

# MINUTES

## Municipal Planning Commission Meeting June 14, 2022 MD Council Chambers

### MEMBERS PRESENT

Lana Spencer	Deputy Reeve, MDLSR (Chair)
Kenneth Caissie	Public Member
Darren Fulmore	Councillor, MDLSR
Terry Kristoff	Public Member
Carol Stockman	Public Member
Norm Seatter	Councillor, MDLSR

### IN ATTENDANCE

Ann Holden	Development Authority, MDLSR
Marilyn Gladue	Recording Secretary, MDLSR
Ted Barnes, P.Eng.	Applicant
Stacey Carter	Applicant
Andrew Jandl	Applicant
Trevor Seiben	Applicant

### CALL TO ORDER

Lana Spencer called the meeting to order at 3:00 p.m.

### ADOPTION OF AGENDA

#### **MOTION: MPC 027-22**

Moved by Norm Seatter to adopt the June 14, 2022, Municipal Planning Commission Agenda as amended:

- Add 6.2 "Start Time"

CARRIED

### DEVELOPMENT APPLICATIONS

Terry Kristoff entered at 3:07 p.m.

### Trevor Sieben (22-D-020)

#### Legal Land Information

Applicant:	Trevor Sieben
Owner:	Same
Development File #:	22-D-020
Legal Land:	Plan 0940241; Block 1; Lot 6
Rural Address:	10 Aspen Lane
Zoning:	Residential Un-serviced District (RUS).

#### Purpose

To consider development permit application 22-D-020 for Accessory Building to Dwelling: 22' X 38' Addition to Garage (Variance: 1.5 m (4.8 ft) encroachment on right-of-way).

#### General Background

- The parcel is in Poplar Lane.
- The parcel is acres 0.52 hectares (1.28 acres).
- The lot is used for residential purposes; the addition will be an extension to the detached garage.
- The proposed development does not require a variance from the lot line setback, but it is encroaching on a MD right-of-way.
- The utility right-of-way is used for drainage purposes by the MD. The neighbour also has a gas line in the utility ROW.
- Previous development permits and land use amendments for this lot includes:
  - Development permit 10-D-042: Single Family Dwelling
  - Development permit 11-D-083: Accessory Building (garage)
- There are no oil and gas developments on the land.
- The land is not within the IDP area, so no referral was sent to the Town of Slave Lake.
- The proposed building area is not within the 100-year flood inundation area.

- The application was referred to Alberta Transportation on April 29, 2022. No roadside development permit is required for this application.

**MOTION: MPC 028-22**

Moved by Carol Stockman to approve the modified application for a 38' x 16' Addition to Garage with conditions as listed in the Development Report and attached hereto, amended to include new condition 7.

**CARRIED**

**Brad Gable and  
Stacey Carter  
(22-D-022)**

**Legal Land Information**

Applicant: Brad Gable and Stacey Carter  
Owner: Brad Gable and Stacey Carter  
Development File #: 22-D-022  
Legal Land: Plan 9222524; ; Lot 29 (SE-21-72-5-W5)  
Rural Address: 46 Poplar Estates  
Zoning: Residential Un- Serviced District (RUS)

**Purpose**

To consider development permit application 22-D-022 for a Sea Can 40' X 8' (personal storage).

**General Background**

- The parcel is located in Poplar Lane.
- This lot is not within the IDP area.
- The lot is not in the 1:100 flood inundation area.
- The parcel is 1.26 hectares (3.11 acres).
- The majority of the lot is flat with a few trees throughout the lot.
- The applicant intention is to purchase a new 40' X 8' Sea Can.
- The following was found in the legal file:
  - Compliance Certificate (2011): The lot was in compliance
  - 01-D-072: Single Family Dwelling/Garage (the lot was vacant at application time)
  - 95-D-027: Mobile Home

Lana Spencer recused herself at 3:25 p.m.  
(Conflict of Interest)

**Highlights of discussion included:**

- 9.13.6 issues
- Front yard – clarification on meaning
- Applicant asked to move one inch from edge of house
- 9.13.7 added to condition

**MOTION: MPC 029-22**

Moved by Norm Seatter to approve the application for one (1) Sea Can 40' x 8' with conditions as listed in the Development Report and attached hereto, amended to include the new condition 12.

