



NOTICE OF APPEAL

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:	
Municipal Address of site: 112 55202 SH825 Sturgeon County,AB	Date Received Stamp
Legal land description of site: (‘plan, block, lot’ and/or ‘range-township-section-quarter’) 7720672; 2; 8 Sturgeon Industrial Park	
Development Permit number or Subdivision Application number: 305305-23-D0157	

Appellant Information:	
Name: Ravi Chand	Phone: 7808866532 Agent Name: (if applicable)
Mailing Address: 108 55202 SH825 Sturgeon County,AB	City, Province: Sturgeon County, AB
Postal Code: T8L5C1	Email: rchand.eng@totaltransload.com

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 type="checkbox"/> Conditions of Approval
<input checked="" 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

see attached.
(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:
--------------------------------------	--------------

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



Notice of Appeal:

Development Permit#: 305305-23-D0157

Total Transload Services (2015) Inc.
108 55202 SH825
Sturgeon County, AB
T8L-5C1

We own and occupy Lots 6,7,8,9, and 10 of the Sturgeon Industrial Park and are looking to build a covered offloading structure on Lot 8. The structure does not cross the property line but is over the allowed limit. Below I have summarized why we can not change the structure's layout.

Our location has a rail line where we transload food-grade products, and we are building a cover over the rail line to transload products out of the elements. The current location of the building can not be moved in any direction, as the rail track has a degree of curvature and point tangent where the building needs to start and end. If we move the building further away from the property lines, the rail cars will not have enough clearance to enter the building.

We own all the lots connected to Lot 8; therefore, we will not have to provide a right of way for anyone else, but we still have one large lane that will be free of any obstruction.

This structure will be the first of its kind in Western Canada and will be a big step in the right direction for our business. Many other companies have asked us to tour the property once it is completed. Therefore, it can serve as an attraction for other companies to build in the Sturgeon Industrial Park.

Thanks,

Ravi Chand
General Manager
780-886-6532



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

CHAND, RAVI

Receipt Number: 202304032
 GST Number: 107747412RT0001
 Date: 2023-06-14
 Initials: MA

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>
			Mc: \$100.00	
			Total Monies Received: \$100.00	
			Rounding: \$0.00	
			Amount Returned: \$0.00	

June 20, 2023

SDAB File Number: 023-STU-013

Dear Ravi Chand:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property: Plan 7720672; Block 2; Lot 8 Sturgeon Industrial Park
Decision Regarding Proposed Development: Development Permit refused to complete construction of an accessory building (Raid and Drive Shed 683.65 square metres)

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on June 14, 2023. 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 **July 11, 2023 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 905 197 833#. 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 at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than July 6, 2023.**

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.

**SUBDIVISION and
DEVELOPMENT**
APPEAL BOARD

Sturgeon County
9613-100 Street, Morinville, AB T8R 1L9

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

Dianne Mason
Secretary, Subdivision and Development Appeal Board

June 20, 2023

SDAB File Number: 023-STU-013

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

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

Legal Description of Subject Property: Plan 7720672; Block 2; Lot 8 Sturgeon Industrial Park
112, 55202 Highway 825

Decision Regarding Proposed Development: Development Permit refused to complete construction of
an accessory building (Raid and Drive Shed 683.65 square
metres) for a Transloading Facility

Reasons for Appeal (as identified on the Notices of Appeal):

- Want to build a cover over the rail line to load products out of the weather elements.
- The building cannot be moved due to the curvature and point tangents and if the building were moved further away from the property lines, the rail cars would not have enough clearance to enter the building.
- They own all the connected lots so there would be no need for a road right of way.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **July 11, 2023 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 905 197 833#. 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 development. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca at least five (5) days prior to the hearing date and must include your current email address. **Therefore, written submissions are due to be submitted no later than July 6, 2023.**

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) 939-8277 or (780) 939-1377 or by email at legislativeservices@sturgeoncounty.ca.

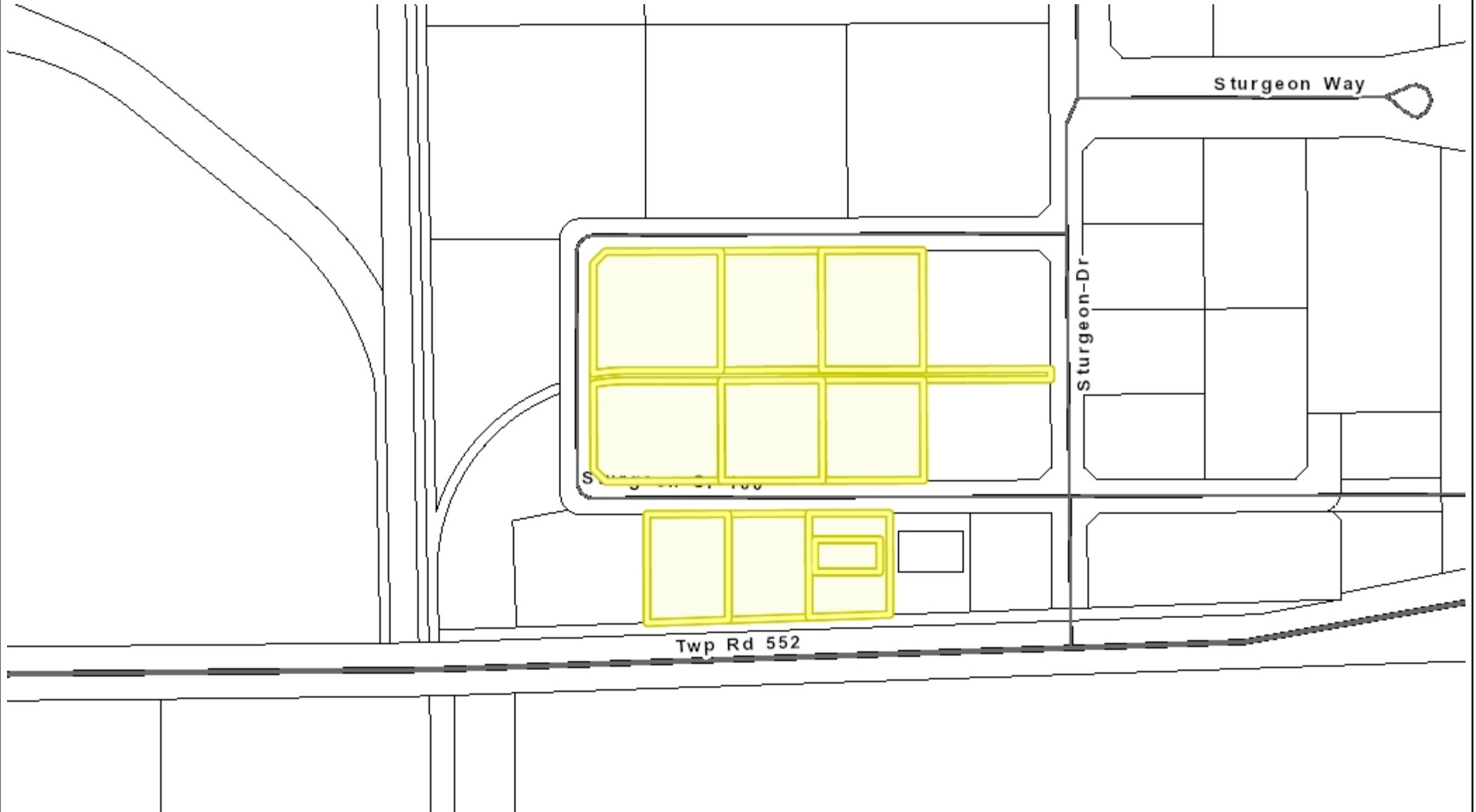
Dianne Mason
Secretary, Subdivision and Development Appeal Board

The personal information provided is collected under the authority of Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act and Division 10 of the Municipal Government Act. The information will be used as part of your written brief and may be recorded in the minutes of the Subdivision Development Appeal Board, or otherwise made public pursuant to the provisions of the Freedom of Information and Protection of Privacy (FOIP) Act, including Section 40 therein. 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.

TR316019 Circulation Map

Map Subtitle

15-Jun-2023



Information on this map is provided solely for the user's information and, while thought to be accurate, is provided strictly "as is" and without warranty of any kind.

NAD_1983_10TM_AEP_Resource
© Sturgeon County

Prepared By: _____
Page 10 of 50



Lot 8; Block 2; Plan 7720672

112 55202 HWY 825

15-Jun-2023



Information on this map is provided solely for the user's information and, while thought to be accurate, is provided strictly "as is" and without warranty of any kind.

NAD_1983_10TM_AEP_Resource
© Sturgeon County

Prepared By: _____
Page 11 of 50



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.



Planning and Development

9613-100 Street

Morinville, AB T8R 1L9

Phone (780) 939-8275

Fax (780) 939-2076

Email: PandD@sturgeoncounty.ca

Notification of Decision Letter

Date: Jun 13, 2023

Permit Number: 305305-23-D0157

To: Total Transload Services
108-55202 SH 825
Sturgeon County, ALBERTA
T8L 5C1

Re: Decision of the Development Officer

Please be advised that development permit #305305-23-D015 Accessory Building for Transloading Facility – To Complete Construction of Rail & Drive Shed Structure with a Variance Request to the Side Property Line Setback (existing foundation) was REFUSED on Jun 13, 2023.

This decision may be appealed to the Subdivision and Development Appeal Board within 21 days after the date on which a person qualified to appeal is notified. The Appeal Board information can be found at the bottom of the refusal decision.

If you have any questions regarding the development permit, please contact the undersigned at (780)939-8275 or toll free at 1-866-939-9303.

Regards,

A handwritten signature in cursive script that reads 'CWilliams'.

Carla Williams
Development Officer

Development Permit

Land Use Bylaw 1385/17

Permit No.:	305305-23-D0157
Tax Roll No.:	316019
Decision Date:	Jun 13, 2023
Effective Date:	

Applicant

Name: Total Transload Services
 Address: 108-55202 SH 825
 Sturgeon County, ALBERTA
 T8L 5C1
 Phone: (780)886-6532
 Cell:
 Email: rchand.eng@totaltransload.com

Owner

Name: Chand, Ravi
 Address:
 Phone: (780)886-6532
 Cell:
 Email: rchand.eng@totaltransload.com

Severed in line with section 17 of the FOIP Act

Property Description

Legal Land Description: 7720672; 2; 8 Sturgeon Industrial Park
Land Use Description: (I4) Medium Industrial Serviced District
Rural Address: 112 55202 Hwy 825

Description of Work

Accessory Building for Transloading Facility – To Complete Construction of Rail & Drive Shed Structure with a Variance to the Side Property Line Setback (existing foundation)

Fees

Discretionary Use / Variance Request, Accessory Building \$720.65

The application to complete construction of an Accessory Building (Rail & Drive Shed 683.65m² in floor area) for a Transloading Facility is REFUSED for the following reasons:

1. Pursuant to section 14.4.4 of Land Use Bylaw 1385/17, Development Regulations within the I4 – Medium Industrial Serviced District, the minimum side yard setback is 5.0m (16.4ft). The site plan prepared by Challenger Geomatics Ltd. confirms the foundation is 1.1m (3.6ft) from the side property line.

Required Side Yard Setback – 5.0m
 Actual Side Yard Setback – 1.1m
 Variance Required – 3.9m or 78%

2. Pursuant to section 2.8.6 of Land Use Bylaw 1385/17, Decision Process, the Development Authority may grant a variance of up to 50% in the I4 district. Section 2.8.6(b) states variances for the districts in excess of what is prescribed shall be refused by the Development Authority. The requested side yard variance exceeds 50% and had to be refused by the Development Authority.

