

MINUTES

Municipal Planning Commission Meeting April 18, 2023 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 Harold Poyser Karen Cadieux Trina Whittle Barrie & Shareen Deschover Dawn Durocher	Development Authority, MDLSR Landowner Attendee Applicant (Virtually) Attendees Recording Secretary, MDLSR
CALL TO ORDER	Lana Spencer called the meeting to order at 1:27 p.m.	
CALL FOR OBJECTIONS	23-D-008 – Barrie Deschover perceives Commission Member Ken Caissie to have a personal bias. It was requested that K.Caissie not be present during the presentation of 23-D-008. Commission Member Caissie opposed to the applicant’s objection.	
ADOPTION OF AGENDA	<u>MOTION: MPC 013-23</u> Moved by Norm Seatter to adopt the April 18, 2023 Municipal Planning Commission Agenda.	CARRIED
ADOPTION OF MINUTE	<u>MOTION: MPC 014 -23</u> Moved by Darren Fulmore to adopt the March 14, 2023, Municipal Planning Commission Meeting Minutes as amended. - Change “Amendments” to “Discussions” regarding the Land Use Bylaw	CARRIED
DEVELOPMENT APPLICATIONS		
23-D-003	Applicant: Curtis Albach for Fawcett Lakeside Developments Inc. Development File #: 23-D-003 Legal Land: NE-12-73-26-W4 Rural Address: 731024 RGE RD 260 Zoning: Community Facility District (CF). Plans: Fawcett Lakeshore Management Plan 1990, Big Bend Sub-Regional Integrated Resource Plan	
	Purpose To consider development permit application 23-D-003 for Archery Shooting Range for seasonal and recreational use. The archery shooting range would add to the amenities of the Fawcett Lake Resort.	
	Background <ul style="list-style-type: none">• The parcel is located by Fawcett Lake.• The campground started on land leased in 1979 from Energy and Natural Resources.• The land was sold to the campground operators in 1986.• The lot is noted as private property in the Fawcett Lakeshore Management Plan 1990, and therefore the land is excluded from the plan’s objectives and guidelines.• Big Bend: the plan has no jurisdiction over patent land.• In 1997, Fawcett Lake Resort ATV club applied to close and buy the road that is now the main road leading into the resort. The	

road closure bylaw was passed in 1998. To mitigate the effect on the road closure (access to the lake), Fawcett Lakeside Developments built the boat launch on SE-12-73-26-W4 for the municipality.

- Over 24 development permits and around 10 appeals were found in the legal file for this lot. All development permits are from the time before the land received bareland condominium approval and none of the development permits are for the lot where the proposed development is going.
- Lease no 869 – municipal lease (land leased since 1979)
- Miscellaneous lease application no. 960082 for a campground
- Fawcett Lake Resort is on a condominium plan, however all the units are owned by Fawcett Lakeside Developments Inc., so no board decision is needed to approve a development.

Application Details

- The application is for an archery shooting range and signage.
- The purpose is to add an amenity to the resort.
- The developer wishes to ensure that archery activities are done in a safe spot outside the living areas of the resort.
- The target stand will be at the north end of the shooting lane. There is a 20ft bank behind the shooting stand.
The target stand will be two 10 ft posts with a 10 ft cross beam to be used by archers to hang a personally owned target.
- Shooting can be done up to 55 m (60 yd) from the target.
- Signage containing the rules at the archery range.
- An existing parking area is located adjacent to the proposed archery shooting range.
- The application was referred to internal agencies March 31, 2023.
- No letters were sent to adjacent landowners as there are none.

Discussion was held about the following:

- Development description “Archery Shooting Range” or just “Shooting Range” to enable the applicant to include pellet guns as well
- Safety for hikers & campers
- Other Approvals

MOTION: MPC 015-23

Moved by Darren Fulmore to approve Development Permit **23-D-003 Archery Shooting Range** with the conditions as per the report.

CARRIED

Ken Caissie left at 1:54PM

23-D-007

Applicant: Drew Deschover
Owner: Discover Bros Ltd
Development File #: 23-D-007
Legal Land: NE-22-72-5-W5
Rural Address: 723045 Eating Creek Way
Zoning: Agricultural District (A).

Purpose

To consider development permit application **23-D-007** for **Sea Cans (3)** for storage purposes.

Background

- The parcel is located to the east of Eating Creek Way.
- The parcel is 62.25 hectares (153.95 acres).
- The parcel is currently used for sandblasting. It also contains oil and gas developments.
- Previous development permits and land use amendments for this lot includes:
- Development permit 21-D-049: Accessory Building

- Development permit 22-D-010: General Commercial Services (Maintenance Shop) - Refused
- Development permit 23-D-001: Home Occupation – up to three (3) employees onsite, (similar use): Sandblasting Operation

Application Details

- The use of the sea cans is for storage purposes.
- The sea cans are not located in the setback area.
- The sea cans are/will be visible from the road, therefore screening and/or fencing will be required.
- Sections 9.13.6, 9.13.7 and 9.13.8 of the Land Use Bylaw does not apply to this application as it is in the agricultural district.
- Adjacent landowner letters were sent March 24, 2023.
- The file was reviewed by staff from multiple departments March 31, 2023.

