

October 3, 2023
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING AGENDA
COUNCIL CHAMBERS AND VIDEOCONFERENCE
2:00 p.m.

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

2. SCHEDULE OF HEARINGS:

2.1 Appellant: David Lylick

023-STU-022 Subdivision Appeal

3. ADJOURNMENT



NOTICE OF APPEAL

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:	<p>RECEIVED</p> <p>SEP 14 2023</p> <p>STURGEON COUNTY</p> <p>Date Received Stamp</p>
Municipal Address of site:	
Legal land description of site: ('plan, block, lot' and/or 'range-township-section-quarter)	
Development Permit number or Subdivision Application number:	

17,54324 Bellerose Drive
 Plan 80 20218
 Lot 7 Block 2
 2023-5-012

Appellant Information: Severed in line with section 17 of the FOIP Act

Name: DAVID WYICK
 Mailing Address: 17-54324 Bellerose Drive
 Postal Code: T8T-0C5

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

Development Permit	Subdivision Application
<input type="checkbox"/> Approval	<input checked="" 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

county did not approve lot 2 & 3.

(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.

Severed in line with section 17 of the FOIP Act

Signature of Appellant/Agent

Date: Sept. 14/23

SDAB Appeal Number:

FOR USE ONLY

Appeal Fees Paid: Yes No Hearing Date: YYYY/MM/DD

APPEAL SUBMISSION INFORMATION

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

FILING INFORMATION

MAIL OR DELIVER TO:

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

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

APPEAL PROCESS

Who can appeal?

Subdivision appeals:

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

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

Development appeals:

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

For further information:

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

Phone: 780.939.4321

Email: legislativeservices@sturgeoncounty.ca



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

LYLICK, DAVID
 17 - 54324 BELLEROSE DRIVE
 STURGEON COUNTY, AB T8T 0C5

Receipt Number: 202307089
 GST Number: 107747412RT0001
 Date: 2023-09-14
 Initials: TM

Account	Description	Prev Bal	Payment	Balance
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16APP	APPEAL FEES - LEGISLATIVE SE		\$100.00	
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Subtotal: \$100.00
 Taxes: \$0.00

Total Receipt: \$100.00

Visa: \$100.00

Cheque No.



STURGEON COUNTY
 9610 100 ST
 MORINVILLE, AB T8R 1L9
 7809398354

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

Cashier: Tonya M.

Transaction **101609**
 Invoice #: 202307089

Total CA\$100.00
 CREDIT CARD SALE CA\$100.00
 VISA 4693

Retain this copy for statement validation

14-Sep-2023 1:38:13P
 CA\$100.00 | Method:
 CONTACTLESS
 VISA CREDIT
 XXXXXXXXXXXX4693
 Reference ID: 325700538483
 Auth ID: 044191
 MID: *****2882
 AID: A0000000031010
 AthNtwkNm: VISA
 NO CARDHOLDER VERIFICATION

*** REPRINT ***

September 20, 2023

SDAB File Number: 023-STU-022

Dear David Lylick:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property: Plan 8020218; Block 2; Lot 7
17, 54324 Bellerose Drive, Summerbrook Estates

Decision Regarding Proposed Subdivision: The subdivision was conditionally approved

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on September 12, 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 **October 3, 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 714 271 209#. This should connect you directly into the hearing.

When an appeal is received, the Appellant has the right to make a written submission and attend the hearing. Should you wish to exercise this right, your written submissions should be addressed to the undersigned and sent by email to legislativeservices@sturgeoncounty.ca at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than September 28, 2023.**

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

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

Melodie Steele
Secretary, Subdivision and Development Appeal Board

September 20, 2023

SDAB File Number: 023-STU-022

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

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

Legal Description of Subject Property:	Plan 8020218; Block 2; Lot 7 17, 54324 Bellerose Drive, Summerbrook Estates
Subdivision Application Number:	2023-S-012
Decision of Subdivision Authority:	The subdivision was conditionally approved

Appellant: David Lylick

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

- The Subdivision Authority did not approve the desired lots 2 and 3.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **October 3, 2023 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

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Why am I receiving this information?

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than September 28, 2023.**

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Melodie Steele
Secretary, Subdivision and Development Appeal Board

September 20, 2023

SDAB File Number: 023-STU-022

To Whom it May Concern:

**NOTICE OF
APPEAL BOARD HEARING**

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

Legal Description of Subject Property: Plan 8020218; Block 2; Lot 7
17, 54324 Bellerose Drive, Summerbrook Estates

Subdivision Application Number: 2023-S-012

Decision of Subdivision Authority: The subdivision was conditionally approved

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Why am I receiving this information?

When an appeal is received, affected bodies/organizations have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than September 28, 2023.**

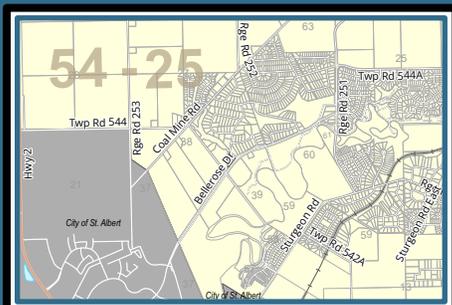
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Melodie Steele
Secretary, Subdivision and Development Appeal Board

Exhibit 1 [Applicant Submission]

File Number: 2023-S-012



Legal Description: 8020218;2;7

Roll Number: 174015

Total Acres/Hectares: 3.50ac / 1.40ha

Municipal Address: 17 54324 Bellerose Dr

Land Use: R2 - Country Estate Residential

Date: 6/12/2023

Legend

-  Garage
-  Dwelling

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.
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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.

August 31, 2023

David & Donna Lylick
17, 54324 Bellerose Drive
Sturgeon County AB T8T 0C5

Re: Proposed Subdivision
Our File No: 2023-S-012
Applicant: David & Donna Lylick
Landowner: David & Donna Lylick
Legal Description: Plan 8020218; Block 2; Lot 7 - Summerbrook Estates

Your application for subdivision was APPROVED CONDITIONALLY by the Subdivision Authority on **August 31, 2023**, subject to the following conditions:

THE CONDITIONS OF APPROVAL ARE:

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated August 29, 2023 and submit it in a manner that is acceptable to Land Titles.
- 3) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.
- 4) Pursuant to the Sturgeon County Residential Lot Grading Policy, a lot grading plan shall be prepared for Proposed Lot 1 and the Remnant Lot to the satisfaction of Sturgeon County Engineering Services *before* this subdivision is endorsed.
- 5) The applicant is to provide water service connections for Proposed Lot 1 and the Remnant Lot – to the satisfaction of Sturgeon County Utility & Waste Management Services.

ADVISORY NOTES

- Natural Gas servicing to any new subdivision is the responsibility of the applicant. The applicant will be required to provide the required easements across existing lots or subdivided lots for natural gas servicing, if service is approved by the natural gas provider. Sturgeon County does not allow natural gas servicing lines to be located within the road right of way. Setbacks from the road right of way are required. Easements of private property must be obtained by the applicants or service providers. Any service lines which cross Sturgeon County property will require a crossing agreement with conditions.
- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.
- Pursuant to the Water Act and the Alberta Wetland Policy, any future development or site grading which might alter or disturb a wetland may require additional approvals from Alberta Environment and Parks.

