

SMOKY LAKE COUNTY

AGENDA: Intermunicipal Subdivision and Development Appeal Board (ISDAB) Hearing
to be held on **Monday, January 29, 2024, 5:30 p.m.**
at County Council Chambers at 4216 McDougall Drive, Smoky Lake AB,
and/or, Online: <https://video.businessconnect.telus.com/join/413953668>
and/or, Phone: 1-581-814-2464 (Meeting ID: 413 953 668)

REGARDING a Notice of Appeal for Development Permit No. 030-23 (Located at Plan 1324097 Block 1 Lot 1 (near, Vilna/south of Cache Lake) for an ‘Animal Breeding and/or Boarding Facility’ (i.e. Dog Kennel with variances), and ‘Greenhouse, Shed, Coop & Detached Garage.’

1. **Call to Order**
2. **Adoption of Agenda**
3. **Introductions (Call for Objections)**
4. **Hearing Procedures**
5. **Presentations**
 - 5.1 Written Submissions
 - 5.2 Development Authority’s Presentation
 - 5.3 Appellant(s)
 - 5.4 Persons Supporting Appeal
 - 5.5 Applicant
 - 5.6 Persons Opposing Appeal
6. **Final Comments**
 - 6.1 Development Authority
 - 6.2 Appellant(s)
 - 6.3 Applicant
7. **Questions from the Board**
8. **Deliberations of the Board – In Camera Session**
9. **Adjournment**



Smoky Lake County

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4612 McDougall Drive
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NOTICE OF APPEAL HEARING INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD (ISDAB)

Take Notice that an appeal has been filed with the Smoky Lake County Intermunicipal Subdivision and Development Appeal Board regarding the following:

Approval of Development Permit Application No. 030-23 (Located at Plan 1324097 Block 1 Lot 1 (near, Vilna/south of Cache Lake) for an 'Animal Breeding and/or Boarding Facility' (i.e. Dog Kennel with variances), and 'Greenhouse, Shed, Coop & Detached Garage');

A Hearing has therefore been scheduled as follows:

PLACE OF HEARING: SMOKY LAKE COUNTY OFFICE, 4612
MCDOUGALL DRIVE, SMOKY LAKE, AB

And, by phone/online via ZOOM:

Online: <https://video.businessconnect.telus.com/join/413953668>

Phone: 1-581-814-2464 (Meeting ID: 413 953 668)

TIME OF HEARING: 5:30 P.M.

DATE OF HEARING: MONDAY JANUARY 29th, 2024

Anyone wishing to make a written presentation at the Hearing is requested to submit any written brief to the Clerk of the Board before Noon, Wednesday, January 24th, 2024.

All relevant documents and materials respecting this appeal are available for public inspection prior to the scheduled hearing. Please visit the County website or contact the Clerk of the Intermunicipal Subdivision and Development Appeal Board to submit and/or view these documents.

Kyle Schole

Clerk, Smoky Lake County Intermunicipal Subdivision and Development Appeal Board (ISDAB)

o: 780-656-3730 / c: 780-650-2059

e: kschole@smokylakecounty.ab.ca

w: www.smokylakecounty.ab.ca

Date: January 15th, 2024

Intermunicipal Subdivision and Development Appeal Board

SUBMISSION ON BEHALF OF THE DEVELOPMENT AUTHORITY:

Development Application No. 030-23
PLAN 1324097, BLOCK 1, LOT 1 (PT. NW-36-58-13-W4M)

ANIMAL BREEDING AND/OR BOARDING FACILITY, AND ASSOCIATED ACCESSORY
BUILDINGS (GREENHOUSE, SHED, COOP & DETACHED GARAGE)

Hearing Date: Monday, January 29, 2024 5:30 p.m.

Background Information

Development Application No. 030-23, for a proposed **Animal Breeding and/or Boarding Facility and associated Accessory Buildings (greenhouse, shed, coop and detached garage)**, on the lands legally described as **Plan 1324097, Block 1, Lot 1 (PT. NW-36-58-13-W4M)** from the Applicant, Fractured Aggregates Ltd., was received by Smoky Lake County on November 23, 2023, and deemed complete on November 30, 2023.

The Applicant proposes to develop an Animal Breeding and/or Boarding Facility for the breeding of Olde English Bulldogs, and the construction of associated Accessory Buildings.

The property is zoned as **Agriculture (AG) District** (Section 8.2 of Smoky Lake County Land Use Bylaw #1272-14) and designated as **Agriculture Area** (Section 4.1 of Smoky Lake County Municipal Development Plan #1249-12).

Animal Breeding and/or Boarding Facility is a “*Discretionary Use*” under **Section 8.2.3**, of Smoky Lake County Land Use Bylaw 1272-14, and is defined as “*an establishment for the keeping, breeding, housing, exercising, training, and/or raising of 3 or more animals that are not livestock for profit or gain, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment.*”

The property is located approximately 1.5km southwest of Cache Lake and is approximately 9.46 acres (3.82 hectares) in size.

Decision of the Development Authority

Development Application No. 030-23 was considered by the Municipal Planning Commission on December 14, 2023, with the following decision being made:

“That the Municipal Planning Commission APPROVE Development Permit No. 030-23: PLAN 1324097, BLOCK 1, LOT 1 (PT. NW-36-58-13-W4M) for the development of an Animal Breeding and/or Boarding Facility, Greenhouse, Shed, Coop & Detached Garage, subject to the following conditions:

- 1. The proposed Development shall be sited and constructed as per the Site Plan, dated November 16, 2023, attached to, and forming part of, this Development Permit. All structures shall conform to the following setbacks:***
 - Minimum Front Yard Setback (from property line adjacent to RGE RD 131): 23.1 meters (75.7 feet)***
 - Minimum Rear Yard Setback (from easternmost property line): 18.3 meters (60.0 feet).***
 - Minimum Side Yard Setback (from northernmost property line): 18.3 meters (60.0 feet).***
 - Minimum Side Yard Setback (from southernmost property line) 18.3 meters (60.0 feet).***
- 2. The maximum number of dogs (excluding pups less than six months of age) permitted in the Animal Breeding and/or Boarding Facility shall not exceed thirty (30).***

3. *Each exercise area (run) shall be a minimum of 2.3 square meters (25.0 square feet) in area.*
4. *All exterior areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.8 meters (6.0 feet).*
5. *All dogs shall be kept within buildings or a fenced area at all times when not leashed.*
6. *All dog facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and despised of in a sanitary manner.*
7. *Pens, rooms, exercise areas (runs) and holding stalls shall be soundproofed wherever possible, to the satisfaction of the Development Authority.*
8. *A separate air extractor system shall be provided in the animal shelter or holding area where hearing and air conditioning are necessary.*
9. *All Animal Breeding and/or Boarding Facilities and operations shall be in compliance with Provincial regulations.*
10. *All Accessory Buildings (Greenhouse, Shed, Coop & Detached Garage) shall not be located within 2.0 meters (6.5 feet) of a residence.*
11. *All Accessory Buildings shall not encroach upon any easement or right-of-way.*
12. *The cumulative total site area of all Accessory Buildings shall not exceed 12% of the total site area.*
13. *No Accessory Building shall be used as a dwelling unless it is an approved Guest House, Garage Suite or Garden Suite.*

The Development Permit Application is attached as **SCHEDULE A**.

Orthographic photos and a location map of the subject site are attached hereto as **SCHEDULE B**.

Notice of Decision Circulation

The Notice of Decision of the Development Authority was mailed to the Applicant on December 18, 2023. The Notice of Decision was also mailed to adjacent landowners on December 18, 2023. Adjacent landowners were also provided with a copy of the Development Permit Application for their reference. The Notice of Decision is attached as **SCHEDULE C**.

Relevant Bylaws

Land Use Bylaw – Bylaw #1272-14

Section 1.7 – Interpretations/Definitions

13. “Animal Breeding and/or Boarding Facility” means an establishment for the keeping, breeding, housing, exercising, training, and/or raising of 3 or more animals that are not livestock for profit or gain, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment.

