

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 MAY 29,  
2017

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**CALL TO ORDER**

The Chairperson, P. Kobasiuk called the meeting to order at 4:00 p.m.

**PRESENT**

Members: P. Kobasiuk, R. Underwood, J. Philpott, D. Mattson, S. Whitehouse

Clerk: D. Tymchyshyn, Manager, Legislative Services/Chief Legislative Officer

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

Legal Counsel: G. Stewart Palmer

**ADOPTION OF AGENDA**

Moved by D. Mattson that the May 29, 2017 agenda be adopted as presented.

CARRIED

**ADOPTION OF MINUTES**

Moved by R. Underwood that the March 13, 2017, and March 16, 2017 minutes be adopted, as presented.

CARRIED

**NEW BUSINESS:**

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

An Appeal of Development Permit No: 17-D-159 for a Group Home, Limited located at Lot 47, Plan 9825368 Lakeshore Estates, SE-23-53-26-W4, Municipal Address 47, 53302 Rge Rd 261.

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.

**Present Administration Staff**

Craig Thomas, Manager, Development Planning

Karen Kormos, Development Planner

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.

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

The Chairperson asked the affected parties if they had any objections to the material before the Board, there were none.

The Chairperson asked those in attendance if there were any additional submissions not included in the agenda package, there were none.

**Submission of the Development Authority**

Ms. Kormos read the Development Authority's report into the record and provided the following details:

- The property is located in the Country Residential Estate District.

- The subject parcel is flanked to the north and east by Municipal Reserve, and a residential lot to the west.
- The Group Home is intended for senior citizens.
- The intention is to provide a safe, home like atmosphere in a quiet community environment.
- The Application is supported by the Municipal Development Plan, Big Lake Area Structure Plan and the Land Use Bylaw.
- Due to the location of the property, excessive traffic should not be an issue as workers and deliveries will be accessing the site from Rge Rd 261.

**Submission of the Appellant, Parkland Big Lake Area Community Association**

Gaylene Weidlich, President of the Parkland Big Lake Area Community Association spoke on behalf of the members. Ms. Weidlich stated that:

- Area residents are concerned with the development.
- The association agrees that senior care facilities are lacking in Canada, but does not feel this is the appropriate setting for a Group Home.
- The Applicant tried to get a similar development started in the past, with 14 residents.
- Neighbours have observed dogs wandering from the property, and gates being left unlocked.
- Concerns about potential upgrades to the property that have not been disclosed. Elderly people will require a ramp and other upgrades.
- There was a fire recently in the community that gutted a home. It took 20-40 minutes for the fire department to arrive. If this happened to the Group Home would the 6 seniors be able to get out?
- The association wonders how Parkland County will ensure that the permit notes are adhered to.
- The community is not opposed to small home based businesses such as realtors, mortgage mentors, or business investors.
- There is concern regarding the extensive use of public services such as sewer and garbage.
- Delivery trucks and emergency vehicles could have noisy back up beepers.

**Submission in support of the Appeal, Barbara Costacha**

Ms. Costacha told the Board that she lives in the nearby community of Helenslea Heath, but is not close to the development. Ms. Costacha said that:

- When she chose to live in the area it was because of the traditional country residential setting.
- She questions the burden that the approval process puts on the community and residents.
- The community may be changed by the proposed development.
- The Application does not show any evidence that this facility is compatible with the neighbourhood.
- The Group Home is a for profit venture.
- The development does not fit with the Municipal Development Plan, Big Lake Area Structure Plan or the Land Use Bylaw.
- Group Home Limited is a discretionary use for a reason.
- This will not be a Group Home, rather a senior care facility.
- She disagrees that the development is in keeping with Smart Growth.
- The Facebook page for the business indicates that the development will be a nursing home.

- The permit notes reference Fire Codes. Who will monitor to ensure that the permit notes will be adhered to?
- The neighbourhood was not built for this type of business.
- There are concerns with safety, security and seniors becoming lost or leaving the residence.
- Supervision concerns.
- The gate and fence are ornamental and will not be safe and secure for the clients.
- There are concerns regarding parking and traffic.
- There are concerns regarding biohazards and waste from the facility.
- Ms. Costacha feels that the Applicant is circumventing the system.

#### Submission in support of the Appeal, Rob Selby

Mr. Selby told the Board that he lives directly adjacent to the proposed development. Mr. Selby made the following statements:

- He questions the character of the Applicant and has had many issues with them on a personal level.
- He believes that the Applicant is circumventing the system.
- Loud music, barking dogs, and dogs running loose have been a major issue.

When questioned by the Board, Mr. Selby said that he does not believe there will be adequate parking for the facility. He worries that additional parking on the road will cause safety issues for residents and children walking in the area.

