

Public Hearing Submissions

Received as of January 19, 2022

From: [curtis sichkaryk](#)
To: [Legislative Services](#)
Subject: Amendment to Land Use Bylaw 1567/21. Amend the zoning of Lot A Plan 852 2440 R3 - Hamlet Un Serviced District to Direct Control District 21
Date: January 8, 2022 12:01:36 PM

To - Legislative Services

I am against this proposal to amend this Bylaw for land use . My understanding in rezoning to bring the existing business into compliance is an indication that Sturgeon County Counselors and or the Bylaw Officers have not been enforcing the land use bylaws thus far . I chose to live in Carbondale because it was a quiet country living atmosphere . Sturgeon County has in place Industrial areas minutes away from Carbondale that is where other neighbours have there businesses . The industrial parks are where this type of business belongs, not in a family oriented community such as Carbondale where I have lived since 1956. I do wish to continue living in a quiet community. My other concern is the pollutants that could possibly leach into the ground and reach the waterway bordering the land in question having a setback of only 2.5m, this waterway empties into the Sturgeon River and eventually into the North Saskatchewan River every effort should be made to protect our environment. Every effort should be made to protect the residents in our community . The children of our community use the roads leading to the property in question, my concern for the children is paramount due to increased traffic this activity has created in the past and no doubt will increase even more.

Thank you for the opportunity to voice my opinion in this crucial matter. Best regards Curtis W. Sichkaryk

Kimberly and Richard Grant
43, 24400 Twp Rd 552

Severed in line with Section 17 of the FOIP Act

January 11, 2022

Dear Sturgeon County Council Members,

Re: Proposed Amendment to Land use Bylaw in the Hamlet of Carbondale. (Jan 25/22 Hearing)

Richard and I purchased our property in 2003 after a search for many years for the perfect spot to build our forever home. We worked hard for six years cleaning the property up and preparing it to build our dream home. We put everything we had into making it a place that we could retire. It had a quiet country atmosphere with a beautiful view and the quietness that only a country setting could offer.

Not long after the completion of our home, the adjacent property was purchased by the present owner/s. The two properties had previously been subdivided, resulting in a long but narrow shape for both pieces. Due to the small road frontage and the odd shape of the original property, the driveway of the other piece crosses directly along the front of our property, and spans the entirety of our front yard and house.

Soon, the present owners began to bring in many pieces of equipment. The place was a buzz with grinding, banging, revving and warning beepers from various types of heavy equipment. The traffic to that property increased drastically, which stirred up so much dust from the long gravel driveway that we were and are constantly having to clean the dust off our wrap around porch. At one point in time, the property had so much equipment on it that it almost spanned the entire property. Needless to say, the beautiful view and the tranquillity we had looked so forward to, had ended. Tractor trailers would back down their driveway, on a regular basis, in the wee hours of the morning and sit running under our bedroom window, for hours, while heavy equipment was loaded or unloaded. This could be on any day of the week or weekend, as this business has no specific hours of operation. Noisy repairs, test runs and off- road driver training would be a daily occurrence, and often would run well into the night.

As mentioned, our bedroom window is not much more than 30 feet from the parking area and approximately 60 feet from the shop door itself, making any industrial noise coming from that property very noticeable, not to mention the raised voices of the workers, needed to be heard over the equipment.

We will say, that the situation on the neighbouring property has improved, somewhat, over the past year or so. There are fewer pieces of equipment and the remaining equipment has been lined up towards one side of the property. It has also been quieter there, which we believe is mostly due to the down swing in jobs for that business and the present economy. Although less often, we still have instances where we feel that our rights as property owners have been affected. One example was this past summer, we were awakened just after 4am, by an employee changing his tires in the open doorway of the shop, using an impact gun. We've been, on numerous occasions, enjoying our yard on a beautiful summer day, but were interrupted by banging or the beeping and revving of equipment. We also had an instance where a fight broke out between two of the employees who were yelling profanities at each

other. Another on going problem is the damage caused by the heavy tractor trailers and tracked vehicles to the already delicate road that runs through our community.

I am recently retired and my husband will be retiring this spring. We are looking forward to enjoying our forever home. I love to garden and we are looking so forward to finally spending time in our yard and entertaining in our courtyard. (Which is located approx. 10 feet from our shared property line and their parking area)

Severed in line with Section 17 of the FOIP Act

We just want to say that we have no ill will towards the owner He seems like a person with good intentions. We had a meeting with (the property owner who lives on the property) and (the applicant who runs the business and resides elsewhere) in order to better understand the intent and conditions around the request to change zoning of that property. We have many concerns...

