

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
PARKLAND COUNTY**

Legislative Services
Parkland County Centre
53109A HWY 779
Parkland County, AB T7Z 1R1
Telephone: (780) 968-3234
Fax: (780) 968-8413

DATE: July 10, 2017
FILE NO.: 17-D-301

Notice of Decision of Subdivision and Development Appeal Board

INTRODUCTION

[1] The Development Authority of Parkland County (the "County") granted a development permit application No. 17-D-301 (the "Development Permit") to Triple H Building Movers Ltd. for a Home Based Business Level 3 (small trucking company – building movers) on SE-5-53-1-W5, Municipal Address: 53014 Range Road 14 (the "Site"). The Appellants appealed the approval of the Development Permit.

PRELIMINARY MATTERS

A. Board Members

[2] At the outset of the appeal, the Chair requested confirmation from all parties in attendance that there was no opposition to the composition of the Board hearing the appeal. None of the persons in attendance had any objection to the members of the Board hearing the appeal.

B. Additional Materials

[3] The Applicant submitted two additional exhibits at the outset of the hearing, which have been marked as Exhibit 10 and Exhibit 11 on the list of exhibits at the end of this decision.

C. Miscellaneous

[4] The Board marked the exhibits as set out on the list at the end of this decision.

[5] The appeal was filed on time, in accordance with Section 686 of the Municipal Government Act, R.S.A. 2000, c.M-26 (the "Act").

[6] The Board is satisfied that it has jurisdiction to deal with this matter. There were no objections to the proposed hearing process.

DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

[7] The Board denies the appeal.

[8] The Development Permit is approved for development approval to park 3 Kenworth trucks, 4 lowboy trailers and 5 one-ton or smaller trucks, as well as the temporary storage of portable structures. The conditions imposed by the Development Authority are confirmed. The following conditions are added to the conditions imposed by the Development Authority:

- a) The Applicant shall not operate on Saturday, Sunday or statutory holidays.
- b) The Applicant must use the south access for all vehicles used in the operation of the Home Based Business Level 3.
- c) All trucks (Kenworths and smaller trucks) are to be stored indoors.
- d) The Applicant shall not store more than 10 portable buildings on the Site at any one time.
- e) The Applicant must store the portable buildings on the Site in the location marked on the approved site plan (Schedule "A" of this Decision), which for greater clarity has been marked using "x" and described as "location of potentially stored modulares".
- f) All business vehicle maintenance which is conducted on the Site shall be conducted inside a building, except vehicle washing, which can occur outdoors.

SUMMARY OF HEARING

[9] The following is a brief summary of the oral evidence heard by the Board. The Board has also reviewed all written submissions filed with the Board.

Development Authority

[10] The Board first heard from the Development Authority. The Development Authority indicated that the Site is zoned as Agricultural General (AGG) District. The Site is approximately 14.6 acres. The Site is bounded on the south by Highway 16A, on the east by Range Road 14 and to the north by a privately titled lot. The use of Home Based Business Level 3 is a discretionary use in the AGG District. The Applicant sought development approval to park 3 Kenworth trucks, 4 lowboy trailers and 5 one-ton or smaller trucks, as well as the temporary storage of portable structures. The Site is within 300 meters of Highway 16A and the Applicant requires a roadside development permit, which has already been granted by Alberta Transportation. The development area is approximately 10,000 square feet in a property which is approximately 635,000 square feet.

[11] Section 2 of the County's Municipal Development Plan Bylaw No. 37-2007 ("MDP") sets out policies for the goals of Agricultural lands, which includes the goal of protecting and enhancing valuable agricultural lands. The soil on the Site is Category 4 in the County's Agricultural Productivity of Soils Environmental Conservation Master Plan, which means it has severe limitations for agricultural use.

[12] The Site is covered by the provisions of the Glory Hills Area Structure Plan, Bylaw No. 7-79 (the "ASP"). One of the goals of the ASP is to provide a basis for a unique and innovative

approach to rural living and encourages orderly and economical residential development in the area governed by the ASP.

