

MINUTES
Municipal Planning Commission Meeting
May 10, 2022
MD Council Chambers & Via Zoom Teleconferencing

MEMBERS PRESENT	Lana Spencer Kenneth Caissie Darren Fulmore Terry Kristoff Carol Stockman Norm Seatter	Deputy Reeve, MDLSR (Chair) Public Member Councillor, MDLSR Public Member Public Member Councillor, MDLSR												
IN ATTENDANCE	Sandra Rendle Brandy Bolianatz	Development Authority, MDLSR Recording Secretary, MDLSR												
CALL TO ORDER	Lana Spencer called the meeting to order at 3:00 p.m.													
ADOPTION OF AGENDA	<u>MOTION: MPC 022-22</u> Moved by Norm Seatter to adopt the May 10, 2022, Municipal Planning Commission Agenda as presented. <p style="text-align:right">CARRIED</p>													
ADOPTION OF MINUTES	<u>MOTION: MPC 023-22</u> Moved by Ken Caissie to adopt the April 14, 2022, Municipal Planning Commission Meeting Minutes as presented. <p style="text-align:right">CARRIED</p>													
DELEGATION	JUSTIN POPOWICH AND HAROLD NORBERG <p style="text-align:right">Carol Stockman entered at 3:04 p.m.</p> <p>Legal Land Information</p> <table><tr><td>Applicant:</td><td>Justin Popowich – Alberta HVAC Ltd.</td></tr><tr><td>Owner:</td><td>Heather and Harold Norberg</td></tr><tr><td>Development File #:</td><td>22-D-017</td></tr><tr><td>Legal Land:</td><td>9623055; 1; 9 (SW-22-72-5-W5)</td></tr><tr><td>Rural Address:</td><td>No Address</td></tr><tr><td>Zoning:</td><td>Residential Un-Serviced District (RUS)</td></tr></table> <p>Purpose</p> <p>To consider development permit application 22-D-017 for Dwelling, Single Detached for primary residence/and occasional out-of-town worker accommodation.</p> <p>General Background</p> <ul style="list-style-type: none">• The parcel is located in Poplar Lane.• The lot is 1.23 hectares (3.04 acres).• The parcel is currently vacant.• The parcel is accessed via Eating Creek Terrace Road.• On April 11, 2022, Ann Holden, Planning and Development Officer requested additional information as listed below to process the development permit:<ul style="list-style-type: none">○ Fee of \$125 (instructions on how to pay below)○ The elevation of any proposed permanent structure or building certified by a surveyor.○ The elevation of the openings in the proposed structure○ Elevations of any floors in the proposed permanent structure○ Site drainage <p>The Applicant also has a list of questions for the MD and MPC:</p> <ul style="list-style-type: none">• <i>Approximately what will the assessed tax rate be on the 3.08-acre property once developed with a mobile home situated on the land?</i>		Applicant:	Justin Popowich – Alberta HVAC Ltd.	Owner:	Heather and Harold Norberg	Development File #:	22-D-017	Legal Land:	9623055; 1; 9 (SW-22-72-5-W5)	Rural Address:	No Address	Zoning:	Residential Un-Serviced District (RUS)
Applicant:	Justin Popowich – Alberta HVAC Ltd.													
Owner:	Heather and Harold Norberg													
Development File #:	22-D-017													
Legal Land:	9623055; 1; 9 (SW-22-72-5-W5)													
Rural Address:	No Address													
Zoning:	Residential Un-Serviced District (RUS)													