Reasons for decision are as follows:

- The Subdivision Authority is of the opinion, after considering the factors set out in S. 7 of the Subdivision and Development Regulations, that the lands are suitable for the purpose for which the subdivision is intended because the nature of the lands and proposed configuration of the lot(s) remove any concern regarding these factors except for those specifically addressed by the conditions.
- The Subdivision Authority has carefully considered the concerns of adjacent landowners but is satisfied these concerns can be addressed by the conditions imposed upon the subdivision approval or by reason of application of the applicable provincial laws.

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

This approval will expire on **August 31, 2024**. Pursuant to Section 657 of the Municipal Government Act, an extension beyond this one-year time period may be authorized by the Municipal Council, provided just cause is shown.

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

PLEASE NOTE:

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

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

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

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

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

Yours truly,



Martyn Bell
Program Lead, Current Planning

/sg

Encl:

C: AltaLink Management Ltd.
Alberta Health Services
Atco Gas
Canada Post
Fortis Alberta
Greater St. Albert Catholic Schools
Sturgeon School Division
Telus Access Planning

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

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

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

The final date the appeal can be filed is: **SEPTEMBER 21, 2023**

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

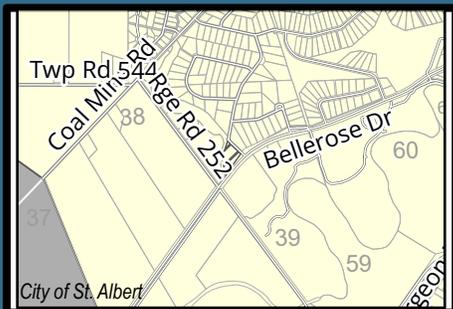
Please note that there is a \$100.00 fee for any appeal.

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2023-S-012



APPROVED
CONDITIONALLY BY STURGEON COUNTY
SUBDIVISION AUTHORITY
Date: AUGUST 31, 2023



Legal Description: 8020218;2;7
Roll Number: 174015
Total Acres/Hectares: 3.50ac / 1.40ha
Municipal Address: 17 54324 Bellerose Dr
Land Use: R2 - Country Estate Residential
Date: 8/29/2023

Legend

- Dwelling
- Garage

PART II – APPLICATION FORM



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

Office Use Only

202303891

Initial Date Submitted: June 5, 2023

Receipt No: 202303457

Date Accepted as "Complete": June 12, 2023

Application Fee: \$ 1775

File Number: 2023-S-012

Complete in full (where applicable):

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

Mailing address (including postal code):

David & Donna Lylick
17-54324 Belkrose Drive
Sturgeon County, Alta. T8T-0C5

Severed in line with section 17 of the FOIP Act

Telephone:

Email:

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

Mailing address (including postal code):

Telephone:

Email:

PROPERTY INFORMATION:

All/part of the: ¼ Sec: Twp: Range: West of the: th Meridian
OR Lot: 7 Block: 2 Plan: 8020218 Land Title #

Municipal Address of Property:

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

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

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

Detailed Description :

Applying for residence parcels (3)

Freedom of Information and Protection of Privacy (FOIP) Act

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

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

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

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

OR Lot: Block: Plan:

Municipal Address of Property: _____

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

do hereby authorize

Dated this _____ day of _____, 20____

Signature(s) of ALL Registered Landowners

Severed in line with section 17 of the FOIP Act

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Abandoned Oil and Gas Wells (Mandatory)

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

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

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

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

OR

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

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

Freedom of Information and Protection of Privacy (FOIP) Act

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



Abandoned Well Map

Base Data provided by: Government of Alberta

Author: Jonathan Heemskerk

Printing Date: 6/5/2023

Date Data (if applicable)

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

Scale: 9,027.98

0 14 Kilometers 0

Projection and Datum:

WGS84 Web Mercator Auxiliary Sphere



Legend

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

Drinking Water Supply (Mandatory)

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

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

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

Sewage Disposal (General Information)

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

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

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

If you have questions regarding sewage disposal, consult either:

Alberta Municipal Affairs
Toll Free: 1-866-421-6929

OR

Superior Safety Codes Inc. (Sturgeon County's Agent)
Telephone: 780-489-4777
Toll Free: 1-866-999-4777

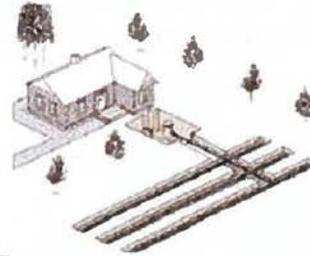
Sewage Disposal (Mandatory)

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



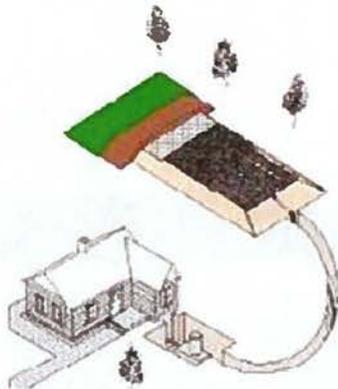
Open Discharge (Pump Out) System

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



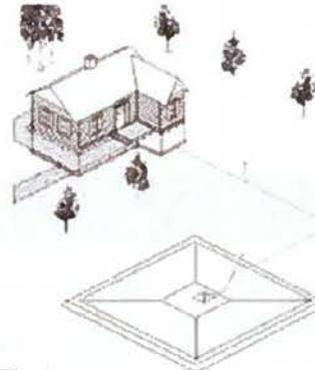
Disposal Field

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



Treatment Mound

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

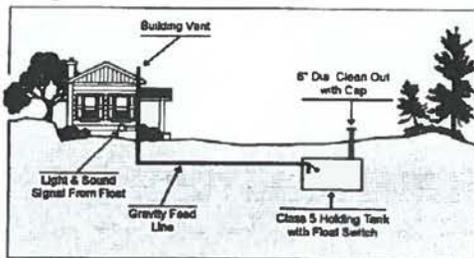


Sewage Lagoon

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

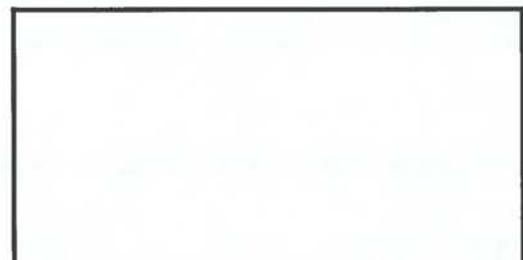
No existing sewage disposal.

