

October 1, 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. Appellants: Doug & Lorraine Demers | 024-STU-014 | Development Appeal |
| 2.2. Appellant: Matthew Peter | 024-STU-015 | Stop Order |

3. ADJOURNMENT

Appeal #1

024-STU-014 - Appealing the
Development Authority's refusal to
construct an Accessory Building
(Detached Garage 28ft x 28ft) for
personal use prior to Principal Use/
Building

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		Date Received Stamp
Municipal Address of site: 274 25100 Twp Rd 554 274 PAQUIN ST. CARDIFF, AB (PITTSBURG)		
Legal land description of site: PLAN 1221682 (plan, block, lot and/or BLOCK G range-township-section-quarter) LOT 23		
Development Permit number or Subdivision Application number: 305305-24-DO231		
Appellant Information:		
severed in line with section 17 of the FOIP Act		
Name: DOUG & LORRAINE DEMERS		
Mailing Address:		City, Province:
Postal Code:		Email:

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

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

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

WE WOULD LIKE THE OPPORTUNITY TO IMPRESS THE APPEAL BOARD TO OVERTURN THE PERMIT REFUSAL BY HEARING OUR ORAL PRESENTATION WHICH WILL INCLUDE A REVIEW OF A DEVELOPMENT ALLOWANCE ACCEPTANCE SUBSECTION ALONG WITH PROOF OF NEIGHBOURLY SUPPORT AND OUR OVERALL COMMITMENT ENSURING OUR DEVELOPMENT WILL BE BENEFICIAL TO THE CARDIFF COMMUNITY AS WELL AS STURGEON COUNTY

(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: SEPT. 13 / 24	
SDAB Appeal Number:		Appeal Fees Paid:	Hearing Date:
		<input type="checkbox"/> Yes <input type="checkbox"/> No	YYYY/MM/DD

APPEAL SUBMISSION INFORMATION

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

FILING INFORMATION

MAIL OR DELIVER TO:

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

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

APPEAL PROCESS

Who can appeal?

Subdivision appeals:

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

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

Development appeals:

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

For further information:

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

Phone: 780.939.4321
Email: legislativeservices@sturgeoncounty.ca



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

Page 1

Doug & Lorraine Demers

Receipt Number: 202407117
GST Number: 107747412RT0001
Date: 2024-09-13
Initials: BB

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

September 17, 2024

SDAB File Number: 024-STU-014

Dear Doug & Lorraine Demers:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	Plan 1221682; Block G; Lot 23 Cardiff Pittsburg 274 25100 Township Road 554
Development Permit Application Number:	305305-24-D0231
Decision Regarding Proposed Development:	A development permit to construct an Accessory Building (Detached Garage 28ft x 28ft) for personal use prior to Principal Use/Building was refused.

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on September 13, 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 **October 1, 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 459 370 067#. 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. **To be included in the SDAB hearing agenda package, written submissions must be submitted no later than September 26, 2024. However, the Board can accept written submissions up to the date of the hearing.**

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

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

Melodie Steele
Secretary, Subdivision and Development Appeal Board

September 17, 2024

SDAB File Number: 024-STU-014

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

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

Legal Description of Subject Property:	Plan 1221682; Block G; Lot 23 Cardiff Pittsburg 274 25100 Township Road 554
Development Permit Application Number:	305305-24-D0231
Decision Regarding Proposed Development:	A development permit to construct an Accessory Building (Detached Garage 28ft x 28ft) for personal use prior to Principal Use/Building was refused.

Appellant: Doug & Lorraine Demers

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

- The development permit was refused by the Development Authority;
- The Appellant indicates they have neighbour support; and
- The Appellant believes their development will be beneficial to the Cardiff Community and Sturgeon County.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **October 1, 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 459 370 067#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed development. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **To be included in the SDAB hearing agenda package, written submissions must be submitted no later than September 26, 2024. However, the Board can accept written submissions up to the date of the hearing.**

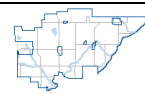
Please note that any submissions previously provided to the Development Authority are not provided as evidence to the Subdivision and Development Appeal Board and therefore must be resubmitted.

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.

Melodie Steele
Secretary, Subdivision and Development Appeal Board

Encl.: Site Map

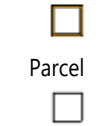


Legend

- Parcel
- County Roads
- Collector, Surfaced
 - Collector, Gravel
 - Local Road, Surfaced

Community Labels

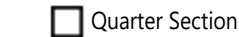
Community Boundary



ATS Labels

- ATS - Quarter Section Labels
- Quarter Section

ATS - Quarters

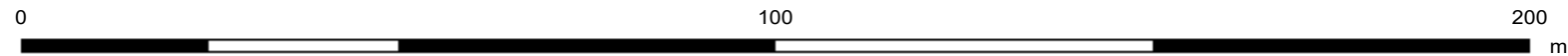


River Lots

- River Lot
- River Lot
- River Lot
- River Lot
- River Lot
- River Lot
- River Lot
- River Lot
- River Lot
- River Lot
- River Lot
- River Lot

Notes

Plan 1221682; Block G; Lot 23



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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.

Notification Letter

Date: Sep 6, 2024

Permit Number: 305305-24-D0231

To: Nelson Innovative Contracting
276-25100 Twp Rd 554
Sturgeon County, ALBERTA
T8R 2G5

Re: Decision of the Development Officer

Please be advised that development permit #305305-24-D0231 to construct an Accessory Building (Detached Garage 28ft x 28ft) for personal use prior to Principal Use/Building was refused on Sep 6, 2024.

This decision may be appealed to an Appeal Board within 21 days (September 27, 2024) after the date on which a person qualified to appeal is notified of the decision. Appeal Board information can be found at the bottom of the permit.

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

Yours truly,



Carla Williams
Development Officer

Development Permit

Land Use Bylaw 1385/17

Permit No.:	305305-24-D0231
Tax Roll No.:	3038025
Decision Date:	Sep 6, 2024
Effective Date:	Sep 27, 2024

Applicant

Name: Nelson Innovative Contracting
Address: 276-25100 Twp Rd 554
Sturgeon County, ALBERTA
T8R 2G5
Phone: (780)231-1818
Cell:
Email: dave@nicontracting.ca

Owner

Name: Demers, Doug and Lorraine
Address:
Phone:
Cell:
Email:

severed in line with section 17 of the FOIP Act

Property Description

Legal Land Description: 1221682; G; 23 Cardiff Pittsburg
Land Use Description: R4 - Hamlet Serviced District
Rural Address: 274 25100 Twp Rd 554

Description of Work

To construct an Accessory Building (Detached Garage 28ft x 28ft) for personal use prior to Principal Use/Building

Fees

Accessory Building	\$150.00
--------------------	----------

The application is **REFUSED** for the following reason:

1. Pursuant to section 6.1.4 of Land Use Bylaw 1385/17, as amended, for any district, an accessory building or use is not permitted on a parcel without a principal building or use being previously developed on the parcel.
 - The parcel is vacant and undeveloped with no principal building or use.

Advisory Notes:

1. Accessory building means a building or structure that is incidental, subordinate and located on the same parcel as the principal building but does not include a building or structure used for human habitation and does not include shipping containers.
2. Principal building means a building which constitutes the primary purpose for which the parcel is used and is the main building among one or more buildings on the site.

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

Issued By:



Carla Williams
Development Officer

Municipality

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

Appeal Information

Pursuant to Section 685(1) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 21 days of the decision date. If you wish to appeal this decision, please file with the Secretary of the Subdivision and Development Appeal Board via email at legislativeservices@sturgeoncounty.ca or via mail to Sturgeon County Centre 9613 – 100 Street Morinville, AB, T8R 1L9. Telephone enquiries can be made at 780-939-4321.

SITE PLAN FOR DEVELOPMENT PERMIT APPLICATION

ROAD-PARVIN ST. NORTH

WATER TIE IN
SEWER TIE IN

40' CULVERT
35' DRIVEWAY

130'

93' 6"

28'

28'

28'

28'

28' 6"

75'

BACK ALLEY

DETACHED GARAGE
28'W x 28'D

CONCRETE GARAGE APRON

20'

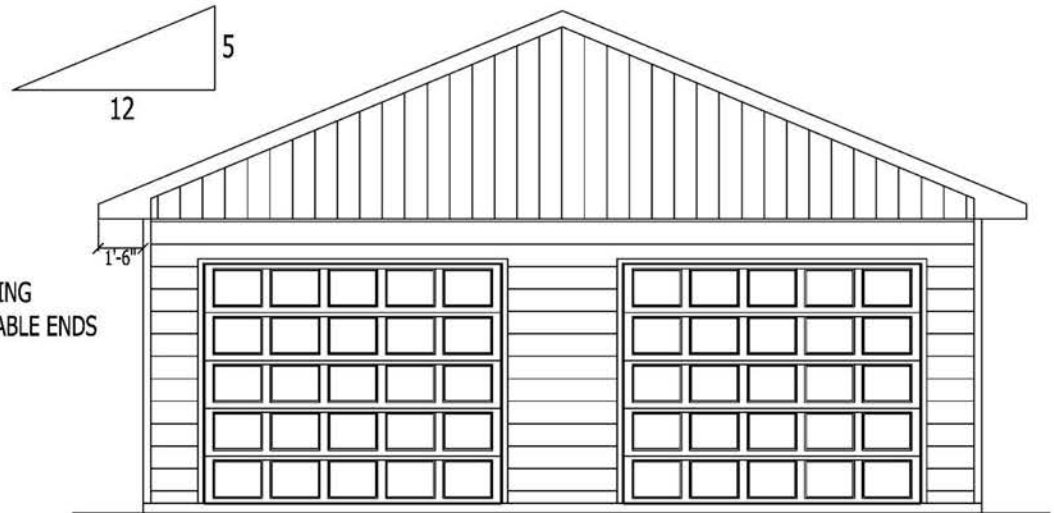
38' 6"

STURGEON COUNTY
REFUSED
Williams
AUTHORIZED SIGNATURE
Sep 6/24
305305-24-D0231 DATE

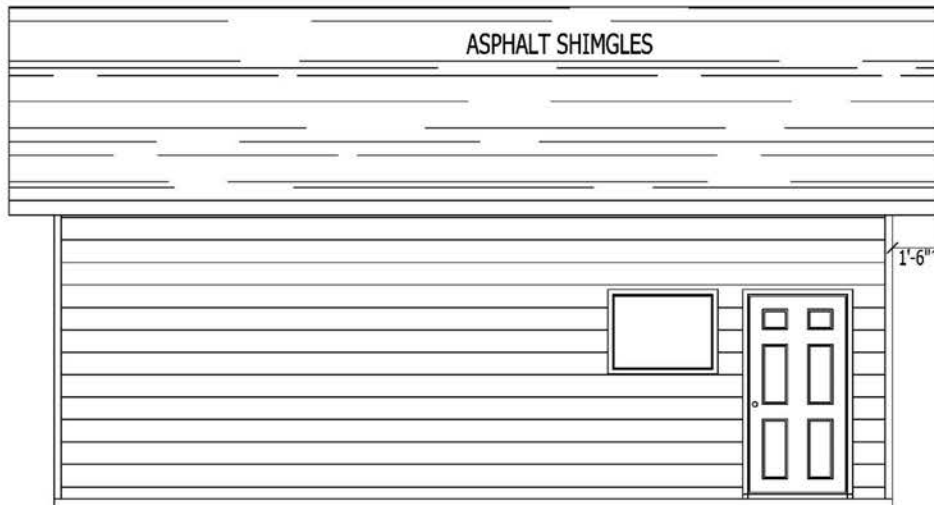
Refusal to Construct
Accessory Building
prior to Principal
Building/Use

serve easement Power & Gas.

NOTE - RAILROAD LINE RUNS DIAGONALLY APPROX 100 YARDS
APPROXIMATELY 100 YARDS NORTH OF PAQUIN STREET.



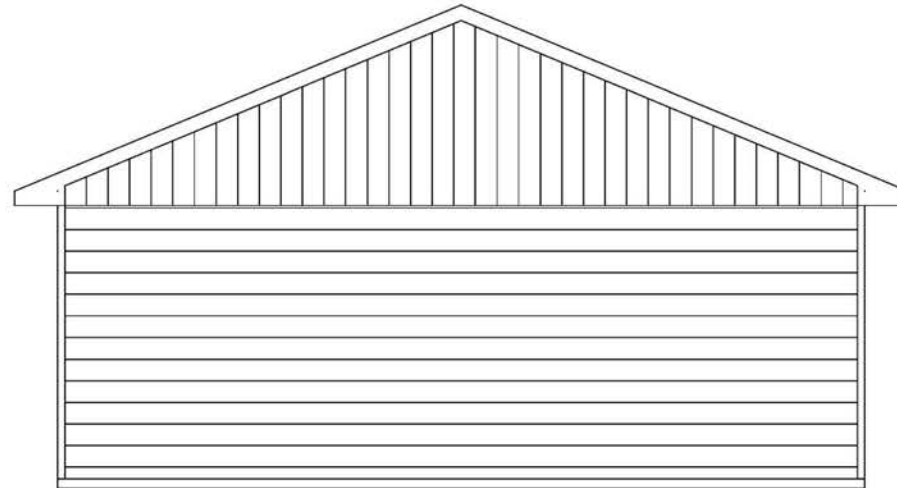
Front



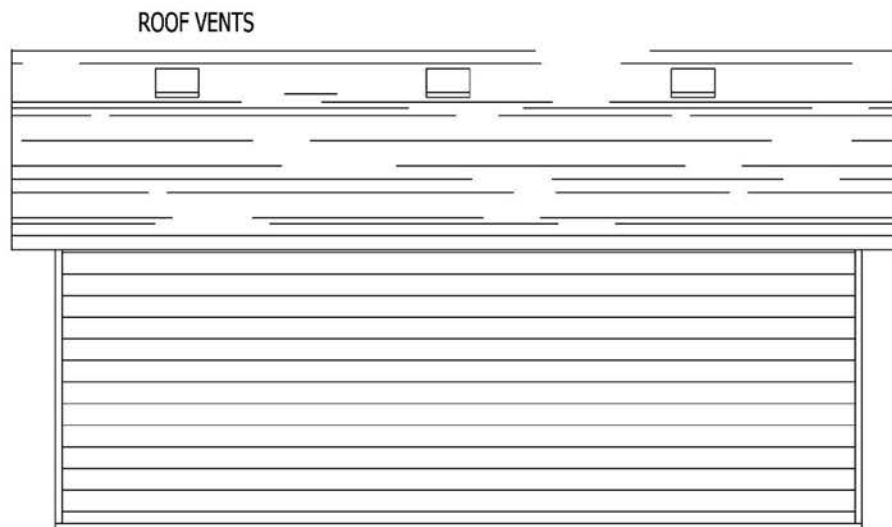
Right



NAME	Doug and Lorraine Demers		
	28 x 28 Garage		
	Front and Right Elevations		
LEGAL	LOT 23	BLOCK G	PLAN 1221682
ADDRESS	274 Paquin St.		
CITY	Cardiff Ab.		
DATE	August 16 2024		
DRAWN BY	Jodi F.		SCALE 1' = 1/4"
NOTES: DRAWINGS CONFORM TO THE LATEST EDITION OF THE NATIONAL BUILDING CODE. DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED TO THE CONTRARY OF SHOWING. GRADE IS SUGGESTED ONLY AND MAY BE ADJUSTED FOR SLOPE CONDITIONS. MECHANICAL LAYOUTS FOR PLUMBING, HEATING, AND ELECTRICAL ARE SUBJECT TO TRADES DISCRETION. TYPICAL UNITS SHALL BE 2-2X6 S & P, AND MAY BE LARGER SUBJECT TO LOADING REQUIREMENTS AND APPROVALS. ALL INTERIOR DOORS ARE 8'0" UNLESS OTHERWISE NOTED OTHERWISE. ALL CONCRETE IS MINIMUM 3500 PSI GRADE RESISTANT FOR FOOTINGS, FOUNDATIONS, GRADE BEAMS, AND PILLS. ELECTRICAL IS ONLY SUGGESTED AND MUST ADHERE TO LOCAL BUILDING CODES. ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE A COMPLETE AND ACCURATE SET OF DRAWINGS THE DRAUGHTSPERSON SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT PROPER CONSTRUCTION.			1 <



