

# **SUBDIVISION AND DEVELOPMENT APPEAL BOARD A G E N D A**

**DATE:** Wednesday, January 26, 2022  
**TIME:** 6:30 p.m.  
**LOCATION:** Virtual - Zoom

1. Call to Order

2. 6:30pm

Appeal Hearing – PL20210000820

Appellant: Denis and Shelley Ouellette  
Conrad and Amy Procter

Against the conditional approval of Development Permit PL20210000820 to locate a Limited Group Home for the purposes of providing assistance to individuals who require assistance in their daily living at 38 Hartwick Manor (Plan 112-3685 Block 7 Lot 35). The Development Permit Application was approved on December 14, 2021.

3. Adjournment

## City of Spruce Grove Subdivision and Development Appeal Board

**Appeal:** PL20210000820  
**Appellant:** Denis and Shelley Ouellette  
Conrad and Amy Procter

Civic Address	Legal Description
38 Hartwick Manor	Plan 112 3685, Block 7, Lot 35

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### Exhibit List

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## EXHIBIT 1

## **DEVELOPMENT PERMIT No. PL20210000820**

### **TIMELINES**

Development Permit Application Received Incomplete	November 17, 2021
Additional Documentation Requested	December 13, 2021
Development Permit Application Received Complete	December 14, 2021
Development Permit Application Decision Issued	December 14, 2021
Development Permit Appeal Period Expiry Date	January 4, 2022
Notice of Appeal Received	January 4, 2022
Notice of Hearing Sent to Appellant	January 11, 2022
Notice of Hearing Sent to Adjacent Property Owners	January 11, 2022
Notice of Hearing Advertised in Newspaper	January 21, 2022
Subdivision and Development Appeal Board Hearing	January 26, 2022

## EXHIBIT 2



Planning and Development  
414 King Street, Spruce Grove, AB  
Phone: 780-962-7582  
Fax: 780-962-1062

# DEVELOPMENT PERMIT APPLICATION

Page 1 of 2

\$257.50

Business Hours  
M-F: 8:30 a.m. – 4:30 p.m.

AL20210000820

## RECEIVED

NOV 17 2021

<b>PROJECT LOCATION - REQUIRED</b>			
Suite:	Street Address:	Street Name:	
	38	Hartwick Manor	
Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian			
112 / 3685 / / 35			
<b>TYPE OF USE - REQUIRED</b>			
<input type="radio"/> New Home Construction <input type="radio"/> Addition <input type="radio"/> Temporary Business <input type="radio"/> Detached Garage <input type="radio"/> Show Home Conversion <input type="radio"/> Variance <input type="radio"/> Shed <input type="radio"/> Change of Occupancy or Use <input type="radio"/> Other <input type="radio"/> Deck <input type="radio"/> Secondary Suite <input type="radio"/> Accessory Building - Other			
<b>DETAILED PROJECT DESCRIPTION INCLUDING USE - REQUIRED</b> Is the development existing or has commenced? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Independent Supportive Living home for persons that require assistance in daily living up to a maximum of (3) three people.			
<b>BUILDING TYPE - REQUIRED</b>			
<input checked="" type="radio"/> Residential <input type="checkbox"/> Single Detached <input checked="" type="checkbox"/> Semi Detached		<input type="radio"/> Multi-family Dwelling Number of units: _____	
		<input type="radio"/> Commercial <input type="radio"/> Industrial <input type="radio"/> Institutional Total Area: _____ m <sup>2</sup>	
<b>ACCESSORY BUILDINGS / ADDITIONS</b>			
Total Area (m <sup>2</sup> ):	Height (if applicable):	<input checked="" type="radio"/> Residential <input type="radio"/> Commercial <input type="radio"/> Industrial <input type="radio"/> Institutional	
approx 1400 square feet	2 story		
<b>CHANGE OF OCCUPANCY OR USE - COMPLETE ONLY IF APPLYING FOR CHANGE OF USE OR OCCUPANCY OR FAMILY DAY HOME</b>			
Total Area (m <sup>2</sup> ): approx 1400 square feet			
<b>FAMILY DAY HOME - COMPLETE ONLY IF APPLYING FOR A FAMILY DAY HOME</b>			
Are room alterations involved: <input type="checkbox"/> YES <input type="checkbox"/> NO    If yes - Number of Rooms: _____ List Rooms: _____			
Describe alterations:			
<div style="border: 2px solid black; padding: 10px; display: inline-block;"> <h1>PAID</h1>            DEC 02 2021            PLANNING &amp; DEVELOPMENT         </div> <div style="float: right; margin-top: -50px;">0109352</div>			
Number of resident employees: (employees that reside in the home):		Number of children (including children under the age of 5 who are otherwise permanent residents of the dwelling):	
Hours of Operation:		Number of daily business visits to the property:	
Number of household vehicles:		Number of onsite parking stalls:	

Mailing Address  
315 Jespersen Ave  
Spruce Grove, AB T7X 3E8

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer a development permit. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.



