AGENDA

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Monday, June 10, 2024 – 10:00 a.m.
Council Chambers – 53109A Hwy 779, Parkland County, AB

Virtual attendance option available via Teams
Please email SDAB@parklandcounty.com no later than 9:00 a.m. on Monday, June 10, 2024 to register for attendance via Teams

1) Call to order

2) Members Present

3) Adoption of Agenda

4) 10:00 a.m. Appointment

   I. The appeal of permit denied located at:
   Legal Location: NE-28-52-1-W5
   Permit Number: PLDPR20230253

   II. Applicant: Beverly Althouse
   III. Appellant: Beverly Althouse

5) Adjournment

APPEAL OF PERMIT DENIED: PERMIT APPLICATION PLDPR20230253

parkland county

Notice of Appeal
Subdivision and Development Appeal Board

Site and appellant information (fill out completely)

Site Information

Municipal address of site
#32-52420 Meadow Run Estates

Legal land description of site ('plan, block, lot' and/or 'range-township-section-quarter)
7822964/2/16, W5-1-52-28-NE

Development permit number or subdivision application number
PLDPR20230253

Clerk
Subdivision and Development
Appeal Board
Legislative Services
53109A Hwy 779
Parkland County, AB T7Z 1R1
Email: SDAB@parklandcounty.com

Date Received:

Appeal Fee:
~~Development Permit $200~~
~~Stop Order $500~~
~~Subdivision Application $250~~

RECEIVED
MAY 13 2024
Parkland County

Receipt No.

Appellant Information

Name of appellant	Agent name (if applicable)
BEVERLY L ALTHOUSE	

Street Address
PO BOX 2859

City	Province	Postal Code	Day Phone Number
NIPAWIN	SK	S0E 1E0	306-278-7669

Evening Phone Number	Fax Number	Email Address
306-278-7669	NA	bevalt9@gmail.com

Appeal Against (check one box only)

Development Permit	Subdivision Application	Order
☐ Approval	☐ Approval	☐ Notice of order
☐ Conditions of approval	☐ Conditions of approval	
☒ Refusal	☐ Refusal	

Reasons for appeal

Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons for the appeal.

The appeal is herein launched for the following reasons: (attach a separate page if required)

See Document 1

SUB DOCUMENT 2, 3, 4 attached

Collection and use of personal information

Personal information is being collected under the authority of the *Municipal Government Act (MGA)* and the *Freedom of Information and Protection of Privacy Act (FOIP)* and is managed in accordance with the provisions of FOIP. This information will be used to process your request for a hearing before the Subdivision and Development Appeal Board. Your information will form part of a file available to the public. If you have any questions about the collection of your personal information, contact Odessa Bartel, FOIP Coordinator at 780-968-3229.

Signature of appellant/agent	Date (YYYY/MM/DD)
Bev Althouse	2024/05/10

Appeal on Secondary Suite development permit PLDPR20230253

Bev Althouse
PO Box 2859
Nipawin, SK
S0E 1E0

Representing Bryce, Rob and Bev Althouse

The appeal is herein launched for the following reasons:

- To show the Secondary Suite intention, size, location and use with request for variance to accommodate intent and purpose as lodging for retired aged parents on same property as only child of the parents.
- To show the reason for having submitted the secondary residence attached to the workshop to be built for the use of the primary resident Bryce Althouse.
- To show the reasoning for not attaching the shop to the primary residence now approved under PLDPR20230252.
- To request guidance in this process so that a primary residence and shop can be accommodated for the use of the primary resident and facilitate location (secondary residence) for parents.
- To clarify reasons for denial listed on the Permit Denied document:
  - Section 4.
  - Section 5. Especially noted "the 5120 sq ft structure featuring a 2304 sq ft garage and 1205 sq ft unfinished basement greatly increases the use of the lands. This has the potential to unduly interfere with the amenities of the neighbourhood and materially interfere with or affect the use, enjoyment, or value of the neighbouring properties."
    I can not come up with the square footage calculated.
    I do not see the potential to unduly interfere with the amenities of the neighborhood.
    We have located buildings in a way that will not obstruct views or alter the use or enjoyment of neighboring properties.
    We only have one actual adjacent neighbour with the west north and east all being surrounded by municipal property of a ravine, wetland type area.

