide is available at sprucegrove.org/SDABAppeal. Please feel free to contact me at 780-962-7615 should you have any questions.

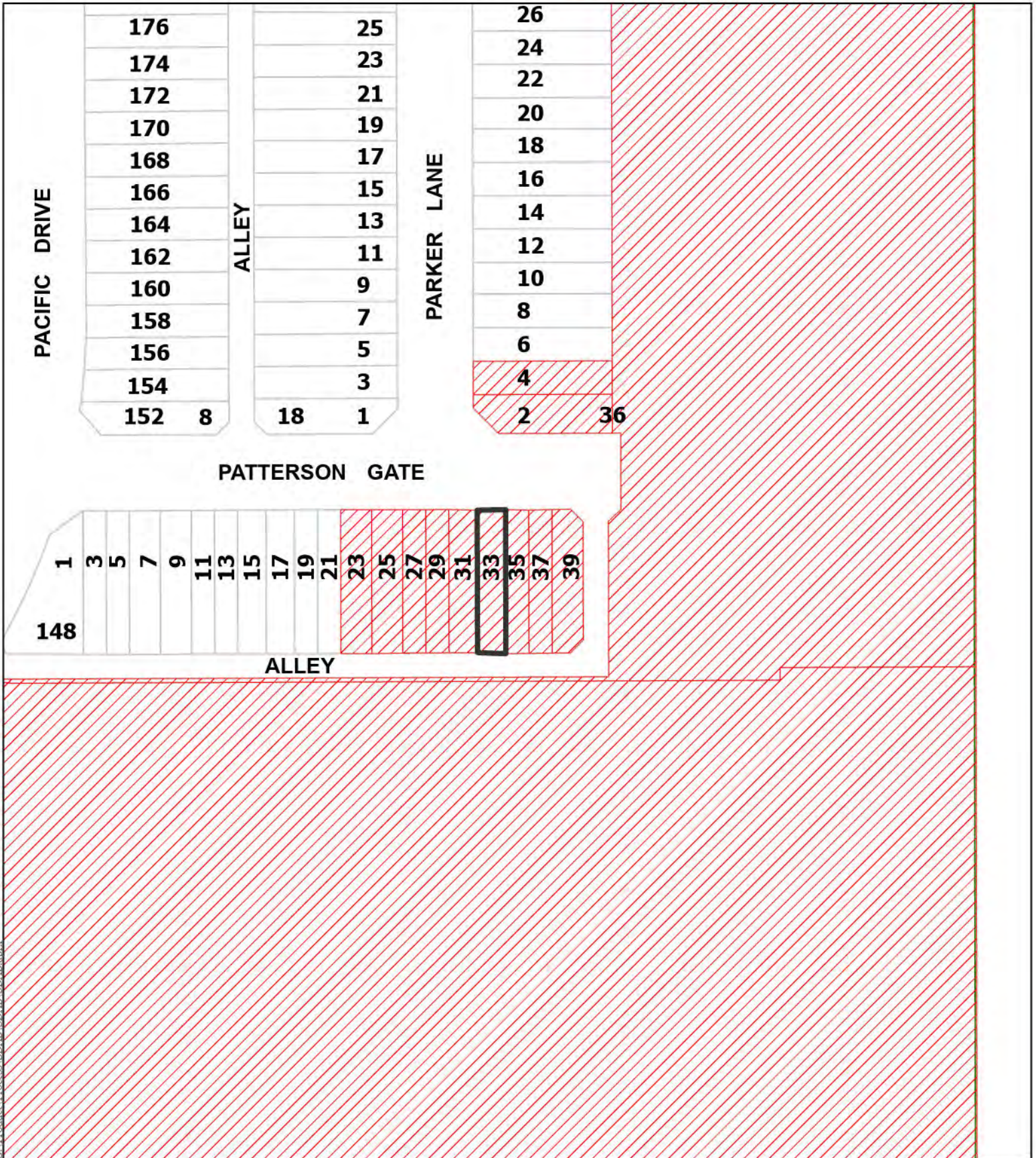
Kind regards,

Laura Hall
Clerk, Subdivision and Development Appeal
Board Email: cityclerk@sprucegrove.org
Phone: 780-962-7615

EXHIBIT 6

Notification letters sent to properties marked with

Notification letters sent to properties marked with



PAGE REMOVED

Information has been removed to be consistent with Section 20
of the *Access to Information Act*

EXHIBIT 7

33 Patterson Gate

Site Plan



G:\Product\Process\SDAB\SDAB\SDAB.aprx

EXHIBIT 8

Subject Site

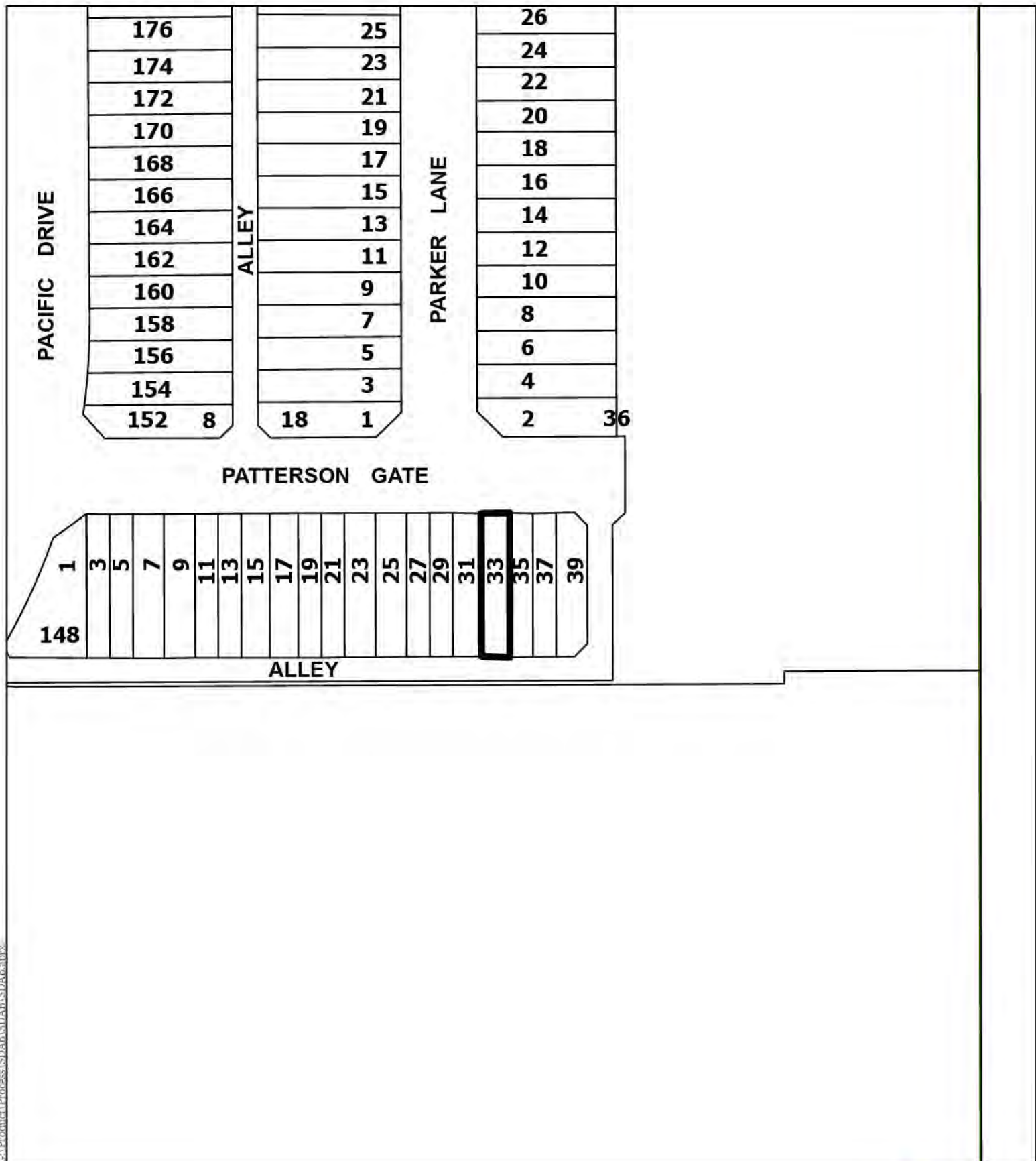


EXHIBIT 9



PLANNING STAFF REPORT TO: Subdivision & Development Appeal Board

ITEM: __

File No: 2522489-113-17	Subject: An appeal against the refusal of Development Permit Application for a unit of four-unit row house with a detached garage and a secondary suite at 33 Patterson Gate (Plan 2522489; Block 113; Lot 17).
Date of Report: September 02, 2026	
Date of Hearing: September 09, 2026	

I. BACKGROUND INFORMATION

On May 26, 2026, the applicant submitted a development permit application to construct one unit of a four unit Row House with a detached garage and a Secondary Suite. The applications were circulated to the relevant department for review as a standard procedure.

On July 28, 2026, the Development Authority issued a Notice of Administrative Refusal for Development Permit Application PLDPR202600527 to construct one unit of a four unit Row House with a detached garage and a Secondary Suite with an appeal deadline of August 17, 2026.

On August 6, 2026, the applicant subsequently filed an appeal to the Subdivision and Development Appeal Board (SDAB) prior to the statutory appeal expiry date of August 17, 2026.

Application Summary:

Development Permit Application:	PLDPR202600527
Date of Decision:	July 28, 2026
Statutory Appeal Expiry:	August 17, 2026
Date of Appeal Received:	August 6, 2026
Municipal Address:	33 Patterson Gate
Legal Land Description:	Plan 252 2489; Block 113; Lot 17
Land Use District:	R1-Mixed Low to Medium Density Residential District
Proposed Development:	To construct one unit of a four unit Row House with a detached garage and a Secondary Suite
Municipal Development Plan Land Use:	Residential Neighbourhoods
Area Structure Plan:	Pioneer Lands Area Structure Plan, Bylaw C-686-08
Land Use Bylaw Relevant Sections:	Section 7 (1) – Definitions (Secondary Suite) Section 115 - R1- Mixed Low to Medium Density Residential District [(1) General Purpose]

II. MUNICIPAL GOVERNMENT ACT, RSA 2000, c M-26

Non-compliance with MGA Section 687(3)(d)(i):

Administration believe that the proposal would:

1. Unduly interfere with the amenities of the neighbourhood [MGA s. 687(3)(d)(i)(A)], and
2. Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land [MGA s. 687(3)(d)(i)(B)].

The proposed development does not satisfy the considerations under MGA s. 687(3)(d)(i) based on evaluation specified in Section V.- Planning Impact Analysis of the report.

MGA Section 687(3)(d)(ii):

In considering the variance on use, the proposed development must conform with the use prescribed for the land or building under the applicable Land Use Bylaw provisions. The following provisions of Land Use Bylaw C-824-12 (LUB) set out the applicable use framework and demonstrate that the proposed development does not constitute a prescribed use eligible for consideration under the variance authority.

1. Non-compliance with Land Use Bylaw C-824-12 Section 7(1) - Definition of "Secondary Suite": A Secondary Suite, in part is specifically defined as an accessory use located within a Single Detached Dwelling.

Section 7(1) defines "Secondary Suite" as

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" (emphasis is added in the definition by Administration)

2. Unprescribed Use: The subject application proposes a Secondary Suite within a unit of a four unit Row Housing development located at Plan 2522489, Block 113, Lot 17. Because the proposed Secondary Suite is located within Row Housing rather than a Single Detached Dwelling, it does not comply with the Land Use Bylaw definition of a "Secondary Suite." Consequently, a Secondary Suite within Row Housing is considered as an unlisted and unprescribed use on the subject property.

Hence, a Secondary Suite within Row Housing is not prescribed use in the R1-Mixed Low to Medium Density Residential District.

III. STATUTORY POLICY FRAMEWORK

The relevant policy and regulatory framework that apply to the proposed development include the following:

The Shape of Our Community- Municipal Development Plan (MDP)

Under MGA s. 687(3)(a.2), the proposed development must comply with applicable statutory plans. While MDP Section 3.4.1.1 (Principle 1) and Section 3.4.1.4 support "**gentle density**"

through Secondary Suites, 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.

Gentle density can be achieved through the addition of a secondary suite to a Single Detached Dwelling, without introducing the same level of density and associated impacts as Row Housing. Single Detached Dwellings have more site area, enough space to accommodate minimum parking required for a Secondary Suite, wide driveway to adjust four bins (2 for waste and 2 for organic) and snow storage, large rear yards for private outdoor amenity space. This approach allows for incremental intensification within a low-density housing form, whereas Row Housing already represents a medium-density form of development.

Pioneer Lands Area Structure Plan, Bylaw C-686-08 (ASP)

The subject lot is under the Pioneer Lands ASP policies. Section 5.1 of the ASP 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. However, Section 5.3.1 of the Land Use Concept provides the precise statutory density classifications as:

- Low Density Residential: defined as Single Detached Dwelling, Semi-Detached Dwelling, and Duplexes
- Medium Density Residential: captures Street-Oriented Row Housing and Stacked Row Housing.

The proposed development, comprising a one unit of a four unit Row House with a detached garage and a Secondary Suite, conflicts with the ASP Goal 5.1 as outlined in Section 5.3.1. A Secondary Suite is intended as an accessory tool for a low-density single dwelling parcel. Applying a Secondary Suite to a medium-density Row House results in an unmodeled over-intensification that violates the ASP's land use structure.

Administrative decision-making is primarily guided by the regulations and requirements of the Land Use Bylaw, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.

IV Land Use Bylaw C-824-12 (LUB)

Non-Compliance with LUB Secondary Suite Definition & R1 District General Purpose:

The Development Officer's Administrative Refusal of Development Permit Application PLDPR202600527 is grounded in a direct statutory reading of Section 7(1) and Section 115(1) of Land Use Bylaw C-824-12.

1. Statutory Definition of Secondary Suite [LUB Section 7(1)]

Pursuant to Section 7(1) of the Land Use Bylaw, a Secondary Suite is defined as:

"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.”

2. Scope of R1 District General Purpose [LUB Section 115(1)]

Section 115(1) establishes the ‘General Purpose’ of the R1 – Mixed Low to Medium Density Residential District as:

“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.”

Administrative Refusal Rationale based On Land Use Bylaw C-824-12:

While the R1 District accommodates a range of dwelling forms, Section 115(1) does not specifically expand or authorize Secondary Suite within any principal building form other than a Single Detached Dwelling. The subject property is districted R1 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. The proposed development does not comply with the definition under Section 7(1).

Consequently, a Secondary Suite within a Row Housing is prohibited on this site and cannot be approved under the current provisions of the Land Use Bylaw.

V Planning Impact Analysis

This analysis supports Administration’s reasoning of non-compliance with MGA Section 687(3)(d)(i)(A) and (B) as mentioned earlier in section (II) of this report.

1. Comparative Analysis of LUB “General Purpose” of Residential Districts & Statutory Intent:

A comparative review of the Land Use Bylaw (summarized in *Attachment #1: Comparative Analysis of General Purpose of Residential Districts and Secondary Suite Provisions*) demonstrates a deliberate statutory distinction in how Council intends Secondary Suite to be applied across different residential built forms:

- Standard Residential Districts (R1, RE1, and RE2): Accommodate a broad range of low-to-medium density housing types (*Single Detached, Semi-Detached, Duplex, and Row Housing*) and list Secondary Suite as a Discretionary Use. **General Purpose statements remain broad and do not explicitly authorize or mandate Secondary Suite for attached housing forms.** Consequently, the development of a secondary suite in standard zones is strictly bound by the LUB Section 7(1) Definition of ‘Secondary Suite’.
- Accordingly, the Development Authority has never approved a Secondary Suite in a Duplex, Semi-Detached Dwelling, or Row Housing within standard residential districts. The Development Authority consistently interprets and applies the definition of “Secondary Suite” to a Single Detached Dwelling in standard districts, or to a Semi-Detached Dwelling and a Row Housing, where explicitly enabled through Direct Control Districts.
- Single Dwelling Planned Districts (EPL, CPL, and PPL): These districts restrict principal development to a Single Detached Dwelling. LUB Section 7(1) definition for a ‘Secondary Suite’ is automatically satisfied without requiring clear mention in the district ‘General Purpose’.
- Higher-Density Residential Districts (R2, R2CC, and R4): These districts are mean for multi-unit, medium-to-high density development (*such as stacked row housing and apartments*). Secondary Suite is omitted as a listed use, as density targets are achieved

through a primary multi-unit structure.

- Site-Specific Direct Control Districts (DC.10, DC.11, DC.13, DC.14, and DC.16): By adopting these districts, **Council specifically intended to allow a Secondary Suite within Row Housing**. Council established site-specific Direct Control Districts, specifically modifying the 'General Purpose' statement (e.g., *"to allow Row Housing, Street Oriented with Secondary Suites"*) and upgraded Secondary Suite as a 'Permitted Use'.

Statutory Conclusion:

When Council intends for a Row Housing unit to accommodate a Secondary Suite, it clearly states in the district's 'General Purpose' and upgrades a Secondary Suite to a 'Permitted Use' via a Direct Control districting. In standard districts, such as R1-Mixed Low to Medium Density Residential, the absence of this explicit statement confirms that Row Housing units are not intended for the development of a Secondary Suite.

2. Pioneer Lands ASP Density Tracking and Capacity Analysis:

The subject property is located within the Pioneer Lands Area Structure Plan (ASP), specifically within the Prescott neighborhood. Attachment # 1 depicts 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. ASP Maximum Density Capacity: The statutory Land Use Statistics for the ASP establish a maximum ceiling of **3,507** dwelling units within the 'Low to Medium Density Residential' designation.

- Approved Unit Yield: To date, **1,805** units have been approved, comprising of Single Detached Dwellings, Semi-Detached Dwellings, and Row Housing.
- Approved Secondary Suites: **147** Secondary Suites have been granted development permits—all associated with eligible single-dwelling built forms in full alignment with LUB definitions and ASP servicing models.
- **Prescott Neighbourhood Breakdown:** As shown in Attachment #2, Prescott neighborhood has **94** approved Secondary Suites (2025 data) within lots districted as R1- Mixed Low to Medium Density Residential District (54 Secondary Suites), and DC.10- Prescott Direct Control District that allows Secondary Suite (**40** in number) within **100 %** uptake in the DC.10 District where Row Housing with Secondary Suite is a permitted use. The site-specific Direct Control District is designed and intentionally engineered to allow a Secondary Suite in Row Housing as the servicing infrastructure is built specifically to handle it.

For example, within DC.10 District, the resulting density of Row Housing with approved Secondary Suite along Pacific Drive appears to be **82 units/ha** (based on 3 principal uses + 3 secondary suites). The addition of Secondary Suite can result in an unplanned residential density beyond that contemplated through the original development having principal uses **ONLY** that may create **negative impact** on neighbourhood amenities, and additional load on servicing and infrastructure capacity.

The table below provides a comparison of typical row houses **with and without secondary suite**. As illustrated, due to introduction of secondary suites, the rear garage is shifted internally toward rear yard to accommodate extra required parking space resulting in the reduction of rear yard area, which commonly functions as private outdoor amenity space for the residents. This demonstrates how the addition of secondary suites can affect the functional design and amenity of row housing sites, beyond the increase in

dwelling-unit density alone.



Statutory Conclusion:

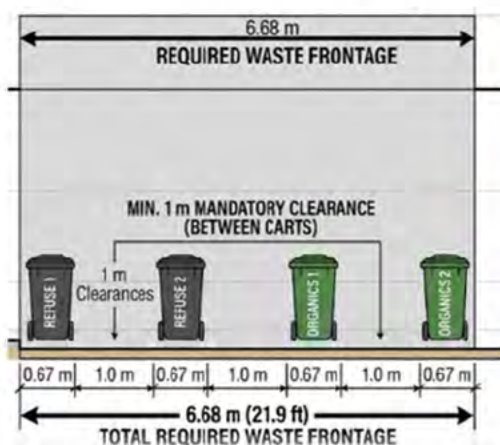
Increasing density by layering a Secondary Suite onto Row Housing units doubles the potential unit count on a single lot, turning a 4-unit row housing into 8 dwelling units, which can overload servicing infrastructure designed for standard low to medium residential density established for the Pioneer Lands ASP.

*Recent amendments to the Land Use Bylaw, through Bylaw C-1446-26, adopted July 06, 2026) reclassified Row Housing from the **R1-Mixed Low to Medium Density Residential District** to the **R2 – Medium to High Density Residential District** (effective November 1, 2026). The amendments established more clearly defined residential districts and housing forms, reducing the previous flexibility in housing forms. This approach supports more accurate tracking and management of residential density and enables more reliable assessment of municipal servicing, infrastructure, and road network requirements.*

3. Technical Review:

The planning and policy findings as mentioned above, are further reinforced by technical review obtained from Engineering and Public Works Department.

- a) Public Works Review: The proposed site density represents overdevelopment that cannot be functionally serviced within the site's dimensions, specifically regarding municipal waste collection and mandatory winter snow storage. Standard waste management protocols require four collection carts (two waste, two organics) per lot.



The image illustrates the proposed layout of four carts per lot (two waste and two organics carts). Due to the limited site width, the carts cannot be arranged with the mandatory 1.0 m clearance between carts, resulting in an inadequate area for on-site waste storage and collection.

At a cart width of 67 cm and a mandatory clearance of 1.0 m between carts, each unit requires a minimum unencumbered lane frontage of 6.68 m (21.9 ft), as shown below. Furthermore, 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.

b) Engineering Review:

- On-Street Parking Congestion: Cumulative increases in secondary suites directly heighten vehicle activities and on-street parking pressure along residential block faces.
- Increased Water and Sanitary Utility Demands: Higher residential occupancy increases peak consumption and load on local water and sanitary infrastructure networks.

4. Supporting Evidence:

Administration identified several concerns associated with a Secondary Suite in Row Housing as listed below:

- increased residential unplanned density;
- additional pressure on infrastructure and traffic;
- impacts on on-street parking;
- reduced amenity space associated with tandem parking; and
- additional waste collection requirements, which would require 8 organic bins and 8 garbage bins (4 bins per unit)

Additionally, Administration also identified that the 70% impermeable-material limitation can be challenging for Row Housing, particularly internal street-oriented units, and that the issue is deepened where a Secondary Suite requires rear parking pads.

Based on above-listed concerns, a Secondary Suite is more appropriate for Single Detached Dwelling types where districts have wider lots and can better accommodate on-site parking, amenity space, drainage, snow storage, and waste collection bins.

VI Conclusion and Recommendations

Conclusion:

The Development Officer submits that the Administrative Refusal of Development Permit Application PLDPR202600527 should be upheld by the SDAB on two statutory grounds:

1. Definition Non-Compliance: The proposed Secondary Suite does not meet the definition of a Secondary Suite under LUB Section 7(1) and the R1 District 'General Purpose' under Section 115(1).
2. Uncontrolled Planning & Servicing Impact: As confirmed by Engineering, Public Works, supporting evidence and planning report, the unmodeled density causes adverse site-servicing, parking, and operational impacts on neighbouring parcels, and does not satisfy the considerations under MGA s. 687(3)(d)(i).

*Administrative decision-making is primarily guided by the regulations and requirements of the **Land Use Bylaw**, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.*

Primary Recommendation:

The Development Officer respectfully requests that the Subdivision and Development Appeal Board:

- **UPHOLD** the Development Officer's decision of refusal for Development Permit Application PLDPR202600527; and
- **REFUSE** the issuance of the Development Permit.

Alternative Recommendation:

Should the Subdivision and Development Appeal Board (SDAB) decide to allow the appeal and issue a Development Permit for Application PLDPR202600527, the Development Officer respectfully requests that approval may be granted under one of the following options, subject to conditions as per the respective attachments to mitigate potential planning, servicing, and operational impacts.

1. Full Approval: Approve the Development Permit # PLDPR202600527 to construct a unit of four unit Row Housing with a detached garage and a Secondary Suite, subject to the conditions set out in Attachment # 3.
2. Partial Approval: Approve the Development Permit # PLDPR202600527 to construct a unit of four-unit Row Housing with a detached garage, subject to the conditions set out in Attachment # 3A

Comparative Analysis of LUB “General Purpose” of Residential Districts & and Secondary Suite Provisions

Type of Residential District	General Purpose of District	Listed Uses	Rationale
R1-Mixed Low to Medium Density Residential	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	<u>Permitted Uses</u> • Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units but only in accordance with Sections 1(a) and (b) of this District • Sales Centre • Secondary Suite • Show Home	1. Row Housing and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
R2- Mixed Medium to High Density Residential District	The purpose of this District is to accommodate a mix of medium to high density Dwelling	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Multi-Unit Dwellings but only in accordance with Section 1(c)	Secondary Suite is not identified as a listed use under the district regulations.

	types within the block face, to provide flexibility in the design and Development of neighborhoods. The district is intended to emphasize complementary interface of Development with the Street and with each other.	and (d) of this District • Row Housing Development • Row Housing, Stacked • Row Housing, Street Oriented with rear attached Garage <u>Discretionary Uses</u> • Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Duplex • Family Day Home • Group Homes, Limited • Home Occupation, Major • Public Utility Building • Religious Assembly • Row Housing, Street Oriented • Sales Centre • Semi-Detached Dwelling • Show Home • Special Care Facility but only in accordance with Section 1(c) and (d) of this District	
R2CC-City Centre High Density Residential District	The purpose of this District is to accommodate higher density residential	<u>Permitted Uses</u> • Multi-Unit Dwellings	Secondary Suite is not identified as a listed use under the district regulations.

	development within the City Centre Overlay Area that contributes positively to a high-quality urban form and pedestrian environment and supports achieving an overall City Centre density target of 100 dwelling units per net residential hectare.	<u>Discretionary Uses</u> • Accessory Buildings • Assisted Living Facility • Designated Assisted Living Facility • Funeral Homes, Existing • Home Occupation, Minor • Public Utility Building • Row Housing, Stacked • Sales Centre • Special Care Facility	
R4 - High Density Residential District	The purpose of this District is to accommodate high density apartments on a site. The district is intended to emphasize complementary interface of Development with the Street and with each other.	<u>Permitted Uses</u> • Accessory Buildings • Multi-Unit Dwellings <u>Discretionary Uses</u> • Assisted Living Facility • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility • Family Day Home • Group Homes, Limited • Home Occupation, Minor • Religious Assembly • Sales Centre • Show Home • Special Care Facility	Secondary Suite is not identified as a listed use under the district regulations.
GPL- Greenbury Planned Lot District	The purpose of this District is to accommodate single and semi-detached	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Semi-Detached Dwelling	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling,

	dwellings built to the property line and street-oriented row housing with standard side yards within the Greenbury neighborhood on a pilot project basis.	• Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Group Homes, Limited • Public Utility Building • Sales Centre • Secondary • Show Home • Row Housing, Street Oriented, up to four units	Semi-Detached dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
EPL- Easton Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the property line within the Easton neighbourhood.	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
CPL- Copperhaven Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.

