

July 9, 2024
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING AGENDA
COUNCIL CHAMBERS AND VIDEOCONFERENCE
2:00 p.m.

1. CALL TO ORDER (2:00 p.m.)

2. SCHEDULE OF HEARINGS:

2.1. Appellant: Russel Pollard 024-STU-009 Subdivision Appeal

2.2. Appellant: Graham Okerman 024-STU-010 Subdivision Appeal


3. ADJOURNMENT

Appeal #1

024-STU-009

Appealing conditions #5, 6 and 7 of the
Subdivision Authority's conditional
approval.

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		
Municipal Address of site:	26121 Twp Rd 544	
Legal land description of site: ('plan, block, lot' and/or 'range-township-section-quarter)	NW-23-54-26-4 (E1/2)	
Development Permit number or Subdivision Application number:	2024-S-011	
Appellant Information:		Severed in line with section 17 of the FOIP Act
Name:	Russel Pollard	Phone: _____ Agent Name: (if applicable) _____
Mailing Address:	26121 Twp Rd 544	City, Province: Sturgeon County, AB
Postal Code:	T8T 1N2	Email: _____

APPEAL AGAINST (Check **ONE** Box Only) for multiple appeals you must submit another Notice of Appeal

Development Permit	Subdivision Application
<input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal
Stop Order	
<input type="checkbox"/> Stop Order	

REASON(S) FOR APPEAL Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons

Conditions 5, 6, and 7

- Appealing approach and culvert upgrades
- Appealing the need for a dugout permit, permit was pulled in the 1980s
- Appealing money in lieu of MR payment, already done in previous subdivision

(Attach a separate page if required)

The personal information collected will be used to process your request for a hearing before the Subdivision and Development Appeal Board and is collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP). Your information will form part of a file available to the public. If you have any questions about the collection and use of this information, please contact the Sturgeon County FOIP Coordinator at 9613-100 Street, Morinville, Alberta, T8R 1L9 (780) 939-4321.

Signature of Appellant/Agent	Date: June 14 - 2024
FOR OFFICE USE ONLY	
SDAB Appeal Number:	Appeal Fees Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Hearing Date: YYYY/MM/DD
Severed in line with section 17 of the FOIP Act	

APPEAL SUBMISSION INFORMATION

The Notice of Appeal must be received by the Subdivision and Development Appeal Board, no later than the final date of the appeal, as specified in the *Municipal Government Act*. Otherwise the appeal will not be processed.

FILING INFORMATION

MAIL OR DELIVER TO:

Secretary, Subdivision & Development Appeal Board
9613-100 Street
Morinville, AB T8R 1L9

***Please note that the Notice of Appeal form will not be processed until the fee calculated in accordance with the County's current *Fees & Charges Schedule* is received.**

APPEAL PROCESS

Who can appeal?

Subdivision appeals:

- The applicant for subdivision approval, pursuant to Section 678(1)(a) of the *Municipal Government Act*.
- Government Departments to which subdivision applications are required to be referred for comment, pursuant to Section 678 (1)(b) of the *Municipal Government Act*.
- School authorities on limited issue with respect to allocation of municipal and school, pursuant to Section 678(1)(d) of the *Municipal Government Act*.

Please note: The *Municipal Government Act* does not provide for adjacent owners to appeal but they are entitled to be notified of an appeal and to be heard at the Board hearing.

Development appeals:

Development appeals may be filed by anyone who is affected by a decision of the Development Authority in relation to a development proposal. Appeals may not be filed for a permitted use unless the Development Authority relaxed, varied or misinterpreted the Land Use Bylaw.

For further information:

If you require additional information regarding the appeal deadlines and the procedures of the Board, please contact the Secretary of the Subdivision and Development Appeal Board at:

Phone: 780.939.4321

Email: legislativeservices@sturgeoncounty.ca



Sturgeon County
 9613-100 St
 Morinville, Alberta T8R-1L9
 (780) 939-4321 ext.

POLLARD, RUSSEL
 26121 TWP RD 544
 STURGEON COUNTY, AB, T8T 1N2

Receipt Number: 202403677
 GST Number: 107747412RT0001
 Date: 2024-06-04
 Initials: CGQ

Account	Description	Prev Bal	Payment	Balance
16APP	APPEAL FEES - LEGISLATIVE SI		\$100.00	
			Subtotal: \$100.00	
			Taxes: \$0.00	
			Total Receipt: \$100.00	<u>Cheque No.</u>
			Visa: \$100.00	
			Total Monies Received: \$100.00	
			Rounding: \$0.00	
			Amount Returned: \$0.00	

June 4, 2024

SDAB File Number: 024-STU-009

Dear Russel Pollard:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property: 7820343; ;2
NW-23-54-26-4

Subdivision Application Number: 2024-S-011

Decision Regarding Proposed Subdivision: The subdivision application was conditionally approved.

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on June 4, 2024. In accordance with section 686(2) of the *Municipal Government Act*, the Subdivision and Development Appeal Board (SDAB) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **June 18, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the hearing this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 528 609 282#. This should connect you directly into the hearing.

When an appeal is received, the Appellant has the right to make a written submission and attend the hearing. Should you wish to exercise this right, your written submissions should be addressed to the undersigned and sent by email to legislativeservices@sturgeoncounty.ca. **Written submissions are due to be submitted no later than June 13, 2024.**

SDAB hearings are public in nature. It is understood that an individual writing, submitting items to the Board, or attending the hearing has a reasonable expectation that their personal information (i.e. name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website. Pursuant to Sturgeon County Subdivision and Development Appeal Board Bylaw 1410/18, hearings are recorded. In addition to audio recording, persons attending via videoconference who activate their video cameras will have their images recorded.

Should you require further information, call (780) 939-1377 or (780) 939-8277 or email legislativeservices@sturgeoncounty.ca.

Dianne Mason
Secretary, Subdivision and Development Appeal Board

June 4, 2024

SDAB File Number: 024-STU-009

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Take notice that a hearing has been scheduled concerning the following proposed subdivision:

Legal Description of Subject Property: 7820343; ;2
NW-23-54-26-4

Subdivision Application Number: 2024-S-011

Decision Regarding Proposed Subdivision: The subdivision application was conditionally approved.

Appellant: Russel Pollard

Reasons for Appeal:

- Appealing condition #5 of the conditional subdivision approval with respect to the approach and culvert upgrades.
- Appealing condition #6 of the conditional subdivision approval of money in lieu of municipal reserve.
- Appealing condition #7 of the conditional subdivision approval with respect to the need for a dugout permit.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **June 18, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the videoconference this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 528 609 282#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **Written submissions are due to be submitted no later than June 13, 2024.**

Please note that any submissions previously provided to the Subdivision Authority are not provided as evidence to the Subdivision and Development Appeal Board and therefore must be resubmitted.

SDAB hearings are public in nature. It is understood that an individual writing, submitting items to the Board, or attending the hearing has a reasonable expectation that their personal information (i.e. name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website. Pursuant to Sturgeon County Subdivision and Development Appeal Board Bylaw 1410/18, hearings are recorded. In addition to audio recording, persons attending via videoconference who activate their video cameras will have their images recorded.

For further information, please call (780) 939-1377 or (780) 939-8277 or email legislativeservices@sturgeoncounty.ca.

Dianne Mason
Secretary, Subdivision and Development Appeal Board

Encl.: Subdivision Map

June 4, 2024

SDAB File Number: 024-STU-009

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Take notice that a hearing has been scheduled concerning the following proposed subdivision:

Legal Description of Subject Property: 7820343; ;2
NW-23-54-26-4

Subdivision Application Number: 2024-S-011

Decision Regarding Proposed Subdivision: The subdivision application was conditionally approved.

Appellant: Russell Pollard

Reasons for Appeal:

- Appealing condition #5 of the conditional subdivision approval with respect to the approach and culvert upgrades.
- Appealing condition #6 of the conditional subdivision approval of money in lieu of municipal reserve.
- Appealing condition #7 of the conditional subdivision approval with respect to the need for a dugout permit.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **June 18, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the videoconference this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 528 609 282#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, affected bodies/organizations have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **Written submissions are due to be submitted no later than June 13, 2024.**

Please note that any submissions previously provided to the Subdivision Authority are not provided as evidence to the Subdivision and Development Appeal Board and therefore must be resubmitted.

SDAB hearings are public in nature. It is understood that an individual writing, submitting items to the Board, or attending the hearing has a reasonable expectation that their personal information (i.e. name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website. Pursuant to Sturgeon County Subdivision and Development Appeal Board Bylaw 1410/18, hearings are recorded. In addition to audio recording, persons attending via videoconference who activate their video cameras will have their images recorded.

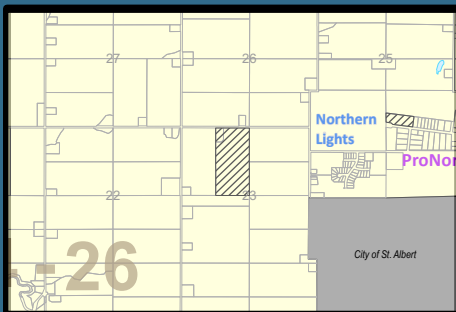
For further information, please call (780) 939-1377 or (780) 939-8277 or email legislativeservices@sturgeoncounty.ca.

Dianne Mason
Secretary, Subdivision and Development Appeal Board

Encl.: Subdivision Map

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2024-S-011



Legal Description: 7820343;;2

Roll Number: 3705001









Total Acres/Hectares: 80.00ac / 32.32ha

Land Use: AG - Agriculture

Municipal Address: 26121 Twp Rd 544

Date: 5/27/2024

Legend

-  Dwelling
-  Existing Approach
-  Fabric Shelter
-  Farm Building
-  Garage
-  Pump Out
-  Road Widening By Caveat
-  Road Widening By Survey

Appeal File Number:	024-STU-009
Application Number:	2024-S-011
Appeal Against:	Subdivision Authority of Sturgeon County
Appellants:	Russel Pollard
Date and Location of Hearing:	June 18, 2024 Council Chambers and Through Electronic Communications
Date of Decision:	July 2, 2024
SDAB Members:	Julius Buski (Chair), Neal Comeau, Lee Danchuk, Amanda Papadopoulos, and Don Rigney

**NOTICE OF ADJOURNMENT
DECISION**

IN THE MATTER OF an appeal by Russel Pollard against the Subdivision Authority’s conditional approval to consolidate an existing 1.51 hectares into the 30.71 hectares remnant and a subsequent subdivision of 1 hectare from the resulting 32.22 hectares at 7820343; ;2 (NW-23-54-26-W4M) within Sturgeon County.

- [1] This is the adjournment decision of the Sturgeon County Subdivision and Development Appeal Board (the “SDAB” or “Board”) on an appeal filed with the SDAB pursuant to section 678(1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26 (the “MGA” or “Act”).

PROCEDURAL MATTERS

- [1] The appeal was filed on time and in accordance with section 678(2) of the MGA.

PRELIMINARY MATTERS

- [2] The Clerk of the Board advised that the Board received a written request for adjournment from the Appellant, Mr. Pollard due to a personal medical issue impairing his ability to participate in a hearing at this time.
- [3] The Appellant confirmed with the Clerk that he is available on July 9, 2024 at 2:00 p.m., which is the next scheduled SDAB hearing date.

SUBDIVISION AUTHORITY’S POSITION

- [4] The Subdivision Authority provided written consent for the adjournment.

DECISION OF THE BOARD

[5] The Board GRANTS an adjournment to July 9, 2024, at 2:00 p.m.

REASONS FOR THE DECISION

- [6] The Appellant's request is to adjourn the hearing to July 9, 2024, at 2:00 p.m. due to a personal medical issue impairing his ability to attend the hearing scheduled for June 18, 2024.
- [7] The principles of natural justice mean that affected persons have a right to be heard and have a fair opportunity to state their case. As the Appellant was experiencing a personal medical issue impairing his ability to participate in a hearing at this time, the Board finds that an adjournment is appropriate to allow him to attend the hearing and make submissions to the Board.
- [8] In considering the adjournment request, the Board considered other parties who have an interest in this matter. The Appellant is appealing the conditional approval of his own subdivision application, meaning that the delay caused by an adjournment only delays his own ability to receive a decision from the Board. Adjacent landowners and relevant agencies were notified of the June 18, 2024 hearing and no other parties identified themselves as being affected, so it follows that they would not be prejudiced by an adjournment of the merit hearing.
- [9] The Board received written consent from the Subdivision Authority in support of the adjournment request.
- [10] The Board finds that an adjournment to July 9, 2024, is appropriate as the Appellant has confirmed his availability on this date and it is the next regularly scheduled meeting of the SDAB.
- [11] For all of these reasons, the Board grants an adjournment of the merit hearing to July 9, 2024 at 2:00 p.m. No additional notice of the merit hearing is required.

Dated at the Town of Morinville, in the Province of Alberta, this 2nd day of July, 2024.



Julius Buski, Chair

Pursuant to Section 688(1)(a) of the Municipal Government Act (MGA), an appeal of a decision of the Subdivision and Development Appeal Board lies with the Alberta Court of Appeal on a matter of law or jurisdiction. In accordance with Section 688(2)(a), if a decision is being considered, an application for permission to appeal must be filed and served within

30 days after the issuance of the decision and, notice of the application for permission must be provided to the Subdivision and Development Appeal Board and in accordance with Section 688(2)(b), any other persons that the judge directs.

Subdivision and Development Appeal Hearing Process

The hearing is a formal meeting and the length of time can vary. Hearings are generally scheduled Tuesday afternoons at the Sturgeon County Centre in the Town of Morinville or via videoconference.

Persons who file an appeal are expected to make a verbal presentation to the Board. Persons who have been notified of the appeal also have the right to present a verbal, written and/or visual presentation to the Board. ***This information should be submitted to the Secretary at least five (5) days in advance of the hearing, so it can be included within the hearing package.*** If desired, parties may have someone, or an agent, speak on their behalf. If a number of appeals are filed on the same subdivision or development, it is recommended that a spokesperson be selected to organize presentations so that evidence is not repetitive.

The Board is not an evidence seeking body. It relies on the written evidence presented, as well as verbal submissions at the hearing, as the basis for their decision. Therefore, it is critical that persons appearing before the Board ensure that sufficient evidence is presented to support their respective positions.

When presenting an appeal, keep in mind the Board does not consider precedent when making its decision. Each application is judged on its own merits.

At the hearing . . .

Anyone in attendance with an interest in the appeal enters the hearing room, joins the videoconference, or dials in just before the scheduled start time of the hearing on the scheduled date of the hearing.

1. The meeting is called to order by the Chair.
2. The Chair welcomes everyone and gives a brief outline as to how the hearing will proceed.
3. The Chair will have all board members, staff and people involved in the appeal introduce themselves and those present are asked if there are any objections to the Board members hearing the appeal.

4. A representative of Sturgeon County Planning and Development will outline the background of the appeal and why the decision was made.
5. The Chairman will then ask:
 - The Appellant to introduce themselves for the record.
 - The Appellant then presents his/her position or concerns with respect to the matter being considered by the Board. Development Appeal Board members question the Appellant.
 - Clearly state your reasons for the appeal.
Information such as photographs, illustrative materials and well-prepared drawings that you wish to present should be submitted to the Secretary at least five (5) days in advance of the hearing, so that the information can be included within the hearing package that is circulated.
 - Stick to the planning facts and support them with quantifiable (measurable) data.
 - State the detailed issues about the site in the context of the surrounding properties and the impact on the community.
 - The Board will then hear from anyone else in favor of the appeal (persons who filed an appeal or support the position of the Appellant). Following each presentation Board members may ask questions.
 - The Board will then hear from anyone opposed to the appeal (persons who oppose the position of the Appellant).
6. After all presentations have been heard, the Chairman will give the Appellants the right to respond to new information. This is an opportunity to refute information and evidence presented since the last time you spoke that you could not have reasonably anticipated. It is not an opportunity to reargue your case or create new argument.
7. The Chairman advises that the Board will deliberate in a Closed Session and a written decision will be mailed within 15 days from the date of the decision as per legislation.

PART II – APPLICATION FORM



Application for Subdivision (For proposals involving 1 to 4 parcels and/or property line adjustments)

Office Use Only

Initial Date Submitted: **April 12, 2024**

Receipt No: **202401928**

Date Accepted as "Complete":

Application Fee: \$ **3,000.00**

File Number: **2024-S-011**

Complete in full (where applicable):

Name of registered owner(s) of property to be subdivided:

Russel m. Pohlman

Mailing

address

(including

postal code):

26121. TWP. 544. Sturgeon County, Rd

Telephone:

Email:

(If applicable): Name of authorized applicant(s) acting on behalf of above owner(s):

Mailing

address

(including

postal code):

Severed in line with section 17 of the FOIP Act

Telephone:

Email:

PROPERTY INFORMATION:

All/part of the: *NW* $\frac{1}{4}$ Sec: *23* Twp: *54* Range: *26* West of the: *W 4*th Meridian

OR Lot: Block: Plan: Land Title #

Municipal Address of Property:

Total existing property size (states on land title certificate): hectares acres

What is the purpose of subdivision (check all that apply):

- Property Line Adjustment New Agricultural or Residential Property New Industrial or Commercial Property Other

Detailed Description :

Freedom of Information and Protection of Privacy (FOIP) Act

The personal information provided will be used to process the application for subdivision and is collected under the authority of Section 653 of the *Municipal Government Act*, Section 5 of the *Subdivision Development Regulation* and Section 33 (c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. If you have any questions about the collection and use of this information, please contact the Sturgeon County Access and Privacy Officer at 9613 – 100 Street, Morinville, Alberta, T8R 1L9; or phone 780-939-8366.

Applicant's Authorization (Complete only if another party is making application on landowner's behalf)

I/We, _____ being the registered owner(s) of lands legally described as:

All/part of the: ¼ Sec: Twp: Range: West of the: th Meridian

OR Lot: Block: Plan:

Municipal Address of Property:

do hereby authorize

to make an application for subdivision and subsequent endorsement affecting my/our above noted property.

Dated this _____ day of _____, 20____

Signature(s) of ALL Registered Landowners

Abandoned Oil and Gas Wells (Mandatory)

Attach a map from the Alberta Energy Regulator's Abandoned Well Map which clearly demonstrates whether or not the property has any abandoned oil or gas well(s) on it.

(Note: A map can be obtained online at <https://geodiscover.alberta.ca/geoportal/#searchPanel> or phone the AER's Customer Contact Centre at 1-855-297-8311).

In addition to attaching this map, check one box below:

I do not have any abandoned oil or gas well site(s) on the property.

OR

I do have an abandoned oil or gas well site(s) located on the property and, when developing in the future, must meet the setback and other potential requirements of the AER's Directive 079.

(See: <https://www.aer.ca/regulating-development/rules-and-directives/directives>)

Freedom of Information and Protection of Privacy (FOIP) Act

The personal information provided will be used to process the application for subdivision and is collected under the authority of Section 653 of the *Municipal Government Act*, Section 5 of the *Subdivision Development Regulation* and Section 33 (c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. If you have any questions about the collection and use of this information, please contact the Sturgeon County Access and Privacy Officer at 9613 – 100 Street, Morinville, Alberta, T8R 1L9; or phone 780-939-4321.

Drinking Water Supply (Mandatory)

Indicate the existing type of water supply on your property (Note: Additionally, please illustrate the specific location in your attached aerial photo):

- No Existing Drinking Water Supply
- Ground Water Well
- Water Cistern (Hauling)
- Municipal Water-Line
- Other (specify): _____

Note: The Alberta Water Wells Database can be found at <http://groundwater.alberta.ca/WaterWells/d/>

Sewage Disposal (General Information)

As a condition of subdivision approval, existing sewage systems must comply with the below setbacks, and may have to be inspected to verify. Should the system not comply, you will be required to either upgrade, relocate or replace your system (at your expense). It is recommended that you research installation costs with accredited private sewage contractors.

	Property Lines	Drinking Water Source (Well or Cistern)	Building (Any subject to Alberta Building Code)	Septic Tank	Water Course (Lake or Stream)
Holding Tanks:	1m (3.25 ft)	10m (33 ft)	1m (3.25 ft)		10m (33 ft)
Treatment Mound:	3m (10 ft)	15m (50 ft)	10m (33 ft)	3m (10 ft)	15m (50 ft)
Field System:	1.5m (5 ft)	15m (50 ft)	Varies	5m (17 ft)	15m (50 ft)
Open Discharge:	90m (300 ft)	50m (165 ft)	45m (150 ft)		45m (150 ft)
Lagoons:	30m (100 ft)	100m (330 ft)	Varies		90m (300ft)
Packaged Sewage Treatment Plants:	6m (20 ft)	10m (33 ft)	1m (3.25 ft)		10m (33 ft)

Excerpt from: *Alberta Private Sewage Systems Standards of Practice 2015*

If you have questions regarding sewage disposal, consult either:

Alberta Municipal Affairs

Toll Free: 1-866-421-6929

OR

Superior Safety Codes Inc. (Sturgeon County's Agent)

Telephone: 780-489-4777

Toll Free: 1-866-999-4777

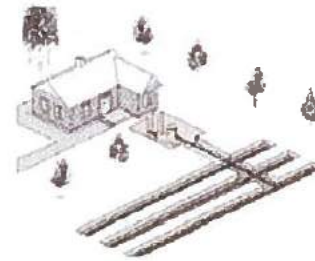
Sewage Disposal (Mandatory)

Indicate the existing type of sewage disposal on your property (Note: Additionally, please illustrate the specific location in your attached aerial photo):



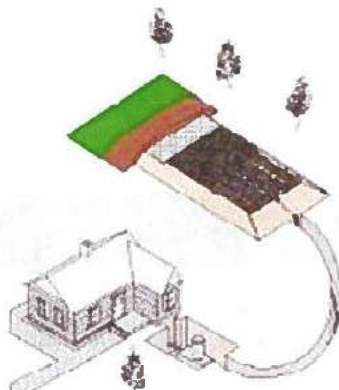
Open Discharge (Pump Out) System

A system designed to discharge effluent to the ground surface to accomplish evaporation and absorption of the effluent into the soil.



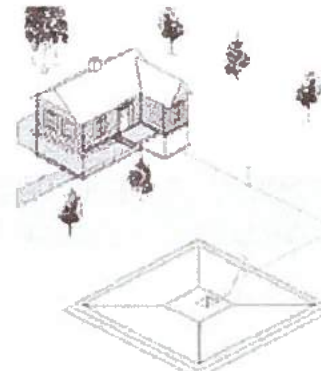
Disposal Field

A system of treatment and disposal that distributes effluent within trenches containing void spaces that are covered with soil.



Treatment Mound

A system where the effluent treatment area includes a bed of sand and is built above ground to overcome limits imposed by proximity to water table or bed rock, or by highly permeable or impermeable soils.

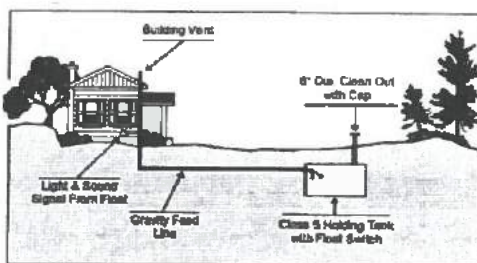


Sewage Lagoon

A shallow artificial pond for the stabilization of sewage or effluent.

No existing sewage disposal.

Municipal Sanitary Line



Holding Tank

A system where sewage or effluent is retained in a tank until it can be transferred into mobile equipment for disposal elsewhere.



Other: _____

Provide a description and drawing if none of the listed descriptions apply to you.

Right of Entry Authorization (Mandatory)

Read the following statement, and check the box if you agree:

I/we grant consent for an authorized person of Sturgeon County to enter upon the property to conduct a site inspection regarding this subdivision application.

Indicate any safety issues or special concerns on your property (e.g. guard dog, electric fence):

Affidavit (Mandatory)

I/We,

hereby certify that

I am the registered owner,

OR

I am the agent authorized to act on behalf of the registered owner,

and that the information given on this subdivision application package is **full and complete** and is, to the best of my knowledge, **a true statement of the facts** relating to this application for subdivision approval.

I/We grant consent for an authorized person of Sturgeon County to communicate information electronically as per Section 608 (1) of the Municipal Government Act, R.S.A. 2000., c.M-26

Severed in line with section 17 of the FOIP Act

Signature(s) of registered landowner(s) or applicant(s):

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Application Checklist

In addition to fully-completing and submitting this application form, ensure the following mandatory items are submitted:

- Subdivision Application Fee** – see page 2 for details.
- Attached Abandoned Oil and Gas Well Map** – see page 6 for details.
- Attached Aerial Photographs** – see page 9 for details.
- Land Title Certificate** – available at any Alberta Registries office. Must be up-to-date within one month.
- Corporate Registry (if landowner is a company)** – available from Service Alberta. See page 2 for details.
- Additional Registered Documents** – provide a print-out of any additional caveat(s), right-of-way plan(s), report(s) or other documents referenced on your land title certificate.

Freedom of Information and Protection of Privacy (FOIP) Act

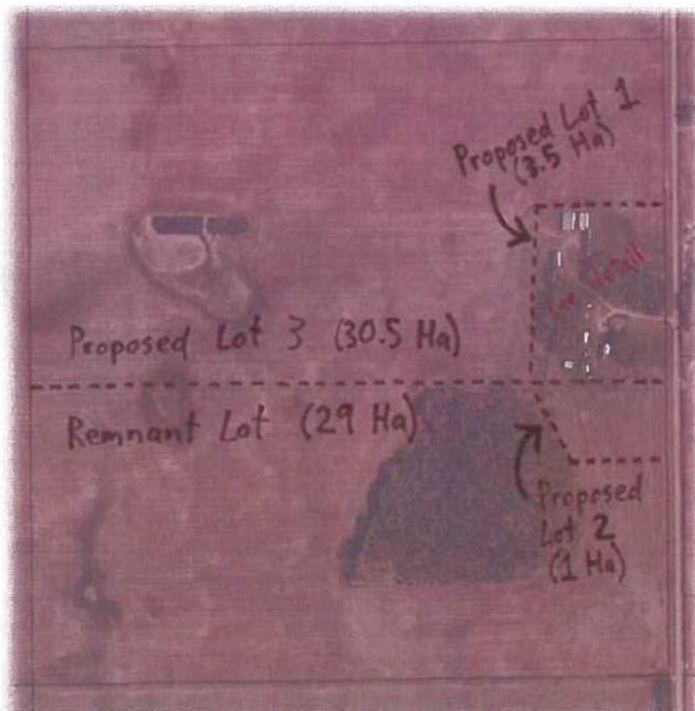
The personal information provided will be used to process the application for subdivision and is collected under the authority of Section 653 of the *Municipal Government Act*, Section 5 of the *Subdivision Development Regulation* and Section 33 (c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. If you have any questions about the collection and use of this information, please contact the Sturgeon County Access & Privacy Officer at 9613 – 100 Street, Morinville, Alberta, T8R 1L9; or phone 780-939-4321.

Aerial Photographs (Mandatory)

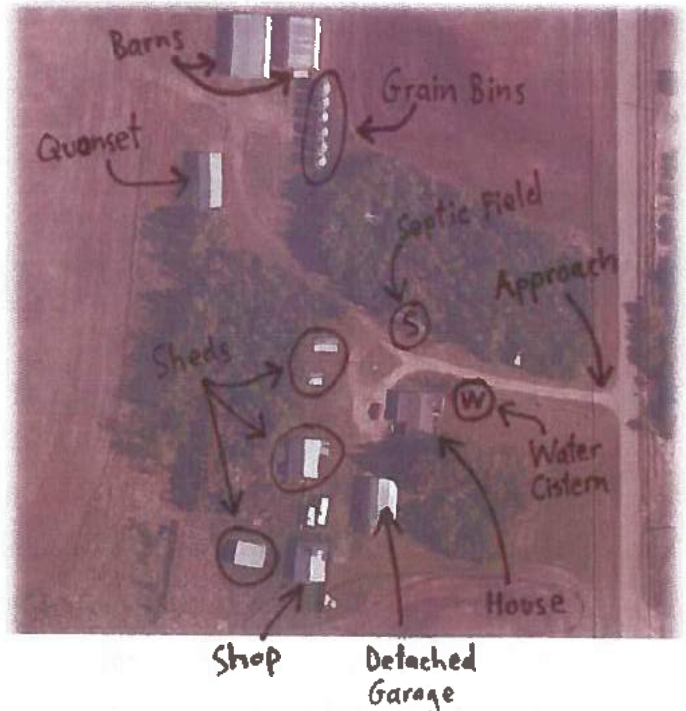
Attach two up-to-date aerial photographs, which you can obtain from the *Sturgeon Gateway Property Viewer* (<https://sturgeoncounty.maps.ca>) or *GoogleMaps* (www.google.ca/maps). If you do not have internet access, please contact the County's Planning & Subdivision Technician by phoning 780-939-8275 for assistance.

