

# **SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

## **A G E N D A**

**DATE:** Thursday, February 23, 2023  
**TIME:** 6:30 p.m.  
**LOCATION:** Council Chambers  
3<sup>rd</sup> Floor, 315 Jespersen Avenue

1. Call to Order
2. Appeal Hearing – PLDPR202200877

Appellants: Lisa Juba

Mernie Greenwood and John Russell

An appeal has been filed against the conditional approval of Development Permit PLDPR202200877 to construct a secondary suite in the basement of an existing single detached dwelling and relocation of the proposed detached garage at 60 Treble Landing (Plan 182-2672, Block 3, Lot 25). The Development Permit Application was approved with conditions on January 12, 2023.

3. Adjournment

## City of Spruce Grove Subdivision and Development Appeal Board

**Appeal:** PLDPR20220087  
**Appellant:** Mernie Greenwood and John Russell  
Lisa Juba

Civic Address	Legal Description
60 Treble Landing	Plan 182-2672, Block 3, Lot 25

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### Exhibit List

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Exhibit #	Description	Page
1.	Timelines	4
2.	Development Permit Application	6
3.	Development Permit Decision	10
4.	Notice of Appeal – Greenwood/Russell (1) and Juba (2)	16/19
5.	Notice of Hearing	22
6.	Adjacent Property Owner List (Confidential)	25
7.	Site Plan Showing Adjacent Property Owners	27
8.	Subject Location (Maps)	29/30
9.	Development Officer's Report	32
10.	Appellant Submission	36
11.	Applicant Submission	48

## EXHIBIT 1

## **DEVELOPMENT PERMIT No. PLDPR202200877**


### **TIMELINES**

Development Permit Application Received	October 26, 2022
Development Permit Application Decision Issued	January 12, 2023
Development Permit Appeal Period Expiry Date	February 1, 2023
Notice of Appeal Received	February 1, 2023
Notice of Hearing Sent to Appellant	February 7, 2023
Notice of Hearing Sent to Applicant	February 7, 2023
Notice of Hearing Sent to Adjacent Property Owners	February 7, 2023
Notice of Hearing Advertised in Newspaper	February 10, 2023
Subdivision and Development Appeal Board Hearing	February 23, 2023



## EXHIBIT 2

## [Planning Application](#)

project number	master project	type	status	date entered
PLDPR202200877	MP2022005491	<a href="#">  Development Permit - Residential                 </a>	Under Appeal	10/26/2022
primary contact		primary location		
CANVAS HOMES, Address:30 Kingsmeade CR, Phone:( <span style="background-color: black; color: black;">XXXXXXXXXX</span> )		60 TREBLE LANDING		

## [Planning Application Details](#)

department	project lead	jurisdiction	site area (gross ha)
Planning Department	Tanya Ouellette	City of Spruce Grove	
name		location description	
To construct a secondary suite in the basement of an existing single detached dwelling		1822672;3;25	
proposed use		number of lots	
Residential - Single-Detached			
appeal deadline date	advertised date	decision deadline	type of decision (dp only)
02/01/2023	01/20/2023	02/19/2023	Discretionary
date submitted	expiration date	date closed	entered by
10/26/2022			Web Registered
comments			
To construct a secondary suite in the basement of an existing single detached dwelling and relocation of the proposed detached garage			
public notice summary			
inspector notes		total estimated valuation	
2022-12-09 - Levy needs an extension until January to get the revised plot plan. TO		\$0.00	

Application Type

type

Additional Living Unit - Secondary Suite

status

Under Appeal

status date

02/01/2023

approval track

Administrative

description

To construct a secondary suite in the basement of an existing single detached dwelling

estimated valuation

\$0.00

development existing or commenced

☐

0

Impact fees

Add Calculation

Work Item	Unit	Quantity	Amount	Total	Credit
assess %		<div>use assess %</div> <div><input type="checkbox"/></div>		adjusted valuation: (total of non credit * assess %) minus total of credit	\$0.00
Secondary Suite					
secondary suite location		secondary suite location description		floor area of additional living unit (square meters)	
Principal Dwelling Unit	▼	Basement		82.20	
floor area of the principal dwelling unit (m2)		number of units (required)		number of parking stalls available on site	
157.00		2		2	
i own and reside at the residence			number of beds in secondary suite		
<input type="checkbox"/>			2		

Associations

Submittals 1

Fees 2

Contacts 0

Hearings 0

Activities 10

Locations 0

2 Locations + Add Location							^	x
Description	Type	Status	Property Alert	Primary	Display			
60 TREBLE LANDING	Address	Active		<input checked="" type="checkbox"/>	<input type="checkbox"/>			
1822672;3;25	Property	Active		<input type="checkbox"/>	<input type="checkbox"/>			
Temporary Location								
							<a href="#">Add Related Parcels, Addresses and Owners</a> <a href="#">Show Map</a>	

2 Contacts + Add Contact							^	x
Description	Type	Contact Alert	Primary	Portal				
MELCOR DEVELOPMENTS LTD., Address:	Property Owner		<input type="checkbox"/>	<input type="checkbox"/>				
CANVAS HOMES, Address:30 Kingsmeade CR, Phone:	Applicant		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				

## EXHIBIT 3



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

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

## Development Permit Decision

Application: **PLDPR202200877**  
Date: January 12, 2023

Canvas Homes  
30 Kingsmeade CR  
St Albert, AB T8N 4C8

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### Project Information

Civic Address: 60 TREBLE LANDING;  
Legal: 1822672;3;25  
Project Type: Development Permit - Residential  
Project Details: To construct a secondary suite in the basement of an existing single detached dwelling and relocation of the proposed detached garage.

