

## NOTICE OF DECISION

FILE NO. **SDAB 2025-008**

APPLICATION No.: **2025-DP-00321**

DEVELOPMENT: **Group Home (5-Bedroom Adult Recovery Home)**

LAND USE DESIGNATION: **R1 – Single Detached Residential District**

LEGAL DESCRIPTION: **Lot 19, Block 42, Plan 7620092**

CIVIC ADDRESS: **105 Highfield Street, Fort McMurray, Alberta**

**IN THE MATTER OF AN APPEAL** filed with the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board (“the Board”) pursuant to Sections 685 and 686 of the *Municipal Government Act, R.S.A 2000, c. M-26* (“the *Municipal Government Act*”), the Appeal Hearing was held virtually on Monday, January 26, 2026 via Microsoft Teams.

**BETWEEN:**

Lisa Stewart (“the Appellant”)

-and-

The Regional Municipality of Wood Buffalo (“the Municipality”)

**BEFORE:**

A. McKenzie (Chair)

T. Morris

T. Salisbury

**Administration:**

H. Fredeen, Clerk for the Subdivision and Development Appeal Board

A Hawkins, Clerk for the Subdivision and Development Appeal Board

- [1] Following the introduction of the Board, the Chair confirmed with the parties in attendance that there were no objections to the constitution of the Board.

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**PRELIMINARY HEARING – JURISDICTIONAL MATTER**

*Jurisdictional Matter – December 4, 2025*

- [1] At a preliminary hearing held via Microsoft Teams on December 4, 2025, regarding File No. SDAB 2025-008, it was noted by the Clerk that an appeal was filed on November 12, 2025, against the approval of Development Permit No. 2025-DP-00321 at the property located at 105 Highfield Street, Fort McMurray Alberta (the “Subject Property”).
- [2] Section 686(2) of the *Municipal Government Act* requires that the Subdivision and Development Appeal Board hold an appeal hearing within 30 days after receipt of an appeal.
- [3] The Clerk advised that, considering the availability of all parties, the earliest possible date to hold the appeal hearing was Monday, January 26, 2026. As this date falls outside the required 30-day timeframe, the hearing was formally opened and immediately adjourned to January 26, 2026.

**MERIT HEARING**

- [4] In accordance with section 10 of the Subdivision and Development Appeal Board Bylaw No. 18/021, the Board sat in a panel of three members.
- [5] The Chair noted for the record that representatives for the Property Owner, Glenville Property Management Ltd., were not present at the proceedings.

**Preliminary Matters**

- [6] No preliminary matters were raised.

**Summary of Hearing**

*Submission of the Municipality*

- [7] The Development Officer began the proceedings with a verbal summary of their written report, noting that the appeal arises from the approval of a Development Permit Application for a Group Home (a 5-bedroom adult recovery home), which is classified as a discretionary use within the R1 – Residential District.

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- [8] The Development Officer noted that because discretionary uses require careful review, the application was circulated to external agencies including Father Patrick Mercredi Community High School, with no major concerns identified.
- [9] It was further noted that although the permit aligns with the intent of the R1 district and complies with the Land Use Bylaw, after issuing notices to nearby property owners, several complaints were received including five phone calls and twenty-two emails regarding potential impacts on neighbourhood character and intensification. During these discussions it was also discovered that the Subject Property and one other nearby property were operating as Group Homes or Boarding Houses without required permits.
- [10] To address concerns submitted by nearby property owners, the Development Authority imposed the following conditions:
- i. Condition 2 – The Development Permit is approved on a temporary basis and shall not extend beyond November 1, 2027. A new Development Permit application will be required to obtain approval to continue the Group Home use.
  - ii. Condition 3 - Construction materials, including garbage, shall be stored to not create a nuisance to neighboring properties.
  - iii. Condition 7 - The Group Home shall maintain its residential character and remain in a good state of repair, including proper upkeep and cleanliness.
  - iv. Condition 8 - The garbage and waste material shall be stored in weatherproof and animal proof containers and shall be visually screened in a manner compatible with the design and external materials of the single detached dwelling on the property.
  - v. Condition 10 - The Group Home shall be equipped with functional security cameras around the exterior of the single detached dwelling to enhance safety and security.
  - vi. Condition 12 - There shall be no unauthorized use of the adjoining public utility lot for the duration of the approved development permit.
  - vii. Condition 14 - the Group Home must obtain authorization, licensing, or certification from a provincial authority to operate and must adhere strictly to all pertinent statutes and regulations established by the Government of Alberta within six months of the issuance of the development permit.