Municipal Sanitary Line



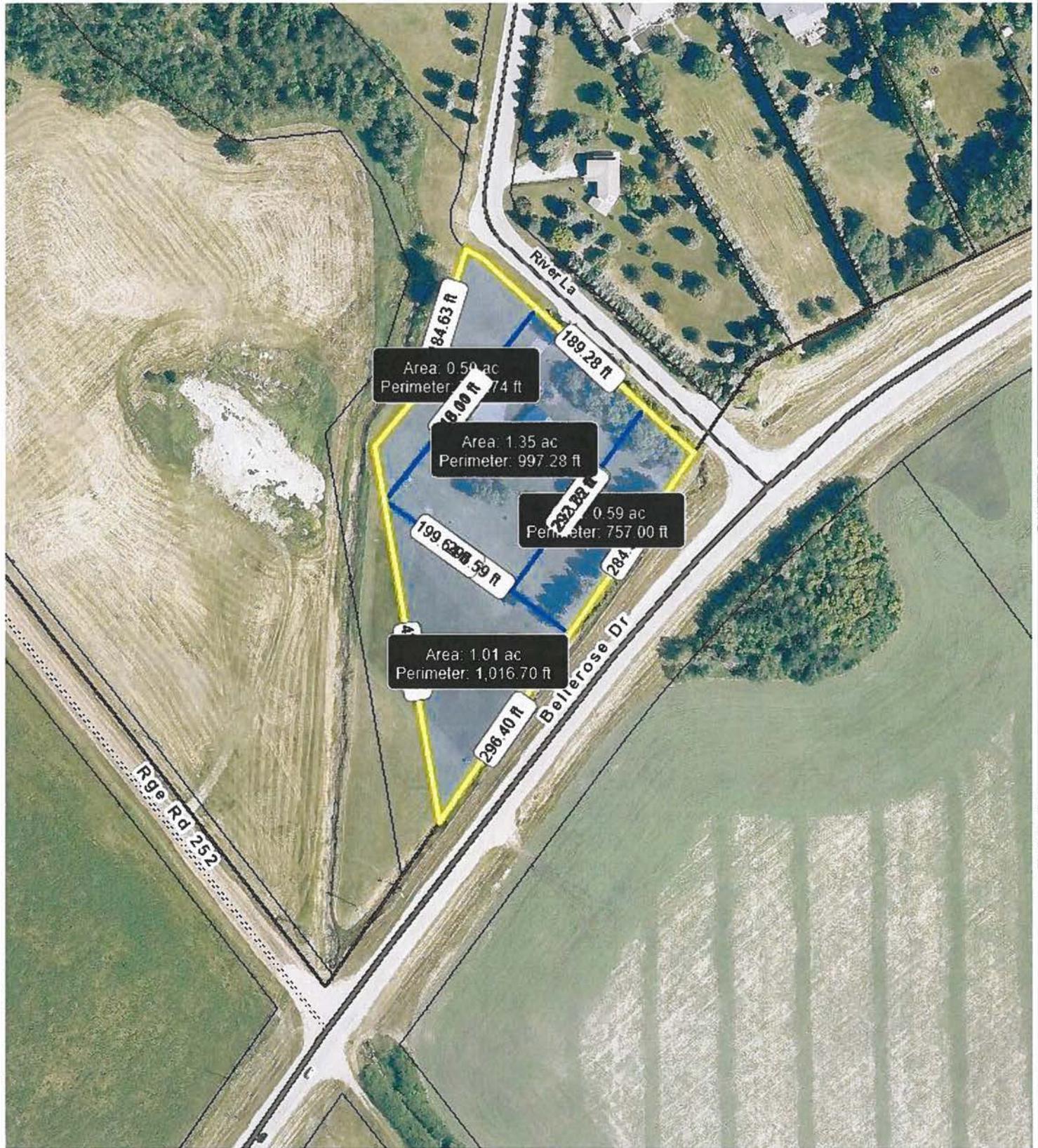
Holding Tank

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



Other: _____

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



Prepared By: Jonathan Heemskerck

NAD_1983_10TM_AEP_Resource
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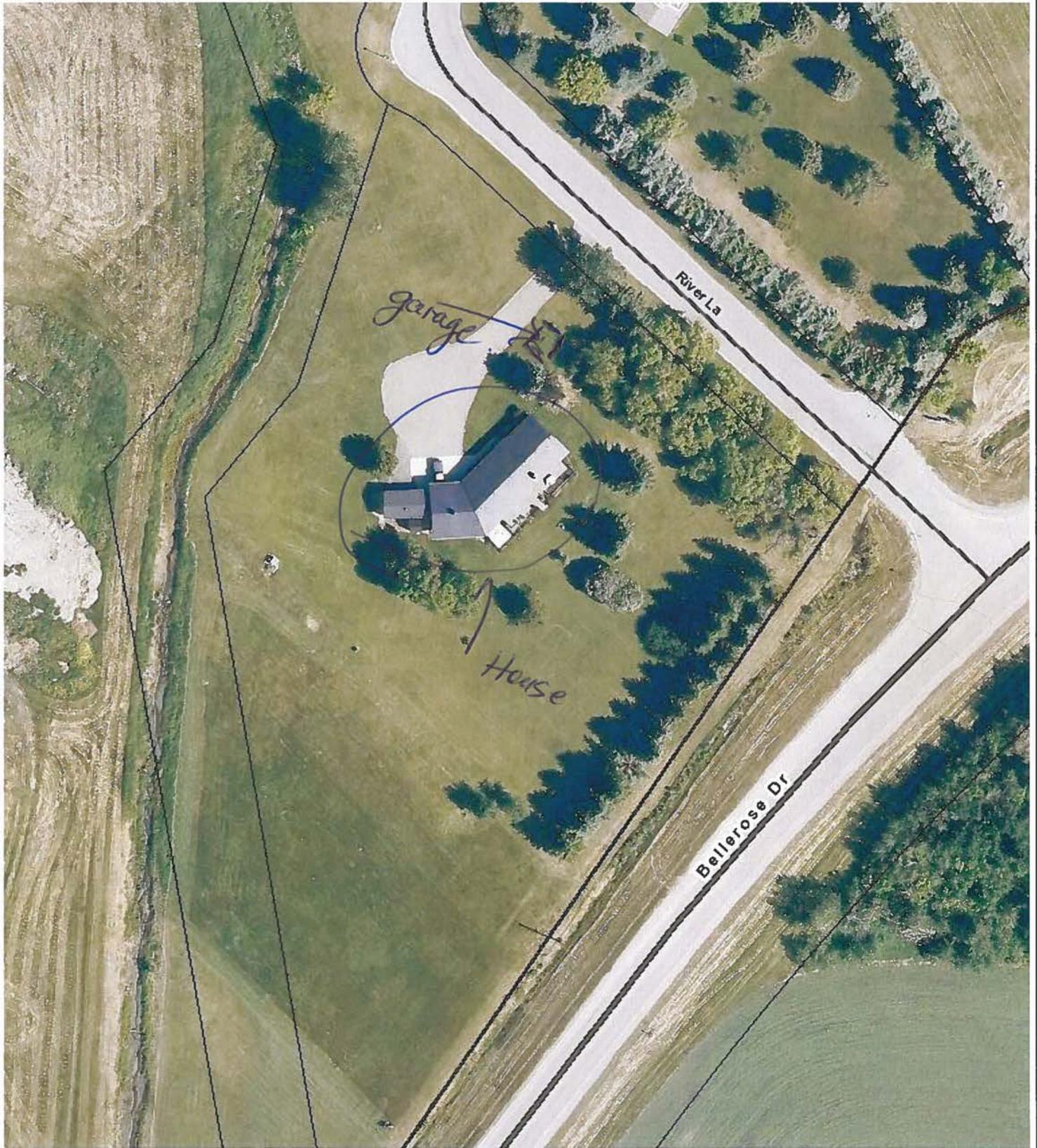


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Aerial Map

5-Jun-2023



Prepared By:

Jonathan Heemsker

NAD_1983_10TM_AEP_Resource
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**PLANNING AND
DEVELOPMENT
SERVICES REPORT**

Prepared For: Sturgeon County Subdivision Authority
Prepared By: Jonathan Heemskerk, Planning & Development Services



FILE INFORMATION:	2023-S-012
Council Division:	2
Tax Roll Number:	174015
Legal Land Description of Property:	Plan 8020218; Block 2; Lot 7
Landowners:	David and Donna Lylick
Applicant:	David Lylick
Staff Recommendation	Conditional Approval
Appeal Board (if appealed):	Subdivision & Development Appeal Board
Administrative Fees (if approved):	\$250 (subdivision endorsement); plus \$600 per new parcel created/adjusted.

