

MINUTES

Municipal Planning Commission Meeting
July 16, 2024, 1:30 p.m.
MD Council Chambers

MEMBERS PRESENT Lana McCann Commission Member (Chair)
Norm Seatter Commission Member (Vice Chair)
Brad Pearson Commission Member
Becky Peiffer Commission Member
Debbie Parsons Commission Member
Carol Stockman Commission Member (via teams)

MEMBERS ABSENT Darren Fulmore Commission Member

IN ATTENDANCE Samantha Dyck Development Authority, MDLSR
Ann Åsfrid Holden Development Authority, MDLSR
Rudolf Liebenberg Director Development, MDLSR
Liz Krumes Recording Secretary, MDLSR
Vicki Jones Applicant
Tim Jones Applicant
Chris Rose Applicant
Larry Willis Applicant
Audrey Emes Realtor agent
Susan Mulrooney Applicant (via teams)
Jamie Mulrooney Applicant (via teams)
Joe McWilliams Lakeside Leader (via teams)

CALL TO ORDER Chair L. McCann called the meeting to order at 1:30 p.m.

INTRODUCTIONS Introduction of Susan Mulrooney and James Mulrooney on teams.

ADOPTION OF AGENDA **MOTION: MPC 025-24**
Moved by N. Seatter to adopt the July 16, 2024, Municipal Planning Commission Agenda as presented.

CARRIED

ADOPTION OF MINUTES **MOTION: MPC 026-24**
Moved by D. Parsons to adopt the June 18, 2024, Municipal Planning Commission Meeting Minutes as presented.

CARRIED

DEVELOPMENT APPLICATIONS

24-D-020 Applicant: Mary Arbeau

Development File #: 24-D-020 (Accessory Building to a Discretionary Use)
Legal Land: Plan 152 5303, Block 2, Lot 3 (NW-3-73-4-W5M)
Rural Address: 6, 42049B Old Smith Hwy
Zoning: Light Industrial

MOTION: MPC 027-24

Moved by N. Seatter that the Municipal Planning Commission approve Development Permit 24-D-020 for an ACCESSORY BUILDING to the Dwelling, Live Work Unit subject to the following conditions.

1. Must meet minimum setback of:
 - Front Yard - 7.5 meters (24.6 feet) from property line
 - East Side Yard - 7.5 meters (24.6 feet) from property line
 - West Side Yard - 7.5 meters (24.6 feet) from property line
 - Rear Yard - 7.5 meters (24.6 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. 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.
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. If an accessory building is constructed under the provision of subsection 8.1.3 and a main building or use is not developed within one (1) year of the issued development permit, the landowner shall be required to remove the accessory building unless an extension to the development permit has been granted by the Development Authority.
5. In all the districts, no accessory building may be built on a lot before a main building or main use is developed on the lot, except where:

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- a) an approved main building or use is developed on the lot within one (1) year of the date of issue of the development permit for the accessory building;
or
 - b) the main building exists on an adjacent lot where the developer holds titles for both lots. If there is a title change for either lot, then the landowner of the lot with the accessory building shall remove the accessory building or develop a main building on the lot within one (1) year from the date of title change of either lot. The Development Authority shall register against the title this requirement when these circumstances arise.
6. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
 7. No other buildings or use are allowed on this lot without municipal authorization.
 8. The developer must obtain any and all necessary permits and approvals from any and all other regulatory bodies which may have jurisdiction over this proposal.
 9. The developer is responsible for ensuring that all relevant onsite utilities (water, sewer, telephone, gas, power, etc.) are secure before commencing excavation and construction.
 10. The developer shall keep the site clean and orderly.
 11. 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.
 12. The Development Permit is valid for a 12-month period starting from the Date of Decision.
 13. Any appeal of this decision lies to the Land and Property Rights Tribunal pursuant to section 685(2.1) of the Act.
 14. 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.
 15. 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.

16. This permit does not excuse any violation of any regulation or act which may affect the proposed project.

CARRIED

24-D-023

Applicant: Chad Caron
Development File #: 24-D-023 (Dwelling, Single-Detached)
Legal Land: SW-5-73-5-W5M
Rural Address: 730005 Range Rd 55
Zoning: Agriculture (A)

MOTION: MPC 028-24

Moved by B. Pearson that the Municipal Planning Commission approve Development Permit 24-D-023 for DWELLING, SINGLE-DETACHED with the following conditions:

1. Must meet minimum setback of:
Front Yard - 20 meters (65.6 feet) from property line
Side Yard - 7.5 meters (24.6 feet) from property line
Rear Yard - 15 meters (49.2 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. All modular homes must have the appropriate provincial and/or federal certification. If a particular modular home has been damaged or structurally altered, the modular home shall be certified as safe by an accredited engineer.
4. 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.
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.

