

# ***MINUTES***

## **Municipal Planning Commission Meeting**

**December 12, 2022**  
**MD Council Chambers**

### **MEMBERS PRESENT**

Lana Spencer  
Kenneth Caissie  
Darren Fulmore  
Terry Kristoff  
Norman Seatter  
Carol Stockman

Commission Member (Chair)  
Commission Member  
Commission Member  
Commission Member  
Commission Member  
Commission Member

### **IN ATTENDANCE**

Ann Holden  
Jillian Bishop  
Bryan Luff  
Viola Luff

Development Authority, MDLSR  
Recording Secretary, MDLSR  
Applicant  
Applicant

### **CALL TO ORDER**

Lana Spencer called the meeting to order at 1:27 p.m.

### **ADOPTION OF AGENDA**

#### **MOTION: MPC 069-22**

Moved by Darren Fulmore to adopt the December 12, 2022 Municipal Planning Commission Agenda as presented.

**CARRIED**

### **ADOPTION OF MINUTES**

#### **MOTION: MPC 070 -22**

Moved by Norm Seatter to adopt the November 15, 2022, Municipal Planning Commission Meeting Minutes as amended.

- On page 1, change each individual member differentiation to 'commission member'
- On page 1, remove 'Deputy Reeve' preceding 'Lana Spencer'

**CARRIED**

### **DEVELOPMENT APPLICATIONS**

#### **22-D-060**

Applicant: Bryan Luff  
Owner: same  
Development File #: 22-D-060  
Legal Land: Plan 4970MC; Block 9; Lot 8 (SW-23-71-1-W5)  
Rural Address: 1006 9 Ave  
Zoning: Residential Serviced District (RS)

Purpose: To consider development permit application 22-D-060 for Sea Can 40' x 8' (personal storage) – **Variance of lot size – Temporary (until December 31, 2023).**

#### **General Background**

- The parcel is located in the hamlet of Smith.
- The lot is 24395 sq. ft. (0.56 acres).
- The applicant already bought the sea can prior to submitting an application for development permit, and he had not added it to the lot at the time they submitted the application; however, the sea can was on its way.
- They had made the assumption that sea cans were allowed as other properties in the vicinity had one.
- Previous development permits for this lot includes:
  - Development permit 09-D-054; Manufactured Home
- This lot was one of the many lots owed by the province in Smith (Department of Energy and Natural Resources). The subdivision plan was registered at the land titles office in 1962. The lot was sold to a private landowner in 2005. Before 2005, the lot was rented to residents for \$15 + property taxes. In 1975 permission was granted for a renter to occupy and use the land for the purpose of "residence." Property taxes were collected from 1976. The land use permit was cancelled in 1983 and improvements allegedly removed in 1984, but administration was unable to confirm the exact date. Improvement levies were paid by the Department of Energy and Resources from 1987.

Discussion was held about the following:

- Size of lot and requirements for having a sea can
- Need for sea can to be screened and conform to rest of neighbourhood
- Use of the sea can on a temporary basis
- Future plans for improvements
- The size requirements for accessory buildings

**MOTION: MPC 071-22**

Moved by Norm Seatter to approve temporary 1 year development permit application 22-D-060 for **Sea Can 40' x 8' (personal storage) – Variance of lot size – Temporary (until December 31, 2023)** with the conditions as attached to the report.

**CARRIED**

Bryan and Viola Luff left @ 2:11pm.  
Norm Seatter left @ 2:12pm.  
Norm Seatter returned @ 2:13pm.

**SUBDIVISION  
APPLICATION**

**22-S-05**

**Legal Land Information**

Applicant: Karen Plourde  
Owner: same  
Development File #: 22-S-05  
Legal Land: SE-22-71-1-W5 and 5454NY;;B  
Rural Address: 702 17 St

**Purpose:** To consider subdivision permit application 22-S-05.

Proposed Motion: Move to Conditionally approve **Subdivision Application 22-S-05** with the following conditions.

- 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. That the area to be added to lot is rezoned to Residential Serviced (RS) prior to endorsement.
- c. That land taxes are fully paid prior to final approval (endorsement) of this instrument effecting the subdivision is requested.
- d. 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.

**General Background**

- The developer intends to change the lot lines so that the portion of SE-22-71-1-W5 north of the rail line is consolidated with 5454NY;; B.
- The owner bought the lot to the south for privacy purposes. They only need the part of the parcel north of the railway to ensure nobody builds too close to their dwelling.
- No development permits were found in the legal files for the improvements.

Discussion was held about the following:

- The need for an approach on the newly subdivided lot
- CN recommendations and requirements
- SE-22-71-1-W5 will continue to be undeveloped under the current owner



**MOTION: MPC 072-22**

Moved by Norm Seatter to approve Subdivision Application 22-S-05 with the amended conditions as attached to the report. Add condition:

- e) The approach on SE-22-71-1-W5M lot, does not have to be completed at the time of subdivision.

**ROUNDTABLE**

**CARRIED**

Discussion was held about the following:

- Questions about previous applications that were postponed (gas bar, sandblasting)
- Various properties operating a business without proper development permit
- Enforcement requirements for illegal developments
- Limiting the number of extensions on development permits that aren't completed in a year
- The need for a main building before adding an accessory building
- The possibility of having different fees depending on when development permit is obtained (before or after building commences)
- Requesting a report from Bylaw Officer for major infractions on properties
- Update request for training from Nick Pryce on how to use the Land Use Bylaw

**ADJOURNMENT**

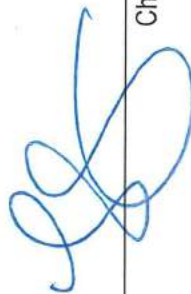
**MOTION: MPC 073-22**

Moved by Darren Fulmore to adjourn the meeting at 3:13pm.

**CARRIED**

The Next Municipal Planning Commission meeting is January 17, 2023 at 1:30pm.

  
Development Authority

  
Chairperson