

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
PARKLAND COUNTY**

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HEARING DATE: November 17, 2025  
FILE NO.: PLDPH20250765

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

**INTRODUCTION**

[1] On October 6, 2025, the Development Authority of Parkland County (the "Development Authority") issued a development permit for a "home based business for mobile business" located at 17 51513 Range Road 22, legally described as 7921342/1/5A, W5-2-51-35-SW ("the Lands"). The applicant for the development permit was Raymond Guy (the "Applicant").

[2] Kristopher Chiasson and Mirka Salo Chiasson (the "Appellants") filed an appeal of the development permit on October 24, 2025.

[3] The Subdivision and Development Appeal Board (the "Board") held the appeal hearing on November 17, 2025, in person.

**PRELIMINARY MATTERS**

**A. Board Members**

[4] The Chair confirmed from all parties in attendance that there was no opposition to the composition of the Board hearing the appeal. No one in attendance objected to the members of the Board hearing the appeal.

**B. Exhibits**

[5] The Chair confirmed that everyone in attendance had the hearing package prepared for the hearing.

[6] The Applicant wished to submit a letter dated November 15, 2025 as additional evidence. Copies of the letter were provided to the Appellants and the Board. The hearing briefly adjourned to allow the Board and the Appellants to review the letter.

[7] There were no objections to any of the documents included in the hearing package or to the letter presented at the hearing. The Board accepted the documents and marked the exhibits received as set out at the end of this decision.

### **C. Miscellaneous**

[8] There was no request for an adjournment of the hearing.

[9] There were no objections to the proposed hearing process.

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

[10] The Board denies the appeal. The Board confirms the development permit and conditions issued by the Development Authority:

#### **CONDITIONS**

1. Any proposed changes shall first be submitted for review by the Development Authority. Any changes considered substantial or inconsistent with this approval, as determined by the Development Authority, may require separate development permit approval.
2. Failure to comply with the conditions of this permit may result in the permit being cancelled and or revoked.
3. The proposed development shall conform to the stamped approved plans and documents<sup>1</sup> and shall not be moved, altered or enlarged except where authorized or directed through this permit approval.
4. Two additional employees, in addition to the residents of the parcel, may work on site in the business as described in the documentation.
5. No outside storage of goods, materials, commodities, or finished products shall be permitted.
6. No variation from the external appearance and residential character of land or buildings shall be permitted.
7. The home based business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
8. At all times the privacy of 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.
9. The site shall be kept in a neat and orderly manner.
10. The applicant shall be responsible for repairing and landscaping of any portion of the County road allowances disturbed during the development of the lands.
11. The parking of commercial vehicles, including the number considered and location, shall be allowed as shown on the submitted site plan and documentation.

#### **PERMIT NOTES**

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<sup>1</sup> The Board added "and documents" to this condition to accurately reflect the documents submitted to the Development Authority as part of the development permit application.

1. Not generate Nuisances, including but not limited to, noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter that is considered offensive or excessive by the Development Authority.
2. The applicant is responsible to obtain any Provincial approval which may be required.
3. The display or placement of Signs on the premises of a Home-Based Business must be in accordance with Land Use Bylaw 2025-12 Section 4.100.
4. The applicant is responsible to ensure compliance with the National Fire Code (Alberta Edition).
5. The landowner is responsible for ensuring that all property approaches are sited, designed and constructed in accordance with Parkland County's Engineering Design Standards and County Policy C-EN10.

## **SUMMARY OF HEARING**

[11] The following is a brief summary of the evidence and arguments 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**

[12] The Lands are legally described as 7921342/1/5A, W5-2-51-35-SW, and municipally described as 17 51513, Range Road 22. The Lands are in the Country Residential District (s. 2.70 of Parkland County's Land Use Bylaw 2025-12 ("LUB")). There has been little change to the Lands since 2004. There is a row of trees between the Lands and the parcel to the north.

[13] The Applicant proposes a home-based business for a mobile business involving off-site overhead door installation and repair services. The hours of operation are 8 a.m. to 4 p.m., Monday to Friday. There would be two non-resident employees who arrive together in a 1-tonne diesel truck between 8:30 a.m. and 9:00 a.m. The employees retrieve their daily work orders, load materials into the truck, and depart to complete work off-site.

