

**February 20, 2024**  
**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**  
**HEARING AGENDA**  
**COUNCIL CHAMBERS AND VIDEOCONFERENCE**  
**2:00 p.m.**


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

**2. SCHEDULE OF HEARINGS:**

2.1 Appellant: A. Victoria Davidson      024-STU-002      Subdivision Appeal

**3. ADJOURNMENT**

### SUBDIVISION & DEVELOPMENT APPEAL BOARD

|  |  |
|--|--|
| <b>Site Information:</b>   |  |
| Municipal Address of site:<br>1004 - TWP R2 S63  |  |
| Legal land description of site:<br>(plan, block, lot' and/or<br>'range-township-section-quarter) 5426314 1,1 |  |
| Development Permit number or Subdivision Application number:<br>2023-S-029                                   |  |

|                                       |  |   |  |
|---------------------------------------|--|---|--|
| <b>Appellant Information:</b>         |  | Severed in line with section 17 of the FOIP Act |  |
| Name:<br>A. Victoria Davidson         | Phone:                                     | Agent Name: (if applicable)                     |  |
| Mailing Address:<br>1004 - TWP R2 S63 | City, Province:<br>Sturgeon County Alberta |   |  |
| Postal Code:<br>T8R 0H2               | Email:                                     |   |  |

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

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

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

I am requesting 3 acreages on this quarter and on plus one large parcel. There are presently 2 small acreages and the third one I'm requesting would be 13.2 acres. At the present the remaining lot is all in one large field in agricultural use.

(Attach a separate page if required)

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

Signature of Appellant/Agent: \_\_\_\_\_ Date: January 25 2024

|                            |   |                             |
|----------------------------|---|-----------------------------|
| <b>FOR OFFICE USE ONLY</b> |   |                             |
| SDAB Appeal Number:        | Appeal Fees Paid:<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Hearing Date:<br>YYYY/MM/DD |

Severed in line with section 17 of the FOIP Act

## APPEAL SUBMISSION INFORMATION

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

## FILING INFORMATION

### MAIL OR DELIVER TO:

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

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

## APPEAL PROCESS

### Who can appeal?

#### Subdivision appeals:

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

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

#### Development appeals:

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

#### For further information:

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

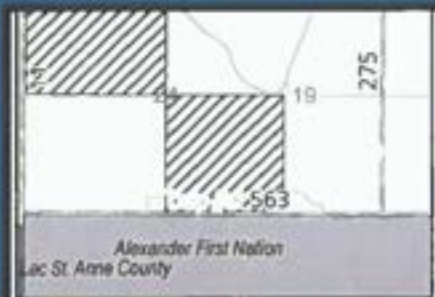
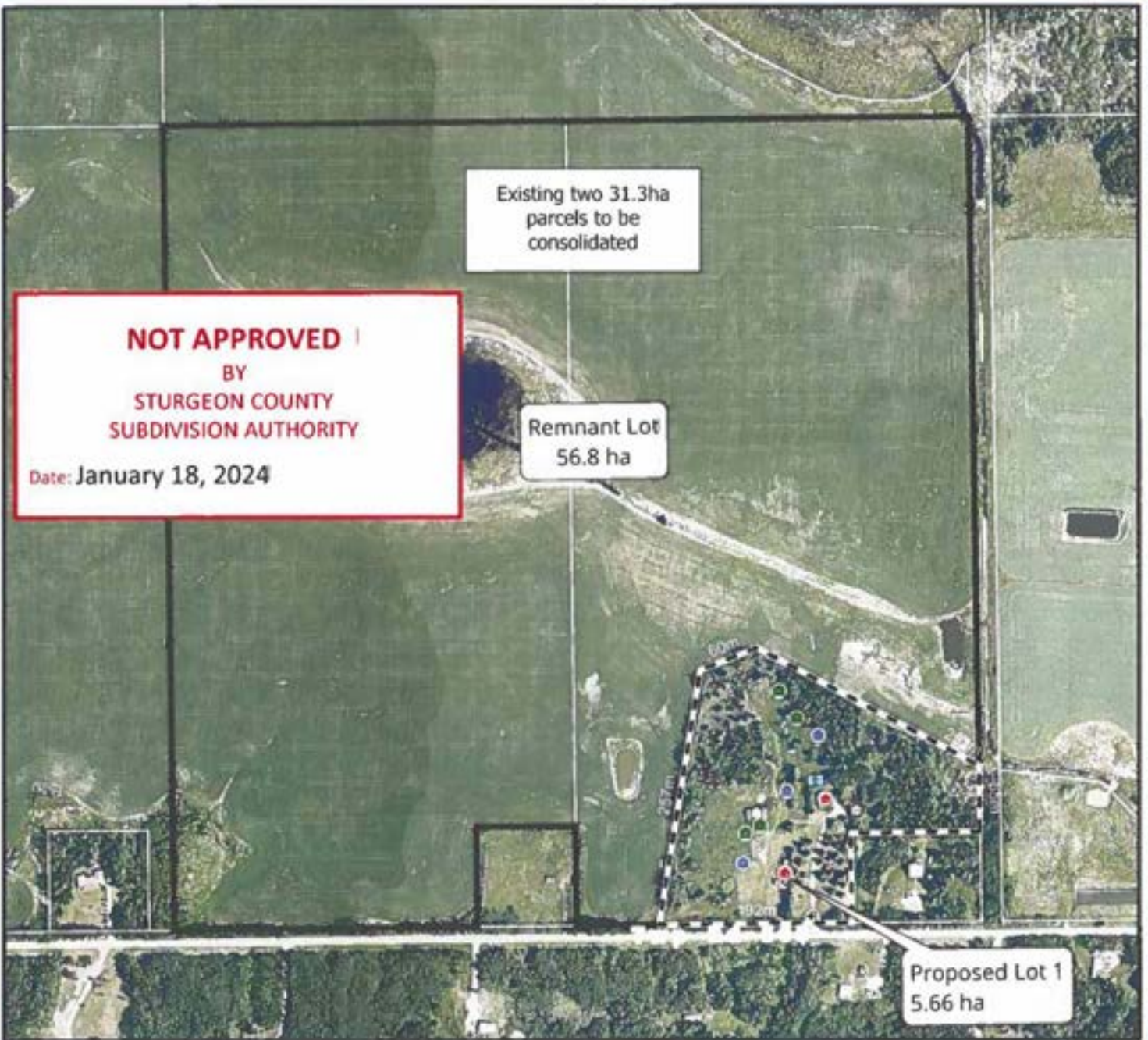
Phone: 780.939.4321

Email: [legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca)



# Exhibit 2 [Refusal]

File Number: 2023-S-029



Legal Description: 5;1;56;24;SE  
Roll Number: 4926000  
Total Acres/Hectares: 154.80ac / 62.54ha  
Municipal Address: 1004 Twp Rd 563  
Land Use: AG - Agriculture  
Date: 1/16/2023

### Legend

- A
- B
- C
- D
- E
- F



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

DAVIDSON, A. VICTORIA  
 1004 TWP RD 563

STURGEON COUNTY, AB T8R 0H2

Receipt Number: 202400533  
 GST Number: 107747412RT0001  
 Date: 2024-01-25  
 Initials: JW

| Account | Description                  | Prev Bal | Payment                         | Balance        |
|---------|------------------------------|----------|---------------------------------|----------------|
| 16APP   | APPEAL FEES - LEGISLATIVE SI |          | \$100.00                        |                |
|         |                              |          | Subtotal: \$100.00              |                |
|         |                              |          | Taxes: \$0.00                   |                |
|         |                              |          | Total Receipt: \$100.00         |                |
|         |                              |          | Cheque: \$100.00                | Cheque No. 665 |
|         |                              |          | Total Monies Received: \$100.00 |                |
|         |                              |          | Rounding: \$0.00                |                |
|         |                              |          | Amount Returned: \$0.00         |                |



January 31, 2024

SDAB File Number: 024-STU-002

Dear A. Victoria Davidson:

**NOTICE OF  
APPEAL BOARD HEARING**

Legal Description of Subject Property: Plan 0426514, Block 1, Lot 1 - SE 24-56-1-W5  
1004 Township Road 563

Decision Regarding Proposed Subdivision: The subdivision was refused.