Status: **Approved w/Conditions**  
Decision: **Discretionary – Secondary suite**  
**Permitted – Relocation of proposed detached garage**

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### CONDITIONS OF APPROVAL

- 1 Adequate on-site parking must be provided: two stalls for the main dwelling unit, and one additional stall for the secondary suite. Required parking stalls must be provided on-site and may not be on a public road.
- 2 The minimum floor area for the secondary suite shall be not less than 30m<sup>2</sup>.
- 3 A Secondary Suite shall not be allowed within the same Site containing a Group Care Facility, Limited Group Home, Home Occupation, Garden Suite or Garage Suite.
- 4 The secondary suite shall be operated as an accessory use only and shall not change the residential character of the principal dwelling involved.
- 5 The floor area of the secondary suite shall not exceed the floor area of the first storey of the dwelling.
- 6 The Secondary Suite shall be serviced from the main service valve and shall not be serviced through a separate service connection.
- 7 The detached garage shall not be located on any utility right of ways or easements.
- 8 The detached garage, as shown on applicant's sketch plan, shall be located no closer than 6m (19.7ft) from the rear property line.
- 9 The detached garage, as shown on applicant's sketch plan, shall be located no closer than 1m (3.3ft) from the side property line.
- 10 The exterior of the detached garage shall contain an address number that is a minimum 10 cm tall facing the laneway.
- 11 The exterior finish of the detached garage is to be of a material and quality similar to the existing dwelling unit.
- 12 The detached garage shall not exceed one storey, or 4.5m (14.8ft) in height when measured from the building grade to the top of the roof.
- 13 The eaves of the detached garage shall not project more than 0.6 m (2.0 ft) into any yard setback.
- 14 The vehicle doors of the detached garage shall be located facing the laneway.
- 15 The detached garage shall be located so that it is no closer to the dwelling than 1.0 m (3.3 ft).
- 16 The eaves of the detached garage shall not project more than 0.6m (2.0 ft) into any yard setback.

- 17 Driveways must maintain a minimum clearance of 300 mm from all side yard property lines (with the exception of duplex, multi-family, and zero lot line developments). (Detail TN-17)



Tanya Ouellette  
Development Officer

**APPEAL PERIOD EXPIRY DATE: February 01, 2023**

## 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, a completed form along with the appeal fee can be submitted in the following manner:**

In person	By mail
City Hall 315 Jespersen Avenue Spruce Grove, AB	Clerk of the Subdivision and Development Appeal Board c/o City Clerk's Office City of Spruce Grove 315 Jespersen Avenue Spruce Grove, Alberta T7X 3E8

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

### ***For Information Purposes***

#### **1) POSTING OF THE 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 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) REFERENCES TO THE MUNICIPAL GOVERNMENT ACT RSA 2000 Chapter M-26 AS AMENDED**

##### **Grounds for appeal**

**685(1)** If a development authority

- (a) fails or refuses 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 the decision in accordance with subsection (2.1).

**(1.1)** A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.

**(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 the decision in accordance with subsection (2.1).

**(2.1)** An appeal referred to in subsection (1) or (2) may be made

- (a) to the Land and Property Rights Tribunal
  - (i) unless otherwise provided in the regulations under section 694(1)(h.2)(i), where the land that is the subject of the application
    - (A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,
    - (B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,
    - (C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or
    - (D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Parks,

or



(ii) in any other circumstances described in the regulations under section 694(1)(h.2)(ii),

or

(b) in all other cases, to the subdivision and development appeal board.

**(3)** Despite 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.

## Appeals

**686(1)** A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal

(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 written decision is given 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

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made,

or

(b) 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.

**(1.1)** Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

(a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or

(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board 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 board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

**(3)** The board hearing an appeal referred to in subsection (1) 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 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.

**(4)** The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

(a) the application for the development permit, the decision and the notice of appeal, or

(b) the order under section 645.

**(4.1)** Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

**(5)** In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.

## Hearing and decision

**687(1)** At a hearing under section 686, the board hearing the appeal 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 that 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 board hearing the appeal referred to in subsection (1) must give its decision in writing together with reasons for the decision within 15 days after concluding the hearing.

**(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) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
- (b) must have regard to but is not bound by the subdivision and development regulations;
- (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.

**(4)** In the case of an appeal of the deemed refusal of an application under section 683.1(8), the board must determine whether the documents and information that the applicant provided met the requirements of section 683.1(2).

### **3) PERMIT VALIDITY**

- (a) A development permit is effective for a period of one year from the date the Notice of Decision is given 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



315 Jespersen Ave, Spruce Grove, AB

Phone: 780-962-2611

M-F: 8:30 a.m. – 4:30 p.m.

## NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development or Subdivision Application No.: <b>PLD PR 202200877</b>		Appeal of the <input type="radio"/> Approval <input checked="" type="radio"/> Conditional approval <input type="radio"/> Refusal	<input type="checkbox"/> Representing group <input type="checkbox"/> List of names attached
Stop Order Dated: _____			

<b>APPELLANT – REQUIRED</b>			
Appellant Name: <b>MERNIE GREENWOOD &amp; JOHN RUSSELL</b>		Home Phone No.: [REDACTED]	Work Phone No.: [REDACTED]
Mailing address: [REDACTED]	City: [REDACTED]	Province: [REDACTED]	Postal Code: [REDACTED]
Signature: [REDACTED]	Date: <b>FEB 1, 2023</b>		
Email: [REDACTED]			

<b>APPELLANT'S REPRESENTATIVE</b>			
Appellant Name:		Home Phone No.:	Work Phone No.:
Mailing address:	City:	Province:	Postal Code:
Email			

<b>ADDRESS OF SUBJECT SITE – REQUIRED</b>			
Suite:	Street Address: <b>60</b>	Street Name: <b>TREBLE LANDING SPRUCE GROVE</b>	
Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian <b>1822672 / 3      125      1      1</b>			

<b>REASON FOR APPEAL - REQUIRED</b>		
<b>AREA ZONED SINGLE FAMILY, ONLY SINGLE FAMILY FRONT GARAGE &amp; SINGLE FAMILY LANE HOMES ALLOWED. LOTS ARE LESS THAN 30' WIDE RESTRICTING FRONT PARKING. THE BACK ALLEY ALREADY HAS VEHICLES PARKED ON ARROWS RESTRICTING SIGHT LINES &amp; DRIVING LANE. EXTRA PERSONS, VEHICLES EXTRA TRASH &amp; RECYCLING - EXTRA NOISE, LESS CARE FOR PROPERTY</b>		
<b>OFFICE USE ONLY</b>		
Appeal Period Expiry Date: <b>February 1, 2023</b>	Date Appeal Received: <b>February 1, 2023</b>	Receipt No.: <b>01-2023</b>

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.