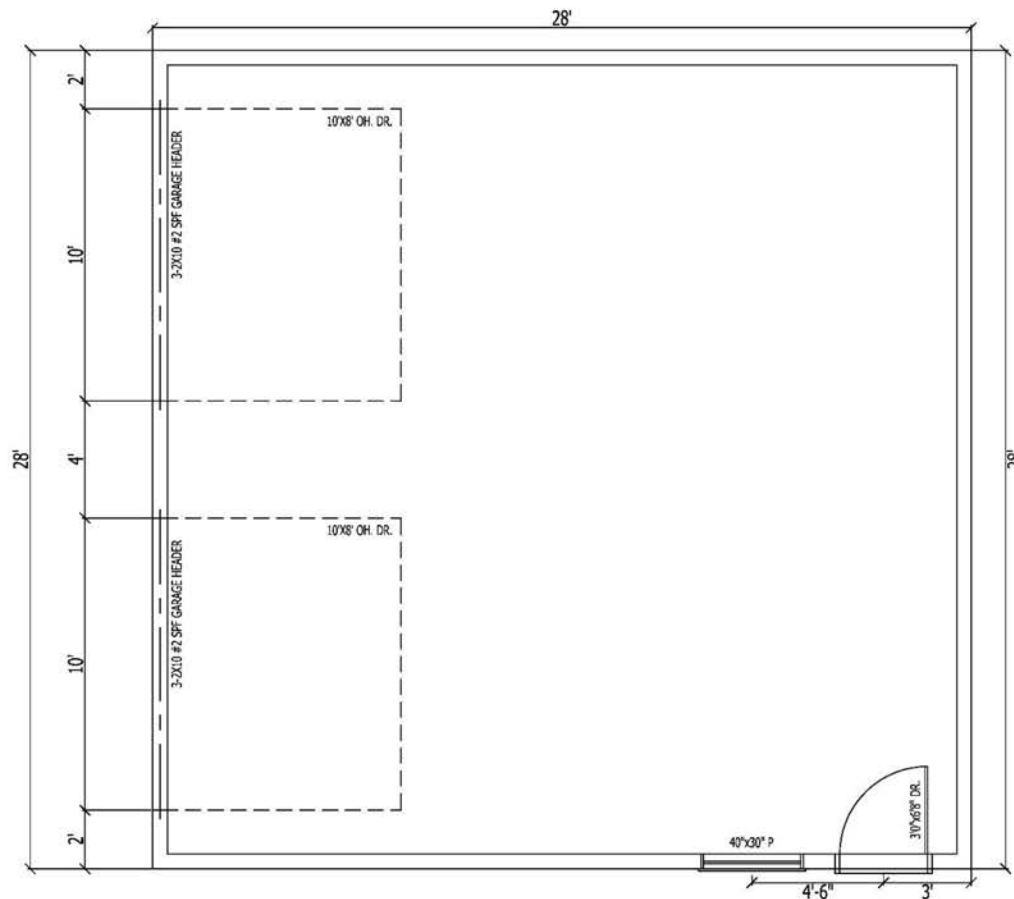
REAR



LEFT

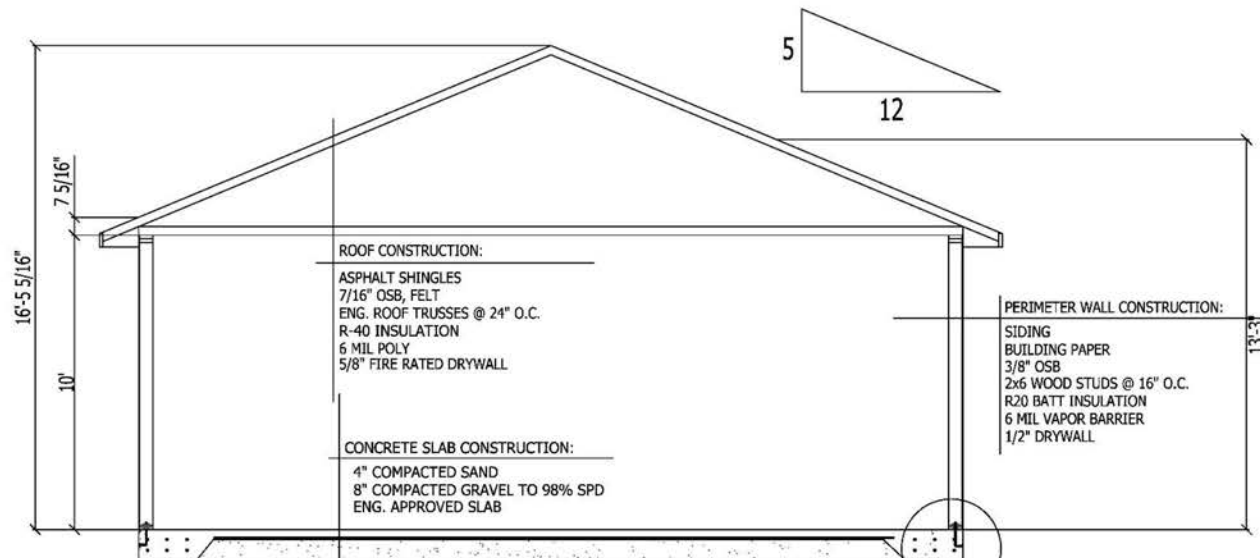
STURGEON COUNTY	
REFUSED	
<i>C. Williams</i>	
AUTHORIZED SIGNATURE	
305305-24-D0231 Sept 6/24	
DATE	

NAME	Doug and Lorraine Demers		
	28 x 28 Garage		
	Rear and Left Elevations		
LEGAL	LOT 23	BLOCK G	PLAN 1221682
ADDRESS	274 Paquin St.		
CITY	Cardiff Ab.		
DATE	August 16 2024		
DRAWN BY	Jodi F.	SCALE	1' = 1/4"
<small>NOTES: DRAWINGS CONFORM TO THE LATEST EDITION OF THE NATIONAL BUILDING CODE. DIMENSIONS ARE IN FEET AND INCHES WITH EXTERIOR DIMENSIONS TO THE OUTSIDE OF SHEATHING. GRADE IS SUGGESTED ONLY AND NOT BE ASSUMED FOR SPT CONDITIONS. MECHANICAL LAYOUTS FOR PLUMBING, HEAT, AND ELECTRICAL ARE SUBJECT TO TRADES DISCRETION. TYPICAL LEVELS SHALL BE 2.000 S.F.F. AND TOP OF FINISH GRADE SUBJECT TO LANDING REQUIREMENTS AND APPROVALS. ALL INTERIOR DOORS ARE 6'8" HIGH UNLESS NOTED OTHERWISE. ALL CONCRETE IS MINIMUM 2500 PSI RESISTANT FOR FOOTINGS, FOUNDATIONS, GRADE BEAMS AND PILES. ELECTRICAL IS ONLY SUGGESTED AND MUST ADHERE TO LOCAL BUILDING CODES. ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE A COMPLETE AND ACCURATE SET OF DRAWINGS THE DRAUGHTSMAN SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT PROPER CONSTRUCTION.</small>		2	4



STURGEON COUNTY
REFUSED
<i>C. Williams</i>
AUTHORIZED SIGNATURE
305305-24-D0231 Sept 6/24
DATE

NAME	Doug and Lorraine Demers		
	28 x 28 Garage		
	Main floor plan		
LEGAL	LOT 23	BLOCK G	PLAN 1221682
ADDRESS	274 Paquin St.		
CITY	Cardiff Ab.		
DATE	August 16 2024		
DRAWN BY	Jodi F.	SCALE	1' = 1/4"
NOTES:			3
DRAWINGS CONFORM TO THE LATEST EDITION OF THE NATIONAL BUILDING CODE.			4
DIMENSIONS ARE IN FEET AND INCHES WITH EXTERIOR DIMENSIONS TO THE OUTSIDE OF SHEATHING.			
GRADE IS SUGGESTED ONLY AND NOT BE ADJUSTED FOR CITY CONDITIONS.			
MECHANICAL LAYOUTS FOR PLUMBING, PAINT, AND ELECTRICAL ARE SUBJECT TO TRADES OBSERVATION.			
TYPICAL WALLS SHALL BE 20" TO 24" IN THICKNESS AND SHALL BE SUBJECT TO LOCAL REQUIREMENTS AND APPROVALS.			
ALL INTERIOR DOORS ARE 4'0" HIGH UNLESS NOTED OTHERWISE.			
ALL CONCRETE IS MINIMUM 2500 PSI AND REINFORCED FOR FOOTINGS, FOUNDATIONS, GRADE BEAMS AND PILLS.			
ELECTRICAL IS ONLY SUGGESTED AND MUST ADHERE TO LOCAL BUILDING CODES.			
ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE A COMPLETE AND ACCURATE SET OF DRAWINGS THE DRAUGHTSPERSON SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT PROPER CONSTRUCTION.			



ROOF CONSTRUCTION:

ASPHALT SHINGLES
7/16" OSB, FELT
ENG. ROOF TRUSSES @ 24" O.C.
R-40 INSULATION
6 MIL POLY
5/8" FIRE RATED DRYWALL

CONCRETE SLAB CONSTRUCTION:

4" COMPACTED SAND
8" COMPACTED GRAVEL TO 98% SPD
ENG. APPROVED SLAB

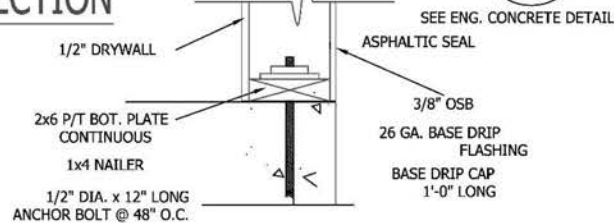
PERIMETER WALL CONSTRUCTION:

SIDING
BUILDING PAPER
3/8" OSB
2x6 WOOD STUDS @ 16" O.C.
R20 BATT INSULATION
6 MIL VAPOR BARRIER
1/2" DRYWALL

NOTES

DIMENSIONS ARE IN FEET AND INCHES
DRAWING CONFORMS TO LATEST EDITION OF NATIONAL
BUILDING CODE
DIMENSIONS ARE TO OUTSIDE FACE OF STUDS AND TO
CENTERLINE OF BEAMS, TELEPOSTS, PILES, AND
ROUGH OPENINGS
GRADE IS SUGGESTED ONLY - ADJUST TO SUIT SITE
CONDITIONS
ALL CONCRETE 32 MPa SULPHATE RESISTANT MIN.
INSTALL FLASHING OVER DOORS AND WINDOWS AS REQ'D
HEATING AND ELECTRICAL LAYOUTS SUBJECT TO TRADE
DISCRETION
LINTELS ARE 2-2x10 UNLESS NOTED OTHERWISE
ALL INTERIOR DOORS ARE 4'-8" HIGH UNLESS NOTED
OTHERWISE
ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE A
COMPLETE AND ACCURATE SET OF DRAWINGS, THE
DRAFTSPERSON SHALL NOT BE HELD
RESPONSIBLE FOR ERRORS OR OMISSIONS WHICH MAY
AFFECT CONSTRUCTION
SITE ENGINEER TO VERIFY ALL STRUCTURAL DETAILS.

SECTION



BASE FLASHING DETAIL

SCALE: 2" = 1'-0"

STURGEON COUNTY

REFUSED

ChWilliams

AUTHORIZED SIGNATURE

305305-24-D0231 Sept 6/24

DATE

NAME	Doug and Lorraine Demers		
	28 x 28 Garage		
	Section		
LEGAL	LOT 23	BLOCK G	PLAN 1221682
ADDRESS	274 Paquin St.		
CITY	Cardiff Ab.		
DATE	August 16 2024		
DRAWN BY	Jodi F.		SCALE 1' = 1/4"
<div>NOTES: DRAWINGS CONFORM TO THE LATEST EDITION OF THE NATIONAL BUILDING CODE. DIMENSIONS ARE IN FEET AND INCHES WITH EXCEPTED DIMENSIONS TO THE OUTSIDE OF SHEATHING. GRADE IS SUGGESTED ONLY AND MUST BE ADJUSTED FOR SITE CONDITIONS. MECHANICAL LAYOUTS FOR PLUMBING, HVAC, AND ELECTRICAL ARE SUBJECT TO TRADES DISCRETION. TYPICAL LINTELS SHALL BE 2-2x10 S.P.F. AND MUST BE VERIFIED SUBJECT TO LOADING REQUIREMENTS AND APPROVALS. ALL INTERIOR DOORS ARE 4'-8" HIGH UNLESS NOTED OTHERWISE. ALL CONCRETE IS MINIMUM 32 MPa SULPHATE RESISTANT FOR FOOTINGS, FOUNDATIONS, GRADE BEAMS AND PILES. ELECTRICAL IS ONLY SUGGESTED AND MUST ADHERE TO LOCAL BUILDING CODES. ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE A COMPLETE AND ACCURATE SET OF DRAWINGS THE DRAFTSPERSON SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT PROPER CONSTRUCTION.</div>			
			4
			4



Sturgeon
COUNTY

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

For Office Use	
Permit Number:	305305-24-D0231
Date Received:	Aug 26/24
Received By:	CW

DEVELOPMENT PERMIT APPLICATION

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

APPLICANT INFORMATION

Complete if different from Applicant

Name of Applicant: <u>Nelson Innovative Contracting</u>	Name of Registered Land Owner: <u>Doug & Lorraine Demers,</u>
Mailing Address: <u>276-25100 TWP RD 554</u>	
City: <u>Sturgeon County AB</u>	
Postal Code: <u>T8R 2G5</u> PH: <u>780 231-1818</u>	
E-mail Address: <u>dave@nicontracting.ca</u>	
Contact Name: <u>David Nelson</u>	

LAND INFORMATION

Legal Description of Property All/Part _____ 1/4 Section _____ Twp. _____ Rge. _____ West of the _____ Meridian
OR Lot <u>23</u> Block <u>G</u> Plan No. <u>1221682</u> Hamlet or Subdivision <u>Cardiff Pittsburg</u>
Parcel Size: <u>.22 Acre</u> Rural Address: <u>274-25100 TWP RD 554</u>

DEVELOPMENT INFORMATION - Please Mark (X) ALL that Apply

<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional	<input checked="" type="checkbox"/> Accessory Building <input type="checkbox"/> Addition <input type="checkbox"/> Attached Garage <input type="checkbox"/> Site Grading <input type="checkbox"/> Deck <input type="checkbox"/> Other _____	<input type="checkbox"/> Kennel <input type="checkbox"/> RV Storage <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Secondary Dwelling <input type="checkbox"/> Bugout	Brief Description: <u>Rear Detached Garage</u>	Development Details: Size: <u>781 Sq Ft</u> Height: <u>16'</u> Start Date: <u>TBD</u> End Date: <u>TBD</u> Estimated Project Value: <u>\$110,000.00</u> (cost of material & labour)
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

APPLICANT AUTHORIZATION

I/we hereby give my/our authorization to apply for this development permit application and allow authorized persons the right to enter the above land and/or building(s) with respect to this application only. I/we understand and agree that this application and any development permit issued pursuant to this application or any information thereto, is not confidential information and may be released by Sturgeon County.
I/We grant consent for an authorized person of Sturgeon County to communicate information electronically as per Section 608 (1) of the Municipal Government Act, R.S.A. 2000., c.M-26.

[Signature] Aug 26 2024
Signature of Authorized Applicant(s) Date

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

severed in line with section 17 of the FOIP Act

FOR OFFICE USE ONLY

Permitted Use ☐ Discretionary Use ☐

Fee \$ 150.00 Penalty \$ _____ Receipt # 202406824 Tax Roll # 3038025 District R4
Payment Method: Cash / Cheque / Debit / VISA / Mastercard

M/C or Visa Number _____ Expiry Date: _____
Name (as it appears on card): _____ Authorized Signature: _____

September 1, 2024

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

Attention: Carla Williams
Development Officer

RE: New Development Permit Application: Doug & Lorraine Demers
274 Paquin Street, Plan 1221682, Block G, Lot 23
Cardiff, AB

Thank you for your response to Dave Nelson, our Contractor, dated: August 30, 2024.

As the landowners, we are pleased to provide further information re: the permit application provided on our behalf from Dave Nelson.

We purchased this lot in 2022 with the plan of constructing a permanent dwelling on this property. In addition to a home, we have always wished to construct a detached garage on this property as well.

Since the purchase of this property, we have kept the lot in immaculate shape, caring for the property on a weekly basis from spring to fall, plus having a garden plot there for the last two years. We live close by in St Albert so it is our getaway from the busyness of city life – we love this piece of land!

We are now in a position to move forward, in a phase-by-phase approach:

- We will 'first' build a detached garage on the property, leaving a large amount of land for future development of a home (that could also have an attached garage).
- We will continue to develop the land in its entirety so it has both aesthetic and curb appeal for our neighbours plus the community of Cardiff.
- In time, we 'may' build a home in this location for ourselves.

We have researched the Sturgeon County Land Use Bylaw and in Clause: "2.6 DECISION PROCESS, it states the following:

2. Notwithstanding Section 2.6.1 (d), the development approving authority may approve or conditionally approve an application for development that does not comply with this bylaw if in his/her opinion,

(a) the proposed development would not:

- (i) unduly interfere with the amenities of the neighbourhood or
- (ii) materially interfere with or affect the use, enjoyment or value of the neighbouring properties, and”

The principles outlined above we are in full agreement with and, based on our care of this property to date as responsible land owners in Sturgeon County, we can assure you that the application before you will support the responsible development and beautification of our property. We have befriended our neighbours on both sides of our land and have advised them of our intent to begin a first phase of development and they are in agreement.

