

OCTOBER 7, 2025

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

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

2. SCHEDULE OF HEARINGS:

2.1. Appellant: Mahmoud Tebou 025-STU-012 Subdivision Appeal

3. ADJOURNMENT



SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		
Municipal Address of site: 55005 Range Rd 241		
Legal land description of site: (‘plan, block, lot’ and/or ‘range-township-section-quarter’) S.W. 1/4 SEC. 1-55-24-W4M		
Development Permit number or Subdivision Application number: 2025-S-030		
Appellant Information:		
Name: Mahmoud Tebou	Severed in line with s.20 of ATIA (if applicable)	
Mailing Address: Severed in line with s.20 of ATIA		
Postal Code: Severed in line with s.20 of ATIA		

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

Development Permit	Subdivision Application
☐ Approval	☐ Approval
☐ Conditions of Approval	☐ Conditions of Approval
☐ Refusal	☒ Refusal
Stop Order	
☐ Stop Order	

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

Please find a separate letter attached to the email.	
(Attach a separate page if required)	

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

Signature of Appellant/Agent:		Date:
FOR OFFICE USE ONLY		
SDAS Appeal Number:	Appeal Fees Paid: ☐ Yes ☐ No	Hearing Date: YYYY/MM/DD

APPEAL SUBMISSION INFORMATION

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

FILING INFORMATION

MAIL OR DELIVER TO:

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

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

APPEAL PROCESS

Who can appeal?

Subdivision appeals:

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

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

Development appeals:

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

For further information:

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

Phone: 780.939.4321
Email: legislativeservices@sturgeoncounty.ca

To whom this may concern,

Please accept this letter as a formal appeal of the Subdivision refusal (File: 2025-S-030)

Address: 55005 Range Rd 241

I appreciate the County's decision; however, I respectfully request that you reconsider your denial of the subdivision request, and you will see that there are sufficient reasons for the subdivision to proceed as an exception to the general policies.

In Harmony with Municipal Objectives

The subdivision continues to support agricultural use. The 6.94 acre proposed lot, and the 3.96 acre remnant lot, are large enough for agricultural activities including small-scale farming, gardening, and agri-business. The subdivision supports Sturgeon County's objectives to continue to diversify agricultural use and support local food production.

Distinct Land Use and Access

The property is already divided into two distinct parcels.

A 3.96-acre lot with a residence and associated yardsite

A 6.94-acre agricultural and garden business

The two parcels have separate accesses/approaches from the road, ensuring that no new approaches/infrastructure will be implied.

No Uncertainty or Responsibility to Neighbouring Land or Services

The subdivision would not;

Fragment the agricultural land use as per the municipality's intentions. Both resulting proposed lots remain agriculturally viable.

Result in compatible land use conflicts. All adjacent land remains agricultural land use.

Consistency with the Intent of the Bylaw

The intent of limiting subdivisions in agricultural areas would be to avoid over-fragmentation and any land loss or fragmentation of agricultural production. In this instance, the proposed lots remain agriculturally productive lots and do not represent rural

residential sprawl. The subdivision recognizes and acknowledges the functional separation of the existing residential parcel and the agricultural parcel.

Public Interest and Community Benefit

Approval of this subdivision would encourage more small-scale agricultural business activities on this parcel and neighbouring parcels, which is consistent with the County's strategic directions toward economically sustainable communities and encouraging diverse agricultural opportunities.

I request the Subdivision and Development Appeal Board to approve my application for subdivision as an exception, and to recognize the unique characteristics of the property, while advancing the interests of productive agriculture, agri-business in Sturgeon County.

Thank you for your consideration.

Mahmoud Tebou



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

TEBOU, MAHMOUD

780-200-7505

Receipt Number: 202506569
GST Number: 107747412RT0001
Date: 2025-09-15
Initials: JS

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

September 18, 2025

SDAB File Number: 025-STU-012

To Mahmoud Tebou:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	3014TR ;; 4 – SW-1-55-24-W4 55005 Rge Rd 241
Subdivision Application Number:	2025-S-030
Decision Regarding Proposed Subdivision:	Refusal to subdivide a 2.81 hectare parcel from 4.43 hectares.

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on September 15, 2025. 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 7, 2025, 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 925 942 823#. 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 October 2, 2025. 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, please call (780) 939-0620 or (780) 939-1377 or email legislativeservices@sturgeoncounty.ca.

Tanis Saswatsky
Secretary, Subdivision and Development Appeal Board

September 18, 2025

SDAB File Number: 025-STU-012

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	3014TR ;; 4 – SW-1-55-24-W4 55005 Rge Rd 241
Subdivision Application Number:	2025-S-030
Decision Regarding Proposed Subdivision:	Refusal to subdivide a 2.81 hectare parcel from 4.43 hectares.

An appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on September 15, 2025. In accordance with section 686(2) of the *Municipal Government Act*, the SDAB must hold an appeal hearing within 30 days after receipt of a notice of appeal.

Appellant: Mahmoud Tebou

Reasons for Appeal:

- The subdivision continues to support agricultural use and supports Sturgeon County's objectives to continue to diversify agricultural use and support local food production.
- The two existing subdivisions on the property have separate accesses/approaches from the road, ensuring that no new approaches/infrastructure will be required.
- The subdivision will not fragment agricultural land use; both resulting proposed lots remain agriculturally viable.
- Approval of the subdivision would encourage more small-scale agricultural business activities on this parcel and neighbouring parcels, which is consistent with the County's strategic directions toward economically sustainable communities and encouraging diverse agricultural opportunities.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **October 7, 2025, 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 video conference 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 925 942 823#. This should connect you directly into the hearing.

Why am I receiving this information?

When an appeal is received, adjacent landowners have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **To be included in the SDAB hearing agenda package, written submissions must be submitted no later than October 2, 2025. However, the Board can accept written submissions up to the date of the hearing.**

Please note that any submissions previously provided to the Subdivision Authority are not provided as evidence to the Subdivision and Development Appeal Board and therefore must be resubmitted. SDAB hearings are public in nature. It is understood that an individual writing, submitting items to the Board, or attending the hearing has a reasonable expectation that their personal information (i.e. name) or business information could be disclosed at a public SDAB hearing and as part of the SDAB agenda package on the Sturgeon County website. Pursuant to Sturgeon County Subdivision and Development Appeal Board Bylaw 1410/18, hearings are recorded. In addition to audio recording, persons attending via videoconference who activate their video cameras will have their images recorded.

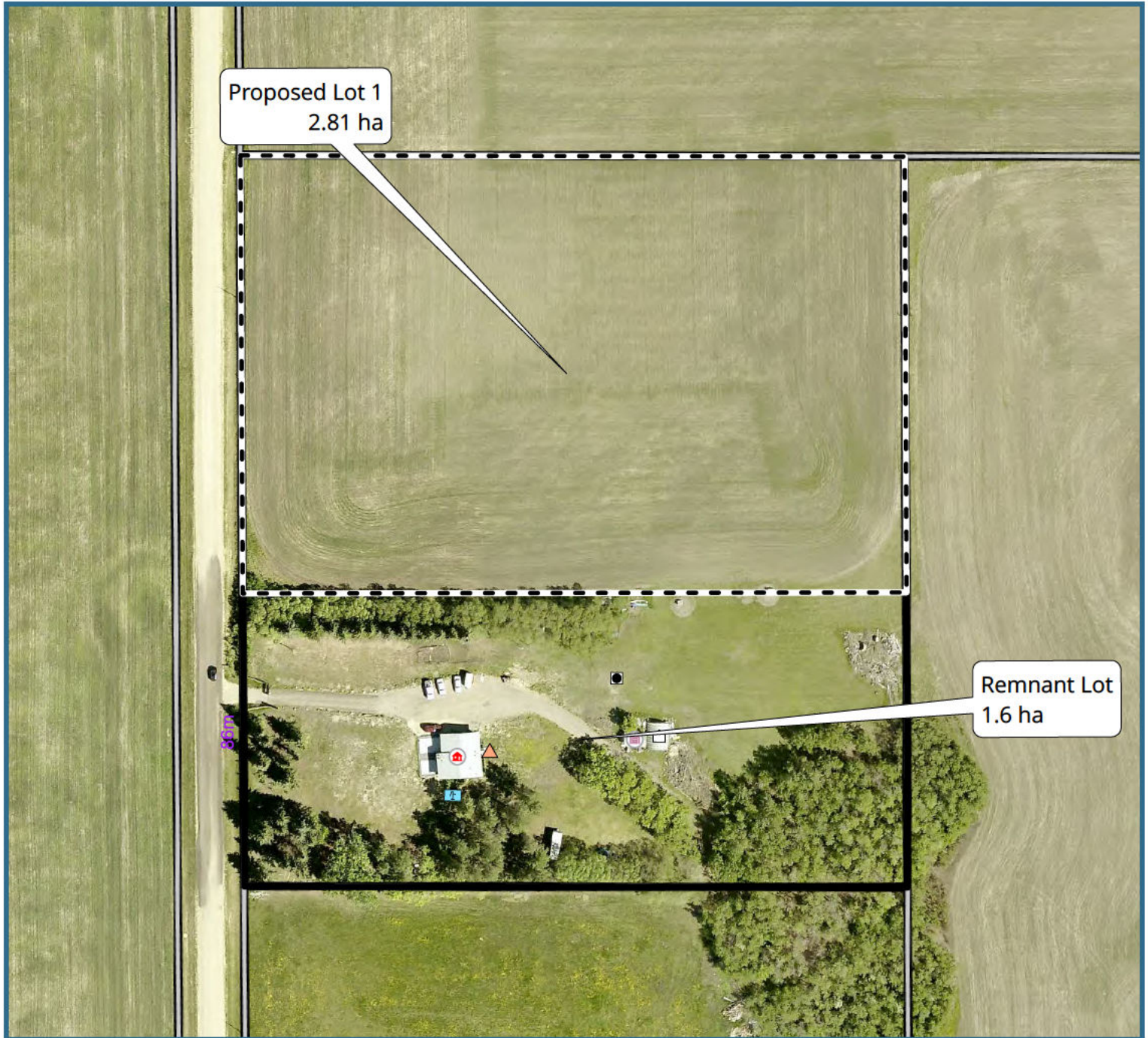
For further information, please call (780) 939-0620 or (780) 939-1377 or email legislativeservices@sturgeoncounty.ca.

Tanis Sawatsky
Secretary, Subdivision and Development Appeal Board

Encl.: Subdivision Map

Exhibit 1 [Applicant Submission]

File Number: 2025-S-030



Legal Description: 3014TR;;4

Roll Number: 1829004

Total Acres/Hectares: 10.94ac / 4.43ha

Land Use: AG - Agriculture

Municipal Address: 55005 Rge Rd 241

Date: 7/15/2025

Legend



Dwelling



Pump Out



Quonset



Septic Tank



Shed



Well

Subdivision and Development Appeal Hearing Process

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

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

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

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

At the hearing . . .