Planning and Development  
414 King Street, Spruce Grove, AB  
Phone: 780-962-7582  
Fax: 780-962-1062

# DEVELOPMENT PERMIT APPLICATION

Page 2 of 2

Business Hours

M-F: 8:30 a.m. – 4:30 p.m.

## SECONDARY SUITE / GARAGE SUITE / GARDEN SUITE

The proposed secondary suite is located within;

- ☐ The principal dwelling unit  
☐ Basement / Second Floor or Other  
☐ The second story of a detached garage  
☐ An accessory building  
☐ Other (describe):

Floor area of the secondary suite (m<sup>2</sup>):

Number of bedrooms in the secondary suite:

Floor area of the principal dwelling unit (m<sup>2</sup>):

Number of parking stalls available on site:

I have met the minimum of six parking stalls on the development and plan to

## OWNER OR REPRESENTATIVE – REQUIRED

☒ I am the registered owner of the land described above

☐ I have been designated as the representative of the owner  
(written consent attached)

Owner Name:

Carol Zito

Company Name:

I Have A Chance Support Services Ltd.

Signature:

*Greg Worma POA*

Agent Name:

Company Name:

Signature:

## MAILING ADDRESS (OWNER) – REQUIRED

Mailing address:

990 Boulder Blvd.

City:

Stony Plain

Province:

AB

Postal Code:

T7Z 0E5

Phone no.:

780-962-0433

Fax no.:

Email Address:

## APPLICANT ☐ SAME AS OWNER/REPRESENTATIVE – REQUIRED

Applicant Name:

Arlene Penner

Phone no.:

780-962-0433

Fax no.:

Company Name:

I Have A Chance Support Services Ltd.

Mailing address:

990 Boulder Blvd.

City:

Stony Plain

Province:

AB

Postal Code:

T7Z 0E5

Applicant e-mail address: arlene@lhass.com

I acknowledge that if the development permit application is approved it is subject to an appeal period as per the Municipal Government Act, RSA 2000, c-26.1 and that the decision may be ultimately overturned or amended. I do accept that if I commence development prior to the appeal expiry date, I am doing so with the appropriate development and building permits issued and at my own risk accepting all legal responsibilities.

*Greg Worma POA*  
Applicant's signature

November 16th 2021

Date

Mailing Address  
315 Jespersen Ave  
Spruce Grove, AB T7X 3E8

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## EXHIBIT 3



# Development Permit Decision

Planning and Development, Office Location  
414 King Street  
Spruce Grove, AB  
Phone: (780) 962-7582 Fax: (780) 962-1062

Planning and Development, Mailing Address  
315 Jespersen Avenue  
Spruce Grove, Alberta T7X 3E8

Development Permit Decision No: **PL20210000820**

Municipal Address: 38 Hartwick Manor

File No/Legal (Pl-Blk-Lt): 112-3685-7-35

Land Use District: R1

- ☐ Approved
- ☒ **Conditionally Approved**
- ☐ Refused
- ☐ Permitted Use
- ☒ **Discretionary Use**
- ☐ Variance Granted

The application for a Limited Group Home is approved for the purposes of providing assistance to individuals who require assistance in daily living, subject to the following conditions:

1. The residential character of the Dwelling shall be primary; with the occupants living together as a single housekeeping unit and using shared cooking facilities.
2. The Limited Group Home shall be limited to providing care for a maximum of four (4) persons, exclusive of staff or family members residing in the home.
3. The Limited Group Home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the district in which it is located.
4. The approved use shall not include active treatment centers such as drug or alcohol treatment or housing facilities for convicts or ex-convicts.

