

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
PARKLAND COUNTY**

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HEARING DATE: June 3, 2019

**Notice of Decision of Subdivision and Development Appeal Board**

**INTRODUCTION**

- [1] The Development Authority of Parkland County (the "County") issued a Stop Order on April 23, 2019 under section 645 of the *Municipal Government Act*, RSA 2000, c M-26 ("MGA"). The Stop Order was issued to the Developer, Laine Goudriaan, and land owners Elzbieta and Wojciech Grajoszek (the "Appellants") for the unauthorized storage of industrial camp trailers in respect of lands legally described as Plan 072 0408, Block 1, Lot 3 in SW 31-50-1-5 (the "Lands").
- [2] The Appellants, through Laine Goudriaan's agent Elizabeth Bihun, appeal the Stop Order.

**PRELIMINARY MATTERS**

**A. Board Members**

- [3] At the start of the hearing, the Board asked if anyone had an objection to the panel hearing the appeal. There were no objections raised regarding the panel members.

**B. Exhibits**

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

**C. Miscellaneous**

- [5] The appeal was filed in time, in accordance with section 686 of the MGA.
- [6] The Board is satisfied that it has jurisdiction to deal with this matter. There were no objections to the proposed hearing process. There were no preliminary matters raised at the beginning of the hearing.

**DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

- [7] The Board denies the appeal and upholds the Stop Order. The Board amends condition 2 on page 2 of the Stop Order so that it now reads:

You are hereby ordered to:

2. Remove all the industrial camp trailers and sea-cans from the Lands no later than June 20, 2019.

## **SUMMARY OF HEARING**

- [8] The following is a brief summary of the oral and written evidence submitted to the Board. At the beginning of the hearing, the Board indicated that it had reviewed all the written submissions filed in advance of the hearing.

### **Development Authority**

- [9] The Lands are located within the (ANC) Agricultural Nature Conservation District at 50511 Range Road 20 Parkland County, directly east of Twin Ravines Subdivision. Parkland County (the "County") initially received a complaint on April 22, 2019 regarding industrial camp trailers being hauled through Twin Ravines Subdivision on Lands. The County Bylaw Officer ("CBO") investigated the complaint and noted while he attended at the Lands that trailers were actively being hauled onto the vacant parcel for which no development permit was issued.
- [10] The Development Authority issued a Stop Order on April 23, 2019 for the "unauthorized storage of industrial camp trailers".

### **Unauthorized Development**

- [11] The storage of industrial camp trailers on the Lands is consistent with the "Industrial Storage and Warehousing" use class as defined in the County's Land Use Bylaw No. 2017-18 (the "LUB").
- [12] The MGA section 616(b) and the LUB section 20.2 define "development" as the following:
- (i) an excavation or stockpile and the creation of either of them,
  - (ii) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,
  - (iii) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
  - (iv) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- [13] The Development Authority stated that from the definition of "development", descriptors (ii), (iii), and (iv) were applicable to the unauthorized development. Specifically, the camp trailers were deemed to be buildings on the land, signifying a change of use of the land from its previous vacant state, and intensifying the amount of buildings on the Lands.

## Stop Order

- [14] The Development Authority found that the placement and storage of the industrial camp trailers on the Lands, without development permit approval, contravened the MGA and LUB.
- [15] The Board's jurisdiction with respect to an appeal of a Stop Order is limited to determining if the stop order was properly issued, and in appropriate cases, allowing the Appellant more time to comply with the terms of the Stop Order.
- [16] The Development Authority argued that the Stop Order was issued correctly:
- a) the legal owners of the Lands were notified April 23, 2019
  - b) the Stop Order correctly described the Lands, correctly identified the land use infraction, and correctly provided a date for which the land owners must comply, and
  - c) the Stop Order was issued by a Designated Officer.
- [17] In response to questions from the Board, the Development Authority stated the following:
- a) There are three (3) names on title with respect to the Lands: Laine Goudriaan; Elzbieta Grajoszek; and Wojcieh Grajoszek. The Development Authority stated that the names on the Stop Order are the names of the registered owners of the Lands;
  - b) At the time of speaking with L. Goudriaan, there were approximately thirteen (13) trailers on the Lands and at that time no application was submitted. It is common to approve developments that include storage of camp trailers out in Acheson;
  - c) To date, no development permit applications exist for the Lands;
  - d) To date, no building permits of any kind have been submitted with respect to the Lands;
  - e) The County is only aware of thirteen (13) industrial camp trailers and two (2) shipping containers on the Lands;
  - f) "Industrial Storage and Warehousing" is neither a permitted use nor a discretionary use in the ANC District.
  - g) This use does not fall within the definition of any other use. Further, there are no other uses in the ANC District that could encompass the use in question;
  - h) There is nothing in this district to allow the use of industrial storage;

- i) A "Single Wide Manufactured Home" is defined as:

A building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another as a single unit which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association and has a length to width ratio of 3:1 or greater. A single-wide manufactured home does not include a double wide manufactured home, holiday trailer, park model or Recreational Vehicle.