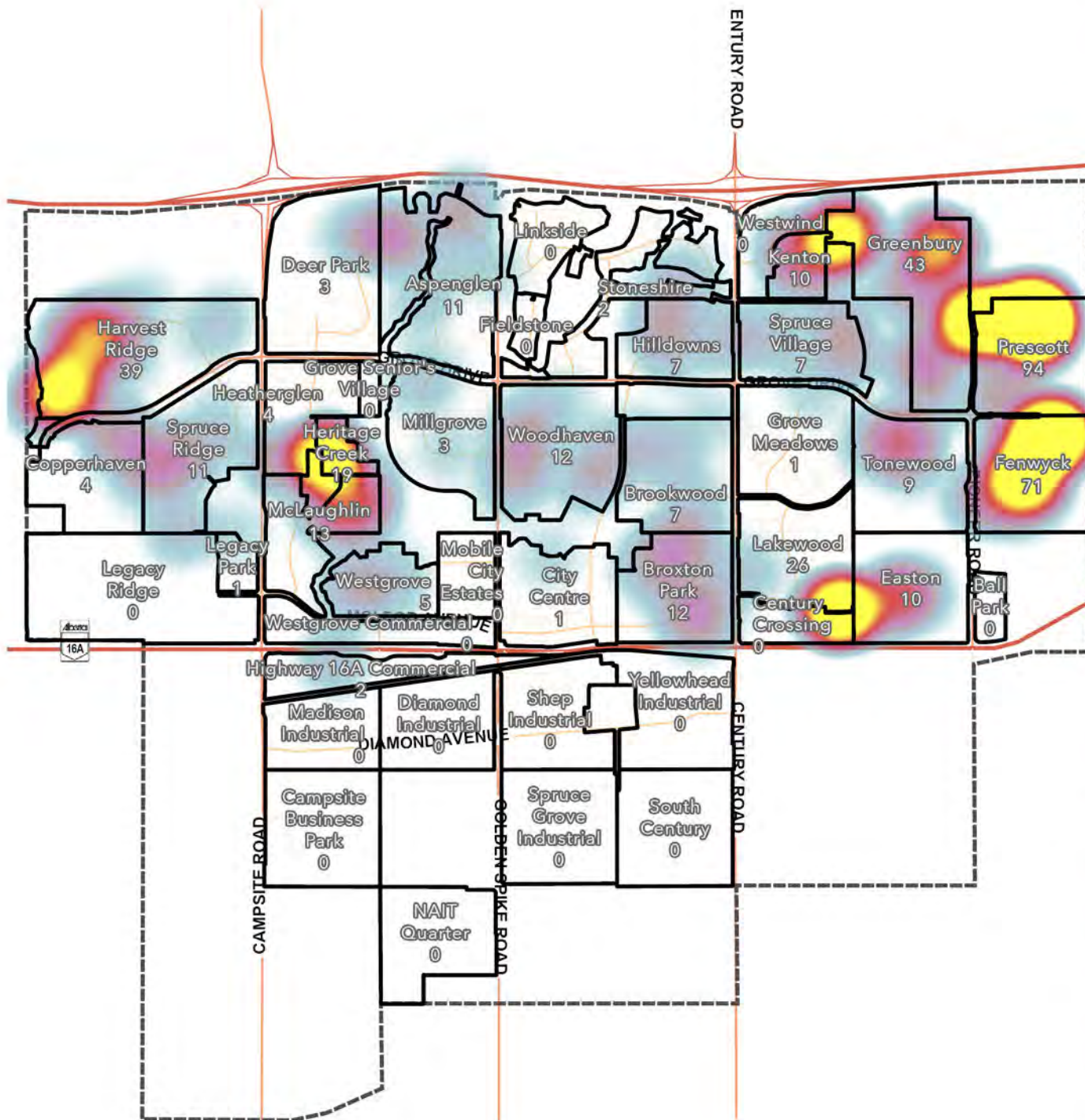
	property line within the Copperhaven neighborhood	• Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	
PPL- Prescott Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley, with one side built to the property line within the Prescott neighborhood	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
RE1- Established Neighborhood Residential District	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply

	Development. This District is applied where lots are generally developed at a density less than 25 dwelling units per hectare.	• Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	
RE2- Established Neighborhood Residential District 2	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible Development. This District is applied where lots are generally developed at a density exceeding 25 dwelling units per hectare.	<u>Permitted Uses</u> • Accessory Building • Duplex abutting a Collector Road • Home Occupation, Minor • Semi-Detached Dwelling abutting a Collector Road • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite • Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Duplex Semi-Detached Dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
DC.10- Prescott Direct Control	The purpose of this District is to allow	<u>Permitted Uses</u> • Accessory Buildings	General Purpose of the district allows to accommodate Secondary Suite in Row

District	Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	•Home Occupation, Minor •Row Housing, Street Oriented •Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	Housing, Street Oriented housing types.
DC.11- Lakewood Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	<u>Permitted Uses</u> •Accessory Buildings •Home Occupation, Minor •Row Housing, Street Oriented •Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows to accommodate Secondary Suite in Row Housing, Street Oriented housing types.
DC.12- Fenwyck Semi-Detached Direct Control District	The purpose of this District is to allow semi-detached dwelling units with a combination of alternating front and rear Site access.	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Family Day Homes • Home Occupation, Major • Sales Centre • Show Home	1. One housing type- Semi-Detached Dwelling is allowed. 2. Secondary Suite is also listed as Permitted Use. The district is site-specific Direct Control which aligns with MDP policies. General Purpose allows Secondary Suite in Semi-Detached dwelling as align with the definition of Secondary Suite.
DC.13- Fenwyck Row Housing Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented dwelling units with opportunities to develop Secondary Suites while maintaining the built	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Row Housing, Street Oriented • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Show Home	1. Housing types are Row Housing Street Oriented and Semi-Detached Dwelling. 2. Secondary Suite is a permitted use 3. General Purpose of the district allows Secondary Suite with Row Housing, Street Oriented. The district is site-specific Direct Control which aligns with MDP policies. General Purpose of

	form of the neighborhoods.	• Sales Centre	the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC. 14- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	The district is site-specific Direct Control which aligns with MDP policies. General Purpose of the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC.15- Tonewood Row Housing Direct Control District	The purpose of this District is to accommodate residential Row Housing development. The district ensures development at a height and scale contiguous with surrounding low density residential.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing Development <u>Discretionary Uses</u> • Sales Centers	Secondary Suite is not a listed use.
DC. 16- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows Secondary Suite in Row Housing, Street Oriented which aligns with the definition of Secondary Suite.
DC.19- Greenbury Single Detached Direct Control	The purpose of this District is to provide for two storey Single	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor	1. Single Detached Dwelling is only housing type 2. Secondary Suite is not listed uses.

District	Detached Dwellings to balance the streetscape along Westwind Drive.	• Single Detached Dwelling Discretionary Uses • Show Home • Sales Centre	Definition 7 of Secondary Suite does not apply as Secondary Suite is not listed uses in this district.
DC.21- Easton back-to-Back Row Housing Direct Control District	To establish a site-specific direct control district on a medium density residential site for a bare land condominium development to accommodate residential Row Housing, Back-to-Back and Row Housing located along Pioneer Road and McLeod Avenue.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing • Row Housing • Row Housing, Back-to-Back <u>Discretionary Uses</u> • Show Home • Sale Centre • Semi-Detached Dwelling	Secondary Suite is not a listed use in this district.



Neighbourhood	# of Secondary Suites
Aspenglen	11
Brookwood	7
Broxton Park	12
City Centre	1
Copperhaven	4
Deer Park	3
Easton	10
Fenwick	71
Greenbury	43
Grove Meadows	1
Harvest Ridge	39
Heatherglenn	4
Heritage Creek	19
Highway 16A Commercial	2
Hilldowns	7
Kenton	10
Lakewood	26
Legacy Park	1
McLaughlin	13
Millgrove	3
Prescott	94
Spruce Ridge	11
Spruce Village	7
Stoneshire	2
Tonewood	9
Westgrove	5
Woodhaven	12

Total # of Secondary Suites:

427

1. The detached garage man door shall not be bucked into any required extra height concrete curb.
2. The dwelling shall have its address number clearly displayed near the front door of the main entrance. This shall include the secondary suite addressing. The approved address for the secondary suite is 33A Patterson Gate.
3. A Secondary Suite shall not be allowed within the same Site containing a Group Care Facility, Limited Group Home, Home Occupation-Major, Garden Suite or Garage Suite.
4. A parking area shall be provided at the rear of the property, with access from the lane. Adequate on-site parking must be provided: two stalls for the main dwelling unit, and one additional stall for the secondary suite. Required parking stalls must be provided on-site and may not be on a public road.
5. The Secondary Suite shall be serviced from a connection to the primary dwelling service after the water meter and shall not be serviced through a separate service connection. All plumbing connections for Secondary Suites servicing must be inspected prior to occupancy being granted.
6. The floor area of the secondary suite shall not exceed the floor area of the first storey of the dwelling.
7. The secondary suite shall be operated as an accessory use only and shall not change the residential character of the principal dwelling involved.
8. The vehicle doors of the detached garage shall be located facing the laneway.
9. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway. This shall include the secondary suite address.
10. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).
11. Driveways and sidewalks must maintain a minimum clearance of 300 mm from all side yard property lines.
12. 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.
13. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.
14. 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.
15. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.
16. 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.
17. 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.
18. 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.
19. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.
20. 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.
21. 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.

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.

EXHIBIT 10



Development Permit Appeal

**33, 35, 37, & 39
PATTERSON GATE**

DP REFUSAL – STATED REASON

*“Section 115(1), which establishes the General Purpose of the R1-Mixed Low to Medium Density Residential District, **does not explicitly contemplate or permit a Secondary Suite within any Principal Use other than a Single Detached Dwelling.**”*

- Secondary Suites and Row Housing are both explicitly contemplated as a discretionary use.
- Secondary Suites are not contemplated nor excluded within any specific Principal Use.

STATUTORY DEFINITION COMPLIANCE

In **Section 7(1)** of the Land Use Bylaw C-824-12, a Secondary Suite is defined as:

*“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...”*

- The proposed Principal Use, Row Housing, **is a residential use.**
- “Low to medium density Dwelling types” are **explicitly defined in the general purpose** of the R1 District, Section 115(1).

R1 DISTRICT COMPLIANCE

SECTION 115 R1 – MIXED LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT

(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.

Permitted Uses	Discretionary Uses
• Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings	• Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units • Sales Centre • Secondary Suite

- Refusal is **contrary to the intent** to “accommodate a range of low to medium density Dwelling types” and “to provide flexibility in the design and Development of the neighbourhood.”

RECENT SECONDARY SUITE EXCLUSION

On July 6, 2026 a new regulation for Secondary Suites was added under **Section 75(8)**.

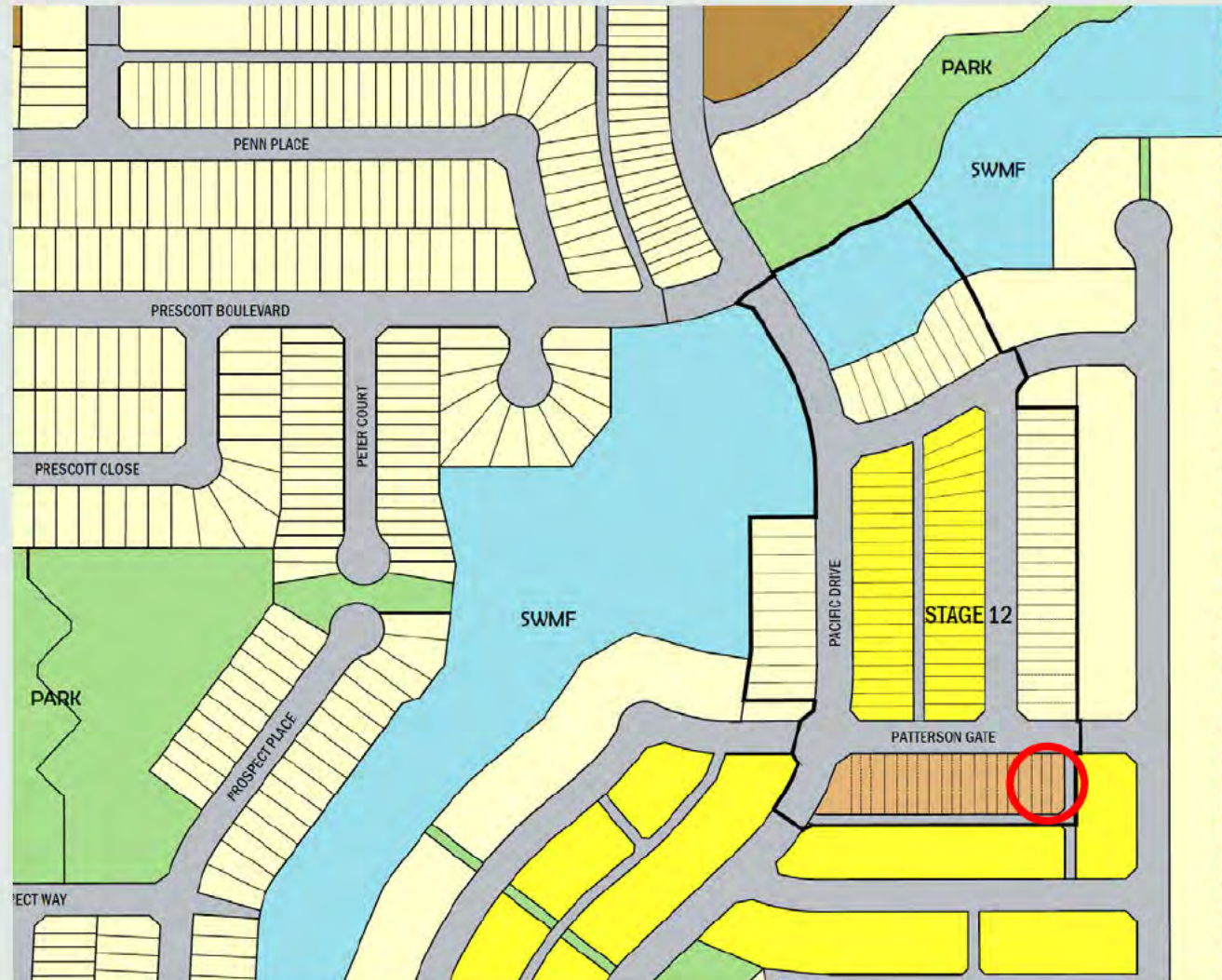
“A Secondary Suite is prohibited within a Row Housing Dwelling that fronts onto a Collector Road.”

- The only explicit restriction for Secondary Suites in Row Housing Dwellings is when the **dwelling fronts onto a Collector Road**.
- None of the proposed developments front onto a Collector Road.

LUB REGULATION SUMMARY

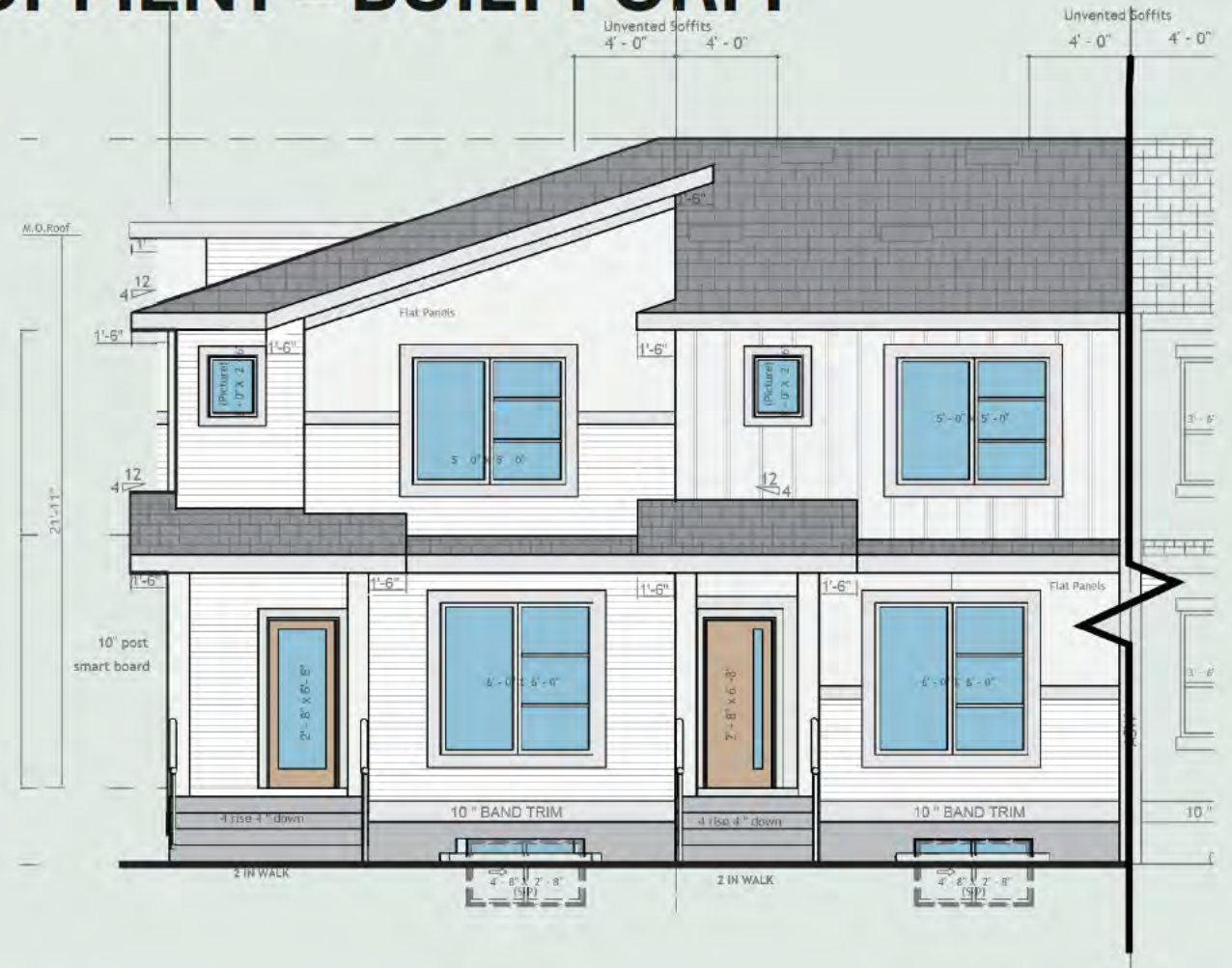
- ✓ Complies with definitions.
- ✓ Complies with district purpose.
- ✓ Complies with Collector Road exclusion.

CONTEXT



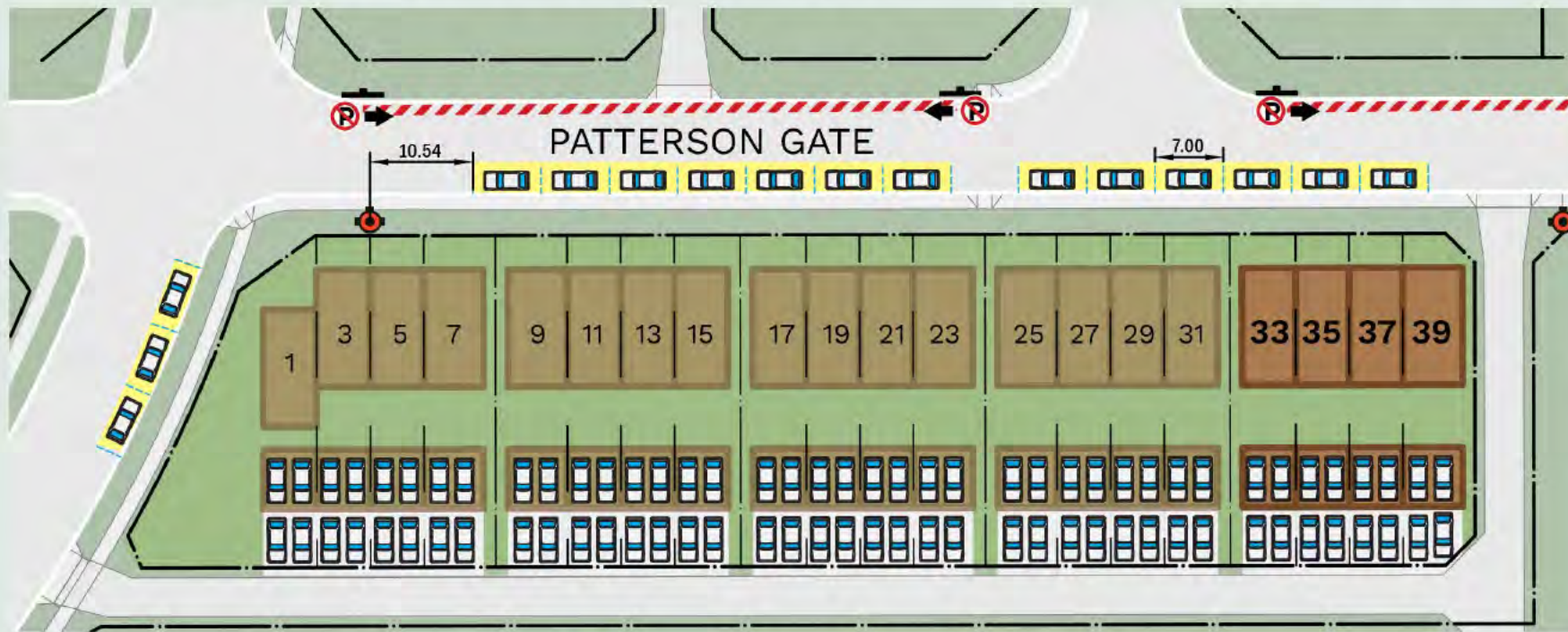
PLANNING CONTEXT: **COMPLEMENTARY DEVELOPMENT – BUILT FORM**

- The secondary suite is provided in the basement and has no visual impact on the architectural design. The resulting two-storey row house is comparable and compatible to the anticipated surrounding residential development.



PLANNING CONTEXT: COMPLEMENTARY DEVELOPMENT - PARKING

- Parking requirements are met on site. Additionally, on-street parking is available with the provision of the rear lane access.



On-Site Stalls
4
per lot
+
On-Street Parking
0.8
per lot

PLANNING POLICY COMPLIANCE

Municipal Development Plan

- Complies 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

Pioneer Lands Area Structure Plan

- Follows the objectives and intent to create housing affordability through density policies: 5.1, 5.2.1, 5.3.1

Non-Statutory Plan Alignment

- City of Spruce Grove Housing Needs Assessment
- City of Spruce Grove Housing Strategy

APPEAL SUMMARY

- The development **complies with the Land Use Bylaw.**
- The development is suitable in **built-form** and provides sufficient **parking.**
- The development **aligns with higher order statutory plans** including the MDP and the Pioneer Lands ASP.

PLDPR202600528
35 Patterson Gate

EXHIBIT 11

Planning Application					
Project Number	Master Project	Type	Status	Date Entered	
PLDPR202600528	33, 35, 37, 39 Patterson Gate - Row house	Development Permit - Residential	Waiting for Appeal	05/26/2026	
Primary Contact			Primary Location		
CRANSTON HOMES LTD., Address:2316 - 27 AVENUE NW, Phone:(780) 863-3007			35 PATTERSON GATE		
1 Active Alerts					
Planning Application Details					
Department	Project Lead	Proposed Use	Site Area (gross ha) (recommended)		
Planning Department	Anshu Gupta	Residential - Row Housing			
Name	Location Description				
To construct one unit of a four unit row house with detached garage	2522489,113,18				
Comments					
To construct one unit of a four unit row house with detached garage and secondary suite					
Total Estimated Valuation		Entered By			
\$0.00		Web Registered			
Type of Decision (DP only)	Decision Deadline	Appeal Deadline Date	Advertised Date		
Discretionary	07/07/2026	08/17/2026	MM/dd/yyyy		
Expiration Date	Date Closed	Date Application Deemed Complete	Date Submitted		
MM/dd/yyyy	MM/dd/yyyy	05/28/2026	05/26/2026		
Last Hearing Type	Last Hearing date	Last Hearing Result			
	MM/dd/yyyy				
Public Notice Summary					
Inspector Notes					
Development Permit Processing Time Extension Agreement executed till Dec 31, 2026. The lot have a possibility for redistricting to accommodate secondary suite.					

I acknowledge that I have read and understood the Terms and Conditions as set out in the document provided in the link below. I am aware that by clicking the "Do you agree" button below, I am freely and voluntarily agreeing to those terms and conditions.

Do You Agree?



2 Application Types + Add Application Type

Type	Status	Status Date	Approval Track
① Building	Waiting for Appeal	07/28/2026	Administrative
① Accessory Building / Structure - Detached Garage	Waiting for Appeal	07/28/2026	Administrative

Generate Fees and Submittals

2 Locations + Add Location

Description	Type	Status	Property Alert	Primary	Display
① 35 PATTERSON GATE	Address	Active		☒	☐
① 2522489;113;18	Property	Active	Moderate	☐	☐

Temporary Location

Add Related Parcels, Addresses and Owners

Show Map

2 Contacts + Add Contact

Description	Type	Contact Alert	Primary	Portal
① MDG PRESCOTT GP INC., Address:1005-10104 103 AVE NW	Property Owner		☐	☐
① CRANSTON HOMES LTD., Address:2316 - 27 AVENUE NW, Phone:(780) 863-3007	Applicant		☒	☐

Update Owner

EXHIBIT 12



315 Jespersen Avenue
Spruce Grove, AB T7X 3E8

Phone: (780) 962-7582
Fax: (780) 962-1062

Business Hours
8:30 a.m. - 4:30 p.m. (Mon - Fri)

Notice of Application Refusal

Application: **PLDPR202600528**

Date: July 28, 2026

CRANSTON HOMES LTD.
207 - 6818 50 St NW
EDMONTON, AB T6B 2J8

Project Information

Civic Address: 35 PATTERSON GATE;
Legal: 2522489;113;18
Project: To construct one unit of a four unit row house with detached garage and secondary suite

The application for the above noted development permit has been refused.

REASONS FOR REFUSAL:

Non-compliance with the Statutory Definition of a Secondary Suite

Pursuant to Section 7(1) of Land Use Bylaw C-824-12, a **Secondary Suite** is defined as:

"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."

Section 115(1), which establishes the General Purpose of the **R1- Mixed Low to Medium Density Residential District**, does not explicitly contemplate or permit a **Secondary Suite** within any Principal Use other than a **Single Detached Dwelling**.

The subject 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, **Secondary Suite** is neither a Permitted nor a Discretionary Use on this site and cannot be approved under the current provisions of the Land Use Bylaw

Section.20(1)

Anshu Gupta
Development Officer

APPEAL PERIOD EXPIRY DATE: August 17, 2026

Important Notices

 If you wish to appeal the decision of the Development Officer, a completed form along with the appeal fee can be submitted in the following manner:

In person	By mail
City Hall 315 Jespersen Avenue Spruce Grove, AB	Clerk of the Subdivision and Development Appeal Board c/o City Clerk's Office City of Spruce Grove 315 Jespersen Avenue Spruce Grove, Alberta T7X 3E8

The request for appeal shall be submitted within the appeal expiry date.

EXHIBIT 13



315 Jespersen Ave, Spruce Grove, AB

Phone: 780-962-2611

M-F: 8:30 a.m. – 4:30 p.m.

NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development or Subdivision Application No.:
PLDPR202600528

Stop Order Dated:

Appeal of the

- ☐ Approval
☐ Conditional approval
☒ Refusal

- ☒ Representing group
☐ List of names attached

APPELLANT – REQUIRED

Appellant Name:
CRANSTON HOMES LTD.

