

**LAC LA BICHE COUNTY**  
**Subdivision and Development Appeal Board**  
**July 24, 2023 - 6:30 p.m.**

**Submission Package**  
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**Accessory Building with Variance Granted to  
Minimum side yard (East) to 0.4m (1.4 ft), varied from 1.0m (3.3 ft)**

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Note: Personal information has been redacted in accordance with s.17 FOIP.



LAC LA BICHE COUNTY

# SUBDIVISION AND DEVELOPMENT APPEAL BOARD

## NOTICE OF APPEAL HEARING SUBDIVISION AND DEVELOPMENT APPEAL BOARD OF LAC LA BICHE COUNTY

An appeal has been filed with the Subdivision and Development Appeal Board regarding the following:

File No.:	2023-042
Legal Description:	Lot 42, Block 1, Plan 8122115
Municipal Address:	121, 63303 Hwy 867
Proposed Development:	Accessory Building
	Variance Granted to: Minimum side yard (East) to 0.4m (1.4 ft), varied from 1.0m (3.3 ft)

---

A Subdivision and Development Appeal Board hearing has been scheduled to hear the appeal with respect to the approval of development application 2023-042.

PLACE OF HEARING:	Lac La Biche County – Council Chambers Second Floor, McArthur Place 10307 – 100 Street, Lac La Biche
DATE OF HEARING:	Monday, July 24, 2023
TIME OF HEARING:	6:30 p.m.

---

Any persons affected by the proposed development have the right to present written submissions and/or to be present and be heard at the hearing. Hearing participants may provide written submissions to the Clerk of the Subdivision and Development Appeal Board prior to 4:30 p.m., Wednesday, July 19, 2023, for inclusion in the packages. Written submissions will further be accepted at the hearing. All submissions will form part of the public record.

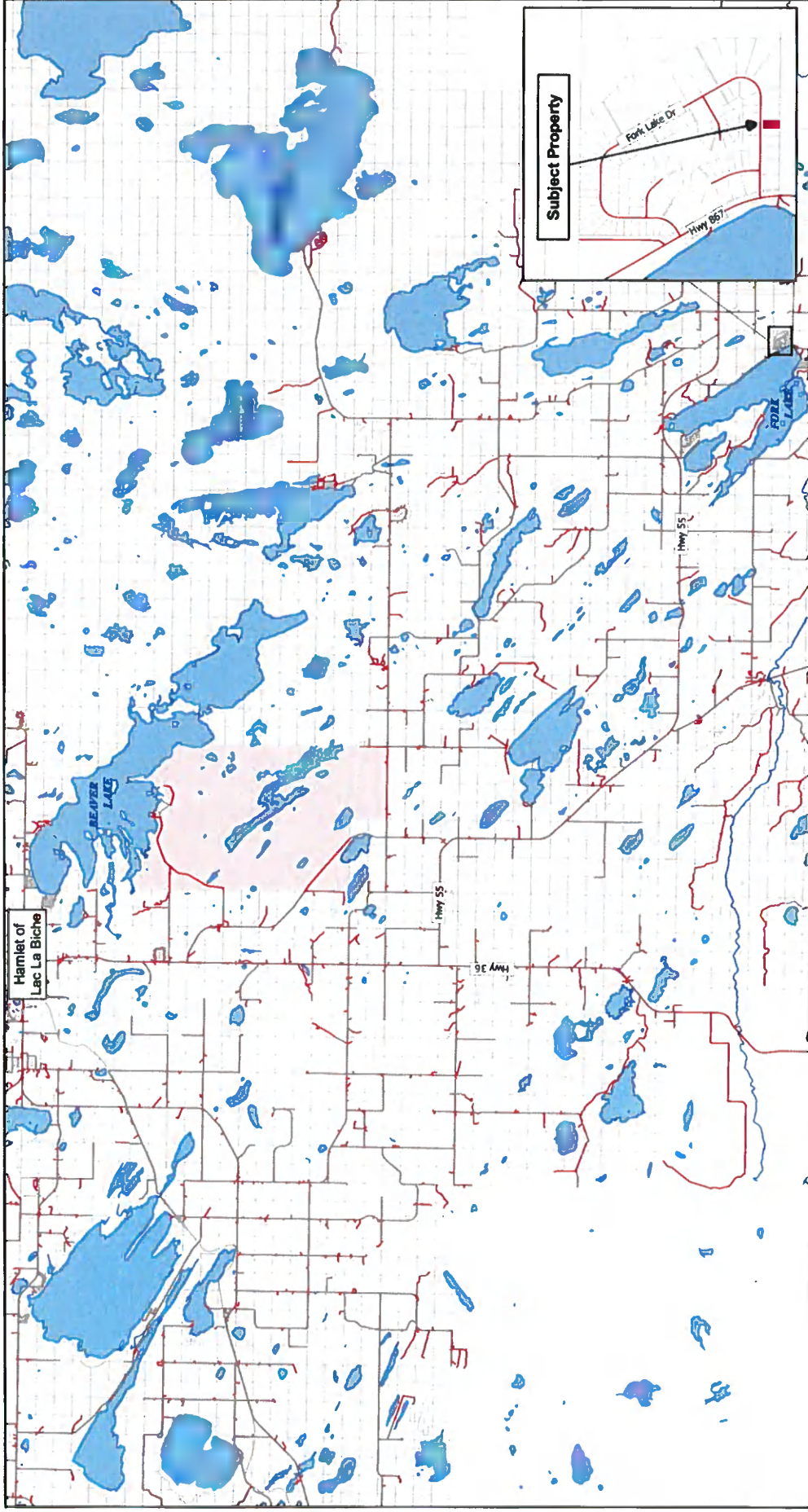
All relevant documents and materials respecting this appeal are available for public inspection prior to the scheduled hearing. Please contact the Clerk of the Subdivision and Development Appeal Board at 780-623-6740 for information regarding this hearing.

Heather Reid, Clerk  
Subdivision and Development Appeal Board

# General Location

## 2023-042

### Lot 42, Block 1, Plan 8122115



**Subject Property**



Map Produced: May 25, 2023

Projection: UTM12 NAD83

Lac La Biche County makes no representation or warranties regarding the information contained in this document, including, without limitation, whether said information is accurate or complete. Persons using this document do so solely at their own risk, and Lac La Biche County shall have no liability to such persons for any loss or damage whatsoever. This document shall not be copied or distributed to any person without the express written consent of Lac La Biche County.

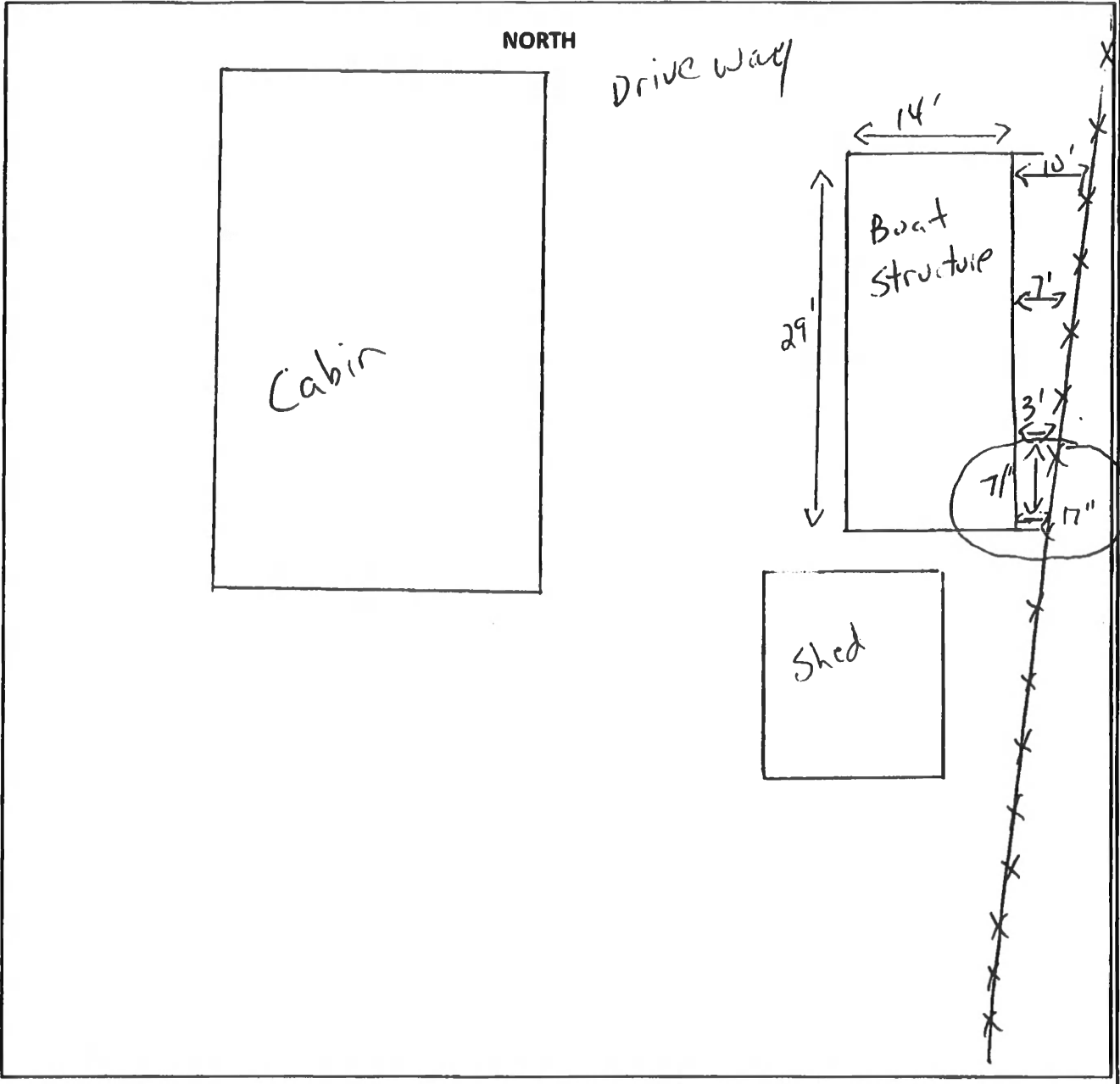
Base Map compiled from the Provincial Title Mapping Digital Base.  
Spatial Data Warehouse Ltd., November 2022. © 2023 Lac La Biche County. All Rights Reserved.

# SITE PLAN

Date: \_\_\_\_\_

Legal: Lot 42 Block 1 Plan 8122115 and/or Part of ¼ Sec Twp Rge W4M

Name of Applicant: \_\_\_\_\_ File Number: 2023-042 Scale: \_\_\_\_\_



APPLICANT'S SIGNATURE: \_\_\_\_\_

## CONDITIONS

1. Shall be located as per the attached site plan submitted on May 18, 2023.
2. Accessory buildings shall not be used as dwellings.
3. Accessory buildings and structures shall not exceed 6.5 m (21.3 ft.) in height from the inside wall grade to the top of the roof.
4. The accessory building shall not be located closer than 0.4 m (1.4 ft.), varied from 1.0 m (3.3 ft.) from the east side property line.
5. The accessory building shall not be located closer than 1.0 m (3.3 ft.) from the west side property line and rear property line.
6. Accessory buildings shall not be located closer than 2.0 m (6.6 ft.) from a dwelling.
7. Accessory buildings shall not exceed 12% of the total lot coverage.
8. The Applicant shall provide legal and physical access to the subject property in accordance with Section G.16 of Lac La Biche County's General Municipal Servicing Standards, as amended from time to time.
9. Emergency response number signs shall be posted at the parcel entrance in accordance with Lac La Biche County's Municipal Address Bylaw 06-023, as amended from time to time. Your address is **121 63303 HWY 867**.
10. The Applicant shall obtain any and all approvals, permits, and authorizations from any and all agencies, departments, and authorities that may be required.
11. No drainage measures undertaken as part of a development shall negatively impact adjacent lots by way of flooding or inundation through the redirection of surface water. In the event that a development is found to affect neighbouring lands, all required mitigation measures required to remedy the problem including drainage structures, drainage easements, and retaining walls, shall be at the offending developer's sole expense.
12. Garbage collection shall be in accordance with the Lac La Biche County Waste & Recycling Management Bylaw 20-016.
13. Water supply must comply with all applicable provisions of the Public Health Act, as amended.
14. Sewage disposal must comply with all the applicable provisions of the Alberta Private Sewage Systems Standard of Practice 2015, and amendments thereto.
15. No Development shall occur over a registered easement or utility right-of-way.
16. Any construction that occurs as a result of a development permit approval shall be completed within two (2) years of the date of the approval.