1. On the first aerial photograph, you must indicate the location of the proposed subdivision/proposed lots (*see below-left*)
2. On the second aerial photograph, you must label the existing features as listed below: (*see below-right*)
 - Existing buildings and structures (e.g. houses, garages, shops, barns, granaries, oil and gas facilities); (Note: If any are to be removed, please specify).
 - Existing water wells or water cisterns;
 - Existing septic systems;
 - Existing utility or other right-of-way and easements (and their ownership).
 - Existing approaches.
 - Existing approaches.
 - Any significant topographical (or other) features that you believe may impact the proposed subdivision.

(Below-left: Sample aerial photo illustrating proposed subdivision.



(Below-right: Sample aerial photo illustrating existing features/development.





LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0033 398 496 0826556;1;4 142 240 139

LEGAL DESCRIPTION
PLAN 0826556
BLOCK 1
LOT 4
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.51 HECTARES (3.73 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;26;54;23;NW

MUNICIPALITY: STURGEON COUNTY

REFERENCE NUMBER: 142 240 138

REGISTERED OWNER(S)
REGISTRATION DATE(DMY) DOCUMENT TYPE VALUE CONSIDERATION

142 240 139 28/07/2014 TRANSFER OF LAND ESTATE

OWNERS

RUSSEL MARTIN POLLARD
OF 26121 TWP ROAD 544
STURGEON COUNTY
ALBERTA T8T 1N2

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

2697RM 15/07/1969 UTILITY RIGHT OF WAY
GRANTEE - ATCO GAS AND PIPELINES LTD.
10035-105 ST
EDMONTON
ALBERTA T5J2V6
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 012030105)

(CONTINUED)

 ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
 # 142 240 139

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
752 089 304	18/07/1975	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD. 10035-105 ST EDMONTON ALBERTA T5J2V6 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 012029735)
772 118 761	24/06/1977	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD. 10035-105 ST EDMONTON ALBERTA T5J2V6 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 012023362)
782 026 709	07/02/1978	CAVEAT RE : DEFERRED RESERVE CAVEATOR - EDMONTON REGIONAL PLANNING COMMISSION.
972 004 081	07/01/1997	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - PINE CLIFF ENERGY LTD. 850 1015 FOURTH STREET SW CALGARY ALBERTA T2R1J4 (DATA UPDATED BY: CHANGE OF NAME 982356183) (DATA UPDATED BY: CHANGE OF NAME 012376211) (DATA UPDATED BY: CHANGE OF ADDRESS 032275662) (DATA UPDATED BY: TRANSFER OF CAVEAT 082081901) (DATA UPDATED BY: TRANSFER OF CAVEAT 092327053) (DATA UPDATED BY: TRANSFER OF CAVEAT 162098588)
972 174 489	17/06/1997	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320-17 AVE SW CALGARY ALBERTA T2S2V1 AS TO PORTION OR PLAN:PORTION (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 002307716) (DATA UPDATED BY: CHANGE OF NAME 052033563)
012 332 276	18/10/2001	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - PENN WEST PETROLEUM LTD.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
142 240 139

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

C/O P.O.BOX 1450
STATION 'M'
CALGARY
ALBERTA T2P2L6
AGENT - ANTELOPE LAND SERVICES LTD.
(DATA UPDATED BY: CHANGE OF NAME 052171487)
(DATA UPDATED BY: CHANGE OF NAME 062081140)
(DATA UPDATED BY: CHANGE OF NAME 082035747)

072 508 395 23/08/2007 CAVEAT
RE : LEASE INTEREST UNDER 20 ACRES
CAVEATOR - VANGUARD EXPLORATION CORP.
702, 602-12 AVE SW
CALGARY
ALBERTA T2R1J3
AGENT - ANTELOPE LAND SERVICES LTD.

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 3 DAY OF APRIL,
2024 AT 03:12 P.M.

ORDER NUMBER: 50138267

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0033 398 488 7820343;;2 142 240 139 +1

LEGAL DESCRIPTION

PLAN 7820343
LOT 2
CONTAINING 32.3 HECTARES (79.86 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

	HECTARES	(ACRES)	MORE OR LESS
A) PLAN 0826556 SUBDIVISION	1.51	3.73	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;26;54;23;NW
ESTATE: FEE SIMPLE

MUNICIPALITY: STURGEON COUNTY

REFERENCE NUMBER: 142 240 138 +1

REGISTERED OWNER(S)
REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

142 240 139 28/07/2014 TRANSFER OF LAND ESTATE

OWNERS

RUSSEL MARTIN POLLARD
OF 26121 TWP ROAD 544
STURGEON COUNTY
ALBERTA T8T 1N2

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

2697RM 15/07/1969 UTILITY RIGHT OF WAY
GRANTEE - ATCO GAS AND PIPELINES LTD.
10035-105 ST
EDMONTON
ALBERTA T5J2V6

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

142 240 139 +1

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 012030105)

752 089 304 18/07/1975 UTILITY RIGHT OF WAY
GRANTEE - ATCO GAS AND PIPELINES LTD.
10035-105 ST
EDMONTON
ALBERTA T5J2V6

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 012029735)

772 118 761 24/06/1977 UTILITY RIGHT OF WAY
GRANTEE - ATCO GAS AND PIPELINES LTD.
10035-105 ST
EDMONTON
ALBERTA T5J2V6

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 012023362)

782 026 709 07/02/1978 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - EDMONTON REGIONAL PLANNING COMMISSION.

972 004 081 07/01/1997 CAVEAT
RE : UTILITY RIGHT OF WAY
CAVEATOR - PINE CLIFF ENERGY LTD.
850 1015 FOURTH STREET SW
CALGARY
ALBERTA T2R1J4

(DATA UPDATED BY: CHANGE OF NAME 982356183)
(DATA UPDATED BY: CHANGE OF NAME 012376211)
(DATA UPDATED BY: CHANGE OF ADDRESS 032275662)
(DATA UPDATED BY: TRANSFER OF CAVEAT
082081901)
(DATA UPDATED BY: TRANSFER OF CAVEAT
092327053)
(DATA UPDATED BY: TRANSFER OF CAVEAT
162098588)

972 174 489 17/06/1997 UTILITY RIGHT OF WAY
GRANTEE - FORTISALBERTA INC.
320-17 AVE SW
CALGARY
ALBERTA T2S2V1

AS TO PORTION OR PLAN:PORTION

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 002307716)
(DATA UPDATED BY: CHANGE OF NAME 052033563)

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
142 240 139 +1

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

012 332 276 18/10/2001 CAVEAT
RE : RIGHT OF WAY AGREEMENT
CAVEATOR - PENN WEST PETROLEUM LTD.
C/O P.O.BOX 1450
STATION 'M'
CALGARY
ALBERTA T2P2L6
AGENT - ANTELOPE LAND SERVICES LTD.
(DATA UPDATED BY: CHANGE OF NAME 052171487)
(DATA UPDATED BY: CHANGE OF NAME 062081140)
(DATA UPDATED BY: CHANGE OF NAME 082035747)

072 508 395 23/08/2007 CAVEAT
RE : LEASE INTEREST UNDER 20 ACRES
CAVEATOR - VANGUARD EXPLORATION CORP.
702, 602-12 AVE SW
CALGARY
ALBERTA T2R1J3
AGENT - ANTELOPE LAND SERVICES LTD.

082 316 733 31/07/2008 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - STURGEON COUNTY.
96130-0100 STREET
MORINVILLE
ALBERTA T8R1L9

TOTAL INSTRUMENTS: 009

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 3 DAY OF APRIL,
2024 AT 03:12 P.M.

ORDER NUMBER: 50138267

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

{ CONTINUED }

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

May 28, 2024

Russel Pollard
26121 Twp Rd 544
Sturgeon County AB T8T 1N2

Re: Proposed Subdivision
Our File No: 2024-S-011
Applicant & Landowner: Russel Pollard
Legal Description: NW-23-54-26-4/ 7820343; ;2

Your application for subdivision was APPROVED CONDITIONALLY by the Subdivision Authority on **May 28, 2024**, subject to the following conditions:

THE CONDITIONS OF APPROVAL ARE:

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated May. 27, 2024 and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Proposed Lot and Twp Rd 544 shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and Twp Rd 544 shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.
- 6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of the Proposed Lot. A payment will be made in

place of reserves equal to \$8,605.05 (*determined at a rate of \$86,050.48 per hectare X 10% X 1 hectare = \$8,605.05*). The money-in-lieu calculation will be based on the actual amount of land (in *hectares*) shown on a plan of survey.

- 7) The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.

ADVISORY NOTES

- Natural Gas servicing to any new subdivision is the responsibility of the applicant. The applicant will be required to provide the required easements across existing lots or subdivided lots for natural gas servicing, if service is approved by the natural gas provider. Sturgeon County does not allow natural gas servicing lines to be located within the road right of way. Setbacks from the road right of way are required. Easements of private property must be obtained by the applicants or service providers. Any service lines which cross Sturgeon County property will require a crossing agreement with conditions.
- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.
- The subject properties shall not be used in any manner or way that impedes or will impede the use of adjacent lands for agricultural purposes or agricultural operations, as defined in the Agricultural Operation Practices Act, RSA 2000 c.A-7.
- A search of the Alberta Energy Regulator's *Abandoned Well Map Viewer* identified an abandoned well on the Remnant Lot. Further due diligence is recommended prior to any future development desired in close proximity.
- *FireSmart* principals should be incorporated into all future construction and development. Please visit www.firesmartcanada.ca.

Reasons for decision are as follows:

- The Subdivision Authority has not received any comments from adjacent landowners regarding this subdivision.

Developer/Landowner should contact local gas company to ensure that their utility does or does not need to be relocated at the developer/landowner's expense.

This approval will expire on **May 28, 2025**. Pursuant to Section 657 of the Municipal Government Act, an extension beyond this one year time period may be authorized by the Municipal Council, provided just cause is shown.

When all the conditions of approval have been complied with, one endorsement of Subdivision Authorization Approval Form and two copies of the *Plan*, which is satisfactory to the Registrar of Alberta Land Titles, may be submitted for endorsement by this Municipality.

PLEASE NOTE:

An endorsement fee of \$250 per application (excluding reserve lots and public utility lots) will be required to be paid upon submission of the *Plan*, as well as a parcel fee of \$600.00 per new lot created (or adjusted).

Subdivision and endorsement fees are subject to change. If the subdivision and endorsement fee schedule is amended before you submit the *Plan*, which is satisfactory to the Registrar of Alberta Land Titles, the new fees will apply.

The applicant is urged to contact the appropriate oil/utility company if construction of buildings is required.

Land surveyors are strongly urged to contact planning staff in the event of uncertainties with the approval diagram or with the conditions rendered by the subdivision authority.

SEE ENCLOSURE RE: CONDITIONAL APPROVAL VALIDITY PERIOD AND APPEAL PROCEDURE.

Yours truly,



Martyn Bell
Program Lead, Current Planning

/an

Encl:

C: AltaLink Management Ltd.
Alberta Health Services
Antelope Land Services Ltd.
Atco Gas
Atco Pipelines
Canada Post
Fortis Alberta
Sturgeon School Division
Telus Access Planning
Pine Cliff Energy Ltd.
Penn West Petroleum Ltd.

PLEASE NOTE THAT THIS OFFICE WILL NOT ENDORSE ANY DOCUMENTS OR PLANS UNTIL THE APPEAL PERIOD, AS SET OUT IN THE MUNICIPAL GOVERNMENT ACT, HAS EXPIRED.

If you wish to appeal this decision, contact the Secretary of the Subdivision and Development Appeal Board via email at legislativeservices@sturgeoncounty.ca or via letter at 9613 – 100th Street, Morinville, Alberta, T8R 1L9. Telephone enquires can also be made at 780-939-4321.

Pursuant to Section 678(2) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 14 days after receipt of the written decision.

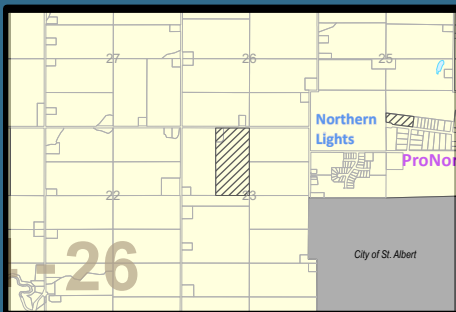
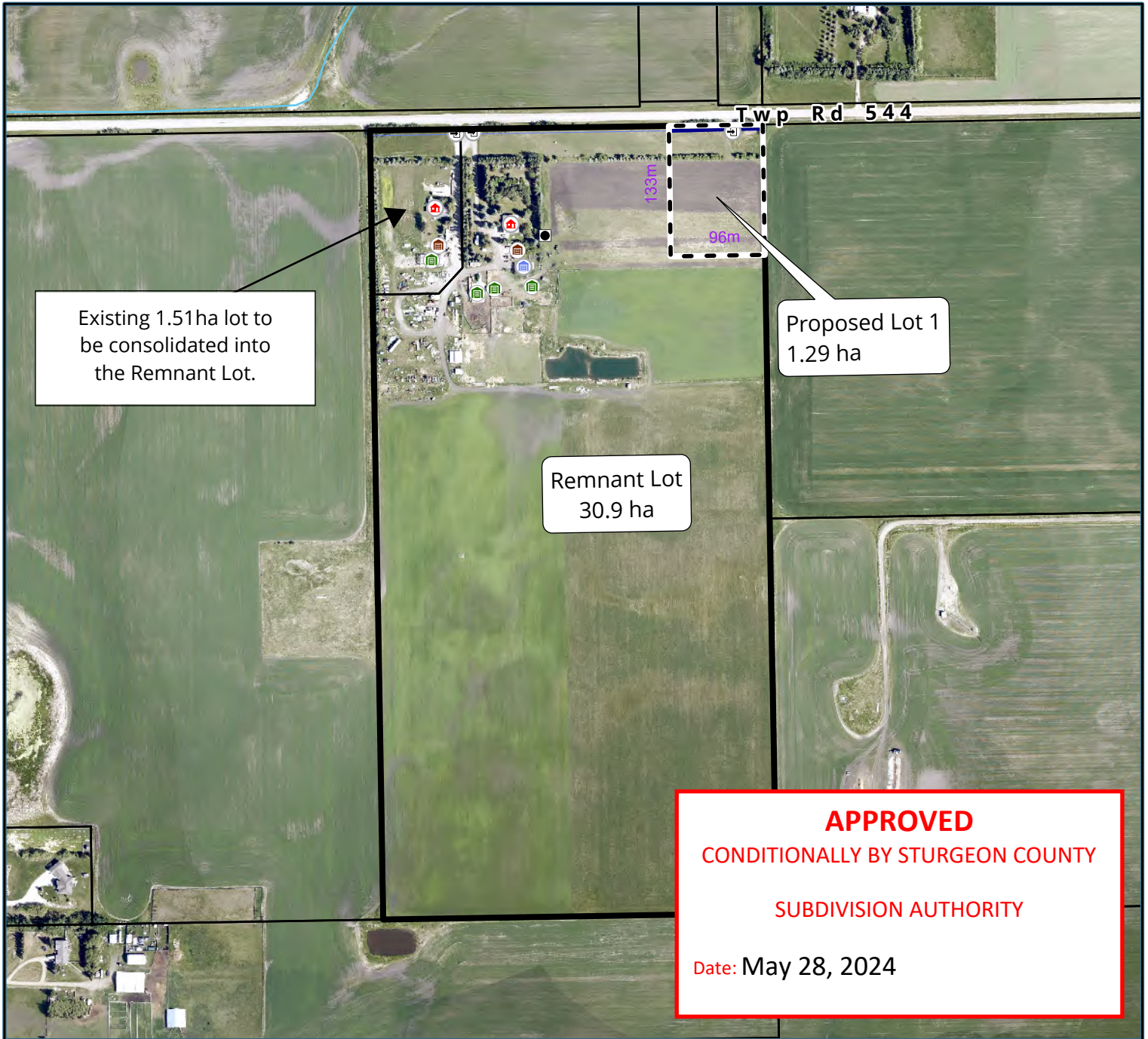
The final date the appeal can be filed is: June 18, 2024

For the purpose of Section 678(2), the date of receipt of the decision is deemed to be 7 days from the date the decision is mailed (date of the letter).

Please note that there is a \$100.00 fee for any appeal.

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2024-S-011



Legal Description: 7820343;;2

Roll Number: 3705001









Total Acres/Hectares: 80.00ac / 32.32ha

Land Use: AG - Agriculture

Municipal Address: 26121 Twp Rd 544

Date: 5/27/2024

Legend

-  Dwelling
-  Existing Approach
-  Fabric Shelter
-  Farm Building
-  Garage
-  Pump Out
-  Road Widening By Caveat
-  Road Widening By Survey

PLANNING AND DEVELOPMENT SERVICES REPORT

Prepared For: Sturgeon County Subdivision Authority
Prepared By: Alex Niznik, Planning & Development Services



FILE INFORMATION: 2024-S-011	
Council Division:	3
Tax Roll Number:	3705002
Legal Land Descriptions of Property:	7820343; ;2 /NW-23-54-26-4
Landowner and Applicant:	Russel M. Pollard
Staff Recommendation	Conditional Approval
Appeal Board (if appealed):	Subdivision & Development Appeal Board
Administrative Fees (if approved):	\$250 (subdivision endorsement); plus \$600 per new parcel created/adjusted. 10% of Proposed Lot at \$8,605.05 per hectare

PART I – APPLICATION DETAILS:

- As illustrated in Exhibit 1, the applicant proposes a consolidation of an existing 1.51 ha (3.73 acres) into the 30.71 ha (75.9 acre) remnant and a subsequent subdivision of 1 hectare (2.47 acres) from the resulting 32.22 hectares (79.63 acres).

PART II – SUBDIVISION HISTORY:

- Subdivision History:
 - Historic subdivision registered in 1978, split the quarter into 2 80-acre sections.
 - Historic subdivision registered in 1982 subdivided the existing 3.73-acre acreage from the remnant.

PART III – REFERRAL SUMMARY:

- Sturgeon County Development Officer:
 - *Proposed Lot:*
 - o No developments, vacant farmland.
 - *Remnant Lot:*
 - o Sturgeon County records review revealed the following permits on file:
 - o 24-79 - Single Detached Dwelling
 - o 237-79 – Barn
 - o 111-84 – Mobile Home
 - o A development permit will be required for the dugout.
 - o A change of use permit to an Accessory Dwelling Unit will be required.

- The size and use of the existing accessory buildings are to be confirmed to determine if development and building permits are required. An accessory building under 10m² in floor area is exempt from requiring development and building permit approval. If the buildings are for farm use, a Farm Building Declaration shall be provided.
2. Sturgeon County Engineering Services:
- *Proposed Lot:*
 - Proposed lot topography is generally slope to west. Please see Alberta wetland map for identified marsh/fen land.
 - In accordance with the Grid Right of Way Dedications and Acquisition policy, Sturgeon County requires 5 m dedication along the north property line via plan of survey adjacent to Twp Rd 544.
 - Assuming the lot is moving to the east edge of the parcel, Approach #1 is in a good location to provide access.
 - The culvert is damaged on each end, but it is long enough to fit the approach. Please cut back the culvert to remove the damaged ends, tapering the ends to match the slope of the banks. Maximum width of the approach is 12 m when measured at the property line, so the width can be reduced at the same time as the damaged ends are cut off. Ensure the culvert is cleaned out to provide the full pipe diameter for water flow.
 - Install rip rap around each end of the culvert.
 - *Remnant Lot:*
 - Remnant lot topography is slopes to the southwest. Please see Alberta wetland map for identified marsh/fen land. A dug out exists in the center area of the remnant lot. Homestead exists in the northwest corner of the remnant lot.
 - In accordance with the Grid Right of Way Dedications and Acquisition policy, Sturgeon County requires 5 metres via land acquisition agreement adjacent to Twp Rd 544.
 - Both existing approaches require upgrades to meet General Municipal Servicing Standards.
 - Per Sturgeon County General Municipal Servicing Standards (GMSS), approaches are to be spaced 90 m apart and so as such, one of these approaches is to be removed with the ditch restored to match the surrounding ditch condition.
 - Approaches for commercial/agricultural use should be between 10.0 m and 12.0 m wide when measured at the property line. Each approach is only 7.0 m wide so the approach to remain should be widened. For this file, it is not mandatory, however it would be strongly recommended to facilitate better turning movements and ensure the ends of the culvert aren't damaged.
 - There is to be 300 mm (12") of material on top of a culvert to provide proper cover and ensure a culvert does not get squished. Please add 150 mm (6") of material over top of the remaining culvert.
3. Sturgeon County Utility Services:
- *Proposed and Remnant Lot:*

- There is a waterline available for each of these parcels to tie into. As per the 2024 Fees and Charges waterline charges to connect are \$5000 deposit plus cost. If the cost is over \$5000 the property connecting will be charged these additional fees.
 - There is no municipal wastewater available in this area.
 - Cost to tie in:
 - Connection fee \$5000 plus cost at time of connection
 - Application fee \$ 50
 - Additional costs that are responsibility of the Landowner:
 - Arrange and install service line from cc to the point of delivery
 - Cistern
 - Water meter ¾" / 5/8" \$700 as per the current fees and charges for 2024
 - Meter vault \$ 3550 (supply lines equal or exceeding 150 meters from the c/c to the point of delivery (i.e. The residence) will require a meter vault to be installed and paid for by the applicant. The sole cost, expenses and right of way if necessary, for the construction and installation of the meter vault shall be the responsibility of the applicant. A meter vault will be required for all pre-manufactured homes without basements).
4. Alberta Health Services:
- Any future or existing water wells used for human consumption must be in compliance with the Nuisance and General Sanitation Regulation, NGS Reg, (AR 243/2003)
 - Any future or existing private sewage disposal systems that are on lands are to meet compliance with the current Alberta Private Sewage and Disposal Systems Regulation.
5. Sturgeon County Agricultural Services:
- Parcel has an LSRS rating of 2H (10) & 3(6) indicating that the soil has light to moderate limitations.
 - The RAMP has identified a desire for reducing fragmentation of high-quality agricultural land, therefore it is recommended the subdivided parcel align with the east boundary of the quarter section.
6. No Objections:
- ATCO Gas, Telus, Fortis Alberta.
7. No Responses:
- Adjacent landowners, Alberta Energy Regulator, Altalink, Canada Post, Sturgeon County Protective Services, Sturgeon School District.

PART IV – ANALYSIS:

1. This application is consistent with the Land Use Bylaw's "AG - Agriculture" regulations (see **Appendix 3**).

2. This application, however, is not consistent with the Municipal Development Plan's "Residential Type 4" policies. Specifically, policy 2.3.17, which speaks to the subdivision authority's responsibility to ensure agricultural subdivisions minimise the total amount of land being taken out of production.

The subdivision as initially proposed by the applicant, would fragment a portion of farmland between the proposed subdivisions eastern boundary and the eastern boundary of the remnant lot. This fragmented land would only be roughly 18m in width and would be difficult to farm as a result.

Therefore, administration and the applicant have agreed to shift the proposed subdivision to the east, aligning with the eastern boundary of the quarter section. This will minimise the amount of agricultural land taken out of production. This new configuration is consistent with the Municipal Development Plan subdivision policies.

3. It appears that the existing open discharge septic system would continue to comply with the Alberta Private Sewage Systems Standard of Practice, should this application be approved.
4. An abandoned well was identified on the Remnant Lot. Although it does not appear to impact this subdivision application, further due diligence is recommended prior to any future development desired in close proximity.
5. Money in lieu of municipal reserve will be required, as detailed in condition six.

PART V – RECOMMENDATIONS:

This application for subdivision is **APPROVED** subject to the following conditions:

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated May. 27, 2024 and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Proposed Lot and Twp Rd 544 shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and Twp Rd 544 shall be acquired by Sturgeon County in

the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).

- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.
- 6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of the Proposed Lot. A payment will be made in place of reserves equal to \$8,605.05 (*determined at a rate of \$86,050.48 per hectare X 10% X 1 hectare = \$8,605.05*). The money-in-lieu calculation will be based on the actual amount of land (in *hectares*) shown on a plan of survey.
- 7) The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.

ADVISORY NOTES

- Natural Gas servicing to any new subdivision is the responsibility of the applicant. The applicant will be required to provide the required easements across existing lots or subdivided lots for natural gas servicing, if service is approved by the natural gas provider. Sturgeon County does not allow natural gas servicing lines to be located within the road right of way. Setbacks from the road right of way are required. Easements of private property must be obtained by the applicants or service providers. Any service lines which cross Sturgeon County property will require a crossing agreement with conditions.
- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.
- The subject properties shall not be used in any manner or way that impedes or will impede the use of adjacent lands for agricultural purposes or agricultural operations, as defined in the Agricultural Operation Practices Act, RSA 2000 c.A-7.
- A search of the Alberta Energy Regulator's *Abandoned Well Map Viewer* identified an abandoned well on the Remnant Lot. Further due diligence is recommended prior to any future development desired in close proximity.
- *FireSmart* principals should be incorporated into all future construction and development. Please visit www.firesmartcanada.ca.

- It is recommended that a plot plan be completed by an Alberta Land Surveyor to determine setback distances for all buildings, structures, and septic systems from property lines and other site features.

Prepared by: 
Alex Niznik, Planning Intern, Current Planning

Reviewed by: 
Martyn Bell, Program Lead, Current Planning

NOTE: Appendices Attached...

Appendix 1: Excerpts from Municipal Government Act

- (8) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection (6), the application is deemed to be refused.
- (9) If an application is deemed to be refused under subsection (8), the subdivision authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application has been refused and the reason for the refusal.
- (10) Despite that the subdivision authority has issued an acknowledgment under subsection (5) or (7), in the course of reviewing the application, the subdivision authority may request additional information or documentation from the applicant that the subdivision authority considers necessary to review the application.
- (11) A decision of a subdivision authority must state
- (a) whether an appeal lies to a subdivision and development appeal board or to the Municipal Government Board, and
 - (b) if an application for subdivision approval is refused, the reasons for the refusal.

2016 c24 s108

Approval of application

- 654(1)** A subdivision authority must not approve an application for subdivision approval unless
- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
 - (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
 - (c) the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and
 - (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.
- (1.1) Repealed 2018 c11 s13.

(1.2) If the subdivision authority is of the opinion that there may be a conflict or inconsistency between statutory plans, section 638 applies in respect of the conflict or inconsistency.

(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

- (a) the proposed subdivision would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- and
- (b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

(3) A subdivision authority may approve or refuse an application for subdivision approval.

RSA 2000 cM-26 s654;2016 c24 s109;2018 c11 s13

Conditions of subdivision approval

655(1) A subdivision authority may impose the following conditions or any other conditions permitted to be imposed by the subdivision and development regulations on a subdivision approval issued by it:

- (a) any conditions to ensure that this Part, including section 618.3(1), and the statutory plans and land use bylaws and the regulations under this Part affecting the land proposed to be subdivided are complied with;
- (b) a condition that the applicant enter into an agreement with the municipality to do any or all of the following:
 - (i) to construct or pay for the construction of a road required to give access to the subdivision;
 - (ii) to construct or pay for the construction of
 - (A) a pedestrian walkway system to serve the subdivision, or
 - (B) pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a

pedestrian walkway system that serves or is proposed to serve an adjacent subdivision,

or both;

- (iii) to install or pay for the installation of a public utility described in section 616(v)(i) to (ix) that is necessary to serve the subdivision, whether or not the public utility is, or will be, located on the land that is the subject of the subdivision approval;
- (iv) to construct or pay for the construction of
 - (A) off-street or other parking facilities, and
 - (B) loading and unloading facilities;
- (v) to pay an off-site levy or redevelopment levy imposed by bylaw;
- (vi) to give security to ensure that the terms of the agreement under this section are carried out.