Home Phone No.:
780-263-3007

Work Phone No.:

Mailing address:
207 - 6818 50 St NW

City:
EDMONTON

Province:
AB

Postal Code:
T6B 2J8

Signature: Section.20(1)

Date:
08/06/2026

Email
mycranstonhomes@gmail.com

APPELLANT'S REPRESENTATIVE

Appellant Name:
BLAYDON DIBBEN

Home Phone No.:

Work Phone No.:
587-786-3506

Mailing address:
17413 - 107 Ave NW

City:
EDMONTON

Province:
AB

Postal Code:
T5S 1E5

Email
bdibben@selecteng.ca

ADDRESS OF SUBJECT SITE – REQUIRED

Suite: Street Address: Street Name:
35 PATTERSON GATE

Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian

LOT 18 / BLOCK 113 / PLAN 2522489 /

REASON FOR APPEAL - REQUIRED

The proposed development complies with all regulations for Secondary Suites under Section 75 of Land Use Bylaw C-824-12 and complies with Section 115 for the R1 - Mixed Low to Medium Density Residential District. Secondary Suites are a Discretionary Use under Section 115(1) and there are no regulations or conditions within the R1 district that restrict Secondary Suites from being a Discretionary Use in Row Housing. We have also received refusals for the three adjacent developments on this block and kindly request the SDAB consider hearing these appeals together, given that they involve the same appellant, same planning issues, and similar facts.

OFFICE USE ONLY

Appeal Period Expiry Date:
August 17, 2026

Date Appeal Received:
August 13, 2026

Receipt No.:

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer an appeal to the Subdivision and Development Appeal Board. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.

EXHIBIT 14



August 24, 2026

City Clerk's Office

[Name/Address]

Dear [Name]:

RE: NOTICE OF HEARING – SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board has received the following four (4) appeals:

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, legally described as Plan 2522489; Block 113; Lot 17. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 18. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 19. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 20. The Development Permit Application was refused on July 28, 2026.

The Subdivision and Development Appeal Board (SDAB) will hold an appeal hearing to hear all four (4) appeals as follows:

DATE: **Wednesday, September 9, 2026**
TIME: **6:30 p.m.**
LOCATION: **City Hall**
315 Jespersen Avenue, Spruce Grove
Council Chambers, 3rd Floor

When an appeal is filed with the Subdivision and Development Appeal Board (SDAB), all persons who own property within 30 meters of the development are notified of the hearing by way of this letter. In addition, the applicant of the development permit, and the person(s) who filed the appeal will also receive a copy of this letter.

Persons mentioned above and affected by this development have the right to submit a written, verbal, and/or visual submission to the Board. When making a submission, keep in mind that in accordance with the legislation that governs the SDAB, the Board can only consider relevant planning matters when rendering its decision. For more information about the Board, Appeal and Hearing process, visit sprucegrove.org/SDAB.

If you wish to submit written material to the Board for inclusion in the hearing agenda package, it should be received by the Clerk by **Wednesday, September 2, 2026, at 12 noon** by email at cityclerk@sprucegrove.org, or by mail to SDAB Clerk, 315 Jespersen Avenue, Spruce Grove, AB, T7X 3E8. Visuals such as PowerPoint presentations, photos, or graphics are considered written submissions. If you are unable to meet this submission deadline, please bring 10 copies of the materials to the hearing and it will be distributed at the start of the hearing. Any written and/or visual material received will be made available to the public.

We will be pleased to answer any questions you may have regarding the appeal and can also provide information or advice on Board procedures and how to make presentations to the Board. A helpful Information Guide is available at sprucegrove.org/SDABAppeal. Please feel free to contact me at 780-962-7615 should you have any questions.

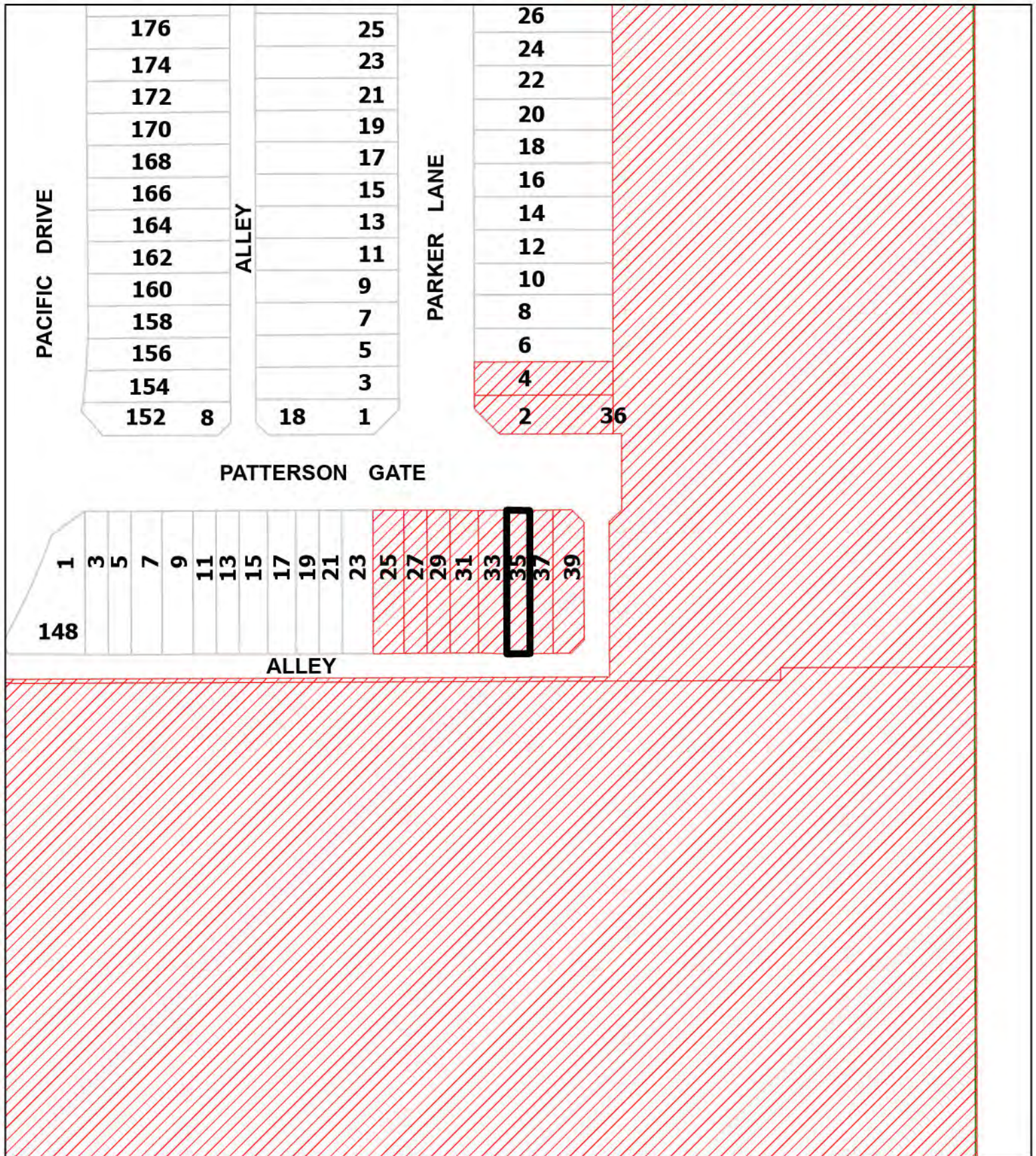
Kind regards,

Laura Hall
Clerk, Subdivision and Development Appeal
Board Email: cityclerk@sprucegrove.org
Phone: 780-962-7615

EXHIBIT 15

35 Patterson Gate

Notification letters sent to properties marked with 



PAGE REMOVED

Information has been removed to be consistent with Section 20
of the *Access to Information Act*

EXHIBIT 16

35 Patterson Gate

Site Plan



N

EXHIBIT 17

35 Patterson Gate

Subject Site

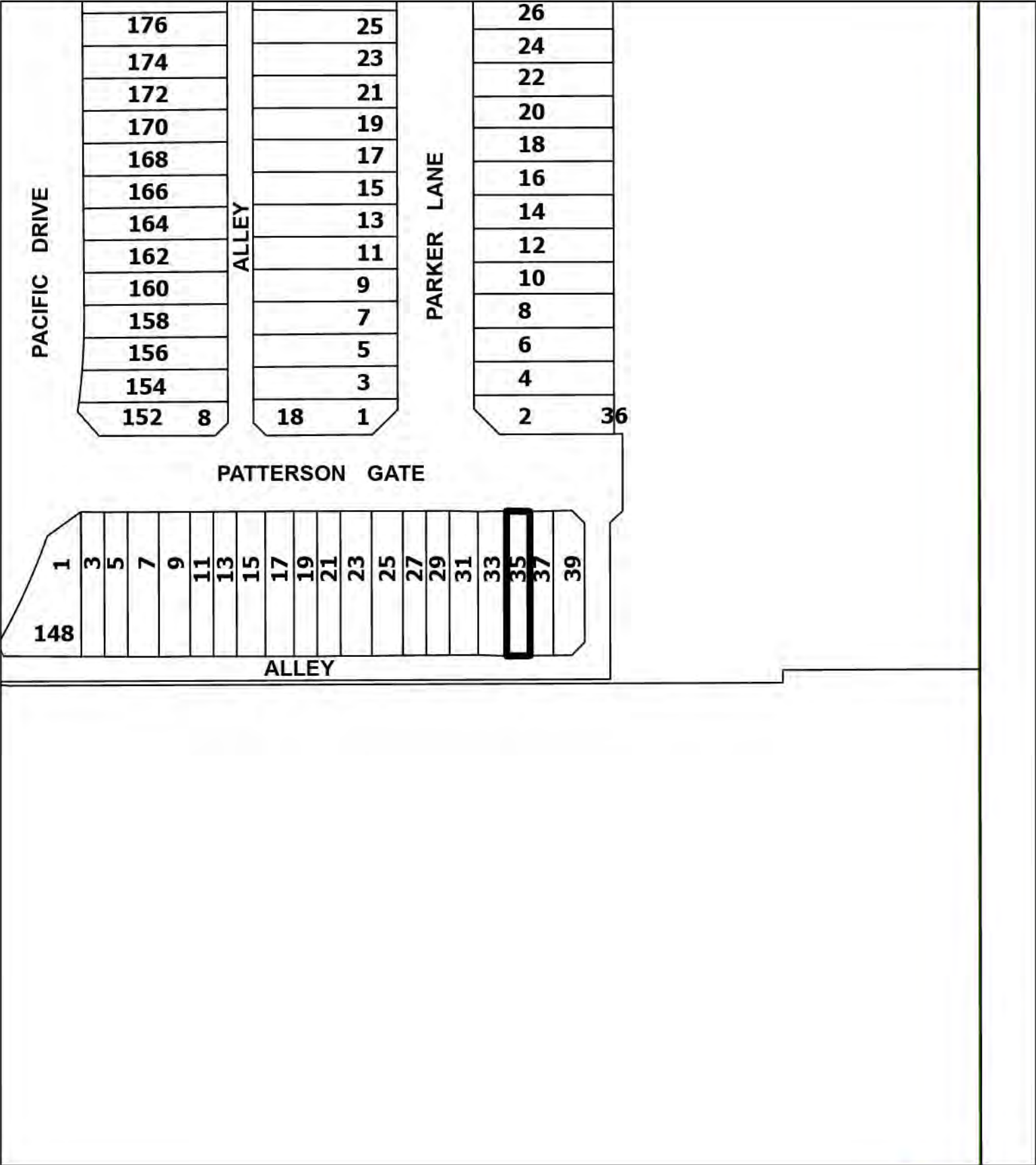


EXHIBIT 18



PLANNING STAFF REPORT TO: Subdivision & Development Appeal Board

ITEM: __

File No: 2522489-113-18	Subject: An appeal against the refusal of Development Permit Application for a unit of four-unit row house with a detached garage and a secondary suite at 33 Patterson Gate (Plan 2522489; Block 113; Lot 18).
Date of Report: September 02, 2026	
Date of Hearing: September 09, 2026	

I. BACKGROUND INFORMATION

On May 26, 2026, the applicant submitted a development permit application to construct one unit of a four unit Row House with a detached garage and a Secondary Suite. The applications were circulated to the relevant department for review as a standard procedure.

On July 28, 2026, the Development Authority issued a Notice of Administrative Refusal for Development Permit Application PLDPR202600528 to construct one unit of a four unit Row House with a detached garage and a Secondary Suite with an appeal deadline of August 17, 2026.

On August 6, 2026, the applicant subsequently filed an appeal to the Subdivision and Development Appeal Board (SDAB) prior to the statutory appeal expiry date of August 17, 2026.

Application Summary:

Development Permit Application:	PLDPR202600528
Date of Decision:	July 28, 2026
Statutory Appeal Expiry:	August 17, 2026
Date of Appeal Received:	August 6, 2026
Municipal Address:	35 Patterson Gate
Legal Land Description:	Plan 252 2489; Block 113; Lot 18
Land Use District:	R1-Mixed Low to Medium Density Residential District
Proposed Development:	To construct one unit of a four unit Row House with a detached garage and a Secondary Suite
Municipal Development Plan Land Use:	Residential Neighbourhoods
Area Structure Plan:	Pioneer Lands Area Structure Plan, Bylaw C-686-08
Land Use Bylaw Relevant Sections:	Section 7 (1) – Definitions (Secondary Suite) Section 115 - R1- Mixed Low to Medium Density Residential District [(1) General Purpose]

II. MUNICIPAL GOVERNMENT ACT, RSA 2000, c M-26

Non-compliance with MGA Section 687(3)(d)(i):

Administration believe that the proposal would:

1. Unduly interfere with the amenities of the neighbourhood [MGA s. 687(3)(d)(i)(A)], and
2. Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land [MGA s. 687(3)(d)(i)(B)].

The proposed development does not satisfy the considerations under MGA s. 687(3)(d)(i) based on evaluation specified in Section V.- Planning Impact Analysis of the report.

MGA Section 687(3)(d)(ii):

In considering the variance on use, the proposed development must conform with the use prescribed for the land or building under the applicable Land Use Bylaw provisions. The following provisions of Land Use Bylaw C-824-12 (LUB) set out the applicable use framework and demonstrate that the proposed development does not constitute a prescribed use eligible for consideration under the variance authority.

1. Non-compliance with Land Use Bylaw C-824-12 Section 7(1) - Definition of "Secondary Suite": A Secondary Suite, in part is specifically defined as an accessory use located within a Single Detached Dwelling.

Section 7(1) defines "Secondary Suite" as

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" (emphasis is added in the definition by Administration)

2. Unprescribed Use: The subject application proposes a Secondary Suite within a unit of a four unit Row Housing development located at Plan 2522489, Block 113, Lot 18. Because the proposed Secondary Suite is located within Row Housing rather than a Single Detached Dwelling, it does not comply with the Land Use Bylaw definition of a "Secondary Suite." Consequently, a Secondary Suite within Row Housing is considered as an unlisted and unprescribed use on the subject property.

Hence, a Secondary Suite within Row Housing is not prescribed use in the R1-Mixed Low to Medium Density Residential District.

III. STATUTORY POLICY FRAMEWORK

The relevant policy and regulatory framework that apply to the proposed development include the following:

The Shape of Our Community- Municipal Development Plan (MDP)

Under MGA s. 687(3)(a.2), the proposed development must comply with applicable statutory plans. While MDP Section 3.4.1.1 (Principle 1) and Section 3.4.1.4 support "**gentle density**"

through Secondary Suites, 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.

Gentle density can be achieved through the addition of a secondary suite to a Single Detached Dwelling, without introducing the same level of density and associated impacts as Row Housing. Single Detached Dwelling have more site area, enough space to accommodate minimum parking required for a Secondary Suite, wide driveway to adjust four bins (2 for waste and 2 for organic) and snow storage, large rear yards for private outdoor amenity space. This approach allows for incremental intensification within a low-density housing form, whereas Row Housing already represents a medium-density form of development.

Pioneer Lands Area Structure Plan, Bylaw C-686-08 (ASP)

The subject lot is under the Pioneer Lands ASP policies. Section 5.1 of the ASP 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. However, Section 5.3.1 of the Land Use Concept provides the precise statutory density classifications as:

- Low Density Residential: defined as Single Detached Dwelling, Semi-Detached Dwelling, and Duplexes
- Medium Density Residential: captures Street-Oriented Row Housing and Stacked Row Housing.

The proposed development, comprising a one unit of a four unit Row House with a detached garage and a Secondary Suite, conflicts with the ASP Goal 5.1 as outlined in Section 5.3.1. A Secondary Suite is intended as an accessory tool for a low-density single dwelling parcel. Applying a Secondary Suite to a medium-density Row House results in an unmodeled over-intensification that violates the ASP's land use structure.

Administrative decision-making is primarily guided by the regulations and requirements of the Land Use Bylaw, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.

IV Land Use Bylaw C-824-12 (LUB)

Non-Compliance with LUB Secondary Suite Definition & R1 District General Purpose:

The Development Officer's Administrative Refusal of Development Permit Application PLDPR202600528 is grounded in a direct statutory reading of Section 7(1) and Section 115(1) of Land Use Bylaw C-824-12.

1. Statutory Definition of Secondary Suite [LUB Section 7(1)]

Pursuant to Section 7(1) of the Land Use Bylaw, a Secondary Suite is defined as:

"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.”

2. Scope of R1 District General Purpose [LUB Section 115(1)]

Section 115(1) establishes the ‘General Purpose’ of the R1 – Mixed Low to Medium Density Residential District as:

“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.”

Administrative Refusal Rationale based On Land Use Bylaw C-824-12:

While the R1 District accommodates a range of dwelling forms, Section 115(1) does not specifically expand or authorize Secondary Suite within any principal building form other than a Single Detached Dwelling. The subject property is districted R1 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. The proposed development does not comply with the definition under Section 7(1).

Consequently, a Secondary Suite within a Row Housing is prohibited on this site and cannot be approved under the current provisions of the Land Use Bylaw.

V Planning Impact Analysis

This analysis supports Administration’s reasoning of non-compliance with MGA Section 687(3)(d)(i)(A) and (B) as mentioned earlier in section (II) of this report.

1. Comparative Analysis of LUB “General Purpose” of Residential Districts & Statutory Intent:

A comparative review of the Land Use Bylaw (summarized in *Attachment #1: Comparative Analysis of General Purpose of Residential Districts and Secondary Suite Provisions*) demonstrates a deliberate statutory distinction in how Council intends Secondary Suite to be applied across different residential built forms:

- Standard Residential Districts (R1, RE1, and RE2): Accommodate a broad range of low-to-medium density housing types (*Single Detached, Semi-Detached, Duplex, and Row Housing*) and list Secondary Suite as a Discretionary Use. **General Purpose statements remain broad and do not explicitly authorize or mandate Secondary Suite for attached housing forms.** Consequently, the development of a secondary suite in standard zones is strictly bound by the LUB Section 7(1) Definition of ‘Secondary Suite’.
- Accordingly, the Development Authority has never approved a Secondary Suite in a Duplex, Semi-Detached Dwelling, or Row Housing within standard residential districts. The Development Authority consistently interprets and applies the definition of “Secondary Suite” to a Single Detached Dwelling in standard districts, or to a Semi-Detached Dwelling and a Row Housing, where explicitly enabled through Direct Control Districts.
- Single Dwelling Planned Districts (EPL, CPL, and PPL): These districts restrict principal development to a Single Detached Dwelling. LUB Section 7(1) definition for a ‘Secondary Suite’ is automatically satisfied without requiring clear mention in the district ‘General Purpose’.
- Higher-Density Residential Districts (R2, R2CC, and R4): These districts are mean for multi-unit, medium-to-high density development (*such as stacked row housing and apartments*). Secondary Suite is omitted as a listed use, as density targets are achieved

through a primary multi-unit structure.

- Site-Specific Direct Control Districts (DC.10, DC.11, DC.13, DC.14, and DC.16): By adopting these districts, **Council specifically intended to allow a Secondary Suite within Row Housing**. Council established site-specific Direct Control Districts, specifically modifying the 'General Purpose' statement (e.g., *"to allow Row Housing, Street Oriented with Secondary Suites"*) and upgraded Secondary Suite as a 'Permitted Use'.

Statutory Conclusion:

When Council intends for a Row Housing unit to accommodate a Secondary Suite, it clearly states in the district's 'General Purpose' and upgrades a Secondary Suite to a 'Permitted Use' via a Direct Control districting. In standard districts, such as R1-Mixed Low to Medium Density Residential, the absence of this explicit statement confirms that Row Housing units are not intended for the development of a Secondary Suite.

2. Pioneer Lands ASP Density Tracking and Capacity Analysis:

The subject property is located within the Pioneer Lands Area Structure Plan (ASP), specifically within the Prescott neighborhood. Attachment # 1 depicts 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. ASP Maximum Density Capacity: The statutory Land Use Statistics for the ASP establish a maximum ceiling of **3,507** dwelling units within the 'Low to Medium Density Residential' designation.

- Approved Unit Yield: To date, **1,805** units have been approved, comprising of Single Detached Dwellings, Semi-Detached Dwellings, and Row Housing.
- Approved Secondary Suites: **147** Secondary Suites have been granted development permits—all associated with eligible single-dwelling built forms in full alignment with LUB definitions and ASP servicing models.
- **Prescott Neighbourhood Breakdown:** As shown in Attachment #2, Prescott neighborhood has **94** approved Secondary Suites (2025 data) within lots districted as R1- Mixed Low to Medium Density Residential District (54 Secondary Suites), and DC.10- Prescott Direct Control District that allows Secondary Suite (**40** in number) within **100 %** uptake in the DC.10 District where Row Housing with Secondary Suite is a permitted use. The site-specific Direct Control District is designed and intentionally engineered to allow a Secondary Suite in Row Housing as the servicing infrastructure is built specifically to handle it.

For example, within DC.10 District, the resulting density of Row Housing with approved Secondary Suite along Pacific Drive appears to be **82 units/ha** (based on 3 principal uses + 3 secondary suites). The addition of Secondary Suite can result in an unplanned residential density beyond that contemplated through the original development having principal uses **ONLY** that may create **negative impact** on neighbourhood amenities, and additional load on servicing and infrastructure capacity.

The table below provides a comparison of typical row houses **with and without secondary suite**. As illustrated, due to introduction of secondary suites, the rear garage is shifted internally toward rear yard to accommodate extra required parking space resulting in the reduction of rear yard area, which commonly functions as private outdoor amenity space for the residents. This demonstrates how the addition of secondary suites can affect the functional design and amenity of row housing sites, beyond the increase in

dwelling-unit density alone.



Statutory Conclusion:

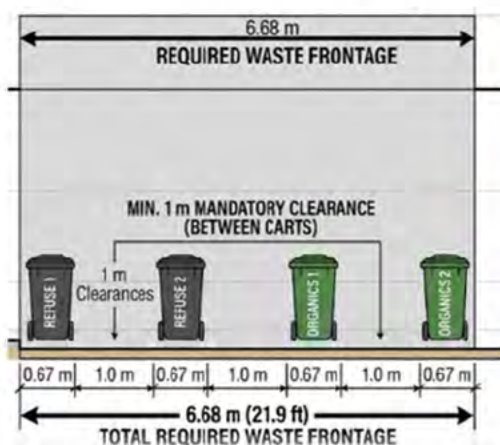
Increasing density by layering a Secondary Suite onto Row Housing units doubles the potential unit count on a single lot, turning a 4-unit row housing into 8 dwelling units, which can overload servicing infrastructure designed for standard low to medium residential density established for the Pioneer Lands ASP.

*Recent amendments to the Land Use Bylaw, through Bylaw C-1446-26, adopted July 06, 2026) reclassified Row Housing from the **R1-Mixed Low to Medium Density Residential District** to the **R2 – Medium to High Density Residential District** (effective November 1, 2026). The amendments established more clearly defined residential districts and housing forms, reducing the previous flexibility in housing forms. This approach supports more accurate tracking and management of residential density and enables more reliable assessment of municipal servicing, infrastructure, and road network requirements.*

3. Technical Review:

The planning and policy findings as mentioned above, are further reinforced by technical review obtained from Engineering and Public Works Department.

- a) Public Works Review: The proposed site density represents overdevelopment that cannot be functionally serviced within the site's dimensions, specifically regarding municipal waste collection and mandatory winter snow storage. Standard waste management protocols require four collection carts (two waste, two organics) per lot.



The image illustrates the proposed layout of four carts per lot (two waste and two organics carts). Due to the limited site width, the carts cannot be arranged with the mandatory 1.0 m clearance between carts, resulting in an inadequate area for on-site waste storage and collection.

At a cart width of 67 cm and a mandatory clearance of 1.0 m between carts, each unit requires a minimum unencumbered lane frontage of 6.68 m (21.9 ft), as shown below. Furthermore, an estimated additional 2.0 m of lot width must be reserved for on-site snow storage. 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.

b) Engineering Review:

- On-Street Parking Congestion: Cumulative increases in secondary suites directly heighten vehicle activities and on-street parking pressure along residential block faces.
- Increased Water and Sanitary Utility Demands: Higher residential occupancy increases peak consumption and load on local water and sanitary infrastructure networks.

4. Supporting Evidence:

Administration identified several concerns associated with a Secondary Suite in Row Housing as listed below:

- increased residential unplanned density;
- additional pressure on infrastructure and traffic;
- impacts on on-street parking;
- reduced amenity space associated with tandem parking; and
- additional waste collection requirements, which would require 8 organic bins and 8 garbage bins (4 bins per unit)

Additionally, Administration also identified that the 70% impermeable-material limitation can be challenging for Row Housing, particularly internal street-oriented units, and that the issue is deepened where a Secondary Suite requires rear parking pads.

Based on above-listed concerns, a Secondary Suite is more appropriate for Single Detached Dwelling types where districts have wider lots and can better accommodate on-site parking, amenity space, drainage, snow storage, and waste collection bins.

VI Conclusion and Recommendations

Conclusion:

The Development Officer submits that the Administrative Refusal of Development Permit Application PLDPR202600528 should be upheld by the SDAB on two statutory grounds:

1. Definition Non-Compliance: The proposed Secondary Suite does not meet the definition of a Secondary Suite under LUB Section 7(1) and the R1 District 'General Purpose' under Section 115(1).
2. Uncontrolled Planning & Servicing Impact: As confirmed by Engineering, Public Works, supporting evidence and planning report, the unmodeled density causes adverse site-servicing, parking, and operational impacts on neighbouring parcels, and does not satisfy the considerations under MGA s. 687(3)(d)(i).

*Administrative decision-making is primarily guided by the regulations and requirements of the **Land Use Bylaw**, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.*

Primary Recommendation:

The Development Officer respectfully requests that the Subdivision and Development Appeal Board:

- **UPHOLD** the Development Officer's decision of refusal for Development Permit Application PLDPR202600528; and
- **REFUSE** the issuance of the Development Permit.

Alternative Recommendation:

Should the Subdivision and Development Appeal Board (SDAB) decide to allow the appeal and issue a Development Permit for Application PLDPR202600528, the Development Officer respectfully requests that approval may be granted under one of the following options, subject to conditions as per the respective attachments to mitigate potential planning, servicing, and operational impacts.