If you have any questions or concerns about your application or any conditions listed above, please contact the Planning and Development Department at 780-939-8275.

Issued By:



Carla Williams
Development Officer

Municipality

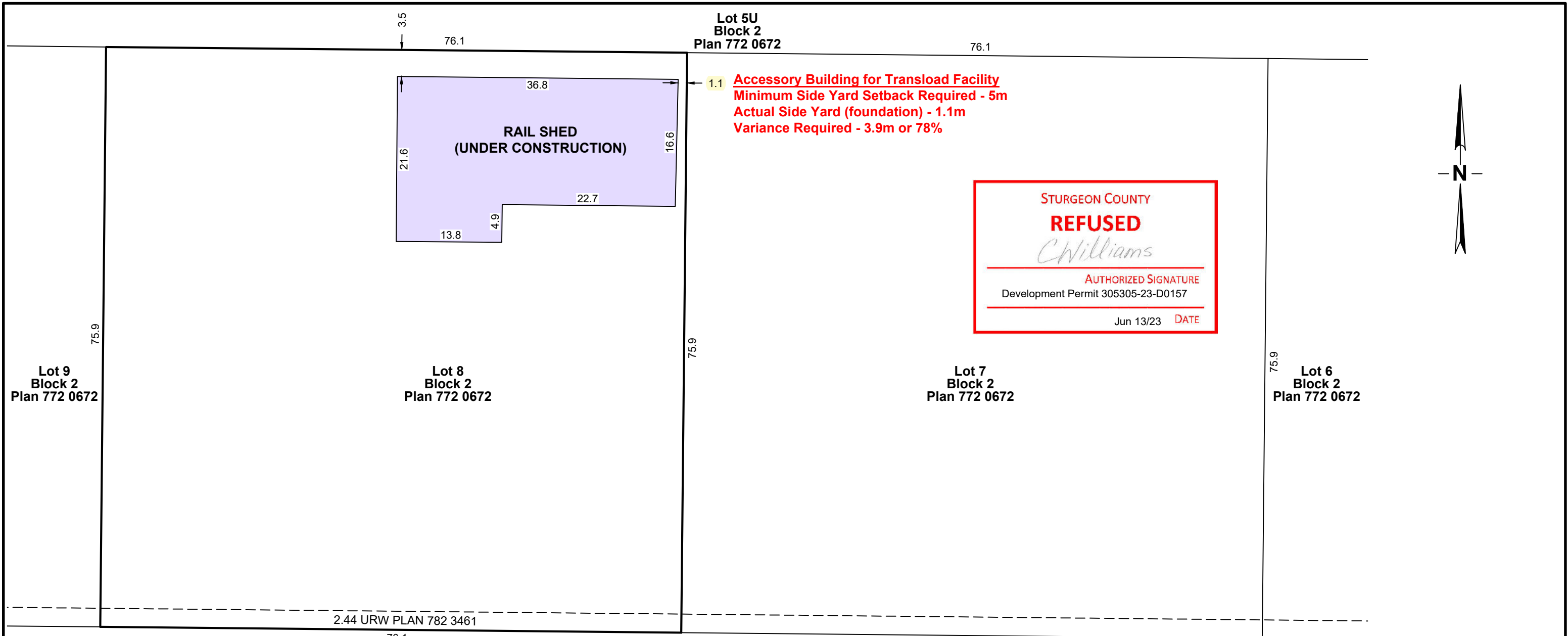
Sturgeon County
9613 – 100 Street Morinville, AB T8R 1L9
Phone: (780) 939-8275
Fax: (780) 939-2076
Toll Free: 1-866-939-9303

Appeal Information

Pursuant to Section 685(1) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 21 days of the decision date. If you wish to appeal this decision, please choose the correct appeal body having jurisdiction.

If the application is the subject of a license, permit, approval, or other authorization granted by the Minister of Environment and Parks or granted under any Act the Minister is responsible for under section 16 of the Government Organization Act, or granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission - Appeals shall be filed with the Land and Property Rights Tribunal at lp.rta.appeals@gov.ab.ca or by mail to 2nd Floor, Summerside Business Center, 1229 91 Street SW, Edmonton, AB, T6X 1E9. Telephone enquiries can be made at 780-427-2444.

All other appeals not subject to the above can be filed with the Secretary of the Subdivision and Development Appeal Board via email at legislativeservices@sturgeoncounty.ca or via mail to Sturgeon County Centre 9613 – 100 Street Morinville, AB, T8R 1L9. Telephone enquiries can be made at 780-939-4321.



2.44 URW PLAN 782 3461

STURGEON CRESCENT 100

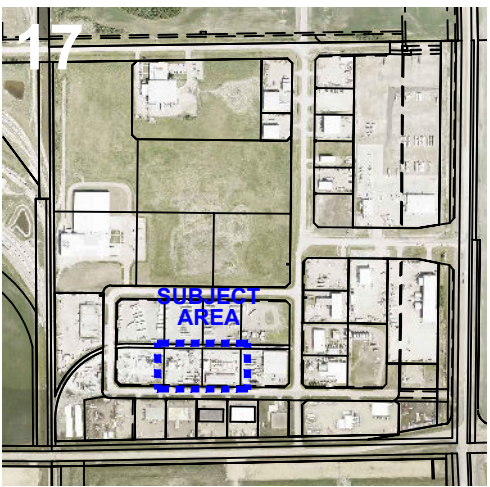
SUBJECT AREA

NOTES and LEGEND

- Date of Survey: June 7, 2023.
- Distances are ground in metres and decimals thereof.



SCALE 1 : 500



LOCATION PLAN
SCALE 1: 15 000

TOTAL TRANSLOAD SERVICES

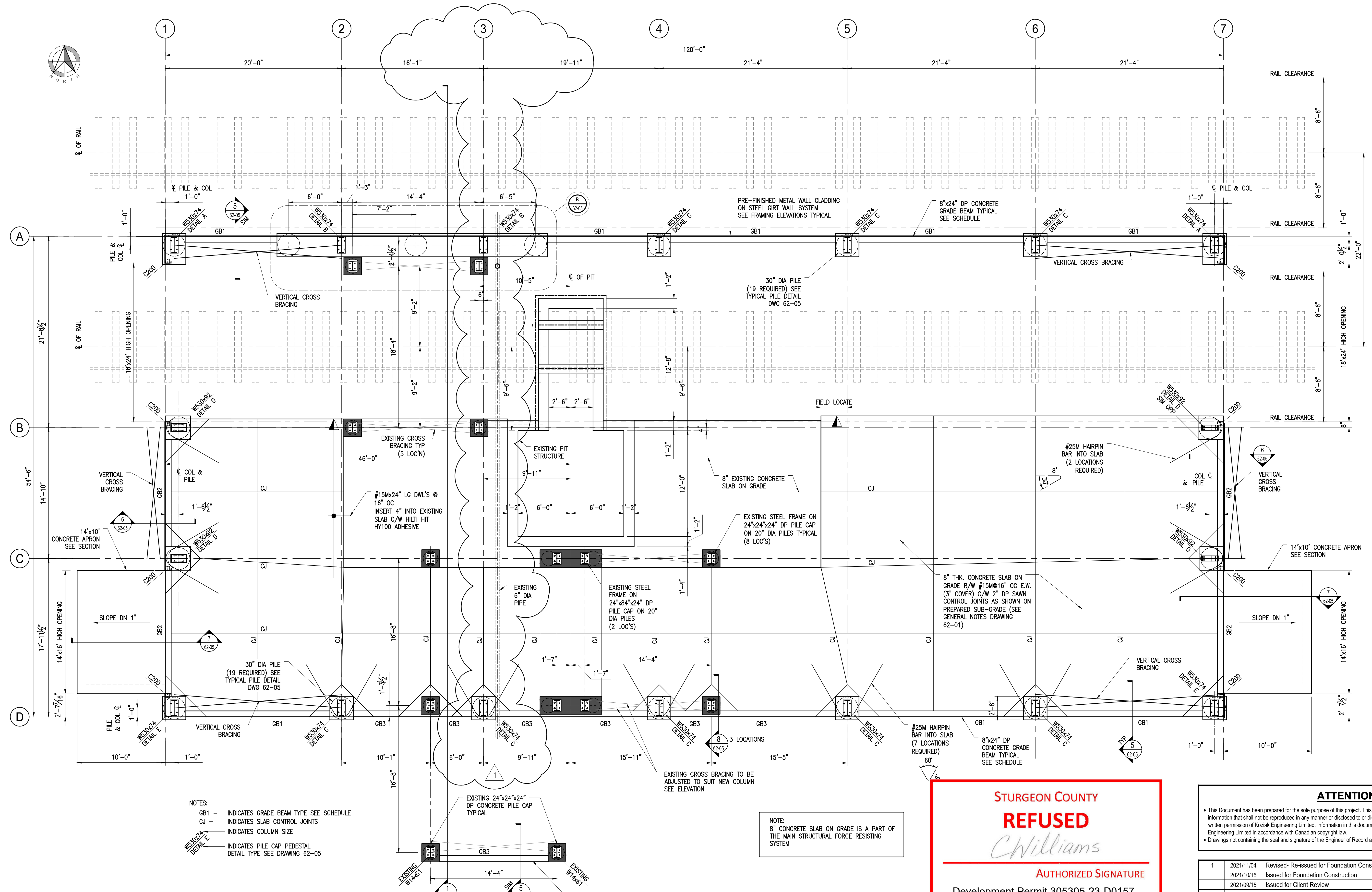
PLAN SHOWING RAIL SHED (UNDER CONSTRUCTION)

WITHIN
LOT 8, BLOCK 2, PLAN 772 0672
(S.E. 1/4 Sec. 17, Twp. 55, Rge. 22, W.4 M.)
STURGEON COUNTY

Scale:	1:500	Date:	2023-06-01	Drawing:	
Dwn/Chk:	AB/JC/KF	Job#:	53580	23-S-53580-SK1-REV1	
REV	No.	Description:	Date:	By:	
	2	FIELD SURVEY	2023-06-12	AB/JC	

CHALLENGER www.challengegeomatics.com
Edmonton | Calgary | Yellowknife
Whitehorse | Fort McMurray

2
REVISION



NOTES:
 GB1 - INDICATES GRADE BEAM TYPE SEE SCHEDULE
 CJ - INDICATES SLAB CONTROL JOINTS
 INDICATES COLUMN SIZE
 INDICATES PILE CAP PEDESTAL DETAIL TYPE SEE DRAWING 62-05

NOTE:
 6" CONCRETE SLAB ON GRADE IS A PART OF THE MAIN STRUCTURAL FORCE RESISTING SYSTEM

GRADE BEAM SCHEDULE							
TYPE	WIDTH	DEPTH	TOP STEEL	MID STEEL	BOTTOM STEEL	STIRRUPS	REMARKS
GB1	8"	24"	2 - #15M	-	2 - #15M	#10M @ 12"	RUN HORIZONTAL STEEL THRU PEDESTALS
GB2	8"	24"	2 - #20M	-	2 - #20M	#10M @ 12"	RUN HORIZONTAL STEEL THRU PEDESTALS
GB3	8"	24"	2 - #15M	-	2 - #15M	#10M @ 12"	SEE GRADE BEAM NOTE 1

NOTES:
 1. PROVIDE #15M DWL x 24" LG TO MATCH GRADE BEAM HORIZONTAL STEEL WHERE GRADE BEAM INTERSECTS EXISTING CONCRETE PILE CAPS. INSERT 6" INTO EXISTING CONCRETE PILE CAPS C/W HILTI HIT HY100 ADHESIVE
 2. PROVIDE CORNER BARS TO MATCH GRADE BEAM TOP AND BOTTOM STEEL

MAIN FLOOR/FOUNDATION PLAN
 SCALE: 3/16"=1'-0"

STURGEON COUNTY
REFUSED
ChWilliams
 AUTHORIZED SIGNATURE
 Development Permit 305305-23-D0157
 Jun13/23 DATE



PERMIT TO PRACTICE
 KOZIAK ENGINEERING LIMITED
 Signature: Isaac Hays #39311
 Date: November 4, 2021
 PERMIT NUMBER: P 4335
 The Association of Professional Engineers and Geoscientists of Alberta

ATTENTION

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- Drawings not containing the seal and signature of the Engineer of Record are issued for discussion only.