Chris and Vera Mazurak

[REDACTED]  
[REDACTED]

1318045 Alberta Ltd

[REDACTED]  
[REDACTED]

Glen Gamblin

[REDACTED]  
[REDACTED]

Diane Lorenson

[REDACTED]  
[REDACTED]

Gale Lazaruk

[REDACTED]  
[REDACTED]

Jason Robert McDonnell

[REDACTED]  
[REDACTED]

Marcia Smith

[REDACTED]  
[REDACTED]

Lee-Ann Steele

[REDACTED]  
[REDACTED]

Dolores Erickson

[REDACTED]  
[REDACTED]

Miles and Janet Hoffman

[REDACTED]  
[REDACTED]

S C K Welding Ltd

[REDACTED]  
[REDACTED]

Miles and Janet Hoffman

[REDACTED]  
[REDACTED]

Lac La Biche County  
Planning & Development Department

**Heather Reid**

---

**From:** Heather Reid  
**Sent:** July 6, 2023 2:08 PM  
**To:** [REDACTED]  
**Subject:** FW: Subdivision and Development Appeal Board Hearing - Development Permit 2023-042  
**Attachments:** Notice of Hearing - Chris and Vera Mazurak.pdf

Hello Mr. Mazurak,

Thank you for your call today. Here is the link to the additional information on the SDAB located on the County website: <https://laclabichcounty.com/p/subdivision-and-development-appeal-board>. On this page you will find a link to the SDAB's regular procedures which provides an overview of the process and what to expect at the hearing.

I have also attached the Notice of Hearing – a hard copy will be sent by mail.

Please let me know if you have any questions.

Thank you!



**Heather Reid**  
Coordinator  
Legislative Services  
Phone: 780-623-6740

*We respectfully acknowledge the traditional and ancestral lands of the First Nations peoples of Treaty 6, Treaty 8 and Treaty 10 territories and the Homeland of the Métis people. Lac La Biche County continues to be home to Indigenous peoples since time immemorial, and we recognize the vital contributions of Indigenous culture, history and perspectives in our shared past, present and future.*

---

**From:** Heather Reid <heather.reid@laclabichcounty.com>  
**Sent:** Wednesday, July 5, 2023 11:25 AM  
**To:** [REDACTED]  
**Subject:** Subdivision and Development Appeal Board Hearing - Development Permit 2023-042

Attention: Chris and Vera Mazurak

Good morning,

The Subdivision and Development Appeal Board is in receipt of two appeals related to the approval of your application for Development Permit 2023-042.

A hearing has been scheduled for **Monday, July 24, 2023 at 6:30 p.m.** at McArthur Place - Council Chambers (2<sup>nd</sup> Floor) in Lac La Biche.

A Notice of Hearing with additional details will be forthcoming shortly.

If you have any questions, you may email me or phone me at 780-623-6740.

Thank you.



**Lac La Biche County**  
welcoming by nature.

**Heather Reid**

*Coordinator*

**Legislative Services**

**Phone: 780-623-6740**

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## Heather Reid

---

**From:** Heather Reid  
**Sent:** July 6, 2023 2:43 PM  
**To:** [REDACTED]  
**Subject:** FW: Subdivision and Development Appeal Board Hearing  
**Attachments:** Notice of Hearing - Miles Hoffman.pdf

Hello Mr. Hoffman,

Please find attached the Notice of Hearing.

Would you also confirm your mailing address? I will send a hard copy by mail as well.

Thank you!



*We respectfully acknowledge the traditional and ancestral lands of the First Nations peoples of Treaty 6, Treaty 8 and Treaty 10 territories and the Homeland of the Métis people. Lac La Biche County continues to be home to Indigenous peoples since time immemorial, and we recognize the vital contributions of Indigenous culture, history and perspectives in our shared past, present and future.*

---

**From:** Heather Reid <heather.reid@laclabichedcounty.com>  
**Sent:** Wednesday, July 5, 2023 11:37 AM  
**To:** [REDACTED]  
**Subject:** Subdivision and Development Appeal Board Hearing

Good morning Mr. Hoffman,

The Subdivision and Development Appeal Board is in receipt of your appeal related to the approval of application for development 2023-042.

A hearing has been scheduled for **Monday, July 24, 2023 at 6:30 p.m.** at McArthur Place - Council Chambers (2<sup>nd</sup> Floor) in Lac La Biche.

A Notice of Hearing with additional details will be forthcoming shortly.

If you have any questions, you may email me or phone me at 780-623-6740.

Thank you.

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**Lac La Biche County**  
welcoming by nature.

**Heather Reid**

*Coordinator*

**Legislative Services**

**Phone: 780-623-6740**

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A22 - Tuesday, July 11, 2023, Lakeland This Week

# Bike patrol cops roll out from Lac La Biche training centre

**CHRIS MCGARRY**  
Lac La Biche, Post

**LAC LA BICHE** - Lac La Biche's Law Enforcement Training program is rolling out a new module. The first session was held at the start of the month.

From July 4 - 6, a group of six peace officers — three from Lac La Biche County and three from Red Deer — were put through their paces in an intensive course designed to equip them with the skills needed to safely operate bicycles while carrying out their duties.

"Peace officers use bikes regularly," says Chris Clark, the director of the law enforcement training program for Lac La Biche County Enforcement Services, explaining that the training covers municipal and off-road riding.

"Once they complete this course, three of our staff will be able to hit the trails and begin doing patrols," he told Lakeland This Week.

Throughout the training, officers were instructed in safe riding practices and procedures, including how to mount and dismount a bike very quickly, as well as proper bicycle maintenance. The officers were also trained on utilizing the bikes as another tool in their law enforcement inventory.



Chris McGarry photo

From Tuesday to Thursday, six peace officers from Lac La Biche County and Red Deer participated in the bike qualification course at the Enforcement Services building in Lac La Biche. Over the three days, the officers were taught a variety of skills such as safe riding practices, arresting suspects while on a routine bike patrol as well as how to dodge rocks and other obstacles while on a trail or road and safely navigate traffic.

"Bikes are often utilized as an effective crowd control measure and officers can use them to create barriers, should a particular situation call for such course of action," Clark said.

In one module of the training, the officers participated in an exercise where a narrow path of yellow cones simulated a road, one which they were required successfully navigate while dodging obstacles.

The officers were also taught how to safely manoeuvre their way through heavy traffic while avoiding a collision, as well as methods to effectively arresting a suspect while conducting a routine bike patrol.

### Increased coverage

In addition to providing greater accessibility to hard-to-reach places such as backwoods trails, pathways, and park areas, bicycles bring a closer interaction between police and the communities they serve, says Clark.

"We typically use bikes to better engage with the public, especially during large community events," Clark explained.

The bike training module is one of many training sessions offered through the Lac La Biche County Law Enforcement Training program. The program operates in partnership with the municipality, Portage College and Alberta Justice.

# Summer kids' camps include science and circus

**CHRIS MCGARRY**  
Lac La Biche Post

**LAC LA BICHE** - School may be out for summer, but that doesn't mean kids need to take a break from learning.

And for those between the ages of six and 12 who are on brushing up on their science skills in an entertaining, non-academic setting, the Super Science Camp, held at the Bold Center from July 24-28, is the place to be.

"The purpose of this camp is to give kids the ability to be active, build teamwork, and explore their creativity in a fun environment," says Kristina Oberg, the community recreation supervisor for Lac La Biche County. "These camps are important because they support the development of physical literacy, and help kids gain confidence and social skills."

While attending the camp, youngsters are given the opportunity to

participate in a variety of themed experiments and special activities. They are taught such valuable lessons as the science of sports, as well as how building structures work.

"There are so many games that enhance their knowledge," Oberg explained. "They get to do fun things like building catapults and making slime, which is something kids really enjoy."

This is the first year for the Super Science Camp, which is one

of several camps over the summer months hosted by Lac La Biche County Department of Recreation and Culture.

Other camps taking place this summer include a Mission Impossible-themed program from July 17-21, a Creative Circus from August 8-11, and a Magicians Academy from August 14-18.

Anyone interested in registering kids for the camps can contact the Bold Center customer service desk.

## LAC LA BICHE COUNTY WEEKLY IN TOUCH

Notices

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### NOTICE OF APPEAL HEARING SUBDIVISION AND DEVELOPMENT APPEAL BOARD OF LAC LA BICHE COUNTY

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File No.: 2023-042  
Legal Description: Lot 42, Block 1, Plan R122115  
Municipal Address: 121, 63503 Hwy 867  
Proposed Development: Accessory Building  
Variance Granted to: Minimum side yard (East) to 0.4m (1.4 ft), varied from 1.0m (3.3 ft)

A Subdivision and Development Appeal Board hearing has been scheduled to hear the appeal with respect to the approval of development application 2023-042.

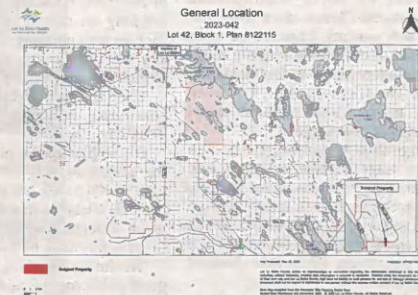
PLACE OF HEARING: Lac La Biche County - Council Chambers  
Second Floor, McArthur Place  
10307 - 100 Street, Lac La Biche

DATE OF HEARING: Monday, July 24, 2023  
TIME OF HEARING: 6:30 p.m.

Any persons affected by the proposed development have the right to present written submissions and/or to be present and be heard at the hearing. Hearing participants may provide written submissions to the Clerk of the Subdivision and Development Appeal Board prior to 4:30 p.m., Wednesday, July 19, 2023, for inclusion in the packages. Written submissions will further be accepted at the hearing. All submissions will form part of the public record.

All relevant documents and materials respecting this appeal are available for public inspection prior to the scheduled hearing. Please contact the Clerk of the Subdivision and Development Appeal Board at 780-623-6740 for information regarding this hearing.

Heather Reid, Clerk  
Subdivision and Development Appeal Board



For more information, please visit [LacLaBicheCounty.com](http://LacLaBicheCounty.com).

# Program grows positivity and resilience in children

CHRIS MCGARRY  
Lac La Biche Post

**LAC LA BICHE** - Deb Menard, an FCSS community outreach worker says a unique five-week program is designed to help local kids aged 7-10 increase their social skills and foster a positive outlook on life.

"We want children to be able to develop a strong growth mindset and believe in themselves and realize their potential," she told *Lakeland This Week*. "Groups are kept small to enable facilitators to better interact with the kids."

The most prominent learning tool used in Growing Minds is the Big Life Journal. As the name may imply, this large, very colorful illustrated book features 10 themes. Two themes are completed each week by the participants and include a mixture of activities such as reading inspiring stories, drawing, and playing games.

"Through taking part in these exercises, kids are taught how to overcome difficult challenges and negative feelings in their day-to-day lives and emerge stronger," Menard explained,



Chris McGarry photo

Deb Menard, FCSS community outreach worker for children, helps London Miller and Devon Campbell with a coloring project as part of the Growing Minds program at the Bold Center.

adding that each activity is designed specifically to convey an encouraging, helpful message. "When they become overwhelmed by mistakes and stress, this is another coping mechanism in their toolbox."

Recently, youngsters enjoying the program put their artistic abilities to work creating positive self-talk flowers. Another ongoing project is the creation of special picture frames in which a button containing a positive message is added each week.

### Pandemic reactions

The program is timely says Menard, as the isolation and anxiety

brought about by the COVID-19 pandemic took a tremendous toll on the mental health of children.

"Throughout the past few years, many children did not have an adequate amount of social interaction," she continued. "The Growing Minds program is teaching them how to reconnect and be with their peers instead of spending hours alone in front of screens."

The Growing Minds program takes place every Thursday at the Bold Center from 9:30 - 11:30 a.m. and runs until August 10. For more information, contact Family and Community Support Services.

July 2023

**LAC LA BICHE MISSION**

Canada Day

Fête du Canada

Thank you to our sponsors:  
Merci à nos commanditaires:

Firstly, we would like to send out a big THANK YOU to all our dedicated volunteers! This event would not be possible without your help.

We would also like to thank our staff members for working a long day, keeping a smile on and being full of energy! Thank you to our Board of Directors for assisting us in offering this wonderful celebration of our Country to our community.

