



NOTICE OF DECISION

FILE NO. **SDAB 2026-001**

APPLICATION No.: **2025-DP-00357**

DEVELOPMENT: **Group Home (7-Bedroom Sober Home Transitional Housing)**

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

LEGAL DESCRIPTION: **Lot 26, Block 49, Plan 772 0073**

CIVIC ADDRESS: **181 Woodland Drive, 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 on Wednesday, March 11, 2026 via Microsoft Teams.

BETWEEN:

Brian Ross (Ross Residence Inc.) (“the Appellant”)

-and-

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

BEFORE:

T. Salisbury (Chair)

A. de Sousa

T. Morris

L. Yayechnick

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.

PRELIMINARY HEARING – JURISDICTIONAL MATTER

- [2] At a preliminary hearing held via Microsoft Teams on January 26, 2026, regarding File No. SDAB 2026-001, it was noted by the Clerk that an appeal was filed on January 12, 2026, against the refusal of a Development Permit Application No. 2025-DP-00357, for a seven - bedroom sober home transitional housing, at the property located at 181 Woodland Drive, Fort McMurray, Alberta.
- [3] Section 682(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.
- [4] The Clerk advised that, considering the availability of all parties, the earliest possible date to hold the appeal hearing was Wednesday, March 11, 2026. As this date falls outside the required 30-day period, the hearing was formally opened and immediately adjourned to March 11, 2026.

MERIT HEARING**Preliminary Matters**

- [5] There were no preliminary matters raised.

Summary of Hearing*Submission of the Respondent*

- [6] The Development Officer began the proceedings with a verbal summary of their written report, highlighting specific points and facts within the report and outlining the planning considerations on which the decision was based.
- [7] The Subject Property is located in the R-1 Single Detached Residential District, and the proposed development is for a Group Home, seven-bedroom sober home transitional housing, located at 181 Woodland Drive.
- [8] The Development Officer defined the terms Group Home and Boarding House as identified in Land Use Bylaw No. 99/059 and Land Use Bylaw Amendment No. 18/003 respectively. These definitions were considered by the Development Authority when considering impact and parking requirements for the Group Home.

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 behaviourally 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.

BOARDING HOUSE means a single detached dwelling in which three (3) or more persons, who do not own the single detached dwelling:

- i. Pay or are obligated to pay for the right to live in the single detached dwelling or portion of the single detached dwelling; or
- ii. Receive any amount of compensation or benefit from a third party, including consideration paid directly to the owner or primary occupant of the single detached dwelling, for their right to live in the single detached dwelling or portion of the single detached dwelling.

- [9] The Development Officer noted that the Subject Property is currently being used for sober living transitional housing for adult residents in addiction recovery.
- [10] The Development Authority acknowledged that addictions, including alcohol and drug-related addictions, are considered a disability and this protects individuals from potential discrimination.
- [11] The sober living transitional house is currently operating with seven bedrooms, and according to the application, counseling and referral to mental health and addiction services are conducted off-site and there are frequent visits from staff.
- [12] The Development Authority confirmed that planning regulates the use of the land and not the user. The use and impact of the Subject Property is residential and may not differ from that of a seven-bedroom household.

-
- [13] With respect to the use being compatible with the neighbouring uses, the Development Officer indicated there are two schools in the immediate area to which the development application was circulated for review and comments. No comments were received from either school.
- [14] The Development Officer presented that the immediate neighbourhood also hosts five home businesses that increase traffic flow to access goods and services.
- [15] The Development Officer presented that the Subject Property is within walking distance to the neighbourhood core, which provides access to goods and services as well as public transit. It was further noted that retail establishments in the neighbourhood core include three liquor stores, one cannabis store, and one bar.
- [16] The Development Officer presented that during the engagement process, some concerns were raised with respect to parking. Although the Appellant has noted that residents do not own or operate vehicles, several neighbours reported that residents and frequent visitors occasionally use vehicles.
- [17] The Development Officer spoke to how the Group Home and Boarding House uses are comparable in terms of planning impact, being:
- a. They are renting bedrooms to adult able-bodied individuals;
 - b. All activities and services, whether work or counseling activities are conducted off-site;
 - c. They are both discretionary uses within the R1 district, which require community engagement; and
 - d. Both uses are required to maintain the R1 character.
- [18] The Development Authority acknowledged that the current residents of 181 Woodland Drive may not own personal vehicles; however, there is no assurance that future occupants will not require on-site parking. The Development Officer further noted that development permits apply to the property itself rather than to any specific occupant or property owner. The Development Officer stated that in accordance with design servicing standards, R1 districts are not eligible for a secondary driveway. In addition, the maximum driveway expansion allowed is 6.77 meters, while the current driveway is 6.55 meters wide.
- [19] The Development Officer referenced section 26.5 of the Land Use Bylaw which allows the Development Authority to issue a development permit on a temporary basis and to specify the length of time the permit remains in effect.

