

December 16, 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: Tony Bombino 025-STU-017 Development Appeal


3. ADJOURNMENT

Appeal #1

025-STU-017

Appealing the Development Authority's
refusal of an Accessory Building - to
construct a roof over two existing shipping
containers (floor area with attached roof -
32ft wide by 20ft long).

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		
Municipal Address of site:		
Legal land description of site: (‘plan, block, lot’ and/or ‘range-township-section-quarter)		
Development Permit number or Subdivision Application number: DP -25 -0262		
Appellant Information:		
Name:	Agent Name (if applicable):	
Antonio Bombino	<div style="background-color: black; color: white; padding: 5px;">Severed in line with s.20 of ATIA</div>	
Mailing Address:		
<div style="background-color: black; color: white; padding: 5px;">Severed in line with s.20 of ATIA</div>		

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

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

Stop Order <input type="checkbox"/> Stop Order
--

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

See detail's on Variance Form

(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.

<div style="background-color: black; color: white; padding: 5px;">Severed in line with s.20 of ATIA</div>	Date: December 1/2025	
	OFFICE USE ONLY	
	Appeal Fees Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hearing Date: YYYY/MM/DD 2025/12/01

APPEAL SUBMISSION INFORMATION

To appeal a decision, you must submit the completed appeal form and pay the required fee within 14 days of receiving notice of the decision. If an appeal arrives after the 14 day deadline, the Board will decide whether or not it has the right to hear the appeal.

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: 780.939.8377
Email: legislativeservices@sturgeoncounty.ca



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

BOMBINO, ANTONIO
100-23516 TWP RD 560

STURGEON COUNTY, AB T0A 0K4

Receipt Number: 202508088
GST Number: 107747412RT0001
Date: 2025-12-01
Initials: HM

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

Fwd: Accessory Building - Shipping Containers with Roof

From Tony Bombino **Severed in line with s.20 of ATIA**

Date Mon 2025-12-01 2:00 PM

To Tanis Sawatsky <tsawatsky@sturgeoncounty.ca>

 2 attachments (649 KB)

255744-01_Engineering.pdf; Sea-Can Variance .pdf;

Severed in line with s.20 of ATIA

[Learn why this is important](#)

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

Hello Tanis, see email that I sent Carla last week that explains everything, also the shed in question will be completely finished outside with siding and metal roof to match the existing shop and house.
if you have any more questions please feel free to contact me

Tony Bombino

Severed in line with s.20 of ATIA

Severed in line with s.20 of ATIA

----- Forwarded message -----

From: **Tony Bombino**

Date: Sun, Nov 23, 2025 at 5:13 PM

Subject: Re: Accessory Building - Shipping Containers with Roof

To: Carla Williams <cwilliams@sturgeoncounty.ca>

Good day Carla, I have filled out the variance and attached several pictures that explain what the situation is and how we can move forward, I will come into the office Monday morning and pay in person and explain better if needed.

Picture is from the road in front of the sea-cans, as you can see they are hidden by the trees and are not visible

20251122_133350.jpg

20251122_133356.jpg

20251122_133410.jpg

Below picture is of the 2 neighbors that face the road and look towards my property, as you can see they both have large trees in there front and that also blocks their view and my Project will not impact there view

20251122_133456.jpg

The last three pictures are of the driveway and retaining wall that is already in place and outlined the sea-cans

20251122_141531.jpg

20251122_141542.jpg

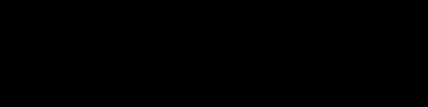
20251122_141555.jpg

I have attached the engineered trusses that I have on order, and a copy of the Variance request that I filled out,

I will come into the office Monday Morning to pay in person and discuss this situation so we can move forward with minimal delay,

Tony Bombino

Severed in line with s.20 of ATIA



Appeal #025-STU- [REDACTED] Severed in line with s.20 of ATIA

From Tony Bombino [REDACTED]

Date Wed 2025-12-03 2:42 PM

To Legislative Services <legislativeservices@sturgeoncounty.ca>

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Reasons for appeal:

- The sea-cans in question have been in place for several years. Relocating them is not feasible, as the driveway has already been constructed and the sea-cans are permanently situated.
- The Appellant was unaware that a permit was required to put a shelter over the sea-cans.
- There will be no impact to the neighbourhood or adjacent landowners as the sea-can's are not visible from the road.
- The proposed structure will provide shelter from the elements and help to protect contents from deteriorating and or theft from passer-buys,

If you have any questions feel free to contact me

Tony Bombino

Severed in line with s.20 of ATIA
[REDACTED]















December 2, 2025

SDAB File Number: 025-STU-017

Dear Anthony Bombino:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	7720113;3;23; SW-5-56-23-4 100 23516 TWP RD 560
Development Permit Application Number:	DP-25-0262
Decision Regarding Proposed Development:	Refusal of an Accessory Building – to construct a roof over two existing shipping containers (floor area with attached roof – 32ft wide by 20ft long).

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on December 1, 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 SDAB hearing is scheduled for **December 16, 2025 at 2:00 p.m. in 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 449 061 583#. 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 December 11, 2025. However, the Board can accept written submissions up to the date of the hearing.**

Please note that any submissions previously provided to the Development Authority are not automatically 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.

Should you require further information, call (780) 939-0620 or email legislativeservices@sturgeoncounty.ca.

Tanis Sawatsky
Secretary, Subdivision and Development Appeal Board

December 2, 2025

SDAB File Number: 025-STU-017

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	7720113;3;23; SW-5-56-23-4 100 23516 TWP RD 560
Development Permit Application Number:	DP-25-0262
Decision Regarding Proposed Development:	Refusal of an Accessory Building – to construct a roof over two existing shipping containers (floor area with attached roof – 32ft wide by 20ft long).

An appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on December 1, 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: Anthony Bombino

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

- The sea-cans in question have been in place for several years. Relocating them is not feasible, as the driveway has already been constructed and the sea-cans are permanently situated.
- The Appellant was unaware that a permit was required to put a shelter over the sea-cans.
- There will be no impact to the neighbourhood or adjacent landowners.

Take notice that this SDAB hearing is scheduled for **December 16, 2025 at 2:00 p.m.** in **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 449 061 583#. 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 and/or attend the hearing. 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 December 11, 2025. However, the Board can accept written submissions up to the date of the hearing.**

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

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

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

Tanis Sawatsky
Secretary, Subdivision and Development Appeal Board



Legend

- Parcel
- County Roads
 - Local Road, Surfaced
- Community Labels
- Community Boundary
- Parcel
- AddressWMS
- Address

Notes

Hewitt Estates

0 400 800 m

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Subdivision and Development Appeal Hearing Process

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

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

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

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

At the hearing . . .

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

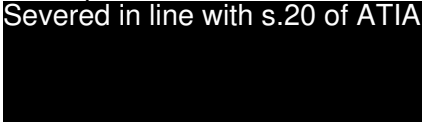
1. The meeting is called to order by the Chair.
2. The Chair welcomes everyone and gives a brief outline as to how the hearing will proceed.
3. The Chair will have all board members, staff and people involved in the appeal introduce themselves and those present are asked if there are any objections to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

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

Notification Letter

Date: Nov 28/25

Permit Number: DP-25-0262

To: Tony Bombino
Severed in line with s.20 of ATIA


Re: Decision of the Development Authority

Please be advised that development permit application #DP-25-0262 for an Accessory Building – to construct a roof over two shipping containers was REFUSED on November 28, 2025.

