



NOTICE OF PUBLIC HEARING
Subdivision and Development Appeal Board (SDAB)

The hearing will be held at the Wheatland County Council Chambers: 242006 Range Road 243 (East of Strathmore off Hwy 1) (mail: 242006 Rge Rd 243, Wheatland County, AB T1P 2C4) on Thursday, April 20, 2023, commencing at 9 a.m. regarding the following:

File: SDAB SO2023-002

Re: Appeal of Stop Order Issued March 3rd, 2023

Legal Description: SE-11-27-18W4 & SW 12-27-18W4

At the hearing(s) the SDAB will hear from the appellant(s) and/or the agent; from any person who claims to be affected by the proposal; and from any other person who wishes to make representation AND whom the SDAB agrees to hear. Comments may be made verbally at the hearing, OR if you wish to present a written submission, you must have copies of the same to be distributed at the commencement of the hearing. Any submissions you make are collected under the authority of subsection 33(c) of the Freedom of Information and Protection of Privacy Act for the purposes set out in sections 678 and 686 of the Municipal Government Act. Submissions will form part of a report available to the public and may be referenced in the Board's public written decision. If you have any questions regarding the collection or retention of this information, contact the Wheatland County FOIP Coordinator at (403) 934-3321.

A time limit may be imposed on verbal submissions, at the discretion of the Chairperson. No comments via telephone will be considered by the SDAB. We would appreciate receiving your written comments by end of day Thursday, April 13, 2023, regarding this matter.

The complete file for this application may be inspected in the County Office during regular office hours – Monday to Friday, 8:00 a.m. to 4:30 p.m. Information will be posted on the Wheatland County website for public to view prior to the Hearing date.

Should you have any questions or require further information, please do not hesitate to contact Michelle Van Haarlem at the Wheatland County Administration Office (403) 361-2000 or email sdab@wheatlandcounty.ca.



STOP ORDER

**Section 645, *Municipal Government Act*,
RSA 2000, c M-26, as amended**

March 3, 2023

VIA: E-MAIL

William Graham
Box 82
Black Diamond, Alberta
T0L 0H0

And

John Graham
East Coulee, AB

Dear Sir/Madam:

**Re: A Commercial Campground and Recreational Vehicle Storage is Occurring and;
Several Structures Have Been Placed and/or Constructed on the Lands without
Permits**

Location: SE-11-27-18-4 & SW 12-27-18-4

In my capacity as a development officer for Wheatland County (the "County") I hereby issue this Stop Order pursuant to section 645 of the Municipal Government Act, RSA 2000, c M-26 (the "MGA"), with respect to the above noted Lands, which Lands are further legally described in attached Schedule "A" hereto.

Further to the Warning Letter dated January 9, 2023 and the meeting with John Barry Graham at the County Office on February 9, 2023 and Follow-up email to John Barry Graham on February 22, 2023 to which we received no reply, we advise that development continues on the Lands without the necessary development permits and in contravention of the Land Use Bylaw and section 683 of the MGA, which contravening development (the contraventions) includes the following:

Under section 616(b) of the MGA and Part 2 of the County's Land Use Bylaw, Bylaw No. 2016-01 (the "Land Use Bylaw"), "development" is defined to include the following:

- a) an excavation or stockpile and the creation of either of them,
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,

- c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- d) a change in the intensity of use of land or a building or an act done in relation to land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

Under Part 2 of the County's Land Use Bylaw, Bylaw No. 2016-01 (the "Land Use Bylaw"), applicable definitions include but are not limited to the following:

"Accessory Building / Structure" means a detached building or structure, the use of which is incidental or subordinate to the use of the principle building which is located on the same parcel but in no instance shall be used as a temporary or permanent dwelling unit.

"Campground (Minor)" means development of land for the short-term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles. See Campgrounds Section for more information.

"Campground (Major)" means development of land (public and private ownership) for the short or long-term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles. Campground (major) may include facilities such as a central office, washrooms, cooking facilities and retail establishments for the sale of convenience items. See Campgrounds Section for more including slide-outs) in width. A recreational vehicle is not considered a dwelling unless it is being used for quarantine or self-isolation information.

"Recreational Vehicle" means a portable fabrication to be carried on a vehicle or to be transported on its own wheels and which is intended to provide temporary living accommodations for travel and recreational purposes. It includes vehicles such as a motor home, a camper, a travel trailer or a tent trailer, but does not include a mobile home, sea-can or any vehicle or trailer over eight (8) feet (not including slide-outs) in width. A recreational vehicle is not considered a dwelling unless it is being used for quarantine or self-isolation measures.

"Recreational/Leisure Vehicle Storage" means an industrial area of land set aside or otherwise defined for the purpose of storing recreational vehicles, boats, travel trailers, campers, motor bikes, ATV's and other leisure vehicles. No onsite occupancy, repair, or maintenance of recreational/leisure vehicles is permitted.

Under Part 4 of the County's Land Use Bylaw No. 2016-01 applicable sections include the following:

4.2 Development Permits Not Required

4.2.20 Recreational Vehicle Storage:

- a) The outdoor storage of unoccupied recreational vehicles on a parcel where there is an existing occupied dwelling unit, as follows:
 - i. Not more than five (5) unoccupied recreational vehicles on parcels greater than 2.02 ha (5.0 ac) located outside of Hamlet boundaries.

Under Part 6 of the Land Use Bylaw applicable sections include the following:

- 6.1.1 No person shall contravene this Bylaw by commencing or undertaking a development or use that is not permitted under this Bylaw.

Under Part 7 of the Land Use Bylaw applicable sections include the following:

7.21.1 The Development Permits Not Required Section of this Bylaw outlines all provisions where no development Permit is required, all other instances require a Development Permit.

Under Part 8 of the County's Land Use Bylaw No. 2016-01 applicable sections include the following:

8.3.1 The following shall apply to all campgrounds:

- a) Adjacent site conditions, the interface with neighboring uses, accessibility to natural areas, physical suitability, serviceability and environmental protection will be key considerations when determining the appropriateness and suitability of a site for a proposed campground development;
- b) Public road access to a proposed campground shall be required, as a condition of development approval, to be constructed or upgraded to a condition acceptable to the County;

8.8 Dwellings

8.8.1 General Regulations:

- c) Recreational Vehicles shall not be used as a dwelling on a parcel, unless there is an existing dwelling unit on the parcel and the Recreational Vehicle is being used for quarantine or self isolation measures.

Under Part 9.1 of the County's Land Use Bylaw, Bylaw No. 2016-01 – Agricultural General Land Use District:

- Accessory Buildings are uses which require a development permit and must conform to the Land Use Bylaw definition for Accessory Building/Structure.
- Campground Major, Campground Minor, and Recreational Vehicle Storage are not allowable uses listed within the Agricultural General Land Use District.

The Contraventions

- 1) Multiple Accessory Buildings/Structures have been constructed or placed onsite without development or safety code permits and they do not conform to the Land Use Bylaw definition for an Accessory Building/Structure as they are not incidental or subordinate to the use of a principle building which is located on the same parcel.
- 2) A commercial Campground is operating on the lands without the required development permits and the current land use designation does not list "Campground" as a permitted or discretionary use which may be applied for in the Agricultural General land use district.
- 3) Commercial Recreational Vehicle Storage is occurring on the lands without the required development permits and the current land use designation does not list "Recreational Vehicle Storage" as a permitted or discretionary use which may be applied for in the Agricultural General land use district.
- 4) The Recreational Vehicle Storage occurring on the lands does not qualify for the exemption criteria detailed in section 4.2.20 of the Land Use Bylaw which allows a maximum of 5 recreational vehicles to be stored on an Agricultural General parcel if there is an existing, permitted, occupied dwelling unit.
- 5) A Recreational Vehicle is being used for residential occupancy on the parcel and does not meet the Land Use Bylaw or safety code requirements for use as a dwelling.

We are advising that you must comply with the Land Use Bylaw by:

- i. Immediately ceasing any further work to occupy, complete, maintain, renovate, add to, or continue the Unauthorized Development, including, but not limited to, ceasing each and all of the following:
 - a) Continuing to allow any existing unpermitted buildings or structures to remain onsite.
 - b) Continuing to allow any recreational vehicles to remain on the property for recreation purposes (camping).
 - c) Continuing to utilize the subject property for recreational/leisure vehicle storage.
 - d) Continuing to allow any residential occupancy within a "Recreational Vehicle".
 - e) Placing any additional buildings/structures or recreational vehicles on the property or commencing any further "Development" (as defined in the Land Use Bylaw) on the subject parcel without obtaining the required land use designation, development and safety code permits.
- ii. By April 3, 2023
 - a) Complete removal of the Accessory Buildings/Structures from the parcel.
 - b) Complete removal of all the recreational vehicles and related campground items from the parcel such as fire pits and picnic tables.
- iii. An extension to the deadline stipulated in clause ii may be considered if a removal plan has been submitted to and approved by the Development Authority and the Development Authority is satisfied that the removal of the unauthorized development is being completed according to the approved plan and has been undertaken with reasonable diligence and continues to progress in a timely manner.
- iv. Within 30 days of all structures, recreational vehicles and related campground items being removed from the property according to clause ii and iii, restore the lands to the condition prior to the unauthorized development occurring.

Please be advised that in the event that this Stop Order is not complied with within the time limits provided, the County may undertake further enforcement measures pursuant to the Land Use Bylaw and the MGA, including but not limited to the following:

- i. entering onto the Lands and performing the necessary remedial action pursuant to section 542 and 646 of the MGA;
- ii obtaining an injunction order from the Court of Queen's Bench pursuant to section 554 of the MGA;
- iii issuing a municipal tag; (includes financial penalties) and/or
- iv issuing a violation tag (includes financial penalties).

The County may register the Stop Order on the certificate of title for the Lands pursuant to section 646(2) of the MGA. Further, the County may add the costs and expenses incurred by the County in enforcing this Stop Order to the tax roll for the Lands, which amount will be deemed to be a property tax imposed under Division 2 of Part 10 of the MGA from the date that such costs are added to the tax roll and will form a special lien against the Lands in favor of the County from the date it is added to the tax roll, in accordance with section 553 of the MGA.

You may appeal this Stop Order to the County's Subdivision and Development Appeal Board in accordance with sections 685 and 686 of the MGA by providing written notice of appeal to the County's Subdivision and Development Appeal Board before March 24, 2023 to the following address:

Wheatland County Subdivision and Development Appeal Board
Highway 1, RR 1, Strathmore, AB, T1P 1J6
Attention: SDAB Secretary.

