

SMOKY LAKE COUNTY

AGENDA: **MUNICIPAL PLANNING COMMISSION** to be held on
Tuesday, August 18, 2020 at 2:00 p.m
Virtually, via Zoom Platform –

<https://us02web.zoom.us/j/82022437577?pwd=QVBURUxLRWdHa0FvMk9vVVBiSHp5dz09>

Or by Phone: 877-853-5257/ Meeting ID: 868 2137 133 / Password: 806765

1. **CALL TO ORDER**
2. **AGENDA**
3. **MINUTES**
 - 3.1 Adopt Minutes of June 30, 2020.
4. **REQUEST FOR DECISION**
 - 4.1 **Development Permit(s) to be Considered:**
 - 4.1.1 DP 020-17: Guest House
 - 4.2 **Heritage Resource Intervention Permit(s) to be Considered:**
 - 4.2.1 Nil.
5. **ISSUES FOR INFORMATION**
 - 5.1 Nil.
6. **CORRESPONDANCE**
 - 6.1 Nil.
7. **DELEGATON(S)**
 - 7.1 Nil.
8. **ADJOURNMENT**

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting from **Tuesday, June 30, 2020** held in County Council Chambers and Virtually online through Zoom Meeting.

The meeting was called to Order at 9:06 a.m. by the Chairperson, Lorne Halisky in the presence of the following persons:

PRESENT

Dan Gawalko	Councillor Div. 1	Present in Chambers
Johnny Cherniwchan	Councillor Div. 2	Present in Chambers
Craig Lukinuk, Reeve	Councillor Div. 3	Present in Chambers
Lorne Halisky	Councillor Div. 4	Present in Chambers
Randy Orichowski, Deputy Reeve	Councillor Div. 5	Present in Chambers
Lydia Cielin	Assistant CAO	Present Virtually
Jordan Ruegg	P&D Manager	Present Virtually
Kyle Schole	P&D Assistant	Present Virtually
Patti Priest	Recording Secretary	Present Virtually

ABSENT

Cory Ollikka, CAO Development Officer (Absent)

.....
No Members of the Public were present.

2.0 ADOPTION OF AGENDA

MPC20.066: Orichowski

That the Agenda for the Municipal Planning Commission meeting for Tuesday, June 30, 2020, be adopted as amended: correct the start time from 10:00 a.m. to 9:00 a.m..

CARRIED UNANIMOUSLY.

3.0 MINUTES

MPC20.067: Lukinuk

That the Minutes of Municipal Planning Commission meeting held on Tuesday, May 5, 2020, be adopted as presented.

CARRIED.

4.0 REQUEST FOR DECISION

4.1 Development Permits to be Considered:

4.1.1 DP-022-20: Shipping Container (40'L x 8'W x 8.5'H) Plan 7821750, Block 1, Lot 15.

MPC20.068: Lukinuk

That the Municipal Planning Commission **REFUSE** approval of Development Permit No. **DP-022-20: Plan 7821750, Block 1, Lot 15 for the development/placement of a Shipping Container (40'L x 8'W x 8.5'H)**, as the length of the proposed shipping container is in contravention of the Land Use Bylaw No. 1272-14, Section 7.34 which provides a maximum allowable length of Six (6) Meters or Twenty (20) Feet for shipping containers placed in residential districts.

CARRIED UNANIMOUSLY.

4.2 Heritage Resource Intervention Permit(s) to be Considered:

4.2.1 HRIP-001-20: Part of SE-28-59-17-4 Russo Greek Catholic Orthodox Parish of Topovontz Holy Trinity Church.

MPC20.069: Orichowski

That the Municipal Planning Commission **APPROVE** Heritage Resource Intervention **Permit No. HRIP-001-20: Russo Greek Catholic Orthodox Parish of Topovontz Holy Trinity Church**, Part of SE-28-59-17-4, to allow for the replacement of the Asphalt Shingles with a Metal Roof Covering, subject to the following conditions:

1. This Heritage Resource Intervention Permit will expire one (1) year from the date of issuance. All work permitted under this Permit must be completed within this timeframe. If the permitted work is not completed within one year, or if any additional work is proposed, a new Heritage Resource Intervention Permit must be obtained.
2. If required, the Applicant shall provide the Development Authority for Smoky Lake County with samples of heritage colours, including the manufacturer, name, number and finish, that will be used to complete the work under this Permit, before commencement.
3. The Applicant must abide by all of the provisions of the Alberta Historical Resources Act, R.S.A. 200, Ch. H-9, including Section 26, and amendments thereto.
4. The Applicant must ensure that the proposed activities do not alter the Character-Defining Elements that are listed in the Statement-of-Significance that comprises part of Smoky Lake County Bylaw No. 1221-11.
5. Contravention of any condition of this Heritage Resource Intervention Permit may result in Smoky Lake County rescinding the Permit.

