

Record of Proceedings

Subdivision and Development Appeal Board Hearing
Wednesday, December 3, 2025
3rd Floor - Council Chambers
315 Jespersen Ave
Spruce Grove, AB T7X 3E8

ATTENDANCE

Board Members:

Andrea Snow, Chair
Pere Bekederemo
Liam McGrath
Tim Ormsbee
Keith Schultz

Administration:

Laura Hall, SDAB Clerk
Nicole Hitchens, Recording Secretary
Lori Kustra, Supervisor of Development
Tanya Ouellette, Development Officer
Anshu Gupta, Development Officer

CALL TO ORDER

Chair Andrea Snow called the Subdivision and Development Appeal Board hearing to order at 6:30 p.m.

Chair Andrea Snow provided an overview of the purpose of the Subdivision and Development Appeal Board.

Chair Andrea Snow introduced SDAB Clerk, Laura Hall, and indicated that it is the practice of the Board to have the Clerk participate in private discussions with the Board. No objections were raised from those in attendance.

Chair Andrea Snow asked the sitting Board Members to introduce themselves.

Chair Andrea Snow introduced the Subdivision and Development Appeal Board staff and City of Spruce Grove administration.

APPROVAL OF THE AGENDA

Moved by Board Member Keith Schultz that the agenda for the December 3, 2025 Subdivision and Development Appeal Board hearing be approved as presented.

Carried

APPEAL HEARING - PLDPR202501133

An appeal has been filed against the conditional approval of Development Permit PLDPR202501133 to permit a family day home at 103 Garneau Gate (Plan 2122566; Block 14; Lot 32).

Appellants: Colleen and Douglas Hazzard, 101 Garneau Gate

Applicant: Jintu Kuriakose, 103 Garneau Gate

Chair Andrea Snow called upon the SDAB Clerk to introduce the subject of the appeal.

SDAB Clerk, Laura Hall, advised of the appeal by Colleen and Douglas Hazzard, against the conditional approval of Development Permit PLDPR202501133 to permit a family day home at 103 Garneau Gate (Plan 2122566; Block 14; Lot 32). The Development Permit Application was approved with conditions on October 21, 2025.

Chair Andrea Snow asked the SDAB Clerk if there were any preliminary matters to be addressed by the Board. The SDAB Clerk confirmed that there were no preliminary matters to address.

Chair Andrea Snow asked if anyone present would like a postponement of the Hearing to a later date. No postponement was requested.

Chair Andrea Snow asked if any Board Member felt the need to disclose any conflicts. The Board Members present had nothing to disclose.

Chair Andrea Snow asked if anyone affected by this appeal objects to any Board Member hearing the appeal. No objections were raised by those present.

Chair Andrea Snow explained the hearing process and the procedures to be followed and asked if anyone present had any concerns with the process outlined. No concerns with the process were raised by those present.

Chair Andrea Snow asked if everyone present received a copy of the agenda. The Applicant and Appellants acknowledged they received an email with a link to the SDAB webpage, but they did not review the agenda package. The Recording Secretary provided both the Appellants and Applicant with a copy of the agenda package.

Chair Andrew Snow called a recess at 6:43 p.m. so the Applicant and Appellants could review the agenda package.

Chair Andrea Snow reconvened the hearing at 6:53 p.m.

The Appellants confirmed they received enough time to review the material in the agenda package.

Chair Andrea Snow asked if there were any objections to the Board marking documents in the agenda as exhibits. No objections were raised by those present.

Chair Andrea Snow asked if there were any additional written submissions from anyone present. No additional submissions were provided.

Submission of the Development Authority

Chair Andrea Snow called upon the Development Authority for the City of Spruce Grove to provide their presentation.