Sincerely,

WHEATLAND COUNTY

Per:



Ms. Suzanne Hayes

Development Officer, Wheatland County
403-361-2013
Suzanne.Hayes@wheatlandcounty.ca

cc. Sherry Baers, General Manager of Community and Development Services
Stefan Kunz, Acting Manager of Planning and Development Services

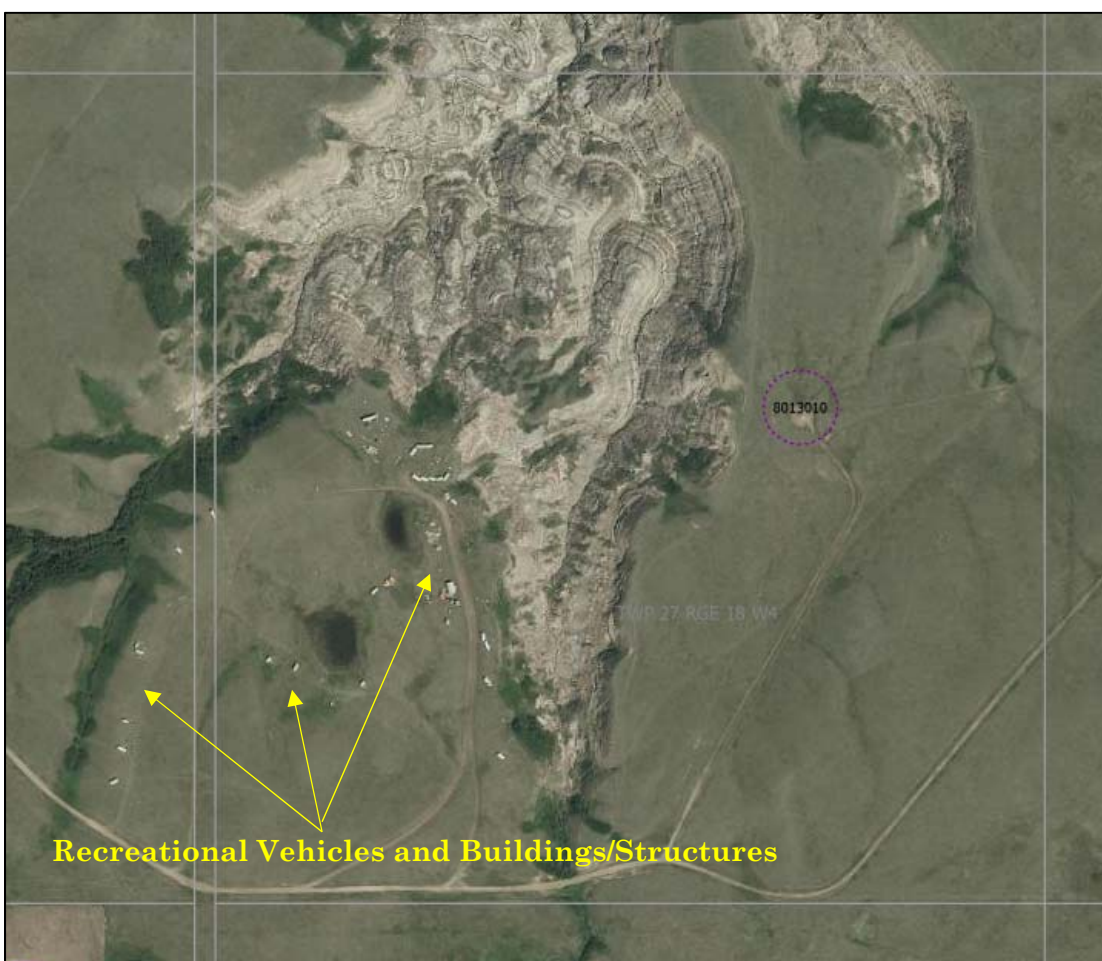
SCHEDULE "A"

MERIDIAN 4 RANGE 18 TOWNSHIP 27
 SECTION 11
 QUARTER SOUTH EAST
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 AND THE RIGHT TO WORK THE SAME
 AREA: 65.2 HECTARES (161 ACRES) MORE OR LESS

AND


MERIDIAN 4 RANGE 18 TOWNSHIP 27
 SECTION 12
 QUARTER SOUTH WEST
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 AND THE RIGHT TO WORK THE SAME
 AREA: 64.3 HECTARES (159 ACRES) MORE OR LESS

SE-11-27-18-W4 AND SW-12-27-18-W4



SCHEDULE “B”

ONLINE ADVERTISEMENT AND SELECT PHOTOS OF SITE



John Barry Graham
June 29, 2022 · 🌐

STILL HAVE SEASONAL CAMPSITES AVAILABLE, starting at \$600 per year!
Wow, over 21,700 K reach and 62 shares, never paid to boost,!!!!

AND TO THE GROUPS THAT DECLINE our post, at, \$600 for 12 months, we do not make much, JUST TRYING TO HELP people, find CHEAP CAMPING!!!

Only \$600, \$1000 and \$1200 for 12 months of camping and storage with full 4 season access
Only about an hour east of Calgary, near Drumheller
First water fill and sewer dump at your site are free, only \$10 each after that
Limited to 50 sites on our 40 acre camp, three miles off the road on our 7000 acre ranch wildlife preserve
Sites are a minimum 100' apart, with amazing views, and theres room for multiple units on each site
First come, first served!

We've had a tight knit group of family and friends camping on our family property for over 20 years
We decided to open up our little piece of heaven to others, at a very reasonable low rate
We will only charge \$600 per RV, for 12 months of camping, including winter storage if required, for smaller campers in the bowl area
View sites along the coulee are only \$1200, and across the road from the coulee view sites are only \$1000

SELECT IMAGES OF UNAUTHORIZED DEVELOPMENT





EXHIBIT A

Notice of Appeal



NOTICE OF APPEAL

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

In accordance with Sections 678, 685 and 686 of the Municipal Government Act and the Wheatland County Land Use Bylaw an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by payment of a **non-refundable \$300.00 filing fee for subdivision appeals** and a **\$200.00 filing fee for development appeals**. Non payment of the fee will result in no hearing being scheduled before the SDAB. For filing instructions and fee payment options, see the reverse side of this form.

Site Information			Date Received Stamp <div style="border: 1px solid black; padding: 5px; text-align: center;">WHEATLAND COUNTY MAR 24 2023 RECEIVED</div> (Office Use Only)		
Municipal Address of Site NW AND SW 12-27-18-W4					
Legal Description of Site (must be completed for all appeals)					
Development Permit Number or Subdivision Application Number					
Appellant Information					
Name of Appellant JOHN GRAHAM					
Purpose of Appeal (for subdivision purposes)					
Residential Phone #			FOIP s.17(1)		
Business Phone #					
Fax #					
E-mail Address					

APPEAL AGAINST (Check One Only)

Development Permit	Subdivision Application	Notice of Order
<input type="radio"/> Approval	<input type="radio"/> Approval	<input checked="" type="radio"/> Notice of Order
<input type="radio"/> Conditions of Approval	<input type="radio"/> Conditions of Approval	STOP WORK ORDER
<input type="radio"/> Refusal	<input type="radio"/> Refusal	DATED MAR 31, 2023

REASONS FOR APPEAL Sections 678 and 686 of the Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal.

I do hereby appeal the decision of the Subdivision or Development Authority for the following reasons:

X WE HAVE USED THIS AREA AS A FAMILY AND FRIENDS PICNIC AREA AND CAMPING AREA FOREVER. MY GRANDMOTHER NAMED IT, PICTURE COULDE BECAUSE, "ITS SO BEAUTIFUL, IT SHOULD BE A PICTURE"

X WE SHOULD BE GRANDFATHERED IN, AS WE HAVE BEEN USING THIS SITE FOR CAMPING SINCE I WAS YOUNG.

X THERE ARE NO PERMANENT BUILDINGS, NO SERVICES, JUST FAMILY AND FRIENDS CAMPERS

(Attach a separate page if required)

This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, Section 33(c) and the Municipal Government Act, Sections 678 and 686. NOTE: THIS INFORMATION WILL FORM PART OF A FILE AVAILABLE TO THE PUBLIC. If you have any questions regarding the collection of this information, contact the FOIP Program Administrator at 934-3321 or Hwy 1, RR1, Strathmore, AB, T1P 1J6.

Signature of Appellant / Agent 	Date		
	YYYY	MM	DD
	2023	3	24

FOR OFFICE USE ONLY												
Final Date of Appeal YYYY MM DD			SDAB Appeal Number		Fee Paid		Hearing Date YYYY MM DD		Date Applicant Notified YYYY MM DD		Date Appellant Notified YYYY MM DD	

* WE HAVE SINCE 2015 HELD OUR FUNDRAISER MUSIC FESTIVAL TO SAVE THE EAST COULEE TRUSS BRIDGE, BADLANDS BOOGIE, WITH FULL COUNTY APPROVAL, EACH YEAR WE CONTACT THE DRUMHELLER RCMP, THE COUNTY ADMINISTRATION, THE COUNTY BYLAW OFFICERS, AND THE COUNTY HEALTH INSPECTOR. WE HAVE NEVER HAD ANY ISSUES. I WAS THE ONE WHO SAVED THE 12 ROOM EAST COULEE SCHOOL AND THE ATLAS COAL MINE, THE LAST WITH A WOODEN TIPPLE, IN ALL OF CANADA. THE OLD EAST COULEE TRUSS BRIDGE IS ALSO THE LAST OF ITS TYPE IN ALL OF CANADA.

* WE HAVE BEEN CAMPING HERE BEFORE THE LAST FEW LAND USE BYLAWS WERE EVEN DEVELOPED. WE HAVE NOT DONE ANY TYPE OF PERMANENT DEVELOPMENT, WITH ALL ITEMS LOCATED ON SITE, BEING JUST CAMPER'S AND A FEW SMALL SKID SHACKS FOR STORAGE. EVEN ARE STAGE IS PORTABLE, BEING BUILT ON TWO TRAILERS, ONE A 30' FLAT DECK AND THE OTHER A 54' VAN TAILER USED AS A WIND BREAK AND FOR STORAGE.

* THERE IS NO SIGNAGE, NO SERVICES, JUST A OPEN AREA WITH A FEW CAMPER'S AND A FEW OUTHOUSES,

EXHIBIT B

Development Authority Documents



Subdivision and Development Appeal Board (SDAB)

April 20, 2023

Report prepared by: Suzanne Hayes, Development Officer

Appeal Stop Order Issued March 3, 2023

File Number:	EN-125	Division:	7
Subject of Stop Order:	<ul style="list-style-type: none">• A Commercial Campground and Recreational Vehicle Storage is Occurring and;• Several Structures Have Been Placed and/or Constructed on the Lands without Permits		
Location:	2.41 km SW of the Boundary between Wheatland County and Special Areas No. 2		
Legal Description:	SE-11-27-18-4 and SW 12-27-18-4		
Title Area:	65.15 ha (161.0 ac) and 64.35 ha (159.0 ac)		
Existing Land Use:	Agricultural General (AG)		

Report

Background:

2022:

- December 8, 2022 – A complaint was received from individuals regarding an illegal campground that was being operated on shared family land. The original land owners were two brothers, now deceased leaving multiple parcels of land in their estate. The complainants are cousins of the appellant and daughters of one of the original landowners. The appellant is the son of the other original landowner.
- The complainants advised that the appellant had been operating an illegal campground on the site for some time. The complaint included environmental concerns as well as Land Use Bylaw infractions and identified the location of the affected parcels. Information was also provided regarding the campground name and indication that it was operating as a commercial campground.

2023:

- January 6, 2023 - The complainant advised that a new year's event had occurred and also supplied online evidence which included concerns from an individual who had paid for secure RV storage onsite and was angry because it appeared that someone had tried to break in to his RV.
- January 9, 2023 – A Warning Letter was mailed, deadline for compliance was February 9, 2023.

- January 12, 2023 – Mr. Graham called and identified himself as the operator of the campground and provided his reasons why the campground should not require permits.
- January 13, 2023 – Received a number of photos from the complainant which were taken on-site.
- January 17, 2023 – Responded to Mr. Graham's email stating that the February 9th deadline still stands and non-compliance with the warning letter would result in further action being taken. Mr. Graham responded that they would be speaking with their lawyer.
- February 3, 2023 – Mr. Graham called and requested a meeting with the General Manager of Planning and Development. A meeting was scheduled for February 9th.
- February 9, 2023 – The Development Officer and General Manager met with Mr. Graham at the County Office and advised that the RV's and out-buildings would have to be removed because accessory buildings must be accessory to the principle use which is Agriculture in this case and not an approved campground. Mr. Graham advised that he uses all of the out-buildings for his Badlands Boogie music festival held each summer. Staff suggested he could place temporary structures onsite for the event as others do for festival type events. He was also advised that rezoning the property to allow the campground would require him to provide a physical access to a public road and the nearest one is 4 quarter sections away to the west (Hwy 564). Mr. Graham advised that he was going to look into the option of leaving the cookhouse there as a tourist attraction site.
- February 22, 2023 – After having no further word from Mr. Graham, the Development Officer emailed him to ask what his removal plan was.
- March 3, 2023 – Receiving no response from Mr. Graham, a Stop Order was issued, with an appeal deadline of March 24, 2023.
- March 24, 2023 – An appeal was submitted.

The Stop Order:

- The Stop Order was completed in accordance with the requirements of the Municipal Government Act (MGA) and the Land Use Bylaw (LUB).
- It referenced some applicable Land Use Bylaw definitions and relevant LUB sections summarized as follows:

Definitions:

- Development
- Accessory Building/Structure
- Campground, Minor
- Campground, Major
- Recreational Vehicle
- Recreational/Leisure Vehicle Storage

Land Use Bylaw Sections:

4.2 Development Permits Not Required

4.2.20 Recreational Vehicle Storage (where a permitted dwelling exists)

6.1.1 Regarding LUB Contraventions

7.21.1 Regarding the Development Permit not required Section

8.3.1 Regarding Campgrounds

9.1 Agricultural General District uses occurring on the lands that are listed within the AG district but still require permits versus those that are not listed.

