

## Filing an Appeal

If the Development Officer has determined that your use is a discretionary use and has granted approval, or has approved the application with a variance, the City must notify affected parties that a development permit has been approved. Property owners affected by the decision do have the right to appeal within 14 days of receipt of the decision.

A decision may also be appealed by the applicant if the Development Officer fails to issue a permit within 40 days, or the applicant does not agree with the decision of the Development Officer.

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

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




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For additional information or to apply, please contact:

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Planning & Development

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[www.stalbert.ca/planning-development](http://www.stalbert.ca/planning-development)

## Change of Use

Land Use Bylaw Requirements and  
Application Checklist for a Change of Use  
Development Permit



## Change of Use

A Development Permit is required if there is a change of use or a change in the intensity of use; and/or any new construction within an existing Commercial/Industrial development.

### What is a Change of Use?

A Change of Use is typically when a business, defined as a specific use, vacates a commercial/industrial space and is replaced by a business of a different classification. For example, a professional office is replaced by a general retail use.

### What is a Change in the Intensity of Use?

If a business is replaced by the same use and the intensity of the new use measurably differs from the previous, this is likely a Change in the Intensity of the Use. An example would be a restaurant with 100 seats moves into a space that was previously occupied by a restaurant with 50 seats.

## Why does a new business require a Development Permit?

The Land Use Bylaw ensures that both the building and the use located within will be compatible and appropriate with other buildings and uses in the area. The Development Permit ensures that the use is **allowed** in that particular area and will “fit in”, given the overall context of the area. In addition, the Development Permit will enable a review against specific requirements pertaining to the use proposed, such as parking. It is a very good idea to obtain a valid development permit **prior** to signing a lease.

### When is a Development Permit not Required?

If a business replaces the same or similar business in a space and there are no measurable differences between the two businesses, a Development Permit is not required. An example would be a shoe store replacing another while not requiring any new construction. This only applies if the new business applies within 6 months of the old business vacating the space.

## Application Checklist

A complete application includes the following:

- Applicable Fee**

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- Two copies of a Site Plan showing:**
  - The parking
  - The building within which the business will be located and each individual unit and the subject unit identified

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- Two copies of the overall building Floorplan identifying the space to be occupied**

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- Two copies of the Floorplan for each floor, incl. the mezzanine showing:**
  - Each room, labelled and dimensioned
  - All window and door openings

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- A Letter describing the proposed business in enough detail to properly determine the use**

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- Consent from the property owner allowing the applicant to apply for a Development Permit on their behalf**

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