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Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on January 25, 2024. In accordance with section 686(2) of the *Municipal Government Act*, the Subdivision and Development Appeal Board (SDAB) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **February 20, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the hearing this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 317 029 199#. This should connect you directly into the hearing.

When an appeal is received, the Appellant has the right to make a written submission and attend the hearing. Should you wish to exercise this right, your written submissions should be addressed to the undersigned and sent by email to [legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca) at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than February 15, 2024.**

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

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

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Melodie Steele  
Secretary, Subdivision and Development Appeal Board

January 31, 2024

SDAB File Number: 024-STU-002

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 0426514, Block 1, Lot 1 - SE 24-56-1-W5<br>1004 Township Road 563                                 |
| Subdivision Application Number:        | 2023-S-029   |
| Decision of Subdivision Authority:     | The request to consolidate two $\pm$ 31.3 ha parcels and<br>create a $\pm$ 5.66 ha parcel was refused. |

**Applicant / Appellant: A. Victoria Davidson**

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

- There are two pre-existing small acreages on the quarter section.
- The proposed large remnant lot would remain one large agricultural parcel.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **February 20, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the videoconference this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 317 029 199#. This should connect you directly into the hearing.

**Why am I receiving this information?**

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at [legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca) at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than February 15, 2024.**

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



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

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

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Melodie Steele  
Secretary, Subdivision and Development Appeal Board

January 30, 2024

SDAB File Number: 024-STU-002

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 0426514, Block 1, Lot 1 - SE 24-56-1-W5<br>1004 Township Road 563                                 |
| Subdivision Application Number:        | 2023-S-029   |
| Decision of Subdivision Authority:     | The request to consolidate two $\pm$ 31.3 ha parcels and<br>create a $\pm$ 5.66 ha parcel was refused. |

**Applicant / Appellant: A. Victoria Davidson**

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

- There are two pre-existing small acreages on the quarter section.
- The proposed large remnant lot would remain one large agricultural parcel.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **February 20, 2024 at 2:00 p.m.** in the Council Chambers of Sturgeon County Centre, 9613 – 100 Street, Morinville, Alberta.

The hearing may also be attended via videoconference, which will take place through the Microsoft Teams platform. If you plan to access the videoconference this way, please notify the undersigned at least 24 hours prior to the hearing. Please test Microsoft Teams in advance of the hearing as there will not be an opportunity to do so once the hearing is commenced. Alternatively, you may participate by telephone only. If you choose this option, please dial 1-647-749-9426 (toll) or 833-841-6740 (toll free) and then when prompted enter conference ID 317 029 199#. This should connect you directly into the hearing.

**Why am I receiving this information?**

When an appeal is received, affected bodies/organizations have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at [legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca) at least five (5) days prior to the hearing date. **Therefore, written submissions are due to be submitted no later than February 15, 2024.**

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

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

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

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Melodie Steele  
Secretary, Subdivision and Development Appeal Board



# Exhibit 1 [Applicant Submission]

File Number: 2023-S-029



Legal Description: 5;1;56;24;SE  
Roll Number: 4926000  
Total Acres/Hectares: 154.80ac / 62.54ha  
Municipal Address: 1004 Twp Rd 563  
Land Use: AG - Agriculture  
Date: 10/26/2023

- Legend**
-  Dwelling
  -  Existing Approach
  -  Farm Building
  -  Pole Shed
  -  Quonset
  -  Shop
  -  Well



## **Subdivision and Development Appeal Hearing Process**

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

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

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

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

### **At the hearing . . .**

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

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

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



# PART II – APPLICATION FORM



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

Office Use Only

Initial Date Submitted: **Oct 24, 2023**

Application Fee: \$ **1175.00**

Receipt No: **202307955**

Date Accepted as "Complete": **November 6, 2023**

File Number: **2023-S-029**

**Complete in full (where applicable):**

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

*A. Victoria Davidson  
Shane Davidson*

Mailing address (including postal code):

*1004 Twp Rd 563  
Sturgeon County AB  
T8R 0H2*

Telephone:

Email:

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

**A. Victoria Davidson**

Mailing address (including postal code):

Severed in line with section 17 of the FOIP Act

Telephone:

Email:

### PROPERTY INFORMATION:

All/part of the: *SE* ¼ Sec: *20* Twp: *56* Range: *1* West of the: *5*<sup>th</sup> Meridian  
OR Lot: Block: Plan: Land Title #

Municipal Address of Property: *1004 Twp Rd 563 Sturgeon Co. T8R 0H2*

Total existing property size (states on land title certificate): hectares acres *160*

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

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

### Detailed Description :

### Freedom of Information and Protection of Privacy (FOIP) Act

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

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

I/We, A. Victoria & Shane Davidson being the registered owner(s) of lands legally described as:

All/part of the: SE ¼ Sec: 24 Twp: 576 Range: 1 West of the: 5<sup>th</sup> Meridian

OR Lot: Block: Plan:

Municipal Address of Property:

1004 Twp Rd 5763 Sturgeon Co.  
do hereby authorize A. Victoria Davidson

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

Dated this 19 day of October, 2023

Signature(s) of ALL Registered Landowner

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |

Severed in line with section 17 of the FOIP Act

## Abandoned Oil and Gas Wells (Mandatory)

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

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

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

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

OR

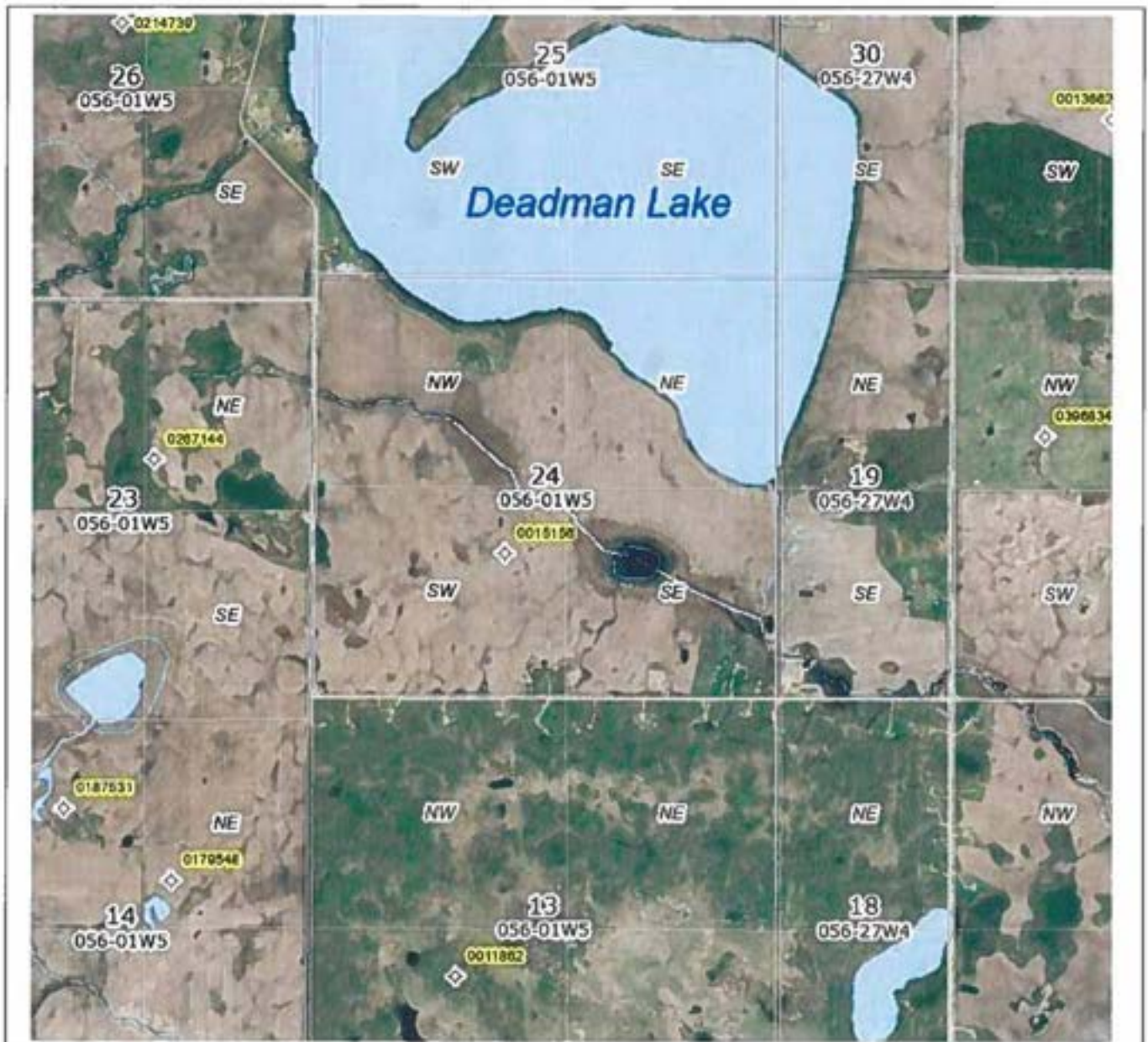
I do have an abandoned oil or gas well site(s) located on the property and, when developing in the future, must meet the setback and other potential requirements of the AER's Directive 079.