This decision may be appealed to the Subdivision and Development Appeal Board by December 19, 2025, or within 21 days of receipt of the decision.

If you have any questions regarding the development permit, please contact the Planning and Development Department at 780-939-8275.

Yours truly,

Severed in line with s.20 of ATIA


Carla Williams
Development Officer

Development Permit**Land Use Bylaw 1385/17**

Permit No.:	DP-25-0262
Tax Roll No.:	1161046
Decision Date:	November 28, 2025
Effective Date:	December 19, 2025

Applicant

Name: BOMBINO, Tony
Address: Severed in line with s.20 of ATIA
[Redacted]
Phone: [Redacted]
Email: [Redacted]

Owner

Name: BOMBINO, Tony
Address: Severed in line with s.20 of ATIA
[Redacted]
Phone: [Redacted]
Email: [Redacted]

Property Description

Legal Land Description: 7720113;3;23; SW-5-56-23-4
Land Use Description: Residential 1 - Country Residential
Municipal Address: 100 23516 Twp Rd 560

Description of Work

Accessory Building, to construct a roof over two existing shipping containers (floor area with attached roof - 32ft wide by 20ft long)

Fees

Each Unit	150.00
Development Notification Fee	150.00

Decision

The application to construct a roof over two existing shipping containers is deemed REFUSED for the following reasons:

1. According to section 6.27.7 of Land Use Bylaw 1385/17 (as amended) the proposed roof over two shipping containers is considered an Accessory Building and shall comply with section 6.1 regulations. Structurally altered or modified shipping containers must meet the requirements of the Alberta Building Code.
2. Section 12.1.4 of the Land Use Bylaw requires a minimum flanking front yard setback of 10.0m for accessory buildings in the R1 – Country Residential district. The structure is proposed to be constructed 1.2m (4ft) from the front property line.

Minimum required setback – 10m

Existing/proposed setback – 1.2m

Variance requested – 8.8m or 88%.

3. Section 2.8.6 of the Land Use Bylaw allows the Development Authority to grant a variance of up to 40% in the R1 – Country Residential district. The requested variance of 88% significantly exceeds the variance powers and cannot be approved.
4. The parcel size is 2.03 acres, providing sufficient space to construct an accessory building that meets setback requirements for storage purposes.

Advisory Notes:

1. Definition: A shipping container means a vessel previously used to transport goods now used for storage purposes.
2. Section 6.27 Shipping Containers:
 - Only one shipping container is permitted on an R1 Country Residential parcel without a development permit.
 - Containers shall have an exterior finish that matches or complements the principal building or be screened from view to the satisfaction of the Development Authority.
 - All shipping containers shall meet the minimum setback requirements for an accessory building for the applicable district.

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

Issued By:

Carla Williams
Development Authority

Municipality

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

Appeal Information

Pursuant to Section 685(1) of the Municipal Government Act, an appeal may be commenced by filing a notice of appeal within 21 days of the decision date.

Appeals can be filed with the Secretary of the Subdivision and Development Appeal Board via email at legislativeservices@sturgeoncounty.ca or via mail to Sturgeon County Centre 9613 – 100 Street Morinville, AB, T8R 1L9. Telephone enquiries can be made at 780-939-4321.



ALBERTA LAND SURVEYORS REAL PROPERTY REPORT

PREPARED BY

CANADIAN ENGINEERING SERVICES LTD.

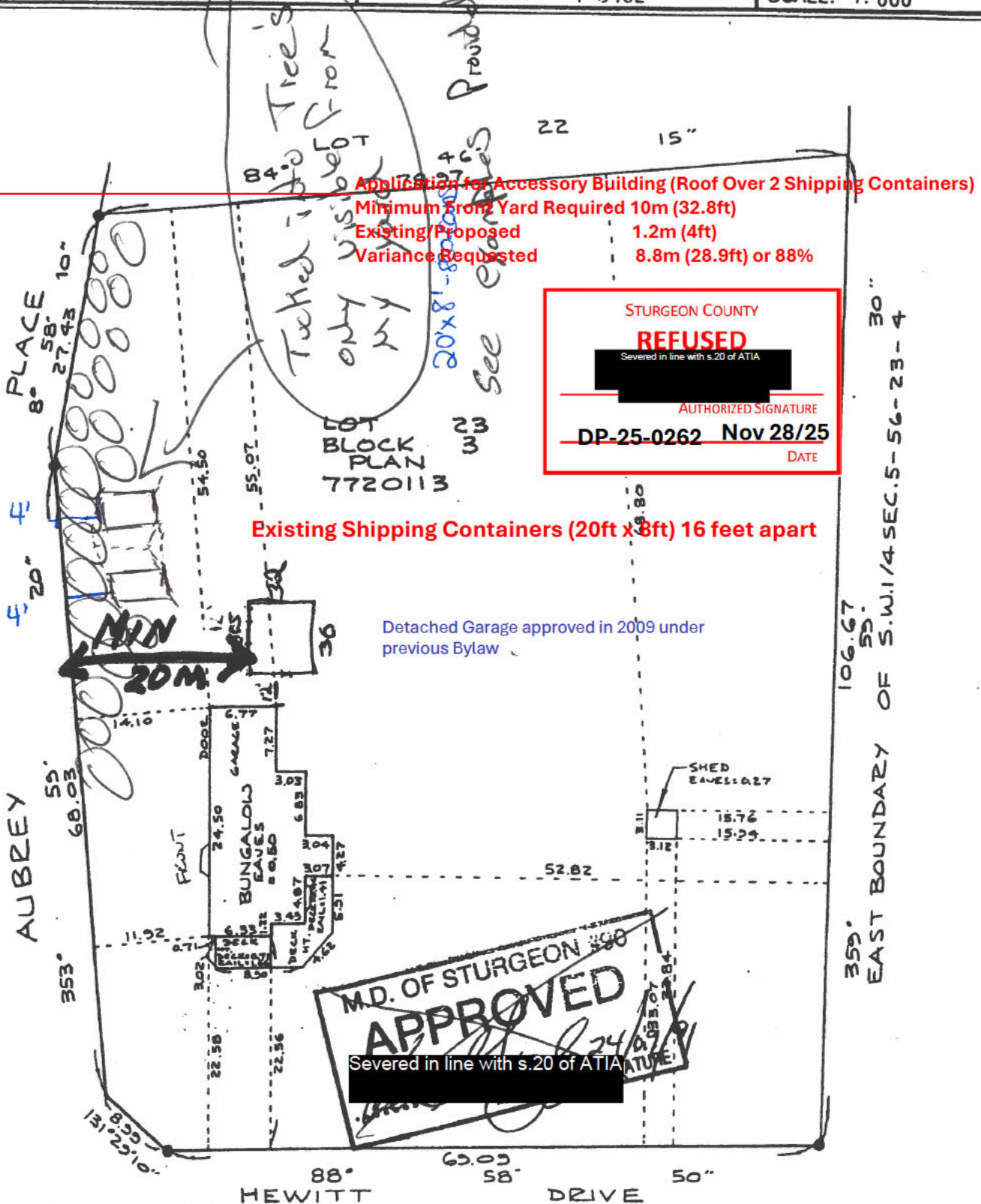
3643 - 45 AVENUE, EDMONTON, ALBERTA
PH: 438-1336 T6E 5Z8 FAX: 437-4640



