

February 3, 2026
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: Jeff Verge 026-STU-002 Subdivision Appeal

2.2. Appellant: Nicholas Davis 026-STU-003 Development Appeal

3. ADJOURNMENT

Appeal #1

026-STU-002 -Appealing the Subdivision Authority's conditional approval to subdivide 2.70 hectares from 32 hectares. The original application was to subdivide 5.54 hectares from 32 hectares.

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		Date Received Stamp
Municipal Address of site:	55021 Range Road 260, Sturgeon County	
Legal land description of site: (‘plan, block, lot’ and/or ‘range-township-section-quarter)	NW 6-55-25-W4	
Development Permit number or Subdivision Application number:	2025-S-039	
Appellant Information:		Severed in line with s.20 of ATIA
Name:	[REDACTED]	Agent Name: (if applicable)
Mailing Address:	Severed in line with s.20 of ATIA	
Postal Code:	[REDACTED]	
APPEAL AG		

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

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

-The original 5.54 ha configuration better supports agricultural use
-The original proposal maintains rural character without increasing impacts.
- The smaller parcel increases agricultural fragmentation.
Please see attached page for added appeal reasons and breakdowns. (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:	Severed in line with s.20 of ATIA	Date:
FOR OFFICE USE ONLY		
SDAB Appeal Number:	Appeal Fees Paid:	Hearing Date:
	<input type="checkbox"/> Yes <input type="checkbox"/> No	YYYY/MM/DD

APPEAL SUBMISSION INFORMATION

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

FILING INFORMATION

MAIL OR DELIVER TO:

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

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

APPEAL PROCESS

Who can appeal?

Subdivision appeals:

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

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

Development appeals:

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

For further information:

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

Phone: 780.939.4321
Email: legislativeservices@sturgeoncounty.ca



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

VERGE, JEFF
 FILE 2025-S-039

Receipt Number: 202600044
 GST Number: 107747412RT0001
 Date: 2026-01-05
 Initials: KB

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>
			Visa: \$100.00	
			Total Monies Received: \$100.00	
			Rounding: \$0.00	
			Amount Returned: \$0.00	

Reasons for Appeal – Subdivision Application

This appeal is submitted in response to the conditional approval of a 2.70 hectare subdivision parcel. The applicants respectfully request approval of the originally proposed 5.54 hectare parcel. The intent is to actively utilize the land for agricultural purposes, including crop production and livestock, and to establish a parcel configuration that supports practical, long-term rural land use.

1. The applicants intend to actively farm and raise livestock on the parcel

The applicants intend to use the subdivided parcel for agricultural purposes, including cultivation and livestock. The originally proposed 5.54 hectare parcel provides sufficient area and configuration to support fencing, animal rotation, shelter placement, and separation from adjacent agricultural operations. The approved 2.70 hectare parcel is constrained in shape and limits the practical ability to carry out these activities.

2. Parcel configuration, not just size, determines agricultural usability

Agricultural land function is strongly influenced by parcel shape. The original proposal creates a squared-off, contiguous parcel that allows efficient field use, equipment operation, and logical fence lines. The approved parcel introduces narrow sections and irregular boundaries that reduce usable land and increase management difficulty.

3. The larger parcel results in a better overall agricultural planning outcome

The originally proposed configuration minimizes fragmentation of both the new parcel and the remnant lands. It preserves larger, more workable agricultural areas and avoids the creation of awkward remnant pieces that are difficult to farm. This represents a more responsible and sustainable subdivision outcome.

4. The approved smaller parcel increases future land use constraints

The reduced parcel size increases pressure to place buildings, wells, septic systems, and livestock facilities closer together and nearer to property boundaries. This increases the likelihood of future variance requests or land use conflicts. The larger parcel accommodates development internally and reduces long-term planning issues.

5. The original proposal maintains rural character without increasing impacts

Approval of the 5.54 hectare parcel does not increase density, servicing demands, or traffic. It simply allows a more functional rural parcel that supports active agricultural use and maintains the rural character intended for this area. The appeal seeks an improved land configuration, not additional development intensity.

6. Avoid Creation of remnant or inefficient agricultural parcels

Irregular or minimized subdivisions often leave behind narrow strips or awkward corners that are difficult or unsafe to farm with modern equipment.

January 13, 2026

SDAB File Number: 026-STU-002

To Jeff Verge:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	NW-6-55-25-W4 55021 Range Road 260
Subdivision Application Number:	2025-S-039
Decision Regarding Proposed Subdivision:	Conditional approval to subdivide 2.70 hectares from 32 hectares. The original application was to subdivide 5.54 hectares from 32 hectares.

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on January 5, 2026. In accordance with section 680(3) of the *Municipal Government Act*, the Subdivision and Development Appeal Board (SDAB) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

Take notice that this Subdivision and Development Appeal Board hearing is scheduled for **February 3, 2026 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 128 110 98#. 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 January 29, 2026. 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 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

January 13, 2026

SDAB File Number: 026-STU-002

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	NW-6-55-25-W4 55021 Range Road 260
Subdivision Application Number:	2025-S-039
Decision Regarding Proposed Subdivision:	Conditional approval to subdivide 2.70 hectares from 32 hectares. The original application was to subdivide 5.54 hectares from 32 hectares.

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Appellant: Jeff Verge

Reasons for Appeal:

- The originally proposed 5.54 hectare configuration better supports long-term agricultural use.
- The original proposal maintains the rural character without increasing impacts.
- Parcel configuration, not just size, determines agricultural usability. The smaller parcel increases agricultural fragmentation, and the approved smaller parcel increases future land use constraints. The larger parcel results in a better overall agricultural planning outcome.
- The Applicants intend to actively farm and raise livestock on the parcel.
- The Applicants wish to avoid the creation of remnant or inefficient agricultural parcels.

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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 January 29, 2026. However, the Board can accept written submissions up to the date of the hearing.**

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

Tanis Sawatsky
Secretary, Subdivision and Development Appeal Board

Encl.: Subdivision Map

January 6, 2026

SDAB File Number: 026-STU-002

To Whom it May Concern:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	NW-6-55-25-W4 55021 Range Road 260
Subdivision Application Number:	2025-S-039
Decision Regarding Proposed Subdivision:	Conditional approval to subdivide 2.70 hectares from 32 hectares. The original application was to subdivide 5.54 hectares from 32 hectares.

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Appellant: Jeff Verge

Reasons for Appeal:

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Why am I receiving this information?

When an appeal is received, affected bodies/organizations have the right to make a written submission, either for or against the appeal prior to the hearing and/or attend the hearing and speak for or against the proposed subdivision. Should you wish to exercise this right, your written submissions should be addressed to the undersigned by email at legislativeservices@sturgeoncounty.ca. **To be included in the SDAB hearing agenda package, written submissions must be submitted no later than January 29, 2026. However, the Board can accept written submissions up to the date of the hearing.**

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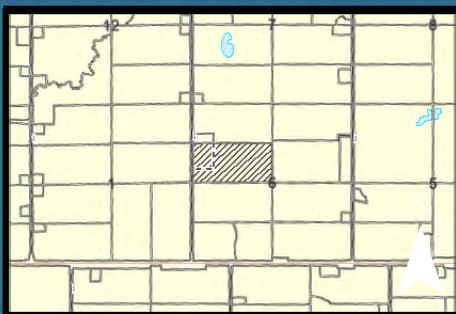
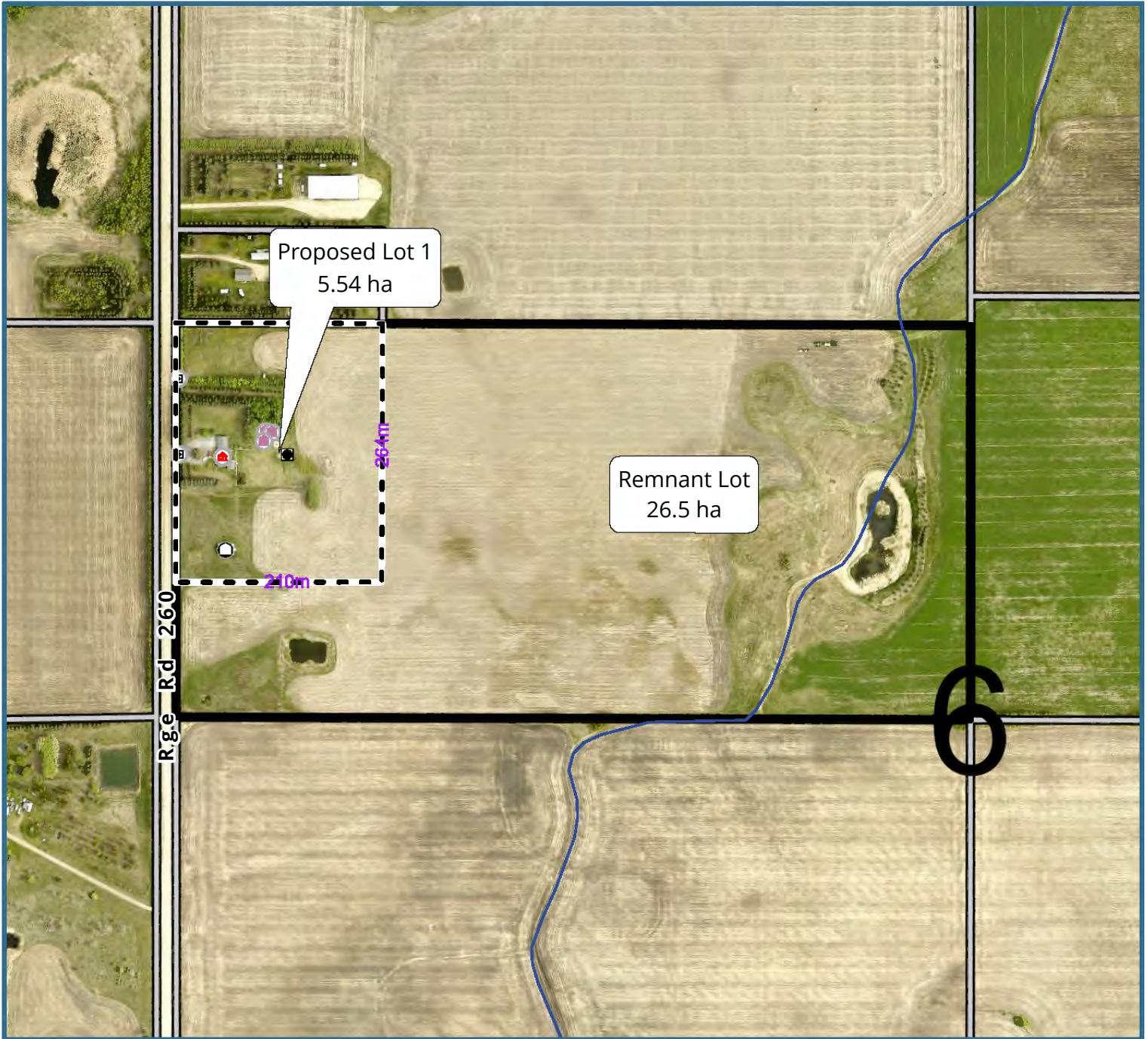
Should you require further information, call (780) 939-0620 or email legislativeservices@sturgeoncounty.ca.

