

# SMOKY LAKE COUNTY

**AGENDA:** **MUNICIPAL PLANNING COMMISSION** to be held on  
Thursday, June 1, 2023, at 2:00 p.m.

In County Council Chambers, or virtually, via Telus Business Connect Platform:

<https://video.businessconnect.telus.com/join/825479664>

or, by phone: 1-780-666-2345, Meeting ID: 825479664, Password: 825479664

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**1. CALL TO ORDER**

**2. AGENDA**

**3. MINUTES**

3.1 Adopt Minutes of April 13, 2023.

**4. REQUEST FOR DECISION**

4.1 **Development Permit(s) to be Considered:**

4.1.1 DP 009-23: Shipping Container

4.1.2 DP 011-23: Shipping Container

**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 **Thursday, April 13, 2023**, held in Smoky Lake County Council Chambers as well as Virtually online.

The meeting was Called to Order at 2:02 p.m. by the Chairperson, Dominique Cere, in the presence of the following persons:

### Attendance:

Dan Gawalko, Deputy Reeve	Councillor Div. 1	Present in Chambers
Linda Fenerty	Councillor Div. 2	Present in Chambers
Dominique Cere	Councillor Div. 3	Present in Chambers
Lorne Halisky, Reeve	Councillor Div. 4	Present in Chambers
Jered Serben	Councillor Div. 5	Present in Chambers
Gene Sobolewski	CAO	Present in Chambers
Lydia Cielin	Assistant CAO	Present in Chambers
Brenda Adamson	Finance Manage	Present in Chambers
Lydia Cielin	Assistant CAO	Present in Chambers
Jordan Ruegg	P&D Manager	Present in Chambers
Kyle Schole	Planning Tech.	Present in Chambers
Patti Priest	Recording Secretary	Present in Chambers

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6 Members of the Public were virtually present.

### 2.0 ADOPTION OF AGENDA

**MPC23.020: Serben**

That the Agenda for the Municipal Planning Commission meeting for Thursday, April 13, 2023, be adopted as presented.

**CARRIED UNANIMOUSLY.**

### 3.0 MINUTES

**MPC23.021: Serben**

That the Minutes of Municipal Planning Commission meeting held on Tuesday, February 21, 2023, be adopted as presented.

**CARRIED.**

### 4.0 REQUEST FOR DECISION

#### 4.1 Development Permits to be Considered:

4.1.1 DP 006-23: PLAN 0322248, BLOCK 1, LOT 31 (PT. SW-09-62-13-W4M) for the development of a Detached Garage (Accessory Building) & Garage Suite

**MPC23.022: Gawalko**

That the Municipal Planning Commission **APPROVE** Development Permit No. 006-23: **PLAN 0322248, BLOCK 1, LOT 31 (PT. SW-09-62-13-W4M) for the development of a Detached Garage (Accessory Building) & Garage Suite**, subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the Site Plan, dated March 12, 2023, attached to, and forming part of, this Development Permit.
  - a. Minimum Front Yard Setback: 7.6 meters (25.0 feet).
  - b. Minimum Rear Yard Setback: 0.6 meters (2.0 feet).
  - c. Minimum Side Yard Setbacks: 0.9 meters (3.0 feet).
2. The proposed Development shall not exceed a maximum of 7.3 meters (24.0 feet) above grade. **Grade shall be calculated based on the average grade of the subject lands.**
3. The proposed Development shall not be located within 2.0 meters (6.56 feet) of a residence.

4. The proposed Development shall not encroach upon any easement or right-of-way.
5. The proposed Garage Suite shall remain accessory and subordinate to the use of the garage.
6. The minimum floor area of the proposed Garage Suite shall be 30.0 square meters (322.9 square feet).
7. The maximum floor area of the Garage Suite shall not exceed 104.0 square meters (1120.0 square feet). **VARIANCE GRANTED TO MAXIMUM FLOOR AREA FROM 80.0 SQUARE METERS (861.1 SQUARE FEET).** *Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.*
8. The proposed Garage Suite shall have a separate entrance from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.
9. The proposed garage suite shall include, but not be limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring, and a toilet with bathing facilities.
10. Lot grade elevations shall ensure that the subject lands do not drain onto an adjacent property.
11. A minimum of three (3) onsite parking spaces are required. Tandem parking may be permitted at the discretion of the Development Authority.
12. The proposed Development shall commence within one (1) year from the date of issuance of this Development Permit and shall be completed within five (5) years from the date of issuance.