(2) A municipality may register a caveat under the *Land Titles Act* in respect of an agreement under subsection (1)(b) against the certificate of title for the parcel of land that is the subject of the subdivision.

(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the agreement has been complied with.

(4) Where a condition on a subdivision approval has, prior to the coming into force of this subsection, required the applicant to install a public utility or pay an amount for a public utility referred to in subsection (1)(b)(iii), that condition is deemed to have been validly imposed, whether or not the public utility was located on the land that was the subject of the subdivision approval.

RRSA 2000 cM-26 s655;2009 cA-26.8 s83;2015 c8 s71;
2020 c39 s10(38)

Decision

656(1) A decision of a subdivision authority must be given in writing to the applicant and to the Government departments, persons and local authorities to which the subdivision authority is required by the subdivision and development regulations to give a copy of the application.

(2) A decision of a subdivision authority must state

Enacting Responsible Subdivision and Development Practices

Through the establishment of policies and procedures, that give due regard to federal, provincial and municipal requirements and that facilitate prosperous communities.

1.4.1 Shall apply the full entitlements of environmental, municipal and school reserve dedication during the subdivision process, in accordance with the Municipal Government Act (MGA) and based on the needs of Sturgeon County.

1.4.2 Shall apply the requirements outlined within the Province of Alberta's Subdivision and Development Regulation.

1.4.3 Shall apply the requirements outlined within the Province of Alberta's Water Act.

1.4.4 Shall support "right-to-farm legislation" by applying the requirements outlined within the Province of Alberta's Agriculture Operations Practices Act (AOPA). When referred to by the Natural Resources Conservation Board (NRCB), Sturgeon County will apply the objectives of the Integrated Regional Growth Strategy (IRGS) in the referred evaluation (i.e., new or expanding Confined Feeding Operations).

1.4.5 Shall refer to and apply the provincial setback regulations and guidelines respective to sour gas and other oil and gas facilities, including pipelines, when considering subdivision and development applications. Proposed land uses in proximity to sour gas facilities shall complement the activity and minimize risk to the public's health and safety.

1.4.6 Shall identify needed infrastructure improvements, both at the regional and local level, in an effort to determine, prioritize and fund infrastructure required to obtain the strategic goals of the IRGS and the Municipal Development Plan (MDP).

1.4.7 Shall restrict proposed development that may constrain infrastructure networks that are imperative for the growth and development associated with the strategic goals of the IRGS. As part of the application process, Sturgeon County may require an application to demonstrate that no adverse impact will occur due to proposed development.

1.4.8 Shall ensure that the distribution and timing of future development coincides, and is contiguous with, infrastructure improvements.

1.4.9 Shall ensure that both subdivision and development meet or exceed the standards outlined within the Sturgeon County General Municipal Servicing Standards. Standards should be reviewed and updated along with other County regulatory policies to coincide with innovations in the industry.

1.4.10 Should collaborate with industry and municipal partners to develop, update and align risk management initiatives regarding heavy industrial development located within and along County borders.

1.4.11 Shall not permit development on Hazardous Lands that are deemed undevelopable or may result in life loss or injury, property damage, social and economic disruption or environmental degradation.

1.4.12 Shall direct subdivision and development activity away from significant natural resource deposits, where activities have the potential to sterilize future supply and extraction.

1.4.13 Should establish general development design guidelines for Residential and Non-Residential developments.

1.4.14 May require that the applicant of a development apply the principles and guidelines of Crime Prevention through Environmental Design within subdivision and development reviews to guide design and ensure effective use of the built environment.

1.4.15 Shall support the policies and procedures as set out in the Municipal Emergency Operations Plan.

1.4.16 Shall ensure that new development be sited with consideration to the fire hazard severity of the site, the type of development and the risk added by the development to the fire hazard risk.

1.4.17 Shall institute a consistent method of addressing encroachments on municipal property to ensure equitable treatment and that the public amenity is not compromised.

1.4.18 Shall adopt and apply enforcement procedures to clarify and establish (for both the impacted citizen and offender) a course of action when a use or activity is in violation of the County's Bylaws.

Creating Attractive and Complete Communities

Through the allocation of amenities that improve the quality of living of Sturgeon County residents and that reflect the needs of its diverse communities.

- 2.1.1** Should identify and apply useable and accessible municipal reserve land dedication for the development of open spaces, parks and other public amenities.
- 2.1.2** Shall promote quality public spaces by restricting the dedication of municipal reserve for right-of-ways, public utilities and marginal lands as they are not considered useable parks and open spaces.
- 2.1.3** Should ensure that community facilities and support services are suitably located for the identified residential populations that they are intended to serve.
- 2.1.4** Shall ensure that new residential development accounts for increased population and subsequent community impacts through the timely delivery of social services and communities amenities.
- 2.1.5** Should collaborate with provincial health agencies to understand and mitigate Sturgeon County's specific challenges when developing community health and social service programming.
- 2.1.6** Should encourage the use of joint partnership agreements with public and separate school boards for delivering community service.
- 2.1.7** Shall ensure that citizens have suitable access to emergency and protective services and that these services meet the needs of the growing population.
- 2.1.8** Should collaborate with the Royal Canadian Mounted Police (RCMP) and community groups to establish crime prevention programs for improving public safety.

Applying Responsible Residential Subdivision and Development Practices

Through the assurance that proposed developments will consider and account for the future needs of Sturgeon County residents.

- 2.2.1** Shall require that subdivision and development proposals that exceed the maximum allowable density or intent of the identified Residential Type, or result in changes to an existing Planning Document, submit a new or revised Planning Document in conformance with policies outlined within the Municipal Development Plan (MDP).
- 2.2.2** Shall prevent any residential subdivision layout that does not reflect future development potential, or that may result in development restrictions of the adjacent parcel.
- 2.2.3** Should discourage the use of panhandles as a way to provide residential subdivisions with legal and physical access to a municipal roadway.
- 2.2.4** Shall ensure that subdivision and development does not preclude the possibility of future road widening.
- 2.2.5** Shall mitigate the impact of natural resource extraction activity on the local community by establishing setbacks and criteria guiding the interaction between residential and Primary Industry development. Where existing residential development may be impacted by resource extraction activity, efforts to minimize the impact on the existing residential development shall be demonstrated and adhered to.
- 2.2.6** Should investigate and monitor the impacts of new and existing residential subdivision and development activity on County infrastructure and establish funding mechanisms and responsibilities (e.g., off-site levies or local improvement taxes) to pay for needed improvements and upgrades as a result of the associated activity.
- 2.2.7** Shall ensure infill subdivision and development compliments the established character of the area, complies with the associated Residential Type policies, addresses any infrastructure constraints and conforms to the criteria outlined in the Land Use Bylaw (LUB).
- 2.2.8** Should participate, through the Capital Region Board, to identify and address the location, type and needs of Market and Non-Market Affordable Housing required within Sturgeon County. Non-Market Affordable Housing should be accommodated within areas identified for intensified residential development; while avoiding an over-concentration of affordable housing within any one specific location.
- 2.2.9** May collaborate with the development industry and not-for-profit organizations to facilitate the diversification of housing choices; the mix of housing sizes and types should meet affordability, accessibility and lifestyle needs of various groups. New development and redevelopment are to incorporate Non-Market Affordable Housing that is visually indistinguishable from Market Affordable Housing.

Accommodating Diverse Housing Options

Through the provision of land-use policies that encourage a variety of residential types in an effort to achieve complete communities. (See Figure 4 - Growth Strategy Concept Map p.25.)

Residential Type 1 - Sturgeon Valley

Residential Type 1 contains the majority and most varied of Sturgeon County's future residential potential and is situated where development pressures are most imminent. All Residential Type 1 development requires municipal infrastructure and service provision. Residential Type 1 is limited to the general geographic areas identified in the Edmonton Metropolitan Regional Growth Plan Sturgeon Valley Special Study Area. For additional policies reflecting the unique needs of each geographic area/community, refer to Neighbourhood G.

2.3.1 Shall accommodate residential development (Type 1) by establishing Regional statutory Planning Documents for lands within the Sturgeon Valley Special Study Area as a way to identify, prioritize, densify and phase subsequent residential and non-residential growth in the listed locations. (See Figure 4 – Regional Concept Map p.25 and Map 12A p.114.)

2.3.2 Shall accept new residential development (Type 1) applications for Local Planning Documents within the boundaries of the Sturgeon Valley Special Study Area upon adoption of a statutory Regional Planning Document. (See Map 12A p.114.)

2.3.3 Shall apply Sturgeon County's Municipal Development Plan Residential Type 1 policies to the Sturgeon Valley Special Study Area in compliance with the Edmonton Metropolitan Region Growth Plan. (See Map 12A p.114.)

2.3.4 Shall aim to achieve the established population projections identified in the Edmonton Metropolitan Region Growth Plan, and shall accommodate the associated densities through the planning process.

2.3.5 Shall discourage premature fragmentation of Primary Industry lands for non-Primary Industry development, as a way to ensure cohesive and contiguous future land development and municipal servicing.

2.3.6 Shall advocate for compact residential types, mixed-use developments, secondary suite allowances, walkable communities and communal open space in accordance with the Sturgeon Valley Special Study Area strategic principles.

Residential Type 2 - Growth Hamlets

Residential Type 2 refers to development within Sturgeon County's hamlets where additional residential growth is viable. This residential type is reflective of Sturgeon County's traditional housing opportunities and is associated with residential densities found within Sturgeon County's hamlets. Consideration and contemplation of growth within the identified hamlets requires supportive planning and infrastructure documents, rationalizing the proposal. Residential Type 2 will be limited to the Hamlets of Cardiff and Villeneuve. For additional policies reflecting the unique needs of each Hamlet, refer to individual Neighbourhoods.

2.3.7 Shall accommodate residential development (Type 2) by establishing a series of statutory Regional Planning Documents for the Hamlets of Cardiff and Villeneuve as a way to identify, prioritize, densify and phase subsequent growth in the listed locations. (See Figure 4 – Regional Concept Map p.25.). Densities of the Growth Hamlets shall be in accordance with the minimum greenfield densities as prescribed by the Edmonton Metropolitan Region Growth Plan.

2.3.8 Shall establish an administrative boundary for Sturgeon County Residential Type 2 hamlets and limit residential development outside the boundaries until Sturgeon County identifies a demonstrated need for expansion of the Hamlet. The administrative boundary will take into account mitigative measures including (but not limited to) land use conflicts, airport activities, aggregate and agricultural operations, right of ways and infrastructure setback.

2.3.9 Shall undertake an evaluation of municipal servicing needs prior to significant Hamlet development or expansion in order to identify and prioritize improvements for development.

2.3.10 Shall require proposed residential development to respect the existing scale, type and character of the community. Secondary suites or mixed-use developments may be contemplated where the applicant can successfully demonstrate to the approval authority that no significant impacts on municipal infrastructure or community amenities will occur.

Residential Type 3

Residential Type 3 reflects Sturgeon County's established settlements and traditional country residential built forms. These residential types have limited development potential as future development of these communities is constrained by existing infrastructure capacities. Locations include existing traditional country residential development, Neighbourhood A and the Hamlets of Alcomdale, Calahoo, Mearns, Riviere Qui Barre, Lamoureux, Namao, Pine Sands and Carbondale. For additional policies reflecting the unique needs of each geographic area/community, refer to individual Neighbourhoods.

2.3.12 Shall establish an administrative boundary for Sturgeon County's Residential Type 3 hamlets, and limit residential development outside the boundaries until Sturgeon County identifies a demonstrated need for expansion of the Hamlet/area.

2.3.13 Shall ensure that areas outside of established residential developments, including the identified Hamlet/area boundaries, be used for Primary Industry or Residential Type 4 use.

2.3.14 Should undertake an evaluation of municipal service capacities and endeavour to maintain the existing service delivery. Areas not currently serviced by existing municipal services will continue to be responsible for independent service provision.

2.3.15 May consider additional residential development within the established Hamlet/area administrative boundary, when the existing municipal infrastructure can accommodate the proposal. Proposals shall demonstrate required upgrades and detail how they will be financed, since the cost of identified upgrades are to be borne by the benefiting lands.

Residential Type 4

Residential Type 4 provides Sturgeon County's rural population with options that support Primary Industry viability while maintaining a rural character. Residential Type 4 options are available throughout Sturgeon County; however they exclude existing developed areas. For additional policies reflecting the unique needs of each geographic area, refer to individual Neighbourhoods.

2.3.16 Shall apply 64 hectares/160 acres as the basic agricultural land unit, and unless otherwise indicated within a Planning Document, the maximum agricultural density is four (4) parcels for every 64 hectares/160 acres.

2.3.17 Shall ensure that the maximum allowable agricultural subdivision layout for a 64 hectares/160 acre land unit contains two (2) Agricultural Parcels and two (2) Acreage Lots, as further defined within the Land Use Bylaw (LUB). Where a proposed development exceeds the above subdivision density, the applicant must submit an application for a plan amendment and redistricting for consideration by Council.

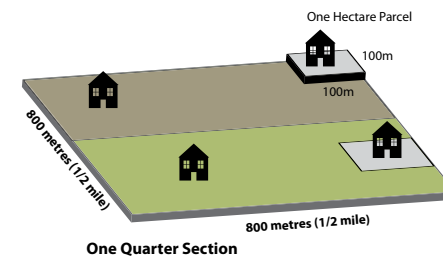
2.3.18 Shall ensure that Acreage Lots minimize the total amount of land being taken out of agricultural production. The maximum lot density for an Acreage Lot shall be one (1) unit per 32 hectares, with a lot size subject to provisions under the LUB.

2.3.19 May vary the size of an Acreage Lot and an Agricultural Parcel due to a Land Fragmentation or to accommodate an existing farmstead; however, compliance must be adhered to regarding the maximum agriculture density standard.

2.3.20 Should ensure that parcels created from Land Fragmentation count towards the overall parcel density allowed on a 64 hectare/160 acre parcel.

2.3.21 Shall not adjust the Acreage Lot size to accommodate existing land-intensive septic systems during the subdivision process.

2.3.22 Shall ensure that the level of development activity and size of the structures on an Acreage Lot proportionately reflect the lot size as defined in the LUB.



Placemaking Principles

Development within the regionally significant Neighbourhood G will deliver quality and sustainable places, whilst responding positively to the existing community, and aspects of local context, heritage, agriculture, and character. Within the Neighbourhood, distinct developments will contribute towards a strong sense of place and identity, whilst providing opportunities for all residents to work, enjoy and thrive. Local enterprise will be encouraged and championed in the Neighbourhood, in addition to strategic commercial opportunities. Future development within this area will be shaped by Regional direction, outlined within the EMRB Growth Plan, and will be in accordance with the Sturgeon Valley Special Study Area (SVSSA) Policies. Orderly and attractive development will reflect the Sturgeon context, delivering good places, contiguous development and complete communities.

In order to deliver quality places and complete communities, placemaking principles must be embedded within developments. The Sturgeon Valley will provide for an attractive, legible, healthy, accessible and safe environment for all. Development within Neighbourhood G will ensure that the community benefits from an appropriate diversity of land uses, active travel opportunities, green spaces, economic opportunity, community infrastructure and service. An appropriate level and mix of densities will be provided that in combination are capable of sustaining local vibrancy, and development viability.



Neighbourhood G Placemaking Principles

G

1.1

Responsible to the Regional Context, delivering Sustainable Places

Supporting the regional vision of growth by developing in accordance with regional policy and by focusing the majority of Sturgeon County's future residential, commercial and institutional development activity to this Neighbourhood.

Developing statutory Planning Documents for all development in Neighbourhood G to give certainty to local communities, investors, developers, service providers, and municipal neighbours regarding long-term density and growth aspirations.

G

1.2

Demonstrating long-term viability, ensuring complete, well-serviced communities

All prospective developments must demonstrate the viability of the proposal in line with requirements within with regional policy. This will include an awareness of infrastructure, transportation, community facilities and amenities.

Developments are to provide an appropriate mix of uses and dwelling types, open and green spaces, and will adequately demonstrate the long-term fiscal implications for the County.

G

1.3

Providing logical and timely infrastructure that provides high-quality service to residents now and in the future

Developments are required to fulfill the requirements of the regional policy, all infrastructure servicing to Neighbourhood G will contribute to the delivery of quality places.

Strategic delivery of infrastructure resources is to be efficient, logical, and should consider the wider Sturgeon Valley and regional context. Alternative and innovative servicing where appropriate may be considered.

G

1.4

Creating a well-connected community, through the design of an interconnected Valley network

Through the natural and informed expansion of existing transport infrastructure; a comprehensive, efficient and robust transportation network will be developed that enhances movement through a variety of means across the Sturgeon Valley and to regionally significant destinations.

Making active travel an attractive alternative in addition to recreational opportunity and delivering a transit centre that provides an accessible connection to the wider region.

G

1.5

Championing Sturgeon's agricultural heritage whilst positioning the Valley for the future of farming

The local agricultural heritage provides a strong culture for the Sturgeon Valley community. Current agricultural holdings near the Sturgeon Valley area will continue to thrive.

Sturgeon Valley is well positioned to provide unique spaces for non-conventional agriculture and community growing, whilst providing close access to local and regional consumers as well as opportunity for complementary, co-located industry.

Implementation of Neighbourhood G Placemaking Principles

In order to implement and embed the overarching placemaking principles within Neighbourhood G developments will seek to:

- a** Develop and contribute to the identity of the Sturgeon Valley, where unique features such as agriculture, heritage, culture and natural physical attributes are reflected and championed by developments throughout the Neighbourhood.
- b** Foster key gateway points in and around the Sturgeon Valley, by ensuring that public improvements and private development work together to enhance the sense of entry into the Sturgeon Valley community through elements such as signage and landscaping that captures the uniqueness of the area and its setting.
- c** Be sensitive and responsible to the density and character of the Sturgeon Valley community and surrounding areas. Avoid unacceptable juxtapositions and/or conflict between residential and non-residential uses. Ensure there are no significant adverse impacts on natural heritage assets.
- d** Provide a mix of uses to enhance the Sturgeon Valley community. Based upon the need throughout the Neighbourhood, ensure adequate leisure uses are provided for, local business opportunities are encouraged to thrive within commercial nodes, and there are appropriate spaces for essential social infrastructure. Local, boutique businesses are to be encouraged, whilst commercial developments that are larger in scale would be expected to be sited outside of residential communities.
- e** New developments are well connected to existing places capitalising on existing active travel routes, thereby positively contributing the overall connectivity throughout the entire Sturgeon Valley. Development will deliver new, and/or enhance existing, connections to community nodes.
- f** Deliver spaces that are designed to be adaptable and robust; by utilising landscaping, green infrastructure, ecological design, naturalisation and sustainable drainage where appropriate. Ensure active frontages onto streets, community facilities and key public spaces to provide natural surveillance, social interplay and character.
- g** Paths and trails, which provide a leisure function will be highly sensitive to pedestrian desire lines and will connect developments to not only natural spaces but also local important nodes, ultimately developing a comprehensive active travel network across the entire Sturgeon Valley community.
- h** Encourage the use of sustainable construction methods, Low Impact Development principles, ecological design, resource efficiency, building energy efficiency and contributions towards localised renewable or low carbon energy generation.
- i** Deliver a high-quality public realm, incorporating public art and landscaping where appropriate. Where internal streets and public spaces are welcoming, low maintenance, well defined, safe and accessible for all, with a distinct identity. Landscaping utilises native species and naturalisation where possible.
- j** Provide appropriate naturalisation of landscaping that will prevent excessive water use and the nutrient loading in water bodies. Naturalised landscaping will act as green corridors linking to other natural spaces and provide important flood mitigation whilst being conscientious of natural hazards such as wildfires.

PART 11 PRIMARY INDUSTRY DISTRICTS

11.1 AG – AGRICULTURE DISTRICT



.1 General Purpose

This district accommodates traditional agricultural operations and the supportive services that are essential to grow and sustain the agricultural industry. This district distinguishes between major, minor and residential where:

AG-Major are tracts of land 16ha (39.5ac) or larger in size;

AG-Minor are *parcels* between 4ha (9.8ac) and 15.9ha (39.3ac); and

AG-Residential are *parcels* smaller than 4ha (9.8ac).

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory dwelling unit****</i>	<i>Accessory dwelling unit****</i>
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Bed and breakfast</i>	<i>Agricultural support service</i>
<i>Diversified Agriculture</i>	<i>Auctioneering establishment**</i>
<i>Dugout</i>	<i>Cannabis production and distribution, micro</i>
<i>Dwelling, single detached</i>	<i>Community garden</i>
<i>Family day home</i>	<i>Data Processing Facility</i>
<i>Farm help accommodation</i>	<i>Equestrian facility***</i>
<i>Group home, minor</i>	<i>Group home, major</i>
<i>Home-based business, level 1 (office)</i>	<i>Home-based business, level 3</i>
<i>Home-based business, level 2</i>	<i>Kennel and animal boarding</i>
<i>Intensive agriculture</i>	<i>Landscaping contractor service***</i>
	<i>Solar farm</i>
	<i>Temporary asphalt plant**</i>
	<i>Temporary concrete batch plant**</i>
	<i>Topsoil screening</i>
	<i>Veterinary clinic</i>
	<i>Visitor accommodation***</i>

* Refer to Section 6.1 for further clarification.

** Only allowed on AG-Major parcels

*** Only allowed on AG-Major and AG-Minor parcels

**** Refer to Section 6.1A for further clarification.

1407/18; 1432/19; 1436/19; 1560/21; 1570/22; 1587/22, 1597/22

.3 **Subdivision Regulations**

- (a) Unless otherwise indicated within a *planning document*, a *quarter section* in the AG district of 64.7ha (160ac) shall contain a maximum combined *density* of four *parcels*, comprised of:
 - (i) two AG – Major *parcels* of approximately 32.4ha (80ac) each or alternative sizes necessary due to *land fragmentation*; and
 - (ii) two AG – Residential *parcels* (one of which may be subdivided from each AG – Major *parcel* having a minimum size of 32.4ha (80ac) in accordance with Paragraph 11.1.3(e) of this Bylaw).
- (b) Notwithstanding Subparagraph 11.1.3(a)(ii), the Subdivision Authority may consider the subdivision of a second AG – Residential parcel from the same 32ha (80 ac) AG parcel when all of the following criteria are met:

- (i) no other parcel has been subdivided from the abutting 32ha (80 ac) AG parcel on that same quarter section; and
 - (ii) no secondary dwelling exists on the abutting 32ha (80 acre) AG parcel on that same quarter section; and
 - (iii) such a location would assist in preserving agricultural land and/or avoid a site constraint on the abutting 32ha (80 ac) AG parcel on that same quarter section related to access, topography, a pipeline, or other hazard or land use conflict; and
 - (iv) the landowner of the abutting 32ha (80 ac) AG parcel on that same quarter section provides their written consent and furthermore allows the County to register a restrictive covenant agreeing to forgo any future opportunity for subdivision or a secondary dwelling pursuant to this Bylaw.
- (c) Where an AG – Major *parcel* is either smaller or larger than the conventional 64.7ha (160ac) and/or 32.4ha (80ac) *parcel* size (e.g. due to the presence of a redistricted *parcel(s)*, or surveying anomalies due to river lots or *land fragmentation*), the *subdivision* regulations are as follows:
- (i) AG – Major *parcels* between 16ha (39.5ac) and 47.9ha (118.4ac) shall be considered equivalent to a 32.4ha (80ac) AG *parcel* (i.e. half a *quarter section*).
 - (ii) AG – Major *parcels* between 48ha (118.5ac) and 79.9ha (197.5ac) shall be considered equivalent to a 64.7ha (160ac) AG *parcel* (i.e. a full *quarter section*).
 - (iii) AG – Major *parcels* of 80ha (197.6ac) or larger shall be considered equivalent to a 64.7ha (160ac) AG *parcel* (i.e. a full *quarter section*) plus any additional *subdivision* potential beyond 64.7ha (160ac) in accordance with the proportions referenced in Subparagraph 11.1.3(c)(i), (ii) or (iii).
- (d) AG – Minor *parcels* shall be considered equivalent to an AG – Residential *parcel* and therefore have no further *subdivision* potential.
- (e) The maximum size of an AG – Residential *parcel* shall be 1ha (2.47ac), unless a larger area is essential to:
- (i) encompass mature *shelterbelts*, existing *buildings* or any other related features associated with an existing *farmstead* (however, additional farmland will not be compromised to accommodate a septic system, the *setback* distances associated with a septic system, a *dugout*, or an extensive area of *fencing*); and/or
 - (ii) mitigate any site constraints which could otherwise significantly limit the *development* potential of a 1ha (2.47ac) *parcel* or create *land use* conflicts – such as but not limited to *setback* distances from pipelines, low-lying or steep topography, inaccessible portions of land or *land fragmentation* (however, additional farmland will not be compromised when a site constraint could equally be addressed by modifying the location and/or dimensions of the proposed 1ha (2.47ac) *parcel*).

.4 Development Regulations

<i>Front yard and flanking front yard setbacks</i>	<i>Principal building</i>	35m (114.8ft)
	<i>Accessory building or accessory, agricultural building</i>	20m (65.6ft)
<i>Side yard and rear yard setbacks</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building or accessory, agricultural building</i>	3m (9.8ft)

1432/19

Additional Development Regulations for AG-Minor parcels		
Maximum <i>floor area</i>	<i>Accessory building</i>	465m ² (5,005.2ft ²)
Maximum <i>parcel coverage</i>	15%	

Additional Development Regulations for AG-Residential parcels		
Maximum <i>floor area</i>	<i>Accessory building</i>	230m ² (2,475.7ft ²)
Maximum <i>parcel coverage</i>	15%	

1432/19

.5 Additional Development Regulations

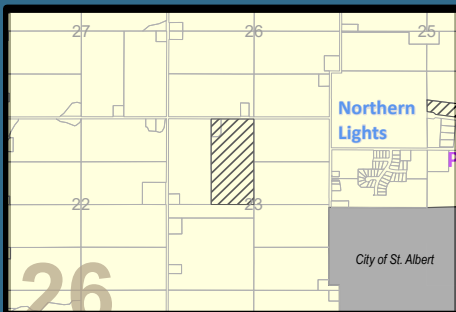
- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Notwithstanding the variance provisions in Section 2.8 of this Bylaw, the *Development Authority* shall not accept a variance to the *uses* within this district based on *parcel* size.

1407/18

Appendix 4: Exhibits & Miscellaneous

Exhibit 1 [Applicant Submission]

File Number: 2024-S-011



Legal Description: 7820343;;2

Roll Number: 3705001

Total Acres/Hectares: 80.00ac / 32.32ha

Land Use: AG - Agriculture

Municipal Address: 26121 Twp Rd 544

Date: 4/12/2024

Legend







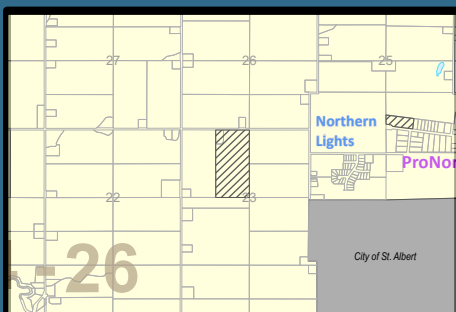
-  Dwelling
-  Pump Out
-  Existing Approach
-  Fabric Shelter
-  Farm Building
-  Garage

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2024-S-011



Legal Description: 7820343;;2

Roll Number: 3705001









Total Acres/Hectares: 80.00ac / 32.32ha

Land Use: AG - Agriculture

Municipal Address: 26121 Twp Rd 544

Date: 5/27/2024

Legend

-  Dwelling
-  Existing Approach
-  Fabric Shelter
-  Farm Building
-  Garage
-  Pump Out
-  Road Widening By Caveat
-  Road Widening By Survey

Revised Conditions – Administrations Recommendation:

This application for subdivision is APPROVED subject to the following conditions:

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated May. 27, 2024 and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Proposed Lot and Twp Rd 544 shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and Twp Rd 544 shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services before this subdivision is endorsed.
- ~~6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of the Proposed Lot. A payment will be made in place of reserves equal to \$8,605.05 (determined at a rate of \$86,050.48 per hectare X 10% X 1 hectare = \$8,605.05). The money-in-lieu calculation will be based on the actual amount of land (in hectares) shown on a plan of survey.~~
- 6) Pursuant to Provision 669 of the MGA, municipal reserves owing on the Remnant Lot shall be deferred by caveat (note: this caveat to be prepared by Sturgeon County).
- 7) The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.