Tanis Sawatsky
Secretary, Subdivision and Development Appeal Board

Encl.: Subdivision Map

Exhibit 1 [Applicant Submission]

File Number: 2025-S-039



Legal Description: NW-6-55-25-W4

Roll Number: 2909000

Total Acres/Hectares: 79.15ac / 32.03ha

Land Use: AG - Agriculture

Municipal Address: 55021 Rge Rd 260

Date: 10/10/2025

Legend

- Dwelling
- Shed
- Shop
- Existing Approach
- Pump Out

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: **October 10, 2025**

Receipt No: **202507053**

Date Accepted as "Complete": **October 20, 2025**

Application Fee: \$ **3,000.00**

File Number: **2025-S-039**

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):

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: **1**

Email:

PROPERTY INFORMATION:

All/part of the: **1/2** ¼ Sec: **6** Twp: **55** Range: **25** West of the: **4**th Meridian

OR Lot: Block: Plan: Land Title #

Municipal Address of Property: **55021 Range Road 260, Sturgeon County, Alberta, T8T 0W5**

Total existing property size (states on land title certificate): hectares **80** 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: **Separating Home/Farmstead dwelling From Farmed land.**

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

I/We,

SEVERED IN LINE WITH SECTION 20
OF THE ATI ACT

being the registered owner(s) of lands legally described as:

All/part of the: $\frac{1}{2}$ $\frac{1}{4}$ Sec: 6 Twp: 55 Range: 25 West of the: 4th Meridian

OR Lot: Block: Plan:

Municipal Address of Property: 55021 Range Road 260, Sturgeon County, AB, T8T0W5

do hereby authorize

SEVERED IN LINE WITH SECTION 20
OF THE ATI ACT

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

SEVERED IN LINE WITH SECTION 20
OF THE ATI ACT

Abandoned Oil and Gas Wells (Mandatory)

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

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

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

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

OR

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

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

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:	Varies	10m (33 ft)	1m (3.25 ft)		10m (33 ft)

Excerpt from: *Alberta Private Sewage Systems Standards of Practice 2021*

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.



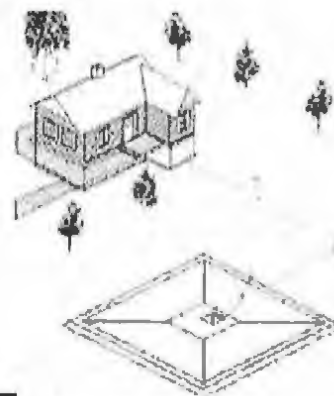
Disposal Field

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.

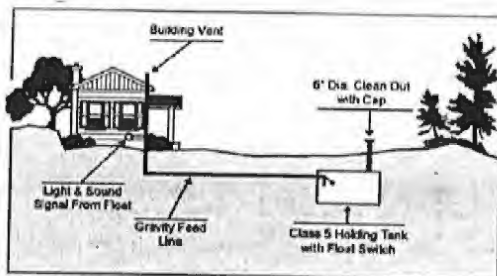


Sewage Lagoon

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

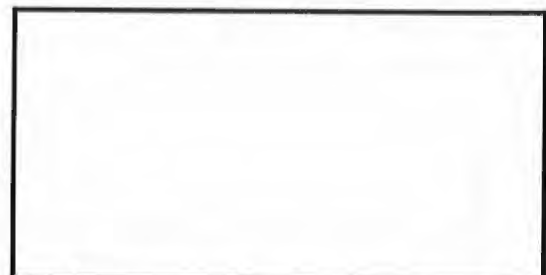
No existing sewage disposal.

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):

SEVERED IN LINE WITH SECTION 20
OF THE ATI ACT

Affidavit (Mandatory)

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

I am

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

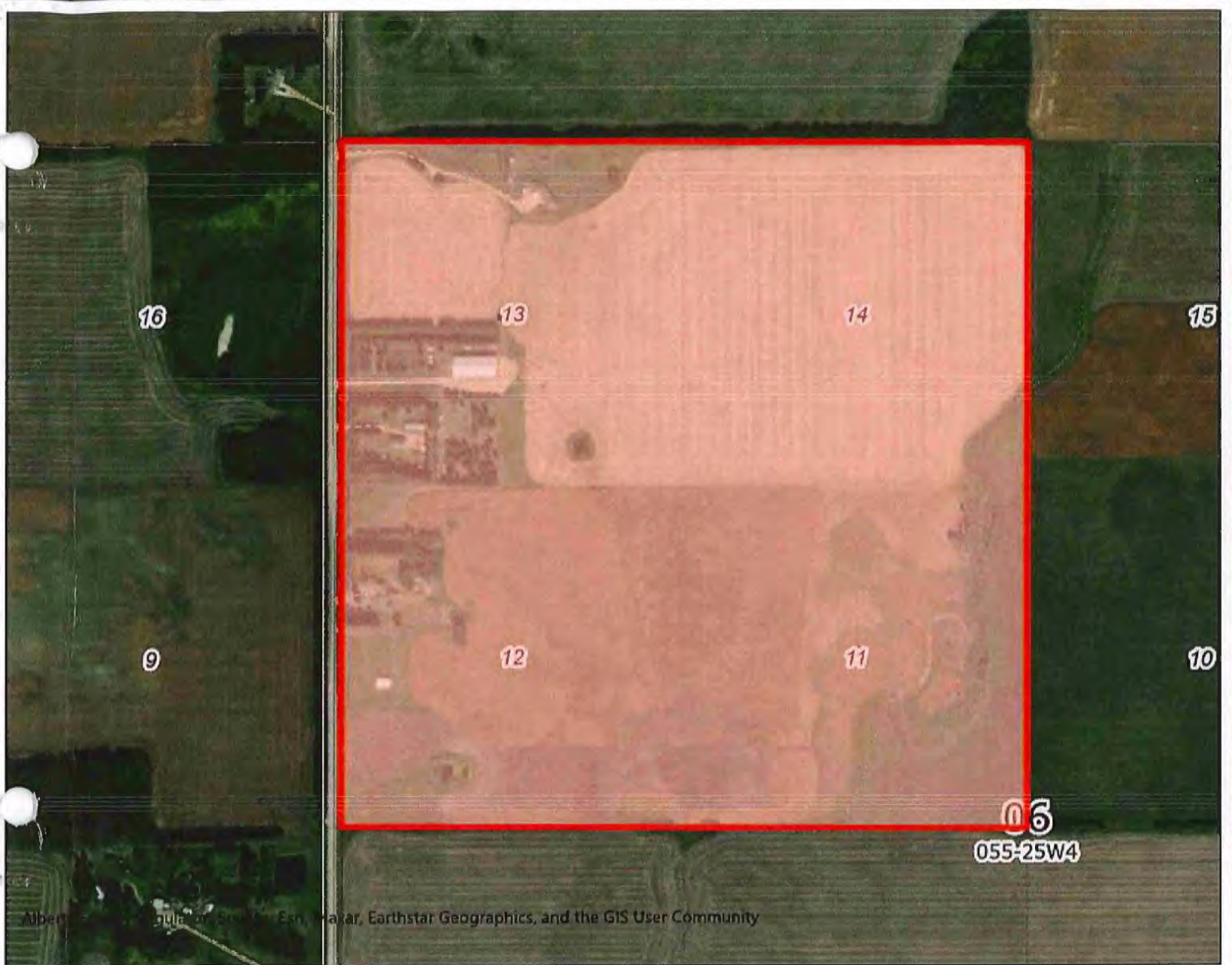
Application Checklist

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.

Access to Information Act Disclaimer

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.



Alberta Energy Regulator, Esri, Maxar, Earthstar Geographics, and the GIS User Community

AER Map

Base Data provided by: Government of Alberta

Author:

Jonathan Heemskerk

Print Date:

9/11/2025

Legend

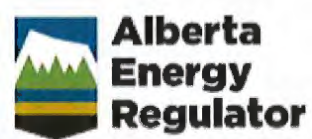
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|---|--|--|
| <ul style="list-style-type: none"> Abandoned Wells Revised Location Revised Location Point Paved Road (20K) Primary Divided Primary Divided 4L Primary Undivided 4L Primary Undivided 2L Primary Undivided 1L Primary Undivided 1L Interchange Ramp Interchange Ramp Interchange Ramp Secondary Divided Secondary Undivided Secondary Undivided 4L Secondary Undivided 2L Secondary Undivided 2L Secondary Undivided 2L Secondary Undivided 2L Secondary Undivided 1L Secondary Undivided 1L Secondary Undivided 1L | <ul style="list-style-type: none"> Roads - Other Unimproved Unimproved Truck Trail Water Ford Write Crossing Ferry Road Gravel Road (20K) Primary Undivided 2L Primary Undivided 2L Primary Undivided 1L Primary Undivided 1L Secondary Undivided 2L Secondary Undivided 2L Secondary Undivided 1L Secondary Undivided 1L Railway (20K Large Scale) Single Line Double Line Multiple Line Spur Line Abandoned ATS LSD Road | <ul style="list-style-type: none"> ATS LSD with Road ATS Section Road (large) ATS Section with Road ATS Township (large scale) Provincial Boundary Lake Label (20K) River Label (20K) Lake/River (20K) Lake or River Lake or River Reservoir Keloid Najay Canal Outlet Quarry Dugout Intermittent Lake Intermittent Lake Intermittent Outbow Sandbar / Wetland / Sandbar Sandbar Sandbar |
|---|--|--|

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Projection and Datum
WGS 1984 Web Mercator Auxiliary Sphere

Scale 1:12,028



**PLANNING AND
DEVELOPMENT
SERVICES REPORT**



FILE INFORMATION:	2025-S-039
Council Division:	3
Tax Roll Number:	2909000
Legal Land Description(s) of Property:	NW-6-55-25-4
Landowners:	Kathryn and Donald Stubbs
Applicant:	Jeff Verge
Staff Recommendation	Conditional Approval
Appeal Board (if appealed):	Subdivision & Development Appeal Board
Administrative Fees (if approved):	\$250 (subdivision endorsement); plus \$600 per new parcel created/adjusted. 10% of Proposed Lot at \$1,421.70 per hectare

PART I – APPLICATION DETAILS:

1. As illustrated in Exhibit 1 the applicant proposes subdivision of 5.54 hectares (13.69 acres) from 32.4 hectares (80 acres).

PART II – SUBDIVISION HISTORY:

1. Subdivision History:
 - 1977: Subdivision to split the quarter section in half creating a north and south portion.

PART III – REFERRAL SUMMARY:

1. Sturgeon County Development Officer:
 - *All Lots:*
 - o 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:*
 - o In accordance with the Grid Right of Way Dedications and Acquisition policy, 5 metres required via plan of survey adjacent to Rge Rd 260.
 - o Approach #1: Existing approach width is ok, and no culvert is required. However, from the site visit, it is very easy to tell the existing approach is lower than the road surface, and water is not flowing away from the approach. It is required to lower the grass part on both sides of the approach to ensure water will flow to both side

(please see attached mark up in Appendix 4). This will be completed to align with General Municipal Servicing Standards.

- Approach #2 and #3: The approaches must be removed and the ditch restored. Sturgeon County General Municipal Servicing Standards only allows one approach per parcel.
 - *Remnant Lot:*
 - In accordance with the Grid Right of Way Dedications and Acquisition policy, 5 metres required via land acquisition agreement adjacent to Rge Rd 260.
 - No existing approach. One must be constructed to General Municipal Servicing Standards. Please contact Development Engineering and Land Services for approach location and construction requirements.
3. Alberta Health Services:
 - The parcel currently has a ground water well and an open discharge septic system.
 - The 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 are required.
 - Any appeal may be deferred down to the local Subdivision and Development Appeal Board.
 5. No Objections:
 - Sturgeon County Protective Services, Apex Utilities, Fortis Alberta.
 6. No Responses:
 - Adjacent landowners, Alberta Environment and Protected Areas, Canada Post, Sturgeon County Drainage Services, Sturgeon County Agriculture Services, Sturgeon School District, Telus.

PART IV – ANALYSIS:

1. This application proposes to subdivide an existing farmstead and separate it from the surrounding cultivated farmland, however also proposed to include additional cultivated farmland into the proposed parcel.

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**).

2. Part 11.1.3(e) of the Land Use Bylaw outlines that an acreage size larger than 2.47 acres can be accommodated to:

“...encompass mature shelterbelts, existing buildings or any other related features associated with an existing farmstead.”

Furthermore, Policy 2.3.13(b) of the Municipal Development Plan outlines that:

“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.”