Thank you to the dignitaries who offered a speech for the Opening Ceremony, and to Chloé, Anika & Alvera for signing our Canadian anthem. Thank you to all of the performers and artists. Thank you to Alberta Parks for the wonderful display.

We are so thankful for another successful Canada Day celebration at the Mission. Despite the rainy weather, the sun came out in the end. Thank you to everyone who came out and enjoyed the festivities with us.

Danielle Gauthier & Christelle Shepherd

## LakelandTODAY.ca

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# LAC LA BICHE COUNTY WEEKLY IN TOUCH

Notices

Information

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 Municipal Address: 121, 63303 Hwy 867  
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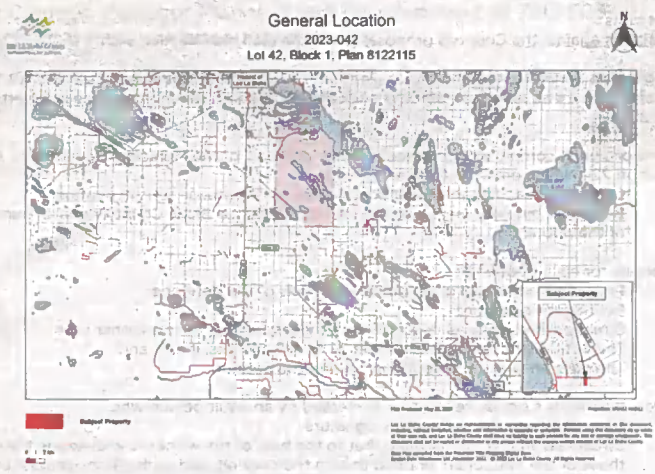
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Heather Reid, Clerk  
 Subdivision and Development Appeal Board



For more information, please visit [LacLaBicheCounty.com](http://LacLaBicheCounty.com).

- Contact Us
- County History
- Key Documents +
- Living in Lac La Biche County
- Local Notices**
- Maps
- Our Organization +
- Statistics
- Upcoming Events

< Back

**NOTICE OF APPEAL HEARING: SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

🕒 POSTED: 06 JUL



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**File No.:** 2023-042

**Legal Description:** Lot 42, Block 1, Plan 8122115

**Municipal Address:** 121, 63303 Hwy 867

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County Council

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Public Hearings & Statutory Notices



## Public Hearings & Statutory Notices

This page contains official notices relating to public hearings, Council meetings and other matters that Lac La Biche County is required to provide, either by the Municipal Government Act of Alberta or Council's own direction.

### Public Hearings +

### Statutory Notices -

Certain bylaws, Council resolutions and quasi-judicial boards require legislated notice. Depending on the nature of the matter, further steps may be taken after the public has been notified. Each notice will outline what actions may take place and when. Please contact Legislative Services at [legservices@laclabichcounty.com](mailto:legservices@laclabichcounty.com) or (780) 623-1747 if you have questions about the below notices.

### Current Notices

**Subdivision & Development Appeal Board Hearing** ([click here to read the Notice of Appeal Hearing](#))  
Monday, July 24 at 6:30 p.m.

- [Click here to view the general location of the subject property](#)

**Intention to sell land for less than market value** ([click here to read the Notice of Intention](#))

**Canadian Navigable Waters Act Application**

### Council Meetings +

FOLLOW US





# NOTICE OF APPEAL

An appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and must be accompanied by the \$200 appeal fee. The Notice of Appeal will form part of the file available to the public.

**SITE INFORMATION**

Municipal Address	Legal Land Location	File Number
	LOT 42, BLOCK 1 PLAN 8122-115	2023 042

**APPELLANT INFORMATION**

<b>Name</b>	MILES HOFFMAN
<b>Phone Number(s)</b>	[REDACTED]
<b>Email Address</b>	[REDACTED]
<b>Mailing Address</b>	[REDACTED]
<b>Agent Name &amp; Contact (if applicable)</b>	[REDACTED]

**APPEAL AGAINST (Check One)**

Development	Subdivision	Stop Order
Approval <input checked="" type="checkbox"/>	Approval <input type="checkbox"/>	Stop Order <input type="checkbox"/>
Conditions of Approval <input type="checkbox"/>	Conditions of Approval <input type="checkbox"/>	
Refusal <input type="checkbox"/>	Refusal <input type="checkbox"/>	

**REASONS FOR APPEAL (attach additional pages, if necessary)**

The Municipal Government Act requires reasons to be filed with the appeal.

SITE PLAN PROPERTY LINE HAS BEEN MISREPRESENTED  
 BUILDING IS 2" FROM PROPERTY LINE &  
 ROOF OVER HANGS OUR PROPERTY

<b>Signature</b> [REDACTED]	<b>Date</b>
	June 29 2023

Your personal information is being collected under the authority of Section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The information is being collected for the purpose of administering the appeal process. If you have any questions about the collection and use of this information, please contact the FOIP Coordinator for Lac La Biche County at (780) 623-1747.

**OFFICE USE**

Date Appeal Received	Fee Paid	SDAB File Number
June 29 2023	Yes - \$200	2023-042

WE HAD SURVEYED AUG 2022  
+ TOOK PHOTOS LUCKILY

THE SURVEY STAKES WERE  
REMOVED BY THE NEIGHBOR  
TO TRY & CONCEAL THE PROPERTY  
LINE.

THE COUNTY HAS ORDERED A ~~LETTER~~  
LETTER OF COMPLIANCE WHICH WAS  
APPEALED & OVERTURNED GIVING  
AN EXTENSION TILL AUG 31<sup>ST</sup> 2023  
TO COMPLY ~~TO~~ TO BYLAW  
1 METER .





*Lac La Biche County*  
welcoming by nature.

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**July 24, 2023**  
**ADMINISTRATION REPORT**  
**Lac La Biche County**  
**Planning and Development**

---

**Date:** July 24, 2023

**Memo To:** Subdivision & Development Appeal Board

**From:** Planning & Development

**Subject:** Lot 42, Block 1, Plan 8122115

Development Permit Number 2023-042

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## 1.0 PURPOSE:

To provide the Subdivision and Development Appeal Board information with regards to an appeal of the June 14, 2023, Development Authority (Municipal Planning Commission) decision that approved development application 2023-042 for an Accessory Building with a variance to the Minimum Side Yard (East) *to* 0.4 m (1.4 ft.), *varied from* 1.0 m (3.3 ft.).

## 2.0 BACKGROUND INFORMATION:

- **On May 19, 2023**, development application 2023-042 was submitted for an existing accessory building and a variance to the minimum side yard on the east side.
- **On May 26, 2023**, a site inspection was conducted by Kika Mukuninwa. Photos were taken of the location of the accessory building.
- **On June 14, 2023**, the Municipal Planning Commission (MPC) gave conditional approval for an Accessory building with a variance to the Minimum Side Yard (East) *to* 0.4 m (1.4 ft.), *varied from* 1.0 m (3.3 ft.), pending the lapsing of the 21-day appeal period.
- **On June 14, 2023**, a Notification Letter with conditional approval was sent to the applicant describing the Municipal Planning Commission's decision.
- **On June 14, 2023**, Notification Letters were sent to adjacent property owners within 60.0 meters of the subject property in accordance with Section D1.10(2) of the Land Use Bylaw, and Section 685(2) of the Municipal Government Act, which allows for 'any person affected by an order, decision or development permit made by a development authority [to] appeal to the subdivision and development appeal board'.
- **On July 5, 2023**, an appeal of the proposed development was received by the Secretary of the Subdivision and Development Appeal Board.

## 3.0 DISCUSSION:

- Lot 42 is located in Fork Lake Estates subdivision, with access off Fork Lake Drive.
- The applicants stated in their variance request that the Accessory Building (boat storage structure) is over thirty (30) years old and was built by the previous owners.
- On June 14, 2023, the Municipal Planning Commission (MPC) gave conditional approval for the Accessory Building with a variance to the side yard setback (east) from 1.0 m (3.3 ft.) to 0.4 m (1.4 ft.), **a variance of sixty percent (60%)**, pending the elapsing of the 21-day appeal period.
- On June 14, 2023, a Notification Letter was sent to the applicant and adjacent landowners.
- On July 5, 2023, an appeal of the proposed development was received by the Secretary of the Subdivision and Development Appeal Board.

## 4.0 PLANNING DOCUMENTS AND COUNTY POLICY:

### LAC LA BICHE COUNTY LAND USE BYLAW NUMBER 17-004

## **Section E1 - Definitions**

Accessory Building means a permanent or temporary building which is, unless exempted in this Bylaw, subordinate to, exclusively devoted to, and located on the same lot as the principal building. Where a structure is attached to a principal building on a lot by a roof, an open or enclosed structure, a floor of foundation, or any structure below grade allowing access between the building and the structure, it is considered part of the principal building. For the purpose of this Bylaw, frame and fabric structures, quonsets and gazebos are considered to be accessory buildings. This definition excludes the use of sea cans.

Variance means an alteration or change to a standard prescribed by the Bylaw that is authorized by the Development Authority or Subdivision and Development Appeal Board.

### **Section B3.1 – Country Residential District (CR)**

The purpose of this district is to accommodate low-density residential development on large unserviced lots that meet Municipal and Provincial servicing standards. Although land currently zoned under this district may be subdivided and developed in accordance with the requirements of this district, this district shall not be expanded to any additional lands in the County.

### **Section C2.2 Accessory Buildings and Structures**

In all districts, accessory buildings shall:

f) be located a minimum of 1.0 m (3.3 ft.) from a side lot line, provided the building does not encroach on an easement

### **Section D1.1(3) – Duties and Responsibilities**

The Municipal Planning Commission shall:

b) issue decisions for permitted uses which the Development Officer refers to it, including development applications that propose a variance from the requirement of this Bylaw as per the “*Variance Authority Table*.”

### **Section D1.10(2) – Notice of Decision**

When an application for a development permit for a permitted use that proposes a variance, or a discretionary use is approved, the notice of decision shall be sent, by regular mail, to all owners of land, located adjacent to, or wholly or partially within a distance of 60.0 m (196.9 ft.) of the lot lines of the lot that is the subject of the development permit.

## **LAC LA BICHE COUNTY BYLAW NUMBER 19-015 (an amendment to Land Use Bylaw 17-004)**

### **Section D1.6(2) – Variance Authority**

The Municipal Planning Commission may grant a variance of 25.1 to 100.0% for permitted uses.

## **LAC LA BICHE COUNTY BYLAW NUMBER 19-017 (an amendment to Land Use Bylaw 17-004)**

Development Authority means a Development Officer, the Development Compliance Officer, the Municipal Planning Commission, or Council, as the case may be.

## **LAC LA BICHE COUNTY MUNICIPAL DEVELOPMENT PLAN (Bylaw 22-012)**

### **Part 6 – Rural Residential Objectives:**

- ❖ Direct new multi-lot residential development to prescribed areas.
- ❖ Establish clear criteria for the development of multi-parcel residential subdivisions.
- ❖ Make more efficient use of existing infrastructure and improve service delivery to residential areas.


## 5.0 SUMMATION:

- The application for development (variance) was conditionally approved pending the appeal period lapsing on July 6, 2023.
- The application was considered by the Municipal Planning Commission with the regulations set out in the Land Use Bylaw and statutory plans.