- To ask for consideration of reapplication for secondary suite development prior to one year (should the board deem necessary) so that we can come to some equitable design both functional for our personal intent and purpose that will be acceptable by the county.

We are a family wishing to reside close together for the purpose of support for both generations financially, physically, mentally and long term planning for parental care. Based on the European model of care for the aged but yet not living under the same roof thus providing privacy and autonomy.

Please review and consider the attached document with details on the reasons for the application and lot layout and considerations used when designing the layouts we did. We are open to suggestions and trying to figure out the best why to accomplish our goals with in Parkland County's guidelines.

Sincerely
Bev Althouse

Document 1

Reasoning for Appeal on Secondary Suite development permit PLDPR20230253 – Denied

Althouse property development proposal 2024

Lot 16 BLK 2 Plan 7822964
#32 52420 RGE RD 13
Parkland County

We applied for the primary dwelling, secondary suite and shop development at the same time to have our project looked at as a whole. Maybe we should have applied for the secondary and shop as two separate items I am unsure. We are appealing to show the reasoning behind our applications, the concept of what we are trying to do and receive feedback on how to accomplish this in a manner that will work for us as a family and for the county.

The idea is to facilitate care of aging parents when necessary and provide a more European family experience where families live close and interact on a daily basis while maintaining autonomy and privacy for each family unit.

Primary Residence Permit PLDRP20230252 – Occupant Bryce Althouse
One 1532 sq foot primary residence with attached double garage and full walkout basement to be located directly west of the current driveway entrance.
This will be on site basement build with an engineered RTM Main Floor constructed by:

Zak's Homes & Cottages
Box 5
Hague, SK
S0K 1X0
306-225-2288

Secondary Residence application PLDPR20230253 – Occupants Rob & Bev Althouse.
One "Shouse" design with secondary residence attached to a workshop garage combination.
We are also open to other models that accomplish the same purpose.
This construction will commence after the RTM and yet to be decided on RTM/site constructed or fully site constructed.

SECONDARY SUITE
The dwelling living space main floor is 1176 square feet designed to contain all essential life components on one floor. The home is designed for myself and my husband for our retirement to the point of requiring care giving. One never knows what mobility and or health situations may arise and require assistance. My husband is a type one diabetic with neuropathy issues, and I am partially deaf with few other concerns that could turn into mobility issues. With the trend toward caring for parents (ourselves) into their later years we are building this with that purpose in mind. The home has a main bedroom, living, dining and kitchen with laundry all on one floor.

A basement is proposed for the housing of storage, mechanical and at least a second bedroom and bathroom. This is intended for use in the event as we age, we can no longer share a bedroom or possibly for a caregiver to come in and stay.

This home is designed with the intention that if any of use require a walker/wheelchair or other mobility aid all rooms are accessible. The following items have been specifically designed for such:

DOCUMENT C

1. The office (6 feet x 7 foot 2 inches) is designed with the counterpart basement craft room to be transitioned into an elevator shaft. The home will be constructed with removable floor joists. The dimensions are large enough to accommodate a wheelchair accessible elevator. We have consulted with 2 companies for measurements.
2. The main shower will have a 34-inch opening to allow for a wheelchair and bath chair to be put in for use. The shower was built 6 feet vs 5 feet to accommodate a non door entry.
3. The master bathroom has wider access for mobility aids- 36 inches.
4. The walk in closet is door free and laid out so that someone with mobility aids can enter and turn to exit. All essential clothing can be hung on a lower level or extendable upper rods can be lowered for use.
5. The hallways and doorways are constructed for 36" halls and doorways.
6. The kitchen is designed so that a walker and or wheelchair is able to maneuver from stove to fridge to sink to pantry.
7. Washer and dryer located on main floor and are not stacked so that someone short as myself (5 feet) can reach all should mobility and reaching become an issue.
8. The entrance from the garage has been designed with a landing and future ramp construction area if necessary to access with walker and/or wheelchair.
9. Shop has been constructed with an attached parking spot for a vehicle so that access from the home to vehicle is available for any one with mobility issues.
10. The passage from dining room to deck is also a 36" opening.
11. The downstairs has been laid out and designed for the elevator to open to an area 3 feet plus for exit. In addition, it will be plumbed and laid out for possible use for a caregiver suite to reside should the need arise.