CLIENT FILE NO. 25723-1

C.E.S. FILE NO. T-8402

SCALE: 1: 600



Application for Accessory Building (Roof Over 2 Shipping Containers)
Minimum Front Yard Required 10m (32.8ft)
Existing/Proposed
Variance Requested
1.2m (4ft)
8.8m (28.9ft) or 88%

STURGEON COUNTY
REFUSED
Severed in line with s.20 of ATIA
[Redacted Signature]
AUTHORIZED SIGNATURE
DP-25-0262 Nov 28/25
DATE

Existing Shipping Containers (20ft x 8ft) 16 feet apart

Detached Garage approved in 2009 under previous Bylaw

M.D. OF STURGEON COUNTY
APPROVED
Severed in line with s.20 of ATIA
[Redacted Signature]

LOT	23	BLOCK	3	PLAN	772 0113
ADDRESS	SW 5-56-23-W4M M.D. Strurgeon #90				

STURGEON COUNTY

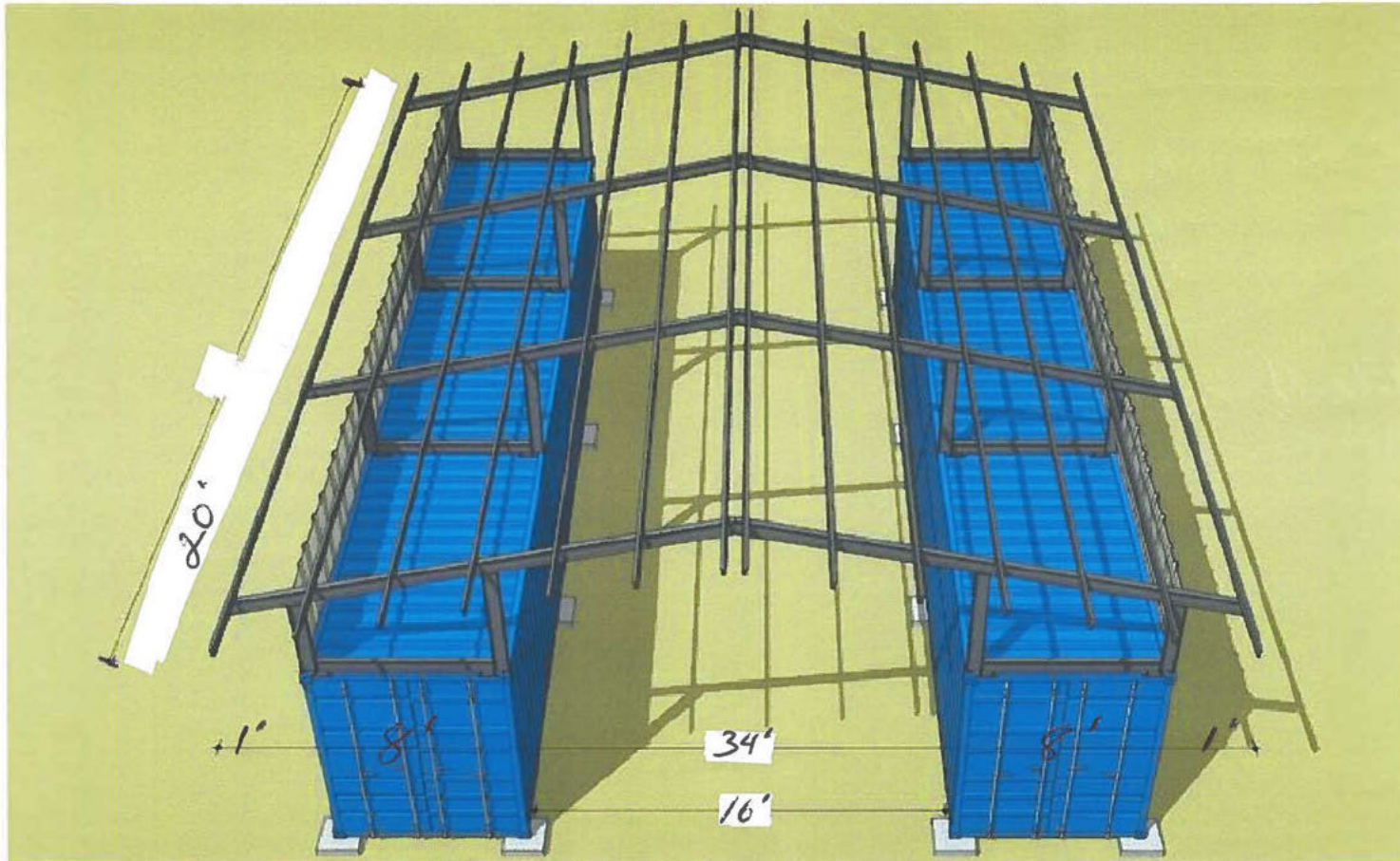
REFUSED

Severed in line with s.20 of ATIA

AUTHORIZED SIGNATURE

DP-25-0262 Nov 28/25

DATE



example 1 From Internet

STURGEON COUNTY

REFUSED

Severed in line with s.20 of ATIA

AUTHORIZED SIGNATURE

DP-25-0262

Nov 28/25

DATE



example 2 From Internet



STURGEON COUNTY

REFUSED

Severed in line with s.20 of ATIA

DP-25-0262 AUTHORIZED SIGNATURE Nov 28/25

DATE



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

For Office Use	
Permit Number:	DP-25-0262
Date Received:	10 Nov 2025
Received By:	DC

DEVELOPMENT PERMIT APPLICATION

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

APPLICANT INFORMATION

Complete if different from Applicant

Name of Applicant: <u>Tony Bombino</u>	Name of Registered Land Owner:	
Severed in line with s.20 of ATIA	Mailing Address: <u>Same</u>	
	City:	
	Postal Code:	PH:
	Email Address:	

LAND INFORMATION

Legal Description of Property All/Part SE 1/4 Section 6 Twp 56 Rge. 23 West of the 4 Meridian
OR Lot 23 Block 3 Plan No. 7720113 Hamlet or Subdivision Hewitt Estate
Parcel Size: 2.03 Ac Rural Address: 100 Aubrey Place

DEVELOPMENT INFORMATION - Please Mark (X) ALL that Apply

<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional	<input checked="" type="checkbox"/> Accessory Building <input type="checkbox"/> Addition <input type="checkbox"/> Attached Garage <input type="checkbox"/> Site Grading <input type="checkbox"/> Deck <input type="checkbox"/> Other	<input type="checkbox"/> Kennel <input checked="" type="checkbox"/> RV Storage <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Dugout	Brief Description: <u>Roof over 2</u> <u>separates to</u> <u>store my</u> <u>Tractor & or</u> <u>Trailer</u>	Development Details: Size: <u>20'</u> Height: <u>16'</u> Start Date: End Date: Estimated Project Value: <u>12.15 K</u> (cost of material & labour)
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APPLICANT AUTHORIZATION

I/we hereby give my/our authorization to apply for this development permit application and allow authorized persons the right to enter the above land and/or building(s) with respect to this application only, per Section 542 of the Municipal Government Act. I/we understand and agree that this application and any development permit issued pursuant to this application or any information thereto, is not confidential information and may be used for an authorized person electronically as per R.S.A. 2000., c.M-26.