- The Stop Order outlined the contraventions and actions required for compliance which included:
 - i. Immediately ceasing any further work to occupy, complete, maintain, renovate, add to, or continue the Unauthorized Development, including, but not limited to, ceasing each and all of the following:
 - a) Continuing to allow any existing unpermitted buildings or structures to remain onsite.
 - b) Continuing to allow any recreational vehicles to remain on the property for recreation purposes (camping).
 - c) Continuing to utilize the subject property for recreational/leisure vehicle storage.
 - d) Continuing to allow any residential occupancy within a “Recreational Vehicle”.
 - e) Placing any additional buildings/structures or recreational vehicles on the property or commencing any further “Development” (as defined in the Land Use Bylaw) on the subject parcel without obtaining the required land use designation, development and safety code permits.
 - ii. By April 3, 2023
 - a) Complete removal of the Accessory Buildings/Structures from the parcel.
 - b) Complete removal of all the recreational vehicles and related campground items from the parcel such as fire pits and picnic tables.
 - iii. An extension to the deadline stipulated in clause ii may be considered if a removal plan has been submitted to and approved by the Development Authority and the Development Authority is satisfied that the removal of the unauthorized development is being completed according to the approved plan and has been undertaken with reasonable diligence and continues to progress in a timely manner.
 - iv. Within 30 days of all structures, recreational vehicles and related campground items being removed from the property according to clause ii and iii, restore the lands to the condition prior to the unauthorized development occurring.

Responses to the Appellant’s Reasons for Appeal

- *We have used this area as a family and friends picnic area and camping area forever. My grandmother named it Picture Coulee because, “It’s so beautiful, it should be a picture”.*

Response:

- Historical Aerial Photos attached as an Appendix to this report clearly show an intensification of the campground in recent years. The 2012 photo shows approximately two recreational vehicles onsite with an increase in numbers occurring over the next several years. The 2022

aerial photo shows approximately 25 recreational vehicles spread on two quarter sections as well as a collection of out-buildings.

- Online evidence indicates fees were being charged for camping and for storage of the recreational vehicles when not in use.

- *We should be grandfathered in, as we have been using this site for camping since I was young.*

Response:

- For a building or use to be grandfathered, it has to have been legal on the property at one time and made illegal due to bylaw changes. The commercial campground and outbuildings located onsite have been placed there without obtaining permits. Since approximately 2014 when the intensification began to occur, the Land Use Bylaw in effect at that time (2007-56) required permits for accessory buildings larger than 100 sq. ft. and for a campground or recreational vehicle storage. In 2016 the current Land Bylaw came into effect and was cited in the Stop Order.

- *There are no permanent buildings, no services, just family and friends campers.*

Response:

- These details will be pertinent should a development permit application for a campground be submitted. In order to apply for a permit for a campground the land would first need to be redesignated to the Parks and Recreation District which will require a physical access directly onto a Public Road. Any application for rezoning or development will require the signature of all of the registered landowners.

- *We have since 2015 held our fundraiser music festival to save the East Coulee Truss Bridge. Badlands Boogie, with full county approval. Each year we contact the Drumheller RCMP, the County administration, the County Bylaw Officers, and the county Health Inspector. We have never had any issues, I was the one who saved the 12 room East Coulee School and the Atlas Coal Mine, the last with a wooden tipple in all of Canada. The old East Coulee Truss Bridge is also the last of its type in all of Canada.*

Response:

- The Stop Order was not issued regarding the music festival, that type of event is regulated under a separate bylaw which is administered by County Protective Services. The appellant has voiced concerns that removal of the out-buildings placed on the property may impact the music event. He was advised that if his event was allowed by Protective Services, he could pursue other options such as temporary structures or tents erected and removed after the event was over.

- *We have been camping here before the last few Land Use Bylaws were even developed. We have not done permanent development with all items located on site, being just campers and a few small skid shacks for storage. Even our stage is portable, being built on two trailers, one a 30' flat deck and the other a 54' van trailer used as a wind break and for storage.*

Response:

- I refer to the aerial photos provided as an Appendix and repeat my previous response. The 2012 photo shows approximately two recreational vehicles onsite with an increase in numbers occurring over the next several years. The 2022 aerial photo shows approximately 25 recreational vehicles spread on two quarter sections as well as a collection of out-buildings. If the camping originally began as a small family and friend's situation, it appears to have grown to a more substantial size, and is being advertised online.
- Regarding the portable buildings, the Land Use Bylaw does not distinguish between portable or non-portable buildings and only considers a building to be temporary if a time limited development permit has been issued which specifies a removal date. This has not been the case for the structures on this property.
- Each Accessory Building greater than 100 ft² requires a development permit and a building permit. An Accessory Building must be accessory to the primary building on the parcel (such as a dwelling). These buildings are not accessory to an allowable use, therefore permits cannot be obtained unless the landowner redesignates the parcel to allow an entertainment venue and or campground. They could then be considered part of those primary uses. An application to redesignate or apply for development permits would need to be signed by all of the registered landowners. If no permit is obtained for the primary use of the site, the accessory buildings must be removed.

Definition:

Accessory Building / Structure means a detached building or structure, the use of which is incidental or subordinate to the use of the principle building which is located on the same parcel but in no instance shall be used as a temporary or permanent dwelling unit.

- *There is no signage, no services, just an open area with a few campers and a few outhouses.*

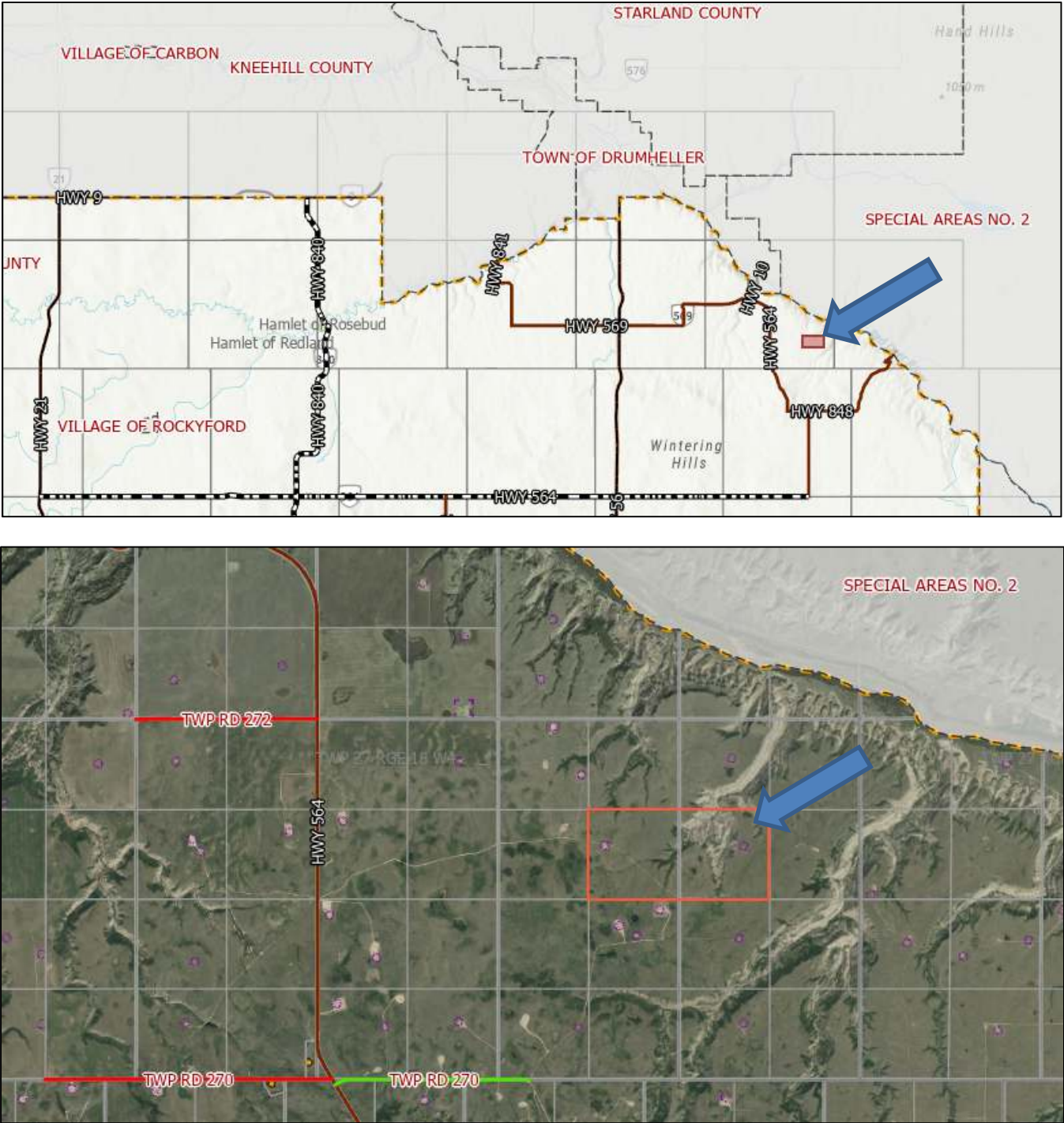
Response:

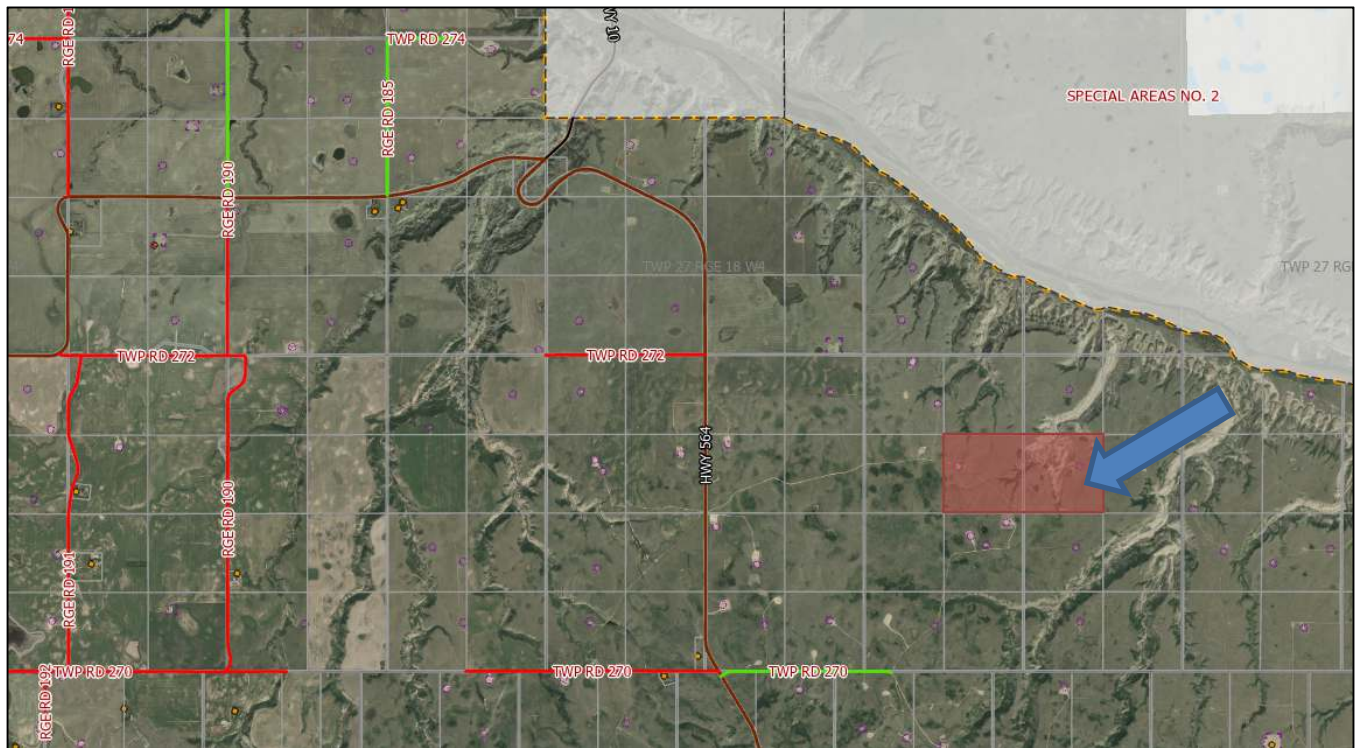
- *The aerial and site photos which have been included as an appendix to this report depict the outbuildings which are onsite. If a campground is operating that is described as an open area with a few campers and a few outbuildings, it would be considered a Campground, Major or a Campground Minor according to the Land Use Bylaw and would require the land to be redesignated to the proper land use district and then a development permit would be required.*