In closing, we trust this information will provide confidence to the County in their decision-making process that we are committed to make this lot an attractive property.

Should you require any further information or have any questions, do not hesitate to contact us at any time.

Sincerely,

Doug & Lorraine Demers

severed in line with section 17 of the FOIP Act

PLANNING AND DEVELOPMENT SERVICES REPORT

Subdivision & Development Appeal Board
File Number 024-STU-014

FILE INFORMATION

Department File:	305305-24-D0231
Legal Land Description:	Lot 23, Block G, Plan 1221682
Relative Location:	Cardiff Pittsburgh
Appellant:	Demers, Doug & Lorraine
Landowner:	Demers, Doug & Lorraine
Description of Appeal:	Appealing the decision of the Development Authority, Refusal to Construct an Accessory Building (Garage 28ft x 28ft)
Land Use Bylaw District:	R4 – Hamlet Serviced
Tax Roll Number:	3038025

PROPERTY INFORMATION

- The parcel was subdivided in 2010 to develop two separate parcels for the purpose of developing single detached dwellings on each parcel.
- The parcel is 0.23 acres and is currently undeveloped.
- The landowner noted the property is maintained on a weekly basis from spring to fall and they have a garden plot. It was indicated that they “may” build a home in this location.
- Aerial photos reveal at times there may be an RV being stored on the parcel.
- A site inspection conducted on September 19 confirmed the parcel has an approach and the parcel is vacant.

BACKGROUND

- The landowner and applicant were advised the application to construct the accessory building prior to a principal use (dwelling) would have to be refused.
- The development permit was submitted, and the application was refused accordingly.

RELEVANT POLICY/LEGISLATION

Land Use Bylaw 1385/17

SECTION 6.1 ACCESSORY USE, ACCESSORY BUILDING AND ACCESSORY AGRICULTURAL BUILDING

.4 Except as otherwise provided for in this Section, for any district, an accessory building or use is not permitted on a parcel without a principal building or use being previously developed on the parcel.

- A Principal Building means *a building which constitutes the primary purpose for which the parcel is used and is the main building among one or more buildings on the site. The principal building shall be determined by the Development Authority.*
- Principal Use means *the primary purpose for which a building, development area or parcel is used in the opinion of the Development Authority. There shall be no more than one principal use on a parcel, except where indicated by this Bylaw.*
- An Accessory Building is a listed use within a district and means *a building or structure that is incidental, subordinate and located on the same parcel as the principal building but does not include a building or structure used for human habitation and does not include shipping containers, or Cannabis Production and Distribution or Cannabis Retail Sales.*

SECTION 12.4 R4 – Hamlet Serviced District

.1 General Purpose

This district accommodates residential development within traditional County hamlets that have full municipal servicing available.

Minimum <i>front yard setback</i>	<i>Abutting a local road</i>	5.5m (18ft)
Minimum <i>side and rear yard setback</i>		2.5m (8.2ft)
Maximum <i>height</i>	<i>Principal building</i>	12m (39.4ft)
	<i>Accessory building</i>	6m (19.7ft)
Maximum <i>floor area</i>	<i>Accessory building</i>	140m ² (1,506.9ft ²)
Maximum <i>parcel coverage</i>	35%	

ANALYSIS

- The parcel was subdivided in 2010 to develop two separate parcels for the purpose of developing single detached dwellings on each parcel.
- The development permit application was refused in accordance with section 6.1.4 of Land Use Bylaw 1385/17. The parcel is vacant and undeveloped with no principal building or use.
- Section 6.1.5 states, notwithstanding subsection 6.1.4 and on a vacant parcel, the Development Authority may accept a development permit for an accessory building concurrent with a development permit application for a principal building, subject to both buildings being constructed within the specified time frame approved by the development permit.

- The applicant has indicated the intent is to begin the first phase of development of the parcel by constructing the garage. However, it was also noted “in time, we ‘*may*’ build a home in this location for ourselves.”
- The intent of the R4 district is to accommodate uses in a residential context. The principal use being for residential purposes (dwelling) constructed prior to any other uses being allowed.
- A stand-alone garage does not meet the definition of an accessory building.
- Permitting an accessory building to be constructed prior to a dwelling allows residential parcels to be primarily used for storage purposes. Storage could be for personal or potentially commercial purposes if the property were to be sold. The parcel could also be perceived to be used for outdoor storage.
- The proposed garage conforms with the bylaw with respect to setbacks, floor area and height.

CONCLUSION

- The Board may consider if the proposed development would unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- The Board could support the decision of the Development Authority to refuse said development permit in keeping with Sturgeon County’s Land Use Bylaw 1385/17 regulations.
- Should the Board choose to uphold the appeal and grant the construction of the garage, Administration recommends the following conditions to mitigate potential impacts on adjacent properties and roadways:
 1. The garage shall be constructed in accordance with the approved site plan and construction drawings.
 2. Prior to any construction occurring on site, a separate building permit shall be obtained and approved.
 3. The garage shall not be used as a dwelling.
 4. The garage shall be for personal storage use only and shall not be used for purposes related to the operation of a commercial business.
 5. There shall be no outdoor storage. Outdoor storage means the storage of equipment, goods, and materials in the open air. Outdoor storage is neither permitted nor discretionary use in the R4 district.
 6. The approach accessing from the Municipal Road shall be in conformance with the specifications of Sturgeon County’s General Municipal Servicing Standards.
 7. The quality of the exterior treatment and design of the garage shall be compatible with other buildings in the vicinity. The exterior finish of the garage shall be completed within two years of the date of issuance of the development permit.

8. No development shall encroach on or be erected on an easement or right-of-way unless the owner of the encroaching structures has obtained written consent from the owner or licensee to which the easement or right-of-way has been granted.
9. Drainage measures undertaken as part of a development shall not negatively impact adjacent parcels by way of flooding or inundation through the redirection of surface water. If the drainage of a development is found to affect adjacent parcels, all mitigating measures required to remedy the problem including drainage structures, drainage easements and retaining walls shall be at the sole expense of the landowner of the parcel where the mitigating measures are required.
10. If the development authorized by this permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the permit approval ceases, and the permit is deemed to be void.
11. No person shall keep or permit in any district any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district. Any excavation, storage or piling up of materials required during the construction stage shall have all necessary safety measures undertaken and the owner of such materials or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

Advisory Notes:

1. Separate electrical, plumbing, gas and/or private septic disposal system permits be obtained as required.
2. Pursuant to section 6.20 of Land Use Bylaw 1385/17, one recreational vehicle may be stored on land districted R4.
3. Please contact Alberta 1 Call at 1-800-242-3447 for utility locates at least two days prior to the commencement of construction. The development cannot encroach into or over a utility easement or right of way.

Prepared By:



Carla Williams, Development Officer

Reviewed By:

Digitally signed by Tyler McNab
Date: 2024.09.20 11:15:17
-06'00'

Tyler McNab, Program Lead, Development & Safety Codes

024-STU-014

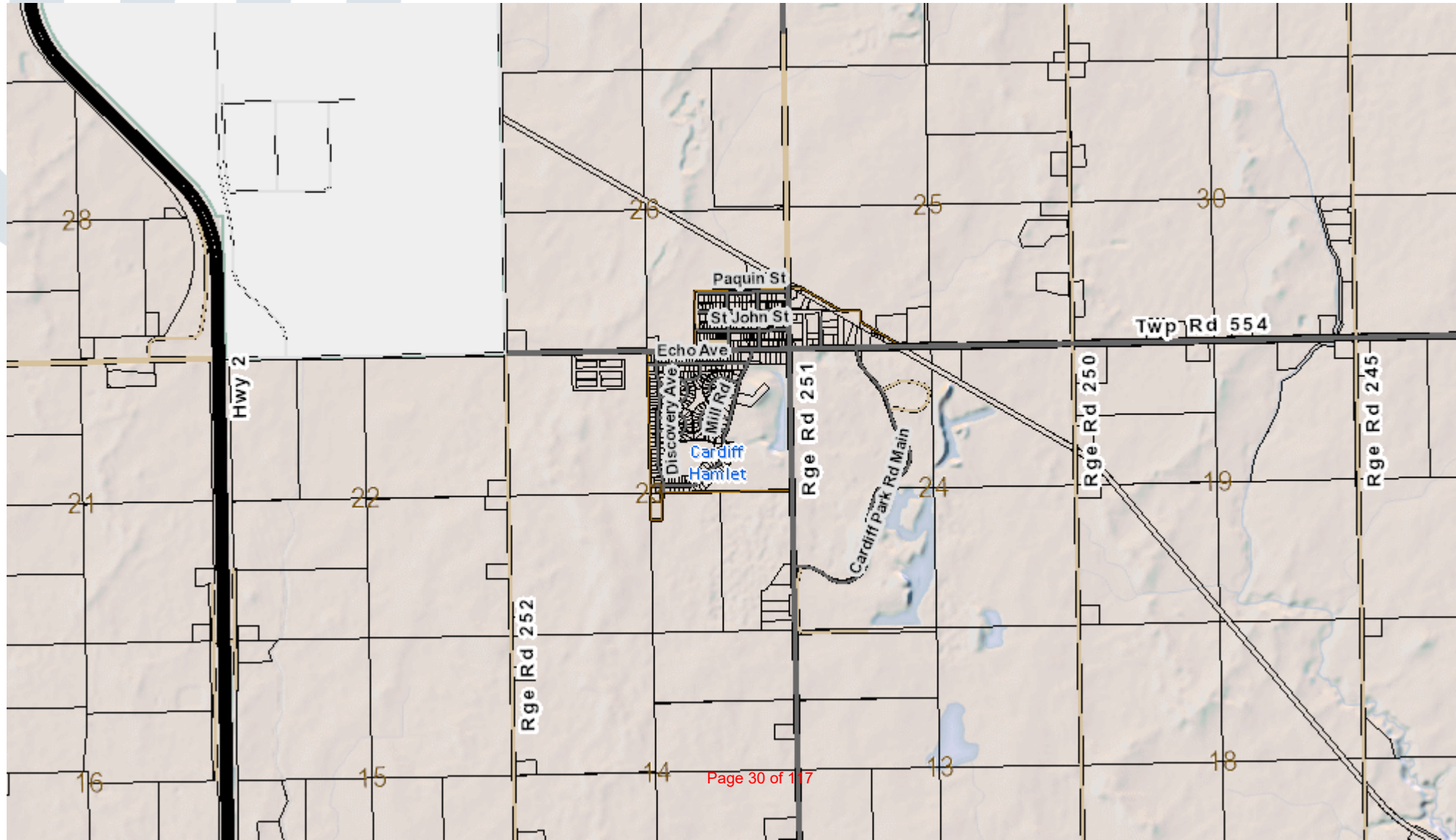
Development Authority Report

2024-10-01



Sturgeon
C O U N T Y

Site Location (Hamlet of Cardiff)



Site Location



Property Information

274 25100 TWP RD 554

Lot 23, Block G, Plan 1221682



- R4 – Hamlet Serviced District
- Parcel size 0.23ac
- Vacant
- Approach
- Used for gardening
- 'May' build a future home
- Aerial photo reveals RV stored on the property

Property Information

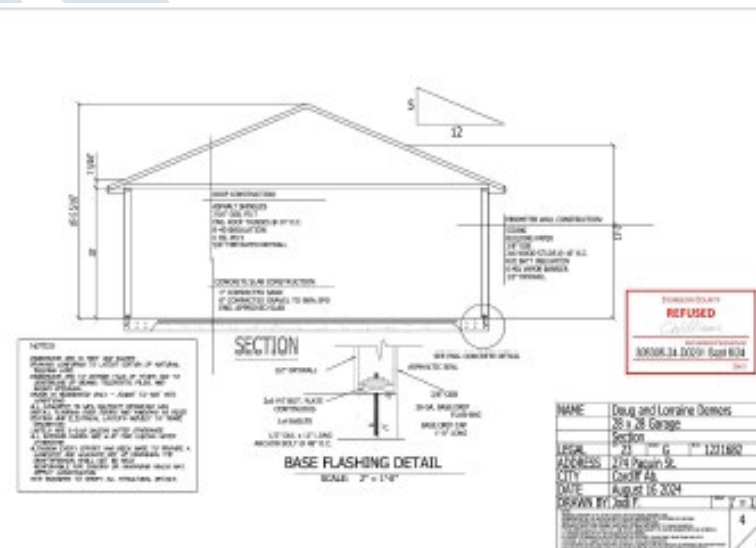
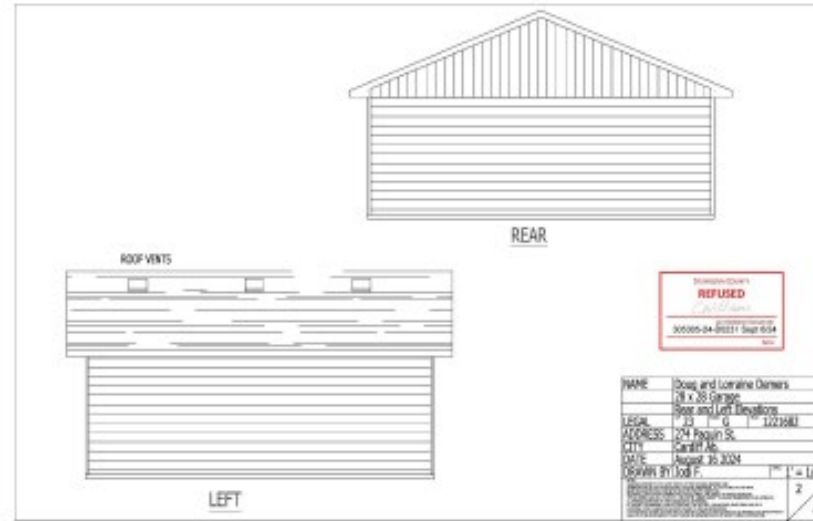
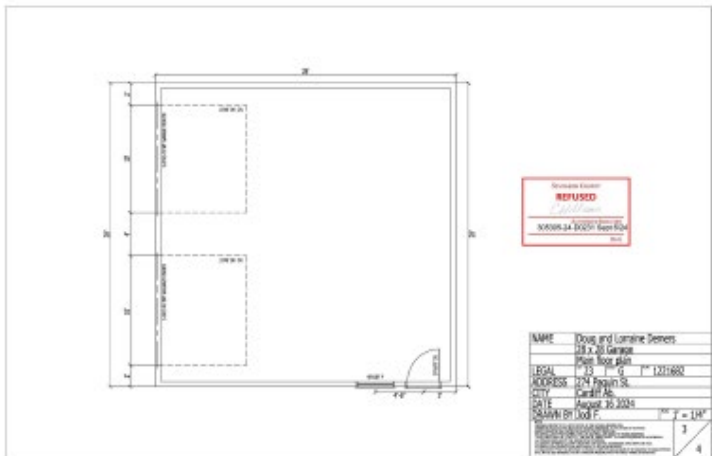
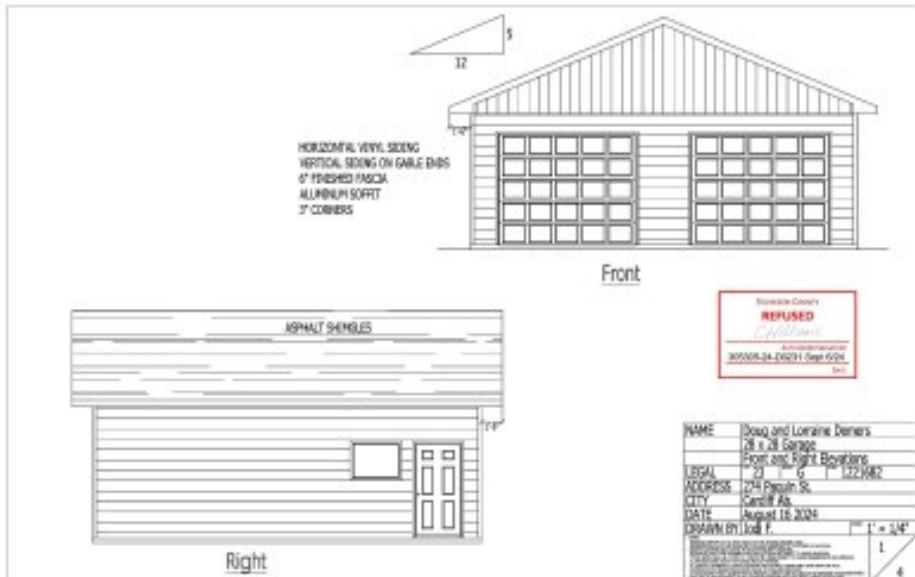
Site Inspection September 19, 2024



- Applicant and landowner were made aware the application would be refused
 - Construction of an accessory building prior to a principal building (use) shall be refused



Background



Relevant Policy & Legislation

Land Use Bylaw 1387/17

SECTION 6.1 ACCESSORY USE, ACCESSORY BUILDING AND ACCESSORY AGRICULTURAL BUILDING

.4 Except as otherwise provided for in this Section, for any district, an accessory building or use is not permitted on a parcel without a principal building or use being previously developed on the parcel.