- Will there be a cost to have the waterline (I assume there is municipal water to the property edge) to the mobile home, are we allowed to complete any of the work ourselves?
- What are the implications to the adjacent neighbor whose land is at a higher elevation to this property? Are we responsible to inform them of water run-off onto our land?
- At cursory examination it appears that the mobile home will need to be elevated 0.9 meters. Can we use blocks to elevate the structure, or will we be compelled to use screw piles?
- Is the MD responsible for the expense to file the required caveat that protects the MD?
- Are there additional requirements we will need to meet before we can move the mobile home onto the land?
- Alberta HVAC Ltd is purchasing the land. Alberta HVAC Ltd owns the mobile home that will be moved on to the land. Alberta HVAC Ltd holds its registered office in Calgary and will use the land and mobile home as the primary residence for the Managing Director (Brad Popowich) and occasionally for out of town worker accommodation. The company has always maintained a business licence through the town of Slave Lake as one room in the mobile home is utilized as an office. Will the MD of Lesser Slave River require an additional business licence, and or, any other requirements to maintain the hybrid use of the Mobile Home. Note: there is no actual work conducted at the property now (located at #26-812 6 Ave SW Slave Lake) other than 2 8x10 storage sheds for parts and supplies, and this condition will remain the same after transferring the mobile home and 2 small sheds to the new property on Eating Creek Terrace.

Determined that if all information is in place, will bring forward to the June 14, 2022, Municipal Planning Commission meeting.

DEVELOPMENT APPLICATIONS

Darcy and Dena Short
(22-D-014)

Land Information

Applicant: Darcy and Dena Short
Owner: Same
Development File #: 22-D-014
Legal Land: 1523988; 4; 4 (NW-7-73-5-W5)
Rural Address: No address
Zoning: Residential Un-Serviced District (RUS).

Purpose

To consider development permit application 22-D-014 for **Dwelling, Single Detached and "Accessory Building, with Garage Suite"** for residential use.

General Background

- The parcel is located in Old Town on the north side of Lesser Slave River.
- The lot is 1.075 hectares (2.66 acres).
- The parcel is currently vacant.
- The land is within the IDP area, a referral was sent to the Town of Slave Lake on April 20, 2022. Letter dated May 3, 2022, from the Town of Slave Lake states no concerns with the development.
- Information was sent to Alberta Transportation on April 28, 2022, since the development is within 800m of a highway. A Roadside Development Permit for Alberta Transportation is required. The applicant applied for the Roadside Development Permit on May 4, 2022.
- The development is within the Waterfront Intermunicipal Area Structure Plan.
- The proposed building area is within the 100-year flood inundation area.

Norm Seatter exited at 4:11 p.m.
Norm Seatter entered at 4:13 p.m.
Terry Kristoff exited at 4:14 p.m.
Terry Kristoff entered at 4:15 p.m.

Discussion was held, with the following highlights:

- 10% windows must be on the back side of the structure.
- Structure must be in the rear yard.
- Structure must be able to move.
- Fire suppression is not allowed.
- Need to determine where front yard is (no front yard setback for accessory building).

MOTION: MPC 024-22

Moved by Darren Fulmore to approve the application (22-D-014) for a Dwelling, Single Family and Accessory Building with Garage Suite with the following conditions as listed in the Development Report with an amendment to include "geo-thermal pond meets district setbacks" and attached hereto.

**CARRIED (5-1)
No Recorded Vote**

Donna Eben
(22-D-015)

Land Information

Applicant: Donna Eben
Owner: Donna Eben and Nadine Verschoor
Development File #: 22-D-015
Legal Land: NE 1-73-6-W5
Rural Address: D 730072 RGE RD 60
Zoning: Residential Un-Serviced (RUS)

Purpose

To consider development permit application 22-D-015 for **Recreational Vehicle – Park Model** for seasonal and recreational use.

General Background

- The parcel consists of 61.9 acres.
- The parcel currently has a seasonal dwelling located approx. 250 feet southwest of the proposed development.
- Previous development permits and land use amendments for this lot includes:
- Development permit 02-D-022 – Cottage/Modular Home
- The land is within the IDP area, a referral was sent to the Town of Slave Lake on March 16, 2022. Letter dated May 3, 2022, from the Town of Slave Lake states no concerns with the development.
- Information was sent to Alberta Transportation on April 28, 2022, since the development is within 800 m of a highway.
- The development is within the Waterfront Intermunicipal Area Structure Plan.
- The proposed building area is within the 100-year flood inundation area.