PART I – APPLICATION DETAILS:

1. As illustrated in Exhibit 1 (see **Appendix 4**), the applicant proposes the subdivision of three new lots and a remnant lot. A 0.17 hectare, 0.40 hectare, and a 0.20 hectare parcel to be created from 1.40 hectares.

PART II – SUBDIVISION HISTORY:

1. Subdivision History:
 - Original subdivision of Summerbrook Estates in 1980.

PART III – REFERRAL SUMMARY:

1. Sturgeon County Development Officer:
 - *Proposed Lot 1:*
 - o Vacant land.
 - *Proposed Lot 2:*
 - o Vacant land with a 12.0m and 6.10m utility right of way along the south and east property lines.
 - *Proposed Lot 3:*
 - o Vacant land.
 - *Remnant Lot:*
 - o Permits in place for several structures. House is currently serviced with a private septic field.
 - o The site plan confirms the utility right of way running along the south and east border of the property. The right of way cannot be encroached on.

- *General Comments:*

- The parcel borders an Environmental Reserve lot which includes a natural drainage course. Any development on the subject parcel shall not impede or negatively impact natural drainage.
- An overall stormwater management plan and individual lot grading plans are to be provided by the developer prior to endorsement to provide positive drainage in accordance with accepted engineering practices, GMSS, and the Residential Lot Grading Procedure.
- Approaches to the lots are subject to approval by Engineering Services in accordance with GMSS.
- Confirmation of the existing septic system is required. All lots shall be required to tie into municipal sanitary and water lines.

2. Sturgeon County Engineering Services:

- *Proposed Lot 1:*

- No land dedication/acquisition required.
- No existing approach. One must be constructed to General Municipal Servicing Standards.
- As per the Sturgeon County Residential Lot Grading Policy, a lot grading plan must be completed to ensure drainage can be accommodated.

- *Proposed Lot 2:*

- No land dedication/acquisition required.
- Bellerose Drive is a major collector road. In line with General Municipal Servicing Standards, approaches shall not be constructed within 100m of an intersection. Therefore, Proposed Lot 2 cannot be supported.

- *Proposed Lot 3:*

- No land dedication/acquisition required.
- Bellerose Drive is a major collector road. Direct access from Bellerose Drive cannot be accommodated. Therefore, Proposed Lot 3 cannot be supported.

- *Remnant Lot:*

- No land dedication/acquisition required.
- Existing approach requires upgrades to meet General Municipal Servicing Standards.
- As per the Sturgeon County Residential Lot Grading Policy, a lot grading plan must be completed to ensure drainage can be accommodated.

3. Sturgeon County Utility Services:

- *Water Connections:*

- Existing water c/c is approximately 30 meters west of the driveway.
- Deposit and timeline must be made for each lot to ensure a new connection is made. Cost will be per the Sturgeon County Fees and Charges Schedule plus any extra cost.
- Additional costs that are the responsibility of the landowner include arranging and installing the service line from c/c to the point of delivery, cistern, water meter, meter vault, ect.

- *Wastewater Connections:*

- Remnant lot is privately serviced with a septic tank and field (unknown location).
- Cost to tie each subdivided lot into services will be as per the Sturgeon County Fees and Charge Schedule.

- Alternative options are available through private servicing.
 - *General Comments*
 - This proposal meets utility services approval. Water connections will be required for all new lots created as per General Municipal Servicing Standards.
4. Sturgeon County Drainage Operation:
 - The drainage course right-of-way could be realigned to better reflect the location of the drainage area.
 - It is recommended that 0.03 acres of land is provided to accommodate setback distances from the drainage course.
 5. Adjacent Landowners:
 - Four letters of objection were received from adjacent landowners. Zero letters of support were received. The letters of objection included the following concerns:
 - Subdivision of additional lots would diminish the character of Summerbrook Estates. Comments noted that residents moved out to this area for its larger lot sizes. Opposition to densification in the area, noting that elected officials should be looking at the greater good of the community when evaluating these areas.
 - Does not conform with section 5.5 of the Sturgeon Valley Core Area Structure Plan which aims *“To maintain the distinct community character of existing residential communities”*.
 - Concern that Proposed Lot 1 does not meet minimum lot size as required by the Land Use Bylaw.
 - An approach for Proposed Lot 1 would be too close to the curve in road, causing safety concerns in winter.
 - Access directly from Bellerose Drive should not be supported for either Proposed Lot 2 or Proposed Lot 3.
 - Access from River Lane for Proposed Lot 2 would be far too close to the intersection and there are concerns about both safe access, along with additional congestion in the area given the locations of community mailboxes across the street.
 - Concerns with potential effects to servicing in the area with extra density.
 6. No Objections:
 - Alberta Health Services, Sturgeon County Protective Services, Sturgeon County Agriculture Services, ATCO Gas, Fortis Alberta.
 7. No Responses:
 - Alberta Energy Regulator, Altalink, Canada Post, Sturgeon County Assessment Services, Sturgeon School District, St. Albert School District, Telus.

PART IV – ANALYSIS:

1. Bylaw 1613/23 received third reading from Sturgeon County Council on March 14, 2023, the intent of which was to clarify the subdivision regulations of the R2 – Country Estate Residential district. The background research conducted for this bylaw included identifying which existing parcels within the Sturgeon Valley could be further subdivided based on the

proposed amendments to the subdivision regulations, i.e. which parcels could meet the minimum 25m parcel width, minimum 0.2 hectare size, can be adequately serviced, and can be accessed via a local road. A desktop analysis identified 16 parcels that had potential to be subdivided based on the criteria – including this parcel. The location of the existing home and driveway make it challenging to meet all subdivision requirements, even with a large parcel area of 1.39 hectares (3.44 acres).

2. For Proposed Lot 1 to meet these requirements the parcel size needs to be increased, which would encompass a portion of the existing driveway, as shown in Exhibit 2. The frontage of the parcel is 32m and has enough room for a new approach to be constructed far enough from the bend in River Lane to provide safe access. With all requirements in the R2 – Country Estate Residential regulations being met, in addition to the parcel being identified by Sturgeon County Council as having subdivision potential, administration can support Proposed Lot 1.
3. Both Proposed Lot 2 & 3 are adjacent to Bellerose Drive which is considered a major collector road. As such, administration cannot support direct access from Bellerose Drive to provide access to Country Residential parcels.

Proposed Lot 2 has a width of 25m which aligns with the current subdivision regulations. However, there is a utility right of way registered on the title which includes a 12m portion along the east border adjacent to Bellerose Drive which cannot be encroached upon. This significantly decreases the developable area of the parcel to a 13m width. Furthermore, the proposed access would be very close to the intersection of River Lane and Bellerose Drive and would not be allowable under the current General Municipal Servicing Standards (100m minimum setback). Finally, a shared access with the remnant lot cannot be supported as both a 7m utility right of way and recently constructed garage exist between the front of the parcel and the existing residence, resulting in no room for potential access.

Proposed Lot 3 has no access to a local roadway and could only be accessed directly from Bellerose Drive. Additionally, there would not be an acceptable width within Proposed Lot 1 to register an access easement to provide legal access to Proposed Lot 3.

Section 11 of the Matters Related to Subdivision and Development Regulation outlines that:

“Every proposed subdivision must provide to each lot to be created by it:

- (a) Direct access to a road as defined in section 616(aa) of the Act, or*
- (b) Lawful means of access satisfactory to the subdivision authority.”*

In the opinion of the Subdivision Authority, neither direct nor lawful access can be provided to Proposed Lots 2 & 3. Given the non-conformance with the Land Use Bylaw and Matters Related to Subdivision and Development Regulation, the creation of these two lots cannot be supported.

