

**March 21, 2023**  
**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**  
**HEARING AGENDA**  
**COUNCIL CHAMBERS AND VIDEOCONFERENCE**  
**2:00 p.m.**

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

**2. SCHEDULE OF HEARINGS:**

2.1. Appellant: Kent Lamoureux      023-STU-003      Development Appeal

**3. ADJOURNMENT**

**SUBDIVISION & DEVELOPMENT APPEAL BOARD**

<b>Site Information:</b>		Date Received Stamp
Municipal Address of site:	2550 11 Range Rd 234	
Legal land description of site: ('plan, block, lot' and/or 'range-township-section-quarter)	0827877; 1; 3 SW-4-55-23-W4	
Development Permit number or Subdivision Application number:	305 305 -23 -00008	
<b>Appellant Information:</b>		Severed in line with section 17 of the FOIP Act
Name:	Kent Lamoureux	Phone: [REDACTED] Agent Name: (if applicable)
Mailing Address:	55011 RR234	City, Province: Sturgeon County, AB
Postal Code:	T8T 2A6	Email: [REDACTED]

**APPEAL AGAINST** (Check ONE Box Only) for multiple appeals you must su

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

**Stop Order**


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 letter  
 Re development. Permit # 305305-23-00008

(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: 02/24/2023

**FOR OFFICE USE ONLY**

SDAB Appeal Number:	Appeal Fees Paid:	Hearing Date:
	<input type="checkbox"/> Yes <input type="checkbox"/> No	YYYY/MM/DD

From: Kent Lamoureux  
55011 Range Road 234,  
Sturgeon County, AB  
T8T 2A6

Severed in line with section 17 of the FOIP Act

To: Dianne Mason  
Sturgeon County  
Legislative services / Subdivision and Development Appeal Board

Re Development Permit 305305-23-D0008  
Permit # 2023-0007708

I am appealing the permit for construction of an accessory building on Lot 3, Block 1, plan #0827877;  
SW-4-55-23-W4

I understand the permit is for a personal use storage 40' x 80' however is there not already a large-scale construction business operating on this site that currently has no buildings covering equipment? Would this construction further contribute to the developing of this site operating illegally in Sturgeon County?

It is important to understand that this site has been operating as a very large and efficient construction company. It has been operating as such for 3 years now!

In the past 2 years 2 Permits have been issued **by Sturgeon County**. In 2021 for a berm construction and in 2022 a stockpiling permit was issued. This has created an **extremely high volume of heavy truck and construction equipment traffic**.

As an example, in the case of the berm permit (2021) this very efficient construction contractor has utilized the opportunity of these County issued permits to dig very large pits (against property line, 16 to 20 feet deep) , this was exported off site or stockpiled and then hauled out. So instead of 1x amount of traffic to build a berm as per the permit there was 3x (I am being VERY conservative here) the amount of traffic as the pit got dug and refilled multiple times during the very busy construction season. All of this under the premise of the berm construction.

The traffic and subsequent dust, noise and degradation of the roads is a safety hazard, a nuisance, and is degrading our environment and personal health.

DUST; There was no condition of dust control along with the County issued permits (the County informed me I was on my own) and when I personally requested dust control from the Contractor located on Lot 3, Block 1, plan #0827877; SW-4-55-24-W4 I was met with silence.

I also brought the issue up with Councillor Dan Deroin, he informed me that permits had been issued and I had no recourse for dust control as those conditions were not part of the permit Sturgeon County issued.

The DUST is not livable. Trees die with that much dust (and they are!!!) This constant cloud of dust generated when the trucks are hauling in construction season is a complete nuisance and a health hazard. The dust drifts with the wind and the prevailing wind is from the North West which deposits the dust directly onto my residence.

**NOISE:**

The Sound of a flat deck truck full of culverts being unloaded and sorted on a Sunday within 150 meters from my residence is beyond nuisance. The sound of Gravel truck Tailgates banging again and again is what should be considered a nuisance.

Should the applying party involved here need to supply an area structure plan and CLEARLY define their intentions so that some accountability can occur?

Should the applying party here not need to rezone the land from Recreation to Commercial so as not to be in violation of the Land Use Bylaw?

Should the County not inform Alberta highways that a permit has been issued 0.5 miles from the highway for a large contracting company that has added and will continue to add an exorbitant amount of traffic turns to the Highway which is already an overburdened intersection at Highway 37 and range road 234?

What also should be noted is the misleading nature of the diagram illustration for the above-mentioned application. My driveway to the south is portrayed by the Applicant as wider than the Applicant's driveway. This is a false information. The Applicant's driveway can accommodate 2 way heavy construction and hauling traffic. Why do you need a road designed for so much traffic going to a shed for a personal use? Also, on the same illustration about where the "approved" stamp is where the current stockpile of ready to go inventory is located.

Last construction season we saw weeks on end of multiple truck companies coming and going both taking extracted resources from the site and incoming dumping of unwanted fill. There is an extremely large inventory of pre-dug or stockpiled material in inventory that will of course require trucking off the property as this is their business. A large uncontrolled (unfenced) pit is operated against my property line from time to time further adding to the capacity of this site and furthering the amount of traffic they generate.

I don't feel that the full picture was brought to light on the amount of traffic being generated in respects to the application for a roadside development Permit from Alberta Highways. Should there not be a traffic impact assessment carried out to make sure we are at a safe level of traffic for the current intersection that is present at highway 37 and Range road 234?

Would we not be in a better place of planning ahead (i.e., Area Structure plan, traffic impact assessment and rezoning) so bylaw enforcement does not have to be exhausted chasing infractions and elusive behaviour? How does a county operate by not including operating business onto there tax roll? The Sturgeon County Land Use Bylaw should carry weight in these matters and be upheld so that we can live in a civilized manner.

I truly look forward to meeting with the SNAR and County representatives.

Respectfully,  
Kent Lamoureux

Severed in line with section 17 of the FOIP Act



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

LAMAREAUX, KENT

Receipt Number: 202300940  
 GST Number: 107747412RT0001  
 Date: 2023-02-24  
 Initials: CS

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	

March 6, 2023

SDAB File Number: 023-STU-003

Dear Kent Lamoureux:

**NOTICE OF  
APPEAL BOARD HEARING**

Legal Description of Subject Property: Plan 0827877, Block 1, Lot 3  
Decision Regarding Proposed Development: Development Permit approved to construct an accessory building (pole shed 60 feet x 80 feet) for personal storage use

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Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on February 24, 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 **March 21, 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 431 876 426#. 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](mailto:legislativeservices@sturgeoncounty.ca) at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than March 16, 2023.**

SDAB hearings are public in nature, and it is understood that an individual writing or submitting items to the Board has a reasonable expectation that their correspondence/presentations, which may include 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.

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

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Dianne Mason  
Secretary, Subdivision and Development Appeal Board

March 6, 2023

SDAB File Number: 023-STU-003

Dear Dan Doblanko:

**NOTICE OF  
APPEAL BOARD HEARING**

Legal Description of Subject Property: Plan 0827877, Block 1, Lot 3

Development Permit Number: 305305-23-D0008

Decision Regarding Proposed Development: Development Permit approved to construct an accessory building (pole shed 60 feet x 80 feet) for personal storage use

---

An appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on February 24, 2023. In accordance with section 686(2) of the *Municipal Government Act*, the SDAB must hold an appeal hearing within 30 days after receipt of a notice of appeal.

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

- The construction of this building will further contribute to the development of this site that has operated a large-scale construction business for the last 3 years.
- The traffic, subsequent dust, noise, and degradation of the road is a safety hazard, a nuisance, and is degrading the environment and personal health.
- There is an unsafe level of traffic for the intersection at Highway 37 and Range Road 234.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **March 21, 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 431 876 426#. This should connect you directly into the hearing.

When an appeal is received, the Applicant 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](mailto:legislativeservices@sturgeoncounty.ca) at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than March 16, 2023.**



SDAB hearings are public in nature, and it is understood that an individual writing or submitting items to the Board has a reasonable expectation that their correspondence/presentations, which may include 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.

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

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Dianne Mason  
Secretary, Subdivision and Development Appeal Board

March 6, 2023

SDAB File Number: 023-STU-003

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 0827877, Block 1, Lot 3

Decision Regarding Proposed Development: Development Permit approved to construct an accessory building (pole shed 60 feet x 80 feet) for personal storage use

**Applicant: Dan Doblanko**

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

- The construction of this building will further contribute to the development of this site that has operated a large-scale construction business for the last 3 years.
- The traffic, subsequent dust, noise, and degradation of the road is a safety hazard, a nuisance, and is degrading the environment and personal health.
- There is an unsafe level of traffic for the intersection at Highway 37 and Range Road 234.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **March 21, 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 431 876 426#. 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](mailto: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 March 16, 2023.**

SDAB hearings are public in nature and it is understood that an individual writing or submitting items to the Board has a reasonable expectation that their correspondence/presentations, which may include 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.

For further information, please call (780) 939-8277 or by email at [legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca).

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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.*

# Proposed Accessory Building - Personal Use

55011 RR 234 Plan 0827877; Blk 3; Lot 3 SW 4-55-23-4

1-Mar-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  
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Prepared By: P&D  
Page 12 of 79



# 305305-23-D0008 - Notification Map

Map Subtitle

6-Feb-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 13 of 79



## **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](mailto:PandD@sturgeoncounty.ca)

## Development Permit Approval Notification

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**Feb 6, 2023**

Development Permit No. **305305-23-D0008**

Property Owner,

Please be advised that the Development Officer has approved a development permit **to construct Accessory Building (Pole Shed 60ft x 80ft) for personal storage use only** to be located on Lot 3, Block 1, Plan 0827877; 55011 Rge Rd 234. Please refer to the enclosed development permit and site plan for further details.

### **Why am I receiving the information?**

When a development permit is approved as a discretionary use or a variance was granted, Section 2.10.2 of Land Use Bylaw 1385/17 requires adjacent landowners to be notified, should they want to exercise their right to appeal.

### **Appeal**

As an adjacent landowner, you may file an appeal objecting the development or a condition of the approved development permit. Should you wish to file an appeal, you can find the Appeal Board information at the bottom of the permit. Appeals must be received by the correct Appeal Board by **Feb 27, 2023**.

### **Additional Information**

If you have any questions or require further clarification regarding this development approval or an appeal, please contact the undersigned at (780) 939-8275.

Regards,

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

Carla Williams  
Development Officer



**Development Permit**

**Land Use Bylaw 1385/17**

Severed in line with section 17 of the FOIP Act

Permit No.:	305305-23-D0008
Tax Roll No.:	984007
Decision Date:	Feb 6, 2023
Effective Date:	Feb 27, 2023

**Applicant**

Name: Doblanko, Dan  
Address:

Phone:  
Cell: (780)446-1095  
Email: dan@doblankocontracting.com

**Owner**

Name: 2116161 Alberta Ltd.  
Address: 1195-195 Ave NE  
Edmonton, ALBERTA  
T5Y 6M6

Phone:  
Cell: (780)446-1095  
Email: dan@doblankocontracting.com

**Property Description**

**Legal Land Description:** 0827877; 1; 3  
**Land Use Description:** REC - Recreational District  
**Rural Address:** 55011 Rge Rd 234

**Description of Work**

To construct Accessory Building (Pole Shed 60ft x 80ft) for personal storage use only

**Fees**

Discretionary Use / Variance Request	\$350.00
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**Permit Conditions**

1. Prior to any construction occurring on site, a separate building permit shall be obtained and approved.
2. Separate electrical, plumbing or gas permits be obtained as required.
3. Pursuant to section 6.1.1(b) of Land Use Bylaw 1385/17, as amended, accessory buildings are discretionary in all districts where the principal use is a discretionary use in that same district for which a development permit has been issued.
4. Pursuant to section 15.7.2, within the REC – Recreational District, a single detached dwelling is a discretionary use. The existing single detached dwelling is the principal building on the parcel and therefore the proposed accessory building is a discretionary use.
5. The accessory building is to be constructed in accordance with the approved site plan and construction drawings.
6. The accessory building shall not be used as a dwelling.
7. The accessory building shall not exceed 446m<sup>2</sup> (4,800ft<sup>2</sup>) in building area as approved.
8. **The accessory building shall not be used for purposes related to the operation of any commercial business and shall be used for personal storage use only.**

9. 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.
10. Exterior storage of good and materials associated with this approval shall be kept in a clean and orderly manner at all times and shall be screened from roads and adjacent residential uses to the satisfaction of the Development Authority. 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.
11. 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. **Please be advised an approved building permit is required prior to any construction occurring on site. Construction occurring prior to the issuance of a building permit is subject to a double fee penalty.**
2. **Should the parcel be used for purposes other than for residential or recreational use, the unauthorized development shall cease operations and be removed. An amendment to the Land Use Bylaw may be required to redistrict the land. The general purpose of the REC district is to accommodate development intended to provide commercial indoor and outdoor recreational facilities and related land uses.**
3. The applicant shall comply with the conditions of Roadside Development Permit No. 2023-0007708 issued by Alberta Transportation.
4. Please contact Alberta 1 Call at 1-800-242-3447 for utility locates at least two days prior to the commencement of construction. The development cannot encroach into or over a utility easement or right of way.
5. 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 and Alberta Environment. The applicant/landowner must also comply with the conditions of any easement of covenant which affects the development.

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

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**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](mailto: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 to 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](mailto: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.