Tanya Ouellette		14-December-21
Development Officer	Signature	Date

APPEAL PERIOD EXPIRY DATE: 4-January-22

## Important Notices

- THIS IS NOT A BUILDING PERMIT (must be obtained separately). A Building Permit may be required, please contact the Planning and Development Department for more information.
- A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with the conditions of any covenant, caveat, easement, bylaw, regulation (municipal or provincial) or instrument affecting a building or land.
- Any development carried out prior to the appeal expiry date is at the sole risk of the applicant.
- If you wish to appeal the decision of the Development Officer, you may do so by completing a form available from the:

City of Spruce Grove  
Planning and Development Department, Office Location  
414 King Street Spruce Grove, Alberta

Or

On the City’s website at <https://www.sprucegrove.org/services/building-and-development-permits/development-permits/>

The completed form along with the appeal fee can be submitted in the following manner

Mailing:	In Person:
City of Spruce Grove	City of Spruce Grove
Planning and Development Department	Planning and Development Department
315 Jespersen Avenue	414 King Street
Spruce Grove, Alberta T7X 3E8	Spruce Grove, Alberta

Email: [permits@sprucegrove.org](mailto:permits@sprucegrove.org)

The request for appeal shall be submitted within the appeal expiry date.

### For Information Purposes

- 1) **POSTING OF DEVELOPMENT OFFICER’S DECISION**  
Where there is a right of appeal, by anyone other than the applicant, from a decision on an application, posting on the site may be required. Such a posting must be on the site as may be required by the Development Officer, describing the proposed development



# Development Permit Decision

Planning and Development, Office Location  
414 King Street  
Spruce Grove, AB  
Phone: (780) 962-7582 Fax: (780) 962-1062

Planning and Development, Mailing Address  
315 Jespersen Avenue  
Spruce Grove, Alberta T7X 3E8

Development Permit Decision No: **PL20210000820**  
Municipal Address: 38 Hartwick Manor  
File No/Legal (Pl-Blk-Lt): 112-3685-7-35  
Land Use District: R1

and the Development Officer's decision, and advising of the right of appeal to the Subdivision and Development Appeal Board. The notice shall be of durable material, and shall be at least one (1) foot by two (2) feet in size.

2) **GROUND FORS FOR APPEAL**

Section 685 of the Municipal Government Act states:

- “(1) If a development authority
- (a) refuses or fails to issue a development permit to a person,
  - (b) issues a development permit subject to conditions, or
  - (c) issues an order under section 645
- the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.”
- (2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.
- (3) Notwithstanding subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).”
- (4) Despite subsections (1),(2) and (3), if a decision with respect to a development permit application in respect of a direct control district
- (a) Is made by a council, there is no appeal to the subdivision and development appeal board, or
  - (b) Is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority’s decision.”

Section 686 of the Municipal Government Act states in part:

- “(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board
- (a) in the case of an appeal made by a person referred to in section 685(1)
    - (i) with respect to an application for a development permit,
      - A. within 21 days after the date on which the decision is made under section 642, or
      - B. if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,
- or

In the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

- (2) The subdivision and development appeal board must hold an appeal hearing within 30 days after receipt of a notice of appeal.
- (3) The subdivision and development appeal board must give at least 5 days’ notice in writing of the hearing
- (a) to the appellant,
  - (b) to the development authority whose order, decision or development permit is the subject is the subject of the appeal, and
  - (c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.”

Section 687 of the Municipal Government Act states in part:

- “(1) At a hearing under section 686, the subdivision and development appeal board must hear
- (a) the appellant or any person acting on behalf of the appellant,
  - (b) the development authority from whose order, decision or development permit the appeal is made, or a person acting on behalf of the development authority,
  - (c) any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of the person, and
  - (d) any other person who claims to be affected by the order, decision or permit and that the subdivision and development appeal board agrees to hear, or a person acting on behalf of that person.
- (2) The subdivision and development appeal board must give its decision in writing together with reasons for the decision within 15 days of concluding the hearing.”

(3) **PERMIT VALIDITY**

- (a) A development permit is effective for a period of one year unless specified otherwise in the permit conditions. If the development permit cannot be fulfilled within the one year period an extension may be granted, by a Development Officer, if requested in writing prior to the expiry date and if substantial development has occurred on the site, in the opinion of the Development Officer.
- (b) A development once commenced is not to be discontinued or suspended for a period or periods totaling more than six months unless the Development Officer has notified the developer in writing that such discontinuance or suspension may be continued. If the notification of extension has not been obtained the development permit shall be considered to have lapsed.
- (c) In the case of an appeal the decision of the Subdivision and Development Appeal Board, to approve the development permit or amend any conditions, is effective for a period of one year from the date of the written notification. If the decision of the Subdivision and Development Appeal Board cannot be fulfilled within the one year period an extension may be granted, by a Development Officer, if requested in writing prior to the expiry date.