1. Full Approval: Approve the Development Permit # PLDPR202600528 to construct a unit of four unit Row Housing with a detached garage and a Secondary Suite, subject to the conditions set out in Attachment # 3.
2. Partial Approval: Approve the Development Permit # PLDPR202600528 to construct a unit of four-unit Row Housing with a detached garage, subject to the conditions set out in Attachment # 3A

Comparative Analysis of LUB “General Purpose” of Residential Districts & and Secondary Suite Provisions

Type of Residential District	General Purpose of District	Listed Uses	Rationale
R1-Mixed Low to Medium Density Residential	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	<u>Permitted Uses</u> • Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units but only in accordance with Sections 1(a) and (b) of this District • Sales Centre • Secondary Suite • Show Home	1. Row Housing and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
R2- Mixed Medium to High Density Residential District	The purpose of this District is to accommodate a mix of medium to high density Dwelling	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Multi-Unit Dwellings but only in accordance with Section 1(c)	Secondary Suite is not identified as a listed use under the district regulations.

	types within the block face, to provide flexibility in the design and Development of neighborhoods. The district is intended to emphasize complementary interface of Development with the Street and with each other.	and (d) of this District • Row Housing Development • Row Housing, Stacked • Row Housing, Street Oriented with rear attached Garage <u>Discretionary Uses</u> • Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Duplex • Family Day Home • Group Homes, Limited • Home Occupation, Major • Public Utility Building • Religious Assembly • Row Housing, Street Oriented • Sales Centre • Semi-Detached Dwelling • Show Home • Special Care Facility but only in accordance with Section 1(c) and (d) of this District	
R2CC-City Centre High Density Residential District	The purpose of this District is to accommodate higher density residential	<u>Permitted Uses</u> • Multi-Unit Dwellings	Secondary Suite is not identified as a listed use under the district regulations.

	development within the City Centre Overlay Area that contributes positively to a high-quality urban form and pedestrian environment and supports achieving an overall City Centre density target of 100 dwelling units per net residential hectare.	<u>Discretionary Uses</u> • Accessory Buildings • Assisted Living Facility • Designated Assisted Living Facility • Funeral Homes, Existing • Home Occupation, Minor • Public Utility Building • Row Housing, Stacked • Sales Centre • Special Care Facility	
R4 - High Density Residential District	The purpose of this District is to accommodate high density apartments on a site. The district is intended to emphasize complementary interface of Development with the Street and with each other.	<u>Permitted Uses</u> • Accessory Buildings • Multi-Unit Dwellings <u>Discretionary Uses</u> • Assisted Living Facility • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility • Family Day Home • Group Homes, Limited • Home Occupation, Minor • Religious Assembly • Sales Centre • Show Home • Special Care Facility	Secondary Suite is not identified as a listed use under the district regulations.
GPL- Greenbury Planned Lot District	The purpose of this District is to accommodate single and semi-detached	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Semi-Detached Dwelling	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling,

	dwellings built to the property line and street-oriented row housing with standard side yards within the Greenbury neighborhood on a pilot project basis.	• Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Group Homes, Limited • Public Utility Building • Sales Centre • Secondary • Show Home • Row Housing, Street Oriented, up to four units	Semi-Detached dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
EPL- Easton Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the property line within the Easton neighbourhood.	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
CPL- Copperhaven Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.

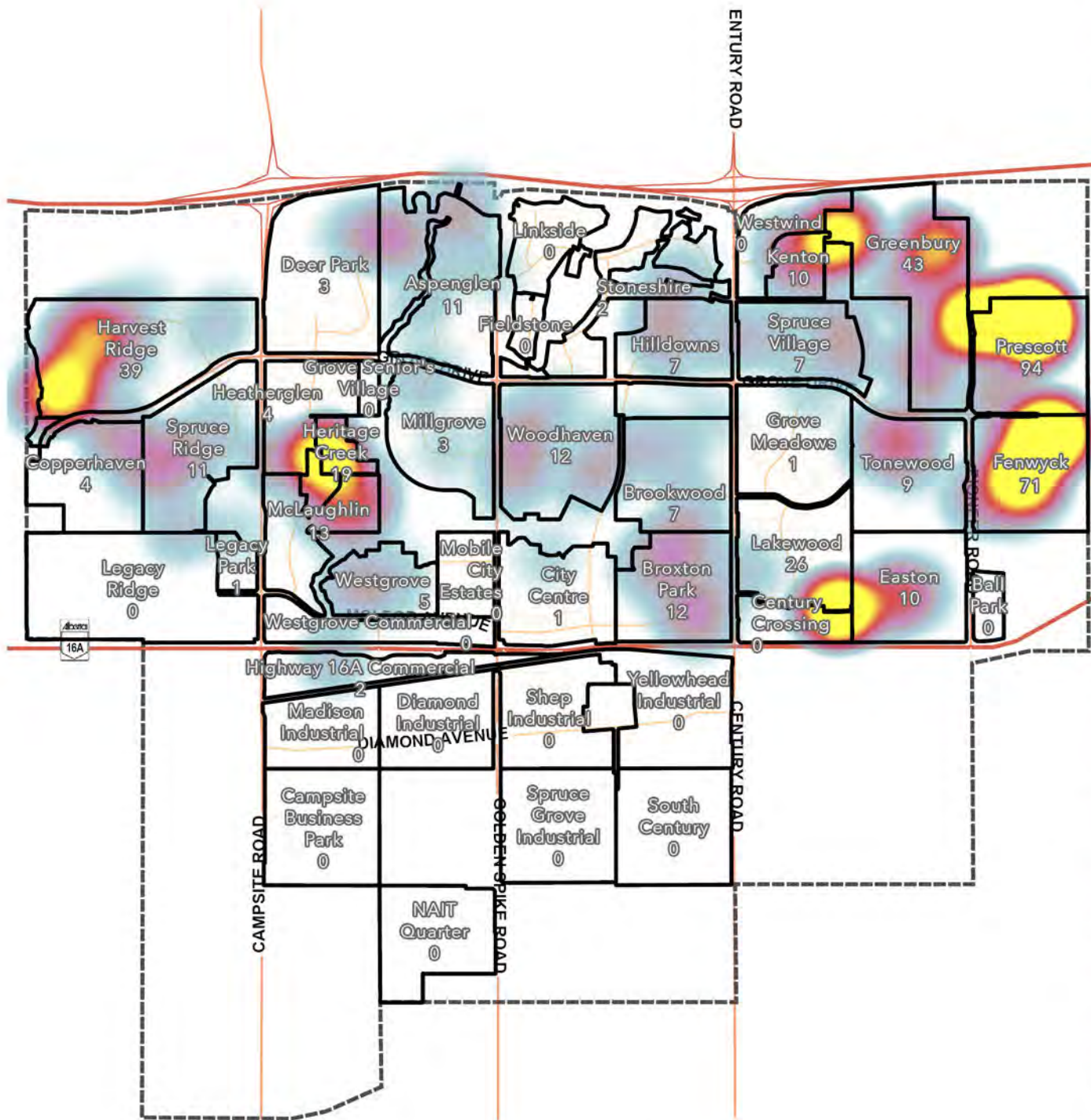
	property line within the Copperhaven neighborhood	• Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	
PPL- Prescott Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley, with one side built to the property line within the Prescott neighborhood	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
RE1- Established Neighborhood Residential District	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply

	Development. This District is applied where lots are generally developed at a density less than 25 dwelling units per hectare.	• Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	
RE2- Established Neighborhood Residential District 2	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible Development. This District is applied where lots are generally developed at a density exceeding 25 dwelling units per hectare.	<u>Permitted Uses</u> • Accessory Building • Duplex abutting a Collector Road • Home Occupation, Minor • Semi-Detached Dwelling abutting a Collector Road • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite • Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Duplex Semi-Detached Dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
DC.10- Prescott Direct Control	The purpose of this District is to allow	<u>Permitted Uses</u> • Accessory Buildings	General Purpose of the district allows to accommodate Secondary Suite in Row

District	Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	•Home Occupation, Minor •Row Housing, Street Oriented •Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	Housing, Street Oriented housing types.
DC.11- Lakewood Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	<u>Permitted Uses</u> •Accessory Buildings •Home Occupation, Minor •Row Housing, Street Oriented •Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows to accommodate Secondary Suite in Row Housing, Street Oriented housing types.
DC.12- Fenwyck Semi-Detached Direct Control District	The purpose of this District is to allow semi-detached dwelling units with a combination of alternating front and rear Site access.	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Family Day Homes • Home Occupation, Major • Sales Centre • Show Home	1. One housing type- Semi-Detached Dwelling is allowed. 2. Secondary Suite is also listed as Permitted Use. The district is site-specific Direct Control which aligns with MDP policies. General Purpose allows Secondary Suite in Semi-Detached dwelling as align with the definition of Secondary Suite.
DC.13- Fenwyck Row Housing Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented dwelling units with opportunities to develop Secondary Suites while maintaining the built	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Row Housing, Street Oriented • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Show Home	1. Housing types are Row Housing Street Oriented and Semi-Detached Dwelling. 2. Secondary Suite is a permitted use 3. General Purpose of the district allows Secondary Suite with Row Housing, Street Oriented. The district is site-specific Direct Control which aligns with MDP policies. General Purpose of

	form of the neighborhoods.	• Sales Centre	the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC. 14- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	The district is site-specific Direct Control which aligns with MDP policies. General Purpose of the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC.15- Tonewood Row Housing Direct Control District	The purpose of this District is to accommodate residential Row Housing development. The district ensures development at a height and scale contiguous with surrounding low density residential.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing Development <u>Discretionary Uses</u> • Sales Centers	Secondary Suite is not a listed use.
DC. 16- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows Secondary Suite in Row Housing, Street Oriented which aligns with the definition of Secondary Suite.
DC.19- Greenbury Single Detached Direct Control	The purpose of this District is to provide for two storey Single	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor	1. Single Detached Dwelling is only housing type 2. Secondary Suite is not listed uses.

District	Detached Dwellings to balance the streetscape along Westwind Drive.	• Single Detached Dwelling Discretionary Uses • Show Home • Sales Centre	Definition 7 of Secondary Suite does not apply as Secondary Suite is not listed uses in this district.
DC.21- Easton back-to-Back Row Housing Direct Control District	To establish a site-specific direct control district on a medium density residential site for a bare land condominium development to accommodate residential Row Housing, Back-to-Back and Row Housing located along Pioneer Road and McLeod Avenue.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing • Row Housing • Row Housing, Back-to-Back <u>Discretionary Uses</u> • Show Home • Sale Centre • Semi-Detached Dwelling	Secondary Suite is not a listed use in this district.



Neighbourhood	# of Secondary Suites
Aspenglen	11
Brookwood	7
Broxton Park	12
City Centre	1
Copperhaven	4
Deer Park	3
Easton	10
Fenwyck	71
Greenbury	43
Grove Meadows	1
Harvest Ridge	39
Heatherglen	4
Heritage Creek	19
Highway 16A Commercial	2
Hilldowns	7
Kenton	10
Lakewood	26
Legacy Park	1
McLaughlin	13
Millgrove	3
Prescott	94
Spruce Ridge	11
Spruce Village	7
Stoneshire	2
Tonewood	9
Westgrove	5
Woodhaven	12

Total # of Secondary Suites:

427

1. The detached garage man door shall not be bucked into any required extra height concrete curb.
2. The dwelling shall have its address number clearly displayed near the front door of the main entrance. This shall include the secondary suite addressing. The approved address for the secondary suite is 35 A Patterson Gate.
3. A Secondary Suite shall not be allowed within the same Site containing a Group Care Facility, Limited Group Home, Home Occupation-Major, Garden Suite or Garage Suite.
4. A parking area shall be provided at the rear of the property, with access from the lane. Adequate on-site parking must be provided: two stalls for the main dwelling unit, and one additional stall for the secondary suite. Required parking stalls must be provided on-site and may not be on a public road.
5. The Secondary Suite shall be serviced from a connection to the primary dwelling service after the water meter and shall not be serviced through a separate service connection. All plumbing connections for Secondary Suites servicing must be inspected prior to occupancy being granted.
6. The floor area of the secondary suite shall not exceed the floor area of the first storey of the dwelling.
7. The secondary suite shall be operated as an accessory use only and shall not change the residential character of the principal dwelling involved.
8. The vehicle doors of the detached garage shall be located facing the laneway.
9. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway. This shall include the secondary suite address.
10. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).
11. Driveways and sidewalks must maintain a minimum clearance of 300 mm from all side yard property lines.
12. 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.
13. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.
14. 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.
15. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.
16. 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.
17. 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.
18. 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.
19. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.
20. 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.
21. 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.

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. Adequate on-site parking must be provided: two stalls for the main dwelling unit, and one additional stall for the secondary suite. 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. This shall include the secondary suite address.
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.

EXHIBIT 19



Development Permit Appeal

**33, 35, 37, & 39
PATTERSON GATE**

DP REFUSAL – STATED REASON

*“Section 115(1), which establishes the General Purpose of the R1-Mixed Low to Medium Density Residential District, **does not explicitly contemplate or permit a Secondary Suite within any Principal Use other than a Single Detached Dwelling.**”*

- Secondary Suites and Row Housing are both explicitly contemplated as a discretionary use.
- Secondary Suites are not contemplated nor excluded within any specific Principal Use.

STATUTORY DEFINITION COMPLIANCE

In **Section 7(1)** of the Land Use Bylaw C-824-12, a Secondary Suite is defined as:

*“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...”*

- The proposed Principal Use, Row Housing, **is a residential use.**
- “Low to medium density Dwelling types” are **explicitly defined in the general purpose** of the R1 District, Section 115(1).

R1 DISTRICT COMPLIANCE

SECTION 115 R1 – MIXED LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT

(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.

Permitted Uses	Discretionary Uses
• Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings	• Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units • Sales Centre • Secondary Suite

- Refusal is **contrary to the intent** to “accommodate a range of low to medium density Dwelling types” and “to provide flexibility in the design and Development of the neighbourhood.”

RECENT SECONDARY SUITE EXCLUSION

On July 6, 2026 a new regulation for Secondary Suites was added under **Section 75(8)**.

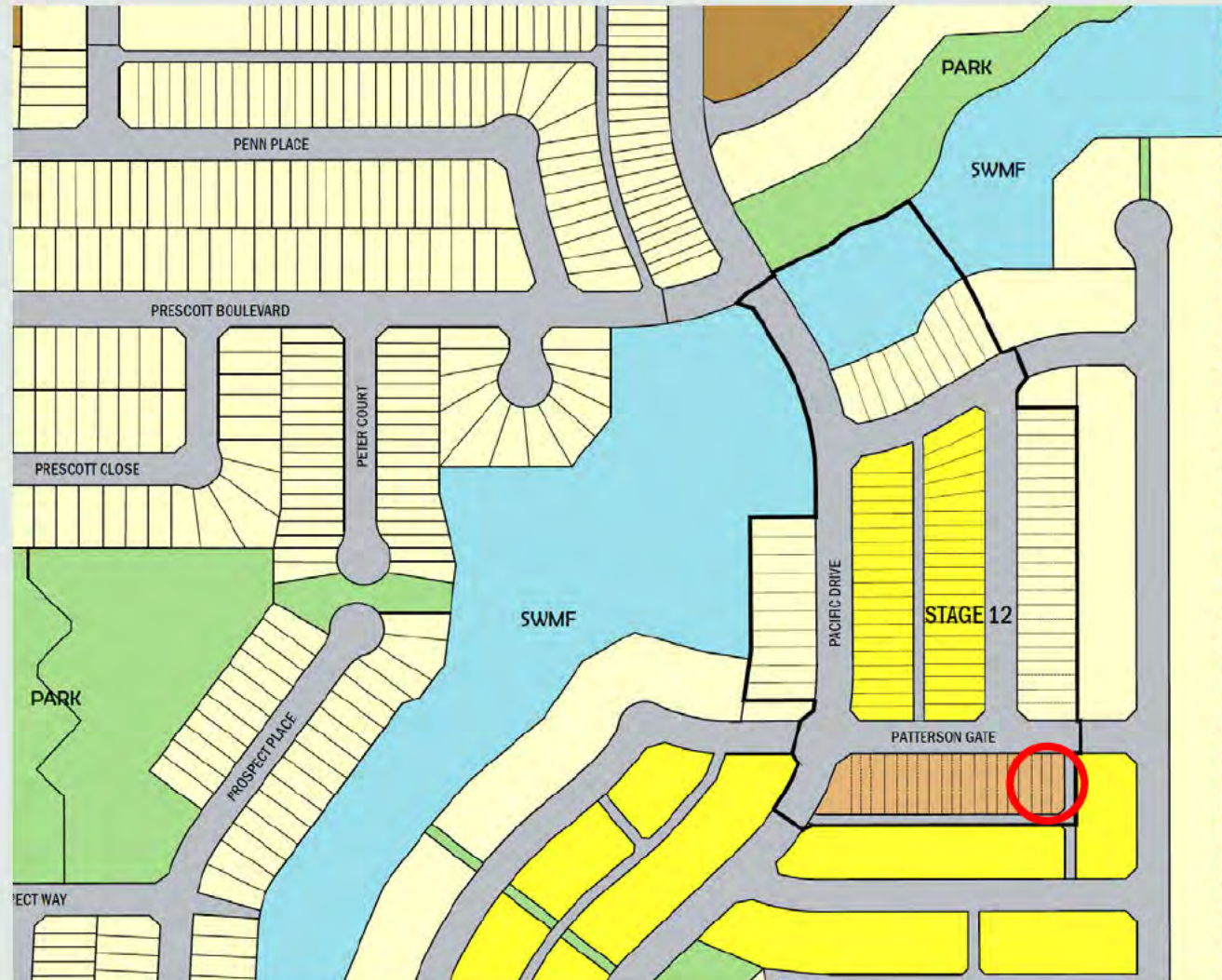
“A Secondary Suite is prohibited within a Row Housing Dwelling that fronts onto a Collector Road.”

- The only explicit restriction for Secondary Suites in Row Housing Dwellings is when the **dwelling fronts onto a Collector Road**.
- None of the proposed developments front onto a Collector Road.

LUB REGULATION SUMMARY

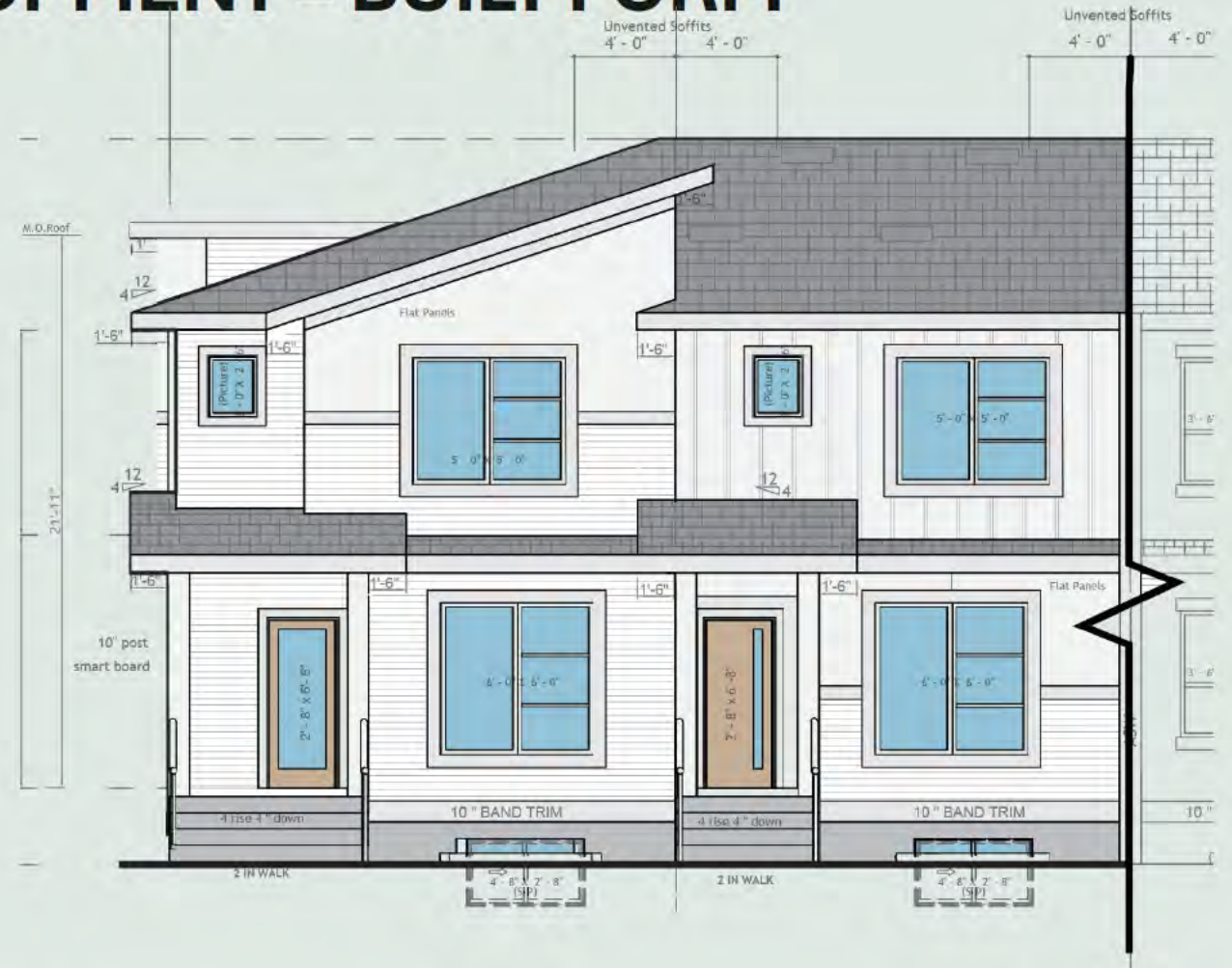
- ✓ Complies with definitions.
- ✓ Complies with district purpose.
- ✓ Complies with Collector Road exclusion.

CONTEXT



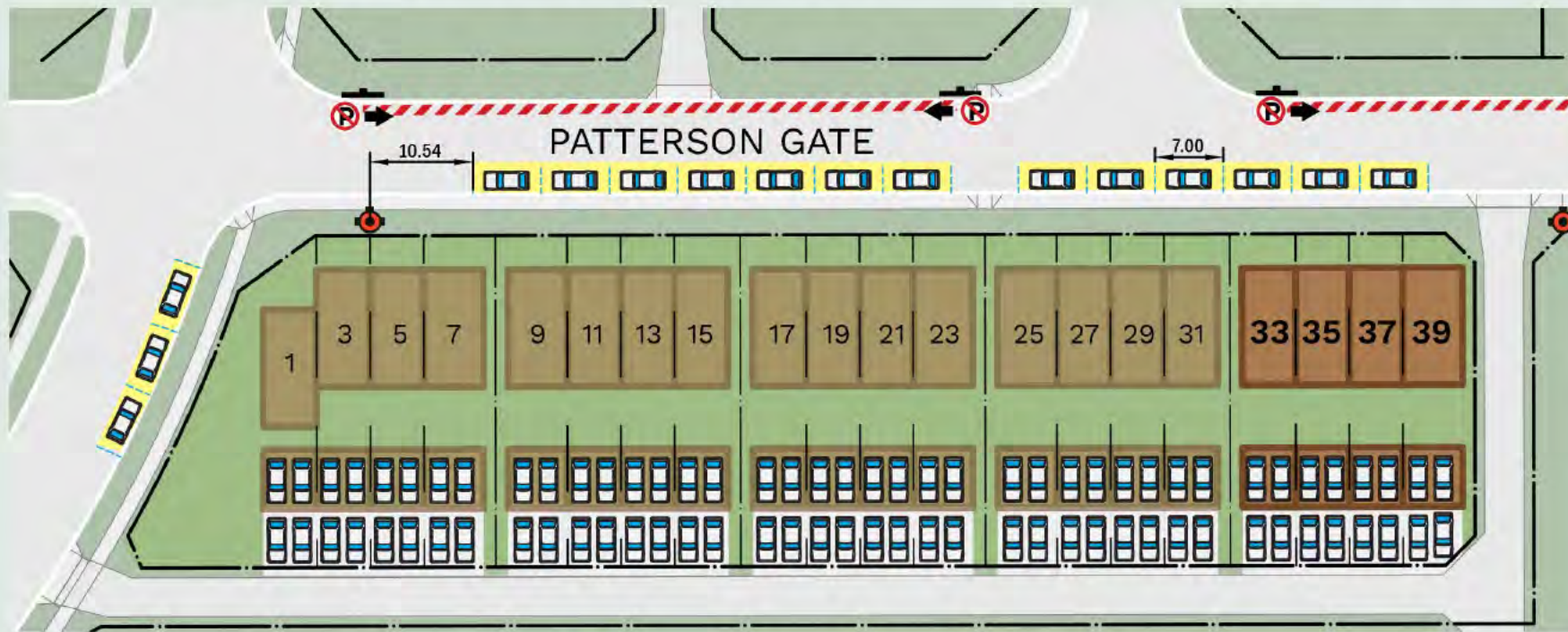
PLANNING CONTEXT: **COMPLEMENTARY DEVELOPMENT – BUILT FORM**

- The secondary suite is provided in the basement and has no visual impact on the architectural design. The resulting two-storey row house is comparable and compatible to the anticipated surrounding residential development.



PLANNING CONTEXT: COMPLEMENTARY DEVELOPMENT - PARKING

- Parking requirements are met on site. Additionally, on-street parking is available with the provision of the rear lane access.



On-Site Stalls
4
per lot
+
On-Street Parking
0.8
per lot

PLANNING POLICY COMPLIANCE

Municipal Development Plan

- Complies 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

Pioneer Lands Area Structure Plan

- Follows the objectives and intent to create housing affordability through density policies: 5.1, 5.2.1, 5.3.1

Non-Statutory Plan Alignment

- City of Spruce Grove Housing Needs Assessment
- City of Spruce Grove Housing Strategy

APPEAL SUMMARY

- The development **complies with the Land Use Bylaw.**
- The development is suitable in **built-form** and provides sufficient **parking.**
- The development **aligns with higher order statutory plans** including the MDP and the Pioneer Lands ASP.

PLDPR202600529
37 Patterson Gate

EXHIBIT 20

Type	Status	Status Date	Approval Track
Building	Waiting for Appeal	07/28/2026	Administrative
Accessory Building / Structure - Detached Garage	Waiting for Appeal	07/28/2026	Administrative

Generate Fees and Submittals

EXHIBIT 21



315 Jespersen Avenue
Spruce Grove, AB T7X 3E8

Phone: (780) 962-7582
Fax: (780) 962-1062

Business Hours
8:30 a.m. - 4:30 p.m. (Mon - Fri)

Notice of Application Refusal

Application: **PLDPR202600529**

Date: July 28, 2026

CRANSTON HOMES LTD.
207 - 6818 50 St NW
EDMONTON, AB T6B 2J8

Project Information

Civic Address: 37 PATTERSON GATE;
Legal: 2522489;113;19
Project: To construct one unit of a four unit row house with detached garage and secondary suite

The application for the above noted development permit has been refused.

REASONS FOR REFUSAL:

Non-compliance with the Statutory Definition of a Secondary Suite

Pursuant to Section 7(1) of Land Use Bylaw C-824-12, a **Secondary Suite** is defined as:

"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."

