

Decision Report

City of Medicine Hat Subdivision and Development Appeal Board

Appeal #3-2026 – Development Application 2850 54 Street SE

Michele and Dan Hager (Applicant/Appellant)

Hearing started on Thursday, September 24, 2026, at 10:00 a.m.

Continued on Tuesday, October 6, 2026, at 10:00 a.m.

MEMBERS PRESENT: J. Taylor, Chair
Councillor C. Hellman
E. Onoferychuk

STAFF PRESENT: M. Wagner, Administrative Assistant, (SDAB Board Clerk)
R. Korven, Policy Coordinator
B. Irwin, Senior Planner
R. Sissons, Manager of Planning

BACKGROUND TO THE APPEAL

- [1] On August 12, 2026, Planning and Development Services approved a development permit application PLDP20260263 from Michael Weber. This development permit application proposes to develop a campground. An application was made under the City of Medicine Hat Land Use Bylaw #4168, which was in effect at the time of the application. The Land Use District of the subject site was Open Space District at the time of the application. The appellant is appealing the approval of this development permit.
- [2] The Appellants are appealing the Decision of the Development Authority to issue a development permit for the subject area..

DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- [3] The Board rejects this appeal and grants the development permit with one additional condition to the original development permit. The developer must maintain the entire parcel of land, including the areas north of Bullshead Creek, that are not part of the area to be developed into a campground.

REASONS FOR THE DECISION

- [4] The Appellant provided a long list of grounds in their appeal. Each were considered by the Board as follows:
- [5] Flood Risk-The Appellant is concerned that the development will occur in an area with a history of flooding and are concerned for the safety of campers who will use the space. The Appellant further requested that a site specific flood analysis be ordered. While the Board applauds the concern of the Appellant towards campers safety, the Board rejects the premise that emergency personnel will have to attend the area to rescue campers.

Provincial law requires that no development may occur in an area designated as a floodway on Provincial flood mapping. None of this development will occur in the floodway. Development in a flood fringe is determined by the Development Authority. This development will occur partially in the fringe. Municipal and Provincial flood policy recognize campgrounds as low risk, highly adaptable open-space uses featuring non-permanent, mobile units that can be evacuated during flood warnings. The Board determined that campers can be expected to easily and reasonably remove their RVs if flooding should occur and that the creation of campsites in the flood fringe is an acceptable use. The Board found that the Development Authority's use of the Provincial flood mapping in conjunction with the submitted layout of the campground shows that the development will not be in the floodway, but partially in the flood fringe and rejects the Appellant's call for a site specific flood analysis on this basis. The Appellant noted that Alberta's flood-risk management guidance states that support facilities including washrooms, toilets, laundry facilities, etc. should be above the 1 in 100 year flood level. The Board also rejected the Appellant's suggestion that this development "be discussed" with the Provincial authority before proceeding. *The Municipal Government Act* specifically grants development authority to municipalities, and as long as the Development Authority follows provincial flood rules, as is the case here, no consultation is required. The Board noted that no building structures will be erected under this development permit, so the Appellant's concern is moot.

- [6] Jurisdictional Roles- The Appellant correctly states that the Subdivision and Development Appeal Board (SDAB) becomes the Development Authority during an appeal. The Board assures the Appellant that it did not in this case, nor in any other appeal, defer to the original Development Authority and that the SDAB's independence is absolute and beyond reproach.
- [7] Wastewater- The Appellant had several questions about the nature of the wastewater system and methods for handling wastewater. The Board is satisfied that the wastewater system planned for the development, including a sealed, closed system with active pressurized pumping and redundancies, engineered surge containment and emergency disconnect fittings, is appropriate and sufficient and poses no risk of contamination.
- [8] Hydrogeological Investigation- The Appellant demanded a hydrogeological study, though did not clearly define a reason for this request. The Board found that the nature of the development will include limited disturbance and that this study is not required as a result. The Board further noted that the sanitary and stormwater plans were fully engineered and meet City standards.
- [9] Environmental Concerns- The Appellant indicated concern for the preservation of Bullshead Creek. The Board noted that though the creek is adjacent to the development, mandated setbacks are being adhered to. The Board also noted that the removal of debris, as per the application, will reduce run-off as more water will naturally be absorbed by new vegetation. The Board also noted that stormwater will be diverted to swales that act as a filter for water and that no direct run-off to the creek will occur. The Appellant called for an independent environmental assessment of the site. The Appellant claims that since the development is intensive, that such a study is warranted. The Board rejects the premise that this development is intensive. This is clearly, in the opinion of the Board, a low-intensity development and finds no environmental assessment is required. The Appellant indicated concern over light pollution. The Board noted that the development permit specifically requires downward-shielded DarkSky compliant lighting for the development and is satisfied this mitigates this concern.