Discussion was held about the following:

- Screening of Sea Cans

MOTION: MPC 017-23

Moved by Carol Stockman to approve Development Permit **23-D-007** for **Sea Cans (3)** with the conditions as per the amended report.

- Add ventilation system to the Sea Cans

CARRIED

Barrie & Shareen Deschover left at 2:04PM

Ken Caissie returned at 2:05PM

23-D-008

Applicants: Perry and Trina Whittle

Development File #: 23-D-008

Legal Land: Plan 3363Rs; Block 1; Lot 8 (SW-19-75-6-W5)

Rural Address: 10 Marten Dr

Zoning: Residential Un-serviced District (RUS)

Purpose

To consider development permit application **23-D-008** for **Dwelling Single-Detached (Variance from 7.5 m to 2.4 m to side yard setback distance) and Accessory Building: Garage (Variance from 7.5 ft to 3 m to front yard setback distance).**

Background

- The parcel is located in Marten Beach.
- The parcel is acres 0.15 hectares (0.36 acres).
- The developers are asking for a variance for the side yard of the dwelling from 24.6 ft side yard to 8 ft and a variance for the garage from 24.6 ft front yard to 10 ft.
- The dwelling requires a 67 % decrease of the setback from the side yard and the garage requires a 59 % decrease from the front yard.
- There are no previous development permits for this lot.
- 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 a 100-year flood inundation area.

Application Details

- The proposed dwelling, a 52' X 30' RTM, meets the setback distances for the front and rear yard setback distances, but need a variance from the side yard setback distance.
- The proposed accessory building, an 832 sq. ft. garage, meets the rear and side yard setback distance, but need a variance from the front yard.
- The proposed site coverage of this lot is 2448 sq. ft which is approximately 15% lot. This coverage does not include driveways and other hard surfaces without buildings.
- Adjacent landowner letters were sent March 30, 2023.

- The file was reviewed by staff from multiple departments March 31, 2023

Discussion was held about the following:

- Accessory Building in the front yard.
- Apply for a breezeway.
- Unless the variance is more than 10% an amended application is a permitted use.
- Apply for a new permit with the fee waived.
- Minimum lot size is 1860 m² or 20,021 ft².

MOTION: MPC 018-23

Moved by Norm Seatter to refuse Development Permit **23-D-008** for **Dwelling Single-Detached (Variance: side yard from 7.5 m to 2.4 m and Accessory Building: Garage (Variance from 7.5 m to 3 m front yard setback distance)**
CARRIED

Ken Caissie Left at 2:51PM
Ken Caissie returned at 2:53PM

23-D-013

Applicant: Marc Daniels
Development File #: 23-D-013
Legal Land: Plan 0125444; Block 1; Lot 4A (NE-20-72-5-W5)
Rural Address: 54028 Poplar Lane
Zoning: Residential Un-Serviced District (RUS)

Purpose

To consider development permit application **23-D-013** for the purpose of **Heavy Truck Storage, Personal – greater than one (1) unit: 1 log truck, 1 skidder, 1 buncher, 1 processor, and 1 grader.**

Background

- The parcel is located on Poplar Lane Rd, 300 m from Poplar Drive.
- The parcel is 3.99 hectares (9.86 acres).
- The parcel is currently used for residential purposes with equipment stored on site. The development on the lot consists of a dwelling, a garage, a shop, a tent garage, sea cans and a shed.
- Previous development permits and land use amendments for this lot includes:
 - Development permit 04-D-020 – Revised permit: Single Family Dwelling (variance: side yard setback).
 - Development permit 07-D-035 – Accessory Building (garage), the development permit application was to replace the garage and add a tent shop. The garage was approved, but not the tent shop which exceeded the size allowed in the land use bylaw. The applicant appealed the development authority's decision. The SDAB revoked the decision, and the applicant was allowed to proceed with the 42' X 60' tent shop.
- 10-D-105 – three portable storage units.

Application Details

- The applicant wants to park a log truck, skidder, buncher, processor, and grader on the lot.
- The applicant wants to run a business from the lot and wants to ensure that they can use the lot for their intended purpose.
- The applicant is accessing the lot from Poplar Lane Rd via Poplar Drive or Poplar Lane Rd via West Mitsue Industrial Rd.
- The applicant plans to park the log truck and equipment behind the shop on the north end of the lot.
- The neighbors have trees on the lot that screen the development from view. This screening would allow the applicant to plant their own trees/hedge to screen the development.

- The operator will park an 8-axle diesel truck in the summer months and a 7-axle truck in the wintertime. (It is the same truck).
 - The truck will be empty most of the time, however, it will be loaded on some trips. The loads will be up to 63,000 kg when the truck has 8 axles and up to 54,300 kg when the truck has 7 axles.
 - The truck will leave and return once per day, on average 5 times per week.
 - The equipment, skidder, buncher, processor, and grader, will only be parked on the lot and the application does not include the usage of the equipment on 0125444; 1; 1.
 - Adjacent landowner letters were sent April 4, 2023.
 - The file was reviewed by staff from multiple departments March 31, 2023.
- Discussion was held regarding the need for a Development Permit for –Home Occupation - Up to 3 Employees

MOTION: MPC 019-23

Moved by Norm Seatter to approve Development Permit # **23-D-013** for **Heavy Truck Storage, Personal – greater than one (1) unit: Up to five (5) units** with the conditions as per report.