Subdivision and Development Appeal Board

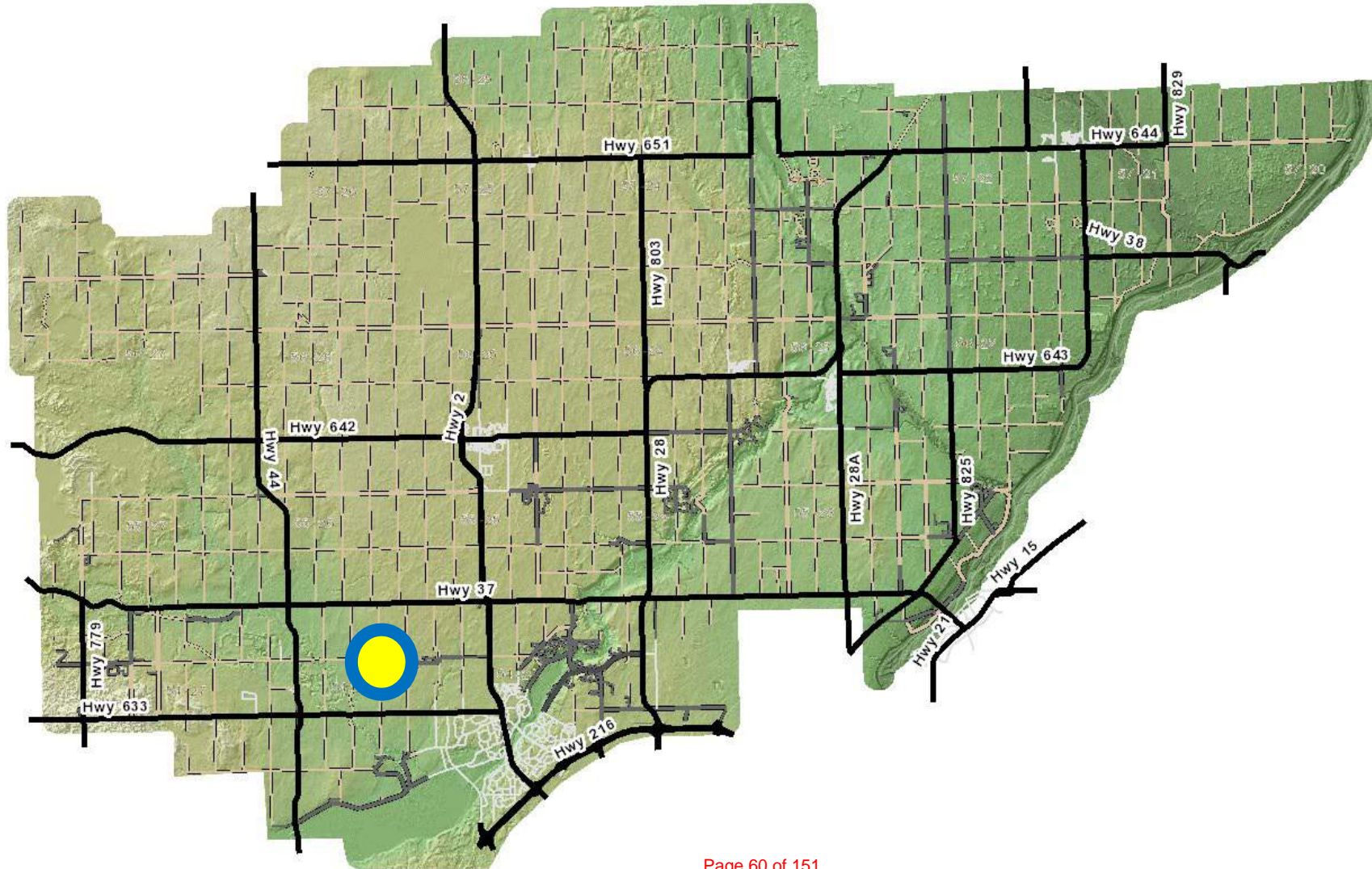
024-STU-009

Jonathan Heemskerck
Planner, Current Planning

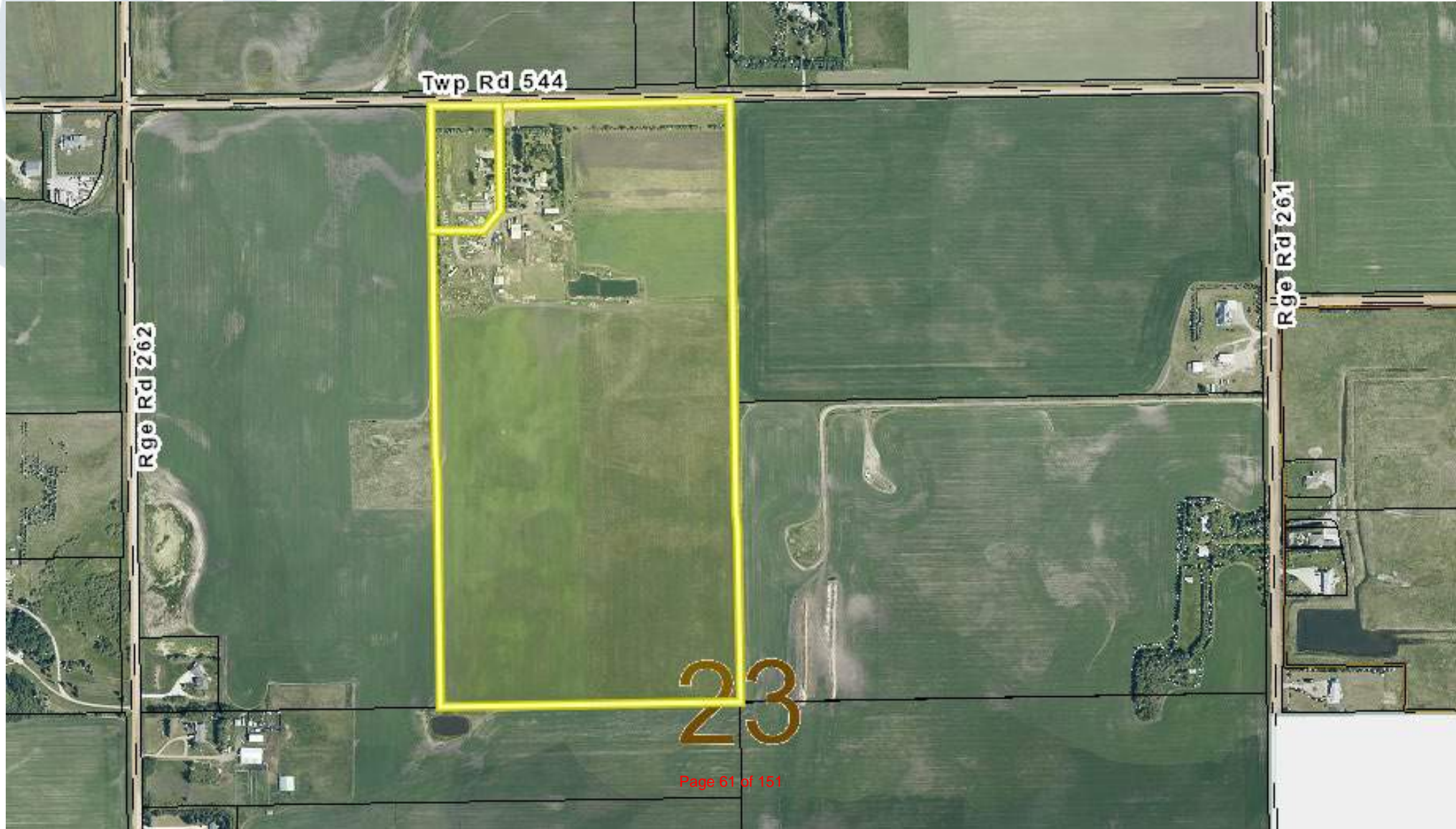


Sturgeon
C O U N T Y

Site Location (Regional)



Site Location (Local)



Proposal



Summary of Relevant Circulation Responses

Sturgeon County Development Officer

- Proposed Lot:
 - No developments, vacant farmland.
- Remnant Lot:
 - A development permit will be required for the dugout.
 - There will now be two homes on this lot. A permit is required to change one to an “Accessory Dwelling Unit”.
 - Size of use of other outbuildings is required to determine if permits or farm building declarations are required.

Sturgeon County Engineering Services

- Proposed Lot:
 - 5m for future road widening via plan of survey along Twp Rd 544.
 - Existing approach requires upgrades to meet GMSS.
- Remnant Lot:
 - 5m for future road widening via land acquisition agreement (caveat) along Twp Rd 544.
 - There are two approaches into this lot. One must be removed with the ditch restored to match the surrounding condition.
 - The remaining approach must be upgraded to GMSS.

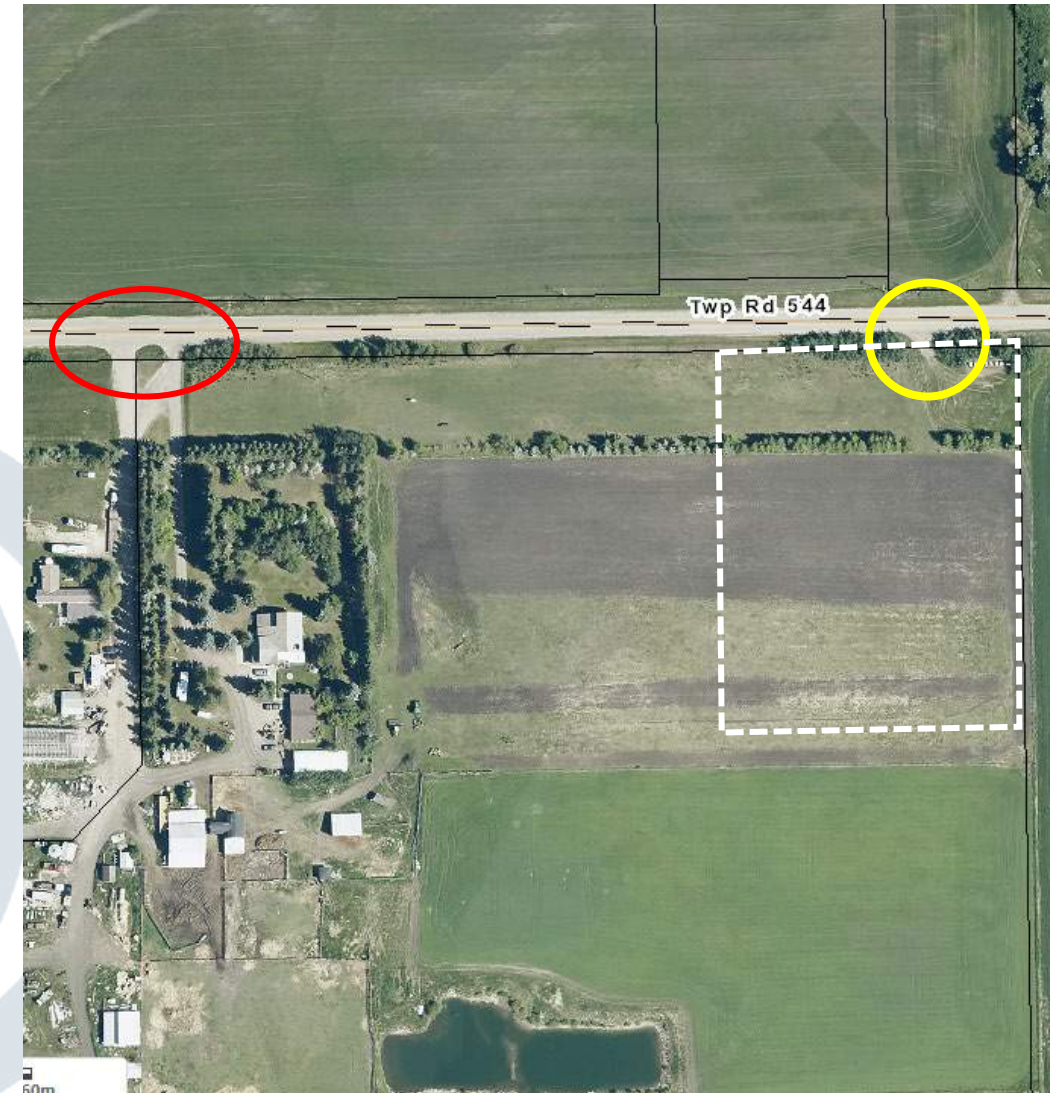


Issue Analysis (Conditions 5,6, and 7)

Condition #5 - Approach Upgrades

All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services before this subdivision is endorsed.

- Proposed Lot (approach #1 in yellow):
 - The culvert is damaged on each end, but it is long enough to fit the approach. Please cut back the culvert to remove the damaged ends, tapering the ends to match the slope of the banks. Maximum width of the approach is 12 m when measured at the property line, so the width can be reduced at the same time as the damaged ends are cut off. Ensure the culvert is cleaned out to provide the full pipe diameter flow.
 - Install rip rap around each end of the culvert.
- Remnant Lot (approach #2 and #3 in red):
 - Per GMSS, approaches must be spaced 90 m apart. One of these approaches must be removed with the ditch restored.
 - Each approach is currently 7m wide, and the minimum must be 10-12m. The approach that remains must be widened.
 - 300mm (12") of material must be on top of a culvert to ensure it does not get crushed. Please add 150mm (6") of material over the existing cu



Issue Analysis (Conditions 5,6, and 7)

Condition #6 – Money in Lieu of Municipal Reserve

Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of the Proposed Lot. A payment will be made in place of reserves equal to \$8,605.05 (determined at a rate of \$86,050.48 per hectare X 10% X 1 hectare = \$8,605.05). The money-in-lieu calculation will be based on the actual amount of land (in hectares) shown on a plan of survey.

- Money in lieu of municipal reserve is typically required on all agricultural subdivisions with some exceptions (ex. first parcel out of a quarter).
- Money in lieu was claimed on the original acreage subdivision in 2006, in an amount near \$8,400.
- This application can be considered as either a consolidation and new subdivision OR a lot line adjustment depending on interpretation.
- After meeting with the appellant and reviewing further, administration would be satisfied to remove the requirement of money in lieu of reserve payment and instead defer the requirement of reserve.

Pursuant to Provision 669 of the MGA, municipal reserves owing on the Remnant Lot shall be deferred by caveat (note: this caveat to be prepared by Sturgeon County).

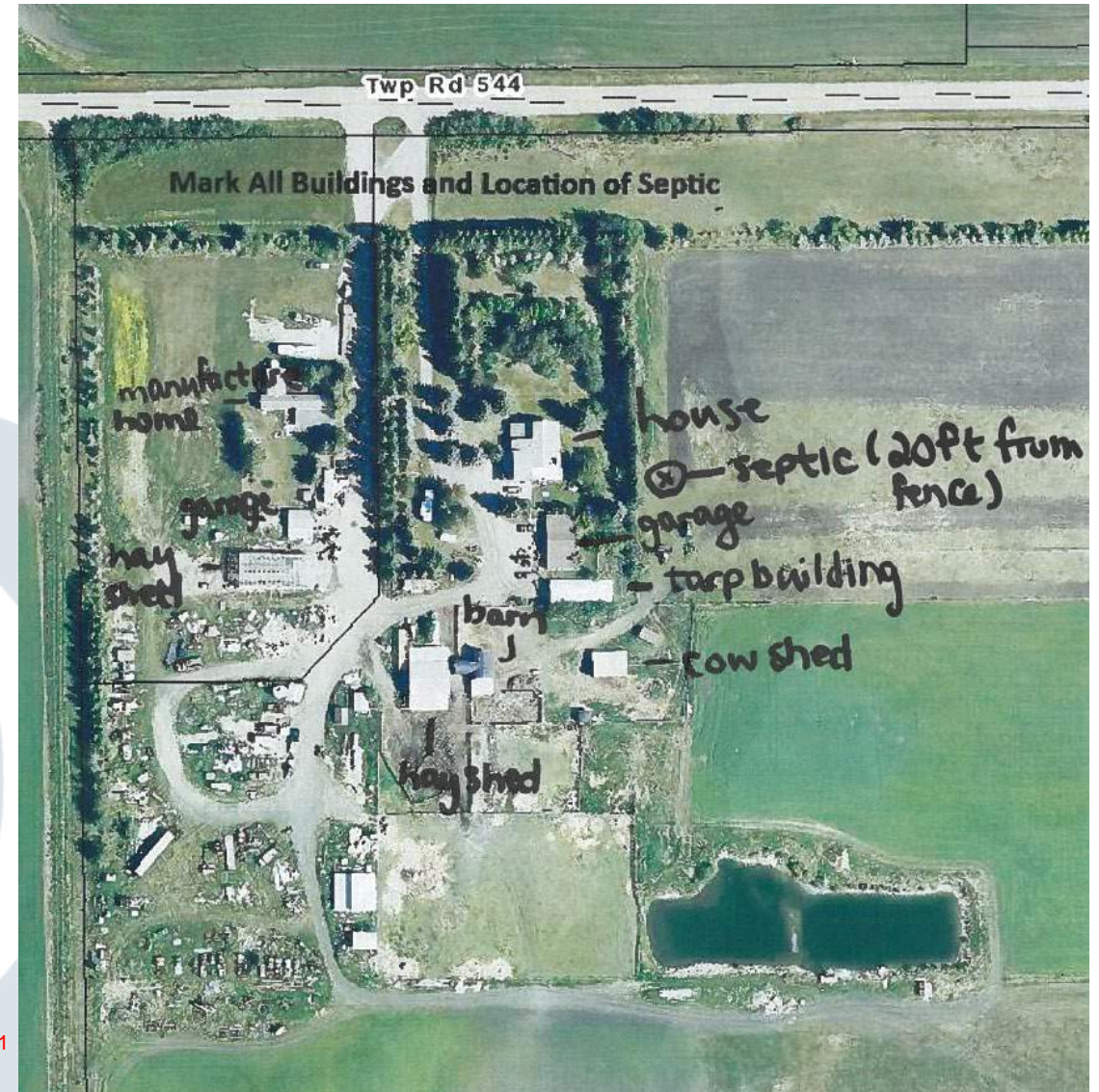


Issue Analysis (Conditions 5,6, and 7)

Condition #7 – Obtaining Permits and Farm Building Declarations

The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.

- Permits on file include:
 - Single Detached Dwelling (1979)
 - Barn (1979)
 - Mobile Home (1984)
- A development permit would be required for the dugout.
- Structures notes below will require further information:
 - Garage
 - Hay Shed (x2)
 - Tarp Building
 - Cow Shed
 - Etc.
- It is assumed most of these structures will be classified as farm buildings (which are free to declare).
- The condition is written to be 'open' allowing for discretion from our development team if further information is presented (ex. an old permit)



Subdivision Authority Decision

The Subdivision Authority's decision for **conditional approval** is consistent with:

- Sturgeon County Municipal Development Plan policies.
- Sturgeon County Land Use Bylaw regulations.
- General Municipal Servicing Standards
- Municipal Government Act

Revised Conditions

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated May. 27, 2024 and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Proposed Lot and Twp Rd 544 shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and Twp Rd 544 shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.
- ~~6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of the Proposed Lot. A payment will be made in place of reserves equal to \$8,605.05 (determined at a rate of \$86,050.48 per hectare X 10% X 1 hectare = \$8,605.05). The money-in-lieu calculation will be based on the actual amount of land (in hectares) shown on a plan of survey.~~
- 6) Pursuant to Provision 669 of the MGA, municipal reserves owing on the Remnant Lot shall be deferred by caveat (note: this caveat to be prepared by Sturgeon County).
- 7) The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.

Conditions – Summary

1. Ensure taxes are paid
2. Retain a surveyor
3. 5m by plan of survey along the proposed lot
4. 5m by caveat along the remnant lot
5. Approach upgrades
- 6. Deferred reserve caveat (remnant lot)**
7. Obtain all necessary permits/ farm building declarations

APPELLANT SUBMISSIONS RECEIVED

***NOTE:**

No submissions were received at the
time of publication of the Agenda

WRITTEN
SUBMISSIONS
FROM
ADJACENT
LANDOWNERS
AND OTHER
AFFECTED
PERSONS

***NOTE:**

No submissions were received at the
time of publication of the Agenda

Appeal #2

024-STU-010

Appealing condition #5 of the
Subdivision Authority's conditional
approval

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		Date Received Stamp
Municipal Address of site:	54428 Range Road 250	
Legal land description of site: (‘plan, block, lot’ and/or ‘range-township-section-quarter)	Lot 1 Block 1 Plan 1721301	
Development Permit number or Subdivision Application number:		
Appellant Information:		
Severed in line with section 17 of the FOIP Act		
Name:	Graham Okerman	Phone: Agent Name: (if applicable)
Mailing Address:	54428 Range Road 250 Sturgeon County, AB	City, Province: Sturgeon County, Alberta
Postal Code:	T8T 0C8	Email:

APPEAL AGAINST (Check **ONE** Box Only) for multiple appeals you must submit another Notice of Appeal

Development Permit	Subdivision Application
<input type="checkbox"/> Approval	<input type="checkbox"/> Approval
<input type="checkbox"/> Conditions of Approval	<input checked="" type="checkbox"/> Conditions of Approval
<input type="checkbox"/> Refusal	<input type="checkbox"/> Refusal
Stop Order	
<input type="checkbox"/> Stop Order	

REASON(S) FOR APPEAL Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons

Please see attached page for reasoning to appeal.

(Attach a separate page if required)

The personal information collected will be used to process your request for a hearing before the Subdivision and Development Appeal Board and is collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP). Your information will form part of a file available to the public. If you have any questions about the collection and use of this information, please contact the Sturgeon County FOIP Coordinator at 9613-100 Street, Morinville, Alberta, T8R 1L9 (780) 939-4321.

Signature of Appellant/Agent:	Date: June 19, 2024
FOR OFFICE USE ONLY	
SDAB Appeal Number:	Appeal Fees Paid: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Hearing Date: YYYY/MM/DD

APPEAL SUBMISSION INFORMATION

The Notice of Appeal must be received by the Subdivision and Development Appeal Board, no later than the final date of the appeal, as specified in the *Municipal Government Act*. Otherwise the appeal will not be processed.

FILING INFORMATION

MAIL OR DELIVER TO:

Secretary, Subdivision & Development Appeal Board
9613-100 Street
Morinville, AB T8R 1L9

***Please note that the Notice of Appeal form will not be processed until the fee calculated in accordance with the County’s current *Fees & Charges Schedule* is received.**

APPEAL PROCESS

Who can appeal?

Subdivision appeals:

- The applicant for subdivision approval, pursuant to Section 678(1)(a) of the *Municipal Government Act*.
- Government Departments to which subdivision applications are required to be referred for comment, pursuant to Section 678 (1)(b) of the *Municipal Government Act*.
- School authorities on limited issue with respect to allocation of municipal and school, pursuant to Section 678(1)(d) of the *Municipal Government Act*.

Please note: The *Municipal Government Act* does not provide for adjacent owners to appeal but they are entitled to be notified of an appeal and to be heard at the Board hearing.

Development appeals:

Development appeals may be filed by anyone who is affected by a decision of the Development Authority in relation to a development proposal. Appeals may not be filed for a permitted use unless the Development Authority relaxed, varied or misinterpreted the Land Use Bylaw.

For further information:

If you require additional information regarding the appeal deadlines and the procedures of the Board, please contact the Secretary of the Subdivision and Development Appeal Board at:

Phone:780.939.4321
Email: legislativeservices@sturgeoncounty.ca

To Whom it may concern, I would like to appeal the policy that deems it necessary that I pave my approach to my house. I apologize for the delay in the appeal form application but I was waiting on a response from the engineering department on if I had to pave my approach or not, as I already have an existing approach that is gravel that was approved to be that way 7 years ago when I first subdivided. The engineering representative that was dealing with my case had quit working for the county and was supposed to follow up with me on the matter and never ended up doing so. I finally received a follow up from Kris Krath Tuesday June 18, 2024 about the final decision that they require my approach to be paved. Prior to this point I did not have any decision on if it was required to pave my drive way or not, so therefore did not warrant me applying for an appeal when I did not know if I needed to. I do not foresee the reasoning to why my driveway must be paved when Range Road 250 is completely unpaved and is located 20 ft to the south of my approach. If my drive way has to be paved then I see the logic that the range road must be paved as well. The reasoning that I was told to why I had to pave my driveway is that my gravel driveway would allow rocks to become relocated onto the paved road, I currently have little to no rocks on the pavement directly touching my driveway as I followed the extreme compaction requirements set out by the county when I had the driveway constructed 7 years ago. I also leave and enter my driveway at a very slow rate as it's a driveway not a road. However the people that drive up and down Range Road 250 go much faster and bring many rocks from the range road onto the pavement. These rocks are much bigger than the ones located on my driveway deeming them to more of a nuisance. The policy for driveways to be paved when approaching onto a paved road existed at the time of my subdivision in the first place and I had the exact same conversation with the developing committee then that the logic was not sound to make me pave my driveway when the road is clearly a larger source of loose gravel and is located directly beside my approach. The planning committee agreed that my logic was sound and allowed me to proceed with my driveway to be gravel. So why when the policy has not changed since then is my driveway to be paved now, when again the Range Road is not. If the county agrees to pave the Range Road 250 that approaches Trestle Ridge then I will gladly agree to paving my driveway to meet logical standards. However, if Range Road 250 continues to be gravel then my appeal stands as I do not foresee the need for my driveway to be paved when the range road is not.



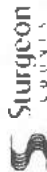
Sturgeon County
 9613-100 St
 Morinville, Alberta T8R-1L9
 (780) 939-4321 ext.

OKERMAN, GRAHAM

Receipt Number: 202404369
 GST Number: 107747412RT0001
 Date: 6/17/2024
 Initials: KB

Account	Description	Prev Bal	Payment	Balance
16APP	APPEAL FEES - LEGISLATIVE SI		\$100.00	
			Subtotal:	\$100.00
			Taxes:	\$0.00
			Total Receipt:	\$100.00
			Mc:	\$100.00
			Total Monies Received:	\$100.00
			Rounding:	\$0.00
			Amount Returned:	\$0.00

Cheque No.



STURGEON COUNTY

9610 100 ST
 MORINVILLE, AB T8R 1L9
 7809398354
 WWW.STURGEONCOUNTY.AB.CA

Cashier: Karlee B.

Transaction **103115**
 Invoice #: 202404369

Total CA\$100.00
 CREDIT CARD SALE CA\$100.00
 MASTERCARD 6457

Retain this copy for statement validation

20-Jun-2024 8:39:56A
 CA\$100.00 | Method: KEYED
 MASTERCARD
 XXXXXXXXXXXX6457
 MANUALLY ENTERED
 Reference ID: 417200523025
 Auth ID: 08684J
 MID: *****2882
 AthNtwkNm: MASTERCARD
 NO CARDHOLDER VERIFICATION

June 25, 2024

SDAB File Number: 024-STU-010

Dear Graham Okerman:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property: Lot A;; Plan 7620004
NE 25-54-25-W4

Subdivision Application Number: 2024-S-007

Decision Regarding Proposed Subdivision: The subdivision application was conditionally approved.