Definitions and Terminology

A **Principal Building** is defined as a building which constitutes the primary purpose for which the parcel is used and is the main building among one or more buildings on the site. The principal building shall be determined by the Development Authority.

Principal Use means a building which constitutes the primary purpose for which the parcel is being used and is the main building.

An **Accessory Building** is defined as a building or structure that is incidental, subordinate and located on the same parcel as the principal building but does not include a building or structure used for human habitation and does not include shipping containers, or Cannabis Production and Distribution or Cannabis Retail Sales.

Relevant Policy & Legislation

Land Use Bylaw 1387/17

SECTION 12.4 R4 – Hamlet Serviced District

.1 General Purpose

To accommodate residential development within traditional County hamlets

.4 Development Regulations

Minimum <i>front yard setback</i>	<i>Abutting a local road</i>	5.5m (18ft)
Minimum <i>side and rear yard setback</i>		2.5m (8.2ft)
Maximum <i>height</i>	<i>Principal building</i>	12m (39.4ft)
	<i>Accessory building</i>	6m (19.7ft)
Maximum <i>floor area</i>	<i>Accessory building</i>	140m ² (1,506.9ft ²)
Maximum <i>parcel coverage</i>	35%	

Analysis

- Parcel subdivided in 2010 to develop 2 parcels with Single Detached Dwellings
- The permit was refused in accordance with section 6.1.4 the Land Use Bylaw
 - Vacant parcel, no principal building (use)
- Intent of R4 district is to accommodate uses in a residential context
- Section 6.1.5 allows the DA to accept an application for an accessory building and principal building to be developed at the same time on a vacant parcel.
 - Applicant indicated intent “to begin first phase of development of the parcel by constructing garage, and in time we ‘may’ build a home for ourselves”
- Stand-alone building (garage) is not an Accessory Building
- Allowing the garage prior to a dwelling may be perceived that residential parcels can be used for storage and unintended use of commercial if sold.
- The proposed garage conforms with the bylaw with respect to setbacks, floor area and height.

Conclusion

The Board may consider if the proposed development would unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

The Board could support the decision of the Development Authority to refuse said development permit in keeping with Sturgeon County's Land Use Bylaw 1385/17 regulations.

Should the Board choose to uphold the appeal and grant the construction of the garage, Administration recommends the following conditions to mitigate potential impacts on adjacent properties and roadways:

1. The garage shall be constructed in accordance with the approved site plan and construction drawings.
2. Prior to any construction occurring on site, a separate building permit shall be obtained and approved.
3. The garage shall not be used as a dwelling.
4. The garage shall for personal storage use only and shall not be used for purposes related to the operation of a commercial business.
5. There shall be no outdoor storage. Outdoor storage means the storage of equipment, goods, and materials in the open air. Outdoor storage is neither a permitted nor discretionary use in the R4 district.

Conclusion

6. The approach accessing from the Municipal Road shall be in conformance with the specifications of Sturgeon County's General Municipal Servicing Standards.
7. The quality of the exterior treatment and design of the garage shall be compatible with other buildings in the vicinity. The exterior finish of the garage shall be completed within two years of the date of issuance of the development permit.
8. No development shall encroach on or be erected on an easement or right-of-way unless the owner of the encroaching structures has obtained written consent from the owner or licensee to which the easement or right-of-way has been granted.
9. Drainage measures undertaken as part of a development shall not negatively impact adjacent parcels by way of flooding or inundation through the redirection of surface water. If the drainage of a development is found to affect adjacent parcels, all mitigating measures required to remedy the problem including drainage structures, drainage easements and retaining walls shall be at the sole expense of the landowner of the parcel where the mitigating measures are required.
10. If the development authorized by this permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the permit approval ceases, and the permit is deemed to be void.
11. No person shall keep or permit in any district any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district. Any excavation, storage or piling up of materials required during the construction stage shall have all necessary safety measures undertaken and the owner of such materials or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

Conclusion

Advisory Notes:

1. Separate electrical, plumbing, gas and/or private septic disposal system permits be obtained as required.
2. Pursuant to section 6.20 of Land Use Bylaw 1385/17, one recreational vehicle may be stored on land districted R4.
3. Please contact Alberta 1 Call at 1-800-242-3447 for utility locates at least two days prior to the commencement of construction. The development cannot encroach into or over a utility easement or right of way.

APPELLANT SUBMISSIONS RECEIVED

***NOTE:**

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

WRITTEN SUBMISSIONS FROM ADJACENT LANDOWNERS AND OTHER AFFECTED PERSONS

***NOTE:**

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

Appeal #2

024-STU-015 - Appealing Stop Order
issued regarding unauthorized
development and exceeding the
maximum number of recreational
vehicles allowed on a parcel.

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		Date Received Stamp
Municipal Address of site: 25103 TWP 552		
Legal land description of site: Lot 2, Block 1, Plan 1722925 NE 11-55-25-W4		
Development Permit number or Subdivision Application number:		
Appellant Information:		
severed in line with section 17 of the FOIP Act		
Name: Matthew PETER	PR ---	Agent Name: (if applicable)
Mailing Address: 25103 TWP 552	City, Province: Sturgeon County	
Postal Code: T8R 2C3	Email:	

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

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

My property is not a business. I like to stockpile materials and build sheds, fences, etc with them. I'm also having a garage/yard sale. 1-800-DUMP-NOW Inc was struck in 2008. NOTHING on my property can be seen from (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/A	Date: Sep 13, 2024
FOR OFFICE USE ONLY	
SDAB Appeal Number:	Appeal Fees Paid: <input type="checkbox"/> Yes <input type="checkbox"/> No Hearing Date: YYYY/MM/DD

(continued from notice of appeal) Page 2/2

the land.

I am using my barn for storage (as it is designed for). I have tools but also clothes, furniture, books etc stored in it. I don't think the county should concern itself with what I store in my barn. If it's just supposed to be "farm" related stuff then I'd like it made clear what that is (tools, lumber, supplies, etc)

I think I should be allowed to have outdoor storage on my property if it's not visible from the road. Then it's not a nuisance to anyone.

~~My barn is safe and has been since it was built in 1991. I shouldn't have to hire an engineer at a cost of thousands of dollars just to look at it. There's no reason to believe it's not safe. M.P.~~

I should be allowed to have my friends camp on my private land. It should be a human right. Also, Victoria V. Adams states that the county must have a homeless shelter if you are to render people homeless (the county does not).

Matt Peter



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

Matt Peter

Receipt Number: 202407120
GST Number: 107747412RT0001
Date: 2024-09-13
Initials: BB

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

September 17, 2024

SDAB File Number: 024-STU-015

Dear Matthew Peter:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	Plan 1722925; Block 1; Lot 2 NE11-55-25-W4M
Stop Order File Number:	F24/0081
Matter Subject to Appeal:	A stop order was issued regarding unauthorized development and exceeding the maximum number of recreational vehicles allowed on a parcel.

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on September 13, 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 **October 1, 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 459 370 067#. 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. **To be included in the SDAB hearing agenda package, written submissions must be submitted no later than September 26, 2024. However, the Board can accept written submissions up to the date of the hearing.**

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

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

Melodie Steele
Secretary, Subdivision and Development Appeal Board

September 17, 2024

SDAB File Number: 024-STU-015

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Take notice that a hearing has been scheduled concerning the following stop order:

Legal Description of Subject Property: Plan 1722925; Block 1; Lot 2
NE11-55-25-W4M

Stop Order File Number: F24/0081

Matter Subject to Appeal: A stop order was issued regarding unauthorized development and exceeding the maximum number of recreational vehicles allowed on a parcel.

Appellant: Matthew Peter

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

- The Appellant indicates he is not operating a business on the property and that he is stockpiling materials for projects and to sell at a garage sale;
- The Appellant states that the barn on the property is used for storage and that outdoor storage of materials on the property should be permitted; and
- The Appellant states that he should be allowed to have friends camp on private land.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **October 1, 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 459 370 067#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed development. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **To be included in the SDAB hearing agenda package, written submissions must be submitted no later than September 26, 2024. However, the Board can accept written submissions up to the date of the hearing.**

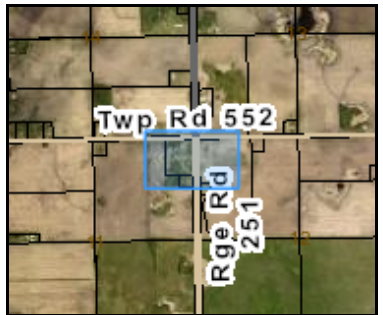
Please note that any submissions previously provided to the Development Authority are not provided as evidence to the Subdivision and Development Appeal Board and therefore must be resubmitted.

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.

Melodie Steele
Secretary, Subdivision and Development Appeal Board

Encl.: Site Map



Legend

- Parcel
- County Roads
- Collector, Surfaced
 - Collector, Gravel
 - Local Road, Gravel



- Ortho 2024
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3

0 200 400 m

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

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.

STOP ORDER

Pursuant to Section 645
Municipal Government Act
Revised Statutes of Alberta 2000, Chapter M-26, As Amended

July 25, 2024

severed in line with section 17 of the FOIP Act

File Number: F24/0081

Owner:
Heather Peter

Care & Control of Property:
Matthew Warren Peter

✓ Registered Mail Delivered
✓ Hand Delivered
✓ Email Delivered to:
mattey@hotmail.com

RE: Contravention of the Sturgeon County's Land Use Bylaw 1385/17 – Unauthorized Development & Exceeding the Maximum Number of Recreational Vehicles Allowed on a Parcel

25103 Township Road 552; Sturgeon County, AB T8R 2C3

Lot 2, Block 1, Plan 172 2925 & NE, Section 11, Township 55, Range 25, West of the 4th Meridian ("Lands")
District: AG – Agricultural General

Heather & Matthew Peter,

In my capacity as the Development Authority for Sturgeon County ("County"), I am hereby issuing a **Stop Order** pursuant to Section 645 of the *Municipal Government Act, RSA 2000 c.M-26* with respect to the above noted Lands.

The County's Land Use Bylaw 1385/17:

Section 1.6 Terminology, as amended states:

Accessory, agricultural building means:

A *building* associated with the operation of an *agricultural use* on the *parcel* on which it is located, *used* for the housing of livestock, storage of farm produce or livestock feed, or for the storage or maintenance of agricultural machinery. Such structures shall include grain bins or silos for the storage of on-farm produced crop products, hay shelters, animal housing facilities and machine storage sheds. This *use* does not include a detached garage or shop if the *building* is partially *used* for personal or residential *use* or *Cannabis Production and Distribution*.

Development means:

- (a) An *excavation* or *stockpile* and the creation of either of them; or
- (b) A *building*, addition to a *building*, replacement or repair of a *building* and the construction or placing in, on, over or under land of any of them; or
- (c) A **change of use of the land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building**, or
- (d) A change in the intensity of use of land or a *building* or an act done in relation to land or a *building* that results in or is likely to result in a change in the intensity of use of the land or *building*.

Farmstead means:

The developed portion of an agricultural *parcel* which is generally comprised of a *dwelling* and various improvements related to the raising or production of crops or livestock. A *farmstead* may include *accessory buildings*, *accessory agricultural buildings* and *shelterbelts*.

Recreational vehicle means:

A wheeled structure designed to provide seasonal and/or temporary living quarters for travel or recreational purposes which may or may not be a motor vehicle itself. Typical examples are travel trailers, motor homes, truck campers and tent trailers. **A recreational vehicle is not a dwelling.**

Section 2.1 Control of Development, as amended states:

- .1 Except as otherwise provided in this Bylaw or in the *Municipal Government Act*:
 - (a) No development shall be undertaken within the County unless a development permit has been issued.

Section 6.16 Home-Based Business, as amended states:

- .1 All Home-Based Businesses shall require a development permit.
- .2 Where a new *dwelling* is being constructed, a *home-based business development permit* application will not be accepted by the *Development Authority* until verification that the *dwelling* is suitable for occupancy has been obtained.
- .3 A *development permit* application for a *home-based business* shall include a description of the proposed business, an estimate of the anticipated number of business visits daily and per week during 'average' and 'peak' seasons, location, and area of equipment and/or material storage associated with the proposed business and details respecting the provision of parking and deliveries.
- .4 No more than one level 2 or 3 *home-based businesses* shall be allowed on one *parcel*.
- .5 *Home-based businesses* shall comply with the requirements provided in Table 6.1:

See attached Table 6.1: Home-Based Business.

Section 6.2 Recreational Vehicles

- .1 The storage of recreational vehicles shall comply with the provisions in Table 6.2 and the provisions of this Section.
- .2 The storage of recreational vehicles in excess of the maximum amount for a district as listed in Table 6.2, shall be considered a recreational vehicle storage facility and will require a development permit.

See attached Table 6.2: Maximum Number of Recreational Vehicles Allowed on a Parcel.

Further, Part 17 of the *Municipal Government Act* and Part 4, Section 4.4 of the County's Land Use Bylaw 1385/17 allows a Development Authority to issue a Stop Order where a development, land use or use of a building is not in accordance with the *Municipal Government Act*; the Land Use Bylaw; Subdivision and Development Regulation; development permit; development agreement; or subdivision approval.

TAKE NOTICE THAT at present, the Lands do not comply with the County's Land Use Bylaw 1385/17 – Sections 2.1, 6.16 and 6.2 as amended given:

1. No authorization had been granted for the development of the Lands to operate a Home-Based Business, named "1-800-DUMP-NOW INC.", located on the Lands.
2. Number of Recreational Vehicles, located on the Lands, exceed the allowable maximum number for the AG – Agricultural General District, being used as living accommodations.
3. Recreational Vehicles, located on the Lands, are being used as dwellings.
4. The Farm Building Confirmation – 40x80 shop dated November 9, 2016, is no longer utilized as "Accessory Agricultural Building", located on the Lands.

Accordingly, you are hereby ordered to stop the unauthorized use of the aforementioned Lands thereon and comply with the County's Land Use Bylaw 1385/17 in accordance with the following:

1. Immediately, upon receipt of this Stop Order, cease all activities relating to the Home-Based Business, named "1-800-DUMP-NOW INC.", on the Lands, and
2. Immediately, upon receipt of this Stop Order, cease occupying all recreational vehicles, being used as dwellings, on the Lands, and
3. Removal of all outside storage items, such as but not limited to: vehicles, bicycles, ski poles, appliances, furniture, lawnmowers, household items, tires, BBQ's, gas cans, toilets, TV's, computers, shovels, lawn care tools, rolls of foam, exercise equipment, baby strollers, doors, garbage containers, windows, ironing boards, snow blowers, dishes, kitchen items, construction equipment, and household goods relating to the Home-Based Business, named "1-800-DUMP-NOW INC.", from the Lands **no later than 12:00 noon on Tuesday, October 1, 2024**, and
4. Upon complying with the aforementioned conditions, you may apply for a Home-Based Business – Level 1, 2, or 3 Development Permit as specified in the attached *Table 6.1: Home-Based Business*.
5. As the "Farm Building Confirmation" is no longer valid, apply for a Development Permit application for the 40x80 shop, located on the Lands, **no later than 12:00 noon on Thursday, August 22, 2024**.

6. Provide a **Real Property Report** by an Alberta Land Surveyors with locations and sizes of all buildings on the parcel that complies with best practices of the Alberta Land Surveyor's Association **no later than 12:00 noon on Thursday, August 15, 2024.**
7. Apply for any Development Permit applications for all accessory buildings larger than 10m², located on the Lands, **no later than 12:00 noon on Thursday, August 22, 2024.**

You are hereby advised that you have the right to appeal this Order to the Subdivision and Development Appeal Board. If you wish to exercise this right, then written notice of appeal, containing reasons, together with the applicable fee of \$100.00 must be received by the Secretary of the and Development Appeal Board within twenty-one (21) calendar days of receipt of this Order:

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

If you do not comply with this Stop Order, Sturgeon County may, under the provisions of Sections 646(1) and 542 of the *Municipal Government Act*, R.S.A., 2000, Chapter M-26, as amended:

- Enter onto the land and take such action necessary to carry out the order under the provisions of Sections 646(1) and 542 of the *Municipal Government Act*; and/or
- Obtaining a permanent and mandatory injunction from the Court of King's Bench pursuant to Section 554 of the *Municipal Government Act*; and/or
- Issue a Provincial violation ticket with a minimum fine of \$1,000 and an additional fine for every calendar day the offence continues, under the provisions of Section 4.5 of Land Use Bylaw 1385/17, as amended.

Furthermore, in accordance with the County's Bylaw 1641/23 2024 Fees and Charges Bylaw, Development Services Section 9 Penalties:

- Development that occurs prior to development permit issuance, each cost is double the current application fee.