It is important to note how the structures in question were built and to what standard. The structures in question do not meet that standard.

- j) In response to Board questions regarding the safety of the residents in Twin Ravines during the removal should the Board uphold the Stop Order and order the removal of the Trailers, the Development Authority stated that the Appellant would need an Industrial Haul Permit, including a safety plan, to move the trailers; however, such a requirement was not included in the Stop Order and is only a recommendation from the Development Authority.
- k) An Out Building is defined in the LUB as a secondary building that precedes the Development of a Dwelling, Single Detached. An Out Building is a detached garage, shop, or similar. An Out Building is not a Shipping Container.
- l) In response to the question regarding whether the land owner would be able to continue to use the trailers if they are retrofitted and industrial mechanisms removed, the Development Authority stated that the question was out of scope of this Appeal and could be discussed in detail with the land owners at their upcoming meeting.

[21] The Development Authority concluded that it believed that the trailers on site qualified as "Industrial" under the definition. The structures are built for industrial use, not residential use. These structures are temporary in nature and are meant to be moved. They are also built to be lined up together. Such structures are meant to be hooked up to a generator.

[22] The Development Authority reiterated that the Stop Order was issued properly, and meets the requirements under the MGA and that the units should be removed immediately.

#### **Appellant – E. Bihun and A. Kwasnik**

[23] Elizabeth Bihun stated that the owners' intention was to live on the Lands as one with the surroundings, while respecting their neighbours. The owners would not develop without following proper procedures. They understand that rules exist.

- [24] The owners have not yet applied for a development permit because they need certain things in place such as a biological assessment, which they are in the process of having completed and are awaiting a quote. The owners understand that the Lands contain distinct natural features and that they have taken steps, directed by the County, to address those natural features through a biological assessment.
- [25] The owners were surprised that they received a Stop Order without having a warning first. They were shocked that people were trespassing on their property to take photographs. The owners have been cooperative, meeting when necessary with the CBO, and allowing him to take photographs.
- [26] The owners consider the buildings on the Lands to be Out Buildings, which they intend to use in the future for such activities as farming. There is no water, sewage or heating connected to those structures and the structures in question will not be used as an industrial camp.
- [27] Ms. Bihun listed other potential future uses could include animal enclosures such as chicken coops, changing rooms for horseback riding, or animal boarding. Other ideas for the structures would include incorporating them into a wedding venue use or to be used as a personal vacation home. If the owners received development approval for a use such as a small campground, the structures could be converted into cabins. She acknowledged that they do not want traffic increasing through the subdivision and have preemptively sought avenues so that no disruptions occur if any of the already listed ideas become reality. This would be anticipated in the development permit application, should that proceed.
- [28] The Appellants also have been in touch with Alberta Infrastructure for approval, once they receive the biological assessment.
- [29] The Appellants acknowledged that nothing can be planned and developed without prior approval by the County and the community's fear and anger, while understandable, is misplaced. The neighbours should have confidence in the County that the right decisions will be made in the future. She reiterated that she too appreciated the problem with dust, traffic and safety and the land owners are prepared to address these concerns when the appropriate time comes.
- [30] Aga Kwasnik, daughter of the land owners Elzbieta and Wojciech Grajoszek and speaking on their behalf, addressed the Board. She stated that her parents realize the type of parcel of land must comply with the rules and that they have not yet settled on what they want to do with the Lands. They recognize that what the County will allow them to do is not yet known but it is clear that they would need to seek approval for what they may want to do in the future.
- [31] She confirmed that although the trailers may look like industrial trailers, they are not hooked up and are not intended to be used in that way. Ms. Kwasnik suggested to the Board that these structures would better fit under the definition of a 'Manufactured Single Wide Home'. The structures can fit on a truck and are small dwellings. She does

not agree that these structures should be interpreted as industrial trailers because that is not their intended future use.

