

City of Beaumont
Subdivision and Development Appeal Board Agenda

July 15, 2025

5:00 p.m.

City Hall, Council Chambers

Pages

1. CALL TO ORDER (HEARING SDAB 25-06)

2. INTRODUCTIONS

2.1 Board Chair

2.2 Board Members

2.3 SDAB Legal Counsel

2.4 SDAB Administrative Staff

3. ADOPTION OF AGENDA

4. INTRODUCTION OF THE PARTIES

4.1 Development Authority

4.2 Appellant

4.3 Applicant

5. OBJECTIONS TO THE BOARD

6. HEARING PROCESS

6.1 Development Authority Presentation

6.2 Appellant Presentation

6.3 Applicant Presentation

6.4 Presentations from Affected Persons Supporting the Appeal

- 6.5 Presentations from Affected Persons Opposing the Appeal
- 6.6 Development Officer's Closing Remarks
- 6.7 Appellant's Closing Remarks

7. HEARING OF THE APPEAL

- 7.1 SDAB Clerk and Preliminary or Jurisdictional Matters 3
- 7.2 Development Authority 8
- 7.3 Appellant 45
- 7.4 Applicant 53
- 7.5 Persons in Favor of Appeal
- 7.6 Persons Opposed to Appeal

8. SUMMARIES

- 8.1 Development Authority Final Comments
- 8.2 Appellant Final Comments
- 8.3 Applicant Final Comments
- 8.4 Conclusion of Hearing

9. CLOSED HEARING

10. ADJOURNMENT



LAND & PROPERTY RIGHTS TRIBUNAL

Fax: 780-427-0986
Email:

INTERNAL USE ONLY

SUBDIVISION/DEVELOPMENT AUTHORITY APPEAL FORM

Land and Property Rights Tribunal
1229-91 Street SW
Edmonton AB T6X 1E9

A notice of appeal for a subdivision matter must be filed within 14 days after receipt of the subdivision authority's written decision.
A notice of appeal for a development matter must be filed within 21 days of the development authority's written decision is given.

This is an appeal of a: ☐ Subdivision Authority Decision ☒ Development Authority Decision

Part 1- Contact Information

PROPERTY UNDER APPEAL

Name of Municipality <u>Beaumont, AB</u>	Subdivision/Development Authority (if applicable)	Subdivision/Development Authority File or Permit Number <u>Permit # = 2025-042</u>
---	---	---

Does the land that is subject of the appeal contain, or is it adjacent to, or near, any of the following? (Check ALL that apply)

For Subdivision Appeals:

- ☐ Highway (# _____) ☐ Body of Water (Name: _____) ☐ Landfill
☐ Green Area ☐ Wastewater Treatment Facility ☐ Waste Management Facility ☐ Historical Site/Resource
☐ Alberta Environment and Parks ☐ AUC ☐ NRCB ☐ AER ☐ ERCB ☐ AEUB

Licence/Permit/Approval or Other Authorization Number: _____

For Development Appeals:

- ☐ Alberta Environment and Parks ☐ AUC ☐ NRCB ☐ AER ☐ ERCB ☐ AEUB

Licence/Permit/Approval or Other Authorization Number: _____

Land Description	Section	Township	Range	Meridian	Municipal Address or Lot Block Plan
<u>Plan 152 1520 Block 9 Lot 33</u>					

APPELLANT (e.g. Landowner, Applicant, Affected Person or Government Department filing the Appeal)

Name (Organization)	(Last)	(First)	Telephone Number		
Stamp, Kristy			780 [REDACTED]		
Address	(Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province)	(Postal Code)
5534 Poirier Way Beaumont AB T4X 2B3					
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):					
[REDACTED]					

LANDOWNER INFORMATION (if different from Appellant)

Name	(Last)	(First)	Telephone Number		
Address	(Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province)	(Postal Code)
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):					

REPRESENTATIVE INFORMATION AND AUTHORIZATION (if Appellant is Represented by an Agent)

Name of Organization	Telephone Number				
Address	(Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province)	(Postal Code)
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):					
I (We) hereby authorize _____ to act on my (our) behalf to this application.					
_____ Signature of Applicant(s)		_____ Date		_____ Signature of Applicant(s)	
				_____ Date	

Part 2- Decision of the Subdivision/Development Authority

Date of Decision: 28 May 2025

Copy of Subdivision/Development Authority Decision included?

☐ No**Part 3- Reasons for Appeal**

All appeals must contain reasons. Attach additional pages if required.

☒ Approval - Why do you oppose the approval or what conditions of approval do you disagree with and why?☐ Refusal - Why do you think the application should be approved?

Please see attached letter and pictures of affected area.

Sign

on

13 June 2025

Date

The personal information collected is for the purpose of setting up application/appeal proceedings which will be provided to those who may be affected by your application/appeal and will be considered a public record. Your contact information will be used to send a follow up survey designed to measure satisfaction with the tribunal proceedings. This personal information collection is authorized by section 33(c) of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of personal information, you may contact the Land and Property Rights Tribunal, 1229-91 Street, SW, Edmonton, Alberta T6X 1E9, (780) 427-2444 (Outside of Edmonton call 310-0000 to be connected toll free) or by email to.

[Submit by E-mail](#)[Save](#)[Reset Form](#)



BEAUMONT
**Subdivision
and Development**
APPEAL BOARD

Notice of Hearing

File: 0111-S01-SDAB-25-06

APPELLANT

Kristy Stamp
5534 Poirier Way
Beaumont, AB T4X 2B3

APPLICANT

Scheffer Andrew Ltd.
Planners & Engineers

RESPONDENT

Sara Boulos , Development Officer
5600 49 Street, Beaumont, AB T4X 1A1
development@beaumont.ab.ca

June 30th, 2025

RE: Appeal # SDAB-25-06

Proposed Development:

Legal Description:

Municipal Address:

Land Use District:

Permit Application No:

Other Use: Excavation, Stripping, and Grading

Plan 152 1520, Block 9, Lot 33

5608 30th Avenue, Beaumont, Alberta

Integrated Neighbourhood

2025-042

To Whom It May Concern:

This correspondence serves as your notice that the Subdivision and Development Appeal Board (SDAB) will hold a hearing in response to an appeal of a decision of the Development Authority to approve a development permit that relates to excavation, stripping, and grading at the property located at 5608 30th Avenue, Beaumont.

The SDAB will hold the hearing as follows:

DATE: Tuesday, July 15, 2025

TIME: 5:00 pm

LOCATION: City Hall Council Chambers, 5600 – 49 Street, Beaumont

You or any person acting on your behalf may present verbal, visual, or written submissions to the SDAB at the hearing.

If you wish to submit visual or written material to the SDAB, please email your submissions to the clerk at legislative@beaumont.ab.ca no later than **4:30PM on July 9, 2025**. All materials submitted will be included in the hearing package and will be distributed to the hearing participants in advance of the hearing.

The hearing materials will also be made available for public inspection by appointment during regular business hours (8:30 am to noon and 1pm to 4:30 pm, Monday to Friday) at the City Administration Building (5600 49 Street, Beaumont) beginning on **July 10, 2025**. Please contact the clerk at legislative@beaumont.ab.ca to arrange an appointment.

ADDRESS 5600 49 Street Beaumont, Alberta T4X 1A1 PHONE 780.929.8782 EMAIL legislative@beaumont.ab.ca



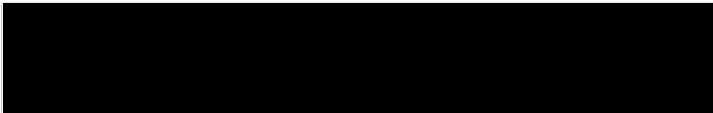
BEAUMONT
**Subdivision
and Development**
APPEAL BOARD

Important Information:

1. Any visual or written material received by the clerk in advance of the hearing will form part of the public record and will be made available for public inspection pursuant to section 686(4) of the *Municipal Government Act*, RSA 2000, c M-26;
2. While the clerk of the SDAB will accept visual or written material in advance of the hearing, the decision on what materials will be considered by the SDAB remains with the SDAB; and
3. Depending on the complexity and volume of the materials submitted, there may be requests for adjournments which the SDAB would consider on a case-by-case basis.

If you have questions, please contact the clerk at legislative@beaumont.ab.ca or call the City Hall main line at 780-929-8782.

Respectfully,



Chelaine Winter,
Clerk, Subdivision and Development Appeal Board

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING
SDAB-25-06
July 15, 2025

DEVELOPMENT AUTHORITY'S REPORT

Permit Number:	2025-042
Decision:	Approved
Decision Date:	May 22, 2025
Subject Property:	5608 30 Avenue 152 1520; 9; 33
Land Use District:	Integrated Neighbourhood (IN) District
Site Size:	1.6 hectares
Subject Site Description:	This site is located north of 30 th avenue across from a stormwater management facility and a parcel designated for medium density residential development. The subject site is currently an undeveloped plot of land. The development is adjacent to low density residential dwellings to the west, north and east approved under the Conventional Neighbourhood District.
Proposed Development:	Stripping and Grading of the site to prepare for future servicing and residential construction.

Introduction

This submission is made by the City of Beaumont Development Authority (DA) in response to the appeal of the DA's decision with respect to a Development Permit application for an Excavation, Stripping, and Grading permit, approved with conditions, as Development Permit 2025-042 (Decision).

The purpose of this submission is to provide information regarding the application for the development permit and to explain the land use considerations underlying the Decision.

Application

The application for Excavation, Stripping and Grading was received on April 11, 2025 with payment processed on April 24, 2025. It was deemed complete on April 28, 2025 and a decision was rendered

on May 22, 2025. A copy of the application and notice of decision are attached as Exhibit 3 and Exhibit 4, respectively.

The application was submitted by Scheffer Andrew Ltd. on behalf of Amrik Capital MF Development Corp. After receiving a conditional approval of Subdivision, the applicant proceeded with the next steps of applying for an Excavation, Stripping and Grading development permit. A copy of the approved subdivision plan is attached as Exhibit 5.

Subdivision Process

Subdivision is the process of dividing land into one or more lots, in accordance with the Municipal Government Act. The Subdivision Authority must only approve a subdivision if:

1. 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,
2. if the subdivision authority is of the opinion that there are no conflicts or inconsistencies between the proposal and the relevant statutory plans (Municipal Development Plan, Area Structure Plan, etc.)

Both these requirements were met, and on April 29, 2025 Place Chaleureuse Phase 9 was conditionally approved to subdivide the subject parcel into 57 residential lots serviced by a public roadway. The decision was circulated and posted on the City of Beaumont website and no appeals received.

Subdivision approval is subject to the requirement of the landowner/developer and the City of Beaumont entering into a Development Agreement, which is a legal agreement that ensures development is constructed in accordance with City of Beaumont standards and provides a mechanism for the City to collect charges and levies for infrastructure and secure insurance and securities from the Developer. Entering into a Development Agreement requires the approval of a full engineering drawing package including landscaping, road and sidewalk plans, stormwater drainage plan, lot grading plans, franchise utility plans, etc. The Development Agreement and engineering drawing review is an administrative process that includes no form of external circulation, notification, or opportunity for appeal.

In order to avoid delays during construction season, some developers choose to apply for an Excavation, Stripping and Grading Development Permit to commence clearing of the site to prepare for future development in advance of a fully executed Development Agreement. The permit essentially distinguishes the grading drawing review from the rest of the engineering drawing package and provides a mechanism to approve the construction activity with conditions that would otherwise be covered through the Development Agreement including, but not limited to, requiring liability insurance and road/sidewalk closure permits.

Development Permit 2025-042 follows the conditional approval of Subdivision SDA-24-17 Place Chaleureuse Phase 9 on April 28, 2025. The City followed due process in reviewing the Subdivision application, ensuring it aligned with the already approved statutory plans (such as the Municipal Development Plan and Land Use Bylaw) and other plans approved by Council (such as the Place Chaleureuse Outline Plan, Exhibit 6). The developer chose to proceed directly with an Excavation, Stripping and Grading Development Permit application, and submitted a subsequent application for their Development Agreement on July 7, 2025. The reason presented by the developer for proceeding with a separate permit application was to start stripping and grading work during the 2025

spring/summer season, as that is the appropriate and only time of the year that stripping and grading can occur.

Municipal Government Act (MGA) – Discretionary Use

Section 640(2) of the Municipal Government Act states that a Land Use Bylaw

b) must, unless the district is designated as a direct control district pursuant to section 641, prescribe with respect to each district,

- (i) the one (1) or more uses of land or buildings that are permitted in the district, with or without conditions, or
- (ii) the one (1) or more uses of land or buildings that may be permitted in the district at the discretion of the Development Authority, with or without conditions,

c) must establish a method of making decisions on applications for development permits and issuing development permits for any development, including provision for

- vi) the discretion that the Development Authority may exercise with respect to development permits,

The Land Use Bylaw (under S. 3.4.2) establishes that Excavation, Stripping & Grading is a discretionary use in the Integrated Neighbourhood District. In accordance with section 640(2)(b) of the MGA an application for a discretionary use is subject to the discretion of the DA, and may or may not be permitted. Further information on the classification of the proposed use in the Land Use Bylaw is provided in the following section.

The Land Use Bylaw establishes the DA to make a decision on a discretionary use per section 5.4.4(h), in accordance with section 640(2)(c) of the MGA. In addition, the Land Use Bylaw outlines relevant considerations and potential conditions associated with reviewing a discretionary permit under section 5.18 of the Land Use Bylaw, Conditions of a Development Permit. The scope of discretion that the DA applied in making the decision on Development Permit 2025-042 is outlined later in the report.

Land Use Bylaw and Development Regulations

Excavation, Stripping and Grading is a Discretionary Use in all Districts in the Land Use Bylaw and is defined under Part 6 as:

The physical alteration of the land typically for the purpose of construction. Changes to drainage patterns are included in this use; however, normal agricultural activity is excluded from this use, including but not limited to farm cultivation, and grading activities of regular maintenance.

As the definitions suggests, Excavation, Stripping and Grading is typical work that is completed for development and construction projects and is not unique to this project. There are no additional Use Standards associated with Excavation, Stripping and Grading in the Integrated Neighbourhood District.

A Discretionary Use is defined under Part 6 as:

Those uses of land or buildings provided for in the land use district Schedule of Our Zoning Blueprint for which a development permit may be issued with or without conditions.

Under Section 5.4.4 The DA

h) Shall make a decision on a development permit application for a “discretionary use,” whereby the Development Authority may;

- i. Approve the application; or
- ii. Approve the application subject to conditions and restrictions considered appropriate or necessary; or
- iii. Refuse the application

In reviewing a proposed Excavation, Stripping and Grading use in the Integrated Neighbourhood District, the DA must consider whether the proposed use is appropriate for construction and whether, with or without attached conditions, the use is compatible with surrounding land uses.

Of note, regardless of the DA’s decision to either approve or refuse this permit, Excavation, Stripping and Grading activities will be permitted to commence under the Development Agreement once it is executed. This is stipulated in Section 5.13.1(c) of the Land Use Bylaw which states that *Stripping, site grading or excavation that is part of a development for which a development permit or development agreement has been issued* does not require a development permit provided the development complies with all other requirements of *Our Zoning Blueprint*.

Decision Rationale

Section 5.18.3 j) of the Land Use Bylaw outlines the DA’s ability to attach conditions they consider are appropriate to a development permit, including, but not limited to those that would ensure that the proposed development is compatible with surrounding land uses. In considering compatibility the DA reviewed:

1. The appropriateness of the proposed use in relation to the zoning; and
2. The appropriateness of the proposed use in relation to the surrounding area.

Appropriateness of the proposed use in relation to the zoning

5608 30 Avenue is zoned as Integrated Neighbourhood District. The Place Chaleureuse Outline Plan designates this lot as Medium Density Residential and Subdivision SDA-24-17 Place Chaleureuse Phase 9 proposes 45 multi-attached and 12 semi-attached residential dwelling units for this site. To enable the future residential development on this site, stripping and grading activities must first take place. Therefore it is a logical and appropriate use for this parcel.

Appropriateness of the proposed use in relation to the surrounding area

5608 30 Avenue is located in the Place Chaleureuse Neighbourhood. It is surrounded on the north, east, and west sides by Low Density Residential development. To the south, across 30 Avenue, is a stormwater management facility and a parcel designated for Medium Density Residential development.

As part of the application package for Development Permit 2025-042, the applicant was required to submit a lot grading plan, a cut and fill plan, and an erosion and sedimentation control plan that were reviewed and accepted by the City’s Infrastructure Department to ensure compliance with the General Design Standards. The erosion and sedimentation plan, in particular, identifies how the applicant will minimize erosion and manage sediment runoff from the site. Based on the information referred to the DA from the Infrastructure Department, it was determined that the impacts to the surrounding area would be mitigated and the use would be compatible.

Issuance of Development Permit

Based on the above considerations and determinations, on May 22, 2025 the DA approved the Excavation, Stripping and Grading use in the Integrated Neighbourhood District for the following reasons:

1. The use is a necessary prerequisite to the Medium Density Residential development that will occur on this parcel in order to meet the conditions of the Subdivision Approval.
2. The DA is satisfied that the use is compatible with the surrounding development and that measures have been implemented to ensure that impacts on surrounding properties are mitigated. There are no constraints in the neighbourhood or surrounding area that would render this work inappropriate for the site or neighbourhood context.
3. The proposed grading plan was reviewed and approved by the engineering department, ensuring that the resulting stripping and grading complies with City of Beaumont General Design Standards.

The Owner/Developer is required to follow all Municipal, Provincial, and Federal regulations as it related to development of the site. The DA is of the opinion that the Owner/Developer is following due process as they proceed with Excavation, Stripping and Grading of the site.

On May 28, 2025, the DA issued the Notice of Decision (Exhibit 4) for the Excavation, Stripping and Grading as a discretionary use in the Integrated Neighbourhood District in accordance with the LUB.

Exhibits:

1. Location Map
2. Zoning Regulations
3. Development Permit Application
4. Notice of Decision 2025-042
5. Subdivision Approval
6. Place Chaleureuse Outline Plan Development Concept



PART 3: LAND USE DISTRICTS

INTEGRATED NEIGHBOURHOOD DISTRICT (IN)

3.4.2 Uses

The [uses](#) identify whether a [use](#) is permitted, discretionary, or not allowed in this [land use district](#). Definitions are provided in Part 6.