Development Officer, Tanya Ouellette, read the Development Officer's Report into the record and provided the following:

- In the R1 district, a family day home is a discretionary use.
- Family day homes are considered an accessory use within a dwelling, therefore, can operate in single detached, semi-detached or row housing dwellings.
- Having less than four children in care does not require development permit approval.
- When reviewing the development permit application, the Development Officer took into consideration that the development permit was submitted due to a noise complaint, which started prior to the operation of the family day home. Based on the nature of the complaint, the Development Officer requested mitigation measures to reduce any existing or future concerns.
- The Development Officer determined the submitted mitigation measures were reasonable measures to mitigate noise concerns. The Development Officer indicated that the noise was already a concern prior to the operation of the family day home, being a household with a small child, and through correspondence with the complainants via email, the complaints may not be entirely a true reflection of the family day home operation.
- The Development Officer conditionally approved Development Permit PLDPR202501133 as it met all regulations set out under Section 66 of Land Use Bylaw C-824-12.

Chair Andrea Snow asked if the Board had any questions for the Development Officer. Board Member, Pere Bekederemo, asked what steps were taken into consideration when approving the family day home for discretionary use.

Development Officer, Tanya Ouellette, replied that if the Land Use Bylaw regulations are met, the application can be approved with conditions. As a result of the complaint, the Development Officer required additional measures to address the concerns in the complaint. Since there were concerns with noise prior to the application, the Development Officer felt this was a dispute between the two residences and there would be concerns regardless (e.g. if it was a larger family or day home) which is why the application was approved.

Chair Andrea Snow asked for confirmation that there were complaints prior to the day home operating.

Development Officer, Tanya Ouellette, replied that Planning didn't receive any complaints, but the Appellants said they complained before the application was approved.

Chair Andrew Snow asked if there were any situations when an application for discretionary use for a day home would not be approved.

Development Officer, Tanya Ouellette, replied that development officers try to work with all applications to bring them into compliance with the Land Use Bylaw.

Submission of the Appellants

Chair Andrea Snow called upon the Appellants to provide their presentation.

Appellants, Colleen and Douglas Hazzard, provided the Board with the following:

- The appeal is not a vindictive act as presented by the Development Officer.
- In early October, the Appellants noticed a lot of vehicle activity and young children coming and going at the neighbouring property, which set-off the alarm installed on their parking pad.
- They contacted the city to ask if a business license application was submitted and were told there was not, so they contacted the Development Officer to file a complaint.
- The letter outlining their concerns is provided in the agenda package.
- The Appellants don't have any issues with children, but the duplexes are small (1400 square feet) and having six children in the home compounds the noise.

Chair Andrea Snow asked if the Board had any questions for the Appellants.

Chair Andrew Snow asked what area of the appellants property are individuals entering onto their property.

The Appellants replied that people step over the space between the two properties and when that happens, the alarm installed on their parking pad is triggered.

Submission of the Applicant

Chair Andrea Snow called upon the Applicant to provide their presentation.

Applicant, Jintu Kuriakose, provided the Board with the following:

- Inspections were done by the Parkland Day Home Agency, and they are in compliance with safety checks.
- Complaints began when the Appellants moved into the property.
- The Appellants complain when their child goes downstairs, plays, or when the family watches television in the living room area.

- The Applicant installed rubber mats for safety and to help reduce noise.
- The Applicant has taken steps to be more respectful of the level of noise in their home, but the Appellants still complain.

Chair Andrea Snow asked if the Board had any questions for the Applicant.

Chair Andrew Snow asked how many children where in the home.

The Applicant replied that there are six children that attend the day home, and they have their own child. The number of children (being seven) complies with the Parkland Day Home Agency. The Applicant said they do not have another business in the home and do not employ anyone.

Chair Andrea Snow asked if parents were informed that they were to park on the Applicant's side of the driveway.

The Applicant replied that the parents are strictly following that condition. Notices were provided to the parents, and they also spoke with each parent.

Additional Speakers or Submissions

Chair Andrea Snow asked if anyone else present wanted to speak to the appeal. There were no additional speakers.

Chair Andrea Snow asked the SDAB Clerk if any written submissions had been received. The SDAB Clerk confirmed that no written submissions were received.