REV.	DATE	DESCRIPTION	BY
1	2021/11/04	Revised- Re-issued for Foundation Construction	MG
	2021/10/15	Issued for Foundation Construction	MG
	2021/09/15	Issued for Client Review	GG
	2021/08/16	Issued for Client Review	GG

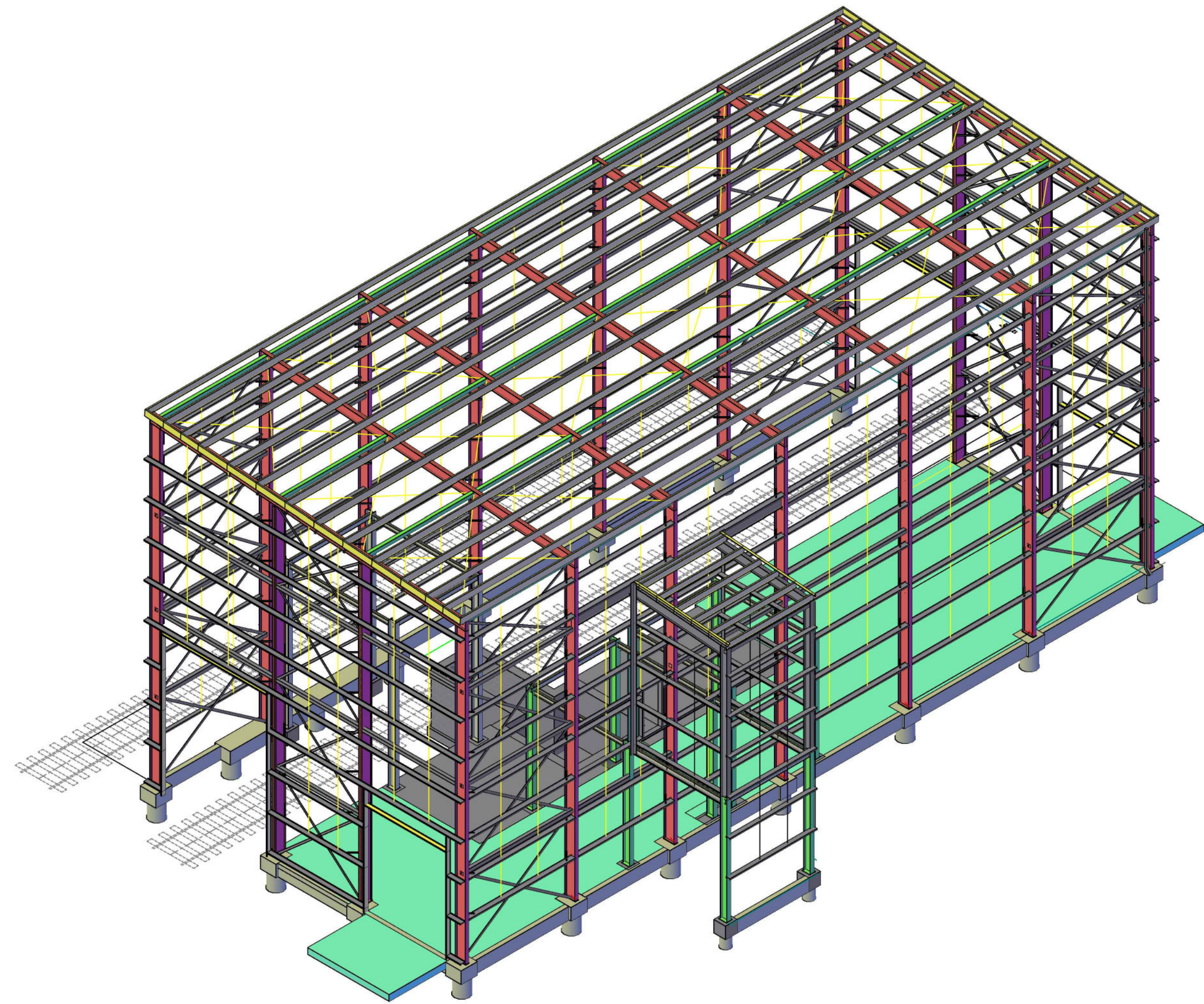
PROJECT
RAIL & DRIVE SHED STRUCTURE
 Transload Facility
 Fort Saskatchewan, AB

CLIENT

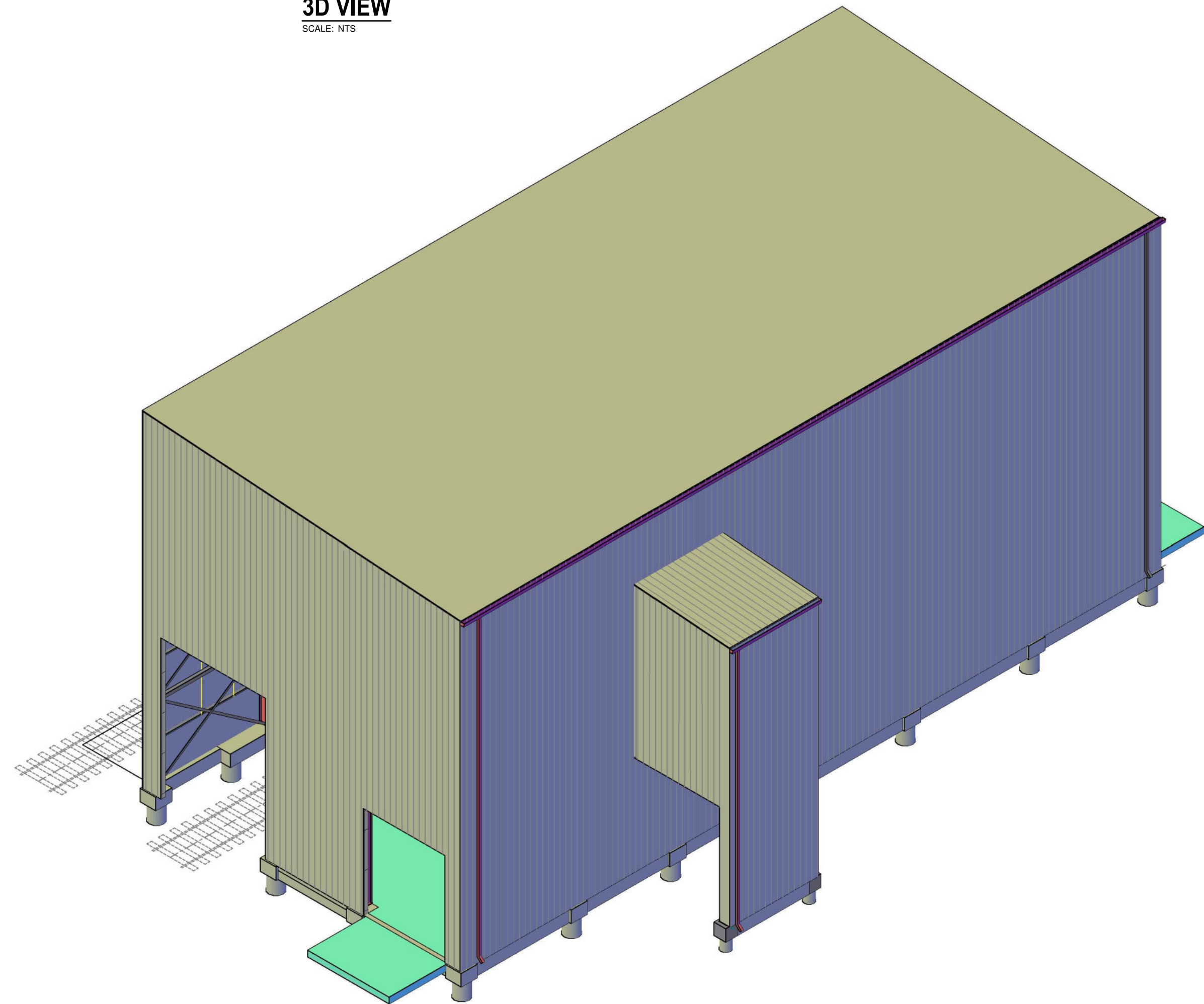
TITLE
MAIN FLOOR / FOUNDATION PLAN

Koziak Engineering Limited
 9704 - 45 Ave., Edmonton, Alberta T5E 5C5
 www.koziakengineering.com
 Ph. (780) 438-6247

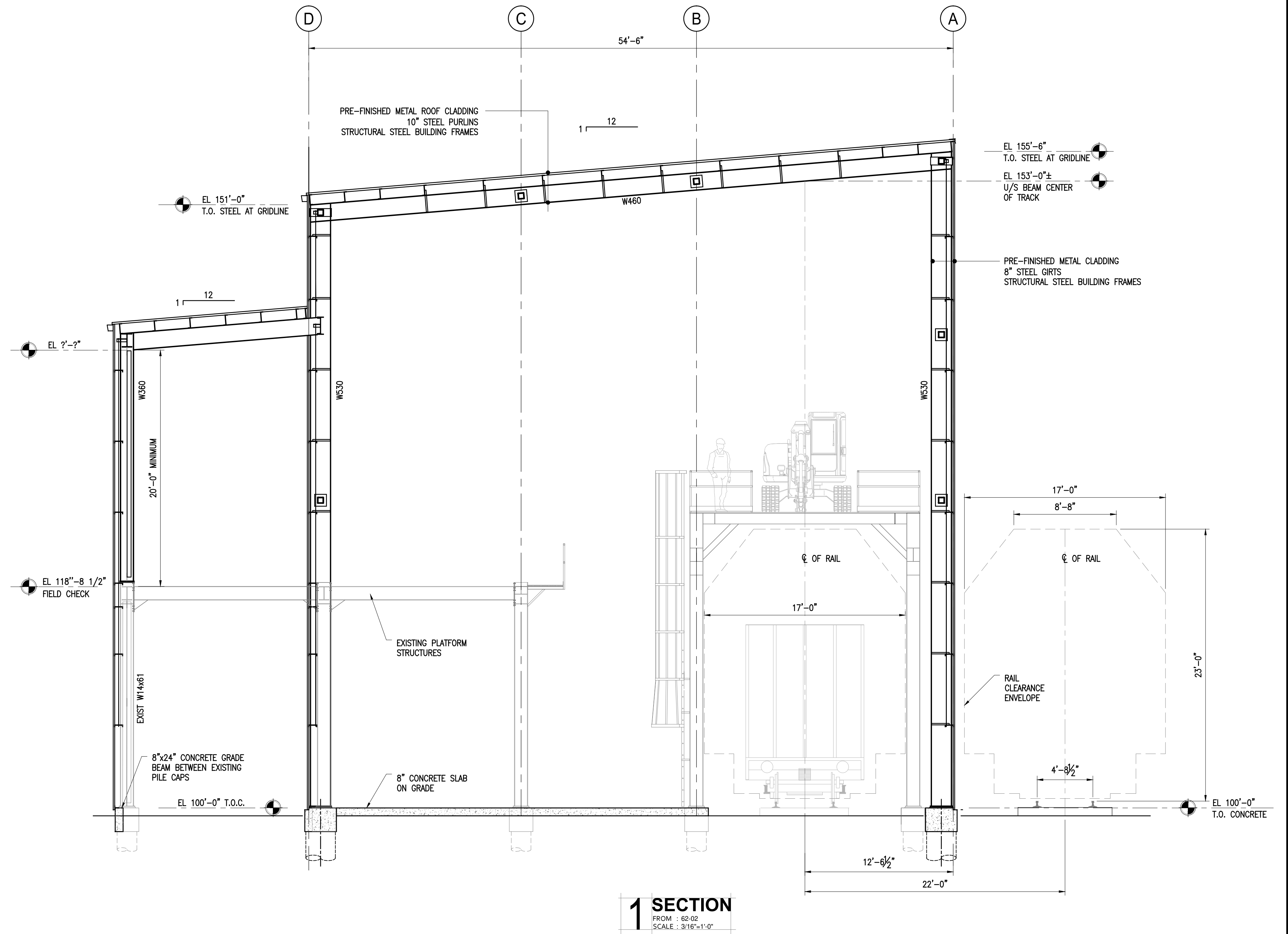
SCALE AS SHOWN
 DRAWN GG
 DATE 2021/08/11
 JOB # K21-62
 DRAWING # **K2162-02**