[14] The Lands are situated in a Rural Agricultural Area as set out in the Municipal Development Plan Bylaw 2024-22 (the "MDP"). The Lands are also in a High Priority Landscape adjacent to an identified Environmentally Significant Area as per Parkland County's Environmental Conservation Master Plan. There is a wetland of Moderate Wetland Valuation on the Lands in the north-west corner and one on the west side.

[15] The Development Authority determined that the Use is a Home-Based Business, Minor, which is defined as:

#### *Home-Based Business, Minor*

Means an Accessory Use involving a business activity conducted by a resident within their primary Dwelling or Accessory Building. This activity should not alter the outward appearance or character of the main Dwelling, involves only a limited number of client

visits, and has no impact outside of the Parcel. Typical Uses include mobile or off-site services, Bed and Breakfasts, Home Based Child Care, or small scale vehicle repair.

[16] Home-Based Business, Minor is a permitted use in the Country Residential District. The following table sets out sections of the LUB regulations and the Development Authority's comments on whether the proposed development complies with the regulation:

	Regulation	Comment
s.2.70.4.1	Building Placement Setbacks abutting sites: Minimum Rear Setback 3.0 m. Minimum Side Setback 3.0 m. Setbacks abutting roadways: Minimum Front and Flanking Setback 7.5 m from an internal subdivision road.	The Home-Based Business, Minor operates from two buildings with approved Development Permits within the proposed project scope area that meet and exceed the minimum required setbacks.
S.2.70.5.1	Commercial Uses must incorporate Screening, to the satisfaction of the Development Authority, where: Impacts extend beyond the boundary of the Parcel; and Any outdoor storage activities are located on-site.	Impacts that extend beyond the boundary of the Lands are negligible, and storage of materials is strictly indoor. Screening efforts include significant setbacks from adjacent parcels, from the public road and from the [Municipal Reserve]. There are trees running east to west along the north property line, providing visual screening, and the natural berm feature also along the north property line provides screening.
s.5.100.1.1.1	Be located in the Principal Building or the Accessory Building	The Home-Based Business stores materials and loads from two Accessory Buildings to perform offsite/mobile services
s.5.100.1.1.2	Not alter the external appearance and residential character of land or Buildings	All materials and tools are stored indoors within a 32' x 40' shop, and a 26' x 45' building. The residential character of the lands and Building is maintained.
s.5.100.1.1.3	Not generate excessive or unacceptable traffic increases within the neighbourhood or immediate area	2 to 4 vehicle trips are generated per day. This would not increase the volume of traffic, nor would it impact the neighbourhood.
s.5.100.1.1.4	Not generate Nuisances, including but not limited to, noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter that is considered offensive or excessive by the Development Authority	Between 8:30 a.m. and 9:00 a.m., two employees arrive together in a 1-tonne diesel truck, retrieve their daily work orders, load materials into the truck and depart to complete work off-site. The applicant recently replaced one diesel truck with a quieter, gas-powered vehicle to reduce noise. The noise generated by the truck is not considered offensive or excessive by the Development Authority. The potential

		nuisances, including noise, fumes, and exhaust produced by the truck's combustion engine is mitigated by the distance from the loading area to adjacent properties. The natural berm-like formation separating a portion of the Lands from the parcel to the north may mitigate noise and odour nuisance effects. The trees parallel to the north property line provide visual screening.
s.5.100.1.1.5	Always maintain the privacy of Adjacent Dwellings	There is a long tree line separating the properties, and loading activities are separated by a buffer of approximately 50 m from the dwelling on the adjacent (north) parcel, and approximately 45 m from the north property line, 115 m from the east property line, and 85 m from the south property line. A view of the adjacent parcel to the north, looking south towards the subject Lands, shows a natural feature (small hill/berm) running east to west, providing privacy to the lot to the north.
s.5.100.1.1.6	Not impact Adjacent Dwellings by excessive lighting, late calling of clients, unreasonable number of clients, traffic congestion, or excessive on-street or off-street parking	As the Home-Based Business provides services off-site, there is no on-site visitation of clients.
s.5.100.1.1.7	Provide adequate parking for all on-site employees.	The two non-resident employees arrive in one vehicle together, and are on-site for approximately 30 minutes to load materials. There is sufficient space on site to accommodate the loading activity. Parking is not required.
s.5.100.1.2	The display or placement of Signs on the premises of a Home-Based Business must be in accordance with Section 4.100.	Signage is not used on-site.
s.500.3.1.1	One additional employee, in addition to the residents of the Parcel, who may work on-site in the business	A variance was requested and granted for a total of two additional employees, in addition to the residents of the Parcel. On-site work is limited to loading materials, due to the mobile/offsite nature of the business. The two non-resident employees arrive together in one vehicle to load materials. The presence of a second additional employee does not increase the scale of the business, and in fact has