**CARRIED.**

**5.0 ISSUES FOR INFORMATION**

5.1 Nil.

**6.0 CORRESPONDENCE**

6.1 Nil.

**7.0 DELEGATION**

7.1 Nil.

**NEXT MEETING**

The next Municipal Planning Commission Meeting will be at the call of Chairperson and Public Notice of the next meeting be provided at least 24 hours in advance in accordance with the *Municipal Government Act, RSA 200, cM-26.1 s195*, by posting the information on the Smoky Lake County website.

**8.0 ADJOURNMENT**

**MPC23.023: Fenerty**

That the Municipal Planning Commission Meeting of April 13, 2023, adjourn at 2:19 p.m.

**CARRIED.**

\_\_\_\_\_  
Dominique Cere, Chairperson

S E A L

\_\_\_\_\_  
Gene Sobolewski, CAO

MUNICIPAL PLANNING COMMISSION  
DEVELOPMENT REPORT



**AGENDA ITEM 4.1.1**

MEETING DATE	JUNE 1, 2023
FILE NO.	DP 009-23
LEGAL DESCRIPTION	PLAN 3223TR, BLOCK 6, LOT 2
LOT AREA	0.45 ACRES
APPLICANT	MACPHERSON, GERARD & ELLEY, JANICE
LANDOWNER	MACPHERSON, GERARD & ELLEY, JANICE
PROPOSED DEVELOPMENT	SHIPPING CONTAINER (40' x 8')
ZONING	COUNTRY RESIDENTIAL (R1) DISTRICT
DEVELOPMENT TYPE	DISCRETIONARY USE
ROLL NO.	24110602
DIVISION	1

**RECOMMENDATION**

That the Municipal Planning Commission APPROVE Development Permit No. 009-23: **PLAN 3223TR, BLOCK 6, LOT 2**, for the placement of a **Shipping Container (40' x 8')**, subject to the following conditions:

1. The proposed Shipping Container shall be sited as per the following minimum setbacks:
  - a. Front Yard Setback: 25.0 feet.
  - b. Rear Yard Setback: 25.0 feet.
  - c. Side Yard Setbacks: 5.0 feet.
2. The Shipping Container shall not be stacked on top of another Shipping Container nor any other structure.
3. The maximum height for the Shipping Container shall be 3.0 m (10.0 ft.).
4. The maximum length for the Shipping Container shall be 12.0 m (40.0 ft.). **VARIANCE GRANTED FROM MAXIMUM OF 20.0 FT. TO 40. FT.**
5. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.
6. The exterior finish of the Shipping Container must be complimentary with the finish of the primary building. The finish shall be made consistent with the finish of the primary building within **two (2) years** of the date of issuance of this Development Permit.
7. The Shipping Container shall not be used as a dwelling, bunk house or a guest house without first applying for and obtaining a valid Development Permit for that use.
8. No human or animal habitation will be permitted within the Shipping Container.

## BACKGROUND

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1. The reason this application is being referred to MPC is that a Shipping Container is a Discretionary Use in the Multi-Lot Country Residential (R1) District (LUB Section 8.4.3).
2. This application is also being referred to the MPC because a variance has been requested in relation to the maximum allowable length for a Shipping Container (20.0 feet per Section 7.34.6).
3. LUB Section 7.34: outline requirements and guidelines for the use and placement of Shipping Containers.
  - a. The proposed shipping container does not meet the size requirements under this section.
4. Administration is recommending that the MPC APPROVE DP-009-23, subject to conditions, on the basis that it will not unnecessarily disrupt the enjoyment of the area.

## SUPPORTING DOCUMENTS

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APPENDIX A	LAND USE BYLAW NO 1272-14: SECTION 8.4 – MULTI-LOT RESIDENTIAL (R1) DISTRICT	PAGE 3
APPENDIX B	LAND USE BYLAW NO 1272-14: SECTION 7.34: SHIPPING CONTAINERS	PAGE 8
APPENDIX C	DEVELOPMENT PERMIT APPLICATION DP-009-23	PAGE 9
APPENDIX D	LOCATION MAP	PAGE 15

Prepared by:



Jordan Ruegg  
Planning and Development Manager  
Development Authority Officer

May 18, 2023

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. Shipping Container
- W. Wind Energy Conversion System, Small