## 6.0 ATTACHMENTS

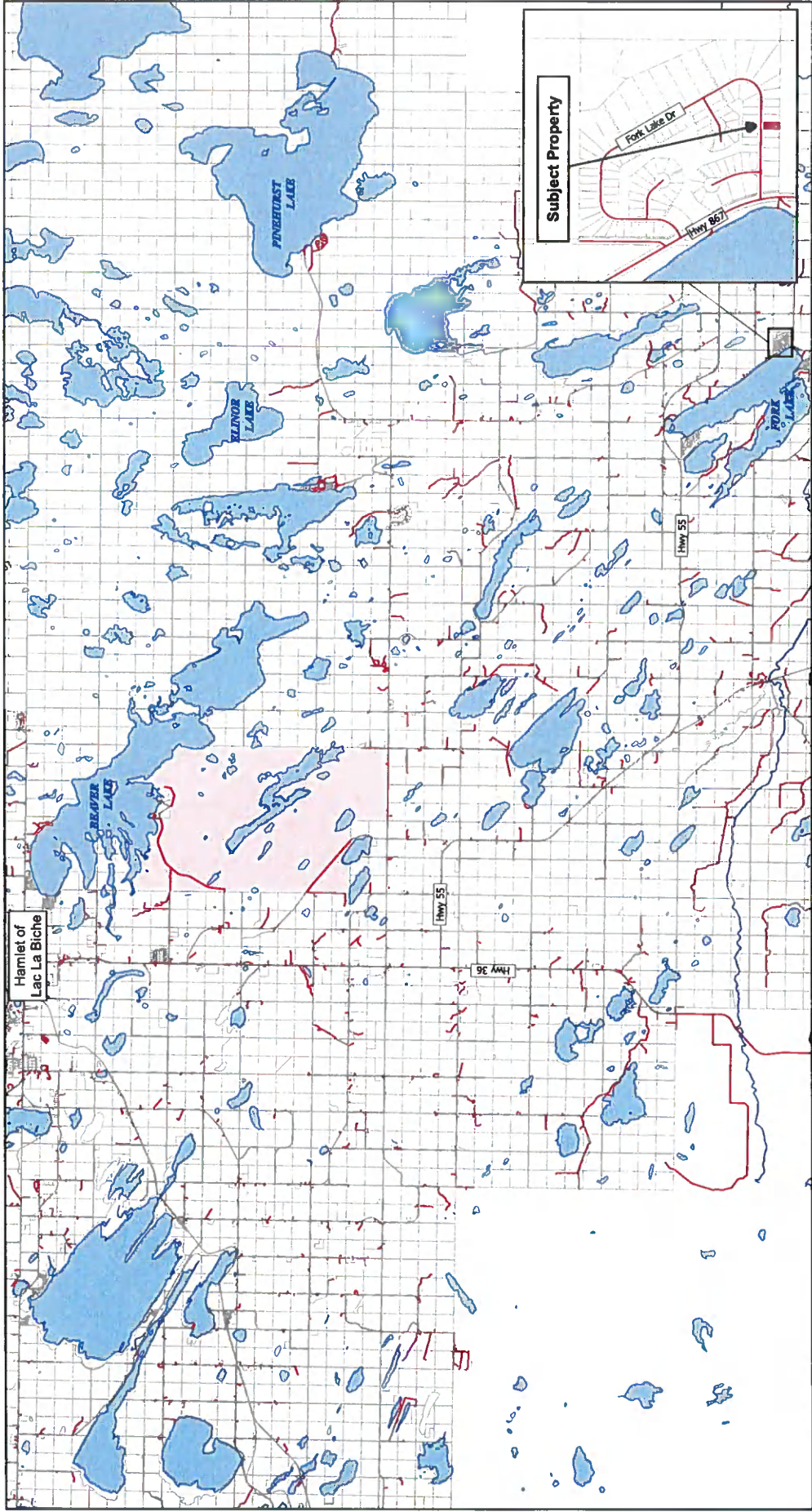
1. General Location Map
2. Aerial Photos Map
3. Development Permit Application
4. Variance Request
5. Tentative Site Plan
6. Site Inspection Photos (May 26, 2023)
7. Notice of Decision Letter (June 14, 2023)
8. Section B3.1: Land Use Bylaw 17-004– Country Residential District (CR)
9. Section C2.2: Land Use Bylaw 17-004– Accessory Buildings and Structures

Prepared by:  July 19, 2023  
 Pam Routhier Date  
 Planning and Development Officer I

Endorsed by:  July 19/2023  
 Diane Cloutier Date  
 Manager, Planning and Development

# General Location

2023-042  
Lot 42, Block 1, Plan 8122115



**Subject Property**

Map Produced: May 25, 2023

Projection: UTM12 NAD83

Lac La Biche County makes no representation or warranties regarding the information contained in this document, including, without limitation, whether said information is accurate or complete. Persons using this document do so solely at their own risk, and Lac La Biche County shall have no liability to such persons for any loss or damage whatsoever. This document shall not be copied or distributed to any person without the express written consent of Lac La Biche County.

Base Map compiled from the Provincial Title Mapping Digital Base  
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# Aerial Image

2023-042  
Lot 42, Block 1, Plan 8122115



 Subject Property



Map Produced: May 25, 2023

Projection: UTM12 NAD83

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Base Map compiled from the Provincial Title Mapping Digital Base.  
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Lac La Biche County  
welcoming by nature.

PLANNING AND DEVELOPMENT DEPT  
P.O. Box 1679  
Lac La Biche, AB T0A 2C0  
Phone: (780) 623-1747 Fax: (780) 623-2039

APPLICATION FOR  
DEVELOPMENT

FILE NUMBER: 2023-040

ROLL NUMBER: [REDACTED]

Date Submitted: 18/05/2023

Applicant/Agent: Chris and Vera Mazurak

Phone: [REDACTED]

Address: [REDACTED]

Cell: [REDACTED]

City/Prov. [REDACTED]

Fax: \_\_\_\_\_

SIGNATURE: [REDACTED]

Email address: [REDACTED]

Agent Authorization: I am the 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.

Owner same as Applicant

Registered Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Cell: \_\_\_\_\_

City/Prov. \_\_\_\_\_

Postal Code: \_\_\_\_\_

Fax: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Email address: \_\_\_\_\_

**RIGHT OF ENTRY**

Pursuant to Section 542 of the Municipal Government Act, I hereby do  or do not  grant consent for a designated officer of Lac La Biche County to enter upon the land as described above, for a site inspection. This may include taking photographs to be used in reports if required by a Development Officer.

Print Name: Chris Mazurak      Vera Mazurak

SIGNATURE: [REDACTED]





Estimated Completion Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
MM DD YYYY

Dwelling: Floor Area \_\_\_\_\_ sq. ft. % of Lot Occupied \_\_\_\_\_ Height of Dwelling \_\_\_\_\_ metres

Accessory Building: Floor Area \_\_\_\_\_ sq. ft. % of Lot Occupied \_\_\_\_\_ Height \_\_\_\_\_ metres

Deck: Floor Area \_\_\_\_\_ sq. ft. % of Lot Occupied \_\_\_\_\_ Height \_\_\_\_\_ metres

Parking: No. of Off-Street Parking (Commercial/Industrial Use ONLY) \_\_\_\_\_

Existing Land Use District/Zoning of Property: \_\_\_\_\_

**Work Camps:**

Duration of Occupancy/use: \_\_\_\_\_ Number of Beds: \_\_\_\_\_

**Description of Work:**

\*NOTE: Description of Work shall include all new developments such as dwellings, decks, accessory buildings, landscaping, etc.

**\*\* NOTE: Safety Codes Permits (Building, Electrical, Plumbing, Gas, and Private Sewage) may be required for your development. Consult with a Safety Codes Officer to determine which permits are required.**

**APPLICATION REQUIREMENTS:**

Applications are NOT considered complete **until ALL of the required information has been provided**. Please ensure that you have completed the application form accurately and clearly. Lack of information may delay consideration of your application.

Should additional information be required, you will be contacted directly by the Planning and Development Department.

You will be notified by letter when your application has been accepted as complete and also when a decision has been made regarding your application.

The question that is often asked of our department is:

“How long does it take from start to finish for my complete application to be processed?”

Please be aware that a decision can take up to 40 days as per Section 22 of the Land Use Bylaw, as amended, and pursuant to Section 684 of the MGA. However, depending on the nature of the application, permits can be issued sooner.

**OFFICE USE ONLY**

**Type of payment:**

- CREDIT CARD
- DEBIT
- CASH
- CHEQUE

**DEVELOPMENT PERMITS**

- Deck over 0.6 m (2.0 ft) above grade.....\$100.00
- Sign.....\$100.00
- Residential Permitted.....\$150.00
- Residential Discretionary.....\$300.00
- Commercial/Industrial/Institutional/Crown Land Permitted .....\$500.00
- Discretionary .....\$750.00
- Minor Home Based Business.....\$100.00
- Change Of Use .....\$100.00
- Development Permit (Temporary).....\$50.00
- Accessory Building - Detached.....\$100.00
- Accessory Building -Sea Can.....\$100.00
- Fencing over 2.0 m (6.6 ft) in side and rear yards.....\$100.00

Total: \$1000.00

Receipt Number: 824087

Received By: [Signature]

Date Received:

May 19, 2023.  
MM DD YYYY

**Authorization:**

Officer's Name

Date Complete Application Received: 05 / 19 / 2023  
MM DD YYYY

Date of Approval:     /    /      
MM DD YYYY

Date of MPC: 06 / 14 / 2023  
MM DD YYYY

Date of Advertisement:     /    /      
MM DD YYYY

Date Permit Issued:

    /    /      
MM DD YYYY

Issuing Officer's Signature

*The personal information provided is being collected under the authority of the Municipal Government Act and will be used for the purposes under that Act. The personal information that you provide may be made public, subject to the provisions of the Freedom of Information and Protection of Privacy Act. Any questions regarding the collection, use or disposal of this information should be directed to the FOIP Coordinator for Lac La Biche County at (780) 623-6806.*

**REQUEST FOR VARIANCE**

Note: Only to be filled out in cases requiring variances.

File Number	Date of Request		
	YYYY	MM	DD

Name of owner's agent requesting variance	Email Address
Chris Mazurak Vera Mazurak	[REDACTED]

Mailing Address

Variance means an alteration or change to a standard prescribed by the Land Use Bylaw (LUB) that is authorized by the Development Authority. In addition to the requirements of Section 20 of the LUB, when an application for a development permit is submitted for a permitted or discretionary use which does not comply with the provisions of LUB, the Development Authority may request a statement from the applicant declaring the proposed variance for the development permit. Development permit applications that propose a variance from the provisions of the LUB in excess of 25% will be referred by the Development Officer to the Municipal Planning Commission for decision.

**Code or Standard to be Varied:**  
 Location of existing structure is a minimum of 1.0 m (3.3 ft.) from a side lot line.

**Details of Variance:**  
 Approximately 72" of a 29' boat storage structure is within 1m of the property line.

**Reason for Variance:**  
 Approximately 72" of a 29' boat storage structure is within 1m of the property line. This structure is over 30 years old and was built by the previous owners. The back corner isn't over the property line but within the 1m allowance. This property line was not established until late fall 2022. The lot next door is vacant and for sale and not affecting any part of this vacant lot. There is room to walk between the structure and the property line.

**Supporting Documentation:**

**Declaration of understanding:** by signing below, the owner or owner's agent expressly acknowledge that the owner is aware of and agrees with this request for variance, which is intended to provide an alternative to the strict provisions of the Land Use Bylaw (LUB), and that it is the responsibility of the owner to provide and maintain safety in accordance with the variance.

Address and/or legal description of the property upon which the thing, process, or activity which is the subject-matter of the variance is located:

Municipal Address	Lot	Block	Plan
121, 63303 Hwy 867	42	1	8122115

Printed name of owner or owner's agent	Signature of owner or owner's agent
Chris Mazurak Vera Mazurak	[REDACTED]