[13] The Development Authority provided the Board with the relevant use definitions. The Land Use Bylaw defines Home Based Business Level 3 as:

HOME BASED BUSINESS LEVEL 3 means trade or craft for gain or support conducted within the residential dwelling and/or accessory building and includes all home based businesses not considered Home Based Businesses, Level 1 or Level 2. It may include up to four (4) on-site employees in addition to the resident and the resident's family who permanently reside in the dwelling. Typical uses include contractor services, parking of commercial vehicles in excess of Home Based Business Level 2, automotive and autobody repair and on-site fabrication. This use class does not include more intensive Industrial type of uses that present exterior impacts such as noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter, and storage of hazard or combustible materials which should be located in an industrial district.

[14] The definition of Home Based Business Level 3 provides that uses do not include more intensive industrial uses with exterior impacts, such as noise, fumes, dust, etc. and may have up to 4 on-site employees in addition to the resident and family of the resident. There are to be fewer than 4 employees, and the resident's family who permanently reside in the dwelling. This use is not an intensive Industrial use, because it does not present exterior impacts such as noise, smoke, stream, odour, dust, fumes, exhaust, vibration, heat, glare refuse, or storage of hazard or combustible materials.

[15] The nearest dwelling is over 60 meters from the Site's property line and over 122 meters from where the goods and equipment will be stored.

Appellants Kim and Joanne Koda

[16] The Board next heard from the Appellants, Kim and Joanne Koda, who reside across Highway 16A, on the southeast corner of the intersection, which is within 500 meters of the Site. They have lived there since 1992. Their main concern is safety of the proposed development. They provided figures from the Alberta Transportation traffic volume history, including traffic counts for the intersection of Highway 16A and Range Road 14 as found at pages 31 and 32 of the Board's package. Their concern is that the potential for an accident increases as the traffic count increases and as the number of vehicles crossing the median increases. There are no traffic lights controlling the intersection. On the west side of the intersection there is a hill. On the east side, there is an elevated grade and curve. In 2014, there were 36 collisions reported, of which 10 were casualties.

[17] Range Road 14 is only 7 meters wide, and is not adequate for oversized loads. They have concerns about the storage of diesel fuel, gasoline or flammable liquids, and a concern about fire hazards. They have concerns about how the buildings to be loaded or offloaded. They are also concerned about the noise coming from warming engines. They felt that the development should be in a commercial or industrial district, not a rural residential one. There are several alternative industrial subdivisions where the Applicant can have the business and

where the roads are constructed to handle the traffic and it is safe for them to travel on the roads. They oppose both the trucking business and the storage of the portable buildings.

Appellants Sylvia Fuhr, Glenys Fuhr and Murray Fuhr and Erica Rogers

[18] The Board next heard from Mr. Murray Fuhr on behalf of the Appellants, Sylvia Fuhr, Glenys Fuhr, Murray Fuhr and Erica Rogers, the tenant on his mother's land. His mother, Sylvia has owned the property immediately east of Range Road 14 since 1967. He and his wife Glenys live across the road on one of the two smaller parcels east of Range Road 14 across from the development.

[19] They are concerned that the development will adversely affect noise and traffic. They are concerned that a traffic impact study has not been done. He questioned how the Development Authority could make a determination that there would not be excessive noise. In the wintertime, they will be able to see the complete operation. They indicate that there will be an impact due to the number of vehicles. There will also be an impact on future development potential and property values.

[20] They are concerned that there would be noise arising from the development. He questioned how the determination regarding a multi-parcel subdivision was made. In response to his questions the Development Authority advised that the Land Use Bylaw defines "multi-residential subdivision" as a subdivision containing 4 or more residential parcels where the parcels are 4.1 ha in size or smaller and principally used for residential purposes.

[21] They are concerned that there may be an impact should his mother wish to subdivide her land. They felt that the application for development approval was rushing things, because the sale is subject to development approval.

Appellants Phil and Melissa Henstridge

[22] The Board next heard from Mr. Phil Henstridge on behalf of the Appellants, Phil and Melissa Henstridge. They have lived directly across Range Road 14 from the north access point to the Site for almost 4 years. They moved from Saskatchewan and it took them some time to find what they thought was a beautiful place to raise a family. They supported the submissions made by Mr. Koda and Mr. Fuhr. They do not believe that the south driveway will be able to manage a wide load and until the work is done on the south driveway, they believe the vehicles will use the north access, which is 150 to 200 feet from their house. They have 2 small children (ages 4 and 1) who play in the yard. He is concerned that they would have large wide trucks who will block the road and cause hazardous situations.