CARRIED UNANIMOUSLY.

MPC20.070: Lukinuk

That the Municipal Planning Commission write a letter to the Russo Greek Catholic Orthodox Parish of Topovontz Holy Trinity Church to inquire on their plans (if any) to replace the Bell Tower roof covering, in reference to their Heritage Resource Intervention Permit No. HRIP-001-20: Part of SE-28-59-17-4, to allow for the replacement of the Asphalt Shingles with a Metal Roof Covering on the Topovontz Holy Trinity Church.

CARRIED UNANIMOUSLY.

5.0 ISSUES FOR INFORMATION

5.1 Nil.

6.0 CORRESPONDENCE

6.1 Nil.

7.0 DELEGATION

7.1 Nil.

8.0 ADJOURNMENT

MPC20.070: Halisky

That the Municipal Planning Commission Meeting of June 30, 2020 adjourn at 9:51 a.m.

CARRIED.

Lorne Halisky, Chairperson

S E A L

Cory Ollikka, Development Officer



MUNICIPAL PLANNING COMMISSION
DEVELOPMENT REPORT

AGENDA ITEM **4.1.1**

MEETING DATE	AUGUST 18, 2018
FILE NO.	DP 027-20
LEGAL DESCRIPTION	PLAN 9523091, LOT 11 (PT. OF NE 4-62-13-W4M)
LOT AREA	+/- 0.31 ACRES
APPLICANT	CHARPENTIER, ED
LANDOWNER	CHARPENTIER, ED & KERRI
PROPOSED DEVELOPMENT	GUEST HOUSE
ZONING	MULTI-LOT COUNTRY RESIDENTIAL DISTRICT (R1)
DEVELOPMENT TYPE	DISCRETIONARY USE
ROLL NO.	36950011
DIVISION	1 (WHITEFISH LAKE PROPERTIES – WHITEFISH LAKE)

RECOMMENDATION

That the Municipal Planning Commission **approve** Development Permit No. 027-20: Plan 9523091, Lot 11 (Pt. of NE 4-62-13-W4M), for the development of a **Guest House**, subject to the following conditions:

1. The proposed development of a “Guest House” be constructed and sited as per the Site Plan, dated August 7, 2020, attached to, and forming part of, this Development Permit.
Minimum Front Yard Setback: 15.0 feet.
Minimum Rear Yard Setback: 2.0 feet.
Minimum Side Yard Setbacks: 3.0 feet.
2. The proposed “Guest House” shall not be used for permanent accommodation and shall not be used for commercial purposes (i.e. the “Guest House” cannot be rented/leased for financial gain).
3. The proposed “Guest House” shall not exceed 20.0 feet in height.
4. The proposed “Guest House” shall not have an eave overhang within 3.3 feet of any property line.
5. The maximum lot coverage shall not exceed 45% of the total lot area, of which, a maximum of 15% of the total lot area may be covered by buildings accessory to the primary use on the lot, which in this case, is the existing cabin.
6. The proposed development shall commence within twelve (12) months from the date of issuance of this Development Permit, and shall be completed within five (5) years from the date of issuance.
7. All applicants, and general and private contractors shall, during construction, renovation and/or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance, and shall secure all manner of debris so as to prevent it from being deposited onto any other private or public property. At the conclusion of construction, all building materials shall be removed from the site.
8. Lot grade elevations must be established to ensure that the subject site does not drain onto an adjacent property.
9. Any and all infrastructure improvement costs associated with the proposed development shall be borne solely by the developer.

BACKGROUND

1. The reason this application is being referred to MPC is that a **Guest House** is a Discretionary Use under the Multi-Lot Country Residential (R1) District in Smoky Lake County Land Use Bylaw 1272-14.
2. According to Land Use Bylaw 1272-14, a “**Guest House**” means a building in which persons are accommodated on a temporary basis as guests of the residents of the main building located on the property without compensation.
3. The subject property is located within the “Commercial Recreation Area” of the Whitefish Lake Area Structure Plan, as is shown on Map 3: Land Use Concept Whitefish Lake Focus Area of said Bylaw.