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

### Freedom of Information and Protection of Privacy (FOIP) Act

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





|   |  |  |
|---|--|--|
| <b>Abandoned Well Map</b>   | Base Data provided by: Government of Alberta   |  |
|   | Author: Jonathan Heemahoh  | Printing Date: 10/18/2025                                    |
| <b>Legend</b><br>◊ Abandoned Well (Large Scale)<br>○ Revised Well Location (Large Scale)<br>— Revised Location Pointer<br><b>Paved Road (20K)</b><br>— Primary Divided<br>— Primary Undivided 4L<br>— Primary Undivided 2L<br>— Primary Undivided 1L<br>— Interchange Ramp<br>— Secondary Divided<br>— Secondary Undivided 4L | 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: <a href="http://www.aer.ca/copyright-disclaimer">http://www.aer.ca/copyright-disclaimer</a> . |  |
|   | Scale: 30,111.81<br>0 100 Meters 2   | Projection and Datum:<br>WGS84 Web Mercator Auxiliary Sphere |
|   |  |  |



## Drinking Water Supply (Mandatory)

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

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

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

## Sewage Disposal (General Information)

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

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

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

If you have questions regarding sewage disposal, consult either:


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

OR


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

# Sewage Disposal (Mandatory)


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



**Open Discharge (Pump Out) System**  
 A system designed to discharge effluent to the ground surface to accomplish evaporation and absorption of the effluent into the soil.



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



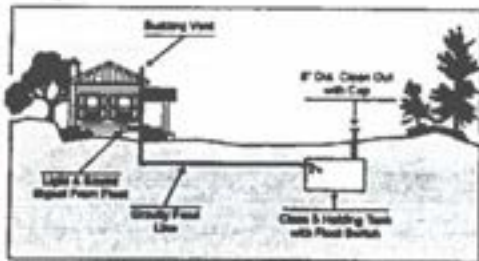
**Treatment Mound**  
 A system where the effluent treatment area includes a bed of sand and is built above ground to overcome limits imposed by proximity to water table or bed rock, or by highly permeable or impermeable soils.



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

**No existing sewage disposal.**

**Municipal Sanitary Line**



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

**Other:** \_\_\_\_\_  
 Provide a description and drawing if none of the listed descriptions apply to you.

## Right of Entry Authorization (Mandatory)

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

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

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

## Affidavit (Mandatory)

I/We,

hereby certify that

I am the registered owner, SE · 24 · 56 · 1 U'S

OR

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

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

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

Severed in line with section 17 of the FOIP Act

Signature(s) of registered landowner(s) o

## Application Checklist

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

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

### Freedom of Information and Protection of Privacy (FOIP) Act

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





NAD\_1983\_10TM\_AEP\_Resource  
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Prepared By: Jonathan Heemsker

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# Site Features

18-Oct-2023



NAD\_1983\_10TM\_AEP\_Resource  
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Prepared By: Jonathan Heemsker

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January 18, 2024

A. Victoria Davidson  
1004 Twp Rd 563  
Sturgeon County AB T8R 0H2

Re: Proposed Subdivision  
Our File No.: 2023-S-029  
Legal Land Description: Plan 0426514, Block 1, Lot 1 - SE 24-56-1-W5  
Proposal: Consolidation of two ±31.3ha parcels;  
then create a ±5.66ha parcel.

---

Please be advised that the above-mentioned subdivision application was **REFUSED** by the Subdivision Authority on **January 18, 2024**.

**THE REASONS FOR REFUSAL ARE:**

1. Part 654(1) of the Municipal Government Act requires that: *"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."*
2. The proposal does not conform with the Municipal Development Plan as per Section 654(1) of the Municipal Government Act. The policies are noted below:
  - a) The maximum number of agricultural acreages as outlined in Policy 2.3.16 and Policy 2.3.17 of the County's Municipal Development Plan would be exceeded with this application.
3. The proposal does not conform with the Land Use Bylaw as per Section 654(1) of the Municipal Government Act. The regulations are noted below:
  - a) The proposal for further subdivision on this quarter section will exceed the maximum allowable number of acreages (two) as outlined under 11.1.3(a) of the County's Land Use Bylaw.

**ADVISORY NOTES**

- Attached with the official decision letter will be an electronic and physical copy of the information required to submit an appeal to the Subdivision and Development Appeal Board (as Alberta Transportation has deferred their authority in the matter). 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. 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.

Please find enclosed a general information leaflet outlining some of the typical next steps for you to consider.

Yours truly,



Martyn Bell  
Program Lead, Current Planning

/sg

Encl:

C: AltaLink Management Ltd.  
Alberta Health Services  
Alexander First Nations  
Alliance Pipeline Ltd  
Apex Utilities  
Canada Post  
Ducks Unlimited  
EQUUS

Fortis Alberta  
Kaup Law Office  
Lac Ste Anne County  
OPAC -Historical Resources  
Pembina Pipeline Corporation  
Sturgeon School Division  
Telus Access Planning

If you wish to appeal this decision, contact the Secretary of the Subdivision and Development Appeal Board via email at [legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca) or via letter at 9613 – 100<sup>th</sup> 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: **FEBRUARY 8, 2024**