Please be advised that Sturgeon County has the authority to put the costs and expenses for carrying out this Stop Order on the tax roll for the Lands pursuant to Section 553(1)(h.1) of the *Municipal Government Act*. A Copy of this Stop Order will be registered on your Land Title.

If you have any questions regarding this matter or require assistance, please contact us at your earliest convenience.

Yours Truly,
Sturgeon County
Per:



Stephen Chipchase, CD
Development Compliance Officer
E: schipchase@sturgeoncounty.ca

Attachments:

1. Table 6.1: Home-Based Business
2. Table 6.2: Maximum Number of Recreational Vehicles Allowed on a Parcel
3. Government of Alberta – Corporation Search – 1-800-DUMP-NOW INC.

Table 6.1: Home-Based Business

25103 Township Road 552, Sturgeon County, AB

Lot 2, Block 1, Plan 172 2925 – NE, Section 11, Township 55, Range 25, West of the 4th Meridian (“Lands”)

District: AG – Agricultural General

Option 1 – Permitted Use – Home-Based Business Level 1

Option 2 – Permitted Use – Home-Based Business Level 2

Option 3 – Discretionary Use – Home-Based Business Level 3 in the AG – Agricultural General District.

Table 6.1: Home-Based Business Requirements

	Level 1	Level 2	Level 3
Business Size (maximum)	<ul style="list-style-type: none"> 10% of the gross <i>floor area</i> of the <i>dwelling</i> 	<ul style="list-style-type: none"> 30% of the gross <i>floor area</i> of the <i>dwelling</i> Area of <i>accessory building(s)</i> at the discretion of the <i>Development Authority</i> 	<ul style="list-style-type: none"> 30% of the gross <i>floor area</i> of the <i>dwelling</i> 100% of the gross <i>floor area</i> of <i>accessory building(s)</i> at the discretion of the <i>Development Authority</i>
Equipment and/or material storage	<ul style="list-style-type: none"> Shall be located within the <i>dwelling</i> 	<ul style="list-style-type: none"> No exterior storage. Any storage shall be located within the <i>dwelling</i> or <i>accessory building(s)</i>. 	<ul style="list-style-type: none"> Exterior storage shall not exceed 1% of the <i>parcel</i> size in accordance with Section 5.7
Client traffic generation (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Eight vehicle visits per 24-hour period in the AG district Four vehicle visits per 24-hour period in all other districts 	<ul style="list-style-type: none"> Ten vehicle visits per 24-hour period
Non-resident employees on site (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Two 	<ul style="list-style-type: none"> Four
Commercial vehicles (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One (not exceeding 4,800kg if located in a residential district) 	<ul style="list-style-type: none"> Three
Commercial trailers (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Three
Passenger vehicles (maximum)	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Two
Hours of operation	<ul style="list-style-type: none"> No limit 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m. 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m.]

Table 6.2: Maximum Number of Recreational Vehicles Allowed on a Parcel

25103 Township Road 552, Sturgeon County, AB

Lot 2, Block 1, Plan 172 2925 – NE, Section 11, Township 55, Range 25, West of the 4th Meridian (“Lands”)

District: AG – Agricultural General

Table 6.2: Maximum Number of *Recreational Vehicles* Allowed on a Parcel

District	Maximum number of recreational vehicles allowed on a parcel without a development permit
AG – Major	5
AG – Minor	5
AG – Residential	0
AG2 – Agriculture 2	5
RE – Resource Extraction	0
R1 – Country Residential	3
R2 – Country Estate Residential	1
R3 – Hamlet Unserviced	1
R4 – Hamlet Serviced	1
R5 – Multi-Family	1
R6 – Modular Dwelling	1
R7 – Urban Residential	1
HR – Hamlet Reserve	0
IND – Integrated Neighbourhood	0
CMUD – Commercial Mixed-Use	0
C1 – Highway Commercial	0
C2 – Local Commercial	0
C3 – Neighbourhood Commercial	0
I1 – Rural Industry Support	0

PLANNING AND DEVELOPMENT SERVICES REPORT

Subdivision & Development Appeal Board
File Number 024-STU-015**FILE INFORMATION**

Department File:	DC24-016
Legal Land Description:	Lot 2; Block 1; Plan 1722925 ("Lands")
Location:	25103 Township Road 552, Sturgeon County, AB
Appellant:	Matthew Peter (Son of Heather Peter)
Landowner:	Heather Peter (Mother)
Description of Appeal:	Appealing the Stop Order: Unauthorized Development & Exceeding the Maximum Number of Recreational Vehicles Allowed on a Parcel
Land Use Bylaw District:	AG – Agricultural District
Tax Roll Number:	2932000

BACKGROUND

- In September 2016, a complaint was received regarding the starting up of a "Landfill/Dump Yard" business, located on the Lands, however, as resources were not available to investigate, no action was taken at the time.
- In April 2019, another complaint was received, with regards to operating a Home-Based Business called "1-800-DUMP-NOW", located on the Lands. (See Appendix 6) This complaint was investigated by the Peace Officers and determined that the Appellant committed to and was "*making an effort*" to clean up the property. Nine months later, and after the Appellant describing his operation as an "*Estate Sale*", the Peace Officer stated that there was no proof of a business without permits existing, so the file was then closed.
- On February 8, 2024, a complaint was received, with regards to a "dump site and operating a business", located on the Lands. With a preliminary investigation, conducted by the Development Compliance Officer ("DCO"), it was determined that, even though the 1-800-DUMP-NOW Inc. Corporation was legally Struck on September 2, 2009, the 1-800-DUMP-NOW (1-800-386-7669) was still in operation and forwarded to the appellants cell phone 780-446-1122 for business. As this property seems to have continuous complaints, over the years on the same issue, the DCO had evidence to proceed with a site inspection to confirm whether or not a Home-Based Business is in operation of the Lands.
- On March 22, 2024, a Right to Entry was posted to the Owner's property front door as the Owner was not home at the time. On the morning of March 25, 2024, the DCO decided not to attend the property, as no confirmation was received from the Owner of the property, for the scheduled site inspection at 11:00 am. As the DCO was going to try again with another date and time that week, emails commenced from the Appellant stating "*we do not consent to anyone entering our farmland (or any other property) without giving you express written permission. As outlined in section 543 of the Municipal Government Act you are welcome to go to the court to obtain a court order (if you feel this is important). I would also like to attend any hearing regarding this matter.*" Shortly thereafter, the DCO sent and received emails from the Appellant to establish whom had the legal authority over the property as the Appellant's name was not on the Land Title Certificate as the Owner. Once it was determined that the Appellant had authority given to him by his mother, Owner of the property, the Appellant sent an email stating "*As outlined in section 543 of the Municipal Government Act you are welcome to go to the court to obtain a court order (if you feel this is important). I would also like to attend any hearing regarding this matter.*" (See Appendix 2)
- The DCO proceeded with taking the advice of the "*Representative*" of the Lands (the Appellant) and proceeded to obtain a court order, Section 543 of the *Municipal Government Act* for authorization to inspect the property. This action commenced several belligerent and threatening emails, from the Appellant, to the DCO, CAO, Mayor, and Council of Sturgeon County. (See Appendix 3)

- The site inspection took place on June 26, 2024, with the following contraventions noted:
 - No authorization had been granted for the development of the Lands to operate a Home-Based Business, named “1-800-DUMP-NOW INC.”, located on the Lands.
 - Number of Recreational Vehicles, located on the Lands, exceed the allowable maximum number for the AG – Agricultural General District, being used as living accommodations.
 - Recreational Vehicles, located on the Lands, are being used as dwellings.
 - The Farm Building Confirmation – 40x80 shop dated November 9, 2016, is no longer utilized as “Accessory Agricultural Building”, located on the Lands.
- July 25, 2025, a site visit was conducted to serve and explain the Stop Order to the Appellant. Upon arrival on the Lands, it was observed and verified by the OH&S Officer, that four (4) employees were working. The Appellant addresses these workers as “Volunteers”. After serving the Appellant with the Stop Order, the DCO stated, *“One moment please, got out his phone and called 1-800-DUMP-NOW (1-800-386-7669)”*. The Appellant’s phone immediately rang, and the Appellant asked, *“Are you calling me?”*. The DCO replied by stating *“No I am calling 1-800-DUMP-NOW (1-800-386-7669), with the speaker on the cell phone, the Appellant voice came over the cell phone stating “You have reached Matt, please call me on my cell phone 780-446-1122 and I will pick up right away. Talk to you soon”*.
- The DCO immediately hung up the cell phone and proceeded to go through his copy of the Stop Order with the Appellant. When the Appellant was asked if he had any questions, his response was “No Comment”. At this time the DCO tried to explain, to the Appellant, that the County was willing to work with him should he decide to apply for a Home-Based Business to operate on the Lands. The Appellant was belligerent and uncooperative, so the DCO decided to leave the property and went over to serve the Owner with the Stop Order at her residence in Morinville. As the DCO was explaining the Stop Order to the Owner, her reply was *“You have to speak to my son about this as I have not been to the property in 2 years and don’t intend on going back to there. He is in charge of the property now.”* An email was sent to the Appellant with the Stop Order attached as well. (See Appendix 4)

PROPERTY INFORMATION

- Property District – AG – Agricultural District
- Size of Property – 17.01 Acres or 6.88 ha
- May 1978 – 177-78 Development Permit for Single Detached Dwelling with Building Permit.
- November 2016 – Farm Building Confirmation 40’x80’ shop Building Permit B-213-2001. Foundation/Weeping Tile

RELIVANT POLICY/LEGISLATION

- Land Use Bylaw 1385/17
 - Section 1.6 Terminology:

Accessory, agricultural building means: *A building associated with the operation of an agricultural use on the parcel on which it is located, used for the housing of livestock, storage of farm produce or livestock feed, or for the storage or maintenance of agricultural machinery.*

Development means: (c) A change of use of the land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building.

Farmstead means: The developed portion of an agricultural parcel which is generally comprised of a dwelling and various improvements related to the raising or production of crops or livestock.

Recreational vehicle means: A wheeled structure designed to provide seasonal and/or temporary living quarters for travel or recreational purposes which may or may not be a motor vehicle itself. Typical

examples are travel trailers, motor homes, truck campers and tent trailers. **A recreational vehicle is not a dwelling.**

- Section 2.1 Control of Development, as amended states:

.1 Except as otherwise provided in this Bylaw or in the *Municipal Government Act*:

No development shall be undertaken within the County unless a development permit has been issued.

- Section 2.15 Appeal

.1(e) An appeal may be made to the Subdivision and Development Appeal Board where the Development Authority issues an order under Part 4 of this Bylaw.

- Section 2.19 Court of Appeal

.1(a) Pursuant to Section 688 of the *Municipal Government Act, RSA 2000 Chapter M-26*, an appeal lies to the Court of Appeal of Alberta on question of jurisdiction or law with respect to a decision of the Subdivision and Development Appeal Board.

- Section 2.3 Development Not Requiring a Development Permit, as amended states:

.1 The following developments do not require a development permit provided that the proposed development is in conformance with the applicable regulations of this Bylaw and shall be carried out or performed in accordance with all other applicable legislation, regulations and bylaws:

(p) in all districts, construction of an accessory building that is less than 10m² (107.6ft²) in floor area, if the development complies with the provisions of this Bylaw;

- Section 2.4 Application for Development Permit

Complying with all conditions while applying with an accessory building permit.

- Section 6.16 Home-Based Business, as amended states:

.1 All Home-Based Businesses shall require a development permit.

.2 Where a new *dwelling* is being constructed, a *home-based business development permit* application will not be accepted by the *Development Authority* until verification that the *dwelling* is suitable for occupancy has been obtained.

.3 A *development permit* application for a *home-based business* shall include a description of the proposed business, an estimate of the anticipated number of business visits daily and per week during 'average' and 'peak' seasons, location, and area of equipment and/or material storage associated with the proposed business and details respecting the provision of parking and deliveries.

.4 No more than one level 2 or 3 *home-based businesses* shall be allowed on one *parcel*.

.5 *Home-based businesses* shall comply with the requirements provided in Table 6.1.

- Section 11.1 AG – Agricultural District

Discretionary Uses – Home-based business, level 3

- Part 4 – Enforcement

4.1 General Provisions – The *Municipal Government Act* shall apply in the case of Stop Orders issued where this Bylaw is contravened.

4.2 Contravention

.1 Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or fails to comply with any order, notice, or direction given under this Bylaw, commits an offence. Each calendar day that a violation is permitted to exist shall constitute a separate offence.

.2 No person shall authorize or undertake any *development* that is not consistent with the description, specifications or plans that were the basis for issuing a *development permit* under this Bylaw.

4.3 Stop Orders

.1 A Stop Order may be issued in circumstances where *development*, land *use* or *use* of a *building* is not in accordance with:

- (a) this Bylaw;
- (b) Part 17 of the *Municipal Government Act*.

.2 A Stop Order will be issued by the *Development Authority* or a *Designated Officer* and delivered to the appropriate recipient by a *Peace Officer* or *Bylaw Enforcement Officer* or via registered mail.

.3 A Stop Order shall be made by written order directed to the landowner, the person in possession of the land or buildings or the person responsible for the contravention, or all of the above to conduct the following as specified:

- (a) stop the development or use of the land or building in whole or in part;
- (b) demolish, remove or replace the development; and/or compliance with the pertinent regulations take other measures as specified in the Stop Order to bring the development, use or activity into compliance with the pertinent regulations

.4 A Stop Order shall include the following information:

- (a) the text of the regulation being violated;
- (b) a timeline of when the order must be carried out;
- (c) the actions that must take place to bring the lands or activity into compliance, if possible and
- (d) the recipients right to appeal the order.

.5 If the Stop Order is not complied with, the County, in accordance with the *Municipal Government Act*, may enter upon the land or *building* and take such action as is necessary to carry out the Stop Order, or may apply to the Court of Queen's Bench to pursue a Court Order to achieve compliance. (See Appendix 5)

.6 The County's costs of carrying out any actions required for compliance with the Stop Order may be added to the tax roll of the land subject to the order.

.7 The County may register a caveat with respect to a Stop Order in the Land Titles Office, provided that the caveat is discharged when the order has been complied with.

ANALYSIS

- The Stop Order was served to both the Appellant and the Owner of the Lands, on July 25, 2024, in accordance with the Sturgeon County Land Use Bylaw 1385/17 and the *Municipal Government Act, RSA 2000 Chapter M-26 ("MGA") Section 645.*
- The Stop Order stated that an appeal "*must be received by the Secretary of the and Development Appeal Board within twenty-one (21) calendar days of receipt of this Order*" in accordance with the *MGA Section 686(1)(a)(ii).*
- Appeal of a Stop Order "*is restricted to determining if the Stop Order was properly issued. If the Stop Order was properly issued, the Board must uphold the Stop Order but may exercise its discretion and give the recipient more time to comply with the terms of the order*"
- The appeal period, for the Stop Order dated July 25, 2024, expired on August 16, 2024.
- The date the Appellant appealed the Stop Order to the SDAB on September 13, 2024.

CONCLUSION

- Administration recommends that the Stop Order, dated July 25, 2024, stay in effect as written.
- The Appellant has had ample opportunity to bring the property into compliance and as of last inspection, the business is still operating outside of compliance.
- The Appellant has an opportunity to apply for a Development Permit for a Home-Based Business level 3 is he so chooses to do so.
- Administration recommends the Subdivision Development and Appeal Board ("SDAB") take in consideration the *MGA Section 686(1)(a)(ii):*
Section (1) "A development appeal is commenced by filing a notice of appeal, containing reasons, with the board hearing the appeal" (a)(ii) 'with respect to an order under section 645, within 21 days after the date on which the order was made'.

ATTACHMENT(S)

- Appendix 1 – Stop Order – dated July 25, 2024
- Appendix 2 – Email from Appellant – dated March 25, 2024
- Appendix 3 – Emails from Appellant – dated June 14 & 16, 2024
- Appendix 4 – Stop Order documents emailed to Appellant – dated July 26, 2024
- Appendix 5 – Court of King's Bench Order – MGA 543 – dated June 19, 2024
- Appendix 6 – 1 800 DUMP NOW Inc. Cores

Prepared By:



Stephen Chipchase, Development Compliance Officer

Reviewed By:

Tyler McNab, Program Lead Development & Safety Codes

STOP ORDER

Pursuant to Section 645
Municipal Government Act
Revised Statutes of Alberta 2000, Chapter M-26, As Amended

July 25, 2024

severed in line with section 17 of the FOIP Act

File Number: F24/0081

Owner:
Heather Peter

Care & Control of Property:
Matthew Warren Peter

✓ Registered Mail Delivered
✓ Hand Delivered
✓ Email Delivered to:
mattey@hotmail.com

RE: Contravention of the Sturgeon County's Land Use Bylaw 1385/17 – Unauthorized Development & Exceeding the Maximum Number of Recreational Vehicles Allowed on a Parcel

25103 Township Road 552; Sturgeon County, AB T8R 2C3

Lot 2, Block 1, Plan 172 2925 & NE, Section 11, Township 55, Range 25, West of the 4th Meridian ("Lands")
District: AG – Agricultural General

Heather & Matthew Peter,

In my capacity as the Development Authority for Sturgeon County ("County"), I am hereby issuing a **Stop Order** pursuant to Section 645 of the *Municipal Government Act, RSA 2000 c.M-26* with respect to the above noted Lands.