- [11] The Development Officer concluded that the proposed development will not negatively impact the surrounding area, noting the availability of five parking stalls (one per bedroom) and the presence of seven existing home businesses in the neighbourhood, all contributing to local intensification but with no street parking permitted.
- [12] During questioning by the Board, the Development Officer submitted the following:
- i. Because the Land Use Bylaw does not prescribe parking requirements for all uses, the Development Authority must apply its discretion in determining appropriate parking standards for those uses.
  - ii. The Development Permit Application was evaluated in accordance with the provisions of Land Use Bylaw No. 99/059. When the approved development permit expires, any application to continue operating the Group Home will be assessed under the new Land Use Bylaw No. 26/001.
  - iii. Although the Development Permit Applicant did not submit a parking plan and no site visits were conducted prior to approval, the Development Officer relied on tools such as Pictometry to assess compliance with parking requirements, acknowledging that this method provides an approximate estimation of dimensions.
  - iv. Under the Land Use Bylaw, Group Homes fall under the authority of the Municipal Planning Commission; however, in the absence of such a commission, the Development Officer assumes this authority. Section 18.1(c) of the Land Use Bylaw allows the Development Officer to use discretion to determine whether a use is similar in character and purpose to another use.
  - v. Because the Land Use Bylaw does not establish parking requirements for Group Homes, the Development Officer used their discretion under section 18.1(c) to classify the proposed Group Home as similar in use and neighbourhood impact to a Boarding House. In evaluating the application within an R1 low-density residential district, the Development Officer considered potential effects on neighbourhood character, community feedback, and the operational nature of the use. Consequently, the parking standard for Boarding Houses, one stall per rentable bedroom, as outlined in section 131.5, was applied to the Group Home.
  - vi. Although the *Municipal Government Act* only requires notification after a decision on a discretionary use, the Development Authority chose to notify residents before making a decision to support transparency and gather input particularly because the application resulted from an enforcement case. A sixty-metre radius was used for advance notice, and residents responded with calls and emails outlining land use

concerns. Questions unrelated to land use were redirected to the Development Permit Applicant, who also held an open house to address community questions. After the Development Officer made its decision, residents were again notified by mail and email.

*Submission of the Appellant*

- [13] The Appellant stated that they reside at ATIA 20(1) directly across from the Subject Property.
- [14] The Appellant indicated that the development permit and community engagement process for the proposed development was difficult to navigate and did not provide sufficient opportunity for early communication, clarification of land-use matters or education of what a sober living home is. Although municipal staff were responsive, the overall process was unclear and contributed to resident frustration.
- [15] The Appellant submitted that there has been a history of drug-related activity in the neighbourhood, including calls to Bylaw Services and the RCMP, property crime, and the presence of an active drug house.
- [16] The Appellant noted that the neighbourhood is closely connected, with long-term residents who know one another. The homes are designed to foster interaction, featuring minimal front-facing garage structures and front windows oriented toward each other and the street.
- [17] The Appellant reported that initially the occupants of the Group Home were viewed positively; however, neighbours questioned how a Group Home was approved without any notice to neighbours.
- [18] The Appellant stated that shortly after the closure of a drug house in the neighbourhood, an incident occurred in August 2025 during which individuals associated with the Subject Property were observed engaging in suspected drug activity. The Appellant indicated they made attempts to notify authorities of the situation and further submitted that they have security footage which they believe corroborates their observations.
- [19] The Appellant stated that following the incident, no communication was initiated by the operator of the Group Home, Wood Buffalo Wellness Society, until after the development permit application process began, at which time the Appellant reported receiving notice of an open house only a few days before it occurred.
- [20] The Appellant asserted that the Wood Buffalo Wellness Society did not adhere to operational guidelines for the home, noting concerns regarding the effectiveness of testing

practices and security monitoring, as well as a lack of timely communication or clarity regarding points of contact. The Appellant submitted that this represented approximately one and a half to two years of missed opportunities for meaningful community engagement, which they viewed as essential to the effective operation of a sober living home.