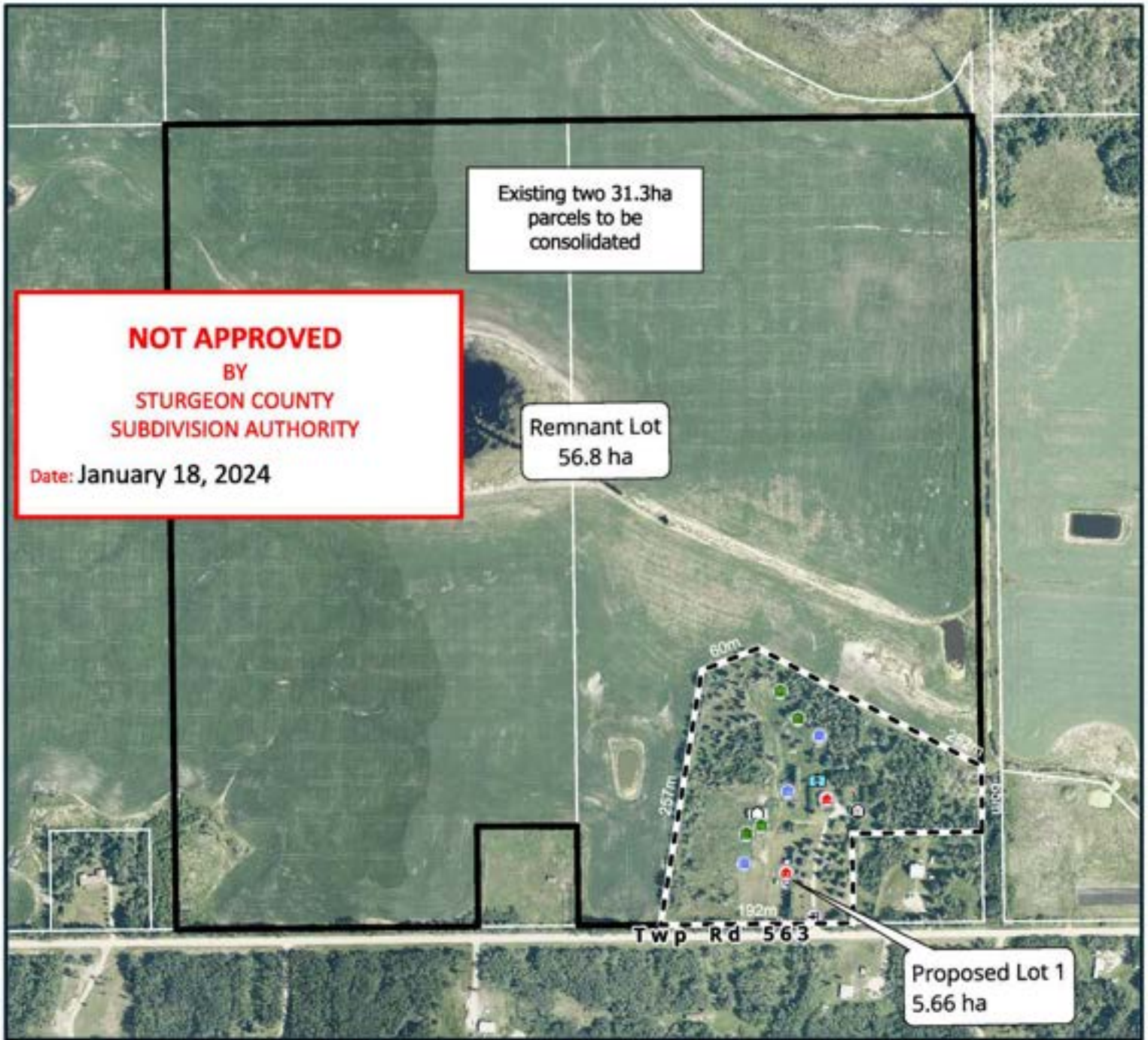
For the purpose of Section 678(2), the date of receipt of the decision is deemed to be 7 days from the date the decision is mailed (date of the letter).

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



# Exhibit 2 [Refusal]

File Number: 2023-S-029



Legal Description: 5;1;56;24;SE

Roll Number: 4926000

Total Acres/Hectares: 154.80ac / 62.54ha

Municipal Address: 1004 Twp Rd 563

Land Use: AG - Agriculture

Date: 1/16/2023

### Legend

-  Dwelling
-  Existing Approach
-  Farm Building
-  Pole Shed
-  Quonset
-  Shop
-  Well

# PLANNING AND DEVELOPMENT SERVICES REPORT



| FILE INFORMATION:                      |  | 2023-S-029  |
|--|--|---|
| Council Division:                      |  | 4   |
| Tax Roll Number:                       |  | 4926000   |
| Legal Land Description(s) of Property: |  | SE-24-56-1-5  |
| Landowners:                            |  | Victoria Davidson and Shane Davidson  |
| Applicant:                             |  | Victoria Davidson   |
| Staff Recommendation                   |  | Refusal   |
| Appeal Board (if appealed):            |  | Subdivision & Development Appeal Board  |
| Administrative Fees (if approved):     |  | \$250 (subdivision endorsement); plus<br>\$600 per new parcel created/adjusted. |

### **PART I – APPLICATION DETAILS:**

1. As illustrated in Exhibit 1 (see Appendix 4), the applicant proposes subdivision of 5.66 hectares (13.99 acres) from 56.8 hectares (140.36 acres) which includes the consolidation of the existing two AG Major parcels.

### **PART II – SUBDIVISION HISTORY:**

1. Subdivision History:
  - 2004-S-060: Created two roughly 80 acre parcels and one 2.47 acre parcel.
  - Historical subdivision to create the acreage in the southeast corner of the quarter section.

### **PART III – REFERRAL SUMMARY:**

1. Sturgeon County Development Officer:
  - *Proposed Lot:*
    - o Sturgeon County Records:
      - Mobile Home (415-77)
      - Variance to allow Mobile home to be placed in the front yard as a Family Care Dwelling. (305305-05-D0110)
    - o Assessment Records indicate the dwelling was built in 1959, prior to requiring development and building permits.
    - o The temporary family care dwelling requires development permit for a change of use to Accessory Dwelling Unit to allow it to remain.
    - o Aerial images show numerous accessory buildings. Confirmation of their use and size are required to determine if permits are required. If for farm use only, a Farm Building Declaration shall be submitted.



- *Remnant Lot:*
    - o Parcel is vacant farmland.
    - o A portion of this parcel is identified as a flood risk area, according to Sturgeon County's Drainage Master Plan. Future development in these areas will require the landowner/developer to provide a site assessment prepared by a qualified professional confirming the property is suitable for the proposed development.
    - o Consolidation of the lots must be done by plan of survey.
2. Sturgeon County Engineering Services:
- *Proposed Lot:*
    - o 5 meters required via plan of survey adjacent to Township Road 563.
    - o Existing approach #1 is satisfactory and does not require upgrades.
  - *Remnant Lot:*
    - o 5 meters required via land acquisition agreement adjacent to Township Road 563.
    - o Approach #3 is satisfactory and does not require upgrades.
    - o As per General Municipal Servicing Standards, only one approach is permitted per parcel and therefore either approach #2 or #3 would need to be removed with the ditch restored to match the surrounding condition and grade.
    - o It is recommended that approach #3 remains as it already meets all requirements, however if it is preferred that approach #2 remains, then please contact engineering services for upgrade requirements.
    - o There are natural drainage courses through the lot and future development shall not obstruct or alter these areas.
3. Alberta Health Services:
- All existing private sewage disposal systems are to meet compliance with the current Alberta Private Sewage and Disposal Systems Regulation.
  - The existing system will need to meet all setback requirements from property lines & water wells, or it will need to be replaced/upgraded.
4. EQUUS
- A utility right of way must be registered before the proposed subdivision is endorsed.
5. No Objections:
- Sturgeon County Agriculture Services, Sturgeon County Open Spaces, Apex Utilities, Telus, Fortis Alberta.
6. No Responses:
- Adjacent landowners, Alberta Energy Regulator, Altalink, Alliance Pipeline Ltd. Canada Post, Ducks Unlimited, Historical Resources, Lac Ste Anne County, Oddleifson & Kaup, Pembina Pipeline Corporation, Sturgeon County Protective Services, Sturgeon School District,

## **PART IV – ANALYSIS:**

1. This application aims to subdivide a new 5.66 hectare (13.99 acre) parcel from the quarter section along with consolidating the two existing large agricultural parcels into one remnant lot. At a size of 13.99 acres, the parcel is considered AG – Minor as defined in the Agriculture District of the Land Use Bylaw which outlines that for subdivision purposes:

*11.1.3(d) - AG – Minor parcels shall be considered equivalent to an AG – Residential parcel and therefore have no further subdivision potential.*

Therefore, the proposed subdivision would result in one AG – Major parcel and three AG – Minor/Residential (acreage) parcels on the quarter section.