4. It appears that the existing septic field would continue to comply with the Alberta Private Sewage Systems Standard of Practice, should this application be approved – however the applicant should take into consideration the potential to tie into municipal services.

5. Both Proposed Lot 1 and the Remnant Lot will be required to provide water service connections prior to subdivision endorsement. For wastewater, private services are allowed given the system can meet the setbacks and regulations outlined in the most recent Alberta Private Sewage Standards of Practice. Alternatively, the applicant can tie into existing municipal wastewater services.
6. Money in lieu of municipal reserve has already been collected for the subject parcel during the original subdivision of Summerbrook Estates.

PART V – RECOMMENDATIONS:

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

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated August 29, 2023 and submit it in a manner that is acceptable to Land Titles.
- 3) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.
- 4) Pursuant to the Sturgeon County Residential Lot Grading Policy, a lot grading plan shall be prepared for Proposed Lot 1 and the Remnant Lot to the satisfaction of Sturgeon County Engineering Services *before* this subdivision is endorsed.
- 5) The applicant is to provide water service connections for Proposed Lot 1 and the Remnant Lot – to the satisfaction of Sturgeon County Utility & Waste Management Services.

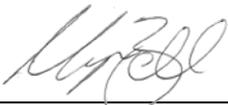
ADVISORY NOTES

- Natural Gas servicing to any new subdivision is the responsibility of the applicant. The applicant will be required to provide the required easements across existing lots or subdivided lots for natural gas servicing, if service is approved by the natural gas provider. Sturgeon County does not allow natural gas servicing lines to be located within the road right of way. Setbacks from the road right of way are required. Easements of private property must be obtained by the applicants or service providers. Any service lines which cross Sturgeon County property will require a crossing agreement with conditions.

- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.
- Pursuant to the Water Act and the Alberta Wetland Policy, any future development or site grading which might alter or disturb a wetland may require additional approvals from Alberta Environment and Parks.

Prepared by: 

Jonathan Heemskerk, Planning and Subdivision Officer

Reviewed by: 

Martyn Bell, Program Lead, Current Planning

NOTE: Appendices Attached...

Appendix 1: Excerpts from Municipal Government Act

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

2016 c24 s108

Approval of application

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

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

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

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

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

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

Conditions of subdivision approval

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

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

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

or both;

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

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

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

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

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

Decision

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

(2) A decision of a subdivision authority must state

Part 3

Subdivision and Development Conditions

Road access

11 Every proposed subdivision must provide to each lot to be created by it

- (a) direct access to a road as defined in section 616(aa) of the Act, or
- (b) lawful means of access satisfactory to the subdivision authority.

Sour gas facilities

12(1) A subdivision authority must send a copy of a subdivision application and a development authority must send a copy of a development application for a development that results in a permanent dwelling, public facility or unrestricted country residential development, as defined by the AER, to the AER if any of the land that is subject to the application is within 1.5 kilometres of a sour gas facility or a lesser distance agreed to, in writing, by the AER and the subdivision authority.

(2) If a copy of a subdivision application or development application is sent to the AER, the AER must provide the subdivision authority or development authority with its comments on the following matters in connection with the application:

- (a) the AER's classification of the sour gas facility;
- (b) minimum development setbacks necessary for the classification of the sour gas facility.

(3) A subdivision authority and development authority shall not approve an application that does not conform to the AER's setbacks unless the AER gives written approval to a lesser setback distance.

(4) An approval under subsection (3) may refer to applications for subdivision or development generally or to a specific application.

Gas and oil wells

13(1) In this section, "gas or oil well" does not include an abandoned well.

(2) For the purposes of this section, distances are measured from the well head to the building or proposed building site.

Enacting Responsible Subdivision and Development Practices

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Creating Attractive and Complete Communities

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

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

Applying Responsible Residential Subdivision and Development Practices

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

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

Accommodating Diverse Housing Options

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

Residential Type 1 - Sturgeon Valley

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

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

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

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

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

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

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

Residential Type 2 - Growth Hamlets

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

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

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

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

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

Residential Type 3

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

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

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

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

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

Residential Type 4

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

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

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

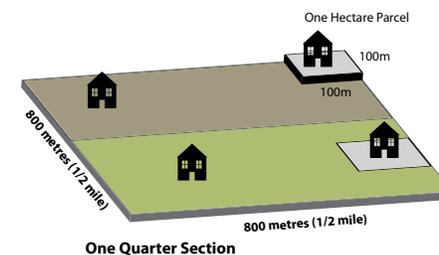
2.3.18 Shall ensure that Acreage Lots minimize the total amount of land being taken out of agricultural production. The maximum lot density for an Acreage Lot shall be one (1) unit per 32 hectares, with a lot size subject to provisions under the LUB.

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

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

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

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



Placemaking Principles

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

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



Neighbourhood G Placemaking Principles

G

1.1

Responsible to the Regional Context, delivering Sustainable Places

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

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

G

1.2

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

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

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

G

1.3

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

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

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

G

1.4

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

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

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

G

1.5

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

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

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

Implementation of Neighbourhood G Placemaking Principles

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

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

12.2 R2 – COUNTRY ESTATE RESIDENTIAL DISTRICT



.1 General Purpose

This district accommodates multi-lot estate residential subdivisions with the provision of both municipal water and sanitary services. *Parcels* in this district are generally smaller than ones found in the R1 district and provides for uses in a residential context.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory dwelling unit**</i>
<i>Accessory, use*</i>	<i>Accessory, building*</i>
<i>Dwelling, single detached</i>	<i>Accessory, use*</i>
<i>Group home, minor</i>	<i>Bed and breakfast</i>
<i>Home-based business, level 1 (office)</i>	<i>Family day home</i>
	<i>Group home, major</i>
	<i>Home-based business, level 2</i>
	<i>Sales centre</i>
	<i>Show home</i>

* Refer to Section 6.1 for further clarification.

** Refer to Section 6.1A for further clarification.

1432/19; 1587/22

.3 Subdivision Regulations

<i>Minimum parcel area</i>	0.2ha (0.5ac)
<i>Minimum parcel width</i>	25m (82ft)
<i>Parcel density</i> (all new multi-lot subdivisions)	Maximum 5 <i>parcels</i> per hectare Minimum 2 <i>parcels</i> per hectare
<i>Infill subdivision</i>	Further <i>subdivision</i> of existing <i>parcels</i> where the proposed <i>parcels</i> do not meet the minimum <i>parcel area</i> and/or the <i>prescribed parcel width</i> , shall be subject to the recommendations of an approved <i>local planning document</i> . All proposed <i>parcels</i> and the remnant <i>parcel</i> must connect to <i>full municipal servicing</i> and be accessed via a <i>road, local</i> .

