

**Town of Olds**  
**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**HEARING FOR REFUSED THE DEVELOPMENT PERMIT  
PRMO-2026-0035 FOR A PROPOSED SECOND SECONDARY  
SUITE WITHIN A DETACHED BUILDING, WHICH WAS  
DETERMINED TO CONSTITUTE A PROHIBITED MULTI-UNIT  
DWELLING UNDER THE LAND USE BYLAW AT  
4617 51 STREET, OLDS, ALBERTA; LOW DENSITY RESIDENTIAL  
LEGACY DISTRICT (RLD).**

**MUNICIPALITY: TOWN OF OLDS**

**DATE: MAY 6, 2026**

**TIME: 01:00 P.M.**

**PLACE: Online meeting - [SDAB - Town of Olds - PRMO-2026-0035 |  
Join meeting in Teams | Microsoft Teams](#)**

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# **Town of Olds**

## **SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**HEARING FOR REFUSED THE DEVELOPMENT PERMIT PRMO-2026-0035 FOR A  
PROPOSED SECOND SECONDARY SUITE WITHIN A DETACHED BUILDING, WHICH  
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UNDER THE LAND USE BYLAW AT**

**4617 51 STREET, OLDS, ALBERTA; LOW DENSITY RESIDENTIAL LEGACY DISTRICT  
(RLD).**

**May 6, 2026 at 01:00 p.m. at Town of Olds, Online meeting**

### **AGENDA**

- |   |                       |
|---|-----------------------|
| <b>1. Call to Order</b>   | Chair                 |
| <b>2. Agenda Approval</b>   | Chair                 |
| <b>3. Introduction of Appeal Topic and Panel Members and Staff</b>            | Chair                 |
| <b>4. Call for Objections to Panel Members</b>                                | Chair                 |
| <b>5. Appeal Statements and Notice Given</b>                                  | Clerk                 |
| <b>6. Introduction of Appellants, Applicant and Development Authority</b>     | Chair                 |
| <b>7. Call for and Introduction of Other Parties wishing to Speak/Present</b> | Chair                 |
| <b>8. Overview of Hearing Procedure</b>                                       | Chair                 |
| <b>9. Development Authority Submission and Presentation</b>                   | Development Authority |
| <b>10. Questions of the Development Authority</b>                             | Chair                 |
| a. From Panel Members   |                       |
| b. From Applicant/From Appellant  |                       |
| c. From Other Parties who requested to speak/present                          |                       |
| <b>11. Appellant Submission and Presentation</b>                              | Appellant             |
| <b>12. Questions of the Applicant/Appellant</b>                               | Chair                 |

- a. From Panel Members
  - b. From Development Authority
  - c. From Other Parties who requested to speak/present
13. **Submissions and Presentations from Other Parties (If Any)** Other Parties (in order)  
5
14. **Questions of the Other Parties (If Any)** Chair
- a. From Panel Members
  - b. From Development Authority
  - c. From Applicant/Appellant
  - d. From Other Parties who requested to speak/present
15. **Final Questions from Panel Members** Chair
16. **Summary and Rebuttal Statements** Chair
- a. From Development Authority
  - b. From Applicant/Appellant
  - c. From Other Parties who requested to speak/present
17. **Chair’s Closing Comments** Chair
18. **Deliberations of Panel Members (Private)**
19. **Adjournment of Hearing**

### NOTICE OF APPEAL HEARING

This is to notify you that an appeal has been made to the Town of Olds Subdivision and Development Appeal Board (SDAB) against a decision of the Development Authority to refuse a development permit from the Town of Olds and is described as follows:

**The Development Authority refused the Development Permit PRMO-2026-0035 for a proposed second secondary suite within a detached building, which was determined to constitute a prohibited multi-unit dwelling under the Land Use Bylaw at 4617 51 Street, Olds, Alberta; Low Density Residential Legacy District (RLD).**

The Town of Olds Subdivision and Development Appeal Board (SDAB) will hold a hearing on **Wednesday, May 6<sup>th</sup>, 2026, at 01:00 PM** at Online: [Teams](#) link

After April 29<sup>th</sup>, 2026, the agenda and information package will be available; if you are interested in obtaining a copy, please email the Clerk at [jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Any affected person is welcome to participate and make verbal and/or written presentations at the hearing. Affected persons wanting to provide a written submission to the Board concerning the appeal can deliver a copy of the submission to the SDAB Clerk by Tuesday, April 28<sup>th</sup>, 2026, by:

Town of Olds office: 3501 70 Ave, Olds, AB T4H 1L7  
Email: [jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

If you have any questions you can reach Jiayi Wang at [jwplan2000@gmail.com](mailto:jwplan2000@gmail.com). Affected persons wishing to speak at the hearing are asked to register with the SDAB clerk no later than Tuesday, April 28<sup>th</sup>, 2026.

Please be advised that any written material that you provide will become a matter of Public Record and may be forwarded to the affected parties prior to the hearing for review and consideration, subject to the provisions of the Freedom of Information and Protection of Privacy Act.



Dated: 2026-04-21  
Jiayi Wang, Clerk  
Subdivision and Development Appeal Board

### NOTICE OF APPEAL HEARING

April 21<sup>th</sup>, 2026

Town of Olds  
3501 70 Ave,  
Olds, AB T4H 1L7

**RE: Appeal of Development Permit PRMO-2026-0035**

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An appeal has been filed with the Town of Olds Subdivision and Development Appeal Board against a decision of the Development Authority to refuse a development permit from the Town of Olds and is described as follows:

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As the Development Authority, you will be on the agenda to present the background on the development permit and the decision being appealed. If you are presenting additional written or printed documentation, please forward copies to the SDAB Clerk no later than **Tuesday, April 28<sup>th</sup>, 2026.**

Materials received will be included in the hearing package prepared for the SDAB and will be distributed to the SDAB, appeal participants, and the public prior to the hearing.

If you choose to introduce additional documentation at the hearing without providing it to the SDAB Clerk in advance, there is a possibility that since the SDAB and other appeal participants have not had an opportunity to review any materials that you do not provide in advance, the SDAB may be required to adjourn the hearing to allow the SDAB and other appeal participants the opportunity to review these materials and, if necessary, for the appeal participants to provide responding materials.

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If you have any questions concerning this appeal, please contact SDAB Clerk, at the contact information provided below.



Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

ROSENBERGER, MARGARET AND JAMES

**RE: Appeal of Development Permit PRMO-2026-0035**

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As the Appellant, you are welcome to participate and make verbal and/or written presentations at the hearing. The SDAB has received material from you, but if you have additional information, you can:

1. Provide additional visual or written submissions in advance of the hearing.
2. If additional submissions are NOT provided in advance, you will need to bring ten copies of all materials to share at the hearing.

If you wish to submit visual or written material to the SDAB prior to the hearing, one copy should be delivered to the SDAB Clerk no later than **Tuesday, April 28<sup>th</sup>, 2026.**

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You may submit your written or printed documentation to:

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If you choose to provide a verbal presentation, please notify the SDAB Clerk, at the contact information provided, to register your intent to present, no later than **Tuesday, April 28<sup>th</sup>, 2026.**

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Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

PEARSON, ALANNA  
[REDACTED]  
[REDACTED]

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

GREGORY; ARTHUR T & CHRISTINE E  
[REDACTED]  
[REDACTED]

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

VERMEULEN, COURTNEY & BRANDY  
[REDACTED]  
[REDACTED]

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

WESTCOTT; GRANT & MERLIN-WESTCOTT; JUDY  
[REDACTED]  
[REDACTED]

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

SYS DEVELOPERS INC  
[REDACTED]  
[REDACTED]

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

PEDERSEN; LORI  
[REDACTED]  
[REDACTED]

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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Dated: 2026-04-21  
Jiayi Wang, Clerk  
[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)  
Subdivision and Development Appeal Board

MATCHULLIS; SHANE S.  
[REDACTED]  
[REDACTED]

**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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- 21. Since the SDAB and appeal participants may not have an opportunity to review any materials that you do not provide in advance, the SDAB may be required to adjourn the hearing to allow the SDAB and other appeal participants the opportunity to review any materials not provided before the hearing and, if necessary, for the appeal participants to provide responding materials.