Section 2.4 – General Development Permit Application Requirements

1. An application for a development permit shall be made to the Development Authority in writing, on the application form provided by the municipality and shall be accompanied by:
 - A. a site plan, to scale, showing the legal description; north arrow; location and dimensions of property lines; existing utility rights-of-way and easements; fences; driveways; paved areas; proposed front, rear and side yard setbacks, if any; any provisions for off-street loading and vehicle parking; access and egress points to the site; and any encumbrances such as rights-of-way;
 - B. existing and proposed building dimensions;
 - C. the location of abandoned wells (if applicable), location of water bodies (if applicable), and the location of developed and undeveloped roads (if applicable);
 - D. the type and location of water supply and sewage and waste water disposal facilities;
 - E. a statement of uses;
 - F. a statement of ownership of the land and the interest of the applicant therein;
 - G. the signatures of at least one of the registered landowners listed on the Certificate of Title;
 - H. the estimated commencement and completion dates;
 - I. the estimated cost of the project or contract price;
 - J. an application fee as established by resolution of Council;
 - K. a letter from the registered owner authorizing the right-of-entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed development;
 - L. in the case of an application for a Development Permit on Crown Land, provincial authorization for the development; and
 - M. any other information as required by the Development Authority.

2. The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
 - A. floor plans;
 - B. elevations and sections of any proposed buildings;
 - C. a Real Property Report, or other documentation indicating the exact location of all structures on the property (prepared within the last five (5) years), in a form this acceptable to the Development Authority;
 - D. drainage, grading and landscaping plans with provide pre and post-construction site elevations;
 - E. a storm water management plan approved by Alberta Environment and Sustainable Resource Development (or other appropriate provincial authority);
 - F. a geotechnical report prepared, stamped and signed by a qualified professional, registered in the Province of Alberta in potentially hazardous or unstable areas;

- G.** a biophysical assessment prepared, stamped and signed by a qualified professional registered in the Province of Alberta, on the impacts of the proposed development on wildlife habitat or natural environments;
- H.** a reclamation plan for aggregate extraction or site grading and excavation;
- I.** an environmental assessment to determine potential contamination and mitigation;
- J.** in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located;
- K.** a hydro-geological assessment, prepared, stamped and signed by a registered professional engineer or hydro-geologist, registered in the Province of Alberta, of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site;
- L.** a site plan detailing how vegetation, topography disturbance or erosion is to be minimized;
- M.** an environmental impact assessment describing a development's potential environmental effects;
- N.** within the Garner Lake Area Structure Plan area, a landscaping plan;
- O.** a Cumulative Effects Assessment;
- P.** the identification of all right-of-ways and easements within or abutting the subject property; and/or

any additional information as the Development Authority deems necessary.

- 3.** When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. An incomplete application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
- 4.** The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.
- 5.** All applications for development permits on sites adjacent to another municipality shall be submitted to the other municipality for comments prior to rendering a decision. The Development Authority shall not be bound by the recommendation of the other municipality.
- 6.** In the case of an application for a Development Permit on Crown Land, the County will require Provincial authorization prior to the issuance of a Development Permit.

Section 7.19 – Pet Keeping, Livestock and Kennels

6. The keeping of more than two (2) dogs on any lot, whether the dogs are being bred or boarded, shall be allowed at the discretion of the Development Authority only in those Districts where kennels are listed as a discretionary use in this Bylaw.
7. The maximum number of dogs to be kept on-site in each of the above Districts shall be at the discretion of the Development Authority.
8. In determining the number of dogs, pups less than six months of age shall not be included.
9. An exercise area shall be provided for each dog as follows:
 - A. breeds weighing 16 kg (35 lbs.) or less - at least 2.3 sq. m. (25.0 sq. ft.) per dog; and
 - B. breeds weighing more than 16 kg (35 lbs.) - at least 4.6 sq. m. (50.0 sq. ft.) per dog.
10. No building or exterior exercise area to be used to accommodate the dogs shall be allowed within 25.0 m (82.0 ft.) of any lot line of the lot for which an application is made.
11. All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.8 m (6.0 ft.).
12. All dogs in kennels shall be kept within buildings or a fenced area at all times when not leashed.
13. All dog facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.
14. Pens, rooms, exercise runs, and holding stalls shall be soundproofed where possible to the satisfaction of the Development Authority.
15. A separate air extractor system shall be provided in the animal shelter or holding area where heating and air conditioning is necessary.
16. All facilities and kennel operations shall be in compliance with the applicable Provincial regulations.
17. All development permits issued shall be subject to cancellation if any of the above requirements, or any other condition of the development permit, is not followed.

***NOTE* Section 7.19.1 to Section 7.19.5 inclusive were not considered by the Development Authority as they contain provisions that are only applicable to the keeping of livestock and/or are not applicable to land zoned as Agriculture (AG) District.**

Section 8.2 – Agriculture (AG) District.

AG

8.2 AGRICULTURE (AG) DISTRICT

1. Purpose

The general purpose of this District is to allow a range of activities associated with working landscapes including agricultural uses and resource extraction uses that support the rural economy, rural lifestyle and discourage the fragmentation of the County's land base.

2. Permitted Uses

- A. Art, Craft and Photographic Studios
- B. Agricultural Support Service
- C. Basement Suite
- D. Bed and Breakfast Establishment
- E. Buildings and Uses Accessory to Permitted Uses
- F. Community Hall
- G. Day Home
- H. Dwelling, Single Detached
- I. Dwelling, single detached, tiny
- J. Extensive Agriculture
- K. Garage Suite
- L. Garden Suite
- M. Guest House
- N. Home Occupation, Major
- O. Home Occupation, Minor
- P. In-law Suite
- Q. Manufactured Home
- R. Modular Home
- S. Natural Area
- T. Public Utility
- U. Secondary Suite
- V. Shipping Container
- W. Solar Energy Collection Systems
- X. Wind Energy Conversion System, Micro

3. Discretionary Uses

- A. Animal Breeding and/or Boarding Facility
- B. Animal Clinic
- C. Animal Hospital
- D. Animal Hospital, Large
- E. Boarding Facility
- F. Buildings and Uses Accessory to Discretionary Uses
- G. Campground, minor
- H. Campground, intermediate
- I. Campground, major
- J. Cemetery
- K. Child Care Facility
- L. Day Care Facility



- M. Duplex (Vertical and Side-by-Side)
- N. Family Care Facility
- O. Intensive Agriculture
- P. Kennel
- Q. Natural Resource Extraction Industry
- R. Place of Worship
- S. Public and Quasi-Public Building and Use
- T. Public Utility
- U. Recreational Use
- V. Recreational vehicle park
- W. Relocated Building
- X. Secondary Commercial
- Y. Sign
- Z. Surveillance Suite
- AA. Transfer Station
- BB. Utility Building
- CC. Wind Energy Conversion System, Small
- DD. Wind Energy Conversion System, Large
- EE. Workcamp, Short-Term
- FF. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

A maximum of five (5) parcels per quarter section may be subdivided for agricultural, or residential uses including the subdivision of fragments. The following chart presents information by use type regarding the maximum number of parcels allowed per quarter section.