APPROVAL SUBJECT TO  
CONDITIONS STATED ON

PERMIT No. 2023-0007708

Approximate PL

234

Existing Modular Home

To Construct Accessory Building  
Pole Building (60ft x 80ft)  
Personal Use ONLY

Proposed Pole Building

Existing Approach and Gravel Roadway  
Approach Location  
Lat:53.7209405087  
Long:-113.3719542873

APPROVED  
FOR DEVELOPMENT PERMIT ONLY  
STURGEON COUNTY  
PLANNING & DEVELOPMENT SERVICES  
*C. Williams* Feb 6/23  
DEVELOPMENT AUTHORITY DATE  
305305-23-D0008  
PERMIT #

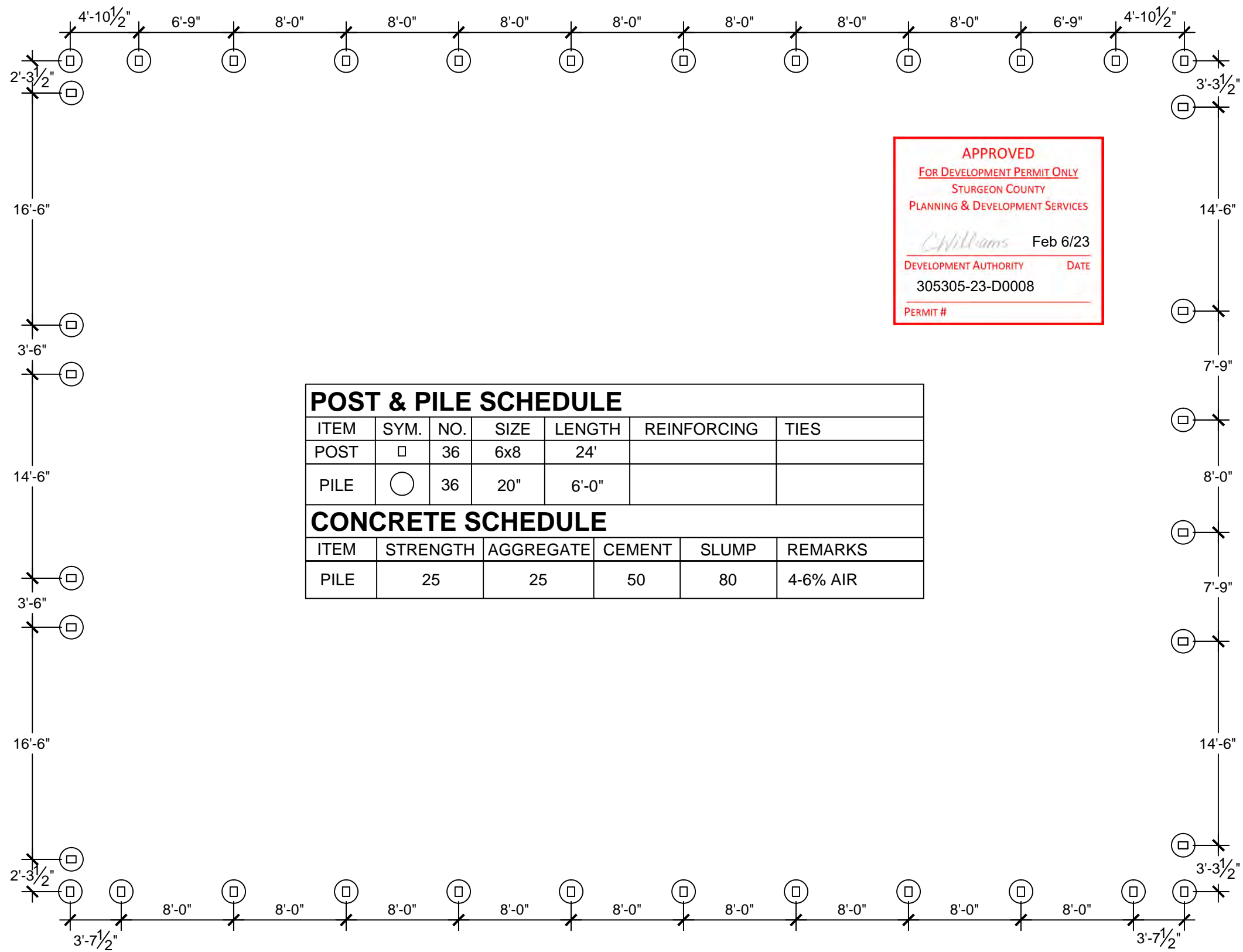
Existing Berm

Private Roadway

Shared Approach

RR234

Title. Proposed Berm Plan	
Land Description. SW SEC4 TWP55 RGE23 W4M	
Date.	
Drawn By. A.D.	Scale. NTS



**APPROVED**  
 FOR DEVELOPMENT PERMIT ONLY  
 STURGEON COUNTY  
 PLANNING & DEVELOPMENT SERVICES  
*C. Williams* Feb 6/23  
 DEVELOPMENT AUTHORITY      DATE  
 305305-23-D0008  
 PERMIT #

POST & PILE SCHEDULE						
ITEM	SYM.	NO.	SIZE	LENGTH	REINFORCING	TIES
POST	□	36	6x8	24'		
PILE	○	36	20"	6'-0"		

CONCRETE SCHEDULE					
ITEM	STRENGTH	AGGREGATE	CEMENT	SLUMP	REMARKS
PILE	25	25	50	80	4-6% AIR

## FOUNDATION PLAN

SCALE: 1/8" = 1'-0"

Drawn By: **Ian Billard**  
 82 WEDGEWOOD CRES  
 FT SASK, AB, T8L 4S3

Drawing: **FOUNDATION PLAN**  
 Scale: **1/8" = 1'0"**  
 Drawn By: **IB**  
 File: SCHOTTE-60X80

Project: **ROBB SCHOTTE**  
**60x80 POLE SHED**

Date: **Mar. 9, 16**

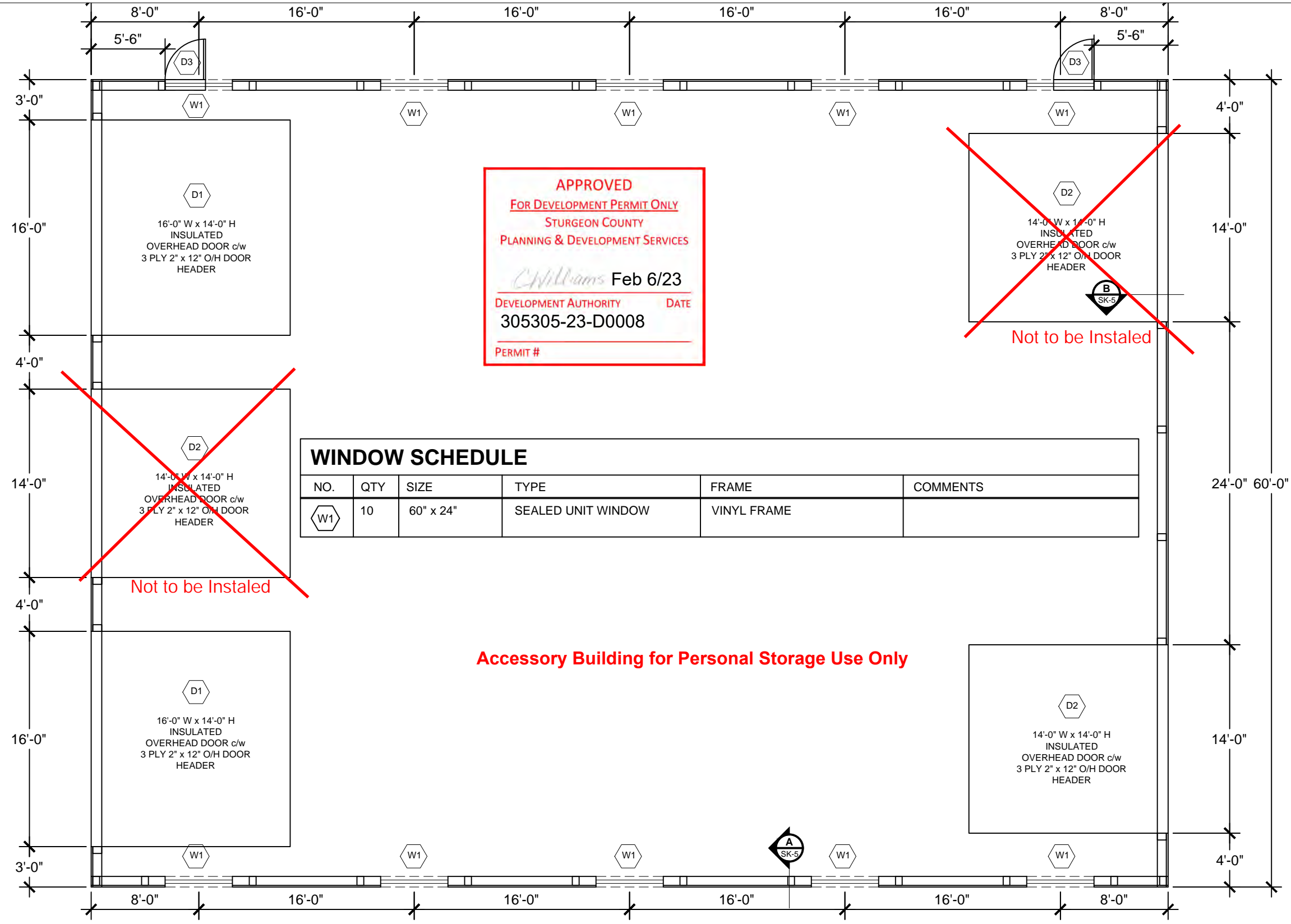
Dwg #: **SK-1**

Drawn By:  
**Ian Billiald**  
82 WEDGEWOOD CRES  
FT SASK, AB, T8L 4S3

Drawing: **FLOOR PLAN**  
Scale: **1/8" = 1'0"**  
Drawn By: **IB**  
File: SCHOTTE-60X80

Project: **Doblanko Pole Shed**  
**60X80 POLE SHED**

Date: **Mar. 9, 16**  
Dwg #: **SK-2**

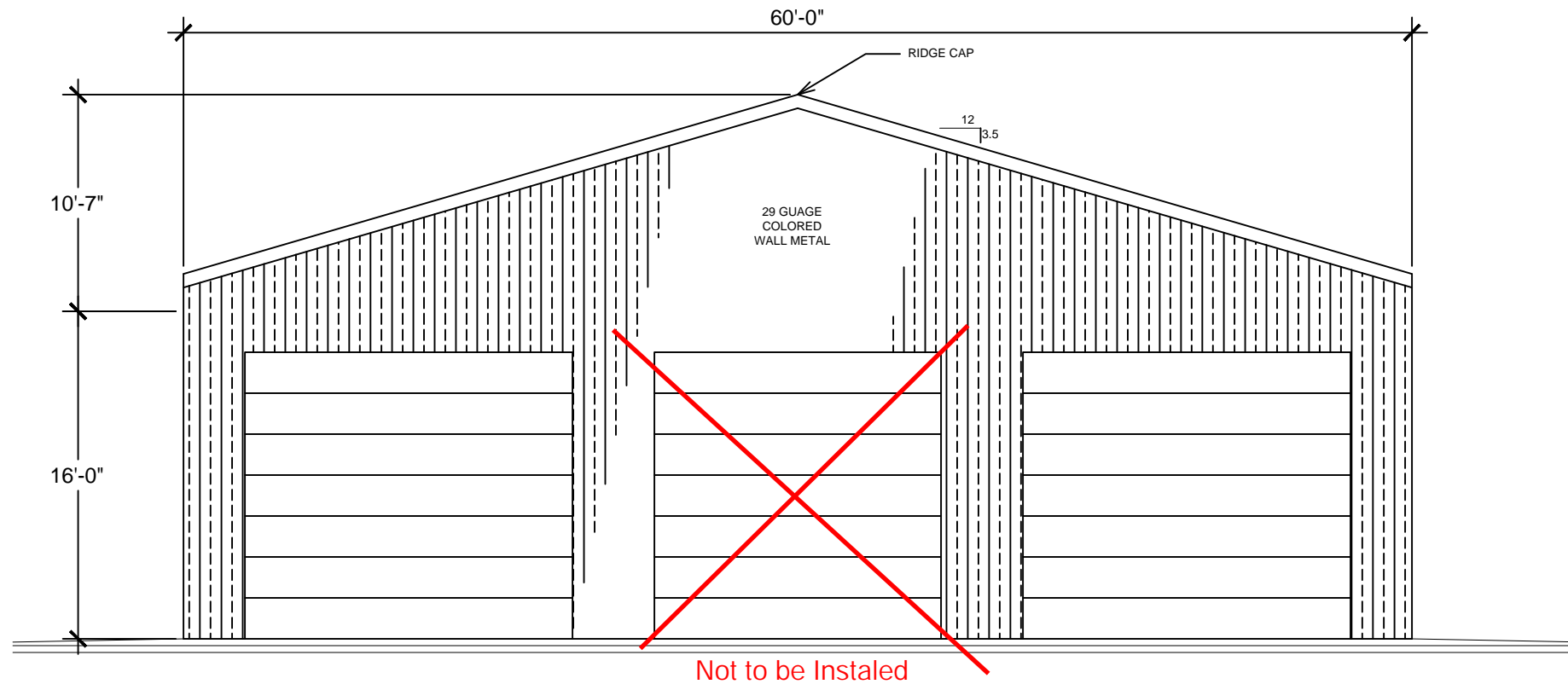


**APPROVED**  
**FOR DEVELOPMENT PERMIT ONLY**  
**STURGEON COUNTY**  
**PLANNING & DEVELOPMENT SERVICES**  
*Williams* Feb 6/23  
DEVELOPMENT AUTHORITY      DATE  
**305305-23-D0008**  
PERMIT #