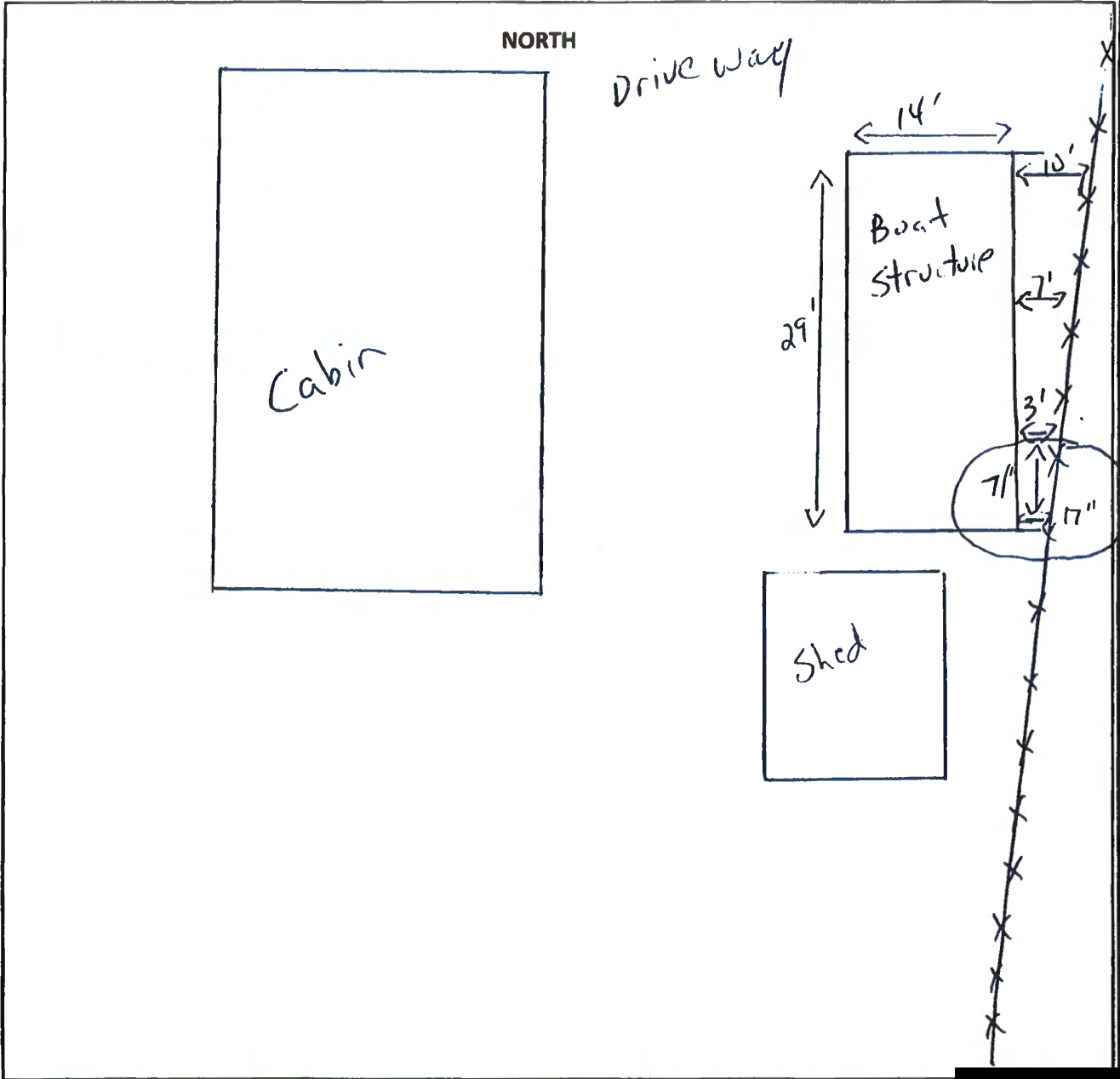
*The personal information on this form is being collected under the authority of Lac La Biche County Land Use Bylaw No. 12-024 (Section 28) and amendments thereto. It will be used for the permit review and inspection processes and may be communicated to relevant County departments, utility providers, and Alberta Health Services. It may also be used to conduct ongoing evaluations of services received from Planning and Economic Development. The name of the applicant and the nature of the permit will be available to the public. Please send inquiries to the FOIP Coordinator at (780)-623-6806.*

# SITE PLAN

Date: \_\_\_\_\_

Legal: Lot 42 Block 1 Plan 8122115 and/or Part of ¼ Sec \_\_\_\_\_ Twp \_\_\_\_\_ Rge \_\_\_\_\_ W4M

Name of Applicant: Chris Mazurak Vera Mazurak File Number: 2023-042 Scale: \_\_\_\_\_



APPLICANT'S SIGNATURE: \_\_\_\_\_

# Development Permit 2023-042

Lot 42, Block 1, Plan 8122115

Photos captured by Kika Mukuninwa on May 26, 2023



Looking south along the fence line between the parcel in question (right) and the neighbouring lot. The accessory building in question is in the back.

Close up view of the portion of the accessory building that encroached within the minimum side yard setback of 1.0 m (3.3 ft.)



Facing north showing the space between the accessory building and fence line that separates the parcels.

View into the parcel with the accessory building (boat storage) on the left, and cabin on the right.



**Lac La Biche County**  
welcoming by nature.

**Notification Letter**

June 14, 2023

**Development File Number: 2023-042**

**Roll No.:** [REDACTED]

**MAZURAK, VERA & CHRIS**  
[REDACTED]

**Re:           Legal Land Description: Lot 42, Block 1, Plan 8122115  
              Municipal Address: 121, 63303 HWY 867  
              Proposed Development: Accessory Building (Variance)**

**Dear Sir or Madam:**

Lac La Biche County would like to advise you that the Municipal Planning Commission has approved Development Permit 2023-042 with conditions for an Accessory Building (29.0 ft. x 14.0 ft.) on June 14, 2023. The proposed development is a Permitted Use within the Country Residential District (CR). A variance has been granted to the Minimum Side Yard (East) *to* 0.4 m (1.4 ft.), *varied from* 1.0 m (3.3 ft.).

Your development application is subject to appeal and if there are no appeals within the standard 21 day appeal period, your development permit will be issued. As per Section D1.10 (2) of Lac La Biche County's Land Use Bylaw No. 17-004; we have sent a notice, by regular mail, to landowners within 60.0 meters adjacent to the subject site regarding the decision of the Municipal Planning Commission.

If you do not agree with the conditions of approval, you may file an appeal to the Subdivision and Development Appeal Board by serving written notice to the Secretary and providing the applicable fees in the amount of Two Hundred Dollars (\$200.00) within twenty one (21) days of the date of this letter.

**Secretary of the Subdivision and Development Appeal Board  
PO Box 1679  
Lac La Biche County, AB T0A 2C0**

**If you have any questions regarding the development permit please contact the undersigned at 780-623-1747.**

**Sincerely,**

p.p.

  
**Kika Mukuninwa**

**Planning and Development Officer**

## CONDITIONS

1. Shall be located as per the attached site plan submitted on May 18, 2023.
2. Accessory buildings shall not be used as dwellings.
3. Accessory buildings and structures shall not exceed 6.5 m (21.3 ft.) in height from the inside wall grade to the top of the roof.
4. The accessory building shall not be located closer than 0.4 m (1.4 ft.), varied from 1.0 m (3.3 ft.) from the east side property line.
5. The accessory building shall not be located closer than 1.0 m (3.3 ft.) from the west side property line and rear property line.
6. Accessory buildings shall not be located closer than 2.0 m (6.6 ft.) from a dwelling.
7. Accessory buildings shall not exceed 12% of the total lot coverage.
8. The Applicant shall provide legal and physical access to the subject property in accordance with Section G.16 of Lac La Biche County's General Municipal Servicing Standards, as amended from time to time.
9. Emergency response number signs shall be posted at the parcel entrance in accordance with Lac La Biche County's Municipal Address Bylaw 06-023, as amended from time to time. Your address is 121 63303 HWY 867.
10. The Applicant shall obtain any and all approvals, permits, and authorizations from any and all agencies, departments, and authorities that may be required.
11. No drainage measures undertaken as part of a development shall negatively impact adjacent lots by way of flooding or inundation through the redirection of surface water. In the event that a development is found to affect neighbouring lands, all required mitigation measures required to remedy the problem including drainage structures, drainage easements, and retaining walls, shall be at the offending developer's sole expense.
12. Garbage collection shall be in accordance with the Lac La Biche County Waste & Recycling Management Bylaw 20-016.
13. Water supply must comply with all applicable provisions of the Public Health Act, as amended.
14. Sewage disposal must comply with all the applicable provisions of the Alberta Private Sewage Systems Standard of Practice 2015, and amendments thereto.
15. No Development shall occur over a registered easement or utility right-of-way.
16. Any construction that occurs as a result of a development permit approval shall be completed within two (2) years of the date of the approval.

### B3 RESIDENTIAL DISTRICTS

#### B3.1 COUNTRY RESIDENTIAL DISTRICT (CR)

##### B3.1.1 Purpose

The purpose of this district is to accommodate low-density residential development on large un-serviced lots that meet Municipal and Provincial servicing standards. Although land currently zoned under this district may be subdivided and developed in accordance with the requirements of this district, this district shall not be expanded to any additional lands in the County.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• Animal Grooming</li> <li>• Dwelling, Single Detached</li> <li>• Home Based Business, Minor</li> <li>• Mobile Home</li> <li>• Public Utility</li> <li>• Sea Can (parcels 1.2 ha (3.0 ac) in size or more)</li> </ul>	<ul style="list-style-type: none"> <li>• Agricultural, Intensive</li> <li>• Bed and Breakfast</li> <li>• Boarding and Breeding Facility</li> <li>• Cannabis Production &amp; Distribution, Micro</li> <li>• Child Care Facility</li> <li>• Communication Tower</li> <li>• Greenhouse/Plant Nursery (parcels 1.5 ha (5.0 ac) in size or more)</li> <li>• Group Home</li> <li>• Home Based Business, Major</li> <li>• Park Model</li> <li>• Secondary Suite</li> </ul>

Bylaw 20-001; Bylaw 20-027

##### B3.1.2 General Requirements



The following provisions shall apply to every development in this district:

Development Standard		
<b>Lot Area:</b>	<ul style="list-style-type: none"> <li>• Minimum:</li> <li>• Maximum:</li> <li>• Lakeview Estates ASP (Min):</li> </ul>	<ul style="list-style-type: none"> <li>• 0.2 ha (0.5 ac)</li> <li>• 2.0 ha (4.94 ac)</li> <li>• 0.4 ha (1.0 ac)</li> </ul>
<b>Lot Width:</b>	<ul style="list-style-type: none"> <li>• Lot subdivided prior to January 1, 1960 (Min):</li> <li>• All Other Cases (Min):</li> </ul>	<ul style="list-style-type: none"> <li>• 15.0 m (50.0 ft.)</li> <li>• 30.0 m (98.0 ft.)</li> </ul>
<b>Front Yard Setback:</b>	<ul style="list-style-type: none"> <li>• Internal Subdivision Road (Min):</li> <li>• External Road ROW (Min):</li> <li>• Provincial Highway ROW (Min):</li> </ul>	<ul style="list-style-type: none"> <li>• 7.6 m (25.0 ft.)</li> <li>• 30.0 m (98.0 ft.)</li> <li>• 40.0 m (132.0 ft.)</li> </ul>
<b>Side Yard Setback:</b>	<ul style="list-style-type: none"> <li>• External Road ROW (Min):</li> <li>• Provincial Highway ROW (Min):</li> <li>• Lot subdivided prior to January 1, 1960 (Min):</li> <li>• All Other Cases (Min):</li> </ul>	<ul style="list-style-type: none"> <li>• 20.0 m (66.0 ft.)</li> <li>• 40.0 m (132.0 ft.)</li> <li>• 1.8 m (6.0 ft.)</li> <li>• 3.0 m (10.0 ft.)</li> </ul>
<b>Rear Yard Setback:</b>	<ul style="list-style-type: none"> <li>• External Road ROW (Min):</li> <li>• Provincial Highway ROW (Min):</li> </ul>	<ul style="list-style-type: none"> <li>• 20.0 m (66.0 ft.)</li> <li>• 40.0 m (132.0 ft.)</li> </ul>
Development Standard		
	<ul style="list-style-type: none"> <li>• All Other Cases (Min):</li> </ul>	<ul style="list-style-type: none"> <li>3.0 m (9.8 ft.)</li> </ul>
<b>Height:</b>	<ul style="list-style-type: none"> <li>• Maximum:</li> </ul>	<ul style="list-style-type: none"> <li>• 10.0 m (33.0 ft.)</li> </ul>
<b>Dwellings per Lot:</b>	<ul style="list-style-type: none"> <li>• Maximum:</li> </ul>	<ul style="list-style-type: none"> <li>• Two (2) subject to Section C1.12</li> </ul>

### B3.1.3 Additional Requirements

- 1) Refer to Part C for additional requirements based on the proposed development.
- 2) Keeping of Animals
  - a) No livestock or poultry excluding chickens, with the exception of dogs, cats and other such household pets as are typically kept indoors, shall be kept on lots of less than 1.2 ha (3.0 ac) in size;
  - b) On lots 0.61 Ha (1.5 ac) and larger, up to twelve chickens shall be permitted. Roosters shall not be permitted. On lots less than 0.61 Ha (1.5 ac) chickens shall not be permitted;
  - c) Subject to subsection (d), on a lot more than 1.2 ha (3.0 ac) in size, the following may be kept, not more than a total of two (2) of the following: horses, cattle, pigs, donkeys, mules, goats, or exotic animals, or, alternatively, a total of twelve fowl or rabbits;
  - d) A person may be allowed to keep animals, livestock or fowl in excess of the number specified in subsection (b) if, in the opinion of the Development Authority, the lot is suitable for such use and it is determined that the additional numbers would not create a nuisance for neighbouring properties;
  - e) Chicken coops shall not be placed closer to the front property line than the principal dwelling; and
  - f) No livestock or poultry may be reared solely for the purpose of commercial sale.