1613/23

.4 Development Regulations

<i>Minimum front yard setback</i>	<i>Abutting a local road</i>	12m (39.4ft)
	<i>Flanking front yard</i>	10m (32.8ft)
<i>Minimum side yard setback</i>	<i>Principal building</i>	3m (9.8ft), or 10% of <i>parcel width</i> , whichever is the lesser, but shall not be less than 2.5m (8.2ft)
	<i>Accessory building</i>	2.5m (8.2ft)
<i>Minimum rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	2.5m (8.2ft)
<i>Maximum height</i>	<i>Principal building</i>	12m (39.4ft)
	<i>Accessory building</i>	8m (26.2ft)
<i>Minimum floor area</i>	<i>Principal building</i>	100m ² (1,076.4ft ²)
<i>Maximum floor area</i>	<i>Accessory building</i>	140m ² (1,506.9ft ²)

Maximum <i>parcel coverage</i>	35%

1432/19

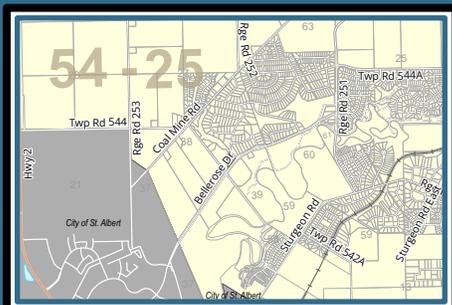
.5 Additional Development Regulations

All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

Appendix 4: Exhibits, Referrals & Miscellaneous

Exhibit 1 [Applicant Submission]

File Number: 2023-S-012



Legal Description: 8020218;2;7

Roll Number: 174015

Total Acres/Hectares: 3.50ac / 1.40ha

Municipal Address: 17 54324 Bellerose Dr

Land Use: R2 - Country Estate Residential

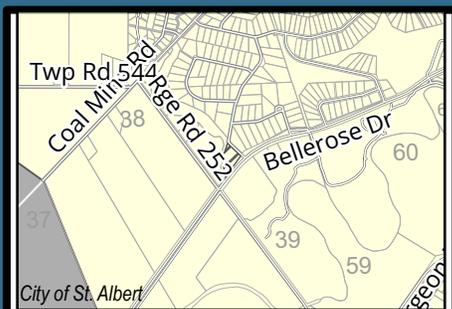
Date: 6/12/2023

Legend

-  Garage
-  Dwelling

Exhibit 2 [Subdivision Authority Recommendation]

File Number: 2023-S-012



Legal Description: 8020218;2;7

Roll Number: 174015

Total Acres/Hectares: 3.50ac / 1.40ha

Municipal Address: 17 54324 Bellerose Dr

Land Use: R2 - Country Estate Residential

Date: 8/29/2023

Legend

 Dwelling

 Garage

If the appeal is approved by the SDAB, the following conditions are recommended:

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

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 3 and submit it in a manner that is acceptable to Land Titles.
- 3) All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services before this subdivision is endorsed.
- 4) Pursuant to the Sturgeon County Residential Lot Grading Policy, a lot grading plan shall be prepared for Proposed Lot 1, Proposed Lot 2, Proposed Lot 3, and the Remnant Lot to the satisfaction of Sturgeon County Engineering Services before this subdivision is endorsed.
- 5) The applicant is to provide water service connections for Proposed Lot 1, Proposed Lot 2, Proposed Lot 3, and the Remnant Lot – to the satisfaction of Sturgeon County Utility & Waste Management Services.

ADVISORY NOTES

- Natural Gas servicing to any new subdivision is the responsibility of the applicant. The applicant will be required to provide the required easements across existing lots or subdivided lots for natural gas servicing, if service is approved by the natural gas provider. Sturgeon County does not allow natural gas servicing lines to be located within the road right of way. Setbacks from the road right of way are required. Easements of private property must be obtained by the applicants or service providers. Any service lines which cross Sturgeon County property will require a crossing agreement with conditions.
- Pursuant to the Water Act and the Alberta Wetland Policy, any future development or site grading which might alter or disturb a wetland may require additional approvals from Alberta Environment and Parks.

Prepared by:



Jonathan Heemsker, *Planning and Subdivision Officer*

Reviewed by:



Martyn Bell, *Program Lead, Current Planning*

NOTE: Appendices Attached...

Subdivision and Development Appeal Board

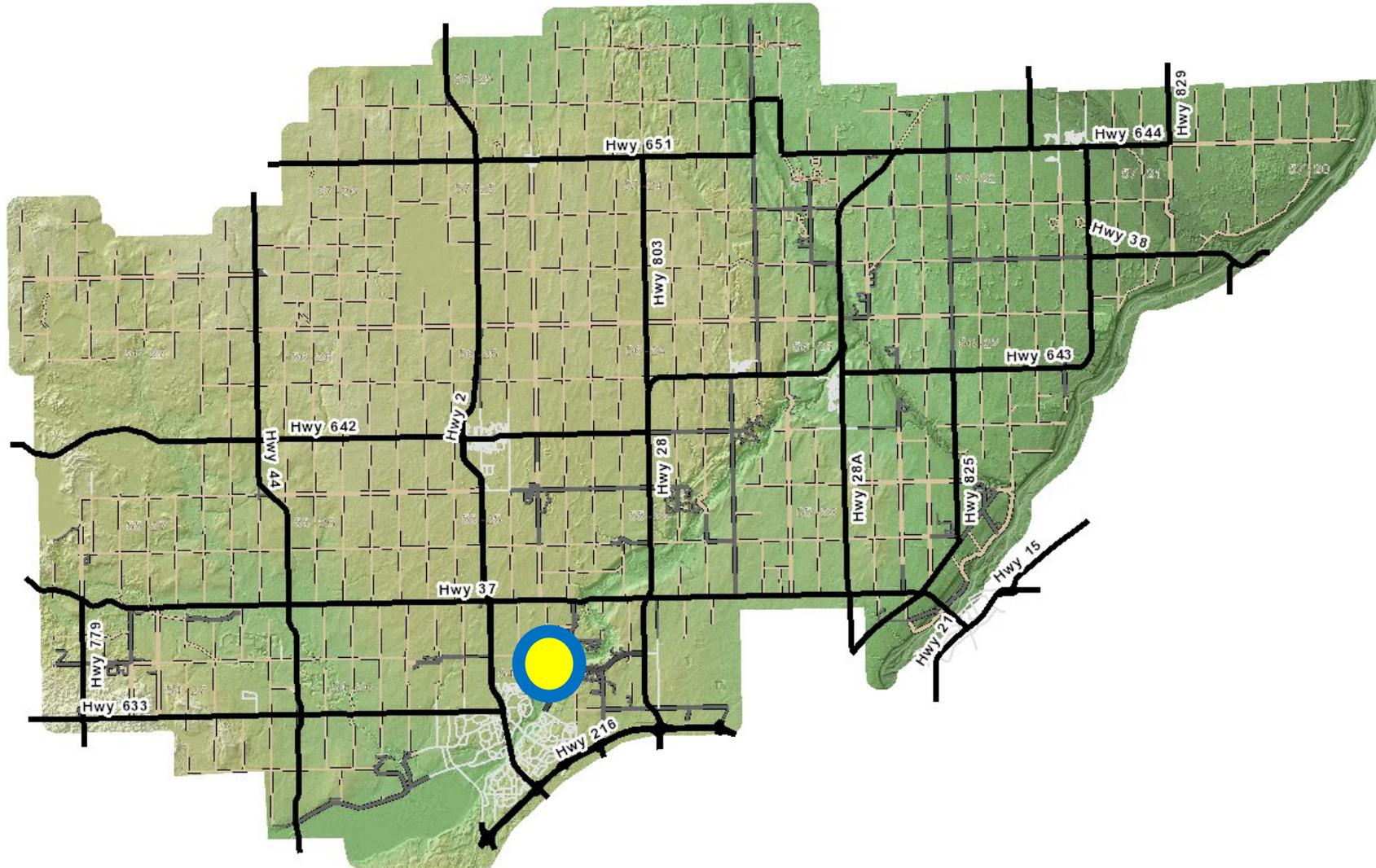
023-STU-022

Jonathan Heemskerck
Planning and Subdivision Officer



Sturgeon
C O U N T Y

Site Location (Regional)