- [10] Riparian Setbacks- The Appellant suggested a qualified professional should set riparian setbacks. The Board found that the setbacks in the application were not arbitrarily drawn on the developer's plan but were based on provincial flood maps that indicate setbacks and floodway protection boundaries. The Board rejects the Appellants claim that setbacks have been reduced to fit more sites into the development.
- [11] Stormwater and Grading- The Appellant stated that the development introduces substantial disturbance and additional impervious or compacted surfaces and demands a professional stormwater-management assessment. The Board finds that this is a low-impact development and that the stormwater management strategy that includes the removal of impervious surfaces and replacement with topsoil and grass over 70% of the site, along with the planting of 50 trees will in fact provide more absorption of rainwater. As per the grading plan, surface run-off is directed via swales away from Bullshead Creek into retention areas that will allow for absorption and evaporation.
- [12] Fire Risk- The Appellant states that fire-risk is increased with the introduction of campers who will use propane, barbeques, campfires etc. The Board found that Fire and Emergency services evaluated the development layout and indicate no concern for emergency access or fire suppression. The Board also finds that the nature of the development, including manicured, irrigated grass and trees, replacing dead grass and scrub reduces the fire risk. The Board also added the condition that the north portion of this property, outside the development, must also be maintained, thus further reducing the fire risk. The Appellant also indicated they do not find the Emergency and Fire Services review sufficient as it does address concerns such as prevailing winds, direction of fire travel, enforcement of maintenance, etc. The Board found that the review conducted is sufficient for this development and further finds the demand of the Appellant to be unreasonable. Emergency and Fire Services indicated there is sufficient hydrant coverage and flow capacity. There are no requirements in the Land Use Bylaw 4853-2026 or any legislation known to the Board to determine a developments suitability based on prevailing winds, etc. and finds the Appellants request to be extreme and unreasonable.
- [13] High Voltage Power Line- The Appellant indicated that a proposed power line upgrade along 54th Street, adjacent to the development, has rules and regulations attached and that this will affect construction of this project. The Board did not find any evidence that this upgrade would affect the development question before it.
- [14] Property Maintenance Enforcement- The Appellant has concerns about the overgrown nature of the site to be developed and the fire hazard it creates and suggests enforceable maintenance standards. The Board agrees that based on pictures submitted during the hearing that the site is overgrown and poses a potential fire-risk. The Board notes that the current owner took possession of the property only a few months ago. The Board finds that the approval of this development permit addresses this concern by removing fire hazardous dead grass and scrub and replacing it with irrigated grass and trees. The conditions of the development permit explicitly require that the landscaping be in place prior to campground opening and trees be maintained and replaced if they die. The Board has gone beyond these maintenance requirements, by including the areas of the property that are not to be developed in this maintenance requirement. As with any other property in the City, further enforcement of maintenance is achieved via Bylaw Enforcement processes.
- [15] Emergency Access- The Appellant demanded an independent assessment of emergency access issues. The Board found that Emergency and Fire Services determined that emergency access was acceptable, including corners and turning radii and could easily

accommodate emergency vehicles. The steep coulee slopes are not part of this development and there is a significant buffer between the development and the coulee wall and is separated by Bullshead Creek.