Recommendation from Administration

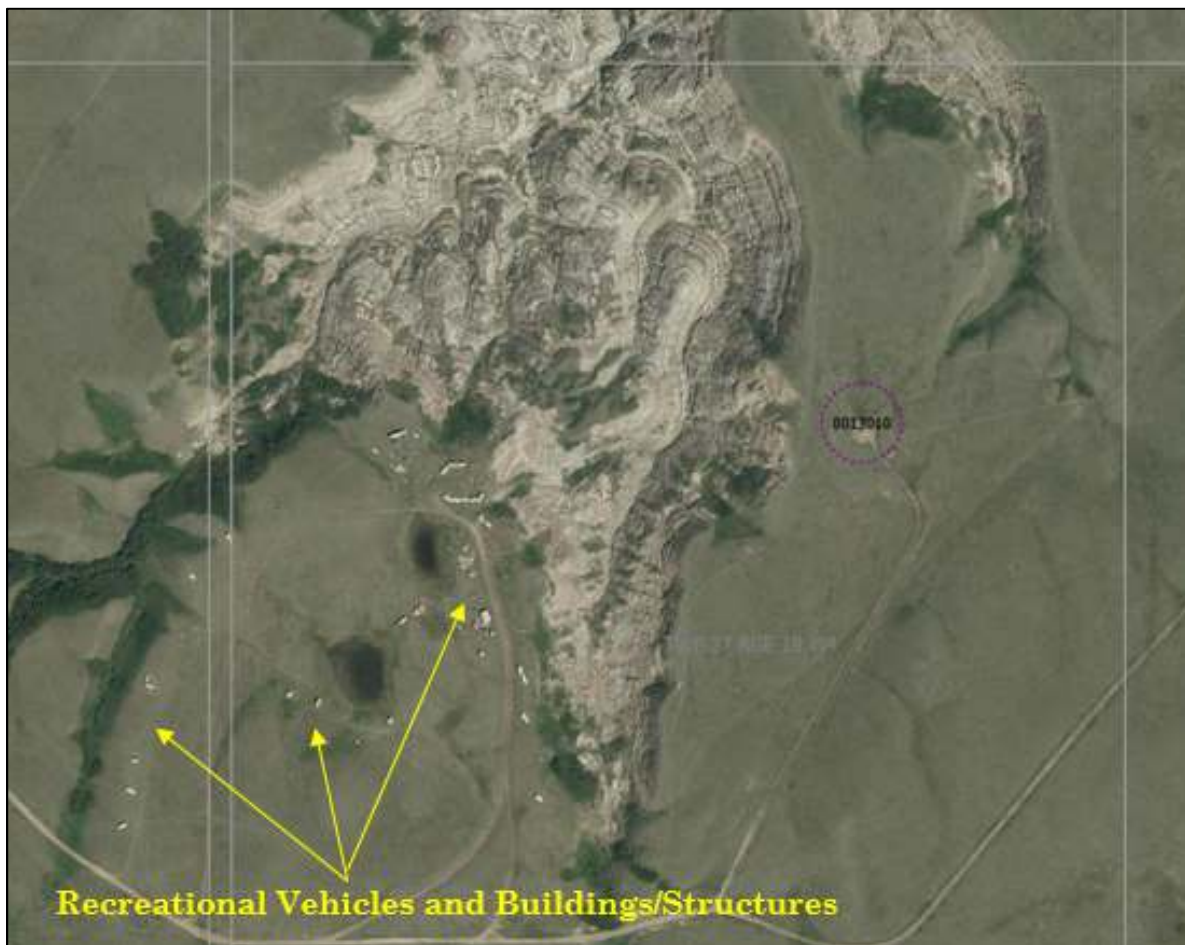
Staff recommend that the Stop Order be upheld. Additionally, any permit applications made to redesignate the parcel or to apply for development permits will require the signature of all of the landowners.

Appendix A: Location Plan, SE-11-27-18-4 & SW 12-27-18-4





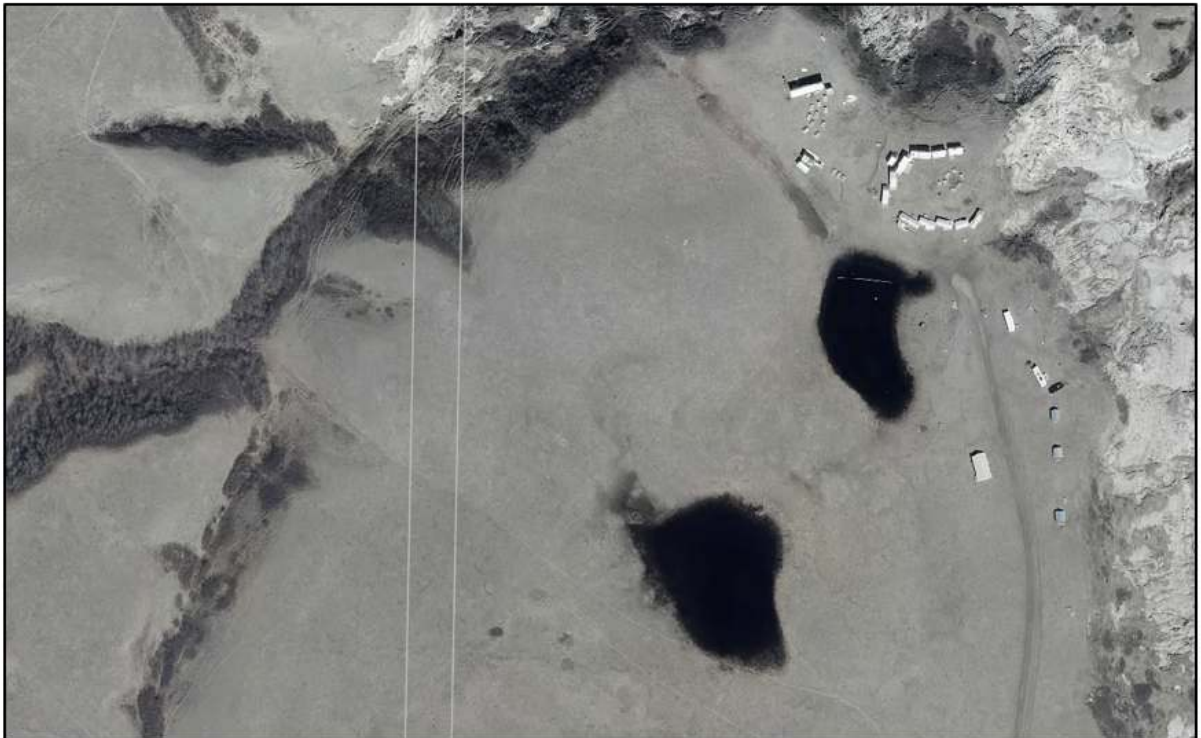
Appendix B: Historical Aerial Photos



2022



2020



2018



2016



2014



2012



2010



2007



2005

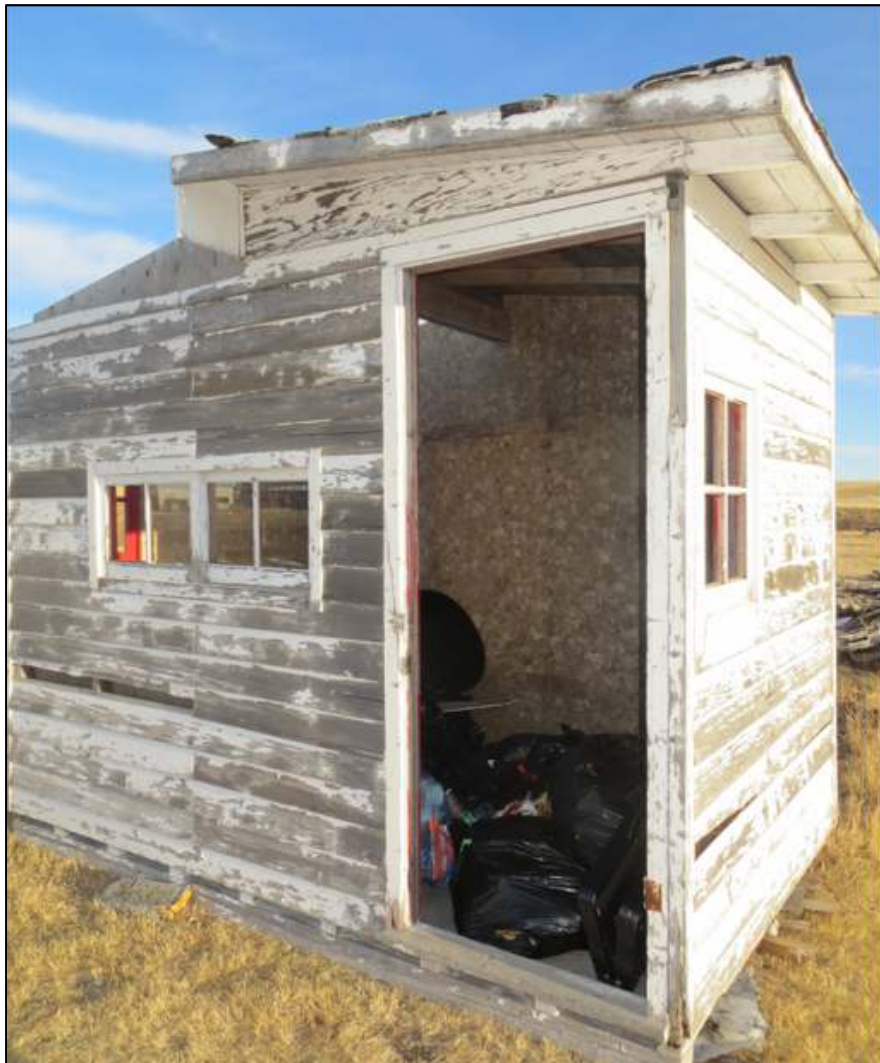


Appendix C: Site Photos

2022














2021





Appendix E: Online Evidence

**John Barry Graham**
June 29, 2022 · 🌐

STILL HAVE SEASONAL CAMPSITES AVAILABLE, starting at \$600 per year!
Wow, over 21,700 K reach and 62 shares, never paid to boost,!!!!

AND TO THE GROUPS THAT DECLINE our post, at, \$600 for 12 months, we do not make much, JUST TRYING TO HELP people, find CHEAP CAMPING!!!

Only \$600, \$1000 and \$1200 for 12 months of camping and storage with full 4 season access
Only about an hour east of Calgary, near Drumheller

First water fill and sewer dump at your site are free, only \$10 each after that

Limited to 50 sites on our 40 acre camp, three miles off the road on our 7000 acre ranch wildlife preserve

Sites are a minimum 100' apart, with amazing views, and theres room for multiple units on each site

First come, first served!

We've had a tight knit group of family and friends camping on our family property for over 20 years


We decided to open up our little piece of heaven to others, at a very reasonable low rate

We will only charge \$600 per RV, for 12 months of camping, including winter storage if required, for smaller campers in the bowl area

View sites along the coulee are only \$1200, and across the road from the coulee view sites are only \$1000

facebook

Email or phonePasswordLog InForgot Account?



Group by Badlands Boogie


Picture Coulee Wilderness Camp (Private Camp for Family and Friends)

📍 Public group · 782 members

Join group

AboutDiscussionFeaturedTopicsEventsMedia

Type here to search



0°C Mostly sunny 2:51 PM 1/6/2023

(Private Camp for Family and Friends)

Public group · 782 members

Join group

[About](#) [Discussion](#) [Featured](#) [Topics](#) [Events](#) [Media](#)

Featured

**John Barry Graham**

June 29, 2022 · 🌐

STILL HAVE SEASONAL CAMPSITES
AVAILABLE, starting at \$600 per year!...

Rules

Here's what members
group.

- 1 No Political Post
- 2 No Sill
- 3 No Negativity

Show all

About

Picture Coulee wilderness camp near Drumheller,
AB, Canada, almost free
Only \$600 to \$1200 for 12 months
Sites are minimum 100 ft apart and appr... [See more](#)

Public

Anyone can see who's in the group and what
they post.