The current farmstead has clearly defined boundaries supported by aerial imagery that separates it from the surrounding cultivated farmland. The application proposes to encompass this area along with an additional roughly 7 acres of farmland into Proposed Lot 1. In line with both the Municipal Development Plan and Land Use Bylaw, administration will amend the configuration to strictly include the land within the farmstead into the new acreage lot and leave the remainder of the farmland with the Remnant Lot. This would create a new acreage of roughly 6.68 acres which is shown in Exhibit 2.

3. Following the revisions noted above, the new configuration aligns with Policies 2.3.11 and 2.3.13 of the Municipal Development Plan (see **Appendix 2**), and with Part 11.1.3(e) of the Land Use Bylaw (see **Appendix 3**) – since the lot will encompass existing site features without compromising additional cultivated farmland.
4. The existing open discharge septic system will need to be replaced/upgraded to comply with the Alberta Private Sewage Standards of Practice.
5. Money in lieu of municipal reserve will be required, as detailed in condition six.

PART V – DECISION:

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

- 1) Pursuant to Provision 654(1)(d) of the MGA, any outstanding taxes on the subject 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 2, dated December 16, 2025, 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 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of Proposed Lot 1 and the adjacent road shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 2 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and the adjacent road shall be acquired by Sturgeon County

in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).

- 5) All upgrades to *existing* culverts and/or *existing* approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County in accordance with General Municipal Servicing Standards, *before* this subdivision is endorsed.
- 6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of Proposed Lot 1. A payment will be made in place of reserves equal to \$3,838.58 (*determined at a rate of \$14,216.98 per hectare X 10% X 2.70 hectares = \$3,838.58*). The money-in-lieu calculation will be based on the actual amount of land (in *hectares*) shown on a plan of survey.
- 7) Pursuant to Provision 669 of the MGA, municipal reserves owing on the Remnant Lot shall be deferred by caveat (note: this caveat to be prepared by Sturgeon County).
- 8) The applicant is to obtain all necessary permits and farm building conformations to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.
- 9) 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.

ADVISORY NOTES

- Natural Gas servicing to any new subdivision is the responsibility of the applicant. The applicant will be required to provide the required easements across existing lots or subdivided lots for natural gas servicing, if service is approved by the natural gas provider. Sturgeon County does not allow natural gas servicing lines to be located within the road right of way. Setbacks from the road right of way are required. Easements of private property must be obtained by the applicants or service providers. Any service lines which cross Sturgeon County property will require a crossing agreement with conditions.
- Pursuant to Section 2.4.3 of the LUB, at the development permit stage on any property, it is highly recommended that the developer retain the services of a qualified engineering professional to prepare and submit a geotechnical investigation confirming that the proposed building site on is suitable for development and prescribing any preventative engineering measures to be taken to make the building site suitable for future development or future development suitable for the building site.

- Pursuant to the Water Act and the Alberta Wetland Policy, any future development or site grading which might alter or disturb a wetland may require additional approvals from Alberta Environment and Parks.
- Any parcel without an existing approach must collaborate with Planning & Development Services to submit an Approach Application and determine access requirements prior to any construction in the future. No development permits shall be issued until a suitable approach has been constructed to General Municipal Servicing Standards and inspected. For assistance with access issues and inspections, please telephone 780-939-8275.
- The subject properties shall not be used in any manner or way that impedes or will impede the use of adjacent lands for agricultural purposes or agricultural operations, as defined in the Agricultural Operation Practices Act, RSA 2000 c.A-7.
- *FireSmart* principals should be incorporated into all future construction and development on all lots. Please visit www.firesmartcanada.ca.

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:

Martyn Bell, Program Lead, Current Planning

NOTE: Appendices Attached...

Appendix 1: Excerpts from Municipal Government Act

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

2016 c24 s108

Approval of application

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

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

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

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

and

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

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

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

Conditions of subdivision approval

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

- (a) any conditions to ensure that this Part, 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

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

1432/19

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

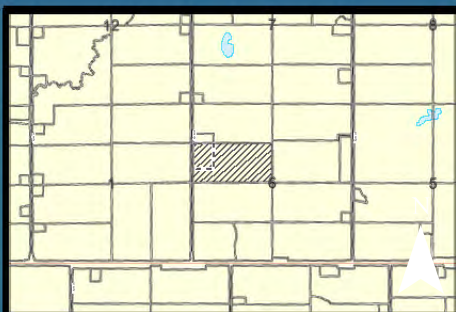
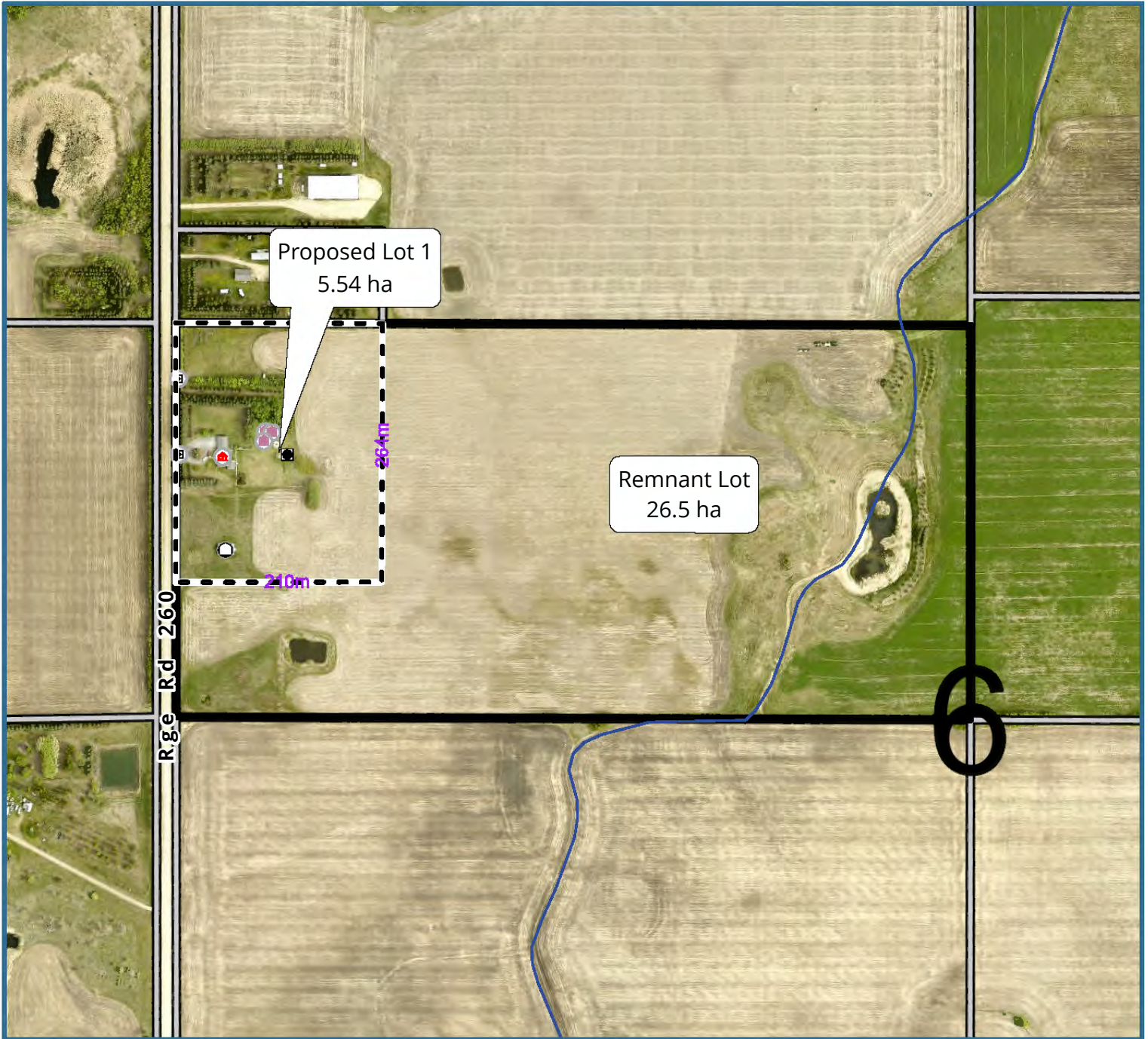
- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Notwithstanding the variance provisions in Section 2.8 of this Bylaw, the *Development Authority* shall not accept a variance to the *uses* within this district based on *parcel* size.

1407/18

Appendix 4: Exhibits & Miscellaneous

Exhibit 1 [Applicant Submission]

File Number: 2025-S-039



Legal Description: NW-6-55-25-W4

Roll Number: 2909000

Total Acres/Hectares: 79.15ac / 32.03ha

Land Use: AG - Agriculture

Municipal Address: 55021 Rge Rd 260

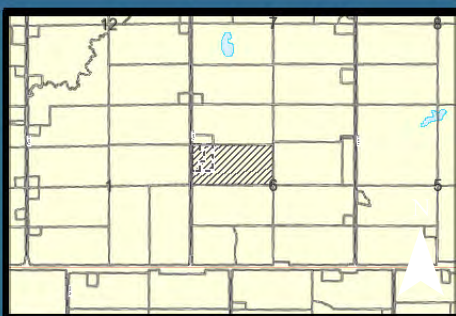
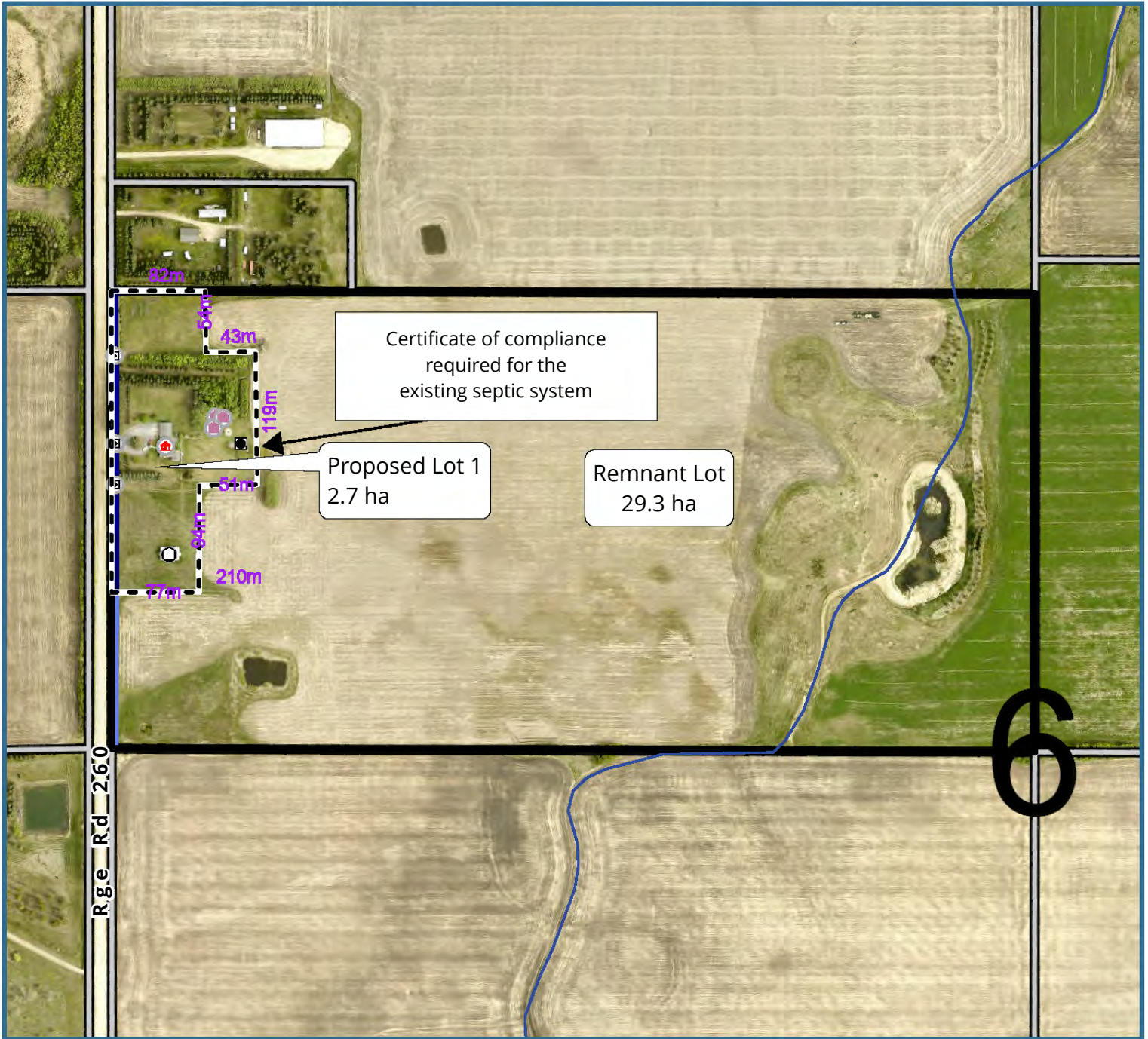
Date: 10/10/2025