After April 29<sup>th</sup>, 2026, the agenda and information package will be available; if you are interested in obtaining a copy, please email the Clerk at [jwplan2000@gmail.com](mailto:jwplan2000@gmail.com).

If you have any questions concerning this appeal, please contact SDAB Clerk, at the contact information provided below.



Dated: 2026-04-21  
Jiayi Wang, Clerk  
[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)  
Subdivision and Development Appeal Board

MARTINSON, TUESDAY



**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

---

This is to notify you that an appeal has been made to the Town of Olds Subdivision and Development Appeal Board (SDAB) against a decision of the Development Authority to refuse a development permit from the Town of Olds and is described as follows:

**The Development Authority refused the Development Permit PRMO-2026-0035 for a proposed second secondary suite within a detached building, which was determined to constitute a prohibited multi-unit dwelling under the Land Use Bylaw at 4617 51 Street, Olds, Alberta; Low Density Residential Legacy District (RLD).**

The Town of Olds Subdivision and Development Appeal Board (SDAB) will hold a hearing on **Wednesday, May 6<sup>th</sup>, 2026, at 01:00 PM** at Online: [Teams](#) link

If you wish to submit visual or written material to the SDAB prior to the hearing, one copy should be delivered to the SDAB Clerk no later than **Tuesday, April 28<sup>th</sup>, 2026.**

Materials received will be included in the hearing package prepared for the SDAB and will be distributed to the SDAB, appeal participants, and the public prior to the hearing.

You may submit your written or printed documentation to:

Town of Olds office: 3501 70 Ave, Olds, AB T4H 1L7  
Email: [jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

If you choose to provide a verbal presentation, please notify the SDAB Clerk, at the contact information provided, to register your intent to present, no later than **Tuesday, April 28<sup>th</sup>, 2026.**

PLEASE BE ADVISED THAT:

- 22. Any visual or written material received by the SDAB Clerk will form part of the public record and will be made available for public inspection pursuant to section 686(4) of the Municipal Government Act, RSA 2000, c M-26 as amended;
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If you have any questions concerning this appeal, please contact SDAB Clerk, at the contact information provided below.



Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board

CONDOMINIUM CORPORATION NO. 0614473



**NOTICE OF APPEAL HEARING**

April 21<sup>th</sup>, 2026

**RE: Appeal of Development Permit PRMO-2026-0035**

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Dated: 2026-04-21

Jiayi Wang, Clerk

[jwplan2000@gmail.com](mailto:jwplan2000@gmail.com)

Subdivision and Development Appeal Board



March 30, 2026

ROSENBERGER, MARGARET AND JAMES  
*Delivered Electronically*

**Re: Notice of Decision – Development Permit Application PRMO-2026-0035**

Please be advised that as per Section 1.10(2)(k) of Town of Olds Land Use Bylaw 2025-14, Development Permit Application PRMO-2026-0035 has been refused.

As per Part 7 of Town of Olds Land Use Bylaw 2025-14:

*“Secondary Suite, Garden means a single-storey secondary suite located in a building separate from the principal dwelling. It is only allowed in conjunction with a single detached or semi-detached dwelling.”*

And

*“Secondary Suite, Garage means a secondary suite located above a detached garage, with an entrance separate from the vehicle entrance to the garage. It is only allowed in conjunction with a single detached or semi-detached dwelling”*

While a second secondary suite in and of itself would be a Council discretionary use, the proposed design would convert the building into a two-story, multi-unit dwelling and would fall outside both available definitions under the Land Use Bylaw. Further, in the opinion of the Development Authority, a second secondary suite within a single building would convert that building into being functionally the primary use on the site. Therefore, the Development Authority has deemed this application to be a prohibited use.

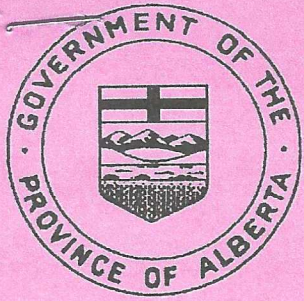
The decision of the Development Authority is subject to appeal. Should you wish to exercise your right to appeal, the letter of appeal and accompanying \$1,000 appeal fee shall be received by the Secretary of the Appeal Board no later than April 20, 2026.

Regards,

A handwritten signature in blue ink, appearing to read "Nathan Hill", with a long horizontal flourish extending to the right.

Nathan Hill  
Development Officer

CERTIFIED COPY OF  
Certificate of Title



S

LINC  
0019 298 579

SHORT LEGAL  
5046FI;33;17

TITLE NUMBER: 181 038 862  
TRANSFER OF LAND  
DATE: 15/02/2018

AT THE TIME OF THIS CERTIFICATION

JAMES ROSENBERGER

AND  
MARGARET ROSENBERGER  
BOTH OF:  
5724 - 58 AVENUE  
OLDS  
ALBERTA T4H 1K2  
AS JOINT TENANTS

ARE THE OWNERS OF AN ESTATE IN FEE SIMPLE  
OF AND IN

PLAN 5046FI  
BLOCK 33  
LOT 17  
EXCEPTING THEREOUT ALL MINES AND MINERALS

SUBJECT TO THE ENCUMBRANCES, LIENS AND INTERESTS NOTIFIED BY MEMORANDUM UNDER-  
WRITTEN OR ENDORSED HEREON, OR WHICH MAY HEREAFTER BE MADE IN THE REGISTER.

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
071 480 276	25/09/2007	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 180 WELLINGTON STREET WEST TORONTO ONTARIO M5J1J1 ORIGINAL PRINCIPAL AMOUNT: \$171,920
181 038 863	15/02/2018	MORTGAGE MORTGAGEE - THE TORONTO DOMINION BANK. 500 EDMONTON CITY CENTER EAST, 10205-101 STREET, 5TH FLOOR EDMONTON ALBERTA T5J5E8 ORIGINAL PRINCIPAL AMOUNT: \$142,400

PAC

**Park Avenue Contracting**  
ARCHITECTURAL DESIGN AND DRAFTING SERVICE  
4912-49 AVENUE - SANGUDO, ALBERTA  
T0E 2A0 - 780-870-2792

