
Appeal File Numbers: 025-STU-010
025-STU-011

Application Number: 305305-25-D0170

Appeal Against: Development Authority of Sturgeon County

Appellants: Fred Fibi & Cheryl Gerlock
Ava Siemens

Date and Location of Hearing: September 23, 2025
Cardiff Room and Through Electronic Communications

Date of Decision: October 7, 2025

SDAB Members: Julius Buski (Chair), Neal Comeau, Lee Danchuk, Nicole Mackoway, and Lili Terry

NOTICE OF DECISION

IN THE MATTER OF appeals by Fred Fibi, Cheryl Gerlock, and Ava Siemens against the Development Authority's conditional approval to operate an agritourism operation including a garden centre, tree farm, farm market, agricultural educational tours and workshops, agricultural culinary experiences, experimental agritourism, agricultural festivals, small scale food processing, petting farm and house, pony and hay rides, agricultural mazes.

- [1] This is the decision of the Sturgeon County Subdivision and Development Appeal Board (the "SDAB" or "Board") on an appeal filed with the SDAB pursuant to section 678(1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26 (the "MGA" or "Act").
- [2] In making this decision, the Board reviewed all the evidence presented and considered provisions of the *Municipal Government Act*, Sturgeon County's Land Use Bylaw 1385/17 (the "Land Use Bylaw" or "LUB"), and Sturgeon County's Municipal Development Plan (MDP), and any amendments thereto.
- [3] The following documents were received and form part of the record:
- The Notice of Appeal;
 - A copy of the development application with attachments;
 - The Development Authority's written decision;
 - Planning & Development Services Report;
 - Applicant's Submission; and
 - Adjacent Landowners and Other Affected Persons Submissions

PROCEDURAL MATTERS

- [4] There were no objections to the proposed hearing process as outlined by the Chair.
- [5] There were no objections to the composition of the Board hearing the appeal.
- [6] The Board is satisfied that it has jurisdiction to deal with this matter.

ISSUES

- [1] The Appellants raised that they object to the Development Authority's conditional approval of Development Permit 305305-25-D0170 to operate an agritourism operation including a garden centre, tree farm, farm market, agricultural educational tours and workshops, agricultural culinary experiences, experimental agritourism, agricultural festivals, small scale food processing, petting farm and house, pony and hay rides, agricultural mazes for the following reasons:
 - The term 'experimental agritourism' is too vague and leaves too much room for interpretation: clearer definitions are needed regarding the definitive use of experimental agritourism, agricultural festivals, allowable traffic amounts, and proposed hours.
 - The current definition of 'experimental agritourism' includes the use of pumpkin and corn cannons, pre-recorded and broadcasted puppet shows, amplified musical entertainment, microphoned performers, helicopter tours, and any future additions, which generate disruption and, in the case of helicopters, compromise privacy. These activities do not necessarily or clearly support agriculture as outlined in Permit Advisory Note #1.
 - Agricultural festivals draw large crowds and are disruptive to neighbours. Without limits placed on frequency or duration, the current wording could allow festivals every weekend, which would exceed reasonable expectations from neighbouring landowners.
 - The volume of traffic allowed is disruptive: the increase from 50 – 675 cars is excessive and may significantly increase noise, congestion, and trespassing. Should the limit be increased to 675 vehicles, the increased risk of trespassing on adjacent landowners' property increases significantly.
 - The proposal to allow extended hours from 9:00 a.m. to 11:00 p.m. is disruptive to neighbours and could be applied at any time, effectively permitting events for 14 hours per day, seven days a week. Based on past experience with noise issues, it is believed that Prairie Gardens cannot consistently operate extended hours without causing disruption.
 - The applicant has not consulted affected residents with respect to new development activity occurring at the property, and the applicant has a history of circumventing consultation, leading to unnecessary stress and conflict.
 - The current version of the permit issued allows for the potential for additional and potentially disruptive activities to occur in the future with little recourse available to adjacent landowners should an issue arise.

