



Development Permits

City of St. Albert Land Use Bylaw 18/2024

January 2025

Development Permits

In accordance with Provincial Legislation, every municipality in Alberta must adopt a Land Use Bylaw. The Land Use Bylaw is the central regulatory planning document for a municipality in Alberta and the primary document for implementing development policies expressed in a City’s statutory planning documents. A Development Permit is the document issued by the Development Authority that ensures buildings and uses are in accordance with the provisions of the Land Use Bylaw.

Development Permits are separate from Building Permits. An approved Development Permit means that the proposed development has been reviewed against the provisions of the Land Use Bylaw.

However, an approved development permit does not remove obligations to conform to other legislation, bylaws, or land title instruments such as the Alberta Building Code.

Requirements for a Permit

“Development” is considered to be an excavation, stockpile, the construction (or placement) of, addition to, or replacement of a building in, on, over or under land; and the use, change of use, or change in the intensity of use of a building or land. No development shall be undertaken within the City without

development permit approval unless the development is specifically exempt in the Land Use Bylaw. Such exemptions include, but are not limited to, uncovered decks under 0.6 metres in height, fire pits, or small sheds. Developments must still comply with all applicable regulations.

Land Use Districts

The Land Use Bylaw divides the City into a number of geographical land use districts, sometimes referred to as zones. Generally, land use districts are categorized as residential, commercial, industrial, institutional, or mixed-use, with each broken down to ensure the uses within those areas will be compatible with one another.

Uses

For each land use district, the Land Use Bylaw lists the uses that are allowed to be located in that particular district. The uses are typically divided into two categories:

- **Permitted Uses**, which are uses that have been determined to be appropriate and compatible. The Development Authority must approve a development that is a permitted use and otherwise complies with the regulations set out in Land Use Bylaw.
- **Discretionary Uses**, which may or may not be appropriate given the nature of development and the characteristics of the area. Unlike a use that has been classified as “Permitted,” a Discretionary

Use is not entitled as a right to a development permit even though it may comply with the regulations set out in the Land Use Bylaw. The Development Authority has the ability to place conditions on the permit to ensure the use will be appropriate. Such conditions may include hours of operation, landscaping, exterior finishes or anything else relating to the compatibility of the development.

If a development is for a use that is neither permitted nor discretionary within that land use district, the Development Authority has no authority to issue a development permit for that use.

Development Regulations

The Land Use Bylaw establishes specific regulations for development. Such regulations include, minimum setback requirements, building height, site coverage, and parking requirements.

Overlay Regulations

The Land Use Bylaw has an additional set of regulations that are overlain on top of the existing regulations set out in specific land use districts. This is called an “overlay”, and only applies to properties within certain land use districts that fall into a determined geographical area identified in the overlay. Overlays are used to recognize the unique characteristics within that geographic area and apply regulations that are applicable. St.

Albert currently has one overlay called the *Established Neighbourhood Overlay* which ensures that the scale and character of development within older areas are not compromised as a result of development regulations intended for modern development practise.

Variance

In some cases, not all developments strictly comply with the regulations set out in the Land Use Bylaw. The Development Authority may have the discretion to relax the requirements in the Land Use Bylaw and approve a development that does not meet a regulation. The Development Authority must be satisfied that the variance will not unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment or value of neighbouring properties.

Apply for a Development Permit

An application for Development Permit will only be accepted by the Planning and Development Department once it is deemed complete. The requirements for a complete application are set out in the Land Use Bylaw. Typical requirements include architectural drawings, site plan, and fee. The Development Authority may require additional information if deemed necessary.

An **Approved Development Permit** means that the proposed development has been reviewed against the provisions of and conforms to the use prescribed by the Land Use Bylaw. If the use is considered “discretionary” or a variance has been granted, affected parties will be notified of the decision and have the right to appeal the decision. If the permit is for a “permitted” use and complies in all regards, there is no notification. The only thing that can be brought into question by way of appeal is whether or not the Development Authority misinterpreted the provisions of the Land Use Bylaw in rendering their decision.

A **Refused Development Permit** means that the proposed development either does not comply with the provisions of and/or with the uses prescribed within the Land Use Bylaw. The Development Authority may have determined the development to be a discretionary use that is not reasonably compatible with the surrounding area. The recipient of a refused development permit has the right to appeal the decision.

For additional information or
to apply, please contact:

Planning & Development

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www.stalbert.ca/dev/planning/