

MINUTES OF THE PARKLAND COUNTY SUBDIVISION & DEVELOPMENT APPEAL BOARD (THE "BOARD")
MEETING HELD IN COUNCIL CHAMBERS AT THE COUNTY OFFICE ON JANUARY 28, 2019

1. **CALL TO ORDER**

Chairperson, S. Whitehouse, called the meeting to order at 1:05 p.m.

2. **PRESENT**

Members: S. Whitehouse, D. Smith, B. Bundt, L. Niblock, L. Helton

Clerk: B. Williams

Recording Secretary: L. Tyerman

Counsel for the Board

G. Stewart-Palmer

3. **ADOPTION OF AGENDA**

Moved by L. Niblock that the January 28, 2019 agenda be adopted, as presented.

Carried

4. **NEW BUSINESS**

- I. An Appeal of Development Permit 18-D-490 for a Home Based Business Level 3, Vehicle and ATV Repairs located at Lot 1, Block 1A, Plan 3016RS, Municipal Address 53308 RR 270.

- i. Applicant: George St. Denis
- ii. Appellant: Ron Harris, Rob Harris, Agent

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

5. **PRESENT**

Members: S. Whitehouse, D. Smith, B. Bundt, L. Niblock, L. Helton

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. Ms. Kozak answered questions from the Board.

Appellant

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

In Support of the Appellant

The Chairperson called on Mr. Bob Sage, an area resident who is in support of the Appeal to come forward and make his presentation. Mr. Sage provided a verbal presentation, outlining his reasons for supporting the appeal and his concerns related to the proposed development.

Applicant

The Chairperson called on the Applicant George St. Denis to come forward and make his presentation. Mr. Denis made a verbal presentation and responded to questions from the Board.

In Support of the Applicant

The Chairperson called on Rodney St. Denis, nearby landowner and brother of the Applicant, to come forward and make his presentation. Mr. St. Denis provided a verbal presentation outlining his reasons for opposing the appeal and his support for the proposed development.

9. SUMMARIES

Applicant

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

Appellant

The Chairperson called on the Appellant, Mr. Harris to provide concluding remarks. Mr. Harris summarized his 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.

At 2:13 p.m., the Chairperson announced that the hearing of Development Permit 18-D-490 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 2:13 p.m., and reconvened the meeting at 2:15 p.m.

10. NEW BUSINESS

- i. An Appeal of Stop Order 12-S-030 on Acheson Commercial Corner Ltd., located at Lots 4-7, Block 1, Plan 162 3517, Lots 1-6, Block 2, Plan 162 3517, and Lot 8, Block 1, Plan 172 1756.
- ii. Appellant: Acheson Commercial Corner Inc., Agent, Robyn Graham, Bryan & Company LLP

11. PRESENT

Members: S. Whitehouse, D. Smith, B. Bundt, L. Niblock, L. Helton
Clerk: B. Williams
Recording Secretary: L. Tyerman

Counsel for the Board

G. Stewart-Palmer

G. Stewart-Palmer, legal counsel for the Board, advised the Board that a request for adjournment had been jointly submitted by the Appellant and Parkland County requesting that the hearing of Stop Order 12-S-030 be adjourned to February 11, 2019 at 2:00 p.m.

At 2:17 p.m., the Chairperson adjourned the Appeal matter of Stop Order 12-S-030 to 2:00 p.m., February 11, 2019.

RECESS

Chairperson S. Whitehouse recessed the meeting at 2:18 p.m.

Board Members S. Whitehouse, B. Bundt and L. Helton left the meeting.

Chairperson D. Smith called the meeting to order at 4:07 p.m.

12. NEW BUSINESS

Reconvene 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.

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

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

13. 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

14. 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

15. 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.

16. PRELIMINARY MATTERS

J. Agrios, legal counsel for the Appellant, came forward and objected to the Board accepting the submission of Mr. Simpson that was received at the January 14, 2019 hearing on the basis that Mr. Simpson was not an affected person and therefore the Board should not hear from him or accept materials from him.