RECOMMENDATION OF THE DEVELOPMENT AUTHORITY

- [2] Tyler McNab, representative for the Development Authority, provided a presentation which included an issue analysis for the Applicant's proposal and reasons for the Development Authority's conditional approval.
- [3] The property is currently developed as a diversified agricultural business under Development Permit 305305-23-D0214: relevant background information is available in SDAB decisions 023-STU-020, 023-STU-021, 023-STU-023, and 023-STU-024, dated October 26, 2023.
- [4] The parcel also includes multiple Development Applications for intensive agricultural uses, including greenhouses. A development permit application was submitted on July 11, 2025, for an Agritourism operation on the subject lands. The Development Authority approved the development permit with conditions on August 14, 2025.
- [5] Sturgeon County's Municipal Development Plan Policy 1.3.10 states that both subdivision and development meet the standards outlined within the Sturgeon County General Municipal Servicing Standards (GMSS). Standards should be reviewed and updated along with other County regulatory policies on a regular basis. Policy 4.3.14 states that high quality soils shall be protected for long-term use for agriculture in accordance with approved provincial policies.
- [6] Sturgeon County's General Municipal Servicing Standards (GMSS) states that the County reserves the right to the final decision regarding the interpretation of the intent of the design, the interpretation of the GMSS, and the acceptability of any Variances from the Standards proposed by the Proponent.
 - Standard 4.1 requires that roadway design follow the Transportation Association of Canada's Geometric Design Guide, with a 20-year design life. Roadway classifications, design parameters, and anticipated traffic volumes must be established at the planning stage in consultation with the County. Where a development is expected to generate 100 or more peak hour trips, or where otherwise required by the County, a Traffic Impact Assessment (TIA) must be prepared in accordance with Alberta Transportation guidelines. The TIA must identify necessary transportation improvements, implementation thresholds, and be scaled in complexity to the scope, location, and traffic impacts of the proposed development.
- [7] There are multiple considerations as part of the Development Authority's decision on the permit; these considerations are split into several categories below:

Consideration 1 – Requirement for Hard Surface Parking

- [8] With respect to the requirement for hard surface parking, Mr. McNab submitted that Section 9.2 of the Land Use Bylaw requires hard surfacing as per the General Municipal Servicing Standards for all parking areas for development.
- [9] The subject land is classified as Class 2 Farmland. Policy 4.3.14 of the Municipal Development Plan encourages the preservation of soil integrity and the minimization of impacts to agricultural land. The Development Authority determined that temporary parking on grass or cropland during the proposed fall operating period does not pose a high risk to soil quality. Accordingly, a variance to the Hard Surfacing Provision under Land Use Bylaw Subsection 9.2(a) was considered to allow field parking during this timeframe.

- [10] The Development Authority issued a variance under Land Use Bylaw Section 2.8.6(a) to permit temporary parking on soils during the September to October operating period. This use aligns with Municipal Development Plan Policy 4.3.14, which supports minimizing impacts to agricultural soils. The Development Authority further noted that potential roadway impacts have been mitigated by the presence of an existing hard surface gravel lot situated between the municipal roadway and the temporary parking areas.

Consideration 2 – Use of the Parcel

- [11] The Development Authority approved the Development Permit as a Discretionary Use under the classification of Agricultural Support Service, as outlined in Condition #1. The approval permits the operation of an agritourism business that includes a garden centre, tree farm, farm market, agricultural educational tours and workshops, agricultural culinary experiences, agricultural festivals, small-scale food processing, petting farm and house, pony and hay rides, agricultural mazes, and experiential agritourism. The business is to operate in accordance with the approved site plan and the operational details provided by the Applicant, including the number of customer visits, staffing levels, and site servicing.
- [12] The Applicant subsequently informed the Development Authority of a requested correction to the term “experimental agritourism,” clarifying that “experiential agritourism” was the intended use. This discrepancy appears to have resulted from a translation or autocorrect error during the application process. The Appellant also raised concerns regarding the original terminology. The Development Authority indicated no objection to the Board substituting the corrected term in its decision.
- [13] An Application Intensity Matrix was completed to assess the potential impacts of the proposed development. The matrix classified the project as a medium-impact use, identifying specific concerns related to capacity, noise, parking, and access. This tool is used by the Development Authority to evaluate appropriate use classifications, assess potential impacts on adjacent landowners and County infrastructure, and inform the application of development conditions.
- [14] In determining the appropriate use classification, the Development Authority considered whether the operation should be categorized as Diversified Agriculture, a permitted use within the Agriculture Land Use District, or as Agricultural Support Service, a discretionary use. Previous permits for the same operation had limited traffic to 100 vehicle trips (50 vehicles per day), aligning more closely with Diversified Agriculture. However, based on the current application and guidance from the Application Intensity Matrix, the Development Authority concluded that the scale and transportation demands of the proposed use warranted classification as Agricultural Support Service.
- *Agricultural Support Service* is defined as the use of land, buildings, and structures for supplying and selling goods, materials, or services directly and primarily related to the agricultural industry. These operations typically have significant land, transportation, or water demands and may include off-site impacts regulated by provincial or federal authorities. Examples include abattoirs, fertilizer plants, and seed and feed facilities. Ancillary uses may include office, sales, technical, administrative support, storage, or warehousing. This classification excludes Cannabis Production and Distribution, Cannabis Retail Sales, and general industrial uses.
 - *Diversified Agriculture* refers to agricultural uses that generate additional traffic or impacts