City Of Spruce Grove – Appeal Conditional Development

Application: PLDPR202200877

Civic Address: 60 Treble Landing

Legal: 1822672;3;25

Project Type: Development Permit – Residential

Project Details: Secondary Suite

To Subdivision and Development Appeal Board,

From: Greenwood, Mernie Ann & Russell, John Alexander

As Adjacent Land Owners on # [REDACTED]

We wish to Appeal the Conditional Development Permit for 60 Treble Landing for a Secondary Suite for these reasons.

- This area is Zoned Single Family homes.
- We choose our Lot because there was only Single Family home styles: Front Attached Garage Homes and Single Family Lane Homes.
- Lots are less than 30' wide in the front offering only limited space for front parking.
- The Back Alley already has extra vehicle parking on garage aprons - limiting sight lines and driving lanes.
- Currently recycling, trash bins and blue bags are picked up on the front street – this would create 2 trash bins, 2 recycling bins and 2 blue bags on a lot less than 30' wide.
- # 60 Treble Landing appears to be Not one of the several Tonewood Area builders – As No Builders sign is posted like other builders.
- Rental units add persons, vehicles, and extra trash and recycling to street. There is less concern for neighbours with noise and parking; as home owners usually take more care for neighbours, their yards, their sideways, their homes and want to share in the community.
- I have spoke with home owners on Lot # 49 and #51 and they agree this is a Single Family Home area and do not want a Secondary Suite on Lot # 60 Treble Landing.
- The \$200. Payment will be made today, Feb 1, 2023 at City Hall.

Thank you,

Signed: Mernie Ann Greenwood Feb 1, 2023 [REDACTED]

John A Russell is working away and is sending an email, he is currently not in an internet area. I will forward when received.

*did print & attach his email.*

From: Sandy Russell [REDACTED]  
Subject: Secondary Suite at 60 Treble Landing  
Date: Feb 1, 2023 at 11:08:39 AM  
To: ICE Mernie Greenwood [REDACTED]

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This is to express my concern about the application for a secondary suite at 60 Treble Landing. We bought and built in a single family dwelling area of Spruce Grove and are against a house being turned into a rental property. I would be very surprised to find that the main floor is not going to be rented as well. There is an abundance of rentals in Spruce Grove and this house is being built as a revenue property. With a multi-suite rental comes an abundance of issues such as parking, lack of maintenance, noise and partying complaints. Renters have no vested interest in either the property or the neighborhood and having lived next to a rental in the past, we fully understand the many issues which which must be dealt with. We did not build in a new single family dwelling area to have to deal with those issues and if there had been rental units in the area before building, we would have looked elsewhere.

John Russell  
[REDACTED]

Sent from my iPhone



315 Jespersen Ave, Spruce Grove, AB

Phone: 780-962-2611

M-F: 8:30 a.m. – 4:30 p.m.

## NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Development or Subdivision Application No.: <u>P10PR202206877</u>	Appeal of the <input type="radio"/> Approval <input checked="" type="radio"/> Conditional approval <input type="radio"/> Refusal	<input type="checkbox"/> Representing group <input type="checkbox"/> List of names attached
Stop Order Dated: _____		

<b>APPELLANT – REQUIRED</b>			
Appellant Name: <u>Lisa Suba</u>	Home Phone No.:	Work Phone No.:	
Mailing address: [REDACTED]	City: [REDACTED]	Province:	Postal Code:
Signature: [REDACTED]	Date: <u>02/01/23</u>		
Email [REDACTED]			

<b>APPELLANT'S REPRESENTATIVE</b>			
Appellant Name:	Home Phone No.:	Work Phone No.:	
Mailing address:	City:	Province:	Postal Code:
Email			

<b>ADDRESS OF SUBJECT SITE – REQUIRED</b>		
Suite:	Street Address: <u>60</u>	Street Name: <u>Trickle Landing</u>
Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian <u>15226723,25</u> / / /		

<b>REASON FOR APPEAL - REQUIRED</b>
<u>See letter attached.</u>

<b>OFFICE USE ONLY</b>		
Appeal Period Expiry Date: <u>February 1, 2023</u>	Date Appeal Received: <u>February 1, 2023</u>	Receipt No.: <u>02-2023</u>

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Lisa Juba

February 1, 2023

The City of Spruce Grove  
315 Jespersen Avenue  
Spruce Grove, AB T7X 3EB

Re: 60 Treble Landing – Secondary Suite

I am writing to express my opposition to the proposal to allow secondary suites in our neighborhood.

While I understand that secondary suites can provide additional income for homeowners and increase the housing supply, I have concerns about the potential impact they could have on our community.

First, secondary suites could lead to increased traffic, noise, and parking problems. There are no dedicated stalls for this suite and parking is becoming a problem as the community continues to be developed. A secondary suite means additional garbage /recycle bins that are put out in the front of residences will add to parking problems. This could reduce the quality of life for residents and negatively affect property values.

Second, secondary suites could also increase the strain on our already limited community resources, such as schools, parks, and roads. This could result in overcrowding and reduced access to these important amenities. Is the infrastructure (roads, water, sewer, electricity, gas, internet, etc.) designed for additional loads.

Finally, I believe that secondary suites could also lead to a loss of privacy and security for residents. This could result in increased concerns about safety and reduced overall comfort in our neighborhood.

Thank you for your time and consideration.

Sincerely,

Lisa Juba



## EXHIBIT 5

February 7, 2023

«Owner\_Name»  
«Owner\_Name2»  
«Owner\_Addr1»  
«Owner\_Addr2»  
«Owner\_City», «Owner\_Prov» «Owner\_Postal\_Code»  
«AddressBlock»

Dear Property Owner:

**RE: NOTICE OF HEARING – SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
Development Permit PLDPR202200877, Plan 182-2672 Block 3 Lot 25**

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An appeal has been filed against the conditional approval of Development Permit PLDPR202200877 to construct a secondary suite in the basement of an existing single detached dwelling and relocation of the proposed detached garage at 60 Treble Landing (Plan 182-2672, Block 3, Lot 25). The Development Permit Application was approved with conditions on January 12, 2023.