X. 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
<b>Within 304.8 m (1,000 ft.) of a lake</b>	1860.0 sq. m (20,000.0 sq. ft.)	1.21 ha (3.0 ac.)
<b>All other parcels (excluding fragments)</b>	0.4 ha (1.0 ac.)	1.21 ha (3.0 ac.)
<b>Fragmented parcels</b>	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 Subdivision Authority

C. Minimum Frontage Requirement – 30.5 m (100.0 ft) or as required by the Development and 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
<b>Within 304.8 m (1000 ft.) of a lake</b>	55.7 sq. m (600.0 sq. ft.)
<b>All other parcels – for single detached dwellings</b>	69.7 sq. m (750.0 sq. ft.)
<b>All other parcels – for manufactured</b>	65.0 sq. m (700.0 sq. ft.)

<b>and modular home units</b>	
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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

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

ii. Minimum Side Yard Setback

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

iii. Minimum Rear Yard Setback

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

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

## APPENDIX B: LUB 1272-14 SECTION 7.34: SHIPPING CONTAINERS

### 7.34 SHIPPING CONTAINERS

1. The placement of a shipping container on any parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3), Hamlet General (HG), Highway Commercial (C1), Victoria Commercial (C2), Industrial (M1) and Rural Industrial (M2) Districts shall require a development permit.
2. A maximum of two (2) shipping containers may be placed on any parcel located within the Agriculture (AG) District without obtaining a development permit. The placement of a third or subsequent shipping container on a parcel located within the Agriculture (AG) District shall require a development permit.
3. A shipping container may be allowed, at the discretion of the Development Authority, on any parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) and Hamlet General (HG) Districts.
4. The maximum number of shipping containers that may be located on a parcel located within the Agriculture (AG), Victoria Agriculture (A1), Highway Commercial (C1), Victoria Commercial (C2), Industrial (M1) and Rural Industrial (M2) Districts is at the discretion of the Development Authority.
5. The location of shipping container placement on any property is at the discretion of the Development Authority.
6. The maximum length for shipping containers located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) and Hamlet General (HG), Highway Commercial (C1) and Victoria Commercial (C2) Districts shall be twenty feet (20.0'). The maximum length for shipping containers located within the Agricultural General (AG), Industrial (M1) and Rural Industrial (M2) Districts shall be at the discretion of the Development Authority.
7. If a temporary development permit for a shipping container has been approved by the Development Authority, then the shipping container may be placed on a site for a period of six (6) months. After that period has expired the developer will be required to apply to the County for an extension for the permit. Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.
8. The exterior finish of a shipping container sited on a parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3), Hamlet General (HG), Highway Commercial (C1) and Victoria Commercial (C2) Districts must be complimentary with the finish of the primary building. The finish shall be made to consistent with the finish of the primary building within two (2) years of the placement of the shipping container.
9. No human or animal habitation will be permitted within a shipping container.

10. Shipping containers cannot be used as a dwelling, bunk house or a guest house within the County.
11. The maximum height for a shipping container allowed on a parcel is 3.0 m (10.0 ft.). Stacking of shipping containers which are used as building material may be permitted, at the desecration of the Development Authority.

APPENDIX C: DEVELOPMENT PERMIT APPLICATION

Section 61

SCHEDULE "A"

03-05

DEVELOPMENT PERMIT APPLICATION FORM

**Internal Use Only**  
Our File Number: \_\_\_\_\_ Roll Number: \_\_\_\_\_ Your File Number: \_\_\_\_\_

**Applicant Information**  
Applicant/Agent: Gerard MacPherson Phone: \_\_\_\_\_  
Address: 661 60331 RR 124 Rural Smoky Lake Cell Phone: 780-897-8867  
City/Prov. Alberta Postal Code: T0A3E0 Fax: \_\_\_\_\_  
Email address: gerard\_m9@hotmail.com Signature: Gerard MacPherson

**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**  
Legal: Lot 2 Block 6 Plan 3223TR and Part of \_\_\_\_\_ % Sec 21 Twp 60 Rge 12 W4M Division \_\_\_\_\_  
Subdivision Name (if applicable) or Area of Development Sunrise Beach  
Rural Address/Street Address 661 60331 RR 124 Parcel Size 0.440  
Number of existing dwellings on property (please describe)  
1 mobile home and garage  
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:  
We have not filed any.