Section 115(1), which establishes the General Purpose of the **R1- Mixed Low to Medium Density Residential District**, does not explicitly contemplate or permit a **Secondary Suite** within any Principal Use other than a **Single Detached Dwelling**.

The subject 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, **Secondary Suite** is neither a Permitted nor a Discretionary Use on this site and cannot be approved under the current provisions of the Land Use Bylaw

Section.20(1)

Anshu Gupta
Development Officer

APPEAL PERIOD EXPIRY DATE: August 17, 2026

Important Notices

 If you wish to appeal the decision of the Development Officer, a completed form along with the appeal fee can be submitted in the following manner:

In person	By mail
City Hall 315 Jespersen Avenue Spruce Grove, AB	Clerk of the Subdivision and Development Appeal Board c/o City Clerk's Office City of Spruce Grove 315 Jespersen Avenue Spruce Grove, Alberta T7X 3E8

The request for appeal shall be submitted within the appeal expiry date.

EXHIBIT 22



315 Jespersen Ave, Spruce Grove, AB

Phone: 780-962-2611

M-F: 8:30 a.m. – 4:30 p.m.

NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development or Subdivision Application No.:
PLDPR202600529

Stop Order Dated:

Appeal of the
☐ Approval
☐ Conditional approval
☐ Refusal

☒ Representing group
☐ List of names attached

APPELLANT – REQUIRED

Appellant Name:
CRANSTON HOMES LTD.

Home Phone No.:
780-863-3007

Work Phone No.:

Mailing address:
207 - 6818 50 St NW

City:
EDMONTON

Province:
AB

Postal Code:
T6B 2J8

Signature: **Section 20(1)**

Date:
08/06/2026

Email
mycranstonhomes@gmail.com

APPELLANT'S REPRESENTATIVE

Appellant Name:
BLAYDON DIBBEN

Home Phone No.:

Work Phone No.:
587-786-3506

Mailing address:
17413 - 107 Ave NW

City:
EDMONTON

Province:
AB

Postal Code:
T5S 1E5

Email
bdibben@selecteng.ca

ADDRESS OF SUBJECT SITE – REQUIRED

Suite: Street Address: Street Name:
37 PATTERSON GATE

Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian

LOT 19 / BLOCK 113 / PLAN 2522489 /

REASON FOR APPEAL - REQUIRED

The proposed development complies with all regulations for Secondary Suites under Section 75 of Land Use Bylaw C-824-12 and complies with Section 115 for the R1 - Mixed Low to Medium Density Residential District. Secondary Suites are a Discretionary Use under Section 115(1) and there are no regulations or conditions within the R1 district that restrict Secondary Suites from being a Discretionary Use in Row Housing. We have also received refusals for the three adjacent developments on this block and kindly request the SDAB consider hearing these appeals together, given that they involve the same appellant, same planning issues, and similar facts.

OFFICE USE ONLY

Appeal Period Expiry Date:
August 17, 2026

Date Appeal Received:
August 13, 2026

Receipt No.:

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer an appeal to the Subdivision and Development Appeal Board. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.

EXHIBIT 23



August 24, 2026

City Clerk's Office

[Name/Address]

Dear [Name]:

RE: NOTICE OF HEARING – SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board has received the following four (4) appeals:

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, legally described as Plan 2522489; Block 113; Lot 17. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 18. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 19. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 20. The Development Permit Application was refused on July 28, 2026.

The Subdivision and Development Appeal Board (SDAB) will hold an appeal hearing to hear all four (4) appeals as follows:

DATE: Wednesday, September 9, 2026
TIME: 6:30 p.m.
LOCATION: City Hall
315 Jespersen Avenue, Spruce Grove
Council Chambers, 3rd Floor

When an appeal is filed with the Subdivision and Development Appeal Board (SDAB), all persons who own property within 30 meters of the development are notified of the hearing by way of this letter. In addition, the applicant of the development permit, and the person(s) who filed the appeal will also receive a copy of this letter.

Persons mentioned above and affected by this development have the right to submit a written, verbal, and/or visual submission to the Board. When making a submission, keep in mind that in accordance with the legislation that governs the SDAB, the Board can only consider relevant planning matters when rendering its decision. For more information about the Board, Appeal and Hearing process, visit sprucegrove.org/SDAB.

If you wish to submit written material to the Board for inclusion in the hearing agenda package, it should be received by the Clerk by **Wednesday, September 2, 2026, at 12 noon** by email at cityclerk@sprucegrove.org, or by mail to SDAB Clerk, 315 Jespersen Avenue, Spruce Grove, AB, T7X 3E8. Visuals such as PowerPoint presentations, photos, or graphics are considered written submissions. If you are unable to meet this submission deadline, please bring 10 copies of the materials to the hearing and it will be distributed at the start of the hearing. Any written and/or visual material received will be made available to the public.

We will be pleased to answer any questions you may have regarding the appeal and can also provide information or advice on Board procedures and how to make presentations to the Board. A helpful Information Guide is available at sprucegrove.org/SDABAppeal. Please feel free to contact me at 780-962-7615 should you have any questions.

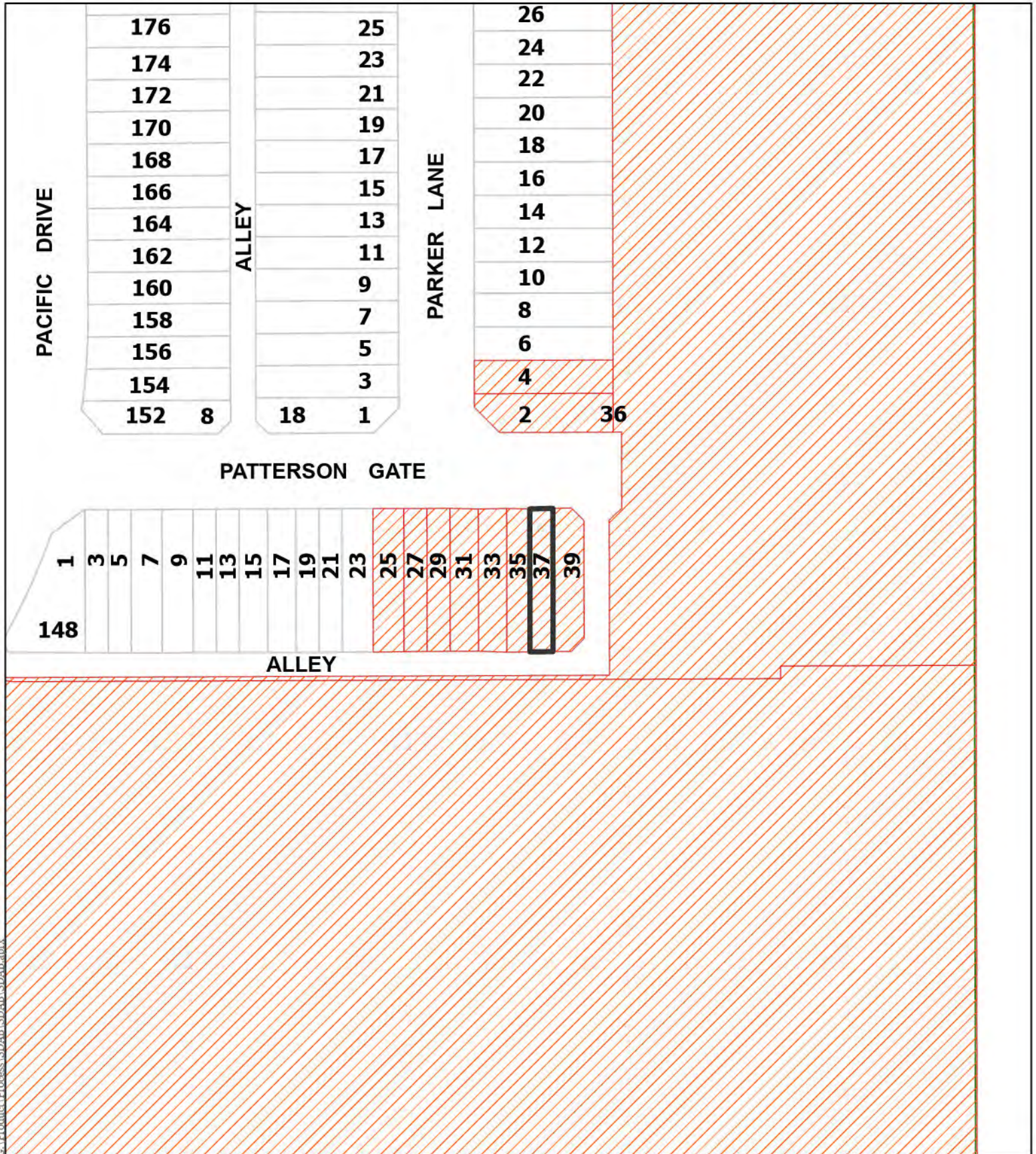
Kind regards,

Laura Hall
Clerk, Subdivision and Development Appeal
Board Email: cityclerk@sprucegrove.org
Phone: 780-962-7615

EXHIBIT 24

37 Patterson Gate

Notification letters sent to properties marked with  SubjectSiteParcel_Buffer



G:\Product\Process\SDAB\SDAB\SDAB.aprx

N

PAGE REMOVED

Information has been removed to be consistent with Section 20
of the *Access to Information Act*

EXHIBIT 25

37 Patterson Gate

Site Plan



G:\Product\Process\SDAB\SDAB\SDAB.aprx

N

EXHIBIT 26

Subject Site



EXHIBIT 27



PLANNING STAFF REPORT TO: Subdivision & Development Appeal Board

ITEM: __

File No: 2522489-113-19	Subject: An appeal against the refusal of Development Permit Application for a unit of four-unit row house with a detached garage and a secondary suite at 33 Patterson Gate (Plan 2522489; Block 113; Lot 19).
Date of Report: September 02, 2026	
Date of Hearing: September 09, 2026	

I. BACKGROUND INFORMATION

On May 26, 2026, the applicant submitted a development permit application to construct one unit of a four unit Row House with a detached garage and a Secondary Suite. The applications were circulated to the relevant department for review as a standard procedure.

On July 28, 2026, the Development Authority issued a Notice of Administrative Refusal for Development Permit Application PLDPR202600529 to construct one unit of a four unit Row House with a detached garage and a Secondary Suite with an appeal deadline of August 17, 2026.

On August 6, 2026, the applicant subsequently filed an appeal to the Subdivision and Development Appeal Board (SDAB) prior to the statutory appeal expiry date of August 17, 2026.

Application Summary:

Development Permit Application:	PLDPR202600529
Date of Decision:	July 28, 2026
Statutory Appeal Expiry:	August 17, 2026
Date of Appeal Received:	August 6, 2026
Municipal Address:	37 Patterson Gate
Legal Land Description:	Plan 252 2489; Block 113; Lot 19
Land Use District:	R1-Mixed Low to Medium Density Residential District
Proposed Development:	To construct one unit of a four unit Row House with a detached garage and a Secondary Suite
Municipal Development Plan Land Use:	Residential Neighbourhoods
Area Structure Plan:	Pioneer Lands Area Structure Plan, Bylaw C-686-08
Land Use Bylaw Relevant Sections:	Section 7 (1) – Definitions (Secondary Suite) Section 115 - R1- Mixed Low to Medium Density Residential District [(1) General Purpose]

II. MUNICIPAL GOVERNMENT ACT, RSA 2000, c M-26

Non-compliance with MGA Section 687(3)(d)(i):

Administration believe that the proposal would:

1. Unduly interfere with the amenities of the neighbourhood [MGA s. 687(3)(d)(i)(A)], and
2. Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land [MGA s. 687(3)(d)(i)(B)].

The proposed development does not satisfy the considerations under MGA s. 687(3)(d)(i) based on evaluation specified in Section V.- Planning Impact Analysis of the report.

MGA Section 687(3)(d)(ii):

In considering the variance on use, the proposed development must conform with the use prescribed for the land or building under the applicable Land Use Bylaw provisions. The following provisions of Land Use Bylaw C-824-12 (LUB) set out the applicable use framework and demonstrate that the proposed development does not constitute a prescribed use eligible for consideration under the variance authority.

1. Non-compliance with Land Use Bylaw C-824-12 Section 7(1) - Definition of "Secondary Suite": A Secondary Suite, in part is specifically defined as an accessory use located within a Single Detached Dwelling.

Section 7(1) defines "Secondary Suite" as

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" (emphasis is added in the definition by Administration)

2. Unprescribed Use: The subject application proposes a Secondary Suite within a unit of a four unit Row Housing development located at Plan 2522489, Block 113, Lot 19. Because the proposed Secondary Suite is located within Row Housing rather than a Single Detached Dwelling, it does not comply with the Land Use Bylaw definition of a "Secondary Suite." Consequently, a Secondary Suite within Row Housing is considered as an unlisted and unprescribed use on the subject property.

Hence, a Secondary Suite within Row Housing is not prescribed use in the R1-Mixed Low to Medium Density Residential District.

III. STATUTORY POLICY FRAMEWORK

The relevant policy and regulatory framework that apply to the proposed development include the following:

The Shape of Our Community- Municipal Development Plan (MDP)

Under MGA s. 687(3)(a.2), the proposed development must comply with applicable statutory plans. While MDP Section 3.4.1.1 (Principle 1) and Section 3.4.1.4 support "**gentle density**"

through Secondary Suites, 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.

Gentle density can be achieved through the addition of a secondary suite to a Single Detached Dwelling, without introducing the same level of density and associated impacts as Row Housing. Single Detached Dwellings have more site area, enough space to accommodate minimum parking required for a Secondary Suite, wide driveway to adjust four bins (2 for waste and 2 for organic) and snow storage, large rear yards for private outdoor amenity space. This approach allows for incremental intensification within a low-density housing form, whereas Row Housing already represents a medium-density form of development.

Pioneer Lands Area Structure Plan, Bylaw C-686-08 (ASP)

The subject lot is under the Pioneer Lands ASP policies. Section 5.1 of the ASP 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. However, Section 5.3.1 of the Land Use Concept provides the precise statutory density classifications as:

- Low Density Residential: defined as Single Detached Dwelling, Semi-Detached Dwelling, and Duplexes
- Medium Density Residential: captures Street-Oriented Row Housing and Stacked Row Housing.

The proposed development, comprising a one unit of a four unit Row House with a detached garage and a Secondary Suite, conflicts with the ASP Goal 5.1 as outlined in Section 5.3.1. A Secondary Suite is intended as an accessory tool for a low-density single dwelling parcel. Applying a Secondary Suite to a medium-density Row House results in an unmodeled over-intensification that violates the ASP's land use structure.

Administrative decision-making is primarily guided by the regulations and requirements of the Land Use Bylaw, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.

IV Land Use Bylaw C-824-12 (LUB)

Non-Compliance with LUB Secondary Suite Definition & R1 District General Purpose:

The Development Officer's Administrative Refusal of Development Permit Application PLDPR202600527 is grounded in a direct statutory reading of Section 7(1) and Section 115(1) of Land Use Bylaw C-824-12.

1. Statutory Definition of Secondary Suite [LUB Section 7(1)]

Pursuant to Section 7(1) of the Land Use Bylaw, a Secondary Suite is defined as:

"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.”

2. Scope of R1 District General Purpose [LUB Section 115(1)]

Section 115(1) establishes the ‘General Purpose’ of the R1 – Mixed Low to Medium Density Residential District as:

“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.”

Administrative Refusal Rationale based On Land Use Bylaw C-824-12:

While the R1 District accommodates a range of dwelling forms, Section 115(1) does not specifically expand or authorize Secondary Suite within any principal building form other than a Single Detached Dwelling. The subject property is districted R1 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. The proposed development does not comply with the definition under Section 7(1).

Consequently, a Secondary Suite within a Row Housing is prohibited on this site and cannot be approved under the current provisions of the Land Use Bylaw.

V Planning Impact Analysis

This analysis supports Administration’s reasoning of non-compliance with MGA Section 687(3)(d)(i)(A) and (B) as mentioned earlier in section (II) of this report.

1. Comparative Analysis of LUB “General Purpose” of Residential Districts & Statutory Intent:

A comparative review of the Land Use Bylaw (summarized in *Attachment #1: Comparative Analysis of General Purpose of Residential Districts and Secondary Suite Provisions*) demonstrates a deliberate statutory distinction in how Council intends Secondary Suite to be applied across different residential built forms:

- Standard Residential Districts (R1, RE1, and RE2): Accommodate a broad range of low-to-medium density housing types (*Single Detached, Semi-Detached, Duplex, and Row Housing*) and list Secondary Suite as a Discretionary Use. **General Purpose statements remain broad and do not explicitly authorize or mandate Secondary Suite for attached housing forms.** Consequently, the development of a secondary suite in standard zones is strictly bound by the LUB Section 7(1) Definition of ‘Secondary Suite’.
- Accordingly, the Development Authority has never approved a Secondary Suite in a Duplex, Semi-Detached Dwelling, or Row Housing within standard residential districts. The Development Authority consistently interprets and applies the definition of “Secondary Suite” to a Single Detached Dwelling in standard districts, or to a Semi-Detached Dwelling and a Row Housing, where explicitly enabled through Direct Control Districts.
- Single Dwelling Planned Districts (EPL, CPL, and PPL): These districts restrict principal development to a Single Detached Dwelling. LUB Section 7(1) definition for a ‘Secondary Suite’ is automatically satisfied without requiring clear mention in the district ‘General Purpose’.
- Higher-Density Residential Districts (R2, R2CC, and R4): These districts are mean for multi-unit, medium-to-high density development (*such as stacked row housing and apartments*). Secondary Suite is omitted as a listed use, as density targets are achieved

through a primary multi-unit structure.

- Site-Specific Direct Control Districts (DC.10, DC.11, DC.13, DC.14, and DC.16): By adopting these districts, **Council specifically intended to allow a Secondary Suite within Row Housing**. Council established site-specific Direct Control Districts, specifically modifying the 'General Purpose' statement (e.g., *"to allow Row Housing, Street Oriented with Secondary Suites"*) and upgraded Secondary Suite as a 'Permitted Use'.

Statutory Conclusion:

When Council intends for a Row Housing unit to accommodate a Secondary Suite, it clearly states in the district's 'General Purpose' and upgrades a Secondary Suite to a 'Permitted Use' via a Direct Control districting. In standard districts, such as R1-Mixed Low to Medium Density Residential, the absence of this explicit statement confirms that Row Housing units are not intended for the development of a Secondary Suite.

2. Pioneer Lands ASP Density Tracking and Capacity Analysis:

The subject property is located within the Pioneer Lands Area Structure Plan (ASP), specifically within the Prescott neighborhood. Attachment # 1 depicts 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. ASP Maximum Density Capacity: The statutory Land Use Statistics for the ASP establish a maximum ceiling of **3,507** dwelling units within the 'Low to Medium Density Residential' designation.

- Approved Unit Yield: To date, **1,805** units have been approved, comprising of Single Detached Dwellings, Semi-Detached Dwellings, and Row Housing.
- Approved Secondary Suites: **147** Secondary Suites have been granted development permits—all associated with eligible single-dwelling built forms in full alignment with LUB definitions and ASP servicing models.
- **Prescott Neighbourhood Breakdown:** As shown in Attachment #2, Prescott neighborhood has **94** approved Secondary Suites (2025 data) within lots districted as R1- Mixed Low to Medium Density Residential District (54 Secondary Suites), and DC.10- Prescott Direct Control District that allows Secondary Suite (**40** in number) within **100 %** uptake in the DC.10 District where Row Housing with Secondary Suite is a permitted use. The site-specific Direct Control District is designed and intentionally engineered to allow a Secondary Suite in Row Housing as the servicing infrastructure is built specifically to handle it.

For example, within DC.10 District, the resulting density of Row Housing with approved Secondary Suite along Pacific Drive appears to be **82 units/ha** (based on 3 principal uses + 3 secondary suites). The addition of Secondary Suite can result in an unplanned residential density beyond that contemplated through the original development having principal uses **ONLY** that may create **negative impact** on neighbourhood amenities, and additional load on servicing and infrastructure capacity.

The table below provides a comparison of typical row houses **with and without secondary suite**. As illustrated, due to introduction of secondary suites, the rear garage is shifted internally toward rear yard to accommodate extra required parking space resulting in the reduction of rear yard area, which commonly functions as private outdoor amenity space for the residents. This demonstrates how the addition of secondary suites can affect the functional design and amenity of row housing sites, beyond the increase in

dwelling-unit density alone.



Statutory Conclusion:

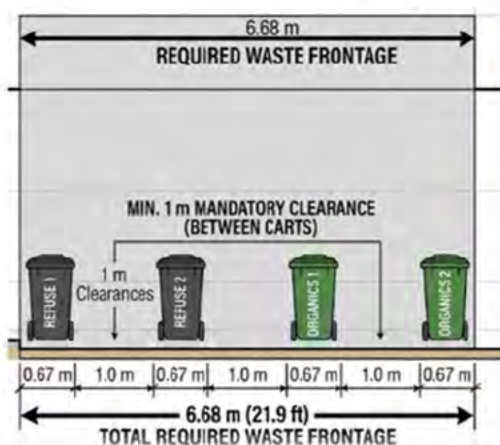
Increasing density by layering a Secondary Suite onto Row Housing units doubles the potential unit count on a single lot, turning a 4-unit row housing into 8 dwelling units, which can overload servicing infrastructure designed for standard low to medium residential density established for the Pioneer Lands ASP.

*Recent amendments to the Land Use Bylaw, through Bylaw C-1446-26, adopted July 06, 2026) reclassified Row Housing from the **R1-Mixed Low to Medium Density Residential District** to the **R2 – Medium to High Density Residential District** (effective November 1, 2026). The amendments established more clearly defined residential districts and housing forms, reducing the previous flexibility in housing forms. This approach supports more accurate tracking and management of residential density and enables more reliable assessment of municipal servicing, infrastructure, and road network requirements.*

3. Technical Review:

The planning and policy findings as mentioned above, are further reinforced by technical review obtained from Engineering and Public Works Department.

- a) Public Works Review: The proposed site density represents overdevelopment that cannot be functionally serviced within the site's dimensions, specifically regarding municipal waste collection and mandatory winter snow storage. Standard waste management protocols require four collection carts (two waste, two organics) per lot.



The image illustrates the proposed layout of **four carts per lot (two waste and two organics carts)**. Due to the limited site width, the carts cannot be arranged with the **mandatory 1.0 m clearance between carts**, resulting in an inadequate area for on-site waste storage and collection.

At a cart width of 67 cm and a mandatory clearance of 1.0 m between carts, each unit requires a minimum unencumbered lane frontage of 6.68 m (21.9 ft), as shown below. Furthermore, 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.

b) Engineering Review:

- On-Street Parking Congestion: Cumulative increases in secondary suites directly heighten vehicle activities and on-street parking pressure along residential block faces.
- Increased Water and Sanitary Utility Demands: Higher residential occupancy increases peak consumption and load on local water and sanitary infrastructure networks.

4. Supporting Evidence:

Administration identified several concerns associated with a Secondary Suite in Row Housing as listed below:

- increased residential unplanned density;
- additional pressure on infrastructure and traffic;
- impacts on on-street parking;
- reduced amenity space associated with tandem parking; and
- additional waste collection requirements, which would require 8 organic bins and 8 garbage bins (4 bins per unit)

Additionally, Administration also identified that the 70% impermeable-material limitation can be challenging for Row Housing, particularly internal street-oriented units, and that the issue is deepened where a Secondary Suite requires rear parking pads.

Based on above-listed concerns, a Secondary Suite is more appropriate for Single Detached Dwelling types where districts have wider lots and can better accommodate on-site parking, amenity space, drainage, snow storage, and waste collection bins.

VI Conclusion and Recommendations

Conclusion:

The Development Officer submits that the Administrative Refusal of Development Permit Application PLDPR202600529 should be upheld by the SDAB on two statutory grounds:

1. Definition Non-Compliance: The proposed Secondary Suite does not meet the definition of a Secondary Suite under LUB Section 7(1) and the R1 District 'General Purpose' under Section 115(1).
2. Uncontrolled Planning & Servicing Impact: As confirmed by Engineering, Public Works, supporting evidence and planning report, the unmodeled density causes adverse site-servicing, parking, and operational impacts on neighbouring parcels, and does not satisfy the considerations under MGA s. 687(3)(d)(i).

*Administrative decision-making is primarily guided by the regulations and requirements of the **Land Use Bylaw**, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.*

Primary Recommendation:

The Development Officer respectfully requests that the Subdivision and Development Appeal Board:

- **UPHOLD** the Development Officer's decision of refusal for Development Permit Application PLDPR202600529; and
- **REFUSE** the issuance of the Development Permit.

Alternative Recommendation:

Should the Subdivision and Development Appeal Board (SDAB) decide to allow the appeal and issue a Development Permit for Application PLDPR202600529, the Development Officer respectfully requests that approval may be granted under one of the following options, subject to conditions as per the respective attachments to mitigate potential planning, servicing, and operational impacts.

1. Full Approval: Approve the Development Permit # PLDPR202600529 to construct a unit of four unit Row Housing with a detached garage and a Secondary Suite, subject to the conditions set out in Attachment # 3.
2. Partial Approval: Approve the Development Permit # PLDPR202600529 to construct a unit of four-unit Row Housing with a detached garage, subject to the conditions set out in Attachment # 3A

Comparative Analysis of LUB “General Purpose” of Residential Districts & and Secondary Suite Provisions

Type of Residential District	General Purpose of District	Listed Uses	Rationale
R1-Mixed Low to Medium Density Residential	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	<u>Permitted Uses</u> • Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units but only in accordance with Sections 1(a) and (b) of this District • Sales Centre • Secondary Suite • Show Home	1. Row Housing and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
R2- Mixed Medium to High Density Residential District	The purpose of this District is to accommodate a mix of medium to high density Dwelling	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Multi-Unit Dwellings but only in accordance with Section 1(c)	Secondary Suite is not identified as a listed use under the district regulations.

	types within the block face, to provide flexibility in the design and Development of neighborhoods. The district is intended to emphasize complementary interface of Development with the Street and with each other.	and (d) of this District • Row Housing Development • Row Housing, Stacked • Row Housing, Street Oriented with rear attached Garage <u>Discretionary Uses</u> • Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Duplex • Family Day Home • Group Homes, Limited • Home Occupation, Major • Public Utility Building • Religious Assembly • Row Housing, Street Oriented • Sales Centre • Semi-Detached Dwelling • Show Home • Special Care Facility but only in accordance with Section 1(c) and (d) of this District	
R2CC-City Centre High Density Residential District	The purpose of this District is to accommodate higher density residential	<u>Permitted Uses</u> • Multi-Unit Dwellings	Secondary Suite is not identified as a listed use under the district regulations.

	development within the City Centre Overlay Area that contributes positively to a high-quality urban form and pedestrian environment and supports achieving an overall City Centre density target of 100 dwelling units per net residential hectare.	<u>Discretionary Uses</u> • Accessory Buildings • Assisted Living Facility • Designated Assisted Living Facility • Funeral Homes, Existing • Home Occupation, Minor • Public Utility Building • Row Housing, Stacked • Sales Centre • Special Care Facility	
R4 - High Density Residential District	The purpose of this District is to accommodate high density apartments on a site. The district is intended to emphasize complementary interface of Development with the Street and with each other.	<u>Permitted Uses</u> • Accessory Buildings • Multi-Unit Dwellings <u>Discretionary Uses</u> • Assisted Living Facility • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility • Family Day Home • Group Homes, Limited • Home Occupation, Minor • Religious Assembly • Sales Centre • Show Home • Special Care Facility	Secondary Suite is not identified as a listed use under the district regulations.
GPL- Greenbury Planned Lot District	The purpose of this District is to accommodate single and semi-detached	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Semi-Detached Dwelling	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling,

	dwellings built to the property line and street-oriented row housing with standard side yards within the Greenbury neighborhood on a pilot project basis.	• Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Group Homes, Limited • Public Utility Building • Sales Centre • Secondary • Show Home • Row Housing, Street Oriented, up to four units	Semi-Detached dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
EPL- Easton Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the property line within the Easton neighbourhood.	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
CPL- Copperhaven Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.