**CARRIED**

Lana Spencer entered at 3:45 p.m.

**Ted Barnes  
(22-D-028)**

**Legal Land Information**

Applicant: Ted Barnes  
Owner: 1072166 Alberta Ltd.  
Development File #: 22-D-028  
Legal Land: Plan 952 3561; Lot A (NW-13-70-1- W5)  
Rural Address: 10081 Crowwell Rd  
Zoning: Community Facility District (CF)

**Purpose**

To consider development permit application 22-D-028 for *Accessory to Recreation Camp (Shower House) and 2 40' Sea Cans with Arctic Shelter.*

**General Background**

- The parcel is located 11 km from Smith where the Mosquito Lake Resort was located. It is accessed from Crowell Rd.
- The parcel is 48.98 hectares (121.03 acres).
- The Municipal Planning Commission approved the main use for this lot in 2021 for a Recreation Camp called Midnight Sky Outdoor Centre.
- Previous development permits and land use amendments for this lot includes:
  - Development permit S-17(E)-52-83: Campsite development (approved July 29, 1983)
  - Development permit 94-D-76: Campground (refused September 7, 1994 because the land was zoned Agriculture)
  - Development permit 95-D-28: Single family dwelling (approved May 5, 1995)
  - Wellsite approval (April 9, 1996) for license # 0193186
  - Application to rezone the lot from Agriculture to Recreation Facility and Resort District. The land use bylaw amendment was approved December 16, 1998
  - Development permit 98-D-104: Campground (approved January 13, 1999)
  - Development permit 11-D-016: Public utility building (91-metre communication tower). The permit was approved April 8, 2011, an appeal was filed, and the hearing was on May 24, 2011. The tower was not built.
  - 21-D-046 Sea Cans (4 40' and 2 20')
  - 21-D-047 Recreation Camp with 20 cabins and a temporary tent shelter
- The applicant applied for a roadside development permit from Alberta Transportation on March 23, 2022.

**Highlights of discussion included:**

- Previous developments, buildings are on site
- Holding tank concerns
- Possibility of a future lagoon
- Provincial legislation would apply
- Condition to be added – water disposal and supply of water

**MOTION: MPC 030-22**

Moved by Darren Fulmore to approve the application for Accessory Building to Recreation Camp (Shower House) and two 40' Sea Cans with Arctic Shelter with conditions as listed in the Development Report and attached hereto, amended to include new conditions 7 and 8.

**CARRIED**

**SUBDIVISION  
APPLICATIONS**

**Weinrich  
(22-S-02)**

**Legal Land Description**

Applicant: Dawn, Jack, James and Valerie Weinrich  
Owner: Dawn, Jack, James and Valerie Weinrich  
Subdivision File #: 22-S-02  
Legal Land: NE-24-70-1-W5  
Rural Address: This is a vacant lot with no rural address

**Purpose**

To consider subdivision application 22-S-02 for recreation.

**General Background**

- The developer intends to subdivide NE-24-70-1-W5.
- This quarter section has not been subdivided previously.
- This is a fragmented parcel that is "naturally" subdivided by HWY 2A.
- The subdivided parcel has not been developed previously. The entire quarter section is vacant.

- The subdivided parcel is fragmented by a railway line
- There are no Development permits for this lot.
- There is a gas pipeline on the parcel (remnant).

**Highlights of discussion included:**

- Planning and Development requires a response from Alberta Transportation
- Railway – 30m setback
- Confirm meaning of “CLOSED Railway”

**MOTION 031-22**

Moved by Norm Seatter to table the decision for application 22-S-02 until the July 12, 2022, Municipal Planning Commission meeting.

CARRIED

Andrew Jandl  
(22-S-04)

**Legal Land Information**

Applicant: Don Wilsons Surveys  
Owner: Irmgard and Joseph Jandl  
Executor and Trustee: Andrew Brian Jandl  
Subdivision File #: 22-S-04  
Legal Land: SW-3-66-1-W5 and SE-3-66-1-W5  
Rural Address: 12038 TWP RD 660

**Purpose**

To consider subdivision application 22-D-04 for agricultural.