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on June 20, 2024. In accordance with section 686(2) of the *Municipal Government Act*, the Subdivision and Development Appeal Board (SDAB) must hold an appeal hearing within 30 days after receipt of a notice of appeal. The Board has acknowledged receipt of your appeal, and as it was filed after the legislated deadline, the Board will consider it as a preliminary matter to determine if the appeal will proceed to a merit hearing.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **July 9, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the hearing this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 489 350 612#. This should connect you directly into the hearing.

When an appeal is received, the Appellant has the right to make a written submission and attend the hearing. Should you wish to exercise this right, your written submissions should be addressed to the undersigned and sent by email to legislativeservices@sturgeoncounty.ca. **Written submissions are due to be submitted no later than July 4, 2024.**

SDAB hearings are public in nature. It is understood that an individual writing, submitting items to the Board, or attending the hearing has a reasonable expectation that their personal information (i.e. name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website. Pursuant to Sturgeon County Subdivision and Development Appeal Board Bylaw 1410/18, hearings are recorded. In addition to audio recording, persons attending via videoconference who activate their video cameras will have their images recorded.

Should you require further information, call (780) 939-1377 or (780) 939-8277 or email legislativeservices@sturgeoncounty.ca.

Dianne Mason
Secretary, Subdivision and Development Appeal Board

June 25, 2024

SDAB File Number: 024-STU-010

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Take notice that a hearing has been scheduled concerning the following proposed subdivision:

Legal Description of Subject Property: Lot A;; Plan 7620004
NE 25-54-25-W4

Subdivision Application Number: 2024-S-007

Decision Regarding Proposed Subdivision: The subdivision application was conditionally approved.

Appellant: Graham Okerman

Reasons for Appeal:

- Appealing condition #5 of the conditional subdivision approval requiring upgrades to the existing approach.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **July 9, 2024, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the videoconference this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 489 350 612#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **Written submissions are due to be submitted no later than July 4, 2024.**

Please note that any submissions previously provided to the Subdivision Authority are not provided as evidence to the Subdivision and Development Appeal Board and therefore must be resubmitted.

SDAB hearings are public in nature. It is understood that an individual writing, submitting items to the Board, or attending the hearing has a reasonable expectation that their personal information (i.e. name)

or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website. Pursuant to Sturgeon County Subdivision and Development Appeal Board Bylaw 1410/18, hearings are recorded. In addition to audio recording, persons attending via videoconference who activate their video cameras will have their images recorded.

For further information, please call (780) 939-1377 or (780) 939-8277 or email legislativeservices@sturgeoncounty.ca.

Dianne Mason
Secretary, Subdivision and Development Appeal Board

Encl.: Subdivision Map

June 25, 2024

SDAB File Number: 024-STU-010

To Whom It May Concern:

**NOTICE OF
APPEAL BOARD HEARING**

Take notice that a hearing has been scheduled concerning the following proposed subdivision:

Legal Description of Subject Property:	Lot A;; Plan 7620004 NE 25-54-25-W4
Subdivision Application Number:	2024-S-007
Decision Regarding Proposed Subdivision:	The subdivision application was conditionally approved.

Appellant: Graham Okerman

Reasons for Appeal:

- Appealing condition #5 of the conditional subdivision approval requiring upgrades to the existing approach.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **July 9, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the videoconference this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 489 350 612#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, affected bodies/organizations have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **Written submissions are due to be submitted no later than July 4, 2024.**

Please note that any submissions previously provided to the Subdivision Authority are not provided as evidence to the Subdivision and Development Appeal Board and therefore must be resubmitted.

SDAB hearings are public in nature. It is understood that an individual writing, submitting items to the Board, or attending the hearing has a reasonable expectation that their personal information (i.e. name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website. Pursuant to Sturgeon County Subdivision and Development Appeal Board Bylaw 1410/18, hearings are recorded. In addition to audio recording, persons attending via videoconference who activate their video cameras will have their images recorded.

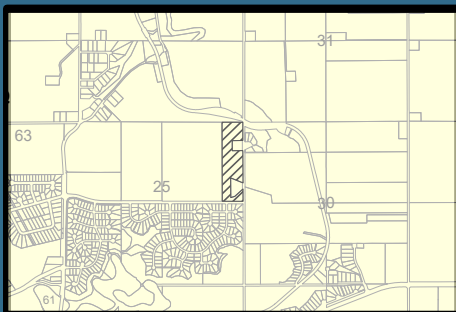
For further information, please call (780) 939-1377 or (780) 939-8277 or email legislativeservices@sturgeoncounty.ca.

Dianne Mason
Secretary, Subdivision and Development Appeal Board

Encl.: Subdivision Map

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2024-S-007



Legal Description: 4;25;54;25;NE

Roll Number: 2811000



Total Acres/Hectares: 33.30ac / 13.45ha

Land Use: AG - Agriculture

Municipal Address: 54428 RGE RD 250

Date: 5/8/2024

Legend

-  Dwelling
-  Septic Field
-  Road Widening By Caveat
-  Road Widening By Survey

Subdivision and Development Appeal Hearing Process

The hearing is a formal meeting and the length of time can vary. Hearings are generally scheduled Tuesday afternoons at the Sturgeon County Centre in the Town of Morinville or via videoconference.

Persons who file an appeal are expected to make a verbal presentation to the Board. Persons who have been notified of the appeal also have the right to present a verbal, written and/or visual presentation to the Board. ***This information should be submitted to the Secretary at least five (5) days in advance of the hearing, so it can be included within the hearing package.*** If desired, parties may have someone, or an agent, speak on their behalf. If a number of appeals are filed on the same subdivision or development, it is recommended that a spokesperson be selected to organize presentations so that evidence is not repetitive.

The Board is not an evidence seeking body. It relies on the written evidence presented, as well as verbal submissions at the hearing, as the basis for their decision. Therefore, it is critical that persons appearing before the Board ensure that sufficient evidence is presented to support their respective positions.

When presenting an appeal, keep in mind the Board does not consider precedent when making its decision. Each application is judged on its own merits.

At the hearing . . .

Anyone in attendance with an interest in the appeal enters the hearing room, joins the videoconference, or dials in just before the scheduled start time of the hearing on the scheduled date of the hearing.

1. The meeting is called to order by the Chair.
2. The Chair welcomes everyone and gives a brief outline as to how the hearing will proceed.
3. The Chair will have all board members, staff and people involved in the appeal introduce themselves and those present are asked if there are any objections to the Board members hearing the appeal.

4. A representative of Sturgeon County Planning and Development will outline the background of the appeal and why the decision was made.
5. The Chairman will then ask:
 - The Appellant to introduce themselves for the record.
 - The Appellant then presents his/her position or concerns with respect to the matter being considered by the Board. Development Appeal Board members question the Appellant.
 - Clearly state your reasons for the appeal.
Information such as photographs, illustrative materials and well-prepared drawings that you wish to present should be submitted to the Secretary at least five (5) days in advance of the hearing, so that the information can be included within the hearing package that is circulated.
 - Stick to the planning facts and support them with quantifiable (measurable) data.
 - State the detailed issues about the site in the context of the surrounding properties and the impact on the community.
 - The Board will then hear from anyone else in favor of the appeal (persons who filed an appeal or support the position of the Appellant). Following each presentation Board members may ask questions.
 - The Board will then hear from anyone opposed to the appeal (persons who oppose the position of the Appellant).
6. After all presentations have been heard, the Chairman will give the Appellants the right to respond to new information. This is an opportunity to refute information and evidence presented since the last time you spoke that you could not have reasonably anticipated. It is not an opportunity to reargue your case or create new argument.
7. The Chairman advises that the Board will deliberate in a Closed Session and a written decision will be mailed within 15 days from the date of the decision as per legislation.

PART II – APPLICATION FORM



Application for Subdivision (For proposals involving 1 to 4 parcels and/or property line adjustments)

Office Use Only

Initial Date Submitted: **April 02, 2024** Receipt No: **202401820**
Date Accepted as "Complete": **April 04, 2024** Application Fee: \$ **\$3000** File Number: **2024-S-007**

Complete in full (where applicable):

Name of registered **owner(s)** of property to be subdivided:
Lorne Okerman
Kim Okerman
Carol Okerman

Mailing address (including postal code):
Severed in line with section 17 of the FOIP Act

Telephone:
Email:

(If applicable): Name of authorized **applicant(s)** acting on behalf of above owner(s):
Graham Okerman

Mailing address (including postal code):
54428 Range Road 250
Sturgeon County
T8T0C8
Severed in line with section 17 of the FOIP Act

Telephone:
Email:

PROPERTY INFORMATION:

All/part of the: **NE** ¼ Sec: **Please see** Twp: Range: West of the: th Meridian
OR Lot: Block: **A** Plan: **7620004** Land Title #
Municipal Address of Property: **N/A**
Total existing property size (states on land title certificate): hectares **33.33** acres

What is the purpose of subdivision (check all that apply):
 Property Line Adjustment New Agricultural or Residential Property New Industrial or Commercial Property Other

Detailed Description : I would like to expand my property line slightly as we are going to eventually have nothing but houses around our property and i would like to build a larger tree belt for privacy and wind protection. As well when initially laying out my property i had slated a spot on the north side of my property where i was going to build a shop, unfortunately that was the only spot that had viable soil for my septic field. So i would like to have my shop on the north side but requires me to move my property line to accommodate this.

Freedom of Information and Protection of Privacy (FOIP) Act

The personal information provided will be used to process the application for subdivision and is collected under the authority of Section 653 of the *Municipal Government Act*, Section 5 of the *Subdivision Development Regulation* and Section 33 (c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. If you have any questions about the collection and use of this information, please contact the Sturgeon County Access and Privacy Officer at 9613 – 100 Street, Morinville, Alberta, T8R 1L9; or phone 780-939-8366.

Applicant's Authorization (Complete only if another party is making application on landowner's behalf)

I/We, **Lorne/Kim/Carol Okerman** being the registered owner(s) of lands legally described as:

All/part of the: **NE ¼ Sec: 25 Twp: 54 Range: 25 West of the: 4th Meridian**
OR Lot: Block: **A** Plan: **7620004**

Municipal Address of Property: **N/A**

do hereby authorize **Graham Okerman** to make an application for subdivision and subsequent endorsement affecting my/our above noted property.

Dated this **22** day of **March**, **20 24**

Signature(s) of ALL Registered Landowners Severed in line with section 17 of the FOIP Act

Abandoned Oil and Gas Wells (Mandatory)

Attach a **map** from the Alberta Energy Regulator's Abandoned Well Map which clearly demonstrates whether or not the property has any abandoned oil or gas well(s) on it.
(Note: A map can be obtained online at <https://geodiscover.alberta.ca/geoportal/#searchPanel> or phone the AER's Customer Contact Centre at 1-855-297-8311).

In addition to attaching this map, check one box below:

I do **not** have any abandoned oil or gas well site(s) on the property.

OR

I **do** have an abandoned oil or gas well site(s) located on the property and, when developing in the future, must meet the setback and other potential requirements of the AER's Directive 079.

(See: <https://www.aer.ca/regulating-development/rules-and-directives/directives>)

Freedom of Information and Protection of Privacy (FOIP) Act

The personal information provided will be used to process the application for subdivision and is collected under the authority of Section 653 of the *Municipal Government Act*, Section 5 of the *Subdivision Development Regulation* and Section 33 (c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. If you have any questions about the collection and use of this information, please contact the Sturgeon County Access and Privacy Officer at 9613 – 100 Street, Morinville, Alberta, T8R 1L9; or phone 780-939-4321.

Drinking Water Supply (Mandatory)

Indicate the existing type of water supply on your property (Note: Additionally, please illustrate the specific location in your attached aerial photo):

<input type="checkbox"/>	No Existing Drinking Water Supply
<input type="checkbox"/>	Ground Water Well
<input type="checkbox"/>	Water Cistern (Hauling)
<input type="checkbox"/>	Municipal Water-Line
<input type="checkbox"/>	Other (specify): _____

Note: The Alberta Water Wells Database can be found at <http://groundwater.alberta.ca/WaterWells/d/>

Sewage Disposal (General Information)

As a condition of subdivision approval, existing sewage systems must comply with the below setbacks, and may have to be inspected to verify. Should the system *not* comply, you will be required to either upgrade, relocate or replace your system (at your expense). It is recommended that you research installation costs with accredited private sewage contractors.

	Property Lines	Drinking Water Source (Well or Cistern)	Building (Any subject to Alberta Building Code)	Septic Tank	Water Course (Lake or Stream)
Holding Tanks:	1m (3.25 ft)	10m (33 ft)	1m (3.25 ft)		10m (33 ft)
Treatment Mound:	3m (10 ft)	15m (50 ft)	10m (33 ft)	3m (10 ft)	15m (50 ft)
Field System:	1.5m (5 ft)	15m (50 ft)	Varies	5m (17 ft)	15m (50 ft)
Open Discharge:	90m (300 ft)	50m (165 ft)	45m (150 ft)		45m (150 ft)
Lagoons:	30m (100 ft)	100m (330 ft)	Varies		90m (300ft)
Packaged Sewage Treatment Plants:	6m (20 ft)	10m (33 ft)	1m (3.25 ft)		10m (33 ft)

Excerpt from: *Alberta Private Sewage Systems Standards of Practice 2015*

If you have questions regarding sewage disposal, consult either:

Alberta Municipal Affairs

Toll Free: 1-866-421-6929

OR

Superior Safety Codes Inc. (Sturgeon County's Agent)

Telephone: 780-489-4777

Toll Free: 1-866-999-4777

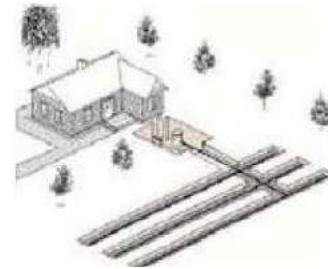
Sewage Disposal (Mandatory)

Indicate the existing type of sewage disposal on your property (Note: Additionally, please illustrate the specific location in your attached aerial photo):



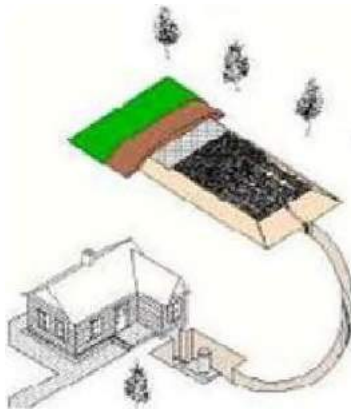
Open Discharge (Pump Out) System

A system designed to discharge effluent to the ground surface to accomplish evaporation and absorption of the effluent into the soil.



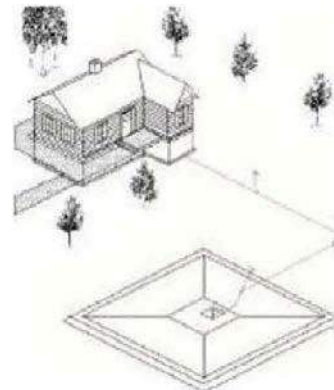
Disposal Field

A system of treatment and disposal that distributes effluent within trenches containing void spaces that are covered with soil.



Treatment Mound

A system where the effluent treatment area includes a bed of sand and is built above ground to overcome limits imposed by proximity to water table or bed rock, or by highly permeable or impermeable soils.

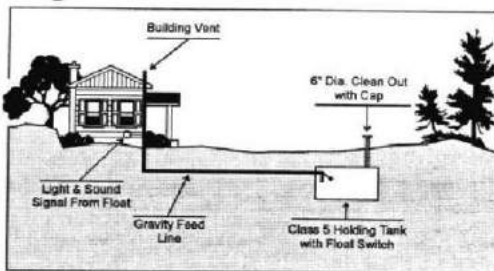


Sewage Lagoon

A shallow artificial pond for the stabilization of sewage or effluent.

No existing sewage disposal.

Municipal Sanitary Line



Holding Tank

A system where sewage or effluent is retained in a tank until it can be transferred into mobile equipment for disposal elsewhere.



Other: _____

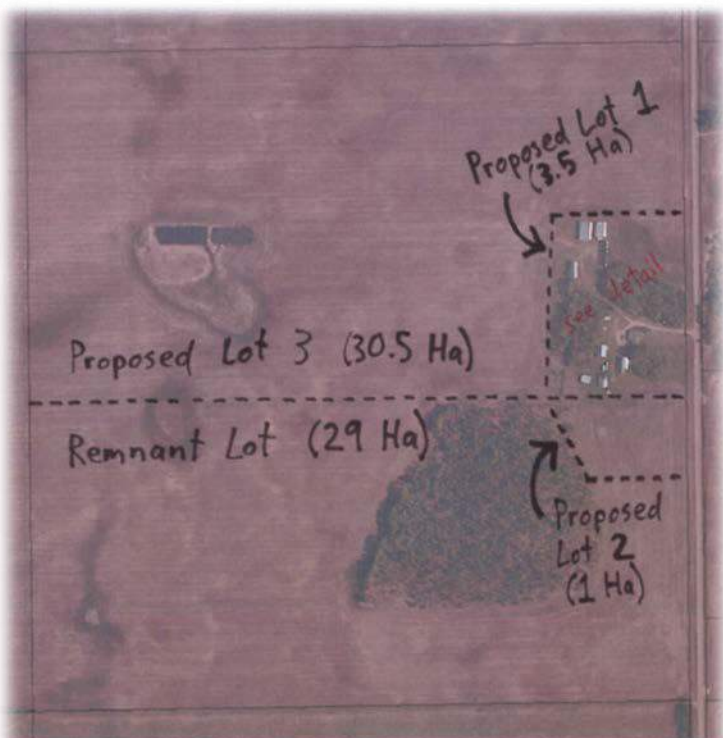
Provide a description and drawing if none of the listed descriptions apply to you.

Aerial Photographs (Mandatory)

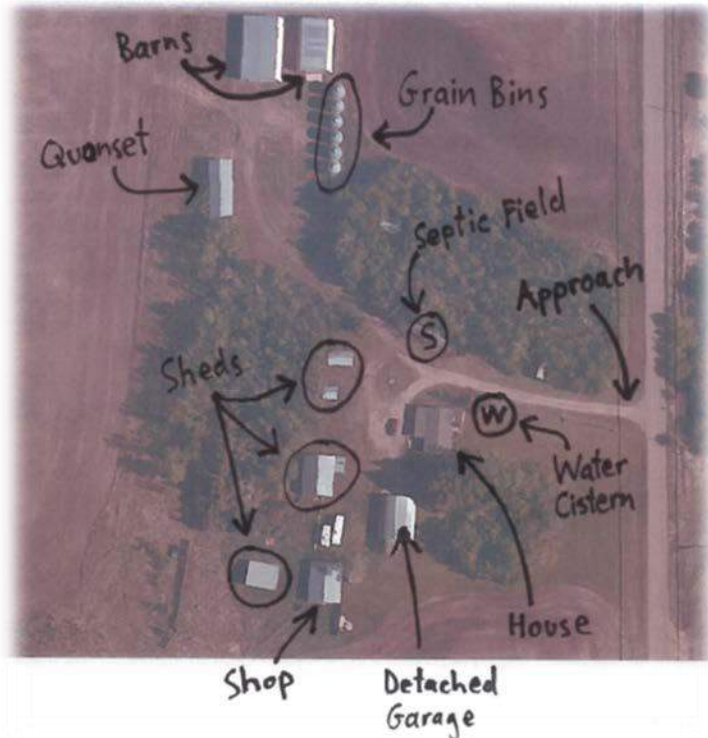
Attach two up-to-date aerial photographs, which you can obtain from the *Sturgeon Gateway Property Viewer* (<https://sturgeoncounty.maps.ca>) or *GoogleMaps* (www.google.ca/maps). If you do not have internet access, please contact the County's Planning & Subdivision Technician by phoning 780-939-8275 for assistance.

1. On the first aerial photograph, you must indicate the location of the proposed subdivision/proposed lots (*see below-left*)
2. On the second aerial photograph, you must label the existing features as listed below: (*see below-right*)
 - Existing buildings and structures (e.g. houses, garages, shops, barns, granaries, oil and gas facilities); (Note: If any are to be removed, please specify).
 - Existing water wells or water cisterns;
 - Existing septic systems;
 - Existing utility or other right-of-way and easements (and their ownership).
 - Existing approaches.
 - Any significant topographical (or other) features that you believe may impact the proposed subdivision.

(Below-left: Sample aerial photo illustrating proposed subdivision.



(Below-right: Sample aerial photo illustrating existing features/development.



Right of Entry Authorization (Mandatory)

Read the following statement, and check the box if you agree:

- I/we grant consent for an authorized person of Sturgeon County to enter upon the property to conduct a site inspection regarding this subdivision application.

Indicate any safety issues or special concerns on your property (e.g. guard dog, electric fence):

We are fully fenced, gated, and have two large dogs.

Affidavit (Mandatory)

I/We, Graham Okerman

hereby certify that

I am the registered owner,

OR

I am the agent authorized to act on behalf of the registered owner,

and that the information given on this subdivision application package is **full and complete** and is, to the best of my knowledge, **a true statement of the facts** relating to this application for subdivision approval.

I/We grant consent for an authorized person of Sturgeon County to communicate information electronically as per Section 608 (1) of the Municipal Government Act, R.S.A. 2000., c.M-26

Signature(s) of registered landowner(s) or applicant(s):

Severed in line with section 17 of the FOIP Act

Application Checklist

In *addition* to fully-completing and submitting this application form, ensure the following mandatory items are submitted:

- Subdivision Application Fee** – see page 2 for details.
- Attached Abandoned Oil and Gas Well Map** – see page 6 for details.
- Attached Aerial Photographs** – see page 9 for details.
- Land Title Certificate** – available at any Alberta Registries office. Must be up-to-date within one month.
- Corporate Registry (if landowner is a company)** – available from Service Alberta. See page 2 for details.
- Additional Registered Documents** – provide a print-out of any additional caveat(s), right-of-way plan(s), report(s) or other documents referenced on your land title certificate.

Freedom of Information and Protection of Privacy (FOIP) Act

The personal information provided will be used to process the application for subdivision and is collected under the authority of Section 653 of the *Municipal Government Act*, Section 5 of the *Subdivision Development Regulation* and Section 33 (c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. If you have any questions about the collection and use of this information, please contact the Sturgeon County Access & Privacy Officer at 9613 – 100 Street, Morinville, Alberta, T8R 1L9; or phone 780-939-4321.





Abandoned Well Map

Base Data provided by: Government of Alberta

Author: Jonathan Heemskerk

Printing Date: 2/13/2024

Date Date (if applicable)

Legend

- ◆ Abandoned Well (Large Scale)
- Revised Well Location (Large Scale)
- Revised Location Pointer
- Paved Road (20K)**
 - Primary Divided
 - Primary Undivided 4L
 - Primary Undivided 2L
 - Primary Undivided 1L
 - Interchange Ramp
 - Secondary Divided
 - Secondary Undivided 4L

The Alberta Energy Regulator (AER) has not verified and makes no representation or warranty as to the accuracy, completeness, or reliability of any information or data in this document or that it will be suitable for any particular purpose or use. The AER is not responsible for any inaccuracies, errors or omissions in the information or data and is not liable for any direct or indirect losses arising out of any use of this information. For additional information about the limitations and restrictions applicable to this document, please refer to the AER Copyright & Disclaimer webpage: <http://www.aer.ca/copyright-disclaimer>.

Scale: 9,027.98

0.14 Kilometers 0

Projection and Datum:

WGS84 Web Mercator Auxiliary Sphere





LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0037 551 463 1721301;1;1 222 081 138

LEGAL DESCRIPTION
PLAN 1721301
BLOCK 1
LOT 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1 HECTARES (2.47 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;25;54;25;NE

MUNICIPALITY: STURGEON COUNTY

REFERENCE NUMBER: 172 094 259

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
222 081 138	07/04/2022	TRANSFER OF LAND	\$956,907	NOMINAL

OWNERS

GRAHAM OKERMAN

AND

KATHLEEN PARE

BOTH OF:

54428 RANGE ROAD 250

STURGEON COUNTY

ALBERTA T8T 0C8

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
762 221 222	15/12/1976	UTILITY RIGHT OF WAY GRANTEE - OAKLAND PETROLEUMS LIMITED.

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

222 081 138

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
872 132 848	12/06/1987	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - PEMBINA PIPELINE CORPORATION. 3800, 525-8 AVENUE SW CALGARY ALBERTA T2P1G1 (DATA UPDATED BY: TRANSFER OF CAVEAT 012207683) (DATA UPDATED BY: CHANGE OF ADDRESS 122219042)
052 106 538	22/03/2005	ZONING REGULATIONS BY - HER MAJESTY THE QUEEN IN RIGHT OF CANADA C/O THE MINISTER OF NATIONAL DEFENCE 101 COLONEL BY DRIVE OTTAWA ONTARIO K1A0K2
092 016 920	16/01/2009	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - CEDAR CREEK ENERGY LTD. 1500, 250-2ND ST SW CALGARY ALBERTA T2P0C1 AGENT - SHANE SUTHERLAND (DATA UPDATED BY: TRANSFER OF CAVEAT 162295046)
092 097 956	01/04/2009	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - ALTAGAS UTILITIES INC. 5504-45 STREET LEDUC ALBERTA T9E6T6
222 081 139	07/04/2022	MORTGAGE MORTGAGEE - ATB FINANCIAL. 9964 99 AVE FORT SASKATCHEWAN ALBERTA T8L4G8 ORIGINAL PRINCIPAL AMOUNT: \$872,318
232 315 747	18/10/2023	AMENDING AGREEMENT AMOUNT: \$1,180,000 AFFECTS INSTRUMENT: 222081139

TOTAL INSTRUMENTS: 007

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 26 DAY OF MARCH,
2024 AT 03:22 P.M.

ORDER NUMBER: 50082289

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0038 290 193 7620004;;A 242 075 846 +2

LEGAL DESCRIPTION

PLAN 7620004
LOT A
CONTAINING 16.2 HECTARES (40 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

		HECTARES	(ACRES)	MORE OR LESS
A) PLAN 1721301	SUBDIVISION	1.05	2.59	
B) PLAN 1921063	SUBDIVISION	1.65	4.08	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;25;54;25;NE
ESTATE: FEE SIMPLE

MUNICIPALITY: STURGEON COUNTY

REFERENCE NUMBER: 212 139 369

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
242 075 846	23/03/2024	AFFIDAVIT OF SURVIVING JOINT TENANT		

OWNERS

LORNE OKERMAN

AND

KIM OKERMAN

BOTH OF:

25022A RICHFIELD DR

STURGEON COUNTY

ALBERTA T8T 1H8

AS JOINT TENANTS AS TO AN UNDIVIDED 1/2 INTEREST

CAROL OKERMAN

OF 25025A RICHFIELD DR

STURGEON

ALBERTA T8T 1H8

AS TO AN UNDIVIDED 1/2 INTEREST

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
4618NW	01/10/1964	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD. 10035-105 ST EDMONTON ALBERTA T5J2V6 "PART, PLAN NO. 1965NY, 31710L" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 962185393) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 012017350)
762 221 222	15/12/1976	UTILITY RIGHT OF WAY GRANTEE - OAKLAND PETROLEUMS LIMITED.
842 203 116	13/09/1984	SURFACE RIGHTS BOARD ORDER "ORDER NO. E2374/84, SUBJECT TO"
872 132 848	12/06/1987	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - PEMBINA PIPELINE CORPORATION. 3800, 525-8 AVENUE SW CALGARY ALBERTA T2P1G1 (DATA UPDATED BY: TRANSFER OF CAVEAT 012207683) (DATA UPDATED BY: CHANGE OF ADDRESS 122219042)
882 211 990	09/09/1988	ORDER AFFECTS INSTRUMENT: 842203116
922 086 913	02/04/1992	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - PEMBINA PIPELINE CORPORATION. 3800, 525-8 AVENUE SW CALGARY ALBERTA T2P1G1 RE: PLAN 8722547 (DATA UPDATED BY: TRANSFER OF CAVEAT 012209315) (DATA UPDATED BY: CHANGE OF ADDRESS 122213028)
002 335 429	10/11/2000	SURFACE RIGHTS BOARD AMENDING ORDER AFFECTS INSTRUMENT: 842203116 ORDER #3332/2000 AMENDING ORDER #E2374/84

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

REGISTRATION

242 075 846 +2

NUMBER DATE (D/M/Y) PARTICULARS

PARTY NAME CHANGED TO POST ENERGY CORPORATION

052 106 538 22/03/2005 ZONING REGULATIONS
BY - HER MAJESTY THE QUEEN IN RIGHT OF CANADA
C/O THE MINISTER OF NATIONAL DEFENCE
101 COLONEL BY DRIVE
OTTAWA
ONTARIO K1A0K2

092 016 920 16/01/2009 CAVEAT
RE : UTILITY RIGHT OF WAY
CAVEATOR - CEDAR CREEK ENERGY LTD.
1500, 250-2ND ST SW
CALGARY
ALBERTA T2P0C1
AGENT - SHANE SUTHERLAND
(DATA UPDATED BY: TRANSFER OF CAVEAT
162295046)

092 097 956 01/04/2009 CAVEAT
RE : UTILITY RIGHT OF WAY
CAVEATOR - ALTAGAS UTILITIES INC.
5504-45 STREET
LEDUC
ALBERTA T9E6T6

172 094 261 19/04/2017 CAVEAT
RE : ACQUISITION OF LAND
CAVEATOR - STURGEON COUNTY.
9613-100 STREET, MORINVILLE
ALBERTA T8R1L9

192 077 982 03/04/2019 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - STURGEON COUNTY.
9613-100 STREET, MORINVILLE
ALBERTA T8R1L9

TOTAL INSTRUMENTS: 012

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 26 DAY OF MARCH,
2024 AT 03:22 P.M.