4. In relation to Section 2.14 of Land Use Bylaw 1272-14: If approved, it is recommended to expand the notification area to send notices to landowners from 50m to 100m of the subject property.

SUPPORTING DOCUMENTS

APPENDIX A	LAND USE BYLAW NO. 1272-14: SECTION 8.4: MULTI-LOT RESIDENTIAL (R1) DISTRICT	PAGE 3
APPENDIX B	BYLAW NO. 1189-09 – WHITEFISH LAKE AREA STRUCTURE PLAN SECTION 3.5	PAGE 8
APPENDIX C	WHITEFISH LAKE AREA STRUCTURE PLAN LAND USE CONCEPT MAP	PAGE 9
APPENDIX D	DEVELOPMENT PERMIT APPLICATION – DP 020-17	PAGE 10
APPENDIX E	GENERAL LOCATION MAP	PAGE 17

Prepared by:


Jordan Ruegg
Planning and Development Manager

August 12, 2020

Date

8.4 MULTI-LOT COUNTRY RESIDENTIAL (R1) DISTRICT

1. Purpose

The general purpose of this District is to provide opportunities for the development of a variety of multi-lot country residential subdivisions and bareland condominiums.

2. Permitted Uses

- A. Accessory Buildings and Uses
- B. Basement Suite
- C. Buildings and Uses Accessory to Permitted Uses
- D. Cottage
- E. Day Home
- F. Dwelling - Single Detached
- G. Extensive Agriculture
- H. Home Occupation, Minor
- I. Home Occupation, Major
- J. Secondary Suite
- K. Solar Energy Conversion System
- L. Wind Energy Conversion System, Micro

3. Discretionary Uses

- A. Bed & Breakfast Establishments
- B. Buildings and Uses Accessory to Discretionary Uses
- C. Day Care Facility
- D. Duplexes (Side-By-Side and Vertical)
- E. Family Care Facility
- F. Garage Suite
- G. Garden Suite
- H. Group Care Facility
- I. Guest House
- J. In law Suite
- K. Manufactured Home
- L. Modular Home
- M. Multi-Unit Dwelling
- N. Natural Area
- O. Neighbourhood Convenience Store
- P. Neighbourhood Park
- Q. Places of Worship
- R. Public Park
- S. Public and Quasi-Public Services
- T. Public Utilities
- U. Recreational Buildings and use
- V. Small Radio Communication Facilities
- W. Shipping Container

- X. Wind Energy Conversion System, Small
- Y. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

A. Minimum & Maximum Lot Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum and maximum lot dimensions for residential uses shall be as follows:

	Minimum Lot Area	Maximum Lot Area
Within 304.8 m (1,000 ft.) of a lake	1860.0 sq. m (20,000.0 sq. ft.)	1.21 ha (3.0 ac.)
All other parcels (excluding fragments)	0.4 ha (1.0 ac.)	1.21 ha (3.0 ac.)
Fragmented parcels	0.4 ha (1.0 ac.)	At the Discretion of the Subdivision Authority

B. Minimum & Maximum Lot Dimensions for Other Uses – As required by the Development Authority

C. Minimum Frontage Requirement – 30.5 m (100.0 ft) or as required by the Development or Subdivision Authority

5. Development Regulations

A. Minimum Ground Floor Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum ground floor area for residential developments shall be as follows:

	Minimum Ground Floor Area
Within 304.8 m (1000 ft.) of a lake	55.7 sq. m (600.0 sq. ft.)
All other parcels – for single detached dwellings	69.7 sq. m (750.0 sq. ft.)
All other parcels –	65.0 sq. m (700.0 sq. ft.)

for manufactured and modular home units	
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- B. Minimum Floor Area for Other Uses – At the discretion of the Development Authority.
- C. Minimum Yard Setback Requirements

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yard Setback

From Municipal Road Allowances	23.1 m (92.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line