	Maximum Parcel Density Per Quarter Section By Use Type	Minimum Parcel Size	Maximum Parcel Size
Agricultural Use	2 parcels per quarter section	Normally 32.0 ha (80.0 ac.) however a single 16.0 ha (40.0 ac.) parcel may be subdivided if the proposed parcel conforms to 4(A)(ii)	At the Discretion of the Subdivision Authority
Residential Use	4 parcels per quarter section	0.8 ha (2.0 ac.)	8.0 ha (20.0 ac.)
Commercial Use	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
Community/ Institutional Use	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
Industrial Use	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority

A. Lot Area – Agricultural Use

- i. The minimum parcel size for extensive agricultural uses shall normally be 32.0 ha (80.0 ac.) less any approved subdivisions.
- ii. Notwithstanding (A)(i) above, the subdivision of a single 16.0 ha (40.0 ac.) parcel for agricultural use may be permitted out of an un-subdivided quarter section if the following criteria are met to the satisfaction of the County:
 - a. Legal and year round physical access to the proposed parcel and the remainder are developed to County standards;
 - b. The proposed use of the parcel will not adversely impact adjacent agricultural uses;
 - c. The parcel is should normally be located:
 - I. adjacent to or near quarter section boundaries;
 - II. in close proximity to existing residential parcels or farmsteads on adjacent quarter sections;
 - III. along a designated rural residential collector road;
 - d. The applicant demonstrates that the parcel can be serviced on-site as per provincial regulations;
 - e. If the parcel is to be used for an intensive agricultural operation or a value added agricultural industry¹, the use and size of the parcel is supported by a business plan that may include:
 - I. a financial plan to the satisfaction of the County;
 - II. a detailed site plan of the proposed operation including the required land area, expansion possibilities and possible effects on adjacent landowners, uses and municipal infrastructure;
 - III. information regarding potential traffic generation which may include a Traffic Impact Assessment;
 - IV. potential nuisance factors and any mitigation measures necessary to reduce nuisance factors; and
 - V. where necessary, a detailed site assessment which indicates the

¹ Value added industry in this context means: an industry which economically adds value to a product by changing it from its current state to a more valuable state.



location, character and parcel coverage percentages of the environmentally sensitive areas and/or heritage features on the site.

B. Lot Area – Residential Use

- i. Normally, a maximum of 8.0 ha (20.0 ac.) per quarter section will be allowed for residential subdivisions.
- ii. Normally, the minimum lot area allowed for vacant residential parcels or for farmstead separations will be 0.8 ha (2.0 ac.) and the maximum lot area will be 8.0 ha (20.0 ac.).

C. Lot Area - Other Uses

The minimum parcel size for other uses shall be as provided for elsewhere in this Bylaw, in the County's Municipal Development Plan, in any relevant Area Structure Plan, or as required by the Subdivision Authority.

5. Development Regulations

A. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yards

From Municipal Road Allowances	23.1 m (92.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line

ii. Minimum Side Yards

From Municipal Road Allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line

Adjacent to Another Parcel	18.3 m (60.0 ft.) from the property line
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iii. Minimum Rear Yards

From Municipal Road Allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line
Adjacent to Another Parcel	18.3 m (60.0 ft.) from the property line

iv. Notwithstanding subsections (A), (B), and (C) above, where there is an intersection or sharp curve, the minimum yard requirements shown on Figures 20 and 21 of this Bylaw shall apply.

B. Minimum Floor Area

- i. Single detached dwellings – 69.7 sq. m (750.0 sq. ft.)
- ii. Manufactured and modular home units – 65.0 sq. m (700.0 sq. ft.)
- iii. All others uses at the discretion of the Development Authority

C. Maximum Site Coverage - 45%

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings

D. Maximum Height

- i. 11.0 m (36.1 ft.)
- ii. In the case of buildings which are accessory to extensive agriculture and for discretionary uses, the maximum height shall be at the discretion of the Development Authority.

6. Other Regulations

A. Residential parcels in the Agriculture District will not be allowed:

- i. within required setbacks from a sewage treatment plant or lagoon or solid waste

- disposal site as specified by the appropriate guidelines or authority;
 - ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
 - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
 - iv. within a 1 in 100 year flood plain.
- B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
- C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
- D. Fences shall be developed in accordance with Section 7.7 of this Bylaw.
- E. Landscaping shall be provided in accordance with Section 6.11 of this Bylaw.
- F. The keeping of recreational vehicles shall be provided in accordance with Section 7.23 of this Bylaw.
- G. Shipping containers shall be developed in accordance with Section 7.31 of this Bylaw.
- H. Accessory buildings shall be developed in accordance with Section 6.1 of this Bylaw.

Letters of Appeal

A Letter of Appeal and the required \$250.00 appeal fee, were submitted by the Appellant to the Clerk of the Intermunicipal Subdivision and Development Appeal Board on January 5, 2024, prior to the deadline of 4:00 p.m. on Monday, January 8, 2024, as per the Notice of Decision. The Appellant's reasons for Appeal are contained within said Letter which is attached to this report as **SCHEDULE D**.

Summation

It is the opinion of the Development Authority that the proposed "**Animal Breeding and/or Boarding Facility** (as defined in Section 1.7 of Smoky Lake County Land Use Bylaw #1272-14) **and associated Accessory Buildings**", complies with the requirements established by **Section 2.4, Section 7.19 & Section 8.2**, of *Smoky Lake County Land Use Bylaw #1272-14*, and further that proposed conditions are reasonable and address issues pertaining to animal health and safety, cleanliness, waste and other related issues. As such, the Development Authority for Smoky Lake County respectfully requests that the decision of the Municipal Planning Commission (the Municipal Planning Commission is the Development Authority for Discretionary Uses) be upheld, and the Development Permit be issued, subject to fulfillment of the attached conditions.

Prepared by: _____

Jordan Ruegg

Development Officer (On behalf of the Development Authority for Smoky Lake County)

January 15, 2024

Date

Schedule A – Development Permit Application – DP-030-23
PLAN 1324097, BLOCK 1, LOT 1 (PT. NW-36-58-13-W4M)

Section 61

SCHEDULE "A"

03-05

inspectors The Inspections Group Inc. Please contact The Inspections Group Inc. at 780-454-5048 or by email at questions@inspectionsgroup.com.

- 6) If you have any questions regarding this application package, please contact the Smoky Lake County Planning and Development Department at 780-656-3730 or by email at pd@smokylakecounty.ab.ca. Alternatively, you may arrange a pre-application meeting with Planning and Development staff to discuss a proposed Development.

DEVELOPMENT PERMIT APPLICATION FORM

Internal Use Only	
Our File Number: _____	Roll Number: _____ Your File Number: _____
Applicant Information	
Applicant/Agent: <u>Damien & Keane Binnie-Brown</u>	_____
Address: _____	_____
City/Prov: _____	Postal Code: _____ Fax: _____
Email address: _____	Signature: <u>DJB KCB</u>
Applicant/Agent Authorization: I am the applicant/agent authorized to act on behalf of the registered owner and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.	
Registered Landowner Information <input type="checkbox"/> <i>Owner same as applicant</i>	
Registered Owner: <u>Cathy Jamieson & Marvin Pelech</u>	Phone: _____
Address: _____	Fax: _____
City/Prov: _____ Postal Code: _____	Signature: <u>Cathy Jamieson</u> <u>Marvin Pelech</u>

Intermunicipal Subdivision and Development Appeal Board | Development Application No. 030-23

Section A - Property Information XX Division _____

Legal: Lot 1 Block 1 Plan 1324097 and Part of NW ¼ Sec 36 Twp58 Rge 13 W4M

Subdivision Name (if applicable) or Area of Development _____

Rural Address/Street Address RR 131 58553 Parcel Size 9.46 Acres

Number of existing dwellings on property (please describe) 1 ½ story House and Barn/shed

Has any previous application been filed in connection with this property? Yes No

If yes, please describe the details of the application and file number:

Is the subject property near a steep slope (exceeding 15%)? Yes No

Is the subject property near or bounded by a body of water? Yes No

Is the subject property within 800m of a provincial highway? Yes No

Is the subject property near a Confined Feeding Operation? Yes No Distance: _____ Is

the subject property within 1.5km of a sour gas facility? Yes No Distance: _____

Is the subject property within 1.5km of a sewage treatment plant/lagoon? Yes No Distance: _____

Is the property 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? Yes No

If yes, please describe: _____

Is the property the subject of the application is the subject of a licence, permit, approval, or other authorization granted by the Minister of Environment or granted under any Act the Minister is responsible for under s.16 of the Government Organization Act*? Yes No

If yes, please describe: _____

Is the subject property immediately adjacent to the County boundary? Yes No

If yes, the adjoining municipality is: _____

**The Minister is responsible for the following Acts: AB Land Stewardship Act, Environmental Protection Act, Public Lands Act, Surveys Act, Water Act. Please see attached list of resources for identifying this information.*