Thus, we have arrived at home square footage of 1176 sq feet upper floor.
The proposed elevator area will currently be used as an office as I continue to work from home until retirement and old age. This area occupies 43 square feet. The shower was increased from 5 feet to 6 feet to accommodate the 34" no door opening required for mobility aids. This occupies 3 square feet.
The added hallway spaces (wider) to accommodate 36" doors adds 11.3 square feet. It is estimated the kitchen, walk in closet and laundry add an additional 12 – 13 square feet.
Total home square feet added to accommodate mobility issues in the future 43+3+11.3+13= 70.3
Thus had we gone with a standard layout our home square footage would be = 1105.7
Standard secondary dwelling = 990 square feet
Requested additional over standard 115.70 = 11.69%
This added square footage is to accommodate main floor laundry, a guest entry and storage.
Due to additional square feet for mobility of 70.3 + 115.70 = 186 – This is a request of 18.79% variance over standard for secondary suite.
We anticipate occupying this home from retirement (eminent within 3 – 5 years) to the time we can no longer be cared for in our own home by our family/caregivers. In the space from retirement to the time we can no longer travel we intend to travel and be away for 5 -6 months of the year.
The care of our belongings can conveniently fall to our son.

ACCESORY BUILDING
The acreage is 3 acres, so the maximum accessory building is a standard of 280 m2 = 3013.89 square feet.

We have proposed to construct a Shouse for the secondary dwelling above plus a workshop, camper/boat storage and storage for snow removal equipment and lawnmowers, quads etc.

The proposed shop area inclusive of a single stall double deep parking area for the secondary dwelling is approximately 2304 square feet. Of that area 4 feet is for entry step and future accessibility ramp of 44 feet x 4 feet wide = 176 square feet.
The additional parking space is 44 x 12= 528 square feet. 2 deep with room to navigate around.

The storage area for a camper/boat and currently skid steer is 20x48 = 960 square feet.
The workshop area makes up the remainder = 640 square feet is designated as workshop. Our son wants an area that will be radiant heated and have space for a lift and work benches/tool items.

The total of the house at 1176 and shop at 2304 = 3480 square feet. This exceeds the 3013.89 by 466.11 square feet or 15.46%
As above we have established 70.3 square feet is directly attributable to mobility concerns addressed in the home.
176 square feet is added to the shop space for use in construction of a ramp etc. for future consideration in mobility issues.
70.3+176 = 246.30
We are asking for variance of 219.81 square feet in consideration of constructing a main floor laundry and squaring the attached shop to house for ease of building.

One may ask why we did not attach the shop to the main dwelling. That question will be addressed in the location and lot layout following.

We considered a larger secondary suite with second bedroom on a one level slab construction but were advised that was not possible as it would exceed 1200 square feet above ground. We would also have to accommodate mechanical and storage.
We also considered a heated breezeway to accommodate the purpose of having a heated and weather protected area to transfer to a vehicle. However, we were advised that would be considered part of the house square footage so again we were trying to keep the square footage down.

Please note the property was purchased with an existing barn of pole and slab construction with a truss roof covered in tin. We are asking for permission to retain this structure until the completion of the Shouse plus 18 months to utilize for storage of construction supplies and yard equipment. After the completion and as soon as weather conditions are feasible to dismantle said barn (but not more than 18 months) we would take it down. The existing round pen will be dismantled within the next year or so.

LOT LAYOUT

This lot while being 3 acres presents some opportunities and challenges with slopes and drop offs.
As per the attached layout topography it is noted that the northwest side (angled portion) along with the north ½ or the west side of the lot drop off severely. This area is not usable without significant monetary investment to to build anything and we would prefer to leave it as natural forest as a northerly protection. The lower area is attached to the ravine area and honestly should stay as is.

I have marked it as severe drop- the portion below it is exceptionally low lying, and we intend to leave it as walking path and forest.

The driveway is situated approximately 65 feet from the southeast corner of the lot. The ditch proceeding further north drops rapidly as it enters the ravine. We believe that the driveway should remain approximately where it is but be built up.