Site Location (Local)



Proposal



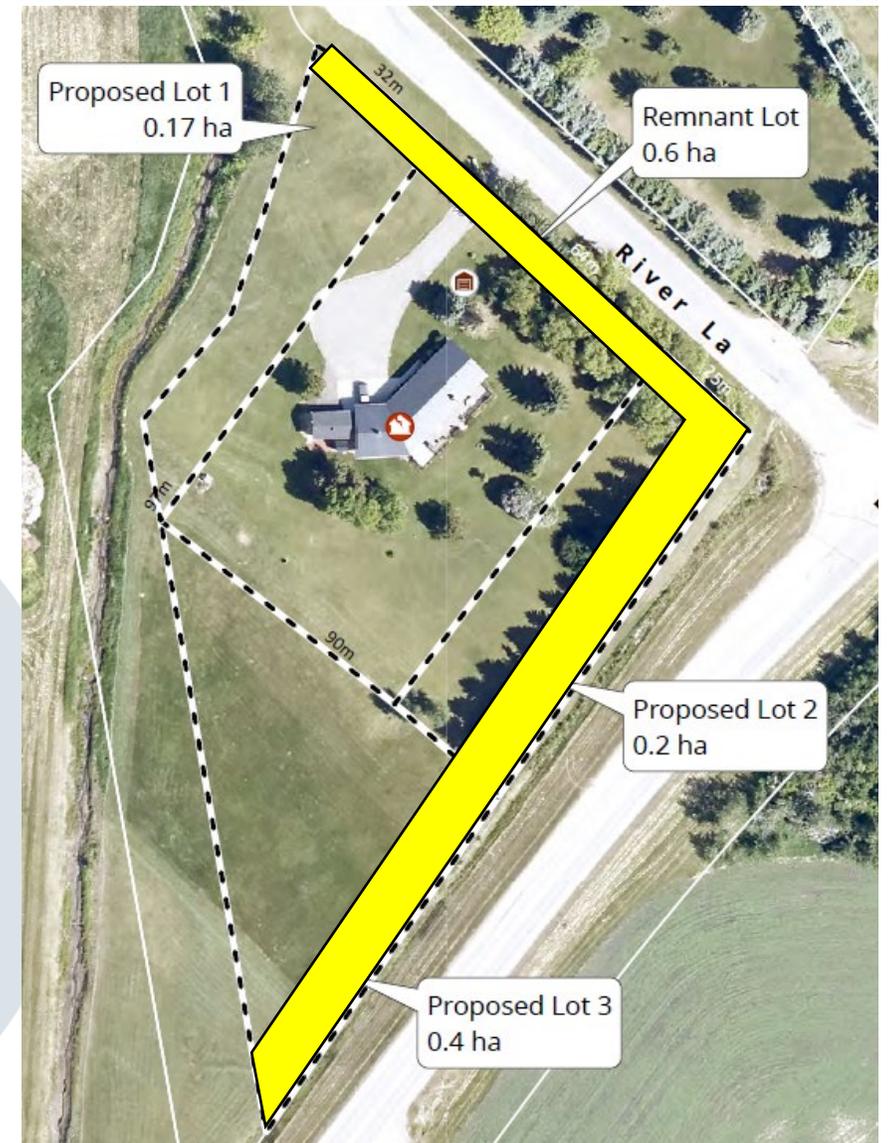
Referral Responses

Sturgeon County Development Officer:

- Proposed Lot 2 and the Remnant Lot have a utility right of way (12m by 6.1m) along property lines.
- An overall stormwater management plan is required in line with Sturgeon County policy.

Sturgeon County Utility Services:

- Water Connections – Costs and deposits for new connections on all parcels are the responsibility of the developer.
- Wastewater Connections – the Remnant Lot is privately serviced (septic field). Cost to tie new lots into services are the responsibility of the developer. Alternative options are available through private servicing.
- The proposal meets Utility Services approval.



Referral Responses

Sturgeon County Engineering Services:

- **Proposed Lot 1:** Approach must be constructed to GMSS.
- **Proposed Lot 2 & 3 :** Bellerose Drive is major collector road and cannot have direct access. Approaches shall not be located within 100m of the intersection as per GMSS. Both lots cannot be supported.
- **Remnant Lot:** Existing approach will require upgrades in line with GMSS.

Adjacent Landowners:

- Four letters of objection were received. Zero letters of support.
- Diminishing the character of Summerbrook Estates (lot sizes).
- Non-conformance with the Sturgeon Valley Core ASP (character aspect).
- Non-conformance with the Land Use Bylaw (Proposed Lot 1).
- Approach locations are too close to the intersection and direct access from Bellerose should not be supported.
- Concerns with potential effects on servicing with extra density.



R2 Subdivision Regulations

Bylaw 1613/23

- Intent to clarify R2 – Country Estate Residential subdivision regulations.
- 16 parcels were identified in the Core that could support subdivision based on width, size, access to a local road, and servicing.
- The location of the existing driveway and house make subdivision challenging on this specific parcel, even at a size of 1.39 hectares (3.44 acres)

Minimum parcel area	0.2ha (0.5ac)
Minimum parcel width	25m (82ft)
<i>Parcel density (all new multi-lot subdivisions)</i>	Maximum 5 parcels per hectare Minimum 2 parcels per hectare
Infill subdivision	Further subdivision of existing parcels where the proposed parcels do not meet the minimum parcel area and/or the prescribed parcel width, shall be subject to the recommendations of an approved local planning document. All proposed parcels and the remnant parcel must connect to full municipal servicing and be accessed via a road, local.

1613/23



Issue Analysis

Proposed Lot 1:

- Parcel size must be increased to meet the minimum size requirement of the Land Use Bylaw (0.17 hectares -> 0.20 hectares).
- This will encompass a portion of the existing driveway.
- At the increased size, the parcel meets all requirements of the Land Use Bylaw and has been identified by Council to have the potential for subdivision.
- Administration can support Proposed Lot 1.