PREPARED FOR:  
**JAMES ROSENBERG**

PROJECT ADDRESS  
**TOWN**

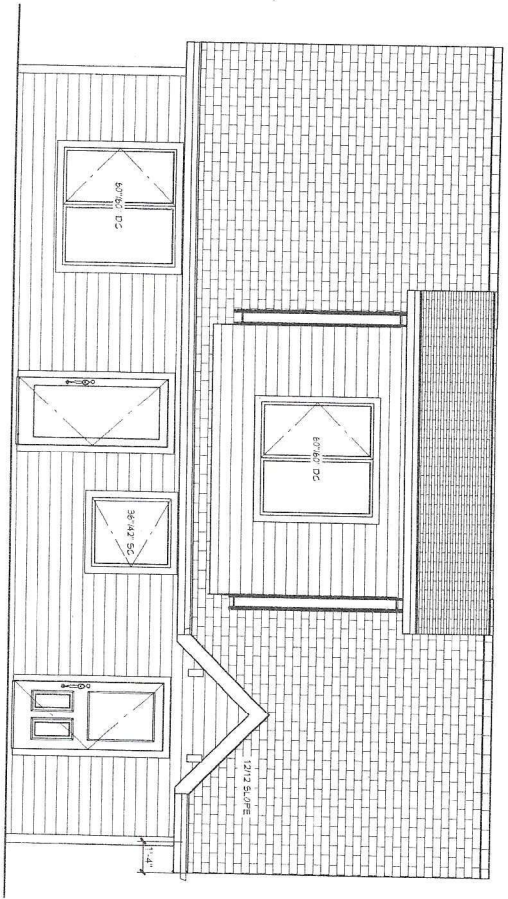
SHEET:  
**ELEVATION**

DN BY: DEAN  
SCALE: 1/4" = 1'-0"  
DATE: 2022-05-03

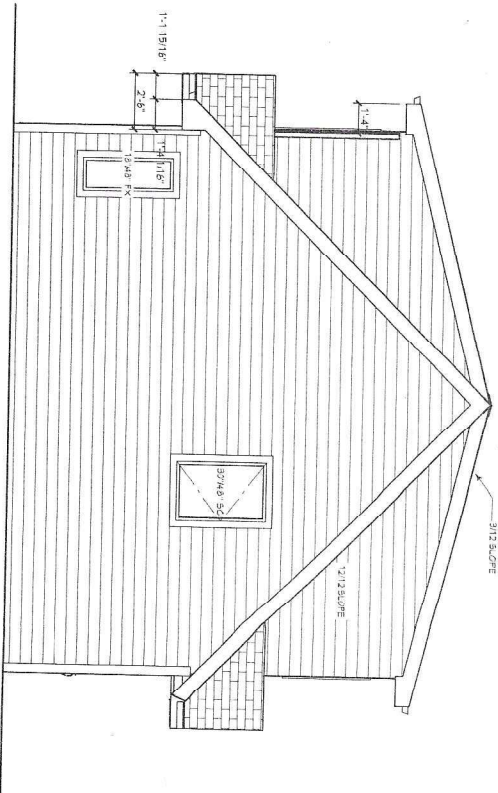
FILE:  
ROSENBERGER

SHEET:  
**A5**

**1**  
**A5**  
WEST ELEVATION  
SCALE = 3/16" = 1'-0"



**2**  
**A5**  
SOUTH ELEVATION  
SCALE = 3/16" = 1'-0"



PAC

**Park Avenue Contracting**  
ARCHITECTURAL DESIGN AND DRAFTING SERVICE  
4912-49 AVENUE - SANGUDO, ALBERTA  
T0E 2A0 - 780-870-2792

PREPARED FOR:  
**AMIS ROSENBERG**

PROJECT ADDRESS  
**TOWN**

SHEET:  
**SECOND FLOOR PLAN**

DN BY:  
DEAN

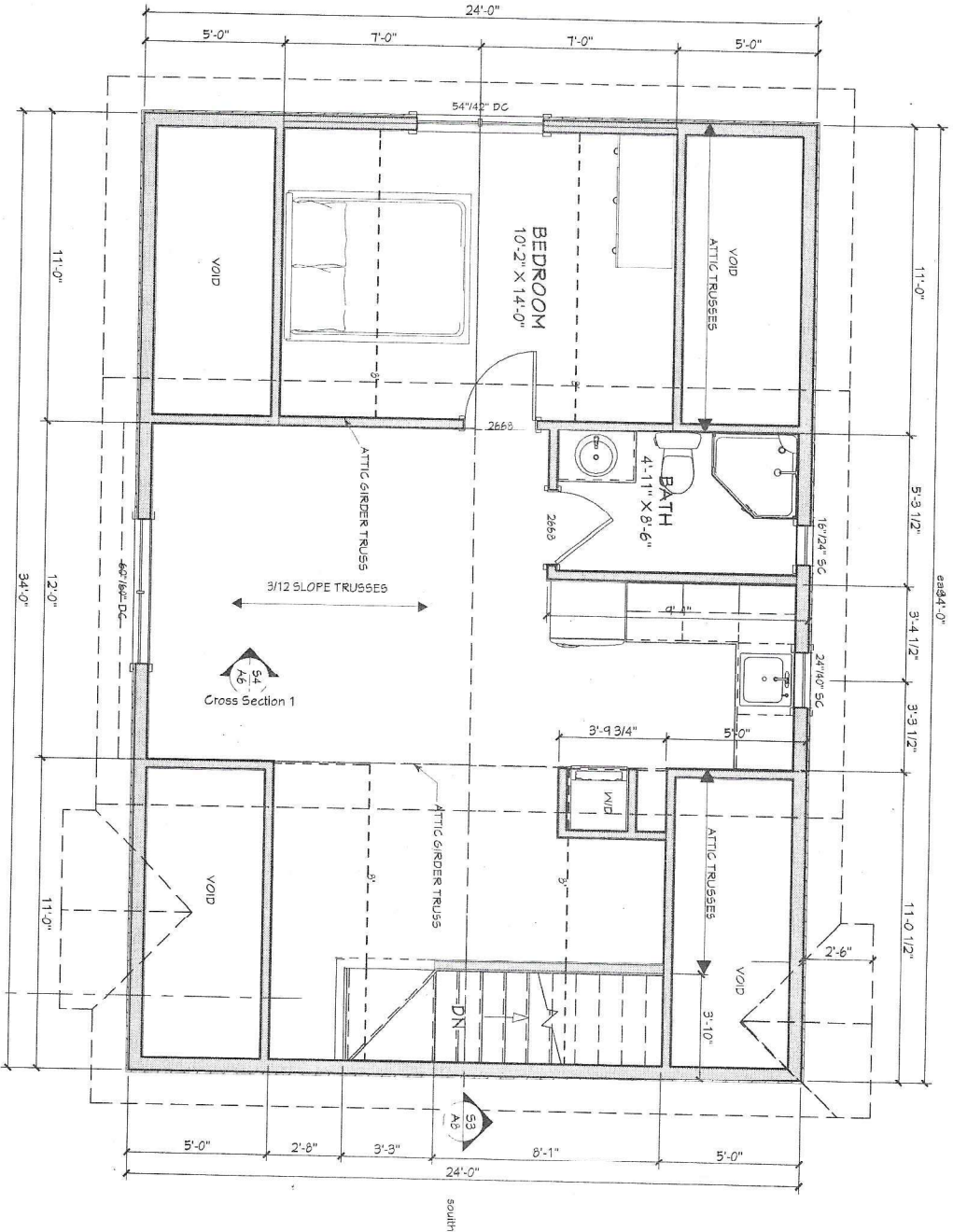
SCALE:  
1/4" = 1'-0"

DATE:  
2022-04-08

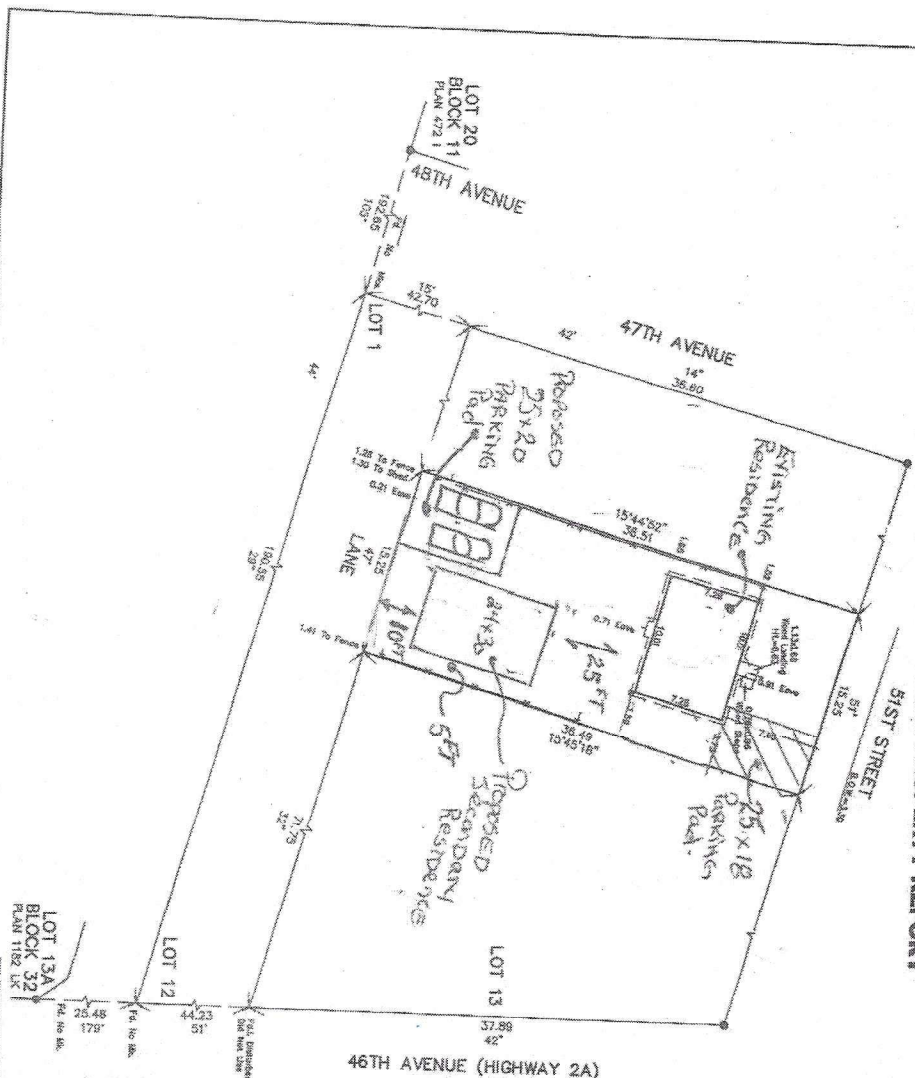
FILE:  
ROSENBERGER

SHEET:  
**A4**

1  
A4  
SCALE = 1/4" = 1'-0" 539 SQ. FT.  
**SECOND FLOOR PLAN**



**ALBERTA LAND SURVEYORS REAL PROPERTY REPORT**



**LEGAL DESCRIPTION:**  
 LOT 17, BLOCK 33, PLAN 5046 FI  
 MUNICIPAL ADDRESS:  
 4617 - 51ST STREET  
 OLDS, ALBERTA  
 CLIENT: WARNOCK KRAFT ANDERSON  
 SCALE = 1:300  
 m:shc