The lay of the lot has been reviewed multiple times and each time we come to the conclusion that the area directly west of the driveway comprises of a gentle slope perfect for a walk out basement thus the construction of a primary residence. However, that same slope does not provide a good location to attach a large garage other than a forward-facing car garage. Building a workshop below the home impedes the natural view and slope from the neighbor's property would mean either building a hill for the shop limiting access only from the east or digging out the hill and building the shop into it which is not a good drainage situation. To get farther back and build in the existing treed area brings you into a low-lying area.

The neighbors have a mature spruce row on their lot along the south side of our lot blocking sun and creating spruce dry zone – a potential fire hazard for a shop location as well as a mildew environment due to lack of sun. In addition, the positioning of a shop at that corner would deter from the primary residence as it would be the first thing you see and require the driveway to be shifted north. The main doors would have to face north and there would be no access around the building.

The ideal location for a shop is to the north with the front doors facing south on the level portion of the lot but tucked north so it is not the first building you see yet provides access and minimal ground disturbance for construction. The property is not bordered by any neighboring properties to the north, west or east and it thus the best location as to not impede other neighbors' views or the aesthetic of the neighborhood.

The logical attachment for a secondary residence with access to a vehicle is west of the shop thus a shouse is born. However, attaching the house straight west creates 100 feet of building – in order to maintain the tree line and mature spruce at the western edge of the ridge prior to the drop off yet leave 30 feet from the property line on the east of the shop we need to stay 94 or less feet in length. The current drawing is 88 feet long. The idea is to maintain the two mature spruce stands and have the yard from the deck be between the spruce but before the drop off. There is a natural slope that will tie into a semi walkout basement under the deck in a semi circle shape that will allow access for mechanical. This configuration also provides some separation between the main home, locates the secondary home further back on the lot to the west than the primary and is the most appealing esthetic.
Locating the shop here allows access from the east side of the lot along the shop to the back for entry to the shop or to park a trailer or such without it being visible to the road.

Our intent it to plant trees on the east boundary of the property to provide some additional screening of the yard to the roadway to make the shouse less visible. The primary house is to be the focal point. It is our intent to develop the slope into the forest below the primary home as the yard area for a family.

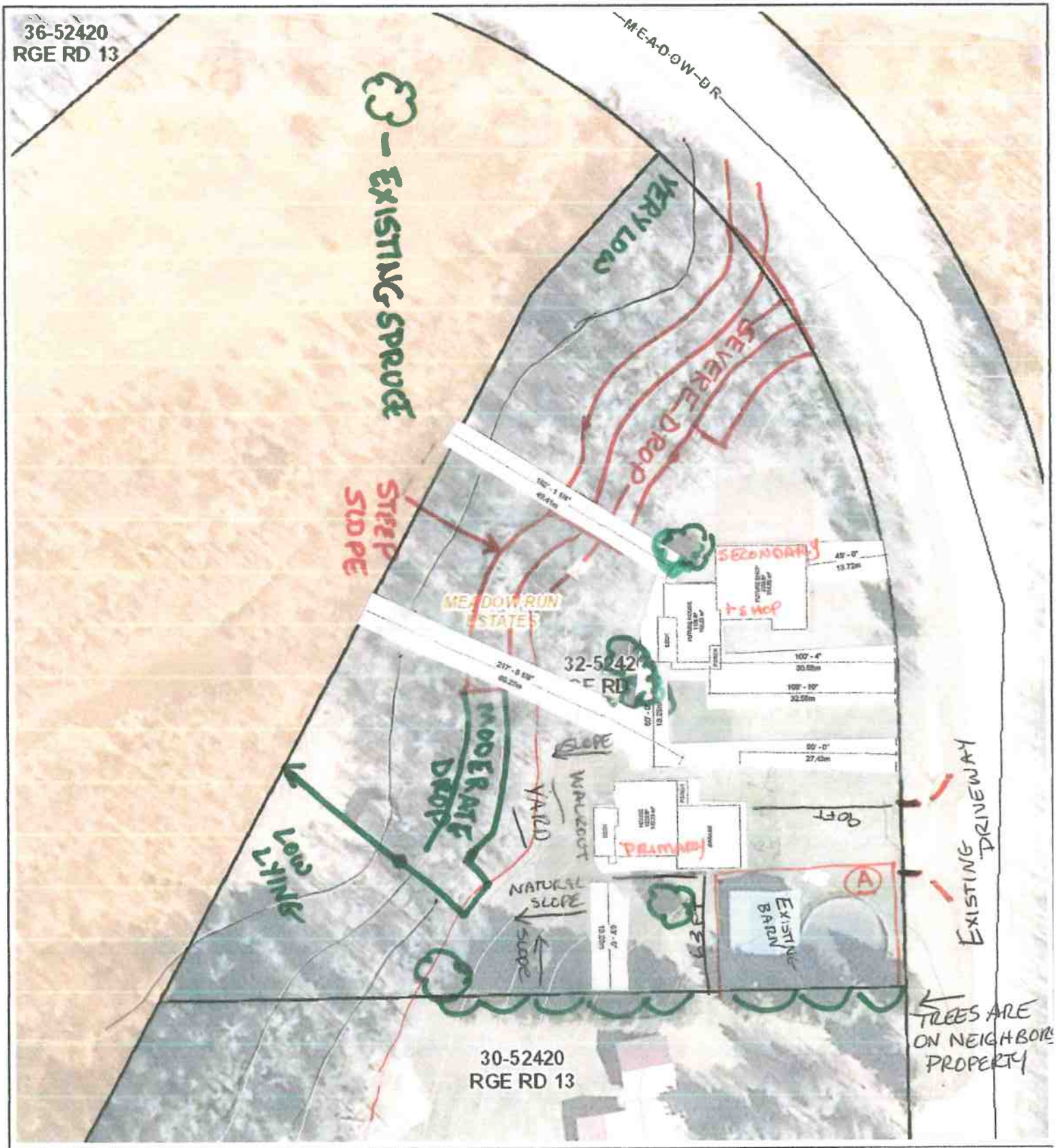
We have examined multiple options to obtain the most practical, aesthetically pleasing, financially prudent and best use of the lot. We keep coming back to this model.