WINDOW SCHEDULE					
NO.	QTY	SIZE	TYPE	FRAME	COMMENTS
W1	10	60" x 24"	SEALED UNIT WINDOW	VINYL FRAME	

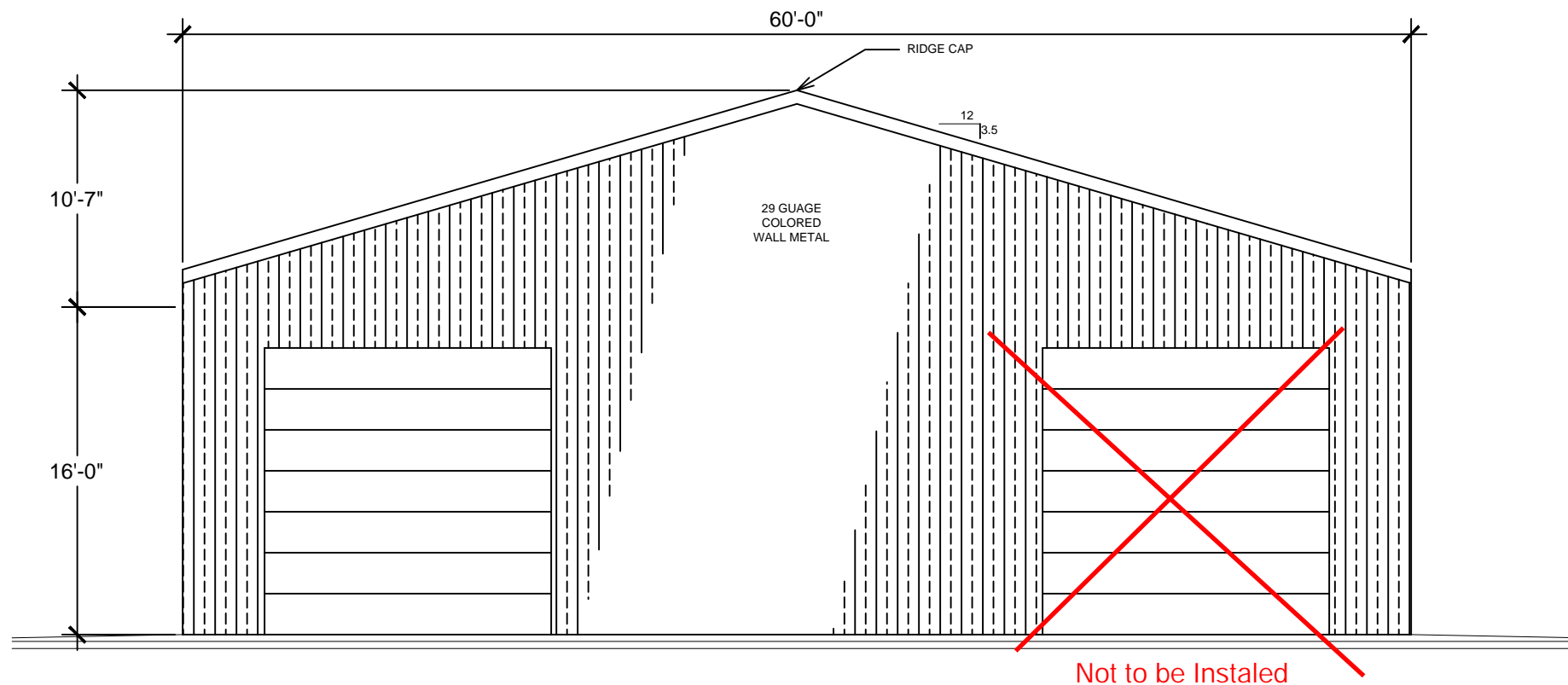
DOOR SCHEDULE						
NO.	QTY	SIZE	TYPE	FRAME	COMMENTS	HEADER
D1	2	16'-0" x 14'-0"	STEEL INSULATED OVERHEAD DOOR	c/w ASSOC. HARWARE & WEATHER STRIP	c/w CHAIN HOIST	3 PLY 2X12 O/H DOOR HEADER
D2	3	14'-0" x 14'-0"	STEEL INSULATED OVERHEAD DOOR	c/w ASSOC. HARWARE & WEATHER STRIP	c/w CHAIN HOIST	3 PLY 2X12 O/H DOOR HEADER
D3	2	3'-0" x 7'-0"	COMMERCIAL STEEL ENTRANCE DOOR			

**FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



## SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



## NORTH ELEVATION

SCALE: 1/8" = 1'-0"

Accessory Building for Personal Storage Use Only



Drawn By:  
**Ian Bilbald**  
82 WEDGEWOOD CRES  
FT SASK, AB, T8L 4S3

Drawing: **BUILDING ELEVATIONS**  
Scale: 1/8" = 1'0"  
File: SCHOTTE-60X80  
Drawn By: **IB**

Project: **ROBB SCHOTTE**  
**60X80 POLE SHED**

Date:  
Mar. 9, 16

Dwg #: **SK-3**

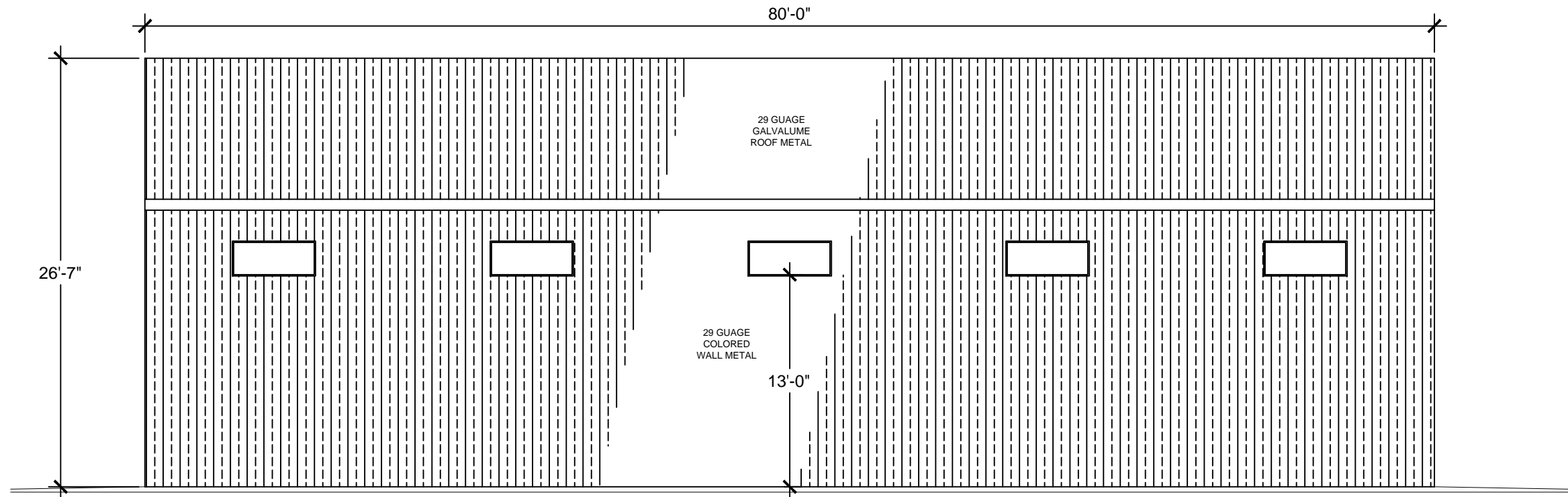
Drawn By:  
**Ian Billiald**  
 82 WEDGEWOOD CRES  
 FT SASK, AB, T8L 4S3

Drawing: **BUILDING ELEVATIONS**  
 Scale: **1/8" = 1'0"**  
 File: SCHOTTE-60X80  
 Drawn By: **IB**

Project: **ROBB SCHOTTE**  
**60X80 POLE SHED**

Date:  
 Mar. 9, 16

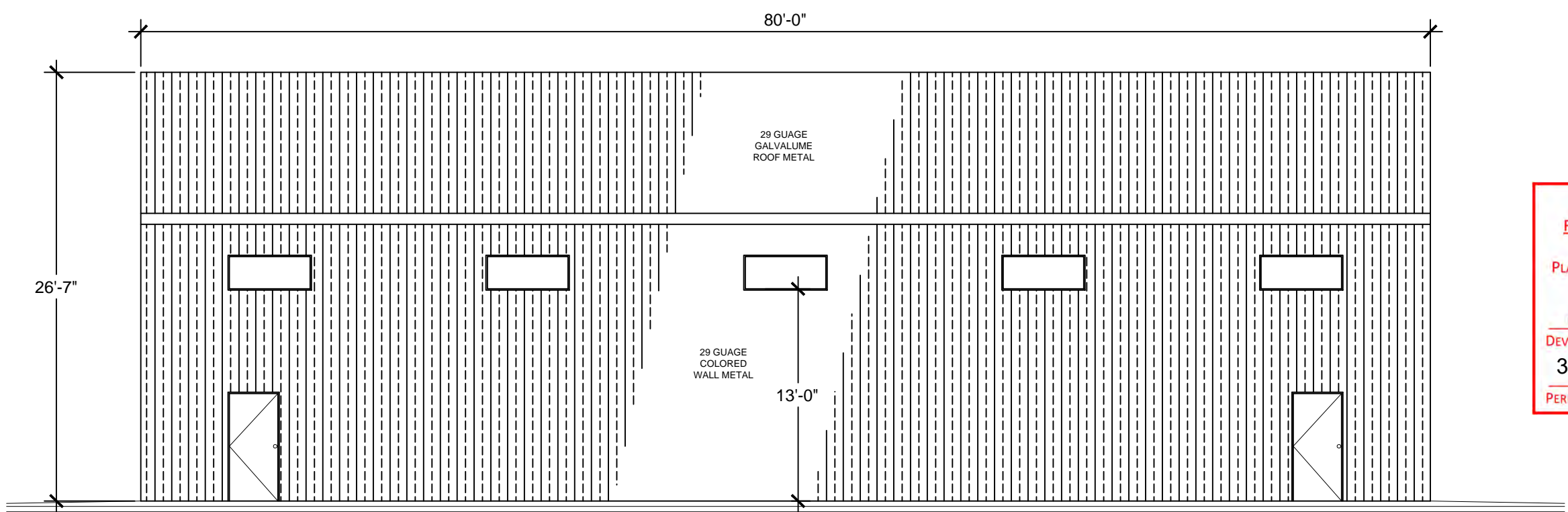
Dwg #: **SK-4**



**EAST ELEVATION**

SCALE: 1/8" = 1'-0"

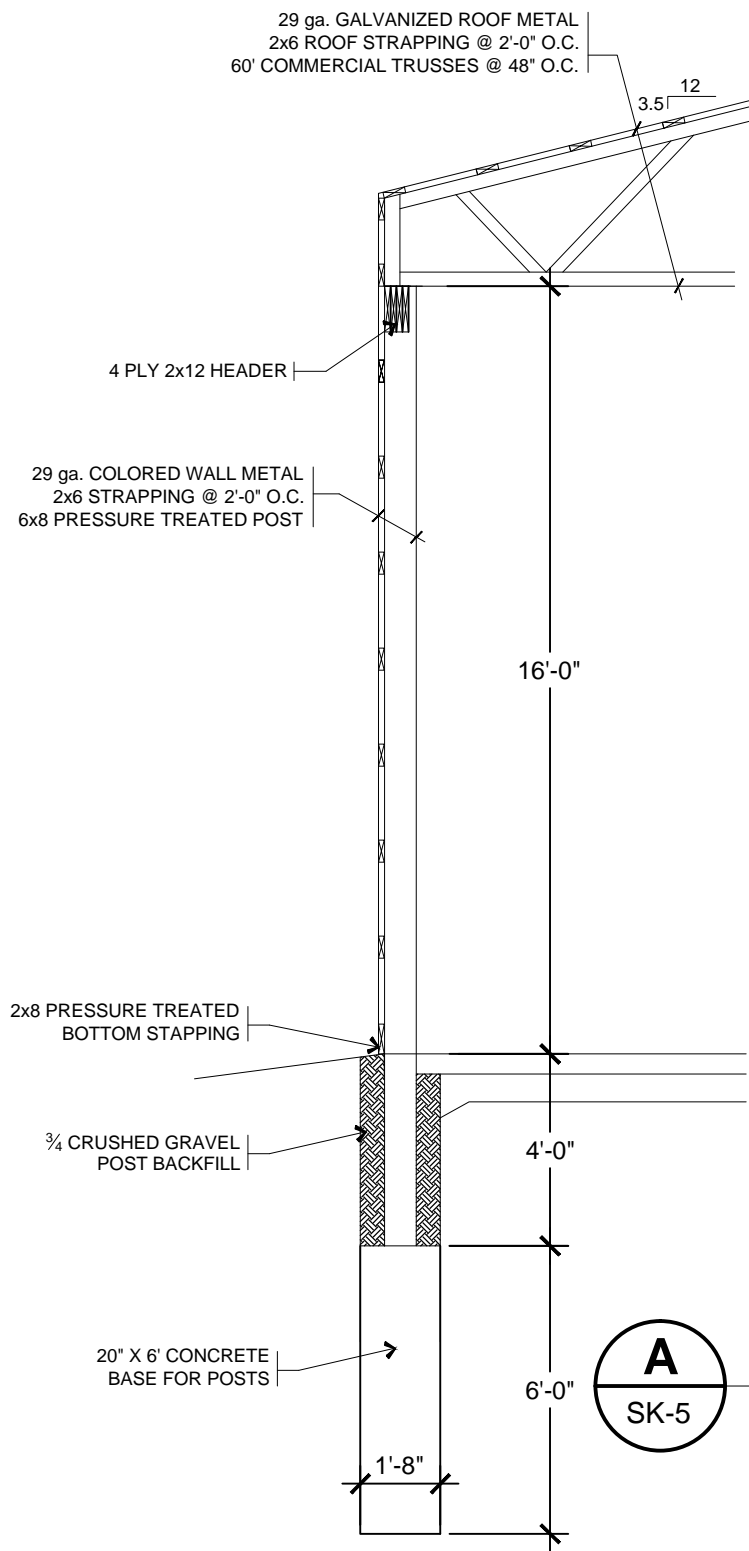
**Accessory Building for Personal Storage Use Only**