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

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

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

PART II – APPLICATION FORM



Application for Subdivision

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

Office Use Only

Initial Date Submitted: July 14, 2025

Date Accepted as "Complete": Aug 1, 2025

Application Fee: \$ 3,000

Receipt No: 202509251

File Number: 2025-S-030

Complete in full (where applicable):

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

SEVERED IN LINE WITH SECTION 20 OF
THE ATI ACT

Mailing
address
(including
postal code):

SEVERED IN LINE WITH SECTION 20 OF
THE ATI ACT

Telephone:

Email:

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

Mailing
address
(including
postal code):

Telephone:

Email:

PROPERTY INFORMATION:

All/part of the: S.W. ¼ Sec: 1 Twp: 55 Range: 24 West of the: 4th Meridian

OR Lot: 4 Block: Plan: 3014TR Land Title #

Municipal Address of Property: 55005 RR 241

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

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

☐ Property Line Adjustment ☒ New Agricultural or Residential Property ☐ New Industrial or Commercial Property ☐ Other

Detailed Description :

I would like to subdivide were my property is from the crop land. The crop land already has a separate approach. My plan is to potentially sell the crop land and keep the approximately 5 acres I live on.

Freedom of Information and Protection of Privacy (FOIP) Act

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

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

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

All/part of the: SW ¼ Sec: 1 Twp: 55 Range: 24 West of the: 4th Meridian

OR Lot: 4 Block: _____ Plan: 3014TR

Municipal Address of Property: _____

do hereby authorize _____

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

Dated this _____ day of _____, 20____

Signature(s) of ALL Registered Landowners

Abandoned Oil and Gas Wells (Mandatory)

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

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

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

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

OR

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

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

Freedom of Information and Protection of Privacy (FOIP) Act

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

Drinking Water Supply (Mandatory)

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

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

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

Sewage Disposal (General Information)

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

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

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

If you have questions regarding sewage disposal, consult either:

Alberta Municipal Affairs

Toll Free: 1-866-421-6929

OR

Superior Safety Codes Inc. (Sturgeon County's Agent)

Telephone: 780-489-4777

Toll Free: 1-866-999-4777

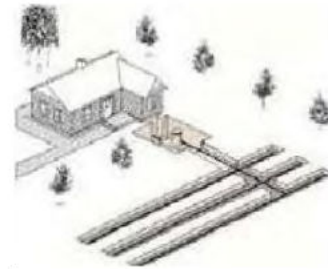
Sewage Disposal (Mandatory)

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



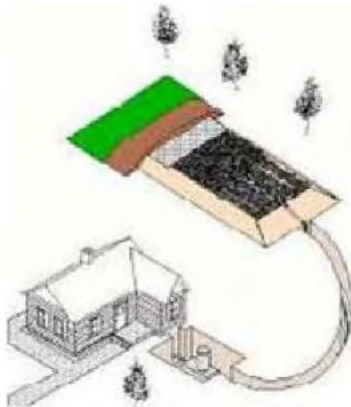
Open Discharge (Pump Out) System

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



Disposal Field

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



Treatment Mound

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



Sewage Lagoon

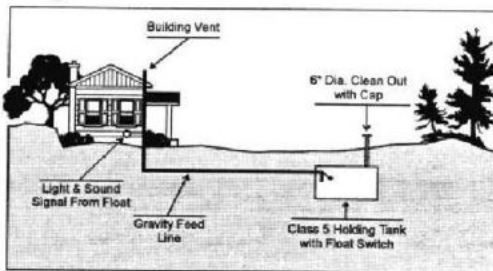
A shallow artificial pond for the stabilization of sewage or effluent.



No existing sewage disposal.



Municipal Sanitary Line



Holding Tank

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



Other: _____

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

Right of Entry Authorization (Mandatory)

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



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

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

There are 3 guard dogs on site. Usually they are on leash during the day. To confirm you can call me at 780-200-7505

Affidavit (Mandatory)

I/We **SEVERED IN LINE WITH SECTION 20 OF THE ATI ACT** hereby certify that



I am the registered owner,

OR



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

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

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

Signature(s) of registered landowner(s) or applicant(s):

SEVERED IN LINE WITH SECTION 20 OF
THE ATI ACT

Application Checklist

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



Subdivision Application Fee – see page 2 for details.



Attached Abandoned Oil and Gas Well Map – see page 6 for details.



Attached Aerial Photographs – see page 9 for details.



Land Title Certificate – available at any Alberta Registries office. Must be up-to-date within one month.



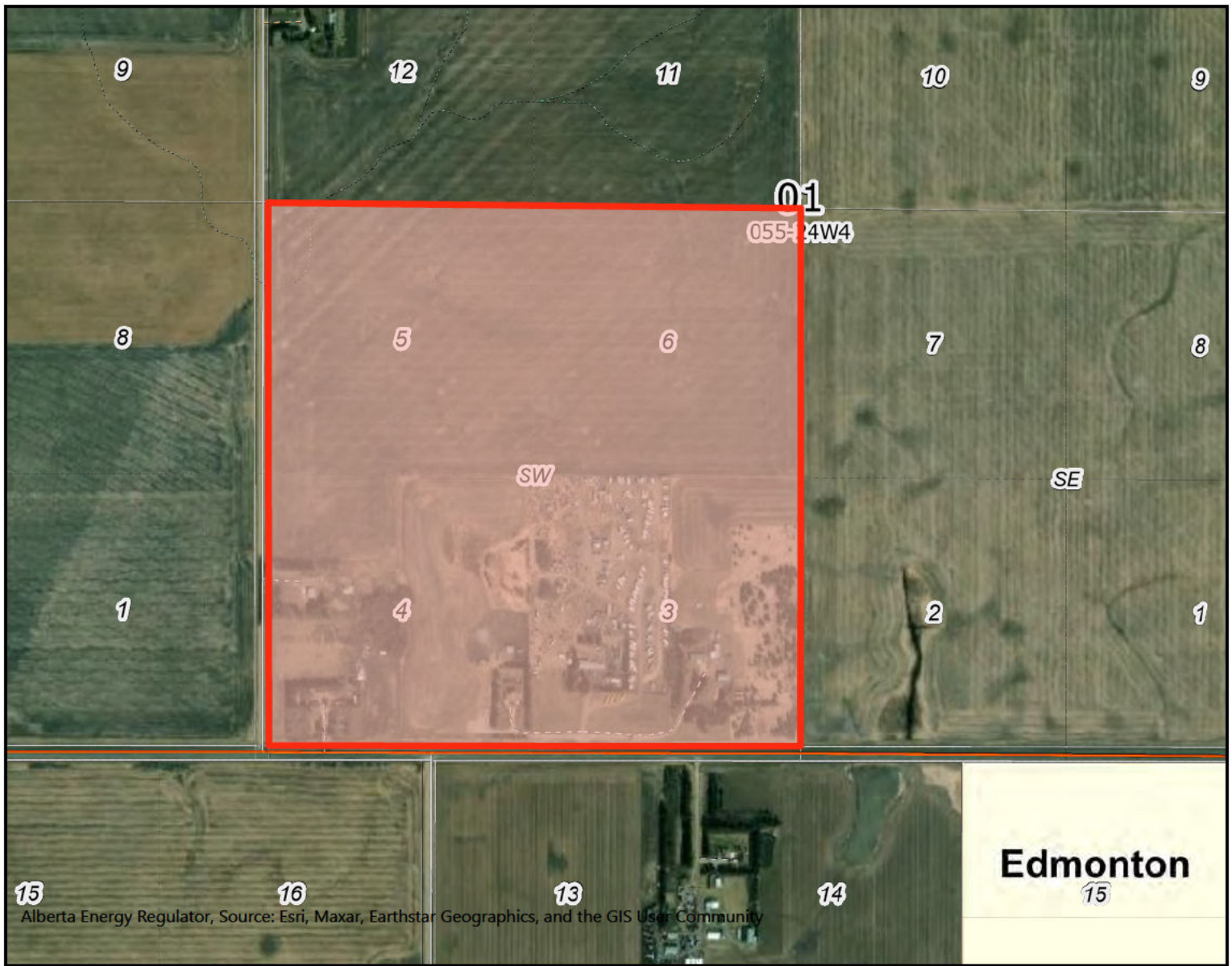
Corporate Registry (if landowner is a company) – available from Service Alberta. See page 2 for details.



Additional Registered Documents – provide a print-out of any additional caveat(s), right-of-way plan(s), report(s) or other documents referenced on your land title certificate.

Freedom of Information and Protection of Privacy (FOIP) Act

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<Layout_Title>

Base Data provided by: Government of Alberta

Author:

Print Date:

YYY

6/4/2025

Legend

- | | | |
|---|--|--|
| <ul style="list-style-type: none">Abandoned WellsRevised LocationRevised Location Pointer | <ul style="list-style-type: none">UnimprovedUnclassifiedTruck TrailWinterFord Winter CrossingFerry Route | <ul style="list-style-type: none">ATS LSD with RoadATS Quarter Section labelATS Quarter Section withATS Section label (large)ATS Section with RoadATS Township (large scale)Provincial BoundaryLake Label (20K)River Label (20K) |
| <ul style="list-style-type: none">Paved Road (20K)Primary DividedPrimary DividedPrimary Undivided 4LPrimary Undivided 4LPrimary Undivided 2LPrimary Undivided 1LPrimary Undivided 1LInterchange RampInterchange RampInterchange RampSecondary DividedSecondary DividedSecondary Undivided 4LSecondary Undivided 4LSecondary Undivided 2LSecondary Undivided 2LSecondary Undivided 2LSecondary Undivided 1LSecondary Undivided 1L | <ul style="list-style-type: none">Gravel Road (20K)Primary Undivided 2LPrimary Undivided 1LPrimary Undivided 1LPrimary Undivided 1LSecondary Undivided 2LSecondary Undivided 1LSecondary Undivided 1LRailway (20K Large Scale)Single LineDouble LineMultiple LineSpur LineAbandonedATS LSD label | <ul style="list-style-type: none">Lake/River (20K)Lake or RiverLake or RiverReservoirIcefieldMajor CanalOxbowQuarryDugoutIntermittent LakeIntermittent LakeIntermittent OxbowSandbar / Wetland /Sandbar |

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



Projection and Datum
WGS 1984 Web Mercator Auxiliary Sphere

Scale 1:15,623



**Alberta
Energy
Regulator**

September 15, 2025

Mahmoud Tebou
55005 Rge Rd 241
Sturgeon County AB T8T 1W3

Re: Proposed Subdivision
Our File No.: 2025-S-030
Legal Land Description: 3014TR;;4 - SW-1-55-24-W4
Proposal: ±2.81ha parcel from 4.43ha

Please be advised that the above-mentioned subdivision application was **REFUSED** by the Subdivision Authority on **September 15, 2025**.