- [32] Ms. Kwasnik further explained that if the land owners have inadvertently failed to follow the rules, it was not their intention and reiterated that the land owners never intended to cause harm, including to the residents of Twin Ravines. She stated that her parents intend to use the Lands personally at this time and not in a commercial or industrial capacity. Her parents would like to build a house and retire on the Lands.
- [33] The family has residential properties in the City of Edmonton and failed to realize they would need development permits for what was taking place on the Lands. Because they are not using the structures and intend to use them in the future for storage, and that such structures are not visible, she believed her parents were within their rights as land owners to have these trailers on the Lands.
- [34] In response to questions from the Board, both Ms. Bihun and Ms. Kwasnik responded as follows:
- a) Regarding the GoFundme page set up for the Lands, a coworker had created the page to canvas whether the community was interested in specific uses, such as cabins, on the Lands. The function for collecting money was disabled when creating the page. No money was collected through the GoFundMe page and while there is a dollar figure of \$135,000 set, it is not achievable and was set as a placeholder amount. It is their belief that the page was interpreted out of context by the neighborhood. The land owners would not proceed to develop the land without permission from the County. There are multiple ideas for the Lands and this page was a way to gauge interest;
  - b) While the GoFundMe stated an official open date, again that was not a reality and the removable and temporary structures were brought to the Lands to be stored on the land for future use;
  - c) There are eleven (11) trailers on site and two (2) shipping containers which are not used and have no services to them;
  - d) Laine Goudriaan and Mr. and Mrs. Grajoszek are the land owners;
  - e) Other than the trailers, currently on the land, there is a generator and a light stand. Having the light is useful if they are on the Lands since there are no services;
  - f) No land was cleared to put these trailers on the Lands. The trailers are being kept on an existing clearing.
- [35] Ms. Kwasnik stated that the land owners intended to be a part of the community and she felt there should have been a discussion with them before a complaint was made to the County. While the plans for the Lands are vague, they do not know yet what they want to do with the Lands. It is difficult to speculate about what will actually occur on

the Lands without knowing what the County will approve, and thought it would be unfair to the community to say for certain what the future use will be without applying and receiving the permits. She stated that she shares the concerns of the community regarding noise and traffic. Regarding the Stop Order, Ms. Kwasnik restated that the structures should not fall under an industrial use because they are temporary and are not being used for industrial purposes. She stated that they hoped to move forward with the community in a more positive way.

**Affected Party – Aimee Hennig**

- [36] Aimee Hennig opposed the Appeal. She lives on a nearby lot, and is building a home on a lot which runs along Range Road 20, across the road from the Lands. She supported the issuance of the Stop Order and asked that the trailers be removed immediately.
- [37] The land owners have failed to apply for permits and she believed that they are currently in violation of the Stop Order as she has witnessed water being supplied to the Lands in the form of a water tote. She noticed water delivery as well as an industrial lamp being installed on the Lands.
- [38] She is concerned over the use of the Lands because she has heard varying stories for what the land owners plan on doing with the Lands, including a trailer storage or a wedding venue. She wanted to address the inconsistencies and lack of transparency about what is going on.
- [39] The GoFundMe page stated that the Lands would have a January 2019 soft opening and she believed these trailers were part of that soft opening. The GoFundMe was posted by L. Goudriaan, not an employee, as stated by the Appellants.
- [40] She encouraged the land owners to build a single family home on the Lands. Should the land owners pursue a commercial business, she will appeal. She stated that such a commercial use of the Lands would set precedent that land owners do not need permits, while also driving property values down.
- [41] Ms. Hennig asked the Board to deny the Appeal and uphold the Stop Order so that the trailers can be removed immediately.

**Affected Party – Lindsay Mayr**

- [42] Lindsay Mayr, a resident of Twin Ravines Subdivision, lives on the property directly subdivided out from the Lands and shares a driveway with the land owners. She supports the County's Stop Order.
- [43] She shares Ms. Hennig's concern over the inconsistency of the plans for the Lands.
- [44] During the day that the semi-trailers began hauling the trailers into the Lands, there was dust and noise. She witnessed these trucks preventing her neighbours from entering their own driveways. She believed that the trucks were not meant to be in the area and have since damaged the road. No consultation of any kind was carried out regarding the hauling of the trailers to the Lands and the activity came as a surprise on the day the hauling began.