AGRICULTURE USES		Retail & Service – General	
Agriculture – General	-	Retail & Service – Large	-
Agriculture – Intensive	-	Show Home	P
Agriculture – Urban	P	INDUSTRIAL USES	
Cannabis Production and Processing	-	Industrial – Medium	-
Medical Cannabis Production	-	Industrial – Light	-
RESIDENTIAL USES		Recreational Vehicle Storage	-
Dwelling Unit(s)	P	Wash Station	-
Mobile Home	-	INSTITUTIONAL USES	
Temporary Dwelling Unit(s)	D	After Life Care	D
LODGING USES		Cemetery	-
Bed & Breakfast	D	Culture	P
Campground	D	Education	P
Hotel / Motel	-	Emergency Service Training Facility	-
BUSINESS USES		Government	P
Arts & Crafts	D	Hospital	P
Home Based Business – Major	D	Human Services	D
Home Based Business – Minor	P	Motor Vehicle Training and Research Facility	-
Office	P	Recreation – Active	P
COMMERCIAL USES		Recreation – Passive*	P
Adult Entertainment	-	Parking Lot with no associated Use	-
Drive Through Facility	-	Special Events	D
Entertainment Establishment	D	OTHER USES	
Gas Station	-	Accessory Building or Structure	P
Golf Course	D	Public Utility*	P
Kennel	-	Excavation, Stripping & Grading	D
Restaurant / Café	D	Private Utility*	P
Restricted Substance Retail	-	Sign (as per Part 4)	P / D
		Temporary Development	D

Planning & Development
5600 - 49 Street
Beaumont, AB T4X 1A1
780-929-8782
development@beaumont.ab.ca

Apr. 11, 2025

DATE RECEIVED
OFFICE USE ONLY

Apr. 24, 2025

Apr. 28, 2025 ID
OFFICE USE ONLY

Note:
Building, Electrical, Plumbing, and Gas Permits each have their own application forms.

Property Information

Street Address: Place Chaleureuse - Beaumont

Plan: 152-1520Block: 9Lot: 33

Applicant and Property Owner Information

Applicant/Contractor Name: Scheffer Andrew Ltd.

Mailing Address: #310, 4803 - 87 Street NW

Town: EdmontonPostal Code: T6E 0V3

Phone:Cell Phone:

Email (required):

Is the Applicant also the Registered Owner?

☐ Yes (Do not fill out below)☒ No (Fill out below - written authorization from registered owner required)

Owner Name: AMRIK Capital MF Development Corp. c/o AMRIK Developments Ltd.

Mailing Address: 200, 10310 Jasper Avenue NW

Town: EdmontonPostal Code: T5J 2W4

Phone:Cell Phone:

Email (required):

Proposed DevelopmentSquare Footage (m²):

Check one of the following:

☐ Commercial

☐ Industrial

☐ Institutional

☐ Other Non-Residential Use: *Residential

☐ Signage → Provide Construction Value: \$300,000 (approx. cost of material and labor)

Has work on the above indicated item already commenced?

☐ Yes☐ No

Description of Work and Land Usage:

Stripping and Grading for a residential multi-family site

OFFICE USE ONLY

Permit Number: 2025-042

Building Permit Number:

Mail☐Pick-up☐

☐ Authorization or ID Received

Land Use District: IN

Subdivision: PL CHAL 9

Tax Roll: 008545

☐ Permitted Use

☐ Permitted Use w/ Variance

☒ Discretionary Use

Fees	Receipt #: 331523 / 331647
Development Permit:	6,000.00
Variance:	
Notification Fee:	53.36
Other:	
Total Fees:	6,053.36

Applicant Authorization

1. I am the owner/agent with the consent and authority of the owner that is the subject matter of this permit application.

2. I hereby give my consent to allow any authorized person pursuant to the Municipal Government Act Section 542 the right to enter the land and/or building(s) with respect to this application only.

3. I understand this is only an application and does not constitute approval to commence construction.

4. I declare that the information contained in this application is correct and true to the best of my knowledge.

5. I declare that I will notify the Development Authority of any proposed changes to the plans submitted with this application.

6. I consent to receiving notifications & correspondence regarding this application via email to the address provided on this application.

I agree☐

Applicant Signature:Date: 10April2025

OFFICE USE ONLY

Development Permit

Date Deemed Complete: April 28, 2025

Date of Decision: May 28, 2025
(See attached Notice of Decision)

DEVELOPMENT / BUILDING PERMIT AUTHORIZATION FORM**OWNER INFORMATION**I (We), AMRIK Capital MF Development Corp. c/o AMRIK Developments Ltd.

(name(s) of Registered Land Owner(s))

being the registered land owners of:

Municipal Address: 200, 10310 Jasper Avenue NW Postal code T5J 2W4Legal Description: Lot 33, Block 9, Plan 152-1520Owner Phone number: [REDACTED]Owner Email: [REDACTED]

Do hereby authorize:

APPLICANT INFORMATIONCompany: Scheffer Andrew Ltd.Contact Name: Tariq MahmoodAddress: #310, 4803 - 87 Street NW Postal code T6E 0V3Phone: [REDACTED]Email: [REDACTED]to make application for the necessary building / development permits required to complete the following project: Stripping & Grading of Multifamily Site**For Commercial Only:**

Owner is responsible for all costs associated with water metering changes, including all piping, and removal and/or replacement of water meter(s). Changes are required to water meter (please circle) Yes No

If yes, please contact Public Works at 780-929-4300.**ALL REPORTS WILL BE PROVIDED TO OWNER AND APPLICANT**Romeo Deol, President

(Print name of Registered Land Owner)

RD

(Signature of Registered Land Owner)

10April2025

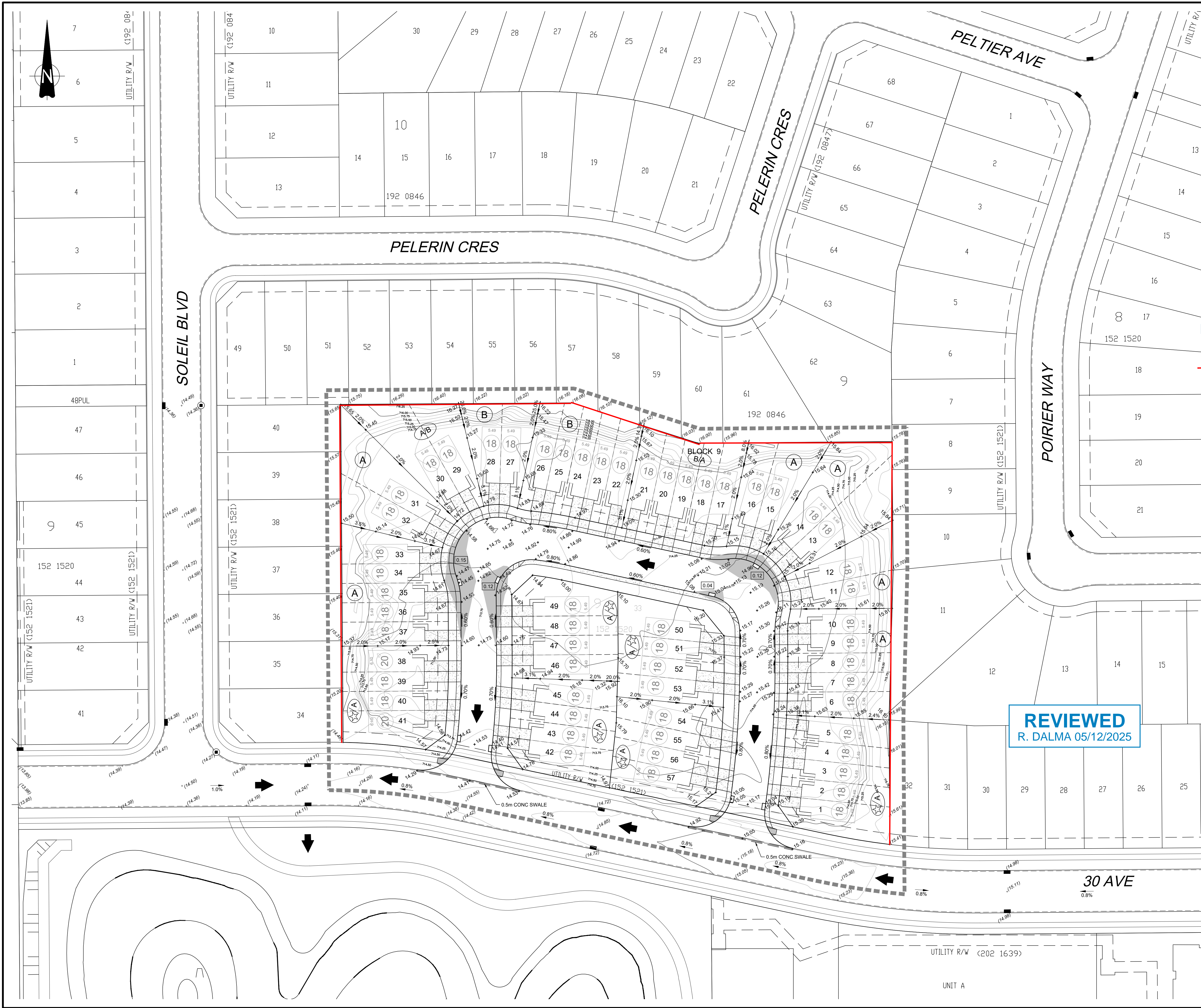
Date

(Print name of Registered Land Owner)

(Signature of Registered Land Owner)

Date

The personal information requested on this form is being collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected will be used for the purpose of permit review and inspection processes and may be communicated to relevant City Business Units, utility providers, and Alberta Health Services. It may also be used to conduct ongoing evaluations of services received from City Business Units. The name of the applicant and the nature of the permit will be available to the public. If you have any questions about the collection or use of your personal information, contact the City of Beaumont's FOIP Coordinator at 5600-49th Street, Beaumont, Alberta, T4X 1A1 or 780.929.8782.



LEGEND

- STAGE BOUNDARY
- PREDEVELOPMENT CONTOURS
- LOT GRADE AT PROPERTY LINE
- EXISTING LOT GRADE AT PROPERTY LINE
- TYPE OF LOT DRAINAGE
- TRANSITION LOTS
- LOTS WITH MORE THAN 1.0m OF FILL
- DRAINAGE ALONG LOT BOUNDARIES
- DRAINAGE ALONG LIP OF GUTTER
- MAJOR DRAINAGE FLOW
- MAXIMUM OVERFLOW PONDING

714.0
14.00
14.00
(A)
(A)
★
→
→
0.15
MAX POND

Legend

Silt fencing to be installed around adjacent properties

7			
6			
5			
4			
3			
2			
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM
No.	Date	Issue / Description	Chkd
5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd

Engineer	
Permit	

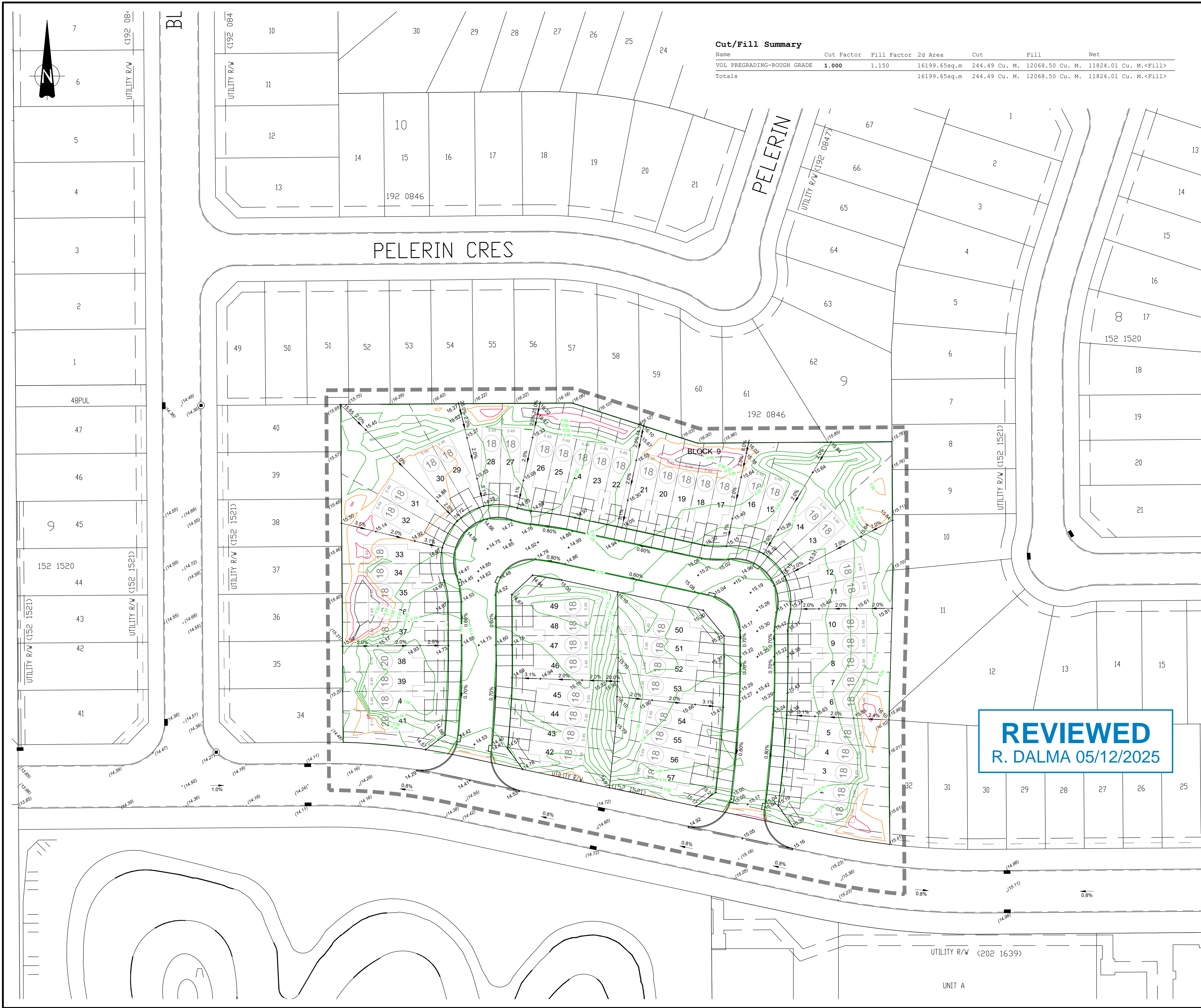
Scheffer Andrew Ltd.
Planners & Engineers
#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph: 780-732-7800, Fax: 780-732-7878

Client
AMRIK CAPITAL MF DEVELOPMENT CORP.

Project
PLACE CHALEUREUSE STAGE 9
5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520

Municipality
CITY OF BEAUMONT

Drawing Title LOT GRADING PLAN Drawing Name 2 Drawing Name 3	
Designed PDN	Date 2025-02-07
Drawn PDN	Drawing No. C007 001
Checked TM	Project No. 157101
Scales H 1 : 500	Revision 0
Issue 1	



Cut/Fill Summary						
Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
VOL PREGRADING-ROUGH GRADE	1.000	1.150	16199.65sq.m	244.49 Cu. M.	12068.50 Cu. M.	11824.01 Cu. M.<Fill>
Totals			16199.65sq.m	244.49 Cu. M.	12068.50 Cu. M.	11824.01 Cu. M.<Fill>

LEGEND

- STAGE BOUNDARY
- PREGRADING FILL CONTOURS
- PREGRADING CUT CONTOURS
- LOT GRADE AT PROPERTY LINE
- EXISTING LOT GRADE AT PROPERTY LINE
- TYPE OF LOT DRAINAGE
- TRANSITION LOTS
- LOTS WITH MORE THAN 1.0m OF FILL
- DRAINAGE ALONG LOT BOUNDARIES
- DRAINAGE ALONG LIP OF GUTTER
- MAJOR DRAINAGE FLOW
- MAXIMUM OVERFLOW PONDING

REVIEWED
R. DALMA 05/12/2025

7			
6			
5			
4			
3			
2			
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM
No.	Date	Issue / Description	Chkd
5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd
Engineer			
Permit			
Client			
Project			
Municipality			
Drawing Title			
Designed			
Drawn			
Checked			
Scales			
0 5 10 20 metres			
Date			
Drawing No.			
Project No.			
Revision			
Issue			

Scheffer Andrew Ltd.
Planners & Engineers
#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph: 780-732-7800, Fax: 780-732-7878

Client: **AMRIK CAPITAL MF DEVELOPMENT CORP.**

Project: **PLACE CHALEUREUSE STAGE 9**
5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520