beyond those anticipated in extensive or intensive agricultural operations. Typical activities include value-added agricultural processing, retail sales of agricultural products and complementary goods, and commercial experiences related to farming or farm life. This use does not include non-agricultural events such as weddings, retreats, ceremonies, or corporate functions, nor does it include home-based businesses, visitor accommodations, intensive agriculture, event venues, agricultural support services, Cannabis Production and Distribution, or Cannabis Retail Sales.

Consideration 3 - Parcel Access, Safety and the General Municipal Servicing Standards

- [15] Parcel access and traffic safety have been longstanding concerns associated with the subject property. Complaints have been received over several years regarding customers parking along the adjacent arterial roadway, obstructing traffic flow, and accessing the site as pedestrians directly from the roadway. In response, the County has worked with the Applicant to finalize Development Permits that comply with the Land Use Bylaw and the General Municipal Servicing Standards, with particular attention to mitigating transportation-related impacts.
- [16] As part of these requirements, a Traffic Impact Assessment (TIA) was submitted by a qualified professional, with the final version received on June 17, 2025. This assessment was reviewed and approved by the County's Municipal Engineer. A subsequent update to the TIA was later submitted but was not accepted by the Municipal Engineer.
- [17] The Traffic Impact Assessment included multiple recommendations and options, which have been incorporated into the Development Permit approval in Conditions #2, 3, 4, and 5:
 - a. Warrant Analysis (Turn Lane) - Section 4.2 of the TIA,
 - b. Sightlines – Section 4.4 of the TIA,
 - c. Site circulation – Section 5 of the TIA, and
 - d. Access Safety – Section 6, 7 and 8 of the TIA.
- [18] Condition 2 includes two options allowing either a permanent turn lane constructed or a variable speed limit approved and constructed. Both options identified in the TIA have been approved as acceptable solutions by the Municipal Engineer.

Consideration 4 – Jurisdiction, Council Action

- [19] The Development Authority is responsible for ensuring that development access complies with Land Use Bylaw Section 9.1 and the General Municipal Servicing Standards (GMSS), specifically Standards 1.1, 4.1, and 4.1.2. Council separately approved a one-year Temporary Variable Speed Limit in front of Prairie Gardens on September 9, 2025. Although this decision was made independently of the Development Permit process, it aligns with one of the mitigation options referenced in Condition #2 of the permit.
- [20] It is the opinion of the Development Authority that the Subdivision and Development Appeal Board does not have jurisdiction to vary GMSS-related requirements. This position is based on Section 687(3) of the *Municipal Government Act* (MGA), which requires the Board to comply with statutory plan policies, including Municipal Development Plan (MDP) Policy 1.3.10.
- [21] Should the Board choose to approve the development, it may adjust conditions of approval provided that such adjustments do not compromise the Municipal Engineer's determination of compliance with the GMSS.
- [22] Additionally, the Development Authority maintains that the Subdivision and Development

Appeal Board does not have authority to vary Council's decision regarding the Temporary Variable Speed Limit in front of Prairie Gardens.