Severed in line with s.20 of ATIA

Severed in line with s.20 of ATIA

Oct 27/25
Date

Oct 27/25
Date

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

Oct 27/25
Date

FOR OFFICE USE ONLY

Permitted Use <input type="checkbox"/> Discretionary Use <input type="checkbox"/>
Fee \$ <u>150.</u> Penalty \$ Receipt# <u>202507555</u> Tax Roll# <u>1161046</u> District
Payment Method: Cash / Cheque / Debit / VISA / Mastercard
M/C or Visa Number Expiry Date:
Name (as it appears on card): Authorized Signature:



Sturgeon
COUNTY

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

For Office Use

Permit Number: _____
Date Received: _____
Received By: _____

VARIANCE REQUEST APPLICATION

This form is required along with a completed development permit application for a proposed or existing development that requires a variance. All applicable information including the proposed variance shall be shown on the site plan. All variance requests are considered **discretionary** and will be processed as per Sturgeon County's Land Use Bylaw 1385/17.

VARIANCE DESCRIPTION

WHAT IS A VARIANCE? A variance means a relaxation to the regulations of the Land Use Bylaw.

Please indicate what Land Use Bylaw regulation(s) you are seeking to vary. Describe and indicate on the site plan.

Frony Yard Set Back of 10 Meters,

JUSTIFICATION

What is the reason why the regulation cannot be adhered to? What are the unique circumstances of your property that warrants a variance?

The Sea-Can's in question are already in place and have been there for several years. It would not be feasible to have them moved at this point as the Driveway is already in place and the Sea-Can's are set in their final place

MITIGATION

How have you considered revising the project to **eliminate/reduce** the variance request?

I have not given that any thought as I was unaware that a permit was required to put a shelter over the Sea-Can's. This will be Cold Storage and possibly park a vehicle that is not in use there.

What measures will be applied to **minimize the potential impact** of the proposed variance on adjacent property owners?

No impact to neighborhood or adjacent neighbors
Unless the [redacted] who doesn't like me will complain

APPLICANT AUTHORIZATION

I/we hereby give my/our authorization to apply for this development permit application and allow authorized persons the right to enter the above land and/or building(s) with respect to this application only. I/we understand and agree that this application and any development permit issued pursuant to this application or any information thereto, is not confidential information and may be released by Sturgeon County.

Severed in line with s.20 of ATIA [redacted] Sturgeon County to community Severed in line with s.20 of ATIA 608 (1) of the Municipal

Nov 23/25

Nov 23/25

Date

Nov 23/25

Date

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

Fee \$ _____ Receipt # _____ Paid by: Cash / Cheque / Debit / VISA / Mastercard

APPLICATION FEES ARE NON-REFUNDABLE

Please be advised that any information provided to Sturgeon County (the "County") in order to process your application is subject to the application of the Access to Information Act (ATIA) and may be used and disclosed in accordance with the legislation. Specifically, all documents and studies required to be prepared and submitted by the applicant to the County are deemed to be publicly available and the property of the County once they are submitted to the County to process the application. Unless the submitting party explicitly indicates, in advance and clearly on the face of the record, that certain parts of the information are provided in confidence to the County and are to remain confidential, all documents and studies submitted to the County may be subject to disclosure under the ATIA. If confidentiality is required, it is the responsibility of the submitting party to clearly mark such records as Confidential and provide written rationale for the request. Should the applicant provide the County with such a declaration of confidentiality, the County will take this under consideration to determine if the document and/or study can be accepted in confidence; however, the County cannot guarantee that such information will remain confidential and will not be subject to disclosure pursuant to the ATIA.

PLANNING AND DEVELOPMENT SERVICES REPORT

Subdivision & Development Appeal Board
File Number 025-STU-017

FILE INFORMATION

Department File:	DP-25-0262
Legal Land Description:	Plan 7720113; Block 3, Lot 23
Address:	100 23516 TWP RD 560
Appellant:	Tony Bombino
Landowner:	Antonio & Rita Bombino
Description of Appeal:	Appealing the Decision of the Development Authority of Refusal to Construct an Accessory Building
Land Use Bylaw District:	R1 – Country Residential
Tax Roll Number:	1161046

BACKGROUND

- A development permit application was submitted for the construction of a roof over two shipping containers intended for storage.
- The site plan indicates the proposed structure will be located 4 feet from the front property line.
- A drawing shows how the shipping containers measure 2.4m (8ft) in width and 6.1m (20ft) in length, positioned 4.9m (16ft) apart. As a result, the roofed structure will have overall dimensions of 9.8m (32ft) by 6.1m (20ft), totaling approximately 60m² (~646ft²) in area. With roof trusses included, it is anticipated the structure's height will be ~4.9m (16ft).
- Upon review, it was confirmed the shipping containers have already been placed on the property.
- The landowner stated the containers are not visible from the road due to mature spruce trees. Photos showing the current location placement and views from the road were included with the application.

PROPERTY INFORMATION

- The property is 0.82ha (2.03 acres) in area currently developed with a single detached dwelling with attached garage and accessory buildings.

RELEVANT POLICY/LEGISLATION

- **Land Use Bylaw 1385/17**, as amended.
 - **Section 6.27 Shipping Container**
 - One shipping container is permitted within the R1 district without requiring a development permit.

- Shipping containers shall meet the minimum setback requirements for accessory buildings within the R1 district.
- A proposed roof over two shipping containers is considered an Accessory Building and the structure shall comply with Accessory Building regulations.
- Structurally altered or modified shipping containers must meet the requirements of the Alberta Building Code.

○ Section 12.1.4 R1 – Country Residential District

4 Development Regulations

	<i>Abutting a local road</i>	12m (39.4ft)
Minimum front yard setback	<i>Abutting collector road</i>	35m (114.8ft)
	<i>Flanking front yard</i>	10m (32.8ft)
Minimum side yard setback	<i>Principal building</i>	6m (19.7ft) or 10% of the <i>parcel width</i> , whichever is lesser, not to be less than 2.5m (8.2ft)
	<i>Accessory building</i>	3m (9.8ft)
Minimum rear yard setback	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	3m (9.8ft)
Maximum height	<i>Principal building</i>	12m (39.4ft)
	<i>Accessory building</i>	8m (26.2ft)
Maximum floor area	<i>Accessory building</i>	230m ² (2,475.7ft ²)
Maximum parcel coverage	15%	

1432/19

○ Section 2.8 Decision Process

- The Development Authority may grant a variance up to 40% within the R1 district.
- Development Authority may exceed this if the following is met.
 - (a) The Development Authority may approve a variance in excess of Table 2.1 if any of the following criteria apply:
 - there are practical difficulties in complying with the affected regulation(s) due to the use, character, situation or location of land or a building which are generally not common to other sites in the same Land Use District;
 - potential impacts on adjacent properties or roadways and measures to mitigate such impacts have been addressed in the application;

- (b) At the discretion of the Development Authority, variances in excess of what is prescribed in Table 2.1 and where circumstances are not supported by Paragraph 2.8.6(a) shall be refused.