- [16] Pond Hazards- The Appellant demanded a professional safety assessment citing the pond, creek, highway proximity, campground traffic etc. The Board finds that these concerns are beyond the scope of the Board as the Development Authority. The Board has no legal authority to determine a project's suitability based on these concerns. The issues raised are private site safety and liability issues and are beyond the Board's authority.
- [17] Wildlife- The Appellant claims that the development will negatively impact wildlife in the area. The Board finds that the development is low-impact in nature and will have limited effect on wildlife. The Board also notes that the Appellant simultaneously advocates for wildlife habitat preservation and also site cleanup of grass and scrub.
- [18] Pumphouse and Well- The Appellant demands a professional hazard assessment and that the pumps house and well be secured or removed. The Board finds it has no authority to legally base it's decision on this issue. Like the pond/creek issue, this is a liability and safety issue. From the perspective of Building and Safety Codes viewpoint this is an unoccupied building and must be secured as such. The Board finds that the evidence provided at the hearing indicates that the building has been secured.
- [19] Traffic Safety with respect to the Trans-Canada Highway- The Appellant suggests a traffic safety assessment be conducted as slow moving RVs entering the highway pose a risk. The Board notes that Alberta Transportation and Economic Corridors formally reviewed this project. The Board agrees with the findings of this review, most notably, that no direct access from the development be made onto the highway and that all access must be via the 54th Street intersection. The report does not suggest any safety concerns and Cypress County also has no concerns.
- [20] Noise and Light Pollution- The Appellant demands an enforceable noise and lighting plan. The Board finds this request unreasonable. The Board finds that the significant distance between the development and neighboring house, along with the tree buffer will significantly mitigate, if not eliminate noise pollution to neighboring properties. The Board also notes that there is already a Noise Bylaw in place in the City that applies not only to campground users but to all homes and businesses in the neighborhood and City. The Board finds that the use of downward shielded DarkSky light fixtures and tree requirements mitigate light pollution concerns.
- [21] Privacy- The Appellant claims that campground users will be able to see into neighboring backyards and onto decks and that existing residence's view will be adversely affected. The Board does not find this claim to be valid. The development will be from 150m to 250m away from neighboring residences and will be at a significantly lower elevation than neighboring properties. The development will also be shielded by trees as per the development permit requirements. The Board finds that sight lines will not be adversely affected nor privacy be compromised.
- [22] Property Values- The Appellant argues that the development will negatively affect property values and marketability of existing homes in the neighborhood and affect tax assessment. The Board finds that planning considerations are not to be based on private property value or assessment. This is explicitly outlined in *The Municipal Government Act*. The Board further finds that the neighborhood residents had no reasonable expectation that a

neighboring privately owned property would remain undeveloped. The Board has no authority to require a private landowner to keep a property undeveloped because it is a perceived neighborhood amenity.

- [23] Cumulative Impact- The Appellant asks the Board to consider the cumulative effects of a second campground to this area with respect to a wide range of issues. The Board finds that situating like uses together establishes land-use continuity along this street and avoids incompatible use issues. The Board found no issues exist with respect to utilities or traffic as per the various reviews and approvals.
- [24] Site Expansion- The Appellant fears the future expansion of the campground with no regulation. The Board finds no basis for this fear. Any expansion would need to be approved by City Council, as the newly minted Land Use Bylaw 4853-2026 designates the property as Direct Control. The developer is required by law to follow this development permit and all its conditions. Should he seek to expand, he would have to apply for subsequent development permits and go through the regulatory process.

The following verbal presentations were heard.

B. Irwin, Senior Planner, provided a presentation to support the approval of a 25-stall, four-season RV campground at 2850 54th Street SE in Medicine Hat. The site was formerly the Ross Creek Par 3 Golf Course but has been abandoned for more than a decade and is currently overgrown and deteriorating.

- [25] 25 fully serviced RV stalls, with individual water, power, and sewer connections. The proposal is considered a discretionary campground use under the applicable Land-Use Bylaw 4853-2026.
- [26] The property is beside the Trans-Canada Highway, agricultural/commercial lands, an existing RV campground, and the Taylor neighbourhood. Bullshead Creek crosses the property.
- [27] All RV stalls, roads, and infrastructure are located outside the active floodway, with only a small portion in the flood fringe according to Provincial flood mapping. No construction is proposed in the floodway. The City considers a campground relatively low risk because RVs can be evacuated.
- [28] The proposal replaces deteriorating concrete/asphalt and overgrown vegetation with topsoil, grass, and at least 50 trees. Drainage, lighting, and setbacks are designed to reduce impacts on the creek and nearby residents.
- [29] Sewage would travel through sealed pipes to an underground concrete holding tank and then into the municipal sewer system. Backup pumps, alarms, and emergency hauling arrangements are proposed.
- [30] The fire department reviewed emergency access, vehicle maneuvering, hydrants, and water pressure and reportedly found no significant concerns.
- [31] Provincial transportation authorities reviewed the access and issued a roadside development permit. Traffic would use 54th Street SE rather than having direct access to Highway 1.
- [32] RV stalls are set back approximately 150–250 metres from residential property lines and are substantially lower than the Taylor neighbourhood. Landscaping, including coniferous

and deciduous trees, is required to provide visual and acoustic screening. Darksy lighting is also required.