[21] During questioning by the Board, the Appellant submitted the following:

- i. There are no concerns with parking or traffic as the residents of the Group Home do not appear to have vehicles.
- ii. Residents of the Group Home have generally been good neighbours, incidents such as the one they witnessed raise concerns that, if not appropriately addressed through the removal of individuals involved, could contribute to increased drug-related activity in the neighbourhood.
- iii. Although no efforts were made to contact Wood Buffalo Wellness Society, a review of the organization's website was made to obtain information about the program.
- iv. The Group Home alters the character of the neighbourhood, noting that when multiple individuals are gathered on the front deck facing directly toward their residence, it affects how they are able to use their property.

*Submission of the Development Permit Applicant (Wood Buffalo Wellness Society)*

- [22] The Development Permit Applicant requested that the appeal be dismissed, and the Development Authority's decision be upheld as the appeal stems from discomfort with potential occupants rather than relevant planning matters.
- [23] The Development Permit Applicant stated that the Development Officer applied the Land Use Bylaw appropriately, exercised reasonable discretion, and imposed suitable conditions.
- [24] The Development Permit Applicant noted that Group Homes are identified as a residential use under Land Use Bylaw No. 26/001 and are not commercial in nature.
- [25] The Development Permit Applicant addressed parking, indicating that very few program participants own vehicles. Of the 4,100 individuals who have participated in the recovery home programs, only six individuals had vehicles in the last twelve years. The Development Officer confirmed the parking requirements have been met and that occupancy has been limited through permit conditions tied to available parking.

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- [26] The Development Permit Applicant described the program as a structured residential environment that functions as a single household and operates without compensation. They incorporate screening, sobriety and conduct requirements, curfews, visitor restrictions, and ongoing oversight. Staff presence and monitoring systems, including exterior and common-area cameras, were identified as part of routine supervision.
- [27] The Development Permit Applicant spoke to safety concerns and submitted that supervision and accountability are greater in sober homes than in a typical household, not less.
- [28] Regarding the incident referenced in the appeal, the Development Permit Applicant stated that no police or bylaw reports were made to their knowledge. They indicated that the concern was initially communicated indirectly through a third party. The Development Permit Applicant indicated that an internal review was conducted, and attempts were made to contact the neighbours for clarification. Without the clarification from the neighbours, Wood Buffalo Wellness Society relied on objective evidence and conducted a comprehensive fourteen panel urinalysis on the residents of the Group Home. All analysis testing performed during the relevant period returned negative results (Exhibit 4, pgs. 52-53). It was later determined that the event was consistent with a lawful sale of a personal cellphone (Exhibit 4, pg. 150-153).
- [29] The Development Permit Applicant indicated that they held three information open houses and provided two weeks' notice for each, in addition to posting notices online. They stated that the Appellant did not attend these sessions. This demonstrates attempts to communicate and that opportunities for dialogue were available.
- [30] The Development Permit Applicant reinforced that the Group Home meets all parking requirements of the Land Use Bylaw, and the parking demand will be minimal. Furthermore, there is no objective evidence regarding parking shortages, congestion or emergency access issues.
- [31] The Development Permit Applicant asserted that assumptions that the Group Home negatively alters the character of the street prompt the discussion about human rights and NIMBY (not in my backyard) opposition.
- [32] The Development Permit Applicant referenced a study of the Wellesley Institute, We Are Neighbours (Exhibit 4, pages 96 -149) which found that supportive and recovery housing does not increase crime, does not reduce property values and does not negatively impact the neighbourhood's safety. It also states that initial opposition typically decreases once housing is operational and fears prove unfounded.