2. Given the proposed configuration, this application is **NOT** consistent with the Municipal Development Plan’s “Residential Type 4” policies (see **Appendix 2**), nor with the Land Use Bylaw’s “AG - Agriculture” regulations (see **Appendix 3**).
3. While the configuration aligns with the maximum density requirements outlined in the Municipal Development Plan (MDP) and Land Use Bylaw (LUB), it does not align with the following policies and regulations:

**MDP Policy 2.3.16** which notes a maximum of two acreage lots for every 64 hectares (quarter section):

*“Shall ensure that the maximum allowable agricultural subdivision layout for a 64 hectares (160 ac) land unit contains two (2) Agricultural Parcels and two (2) Acreage Lots, as further defined within the Land Use Bylaw. 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.”*

**MDP Policy 2.3.17** which notes that the County:

*“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.”*

**LUB Regulation 11.1.3(a)** notes that:

*Unless otherwise indicated within a planning document, a quarter section in the AG district of 64.7ha (160ac) shall contain a maximum combined density of four parcels, comprised of:*

- (i) two AG – Major parcels of approximately 32.4ha (80ac) each or alternative sizes necessary due to land fragmentation; and*
- (ii) two AG – Residential parcels (one of which may be subdivided from each AG – Major parcel having a minimum size of 32.4ha (80ac) in accordance with Paragraph 11.1.3(e) of this Bylaw).*

4. Part 654(1) of the Municipal Government Act requires that a subdivision authority **must not** approve an application for subdivision approval unless:

*"...(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."*

As this application is not consistent with a Sturgeon County Statutory Plan (the Municipal Development Plan) and the Land Use Bylaw, the subdivision authority does not have jurisdiction to entertain approval for this file and it must be refused.

## **PART V – RECOMMENDATIONS:**

This application for subdivision is **REFUSED** for the following reasons:

1. Part 654(1) of the Municipal Government Act requires that: *"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."*
2. The proposal does not conform with the Municipal Development Plan as per Section 654(1) of the Municipal Government Act. The policies are noted below:
  - a) The maximum number of agricultural acreages as outlined in Policy 2.3.16 and Policy 2.3.17 of the County's Municipal Development Plan would be exceeded with this application.
3. The proposal does not conform with the Land Use Bylaw as per Section 654(1) of the Municipal Government Act. The regulations are noted below:
  - a) The proposal for further subdivision on this quarter section will exceed the maximum allowable number of acreages (two) as outlined under 11.1.3(a) of the County's Land Use Bylaw.


### **ADVISORY NOTES**

- Attached with the official decision letter will be an electronic and physical copy of the information required to submit an appeal to the Subdivision and Development Appeal Board (as Alberta Transportation has deferred their authority in the matter). 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. 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.

Prepared by:   
\_\_\_\_\_  
**Jonathan Heemskerk, Planner, Current Planning**

Reviewed by:   
\_\_\_\_\_  
**Martyn Bell, Program Lead, Current Planning**

**NOTE: Appendices Attached...**

## Appendix 1: Excerpts from Municipal Government Act

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

2016 c24 s108

### Approval of application

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

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

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

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

and

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

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

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

#### **Conditions of subdivision approval**

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

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



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

or both;

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

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

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

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

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

#### Decision

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

(2) A decision of a subdivision authority must state

**Enacting Responsible Subdivision and Development Practices**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



**Creating Attractive and Complete Communities**

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

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

**Applying Responsible Residential Subdivision and Development Practices**

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

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



### 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.



# B 1

## residential character outcome

### Understanding the impacts of generational succession and estate planning throughout the Neighbourhood and centralizing provision out of Riviere Qui Barre (RQB).

With convenient access to regional road networks and its relative proximity to both St. Albert and Morinville, the Neighbourhood has seen increased subdivision of Agricultural Parcels and rural residential Acreage Lots. To date, minimal assessment regarding the full impact of subdivisions, developments and associated needs for supporting potential new populations has occurred. The desired intent is to centralize community service provision out of Riviere Qui Barre. These services will reflect the rural needs of the population, while providing infrastructure that supports both the growth of Primary Industry and the agrarian nature of the community.

#### **B.1 residential character output actions** Sturgeon County will support the long-term outcome of the Neighbourhood by:

① Strengthening the viability of the agricultural industry and rural lifestyles through the application of Residential Type 4 policies (outside the Hamlets of Riviere Qui Barre and Alcomdale).

② Discouraging the development or expansion of Confined Feeding Operations (as per the AOPA notification schedule detailed in Appendix A-2) from the municipal boundaries of Morinville and Sturgeon County communities with densities in exceedance of Residential Type 4, in an effort to minimize land-use conflicts between working landscapes and residential communities.

③ Respecting the Alexander First Nation Treaty Land Entitlement Settlement Agreement and referring all subdivision and development activity within the outlined boundary (see Map 3 on page 68) to the Alexander First Nation for comment.

④ Establishing an administrative boundary for the Hamlets of Riviere Qui Barre and Alcomdale and implementing Residential Type 3 policies within the Hamlet of Riviere Qui Barre. Until an administrative boundary is identified through the Planning Document process, existing land-use zoning shall be used to identify where residential type policies are applicable.

⑤ Considering the diversification of residential options for the Hamlet of Alcomdale through the allowance of increased residential densities to Residential Type 3 levels. Sturgeon County may contemplate applications that exceed Residential Type 4 levels, if the parcel densities range from five (5) to fifty (50) units per 64 hectares/160 acres and are detailed within an approved Local Planning Document.

⑥ Giving regard to the existing residential character of Riviere Qui Barre and Alcomdale by requiring proposals for residential infill density to ensure that proposed lot location, size and servicing complement the existing community. Depending on the scale and impact of the proposed development, the approving authority may require additional Planning Documents to accurately assess the application.

⑦ Limiting the infill of existing country residential subdivisions and Hamlets until the applicant provides a Needs Assessment (deemed complete to the satisfaction of the approving authority) that demonstrates a need for the additional residential development proposed.



**PART 11 PRIMARY INDUSTRY DISTRICTS**

**11.1 AG – AGRICULTURE DISTRICT**



.1 General Purpose

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

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

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

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

.2 Uses

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

\* Refer to Section 6.1 for further clarification.

\*\*Only allowed on AG-Major parcels

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

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

1407/18; 1432/19; 1436/19

.3 **Subdivision Regulations**

(a) Unless otherwise indicated within a *planning document*, a *quarter section* in the AG district of 64.7ha (160ac) shall contain a maximum combined *density* of four *parcels*, comprised of:

- (i) two AG – Major *parcels* of approximately 32.4ha (80ac) each or alternative sizes necessary due to *land fragmentation*; and
- (ii) two AG – Residential *parcels* (one of which may be subdivided from each AG – Major *parcel* having a minimum size of 32.4ha (80ac) in accordance with Paragraph 11.1.3(e) of this Bylaw).



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

#### .4 Development Regulations

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

1432/19

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

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

1432/19

## .5 Additional Development Regulations

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

1407/18

**Appendix 4: Exhibits, Referrals & Miscellaneous**



# Exhibit 1 [Applicant Submission]

File Number: 2023-S-029



Legal Description: 5;1;56;24;SE

Roll Number: 4926000

Total Acres/Hectares: 154.80ac / 62.54ha

Municipal Address: 1004 Twp Rd 563

Land Use: AG - Agriculture

Date: 10/26/2023

### Legend

-  Dwelling
-  Existing Approach
-  Farm Building
-  Pole Shed
-  Quonset
-  Shop
-  Well



# Exhibit 2 [Refusal]

File Number: 2023-S-029



Legal Description: 5;1;56;24;SE

Roll Number: 4926000

Total Acres/Hectares: 154.80ac / 62.54ha

Municipal Address: 1004 Twp Rd 563

Land Use: AG - Agriculture

Date: 1/16/2023

### Legend

-  Dwelling
-  Existing Approach
-  Farm Building
-  Pole Shed
-  Quonset
-  Shop
-  Well

**Alternatively, notwithstanding the recommendation to refuse this application, should the Subdivision and Development Appeal Board opt to exercise its discretion enabled via the Municipal Government Act, the following list of tailored approval conditions has been provided for consideration.**

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

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 3 and submit it in a manner that is acceptable to Land Titles.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 3 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of Proposed Lot 1 and the adjacent road shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 3 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and the adjacent road shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services *before* this subdivision is endorsed.
- 6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of the Proposed Lot. A payment will be made in place of reserves equal to \$2,823.96 (*determined at a rate of \$4,989.32 per hectare X 10% X 5.66 hectares = \$2,823.96*). The money-in-lieu calculation will be based on the actual amount of land (in *hectares*) shown on a plan of survey.
- 7) Pursuant to Provision 669 of the MGA, municipal reserves owing on the Remnant Lot shall be deferred by caveat (note: this caveat to be prepared by Sturgeon County).
- 8) The surveyor shall survey and dedicate all low-lying/undevelopable land on the remnant lot in proximity to the wetland/slough within an 'Environmental Reserve Easement', in accordance with the Surveys Act and to the satisfaction of Sturgeon County.