1. I, BRYAN JONES, ALBERTA LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY REPORT IS TRUE AND CORRECT.
2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE ALBERTA LAND SURVEY ACT AND THE REGULATIONS THEREUNDER.
3. THE SURVEY WAS CONDUCTED ON THE 4TH DAY OF FEBRUARY 2018.
4. THE BOUNDARIES OF THE SURVEY ON THIS PLAN ARE ENTIRELY WITHIN THE BOUNDARIES OF THE SURVEY.
5. NO OTHER ENCUMBRANCES HAVE BEEN NOTED ON THIS SURVEY.
6. NO HEREDITARY ENCUMBRANCES EXIST ON THE SURVEYED PROPERTY.
7. NO OTHER ENCUMBRANCES EXIST ON THE SURVEYED PROPERTY.
8. NO OTHER ENCUMBRANCES EXIST ON THE SURVEYED PROPERTY.
9. NO OTHER ENCUMBRANCES EXIST ON THE SURVEYED PROPERTY.
10. NO OTHER ENCUMBRANCES EXIST ON THE SURVEYED PROPERTY.

THE SURVEY REPORT AND RELATED PLANS HAVE BEEN PREPARED FOR THE BENEFIT OF THE PROPERTY OWNER. SUBSEQUENT CHANGES TO THE REPORT OR PLANS WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR ARE NOT VALID UNLESS IT BECOMES AN ORIGINAL, SIGNATURE OF THE SURVEYOR AND A CORRECT QUANTITY AND FREQUENT STRIKE (ON THE PLAN).

**JOHN GEORGINIS LTD.**  
 ALBERTA LAND SURVEYOR  
 201, 1022-4th Ave N.E., Calgary, Alberta T2E 6L5  
 Tel: (403) 238-0778 Fax: (403) 238-0714  
 Email: jgeor@jgeor.com  
 Job No. NO4775-13



**1**  
Purpose



**2**  
Procedures



**3**  
General  
Regulations



**4**  
Specific Uses  
and Activities



**5**  
Signs



**6**  
Land Use  
Districts



**7**  
Definitions



**Schedule A**  
LUB MAP

- (5) Prior to applying for a Development Permit for a Restricted Goods Retail use, the applicant is required to obtain any applicable provincial license and submit proof as part of the Development Permit application.
- (6) The exterior of the building shall have as much transparency from the street as possible, to the satisfaction of the Development Authority.
- (7) Outdoor storage shall not be allowed.
- (8) No nuisances, including, but not limited to, odour, noise, or light shall be emitted.

#### 4.18 SECONDARY SUITES

- (1) A maximum of two (2) Secondary Suites may be permitted on a parcel occupied by a Dwelling, Single-Detached or Dwelling, Semi-Detached or Row on their own parcel.
- (2) A Secondary Suite shall not be allowed on the same parcel as a Bed and Breakfast.
- (3) A Secondary Suite shall be architecturally compatible with the principal dwelling.
- (4) In addition to the Development Permit requirements in **Section 2.3**, an applicant for a Secondary Suite shall provide a Floor Plan.

#### Internal Secondary Suites

- (5) An Internal Secondary Suite shall not be more than 50% of the total floor area of the dwelling.

#### Garage Suites

- (6) Garage Suites shall:
  - (a) not be more than 7.5 m in height and shall not exceed the height of the principal dwelling,
  - (b) only be located in a detached garage and in the rear yard of a parcel with lane access,
  - (c) be setback a minimum of 4.0 m from the principal dwelling,
  - (d) have a maximum gross Floor Area of 75.0 m<sup>2</sup>, and
  - (e) have windows that are sized and placed to minimize sightlines into yards and dwellings of abutting properties.

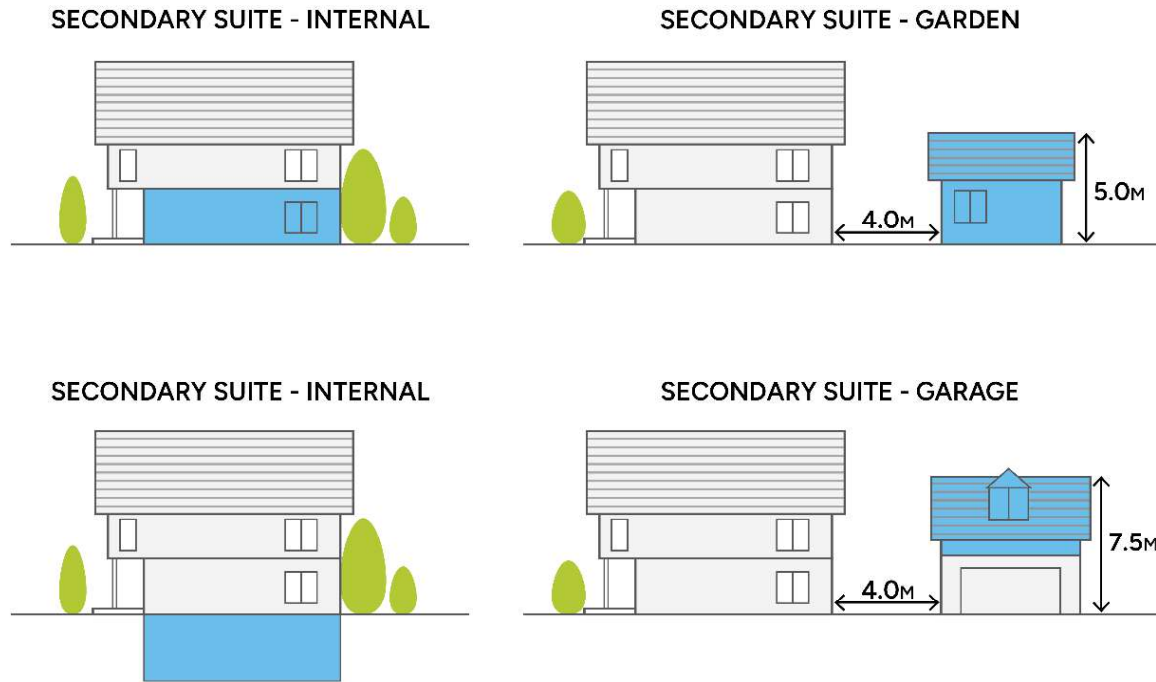
#### Garden Suites

- (7) Garden Suites shall:
  - (a) not exceed a height of 5.0 m or the height of the principal building on the same site, whichever is less;
  - (b) only be located in a rear yard;
  - (c) setback a minimum of 4.0 m from the principal dwelling;



- (d) have windows that are sized and placed to minimize sightlines into yards and dwellings of abutting properties.

Figure 5 Secondary Suite Illustrations



#### 4.19 SHORT TERM RENTALS

- (1) A Development Permit for a Short Term Rental shall be valid for a maximum of five (5) years. At the applicant’s request, the Development Permit may be extended for an additional year.
  - (a) The Development Authority may grant a Development Permit extension up to three (3) times. After this, the applicant shall submit a new Development Permit.