Municipality: **CITY OF BEAUMONT**

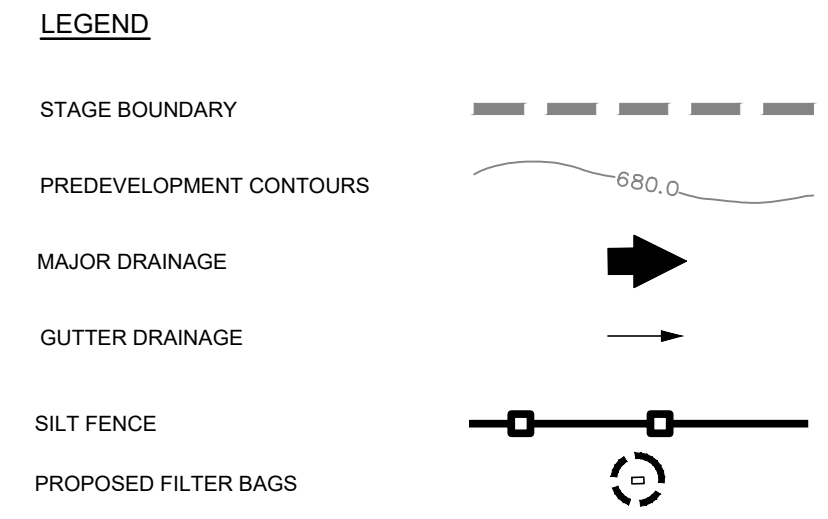
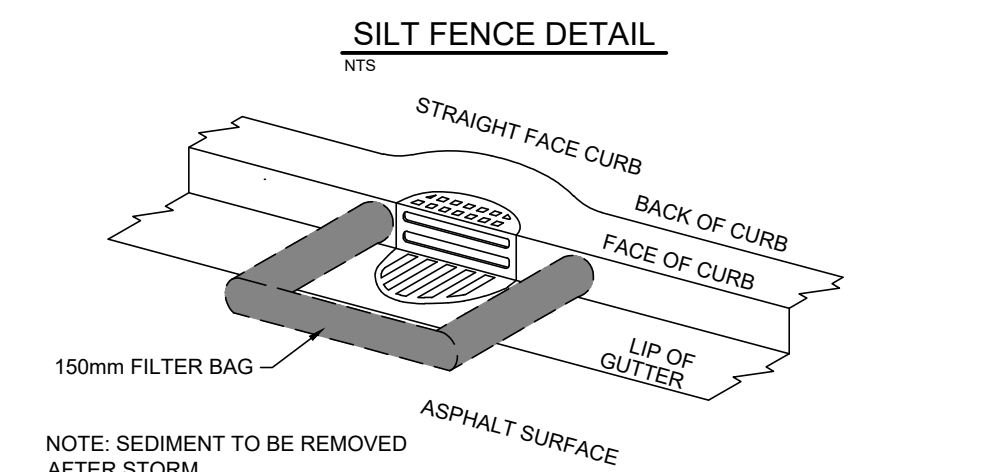
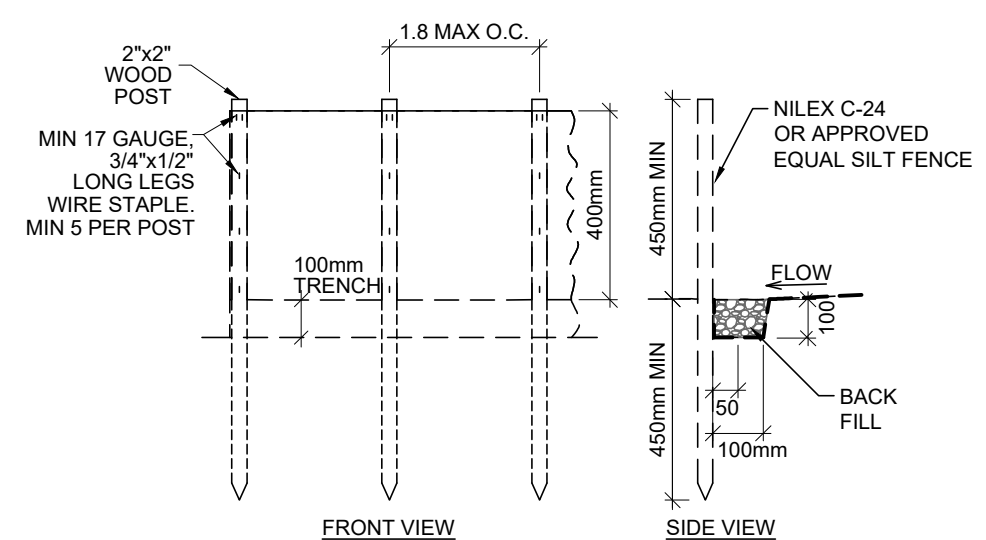
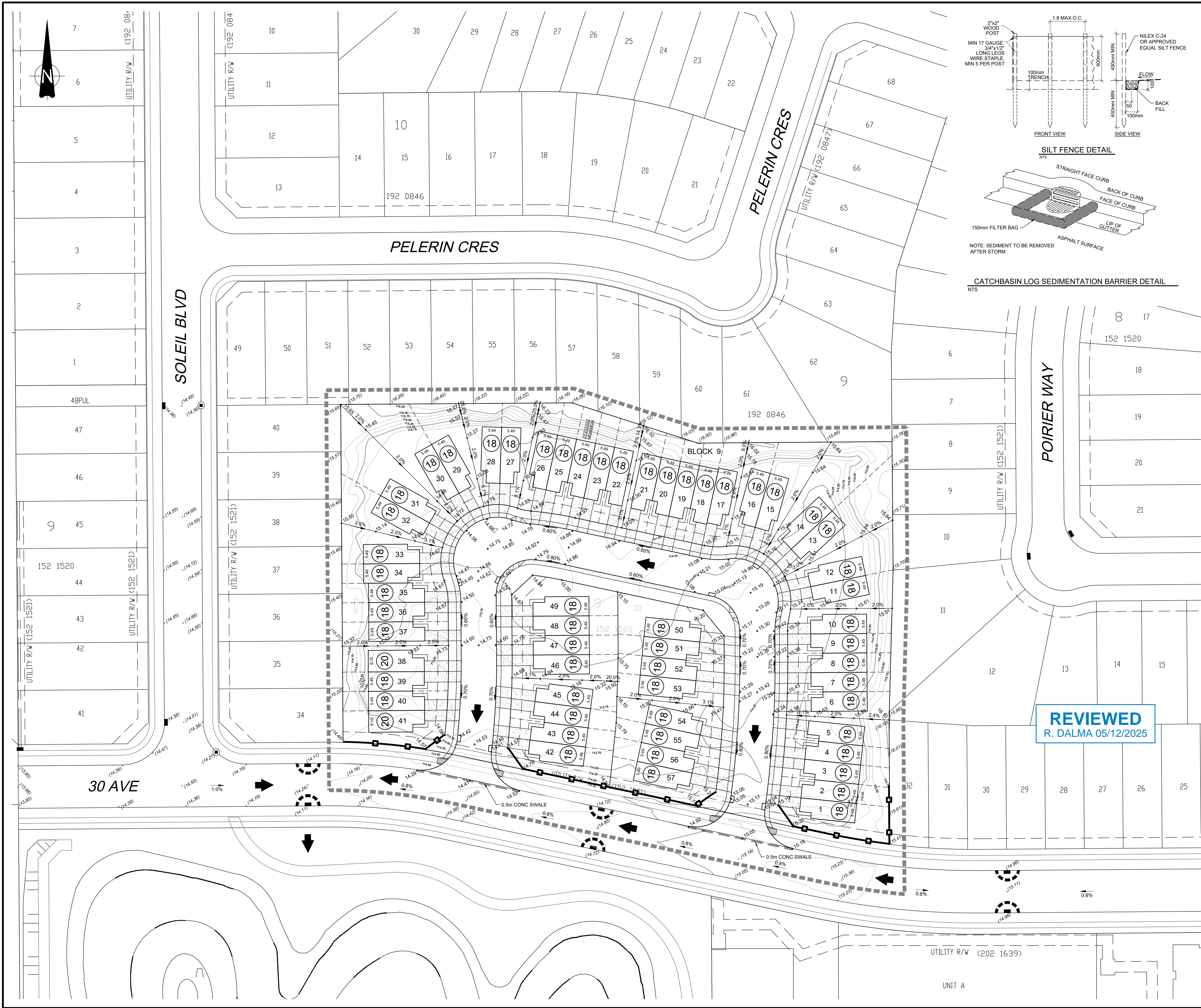
Drawing Title: **CUT / FILL PLAN**

Designed: PDN Date: 2025-02-07

Drawn: PDN Drawing No. **CUT FILL**

Checked: TM Project No. **157101**

Scales: H 1 : 500 Revision: 0 Issue: 1



GENERAL NOTES:

- ALL ELEVATIONS REFER TO GEODETIC DATUM.
- INSTALL STORM INLET PROTECTION AROUND ANY MANHOLE IN A SAG LOCATION WHEN CONSTRUCTED.
- CONTRACTOR/DEVELOPER TO CLEAR PUBLIC ROAD FROM MUD TRACKING AT THE END OF EACH DAY.

HOUSEKEEPING MEASURES

- REFER TO THE CITY OF BEAUMONT ESC STANDARDS FOR EROSION AND SEDIMENTATION CONTROL AND MAINTENANCE REQUIREMENTS.
- REFER TO THE CITY OF BEAUMONT ESC STANDARDS FOR INSPECTION REQUIREMENTS.
- THE DETAILS SHOWN HERE ARE FOR INFORMATION ONLY. ALL ESC MEASURES PROPOSED ON THIS PLAN SHOULD BE INSTALLED AS PER SUPPLIER INFORMATION.
- CITY OF BEAUMONT TO BE NOTIFIED IF ANY CHANGES ARE MADE TO THE ESC PLAN.

7			
6			
5			
4			
3			
2			
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM
No.	Date	Issue / Description	Chkd
5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd
Engineer			
Permit			

Scheffer Andrew Ltd.
Planners & Engineers
#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph: 780-732-7800, Fax: 780-732-7878

Client

AMRIK CAPITAL MF DEVELOPMENT CORP.

Project

PLACE CHALEUREUSE STAGE 9
5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520

Municipality

CITY OF BEAUMONT

Drawing Title

EROSION & SEDIMENTATION CONTROL PLAN

Designed	PDN	Date	2025-02-07
Drawn	PDN	Drawing No.	C015 001
Checked	TM	Project No.	157101
Scales	H 1 : 500	Revision	0
0 5 10 20 metres		Issue	1

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Scheffer Andrew Ltd.
310, 4803 87 Street
Edmonton, AB T6E 0V3

Proposed Development: Other Use: Excavation, Stripping and Grading
Legal Description: Plan 152 1520, Block 9, Lot 33
Municipal Address: 5608 30 ave, Beaumont, AB
Land Use District: Integrated Neighbourhood
Permit Application No: 2025-042
Tax Roll: 008545

Development Permit Status: Approved with conditions

Development Permit Conditions

The development noted above is considered a Discretionary Use within the Integrated Neighbourhood District, and has been **approved** by the Development Authority subject to the conditions listed below. Unless otherwise provided for in this approval, all requirements of the City of Beaumont Land Use Bylaw 944-19 shall be met. **Be sure to review all the documentation included with this permit.**

1. Development shall commence within one year from the date of decision noted above. If the development does not commence within this time frame, a new development permit will be required.
2. As this permit has been issued for a permitted use with a discretionary use, this permit shall not come into force and effect until the appeal period has expired, Thursday June 13, 2025
3. The site shall be developed in accordance with the attached plans issued for development dated May 13, 2025. **Any changes to the attached plans require prior written approval by the City.**
4. The Applicant shall maintain comprehensive liability insurance in the amount of \$5 million as it relates to this project, for the duration of the project. A copy of the Certificate of Insurance must be provided, and Beaumont shall be named on same.
5. The owner/applicant shall apply for and obtain a road closure permit prior to work commencing.
6. The owner/applicant shall apply for and obtain a road/lane/sidewalk closure permit, if applicable, prior to work commencing.

Additional Information

1. This Development Permit is issued under the City of Beaumont Land Use Bylaw 944-19. It does not exempt you from compliance with any other municipal bylaw or statutory plan applicable to the Proposed Development, any relevant federal or provincial statute or regulation, or any easement, covenant, agreement, or contract affecting the subject lands.

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042

2. Contact Alberta One Call at 1-800-242-3447 to locate underground services prior to construction, if applicable.
 3. The owner/applicant shall obtain all federal, provincial and local permits as they apply to this project
 4. The site shall be kept clear of all construction garbage and debris; an on-site garbage container/bin shall be required.
 5. Failure to keep the sites clean of debris is an offence under Our Zoning Blueprint. The Peace Officers may issue offence tickets to any person who has committed or is committing an offence respecting this infraction and may be subject to the following penalties:
 - a. First Offence – a written warning or a stop work order shall be issued, and a bin will be required onsite;
 - b. Second Offence (on same lot) – a minimum fine of \$1,000.00 and a stop work order shall be issued;
 - c. Third (and Subsequent) offence(s) (on same lot) – a minimum fine of \$5,000.00 and a stop work order shall be issued.
 6. It is the responsibility of the Applicant to ensure they have reviewed and understand all Instruments registered against the Title of the subject property. This includes all easements, caveats, and restrictive covenants. The City shall not address, nor enforce, any Instruments of which we have no interest in and/or are not a party to.
-

Permit Notification Information

In accordance with the City of Beaumont Land Use Bylaw 944-19, notices regarding this Development Permit have been mailed to owners of adjacent and nearby properties, as these individuals have the right to appeal this permit, as explained above. The same Development Permit Notice mailed to these individuals has been attached for your information.

Furthermore, given that this Development Permit is for a development that may be of public interest, general information regarding this approved Permit may be published on the City of Beaumont website.

Appeal Information



City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042

Any Development Permit may be appealed to the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal if the permit was:

- a) issued for a permitted use with a variance, or for a discretionary use, or
- b) issued with conditions, or
- c) refused.

An appeal may be filed by:

- a) the person applying for the permit, and/or
- b) any person affected by the issuance of the permit.

As the person applying for the permit, you may appeal the decision of the Development Authority regarding the permit or any conditions placed on the permit (as listed above) within 21 days after the date on which the decision is made.

Notice of Decision:	May 22, 2025
Appeal deadline:	June 12, 2025
Permit active (if no appeals filed):	June 13, 2025

Please be advised that an appeal may be submitted in accordance with Section 685 of the Municipal Government Act with the Land and Property Rights Tribunal of the Province of Alberta within 21 days of the written decision. Please visit the Government of Alberta website for more details at <https://www.alberta.ca/subdivision-appeals.aspx>

For more information regarding this Development Permit, its conditions, or the Land Use Bylaw, contact the Development Authority who made the decision on this permit:

[REDACTED]

Sara Boulos
Planner II

[REDACTED]

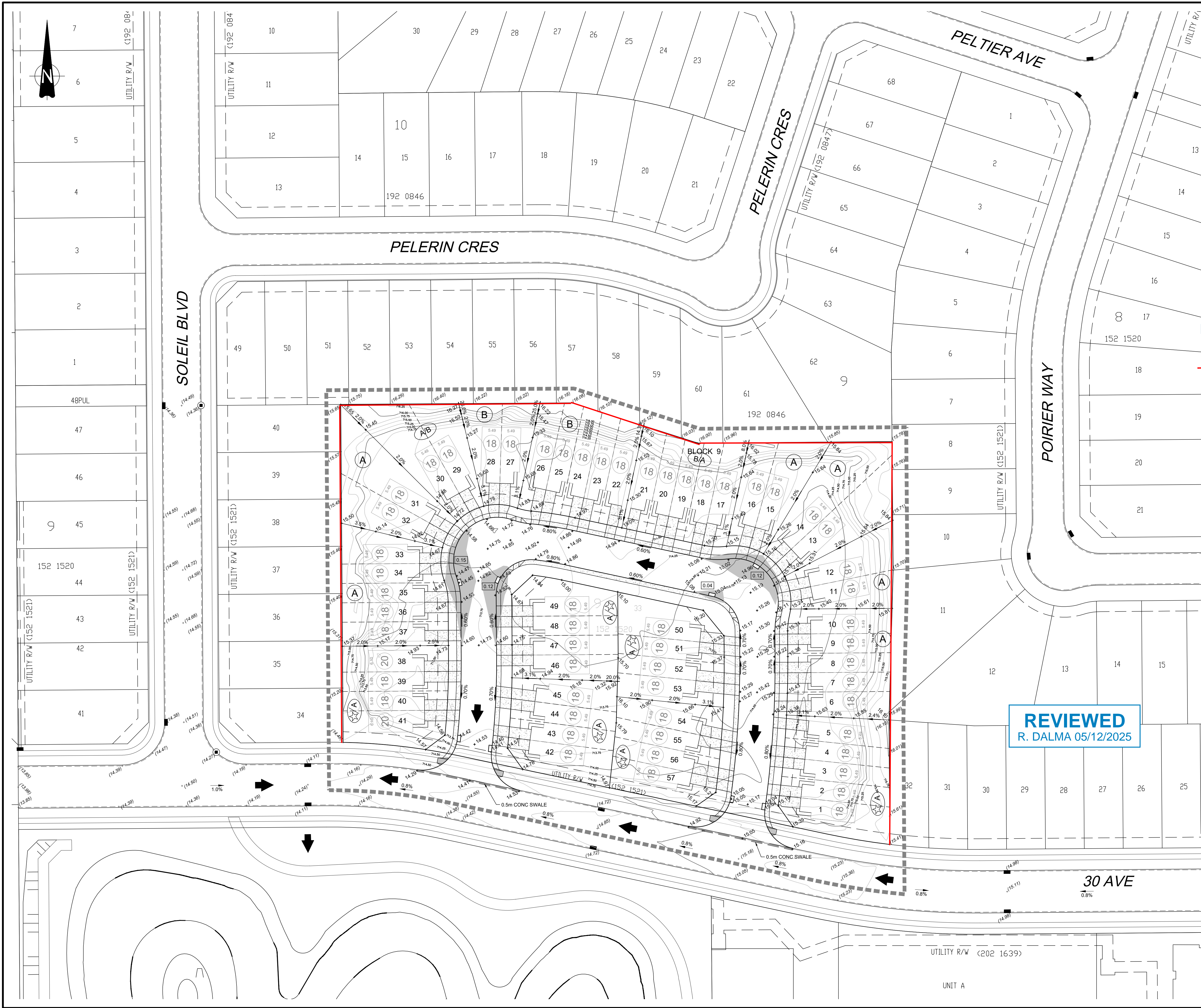


City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042



LEGEND

- STAGE BOUNDARY
- PREDEVELOPMENT CONTOURS
- LOT GRADE AT PROPERTY LINE
- EXISTING LOT GRADE AT PROPERTY LINE
- TYPE OF LOT DRAINAGE
- TRANSITION LOTS
- LOTS WITH MORE THAN 1.0m OF FILL
- DRAINAGE ALONG LOT BOUNDARIES
- DRAINAGE ALONG LIP OF GUTTER
- MAJOR DRAINAGE FLOW
- MAXIMUM OVERFLOW PONDING

714.0
14.00
14.00
A
A
★
→
→
0.15
MAX POND

Legend


Silt fencing to be installed around adjacent properties

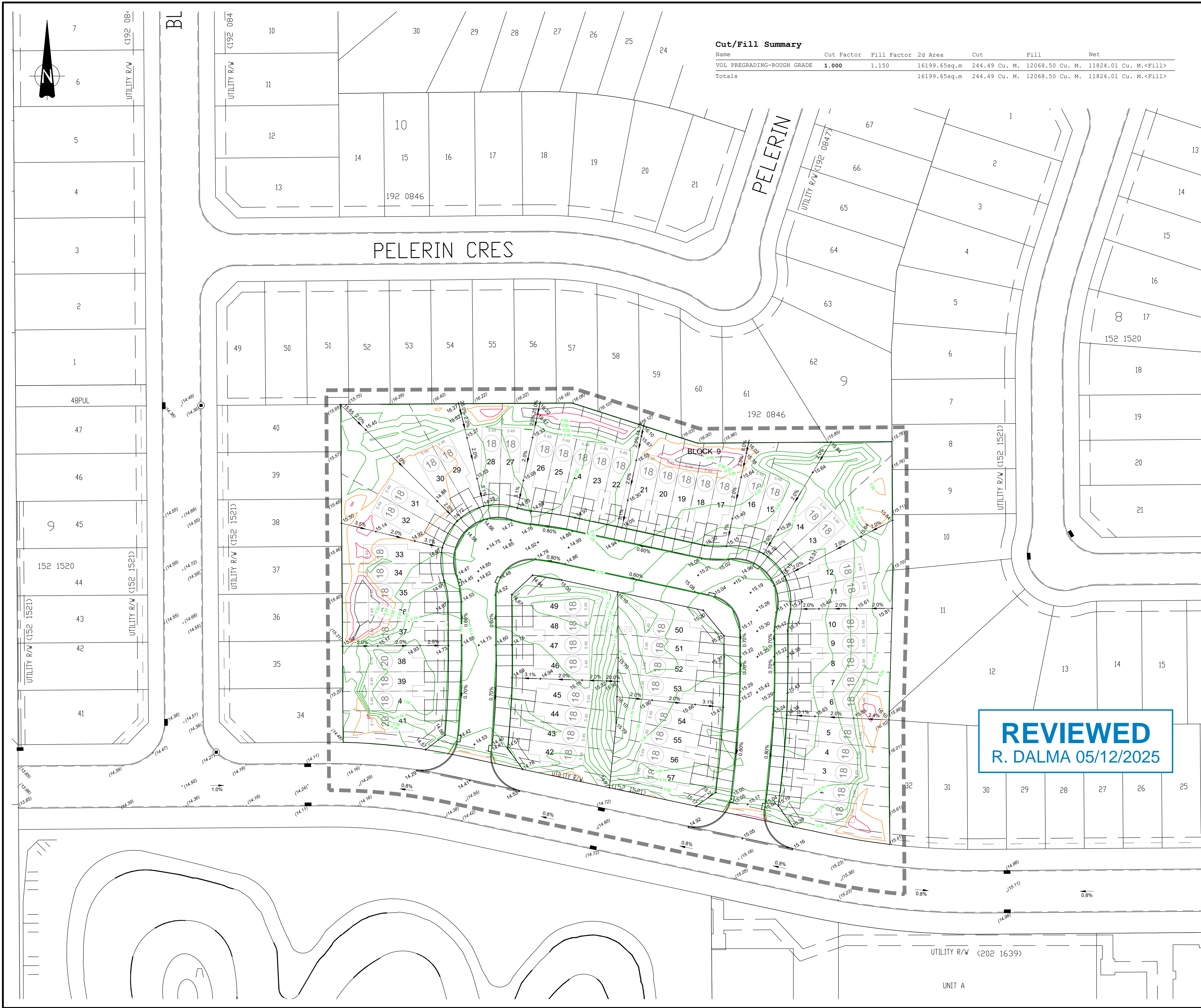
7			
6			
5			
4			
3			
2			
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM
No.	Date	Issue / Description	Chkd
5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd

Engineer	
Permit	

Scheffer Andrew Ltd.
Planners & Engineers
#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph: 780-732-7800, Fax: 780-732-7878

Client	AMRIK CAPITAL MF DEVELOPMENT CORP.
Project	PLACE CHALEUREUSE STAGE 9 5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520
Municipality	CITY OF BEAUMONT

Drawing Title		LOT GRADING PLAN	
		Drawing Name 2	
		Drawing Name 3	
Designed	PDN	Date	2025-02-07
Drawn	PDN	Drawing No.	C007 001
Checked	TM	Project No.	157101
Scales	H 1 : 500		Revision
		0	Issue
			1



Cut/Fill Summary

Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
VOL PREGRADING-ROUGH GRADE	1.000	1.150	16199.65sq.m	244.49 Cu. M.	12068.50 Cu. M.	11824.01 Cu. M.<Fill>
Totals			16199.65sq.m	244.49 Cu. M.	12068.50 Cu. M.	11824.01 Cu. M.<Fill>

LEGEND

- STAGE BOUNDARY
- PREGRADING FILL CONTOURS
- PREGRADING CUT CONTOURS
- LOT GRADE AT PROPERTY LINE
- EXISTING LOT GRADE AT PROPERTY LINE
- TYPE OF LOT DRAINAGE
- TRANSITION LOTS
- LOTS WITH MORE THAN 1.0m OF FILL
- DRAINAGE ALONG LOT BOUNDARIES
- DRAINAGE ALONG LIP OF GUTTER
- MAJOR DRAINAGE FLOW
- MAXIMUM OVERFLOW PONDING

7			
6			
5			
4			
3			
2			
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM
No.	Date	Issue / Description	Chkd
5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd

Engineer

Permit

Scheffer Andrew Ltd.
Planners & Engineers
#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph:780-732-7800, Fax:780-732-7878

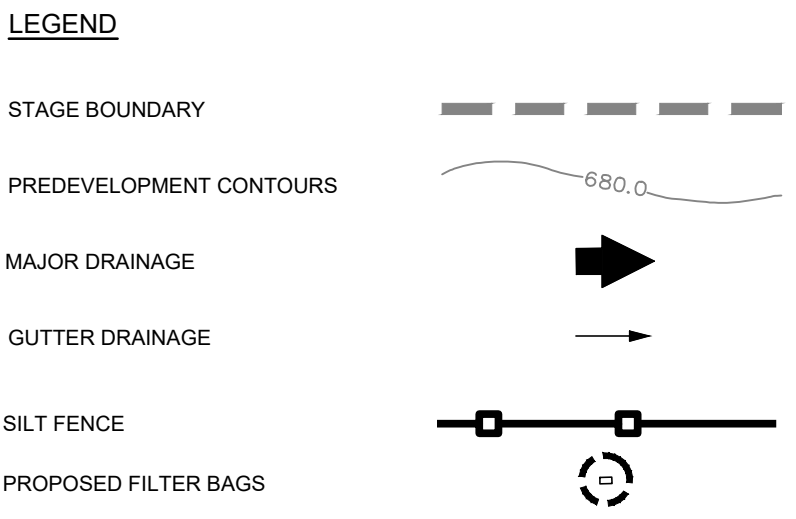
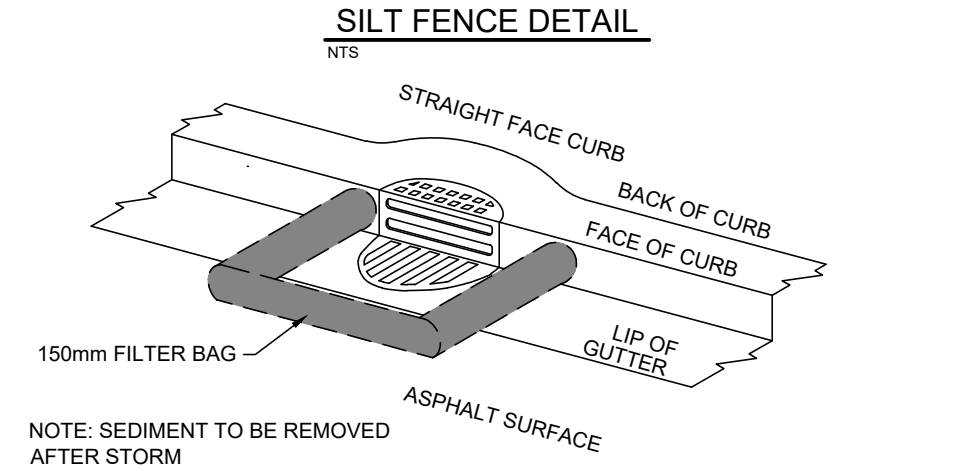
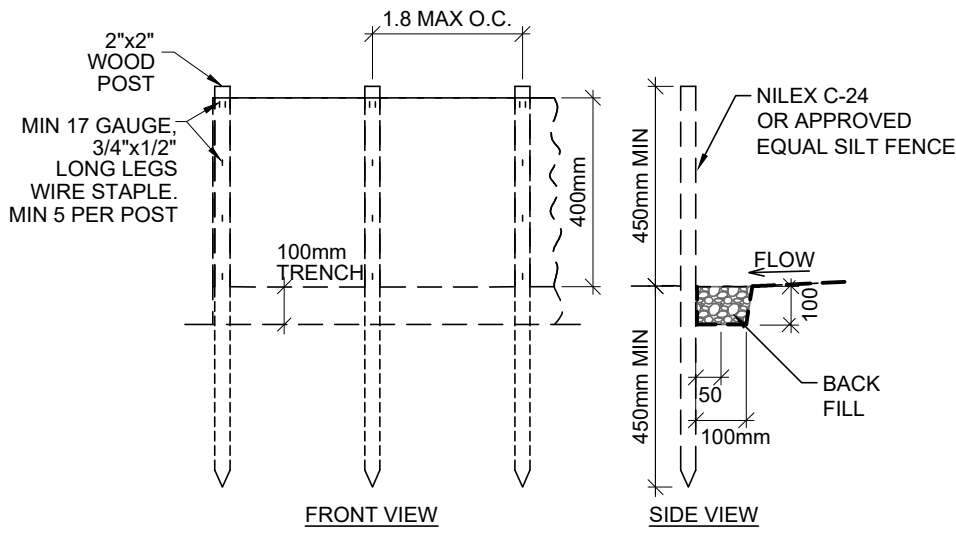
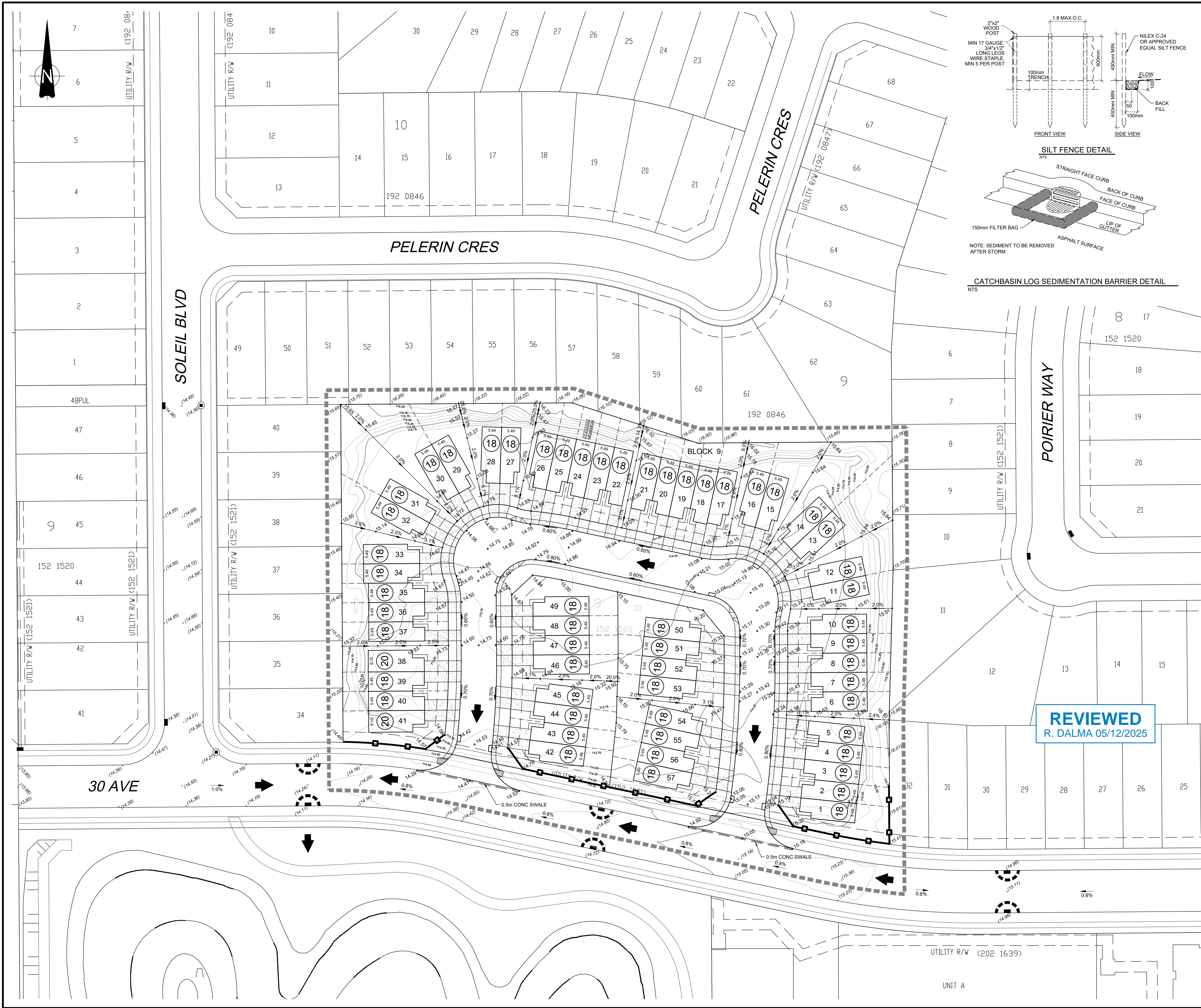
Client
AMRIK CAPITAL MF DEVELOPMENT CORP.

Project
PLACE CHALEUREUSE STAGE 9
5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520

Municipality
CITY OF BEAUMONT

Drawing Title
CUT / FILL PLAN

Designed	PDN	Date	2025-02-07
Drawn	PDN	Drawing No.	CUT FILL
Checked	TM	Project No.	157101
Scales	H 1 : 500	Revision	0
		Issue	1



GENERAL NOTES:

- ALL ELEVATIONS REFER TO GEODETIC DATUM.
- INSTALL STORM INLET PROTECTION AROUND ANY MANHOLE IN A SAG LOCATION WHEN CONSTRUCTED.
- CONTRACTOR/DEVELOPER TO CLEAR PUBLIC ROAD FROM MUD TRACKING AT THE END OF EACH DAY.

HOUSEKEEPING MEASURES

- REFER TO THE CITY OF BEAUMONT ESC STANDARDS FOR EROSION AND SEDIMENTATION CONTROL AND MAINTENANCE REQUIREMENTS.
- REFER TO THE CITY OF BEAUMONT ESC STANDARDS FOR INSPECTION REQUIREMENTS.
- THE DETAILS SHOWN HERE ARE FOR INFORMATION ONLY. ALL ESC MEASURES PROPOSED ON THIS PLAN SHOULD BE INSTALLED AS PER SUPPLIER INFORMATION.
- CITY OF BEAUMONT TO BE NOTIFIED IF ANY CHANGES ARE MADE TO THE ESC PLAN.

7			
6			
5			
4			
3			
2			
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM
No.	Date	Issue / Description	Chkd
5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd

Engineer

Permit

Scheffer Andrew Ltd.
Planners & Engineers
#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph: 780-732-7800, Fax: 780-732-7878

Client
AMRIK CAPITAL MF DEVELOPMENT CORP.

Project
PLACE CHALEUREUSE STAGE 9
5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520

Municipality
CITY OF BEAUMONT

Drawing Title
EROSION & SEDIMENTATION CONTROL PLAN

Designed	PDN	Date	2025-02-07
Drawn	PDN	Drawing No.	C015 001
Checked	TM	Project No.	157101
Scales	H 1 : 500	Revision	0
		Issue	1

Notice of Decision

Date of Decision: April 28, 2025

Scheffer Andrew Ltd.
310, 4803 87 Street
Edmonton, AB T6E 0V3

Subdivision File Name: SDA-24-17 Place Chaleureuse Phase 9
Legal Description: Plan: 152 1520 Block: 9 Lot: 33
Land Use District: Integrated Neighbourhood
Proposed Subdivision: 45 multi-attached and 12 semi-attached residential dwelling units

Pursuant to Section 654 of the MGA, the above-described Subdivision was **CONDITIONALLY APPROVED** on April 28, 2025, subject to the following conditions:

1. That the subdivision be effected by plan of survey.
2. That the owner/developer pays their proportionate share of the Off-Site Levies pursuant to Bylaw 945-19 as may be amended from time to time.
3. That any outstanding taxes be paid or satisfactory arrangements be made with the City of Beaumont.
4. That all existing easements, caveats, and restrictive covenants registered to the subject property be carried over and registered on the newly created lots.
5. That easement documents required to service this parcel shall be submitted for concurrent registration at the Land Titles Office.
6. Restrictive Covenants will be registered on the lots that are required to install step down board in accordance with the City of Beaumont General Design Standards and to the satisfaction of the Municipality, as shown on the "Conditions of Approval" map, Attachment 2.
7. That the owner/developer acknowledges that the Municipality undertook and completed the construction of the South Sanitary Trunk Main to relieve flooding in the southeast quadrant for the main purpose to store wet weather flows, including the Development Area. The Developer agrees to pay to the Municipality \$600.00 per residential lot (or \$600 per residential unit in a multiple family building) towards the cost of the South Sanitary Trunk Line that was installed by the Municipality in the S.W. ¼ Sec. 26-50-24-4. The Developer shall secure the full amount required to be paid to the Municipality for the lands or phase or sub-phase upon submission for endorsement of a Plan of Subdivision for the Development Area.
8. That the owner/developer construct a second water feed connection Place Chaleureuse Phase 9 servicing pursuant to the engineering drawings and to the satisfaction of the City.

9. That the owner/developer enter into and abide by a Development Agreement with the City of Beaumont pursuant to Section 655 of the Municipal Government Act (MGA) to address but are not limited to the following:
 - a. Construct roads, pedestrian walkway system, public utilities and to provide security for the proposed subdivision.
 - b. That the owner/developer pay all costs identified in the Development Agreement, including but not limited to, assessment and inspection costs occasioned by this subdivision prior to the endorsement of the plan of subdivision.
 - c. That the owner/developer pays their proportionate share of the Off-Site Levies pursuant to Bylaw 945-19 as may be amended from time to time.
 - d. That the owner/developer submit detailed engineering drawings in accordance with the City of Beaumont General Design Standards and to the satisfaction of the City and affected utility agencies.
 - e. That the owner/developer construct a second water feed connection Place Chaleureuse Phase 9 servicing pursuant to the engineering drawings and to the satisfaction of the City.
 - f. Restrictive Covenants will be registered on the lots that are required to install fencing in accordance with the City of Beaumont General Design Standards and to the satisfaction of the Municipality, as shown on the "Conditions of Approval" map, Attachment 2.
 - g. That the owner/developer acknowledges that the Municipality undertook and completed the construction of the South Sanitary Trunk Main to relieve flooding in the southeast quadrant for the main purpose to store wet weather flows, including the Development Area. The Developer agrees to pay to the Municipality \$600.00 per residential lot (or \$600 per residential unit in a multiple family building) towards the cost of the South Sanitary Trunk Line that was installed by the Municipality in the S.W. ¼ Sec. 26-50-24-4. The Developer shall secure the full amount required to be paid to the Municipality for the lands or phase or sub-phase upon submission for endorsement of a Plan of Subdivision for the Development Area.

The Subdivision Authority received comments from adjacent landowners regarding property values, school location, density, infrastructure and traffic. The application complies with regulations set out in the Beaumont Land Use Bylaw 944-19 and is in alignment with the Place Chaleureuse Outline Plan

The Subdivision Authority is of the opinion, after considering factors set out in Section 7 of the Subdivision and Development Regulation and the comments from adjacent landowners, that the land is suitable for the purpose for which the subdivision is intended.

This approval is valid for one year expiring on April 28, 2026. Pursuant to the Land Use Bylaw 944-19, any extensions of the Subdivision approval may be authorized by the Subdivision Authority.

Attachment 1 is a list of advisements. Attachment 2 is a map of the subdivision and the location of specific condition requirements.

With regard to the conditions of approval, they are to be met and satisfied prior to the submission of the final plan of subdivision, which is to be prepared by an Alberta Land Surveyor.

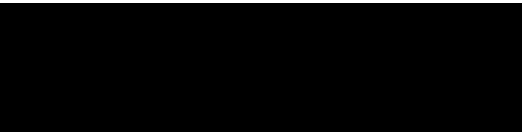
Once all conditions of approval have been complied with, the final plan of subdivision and endorsement plans/documents can be submitted. Please see our website for endorsement submission requirements at <https://www.beaumont.ab.ca/DocumentCenter/View/6055/Endorsement-Application-Package>.