ANALYSIS

- R1 districts may have one shipping container without a development permit, provided it meets the minimum accessory building setbacks.
- When a shipping container is structurally modified – such as adding a roof – it is considered an accessory building and requires a building permit.
 - The Safety Codes Officer advised that if the side yard distance is less than 8 feet, to a property line, the wall must have a 45-minute fire rating. No additional exterior treatment is required since the container is non-combustible, and soffits are non-vented.
 - Stamped, engineered drawings are required for the roof system's connection to the containers.
- The R1 district requires a minimum flanking front yard setback of 10m. The shipping containers are currently positioned 1.2m from the front property line, meaning a variance of 8.8m (88%) would be necessary to leave the shipping containers and to add a roof.
- The Development Authority can approve a variance up to 40% in the R1 district.
- The Development Authority does not recognize any practical difficulties in meeting the setbacks for this development and that the parcel is not substandard and includes sufficient space to relocate the building. As such the bylaw states the request shall be refused.
- Given, the requested variance greatly exceeds this limit, and the 2.03-acre parcel offers sufficient space for a compliant accessory building, the application was refused.

CONCLUSION

- The Board must comply with the following:
 - Application must ensure the application aligns with the prescribed uses outlined in the Land Use Bylaw, as required under *MGA* s. 687(3)(d)(ii).
 - The Development Authority has determined the existing shipping containers require a variance to remain in their current location even without modification.
- The Board may consider:

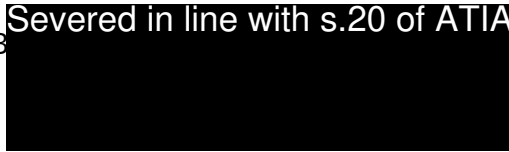
- Whether the existing development unduly interferes with the amenities of the neighbourhood; or materially interferes with or affects the use, enjoyment, or value of neighbouring properties.
 - Any special circumstances related to the property, such as its size, shape, topography, location, existing buildings, landscaping or surrounding context.
 - Or if sufficient mitigation of any impacts to the above has been proposed.
- If the Board approves the application as submitted for the placement of the shipping containers and construction of the accessory building, the following conditions are recommended.
 1. A development permit is required in accordance with section 6.27.7 of Land Use Bylaw 1385/17 (as amended). A roof constructed over two shipping containers is considered an accessory building. Section 1.6 states, a “building” is defined as any structure constructed or placed on, in, over, or under land.
 2. The modified shipping containers shall meet all applicable requirements of the Alberta Building Code.
 3. The accessory building is approved to be 1.2m from the front flanking property line and be constructed in accordance with the stamped approved site plan and drawings submitted.
 4. The accessory building shall not exceed 60m² (~640ft²) in area and 4.9m in height.
 5. The exterior finish of the accessory building shall be completed within one year from the date the development permit is issued. The building’s exterior design and treatment shall be of a quality and style that is compatible with surrounding structures.
 6. Drainage measures undertaken as part of a development shall not negatively impact adjacent parcels by way of flooding or inundation through the redirection of surface water. If the drainage of a development is found to affect adjacent parcels, all mitigating measures required to remedy the problem including drainage structures, drainage easements and retaining walls shall be at the sole expense of the landowner of the parcel where the mitigating measures are required.
 7. No development shall encroach on or be erected on an easement or right-of-way unless the owner of the encroaching structure has obtained written consent from the owner or licensee to which the easement or right-of-way has been granted.
 8. If the development authorized by this permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the permit approval ceases and the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
 9. No person shall keep or permit in any district any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district. Any excavation, storage or piling up of materials required

during the construction stage shall have all necessary safety measures undertaken and the owner of such materials or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

Advisory Notes:

1. Prior to commencing construction, an approved building permit must be obtained.

Prepared By: Severed in line with s.20 of ATIA



Officer

Reviewed By:

Tyler McNab

Digitally signed by Tyler McNab
Date: 2025.12.11 14:16:54 -07'00'