		potential to reduce the amount of time required to be on-site while loading materials.
s.500.3.1.2	On-site client attendance, where one client visit may be allowed at one time, and one on-site Parking Stall must be available as per the specifications of Section 4.50.	There is no on-site client attendance.
s.500.3.1.3	Parking of up to two commercial vehicles with up to two accessory trailers, such as a dual axle gravel truck with pup, a trailer carrying a small backhoe, bobcat, or similar, tractor unit only (no trailer), or a three-ton truck or similar vehicle, at the discretion of the Development Authority.	One ½-ton gas truck is permanently parked on-site. One 1-ton diesel truck is parked off-site and attends the site in the morning to load parts, and on rare occasions, may return in the afternoon for drop-off of material. One 30' flatbed trailer is parked on-site. One manlift trailer is parked on-site, unless in use off-site.
s.500.3.2	Outdoor Storage of goods, materials, commodities or finished products must not be permitted.	Storage of materials, including overhead doors and parts, are stored in two buildings.

[17] The Development Authority submitted that the proposed development meets the intent of the definition and the regulations for Home-Based Business Minor, except for s.5.100.3.1.1 and the number of non-resident employees. The Development Authority referred to the LUB, s.6.40.2 which describes the authority to grant variances. The Development Authority noted:

	Section	Comment
s.6.40.2.1	To grant a Variance, a Development Authority must be satisfied that the proposed Development: Would not unduly interfere with the amenities of the neighbourhood; or Would not materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and Conforms with the Use prescribed for the Land or Building under this Bylaw.	Home-Based Business, Minor is a Permitted Use in the Country Residential District and allows for 1 non-resident employee. The applicant requested a Variance to allow for 2 non-resident employees. The additional employee does not add to nuisance effects, and in fact may decrease the time to be required to be on-site, compared to 1 non-resident employee having to load materials. The presence of an additional employee will not create interference and additional impacts to the neighbouring properties, and may potentially contribute a positive effect (decreased time on site).
s.6.40.2.3	When deciding on a request for a Variance, the Development Authority may consider the conditions of the land where the Development is sited that would make it unreasonable for the Development to comply with this	A review of the natural features on the Lands shows a change in grade between the Lands and the parcel to the north, by way of a natural berm formation running along the shared property line. There are trees parallel to the berm. These conditions of the land

	Bylaw. This may include but is not limited to: Slope; Grade; Shape of the Parcel; or Natural Features.	provide further mitigation of nuisance effects and contributes to maintaining privacy of the adjacent parcel.
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[18] The Development Authority determined that the proposed development was consistent with the County's statutory plans. The Development Authority identified the MDP as the relevant statutory plan. There is no Area Structure Plan. The following table sets out sections of the MDP and the Development Authority's comments on whether the proposed development complies:

	Policy	Comment
Policy 3.3.2.a.	<u>Environmentally Significant Areas and High Priority Landscapes</u> Development must protect and enhance natural features and their functions in High Priority Landscapes and Environmentally Significant Areas through incorporation of nature-positive operations.	Parkland County is committed to preserving its natural features which support natural systems. The Home-Based Business, Minor does not propose any building development, ground disturbance, or vegetation clearing and operates from two structures that have Development Permit approvals. The application is aligned with this policy as there is no disturbance to the natural features.
Policy 3.3.5.b.	<u>Wetlands</u> Development must avoid or mitigate impact to Moderate Value Wetlands, including areas necessary to support hydrological connections and recharge.	A wetland of Moderate Wetland Valuation is identified in Parkland County's wetland inventory on the Lands on the north-west corner in a treed area, and one the west side of the parcel. The Home-Based Business, Minor proposes no building, ground disturbance, or vegetation clearing. The business activity is setback not less than 30 m from each identified wetland.
Policy 3.5.1.c.	<u>Development Policies to Manage Growth</u> Home-based businesses will be allowed throughout the County where they are well- suited to their context and do not significantly impact neighbouring properties	Home-Based Business, Minor includes mobile or off-site services by definition, and the proposed Home-Based Business, Minor is well-suited to the neighbourhood, and does not significantly impact neighbouring properties.