## EXHIBIT 4



414 King Street, Spruce Grove, AB  
Phone: 780-962-7582  
Fax: 780-962-1062  
M-F: 8:30 a.m. – 4:30 p.m.

## NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development Permit Application No.: PL20210000820

Stop Order Dated: n/a

Appeal of the

- ☒ Approval  
☐ Conditional of approval  
☐ Refusal

☐ Representing group

☐ List of names attached

### APPELLANT – REQUIRED

Appellant Name:

Denis and Shelley Ouellette

Home Phone No.:

Work Phone No.:

Mailing address:

City:

Spruce Grove

Province:

AB

Postal Code:

Signature:

Date:

January 4, 2022

Email

### APPELLANT'S REPRESENTATIVE – REQUIRED

Appellant Name:

N/A

Home Phone No.:

Work Phone No.:

Mailing address:

City:

Province:

Postal Code:

Email

### ADDRESS OF SUBJECT SITE – REQUIRED

Suite:

Street Address:

38

Street Name:

Hartwick Manor

Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian

112

/ 3685

/ 7

/ 35

/

### REASON FOR APPEAL - REQUIRED

See attached email.

### OFFICE USE ONLY

Appeal Period Expiry Date:

January 4, 2022

Date Appeal Received:

January 4, 2022

Receipt No.:

01-2022

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer an appeal to the Subdivision and Development Appeal Board. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.



Denis Ouellette [REDACTED]

**FW: File #112-3685-7-35/ Dev. Permit: PL20210000820**

1 message

**Ouellette, Denis (PEP)** [REDACTED]

4 January 2022 at 15:50

To: Denis Ouellette [REDACTED]

To - Planning and Development Department  
City Hall  
315 Jespersen Ave  
Spruce Grove, Ab  
T7X 3E8  
File #112-3685-7-35/ Dev. Permit: PL20210000820  
38 Hartwick Manor

We , Denis and Shelley Ouellette, who resides at [REDACTED] wish to appeal this permit for Limited Group home.

-There has been no consultation when this group home has already been in operation for a lengthy period of time Spring/Summer of 2021. And now they are asking for a permit. This is backwards approvals. Beg for forgiveness after its already in place.

-The First week that they were in the neighborhood in operation, there was a person asking all the neighbors for drugs and alcohol. There is close to 20 plus children in this cul-de-sac and street close to this group home. There is a massive safety concern for our children. Safety concerns with excess traffic. Safety for the kids walking to and from school.

-This past fall 2021, kids were outside, and 2 to 3 levels of enforcement were called in because there was an incident inside. RCMP had to take one of the persons inside, into custody and remove them.

The City of Spruce has let its community down, by allowing this to happen unethically.

Please confirm that you have received this letter to appeal this permit. Contact info below.

[REDACTED]  
[REDACTED]  
  
Denis and Shelley Ouellette  
[REDACTED]



414 King Street, Spruce Grove, AB

Phone: 780-962-7582

Fax: 780-962-1062

M-F: 8:30 a.m. – 4:30 p.m.

## NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development Permit Application No.: <u>PL20210000820</u>	Appeal of the <input checked="" type="radio"/> Approval <input type="radio"/> Conditional of approval <input type="radio"/> Refusal	<input type="checkbox"/> Representing group <input type="checkbox"/> List of names attached
Stop Order Dated: <u>n/a</u>		

### APPELLANT – REQUIRED

Appellant Name: <u>Conrad and Amy Procter</u>	Home Phone No.: [REDACTED]	Work Phone No.:
Mailing address: [REDACTED]	City: <u>Spruce Grove</u>	Province: <u>AB</u>
		Postal Code: [REDACTED]
Signature: <u>[Signature]</u>	Date: <u>January 3, 2022</u>	
Email [REDACTED]		

### APPELLANT'S REPRESENTATIVE – REQUIRED

Appellant Name: <u>N/A</u>	Home Phone No.:	Work Phone No.:
Mailing address: <u>N/A</u>	City:	Province:
		Postal Code:
Email		

### ADDRESS OF SUBJECT SITE – REQUIRED

Suite:	Street Address: <u>38</u>	Street Name: <u>Hartwick Manor</u>
Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian		
<u>112</u>	<u>/ 3685</u>	<u>/ 7 / 35 /</u>

### REASON FOR APPEAL - REQUIRED

See attached letter.