Legend

- Dwelling
- Shed
- Pump Out
- Existing Approach
- Shop

Exhibit 2 [Subdivision Authority Approval]

File Number: 2025-S-039



Legal Description: NW-6-55-25-W4

Roll Number: 2909000

Total Acres/Hectares: 79.15ac / 32.03ha

Land Use: AG - Agriculture

Municipal Address: 55021 Rge Rd 260

Date: 12/16/2025

Legend

- Dwelling
- Existing Approach
- Pump Out
- Shed
- Road Widening By Caveat
- Road Widening By Survey
- Shop

File:

Subdivision Referral to Engineering Services

- Referral Sent:
- Roll No:
- Phone No: **Severed in line with s.20 of ATIA**
- Response Deadline:
- Municipal Address:
- Landowner(s):

: _____

: _____

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

Referral comments provided by: _____ on _____
(Engineering Services staff member) (date)

File: _____

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):

➤ **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):

➤ **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: _____

➤ **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):

Markup for approach 1



File:

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):

- **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):

- **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: _____

- **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: _____

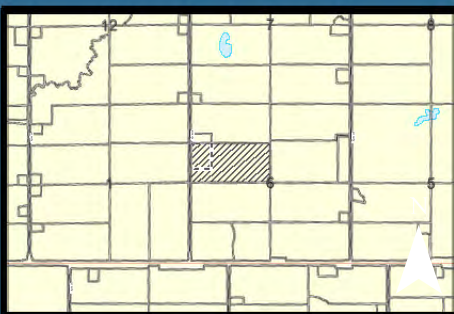
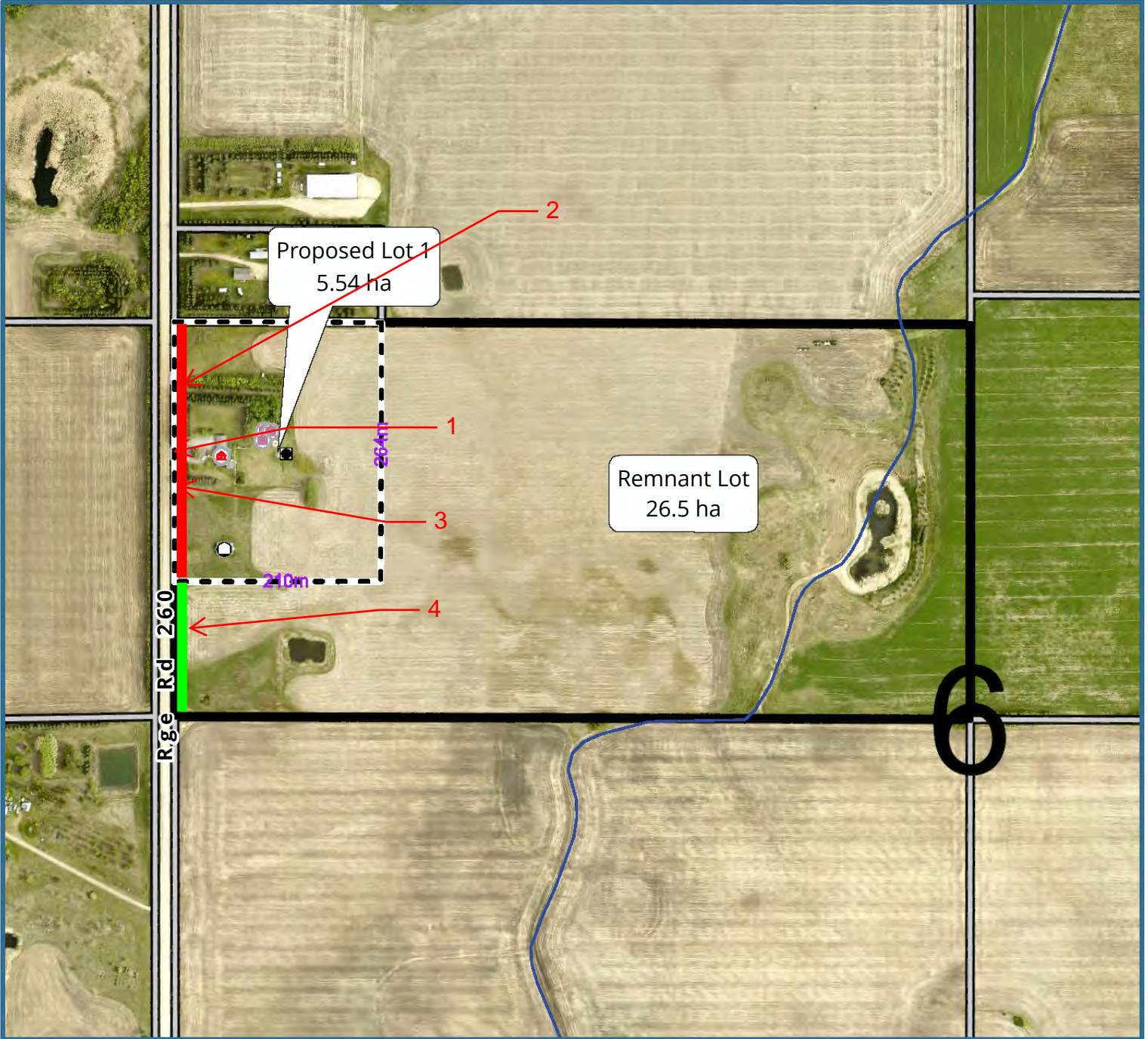
- **Other Comments/Observations** (e.g. third approach, structure/business/uses unspecified in application; or noteworthy discussions):

Alberta Wetland Map



DELS Exhibit

File Number: 2025-S-039



Legal Description: NW-6-55-25-W4

Roll Number: 2909000

Total Acres/Hectares: 79.15ac / 32.03ha

Land Use: AG - Agriculture

Municipal Address: 55021 Rge Rd 260

Date: 10/10/2025

Legend

- Dwelling
- Shed
- Shop
- Existing Approach
- Pump Out

5m acquisition

5m dedication

Nov. 6, 2025

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

E-mail: sgagnon@sturgeoncounty.ca

Dear Shannon;

RE: Proposed Subdivision
½ 6 55 25 4
55021 Range Road 260
Roll #2944000
Sturgeon County # 2025-S-039

This application proposes to subdivide a 79.15 ac (32.03 ha) lot into one new lot with the remnant lot being 26.5 ha.

Lot 1: 5.54 ha

Remnant Lot: 26.5 ha

There is an existing ground water well and open discharge sewage system.

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.

The 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,

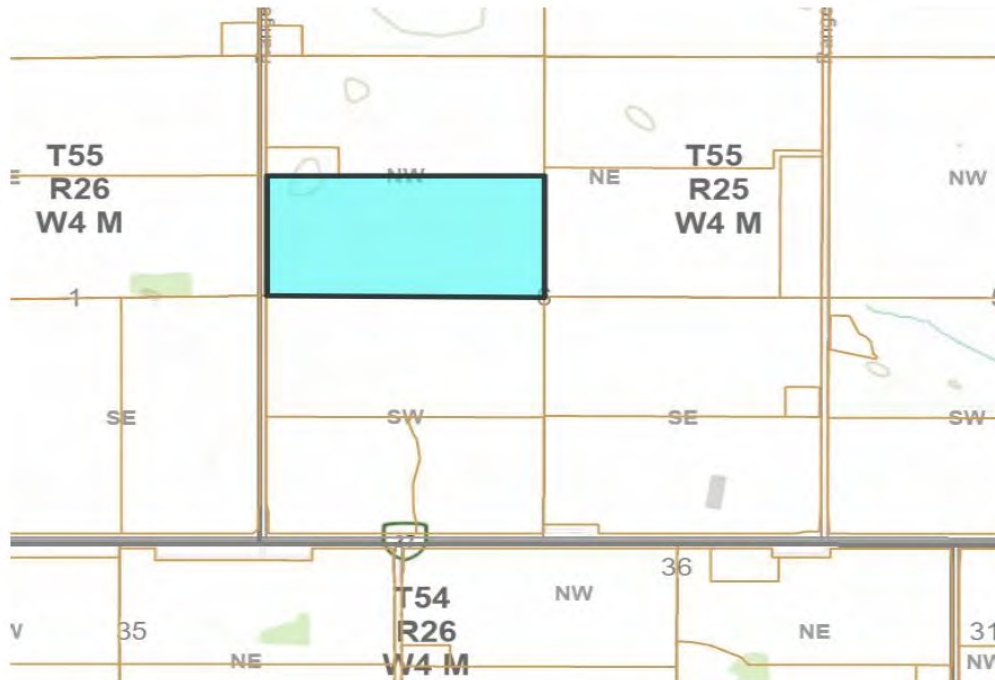
Severed in line with s.20 of ATIA

Catherine Evely, 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-039	Highway(s):	37
Legal Land Location:	QS-NW SEC-06 TWP-055 RGE-25 MER-4	Municipality:	Sturgeon County
Decision By:	Robert Lindsay	Issuing Office:	North Central Region / Stony Plain
Issued Date:	October 21, 2025	Appeal Authority:	Subdivision and Development Appeal Board
RPATH Number:	RPATH0066385		
Description of Development:	Subdivide a developed ±5.54ha residential parcel from an otherwise undeveloped 32ha agricultural parcel that is not adjacent to the provincial highway. NW06-055-25-W4M; North of Highway 27		



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 October 21, 2025 on behalf of the Minister of Transportation and Economic Corridors