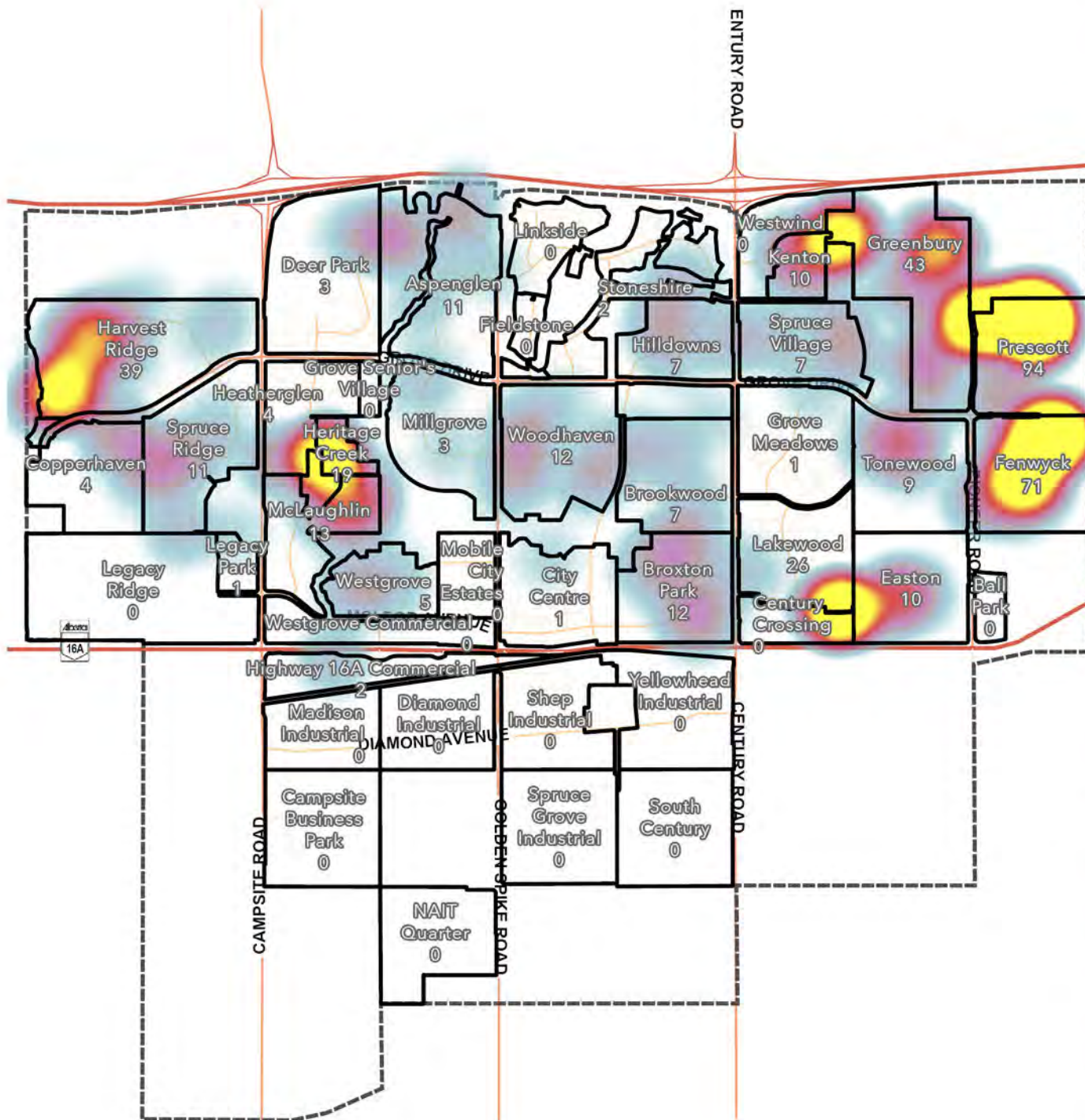
	property line within the Copperhaven neighborhood	• Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	
PPL- Prescott Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley, with one side built to the property line within the Prescott neighborhood	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
RE1- Established Neighborhood Residential District	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply

	Development. This District is applied where lots are generally developed at a density less than 25 dwelling units per hectare.	• Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	
RE2- Established Neighborhood Residential District 2	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible Development. This District is applied where lots are generally developed at a density exceeding 25 dwelling units per hectare.	<u>Permitted Uses</u> • Accessory Building • Duplex abutting a Collector Road • Home Occupation, Minor • Semi-Detached Dwelling abutting a Collector Road • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite • Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Duplex Semi-Detached Dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
DC.10- Prescott Direct Control	The purpose of this District is to allow	<u>Permitted Uses</u> • Accessory Buildings	General Purpose of the district allows to accommodate Secondary Suite in Row

District	Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	• Home Occupation, Minor • Row Housing, Street Oriented • Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	Housing, Street Oriented housing types.
DC.11- Lakewood Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Row Housing, Street Oriented • Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows to accommodate Secondary Suite in Row Housing, Street Oriented housing types.
DC.12- Fenwyck Semi-Detached Direct Control District	The purpose of this District is to allow semi-detached dwelling units with a combination of alternating front and rear Site access.	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Family Day Homes • Home Occupation, Major • Sales Centre • Show Home	1. One housing type- Semi-Detached Dwelling is allowed. 2. Secondary Suite is also listed as Permitted Use. The district is site-specific Direct Control which aligns with MDP policies. General Purpose allows Secondary Suite in Semi-Detached dwelling as align with the definition of Secondary Suite.
DC.13- Fenwyck Row Housing Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented dwelling units with opportunities to develop Secondary Suites while maintaining the built	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Row Housing, Street Oriented • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Show Home	1. Housing types are Row Housing Street Oriented and Semi-Detached Dwelling. 2. Secondary Suite is a permitted use 3. General Purpose of the district allows Secondary Suite with Row Housing, Street Oriented. The district is site-specific Direct Control which aligns with MDP policies. General Purpose of

	form of the neighborhoods.	• Sales Centre	the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC. 14- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	The district is site-specific Direct Control which aligns with MDP policies. General Purpose of the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC.15- Tonewood Row Housing Direct Control District	The purpose of this District is to accommodate residential Row Housing development. The district ensures development at a height and scale contiguous with surrounding low density residential.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing Development <u>Discretionary Uses</u> • Sales Centers	Secondary Suite is not a listed use.
DC. 16- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows Secondary Suite in Row Housing, Street Oriented which aligns with the definition of Secondary Suite.
DC.19- Greenbury Single Detached Direct Control	The purpose of this District is to provide for two storey Single	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor	1. Single Detached Dwelling is only housing type 2. Secondary Suite is not listed uses.

District	Detached Dwellings to balance the streetscape along Westwind Drive.	• Single Detached Dwelling Discretionary Uses • Show Home • Sales Centre	Definition 7 of Secondary Suite does not apply as Secondary Suite is not listed uses in this district.
DC.21- Easton back-to-Back Row Housing Direct Control District	To establish a site-specific direct control district on a medium density residential site for a bare land condominium development to accommodate residential Row Housing, Back-to-Back and Row Housing located along Pioneer Road and McLeod Avenue.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing • Row Housing • Row Housing, Back-to-Back <u>Discretionary Uses</u> • Show Home • Sale Centre • Semi-Detached Dwelling	Secondary Suite is not a listed use in this district.



Neighbourhood	# of Secondary Suites
Aspenglen	11
Brookwood	7
Broxton Park	12
City Centre	1
Copperhaven	4
Deer Park	3
Easton	10
Fenwick	71
Greenbury	43
Grove Meadows	1
Harvest Ridge	39
Heatherglenn	4
Heritage Creek	19
Highway 16A Commercial	2
Hilldowns	7
Kenton	10
Lakewood	26
Legacy Park	1
McLaughlin	13
Millgrove	3
Prescott	94
Spruce Ridge	11
Spruce Village	7
Stoneshire	2
Tonewood	9
Westgrove	5
Woodhaven	12

Total # of Secondary Suites:

427

1. The detached garage man door shall not be bucked into any required extra height concrete curb.
2. The dwelling shall have its address number clearly displayed near the front door of the main entrance. This shall include the secondary suite addressing. The approved address for the secondary suite is 37 A Patterson Gate.
3. A Secondary Suite shall not be allowed within the same Site containing a Group Care Facility, Limited Group Home, Home Occupation-Major, Garden Suite or Garage Suite.
4. A parking area shall be provided at the rear of the property, with access from the lane. Adequate on-site parking must be provided: two stalls for the main dwelling unit, and one additional stall for the secondary suite. Required parking stalls must be provided on-site and may not be on a public road.
5. The Secondary Suite shall be serviced from a connection to the primary dwelling service after the water meter and shall not be serviced through a separate service connection. All plumbing connections for Secondary Suites servicing must be inspected prior to occupancy being granted.
6. The floor area of the secondary suite shall not exceed the floor area of the first storey of the dwelling.
7. The secondary suite shall be operated as an accessory use only and shall not change the residential character of the principal dwelling involved.
8. The vehicle doors of the detached garage shall be located facing the laneway.
9. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway. This shall include the secondary suite address.
10. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).
11. Driveways and sidewalks must maintain a minimum clearance of 300 mm from all side yard property lines.
12. 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.
13. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.
14. 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.
15. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.
16. 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.
17. 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.
18. 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.
19. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.
20. 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.
21. 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.

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. Adequate on-site parking must be provided: two stalls for the main dwelling unit, and one additional stall for the secondary suite. 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. This shall include the secondary suite address.
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.

EXHIBIT 28



Development Permit Appeal

**33, 35, 37, & 39
PATTERSON GATE**

DP REFUSAL – STATED REASON

*“Section 115(1), which establishes the General Purpose of the R1-Mixed Low to Medium Density Residential District, **does not explicitly contemplate or permit a Secondary Suite within any Principal Use other than a Single Detached Dwelling.**”*

- Secondary Suites and Row Housing are both explicitly contemplated as a discretionary use.
- Secondary Suites are not contemplated nor excluded within any specific Principal Use.

STATUTORY DEFINITION COMPLIANCE

In **Section 7(1)** of the Land Use Bylaw C-824-12, a Secondary Suite is defined as:

*“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...”*

- The proposed Principal Use, Row Housing, **is a residential use.**
- “Low to medium density Dwelling types” are **explicitly defined in the general purpose** of the R1 District, Section 115(1).

R1 DISTRICT COMPLIANCE

SECTION 115 R1 – MIXED LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT

(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.

Permitted Uses	Discretionary Uses
• Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings	• Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units • Sales Centre • Secondary Suite

- Refusal is **contrary to the intent** to “accommodate a range of low to medium density Dwelling types” and “to provide flexibility in the design and Development of the neighbourhood.”

RECENT SECONDARY SUITE EXCLUSION

On July 6, 2026 a new regulation for Secondary Suites was added under **Section 75(8)**.

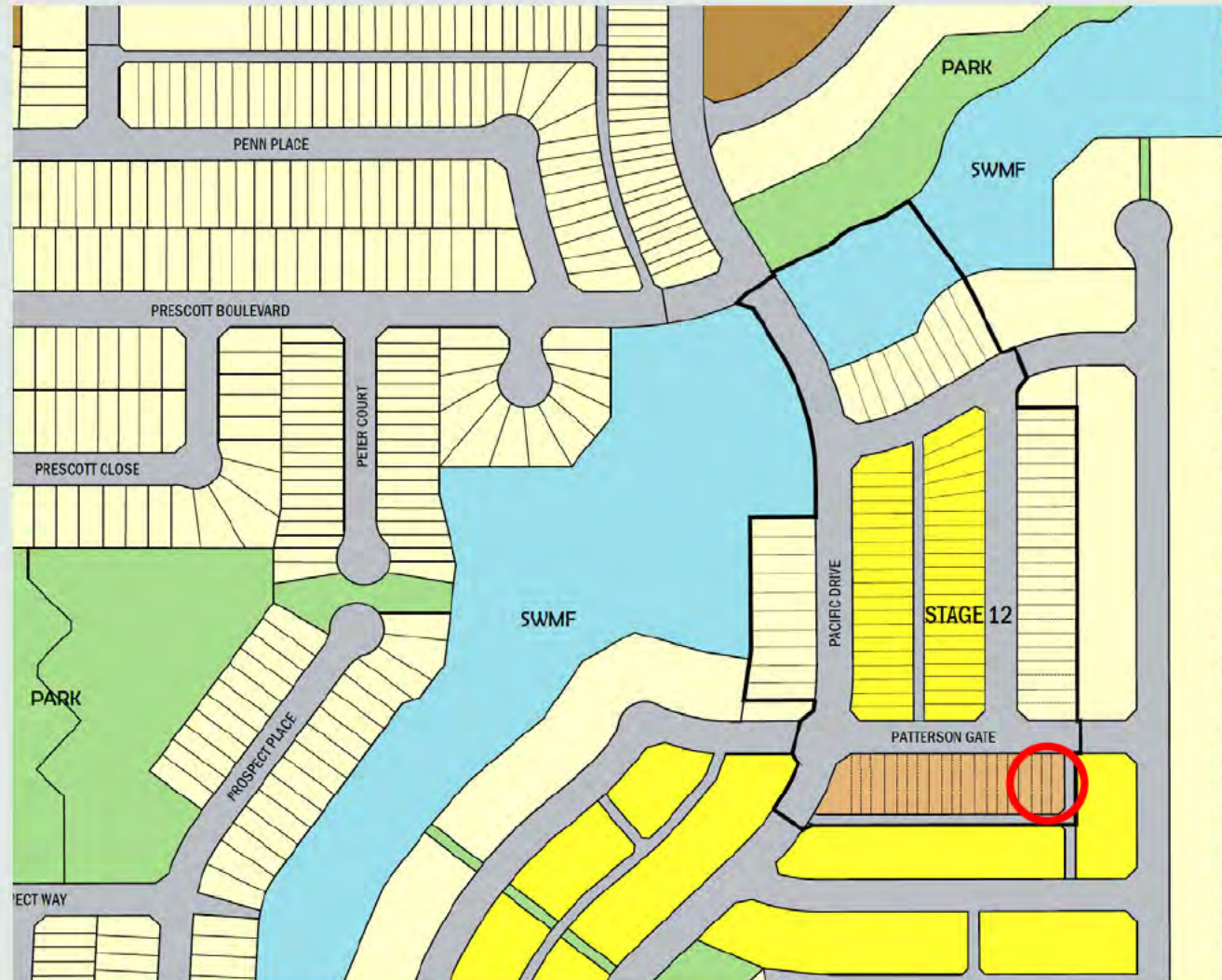
“A Secondary Suite is prohibited within a Row Housing Dwelling that fronts onto a Collector Road.”

- The only explicit restriction for Secondary Suites in Row Housing Dwellings is when the **dwelling fronts onto a Collector Road**.
- None of the proposed developments front onto a Collector Road.

LUB REGULATION SUMMARY

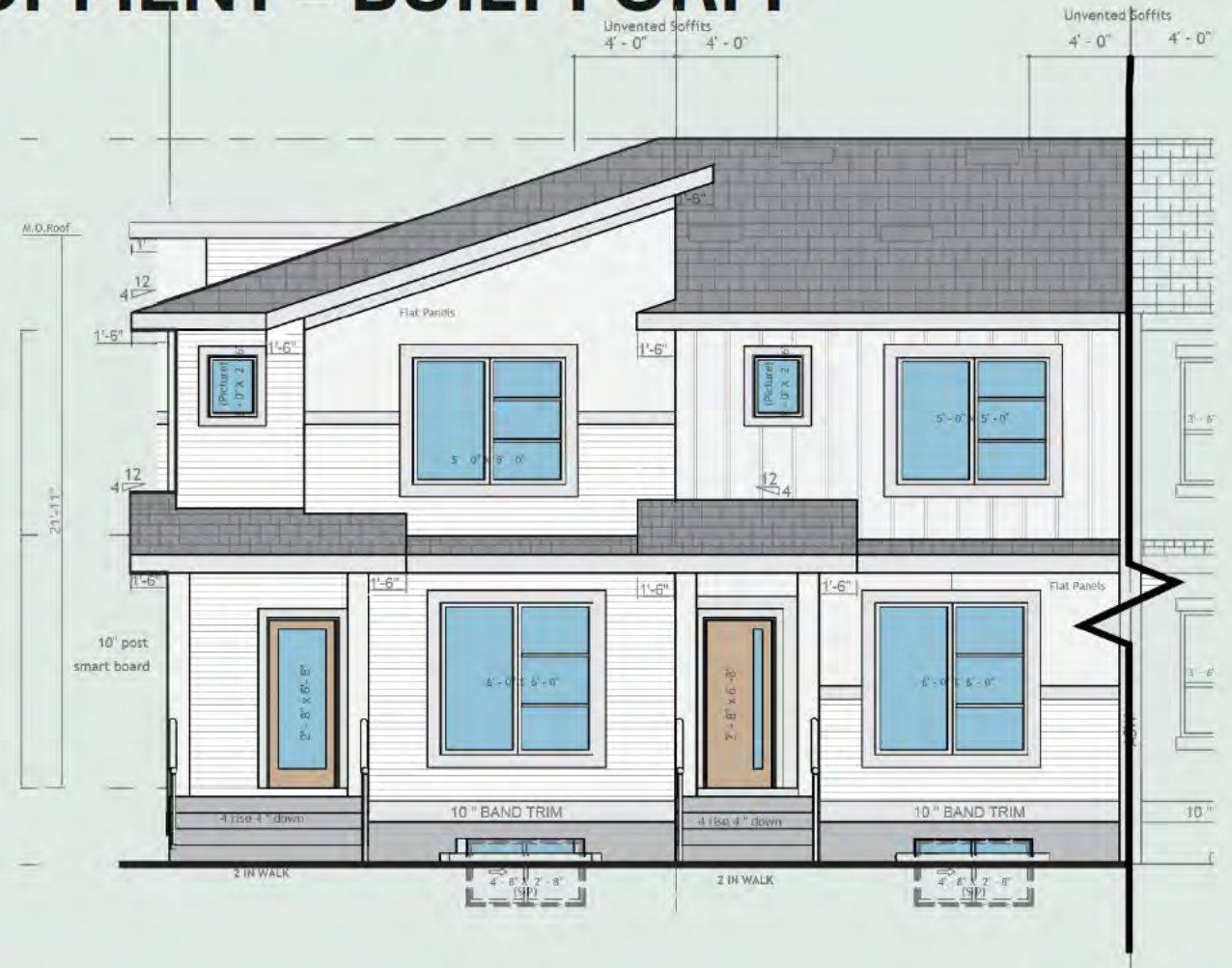
- ✓ Complies with definitions.
- ✓ Complies with district purpose.
- ✓ Complies with Collector Road exclusion.

CONTEXT



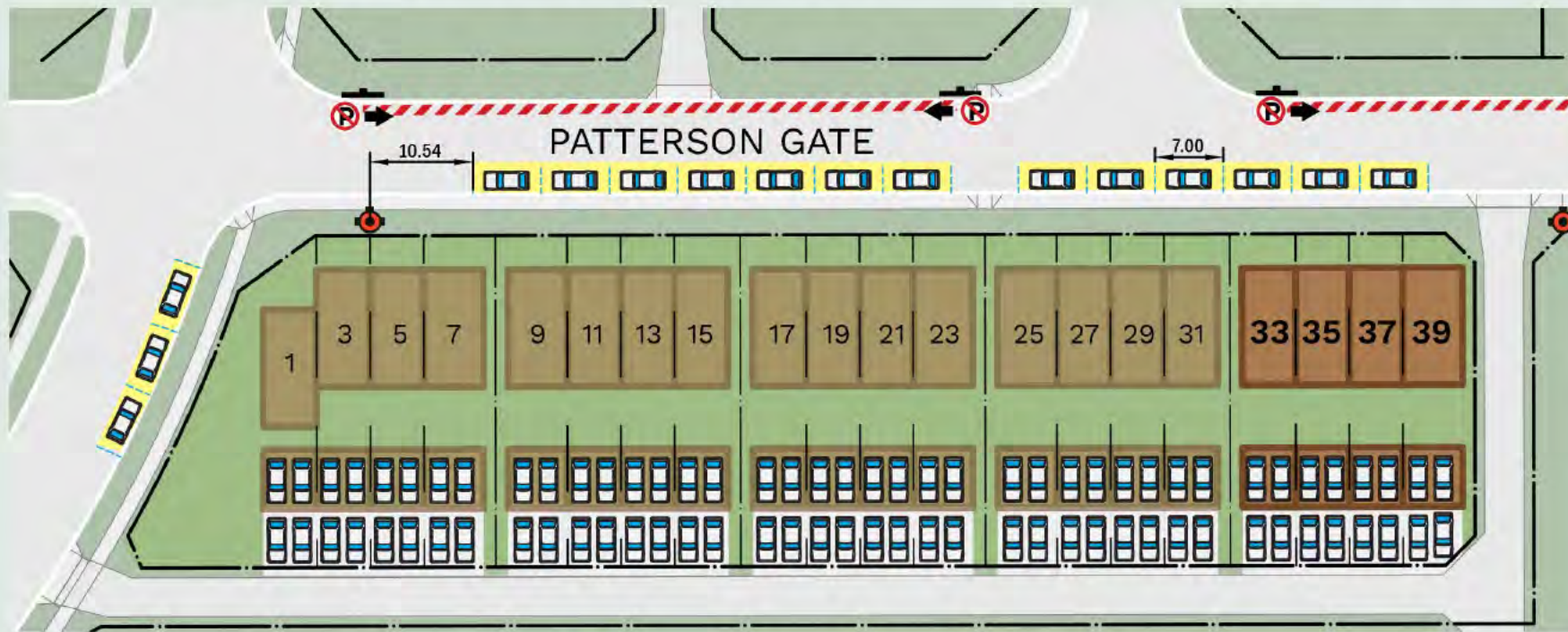
PLANNING CONTEXT:
COMPLEMENTARY DEVELOPMENT – BUILT FORM

- The secondary suite is provided in the basement and has no visual impact on the architectural design. The resulting two-storey row house is comparable and compatible to the anticipated surrounding residential development.



PLANNING CONTEXT: COMPLEMENTARY DEVELOPMENT - PARKING

- Parking requirements are met on site. Additionally, on-street parking is available with the provision of the rear lane access.



On-Site Stalls
4
per lot
+
On-Street Parking
0.8
per lot

PLANNING POLICY COMPLIANCE

Municipal Development Plan

- Complies 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

Pioneer Lands Area Structure Plan

- Follows the objectives and intent to create housing affordability through density policies: 5.1, 5.2.1, 5.3.1

Non-Statutory Plan Alignment

- City of Spruce Grove Housing Needs Assessment
- City of Spruce Grove Housing Strategy

APPEAL SUMMARY

- The development **complies with the Land Use Bylaw.**
- The development is suitable in **built-form** and provides sufficient **parking.**
- The development **aligns with higher order statutory plans** including the MDP and the Pioneer Lands ASP.

PLDPR202600530
39 Patterson Gate

EXHIBIT 29

[illegible]

EXHIBIT 30



315 Jespersen Avenue
Spruce Grove, AB T7X 3E8

Phone: (780) 962-7582
Fax: (780) 962-1062

Business Hours
8:30 a.m. - 4:30 p.m. (Mon - Fri)

Notice of Application Refusal

Application: **PLDPR202600530**

Date: July 28, 2026

CRANSTON HOMES LTD.
207 - 6818 50 St NW
EDMONTON, AB T6B 2J8

Project Information

Civic Address: 39 PATTERSON GATE;
Legal: 2522489;113;20
Project: To construct one unit of a four unit row house with detached garage and secondary suite

The application for the above noted development permit has been refused.

REASONS FOR REFUSAL:

Non-compliance with the Statutory Definition of a Secondary Suite

Pursuant to Section 7(1) of Land Use Bylaw C-824-12, a **Secondary Suite** is defined as:

"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."

Section 115(1), which establishes the General Purpose of the **R1- Mixed Low to Medium Density Residential District**, does not explicitly contemplate or permit a **Secondary Suite** within any Principal Use other than a **Single Detached Dwelling**.

The subject 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, **Secondary Suite** is neither a Permitted nor a Discretionary Use on this site and cannot be approved under the current provisions of the Land Use Bylaw

Section.20(1)

Anshu Gupta
Development Officer

APPEAL PERIOD EXPIRY DATE: August 17, 2026

Important Notices

✍ If you wish to appeal the decision of the Development Officer, a completed form along with the appeal fee can be submitted in the following manner:

In person	By mail
City Hall 315 Jespersen Avenue Spruce Grove, AB	Clerk of the Subdivision and Development Appeal Board c/o City Clerk's Office City of Spruce Grove 315 Jespersen Avenue Spruce Grove, Alberta T7X 3E8

The request for appeal shall be submitted within the appeal expiry date.

EXHIBIT 31



315 Jespersen Ave, Spruce Grove, AB

Phone: 780-962-2611

M-F: 8:30 a.m. – 4:30 p.m.

NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development or Subdivision Application No.:

PLDPR202600530

Stop Order Dated:

Appeal of the

- ☐ Approval
☐ Conditional approval
☒ Refusal

☒ Representing group

☐ List of names attached

APPELLANT – REQUIRED

Appellant Name:

CRANSTON HOMES LTD.

Home Phone No.:

780-863-3007

Work Phone No.:

Mailing address:

207 - 6818 50 St NW

City:

EDMONTON

Province:

AB

Postal Code:

T6B 2J8

Signature:

Section.20(1)

Date:

08/06/2026

Email

mycranstonhomes@gmail.com

APPELLANT'S REPRESENTATIVE

Appellant Name:

BLAYDON DIBBEN

Home Phone No.:

Work Phone No.:

587-786-3506

Mailing address:

17413 - 107 Ave NW

City:

EDMONTON

Province:

AB

Postal Code:

T5S 1E5

Email

bdibben@selecteng.ca

ADDRESS OF SUBJECT SITE – REQUIRED

Suite:

Street Address:

Street Name:

39

PATTERSON GATE

Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian

LOT 20

/ BLOCK 113

/ PLAN 252489

REASON FOR APPEAL - REQUIRED

The proposed development complies with all regulations for Secondary Suites under Section 75 of Land Use Bylaw C-824-12 and complies with Section 115 for the R1 - Mixed Low to Medium Density Residential District. Secondary Suites are a Discretionary Use under Section 115(1) and there are no regulations or conditions within the R1 district that restrict Secondary Suites from being a Discretionary Use in Row Housing. We have also received refusals for the three adjacent developments on this block and kindly request the SDAB consider hearing these appeals together, given that they involve the same appellant, same planning issues, and similar facts.