### OFFICE USE ONLY

Appeal Period Expiry Date: <u>January 4, 2022</u>	Date Appeal Received: <u>January 4, 2022</u>	Receipt No.: <u>02-2022</u>
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This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer an appeal to the Subdivision and Development Appeal Board. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.

January 3, 2022

Attn: Tanya Oullette  
Development Officer  
City of Spruce Grove  
File #: 112-3685-7-35

We would like to appeal the decision of the development officer regarding the decision to locate a group home at 38 Hartwick Manor.

This group home has been operating for a year now without authorization from the city. We heard that they had bought the property and I contacted the city more than once before they moved in and nothing was done. Their presence in the small, busy cul-de-sac has created issues with taking up multiple parking spaces in an already crowded area, traffic flowing into and out of the cul-de-sac where there are many young kids playing. There has been an issue with littering of cigarette butts, issues with parking on the road and blocking residents from entering their driveways. One of the residents of the group home went around the neighborhood asking others if they had marijuana. Our property is directly attached to the group home and there is a resident that is always out on the back deck smoking, which leads to hacking and spitting and is a noise disturbance for many hours of the day. The lack of property maintenance outside has also been an issue, the grass was cut maybe only once this summer.

This is a neighborhood with small children and two schools within walking distance and a group home would be better located somewhere else. The impact on our resale value now that our property is attached to this group home is severely worrisome as well.

It is extraordinarily mind boggling as a homeowner that the city would allow this application to be approved without prior opportunity for feedback from neighbors that would be affected. As it is, we are required to make a payment to have our say for something that was not within our control to begin with and something that we tried to get answers for before it occurred to no avail. This is nonsensical. Also, these letters to neighboring properties only arrived last Friday for some and, in our case, on January 3rd with the required appeal date of January 4th. I understand there are issues with mail delivery but I know for a fact that the city has our email on file as I assume most of the other residents of the cul-de-sac as well and both methods should have been utilized for notification as this one-day turnaround compounded with the ludicrous fee is unacceptable for something that has already had a complaint issued over. We are very curious how the group home begging for forgiveness and asking for a permit a year into things, and the city approving this knowing there were issues raised by the neighbors previously is acceptable with the city and how that is looking out for the best interests of the homeowners and taxpayers in your city.

Conrad and Amy Procter  


## **EXHIBIT 5**



City Clerk's Office

January 11, 2022

«Owner\_Name»  
«Owner\_Name2»  
«Owner\_Addr1»  
«Owner\_City» «Owner\_Prov» «Owner\_Postal\_Code»

Dear Property Owner:

**RE: NOTICE OF HEARING – SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
Development Permit PL20210000820, Plan 112-3685 Block 7 Lot 35**

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An appeal has been filed against the conditional approval of Development Permit PL20210000820 to locate a Limited Group Home for the purposes of providing assistance to individuals who require assistance in their daily living at 38 Hartwick Manor (Plan 112-3685 Block 7 Lot 35). The Development Permit Application was approved on December 14, 2021.

The Subdivision and Development Appeal Board (SDAB) will hold an appeal hearing as follows:

DATE: Wednesday, January 26, 2022  
TIME: 6:30 p.m.  
LOCATION: Virtual - Zoom

When an appeal is filed with the SDAB, all persons who own property within 30 meters of the development are notified of the hearing by way of this letter. In addition, the owner of the property, the applicant of the development permit, and the person(s) who filed the appeal will also receive a copy of this letter.

Persons mentioned above and affected by this development have the right to submit a verbal or written submission to the Board. When making a submission, keep in mind that in accordance with the legislation that governs the SDAB, the SDAB can only consider relevant planning matters when rendering its decision.

If you wish to make a verbal submission to address the SDAB, you must pre-register by **Wednesday, January 26, 2022 at 12 noon** by email, at [cityclerk@sprucegrove.org](mailto:cityclerk@sprucegrove.org), or by telephone at 780-962-7634 Ext. 425. Once registered you will be provided with the information necessary to access the meeting by virtual means.

If you wish to submit written material to the SDAB for inclusion in the hearing agenda package, it must be received by **Wednesday, January 19, 2022 at 12 noon** by email, at [cityclerk@sprucegrove.org](mailto:cityclerk@sprucegrove.org), or by mail, SDAB Clerk, 315 Jespersen Avenue, Spruce Grove, Alberta, T7X 3E8. Visuals such as PowerPoint presentations, photos, or graphics



are considered to be a written submission in accordance with the City's Virtual Procedures Bylaw. Any written submissions received will be made available to the public.