- [33] Staff addressed concerns about wildlife, wildfire risk, the on-site pond, an old pump house, property values, municipal utilities, future expansion, and whether the project constitutes permanent residential use.
- [34] The approval conditions limit the development to 25 stalls, prohibit construction in the floodway, require landscaping before occupancy, and impose other environmental, access, utility, and screening requirements.
- [35] Planning and Development Services believes the proposal is compatible with the applicable land-use policies, represents a low-impact recreational use, rehabilitates an abandoned property, and has had its major concerns addressed through revisions and permit conditions.

M. Hager / D. Hager (Applicants/Appellants) provided the following summarized statements:

- [36] The appeal represents 30 residents of Taylor Boulevard, Taylor Road, and Taylor Mews who are asking the Subdivision and Development Appeal Board to overturn the approval of a proposed all-season RV campground and refuse the development permit.
- [37] The Appellants argue that the proposed campground is inappropriate for the location because it is close to Bullshead Creek, a flood-sensitive area, nearby homes, a pond, and the Trans-Canada Highway. Their concerns fall into several major categories:
- [38] The Appellants presented photographs from the 2010 flood showing water extending beyond Bullshead Creek, flooding 54th Street and portions of the existing campground and golf course. They argue that the City's 2024 flood mapping does not accurately reflect historical flooding and that a site-specific hydraulic/flood assessment should be completed. They are also concerned that full-time RV occupants would be harder to evacuate than seasonal campers because of decks, skirting, propane tanks, outbuildings, and other permanent additions.
- [39] The Appellants say they did not receive sufficient wastewater-system information until shortly before the appeal hearing. They question whether the system could withstand flooding and whether wastewater could migrate into groundwater, Bull's Head Creek, or the pond. They request appropriate hydrogeological and wastewater assessments.
- [40] The Appellants argue that Bullshead Creek should be treated as an important environmental constraint rather than simply a property boundary. They are concerned about erosion, the proposed RV sites' proximity to the creek, impacts on wildlife, and disturbance of riparian habitat. They also raise concerns about leopard frogs, birds, snakes, foxes/badgers, invasive Russian olive trees, and other wildlife and call for independent environmental assessment.
- [41] The campground would introduce additional ignition sources such as propane, campfires, barbecues, generators, vehicles, and electrical systems. Residents are particularly concerned about dry grass, weeds, dead trees, prevailing winds, and limited emergency access to homes on the nearby ridge. They emphasize that a standard fire-department review does not necessarily address wildfire spread to surrounding residences.
- [42] Existing access routes behind the homes are described as narrow, restricted, steep, or blocked by vegetation and infrastructure. The Appellants cite previous fires where emergency vehicles had difficulty reaching the rear of residential properties.

- [43] The nearby pond is considered a potential drowning hazard, particularly with additional campers and children in the area. The Appellants also raise concerns about an abandoned pump house and an exposed/open well, which they say presents a safety hazard.
- [44] The campground would be located near the Trans-Canada Highway and 54th Street, where traffic travels at high speeds and heavy trucks are common. The Appellants worry that additional RV traffic, particularly vehicles towing trailers, will increase the risk at the intersection. They also highlight uncertainty about the eventual campground size.
- [45] A major concern is the discrepancy between the proposed number of sites. The Appellants refer to plans or applications indicating 25, 31, and potentially 52 RV sites. Combined with the existing campground, they fear the area could eventually become a much larger, nearly continuous RV complex.
- [46] The Appellants expect additional nighttime lighting, RV exterior lights, traffic, and campground noise to affect homes on the Coulee Ridge. They argue that the elevated homes will have significant views of the campground, particularly during winter when vegetation provides less screening.
- [47] The Appellants believe the campground could negatively affect property values, privacy, neighbourhood character, and their enjoyment of their homes. They emphasize that they are not opposed to RV camping, tourism, or development generally, but believe this particular location is unsuitable.
- [48] The Appellants argue that the proposed campground cannot be considered in isolation because there is already an existing year-round RV campground nearby. Adding another campground could create a substantially larger RV-complex environment and multiply the effects on the surrounding neighbourhood.