Tyler McNab, Program Lead Development & Safety Codes

025-STU-017

Development Authority Report

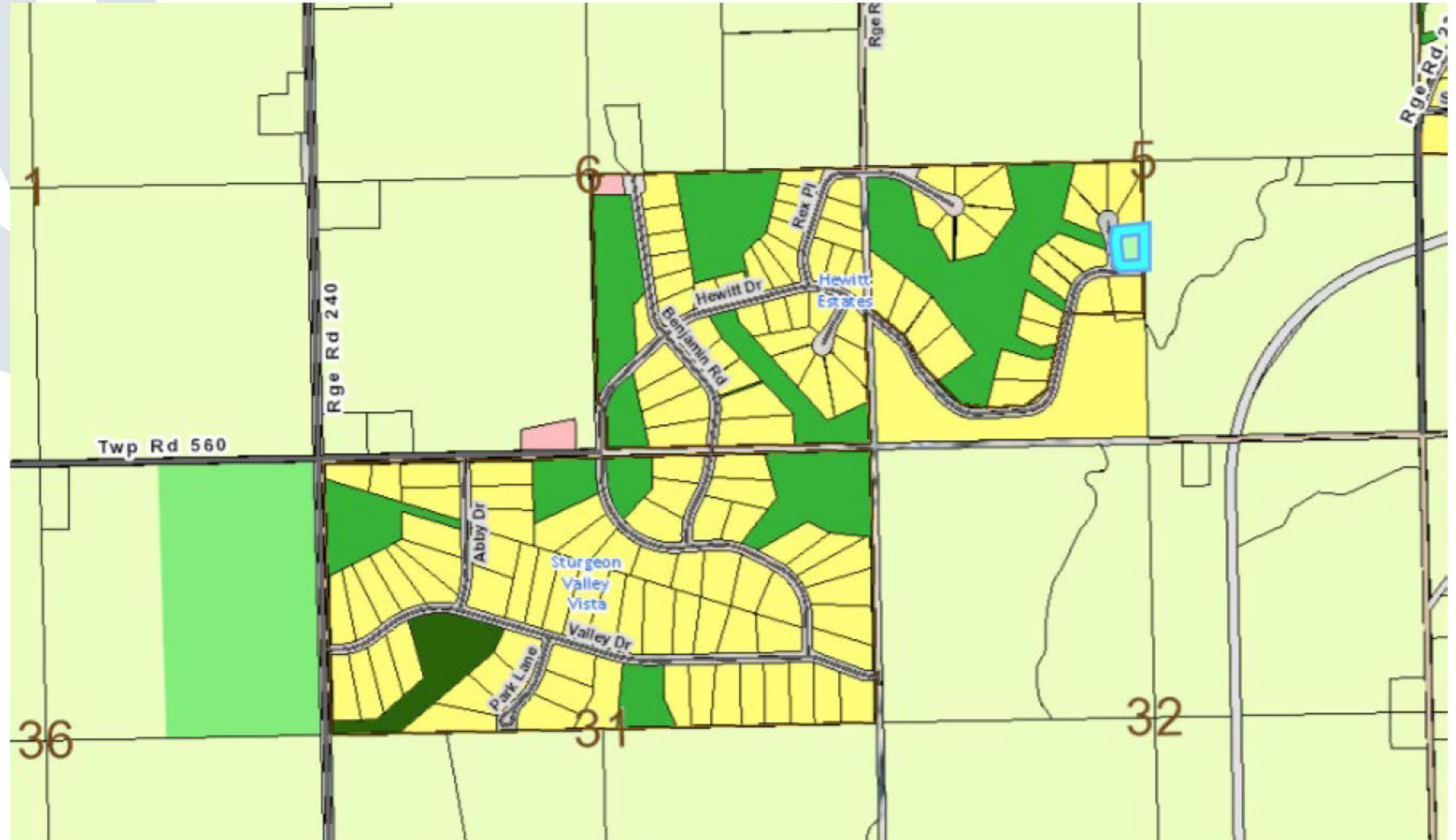
2025-12-16



Sturgeon
C O U N T Y

Site Location (Local)

Hewitt Estates
R1 Country
Residential
District



Site Location (Site)

Plan 7720113; Block 3 Lot 23

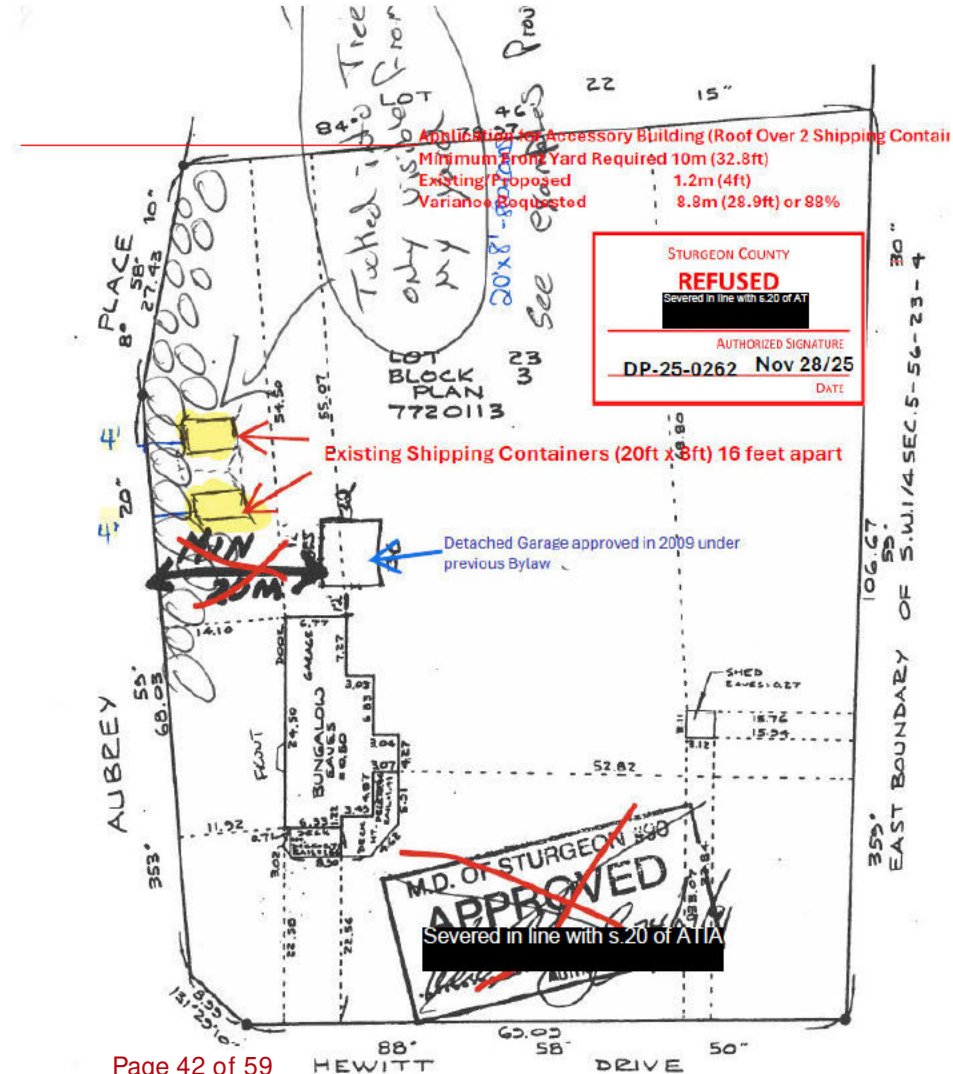


Property Information



Corner Parcel
2.03 Acres
SDD
Accessory Buildings
Mature Evergreens

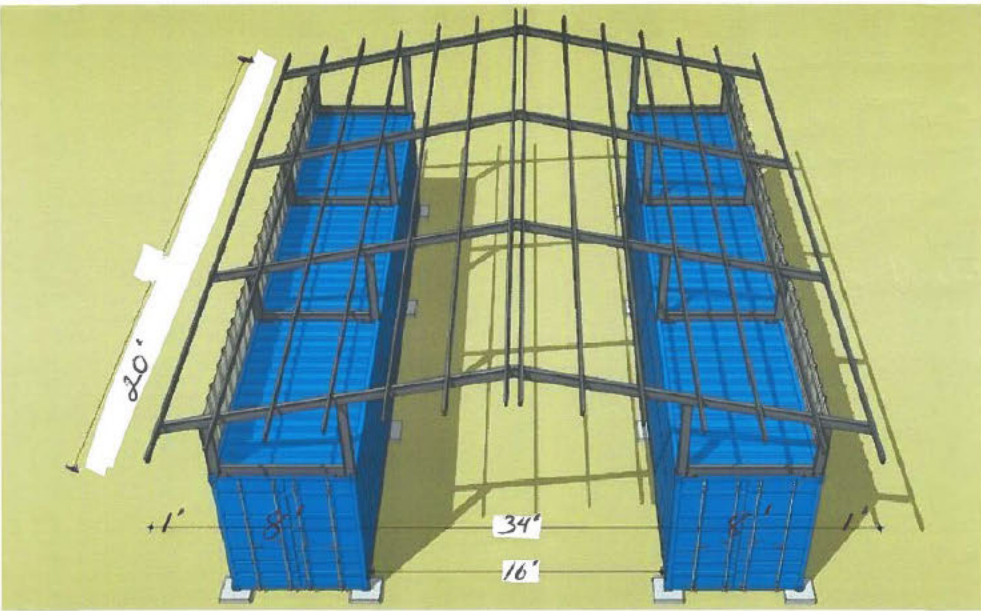
Application Information



Site Plan
2 Existing
Containers

Application Information

Proposed Sample Drawings



example 1 From Internet

[illegible]