The property owners have knowingly been non compliant in their operation of this business on the present property for approximately 10 years, and the County has been aware of this for at least 6 of those years. Despite this, the business has been able to continue operating. If zoning is to be changed in our little community, who would be responsible in the policing of the guidelines set out by council, in order to protect the interests of the other property owners? Also, the information outlined in the letter recently sent to the residents of Carbondale, does not describe or represent the type equipment or the functions that this business is actually based on. They are a business that owns, operates, and maintains a fleet of heavy tracked (military style) vehicles. The extensive outdoor storage, maintenance, test driving, driver training, loading and unloading for transport all occurs on this small acreage within this small residential setting. The very purpose of this type business would have to completely change in order to fit within the Home-based business, level 2 situation. And this specific property is situated far too close to the adjacent property, making it impossible to operate this type of business without impeding on the property rights of their neighbours.

After much thought and discussion, we are asking that the request for the zoning change be denied. Although the business would be more regulated than before, it would give the business more power to operate. Authorizing a weekday schedule would make the noise and activities associated with this type of business allowable, putting a huge damper on how we enjoy our own property. Although this business is not busy at this time, it will likely become busy once again when our economy recovers. The business itself could also choose to eventually take itself in other directions, under this proposed rezoning, which may also have a negative impact on us or our property in some way.

We plan to stay here for at least another 15 years. As we have put everything we have into this property, and are expecting that the profit made from our hard work here, will carry us through. An industrial zoning would definitely have a negative impact on the sale and appeal of our property. It would also set the stage for other properties within this community to zone industrial as well.

Thank you for giving us the opportunity to have our voices heard here today, I hope you take our concerns into consideration when making your decision.

Sincerely,

Kimberly and Richard Grant

January 12, 2022

Sebastiaan & Shannyn Rus
47/48-24400-TWP 552

Sturgeon County Legislative Services
9613-100 Street
Morinville, AB
T8R 1L9

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Re: Notice of Public Hearing Proposed Bylaw 1567/21

Thank you for the opportunity to express my views by providing a written submission to Legislative Services as well as the opportunity to speak for 5 minutes at the Public Hearing.

The first thing I would like to point out is that the County/Municipal Planning Commission is really putting out very little information for the residents to try to understand this notice with attached schedule A. Sturgeon County has a duty to inform the public, not just notify. Simple improvements are required in order to be informative in these notices. The following examples could have replaced nearly 1.5 hours I personally took of Martyn Bell's time. I am just one resident. If each resident called Mr. Bell, the majority of his time spent at work would be explaining to residents such as myself, what we could simply read if it was sent alongside the notice.

For example, it would be beneficial to include the following:

1. The Satellite or Terrain image of the site such as the one I obtained from Google. (Appendix 1)
2. A description of what "Direct Control District 21" means in layman's terms or a website address on where to find more information **prior to contacting the County** with provided contact information.
3. A link to the legislation/regulations referenced in the document. (i.e.: Permitted Uses Table: section 6.1...of what? The MGA? The Land Use Bylaw?)
4. A description of permitted uses instead of reference to legislation (a one-page info sheet would be nice).

Now to the application itself. I am surprised this application got as far as it did, to Public Hearing. In my opinion, re-zoning should have never even been presented to the homeowner as an option. This Proposed amendment directly impacts the County as well as each Resident of Carbondale and yet it appears rather incomplete and/or pre-mature for such an unprecedented drastic zone change to be discussed publicly.

Some quick facts to consider:

1. There is currently no dwelling on this property, and it is zoned R3-Hamlet Un-serviced. There is a mechanics business which uses the accessory building and outside storage which includes

multiple smaller/less permanent outbuildings (i.e.: Sheds, etc.) failing to meet R3 zoning standards. Sturgeon County has been aware of this operation for at least 6 years.

2. For approx. 10 years, the owner has operated a business on residential zoned property without permission, paying appropriate taxes, having building/development permits, and without road use agreements.
3. There is no timeline for next steps, as once the MPC commission decides, this application is settled, and the applicant moves on to his next challenge.
4. There are complaints regarding this property dating back years. The complaints directly relate to business operations as this business is in a residential neighbourhood. Heavy traffic noise, road damage, employee problems (requiring Police/Helicopter), constant eye sore, not to mention the sounds coming from this property. The people are loud shouting over heavy equipment, the traffic hauling equipment in and out of the community is loud with back up beeping and all.

It is my belief, that this application soon becomes someone else's (Development Department) problem (not the intended purpose of the MPC) until the final roadblock where everyone's hands will still be tied, and the outcome still looks the same.

As it stands, the homeowner's hands are tied. He doesn't have a dwelling on R3 zoned land, he has a business. He can't apply for building or development permits because his business is not in compliance on R3 zone. This is a fact. Sturgeon County Land Use Bylaws and the MGA are clear. This re-zoning will not bring the landowner into compliance with Sturgeon County either as the notice states. It might bring him one step closer to a new set of hurdles with plenty of red tape that cannot be adjusted simply upon request.