#### 4.20 SURVEILLANCE SUITES

- (1) A Surveillance Suite shall be clearly subordinate to and compatible with the principal use.
- (2) No more than one (1) Surveillance Suite shall be located on a parcel.
- (3) Where a surveillance suite is attached to the building on a site by a roof, an open or enclosed structure, floor or a foundation, it is to be considered a part of the principal building.
- (4) A Surveillance Suite may be located in a Dwelling (Manufactured Home).
- (5) Where a Surveillance Suite is a Dwelling (Manufactured Home) unit, the following shall apply:



1

Purpose



2

Procedures



3

General Regulations



4

Specific Uses and Activities



5

Signs



6

Land Use Districts



7

Definitions



Schedule A  
LUB MAP

**SCREENING**

Means the use of landscaping, a fence, wall, berm, or hedge to visually separate areas or uses.

**SECONDARY SUITE**

Means a self-contained dwelling unit located on the same parcel as a principal dwelling. A secondary suite is designed for independent living and includes separate access to the suite, as well as its own sleeping, cooking, and bathroom facilities. The suite may be serviced by the same municipal utilities as the principal dwelling and is subordinate in floor area and function. This use does not include a Tiny Home.

**SECONDARY SUITE, GARAGE**

Means a secondary suite located above a detached garage, with an entrance separate from the vehicle entrance to the garage. It is only allowed in conjunction with a single detached or semi-detached dwelling.

**SECONDARY SUITE, INTERNAL**

Means a secondary suite located within the principal dwelling. It may include the development or conversion of basement, where a portion of the suite is located below finished grade.

**SECONDARY SUITE, GARDEN**

Means a single-storey secondary suite located in a building separate from the principal dwelling. It is only allowed in conjunction with a single detached or semi-detached dwelling.

**SETBACK**

Means the minimum distance required between a property line of a parcel and the nearest building foundation, or where a foundation is absent, nearest structure, development, excavation or use on the parcel and is measured at a right angle to the parcel line.

**SHIPPING CONTAINER**

Means a standardized re-sealable moveable transportation box used for freight handling and storage, typically constructed of aluminum or steel. This does not include shipping containers that have been extensively modified and repurposed for the construction of homes and other types of buildings.

**SHORT TERM RENTAL**

Means a dwelling or a portion of a dwelling providing temporary accommodation for compensation, for periods of up to 30 consecutive days. This use does not include a Bed and Breakfast.

**SIGN**

Means any object, structure, fixture, placard, device and components, or portion thereof, which is used to advertise, identify, communicate, display, direct or attract attention to an object, matter, thing, person, institution, organization, business, product, service, event or location by any means.

**STATUTORY PLAN**

Means a Municipal Development Plan, an Area Structure Plan, an Area Redevelopment Plan or an Intermunicipal Development Plan as defined in the MGA.

**STORAGE, INDOOR**

Means the use of a building or portion thereof for the storage of goods, materials, equipment, or vehicles, where all storage occurs entirely within an enclosed structure. This use may include personal storage facilities (self-storage), warehousing, and storage of business-related materials but does not include storage that is incidental to a principal commercial or industrial use. Does not include a Shipping Container.









# Appeal of Decision

**Application PRMO-2026-0035**

**Second Secondary Suite at 4617-51 Street, Olds, AB  
Proposed One-Bedroom Loft Suite in Existing Garden Suite**

Submitted by: James and Margaret Rosenberger

Property: 4617-51 Street, Olds, Alberta

Date: April 29, 2026

# Appeal of Decision

Application PRMO-2026-0035

Second Secondary Suite at 4617-51 Street, Olds, AB

Proposed One-Bedroom Loft Suite in Existing Garden Suite

I am respectfully submitting this appeal in response to the decision to reject my application for a second secondary suite on my property. I am asking that the decision be reconsidered and that approval be granted for a modest one-bedroom secondary suite located in the loft of my existing garden suite.

My appeal is based on three main considerations.

First, the Town of Olds has clearly identified a significant need for more affordable rental housing, especially smaller one-bedroom units suitable for students, workers, and people who do not need a full single-family home.

Second, the Town's current Land Use Bylaw already allows up to two secondary suites on a residential parcel. My application is not asking for more suites than the bylaw permits. Rather, I am asking for the Town to consider an alternate combination of its existing approved locations for secondary suites, which would favour functional and practical use on this specific property.

Third, the proposed suite should not be viewed as a two-storey dwelling, a typical multi-unit dwelling, or a replacement of the primary residence, as the Town suggests. It is a small one-bedroom suite located within an existing loft space in a high-roof character garden suite, constructed in 2022. Among other things I will discuss, the loft should be given consideration as a replacement for the basement as the location for a second secondary suite due to the small size and limited practical layout of the primary home and basement, not to mention that the loft offers a brighter, more suitable living option for prospective individuals.

## Consideration 1: The Town Has Identified a Need for Affordable Rental Housing

The Town's 2025 Housing Needs Assessment identifies that Olds is facing a "critical and multi-faceted housing challenge," including affordability issues, limited housing availability, and a mismatch between existing housing stock and community needs. The Town's Housing Assessment Results also state that the 2025 assessment confirmed four key housing priorities, including "rental housing for students, workers, and young families," "'missing middle' housing," and "smaller, more affordable homes that respect the character of Olds."

This application directly responds to those priorities. The proposed suite would add one small, affordable, one-bedroom rental unit in Uptown Olds, approximately half a block from Olds College. This makes it especially suitable for a student, visiting professor, single worker, or couple without children. These are exactly the kinds of residents who may not need a full house, but still need a safe, legal, and reasonably affordable place to live.

The need for this type of housing is well documented by the Town. The Housing Assessment Results report that Olds has a very low rental vacancy rate of 0.6% and that the greatest demand is for "smaller, more affordable units such as one-bedroom apartments, secondary suites, and 'missing middle' options." The same Town summary states that Olds requires approximately 124 new homes per year over the next five years in order to respond to growth and housing demand.

The Town has also recognized that the housing shortage affects the local economy. The Housing Assessment Results state that businesses have reported recruitment challenges because of housing shortages. The 2025 What We Heard Report also notes that the Town's engagement included Olds College, the Chamber of Commerce, service providers, residents, and the business community in order to understand housing challenges and possible solutions.

This matters because affordable rental housing is not only a private concern; it is also a community and economic development concern. If students cannot find housing close to Olds College, they may be forced to commute or look elsewhere. If workers cannot find suitable housing in town, local businesses may struggle to attract and retain staff.

A one-bedroom suite in this location would be a practical, small-scale way to help meet those needs without changing the character of the neighbourhood.

### **Consideration 2: The Town Already Allows Two Secondary Suites**

The Town has also stated its intention to reduce barriers and make it easier to create the right kinds of housing. The Housing Assessment Results say that the Town is “cutting red tape to make it easier to build the right housing, faster.”

The Town’s current Land Use Bylaw already recognizes the value of allowing more than one secondary suite. Section 4.18 of the 2025 Land Use Bylaw states that “a maximum of two (2) Secondary Suites may be permitted on a parcel” occupied by a single-detached, semi-detached, or row dwelling on its own parcel. Therefore, this appeal is not asking the Town to approve more secondary suites than the bylaw already permits. The appeal is about the arrangement and location of the second secondary suite.

In this case, I am asking that the second secondary suite be permitted in the loft of the existing garden suite rather than being restricted to the basement of the primary home. The issue is not whether a second secondary suite may exist on the parcel. The issue is whether the Town will consider a different arrangement of the suites on this property when that arrangement is both practical and suitable.

### **Consideration 3: Addressing Primary Residence Concerns**

In the letter of refusal, the Town stated that while the second secondary suite would be a Council discretionary use, the proposed design would convert the building into a two-storey, multi-unit dwelling and would fall outside the definitions in the bylaw. Further, in the opinion of the Development Authority, the addition of a second suite within a single building would convert that building into being functionally the primary use on the site.

I respectfully disagree with those conclusions based on these factors:

#### **Primary Residence**

Regarding the concern that the garden suite would become functionally the primary use on the site, the primary home remains the principal dwelling by location, placement, and function. It is located at the front of the property, while the garden suite is located behind it in the rear yard, consistent with the bylaw’s treatment of accessory and secondary structures. The proposed loft suite would remain within that rear accessory building and would not change the primary role of the front dwelling.