[23] The Development Authority's recommendations are as follows:

- Deny the appeals and reestablish the Development Permit as written.
- Amend the term "experimental agritourism" to "experiential agritourism," in response to the Applicant's clarification and the Appellant's concerns.

SUMMARY OF APPELLANTS' POSITIONS

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[24] The first Appellants, Fred Fibi and Cheryl Gerlock, made the following submission:

[25] The Appellants live directly south of Prairie Gardens, separated only by a single lane driveway.

[26] The permit allows for a level of intensity that is disruptive to the neighbours and a danger to the neighbourhood.

[27] The Appellants raised concerns about the following conditions of the permit:

Condition 1:

- The term 'experimental agritourism' is too vague and leaves too much room for interpretation. This term needs to be removed from the permit.
- As currently written, the permit doesn't regulate the number and frequency of festivals allowed and does not regulate restrictions on activities. Limits and parameters need to be set within the permit conditions.
- The permit should specify that the use of pumpkin/corn cannons, music, and helicopter tours are not allowed. The Appellants listed previous concerns with noise related to the use of the pumpkin and corn cannon as well as raised privacy and noise concerns with helicopters flying overhead. The Appellants further stated that they are concerned that these types of activities would continue to be allowed under the umbrella term of 'experimental agritourism'.

Condition 4:

- The approval limit of up to 675 cars per day means roughly 2500 or more people per day visiting the site. The increase in traffic and visitors increases the risk of trespassing on the Appellants' property and increases the amount of garbage in the ditches, which can impact neighbouring fields: getting caught in crops and equipment. The increase in traffic creates additional noise and is an inconvenience for neighbours who are trying to access the highway. Traffic levels should be set in a way that supports the operation of the key base business as a greenhouse operation. 50 cars/day is sufficient to support the base business.

Condition 6:

- The extended operating hours from 9 a.m. to 11 p.m. need to be removed from the permit as this will cause additional noise and other disruptions into the evening hours. Operating hours should be capped as otherwise stated in the permit from 9:30 a.m. – 8 p.m. (weekdays), and 9:30 a.m. – 6 p.m. (holidays and weekends).

[28] The Appellants stated that this business is no longer a small farm and has outgrown its location. It should be relocated to a property that can accommodate its increased level of operations.

[29] The Appellants support this business as a greenhouse operation.

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[30] The second Appellants, Ava and Ivan Siemens, made the following submission:

[31] The Appellants are appealing the permit as it is the long-term governing document for the activities at Prairie Gardens but uses vague-open ended wording and lacks specifics that clearly define or limit disruptive activities now or in the future.

[32] The permit must properly define and limit activities so that the Appellants are not relying solely on assurances from the business owner or discretion of the County.

[33] If the permit proceeds as currently issued, Prairie Gardens would have the potential to:

- Implement an unlimited range of additional and potentially disruptive activities under the umbrella of "experimental agritourism,"
- Increase traffic significantly and permanently, and
- Employ extended hours indefinitely.

[34] The Appellants are supportive of agriculture-based core activities (garden centre, tree farm, farm market, educational and culinary tours, small-scale food processing), as these activities are appropriate to the size of the property and its proximity to neighbours and their effects tend to be contained within the property boundaries.

[35] The Appellants stated they are most concerned with agricultural festivals and other activities that bring large numbers of people to the property. These activities are highly disruptive by nature, however, the disruption could be reduced if the most disruptive activities are defined and limited, which will compel the business owner to proactively manage them.

[36] Past and present activities that negatively affected the peaceful enjoyment of the Appellants' property include:

- Large crowds of people yelling, cheering, screaming, etc.,
- Amplified music and performers,
- Pumpkin and corn cannons,
- Low flying helicopter tours arranged by Prairie Gardens that pass above the property, and
- Repetitive noise from bells, drums, and other similar sources.

[37] The Appellants requested the following changes be made to the permit:

- Removal of the term "experimental agritourism" from the permit, which will ensure that a modified term is well defined and limits disruptive activities.
- Clearly define the activities permitted and not permitted at agricultural festivals.
- Apply the same restrictions as daily operations regarding noise and disruption.
- Clearly and specifically define the number of agricultural festivals allowed annually.
- Allow traffic for up to 675 vehicles on only a clearly defined number of days annually and not at the discretion of the County.
- Remove the option for up to 675 vehicles throughout the year should a turning lane be constructed.
- Changes in traffic allowance represent a significant change in business intensity and should require a new development permit as noted in condition 14.
- Remove the extended hours provision.