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

**DATE:** Thursday, February 23, 2023  
**TIME:** 6:30 p.m.  
**LOCATION:** Council Chambers, Third Floor, City Hall  
315 Jespersen Avenue, Spruce Grove

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 submit written material to the SDAB for inclusion in the hearing agenda package, it should be received by the City Clerk by **Thursday, February 16, 2023, at 12 noon** by email at [cityclerk@sprucegrove.org](mailto:cityclerk@sprucegrove.org), or by mail at SDAB Clerk, 315 Jespersen Avenue, Spruce Grove, AB, T7X 3E8. Visuals such as PowerPoint presentations, photos, or graphics are considered to be written submissions. If you are unable to meet this submission deadline, please bring 10 copies of the materials to the hearing and it will be distributed at the start of the hearing. Any written and/or visual material 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 should you have any questions.

Yours truly,

Jennifer Maskoske  
Clerk, Subdivision and Development Appeal Board  
Email: [cityclerk@sprucegrove.org](mailto:cityclerk@sprucegrove.org)  
Phone: 780-962-7634 Ext. 227

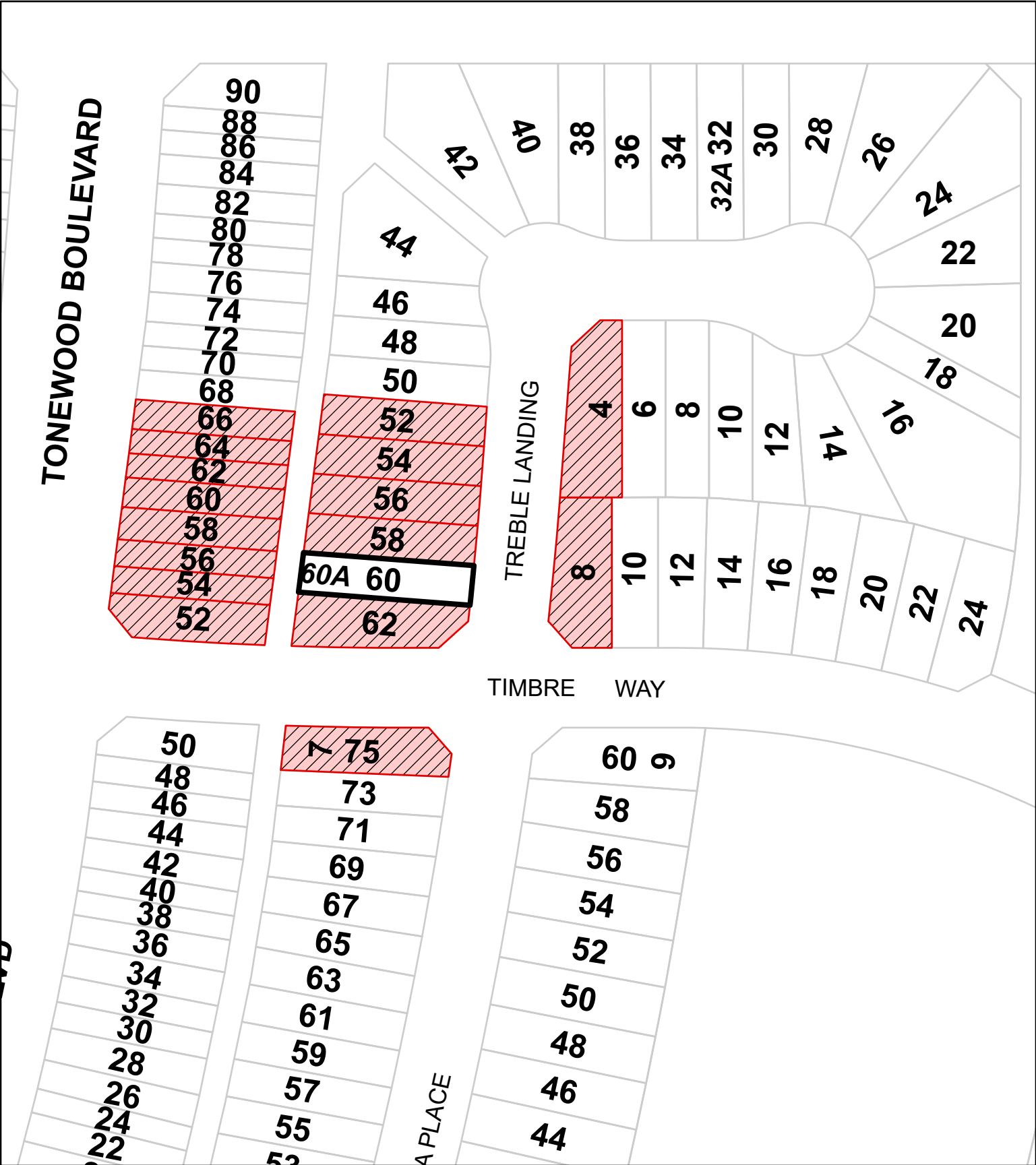
## EXHIBIT 6

**CONFIDENTIAL PAGE REMOVED**

## EXHIBIT 7

# 60 Treble Landing

Notification letters sent to properties marked with 

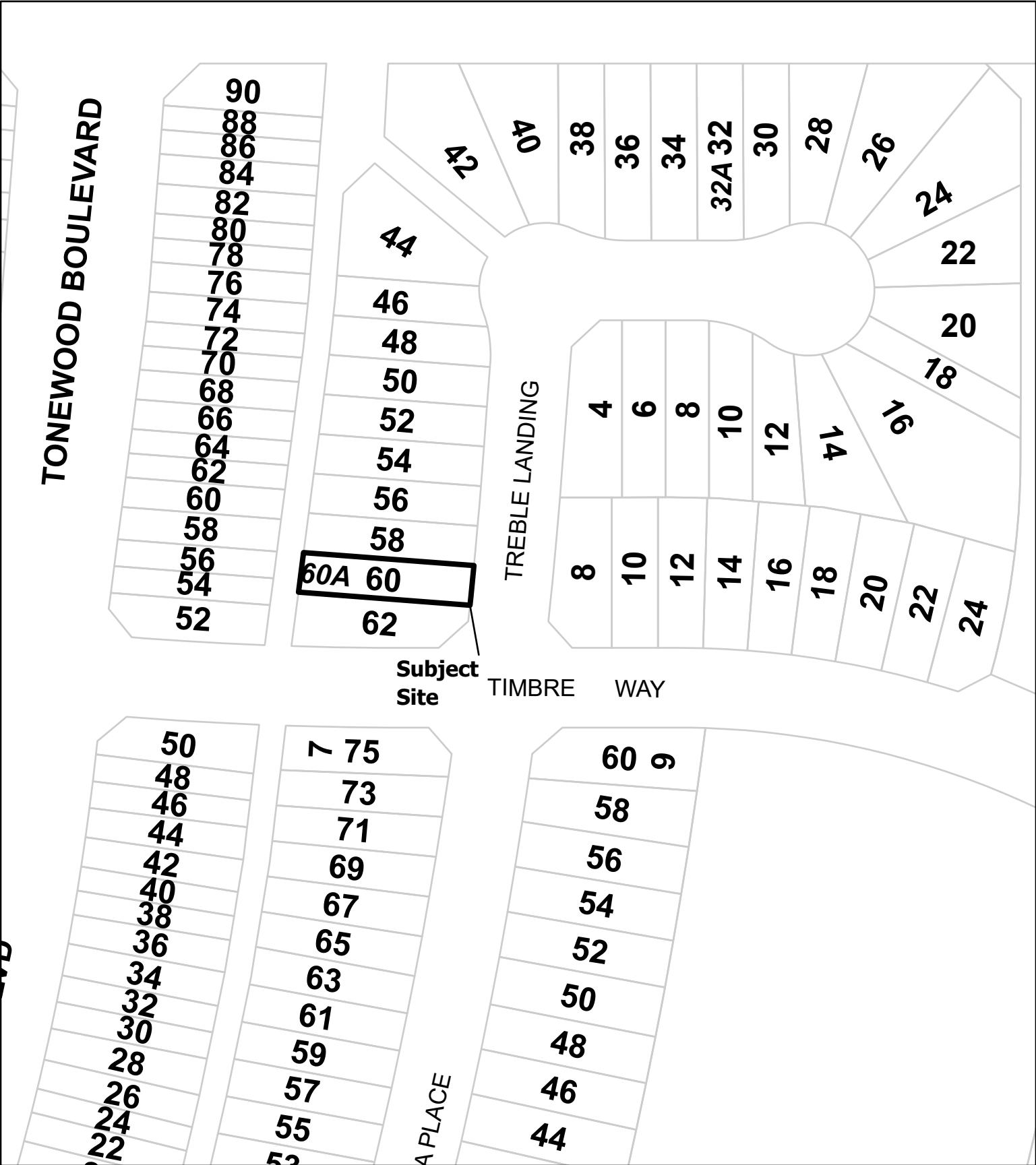


## EXHIBIT 8



# 60 Treble Landing

Subject Site









## EXHIBIT 9

**File No:** 182-2672-3-25**Date of Report:** February 8, 2023**Date of Meeting:** February 23, 2023**Subject:** An appeal against the conditional approval of an application for a secondary suite to be constructed in the basement of the existing single detached dwelling at 60 Treble Landing (Plan 182-2672, Block 3, Lot 25).

## **I. BACKGROUND INFORMATION**

On October 26, 2022, the builder, Canvas Homes, of 60 Treble Landing submitted a development permit application to locate a secondary suite in the basement of the existing single detached dwelling.

On November 18, 2022, the Development Officer contacted the builder to discuss the minimum required parking for the residential use (two) and the secondary suite use (one) as the original proposed detached garage location only allowed for two parking stalls within the garage and no parking on the driveway with a rear yard setback proposed at 1.10m. As the detached garage had not yet been constructed, the builder agreed to relocate the proposed detached garage to accommodate the three required parking stalls. The total proposed parking stalls for the site was now four.

On January 3, 2023, the builder submitted a revised site plan showing the new proposed location of the detached garage.

On January 12, 2023, during the review of the application and revised site plan, it was determined by the Development Officer that the regulations under Section 75 (Secondary Suites) were all met. Therefore, the Development Officer conditionally approved the development permit application known as PLDPR202200877.