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- [33] The Development Permit Applicant referred to the Ontario Human Rights Commission report on systemic and society human rights issues and housing, which identifies NIMBY opposition as a form of discrimination that is often rooted in stigma rather than evidence (Exhibit 4, pgs. 60-95).
- [34] Furthermore, when planning decisions are influenced by fear or public opposition that is tied to disability, the harm is not abstract. It directly affects residents' dignity, safety and recovery. Group Home residents should not be required to justify their presence in a residential neighbourhood any more than in any other household. The Board's role is not to arbitrate discomfort; it is to ensure that decisions are evidence based.
- [35] The Development Permit Applicant concluded that there is no evidence before the Board that would justify overturning the Development Officer's decision.
- [36] Upon questioning from the Appellant, the Development Permit Applicant submitted the following:
- i. A review of security footage of the Subject Property did not find any evidence of a drug transaction.
  - ii. Knowledge of the legal cell phone transaction was only discovered about a month ago and security footage of the transaction is no longer available.
  - iii. The third party, who informed the Development Permit Applicant of the alleged drug-related incident, was unwilling to provide contact information for the witness and indicated a desire not to be involved. The Development Permit Applicant requested that the third party share their personal contact information with the witness so that additional details regarding the incident could be obtained and investigated thoroughly.
- [37] Upon questioning from the Board, the Development Permit Applicant submitted the following:
- i. The Group Home has a consistent wait list and is always at 100% capacity.
  - ii. The Group Home has seven bedrooms but is only approved for five as the Development Authority used their discretion to assign parking requirements.
  - iii. The Group Home operated for three years without a permit due to a lack of awareness of municipal development permit requirements; however, corrective steps were taken once the issue was identified.



- iv. The program has received support from various municipal departments, including referrals and partial funding of client program fees.
- v. Parking requirements imposed through the development permit are unreasonable, because residents rarely own vehicles. The Development Permit Applicant indicated that vehicle ownership could be restricted if necessary and that parking has not historically been an issue. They further argued that the requirement creates an undue financial burden on the organization and limits their ability to provide recovery housing services.
- vi. Community participation at the open houses was limited. Three open houses were held at varied times, including two in the evening and one during the lunch hour, to improve accessibility. With respect to Highfield Street specifically, the Development Permit Applicant reported attendance by three residents from the neighbourhood. Of those attendees, two were supportive of the proposal, and one initially expressed concerns but ultimately indicated support following discussion. The Development Permit Applicant stated that no further participation from Highfield Street residents was received.

*Submission(s) of Affected Persons in Favor of the Appeal*

- [38] No written or verbal submissions were received from affected persons in favour of the appeal.

*Submission(s) of Affected Persons in Opposition to the Appeal*

- [39] No written or verbal submissions were received from affected persons in opposition to the appeal

*Final Questions from the Board*

- [40] The Development Officer confirmed that the permit is a two-year temporary permit expiring on November 1, 2027.
- [41] The Appellant indicated that granting a temporary permit is a reasonable compromise.

*Closing Comments from the Municipality*

- [42] The Development Officer noted increasing residential intensification in the area through the approval of multiple home businesses and advised that an additional home business was approved at 114 Highfield Cove approximately two weeks prior to the hearing. The Development Officer further referenced the Planner's Report (Exhibit 5), which outlines

the Subdivision and Development Appeal Board's authority under section 687(3)(d) of the *Municipal Government Act*, to approve a discretionary use, with or without conditions, even where full compliance with the Land Use Bylaw is not achieved, provided the development does not unduly interfere with neighbourhood amenities, materially affect the use or enjoyment of adjoining properties, and aligns with the intent of the Land Use Bylaw. The Development Authority concluded by recommending that the Board uphold the decision of the Planner and the Development Authority.