3D VIEW
SCALE: NTS



3D VIEW
SCALE: NTS



STURGEON COUNTY
REFUSED
C. Williams
AUTHORIZED SIGNATURE
Development Permit 305305-23-D0157
Jun 13/23 DATE



PERMIT TO PRACTICE
KOZIAK ENGINEERING LIMITED
Signature: *B.D.P. Koziak* 200311
Date: October 15, 2021
PERMIT NUMBER: P 4335
The Association of Professional Engineers and Geoscientists of Alberta

ATTENTION

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- Drawings not containing the seal and signature of the Engineer of Record are issued for discussion only.

REV.	DATE	DESCRIPTION	BY
2021/10/15		Issued for Foundation Construction	MG
2021/09/15		Issued for Client Review	GG
2021/08/16		Issued for Client Review	GG

PROJECT
RAIL & DRIVE SHED STRUCTURE
Transload Facility
Fort Saskatchewan, AB

CLIENT
TOTAL TRANSCOAD SERVICES

TITLE
BUILDING SECTION & 3D VIEWS

SCALE AS SHOWN
DRAWN GG
DATE 2021/08/11
JOB # K21-62
DRAWING # **K2162-03**

Koziak Engineering Limited
9704 - 45 Ave., Edmonton, Alberta T5E 5C5
www.koziakengineering.com
Ph. (780) 438-6247



Planning and Development
 9613-100 Street
 Morinville, AB T8R 1L9
 Phone (780) 939-8275
 Fax (780) 939-2076
 Email: PandD@sturgeoncounty.ca

For Office Use	
Permit Number:	305305-23-D0157
Date Received:	Mar 9, 2023
Received By:	CW

DEVELOPMENT PERMIT APPLICATION

Application is hereby made under the provisions of Land Use Bylaw 1385/17 to develop in accordance with the plans and supporting information submitted herewith and which form part of this application. Severed in line with section 17 of the FOIP Act

APPLICANT INFORMATION

Complete if different from Applicant

Name of Applicant: Total Transload Services		Name of Registered Land Owner: Ravi Chand	
Mailing Address: 108 55202SH825		Mailing Address: _____	
City: Sturgeon County		City: _____	
Postal Code: t8l5c1	PH: 7808866532	Postal Code: _____	PH: 7808866532
E-mail Address: rchand.eng@totaltransload.com		Email Address: rchand.eng@totaltransload.com	

Contact Name: **Ravi Chand**

LAND INFORMATION

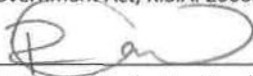
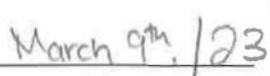
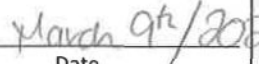
Legal Description of Property All/Part _____ 1/4 Section _____ Twp. _____ Rge. _____ West of the _____ Meridian
 OR Lot **8** Block **2** Plan No. **7720672** Hamlet or Subdivision _____
 Parcel Size: _____ Rural Address: **112 55202 SH825**

DEVELOPMENT INFORMATION – Please Mark (X) ALL that Apply

<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Accessory Building	<input type="checkbox"/> Kennel	Brief Description: Building Accessory Building for Transloading Facility with side yard variance	Development Details: Size: 5000Ft Height: 50Ft Start Date: March 15 End Date: Sep 15	
<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Addition	<input type="checkbox"/> RV Storage		Estimated Project Value: 460492 (cost of material & labour)	
<input type="checkbox"/> Industrial	<input type="checkbox"/> Attached Garage	<input type="checkbox"/> Single Family Dwelling			
<input type="checkbox"/> Institutional	<input type="checkbox"/> Site Grading	<input type="checkbox"/> Secondary Dwelling			
	<input type="checkbox"/> Deck	<input type="checkbox"/> Dugout			
	<input type="checkbox"/> Other _____				

APPLICANT AUTHORIZATION

I/we hereby give my/our authorization to apply for this development permit application and allow authorized persons the right to enter the above land and/or building(s) with respect to this application only. I/we understand and agree that this application and any development permit issued pursuant to this application or any information thereto, is not confidential information and may be released by Sturgeon County.
 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 of Authorized Applicant(s)	March 9th /23 Date	 Date
All landowners listed on title must sign this permit or a letter of authority. If the land is titled to a company, a copy of the Corporate Registry information must be provided.		 Signature of Landowner

Severed in line with section 17 of the FOIP Act

FOR OFFICE USE ONLY

Permitted Use <input type="checkbox"/> Discretionary Use <input type="checkbox"/>
Fee \$ 620.65 Penalty \$ _____ Receipt# 202303324 Tax Roll# 316019 District I4 Payment Method: Cash / Cheque / Debit / VISA / Mastercard
M/C or Visa Number _____ Expiry Date: _____ Name (as it appears on card): _____ Authorized Signature: _____

FOR OFFICE USE ONLY

Land Use Bylaw Section	Requested Variance	Variance Percentage
14.4.4	3.9m to min side yard	78%

Land Use District I4 - Medium Industrial Serviced

Roll# 316019

Approving Authority as per Section 2.8.6 of the Land Use Bylaw

Development Officer

Municipal Planning Commission

Notes

APPLICATION FEES ARE NON-REFUNDABLE

The personal information provided will be used to process the Variance application and is collected under the authority of Section 642 of the Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. Personal information you provide may be recorded in the minutes of Municipal Planning Commission. 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.

PLANNING AND DEVELOPMENT SERVICES REPORT

Subdivision & Development Appeal Board
File Number 023-STU-013

FILE INFORMATION

Department File:	305305-23-D0157
Legal Land Description:	Lot 8; Block 2; Plan 7720672
Relative Location:	Sturgeon Industrial Park (SIP)
Appellant:	Ravi Chand
Landowner:	Total Transload Services (2015) Inc
	Appealing the Decision of the Development Authority: Refusal – Accessory Building for Transloading Facility - To
Description of Appeal:	Complete Construction of Rail & Drive Shed Structure with a Variance to the Side Property Line Setback (existing foundation)
Land Use Bylaw District:	I4 – Medium Industrial Serviced
Tax Roll Number:	316019

BACKGROUND

- A development permit (Appendix 1) was submitted in March of 2023 to construct an accessory building on the subject land. A review of the application and aerial photos revealed the foundation was already completed and the building had been partially constructed. The application was deemed to be incomplete until an as-built site plan, prepared by a surveyor, was provided to confirm the location of the existing foundation.
 - The as-built site plan confirmed the existing foundation was constructed too close to the side and rear property lines.
 - The minimum side and rear yard setback required is 5m (16.4ft). The foundation is 1.1m from the side property line and 3.5m from the rear property line.

PROPERTY INFORMATION

- The property is developed as a transload truck loading facility with overhead silos and a rail spur. Total Transload Services own and occupy all the parcels along the rail spur within this block in SIP.
- The applicant states the proposed building is to cover the rail line to transload products out of the elements. The building cannot be moved in any direction as the rail track has a degree of curvature and point tangent where the building needs to start to and to end. If the building were required to be constructed to be further away from the property lines, the rail cars will not have enough clearance to enter the building.

RELIVANT POLICY/LEGISLATION

- Municipal Development Plan Bylaw 1313/13
 - Neighbourhood I Economic health outcome (Appendix 2) – to ensure fiscal sustainability, the diversification of industrial activities in SIP is required. Promoting economic diversification that attracts targeted sectors requires investment and continued development focus for SIP, to support initiatives that will transform SIP into a competitive alternative for industrial development and growth within Sturgeon County.
- Land Use Bylaw 1385/17
 - Section 14.4.2 - I4 Medium Industrial Serviced District (Appendix 3)
 - Accessory Building to a Transloading Facility is a permitted use.
 - Section 14.4.4 Development Regulations
 - Minimum side and rear yard setback required is 5m (16.4ft)
 - Maximum height is at the discretion of the Development Authority
 - Maximum parcel coverage 70%
 - Section 14.4.5 Additional Development Regulations
 - (b) Notwithstanding the setbacks in subsection 14.4.4, a rail yard or rail spur may be permitted within the development setback at the discretion of the Development Authority.
 - Section 2.8.6 Decision Process
 - The Development Authority may grant a variance of up to 50% in the I4 district.

ANALYSIS

- The application aligns with the MDP as the transload facility and rail spur diversifies industrial activities in SIP.
- The proposed accessory building for a Transloading Facility is a permitted use within the I4 district.
- The existing foundation is too close to the side and rear property lines and does not meet the minimum side and rear setback requirement of 5m (16.4ft). The foundation has been constructed 1.1m from the side and 3.5m from the rear property line. The side yard variance required is 3.9m or 78%. The Development Authority shall not approve a variance over 50% within the I4 district. The Development Authority can grant a variance of 1.5m or 30% to allow the rear foundation to remain as constructed.
- Given Total Transload Services owns and occupies the entire block in SIP and with the existing rail spur location and curvature, the Development Authority is supportive of the variance to allow the construction of the accessory building to proceed on the existing foundation.