**WEST ELEVATION**

SCALE: 1/8" = 1'-0"

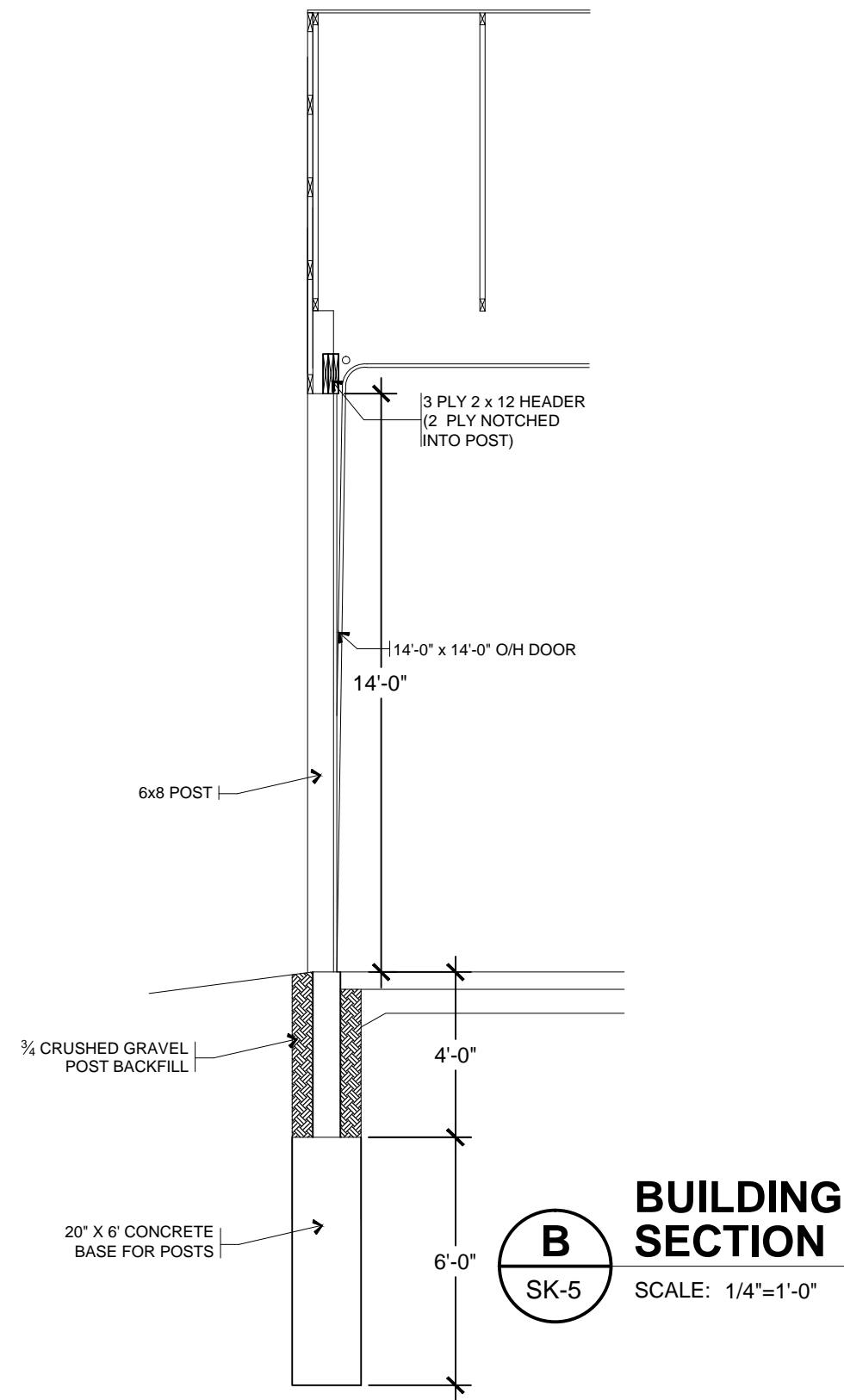
**APPROVED**  
 FOR DEVELOPMENT PERMIT ONLY  
 STURGEON COUNTY  
 PLANNING & DEVELOPMENT SERVICES  
*C. Williams* Feb 6/23  
 DEVELOPMENT AUTHORITY DATE  
 305305-23-D0008  
 PERMIT #



**A**  
SK-5

**BUILDING SECTION**

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



**B**  
SK-5

**BUILDING SECTION**

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

Drawn By: <b>Ian Bilfald</b> 82 WEDGEWOOD CRES FT SASK, AB, T8L 4S3	
Drawing: <b>BUILDING SECTIONS</b> Scale: <b>1" = 1'-0"</b> File: SCHOTTE-60X80	Drawn By: <b>IB</b>
Project: <b>ROBB SCHOTTE</b> <b>60X80 POLE SHED</b>	Date: <b>Mar. 9, 16</b> Dwg #: <b>SK-5</b>





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

<b>For Office Use</b>	
Permit Number:	<u>305305-23-D0008</u>
Date Received:	<u>Jan 26/23</u>
Received By:	<u>CW</u>

**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: <b>Dan Doblanko</b>		Name of Registered Land Owner:	
Mailing Address:		Mailing Address:	
City:		City:	
Postal Code:	PH: 7804461095	Postal Code:	PH:
E-mail Address: dan@doblankocontracting.com		Email Address:	

Contact Name: Andrew Doblanko 7809106120 andrew@doblankocontracting.com

**LAND INFORMATION**

Legal Description of Property All/Part SW 1/4 Section 4 Twp. 55 Rge. 23 West of the 4 Meridian

OR Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan No. \_\_\_\_\_ Hamlet or Subdivision \_\_\_\_\_

Parcel Size: 53 ac Rural Address: 2 55011 RR234 T8T 2A6

**DEVELOPMENT INFORMATION – Please Mark (X) ALL that Apply**

<input checked="" type="checkbox"/> Residential	<input checked="" type="checkbox"/> Accessory Building	<input type="checkbox"/> Kennel	<b>Brief Description:</b> Construction of a pole building	<b>Development Details:</b> Size: <u>60'x80"</u> Height: <u>26'7"</u> Start Date: <u>Feb 25, 2023</u> End Date: <u>Feb 25, 2024</u> Estimated Project Value: <u>\$40,000</u> <i>(cost of material &amp; labour)</i>
<input type="checkbox"/> Commercial	<input type="checkbox"/> Addition	<input type="checkbox"/> RV Storage		
<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 commur \_\_\_\_\_ tion 608 (1) of the Municipal Government Act, R.S.A. 2000., c.M-26.

Signature of Authorized Applicant(s) \_\_\_\_\_ Date \_\_\_\_\_

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. \_\_\_\_\_ Signature of Landowner \_\_\_\_\_

Jan 26/2023  
Date  
Jan 26/2023  
Date

Severed in line with section 17 of the FOIP Act

**FOR OFFICE USE ONLY**

Permitted Use  Discretionary Use

Fee\$ 350.00 Penalty\$ \_\_\_\_\_ Receipt# 202300610 Tax Roll# 984007 District REC

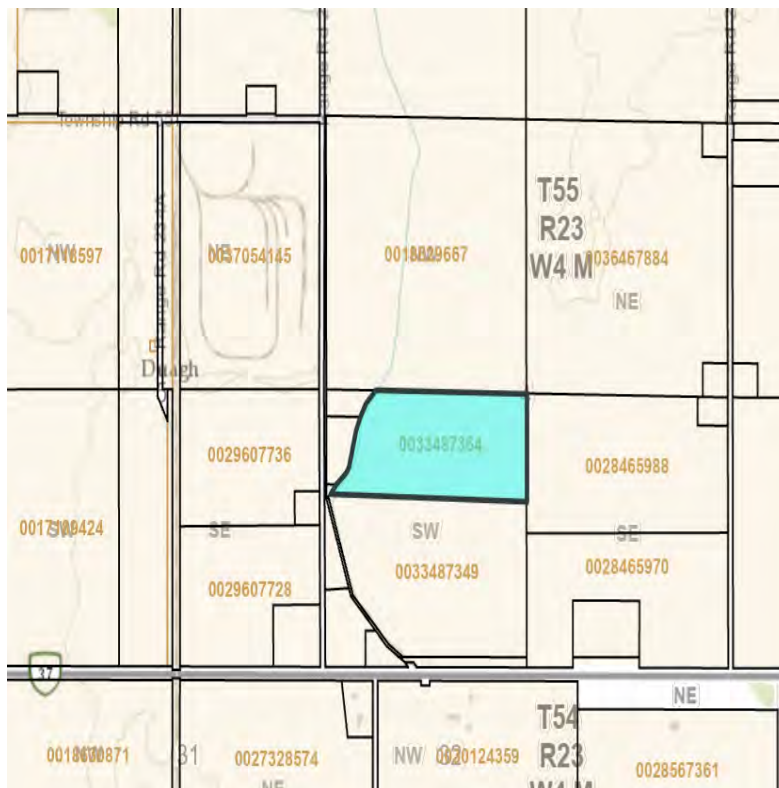
Payment Method: Cash / Cheque / Debit / VISA / Mastercard

M/C or Visa Number \_\_\_\_\_  
 Name (as it appears) \_\_\_\_\_

# Alberta Transportation Permit

Request for development in proximity of a provincial highway **approved**

<b>Permit Number:</b>	2023-0007708	<b>Highway(s):</b>	37
<b>Issued to (Permittee):</b>	Dan Doblanko Edmonton AB T5Y6P8 dan@doblankocontracting.com		
<b>Legal Land Location:</b>	QS-SW SEC-04 TWP-055 RGE-23 MER-4	<b>Municipality:</b>	Sturgeon County
<b>Approved By:</b>	Robert Lindsay	<b>Issuing Office:</b>	North Central Region / Stony Plain
<b>Issued Date:</b>	2023-01-18 08:36:31		
<b>Description of Development:</b>	Construction of a pole building Lot 3 Block 1 Plan 0827877 SW04-55-23-W4M North of Highway 37		



Alberta Transportation Permit No. **2023-0007708** is issued to the above named Permittee under authority of Section 14 of the *Highways Development and Protection Act* (the Act) authorizing the development(s) listed herein, and a further application is required for any changes or additions.

The approved site plan forms a part of this permit and any changes to the approved site plan will require an amendment or a new permit application.

**This permit is subject to the following terms and conditions, which should be carefully reviewed:**

1. This permit is subject to the provisions of Section 11-19 inclusive of the Highways Development and Protection Act (Chapter H-8.5 2004), amendments thereto, and Highways Development and Protection Regulation (Alberta Regulation 326/2009) and amendments thereto.
2. This permit is issued subject to any other municipal, provincial, or federal approvals that may be required. Issuance of a permit by Alberta Transportation does not guarantee the permittee will be able to obtain other required approvals and does not excuse violation of any regulation, bylaw, or Act that may affect the proposed development.
3. The Permittee consents to a person designated by Alberta Transportation to enter upon land during construction and again upon completion of construction for the purpose of inspection to ensure the terms and conditions of this permit are met.
4. All works authorized by this permit shall be constructed, altered, maintained or operated at the sole expense of the Permittee. The permittee expressly waives any right to claim damages or compensation (including injurious affection) for development, signs or other encumbrances that are placed in an area required for future widening of the highway right of way for highway improvement purposes
5. In consideration of the permit issued in respect to this development, the Permittee shall indemnify and hold harmless Alberta Transportation, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized.
6. The Permittee shall conform to the approved site plan. Failure to conform to the approved site plan without an approved amendment may result in enforcement measures as laid out in the Act
7. This permit approves only the development contained herein. Any proposed addition and / or change to the design, standards and / or construction/placement process attached to this permit requires a separate approval from Transportation and Economic Corridors prior to commencing the addition and / or change.
8. All highway accesses are to be considered temporary. No compensation shall be payable to the Permittee or their assigns or successors when the Department removes or relocates the temporary access or if highway access is removed and access provided via service road.
9. Direct highway access is not permitted. Access must be via the local municipal road.
10. The proposed building is permitted for personal use only unless the Permittee is in possession of a valid permit from Transportation and Economic Corridors for other use.
11. The proposed building must be set back minimum 100 metres from the highway property line.