We will be pleased to answer any questions you may have regarding the appeal and can also provide information or advice on SDAB procedures and how to make presentations to the SDAB. Please feel free to contact me at 780-962-7634 Ext. 425 should you have any questions.

Yours truly,

Lindsay O'Mara  
Clerk, Subdivision and Development Appeal Board  
Email: [cityclerk@sprucegrove.org](mailto:cityclerk@sprucegrove.org)  
Phone: 780-962-7634 Ext. 425


## EXHIBIT 6

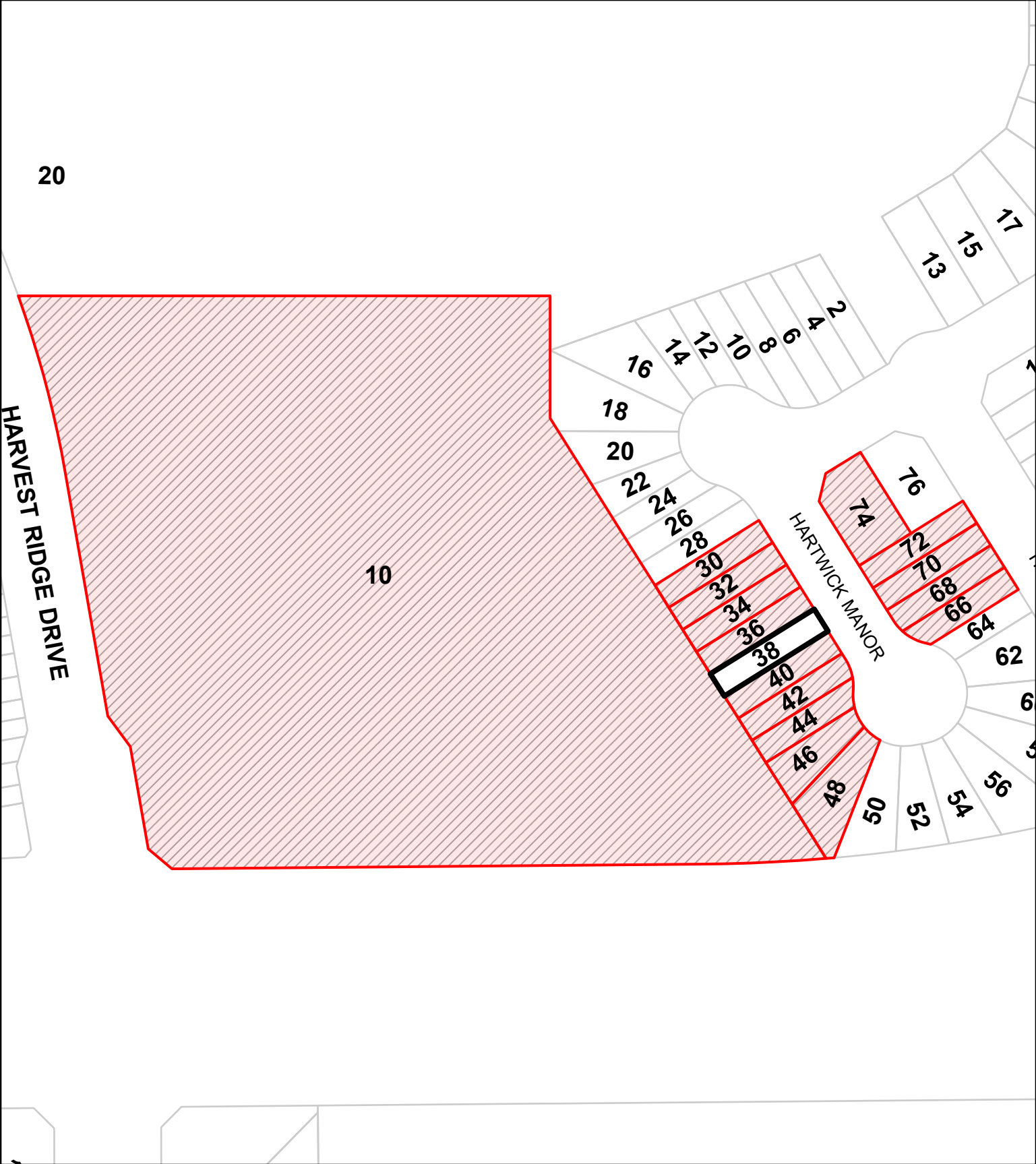
**CONFIDENTIAL**

**PAGE REMOVED**

## EXHIBIT 7

# 38 Hartwick Manor

Notification letters sent to properties marked with 



## EXHIBIT 8

# 38 Hartwick Manor

Subject Site



## EXHIBIT 9

**PLANNING STAFF REPORT TO: Subdivision & Development Appeal Board****ITEM: 1**

<b>File No:</b> 112-3685-7-35	<b>Subject:</b> An appeal against the conditional approval for a Limited Group Home at 38 Hartwick Manor. (Plan 112 3685, Block 7, Lot 35)
<b>Date of Report:</b> January 14, 2022	
<b>Date of Meeting:</b> January 26, 2022	

The following is a summary of information relevant to the application:

**Development Permit: PL20210000820**

**Date of Decision: December 14, 2021**

**Date Appeal Received: January 4, 2022**

**Relevant Sections of the  
Land Use Bylaw:**

Section 7 - Definitions  
Section 69 - Group Care Facilities and Limited  
Group Homes  
Section 85 - Number of Onsite Parking Stalls Required.

**Land Use District:** R1 – Mixed Low to Medium Residential District

**Proposed Use:** Limited Group Home

**Legal Address:** Plan 112 3685, Block 7, Lot 35

**I. BACKGROUND INFORMATION**

November 17, 2021 – The applicant, Arlene from I Have A Chance Support Services Ltd., submitted a development permit application for a Limited Group Home at 38 Hartwick Manor.

December 14, 2021 – The applicant's colleague, Greg, in her absence, submitted additional information as requested by the Development Officer on December 13, 2021.

December 14, 2021 – The Development Officer conditionally approved the application for Limited Group Home under Development Permit PL20210000820.

January 4, 2022 – An appeal against Development Permit PL20210000820 was received.

## **II. LAND USE BYLAW C-824-12**

### **Part 2 – Interpretations and Definitions**

#### **Limited Group Home**

A residential care facility which is recognized, authorized, licensed, or certified by a public authority such as a social care facility intended to provide room and board for six residents or less, exclusive of staff or family members residing in the home, for disabled persons or persons with physical, mental, social or behavioral problems. The facility may