- 9) The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.
- 10) Pursuant to Provision 654(1)(c) of the MGA, the proposed subdivision must result in compliance with the 2015 Alberta Private Sewage Systems Standard of Practice. A certificate of compliance will be required from the County's Gas & Plumbing Inspector, confirming that the existing open discharge septic system either meets the Standard of Practice as-is, or has either been replaced, relocated or redesigned to comply. Note: An Alberta Land Surveyor may be required to confirm distances from the septic system to property lines, buildings or other features – to the satisfaction of the Gas & Plumbing Inspector.
- 11) As required by EQUUS, a utility right of way must be registered prior to subdivision endorsement.

#### **ADVISORY NOTES**

- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.
- Pursuant to the Water Act and the Alberta Wetland Policy, any future development or site grading which might alter or disturb a wetland may require additional approvals from Alberta Environment and Parks.
- The subject properties shall not be used in any manner or way that impedes or will impede the use of adjacent lands for agricultural purposes or agricultural operations, as defined in the Agricultural Operation Practices Act, RSA 2000 c.A-7.
- It is recommended that a plot plan be completed by an Alberta Land Surveyor to determine setback distances for all buildings, structures, and septic systems from property lines and other site features.

# Subdivision and Development Appeal Board

024-STU-002

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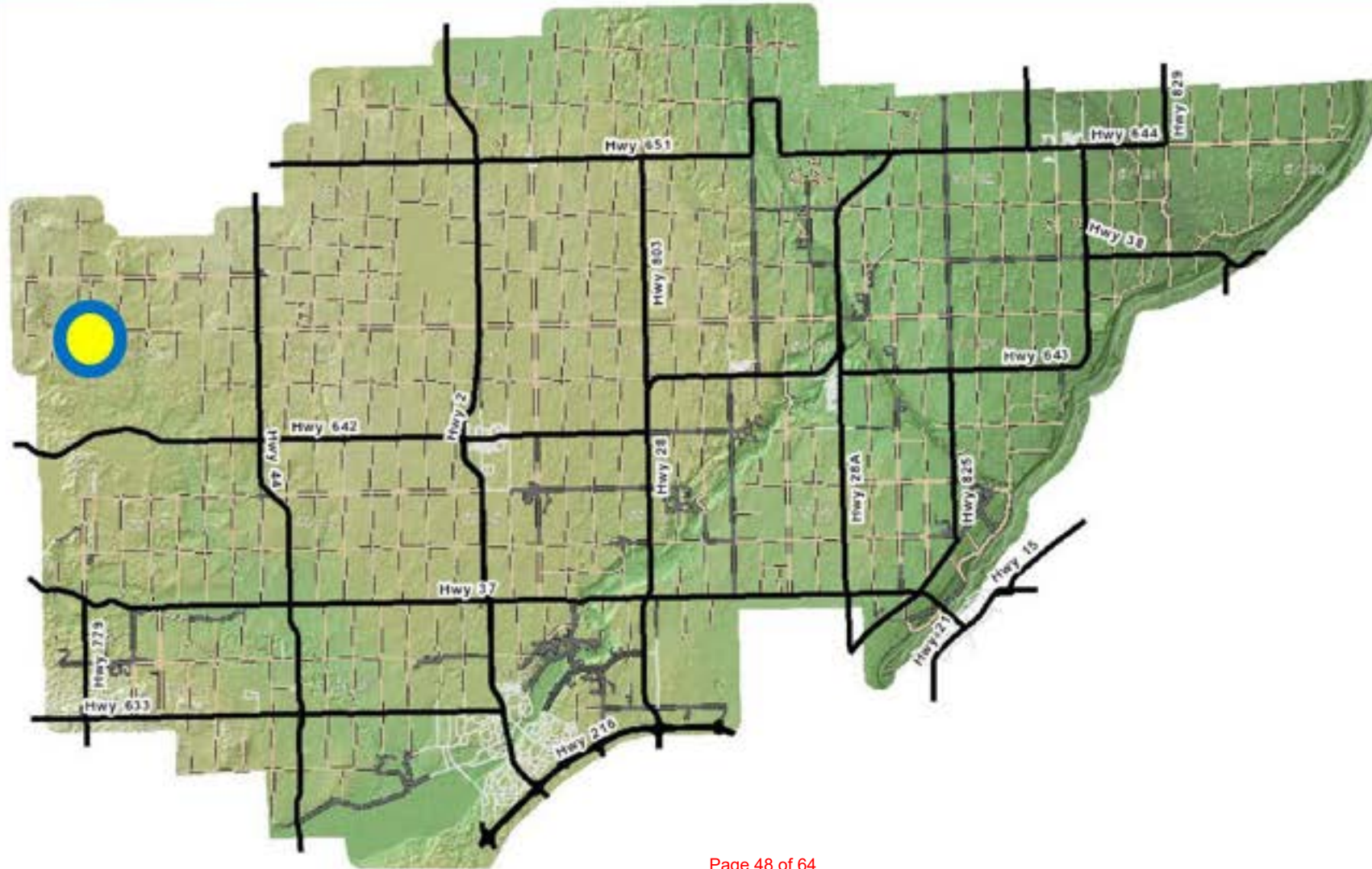
Jonathan Heemskerk  
Planner, Current Planning



Sturgeon  
C O U N T Y

# Site Location (Regional)

---





# Site Location (Local)



# Proposal





# Discussion

## Current Quarter Section Configuration

This section of AG (SE-24-56-1-5) land currently has:

- Two AG Major parcels
- Two AG Residential parcels





# Summary of Circulation Responses

## Sturgeon County Development Officer

- All Lots
  - Several accessory building will require either permits or farm building conformations.
  - The existing temporary family care dwelling will need a change of use permit to become an accessory dwelling unit.
  - The main home was built in 1959, no permits required.

## Sturgeon County Engineering Services

- All Lots
  - 5m required via plan of survey along Proposed Lot 1.
  - 5m required via land acquisition agreement along the Remnant Lot.
  - Multiple approaches to the Remnant Lot, one must be removed.

## Alberta Health Services

- All Lots
  - Any existing private sewage system must comply with the most recent Private Sewage and Disposal Systems Regulation.

## EQUUS

- A utility right of way must be registered prior to subdivision endorsement.