### B3.1.4 Parking Requirements

Please consult section C3 Parking and Loading Facilities for complete parking requirements.

Bylaw 20-001

**B3.1.5 Accessory Buildings and Uses**

Please consult section C2.2 Accessory Buildings and Structures for complete requirements.

Bylaw 20-027

**C2.2 ACCESSORY BUILDINGS AND STRUCTURES**

- 1) Accessory uses and buildings are permitted in all districts where a development permit has been issued for a principal use.

Bylaw 20-027

- 2) An accessory building shall not be used as a dwelling unit unless approved as a secondary suite under Section C2.26 or a security suite under Section C2.27.

Bylaw 20-027

- 3) Where an accessory building is attached to a principal building by a roof, an open or enclosed structure above grade, or a floor or foundation which is above grade, except carports where vehicular access to the rear yard is not obstructed, it is to be considered part of the principal building and shall adhere to the setback requirements for principal buildings in the applicable land use district.

Bylaw 20-027

- 4) An accessory building or use shall not be located on a lot without a principal building or use being previously developed on the lot in a designated hamlet.

Bylaw 20-027

- 5) The maximum height of accessory buildings shall be in accordance with Table C2.1:

*Table C2.1: Accessory Building Height*

	<b>Height</b>
<b>On lots smaller than 0.4 ha (1.0 ac) in a hamlet:</b>	4.6 m (15.1 ft.)
<b>On lots larger than 0.4 ha (1.0 ac) in a Hamlet and on all Lots in the CR, ES1, ES2, OE1, and OE2 Districts:</b>	6.5 m (21.3 ft.)
<b>DC1 District (Elinor Lake Resort)</b>	4.9 m (16.1 ft.)
<b>DC3 District (Pine Lane)</b>	6.0 m (19.7 ft.)
<b>AG District</b>	No maximum height restriction
<b>All Other Districts:</b>	Not to exceed the height of the principal building

Bylaw 20-027

- 6) Accessory Building Size:
- a) the total area of all accessory buildings on a lot in a hamlet residential district shall not exceed twelve percent (12%) of the area of the lot unless otherwise stated in the land use district.
  - b) notwithstanding subsection (a), in a hamlet residential district the combined area of all accessory buildings shall not exceed the main floor area of the principal building.
  - c) in all other residential districts, the maximum lot coverage for all accessory buildings shall be:
    - i) 12% of the lot area or 139.0 m<sup>2</sup> (1,500.0 ft.<sup>2</sup>), whichever is less, for parcels under 2.0 ha (5.0 ac); and
    - ii) for parcels 2.0 ha (5.0 ac) and larger, the maximum combined lot coverage of accessory buildings shall be 350.0 m<sup>2</sup> (3,767.0 ft.<sup>2</sup>).
  - d) in all non-residential districts the maximum lot coverage for all accessory buildings shall be twelve percent (12%).
  - e) in the Agricultural District (AG) the maximum lot coverage of all accessory buildings shall not exceed twelve percent (12%).

Bylaw 20-027

- 7) In all districts, accessory buildings shall:
- a) be located a minimum of 2.0 m (6.6 ft.) from the principal building;
  - b) not be located within a front yard in a designated hamlet.
  - c) In all districts located outside of a designate hamlet, accessory buildings shall not encroach within the front yard setback listed in that district;
  - d) be located a minimum of 1.0 m (3.3 ft.) from a rear lot line, provided the building does not encroach on an easement;
  - e) be located, in the case of a garage or carport where the vehicle approach faces an abutting lane or public road a minimum of 2.0 m (6.6 ft.) from the lane or public road;
  - f) be located a minimum of 1.0 m (3.3 ft.) from a side lot line, provided the building does not encroach on an easement; and
  - g) not be located in an exterior side yard's visibility triangle as identified in C1.9.

Bylaw 20-027

- 8) Accessory buildings within the Agricultural District (AG) are permitted within the front yard but shall not encroach within the front yard setback listed in the district.

Bylaw 20-027

- 9) Notwithstanding any other provision in this section, no accessory building shall be permitted at a location that will restrict access to a rear yard where a lot has vehicular access from the front, and where one (1) side yard setback of 3.0 m (9.8 ft.) has been provided to accommodate access to the rear of the lot.

Bylaw 20-027

- 10) Accessory buildings and structures shall be developed in a manner that achieves architectural compatibility with the principal building on the lot.

- 11) Private Swimming Pools;
- a) private swimming pools shall be sited as per the siting requirements for accessory buildings.
  - b) every private swimming pool shall be secured against entry by the public other than owners, tenants, or their guests.
  - c) no private swimming pool shall be constructed unless a fence is provided, except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of the fence.
  - d) every fence enclosing a swimming pool shall be at least 1.7 m (5.5 ft.) in height above the level of the grade outside the enclosure and shall be of approved design such that it will deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall provide protection equivalent to the fence and shall be equipped with a self-latching device located on the inside of the gate.


Bylaw 20-027





## Notice of Appeal

### Site Information

Municipal Address	Legal Description Plan/Block/Lot	Reference/ File #
121,63303 HWY 867 Lac La Biche County, AB 	8122115	2022-102-2237

### Owners:

Chris and Vera Mazurak  


### Attorney:

Christina Henriques  
Henriques Law  
#140, 363 Sioux Road  
Sherwood Park, AB  
T8A 4W7  
[christina@hlawoffice.ca](mailto:christina@hlawoffice.ca)

### Appeal Against Property Line Infringement

Thank you for considering this appeal. We feel it necessary to provide some context for you to adequately consider the circumstances that prompted this appeal.

The subject property with the order from Lac La Biche County is a seasonal lake lot located at Fork Lake in Lakeland County. The property line is next to a lot that isn't used, has no structures apart from an old shed and is mostly trees and bush. We have been proud owners of our lake lot for 21 years. It is our happy place where we have raised our children and have spent many happy times with family and friends. All structures on our property, including the cabin, a 12' x 30' shed, covered fire pit area and the overhang for boat storage were in place when the property was purchased in 2002. The effective age of all the structures is at least 35 years old. When we purchased the property, it was bush and trees other than the driveway and around the structures. On the other side, the lot directly to the west of us, consisting of trees and bush, sat unused for many years. It eventually sold about 6 years ago and now has a travel trailer, covered fire pit and shed on the property. We have a great relationship with these neighbors and consider them good



family friends. The lot to the east, the property with the infringement complaint, formerly had a small, one room cabin and shed on it. The previous owner was a widow who would come regularly as she lived close by. She would often bake us a pie and we would bring her some of our BBQ dinner if she was there around dinner time. She was afraid of dogs so she would always honk when she pulled up so we would take our golden retriever inside. She would always tell us that we were welcome to park on her lot if we needed extra space for guests and I would often mow the front of her lot. We had a great relationship. She eventually started coming less and less and one day her appearances stopped, I believe, due to her advancing age. The property sat unused for a few years, except for the odd mowing. We continued to mow periodically as well. Eventually the property fell into disrepair. We believe the property is owned by extended family members of our former neighbor, but has changed hands twice in the last few years. It has been for sale throughout this period of time. About 2 years ago, the dilapidated cabin was removed from the lot. It was neglected, had foundational issues and skunks underneath, as our dog had been sprayed more than once! We believe removal of the cabin was done to give themselves a chance to finally sell. It is still for sale. The property now sits with an old shed, a small cleared area where the cabin used to sit and the remainder is trees and bush.

Sometime during the late fall of 2020 or winter of 2021, 2 trees fell onto our boat storage shed. Luckily there was no structural damage. The trees came from behind the boat shed on what has only recently been determined as the neighbor's property. Trees growing out and over our structures or falling and dangerously getting hung up on other trees was becoming a concern. At the time, both ourselves and my neighbor presumed that this area was on my property as no survey had been completed by either party. After discussion with my neighbors, to eliminate what had been a worsening problem, we paid to have this area cleared by Northern Tree Services for the length of the boat and storage shed. Even though we spoke about what was to be cleared and the area was marked with orange tape, the neighbors were enraged after completion. Multiple confrontations between him and myself and family members ensued. They recently surveyed the land to determine where the property line resides. I informed them that I would do my own survey and proceeded to do so. Both surveys were recently completed and the actual property line was determined. In the meantime, the confrontations and harassment heightened; the neighbors would show up at crazy times, such as midnight or later, yelling at our family members who had parked their travel trailer on our lot, accusing them that it was too close to the property line. They constructed a fence along the newly discovered property line, which in our opinion, was a great idea and one that I thought would finally be a resolution to this ongoing issue. I was happy with the idea of moving on and putting this behind us and assumed it was over. That is, until we arrived back in Canada in January after 2 months of abroad and received the order from Lac La Biche County, indicating the property line infringement.

Thank you for taking the time to read this backstory. I am appealing this order with the hope that common sense will prevail.

**Summary of Reasons For Appeal:**

1. Age of structure - This structure has been in place for 35 years or longer. The previous owners from whom we purchased the property built it in the current location. About 98% is in compliance with the minimum set back, it is just the one back corner that is about 1 foot too close to the recently discovered property line. There is room on our side for us to walk between the corner of the boat structure and the newly constructed fence to get behind. It is not affecting anything on the neighbor's property. See attached photos.

2. The owners do not live on, never use or ever spend time at this property. Their sole intention with the lot after they purchased it was to sell it. Unfortunately for both us and them, they have been unsuccessful in this endeavor. This therefore appears to be a vindictive move by a neighbor who is purposefully trying to create unnecessary confrontation for reasons unknown.

**Summary**

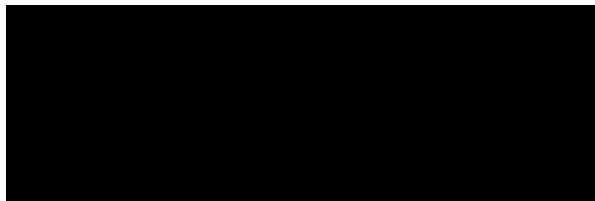
We are open to any reasonable solution. One option could be to have a variance registered on title, but we have doubts that the other owners would entertain this notion. We feel strongly that when it sells, new owners would have no issue whatsoever granting a variance as this structure does not affect the neighboring property in any way. We welcome this opportunity rather than having to move a structure out of spite and vindictiveness.

We are also open to any other solution that is fair and reasonable that the council might suggest. We are very reasonable people who are looking for a solution to an ongoing, escalating situation precipitated by unreasonable people.

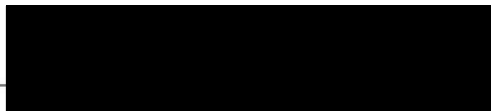
Thank you for your time and consideration of this appeal.

Sincerely,

Chris Mazurak



Dr. Vera Mazurak





Lac La Biche County  
welcoming by nature.