[19] In response to questions from the Board, the Development Authority advised:

- a. The proposed development was a Home-Based Business, Minor because it involved an off-site or mobile business.
- b. The hours of the business are 8:00 a.m. to 4:00 p.m. The employees arrive together after 8:00 a.m., retrieve their daily work orders, and depart around 8:30 a.m. or 9:00 a.m. The peak hours of the business are 8:00 – 9:00 a.m.

- c. The development permit did not include conditions respecting the idling of vehicles, as it was beyond the scope of what the Development Authority considers. The Development Authority noted that the County's Community Standards Bylaw 2023-19 addresses concerns about noise and nuisances.
- d. The Development Permit and the LUB state that no outdoor storage is permitted. Storing materials on a trailer or another vehicle would be outdoor storage and would not be permitted.

### **Appellants – Kristopher Chiasson and Mirka Salo Chiasson**

[20] The Appellants, Kristopher Chiasson and Mirka Salo Chiasson, live north of the Lands on an adjacent parcel. They have lived in the area since 2020. Generally, they do not oppose home-based businesses and noted there are other home-based businesses in the neighbourhood. The Appellants are concerned about the effects of this specific proposed development on them.

[21] The Appellants indicated that the proposed development has already operated from the Lands. Their concerns are primarily with the scale of the proposed development. There is lots of noise cause by diesel trucks on the Lands or travelling to and from the Lands. The diesel trucks idle for 15 – 30 minutes and will wake their children up. There are trucks constantly driving in and out of the Lands with trailers. The trailers were parked along the property line.

[22] The Appellants noted that their home is near the Lands. There is a row of thin willows between their property and the Lands. The Appellants can see into the proposed development area, and referred to photographs they provided in support. They can see employees loading and unloading trailers. The Appellants have a playground for their children close to the property line.

[23] The Appellants are concerned that the Applicant will not comply with the conditions of a development permit. They noted that previously, the Applicant had three trucks, which would not be allowed by the permit. The Appellants described issues they had with the Applicant previously. There were hunting arrows shot into their trampoline, and the Applicant had wrecked their driveway. The Appellants addressed these issues with the County.

[24] Lastly, the Appellants worry that if the proposed development is approved, it will affect the saleability of the Appellants' home in the future. They noted that the Applicant had previously stored business materials and tools in trailers along the property line. His employees used a skid steer to load and unload the trailers near the property line.

[25] In response to Board questions, the Appellants stated:

- a. For a typical week, the Appellants hear the diesel truck turn off Range Road 22 between 7:45 a.m. and 8:05 a.m. It will regularly wake the Appellants' children. The truck then parks in front of the Applicant's residence and idles for 15 – 20 minutes. The truck makes at least one more trip back to the Lands during the day. The truck returns at the end of the day. The employees load and unload the truck daily, including in the mornings, evenings, and on weekends.



## **Applicant – Raymond Guy**

[26] The Applicant agreed with the Development Authority's submissions regarding his application for a development permit. He advised that since December 2023, he has only had one diesel truck. He has a forklift to use in the winter for loading overhead doors.

[27] In response to Board questions, the Applicant stated:

- a. He stores business materials inside and has done so for the past 6 – 8 months. Before, he stored business materials outside.
- b. His business picks up deliveries of overhead doors in Edmonton. They use a trailer to bring the deliveries back before unloading the doors into the shop. There are usually two deliveries per month. When it is busy, there can be loads once a week.
- c. The business involves installation and repair services for overhead doors. When the client needs a door to be installed, the Applicant's employees come to the Lands in the morning to load the overhead door for the job. The employees then leave and go to the job site. If the client booked a service appointment, the employee may need to take a manlift. If the job is more than one day, The employees may not return to the Lands at the end of the day.
- d. The Applicant travels to and from the Lands for his own job.
- e. The business does not offer 24/7 service. The employees do not work outside of regular hours or on weekends, and they do not travel to and from the Lands on weekends.
- f. On rare occasions, a client may come on-site on Saturdays.