CONCLUSION

- The Board must comply with the following:
 - Application must conform with the prescribed uses of the land (*MGA s. 687(3)(d)(ii)*).
- The Board may consider the following:
 - If the proposed development would unduly interfere with the amenities of the neighbourhood; or materially interferes with or affects the use, enjoyment, or value of neighbouring properties.
 - Special circumstances that may be applicable to the subject property such as the existing rail spur, location, and use of the parcel and adjacent properties.
- Should the Board deny the Appeal the foundation would have to be removed and re-constructed to meet the Land Use Bylaw setback requirements.
- Should the Board uphold the Appeal and approve the application to complete construction of an Accessory Building (Rail & Drive Shed) for a Transloading Facility in accordance with the submitted application, the following conditions are recommended:
 1. A building permit shall be obtained and approved.
 2. Construction of the accessory building is to be in accordance with the approved site plan and engineered drawings.
 - Side yard: 1.1m (3.6ft) Variance Granted 3.9m or 78%
 - Rear yard: 3.5m (11.5ft) Variance Granted 1.5m or 30%
 3. The accessory building shall not exceed 683.7m² (7358.7ft²) in area.
 4. Drainage measures undertaken as part of a development shall not negatively impact adjacent parcels by way of flooding or inundation through the redirection of surface water. In the event that the drainage of a development is found to affect adjacent parcels, all mitigating measures required to remedy the problem including drainage structures, drainage easements and retaining walls shall be at the sole expense of the landowner of the parcel where the mitigating measures are required.
 5. Any excavation, storage or piling up of materials required during the construction stage shall have all necessary safety measures undertaken and the owner of such materials or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
 6. If the development authorized by this permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the permit approval ceases and the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Approving Authority.

Advisory Notes:

1. **Construction occurring prior to the issuance of a building permit is subject to a double fee penalty.**

2. It is the responsibility of the developer to ensure that the applicant/landowner complies with any federal or provincial laws/legislation and that any required permits are obtained. All development will comply and be consistent with any license, permit, approval, authorization, regulation, or directive established by the Alberta Energy Regulator, Alberta Environment and CN Rail.
3. The applicant/landowner must also comply with the conditions of any easement of covenant which affects the development.

ATTACHMENT(S)

- Appendix 1 – Development Permit Application and Decision
- Appendix 2 – I4 MDP Economic Health
- Appendix 3 – I4 LUB District



Prepared By: _____

Carla Williams, Development Officer

Reviewed By: _____

Tyler McNab Digitally signed by Tyler McNab
Date: 2023.07.04 11:31:29
-06'00'**Tyler McNab**, Program Lead Development & Safety Codes



Planning and Development

9613-100 Street

Morinville, AB T8R 1L9

Phone (780) 939-8275

Fax (780) 939-2076

Email: PandD@sturgeoncounty.ca

Notification of Decision Letter

Date: Jun 13, 2023

Permit Number: 305305-23-D0157

To: Total Transload Services
108-55202 SH 825
Sturgeon County, ALBERTA
T8L 5C1

Re: Decision of the Development Officer

Please be advised that development permit #305305-23-D015 Accessory Building for Transloading Facility – To Complete Construction of Rail & Drive Shed Structure with a Variance Request to the Side Property Line Setback (existing foundation) was REFUSED on Jun 13, 2023.

This decision may be appealed to the Subdivision and Development Appeal Board within 21 days after the date on which a person qualified to appeal is notified. The Appeal Board information can be found at the bottom of the refusal decision.

If you have any questions regarding the development permit, please contact the undersigned at (780)939-8275 or toll free at 1-866-939-9303.

Regards,

A handwritten signature in cursive script that reads 'CWilliams'.

Carla Williams
Development Officer

Development Permit

Land Use Bylaw 1385/17

Permit No.:	305305-23-D0157
Tax Roll No.:	316019
Decision Date:	Jun 13, 2023
Effective Date:	

Applicant

Name: Total Transload Services
 Address: 108-55202 SH 825
 Sturgeon County, ALBERTA
 T8L 5C1
 Phone: (780)886-6532
 Cell:
 Email: rchand.eng@totaltransload.com

Owner

Name: Chand, Ravi
 Address:
 Phone: (780)886-6532
 Cell:
 Email: rchand.eng@totaltransload.com

Severed in line with section 17 of the FOIP Act

Property Description

Legal Land Description: 7720672; 2; 8 Sturgeon Industrial Park
Land Use Description: (I4) Medium Industrial Serviced District
Rural Address: 112 55202 Hwy 825

Description of Work

Accessory Building for Transloading Facility – To Complete Construction of Rail & Drive Shed Structure with a Variance to the Side Property Line Setback (existing foundation)

Fees

Discretionary Use / Variance Request, Accessory Building	\$720.65
--	----------

The application to complete construction of an Accessory Building (Rail & Drive Shed 683.65m² in floor area) for a Transloading Facility is REFUSED for the following reasons:

1. Pursuant to section 14.4.4 of Land Use Bylaw 1385/17, Development Regulations within the I4 – Medium Industrial Serviced District, the minimum side yard setback is 5.0m (16.4ft). The site plan prepared by Challenger Geomatics Ltd. confirms the foundation is 1.1m (3.6ft) from the side property line.
 - Required Side Yard Setback – 5.0m
 - Actual Side Yard Setback – 1.1m
 - Variance Required – 3.9m or 78%
2. Pursuant to section 2.8.6 of Land Use Bylaw 1385/17, Decision Process, the Development Authority may grant a variance of up to 50% in the I4 district. Section 2.8.6(b) states variances for the districts in excess of what is prescribed shall be refused by the Development Authority. The requested side yard variance exceeds 50% and had to be refused by the Development Authority.

If you have any questions or concerns about your application or any conditions listed above, please contact the Planning and Development Department at 780-939-8275.

Issued By:



Carla Williams
Development Officer

Municipality

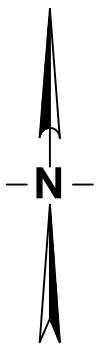
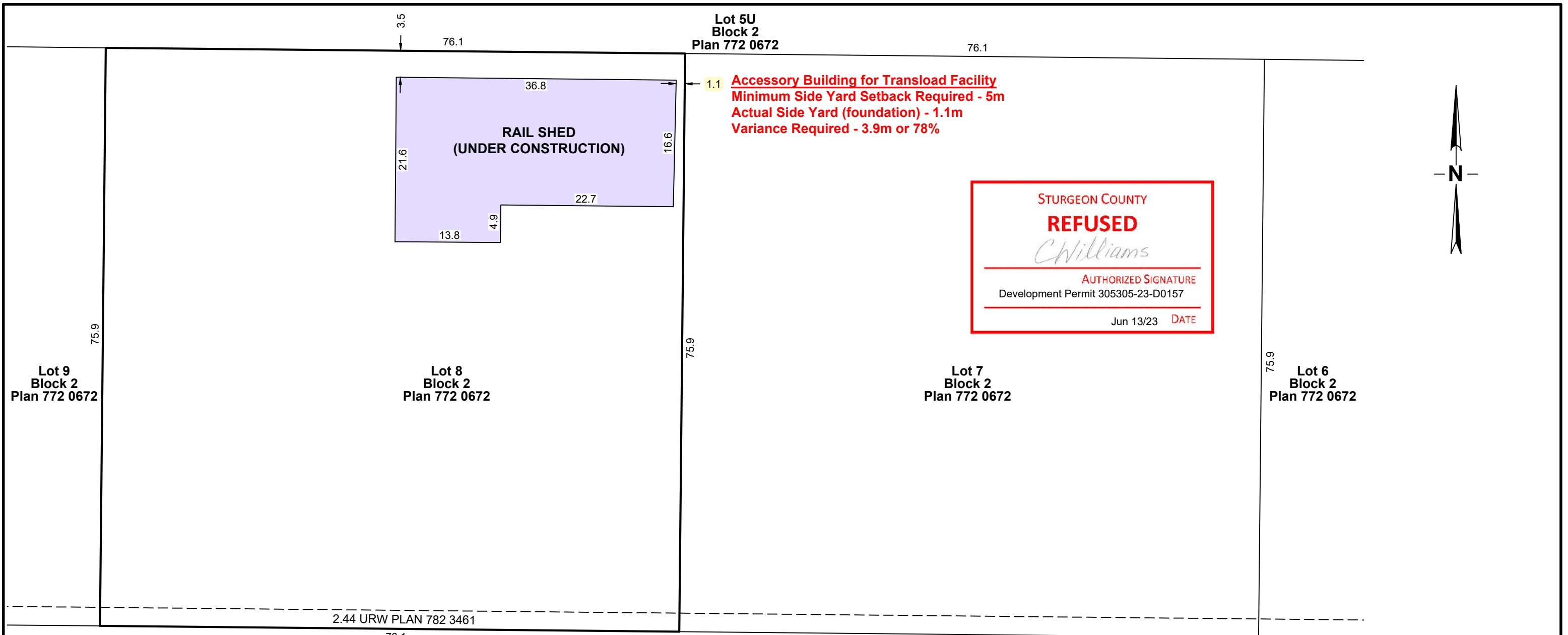
Sturgeon County
9613 – 100 Street Morinville, AB T8R 1L9
Phone: (780) 939-8275
Fax: (780) 939-2076
Toll Free: 1-866-939-9303

Appeal Information

Pursuant to Section 685(1) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 21 days of the decision date. If you wish to appeal this decision, please choose the correct appeal body having jurisdiction.

If the application is the subject of a license, permit, approval, or other authorization granted by the Minister of Environment and Parks or granted under any Act the Minister is responsible for under section 16 of the Government Organization Act, or granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission - Appeals shall be filed with the Land and Property Rights Tribunal at lprrt.appeals@gov.ab.ca or by mail to 2nd Floor, Summerside Business Center, 1229 91 Street SW, Edmonton, AB, T6X 1E9. Telephone enquiries can be made at 780-427-2444.

All other appeals not subject to the above can be filed with the Secretary of the Subdivision and Development Appeal Board via email at legislativeservices@sturgeoncounty.ca or via mail to Sturgeon County Centre 9613 – 100 Street Morinville, AB, T8R 1L9. Telephone enquiries can be made at 780-939-4321.



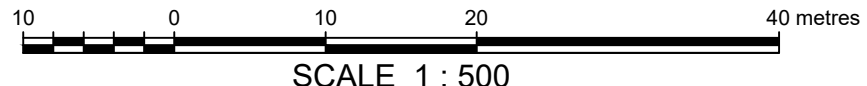
2.44 URW PLAN 782 3461

STURGEON CRESCENT 100

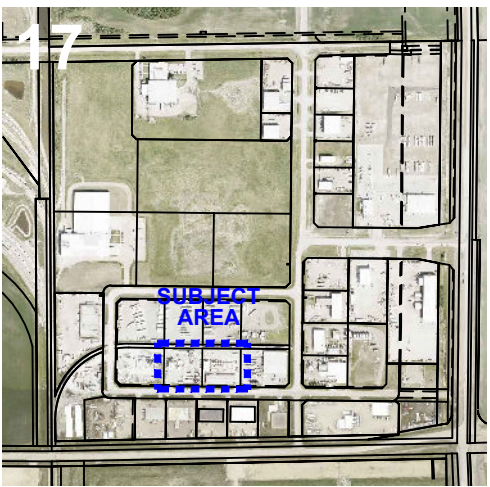
SUBJECT AREA

NOTES and LEGEND

- Date of Survey: June 7, 2023.
- Distances are ground in metres and decimals thereof.