Applicants Sheri and Bob Hanna

[23] The Board next heard from the Applicants Sheri and Bob Hanna. They applied for a development permit for financial reasons (so that they could not have to pay rent for space, which they are currently doing). They also wanted to be within Parkland County and to find a place where they can raise their 3 children while running their business. The previous owner of the site had a greenhouse, and they have only 3 Kenworths and lowboy trailers. The 50 or 60 vehicles per day from the greenhouse operation will be reduced to a truck or two a day plus

pilot trucks. They would be adding 5 or 6 vehicles per day, which would be a 0.0005% increase of the overall traffic load on Highway 16A.

[24] They have a family and don't want to disrupt their neighbours, but wish to make things work financially for themselves. They admitted they did not speak with Mr. and Mrs. Koda because they felt that due to the noise of the highway, Mr. and Mrs. Koda would not know the development would be there. They attempted to speak with the two neighbours (Fuhr and Henstridge), but were talked over and told to buy property elsewhere. They have always tried to be good neighbours.

[25] They spoke to the carrier profile of the Applicant. This document is provided by the Government and it speaks to the risk factor of the operator. This document (exhibit 11) indicates that they have a risk factor of zero. They have not had any speeding tickets. They treat safety as a number 1 priority. In order to move oversized loads, they require approval from Alberta Transportation as well as from every municipality through which the load will move. If there is a concern, for example about the size of the road or weights, those bodies can refuse. Over-height loads must go point to point due to the issue of the utility lines.

[26] There are no concerns of safety for the intersection of Highway 16A, because there are acceleration and deceleration lanes at the intersection with Range Road 14. They showed a video which illustrates the noise from the engine which raises and lowers the buildings. They do not believe noise should be an issue since there is more noise from the highway than from the development. They have safety protocols for their drivers. The trucks will be slowing to make the turn to Range Road 14 and are likely to be going 20-30 km when the trucks are on Range Road 14, so speed is not an issue. They estimate it would take about 1 minute to get the vehicles off Range Road 14 and onto the Site. They do not expect a lot of traffic in one minute. They have the well-being of their own children and their neighbour's children in mind.

[27] They will not be storing fuel on site but will fuel up from card-lock sellers. They are also asking for development approval to store portables on site. They pick up newly constructed portables, and if the site is not ready, they need to store them for the school divisions until the site is ready. They would like this approval, but if they are not allowed to have it, they will accept the decision of the Board.

Those speaking in opposition to the appeal - Deanna and Allen Colby

[28] Deanna and Allen Colby lived across the road from Triple H when it operated from its former location in West Country Estates. Their home was 400 feet away from the shop, and they never heard the trucks, even on the coldest of winter mornings. Mr. Bill Hanna, the previous operator, had a policy of no Jake brakes in consideration for the neighbours and Bob Hanna's policy is the same. Due to their positive experiences, they would welcome this operation near them into their neighbourhood again.

Those speaking in opposition to the appeal – Shirley Hanna

[29] Shirley Hanna and her husband Bill operated Triple H from 1972 until 2011, when Bob Hanna, her son took over the operation. The company previously operated in West Country Estates for 18 years and they have the same number of trucks today as they did then. The

operation has not increased in size. They have not previously had any complaints against them. The Appellants have not established any impact on noise or safety, and the Board should deny the appeals.

FINDINGS OF FACT

[30] The Site is located at SE-5-53-1-W5, Municipal Address: 53014 Range Road 14.

[31] The Site is zoned Agricultural General (AGG) District in Parkland County Land Use Bylaw 20-2009, as amended.

[32] The Use is a discretionary use within the District.

[33] The proposed use complies with the County Municipal Development Plan Bylaw 37-2007 and the Glory Hills Area Structure Plan Bylaw.

[34] The proposed use is compatible with the surrounding properties.

[35] The proposed development will not significantly increase traffic along Highway 16A.

[36] The nearest residence is over 60 meters from the property line and over 122 meters from where the good and equipment will be stored.

[37] The Appellants are affected persons.

[38] The Applicant is an affected person.

REASONS

[39] The Board notes that its jurisdiction is found in section 687(3) of the Municipal Government Act. In making this decision, the Board has examined the provisions of the County's Land Use Bylaw ("LUB"), and has noted the County's Municipal Development Plan, and the Glory Hills Area Structure Plan, and the provisions of the Parkland County Land Use Bylaw as referenced in the Development Authority's Report. The Board has also considered the oral and written submissions made by the Appellants, the Development Authority, the Applicants, and those speaking in opposition to the appeal.