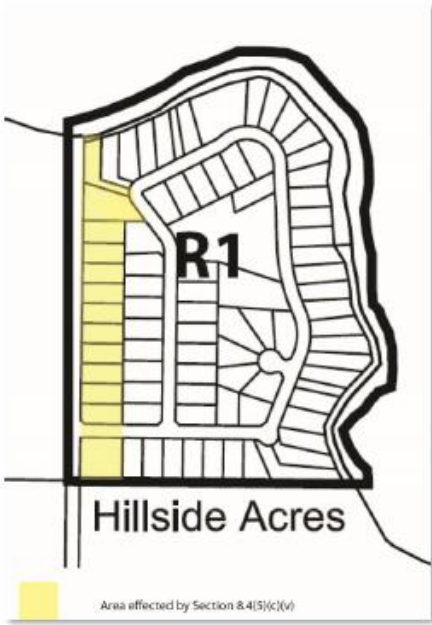
ii. Minimum Side Yard Setback

From municipal road allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
When adjacent to an Internal subdivision road	7.6 m (25.0 ft.) from the property line
When adjacent to another Parcel	1.5 m (5.0 ft.) from the property line

iii. Minimum Rear Yard Setback

From Municipal Road Allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
When adjacent to an internal subdivision road	7.6 m (25.0 ft.) from the property line
When adjacent to another parcel	7.6 m (25.0 ft.) from the property line

- iv. Notwithstanding subsections (i), (ii), and (iii) above, where there is an intersection or sharp curve, the minimum yard requirements shown on Figures 20 and 21 of this Bylaw shall apply.
- v. Notwithstanding any other provision in subsection (C), within the Hillside Acres subdivision, located within SW 9-62-13-W4 on the following lots:



- Lot 1, Blk 1 Plan 0120707
- Lot 44, Blk 1, Plan 0421556
- Lot 45, Blk 1, Plan 0421556
- Lot 46, Blk 1, Plan 0421556
- Lot 47, Blk 1, Plan 0421556
- Lot 48, Blk 1, Plan 0421556
- Lot 49, Blk 1, Plan 0421556
- Lot 50, Blk 1, Plan 0421556
- Lot 51, Blk 1, Plan 0421556
- Lot 52, Blk 1, Plan 0421556
- Lot 53, Blk 1, Plan 0421556
- Lot 54, Blk 1, Plan 0421556
- Lot 1, Blk 1, 0222047

Figure 24: side and Rear Yard Setbacks in Hillside Acres

the following front and rear yard setbacks shall apply:

From Municipal Road Allowances	7.6 m (25.0 ft.) from the property line
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line

- D. Maximum Site Coverage – 45%.
Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.
 - E. Maximum Height
 - i. 10.0 m (33.0 ft.)
 - ii. In the case of buildings which are accessory to discretionary uses, the maximum height shall be at the discretion of the Development Authority.
6. Other Regulations
- A. Residential parcels will not be allowed:
 - i. within required setbacks from a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority;
 - ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
 - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
 - iv. within a 1 in 100 year flood plain;
 - B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
 - C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
 - D. Fences shall be developed in accordance with Section 7.7 of this Bylaw.
 - E. Landscaping shall be provided in accordance with Section 6.11 of this Bylaw.
 - F. The keeping of recreational vehicles shall be provided in accordance with Section 7.23 of this Bylaw.
 - G. Shipping containers shall be developed in accordance with Section 7.31 of this Bylaw
 - H. Accessory buildings shall be developed in accordance with Section 6.1 of this Bylaw.

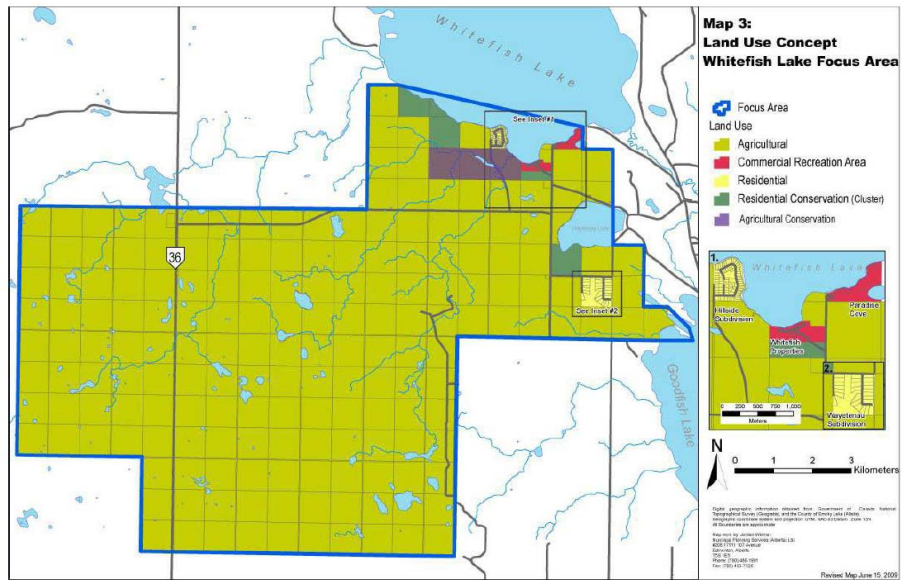
3.5 Commercial Recreation Area – Campground

The purpose of the Commercial Recreation Area designation is to recognize the existing public recreation campgrounds (Paradise Cove and Whitefish Properties) and to allow the opportunity for full utilization of these existing public recreation areas.