On February 1, 2023, Lisa Juba, the owner of [REDACTED], submitted an appeal of the conditional approval of Development Permit Decision PLDPR202200877 to locate a secondary suite in the basement of the existing single detached dwelling.

On February 1, 2023, Mernie Greenwood and John Russell, the owners of [REDACTED] submitted an appeal of the conditional approval of Development Permit Decision PLDPR202200877 to locate a secondary suite in the basement of the existing single detached dwelling.

On February 1, 2023, the Development Officer returned a call by Mernie Greenwood and discussed the process of reviewing a secondary suite application and advised why the secondary suite was conditionally approved.

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

**Development Permit:** PLDPR202200877

**Date of Decision:** January 12, 2023

**Date of Appeals Received:** February 1, 2023

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

Section 7 – Definitions  
Section 75 – Secondary Suites  
Section 85 – Number of On-Site Parking Stalls Required  
Section 115 – R1 – Mixed Low to Medium Density Residential  
District

**Land Use District:**

R1 – Mixed Low to Medium Density Residential District

**Proposed Development:**

To locate a Secondary Suite in the basement of the existing Single Detached Dwelling

**Municipal Address:**

**60 Treble Landing**

**Legal Description:**

Plan 182-2672, Block 3, Lot 25

## **II. LAND USE BYLAW C-824-12 AND INFORMATION RELATING TO THE APPEAL**

**Section 115** of the Land Use Bylaw provides the Uses, whether Permitted or Discretionary, in the R1 – Mix Low to Medium Density Residential District. Secondary Suites are a Discretionary Use in the R1 District.

**Section 7** of the Land Use Bylaw defines a Secondary Suite.

**A Secondary Suite is defined as...**

Development consisting of a Dwelling located within, and Accessory to, a structure in which the Principal Use is Single Detached Dwelling. A Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the Principal Dwelling within the structure. A Secondary Suite also has an entrance separate from the entrance to the Principal Building, either from a common indoor landing or directly from the side or rear of the structure. This Use Class includes the Development or conversion of basement space or above-grade space to a separate Dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. This Use Class does not include Garage Suite and Garden Suite.

**Section 75** of the Land Use Bylaw regulates Secondary Suites. The regulations under this section that apply to this appeal are as follows:

(1) A Secondary Suite shall be operated as an Accessory Use only and shall not change the residential character of the Principal Dwelling.

(2) A Secondary Suite shall be considered within the Principal Dwelling only.