- [45] She confirmed that L. Goudriaan created the GoFundMe page, not an employee, and that the page noted a soft opening of January 2019.
- [46] It is her position that there is development because there are buildings on the site. The structures meet the definition of "development" in the MGA section 616(b). The storage of industrial camp trailers is neither a permitted nor a discretionary use in the District, and that this use is not acceptable.
- [47] Ms. Mayr noted that since the Stop Order was issued, a couple trailers were removed and she questioned if this is also contrary to the Stop Order. There were at least 75 individuals who submitted letters in support of the Stop Order.
- [48] Contrary to the Appellants' statement that the trailers are not visible to the neighbours, she can see them from the window of her cabin which sits on the north east corner of her property.
- [49] She requested that the Board enforce the Stop Order and have the buildings removed.

**Affected Party – Glenna Killick**

- [50] Glenna Killick lives within Twin Ravines on the main road of the Subdivision. She supported Ms. Mayer and Ms. Hennig's position regarding the Stop Order.
- [51] Her position is that the Appellants do not have a permit for development or business related activities.
- [52] She stated that the County had previously stated in relation to the roads in the subdivision that read in part: "Roads in the area do not meet the local or rural collector standards of the engineering standards of Parkland County." Since this statement, nothing has been carried out to fix the roads. She stated that since this new activity with the extra traffic, the roads are further damaged.

**Affected Party – Karry Kehr**

- [53] Karry Kehr, speaking in support of the Stop Order, lives directly across from the main entrance of the Lands. Her main concern is safety. She witnessed the trailers being brought and agreed with all those who have spoken in support of the Stop Order regarding the traffic and blockages from the trucks.
- [54] In her discussions with L. Goudriaan, he confirmed that there were no plans for a commercial operation and that he would only be storing things on the Lands until other intentions were solidified. She also noted that he had confirmed that the land owners had not applied for permits. Up until the trailers were delivered, she believed what he told her. Once it came to light that there were no permits for the trailers, and other information was discovered between neighbours, she became concerned.
- [55] She had witnessed campfires burning on the Lands and had heard chainsaws. She is concerned for the neighbourhood because of the close proximity of trees to the houses and the high risk of wildfires due to her previous work with the Province of Alberta. The

subdivision is at least 25 minutes from fire services. Given the wildfire situation in the province currently, it is very dangerous to have even a small fire pit. For their own fire pits in the subdivision, permits are required and inspections are carried out. She voiced her concern that safety may not be taken into consideration on the Lands.

- [56] Ms. Kehr highlighted the concern over traffic in the area, specifically traffic that may exist if there was a large commercial operation on the Lands. Sewage and water must be hauled in and out, which increases traffic and, therefore, increases safety concerns. She has witnessed trees cut down on the Lands. She noted an increase in trespassing in the area and that people have been staying on the Lands overnight.

**Affected Party – Monika Mehl**

- [57] Monika Mehl, a resident of Twin Ravines, stated that she is located closest to the river and is in support of the Stop Order.

- [58] Ms. Mehl was not aware of a potential campground being located on the Lands but was aware of the possibility of it being developed into an off-road or motor-cross track, which would increase the noise in the area.

- [59] She acknowledged that the residents of the Subdivision already can hear noise from the race track in Leduc County across the river, and any further noise would be a major concern. Should the activities continue, she believed the subdivision would be noisier than if living in the City.

**Affected Party – Sheri Jones**

- [60] Sheri Jones, a resident of Twin Ravines, lives near the access to the subdivision.

- [61] The only access to the Lands is through the subdivision, meaning any traffic that must access the Lands must drive through the Twin Ravines on a narrow road. Specifically, sewage and water trucks must haul in order to have access to services. Traffic is a major concern.

**FINDINGS OF FACT**

- [62] The Lands are located at Plan 0720408 (Block 1, Lot 3 in SW 31-50-1-5) municipally described as 50511 Range Road 20, Parkland County, Alberta.

- [63] The Lands are districted ANC - Agricultural Nature Conservation District.

- [64] The Appellants are affected persons.

- [65] Those speaking in support of the Stop Order are affected persons.

- [66] On April 23, 2019, the County issued a Stop Order for a development (storage of industrial camp trailers) without a development permit.

- [67] The placement of the trailers and sea-cans on the Lands is a development.

[68] The Appellants do not have a development permit.

## **REASONS**

### **Jurisdiction**

[69] The Board's jurisdiction is found in section 687(3) of the MGA. The Board has the authority to confirm, vary or revoke the Stop Order or any condition attached to it.

**687(3)** In determining an appeal, the subdivision and development appeal board  
[....]  
(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  
[...]