*Closing Comments from the Development Permit Applicant*

- [43] The Development Permit Applicant submitted that the appeal is not supported by planning-related impacts and is instead based on perception and opposition to the occupants of the Group Home. They argued that the appeal lacks evidentiary support and emphasized that planning decisions must be grounded in objective land-use considerations.
- [44] The Development Permit Applicant cautioned that allowing the appeal could establish a precedent whereby lawful residential uses serving vulnerable populations are displaced based on opposition rather than planning evidence. Accordingly, the Development Permit Applicant requested that the Subdivision and Development Appeal Board dismiss the appeal and uphold the Development Permit.

*Closing Comments from the Appellant*

- [45] The Appellant submitted that the appeal reflects a breakdown in communication and a lack of trust between neighbourhood residents and the Development Permit Applicant, arising in part from the length of time the Group Home operated without direct engagement with the surrounding community. The Appellant expressed concern about what they characterized as limited and late communication, including the timing of open houses in relation to the development permit application and approval.
- [46] The Appellant reiterated reliance on personal eyewitness observations and expressed hope that additional residents may come forward. They acknowledged that the development approval is temporary rather than permanent and indicated that this period provides an opportunity to assess and address ongoing concerns. The Appellant concluded by stating that the process was disappointing from their perspective but allowed them to obtain information and greater clarity regarding the development.
- [47] Upon conclusion, the Chair asked the parties present, if they felt that the hearing was conducted in a fair manner. No issues were brought to the Board's attention.

## Findings Of Fact

[48] The Board makes the following findings of fact:

- i. The Subject Property is located in the R1 – Residential District.
- ii. The proposed development is a Group Home (5-Bedroom Adult Recovery Home).
- iii. The use is a discretionary use.

## Decision

[49] **It is the decision of the Subdivision and Development Appeal Board to DENY the Appeal. The application for a Group Home is APPROVED. All conditions found in the Development Permit (see pages 6 to 10 of the Hearing Package) are upheld and form part of this development approval pursuant to section 27 of Land Use Bylaw No. 99/059.**

## Reasons for The Decision

[50] The Board notes that its jurisdiction is found within section 687(3) of the *Municipal Government Act*.

[51] The Board further notes that although the new Land Use Bylaw No. 26/001 came into effect on January 1, 2026, the Development Permit Application under appeal was approved on October 21, 2025. After reviewing the transitional provision under section 1.6.1 of Land Use Bylaw No. 26/001, the Board determined that this matter must be assessed under the provisions of the former Land Use Bylaw No. 99/059.

### *Land Use Bylaw No. 26/001 Section 1.6.1:*

*A complete application for a subdivision, development permit or amendment to the Land Use Bylaw which has been submitted or lawfully started prior to the effective date of this Bylaw, including any appeals associated with such applications, shall be evaluated under the provisions of the former Land Use Bylaw No. 99/059, as amended.*

[52] In making this decision, the Board has examined the provisions of Land Use Bylaw No. 99/059 and has considered the oral and written submissions by and on behalf of the Municipality, the Development Permit Applicant and the Appellant.

*Affected Persons*

- [53] The Board finds that the Appellant, Ms. Stewart, is affected as her property is located directly across the street from the Subject Property. The Development Officer is affected as they are the individual who issued the permit. Wood Buffalo Wellness Society is affected because it is the Development Permit Applicant.

*Issues to be determined*

- [54] The Board must determine:
- i. What is the use and is the use permitted or discretionary?
  - ii. Is the proposed use compatible with the neighbouring uses?
  - iii. If so, does the proposed use comply with the development regulations? If not, should the Board exercise its variance power under s. 687(3)(d) of the *Municipal Government Act*?

*What is the use and is the use permitted or discretionary?*

- [55] The Appellant submitted that the introduction of the Group Home effectively converts the dwelling into a quasi-commercial or institutional use.
- [56] The Board considered the Land Use Bylaw definition of a Group Home as follows:

**GROUP HOME** means a development using a dwelling unit as a facility which is authorized, licensed or certified by a provincial authority to provide room and board for foster children or for physically, mentally, socially, developmentally or behaviorally challenged persons and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be maintained with the occupants living together as a single housekeeping group using shared kitchen facilities. A group home may incorporate accommodations for resident staff as an accessory use.