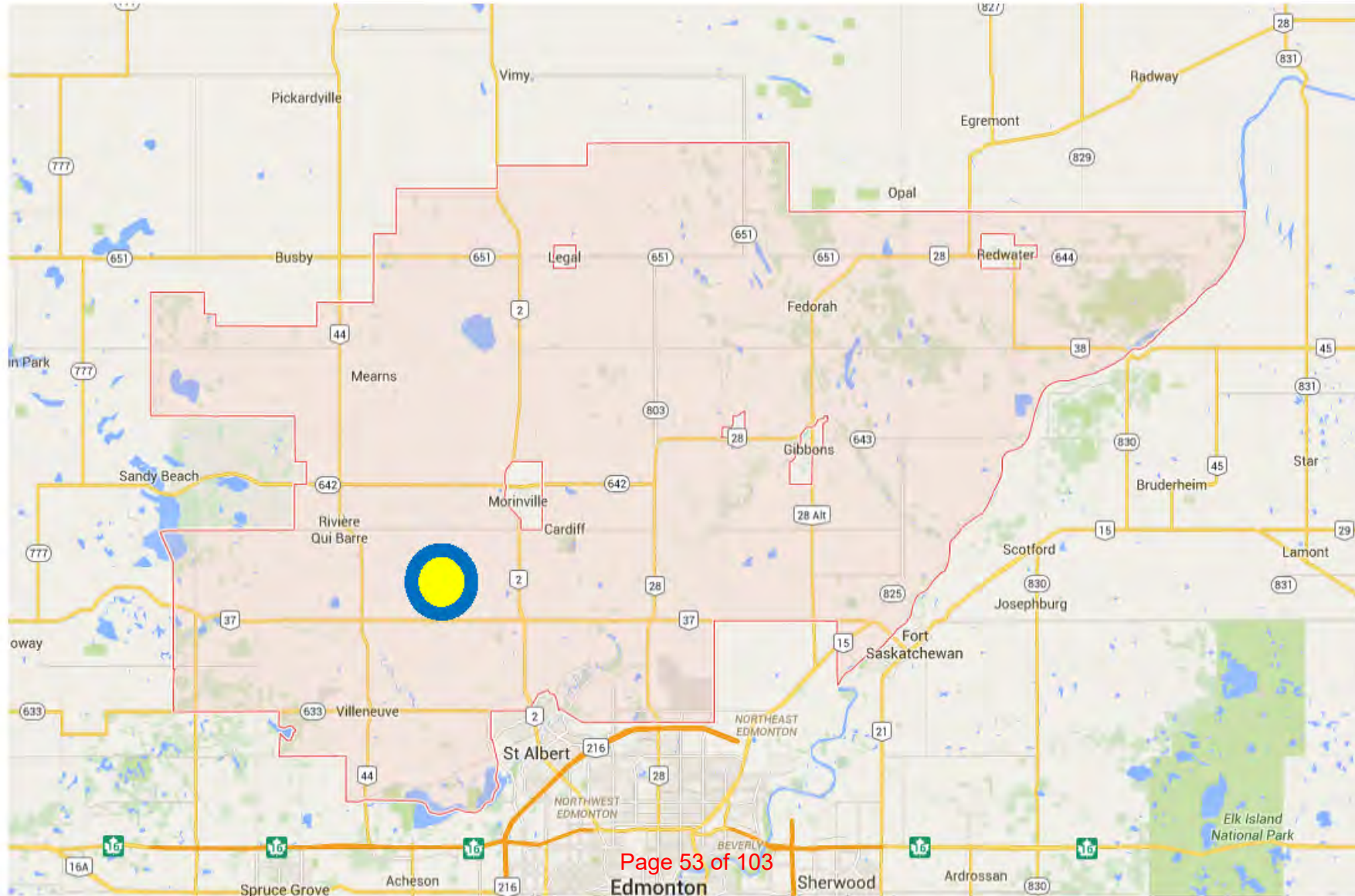
Subdivision and Development Appeal Board (2025-S-039)

Jonathan Heemskerck

February 3, 2026



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

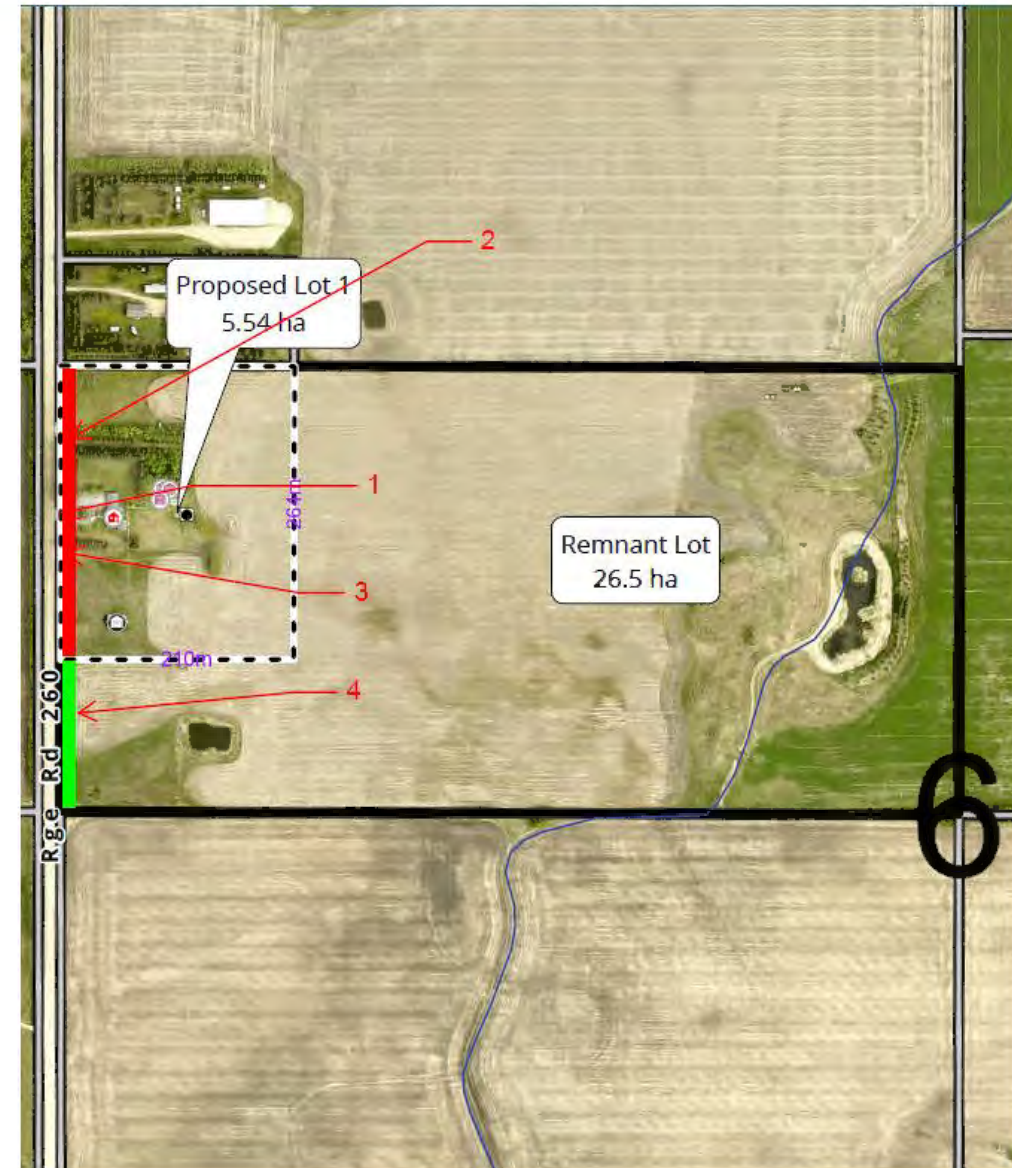
- 5m by plan of survey for Proposed Lot 1
- 5m by caveat for the Remnant Lot
- Approach 1: requires upgrades in line engineering standards
- Approach 2 & 3: must be removed as one approach is allowed per agricultural parcel
- Approach 4: must be constructed to engineering standards

Alberta Health Services

- The existing private sewage disposal system (open discharge) must meet provincial requirements, requires upgrades

Alberta Transportation and Economic Corridors

- No land dedication or infrastructure improvements
- Any appeal may be heard by the local SDAB



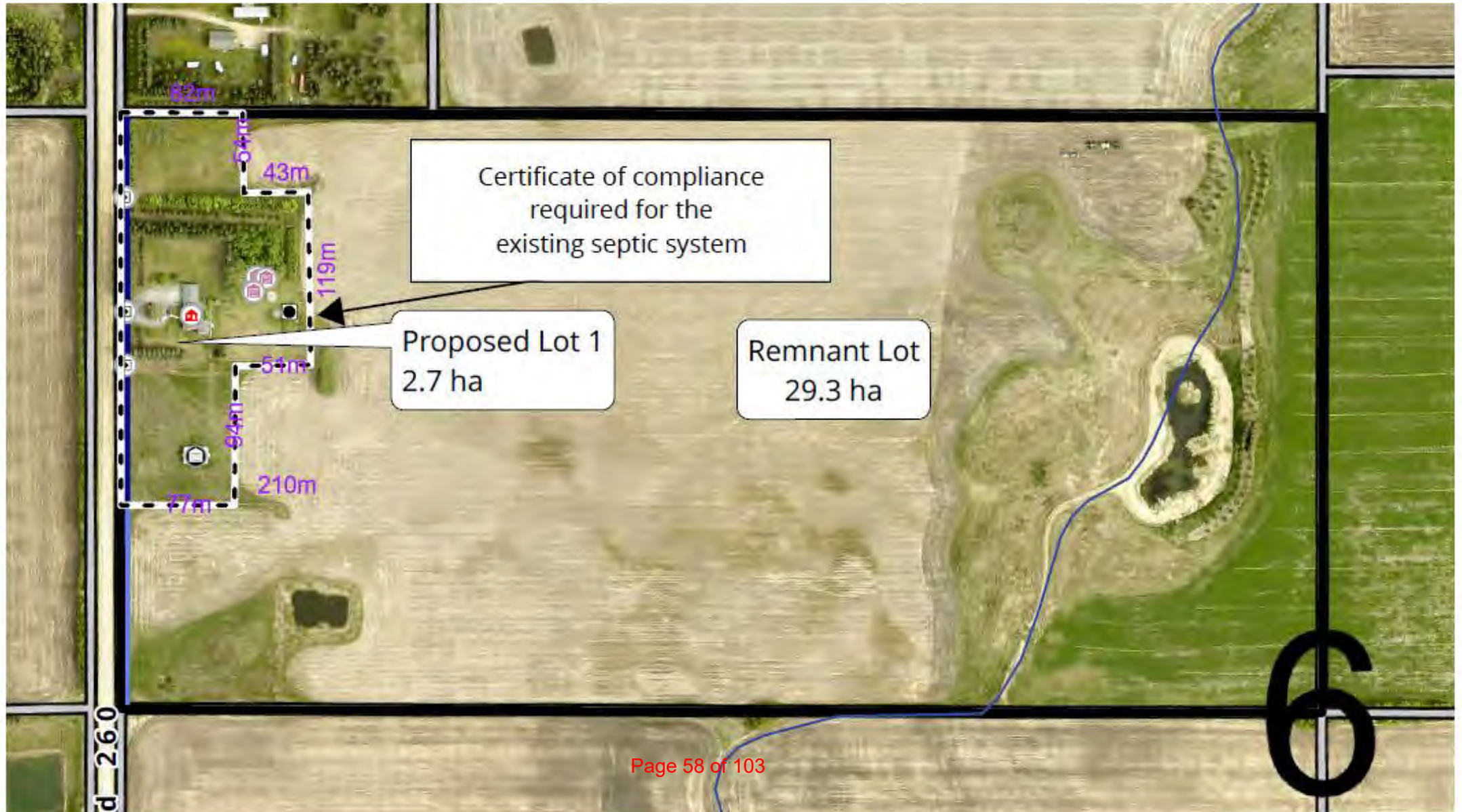
Issue Analysis - Parcel Size

Land Use Bylaw

- 11.1.3(e) – A parcel size larger than 2.47 acres can be accommodated to:
 - *“...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);*



What Was Approved



Subdivision Authority Decision

The Subdivision Authority's decision for **approval (with variations)** is consistent with:

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

Conditions if Approved as Applied For

- 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 and the adjacent road shall be dedicated as road allowance via plan of survey at no cost to Sturgeon County.
- 4) Pursuant to Provision 662(1) of the MGA, as illustrated in Exhibit 3 and as required by Sturgeon County Engineering Services, a 5-metre-wide area parallel and adjacent to the boundary of the Remnant Lot and the adjacent road shall be acquired by Sturgeon County in the future via the terms and conditions of a land acquisition agreement (note: this agreement to be prepared by Sturgeon County).
- 5) All upgrades to existing culverts and/or existing approaches, and construction/removal of approaches, as determined necessary by the Development Engineering Officer will be the responsibility of the developer and upgraded to the satisfaction of Sturgeon County in accordance with General Municipal Servicing Standards, before this subdivision is endorsed.
- 6) Pursuant to Provision 666 of the MGA, money in lieu of municipal reserve shall be provided to Sturgeon County respecting 10% of the area of Proposed Lot 1. A payment will be made in place of reserves equal to \$7,876.21 (determined at a rate of \$14,216.98 per hectare X 10% X 5.54 hectares = \$7,876.21). The money-in-lieu calculation will be based on the actual amount of land (in hectares) shown on a plan of survey.
- 7) Pursuant to Provision 669 of the MGA, municipal reserves owing on the Remnant Lot shall be deferred by caveat (note: this caveat to be prepared by Sturgeon County).
- 8) The applicant is to obtain all necessary permits and farm building conformations to comply with the Land Use Bylaw – to the satisfaction of the Development Authority.
- 9) 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 (Proposed Lot 1)
- 4) 5m by caveat for future road widening (Remnant Lot)
- 5) Approach upgrades/construction
- 6) Money in lieu of municipal reserve
- 7) Deferred reserve caveat
- 8) Obtain all necessary permits/farm building declarations
- 9) Septic system compliance

APPELLANT SUBMISSIONS RECEIVED

***NOTE:**

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

WRITTEN
SUBMISSIONS
FROM
ADJACENT
LANDOWNERS
AND OTHER
AFFECTED
PERSONS

*NOTE:

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

Appeal #2

026-STU-003 Appealing the
Development Authority's refusal of a
Home-Based Business Level Two
(Motor Vehicle Inspection and Repair)
with a variance to exterior storage.