CARRIED

Harold Poyser left at 3:42PM
Karen Cadieux left at 3:42PM
Carol Stockman left at 3:44PM
Norm Seatter left at 3:44PM
Carol Stockman returned at 3:45PM
Norm Seatter returned at 3:46PM

23-D-006

Applicants: Marcel Baril and Richard Torkelson
Development File #: 23-D-006
Legal Land: Plan 1864ET; Block D; Lot 8 (SE-32-73-7-W5)
Rural Address: 735010 Widewater Dr
Zoning: Residential Serviced District (RS).

Purpose

To consider development permit application **23-D-006** for the purpose of **Heavy Truck Storage, Personal – up to one (1) unit**.

Background

- The parcel is located at the intersection of Widewater Dr and Southshore Dr E.
- The parcel is 39013 sq. ft. (0.9 acres).
- The parcel is currently used for residential purposes. The development on the lot consists of a dwelling and a small shed.
- Previous development permits and land use amendments for this lot includes:
- Development permit S-17(E)-34-88 – Mobile Home
- The mobile home is no longer on the lot.

Application Details

- The applicant wants to park a log truck near his residence. This would save him approximately one hour travel time to and from work.
- The applicant is accessing the lot either via Southshore Drive East (from the west end) or via Widewater Drive.
- The applicant plans to park the log truck on the north side of the dwelling, 8 m from the front yard, and 7.5 m from the rear and side yards.
- The operator will park a 6-axle truck in the summer months and add a trailer to an 8-axle truck in the wintertime.
- Adjacent landowner letters were sent March 30, 2023.
- The file was reviewed by staff from multiple departments March 31, 2023.

Discussion was held about the following:

- The cumulative effect in the neighborhood.
- The safety issue of backing out of the drive.

- The proposed route vs the suggested route.

MOTION: MPC 016-23

Moved by Carol Stockman to refuse Development Permit # **23-D-006 Heavy Truck Storage – Personal up to one (1) unit** as the noise & visual Impact, cannot be mitigated due to the lot size.

CARRIED

23-S-01

Applicant: Marvin Schneider, executor for
Owner: Ulrich Sigmund Schneider
Subdivision File #: 23-S-01
Legal Land: SE-27-65-2-W5
Rural Address: 22032 TWP RD 654

Parcel Zoning & Land Use Planning

Existing Land Use: Residential and agricultural land
Proposed Land Use: No change.

Zoning: agriculture (A)

Change: The proposed 4.04 ha (10 ac) lot needs to be rezoned to Residential Un-Serviced from Agricultural District

Municipal Development Plan: Agriculture Area

Area Structure Plan: N/A

Intermunicipal Development Plan: N/A

Other Plans: Big Bend Integrated Resource Plan, White Area

Existing Parcel Area SE 63.59 ha 157.23 ac

New Parcel Area Lot 1 +/- 4.04 ha +/- 10 ac

New Parcel Area Lot 2 29.8 ha 73.6 ac

New Parcel Area Remainder +/- 29.8 ha +/- 73.6 ac

Background Information

- The purpose of the subdivision is to settle the estate and separate the farmstead and divide the remainder in two for farming purposes.
- The lot has a farmstead and is actively farmed.
- There is an abandoned pipeline on the property.
- The farmstead has natural gas services.
- Adjacent uses:
 - North: one full quarter section without farmstead, one farmed quarter section with the farmstead separated off.
 - East: There are four parcels of land between the subject property and the Pembina River. Apart from the cemetery, these lots are mostly treed. One of the lots is a grazing lease.
 - South: The lots are cultivated, with trees along the property lines.
 - West: Full quarter section with a farmstead. The area surrounding the farmstead is treed.
- Existing buildings: A dwelling and various outbuildings.
- Development permits for this lot includes: 94-S-93 Mobile Home

Discussion was held about the following:

- Alberta Environment response to the pond in the middle of the property line.
- Lot size can not mitigate the visual impact and noise levels.

MOTION: MPC 020-23

Moved by Norm Seatter to approve Subdivision Application # **23-S-01** with conditions as per the report.

CARRIED

ROUNDTABLE

Discussion was held about the following:

- Amendments to the Land Use Bylaw – Sea Cans
- Land Use Bylaw requires a review.
- Schedule of fees. Bond of \$10,000.00 was suggested for accessory buildings built prior to a dwelling.

ADJOURNMENT

MOTION: MPC 021-23

Moved by Darren Fulmore to adjourn the meeting at 4:18PM.

CARRIED

The Next Municipal Planning Commission meeting is May 16, at 1:30pm.

Development Authority

Chairperson