



**MINUTES
Municipal Planning Commission**

Lac Ste. Anne County held a Municipal Planning Commission on May 3, 2023 commencing at 9:37 a.m. in the Council Chambers of the County Administration Building in Sangudo, Alberta.

Councillors Present: Nick Gelych, Deputy Reeve
Lloyd Giebelhaus, Councillor
George Vaughan, Councillor
Mark Wagner, MPC Member

Councillors Absent: Ken Brunton, MPC Board Member

Administration Present: Matthew Ferris, Director of Growth & Compliance
Cindy Suter, Legislative & Support Services Supervisor

Also Present: No members of the public were in attendance.
2 members of the public were in attendance online via Zoom.

CALL TO ORDER

Chair Deputy Reeve Nick Gelych called the meeting to order at 9:37 a.m.

ADDITIONS TO AGENDA

ACCEPTANCE OF AGENDA

Acceptance of the Agenda

MPC3-2023 MOVED BY Councillor Lloyd Giebelhaus that the Municipal Planning Commission Board approves the May 3, 2023, Municipal Planning Commission meeting agenda as presented. Carried.

ADOPTION OF MINUTES

December 7, 2022 Municipal Planning Commission Meeting Minutes

MPC4-2023 MOVED BY Councillor George Vaughan that the Municipal Planning Commission Board approves the December 7, 2022, MPC meeting minutes as presented. Carried.

February 1, 2023 Municipal Planning Commission Meeting Minutes

MPC5-2023 MOVED BY Councillor Lloyd Giebelhaus that the Municipal Planning Commission Board approves the February 1, 2023, MPC Meeting minutes as presented. Carried.

DELEGATIONS & PRESENTATIONS

MUNICIPAL PLANNING COMMISSION

23-D0042, within SW 10-55-02 W5M, for Short Term Rental: Residential Cabin as AirBnB

MPC6-2023 MOVED BY Councillor Lloyd Giebelhaus that development permit application 23-D0042, Applicant/Owner: Regan Gee, for Short Term Rental: Residential Cabin as AirBnB within

SW 10-55-02 W5M, Tax Roll #5502102002 (Div. 2), be approved subject to the following conditions:

Bylaw 22-2017

1. Failure to conform to the conditions of a development permit will render the permit null and void.
2. The Applicant shall be responsible for obtaining and complying with any required permits from federal, provincial, or other regulatory bodies. The Applicant shall also be responsible for complying with the condition of any easement, covenant, building scheme, or development agreement affecting the site.
3. The development that is the subject of the permit applies to garden suite (20.0' x 28.0') as shown on page 5 of the application, no further development or buildings are authorized through this development.
4. All development shall be landscaped and graded in a manner that all surface run-off is either contained on-site, or public drainage system (i.e. a municipal ditch).
5. The Applicant shall remove all garbage and waste at his/her own expense and keep the site in a neat and orderly manner.
6. Any field work or construction undertaken prior to the effective date of the development permit is at the risk of the Owner(s)/Applicant(s).
7. The Applicant must obtain Public Works approval for all approaches required for the proposed development.
8. Any changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.
9. The Applicant shall pay the annual Solid Waste Utility bill as per Solid Waste Utility Bylaw.
10. The proposed development shall be sited and conform to all building setbacks as shown on the submitted drawing, shall not be moved or enlarged except where authorized and conform to all building setbacks as required as per the Land Use Bylaw requirements:

Country Living Residential (CLR)
 FRONT 25.0 m (82.02 ft.) from any municipal roadway
 REAR 7.5 m (24.61ft.)
 SIDE 6.0 m (19.69 ft.)
11. A plot plan drafted by an Alberta Land Surveyor must be submitted prior to start of any further development, including but not limited to the following:
 - a. trails;
 - b. signage
 to ensure all development is located within the permitted building area.
12. The applicant/owner shall enter into an Overland Drainage Easement and Restrictive Covenant with the Lac Ste. Anne County, in a form and on terms and conditions satisfactory to the County, which shall registered against title to the lands prior to the commencement of development.
13. Pursuant to Rural Addressing Bylaw, the applicant to provide confirmation that a rural address sign that complies with the County's Rural Address Sign Specifications is placed within 3 months of the approval of this development permit. Rural addressing signs can be obtained from Lac Ste. Anne County.
14. The permit is valid for one (1) year commencing the effective date, and shall be automatically renewed each year afterwards, subject to conformance with the Land Use Bylaw and the conditions of approval contained in the permit.
15. The Applicant must obtain a business license from Lac Ste. Anne County before the opening of the facility and shall maintain at all times a Lac Ste. Anne County Business License as per Business License Bylaw.
16. No highly explosive materials used for blasting will be used or stored on the premises. No activity shall be allowed that would interfere with radio or television in the area, nor shall there be any offensive odour, heat, or glare noticeable at or beyond the property line.
17. The applicant is responsible for complying with any and all regulations as outlined in the Lac Ste. Anne County Noise Control Bylaw (Bylaw 25-2023) and Unsightly and Nuisance Bylaw (Bylaw 28-2015) currently in effect and Community Standards Bylaw (once approved proposed Bylaw 16-2023).
18. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.

Carried.

193193-23-D0045, Lot 6, Block 2, Plan 7622324, Birchwood Estates within NW 20-54-4 W5M, for Pergola (148.84 sq. ft.) 10.5' walls, with rear yard variance request. required: 7.5m, Requested: 1.8m, Variance: 5.7m.

MPC7-2023

MOVED BY Councillor George Vaughan that development permit application 193193-23-D0045, Applicant & Owner: Tarrabain, Theresa, for Pergola (148.84 sq. ft.) 10.5' walls, under the updated Rear Yard Request Required: 7.5m, Requested: 1.8m, with a Variance: 5.7m. On Lot 6, Block 2, Plan 7622324, Birchwood Estates within NW 20-54-4 W5M, Tax Roll #5404203014 (Div. 4), be refused for the following reasons:

1. Land Use Bylaw Subsection 3.10.1 states that "The development Authority may approve an application for a development permit, notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Authority, the proposed development would not:" 3.10.1(b) specifies "Materially interfere with or affect the use, enjoyment, or value of the neighboring properties."
2. Where the Land Use Bylaw Subsection 9.17.1 states that "The purpose of the Country Residential (CR3) district is to accommodate suitable forms of residential developments in areas of high enjoyment value and ensure that they are of an appropriate type, scale and character." Where the development permit application does impede upon the potential enjoyment of a neighboring property, it is deemed counterproductive to the purpose which is to provide "high enjoyment value".

Carried.

036SUB2022, SE 08-57-05 W5M to create one (1) 11.28 +/- acre parcel from a previously subdivided quarter-section

MPC8-2023

MOVED BY Councillor George Vaughan that the Municipal Planning Commission Board defer the subdivision application 036SUB2022, Applicant: Carlor Ranches Inc. Owner: Lorne Shulhan to create one (1) 11.28 +/- acre parcel from a previously subdivided quarter-section within SE 8-57-05 W5M, Tax Roll #5705081001 (Div. 4), pending the decision of the May 17, 2023 County Council meeting.

Carried.

ADMINISTRATION

COUNTY MANAGER

BYLAWS & POLICIES

CLOSED SESSION

COUNCIL COMMITTEE REPORTS

ADJOURNMENT

Chair Deputy Reeve Nick Gelych adjourned the meeting at 10:07 a.m.

CAO

Chair & Deputy Reeve