687(3) In determining an appeal, the subdivision and development appeal board

- (a) must act in accordance with any applicable ALSA regional plan;*
- (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect;*
- (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.*

Affected Persons

[40] The Appellants all live within close proximity of the proposed development. The Koda's live across Highway 16A. While it is a significant roadway, the Board finds that they are affected because of their proximity, and the possibility of them being affected by traffic turning through the intersection of Highway 16A and Range Road 14. Sylvia Fuhr, Murray and Glenys Fuhr, Erica Rogers and Phil and Melissa Henstridge are all across the road from the proposed development affected. Due to the proximity of the land which they own or upon which they reside to the proposed development, they are all affected by the proposed development.

[41] Although it may not be required to expressly address the status of the Applicants, in order to be clear, the Board finds the Applicants affected because their permit has been appealed.

Land Use

[42] The property is zoned Agricultural General (AGG) District (see section 4.1 of the Land Use Bylaw).

Nature of Use

[43] Within Section 4.1, the purpose of the Agricultural General District is:

1. Purpose

To permit agricultural production and related farming activities while providing limited opportunity on a discretionary basis for compatible non-farm related land uses..

[44] Within section 4.1, Home Based Business Level 3 is a Discretionary use, but must be compliant with section 12.9 (Home Based Business).

[45] Section 12.9.3 of the County's Land Use Bylaw

3. *The following provisions shall apply to Level 3 Home Based Businesses:*

- a) *with the exception of the CRWL – Country Residential Work/Live District, a home based business level 3 is neither permitted nor discretionary within a multi-parcel residential subdivision (excluding rural centres) or row housing development and/or if the location of the development is within 152.4 m (500.0 ft.) of a multi-parcel residential subdivision (excluding rural centres) or row housing development;*
- b) *outside storage of goods, materials, commodities or finished products shall be at the discretion of the Development Authority;*
- c) *the display or placement of signage on the premises of a home based business shall be in accordance with Subsection 15.5;*
- d) *the home based business use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter and storage of hazard or combustible materials considered offensive or excessive by the Development Authority;*
- e) *at all times the privacy of the adjacent residential dwellings shall be preserved and the Home Based Business use shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-street or off-street parking, etc;*
- f) *the parking of any commercial vehicles, including the number considered and location, shall be at the discretion of the Development Authority, notwithstanding, the parking of school buses in excess of the number allowed shall be as per the Community Standards Bylaw;*
- g) *in addition to the resident and the resident's family who permanently reside in the residential building on the subject parcel, up to four (4) additional other employees may be permitted as part of the approval and operation of a home based business level 3, if deemed appropriate by the Development Authority; and*
- h) *the business owner shall obtain a Business License pursuant to the County's Business License Bylaw.*

[46] As the use of Home Based Business Level 3 is a discretionary use in the Agricultural General (AGG) district, the Board must assess the compatibility of the use applied for with the neighbouring uses as referenced in *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board)*, 2009 ABCA 261.

[14] The object and purpose of a discretionary use is to allow the development authority to assess the particular type and character of the use involved, including its intensity and its compatibility with adjacent uses.

[47] The Appellants have raised the following issues in regard to the proposed development:

- a) Safety on the highway, including the intersection with Range Road 14 and the access to the Site and safety along Range Road 14;
- b) Noise;
- c) Traffic being affected on Range Road 14;
- d) Visual impact; and
- e) Future development opportunities and property values.

Safety on the Highway

[48] The Board heard concerns in relation to potential for increased accidents due to the increase in traffic from the proposed development. The Board noted that the number of vehicles to be stored on the site is 8 (3 Kenworth trucks and 5 smaller trucks). The Board finds that even if the trucks all leave the Site at the start of the day and return to the Site at the end of the day, there will be only a very small increase in the amount of traffic on Highway 16A. The Applicant stated that it would be a 0.0005% increase. The Board has not done the calculation, but accepts that the lowest traffic count figure provided by the Kodas was 8,980 for the intersection of Highway 16A and Range Road 14. Adding 16 vehicle movements per day (8 out in the morning, 8 in at night- which assumes that every truck leaves the Site and returns to it each day) is an insignificant increase to the amount of traffic on Highway 16A. The Board finds that the evidence does not support an incompatible increase in safety risk from increased traffic arising from the proposed development.