SUMMARY OF APPLICANT'S POSITION

- [38] Jarrett Zilinski, representative for McElhanney, spoke about the Prairie Gardens Traffic Impact Assessment (TIA) Report, stating that the purpose of the TIA was to observe the amount of traffic present, additional site traffic, and to assess what intersection configuration/transportation solutions are required.
- [39] Last year traffic counts were conducted from September 1 – October 31, 2024, which saw a significant increase in traffic. There are two options available for the peak time traffic: installing a right turn lane, which has the capacity from 200 – 675 vehicle visits/day, or to implement a variable speed limit.
- [40] Sturgeon County Council previously approved the variable speed limit for the 2025 peak season at the September 9, 2025 Council Meeting.
- [41] The Applicant, Tammy Andersen, was in attendance, along with her agent, Kim Wakefield from Dentons Law, and made the following submission:
- [42] Sturgeon County Council held a Non-Statutory Public Hearing regarding the variable speed limit change on August 25, 2025, which resulted in favourable public sentiment about her operation, with 59 letters in support. Following Council's approval of the variable speed limit on September 9, Ms. Andersen obtained an additional 7 letters in support.
- [43] Screenshots of decibel counts from Prairie Garden's property lines show that the majority of readings falling between 49-51 decibels for most of the season.
- [44] Staggered, ticketed arrivals (approximately 35 vehicles/hour) has been implemented in order to calm traffic during peak season hours.
- [45] Traffic accommodation strategies have been implemented successfully, including a variable speed sign trialed the past weekend. Traffic surges only occur on weekends in September and October, with Thanksgiving being the peak period. Outside of this timeframe, the Applicant does not expect traffic volumes approaching 675 cars/day, as farm operations peak in September – October with pumpkin season.
- [46] The extended hours of 9:00 a.m.–11:00 p.m. are specifically intended for farm-to-table dinners; festival activities typically end at 6 p.m.
- [47] This type of diversification is needed to provide opportunities for the next generation, not only through food production but by offering farm-based experiences for visitors.
- [48] There is significant helicopter traffic in the region unrelated to Prairie Gardens, including RCMP, military, crop spraying, and pipeline inspections. Prairie Gardens has only permitted helicopter use about four times per year, and only under strict conditions: flights must avoid neighbouring properties (Fibi/Sprout Farms) and land only on the north edge of Prairie Gardens' property. Helicopters seen in the area are often assumed by neighbours to be associated with Prairie Gardens, but this is not the case, as a neighbouring farm contracts a helicopter for crop spraying, which may be the source of some activity observed. The Applicant further stated that Prairie Gardens does not sell helicopter services, offer tours, and does not contract helicopters beyond the occasional controlled requests.

- [49] With respect to the ongoing use of pumpkin cannons, the pumpkin cannon has been mothballed and has not been used since 2019. It is no longer on-site and was not used this past weekend or in the last five years.
- [50] With respect to the ongoing use of corn cannons, corn cannons are smaller air-powered devices that launch corn cobs. They are operated only during festival weekends between 11:00 a.m.–5:00 p.m., never on evenings or weekdays, and corn cannon activity has been reframed into an educational experience for children, teaching them how to pick corn, understand the crop, and engage with agriculture and food origins.
- [51] In response to concerns about disruption from festivals and music, the Applicant explained that their goal is to connect people to agriculture in engaging and fun ways, including farm puppet shows and occasional live musicians. The farm follows strict sound guidelines as part of its standard operating procedures, aiming for sound to only carry about 20 square meters. Such activities occur only occasionally and during peak visitor hours, not continuously, and multiple decibel readings have been taken around the property to monitor noise impacts. Ms. Andersen emphasized the farm is trying to be respectful of neighbours and is committed to coexisting peacefully.
- [52] The Applicant stated that she had complied with all required consultation rules for the permit and personally visited every household within a two-mile radius and spoke directly to neighbours. She stated that approximately 90% signed letters of support after being consulted. She further noted that the Appellants themselves run businesses and suggested they haven't considered whether these impact Prairie Gardens.
- [53] The Applicant clarified the importance of distinguishing between "experimental" and "experiential," and emphasized that she applied for experiential agritourism, not experimental. Experiential agritourism is well defined: hands-on, personalized agricultural experiences connecting visitors to farm life, not large-scale disruptive events, and the Applicant has formal training in experiential tourism, which focuses on authentic, small-scale activities.
- [54] The Applicant confirmed that Prairie Gardens employs a dedicated team of parking staff to manage traffic and ensure organized parking on the property. She acknowledged one past incident of vehicles parking in ditches by the road (post-COVID, during Open Farm Days), and explained they had sufficient designated parking areas, but once one person parked on the road, others followed. She further stated that the situation was rectified immediately and has not occurred since.

