

MINUTES

Municipal Planning Commission Meeting
August 20, 2024, 1:30 p.m.
MD Council Chambers

MEMBERS PRESENT Lana McCann Commission Member (Chair)
Brad Pearson Commission Member
Becky Peiffer Commission Member
Debbie Parsons Commission Member
Darren Fulmore Commission Member
Carol Stockman Commission Member

MEMBERS ABSENT Norm Seatter Commission Member (Vice Chair)

IN ATTENDANCE Samantha Dyck Development Authority, MDLSR
Ann Åsfrid Holden Development Authority, MDLSR
Rudolf Liebenberg Operational Director, MDLSR
Liz Krumes Recording Secretary, MDLSR
Ryan Packolyk Applicant
Darin Busk Applicant
Lana Daniels Applicant
Marc Daniels Applicant
Taylor Daniels Applicant
Mike Daniels Applicant
Gail Jaburek Adjacent Landowner
Elwin & Norma Whyte Applicant

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

INTRODUCTIONS

ADOPTION OF AGENDA **MOTION: MPC 035-24**
Moved by B. Pearson to adopt the August 20, 2024, Municipal Planning Commission Agenda as presented.

CARRIED

ADOPTION OF MINUTES **MOTION: MPC 036-24**
Moved by D. Fulmore to adopt the July 16, 2024, Municipal Planning Commission Meeting Minutes as amended: 1) Dan Rose in attendance added, 2) Page 11: change to 24-S-05 and Page 12 change to 24-S-06.

CARRIED

CLOSED SESSION **MOTION: MPC 037-24**
Moved by D. Parsons to go into Closed Session at 2:51 pm. as per the following Sections of the FOIP Act with Chair McCann, Director of Planning & Development, Utilities & Protective Services Liebenberg, Planning & Development Officers Holden & Dyck, and Recording Secretary Krumes.

Section 16 Disclosure harmful to a business interest of a third party
Section 17 Disclosure harmful to personal privacy

CARRIED

- Development Permits were discussed

OPEN SESSION

MOTION MPC 038-24

Moved by B. PEIFFER to return to Open Session at 3:35 p.m.

CARRIED

**DEVELOPMENT
APPLICATIONS**

24-D-024

Applicant: 24-D-024 Marc Daniels (M&M Logging Inc.)
Development File #: 24-D-024 Discretionary Use - Heavy Truck Storage,
Personal - greater than one (1) unit: up to ten (10)
units, office, and three (3) sea cans
Legal Land: Plan 0125444; Block 1; Lot 4A (NE-20-72-5-W5M/SE-
29-72-5-W5M)
Rural Address: 54022 Poplar Lane
Zoning: Residential Un-Serviced (RUS) District

MOTION: MPC 039-24

Moved by D. Parsons that the Municipal Planning Commission REFUSE Development Permit Application 24-D-024 for Heavy Truck Storage, Personal – greater than one (1) unit: up to ten (10) units, office, and three (3) sea cans for the following reasons: 1. the operation of Heavy Truck Storage, Personal – greater than one (1) unit: up to ten (10) units is exceeding the capacity of the site and it is determined to have a significant negative impact on the neighbourhood or adjoining properties.

CARRIED

24-D-026

Applicant: 24-D-026 Rydan Holdings Ltd.
Development File #: 24-D-026 Discretionary Use - Light Industrial Uses
(Storage Yard), Transfer Station & Free-Standing
Portable Sign
Legal Land: Plan 872 2253; Block C; Lots 7&8 (SW-7-73-5-W5M)
Rural Address: Old Town Road
Zoning: Light Industrial (LI) District

MOTION: MPC 040-24

Moved by B. Pearson that the Municipal Planning Commission APPROVE Development Permit Application 24-D-026 for LIGHT INDUSTRIAL USES (Storage Yard), TRANSFER STATION and FREE-STANDING PORTABLE SIGN with 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 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. Where a Light Industrial Use is visible from a public road and/or neighbouring properties, landscaping, including trees along roadside and solid fencing of 1.9 m's high roadside screening and/or fencing shall be required to the satisfaction of the Development Authority.
3. 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 7 am & 7 pm 35dBA between 7 pm & 7 am Note: The