We are hoping the Parkland Country Development Authority will look upon appeal and request for variance to the standard guidelines with acceptance in the light of our planning and intent on use of our primary, secondary and accessory requests.

Should you have any questions or concerns please contact use immediately to discuss.

Sincerely
Bev, Rob & Bryce Althouse May 10,2024

4



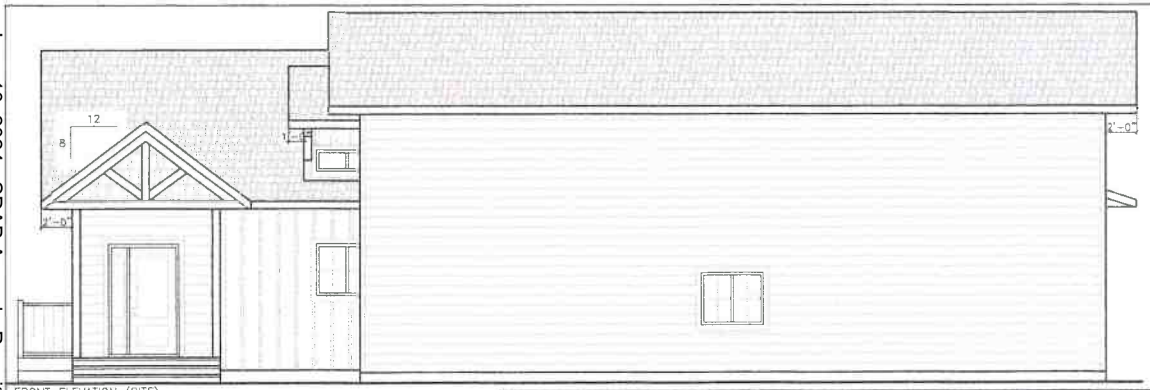
parkland county

Topography

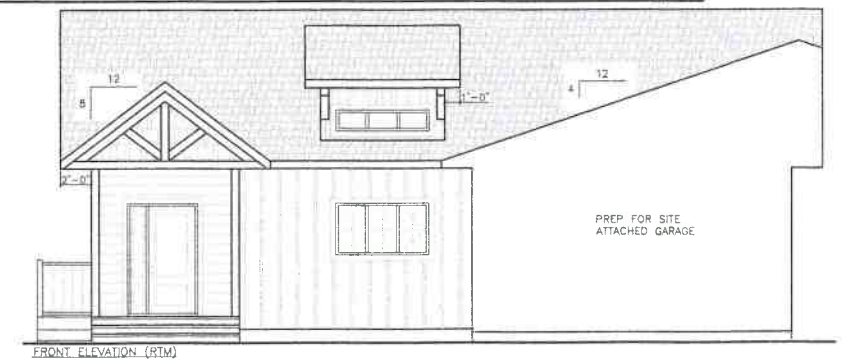
Notes:
Custom notes

(A) = EXISTING BARN + Round Pen (to be demolished)
↑ Currently storage until Shop completed.