QUESTIONS FROM THE BOARD

Chair Andrea Snow asked if the Board had further questions for clarification for the Development Officer.

Chair Andrew Snow asked the Development Officer if the number of children allowed in the home impacts the permit.

Development Officer, Tanya Ouellette, replied that she was not aware of the seventh child in the home. While the Land Use Bylaw will be reviewed next year, the current Land Use Bylaw allows 4 to 6 children under the age of five.

Chair Andrea Snow asked if the Board had further questions for clarification for the Appellants. There were no additional questions for the Appellants.

Chair Andrea Snow asked if the Board had further questions for clarification for the Applicant. There were no additional questions for the Applicant.

FINAL COMMENTS

Chair Andrea Snow asked if the Development Officer had any final comments. There were no further comments from the Development Officer.

Chair Andrea Snow asked if the Applicant, Jintu Kuriakose, had any final comments. The Applicant provided the following:

- When they applied for the permit, there was only six children in the home, but they inquired with the Parkland Day Home Agency if a seventh child was allowed. They were informed this was allowed, if the child was over 3.5 years of age.
- There have been issues with the Appellants before starting the day home; there has been several instances of the Appellants coming to the door aggressively, yelling, and banging on the walls.
- The Appellants also complain when their garbage bins are too close to their vehicles.
- The Appellants said the Applicant should own a detached house if they want children to play in the living room.
- The Applicant has considered moving due to the issues with the Appellants.

Chair Andrea Snow asked if the Appellants, Colleen and Douglas Hazzard, had any final comments. The Appellants provided the following:

- In the agenda package it indicates there are three employees, so the Appellants take it to mean there are three people watching the children which makes them feel better. However, the names listed seem to be the Applicant (listed twice) and the Applicant's wife, but the Appellants are aware of only one adult on the property during the day.
- The fact that the home is a duplex, sound travels through the homes when there is stomping, jumping or bouncing a ball. The Appellants said they were misled about the sound proofing in the home.
- The children are kept in a 700 sq ft space which is a small place to play and there is no sidewalk on their side of the street which makes it is unsafe for children.
- The Appellants confirm there have been issues with the Applicant prior to the start of the day home but they live different lifestyles and have tried to speak on numerous occasions to the resolve the issues without success.
- The day home started illegally (without a license) until they complained, the Applicant then applied for a permit.

The Chair asked Development Officer, Tanya Ouellette, about the three resident employees noted on the application.

Tanya Ouellette replied that applicants cannot revise an application once it's submitted and assumed that was the number of residents in the home.

The Appellants asked if the Applicant could provide proof of the changes in the home.

Chair Andrew Snow replied that is not the prevue of the Board to request or discuss conditions. Chair Andrew Snow said the Applicant must comply with the conditions on the permit if the application is approved and advised that the Appellants could discuss that with the Development Officer.

Development Officer, Tanya Ouellette, said the Applicant offered to send photos of the changes in the home but that was not a requirement. If there are further complaints, the Development Officer may request proof of the changes. If the changes are not met, the Development Officer could revoke the application. The mitigation measures were added to the review of the application so, if the application is approved, the Appellants would be able to exercise their rights to raise concerns as to the operation of the day home.

FAIR HEARING

Chair Andrea Snow asked if the persons who made presentations felt that they had sufficient opportunity to present their evidence and arguments to the Board. All persons agreed they had sufficient opportunity to present their evidence.

Chair Andrea Snow asked if the Board felt the need to recess at this time to further consider this matter. A recess was not requested.

Chair Andrea Snow asked if the Board was satisfied with the amount of information it had received at the hearing. The Board confirmed that they had received sufficient information.

Chair Andrea Snow closed the appeal hearing at 7:37 p.m.

Chair Andrea Snow shared that a decision would be made within 15 days from the date of today's hearing.

Dated at the City of Spruce Grove in the Province of Alberta, December 3, 2025

Original signed by Nicole Hitchens

Nicole Hitchens, Recording Secretary
SUBDIVISION AND DEVELOPMENT APPEAL BOARD