- [57] The Board considered the Land Use Bylaw definition of an Institutional and Civic Use as follows:

**INSTITUTIONAL AND CIVIC** means Development for a public purpose and, may include but is not limited to such uses as schools, places of worship, community centres, health care facilities, public utilities and

*government Buildings. Institutional and Civic includes but is not limited to: childcare facility; commercial school; community service facility; educational service facility; essential public service; group home; health service facility; hospital; public use; public facility; religious assembly; and visiting students supervised housing unit as defined in Section 10 of this Bylaw.*

- [58] The Board notes that the Land Use Bylaw does not define the term “quasi-commercial.” In the absence of a definition, the Board considered the plain and ordinary meaning of the term and assessed whether the proposed use exhibits commercial characteristics within the meaning of the Bylaw. The Board finds that the Group Home does not exhibit commercial characteristics.
- [59] Based on the evidence before it, the Board determined that the proposed development is a Group Home. The proposed development is located in a dwelling unit and it provides room and board for persons who require assistance with sober living (adult recovery home). The proposed development has maintained a residential character, as the occupants live together as a single housekeeping unit and share common kitchen facilities.

*Is the proposed use compatible with the neighbouring uses?*

- [60] Having concluded that the proposed development is a Group Home, the Board notes that the only evidence before it is that a Group Home is classified as a discretionary use within the R1 – Residential District.
- [61] In order to approve a discretionary use, the Board must determine whether the proposed development is compatible with the neighbouring uses. To determine compatibility with neighbouring uses, the Board must evaluate the land use, not the personal attributes or social characteristics of the intended users. Accordingly, decisions must be grounded in demonstrable land-use impacts, not on who may occupy or benefit from the development.
- [62] The Appellant appealed the decision of the Development Authority for the following reasons as laid out in the Notice of Appeal (Exhibit 1), and the Appellant’s verbal submission:
- i. Lack of adequate supervision/enforcement of rules
  - ii. Safety concerns
  - iii. Parking constraints

iv. Character of the area

v. Compliance with Bylaw No. 26/001

[63] The Board will address each of the Appellant's concerns to assess the compatibility of the proposed development.

- i. **Lack of Supervision / Enforcement of Rules** – The Appellant raised concerns regarding a suspected drug-related incident that allegedly occurred at the Subject Property in August 2025 and submitted that the Development Permit Applicant failed to enforce its operational rules by not removing the resident purportedly involved. Although not necessarily a planning consideration, the Board considered this submission from a safety perspective and found the evidence provided by the Development Permit Applicant, including documentation of the steps taken to investigate the incident, to be persuasive. The Board was satisfied that the Development Permit Applicant made reasonable and thorough efforts to investigate the allegations in the interest of neighbourhood safety and therefore this incident does not persuade the Board that the proposed development is incompatible with neighbouring uses.
- ii. **Safety Issues** – The Appellant raised concerns that the presence of residents and support staff associated with the Group Home would increase traffic volumes and potentially affect neighbourhood safety, particularly for children and seniors. The Board considered these concerns and placed weight on the Appellant's oral submission acknowledging that traffic has not been an issue in the neighbourhood as a result of the Group Home. The Board also considered the Development Officer's submission regarding increased intensity in the area due to multiple home-based businesses but was satisfied that street parking is not permitted pursuant to the associated development permits. Based on the evidence before it, the Board was not persuaded that the development has resulted in traffic-related impacts that would adversely affect neighbourhood safety.
- iii. **Parking Constraints** – The Appellant raised concerns that the Subject Property does not provide sufficient parking to accommodate residents and support staff associated with the Group Home. In assessing this issue, the Board placed weight on the Appellant's verbal submission acknowledging that parking has not been a concern within the neighbourhood as a result of the Group Home. The Board also considered the verbal submission of the Development Permit Applicant, who stated that vehicle ownership among program participants is uncommon. Specifically, of approximately 4,100 individuals who have participated in the recovery home programs over the past twelve years, only six individuals were reported to have

owned vehicles. Based on this evidence, the Board was not persuaded that parking demand associated with the development would result in an adverse impact on the surrounding area. Furthermore, the Board is satisfied that the provision of five on-site parking stalls for the 5-bedroom development is more than appropriate to accommodate the anticipated needs of residents and support staff associated with the Group Home.