[49] The Board heard concerns expressed from the potential storage of gasoline or other fuel on the Site. The evidence from the Applicants was that they buy their fuel from card-lock facilities and that they are not currently considering storing fuel on the Site. However, they are not ruling this out in future. The Board notes that the storage of fuels is regulated by the Province and that any future fuel storage on the Site will have to be in accordance with the provincial requirements. On the evidence which the Board heard, the Board finds that there will be no safety risk due to fuel storage, because the Applicants are not intending to store fuel on the Site. If there is fuel storage in the future, the Board finds this does not evidence an incompatibility based upon safety concerns, because all fuel storage will have to be in accordance with provincial requirements. In any event, there is no evidence to support the statements of risk aside from the statements of concern.

[50] Mr. Henstridge stated he had safety concerns for his children. However, this was based upon the Applicants using the north access which is closer to his property. The Board has limited the access for the trucks to the south access which is further south from Mr. Henstridge's property. The Board finds that imposing this condition should address any safety concerns from the vehicles (with or without portable buildings) coming to the Site. Further, the Board accepts the evidence of the Applicants (Exhibit 10) that the Applicant's Carrier Profile shows they have a risk level of 0, and that safety is of paramount concern to the Applicant.

Noise

[51] The Appellants indicated they were concerned about the potential for noise from the proposed development, including the warming of vehicles, and the sound of any equipment on the Site (for example, the loader). The Board finds that the nearest residence is over 60 meters from the property line and over 122 meters from where the good and equipment will be stored. The Board also notes that there is one row of trees along the Site's property line along Range Road 14. While the trees will lose their leaves in the fall, which might impact the noise, the

Board notes that due to the distance between the shop and the residences, the impact of the noise should not be significant. The Board also accepts that the noise from the loader was significantly less than the noise from Highway 16A (as noted in the video shown by the Applicants). The 5 smaller trucks may need to be warmed up in the winter, but that noise should not be significant, since they are smaller vehicles. There will be 3 Kenworth trucks which will have to warm in the winter. However, in light of the fairly significant level of noise from Highway 16A, the Board finds that the noise from their warming up should not be significant and do not result in an incompatible development.

Traffic

[52] The Appellants indicated that there may be an impact to traffic along Range Road 14 when the trucks, possibly with loads, are turning into the Site. The evidence of the Applicant is that the delay to traffic should be only about a minute or so. The Board notes that the Appellants did not provide any evidence of traffic counts for Range Road 14, or any estimate of the amount of traffic along Range Road 14. The Board accepts the evidence of the Applicant that any delay for traffic along Range Road 14 would not be for a long period of time. The Board finds that the impact to traffic would be minimal and therefore does not evidence incompatibility with the uses in the area.

[53] The Board also accepts the evidence that there was previously a greenhouse operated on the Site which operated on the weekends. The evidence was that there would be 50 or 60 vehicles there a day on the weekend. This use will have fewer vehicles, and due to the imposition of the condition of no weekend operations, the impact from traffic will be lessened.

Visual Impact of Development

[54] Mr. Fuhr stated that during the winter, he would be able to see the entirety of the Site from his property. Although he did not expressly state his concern, the Board inferred that his concern was due to the visual impact of the proposed development. The Board notes that the Applicant has indicated that they will be storing their vehicles inside the buildings on the Site, except for the lowboys. In order to address the possible concerns of the visual impact of the proposed development, the Board is imposing a condition that the vehicles be stored inside the buildings.

[55] In addition, in order to prevent the proposed development from being an eyesore, the Board imposes a condition that all vehicle maintenance which is conducted on the Site be conducted inside a building, except vehicle washing, which can occur outdoors. This should prevent the Site from looking like an automotive repair shop.

Future Development and Property Values

[56] Mr. Fuhr stated that his mother was concerned about the possibility of future development being affected by the existence of the development. However, he did not provide the Board with any evidence to support these concerns, or of any concrete plans for future development which would be negatively affected by the proposed development. Mr. Fuhr stated that there would be a negative impact to property values due to the proposed development, but he provided no evidence in support of that statement. The Board understands his concern, but in the absence of any evidence in support, the Board cannot find that the proposed development will have the negative impact on property values claimed.