**General Background**

- Joseph and Irmgard Jandl signed a power of attorney appointing Andrew Jandl as their attorney in case of death or becoming infirm/mentally incapable of making reasonable judgments.
- A death certificate was provided for Joseph Jandl. A doctor's note was provided, confirming that Irmgard Jandl lacks capacity to make reasonable judgments with respect to the estate, which brings the power of attorney into effect.
- Andrew Jandl, the executor of the land, wishes to subdivide the parcel as farmers are more interested in buying farmland than dwellings.
- The developer intends to subdivide off a portion of SW-3-66-1-W5 and SE-3-66-1-W5.
- None of the quarter sections have not been subdivided previously.
- The farmstead is located on both parcels.
- Both the subdivided parcel and the remnant is intended for farming. No rezoning is necessary for this subdivision application.
- Development permits for SW-3-66-1—W5:
  - Development Permit 95-D-88: Mobile Radio Communication Tower
- There are no development permits for any of the buildings on the farmstead.

**MOTION 032-22**

Moved by Darren Fulmore to approve the application (22-S-04) to subdivide the parcel with conditions as listed in the Development Report and attached hereto.

CARRIED

ITEMS FOR  
DISCUSSION

**LAND USE BYLAW**

**Highlights of discussion included:**

- Six month follow up since Land Use Bylaw was approved
- Definition of “Front Yard”
- Only Sea Cans
- Accessory building
- Page 139
- Ponds – Geothermal
- Front excavation
- Fire issues

**START TIME**

Commission members agreed to change meetings to the third Tuesday of the month with a start time of 1:00 p.m. effective August 2022.

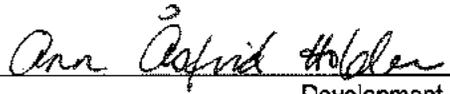
Darren Fulmore exited at 4:36 p.m.

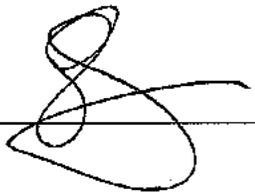
**ADJOURNMENT**

**MOTION: MPC 033-22**

Moved by Lana Spencer to adjourn the meeting at 4:40 p.m.

**CARRIED**

  
\_\_\_\_\_  
Development Authority

  
\_\_\_\_\_  
Chairperson



## Lesser Slave River

**MOTION MPC 030-22**  
**Municipal Planning Commission – June 14, 2022**  
**Attachment to Minutes**

Conditions are as follows:

1. 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. The building height shall not exceed 10.6 meters (34.7 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. The developer is responsible for ensuring that all relevant onsite utilities (water, sewer, telephone, gas, power, etc.) are secure before commencing excavation and construction.
5. The developer must ensure that proper permits are obtained for hauling oversize weight loads on any Municipal Roadway in conjunction with this project. Please contact Shari Spencer at shari.spencer@mdlsr.ca for a road weight control special permit.
6. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
7. **Potable water shall be provided, at the developer's expense to the shower house, and meet Provincial Regulations from a Safety Codes Agency.**
8. **Black-water and grey-water sewage must be disposed of off site at designated dumping stations.**
9. Sea cans shall not be stacked.
10. Where a sea can is visible from a public road and/or neighbouring properties, landscaping, screening and/or fencing shall be required to the satisfaction of the Development Authority. (except in the Heavy Industrial District)
11. The developer shall modify the sea can by installing ventilation.
12. No flammable materials such as gas, solvents and other chemicals shall be stored in the sea cans.
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](http://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.