## **FINDINGS OF FACT**

[28] In addition to the specific facts set out under the Board's reasons, the Board finds the following as facts.

[29] The Lands are located at 17 51513 Rge Rd 22, legally described as 7921342/1/5A, W5-2-51-35-SW, Parkland County.

[30] The Lands are within the CR – Country Residential District of the LUB.

[31] The proposed development is a Home-Based Business, Minor.

[32] The proposed development is a permitted use in the Country Residential District.

[33] The proposed development complies with the relevant statutory plans.

[34] The appeal was filed on October 24, 2025.

[35] The Appellants are affected persons.

[36] The Applicant is an affected person.

## **REASONS**

### **Affected Persons**

[37] The Board must determine whether those appearing and speaking before the Board are affected persons. The Board notes that there was no objection made to those making submissions to the Board; however, the Board wishes to review this issue for completeness.

[38] The Appellants live in close proximity to the Lands. Due to the proximity to the Lands, the Board finds that the Appellants are affected by the proposed development.

[39] The Applicant is the applicant for the development permit. Since it is the Applicant's permit under appeal, the Board finds that the Applicant is affected by the proposed development.

### **Jurisdiction and Issues to be Decided**

[40] The Board's jurisdiction is found in section 687(3) of the MGA.

**687(3)** In determining an appeal, the board hearing the appeal referred to in subsection (1)

- (a) repealed 2020 c39 s10(52);
- (a.1) must comply with any applicable land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) . . .
- (b) . . .
- (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.

[41] In its decision, the Board must determine:

- a. Does the proposed development comply with the applicable statutory plans?
- b. What is the nature of the use of the proposed development?
- c. Is the use authorized within the Country Residential District?
- d. Does the proposed development comply with the LUB regulations?
- e. If not, should the Board grant a variance?

[42] In making this decision, the Board has examined the provisions of the MGA and has considered the oral and written submissions made by and on behalf of those who provided evidence: the Development Authority and the Appellants, and the Applicant.

**Does the proposed development comply with the applicable statutory plans?**

[43] The first question the Board must address is whether the proposed development complies with the applicable statutory plans.

[44] The only evidence before the Board was provided by the Development Authority. The Development Authority's evidence was that the applicable statutory plans are the County's MDP and the LUB. The Development Authority indicated that the proposed development is consistent with the provisions of the County's MDP (see paragraph 18) because there will be no impact on the environment. There will be no additional buildings, ground disturbance, or vegetation clearing. The proposed development will operate in existing buildings that have development permit approvals. The proposed development is also consistent with the LUB, which supports home-based businesses within the Country Residential District (s.2.70.2).

[45] The Development Authority's evidence was not contradicted by any other evidence. In the absence of any contradictory evidence, the Board is prepared to accept that the proposed home-based business is supported by the County's statutory plans and finds as a fact that the proposed development complies with applicable statutory plans.

**What is the nature of the use of the proposed development?**

[46] The Board must determine the nature of the use of the proposed development. The Board considered the definition of "Home-Based Business, Minor" in the LUB:

*Home-Based Business, Minor*

Means an Accessory Use involving a business activity conducted by a resident within their primary Dwelling or Accessory Building. This activity should not alter the outward appearance or character of the main Dwelling, involves only a limited number of client visits, and has no impact outside of the Parcel. Typical Uses include mobile or off-site services, Bed and Breakfasts, Home Based Child Care, or small scale vehicle repair.

[47] The Board notes that the evidence present establishes:

- a. the proposed development is a mobile business that offers off-site overhead door installation and repair services. The hours of operation are 8 am to 4 pm, Monday to Friday. There will be two non-resident employees who arrive together between 8:30 a.m. and 9:00 a.m. The employees retrieve their daily work orders, load materials into the truck, and depart to complete work off-site;
- b. overhead doors, business materials, and tools are stored in a 32' x 40' shop and a 26' x 45' building. Though materials were previously stored outside on trailers, in the past months the Applicant stores the materials indoors;
- c. clients rarely visit on-site.