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 property the subject of a licence, permit, approval, or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission?  Yes  No

If yes, please describe: \_\_\_\_\_

Is the property the subject of the application is the subject of a licence, permit, approval, or other authorization granted by the Minister of Environment or granted under any Act the Minister is responsible for under s.16 of the Government Organization Act\*?  Yes  No

If yes, please describe: \_\_\_\_\_

Is the subject property immediately adjacent to the County boundary?  Yes  No

If yes, the adjoining municipality is: \_\_\_\_\_

*\*The Minister is responsible for the following Acts: AB Land Stewardship Act, Environmental Protection Act, Public Lands Act, Surveys Act, Water Act. Please see attached list of resources for identifying this information.*

### Section B – Proposed Development Information

Estimated Cost of Project \$ 10,000.

Estimated Commencement Date 10MAY2023 Estimated Completion Date 10MAY2025 or soon

Dwelling:  
Floor Area 320 sq. ft. % of Lot Occupied 5 Height of Dwelling 8 plus roof ft / m

Accessory Building:  
Floor Area 320 sq. ft. % of Lot Occupied 5 Height of Acc. Bldg 8 plus roof ft / m

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

Land Use District (Zoning) of Property: Zone 60

#### Description of Work:

Piling a C-bin (shipping container) on lot by garage for mast storage, by garage at back end of property. Will side and put roof on within 2 years or sooner.

### 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

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

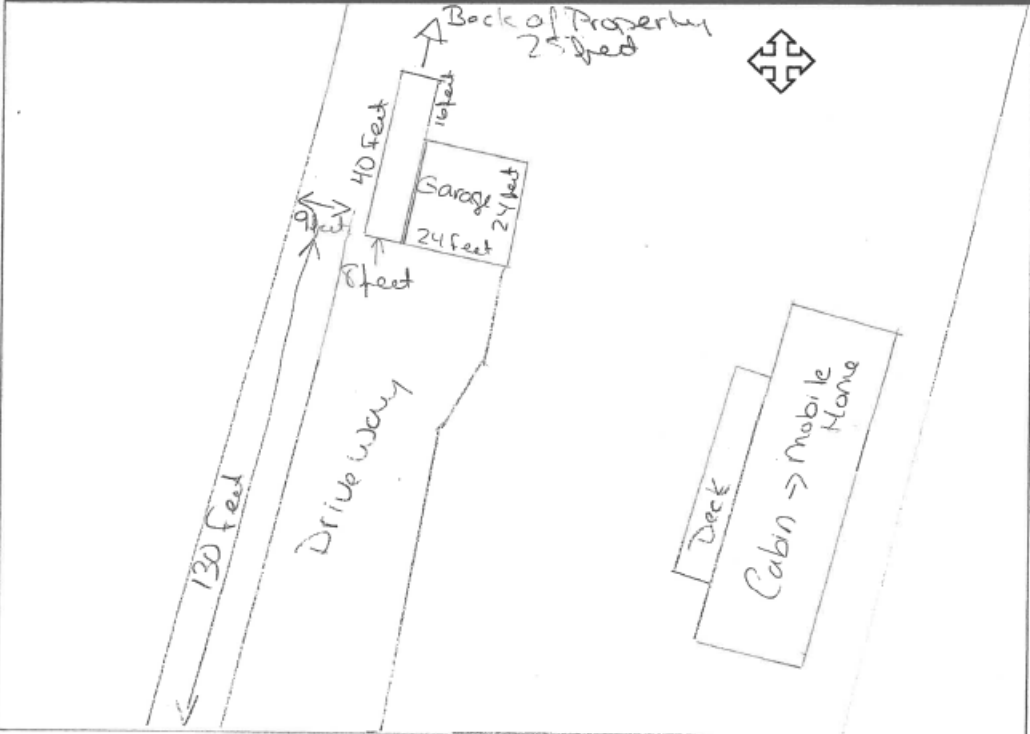
**608(1)** Where this Act or a regulation or bylaw made under this Section requires a document to be sent to a person, the document may be sent by electronic means if:

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

<p><b>OFFICE USE ONLY</b></p> <p>Type of Payment: <input type="checkbox"/> DEBIT <input type="checkbox"/> CASH <input type="checkbox"/> CHEQUE</p> <p>Fee \$ _____</p> <p>Receipt # _____</p> <p>Receipt Date _____</p> <p>Date Received _____</p> <p>*and deemed complete by Development Authority.</p> <p><input type="checkbox"/> Entered into MuniSight PD # _____</p>	<p><b>Authorization:</b> <input type="checkbox"/> Permitted Use <input type="checkbox"/> Discretionary Use</p> <p>Issuing Officer's Name _____</p> <p>Issuing Officer's Signature _____</p> <p>Date of Approval _____</p> <p>Date Issued _____</p> <p>Comments and/or Variances _____</p> <p>_____</p>
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DEVELOPMENT PERMIT APPLICATION FORM

Our File Number: _____	Roll Number: _____
<b>DEVELOPMENT PERMIT SITE PLAN</b>	
	
Main road 60331 RR 124 Rural Smoky Lake County	
DATE: 08 May 2023	SIGNATURE OF APPLICANT: <i>David MacPherson</i>
DATE:	DEVELOPMENT AUTHORITY:



**Smoky Lake County**  
 4612 McDougall Drive  
 PO Box 310  
 Smoky Lake AB T0A 3C0

**RECEIPT OF PAYMENT**

Page 2

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
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**Smoky Lake County**  
 4612 McDougall Drive  
 PO Box 310  
 Smoky Lake AB T0A 3C0

**RECEIPT OF PAYMENT**

Page 2

MacPhersonGerald

Receipt Number: 22724  
 Tax Number:  
 Date: May 8, 2023  
 Initials: BS

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
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**Smoky Lake County**  
 4612 McDougall Drive  
 PO Box 310  
 Smoky Lake AB T0A 3C0

**RECEIPT OF PAYMENT**

Page 4

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
				Subtotal:	\$250.00	
				Taxes:	\$0.00	
				Total Receipt:	<u>\$250.00</u>	
				Debit:	\$250.00	
				Total Amount Received:	<u>\$250.00</u>	
				Rounding:	\$0.00	
				Amount Returned:	<u>\$0.00</u>	

**APPENDIX D: LOCATION MAP**



Smoky Lake County

**Smoky Lake County**

Date Created: 5/23/2023

**MUNICIPAL PLANNING COMMISSION  
DEVELOPMENT REPORT**



**AGENDA ITEM 4.1.2**

MEETING DATE	JUNE 1, 2023
FILE NO.	DP 011-23
LEGAL DESCRIPTION	PLAN 7921626, BLOCK 1, LOT 40 (Pt. NW-34-59-13-W4M)
LOT AREA	0.5 ACRES
APPLICANT	BASCOR DEVELOPMENTS LTD.
LANDOWNER	BASCOR DEVELOPMENTS LTD.
PROPOSED DEVELOPMENT	SHIPPING CONTAINER (20' x 8')
ZONING	COUNTRY RESIDENTIAL (R1) DISTRICT
DEVELOPMENT TYPE	DISCRETIONARY USE
ROLL NO.	33220140
DIVISION	1 – BONNIE LAKE

**RECOMMENDATION**

That the Municipal Planning Commission APPROVE Development Permit No. 011-23: **PLAN 7921626, BLOCK 1, LOT 40**, for the placement of a **Shipping Container (20' x 8')**, subject to the following conditions:

1. The proposed Shipping Container shall be sited as per the following minimum setbacks:
  - a. Front Yard Setback: 25.0 feet.
  - b. Rear Yard Setback: 25.0 feet.
  - c. Side Yard Setbacks: 5.0 feet.
2. The Shipping Container shall not be stacked on top of another Shipping Container nor any other structure.
3. The maximum height for the Shipping Container shall be 3.0 m (10.0 ft.).
4. The maximum length for the Shipping Container shall be 12.0 m (20.0 ft.).
5. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.
6. The exterior finish of the Shipping Container must be complimentary with the finish of the primary building. The finish shall be made consistent with the finish of the primary building within **two (2) years** of the date of issuance of this Development Permit.
7. The Shipping Container shall not be used as a dwelling, bunk house or a guest house without first applying for and obtaining a valid Development Permit for that use.
8. No human or animal habitation will be permitted within the Shipping Container.

## BACKGROUND

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1. The reason this application is being referred to MPC is that a Shipping Container is a Discretionary Use in the Multi-Lot Country Residential (R1) District (LUB Section 8.4.3).
2. LUB Section 7.34: outline requirements and guidelines for the use and placement of Shipping Containers.
3. Administration is recommending that the MPC APPROVE DP-011-23, subject to conditions, on the basis that it will not unnecessarily disrupt the enjoyment of the area.