#### **Size**

As to size, the current bylaw does not stipulate a size for a garden suite. Therefore, size should not be used as the determining factor in deciding which building is the primary residence. The front house is the primary residence by location, placement, and function.

However, for information, both the primary residence and the garden suite have similar main-floor square footage, at approximately 800 square feet each. The primary residence is a 1950s bungalow-style home that is typical for the Uptown Olds district and era. This is not a large house, making a size comparison to the garden suite an unbalanced equation. Most homes built even 10–20 years after this one increased in square footage significantly.

The total living space in the primary residence is approximately 800 square feet on the main floor and 800 square feet in the basement, for a combined total of approximately 1,600 square feet. The garden suite is approximately 800 square feet on the ground floor, with approximately 530 square feet above in the attic/loft.

From this perspective, the primary residence remains larger than the secondary building, even with the proposed loft suite included.

## **Function**

This leads to the second concern raised by the Town, that with the addition of a second suite, the structure would become functionally a primary residence.

Since the bylaw already contemplates two secondary suites on one qualifying parcel, the mere fact that the two suites are self-contained rental units cannot automatically make the development something other than secondary suites. Otherwise, the allowance for “two secondary suites” would be made meaningless. The proper test should be whether the units meet the bylaw’s definition of secondary suites and remain subordinate to the principal dwelling, which I have shown they do as indicated above.

A vertical arrangement also does not, by itself, convert the development into a multi-family, duplex, or semi-detached dwelling. The bylaw defines a semi-detached dwelling as “a dwelling unit having one common wall at the side or rear with another dwelling unit.” That language points to two principal dwelling units joined horizontally by a side or rear wall, not two secondary suites arranged above and below each other.

The bylaw also defines a multi-unit dwelling, which the Town mentions, as a building or group of connected buildings containing three or more dwelling units in a horizontal, vertical, or stacked configuration. However, the same definition expressly says: “This does not include Secondary Suites.” That is important. It shows that the bylaw recognizes stacked dwelling arrangements, but deliberately excludes secondary suites from being reclassified as multi-unit dwellings simply because of configuration.

Therefore, disallowing two secondary suites solely because they are above one another would add a restriction that does not appear in the bylaw. If Council or the Development Authority intended to prohibit stacked secondary suites, the bylaw could have said so directly. Instead, it allows up to two secondary suites and regulates them by other means. In addition, Section 1.5 of the bylaw allows for interpretation, which supports giving some latitude to this kind of project where the proposal meets the intent and purpose of the bylaw.

In short, the bylaw permits two secondary suites. It defines secondary suites by their relationship to the principal dwelling, not by whether they are beside, behind, above, or below one another. A stacked arrangement should not be automatically disallowed where the suites continue to meet the definition and function of secondary suites under the Town of Olds 2025 Land Use Bylaw.

## **Alignment with the Town’s Planning Direction**

The approach to this second secondary suite aligns with the Town’s Municipal Development Plan. The 2025 Municipal Development Plan states that the Town encourages attainable, affordable, and special needs housing; supports innovative and alternative housing designs; and supports the development of secondary suites, garden suites, and garage suites as a way to increase housing supply in new and existing neighbourhoods.

This application is consistent with that direction. It is modest. It is practical. It supports affordable housing. It supports student and workforce housing. It uses an existing building. It respects neighbourhood character and can be done with no cosmetic alterations at all. It also fits well within the broader policy direction already adopted by the Town of Olds.

It also supports the Town’s stated desire to remove barriers to the development of secondary suites. In this case, allowing a loft to be developed in place of a basement suite would be a practical way to apply that direction. It also recognizes that a combination of the Town’s own approved suite concepts can be a solution rather than a barrier.

The Town already permits two secondary suites on a parcel. This appeal simply asks for a fresh view that would allow this second secondary suite to be located in the most suitable existing space on this property. The loft offers a brighter, more appropriate living space than the basement of the small primary home, while still providing the kind of modest rental housing the Town has identified as needed.

## Summary and Request for Approval

This appeal should be approved because the proposal directly supports the Town's own housing priorities, stays within the number of secondary suites already allowed by the Land Use Bylaw, and makes practical use of an existing space without changing the character of the property.

The Town has identified the need for more attainable rental housing, particularly smaller units for students, workers, and people who do not require a full single-family home. This proposed one-bedroom loft suite directly responds to that need. It is conveniently located near Olds College, makes use of an existing structure, and requires no exterior expansion.

The Town has also already determined that two secondary suites may be permitted on a residential parcel. This appeal is not asking for a third suite, a large development, a multi-unit dwelling, or a replacement primary residence. It is asking that the second permitted suite be allowed in the most practical and suitable location on this property: the existing attic/loft space of the garden suite, rather than the basement of a small 1950s primary residence.

The proposed loft suite remains secondary in location, size, and function. The primary home remains at the front of the property as the principal dwelling. The garden suite remains behind it in the rear yard. The total living space of the primary residence remains larger than the garden suite, even with the loft included. The proposal therefore meets the intent and spirit of the bylaw while also helping address a documented housing need in the community.

For these reasons, I respectfully ask that the decision to reject my application be overturned and that approval be granted for the proposed second secondary suite in the loft of the existing garden suite.

# At-a-Glance Summary

## Response to Town of Olds Refusal Letter

Application PRMO-2026-0035 — 4617-51 Street, Olds

Request: Approval for a second secondary suite located in the existing attic/loft space of the rear garden suite.

Reason for Refusal Identified by the Town: The Town stated that the proposed suite would convert the building into a two-storey, multi-unit dwelling, fall outside the available definitions in the Land Use Bylaw, and make the garden suite functionally the primary use on the site.

## Response to Specific Concerns

### Concern: The proposal falls outside the available secondary suite definitions.

- Bylaw 2025-14 allows up to two secondary suites on a qualifying residential parcel.
- This application is not asking for more suites than the bylaw allows.
- The appeal asks for flexibility in how the second permitted suite is arranged on this specific property.
- The proposed suite is located within existing attic/loft space in the rear garden suite.
- The proposed suite remains secondary and subordinate to the principal dwelling,
- Rejection should not simply be whether it fits one of the standard examples already pictured in the bylaw when flexibility is explicitly encouraged by the towns.

### Concern: The proposal would create a two-storey dwelling.

- No second storey is being added.
- No exterior expansion is proposed.
- The attic/loft space already exists within the original high-roof garden suite design.
- The exterior appearance and character of the building would remain the same.
- The proposal simply makes use of existing interior attic/loft space.

### Concern: The proposal would create a multi-unit dwelling.

- The bylaw definition of multi-unit dwelling expressly says: “This does not include Secondary Suites.”
- The proposal is for secondary suites, not a multi-unit dwelling.
- Bylaw 2025-14 already contemplates up to two secondary suites on one qualifying parcel.
- If two secondary suites are allowed, the fact that there are two self-contained rental units should not automatically make the development a multi-unit dwelling.
- Disallowing the suites solely because they are stacked would add a restriction that does not appear in the bylaw.

### Concern: The building would become functionally the primary use on the site.

- The primary home remains the principal dwelling by location, placement, and function.
- The primary home is at the front of the property.
- The garden suite is behind it in the rear yard.
- The proposed loft suite would remain within the rear accessory building.
- The front dwelling would continue to be the primary residence on the site.

### Concern: The garden suite may be too large in relation to the primary home.

- The primary home is a modest 1950s bungalow-style residence of approximately 800 sq. ft. on the main floor.
- The garden suite is also approximately 800 sq. ft. on the main floor.
- If the loft area is counted for the garden suite, the basement of the primary residence should also be counted.
- Primary residence total living space: approximately 1,600 sq. ft.
- Garden suite total living space with loft: approximately 1,330 sq. ft.

- From this perspective, the primary residence remains larger than the secondary building.

**Concern: The proposal is similar to a duplex or semi-detached dwelling.**

- The bylaw definition of semi-detached refers to one dwelling unit sharing a common wall at the side or rear with another dwelling unit.
- That definition points to two principal dwelling units joined horizontally.
- This proposal is not two principal dwellings joined side-by-side or rear-to-rear.
- The proposed suite would be located above an existing living area within an accessory garden suite.
- A vertical arrangement of two secondary suites should not automatically be treated as a duplex when both remain secondary to the principal dwelling.

