

**MINUTES OF THE MEETING OF THE PARKLAND COUNTY SUBDIVISION  
AND DEVELOPMENT APPEAL BOARD HELD IN THE COUNCIL  
CHAMBERS IN THE COUNTY OFFICE AT PARKLAND COUNTY, ALBERTA  
ON NOVEMBER 21, 2016**

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**CALL TO ORDER**

The Chairperson, J. Smith, called the meeting to order at 4:05 p.m.

**PRESENT**

Members: J. Smith, M. Gunderson, D. Mattson, J. McCuaig  
Clerk: D. Tymchyshyn, Supervisor, Legal and Legislative Services  
Recording Secretary: L. Tyerman, Administrative Assistant, Legal and  
Legislative Services.

**ADOPTION OF AGENDA**

Moved by J. Smith that the November 21, 2016 Agenda be adopted as presented.

**CARRIED**

**ADOPTION OF MINUTES**

Deferred to later in the meeting.

**NEW BUSINESS:**

**4:10 p.m. Appointment**

An appeal of the Development Permit Application 16-D-593 for a Home Based Business Level 2 – Firearms Related Sales on PLAN 8020350, BLOCK 2, LOT 20, Municipal Address: #20, 51317 HWY 60.

The Chairperson opened the Hearing at 4:12 p.m.

The Chairperson asked if anyone affected by the Appeal had any objections to the Board members hearing the appeal, there were none.

The Chairperson introduced D. Tymchyshyn, Clerk to the Subdivision and Development Appeal Board. The Chairperson advised that it is the Board's practice to have the Clerk participate in private and in-camera discussion with the Board and asked those present if there were any objections, there were none.

**Present Administration Staff**

C. Thomas, Supervisor, Development Planning  
Feinan Long, Development Planner

The Subdivision and Development Appeal Board Clerk introduced the Appeal into the record.

The Chairperson asked if any affected party present planned to provide any written materials not provided to the Clerk in advance of the hearing. The Applicant, Joseph Grant made the Board aware that he had new verbal information regarding the delivery of most sales as opposed to clients picking up products from the subject property. The Clerk advised that the verbal information can be introduced by the Applicants's during their presentation later in the hearing.

The Chairperson explained the order of presentation for the hearing and asked those in attendance if they had any concerns with the outlined process. No one present had concerns.

The Chairperson called upon Feinan Long, Development Planner to begin the presentation of Administration.

**Submission of the Development Authority**

Ms. Long read the Administrative Report into the record and provided the background of the subject file regarding Development Permit No. 16-D-593. Ms. Long stated that:

- A Home Based Business Level 2 is a discretionary use in accordance with the Land Use Bylaw 20-2009.
- The proposed development is in accordance with the Municipal Development Plan and complies with the Woodbend Graminia Area Structure Plan.
- Federally regulated goods must comply with applicable legislation and licensing requirements.
- The proposed development is not anticipated to generate noise, dust or other nuisances, therefore the only relevant planning consideration would be traffic impact.
- The subject property is a 3 acre parcel located in close proximity to Highway 60, making traffic impact to the subdivision minimal.

**Submission of the Appellant, Ken Atamaniuk**

Mr. Atamaniuk stated that he resides at Lot 12, Spanish Oaks. Mr. Atamaniuk advised the board that he and other neighbours are concerned with the following:

- Safety of residents.
- The province is down and out and there are fears the business could bring in crime
- Residents do not want this sort of business in their back yard.
- Was not able to discuss the proposed development with the Applicant.

Mr. Atamaniuk clarified that he is not against firearms, and is himself a hunter and in possession of firearms. Mr. Atamaniuk stated that he does not want this sort of business in his back yard.

When questioned by the Board, Mr. Atamaniuk answered that neighbours all had different information regarding the type of business that would be operated on the subject property.

When questioned by the Board, Mr. Atamaniuk said that to his knowledge you cannot get a firearms license if you have a criminal record.

The Chairperson asked if there was anyone in the audience who wished to speak in favor of the Appellant. There were none.

**Submission of the Applicant, Joseph Grant**

Mr. Grant submitted that:

- The majority of his business dealings will be through a website that is currently under construction. The website will not be ready for at least 3 months.
- He has both his non-restricted and restricted firearms license.
- He requires municipal permission to obtain his dealers license.
- He is planning to purchase 2 safes, one for firearms and one for ammunition.
- There will be cages surrounding the safes.
- There will be 3 dogs on the property.
- The business will be monitored by four cameras.

When questioned by the Board, Mr. Grant answered that he will not be doing any firearms training or firearms repairs at the business. He informed the Board that storage and consignment may be done from the business but that it would be at the discretion of the Chief Firearms Officer when approving his dealing license. When questioned further, Mr. Grant clarified that in order to re-sell firearms he would need to purchase the firearm and

be the licensed owner in order to store and sell it. Mr. Grant said that there would be no advertisement of the business's address in the subdivision or online.

When questioned by the Board, Mr. Grant stated that he received his non restricted firearms license 18 months ago and his restricted firearms license in the last week. He continued on to say that he plans to work full time at the proposed business and once he is financially able, move the business to a different location.