An endorsement fee will be required to be paid upon submission of the final plan. Endorsement fees are subject to change. If the fee schedule is amended before you submit the final plan of subdivision for endorsement, the new fees will apply.

Appeal Information

Please be advised that an appeal may be submitted in accordance with Section 678 of the Municipal Government Act with the Land and Property Rights Tribunal of the Province of Alberta within 14 days of the written decision. Please visit the Government of Alberta website for more details at <https://www.alberta.ca/subdivision-appeals.aspx>

If you have any further questions, please contact Sara Boulos at planning@beaumont.ab.ca or 780-340-0342.



Kendra Raymond, RPP, MCIP
Subdivision Authority

Encl:
Advisements
Conditions of Approval Map
Application for Subdivision
Tentative Subdivision Plan Conditionally Approved by the Subdivision Authority

cc: Owner

9. That the owner/developer enter into and abide by a Development Agreement with the City of Beaumont pursuant to Section 655 of the Municipal Government Act (MGA) to address but are not limited to the following:
 - a. Construct roads, pedestrian walkway system, public utilities and to provide security for the proposed subdivision.
 - b. That the owner/developer pay all costs identified in the Development Agreement, including but not limited to, assessment and inspection costs occasioned by this subdivision prior to the endorsement of the plan of subdivision.
 - c. That the owner/developer pays their proportionate share of the Off-Site Levies pursuant to Bylaw 945-19 as may be amended from time to time.
 - d. That the owner/developer submit detailed engineering drawings in accordance with the City of Beaumont General Design Standards and to the satisfaction of the City and affected utility agencies.
 - e. That the owner/developer construct a second water feed connection Place Chaleureuse Phase 9 servicing pursuant to the engineering drawings and to the satisfaction of the City.
 - f. Restrictive Covenants will be registered on the lots that are required to install fencing in accordance with the City of Beaumont General Design Standards and to the satisfaction of the Municipality, as shown on the "Conditions of Approval" map, Attachment 2.
 - g. That the owner/developer acknowledges that the Municipality undertook and completed the construction of the South Sanitary Trunk Main to relieve flooding in the southeast quadrant for the main purpose to store wet weather flows, including the Development Area. The Developer agrees to pay to the Municipality \$600.00 per residential lot (or \$600 per residential unit in a multiple family building) towards the cost of the South Sanitary Trunk Line that was installed by the Municipality in the S.W. ¼ Sec. 26-50-24-4. The Developer shall secure the full amount required to be paid to the Municipality for the lands or phase or sub-phase upon submission for endorsement of a Plan of Subdivision for the Development Area.

The Subdivision Authority received comments from adjacent landowners regarding property values, school location, density, infrastructure and traffic. The application complies with regulations set out in the Beaumont Land Use Bylaw 944-19 and is in alignment with the Place Chaleureuse Outline Plan

The Subdivision Authority is of the opinion, after considering factors set out in Section 7 of the Subdivision and Development Regulation and the comments from adjacent landowners, that the land is suitable for the purpose for which the subdivision is intended.

This approval is valid for one year expiring on April 28, 2026. Pursuant to the Land Use Bylaw 944-19, any extensions of the Subdivision approval may be authorized by the Subdivision Authority.

Attachment 1 is a list of advisements. Attachment 2 is a map of the subdivision and the location of specific condition requirements.

With regard to the conditions of approval, they are to be met and satisfied prior to the submission of the final plan of subdivision, which is to be prepared by an Alberta Land Surveyor.

Once all conditions of approval have been complied with, the final plan of subdivision and endorsement plans/documents can be submitted. Please see our website for endorsement submission requirements at <https://www.beaumont.ab.ca/DocumentCenter/View/6055/Endorsement-Application-Package>.

An endorsement fee will be required to be paid upon submission of the final plan. Endorsement fees are subject to change. If the fee schedule is amended before you submit the final plan of subdivision for endorsement, the new fees will apply.

Appeal Information

Notice of Decision

Date of Decision: April 28, 2025

Subdivision File: SDA-24-17

Attachment 1: Advisements

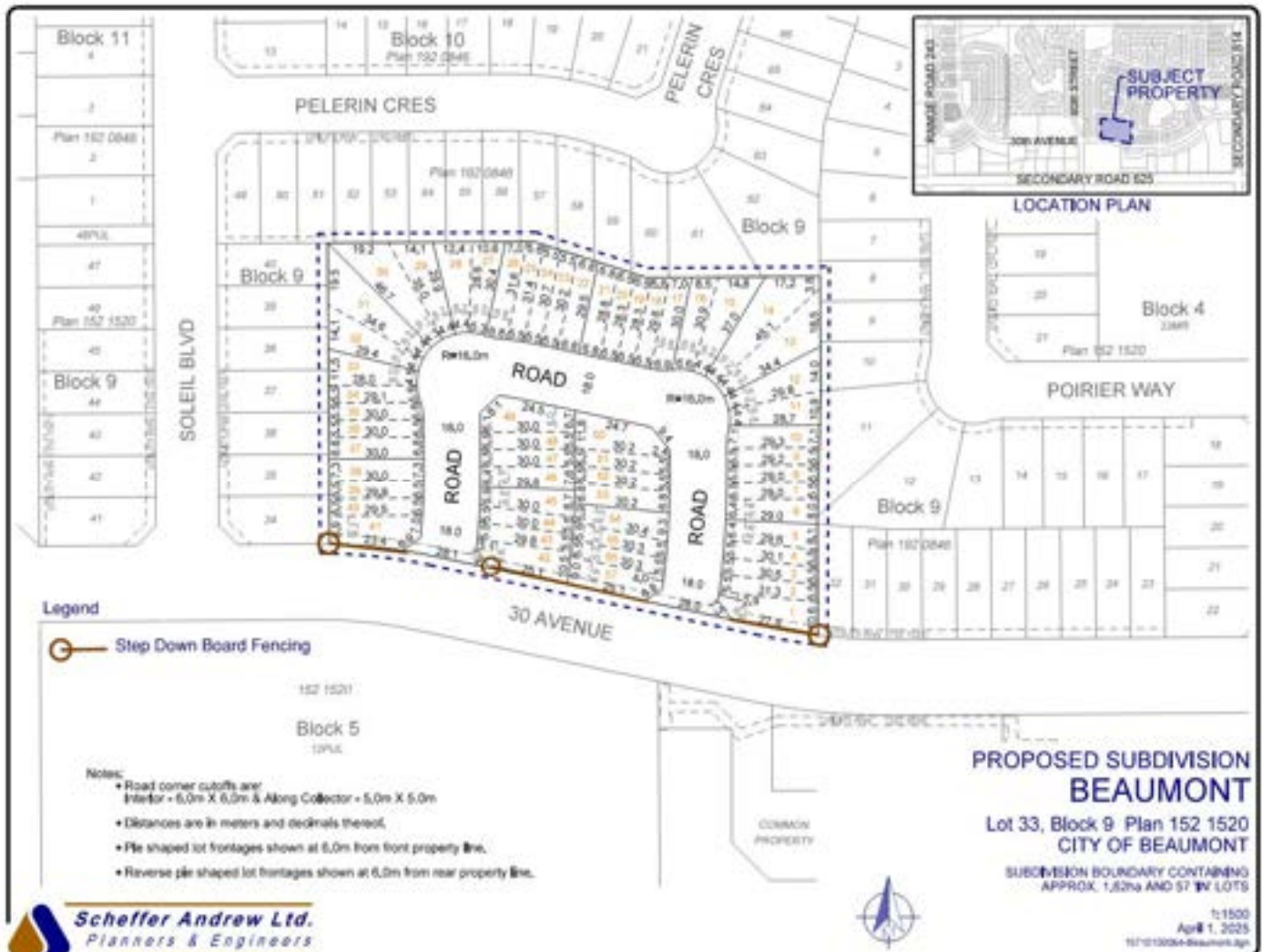
1. Homebuilders should be made aware of that any home placed on a lot with a zero lot line maintenance easement, requires a side yard setback of 1.5 m along the zero lot line side.
2. Homebuilders should be made aware that zero lot line properties must connect roof leaders to sump pump discharge services.
3. Homebuilders should be made aware that all building permit applications for Beaumont must meet construction requirements in the National Building Code Alberta Edition 2019 (NBC-AE 2019) for a location without a 10 minute response time as applicable.
4. Homebuilders must be made aware that lots with front or rear attached or detached garage product will not be permitted to construct a driveway within a corner cut as per the GDS (section 2.1.1.3 e. iv.).
5. The City of Beaumont will not vary the GDS to permit owners/builders to construct a driveway extension into the corner cut triangle. Buyers and/or builders of corner lot properties should be made aware of the development constraint.

Notice of Decision

Date of Decision: April 28, 2025

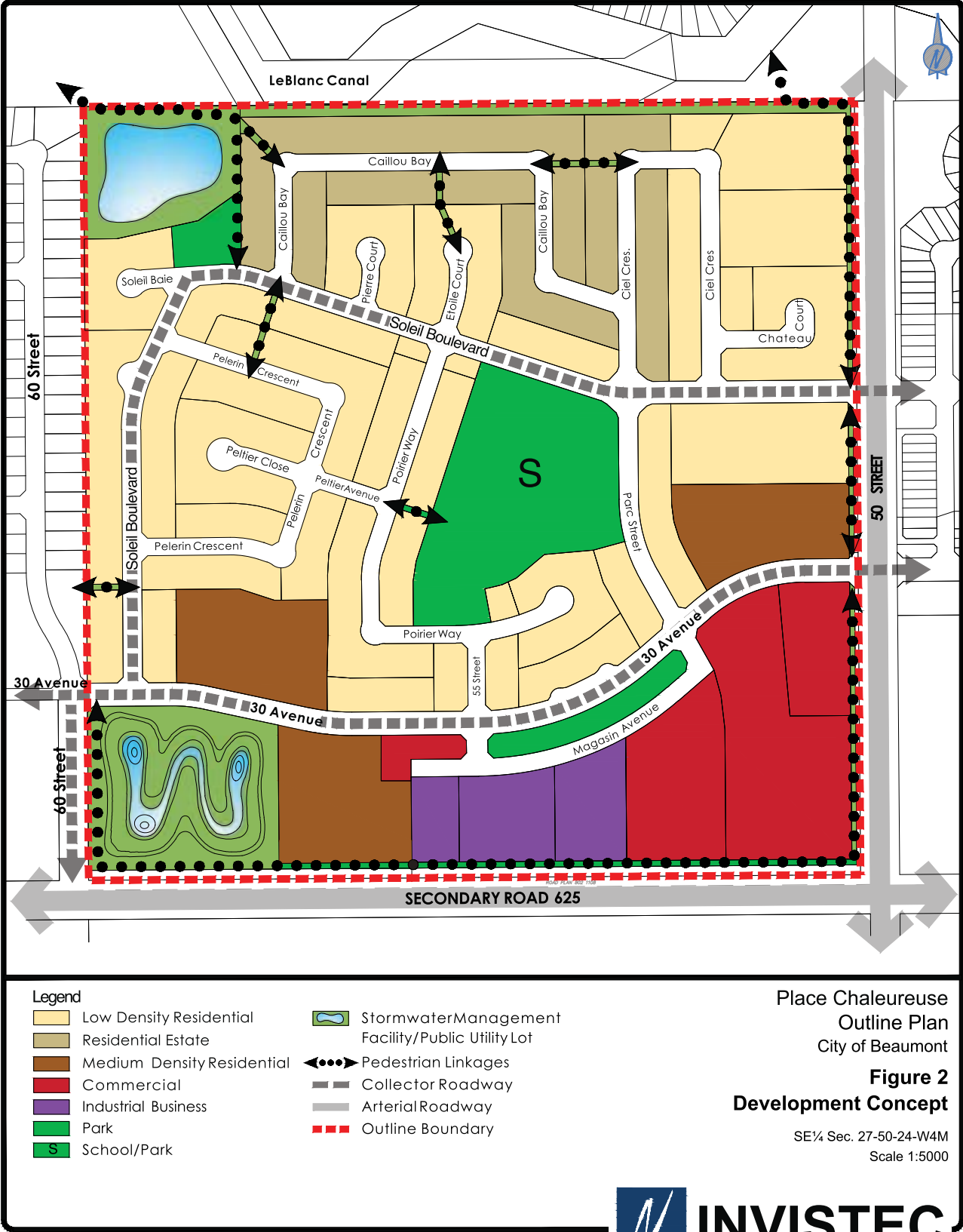
Subdivision File: SDA-24-17

Attachment 1: Conditions of Approval Map



PLACE CHALEUREUSE

Outline Plan



Development Authority Presentation

July 15, 2025



Proposed Development



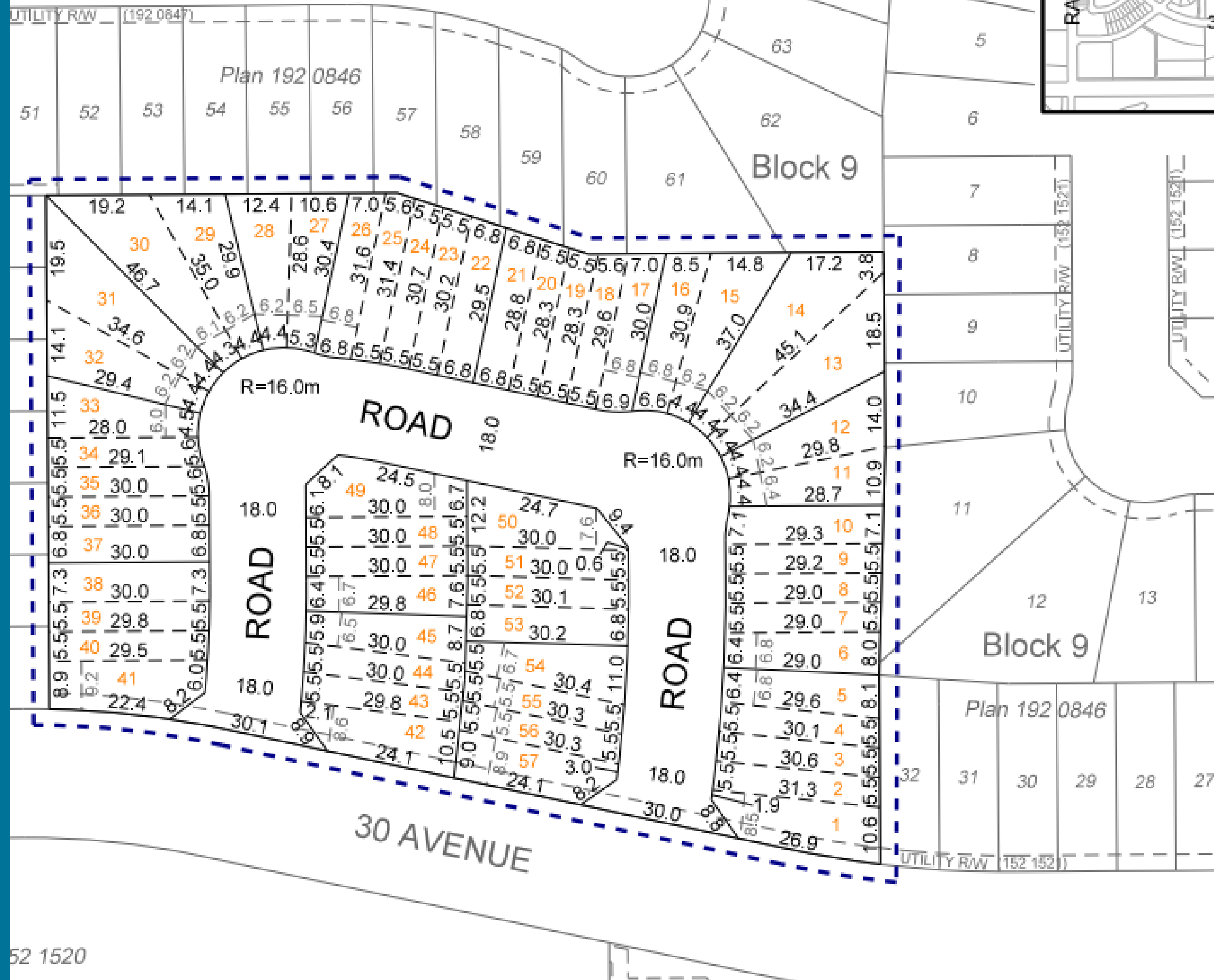
Development Permit No. 2025-042
Excavation, Stripping and Grading
5608 30 Avenue



Application



Approved Subdivision



Stripping & Grading: Subdivision

1. Development Agreement: approval of a full engineering drawing package including landscaping, road and sidewalk plans, stormwater drainage plan, lot grading plans, franchise utility plans, etc.

- Expected timelines: 14-18 weeks

2. Development Permit: Excavation, Stripping & Grading, approval of grading plan in accordance with Beaumont General Design Standards and proposed subdivision.

- Processed in 6 weeks

S. 5.13.1(c) of the Land Use Bylaw:

Stripping, site grading or excavation that is part of a development for which...development agreement has been issued does not require a development permit provided the development complies with all other requirements of *Our Zoning Blueprint*.

Development Authority Review: Municipal Government Act

Section 640(2) of the Municipal Government Act states that a Land Use Bylaw

b) must, unless the district is designated as a direct control district pursuant to section 641, prescribe with respect to each district,

(i) the one or more uses of land or buildings that are permitted in the district, with or without conditions, or

(ii) the one or more uses of land or buildings that may be permitted in the district at the discretion of the development authority, with or without conditions,

c) must establish a method of making decisions on applications for development permits and issuing development permits for any development, including provision for

vi) the discretion that the development authority may exercise with respect to development permits,



Development Authority Review: Land Use Bylaw

OTHER USES	
Accessory Building or Structure	P
Public Utility*	P
Excavation, Stripping & Grading	D
Private Utility*	P
Sign (as per Part 4)	P / D
Temporary Development	D

Excavation, Stripping & Grading: the physical alteration of the land typically for the purpose of construction. Changes to drainage patterns are included in this use; however, normal agricultural activity is excluded from this use, including but not limited to farm cultivation, and grading activities of regular maintenance.

Development Authority Review

The Development Authority determined the following in doing their review:

1. Excavation, Stripping and Grading is required to occur prior to developing the site in accordance with the conditionally approved Subdivision
2. The Excavation, Stripping and Grading use is compatible with the surrounding development and measures are in place to mitigate impacts to surrounding properties
3. The Excavation, Stripping and Grading of the site will occur regardless of whether this permit is approved or not, just through a different channel (Development Agreement) instead of a Development Permit

Presentation Summary



- The proposed Development is a Discretionary Use in the Integrated Neighbourhood District
- The proposed use of Excavation, Stripping and Grading is a mandatory component in complying with the conditionally approved Subdivision
- The proposed Use of Excavation, Stripping and Grading is an appropriate use for this site at this time

Therefore, in accordance with the MGA, the Development Authority has approved the permit.