(3) In the case of a Secondary Suite located completely below the first Storey of a Single Detached Dwelling (other than stairways or a common landing), the Floor Area (excluding the area covered by stairways) shall not exceed the Floor Area of the first Storey of the associated Principal Dwelling.

The Floor Area of the first Storey of the Principal Dwelling is 82.3m<sup>2</sup> (886ft<sup>2</sup>) and the Floor Area of the proposed Secondary Suite is 68.7m<sup>2</sup> (740ft<sup>2</sup>).

(4) The minimum Floor Area for a Secondary Suite shall be not less than 30.0m<sup>2</sup>.

(5) A Secondary Suite shall not be allowed within the same Site containing a Group Care Facility, Limited Group Home, Home Occupation, Garden Suite or Garage Suite.

(6) A minimum of one on-site Parking Stall shall be provided in addition to the required number of Parking Stalls for the Principal Dwelling.

(7) A Secondary Suite shall be serviced from the main service valve and shall not be service through a separate service connection.

**Section 85** of the Land Use Bylaw regulates the minimum number of parking stalls required.

(2) Single Detached: Two Parking Stalls per Dwelling. One Parking Stall may be in tandem.  
Secondary Suite: One Parking Stall per suite.

All regulations, according to the documentation submitted as part of the development permit application, appeared to have been met. The proposed detached garage to be located at the rear of the property with access from the lane, will accommodate the two stalls required for the single detached dwelling and the proposed driveway of 6.05m in length, will accommodate the additional parking stall required for the secondary suite. Therefore, development permit PLDPR202200877 was conditionally approved. Being the approved use was a discretionary use, notification went out to all adjacent property owners within a 30m radius.

## EXHIBIT 10

City Of Spruce Grove – Appeal Conditional Development  
Application: PLDPR202200877  
Civic Address: 60 Treble Landing  
Legal: 1822672;3;25  
Project Type: Development Permit – Residential  
Project Details: Secondary Suite

To Subdivision and Development Appeal Board,

From: Greenwood, Mernie Ann & Russell, John Alexander  
As Adjacent Land Owners on [REDACTED]

We wish to Appeal the Conditional Development Permit for 60 Treble Landing for a Secondary Suite.

See Sections:

115 R1 – Mixed Low to Medium Density Residential District (1) General Purpose. See: Permitted Uses and \*Discretionary Uses.

Section 75 - Secondary Suites or Section 83 – On Site Parking Requirements

Questions:

Why would the City of Spruce Grove allow a Secondary Suite ( it is a Up & Down Duplex) on a small – less than 30 ' wide lot in a brand new Subdivision?

We also want to know if on Treble Landing and Timber Way there is 38 houses with 16 side entrances – how many Secondary Suites are possible?? Zero, two, five, ten or sixteen units?

Based on wording on zoned “Single Family Homes” – What does this mean?

What does it take to qualify for a Secondary Suite property? Secondary entrance, smaller blueprint and parking. That's it? Adjoining neighbours have no right of refusal?

Recycling, trash and compost containers – Each secondary suite will have its own containers – doubling the bins for the property for front street pickup. Correct?

What are the rules for ownership – does the owner have to live on the property with a secondary suite?

If I'm a Day Care or Dance Studio leasing in a Strip Mall – a Liquor Store or Cannabis Store cannot move in – I'm first in. Correct?

If I'm a Liquor Store or a Cannabis Store and buy/lease in a Strip Mall – No Day Care or Dance Studio can move in – I'm first in. Correct?

The LAST Lane House built on Treble Landing and the LAST DB attached Garage House built on Timber Way: both do not post a builder. The #60 Lane house is going to be Up & Down Duplex?



### What this is Not?

This is Not Vancouver, Toronto or Fort McMurray: where home prices have climbed and become unreasonable for the average family.

This is Spruce Grove with housing market competition of Stony Plain, St Albert, Sherwood Park, Devon and Beaumont. Considered Edmonton suburbs, where each community offers several builders and selections of lots for home builders, recreation spaces and tax rates.

This is Not – Cities and Towns with limited rental units forcing renters to pay higher prices.

This is Spruce Grove with several rental complexes and currently ?? legal basement suites?

This is Not - families needing more income to pay their mortgage – because families can rent their spaces to other family or friends when needed to assist them financially and these family or friends answer to the home owner (who lives upstairs) about extra parking and extra noise.

This is – a New Property – The last property to be built on this Lane Lot Street - Not even a front step on the exterior of the house – They are applying to have a Secondary Suite.

Where the home owner does Not (?) have to live in the property - This is a UP & DOWN DUPLEX being built in an area zoned Single-Family! It can be Sold as a “Double Rental Income Property”

Does that mean this could be the FIRST of 16 potential Secondary Suites available for Permit on these two streets – Zoned Single Family? Can they meet current requirements – including parking. The answer is \_\_\_\_?

Attached is also a Article about Our experience with Building in Spruce Grove for your read. After Feb 23, 2023. What would this article really “say” about “Tonewood a Community of Choice” in Spruce Grove?

We are part of the diverse Tonewood Subdivision home owners with other families: working away, working from home or semi-retired home owners. We are Double Income No Kids who travel to the airport for fly-in fly-out work (hence Beaumont). Who choose to live here in Spruce Grove for the community and Jubilee Park – even if we can’t park on our street on busy days at Jubilee Park. That’s being a community person – sharing.

Please consider that if # 60 Treble Landing property would have been built already, as an Up & Down Duplex – We would NOT have purchased our lot.

Signed: Mernie A Greenwood Feb 15, 2023 \_\_\_\_\_

John A Russell is working away and will send an email, as we have discussed this in length and agree this is Not what we expected in the Community of Choice – Spruce Grove.

From: Sandy Russell [REDACTED]  
Subject: Re: Review and Return - Appeal Research letter  
Date: Feb 15, 2023 at 9:54:43 PM  
To: Mernie Greenwood [REDACTED]

I, John Russell, agree with the points brought up by Mernie Greenwood, and do not agree that this unit should be approved.