New hurdles may include:

1. This business won't fall into one of the permitted or discretionary uses. Then what? You have a DC21 in the middle of an R3 zoned Hamlet now for no reason?
2. The business may not pass a sound or environmental test, then what?
3. Anything else this resident hasn't considered ...

If the County is doing its due diligence, I imagine they will do a site inspection to ensure the environmental protection of Treaty 6 Land and that the "fleet business" is more accurately described from the operators to the County and neighbourhood. I imagine they will set parameters for a clean property beyond the current restriction of storage not taking up more than 15% of the land. I imagine a sound test (during full business operation) to be performed on the property to see how the noise of their outdoor shop compares to the rest of the ambient sound neighbourhood. I imagine the County can demonstrate to the other property owners how their own property assessments might be affected. I imagine that the County has a Dust Control contract in the works so that the additional dust of heavy loads and traffic does not end up in neighbouring homes. I imagine that if Carbondale is considered "growing" and "expanding" into industrial zoning, that Council has a growth development plan for the area, including acknowledging that the area needs services such as a trickle water line as the hamlet becomes admirable to other small shops looking to set up in what Sturgeon County is known for, the "wild wild west of the province where landowners can just ask to break the rules and the request is granted".

This business simply belongs somewhere else. It is not a home business as there is no home on the property. People drive to this site to work and then leave after work.

Carbondale is simply residential, and the residents (perhaps not this business owner) would like it to remain that way. We would also like to be attractive to other young families interested in a great place live, this is not moving in the direction of the majority who are perhaps not as brave as I am to write you.

Questions to Consider

1. What are the regulations of "DC21"? Not knowing until the bylaw has been established is unacceptable to the neighbours. What will the rezoning do to neighbouring property assessments? Can you show us comparables where this has been done before?
2. Is Sturgeon County prepared to permanently rezone land in the middle of a hamlet, all zoned R3 in order to suit a business' needs? What happens when this business is no longer a business due to let's say, the economy, and the owner is no longer operating there and moves. Then what? You open the doors to a new business entering because it doesn't just go back to what it should be once this owner sells.
3. Has the property owner shown why he cannot move this business to a more suitable location? Does he have a case for this location or is it just because anything goes in Sturgeon County, as he has personally experienced over the past 10 years. He literally built a low tax business without permit or a penny going to the County therefore and got away with it for a decade.

I recommend that the County make the decision they should have made 2 councils earlier, to evict this business operation and insist that a home or vacant land replace this shop and business. The operations owner's luck should end today, and the hamlet should be restored to its purpose which is unserved residential.

I further recommend that the operations owner be required to provide the County with a plan and timeline to remove the business from the property and that an environmental impact be done at the owner's expense to ensure the resident who ends with the land is aware of the situation, a situation that the County has been responsible for not following up on now for years.

Thank you for your time and considering my statements and appendix attachments in your decision. I have video available as well which represents the sanding and grinding work done at this operation. Please see attached the photo evidence of a few particularly offensive events which I was able to capture to present should a situation such as this present itself.

Sincerely,

Sebastiaan and Shannyn Rus

Sebastiaan and Shannyn Submission

Video links

<https://drive.google.com/file/d/13PR3GmNAFZzQ5XmjM8BiXcOIGTb6lb1t/view?usp=sharing>

<https://drive.google.com/file/d/13So12jAsiNUUSnFxAzUX8Bu4tvrsZzag/view?usp=sharing>

Appendix 1



Google Maps January 11, 2022

Appendix 2



This photo is of a man loading a semi flat deck (one of multiple) on Carbondale Road on the west side of the Train tracks directly in front of our property. They were parked for hours loading these machines. The trucks ran for house blocking to road with no proper traffic control. The small machines on the flat deck were driven there by people. They have tracks, not wheels and are loud. The employees yelling over the sound of trucks and machines running was loud and again lasted hours. Business generally operates at night or after typical business hours as you can see by the photo timestamp.

Date of Photo: November 27, 2021 5:17 PM

Appendix 3



Another truck, another load of machines, referred to as “the fleet”. From what I can observe. These machines are dropped off at the business via semi. They go in one colour and come out another leading me to presume they sand off the colour (outside-video of this process is available) then repaint them. I have seen these machines riding up and down Carbondale Road on many occasions over the years.

Date of Photo: November 27, 2021 5:08 PM

Appendix 4



This is a machine being worked on. Went in one color, came out another. Summer 2021

Appendix 5



This is a machine being worked on. Went in one color, came out another. As you can see in the background, they work outside in the “parking area” of the accessory building. The employee is wearing a PPE mask.

Summer 2021

Appendix 6



Vehicle Mess. Summer 2021

January 16, 2022

RE: Proposed zoning amendment of Lot A Plan 852 2440 from R3 to DC21 (amendment to Land Use Bylaw 1385/17)

To whom it may concern:

We are totally against this zoning change.