Application Information

Applicant Photos



Relevant Policy & Legislation

Land Use Bylaw 1385/17

- **Section 6.27 – Shipping Containers**

- One permitted within R1 district without a permit
- Must meet the setbacks of an Accessory Building within the district
- A structurally altered or modified shipping container considered an Accessory Building
 - Building permit required and the structure must meet Alberta Building Code

Relevant Policy & Legislation

Land Use Bylaw 1385/17

- Section 12.1 R1 Country Residential District

.4 Development Regulations

Minimum front yard setback	Abutting a local road	12m (39.4ft)
	Abutting collector road	35m (114.8ft)
	Flanking front yard	10m (32.8ft)
Minimum side yard setback	Principal building	6m (19.7ft) or 10% of the parcel width, whichever is lesser, not to be less than 2.5m (8.2ft)
	Accessory building	3m (9.8ft)
Minimum rear yard setback	Principal building	6m (19.7ft)
	Accessory building	3m (9.8ft)
Maximum height	Principal building	12m (39.4ft)
	Accessory building	8m (26.2ft)
Maximum floor area	Accessory building	230m ² (2,475.7ft ²)
Maximum parcel coverage	15%	

1432/19

Relevant Policy & Legislation

Land Use Bylaw 1385/17

- Section 2.8 Decision Process

- Development Authority may grant a variance up to 40% in the R1 District

District	Percentage of variance that may be granted by the Development Authority
R1 – Country Residential	0.1 – 40%
R2 – Country Estate Residential	0.1 – 40%

- Development Authority may exceed this if the following is met.

- ☞ (a) The Development Authority **may approve** a variance in excess of Table 2.1 if any of the following criteria apply:
 - there are **practical difficulties in complying with the affected regulation(s)** due to the use, character, situation or location of land or a building which are **generally not common** to other sites in the same Land Use District;
 - potential impacts on adjacent properties or roadways and measures to mitigate such **impacts have been addressed in the application;**
- ☞ (b) At the discretion of the Development Authority, variances in excess of what is prescribed in Table 2.1 and where circumstances are not supported by Paragraph 2.8.6(a) **shall be refused.**

Analysis

1. R1 districts may have one shipping container without a development permit, provided it meets the minimum accessory building setbacks.
2. When a shipping container is structurally modified – such as adding a roof – it is considered an accessory building and requires a building permit.

The Safety Codes Officer advised that if the side yard distance is less than 8 feet, to a property line, the wall must have a 45-minute fire rating. No additional exterior treatment is required since the container is non-combustible, and soffits are non-vented.

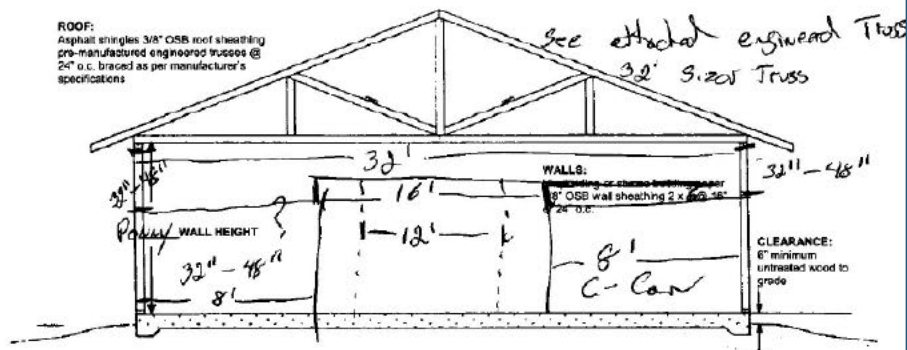
Stamped, engineered drawings are required for the roof system's connection to the containers.

3. The R1 district requires a minimum flanking front yard setback of 10m. The shipping containers are currently positioned 1.2m from the front property line, meaning a variance of 8.8m (88%) would be necessary to leave the shipping containers and to add a roof.
4. The Development Authority may approve a variance up to 40% in the R1 district. And May exceed this in certain circumstances.
5. The Development Authority does not recognize any practical difficulties in meeting the setbacks for this development and that the parcel is not substandard and includes sufficient space to relocate the building. As such the bylaw states the request **shall** be refused.
6. **Given, the requested variance (88%) greatly exceeds this limit, and the 2.03-acre parcel offers sufficient space for a compliant accessory building, the application was refused.**

ACCESSORY BUILDING CONSTRUCTION SHEET (DETACHED GARAGE, SHED, ETC)

(to be completed and attached to the Building Permit Application Form)

ROOF:
Asphalt shingles 3/8" OSB roof sheathing
pre-manufactured engineered trusses @
24" o.c. braced as per manufacturer's
specifications



Please check off construction details as listed below.

Roofing Material

- ☐ Asphalt Shingles
☐ Cedar, Pine Shakes/Shingles
☒ Metal Roofing
☐ Other Specify: _____

Wall Sheathing

Specify: 3/8 OSB

Wall Framing

Specify: 2x6 Framing

Roof Sheathing

- ☒ Min. 5/8" OSB or plywood

NOTE: OSB or plywood less than 5/8" requires H clips
and bridge blocking

- ☐ 1/2" OSB or plywood

- ☐ Other Specify: _____

Overhead Door Beam

Length: 18' 2x12(2)

Depth: _____ # of Plys: 2

- ☒ Built Up ☐ Engineered

Roof Framing

- ☒ Pre-manufactured Engineered Truss
☐ Roof rafters, ceiling, joists, roof joist
(provide details)

Exterior Finish

- ☐ Vinyl Siding

- ☐ Stucco

- ☒ Metal Siding

- ☐ Other Specify: _____

Direction of Trusses

- ☒ Trusses parallel to overhead door opening
☐ Trusses perpendicular to overhead door
opening

Foundation

- ☐ 4" Slab up to 592 sq. ft.

- ☐ Strip footing & 4" frost wall

- ☐ Other Foundation (detailed, engineering)