The County's Land Use Bylaw 1385/17:

Section 1.6 Terminology, as amended states:

Accessory, agricultural building means:

A *building* associated with the operation of an *agricultural use* on the *parcel* on which it is located, *used* for the housing of livestock, storage of farm produce or livestock feed, or for the storage or maintenance of agricultural machinery. Such structures shall include grain bins or silos for the storage of on-farm produced crop products, hay shelters, animal housing facilities and machine storage sheds. This *use* does not include a detached garage or shop if the *building* is partially *used* for personal or residential *use* or *Cannabis Production and Distribution*.

Development means:

- (a) An *excavation* or *stockpile* and the creation of either of them; or
- (b) A *building*, addition to a *building*, replacement or repair of a *building* and the construction or placing in, on, over or under land of any of them; or
- (c) A **change of use of the land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building**, or
- (d) A change in the intensity of use of land or a *building* or an act done in relation to land or a *building* that results in or is likely to result in a change in the intensity of use of the land or *building*.

Farmstead means:

The developed portion of an agricultural *parcel* which is generally comprised of a *dwelling* and various improvements related to the raising or production of crops or livestock. A *farmstead* may include *accessory buildings*, *accessory agricultural buildings* and *shelterbelts*.

Recreational vehicle means:

A wheeled structure designed to provide seasonal and/or temporary living quarters for travel or recreational purposes which may or may not be a motor vehicle itself. Typical examples are travel trailers, motor homes, truck campers and tent trailers. **A recreational vehicle is not a dwelling.**

Section 2.1 Control of Development, as amended states:

- .1 Except as otherwise provided in this Bylaw or in the *Municipal Government Act*:
 - (a) No development shall be undertaken within the County unless a development permit has been issued.

Section 6.16 Home-Based Business, as amended states:

- .1 All Home-Based Businesses shall require a development permit.
- .2 Where a new *dwelling* is being constructed, a *home-based business development permit* application will not be accepted by the *Development Authority* until verification that the *dwelling* is suitable for occupancy has been obtained.
- .3 A *development permit* application for a *home-based business* shall include a description of the proposed business, an estimate of the anticipated number of business visits daily and per week during 'average' and 'peak' seasons, location, and area of equipment and/or material storage associated with the proposed business and details respecting the provision of parking and deliveries.
- .4 No more than one level 2 or 3 *home-based businesses* shall be allowed on one *parcel*.
- .5 *Home-based businesses* shall comply with the requirements provided in Table 6.1:

See attached Table 6.1: Home-Based Business.

Section 6.2 Recreational Vehicles

- .1 The storage of recreational vehicles shall comply with the provisions in Table 6.2 and the provisions of this Section.
- .2 The storage of recreational vehicles in excess of the maximum amount for a district as listed in Table 6.2, shall be considered a recreational vehicle storage facility and will require a development permit.

See attached Table 6.2: Maximum Number of Recreational Vehicles Allowed on a Parcel.

Further, Part 17 of the *Municipal Government Act* and Part 4, Section 4.4 of the County's Land Use Bylaw 1385/17 allows a Development Authority to issue a Stop Order where a development, land use or use of a building is not in accordance with the *Municipal Government Act*; the Land Use Bylaw; Subdivision and Development Regulation; development permit; development agreement; or subdivision approval.

TAKE NOTICE THAT at present, the Lands do not comply with the County's Land Use Bylaw 1385/17 – Sections 2.1, 6.16 and 6.2 as amended given:

1. No authorization had been granted for the development of the Lands to operate a Home-Based Business, named "1-800-DUMP-NOW INC.", located on the Lands.
2. Number of Recreational Vehicles, located on the Lands, exceed the allowable maximum number for the AG – Agricultural General District, being used as living accommodations.
3. Recreational Vehicles, located on the Lands, are being used as dwellings.
4. The Farm Building Confirmation – 40x80 shop dated November 9, 2016, is no longer utilized as "Accessory Agricultural Building", located on the Lands.

Accordingly, you are hereby ordered to stop the unauthorized use of the aforementioned Lands thereon and comply with the County's Land Use Bylaw 1385/17 in accordance with the following:

1. Immediately, upon receipt of this Stop Order, cease all activities relating to the Home-Based Business, named "1-800-DUMP-NOW INC.", on the Lands, and
2. Immediately, upon receipt of this Stop Order, cease occupying all recreational vehicles, being used as dwellings, on the Lands, and
3. Removal of all outside storage items, such as but not limited to: vehicles, bicycles, ski poles, appliances, furniture, lawnmowers, household items, tires, BBQ's, gas cans, toilets, TV's, computers, shovels, lawn care tools, rolls of foam, exercise equipment, baby strollers, doors, garbage containers, windows, ironing boards, snow blowers, dishes, kitchen items, construction equipment, and household goods relating to the Home-Based Business, named "1-800-DUMP-NOW INC.", from the Lands **no later than 12:00 noon on Tuesday, October 1, 2024**, and
4. Upon complying with the aforementioned conditions, you may apply for a Home-Based Business – Level 1, 2, or 3 Development Permit as specified in the attached *Table 6.1: Home-Based Business*.
5. As the "Farm Building Confirmation" is no longer valid, apply for a Development Permit application for the 40x80 shop, located on the Lands, **no later than 12:00 noon on Thursday, August 22, 2024**.

6. Provide a **Real Property Report** by an Alberta Land Surveyors with locations and sizes of all buildings on the parcel that complies with best practices of the Alberta Land Surveyor's Association **no later than 12:00 noon on Thursday, August 15, 2024.**
7. Apply for any Development Permit applications for all accessory buildings larger than 10m², located on the Lands, **no later than 12:00 noon on Thursday, August 22, 2024.**

You are hereby advised that you have the right to appeal this Order to the Subdivision and Development Appeal Board. If you wish to exercise this right, then written notice of appeal, containing reasons, together with the applicable fee of \$100.00 must be received by the Secretary of the and Development Appeal Board within twenty-one (21) calendar days of receipt of this Order:

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

If you do not comply with this Stop Order, Sturgeon County may, under the provisions of Sections 646(1) and 542 of the *Municipal Government Act*, R.S.A., 2000, Chapter M-26, as amended:

- Enter onto the land and take such action necessary to carry out the order under the provisions of Sections 646(1) and 542 of the *Municipal Government Act*; and/or
- Obtaining a permanent and mandatory injunction from the Court of King's Bench pursuant to Section 554 of the *Municipal Government Act*; and/or
- Issue a Provincial violation ticket with a minimum fine of \$1,000 and an additional fine for every calendar day the offence continues, under the provisions of Section 4.5 of Land Use Bylaw 1385/17, as amended.

Furthermore, in accordance with the County's Bylaw 1641/23 2024 Fees and Charges Bylaw, Development Services Section 9 Penalties:

- Development that occurs prior to development permit issuance, each cost is double the current application fee.

Please be advised that Sturgeon County has the authority to put the costs and expenses for carrying out this Stop Order on the tax roll for the Lands pursuant to Section 553(1)(h.1) of the *Municipal Government Act*. A Copy of this Stop Order will be registered on your Land Title.

If you have any questions regarding this matter or require assistance, please contact us at your earliest convenience.

Yours Truly,
Sturgeon County
Per:



Stephen Chipchase, CD
Development Compliance Officer
E: schipchase@sturgeoncounty.ca

Attachments:

1. Table 6.1: Home-Based Business
2. Table 6.2: Maximum Number of Recreational Vehicles Allowed on a Parcel
3. Government of Alberta – Corporation Search – 1-800-DUMP-NOW INC.

Table 6.1: Home-Based Business

25103 Township Road 552, Sturgeon County, AB

Lot 2, Block 1, Plan 172 2925 – NE, Section 11, Township 55, Range 25, West of the 4th Meridian (“Lands”)

District: AG – Agricultural General

Option 1 – Permitted Use – Home-Based Business Level 1

Option 2 – Permitted Use – Home-Based Business Level 2

Option 3 – Discretionary Use – Home-Based Business Level 3 in the AG – Agricultural General District.

Table 6.1: Home-Based Business Requirements

	Level 1	Level 2	Level 3
Business Size (maximum)	<ul style="list-style-type: none"> 10% of the gross <i>floor area</i> of the <i>dwelling</i> 	<ul style="list-style-type: none"> 30% of the gross <i>floor area</i> of the <i>dwelling</i> Area of <i>accessory building(s)</i> at the discretion of the <i>Development Authority</i> 	<ul style="list-style-type: none"> 30% of the gross <i>floor area</i> of the <i>dwelling</i> 100% of the gross <i>floor area</i> of <i>accessory building(s)</i> at the discretion of the <i>Development Authority</i>
Equipment and/or material storage	<ul style="list-style-type: none"> Shall be located within the <i>dwelling</i> 	<ul style="list-style-type: none"> No exterior storage. Any storage shall be located within the <i>dwelling</i> or <i>accessory building(s)</i>. 	<ul style="list-style-type: none"> Exterior storage shall not exceed 1% of the <i>parcel</i> size in accordance with Section 5.7
Client traffic generation (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Eight vehicle visits per 24-hour period in the AG district Four vehicle visits per 24-hour period in all other districts 	<ul style="list-style-type: none"> Ten vehicle visits per 24-hour period
Non-resident employees on site (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Two 	<ul style="list-style-type: none"> Four
Commercial vehicles (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One (not exceeding 4,800kg if located in a residential district) 	<ul style="list-style-type: none"> Three
Commercial trailers (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Three
Passenger vehicles (maximum)	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Two
Hours of operation	<ul style="list-style-type: none"> No limit 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m. 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m.]

Table 6.2: Maximum Number of Recreational Vehicles Allowed on a Parcel

25103 Township Road 552, Sturgeon County, AB

Lot 2, Block 1, Plan 172 2925 – NE, Section 11, Township 55, Range 25, West of the 4th Meridian (“Lands”)

District: AG – Agricultural General

Table 6.2: Maximum Number of *Recreational Vehicles* Allowed on a Parcel

District	Maximum number of recreational vehicles allowed on a parcel without a development permit
AG – Major	5
AG – Minor	5
AG – Residential	0
AG2 – Agriculture 2	5
RE – Resource Extraction	0
R1 – Country Residential	3
R2 – Country Estate Residential	1
R3 – Hamlet Unserviced	1
R4 – Hamlet Serviced	1
R5 – Multi-Family	1
R6 – Modular Dwelling	1
R7 – Urban Residential	1
HR – Hamlet Reserve	0
IND – Integrated Neighbourhood	0
CMUD – Commercial Mixed-Use	0
C1 – Highway Commercial	0
C2 – Local Commercial	0
C3 – Neighbourhood Commercial	0
I1 – Rural Industry Support	0

Re: regarding file F24/0081 (ostensibly running a business from our family home)

From Matt P

severed in line with section 17 of the FOIP Act

Date Wed 3/27/2024 5:12 PM

To Stephen Chipchase <schipchase@sturgeoncounty.ca>

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

Hello Stephen,

It seems like you're being difficult to deal with and this is exactly why I won't be cooperating.

This property is in complete compliance with all the bylaws and the municipal government act. But you're still creating an issue for no apparent reason. It really makes no difference if someone complained as there's nothing to complain about and nobody is being adversely affected by anything. But if you want to continue pursuing some form of harassment that is your prerogative.

You have been served with a legal document from Heather Peter advising you that I am her legal representative. She doesn't have to serve you personally. People serve documents through third parties and process servers every day. I don't even have to file an affidavit of service because you just admitted, through email, that you received it. If you wish to apply to the court for permission to get an inspection you're welcome to do that. At that time I will serve you the document in person and go to the hearing as my mother's representative.

Regards,

Matt Peter

From: Stephen Chipchase <schipchase@sturgeoncounty.ca>

Sent: March 26, 2024 8:22 AM

severed in line with section 17 of the FOIP Act

To:

Subject: RE: regarding file F24/0081 (ostensibly running a business from our family home)

Hello Matt,

Once I receive confirmation from your mother, herself, for the attached "*letter from my mom informing you that I am her legal representative*", I will take it under advisement.

However, until such time that I can verify the attached letter from your mother, I still can only deal with her.

Regards,

Stephen Chipchase, CD
Development Compliance Officer
780-939-0628
schipchase@sturgeoncounty.ca
sturgeoncounty.ca
9613 100 Street, Morinville, AB T8R 1L9



severed in line with section 17 of the FOIP Act

From: Matt P
Sent: Monday, March 25, 2024 10:29 PM
To: Stephen Chipchase <schipchase@sturgeoncounty.ca>
Subject: Re: regarding file F24/0081 (ostensibly running a business from our family home)

severed in line with section 17 of the FOIP Act

You don't often get email from

[Learn why this is important](#)

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

Hello Stephen,

The municipal government act simply states that if "a person" refuses To allow entry, or inspection, then you may apply to the court of queens bench for an order.

It does not specify which person. I am the son of the owner and the occupier of the land. I am not allowing you, or anyone else on our family farm without express written permission.

Additionally, my mother has made me her representative in this matter. I am legally allowed to communicate on her behalf.

I am attaching a letter from my mom informing you that I am her legal representative. And the letter also explicitly states that she does not allow any inspections of our land either.

At this point I would like to know if anyone entered this property without our permission.

If you have then you are not following the municipal government act. And you are also infringing upon our rights under the charter of rights and freedoms to be free from an unreasonable search (thereby making yourself and the county vulnerable to a lawsuit.)

Govern yourself accordingly,

Matt Peter

From: Stephen Chipchase <schipchase@sturgeoncounty.ca>

Sent: March 25, 2024 3:24 PM

To: Matt P

Subject: RE: regarding file F24/0081 (ostensibly running a business from our family home)

severed in line with section 17 of the FOIP Act

Hello Matt Peter,

I cannot discuss this file with you as you are not the registered owner of the property.

Best regards,

Stephen Chipchase, CD
Development Compliance Officer
780-939-0628
schipchase@sturgeoncounty.ca
sturgeoncounty.ca
9613 100 Street, Morinville, AB T8R 1L9



severed in line with section 17 of the FOIP Act

From: Matt P
Sent: Monday, March 25, 2024 2:33 PM
To: Stephen Chipchase <schipchase@sturgeoncounty.ca>
Subject: regarding file F24/0081 (ostensibly running a business from our family home)

You don't often get email from . [Learn why this is important](#)

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

Hello Stephen,

Around 2:00 PM today on March 25 I received a call from my Mother that your department had put a notice on her door stating that you wanted to inspect our family farm on Monday, Mar 25, 2024 at 11:00 am. The letter that was posted was dated Friday, Mar 22 so you obviously posted it sometime after that. It's unreasonable to simply post something on a door on a Friday or Saturday informing that you will be entering our personal property on the following Monday morning. She is not even in Morinville at the moment and a neighbor just happened to see the posting on the door.

Additionally, we do not consent to anyone entering our farm land (or any other property) without giving you express written permission.

As outlined in section 543 of the Municipal Government Act you are welcome to go to the court to obtain a court order (if you feel this is important). I would also like to attend any hearing regarding this matter.

Please keep any correspondence via email so there is a record of all communications.

Regards,

Matt Peter (son of Heather Peter the owner)

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

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

Sturgeon County vs Peter farm. bylaw compliance and Roseridge landfill

From Matt P

severed in line with section 17 of the FOIP Act

Date Sun 6/16/2024 4:04 PM

To Kristin Toms <ktoms@sturgeoncounty.ca>; Alanna Hnatiw <ahnatiw@sturgeoncounty.ca>; Dan Derouin <dderouin@sturgeoncounty.ca>; Matthew McLennan <mmclennan@sturgeoncounty.ca>; Deanna Stang <dstang@sturgeoncounty.ca>; Jason Berry <jberry@sturgeoncounty.ca>; Neal Comeau <ncomeau@sturgeoncounty.ca>; Stephen Chipchase <schipchase@sturgeoncounty.ca>

Cc Reegan McCullough <rmccullough@sturgeoncounty.ca>

Some people who received this message don't often get email from mattey@hotmail.com. [Learn why this is important](#)

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

Good afternoon,

We can keep it through email.

I have items stored on our family farm. They are in compliance with the community standards bylaw.

The "nuisance" definition in your community standards bylaw states:

x. "Nuisance" means any use of or activity on land which demonstrates a disregard for the general maintenance and upkeep of Property so as to produce a material annoyance, inconvenience or discomfort to other Persons, whether or not it is detrimental to the surrounding area;

I am NOT producing ANY annoyance whatsoever to anyone (and certainly not a MATERIAL annoyance). There is NO discomfort to ANYONE from how I am using our family farm.