MOTION: MPC 025-22

Moved by Ken Caissie to approve the application (22-D-015) for a Recreational Vehicle – Park Model for seasonal and recreational use with the following conditions as listed in the Development Report and attached hereto.

CARRIED

The next Municipal Planning Commission meeting is May 10, 2022.

ADJOURNMENT

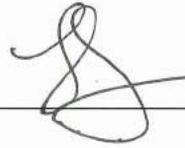
MOTION: MPC 026-22

Moved by Carol Stockman to adjourn the meeting at 4:44 p.m.

CARRIED



Development Authority



Chairperson



Lesser Slave River

MOTION MPC 024-22
Municipal Planning Commission - May 10, 2022
Attachment to Minutes

Conditions are as follows:

1. The Dwelling, Single Detached must meet minimum setback of:
 - Front Yard - 3 meters (9.8 feet) from property line
 - Side Yard - 1.2 meters (3.9 feet) from property line
 - Rear Yard - 3 meters (9.8 feet) from property lineNOTE: A minimum setback of 30 m (100 ft) shall be provided for all buildings from the top of bank of any watercourse, from the top of the ravine or other topographical feature in which a watercourse is located, or from any water body.
2. Principal building height shall not exceed 10.6 meters (34.8 feet)
3. The Accessory Building, with Garage Suite, must meet minimum setback of:
 - Rear Setback from Lot Line – without driveway – 0.9 meters (3 feet)
 - Side/Rear Setback from Lot Line – with driveway – 5.5 meters (18 feet)
 - Side Yard - 1.2 meters (3.9 feet) from property lineNOTE: A minimum setback of 30 m (100 ft) shall be provided for all buildings from the top of bank of any watercourse, from the top of the ravine or other topographical feature in which a watercourse is located, or from any water body.
4. Accessory building height shall not exceed 8.96 meters (29.4 feet) – variance granted by the Municipal Planning Commission.
5. Prior to the commencement of construction, the Municipal District of Lesser Slave River No. 124 and the Province of Alberta require that all developers obtain Building Permits, Plumbing Permits, Gas Permits, Electrical Permits, and Private Sewage and Disposal System Permits prior to the construction or location of a building. The developer shall contact certified building inspectors to obtain all relevant permits and upon issuance, shall provide a copy to the Municipal District immediately.
6. BUILDING PERMITS WILL ONLY BE ISSUED FOR HOMES THAT COMPLY WITH THE REQUIREMENTS OF THE New Home Buyer Protection Act and are built by a person that holds the appropriate licence or authorization or is exempt from the requirement for a licence or authorization. For more information and updates: HomeWarranty.Alberta.ca and www.builderlicencing.alberta.ca or contact builderlicencing@gov.ab.ca or 1866-421-6929.
7. The developer is responsible for ensuring that all relevant onsite utilities (water, sewer, telephone, gas, power, etc.) are secure before commencing excavation and construction.
8. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
9. The relocation of any building shall meet the Alberta Building Code and any applicable safety code standard.
10. The developer shall be made aware that the proposed development lies within a 1 in 100 year floodplain. Due to the potential for flood activity in the area, the Municipal District of Lesser Slave River No. 124 Development Authority requires that the developer implement preventative measures and enter into a written agreement that can be caveated or otherwise registered against the titles of the affected lands, that:
 - a. the developer and/or any subsequent landowners shall be responsible for any damage or loss caused by flooding, erosion or subsidence;
 - b. the developer and/or any subsequent landowners shall indemnify the Municipal District of Lesser Slave River No. 124, and related parties, against any loss, damage or costs, etc.; and