ORDER NUMBER: 50082289

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

May 9, 2024

Graham Okerman
54428 Rge Rd 250
Sturgeon County AB T8T 0C8

Re: Proposed Subdivision
Our File No: 2024-S-007
Applicant: Graham Okerman
Landowner: Lorne, Kim and Carol Okerman
Legal Description: Lot A;; Plan 7620004 – NE 25-54-25-W4

Your application for subdivision was APPROVED CONDITIONALLY by the Subdivision Authority on **May 9, 2024**, subject to the following conditions:

THE CONDITIONS OF APPROVAL ARE:

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated May 8, 2024, and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Proposed Lot and the adjacent road shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and the adjacent roads shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.

ADVISORY NOTES

- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.
- Pursuant to the Water Act and the Alberta Wetland Policy, any future development or site grading which might alter or disturb a wetland may require additional approvals from Alberta Environment and Parks.
- The subject properties shall not be used in any manner or way that impedes or will impede the use of adjacent lands for agricultural purposes or agricultural operations, as defined in the Agricultural Operation Practices Act, RSA 2000 c.A-7.
- A search of the Alberta Energy Regulator's *Abandoned Well Map Viewer* identified an abandoned well on the Remnant Lot. Further due diligence is recommended prior to any future development desired in close proximity.

Reasons for decision are as follows:

- The Subdivision Authority is of the opinion, after considering the factors set out in S. 7 of the Subdivision and Development Regulations, that the lands are suitable for the purpose for which the subdivision is intended because the nature of the lands and proposed configuration of the lot(s) remove any concern regarding these factors except for those specifically addressed by the conditions.
- The Subdivision Authority has not received any comments from adjacent landowners regarding this subdivision.

Developer/Landowner should contact local gas company to ensure that their utility does or does not need to be relocated at the developer/landowner's expense.

This approval will expire on **May 9, 2025**. Pursuant to Section 657 of the Municipal Government Act, an extension beyond this one-year time period may be authorized by the Municipal Council, provided just cause is shown.

When all the conditions of approval have been complied with, one endorsement of Subdivision Authorization Approval Form and two copies of the **Plan**, which is satisfactory to the Registrar of Alberta Land Titles, may be submitted for endorsement by this Municipality.

PLEASE NOTE:

An endorsement fee of \$250 per application (excluding reserve lots and public utility lots) will be required to be paid upon submission of the Plan, as well as a parcel fee of \$600.00 per new lot created (or adjusted).

Subdivision and endorsement fees are subject to change. If the subdivision and endorsement fee schedule is amended before you submit the **Plan**, which is satisfactory to the Registrar of Alberta Land Titles, the new fees will apply.

The applicant is urged to contact the appropriate oil/utility company if construction of buildings is required.

Land surveyors are strongly urged to contact planning staff in the event of uncertainties with the approval diagram or with the conditions rendered by the subdivision authority.

SEE ENCLOSURE RE: CONDITIONAL APPROVAL VALIDITY PERIOD AND APPEAL PROCEDURE.

Yours truly,



Martyn Bell
Program Lead, Current Planning

/sg

Encl:

C: AltaLink Management Ltd.
Alberta Health Services
Apex Utilities
ATB Financial Services
Canada Post
Fortis Alberta

MAGA Energy Ltd
Oakland Petroleums Ltd
Pembina Pipeline Corp
Sturgeon School Division
Telus Access Planning
Lorne, Kim & Carol Okerman

PLEASE NOTE THAT THIS OFFICE WILL NOT ENDORSE ANY DOCUMENTS OR PLANS UNTIL THE APPEAL PERIOD, AS SET OUT IN THE MUNICIPAL GOVERNMENT ACT, HAS EXPIRED.

If you wish to appeal this decision, contact the Secretary of the Subdivision and Development Appeal Board via email at legislativeservices@sturgeoncounty.ca or via letter at 9613 – 100th Street, Morinville, Alberta, T8R 1L9. Telephone enquires can also be made at 780-939-4321.

Pursuant to Section 678(2) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 14 days after receipt of the written decision.

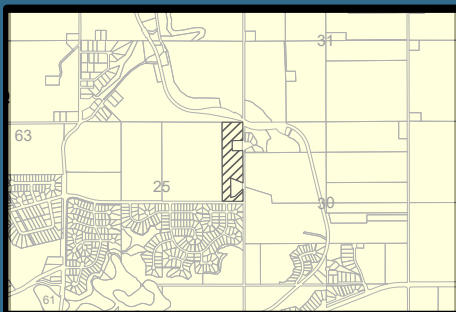
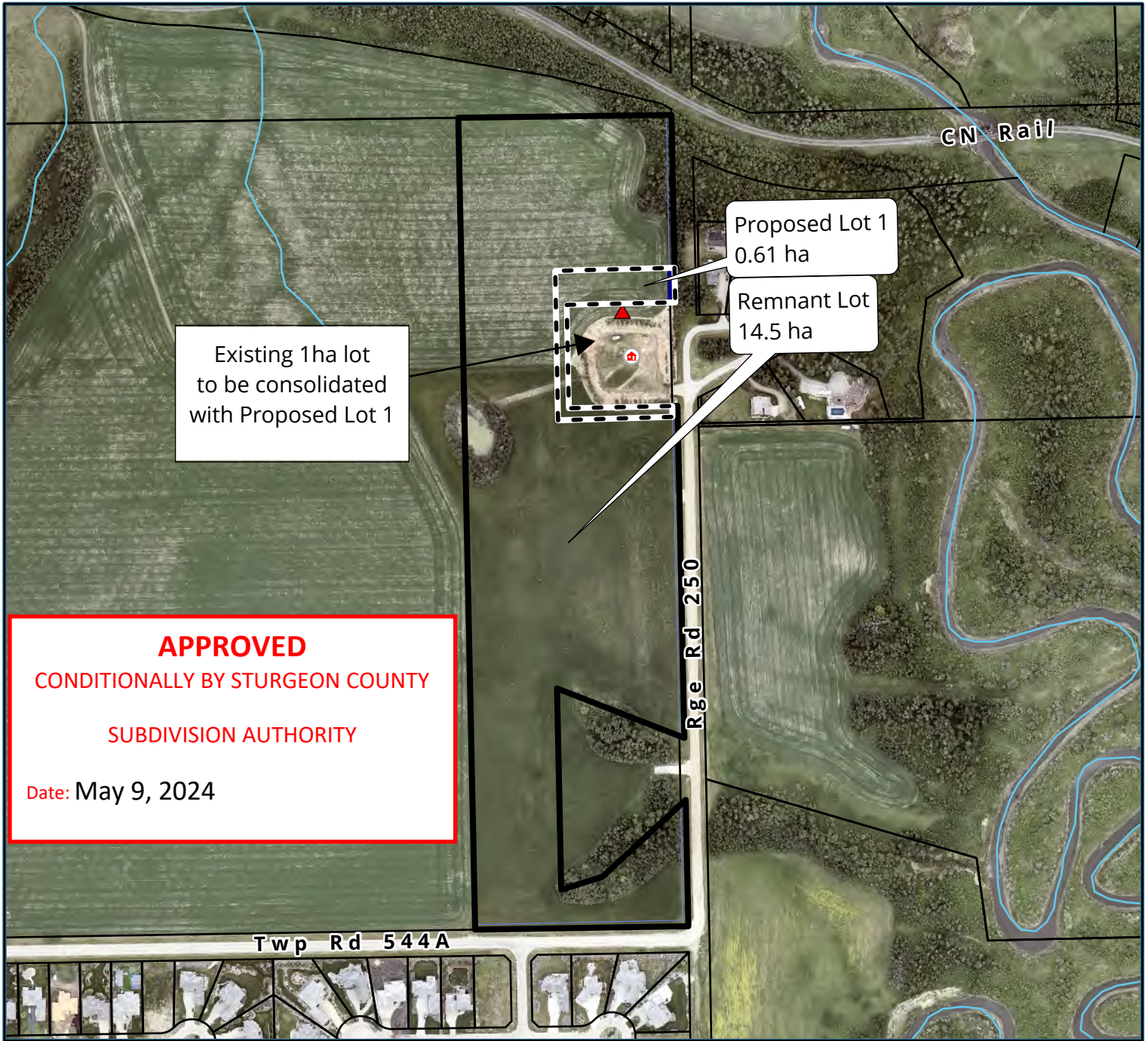
The final date the appeal can be filed is: **MAY 30, 2024**

For the purpose of Section 678(2), the date of receipt of the decision is deemed to be 7 days from the date the decision is mailed (date of the letter).

Please note that there is a \$100.00 fee for any appeal.

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2024-S-007



Legal Description: 4;25;54;25;NE

Roll Number: 2811000

Total Acres/Hectares: 33.30ac / 13.45ha

Land Use: AG - Agriculture

Municipal Address: 54428 RGE RD 250

Date: 5/8/2024

Legend

- Dwelling
- Septic Field
- Road Widening By Caveat
- Road Widening By Survey

PLANNING AND DEVELOPMENT SERVICES REPORT



FILE INFORMATION:		2024-S-007
Council Division:	2	
Tax Roll Number:	2811000	
Legal Land Description of Property:	Lot A, Plan 7620004 (NE-25-54-25-W4)	
Landowners:	Lorne, Kim, Carol Okerman	
Applicant:	Graham Okerman	
Staff Recommendation	Conditional Approval	
Appeal Board (if appealed):	Subdivision & Development Appeal Board	
Administrative Fees (if approved):	\$250 (subdivision endorsement); plus \$600 per new parcel created/adjusted.	

PART I – APPLICATION DETAILS:

- As illustrated in Exhibit 1, the applicant proposes a lot line adjustment to increase the size of an existing acreage from 1 hectare (2.47 acres) to 1.61 hectares (3.98 acres).

PART II – SUBDIVISION HISTORY:

- Subdivision History:
 - 74-SC-69: Consolidated two 80 acre parcels and created a 40 acre parcel from the 160 acre parcel. Approved by the Edmonton Regional Planning Commission.
 - 2016-S-011: To create a 2.47 acre parcel from the 40 acre parcel. Approved by the Municipal Planning Commission.
 - 2017-S-041: To create a 2.97 acre parcel from 37.53 acre parcel. Approved by the acting CAO.

PART III – REFERRAL SUMMARY:

- Sturgeon County Development Officer:
 - *Proposed Lot 1:*
 - o Sturgeon County records review revealed the following permits on file.
 - 305305-21-D0204 Single detached dwelling (305305-21-B0376)
 - o The current parcel coverage is calculated as 3.4% whereas the maximum allowable is 15%. Which means there is an additional 11.6% or 1,499.3m²(16,139ft²) available without having to increase the lot size. The maximum floor area of an accessory building is 230m²(2,475.7ft²) for an Agricultural Residential parcel.
 - *Remnant Lot:*
 - o No development, vacant farmland.

2. Sturgeon County Engineering Services:
 - *Proposed Lot*:
 - 5 metres required via plan of survey adjacent to Rge Rd 250.
 - Existing approach requires upgrades to meet General Municipal Servicing Standards. Approaches must have the same structure as the connecting roadway and therefore the approach must be paved. No other upgrades required.
 - Proposed Lot is on a plateau with the ground sloping away on three sides of the lot. Future development may require a slope stability analysis/geotechnical report depending on location.
 - *Remnant Lot*:
 - 5 metres required via land acquisition agreement adjacent to Reg Rd 250 and Twp Rd 544A. There is likely already an agreement on title, please make sure it is up to date.
 - Existing approach requires upgrades to meet General Municipal Servicing Standards. The culvert is 80% plugged and full of dirt and debris. Please clean the culvert and grade the ditch for 1m from each end to ensure a smooth transition. Install rip rap around both culvert ends.
 - Remnant lot is hilly and future development may require a slope stability analysis depending on the location.

3. Sturgeon County Utility Services:
 - *Proposed Lot*:
 - Has existing connection to water service, the expansion of the property lines will not affect it.
 - No connection available to sanitary sewer.
 - The application meets utility services approval.

4. Sturgeon County Agricultural Services
 - Although the expansion of the existing subdivision consists of productive agricultural land, it is in a highly developed area. Therefore, no concerns.

5. No Objections:
 - Alberta Health Services, Department of National Defense, Apex Utilities, Pembina Pipelines, Telus, Fortis Alberta.

6. No Responses:
 - Adjacent landowners, Alberta Energy Regulator, Altalink, Canada Post, Sturgeon County Protective Services, ATCO Pipelines, St. Albert School District, Oakland Petroleum's Ltd, Cedar Creek Energy Ltd, ATB Financial.

PART IV – ANALYSIS:

1. Due to the irregular dimensions of this quarter-section, Part 11.1.3(c)(i) of the Land Use Bylaw (see **Appendix 3**) was examined – which confirms that this 16.2 hectare (40 acre) parcel should be “rounded up” to be treated equivalent to a “regular” 32 hectare (80 acre) parcel for subdivision purposes.

Through previous applications, a restrictive covenant was registered on the west half of this quarter section indicating no further agricultural subdivision is permitted. This allowed both acreages to be subdivided from the east half of this quarter section in line with Part 11.1.3(b) of the Land Use Bylaw. This subject parcel was the first subdivided as part of application 2016-S-011, which created the standard sized 2.47 acre parcel.

The applicant provided the following rationale for the proposed lot line adjustment:

"I would like to expand my property line slightly as we are going to eventually have nothing but houses around our property and i would like to build a larger tree belt for privacy and wind protection. As well when initially laying out my property i had slated a spot on the north side of my property where i was going to build a shop, unfortunately that was the only spot that had viable soil for my septic field. So i would like to have my shop on the north side but requires me to move my property line to accommodate this."

2. The subject lands are located within the Sturgeon Valley Core Area Structure Plan (ASP), and more specifically is designated as *Valley Core Reserve*, which is meant for residential development up to 20 dwelling units per net residential hectare. Some relevant policies from the ASP that relate to the subject lot line adjustment are noted below.

5.4.5 - The County shall require that lands designated as Valley Core Reserve are developed in a manner complementary to regional policies and cognizant of existing communities.

5.4.7 - Where possible, the development of roads, parks and/or green corridors should be used as buffers to offset the built form of varying densities.

5.4.8 - Landscaping, the use of berms and existing natural features may be leveraged as an important tool to assist with density transition through buffering.

This minor lot line adjustment to facilitate a building and mature shelterbelt will help to achieve a distinct buffer between surrounding multi-lot residential development and the existing acreage. Furthermore, as noted by Sturgeon County Agricultural Services, while a small amount of cultivated farmland will be incorporated into the acreage, this is a highly developed area which will require a variety of tools to ensure development is complimentary to existing agricultural acreages. Overall, this application aligns with the policies of the Sturgeon Valley Core Area Structure Plan.

3. While Sturgeon County policies and regulations do not support the expansion of acreage parcels to accommodate land intensive septic systems (LUB 11.1.3(e) and MDP 2.3.20), this parcel has a field disposal system which is not considered land intensive. As noted by the applicant, the location of this field system was chosen as the only viable location due to soil characteristics, which limits the development potential of outbuildings on the parcel. In line with Part 11.1.3(e)(ii) of the Land Use Bylaw, a slightly larger lot size can be accommodated to ensure outbuildings and a mature shelterbelt can be created for buffering purposes.
4. Given the information provided, this application meets the intent of the Municipal Development Plan's Residential Type 4 policies (see **Appendix 2**), the Land Use Bylaw's AG - Agriculture regulations (see **Appendix 3**), and the Sturgeon Valley Core Area Structure Plan.

5. It appears that the existing *septic field* would continue to comply with the Alberta Private Sewage Systems Standard of Practice.
6. An abandoned well was identified on the Remnant Lot. Although it does not appear to impact this subdivision application, further due diligence is recommended prior to any future development desired in close proximity.
7. Money in lieu of municipal reserve is not required for the lot line adjustment, as determined through a meeting between Sturgeon County Planning and Development, Engineering, and Utility Services. As this parcel falls within the area slated for future residential development up to 20 dwelling units per net residential hectare, it would be in the best interest of administration to collect reserve land at the time of future development to better reflect infrastructure cost.

PART V – RECOMMENDATIONS:

This application for subdivision is **APPROVED** subject to the following conditions:

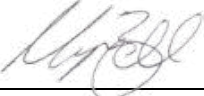
- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated May 8, 2024, and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Proposed Lot and the adjacent road shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and the adjacent roads shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.

ADVISORY NOTES

- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.
- Pursuant to the Water Act and the Alberta Wetland Policy, any future development or site grading which might alter or disturb a wetland may require additional approvals from Alberta Environment and Parks.
- The subject properties shall not be used in any manner or way that impedes or will impede the use of adjacent lands for agricultural purposes or agricultural operations, as defined in the Agricultural Operation Practices Act, RSA 2000 c.A-7.
- A search of the Alberta Energy Regulator’s *Abandoned Well Map Viewer* identified an abandoned well on the Remnant Lot. Further due diligence is recommended prior to any future development desired in close proximity.

Prepared by: 

Jonathan Heemskerk, Planner, Current Planning

Reviewed by: 

Martyn Bell, Program Lead, Current Planning

NOTE: Appendices Attached...

Appendix 1: Excerpts from Municipal Government Act

- (8) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection (6), the application is deemed to be refused.
- (9) If an application is deemed to be refused under subsection (8), the subdivision authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application has been refused and the reason for the refusal.
- (10) Despite that the subdivision authority has issued an acknowledgment under subsection (5) or (7), in the course of reviewing the application, the subdivision authority may request additional information or documentation from the applicant that the subdivision authority considers necessary to review the application.
- (11) A decision of a subdivision authority must state
- (a) whether an appeal lies to a subdivision and development appeal board or to the Municipal Government Board, and
 - (b) if an application for subdivision approval is refused, the reasons for the refusal.

2016 c24 s108

Approval of application

- 654(1)** A subdivision authority must not approve an application for subdivision approval unless
- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
 - (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
 - (c) the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and
 - (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.
- (1.1) Repealed 2018 c11 s13.

(1.2) If the subdivision authority is of the opinion that there may be a conflict or inconsistency between statutory plans, section 638 applies in respect of the conflict or inconsistency.

(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

- (a) the proposed subdivision would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

(3) A subdivision authority may approve or refuse an application for subdivision approval.

RSA 2000 cM-26 s654;2016 c24 s109;2018 c11 s13

Conditions of subdivision approval

655(1) A subdivision authority may impose the following conditions or any other conditions permitted to be imposed by the subdivision and development regulations on a subdivision approval issued by it:

- (a) any conditions to ensure that this Part and the statutory plans and land use bylaws and the regulations under this Part, and any applicable ALSA regional plan, affecting the land proposed to be subdivided are complied with;
- (b) a condition that the applicant enter into an agreement with the municipality to do any or all of the following:
 - (i) to construct or pay for the construction of a road required to give access to the subdivision;
 - (ii) to construct or pay for the construction of
 - (A) a pedestrian walkway system to serve the subdivision, or
 - (B) pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a

pedestrian walkway system that serves or is proposed to serve an adjacent subdivision,

or both;

- (iii) to install or pay for the installation of a public utility described in section 616(v)(i) to (ix) that is necessary to serve the subdivision, whether or not the public utility is, or will be, located on the land that is the subject of the subdivision approval;
- (iv) to construct or pay for the construction of
 - (A) off-street or other parking facilities, and
 - (B) loading and unloading facilities;
- (v) to pay an off-site levy or redevelopment levy imposed by bylaw;
- (vi) to give security to ensure that the terms of the agreement under this section are carried out.

(2) A municipality may register a caveat under the *Land Titles Act* in respect of an agreement under subsection (1)(b) against the certificate of title for the parcel of land that is the subject of the subdivision.

(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the agreement has been complied with.

(4) Where a condition on a subdivision approval has, prior to the coming into force of this subsection, required the applicant to install a public utility or pay an amount for a public utility referred to in subsection (1)(b)(iii), that condition is deemed to have been validly imposed, whether or not the public utility was located on the land that was the subject of the subdivision approval.

RSA 2000 cM-26 s655;2009 cA-26.8 s83;2015 c8 s71

Decision

656(1) A decision of a subdivision authority must be given in writing to the applicant and to the Government departments, persons and local authorities to which the subdivision authority is required by the subdivision and development regulations to give a copy of the application.

(2) A decision of a subdivision authority must state

Enacting Responsible Subdivision and Development Practices

Through the establishment of policies and procedures, that give due regard to federal, provincial and municipal requirements and that facilitate prosperous communities.

1.4.1 Shall apply the full entitlements of environmental, municipal and school reserve dedication during the subdivision process, in accordance with the Municipal Government Act (MGA) and based on the needs of Sturgeon County.

1.4.2 Shall apply the requirements outlined within the Province of Alberta's Subdivision and Development Regulation.

1.4.3 Shall apply the requirements outlined within the Province of Alberta's Water Act.

1.4.4 Shall support "right-to-farm legislation" by applying the requirements outlined within the Province of Alberta's Agriculture Operations Practices Act (AOPA). When referred to by the Natural Resources Conservation Board (NRCB), Sturgeon County will apply the objectives of the Integrated Regional Growth Strategy (IRGS) in the referred evaluation (i.e., new or expanding Confined Feeding Operations).

1.4.5 Shall refer to and apply the provincial setback regulations and guidelines respective to sour gas and other oil and gas facilities, including pipelines, when considering subdivision and development applications. Proposed land uses in proximity to sour gas facilities shall complement the activity and minimize risk to the public's health and safety.

1.4.6 Shall identify needed infrastructure improvements, both at the regional and local level, in an effort to determine, prioritize and fund infrastructure required to obtain the strategic goals of the IRGS and the Municipal Development Plan (MDP).

1.4.7 Shall restrict proposed development that may constrain infrastructure networks that are imperative for the growth and development associated with the strategic goals of the IRGS. As part of the application process, Sturgeon County may require an application to demonstrate that no adverse impact will occur due to proposed development.

1.4.8 Shall ensure that the distribution and timing of future development coincides, and is contiguous with, infrastructure improvements.

1.4.9 Shall ensure that both subdivision and development meet or exceed the standards outlined within the Sturgeon County General Municipal Servicing Standards. Standards should be reviewed and updated along with other County regulatory policies to coincide with innovations in the industry.

1.4.10 Should collaborate with industry and municipal partners to develop, update and align risk management initiatives regarding heavy industrial development located within and along County borders.

1.4.11 Shall not permit development on Hazardous Lands that are deemed undevelopable or may result in life loss or injury, property damage, social and economic disruption or environmental degradation.

1.4.12 Shall direct subdivision and development activity away from significant natural resource deposits, where activities have the potential to sterilize future supply and extraction.

1.4.13 Should establish general development design guidelines for Residential and Non-Residential developments.

1.4.14 May require that the applicant of a development apply the principles and guidelines of Crime Prevention through Environmental Design within subdivision and development reviews to guide design and ensure effective use of the built environment.

1.4.15 Shall support the policies and procedures as set out in the Municipal Emergency Operations Plan.

1.4.16 Shall ensure that new development be sited with consideration to the fire hazard severity of the site, the type of development and the risk added by the development to the fire hazard risk.

1.4.17 Shall institute a consistent method of addressing encroachments on municipal property to ensure equitable treatment and that the public amenity is not compromised.

1.4.18 Shall adopt and apply enforcement procedures to clarify and establish (for both the impacted citizen and offender) a course of action when a use or activity is in violation of the County's Bylaws.

Creating Attractive and Complete Communities

Through the allocation of amenities that improve the quality of living of Sturgeon County residents and that reflect the needs of its diverse communities.

- 2.1.1** Should identify and apply useable and accessible municipal reserve land dedication for the development of open spaces, parks and other public amenities.
- 2.1.2** Shall promote quality public spaces by restricting the dedication of municipal reserve for right-of-ways, public utilities and marginal lands as they are not considered useable parks and open spaces.
- 2.1.3** Should ensure that community facilities and support services are suitably located for the identified residential populations that they are intended to serve.
- 2.1.4** Shall ensure that new residential development accounts for increased population and subsequent community impacts through the timely delivery of social services and communities amenities.
- 2.1.5** Should collaborate with provincial health agencies to understand and mitigate Sturgeon County's specific challenges when developing community health and social service programming.
- 2.1.6** Should encourage the use of joint partnership agreements with public and separate school boards for delivering community service.
- 2.1.7** Shall ensure that citizens have suitable access to emergency and protective services and that these services meet the needs of the growing population.
- 2.1.8** Should collaborate with the Royal Canadian Mounted Police (RCMP) and community groups to establish crime prevention programs for improving public safety.

Applying Responsible Residential Subdivision and Development Practices

Through the assurance that proposed developments will consider and account for the future needs of Sturgeon County residents.

- 2.2.1** Shall require that subdivision and development proposals that exceed the maximum allowable density or intent of the identified Residential Type, or result in changes to an existing Planning Document, submit a new or revised Planning Document in conformance with policies outlined within the Municipal Development Plan (MDP).
- 2.2.2** Shall prevent any residential subdivision layout that does not reflect future development potential, or that may result in development restrictions of the adjacent parcel.
- 2.2.3** Should discourage the use of panhandles as a way to provide residential subdivisions with legal and physical access to a municipal roadway.
- 2.2.4** Shall ensure that subdivision and development does not preclude the possibility of future road widening.
- 2.2.5** Shall mitigate the impact of natural resource extraction activity on the local community by establishing setbacks and criteria guiding the interaction between residential and Primary Industry development. Where existing residential development may be impacted by resource extraction activity, efforts to minimize the impact on the existing residential development shall be demonstrated and adhered to.
- 2.2.6** Should investigate and monitor the impacts of new and existing residential subdivision and development activity on County infrastructure and establish funding mechanisms and responsibilities (e.g., off-site levies or local improvement taxes) to pay for needed improvements and upgrades as a result of the associated activity.
- 2.2.7** Shall ensure infill subdivision and development compliments the established character of the area, complies with the associated Residential Type policies, addresses any infrastructure constraints and conforms to the criteria outlined in the Land Use Bylaw (LUB).
- 2.2.8** Should participate, through the Capital Region Board, to identify and address the location, type and needs of Market and Non-Market Affordable Housing required within Sturgeon County. Non-Market Affordable Housing should be accommodated within areas identified for intensified residential development; while avoiding an over-concentration of affordable housing within any one specific location.
- 2.2.9** May collaborate with the development industry and not-for-profit organizations to facilitate the diversification of housing choices; the mix of housing sizes and types should meet affordability, accessibility and lifestyle needs of various groups. New development and redevelopment are to incorporate Non-Market Affordable Housing that is visually indistinguishable from Market Affordable Housing.

Accommodating Diverse Housing Options

Through the provision of land-use policies that encourage a variety of residential types in an effort to achieve complete communities. (See Figure 4 - Growth Strategy Concept Map p.25.)