3.5.1 Policies

The following policies apply to lands designated as **Commercial Recreation**:

1. The preferred use of this area shall be relatively high intensity recreation uses such as campgrounds, public boat launches, day use areas, and other similar uses.
2. Limited expansion or intensification of the campgrounds may be allowed if opportunities for expansion exist; however, such expansion or intensification shall not be based on lake oriented recreational use.
3. Prior to any campground expansion or redevelopment, a site plan and assessment shall be prepared and submitted to the County, outlining the nature of the proposed development and its impact on the Whitefish Lake environment. Similarly to the requirement for residential development, the design will be required to retain the land's capacity to provide wildlife habitat, prevent soil erosion, provide recreational open space, contribute to maintaining clean water and air and preserve the recreational character of the community."
4. Spaces for day use, overnight camping, and similar activities shall be suitably organized and clearly marked. Adequate lake access and parking facilities shall be provided where appropriate.
5. Any necessary facilities such as change houses, toilets, garbage disposal, and on-site water supply shall be provided. Such facilities shall receive approval from authorities having jurisdiction and shall be of sufficient size and adequate quality to handle anticipated use.
6. Limited commercial development may be allowed within this area, but it shall be oriented to the specific needs of the recreation community.



DEVELOPMENT PERMIT APPLICATION FORM

Internal Use Only

Our File Number: DP 027-20 Roll Number: 36950011 Your File Number: _____

Applicant Information

Applicant/Agent: Ed Charpentier Phone: (780) 574-5062
 Address: 7-25131 Coal Mine Rd Cell Phone: (780) 405-8960
 City/Prov. Sturgeon County Postal Code: T8T 0C7 Fax: N/A
 Email address: Kerri9@shaw.ca Signature: _____

Applicant/Agent Authorization: I am the applicant/agent authorized to act on behalf of the registered owner and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

Registered Landowner Information

Owner same as applicant

Registered Owner: _____ Phone: _____
 Address: _____ Fax: _____
 City/Prov. _____ Postal Code: _____ Signature: _____

Section A - Property Information

Division _____

Legal: Lot 11 Block _____ Plan 9523091 and Part of NE ¼ Sec 4 Twp 62 Rge 13 W4M

Subdivision Name (if applicable) or Area of Development _____

Rural Address/Street Address 12 62044 Rng Rd 133 Parcel Size 22.01m x 56.18m

Number of existing dwellings on property (please describe)
cabin, bathhouse, storage shed, wood shed, outhouse

Has any previous application been filed in connection with this property? Yes No
 If yes, please describe the details of the application and file number:

- Is the subject property near a steep slope (exceeding 15%)? Yes No
 - Is the subject property near or bounded by a body of water? Yes No
 - Is the subject property within 800m of a provincial highway? Yes No
 - Is the subject property near a Confined Feeding Operation? Yes No Distance: _____
 - Is the subject property within 1.5km of a sour gas facility? Yes No Distance: _____
 - Is the subject property within 1.5km of a sewage treatment plant/lagoon? Yes No Distance: _____
 - Is the subject property immediately adjacent to the County boundary? Yes No
- If yes, the adjoining municipality is: _____

Section B – Proposed Development Information

Estimated Cost of Project \$ 30,000.00

Estimated Commencement Date ASAP Estimated Completion Date 8 weeks from start date

Dwelling:
Floor Area 320 sq. ft. % of Lot Occupied 2.4% Height of Dwelling 14 (ft) / m

Accessory Building:
Floor Area _____ sq. ft. % of Lot Occupied _____ Height of Acc. Bldg _____ ft / m

Parking: # of Off-Street Parking Stalls (if applicable) _____

Land Use District (Zoning) of Property: Recreational

Description of Work:
Guest house for our parents.

Section C – Preferred Method of Communication

When a decision has been made on your file, do you wish for us to:

call you for pick up mail the decision email the decision Kerri9@shaw.ca

Section 608(1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended states:

608(1) Where this Act or a regulation or bylaw made under this Section requires a document to be sent to a person, the document may be sent by electronic means if

- a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail address, website or other electronic address to the sender for that purpose.