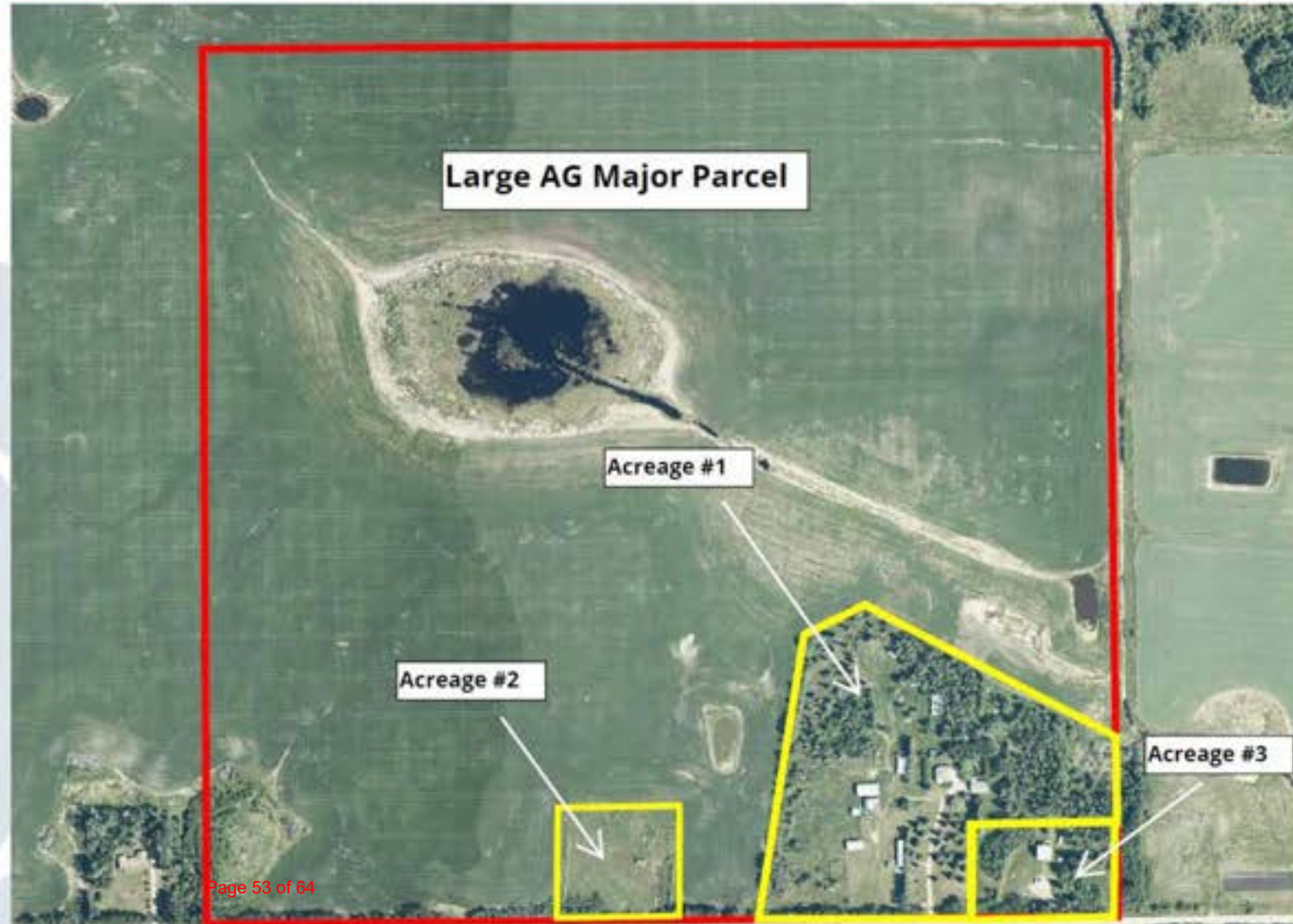




# Issue Analysis – Policies and Regulation

## Subdivision Configuration

- At a size of 5.66ha (13.99 acres), Proposed Lot 1 is considered AG – Minor.
- The Land Use Bylaw treats AG – Minor and AG – Residential parcels as equivalent for subdivision purposes and we can consider both as “acreages”.
- The proposed subdivision would result in the following configuration:
  - **1 large agricultural parcel**
  - **3 small acreage parcels**





# Issue Analysis

## Land Use Bylaw:

- This proposal does **not** align with the subdivision regulations in the Land Use Bylaw.
- 11.1.3(a) – Outlines a maximum density of four parcels, comprised of **two (2) large AG Major parcels and two (2) residential or “acreage” parcels.**

## Municipal Development Plan:

- This proposal does **not** align with the Residential Type 4 policies in the Municipal Development Plan.
- 2.3.16 – 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).

## Municipal Government Act

- Part 654(1) of the Municipal Government Act requires that a subdivision authority must not approve an application for subdivision approval unless:
- “...(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.”



# Subdivision Authority Decision

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

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



# Conditions – If Approved

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- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject properties shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 3 and submit it in a manner that is acceptable to Land Titles.
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- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 3 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and the adjacent road shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County Engineering Services and/or Sturgeon County Transportation Services before this subdivision is endorsed.
- 6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of the Proposed Lot. A payment will be made in place of reserves equal to \$2,823.96 (determined at a rate of \$4,989.32 per hectare X 10% X 5.66 hectares = \$2,823.96). The money-in-lieu calculation will be based on the actual amount of land (in hectares) shown on a plan of survey.
- 7) Pursuant to Provision 669 of the MGA, municipal reserves owing on the Remnant Lot shall be deferred by caveat (note: this caveat to be prepared by Sturgeon County).
- 8) The surveyor shall survey and dedicate all low-lying/undevelopable land on the remnant lot in proximity to the wetland/slough within an 'Environmental Reserve Easement', in accordance with the Surveys Act and to the satisfaction of Sturgeon County.
- 9) The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.
- 10) Pursuant to Provision 654(1)(c) of the MGA, the proposed subdivision must result in compliance with the 2015 Alberta Private Sewage Systems Standard of Practice. A certificate of compliance will be required from the County's Gas & Plumbing Inspector, confirming that the existing open discharge septic system either meets the Standard of Practice as-is, or has either been replaced, relocated or redesigned to comply. Note: An Alberta Land Surveyor may be required to confirm distances from the septic system to property lines, buildings or other features – to the satisfaction of the Gas & Plumbing Inspector.
- 11) As required by EQUUS, a utility right of way must be registered prior to subdivision endorsement.

# Conditions – If Approved

---

1. Ensure taxes are paid
2. Retain a surveyor
3. 5m for future road widening by plan of survey on the proposed lot
4. 5m for future road widening by caveat on the remnant lot
5. Approach upgrades/removal
6. Money in lieu of municipal reserve (proposed lot)
7. Deferred reserve caveat (remnant lot)
8. Environmental reserve easement on wetland/slough
9. Obtain all necessary permits/farm building conformations
10. Septic system compliance
11. Utility right of way for EQUUS



# APPELLANT SUBMISSIONS RECEIVED

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Appeal of subdivision refusal by Sturgeon County

File No. 2023-S-029

SE 1/4 Section 24 Township 56 Range 1 West of 5th Meridian

I, A. Victoria Davidson, have lived in Sturgeon County all my life. The land I own and live on was bought by my husband Don and his brother in 1955, there was no access to this land other than a fair weather crooked trail crossing a creek. There was a small house, a barn and a few small farm buildings. Before Don and I married, we skidded the house across Dead Man Lake in the winter and moved to SW 22 56 27 W4, where we lived. Don and his brother continued in a mixed farming operation, expanding to 2 sections of land. In 1978 Don survived a severe heart attack, unable to keep up the pace, the operation was split, with Don and I moving back to the original homestead where I am today. In time we subdivided two acreages, 2.48 and 2.89 for two of our children, one of which was sold. Thinking of the future we subdivided the quarter into 2, making the 77.12 acres and 77.52 acres, thinking it would be easier for dividing and leaving it to our children when the time came. Once again I am trying to prepare for the future, I am appealing a refusal made by Sturgeon County. I want to subdivide my SE quarter. At present time it is in 4 parcels, 77.52 acres, 77.12 acres, 2.89 acres and 2.48 acres. I am requesting the two big parcels be joined to create a 140.91 acres and the remaining 13.73 acres as the second parcel. At the present time I own Section 24, with a total of 573.17 acres, with 542.02 acres being farmed as on field by my nephew. He is interested in purchasing the farm land but no desire to purchase the unfarmable 13.73 acres. I will remain on this parcel upon approval as long as I am able. No farmer is interested in the building sites as all farmers in the area are living in established yards and homes already, but there is enough land on the 13.73 acreage that could be sold to someone wanting a country home and small hobby farm. That would leave four parcels on the quarter as per Sturgeon guidelines.