The Chairperson advised that prior to the continuation of this appeal, the Board received 9 additional submissions which were distributed to all parties. The following materials were accepted and marked as exhibits, with no objection from any parties present:

- Submission of Kennedy Agrios – Objection to Submissions at January 14, 2019 Hearing
- Submissions of Kyle Dinsmore – in Opposition
- Submission of Kennedy Agrios – Letter & Rebuttal Materials
- Submission of Kennedy Agrios – Letter Introducing Dolanz Video
- Submission of Kennedy Agrios – Dolanz Video
- Submission of Kennedy Agrios – Lidar Maps
- Submission of Curtis & Shannon Ryll – in Support
- Submission of Brownlee LLP for the Development Authority
- Submission of Government of Alberta – Legal Division

Two additional submissions were presented at the meeting and accepted, with no objection by any parties present:

- Submission of Barbara Wanner – PowerPoint with embedded video
- Submission of Norman Mackie – in Opposition

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

RECESS

The Chairperson recessed the meeting at 4:26 p.m., and reconvened the meeting at 4:47 p.m.

17. PRESENTATIONS

In Opposition of the Appeal

The Chairperson called on Ed Polukoshko, who lives immediately to the west of the lands to come forward and make his presentation. Mr. Polukoshko provided a verbal presentation, outlining his reasons for opposing the appeal and his concerns related to the proposed development.

The Chairperson called on Stan Franklin who spoke on behalf of the Wabamun Watershed Management Council (WWMC) to come forward and make his presentation. Mr. Franklin provided a verbal presentation and referred to the agenda package, outlining the WWMC's reasons for opposing the appeal and its concerns related to the proposed development.

The Chairperson called on David Nordheimer, who lives on the south shores of Lake Wabamun to come forward and make his presentation. David Nordheimer provided a verbal presentation, outlining his reasons for opposing the appeal and his concerns related to the proposed development.

The Chairperson called on Noman Mackie, who spoke on behalf of area resident Kyle Dinsmore to come forward and make his presentation. Mr. Mackie provided a verbal presentation, outlining Mr. Dinsmore's reasons for opposing the appeal and his concerns related to the proposed development.

RECESS

The Chairperson recessed the meeting at 6:10 p.m., and reconvened the meeting at 6:44 p.m.

The Chairperson called on Barbara Wanner, who lives immediately to the west of the lands to come forward and make her presentation. Ms. Wanner and her Legal Counsel, Ian Wachowicz provided a verbal and visual presentation, outlining her reasons for opposing the appeal and concerns related to the proposed development.

The Chairperson called on John Shearer, who lives 1km east of the lands to come forward and make his presentation. Mr. Shearer provided a verbal presentation, outlining his reasons for opposing the appeal and his concerns related to the proposed development.

The Chairperson called on Jeff Richardson, who lives east of the lands to come forward and make his presentation. Mr. Richardson provided a verbal presentation, outlining his reasons for opposing the appeal and his concerns related to the proposed development.

18. SUMMARIES

Administration

The Chairperson called on A. Gulamhusein, on behalf of the Development Authority to provide concluding remarks. A. Gulamhusein provided a verbal summary of the Development Authority's main points.

Appellant

The Chairperson called on the Appellant, J. Agrios on behalf of the Samco Developments Inc. to provide concluding remarks. J. Agrios provided closing remarks and rebuttals of statements made by potentially affected parties. Leslie Foy, Senior Agrologist provided comment on the environmental impact of the proposed development related to drainage and sloping of the lands. Darcy Paulichuk of D&A Paulichuk Consulting Ltd. offered closing comments with regard to the Traffic Impact Assessment for the proposed development. Russell Dolanz, of Samco Developments Inc. presented a video which showed a drone view flying over the lands. J. Agrios provided final closing remarks.

RECESS

The Chairperson recessed the meeting at 9:20 p.m., and reconvened the meeting at 9:24 p.m.

19. ADJOURNMENT

At 9:25 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.

The Chairperson closed the January 28, 2019 Subdivision and Development Appeal Board meeting at 9:07 p.m.

Chairperson