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6. 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.
 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. 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 the MD Transportation Department at info@mdlr.ca for a road weight control special permit.
 9. Approaches/accesses to any development shall follow the MD's Approach Construction Guidelines and Municipal Servicing Standards.
 10. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
 11. 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: the
 - a. 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.
 12. The developer is required to raise the elevation of the building. The lowest entry point for the dwelling is to be 581 metres above sea level. The required elevation may be achieved by engineered landfill or structural elevation.

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13. A certificate of lot grades 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, is in accordance with the approved development permit application or any conditions of approval of that application.
 14. The developer shall keep site clean and orderly.
 15. No other buildings or use are allowed on this lot without municipal authorization.
 16. The developer is encouraged to FireSmart buildings and properties to guard against wildfires. For more information, go to <https://livefiresmart.ca/> OR <https://firesmartcanada.ca/>.
 17. The Development Permit is valid for a 12-month period starting from the Date of Decision.
 18. The development shall not commence until 21 days after the Date of Decision.
 19. 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.
 20. The developer must obtain any and all necessary permits and approvals from any and all other regulatory bodies which may have jurisdiction over this proposal.
 21. This permit does not excuse any violation of any regulation or act which may affect the proposed project.
 22. 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.
 23. 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.

24. Any appeal of this decision lies to the Land and Property Rights Tribunal pursuant to section 685(2.1) of the Act.

CARRIED

24-D-025

Applicant: Chad Caron
Development File #: 24-D-025 (Discretionary Use – Home Occupation – up to three (3) employees on site (simulated golf) and Eating and Drinking Establishments)
Legal Land: SW-5-73-5-W5M
Rural Address: 730005 Rge Rd 55
Zoning: Agriculture (A)

MOTION: MPC 029-24

Moved by N. Seatter that the Municipal Planning Commission approve Development Permit 24-D-025 for HOME OCCUPATION – UP TO THREE (3) EMPLOYEES ON-SITE (SIMULATED GOLF) AND EATING & DRINKING ESTABLISHMENTS with the following conditions:

1. A home occupation is no longer considered a home occupation if it changes the character or becomes the main use of the parcel.
2. A maximum eight (8) business visits per day are permitted unless a greater number is approved by the Development Authority.
3. Home occupations shall not involve activities that use or store hazardous material in quantities exceeding those found in a normal household; or
4. Prior to the commencement of the use, 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 new use shop to ensure the building is suitable for the use. The developer shall contact certified building inspectors to obtain all relevant permits and upon issuance, shall provide a copy to the Municipal District immediately.
5. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
6. Landowners shall be required to obtain a new development permit from the Development Authority if the accessory building is to: become the main building on a lot; contain the primary use on the property.

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7. No parking on municipal roads is permitted in the MD unless explicit consent has been provided by the MD. When accessing the need for on-site parking, applicants shall assume that no parking is permitted on municipal roads.
 8. The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighboring landowners.
 9. The following noise levels (decibel level, dBA) should not be exceeded when measured from the exterior to a residential dwelling, hospital or school:
45dBA between 7am and 7pm
35dBA between 7pm and 7am
 10. If the use of the building is intensified or expanded, the parcel of land must be rezoned to a suitable land use district.
 11. The developer shall keep site clean and orderly.
 12. No other buildings or uses are allowed on this lot without municipal authorization.
 13. The developer must obtain any and all necessary permits and approvals from any and all other regulatory bodies which may have jurisdiction over this proposal.
 14. This permit does not excuse any violation of any regulation or act which may affect the proposed project.
 15. The development shall not commence until 21 days after the Date of Decision.
 16. The Development Permit is valid for a 12-month period starting from the Date of Decision.
 17. 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.
 18. 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.

19. 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.
20. Any appeal of this decision lies to the Land and Property Rights Tribunal pursuant to section 685(2.1) of the Act.

CARRIED

Chris Rose left at 2:10 pm

**SUBDIVISION
APPLICATIONS**

22-S-03

Applicant: Timothy & Vicki Margaret Jones
Owner: Timothy & Vicki Margaret Jones
Subdivision File #: 22-S-03
Legal Land: NW-24-69-25-W4M
Rural Address: no rural address

MOTION: MPC 030-24

Moved by B. Pearson that the Municipal Planning Commission approve the entire Subdivision **24-S-03** encompassing Phase 1 and Phase 2 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) Prior to endorsement of this plan, the road and approaches to all parcels shall be constructed at the owner's and/or developer's expense and to the specifications and satisfaction of the Municipal District of Lesser Slave River No. 124 Transportation Department.
- c) Road names and signage as per the municipal policy at the developer's expense.
- d) Electricity is made available for the lots.
- e) Prior to registration of the plan:
 - i. The required stormwater management facility is constructed to provincial specifications with erosion measures in place, minimum 24-hour retention time, and 0.3 m freeboard.
 - ii. Water Act approval for outfall structures
 - iii. The MD may need to acquire a DLO for the outfall structure. Any costs associated with an application are to be paid for by the applicant.