## SUPPORTING DOCUMENTS

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APPENDIX A	LAND USE BYLAW NO 1272-14: SECTION 8.4 – MULTI-LOT RESIDENTIAL (R1) DISTRICT	PAGE 3
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Prepared by:

  
\_\_\_\_\_  
Jordan Ruegg  
Planning and Development Manager  
Development Authority Officer

May 23, 2023

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. Shipping Container
- W. Wind Energy Conversion System, Small

X. 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
<b>Within 304.8 m (1,000 ft.) of a lake</b>	1860.0 sq. m (20,000.0 sq. ft.)	1.21 ha (3.0 ac.)
<b>All other parcels (excluding fragments)</b>	0.4 ha (1.0 ac.)	1.21 ha (3.0 ac.)
<b>Fragmented parcels</b>	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 Subdivision Authority

C. Minimum Frontage Requirement – 30.5 m (100.0 ft) or as required by the Development and 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
<b>Within 304.8 m (1000 ft.) of a lake</b>	55.7 sq. m (600.0 sq. ft.)
<b>All other parcels – for single detached dwellings</b>	69.7 sq. m (750.0 sq. ft.)
<b>All other parcels – for manufactured</b>	65.0 sq. m (700.0 sq. ft.)

<b>and modular home units</b>	
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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

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

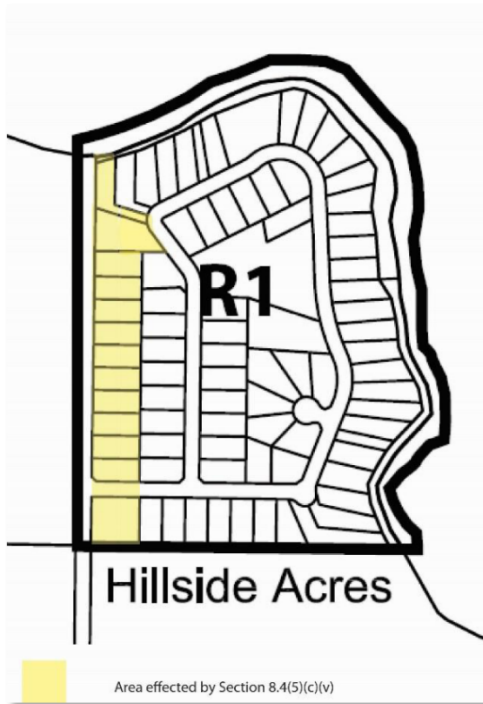
ii. Minimum Side Yard Setback

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

iii. Minimum Rear Yard Setback

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

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

## APPENDIX B: LUB 1272-14 SECTION 7.34: SHIPPING CONTAINERS

### 7.34 SHIPPING CONTAINERS

1. The placement of a shipping container on any parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3), Hamlet General (HG), Highway Commercial (C1), Victoria Commercial (C2), Industrial (M1) and Rural Industrial (M2) Districts shall require a development permit.
2. A maximum of two (2) shipping containers may be placed on any parcel located within the Agriculture (AG) District without obtaining a development permit. The placement of a third or subsequent shipping container on a parcel located within the Agriculture (AG) District shall require a development permit.
3. A shipping container may be allowed, at the discretion of the Development Authority, on any parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) and Hamlet General (HG) Districts.
4. The maximum number of shipping containers that may be located on a parcel located within the Agriculture (AG), Victoria Agriculture (A1), Highway Commercial (C1), Victoria Commercial (C2), Industrial (M1) and Rural Industrial (M2) Districts is at the discretion of the Development Authority.
5. The location of shipping container placement on any property is at the discretion of the Development Authority.
6. The maximum length for shipping containers located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) and Hamlet General (HG), Highway Commercial (C1) and Victoria Commercial (C2) Districts shall be twenty feet (20.0'). The maximum length for shipping containers located within the Agricultural General (AG), Industrial (M1) and Rural Industrial (M2) Districts shall be at the discretion of the Development Authority.
7. If a temporary development permit for a shipping container has been approved by the Development Authority, then the shipping container may be placed on a site for a period of six (6) months. After that period has expired the developer will be required to apply to the County for an extension for the permit. Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.
8. The exterior finish of a shipping container sited on a parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3), Hamlet General (HG), Highway Commercial (C1) and Victoria Commercial (C2) Districts must be complimentary with the finish of the primary building. The finish shall be made to consistent with the finish of the primary building within two (2) years of the placement of the shipping container.
9. No human or animal habitation will be permitted within a shipping container.