SCALE 1 : 500



LOCATION PLAN
SCALE 1: 15 000

TOTAL TRANSLOAD SERVICES

PLAN SHOWING RAIL SHED (UNDER CONSTRUCTION)

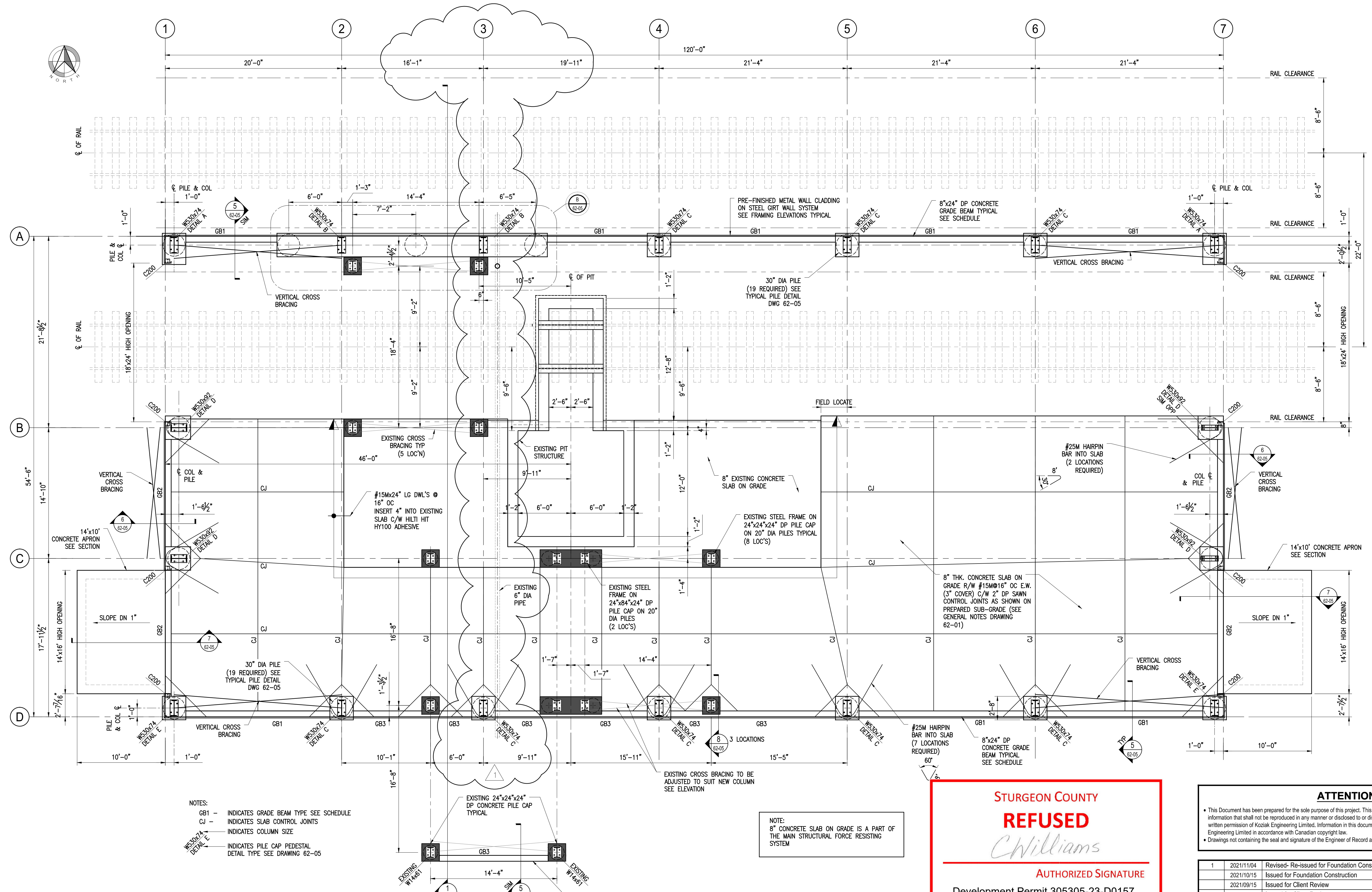
WITHIN
LOT 8, BLOCK 2, PLAN 772 0672
(S.E. 1/4 Sec. 17, Twp. 55, Rge. 22, W.4 M.)
STURGEON COUNTY

Scale:	1:500	Date:	2023-06-01	Drawing:	
Dwn/Chk:	AB/JC/KF	Job#:	53580	23-S-53580-SK1-REV1	
REV	No.	Description:	Date:	By:	
	2	FIELD SURVEY	2023-06-12	AB/JC	

CHALLENGER www.challengegeomatics.com
Edmonton | Calgary | Yellowknife
Whitehorse | Fort McMurray



REVISION



- NOTES:
- GB1 - INDICATES GRADE BEAM TYPE SEE SCHEDULE
 - CJ - INDICATES SLAB CONTROL JOINTS
 - INDICATES COLUMN SIZE
 - INDICATES PILE CAP PEDESTAL DETAIL TYPE SEE DRAWING 62-05

GRADE BEAM SCHEDULE							
TYPE	WIDTH	DEPTH	TOP STEEL	MID STEEL	BOTTOM STEEL	STIRRUPS	REMARKS
GB1	8"	24"	2 - #15M	-	2 - #15M	#10M @ 12"	RUN HORIZONTAL STEEL THRU PEDESTALS
GB2	8"	24"	2 - #20M	-	2 - #20M	#10M @ 12"	RUN HORIZONTAL STEEL THRU PEDESTALS
GB3	8"	24"	2 - #15M	-	2 - #15M	#10M @ 12"	SEE GRADE BEAM NOTE 1

NOTES:

- PROVIDE #15M DWL x 24" LG TO MATCH GRADE BEAM HORIZONTAL STEEL WHERE GRADE BEAM INTERSECTS EXISTING CONCRETE PILE CAPS. INSERT 6" INTO EXISTING CONCRETE PILE CAPS C/W HILTI HIT HY100 ADHESIVE
- PROVIDE CORNER BARS TO MATCH GRADE BEAM TOP AND BOTTOM STEEL

NEW 8"x24" GRADE BEAM SEE GRADE BEAM SCHEDULE PROVIDE DWLS TO MATCH HOR STEEL INTO EXISTING CONCRETE PILE CAPS C/W HILTI HIT HY100 ADHESIVE SEE GRADE BEAM SCHEDULE

NOTE:
6" CONCRETE SLAB ON GRADE IS A PART OF THE MAIN STRUCTURAL FORCE RESISTING SYSTEM

STURGEON COUNTY
REFUSED
Williams
AUTHORIZED SIGNATURE
Development Permit 305305-23-D0157
Jun13/23 DATE



PERMIT TO PRACTICE
KOZIAK ENGINEERING LIMITED
Signature: Isaac Hayer #39311
Date: November 4, 2021
PERMIT NUMBER: P 4335
The Association of Professional Engineers and Geoscientists of Alberta

MAIN FLOOR/FOUNDATION PLAN
SCALE: 3/16"=1'-0"

ATTENTION

- This Document has been prepared for the sole purpose of this project. This document contains proprietary and confidential information that shall not be reproduced in any manner or disclosed to or discussed with any other parties without the express written permission of Koziak Engineering Limited. Information in this document is to be considered the intellectual property of Koziak Engineering Limited in accordance with Canadian copyright law.
- Drawings not containing the seal and signature of the Engineer of Record are issued for discussion only.

REV.	DATE	DESCRIPTION	BY
1	2021/11/04	Revised- Re-issued for Foundation Construction	MG
	2021/10/15	Issued for Foundation Construction	MG
	2021/09/15	Issued for Client Review	GG
	2021/08/16	Issued for Client Review	GG

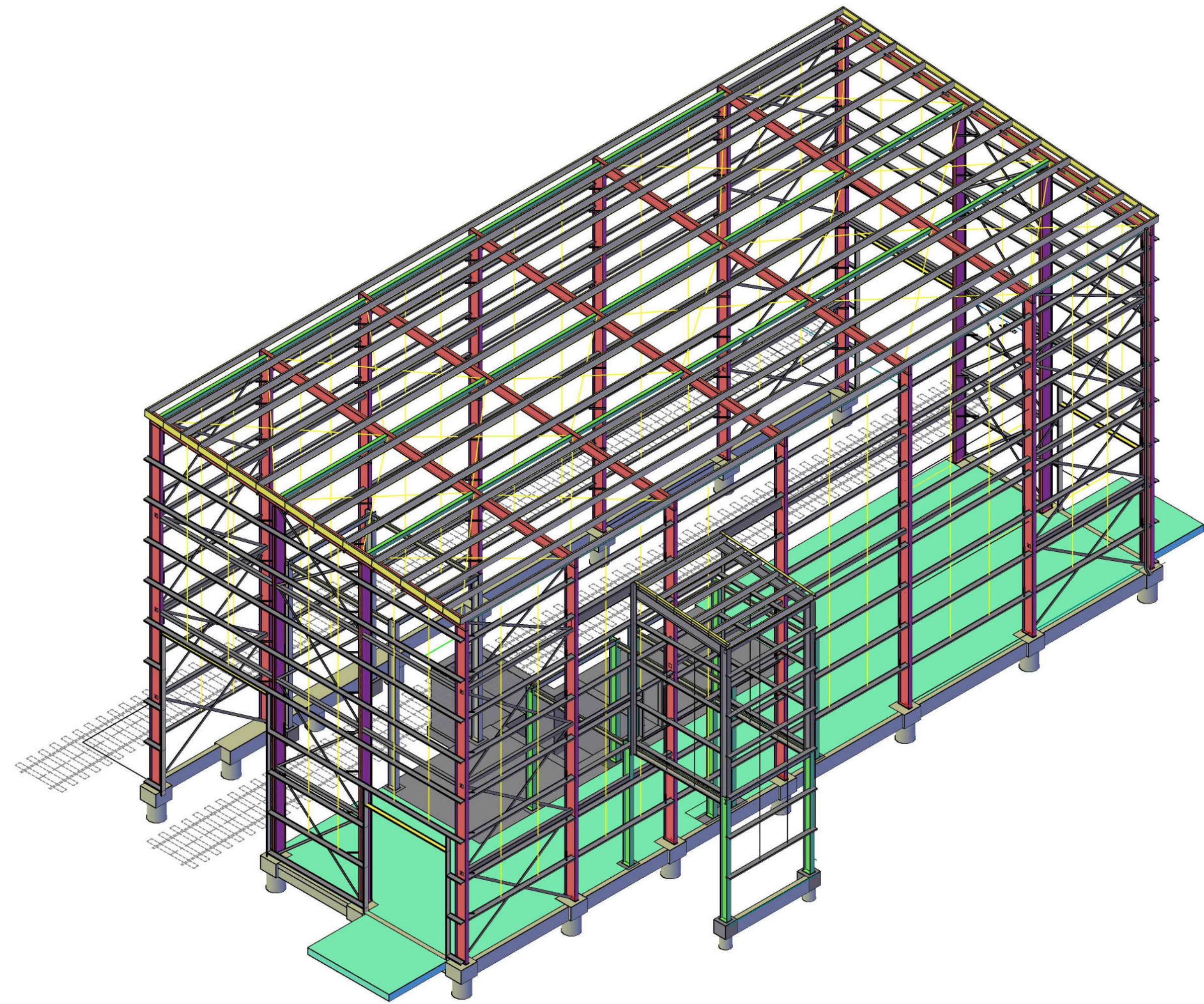
PROJECT
RAIL & DRIVE SHED STRUCTURE
Transload Facility
Fort Saskatchewan, AB