Questions?



To: Land and Property Rights Tribunal

Re: Appeal of Excavation, Stripping, and Grading Permit – 2025-042

From: Kristy Stamp

Your Address: 5534 Poirier Way

Date: June 13, 2025

Dear Members of the Tribunal,

I am submitting this appeal as the adjacent landowner to the approved development located at 5608 30 Avenue, Beaumont which recently received a permit for excavation, stripping, and grading.

I have serious concerns about the impact of how these early-stage land alteration activities will directly and negatively affect my property and family's well-being majorly due to premature timing. Please do not allow these activities to start early, but rather follow due process to ensure we are not causing unnecessary and duplicate disruptions.

Below are my main concerns, and feel by the developer wanting to rush into this, the following has not been considered:

- 1) **Dust and air quality:** stripping and grading will create excessive dust, which poses a health concern for our family, our neighbors family's and the schools and daycares that are trying to enjoy the outdoors during our limited Summer months. Secondly, how will the dust and dirt be mitigated to not damage our outdoor property and landscaping? We have 3 apple trees, a cherry tree, two haskap bushes, a saskatoon bush and a strawberry patch all that line the perimeter of our fence. We encourage our children to graze, enjoy and will not be able to allow this with all of the dust, debris, and pollution in our yard.
- 2) **Noise:** As a parent of two young children, ages 3 and 5, our backyard is an essential part of our daily life. We rely on this space for outdoor play, swimming in our pool, family barbecues, picnics, evening meals on the deck, and quiet backyard fires. These moments are not just recreational—they are foundational to our family's well-being and quality of life
- 3) **Safety:** In addition to the unfortunate timing of this work—taking place in mid-June when our family and neighboring families are actively using their outdoor spaces—there are serious safety concerns. With heavy machinery, construction equipment, and the potential for debris or shrapnel so close to our property line, the risk of something entering our backyard is very real. Our children play outside daily, and the thought of an accident occurring due to nearby construction is deeply unsettling

- 4) Slope Stability: I am concerned about the stability of my land during and after excavation. There is a steep slope along the perimeter of our fence line and excavation near this boundary will compromise the stability of our land. We invested thousands and thousands of dollars into our landscaping and there absolutely can not be any compromising of our yard.
- 5) Drainage and runoff: There is no clear plan to manage stormwater, and changes in grade may result in a risk of erosion, I've seen too many times individual's fences being collapsed due to such activities, I need to know there is prevented measures in place, how will this be mitigated?

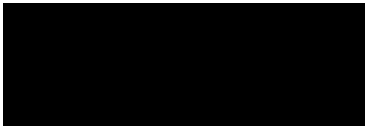
I respectfully request that the Tribunal reconsider this permit, there is no need to allow for this early construction and at a very minimum need to impose some serious conditions to protect adjacent landowners, such as dust suppression measures and a drainage and erosion control plan.

In conclusion,

1. I am not opposed to responsible development, but believe this permit was granted without sufficient consideration for the direct impacts to neighboring properties like mine during the prime few summer months that we get in Alberta.
2. The development agreement is not in place yet, please let the process play out as intended, we do not need this early disruption only to be fully disrupted again once/if the development agreement is in place to our neighborhood.

Sincerely,

Kristy Stamp



May 28, 2025

DEVELOPMENT PERMIT NOTICE

A Development Permit has been approved for a property located near you. The development permit is for Excavation, Stripping, and Grading

Location: 5608 30 Avenue, Beaumont

Legal description of this address: Plan 152 1520 Block 9 Lot 33

Permit Number: 2025-042

Land Use Bylaw: Integrated Neighbourhood District

Permit and Conditions

Discretionary Use

Section numbers below refer to Land Use Bylaw 944-19

1. Excavation, Stripping, and Grading Use has been approved, which is a discretionary use in the Integrated Neighbourhood District.

Additional Information

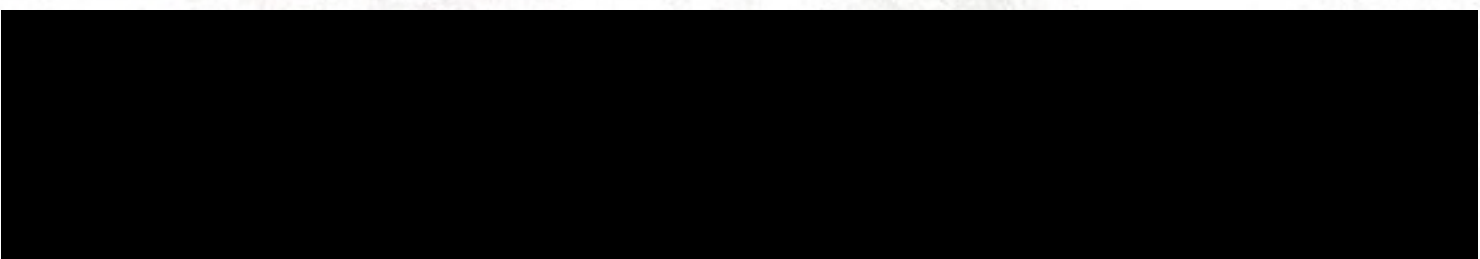
Excavation, Stripping, and Grading work is a typical part of the Subdivision process and is usually captured in a Development Agreement. When it is captured in a Development Agreement, it does not require a development permit. If a Developer chooses to start excavation, stripping, and grading prior to an executed Development Agreement, a development permit is required.

This permit is being applied for by the Developer as they intend to commence excavation, stripping, and grading prior to an executed Development Agreement. This permit enables the Developer to start work that would have been automatically permitted, earlier. If this permit does not move forward, they will still be able to commence excavation, stripping, and grading work at a later date.

Land Use Bylaw 944-19

The Land Use Bylaw contains the rules and regulations for the development of land in Beaumont. For the purpose of land development, Beaumont is divided into districts. For further clarification visit www.beaumont.ab.ca/landusebylaw.

Sara Boulos
Planner II



Appeals

You are being informed of this approved Development Permit that includes variance(s) and/or a discretionary use as listed below. You may appeal the decision to the **Land and Property Rights Tribunal (LPRT) within 21 days of being notified. Development will continue if no appeals have been filed.** The LPRT is an independent body established by City Council. Its decisions are final and can only be overturned by the Courts if the Board makes an error of law or jurisdiction.

Please be advised that an appeal may be submitted in accordance with Section 685 of the Municipal Government Act with the Land and Property Rights Tribunal of the Province of Alberta within 21 days of the written decision. Please visit the Government of Alberta website for more details at <https://www.alberta.ca/subdivision-appeals.aspx>

Notification Appeal Period: May 28, 2025 to June 18, 2025

Development Permit Notice of Decision

Date of Decision: May 22, 2025
Scheffer Andrew Ltd.
310, 4803 87 Street
Edmonton, AB T6E 0V3

Notice of Decision was sent
to applicant on May 28, 2025
along with notifications sent to
adjacent land owners on May
28, 2025

Proposed Development: Other Use: Excavation, Stripping and Grading
Legal Description: Plan 152 1520, Block 9, Lot 33
Municipal Address: 5608 30 ave, Beaumont, AB
Land Use District: Integrated Neighbourhood
Permit Application No: 2025-042
Tax Roll: 008545

Development Permit Status: Approved with conditions

Development Permit Conditions

The development noted above is considered a Discretionary Use within the Integrated Neighbourhood District, and has been **approved** by the Development Authority subject to the conditions listed below. Unless otherwise provided for in this approval, all requirements of the City of Beaumont Land Use Bylaw 944-19 shall be met. **Be sure to review all the documentation included with this permit.**

1. Development shall commence within one year from the date of decision noted above. If the development does not commence within this time frame, a new development permit will be required.
2. As this permit has been issued for a permitted use with a discretionary use, this permit shall not come into force and effect until the appeal period has expired, Thursday June 13, 2025
3. The site shall be developed in accordance with the attached plans issued for development dated May 13, 2025. **Any changes to the attached plans require prior written approval by the City.**
4. The Applicant shall maintain comprehensive liability insurance in the amount of \$5 million as it relates to this project, for the duration of the project. A copy of the Certificate of Insurance must be provided, and Beaumont shall be named on same.
5. The owner/applicant shall apply for and obtain a road closure permit prior to work commencing.
6. The owner/applicant shall apply for and obtain a road/lane/sidewalk closure permit, if applicable, prior to work commencing.

Additional Information

1. This Development Permit is issued under the City of Beaumont Land Use Bylaw 944-19. It does not exempt you from compliance with any other municipal bylaw or statutory plan applicable to the Proposed Development, any relevant federal or provincial statute or regulation, or any easement, covenant, agreement, or contract affecting the subject lands.

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042

2. Contact Alberta One Call at 1-800-242-3447 to locate underground services prior to construction, if applicable.
 3. The owner/applicant shall obtain all federal, provincial and local permits as they apply to this project
 4. The site shall be kept clear of all construction garbage and debris; an on-site garbage container/bin shall be required.
 5. Failure to keep the sites clean of debris is an offence under Our Zoning Blueprint. The Peace Officers may issue offence tickets to any person who has committed or is committing an offence respecting this infraction and may be subject to the following penalties:
 - a. First Offence – a written warning or a stop work order shall be issued, and a bin will be required onsite;
 - b. Second Offence (on same lot) – a minimum fine of \$1,000.00 and a stop work order shall be issued;
 - c. Third (and Subsequent) offence(s) (on same lot) – a minimum fine of \$5,000.00 and a stop work order shall be issued.
 6. It is the responsibility of the Applicant to ensure they have reviewed and understand all Instruments registered against the Title of the subject property. This includes all easements, caveats, and restrictive covenants. The City shall not address, nor enforce, any Instruments of which we have no interest in and/or are not a party to.
-

Permit Notification Information

In accordance with the City of Beaumont Land Use Bylaw 944-19, notices regarding this Development Permit have been mailed to owners of adjacent and nearby properties, as these individuals have the right to appeal this permit, as explained above. The same Development Permit Notice mailed to these individuals has been attached for your information.

Furthermore, given that this Development Permit is for a development that may be of public interest, general information regarding this approved Permit may be published on the City of Beaumont website.

Appeal Information



City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042

Any Development Permit may be appealed to the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal if the permit was:

- a) issued for a permitted use with a variance, or for a discretionary use, or
- b) issued with conditions, or
- c) refused.

An appeal may be filed by:

- a) the person applying for the permit, and/or
- b) any person affected by the issuance of the permit.

As the person applying for the permit, you may appeal the decision of the Development Authority regarding the permit or any conditions placed on the permit (as listed above) within 21 days after the date on which the decision is made.

Notice of Decision:

May 22, 2025

Appeal deadline:

June 12, 2025

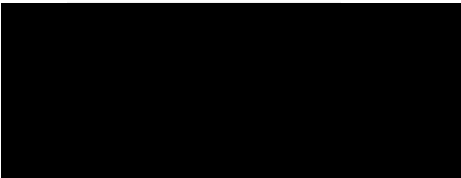
Permit active (if no appeals filed):

June 13, 2025

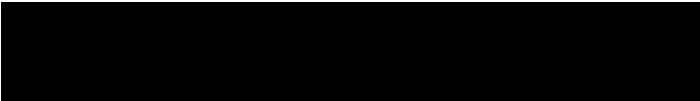
Appeal date starts May 28, 2025
and concludes June 18, 2025

Please be advised that an appeal may be submitted in accordance with Section 685 of the Municipal Government Act with the Land and Property Rights Tribunal of the Province of Alberta within 21 days of the written decision. Please visit the Government of Alberta website for more details at <https://www.alberta.ca/subdivision-appeals.aspx>

For more information regarding this Development Permit, its conditions, or the Land Use Bylaw, contact the Development Authority who made the decision on this permit:



Sara Boulos
Planner II



Good Morning! Please see attached all of the documentation regarding my appeal, please let me know if you require anything else from me or have any questions.

Thank-you so much for your time and consideration, look forward to hearing from you soon.

Kristy Stamp

Please see below the extent of property line of our large pie lot that is affected:



9 July 2025

File No.: 1571-17

Subdivision and Development Appeal Board
City of Beaumont

To Whom it may concern:

RE: Response to Appeal # SDAB-25-06
Development Permit #2025-042
Affecting: Lot 33, Block 9, Plan 152-1520

Background

AMRIK Capital MF Development Corporation (AMRIK) has received conditional Subdivision Authority Approval (City file number SDA-24-17) for 57 fee simple parcels of land in the Integrated Neighbourhood (IN) District, legally described as Lot 33, Block 9, Plan 152-1520, located at 5608 30 Avenue, Beaumont (the Subject Site). The existing zoning of the Subject Site, Integrated Neighbourhood District, is consistent with the approved *Place Chaleureuse Outline Plan*, identifying this area for future Medium Density Residential Development.

The Subject Site is adjacent to 30 Avenue, approximately 125 m east of 60 Street within the Place Chaleureuse neighbourhood. The approved subdivision application is for Residential Uses, and is proposed to be developed with Dwelling Units, consisting of 12 semi-attached and 45 multi-attached dwelling units.

In order to prepare the Subject Site for construction, Scheffer Andrew Ltd, on behalf of AMRIK, submitted a Development Permit application to commence stripping and grading of the parcel, in anticipation of underground construction scheduled for Fall 2025. Excavation, Stripping, and Grading is listed as a Discretionary Use in the IN District. The City of Beaumont *Land Use Bylaw 944-19* (the LUB) defines Excavation, Stripping, and Grading to mean “the physical alteration of the land typically for the purpose of construction. Changes to drainage patterns are included in this use; however, normal agricultural activity is excluded from this use, including but not limited to farm cultivation, and grading activities for regular maintenance.” Typical industry practice is to submit a Development Permit application for the site preparation in support of future construction that will be performed under the Development Agreement between the City and the Developer. This is due to the limited construction season that is available in Alberta.

Preliminary Issue #1 – Was the appeal filed within the legislated timeline?

The Notice of Decision, dated 22 May 2025, was received via email from the City of Beaumont on 28 May 2025. A copy of the correspondence and associated Notice of Decision is attached as **Appendix 1**. While we acknowledge that the email correspondence from the file planner states that the appeal period would commence on 28 May 2025, this information is inconsistent with the Notice of Decision date of 22 May 2025. In our opinion, the signed Notice of Decision must prevail over the information provided in a corresponding email.

We further acknowledge that we did not receive a copy of the Notice of Decision prior to the 28 May 2025 correspondence from the City of Beaumont, contrary to s. 642(3) of the *Municipal Government Act*, R.S.A.

2000, c. M-26, as amended, which requires that the Notice of Decision must be given or sent to the applicant on the same day the written decision is given.

The Notice of Decision states that the decision regarding the Development Permit application was made by the Development Authority for the City of Beaumont on 22 May 2025. A screen shot of the Notice of Decision is issued by the City is shown in **Figure 1** and is included in full in **Appendix 1, PDF pages 2-4**.

Development Permit Notice of Decision	
Date of Decision: May 22, 2025	
Scheffer Andrew Ltd. 310, 4803 87 Street Edmonton, AB T6E 0V3	
Proposed Development:	Other Use: Excavation, Stripping and Grading
Legal Description:	Plan 152 1520, Block 9, Lot 33
Municipal Address:	5608 30 ave, Beaumont, AB
Land Use District:	Integrated Neighbourhood
Permit Application No:	2025-042
Tax Roll:	008545
Development Permit Status: Approved with conditions	

Figure 1: Development Permit Notice of Decision

Section 642(3) of the *Municipal Government Act* requires that “[a] decision of a development authority on an application for a development permit must be in writing, and a copy of the decision, together with a written notice specifying the date on which the written decision was given and containing any other information required by the regulations, must be given or sent to the applicant on the same day the written decision is given [emphasis added].” It follows reasonably that once the Notice of Decision is issued, the appeal period commences on the day after the written decision is given, as discussed below.

In our opinion, the appeal period ended on Thursday, 12 June 2025, for the reasons described below. This date is consistent with the Appeal deadline of 12 June 2025 stated in the Notice of Decision, shown in **Appendix 1, PDF page 4**.

Based on the requirements of s. 686(1)(b) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, “[a] development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal...within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw [emphasis added].”

To determine the date by which an appeal must be received by the appeal board, we note that the date the decision is issued is not included in the appeal period, in accordance with section 22(6) of the *Interpretation Act*, R.S.A. 2000, c. I-8, as amended. Section 22(6) of the *Interpretation Act* states that “[i]f in an enactment a time is expressed to begin after or to be from a specified day, the time does not include that day.”



Figure 2: Calendar Showing Computation of Time After Notice of Decision

Therefore, based on the information contained in the written Notice of Decision, the appeal period lapsed on 12 June 2025, as shown in **Figure 2**. The appeal was received by the Land and Property Rights Tribunal on 13 June 2025, outside of the legislated 21 day appeal period.

We received a copy of an appeal filed against the development permit application on 20 June 2025 from the Land and Property Rights Tribunal (LPRT). The Notice of Acknowledgement from the LPRT indicates that the Appeal was received by that body on 13 June 2025. We respectfully submit that the appeal was not received by that board within the legislated time period. While we understand that neither the LPRT or the Subdivision and Development Appeal Board is bound by precedent or the findings of any other board, the Land and Property Rights Tribunal has recently held that an appeal submitted after the appeal period has lapsed must be dismissed for lack of jurisdiction (*Fedorovich v Westlock County (Development Authority)*, 2025 ABLPRT 278, dated 9 June 2025). This decision is included in our submission as **Appendix 2**.

We also acknowledge that Condition 2 of the Notice of Decision states “[as] this permit has been issued for a permitted use with a discretionary use [sic], this permit shall not come into force and effect until the appeal period has expired, Thursday June 13, 2025 [sic].” We note that 13 June 2025 was a Friday and that based on the information in the Notice of Decision, this Condition intended to identify that the appeal period lapsed on Thursday, 12 June 2025 and the permit would become effective on Friday, 13 June 2025. Should this not be the case, in our opinion, it is unlikely that an appeal period can be extended or set by a condition imposed by the Development Authority, as doing so is inconsistent with the requirements of the *Municipal Government Act*.

Finally, in our opinion, the Development Authority is required to provide written notice to adjacent landowners on the day the decision is given, by virtue of ss. 642(3) and 686(1)(b) of the *Municipal Government Act* and with no additional direction related to notice included in the Land Use Bylaw. If this were not the case, the appeal period could be infinitely extended by delaying giving written notice of the decision to adjacent landowners, causing undue delay to development proponents.

As a result, we respectfully submit that the appeal was not received within the legislated time period and that the appeal be dismissed for lack of jurisdiction.