John Russell

Sent from my iPhone

On Feb 15, 2023, at 9:54 PM, Mernie Greenwood <[REDACTED]> wrote:

Copy of [REDACTED] - University of [REDACTED] appeal research letter -





#60 TREBLE LANDING

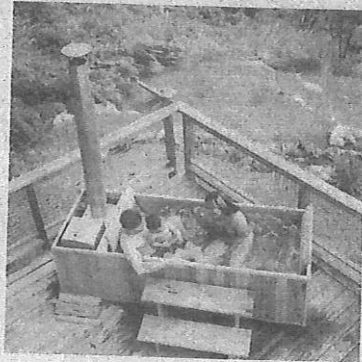


MES

## FIRED UP ABOUT A HOT TUB

A Vancouver-based company has designed a hot tub that doesn't need electricity or plumbing — just some firewood and a match. The Wood Burning Hot Tub, from outdoor living startup Goodland, takes 10 minutes to assemble and is made with 100 per cent recyclable materials.

Using it is simple. Put branches or logs in the stove section, and then fill the tub with water. Once you light the fire, the tub takes about 90 minutes to heat. Two re-



clining wood seats line the interior. The hot tub is also easy to clean, has multiple layers of insulation, and comes with a cover, paddle and drain kit.

The Wood Burning Hot Tub is made in Canada with aluminum, western red cedar, and oak and brass hardware. You can pre-order now at [hellogoodland.com](http://hellogoodland.com). You can expect it to arrive in January or February. The cost is \$7,295.

Melissa Hank

JOURNAL SATURDAY, DECEMBER 18, 2021

SECTION

# WELCOME TO TONEWOOD

Community in Spruce Grove offers access to parks, amenities in quiet setting

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Mernie Greenwood and John Russell customized the floor plan of their open-concept Presley model home by Western Living Homes in Tonewood. While they have a detached garage, they selected a corner lot to build a triple garage sometime in the future. WALTER TYCHNOWICZ/WIRESHARP PHOTOGRAPHY



# Growing community in Spruce Grove offers access to parks, amenities in

LAURA SEVERS

She was exiting Calgary and heading back to Spruce Grove.

That was the routing for Mernie Greenwood as she and her husband John Russell ended up in a brand new home in Tonewood, a neighbourhood described as being inspired by the craftsmen who transform spruce wood into vibrant instruments.

But this trip took a bit longer than expected.

"We sold our house in Calgary and were house shopping for seven months (limited inventory due to COVID) before we looked at a new home," said Greenwood.

"I lived in Spruce Grove in the past so I was very surprised at all the new neighbourhoods," she said. "We really liked the Tonewood area as it is on the east side of Spruce Grove — easy access to Edmonton. It's calm and quiet and has a farm nearby, with roosters that crow most mornings and a pond full of wild geese."

The couple started out looking in another neighbourhood that had a nearby school, but then decided they would prefer a more park-like area, with walking and bicycle paths, and Tonewood fit the bill with Jubilee Park right across from it. Jubilee includes a spray park, disc golf, multi-purpose trails, picnic areas and a picnic shelter, and recreational skating.

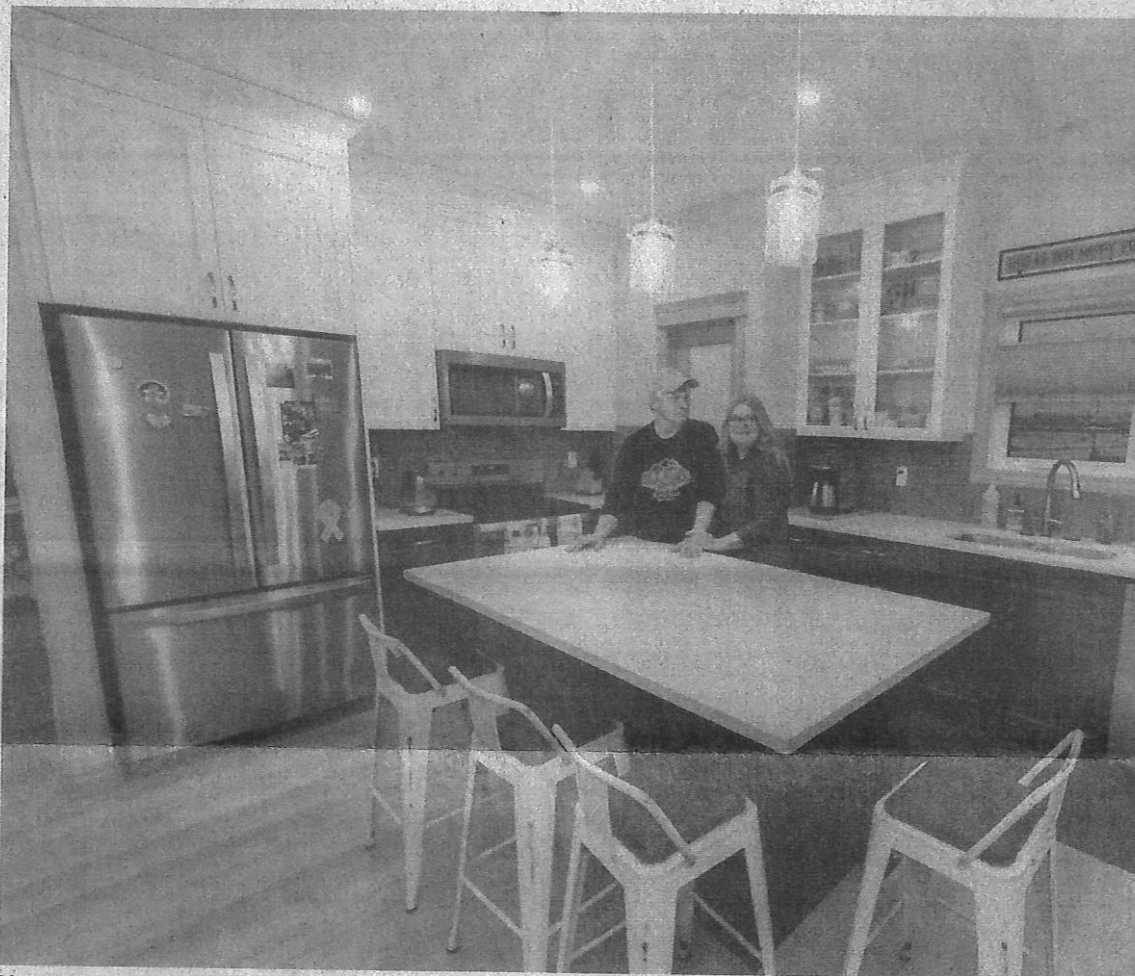
Greenwood and Russell chose to build Western Living Homes' Presley model, which comes in at 1,577 square feet, has an open-concept main floor, a flex space/home office at the front of the home and three bedrooms on the upper level. It's a laned home, with a detached garage. They affectionately call theirs Elvis.