12. Wherever herein the "Permittee" is referred to, the same shall extend to include their heirs, executors, administrators, or assigns, and the successors and assigns of the Permittee.

Failure to comply with the terms and conditions of this permit is an offense pursuant to Section 35 of the Highways Development and Protection Regulation (the Regulation), and may result in enforcement or penalties as described in Section 55 of the Act and Section 35-36 of the Regulation.

This permit is valid for a period of **two years from the date of issuance**. If the works authorized by this permit have not commenced within this timeframe, the permit expires and the Permittee must submit a request for an extension, or reapply for a new permit, if they wish to proceed. Alberta Transportation is under no obligation to reissue a permit if the development is not commenced before expiry of this permit.



Issued by **Robert Lindsay**, , on **2023-01-18 08:36:31** on behalf of the Minister of Transportation pursuant to *Ministerial Order 52/20 – Department of Transportation Delegation of Authority*

**APPROVAL SUBJECT TO  
CONDITIONS STATED ON  
PERMIT No. 2023-0007708**

Approximate PL

234

Existing Modular Home

Proposed Pole Building

Existing Approach and Gravel Roadway  
Approach Location  
Lat:53.7209405087  
Long:-113.3719542873

100.0000

142.6480

18.2900

228.1422

24.3800

Existing Berm

70.8000

Private Roadway

Shared Approach

RR234

Title. Proposed Berm Plan	
Land Description. SW SEC4 TWP55 RGE23 W4M	
Date.	
Drawn By. A.D.	Scale. NTS

# PLANNING AND DEVELOPMENT SERVICES REPORT

**Subdivision & Development Appeal Board**  
**File Number 023-STU-003**

**FILE INFORMATION**

Department File:	305305-23-D0008
Legal Land Description:	Plan 0827877; Blk 1; Lot 3
Address:	55011 Rge Rd 234
Appellant:	Kent Lamoureux
Landowner:	2116161 Alberta Ltd. (Daniel and Monica Doblanko)
Description of Appeal:	Appealing the Decision of the Development Authority of Approval to Construct an Accessory Building (Pole Building) for Personal Use
Land Use Bylaw District:	REC – Recreational
Tax Roll Number:	984007

**BACKGROUND**

- An application to construct an accessory building (pole building 446m<sup>2</sup> or 4,800ft<sup>2</sup> in floor area) for personal use was received on January 26, 2023.
- According to Sturgeon County's Land Use Bylaw 1385/17, the land is districted as REC – Recreational. *The general purpose of the REC district is to accommodate development intended to provide commercial indoor and outdoor recreational facilities and related land uses. These uses are larger in scale and may have greater on-site and off-site impacts.*
- There is no record of an approval for recreational type of use on the subject lands.
- Given the land is districted as REC, the intended "use" or purpose of the accessory building was questioned by the Development Officer. The applicant confirmed by email that the purpose of the building was "to keep our tractors and pickups inside and out of the weather". (see Appendix 1)
- The parcel has an approved single detached dwelling, a discretionary use, which is the principal building on the land. A principal building *means a building which constitutes the primary purpose for which the parcel is used and is the main building among one or more buildings on the site.*
- The proposed pole shed was considered an accessory building to the principal single detached dwelling use. An accessory building *means a building or structure that is incidental, subordinate and located on the same parcel as the principal building, but does not include a building or structure used for human habitation.*
- A site plan and construction drawings were provided as part of the application.
- Alberta Transportation issued permit #2023-0007708 on January 18, 2023, for "construction of a pole building on Lot 3 Block 1 Plan 082877 SW 4-55-23-W4M north of Highway 37." Condition #10 of the approval states, "the proposed building is permitted

for personal use only unless the Permittee is in possession of a valid permit from Transportation and Economic Corridors for other use.”

## **PROPERTY INFORMATION**

- In September of 2013, Amendment Bylaw 1266/11, was approved by Council to amend Land Use Bylaw 819/96 to list “Campground” as a site-specific Discretionary Use on the lands associated with Poplar Woods Holdings. These lands were districted as IMF-A (Intermunicipal Fringe A) and included the 81-acre parcel directly to the south of the subject land. In 2017, Land Use Bylaw 1385/17 was approved, and the subject land was rezoned from IMF-A to REC.
- In 2018 the property was sold to the current landowners.
- The property is 22ha (53.5ac) in area currently developed with a single detached dwelling (manufactured home 305305-20-D0185), a Farm Building Declaration for an ATCO type trailer and a fabric structure (no permit found on file).
- Development Permit 305305-21-D0131 was issued for Site Grading for Landscape/Privacy Berm. (see Appendix 2)
- Development Permit 305305-22-D0007 was issued for Stockpiling of Material for Yard Maintenance was issued. (see Appendix 3)

## **RELEVANT POLICY/LEGISLATION**

- **Land Use Bylaw 1385/17**, as amended.
  - Section 6.1.1(b) Accessory Use and Accessory Building, unless otherwise indicated in a district, accessory uses and buildings are: discretionary in all districts where the principal use is a discretionary use in that same district and for which a development permit has been issued.
  - Section 6.1.7 states an accessory building shall be setback a minimum of 1.9m (6.2ft) from the principal building.
  - Section 15.7 REC-Recreational District - Development Regulations (see Appendix 4)
    - Minimum Front Yard Setback Abutting a collector road – 35m (114.8ft)
    - Minimum Side and Rear Yard Setback – 2.5m (8.2ft)
    - Maximum Height – at the discretion of the Development Authority
- **Highways Development and Protection Regulation** (Alberta Regulation 326/2009 and amendments)
  - A Roadside Development Permit is required for new or changes to roadside development permits within a development control zone, which is:
    - 300m from a provincial right-of-way or
    - 800m of the centerline of a highway and public road intersection.



## ANALYSIS

- The subject parcel is districted as REC however the land is currently not developed for this purpose. The parcel has an approved single detached dwelling, a discretionary use in the REC district, which is considered the principal building on the land.
- The proposed accessory building meets all regulations of the district with respect to setbacks and height. The building is proposed in a location that will not be visible to adjacent properties.
- The proposed accessory building was approved for personal use only with condition #8 which states, *the accessory building shall not be used for purposes related to any commercial business and shall be used for personal storage use only.*
- Alberta Transportation approved a Roadside Permit for the construction of a pole building for personal use only.
- The appeal noted a large-scale construction business has been operating on the site involving truck traffic, dust, and noise for the past 3 years. Historical information of the activity on site is as follows:
  - February 26, 2021, a complaint was received regarding berm construction, stockpiling of gravel/fill, a dugout/borrow pit and potential operation of a business. Truck traffic was observed hauling material both in and out of the property.
  - March 10, 2021, a letter of inquiry was sent to the landowner of the subject parcel regarding a potential business being operated and site grading occurring without permit approval. Confirmation of the zoning of the parcel was also reiterated to the landowner. (see Appendix 5)
  - May 13, 2021, Development Permit 305305-21-D0131 was issued for Site Grading for Landscape/Privacy Berm.
  - August 5, 2021, a Warning Letter was sent to the landowner regarding Stockpiling and Outdoor Storage. Outdoor Storage means *the storage of equipment, goods, and materials in the open air. This includes storage of items accessory to the principal use of a parcel.* (see Appendix 6)
  - October 21, 2021, the Development Officer and Program Lead for Development & Safety Codes met with the subject landowner onsite to inspect the property. The landscape berm, two Case tractors, a semi-trailer, and a pile of tires were observed onsite. At the time of inspection, it was noted that the parcel did not appear to have more equipment or material being stored than adjacent or nearby properties. There are several home-based businesses operating in the area, an industrial rail yard with a recycling component involving truck traffic and the Development Authority was aware of fill material being hauled to properties to the north of the subject property which contributed to traffic along RR 234.

- January 12, 2022, Development Permit 305305-22-D0007 was issued for Stockpiling of Material for Yard Maintenance.
- A condition referencing noise and dust mitigation were included in the Site Grading and Stockpiling development permits.
- Alberta Transportation approved separate Roadside Development permits for both the Site Grading and the Stockpiling of Material. The approvals did not regulate traffic to and from the site.
- County Transportation confirmed in 2021 that the landowner paid for calcium dust suppression on RR 234 for 200m from their approach south to HWY 37.
- A Road Use Agreement was entered into with the County on March 30, 2022.
- The County is aware of safety concerns at the intersection of RR 234 and HWY 37 as there is currently no turning lanes nor shoulders to allow for safe access on and off HWY 37. Data collected in 2021 shows the Average Daily Traffic at this intersection was 389 vehicles.
- Truck traffic and heavy equipment observed on the site may have been related to the site grading and the stockpiling approvals. These permits have expired and therefore equipment related to excavation or hauling is to be removed from the parcel.
- Neither a Home-Based Business (contractor) nor Outdoor storage is a listed use within the REC district.
- The Development Authority may refuse an application for a discretionary use, where the proposed development does not conform to the Bylaw. The application was approved as submitted, the accessory building met all regulations and is proposed to be for personal use only.

## **CONCLUSION**

- The Board may consider the following:
  - The use of the building.
  - If the proposed development would unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
  - Special circumstances that may be applicable to the subject property such as the zoning, size, topography, location, buildings, and surrounding land uses.

## **ATTACHMENT(S)**

- Appendix 1 – Email correspondence
- Appendix 2 – Site Grading Development Permit #305305-21-D0131
- Appendix 3 – Stockpiling Development Permit #305305-22-D0007
- Appendix 4 – REC District

- Appendix 5- Letter of Inquiry
- Appendix 6 - Warning Letter

Prepared By:



---

**Carla Williams**, Development Officer

Reviewed By:



Digitally signed by Tyler McNab  
Date: 2023.03.13 10:17:04 -06'00'

---

**Tyler McNab**, Program Lead Development & Safety Codes

## Carla Williams

---

**From:** andrew@doblankocontracting.com  
**Sent:** February 6, 2023 8:42 AM  
**To:** Carla Williams  
**Cc:** dan@doblankocontracting.com  
**Subject:** RE: Development Permit Application Pole Building

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The stockpile on the right side of that picture is gone currently. We just want to keep our tractors and pickups inside and out of the weather.

---

**From:** Carla Williams <cwilliams@sturgeoncounty.ca>  
**Sent:** Monday, February 6, 2023 8:03 AM  
**To:** andrew <andrew@doblankocontracting.com>  
**Cc:** dan@doblankocontracting.com  
**Subject:** RE: Development Permit Application Pole Building

Good morning Andrew.

The pole building (accessory building) is considered a discretionary use and the decision may be appealed to the Subdivision and Development Appeal Board. Therefore, can you please clarify "storing things"?

Our GIS aerials reveal a fabric structure near the manufactured home which I would assume is for personal use. The proposed building is to be located near the stockpile away from the yard site. To make an informed decision on the pole shed, I need to confirm the use.

Please respond by email so that I have record of your response for the file.

Thanks,



**Carla Williams**

**DEVELOPMENT OFFICER**

760-959-1515

[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)

[sturgeoncounty.ca](http://sturgeoncounty.ca)

9613 100 Street, Morinville, AB T6R 1L9



---

**From:** [andrew@doblankocontracting.com](mailto:andrew@doblankocontracting.com) <[andrew@doblankocontracting.com](mailto:andrew@doblankocontracting.com)>

**Sent:** February 2, 2023 2:54 PM

**To:** Carla Williams <[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)>

**Cc:** [dan@doblankocontracting.com](mailto:dan@doblankocontracting.com)

**Subject:** RE: Development Permit Application Pole Building

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The building is just to be used for storing things and keeping the dogs warm.

---

**From:** Carla Williams <[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)>

**Sent:** Tuesday, January 31, 2023 9:17 AM

**To:** andrew <[andrew@doblankocontracting.com](mailto:andrew@doblankocontracting.com)>

**Subject:** RE: Development Permit Application Pole Building

Good morning Andrew.

Thank you for your recent application. As you know the land is districted as REC – Recreational, can you confirm the use of the pole shed?

An accessory building means a building that is incidental, subordinate and located on the same parcel as the principal building. In this instance, the principal building would be the single detached dwelling.

Just want to ensure we deal with the structure appropriately.

Cheers,

**Carla Williams**

**DEVELOPMENT OFFICER**

780-939-1515

[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)

[sturgeoncounty.ca](http://sturgeoncounty.ca)

9613 100 Street, Morinville, AB T6R 1L9



---

**From:** [andrew@doblankocontracting.com](mailto:andrew@doblankocontracting.com) <[andrew@doblankocontracting.com](mailto:andrew@doblankocontracting.com)>

**Sent:** January 26, 2023 5:07 PM

**To:** Carla Williams <[cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca)>

**Cc:** [dan@doblankocontracting.com](mailto:dan@doblankocontracting.com)

**Subject:** Development Permit Application Pole Building

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Hi Carls,

Please see attached application for a permit to construct a pole building on our land.