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Site Information:		Date Received Stamp
Municipal Address of site:	23015 twp 564	
Legal land description of site: (‘plan, block, lot’ and/or ‘range-township-section-quarter)	4079TR;;1	
Development Permit number or Subdivision Application number:	DP-25-0287	
Appellant Information:		
Name:	Nicholas Davis	Phone: Severed in line with s.20 of ATIA Agent Name: (if applicable)
Mailing Address:	Severed in line with s.20 of ATIA	City, Province: Sturgeon County
Postal Code:	Severed in line with s.20 of ATIA	Email: 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
<input type="checkbox"/> Approval	<input type="checkbox"/> Approval
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval
<input checked="" type="checkbox"/> Refusal	<input type="checkbox"/> Refusal
Stop Order	
<input type="checkbox"/> Stop Order	

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

Word document attached

(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:	Severed in line with s.20 of ATIA	Date:
FOR OFFICE USE ONLY		
SDAB Appeal Number:	Appeal Fees Paid: <input type="checkbox"/> Yes <input type="checkbox"/> 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

23015 Twp rd 564 Sturgeon County

I'm appealing the refusal for the following reasons

- 1- I can bring my yard storage down to 40m by 10m which would put me within the requirements for a home-based business level 3
- 2- My property is zoned R1 which only allows home-based level 2, but all my surrounding neighbors are zoned AG, except for the one neighbor. Which is why I require the variance.
- 3- My property is well kept and does not resemble a junk yard, which there are lots of properties in the area with large collections of machines and exterior storage.
- 4- There are multiple large construction companies that run out of AG shops in the county and leave a much larger footprint than I do with no permits, I do understand that just because they are breaking the rules does not permit me to break the rules as well, but that being said, these are well established businesses with 30+ pieces of equipment and have been operating in the area for a long time, While I struggle to get a permit for a small business because I'm trying to do things properly.
- 5- The rent prices in the industrial parks are too high to be able to establish a small business and stay competitive. I do not want to grow a multimillion-dollar business I just want to have a small shop in the area that allows me to work from home. While employing 1-2 apprentices.
- 6- Allowing me to open my shop creates trades jobs in the area which employes youth, supporting the local economy, and getting youth into the trades.
- 7- I have support from my neighbors to run a business here, and work with many local farmers.
- 8- Most of my work is on the road as I am a mobile mechanic; by establishing a shop it just allows me to offer another service to my customers.



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

DAVIS, NICHOLAS

Receipt Number: 202600075
 GST Number: 107747412RT0001
 Date: 2026-01-06
 Initials: SRH

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	

January 13, 2026

SDAB File Number: 026-STU-003

Dear Nicholas Davis:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property: 4079TR;;1; NE-24-56-23-4
23015 Township Road 564

Development Permit Application Number: DP-25-0287

Decision Regarding Proposed Development: Refusal of a Home-Based Business Level Two (Motor Vehicle Inspection and Repair) with a variance to exterior storage.

Your appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on January 6, 2026. 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 **February 3, 2026 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 128 110 98#. 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 January 29, 2026. 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

January 13, 2026

SDAB File Number: 026-STU-003

Dear Resident:

**NOTICE OF
APPEAL BOARD HEARING**

Legal Description of Subject Property:	4079TR;;1; NE-24-56-23-4 23015 Township Road 564
Development Permit Application Number:	DP-25-0287
Decision Regarding Proposed Development:	Refusal of a Home-Based Business Level Two (Motor Vehicle Inspection and Repair) with a variance to exterior storage.

An appeal to the Subdivision and Development Appeal Board (SDAB) respecting the above-noted matter was received on January 6, 2026. 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: Nicholas Davis

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

- The Appellant can reduce yard storage to 40 metres × 10 metres, meeting the requirements for a Home-Based Business Level Three.
- The property is zoned R1, which only permits a Level Two Home-Based Business, while nearly all surrounding properties are zoned AG (with the exception of one neighbour); a variance is therefore required.
- The property is well maintained and does not resemble a junk yard, unlike several nearby properties with extensive exterior storage.
- Larger construction businesses operate from AG-zoned shops in the area without permits and create significantly greater impacts, while the Appellant is attempting to operate properly and within regulations.
- Industrial park rental costs are too high for a small start-up business to remain competitive; the Appellant seeks to run a small home-based shop employing 1–2 apprentices.
- The business would support local trades employment, provide opportunities for youth, and contribute to the local economy.
- The Appellant has support from neighbouring landowners and works closely with local farmers.
- Most work is performed off-site as a mobile mechanic; the shop would allow the Appellant to offer an additional service to customers.

Take notice that this SDAB hearing is scheduled for **February 3, 2026 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 128 110 98#. 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 January 29, 2026. 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

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.



Twp Rd 564

Prepared By:

Prepared By

NAD_1983_10TM_AEP_Resource
© Sturgeon County



Notification Letter

Date: December 29, 2025

Permit Number: DP-25-0287

Name: DAVID, NICHOLAS CLAYTON
Address: Severed in line with s.20 of ATIA
STURGEON COUNTY, AB
T0A 1N0
Phone: Severed in line with s.20 of ATIA
Email: [REDACTED]

Re: Decision of the Development Authority

Dear Sir or Madam:

Please be advised that the attached Development Permit Application DP-25-0287 for a Home-Based Business Level Two was REFUSED on December 29, 2025

This decision may be appealed to Subdivision and Development Appeal Board by January 19, 2026 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.

Regards,

Yvonne Bilodeau
Development Officer

Development Permit

Land Use Bylaw 1385/17

Permit No.:	DP-25-0287
Tax Roll No.:	1271001
Decision Date:	December 29, 2025
Effective Date:	January 19, 2026

Applicant

Name: DAVID, NICHOLAS CLAYTON
Address: Severed in line with s.20 of ATIA

TOA 1N0
Phone: Severed in line with s.20 of ATIA
Email: [Redacted]

Owner

Name: DAVID, NICHOLAS CLAYTON
Address: Severed in line with s.20 of ATIA

Phone: [Redacted]
Email: [Redacted]

Property Description

Legal Land Description: 4079TR;;1; NE-24-56-23-4
Land Use District: R1 - Country Residential
Municipal Address: 23015 Twp Rd 564

Description of Work

Home Based Business Level Two (Motor Vehicle Inspection and Repair) with a variance to exterior storage.

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

1. Section 6.16.5 of Land Use Bylaw 1385/17 states, Home Based Businesses shall comply with the requirements provided in Table 6.1.
2. Table 6.1 under Home Based Business Level 2 for Equipment and/or material storage states: No exterior storage. Any storage shall be located within the dwelling or accessory buildings.
3. The proposed storage is 1500m² in area which equates to 3.7% of the parcel size of 10.01 acres.
4. The proposed storage exceeds the maximum regulation of 1% of the parcel size for a Home Based Business Level Three.
5. A Home Based Business Level Three is not a listed use in R1 – Country Residential.

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:

Yvonne Bilodeau
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.

Sturgeon County, Alberta

9613 100 Street
Morinville, AB T8R 1L9



Corrections Required Report
Application No. DP-25-0287
19-12-2025 11:16:46

Description: Development Permit
Address: 23015 Twp Rd 564

Submission Documents:

Document Name	Document ID
DP-25-0287 site plan.pdf	590

Comment Reviewer Contact Information:

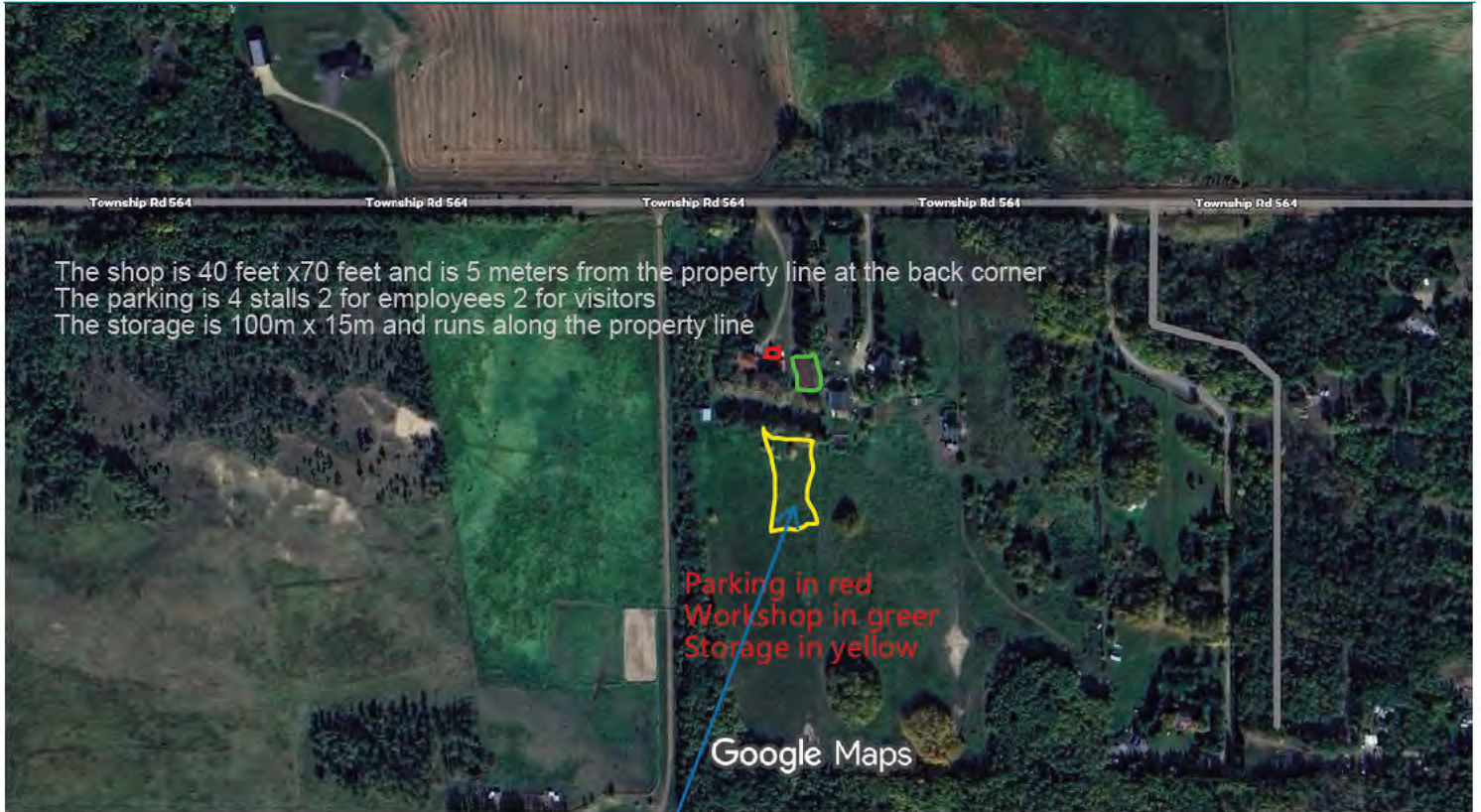
Reviewer Name	Reviewer Email	Reviewer Phone No.:
Yvonne Bilodeau	ybilodeau@sturgeoncounty.ca	780-939-1314

General Comments

Corrections in the following table need to be applied before a permit can be issued

Comment ID	Page Reference	Annotation Type	Reviewer : Department	Review Comments	Applicant Response Comments
1	G Site Plan	Callout	Yvonne Bilodeau : Development	Proposed storage of 1,500m2 or 3.7% of the parcel size (10.07acres)	

Information in the following table must be considered and adhered to at all times



Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 50 m

Proposed storage of 1,500m² or 3.7% of the parcel size (10.07 acres)

Sturgeon County
REFUSED

Severed in line with s.20 of ATIA

Authorized Signature

19-12-2025
Date



Planning and Development

9613-100 Street
Morinville, AB T8R 1L9
Toll Free 1-866-939-9303
Phone (780)-939-8275
Fax (780)-939-2076
Email PandD@sturgeoncounty.ca

For Office Use
Development Permit:
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.