R. Sissons, Manager of Planning, provided the following clarifications:

- [49] The department does not proactively circulate development permit information to the public for every application because it receives hundreds of applications each year. Public notification is therefore not automatic.
- [50] A campground diagram shown in the presentation was an earlier version of the proposal. The concept was subsequently modified, and the final approved drawing is different.
- [51] He clarified that it does not have jurisdiction to assess a development permit based on impacts to property values. Its role is to assess the application using relevant technical and planning criteria.
- [52] Development permit decisions are based on what is actually submitted in the application, not on hypothetical future development or expansion of the site. The speaker asks whether the appellants understand that potential future growth is not considered in the current review.

M. Weber (Developer) spoke in support of the Development Permit:

- [53] The property owner and developer, spoke in support of the proposed all-season campground and asked the Appeal Board to consider not only the property's current condition but what he says it could become through responsible development and long-term investment.

- [54] Weber emphasized that he has more than 20 years of construction and development experience, stating this experience gives him a strong understanding of the technical issues raised during the appeal. He characterized the project as a long-term family investment rather than a development he intends to build and sell.
- [55] His stated goal is to turn the property into a green, landscaped, park-like campground and emphasized that he does not intend to turn all 17.26 acres into RV parking.
- [56] The original proposal was significantly changed during the approval process, stating that the proposal evolved from 52 sites to 31 to 25 sites. He also listed other numerous changes to the original permit application including changing the site layout because of flood concerns, relocating garbage and septic infrastructure, adding approximately 70% more trees, changing the lighting design, and adjusting tree locations to provide screening.
- [57] Weber stated that he voluntarily commissioned a Phase 1 environmental assessment at his own expense and that the assessment did not identify environmental concerns with the property and emphasized that he undertook the assessment even though he said it was not required by the City or the approval process.
- [58] A significant part of his presentation was that the campground revenue would provide the money needed to maintain and improve the entire property and specifically disputed the suggestion that he only intends to maintain the actual campground area. He said his intention is to improve the north side of Bullshead Creek as well, including mowing, irrigation, landscaping, and tree planting. Webber emphasized that only a small portion of the 17.26-acre property would actually contain RV development.
- [59] He strongly disputed the characterization of the campground as housing, but rather short-term rentals. He currently has no plans to expand beyond the 25-site application.

L. Luca (Resident) spoke in opposition to the development

- [60] Her concerns focused on loss of the view, uncertainty about future campground occupants, privacy, neighbourhood character, and the permanent change to what residents believed they were purchasing when they bought their homes.

S. Samco (Resident) spoke in opposition to the development

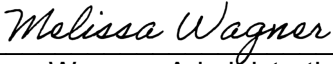
- [61] Her concerns focused on light pollution from the existing campground and concern about more from the development of an additional campground.

B. Irwin, Senior Planner — was provided the opportunity to make closing comments, summarized as follows:

- [62] Planning's position is that the concerns raised by residents were considered and addressed through modifications to the project. The department argues that the application has been reviewed by the appropriate City departments and external agencies, the number of sites has been reduced to 25, the development is outside the floodway, and the necessary approvals have been obtained.
- [63] Planning therefore supports keeping the development approval in place, stating that the remaining concerns have been mitigated as much as reasonably possible.

M. Hager / D. Hager (Applicant/ Appellant) – were provided the opportunity to make closing comments, summarized as follows:

- [64] Past experiences make residents cautious about relying on promises that the development will be attractive and well managed. The Appellants concerns extend beyond the RV sites themselves to the potential effects on wildlife, the pond, existing infrastructure, safety, views, and the established character of the neighbourhood. The Appellants want the Appeal Board to carefully consider the potential long-term consequences before allowing another major change to the area.



Melissa Wagner, Administrative Assistant
SDAB Board Clerk

October 9, 2026

Date:

Decisions of the Subdivision and Development Appeal Board are final. However, an appeal may be made to the Alberta Court of Appeal under Section 688 of the *Municipal Government Act*. An application for leave to appeal must be filed and served within 30 days of the written decision.

cc. Michele and Dan Hager, (Applicant/Appellant)
Mike Weber, (Developer)
Brad Irwin, Senior Planner
Robert Sissons, Manager of Planning