SUBMISSIONS FROM OTHER AFFECTED PERSONS

- [55] Paul Smith, Smith Media Solutions, was in attendance with the Applicant and submitted that he has been working with Prairie Gardens for the past 18 months to strengthen relationships with Sturgeon County, the provincial government, and private sector stakeholders.
- [56] He mentioned that the Applicant was surprised by one of the Appellant's appeals, as they had previously signed a letter of support. The Applicant did not consult with the other Appellant, as a previous interaction made her hesitant to engage directly.
- [57] Mr. Smith noted that people often remember negative past events (e.g., pumpkin cannon) even though they have not occurred for years. He added that neighbours may attribute all helicopter traffic in the area to Prairie Gardens, even when unrelated, and mentioned that Sprout Farms'

apple stand along the driveway may lead them to perceive vehicles turning in as trespassing, when many are simply passing by or choosing not to purchase.

[58] The appeals are the result of a culmination of years of history and strained neighbour dynamics, with memory and perception clouding the current reality. He proposed a solution of incremental progress, working with neighbours on small, achievable steps to gradually rebuild trust, and indicated that lists of practical actions have already been developed with both Appellants.

DECISION OF THE BOARD

[59] The Board DENIES the appeals and VARIES the decision of the Development Authority made on August 14, 2025, to conditionally approve development permit 305305-25-D0170 with the following modifications:

- The word ‘experimental’ shall be removed from the permit and replaced with the word ‘experiential’.
- Daily operations shall be limited to a maximum of 50 traffic visits per day.
- Special events, referred to as “Agricultural Festivals,” may accommodate between 51 and 199 traffic visits per day.
- The number of Agricultural Festival days shall not exceed 25 per calendar year.
- All other conditions listed under Development Permit 305305-25-D0170 remain.

REASONS FOR THE DECISION

[60] The Applicant’s request is to operate an agritourism operation including a garden centre, tree farm, farm market, agricultural educational tours and workshops, agricultural culinary experiences, experimental agritourism, agricultural festivals, small scale food processing, petting farm and house, pony and hay rides, agricultural mazes.

[61] The Development Authority conditionally approved the development application on the following basis:

- A variance was granted under Land Use Bylaw Section 2.8.6(a) to permit temporary hard surface parking during the September to October operating period. This decision aligns with MDP Policy 4.3.14 and considers mitigation of roadway impacts through the presence of an existing gravel lot situated between the roadway and the temporary parking areas.
- The Application Intensity Matrix evaluated the project as a medium-impact development, flagging concerns related to capacity, noise, parking, and access. Based on this assessment, the Development Authority determined that the operation constitutes an Agricultural Support Service Use rather than Diversified Agriculture, with peak transportation demands serving as the primary differentiating factor.
- Parcel access and traffic safety were identified as ongoing concerns, referencing historical issues such as roadside parking, traffic obstruction, and limited pedestrian

access along the arterial roadway. To address these concerns, the Applicant submitted a Traffic Impact Assessment prepared by a qualified professional. This assessment was accepted by the County's Municipal Engineer on June 17, 2025, and its recommendations were incorporated into the conditions of approval.

