

MINUTES OF THE PARKLAND COUNTY SUBDIVISION & DEVELOPMENT APPEAL BOARD (THE "BOARD")
MEETING HELD IN COUNCIL CHAMBERS AT THE COUNTY OFFICE ON JANUARY 14, 2019

1. **CALL TO ORDER**

Chairperson, D. Smith, called the meeting to order at 1:11 p.m.

2. **PRESENT**

Members: D. Smith, J. Philpott, G. MacDougall, L. Niblock, K. Linder

Clerk: B. Williams

Recording Secretary: L. Tyerman

Counsel for the Board

G. Stewart-Palmer

3. **ADOPTION OF AGENDA**

Moved by G. MacDougall that the January 14, 2019 agenda be adopted, as presented.

Carried

4. **NEW BUSINESS**

An Appeal of Development Permit 18-D-459 located at Lot 12, Block 2, Plan 7821514 Honey Vale Acres, SE-30-50-27-W4, Municipal Address 12, 50410 Range Road 275.

i. Applicant: Heinz Wichmann

ii. Appellant: Tim and Wendy Pierce

The SDAB Clerk read the first appeal matter into the record.

5. **PRESENT**

Members: D. Smith, J. Philpott, G. MacDougall, L. Niblock, K. Linder

Clerk: B. Williams

Recording Secretary: L. Tyerman

Counsel for the Board

G. Stewart-Palmer

6. **PRESENT ADMINISTRATION STAFF**

K. Kozak, Development Officer, Development Planning

7. **OUTLINE OF HEARING PROCESS**

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

The Chairperson asked if anyone in attendance had any additional materials they would like to submit before commencement of the hearing. There were no additional documents.

The Chairperson outlined the hearing process for all present, there were no concerns from anyone in the audience.

There were no preliminary matters raised at the beginning of the hearing.

8. PRESENTATIONS

Administration:

The Chairperson called on the Development Authority to present their report. Ms. Kim Kozak, Development Officer for Parkland County presented her report and provided a verbal and visual presentation to the Board.

Appellant:

The Chairperson called on the Appellants, Tim and Wendy Pierce, to come forward and make their presentation. Mr. and Mrs. Pierce made a verbal presentation, referred to photos included in the agenda package and responded to questions from the Board.

Applicant:

The Chairperson called on the Applicant Heinz Wichmann to come forward and make his presentation. Mr. Wichmann made a verbal presentation, referred to photos included in the agenda package and responded to questions from the Board.

9. QUESTIONS

The Board asked clarifying comments of the Applicant regarding window coverage and move in dates.

10. SUMMARIES

Applicant:

The Chairperson called on the Applicant, Mr. Wichmann to provide concluding remarks. Mr. Wichmann provided a verbal summary of his main points.

Appellant:

The Chairperson called on the Appellants, Mr. and Mrs. Pierce to provide concluding remarks. Mr. and Mrs. Pierce summarized their main points of concern and asked that the Board allow the Appeal.

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

RECESS

The Chairperson recessed the meeting at 1:59 p.m., and reconvened the meeting at 2:10 p.m.

The Board asked a clarifying question of Administration regarding the ability to time limit the development permit.

The Appellant provided that he would be open to a time limited permit.

At 2:17 p.m., the Chairperson announced that the hearing is now closed, and the Board will cease to hear any further information, and that a written decision would be handed down within 15 days.

RECESS

The Chairperson recessed the meeting at 2:18 p.m., and reconvened the meeting at 2:36 p.m.

11. NEW BUSINESS

An Appeal of Development Permit 18-D-115 for a Destination and Enroute Campground located on W5-5-53-13-SW, Municipal Address 522 Lakeshore Road.

- I. Applicant: Samco Developments Ltd.
- II. Appellant: Kennedy Agrios LLP, on behalf of Samco Developments Ltd.

The SDAB Clerk read the second appeal matter into the record.

12. PRESENT

Members: D. Smith, J. Philpott, G. MacDougall, L. Niblock, K. Linder
Clerk: B. Williams
Counsel for the Board: G. Stewart-Palmer
Recording Secretary: L. Tyerman

13. PRESENT ADMINISTRATION STAFF

K. Kormos, Supervisor, Development Planning
N. Domijan, Manager, Development Planning and Safety Codes

Counsel for the Development Authority

A. Gulamhusein, Brownlee LLP

14. OUTLINE OF HEARING PROCESS

The Chairperson outlined the hearing process for all present, there were no concerns from anyone in the audience.

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

15. PRELIMINARY MATTERS

The Chairperson asked if anyone in attendance had any additional materials they would like to submit before commencement of the hearing. The following materials were accepted and marked as exhibits, with no objection from any parties present:

- 1) Additional Submission of Kennedy Agrios LLP
- 2) Submission of Chief Arthur Rain (Paul First Nation)
- 3) Submission of Garth Hatch (Tanner Youth Camp)
- 4) Submission of Kennedy Agrios – Fallis Slope ESA
- 5) Submission of Kennedy Agrios – Court Document 0503-0363-AC
- 6) Submission of Jerry Simpson
- 7) Submission of WASA (Shirley Munro) PowerPoint
- 8) Submission of Shirley Munro – PowerPoint
- 9) Submission of Sandy Gunderson - PowerPoint

The Chairperson asked if anyone present at the hearing would like to request a postponement, no one came forward.