[48] Based on the evidence presented, the Board finds that the proposed development meets the elements of a Home-Based Business, Minor. The proposed development is an off-site or mobile business. Employees travel off-site to install overhead doors and provide repair services.

### **Is the use authorized within the Country Residential District?**

[49] The LUB provides that Home Business, Minor is a permitted use on the Lands. There was no contradictory evidence presented at the hearing, and so the Board makes this finding of fact.

### **Does the proposed development meet the LUB regulations?**

[50] Section 5.100. of the LUB sets out the general use regulations concerning Home-Based Businesses, and the specific regulations for a Home-Based Business, Minor.

[51] The Development Authority provided evidence that the proposed development met the required elements (paragraph 16). Their evidence was largely uncontested, except on the items listed below:

#### Traffic and Noise

[52] Sections 5.100.1.1 of the LUB provides that a Home-Based Business (including a Home-Based Business, Minor) must not generate "excessive or unacceptable increases in traffic within the neighbourhood or immediate area. Further, a Home-Based Business must not generate nuisances, including noise, that is considered "offensive or excessive."

[53] The Development Authority's evidence and the Applicant's evidence is that the proposed development will generate between 2 and 4 vehicle trips per day. The hours of operation are between 8:00 a.m. and 4:00 p.m., with peak hours between 8:30 a.m. and 9:00 a.m. The employees arrive together in a 1-tonne diesel truck, retrieve their daily work orders, and depart to complete work off-site. They usually leave the Lands between 8:30 a.m. and 9:00 a.m.

[54] The Appellant's evidence was that there is lots of noise cause by diesel trucks on the Lands or travelling to and from the Lands. The diesel trucks idle for 15 – 30 minutes and will wake their children up. Currently, there are trucks constantly driving to and from the Lands.

[55] The Board reviewed the language of s.5.100.1.1 of the LUB. The Board notes that the Appellant's home is near the property line with the Lands, and that the proposed development will operate from existing buildings that have development permit approvals. The Board was mindful that its role is to review the proposed development, and not to review existing approvals.

[56] The Board considered the noise attributable to the proposed development. There is consistent evidence that the non-resident employees travel to the Lands in the morning in a 1-tonne diesel truck. The Board is prepared to accept that the trucks idle for only a short period of time: approximately 15 – 30 minutes on weekday mornings while the employees collect their work orders and load materials for the job site that day. The employees then leave for the project site. It is common for diesel trucks to be used in a Country Residential District. Given that the proposed development proposes one diesel truck, and the relatively short period of time that the truck will be idling, the Board finds that the noise generated will not be excessive or offensive.

[57] The Board considered the volume of traffic that will be generated by the proposed development. While the Appellants' evidence is that currently, trucks are "constantly" driving to and from the Lands, it is contradicted by the Development Authority's evidence and the Applicant's evidence that the proposed development will have 2 – 4 vehicle trips daily to and from the Lands.

[58] The Board prefers the evidence of the Development Authority and the Applicant. It is unclear from the Appellants' evidence how much of the current vehicle traffic is attributable to the current residents, and how much is attributable to the proposed development. Further, the current volume of traffic is not determinative of the traffic will be created if the development is approved. The proposal is for 2 to 4 vehicle trips per day. If traffic increases beyond what is contemplated in the development permit, there are other avenues to address compliance.

[59] For the above reasons, the Board finds that the proposed development complies with the LUB, s.5.100.1.1. in that it will not generate excessive or unacceptable increases in traffic and will not generate offensive or excessive nuisances such as noise.

#### Privacy

[60] Section 5.100.1.1 of the LUB provides that a Home-Based Business must always maintain the privacy of adjacent dwellings. The Development Authority's evidence and the Appellants' evidence was that there was a line of trees between the Lands and the Appellants' property. The Development Authority also indicated that there was a berm-like formation between the parcels, and adequate setback distances that served privacy purposes.

[61] The Board finds that the proposed development will not impact the Appellants' privacy. The buildings from which the proposed development will operate already have development permit approvals, and the line of trees and berm-like formation is adequate to maintain the

Appellants' existing privacy. For these reasons, the Board finds that the proposed development complies with s.500.1.1.1.5. of the LUB regulations.