1: 900



FRONT ELEVATION (SITE)



FRONT ELEVATION (RTM)

SIDE ELEVATION

ZAK'S Homes & Cottages
101 SOUTH ACCESS ROAD
BOX 5
HAGUE, SK
S0K 1X0
(306) 225-2288

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, SPECIFICATIONS AND ON-SITE CONDITIONS PRIOR TO CONSTRUCTION ANY DISCREPANCIES SHOULD BE REPORTED TO THE OWNER/DESIGNER ONCE CONSTRUCTION HAS STARTED. THE CONTRACTOR SHALL ACCEPT FULL RESPONSIBILITY FOR ANY ERRORS, OMISSIONS, OR DEVIATIONS TO THESE PLANS

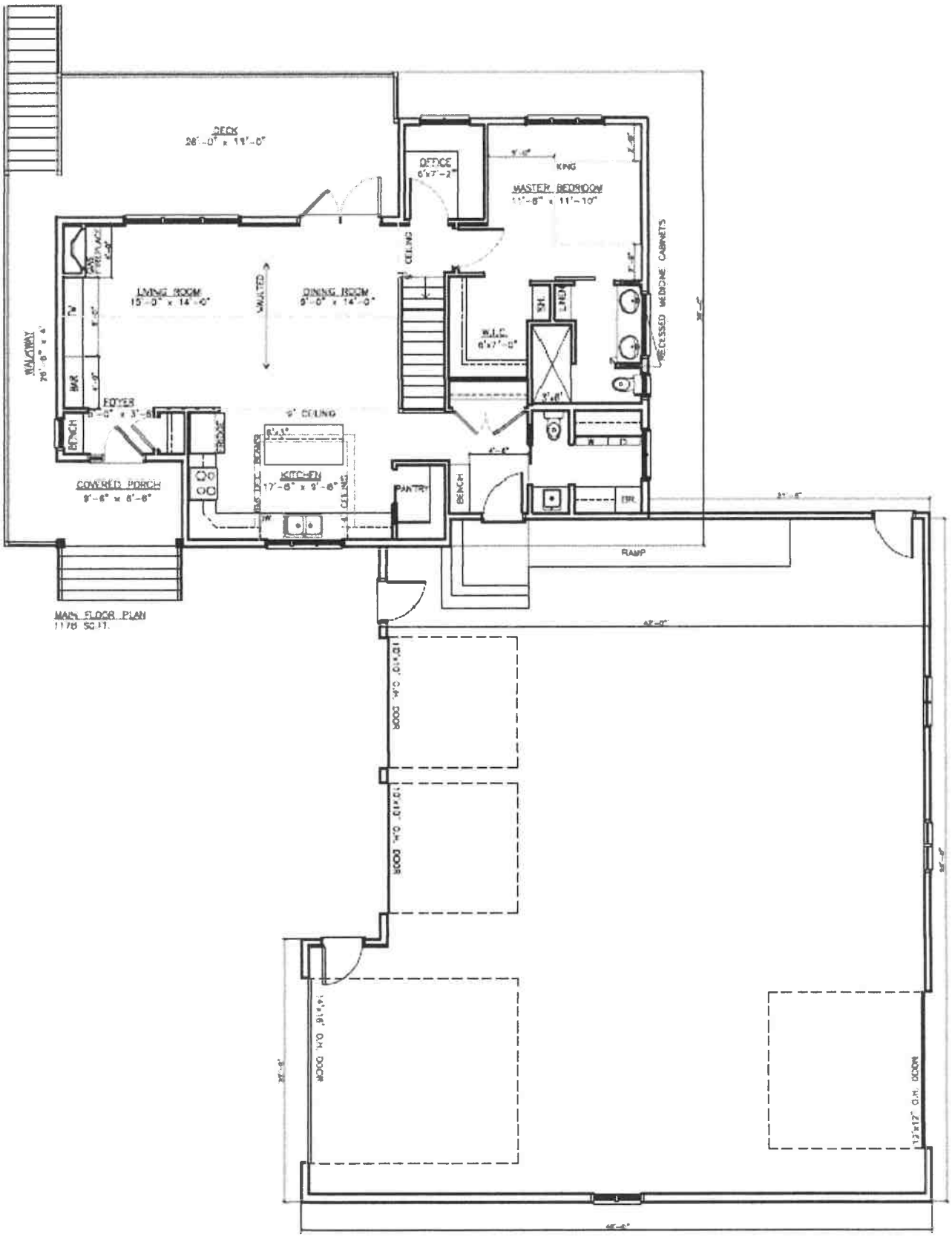
PROJECT:	RTM 2024-XX ALTHOUSE
ADDRESS:	MEADOW RUN ESTATES, AB