	<p>c. development on the lands shall be restricted so as to comply with the preventative measures referred to in subsection 6.1.3 of the Land Use Bylaw 2021-17 and in any further or other manner that the Development Authority deems appropriate.</p>
11.	<p>The lowest entry point for a permanent development is 579.1 metres above sea level. The required elevation may be achieved by engineered landfill or structural elevation. Where landfill is used the top of the toe of the slope shall be no closer than 1 m from the property line. Where landfill or structural alteration means are used to attain the required elevation, the owners/developers shall enter into an agreement registered as a caveat on title:</p> <ul style="list-style-type: none"> (i) To save harmless the subdivision and development authority and the province of Alberta in the event of flood damage to the building or contents there of; and, (ii) To maintain, in good condition, the means used to attain the required elevation.
12.	<p>A certificate or a Real Property Report certified by a registered surveyor be provided to the Development Authority upon completion of the footings or pilings for the development and prior to commencement of any other construction relating to the development, indicating that the development, specifically the location and elevation of the development, is in accordance with the approved development permit application or any conditions of approval of that application.</p>
13.	<p>When, as a condition of the approval of a development permit, the development will or is required to have its elevation raised above the existing grade: A drainage and/or grading plan be prepared, submitted, and approved by the Development Authority prior to any development taking place which specifically addresses the change in grade or increase in elevation undertaken and demonstrates the impacts, if any, on the surface drainage of the site and of adjacent sites.</p>
14.	<p>The developer shall keep site clean and orderly.</p>
15.	<p>The developer is encouraged to FireSmart buildings and properties to guard against wildfires, for more information go to http://livefiresmart.ca/ OR www.firesmartcanada.ca</p>
16.	<p>No other buildings or use are allowed on this lot without municipal authorization.</p>
17.	<p>This developer must obtain any and all necessary permits and approvals from any and all other regulatory bodies which may have jurisdiction over this proposal.</p>
18.	<p>This permit does not excuse any violation of any regulation or act which may affect the proposed project.</p>
19.	<p>The development shall not commence until 21 days after the Date of Decision.</p>
20.	<p>The Development Permit is valid for a 12-month period starting from the Date of Decision.</p>
21.	<p>If the Development Permit has been appealed to the Subdivision and Development Appeal Board or the Lands and Property Tribunal, the development shall not commence until after the board of appeal has rendered a decision.</p>
22.	<p>If the Development Permit has been appealed to the Subdivision and Development Appeal Board or the Lands and Property Rights Tribunal, the Development Permit will be valid for a 12-month period starting from the date of decision by the board hearing the appeal and in accordance with all conditions placed on it by the board.</p>
23.	<p>The development will be carried out in accordance with the approved application, approved plans and all the conditions contained in this Development Permit Notice of Decision.</p>
24.	<p>Any appeal of this decision lies to the Subdivision and Development Appeal Board pursuant to section 685(2.1) of the Act.</p>
25.	<p>Geo-thermal pond must meet district setbacks.</p>



Lesser Slave River

MOTION MPC 025-22
Municipal Planning Commission - May 10, 2022
Attachment to Minutes

Conditions are as follows:

1. Must meet minimum setback of:
 - Front Yard – 7.5 meters (24.6 feet) from property line
 - Side Yard – 7.5 meters (24.6 feet) from property line
 - Rear Yard – 7.5 meters (24.6 feet) from property line