[70] In making this decision, the Board considered the MGA, the LUB and the oral and written submissions provided by the Development Authority, the Appellants and the affected persons.

### **Affected Person**

[71] The Board finds that the Appellants are affected because they have received a Stop Order, and thus they are entitled to file the appeal. Those speaking in opposition to the appeal (Ms. Hennig, Ms. Mayr, Ms. Killick and Ms. Kehr) all live in close proximity to the Lands, and the Board finds they are affected.

### **Is there a development?**

[72] For the Board to uphold a stop order, it must determine if the Development Authority has established that there is a development on the Lands.

[73] The Development Authority argued that there is a development on the Lands because of the trailers and sea-can which had been placed on the Lands. The Development Authority argued their placement on the Lands is a development because there is either a building placed on the lands, a change of use, or a change in intensity of use (see section 616(b) of the MGA and the LUB section 20.2):

- (i) an excavation or stockpile and the creation of either of them,
- (ii) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,
- (iii) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (iv) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

[74] The Development Authority argued that having the trailers and sea-cans on the site was an Industrial Storage and Warehousing use.

INDUSTRIAL STORAGE AND WAREHOUSING means development (including a security suite as defined by this Bylaw used solely for security purposes) used for either indoor or outdoor storage, warehousing, distribution or trans-shipment of raw materials, partially processed or finished goods, manufactured products, or equipment. Typical facilities would include pipe yards, heavy equipment service and storage, lumber yards, storage/warehousing compounds or distribution centres. Generally no additional processing would occur on site. This use class does not include Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; or Cannabis Processing, Minor.

[75] In support of its position, the Development Authority provided photographs of the trailers and sea-can (see pages 149/248 to 153/248) as did the affected persons (see pages 166/248 to 167/248 as well as Exhibit 7). The Board also noted that The Appellants did not deny that they had brought trailers and sea-cans onto the Lands, although they disputed the Development Authority's characterization of the use. The appellants argued that the use was "out-building".

[76] Based on the evidence, the Board finds that there is a development on the Lands. The Board makes this finding on the basis that there was photographic and video evidence provided which supports a conclusion that there are now trailers and sea-cans on the Lands. In addition, the Appellants confirmed that they had moved the trailers and sea-cans onto the Lands. In the face of the evidence and the admission, the Board finds that there is development on the lands.

[77] The evidence of the Appellants was that they are storing the trailers and sea-cans, but they are not otherwise currently making use of them. They won't be making use of them until they determine what approvals they can obtain. In light of this evidence, the Board finds that there is a development on the Lands.

[78] Although the Board was urged to make a determination of what use is actually occurring, there is no need for the Board to do so. The Development Authority has established, and the Appellants have admitted, that there are trailers and sea-cans on the Lands. This is sufficient to establish that there has been either a building or placing of a building on or over the Lands, or a change in the use of the Lands (from agriculture to storage) or a change in the intensity of the lands, which meets the definition of "development".

[79] The Board notes that the Development Authority argued that the use is Industrial Storage and Warehousing, while the Appellants argued that the use was Out-building. While it is not necessary to make an express finding on this point, the Board notes that sea-cans cannot be an out-building because of the express exclusion of sea-cans from the definition of an out-building.

OUT-BUILDING means a secondary Building that precedes the Development of a Dwelling, Single Detached. An Out Building is a detached garage, shop, or similar. An Out Building is not a Shipping Container.

[80] The Board notes that the Appellants have argued that the trailers are currently empty, and that they may be used for a number of purposes. The evidence before the Board suggests that the trailers and sea-cans might be used for storage, which would fall within the Industrial Storage and Warehouse definition. The Board will not make a definitive finding on this point, because it is not necessary to do so in order to dispose of this appeal. Further, as set out below, it will be for the Development Authority to make a determination of the use, should the Appellants apply for a development permit in the future.

### **Do the Appellants have a development permit?**

[81] The evidence of the Development Authority was that there was no development permit for the trailers and sea-cans. The Appellants confirmed that they did not have a development permit. Their justification was that there was no development and thus, they did not need a development permit.

[82] As indicated above, the placement of the trailers and sea-cans on the Lands is a development and thus requires a development permit. The Appellants' misunderstanding about what is or is not a development does not relieve them of the obligation to obtain a permit.

[83] As a result of the evidence, the Board finds that the Appellants have no development permit.