"For us, it was all about a corner pie-shaped lot that would allow for a future triple garage," said Greenwood. "We were looking for preferably a south or west side/backyard as we wanted lots of windows in our home and a sunny deck area."

Western Living Homes was open to making changes to their chosen floor plan.

"Western Living Homes does a lot of customizations," said Nicholas DeRose, general manager, Western Living Homes. "They did take our model and customized it to their needs and wants, and we're happy to accommodate our clients."

The couple's 2020 Christmas postcard had them sitting on lug-



Mernie Greenwood and John Russell customized the floor plan of their open-concept Presley model home by Western Living Homes. As they have a detached garage, they selected a corner lot to build a triple garage sometime in the future. WALTER TYCHONOV



The design vibe in Tonewood, by Melcor, is inspired by craftsmen who turn spruce into vibrant musical instruments.



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And when they hit a bump in the road, their builder took it in stride, added Greenwood.

"When one of the siding products was out of stock, Western Living Homes suggested another product and included the upgrade to keep the project moving," said Greenwood.

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"There's a home for everybody," said Pescod, pointing to town houses, rear-laned single family homes and front-attached garage single-family homes. Melcor's

textural flair with wood accents ranging from signage to the trim on the homes — a wood panelling type of feel.

"Tonewood saw a lot of activity in 2020," said Pescod, with quite a number of Edmontonians selecting it for their new home. "It's a quick drive into Acheson and into West Edmonton (with the development of Pioneer Road); and it's also got easy access to a lot of commercial properties that are in the area."



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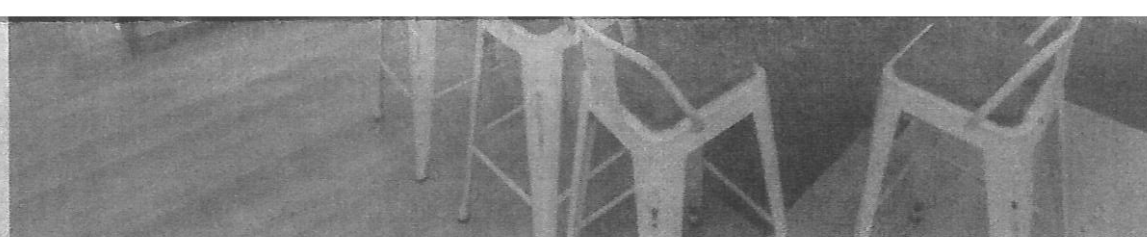
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MERLE PROSOFKY

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"It's a beautiful community with distinct Tonewood elevations," said DeRose, pointing to the use of the wood features throughout and wood or wood-like elements.

Western Living Homes, a family-run business started in 1982, is building single-family homes with front-attached garage, single-family homes with a detached garage and duplexes. Their prices start in the mid-\$300,000 range for duplexes; single-family homes with a detached garage start in the \$360,000 level and single-family homes with a front attached garage start in the \$400,000 range.

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Homes



## Dulcet Tonewood: Quiet new community with access to parks

*New Spruce Grove community provides quick commute to Edmonton*

Laura Severs

Published Dec 17, 2021 • Last updated Dec 17, 2021 • 3 minute read

[Join the conversation](#)



John Russell and Mernie Greenwood named their Presley model laned house by Western Living Homes "Elvis." PHOTO BY WALTER TYCHNOWICZ /Postmedia

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The couple's 2020 Christmas postcard had them sitting on luggage, stating: "Waiting for our new home!" In 2021, they would drive by and check on the progress of their new home.

Greenwood said they're totally enjoying living in their "new house heaven" since they moved in earlier this year, and that Western Living Homes delivered a high-quality product, on time, even with COVID restrictions that had to be dealt with.

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**Source:** [Dulcet Tonewood: Quiet new community with access to parks | Edmonton Journal](#)

## EXHIBIT 11

**From:** [REDACTED]  
**To:** [City Clerk](#)  
**Subject:** NOTICE OF HEARING - SDAB (DP PLDPR202200877, Plan 182-2672, Block 3, Lot 25) APPLICANT MATERIALS  
**Date:** February 16, 2023 11:59:55 AM

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

Good afternoon,

As the applicant for DP PLDPR202200877 I am writing to the SDAB in response to the appeal(s) filed against the DP's conditional approval.

As the homebuilder for 60 Treble Landing, we determined that applying for a secondary suite development permit would ultimately be in the best interest of the project for the following reasons:

1. The application fulfilled the guidelines outlined in Section 75 of the City of Spruce Grove's Land Use Bylaw. Also the density implied by a secondary basement suite aligns with land use and zoning that is already accepted in the Tonewood subdivision.
2. Canvas Homes believes in being able to provide individuals with choices for their housing options, including the ability to own or rent their homes. By constructing a permitted secondary basement suite at 60 Treble Landing we allow prospective homeowners to consider the option to use their basement suite for a variety of uses. This may include aging in place for older family members, separate suite privacy for other family members or to rent for additional income to subsidize their own living and housing expenses
3. A secondary suite could also help (in its own small way) in dealing with affordability and attainability of housing currently being experienced by many municipalities and individuals
4. The current interest rate environment has made it difficult for many prospective homeowners to afford new homes and qualify for mortgages at prevailing rates. This can be seen on Treble Landing acutely with the number of actively listed For Sale properties in the neighbourhood. By giving prospective buyers the option of purchasing a residence with a secondary suite they may be able to both qualify for a mortgage more easily but also handle their own housing expenses by potentially renting the suite to individuals who also require a residence
5. By allowing secondary suite development in this area, many that may commute to Spruce Grove and area for work may choose to reside in Spruce Grove (for the positive options listed above) rather than continue to reside in other municipalities where their housing needs are more readily met

Thank you for the opportunity to present these points of consideration and look forward to sharing them further with the SDAB next week.

Lovey Grewal

**Canvas Custom Homes**



web: [canvascustomhomes.com](http://canvascustomhomes.com)