THE REASONS FOR REFUSAL ARE:

1. Part 654(1) of the Municipal Government Act requires that: *"A subdivision authority must not approve an application for subdivision approval unless: (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended; (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided."*
2. With respect to reason #1 above, this application does not conform to Policy 2.3.12 of the Municipal Development Plan, which outlines a maximum of four agricultural parcels per quarter section of land.
3. With respect to reason #1 above, this application does not conform to Part 11.1.3(a) of the Land Use Bylaw, which outlines that a quarter section shall contain a maximum combined *density* of four *parcels*, comprised of two AG – Major Parcels and two AG – Residential/Minor Parcels.
4. With respect to reason #1 above, this application does not conform to Part 11.1.3(d) of the Land Use Bylaw, which outlines that AG – Minor parcels have no further subdivision potential.

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

Yours truly,

Severed in line with s.20 of ATIA



Martyn Bell
Program Lead, Current Planning

/sg

Encl:

C: AltaLink Management Ltd.
Alberta Health Services
Alberta Transportation
Apex Utilities
Canada Post

Fortis Alberta
Greater St. Albert Catholic
National Defense
Sturgeon School District
Telus Access Planning

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

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

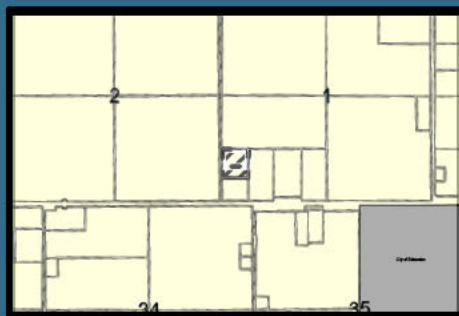
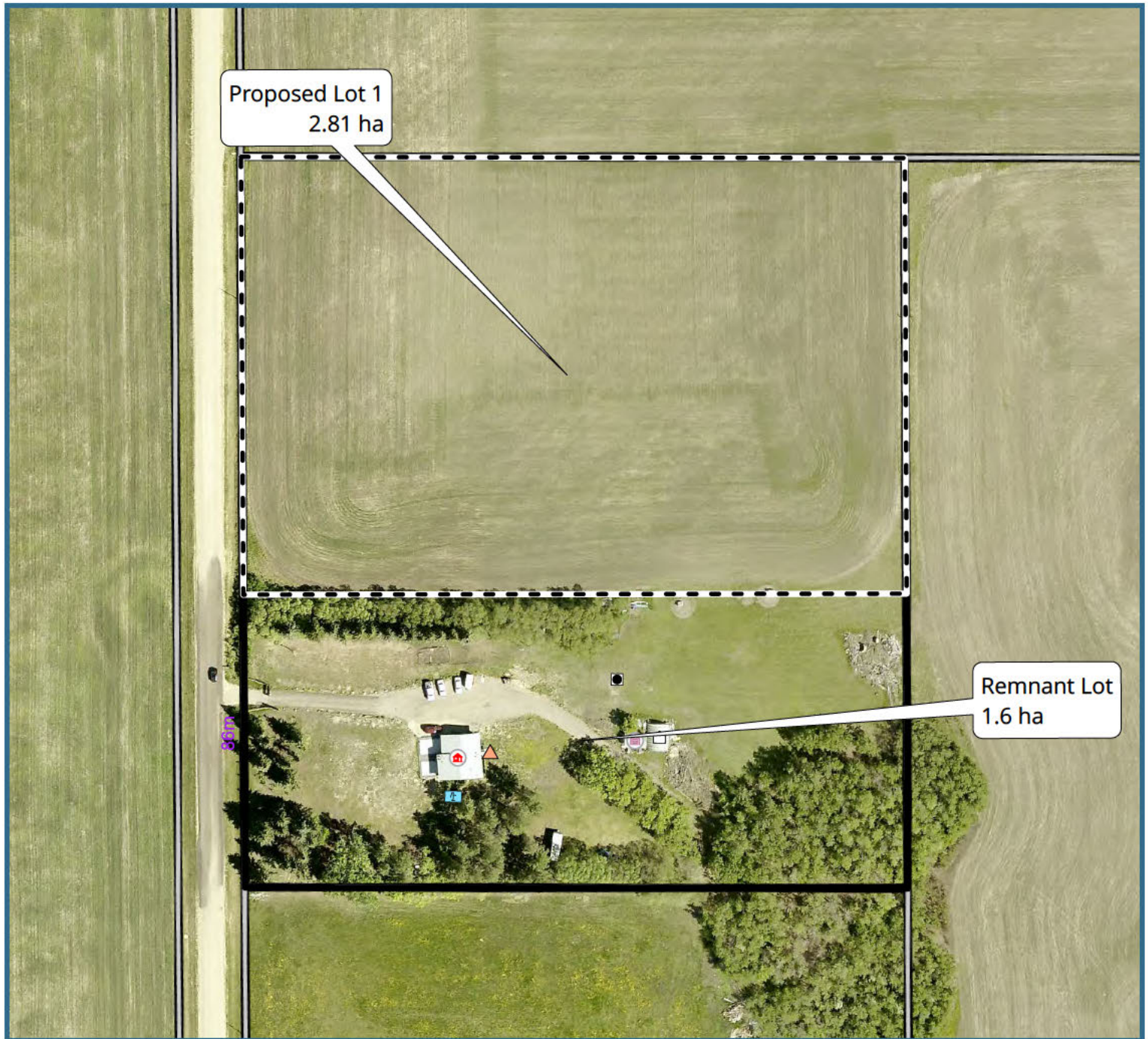
The final date the appeal can be filed is: **OCTOBER 6, 2025**

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

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

Exhibit 2 [Refusal]

File Number: 2025-S-030



Legal Description: 3014TR;;4

Roll Number: 1829004

Total Acres/Hectares: 10.94ac / 4.43ha

Land Use: AG - Agriculture

Municipal Address: 55005 Rge Rd 241 Date:
9/15/2025

Legend



Dwelling



Pump Out



Quonset



Septic Tank



Shed



Well

PLANNING AND DEVELOPMENT SERVICES REPORT

FILE INFORMATION: 2025-S-030	
Council Division:	1
Tax Roll Number:	1829004
Legal Land Description of Property:	Plan 3014TR, Lot 4 – SW-1-55-24-4
Landowner and Applicant:	Mahmoud Tebou
Staff Recommendation	Refusal
Appeal Board (if appealed):	Subdivision & Development Appeal Board
Administrative Fees (if approved):	\$250 (subdivision endorsement); plus \$600 per new parcel created/adjusted.

PART I – APPLICATION DETAILS:

1. As illustrated in Exhibit 1 the applicant proposes subdivision of 2.81 hectares (6.94 acres) from 4.41 hectares (10.90 acres).

PART II – SUBDIVISION HISTORY:

1. Subdivision History:
 - 71-SC-48: Created four 20 acre agricultural parcels from an unsubdivided quarter section.
 - 79-SC-31: Split of the western 20 acre parcel into two 10 acre parcels.

PART III – REFERRAL SUMMARY:

1. Sturgeon County Development Officer:
 - *All Lots:*
 - The signed/stamped site plan or real property report provided at the endorsement stage will be utilized to determine what permits and/or farm building declarations are required.
2. Sturgeon County Engineering Services:
 - *Proposed Lot 1:*
 - In accordance with the Grid Right of Way Dedications and Acquisition policy, 5 metres required via plan of survey adjacent to Rge Rd 241.
 - Existing approach is satisfactory.

- *Remnant Lot:*
 - In accordance with the Grid Right of Way Dedications and Acquisition policy, 5 metres required via plan of survey adjacent to Rge Rd 241
 - Existing approach requires upgrades to meet General Municipal Servicing Standards.
 - Clean culvert
 - Expose both ends of the culvert and extend accordingly
 - Use the taper/bevel end shape for the culvert
 - Install riprap
- 3. Alberta Health Services:
 - There is an existing ground water well and open discharge system on the subject parcel.
 - Any existing private sewage disposal systems that are on the lands are to meet compliance with the current Alberta Private Sewage and Disposal Systems Regulation.
- 4. Alberta Transportation and Economic Corridors:
 - No land dedication or infrastructure improvements will be required for this application.
 - Insofar as Alberta Transportation and Economic Corridors are concerned, any appeal can be heard by the local Subdivision and Development Appeal Board.
- 5. No Objections:
 - Sturgeon County Protective Services, Apex Utilities, Telus, Fortis Alberta.
- 6. No Responses:
 - Adjacent landowners, Alberta Health Services, Altalink, Canada Post, Department of National Defense, Sturgeon County Agriculture Services, Sturgeon County Drainage Operation, Sturgeon School District, St. Albert School District, The Bank of Nova Scotia.

PART IV – ANALYSIS:

1. The intent of this application is to subdivide an existing 10.90 acre agricultural parcel into two pieces of 6.94 acres and 3.96 acres. The division line would follow the northern boundary of an existing farmstead that provides a clear and natural boundary between the 'acreage' land and the cultivated farmland.

The presence of four 20 acres parcels on a half quarter section is a unique configuration that is rarely seen in the County and is the result of a subdivision approved 54 years ago by the Edmonton Regional Planning Commission. The western most 20-acre parcel was then subdivided in half to create the subject parcel, also approved by the Edmonton Regional Planning Commission.

On the quarter section there are currently six agricultural parcels with this subdivision proposing to create the seventh.

2. This application is **not** consistent with the Municipal Development Plan's "Residential Type 4" policies (see **Appendix 2**), and with the Land Use Bylaw's "AG - Agriculture" regulations (see **Appendix 3**).

Policy 2.3.12 (MDP) - Shall apply 64 hectares/160 acres as the basic agricultural land base unit, and unless otherwise indicated within a Planning Document, the maximum agricultural density is four (4) parcels for every 64 hectares/160 acres.

This subdivision would not only exceed the density maximum of four (outlined in the Municipal Development Plan), but would also contradict the following sections of the Land Use Bylaw:

Part 11.1.3(a) (LUB) - A *quarter section* in the AG district of 64.7ha (160ac) shall contain a maximum combined *density* of four *parcels*, comprised of two AG – Major Parcels and two AG – Residential/Minor Parcels

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

3. The existing open discharge septic system will need to be replaced/upgraded to comply with the Alberta Private Sewage Standards of Practice.
4. Money in lieu of municipal reserve was already claimed as part of the previous two subdivision applications on this quarter section.