Visible

Anyone can find this group.

📍 East Coulee, Alberta



Picture Coulee Wilderness Camp (Private Camp for Family and Friends)

Join group

4d

Rene Strinholm

I tried posting this earlier but it was deleted, why was it deleted? You told me the gates are now unlocked and opened 24/7 so anyone can enter, so where is the security for the camp and those of us that pay for not only storage/camping we also pay for security. Saturday I went to my trailer and found vehicle tracks in front of it along with the plastic caps from the rear bumper removed where they were looking for keys. Also it looked like there may be marks on the lock and door where someone may of tried using a screwdriver to forcefully enter my trailer, I will verify next time I am there. So when will you offer the security you promised everyone? Picture you sent me Wednesday showing the tracks and you can see the the end of the rear bumper removed on the one side. Why was my post removed, if someone tried to break into my trailer you should be letting everyone know and you should be fixing this right away?????



Recent media

[See all](#)



Picture Coulee Wilderness Camp (Private Camp for Family and Friends)

Join group

East Coulee, Alberta

Recent media



4d

John Barry Graham **Author**
Rene Strinholm, Really?

#1 the reason the yellow gate is open,, is because, as I stated in a previous private message to you, I had made a deal with the oil company to leave the gate open if they would plow the road right to the camp, so their oil ta... See more

2

4d



Rene Strinholm

John Barry Graham The rubber caps have never fallen off, there are no horse tracks around my trailer. These are facts, just like the fact that you promised everyone security along with storage and camping for the fee you accept. I now as a concerned ... See more

4d

12/13/22, 3:06 PM

ALBERTA HAPPY CAMPERS | Our private wilderness campground, Picture Coulee Camp, is opening up to others for seasonal ...



ALBERTA HAPPY CAMPERS | Our private wilderness campground, Pictu...

32.3K members

Join group



John Barry Graham

May 15, 2020 · 🌐

Our private wilderness campground, Picture Coulee Camp, is opening up to others for seasonal camping starting June 1st, with free camping until then, to try us out

We've had a tight knit group of family and friends camping on our family property for over 20 years

Because of the current scarcity of camping sites due to the pandemic, and the current recession, we have decided to open up our little piece of heaven to others, at a very reasonable low rate

We will only charge \$600 per RV, for 12 months of camping, including winter storage if required

View sites along the coulee will be only be \$1200

We're offering free camping until June 1st, for people to check our our beautiful location

We'll have water available on site and we are building a Sani Dump too. We have the log camp kitchen and log outhouses from the Hoodoos Recreation Area that we are setting up, and we also have 6 cabins available

We have an abundance of wildlife including, deer, hawks, prairie chicken, burrowing owls, golden eagles, and moose to name a few,, as we don't allow hunting. Everyone must respect the wildlife, and our fragile badlands, look but do not touch!!! We allow generators, ATVs, horses, and pets

Numerous movies have been shot on our family owned 107 year old ranch, including Let Him Go with Kevin Costner and Diana Lane, The Northlander, Don't Walk Among The Dead, Consume, Tommy Tremor, Ability To Do, Mine, Summer's Monster, and the series Abtacobavers. Our property is a photographers paradise, and we have had many world renowned photographers shoot on our property

We also put on a fund raising music festival each Sept Long Weekend, on site

Badlands Boogie, #6 will go this September Long Weekend, if allowed

We are trying to save the old East Coulee Truss Bridge, the last of its kind in all of Canada, and all profits from the music festival go to this worthy cause

Seasonal campers are welcome to attend the music festival, but they must buy tickets from Eventbrite, only \$50 for adults with children 16 and under free of charge

That's for 3 days of live music, a food truck, and lots of family fun!!! Over 30 bands playing an eclectic blend of original music at a very special place!!!

Check out our Facebook groups, Badlands Boogie, and Save The East Coulee Truss Bridge

We are located about 5 minutes South East of the Atlas Coal Mine National Historic Site at East Coulee, and about 20 minutes from Drumheller. Just off highway #564, and then, about three miles into our pasture, so very secluded and natural

You supply your own fire pit, firewood, BBQ, and picnic table. Your fire pit must be an off the ground style to protect the natural Native Prairie Grass, as only 5% of this hardy grass cover remains intact in Western Canada

<https://www.facebook.com/groups/1843289892642287/posts/2364619430509328/>

1/25

12/13/22, 3:06 PM

ALBERTA HAPPY CAMPERS | Our private wilderness campground, Picture Coulee Camp, is opening up to others for seasonal ...

facebook

Log In

There is cell service on site too

There's good fishing and boating in the Red Deer River at East Coulee only 5 minutes away,, and at crawling valley reservoir only 45 minutes away

We'll also be abiding by provincial pandemic protocols too

Contact us by text message at 403-334-6969, or by email at resortsofthecanadianbadlands@gmail.com. We can meet you at the Atlas Coal Mine to show you the way

We are also looking for a live in campground caretaker who could park their self contained RV on site, for free, and if needed, they could then park it for free at our farmstead where there's power, water, sewer, and internet during the winter off season, for free

Appendix F: Land Use Bylaw Excerpts

May 2016- to Present Land Use Bylaw (LUB 2016-01)

Under section 616(b) of the MGA and Part 2 of the County's Land Use Bylaw, Bylaw No. 2016-01 (the "Land Use Bylaw"), "development" is defined to include the following:

- a) an excavation or stockpile and the creation of either of them,
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,
- c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- d) a change in the intensity of use of land or a building or an act done in relation to land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

Under Part 2 of the County's *Land Use Bylaw*, Bylaw No. 2016-01 (the "*Land Use Bylaw*"), applicable definitions include but are not limited to the following:

Accessory Building / Structure" means a detached building or structure, the use of which is incidental or subordinate to the use of the principle building which is located on the same parcel but in no instance shall be used as a temporary or permanent dwelling unit.

"Campground (Minor)" means development of land for the short-term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles. See Campgrounds Section for more information.

"Campground (Major)" means development of land (public and private ownership) for the short or long-term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles. Campground (major) may include facilities such as a central office, washrooms, cooking facilities and retail establishments for the sale of convenience items. See Campgrounds Section for more including slide-outs) in width. A recreational vehicle is not considered a dwelling unless it is being used for quarantine or self-isolation information.

"Recreational Vehicle" means a portable fabrication to be carried on a vehicle or to be transported on its own wheels and which is intended to provide temporary living accommodations for travel and recreational purposes. It includes vehicles such as a motor home, a camper, a travel trailer or a tent trailer, but does not include a mobile home, sea-can or any vehicle or trailer over eight (8) feet (not measures).

"Recreational/Leisure Vehicle Storage" means an industrial area of land set aside or otherwise defined for the purpose of storing recreational vehicles, boats, travel trailers, campers, motor bikes, ATV's and other leisure vehicles. No onsite occupancy, repair, or maintenance of recreational/leisure vehicles is permitted.

Under Part 4 of the County's Land Use Bylaw No. 2016-01 applicable sections include the following:

4.2 Development Permits Not Required

4.2.20 Recreational Vehicle Storage:

- a) The outdoor storage of unoccupied recreational vehicles on a parcel where there is an existing occupied dwelling unit, as follows:
 - i. Not more than five (5) unoccupied recreational vehicles on parcels greater than 2.02 ha (5.0 ac) located outside of Hamlet boundaries.

Under Part 6 of the Land Use Bylaw applicable sections include the following:

6.1.1 No person shall contravene this Bylaw by commencing or undertaking a development or use that is not permitted under this Bylaw.

Under Part 7 of the Land Use Bylaw applicable sections include the following:

7.21.1 The Development Permits Not Required Section of this Bylaw outlines all provisions where no development Permit is required, all other instances require a Development Permit.

Under Part 8 of the County's Land Use Bylaw No. 2016-01 applicable sections include the following:

8.3.1 The following shall apply to all campgrounds:

- a) Adjacent site conditions, the interface with neighboring uses, accessibility to natural areas, physical suitability, serviceability and environmental protection will be key considerations when determining the appropriateness and suitability of a site for a proposed campground development;
- b) Public road access to a proposed campground shall be required, as a condition of development approval, to be constructed or upgraded to a condition acceptable to the County;

8.8 Dwellings

8.8.1 General Regulations:

- c) Recreational Vehicles shall not be used as a dwelling on a parcel, unless there is an existing dwelling unit on the parcel and the Recreational Vehicle is being used for quarantine or self isolation measures.

Under Part 9.1 of the County's Land Use Bylaw, Bylaw No. 2016-01 – Agricultural General Land Use District:

- Accessory Buildings are uses which require a development permit and must conform to the Land Use Bylaw definition for Accessory Building/Structure.
- Campground Major, Campground Minor, and Recreational Vehicle Storage are not allowable uses listed within the Agricultural General Land Use District.

9.1 Agricultural General District (AG)



Purpose and Intent

The purpose and intent of this district is to promote and accommodate agricultural land uses that support the goals and objectives of the Municipal Development Plan and preserve the agrarian character of the County.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw:

Permitted	Discretionary
Accessory Building / Structure	Abattoir
Agricultural Operation ¹	Agricultural Processing – Major
Agricultural Processing – Minor	Bed and Breakfast
Dwelling, Clustered Farm	Cannabis Cultivation
Dwelling, Manufactured 1	Composting Facility
Dwelling, Modular	Day Home
Dwelling, Moved On	Dwelling, Accessory
Dwelling, Secondary Suite	Dwelling, Manufactured 2
Dwelling, Single Detached	Dwelling, Temporary
Farm Building	Equestrian Centre
Greenhouse, Private	Farm Gate Sales
Home-Based Business, Type 2	Greenhouse, Public
Recreational Vehicle for Quarantine or Self-Isolation	Home-Based Business, Type 3
Shipping Container	Kennel
Signs not requiring a Development Permit ¹	Nursery
Solar Panel, Ground Mount ¹	Shooting Range, Minor
Solar Panel, Structure Mount ¹	Signs requiring a Development Permit [^]
Stripping and Grading ¹	Solar Facility ²
WECS (micro) ¹	Stockpile
WECS (Category 1) ¹	Tower
	WECS (Category 2) ²

EXHIBIT C

Appellant Documents

Michelle Van Haarlem

From: John Graham [REDACTED]
Sent: Wednesday, April 19, 2023 11:52 AM
To: Michelle Van Haarlem; John Graham
Subject: Submission in support of my Appeal

FOIP s17(1)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am asking the Development Appeal Board to take into consideration the fact that Picture Coulee Wilderness Camp has been located on the Historic Graham Ranch since long before there were any bylaws in place governing campground development

As a result, I contend that the board does have the right to exempt this family and friends camp, from the current land use order

We feel strongly that, this camp, three miles off the road, accessed by an existing oil well lease road that we are in the process of buying from the oil company, should be grandfathered in

If I die tomorrow, I can rest in peace knowing, I never screwed anyone over, I have never stole, I have never cheated, and, I know I have done nothing but help people, I give and give. I started the Wild Horse Saloon; I started Badlands Adventure Tours; I ran the ranch and farm; I served two terms on the Improvement District of Badlands municipal council, serving on 11 different boards and committees including the Municipal Planning Commission, the Development Appeal Board, and the Palliser Regional Planning Commission, for 8 years; I served as vice president, and then as president of the Improvement Districts Association of Alberta, the youngest president ever; served on many provincial committees including the Pesticide Disposal Task Force, and the Meeting of the Minds under [REDACTED] made up of the heads of all municipal governments in Alberta, the towns, cities, counties, municipal districts, and the improvement districts; started and was founding president of the Dinosaur Valley Heritage Society; saved the East Coulee school and saved the Atlas Coal Mine from demolition, developing both as popular museums; started East Coulee Heritage Days; started Badlands Classic Slow Pitch Tournament; started Badlands Boogie, running this fund raising live music festival to Save The East Coulee Truss Bridge, for the last 8 years; started Picture Coulee Wilderness Camp well over 30 years ago; got second in Calgary and Canada twice in the wild horse race; acted in many movies; opened up Historic Graham Ranch to the world through all the films shot there, most for free as we support local independent film makers; was chosen to attend the Governor General's Canadian Leadership Conference, a two week high intensity workshop for future leaders of Canada, where I visited the Citadel, the private residence of the Governor General for a banquet, and I danced on a champagne cruise on the St Lawrence the final day, with the Governor General [REDACTED] have met dozens of movie stars including [REDACTED]

FOIP s17(1)

FOIP s17(1)

[REDACTED] to name a few; I was personally invited to meet [REDACTED] at a royal visit to Vancouver; I've met three Governor Generals, and various MLAs and MPs; had a personnel tour of the House Of Parliament by our past MLA, MP, who was also minister Of Transportation in Alberta, [REDACTED] am personnel friends with two current MLAs, who are now Cabinet Ministers; have attended the Banff World Media Festival as a volunteer three times, where I have met many of the top film producers from around the world: was friends with [REDACTED] and his sister, attending her wedding at the top of Sunshine Ski Village that they own, free rooms and food and drinks for three days, and I was awarded the Queen's Medal For Volunteering celebrating Canada's 125th anniversary

FOIP s17(1)

FOIPs17(1)

I have lead a full life, and I am very proud of my community service and how I've bettered my community!!!