**Why approval is being requested.**

- The proposal stays within the number of secondary suites already allowed by the bylaw.
- It uses existing attic/loft space and requires no exterior expansion.
- It does not replace the primary residence in function.
- It preserves the character of the property and neighbourhood.
- It provides a modest one-bedroom rental unit.
- It supports the Town’s identified need for smaller, more affordable rental housing.
- It is located near Olds College and is suitable for students, visiting professors, workers, singles, or couples.

**Requested Decision**

That the refusal of Development Permit Application PRMO-2026-0035 be overturned, and that approval be granted for the proposed second secondary suite in the existing attic/loft space of the rear garden suite at 4617-51 Street, Olds.

**Referenced Town of Olds Documents**

**Town of Olds, 2025 Housing Needs Assessment Report**

[https://www.olds.ca/media/dmja44vr/2025\\_olds\\_housing\\_needs\\_assessment\\_report\\_final.pdf](https://www.olds.ca/media/dmja44vr/2025_olds_housing_needs_assessment_report_final.pdf)

**Town of Olds, Housing Assessment Results**

<https://www.olds.ca/council-administration/plans-and-reports/housing-assessment-results/>

**Town of Olds, Housing Needs Assessment 2025 — What We Heard Report**

[https://www.olds.ca/media/znad4jck/housing\\_needs\\_assessment\\_2025\\_-\\_what\\_we\\_heard\\_report.pdf](https://www.olds.ca/media/znad4jck/housing_needs_assessment_2025_-_what_we_heard_report.pdf)

**Town of Olds, Land Use Bylaw 2025-14**

<https://www.olds.ca/media/3t3omfdd/town-of-olds-lub-bylaw-2025-14-wo-maps.pdf>

**Town of Olds, Municipal Development Plan Bylaw 2025-13**

<https://www.olds.ca/media/zh3g0tcv/bylaw-2025-13-municipal-development-plan.pdf>

## Supporting Photos and Documents

The following photos and documents support the appeal by showing the property layout, primary residence, existing garden suite, loft design, exterior building profile, applicable bylaw excerpt, and the Town's refusal letter.

### Supporting Photo 1 — Primary Residence: Front View

This photo shows the existing primary residence at 4617-51 Street. The home is a modest 1950s bungalow-style residence located at the front of the property. This supports the appeal's position that the primary residence remains the principal dwelling by location, placement, and function.



## Supporting Photo 2 — Existing Garden Suite: Rear of Property

This photo shows the existing garden suite located behind the primary residence. The structure presents as a high-roof, character-style garden suite with an upper loft area already incorporated into the original building form. The proposed suite would be located within this existing loft space and would not require exterior expansion.



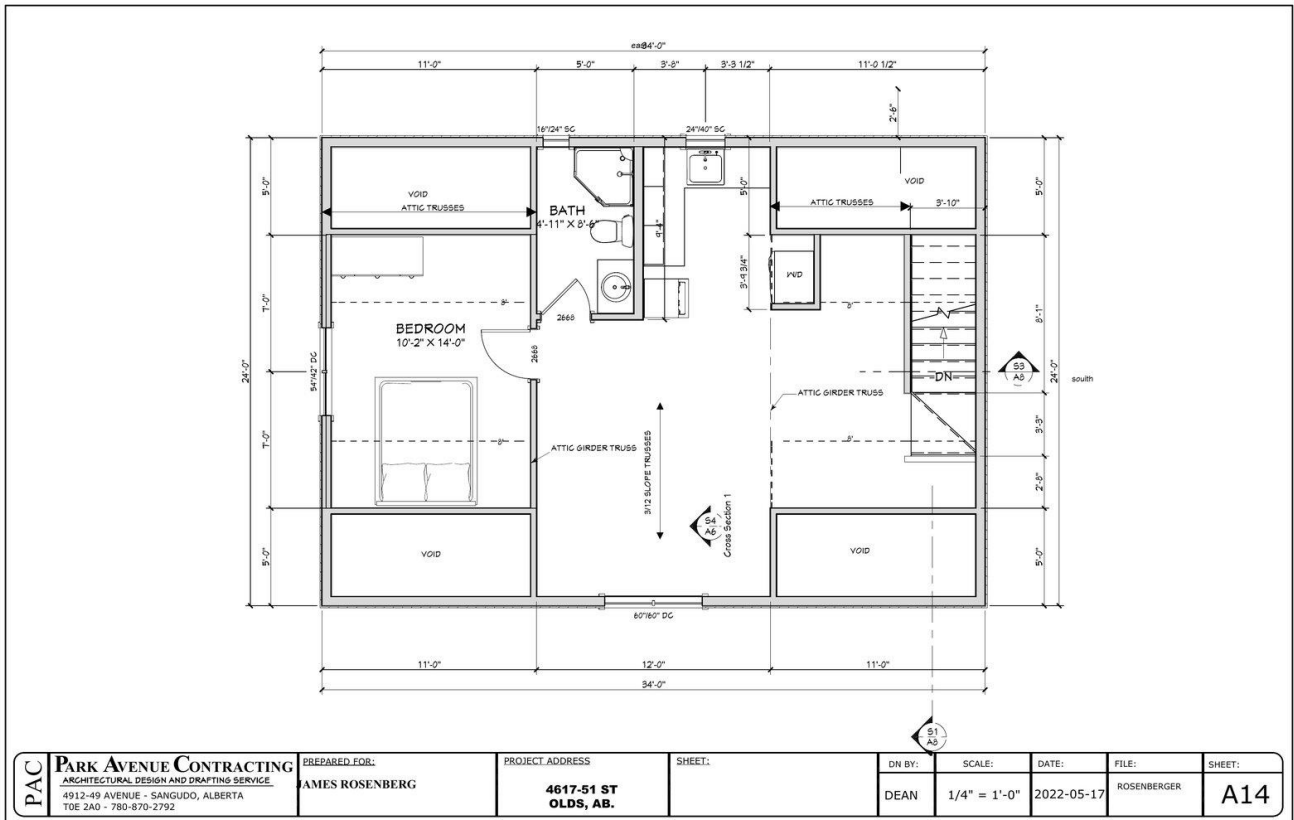
### Supporting Photo 3 — Existing Garden Suite and Rear Yard Context

This photo shows the rear-yard context of the existing garden suite. The garden suite is located behind the primary residence, consistent with the property layout described in the appeal. The image also helps show that the proposed loft suite would remain within an accessory structure at the rear of the property and would not alter the front-facing character of the site.



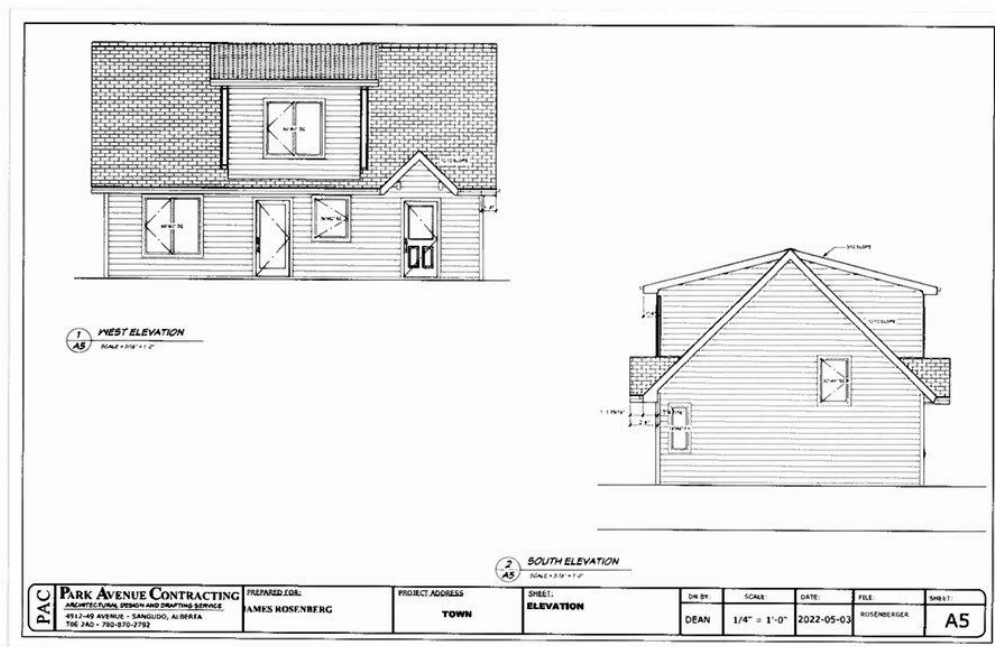
# Supporting Document 4 — Loft Design Drawing

This drawing shows the loft/attic layout of the existing garden suite design. It supports the appeal's position that the proposed one-bedroom suite would be located within existing attic/loft space that complements in the building design.