JUSTIFICATION

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

I require onsite parking for customers to park units on my property for the purpose of pick up and drop off

MITIGATION

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

I have but the nature of my buisness limits me to so much space in my shop.

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

All storage of parts and supplies will be stored inside the shop, noise will be limited to buisness hours of 8-5, I have redone the insolation and interior of the shop to help control the noise level, and the parking of vehicles will be in the back field to avoid making the property look congested.

APPLICANT AUTHORIZATION

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

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2025-12-04

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2025-12-04

Signature of Authorized Applicant(s)

Date

Signature of Landowner

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.

Signature of Landowner

Date

Fee \$

Receipt #

Paid by: Cash / Cheque / Debit / VISA / Mastercard

M/C or Visa Number

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Expiry Date:

Severed in

Name (as it appears on card):

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Authorized Signature:

Severed in line with s.20 of ATIA

FOR OFFICE USE ONLY

Land Use Bylaw Section	Requested Variance	Variance Percentage

Land Use District _____

Roll# _____

Approving Authority as per Section 2.8.6 of the Land Use Bylaw

Development Officer

Municipal Planning Commission

Notes

APPLICATION FEES ARE NON-REFUNDABLE

The personal information provided will be used to process the Variance application and is collected under the authority of Section 642 of the Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. Personal information you provide may be recorded in the minutes of Municipal Planning Commission. 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.

**PLANNING AND
DEVELOPMENT
SERVICES REPORT**

Subdivision & Development Appeal Board
File Number 026-STU-003**FILE INFORMATION**

Department File:	DP-25-0287
Legal Land Description:	Lot 1; Plan 4079TR
Relative Location:	St. Nicholaas Subdivision
Appellant:	Davis, Nicolas C.
Landowner:	Davis, Nicolas C.
Description of Appeal:	Appealing the Decision of the Development Authority – Refused a Home-Based Business Level Two
Land Use Bylaw District:	R1 – Country Residential District
Tax Roll Number:	1271001

PRELIMINARY

- An application was received to operate a Home-Based Business for inspecting and repairing trucks (Jeds Mechanical Ltd.).
- An application for variance was also received to vary the amount of parking/exterior storage on the property.
- The application proposed to operate from the existing accessory building, with a 1,500m² area for exterior storage of vehicles, four employees and three to seven site visits per day.
- The Development Authority refused the proposal exceeded the regulations of a home-based business in the subject district.

PROPERTY INFORMATION

- The property is 4.075ha (10.07ac) within the St. Nicholaas subdivision.
- The residential property is developed with a Single Detached Dwelling and three accessory buildings (detached garage, Quonset and barn). The assessment records classify the accessory buildings as farm use.
- A compliance was issued for the property on October 18, 1993.

RELEVANT POLICY/LEGISLATION

- Land Use Bylaw 1385/17, as amended.
 - **Section 6.16.5 Home Based Business** shall comply with the requirements provided in **Table 6.1** (Appendix 1)
 - As per **Table 6.1** a Level 2 – no exterior storage. Any storage shall be located within the dwelling or accessory buildings. The applicant proposes 1500m² of exterior storage for the parking of vehicles.
 - A Home-based Business level 3 is the only use that allows for exterior storage
 - The maximum allowable employees is limited to two.

- **Section 12. R1 – Country Residential District** (Appendix 2) only lists Home-Based Business Level 1 and Level 2.
 - Home Based Business Level 3 is not a permitted or discretionary use in the district.
- **Section 2.8.1(d) Decision Process** (Appendix 3) states: A complete application for a development permit will be considered by the Development Authority who shall not accept an application for a use which is not a listed permitted use or discretionary use in the applicable district.

CONSIDERATIONS

- The proposed use does not align with the regulations as stated above and therefore was issued refused on December 29, 2025.
- The applicant had advised by email and in their appeal that they would only have two employees and therefore the refusal did not include exceedance of employees as a reason for refusal.
- Auto mechanic businesses typically see vehicles come and go from a site and are not stored for extended periods of time. There should be no reason for any exterior storage, but rather an increased area of parking spaces near the accessory building to allow customer vehicles to be dropped off and picked up. Further, the applicant stated that the business is mostly mobile however would like to establish the shop use.
- Should exterior storage be approved, there is potential for a storage of derelict vehicles for parts. The application stated that parts would be stored in the accessory building.
- The request for variance to allow 1,500m² of exterior storage. This area exceeds the maximum regulations of 1% allowed in a Home-Based Business Level Three. The parcel is 4.07ha (10.075ac), which equates to a maximum of 407m². A difference of the 1,093m².
- The addition of exterior storage may be considered a shift of use from a Home Based Business Level 2 to a Home Based Business Level 3, a Level 3 Home based Business is neither a permitted or discretionary use on the parcel and the Subdivision and Development Appeal board does not have the ability to approve uses not contemplated by Council for a district.
- Part 9 Parking Regulations state the minimum regulations for a Home-Based Business Level 2 and 3 is *1 per non-resident employee, client parking will be at the discretion of the Development Authority, and 1 per commercial vehicle*. A recommended condition for the Boards consideration is within condition #4. The location of the parking can be in an area on the parcel as agreed upon between the board and the applicant.
- Administration supports the operation of the business, however does not support exterior storage.

RECOMMENDATION

- The Development Authority recommends the Board approve the operation of the Home-Based Business Level Two without any exterior storage and an increased number of parking stalls for customer vehicles. The recommended conditions of approval are as follows:
 1. The home-based business shall not occupy more than 30% of the gross floor area of the dwelling, and 100% of area of the accessory building(s).
 - 2. There shall be no exterior storage.**
 3. Client traffic generation shall not exceed four (4) vehicle visits per 24-hour period.
 - 4. Parking shall be limited to 12 spaces to allow: 2 spaces for one business related commercial vehicle and one business related trailer, 2 employees vehicles, 8 customer vehicles (total area of 198m²). Parking shall be located as per the approved site plan.**
 5. The home-based business shall be operated by the permanent resident(s) of the principal dwelling and there shall be no more than two (2), non-resident employees on site.
 6. Impacts to adjacent parcels shall be mitigated by requiring retention of trees, or additional plantings, or other screening of such a type and extent that is considered necessary.
 7. Only one on-site, commercially produced sign to identify the business, shall be allowed. The sign dimensions shall be a maximum of 1m (3.3ft) in length and 0.6m (2ft) in height. The sign shall be displayed as a window sign, be affixed to a building or be located in the front yard adjacent to the front parcel boundary and either be self-supporting or attached to existing fencing. There shall be no off-site signage associated with this home-based business.
 8. The home-based business shall operate between 7:00 a.m. to 8:00 p.m. only.
 9. The home-based business shall not generate noise, smoke, steam, odour, dust, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. At all times, the privacy of the adjacent residential dwelling(s) shall be preserved and shall not, in the opinion of the Development Authority, unduly interfere with or affect the use, enjoyment or value of neighbouring or adjacent parcels.
 10. The development permit is issued to the applicant and is non-transferable. Should the applicant move or sell the business, the permit will become void.
 11. The applicant shall obtain a building permit for a change of use of the accessory building (detached shop – 2,880ft²) from personal use to commercial use associated with the operation of the Home-Based Business.

Advisory Notes:

1. Home Based Business means the accessory use of a dwelling, accessory buildings and parcel for an occupation, trade, profession or craft to be operated by the permanent residents of the dwelling.

2. It is the responsibility of the applicant/landowner to ensure that all development, and activities associated with the development, complies with any federal, provincial, or municipal laws/legislation and any required license, permit, approval, authorization, regulation, or directive.
- Alternatively, should the Board decide that exterior storage would not shift the use of the parcel from a Home-Based Business Level 2 to a Home-Based Business Level 3 and wish to grant exterior storage, Administration recommends the following amendment to condition number 2 and 4.
 2. Exterior storage shall not exceed (xxm²) and be in the location as per the approved site plan.
 4. Parking shall be limited to the 8 spaces to allow for: 2 spaces for one business related commercial vehicle and one business related trailer; 2 employees vehicles; 4 customer vehicles (total area of 131m²). Parking shall be located as per the approved site plan.

ATTACHMENT(S)

- Appendix 1 – Section 6.16 Home Based Business
- Appendix 2 – Section 12.1 R1 – Country Residential District
- Appendix 3 – Section 2.8 Decision Process

Prepared By:

Severed in line with s.20 of A11A

 Development Officer

Reviewed By:

Tyler McNab Digitally signed by Tyler McNab
Date: 2026.01.28 14:17:43 -07'00'

Tyler McNab, Program Lead Development & Safety Codes

PART 6 SPECIAL REGULATIONS

The regulations included in this Part are in addition to those in Section 2.4 and apply to all districts, unless the district regulations state otherwise, in which case the district regulations shall prevail.

6.16 HOME-BASED BUSINESS

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

Table 6.1: Home-Based Business Requirements

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

	Level 1	Level 2	Level 3
Passenger vehicles (maximum)	• One	• One	• Two
Hours of operation	• No limit	• 7:00a.m. to 8:00p.m.	• 7:00a.m. to 8:00p.m.
Additional on-site parking stall requirements	In accordance with Part 9		
Signage	In accordance with Part 7		

- .6 An application for a *home-based business* level 2 or 3 shall include measures to mitigate impacts to *adjacent parcels*.
- .7 The *home-based business* shall not generate noise, smoke, steam, odour, dust, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the *Development Authority*. At all times, the privacy of the *adjacent* residential *dwelling(s)* shall be preserved and shall not, in the opinion of the *Development Authority*, unduly interfere with or affect the use, enjoyment or value of neighbouring or *adjacent parcels*.
- .8 A development permit issued to the *developer* is non-transferable. Should the *developer* move or sell the business, the permit will become void.
- .9 [REMOVED] 1560/21; 1587/22; 1632/23

PART 12 RESIDENTIAL DISTRICTS

12.1 R1 – COUNTRY RESIDENTIAL DISTRICT



.1 General Purpose

To provide for multi-lot residential subdivisions in rural areas where *parcel* size is determined through limited servicing availability and associated regulations. *Parcels* in this district are generally larger than ones found in the R2 district and accommodate *uses* in a residential context.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory dwelling unit**</i>	<i>Accessory dwelling unit**</i>
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Dwelling, single detached</i>	<i>Bed and breakfast</i>
<i>Group home, minor</i>	<i>Dugout</i>
<i>Home-based business, level 1 (office)</i>	<i>Family day home</i>
	<i>Group home, major</i>
	<i>Home-based business, level 2</i>
	<i>Sales centre</i>
	<i>Show home</i>

* Refer to Section 6.1 for further clarification.