Section B – Proposed Development Information

Estimated Cost of Project \$85,000 Approximately _____

Estimated Commencement Date Spring 2024 Estimated Completion Date 2026 _____

Dwelling:

Floor Area 1270 sq. ft. % of Lot Occupied ? Height of Dwelling approx. 20 ft / m

Accessory Building:

Floor Area 840 sq. ft. % of Lot Occupied ? Height of Acc. Bldg approx. 14 ft / m

Parking: # of Off-Street Parking Stalls (if applicable) _____

Land Use District (Zoning) of Property: Agricultural

Description of Work:

TWO 14'X60' BUILDINGS FOR DOG KENNELS EACH WITH 12 INDIVIDUAL RUN W/ 6'X14' STORAGE, 12'X24' GREENHOUSE, 10'X10' SHED,

12'X12 COOP & 20'X20' DETACHED GARAGE

Section C – Preferred Method of Communication

When a decision has been made on your file, do you wish for us to:

- call you for pick up
- mail the decision
- email the decision

Section 608(1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended states:

608(1) Where this *Act* or a regulation or bylaw made under this Section requires a document to be sent to a person, the document may be sent by electronic means if:

- a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail address, website or other electronic address to the sender for that purpose.

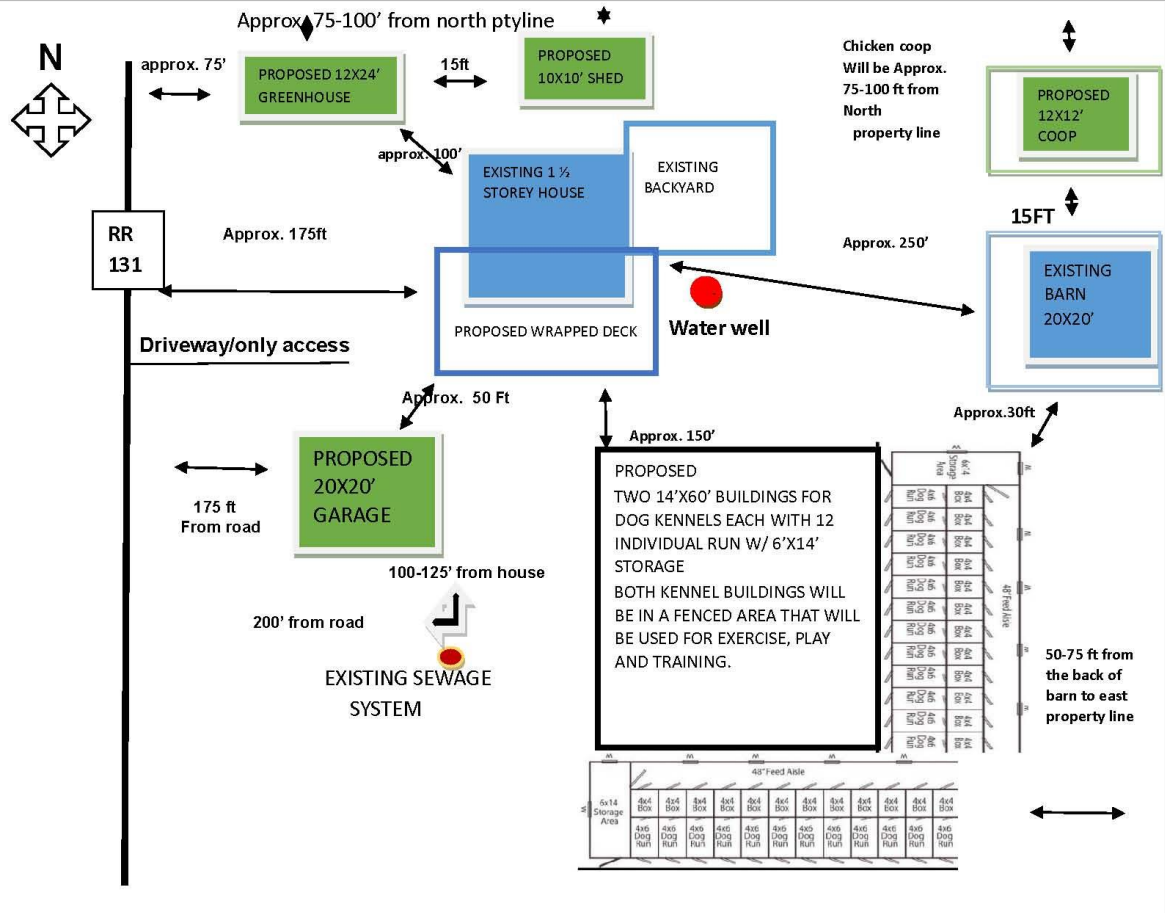
I/we grant consent for the Development Authority to communicate information and/or the decision electronically regarding my/our application. YES NO

<p>OFFICE USE ONLY</p> <p>Type of Payment: <input type="checkbox"/> DEBIT <input type="checkbox"/> CASH <input type="checkbox"/> CHEQUE</p> <p>Fee \$ _____</p> <p>Receipt # _____</p> <p>Receipt Date _____</p> <p>Date Received _____ *and deemed complete by Development Authority. <input type="checkbox"/> Entered into MuniSight PD # _____</p>	<p>Authorization: <input type="checkbox"/> Permitted Use <input type="checkbox"/> Discretionary Use</p> <p>Issuing Officer's Name _____</p> <p>Issuing Officer's Signature _____</p> <p>Date of Approval _____</p> <p>Date Issued _____</p> <p>Comments and/or Variances _____</p>
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DEVELOPMENT PERMIT APPLICATION FORM

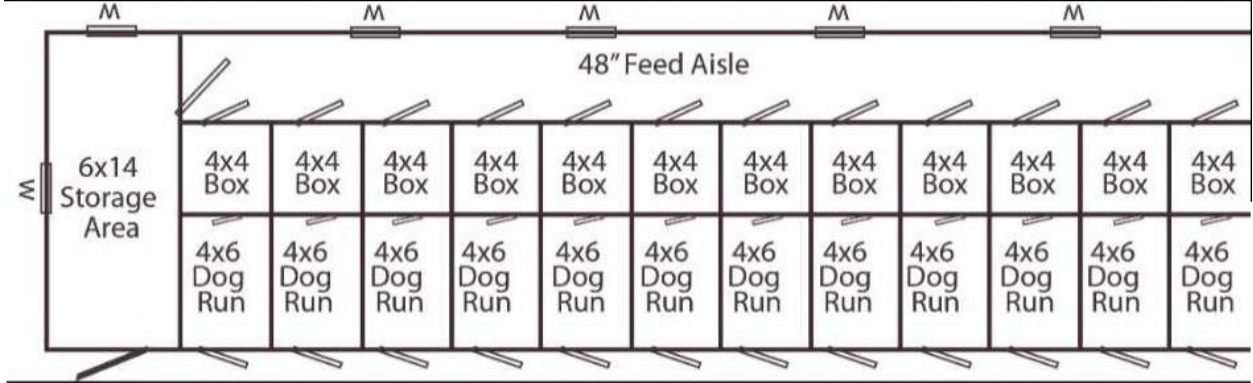
Our File Number: _____ Roll Number: _____

DEVELOPMENT PERMIT SITE PLAN



DATE: Nov 16th 2023 SIGNATURE OF APPLICANT: *HERB DODD*

Intermunicipal Subdivision and Development Appeal Board | Development Application No. 030-23



