

**MINUTES OF THE PARKLAND COUNTY SUBDIVISION & DEVELOPMENT APPEAL BOARD  
(THE "BOARD") MEETING HELD IN COUNCIL CHAMBERS AT THE COUNTY OFFICE ON MAY  
14, 2018**

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**CALL TO ORDER**

Chairperson, J. McCuaig, called the meeting to order at 4:08 p.m.

**PRESENT**

Members: J. McCuaig, K. Linder, J. Philpott

Clerk: C. Beveridge

Counsel for the Board: A. Simmonds

Recording Secretary: L. Tyerman

**ADOPTION OF AGENDA**

Moved by J. Philpott that the May 14, 2018 agenda be adopted, as presented.

**Carried**

**ADOPTION OF MINUTES**

I. Moved by K. Linder that the April 16, 2018 meeting minutes be adopted, as presented;

**Carried**

II. Moved by K. Linder that the April 30, 2018 meeting minutes be adopted, as presented;

**Carried**

**NEW BUSINESS**

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

An Appeal of Conditions of Approved Subdivision Application No. 18-S-003, for One Cottage Industry Parcel located at NW-35-50-01-W5.

Appellant: Allysha Deweerd

The Chairperson opened the Hearing at 4:14 p.m.

**Present Administration Staff**

C. Bergum, Director, Development Planning

M. McInnes, Planner

The Chairperson asked if anyone affected by the appeal had any objection to the Board Members present. There were no objections.

The Chairperson introduced C. Beveridge, Clerk to the Board. The Chairperson advised that it is the Board's practice to have the Clerk participate in private discussions with the Board and asked those present if there were any objections; there were none. The Clerk introduced the Appeal into the record.

The Chairperson asked if anyone in attendance had any additional materials they would like to submit before commencement of the hearing. The following additional document was brought forward, considered by the Board and accepted:

1. Parkland County internal memo from Feinan Long, Development Planner, to Mary McInnes, containing general comments regarding future development on the subject lands.

The Appellant indicated that she did not take issue with the inclusion of the additional document.

#### **Submission of the Subdivision Authority**

M. McInnes read the Subdivision Authority's Administrative Report into the Record.

When questioned by the Board, Ms. McInnes said that in the future if they were allowed the total 27 acres that would be the last allowable subdivision in that quarter section. Ms. McInnes stated that although there is no minimum parcel size for Cottage Industry Use. The Subdivision Authority chose to limit the subdivision to the ten acre parcel in case the planned development is not completed and the land is used for residential purposes. This could create a 27 acre residential parcel which is not in keeping with the County's policies.

#### **Submission of the Appellant, Allysha DeWeerd**

Ms. Deweerd introduced Todd Wagner who is the current landowner of the property to be subdivided, and her father in-law Ron Deweerd. Ms. Deweerd made the following statements:

- It is her intention to further subdivide the proposed Lot 2 and Lot 3 to create an additional 10-acre residential parcel. This would leave 17.6 acres for the proposed Cottage Industry use. This intention is shown in the Tentative Plan for the Rural Wedding Venue, which is appended to the Subdivision Application (pages 45-48 of Agenda Package) and the Appellant's sketch of the proposed developments (page 159 of Agenda Package).
- The land would remain Agricultural. The Applicants plan to plant crops for photo taking backdrops. The Applicant's also intend to have animals on the property, such as goats and chickens. The approved 10 acres would not be large enough for this use.
- The bank has pre-approved the Applicants for the 27 acres. It would be a hardship to resubmit a new tentative plan and figure out the financial aspect again.

In response to Board questions Mr. Wagner said that:

- The lands are mostly pasture, there are ravines in one corner of the lands.
- Unusual lines on the land were caused by a road built by the County.
- He understands that this would be the last subdivision allowed on the land.

In response to Board questions, Ms. DeWeerd replied that:

- Regardless of whether the business venture takes off or not, she and her husband still plan to build a home and live on the land.

#### **Closing remarks of the Applicant, Allysha DeWeerd**

In closing, Ms. DeWeerd indicated that she and her husband plan to expand the wedding venue business and add more animals as time goes on.

#### **RECESS**

The Chairperson recessed the meeting at 4:55 p.m., and reconvened the meeting at 4:57 p.m.

The Chairperson asked those in attendance if they had any concerns with the hearing process, there were no concerns.

The Chairperson asked the Board if it was satisfied with the amount of information it had received at the meeting, the Board Members agreed that they had.

## **ADJOURNMENT**

The Chairperson adjourned the hearing at 4:58 p.m.

## **NEW BUSINESS**

### **5:30 p.m. Appointment**

Reconvene an Appeal of approved Discretionary Development Permit No. 18-D-073, for a Secondary Suite (1004 sq. ft.) located at SE-16-53-1-W5, Lot 3, Block 1, Plan 1221936, Leeward Estates, Municipal Address 3, 53214 Range Road 13.

Applicant(s): Matt and Nicole Blackburn

Appellant(s): Micheal Volohatuke

The Chairperson opened the hearing at 5:38 p.m.

### **Present Administration Staff**

K. Kozak, Assistant Development Officer

The Chairperson asked if anyone affected by the appeal had any objection to the Board Members present. There were no objections.

The Chairperson introduced C. Beveridge, Clerk to the Board. The Chairperson advised that it is the Board's practice to have the Clerk participate in private discussions with the Board and asked those present if there were any objections; there were none. The Clerk introduced the Appeal into the record.

The Chairperson noted that the Appellant, Micheal Volohatuke was not in attendance at the meeting.

The Clerk advised those present that no communication had been received from the Appellant since the meeting was adjourned on April 30, 2018. The Clerk further advised that notification letters as well as email notification had been sent to all affected parties within 5 days of the hearing.

### **RECESS**

The Chairperson recessed the meeting at 5:44 p.m., and reconvened the meeting at 5:51 p.m.

Ms. Simmonds, Legal Counsel, advised those present of the Court of Appeal process should the Board deny the Appeal without holding another hearing to give the Appellant an opportunity to be heard.

The Applicant, Nicole Blackburn, told the Board that she and her husband have seen and spoken to the Appellant, Mr. Volohatuke. She further advised that the evening before, Mr. Volohatuke came to their yard and stated that he would not be coming to the hearing, and that the matter would "just go away".

### **RECESS**

The Chairperson recessed the meeting at 5:55 p.m., and reconvened the meeting at 6:03 p.m.

The Chairperson asked the Applicants if they were comfortable with the information given to them from Legal Counsel regarding the Court of Appeal process. The Applicants said that they felt comfortable with the information received.

RECESS

The Chairperson recessed the meeting at 6:07 p.m., and reconvened the meeting at 6:10 p.m.

The Chairperson announced that based on the events at and leading up to the meeting, the Board would deny the Appeal. The Chairperson advised that a formal written decision would be issued within 15 days.

The Board denied the appeal of Development Permit 18-D-073.

ADJOURNMENT

The Chairperson adjourned the meeting at 6:11 p.m.

  
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*for:* Chairperson