PLANNING AND DEVELOPMENT DEPARTMENT

P.O. Box 1679

Lac La Biche, AB T0A 2C0

Phone: (780) 623-1747 Fax: (780) 623-2039

**DEVELOPMENT APPLICATION REQUIREMENTS CHECKLIST**

*The personal information provided is being collected under the authority of the Municipal Government Act and will be used for the purposes under that Act. The personal information that you provide may be made public, subject to the provisions of the Freedom of Information and Protection of Privacy Act. Any questions regarding the collection, use and disposal of this information should be directed to the FOIP Coordinator for Lac La Biche County at (780) 623-6806.*

Notice to Applicants:

- 1) Applications are **NOT** considered complete until all the information has been provided.
- 2) You will be notified by letter if you are required to submit additional information, schedules or reports for your application.
- 3) You will be notified by letter when your application has been accepted as complete, and also when a decision has been made (see Figure 1 & 2).
- 4) For additional information, please refer to the development information package.
- 5) The applicant must submit the following information as specified under section 20 of the Land Use Bylaw No.12-024, as amended. An application for a development permit shall be made to the Development Authority, in writing, on the application form provided by the County and shall:
  - If an agent is acting on behalf of an owner, the agent and registered owner(s) signature on the application;
  - state the proposed use or occupancy of all parts of the land and buildings, and such other information, such as floor plans, elevations, and cross-sections of any proposed building(s), as may be required by the Development Authority;
  - shall include Site Plans in paper or CAD format at a scale satisfactory to the Development Authority, showing the following:
    - i. front, side, and rear yards;
    - ii. outlines of the exterior walls on all buildings;
    - iii. north point;
    - iv. legal description of the site and adjacent lots (by lot, block, subdivision and registered plan), roads, rights-of-way, easements, floodplains, top of bank, and watercourses within or abutting the lot;
    - v. location of existing and proposed municipal and private local improvements, principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas, where available;
    - vi. the grades of the adjacent streets, lanes, and sewers servicing the property, where available;
    - vii. the lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings, where applicable;
    - viii. setbacks for existing and proposed development from areas of steep slope, top of bank from any watercourse, or identified high water mark of any watercourse;

ix. location of oil & gas wells, pipelines & facilities, and abandoned wells (available from <http://mapview.ercb.ca/AbandonedWells/>).

if applicable, a Stormwater Management Plan (to be prepared at the discretion of the Development Authority), which must be approved by Alberta Environment of the relationship to any approved Stormwater Management Plan, including:

- i. topography;
- ii. watershed and development in relation to it;
- iii. proposed minor drainage system(ditches/pipes/catch basin locations);
- iv. proposed major drainage systems (direction of surface drainage);
- v. proposed on-site detention/retention facility (location/size);
- vi. location of outflow/outfall structures; and
- vii. any related modelling and calculation information.

a copy of the current land title(s) for the land that is the subject of an application validated within 30 days of the application.

provide any other pertinent information, tests, and fees required by the Development Authority respecting the site or adjacent lands including, but not limited to:

- i. a Geotechnical Report prepared by a qualified professional, registered in the Province of Alberta, for a potentially hazardous or unstable area;
- ii. a Biophysical Assessment prepared by a qualified professional, registered in the Province of Alberta, on the impacts of development on sensitive wildlife habitat or important natural environments;
- iii. a Hydrological Report prepared by a qualified professional, registered in the Province of Alberta, to determine the impacts of development on area watersheds and aquifers;
- iv. a Reclamation Plan for aggregate extraction or site grading and excavation;
- v. an Environmental Site Assessment to determine potential contamination and mitigation;
- vi. an Environmental Impact Assessment for a development with potential significant environmental effects;
- vii. a Master Sign Plan for development proposed under any Commercial or Industrial Land Use District;
- viii. a Landscaping Plan for the site, showing all of the proposed surface improvements;
- ix. a Flood Plain Impact Study;
- x. Information pertaining to the cost of the project or contract price;
- xi. the estimated commencement and completion dates of the proposed Development;
- xii. be accompanied by applicable fees; and
- xiii. any other information deemed necessary by the Development Authority to adequately assess the proposal.

6) In case of an application for a development permit on Crown Land, the County will require provincial authorization prior to the issuance of a development permit.

7) All applications for Permitted Uses where the development proposed involves a variance from the requirements of this Bylaw in excess of 25% shall be referred to the Municipal Planning Commission (MPC) for a decision (**see Figure 1**). If a variance is required see page 6.

## DEVELOPMENT PERMIT APPLICATION PROCESS

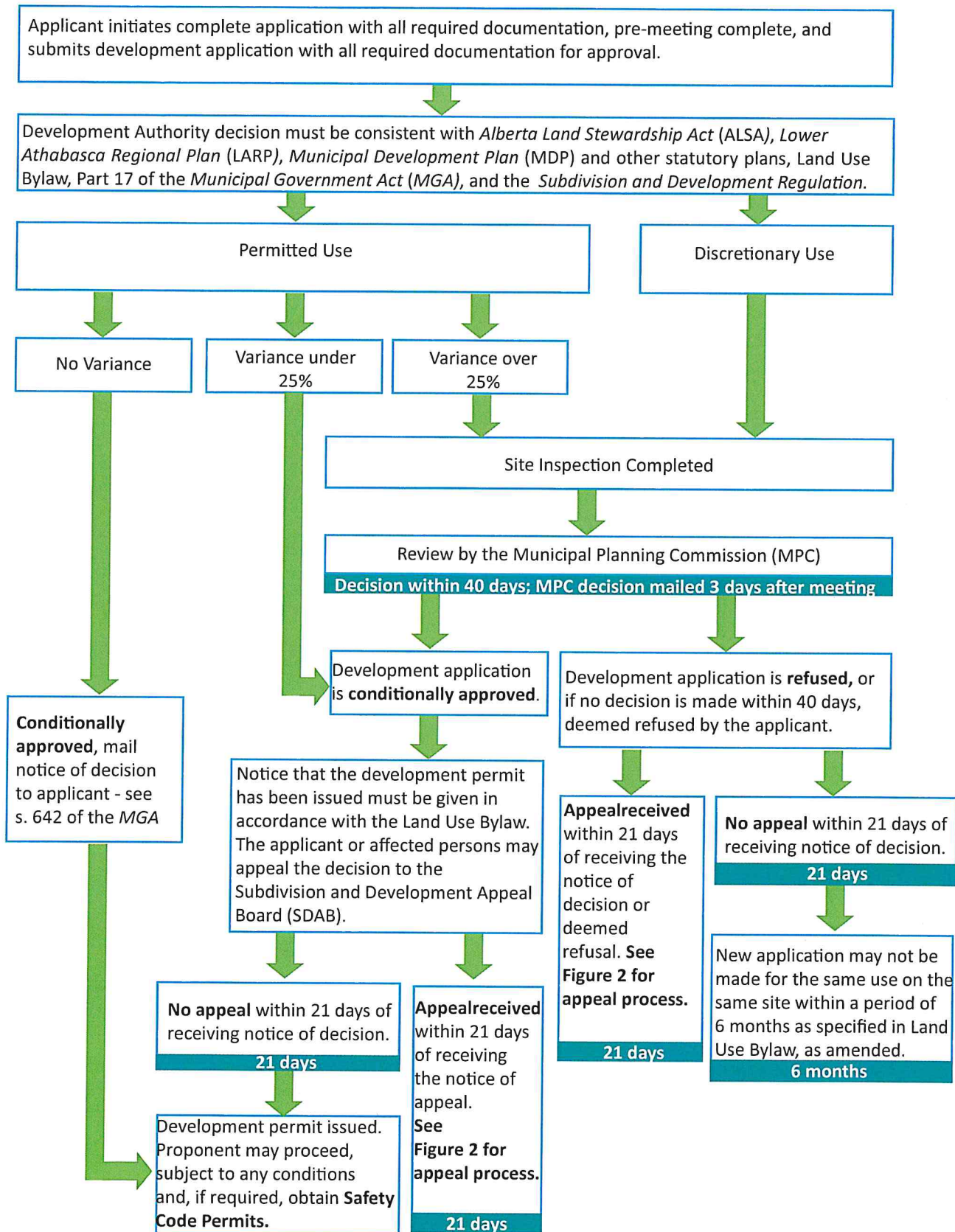


Figure 1: Development Permit Approval Process

## DEVELOPMENT PERMIT APPEAL PROCESS

The appellant or person affected by the development may appeal the decision of the Development Authority by filing a notice of appeal with the Subdivision and Development Appeal Board (SDAB) within 21 days of receiving a notice of decision or 40 days after the application date if no decision has been made.

**21 Days after notice, 40 days if no decision made**

Development Authority decision must be consistent with *Alberta Land Stewardship Act (ALSA)*, *Lower Athabasca Regional Plan (LARP)*, *Municipal Development Plan (MDP)* and other statutory plans, Land Use Bylaw, Part 17 of the *Municipal Government Act (MGA)*, and the *Subdivision and Development Regulation*.

Written notice of the hearing is given to the applicant, the Development Authority, those owners of land required under the Land Use Bylaw to be notified of the development permit, and any other persons the Board considered to be affected and who should be notified.

Appeal hearing must be held within 30 days of receipt of notice of appeal.

**within 30 days**

Decision must be given in writing within 15 days of concluding the hearing.

**within 15 days**

If **approved**, applicant is notified within 15 days of the conclusion of the hearing. Decision of the Subdivision and Development Appeal Board is **functus officio** and any reconsideration is null.

If **refused**, applicant is notified within 15 days of the conclusion of the hearing. Decision of the Subdivision and Development Appeal Board is **functus officio** and any reconsideration is null.

Proponent may proceed, subject to any conditions and, if required, obtain **Safety Code Permits**. Once Safety Code Permits have been issued, construction may begin.

Decision may be appealed to the Court of Appeal on a matter of law or jurisdiction.

**within 30 days**

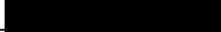
**Figure 2:** Development Appeal Process



PLANNING AND DEVELOPMENT DEPT  
P.O. Box 1679  
Lac La Biche, AB T0A 2C0  
Phone: (780) 623-1747 Fax: (780) 623-2039

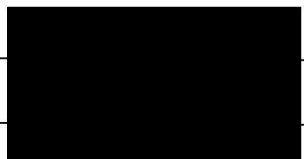
APPLICATION FOR  
**DEVELOPMENT**


FILE NUMBER: \_\_\_\_\_

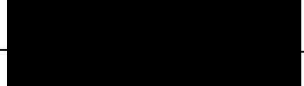
ROLL NUMBER: 

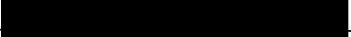
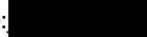
Date Submitted: 18 / 05 / 2023

Applicant/Agent: Chris and Vera Mazurak

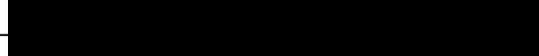
Phone: 

Address: 

Cell: 

City/Prov.  Postal Code: 

Fax: \_\_\_\_\_

**SIGNATURE:** 

Email address: 

**Agent Authorization:** I am the 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.

Owner same as Applicant

Registered Owner: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Cell: \_\_\_\_\_

City/Prov. \_\_\_\_\_

Postal Code: \_\_\_\_\_ Fax: \_\_\_\_\_

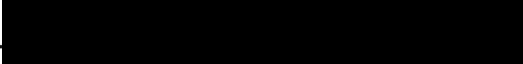
**SIGNATURE:** \_\_\_\_\_

Email address: \_\_\_\_\_

**RIGHT OF ENTRY**

Pursuant to Section 542 of the Municipal Government Act, I hereby do  or do not  grant consent for a designated officer of Lac La Biche County to enter upon the land as described above, for a site inspection. This may include taking photographs to be used in reports if required by a Development Officer.

Print Name: Chris Mazurak Vera Mazurak

**SIGNATURE:** 

# REQUEST FOR VARIANCE

Note: Only to be filled out in cases requiring variances.

File Number	Date of Request		
	yyyy	MM	DD

Name of owner's agent requesting variance	Email Address
Chris Mazurak Vera Mazurak	[REDACTED]

Mailing Address
[REDACTED]

**Variance** means an alteration or change to a standard prescribed by the Land Use Bylaw (LUB) that is authorized by the Development Authority. In addition to the requirements of Section 20 of the LUB, when an application for a development permit is submitted for a permitted or discretionary use which does not comply with the provisions of LUB, the Development Authority may request a statement from the applicant declaring the proposed variance for the development permit. Development permit applications that propose a variance from the provisions of the LUB in excess of 25% will be referred by the Development Officer to the Municipal Planning Commission for decision.

**Code or Standard to be Varied:**

Location of existing structure is a minimum of 1.0 m (3.3 ft.) from a side lot line.

**Details of Variance:**

Approximately 72" of a 29' boat storage structure is within 1m of the property line.

**Reason for Variance:**

Approximately 72" of a 29' boat storage structure is within 1m of the property line. This structure is over 30 years old and was built by the previous owners. The back corner isn't over the property line but within the 1m allowance. This property line was not established until late fall 2022. The lot next door is vacant and for sale and not affecting any part of this vacant lot. There is room to walk between the structure and the property line.

**Supporting Documentation:**

--

**Declaration of understanding:** by signing below, the owner or owner's agent expressly acknowledge that the owner is aware of and agrees with this request for variance, which is intended to provide an alternative to the strict provisions of the Land Use Bylaw (LUB), and that it is the responsibility of the owner to provide and maintain safety in accordance with the variance.