This kennel includes

Pressure Treated 2×4
Floor Joists

R-13 Closed cell spray
foam insulation in floor

Pressure Treated 4×6
Runners

PVC Trusscore lined
walls

5/8" Smart Floor coated
with Poly Urea

4' High Glassboard
Exterior Run Wall

R-13 Batten Insulation
in walls & ceiling

Vented Soffit

Vented Ridge Cap

Metal Roof

4' Solid Dividers

Poly Urea Run Floor

Welded Wire Panels

Stainless Steel Channel
Drains

Guillotine Dog Doors

Exhaust Fan's



I (Keane) am not new to my involvement in raising dogs and have grown up with them my entire life and childhood, as well as horses and other animals. My parents were established breeders in central Alberta. My father bred field Labradors and trained many different breeds to hunt. My mother was a Vet Tech in her earlier years and when she met my father, they worked together raising Rottweiler's and Labs for a few years but put it aside to begin raising kids. Eventually our parents welcomed a pug into the home, Then a second shortly after, and then the third pug came along and let me tell you, we truly learned everything we could about brachycephalic breeds early on in the years of raising Pugs. In my years of helping and maintaining their dogs, their social media presence and their breeding program, I have gained a tremendous amount of experience from them and other known breeders, I thrive to become as reputable as my parents have as well as many other breeders I have gotten to know within Canada and other countries such as USA, UK, Netherlands. The first Olde English I had the chance to know was a family member's. They had bought a black tri OEB and to make a long story short, they had unfortunately purchased from the wrong breeder and ran into numerous problems (from not getting papers, to health issues and incorrect conformation) and he ended up in my care where we made the choice to put him into a pet only home. Despite his faults, he was a wonderful dog and made me fall in love with the breed. Due to the first boy's health and overall bad experience, I knew what to look for in a breeder, in a puppy/dog that was of breeding quality and what I wanted for my own Old English Bulldogge and I was very particular since she would be the foundation of my program. In early 2018 my parents gifted me with my first OEB as a thank you for helping them with their own kennel and program over the years. They wanted to help me get started on establishing my own kennel and I truly am so grateful. When Blondie and her siblings were born, I first received the photos of them and soon got to pick. I just knew Blondie was the one and after getting to hold her and spending my last year and of course many more to come with her, there's no words to explain the bond I have with her. I have absolutely no regrets about the dog I have chosen from an amazing breeder. The connection I have with her is loving and exactly what I wanted, and with her breed and size, she's able to keep up with me and her health has been perfect right down to her Joint Screening of her Hips and Elbows and genetic testing. She will have a home with me until she passes. She's such a beautiful example of her breed and I am proud she has produced pups that outshine her and carry on her amazing bloodline and traits.

We've been actively breeding (OEB) Olde English bulldogges coming onto 4 years but have been owners of the breed for seven years. Even though we are newer to the scene of Old English Bulldogges, we have captured the attention of fellow breeders in other countries. We are successful in providing desired dogs that genetically improve the breed and there is typically a waitlist for our puppies because they're such high quality. One of the reasons we're wanting to establish a kennel is so that it makes it even more official that these dogs are of higher standard, and being licensed would further us even more from the backyard breeders. It would also legitimize the quality of dogs we are producing. All breeding stock is vet checked but are also Genetically Health Tested to ensure they are free of inherited diseases such as Degenerative Myelopathy. We also do Joint Screening with OFA, OFA is to be done at the age of two. This is to ensure breeding stock is free of Hip Dysplasia, Elbow Dysplasia and Joint Disease. All breeding stock is also Registered with IOEBA, because this breed (Olde English Bulldogge) is not yet recognized by the Canadian Kennel Club. We will not breed a unregistered OEB or an dog that is out of Standard for the breed or a dog that has health issues or severe allergies. Any dog that is unfit for breeding will be spayed/neutered and rehomed to a family.

Any potential breeding stock kept or purchased go through an evaluation form that includes a scoring system (higher score = better quality.) Females apart of the breeding program will not be bred until age 2 and will not produce over four litters and will be retired if they have any problems with their first litter. A breeding female will not have over 1 litter in one year unless otherwise advised by a Veterinarian.

All productions of Falling Pine Bulldogges are microchipped and leave on a contract to be spayed/neutered. Our puppies are vet checked and receive 1st vaccines and deworming in our care before leaving. They go with one month free of Trupanion Insurance and on One Year Health and Genetic Guarantees, which is like a warranty. Once owners provide proof of their dog being spayed/neutered, thus is when registration is signed over to the owner,

this is to ensure our productions are being de-sexed. Our puppies contract includes a Lifetime Return Policy, Should the owner pass away or simply cannot keep the dog due to moving or divorce, whatever the reason may be, We will always welcome our productions back because we do not want to see our dogs end up in shelters or rescues, this is why we find it important to microchip all puppies. We also let our newly puppy owner know that there will always be lifetime breeder support as well and that we look forward to updates. We also have a Facebook Group just for our bulldog owners to keep connected. We also won't rehome a puppy or any dog to just anybody, There is a puppy application process and they have to agree to the contract.

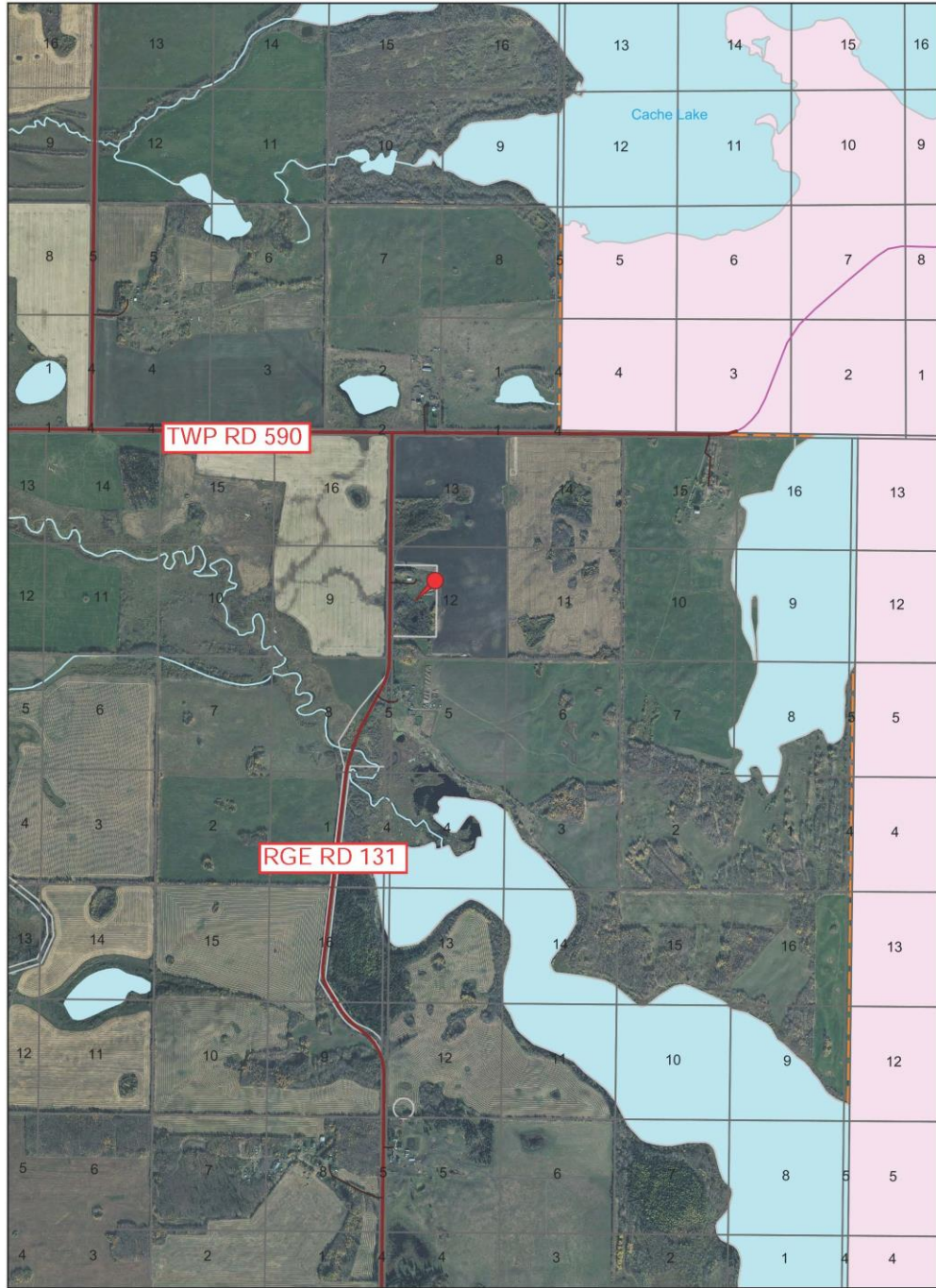
Prior to getting my first OEB, Blondie, I educated myself on the breed, their history, their founder and so on and as much as I could, I got lost in all the research and still do but it got me inspired to breed Olde English bulldogges. My husband merged with me on this beautiful business after I had already begun, as a dog lover himself, He didn't know how big the dog world truly was and is impressed. We both thrive to breed following the true standard of the breed down to their functionality, capability and appearance and as breeders, we want to be supportive and stay true to our puppy owner's and be educational to those that encounter our breeding program. It is Important to us that our dogs go to responsible pet owners who will do everything in their power to give the dog a balanced diet, training and life. As some would say, happy dogs are tired dogs but it's important to not overestimate dogs but give them appropriate amounts of exercise and training Kind of like their diet! I am happy to share my business with somebody that enjoys dogs as much as I do, who enjoys designing dog exercisers, watching dog sports and sharing our ideas back and forth. We both hope to one day be able to host dog sporting events and/or bulldog conformation shows here, connect with wonderful Bulldoggers all over Canada. We strive daily and are proud of our productions but in every business especially breeding, there is always room to improve, be better and of course enjoy quality time with the pack.