When questioned by the Board, Mr. Selby answered that the fence surrounding the development is made up of two types of material, plastic and ornamental chain link.

When questioned by the Board, Mr. Selby stated that he has lived in his residence since December of 1999, and he estimates that the owners of the proposed development have lived in their residence since 2003.

When questioned by the Board, Mr. Selby responded that he did not believe the current fencing surrounding the dwelling would be sufficient, and reiterated that the gate is ornamental.

#### Submission in support of the Appeal, Brent Slater

Mr. Slater said that he lives across from the proposed development, and has lived in his home for 15 years. Mr. Slater stated the following:

- He has had issues with vehicles being parked on the street.
- There have been barking dogs and dogs running loose coming from the proposed site.
- He has concerns about the safety of residents and children, due to the traffic.
- He has witnessed children on the site with bare feet and no jackets in the wintertime. This makes him question what kind of care the seniors living in the Group Home will receive.

#### Submission in support of the Appeal, Ida Duncan

Ms. Duncan indicated that she lives on Lakeshore Boulevard.

Ms. Duncan asked Administration when the Bylaws had changed to allow this type of business in a Country Residential Estate District. Mr. Thomas said that the purpose of this district is for high density residential development. A Group Home should be reasonably compatible with the surroundings. It is at the discretion of the Development Authority whether the use would be considered appropriate or reasonably compatible.

Ms. Duncan asked Administration if the building and parking areas are up to code. Mr. Thomas answered that this approval is in accordance with the Land Use Bylaw, and that the Applicant will be required to go through a series of other approvals through the province if the Application is approved.

Ms. Duncan questioned the validity of the permit notes in the approved Application. Mr. Thomas replied that the notes are included for information purposes, to make the Applicant aware that they will also have to comply with additional regulations set out by the province.

Ms. Duncan summed up her statements by saying that she does not believe the Applicant is capable of managing this project.

#### **Submission in support of the Appeal, Tanya Dundass**

Ms. Dundass told the Board that she has lived in Lakeshore Estates since 2001. Ms. Dundass made the following statements:

- Concerns regarding Rge Rd 231 and Rge Rd 261. The roads belong to the City of Edmonton, therefore Parkland County cannot address potential traffic and parking issues.
- The community has had signs stolen, street lamps have slumped over and the grass is not mowed. Ms. Dundass feels that this shows a lack of policing of the area by Parkland County.

When questioned by the Board, Ms. Dundass said that the City of Edmonton is allowing gravel trucks to travel through the subdivision to access the field being developed across 215 St.

When questioned by the Board, Ms. Dundass answered that you cannot park on Connelly Rd as it is too narrow, but this hasn't stopped people from doing so in the past.

#### **Submission in support of the Appeal, Ron Krulak**

Mr. Krulak indicated that he has lived in Lakeshore Estates since 2002. Mr. Krulak made the following comments:

- He moved to the community for peace and quiet.
- This facility should be located in an area planned and serviced for this type of development.
- He has concerns about traffic and parking along the subdivision roads.
- He is concerned that emergency vehicles would not be able to access the subdivision due to possible blockage of vehicles on the road and in driveways.
- The development is not suitable for the neighbourhood.

#### **Submission of the Applicant, WSP / MMM Group Ltd.**

Scott Mackie spoke on behalf of WSP / MMM Group Ltd., who were hired by the property owners for this Application. Mr. Mackie stated the following:

- Lack of senior care facilities is an issue in society.
- Hundreds of beds are occupied by seniors in Alberta's hospitals.
- The Applicant would have to go through a rigorous licensing and monitoring process in order to receive a license for care.
- Lakeshore Estates offers a community environment with large lots, parking, outdoor space and close urban services.
- The typical amount of vehicle movements for a suburban household is 8-12. This development will have similar amounts of vehicle movements.
- The site is located at the edge of the community next to 1 of 4 access points. Vehicles travelling to and from the site would not cause an impact to the community.

Mr. Mackie drew the Boards attention to photos on page 112 of the agenda package. He explained that although the road pictured is not wide enough for parking along both sides, some street parking does occur within the community. He said that in these instances he observed residents being courteous and either reducing speed or waiting for traffic to pass. He pointed out that many residents have recreational vehicles or commercial vehicles parked in their driveway. Mr. Mackie continued his statements:

- There has been a lot of interest in the project from families looking to place their senior family members in a tranquil setting.
- The swimming pool, garden and greenhouse would provide leisure activity for the residents.
- The site is fully fenced and gated, and residents would not be permitted to leave the site unaccompanied. Residents will be supervised constantly by staff.
- If the facility does not meet provincial licensing standards it would be shut down.
- The Group Home would operate much like a family dwelling and wouldn't physically look any different than the surrounding homes. The home has a 3 car and a 2 car garage, as well as room in the driveway for an additional 6 vehicles. The Group Home will likely have no more than 8-12 vehicle movements per day.
- Any ambulance visits that occur would not affect the noise level in the area as ambulances only use lights and sirens when they have to navigate around traffic.
- There are strict protocols surrounding medical waste that would be adhered to and monitored by the province.
- Planning concerns are addressed in the permit.
- If the permit is approved the owner will be required to obtain the necessary licensing and approvals from the province.