Address and/or legal description of the property upon which the thing, process, or activity which is the subject-matter of the variance is located:

Municipal Address	Lot	Block	Plan
121, 63303 Hwy 867	42	1	8122115

Printed name of owner or owner's agent	Signature of owner or owner's agent
Chris Mazurak Vera Mazurak	[REDACTED]

*The personal information on this form is being collected under the authority of Lac La Biche County and may be used for the permit review and inspection processes and may be communicated to relevant County departments, utility providers, and Alberta Health Services. It may also be used to conduct ongoing evaluations of services received from Planning and Economic Development. The name of the applicant and the nature of the permit will be available to the public. Please send inquiries to the FOIP Coordinator at (780)-623-6806.*





Estimated Completion Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
MM DD YYYY

**Dwelling:** Floor Area \_\_\_\_\_ sq. ft. % of Lot Occupied \_\_\_\_\_ Height of Dwelling \_\_\_\_\_ metres

**Accessory Building:** Floor Area \_\_\_\_\_ sq. ft. % of Lot Occupied \_\_\_\_\_ Height \_\_\_\_\_ metres

**Deck:** Floor Area \_\_\_\_\_ sq. ft. % of Lot Occupied \_\_\_\_\_ Height \_\_\_\_\_ metres

**Parking:** No. of Off-Street Parking (**Commercial/Industrial Use ONLY**) \_\_\_\_\_

Existing Land Use District/Zoning of Property: \_\_\_\_\_

**Work Camps:**

Duration of Occupancy/use: \_\_\_\_\_ Number of Beds: \_\_\_\_\_

**Description of Work:**

\*NOTE: Description of Work shall include all new developments such as dwellings, decks, accessory buildings, landscaping, etc.

**\*\* NOTE: Safety Codes Permits (Building, Electrical, Plumbing, Gas, and Private Sewage) may be required for your development. Consult with a Safety Codes Officer to determine which permits are required.**

# SITE PLAN TEMPLATE

Please indicate the following information as outlined on the sketch (see Figure 3).

## DEVELOPMENT APPLICATION SITE PLAN (Please use blank page or include additional attachments)

- Location of **EXISTING** buildings (on property BEFORE proposed development).
- Location of **PROPOSED** buildings.
- **Front, Rear and Side Yard** setbacks from property lines in meters and/or feet.
- Location of any water bodies on subject property.
- Location of driveway.
- All developed and undeveloped road allowances.
- Indicate the **North** direction.
- Location of all right-of-way and easements within or abutting the subject property.
- Existing and proposed accesses on property.

PLEASE INCLUDE SITE PLAN DRAWING (SPACE ON FOLLOWING PAGE).  
SEE PAGE 1 FOR FURTHER INFORMATION.

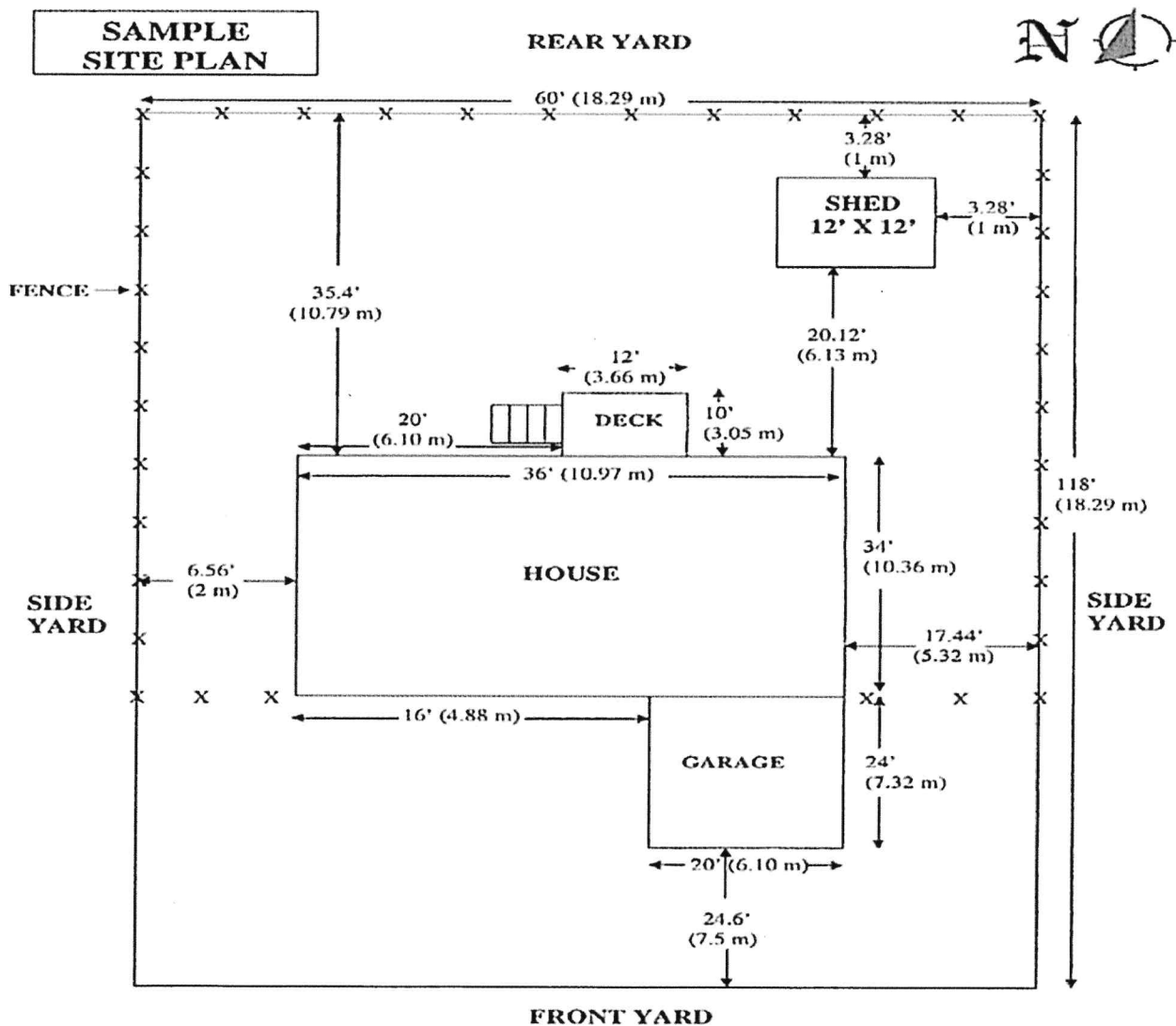


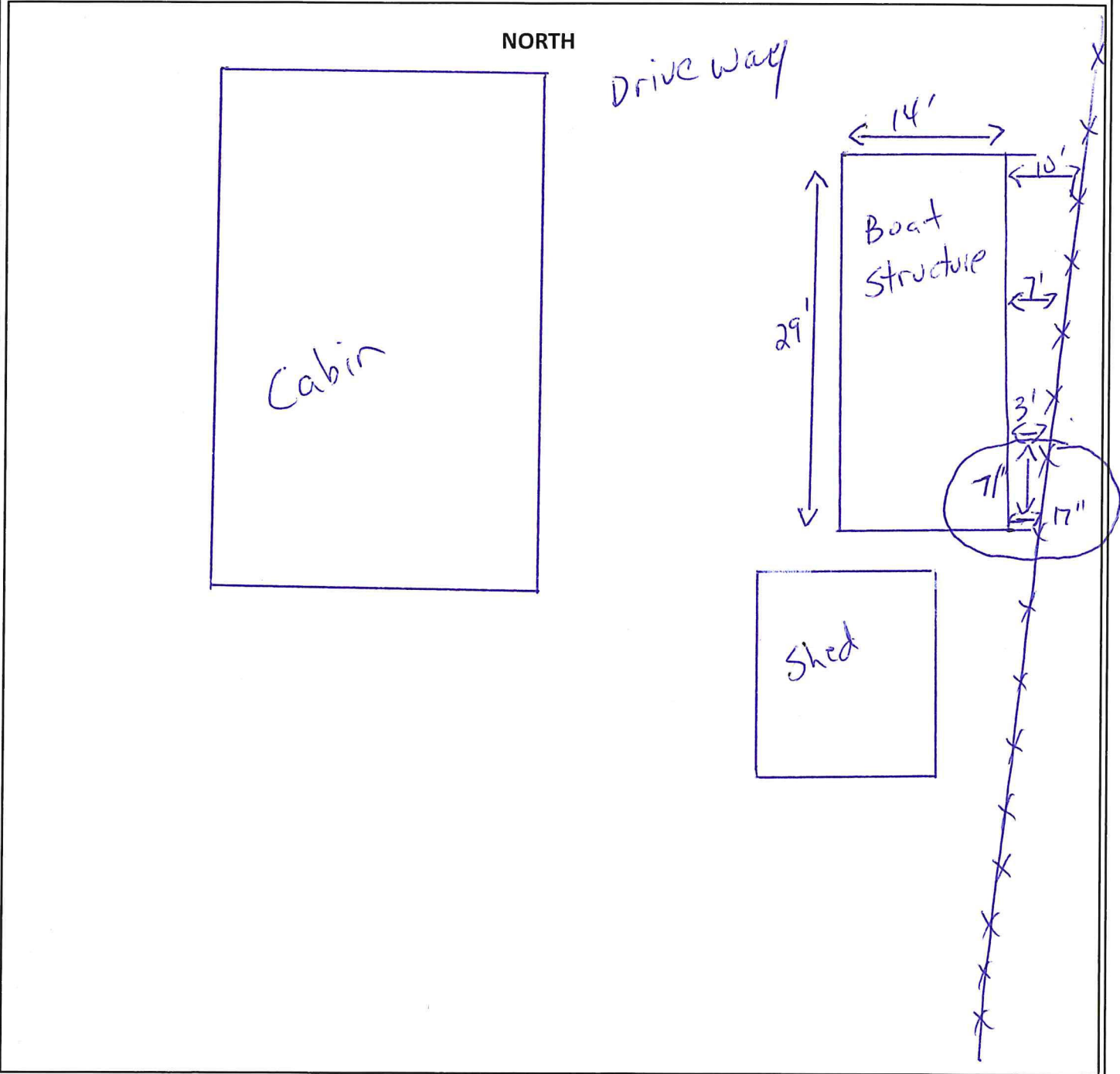
Figure 3: Site Plan Template

# SITE PLAN

Date: \_\_\_\_\_

Legal: Lot 42 Block 1 Plan 8122115 and/or Part of ¼ Sec \_\_\_\_\_ Twp \_\_\_\_\_ Rge \_\_\_\_\_ W4M

Name of Applicant: Chris Mazurak Vera Mazurak File Number: \_\_\_\_\_ Scale: \_\_\_\_\_



APPLICANT'S SIGNATURE: \_\_\_\_\_

**APPLICATION REQUIREMENTS:**

Applications are **NOT** considered complete **until ALL of the required information has been provided**. Please ensure that you have completed the application form accurately and clearly. Lack of information may delay consideration of your application.

Should additional information be required, you will be contacted directly by the Planning and Development Department.

You will be notified by letter when your application has been accepted as complete and also when a decision has been made regarding your application.

The question that is often asked of our department is:

“How long does it take from start to finish for my complete application to be processed?”

Please be aware that a decision can take up to 40 days as per Section 22 of the Land Use Bylaw, as amended, and pursuant to Section 684 of the MGA. However, depending on the nature of the application, permits can be issued sooner.

**OFFICE USE ONLY**

**Type of payment:**

- CREDIT CARD
- DEBIT
- CASH
- CHEQUE

**DEVELOPMENT PERMITS**

- Deck over 0.6 m (2.0 ft) above grade.....\$100.00
- Sign.....\$100.00
- Residential Permitted.....\$150.00
- Residential Discretionary.....\$300.00
- Commercial/Industrial/Institutional/Crown Land Permitted .....\$500.00
- Discretionary .....\$750.00
- Minor Home Based Business.....\$100.00
- Change Of Use .....\$100.00
- Development Permit (Temporary).....\$50.00
- Accessory Building - Detached.....\$100.00
- Accessory Building -Sea Can.....\$100.00
- Fencing over 2.0 m (6.6 ft) in side and rear yards.....\$100.00
- Total: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

Received By: \_\_\_\_\_

Date Received:

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
MM DD YYYY

**Authorization:**

Officer's Name

\_\_\_\_\_

Date Complete Application Received: \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
MM DD YYYY

Date of Approval: \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
MM DD YYYY

Date of MPC: \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
MM DD YYYY

Date of Advertisement: \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
MM DD YYYY

Date Permit Issued:

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
MM DD YYYY

\_\_\_\_\_  
Issuing Officer's Signature

*The personal information provided is being collected under the authority of the Municipal Government Act and will be used for the purposes under that Act. The personal information that you provide may be made public, subject to the provisions of the Freedom of Information and Protection of Privacy Act. Any questions regarding the collection, use or disposal of this information should be directed to the FOIP Coordinator for Lac La Biche County at (780) 623-6806.*