Thanks,

Andrew Doblanko

7809106120

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---

**Development Permit**
**Land Use Bylaw 1385/17**


---

Permit No.:	305305-21-D0131
Tax Roll No.:	984007
Decision Date:	May 13, 2021
Effective Date:	Jun 3, 2021

---

**Applicant**

Name: Doblanko, Dan  
 Address: 1195 195 Avenue NE  
 Edmonton, ALBERTA  
 T5Y 6M6

Phone:  
 Cell: (780)446-1095  
 Fax:  
 Email: dan@doblankocontracting.com

**Owner**

Name: Doblanko, Dan  
 Address: 1195 195 Avenue NE  
 Edmonton, ALBERTA  
 T5Y 6M6

Phone:  
 Cell: (780)446-1095  
 Fax:  
 Email: dan@doblankocontracting.com

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**Property Description**

**Legal Land Description:** 0827877; 1; 3 ; SW 4-55-23-W4

**Land Use Description:** Recreational District

**Rural Address:** 2 - 55011 Rge Rd 234

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**Description of Work**

Site grading - to construct a landscape/privacy berm

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**Fees**

Permitted Use	\$250.00
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**Permit Conditions**

- The approval of the berm construction and hauling of material to the parcel is subject to and conditional to a Roadside Development permit being issued by Alberta Transportation.**
- The berm construction is to be in accordance with the approved site plan. The berm is to be 6m wide x 200m long and should not exceed 4m in height.
- The toe of the berm is to be a minimum of 3m (9.8ft) from the side (south) property line to facilitate surface runoff and maintenance.
- The berm side slopes shall not be steeper than 4H:1V with a flat top no less than 1m (3.3ft) wide to facilitate maintenance.
- A permanent berm shall be topsoiled and seeded in accordance with Sturgeon County's General Municipal Servicing Standards.
- The applicant shall obtain a Road Use Agreement from Sturgeon County's Transportation Services. (Please contact Roger Bergley at 780-939-8252 in this regard).
- The hours of berm construction shall be between the hours of 8:00AM and 5:00PM, Monday thru Friday.
- The applicant shall perform mitigation measures to limit the movement of dust to adjacent landowners and to limit noise from machinery and equipment.
- No stockpiles are permitted as part of this approval. All material hauled to the site must be directly placed to construct the berm.

10. The applicant shall be responsible for the installation and maintenance of any temporary Erosion and Sediment Control measures which may be required in accordance with best management practices.
11. An As-Building Grading Plan, prepared by a Alberta Land Surveyor, shall be submitted upon project completion to the satisfaction of Sturgeon County's Engineering Department, if required.
12. Drainage measures undertaken as part of the development shall not negatively impact adjacent parcels by way of flooding or inundation through the redirection of surface water. If the drainage of this development is found to affect adjacent parcels, all mitigating measures required to remedy the problem including drainage structures and drainage easements shall be at the sole expense of the applicant and/or landowner of the parcel where the mitigating measures are required.
13. The existing approach shall be used for site access and egress. The developer shall be responsible for all cost associated should the existing approach require improvements to support truck turning movements and traffic.
14. The applicant shall submit soil analysis test results, if required by the County, from each new site where the material is sourced. Results shall demonstrate soil nutrient levels, soil textures, and the level of any existing contamination or noxious weed. Remediation and reclamation of any contaminated soil shall be at the sold expense of the developer.
15. All documents registered on title shall be adhered to. No development shall encroach on or be erected on an easement or right-of-way unless the owner of the encroaching structure has obtained written consent from the owner or licensee to which the easement or right-of-way has been granted.
16. Fill material or topsoil shall not be sold from or screened on this parcel.
- 17. The permit issued is valid until May 13, 2022.**
18. If the development authorized by a permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the development permit approval ceases and the development permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.

**Advisory Notes**

1. Site grading means any work, operation or activity resulting in a disturbance of the earth. This includes but is not limited to the removal of topsoil or borrow, the stockpiling, excavating, trenching, backfilling, filling, land leveling, recontouring and grading other than for the purpose of an approved development. This does not include tree clearing, dugouts or the installation or removal of any landscaping.
2. The applicant shall comply with the conditions of a Roadside Development Permit issued by Alberta Transportation.
3. Any development involving pipeline and/or power line transmission rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by the Energy Utilities Board (EUB).
4. It is the responsibility of the applicant/landowner to comply 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 provincial or federal government.
5. Weed control shall be in accordance with the Province of Alberta's Weed Control Act.

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

**Issued By:**



Carla Williams  
Development Officer

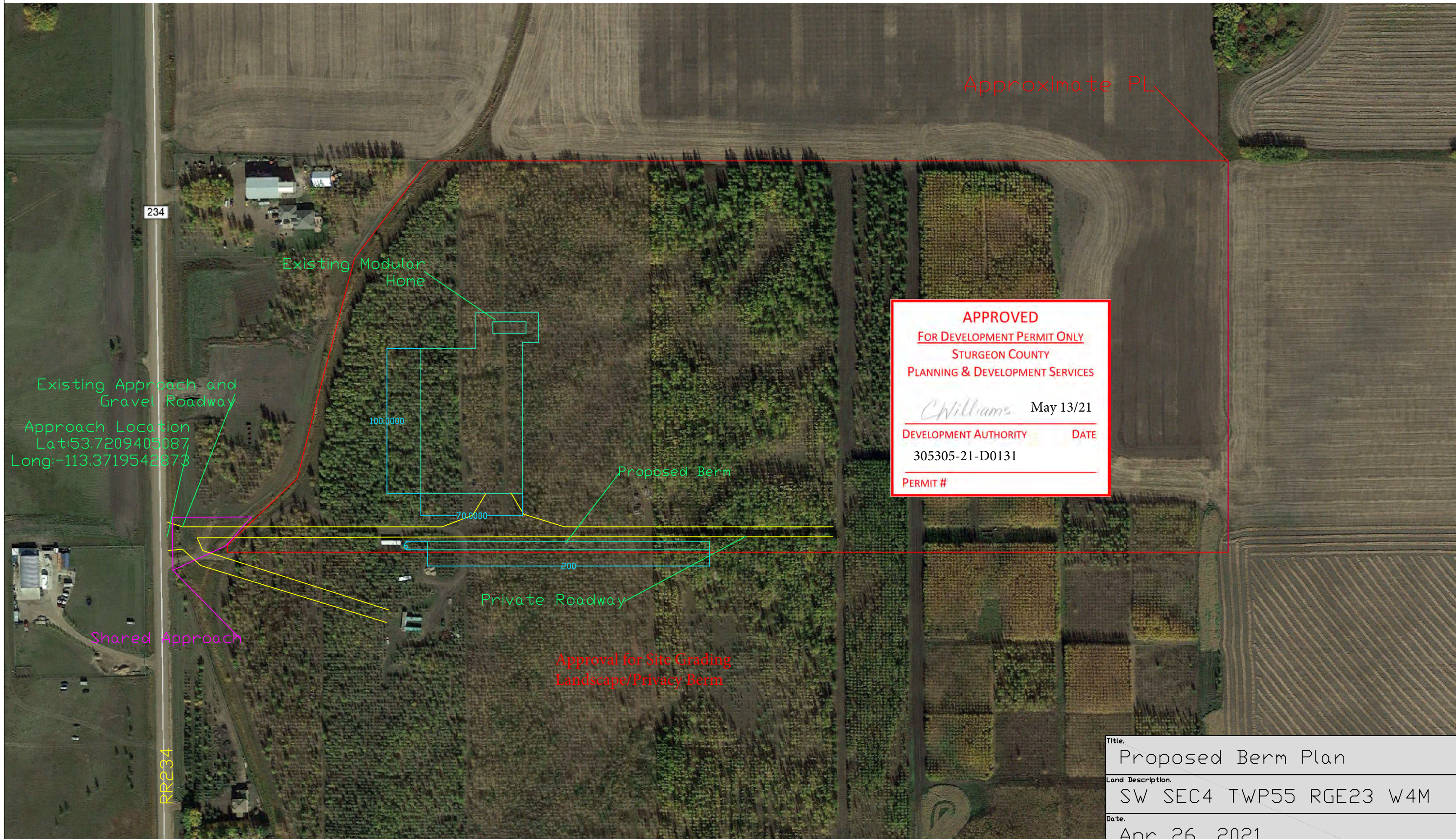
**Municipality**

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**

If you wish to appeal this decision, contact the Secretary of the Subdivision and Development Appeal Board via email at [legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca) or via letter at Sturgeon County Centre 9613 – 100 Street Morinville, AB, T8R 1L9. Telephone enquiries can also be made at 780-939-4321. Pursuant to Section 686(1) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 21 days of the decision date. Please note that there is a \$100.00 fee for any appeal.





**APPROVED**  
**FOR DEVELOPMENT PERMIT ONLY**  
 STURGEON COUNTY  
 PLANNING & DEVELOPMENT SERVICES

*C. Williams*    May 13/21

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DEVELOPMENT AUTHORITY      DATE

305305-21-D0131

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PERMIT #

Title. Proposed Berm Plan	
Land Description. SW SEC4 TWP55 RGE23 W4M	
Date. Apr 26, 2021	
Drawn By. A.D.	Scale. NTS



**Development Permit**

**Land Use Bylaw 1385/17**

Permit No.:	305305-22-D0007
Tax Roll No.:	984007
Decision Date:	Jan 12, 2022
Effective Date:	Feb 2, 2022

**Applicant**

Name: Doblanko, Dan  
 Address: 1195 195 Avenue NE  
 Edmonton, ALBERTA  
 T5Y 6M6  
 Phone:  
 Cell: (780)446-1095  
 Fax:  
 Email: dan@doblankocontracting.com

**Owner**

Name: Doblanko, Dan  
 Address: 1195 195 Avenue NE  
 Edmonton, ALBERTA  
 T5Y 6M6  
 Phone:  
 Cell: (780)446-1095  
 Fax:  
 Email: dan@doblankocontracting.com

**Property Description**

**Legal Land Description:** Lot 3; Block 1; Plan 0827877 on SW 4-55-23-W4  
**Land Use Description:** Recreational District  
**Rural Address:** 2-55011 Rge Rd 234

**Description of Work**

Stockpiling of material for yard maintenance

**Fees**

Permitted Use	\$150.00
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**Permit Conditions**

1. The material (gravel, clay, and topsoil) is to be temporarily stockpiled in accordance with the approved site plan.
2. A maximum of 4,000m<sup>3</sup> of material is permitted to be temporarily stockpiled on the parcel for the purpose of yard maintenance.
3. A Road Use Agreement shall be entered into with Sturgeon County Transportation Services, if required. Please contact the County's Road Use Agreements Coordinator at 780-939-8256 to confirm.
4. **The approval is valid until December 1, 2022. Any hauling of material on and off the site after December 1, 2022, requires a new Roadside Development Permit from Alberta Transportation.**
5. The developer shall be responsible for the installation and maintenance of necessary erosion and sedimentation controls to ensure that deleterious material does not migrate off the site.
6. The developer shall adhere to the documents registered on title. No development shall encroach on or be erected on an easement or right-of-way unless the owner of the encroaching structure has obtained written consent from the owner or licensee to which the easement or right-of-way has been granted.
7. The developer shall utilize the existing approach for site access and egress for hauling of material.
8. The County, may at any time, require soil testing to ensure that the stockpile material is not contaminated at the sole expense of the landowner.
9. Gravel, clay, or topsoil shall not be sold or screened on the property.

10. 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. If 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.
11. Hauling of material shall not generate excessive noise or dust considered offensive or excessive by the Development Authority. At all times, the privacy of the adjacent residential dwelling(s) shall be preserved, and the development shall not unduly interfere with or affect the use, enjoyment, or value of neighbouring parcels. The developer shall be responsible for any necessary dust mitigation.
12. 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. Stockpiling means a pile of topsoil, subsoil or overburden that is temporarily stored on a parcel.
2. Weed control shall be in accordance with Sturgeon County’s Weed Control Bylaw.
3. The developer shall comply with the conditions of Roadside Development Permit No: RSDP037817 issued by Alberta Transportation.
4. 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 and Alberta Environment. The applicant/landowner must also comply with the conditions of any easement of covenant which affects the development.

If you have any questions or concerns about your application or any conditions listed above, please contact the Current 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

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**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 [lppt.appeals@gov.ab.ca](mailto:lppt.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 to 780-427-2444.

All others 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](mailto: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

PROPOSED STOCKPILE LOCATION  
4x5x2m  
100m FROM PROPERTY LINE

APPROXIMATE PROPERTY LINE



EXISTING MODULAR HOME

EXISTING APPROACH AND  
GRAVEL ROADWAY  
APPROACH LOCATION  
LAT: 53.7209405087  
LONG: -113.3719542873

PROPOSED STOCKPILE LOCATION  
30x30x4m  
70m FROM PROPERTY LINE



PROPOSED STOCKPILE  
LOCATION  
3x3x2m  
50m FROM PROPERTY LINE

PRIVATE ROADWAY

RANGE ROAD 243

<b>APPROVED</b>	
<u>FOR DEVELOPMENT PERMIT ONLY</u>	
STURGEON COUNTY	
PLANNING & DEVELOPMENT SERVICES	
<i>C. Williams</i>	Jan 12/22
DEVELOPMENT AUTHORITY	DATE
<b>305305-22-D0007</b>	
PERMIT #	

APPROVAL FOR  
STOCKPILING  
MATERIAL  
SW 4-23-55-4

HWY 37:04

**15.7 REC – RECREATIONAL DISTRICT**



.1 General Purpose

This district accommodates *development* intended to provide commercial indoor and outdoor recreational facilities and related land *uses*. These *uses* are larger in scale and may have greater *on-site* and *off-site* impacts.