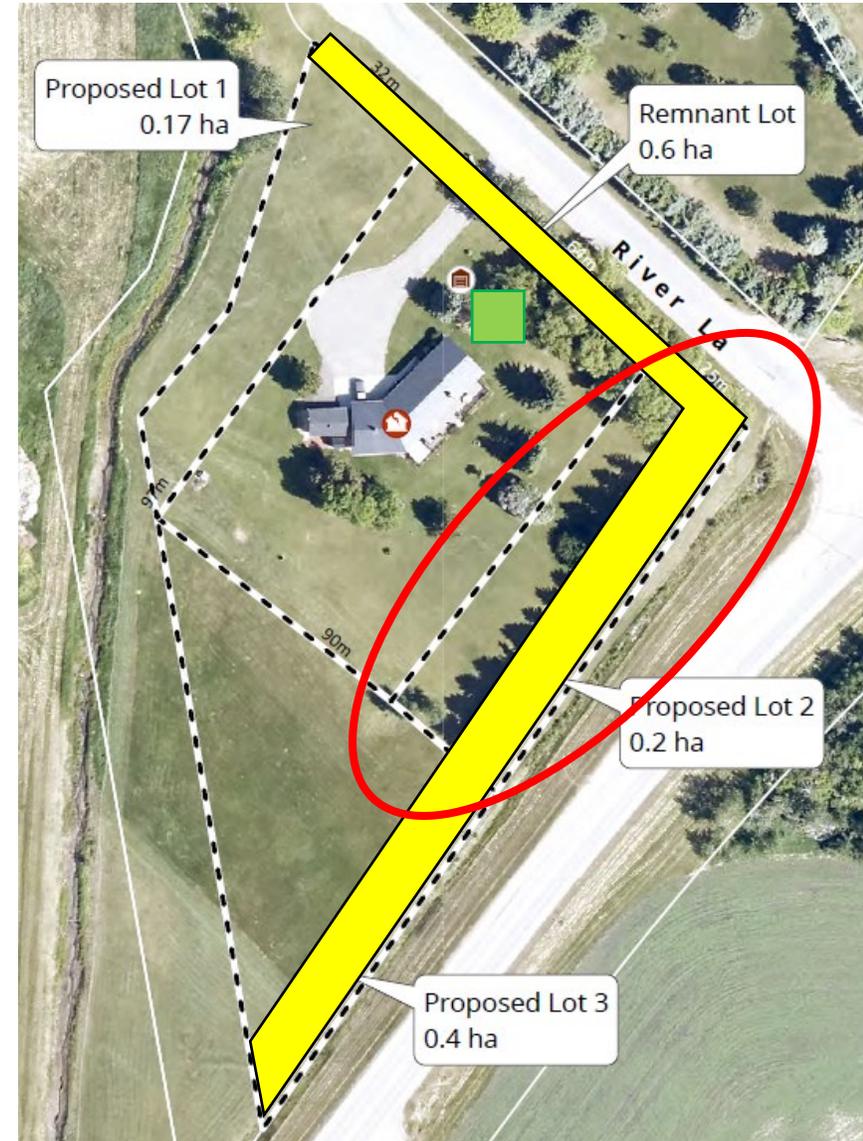
Minimum parcel area	0.2ha (0.5ac)
Minimum parcel width	25m (82ft)
Parcel density (all new multi-lot subdivisions)	Maximum 5 parcels per hectare Minimum 2 parcels per hectare
Infill subdivision	Further subdivision of existing parcels where the proposed parcels do not meet the minimum parcel area and/or the prescribed parcel width, shall be subject to the recommendations of an approved local planning document. All proposed parcels and the remnant parcel must connect to full municipal servicing and be accessed via a road, local.



Issue Analysis

Proposed Lot 2:

- Has a parcel width of 25m, however the 12m wide utility right of way significant shrinks the developable area.
- The proposed access would be too close to the intersection (minimum 100m setback as per GMSS).
- Direct access cannot be supported from Bellerose Drive as a major collector road.
- A shared access with the Remnant Lot cannot be supported as there is both the utility right of way and a shop (green square) in between a possible access route.



Issue Analysis

Proposed Lot 3:

- Direct access cannot be supported from Bellerose Drive as a major collector road.
- There is no acceptable width for an access easement through Proposed Lot 1 to ensure legal access. Therefore, there is no direct road access to a local road.
- This does not conform with the Land Use Bylaw or the Matters Related to Subdivision and Development Regulation of the MGA (Section 11) which requires that:

“Every proposed subdivision must provide to each lot to be created by it:

- (a) Direct access to a road as defined in section 616(aa) of the Act, or
- (b) Lawful means of access satisfactory to the subdivision authority.”



Amended Approval

- Administration cannot support Proposed Lot 2 and Proposed Lot 3.
- Proposed Lot 1 at its increased size can be supported as it aligns with the Land Use Bylaw R2 – Country Estate Residential subdivision regulations.
- This would leave a Remnant Lot size of 1.2 hectares.



Subdivision Authority Decision

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

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

Approved Conditions

1. Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
2. The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 2, dated August 29, 2023 and submit it in a manner that is acceptable to Land Titles.
3. All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services before this subdivision is endorsed.
4. Pursuant to the Sturgeon County Residential Lot Grading Policy, a lot grading plan shall be prepared for Proposed Lot 1 and the Remnant Lot to the satisfaction of Sturgeon County Engineering Services before this subdivision is endorsed.
5. The applicant is to provide water service connections for Proposed Lot 1 and the Remnant Lot – to the satisfaction of Sturgeon County Utility & Waste Management Services.

Conditions – Summary

1. Ensure taxes are paid
2. Retain a surveyor
3. Approach upgrades to GMSS
4. Lot Grading Plan
5. Water Service Connections

Conditions – If Appeal is Approved

1. Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
2. The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling **Exhibit 3** and submit it in a manner that is acceptable to Land Titles.
3. All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services before this subdivision is endorsed.
4. Pursuant to the Sturgeon County Residential Lot Grading Policy, a lot grading plan shall be prepared for Proposed Lot 1, **Proposed Lot 2, Proposed Lot 3,** and the Remnant Lot to the satisfaction of Sturgeon County Engineering Services before this subdivision is endorsed.
5. The applicant is to provide water service connections for Proposed Lot 1, **Proposed Lot 2, Proposed Lot 3,** and the Remnant Lot – to the satisfaction of Sturgeon County Utility & Waste Management Services.

APPELLANT SUBMISSIONS RECEIVED

***NOTE:**

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

WRITTEN
SUBMISSIONS
FROM
ADJACENT
LANDOWNERS
AND OTHER
AFFECTED
PERSONS

Re: appeal of subdivision application 2023-S-012
SDAB file # 023-STU-022

Development Appeal Board,

We would like to oppose the appeal of the decision regarding proposed lots 2&3, and the conditional approval of lot 1 and to advise you of our continued objection to this subdivision regarding each of the proposed lots for the following reasons;

Generally - We object to the proposed "densification" of any properties in the Summerbrook Estates subdivision of Sturgeon County. This is an older acreage subdivision, known for its larger properties and it is the ambiance we all would like to retain. This is not an acreage subdivision of smaller 1 and 1/2 acre lots and to start creating what looks like acreage in-fills is not in keeping with the esthetic of the current community. Other considerations are additional requirements for water, water lines, power lines, septic fields, possible shared driveway use, and sight lines of additional buildings, and to road intersections depending on their sites.

Lot 1 - This proposed lot was less than the minimum allowed per bylaw, but we now understand this has been expanded to the minimum of 0.2 hectares and therefore had been conditionally approved. A driveway entrance at this "dog leg" on River Lane would be dangerous for both the potential homeowner as well as current residents who use River Lane (especially in winter). We have lived here for 25+ years and every winter there are at least several drivers who fail to navigate the corner (coming down the hill) and end up in the middle of the yard which would likely be the new homeowner's front doorstep.

Lot 2 - While within the allowable size limits access is a problem here. Access onto Bellerose Dr. would be dangerous, at any location. As well as being dangerous, if access were to be on to River Lane this close to the intersection with Bellerose Dr., dangerous congestion and blockage near the subdivision mailboxes would occur.

Lot 3 - This proposed lot also has access as its major problem. Access from either Bellerose Dr. or Range Road 252 would be dangerous, especially this close to a major intersection (Range Rd.252 & Bellerose Dr.).

To summarize, our objection is to the subdivision of this property, generally, and to each proposed lot specifically. The current and proposed lots primarily face River Lane near the access point from Bellerose Dr. This is one of the busier and more congested areas in Summerbrook as this is the main entry into the community.

We would have preferred to represent our position, in person, at the October 3rd appeal hearing but other obligations will not permit us to do so. A written submission should not be seen as a less serious objection.

Nelson Renz & Georgeann Wilkin

19 River Lane - 54324 Bellerose Dr.

Severed in line with section 17 of the FOIP Act