When questioned by the Board, Mr. Mackie explained that the photo referred to on page 112 of the agenda package was included to show that other residents in the area have commercial vehicles parked in their driveways.

When questioned by the Board, Mr. Mackie said that the residents would have cognitive disabilities, such as alzheimers or dementia. The clientele being targeted are seniors with cognitive disabilities who are otherwise healthy, and do not require treatment in a medical facility.

When questioned by the Board, Mr. Mackie answered that the Group Home would be staffed by experienced professionals. Typically the manager would be offsite. The current residents, who are the owners of the home would be moving out prior to the Group Home opening.

When questioned by the Board, Mr. Mackie stated that the owners of the property also have other Group Home facilities that they are running or will be running. He said that the owner is very passionate about elder care, having a father who is in a wheelchair herself. His understanding is that the owner believes in the highest standard of senior care and has educated herself on the subject.

**RECESS**

The Chairperson called a Recess at 5:50 p.m.

The Chairperson called the meeting to order at 5:56 p.m.

When questioned by the Board, Mr. Mackie explained that currently there are 20 cameras on site, both inside and outside of the building. The fence is 6 feet or higher surrounding the entire property, and the gate is motorized.

Day to day traffic coming to the house would consist mostly of staff, and it would not be common to see spillage of parking onto the street.

Mr. Mackie told the Board that during the recess a neighbour had approached him to say that he was mistaken about the amount of vehicles that could be parked in the garage. Mr. Mackie had stated that 5 vehicles could fit in the garage, and the neighbour believes the garage could fit 3.

When questioned by the Board, Mr. Mackie said that usually there would be two support staff on the site. At shift change this could cause 4 vehicles to be in the driveway. The driveway can fit 12 vehicles double parked. If an emergency occurred the emergency vehicles would need to be accommodated.

When questioned by the Board, Mr. Mackie said that the Group Home will be licensed and monitored by provincial regulations. He explained that the vision for the facility is for it to feel like a home, and be run like a single family residence, while at the same time providing a safe and secure environment for the residents. He stated that the only people living in the home would be the residents and workers.

**Closing remarks of the Applicant, WSP / MMM Group Ltd.**

In closing, Mr. Mackie said that this type of development is in high demand. Stronger, better quality community care in this type of environment is the sort of thing potential clients are looking for. He mentioned that a resident of the Lakeshore Estates community had planned to place a senior family member in the Group Home. The resident declined to come forward at the hearing, fearing backlash from members of the community who are opposed to the project. He said there is a stigma associated with this type of development.

**Closing remarks of the Appellant, Parkland Big Lake Area Community Association**

Barbara Costacha provided closing remarks on behalf of the Appellant. Ms. Costacha said that based on previous experience with the owners, the community feels that after the owner has obtained licensing there could be issues that go unresolved. Ms. Costacha noted that the business owner did not come to the hearing. Ms. Costacha said that on the business owners Facebook page there are requests for volunteers, she wonders if those volunteers would be considered staff. Ms. Costacha said that current plans for the facility show a loading zone in the garage, she questioned how a commercial vehicle could back into a garage of regular height. Ms. Costacha said that she feels it will be tragic if the development is approved and a senior is lost or a child becomes injured by vehicles leaving the site. The community association feels that this is a for profit business that would be better suited somewhere else. Ms. Costacha disputed that the facility would operate like a single family home. Ms. Costacha said that the community does not think a 2 to 6 ratio of staff to residents is acceptable, and that the residents will require 24/7 supervision. Ms. Costacha finished her statements by questioning the process which allowed this Application to get to this stage.

The Chairperson asked those in attendance if they felt they had received a fair hearing. There were no concerns.

Ms. Duncan asked the Chairperson for clarity regarding when a Decision would be made and handed down. The Chairperson explained that a Decision would be sent out electronically to all persons who had requested a copy, providing they supplied their contact information to the Clerk.

The Chairperson asked the Board if they were satisfied with the amount of information received at the hearing. The Board agreed they were satisfied with the amount of information received.

**ADJOURNMENT**

The Chairperson closed the hearing at 6:25 p.m.



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**CHAIRPERSON**