Matters of Appeal

Development Permit appeals must relate to the one of the following matters:

- Conformity of the proposed development with the land use bylaw.
- Suitability of the site for the proposed development.

We respectfully submit that the issues raised by the appellant do not relate to the suitability of the site for the proposed development or the development's conformity with the regulations of the land use bylaw. We have grouped the matters raised by the appellant into two categories for the purposes of discussion.

Issue #1 – Matters of Appeal: Aesthetic Concerns Dust & Air Quality, Noise, & Safety

These concerns raised by the adjacent landowner are related to the proposed construction on the site, not the suitability of the site for the proposed development. The matter at appeal is the Development Permit issued for the Excavation, Stripping, and Grading. It is the nature of construction that machinery and equipment will result in temporary periods of dust and noise generation. Standard construction practices seek to reduce and minimize impacts of construction on adjacent properties by undertaking work in compliance with municipal bylaws related to nuisance, implementing dust control measures, and undertaking work during the hours prescribed for construction activity in the City of Beaumont's *Community Standards Bylaw 1024-22* (Office Consolidation). Section 50 of the *Community Standards Bylaw 1024-22* requires that a Person shall not cause or permit any construction activity before 7:00 a.m. or after 9:00 p.m.

We acknowledge construction activities generate noise that may affect landowners on adjacent parcels of land, however, these temporary aesthetic concerns are not within the purview of the Land Use Bylaw. The purpose of a Development Permit is to authorize construction activities. The construction activities are then regulated by separate municipal bylaws. The *Community Standards Bylaw 1024-22* regulates the generation of nuisances and control of noise within the municipality, including construction activities, as discussed above. The concerns raised under Issue #1 relate not to the suitability of the Subject Site for the proposed development but relate to construction activities unrelated to the issuance of the Development Permit. The letter of appeal submitted by the appellant states that their primary concern with the Development Permit is not the use of the land, but rather the timing of the proposed development in relation the time of year. The appellant's letter states "in conclusion, I am not opposed to responsible development, but [I] believe this permit was granted without sufficient consideration for the direct impacts to neighbouring properties." From this statement, the appellant is not opposed to the proposed development, they are opposed to when the development is taking place. Due to the nature of the work required at this stage of the development, construction during the summer months is inevitable. Summer is construction season in Alberta. We note that many construction activities, such as paving and ground compaction, must be completed in non-snow conditions and cannot be completed on frozen ground.

In summary, the instrument authorizing the construction is the Development Permit, issued in accordance with the Land Use Bylaw, while the construction activities themselves are regulated by separate municipal bylaws, policies, and regulations.

With respect to safety matters raised by the appellant, we note that the contractor selected by the landowner to undertake work on this site, Delta Valley Landscaping, is COR Certified with the Alberta Association of Safety Partnerships. The Government of Alberta notes that a Certificate of Recognition (COR) shows that the employer's health and safety management system has been evaluated by a certified auditor

and meets provincial standards. These standards are established by Alberta Occupational Health and Safety (OHS).

While our position remains that the construction activities are outside of the scope of the Development Permit approval, the details of the construction activities are managed through a construction contract entered into between the landowner and contractor undertaking the work. The standard construction contract includes clauses which require the contractor to perform the work in accordance with municipal bylaws and includes requirements for work to be performed between 7:00 a.m. and 9:00 p.m., and actively mitigate any offsite impacts the proposed construction activities may cause.

Issue #2 Matters of Appeal – Slope Stability & Drainage and Runoff

As part of our complete Development Permit application, Scheffer Andrew Ltd. prepared three technical drawings showing information related to the existing and proposed site conditions.

1. Lot Grading Plan
2. Cut/Fill Plan
3. Erosion and Sedimentation Control Plan

These drawings were reviewed by the City's planning and engineering departments during their review of the Development Permit application. These drawings are attached as **Appendix 1, PDF pages 5-7** to our submission and have been reviewed (approved) by the City.

Generally, the Subject Site is in an overall "fill" position, meaning that more material will be brought onto the site than is being removed. As a result, the final grades of the Subject Site will be raised to match the neighbouring properties, and alleviating concerns regarding slumping of land as a result of the proposed Excavation, Stripping, and Grading.

In addition, the drawings submitted by Scheffer Andrew Ltd., identify locations where the installation of a silt fence is required in order to minimize any adverse impacts of the Excavation, Stripping, and Grading being completed on the Subject Site. As a result of the municipal review process, the City of Beaumont required silt fencing be installed on the property line between the Subject Site and all adjacent properties, as part of a comprehensive Erosion and Sediment Control program, and identified this requirement on the approved drawings. We note that while the appellant's letter of appeal requested that the appeal board require a drainage and erosion control plan, such a plan has been prepared and approved by the City as part of the Development Permit approval.

In conclusion, the proposed technical drawings prepared by Scheffer Andrew Ltd., attached to and forming part of the Development Permit, adequately address the matters related to erosion and sediment control, lot grading, and cut/fills required to prepare the site for additional work.

Conclusion

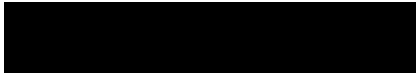
In hearing a development appeal, the principal task of an appeal board is to determine the facts of the case before it, to decide what relevant provisions of the *Municipal Government Act*, the regulations, statutory plans, or the land use bylaw are applicable, and to render a decision accordingly. The board is governed by the policies set out in the statutory plans and bylaws adopted by Council, and by basic planning principles. It must restrict itself to considering only relevant planning criteria. In our opinion, the appellant has not

raised any objections related to the suitability of the site for the proposed development or the proposed development's conformity to the regulations in the Land Use Bylaw.

We respectfully request that the Subdivision and Development Appeal Board dismiss the appeal and confirm the decision of the Development Authority as issued.

Yours truly,

Scheffer Andrew Ltd., Edmonton



Aime Stewart, RPP, MCIP
Planning Manager

APPENDIX 1



City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Scheffer Andrew Ltd.
310, 4803 87 Street
Edmonton, AB T6E 0V3

Proposed Development: Other Use: Excavation, Stripping and Grading
Legal Description: Plan 152 1520, Block 9, Lot 33
Municipal Address: 5608 30 ave, Beaumont, AB
Land Use District: Integrated Neighbourhood
Permit Application No: 2025-042
Tax Roll: 008545

Development Permit Status: Approved with conditions

Development Permit Conditions

The development noted above is considered a Discretionary Use within the Integrated Neighbourhood District, and has been **approved** by the Development Authority subject to the conditions listed below. Unless otherwise provided for in this approval, all requirements of the City of Beaumont Land Use Bylaw 944-19 shall be met. **Be sure to review all the documentation included with this permit.**

1. Development shall commence within one year from the date of decision noted above. If the development does not commence within this time frame, a new development permit will be required.
2. As this permit has been issued for a permitted use with a discretionary use, this permit shall not come into force and effect until the appeal period has expired, Thursday June 13, 2025
3. The site shall be developed in accordance with the attached plans issued for development dated May 13, 2025. **Any changes to the attached plans require prior written approval by the City.**
4. The Applicant shall maintain comprehensive liability insurance in the amount of \$5 million as it relates to this project, for the duration of the project. A copy of the Certificate of Insurance must be provided, and Beaumont shall be named on same.
5. The owner/applicant shall apply for and obtain a road closure permit prior to work commencing.
6. The owner/applicant shall apply for and obtain a road/lane/sidewalk closure permit, if applicable, prior to work commencing.

Additional Information

1. This Development Permit is issued under the City of Beaumont Land Use Bylaw 944-19. It does not exempt you from compliance with any other municipal bylaw or statutory plan applicable to the Proposed Development, any relevant federal or provincial statute or regulation, or any easement, covenant, agreement, or contract affecting the subject lands.



Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042

2. Contact Alberta One Call at 1-800-242-3447 to locate underground services prior to construction, if applicable.
3. The owner/applicant shall obtain all federal, provincial and local permits as they apply to this project
4. The site shall be kept clear of all construction garbage and debris; an on-site garbage container/bin shall be required.
5. Failure to keep the sites clean of debris is an offence under Our Zoning Blueprint. The Peace Officers may issue offence tickets to any person who has committed or is committing an offence respecting this infraction and may be subject to the following penalties:
 - a. First Offence – a written warning or a stop work order shall be issued, and a bin will be required onsite;
 - b. Second Offence (on same lot) – a minimum fine of \$1,000.00 and a stop work order shall be issued;
 - c. Third (and Subsequent) offence(s) (on same lot) – a minimum fine of \$5,000.00 and a stop work order shall be issued.
6. It is the responsibility of the Applicant to ensure they have reviewed and understand all Instruments registered against the Title of the subject property. This includes all easements, caveats, and restrictive covenants. The City shall not address, nor enforce, any Instruments of which we have no interest in and/or are not a party to.

Permit Notification Information

In accordance with the City of Beaumont Land Use Bylaw 944-19, notices regarding this Development Permit have been mailed to owners of adjacent and nearby properties, as these individuals have the right to appeal this permit, as explained above. The same Development Permit Notice mailed to these individuals has been attached for your information.

Furthermore, given that this Development Permit is for a development that may be of public interest, general information regarding this approved Permit may be published on the City of Beaumont website.

Appeal Information



Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042

Any Development Permit may be appealed to the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal if the permit was:

- a) issued for a permitted use with a variance, or for a discretionary use, or
- b) issued with conditions, or
- c) refused.

An appeal may be filed by:

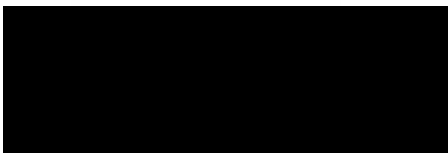
- a) the person applying for the permit, and/or
- b) any person affected by the issuance of the permit.

As the person applying for the permit, you may appeal the decision of the Development Authority regarding the permit or any conditions placed on the permit (as listed above) within 21 days after the date on which the decision is made.

Notice of Decision:	May 22, 2025
Appeal deadline:	June 12, 2025
Permit active (if no appeals filed):	June 13, 2025

Please be advised that an appeal may be submitted in accordance with Section 685 of the Municipal Government Act with the Land and Property Rights Tribunal of the Province of Alberta within 21 days of the written decision. Please visit the Government of Alberta website for more details at <https://www.alberta.ca/subdivision-appeals.aspx>

For more information regarding this Development Permit, its conditions, or the Land Use Bylaw, contact the Development Authority who made the decision on this permit:



Sara Boulos
Planner II



APPENDIX 1

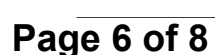


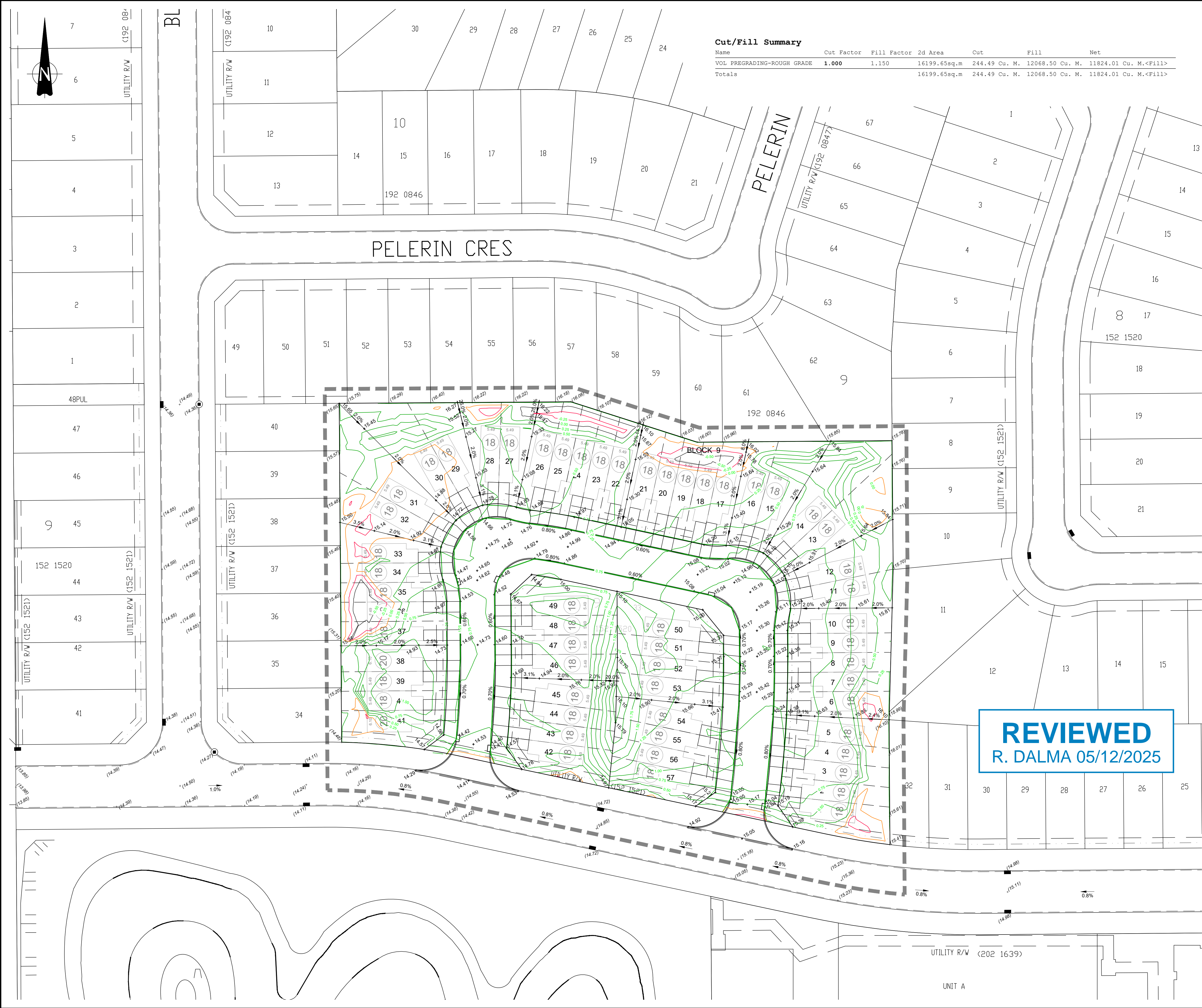
City of Beaumont
5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Development Permit Notice of Decision

Date of Decision: May 22, 2025

Permit Number: 2025-042





Cut/Fill Summary					
Name	Cut Factor	Fill Factor	2d Area	Cut	Fill
VOL PREGRADING-ROUGH GRADE	1.000	1.150	16199.65sq.m	244.49 Cu. M.	12068.50 Cu. M.
Totals			16199.65sq.m	244.49 Cu. M.	12068.50 Cu. M.

LEGEND

STAGE BOUNDARY

PREGRADING FILL CONTOURS

PREGRADING CUT CONTOURS

LOT GRADE AT PROPERTY LINE

EXISTING LOT GRADE AT PROPERTY LINE

TYPE OF LOT DRAINAGE

TRANSITION LOTS

LOTS WITH MORE THAN 1.0m OF FILL

DRAINAGE ALONG LOT BOUNDARIES

DRAINAGE ALONG LIP OF GUTTER

MAJOR DRAINAGE FLOW

MAXIMUM OVERFLOW PONDING

1.00

1.00

14.00

14.00

0.15

MAX POND

7			
6			
5			
4			
3			
2			
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM
No.	Date	Issue / Description	Chkd
5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd

Engineer	
Permit	

Scheffer Andrew Ltd.
Planners & Engineers

#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph: 780-732-7800, Fax: 780-732-7878

Client

AMRIK CAPITAL MF
DEVELOPMENT CORP.

Project

PLACE CHALEUREUSE STAGE 9
5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520

Municipality

CITY OF BEAUMONT

Drawing Title

CUT / FILL PLAN

Designed

PDN

Date

2025-02-07

Drawn

PDN

Drawing No.

CUT FILL

Checked

TM

Project No.