Trusting a positive response,

A. Victoria Davidson

Severed in line with section 17 of the FOIP Act



Sturgeon FileNo/ 2023-S-029

SE 1/4 of S24 Twp 56 R1 W5

1004-Twp Rd 563

Sturgeon County, AB

T8R 0H2

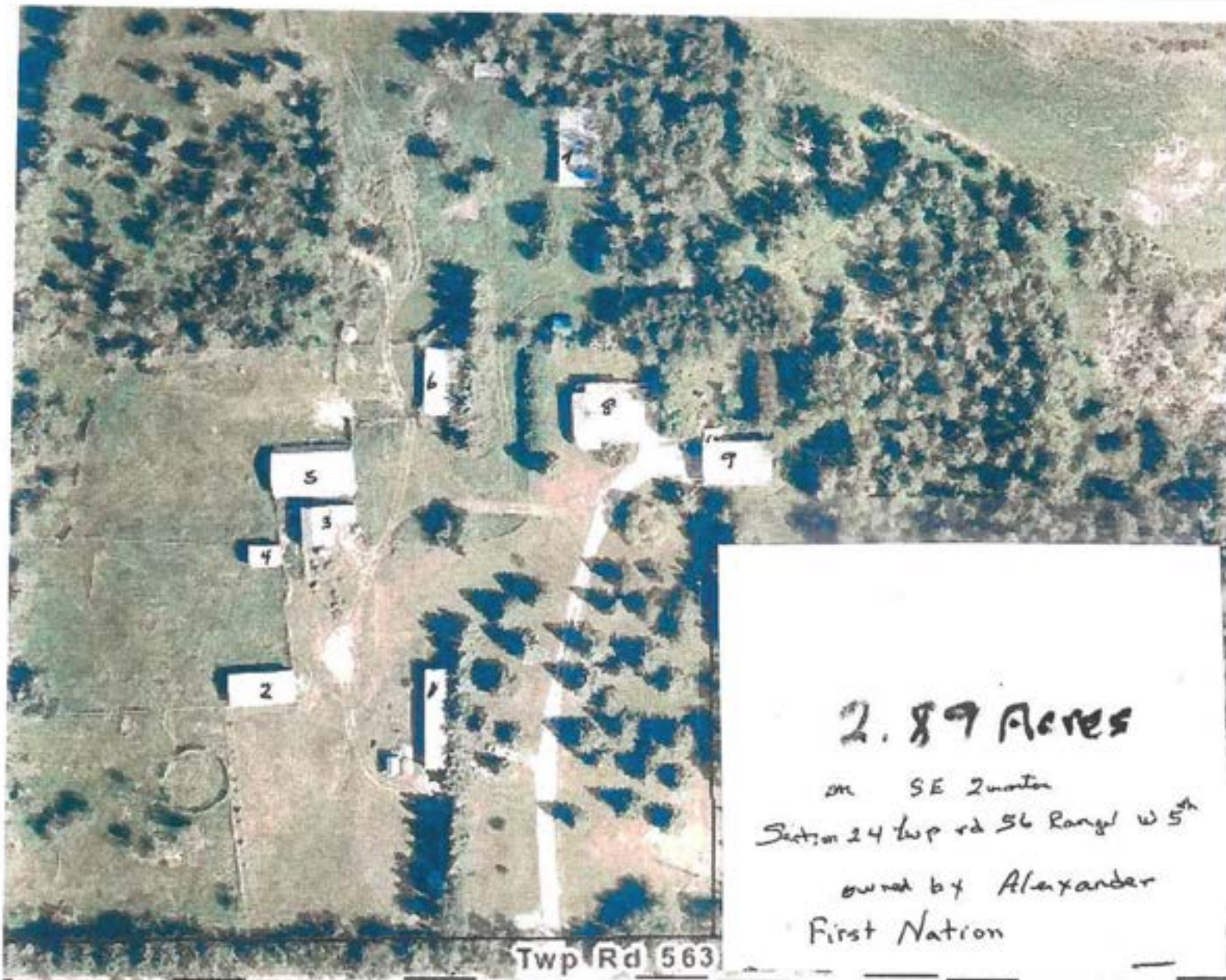
Feb 1-13, 2024

I, A. Victoria Davidson, have lived in Sturgeon County all of my life, I own a section of land totaling 573.17 acres at present 542.02 acres are being farmed as one field by my nephew. The first part of the land was bought in 1955, it had no road access, just a fair weather crooked trail crossing a creek. A oil company (possibly Plains Western) drilled on the land, and they then built the road. For several years natural gas was produced, the land has since been reclaimed back into farm land. I am appealing the refusal by Sturgeon County. I want to subdivided my south east quarter, section 24 township 56 range road 1 west of the 5th meridian. At the present time it is in 4 parcels - 77.12 acres, 77.52 acres, 2.89 acres and 2.48 acres. I am requesting 77.12 and 77.52 be amalgamated and then be subdivided into 2 parcels one of 13.73 and the other of 140.91 acres, with the 2.89 and 2.48 remaining as is. At present the original homestead is on the proposed 13.73 acres, there is a bush area along the perimeter, planted trees, a house, a mobile home, block garage, quonset, and various other building (as per attatched photo). I would like to sell the farm land as it is being farmed today, allowing the 544.02 acres as one field. The farmers in our area are not interested in homes or buildings, these places are too small for todays machinery. I would like to spend the rest of my life on my little acreage by the land I have farmed and loved these past 60 plus years. When I am gone or no longer able to stay in my home, the 13.73 acreage could be sold without interfering with the farm land. This acreage is still big enough with buildings enough for a hobby farmer to live and operate his farm. I am trusting you will approve my request, it will still fall within Sturgeon guidelines of 4 parcels on 1 quarter.

Submitted by,

A. Victoria Davidson

Severed in line with section 17 of the FOIP Act



This is an arial photo of the 13.73 acres I want to be subdivided:

- No. 1 Daughters mobile home (care giver)
- No. 2 open front pole shed
- No. 3 barn
- No. 4 grainery
- No. 5 Quonset
- No. 6 red tin shed
- No. 7 metal shed
- No. 8 house
- No. 9 block garage metal roof



**WRITTEN  
SUBMISSIONS  
FROM  
ADJACENT  
LANDOWNERS  
AND OTHER  
AFFECTED  
PERSONS**

---

**From:** [Third Party Requests](#)  
**To:** [Legislative Services](#)  
**Subject:** RE: Subdivision and Development Appeal Board - File 024-STU-002  
**Date:** January 31, 2024 10:12:08 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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To Whom It May Concern:

Apex Utilities Inc. has no objection to the proposed subdivision described in the file mentioned above.

Please notify **Utility Safety Partners at 1-800-242-3447** to arrange for "field locating" should excavations be required within the described area.

We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.

Thank you,

**Ashley Bridgwater, BSc**  
Admin. Assistant, Engineering Services  
she | her | hers

**Apex Utilities Inc.**  
Phone: 780-980-6753  
Hours: Mon – Fri, 7 am – 3 pm

---

**From:** Legislative Services <[legislativeservices@sturgeoncounty.ca](mailto:legislativeservices@sturgeoncounty.ca)>  
**Sent:** Wednesday, January 31, 2024 8:55 AM  
**Cc:** Melodie Steele <[msteele@sturgeoncounty.ca](mailto:msteele@sturgeoncounty.ca)>  
**Subject:** Subdivision and Development Appeal Board - File 024-STU-002

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning,



Attached please find information regarding a Subdivision and Development Appeal Board Hearing scheduled for February 20, 2024.

Thank you.

**Melodie Steele, BPR**

Legislative Advisor

780-939-1377

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

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

9613 100 Street, Morinville, AB T8R 1L9



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