ELEVATIONS

SCALE:	1/8"=1'-0"
DATE:	20 FEB. 2024
DRAWN BY:	AK

A1

Document 4


DECK
OFFICE
MASTER BEDROOM
KING
LIVING ROOM
DINING ROOM
WALKWAY
FOYER
BENCH
COVERED PORCH
9' CEILING
KITCHEN
PANTRY
BENCH
RAMP
RECESSED MEDICINE CABINETS
MAIN FLOOR PLAN

DOCUMENT 4

Shop concept.

Parkland County
53109A HWY 779
Parkland County, AB T7Z 1R1
Phone: 780-968-8888 Fax: 780-968-8413

*** COPY ***

OFFICIAL RECEIPT

ALTHOUSE, BEVERLY L

GST Reg. #: R106989189
Receipt #: 3488443
Receipt Date: 2024/05/13
Page: 1
Receipted by: MP

Account #	Description	Opening Balance	Payment	Amount Due
1725	Develop Appeal Fee-Non Residen		200.00	

Tender Type & Description	Reference	Amount
VS PLDPR20230253		200.00

Total Tax:	.00
Total Amount Paid:	200.00
- Tender Received:	200.00
= Change Given:	

THANK YOU FOR YOUR PAYMENT. THE MAYOR AND COUNCIL'S COMMITMENT TO YOU IS TO SPEND YOUR TAX DOLLARS RESPONSIBLY.

PERMIT DENIED

Application No.: PLDPR20230253
Roll No: 1143023

Applicant(s)

Beverly L ALTHOUSE
PO Box 2859
Nipawin, SK S0E 1E0

RE: Development Permit Application No. - PLDPR20230253 – **DENIED**

Subject Property - W5-1-52-28-NE (the "Lands")

On May 16, 2023 the Development Authority deemed your application to be complete in accordance with Section 686 of the Municipal Government Act. Your application for "Althouse **Secondary Suite #32 Meadow Run Estates**" on the lands legally described as 7822964/2/16, W5-1-52-28-NE was considered by the Development Authority and **DENIED** for the following reasons:

REASONS FOR DENIAL

1. On May 16, 2023, Planning and Development Services deemed the application for a Dwelling, Single Detached as complete.
2. The lands are located in the CR – Country Residential District.
3. In reviewing the application, the Development Authority determined that the proposed development meets the general intent of the listed definition for DWELLING OR DWELLING UNIT as per Section 20.2 of the Parkland County Land Use Bylaw 2017-18 as the floor plan identified a self-contained living accommodation unit having sleeping, cooking and toilet facilities.
4. The Development Authority determined the use as DWELLING, SINGLE DETACHED as defined by the Land Use Bylaw 2017-18.
5. The proposed development most closely meets the design characteristics of a DWELLING, SINGLE DETACHED because, although floor area by definition does not include attached garages or basements, the intent of the proposed structure, in the opinion of the development authority, exceeds the intensity of use of a secondary suite. The 5,120 sq ft structure featuring a 2,304 sq ft attached garage and 1,205 sq ft unfinished basement greatly increases the use of the lands. This has the potential to unduly interfere with the amenities of the neighbourhood and materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
6. The proposed development does not meet the regulations of

a second dwelling unit on a Parcel because s.11.4.2 is not met. The Parcel is smaller than 28.0ha, not districted as Agricultural, and located within a Multi-Parcel Residential Subdivision.