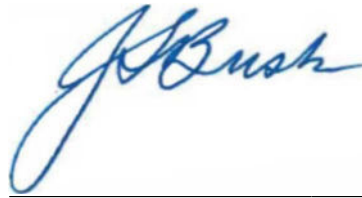
- [62] The Board finds that the Traffic Impact Assessment (TIA) provides sufficient support for the updated traffic conditions outlined in the Development Permit. The TIA was conducted to evaluate existing traffic volumes, additional site-generated traffic, and to identify appropriate intersection configurations or transportation solutions. Traffic counts from the previous operating season (September 1 to October 31, 2024) confirmed a significant increase in vehicle visits during peak periods. Based on these findings, the TIA recommended two mitigation options: installation of a right-turn lane, capable of accommodating 200 to 675 vehicle visits per day, or implementation of a variable speed limit. The Board notes that Sturgeon County Council approved the variable speed limit for the 2025 peak season at its September 9, 2025 meeting. In light of this approval and the professional assessment provided, the Board accepts the updated traffic thresholds of up to 50 visits per day for regular operations and 51–199 visits per day for special event days as reasonable and supported by evidence.
- [63] The Board considered the recommendations of the Development Authority, which advised that the appeals be denied and the Development Permit be reestablished as written. The Board finds that the proposed adjustment from “experimental agritourism” to “experiential agritourism” appropriately reflects the nature of the use, aligns with the Applicant’s intent, and addresses the Appellant’s concerns regarding terminology. This clarification enhances the accuracy of the permit and supports a consistent interpretation of land use policy.
- [64] The Board finds that permitting up to 25 special event days per calendar year is reasonable and appropriately balances the Applicant’s operational needs with community and infrastructure considerations. This threshold reflects the seasonal nature of the use and aligns with the observed traffic patterns from the previous operating period, which demonstrated concentrated activity between September 1 and October 31, 2024. The Traffic Impact Assessment confirmed that peak traffic volumes during special events can be effectively managed through approved mitigation measures, including the implementation of a variable speed limit endorsed by Sturgeon County Council on September 9, 2025. The Board is satisfied that limiting special events to 25 days annually provides predictability for surrounding landowners, supports agricultural tourism objectives, and ensures that transportation impacts remain within acceptable levels.
- [65] The Board acknowledges the Applicant’s extensive efforts to engage with the surrounding community, including personal visits to every household within a two-mile radius and direct consultation with neighbours. The Applicant reported that approximately 90% of those consulted provided written letters of support for the development. The Board considers this level of community endorsement to be a meaningful indicator of local acceptance and confidence in the proposed use. Furthermore, the Board notes the Applicant’s observation that the Appellants operate businesses in the area and may not have fully considered the reciprocal impacts on Prairie Gardens. In weighing the evidence, the Board finds that the demonstrated community support reinforces the appropriateness of the development and its compatibility with the surrounding area.

- [66] The Board recognizes that Prairie Gardens has operated in Sturgeon County for a number of

years and has become a familiar presence within the local agricultural and tourism landscape. While the longevity of a business is not, in itself, determinative of land use compatibility, the Board considers the operation's established history as relevant context when assessing its relationship to surrounding land uses and its contribution to the local economy. The Board also notes that the development under appeal represents a continuation of existing activities rather than the introduction of a wholly new use, which supports a degree of continuity in land use planning.

[67] For all of these reasons, the Board denies the appeals and varies the decision of the Development Authority to conditionally approve the subdivision with modified conditions.

Dated at the Town of Morinville, in the Province of Alberta, this 7th day of October, 2025.



Julius Buski, Chair

Pursuant to Section 688(1)(a) of the Municipal Government Act (MGA), an appeal of a decision of the Subdivision and Development Appeal Board lies with the Alberta Court of Appeal on a matter of law or jurisdiction. In accordance with Section 688(2)(a), if a decision is being considered, an application for permission to appeal must be filed and served within 30 days after the issuance of the decision and, notice of the application for permission must be provided to the Subdivision and Development Appeal Board and in accordance with Section 688(2)(b), any other persons that the judge directs.

APPENDIX "A"
List of Submissions

- The Notice of Appeal;
- A copy of the subdivision application with attachments;
- The Subdivision Authority's written decision;
- Planning & Development Services Report;
- Applicant's Submission; and
- Adjacent Landowners and Other Affected Persons Submissions