OFFICE USE ONLY

Appeal Period Expiry Date:

August 17, 2026

Date Appeal Received:

August 13, 2026

Receipt No.:

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer an appeal to the Subdivision and Development Appeal Board. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.

EXHIBIT 32



August 24, 2026

City Clerk's Office

[Name/Address]

Dear [Name]:

RE: NOTICE OF HEARING – SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board has received the following four (4) appeals:

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, legally described as Plan 2522489; Block 113; Lot 17. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 18. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 19. The Development Permit Application was refused on July 28, 2026.
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, legally described as Plan 2522489; Block 113; Lot 20. The Development Permit Application was refused on July 28, 2026.

The Subdivision and Development Appeal Board (SDAB) will hold an appeal hearing to hear all four (4) appeals as follows:

DATE: Wednesday, September 9, 2026
TIME: 6:30 p.m.
LOCATION: City Hall
315 Jespersen Avenue, Spruce Grove
Council Chambers, 3rd Floor

When an appeal is filed with the Subdivision and Development Appeal Board (SDAB), all persons who own property within 30 meters of the development are notified of the hearing by way of this letter. In addition, the applicant of the development permit, and the person(s) who filed the appeal will also receive a copy of this letter.

Persons mentioned above and affected by this development have the right to submit a written, verbal, and/or visual submission to the Board. When making a submission, keep in mind that in accordance with the legislation that governs the SDAB, the Board can only consider relevant planning matters when rendering its decision. For more information about the Board, Appeal and Hearing process, visit sprucegrove.org/SDAB.

If you wish to submit written material to the Board for inclusion in the hearing agenda package, it should be received by the Clerk by **Wednesday, September 2, 2026, at 12 noon** by email at cityclerk@sprucegrove.org, or by mail to SDAB Clerk, 315 Jespersen Avenue, Spruce Grove, AB, T7X 3E8. Visuals such as PowerPoint presentations, photos, or graphics are considered written submissions. If you are unable to meet this submission deadline, please bring 10 copies of the materials to the hearing and it will be distributed at the start of the hearing. Any written and/or visual material received will be made available to the public.

We will be pleased to answer any questions you may have regarding the appeal and can also provide information or advice on Board procedures and how to make presentations to the Board. A helpful Information Guide is available at sprucegrove.org/SDABAppeal. Please feel free to contact me at 780-962-7615 should you have any questions.

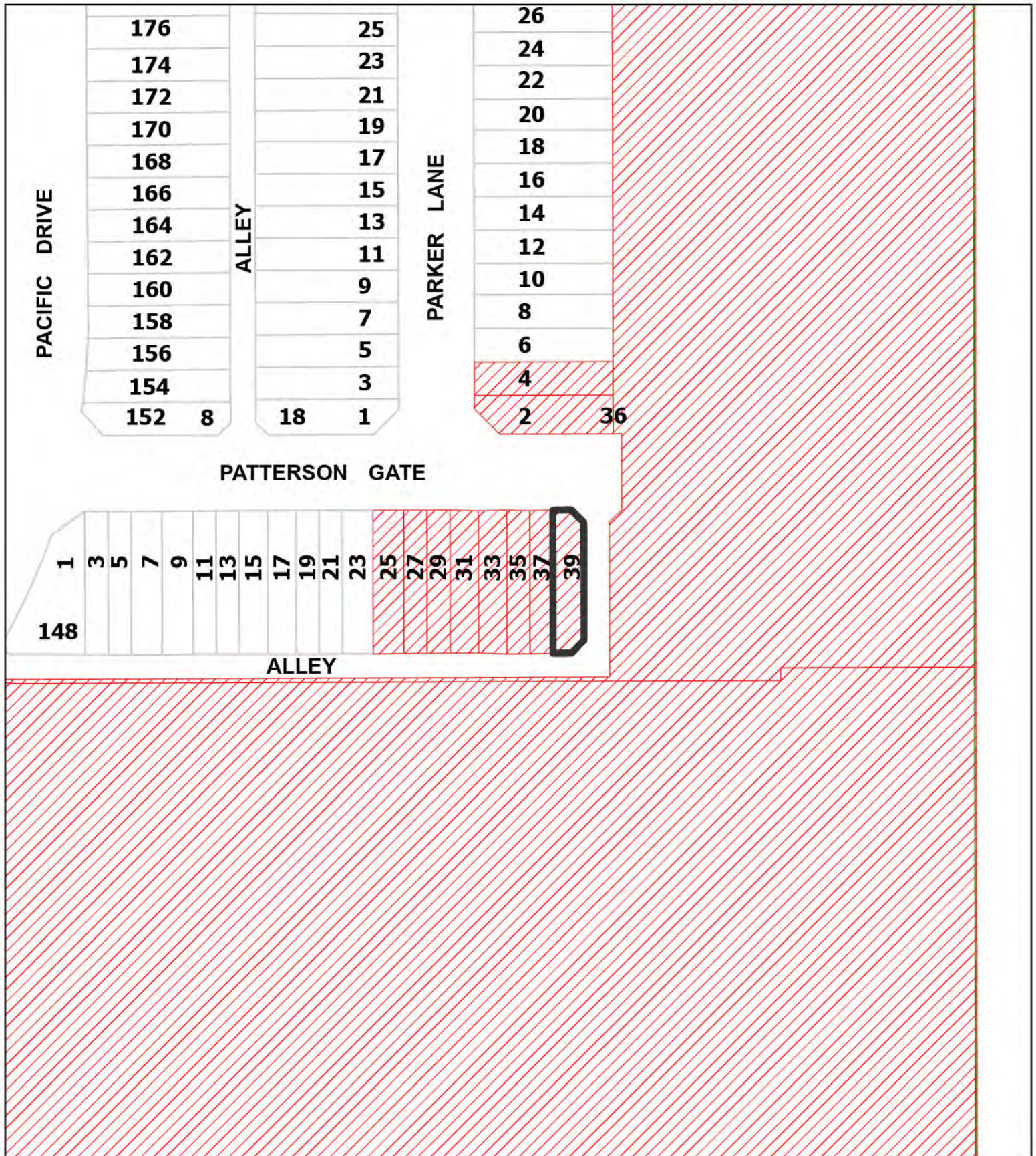
Kind regards,

Laura Hall
Clerk, Subdivision and Development Appeal
Board Email: cityclerk@sprucegrove.org
Phone: 780-962-7615

EXHIBIT 33

39 Patterson Gate

Notification letters sent to properties marked with 



PAGE REMOVED

Information has been removed to be consistent with Section 20
of the *Access to Information Act*

EXHIBIT 34

39 Patterson Gate

Site Plan



EXHIBIT 35

39 Patterson Gate

Subject Site

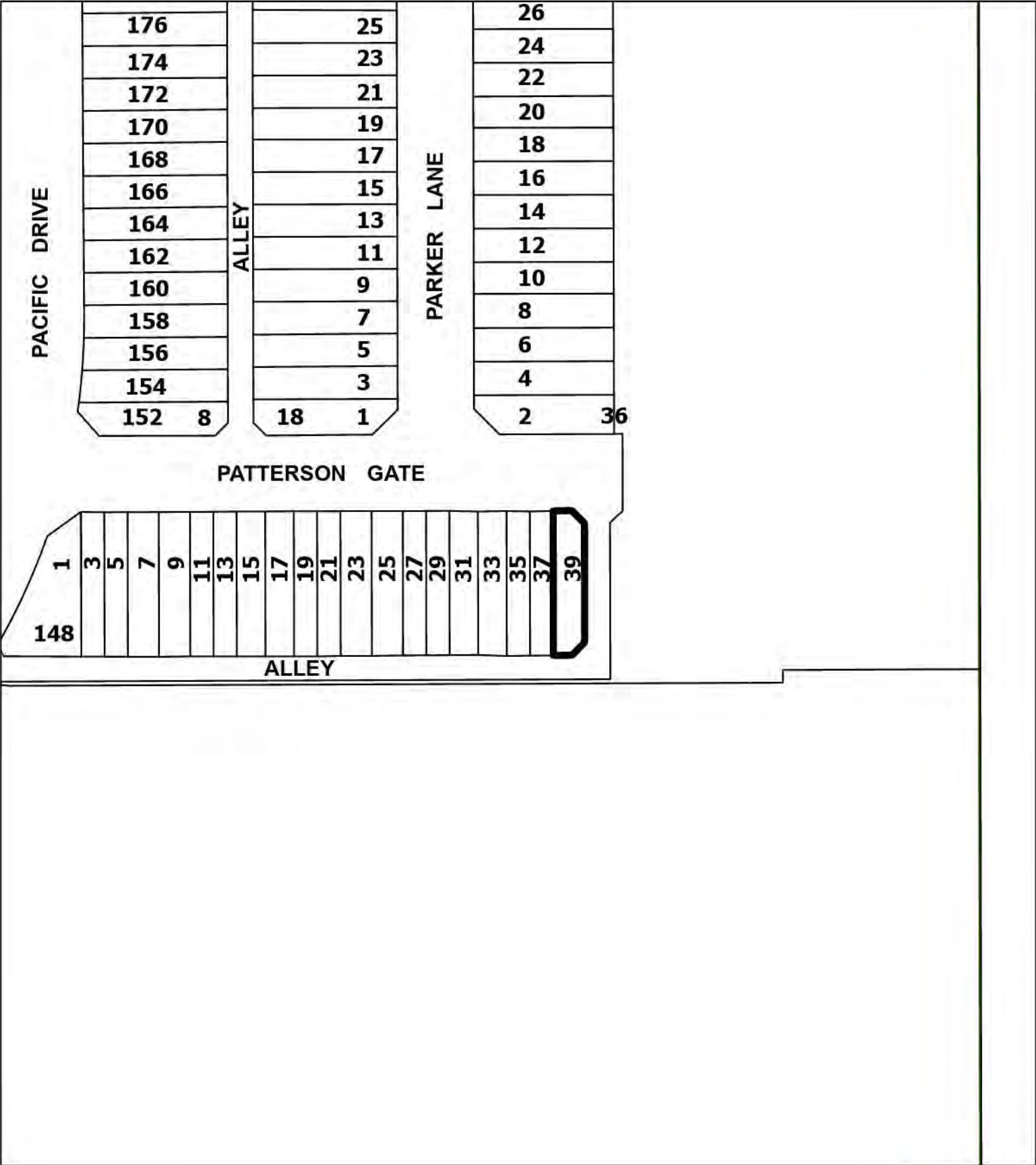


EXHIBIT 36



PLANNING STAFF REPORT TO: Subdivision & Development Appeal Board

ITEM: __

File No: 2522489-113-20	Subject: An appeal against the refusal of Development Permit Application for a unit of four-unit row house with a detached garage and a secondary suite at 39 Patterson Gate (Plan 2522489; Block 113; Lot 20).
Date of Report: September 02, 2026	
Date of Hearing: September 09, 2026	

I. BACKGROUND INFORMATION

On May 26, 2026, the applicant submitted a development permit application to construct one unit of a four unit Row House with a detached garage and a Secondary Suite. The applications were circulated to the relevant department for review as a standard procedure.

On July 28, 2026, the Development Authority issued a Notice of Administrative Refusal for Development Permit Application PLDPR202600530 to construct one unit of a four unit Row House with a detached garage and a Secondary Suite with an appeal deadline of August 17, 2026.

On August 6, 2026, the applicant subsequently filed an appeal to the Subdivision and Development Appeal Board (SDAB) prior to the statutory appeal expiry date of August 17, 2026.

Application Summary:

Development Permit Application:	PLDPR202600530
Date of Decision:	July 28, 2026
Statutory Appeal Expiry:	August 17, 2026
Date of Appeal Received:	August 6, 2026
Municipal Address:	39 Patterson Gate
Legal Land Description:	Plan 252 2489; Block 113; Lot 20
Land Use District:	R1-Mixed Low to Medium Density Residential District
Proposed Development:	To construct one unit of a four unit Row House with a detached garage and a Secondary Suite
Municipal Development Plan Land Use:	Residential Neighbourhoods
Area Structure Plan:	Pioneer Lands Area Structure Plan, Bylaw C-686-08
Land Use Bylaw Relevant Sections:	Section 7 (1) – Definitions (Secondary Suite) Section 115 - R1- Mixed Low to Medium Density Residential District [(1) General Purpose]

II. MUNICIPAL GOVERNMENT ACT, RSA 2000, c M-26

Non-compliance with MGA Section 687(3)(d)(i):

Administration believe that the proposal would:

1. Unduly interfere with the amenities of the neighbourhood [MGA s. 687(3)(d)(i)(A)], and
2. Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land [MGA s. 687(3)(d)(i)(B)].

The proposed development does not satisfy the considerations under MGA s. 687(3)(d)(i) based on evaluation specified in Section V.- Planning Impact Analysis of the report.

MGA Section 687(3)(d)(ii):

In considering the variance on use, the proposed development must conform with the use prescribed for the land or building under the applicable Land Use Bylaw provisions. The following provisions of Land Use Bylaw C-824-12 (LUB) set out the applicable use framework and demonstrate that the proposed development does not constitute a prescribed use eligible for consideration under the variance authority.

1. Non-compliance with Land Use Bylaw C-824-12 Section 7(1) - Definition of "Secondary Suite": A Secondary Suite, in part is specifically defined as an accessory use located within a Single Detached Dwelling.

Section 7(1) defines "Secondary Suite" as

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" (emphasis is added in the definition by Administration)

2. Unprescribed Use: The subject application proposes a Secondary Suite within a unit of a four unit Row Housing development located at Plan 2522489, Block 113, Lot 20. Because the proposed Secondary Suite is located within Row Housing rather than a Single Detached Dwelling, it does not comply with the Land Use Bylaw definition of a "Secondary Suite." Consequently, a Secondary Suite within Row Housing is considered as an unlisted and unprescribed use on the subject property.

Hence, a Secondary Suite within Row Housing is not prescribed use in the R1-Mixed Low to Medium Density Residential District.

III. STATUTORY POLICY FRAMEWORK

The relevant policy and regulatory framework that apply to the proposed development include the following:

The Shape of Our Community- Municipal Development Plan (MDP)

Under MGA s. 687(3)(a.2), the proposed development must comply with applicable statutory plans. While MDP Section 3.4.1.1 (Principle 1) and Section 3.4.1.4 support "**gentle density**"

through Secondary Suites, 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.

Gentle density can be achieved through the addition of a secondary suite to a Single Detached Dwelling, without introducing the same level of density and associated impacts as Row Housing. Single Detached Dwelling have more site area, enough space to accommodate minimum parking required for a Secondary Suite, wide driveway to adjust four bins (2 for waste and 2 for organic) and snow storage, large rear yards for private outdoor amenity space. This approach allows for incremental intensification within a low-density housing form, whereas Row Housing already represents a medium-density form of development.

Pioneer Lands Area Structure Plan, Bylaw C-686-08 (ASP)

The subject lot is under the Pioneer Lands ASP policies. Section 5.1 of the ASP 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. However, Section 5.3.1 of the Land Use Concept provides the precise statutory density classifications as:

- Low Density Residential: defined as Single Detached Dwelling, Semi-Detached Dwelling, and Duplexes
- Medium Density Residential: captures Street-Oriented Row Housing and Stacked Row Housing.

The proposed development, comprising a one unit of a four unit Row House with a detached garage and a Secondary Suite, conflicts with the ASP Goal 5.1 as outlined in Section 5.3.1. A Secondary Suite is intended as an accessory tool for a low-density single dwelling parcel. Applying a Secondary Suite to a medium-density Row House results in an unmodeled over-intensification that violates the ASP's land use structure.

Administrative decision-making is primarily guided by the regulations and requirements of the Land Use Bylaw, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.

IV Land Use Bylaw C-824-12 (LUB)

Non-Compliance with LUB Secondary Suite Definition & R1 District General Purpose:

The Development Officer's Administrative Refusal of Development Permit Application PLDPR202600530 is grounded in a direct statutory reading of Section 7(1) and Section 115(1) of Land Use Bylaw C-824-12.

1. Statutory Definition of Secondary Suite [LUB Section 7(1)]

Pursuant to Section 7(1) of the Land Use Bylaw, a Secondary Suite is defined as:

"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.”

2. Scope of R1 District General Purpose [LUB Section 115(1)]

Section 115(1) establishes the ‘General Purpose’ of the R1 – Mixed Low to Medium Density Residential District as:

“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.”

Administrative Refusal Rationale based On Land Use Bylaw C-824-12:

While the R1 District accommodates a range of dwelling forms, Section 115(1) does not specifically expand or authorize Secondary Suite within any principal building form other than a Single Detached Dwelling. The subject property is districted R1 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. The proposed development does not comply with the definition under Section 7(1).

Consequently, a Secondary Suite within a Row Housing is prohibited on this site and cannot be approved under the current provisions of the Land Use Bylaw.

V Planning Impact Analysis

This analysis supports Administration’s reasoning of non-compliance with MGA Section 687(3)(d)(i)(A) and (B) as mentioned earlier in section (II) of this report.

1. Comparative Analysis of LUB “General Purpose” of Residential Districts & Statutory Intent:

A comparative review of the Land Use Bylaw (summarized in *Attachment #1: Comparative Analysis of General Purpose of Residential Districts and Secondary Suite Provisions*) demonstrates a deliberate statutory distinction in how Council intends Secondary Suite to be applied across different residential built forms:

- Standard Residential Districts (R1, RE1, and RE2): Accommodate a broad range of low-to-medium density housing types (*Single Detached, Semi-Detached, Duplex, and Row Housing*) and list Secondary Suite as a Discretionary Use. **General Purpose statements remain broad and do not explicitly authorize or mandate Secondary Suite for attached housing forms.** Consequently, the development of a secondary suite in standard zones is strictly bound by the LUB Section 7(1) Definition of ‘Secondary Suite’.
- Accordingly, the Development Authority has never approved a Secondary Suite in a Duplex, Semi-Detached Dwelling, or Row Housing within standard residential districts. The Development Authority consistently interprets and applies the definition of “Secondary Suite” to a Single Detached Dwelling in standard districts, or to a Semi-Detached Dwelling and a Row Housing, where explicitly enabled through Direct Control Districts.
- Single Dwelling Planned Districts (EPL, CPL, and PPL): These districts restrict principal development to a Single Detached Dwelling. LUB Section 7(1) definition for a ‘Secondary Suite’ is automatically satisfied without requiring clear mention in the district ‘General Purpose’.
- Higher-Density Residential Districts (R2, R2CC, and R4): These districts are mean for multi-unit, medium-to-high density development (*such as stacked row housing and apartments*). Secondary Suite is omitted as a listed use, as density targets are achieved

through a primary multi-unit structure.

- Site-Specific Direct Control Districts (DC.10, DC.11, DC.13, DC.14, and DC.16): By adopting these districts, **Council specifically intended to allow a Secondary Suite within Row Housing**. Council established site-specific Direct Control Districts, specifically modifying the 'General Purpose' statement (e.g., *"to allow Row Housing, Street Oriented with Secondary Suites"*) and upgraded Secondary Suite as a 'Permitted Use'.

Statutory Conclusion:

When Council intends for a Row Housing unit to accommodate a Secondary Suite, it clearly states in the district's 'General Purpose' and upgrades a Secondary Suite to a 'Permitted Use' via a Direct Control districting. In standard districts, such as R1-Mixed Low to Medium Density Residential, the absence of this explicit statement confirms that Row Housing units are not intended for the development of a Secondary Suite.

2. Pioneer Lands ASP Density Tracking and Capacity Analysis:

The subject property is located within the Pioneer Lands Area Structure Plan (ASP), specifically within the Prescott neighborhood. Attachment # 1 depicts 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. ASP Maximum Density Capacity: The statutory Land Use Statistics for the ASP establish a maximum ceiling of **3,507** dwelling units within the 'Low to Medium Density Residential' designation.

- Approved Unit Yield: To date, **1,805** units have been approved, comprising of Single Detached Dwellings, Semi-Detached Dwellings, and Row Housing.
- Approved Secondary Suites: **147** Secondary Suites have been granted development permits—all associated with eligible single-dwelling built forms in full alignment with LUB definitions and ASP servicing models.
- **Prescott Neighbourhood Breakdown:** As shown in Attachment #2, Prescott neighborhood has **94** approved Secondary Suites (2025 data) within lots districted as R1- Mixed Low to Medium Density Residential District (54 Secondary Suites), and DC.10- Prescott Direct Control District that allows Secondary Suite (**40** in number) within **100 %** uptake in the DC.10 District where Row Housing with Secondary Suite is a permitted use. The site-specific Direct Control District is designed and intentionally engineered to allow a Secondary Suite in Row Housing as the servicing infrastructure is built specifically to handle it.

For example, within DC.10 District, the resulting density of Row Housing with approved Secondary Suite along Pacific Drive appears to be **82 units/ha** (based on 3 principal uses + 3 secondary suites). The addition of Secondary Suite can result in an unplanned residential density beyond that contemplated through the original development having principal uses **ONLY** that may create **negative impact** on neighbourhood amenities, and additional load on servicing and infrastructure capacity.

The table below provides a comparison of typical row houses **with and without secondary suite**. As illustrated, due to introduction of secondary suites, the rear garage is shifted internally toward rear yard to accommodate extra required parking space resulting in the reduction of rear yard area, which commonly functions as private outdoor amenity space for the residents. This demonstrates how the addition of secondary suites can affect the functional design and amenity of row housing sites, beyond the increase in

dwelling-unit density alone.



Statutory Conclusion:

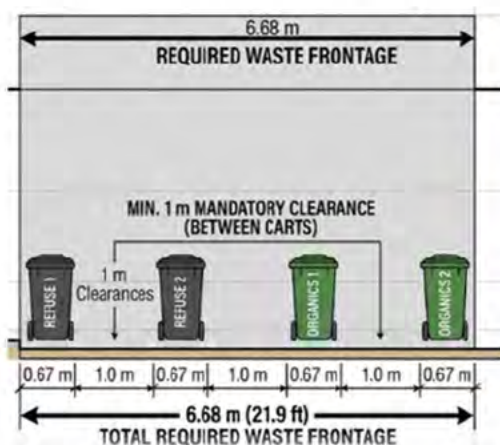
Increasing density by layering a Secondary Suite onto Row Housing units doubles the potential unit count on a single lot, turning a 4-unit row housing into 8 dwelling units, which can overload servicing infrastructure designed for standard low to medium residential density established for the Pioneer Lands ASP.

*Recent amendments to the Land Use Bylaw, through Bylaw C-1446-26, adopted July 06, 2026) reclassified Row Housing from the **R1-Mixed Low to Medium Density Residential District** to the **R2 – Medium to High Density Residential District** (effective November 1, 2026). The amendments established more clearly defined residential districts and housing forms, reducing the previous flexibility in housing forms. This approach supports more accurate tracking and management of residential density and enables more reliable assessment of municipal servicing, infrastructure, and road network requirements.*

3. Technical Review:

The planning and policy findings as mentioned above, are further reinforced by technical review obtained from Engineering and Public Works Department.

- a) Public Works Review: The proposed site density represents overdevelopment that cannot be functionally serviced within the site's dimensions, specifically regarding municipal waste collection and mandatory winter snow storage. Standard waste management protocols require four collection carts (two waste, two organics) per lot.



The image illustrates the proposed layout of **four carts per lot (two waste and two organics carts)**. Due to the limited site width, the carts cannot be arranged with the mandatory 1.0 m clearance between carts, resulting in an inadequate area for on-site waste storage and collection.

At a cart width of 67 cm and a mandatory clearance of 1.0 m between carts, each unit requires a minimum unencumbered lane frontage of 6.68 m (21.9 ft), as shown below. Furthermore, 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.

b) Engineering Review:

- On-Street Parking Congestion: Cumulative increases in secondary suites directly heighten vehicle activities and on-street parking pressure along residential block faces.
- Increased Water and Sanitary Utility Demands: Higher residential occupancy increases peak consumption and load on local water and sanitary infrastructure networks.

4. Supporting Evidence:

Administration identified several concerns associated with a Secondary Suite in Row Housing as listed below:

- increased residential unplanned density;
- additional pressure on infrastructure and traffic;
- impacts on on-street parking;
- reduced amenity space associated with tandem parking; and
- additional waste collection requirements, which would require 8 organic bins and 8 garbage bins (4 bins per unit)

Additionally, Administration also identified that the 70% impermeable-material limitation can be challenging for Row Housing, particularly internal street-oriented units, and that the issue is deepened where a Secondary Suite requires rear parking pads.

Based on above-listed concerns, a Secondary Suite is more appropriate for Single Detached Dwelling types where districts have wider lots and can better accommodate on-site parking, amenity space, drainage, snow storage, and waste collection bins.

VI Conclusion and Recommendations

Conclusion:

The Development Officer submits that the Administrative Refusal of Development Permit Application PLDPR202600530 should be upheld by the SDAB on two statutory grounds:

1. Definition Non-Compliance: The proposed Secondary Suite does not meet the definition of a Secondary Suite under LUB Section 7(1) and the R1 District 'General Purpose' under Section 115(1).
2. Uncontrolled Planning & Servicing Impact: As confirmed by Engineering, Public Works, supporting evidence and planning report, the unmodeled density causes adverse site-servicing, parking, and operational impacts on neighbouring parcels, and does not satisfy the considerations under MGA s. 687(3)(d)(i).

*Administrative decision-making is primarily guided by the regulations and requirements of the **Land Use Bylaw**, while Area Structure Plans generally provide broader policy and planning direction and have a more limited role in individual development decisions.*

Primary Recommendation:

The Development Officer respectfully requests that the Subdivision and Development Appeal Board:

- **UPHOLD** the Development Officer's decision of refusal for Development Permit Application PLDPR202600530; and
- **REFUSE** the issuance of the Development Permit.

Alternative Recommendation:

Should the Subdivision and Development Appeal Board (SDAB) decide to allow the appeal and issue a Development Permit for Application PLDPR202600530, the Development Officer respectfully requests that approval may be granted under one of the following options, subject to conditions as per the respective attachments to mitigate potential planning, servicing, and operational impacts.