7. The definition of a DWELLING UNIT, ADDITIONAL means a secondary dwelling on a parcel 28.3 ha, or greater, where a principal building is located. The proposed development does not meet this definition because the subject Parcel is 1.21 ha.
8. The application for the proposed development DWELLING, SINGLE DETACHED is **DENIED** because it does not meet Section 12.16 or 11.4 of the Parkland County Land Use Bylaw 2017-18.

DATE OF DECISION: April 23, 2024

This decision may be appealed to the Subdivision and Development Appeal Board (SDAB) within twenty-one (21) days (**May 14, 2024)** after the Date of Decision pursuant to Section 686 of the *Municipal Government Act, RSA 2000, CM-26*. For inquiries regarding the appeal process or to submit an appeal, please contact Parkland County Legislative Services at 780-968-8471 or SDAB@parklandcounty.com.

Parkland County requires a **$200.00** non-refundable fee be paid for an appeal served on the Subdivision and Development Appeal Board by the applicant.

Development Authority

Subdivision and Development Appeal Board

May 15, 2024

Beverly Althouse
150-4827 104A Street NW
Edmonton, AB T6H 0R5

NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Appeal of:	Development Permit Denied Permit Number: PLDPR20230253
Location:	Legal Address: NE-28-52-1-W5 Municipal Address: 32-52420 Range Road 13, Meadow Run Estates
Appeal Received:	May 13, 2024
Applicant:	Beverly Althouse
Appellant:	Beverly Althouse
Appeal Hearing Date:	10:00 a.m., Monday June 10, 2024
Appeal Hearing Location:	Council Chambers – 53109A Hwy 779, Parkland County, AB *Virtual attendance also available*
Submissions Deadline:	June 4, 2024

Parkland County received a Development Permit application for a secondary suite at #32 Meadow Run Estates. The Development Permit was denied effective April 23, 2024.

Correspondence has been received appealing the decision for the Permit Denied and in accordance with Section 686.2 of the *Municipal Government Act*, a hearing will be held at Parkland County Centre in Council Chambers on **Monday, June 10, 2024 at 10:00 a.m.**

All written submissions for the agenda package must be sent via email to sdab@parklandcounty.com , or dropped off at the Parkland County Centre building during regular business hours on or before June 4, 2024.

The agenda package for this hearing will be available for viewing on our website: www.parklandcounty.com/sdab no later than June 5, 2024. Prior to the start of the hearing, a copy of the application and supporting documentation is available for inspection at Parkland County Centre, during regular business hours. Please contact Legislative Services at 780-968-8888 or by email at sdab@parklandcounty.com to schedule an appointment to view these documents.

Please Note:

This meeting will be conducted in person at the Parkland County Council Chambers. However, for those unable to attend in person the option to attend via Teams conferencing is available. Should you wish to attend via Teams conferencing please contact SDAB Clerk staff by email at SDAB@parklandcounty.com or by telephone at 780-968-8888 no later than 9:00 a.m. on Monday, June 10, 2024.

Please contact the Clerk's Office at the above should you require assistance or have any questions/concerns.

Yours truly,

Rachel Coupal
Clerk, Subdivision and Development Appeal Board
sdab@parklandcounty.com

From: Emily Jensen
To: Rachel Coupal
Cc: Karen Kormos
Subject: SDAB Appeal - Bev Althouse
Date: May 29, 2024 9:44:24 AM
Attachments: image001.png

Good morning,

Thank you for sending out the letters to the residents and the appellants as well as handling the appeal process thus far. Unfortunately, the letters were sent out on May 17, 2024, and I received the letter on May 27, 2024, which does not provide me adequate time to prepare a report and presentation for this SDAB appeal. In addition, there are conflicting events with the date that was selected and my schedule. I would like to request that the appeal be moved to two weeks from the date that was set for this appeal.

Again, thank you for your assistance and your consideration on this matter. If you have any questions, please feel free to contact me via phone or email.

Take care,

Emily Jensen | Development Officer, Development Planning | Parkland County | 53109A HWY 779, Parkland County, Alberta T7Z 1R1
Office: 780-968-8888 ext 8504 | **emily.jensen@parklandcounty.com** | **www.parklandcounty.com**

One Parkland: Powerfully Connected.