### **Other Justifications?**

[84] The Board notes that the Appellants did not argue that the trailers and sea-cans were lawfully non-conforming. The Board notes that the evidence before the Board was that the trailers and sea-cans were moved onto the property in April, 2019, and that the County's LUB (section 1.3.1) clearly requires a development permit for a development.

1.3.1 No person shall commence or continue a development, other than a development described in Subsection 16.2. without a Development Permit issued in accordance with this Bylaw.

[85] Therefore, there is no need to consider whether the use was a lawful non-conformity.

### **Other Comments**

[86] The Property is zoned as (ANC) Agricultural Nature Conservation District. The use of Industrial Storage and Warehousing is neither permitted nor discretionary within that District. The only question before this Board was the validity of the Stop Order. Since the Appellants had not applied for a development permit, there is no need for the Board to make findings in relation to that issue, as set out above. Should the Appellants apply for a development permit to permit the trailers and sea-cans to remain, the Development Authority will have to make a determination based on the evidence before it as to what the use is, and whether that use is authorized within the District.

[87] The Board notes that the comments of those affected fell within 2 areas: first, their evidence addressed the question of whether the trailers and sea-cans were on the Lands; and second, their evidence addressed the impacts of those trailer and sea-cans being moved onto

the Lands and the impacts from being on the Lands would have on the neighbours. The Board has relied upon the first part of affected persons evidence in relation to determining if there is a development on the Lands. The second part of their evidence relates to whether a development permit should be granted. Since there was no development permit application before the Board, the Board does not need to consider this portion of their evidence to determine whether the Stop Order should be upheld. However, the Board has relied upon their evidence in relation to the timing of the removal of the trailers and sea-cans, as set out below.

### **Remedy**

[88] The Board has found that there is a development on the Lands, and that there is no development permit for that development. Therefore, the Board upholds the Stop Order.

[89] Having upheld the Stop Order, the Board must assess whether it will extend the time for compliance, and if so, by how much.

[90] The Board notes that the Appellants did not ask for an extension of time to remove the trailers. The evidence before the Board was that the trailers and sea-cans were moved on in a very short period of time.

[91] The date for removing the trailers and sea-cans set out in the Stop Order was May 10, 2019. That date has passed. The Board wishes to provide a clear date by which the Appellants have to remove the trailers and sea-cans.

[92] In considering how much time may be required, the Board notes that the trailers and sea-cans were moved on very quickly. The Board also notes that there was evidence from the affected persons about safety when the trailers and sea-cans were moved onto the Lands.

[93] The Board wishes to provide a specific time for removal so the Appellants have a clear direction as to how much time they have to remove the trailers and the sea-cans, and so the affected persons will also have certainty.

[94] The Board amends the Stop Order so that the Appellants must remove the trailers and sea-cans from the Lands no later than June 20, 2019, which is 7 days from the date of the issuance of this decision. The Board is of the view that this is sufficient time to move them off, particularly since the evidence was that the trailers were moved on in less than 7 days. The Board has weighed the interests of the neighbours with the Appellants' interests and believes that the seven day period is an appropriate balancing.

[95] Issued this 13<sup>th</sup> day of June, 2019 for the Parkland County Subdivision and Development Appeal Board



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Barb Williams, Board Clerk, for  
Dylan 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, RSA 2000, c M-26.*

**APPENDIX "A"**  
**REPRESENTATIONS**

**PERSON APPEARING**

1.	Karen Kormos, Supervisor, Development Planning, Planning & Development
2.	Elizabeth Bihun, Agent for the Appellants
3.	Agnieszka Kwasnik, Agent for the Appellants
4.	Aimee Hennig
5.	Lindsay Mayr
6.	Glenna Killick
7.	Karry Kehr
8.	Sheri Jones

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

Exhibits	Description	Date	Pages
June 3, 2019 Agenda Package			
1.	Agenda Package Table of Contents and Agenda		n/a
2.	Notice of Appeal	May 6, 2019	120-127
3.	Submission of the Development Authority	May 27, 2019	128-157
4.	Submission in Opposition of the Appeal – Ed & Leslie Ernst	May 17, 2019	159-160
5.	Submission in Opposition of the Appeal – Leslie Boyer	May 22, 2019	161-163
6.	Submission in Opposition of the Appeal – Lindsay Mayr	May 24, 2019	164-168
7.	Submission in Opposition of the Appeal – Aimee Hennig – Email and Video	May 26, 2019	169
8.	Submission in Opposition of the Appeal – Aimee and Lindsay Mayr on behalf of area residents	May 27, 2019	170-248