1. Full Approval: Approve the Development Permit # PLDPR202600530 to construct a unit of four unit Row Housing with a detached garage and a Secondary Suite, subject to the conditions set out in Attachment # 3.
2. Partial Approval: Approve the Development Permit # PLDPR202600530 to construct a unit of four-unit Row Housing with a detached garage, subject to the conditions set out in Attachment # 3A

Comparative Analysis of LUB “General Purpose” of Residential Districts & and Secondary Suite Provisions

Type of Residential District	General Purpose of District	Listed Uses	Rationale
R1-Mixed Low to Medium Density Residential	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	<u>Permitted Uses</u> • Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units but only in accordance with Sections 1(a) and (b) of this District • Sales Centre • Secondary Suite • Show Home	1. Row Housing and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
R2- Mixed Medium to High Density Residential District	The purpose of this District is to accommodate a mix of medium to high density Dwelling	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Multi-Unit Dwellings but only in accordance with Section 1(c)	Secondary Suite is not identified as a listed use under the district regulations.

	types within the block face, to provide flexibility in the design and Development of neighborhoods. The district is intended to emphasize complementary interface of Development with the Street and with each other.	and (d) of this District • Row Housing Development • Row Housing, Stacked • Row Housing, Street Oriented with rear attached Garage <u>Discretionary Uses</u> • Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility but only in accordance with Section 1(c) and (d) of this District • Duplex • Family Day Home • Group Homes, Limited • Home Occupation, Major • Public Utility Building • Religious Assembly • Row Housing, Street Oriented • Sales Centre • Semi-Detached Dwelling • Show Home • Special Care Facility but only in accordance with Section 1(c) and (d) of this District	
R2CC-City Centre High Density Residential District	The purpose of this District is to accommodate higher density residential	<u>Permitted Uses</u> • Multi-Unit Dwellings	Secondary Suite is not identified as a listed use under the district regulations.

	development within the City Centre Overlay Area that contributes positively to a high-quality urban form and pedestrian environment and supports achieving an overall City Centre density target of 100 dwelling units per net residential hectare.	<u>Discretionary Uses</u> • Accessory Buildings • Assisted Living Facility • Designated Assisted Living Facility • Funeral Homes, Existing • Home Occupation, Minor • Public Utility Building • Row Housing, Stacked • Sales Centre • Special Care Facility	
R4 - High Density Residential District	The purpose of this District is to accommodate high density apartments on a site. The district is intended to emphasize complementary interface of Development with the Street and with each other.	<u>Permitted Uses</u> • Accessory Buildings • Multi-Unit Dwellings <u>Discretionary Uses</u> • Assisted Living Facility • Bed and Breakfast Establishment • Boarding and Lodging House • Child Care Facility • Designated Assisted Living Facility • Family Day Home • Group Homes, Limited • Home Occupation, Minor • Religious Assembly • Sales Centre • Show Home • Special Care Facility	Secondary Suite is not identified as a listed use under the district regulations.
GPL- Greenbury Planned Lot District	The purpose of this District is to accommodate single and semi-detached	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Semi-Detached Dwelling	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. There are four housing types Single Detached Dwelling,

	dwellings built to the property line and street-oriented row housing with standard side yards within the Greenbury neighborhood on a pilot project basis.	• Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Group Homes, Limited • Public Utility Building • Sales Centre • Secondary • Show Home • Row Housing, Street Oriented, up to four units	Semi-Detached dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
EPL- Easton Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the property line within the Easton neighbourhood.	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
CPL- Copperhaven Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley only, with one side built to the	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.

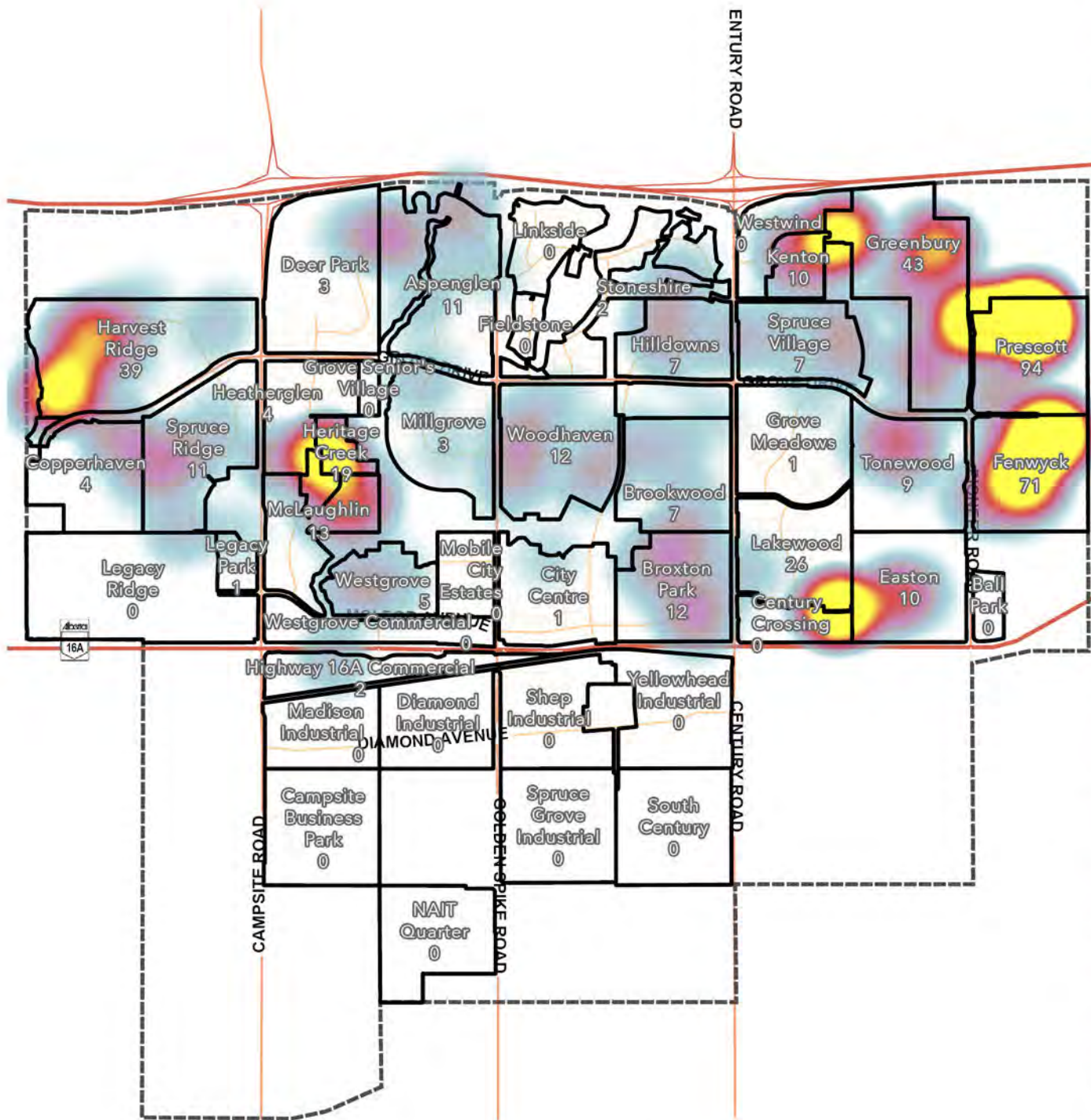
	property line within the Copperhaven neighborhood	• Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	
PPL- Prescott Planned Lot District	The purpose of this District is to accommodate single dwellings with vehicular access from a rear Alley, with one side built to the property line within the Prescott neighborhood	<u>Permitted Uses</u> • Accessory Building • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Home • Garage Suite • Group Homes, Limited • Home Occupation • Sales Centre • Secondary Suite • Show Home	1. Only Single Detached Dwelling is a housing type. 2. Secondary Suite is a discretionary use. Definition 7 of Secondary Suite automatically fulfilled so no requirement to mention in General Purpose.
RE1- Established Neighborhood Residential District	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible	<u>Permitted Uses</u> • Accessory Building • Home Occupation, Minor • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Semi-Detached dwelling, Duplex, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply

	Development. This District is applied where lots are generally developed at a density less than 25 dwelling units per hectare.	• Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	
RE2- Established Neighborhood Residential District 2	This purpose of this District is to ensure that new Development in established neighborhoods is sensitive in scale to existing Development and maintains the traditional character design of the block face while allowing for new, compatible Development. This District is applied where lots are generally developed at a density exceeding 25 dwelling units per hectare.	<u>Permitted Uses</u> • Accessory Building • Duplex abutting a Collector Road • Home Occupation, Minor • Semi-Detached Dwelling abutting a Collector Road • Single Detached Dwelling <u>Discretionary Uses</u> • Bed and Breakfast Establishment • Boarding and Lodging House • Duplex • Family Day Home • Garage Suite • Garden Suite • Group Homes, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented • Semi-Detached Dwelling • Secondary Suite • Show Home	1. Row Housing, Street Oriented and Secondary Suite are listed as Discretionary Uses. 2. Housing types are Single Detached Dwelling, Duplex Semi-Detached Dwelling, and Row Housing Street Oriented The General Purpose does not explicitly mention a particular housing type so the Section 7 -Definition of Secondary Suite apply
DC.10- Prescott Direct Control	The purpose of this District is to allow	<u>Permitted Uses</u> • Accessory Buildings	General Purpose of the district allows to accommodate Secondary Suite in Row

District	Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	• Home Occupation, Minor • Row Housing, Street Oriented • Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	Housing, Street Oriented housing types.
DC.11- Lakewood Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the Neighborhood.	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Row Housing, Street Oriented • Secondary Suite <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows to accommodate Secondary Suite in Row Housing, Street Oriented housing types.
DC.12- Fenwyck Semi-Detached Direct Control District	The purpose of this District is to allow semi-detached dwelling units with a combination of alternating front and rear Site access.	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Family Day Homes • Home Occupation, Major • Sales Centre • Show Home	1. One housing type- Semi-Detached Dwelling is allowed. 2. Secondary Suite is also listed as Permitted Use. The district is site-specific Direct Control which aligns with MDP policies. General Purpose allows Secondary Suite in Semi-Detached dwelling as align with the definition of Secondary Suite.
DC.13- Fenwyck Row Housing Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented dwelling units with opportunities to develop Secondary Suites while maintaining the built	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor • Row Housing, Street Oriented • Semi-Detached Dwellings • Secondary Suite <u>Discretionary Uses</u> • Show Home	1. Housing types are Row Housing Street Oriented and Semi-Detached Dwelling. 2. Secondary Suite is a permitted use 3. General Purpose of the district allows Secondary Suite with Row Housing, Street Oriented. The district is site-specific Direct Control which aligns with MDP policies. General Purpose of

	form of the neighborhoods.	• Sales Centre	the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC. 14- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	The district is site-specific Direct Control which aligns with MDP policies. General Purpose of the district allows Secondary Suite in Row Housing, which aligns with the definition of Secondary Suite.
DC.15- Tonewood Row Housing Direct Control District	The purpose of this District is to accommodate residential Row Housing development. The district ensures development at a height and scale contiguous with surrounding low density residential.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing Development <u>Discretionary Uses</u> • Sales Centers	Secondary Suite is not a listed use.
DC. 16- Westwind Direct Control District	The purpose of this District is to allow Row Housing, Street Oriented with Secondary Suites, while maintaining the low-rise built form character of the neighborhood.	<u>Permitted Uses</u> • Accessory Building • Row Housing, Street Oriented • Secondary Suite • Home Occupation, Minor <u>Discretionary Uses</u> • Show Home • Sales Centre	General Purpose of the district allows Secondary Suite in Row Housing, Street Oriented which aligns with the definition of Secondary Suite.
DC.19- Greenbury Single Detached Direct Control	The purpose of this District is to provide for two storey Single	<u>Permitted Uses</u> • Accessory Buildings • Home Occupation, Minor	1. Single Detached Dwelling is only housing type 2. Secondary Suite is not listed uses.

District	Detached Dwellings to balance the streetscape along Westwind Drive.	• Single Detached Dwelling Discretionary Uses • Show Home • Sales Centre	Definition 7 of Secondary Suite does not apply as Secondary Suite is not listed uses in this district.
DC.21- Easton back-to-Back Row Housing Direct Control District	To establish a site-specific direct control district on a medium density residential site for a bare land condominium development to accommodate residential Row Housing, Back-to-Back and Row Housing located along Pioneer Road and McLeod Avenue.	<u>Permitted Uses</u> • Accessory Buildings • Row Housing • Row Housing • Row Housing, Back-to-Back <u>Discretionary Uses</u> • Show Home • Sale Centre • Semi-Detached Dwelling	Secondary Suite is not a listed use in this district.



Neighbourhood	# of Secondary Suites
Aspenglen	11
Brookwood	7
Broxton Park	12
City Centre	1
Copperhaven	4
Deer Park	3
Easton	10
Fenwyck	71
Greenbury	43
Grove Meadows	1
Harvest Ridge	39
Heatherglenn	4
Heritage Creek	19
Highway 16A Commercial	2
Hilldowns	7
Kenton	10
Lakewood	26
Legacy Park	1
McLaughlin	13
Millgrove	3
Prescott	94
Spruce Ridge	11
Spruce Village	7
Stoneshire	2
Tonewood	9
Westgrove	5
Woodhaven	12

Total # of Secondary Suites:

427

1. The detached garage man door shall not be bucked into any required extra height concrete curb.
2. The dwelling shall have its address number clearly displayed near the front door of the main entrance. This shall include the secondary suite addressing. The approved address for the secondary suite is 39 A Patterson Gate.
3. A Secondary Suite shall not be allowed within the same Site containing a Group Care Facility, Limited Group Home, Home Occupation-Major, Garden Suite or Garage Suite.
4. A parking area shall be provided at the rear of the property, with access from the lane. Adequate on-site parking must be provided: two stalls for the main dwelling unit, and one additional stall for the secondary suite. Required parking stalls must be provided on-site and may not be on a public road.
5. The Secondary Suite shall be serviced from a connection to the primary dwelling service after the water meter and shall not be serviced through a separate service connection. All plumbing connections for Secondary Suites servicing must be inspected prior to occupancy being granted.
6. The floor area of the secondary suite shall not exceed the floor area of the first storey of the dwelling.
7. The secondary suite shall be operated as an accessory use only and shall not change the residential character of the principal dwelling involved.
8. The vehicle doors of the detached garage shall be located facing the laneway.
9. The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway. This shall include the secondary suite address.
10. The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).
11. Driveways and sidewalks must maintain a minimum clearance of 300 mm from all side yard property lines.
12. 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.
13. The exterior finish of the detached garage is to be of material and quality similar to the existing dwelling unit.
14. 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.
15. There shall be no encroachment of any portion of the building(s) onto registered utility rights of way.
16. 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.
17. 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.
18. 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.
19. The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.
20. 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.
21. 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.

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.

EXHIBIT 37



Development Permit Appeal

**33, 35, 37, & 39
PATTERSON GATE**

DP REFUSAL – STATED REASON

*“Section 115(1), which establishes the General Purpose of the R1-Mixed Low to Medium Density Residential District, **does not explicitly contemplate or permit a Secondary Suite within any Principal Use other than a Single Detached Dwelling.**”*

- Secondary Suites and Row Housing are both explicitly contemplated as a discretionary use.
- Secondary Suites are not contemplated nor excluded within any specific Principal Use.

STATUTORY DEFINITION COMPLIANCE

In **Section 7(1)** of the Land Use Bylaw C-824-12, a Secondary Suite is defined as:

*“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...”*

- The proposed Principal Use, Row Housing, **is a residential use.**
- “Low to medium density Dwelling types” are **explicitly defined in the general purpose** of the R1 District, Section 115(1).

R1 DISTRICT COMPLIANCE

SECTION 115 R1 – MIXED LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT

(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.

Permitted Uses	Discretionary Uses
• Accessory Buildings • Duplex • Home Occupation, Minor • Semi-Detached Dwellings • Single Detached Dwellings	• Bed and Breakfast Establishment • Boarding and Lodging House • Family Day Homes • Garage Suite • Garden Suite • Group Home, Limited • Home Occupation, Major • Manufactured Home • Public Utility Building • Row Housing, Street Oriented, up to four units • Sales Centre • Secondary Suite

- Refusal is **contrary to the intent** to “accommodate a range of low to medium density Dwelling types” and “to provide flexibility in the design and Development of the neighbourhood.”

RECENT SECONDARY SUITE EXCLUSION

On July 6, 2026 a new regulation for Secondary Suites was added under **Section 75(8)**.

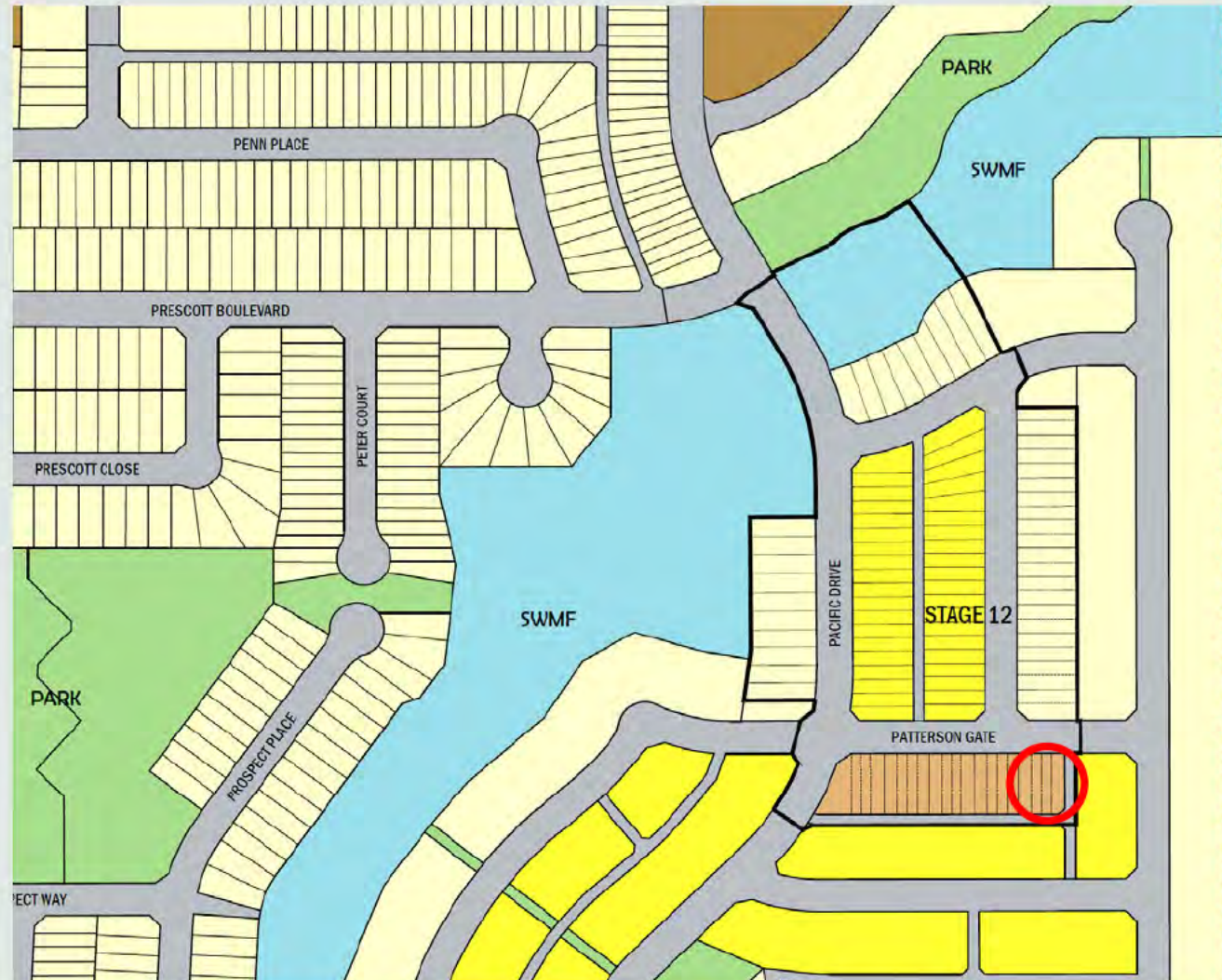
“A Secondary Suite is prohibited within a Row Housing Dwelling that fronts onto a Collector Road.”

- The only explicit restriction for Secondary Suites in Row Housing Dwellings is when the **dwelling fronts onto a Collector Road**.
- None of the proposed developments front onto a Collector Road.

LUB REGULATION SUMMARY

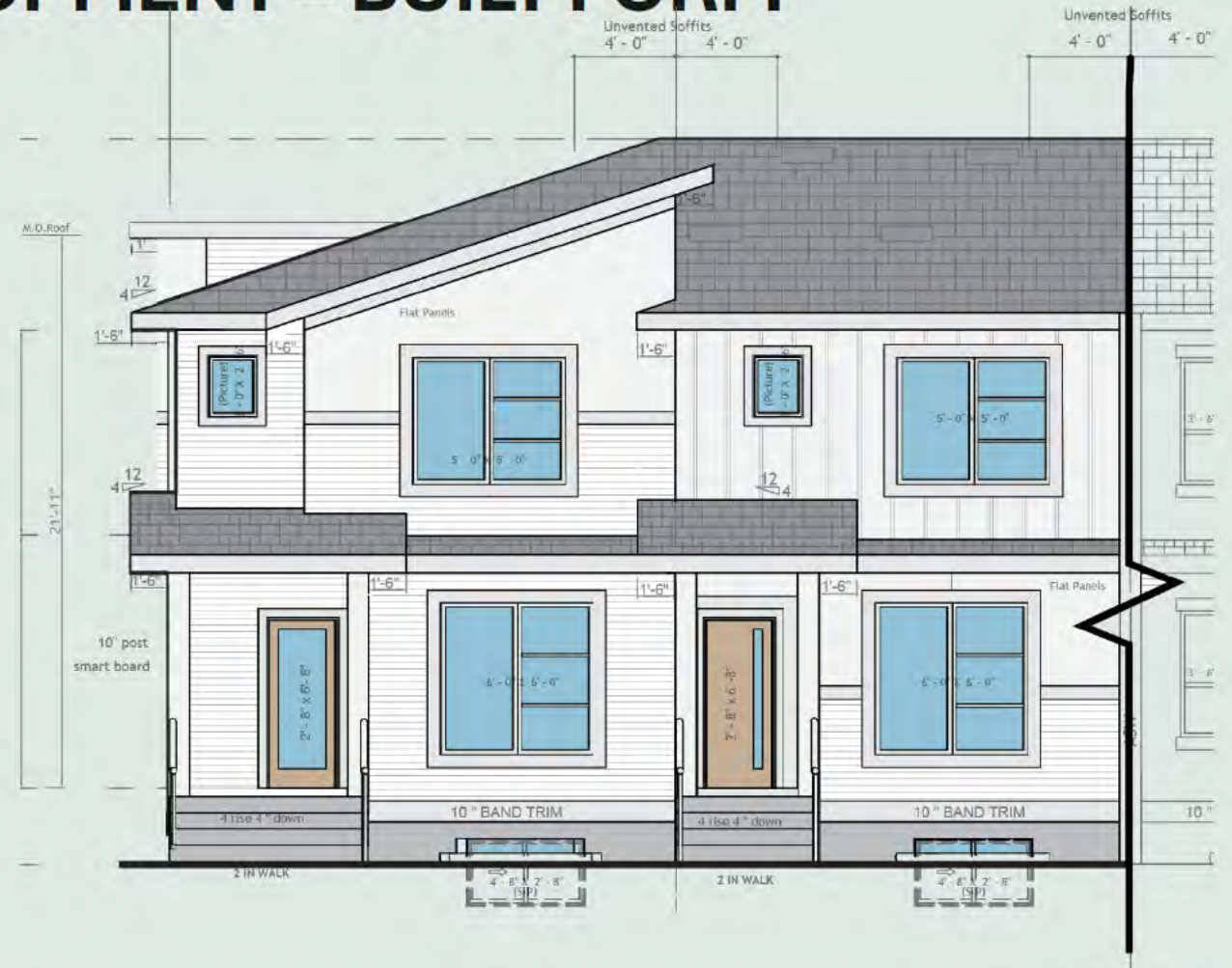
- ✓ Complies with definitions.
- ✓ Complies with district purpose.
- ✓ Complies with Collector Road exclusion.

CONTEXT



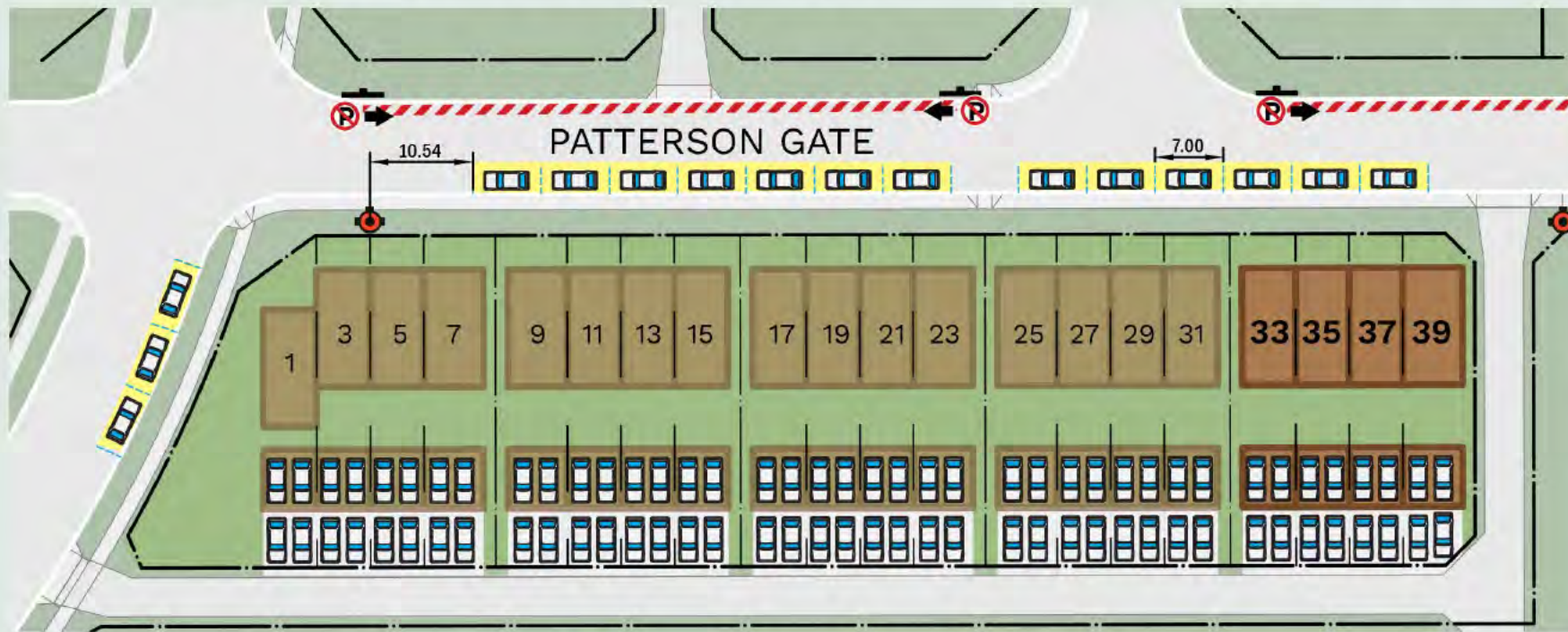
PLANNING CONTEXT: **COMPLEMENTARY DEVELOPMENT – BUILT FORM**

- The secondary suite is provided in the basement and has no visual impact on the architectural design. The resulting two-storey row house is comparable and compatible to the anticipated surrounding residential development.



PLANNING CONTEXT: COMPLEMENTARY DEVELOPMENT - PARKING

- Parking requirements are met on site. Additionally, on-street parking is available with the provision of the rear lane access.



On-Site Stalls

4
per lot

+

On-Street Parking

0.8
per lot

PLANNING POLICY COMPLIANCE

Municipal Development Plan

- Complies 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

Pioneer Lands Area Structure Plan

- Follows the objectives and intent to create housing affordability through density policies: 5.1, 5.2.1, 5.3.1

Non-Statutory Plan Alignment

- City of Spruce Grove Housing Needs Assessment
- City of Spruce Grove Housing Strategy

APPEAL SUMMARY

- The development **complies with the Land Use Bylaw.**
- The development is suitable in **built-form** and provides sufficient **parking.**
- The development **aligns with higher order statutory plans** including the MDP and the Pioneer Lands ASP.