Today's Olde English Bulldogge is a reconstruction of the original Bulldogge of the 17th and 18th century. Various genetic crosses have been used in carefully and thoughtfully planned breeding programs to obtain this goal. The foundation of most of today's Olde English Bulldogges can be traced back to English Bulldogs, American Bulldogs, American Pit Bull Terriers and Mastiffs. These various dog breeds were used very selectively in various combinations to obtain the desired physical traits of the original Bulldogge. The result has been a good looking Bulldogge of great athletic ability that is much healthier and physically fit without most or all of the problems that plague many of today's modern English Bulldogs. The goal of all Olde English Bulldogge breeders should be to produce genetically healthier Bulldogges that are free breathers, free breeders, and free whelpers and most importantly a loyal family guardian.

Schedule B – Ortho Image (Year: 2020)

11/27/23, 11:57 AM

Print Preview



Smoky Lake County

Smoky Lake County

Date Created: 11/27/2023

Intermunicipal Subdivision and Development Appeal Board | Development Application No. 030-23

Schedule C – Development Permit DP-030-23 – Notice of Decision

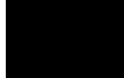


Smoky Lake County

P.O. Box 310
4612 McDougall Drive
Smoky Lake, Alberta T0A 3C0
Phone: 780-656-3730
1-888-656-3730
Fax: 780-656-3768
www.smokylakecounty.ab.ca

December 18, 2023

DAMIEN & KEANA BINNIE-BROWN



Via E-Mail:



Roll No.: 13583631
Legal: Plan 1324097, BLOCK 1, LOT 1
Zoning: Agriculture (AG) District

Re: NOTICE OF DECISION, MUNICIPAL PLANNING COMMISSION (MPC):
DEVELOPMENT PERMIT APPLICATION DP-030-23

I am writing in my capacity as the Development Authority for Smoky Lake County. Thank you for your submission of application for a Development Permit respecting the lands legally described as Plan 1324097, BLOCK 1, LOT 1, for the development of a Animal Breeding and/or Boarding Facility, Greenhouse, Shed, Coop & Detached Garage.

At its December 14, 2023 meeting, the Municipal Planning Commission for Smoky Lake County made the following decision:

*"That the Municipal Planning Commission **APPROVE** Development Permit No. 030-23: Plan 1324097, BLOCK 1, LOT 1, for the development of an Animal Breeding and/or Boarding Facility, Greenhouse, Shed, Coop & Detached Garage, subject to the following conditions:*

1. The proposed Development shall be sited and constructed as per the Site Plan, dated November 16, 2023, attached to, and forming part of, this Development Permit. All structures shall conform to the following setbacks:
 - a. Minimum Front Yard Setback (from property line adjacent to RGE RD 131): 23.1 meters (75.7 feet).
 - b. Minimum Rear Yard Setback (from easternmost property line): 18.3 meters (60.0 feet).
 - c. Minimum Side Yard Setback (from northernmost property line): 18.3 meters (60.0 feet).
 - d. Minimum Side Yard Setback (from southernmost property line): 18.3 meters (60.0 feet).

Page 1 of 3
NOTICE OF DECISION: DP-030-23

2. The maximum number of dogs (excluding pups less than six months of age) permitted in the Animal Breeding and/or Boarding Facility shall not exceed **thirty (30)**.
3. Each exercise area (run) shall be a minimum of 2.3 square meters (25.0 square feet) in area.
4. All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.8 meters (6.0 feet).
5. All dogs shall be kept within buildings or a fenced area at all times when not leashed.
6. All dog facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.
7. Pens, rooms, exercise areas (runs) and holding stalls shall be soundproofed wherever possible, to the satisfaction of the Development Authority.
8. A separate air extractor system shall be provided in the animal shelter or holding area where hearing and air conditions are necessary.
9. All Animal Breeding and/or Boarding Facilities and operations shall be in compliance with Provincial regulations.
10. All Accessory Buildings (Greenhouse, Shed, Coop & Detached Garage) shall not be located within 2.0 meters (6.5 feet) of a residence.
11. All Accessory Buildings shall not encroach upon any easement or right-of-way.
12. The cumulative total site area of all Accessory Buildings shall not exceed 12% of the total site area.
13. The cumulative total site area of all Accessory Buildings shall not exceed 12% of the total site area.

As per Section 2.14 of [Smoky Lake County Land Use Bylaw 1272-14](#), this Notice will be circulated to adjacent landowners and advertised in the Redwater Review and is not valid until the standard 21-day appeal period has lapsed.

Both the applicant for this permit, or any other person affected by said Development Permit may file an appeal of this decision, or a condition of this decision, **before Monday, January 8, 2024, at 4:00:00 p.m.**, by serving a written Notice of Appeal along with **\$250 Appeal Fee** to:

Inermunicipal Subdivision and Development Appeal Board (ISDAB)
Attn: ISDAB Clerk
4612 McDougall Drive, Box 310
Smoky Lake, AB T0A 3C0

The Notice of Appeal should indicate the development permit number, contact name, and phone number, mailing address, and reason(s) for appeal.

Should you require any further information, please do not hesitate the undersigned at 780-650-5207.

Sincerely,



Jordan Ruegg
Planning & Development Manager, Smoky Lake County
4612 - McDougall Drive, PO Box 310
Smoky Lake, Alberta T0A 3C0
e: jruegg@smokylakecounty.ab.ca
p: (780) 656-3730 / c: (780) 650-5207
w: <http://www.smokylakecounty.ab.ca/>

ᑭᑭᑭᑭᑭᑭ ᑭᑭᑭᑭᑭᑭ (kaskapatau sakahigan / Smoky Lake) on Treaty 6 Territory, and Homeland of the Metis Nation

Schedule D – Letter of Appeal

January 4, 2024

Appeal to Development Application No. 030-23

This application has been prepared by Bill Yaceyko



I am appealing this development application on behalf of myself and other concerned neighbors and ratepayers of the County of Smoky Lake. The reasons for this appeal are listed below, along with more being presented during the appeal itself.

I furthermore request that this appeal be done in a live fashion with the reason being that a majority of the residents, including myself, have vision and hearing impairments and are not comfortable with participating via a computer screen. This is just a little thing I ask so the county can show some respect towards its aging population.

I am also requesting that the applicant be physically present, not virtually present to show the seriousness and concerns on the matter.

The reasons for requesting an appeal are listed as such.

- 1. This property was zoned as residential and agricultural. The county changed it themselves to discretionary use with no consultation from adjoining properties or surrounding property owners.
- 2. The county approved this application with no prior consultation with adjoining property owners.