provide for the personal rehabilitation of its residents either through self-help or professional care, guidance, and supervision. The residential character of the Dwelling shall be primary; with the occupants living together as a single housekeeping unit and using shared cooking facilities. The Use does not include active treatment centers such as drug or alcohol treatment or housing facilities for convicts or ex-convicts.

### **Part 7 – Special Regulations**

#### **Section 69: Group Care Facilities and Limited Group Homes**

- (1) The Development Officer shall establish the maximum number of residents allowed in a Group Care Facility or Limited Group Home, on a case-specific basis with attention given to the District in which the Use is located and the type of facility seeking approval.
- (2) Pedestrian and vehicular traffic shall not be generated in excess of what is characteristic of the area.
- (3) A Site containing a Group Care Facility or Limited Group Home shall not contain a Secondary Suite, Garage Suite, or Garden Suite.

### **Part 9 – Parking Regulations**

#### **Section 85 (2): Number of Onsite Parking Stalls Required**

The number of required parking stalls for a Limited Group Home is at the discretion of the Development Officer.

## **III. STAFF COMMENTS**

The property at 38 Hartwick Manor is located within the R1 – Mixed Low to Medium Residential District.

A Limited Group Home is a Discretionary Use within the R1 District.

In reviewing the development permit application for the Limited Group Home, the Development Officer took into consideration several factors including, but not limited to available parking on the site and details on how the group home will operate with respect to staff and tenants.

The Limited Group Home operates with one staff member per every two tenants. The maximum number of tenants for the Limited Group Home at 38 Hartwick Manor is three, as per the additional information

provided. In addition, the Limited Group Home is for individuals requiring assistance in their day-to-day life due to disability. The tenants generally do not drive, they use public transit or receive rides from their support network.

There are two on-site parking stalls available for staff, one in the attached garage and one on the driveway. With the maximum of two staff on-site at any given time, the Development Officer determined there is sufficient parking to accommodate the Limited Group Home. With that being said, it is the opinion of the Development Officer that the pedestrian and vehicular traffic for Limited Group Home would not be in excess of what is characteristic of the neighborhood.