### Non-Resident Employees

[62] Section 5.100.3.1.1 allows one non-resident employee in addition to the residents of the Parcel who may work on-site in the business. The Applicant proposed having two non-resident employees. The Board has considered whether to grant a variance to this requirement below.

### **If not, should the Board grant a variance?**

[63] The Board must determine whether it will exercise its variance power under s.687(3)(d) of the *Municipal Government Act* to allow an additional non-resident employee:

*(3) In determining an appeal, the board hearing the appeal referred to in subsection (1)*

*...*

*(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.*

[64] The Board's view is that the language of s.687 is intended to grant broad authority to the Board to consider and grant variances. As the Court of Appeal noted in *Edmonton (City of) Library Board v Edmonton (City of)*, 2021 ABCA 355 at paragraphs 46 – 47:

*Section 687(3)(d) gives an appeal board wide discretion in deciding whether the negative effects condition has been met as confirmed by language such as "may", "in its opinion", "unduly" and "materially"...*

*...that power is not limited to cases of undue hardship or unique or minor situations.*

[65] The language of "unduly interfere" and "materially interfere" in s. 687(3)(d) suggests that a variance can be granted even if a proposed development has some impact on the amenities of a neighbourhood, or some impact on the use, enjoyment, or value of neighbouring lands. The test is flexible, allowing the Board to manage the legislative objective of balancing private interests of landowners to develop, along with those of the community and adjacent neighbours. The Board is prepared to accept that most development will have some effect on neighbouring parcels and the test must not be applied so strictly as to stymie development completely.

[66] The Board considered the Development Authority's evidence relevant to the Board's decision to allow the variance from one non-resident employee to two non-resident employees.

The Development Authority's evidence was that two non-resident employees would arrive on site together in one vehicle between 8:30 a.m. and 9:00 a.m. during days of the work week. They would be on-site for approximately 30 minutes to load materials. There is sufficient space on site to accommodate the loading activity, and additional parking was not required.

[67] The Appellants expressed concern that if two non-resident employees were allowed, there would be nothing to stop the proposed development from employing multiple different people. However, their concern was contradicted by the evidence before the Board. The Applicant's evidence was that his son and his son's girlfriend were the non-resident employees. The Applicant did not indicate that he had other non-resident employees. The Board finds that the evidence is insufficient to establish that the Applicant will have more than two non-resident employees.

[68] The Board's view is that having a second non-resident will not materially interfere with or affect the use, enjoyment or value of neighbouring parcels. The Board agrees that having a second non-resident employee arrive in the same vehicle for approximately 30 minutes in the morning during week days will have minimal impact, and may in fact decrease the amount of time that the non-resident employees spend on-site loading materials. The effect of an additional non-resident employee for the Home-Based Business, Minor on neighbouring parcels will be minimal and will not materially interfere with the use, enjoyment or value of those parcels.

[69] Further, the Board is satisfied that the addition of a non-resident employee is consistent with a Home-Based Business, Minor. Overall, there are few non-resident employees, and having a second employee does not alter the residential nature of the Lands.

## **Conclusion**

[70] For the above reasons, the Board dismisses the appeal and issues the development permit subject to the conditions ordered by the Development Authority.

[71] Issued this 28th day of November, 2025 for the Parkland County Subdivision and Development Appeal Board.

*Rachel Coupal*

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R. Coupal, Clerk of the SDAB, on behalf of T. Grenier, 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. Raymond Guy  
Kristopher Chiasson
2. Mirka Salo Chiasson
3. Stephanie Camilleri

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

Exhibit	Description	Date	Pages
<b>November 17, 2025 Agenda Package</b>			
1.	Agenda Coversheet	November 17, 2025	1
2.	Table of Contents	November 17, 2025	2
3.	Meeting Minutes	March 10, 2025	3
4.	Notice of Appeal	October 24, 2025	6
5.	Notice of Development Permit Approval	October 6, 2025	14
6.	Hearing Notification	October 27, 2025	16
7.	Submissions of the Development Authority	November 17, 2025	20
8.	Submissions of the Appellant	November 17, 2025	87
9.	Submissions of the Applicant	November 7, 2025	139
<b>Exhibits Entered at the Hearing</b>			
10.	Letter submitted by the Applicant at the Hearing on November 17, 2025	November 15, 2025	1