CLIENT
TOTAL TRANSLOAD SERVICES

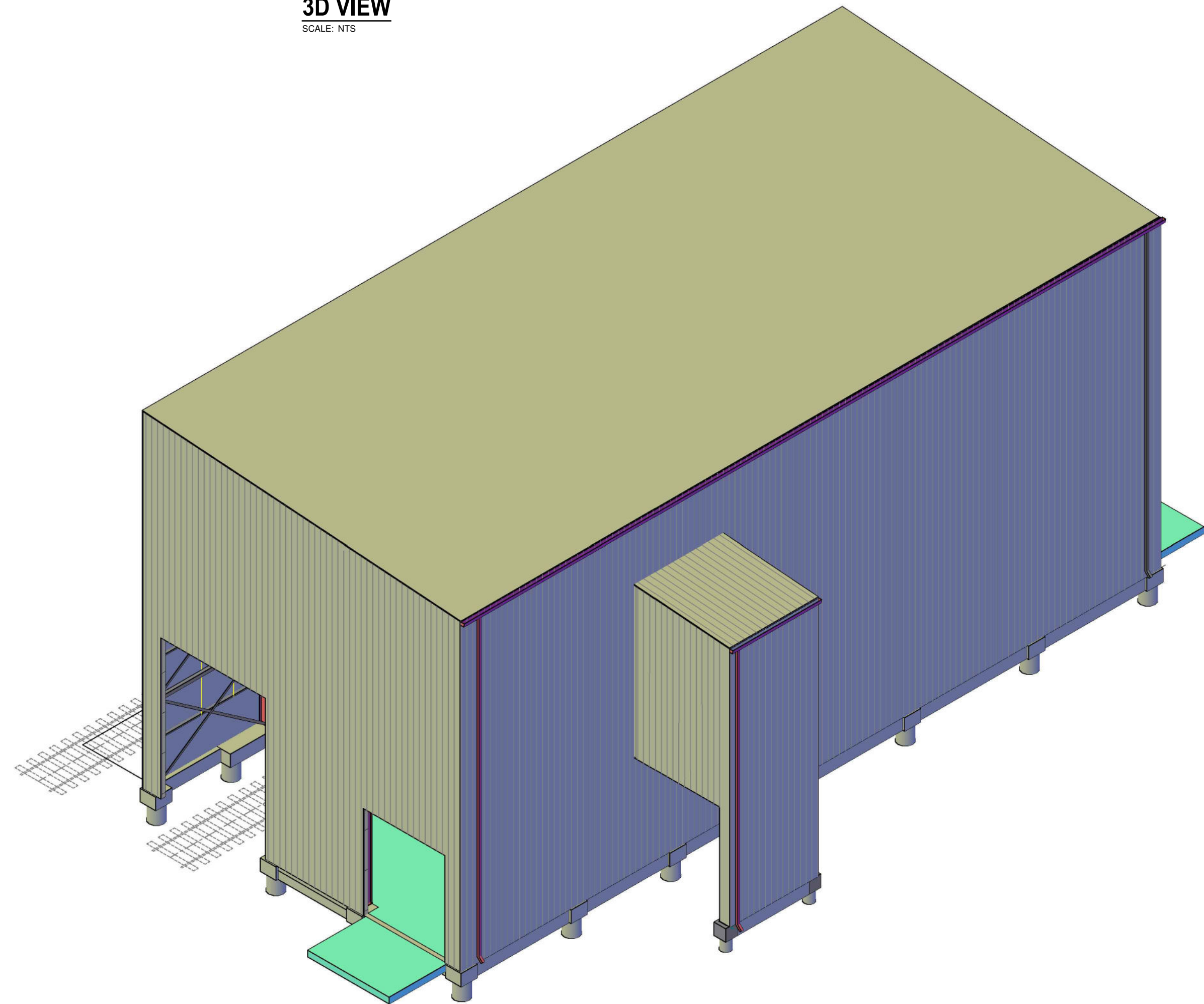
TITLE
MAIN FLOOR / FOUNDATION PLAN

Koziak Engineering Limited
9704 - 45 Ave., Edmonton, Alberta T5E 5C5
www.koziakengineering.com
Ph. (780) 438-6247

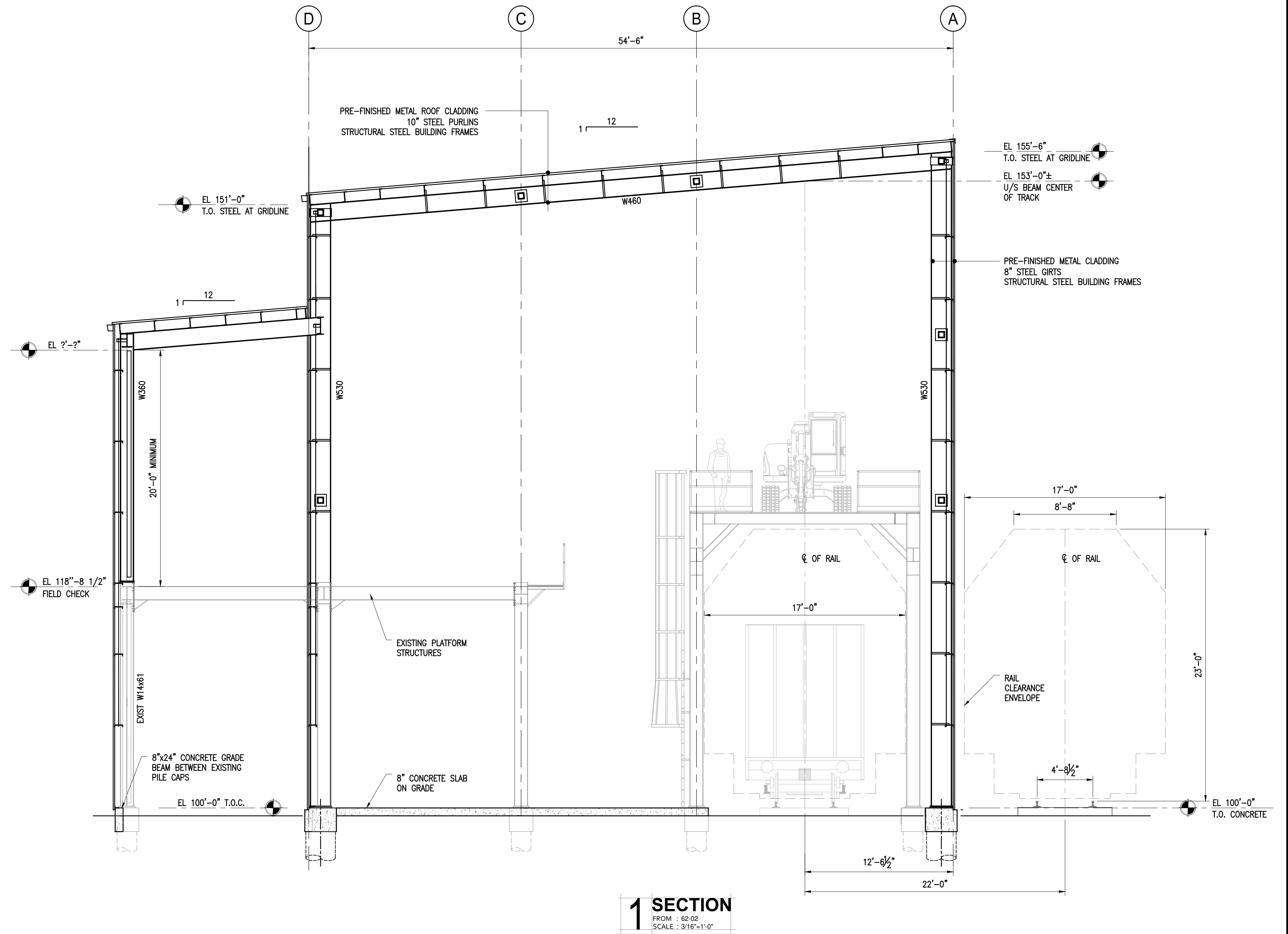
SCALE AS SHOWN
DRAWN GG
DATE 2021/08/11
JOB # K21-62
DRAWING # **K2162-02**



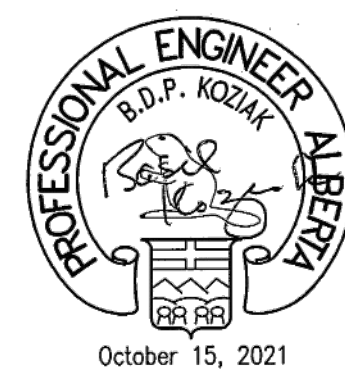
3D VIEW
SCALE: NTS



3D VIEW
SCALE: NTS



STURGEON COUNTY
REFUSED
C. Williams
AUTHORIZED SIGNATURE
Development Permit 305305-23-D0157
Jun 13/23 DATE



PERMIT TO PRACTICE
KOZIAK ENGINEERING LIMITED
Signature: *B.D.P. Koziak* 2621
Date: October 15, 2021
PERMIT NUMBER: P 4335
The Association of Professional Engineers and Geoscientists of Alberta

ATTENTION

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- Drawings not containing the seal and signature of the Engineer of Record are issued for discussion only.

REV.	DATE	DESCRIPTION	BY
	2021/10/15	Issued for Foundation Construction	MG
	2021/09/15	Issued for Client Review	GG
	2021/08/16	Issued for Client Review	GG

PROJECT
RAIL & DRIVE SHED STRUCTURE
Transload Facility
Fort Saskatchewan, AB

CLIENT
TOTAL
TRANSCOAD SERVICES

TITLE
BUILDING SECTION & 3D VIEWS

Koziak Engineering Limited
9704 - 45 Ave., Edmonton, Alberta T5E 5C5
www.koziakengineering.com
Ph. (780) 438-6247

SCALE AS SHOWN
DRAWN GG
DATE 2021/08/11
JOB # K21-62
DRAWING # **K2162-03**



Planning and Development
 9613-100 Street
 Morinville, AB T8R 1L9
 Phone (780) 939-8275
 Fax (780) 939-2076
 Email: PandD@sturgeoncounty.ca

For Office Use	
Permit Number:	305305-23-D0157
Date Received:	Mar 9, 2023
Received By:	CW

DEVELOPMENT PERMIT APPLICATION

Application is hereby made under the provisions of Land Use Bylaw 1385/17 to develop in accordance with the plans and supporting information submitted herewith and which form part of this application.

Severed in line with section 17 of the FOIP Act

APPLICANT INFORMATION

Complete if different from Applicant

Name of Applicant: Total Transload Services	Name of Registered Land Owner: Ravi Chand
Mailing Address: 108 55202SH825	Mailing Address:
City: Sturgeon County	City:
Postal Code: t8l5c1 PH: 7808866532	Postal Code: PH: 7808866532
E-mail Address: rchand.eng@totaltransload.com	Email Address: rchand.eng@totaltransload.com

Contact Name: **Ravi Chand**

LAND INFORMATION

Legal Description of Property All/Part _____ 1/4 Section _____ Twp. _____ Rge. _____ West of the _____ Meridian
 OR Lot **8** Block **2** Plan No. **7720672** Hamlet or Subdivision _____
 Parcel Size: _____ Rural Address: **112 55202 SH825**

DEVELOPMENT INFORMATION – Please Mark (X) ALL that Apply

<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional	<input checked="" type="checkbox"/> Accessory Building <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Attached Garage <input type="checkbox"/> Site Grading <input type="checkbox"/> Deck <input type="checkbox"/> Other	<input type="checkbox"/> Kennel <input type="checkbox"/> RV Storage <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Secondary Dwelling <input type="checkbox"/> Dugout	Brief Description: Building Accessory Building for Transloading Facility with side yard variance	Development Details: Size: 5000Ft Height: 50Ft Start Date: March 15 End Date: Sep 15 Estimated Project Value: 460492 (cost of material & labour)
---	--	---	--	--

APPLICANT AUTHORIZATION

I/we hereby give my/our authorization to apply for this development permit application and allow authorized persons the right to enter the above land and/or building(s) with respect to this application only. I/we understand and agree that this application and any development permit issued pursuant to this application or any information thereto, is not confidential information and may be released by Sturgeon County.
 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 of Authorized Applicant(s) *[Signature]* Date March 9th /23

 Date March 9th /23

All landowners listed on title must sign this permit or a letter of authorization. If the land is titled to a company, a copy of the Corporate Registry must be provided.