- iv. **Land Use/Character of the Area** – The Appellant submitted that the introduction of the Group Home effectively converts the dwelling into a quasi-commercial or institutional use and may adversely affect the character of the street through increased noise, traffic, and reduced privacy. The Board has already determined that the Group Home maintains a residential character. Accordingly, the Board considered whether the use results in increased noise, traffic, or reduced privacy.

The Board was not provided with evidence demonstrating that the Group Home has contributed, or would contribute, to excessive noise. Traffic-related matters have already been addressed. With respect to privacy, the Board considered the Appellant's oral submission that, due to the configuration of homes along the street, residents of the Group Home would have direct views into her home. The Board was not provided with evidence demonstrating that the development results in a loss of privacy to the Appellant. Furthermore, the Board notes that, in making its decision, it must assess the land use impacts of the development and not the characteristics of the occupants.

Based on the evidence before it, the Board was not persuaded that the Group Home alters the character of the neighbourhood in a manner inconsistent with a residential use.

- v. **Compliance with Bylaw No. 26/001** – The Board confirms that its evaluation was conducted pursuant to Land Use Bylaw No. 99/059. After considering the submissions and evidence relating to parking, traffic, safety, and intensity, the Board is satisfied that the proposed development complies with both the applicable provisions and the intent of Land Use Bylaw No. 99/059. The Board further notes that there was no evidence presented to demonstrate that the development fails to meet the requirements of the Land Use Bylaw.

[64] The Board acknowledges the Appellant's concerns regarding the length of time the development operated without a development permit and the lack of communication from the operator during that period. However, the Board finds that these matters fall outside the scope of the planning considerations relevant to this appeal. The Board encourages continued communication between the Development Permit Applicant and the Appellant

and neighbouring residents.

- [65] The Board concludes that the proposed development is compatible with adjacent residential uses and that the permit conditions, including its temporary duration, sufficiently mitigate potential neighbourhood impacts.

*If so, does the proposed use comply with the development regulations? If not, should the Board exercise its variance power under s. 687(3)(d) of the Municipal Government Act?*

- [66] Having determined that the development is compatible with adjacent residential uses, the Board must next consider whether the proposed use complies with applicable development regulations. After reviewing the evidence before it, the Board finds that the Group Home does comply with those regulations, so that no variance is required.

- [67] This decision of the Subdivision and Development Appeal Board is final and binding on all parties, subject only to an appeal to the Alberta Court of Appeal under section 688 of the *Municipal Government Act, RSA 2000, c. M-26*, as amended.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 10<sup>th</sup> day of February 2026.

CHAIR:

  
Alex McKenzie



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

<b>EXHIBIT NO.</b>	<b>ITEM</b>	<b>DATE FILED</b>
1.	Notice of Appeal (3 pages)	2025-11-12
2.	Development Permit No. 2025-DP-00321 (11 pages)	2025-11-12
3.	Summary of Testimonial Evidence – Appellant (1 page)	2026-01-19
4.	Disclosure of Evidence – Development Permit Applicant (151 pages)	2026-01-19
5.	Disclosure of Evidence – Planner's Report (153 pages)	2026-01-19

**APPENDIX "B"****REPRESENTATIONS**

<b>Person Appearing</b>	<b>Capacity</b>
Lisa Stewart	Appellant
Elias Biolley-Villalobos	Development Officer
Shailesh Makwana	Development Authority Supervisor
Jo-Anne Packman, Wood Buffalo Wellness Society	Representative for the Development Permit Applicant
Nicole Lewis, Wood Buffalo Wellness Society	Representative for the Development Permit Applicant
Jolene Wilson, Wood Buffalo Wellness Society	Representative for the Development Permit Applicant