.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>Dugout</i>
<i>Campground</i>	<i>Dwelling, single detached</i>
<i>Community building</i>	<i>Eating and drinking establishment - subject to Paragraph 15.7.5(b)</i>
<i>Community garden</i>	<i>Hotel</i>
<i>Equestrian facility</i>	<i>Motel</i>
<i>Recreation facility, indoor</i>	<i>Parking facility</i>
<i>Recreation facility, outdoor</i>	<i>Recreation, outdoor motorized vehicle facility</i>
<i>Visitor accommodation</i>	<i>Recreational vehicle storage facility</i>
	<i>Resort</i>
	<i>Retail sale – subject to Paragraph 15.7.5(b)</i>
	<i>Shooting range</i>
	<i>Surveillance suite</i>

\* Refer to Section 6.1 for further clarification.

1407/18; 1560/21

.3 Subdivision Regulations

The minimum *parcel area* shall be determined by the Subdivision Authority.

.4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setbacks</i>	<i>Abutting a local road</i>	6m (19.7ft)
	<i>Abutting a collector or arterial road</i>	35m (114.8ft)
Minimum <i>side yard setback</i>	<i>Principal building</i>	4.5m (14.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
Minimum <i>rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
Maximum <i>Height</i>	At the discretion of the <i>Development Authority</i>	

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) *Eating and drinking establishment*, and *retail sale uses* shall only be allowed as *accessory* to a *principal use*.
- (c) The minimum *setback* for an *outdoor recreation facility* is the distance as determined by the *Development Authority* in order to prevent the sport or recreation activity from interfering with adjoining developments and to ensure the orderly flow of pedestrian and vehicular traffic.

March 10, 2021

**File# F21/1073**

2116161 Alberta Ltd  
1195-195 AVE NE  
Edmonton T5Y 6M6

**RE: Letter of Inquiry – Potential Business and Site Grading  
Lot 3, Block 1, Plan 0827877 – SW 4-55-23-W4; Sturgeon County**

---

It has been brought to the attention of the Development Authority that a business may be operating from the above noted lands. There appears to be an increase in truck traffic, hauling to and from the site, including stockpiling of gravel or fill material and a borrow pit or dugout may have been constructed prior to approval.

Sturgeon County's Land Use Bylaw 1385/17 regulates the land uses within the County and in accordance with the Bylaw, the subject land is districted as REC – Recreational. The general purpose of this district accommodates development intended to provide commercial indoor and outdoor recreational facilities and related land uses. For example, a Campground, Community Garden, and Indoor/Outdoor Recreation Facility are listed uses within the REC district. The REC district is attached for your review.

On August 27, 2020, Development Permit 305305-20-D0185 was issued for a single detached dwelling as a discretionary use. The site plan provided as part of the application noted, "proposed yard improvement area and existing laydown area" however the site plan did not reveal a berm, borrow pit/dugout, or stockpile area.

Site grading is a permitted use in any district and is defined as *any work, operation or activity resulting in a disturbance of the earth. This includes but is not limited to the removal of topsoil or borrow, the stockpiling, excavating, trenching, backfilling, filling, land leveling, recontouring and grading other than for the purpose of an approved development.*

The County has no record of an approval for the operation of a business nor for site grading – to construct a berm, borrow pit/dugout or stockpiling of gravel or fill material. It is important to note that your land is located within 800m of HWY 37 and any proposed development is subject to a Roadside Development Permit being granted by Alberta Transportation.

Please contact the undersigned by **March 25, 2021** to discuss the development occurring on the property. If you are interested in reading more about the Land Use Bylaw 1385/17, please check out our website at [www.sturgeoncounty.ca](http://www.sturgeoncounty.ca).

Sincerely,



Carla Williams  
Acting Team Lead for Development and Safety Codes

## 15.7 REC – RECREATIONAL DISTRICT



### .1 General Purpose

This district accommodates *development* intended to provide commercial indoor and outdoor recreational facilities and related land *uses*. These *uses* are larger in scale and may have greater *on-site* and *off-site* impacts.

### .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>Dugout</i>
<i>Campground</i>	<i>Dwelling, single detached</i>
<i>Community building</i>	<i>Eating and drinking establishment - subject to Paragraph 15.7.5(b)</i>
<i>Community garden</i>	<i>Hotel</i>
<i>Equestrian facility</i>	<i>Motel</i>
<i>Guest ranch</i>	<i>Parking facility</i>
<i>Recreation facility, indoor</i>	<i>Recreation, outdoor motorized vehicle facility</i>
<i>Recreation facility, outdoor</i>	<i>Recreational vehicle storage facility</i>
	<i>Resort</i>
	<i>Retail sale – subject to Paragraph 15.7.5(b)</i>
	<i>Shooting range</i>
	<i>Surveillance suite</i>

\* Refer to Section 6.1 for further clarification.

1407/18

### .3 Subdivision Regulations

The minimum *parcel area* shall be determined by the Subdivision Authority.

### .4 Development Regulations

Minimum <i>front yard</i> and <i>flanking front yard setbacks</i>	<i>Abutting a local road</i>	6m (19.7ft)
	<i>Abutting a collector or arterial road</i>	35m (114.8ft)
Minimum <i>side yard setback</i>	<i>Principal building</i>	4.5m (14.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
Minimum <i>rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
Maximum <i>Height</i>	At the discretion of the <i>Development Authority</i>	

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) *Eating and drinking establishment*, and *retail sale uses* shall only be allowed as *accessory* to a *principal use*.

- (c) The minimum *setback* for an *outdoor recreation facility* is the distance as determined by the *Development Authority* in order to prevent the sport or recreation activity from interfering with adjoining developments and to ensure the orderly flow of pedestrian and vehicular traffic.

1407/18



August 5, 2021

**File: F21/1073**

2116161 Alberta Ltd  
1195-195 AVE NE  
Edmonton T5Y 6M6

**RE: Warning Letter – Stockpiling and Outdoor Storage  
Lot 3, Block 1, Plan 0827877 – SW 4-55-23-W4; Sturgeon County**

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I refer to my phone discussion on August 3, 2021, with Mr. Dan Doblanko regarding the activities occurring on the above noted lands. During our conversation it was confirmed that two stockpiles (gravel and topsoil) are existing on the site and there is some heavy equipment being temporarily stored on the property.

Sturgeon County's Land Use Bylaw 1385/17 regulates the land uses within the County and Outdoor Storage is neither a permitted nor discretionary use within the REC - Recreational district. **Outdoor Storage** means *the storage of equipment, goods, and materials in the open air*. This includes the storage of items accessory to the principal use of a parcel.

Site grading is a permitted use in any district and is defined as *any work, operation or activity resulting in a disturbance of the earth. This includes but is not limited to the removal of topsoil or borrow, the **stockpiling**, excavating, trenching, backfilling, filling, land leveling, recontouring and grading other than for the purpose of an approved development.*

**At present, development on the Lands does not comply with Land Use Bylaw 1385/17 given:**

- **No development permit has been issued for Stockpiling of Gravel and Topsoil and**
- **No development permit has been issued for Outdoor Storage on the above noted lands.**

The subject land is located within 800m of HWY 37 and any hauling related to stockpiling or site grading is subject to a Roadside Development Permit being granted by Alberta Transportation. To date, the County has not received an approved Roadside Development for Site Grading (Berm Construction) or Stockpiling nor for Outdoor Storage on the property. **Therefore, all hauling of material to and from the site shall cease with immediate effect until such time that an approved Roadside Development is provided to the County.**

Please complete the attached development permit application for Stockpiling and submit to the County by August 20, 2021. The equipment being temporarily stored must be removed from the property by September 5, 2021. Failure to do so will result in enforcement action being taken by the County in the form of a Stop Order.

Feel free to contact the undersigned at 780-939-1313 or email [cwilliams@sturgeoncounty.ca](mailto:cwilliams@sturgeoncounty.ca) if you have questions.

Respectfully,



Carla Williams, Development Officer

# 305305-23-D0008 To Construct Accessory Building for Personal Use

Development Authority Report for SDAB Appeal 023-STU-003

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2023-03-21



Sturgeon  
C O U N T Y

# Site Location

## Zoning

- REC - Recreational
- I1 - Rural Industry Support
- DC - Direct Control
- AG - Agricultural
- City of Edmonton – earmarked industrial



# Site Location



# Property Information



## - REC – Recreational District

- “Campground” Site-Specific Discretionary Use in IMF-A (LUB 819/96)
- Districted as REC under LUB 1385/17 rewrite

55011 Rge Rd 234

Lot 3; Block 1; Plan 0827877

# Property Information

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## Permit Approvals

SDD 305305-20-D0185

Site Grading 305305-21-D0131

Stockpiling 305305-22-D0007

# Application Details

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An application to construct Accessory Building (Pole Building 446m<sup>2</sup> in floor area) for Personal Use was received Jan 26, 2023.

Email correspondence confirming the purpose of the building “to keep our tractors and pickups inside and out of the weather”

Alberta Transportation issued an approval for “construction of a pole shed building on Lot 3 Block 1 Plan 082877 on SW 4-55-23-W4M north of HWY 37.”

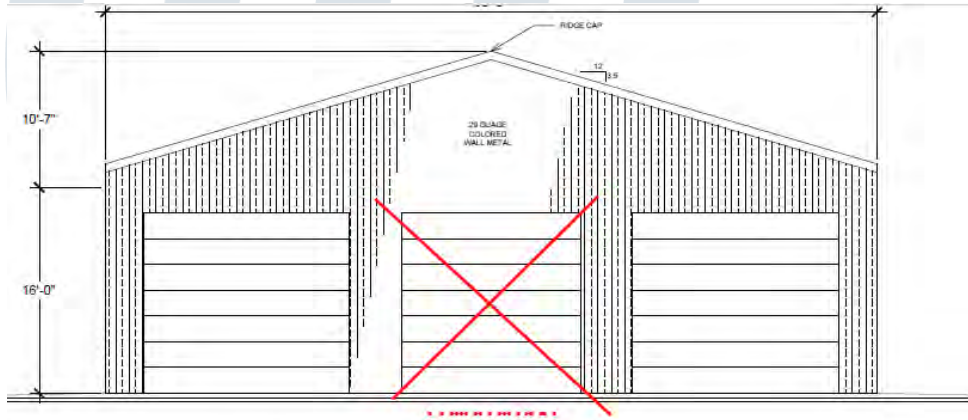
- Condition #10 of the approval states, “the proposed building is permitted for personal use only unless the Permittee is in possession of a valid permit from Transportation and Economic Corridors for other use.”

# Site Plan



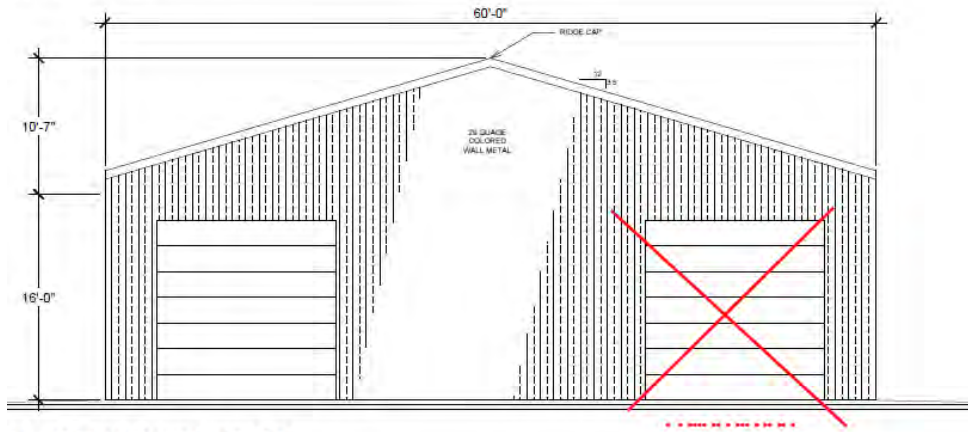


# Construction Drawings

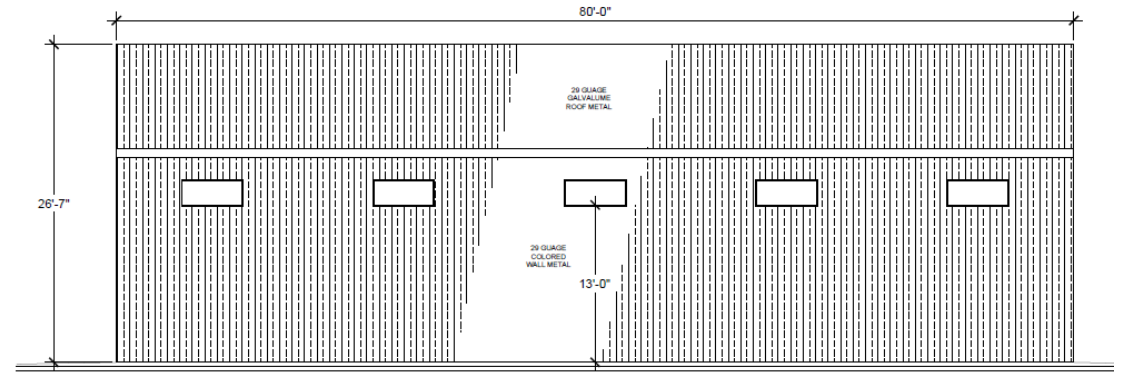


**SOUTH ELEVATION**

SCALE: 1/8" = 1'-0"



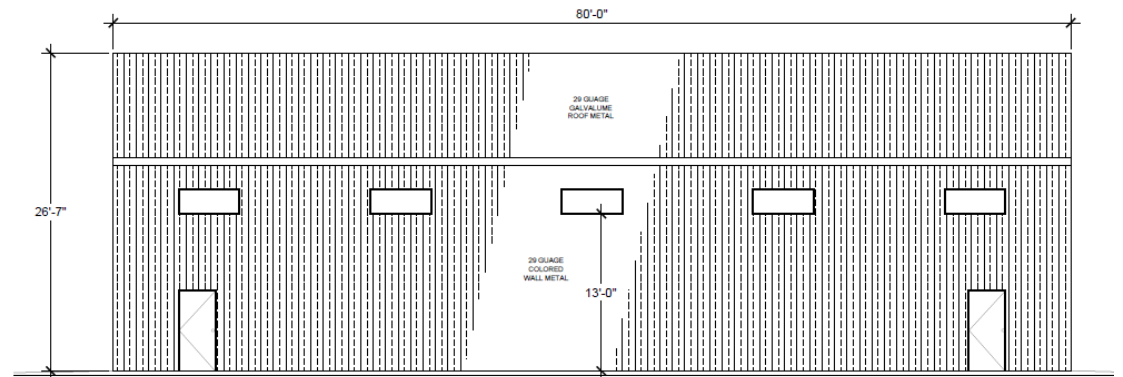
**NORTH ELEVATION**



**EAST ELEVATION**

SCALE: 1/8" = 1'-0"

Accessory Building for Personal Storage Use On



**WEST ELEVATION**

# Relevant Policy & Legislation

## Land Use Bylaw 1385/17

### Section 6.1 Accessory Building, Accessory Use

Unless otherwise indicated in a district, accessory buildings are:

(b) discretionary in all districts where the principal use is a discretionary use in that same district and for which a development permit has been issued.