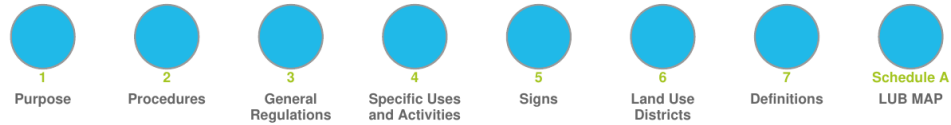
## Supporting Document 5 — Building Profile / Elevations

This building profile/elevation drawing shows the exterior form of the garden suite. It supports the appeal's position that the building is a high-roof, character-style garden suite rather than a newly proposed two-storey structure. The proposed loft suite would not require exterior expansion or change the appearance and character of the building.



# Supporting Document 6 — Land Use Bylaw 2025-14, Secondary Suite Regulations

This excerpt includes Section 4.18 of the Town of Olds Land Use Bylaw 2025-14, including the provision that a maximum of two secondary suites may be permitted on a qualifying parcel and the specific regulations for internal, garage, and garden suites.



Part 4 Specific Uses and Activities

- (5) Prior to applying for a Development Permit for a Restricted Goods Retail use, the applicant is required to obtain any applicable provincial license and submit proof as part of the Development Permit application.
- (6) The exterior of the building shall have as much transparency from the street as possible, to the satisfaction of the Development Authority.
- (7) Outdoor storage shall not be allowed.
- (8) No nuisances, including, but not limited to, odour, noise, or light shall be emitted.

## 4.18 SECONDARY SUITES

- (1) A maximum of two (2) Secondary Suites may be permitted on a parcel occupied by a Dwelling, Single-Detached or Dwelling, Semi-Detached or Row on their own parcel.
- (2) A Secondary Suite shall not be allowed on the same parcel as a Bed and Breakfast.
- (3) A Secondary Suite shall be architecturally compatible with the principal dwelling.
- (4) In addition to the Development Permit requirements in Section 2.3, an applicant for a Secondary Suite shall provide a Floor Plan.

### Internal Secondary Suites

- (5) An Internal Secondary Suite shall not be more than 50% of the total floor area of the dwelling.

### Garage Suites

- (6) Garage Suites shall:
  - (a) not be more than 7.5 m in height and shall not exceed the height of the principal dwelling,
  - (b) only be located in a detached garage and in the rear yard of a parcel with lane access,
  - (c) be setback a minimum of 4.0 m from the principal dwelling,
  - (d) have a maximum gross Floor Area of 75.0 m<sup>2</sup>, and
  - (e) have windows that are sized and placed to minimize sightlines into yards and dwellings of abutting properties.

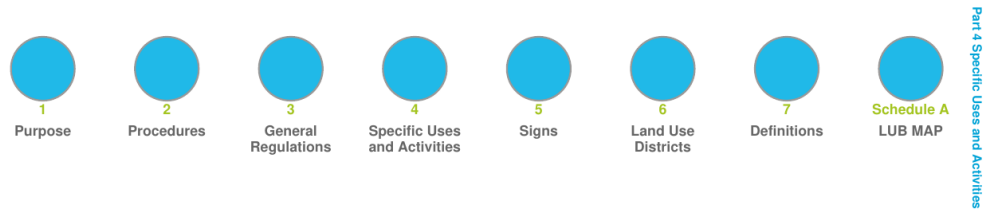
### Garden Suites

- (7) Garden Suites shall:
  - (a) not exceed a height of 5.0 m or the height of the principal building on the same site, whichever is less;
  - (b) only be located in a rear yard;
  - (c) setback a minimum of 4.0 m from the principal dwelling;

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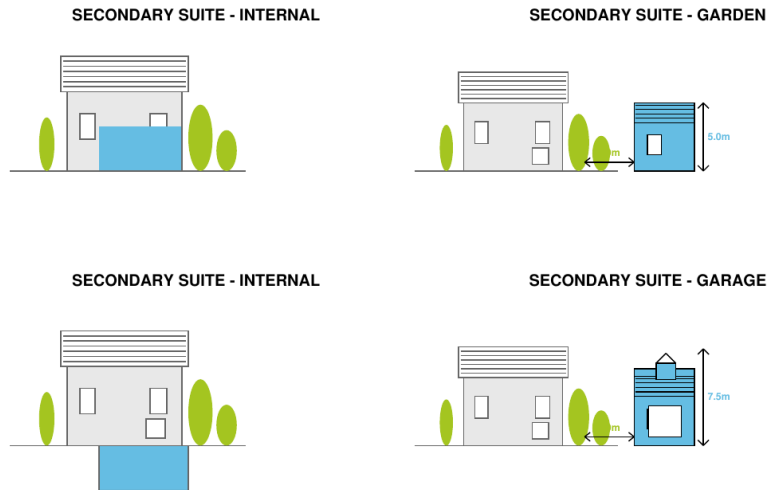
# Supporting Document 7 — Land Use Bylaw 2025-14, Secondary Suite Illustrations

This excerpt includes Figure 5 from the Town of Olds Land Use Bylaw 2025-14, showing secondary suite illustrations for internal, garden, and garage secondary suite arrangements.



- (d) have windows that are sized and placed to minimize sightlines into yards and dwellings of abutting properties.

Figure 5 Secondary Suite Illustrations



## 4.19 SHORT TERM RENTALS

- (1) A Development Permit for a Short Term Rental shall be valid for a maximum of five (5) years. At the applicant's request, the Development Permit may be extended for an additional year.
  - (a) The Development Authority may grant a Development Permit extension up to three (3) times. After this, the applicant shall submit a new Development Permit.

## 4.20 SURVEILLANCE SUITES

- (1) A Surveillance Suite shall be clearly subordinate to and compatible with the principal use.
- (2) No more than one (1) Surveillance Suite shall be located on a parcel.
- (3) Where a surveillance suite is attached to the building on a site by a roof, an open or enclosed structure, floor or a foundation, it is to be considered a part of the principal building.
- (4) A Surveillance Suite may be located in a Dwelling (Manufactured Home).
- (5) Where a Surveillance Suite is a Dwelling (Manufactured Home) unit, the following shall apply:

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# Supporting Document 8 — Refusal Letter from Town of Olds

This is the refusal letter for Development Permit Application PRMO-2026-0035.



March 30, 2026

ROSENBERGER, MARGARET AND JAMES  
*Delivered Electronically*

**Re: Notice of Decision – Development Permit Application PRMO-2026-0035**

Please be advised that as per Section 1.10(2)(k) of Town of Olds Land Use Bylaw 2025-14, Development Permit Application PRMO-2026-0035 has been refused.

As per Part 7 of Town of Olds Land Use Bylaw 2025-14:

*“Secondary Suite, Garden means a single-storey secondary suite located in a building separate from the principal dwelling. It is only allowed in conjunction with a single detached or semi-detached dwelling.”*

And

*“Secondary Suite, Garage means a secondary suite located above a detached garage, with an entrance separate from the vehicle entrance to the garage. It is only allowed in conjunction with a single detached or semi-detached dwelling”*

While a second secondary suite in and of itself would be a Council discretionary use, the proposed design would convert the building into a two-story, multi-unit dwelling and would fall outside both available definitions under the Land Use Bylaw. Further, in the opinion of the Development Authority, a second secondary suite within a single building would convert that building into being functionally the primary use on the site. Therefore, the Development Authority has deemed this application to be a prohibited use.

The decision of the Development Authority is subject to appeal. Should you wish to exercise your right to appeal, the letter of appeal and accompanying \$1,000 appeal fee shall be received by the Secretary of the Appeal Board no later than April 20, 2026.

Regards,

A handwritten signature in blue ink that reads "Nathan Hill".

Nathan Hill  
Development Officer