The community affected is a residential area with a few small home based businesses allowed.

Due to its desirable location, residential real estate is sought after and many young new families have taken up residence here increasing the number of small children in the neighbourhood.

Carbondale Road is busier and busier with traffic (most who use it a shortcut road) and the number of large vehicles is becoming alarming and unsafe. This heavier traffic has also destroyed the integrity of the road and it is in very poor condition.

Changing the zoning would affect the resale values of property, traffic and noise levels in the neighbourhood.

It would open the door for larger businesses to start operating in the neighbourhood which would not be welcome and would also increase the amount of crime in the area.

Thank You for your consideration in this matter.

Shelly Milligan

Stan Veres

25 – 24400 TWP RD 552

Severed in line with Section 17 of the FOIP Act

January 16, 2022

RE: Proposed zoning amendment of Lot A Plan 852 2440 from R3 to DC21 (amendment to Land Use Bylaw 1385/17)

To whom it may concern:

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Thank You for your consideration in this matter.

Clinton Fink

49 – 24400 TWP RD 552

Severed in line with Section 17 of the FOIP Act

From: [Paulette Oslund](#)
To: [Legislative Services](#)
Subject: Notice of public hearing
Date: January 20, 2022 8:14:01 AM

To Sturgeon County;

Re: proposed bylaw 1567/21

We appreciate being given the opportunity to express our concerns.

Our family has lived in Carbondale for almost 20 years, we enjoy the peacefulness and community. We cannot support this zone amendment on the grounds of noise, nuisance and additional road traffic.

Being a small construction business owner, we don't see this request as reasonable or fair to the residents of this community. There are many more areas that are more appropriate for this business.

In Carbondale there are far too many people running existing businesses; fleet and construction out of their properties without proper licenses. We're glad to see Sturgeon County taking a stand; as these businesses cause excessive noise, road traffic and road damage.

Paulette and Erick Oslund

From: [Bert Van Sloten](#)
To: [Legislative Services](#)
Cc: [Bert Van](#)
Subject: Number 45 Carbondale Ab lot plan 852 2440
Date: January 21, 2022 5:28:45 AM

Re ;Number 45 Carbondale Ab lot plan 852 2440

My Name is Bert Van Sloten ,my wife Judy and I live across the road in #59 . We are apposed the the application to rezoning of lot A plan 852 2440 . We are concerned this will affect future developments and zoning of the "residential lots" in the hamlet of Carbondale. Luke is a good neighbor but if he sells we don't want a gravel truck storage yard or who knows what kind of business that would move into the Residential hamlet. There are plenty of other areas his business could move to that are zoned for his needs. This is a "Residential hamlet" and needs to be protected as one. If you wish to contact me with any questions or concerns please do so [REDACTED]

Severed in line with section 17 of the FOIP Act

Sturgeon County Legislative Services
Re: Proposed Bylaw 1567/21

I am writing to inform you that I am strongly opposed to the proposed amendment of zoning to Lot A Plan 852 24400 to Direct Control District 21.

Rezoning of this property to accommodate a business that is industrial in its nature will have a significantly negative impact on our community. Those of us who have chosen to live in Carbondale enjoy its quiet rural environment. We are families with children and grandchildren who walk and ride their bikes on our roads. Some of us are retired and deservedly enjoy being away from the hustle and bustle of working life both day and night. Some of us work elsewhere but enjoy the quiet evenings of our community.

People rarely move away but when they sell their property, it is often sold before even going to market. Carbondale is a gem. It is close to Edmonton, St Albert, and Morinville for shopping and hospitals and yet it is far enough away to provide us with a sense of rural peace. We enjoy casual walks and bicycle rides on our roads. We look after our properties making this a very desirable place to live. Throwing an industrial zone in the middle of Carbondale would change the character of our community. Our lives. And I feel would have an impact on our property values.

The description of the existing business as 'fleet service with outdoor storage' is misleading. The vehicles being serviced are not cars. They are large track driven heavy duty equipment requiring delivery by huge trucks. Sometimes delivery has occurred in the middle of the night waking me up as my bedroom window looks out on TWP Rd 552. I also have witnessed in the past, the testing of a serviced fire engine by

having it drive up and down our coulee hill. This is disruptive. Outdoor storage of inoperable equipment, even if it were cars waiting to be serviced, is unsightly.

In addition, the shop that was built is at the very front of the property adjacent to TWP Rd 552.

There is no house on the property. The landowner lives in a construction trailer such as those used on the rigs.

This business has benefitted from operating for many years in non compliance, having little regard for neighbours and the community. It is time for it to be stopped.

I suggest that this business should be moved to another area in one of Sturgeon County's industrial parks as it does not fit in our community.

Lise Ruthardt
75 24400 Twp Rd 552
Carbondale