When questioned by the Board, Mr. Grant stated that he would not maintain a large amount of stock in the place of business.

When questioned by the Board, Mr. Grant answered that when he brings in firearms they will either be delivered by the RCMP or an armored truck, alternatively, Mr. Grant could pick the firearms up from the RCMP detachment. Mr. Grant added that he will only be selling firearms to customers who have placed a deposit and also provided their firearms license number.

When questioned by the Board, Mr. Grant submitted that at least 75 percent of sales would be delivered to the customer as opposed to being picked up from the place of business. Mr. Grant that customers will have to commit to purchasing a firearm before coming to the place of business, and that there will be no one turning up at the business to browse.

When questioned by the Board, Mr. Grant stated that when he is delivering firearms and ammunition to customers he is required by law to have the guns in opaque, unlabeled, locked cases with ammunition kept separately.

When questioned by the Board, Mr. Grant answered that customers will need to submit their firearms license number via an online registry. He continued to say that a firearms license looks similar to a driver's license.

The Board then questioned the Appellant, Mr. Atamaniuk. Mr. Atamaniuk stated that he feels that businesses of this type should be in properly constructed buildings with security guards, such as Cabela's or Canadian Tire. Mr. Atamaniuk stated that his concern was for safety. There is a risk someone may come to the property, see what there is, and later come back and break in.

**Closing Remarks of the Appellant**

Mr. Atamaniuk summed up his statements by reiterating that he does not want this type of business in his backyard.

**Closing Remarks of the Applicant**

Mr. Grant stated that he is doing everything he can to deter non-compliant or criminal activity.

The Chairperson adjourned the appeal of Development Permit 16-D-593 at 4:48 p.m.

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**CALL TO ORDER**

The Chairperson, Jane Smith, called the meeting back to order at 6:00 p.m.

**PRESENT**

Members: J. Smith, M. Gunderson, D. Mattson, J. McCuaig, R. Underwood  
Clerk: D. Tymchyshyn, Supervisor, Legal and Legislative Services

Recording Secretary: L. Tyerman, Administrative Assistant, Legal and Legislative Services.

**ADOPTION OF MINUTES**

M. Gunderson moved that the April 4, 2016, May 2, 2016, May 9, 2016, and July 25, 2016 minutes be adopted.

**CARRIED**

J. McCuaig moved that the February 8, 2016 minutes be adopted, the motion was carried by J. McCuaig, R. Underwood and D. Mattson. M. Gunderson and J. Smith abstained from the motion.

**CARRIED**

**NEW BUSINESS:**

**6:00 p.m. Appointment**

An appeal of a decision of the Development Authority to conditionally approve Development Permit No. 16-D-597, Group Home, Limited – For up to six residents excluding staff, with a 10' high chain link fence around dwelling at PLAN 8220233, BLOCK 3, LOT 12, Municipal Address #25, 51515 Range Road 32A.

The Chairperson opened the Hearing at 6:07 p.m.

The Chairperson asked if anyone affected by the Appeal had any objections to the Board members hearing the Appeal, there were none.

The Chairperson introduced D. Tymchyshyn, Clerk to the Subdivision and Development Appeal Board. The Chairperson advised that it is the Board's practice to have the Clerk participate in private and in-camera discussion with the Board and asked those present if there were any objections, there were none.

**Present Administration Staff**

C. Thomas, Supervisor, Development Planning  
Feinan Long, Development Planner

The Subdivision and Development Appeal Board Clerk introduced the Appeal into the record.

The Chairperson asked if any affected party present planned to provide any written materials not provided to the Clerk in advance of the hearing. Holly Reeves, representative from I Have a Chance Support Services LTD. came forward to submit new written information of policies and procedures to the Board's file. The Clerk, D. Tymchyshyn advised that a recess would be necessary to allow time for copying the materials for distribution to the Board and Appellant.

The Chairperson called a recess at 6:11 p.m.

The Chairperson called the hearing back to order at 6:34 p.m.

The Chairperson asked the Appellant, Stacey Lauder if she would like a recess to review the new written materials. The Appellant requested a 20 minute recess.

The Chairperson called a recess at 6:36 p.m.

The Chairperson called the hearing back to order at 6:52 p.m.

The Chairperson asked the Appellant if she would like to request an additional recess or postponement to review the new information. The Appellant asked for a postponement, adding that as representative for her community she would need to share the information.

The Chairperson called a recess at 6:52 p.m. to deliberate the request for a postponement.

The Chairperson called the hearing back to order at 6:59 p.m.

The Chairperson explained to all in attendance that a postponement would be granted as it is the right of the Appellant to review the materials and prepare a response.

The Chairperson advised that the hearing would be adjourned to December 5, 2016 at 4:10 p.m. The Chairperson asked that the Appellant submit any further written submissions by 4:00 p.m. on November 28, 2016. The materials will then be forwarded to the Applicant who is to submit any additional written materials by 4:00 p.m. November 30, 2016.

**ADJOURNMENT**

The Chairperson closed the hearing at 7:02 p.m.



CHAIRPERSON