** Refer to Section 6.1A for further clarification.

1432/19; 1587/22

.3 Subdivision Regulations

<i>Minimum parcel area</i>	0.8ha (2ac), if connected to a municipal sanitary line 1ha (2.47ac), if no municipal sanitary line
<i>Parcel density</i>	Maximum 50 <i>parcels</i> per 64.7ha (160ac)
<i>Infill subdivision</i>	Further <i>subdivision</i> of existing <i>parcels</i> where the proposed <i>parcels</i> do not meet the minimum <i>parcel area</i> and/or the prescribed parcel density, shall be subject to the recommendations of an approved <i>local planning document</i> .

.4 Development Regulations

<i>Minimum front yard setback</i>	<i>Abutting a local road</i>	12m (39.4ft)
	<i>Abutting collector road</i>	35m (114.8ft)
	<i>Flanking front yard</i>	10m (32.8ft)
<i>Minimum side yard setback</i>	<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)
<i>Minimum rear yard setback</i>	<i>Principal building</i>	6m (19.7ft)
	<i>Accessory building</i>	3m (9.8ft)
<i>Maximum height</i>	<i>Principal building</i>	12m (39.4ft)
	<i>Accessory building</i>	8m (26.2ft)
<i>Maximum floor area</i>	<i>Accessory building</i>	230m ² (2,475.7ft ²)
<i>Maximum parcel coverage</i>	15%	

1432/19

96

.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) Access to residential *parcels* shall in all cases be from a *local* or *collector road* constructed for the subdivision.

.2 *Development permit* applications that include developments over 15m (49.2ft) in height; sanitary land fill; food garbage disposal; sewage lagoon; open water reservoir which are located within the Bird Hazard Area of the Edmonton Garrison Heliport Zoning Regulations, shall be referred to CFB Edmonton for comments.

1432/19, 1632/23

.3 All *development permit* applications which are located within 1.6km (1mi) of the boundary of a *parcel* districted AP, shall be referred to the relevant provincial or federal authority managing the license for the *airport* (e.g. Edmonton Airports, Transport Canada) for comments.

.4 The *Development Authority* shall provide notification of a *development permit* application for *heavy industrial* use to affected *landowners* within a minimum of 1.6km (1mi) of the subject *parcel* to allow opportunities for public consultation prior to the *Development Authority* rendering its decision.

2.8 DECISION PROCESS

.1 A complete application for a *development permit* will be considered by the *Development Authority* who:

- (a) shall approve with or without conditions an application for a *permitted use* where the proposed *development* conforms to this Bylaw;
- (b) may approve with or without conditions an application for a *discretionary use*, where the proposed *development* conforms to this Bylaw;
- (c) may refuse an application for a *discretionary use*, where the proposed *development* does not conform to this Bylaw; or
- (d) shall not accept an application for a *use* which is not a listed *permitted use* or *discretionary use* in the applicable district.

.2 Notwithstanding Paragraph 2.8.1(c), the *Development Authority* may consider an application for a *development* that does not conform with this Bylaw, if in its opinion:

- (a) the proposed *development* conforms with the *use* prescribed for the land or *building* in this Bylaw; and
- (b) the proposed *development* would not:
 - (i) unduly interfere with the amenities of the neighbourhood; or
 - (ii) materially interfere with or affect the *use*, enjoyment or value of neighbouring properties.

.3 [REMOVED] 1591/22

.4 In exercising their discretion under Subsection 2.8.2, the *Development Authority* shall consider the general purpose and intent of the appropriate district and the following requirements:

- (i) except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing *dwelling unit density* or *parcel coverage*;
- (ii) a variance from the provisions in this Bylaw shall not be granted when the variance will knowingly cause a *building* or *use* to not comply with federal, provincial, or other municipal regulations, including the *Safety Codes Act*; and
- (iii) variance requests to *height*, *setbacks*, and other regulations that may affect the conformance of a structure with municipal, provincial, or federal regulations shall be circulated to affected departments for review and comment prior to a decision on the application for the *development permit*.

.5 A variance request shall include justification as to why the regulation cannot be adhered to.

.6 The *Development Authority* may issue a variance in accordance with Table 2.1 and Paragraph 2.8.6(a):

Table 2.1: Variances

District	Percentage of variance that may be granted by the Development Authority
AG – Agriculture	0.1 – 50%
AG2 – Agriculture 2	0.1 – 50%
R1 – Country Residential	0.1 – 40%
R2 – Country Estate Residential	0.1 – 40%
R3 – Hamlet Unserviced	0.1 – 40%
R4 – Hamlet Serviced	0.1 – 40%
R5 – Multi-Family	0.1 – 25%
R6 – Modular Dwelling	0.1 – 40%
R7 – Urban Residential	0.1 – 50%
HR – Hamlet Reserve	0.1 – 25%
IND – Integrated Neighbourhood	0.1 – 50%
CMUD – Commercial Mixed-Use	0.1 – 50%
C1 – Highway Commercial	0.1 – 25%
C2 – Local Hamlet Commercial	0.1 – 25%
C3 – Neighbourhood Commercial	0.1 – 25%
I1 – Rural Industry Support	0.1 – 50%
I2 – Local Industrial	0.1 – 50%
I3 – Medium Industrial Unserviced	0.1 – 50%
I4 – Medium Industrial Serviced	0.1 – 50%
IR – Industrial Reserve	0.1 – 50%
AP – Airport Support	0.1 – 50%
EP – Environmental Preservation	0.1 – 25%
INS – Institutional	0.1 – 25%
POS – Public Open Space	0.1 – 25%
PU – Public Utility	0.1 – 25%
REC – Recreational	0.1 – 25%

1432/19; 1591/22; 1609/23; 1632/23

- (a) The *Development Authority* may approve a variance in excess of Table 2.1 if any of the following criteria apply:
- (i) 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;
 - (ii) 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.

1632/23

1632/23

2.9 DEVELOPMENT PERMIT CONDITIONS

- .1 In making a decision, the *Development Authority* may impose such conditions as are appropriate and as are specifically required by this Bylaw, permanently or for a limited time period.
- .2 As a condition of a *development permit* approval, the *Development Authority* may require that the *developer* enter into a *Development Agreement* with the municipality to do any or all of the following:

Subdivision and Development Appeal Board Hearing File# 026-STU-003

Development Authority Report for DP-25-0287

2026-02-03



Sturgeon
C O U N T Y

Preliminary Information

- ❖ An application was received to operate a Home-Based Business for inspecting and repairing trucks (Jeds Mechanical Ltd.).
- ❖ An application for variance was also received to vary the amount of parking on the property.
- ❖ The application proposed to operate from the existing accessory building, with a 1,500m² area for exterior storage of vehicles, four employees and three to seven site visits per day.
- ❖ The Development Authority refused the proposal exceeded the regulations of a home based business in the subject district.

Site Location

St Nicholaas Subdivision



Property Information



- Lot 1;;Plan 4079TR, 23015 Twp Rd 564 within the St. Nicolaas subdivision.
- The parcel area is 10.07 acres.
- The residential property is developed with a Single Detached Dwelling and three accessory buildings (detached garage, Quonset and barn). The assessment records classify the accessory buildings as farm use.
- A compliance was issued for the property on October 18, 1993.

Relevant Policy & Legislation

Land Use Bylaw 1385/17, as amended

Section 6.16.5 Home Based Business shall comply with the requirements provided in Table 6.1

- Level 2 – no exterior storage. Any storage shall be located within the dwelling or accessory buildings
- A Home-based Business level 3 is the only use that allows for exterior storage
- The maximum allowable employees is limited to two

Section 12. R1 – Country Residential District only lists Home-Based Business Level 1 and Level 2.

Section 2.8.1(d) Decision Process states: A complete application for a development permit will be considered by the Development Authority who shall not accept an application for a use which is not a listed permitted use or discretionary use in the applicable district.

Table 6.1: Home-Based Business Requirements

	Level 1	Level 2	Level 3
Business Size (maximum)	<ul style="list-style-type: none"> • 10% of the gross floor area of the dwelling 	<ul style="list-style-type: none"> • 30% of the gross floor area of the dwelling • Area of accessory building(s) at the discretion of the Development Authority 	<ul style="list-style-type: none"> • 30% of the gross floor area of the dwelling • 100% of the gross floor area of accessory building(s) at the discretion of the Development Authority
Equipment and/or material storage	<ul style="list-style-type: none"> • Shall be located within the dwelling 	<ul style="list-style-type: none"> • No exterior storage. Any storage shall be located within the dwelling or accessory building(s). 	<ul style="list-style-type: none"> • Exterior storage shall not exceed 1% of the parcel size in accordance with Section 5.7
Client traffic generation (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • Eight vehicle visits per 24-hour period in the AG district • Four vehicle visits per 24-hour period in all other districts 	<ul style="list-style-type: none"> • Ten vehicle visits per 24-hour period
Non-resident employees on site (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • Two 	<ul style="list-style-type: none"> • Four
Commercial vehicles (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • One (not exceeding 4,800kg if located in a residential district) 	<ul style="list-style-type: none"> • Three
Commercial trailers (maximum)	<ul style="list-style-type: none"> • None permitted 	<ul style="list-style-type: none"> • One 	<ul style="list-style-type: none"> • Three
Passenger vehicles (maximum)	<ul style="list-style-type: none"> • One 	<ul style="list-style-type: none"> • One 	<ul style="list-style-type: none"> • Two
Hours of operation	<ul style="list-style-type: none"> • No limit 	<ul style="list-style-type: none"> • 7:00a.m. to 8:00p.m. 	<ul style="list-style-type: none"> • 7:00a.m. to 8:00p.m.
Additional on-site parking stall requirements	In accordance with Part 9		
Signage	In accordance with Part 7		

Considerations

- The proposed use does not align with the regulations as stated above and therefore was issued refused on December 29, 2025
- The applicant revised employees from four to two
- Auto mechanics typically see vehicles come and go, not for storage.
- Parking Regulations can accommodate the need for parking of vehicles.
- Exterior storage may lead to storage of derelict vehicles.
- Request exceeds those allowed in a Home Based Business Level 3
- Administration supports the business but no the exterior storage.



Recommendation

The Development Authority recommends the Board approve the operation of a Home Based Business Level Two without any exterior storage and an increased number of parking stalls for customer vehicles. The recommended condition is as follows:

4. Parking shall be limited to 12 spaces to allow for: 2 spaces for one business related commercial vehicle and one business related trailer; 2 employees vehicles; 8 customer vehicles (total area of 198m²). Parking shall be located as per the approved site plan.

The location of the parking shall be at the discretion of the Board.

Alternatively, should the Board decide that exterior storage would not shift the use of the parcel from a Home-Based Business Level 2 to a Level 3 and wishes to grant exterior storage, Administration recommends the following amendment to the following conditions:

2. Exterior storage shall not exceed XXm² and be in the location as per the approved site plan.
4. Parking shall be limited to the 8 spaces to allow for: 2 spaces for one business related commercial vehicle and one business related trailer; 2 employees vehicles; 4 customer vehicles (total area of 131m²). Parking shall be located as per the approved site plan.

Recommendation

- The location of the parking can be placed in an area on the parcel as agreed upon between the Board and the applicant. Administration will include the site plan with the decision of the Board.



APPELLANT SUBMISSIONS RECEIVED

***NOTE:**

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

WRITTEN
SUBMISSIONS
FROM
ADJACENT
LANDOWNERS
AND OTHER
AFFECTED
PERSONS

*NOTE:

No submissions were received at
time of publication of the Agenda