I/we grant consent for the Development Authority to communicate information and/or the decision electronically regarding my/our application. YES NO

Type of Payment: <input type="checkbox"/> DEBIT <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CHEQUE Fee \$ <u>200.00</u> Receipt # <u>0304080</u> Receipt Date <u>AUGUST 10, 2020</u> Date Received _____ <small>*and deemed complete by Development Authority. <input type="checkbox"/> Entered into MuniSight PD # _____</small>	<input type="checkbox"/> Permitted Use <input type="checkbox"/> Discretionary Use Issuing Officer's Name _____ Issuing Officer's Signature _____ Date of Approval _____ Date Issued _____ Comments and/or Variances _____
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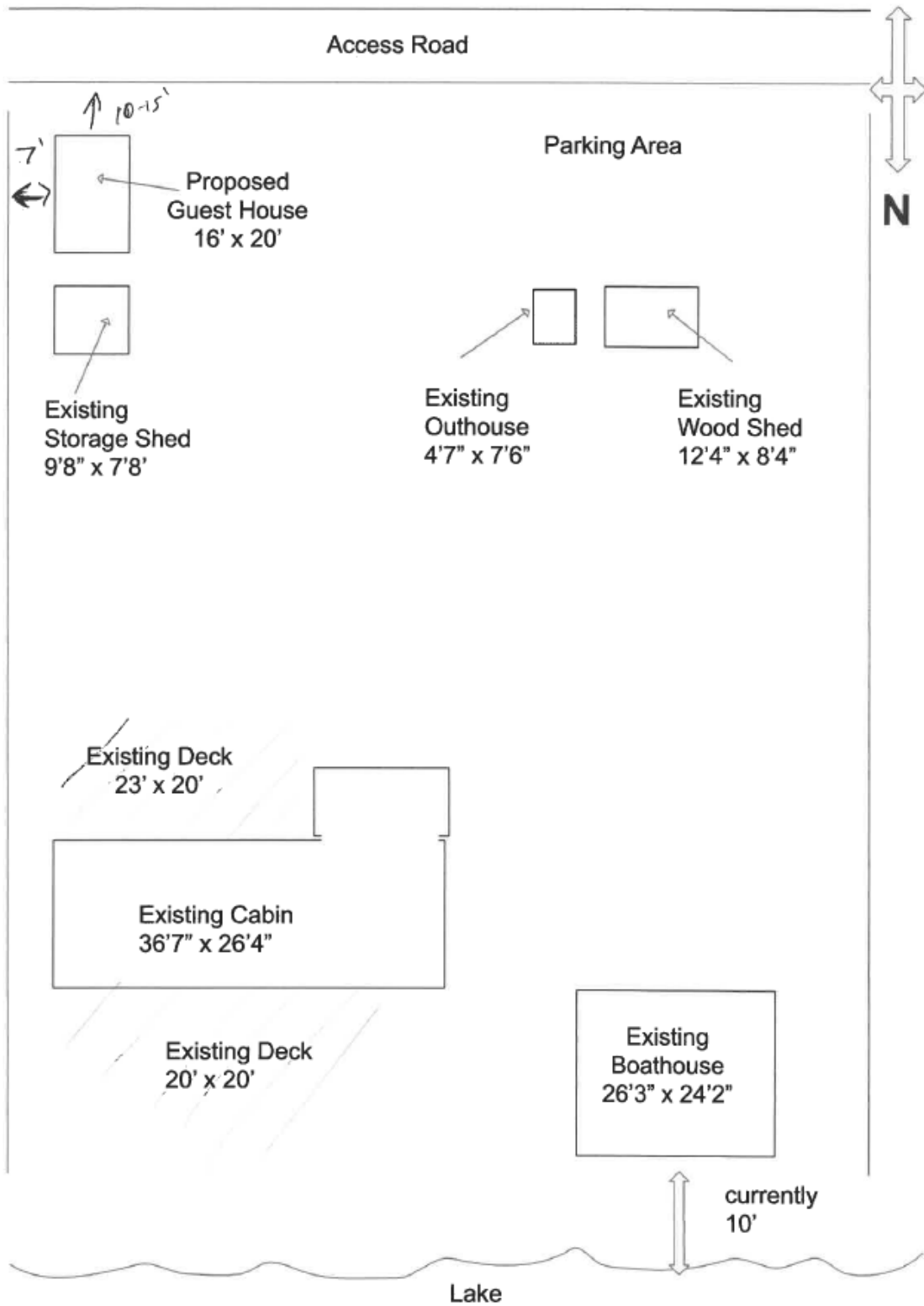
DEVELOPMENT PERMIT APPLICATION FORM