3. The property was not inspected prior to approving the development permit, which also indicates that nobody from the county did any research into this project. They went ahead and not only agreed, but approved something they knew nothing about.
4. The property is situated within one half mile of a flowing creek and lake. There was no directive made toward containing run-off. With a potential of 30 or more dogs, there will be a gross influx of contamination.
5. Your directive was that feces must be dealt with in a sanitary manner. Sanitary has different meanings to different people. So far, the applicant has shown and displayed a questionable form of sanitary.
6. The smell from such a facility is a concern to me since my residence is approximately 300 meters away from this development and another neighbor is approximately 400 meters away.
7. As livestock producers, we are all concerned with stray dogs. Since the applicant started residing in the area, their dogs have killed several of the neighboring cats. Their dogs' continuous barking has attracted a constant flow of dog packs to the area from the adjoining saddle lake reserve. I personally have lost a cow due to a kill by these dogs and I know this is the case because of the number of years I have dealt with carcasses produced by coyotes. A neighbor has also lost livestock due to dog killings. We both have had and continuously have livestock with broken legs and torn flesh from being chased through fences by dogs and with that, we are constantly having to repair fences.

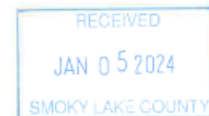
8. Their wandering dogs have also required a neighboring family to be extremely on-edge with their family's safety. One dog displayed violent aggression toward their children and therefore had to keep the family in the house until the dog left. Some municipalities have total bans on bulldog types. County members, again, did not do research to approve such a facility within a senior and family-oriented community.
9. Animal shelters are already overrun with unwanted stray and abandoned pets. The county should not be encouraging more potential grief for these charitable and provincially funded organizations. It is very disappointing that the county did not do any research into this or the grief it creates for residents and neighbors.
10. The county is not set up to monitor such a breeding facility. A complaint about the barking was made to the county and a bylaw officer went to investigate. Although no offenses were noted, the applicant had an estimation of 20 dogs in their possession within their old, structurally unsafe house which is approximately 700ft².
11. There is a heightened concern about the increase in traffic on the gravel RR 131. Our roads are already very poorly maintained because of the weather and cost-saving measures by the county. This would require about 12 yard sites to apply for dust control measures to tolerate the inconvenience.
12. The applicant has lived on the property for seven months with no visible improvements and instead has added to the chaotic appearance of the property. There is no timeline set out by the development permit and because of that, it portrays that the applicant can continue their practice of running a puppy mill for the unforeseeable future.

13. The property does not have an adequate water supply. The well is a shallow bore well with an exceedingly small reserve. The permit mentioned cleanliness, but where does the water come from? I was told by the applicant that the water did not meet human consumption requirements. Up until November, I was supplying them with water. It is my understanding that you cannot randomly draw water for a commercial venture.
14. The septic system is a pump-out that empties into a wetland. The wetland can be viewed from google earth. This wetland feeds into the water table that feeds the well which is within 100 meters. It is doubtful whether this septic system has ever been inspected or approved for domestic use, with that in mind, approval for commercial use is a higher concern.
15. In your approved development permit, your exercise area was advised to be 25ft² per dog under 35lbs and 50ft² for any dog over 35lbs. Why were these same specifications not used in the copy of the development permit we received in the mail? Their dogs are all over 35lbs and according to the Society for the Prevention of Cruelty to Animals (SPCA), 50ft² is recommended for a single large dog to have an exercise area.

In closing, this facility resides within four hundred meters of two sets of senior citizen neighbors who peacefully reside on their own properties without any effect on the community. The county has now approved a dog breeding facility and kennel to chaotically disrupt the peaceful retirement and life of neighbors and members of the community with the constant loose, stray, and barking dogs. As mentioned, the county is unable to monitor such a facility and therefore, it will force the community to tolerate all of the injustices. According to the county bylaw's voicemail greeting, he would respond within 72 hours. How can that help a parent with children deal with either a pack or a single aggressive dog? This development permit shows disrespect not only from the applicant, but from the landowner and especially the county members who have approved it. We as ratepayers, citizens, and multigenerational residents deserve better treatment and acknowledgment. We feel that the county did not do their due diligence in this application before approval. We feel that the county only used the reputation of the landowner as a farmer in their decision and not as a slum lord as per this property. We feel that the property owner would say anything to unload this property at a profit since they were already involved in a disagreement by a previous rent-to-own occupant. Prior to the applicant residing in this resident, the applicant was previously evicted from a rent-to-own property within the county and prior to that, the applicant resided in the village of Halkirk, Alberta. At the time, the village shut down their breeding facility due to the overwhelming number of complaints, along with the harassment claims from child services and the SPCA. With all of the accusations, the village introduced a bylaw banning dog breeding within their municipality and now we are encouraging it against our will within our municipality. The county should have done an inspection prior to approval to verify the applicant's information as well as additional directives if required. The application had a lot of approximate figures and was not signed by the cosigners and was only initialed by the applicants. By no signatures or verification of identity as required, the application should have been rejected prior to establishment.

The development board and all the council members who have approved this without any knowledge of the requirements or reliability of the applicants, have done so in a manner of poor representation of ratepayers and county residents. Furthermore, the planning committee and responsible councilors should be ashamed of themselves for creating such a chaotic disruption in a lifelong and peaceful community and neighborhood and we would like to see the county make better efforts in representing the citizens and ratepayers instead of the county's bank account.

Bill Yaceyko





Smoky Lake County
 4612 McDougall Drive
 PO Box 310
 Smoky Lake AB T0A 3C0

RECEIPT OF PAYMENT

Page 1

Yaceyko William

Receipt Number: 28978

Tax Number:

Date: January 4, 2024

Initials: BS

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	ADMOT	Sales Other - Admin <i>Appeal</i>	N/A	\$0.00	\$250.00	N/A
	Cheque Number: 101					
				Subtotal:	\$250.00	
				Taxes:	\$0.00	
				Total Receipt:	<u>\$250.00</u>	
				Cheque:	\$250.00	
				Total Amount Received:	\$250.00	
				Rounding:	\$0.00	
				Amount Returned:	<u>\$0.00</u>	



Smoky Lake County

4612 McDougall Drive
PO Box 310
Smoky Lake AB T0A 3C0

RECEIPT OF PAYMENT

Yaceyko William

Receipt Number: 28978

Tax Number:

Date: January 4, 2024

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Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
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General	ADMOT	Sales Other - Admin	N/A	\$0.00	\$250.00	N/A
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Cheque Number: 101

Appeal

Subtotal: \$250.00

Taxes: \$0.00

Total Receipt: \$250.00

Cheque: \$250.00

Total Amount Received: \$250.00

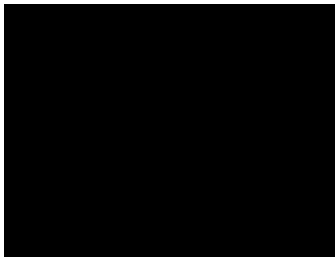
Rounding: \$0.00

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January 4, 2024

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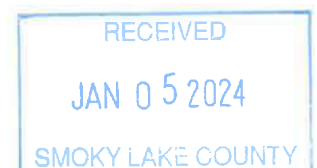
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Bill Yaceyko



Kyle Schole

From: Mandy Yaceyko [REDACTED]
Sent: January 24, 2024 6:36 PM
To: Kyle Schole
Subject: Regarding Application #030-23

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To whom it may concern,

I grew up right next door to this property and I continue to come back to this area quite often. I am not supporting this development due to the fact that this house is ready to fall apart and is such an eyesore to the community. It is gross conduct that the landlord continuously pawns this property off when it should be bulldozed instead. It shows the landlord is greedy if anything.

I also know that the listed applicants continue to abuse the kindness of the community with no compensation in return. My parents have supplied water to this property from the moment they moved in till november and have even tried pushing my parents to continue when they said no. This property's well report, from my understanding, was deemed not fit for human consumption so why should this go forward when you can't even supply an adequate amount to function in day to day life let alone feed a herd of dogs.