PART V – DECISION:

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

1. Part 654(1) of the Municipal Government Act requires that: “A *subdivision authority must not approve an application for subdivision approval unless: (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended; (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided.*”
2. With respect to reason #1 above, this application does not conform to Policy 2.3.12 of the Municipal Development Plan, which outlines a maximum of four agricultural parcels per quarter section of land.
3. With respect to reason #1 above, this application does not conform to Part 11.1.3(a) of the Land Use Bylaw, which outlines that a quarter section shall contain a maximum combined *density* of four *parcels*, comprised of two AG – Major Parcels and two AG – Residential/Minor Parcels.
4. With respect to reason #1 above, this application does not conform to Part 11.1.3(d) of the Land Use Bylaw, which outlines that AG – Minor parcels have no further subdivision potential.

Severed in line with s.20 of ATIA

Prepared by:

Jonathan Heemskerk, Planner, Current Planning

Severed in line with s.20 of ATIA

Reviewed by:

Current Planning

NOTE: Appendices Attached...

(8) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection (6), the application is deemed to be refused.

(9) If an application is deemed to be refused under subsection (8), the subdivision authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application has been refused and the reason for the refusal.

(10) Despite that the subdivision authority has issued an acknowledgment under subsection (5) or (7), in the course of reviewing the application, the subdivision authority may request additional information or documentation from the applicant that the subdivision authority considers necessary to review the application.

(11) A decision of a subdivision authority must state

- (a) whether an appeal lies to a subdivision and development appeal board or to the Municipal Government Board, and
- (b) if an application for subdivision approval is refused, the reasons for the refusal.

2016 c24 s108

Approval of application

654(1) A subdivision authority must not approve an application for subdivision approval unless

- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
- (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
- (c) the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and
- (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.

(1.1) Repealed 2018 c11 s13.

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

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

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

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

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

Conditions of subdivision approval

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

- (a) any conditions to ensure that this Part, including section 618.3(1), and the statutory plans and land use bylaws and the regulations under this Part affecting the land proposed to be subdivided are complied with;
- (b) a condition that the applicant enter into an agreement with the municipality to do any or all of the following:
 - (i) to construct or pay for the construction of a road required to give access to the subdivision;
 - (ii) to construct or pay for the construction of
 - (A) a pedestrian walkway system to serve the subdivision, or
 - (B) pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a

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

or both;

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

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

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

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

RRSA 2000 cM-26 s655;2009 cA-26.8 s83;2015 c8 s71;
2020 c39 s10(38)

Decision

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

(2) A decision of a subdivision authority must state



RG 1.3 ENACTING RESPONSIBLE SUBDIVISION AND DEVELOPMENT PRACTICES

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

1.3.1 Shall apply the full entitlements of environmental, municipal and school reserve dedication during the subdivision process, in accordance with the Municipal Government Act (MGA).

1.3.2 Shall apply the requirements outlined within the relevant Province of Alberta regulation related to Subdivision and Development.

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

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

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

1.3.6 Shall ensure that new development be sited with consideration of the Federal Government development restrictions related to both the Canadian Forces Base Edmonton and Villeneuve Airport Approach Path.

1.3.7 Shall identify needed infrastructure improvements, both at the regional and local level, in an effort to determine, prioritize and fund infrastructure required to obtain the strategic goals of the Growth Management Strategy and the Municipal Development Plan.

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

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

1.3.10 Shall ensure that both subdivision and development meet the standards outlined within the Sturgeon County General Municipal Servicing Standards. Standards should be reviewed and updated along with other County regulatory policies on a regular basis.

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

1.3.12 May collaborate with industry on the development of renewable energy technologies to support future growth opportunities. Energy future options are required to outline benefits for the environment, economy and public health and address potential challenges related to safety, costs and any other needs that would ensure a successful transition to a renewable energy future.

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

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

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

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

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

1.3.18 Shall ensure that future fire-fighting service requirements for the County are considered and are strategically situated to provide services to a variety of Sturgeon County residents.

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

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

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



RC 2.2 APPLYING RESPONSIBLE RESIDENTIAL SUBDIVISION AND DEVELOPMENT PRACTICES

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

2.2.1 Shall require that subdivision and development proposals that exceed the maximum allowable density or intent of the identified Residential Type, or differs from an existing Planning Document, submit a new or revised Planning Document in conformance with policies outlined within the Municipal Development Plan (MDP).

2.2.2 Shall prevent any residential subdivision layout that limits future development potential, or that may result in development restrictions of the adjacent parcel.

2.2.3 Should discourage the use of panhandles as a way to provide residential subdivisions with legal and physical access to a municipal roadway.

2.2.4 Shall ensure that subdivision and development does not preclude the possibility of future road widening.

2.2.5 Shall mitigate the impact of natural resource extraction activity on the local community by establishing setbacks and criteria guiding the interaction between residential and Primary Industry development. Where existing residential development may be impacted by resource extraction activity, efforts to minimize the impact on the existing residential development shall be demonstrated and adhered to.

2.2.6 Should investigate and monitor the impacts of new and existing residential subdivision and development activity on County infrastructure and establish funding mechanisms for benefiting lands and responsibilities (e.g., off-site levies or local improvement taxes) to pay for needed improvements and upgrades as a result of the associated activity.

2.2.7 Shall ensure subdivision and development compliments the established character of the area, complies with the associated Residential Type policies, addresses any infrastructure constraints and conforms to the criteria outlined in the Land Use Bylaw.

2.2.8 Should identify and address the location, type and needs of Market and Non-Market Affordable Housing required within Sturgeon County. Non-Market Affordable Housing should be accommodated within areas identified for intensified residential development.

2.2.9 May collaborate with the development industry and not-for-profit organizations to facilitate the diversification of housing choices; the mix of housing sizes and types should meet affordability, accessibility and lifestyle needs of various groups.

Residential Type 4 – Agricultural Residential

Residential Type 4 provides Sturgeon County's rural population with options that support Primary Industry viability while maintaining a rural character. Residential Type 4 options are available throughout Sturgeon County; however they exclude existing developed areas.

2.3.11 Shall support the subdivision of agricultural land to ensure the long-term sustainability and function of the agricultural land base.

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

2.3.13 Shall adhere to the following general agricultural subdivision principles:

- a. Subdivision of agricultural land should result in parcels appropriate for the type of agriculture use(s) common in the area and sufficiently sized to maintain flexibility for future changes in the type or size of agricultural operations.
- b. Subdivision for any purpose should minimize the amount of agricultural land taken out of production and must not hinder the operation of surrounding agricultural land uses.
- c. Subdivision for agriculture-related, value-added, and non-agricultural land uses should be directed to cluster sites, and wherever possible to lower capability land.

SDA 1.1 RESIDENTIAL CHARACTER OUTCOME

Supporting the agricultural industry by acknowledging the unique features of the working landscape.

SDA 1.1 residential character output Sturgeon County will support the long-term residential character outcome by:

- a. Requiring proposed developments for future Hamlet development to undertake planning and consultation with landowners and stakeholders regarding long-term growth aspirations (at the discretion of the County). Consultation shall address land use, servicing and access issues related to future development. Associated Planning Documents are to identify sustainable types and scales of Residential and Non-Residential activity, as well as the associated infrastructure and community services levels required to support future development.
- b. Giving regard to the existing residential character of each Hamlet by requiring proposals for residential infill density to ensure that proposed lot location, size and servicing complement the existing community. Proposed development to encourage a range of housing options subject to infrastructure capacities. Depending on the scale and impact of the proposed development, the approving authority may require additional Planning Documents to accurately assess the application.
- c. Discouraging the development or expansion of Confined Feeding Operations from Town municipal boundaries (Morinville, Bon Accord, Gibbons, Legal, Redwater) and Sturgeon County communities with densities in exceedance of Residential Type 4, in an effort to minimize land-use conflicts between working landscapes and residential communities.

PART 11 PRIMARY INDUSTRY DISTRICTS

11.1 AG – AGRICULTURE DISTRICT

.1 General Purpose

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

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

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

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

.2 Uses

Permitted Uses	Discretionary Uses
Accessory dwelling unit****	Accessory dwelling unit****
Accessory, building*	Accessory, building*
Accessory, use*	Accessory, use*
Bed and breakfast	Agricultural support service
Diversified Agriculture	Auctioneering establishment**
Dugout	Cannabis production and distribution, micro
Dwelling, single detached	Community garden
Family day home	Data Processing Facility
Farm help accommodation	Equestrian facility***
Group home, minor	Group home, major
Home-based business, level 1 (office)	Home-based business, level 3
Home-based business, level 2	Kennel and animal boarding
Intensive agriculture	Landscaping contractor service***
	Solar farm
	Temporary asphalt plant**
	Temporary concrete batch plant**
	Topsoil screening
	Veterinary clinic
	Visitor accommodation***

* Refer to Section 6.1 for further clarification.

** Only allowed on AG-Major parcels

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

**** Refer to Section 6.1A for further clarification.

1407/18; 1432/19; 1436/19; 1560/21; 1570/22; 1587/22, 1597/22

.3 Subdivision Regulations

- (a) Unless otherwise indicated within a *planning document*, a *quarter section* in the AG district of 64.7ha (160ac) shall contain a maximum combined *density* of four *parcels*, comprised of:
 - (i) two AG – Major *parcels* of approximately 32.4ha (80ac) each or alternative sizes necessary due to *land fragmentation*; and
 - (ii) two AG – Residential *parcels* (one of which may be subdivided from each AG – Major *parcel* having a minimum size of 32.4ha (80ac) in accordance with Paragraph 11.1.3(e) of this Bylaw).
- (b) Notwithstanding Subparagraph 11.1.3(a)(ii), the Subdivision Authority may consider the subdivision of a second AG – Residential parcel from the same 32ha (80 ac) AG parcel when all of the following criteria are met:

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

.4 Development Regulations

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

1432/19

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

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

1432/19

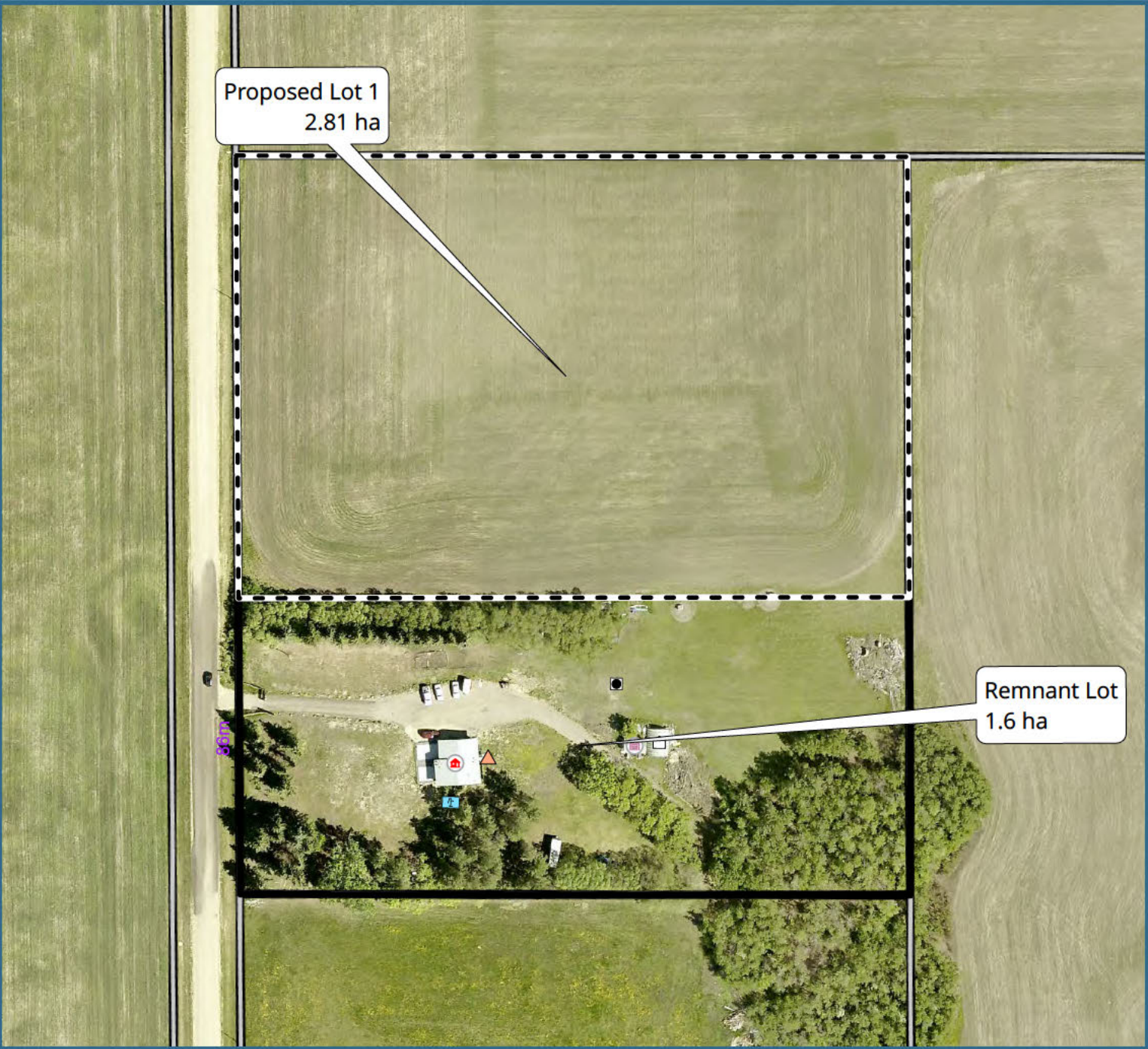
.5 Additional Development Regulations

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

1407/18

Exhibit 1 [Applicant Submission]

File Number: 2025-S-030



Legal Description: 3014TR;;4

Roll Number: 1829004

Total Acres/Hectares: 10.94ac / 4.43ha

Land Use: AG - Agriculture

Municipal Address: 55005 Rge Rd 241

Date: 7/15/2025

Legend



Dwelling



Pump Out



Quonset



Septic Tank



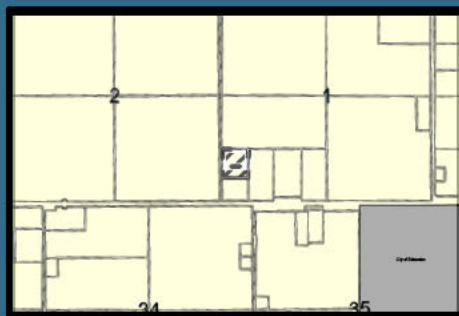
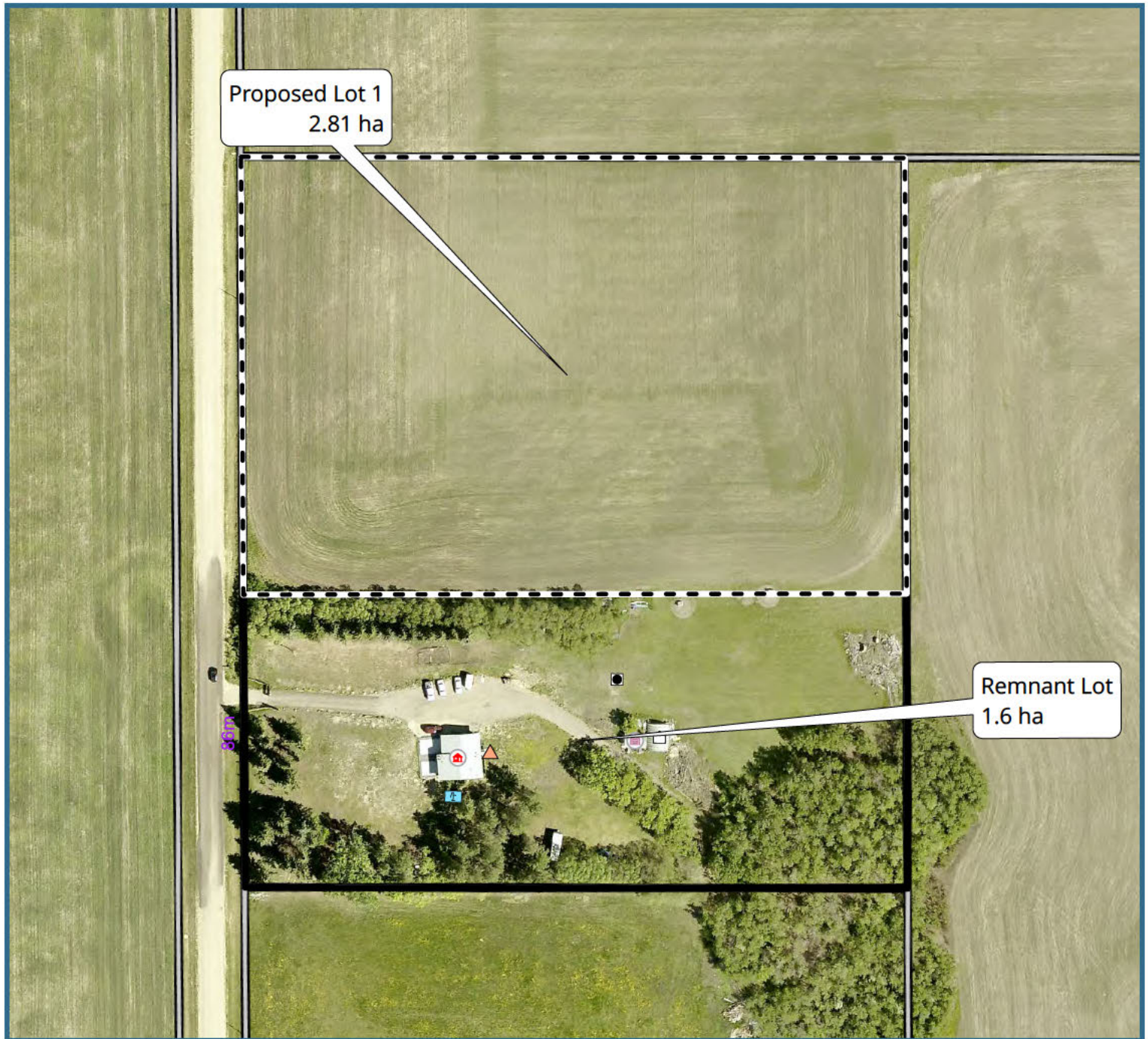
Shed



Well

Exhibit 2 [Refusal]

File Number: 2025-S-030



Legal Description: 3014TR;;4

Roll Number: 1829004

Total Acres/Hectares: 10.94ac / 4.43ha

Land Use: AG - Agriculture

Municipal Address: 55005 Rge Rd 241 Date:
9/15/2025

Legend



Dwelling



Pump Out



Quonset



Septic Tank



Shed



Well

Subdivision Referral to Engineering Services

- Referral Sent: August 7, 2025
- Roll No: 1829004
- Phone No: 780-200-7505
- Response Deadline: August 28, 2025
- Municipal Address: 55005 Rge Rd 241
- Landowner(s):
: Mahmoud Tebou
:
:

- ☒ On-site inspection completed; or
- ☐ Cursory desktop review *only* (on-site inspection planned for spring).

Referral comments provided by: Charlie Li on August 28, 2025
(Engineering Services staff member) (date)

Lot: Proposed Lot

- **Existing fence?** ☒ No ☐ Yes (type: _____)
- **Existing shelterbelt?** ☒ No ☐ Yes
- **Site Assessment:** ☐ Required as approval condition ☒ Recommended prior to development ☐ Not applicable

Comments (Provide map and/or photographs to illustrate):

The proposed lot topographic is flat.

- **Land Dedication/Acquisition:** ☐ None ☒ 5 m ☐ 10 m ☒ Plan of Survey ☐ Caveat

Attach map to illustrate. Provide comments if necessary (e.g. rationale for additional land, such as planned road improvements):

Rge Rd 241 is a 8 m wide paved road in a 20 m right of way (R/W), the ultimate R/W will be 30 m. In accordance with the Grid Right of Way Dedications and Acquisition policy, Sturgeon County requires 5-m dedication along the west property line via plan of survey.

- **Approach # 1** (label on map): ☐ None ☐ To be verified in spring ☐ Upgrades req'd ☒ Satisfactory

Current Status:

Width: _____. Surface: _____. Side-Slopes: _____. Culvert Size/Condition: _____

Requirements to meet General Municipal Servicing Standards:

Width: _____. Surface: _____. Side-Slopes: _____. Culvert Size/Condition: _____

Other Requirments: _____

Approach 1 is a shared approach with north adjacent property. This approach has been inspected and accepted.

- **Approach # ____** (label on map): ☐ None ☐ To be verified in spring ☐ Upgrades req'd ☐ Satisfactory

Current Status:

Width: _____. Surface: _____. Side-Slopes: _____. Culvert Size/Condition: _____

Requirements to meet General Municipal Servicing Standards:

Width: _____. Surface: _____. Side-Slopes: _____. Culvert Size/Condition: _____

Other Requirments: _____

- **Other Comments/Observations** (e.g. third approach, structure/business/uses unspecified in application; or noteworthy discussions):

Low pressure gas service exists inside proposed lot, please contact to the utility company prior to any development.