NOTE: A minimum setback of 30 m (100 ft) shall be provided for all buildings from the top of bank of any watercourse, from the top of the ravine or other topographical feature in which a watercourse is located, or from any water body.
2. Principal building height shall not exceed 10.6 meters (34.8 feet)
3. Prior to the commencement of construction, the Municipal District of Lesser Slave River No. 124 and the Province of Alberta require that all developers obtain Building Permits, Plumbing Permits, Gas Permits, Electrical Permits, and Private Sewage and Disposal System Permits prior to the construction or location of a building. The developer shall contact certified building inspectors to obtain all relevant permits and upon issuance, shall provide a copy to the Municipal District immediately.
4. BUILDING PERMITS WILL ONLY BE ISSUED FOR HOMES THAT COMPLY WITH THE REQUIREMENTS OF THE New Home Buyer Protection Act and is built by a person that holds the appropriate licence or authorization or is exempt from the requirement for a licence or authorization. For more information and updates: HomeWarranty.Alberta.ca and www.builderlicencing.alberta.ca or contact builderlicencing@gov.ab.ca or 1866-421-6929.
5. The developer is responsible for ensuring that all relevant onsite utilities (water, sewer, telephone, gas, power, etc.) are secure before commencing excavation and construction.
6. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
7. The relocation of any building shall meet the Alberta Building Code and any applicable safety code standard.
8. It shall be the responsibility of the owner to place the modular home on a permanent foundation or base in accordance with the requirements of the Alberta Safety Codes Act.
9. Seasonal dwellings: Buildings and/or structures that are used for accommodation but are not constructed to the Alberta Building Code or applicable CSA standard shall be considered seasonal dwellings and are not to be inhabited on a year-round basis, regardless of the district that they are located in.
10. The developer shall be made aware that the proposed development lies within a 1 in 100 year floodplain. Due to the potential for flood activity in the area, the Municipal District of Lesser Slave River No. 124 Development Authority requires that the developer implement preventative measures and enter into a written agreement that can be caveated or otherwise registered against the titles of the affected lands, that:
 - a. the developer and/or any subsequent landowners shall be responsible for any damage or loss caused by flooding, erosion or subsidence;
 - b. the developer and/or any subsequent landowners shall indemnify the Municipal District of Lesser Slave River No. 124, and related parties, against any loss, damage or costs, etc.; and
 - c. development on the lands shall be restricted so as to comply with the preventative measures referred to in subsection 6.1.3 of the Land Use Bylaw 2021-17 and in any further or other manner that the Development Authority deems appropriate.

11. The lowest entry point for a permanent development is 579.1 metres above sea level. The required elevation may be achieved by engineered landfill or structural elevation. Where landfill is used the top of the toe of the slope shall be no closer than 1 m from the property line. Where landfill or structural alteration means are used to attain the required elevation, the owners/developers shall enter into an agreement registered as a caveat on title:
 - (i) To save harmless the subdivision and development authority and the province of Alberta in the event of flood damage to the building or contents there of; and,
 - (ii) To maintain, in good condition, the means used to attain the required elevation.
11. A certificate or a Real Property Report certified by a registered surveyor be provided to the Development Authority upon completion of the footings or pilings for the development and prior to commencement of any other construction relating to the development, indicating that the development, specifically the location and elevation of the development, is in accordance with the approved development permit application or any conditions of approval of that application.
12. When, as a condition of the approval of a development permit, the development will or is required to have its elevation raised above the existing grade: A drainage and/or grading plan be prepared, submitted, and approved by the Development Authority prior to any development taking place which specifically addresses the change in grade or increase in elevation undertaken and demonstrates the impacts, if any, on the surface drainage of the site and of adjacent sites.
13. The developer shall keep site clean and orderly.
14. The developer is encouraged to FireSmart buildings and properties to guard against wildfires, for more information go to <http://livefiresmart.ca/> OR www.firesmartcanada.ca
15. No other buildings or use are allowed on this lot without municipal authorization.
16. This developer must obtain any and all necessary permits and approvals from any and all other regulatory bodies which may have jurisdiction over this proposal.
17. This permit does not excuse any violation of any regulation or act which may affect the proposed project.
18. The development shall not commence until 21 days after the Date of Decision.
19. The Development Permit is valid for a 12-month period starting from the Date of Decision.
20. If the Development Permit has been appealed to the Subdivision and Development Appeal Board or the Lands and Property Tribunal, the development shall not commence until after the board of appeal has rendered a decision.
21. If the Development Permit has been appealed to the Subdivision and Development Appeal Board or the Lands and Property Rights Tribunal, the Development Permit will be valid for a 12-month period starting from the date of decision by the board hearing the appeal and in accordance with all conditions placed on it by the board.
22. The development will be carried out in accordance with the approved application, approved plans and all the conditions contained in this Development Permit Notice of Decision.
23. Any appeal of this decision lies to the Subdivision and Development Appeal Board pursuant to section 685(2.1) of the Act.