16. PRESENTATIONS

Administration:

The Chairperson called on the Development Authority to present their report. Ms. Karen Kormos, Supervisor, Development Planning for Parkland County presented her report and provided a verbal and visual presentation, and responded to questions from the Board.

Appellant:

The Chairperson called on the Appellant, Janice Agrios, on behalf of Samco Developments Ltd., to come forward and make their presentation. Ms. Agrios informed the Board that she had brought the authors of various plans for the proposed development to speak to any technical questions Ms. Agrios made a verbal presentation, referred to photos included in the agenda package and responded to questions from the Board.

Verbal and visual presentations were given by the following report authors:

- 1) Ron Andruik, Altime Engineering
- 2) Bob Quazi, River Engineering Consulting
- 3) Reed Fenton, DGE Civil Engineering Consultants
- 4) Darcy Paulichuk, D&A Paulichuk Consulting Ltd.

RECESS

The Chairperson recessed the meeting at 3:58 p.m., and reconvened the meeting at 4:18 p.m.

The Chairperson acknowledged that Donnie Rain, Manager and representative of the Paul Band First Nation was in attendance to speak in opposition of the Appeal. The Chairperson advised the audience that Mr. Rain could not stay for the remainder of the hearing, and to allow for him to make his presentation Mr. Rain would present prior to Ms. Agrios concluding her statements. There was no opposition from anyone in attendance.

In Opposition of the Appeal

The Chairperson called on Mr. Donnie Rain, Manager of the Paul Band First Nation and in opposition of the Appeal to come forward and make their presentation. Mr. Rain provided a verbal presentation on behalf of the Paul Band First Nation which outlined their concerns related to the proposed development.

Appellant Continued

The Chairperson asked Ms. Agrios to resume her presentation. Ms. Agrios presented additional verbal and visual information, and responded to questions from the Board.

Verbal and visual presentations were given by the following report authors:

- 1) Reed Fenton, DGE Civil Engineering Consultants
- 2) Andres Ocejo, Sweettech Engineering Consultants
- 3) Darcy Paulichuk, D&A Paulichuk Consulting Ltd.
- 4) Bob Quazi, River Engineering Consulting

The Board asked clarifying questions of the report authors.

RECESS

The Chairperson recessed the meeting at 5:27 p.m., and reconvened the meeting at 6:02 p.m.

In Opposition of the Appeal

The Chairperson called on Mr. Jerry Simpson, previous property owner in the area, and in opposition of the Appeal to come forward and make his presentation. Mr. Simpson provided a verbal presentation which outlined his concerns related to the proposed development. Mr. Simpson provided the Board with research material.

The Chairperson called on Ms. Shirley Munro, Chairperson of the Wabamun Area Stewardship Association (Inc.) "WASA", and Mr. Ian Wachowicz, Legal Counsel for WASA and both Ms. Munro and Ms. Wanner to come forward to make their presentation. Ms. Munro and Mr. Wachowicz provided verbal and visual presentations which outlined the concerns of WASA related to the proposed development.

RECESS

The Chairperson recessed the meeting at 6:28 p.m., and reconvened the meeting at 6:34 p.m.

In Opposition of the Appeal Continued

The Chairperson called on Ms. Shirley Munro, adjacent landowner to come forward and make her presentation. Ms. Munro provided verbal and visual presentations along with her Legal Counsel, Mr. Wachowicz.

The Board asked clarifying questions of Ms. Munro, Mr. Wachowicz and the Development Authority.

RECESS

The Chairperson recessed the meeting at 8:07 p.m., and reconvened the meeting at 8:18 p.m.

The Chairperson advised that the Board would hear submissions until 9:00 p.m. at this meeting, and reconvene the hearing January 28, 2019 at 4:00 p.m. All those in attendance agreed to the reconvene date.

In Opposition of the Appeal Continued

The Chairperson called on Ms. Shelley Ross, who lives immediately north of the lands, and is in opposition of the Appeal to come forward and make her presentation. Ms. Ross provided a verbal presentation which outlined her concerns related to the proposed development. Mr. Simpson provided the Board with research material.

The Chairperson called on Mr. Skye Wenscel who spoke on behalf of his wife's family, who own land in Whitewood Sands to come forward and make his presentation. Mr. Wenscel provided that Whitewood Sands is in the vicinity of the project, and verbally addressed the families concerns.

The Chairperson called on Mr. Mark Gunderson who spoke on behalf of Camp Yowochas, YWCA to come forward and make his presentation. Mr. Gunderson provided a verbal and visual presentation outlining concerns related to the development.

The Chairperson called on Sandy Gunderson, Seba Beach resident to come forward and make her presentation. Ms. Gunderson provided a verbal and visual presentation explaining her reasons for opposing the development.

17. ADJOURNMENT

At 9:06 p.m., the Chairperson adjourned the hearing of Refused Development Permit 18-D-115 to January 28, 2019 at 4:00 p.m.

The Chairperson closed the January 14, 2019 Subdivision and Development Appeal Board meeting at 9:07 p.m.

Chairperson