In conclusion, as the operation details of the Limited Group Home provided by, I Have A Chance Support Services Ltd. meet the definition of a Limited Group Home and applicable regulations, the Development Officer conditionally approved the Limited Group Home at 38 Hartwick Manor.

## **EXHIBIT 10**

SDAB Clerk  
315 Jespersen Ave  
Spruce Grove, AB  
T7X 3EB

To whom it may concern,

I Have A Chance Support Services LTD. (IHAC) has been offering specialized support within Parkland County for over 30 years. IHAC supports individuals who may have a diagnosed disability or those who would benefit from temporary assistance to achieve the goal of community inclusion.

IHAC is requesting to use 38 Hartwick Manor as a Support Home for upwards of three individuals. IHAC employees will be onsite twenty-four hours per day and seven days per week to assist the individual in care to complete activities of daily living including preparing meals, personal care support and additional skills. All employees are trained in accordance to IHAC standards which includes but is not limited to First Aid/CPR, Crisis Response and Intervention, Mental Health First Aid and Food Safety.

Spruce Grove is perceived as a diverse community offering many services for individuals across a broad spectrum of needs and abilities. IHAC promotes operational growth in communities that are accepting of individuals with neurodiverse needs; IHAC strongly believes that Spruce Grove fosters a community-based environment that allows individuals to grow and strengthen their skills to achieve the shared vision of community inclusion.

I Have A Chance Support Services LTD. believes in the preserving the dignity and rights of all individuals in care. As such, IHAC encourages anonymity of care whenever possible. There is minimal signage or unique identifiers on doors to maintain confidentiality and promote community inclusion. IHAC provides fleet vehicles for all Support Homes to provide barrier free access to transportation; all agency vehicles are unmarked and cannot be identified as belonging to a supportive living environment.

The IHAC Quality Assurance Manager and the Client Care Manager complete regular on-site inspections of the Support Home including observing health & safety protocols, program cleanliness and maintaining approved procedures set forth by the current accreditation body (Canadian Accreditation Council). Any deficiencies noted are either addressed in the moment or timelines for corrective action are given and followed up with accordingly. IHAC employs trained professional to ensure that the property is well maintained and upholds the community standard that can be found in Harvest Ridge.

*Anna Goebel*

Anna Goebel  
Chief Operations Officer  
Pronouns: She/Her  
Ph: (780) 962.0433  
Fax: (780) 968.5150  
Website: [www.ihacss.com](http://www.ihacss.com)  
Alberta – Ontario – Northern Canada

## EXHIBIT 11

**From:** [Dwayne Osbaldeston](#)  
**To:** [City Clerk](#)  
**Subject:** Notice of Appeal Hearing  
**Date:** January 15, 2022 8:31:10 AM

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**NOTICE:** This email originated from outside the organization. Use caution when clicking links or opening attachments.

RE:

Notice of Hearing – Subdivision and Development Appeal Board  
Development Permit PL20210000820, Plan 112-3685 Block 7 Lot 35

Hello:

I am unable to join the appeal hearing on Jan 26, 2022 @ 6:30pm for this permit application however I would like to voice some concerns that I have with this permit application:

- 1) The letter indicates that the permit application was approved on Dec 14, 2021 however this residence has been operating as an adult day home for well over a year.
- 2) The owner has created an unsightly temporary parking pad on their front lawn. Last spring the occupants were parking on this pad and when the ground thawed it became extremely muddy and their vehicle spread large amounts of mud all over the street. I have heard that they are no longer allowed to use the parking pad but the unsightly parking pad still remains and they now have an unsightly no parking sign posted on the lawn as well.
- 3) This residence has a significant shortage of parking for their staff. The street we live on has very limited parking as it is and on a typical day this residence can have 2-3 cars parked in various places. I have also seen the occupants vehicles partially blocking other driveways as well as parking directly beside the fire hydrant on our street.
- 4) I am concerned about the clientele being housed at this address as one evening I was sitting on my front porch and one of their clients came out of the residence and walked over to me and asked for drugs. I said no, the man left and the following day I mentioned this incident to one of the care workers at the residence. We have many small children on our street and in addition, this residence backs on to a high school playground. I do not feel like this is an appropriate location for this kind of drug rehabilitation operation.

Sincerely;

**Dwayne Osbaldeston, CET, MRT(R)**  
[REDACTED], Spruce Grove