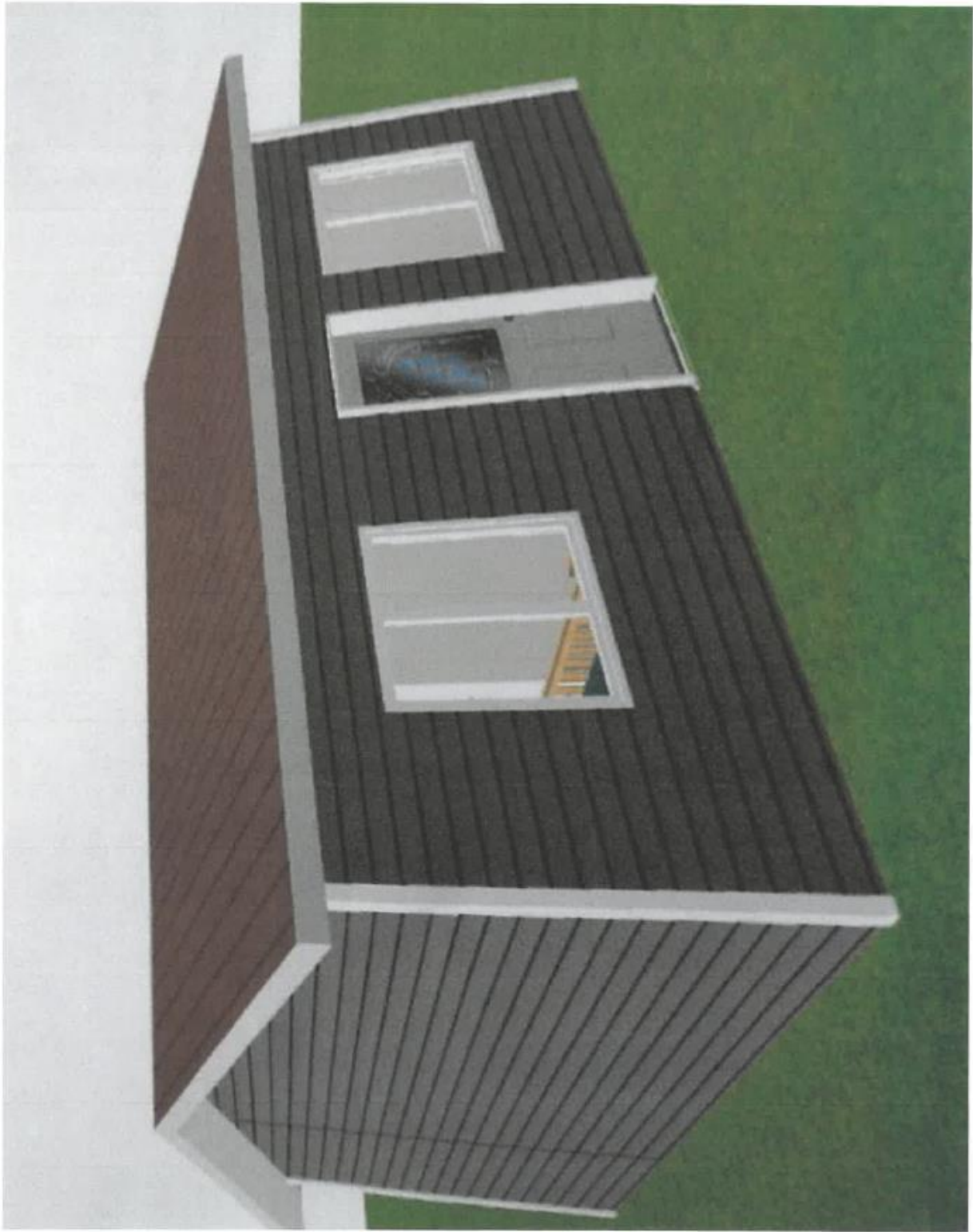
Our File Number: <u>DP 027-20</u>	Roll Number: <u>3695 0011</u>
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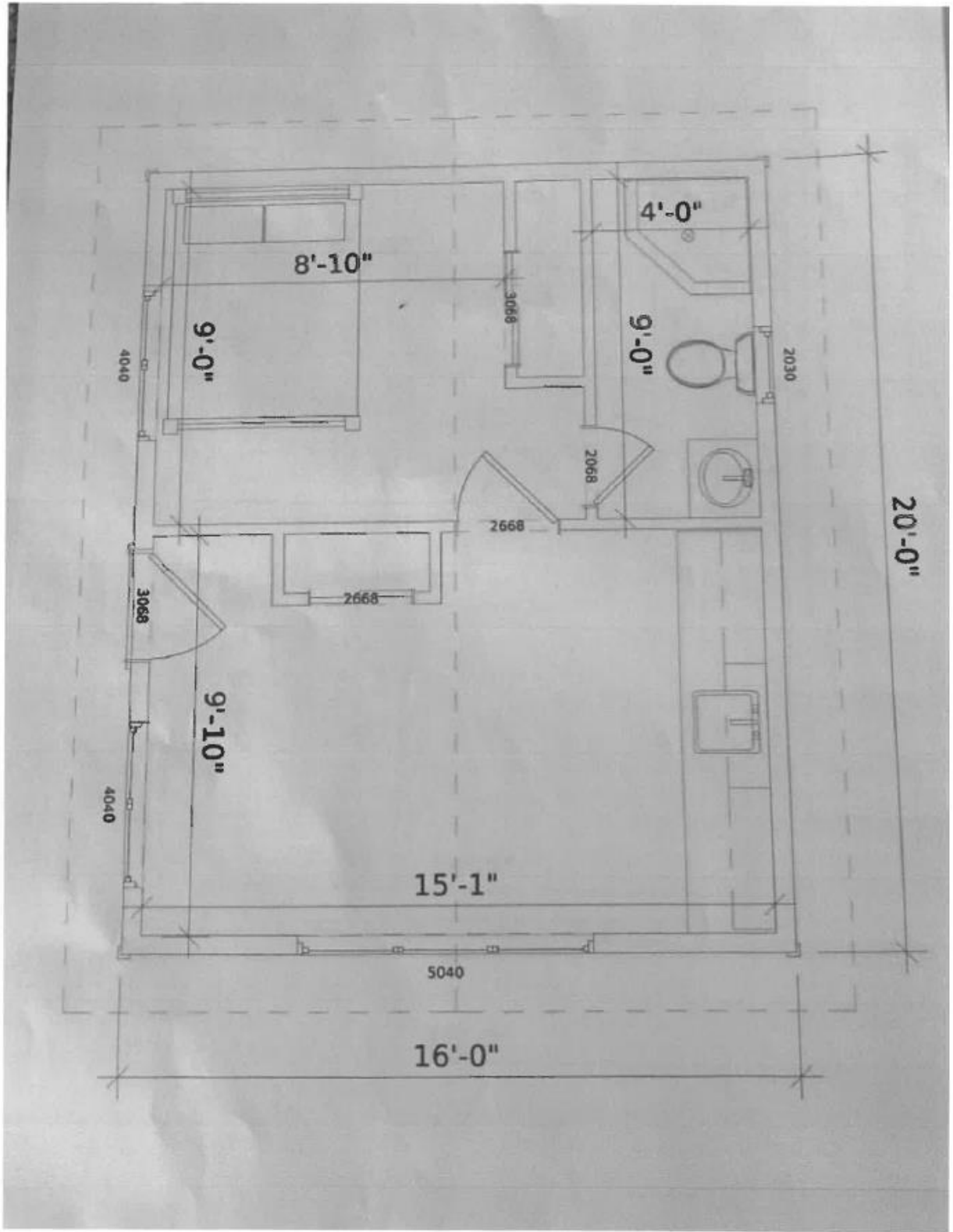
DEVELOPMENT PERMIT SITE PLAN



DATE: <u>August 7, 2020</u>	SIGNATURE OF APPLICANT: 
DATE:	DEVELOPMENT AUTHORITY:







SMOKY LAKE COUNTY
BOX 310
SMOKY LAKE, AB T0A 3C0
PHONE: (780)656-3730 (780)424-7103
FAX: (780)656-3768

OFFICIAL RECEIPT

CHARENTIER ED
7 25131 COAL MINE RD.

Reg. #: R121665640
Receipt #: 0304080
Date: 2020/08/10

Account #	Description	Opening Bal	Payment	Amount Due
1-1-526-61-00-00-00	DEVELOPMENT PER MITS 027-20		200.00	
			** Payment Total:	200.00
	Cheque			200.00

Development Permit Application No. 027-20
Plan 9523091, Lot 11
Guest House