The "unsightly" definition in your community standards bylaw states:

kk

ii. In respect of land, land that shows signs of serious disregard for general maintenance and upkeep, relative to adjacent lands and land uses or relative to other lands and land uses that could reasonably be considered to be in the neighbourhood.

I do not SHOW anything other than trees. So there is certainly NOT anything that shows signs of serious disregard for maintenance and upkeep.

I am therefore in compliance with your community standards bylaw. Stephen Chipchase probably knows this and has therefore decided to state that I am running a business from our family farm (with no evidence of this). The only thing he filed as evidence was an ad on Kijiji looking for roommates and offering free rent in exchange for helping on the land. It's 16 acres of land. I need a crew of people here

daily just to do the mowing, tree planting, watering, cooking, cleaning, painting, maintenance, fence building, organizing, etc.

I don't know if this guy Stephen Chipchase is bored or what's going on but this is harassment.

And the first thing it's going to do is make us sell this property and move out of Sturgeon County (after 40 years). My dad's ashes are spread on this land. This is our family farm. If they force us to leave I will spend the rest of my life making sure that Sturgeon County pays for it.

I am a constituent in your electorate. You should not be picking battles with us for no reason. And I'm only one person. But I know how to influence 100,000 people.

Drive past our farm and tell me if you see anything worth complaining about.

Maybe you should concern yourselves with the toxic waste site that is Roseridge landfill. The first section of the dump had no liner and it's filled with lithium, mercury, cadmium, lead, etc that is probably leaching into the water table that all these farmers use (including our own drinking water on our farm). Even now there is little to no oversight as to what's going into that dump. There is nothing more than a lady at the scale who asks "what do you have today?" And there is no place to put toxic waste. There is a sign that says to take toxic waste to Edmonton eco stations. So what do you think people do with it? Drive it to Edmonton?? Or sneak it into their garbage and put it in the dump? This could be a potential lawsuit for Sturgeon County.

My advice is to leave us alone (as you have done for the last 40 years and nobody has suffered as a result of it.)

Matt Peter

From: Kristin Toms <ktoms@sturgeoncounty.ca>

Sent: June 16, 2024 12:45 PM severed in line with section 17 of the FOIP Act

To: Matt P Alanna Hnatiw <ahnatiw@sturgeoncounty.ca>; Dan Derouin <dderouin@sturgeoncounty.ca>; Matthew McLennan <mmclennan@sturgeoncounty.ca>; Deanna Stang <dstang@sturgeoncounty.ca>; Jason Berry <jberry@sturgeoncounty.ca>; Neal Comeau <ncomeau@sturgeoncounty.ca>; Stephen Chipchase <schipchase@sturgeoncounty.ca>

Cc: Reegan McCullough <rmccullough@sturgeoncounty.ca>

Subject: Re: Your bylaw officer Stephen Chipchase is harassing us and there will be repercussions.

Good afternoon Mr. Peter,

I am the division two Councillor, Kristin Toms. I have read your email but gained only a limited understanding of the situation occurring with respect to your property.

I would appreciate the opportunity to speak with you so I can fully understand your concerns. I can be reached at 587 879 0208.

As you previously included administration on your email, I have cced our Chief Administrative Officer, Reegan McCullough, on my response for his awareness.

Kind regards,

Kristin

Get [Outlook for iOS](#)

From: Matt P

severed in line with section 17 of the FOIP Act

Sent: Friday, June 14, 2024 4:45 PM

To: Alanna Hnatiw <ahnatiw@sturgeoncounty.ca>; Dan Derouin <dderouin@sturgeoncounty.ca>; Kristin Toms <ktoms@sturgeoncounty.ca>; Matthew McLennan <mmclennan@sturgeoncounty.ca>; Deanna Stang <dstang@sturgeoncounty.ca>; Jason Berry <jberry@sturgeoncounty.ca>; Neal Comeau <ncomeau@sturgeoncounty.ca>; Stephen Chipchase <schipchase@sturgeoncounty.ca>

Subject: Your bylaw officer Stephen Chipchase is harassing us and there will be repercussions.

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

Good day,

We have been on our family farm for 40 years at 25103 TWP 552. We don't bother anyone and we pay our taxes every year.

If you drive past our family farm you will notice that looks very well kept and aesthetically appealing. We have, in the past 5 years, planted 3000 trees around the property including beautiful lilacs, maples etc to keep the neighbors happy and our front yard looking great.

On March 22, 2024 one of your overzealous bylaw officers Stephen Chipchase served us with notice that he wants to come onto our property. Apparently some Karen or other vindictive person called and complained about us.

I told Stephen Chipchase via email that we don't want him and his bylaw officers creeping around our property. They were told not to trespass on our private property. We have rights in this country and one of them is to be free from unreasonable searches from overzealous bylaw officers with flimsy evidence at best that there are any bylaw infractions on my land. I will also read the bylaw but I believe it states that if there is a "nuisance" condition on the land or if the land "shows serious disregard." Well, our land is not a nuisance to anyone and it doesn't "show" anything to anyone. WE ARE NOT BOTHERING ANYONE.

On May 31, 2024 this Stephen Chipchase filed an application with the court of King's bench to get an order to get on our land (he really wants on here for some reason).

Today on June 14 we went before a judge and the judge allowed him and his bylaw officers to come onto our land.

I am writing all of the Sturgeon County councilors to let you know that if you want to have your bylaw officers harass us then there will be repercussions from that.

Firstly, there is an election coming up in the fall of 2025 and I will be pouring resources into supporting anyone running AGAINST all of the current councillors and Mayor (obviously that would be my first step in a democracy).

Secondly, I will be starting a campaign to erode the tax base in Sturgeon County. I think I will start by printing up 100,000 flyers entitled "top 10 reasons to move out of Sturgeon County." They could be distributed amongst every resident of the county. I can also get an email mailing list and educate the residents of the county as to what a rip off it is to live here when we don't even have libraries, pools, recreation centers, garbage collection or even paved roads! Edmonton is by far a better deal or perhaps many of the residents should consider counties further away from Edmonton. It will be my duty to educate them.

Of course these are just the first 2 things I thought of today. I will think about more actions from our end in retaliation for this harassment. I have the will and the resources to carry out these actions.


My advice would be to cease and desist immediately from this course of action that you are taking.

Regards,

Matt Peter

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

Documents regarding 25103 Twp Rd 552

 Stephen Chipchase
To ☐ Matt P
Bcc ☐ Andrew Skeith

[↩ Reply](#) [↩ Reply All](#) [→ Forward](#) [⋮](#)

Fri 2024-07-26 12:40 PM

-  STOP ORDER - 25103 Township Road 552.pdf
.pdf File
-  Cover Letter - July 25, 2024.pdf
.pdf File
-  2024-07-23 PSDS Order (Peter).pdf
.pdf File
-  2024-07-18 25103 Twp Rd 552 Building Order for Peter.pdf
.pdf File
-  Application-Development-Permit-Home-Based-Business.pdf
.pdf File
-  application-development-permit-2024.pdf
.pdf File

Good afternoon Matt,

Please find enclosed the documents that you received yesterday morning as per our conversation.

Also, if you need any assistance in completing the Home-Based Business application, please let me know.

Best regards,

Stephen Chipchase, CD
Development Compliance Officer
780-939-0628
schipchase@sturgeoncounty.ca
sturgeoncounty.ca

CERTIFIED *E. Wheaton*
by the Court Clerk as a true copy of
the document digitally filed on Jun
19, 2024

Clerk's Stamp:

COURT FILE NUMBER

2403 10714

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

EDMONTON

APPLICANT

STURGEON COUNTY

RESPONDENTS

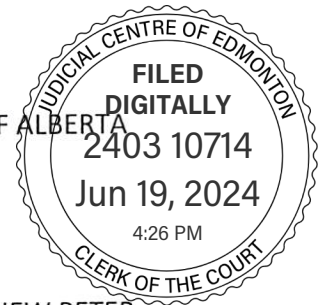
HEATHER PETER and MATTHEW PETER

DOCUMENT

ORDER

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

Attention: Andrew Skeith
Reynolds Mirth Richards & Farmer LLP
3200 Manulife Place
10180 - 101 Street
Edmonton, AB T5J 3W8
Telephone: (780) 425-9510
Fax: (780) 429-3044
File No: 70100-313-AGS



DATE ON WHICH ORDER PRONOUNCED:

June 14, 2024

LOCATION WHERE ORDER WAS PRONOUNCED:

Edmonton, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER:

Bob H. Alonezzi

UPON THE APPLICATION of the Applicant; AND UPON HEARING read the Affidavit of Stephen Chipchase, filed; AND UPON HEARING counsel for the Applicant; AND UPON NOTING that the Respondents are the registered owner and occupant of lands located in Sturgeon County and legally described as:

PLAN 172 2925
BLOCK 1
LOT 2

(the "Lands");

IT IS HEREBY ORDERED AND DIRECTED THAT:

1. The County's Designated Officers may enter upon the Lands upon providing 48 hours written notice to the Respondent, for the purpose of carrying out an inspection of the Lands for compliance with any applicable municipal bylaws, including the County's Land Use Bylaw, and the *Municipal Government Act*. The County's Designated Officer(s) may be accompanied by any person that the County's officers consider appropriate. Written notice may be provided by the Respondent by posting in a prominent location on the Lands.
2. The Respondent and any occupant(s) of the Lands are restrained from interfering with the County, its officers, agents, representatives or civil enforcement agency, in entering the Lands for the purposes set out in paragraph 1 of this Order. The Respondent and any occupant(s) of the Lands shall vacate the Lands during the period of any inspection conducted pursuant to paragraph 1 of this Order.
3. The RCMP shall provide assistance to the County in carrying out the provisions of the Order, if so required, and the RCMP are authorized to require the Respondent and any other person that is present at the Lands during an inspection by the County to vacate the Lands if so required.
4. The County shall have leave to reapply to this Honourable Court for any clarification or directions it may require.
5. This Order may be served on the Respondent by posting a copy of the Order in a prominent location on the Lands.

6. The County shall have costs of this Application in the amount of ~~\$ 675~~ cause.

7. Mr. Peter shall be present during the entry upon the land, and the inspection shall occur in a reasonable manner.

Bob H. Aloneissi
COURT OF KING'S BENCH OF ALBERTA IN
CHAMBERS

Government of Alberta ■ Corporation/Non-Profit Search

Corporate Registration System

Date of Search: 2024/06/27
Time of Search: 09:34 AM
Search provided by: THE MINISTER OF LABOUR & IMMIGRATION
Service Request Number: 42436745
Customer Reference Number:

Corporate Access Number: 2013051335

Business Number:

Legal Entity Name: 1-800-DUMP-NOW INC.

Legal Entity Status: Struck

Struck Off Date: 2009/09/02

Alberta Corporation Type: Named Alberta Corporation

Registration Date: 2007/03/05 YYYY/MM/DD

Registered Office:

Legal Description: NE11-55-25-W4

Province: ALBERTA

Records Address:

Legal Description: NE11-55-25-W4

Mailing Address:

Post Office Box: RR 1

City: MORINVILLE

Province: ALBERTA

Postal Code: T8R1P4

Directors:

Last Name: PETER

First Name: MATTHEW

Middle Name: WARREN

Street/Box Number: RR 1

City: MORINVILLE

Province: ALBERTA

Postal Code: T8R1P4

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: UNLIMITED CLASS A COMMON SHARES

Share Transfers Restrictions: ALL TRANSFER OF SHARES MUST BE APPROVED BY THE BOARD OF DIRECTORS.

Number Of Directors: 1
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: NO SHARES OF THE CORPORATION SHALL BE ISSUED WITHOUT THE APPROVAL OF THE BOARD OF DIRECTORS.

Other Information:

Outstanding Returns:

Annual returns are outstanding for the 2024, 2023, 2022 and 14 previous file year(s).

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2007/03/05	Incorporate Alberta Corporation
2009/05/02	Status Changed to Start for Failure to File Annual Returns
2009/09/02	Status Changed to Struck for Failure to File Annual Returns

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.



024-STU-015

Development Authority Report

October 1, 2024

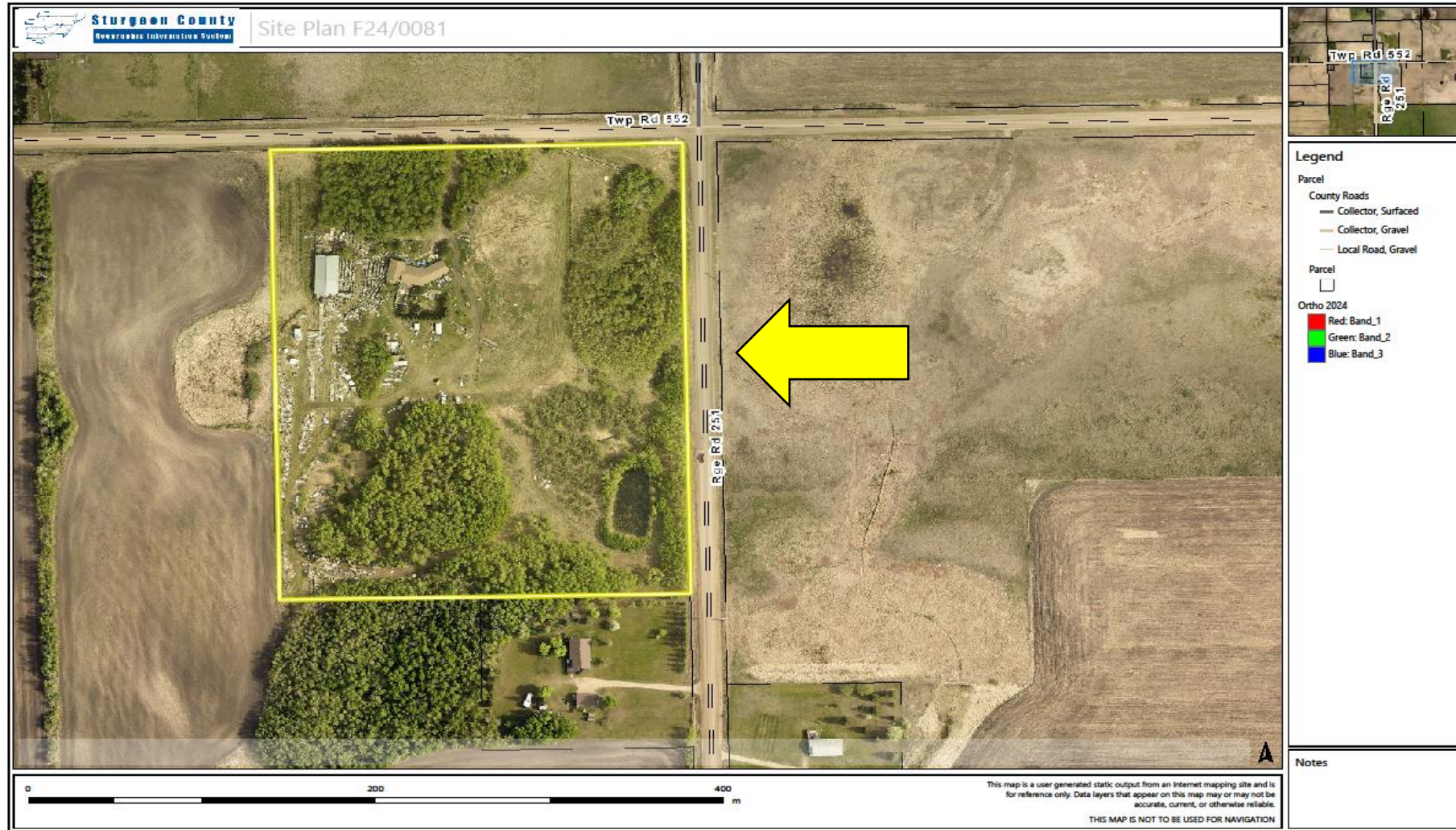


Sturgeon
C O U N T Y

Site Location (Local)



Site Location (Site)



Property Information

25103 Twp Rd 552

Lot 2; Block1; Plan 172 2925

- 17.01 Acres or 6.88 ha in size
- AG – Agriculture District
- Other Development Permits & Information
 - May 1978 – 177-78 Development Permit for Single Detached Dwelling with Building Permit
 - November 2016 – Farm Building Confirmation 40'x80' shop Building Permit B-213-2001 Foundation/Weeping Tile
 - July 2017– SDAB Endorsed subdivision 1.2 ha (3 ac) lot and a developed 6.5 ha (16 ac) farmstead lot from 64 ha (158 ac)



Property as of 2001

Background

Enforcement Action Timeline

- September 2009 – Complaint received for “*Car Lot*”. No enforcement action at that time.
- June 2016 – Appellant advised Planning Department his intentions were to start-up businesses but did not submit any of the Development Permit applications for the following:
 - 1. Campground,
 - 2. Farm animals (lamas, pigs, goats, sheep, etc),
 - 3. You pick berries and gardens,
 - 4. Guest ranch bed and breakfast,
 - 5. RV, equipment and other storage,
 - 6. Bin Rentals,
 - 7. Thrift Store / Secondhand Store,
 - 8. Construction of sheds, signs, doghouses, etc. from waste lumber,
 - 9. Outdoor storage, and
 - 10. Heated with wood stoves and chimneys.
- June to September 2016 – After months of correspondence to and from the Appellant, no further correspondence was located on file thereafter.
- September 2016 – Another complaint received for starting up a Landfill / Dump Yard, no action taken.