[57] The Board now turns to section 12.9.3 of the LUB to assess the evidence against the requirements of the section. Section 12.9.3.a prohibits a Home Based Business Level 3 within 500 feet of a multi-parcel residential subdivision or row housing development. The Board notes that the LUB at page 219 defines multi-parcel residential subdivision as being 4 or more residential parcels of a smaller size. The evidence before the Board is that there are only 2 smaller parcels across Range Road 14 (that belonging to the Fuhrs and the Henstridges). Therefore, this subsection is met.

MULTI-PARCEL RESIDENTIAL SUBDIVISION means a subdivision of land, registered by plan of survey or descriptive plan, containing four (4) or more residential parcels where the residential parcels are predominantly 4.1 ha (10.0 ac) in size or less, and have been created for, or are being principally used for, residential purposes.

[58] Section 12.9.3.b provides outdoor storage is to be at the discretion of the Development Authority. The Board has agreed that the 4 lowboys can be outside. There are only 4 units, and the Board finds their storage outside makes practical sense, and they are not unsightly. The Board finds this subsection is met.

[59] There is no application for signage, so this subsection 12.9.3.c is not applicable to this decision.

[60] Subsection 12.9.3.d prohibits a Home Based Business Level 3 from generating noise, etc. For the reasons indicated above, the Board does not find the proposed development will generate excessive noise. There was no evidence presented regarding the generation of smoke, steam, odour, dust, exhaust, vibration, heat, glare or refuse matter. While there was evidence that the Applicant will have to warm the vehicles, which will generate exhaust, there was no evidence that any exhaust would be excessive. The Board finds this subsection is met.

[61] Subsection 12.9.3.e requires the preservation of the privacy of adjacent residential dwellings. The Board notes that the imposition of the condition requiring the trucks to use the south access only will assist in preserving the privacy of the residences to the north. The hours of operation set out by the Applicants is not unduly late. The Board has noted above its conclusions about traffic along Range Road 14, which it finds not to be problematic (only a 1 minute delay). The Board finds that this subsection is met.

[62] Subsection 12.9.3.f provides that the parking of commercial vehicles is at the discretion of the Development Authority (here the Board) and the Board has granted approval for the parking of the trucks and lowboys as set out. The Board finds this subsection is met.

[63] Subsection 12.9.3.g permits up to 4 additional employees. The written application of the Applicants provides that there will be 3 employees (page 23 of the Board's materials), which means this subsection is met.

[64] Subsection 12.9.3.h requires the Applicant to obtain a business license. The business is not in operation at this time, so this condition will have to be met, but is not a reason to refuse the permit.

[65] For the above reasons, the appeals are denied.

Issued this 17th day of July, 2017 for the Parkland County Subdivision and Development Appeal Board



Jane Smith, Chair
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

This decision may be appealed to the Court of Appeal of Alberta on a question of law or jurisdiction, pursuant to Section 688 of the Municipal Government Act, R.S.A. 2000, c.M-26. This section requires an application for leave to be filed with the Court of Appeal of Alberta within 30 days of receipt of this decision.

APPENDIX "A"
REPRESENTATIONS

PERSON APPEARING

1. Kim Kozak, Development Planner
2. Craig Thomas, Manager, Development Planning
3. Kim and Joanne Koda
4. Murray and Glenys Fuhr
5. Phil Henstridge
6. Sheri and Bob Hanna
7. Shirley Hanna
8. Deanna and Allen Colby

APPENDIX "B"
DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

Exhibit	Description	Date	Pages
1.	Table of Contents and Agenda	July 5, 2017	N/A
2.	Notice of Appeal – Kim and Joanne Koda	June 14, 2017	3-4
3.	Notice of Appeal – Sylvia Fuhr	June 14, 2017	5-6
4.	SDAB Clerks Report	June 26, 2017	8-11
5.	Submission of the Development Authority	June 29, 2017	13-28
6.	Appellant Submission - Kim and Joanne Koda	July 4, 2017	30-54
7.	Appellant Submission – Sylvia Fuhr	July 4, 2017	56
8.	Applicant Submission	July 4, 2017	58-78
9.	Applicant PowerPoint containing video slides	July 4, 2017	79-102

Exhibit	Description	Date	Pages
10.	Carrier Profile	July 10, 2017	
11.	Map	July 10, 2017	