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- f) Caveat shall be registered concurrently with the plan of subdivision by means of a restrictive covenant for cistern use only.
 - g) Prior to endorsement of an instrument affecting this plan, the landowner pays an off-site levy of \$200 per lot (\$1,600) to the Municipal District of Lesser Slave River in accordance with the Municipal District's policies and bylaws.
 - h) That land taxes are fully paid prior to final approval (endorsement) of this instrument affecting the subdivision is requested.
 - i) 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.

CARRIED

Vicki Jones and Tim Jones left at 2:31 pm

24-S-01

Applicant: Wendy Barton
Owner: Lawrence & Rhonda Willis and Wendy Barton
Subdivision File #: 24-S-01
Legal Land: Plan 0740062; Block 1; Lot 1 (NE-21-73-8-W5M) and NE-31-73-8-W5M
Rural Address: 85035 TWP RD 740 & 85037 TWP RD 740

MOTION: MPC 031-24

Moved by N. Seatter that the Municipal Planning Commission approve the Subdivision application **24-S-01** 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) Prior to endorsement of this plan, approaches to both parcels shall be constructed at the owner's and/or developer's expense and to the specifications and satisfaction of the Municipal District of Lesser Slave River No. 124 Transportation Department.
- c) 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 2021 and amendments thereto. Should the existing system not be in compliance a new or modified system must be installed.
- d) That part of proposed Lot 1 of 2.57 ha (6.35 ac) is rezoned to Residential Un-Serviced (RUS) and part of Lot 2 is rezoned to Agriculture to follow the amended lot lines prior to endorsement.

- e) That land taxes are fully paid prior to final approval (endorsement) of this instrument affecting the subdivision is requested.
- f) 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.

CARRIED

Larry Willis left at 2:40 pm

24-S-05

Applicant: Don Wilson Surveys Ltd.
Owner: Karen & Leslie Emes (Deceased) Care of Scott Emes
Subdivision File #: 24-S-03
Legal Land: 172 2452; Block 2; Lot 1 (SW-27-73-7-W5M)
Rural Address: 72062 Hwy 2

MOTION: MPC 032-24

Moved by B. Peiffer that the Municipal Planning Commission approve the Subdivision application **24-S-03** 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) Prior to endorsement of this plan, approaches to both parcels shall be constructed at the owner's and/or developer's expense and to the specifications and satisfaction of the Municipal District of Lesser Slave River No. 124 Transportation Department.
- c) 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 2021 and amendments thereto. Should the existing system not be in compliance a new or modified system must be installed.

Audrey Emes left at 2:41 p.m.

- d) That the proposed Land Use Amendment from Urban Reserve (UR) to Light Industrial District (LI) District of Lot 1 which is 3.32 ha (8.20ac) receives third reading prior to endorsement.
- e) That taxes are fully paid when final approval (endorsement) of the instrument affecting the subdivision is requested.
- f) 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.

CARRIED

24-S-06

Applicant: Jamie & Susan Mulrooney
Owner: Richard & Judy McKnight
Subdivision File #: 24-S-03
Legal Land: SW-19-65-26-W4M

MOTION: MPC 033-24

Moved by D. Parsons that the Municipal Planning Commission approve the Subdivision application **24-S-06** 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) Prior to endorsement of this plan, approaches to both parcels shall be constructed at the owner's and/or developer's expense and to the specifications and satisfaction of the Municipal District of Lesser Slave River No. 124 Transportation Department.
- c) 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 be in compliance a new or modified system must be installed.
- d) 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.
- e) That land taxes are fully paid prior to final approval (endorsement) of this instrument affecting the subdivision is requested.
- f) 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.

CARRIED

ROUNDTABLE

- B. Pearson – LUB amendments coming up with a survey
- C. Stockman – Wetlands questions

ADJOURNMENT

MOTION: MPC 034-24

Moved by C. Stockman to adjourn the meeting at 3:22 p.m.

CARRIED

The next Municipal Planning Commission meeting is on **Tuesday, August 20, 2024, at 1:30 p.m.**

Development Authority

CHAIR