Residential Type 1 - Sturgeon Valley

Residential Type 1 contains the majority and most varied of Sturgeon County's future residential potential and is situated where development pressures are most imminent. All Residential Type 1 development requires municipal infrastructure and service provision. Residential Type 1 is limited to the general geographic areas identified in the Edmonton Metropolitan Regional Growth Plan Sturgeon Valley Special Study Area. For additional policies reflecting the unique needs of each geographic area/community, refer to Neighbourhood G.

2.3.1 Shall accommodate residential development (Type 1) by establishing Regional statutory Planning Documents for lands within the Sturgeon Valley Special Study Area as a way to identify, prioritize, densify and phase subsequent residential and non-residential growth in the listed locations. (See Figure 4 – Regional Concept Map p.25 and Map 12A p.114.)

2.3.2 Shall accept new residential development (Type 1) applications for Local Planning Documents within the boundaries of the Sturgeon Valley Special Study Area upon adoption of a statutory Regional Planning Document. (See Map 12A p.114.)

2.3.3 Shall apply Sturgeon County's Municipal Development Plan Residential Type 1 policies to the Sturgeon Valley Special Study Area in compliance with the Edmonton Metropolitan Region Growth Plan. (See Map 12A p.114.)

2.3.4 Shall aim to achieve the established population projections identified in the Edmonton Metropolitan Region Growth Plan, and shall accommodate the associated densities through the planning process.

2.3.5 Shall discourage premature fragmentation of Primary Industry lands for non-Primary Industry development, as a way to ensure cohesive and contiguous future land development and municipal servicing.

2.3.6 Shall advocate for compact residential types, mixed-use developments, secondary suite allowances, walkable communities and communal open space in accordance with the Sturgeon Valley Special Study Area strategic principles.

Residential Type 2 - Growth Hamlets

Residential Type 2 refers to development within Sturgeon County's hamlets where additional residential growth is viable. This residential type is reflective of Sturgeon County's traditional housing opportunities and is associated with residential densities found within Sturgeon County's hamlets. Consideration and contemplation of growth within the identified hamlets requires supportive planning and infrastructure documents, rationalizing the proposal. Residential Type 2 will be limited to the Hamlets of Cardiff and Villeneuve. For additional policies reflecting the unique needs of each Hamlet, refer to individual Neighbourhoods.

2.3.7 Shall accommodate residential development (Type 2) by establishing a series of statutory Regional Planning Documents for the Hamlets of Cardiff and Villeneuve as a way to identify, prioritize, densify and phase subsequent growth in the listed locations. (See Figure 4 – Regional Concept Map p.25.). Densities of the Growth Hamlets shall be in accordance with the minimum greenfield densities as prescribed by the Edmonton Metropolitan Region Growth Plan.

2.3.8 Shall establish an administrative boundary for Sturgeon County Residential Type 2 hamlets and limit residential development outside the boundaries until Sturgeon County identifies a demonstrated need for expansion of the Hamlet. The administrative boundary will take into account mitigative measures including (but not limited to) land use conflicts, airport activities, aggregate and agricultural operations, right of ways and infrastructure setback.

2.3.9 Shall undertake an evaluation of municipal servicing needs prior to significant Hamlet development or expansion in order to identify and prioritize improvements for development.

2.3.10 Shall require proposed residential development to respect the existing scale, type and character of the community. Secondary suites or mixed-use developments may be contemplated where the applicant can successfully demonstrate to the approval authority that no significant impacts on municipal infrastructure or community amenities will occur.

Residential Type 3

Residential Type 3 reflects Sturgeon County's established settlements and traditional country residential built forms. These residential types have limited development potential as future development of these communities is constrained by existing infrastructure capacities. Locations include existing traditional country residential development, Neighbourhood A and the Hamlets of Alcomdale, Calahoo, Mearns, Riviere Qui Barre, Lamoureux, Namao, Pine Sands and Carbondale. For additional policies reflecting the unique needs of each geographic area/community, refer to individual Neighbourhoods.

2.3.12 Shall establish an administrative boundary for Sturgeon County's Residential Type 3 hamlets, and limit residential development outside the boundaries until Sturgeon County identifies a demonstrated need for expansion of the Hamlet/area.

2.3.13 Shall ensure that areas outside of established residential developments, including the identified Hamlet/area boundaries, be used for Primary Industry or Residential Type 4 use.

2.3.14 Should undertake an evaluation of municipal service capacities and endeavour to maintain the existing service delivery. Areas not currently serviced by existing municipal services will continue to be responsible for independent service provision.

2.3.15 May consider additional residential development within the established Hamlet/area administrative boundary, when the existing municipal infrastructure can accommodate the proposal. Proposals shall demonstrate required upgrades and detail how they will be financed, since the cost of identified upgrades are to be borne by the benefiting lands.

Residential Type 4

Residential Type 4 provides Sturgeon County's rural population with options that support Primary Industry viability while maintaining a rural character. Residential Type 4 options are available throughout Sturgeon County; however they exclude existing developed areas. For additional policies reflecting the unique needs of each geographic area, refer to individual Neighbourhoods.

2.3.16 Shall apply 64 hectares/160 acres as the basic agricultural land unit, and unless otherwise indicated within a Planning Document, the maximum agricultural density is four (4) parcels for every 64 hectares/160 acres.

2.3.17 Shall ensure that the maximum allowable agricultural subdivision layout for a 64 hectares/160 acre land unit contains two (2) Agricultural Parcels and two (2) Acreage Lots, as further defined within the Land Use Bylaw (LUB). Where a proposed development exceeds the above subdivision density, the applicant must submit an application for a plan amendment and redistricting for consideration by Council.

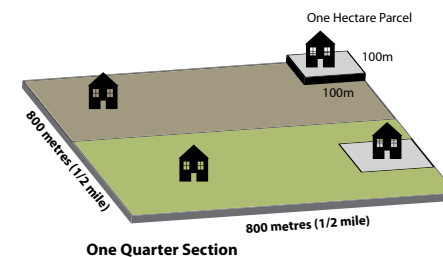
2.3.18 Shall ensure that Acreage Lots minimize the total amount of land being taken out of agricultural production. The maximum lot density for an Acreage Lot shall be one (1) unit per 32 hectares, with a lot size subject to provisions under the LUB.

2.3.19 May vary the size of an Acreage Lot and an Agricultural Parcel due to a Land Fragmentation or to accommodate an existing farmstead; however, compliance must be adhered to regarding the maximum agriculture density standard.

2.3.20 Should ensure that parcels created from Land Fragmentation count towards the overall parcel density allowed on a 64 hectare/160 acre parcel.

2.3.21 Shall not adjust the Acreage Lot size to accommodate existing land-intensive septic systems during the subdivision process.

2.3.22 Shall ensure that the level of development activity and size of the structures on an Acreage Lot proportionately reflect the lot size as defined in the LUB.



Placemaking Principles

Development within the regionally significant Neighbourhood G will deliver quality and sustainable places, whilst responding positively to the existing community, and aspects of local context, heritage, agriculture, and character. Within the Neighbourhood, distinct developments will contribute towards a strong sense of place and identity, whilst providing opportunities for all residents to work, enjoy and thrive. Local enterprise will be encouraged and championed in the Neighbourhood, in addition to strategic commercial opportunities. Future development within this area will be shaped by Regional direction, outlined within the EMRB Growth Plan, and will be in accordance with the Sturgeon Valley Special Study Area (SVSSA) Policies. Orderly and attractive development will reflect the Sturgeon context, delivering good places, contiguous development and complete communities.

In order to deliver quality places and complete communities, placemaking principles must be embedded within developments. The Sturgeon Valley will provide for an attractive, legible, healthy, accessible and safe environment for all. Development within Neighbourhood G will ensure that the community benefits from an appropriate diversity of land uses, active travel opportunities, green spaces, economic opportunity, community infrastructure and service. An appropriate level and mix of densities will be provided that in combination are capable of sustaining local vibrancy, and development viability.



Neighbourhood G Placemaking Principles

G

1.1

Responsible to the Regional Context, delivering Sustainable Places

Supporting the regional vision of growth by developing in accordance with regional policy and by focusing the majority of Sturgeon County's future residential, commercial and institutional development activity to this Neighbourhood.

Developing statutory Planning Documents for all development in Neighbourhood G to give certainty to local communities, investors, developers, service providers, and municipal neighbours regarding long-term density and growth aspirations.

G

1.2

Demonstrating long-term viability, ensuring complete, well-serviced communities

All prospective developments must demonstrate the viability of the proposal in line with requirements within with regional policy. This will include an awareness of infrastructure, transportation, community facilities and amenities.

Developments are to provide an appropriate mix of uses and dwelling types, open and green spaces, and will adequately demonstrate the long-term fiscal implications for the County.

G

1.3

Providing logical and timely infrastructure that provides high-quality service to residents now and in the future

Developments are required to fulfill the requirements of the regional policy, all infrastructure servicing to Neighbourhood G will contribute to the delivery of quality places.

Strategic delivery of infrastructure resources is to be efficient, logical, and should consider the wider Sturgeon Valley and regional context. Alternative and innovative servicing where appropriate may be considered.

G

1.4

Creating a well-connected community, through the design of an interconnected Valley network

Through the natural and informed expansion of existing transport infrastructure; a comprehensive, efficient and robust transportation network will be developed that enhances movement through a variety of means across the Sturgeon Valley and to regionally significant destinations.

Making active travel an attractive alternative in addition to recreational opportunity and delivering a transit centre that provides an accessible connection to the wider region.

G

1.5

Championing Sturgeon's agricultural heritage whilst positioning the Valley for the future of farming

The local agricultural heritage provides a strong culture for the Sturgeon Valley community. Current agricultural holdings near the Sturgeon Valley area will continue to thrive.

Sturgeon Valley is well positioned to provide unique spaces for non-conventional agriculture and community growing, whilst providing close access to local and regional consumers as well as opportunity for complementary, co-located industry.

Implementation of Neighbourhood G Placemaking Principles

In order to implement and embed the overarching placemaking principles within Neighbourhood G developments will seek to:

- a** Develop and contribute to the identity of the Sturgeon Valley, where unique features such as agriculture, heritage, culture and natural physical attributes are reflected and championed by developments throughout the Neighbourhood.
- b** Foster key gateway points in and around the Sturgeon Valley, by ensuring that public improvements and private development work together to enhance the sense of entry into the Sturgeon Valley community through elements such as signage and landscaping that captures the uniqueness of the area and its setting.
- c** Be sensitive and responsible to the density and character of the Sturgeon Valley community and surrounding areas. Avoid unacceptable juxtapositions and/or conflict between residential and non-residential uses. Ensure there are no significant adverse impacts on natural heritage assets.
- d** Provide a mix of uses to enhance the Sturgeon Valley community. Based upon the need throughout the Neighbourhood, ensure adequate leisure uses are provided for, local business opportunities are encouraged to thrive within commercial nodes, and there are appropriate spaces for essential social infrastructure. Local, boutique businesses are to be encouraged, whilst commercial developments that are larger in scale would be expected to be sited outside of residential communities.
- e** New developments are well connected to existing places capitalising on existing active travel routes, thereby positively contributing the overall connectivity throughout the entire Sturgeon Valley. Development will deliver new, and/or enhance existing, connections to community nodes.
- f** Deliver spaces that are designed to be adaptable and robust; by utilising landscaping, green infrastructure, ecological design, naturalisation and sustainable drainage where appropriate. Ensure active frontages onto streets, community facilities and key public spaces to provide natural surveillance, social interplay and character.
- g** Paths and trails, which provide a leisure function will be highly sensitive to pedestrian desire lines and will connect developments to not only natural spaces but also local important nodes, ultimately developing a comprehensive active travel network across the entire Sturgeon Valley community.
- h** Encourage the use of sustainable construction methods, Low Impact Development principles, ecological design, resource efficiency, building energy efficiency and contributions towards localised renewable or low carbon energy generation.
- i** Deliver a high-quality public realm, incorporating public art and landscaping where appropriate. Where internal streets and public spaces are welcoming, low maintenance, well defined, safe and accessible for all, with a distinct identity. Landscaping utilises native species and naturalisation where possible.
- j** Provide appropriate naturalisation of landscaping that will prevent excessive water use and the nutrient loading in water bodies. Naturalised landscaping will act as green corridors linking to other natural spaces and provide important flood mitigation whilst being conscientious of natural hazards such as wildfires.

Appendix 3: Excerpts from Land Use Bylaw

PART 11 PRIMARY INDUSTRY DISTRICTS

11.1 AG – AGRICULTURE DISTRICT



.1 General Purpose

This district accommodates traditional agricultural operations and the supportive services that are essential to grow and sustain the agricultural industry. This district distinguishes between major, minor and residential where:

AG-Major are tracts of land 16ha (39.5ac) or larger in size;

AG-Minor are *parcels* between 4ha (9.8ac) and 15.9ha (39.3ac); and

AG-Residential are *parcels* smaller than 4ha (9.8ac).

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building *</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Bed and breakfast</i>	<i>Agricultural support service</i>
<i>Dugout</i>	<i>Auctioneering establishment**</i>
<i>Dwelling, single detached</i>	<i>Cannabis production and distribution, micro</i>
<i>Family day home</i>	<i>Community garden</i>
<i>Farm help accommodation</i>	<i>Equestrian facility***</i>
<i>Group home, minor</i>	<i>Garage Suite</i>
<i>Home-based business, level 1 (office)</i>	<i>Garden Suite</i>
<i>Home-based business, level 2</i>	<i>Group home, major</i>
<i>Intensive agriculture</i>	<i>Guest ranch</i>
<i>Secondary Suite</i>	<i>Home-based business, level 3</i>
	<i>Kennel and animal boarding</i>
	<i>Landscaping contractor service***</i>
	<i>Secondary dwelling****</i>
	<i>Temporary asphalt plant**</i>
	<i>Temporary concrete batch plant**</i>
	<i>Topsoil screening</i>
	<i>Veterinary clinic</i>

* Refer to Section 6.1 for further clarification.

**Only allowed on AG-Major parcels

***Only allowed on AG-Major and AG-Minor parcels

****Refer to Section 6.24 for further clarification.

1407/18; 1432/19; 1436/19

.3 Subdivision Regulations

- (a) Unless otherwise indicated within a *planning document*, a *quarter section* in the AG district of 64.7ha (160ac) shall contain a maximum combined *density* of four *parcels*, comprised of:
 - (i) two AG – Major *parcels* of approximately 32.4ha (80ac) each or alternative sizes necessary due to *land fragmentation*; and
 - (ii) two AG – Residential *parcels* (one of which may be subdivided from each AG – Major *parcel* having a minimum size of 32.4ha (80ac) in accordance with Paragraph 11.1.3(e) of this Bylaw).

- (b) Notwithstanding Subparagraph 11.1.3(a)(ii), the Subdivision Authority may consider the subdivision of a second AG – Residential parcel from the same 32ha (80 ac) AG parcel when all of the following criteria are met:
- (i) no other parcel has been subdivided from the abutting 32ha (80 ac) AG parcel on that same quarter section; and
 - (ii) no secondary dwelling exists on the abutting 32ha (80 acre) AG parcel on that same quarter section; and
 - (iii) such a location would assist in preserving agricultural land and/or avoid a site constraint on the abutting 32ha (80 ac) AG parcel on that same quarter section related to access, topography, a pipeline, or other hazard or land use conflict; and
 - (iv) the landowner of the abutting 32ha (80 ac) AG parcel on that same quarter section provides their written consent and furthermore allows the County to register a restrictive covenant agreeing to forgo any future opportunity for subdivision or a secondary dwelling pursuant to this Bylaw.
- (c) Where an AG – Major *parcel* is either smaller or larger than the conventional 64.7ha (160ac) and/or 32.4ha (80ac) *parcel* size (e.g. due to the presence of a redistricted *parcel(s)*, or surveying anomalies due to river lots or *land fragmentation*), the *subdivision* regulations are as follows:
- (i) AG – Major *parcels* between 16ha (39.5ac) and 47.9ha (118.4ac) shall be considered equivalent to a 32.4ha (80ac) AG *parcel* (i.e. half a *quarter section*).
 - (ii) AG – Major *parcels* between 48ha (118.5ac) and 79.9ha (197.5ac) shall be considered equivalent to a 64.7ha (160ac) AG *parcel* (i.e. a full *quarter section*).
 - (iii) AG – Major *parcels* of 80ha (197.6ac) or larger shall be considered equivalent to a 64.7ha (160ac) AG *parcel* (i.e. a full *quarter section*) plus any additional *subdivision* potential beyond 64.7ha (160ac) in accordance with the proportions referenced in Subparagraph 11.1.3(c)(i), (ii) or (iii).
- (d) AG – Minor *parcels* shall be considered equivalent to an AG – Residential *parcel* and therefore have no further *subdivision* potential.
- (e) The maximum size of an AG – Residential *parcel* shall be 1ha (2.47ac), unless a larger area is essential to:
- (i) encompass mature *shelterbelts*, existing *buildings* or any other related features associated with an existing *farmstead* (however, additional farmland will not be compromised to accommodate a septic system, the *setback* distances associated with a septic system, a *dugout*, or an extensive area of *fencing*); and/or
 - (ii) mitigate any site constraints which could otherwise significantly limit the *development* potential of a 1ha (2.47ac) *parcel* or create land *use* conflicts – such as but not limited to *setback* distances from pipelines, low-lying or steep topography, inaccessible portions of land or *land fragmentation* (however, additional farmland will not be compromised when a site constraint could equally be addressed by modifying the location and/or dimensions of the proposed 1ha (2.47ac) *parcel*).

.4 Development Regulations

<i>Front yard and flanking front yard setbacks</i>	<i>Principal building</i>	35m (114.8ft)
	<i>Accessory building or accessory, agricultural building</i>	20m (65.6ft)
<i>Side yard and rear yard setbacks</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building or accessory, agricultural building</i>	3m (9.8ft)

1432/19

Additional Development Regulations for AG-Minor parcels		
Maximum <i>floor area</i>	<i>Accessory building</i>	465m ² (5,005.2ft ²)
Maximum <i>parcel coverage</i>	15%	

Additional Development Regulations for AG-Residential parcels		
Maximum <i>floor area</i>	<i>Accessory building</i>	230m ² (2,475.7ft ²)
Maximum <i>parcel coverage</i>	15%	

1432/19

.5 Additional Development Regulations

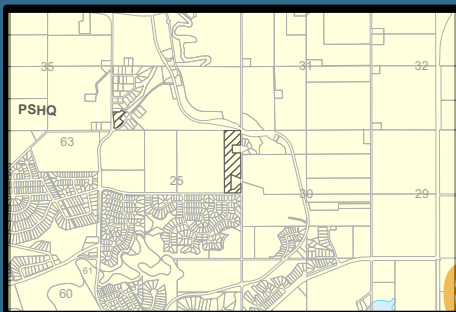
- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Notwithstanding the variance provisions in Section 2.8 of this Bylaw, the *Development Authority* shall not accept a variance to the *uses* within this district based on *parcel* size.

1407/18

Appendix 4: Exhibits, Referrals & Miscellaneous

Exhibit 1 [Applicant Submission]

File Number: 2024-S-007



Legal Description: 4;25;54;25;NE

Roll Number: 2811000

Total Acres/Hectares: 33.30ac / 13.45ha

Land Use: AG - Agriculture

Municipal Address: 54428 RGE RD 250

Date: 04/04/24

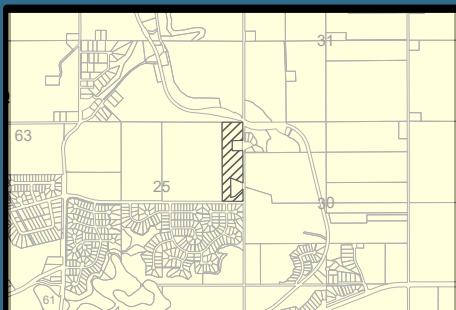
Legend

 Dwelling

 Septic Field

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2024-S-007



Legal Description: 4;25;54;25;NE

Roll Number: 2811000





Total Acres/Hectares: 33.30ac / 13.45ha

Land Use: AG - Agriculture

Municipal Address: 54428 RGE RD 250

Date: 5/8/2024

Legend

-  Dwelling
-  Septic Field
-  Road Widening By Caveat
-  Road Widening By Survey

Subdivision and Development Appeal Board

024-STU-010

Planning and Development Services



Sturgeon
C O U N T Y

Subdivision File 2024-S-007

- Decision was made by the Subdivision Authority on May 9, 2024.
- Decision letter was issued on the same day electronically at 1:29pm, with a hard copy also sent out in the mail.
- The MGA assumes it takes seven days for the mailed copy to reach the applicant, and therefore the Written Decision Date would be **May 16, 2024**.



Subdivision File 2024-S-007

Section 678(2) of the Municipal Government Act

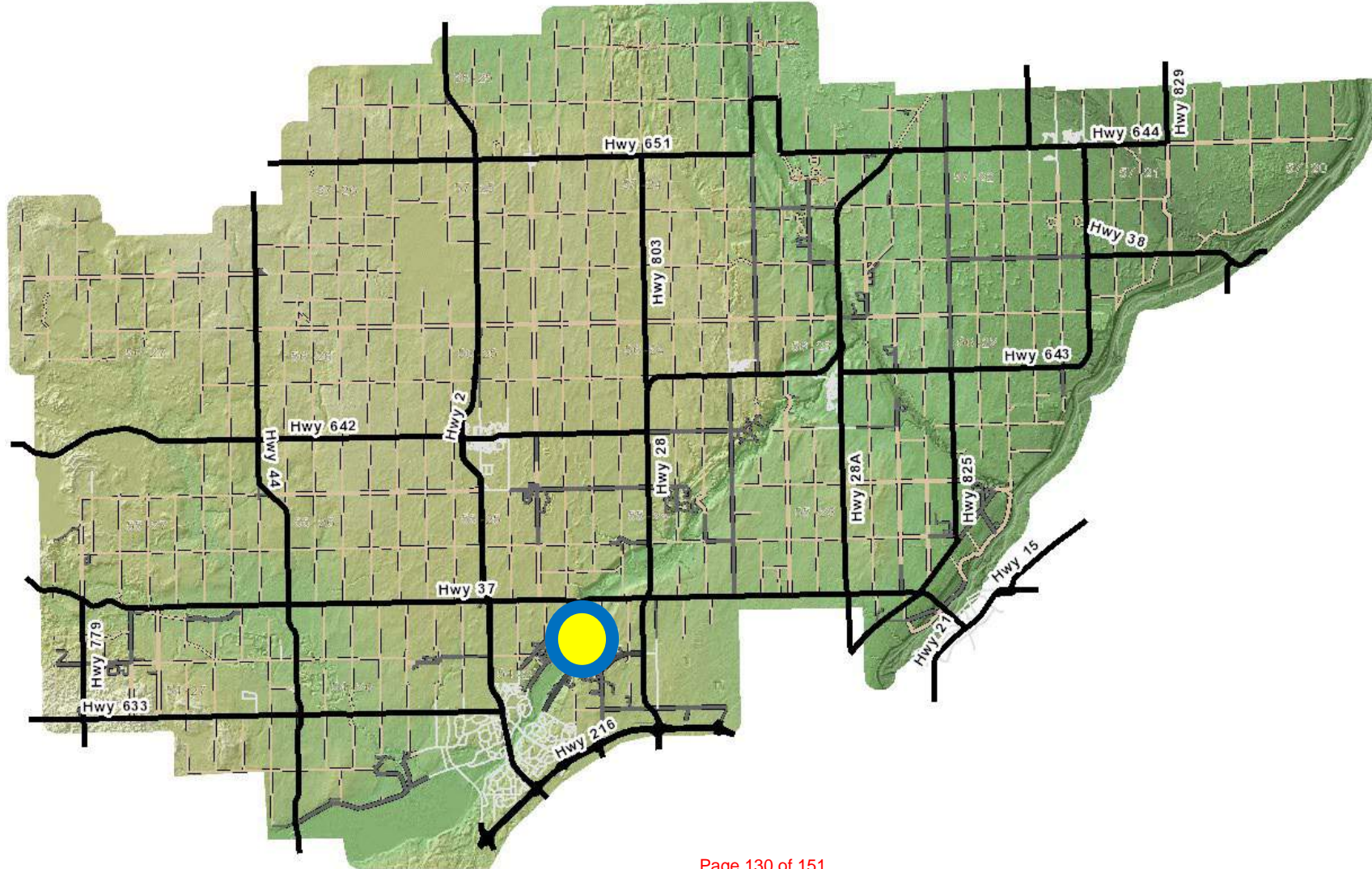
“An appeal under subsection (1) may be commenced by filing a notice of appeal **within 14 days after receipt of the written decision of the subdivision authority** or deemed refusal by the subdivision authority in accordance with section 681”

Deadline to submit the appeal: **May 30, 2024**

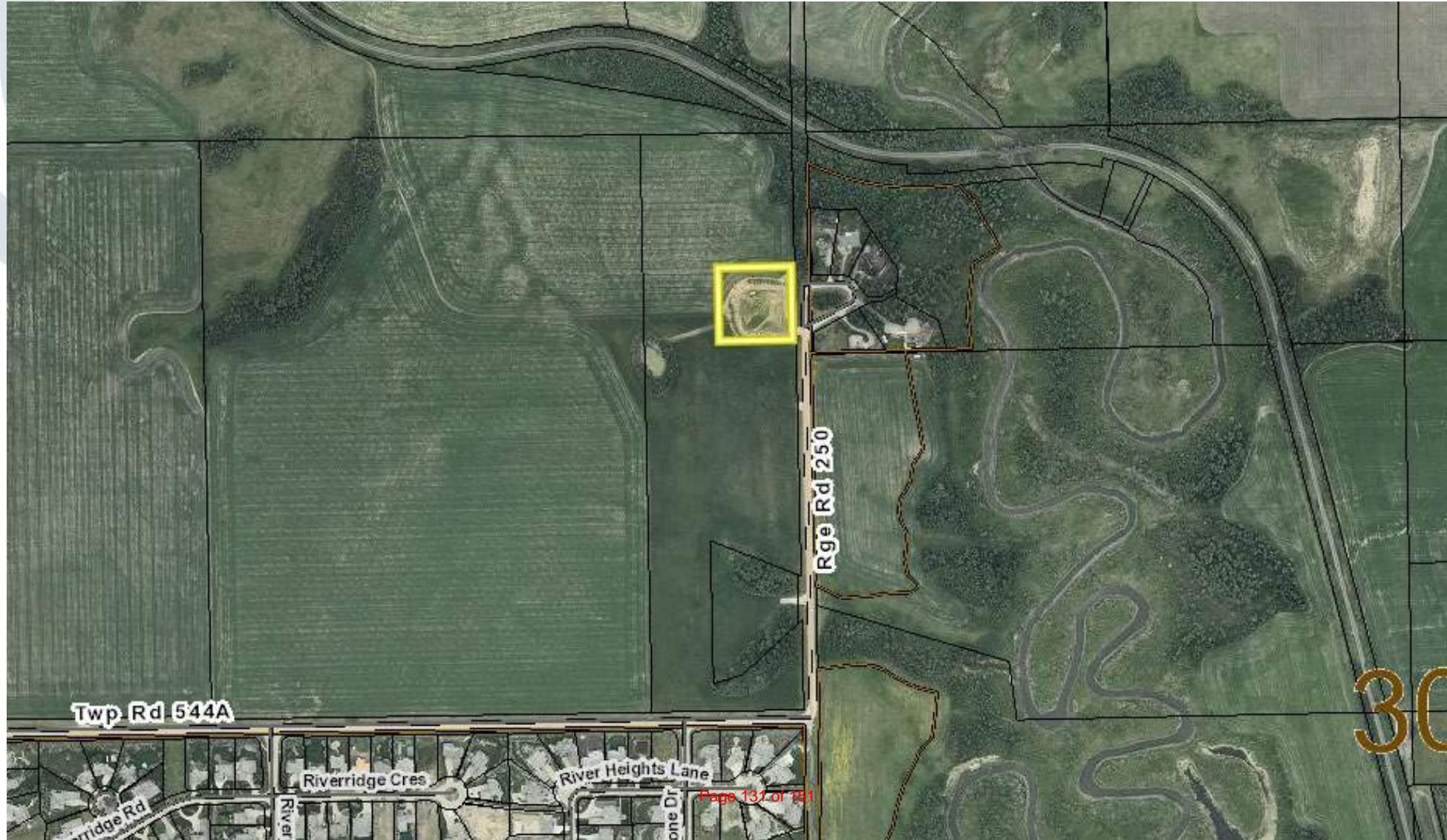
SDAB appeal form submission: **June 19, 2024**



Site Location (Regional)



Site Location (Local)



Proposal

- Proposed lot line adjustment to increase the existing acreage size to setback the parcel from future multi-lot residential development and allow room for a shop to be constructed.