- Community Standards Bylaw #2023-03 Section 5 (1) requires that Quiet Hours within the Municipality shall be between the hours of 11 pm & 7 am on weekdays and Saturdays and between the hours of 11 pm & 9 am on Sundays and Holidays.
4. 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.
 5. Applicants are required to: a) design loading spaces to ensure that loading vehicles cannot extend into a public right of way or an adjoining property; and b) provide vehicular ingress to, and egress from, a street or lane so that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting streets or lanes.
 6. 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@mldsr.ca for a road weight control special permit.
 7. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
 8. Approaches/accesses to any development shall follow the MDLSR's Approach Construction Guidelines and Municipal Servicing Standards.
 9. The Free-Standing Portable Sign must be no larger than 5.6 m² (60 ft²).
 10. Only one (1) Free Standing Portable Sign is permitted per business frontage.
 11. 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.
 12. The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring landowners.
 13. The developer is responsible for ensuring that all relevant onsite utilities (water, sewer, telephone, gas, power, etc.) are secure before commencing excavation and construction.
 14. No other buildings or use are allowed on this lot without municipal authorization.
 15. The developer shall keep the site clean and orderly.
 16. 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.
 17. 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.
 18. The development shall not commence until 21 days after the Date of Decision.
 19. Any appeal of this decision lies to the Land and Property Rights Tribunal pursuant to section 685(2.1) of the Act.
 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.

CARRIED

24-D-031

Applicant: 24-D-031 Dave & Theresa Callioux
Development File #: 24-D-031 Dwelling, Single-Detached with Attached Deck (Variance: side yard setback distance from 7.5 m to 1.2 m) and fence (Variance: height from 3.3 ft to 5 ft in front and side yard abutting a road).
Legal Land: Plan 3363RS Block 1, Lot 6 (SW-19-75-6-5)
Rural Address: 20 Marten Drive
Zoning: Residential Un-Serviced (RUS) District

MOTION: MPC: 041-24

Moved by D. Fulmore that the Municipal Planning Commission APPROVE Development Permit Application 24-D-031 for Dwelling, Single-Detached with Attached Deck (Variance: side yard setback distance from 7.5 m to 1.2 m) and fence (Variance: height from 3.3 ft to 5 ft in front and side yard abutting a road) with the following conditions:

1. Must meet minimum setback of:
Front Yard - 7.5 meters (24.6 feet) from property line
South Side Yard - 7.5 meters (24.6 feet) from property line
North Side Yard - 1.2 meters (3.9 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. 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.
6. The relocation of any building shall meet the Alberta Building Code and any applicable safety code standard.
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. All decks greater than 0.6 m (2 ft) in height shall be attached to either the principal building or accessory building/structure. In no instance shall a deck be permitted to be attached to a recreational vehicle.



9. Decks shall remain uncovered and unenclosed; if they do become covered and enclosed, they shall be considered an addition to the principal building or an accessory structure and shall be required to meet all applicable regulations in their district and the Alberta Building Code.
10. Any exterior lighting shall be directed so that the area illuminated is contained entirely within the site.
11. The developer must ensure that proper permits are obtained for hauling oversized weight loads on any Municipal Roadway in conjunction with this project. Please contact the MD Transportation Department at info@mdlsr.ca for a road weight control special permit.
12. The developer shall keep site clean and orderly.
13. 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/>.
14. No other buildings or use are allowed on this lot without municipal authorization.
15. 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.
16. The development shall not commence until 21 days after 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 Permit is valid for a 12-month period starting from the Date of Decision.
20. This permit does not excuse any violation of any regulation or act which may affect the proposed project.
21. 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.
22. Any appeal of this decision lies to the Land and Property Rights Tribunal pursuant to section 685(2.1) of the Act.

CARRIED

**SUBDIVISION
APPLICATIONS**

24-S-08

Applicant: 24-S-08 Thomas Galliford
Owner: Thomas Galliford
Subdivision File #: 24-S-08 First Parcel Out
Legal Land: NE-5-65-26-W4M
Zoning: Agricultural (A) District

MOTION: MPC 042-24

Moved by C. Stockman that the Municipal Planning Commission REFUSE Subdivision Application 24-S-08 due to the lack of ability to access the remainder of the parcel and environmental concerns due to multiple water bodies on the quarter section.

CARRIED

24-S-09

Applicant: Don Wilson Surveys Ltd. for Elwin and Norma Whyte
Owner: Elwin and Norma Whyte
Subdivision File #: 24-S-09 First Parcel Out
Legal Land: NE-32-67-1-W5
Zoning: Agricultural (A) District

MOTION: MPC 043-24

Moved by D. Parsons that the Municipal Planning Commission APPROVE Subdivision Application 24-S-09 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) Any existing and proposed sewage disposal system must be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta sewage standard of practice. 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 proposed Lot 1 of 4.21 ha (10.4 ac) is rezoned to Residential Un-Serviced (RUS) 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

ROUNDTABLE

Discussion on Land and Property Rights Tribunal Decision on Subdivision Application 23-S-08.

ADJOURNMENT

MOTION: MPC 044-24

Moved by D. Fulmore to adjourn the meeting at 3:59 p.m.

CARRIED

The next Municipal Planning Commission meeting is on **Tuesday, September 17, 2024, at 1:30 p.m.**

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Development Authority

CHAIR