Very sincerely, John Graham

EXHIBIT D

Public in Favor of
Stop Order

To Whom this may concern

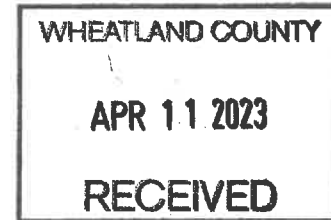
April 11 /2023

This is in regards to File SDAB S02023-002

This is in regards to the land we have some concerns with development on the properties.

- Fire control
- Liability insurance
- proper waste collection and disposal
- All weather roads for entry and parking
- Proper signage
- Permission if using oilfield roads
- No constitution can proceed without proper permits

Thank you
Shannon Vogstad



File: SDAB SO2023-002

Date: Appeal Hearing April 20th, 2023 at 9 a.m.

Re: Appeal of Stop Order Issued March 3rd, 2023

Legal Description: SE-11-27-18W4 & SW 12-27-18W4

Attention: County of Wheatland – Subdivision and Development Appeal Board (SDAB)

April 12, 2023

Dear SDAB Members,

We are in support of the Stop Order issued March 3, 2023 and removal of all structures, recreational vehicles and related campground items.

William Graham and John Graham are on title to the above noted properties, each as owners of an undivided half interest held as tenants in common. Both William Graham and John Graham have passed away. Patty Dawn Graham and Lori-Jo Graham are the Personal Representatives (Executors) of the Estate of William Graham. Darryl Graham is the executor for the Estate of John Graham.

John Barry Graham, the appellant in this matter, is not the executor of John Graham's estate and does not have the legal authority to act for the Estate of John Graham.

Our father, William Graham did not consent, and opposed any use of the lands, except for agricultural purposes. William Graham conveyed this to John Barry Graham, that the land was only supposed to be used for agricultural purposes. Our grandmother may have named the property Picture Coulee but it was not designated as a camping and picnic area. William Graham and John Graham have been on title since 1943. At no time did William Graham and the Estate of William Graham approve the use of this land for any non-agricultural uses and certainly not as campground, picnic and/or music area.

John Barry Graham, in his Notice of Appeal, references grandfathering in of the campground. There is no grandfathering of the campground in because a grandfathering clause is a legal term and it does not apply to this situation. There was no consent on the part of William Graham or the Estate of William Graham to permit this campground or any type of campground, recreational vehicles, storage, campground and music structures and campground and picnic attachments and items in the first place. The campground and all the structures, vehicles, and items were illegally placed on the property without permission from William Graham and the Estate of William Graham. Further, the campground, recreational vehicles, accompanying structures and attachments contravene County of Wheatland bylaws.

John Barry is selling and or renting campground sites and operating a commercial campground and storage facility without William Graham/Estate of William Graham's permission and without development permits and proper land use designation. John Barry has been receiving revenue from this campsite for at least 10 years.

- We do not consent to, or approve of, a commercial campground, recreational vehicle storage, or any type of campground or storage. This includes buildings, structures, residential occupancy, storage, performance stage etc. on this property.

- We will not consent and are opposed to any requests for permits or a change in land use designation, or permission to use the site for anything other than an agricultural purpose. This includes campground, storage, picnic and a music venue.
- We do not consent, support, or approve any applications for development permits. We want the property to remain for agricultural and biodiversity purposes only.
- Multiple Accessory Buildings/Structures have been constructed or moved onto the property and improvements added without development or safety permits and these all contravene Wheatland County by-laws. We oppose any application for development and or safety permits. It appears applications for development or safety permits are not permitted.
- There is a campground and recreational vehicles storage within an Agriculture General Land Use District which contravenes Wheatland County bylaws. There are no dwellings on the parcels and therefore no recreational vehicles are allowed on the parcels as per county bylaws. Some of the recreational vehicles are being used all year round to live in and others are being used during camping season and stored on-site year round. The land is being rented out to the recreational vehicle owners.

Furthermore, Barry Graham does not have the legal authority to inquire or submit applications for permits or seek approvals from Wheatland County, as he is not the executor of the Estate of John Graham and he does not have the permission from the Estate of William Graham. John Barry does not have the authority to contact the Wheatland County or RCMP for approval for the music festivals or the campground.

Cease and Desist Documents

Patty Dawn Graham and Lori-Jo Graham became aware of the campground by reading posts on Facebook that camping sites were being offered for rent. On November 26, 2022, Lori-Jo Graham and her husband, Morley Kjargaard, visited the property and our concerns were elevated as a result of the scale and scope of unauthorized use. On December 13, 2022 our legal firm, Bennett and Jones (Calgary office), sent a cease and desist letter to the Estate of John Graham. It includes the cease and desist of operating a campground referred to as "Picture Coulee Wilderness Campground" and other non-agricultural uses of the land. Please find enclosed a copy of the cease and desist letter.

A week or so after our above noted cease and desist letter, the Estate of John Graham issued their own cease and desist document to Barry Graham with respect to the campground and music festivals. This information is based on a sworn affidavit and sworn cross-examination testimony of Sandra Graham and confirmed by Darryl Graham, the executor of the Estate of William Graham. Sandra Graham is John Barry and Darryl Graham's sister.

Damage to Ecological Sensitive Lands

We are deeply concerned about the use and damage to an area of ecologically sensitive short-grass prairie and badlands coulee habitats. The recreational vehicles, cargo trailers, ATVs, trucks, cars, large tanks, barrels, buildings, other structures and possessions are unsightly and are causing erosion and damage to the grasslands. This campground is being used year-round, putting additional pressure on ecological sensitive lands. Further, we have been made aware that there is onsite dumping of sewage by campers. The lands are next to the Red Deer River and its tributaries. The properties have access to the river and the campground may damage the river and its ecosystem. Among other things, we note activities of the public and their pets on the lands with access to the river, the garbage and sewage on the site and John Barry has advertised hiking and a swimming hole.

Hazard and Liability Issues

All these unauthorized structures, units and materials pose potential hazards and liability issues. It is a hazard, liability and safety issue to have livestock on the lands with all the campground structures and people. People hiking and engaging in recreational activities on the lands are a safety and liability issue. Furthermore, we are concerned about safety and liability issues with people accessing the roads to use and store possessions at the campground and attend activities. The access road was constructed by and for the energy companies' use and only for the use by the private landowners. The road is not for use for a public campground, picnic site and music festivals.

Access to the site is across properties that William Graham and John Graham own and further livestock are contained on those properties where the access road is situated. There has been livestock killed on the road.

We believe that fires pits, barbeques, propane stoves and portable propane fire rings/bowls pose a high risk to ignite wildfires. A wildfire would have the potential to spread to other properties in the County and beyond.

Responsibility and Clean Up

The Estate of John Graham have agreed to take responsibility for cleaning up and removing all structures, recreational vehicles and all the campground and picnic items for the entire campground site and restoring it to strictly agricultural lands. We have concerns that the unauthorized structures, buildings, stage, storage tanks, picnic tables, fire pits, recreational vehicles, and miscellaneous junk will be moved to nearby ranch/agricultural lands that we co-own with Estate of John Graham, moving the problem, but not resolving the issue. We do not consent and oppose any move of the above noted structures and items to any lands with William Graham or the Estate of William Graham on the title of the lands.

Photographs and Postings

The following photographs, taken on November 26th, 2022, help to illustrate our concerns. Note there are approximately 25 recreational vehicles and 12 portable toilets at the site at this time.

Facebook posts are still viewable regarding camping information and prices charged to rent campsites on the Picture Coulee Wilderness Camp Facebook page which is open to the public. The Facebook site has 774 members.

The post includes the following information:

Only \$600 to \$1200 for 12 months

Sites are minimum 100 ft apart and approximately 10,000 sq ft to 20,000 plus sq ft in size

A few larger group sites still available that can hold 3 or more RVs

Red Deer river is only 5 minutes away and the 9 mile long Crawling Valley Reservoir is only 45 minutes away, great swimming, fishing and boating

Older RVs, long RVs, pets, ATVs, horses, all welcome

Adding a swimming hole this year too, sand volleyball net, horseshoe pits and playground

Open year round too!!!