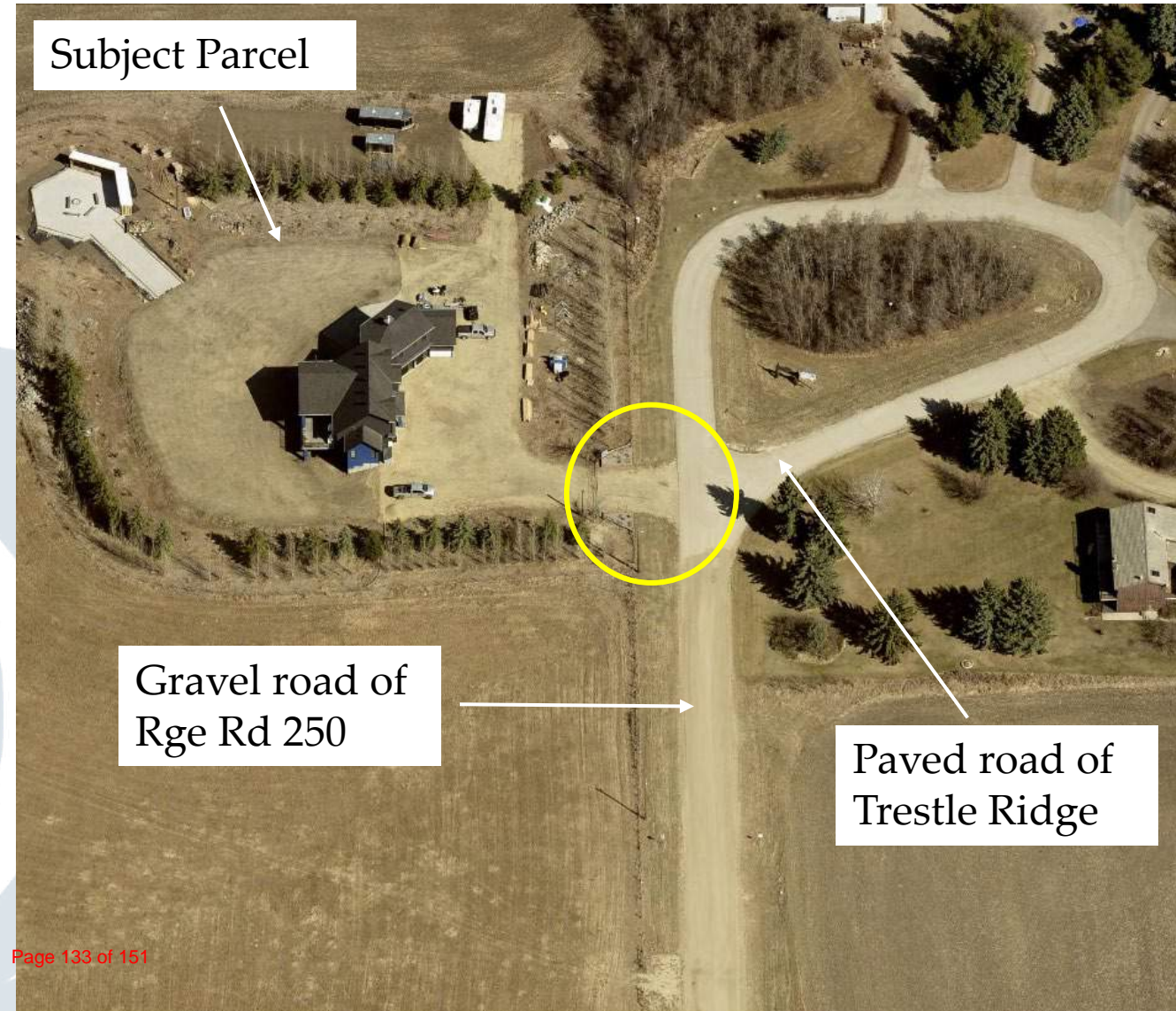
Issue Analysis – Condition #5

Condition #5:

- 5) All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services before this subdivision is endorsed.

Existing Roadway:

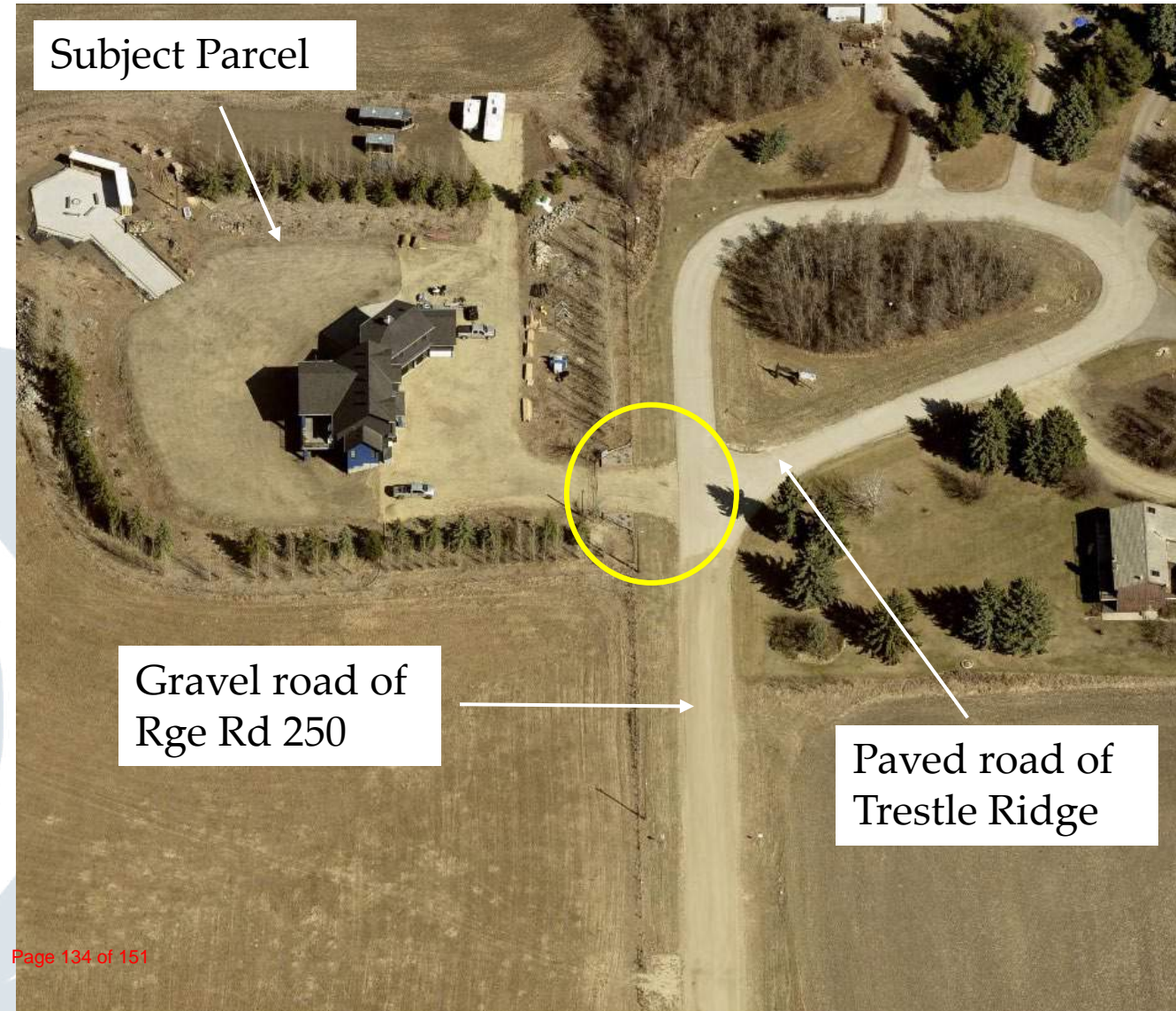
- Rge Rd 250 is a predominately gravel structure that transitions to a light hot mix asphalt pavement approximately 12.5m south of the subject parcels approach.
- The paved portion of the roadway services the Trestle Ridge multi-lot subdivision.
- The existing acreage approach is gravel and connects to the adjoining roadway which is paved at that location (yellow circle).



Issue Analysis – Condition #5

Approach Standards:

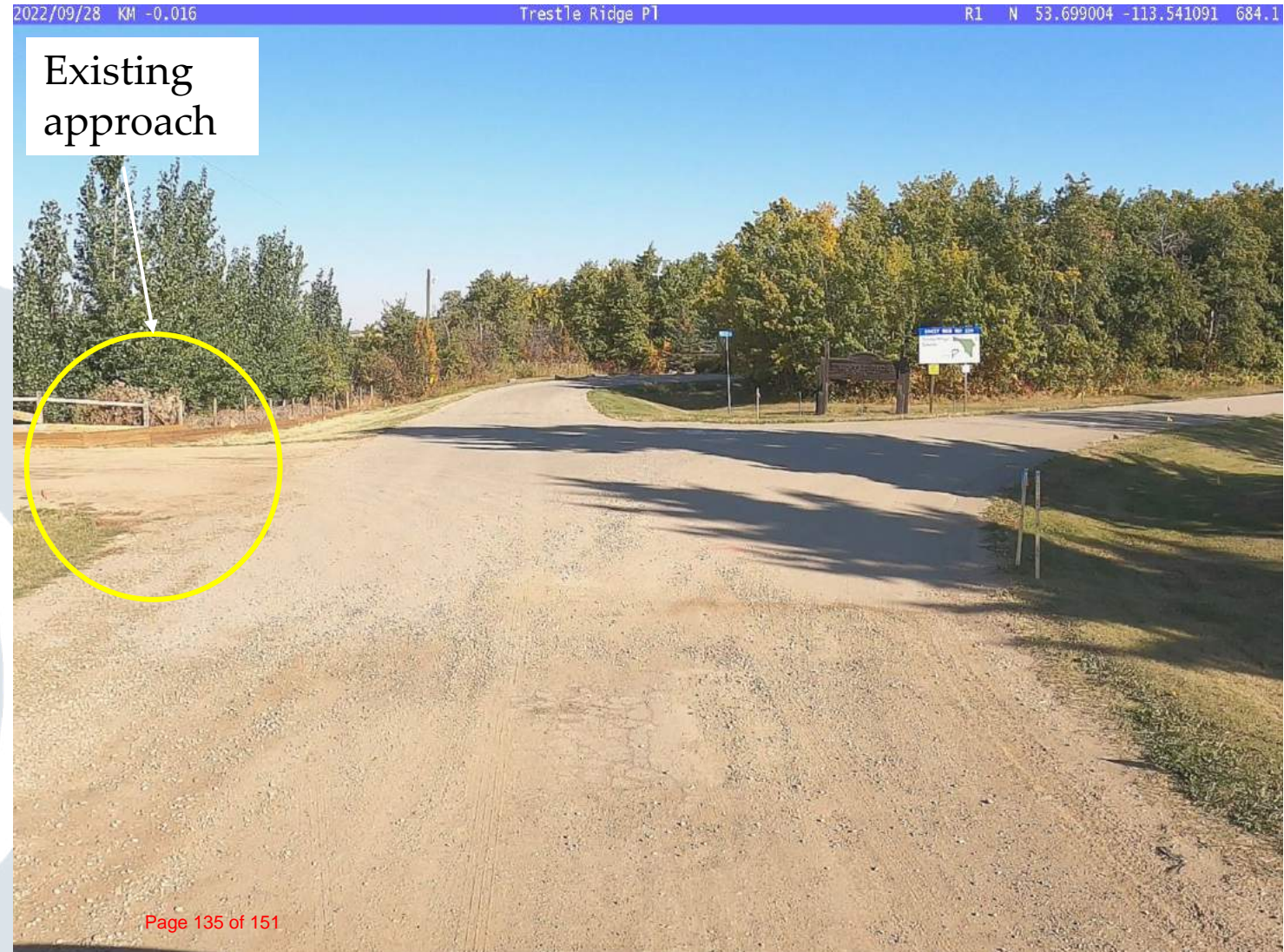
- Proposed subdivisions and/or lot line adjustments result in the requirement for applicants to bring each approach **into compliance** with County standards.
- The Sturgeon County Access Approach Construction Guidelines indicate that:
 - 2.8 – All approaches shall have the **same structure as the adjoining roadway** and be constructed up to the property line.
- General Municipal Servicing Standards (4.1.5.7):
 - Lot Access: One approach allowed per parcel, a minimum of 1.5m from the property line. Shall be placed across from other accesses wherever possible.
 - Width: For a single lot residential service, the width shall be 7.5m – 9.0m.
 - Structure: Approach structure (surfacing) shall be consistent with subdivision roadway it adjoins, at a minimum, up to the property line.



Issue Analysis – Condition #5

Field Inspection:

- Upon inspection, the development engineer determined the proposed lot approach must be paved to match the existing surface treatment of the adjoining roadway (Rge Road 250) based on its location.
- Cost estimate to pave the approach roughly \$5,000 - \$8,000.
- Paved approaches help protect the paved roadway shoulder from failure, mitigate debris and rocks from entering the carriageway, more durable against rutting and sinkholes, increased ESAL loading for truck traffic performance, and overall cleaner and easier to maintain.



Issue Analysis – Condition #5

Applicant Engagement Chronology of Events:

- The approach improvement condition is written general, to allow for applicants to connect with the engineering team and work together reach a solution that in some cases is different from the original comments.
 - The back and forth correspondence between the applicant and engineering team resulted in the appeal deadline being reached (**May 30, 2024**), which is common given the time required for these situations.
-

May 16: P&D reached out to the engineering team following a phone call with applicant about approach paving concerns.

May 23: Development Engineer followed up with the applicant explaining approach paving rationale.

May 30: Development Engineer again followed up with the applicant. Applicant indicated they will pave the approach if the County first pave the entire south (gravel) portion of Range Road 250.

May 30: Development Engineer connected with Direction of Transportation and Engineering Services (asset owner) about the applicant challenging the paving requirement. They indicated the decision lies with the IDLS department.

May 31: The Development Engineers last day of employment with the County.

June 12: The Senior Development Engineer took over the file and connected with P&D for background information on the file. They also connected with the Transportation supervisor for gravel roads, who requested the approach be paved in accordance with GMSS.

June 18: The Senior Development Engineer contacted the applicant to discuss approach paving requirement. The applicant indicated they will not pave the approach and requested to appeal the subdivision.

June 19: Appeal was submitted.

Subdivision Authority Decision

The Subdivision Authority's decision for **conditional approval** is consistent with:

- Sturgeon County Municipal Development Plan policies.
- Sturgeon County Land Use Bylaw regulations.
- **Sturgeon County General Municipal Servicing Standards**
- **Sturgeon County Access Approach Construction Guideline**
- Municipal Government Act

Condition of Approval

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated May 8, 2024, and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Proposed Lot and the adjacent road shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and the adjacent roads shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.

Conditions – Summary

1. Ensure taxes are paid
2. Retain a surveyor
3. 5m for future road widening by plan of survey on the proposed lot
4. 5m for future road widening by caveat on the remnant lot
5. Approach upgrades to GMSS

General Municipal Servicing Standards

- According to [GMSS \(Section 4.1.5.7\)](#)
 - **Lot Access:** “A single-unit development is permitted only one driveway (private access). An additional driveway or shared driveway may be considered when submitted with justification and approved by the County. Lot access locations shall be a minimum of 1.5 m from the property line. Accesses shall be placed directly opposite other accesses, wherever possible. Corner lots must have their access located on the internal subdivision road of lesser traffic volume. All access shall be shown on engineering drawings and must be constructed in conjunction with the subdivision roadway they adjoin.”
 - **WIDTH:** “The width of the access at property line shall be 7.5m – 9.0m for a single lot service and 10m - 12m for a dual lot service (splitting once within private lands). A minimum 10m return radii is required, unless a rural water service connection is made, at which 7.5m is acceptable.”
 - **STRUCTURE:** “Lot access roadway structure shall be consistent with the subdivision roadway it adjoins, at a minimum, up to property line. The minimum side slope shall be 4:1. The minimum back slope shall be a 3:1. Minimum ditch bottom width of 1.0m. The depth of the ditch shall be as per the Geotechnical report but no less than 0.6 m below the top of the subgrade shoulder. A minimum 500mm diameter galvanized CSP culvert with 1.6mm wall thickness is required to convey water across each access. Where a larger culvert may be required, the County reserves the right to require submission of a culvert analysis and design. Refer to SECTION 3.3.8.15.”

**APPELLANT
SUBMISSIONS
RECEIVED**

PRELIMINARY MATTER

I would like to thank everyone that is involved in this for taking their time to hear my case, I would like to first just state the general fact that I have worked with the county quite a bit over the last couple years in regards to not only my house build, to spear heading the municipal water line upgrade for the entirety of Trestle Ridge. I worked very closely with Jeffrey Yanew and Jonathan Heemskerk made sure that all documents, deadlines and overall communication was never allowed to slip past deadlines. Important matters such as these or the matter that is currently at hand; I have always made sure that I am prompt with responses to ensure that these processes go as smoothly and quickly as possible. People such as Jeffrey and Jonathan can attest to this.

I have never received any other form of communication from the Engineering Department at Sturgeon County other than phone calls. The records I have are from Telus and show that the only phone calls I have received are as follows:

Approval of subdivision on May 9, 2024 as per email from Shannon Gagnon

Mid to Late May Kurtis Eykelbos first contacted me and went through the two outstanding items that the engineering department required, the cleaning of the culvert on the field approach south of my property, and the fact that I needed to pave my approach. I stated at this time all the facts and logic that I had went through in 2016 when I first subdivided, and the fact that it was agreed upon that it was unnecessary that I pave my driveway due to the fact that I am feet away from the gravel road that meets the pavement. I mentioned clearly and explicitly that if at any point the engineering team decided that I had to pave the approach that he needed to inform me immediately so I could start the appeal process.

Friday May 31st, 2024 at 2:47pm Kurtis Eykelbos Phoned me a day after my appeal was supposed to be in and conveyed that the engineering department was still in discussions about the requirement to pave my driveway or not. At this point I did not see the reason to why I would submit an appeal as what would I be appealing if the department ended up agreeing on my driveway remaining the way it currently is. I again clearly stated that I would be appealing without a doubt if the group ended agreeing that I needed to pave my approach. He stated at that time that he would let me know when a decision was made and he would inform that corresponding people involved in the appeal process so I did not need to worry about the fact that we were past the appeal date.

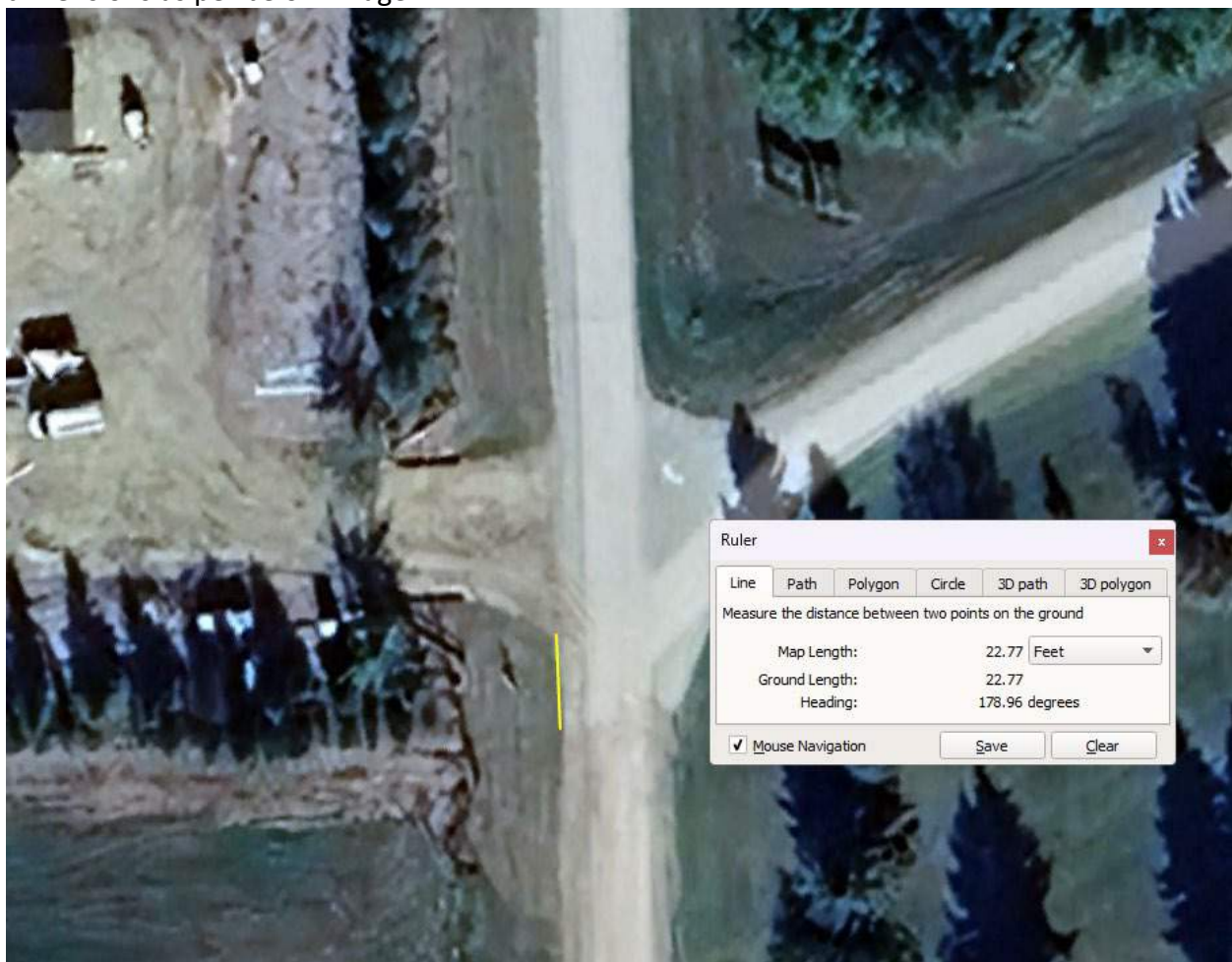
Tuesday June 18, 2024 at 3:33pm Chris Krath contacted me informing me that Kurtis Eykelbos no longer is employed at sturgeon county and that he was catching up on all Kurtis's tasks/projects that he was working on and apologized that my file had taken so long

to get to. I had a conversation with Kris reiterating all the same points that I had discussed with Kurtis back in May, and once again clearly stated that I would be appealing to the decision if it was made for me to pave my approach. At this time Kris had finally told me that the engineering department had made a decision at this time that I would need to pave my approach.

At this time I had finally got a firm decision from the county in regards to the overall decision on the requirements on my approach. I had then receive an email from Kristen Hewitt that I was past my appeal date which was May 30th. At this time I was under the impression that Kurtis had informed the Planning and Subdivision group that their was still discussions underway within the engineering group and that was directly related to me having to submit my appeal form. I am aware now that this is not how the process works as the groups do not have the ability to start or hold off on the appeal process, but when a representative from the county tells you not to worry about the appeal until a decision is made by the engineering group then one would be led to believe that cross communication between the groups was happening behind the scenes.

**APPELLANT
SUBMISSIONS
RECEIVED**

To Whom it may concern, I would like to appeal the policy that deems it necessary that I pave my approach to my house. I apologize for the delay in the appeal form application but I was waiting on a response from the engineering department on if I had to pave my approach or not, as I already have an existing approach that is gravel that was approved to be that way 7 years ago when I first subdivided. The engineering representative that was dealing with my case had quit working for the county and was supposed to follow up with me on the matter and never ended up doing so. I finally received a follow up from Kris Krath Tuesday June 18, 2024 about the final decision that they require my approach to be paved. Prior to this point I did not have any decision on if it was required to pave my drive way or not, so therefore did not warrant me applying for an appeal when I did not know if I needed to. I do not foresee the reasoning to why my driveway must be paved when Range Road 250 is completely unpaved and is located 22 ft to the south of my approach. See arial map with dimensions as per below image:



If my drive way has to be paved then I see the logic that the range road must be paved as well. The reasoning that I was told to why I had to pave my driveway is that my gravel driveway would allow rocks to become relocated onto the paved road, I currently have little to no rocks on the pavement directly touching my driveway as I followed the extreme compaction requirements set out by the county when I had the driveway constructed 7 years ago. I also

leave and enter my driveway at a very slow rate as it's a driveway not a road. However the people that drive up and down Range Road 250 go much faster and bring many rocks from the range road onto the pavement. These rocks are much bigger than the ones located on my driveway deeming them to more of a nuisance. Please see attached photos below of the transition from pavement to Range Road 250 on the south and north transition below, as well as the pavement directly in front of my driveway.

SOUTH SIDE TRANSITION:



NORTH SIDE TRANSITION:



DRIVEWAY ENTRANCE:



The policy for driveways to be paved when approaching onto a paved road existed at the time of my subdivision in the first place and I had the exact same conversation with the developing committee then that the logic was not sound to make me pave my driveway when the road is clearly a larger source of loose gravel and is located directly beside my approach. The planning committee agreed that my logic was sound and allowed me to proceed with my driveway to be gravel. So why when the policy has not changed since the time of my subdivision approval is my driveway to be paved now, when again the Range Road is not. If the county agrees to pave the Range Road 250 that approaches Trestle Ridge then I will gladly agree to paving my driveway to meet logical standards. However, if Range Road 250 continues to be gravel then my appeal stands as I do not foresee the need for my driveway to be paved when the range road is clearly the larger problem at hand.

To add on top of this, I have witnessed many times that the snow ploughs will actually turn around at the end of 544A instead of heading up Range Road 250, this has led to days delay in getting our section of the road cleared from snow, and in fact I have cleared our road about for my fellow neighbours due to the fact that we had no snow clearing days after a snow fall, and my neighbours can attest to this. So again the gravel on Range Road 250 seems to be the main culprit and I again reiterate that if the county agrees to pave Range Road 250 then I will pave my approach in kind.

WRITTEN
SUBMISSIONS
FROM
ADJACENT
LANDOWNERS
AND OTHER
AFFECTED
PERSONS

From: [circulations_](#)
To: [Dianne Mason](#)
Subject: Re: SDAB Appeal Hearing
Date: Thursday, June 27, 2024 9:27:49 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender, and know the content is safe. If you are unsure of the contents of this email, please reach out to IT at ISSupport@sturgeoncounty.ca

Good Day,

Thank you for including TELUS in your circulation.

At this time, TELUS has no concerns with the proposed activities.

Thanks

Jaylene Perkins (*she/her*)

Real Estate Specialist | TELUS Land Solutions Team
Customer Network Planning (CNP)
18811 107 Avenue NW, Edmonton, AB T5S 2L9

The future is friendly®

circulations@telus.com

On Tue, Jun 25, 2024 at 1:37 PM Dianne Mason <dmason@sturgeoncounty.ca> wrote:

Good Afternoon,

Attached please find information regarding a Subdivision and Development Appeal Board Hearing in Sturgeon County to be held on July 9, 2024.

Thank you.

Dianne Mason
Legislative Advisor

780-939-8277

dmason@sturgeoncounty.ca

sturgeoncounty.ca

9613 100 Street, Morinville, AB T8R 1L9



This communication is intended for the recipient to whom it is addressed, and may contain confidential, personal, and or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication, and do not copy, distribute, or take action relying on it. Any communication received in error, or subsequent reply should be deleted or destroyed.