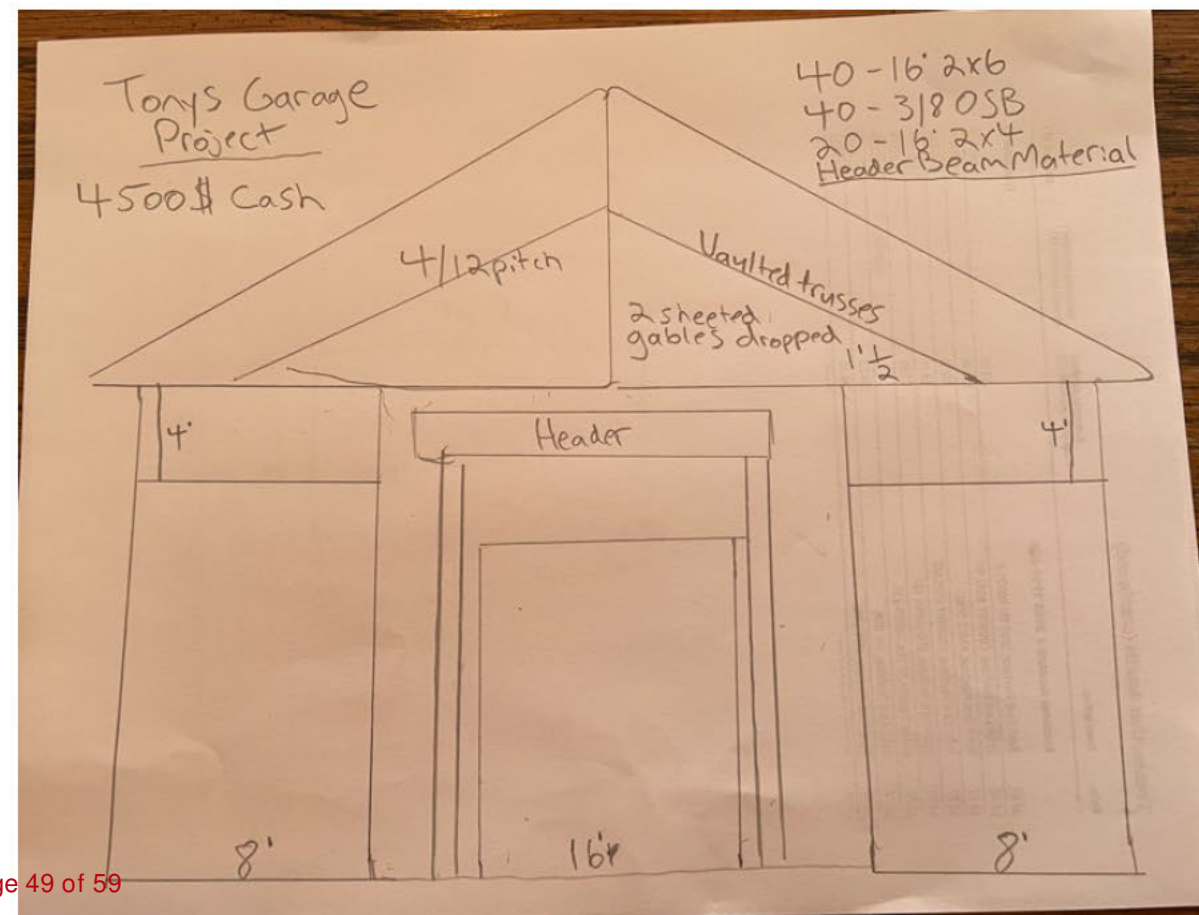
- ☒ On Skids

NOTE: Separate permit
applications are required for the
installation of electrical, gas
and/or plumbing in the building.

Application Information

Additional Info from Applicant

Metal roofing and siding to match dwelling
& accessory building



Conclusion

- **The Board must comply with the following:**

Application must ensure the application aligns with the prescribed uses outlined in the Land Use Bylaw, as required under MGA s. 687(3)(d)(ii).

The Development Authority has determined the existing shipping containers require a variance to remain in their current location even without modification.

- **The Board may consider:**

Whether the development unduly interferes with the amenities of the neighbourhood; or materially interferes with or affects the use, enjoyment, or value of neighbouring properties.

Any special circumstances related to the property, such as its size, shape, topography, location, existing buildings, landscaping or surrounding context.

Or if sufficient mitigation of any impacts to the above has been proposed.

Conclusion

Recommendation

Should the Board APPROVE the application for the Accessory Building as submitted, the following conditions are recommended.

1. A development permit is required in accordance with section 6.27.7 of Land Use Bylaw 1385/17 (as amended). A roof constructed over two shipping containers is considered an Accessory Building. Section 1.6 states, a “building” is defined as any structure constructed or placed on, in, over, or under land.
2. The modified shipping containers shall meet all applicable requirements of the Alberta Building Code.
3. The accessory building is approved to be 1.2m from the front flanking property line and be constructed in accordance with the stamped approved site plan and drawings submitted.
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6. Drainage measures undertaken as part of a development shall not negatively impact adjacent parcels by way of flooding or inundation through the redirection of surface water. If the drainage of a development is found to affect adjacent parcels, all mitigating measures required to remedy the problem including drainage structures, drainage easements and retaining walls shall be at the sole expense of the landowner of the parcel where the mitigating measures are required.
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8. If the development authorized by this permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the permit approval ceases and the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
9. No person shall keep or permit in any district any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district. Any excavation, storage or piling up of materials required during the construction stage shall have all necessary safety measures undertaken and the owner of such materials or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

Conclusion

Recommendation (continued)

Advisory Notes:

1. Prior to commencing construction, an approved building permit must be obtained.

APPELLANT SUBMISSION RECEIVED

***NOTE:**

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


WRITTEN
SUBMISSIONS
FROM
ADJACENT
LANDOWNERS
AND OTHER
AFFECTED
PERSONS

Appeal Board Hearing

From Teresa Ochitwa **Severed in line with s.20 of ATIA**

Date Mon 2025-12-08 8:33 PM

To Legislative Services <legislativeservices@sturgeoncounty.ca>

 4 attachments (363 KB)

Development Appeal-Bombino.pdf; IMG_0661.jpg; IMG_0658.PNG; IMG_0653.jpg;

Severed in line with s.20 of ATIA [Learn why this is important](#)

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[Preview attachment IMG_0653.jpg](#)[Preview attachment IMG_0653.jpg](#)

[IMG_0653.jpg](#)

[29 KB](#)

RE: SDAB File No: 025-STU-017

Appellant: Anthony Bombino

7720113;3;23; SW-5-56-23-4

100-23516 TWP RD 560

Sturgeon County, AB

Attention: Tanis Sawatsky

Good Morning,

Please see attached written submission for the above noted appeal including pictures of sea containers visible from the public road.

Thank you for your assistance.

Regards,

Teresa Ochitwa

Subdivision and Development Appeal Board
Sturgeon County
9613-100 Street
Morinville, AB T8R 1L9

Via Email

Attention: Tanis Sawatsky

RE: **SDAB File No: 025-STU-017**

Development Appeal for property located at 100 23516 TWP RD 560, Sturgeon County, AB

We respectfully submit the following comments regarding Anthony Bombino's appeal:

The appellant states that the sea containers have been in place for several years and that relocating them is not feasible due to the existing driveway and their current placement. However, the responsibility to review all applicable bylaws and obtain required permits rests solely with the property owner, regardless of when the structures were installed. The absence of prior approval does not exempt the development from compliance.

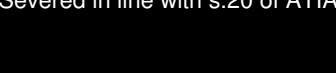
The appellant further indicates that they were unaware a permit was required to construct a shelter over the sea containers. It is the owner's obligation to ensure that all construction activities meet regulatory requirements before proceeding.

Additionally, the appellant asserts that the development has no impact on the neighborhood or adjacent landowners. We disagree. The sea containers placement do not meet the setback requirements and are visible from the country road and adjacent properties, contrary to the appellants statements. **Their presence affects the visual character of the area and has the potential to influence surrounding property values.**

We therefore support the County's decision to refuse the permit. Granting approval in these circumstances could set an undesirable precedent for other property owners and weaken the integrity of existing land-use regulations.

Respectfully submitted,

Teresa and Gary Ochitwa
Severed in line with s.20 of ATIA



Att: Photos