Lot: Remnant Lot

- **Existing fence?** ☐ No ☒ Yes (type: _____)
- **Existing shelterbelt?** ☐ No ☒ Yes
- **Site Assessment:** ☐ Required as approval condition ☐ Recommended prior to development ☐ Not applicable

Comments (Provide map and/or photographs to illustrate):

The remnant lot topographic is flat. Homestead exists in the middle of the remnant lot

- **Land Dedication/Acquisition:** ☐ None ☒ 5 m ☐ 10 m ☒ Plan of Survey ☐ Caveat

Attach map to illustrate. Provide comments if necessary (e.g. rationale for additional land, such as planned road improvements):

Rge Rd 241 is a 8 m wide paved road in a 20 m right of way (R/W), the ultimate R/W will be 30 m. In accordance with the Grid Right of Way Dedications and Acquisition policy, Sturgeon County requires 5 m dedication along the west property line via plan of survey

- **Approach #²** (label on map): ☐ None ☐ To be verified in spring ☒ Upgrades req'd ☐ Satisfactory

*Current Status:*Width: ~5.2m. Surface: gravel. Side-Slopes: _____. Culvert Size/Condition: _____*Requirements to meet General Municipal Servicing Standards:*Width: 6-8m. Surface: gravel. Side-Slopes: 3:1. Culvert Size/Condition: 500mm csp*Other Requirments:* _____

Please clean the culvert. Please expose the both ends of the culvert. Please extend the culvert accordingly, please use the taper/bevel end shape for the culvert, please install rip rap.

- **Approach #** (label on map): ☐ None ☐ To be verified in spring ☐ Upgrades req'd ☐ Satisfactory

Current Status:

Width: _____. Surface: _____. Side-Slopes: _____. Culvert Size/Condition: _____

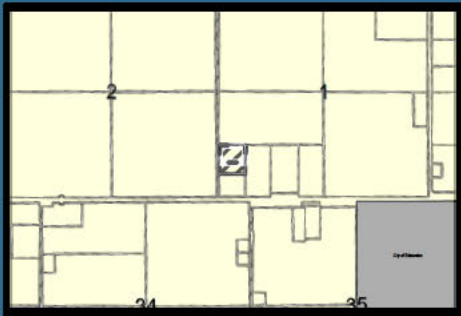
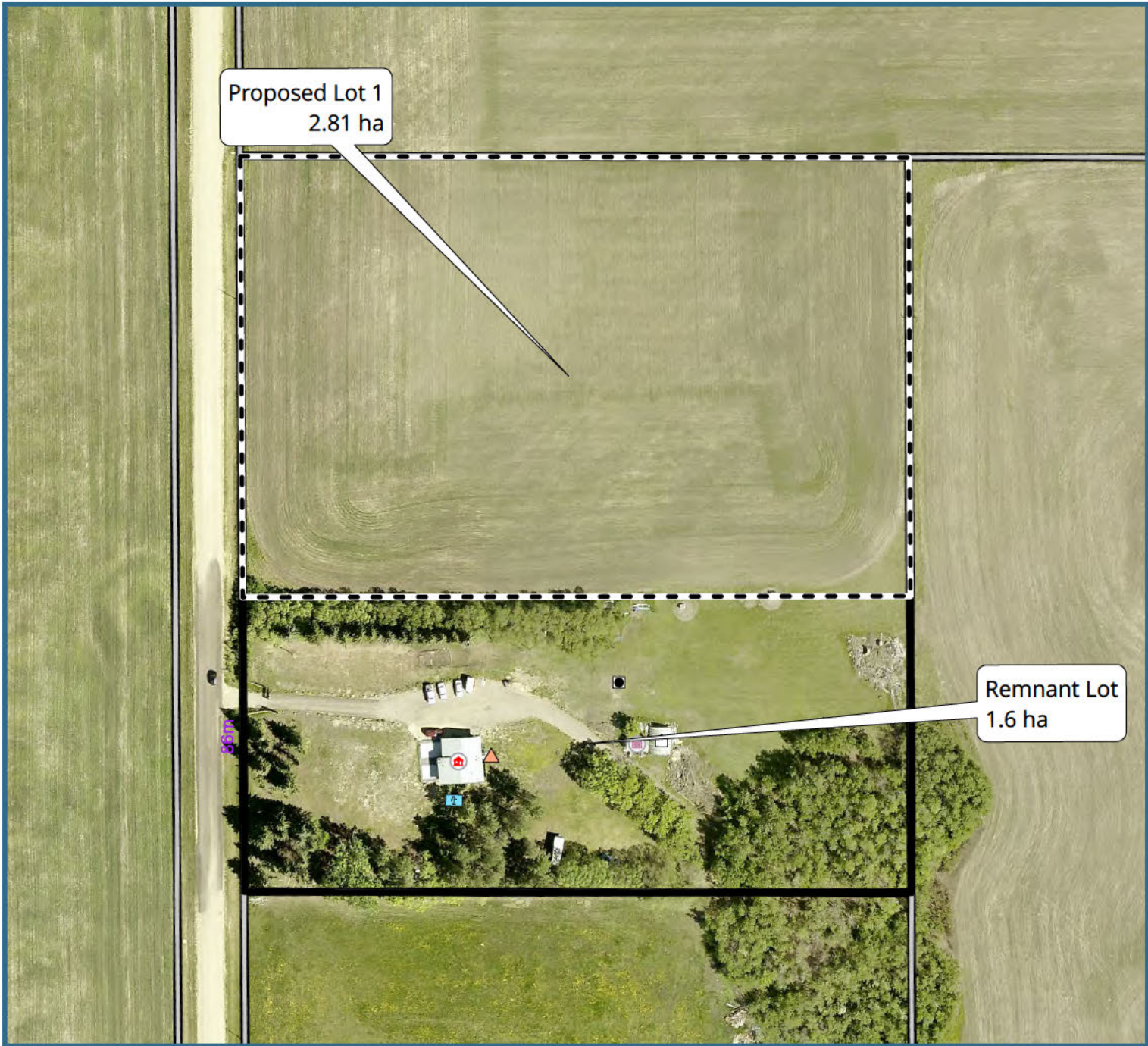
Requirements to meet General Municipal Servicing Standards:

Width: _____. Surface: _____. Side-Slopes: _____. Culvert Size/Condition: _____

Other Requirments: _____

- **Other Comments/Observations** (e.g. third approach, structure/business/uses unspecified in application; or noteworthy discussions):

Low pressure gas service exists inside remnant lot, please contact to the utility company prior to any development.



Legal Description: 3014TR;;4
Roll Number: 1829004
Total Acres/Hectares: 10.94ac / 4.43ha
Land Use: AG - Agriculture
Municipal Address: 55005 Rge Rd 241
Date: 7/15/2025

- Legend**
- Dwelling
 - Pump Out
 - Quonset
 - Septic Tank
 - Shed
 - Well
 - 5m acquisition
 - 5m dedication

August 19, 2025

Sturgeon County
Attn: Shannon Gagnon
Planning & Development Assistant
9613 100 Street
Morinville, AB T8R 1L9

E-mail: pandd@sturgeoncounty.ca

Dear Shannon Gagnon,

**RE: Proposed Subdivision
SW 1 55 24 4
55005 RR 241
Sturgeon County # 2024-S-030**

This application proposes subdivide to create one (1) new residential lot. There is an existing ground water well and open discharge system for sewage disposal on the existing lot.

Lot 1: 2.81 ha

Remnant lot: 1.6 ha

Future site must be in compliance with the *Nuisance and General Sanitation Regulation, NGS Reg*, (AR 243/2003):

- The setback distances outlined in Section 15(1) and (2) the *NGS Reg* must be met, these include:
 - No person shall locate a water well within:
 - a) **10 m** of a watertight septic tank, pump out tank or other water tight compartment of a sewage or waste water system,
 - b) **15 m** of a weeping tile field, evaporation treatment mound, or outdoor pit privy,
 - c) **30 m** of a leaching cesspool,
 - d) **50 m** of sewage effluent on the ground surface,
 - e) **100 m** of a sewage lagoon,
 - f) Or **450 m** of any area where waste is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96)
 - Nor shall you locate any of the aforementioned items in a-f within the stipulated distances of an existing well.

Any future private sewage disposal systems that are on the lands are to meet compliance with the current Alberta Private Sewage and Disposal Systems Regulation. AHS-EPH recommends connection to municipal septic systems where they become available.

Any existing private sewage disposal systems that are on the lands are to meet compliance with the current Alberta Private Sewage and Disposal Systems Regulation.

Alberta Health Services – Environmental Public Health (AHS-EPH) has found no records of contaminated sites or landfills associated with this property. Please be advised that AHS records are not exhaustive, and comments may be revised if new information is provided regarding the lands.

AHS EPH has no concerns with the proposed subdivision based on the information provided at this time.

Sincerely,

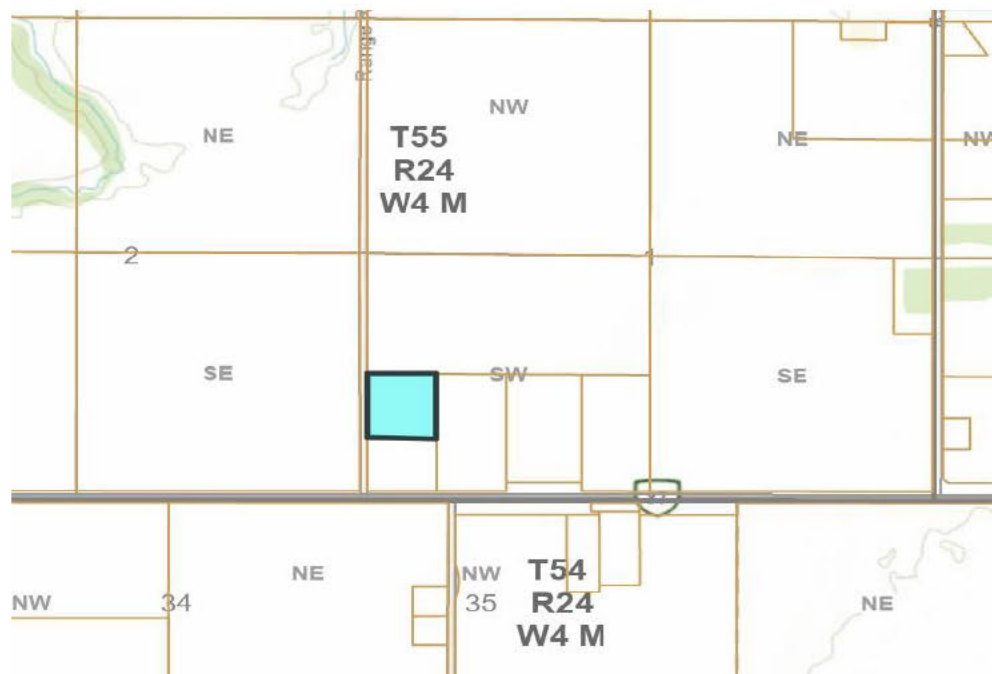
Severed in line with s.20 of ATIA

Catherine Evelyn, BHS, MPH, CPHI(C)
Public Health Inspector / Executive Officer

Transportation and Economic Corridors Notification of Referral Decision

Subdivision in Proximity of a Provincial Highway

Municipality File Number:	2025-S-030	Highway(s):	37
Legal Land Location:	QS-SW SEC-01 TWP-055 RGE-24 MER-4	Municipality:	Sturgeon County
Decision By:	Robert Lindsay	Issuing Office:	North Central Region / Stony Plain
Issued Date:	August 11, 2025	Appeal Authority:	Subdivision and Development Appeal Board
RPATH Number:	RPATH0054370		
Description of Development:	Subdivide an undeveloped 2.81ha residential parcel from an existing lot in a previously subdivided quarter section. The lot being subdivided is not adjacent to the highway. Lot 4 Plan 3014TR; SW01-055-24-W4M; North of Highway 37		



This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 37

Transportation and Economic Corridors offers the following comments with respect to this application:

The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.