-
- [20] While speaking to the Development Authority's recommendation of a temporary development permit, the Development Officer presented that this measure would allow the immediate neighbourhood to assess, from a planning perspective, the compatibility and integration of the Group Home development within the community, granting the neighbours a further opportunity to engage and re-evaluate. In addition, the two-year approval is consistent with previous approvals for group homes.
- [21] The Development Officer presented that although informing residents prior to a decision being made is not required, the Development Authority did so in the interest of transparency and community engagement. Notification was processed pursuant to section 31.1(d) of the Land Use Bylaw and distributed to adjacent property owners within a sixty-metre radius of the Subject Property.
- [22] The Development Officer submitted that in rendering its decision, the Development Authority considered comments submitted during community engagement regarding land uses as well as parking stall requirements and concluded that a development refusal was appropriate as the Development Authority has no authority to approve a development that is in contravention of the Land Use Bylaw.
- [23] In conclusion, the Development Officer recommended that the Subdivision and Development Appeal Board uphold the appeal with the conditions as outlined on pages 11 and 12 of the hearing package.
- [24] In response to questioning from the Board, the Development Officer confirmed that the refusal of the development permit was issued under the previous Land Use Bylaw No. 99/059 and that should the home revert to a single-family dwelling use in the future, the parking requirement would revert accordingly.
- [25] In response to questioning from the Appellant, the Development Officer confirmed that the conclusion of the use materially interfering with or affecting the use, enjoyment or value of neighbouring properties, was based on historical information of complaints received in 2023, that the home became a group home without the consultation required for R1 districts, therefore it became an enforcement file.
- [26] The Development Officer further clarified that the value of neighbouring properties refers to the purpose or designation of the land within a specific district as opposed to the financial value.

Submission of the Appellant

- [27] The Appellant submitted that although the Development Authority was willing to approve the Group Home with five bedrooms, it is a seven-bedroom home, therefore he would like the use of the seven bedrooms.

[28] The Appellant confirmed the Development Officer addressed his question related to driveway expansion within his verbal submission.

[29] The Appellant noted his involvement in running six different homes within the Municipality over the last nine years, never having parking issues and proposed applying parking stalls to the south side of the property in order to be able to use the seven bedrooms.

[30] In response to questions from the Board, the Appellant confirmed that he had reviewed the conditions proposed by the Development Authority and confirmed he was able to comply with them.

[31] In response to questions from the Board, the Appellant described the positive interactions he had with affected neighbours during the engagement session held in October 2025.

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

[32] There were no verbal or written submissions received in favour of the appeal.

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

[33] There were no verbal or written submissions received in opposition to the appeal.

Questions from the Board

[34] Upon further questioning from the Board, the Development Officer confirmed his recommendation that the Subdivision and Development Board uphold the appeal and approve a temporary permit for a seven-bedroom Group Home with the conditions outlined on pages 10 and 11 of the hearing package.

Closing Comments from the Respondent

[35] The Development Officer reiterated that the Development Authority acknowledges that the Group Home is a necessary use and recommended that going forward, the Appellant follow the appropriate development permit procedures for group home developments.

Closing Comments from the Appellant

[36] The Appellant offered no closing comments, however thanked the Board for their time.

Conclusion

[37] 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

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

- a. The Subject Property is located in the R1 District – Single Detached Residential District.
- b. The proposed development is a Group Home (Seven-Bedroom Sober Home Transitional Housing).
- c. The use is a discretionary use.
- d. The Land Use Bylaw No. 99/059 does not specify parking requirements for Group Homes.

Decision

[39] **It is the decision of the Subdivision and Development Appeal Board to UPHOLD the Appeal. The application for a Group Home (Seven-Bedroom Sober Home Transitional Housing) located at 181 Woodland Drive is APPROVED with the following conditions:**

Condition No. 1 - This development is classified as a Group Home (Seven-Bedroom Sober Home Transitional Housing) and is a Discretionary Use in the R1 – Low Density Residential District.

Condition No. 2 - This Development Permit has been approved on a temporary basis and shall not extend beyond September 15, 2028. A new Development Permit application will be required to obtain approval to continue with the Group Home use.

Condition No. 3 - The Group Home shall install and maintain functional exterior security camera(s) on the Single Detached Dwelling prior to the issuance of an Occupancy Permit, to enhance safety and security.

Condition No. 4 - The Group Home must obtain authorization, licensing, or certification from the Provincial Authority to operate. They must adhere strictly to all pertinent Statutes and Regulations established by the Government of Alberta within six (6) months of the issuance of this Development Permit.

Condition No. 5 - A maximum of four (4) on-site parking stalls shall be provided for this development. The required parking stalls shall be accessible from the public thoroughfare and be surfaced with asphalt, concrete, or a similar material. Street parking is prohibited.