10. Shipping containers cannot be used as a dwelling, bunk house or a guest house within the County.
11. The maximum height for a shipping container allowed on a parcel is 3.0 m (10.0 ft.). Stacking of shipping containers which are used as building material may be permitted, at the desecration of the Development Authority.

## APPENDIX C: DEVELOPMENT PERMIT APPLICATION

Section 61

SCHEDULE "A"

03-05

### DEVELOPMENT PERMIT APPLICATION FORM

<b>Internal Use Only</b>	
Our File Number: <u>DP 011-23</u> Roll Number: <u>33220140</u> Your File Number: _____	
<b>Applicant Information</b>	
Applicant/Agent: <u>Bascor Developments Ltd</u>	Phone: <u>780-498-6585</u>
Address: <u>50, 54403 Rge Rd 251</u>	Cell Phone: _____
City/Prov. <u>Sturgeon County, AB</u> Postal Code: <u>T8T0B5</u>	Fax: _____
Email address: <u>ebasaraba@telus.net</u>	Signature:
<p><b>Applicant/Agent Authorization:</b> 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.</p>	
<b>Registered Landowner Information</b> <span style="float: right;"><input checked="" type="checkbox"/> Owner same as applicant</span>	
Registered Owner: _____	Phone: _____
Address: _____	Fax: _____
City/Prov. _____ Postal Code: _____	Signature: _____
<b>Section A - Property Information</b>	
Legal: Lot <u>40</u> Block <u>1</u> Plan <u>792-1626</u> and Part of <u>NW</u> $\frac{1}{4}$ Sec <u>34</u> Twp <u>59</u> Rge <u>13</u> W4M Division <u>2</u>	
Subdivision Name (if applicable) or Area of Development <u>Bonnie Lake Resorts</u>	
Rural Address/Street Address <u>359, 59536 Rge Rd 132 A</u> Parcel Size <u>0.51 Acres</u>	
Number of existing dwellings on property (please describe) <u>1 10'x16' garage/guest living - 1-8'x8' storage</u>	
Has any previous application been filed in connection with this property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe the details of the application and file number: _____	
Is the subject property near a steep slope (exceeding 15%)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the subject property near or bounded by a body of water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the subject property within 800m of a provincial highway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the subject property near a Confined Feeding Operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Distance: _____ Is the subject property within 1.5km of a sour gas facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Distance: _____ Is the subject property within 1.5km of a sewage treatment plant/lagoon? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Distance: _____	

Is the property the subject of a licence, permit, approval, or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission?  Yes  No

If yes, please describe: \_\_\_\_\_

Is the property the subject of the application is the subject of a licence, permit, approval, or other authorization granted by the Minister of Environment or granted under any Act the Minister is responsible for under s.16 of the Government Organization Act\*?  Yes  No

If yes, please describe: \_\_\_\_\_

Is the subject property immediately adjacent to the County boundary?  Yes  No

If yes, the adjoining municipality is: \_\_\_\_\_

\*The Minister is responsible for the following Acts: AB Land Stewardship Act, Environmental Protection Act, Public Lands Act, Surveys Act, Water Act. Please see attached list of resources for identifying this information.

#### Section B – Proposed Development Information

Estimated Cost of Project \$ 3,000

Estimated Commencement Date June 5, 2023 Estimated Completion Date June 5, 2023

##### Dwelling:

Floor Area \_\_\_\_\_ sq. ft. % of Lot Occupied \_\_\_\_\_ Height of Dwelling \_\_\_\_\_ ft / m

##### Accessory Building:

Floor Area 160 sq. ft. % of Lot Occupied \_\_\_\_\_ Height of Acc. Bldg 8 ft \_\_\_\_\_ ft / m