The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.

Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:

1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 618.4 of the Municipal Government Act
2. The Matters Related to Subdivision and Development Regulation states that when the subdivision proposal does not meet the requirements of Section 19(3), the subdivision authority must require the developer to provide service road that is satisfactory to Transportation and Economic Corridors. Given the nature of this proposal, to meet the requirements of Section 19(2) of the regulation Transportation and Economic Corridors would be satisfied if the subdivision authority required no service road to be dedicated.
3. Insofar as Transportation and Economic Corridors is concerned, any appeal of this subdivision may be referred to the local subdivision and development appeal board (Section 678(2.1) of the Municipal Government Act).
4. This proposal does not meet the requirements of Sections 18 and 19(3) of the Matters Related to Subdivision and Development Regulation. Considering the nature of the proposal, subject to Section 20 of the Matters Related to Subdivision and Development Regulation, Transportation and Economic Corridors is willing to approve the variance by the subdivision authority of the requirements of Section 18.

Please contact Transportation and Economic Corridors through the [RPATH Portal](#) if you have any questions, or require additional information



Issued by **Robert Lindsay, Dev and Planning Technologist**, on **August 11, 2025** on behalf of the Minister of Transportation and Economic Corridors pursuant to *Ministerial Order 52/20 – Department of Transportation and Economic Corridors Delegation of Authority*

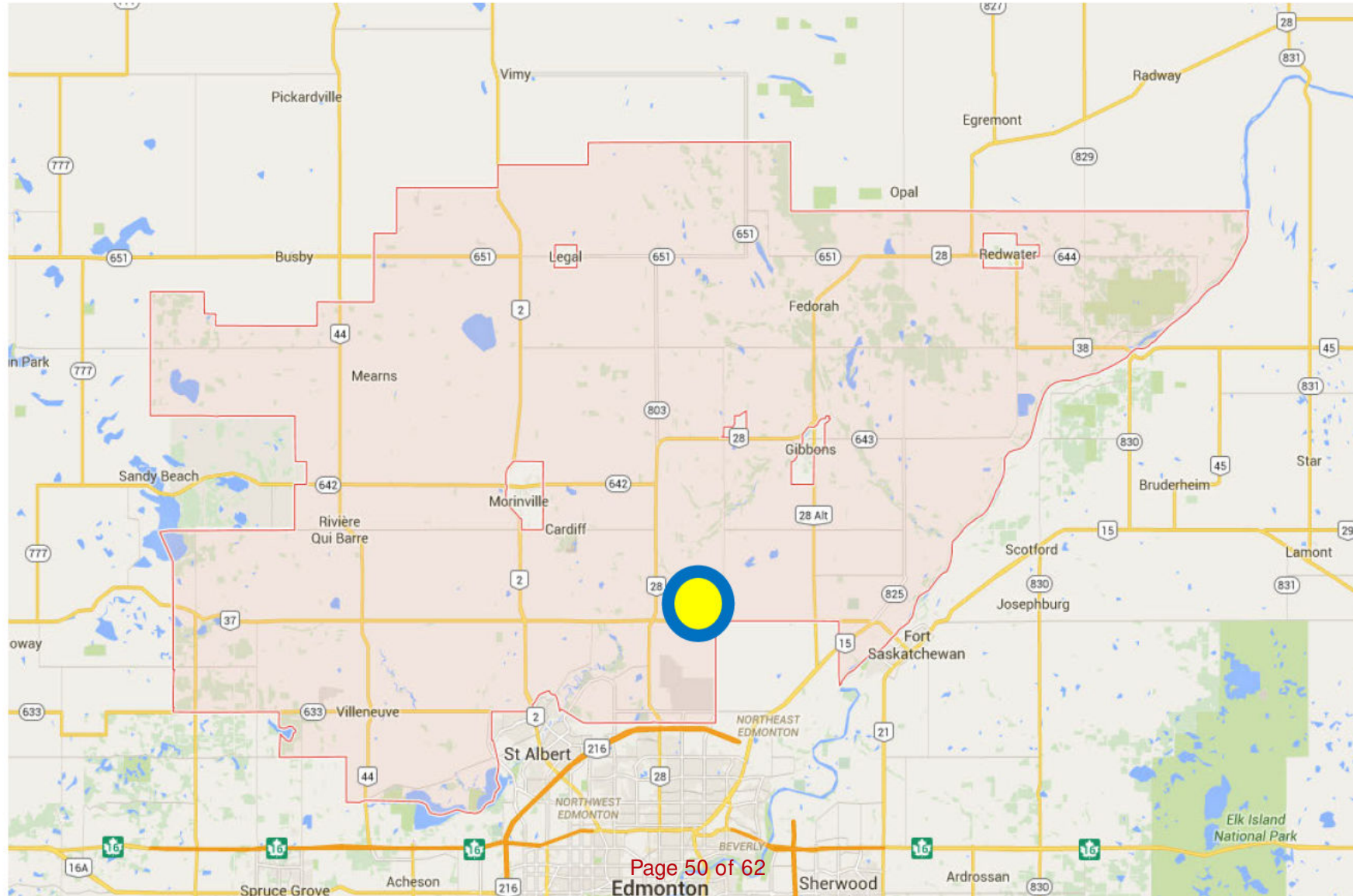
Subdivision and Development Appeal Board (2025-S-030)

Jonathan Heemskerk

October 7, 2025



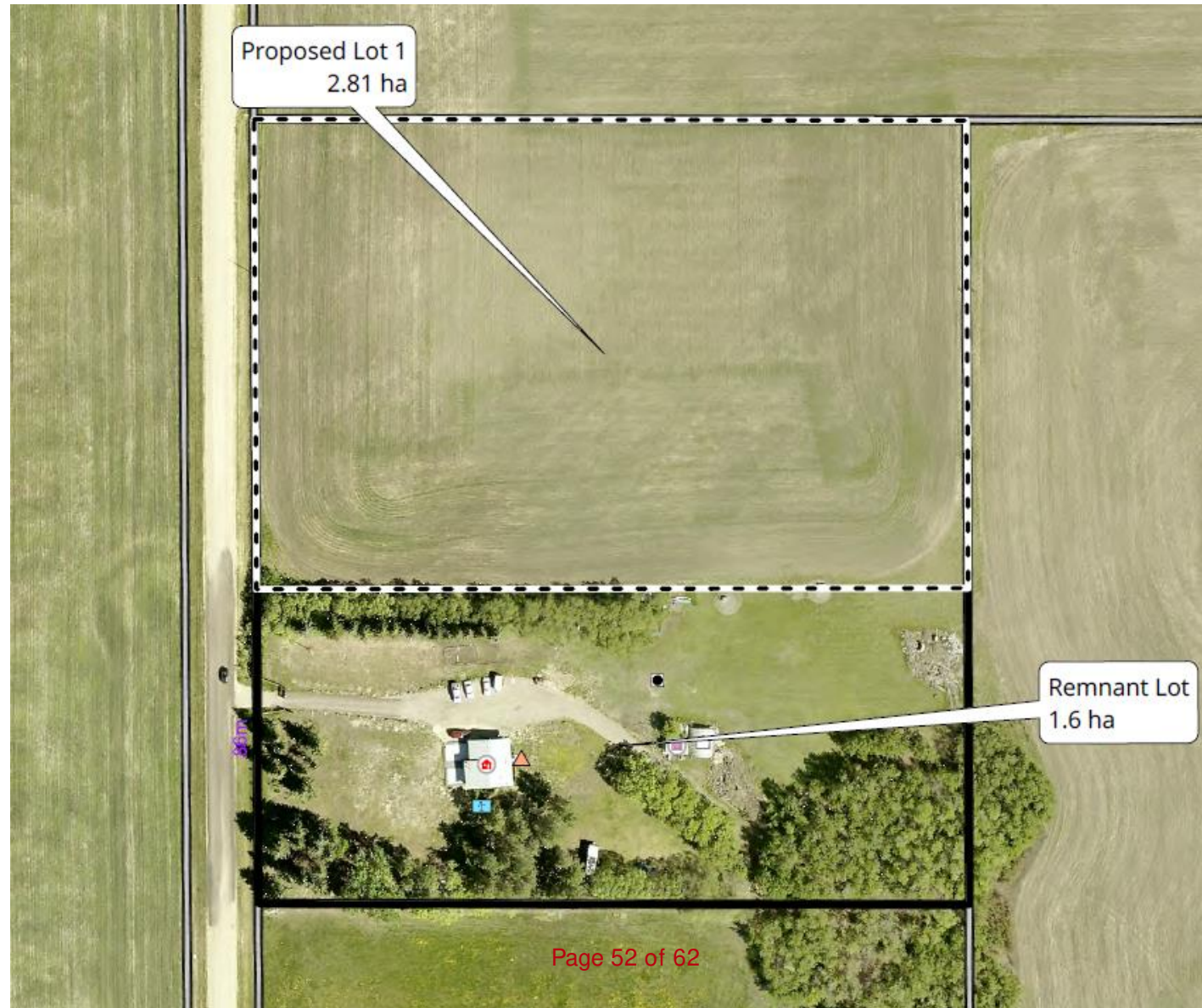
Site Location (Regional Context)



Site Location (Local Context)



Proposal



Referral Responses

Sturgeon County Development Officer

- If approved, a stamped site plan/RPR will determine what permits and/or farm building declarations are required.