During my visits back to the area, my 10 year old twins like to take a motorized unit to go and pick berries in the fields. They have been trained to use bear spray if there ever was a confrontation but since then, I have had to train my kids to use it on dogs because there has been an influx in stray dogs in the area since they moved in.

The shelters are overflowing with unwanted pets, why would we want to encourage breeding these kinds of dogs? Working dogs to tend to livestock is one thing that would make more sense but bulldogs, in my eyes, are useless!

One of the keys to a reputable breeder is allowing potential buyers to come to the dogs home to see where they were raised, is the applicant willing to allow that? If not, they might as well be called a puppy mill because that's how puppy mills operate.

How much of an incentive did the county get for approving this development? Knowing the conditions of this property, it does not match what is in the permit so obviously an inspection was not done prior to approving it.

Bottom line, we don't need more dogs!!!

Thanks,
Mandy Yaceyko

Kyle Schole

From: Damien Binnie-Brown [REDACTED]
Sent: January 16, 2024 7:35 PM
To: Kyle Schole
Subject: Subject: Response to Allegations

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Dear Members of the County Council,

I trust this message finds you well. I am compelled to respond to recent allegations raised on this frivolous appeal, despite my initial reluctance to dignify baseless accusations. Recent circumstances, including my hospitalization due to test anxiety and an unsupported complaint from an individual harboring prejudiced views, necessitate my addressing certain claims.

In opening, I would like to express my sincere appreciation for your time and attention in reviewing the matters at hand. I believe that a fair and impartial assessment of the situation will reveal the unsubstantiated nature of the allegations presented during this appeal.

Now, allow me to provide context and clarification on the various concerns raised during the County Council meeting.

In further elucidation, my initial interaction with Mr. Yaceyko occurred on the road adjacent to our family's evolving property. Initially presenting an amiable demeanor, Mr. Yaceyko, all while operating his side-by-side with a rifle affixed to the front. It's essential to emphasize that I could independently secure water. Despite Mr. Yaceyko's seemingly generous offer to fetch water from him until Mid-October, Bill's consistent insistence on acquiring water from the same source exposed a contradiction in his assurances. This revelation prompts the writing of this letter, suggesting the potential existence of a calculated information operation designed to influence circumstances and potentially coerce us into vacating.

Around three weeks into our tenure in the neighborhood, a Native resident voiced apprehensions regarding our neighbor's racial attitudes. The conveyed derogatory comments were profoundly unsettling, shaking my belief that our community had progressed beyond such prejudices.

Disputing the baseless claim that our dogs have ventured into someone else's yard, I categorically declare it as an absolute bald-faced lie. All of our dogs are microchipped, And I will not accept blame for every dog that may wander off the reservations, especially considering that such incidents have been occurring long before our arrival. It is crucial to distinguish between our commitment to responsible pet ownership and the misleading allegations made against us.

Allow me to provide clarity on the distinction between a puppy mill and a reputable breeder. A reputable breeder adheres to ethical practices, prioritizing the health, well-being, and temperament of their dogs. They conduct thorough health screenings, ensure proper socialization, and prioritize responsible breeding to maintain high standards. Conversely, a puppy mill focuses on profit, often compromising the welfare of animals with inadequate living conditions, insufficient medical care, and neglect of essential needs. Recognizing this stark difference is crucial in understanding our dedication to the well-being of our animals and refuting any false insinuations

I express genuine concern about attending a meeting where my family may face malicious slander, driven by our neighbor's apparent disdain for both us and the council. The instances of baseless calls to CPS and the SPCA have been unequivocally proven as malicious and unfounded, heightening our anxieties about the safety and well-being of both our family members and cherished pets. We strongly emphasize our disdain for these false allegations that only serve to disrupt and harm our household.

Concerning Halkirk's ill-fated attempt to impose bylaws, it is crucial to note that the entire council resigned after seeking legal advice. This significant decision underlines the illegality of their proposed actions, and it is essential to correct any misinformation Bill may be spreading, as it appears he may not be fully informed on this matter.

While I must clarify that I am not a legal professional, it seems reasonable to assert that any law prohibiting the hauling of potable water would likely infringe upon both civil and human rights. The water quality on our property, as confirmed by county-conducted tests, is deemed suitable for various domestic uses.

In the perplexing realm of Bill's distorted narrative, our previous rent-to-own property becomes a stage for his fanciful claims. A mutual agreement with Mr. Justin Davis, who remains a beacon of reason in contrast to Bill's befuddled ramblings, resulted in the contract's termination due to entirely unrelated mortgage complications. The fact that Mr. Davis's father-in-law expressed support in this appeal meeting merely serves as a testament to the absurdity of Bill's attempt to weave an elaborate tale of deceit. It appears that Bill's understanding of basic transactions is as feeble as his grasp on reality, leaving one to question the foundation of his unfounded complaints

Despite Bill's vivid imagination and seemingly boundless capacity for unfounded concerns, let's set the record straight regarding his peculiar fretting about increased traffic. We assure the esteemed council that we are not running a petting zoo, and our social circle consists exclusively of family and friends, a practice fully sanctioned within the expansive bounds of Canadian regulations. While Bill may harbor visions of us living under a regime akin to North Korea, the reality is far less dramatic. The notion that our mere presence has orchestrated a traffic surge is nothing short of comical. In actuality, the uptick can be attributed to the closure of a bridge on the correction line off of RR 131, a detail that seems to have eluded Bill's grasp of basic cause and effect.

In conclusion, it is disheartening to perceive what seems to be a coordinated attempt to force us out of the neighborhood, fueled by unfounded allegations and a seemingly dismissive attitude toward our sincere efforts to comply with local regulations. While the temporary setback in our yard work is a private matter, rest assured it will be diligently addressed in due time, without compromising the well-being of our family and pets. I trust the council will approach this appeal with discernment, recognizing the dubious nature of certain complaints outside the legitimate purview of Mr. Yaceyko. The insinuation that this is an endeavor to create undue hardship for property owners is particularly concerning. The idea that a family's arrival predates our own should not grant unwarranted authority to dictate the terms of our lawful property use. Let reason and fairness guide your considerations in evaluating this appeal. Furthermore, we have legitimate concerns about potential trespassing, given the suspicion that Mr. Yaceyko may have ignored our posted "no trespassing" sign to gather his supposed evidence. If this is the case, we will request said evidence and explore whether any laws have been breached. This adds another layer of doubt to the credibility of Bill's claims, emphasizing the need for a thorough and impartial review by the council. Moreover, additional perplexing observations have come to light:

Firstly, Bill's initial dissatisfaction appears to be rooted in an unfulfilled desire to purchase the land, raising questions about the true motivations behind his grievances. The denial of this opportunity seems to have triggered an unexpected reaction, suggesting a potential bias in his actions.

Equally disconcerting is the inconsistency in Bill's expressed concerns. On one hand, he vocalizes apprehension about the number of dogs in shelters, yet on the other, he contradicts himself by advocating for the breeding of every female dog before spaying. Such a contradiction brings into question the sincerity and coherence of his positions.

In light of these unsettling findings, my genuine fears for the safety of my animals, wife, and daughter have intensified. The lack of respect for our privacy and the unsettling possibility of Bill trespassing and causing harm loom as tangible concerns, adding further weight to the credibility of the issues raised in this appeal. The council's careful consideration of these disconcerting anomalies is essential to ensure a fair and objective evaluation of the situation. I extend my heartfelt gratitude to the esteemed members of the County Council for dedicating time and consideration to this matter. Your discerning examination of the facts and circumstances presented is crucial in maintaining the integrity of our community and upholding the principles of justice. As a concerned Albertan striving to safeguard the well-being of my cherished family, I trust that your wise deliberations will lead to a fair and equitable resolution.

Additionally, I would like to highlight the irony of raising concerns about pet waste while engaging in the business of raising cattle. It is my sincere hope that, through your thoughtful consideration, we can foster an environment where all community members are treated with fairness and understanding.

Thank you for your attention to this pressing issue.

Sincerely, A Dissatisfied Albertan Endeavoring to Keep His Beloved Family Intact