Condition No. 6 - The Group Home shall maintain its residential character and remain in a good state of repair, including proper upkeep and cleanliness.

Condition No. 7 - Construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.

Condition No. 8 - The building location, design and external finish shall be as indicated on the approved drawings. Any changes to the approved plans shall be submitted to the Development Officer for further approval, even if said changes are minor in nature and are consistent with the regulations applied to the site.

Condition No. 9 - A minimum of thirty percent (30%) of the gross lot area shall consist of soft landscaping.

Condition No. 10 - The garbage and waste material shall be stored in weather-proof and animal-proof containers and in a good state of repair compatible with the Single Detached Dwelling.

Condition No. 11 - All on-site lighting shall be located, oriented, and shielded so as to restrict the unnecessary illumination of adjacent residential properties.

Condition No. 12 - There shall be no unauthorized use of the adjacent Public Utility Lot (Lot: 71U, Block: 49, Plan: 772 0073) during the course of the approved development permit.

Condition No. 13 - All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo – Planning and Development Branch to obtain the required Safety Code permits or for information

Reasons for The Decision

- [40] The Board notes that its jurisdiction is found within section 687(3) of the *Municipal Government Act*, RSA 2000, c.M-26 (the “Municipal Government Act”).
- [41] The Board notes that although the new Land Use Bylaw No. 26/001 came into effect on January 1, 2026, the Development Permit Refusal under appeal was issued on December 22, 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.

[42] In making its decision, the Board examined the provisions of the Land Use Bylaw No. 99/059 and has considered the oral and written submissions of the Respondent and the Appellant.

Affected Persons

[43] The Board finds that the Appellant is affected as they are the applicant for the Development Permit and the Development Officer is affected as they are the individual who refused the permit.

Issues to be determined

[44] The Board must determine:

- a. What is the use and is the use permitted or discretionary?
- b. Is the proposed use compatible with the neighbouring uses?
- c. 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

[45] Based on the evidence before it, the Board determined that the proposed development is a Group Home, as defined below, and is classified as a discretionary use within the R1 Single Detached – Residential District

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 behaviourally 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

Is the proposed development compatible with the neighbouring uses?

- [46] 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.
- [47] The Board considered the Development Officer's submission that five home businesses are located in the neighbourhood, contributing to its overall intensity. The Board also considered the written submissions from adjacent property owners provided during the notification period, particularly concerns related to traffic and parking; however, the Board was persuaded by the Development Officer's submission and responses from the Appellant that it is uncommon for the residents to own vehicles. Furthermore, the imposition of Condition No. 5 will prohibit the Group Home from using street parking, which would address neighbourhood concerns regarding traffic and parking.
- [48] The Board notes that notification of the Development was circulated to internal and external agencies including two schools located near the Subject Property for review and comment, and no comments were submitted to the Development Authority.
- [49] The Board heard evidence that the neighbourhood core hosts three liquor stores, a cannabis store and a bar; however, the Board heard no evidence regarding distances to these establishments or the impact these businesses would have in relation to the proposed Group Home.

[50] The Board is not persuaded that the neighbourhood character would be affected. Given the evidence of the primarily residential character of the use, the Board concludes that the development is compatible with the neighbouring residential uses. Furthermore, the Board is satisfied that the temporary nature of the development permit will keep the consultation network open and result in a further review of the development when the applicant re-applies after the September 15, 2028, deadline.

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

[51] As noted in the Development Permit Refusal, Land Use Bylaw No. 99/059 is silent on parking regulations for Group Homes. Accordingly, in assessing the Development Permit application, the Development Officer applied section 18.1 of the Bylaw and determined that the Group Home use is similar in character and purpose to a Boarding House, which requires one parking stall per rentable bedroom. As such, the seven-bedroom Group Home requires seven parking stalls; however, the property can accommodate only four parking stalls.

[52] The Board was persuaded by the Development Officer's and the Appellant's submissions that it is uncommon for the Group Home residents to own vehicles. Furthermore, the Board was also swayed by the Development Officer's recommendation that four parking stalls would be reasonable and appropriate for the Group Home and would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment of value of neighbouring parcels of land.

[53] The 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 25 day
of March 2026.

CHAIR: _____

ATIA 20(1)

Trevor Salisbury

APPENDIX "A"

DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

EXHIBIT NO.	ITEM	DATE FILED
1.	Notice of Appeal (3 pages)	2026-02-12
2.	Planner's Report (141 pages)	2026-03-04

APPENDIX "B"

REPRESENTATIONS

Person Appearing	Capacity
Elias Biolley-Villalobos	Development Officer
Shailesh Makwana	Development Authority Supervisor
Brian Ross, Ross Residence Inc.	Appellant