## Lesser Slave River

**MPC Motion 032-22**  
**Municipal Planning Commission – June 14, 2022**  
**Attachment to Motion**

Conditions are as follows:

- a) That prior to the endorsement the registered owner and/or developer enter into, and comply with the terms and conditions of, a development agreement with the Municipal District of Lesser Slave River pursuant to Section 655 of the Municipal Government Act, which the development agreement may be registered by way of caveat against the subject title. *This Development Agreement may include provisions for electricity, gas, and access approaches to the appropriate lots.*
- b) Pursuant to the Subdivision and Development Regulation, the applicant confirms that the existing sewage disposal system is in compliance with the Alberta Private Sewage Systems Standard of Practice 2015 and amendments thereto. Should the existing system not comply, a new or modified system must be installed. (Please note: a new standard of practice will come into force on November 1, 2022).
- c) Prior to endorsement of an instrument affecting this plan, the landowner pays an off-site levy of \$200 to the Municipal District of Lesser Slave River in accordance with the Municipal District's policies and bylaws.
- d) That land taxes are fully paid prior to final approval (endorsement) of this instrument effecting the subdivision is requested.
- e) This conditional subdivision approval is valid for one year. If the developer cannot complete the conditions in this time frame, the developer shall apply for a subdivision time extension.



## Lesser Slave River

**MOTION MPC 028-22**  
**Municipal Planning Commission - June 14, 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 - 3 meters (9.8 feet) from property line
  - Rear Yard - 0.9 meters (3 feet) from property lineNOTE: The minimum setback of 3 m (9.8 ft) is to ensure that the utility right-of-way is not obstructed.
2. Accessory building height shall not exceed 8 meters (26.3 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. The developer is responsible for ensuring that all relevant onsite utilities (water, sewer, telephone, gas, power, etc.) are secure before commencing excavation and construction.
5. The developer must ensure that proper permits are obtained for hauling oversize weight loads on any Municipal Roadway in conjunction with this project. Please contact Shari Spencer at [shari.spencer@mdlsr.ca](mailto:shari.spencer@mdlsr.ca) for a road weight control special permit.
6. Landowners shall be required to obtain a new development permit from the Development Authority if the accessory building is to:
  - a. become the main building on a lot; or
  - b. contain the primary use on the property.
7. **The developer must keep the natural drainage of the lot. The function of the drainage swale must not be altered.**
8. The developer shall keep site clean and orderly.
9. 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](http://www.firesmartcanada.ca)
10. No other buildings or use are allowed on this lot without municipal authorization.
11. 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.
12. This permit does not excuse any violation of any regulation or act which may affect the proposed project.
13. Any appeal of this decision lies to the Subdivision and Development Appeal Board pursuant to section 685(2.1) of the Act.



## Lesser Slave River

**MOTION MPC 029-22**  
**Municipal Planning Commission - June 14, 2022**  
**Attachment to Minutes**

Conditions are as follows:

1. Must meet minimum setback of:  
Side Yard - 1.2 meters (3.9 feet) from property line  
Rear Yard - 7.5 meters (24.6 feet) from property line  
NOTE: Please see condition 11 - the sea can is not allowed in the front yard. A drawing of what the front yard means is attached to this permit.
2. Accessory building height shall not exceed 8 meters (26.3 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. The developer is responsible for ensuring that all relevant onsite utilities (water, sewer, telephone, gas, power, etc.) are secure before commencing excavation and construction.
5. The developer must ensure that proper permits are obtained for hauling oversize weight loads on any Municipal Roadway in conjunction with this project. Please contact Shari Spencer at shari.spencer@mdlsr.ca for a road weight control special permit.
6. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
7. Sea cans shall be used as an accessory structure for storage purposes only, unless the sea can has been transformed to meet the Alberta Building Code and any applicable Safety Code standard.
8. Sea cans shall not be located in the regulated setback areas in any district.
9. Sea cans shall not be stacked.
10. Where a sea can is visible from a public road and/or neighbouring properties, landscaping, screening and/or fencing shall be required to the satisfaction of the Development Authority.
11. Sea cans shall not be allowed in any front yard.
12. **Sea cans shall be painted and/or sided to complement the principal building on site, to the satisfaction of the Development Authority.**
13. The developer shall modify the container by installing ventilation that allows vapours to dissipate.
14. The developer shall keep site clean and orderly.
15. 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](http://www.firesmartcanada.ca)
16. No other buildings or use are allowed on this lot without municipal authorization.

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23. 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.
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