### Highways Development and Protection Regulation

Roadside Development Permit #2023-0007708

Condition #10 states *the proposed building is permitted for personal use only unless the Permittee is in possession of a valid permit from Transportation and Economic Corridors for other use.*

## 15.7 REC – RECREATIONAL DISTRICT



### .1 General Purpose

This district accommodates *development* intended to provide commercial indoor and outdoor recreational facilities and related land uses. These uses are larger in scale and may have greater *on-site* and *off-site* impacts.

### .2 Uses

Permitted Uses	Discretionary Uses
Accessory, building*	Accessory, building*
Accessory, use*	Accessory, use*
Administrative building	Dugout
Campground	Dwelling, single detached
Community building	Eating and drinking establishment - subject to Paragraph 15.7.5(b)
Community garden	Hotel
Equestrian facility	Motel
Recreation facility, indoor	Parking facility
Recreation facility, outdoor	Recreation, outdoor motorized vehicle facility
Visitor accommodation	Recreational vehicle storage facility
	Resort
	Retail sale – subject to Paragraph 15.7.5(b)
	Shooting range
	Surveillance suite

\* Refer to Section 6.1 for further clarification.

1407/18; 1560/21

### .3 Subdivision Regulations

The minimum *parcel area* shall be determined by the Subdivision Authority.

### .4 Development Regulations

Minimum front yard and flanking front yard setbacks	Abutting a local road	6m (19.7ft)
	Abutting a collector or arterial road	35m (114.8ft)
Minimum side yard setback	Principal building	4.5m (14.7ft)
	Accessory building	2.5m (8.2ft)
Minimum rear yard setback	Principal building	6m (19.7ft)
	Accessory building	2.5m (8.2ft)
Maximum Height	At the discretion of the Development Authority	

1432/19

# Analysis

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- REC land use district
- Principal use is currently Single Detached Dwelling
- Accessory building meets setback requirements – located in an area not visible to adjacent landowners
- Approved for Personal Use Only – conditioned as such
- AT issued permit Pole Shed for Personal Use only

# Analysis

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Feb 26, 2021 – Complaint re: berm construction, stockpiling of gravel/fill material, dugout/borrow pit, and potential operation of business

Mar 10, 2021 – Letter of Inquiry Re: Development Activity occurring on site

May 13, 2021 – **Site Grading** permit issued for Landscape/Privacy Berm (expired May 13, 2022)

Aug 5, 2021 – Warning Letter Re: Stockpiling and Outdoor Storage

Oct 21, 2021 – Site inspection

Jan 12, 2022 – **Stockpiling** of Material for Yard Maintenance permit was issued (expired Dec 1, 2022)

- **AT issued separate Roadside Development Permits for Site Grading & Stockpiling**
- **County Transportation confirmed the landowner paid for calcium dust suppression on RR 234**
- **Road Use Agreement entered with County on Mar 30, 2022**
- **Condition referencing noise & dust mitigation included on both development permits**

Truck traffic and Adjacent Land Uses

Neither Home Based Business nor Outdoor Storage are listed uses in REC district

# Aerial Photo

May 2022 Yard Site  
- equipment & storage



# Aerial Photo (Neighbourhood Context)



# Conclusion

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The Development Authority may refuse an application for a discretionary use, where the proposed development does not conform to the Bylaw.

- The application was accepted and approved as submitted, the accessory building met all regulations and is proposed to be for personal use only.

## **The Board may consider the following:**

- The use of the building.
- If the proposed development would unduly interfere with the amenities of the neighbourhood; or materially interfere with or affects the use, enjoyment, or value of neighbouring properties
- Special circumstances that may be applicable to the subject property such as zoning, size, topography, location, buildings, and surrounding land uses.

**APPELLANT  
SUBMISSIONS  
RECEIVED**





**Component 1**  
**Centre for the Development of Short-rotation**  
**Woody Crop Best Practices**

**Gibbons Satellite**  
**Site Layout**

**28 ha Established in 2005**  
 High Yield Afforestation Planted  
 at 1600 Stems/ha

**24 ha Established in 2009**  
 3 Concentrated Biomass  
 Research Plots  
 3 High Yield Afforestation  
 Research Plots  
 3 Hybrid Biomass &  
 Afforestation Research Plots  
 5 Operational High Yield  
 Afforestation Plots  
 5 Hybrid Poplar Clonal  
 Demonstration Plots

**Research Activities**  
 Soil Fertility: CFS  
 Carbon Budgeting:  
 CFS + Univ. of BC  
 Physiological Research:  
 CWFC + Univ. of AB



# Poplarwoods History

2005-2009 Planted Afforestation plot  
 with goal of recreation use  
 2010-2013 Worked with the county and  
 developed an area structure plan.  
 Rezoned to recreation 2015

**Goal** ● To retain and enrich  
 biodiversity within the local eco-  
 region by proactively responding to  
 the shifting needs of a natural,  
 healthy environment  
 Bylaw-155621 municipal  
 development plan

Alberta Highways would not issue  
 development permit due to  
 overburdened intersection Hwy 37  
 & Range road 234

Canadian Wood Fibre Centre  
 Working together to sustain wood fibre value - saving forest wood as users with FP products



Natural Resources  
 Canada

Ressources naturelles  
 Canada

Canada

This is a continuing Development that has been operating over 2 complete construction seasons.

This is not a farm, this is a full scale construction Business that creates impact through

1. Traffic. 100+ loads a day which should raise questions in regards to safety and overburdening of the intersection at HWY 37 and RR234.
2. Dust as a nuisance and environmental hazard.
3. Improper land use as per the Land use bylaw
4. Noise ,Traffic, engine retarder brakes, sound of tailgates banging , Culverts being stockpiled





# Constant truck traffic in construction season.

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Request for dust control was met with silence from the construction company. County set out permits with no plan for dust impact.







- Unfenced Borrow Pits within 1 meter of property line.
- Pits added to traffic as more removal of resources means more outgoing traffic.
- Even more traffic to refill the Pit and then eventually near the end of the season the berm.
- June 7<sup>th</sup> 2022 I saw over 100 trucks, 10-14 trucks per hour. 10 hour days 7am -5pm including weekends.
- All pictures georeferenced and dated.











# Land Use Recreation

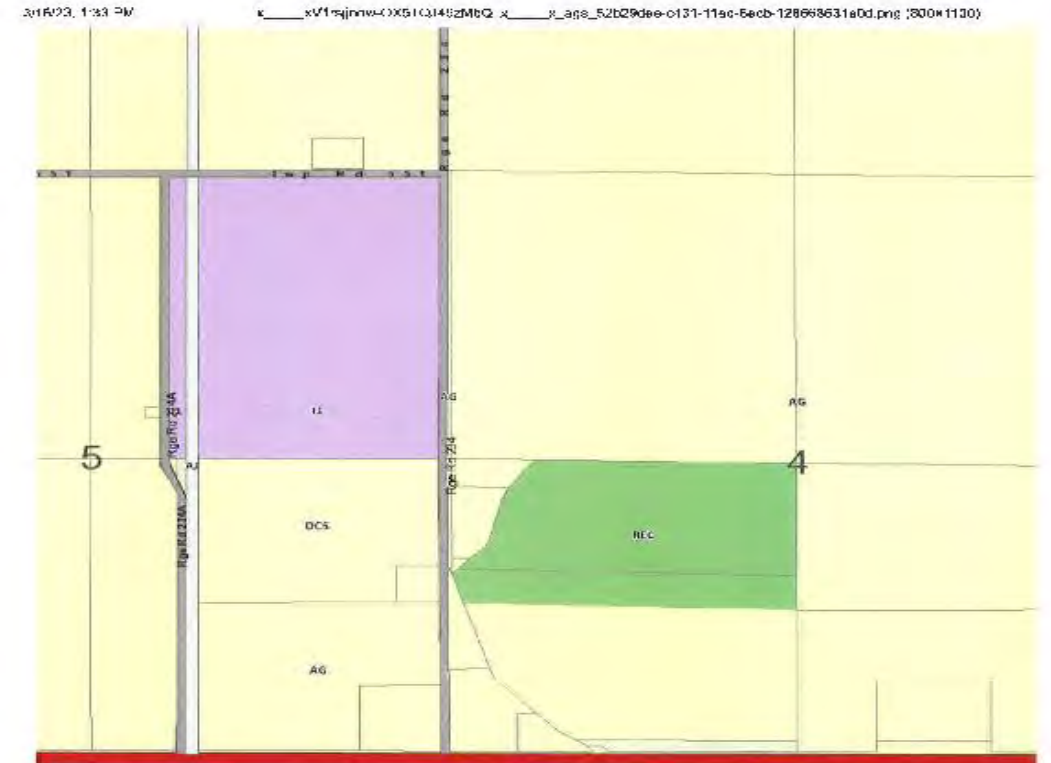
Zoned Recreation , current Land use  
Resource extraction, commercial.

Land use by Law not being followed.

Sturgeon County enabled this land use  
without consideration of impact to  
residents.

How do I develop a recreation use up  
against a resource extraction, resource  
stockpiling and Construction?

Rezoning and area structure plan needs to  
be required by land owner.



# APPLICANT SUBMISSIONS RECEIVED

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**\*NOTE:**

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

WRITTEN  
SUBMISSIONS  
FROM  
ADJACENT  
LANDOWNERS  
AND OTHER  
AFFECTED  
PERSONS

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**From:** [Cindy Felix](#)  
**To:** [Legislative Services](#)  
**Cc:** [Dianne Mason](#); [REDACTED]  
**Subject:** NOTICE OF APPEAL - DEVELOPMENT PERMIT NO. 305305-23-D0008  
**Date:** February 27, 2023 3:11:04 PM  
**Attachments:** [Sturgeon - Notice of Appeal.pdf](#)

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**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](mailto:ISSupport@sturgeoncounty.ca)

Hello,

We received a letter from your office regarding the subject noted above 'to construct Accessory Building (Pole Shed 60ft x 80ft) for personal storage use only.

Does the zoning of REC – Recreational District allow for the operation of a commercial business, as this is happening on this property?

The adjacent landowners find this very hard to believe that they will be using this shop as **personal storage use only** as they are operating a Full Scale Construction / Trucking company since they have owned this property. They are operating this business on this site that currently does not have any buildings covering their equipment. How convenient to be applying for a massive shop for personal use when they own a company with all this equipment. We believe they do not have authorization to operate a business and are doing so illegally and not applying for permits or paying business taxes.

This is their website... <https://www.doblankocontracting.com/>

As well, we believe that Alberta Transportation is not aware of the multiple trucks generating a ridiculous amount of traffic during the construction season all day, every day, 6 days a week at the intersection of Range Road 234 and Highway 37.

During the construction season, from spring till the end of the season, there are multiple trucks coming and going, every hour all day, 6 days a week, taking extracted resources from the site and dumping unwanted fill.

The amount of traffic they generate alone does not help the roads and the adjacent landowners believe that the full picture was not brought to light on the amount of traffic being generated in respects to the application for the Roadside Development Permit from Alberta Highways.

We believe this is all going on without proper zoning which has no provisions for any of these activities happening at this location.

We feel it is not fair to businesses that are operating professionally and legally to have to compete against a business that is not legally operating in turn, they have not been responsible for any land taxes and have no regards to the regulations.

They should have to pay the business taxes and be responsible to upkeep the maintenance of the roads due to all the traffic they generate with all these trucks coming and going raising havoc on our roads.

We have pictures confirming the trucks and the site of where they dump and haul the materials.

Just a side note, years and years ago, more than 10 years ago, we were sent a letter from the County to remove a "business sign" that was hung on our fence as we didn't have a business license (we put it up for information only and to generate interest as we were operating the business out of Edmonton, which is no longer operating). Should be interesting to see what Sturgeon County will do to an illegal business fully operating without any licenses, permits, let alone zoning?!

I am not sure what the procedures of the Board are, so I would like some information regarding this.

Thank you,

Cindy Felix