Date March 9th /2023

Severed in line with section 17 of the FOIP Act

FOR OFFICE USE ONLY

Permitted Use Discretionary Use

Fee \$ **620.65** Penalty \$ _____ Receipt# **202303324** Tax Roll# **316019** District **I4**

Payment Method: **Cash / Cheque / Debit / VISA / Mastercard**

M/C or Visa Number _____ Expiry Date: _____

Name (as it appears on card): _____ Authorized Signature: _____

FOR OFFICE USE ONLY

Land Use Bylaw Section	Requested Variance	Variance Percentage
14.4.4	3.9m to min side yard	78%

Land Use District I4 - Medium Industrial Serviced

Roll# 316019

Approving Authority as per Section 2.8.6 of the Land Use Bylaw

Development Officer

Municipal Planning Commission

Notes

APPLICATION FEES ARE NON-REFUNDABLE

The personal information provided will be used to process the Variance application and is collected under the authority of Section 642 of the Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. Personal information you provide may be recorded in the minutes of Municipal Planning Commission. 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.



economic health outcome

Encouraging a range of manufacturing, logistics and support industries that ensure a diverse economic base and complement activity in the Alberta Industrial Heartland (AIH) and the City of Edmonton Energy and Technology Park (ETP).

To ensure fiscal sustainability as outlined within the Integrated Regional Growth Strategy, the diversification of industrial activities in the Sturgeon Industrial Park (SIP) is required. Promoting economic diversification that attracts targeted sectors requires investment and continued development focus for SIP. The desired intention is to support initiatives that will transform the SIP into a competitive alternative for industrial development and growth within Sturgeon County.

I.4 economic health output actions Sturgeon County will support the long-term outcome of the Neighbourhood by:

- ➊ Ensuring proposed developments for the Neighbourhood demonstrate limited adverse impact on the activities, growth or viability of the SIP.
- ➋ Ensuring the continued viability and growth of SIP by promoting Non-Residential Type 2 developments in the SIP that support and build on development activity in the AIH and the ETP.
- ➌ Locating proposed or expanding Non Residential developments to the Non-Residential Development Park (SIP). If there is a demonstrated need identified by Sturgeon County to create additional industrial development opportunities in the Neighbourhood, priority will focus on land contiguous to the existing Non-Residential Development Park and will necessitate an MDP amendment.
- ➍ Developing and adopting an Area Redevelopment Plan for SIP in an effort to establish an industrial corridor linking the heavy industrial activity in the AIH to the eco-industrial activity proposed in the ETP.
- ➎ Undertaking a Needs Assessment and adopting an Economic Development Strategy for SIP to ensure that the Non-Residential Development Park is a premier destination for value-added industrial activity and supportive industrial service for the AIH.
- ➏ Investigating and establishing Floor Area Ratio targets for Non-Residential Development in the SIP, in an effort to balance municipal infrastructure development with tax revenue.
- ➐ Supporting a variety of Non-Residential uses that complement development activity and serve the local employment sector of the SIP.
- ➑ Promoting Non-Residential Commercial that provides support services to developments in SIP and the AIH. Non-Residential Commercial will be considered at key strategic locations to assist further diversification of the SIP and AIH industrial base.
- ➒ Requiring Non-Residential proposals that result in amendments to Planning Documents to demonstrate (to the satisfaction of the approval agency) that the activity will not conflict with, nor affect the viability of developments in SIP and municipal infrastructure capacity.
- ➓ Requiring Non-Residential proposals to undertake planning and consultation with landowners and stakeholders regarding long-term growth aspirations. Consultation shall address land use, servicing and access issues related to future development. Associated Planning Documents are to identify sustainable types and scales of Non-Residential activity, as well as the associated infrastructure and community services levels required to support future development.



14.4 14 – MEDIUM INDUSTRIAL SERVICED DISTRICT



.1 General Purpose

This district provides for a broad range of compatible medium intensity industrial *uses* on fully serviced *parcels* within planned industrial park locations. These *uses* may require appropriate exterior storage or exterior manufacturing and processing activities which shall be considered *accessory* to a *principal use* on a *parcel*. Any nuisance factor should be of limited impact beyond the boundaries of the *parcel*.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Administrative building</i>	<i>Data Processing Facility</i>
<i>Agricultural support service</i>	<i>Dugout</i>
<i>Auctioneering establishment</i>	<i>Equipment sale, service and rental, minor</i>
<i>Bulk fuel sale</i>	<i>Outdoor storage</i>
<i>Cannabis production and distribution facility, micro</i>	<i>Rail yard</i>
<i>Cannabis production and distribution facility, standard</i>	<i>Sales Centre</i>
<i>Commercial school</i>	<i>Salvage yard</i>
<i>Contractor service, major</i>	<i>Temporary asphalt plant</i>
<i>Contractor service, minor</i>	<i>Temporary concrete batch plant</i>
<i>Crematorium</i>	<i>Vehicle sale and rental</i>
<i>Equipment sale, service and rental, major</i>	
<i>Fleet service</i>	
<i>Gas processing plant</i>	
<i>General industrial</i>	
<i>Kennel and animal boarding</i>	
<i>Rail spur</i>	
<i>Recreational vehicle storage facility</i>	
<i>Storage facility</i>	
<i>Topsoil screening</i>	
<i>Transloading facility</i>	
<i>Warehousing</i>	

* Refer to Section 6.1 for further clarification.

1436/19; 1570/22

.3 Subdivision Regulations

The minimum *parcel area* shall be 0.4ha (1 ac).

.4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setbacks</i>	6m (19.7ft)
Minimum <i>side yard setback</i>	5m (16.4ft)
	Zero <i>lot</i> line where common wall is present
Minimum <i>rear yard setback</i>	5m (16.4ft)
Maximum <i>height</i>	At the discretion of the <i>Development Authority</i>
Maximum <i>parcel coverage</i>	70%

.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 *setbacks* in Subsection 14.4.4, *rail yard* or *rail spur* may be permitted within the *development setback* at the discretion of the *Development Authority*.
- (c) Access to individual *parcels* shall in all cases be from a *local road* and may be considered from a *collector road* as per County standards.
- (d) Vacant, undeveloped, or unused portions of a *parcel* shall be maintained in grass, *landscaping* materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (e) Any development shall mitigate all *off-site* nuisance factors including excessive noise, vibration, odour, traffic, unsightliness, liquid or gaseous emanations, reflection, dust and the harbouring of restricted or noxious weeds to the satisfaction of the *Development Authority*.

1560/21

023-STU-013

Development Authority Report

2023-07-11



Sturgeon
C O U N T Y

Site Location (Local)

Sturgeon Industrial Park (SIP)



Site Location (Site)

Plan 7720672
Block 2
Lot 8

All Lots within Block 2
Owned/Operated by
Total Transload Services
(Transloading Facility)



Property Information



**Accessory Building
(Rail & Drive Shed
under construction)
Existing Foundation
Existing Rail Spur**

Relevant Policy & Legislation

Municipal Development Plan 1313/13

Neighbourhood I Economic health outcome – to ensure fiscal sustainability, the diversification of industrial activities in SIP is required. Promoting economic diversification that attracts targeted sectors requires investment and continued development focus for SIP, to support initiatives that will transform SIP into a competitive alternative for industrial development and growth within Sturgeon County.

Land Use Bylaw 1385/17

- **Section 14.4 I4 – Medium Industrial Serviced District**
- Section 14.4.4 – Development Regulations
 - Minimum Side and Rear Yard Setbacks 5m (16.4ft)
 - (b) Rail yard or rail spur may be permitted within the development setback at the discretion of the Development Authority
- Section 2.8.6 Decision Process
 - Section 2.8.6(b) Development Authority may grant a variance of up to 50% in the I4 district. Variances in excess of what is prescribed shall be refused by the Development Authority

Analysis

- The application aligns with the MDP as the transload facility and rail spur diversifies industrial activities in SIP.
- The proposed accessory building for a Transloading Facility is a permitted use within the I4 district.
- The existing foundation is too close to the side and rear property lines and does not meet the minimum side and rear setback requirement of 5m (16.4ft). The foundation has been constructed 1.1m from the side and 3.5m from the rear property line. The side yard variance required is 3.9m or 78%. The Development Authority shall not approve a variance over 50% within the I4 district. The Development Authority can grant a variance of 1.5m or 30% to allow the rear foundation to remain as constructed.
- Given Total Transload Services owns and occupies the entire block in SIP and with the existing rail spur location and curvature, the Development Authority is supportive of the variance to allow the construction of the accessory building to proceed on the existing foundation.

Conclusion

- The Board must comply with the following:
 - Application must conform with the prescribed uses of the land (*MGA* s. 687(3)(d)(ii)).
- The Board may consider the following:
 - If the proposed development would unduly interfere with the amenities of the neighbourhood; or materially interferes with or affects the use, enjoyment, or value of neighbouring properties.
 - Special circumstances that may be applicable to the subject property such as the existing rail spur, location, and use of the parcel and adjacent properties.
- Should the Board deny the Appeal the foundation would have to be removed and re-constructed to meet the Land Use Bylaw setback requirements.

Conclusion

Recommendation

Should the Board uphold the Appeal and approve the application to complete construction of an Accessory Building (Rail & Drive Shed) for a Transloading Facility in accordance with the submitted application, the following conditions are recommended:

1. A building permit shall be obtained and approved.
2. Construction of the accessory building is to be in accordance with the approved site plan and engineered drawings.
 - Side yard: 1.1m (3.6ft) Variance Granted 3.9m or 78%
 - Rear yard: 3.5m (11.5ft) Variance Granted 1.5m or 30%
3. The accessory building shall not exceed 683.7m² (7358.7ft²) in area.
4. Drainage measures undertaken as part of a development shall not negatively impact adjacent parcels by way of flooding or inundation through the redirection of surface water. In the event that the drainage of a development is found to affect adjacent parcels, all mitigating measures required to remedy the problem including drainage structures, drainage easements and retaining walls shall be at the sole expense of the landowner of the parcel where the mitigating measures are required.
5. Any excavation, storage or piling up of materials required during the construction stage shall have all necessary safety measures undertaken and the owner of such materials or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
6. If the development authorized by this permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the permit approval ceases and the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Approving Authority.

Conclusion

Recommendation

Advisory Notes:

1. Construction occurring prior to the issuance of a building permit is subject to a double fee penalty.
2. It is the responsibility of the developer to ensure that the applicant/landowner complies with any federal or provincial laws/legislation and that any required permits are obtained. All development will comply and be consistent with any license, permit, approval, authorization, regulation, or directive established by the Alberta Energy Regulator, Alberta Environment and CN Rail.
3. The applicant/landowner must also comply with the conditions of any easement or covenant which affects the development.

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