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

Land Use District (Zoning) of Property: R1

##### Description of Work:

Place a new 8 ft x 20 shipping container ON LDT

#### 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

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

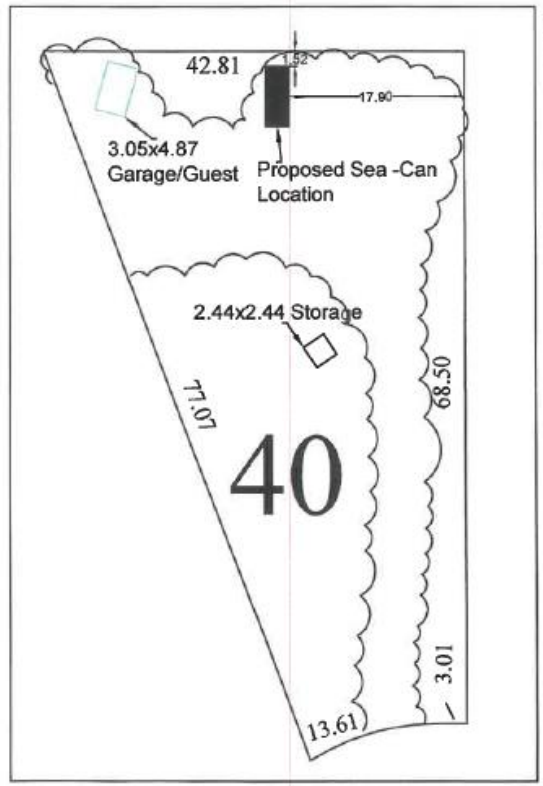
<p><b>608(1)</b> Where this Act or a regulation or bylaw made under this Section requires a document to be sent to a person, the document may be sent by electronic means if:</p> <p>a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail address, website or other electronic address to the sender for that purpose.</p> <p>I/we grant consent for the Development Authority to communicate information and/or the decision electronically regarding my/our application. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p><b>OFFICE USE ONLY</b></p> <p>Type of Payment: <input type="checkbox"/> DEBIT <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CHEQUE</p> <p>Fee \$ <u>250.00</u></p> <p>Receipt # <u>22931</u></p> <p>Receipt Date <u>MAY 23, 2023</u></p> <p>Date Received <u>MAY 23, 2023</u></p> <p>*and deemed complete by Development Authority.</p> <p><input checked="" type="checkbox"/> Entered into MuniSight PD # <u>011-23</u></p>	<p><b>Authorization:</b> <input type="checkbox"/> Permitted Use <input checked="" type="checkbox"/> Discretionary Use</p> <p>Issuing Officer's Name _____</p> <p>Issuing Officer's Signature _____</p> <p>Date of Approval _____</p> <p>Date Issued _____</p> <p>Comments and/or Variances _____</p>

DEVELOPMENT PERMIT APPLICATION FORM

Our File Number: DP 011-23

Roll Number: 33220140

DEVELOPMENT PERMIT SITE PLAN



DATE: MAY 19 2023

SIGNATURE OF APPLICANT: [Signature]

DATE:

DEVELOPMENT AUTHORITY:



**Smoky Lake County**  
 4612 McDougall Drive  
 PO Box 310  
 Smoky Lake AB T0A 3C0

**RECEIPT OF PAYMENT**

Page 1

Bascor Development Ltd.

Receipt Number: 22931  
 Tax Number:  
 Date: May 23, 2023  
 Initials: BS

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	DEVPE	Development Permit	N/A	\$0.00	\$250.00	N/A
	Cheque Number: 2106					
				Subtotal:	\$250.00	
				Taxes:	\$0.00	
				Total Receipt:	<u>\$250.00</u>	
				Cheque:	<u>\$250.00</u>	
				Total Amount Received:	<u>\$250.00</u>	
				Rounding:	\$0.00	
				Amount Returned:	<u>\$0.00</u>	



**Smoky Lake County**  
 4612 McDougall Drive  
 PO Box 310  
 Smoky Lake AB T0A 3C0

**RECEIPT OF PAYMENT**

Page 1

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Receipt Number: 22931  
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General	DEVPE	Development Permit	N/A	\$0.00	\$250.00	N/A
	Cheque Number: 2106					
				Subtotal:	\$250.00	
				Taxes:	\$0.00	
				Total Receipt:	<u>\$250.00</u>	
				Cheque:	\$250.00	
				Total Amount Received:	<u>\$250.00</u>	
				Rounding:	\$0.00	
				Amount Returned:	<u>\$0.00</u>	



**APPENDIX D: LOCATION MAP**



Smoky Lake County

Smoky Lake County

Date Created: 5/23/2023