157101

Scales

H 1 : 500

Revision

0

Issue

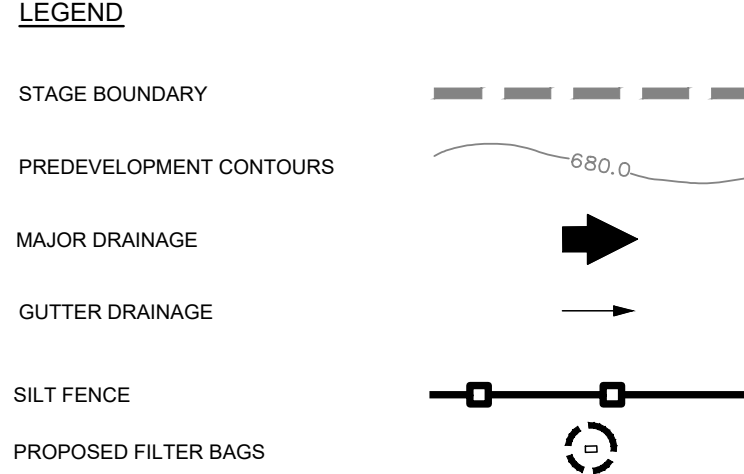
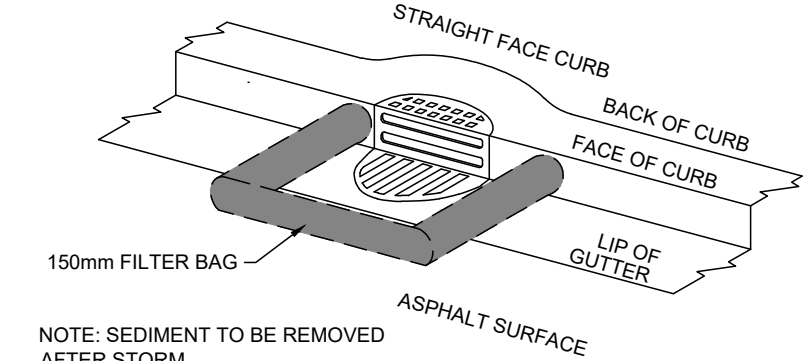
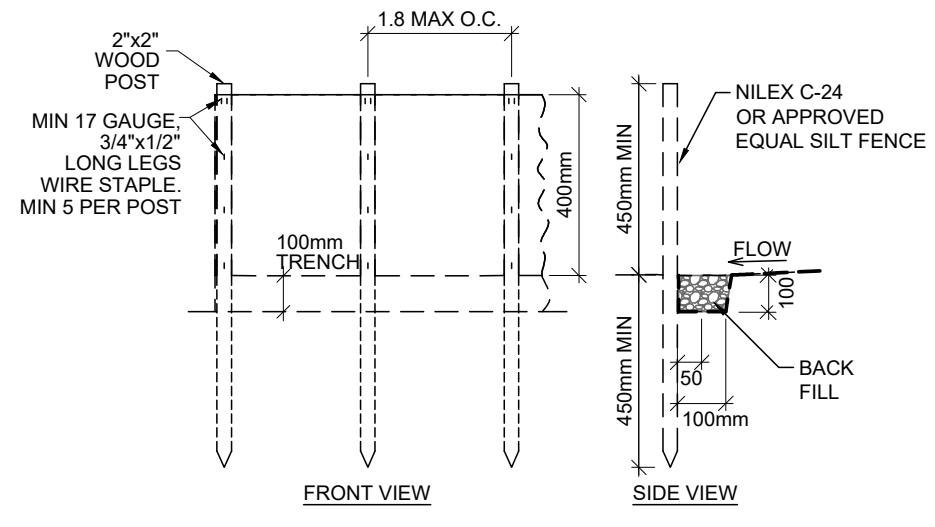
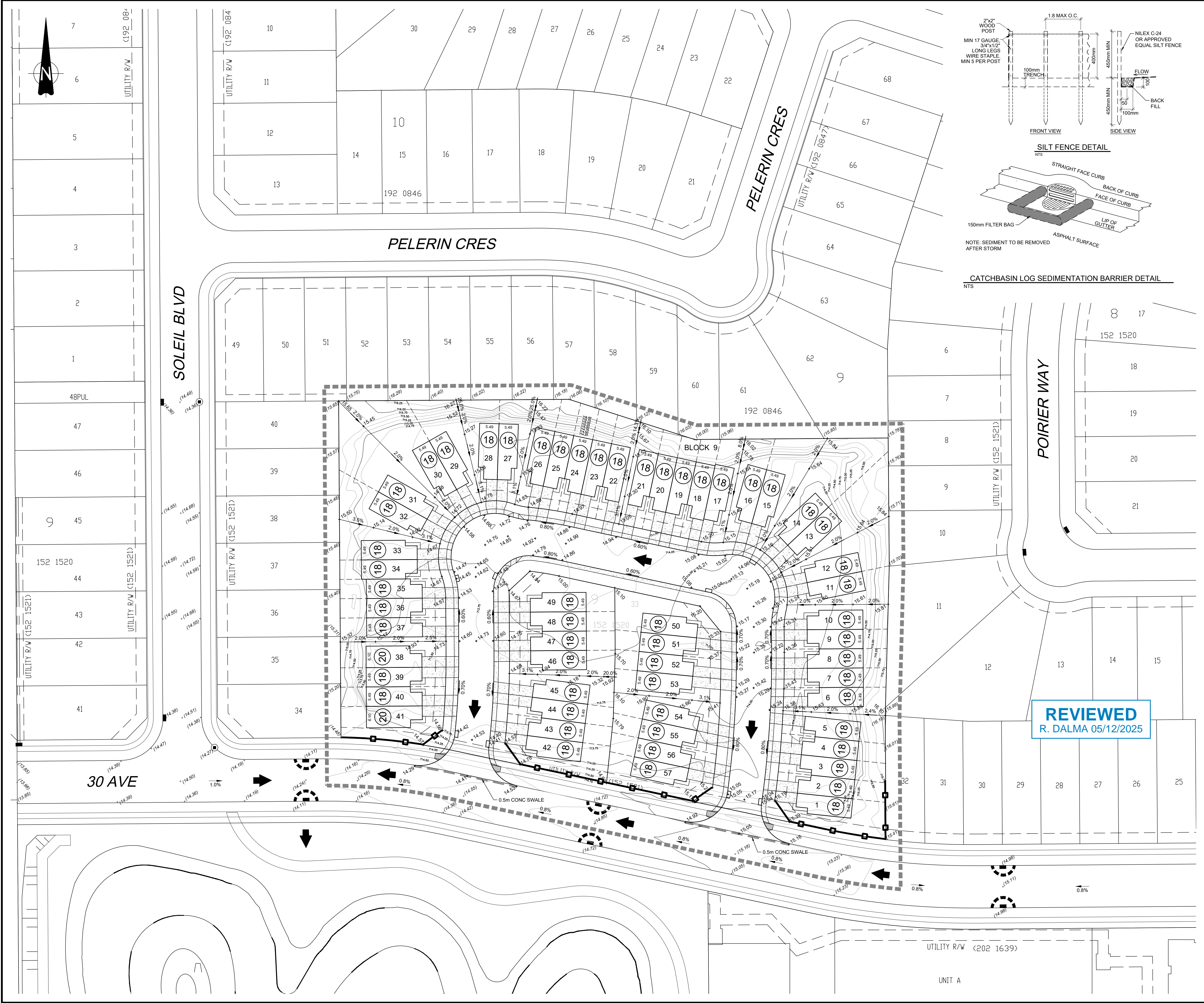
1

0 5 10 20

metres

Page 65 of 77

Page 7 of 8



GENERAL NOTES:

1. ALL ELEVATIONS REFER TO GEODEIC DATUM.
2. INSTALL STORM INLET PROTECTION AROUND ANY MANHOLE IN A SAG LOCATION WHEN CONSTRUCTED.
3. CONTRACTOR/DEVELOPER TO CLEAR PUBLIC ROAD FROM MUD TRACKING AT THE END OF EACH DAY.

HOUSEKEEPING MEASURES

1. REFER TO THE CITY OF BEAUMONT ESC STANDARDS FOR EROSION AND SEDIMENTATION CONTROL AND MAINTENANCE REQUIREMENTS.
2. REFER TO THE CITY OF BEAUMONT ESC STANDARDS FOR INSPECTION REQUIREMENTS.
3. THE DETAILS SHOWN HERE ARE FOR INFORMATION ONLY. ALL ESC MEASURES PROPOSED ON THIS PLAN SHOULD BE INSTALLED AS PER SUPPLIER INFORMATION.
4. CITY OF BEAUMONT TO BE NOTIFIED IF ANY CHANGES ARE MADE TO THE ESC PLAN.

7			
6			
5			
4			
3			
2			
1			
No.	Date	Issue / Description	Chkd
1	2025-04-11	ISSUED FOR FIRST SUBMISSION	TM

5			
4			
3			
2			
1			
No.	Date	Revision / Description	Chkd

Engineer

Permit

Scheffer Andrew Ltd.
Planners & Engineers
#310, 4803-87 Street NW, Edmonton, AB T6E 0V3
Ph: 780-732-7800, Fax: 780-732-7878

Client
AMRIK CAPITAL MF DEVELOPMENT CORP.

Project
PLACE CHALEUREUSE STAGE 9
5608 - 30 AVE, LOT 33 BLOCK 9 PLAN 152 1520

Municipality
CITY OF BEAUMONT

Drawing Title
EROSION & SEDIMENTATION CONTROL PLAN

Designed	PDN	Date	2025-02-07
Drawn	PDN	Drawing No.	C015 001
Checked	TM	Project No.	157101
Scales	H 1 : 500	Revision	0
		Issue	1



APPENDIX 2



LAND AND PROPERTY RIGHTS TRIBUNAL

Citation: Fedorovich v Westlock County (Development Authority), 2025 ABLPRT 278

Date: 2025-06-09

File No. D25/WEST/CO-035

Decision No. LPRT2025/MG0278

Municipality: Westlock County

In the matter of an appeal from a decision of the Westlock County Development Authority (DA) respecting the proposed development of SW 26 57 1 W5M under Part 17 of the *Municipal Government Act*, Chapter M-26 RSA 2000, (*Act*).

BETWEEN:

D. Fedorovich

Appellant

- and -

Westlock County Development Authority

Respondent Authority

- and -

G. Hebert and M. Hebert

Respondent Permit Applicants

BEFORE: D. Roberts, Presiding Officer
G. Newcombe, Member
P. Yackulic, Member
(Panel)

K. Lau, Case Manager

DECISION

APPEARANCES

See Appendix A

This is an appeal to the Land and Property Rights Tribunal (LPRT or Tribunal). The hearing was held via videoconference, on May 30, 2025, after notifying interested parties. This decision confirms the oral decision given at the hearing.

OVERVIEW

[1] This appeal concerns an appeal by an adjacent landowner of the DA's approval of a development permit for an animal boarding and breeding facility. At the beginning of the hearing, the DA questioned whether the appeal had been filed outside the limitation period specified in s. 686(1)(b) of the *Act*.

[2] The Appellant noted that she had mailed the appeal to the LPRT, but it took longer than she expected to arrive, likely due to the long weekend. The Applicant agreed with the submissions of the DA.

[3] The Panel concluded the appeal was filed when it was received at the LPRT, which was after the deadline set by the *Act*. Further, since the legislation does not empower the LPRT to extend this deadline, the Panel determined it did not have authority to hear the appeal.

PRELIMINARY MATTER

[4] The question before the Panel is whether the appeal was filed late, and if so whether the LPRT has authority to hear it.

REASON APPEAL HEARD BY LPRT

[5] This appeal was filed with the LPRT instead of the local subdivision and development appeal board because s. 685(2.1)(a) of the *Act* and s. 27 of the *Matters Related to Subdivision and Development Appeal Regulation* AR 84/2022 direct development appeals to the LPRT when the land that is the subject of the application is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board, Alberta Utilities Commission, the Minister of Environment and Protected Areas (AEP) or the Minister of Forestry and Parks (AFP).

[6] In this case, the relevant land is the subject of a licence granted by the AER.

PROPOSAL

[7] To develop an animal boarding and/or breeding facility on the SW 26 57 1 W5M, in the Agricultural (A) Land Use District of Westlock County (County), approximately 10 km west of the Hamlet of Busby.

BACKGROUND

[8] The DA conditionally approved the application at their Municipal Planning Commission (MPC) meeting on March 27, 2025. The Notice of Decision was mailed to the adjacent landowners on March 28, 2025 and advised that an appeal could be filed with the LPRT within 21 days of the date of the decision. The Notice included the LPRT's mailing address and telephone number.

[9] The Appellant's appeal letter was dated April 18th, 2025 and was mailed to the LPRT.

[10] The LPRT received the appeal on April 29th, 2025.

ISSUE

1. Was the appeal received within the time period specified in the *Act* - 21 days after the date the notice of decision was provided?

SUMMARY OF THE DA’S POSITION

[11] The DA submitted that the Notice of Decision provided to the Appellant clearly identified the time period in which an appeal was required to be submitted, and that the appeal was not received within that period.

[12] The DA held that the appeal was not valid due to late submission, and that the LPRT should not hear the appeal.

SUMMARY OF THE APPLICANT’S POSITION

[13] The Applicant agreed with the DA’s position.

SUMMARY OF APPELLANT’S POSITION

[14] The Appellant advised that she submitted the appeal by mail by letter dated April 18th, which is a statutory holiday (Good Friday). She did not contemplate that it would not be received by the LPRT within the allotted time period. However, she understands there is a defined process to be followed, with time limits.

FINDINGS

1. The appeal was received more than 21 days after mailing of the Notice of Decision in accordance with the LUB.

DECISION

[15] The LPRT does not have jurisdiction to hear this appeal, and the appeal is dismissed. The DA’s decision is upheld.

REASONS

[16] Section 686(1)(b) of the *Act* requires an affected person who wishes to appeal a development permit to file a notice of appeal “within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw”. Section 2.16 of the County’s LUB requires that where a discretionary use or variance has been granted, the Development Officer shall:

- a. send notice by regular mail to adjacent landowners, as identified on the Westlock County Assessment Roll, to provide notice of the decision and right of appeal; and/or

- b. publish a notice of the decision in a newspaper circulating in the municipality stating the legal description of the property, municipal address of the application, nature of the approved development and right of appeal.

[17] In this case, the Notice of Decision was issued by mail to adjacent landowners in accordance with the LUB on March 28. As such, the 21-day period filing deadline provided for in the *Act* fell on April 18th. However, as the LPRT office was closed for a holiday long weekend, the deadline was extended per s. 22(1) of the *Interpretation Act*, until the next day the LPRT office was open, which was April 22nd. The appeal was received and filed with the LPRT on April 29, which is outside the 21-day period, even allowing for the long weekend and office closure.

[18] The *Act* does not contain any provisions empowering the LPRT to extend an appeal deadline. Previous LPRT decisions have also consistently found there is no opportunity to extend filing deadlines for notices of appeal in development matters – see, for example, *Ball v City of Airdrie (Development Authority)*, 2023 ABLPRT 378 and *Chemtrade Logistics Inc v City of Fort Saskatchewan (Development Authority)*, 2023 ABLPRT 204. This conclusion is consistent with the observation that the *Act* contemplates expeditious resolution of planning matters, and with Alberta Court of Appeal decisions such as *Bass v Calgary Planning Authority* (2019 ABCA 139), which notes “the well-established law that this Court also does not have the jurisdiction to enlarge a statutory time limit to file an appeal”.

[19] The LPRT concludes that it does not have the authority to extend the legislated timelines, and that as the appeal was filed beyond the allowable time, it is unable to hear the merits of the appeal.

Dated at the City of Edmonton in the Province of Alberta this 9th day of June 2025.

LAND AND PROPERTY RIGHTS TRIBUNAL

(SGD) D. Roberts, Member

APPENDIX 2

APPENDIX A

PARTIES WHO ATTENDED, MADE SUBMISSIONS OR GAVE EVIDENCE AT THE HEARING

NAME	CAPACITY
D. Fedorovich	Appellant
G. Hebert	Applicant
K. Deshoux	Development Authority

APPENDIX B

DOCUMENTS RECEIVED PRIOR TO THE HEARING

NO.	ITEM
1A	Notice of Appeal
2R	Background Information
3R	Westlock County Municipal Development Plan
4R	Westlock County Land Use Bylaw 04-2016

APPENDIX 2

APPENDIX C

LEGISLATION

The *Act* and associated regulations contain criteria that apply to appeals of planning decisions. While the following list may not be exhaustive, some key provisions are reproduced below.

Municipal Government Act

Purpose of this Part

Section 617 is the main guideline from which all other provincial and municipal planning documents are derived. Therefore, in reviewing development appeals, every proposal must comply with the philosophy expressed in 617.

617 The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted

- (a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and
 - (b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,
- without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

Permitted and discretionary uses

Section 642 deals with the authority that a Development Authority has respecting permitted and discretionary uses

642(1) When a person applies for a development permit in respect of a development provided for by a land use bylaw pursuant to section 640(2)(b)(i), the development authority must, if the application otherwise conforms to the land use bylaw and is complete in accordance with section 683.1, issue a development permit with or without conditions as provided for in the land use bylaw.

(2) When a person applies for a development permit in respect of a development that may, in the discretion of a development authority, be permitted pursuant to section 640(2)(b)(ii), the development authority may, if the application is complete in accordance with section 683.1, issue a development permit with or without conditions as provided for in the land use bylaw.

(3) A decision of a development authority on an application for a development permit must be in writing, and a copy of the decision, together with a written notice specifying the date on which the written decision was given and containing any other information required by the regulations, must be given or sent to the applicant on the same day the written decision is given.

(4) If a development authority refuses an application for a development permit, the development 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 provide the reasons for the refusal.

...

Section 683 deals with the responsibilities of a municipality regarding issuance of a development permit.

APPENDIX 2

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.

Development applications

683.1(1) A development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

(2) An application is complete if, in the opinion of the development authority, the application contains the documents and other information necessary to review the application.

(3) The time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(a).

(4) If the development authority does not make a determination referred to in subsection (1) within the time required under subsection (1) or (3), the application is deemed to be complete.

(5) If a development authority determines that the application is complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use bylaw that the application is complete.

(6) If the development authority determines that the application is incomplete, the development authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.

(7) If the development authority determines that the information and documents submitted under subsection (6) are complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use bylaw that the application is complete.

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

Grounds for appeal

Section 685 addresses grounds for appeal by an Applicant of a decision by the Development Authority

685(1) If a development authority

(a) fails or refuses to issue a development permit to a person,

(b) issues a development permit subject to conditions, or

(c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal

APPENDIX 2

the decision in accordance with subsection (2.1).

(1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal the decision in accordance with subsection (2.1).

(2.1) An appeal referred to in subsection (1) or (2) may be made

(a) to the Land and Property Rights Tribunal

(i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application

(A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,

(B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,

(C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission,

or

(D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Parks,

or

(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii),

or

(b) in all other cases, to the subdivision and development appeal board.

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

(4) Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

(a) is made by a council, there is no appeal to the subdivision and development appeal board, or

(b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

Appeals

Section 686 identifies procedures that a board hearing an appeal must follow

686(1) A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal

(a) in the case of an appeal made by a person referred to in section 685(1)

(i) with respect to an application for a development permit,

(A) within 21 days after the date on which the written decision is

APPENDIX 2

given under section 642, or

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

or

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made,

or

(b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

(a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or

(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

(a) to the appellant,

(b) to the development authority whose order, decision or development permit is the subject of the appeal, and

(c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

(a) the application for the development permit, the decision and the notice of appeal, or

(b) the order under section 645.

(4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

(5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.

Hearing and Decision

Section 687 identified procedures to be followed at a hearing for a development permit appeal

687(1) At a hearing under section 686, the board hearing the appeal must hear

(a) the appellant or any person acting on behalf of the appellant,

(b) the development authority from whose order, decision or development permit the appeal is made, or a person acting on behalf of the development authority,

APPENDIX 2

- (c) any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person, and
 - (d) any other person who claims to be affected by the order, decision or permit and that the subdivision and development appeal board agrees to hear, or a person acting on behalf of that person.
- (2) The board hearing the appeal referred to in subsection (1) must give its decision in writing together with reasons for the decision within 15 days after concluding the hearing.
- (3) In determining an appeal, the board hearing the appeal referred to in subsection (1)
- (a) repealed 2020 c39 s10(52);
 - (a.1) must comply with any applicable land use policies;
 - (a.2) subject to section 638, must comply with any applicable statutory plans;
 - (a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;
 - (a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
 - (b) must have regard to but is not bound by the subdivision and development regulations;
 - (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
 - (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
 - and
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.
- (4) In the case of an appeal of the deemed refusal of an application under section 683.1(8), the board must determine whether the documents and information that the applicant provided met the requirements of section 683.1(2).

MUNICIPAL BYLAWS AND STATUTORY PLANS

Land Use Bylaw

2.16 NOTICE OF DECISION

1. Within five (5) working days after a decision on a development permit application, the Development Officer shall send a notice by regular mail of the decision to the applicant and post a notice in a place available to public view in the County office, indicating the disposition of the application. Mailing the notice is not required when an applicant picks up a copy of the decision.
2. In addition to subsection 2.16.1, within five (5) working days after a decision on a development permit application for a discretionary use or after a variance has been granted, the Development Officer shall:
 - a. send notice by regular mail to adjacent land owners, as identified on the Westlock County Assessment Roll, to provide notice of the decision and right of appeal; and/or
 - b. publish a notice of the decision in a newspaper circulating in the municipality stating the legal description of the property, municipal address of the application, nature of the approved development and right of appeal.

APPENDIX 2

- c. When the Development Authority refuses a development permit application, the decision shall contain reasons for the refusal.