Background (cont.)

Enforcement Action Timeline (cont.)

- April 2019 – Complaints received for starting up a Landfill / Dump yard.
- May 2019 – Site Inspection, from Peace Officer, confirming land being used for "dumping garbage".
- July 2019 – Enforcement Letter directing cleanup to Appellant by Peace Officers for “*Unsightly Property*”. No further correspondence on file.
- October 2021 – Complaint received regarding a business in operation “*reselling junk*”.
- October 2021 – Peace Officers confirms Appellant “*advertising on KIJJI over 1000 items for sale*”.
- November 2021 – 1-800-DUMP-NOW (located on the property) is posting items on KIJJI, Appellant claiming an Estate Sale to Peace Officer.
- November 2021 – Letter of Inquiry sent to property Owner for “*running a business 1-800-DUMP-NOW Inc.*”.
- December 2021 – Appellant Facebook ad seeking help to take junk from his property to the dump.
- January 2022 – Appellant “making an effort” to clean up property and no proof of business without permits. File closed by Peace Officer and Planning & Development Department.

Background (cont.)

Current Enforcement Action Timeline (cont.)

- February 2024 – Complaint received regarding “*dump site in operation*” and “*operating a business*”.
- March 2024 – *Municipal Government Act 542* – Right of Entry denied by Appellant and property Owner.
- June 2024 – Court of King’s Bench authorized site inspection.
- July 2024 – Stop Order issued.
- July 2024 – Safety Codes Order issued on Septic System.
- July 2024 – Safety Codes Order issued on “Farm Building”.
- July 2024 – Alberta Health Order issued against dwelling for housing employees.
- July 2024 – Alberta Health Order issued against recreational vehicles for housing employees.
- September 2024 – Appellant appeals Stop Order after 21-day Appeal limit expired on August 15, 2024.
Municipal Government Act – Section 686(1)(a)(ii),

Property 2017

How property appeared prior to the commencement of Home-Based Business – Outdoor Storage

- No outdoor storage was evident, at the time of the GIS aerial photo, of property taken in 2017.



Property 2018 - 2019

Property commencement of Home-Based Business

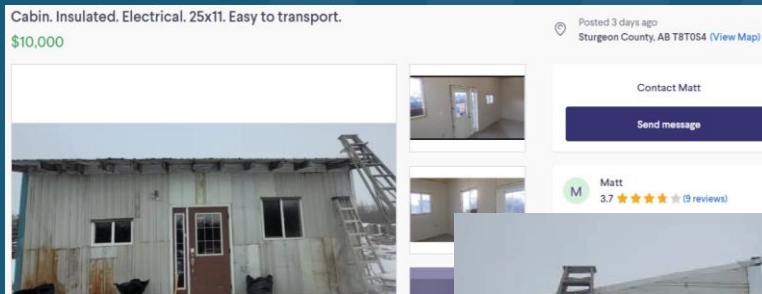


- Property after Appellant commenced Home-Based Business 1-800-DUMP-NOW Inc. with external storage in GIS aerial photo.
- First complaint for 1-800-DUMP-NOW Inc. registered on July 16, 2019.
- 1-800-DUMP-NOW Inc. was registered for Legal Description: NE-11-55-25-W4 (the "Lands") on March 5, 2007, then was "Struck" on September 2, 2009.

Property 2020 - 2024

Property commencement of Home-Based Business

- Property continues to operate Home-Based Business with extensive external storage without Development approval.
- Property with external storage exceeding the 1% authorized ratio for a Level 3 Home-Based Business, which has no Development Approval, shown in the GIS aerial photo.
- During a site inspection, on June 26, 2024, four (4) employees were working on the property. (The Appellant describes them as "Volunteers").
- Appellant, as of September 18, 2024, has **3904 listings** of materials for sale on Kijiji.ca, many of which are located on the Property. **Example:** Cabin advertised in St. Albert Ad ID 1684573541
- 1-800-DUMP-NOW (1-800-386-7669) is still in operation to date as this number is call forwarded to Appellant's cell phone.



Photos of Property taken July 26, 2024



Area of this
slide photos



Front Yard of Dwelling



Rear Yard of Dwelling



Side Yard of Dwelling



Photos of Property taken July 26, 2024, Cont.



Area of this
slides photos

Outside of
"Farm Building"



Page 95 of 117



Photos of Property taken July 26, 2024, Cont.



Inside of "Farm Building" with two floors of merchandise



Photos of Property taken July 26, 2024, Cont.



Area of this
slides photos



Photos of Property taken July 26, 2024, Cont.



#1 Occupied Recreational Vehicle on the Property



Area of this
slides photos
Recreational Vehicles
on the Property
used as a dwelling.



#4 Occupied Recreational Vehicle on the Property



#2 Occupied Recreational Vehicle on the Property



Page 98 of 117

#3 Occupied Recreational Vehicle on the Property



#5 Occupied Recreational Vehicle on the Property

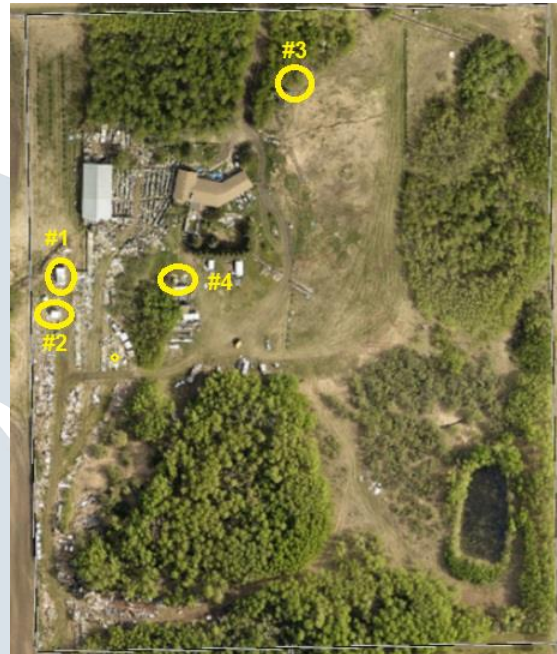
Photos of Property taken July 26, 2024, Cont.



#1 Accessory Building – For Sale on Kijiji.ca Ad ID 1684573541



#2 Accessory Building



Area of this
slides photos

Accessory Buildings exceeding 10m²
without Development approval.



#3 Accessory Building



#4 Accessory Building

Relevant Policy & Legislation

Land Use Bylaw 1387/17

- Section 1.6 – Recreational vehicle is not a dwelling.
- Section 2.1 Control of Development
 - No development shall be undertaken within the County unless a development permit has been issued.
- Section 2.15 – Appeal regulations
 - Clause 2.15.2 - Any person affected by an order or decision may appeal the order or decision to the SDAB
- Section 2.19 – Court of Appeal
 - Clause .1(a) - .1(a) Pursuant to Section 688 of the *Municipal Government Act, RSA 2000 Chapter M-26*, an appeal lies to the Court of Appeal of Alberta on question of jurisdiction or law with respect to a decision of the Subdivision and Development Appeal Board.
- Section 2.3 – Development Not Requiring a Development Permit
 - Clause 2.3.1(p) - in all districts, construction of an *accessory building* that is less than 10m² (107.6ft²) in *floor area*
- Section 2.4 – Application for Development Permit
 - Complying with all conditions while applying for a Home-Based Business Development Permit

Relevant Policy & Legislation

Land Use Bylaw 1387/17

- Section 6.1 – Accessory use, Accessory Building and Accessory Agricultural Building regulations Including:
 - Both Permitted & Discretionary in all districts
 - Must comply with all district setbacks
 - Must comply with all conditions while applying for an Accessory Building Development Permit
- Section 6.16 – Home-Based Business regulations Including:
 - Maximum exterior storage of 1% (2044m²)
 - Maximum employees of 4
 - Hours of operation
 - Clause 6.16.7 – (simplified) business shall not be a nuisance in the opinion of the Development Authority
- Section 11.1 – AG – Agriculture district regulations.
 - Discretionary Uses – Home-based business level 3

Relevant Policy & Legislation

Land Use Bylaw 1387/17 – Part 4 Enforcement

4.1 General Provisions – The *Municipal Government Act* shall apply in the case of Stop Orders issued where this Bylaw is contravened.

4.2 Contravention

.1 Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or fails to comply with any order, notice, or direction given under this Bylaw, commits an offence. Each calendar day that a violation is permitted to exist shall constitute a separate offence.

.2 No person shall authorize or undertake any *development* that is not consistent with the description, specifications or plans that were the basis for issuing a *development permit* under this Bylaw.

4.3 Stop Orders

.1 A Stop Order may be issued in circumstances where *development*, *land use* or *use* of a *building* is not in accordance with: this Bylaw; and Part 17 of the *Municipal Government Act*.

.3 A Stop Order shall be made by written order directed to the landowner, the person in possession of the land or buildings or the person responsible for the contravention.

.5 If the Stop Order is not complied with, the County, in accordance with the *Municipal Government Act*, may enter upon the land or *building* and take such action as is necessary to carry out the Stop Order, or may apply to the Court of Queen's Bench to pursue a Court Order to achieve compliance.

.6 The County's costs of carrying out any actions required for compliance with the Stop Order may be added to the tax roll of the land subject to the order.

.7 The County may register a caveat with respect to a Stop Order in the Land Titles Office, provided that the caveat is discharged when the order has been complied with.

Analysis

SDAB requirements

- Appeal of a Stop Order *“is restricted to determining if the Stop Order was properly issued. If the Stop Order was properly issued, the Board must uphold the Stop Order but may exercise its discretion and give the recipient more time to comply with the terms of the order”*
- It's recommended that the SDAB exclusively contemplates the following questions in its decision-making process
 - Does the Land Use Bylaw require a permit?
 - Is there a valid permit existing?
 - Was the Stop Order properly issued?
 - Are the deadlines required by the Stop Order reasonable?

Analysis

Stop Order – July 25, 2024

- Regarding appeal of the Stop Order issued on July 25, 2024, the Development Authority contends that this Stop Order was issued and notified in accordance with the Municipal Government Act and the Land Use Bylaw and is past the 21-day appeal period with no appeal registered and should be found in effect.
- Was the Stop Order properly issued?
 - Part 645 of the Municipal Government Act authorizes Sturgeon County to issue a Stop Order when a development, land use, or use of a building is not in accordance with the Land Use Bylaw. Accordingly, it is Administration's opinion that the issuance of the Stop Order (and the content/requirements thereof) are consistent with the provisions of Part 645 of the Municipal Government Act.

Analysis

Stop Order – July 25, 2024

- Does the Land Use Bylaw require a permit?
 - Yes, a Development Permit is required, in any district, to operate a Home-Based Business, and permits are required for any accessory buildings associated with such a business.
- Is there a valid permit existing?
 - No Development Permit authorization was given to operate a Home-Based Business on the Lands.
- Are the deadlines required by the Stop Order reasonable?
 - Yes, the deadlines in the Stop Order are reasonable.

Conclusion

Recommendation

- Administration recommends that the Stop Order, dated July 25, 2024, stay in effect as written.
- The Appellant has had ample opportunity to bring the property into compliance and as of the last inspection, the business is still operating outside of compliance.
- Appellant has an opportunity to apply for a Development Permit for a Home-Based Business level 3 if they so choose to do so.
- Administration recommends the Subdivision Development and Appeal Board (“SDAB”) take in consideration the *MGA Section 686(1)(a)(ii): Section (1) “A development appeal is commenced by filing a notice of appeal, containing reasons, with the board hearing the appeal” (a)(ii) ‘with respect to an order under section 645, within 21 days after the date on which the order was made’*.

Conclusion (Continued)

Recommendation

- An appeal to the SDAB of a Stop Order is typically restricted to determining if the Stop Order was properly issued, and if agreeable, to give the recipient more time to comply with the terms of the Stop Order.
- The Development Authority reserves the right to appeal the decision of the SDAB to the Court of Appeal of Alberta should the SDAB fail to “*act in accordance*” with the MGA.
- Thank you for your time and consideration.

024-STU-015

Development Authority Report

October 1, 2024

APPELLANT SUBMISSIONS RECEIVED

From: [Matt P](#)
To: [Legislative Services](#); [Stephen Chipchase](#); [Tyler McNab](#)
Subject: Re: Matt Peter 25103 TWP 552 appeal
Date: September 26, 2024 7:12:49 PM
Attachments: [image003.png](#)

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

Oh, and I forgot to mention Occupational Health and Safety. You can add that to the long list of people coming down on me issuing orders, etc right now.

From: Legislative Services <legislativeservices@sturgeoncounty.ca>
Sent: September 26, 2024 1:12 PM severed in line with section 17 of the FOIP Act
To: Matt P <tmcnab@sturgeoncounty.ca>; Stephen Chipchase <schipchase@sturgeoncounty.ca>; Tyler McNab <tmcnab@sturgeoncounty.ca>
Subject: RE: Matt Peter 25103 TWP 552 appeal

Dear Mr. Peter,

Your submission is received and will form part of the agenda package for Tuesday's meeting of the Subdivision and Development Appeal Board.

Thank you, and best regards,

Melodie Steele, BPR

Legislative Advisor

780-939-1377

msteele@sturgeoncounty.ca

sturgeoncounty.ca

9613 100 Street, Morinville, AB T8R 1L9



From: Matt P
Sent: September 26, 2024 11:59 AM

severed in line with section 17 of the FOIP Act

To: Legislative Services <legislativeservices@sturgeoncounty.ca>; Stephen Chipchase <schipchase@sturgeoncounty.ca>; Tyler McNab <tmcnab@sturgeoncounty.ca>
Subject: Matt Peter 25103 TWP 552 appeal

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

Good day,

I would like to ask the appeal board to hear my appeal despite me being late for the 21 day deadline under the municipal government act.

I have OVERWHELMED by government agencies and dozens of people working at their desks all ganging up on me.

Sturgeon County bylaw (and about 4 different employees)

Alberta Health Services (and about 5 different employees)

Their legal counsel

RCMP with multiple different officers involved

Safety Codes officers

Child family services with about 5 different women harassing me

Canadian Border Patrol Services was contacted

I'm also going through a divorce so I'm dealing with a custody battle and trial regarding child support.

All of this while I've been made homeless because of lies written by health inspectors. They wrote that I don't have flush toilets or hot water in my home which is a lie. I've been sleeping in my truck for the past 2 months.

I have been served with about a dozen different dates to remember and prepare for. Just the Sturgeon county orders had MULTIPLE dates with multiple different organizations.

It's UNREASONABLE to expect me to keep up with all of this.

The company 1-800-DUMP-NOW Inc was struck as a corporation back in 2008. It doesn't even exist as an entity anymore.

The number of RV's on my land do NOT exceed the allowable amount so I don't understand why this was written in the order.

My farm building (barn) is used as a farm building. I am storing tools and supplies needed for maintenance of the farm. I was also storing personal belongings in there. I can remove those personal items. I'd like it to be made clear that I can store lawnmowers, snowblowers, tools, lumber, weed eaters, fertilizer and anything needed for FARM maintenance in my barn. I am developing a berry farm and I've planted thousands of trees. I need mowers, etc. to maintain the farm. Fencing, etc is also farm related.

I should be allowed to store anything I want outside if I'm not creating a nuisance. NOTHING can be seen from anywhere on the roads so it shouldn't be anyone else's business what I'm storing on my own land. Please see the attached photos to show what can be seen from the road.

I should not have to provide a real property report. I think that costs money. Sturgeon County bylaw was already here. They can see what buildings are on the land. I can revert the big shed (25X9) to a farm use only designation. Sturgeon County bylaw should have informed me that I could get a farm use designation for this big shed rather than just stating that I needed to apply for a development permit for it.

I should be able to store cars, boats, etc on my land. I can store RV's so why not cars?

I do not want to get a business licence because then the county will increase my taxes and it's not a business I have here. And they're not telling me how much my taxes will go up.

Whatever happens I want to avoid enforcement action. I can't afford to have Sturgeon County hire expensive companies to haul away my belongings. If I am not allowed to store my belongings here then I'd like time to remove them.

We are also going to sell this land and leave Sturgeon County so it will take time to sell and remove all the items.

Regards,

Matt Peter

This communication is intended for the recipient to whom it is addressed, and may contain

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







WRITTEN SUBMISSIONS FROM ADJACENT LANDOWNERS AND OTHER AFFECTED PERSONS

***NOTE:**

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