First water fill and first sewer dump is free, and only \$10 each after that

picturecouleewildernesscamp@gmail.com

Sincerely,

Patty Dawn Graham and Lori-Jo Graham

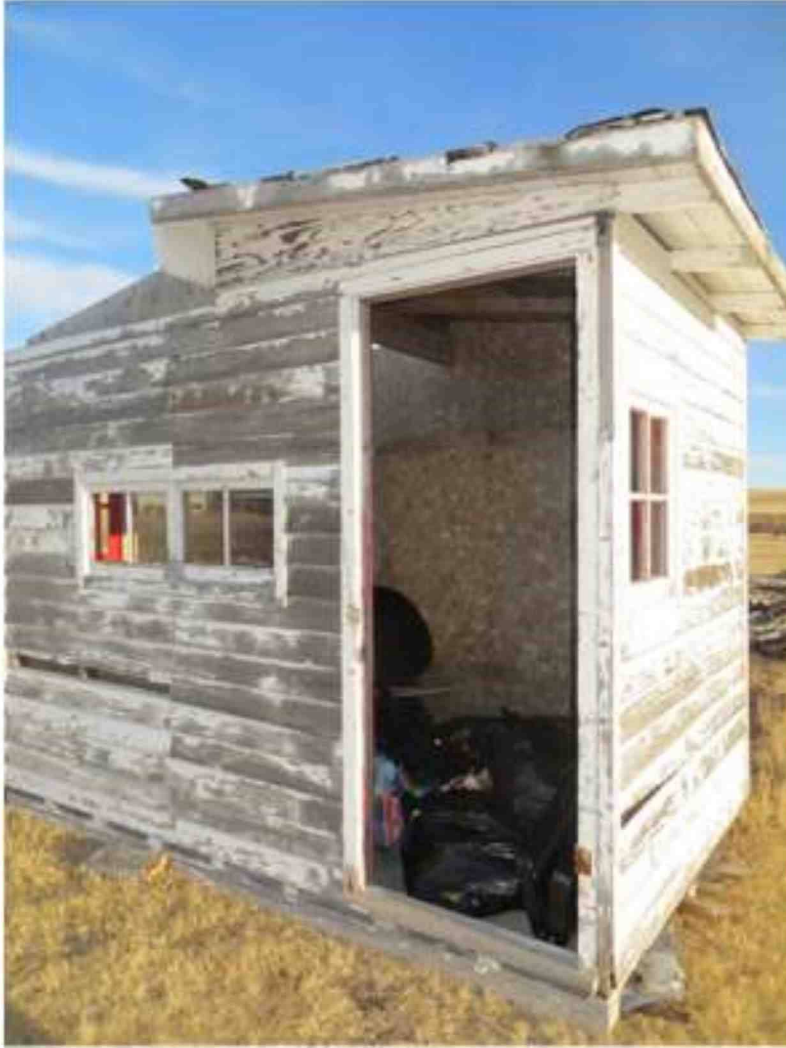




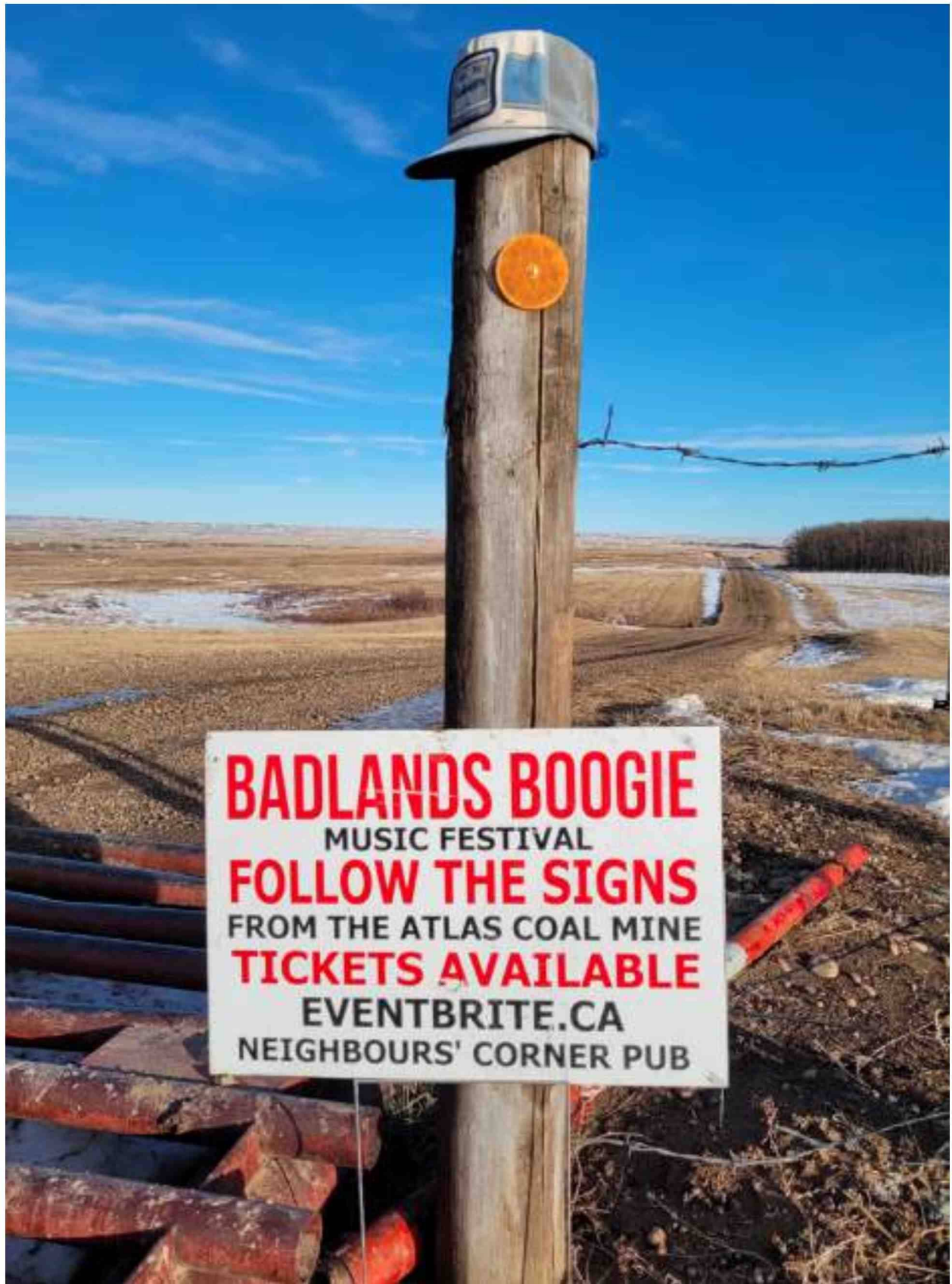


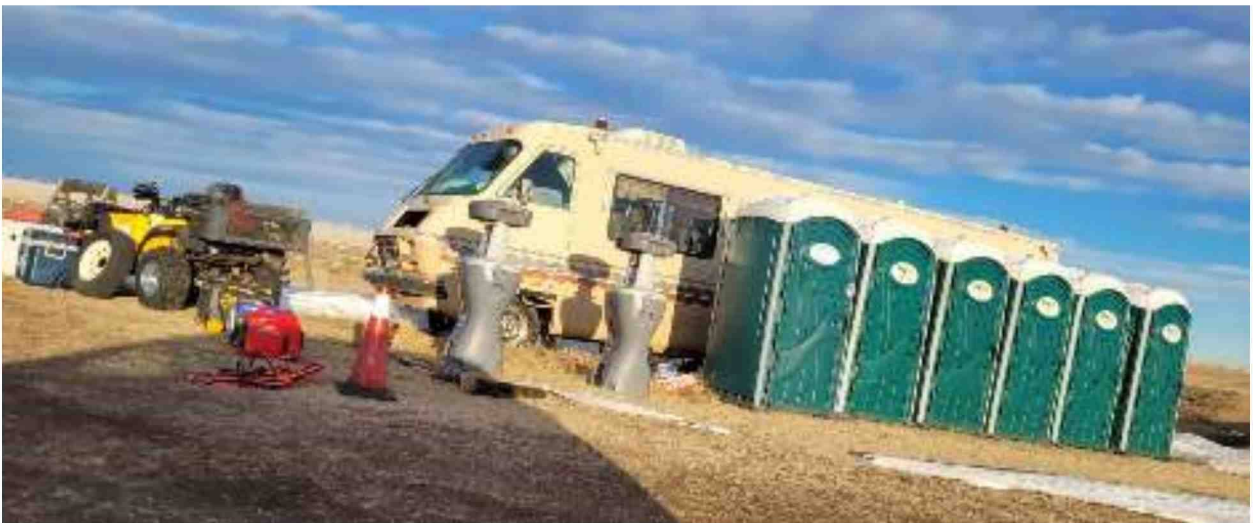
























Search Facebook

Picture Coulee Wilderness Camp (Private Camp for Family and Friends)
Private group · 774 members

Community home

Group by Badlands Boogie

Picture Coulee Wilderness Camp (Private Camp for Family and Friends)

Join group

AboutDiscussion

About this group

Picture Coulee wilderness camp near Drumheller, AB, Canada, almost free
Only \$600 to \$1200 for 12 months
Sites are minimum 100 ft apart and approximately 10,000 sq ft to 20,000 plus sq ft in size
A few larger group sites still available that can hold 3 or more RVs
Red Deer river is only 5 minutes away and the 9 mile long Crawling Valley Reservoir is only 45 minutes away, great swimming, fishing and boating
Older RVs, long RVs, pets, ATVs, horses, all welcome
Adding a swimming hole this year too, sand volleyball net, horseshoe pits and playground
Open year round too!!!
First water fill and first sewer dump is free, and only \$10 each after that
picturecouleewildernesscamp@gmail.com
403-334-6969 See less

Private

Only members can see who's in the group and what they post.

Visible

Anyone can find this group.

SDAB Page 64



Badlands Boogie

✉ savetheeastcouleetrussbridge@gmail.com

🌐 eventbrite.ca/e/badlands-boogie-6-music-festival-2020-tickets-114626691520

🕒 Always open

💰 Price Range - \$\$

★ Rating - 5.0 (8 Reviews)

Photos

[See all photos](#)



John Barry Graham

February 15 · 🌐

Badlands Boogie #9 this Sept Long Weekend will be a sold out show!!!! We are only allowed to sell 249 tickets with the county, and our Badlands Boogie group page gets lots of likes every week, up 153% over last week!!! We are proud to have had a Badlands Boogie every year since 2015, even in 2020!!! Early bird tickets go on sale this spring on Eventbrite and include 4 nights of camping and 3 days of live music, and, kids 15 and younger are still free, so it's a great economical weekend for families!!!! Last year we had 26 bands and well over 200 people, and this year, we already have a few new bands lined up, so it will be another great live music weekend in the Drumheller Valley Badlands!!!

👍❤️ 21

13 comments 1 share

👍 Like

💬 Comment

➦ Share



Bennett Jones

Bennett Jones LLP
3200 TELUS House, South Tower
10020 - 100th Street
Edmonton, Alberta, T5J 0N3 Canada
T: 780.421.8133
F: 780.421.7951

Brynne Harding
Barrister & Solicitor
Direct Line: 403.298.3327
e-mail: hardingb@bennettjones.com
Our File: 094079.1

December 13, 2022

VIA FAX

Darryl Graham, as Executor of the Estate of John Graham
c/o Wayne Gillis
Foster Iovinelli Beyak Kothari
201, 224 11 Avenue SW
Calgary, Alberta
T2R 0C3
Fax: 403 237 5109

Dear Sir:

**Re: CEASE AND DESIST UNAUTHORIZED ACTIVITIES ON EAST COULEE
RANCH LANDS**

This letter will confirm that we represent Patty Dawn Graham and Lori-Jo Graham, who are the beneficiaries of the Estate of William Graham and the self-appointed litigation representatives of the Estate of William Graham (our "**Clients**").

As you are aware, the Estate of William Graham and the Estate of John Graham are the 50/50 owners and tenants in common of certain lands located near East Coulee and Bassano Alberta described in the Schedule attached hereto as Schedule "1". Our Clients have become aware that the heirs and beneficiaries of the Estate of John Graham have been utilizing the lands for purposes that have never been approved by William Graham or a representative of the Estate of William Graham. Those activities for which our Clients are currently aware include:

1. Operating a music festival called the "Badlands Boogie";
2. Allowing third party film and television production companies to access and film on the Lands;
3. Operating a campground referred to as "Picture Coulee Campground" that is attended by third parties who are not decedents of John or William Graham; and
4. Leasing the Lands to third parties, including but not limited to [REDACTED] for agricultural purposes.

FOIP s17(1)

December 13, 2022

Page Two

These activities are collectively referred to hereinafter as the "**Unauthorized Uses**".

Our Clients are committed to protecting their beneficial interest in the Lands as well as their father's estate's interest in the Lands. Our Clients are deeply concerned that the Unauthorized Uses are causing damages to the Lands and opening up the Estate of William Graham to significant liability should a third party be injured while accessing the Lands through any of the Non-Authorized Uses. Moreover, the Unauthorized Uses create a real risk of fire that could spread beyond the Lands, leading to further liability to the Estate of William Graham.

Our Clients therefore provide the Estate of John Graham, including its beneficiaries, with notice to:

1. Immediately cease using the Lands for the Unauthorized Uses; and
2. Immediately cease advertising any of the Unauthorized Uses; and
3. Immediately cease use of the Lands for any other activities that have not expressly been approved in writing by a representative of the Estate of William Graham.

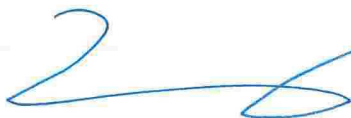
Our Clients further expect to be consulted with respect to all commercial and non-commercial uses of the lands prospectively.

Please provide us with your written confirmation agreeing to the above conditions within 14 days of the date of this letter.

Otherwise, our Clients reserve the right to pursue all available legal remedies, including interim and interlocutory injunctive relief, damages or accounting for profits, and all legal expenses relating to this matter and to raise this correspondence in any proceedings related to the Lands.

Yours truly,

BENNETT JONES LLP



Brynne Harding

Enclosure



Michelle Van Haarlem

From: Chris.. S [REDACTED]
Sent: Tuesday, April 18, 2023 3:12 PM
To: Sub Division Appeal Board
Subject: SDAB 2023-002. Use this

FOIP s17(1)

FOIP s17(1)

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To whomever it may concern.

I just happen to see this today.

I had been planning on calling a representative from the county on what I have witnessed last summer on the Picture Coulee Wilderness Camp. To me was huge health risk NOT only to people but to the animals roaming this property.

Upon coming on this property in July of 2022.
Within the first week. I knew was huge mistake.

Mr. Graham had miss represented his ad.

The initial ad was as follows:
First attachment

Second attachment:
Picture of trailer and water jug. Used to dispose of sewage in the trees across the. coulee.

In this ad. NONE of it held true.

Water was very limited, the sewer drainage that was promised was very hard to get..
Was like pulling teeth. Had to ask over and over. ONLY time he dumped mine after MANY texts (I just lost due to phone being broken). He left it on my lot to seep out of a cracked container for weeks. FInally had to do myself in the end because winter coming. (The person helping me also dumped it in the treed area).

I DID witness....

... Folks that camp there ARE dumping their sewage in the trees on the other side of the Coulee ALL summer long.