Sturgeon County Development Engineering

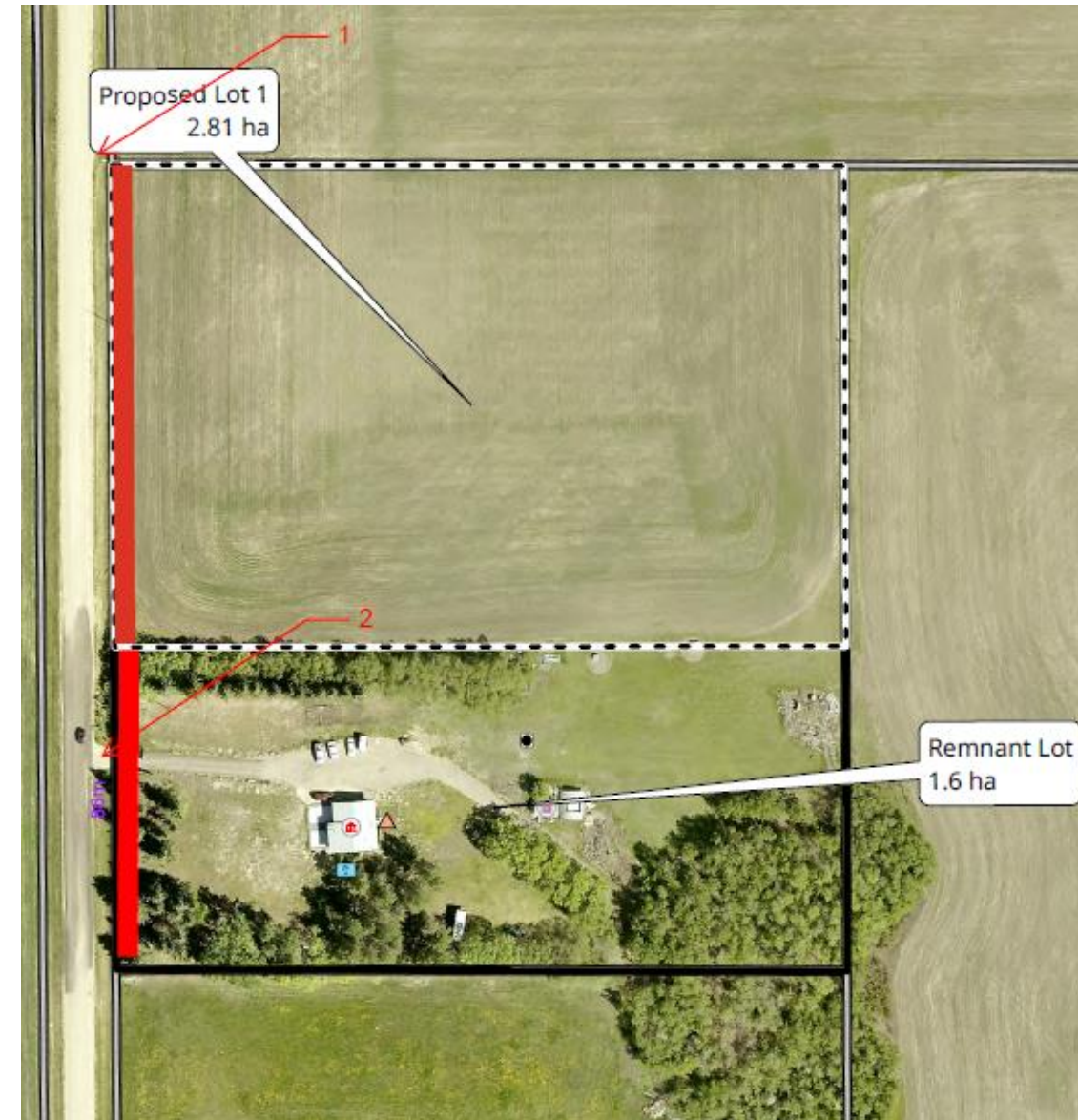
- 5m by plan of survey for future road widening required for both parcels.
- Proposed Lot 1 approach is satisfactory.
- Remnant lot approach requires some minor upgrades:
 - Clean culvert
 - Extend culvert if necessary
 - User taper end shape for culvert
 - Install riprap

Alberta Health Services

- Existing open discharge on site. Systems on site must be compliant with provincial standards.

Alberta Transportation and Economic Corridors

- No land dedication or infrastructure improvements required.
- Any appeal can be heard by the SDAB.



Subdivision History

Prior to 1971 – Unsubdivided quarter section

1971 – Four 20-acre parcels approved by Edmonton Regional Planning Commission (yellow)

1979 – Western 20-acre parcel split in half into two 10-acre parcels, approved by the Edmonton Regional Planning Commission (red)



Current Quarter Section Configuration

1 large AG – Major parcel (**blue star**)

5 small AG – Minor/Residential parcels (**red stars**)

- 20 acres
- 20 acres
- 20 acres
- 10.95 acres (subject parcel)
- 8.96 acres



Configuration As Proposed

The proposed configuration would result in seven total parcels consisting of:

- 1 large AG Major parcels
- 6 small AG Minor/Residential parcels



Issue Analysis

Municipal Development Plan

- This proposal does **not** align with the Residential Type 4 policies in the Municipal Development Plan.
- 2.3.12 – Outlines a maximum of four (4) parcels for every quarter section.

Land Use Bylaw

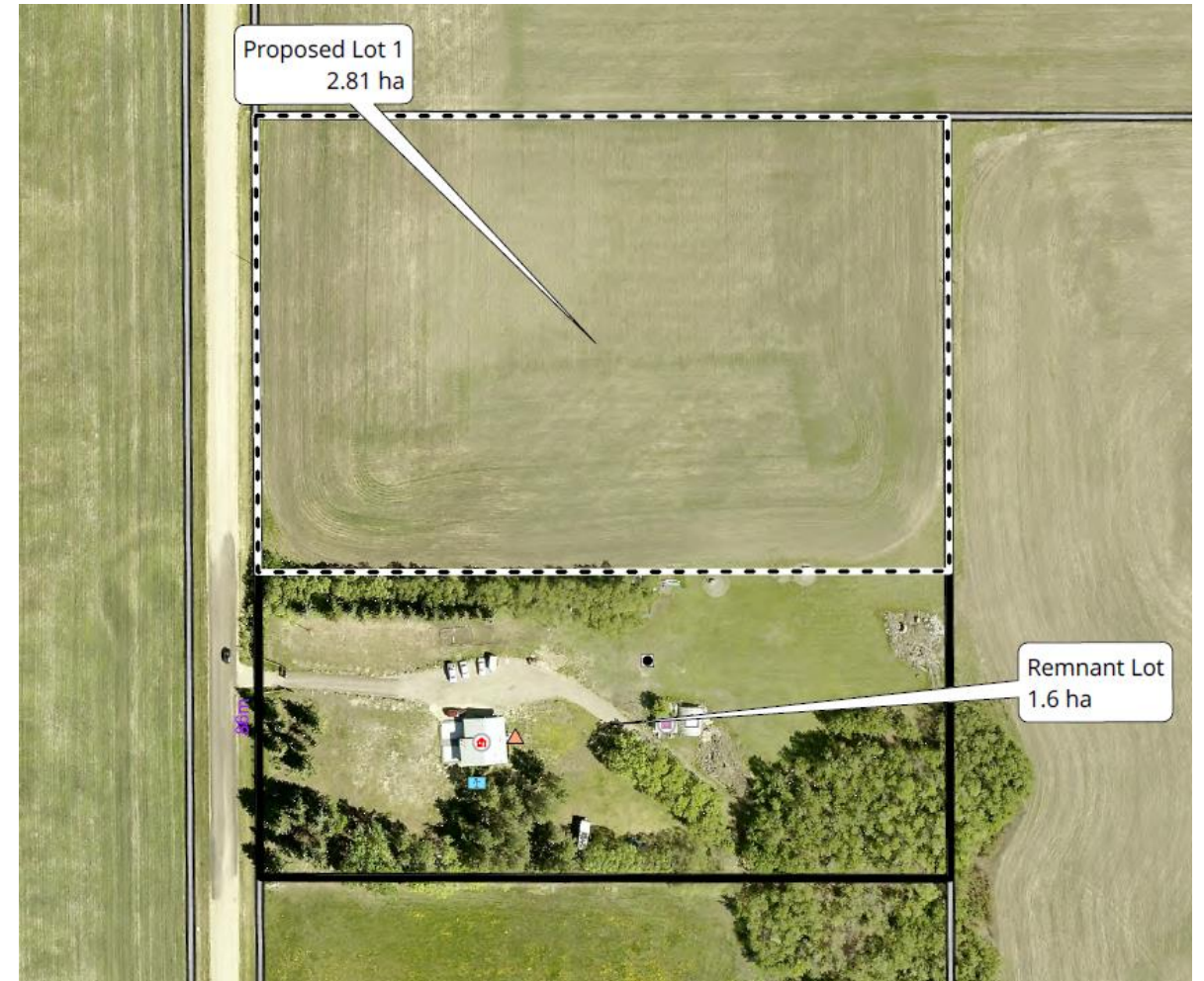
- This proposal does **not** align with the subdivision regulations in the Land Use Bylaw.
- 11.1.3(a) – Also outlines a maximum of four (4) parcels and two (2) acreages per AG quarter section.
- 11.1.3(d) – AG Minor parcels have no further subdivision potential.



Issue Analysis

Municipal Government Act

- Part 654(1) of the Municipal Government Act requires that a subdivision authority must not approve an application for subdivision approval unless:
- “...(b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, **any statutory plan** and, subject to subsection (2), **any land use bylaw** that affects the land proposed to be subdivided.”



Subdivision Authority Decision

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

- Land Use Bylaw regulations
- Municipal Development Plan policies
- Municipal Government Act

Conditions if Approved

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Sturgeon County, for the payment thereof.
- 2) The applicant shall retain the services of a professional Alberta Land Surveyor, who shall submit a drawing to Sturgeon County resembling Exhibit 3 and submit it in a manner that is acceptable to Land Titles. The surveyor shall also prepare a Signed/Stamped Site Plan or Real Property Report to confirm building/septic system locations, to the satisfaction of Sturgeon County.
- 3) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 3 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of Proposed Lot 1 & the Remnant Lot and the adjacent road shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer, will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County in accordance with General Municipal Servicing Standards, *before* this subdivision is endorsed.
- 5) The applicant is to obtain all necessary permits to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.
- 6) Pursuant to Provision 654(1)(c) of the MGA, the proposed subdivision must result in compliance with the 2021 Alberta Private Sewage Systems Standard of Practice. A certificate of compliance may be required from the County's Gas & Plumbing Inspector confirming that the existing open discharge septic system either meets the Standard of Practice, the system has been replaced, relocated, or redesigned to comply, or conformation must be provided to Sturgeon County demonstrating that all setback requirements have been achieved. Note: An Alberta Land Surveyor may be required to confirm distances from the septic system to property lines, buildings or other features – to the satisfaction of Sturgeon County.

Conditions - Summary

- 1) Retain a surveyor
- 2) Ensure taxes are paid
- 3) 5m by plan of survey for future road widening (both lots)
- 4) Minor approach upgrades
- 5) Obtain all necessary permits/farm building declarations
- 6) Septic system compliance

APPELLANT SUBMISSIONS RECEIVED

***NOTE:**

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