The outhouses put there in September for the Bandlands boogie where knocked over during the wind storm in October. Where all the contents poured out.

I ALSO know first hand. That Mr. Graham has HIRED people to help on both these properties.

When the persons are brought out to the land.

This hired hand was STUCK there. With NO food, NO transportation, no power or heat, and NO pay.

He also had a woman on his so called "Ranch" that had NO door to its entry from March 2022 to Aug 2022. A gentleman working at the wind farm was the one that "found" a door to put on. Even then Mr. Graham was upset.

When winter months came. Mr. Graham had NO heat and NO hot water EVER since March even for the woman helping him.

I was "Stuck" in November due to place. Mr. Graham more than once offered to "Help" winter set up my trailer. NEVER came through on his words. Infact, when first storm hit.

My area of where trailer was.... I was unable to come back in to clear it for winter. For that I apologize. IF it had not been for my having to be in Calgary the day of storm. I would have been stuck in there for DAYS. As Mr. Grahams promise to plow also fell through.

Infact, the other campers that were going to stay there all winter. Were stuck inside the Coulee trying to shovel out a km to get themselves out off the property. If I recall him texting me 9 hours of shovelling.

When I came back from Calgary. I ended up staying with the woman at the "ranch". I ended ALL of November there.

Mr. Graham had NO heat or hot water for this woman using only heaters to keep warm.

I ended up leaving. Mr. Graham was upset I had left his place to FREEZE. I'm so laughin here. As I sent him a text after seeing that saying, "You're worried about the HOUSE freezing??? BUT NOT the people in it?"

I told him what he was doing and HOW he treats people is inhumane. I also told him. HE should take responsibility for what HE is doing to humans.

I also had asked the woman and the guy he left stranded TO COME forth to report and was told. "No" Mr. Graham had given me a place from March and I can't do that. Like OMG. Really...

MY only concern NOW....

My worry IS..... Is he going to let me move it IF he knows I'm doing this.

Second, I have not been up there to even know IF my trailer is still in ONE piece or even there.

Mr. Graham damaged MY trailer bringing it in.

HE also is AT fault because of snowstorm and NOT plowing like he said he would. LOST my front car bumper from having to be pulled out.

Knowing I had appointments to go to. And promises to plow.

This was a MESS from the minute I put my trailer on HIS property.

I also helped him with is so called FUND raising for the bridge and I thought was good cause. Even told me I would get the "FREE" water and sewage dumps that NEVER happened after volunteering my time.

Until I found out NOT one penny was left after this weekend event went for this cause.

No money has EVER gone to "Save" this bridge. He also did NOT take any responsibility for when a woman had fallen and broken her wrist while at the Boogie weekend.

I am so appalled at seeing HOW this person treats other HUMAN beings. I have never in my entire life encountered anyone as such.

John does have a good heart. But also makes really BAD decisions.

I was also told. DON'T bother taking him to small claims. NOTHING will happen. So many could have their day with what he has done or owes.

Why no one takes them to court?

SIGH

Contact me if need any more. Trust me. There's LOTS on him from MANY that for some reason won't say.

Good luck with this case?

Chris

Sent via the Samsung Galaxy A71 5G, an AT&T 5G smartphone

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EXHIBIT E

Public in
Opposition to
Stop Order

Michelle Van Haarlem

From: John Graham [REDACTED]
Sent: Wednesday, April 19, 2023 10:44 AM
To: Michelle Van Haarlem; John Graham
Subject: Fwd: Stop work order

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FOIP s17(1)

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From: Tricia Hooley [REDACTED]
Date: Sun., Apr. 16, 2023, 6:32 p.m.
Subject: Stop work order
To: [REDACTED]

FOIP s17(1)

FOIP s17(1)

To whom it may concern

I am writing to oppose the stop work order on the historical Gramham Ranch. I have been coming there to camp for 3 years. I bring my grand kids with me most weekends. We love it there. It's picture perfect. We love how it's a community. We have community dinners. Sing around the campfire. And just love how peaceful and calming it is there. We all chip in to make sure it's kept in is natural beauty. We admire the coulee. John has told all of us what is expected. We treat that place like it should be. With love and respect. No one goes into the coulee. Nor do we litter. We take out what we bring in.

This place is a very special place to me and my family. Every one here IS family.

Please. You can not allow this to happen.

Yours truly
Tricia Hooley

Sent from my iPhone

Michelle Van Haarlem

From: John Graham [REDACTED]
Sent: Wednesday, April 19, 2023 10:45 AM
To: Michelle Van Haarlem; John Graham
Subject: Fwd: Save our Summer Paradise

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From: Stephanie Johnson [REDACTED]
Date: Tue., Apr. 18, 2023, 2:55 p.m.
Subject: Save our Summer Paradise
To: <[REDACTED]>

FOIP s17(1)

FOIP s17(1)

To whom it may concern,

My name is Stephanie Johnson. My husband and I, and our three children have been coming out to Picture Coulee since the summer of the Badlands Boogie 7. Our hippy van has housed my family, including our two dogs for two glorious years, and were hoping to make it a third. From the very first moment we drove over the hill, we were in awe. The view was amazing! Immediately you were welcomed by everyone you saw. The people around treated you like old friends. This meant alot to us. My son just opened up, he loved running around with the dogs, playing. All the children getting along, no fighting. Everyone watches out for everyone, visiting with someone everywhere you go. This place became such a wonderful safe haven for us during a very hard time in our lives. Camping here kept us grounded, kept us safe. We look forward to our summer camping here. It's such a beautiful place, that provides such freedom for our children to develop, and grow skills that will last them a lifetime. We have also enjoyed the Badlands Boogie these last couple years. This has been a super fun birthday weekend for my daughter and I, as we share a birthday that weekend. We look forward to it every year. We love being able to camp for the whole weekend and enjoy live music. The children have a blast every year and can't wait for the next one. This wonderful place that teaches our children how to take care of the land, to keep it safe and beautiful for generations to come. There are garbage cans everywhere, as well as recycling cans. Any garbage that is blown around (this is a windy place) is picked up by everyone each day, throughout the day. There is nothing permanent on the land, so as not to destroy it. No one is allowed down in the Coulee, for obvious safety concerns, but a few times a year John will go down and clean up anything that has blown in. We absolutely love camping at Picture Coulee. It will be heartbreaking to not be able to come out and spend the summer with our friends. Please allow us to continue making memories here. The Johnson Family

Michelle Van Haarlem

From: John Graham [REDACTED]
Sent: Wednesday, April 19, 2023 10:44 AM
To: Michelle Van Haarlem; John Graham
Subject: Fwd: Support letter

FOIP s17(1)

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From: MEL K [REDACTED]
Date: Mon., Apr. 17, 2023, 6:45 a.m.
Subject: Support letter
To: [REDACTED]

FOIP s17(1)

FOIP s17(1)

I'm writing in support of the campsite of picture coulee.

My first time at the campsite was with a long time girl friend who knew John. I had just started dating someone as well and he [REDACTED] had come along as well. That was in September of 2020, and my birthday weekend.

FOIP s17(1)

FOIP s17(1)

It was such a great weekend away. The beauty of the area was magical, peaceful, calm, and soulful. [REDACTED] and I returned a few more times for some weekend camping that year. There is also the feeling of family there that I witnessed.

Gatherings at the main camp area and the stories of family history and connecting with each other sharing about each other's life's and stories. It was about community and friendships, it was refreshing.

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[REDACTED] and I had bought a trailer in 2021 and did some other camping and exploring that year and didn't make it back to Picture Coulee in 2021. In Feb 2022 [REDACTED] passed away suddenly from a heart attack and could not be revived. We were engaged and had many dreams we wanted to fulfill of camping and adventures. I felt lost overwhelmed and unsure what life held now.

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I had gone again with my girlfriend to the picture coulee campsite in May 2022 for a overnight getaway and reconnect with myself and nature after the horrible situation of losing a loved one. People we had met there the year before remembered us and were a great support.

I parked my trailer out there in June 2022 and spent almost every weekend out there until the end of October healing from the loss. It was such a magical place to sit, and reflect, and read scripture and about love and loss and healing oneself. To listen to the sounds of nature or some soulful healing music. To just sit in my own thoughts and to write about life. It made me stronger. It literally brought me back to life.

The campers there have so much respect for the campsite, there are campers who constantly work at maintaining the area, doing garbage duty etc to make sure the property stays natural.

As a camper at Picture coulee, I'm not there to be disrespectful to the area. I'm there to enjoy the beauty of it, to respect nature and all it brings us that we need for our soul and for life. It's about family and connection, as evidenced by the Thanksgiving dinner that is a gathering of the camping family at the site.

Melanie Kellow

Sent from my Galaxy

Michelle Van Haarlem

From: John Graham [REDACTED]
Sent: Wednesday, April 19, 2023 10:46 AM
To: Michelle Van Haarlem; John Graham
Subject: Fwd: Support

FOIP s17(1)

FOIP s17(1)

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From: Alycia Walker [REDACTED]
Date: Wed., Apr. 19, 2023, 8:50 a.m.
Subject: Support
To: [REDACTED]

FOIP s17(1)

FOIP s17(1)

Hello,

To whom it may concern,

I am once of the regular users of the Graham campground as we use it to raise funds for different charities during our AB Charity Collaborations events which are hosted during the summer months.

Graham and his guests that he allowed to enjoyed the land have always shown the upmost responsibility, respect and appreciation for the land, its natural residences such as wildlife as well as maintained its cleanliness for future generations to enjoy for many more years.

As a Status First Nation, this example of how our land should be respected is what all us citizens should strive for going forward. What Graham pours his heart, sweat and tears into is quite possibly one of the best environmental conservation activities in Drumheller and area.

It would be nothing short of disservice to our communities, our land and our people if this was restricted at all.

Sincerely yours,
Alycia

My name is Vern Wutzke and the Stop Work Order will personally affect my lifestyle, therefore, I am opposed to this proposal.

As for my background, I am the District Sales Manager for Suzuki Canada covering Alberta and Saskatchewan and have been actively involved in the powersports industry for many years. I have also been involved with the Provincial Government working with multiple elected parties to provide input and recommendations for the care, maintenance and preservation of Public Land Use Zones (PLUZ areas). In addition, our company provides an annual \$100,000.00 Grant to Alberta Off Road Associations to support maintenance of PLUZ areas, repairs and upgrades to PLUZ zones in conjunction with all user groups from hikers to horseback riding groups and back country enthusiasts.

I make this point to exhibit that I have first-hand knowledge and experience in the measures that must be taken to preserve the land and be a citizen custodian of the environment and delicate ecosystems we all enjoy in our Province.

I have personally been camping at Picture Coulee on the named lands since 2011, as have many others who are submitting testimony at this hearing today. In that time, and based on my expertise on the subject, I can honestly affirm that the individuals who have been camping on this land for over a decade and the Graham family have always made the preservation and care of the land and ecosystem the highest priority. Rules and Guidelines have always been in place and communicated to people who visit or camp on the land that support these long-term objectives.

It is my understanding, based on the Stop Work Order document, that violations of existing bylaws are the County bylaws that were enacted in 2016. Also contained in the document is an aerial photo from 2014 which shows 13 RV units in one specific area, while there were additional RV units being used for recreational camping in other areas near the Picture Coulee location. In fact, in 2015, there were more than 30 RV units camped in the vicinity and on the named land for recreational camping enjoyment. These details provide evidence that the camping activities were in place before the enactment of the 2016 bylaws, on which this Stop Work Order is based.

As outlined, the activity of camping on this land was well established prior to 2016 Bylaws coming into effect and were an allowed activity of land use at the time they were established. Although there may be more recent additions and changes that are governed by the 2016 County Bylaws, the activity of recreational camping and the presence of RV units at the location do not fall under these Bylaws. As established, there were up to 30 RV units in certain years, in excess of five (5) RV units, the limit in the 2016 Bylaw, also establishes that this particular clause has no bearing in this land use situation as a specific number or limitation did not exist prior to the 2016 Bylaw enactment.

I would urge the SDAB Members to delay any decision in this matter until details of the plaintiffs can be confirmed, further consultation to establish that accepted land use activity has been made illegal by the subsequent Land Use Bylaw changes in 2016, and affected persons such as myself and many others have a reasonable time frame to have their voices heard and/or make alternate arrangements for recreational camping activities.

Sincerely,

Vern Wutzke